

What are Domestic Violence Disclosure Protocols? - "Clare's Law"

Policy Backgrounder



WomanACT

About WomanACT

WomanACT advocates for a world where all women and gender-diverse people live free from violence and have economic security. We work collaboratively to eradicate gender-based violence through research, education, and advocacy.

WomanACT has been providing coordination, planning, and community mobilization in Toronto since 1991. Today, we are a charitable organization with a membership of organizations and individuals working to end gender-based violence through system change.

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Introduction

In 2014, following the murder of Clare Wood by a former partner, the United Kingdom introduced the Domestic Violence Disclosure Scheme (“Clare’s Law”). The legislation establishes procedures that enable police to share information about an intimate partner’s history of violence with individuals who request it, or who are believed to be at risk of domestic violence (Lowe et al., 2023). Domestic violence disclosure (DVD) protocols¹ have been adopted internationally, including in Scotland, New Zealand, Australia, and now Canada (Duggan, 2019, p.250).

Clare Wood

The Domestic Violence Disclosure Scheme is often referred to as Clare's Law after Clare Wood, who was killed by a former partner in England in 2009. Clare Wood had contacted the police on several occasions about harassment, threats, and assaults by her ex-partner (Fitz-Gibbon & Walklate, 2017). Public outcry following her death urged for improved responses to intimate partner violence. Her former partner had previous convictions of intimate partner violence, and her family stated that she would not have become involved with him had she been aware of his past violent offences.

The governments of Alberta, Saskatchewan, Manitoba, and Newfoundland and Labrador have passed laws to implement adaptations of the UK DVD scheme. Ontarian legislators unanimously passed a motion in June 2023 as a first step to implementing Clare’s Law (Rushowy, 2023; Peacock, 2023). The aim of a DVD protocol is to prevent future violence by sharing relevant information about an individual’s prior history of violence (Grace 2015, p.37). Proponents argue that this information helps survivors make informed decisions about the risk of violence in the relationship (Lowe et al., 2023). However, concerns have been raised about the practicalities of implementation and the implications of DVD protocols for women’s safety (Fitz-Gibbon & Walklate, 2017).

This brief draws from academic literature, as well as community and government reports, to provide a general overview of the benefits of DVD protocols and the challenges to implementation documented in the United Kingdom, Australia, and Canada. It is important to note that DVD protocols are relatively recent strategies to address intimate partner violence—the first was piloted in the UK in 2012 (Duggan 2019, p.250). As a result, evaluation data on existing protocols is limited; research and

¹ In the UK, Australia, and New Zealand, the DVD is called a scheme. In the Canadian context, early adopters like the Albertan, Saskatchewan and Newfoundland and Labrador governments, refer to it as a protocol. We use the term “protocol” throughout this brief to align with Canadian terminology; “scheme” will only be used when discussing models implemented outside Canada.

analysis is still in its infancy at the time of this brief. The literature predominantly analyzes the UK scheme. Canadian jurisdictions should contribute to the growing body of literature through close monitoring and regular evaluation as these protocols are taken up across Canada, to assess the most effective use of resources and effort.

This brief will conclude with key policy and implementation recommendations.

Overview: Key Features of Domestic Violence Disclosure Protocols

Domestic violence disclosure protocols differ in practice and implementation. The key features outlined in this section are common to most DVD protocols, however jurisdictional differences exist based on public consultation findings and legal structures. The key features discussed here are the main areas every jurisdiction needs to carefully consider in the design, development, and implementation of their respective DVD protocol.

In general, a DVD protocol is a safeguarding tool that focuses on victim protection and empowerment to prevent domestic violence (Hadjimatheou, 2023, p.3). Disclosure protocols employ procedures that enable police to disclose information about previous violent or abusive criminal offences (Home Office, 2023). Protocols generally offer two routes to disclosure: the 'right to ask' route and/or the 'right to know' route.

Key Features

Right to ask: This route allows a member of the public to make a direct application to the police for information on an individual in relation to their history of violence. Upon initial request, a risk assessment is conducted to determine if the applicant is at imminent risk of intimate partner violence. The decision to disclose information is based on an in-person meeting with the applicant, as well as intelligence checks and a full risk assessment (Fitz-Gibbon & Walklate, 2017, pp.288-289). In the UK, the request is presented for review and guidance to a multi-agency panel made up of justice and community partners. These could include violence against women organizations, probation services, and child protection agencies.

Right to know: This process is initiated by the police when they come in contact with a suspected victim of domestic violence (Hadjimatheou, 2023, p.4). Police must undertake an eligibility and risk assessment to determine if disclosure is necessary (ibid).

Confidentiality and privacy: A central concern for domestic violence disclosure protocols is the balance between the privacy of the individual whose information is being disclosed, and the safety of the victim (Grace, 2015; Hadjimatheou, 2023). For this reason, all protocols require victims requesting disclosure information to sign a confidentiality agreement that prevents them from sharing the perpetrator's personal information. In some protocols, victims are allowed to share information with relevant third-party services for safety planning purposes, such as domestic violence support workers. The Saskatchewan guidance includes privacy protocols for the multi-sector review committee, such as signed confidentiality agreements by committee members, and the sharing of de-identified information only (Saskatchewan Association of Police Chiefs [SACP] 2020, p.14). Police have the option to inform the individual that their criminal history is being disclosed unless there is the risk that doing so will increase the risk of harm to the victim (SACP, 2020, p.15).

Proportional information-sharing: The principles of necessity and proportionality are also central to domestic violence disclosure protocols (Fitz-Gibbon and Walklate, 2017, p.289; Grace, 2015, p.39). These principles guide decisions about whether disclosure is necessary, and what kind of information is disclosed (Hadjimatheou, 2023, p.4). Each jurisdiction offers slightly different guidance about the information and level of detail included in a disclosure. For example, New Zealand and Scotland only disclose convictions where the perpetrator was found guilty, while other jurisdictions disclose all convictions, charges, arrests, and reported crimes, to reveal possible patterns of violence (Hadjimatheou, 2023, p.5).

Within Canada, both Saskatchewan's and Alberta's protocols include specific limits to disclosures, in order to balance the privacy of personal information and the risk to the victim (Koshan & Wieggers, 2019). Albertan protocols limit who can apply for disclosures, in which situations, and what information can be passed on (Justice and Solicitor General, 2022). For example, there are specific provisions about how data is stored by the Government of Alberta, with specific actions granted to police. Disclosures can only be made verbally and cannot be recorded (Justice and Solicitor General, 2022, p.15). Victims have to sign a disclosure form, agreeing that information cannot be passed on or used in court cases. Saskatchewan's protocols have many of the same safeguards and limits. Furthermore, disclosures can be discontinued if the request is made in bad faith; that is, if the purpose of the request is not to protect the person at risk of harm (SACP, 2020, p.8).

Risk assessment and post-disclosure support: All disclosure applications made through the "right to ask" or the "right to know" pathway must undergo a risk assessment (Fitz-Gibbon and Walklate, 2017, p.129). This is crucial to determining if disclosure is necessary, and whether the risk to the victim is high, medium, or low

(Hadjimatheou 2023; Fitz-Gibbon & Walklate, 2017). Proponents also believe the protocol provides an opportunity to support victims with psychoeducation around risk factors for IPV and safety planning (Lowe et al., 2023, p.6). It is common across protocols to include referrals to community agencies or safety planning specialists as part of post-disclosure support (Lowe et al., 2023, p.3). Even in cases where a disclosure is not made or followed through, protocols recommend offering community referrals and support to the applicant (Duggan, 2018, p.211).

Data collection and monitoring: Once an application has been completed, whether there is a disclosure or not, information about the application is recorded by the police (Home Office, 2023). Each final report includes demographic details of applicants (including third-party requesters) and application outcomes (Home Office, 2023, p.29). In the UK, these records are intended to help monitor and evaluate scheme uptake, and the accessibility and usefulness of the scheme for different communities.

Clare's Law in Canada

Alberta, Saskatchewan, Manitoba, New Brunswick, and Newfoundland and Labrador's provincial governments have all passed laws that enable the development of a domestic violence disclosure protocol ([Wyld 2022](#); [Kelland 2023](#); [Joannou 2021](#); [Kaiser 2022](#)). As of December 2023, only Saskatchewan, Alberta, and Newfoundland and Labrador have fully developed and implemented their protocols.

Despite the rising interest from policymakers, it is unclear whether the general public shares the eagerness. This may be due to a lack of knowledge about domestic violence disclosure protocols in Canada, and how to access them. A recent study of Canadians' public perceptions of Clare's Law showed that 93% of participants had never heard of it (Monaghan et al., 2022).

Alberta, the first province to implement domestic violence disclosure protocol, received 372 applications between April 2021 and Jan 18, 2022. 159 people were given disclosure information (42% of applications) ([French, 2022](#)). 60% of applicants accepted the offer for follow-up support, illustrating that the DVD proto can be useful to connect victims to community support (French, 2022).

For further information about domestic violence disclosure protocols in Canada, refer to the appendix.

Benefits of Domestic Violence Disclosure Protocols

Domestic violence disclosure protocols represent a shift from perpetrator-focused police interventions to prevention-focused interventions (Lowe et al., 2023, p.5). Prevention-focused interventions are still relatively scarce in the field of domestic violence; this is reflected in the dearth of research, analysis, and evaluation of protocols (Lowe et al., 2023, p.3).

The UK pilot is one of the few DVD protocols to undergo a formal evaluation. The assessments, conducted during the pilot and first year following nationwide implementation, report positive perceptions from the police and partner agencies (Home Office, 2013). According to the assessments, disclosure can provide potential victims with information that impacts their decisions about the relationship's risks and safety concerns (Home Office, 2013; Home Office, 2016).

Proponents argue that one of the main benefits is crucial information about a partner's past history and propensity for violence, revealing patterns of abusive behaviour and manipulation that **can help inform safety planning and self-risk assessment** (Lowe et al., 2023, p.6; Hadjimatheou, 2023, p.8). A research study in the UK examining survivors' experiences and perceptions of Clare's Law had 29 respondents who had accessed the scheme either through the "right to ask" or "right to know" routes. Of those respondents, 11 ended the relationship, 6 ended the relationship a short time later, and 4 reported taking some time but ultimately ending the relationship (Barlow et al., 2021, p.7).²

The protocols can also **support multi-agency responses** to domestic violence and **increase women's awareness of community support and services**. Most protocols include processes to connect individuals seeking a disclosure with community resources for domestic violence, such as shelters or victim services (Lowe et al., 2023, p.3). In the UK, the embedded role of a multi-agency risk assessment conference (MARAC) is a useful checkpoint for collecting information about cases and determining risk (Home Office, 2013, p.15). In some cases, an Intimate Partner Violence Specialist accompanies the police officer when a disclosure is made, to ensure victims are adequately supported and

² In the same UK study, all women who received disclosures through the "right to know" pathway remained in the relationship for a longer period than those who received the information through the "right to ask" pathway" (Barlow et al. 2021, p.7). The study report did not elaborate on how the disclosure pathway influenced their responses to the disclosure information. This indicates that more research is needed to understand how survivors use disclosure information and how it can lead to different outcomes.

understand their options for safety (Barlow et al., 2023, p.9; Home Office, 2013). Unfortunately, this practice appears to be inconsistently implemented; survivors report a lack of post-disclosure follow-up and support (Barlow et al., 2023, p.9).

Another benefit of domestic violence disclosure protocols is that it provides police **clear guidance and processes for disclosing personal information**. While police often have the legal authority to disclose information on the grounds of public safety, a culture of risk aversion among police forces can influence officers' likelihood of disclosing personal information in cases of intimate partner violence (Hadjimatheou & Grace, 2021). The protocol sets out processes for police to determine when it is necessary to disclose personal information, what will be disclosed, and how. For example, the UK's domestic violence disclosure scheme lays out clear standards about when disclosure should be made and the processes for delivering disclosure. There is also guidance about what to do when a decision is made not to disclose (Home Office, 2023). This framework was developed to ensure that the scheme functions according to the principles of necessity, proportionality, and lawfulness when it comes to sharing personal information, while maintaining the scheme's primary objective of victim safety (Home Office, 2023).

Unfortunately, the current evidence base is scarce, making it difficult to determine the effectiveness of domestic violence disclosure protocols in Canada. Furthermore, there is methodological uncertainty about how to define and measure the success of protocols. Police agencies may have different indicators and perceptions of safety, compared to violence against women agencies and survivors. More research and evaluation data are needed to better understand DVD protocols' benefits and clarify methodological and theoretical ideas of safety and success. As Duggan (2019, p.255) points out, performance indicators like the number of applications or disclosures do not provide substantial information about how DVD protocols have helped improve victim safety. Defining outcomes and developing indicators would help researchers and policymakers to track and assess the impact of existing protocols in Canada.

Critiques and Challenges of Domestic Violence Disclosure Protocols

This section outlines the main critiques of DVD protocols raised by anti-violence practitioners and researchers. It is important to consider these critiques as they identify areas to consider and address for implementing and delivering protocols.

1. Placement of the Responsibility on the Victim (Victim Responsibilization)

“I think people think that as soon as someone is told something like that they will walk away, but normally by the time that’s happened, you’re invested, you’re in that relationship, you’re brainwashed, you probably love that person and they’ve probably given you their own wee version of what happened” (Barlow et al., 2021).

While some have indicated that DVD protocols are a means to empower women with information, others are concerned that they shift the accountability from the perpetrator to the victim (Fitz-Gibbon & Walklate, 2017, p.294).

Sometimes, the victim has to assume responsibility to protect themselves from the abuse if they choose not to leave after disclosure, instead of the perpetrator being held responsible and accountable for their abusive behaviours (Hadjimatheou, 2022, p.322). A study from the UK found that 45% of a sample of 520 survivors suffered further violence after being warned about the perpetrator (Grace, 2018).

Placing the responsibility on the victim is tied to the presumption that Clare’s Law empowers victims to make informed choices about the relationship. This assumption may disregard the barriers to leaving an abusive relationship (Refuge, 2021). A survivor’s agency to make the choice to leave an abusive relationship is often limited due to fear, threats, coercive control, economic abuse, as well as systemic barriers beyond their control such as housing unaffordability and systemic racism. Placing the responsibility on the victim to manage the relationship and abuser, without adequate support from police and other community agencies, increases the risk of violence.

2. Victim-Blaming

There is also concern that placing the responsibility on victims can lead to victim-blaming (Hadjimatheou, 2022; Fitz-Gibbon & Walklate 2017). If a potential victim learns that their partner has a history of abuse, and does not or cannot leave, the victim may be blamed for further abuse from their partner (Fitz-Gibbon & Walklate 2017, p.295). The survivor may experience victim-blaming from other agencies involved in the process, such as social services or the family court system (Fitz-Gibbon & Walklate, 2017).

Victim-blaming has implications for a survivor's mental health and acts as a barrier to help-seeking. Victim-blaming can be internalized and can lead to shame and stigma for the survivor. They may feel like they will be blamed for future abuse after using the disclosure protocol (Fitz-Gibbon & Walklate, 2017; Barlow et al., 2021), which may prevent them from seeking support. Victim-blaming also reinforces the gendered norm that it is a woman's responsibility to keep herself or her children safe; this diminishes the focus on perpetrator accountability (Fitz-Gibbon & Walklate, 2017). The impact of victim-blaming can be worsened by a lack of trauma-informed delivery of DVD protocols, which can result in further stigmatization and harm, and in some cases, can lead to victim detachment from services (Barlow et al., 2021).

3. Duplication of Existing Police Powers and Funding

Domestic violence disclosure protocols build upon existing information-sharing legislation under which an individual's personal information can be shared as long as it is necessary to protect the public from harm and shared in a proportionate and relevant way (Grace, 2015). These powers are referred to as police common law powers. In Canada, police can exercise their common law powers as stipulated in the Privacy Act and in provincial and territorial privacy laws (Ending Violence Association of BC [EVABC], 2019). Some domestic violence organizations have raised concerns that DVD protocols are a duplication of existing police common law powers and do not provide new protections to survivors (EVABC, 2019).

A lack of adequate funding for DVD protocol administration impacts survivors' experiences. For example, DVD scheme applicants in the UK reported that it often takes longer than the recommended 35 days to receive information (Barlow et al., 2021, p.9), during which time the abuse might escalate. Moreover, survivors don't always feel that they are receiving adequate post-disclosure support because of the limited capacity of specialist domestic violence workers. This can leave them in a more dangerous position (ibid). In the UK, the ongoing underfunding of specialist domestic violence workers means their support for survivors is limited to a short period during the disclosure or after, rather than extending from the start of the application process to post-disclosure (Duggan 2019, p.254).

Because the administration of protocols can be resource-intensive for police and community partners (Home Office, 2013; Barlow et al., 2021; Duggan, 2019), some argue that the protocol diverts valuable resources and attention from existing and effective domestic violence responses, such as frontline risk and

case management (Fitz-Gibbon & Walklate 2017, p.291). It diverts from other services crucial to victim safety and security, such as housing and income supports (EVABC, 2019, p.5).

4. Overdependence on Police Services and Data

The police play a lead role in administering and coordinating protocols (Fitz-Gibbon & Walklate 2017, p.294). Researchers have commented on the inconsistent implementation of the protocols across regions. Victims have different experiences due to variations in organizational culture and internal policies of police forces. One police division may operate from a prevention-focused framework that encourages more detailed disclosure of information to better inform and empower the victim (Hadjimattheou & Grace, 2021, p.842). A neighbouring division may place an emphasis on the liability of sharing personal information, which can lead to under-disclosing the perpetrator's history and contributing to a false sense of security for victims (Hadjimattheou & Grace, 2021, p.840-1).

There is also a reliance on police data for the protocol's risk assessment and decision-making processes. Because of underreporting by survivors to law enforcement, police records may not have the complete picture of the perpetrator or the circumstances. This can lead to an incomplete assessment of risk (Fitz-Gibbon & Walklate 2017, p.292). The survivor may experience a minimization of their experience, a false sense of safety, and an increase in self-doubt (ibid).

Studies have shown that police do not consistently record demographic data on who is applying for and receiving disclosures (Barlow et al., 2021, p.6). This is despite the requirement in some scheme guidance to record demographic information (e.g. sex, ethnicity, disability) of all applicants, including third-party requesters (Home Office, April 2023). From an evaluation standpoint, consistent demographic data about the scheme's users can show trends in scheme use, service gaps, and victim and community safety.

5. Structural Issues of Access

The guidance for DVD protocols can be uniform in their approach to implementation, which may overlook intersectional considerations of victim identities and risk (Grace, 2022). There is little research and analysis about the experiences, as well as access to, and use of these schemes by Black, Indigenous, and Racialized communities. The evidence which does exist

suggests that women belonging to marginalized communities are less likely to access the protocol. Barlow et al. (2021) found that most participants who accessed the scheme in the UK were white, heterosexual, and non-disabled (p.7). Black, Indigenous, and racialized victims under-report to protect their community from further police violence and stigmatization (Robinson, 2020). DVD protocols don't often acknowledge that risk factors and risk management can vary for different marginalized groups such as 2SLGBTQIA+ and Indigenous communities (Grace 2022, p.38-39). Marginalized communities may not be aware that the protocol, creating another barrier to access (ibid).

“Like I think there are communities, especially like the black communities, minoritized communities who don't have a great relationship with the police. Like it would be interesting to find out whether there's differences in who uses of Clare's law, depending on culture and race, because if you don't see the police as being any help to you, if you see the police is inviting more violence into your life, will you go to them for information about your abusive partner? Or someone who's being abusive in your life?” (Barlow et al., 2021 :6)

Structural and cultural issues might impact the take-up of the protocol (Grace, 2018). For immigrant women, language is a barrier to getting information about the protocol and accessing it. Fears around immigration status and the involvement of police can further create barriers to accessing domestic violence protocols because it requires them to engage heavily with police services (Grace, 2018).

Domestic violence literature has clearly demonstrated that gender-diverse, Black, Indigenous, and other racialized survivors often do not report domestic violence to the police because of past experiences of invalidation, inaction, and discrimination by police (Heidinger 2022; Wolf et al., 2003; Bent-Goodley et al, 2023). Black, Indigenous, and racialized victims of intimate partner violence (IPV) also risk criminalization at a higher rate when accessing support from police (Fitz-Gibbon & Walklate, 2017; Duhaney, 2021). Having police as the gatekeepers is a particular concern for Black, Indigenous, newcomer, and gender-diverse communities (French, 2022; Fitz-Gibbon & Walklate, 2017). Historically and contemporaneously, police and justice services have been the agents of structural violence and oppression experienced by many marginalised individuals and communities, including 2SLGBTQIA+ people, racialized communities, and Indigenous communities. Ongoing oppression and structural violence have resulted in intergenerational trauma, particularly for Black and Indigenous communities, which may be triggered by the very services providing information

or support through the protocol.

DVD protocols may risk becoming a vehicle for transmitting and compounding intergenerational trauma. For Indigenous and Black women who face high rates of reporting to child welfare services because of colonialism and racism (Wekerle et al., 2022; Fallon et al., 2021; Bonnie & Facey, 2022), DVD protocols may be viewed as another colonial apparatus that disrupts Indigenous and Black families and communities; it places further blame and stigma on their communities, women, and children.

DVD protocols, therefore, lack an awareness of what safety can mean for diverse communities of women. For example, Black, Indigenous, immigrant, queer and trans communities have been practicing principles of transformative or restorative justice. Transformative or restorative justice approaches focus on community responses to holding abusers accountable, repairing harm, and changing the behaviour of abusers (Williams, 2018). On the other hand, DVD protocols require the involvement of the criminal justice system and assume a victim's "safety" necessitates leaving the relationship (Duggan, 2018, p.213). This differs from community-focused practices of restorative justice, which aim to restore the perpetrator to the community. Disclosure protocols can thus function as colonial practices and may not be the best path forward for realizing Black, Indigenous, immigrant, queer and trans communities' visions of safety. Communities should be intentionally engaged and deeply involved in developing frameworks that minimize the harm of the criminal justice system to the community. These frameworks would be aligned to the safety outcomes wanted by different communities, including support for the perpetrator to change their behaviour.

Key Takeaway: Disclosure Protocols are one Intervention Among Many

Intimate partner violence and domestic violence are multi-faceted societal issues that require multi-pronged interventions. The disclosure protocol is one tool that must work alongside other interventions aimed at reducing violence. Many advocates recommend that risk assessment, safety planning, and wrap-around supports become an essential part of any disclosure protocol (Welsh Women's Aid, 2022).

We propose the following recommendations to lawmakers and policymakers to ensure the development and implementation of a domestic violence disclosure protocol in Ontario that aligns with the evidence presented in this brief.

Policy Recommendations and Considerations for Implementation

Education and Training

- Professionals within police and justice systems must receive training on trauma-informed and intersectional approaches in responding to IPV (Franklin et al., 2020). This training builds the capacity of frontlineservice providers to support survivors without victim-blaming or placing the responsibility of risk management on victims. It has the added benefit of building shared knowledge about IPV and domestic violence among first responders.
 - Suggested training topics include trauma-informed care, domestic and intimate partner violence risk factors and assessments, anti-oppression and anti-racism principles and practices.
- Training must also be provided on the DVD protocols and their processes to ensure a consistent understanding and application.

Adequate and Continuous Funding

- Additional funding should be provided to police and partner agencies to offset the resources needed to promote and administer the protocol, coordinate the multi-agency forum, and manage disclosures (Duggan, 2019, p.254).
- Specialist Domestic Violence Workers should be funded to provide an adequate level of client engagement throughout all stages of the application process and afterwards (Duggan, 2019), regardless of whether disclosure is deemed necessary.
- Funding should be maintained for other critical victims' services and supports, such as housing and income. Funding should not be divested from existing programs or services crucial to survivor safety, for developing and implementing a DVD protocols.

Risk Assessment and Risk Management

- To reduce victim responsabilization, employ a framework that is focused on proactive risk assessment and safety planning. This framework should also aim to reduce and prevent further harm to the wider community, such as community violence and discrimination.

- Police and partner agencies should avoid misinterpretations of non-disclosure due to a lack of information in available police records. Some jurisdictions use a disclaimer to clarify that non-disclosures do not mean zero risk; this accompanies information about risk factors to watch out for (Barlow et al., 2021, p.11). The UK guidance has templates for minimal disclosure information. Other jurisdictions use a multi-agency risk assessment process to build a bigger picture of risk factors within IPV cases (see below).
- Incorporate multi-agency risk assessment processes, forums, or partnerships, to support the assessment of risk, sharing of critical case information, and provision of wrap-around support to survivors.

Performance Monitoring and Data Collection

- Ensure domestic violence disclosure protocols are consistent and transparent about how decisions are made to disclose information.
- Embed a data monitoring and collection framework and process into DVD protocols that mandates the collection of demographic information of all applicants, including third-party requesters. The purpose of this data is to assist in the evaluation of how the protocol is being used, by whom, as well as the identification of service gaps and trends in victim and community safety.

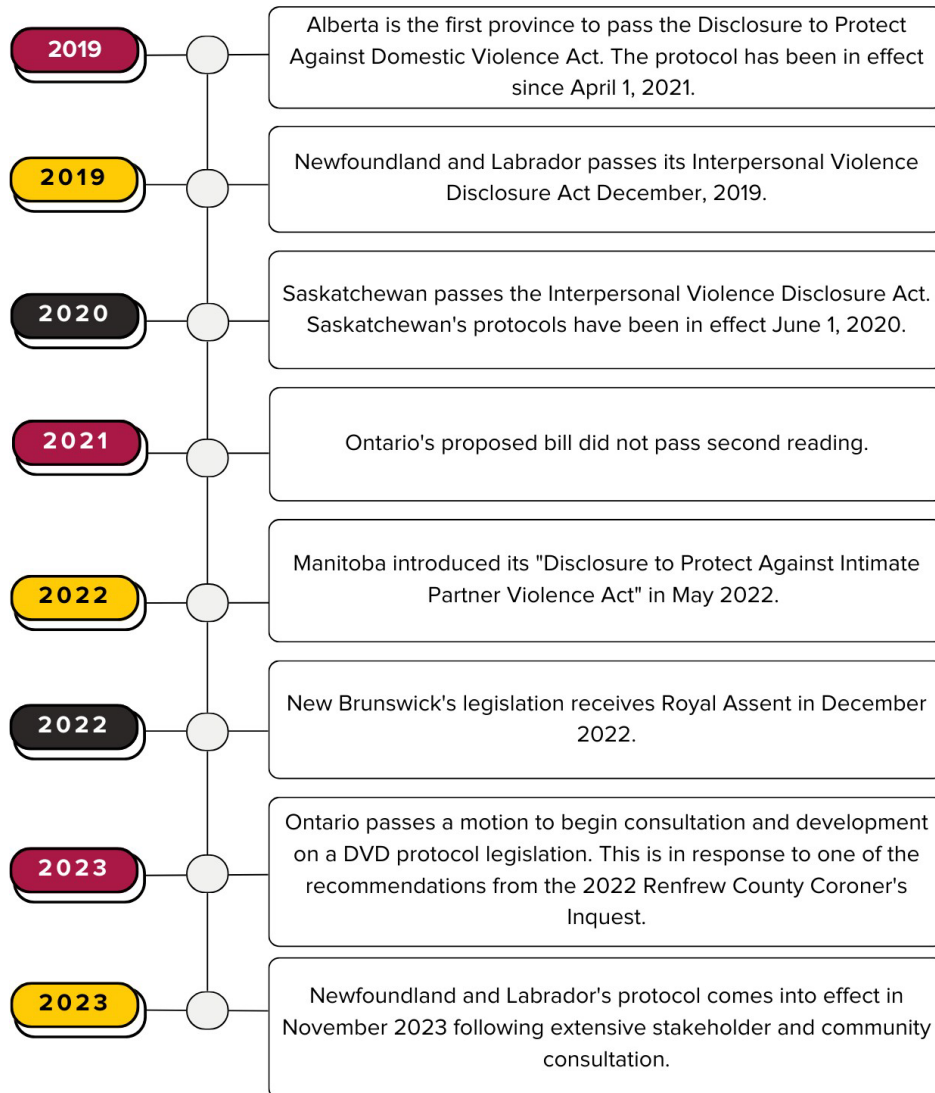
Community Partnerships and Intersectional Needs

- To incorporate an intersectional lens into the protocol, work with Indigenous, racialized, Black, and 2SLGBTQIA+ community agencies to develop and incorporate culturally specific risk assessments and safety plans into the framework.
- Work with Indigenous, racialized, Black and 2SLGBTQIA+ community agencies to develop more accessible promotion strategies that will encourage uptake of the protocol in diverse and localized communities.
- Ensure community agencies have a significant role in right-to-ask applications, beginning with the capacity to file an application. This could give victims multiple access points to the protocol, outside of the criminal justice system.

Appendix: Domestic Violence Disclosure Protocols in Canada

TIMELINE

Implementing Domestic Violence Disclosure Protocols in Canada



Presently, only Saskatchewan, Alberta, and Newfoundland and Labrador have publicly released their protocols. Saskatchewan's [Interpersonal Disclosure Protocol](#) , Alberta's [Disclosure to Protect Against Domestic Violence Act Protocol](#) , and Newfoundland and Labrador's [Interpersonal Violence Disclosure Protocol](#) set out the jurisdictional guidance to operating the protocol, including 'Right to Ask' and 'Right to Know' disclosure procedures, risk assessment processes, eligibility assessments, data and record collection. Each protocol emphasizes certain features formulated according to local systems, as well as consultations with practitioners and partners:

Distinctive features of Saskatchewan's protocol (2020) are:

- use of a multi-sector review committee to inform the level of risk with the caveat that the final decision rests with the police (p.13).
- emphasis on sharing and recording de-identified information only (p.14, 18).
- a tailored safety plan to accompany any disclosure made (p.8).
- police services are responsible for maintaining records and outcomes of the process (p.18).

Distinctive features of Alberta's protocol (2022) are:

- a risk assessment that is conducted by the Government of Alberta's Integrated Threat and Risk Assessment Centre (ITRACT), a provincial body with expertise in domestic violence risk assessment (p.18). Their assessment is included in the disclosure package that is returned to the police (p.14).
- includes a Coordinating Agency to connect victims to additional supports if the applicant consents (p.16).
- a centralized government database for data record safekeeping and will only be shared with police and social supports for the purpose of confirming identity, eligibility, providing disclosure and social supports (p.15).

Distinct features of Newfoundland and Labrador's protocol (2023) are:

- Police services will carry out the risk assessment using standardized methods, operating procedures and/or risk assessment tools (p.7).
- Support persons may accompany the person at risk to the disclosure meeting (p.4).

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