

Clare's Law

The Domestic Violence
Disclosure Scheme



STATES OF JERSEY
POLICE



What is this scheme?



The aim of the Domestic Violence Disclosure Scheme (DVDS) is to give you a formal mechanism to make enquiries about an individual who you are in a relationship with or who is in a relationship with someone you know, and there is a concern that they may be abusive towards either yourself or their partner.



If police checks show that this person has a record of abusive offences, or there is other information to indicate either you or the person you know is at risk, the police will consider sharing this information with the person(s) best placed to protect the individual at risk.



The police will discuss your concerns with you and decide whether it is appropriate for you to be given more information to help protect the person who is in the relationship with the individual that you are concerned about.



The scheme aims to enable you or someone you know to make an informed choice on whether to continue a relationship, and provides further help and support to assist you when making that informed choice.





Who can ask for disclosure?



A disclosure under this scheme is the sharing of specific information about your partner with either you or a third person for the purposes of protecting you from domestic violence.

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- You can make an application about your partner or ex-partner if you have a concern that they might harm you.
 - Any concerned third party, such as your parent, neighbour or friend can also make an application if they are concerned about you.
 - However, a third party person making an application would not necessarily receive information about your partner or ex-partner. It may be more appropriate for someone else to receive the information, such as you, or a person that is in a position to protect you from the abuse.
 - Information will only be given to someone who is in a position to use the information to protect you from the abuse.
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How do I make an application?



Anyone can make an application to the police if they have a concern about a specific individual.

Contacting the police



There are different ways you can contact the police:

- visit the police station and ask to speak to an officer
- phone **01534 612612**, the non-emergency number for the police
- email sojp@jersey.pnn.police.uk



You should fill out the Clare's Law Disclosure Form with your details, the details of the person you are concerned about and the details of the person who is concerning you and email it to the above email address, and put Clare's Law Disclosure Application in the email subject.



Your application will be reviewed and someone will be in contact.



If you believe there is an immediate risk of harm to someone, or it is an emergency, you should always call 999.



Step one: Initial contact with the police

When you contact the police, a police officer or a member of police staff will take details from you of what prompted your enquiry and the nature of your relationship with the potential victim and their partner.

They will also ask you when and where it is safe to contact you again.

You will need to give your name, address and date of birth. At a later stage you will need to provide proof of your identity.

The police will run some initial checks based on the information you have provided and conduct an initial risk assessment.

The purpose of these initial checks is for the police to establish if there are any immediate concerns.

These checks will not be undertaken while you are present.

If when speaking to the police you allege that a crime has taken place - for example, if you say that you witnessed someone hit their partner, then the police may investigate this as a crime and may arrest the partner.

No disclosure of information will take place at this stage unless it is necessary for the immediate protection of the potential victim.

If the police believe that someone is at risk and in need of protection from harm, they will take immediate action.

Step two: Face-to-face meeting to complete the application

Depending on the outcome of Step one, you may then be required to participate in a face-to-face meeting with the police. This meeting will be to establish further details about your application in order to assess any risk and for you to provide proof of your identity. This should be completed within 10 days of initial contact.

Proof of identity should comprise of a photo ID and another form of ID (if photo ID is not available, the police will consider other forms of ID).

The forms of ID that could be used are:

- your passport
- your driving licence
- A household utility bill
- your bank statement
- your birth certificate

You will be asked for more information about the nature of the relationship between the person you are concerned about and their partner. They may also ask for further information from you on why you have made an enquiry under this scheme.

The police may run checks and speak to other agencies including the Prison Service, the Probation Service and Social Services based on the information you give them.

They will work as quickly as possible to complete the checks, but, depending on the circumstances, some checks may take longer for the results to be received by the police.

It is envisaged the maximum time it will take to complete the whole process, including these and the disclosure of information if decided necessary, is 35 days.

Step three: Potential disclosure

If the checks show that the individual you are enquiring about has a record for abusive offences or there is other information that indicates there is a pressing need to make a disclosure to prevent further crime, the police may disclose this to the person who is most able to protect the victim.

It should be noted that details about a person's previous convictions are treated as confidential and information will only be disclosed if it is lawful and proportionate, and there is a pressing need to make the disclosure to prevent further crime.

If the checks do not show that there is a pressing need to make a disclosure, the police will tell you that. This may be because the individual does not have a record of abusive offences or there is no information held to indicate they pose a risk of harm to the potential victim. Or it may be that some information is held on the individual but this is not sufficient to demonstrate a pressing need for disclosure.

It may be the case that the individual you are asking about is not known to the police for abusive offences or that there is insufficient information that indicates they pose a risk, but they are showing worrying behaviour. In this case the police or other support agencies will work with you to protect the potential victim and they can provide advice and support.

Your right to know

Under the scheme, you may receive disclosure even if you have not asked for one. That is because if the police receive information about either your partner or someone that you know, which they consider concerning and something that may put either yourself or someone you know at risk of harm, then they may consider disclosing that information if you are the best placed person to protect the potential victim.

The decision to disclose information when you have not asked for a disclosure will be made by the police and only if it is lawful and proportionate and there is a pressing need to make the disclosure to prevent further crime.

Important note

You should be aware that police checks or any disclosures made are not a guarantee of safety. The police can give you advice on protecting yourself or the potential victim and how to recognise the warning signs of domestic abuse. They will also make sure you are aware of what local and national support is available.

After you are given information

If you receive a disclosure, it should be treated as confidential. It is only being given to you so that you can take steps to protect the potential victim. You must not share this information with anyone else unless you have spoken to the police, or the person who gave you the information, and they have agreed with you that it will be shared.

Subject to the condition that the information is kept confidential, you can:

- Use the information to keep the potential victim and yourself safe.
- Use the information to keep any children involved in the situation safe.
- Ask what support is available.
- Ask for advice on how to keep yourself and others safe.

The police may decide not to give you information if they think that you will discuss it with others.

The police may take action against you if the information is disclosed without their consent, which could include civil or criminal proceedings.

The police can provide you with information and advice on how to protect someone from violent behaviour and how to recognise the warning signs of domestic abuse. There are also a number of specialist services and organisations providing information about domestic abuse, how to spot it and how to work with the authorities to intervene.

Support helplines

- You can contact Police Headquarters on 01534 612612
- In an emergency, always call 999

If you would like additional help and support on domestic abuse, you can contact any of the following agencies:



Local helplines:

- Jersey Domestic Abuse Support 01534 880505
- Women's Refuge 0800 735 6836
- Victims First Jersey 0800 7351612
- Samaritans 116 123
- Dewberry House (SARC) 01534 888222

National helplines:

- Women's Domestic Abuse Helpline 0161 636 7525
- Broken Rainbow 0300 999 5428
- Men's Advice Line 0808 801 0327
- Stalking Helpline 0808 802 0300



Notes





STATES OF JERSEY
POLICE

States of Jersey Police
La Route Du Fort
St Helier, JE2 4HQ

non-emergency 01534 612612 | emergency 999