CLARE'S LAW

THE DOMESTIC VIOLENCE DISCLOSURE SCHEME

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WHAT YOU NEED TO KNOW.

If you believe someone to be at immediate risk of domestic abuse, please call 999.

States of Jersey Police

612612

Jersey CrimeStoppers.

0800 555111

100% anonymous. Always.

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WHAT IS CLARE'S LAW?

Clare's Law is the Domestic Violence Disclosure Scheme. It's named after Clare Wood, who was murdered in 2009 by her ex-boyfriend who had a history of violence against women.

The scheme allows you to ask police about the information they hold on a person in relation to domestic abuse offences and convictions if you believe that you or someone you know is in a relationship with an individual that could cause them significant harm.

Disclosures provide you with domestic abuse information police hold on an individual. If checks show that the individual has a record of violent behaviour or something that may put you at risk of harm, police will consider sharing this with you.

A disclosure request under this scheme can be made by:

- Someone who has concerns that their partner may harm them.
- A third party, such as a parent, neighbour or friend who has concerns about someone's safety.

The DVDS operates under two key procedures: the "Right to Ask," where a member of the public requests information, and the "Right to Know," where the police proactively disclose information if they believe it is necessary to prevent harm.

In both cases, disclosures are made only if they meet legal criteria, such as being necessary and proportionate to protect the potential victim. Requests for information can be made by the individual at risk, someone concerned for them or a professional.

The scheme provides several key benefits, including enabling those at risk to make informed decisions about their safety and ensuring that the police act responsibly to protect potential victims. Additionally, it encourages public involvement in safeguarding efforts.

The DVDS applies to individuals with previous convictions or information indicating they pose a risk, even if this does not involve domestic abuse.

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HOW TO MAKE A REQUEST UNDER CLARE'S LAW?

1. Initial Contact with the Police

When you first contact the police to make an enquiry under the Domestic Violence Disclosure Scheme (DVDS), a police officer or staff member will collect details about your relationship with the potential victim and their partner.

They will ask when and where it is safe to follow up with you, and you will need to provide your name, address, and date of birth. Later, you mayneed to provide proof of identity.

The police will conduct initial checks and a risk assessment based on the information you provide to identify any immediate concerns.

These checks happen behind the scenes, and if you report a crime during the conversation, the police may initiate a criminal investigation, which could involve arresting the alleged abuser. Immediate action will only be taken if the police believe someone is at risk, but no formal disclosure of information will occur at this stage unless necessary to protect the victim.

2. Face-to-Face Meeting to Complete the Application

Maybe required (application will be completed prior to this)

If your case moves forward after initial contact, you may need to participate in a face-to-face meeting with the police to provide additional information and confirm your identity. This meeting should happen within 10 days of your initial contact, and you mayneed to present a form of photo ID and possibly another form of ID (like a utility bill or bank statement).

The police will gather more details about the relationship and your concerns. Based on this, they may also consult other agencies such as the Prison Service, Probation Service, and Social Services to run further checks. While the goal is to complete the process within 35 days, checks might take longer depending on the circumstances.

If there is any immediate risk to the potential victim during this time, the police will take immediate protective action.

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3. Potential Disclosure

When you first contact the police to make an enquiry under the Domestic Violence If the checks reveal that the person in question has a history of abusive behaviour or if other information indicates an immediate need to disclose in order to prevent further harm, the police may share this information with the person best positioned to protect the victim.

Any disclosure will be carefully controlled and limited to what is legally permissible and deemed necessary to prevent future abuse. If no concerning information is found, the police will inform you that there is no pressing need for disclosure. Even if the individual is not known for abusive offences, but troubling behaviour is observed, the police or other support agencies will work with you to provide advice and safeguard the potential victim.

Before disclosure, the person will be asked to sign an agreement that makes sure the information is used appropriately and not shared further. They will also be supported, if requested, by a member of the Jersey Domestic and Sexual Abuse Support team (JDAS).

HOW TO MAKE A REQUEST UNDER CLARE'S LAW?

For the police to share information under Clare's Law, must be considered lawful, proportionate, and necessary.

It must also be based on their usual powers to prevent crime and the disclosure must follow laws around data protection and human rights. It should be fair and reasonable, grounded in a real risk of violence or harm.

In short, the police decide if disclosing a partner's confidential records is appropriate based on the potential risk.

If police choose to disclose information under Clare's law, it will be directly to the applicant in most cases. Or if someone has applied on behalf of a friend or relative, the police may choose to share directly with them if they think it's appropriate.

If there's no threat or the person is not known to the police, they may not disclose any information.

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Who can ask for disclosure?

For the police to share information under Clare's Law, must be considered lawful, A disclosure under this scheme is the sharing of specific information about an individual with the person making the application or a third person for the purposes of protecting a potential victim from domestic violence.

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

- Any concerned third party, such as a parent, neighbour or friend can make an application, not just the potential victim.

- 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 potential victim or another person who is best placed to protect the potential victim.

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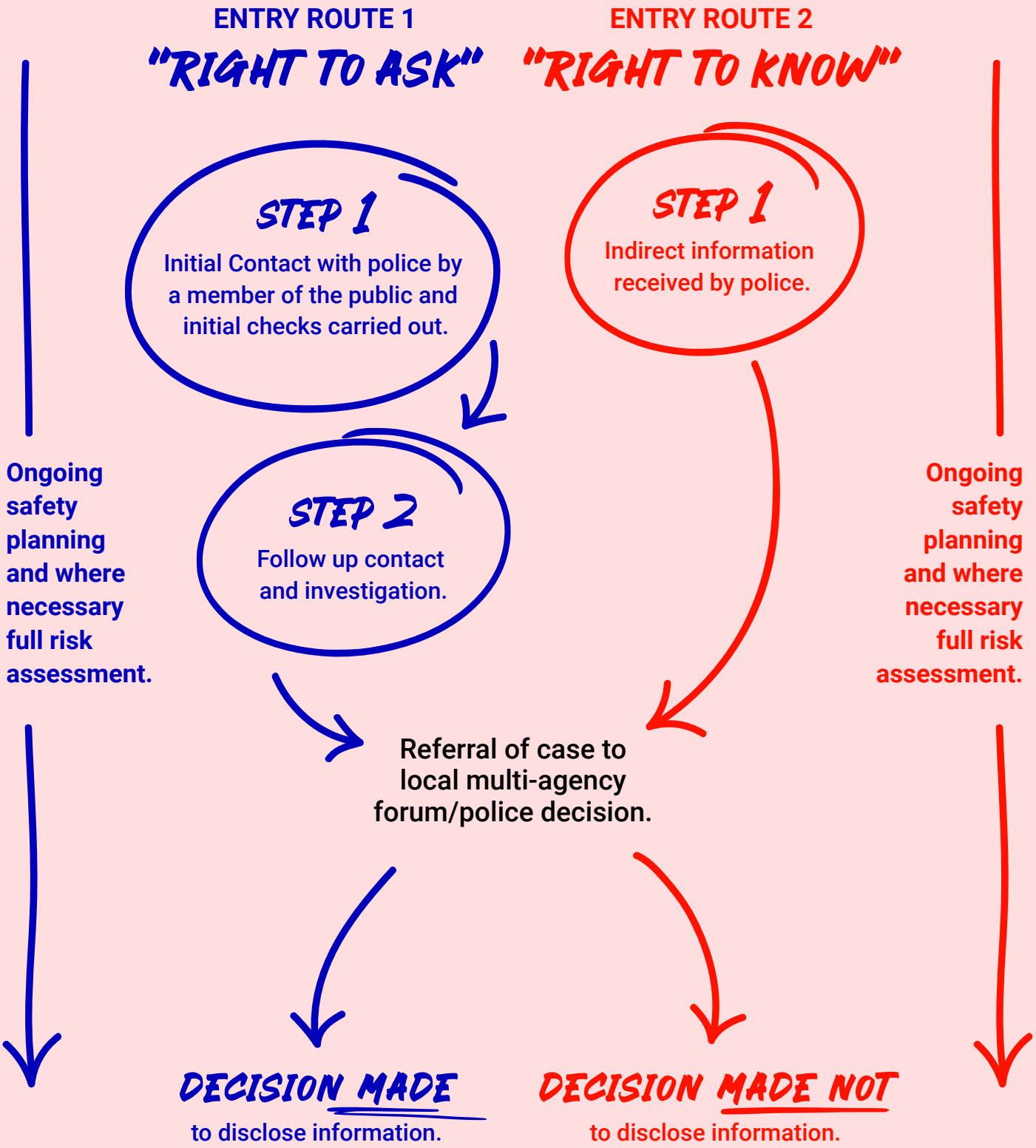
Overview of Domestic Violence Disclosure Scheme entry routes



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Application for PID - Clare's Law

RIGHT TO ASK

Are you or is anyone else at immediate risk of harm?	◯ YES	◯ NO	

Details of Applicant

Full Name (including any other names used)			
Date of Birth		Place of Birth	
Address			
		Post Code	
Ethnic Origin <Please Select>		Gender <Please Select>	
Preferred Language <Please Select>		Other Language	
Are you applying on behalf of another person?	◯ YES	◯ NO	

Contact Preferences

Method Visit		ContactDetails	
Safest Time			
Safest Day(s)			
Any other information about safe contact			
Details of Subject (Who is causing you a concern?)			
Full Name (including any other names used)			
Date of Birth		Place of Birth	
Ethnic Origin <Please Select>		Gender <Please Select>	
Address including previous address(es)			
Place of Work/Employment			

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Any additional information (including on disability or any known additional or complex needs)

Who is the Person at risk (if it isn't you)?

Full Name (including any other names used)

Date of Birth (or approximate age) | Place of Birth

Ethnic Origin <Please Select> | Gender <Please Select>

Address including previous address(es)

Place of Work/Employment/Education

Any additional information (including disability or any known or complex needs)

Details of Children?

Relationship

Nature of relationship between subject and person(s) at risk?

How would you describe the relationship?

Length of relationship?

Why are you concerned about this person/these people?:

Does the subject know that you are making this application?: Yes No

Are you concerned about the subject knowing that you are making this application?: Yes

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Information for Applicant

If the States of Jersey Police make a disclosure it will only be given to person at risk and/or a person who is in a position to safeguard the person at risk.

We will conduct checks in the first 24 hours to identify and address any immediate concerns.

Within ten days we will need to have confirmed your identity. This may require meeting you or a video chat.

We will aim to have fully assessed your enquiry and made any required disclosures within 28 days.

Aditional Information