

## What is The Domestic Violence Disclosure Scheme?

The Domestic Violence Disclosure Scheme (DVDS), also known as Clare's Law, allows individuals to request information from the police about their partner's or ex-partner's previous history of violence or abuse. People can request this type of information if they believe they are personally at risk of abuse or are concerned on behalf of a close friend or relative. This law applies to everybody, regardless of the gender or sexuality of the victim or the perpetrator.

The Police can make a disclosure if it could prevent or protect someone else from being the victim of domestic abuse.

The scheme is named after Clare Wood who was murdered by her partner in 2009. It was formally introduced across England and Wales in 2014.

### How Does It Work?

The DVDS provides the police with a clear framework, with recognised and consistent processes to exercise their common law powers in the context of domestic abuse.

The scheme is split into two elements:

- the **'Right to Ask'**: individual can ask the police to check whether a partner or ex - partner has a previous history of violence or abusive behaviour. Any information that is shared is called a 'disclosure'.
- the **'Right to Know'**: police can proactively disclose information to an individual if they believe they may be at future risk.

The police must satisfy several tests before a decision to disclose is made under the scheme. The decision will be made based on facts of the individual case and disclosure will only be made if it is deemed 'lawful, proportionate and necessary' and there is a need to prevent further crime.

Police will take the different definitions of abuse into account when considering what information to disclose as part of a DVDS application.



## One Minute Guide

### The Domestic Violence Disclosure Scheme - Clare's Law

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Domestic abuse is legally defined in the Domestic Abuse Act 2021; under the Act, domestic abuse occurs where the victim and perpetrator are aged over 16. A child will be regarded as a victim of domestic abuse in their own right if they: see or hear, or experience the effects of, domestic abuse, and are related to the person being abused or the perpetrator.

Coventry has one of the highest rates of domestic abuse in the West Midlands and are above average compared to the rest of the UK. It is important that practitioners working with victims of domestic abuse have knowledge and understanding of the specialist support services that are available.

### Who can make an application?

Any individual has the right to make an application to request information about a current or ex-partner where there are concerns that this individual may be violent, abusive, controlling and coercive.

Any concerned third party e.g. parent, family member neighbour, friend or colleague can make also an application if they are concerned that the person may harm the individual or be a threat to their safety.

If you an individual applies on their own behalf, then the police will disclose any information directly to them – usually in person.

A third party making an application would not necessarily receive the information about the individual concerned. Any disclosure is likely to depend on their relationship to that person and their ability to keep them safe. It may be more appropriate for someone else to receive the information, such as the potential victim or someone else who is best placed to protect the potential victim.

Any disclosed information must be treated as confidential, and applicants should not share this information with anyone else.

### How to make an application:

Individuals can make a DVDS application by:

1. Completing an online application form

[West Midlands Police online application form can be accessed here](#)

2. Calling 101
3. Attending a local police station

### What happens next?

- Police will aim to complete an initial review of the application within 24 hours to determine if the application will be progressed and if there is any immediate or imminent risk.
- If the application does progress it will be referred to a team / unit who will contact the individual withing within 10 working days of the application being made.
- Police will aim to complete applications within 28 working days, but in some circumstances it may take longer than this.

*All disclosures must be accompanied by a robust safety plan, tailored to the needs of the victim or potential victim and based on all relevant information available.*

### Key Contacts and Further Information

If you suspect that domestic abuse is currently taking place, in an emergency always call 999. For a non-emergency please call 101.

There is further information available on the **West Midlands Police** website:

<https://beta.westmidlands.police.uk/advice/advice-and-information/daa/domestic-abuse/>

**Coventry Safeguarding Adults Board:**

<https://www.coventry.gov.uk/coventry-safeguarding-adults-board>

**Coventry Safeguarding Children Partnership:**

<https://www.coventry.gov.uk/coventry-local-safeguarding-children-board>

