

One Minute Guide

Clare's Law -The Domestic Violence Disclosure Scheme



What is The Domestic Violence Disclosure Scheme?

The Domestic Violence Disclosure Scheme, also known as Clare's Law, allows the public to request information about an individual's domestic abuse history if it could protect someone else from being the victim of an attack. The scheme was introduced in 2014 and is named after Clare Wood who was killed by her partner in 2009. This law applies to everybody, regardless of the gender or sexuality of the potential victim or potential perpetrator.

How Does It Work

Every request under Clare's Law is checked by a panel comprising of the police, probation services and other agencies to ensure information is only passed on where it is lawful, proportionate and necessary. Trained police officers are then on hand to support victims. The scheme has 2 functions:

- the 'right to ask': this enables someone to ask the police about a partner's previous history of domestic violence or violent acts.
- the 'right to know': police can proactively disclose information in prescribed circumstances

The police may disclose the following relevant police information under either function:

- Convictions for domestic violence related offences which are not yet considered 'spent' under the Rehabilitation of Offender's Act (1974)
- Any history of serial offences of domestic violence, e.g. domestic violence acts perpetrated against two or more victims or intelligence about history where no charges were brought but the perpetrators behaviour was considered concerning.

Who can make an application?

Anyone can make an application about an individual who is in an intimate relationship with another person, and there is a concern that the person may harm the individual.

Any concerned third party e.g. parent, neighbour or friend can make an application.

A third party making an application would not necessarily receive the information about the individual concerned. It may be more appropriate for someone else to receive the information, such as the victim or someone else who is best placed to protect the potential victim.

Some people might be proactively contacted by the police and receive information even if they have not requested disclosure. If the police have a reason to believe someone is at risk, they will share information to protect the potential victim. Disclosure will only be made if it is lawful and proportionate and there is a need to make the disclosure to protect further crime.

Note—if disclosure is received this is CONFIDENTIAL and must not be shared with anyone without police approval.

How to make an application

Individuals can make contact with the police by telephoning the 101 non-emergency number, in person at a police station or by completing an online form - <https://west-midlands.police.uk/your-options/clares-law-domestic-violence-disclosure-scheme>

Key Contacts and Further Information

If you suspect that domestic violence is currently taking place, in an emergency always call 999. For a non-emergency please call 101. There is further information available on www.safetotalk.org.uk