

CLARE'S LAW

The Domestic Violence Disclosure Scheme

This booklet is for you if you feel
that you or someone you know
may be at risk of domestic abuse.



HEDDLU GOGLEDD CYMRU
Gogledd Cymru diogelach

NORTH WALES POLICE
A safer North Wales

What is it?

The aim of the Domestic Violence Disclosure Scheme is to give you the opportunity to make formal enquiries about the individual you are in a relationship with or who is in a relationship with someone you know, and there is a concern that the individual may be abusive.

If police checks show that the individual has a record of abusive behaviour, or if there is other information to indicate that you or the person you know is at risk, the police will consider sharing this information with the potential victim or someone who is best placed to protect the potential victim.

The Scheme aims to enable potential victims of domestic abuse to make an informed choice on whether to continue the relationship, and provides help and support to assist the potential victim when making that informed choice.

Who can ask?

A disclosure under this Scheme is the sharing of specific information with the potential victim for the purpose of protecting them from domestic abuse.

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

Any concerned third party, such as a parent, neighbour or friend can make an application, not just the potential victim. However the third party making an application would only receive the information about the individual concerned in exceptional circumstances.

How do I make an application?

Contact the police:

You can

- phone 101, the non-emergency number for the police
- visit a police station
- speak to a member of the police in person

If you believe that there is an immediate risk of harm to someone, or it is an emergency, you should 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. This will include details of the nature of the relationship.

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

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

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.

If you allege that a crime has taken place then the police will follow normal investigation procedures.

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

Disclosure of information will not take place at this stage unless it is necessary for the immediate protection of the potential victim.

STEP TWO:

Face to face meeting to complete the application

Depending on the outcome of Step One, you will 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 and to assess any risk. You will also need to provide proof of your identity at this stage. This 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 benefit book
- your birth certificate

The police will use this meeting to gather more information from you about the nature of the relationship within the application. They may also ask for further information from you about 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 that the maximum time that it will take to complete the whole process (including checks and the disclosure of information if necessary), is 35 days.

The police will act immediately if at any point they consider the potential victim to be at risk and in need of protection from harm.

STEP THREE:

Multi-agency meeting to consider disclosure

The police will discuss the information that you have given them, along with additional information from the checks carried out with other safeguarding agencies. The agencies will then decide whether any disclosure is lawful, necessary and proportionate to protect you or the potentially affected person. If they decide to disclose information, they will decide who should receive the disclosure. A safety plan will be set up tailored to the potential victim's needs to provide them with help and support.

STEP FOUR:

Disclosure

Information you might be given

If the checks show that the individual you are enquiring about has a record of 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 you or 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 to prevent further crime, no disclosure will be made and you will be notified. 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 you or 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 there is insufficient information that indicates they pose a risk of harm to the potential victim, but they are showing worrying behaviour. In this case the police or other support agency will work with you to protect the potential victim and can provide advice and support.

Your Right to Know

Under this Domestic Violence Disclosure Scheme, you may receive a disclosure even if you have not asked for one. This is because, if the police receive information about you and that they consider you to be at risk of harm from domestic abuse then they may consider disclosing that information to you or another person who they consider to be best placed to protect you.

The decision to disclose information when you have not asked for a disclosure will be made by the multi-agency meeting (described above) and the disclosure will only be made 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 will give you advice on how to protect yourself 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.

If no disclosure is made but you still have concerns and want further information about protecting yourself or someone you know from domestic abuse, there is action you can take for the future.

Support helplines

You can contact North Wales Police on 101.

In an emergency, always ring 999.

If you are experiencing domestic abuse or sexual violence, have experienced domestic abuse or sexual violence, or are worried about a friend or relative who is experiencing domestic abuse or sexual violence - then call the All Wales Domestic Abuse & Sexual Violence Helpline for free, 24 hours a day, 7 days a week.

Phone: 0808 80 10 800

or

online: www.allwaleshelpline.org.uk

You can also ask the police for information on specialist services and organisations that exist where you live.
