

Risk of imminent harm to others.

Imminent risk of harm to others means that a caller's actions, omissions or conditions endanger the life, or seriously jeopardize the physical or mental health or safety of others, if protective action isn't taken immediately.

Nightline volunteers must distinguish when a caller poses an imminent risk of harm to another person, and treat them as a safeguarding risk through the appropriate procedures.

Purpose of this policy

This policy indicates the distinction between imminent threats and possible threats of harm made by a caller, and the process through which volunteers should report these concerns.

Legal Obligations

Northern Ireland

There is a legal duty under section 5 of the Criminal Law Act (Northern Ireland) 1967 to report information which might be of material assistance in securing the apprehension, prosecution, or conviction of any person for a criminal offence which has already been committed, and which carries a sentence fixed by law, or of at least 5 year imprisonment (not including sexual offences against children by other children). However, this applies only to crimes which have been committed, and so the volunteer is under no legal obligation to report 'intentions' of criminal activity. **However, the Nightline Association recommends all steps included in the following policy still be taken as best practice for safeguarding purposes.**

England, Wales and Scotland

Helpline volunteers have no legal obligation to report crimes or intended crimes to the police. **However, the Nightline Association recommends all steps included in the following policy still be taken as best practice for safeguarding purposes.**

United Kingdom

Under the Terrorism Act 2000, it is a criminal offence not to tell the police "as soon as is reasonably practicable" if you become aware of information that you know or believe "might be of material assistance" in:

- preventing an act of terrorism
- securing the arrest, prosecution or conviction of someone involved in "the commission, preparation or instigation of an act of terrorism".

Thus, should a caller disclose imminent plans or previous actions of carrying out a terrorist attack, the volunteer is under a legal obligation to report this information to the police.

What constitutes imminent 'harm' to others?

Imminent harm to others is anything that could result in immediate danger or injury to another person. This could be physical harm (e.g. terrorist acts, physical assaults, attempted murder, etc.), as well as sexual offences (e.g. rape, sexual assault, and non-physical sexual offences), or could be a failure to act (e.g. not providing life-saving assistance).

Distinguishing Imminent Threats

For a threat to be imminent and warrant reporting to the police, the caller must display a real intent to commit the crime in the near future (within minutes or hours). Speculative or hypothetical thoughts of harming are not imminent.

A possible threat may sound like...

- "I want to harm..."
- "I am thinking of harming..."
- "I experience intrusive thoughts of harming others"
- "I bought a sharp object and am considering using to harm..."
- "I have written down a plan on how I could harm someone"

An imminent threat may sound like...

- "I am next to the person and about to harm them"
- "I have already begun harming..."
- "Another person is injured/requires medical attention and I refuse to help"
- "I am on my way to X location to harm someone"
- "I bought a sharp object and have a concrete plan to use it soon"
- "I have taken away someone's life-saving medication"
- "I am in an organisation whose plans to attack a community have begun"
- "I am currently with the unattended minor I am about to sexually abuse"

Handling disclosures

Threat to harm others is imminent...

1. Ask clarifying questions to confirm material evidence that the caller has a genuine intent to soon harm another person. For example:
 - a. Where are you right now?
 - b. Who is the person you intend to harm?
 - c. Are you currently with the person you intend to harm?

- d. Are you in possession of any harmful objects?
 - e. For how long have you had these thoughts of harming someone?
 - f. Is there anything you can do to calm these thoughts of harming someone?
- 2. If your probing questions confirm the threat of harm is imminent, call 999 and report the immediate threat to the police.

After the situation is resolved, report the incident to your Safeguarding Lead in line with the Safeguarding Procedures. All subsequent communication with the police (other than 999 calls) should be handled by the Nightline's parent body, not by student volunteers.

Threat to harm others is hypothetical...

1. Ask clarifying questions to confirm the caller's threat to harm is hypothetical without irreversible intent.
 - a. Where are you right now?
 - b. How long have you had these thoughts of harming others?
 - c. Is there anything you can do to calm your thoughts of harming others?
 - d. Have you enacted these thoughts in any way?
2. If intent is confirmed to be possible/hypothetical, not imminent, report the threat to your Nightline's parent body through the 'Handling Caller Safeguarding Disclosures Procedure'. *If your parent body prefers a different process, please clarify it in your safeguarding policy document.*

Persons under the age of 18

- If someone is at an imminent risk of harm, [X] Nightline's Safeguarding Policy and reporting procedures should always be followed first.
- Once the Safeguarding Procedures and any other procedures in this policy have been followed, the Child Callers Procedure can then be followed. Do not refer a child to Childline until all other relevant policies have been followed.
-
- If the caller intends to harm someone under the age of 18, take these threats with higher precaution and call 999 if there is significant indication a child is at risk of harm.

Flowchart

