| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 25-1251Responded to: 14 May 2025 |
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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”

Please note that the definition of Domestic abuse in Scotland differs from the definition of Domestic Violence in England and Wales which includes wider familial abuse e.g. from parents or children etc.

It should be noted that not all rape crimes are a result of domestic abuse. We have liaised with our Rape and Sexual Crime unit, as well as our Domestic Abuse unit, to answer your questions.

**Q1. Can it be confirmed that Police Scotland has a policy of believing complainers of rape and domestic abuse?**

Police Scotland does not have a policy that all complainers must be believed.

In line with the [Joint Protocol between Police Scotland and COPFS](https://www.copfs.gov.uk/publications/joint-domestic-abuse-protocol/html/#initial-action) Police Scotland will treat all incidents of domestic abuse as high priority and when investigating incidents of domestic abuse will ensure that all possible lines of enquiry are rigorously pursued and all available evidence is secured.

It should also be noted that tackling sexual abuse and violence against women and girls is one of Police Scotland's highest priorities and we have a very clear strategy to ensure our officers have the best support and guidance from specialists when dealing with this type of crime.

Police work in partnership with other agencies, including Women’s Aid, to prevent and detect gender-based violence, and national guidance incorporates a victim centred approach to all reports of sexual offences. Every report is thoroughly investigated, with sensitivity and professionalism, by specially trained officers who will support victims and signpost to appropriate support and each case will be assessed and investigated on its own merits.

**Q2. If the answer to Q1 is yes, is this policy restricted to compliance with the Scottish Crime Recording Standard or does it extend to the overall approach to investigations?**

The Scottish Crime Recording Standard operates on the premise that a crime has been committed in the absence of contradictory evidence. The guidance given to officers is:

All reports of incidents, whether crime related or not, will result in the creation of an incident report which is auditable. Following initial registration, an incident will be recorded as a crime in all cases if:

* the circumstances amount to a crime defined by Scots Law or an offence under statute; and
* there is no credible evidence to the contrary. Once recorded, a crime will remain recorded unless there is credible evidence to disprove that a crime had occurred.

In some circumstances it can be difficult to establish the veracity of a report. This does not detract from any investigations which may be conducted into the reported crime.

Every report is thoroughly investigated, with sensitivity and professionalism, by specially trained officers who will support victims and signpost to appropriate support and each case will be assessed and investigated on its own merits.

If subsequent investigation establishes no crime was committed, then the crime report will be marked accordingly and reviewed by the divisional Detective Superintendent for compliance.

**Q3.  What guidance or instruction is provided to investigators regarding this policy and how it will be communicated to complainers?**

The information sought is not held by Police Scotland and section 17 of the Act therefore applies.

As per our answer to question 1, there is no such policy, therefore there is no guidance or instructions provided to investigating officers or complainers.

We can however advise that in alignment with National guidance pertaining to Rape and sexual offences, Police Scotland emphasises that the prioritisation of victim’s needs is paramount in our policing approach ensuring victims’ safety and wellbeing remains our primary focus.

A victim will be appointed a sexual offences liaison officer, who will be their point of contact during the investigation and will provide regular updates. Victims will be able to access support from specialised partner agencies tailored to their specific needs or requirements and Police Scotland has a public facing intranet page “Help for victims of sexual crime” where it provides guidance and advice on how Police Scotland can help with links to support

If investigations reveal that no crime has occurred, the divisional Detective Superintendent will review the case, and a senior investigating officer will provide an update to the victim.

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 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](https://www.foi.scot/appeal), by email 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.