| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1197  Responded to: 24 May 2023 |
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Your recent request for information is replicated below, together with our response.

Tackling domestic abuse is a priority for Police Scotland and we are committed to working with our partners to reduce the harm it causes and ultimately eradicate it.

Domestic abuse is a despicable and debilitating crime which affects all of our communities and has no respect for ability, age, ethnicity, gender, race, religion or sexual orientation.

Police Scotland will not tolerate it.

Police Scotland will proactively target perpetrators and support victims to prevent domestic abuse from damaging the lives of victims and their families.

Police Scotland defines domestic abuse as:

“Any form of physical, verbal, sexual, psychological or financial abuse which might amount to criminal conduct and which takes place within the context of a relationship.

The relationship will be between partners (married, cohabiting, civil partnership or otherwise) or ex-partners.

The abuse may be committed in the home or elsewhere including online”

This definition is included in the Joint Protocol between Police Scotland and the Crown Office and Procurator Fiscal Service (COPFS), “*In partnership challenging domestic abuse*” which is a public document that can be found on the [Police Scotland](https://www.scotland.police.uk/spa-media/ymzlwhwj/joint-protocol-between-police-scotland-and-copfs-in-partnership-challenging-domestic-abuse.pdf?view=Standard) website or on the [COPFS](http://www.copfs.gov.uk/) website.

Since the introduction of DSDAS how many historical rape allegations has there been which have resulted in no case being submitted to the PF**.**

Having considered this question in terms of the Act, I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

By way of explanation, there are no markers on our systems to indicate that a crime is ‘historic’ or otherwise. Therefore each crime classified as Rape would have to be reviewed. I can provide that as at Q3 of financial year 2022/23 there are 1,820 offences recorded as Rape. As each of these reports would have to be examined as a minimum, this is an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

You can access our published recorded and detected crime statistics via this link: [How we are performing - Police Scotland](https://www.scotland.police.uk/about-us/what-we-do/how-we-are-performing/)

## From those number, how many DSDAS have been delivered as a result of the unsubstantiated historial allegation?

Having considered this question in terms of the Act, I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

DSDAS aims to prevent domestic abuse by empowering people with the **Right to Ask** about the background of their partner, potential partner or someone who is in a relationship with someone they know, when there is a concern that the individual may be abusive. The scheme enables potential victims to make an informed choice on whether to continue their relationship, and provides further help and support to assist the potential victim when making that choice.

DSDAS also provides the **Power to Tell** where Police Scotland receives information or intelligence that domestic abuse may impact upon the safety of a victim or potential victim.

Every application received by Police Scotland is assessed to confirm that it meets the criteria for disclosure. A disclosure will only be made if it is considered lawful, necessary and proportionate. Where this threshold is not met, Police Scotland will not progress the application.

Since the 1 October 2015 Police Scotland has received over 18,000 applications and delivered over 9,000 disclosures.

To enable me to answer your request a manual review of over 18,000 applications would be required and would take in excess of the 40 hour timescale to complete.

Therefore, in accordance with Sections 12(1) (Excessive cost of compliance) and 16(4) (Refusal of request) of the Freedom of Information (Scotland) Act 2002 (the Act), I regret to inform you that I am unable to provide any further information in relation to your question.

If you require any further assistance please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.