Title: Domestic Violence Disclosure Pilots **IA No:** **Lead department or agency:** Home Office **Other departments or agencies:**	**Impact Assessment (IA)** **Date:** 10/10/2011 **Stage:** Consultation **Source of intervention:** Domestic **Type of measure:** Primary legislation **Contact for enquiries**: Christopher Ashley 020 7035 3908

Summary: Intervention and Options

RPC Opinion: RPC Opinion Status

Cost of Preferred (or more likely) Option				
Total Net Present Value	**Business Net Present Value**	**Net cost to business per year** (EANCB on 2009 prices)	**In scope of One-In, One-Out?**	**Measure qualifies as**
£m	£m	£m	Yes/No	In/Out/zero net cost

What is the problem under consideration? Why is government intervention necessary?

Domestic violence is a widespread problem comprising 18% of all violent incidents. It has the highest rate of repeat victimisation of any crime with 44% of victims victimised more than once in the past 12 months. Whilst victims can apply for civil remedies to protect themselves from perpetrators, preventing domestic violence will bring significant benefits in terms of public protection and reducing health and criminal justice costs. The consultation will focus on whether a national scheme should be introduced to protect women from serial domestic abuse perpetrators by establishing a recognised and consistent process for the police to disclose information to potential victims about previous violent offences committed by a partner.

What are the policy objectives and the intended effects?

Public safety will always be a top priority for the Government. Where we can take further action to protect the public we will. The three main objectives of the disclosure policy are:

1. Strengthen the ability of the police and other multi-agency partnerships to provide appropriate protection and support to victims at risk of domestic violence;
2. Reduce incidents of domestic violence;
3. Reduce the health and criminal justice related costs related to domestic violence.

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)

Option 1: do nothing. Maintain the status quo.

Option 2: a "right to ask" scheme to enable the public to ask the police about another person's previous history of domestic violence or violent acts;

Option 3: a "right to know" scheme where the police would proactively disclose information in prescribed circumstances to potential victims relating to a subject's previous history of domestic violence or violent acts.

No preferred option will be selected until after consultation.

Will the policy be reviewed? It will/will not be reviewed. **If applicable, set review date:** Month/Year

Does implementation go beyond minimum EU requirements?			N/A		
Are any of these organisations in scope? If Micros not exempted set out reason in Evidence Base.	**Micro** No	**< 20** No	**Small** No	**Medium** No	**Large** No
What is the CO_2 equivalent change in greenhouse gas emissions? (Million tonnes CO_2 equivalent)			**Traded:** NA	**Non-traded:** NA	

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister: ..... Date: .....

Summary: Analysis & Evidence

Policy Option 1

Description: Do Nothing

FULL ECONOMIC ASSESSMENT

Price Base Year	PV Base Year	Time Period Years	Net Benefit (Present Value (PV)) (£m)		
			Low: Optional	**High:** Optional	**Best Estimate:** 0

COSTS (£m)	Total Transition (Constant Price)	Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low				
High				
Best Estimate	0		0	**0**

Description and scale of key monetised costs by 'main affected groups'

Other key non-monetised costs by 'main affected groups'

BENEFITS (£m)	Total Transition (Constant Price)	Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low				
High				
Best Estimate	0		0	**0**

Description and scale of key monetised benefits by 'main affected groups'

Other key non-monetised benefits by 'main affected groups'

Key assumptions/sensitivities/risks **Discount rate (%)**

BUSINESS ASSESSMENT (Option 1)

Direct impact on business (Equivalent Annual) £m:			In scope of OIOO?	Measure qualifies as
Costs: 0	**Benefits:** 0	**Net:** 0	No	NA

Summary: Analysis & Evidence

Policy Option 2

Description: "Right to Ask"

FULL ECONOMIC ASSESSMENT

Price Base Year **2012**	PV Base Year **2012**	**Time Period Years** 10	**Net Benefit (Present Value (PV)) (£m)**		
			Low: -0.8	**High:** 650	**Best Estimate:** 260

COSTS (£m)	**Total Transition** (Constant Price)	Years	**Average Annual** (excl. Transition) (Constant Price)	**Total Cost** (Present Value)
Low		0	0.02	**0.20**
High			0.09	**0.78**
Best Estimate	0		0.05	**0.39**

Description and scale of key monetised costs by 'main affected groups'

Police officer and IDVA time required to deal with between 250 and 1,000 additional requests per year (central estimate of 500) and 3 hours each per request.

Other key non-monetised costs by 'main affected groups'

None.

BENEFITS (£m)	**Total Transition** (Constant Price)	Years	**Average Annual** (excl. Transition) (Constant Price)	**Total Benefit** (Present Value)
Low		0	0	**0**
High			79	**650**
Best Estimate	0		31	**260**

Description and scale of key monetised benefits by 'main affected groups'

Domestic violence reduced by between 0% and 0.5% per year, central estimate of 0.2%

Other key non-monetised benefits by 'main affected groups'

None

Key assumptions/sensitivities/risks **Discount rate (%)** 3.5

Baseline cost of domestic violence is £15.7. No evidence for likely crime reduction impact so size of benefits may vary; but would only require a marginal crime reduction to offset costs.

BUSINESS ASSESSMENT (Option 2)

Direct impact on business (Equivalent Annual) £m:			**In scope of OIOO?**	**Measure qualifies as**
Costs: 0	**Benefits:** 0	**Net:** 0	No	NA

Summary: Analysis & Evidence

Policy Option 3

Description: "Right to Know"

FULL ECONOMIC ASSESSMENT

Price Base Year **2012**	PV Base Year **2012**	**Time Period Years** 10	**Net Benefit (Present Value (PV)) (£m)**		
			Low: 130	**High:** 1,310	**Best Estimate:** 650

COSTS (£m)	**Total Transition** (Constant Price)	Years	**Average Annual** (excl. Transition) (Constant Price)	**Total Cost** (Present Value)
Low		0	0.09	**0.78**
High			0.38	**3.14**
Best Estimate	0		0.19	**1.57**

Description and scale of key monetised costs by 'main affected groups'

Police officer and IDVA time required to deal with between 500 and 2,000 additional cases per year (central estimate of 1,000) and 6 hours each per case.

Other key non-monetised costs by 'main affected groups'

None

BENEFITS (£m)	**Total Transition** (Constant Price)	Years	**Average Annual** (excl. Transition) (Constant Price)	**Total Benefit** (Present Value)
Low		0	16	**130**
High			157	**1,310**
Best Estimate	0		79	**650**

Description and scale of key monetised benefits by 'main affected groups'

Domestic violence reduced by between 0.1% and 1% per year, central estimate of 0.5%.

Other key non-monetised benefits by 'main affected groups'

None

Key assumptions/sensitivities/risks — **Discount rate (%)** 3.5

Baseline cost of domestic violence is £15.7. No evidence for likely crime reduction impact so size of benefits may vary; but would only require a marginal crime reduction to offset costs.

BUSINESS ASSESSMENT (Option 3)

Direct impact on business (Equivalent Annual) £m:			**In scope of OIOO?**	**Measure qualifies as**
Costs: 0	**Benefits: 0**	**Net:** 0	No	NA

Evidence Base (for summary sheets)

A. Strategic Overview

A.1 Background

Domestic violence is a widespread problem. According to the British Crime Survey 2010/11, domestic violence comprises 18% of all violent incidents.[1] From April 2009-March 2010, the Crown Prosecution Service (CPS) dealt with 74,113 cases of domestic violence – an increase of 7,009 cases from 2008-09.[2] Domestic violence is rarely a one-off incident, and should instead be seen as a pattern of abusive and controlling behaviour through which the abuser seeks power over their victim. Domestic violence costs both the private and public sectors a significant amount of money. In her paper *The Cost of Domestic Violence: Up-date 2009*, Sylvia Walby estimated that domestic violence costs £15.7 billion in 2008 in public services, loss to the economy and victims.

In 2009/10 in England and Wales, 21 men and 94 women were killed by a partner, ex-partner or lover. Based on the figures for the last 10 years, there is an average of between 111 and 146 people murdered by their partner, ex-partner or lover annually and there is little sign of any longer term reduction in this trend.[3] Domestic violence and domestic homicide affects all communities and transcends age, gender, race, sexuality and social status. The dynamics of such abuse mean that it is often frequently repeated and the violence can escalate over time. A domestic violence incident which results in the death of the victim is often not a first attack, and serious injury and homicide can be prevented with early intervention.

A.2 Groups Affected

The proposals as set out in this Impact Assessment will have effect in England and Wales only.

The main groups affected by these proposals are:

- Police Forces;
- Agencies that attend MARAC;
- Independent Domestic Violence Advisers (IDVAs);
- Specialist Domestic Violence organisations;
- National Assembly for Wales;
- Victims of domestic violence; and
- Members of the public.

A.3 Consultation

This Impact Assessment accompanies the Home Office consultation document *Domestic Violence Disclosure Scheme – A consultation*. This is a consultation which seeks views on the desirability of disclosing information about perpetrators of domestic violence to victims and potential victims. It will seek views on whether the public should have a "right to know" or a "right to ask" and will also establish the potential scope for any disclosure scheme.

[1] Edited by Chaplin R, Flatley J, and Smith, K (2011) Crime in England and Wales 2010/11: Findings from the British Crime Survey and police recorded crime. London: Home Office

[2] Edited by: Flatley J, Kershaw C, Smith K, Chaplin R and Moon D (2010) Crime in England and Wales 2009/10: Findings from the British Crime Survey and police recorded crime. London: Home Office

[3] Smith, K et al (2011) Homicides, Firearm Offences and Intimate Violence 2009/10, Home Office Statistical Bulletin 01/11, London: Home Office

It is envisaged that the consultation will be open for comment from *{25th November 2011}* for 12 weeks until *{17th February 2012}*. Consultees are invited to offer views and comments on the policy options outlined, supporting evidence and associated costs and benefits, whether quantitative or qualitative. We will take account of the evidence gathered through the consultation in developing final policy proposals and the final Impact Assessment.

Although we are specifically seeking views of directly affected parties, including practitioners, other Government departments and organisations with a direct interest in the prevention of domestic violence, the consultation is available on the Home Office website and we would welcome comments from members of the public.

B. Rationale

The ambition of this government is to end violence against woman and girls, and the government is committed to ensuring that the police and partner agencies have the tools they need to bring offenders to justice and to ensure victims have the support they need to rebuild their lives. The case of Clare Wood, who was murdered by her former partner in Greater Manchester in 2009, has brought to national attention the issue of police disclosure of information on previous violent behaviour against different partners. Noting that her former partner had three previous convictions under the Protection from Harassment Act 1997, the Coroner's report into the murder published in July 2011 contained the following recommendation:

subject to appropriate risk assessment and safeguard, I recommend that consideration should be given to the disclosure of such convictions and their circumstances to potential victims in order that they can make informed choices about matters affecting their safety and that of their children.

The tragic case of Clare Wood follows a report commissioned by the Home Office and published in 2009 by Chief Constable Brian Moore of Wiltshire Police on behalf of the Association of Chief Police Officers (ACPO) - *Tackling Perpetrators of Violence against Women and Girls*. Chief Constable Moore set out a series of ten recommendations which included a "right to know" – ie. that the police should proactively disclose information to a new partner of an individual's previous domestic violence history. His proposal was based on research into the extent of serial perpetration of domestic violence within the Wiltshire Police Force area between 2006-09 which found that, of 126 serial perpetrators identified, 115 serial perpetrators committed domestic abuse offences against two unrelated victims, 10 serial perpetrators committed domestic abuse offences against three unrelated victims, and 1 serial perpetrator had committed domestic abuse offences against four unrelated victim over a period of 3 years or less. Extrapolating these figures to a national level, Chief Constable Moore estimated that nationally there may be 25,000 serial domestic abuse perpetrators.[4] He concluded that *"whilst routine disclosure should not be common practice, following risk assessment it may be proportionate and necessary to enable a potential victim to make choices about her safety and that of her children*"[5]

[4] ACPO, Tackling Perpetrators of Violence against Women and Girls – ACPO Review for the Home Secretary, September 2009, p21
[5] ACPO, Tackling Perpetrators of Violence against Women and Girls – ACPO Review for the Home Secretary, September 2009, p20

The current legal position

The police already have common law powers to disclose information relating to previous convictions or charges to the public where there is a pressing need for disclosure of the information concerning an individual's history in order to prevent further crime. It therefore follows that currently:

- any member of the public can already ask the police for information about a third-party's violent history;

- the police have discretion on whether to disclose the information if there is a need to prevent a further crime.

Under the Multi-Agency Public Protection Arrangements (MAPPA), where a violent offender requires interagency management at Level 2 or Level 3 as defined by the MAPPA criteria, the local MAPPA panel is already obliged to consider disclosing previous convictions to potential victims every time an offender's case is reviewed.[6] The relevant areas of existing law are as follows:

- the common law power for the police to share information for policing purposes (for the prevention and detection of crime);
- Data Protection Act 1998
- Human Rights Act 1998
- Children Acts (1989) and (2004): and
- Criminal Justice and Immigration Act (2008)

The Government wishes to seek views on whether the existing legal provisions for disclosing information to an individual (referred to in this Impact Assessment as "A") about previous violent offences committed by another individual (referred to in this Impact Assessment as "B", and who has an intimate relationship with A) are sufficient, or whether the protection available to A should be extended by establishing a national domestic violence disclosure scheme with recognised and consistent processes for the police to disclose information to A. The advantage behind such a national scheme is that new partners of previously violent suspects can make informed choices about how and whether they take forward that relationship.

The capability of the police to support either of these options has been enhanced by the introduction in 2011 of the Police National Database (PND) which will be able to identify serial perpetrators of domestic violence. The PND is an intelligence system designed to support operational policing using data from police forces' major information systems. As of September 2011, the PND contains approximately 1.3 billion data items, of which 44.5 million items relate to approx 10-15 million people. Whilst the PND can be used for any policing purpose, its initial focus is in three key areas of policing: safeguarding children and vulnerable adults, countering terrorism and preventing and disrupting serious and organised crime. It will provide forces with the opportunity to act on national markers, such as the Domestic Abuse Serial Perpetrator marker to flag prolific and dangerous subjects operating with and across the force boundaries. Such markers are likely to be available by June 2012 to all Police Forces in England, Wales and Northern Ireland, meaning that, for example, a person reported for previous domestic violence incidents in London and Lancashire will be known to the police in Leicestershire.

[6] For an explanation of the MAPPA levels of management, see: Mappa Guidance 2009 – Version 3.0, pp 90-96

Repeat victimisation:

Domestic violence is rarely a one-off incident. More usually it's a pattern of abusive and controlling behaviour through which the abuser seeks power over their victim. This is borne out by statistics: according to the British Crime Survey 2010/11, domestic violence has the highest rate of repeat victimisation of any crime with 44% of victims having been victimised more than once in the past 12 months. [7]

In recent years, the Government's policy on domestic violence has been focused on protecting identified high risk victims of domestic violence through the roll out of Multi-Agency Risk Assessment Conferences (MARAC) and supporting the development of Independent Domestic Violence Advisers. Depending on the outcome of the consultation, a possible mechanism for disclosing information about a person's past violent behaviour could be through the MARAC. This forum could provide the necessary safeguards and controls to ensure that information is disclosed appropriately with all due consideration to a victim's safety and/or access to services taken into account.

Impact on the criminal justice system

The Select Committee on Home Affairs has reported that domestic violence costs the criminal justice system £1.1 billion. Domestic violence places a significant burden on police time through reduced repeat victimisation, and wider costs to the criminal justice system of domestic violence. Every domestic violence homicide costs the CJS approximately £140k and bears an overall cost to society of approximately £1.4m (Home Office, 2005) in 2003 prices.

C. Objectives

The three main objectives of the disclosure policy are:

1) strengthen the ability of the police and other multi-agency partnerships to provide appropriate protection and support to victims at risk of domestic violence;
2) reduce incidents of domestic violence;
3) reduce the health and criminal justice related costs to domestic violence.

D. Options

Option 1 is to make no changes (do nothing). The police already have common law powers to disclose information relating to previous convictions or charges to A where there is a pressing need for disclosure of the information concerning the B's history in order to prevent further crime. Furthermore, if the take-up of a disclosure scheme was low, then this would not add much value to existing provisions to prevent domestic violence. However, doing nothing does not provide victims with additional protection and support that a suitably-controlled disclosure scheme could provide, and does nothing to reduce domestic violence which is estimated to have annual economic and social costs of around £15.7bn.

Option 2 - a "right to ask" Under this option, the Government envisages that A would be able to ask the police for a disclosure of B's past where A has concerns about B's behaviour or background. We propose that the model for disclosure would mirror that of the Child Sex Offender Disclosure Scheme, and might involve the following steps:

[7] Edited by Chaplin R, Flatley J, and Smith, K (2011) Crime in England and Wales 2010/11: Findings from the British Crime Survey and police recorded crime. London: Home Office

- Step 1: after an initial enquiry by A to the police, the police undertake an initial check on the Police National Database to identify whether any information is held on B;
- Step 2: A is met face-to-face to confirm their identity and that of B and to confirm the relationship between A and B, and to enable them to complete a formal application for disclosure;
- Step 3: the police conduct full checks on police database systems to inform a risk assessment for A;
- Step 4: The police refer information about B to an appropriate multi-agency setting (probably a MARAC), who would then make a decision on whether to disclose the information to A. Such a decision would be informed by the risk assessment and whether appropriate safety measures can be put in place for the applicant. If disclosure is approved, then the disclosure would be made by the police with an Independent Domestic Violence Adviser (IDVA) present in order to provide support to A if required.[8]

Although a scheme like this could be delivered under existing legal powers, it would be possible to go further and create a statutory right for the public to ask for such information.

The Child Sex Offender Disclosure Scheme, on which this option is based, has proven to be both an effective and cost-effective method for disclosing information about potentially dangerous people to the public. The scheme enables anyone with a concern about an individual with access to a child to ask the police about the previous violent and sexual convictions on that individual. The police will, where appropriate, make a disclosure to the parent or guardian of that child. During the 12 month pilot in four police force areas, the public made 315 applications for disclosure of information which uncovered 21 cases where a potentially dangerous person did have access to an applicant's child. [9] An evaluation of the pilot found that applicants were largely satisfied with the process, valuing timely contact and the professional conduct of staff. [10] Since April 2011, the scheme has been in place across all 43 forces in England and Wales and data held by the Home Office shows that between August 2010 to July 2011, there were 1458 enquiries of which there were 162 positive disclosures. Of the 162 disclosures, 119 disclosures were on specific child sex offences and 43 disclosures were on other offences.[11]

Option 3 - a "right to know" This option is based on Chief Constable Brian Moore's recommendation in his 2009 report - *Tackling Perpetrators of Violence against Women and Girls* – that information about B's previous history should be proactively disclosed in certain prescribed circumstances to A. Under this option, the police would proactively disclose information on B which is held on police records (via the new police national database as described in Chapter 1) to the Multi-Agency Risk Assessment Conference (MARAC), who would then consider whether to disclose the information to A and other third-parties. ACPO considers that the MARAC is the appropriate forum to consider disclosing information about the subject to A. The advantage of considering and disclosing information via the MARAC is that it will have the necessary knowledge and expertise to consider appropriate disclosure and ensure that appropriate safety and risk-assessment procedures are followed when disclosing the information.

[8] Independent Domestic Violence Advisers (IDVAs) are trained specialists who provide a service to victims who are at high risk of harm. IDVA involvement with victims of domestic violence has been shown to decrease victimisation and reduce victim withdrawal.
[9] Kemshall H, Wood J et al, Child Sex Offender Review (CSOR) Public Disclosure Pilots: a process evaluation – 2nd edition, 2010, p29
[10] Kemshall H, Wood J et al, Child Sex Offender Review (CSOR) Public Disclosure Pilots: a process evaluation – 2nd edition, 2010, pii
[11] Source: Home Office *Safeguarding and Public Protection Unit* (Sept 2011). Note: under the Child Sex Offender Disclosure Scheme, a disclosure is deemed "positive" when there is information held and disclosed about the subject's convictions and any other relevant information deemed necessary to protect a child.

Although existing common law already gives the police discretion to disclose such information to A, it would be possible to go further and place a duty on the police to disclose information through primary legislation. Setting the duty out in primary legislation would bring two benefits: firstly, it would ensure that the circumstances where disclosure should be made are clearly specified; secondly, it would ensure that the necessary safeguards are in place to ensure compatibility with all appropriate law - for example, the Data Protection Act 1998, Human Rights Act 1998, Rehabilitation of Offenders Act 1974.

E. Appraisal (Costs and Benefits)

GENERAL ASSUMPTIONS & DATA

The baseline cost of domestic violence is taken from Sylvia Walby's paper *The Cost of Domestic Violence: Up-date 2009*. These cost estimates are a combination of physical and emotional harm to the victims, lost output from time off work, CJS costs arising from those crimes which are reported and prosecuted amongst other components. The crime reduction benefits described in this section thus cover all aspects which benefit from reduced domestic violence.

There is no existing evidence on the extent to which disclosure might reduce domestic violence. There is a risk that 'take-up' might be low in terms of the volume of potential victims affected. On the other hand, DV victims suffer from repeat victimisation so a single success in terms of an individual, could result in many saved crimes. The potential benefits are therefore very large. For the purposes of this consultation stage IA, illustrative crime reduction percentages are assumed, based on the best knowledge obtainable. The purpose of the pilots will be to test the accuracy of these assumptions.

Cost estimates are based on illustrative assumptions of caseload and required resource. It has been assumed that the "right to know" option will result in between 500 and 2,000 cases per year with a central estimate of 1,000 lying towards the lower end of this range. Since the "right to ask" option places the onus on the potential victim to request the information, this option is expected to result in a smaller caseload. For simplicity the range and central estimate of annual cases has been taken to equal half that of the "right to know" option. Although not directly relevant, the annual volume of enquiries received under the Child Sex Offender Disclosure Scheme was 1,458 in the year to July 2011, supporting the claim that the ranges chosen are reasonable.

In terms of resource, it has yet to be decided where responsibility will lie in dealing with cases, how the communication will be carried out (by telephone, by home visit, by police station summons) or by whom (the police, MARACs). For illustrative purposes, it has therefore been assumed that a case will require the time of both a police officer (constable or sergeant) and an IDVA. Hourly wage data (£17.85 for police officers, £13.59 for IDVAs) for each has been derived from the 2010 Annual Survey of Earnings and CAADA respectively. It has been assumed that the "right to know" option will require additional background work in identifying potential victims and will therefore take up 6 hours each of police officer and IDVA time, compared to 3 hours each for the "right to ask" option.

No transitional costs have been modelled because police officers and IDVAs already have the required training, facilities and databases.

OPTION 2 – "Right to ask"

COSTS

It is assumed that this option will result in 250 to 1,000 cases per year, requiring 3 hours of police officer and IDVA time per case (for research, preparation and communication). This produces an annual cost of between £20,000 and £90,000 and a central estimate of £50,000 per year.

BENEFITS
Since Option 2 relies on potential victims approaching the authorities, it carries a higher risk of low take-up and crime reduction benefits are expected to be lower than under Option 3. It is estimated that Option 2 is likely to reduce DV by between 0% and 0.5%. This produces a lower bound crime reduction benefit of £0 and an upper bound of £80m per year.

An alternative costing approach is to estimate what percentage reduction in crime would be required in order to offset the policy costs. This is known as 'breakeven analysis'. In this case, because the annual cost of DV is so high, and the policy costs relatively low, the social and economic costs of DV would have to be reduced by just 0.0003% in order to breakeven against the estimated costs of Option 2

ONE-IN-ONE-OUT (OIOO)
N/A

OPTION 3 – "Right to know"

COSTS
This option is likely to cost some police officer and agency resource through additional proactive communication with potential DV victims. Based on an estimate of 6 additional hours per case and between 500 and 2,000 cases per year, this option is expected to cost between £90,000 and £380,000 per year with a central estimate of £19,000.

BENEFITS
There is no evidence upon which to base an estimated impact on DV of the option. An illustrative estimate is that Option 2 might reduce DV by between 0.1% and 1%. When applied to the baseline cost of DV, these assumptions produce a lower bound crime reduction saving of £16m per year and an upper bound saving of £160m per year.

Since the costs of Option 3 are likely to be higher than Option 2, the breakeven percentage is slightly higher – in the region of 0.0012% per year.

ONE-IN-ONE-OUT (OIOO)
N/A

F. Risks

The Government anticipates that the following risks may occur with regards to a national Domestic Violence Disclosure Scheme:

- **there is a low take-up of the Scheme**

Should this risk materialise, the likely impact is that the costs of implementing a Domestic Violence Disclosure Scheme outweigh the benefits, particularly when the costs of the consultation, pilot, implementation and training of police and agencies are included.

- there is a high take-up of the Scheme

Should this risk materialise, the likely impact is an increased burden on the police and MARACs to find the time and resources required to service the Scheme. Although no targets are planned should the Scheme be introduced, the Scheme may inhibit the police's ability to redeploy front-line resources. In addition, funding constraints may inhibit the capacity of MARACs to support victims.

- there is a displacement of domestic violence

Should this risk materialise, the likely impact is that perpetrators of domestic violence will move on to new victims, so that crime is displaced rather than prevented. However, the new police national database may mitigate this risk over time as perpetrators can be "flagged" and made known to all police forces across England and Wales. With appropriate data-sharing amongst agencies, appropriate support can be given to perpetrators to stop their offending.

G. Enforcement

Enforcement of this policy will be by the police and public protection agencies, with oversight from the Home Office.

H. Summary and Recommendations

The table below outlines the costs and benefits of the proposed changes.

Table H.1 Costs and Benefits

Option	Costs	Benefits
2	£0.39m	£260m
	Police officer and IDVA time required to deal with 500 cases per year.	Domestic violence reduced by 0.2% per year
3	£1.57m	£650m
	Police officer and IDVA time required to deal with 1,000 cases per year.	Domestic violence reduced by 0.5% per year

Source:

I. Implementation

Following the consultation, the Government plans to pilot any disclosure scheme from the Spring of 2012, according to the following milestones:

- Select pilot areas
- Set up pilot
- Run pilot
- Analyse results of pilot
- Make recommendations as to national roll out

J. Monitoring and Evaluation

The process of setting up and operating any disclosure scheme will be tested by two or three police forces to determine whether it can be operationalised and run in a way which does not impart additional burdens on the police. The scale of any evaluation will be determined following the consultation process and the identification of preferred option for a national disclosure scheme.

K. Feedback

The Home Office has regular contact with the police and the specialist women's sector. The Home Secretary chairs the *Violence against Women and Girls Inter Ministerial Group* which meets on average every 3 months and consists of representatives from all government departments – other stakeholders (such as the specialist women's sector) attend every other meeting. During the pilot, a Steering Group consisting of relevant representatives from the police and other government departments will be constituted to steer the pilot and receive feedback from stakeholders.

L. Specific Impact Tests

See Annex 1.

Annex 1. Specific Impact Tests

Statutory Equality Duties

Equality Impact Assessment

It is envisaged that any national disclosure scheme will apply equally to all males and females, with no negative impact on the following protected characteristics specified by the Equality Act 2010:

- Race
- Disability
- Gender
- Gender identity
- Religion, belief and non-belief
- Sexual orientation
- Age

The Home Office will take account of the evidence gathered throughout the consultation to give due consideration to the impact it will have on different groups and the potential impact, both positive and negative of the policy, on the protected characteristics. Evidence gathered throughout the consultation will inform final policy proposals, and the final stage Impact Assessment will reference the evidence gathered against the protected characteristics.