

CLARE'S LAW issues

What is Clare's Law?

- Clare's law (Domestic Violence Disclosure Scheme) gives any member of the public the right to ask the police if the partner may pose a risk to them. Close friends or family can also make enquiries.
- Includes the 'right to ask' and the 'right to know' – the latter allows police to consider sharing information proactively. Officers can start the process after receiving info that suggests someone is at risk
- introduced in 2014 with the assumption it would prevent deaths

Flaws with Clare's Law

- As we know, many DV cases are not reported – thus those requesting disclosure may be left with a false sense of security if their partner does not have a police record of DV
- Publicity – Confusion as to how the scheme operates and low public awareness. Indeed, with the exception of one woman in our WP2 research, none of the women were aware of Clare's law.
- Since its introduction, there have been variations in how forces are operating disclosure
 - Point 3 - Perhaps due to the vague official guidance provided to police by the Home Office which has allowed police forces to define their own disclosure thresholds
- Police often unable to provide a timely and risk sensitive response
- Cost – resources directed in one policy direction come at the cost of adequate funding for more effective policy response
- Post disclosure protocols – inability of police to connect victims with the support needed
- Police tend to assume that the situation can be managed by the victim (victim blaming – victim's responsibility). After being given a disclosure, it is assumed that women can 'just leave'. Women may be at greater risk after receiving a disclosure
- The nature of IPV needs to be fully understood by police (rather than as a 'one-off incident'). 'Police culture' needs addressing
- The hidden nature of IPV is a key impediment to Clare's Law. Victims are aware they are being abused but experience numerous barriers to leaving

Current research into Clare's Law

Current project commenced January 2021 by Charlotte Barlow of Lancaster University exploring victim's experiences of using Clare's law – the first research of its kind. This project seeks to explore the efficacy (or otherwise) of Clare's Law from the perspective of those who have used it. Particularly timely as the Domestic Abuse Bill (2020) plans to put these schemes on a statutory footing.