

<b>Title:</b> Domestic Violence Disclosure Scheme <b>IA No:</b> <b>Lead department or agency:</b> Home Office <b>Other departments or agencies:</b>	<b>Impact Assessment (IA)</b>		
	<b>Date:</b> 31/10/2013		
	<b>Stage:</b> Final		
	<b>Source of intervention:</b> Domestic		
	<b>Type of measure:</b> Other		
<b>Contact for enquiries:</b> Chris Ashley 020 7035 3908			
<b>Summary: Intervention and Options</b>		<b>RPC Opinion:</b> Not Applicable	

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, Two-Out? Measure qualifies as
-£27.4m	£0m	£0m	No   NA

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

Domestic violence and abuse is a widespread problem. It has the highest rate of repeat victimisation of any crime with around two-thirds (63%) of all incidents of domestic violence experienced by repeat victims. 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.

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

**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 and abuse 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 and abuse or violent acts.  
Option 4: a "right to ask" scheme and "right to know" scheme

Following a 14-month pilot in four police areas, the Government's preferred option is to introduce a Domestic Violence Disclosure Scheme, Option 4.

<b>Will the policy be reviewed?</b> It will/will not be reviewed. <b>If applicable, set review date:</b> Month/Year					
Does implementation go beyond minimum EU requirements?			Yes		
Are any of these organisations in scope? If Micros not exempted set out reason in Evidence Base.	<b>Micro</b> No	<b>&lt; 20</b> No	<b>Small</b> No	<b>Medium</b> No	<b>Large</b> No
What is the CO <sub>2</sub> equivalent change in greenhouse gas emissions? (Million tonnes CO <sub>2</sub> equivalent)			<b>Traded:</b> N/A		<b>Non-traded:</b> N/A

***I have read the Impact Assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits and impact of the policy, and (b) that the benefits justify the costs.***

Signed by the responsible Minister: \_\_\_\_\_ Date: \_\_\_\_\_

# Summary: Analysis & Evidence

Policy Option 1

Description: Do Nothing

## FULL ECONOMIC ASSESSMENT

Price Base Year 2012	PV Base Year 2014	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low:	High:	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

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

No impact

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

No impact

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

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

No impact.

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

No impact.

Key assumptions/sensitivities/risks

Discount rate (%)

## BUSINESS ASSESSMENT (Option 1)

Direct impact on business (Equivalent Annual) £m:			In scope of OITO?	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 2014	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: -10.39	High: -25.04	Best Estimate: -15.27

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low		1.21	10.39
High		2.91	25.04
Best Estimate	0	1.77	15.27

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

Cost to police officers, Independent Domestic Violence Advisers and probation officers from dealing with 2,575 initial cases per year.

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

Potential one-off training costs to the police – these would be 'opportunity' costs. The indicative costs provided by Wiltshire did not include training costs. It is difficult to fully assess the scale of the costs, but indications are the impact on the overall costs would not be significant.

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

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

No monetised benefits

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

Potential reduction in domestic violence and abuse. Would have to reduce total cost of domestic violence and abuse by 0.01% to breakeven, equivalent to preventing domestic violence and abuse in around a third of cases going through the scheme.

Key assumptions/sensitivities/risks	Discount rate (%)	3.5
Cost estimates from Wiltshire assumed to be representative of nationally rolled out scheme. Decision making forums assumed to be held once a month for three hours, with 1 police officer, 1 IDVA and 1 probation officer in attendance. Take-up at a national level may be higher or lower than anticipated.		

## BUSINESS ASSESSMENT (Option 2)

Direct impact on business (Equivalent Annual) £m:			In scope of OITO?	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 2014	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: -7.22	High: -21.87	Best Estimate: -12.10

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low		0.84	7.22
High		2.54	21.87
Best Estimate	0	1.41	12.10

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

Cost to police officers, Independent Domestic Violence Advisers and probation officers from dealing with 1,728 initial cases per year.

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

Potential one-off training costs to the police – these would be 'opportunity' costs. The indicative costs provided by Wiltshire did not include training costs. It is difficult to fully assess the scale of the costs, but indications are the impact on the overall costs would not be significant.

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

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

No monetised benefits

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

Potential reduction in domestic violence and abuse. Would have to reduce total cost of domestic violence and abuse by 0.01% to breakeven, equivalent to preventing domestic violence and abuse in around a third of cases going through the scheme.

Key assumptions/sensitivities/risks	Discount rate (%)	3.5
Cost estimates from Wiltshire assumed to be representative of nationally rolled out scheme. Decision making forums assumed to be held once a month for three hours, with 1 police officer, 1 IDVA and 1 probation officer in attendance. Take-up at a national level may be higher or lower than anticipated.		

## BUSINESS ASSESSMENT (Option 3)

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

# Summary: Analysis & Evidence

# Policy Option 4

Description: Right to Ask and Right to Know

## FULL ECONOMIC ASSESSMENT

Price Base Year 2012	PV Base Year 2014	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: -17.61	High:-46.91	Best Estimate: -27.37

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low		2.05	17.61
High		5.45	46.91
Best Estimate	0	3.18	27.37

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

Cost to police officers, Independent Domestic Violence Advisers and probation officers from dealing with 4,302 initial cases per year.

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

Potential one-off training costs to the police – these would be 'opportunity' costs. The indicative costs provided by Wiltshire did not include training costs. It is difficult to fully assess the scale of the costs, but indications are the impact on the overall costs would not be significant.

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

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

No monetised benefits

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

Potential reduction in domestic violence and abuse. Would have to reduce total cost of domestic violence and abuse by 0.02% to breakeven, equivalent to preventing domestic violence and abuse in around a third of cases going through the scheme.

Key assumptions/sensitivities/risks

Discount rate (%)

3.5

Cost estimates from Wiltshire assumed to be representative of nationally rolled out scheme.

Decision making forums assumed to be held once a month for three hours, with 1 police officer, 1 IDVA and 1 probation officer in attendance.

The costs for this option are the sum of Options 2 and 3.

Take-up at a national level may be higher or lower than anticipated.

## BUSINESS ASSESSMENT (Option 4)

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

# Evidence Base (for summary sheets)

## A. Strategic Overview

### A.1 Background

Tackling domestic violence and abuse is one of the Government's key priorities, and the Government's approach is set out in its Violence Against Women and Girls Action Plan. This final impact assessment updates the Consultation Impact Assessment published in October 2011 which set out options for introducing a Domestic Violence Disclosure Scheme.

Domestic violence and abuse is defined on the home office website<sup>1</sup> as any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse:

- psychological
- physical
- sexual
- financial
- emotional

Domestic violence and abuse is a widespread problem. It 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 and abuse 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 and abuse costs £15.7 billion in 2008 in public services, loss to the economy and victims. According to the Crime Survey for England and Wales, in 2011/12, more than one in four women will suffer domestic abuse in their lifetime in England and Wales. In 2011/12 in England and Wales, 17 men and 88 women were killed by a partner, ex-partner or lover.

Domestic violence and abuse 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. According to the Crime Survey for England and Wales, in 2011/12, around two thirds (63%) of all incidents of domestic violence and abuse were experienced by repeat victims. Of the victims interviewed, a third (32%) were victimised more than once and 20% were victimised three or more times. A domestic violence and abuse incident which results in the death of the victim is often not a first attack, and serious injury and homicide may be prevented with early intervention such as a Domestic Violence Disclosure Scheme.

### A.2 Groups Affected

The proposals as set out in this Impact Assessment have effect in England and Wales only. The main groups affected by this Impact Assessment are:

- Police Forces;
- Agencies that attend Multi-Agency Risk Assessment Conferences;
- Independent Domestic Violence Advisers (IDVAs);
- Specialist Domestic Violence organisations;

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<sup>1</sup> <https://www.gov.uk/domestic-violence-and-abuse>

- National Assembly for Wales;
- Victims of domestic violence and abuse; and
- Members of the public.

### **A.3 Consultation**

On 25<sup>th</sup> October 2011, the Government launched a consultation inviting views from the public on whether the protection of victims of domestic violence and abuse could be enhanced by the establishment of a national Domestic Violence Disclosure Scheme. The document invited views on the following three options:

- **Option 1: continue current arrangements under existing law** where the police already have common law powers to disclose information relating to previous convictions or charges to the partner of a previously violent individual where there is a pressing need for disclosure of the information concerning their history in order to prevent further crime.
- **Option 2: a “right to ask” national disclosure scheme** which enables an individual who has concerns about their partner, or a third-party who has concerns on their behalf to ask the police about the partner’s previous history of domestic violence and abuse or violent acts where the police would undertake full checks to inform a risk assessment and disclosure. A precedent upon which suitable adaptations could be made exists with the Child Sex Offender Disclosure Scheme;
- **Option 3: a “right to know” national disclosure scheme** where the police would proactively disclose information in prescribed circumstances to an individual who is at risk from their partner relating to their partner’s previous history of domestic violence and abuse or violent acts.

The consultation also sought views on the scope of any disclosure, plus the impact on different groups in relation to race, disability, gender, gender identity, religion, sexual orientation and age. The consultation closed on 13<sup>th</sup> January 2012.

The Home Office received 259 responses, of which 165 were from the on-line questionnaire posted on the Home Office website and 94 were received via a dedicated email Inbox.

The 259 figure excludes two separate petitions received by the Home Office, as follows:

- A petition organised by Key 103 FM consisting of 164 signatories.
- A petition on the Direct Gov E-petition’s website consisting of 129 signatories.

The profile of respondents to the on-line questionnaire or who sent responses to the dedicated email Inbox was as follows:

<i>Profile</i>	<i>Number</i>
Community Safety Partnerships	35
Members of the public	59
Representative bodies	11
Statutory agencies (local authorities, police, probation, NHS)	56
Third sector	71
Victims ( <i>as self-identified on on-line questionnaire</i> )	27

A clear majority of these respondents wished to see some form of process for disclosing information introduced - either a “right to ask” (n=35), a “right to know” (n=50) or both (n=135) - total: 220.

A common theme articulated, however, was that a “right to ask” or “right to know” mechanism should not be regarded as a “silver bullet” that solves domestic violence and abuse problems. Many respondents flagged other key issues and risks that the Government should consider further, which are summarised as follows:

1. that there are consistent police procedures across the country for:
  - a. investigating domestic violence and abuse incidents;
  - b. Safety planning and supporting victims after a domestic violence and abuse incident has occurred.
2. that there is sufficient capacity amongst Independent Domestic Violence Advisers (IDVAs) to accommodate the increased demand following the introduction of “right to ask” or “right to know”;
3. that the mechanism is based on a multi-agency picture of risk. Some respondents argued that relying on police information alone about an alleged perpetrator (P) is insufficient as P may not be known to the police but to other agencies;
4. the safety of the potential victim after disclosure has been made;
5. the privacy concerns particularly over the “right to know” option (to prevent “spying”; stigmatisation of alleged perpetrators);
6. the bureaucratic burden on police and agencies;
7. that if a “right to know” option is pursued, whether the local Multi-Agency Risk Assessment Conference (MARAC) is the appropriate organisation to manage the disclosure;
8. the jurisdiction and enforceability of the scheme across the United Kingdom.

Having carefully considered the 259 responses received to the consultation, where a clear majority of responses focused on the implementation of a disclosure scheme, the Home Office announced that a Domestic Violence Disclosure Scheme would be tested in a one-year pilot from the summer of 2012 in four police areas – Greater Manchester, Gwent, Nottinghamshire and Wiltshire. The disclosure process would be tested within existing legislation and the common law, to share information and to ensure that appropriate risk assessments and safeguards were in place to accommodate safety and process concerns raised by the consultation. The pilot would test both the “right to ask” and “right to know” options, and a non-statutory guidance document would accompany the pilot – see: <https://www.gov.uk/government/publications/domestic-violence-disclosure-scheme-pilot-guidance>

The report covering an assessment of the pilot will be found on the Home Office website. An overview of the key findings of the assessment is listed in Annex 2.

## **B. Rationale**

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, 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" – i.e. that the police should proactively disclose information to a new partner of an individual's previous domestic violence and abuse history. His proposal was based on research into the extent of serial perpetration of domestic violence and abuse 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.<sup>2</sup> 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*"<sup>3</sup>

### The pre-pilot 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. The advantage behind introducing a Domestic Violence Disclosure Scheme is that it would:

- a. introduce recognised and consistent procedures for disclosing information that enabled a new partner (A) of a previously violent individual (B) make informed choices about whether and how A takes forward that relationship with B;
- b. enhance the previous arrangements whereby disclosure occurred largely in a reactive way when agencies came into contact with information about an offender having a history of previous violence;
- c. under "right to ask", third-parties such as individual members of the public (C) could proactively seek information, with an expectation that the agencies responsible for safeguarding victims of domestic violence and abuse would check to see whether relevant information exists and if it does, that consideration will be given to its disclosure where necessary to protect the victim;
- d. under "right to know", where a safeguarding agency comes into the possession of information about the previous violent behaviour of a person (B) that may cause harm to another person (A), members of the public could expect the safeguarding agency

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<sup>2</sup> ACPO, *Tackling Perpetrators of Violence against Women and Girls – ACPO Review for the Home Secretary*, September 2009, p21

<sup>3</sup> ACPO, *Tackling Perpetrators of Violence against Women and Girls – ACPO Review for the Home Secretary*, September 2009, p20

- to consider whether any disclosure should be made and to disclose information if it is lawful, necessary and proportionate to protect the potential victim from further crime;
- e. encourage individuals to take responsibility for safety of the victim.

The pilot did not introduce any new legislation. Therefore, any disclosure would be within the existing legal framework and, in particular, have due regard to established case law, the Human Rights Act 1998, the Data Protection Act 1998 and the Rehabilitation of Offenders Act 1974.

### Impact on the criminal justice system and society

Walby (2009) estimated that domestic violence and abuse cost the Criminal Justice System approximately £1.3 billion in 2008. Domestic violence and abuse places a significant burden on police time through reduced repeat victimisation, and wider costs to the criminal justice system of domestic violence and abuse. Every homicide related to domestic violence and abuse costs the CJS approximately £180,000 and bears an overall cost to society of approximately £1.8m (Home Office costs of crime estimates, based on HOOR 30/05) in 2012 prices. The impact on society is not considered by perpetrators of domestic violence and abuse. Therefore there is a clear rationale for government intervention. Any policy that reduces domestic violence would result in significant benefits to the criminal justice system.

## **C. Objectives**

The three main objectives of the disclosure policy were:

- 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 and abuse;
- 2) reduce incidents of domestic violence and abuse;
- 3) reduce the health and criminal justice related costs to domestic violence and abuse.

## **D. Options**

**Option 1 – 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 and abuse. 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 and abuse 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 tested a process where a partner (A) or third party (C) was able to ask the police for a disclosure of B's past where A or C had concerns about B's behaviour or background. The Government modelled the disclosure process on the Child Sex Offender Disclosure Scheme, which involved the following steps:

- Step 1: after an initial enquiry by A or C 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 or C 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 a locally-determined decision making forum, 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.<sup>4</sup>

It is important to note that information is not automatically disclosed following a request. The police conduct checks and risk assessments on requests before potentially making a referral to a local multi-agency decision-making forum, where a decision is made about whether to make a disclosure. The forum must justify that there is ‘pressing need’ to make a disclosure, and that a disclosure is lawful and proportionate to protect the potential victim from future crime. If at any stage of the process the police identify that the potential victim is at immediate risk of harm and there is a pressing need to disclose which is lawful, proportionate and necessary, they can bypass the decision-making forum stage and make a disclosure straight away.

**Option 3 – a “right to know”** This option was 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 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) to the locally-determined decision making forum, who would then consider whether to disclose the information to A and other third-parties. 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.

It is important to note that, via right-to-know, information is not automatically disclosed to A. The police conduct checks and risk assessments on requests before potentially making a referral to a local multi-agency decision-making forum, where a decision is made about whether to make a disclosure. The forum must justify that there is ‘pressing need’ to make a disclosure, and that a disclosure is lawful and proportionate to protect the potential victim from future crime. If at any stage of the process the police identify that the potential victim is at immediate risk of harm and there is a pressing need to disclose which is lawful, proportionate and necessary, they can bypass the decision-making forum stage and make a disclosure straight away.

**Option 4 – a “right to ask” and a “right to know”** This option combines both options 2 and 3. Following the consultation phase, the Home Office announced that a Domestic Violence Disclosure Scheme would be tested in a one-year pilot. This pilot incorporated both the “right to ask” scheme and “right to know” scheme, which are explained above.

## **E. Appraisal (Costs and Benefits)**

### **GENERAL ASSUMPTIONS & DATA**

The baseline cost of domestic violence and abuse 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

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<sup>4</sup> 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.

arising from those crimes which are reported and prosecuted amongst other components. The crime reduction benefits and breakeven analysis described in this section thus cover all aspects which benefit from reduced domestic violence and abuse.

There is no existing evidence on the extent to which disclosure might reduce domestic violence and abuse. There is a risk that ‘take-up’ might be low in terms of the volume of potential victims who apply for and/or receive disclosures. On the other hand, victims of domestic abuse 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. The consultation stage IA presented illustrative crime reduction percentages. The pilots were unable to inform an accurate estimate of crime reduction (this was not an objective of the pilot as the common law power to make disclosures already exists and the pilot introduced a consistent process for doing so). Instead they revealed the volume of disclosures made. We present breakeven analyses to show by how much domestic violence and abuse would have to be reduced as a direct result of these disclosures in order to offset the costs of the scheme.

### Volumes

The volume of cases at each stage in the process was modelled on monitoring information voluntarily supplied by police forces in the four pilot areas over the course of the pilot (July 2012 – September 2013), scaled up to an England and Wales total on the basis of the population of men and women from the 2011 census. Volumes are presented in Table E1 below.

**Table E1. Volumes reported in pilots**

Stage	Gwent	Wiltshire	GMP	Nottingham shire	Total	E&W scaled up totals
RTA Applications	60	39	73	59	231	2,575
RTK Applications	16	79	36	24	155	1,728
<b>Total Applications</b>	<b>76</b>	<b>118</b>	<b>109</b>	<b>83</b>	<b>386</b>	<b>4,302</b>
<b>Total discussed at DMF</b>	<b>13</b>	<b>31</b>	<b>109</b>	<b>41</b>	<b>194</b>	<b>2,162</b>
Disclosure from RTA	8	7	39	5	59	658
Disclosure from RTK	5	15	27	5	52	580
<b>Total Disclosures</b>	<b>13</b>	<b>22</b>	<b>66</b>	<b>10</b>	<b>111</b>	<b>1,237</b>
<b>(at which IDVA present)</b>	<b>9</b>	<b>22</b>	<b>66</b>	<b>2</b>	<b>99</b>	<b>1,103</b>

RTA = Right to Ask

RTK = Right to Know

DMF = Decision Making Forum

IDVA = Independent Domestic Violence Advisor

### Costs

Cost estimates are based on the estimated time required of police officers and other agency workers, as reported by Wiltshire police force following the pilot exercise. These are presented in Table E2. Wiltshire police force was the only force to provide costs for DVDS, and so the costs are based on a smaller sample than the pilot itself. It should be noted that different forces implemented the process differently resulting in wide variation in local practice for the scheme (for example, one force referred all cases for discussion at the Decision Making Forum, while other forces referred a lower proportion of cases to the DMF as they had taken more steps to filter out applications before the DMF stage). Therefore given the differences in how the process was implemented, cost estimates in this appraisal are illustrative only.

**Table E2. Cost data and modelling**

## Costing data (from Wiltshire) and Modelling

	Time (hours)	Unit cost	Volume (RTA)	Volume (RTK)	Total cost (RTA)	Total cost (RTK)
<b>Police Costs</b>						
Initial Call	0.33	34.07	2,575	0	0.03	0.00
Intel Checks	1	34.07	2,575	1,728	0.09	0.06
Police officer to research, face to face (inc travel)	3	34.07	2,575	-	0.26	0.00
Senior police officer to QA and prepare for DMF	1	57.93	2,162	1,728	0.13	0.10
Decision making forum attendance*	3	57.93	4,176	4,176	0.73	0.73
Delivery of disclosure and safeguarding by police officer inc travel	2	34.07	658	580	0.04	0.04
<b>Total police cost</b>					<b>1.28</b>	<b>0.92</b>
Present value over 10 years					10.98	7.96
<b>Other agency costs</b>						
DMF Preparation (IDVA)	1	15.82	2,162	1,728	0.03	0.03
DMF preparation (probation worker)	1	16.82	2,162	1,728	0.04	0.03
DMF attendance (IDVA)*	3	15.82	4,176	4,176	0.20	0.20
DMF attendance (probation worker)*	3	16.82	4,176	4,176	0.21	0.21
Delivery of disclosure (IDVA)	2	15.82	587	517	0.02	0.02
<b>Total other agency cost</b>					<b>0.50</b>	<b>0.48</b>
Present value over 10 years					4.29	4.15
<b>Grand total cost</b>					<b>1.77</b>	<b>1.41</b>
Present value over 10 years					15.27	12.10

- Time estimated reported by Wiltshire with exception of DMF attendance and other agency costs which are based on reported police time estimates.
  - Police unit costs are Home Office estimates based on the Annual Survey of Hours and Earnings and police CIPFA data, in 2013/14 prices, with an adjustment for 'on costs'. Cost per hour for a sergeant or below is £34.07. Cost per hour for an inspector or above is £57.93.
  - IDVA unit costs based on figures reported in CAADA analysis of MARACs (£25k per annum, 238 working days, 8 hours per day, on costs of 16.4% (Eurostat))
  - Probation officer unit costs based on ASHE 2012P prison service officer median gross hourly wage + on-costs 16.4% (eurostat)
- \* Note that the volumes column for the Decision Making Forum (DMF) rows represent the volume of DMFs (12 per year in each local authority) and are not directly related to the volume of RTA and RTK cases. This assumption may be an over-estimate if police forces choose to have one DMF at the wider force-level rather than at the smaller local authority level.

For some stages in the process, cost and time estimates were not provided by Wiltshire police. Therefore we had to assume the time that would be required based on anecdotal evidence from the pilots and our best judgement. We assumed that Decision Making Forums (DMF) would be held once a month and would last three hours. In some cases this could be an overestimate because forces may choose to discuss cases after pre-existing Multi Agency Risk Assessment Forums (MARACs), or discuss the cases at a tele-conference reducing the additional costs of a decision-making forum. However we have modelled the minimum attendance recommended for a DVDS DMF in the scheme guidance – one police officer, one probation officer and one IDVA. Evidence from the pilots suggests that on some occasions an additional police officer, and other local agencies were also present, such as representatives from social services, health and community safety partnerships. Therefore on balance, this element of the cost is likely to be an underestimate.

These costs only cover enquiries from members of the public to the police that proceeded as formal Right to Ask requests. Feedback from pilot forces suggests the police experienced enquiries about the disclosure scheme that did not proceed as formal applications (for example, from people who wanted to find out more about the scheme but did not want to make a formal request). Costs associated with handling these enquiries have not been included in these estimates.

Anecdotal evidence from the pilot suggests that in some Right to Ask cases where there has been no information available to disclose, the police and/or an IDVA have visited the applicant to inform them that there is no information to disclose and talk through support options if the individual still has concerns about their relationship. There is no evidence about the proportion of cases this happened for and the costs associated with these visits have not been captured.

## **OPTION 2 – “Right to ask”**

### **COSTS**

It is estimated that this option will result in 2,575 initial cases per year, of which 658 will end with a disclosure. The volume of initial cases is an underestimate because police resource is also used for calls which do not proceed as a formal Right to Ask cases.

As well as involving a larger volume of cases than Right to Know, Right to Ask involves additional stages (an initial call and face-to-face interview) and therefore additional police time. Total costs are estimated at £1.77m per year, the largest component of which is attendance at the Decision Making Forum.

There may be some aspects of the scheme that require initial training costs for the police, e.g. on call handling. However costs are not expected to be substantial and would be ‘opportunity’ in nature in that they would involve a reallocation of police resource from other activities to training rather than the hiring of new officers. These costs have not been quantified due to an absence of information with which to inform an estimate.

### **BENEFITS**

Option 2 is estimated to result in 658 disclosures per year across England and Wales. However there is no evidence to suggest how effective these disclosures would be in reducing domestic abuse.

Based on the estimated total cost of domestic violence and abuse (£15.7 billion), total domestic abuse would have to be reduced by **0.01%** in order to break even against the estimated costs.

The Crime Survey for England and Wales estimates that there were 2.0 million victims of domestic abuse in 2011/12<sup>5</sup>. Assuming none of the 658 disclosures are for the same victim, this figure comprises only **0.03%** of all domestic abuse victims. Combining the two domestic abuse statistics produces an approximate average cost of domestic abuse per victim of £7,850 (£15.7bn/2.0m) and implies that disclosures would have to prevent domestic abuse in **226** (34%) of cases going through the scheme in order for the costs of the scheme to be offset. However, this calculation is subject to uncertainty, particularly because the Walby methodology assumes only one offence (of each type) per victim per year. It is acknowledged that the median domestic abuse per victim would have been preferable, but this is not available. Because domestic abuse is often characterised by periods of regular offending, it is possible that the true annual cost per victim is considerably higher than estimated here. If this is the case, the volume of disclosures that would need to result in prevention of domestic abuse would be lower than estimated.

### **ONE-IN-TWO-OUT (OITO)**

N/A

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<sup>5</sup> <http://www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/focus-on-violent-crime/stb-focus-on--violent-crime-and-sexual-offences-2011-12.html>

### **OPTION 3 – “Right to know”**

#### **COSTS**

It is estimated that this option will result in 1,728 initial cases per year, of which 580 will end with a disclosure. Total costs are estimated at £1.41m per year, the largest component of which is attendance at the Decision Making Forum.

There may be some aspects of the scheme that require initial training costs for the police, e.g. on call handling. However costs are not expected to be substantial and would be ‘opportunity’ in nature in that they would involve a reallocation of police resource from other activities to training rather than the hiring of new officers. These costs have not been quantified due to an absence of information with which to inform an estimate.

#### **BENEFITS**

Option 3 is estimated to result in 580 disclosures per year across England and Wales. However there is no evidence to suggest how effective these disclosures would be in reducing domestic abuse.

Based on the estimated total cost of domestic abuse (£15.7 billion), total domestic abuse would have to be reduced by **0.01%** in order to break even against the estimated costs. Note that without rounding, this breakeven percentage is lower than that for Option 2.

The Crime Survey for England and Wales estimates that there were 2.0 million victims of domestic abuse in 2011/12<sup>6</sup>. Assuming none of the 580 disclosures are for the same victim, this figure comprises only **0.03%** of all domestic abuse victims. Combining the two domestic abuse statistics produces an approximate average cost of domestic abuse per victim of £7,850 (£15.7bn/2.0m) and implies that disclosures would have to result in prevention of domestic abuse in **179** (31%) of cases going through the scheme in order for the costs of the scheme to be offset. However, this calculation is subject to uncertainty, particularly because the Walby methodology assumes only one offence (of each type) per victim per year. Because domestic abuse is often characterised by periods of regular offending, it is possible that the true annual cost per victim is considerably higher than estimated here. In this case, the volume of disclosures that would need to result in a prevention of domestic abuse would be lower than estimated.

#### **ONE-IN-TWO-OUT (OITO)**

N/A

### **OPTION 4 – “Right to ask” and “Right to know”**

#### **COSTS**

It is estimated that this option will result in 4,302 initial cases per year, of which 1,237 will result in a disclosure. As with Option 2, the volume of initial cases is an underestimate because police resource is used for calls that do not proceed as a formal Right to Ask case. Total costs are estimated at £3.18m, the largest component of which is attendance at the Decision Making Forum.

It is important to note that the total cost for Option 4 may be an overestimate because the cost estimates presented here for Options 2 and 3 were based on information from the pilot, where both Option 2 (Right to Ask) and Option 3 (Right to Know) were running

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<sup>6</sup> <http://www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/focus-on-violent-crime/stb-focus-on--violent-crime-and-sexual-offences-2011-12.html>

simultaneously and it was not possible to separate out the pilot costs of each option on its own.

There may be some aspects of the scheme that require initial training costs for the police, e.g. on call handling. However, costs are not expected to be substantial and would be 'opportunity' in nature in that they would involve a reallocation of police resource from other activities to training rather than the hiring of new officers. These costs have not been quantified due to an absence of information with which to inform an estimate.

## **BENEFITS**

Option 4 is estimated to result in 1,237 disclosures per year across England and Wales. However there is no evidence to suggest how effective these disclosures would be in reducing domestic abuse.

Based on the estimated total cost of domestic abuse (£15.7 billion), total domestic abuse would have to be reduced by **0.02%** in order to break even against the estimated costs.

The Crime Survey for England and Wales estimates there were 2.0 million victims of domestic abuse in 2011/12<sup>7</sup>. Assuming none of the 1,237 disclosures are for the same, victim, this figure comprises only **0.06%** of all domestic abuse victims. Combining the two domestic abuse statistics produces an approximate average cost of domestic abuse per victim of £7,850 (£15.7bn/2.0m) and implies that disclosures would have to result in prevention of domestic abuse in **405** (33%) of cases going through the scheme in order for the costs of the scheme to be offset. However, this calculation is subject to uncertainty, particularly because the Walby methodology assumes only one offence (of each type) per victim per year. Because domestic abuse is often characterised by periods of regular offending, it is possible that the true annual cost per victim is considerably higher than estimated here. In this case, the volume of disclosures that would need to result in a prevention of domestic abuse would be lower than estimated.

## **ONE-IN-TWO-OUT (OITO)**

N/A

## **F. Sensitivity Analysis**

The main cost driver for the DVDS is attendance at the DMF, which accounts for £1.13m (64%) of the total cost. We modelled the minimum attendance recommended for a DVDS DMF – one police officer, one probation officer and one IDVA. There is evidence from the pilot that an additional police officer and other local agencies were also present, and so we have modelled what would happen if attendance at the DMF was doubled. Some forces may choose to discuss the cases at a tele-conference, which may reduce the length of the DMF. Therefore, we have also modelled what would happen if the DMF length halved.

If attendance at the DMF doubled the total cost of Option 4 would increase to £5.45m. This would increase the net present cost to £46.91m. Based on the estimate total cost of domestic violence and abuse (£15.7 billion), total domestic violence and abuse would have to be reduced by **0.03%** in order for Option 4 to break even. Assuming that the average cost of domestic violence and abuse per victim is still £7,850, this implies that disclosures would now have to prevent domestic abuse in **694** (56%) of cases in order for the costs of the scheme to be offset.

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<sup>7</sup> <http://www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/focus-on-violent-crime/stb-focus-on--violent-crime-and-sexual-offences-2011-12.html>

When the length of the DMF is halved the total cost for Option 4 falls to £2.05m and the net present costs falls to £17.61m. This implies that disclosures would have to prevent domestic abuse in **261** (21%) of cases in order for the costs of the scheme to be offset.

## G. 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 benefits of the scheme will be limited. If the take up of the scheme was half that expected the benefits of the scheme will also be half. The costs would also reduce, but if there were any fixed costs from police training then the costs might fall by less than the benefits.

### - 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 and the capacity of IDVAs and domestic abuse support services.

### - there is a displacement of domestic violence and abuse

Should this risk materialise, the likely impact is that perpetrators of domestic violence and abuse 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 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.

## H. Enforcement

Oversight of this policy will be by the police and public protection agencies.

## I. Summary and Recommendations

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

<b>Option</b>	<b>Costs</b>	<b>Benefits</b>
<b>2</b>	£15.3m	
	Police officer and IDVA and probation officer time required to deal with 2,575 initial cases per year.	The costs of domestic violence would have to reduce by 0.01% per year in order to offset the costs.
<b>3</b>	£12.1m	
	Police officer and IDVA and probation officer time required to deal with 1,728 initial cases per year.	The costs of domestic violence would have to reduce by 0.01% per year in order to offset the costs.

4	£27.4m	
	Police officer and IDVA and probation officer time required to deal with 4,302 initial cases per year.	The costs of domestic violence would have to reduce by 0.02% per year in order to offset the costs.
Source: HO estimates		

Option 3 (right to know) has a lower cost than Option 2 (right to ask) because it involves fewer cases and less stages in the process. Option 4 has the highest cost because it combines both Option 2 and 3. All options would have to result in the prevention of domestic abuse in around a third of cases in order for the benefits to outweigh the costs.

The Government's recommendation is to implement Option 4. It is important to note that the total cost for Option 4 may be an overestimate because the cost estimates presented here for Options 2 and 3 were based on information from the pilot, where both Option 2 (Right to Ask) and Option 3 (Right to Know) were running simultaneously and it was not possible to separate out the pilot costs of each option on its own.

## J. Implementation

Following the consultation and pilot, the Government plans to roll out the Domestic Violence Disclosure Scheme across England and Wales from March 2014.

Following the completion of the pilot, the Home Office will consider the following recommendations to facilitate a national roll-out:

- 1) Work with the police to embed routine training on the Domestic Violence Disclosure Scheme for front-line and specialist domestic abuse police officers and staff (to include consistency of approach when disclosing information).
- 2) Work with voluntary and community sector to develop a standard package of support that can be given to individuals who applied for a disclosure via the Right to Ask route where there is no information to disclose.
- 3) Develop ways to raise awareness of the Domestic Violence Disclosure Scheme locally that balances public safety and local agency resources.

## K. Monitoring and Evaluation

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.

The pilot has not introduced any new legislation or powers to enable police to disclose information, as police officers already have the 'common law' power to disclose any information that is necessary to prevent and detect future crime. Instead, the pilot has introduced a recognised and consistent process for making disclosures. This makes it difficult to assess the effectiveness of the scheme, however, plans for reviewing the success of the policy are currently being considered along with the implementation of the scheme.

## **L. Feedback**

Any lessons learnt and feedback obtained from stakeholders will inform future policy consideration on the continuation or development of these schemes.

## **M. Specific Impact Tests**

See Annex 1.

# Annex 1. Specific Impact Tests

## Statutory Equality Duties

### Equality Impact Assessment

It is envisaged that a national roll-out of the Domestic Violence 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

During the DVDS consultation, the majority of respondents felt that no specific group would be overtly affected by a Domestic Violence Disclosure Scheme in an adverse way. However, the following issues were flagged for further consideration when designing a suitable disclosure scheme:

- where intelligence suggested that A was at risk of honour-based violence, appropriate and sensitive safety planning would be required for A;
- where English was not the first language of A, the authorities responsible for disclosing information would need to ensure that appropriate mechanisms were in place to ensure that A clearly understood the significance of the information disclosed and the follow-up safety planning;
- where certain groups (e.g. BME) perceived they had a poor relationship with the local police, appropriate outreach work would be required to win the confidence of these groups;
- that it was clearly advertised that the disclosure scheme is gender-neutral so that both female and male victims of domestic violence and abuse could benefit;
- that the needs of people aged under 18 and adults with disabilities were catered for where, following an appropriate risk assessment, disclosure was made to an appropriate adult or responsible carer.

During the pilot, no issues were reported to indicate that a person with a protected characteristic was adversely affected by the Domestic Violence Disclosure Scheme. During roll out across England and Wales, we will continue to monitor to ensure that no person with a protected characteristic is adversely affected.

## Annex 2. Summary of findings from the pilot

Police monitoring data from the pilot shows that between July 2012 and September 2013:

- There were 386 applications for a disclosure, made up of 231 Right to Ask requests initiated by members of the public and 155 Right to Know requests initiated by police and statutory or voluntary services.
- Most Right to Ask applications were initiated by individuals who had concerns about their partner and most Right to Know applications were initiated by statutory or voluntary services. The majority of applications requested information about the previous history of a woman's male partner. The most common reported trigger for requesting a disclosure was due to the behaviour of a partner.
- Of the 386 applications, almost one-third (29%, 111 applications) resulted in a disclosure from the police. Right to Know applications were more likely to result in a disclosure (34%) compared to Right to Ask applications (26%). Greater Manchester had the highest number of disclosures and a markedly higher disclosure rate than the other pilot areas (Table 1).

**Table 1: Volume and throughput of DVDS cases**

Force:	Gwent	Wiltshire	Greater Manchester	Nottinghamshire	Total
Right to Ask Applications	60	39	73	59	<b>231</b>
Right to Know Applications	16	79	36	24	<b>155</b>
<b>Total Applications</b>	<b>76</b>	<b>118</b>	<b>109</b>	<b>83</b>	<b>386</b>
Disclosure from Right to Ask	8	7	39	5	<b>59</b>
Disclosure from Right to Know	5	15	27	5	<b>52</b>
<b>Total Disclosures</b>	<b>13</b>	<b>22</b>	<b>66</b>	<b>10</b>	<b>111</b>
<b>Disclosure Rate</b>	<b>17%</b>	<b>19%</b>	<b>61%</b>	<b>12%</b>	<b>29%</b>

- Over the course of the pilot, the volume of Right to Ask applications fluctuated each month while the volume of Right to Know applications increased overall.
- The most common reasons why cases did not result in a disclosure were:
  - the decision-making forum felt there was no 'pressing need' to disclose information;
  - there was no information available to disclose that suggested an individual was at risk of harm from their partner;
  - the case did not meet the criteria for the scheme.

### *Perceptions of the pilot scheme*

- Overall, those involved in the pilot were positive about the disclosure scheme (police officers, partner agencies and applicants). The scheme was seen as a useful way of providing individuals with information to help them to make a more informed choice about their relationship.
- Those involved in delivering the scheme thought it offered a useful extra tool in the box of measures available to professionals to prevent domestic abuse. The scheme was also perceived to encourage local multi-agency working around domestic abuse.

- Police officers and support workers identified safety planning as a key element of the process, highlighting the importance of having a safety plan in place following a disclosure and having a support worker attending a disclosure alongside the police. This was considered important to give a potential victim immediate support. Findings from the applicant's questionnaires suggested that those who received a disclosure with a support worker present found this useful. Practitioners felt it was essential that there was sufficient support service coverage in place if the scheme was to be rolled-out nationally.
- Overall, almost all respondents involved in the research who had used the scheme were satisfied with their experience of the DVDS process. The majority of respondents who had received a disclosure felt that the information disclosed about their partner had helped them to make a more informed choice about their relationship. Most stated they would keep a closer eye out for warning signs of domestic abuse in their relationship following the disclosure.

#### *Implementation of the Pilot Process*

- All pilot areas have successfully set up a process for disclosure that follows the principles set out in the pilot guidance. Overall, the process was felt to be fit-for-purpose, functioning effectively and became perceived as 'business-as-usual' for police officers and partner agencies directly involved in the pilot as time went on.
- Police and partner agencies had positive views that the pilot guidance was not overly prescriptive as this had given them flexibility in setting up a process. This resulted in pilot areas operating some parts of the process differently to each other to suit local circumstances, such as the operation of decision-making forums. There were mixed views between practitioners about whether 'minimum standards' should be built into guidance to ensure a level of consistency across different local areas.
- Police practitioners highlighted that the Right to Ask route had introduced a new process that enabled individuals to contact the police directly about their concerns. The Right to Know route had formalised a process for making disclosures that they would have done previously in a more ad hoc manner.

#### *Issues experienced during the pilot*

The assessment aimed to identify challenges experienced during the pilot in order to capture lessons learnt. There were some early implementation issues which were felt to have been resolved by the end of the pilot, such as confusion about why Right to Know cases should be sent to a decision-making forum. Although implementation was perceived positively, some issues were identified across all pilot areas:

- **Perceived bureaucracy of police process:** police officers felt certain stages of the process were bureaucratic and lengthy, particularly conducting research on an individual's offending history.
- **Public awareness and understanding of the scheme:** practitioners felt that not many people in their local areas knew about the existence of the disclosure scheme, although most areas had not actively publicised it. Applicants' understanding of what the disclosure scheme was for and how the process works was reportedly varied, though any misunderstandings tended to be resolved once the police explained the process to applicants. Targeted and clear communication about the scheme was considered important in future to manage applicants' expectations of the scheme.
- **Frontline police officer awareness of the scheme:** practitioners suggested that not all frontline police officers knew about the existence of the scheme. It was felt

important that they at least had a basic knowledge so they could consistently identify cases appropriate for referral to the Right to Know route.

- **Overlap between the DVDS and other disclosure processes:** some practitioners identified a need for further guidance about how the domestic violence disclosure scheme overlaps with and complements other disclosure processes, such as Multi-Agency Public Protection Arrangements and the Child Sex Offender Disclosure Scheme<sup>1</sup>.
- **Lack of understanding of the term ‘pressing need to disclose’:** practitioners involved in decision-making forums felt that the term ‘pressing need’<sup>2</sup> was unclear and subjective. Police and partner agencies felt this had not been an issue in practice, as if there was felt to be a risk to an individual from their partner, this meant there was a pressing need to disclose.
- **Delivery of Right to Know disclosures:** Police officers felt it was difficult to practically manage the delivery of a Right to Know disclosure, as often the person at risk was not aware the application had been made. There had been some cases where the person at risk had been dismissive of the disclosure. Support services had some concerns that this could place a potential victim at greater risk of domestic abuse if not managed carefully.
- **Lack of consistency in information given in disclosures:** There was some inconsistency between pilot areas in the level of detail contained within a disclosure and what previous offences were disclosed. Practitioners felt that the precise information to be disclosed should be decided on a case-by-case basis but some level of consistency across areas was needed. Support workers and respondents who received disclosures felt that more detailed disclosures were more useful.
- **Follow-up support for non-disclosures:** There was a lack of consistency between pilot areas in the type of follow-up support given to those who were told there was no information to disclose. Practitioners suggested it would be useful for a set of ‘minimum standards’ of support to provide for non-disclosures.

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<sup>1</sup> Multi-Agency Public Protection Arrangements (MAPPA) involve the management of violent and sex offenders. The Child Sex Offender Disclosure Scheme (CSODS) allows parents, carers and guardians to formally ask the police if someone has a record for child sex offences.

<sup>2</sup> ‘Pressing need’ is one of the criteria the decision-making forum must use to justify the decision to make a disclosure.