

1. Background

The Domestic Violence Disclosure Scheme (DVDS), often referred to as Clare's Law, was introduced after the tragic case of Clare Woods who was killed by her ex-partner in Greater Manchester in 2009. She was in a relationship but was unaware of his violent history of abuse. When the relationship ended Clare was stalked before being killed in her home in Salford.

At the inquest, the coroner said, "... 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."

7. Support

Support is provided by police and specialist domestic abuse services in Bexley. Following the disclosure it may be appropriate to carry out a formal risk assessment to establish if the person is at high risk of domestic abuse, serious injury or homicide. If this is the case it is essential that the person is referred to the Multi-Agency Risk Assessment Conference (MARAC), a referral made to IDVA services for support and given appropriate safety advice.

6. How to apply

Applications under DVDS can be made both in person at any police station or on-line via a dedicated portal. The decision to disclose will be made at a multi-agency panel meeting.

Information shared is to Make sure that the victim can make an informed decision

5. Right to know

Under the "right to know" agencies that come into possession of information can be expected to consider disclosure to safeguard potential victims from further crime.

As a professional you can ask for information under the "right to know". If you are working with an adult or a young person who expresses concerns you can encourage them to ask for information. Where police come into possession of information about the previous violent and abusive behaviour of an intimate partner or previous intimate partner that may potentially put someone at risk members of the public can expect the police to consider disclosing this information. This can be done if it is lawful, i.e. if it is necessary and proportionate to protect the potential victim from crime.

2. What is the DVDS?

The aim of the DVDS is to give a person potentially at risk a formal means of making enquiries about an individual who they are or were in an intimate relationship. The scheme sets out formal procedures around police sharing information with members of the public about a person's known history of violent or abusive offending to help protect them from the risk of harm from domestic abuse.

The DVDS recognises two procedures for disclosing information: the first is the "right to ask" which is triggered by a member of the public applying to police for a disclosure. And secondly, the "right to know" which is triggered by the police making a proactive decision to disclose information to protect a potential victim(s).

3. Legal framework

The legal framework allows the police to share information in the interest of policing purposes or for pressing social need. The information sharing must be proportionate and relevant. In these cases, the public interest outweighs any potential breach of privacy. Under the "right to ask" individuals can apply to the police for information about a person's previous violent or abusive behaviour.

4. Right to ask

Anyone can make an application under the "right to ask" not just family members or friends, it can include professionals. Information will only be disclosed to the person potentially at risk, not the person who requests it unless they are acting as 'appropriate adult'. The person at risk will not be told who made the application.

