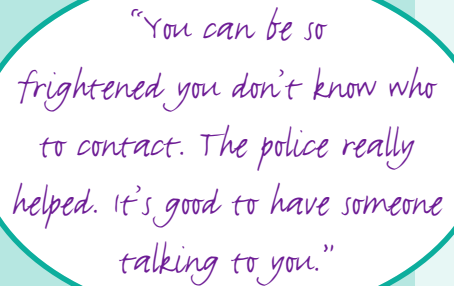


## Help from the Police

This leaflet explains how the police respond to domestic abuse and the help you can expect.

The police take domestic abuse seriously. Physical and sexual abuse are crimes as are threats of violence and intimidation. The police can:

- Calm the situation
- Arrange medical aid and find a safe place for you to go
- Speak to you on your own away from your partner/ex-partner
- Provide advice on your protection
- If a crime has occurred, and there is enough evidence to charge your partner/ex-partner, he can be arrested and removed from the situation
- In many cases, arrest your partner/ex-partner and keep him in custody to appear in court
- Ask the Domestic Abuse Liaison Officer to contact you.



*"You can be so frightened you don't know who to contact. The police really helped. It's good to have someone talking to you."*

### Domestic Abuse Liaison Officer

There is a Domestic Abuse Liaison Officer (DALO) for East Lothian. The DALO is a specially trained officer (not in uniform). You can phone the DALO on 0131 561 6124 to ask any questions or discuss your concerns. The DALO can:

- Offer you support to help you decide what to do
- Give you information about your legal rights and options and tell you about court and police procedures
- Meet with you at your home or elsewhere
- Contact other agencies on your behalf



### Reporting to the police

You can choose whether or not to report your partner/ex-partner to the police. You may be reluctant to involve the police but remember that he does not have the right to assault or harass you. If you report him, the police may be able to take action which might improve your and your children's safety.

You can report by phoning on 0131 311 3131 or going to your local police station or phoning the DALO on 0131 561 6124.

If it's an emergency, phone 999.

Often, neighbours contact the police out of concern if they hear a disturbance.

### How the police respond

The police treat domestic abuse as high priority and try to ensure an immediate response. Their first priority when they get to the incident is the safety and well-being of the victim and anyone else present. They will ensure that all the details of the incident are collected, all possible lines of enquiry pursued, and all evidence secured.

- They will check to see if you are injured and need medical treatment. If you have injuries, the police may get a report from medical staff, and they may want to take photos.
- They will interview you separately from your partner. They will ask you what happened and when, and whether anyone else saw or heard the incident. They will ask you if there have been previous incidents. They will note a statement from you.

## Help from the Police

- You can ask to speak to a woman police officer although this might not always be possible. You will usually be interviewed at home or at the scene of the incident. You can ask for someone to be with you as long as they are not a witness.
- The police may also interview witnesses such as neighbours or older children in the household.
- They will note other evidence such as damage to the house, threatening letters/texts and so on, and may take items such as damaged clothes as evidence.
- They will ask for the details of any children who normally live in the house. Depending on the circumstances, these details may be shared with the Children's Reporter and the Social Work Department. These agencies will work with you to make sure your children are safe and protected from abuse.

### Your partner/ex-partner

- The police may detain and interview your partner to get more evidence. This may involve taking him to the police station.
- In all cases, if there is enough evidence (evidence from at least two separate sources (not necessarily eye-witnesses) that a crime has occurred, the police send a report to the Procurator Fiscal.
- Even if you are unwilling to give a statement to the police, the police will still investigate the incident. If there is enough evidence, your partner may still be arrested and reported to the Procurator Fiscal.
- If there is enough evidence, your partner will either be detained in custody until appearance at court (usually the next working day) or released on an undertaking to appear at court on a certain date.
- If the police do not have enough evidence, they cannot keep your partner in custody or report them to the Procurator Fiscal. However, the incident will still be recorded and the police will work to ensure your safety.

### What the Procurator Fiscal does

The Procurator Fiscal (PF) is the official from the Crown Office and Procurator Fiscal Service who decides whether a case goes to court and which court it should go to. The PF is independent from the police and the court and does not have to explain this decision.

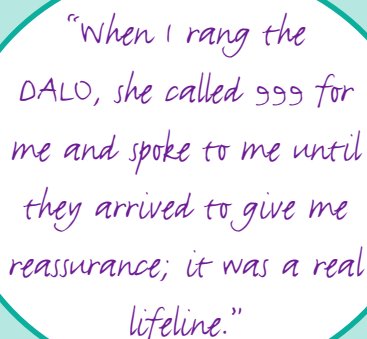
If the PF decides to prosecute, your partner/ex-partner will need to go to court to plead guilty or not guilty. If they plead not guilty a date will be set for a trial. Your partner/ex-partner will usually be released 'on bail' on condition that they do not re-offend before the case goes to trial. There may be 'special conditions' attached to the bail, for example not coming near you.

The DALO or VIA (Victim Information and Advice) will contact you and explain the bail conditions to you.

Sometimes a perpetrator may be released from custody by the PF before appearing at court. In these circumstances he will not have any bail conditions and can return home. The police will notify you if this happens.

### If you change your mind after reporting the incident

Once you report your partner/ex-partner to the police, the police will send a report to the PF if there is enough evidence. It is up to the PF to decide what action should be taken. It is not possible for you to withdraw your complaint or 'drop the charges'. If you are anxious about what is happening, speak to the DALO.



*"When I rang the DALO, she called 999 for me and spoke to me until they arrived to give me reassurance; it was a real lifeline."*

## Help from the Police

### Support for you after you report a partner/ex-partner

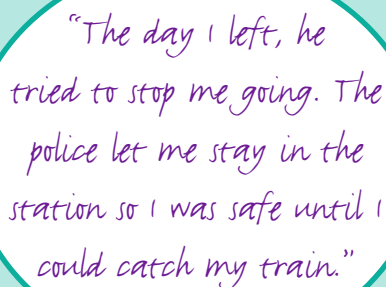
If you need any advice or support, contact the DALO or East Lothian Women's Aid.

Once a case goes to court, VIA will get in touch with you. They will contact you to let you know what is happening at every stage of the court process and provide you with help and information. The DALO will contact you to tell you the outcome of the case.

### Bail

If a court has imposed bail conditions on your partner/ex-partner while he is facing court action, be aware that these conditions end at the end of the case. If you want to continue to be protected, see a solicitor before the final court date (see leaflet 7).

If you think your partner/ex-partner has breached bail you should contact the police immediately. They will investigate and if there is enough evidence, report this to the PF. Your partner/ex-partner may be arrested and kept in custody for a court appearance.



*"The day I left, he tried to stop me going. The police let me stay in the station so I was safe until I could catch my train."*

### Other help from the police

The police can help you make your home as secure as possible (see leaflet 3).

If you have left your home in an emergency to escape abuse, you may want to go back to collect personal belongings. It may be possible to arrange for the police to meet you at your home while you do this. Contact the DALO for more information.

**Phone the Scottish Domestic Abuse Helpline in confidence  
on 0800 027 1234 any time, day or night.**

Domestic abuse: there's no excuse

**2nd edition December 2009**

*Adapted with permission from the North Lanarkshire Domestic Abuse Working Group.*