

Our Ref: IM-FOI-2021-2853  
Date: 6<sup>th</sup> January 2022



## FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

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 at the Police Scotland website on <https://www.scotland.police.uk/> or on the COPFS website on <http://www.copfs.gov.uk/>.

For ease of reference, your request is replicated below together with the response.

- 1. Did Police Scotland ever set targets for officers/divisions on conversion rates for domestic abuse incidents. For clarity - for every domestic abuse incident responded to, was there an expectation that a crime should be recorded in a percentage of cases?**
- 2. If it was the case that such targets existed, what were the targets for each year from 2013 onwards?**
- 3. If targets were set, what measures were taken to ensure the integrity of the process due to the conflict between, an expectation to meet targets, and the requirement for there to be “sufficient admissible evidence”?**

## OFFICIAL

For questions 1-3 of your request I can confirm that Police Scotland do not set targets in relation to “conversion rates for domestic abuse incidents”. There is an expectation that each and every incident would be investigated thoroughly and professionally.

I must therefore advise that in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information requested is not held by Police Scotland.

**4. For each year from 2013 onwards, what proportion of recorded crime/incidents of domestic abuse were not pursued by the COPFS due to lack of “sufficient admissible evidence”?**

Whether a case is pursued by the Crown Office and Procurator Fiscal Service (COPFS) and whether a case is not pursued due to lack of “sufficient admissible evidence” is not information that is held by Police Scotland and will instead be held by COPFS. In terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information requested is not held by Police Scotland.

You may wish to consider contacting COPFS for this information and I have included their contact details below:

[foi@copfs.gov.uk](mailto:foi@copfs.gov.uk)

**5. In the cases where the COPFS has not pursued a case due to lack of “sufficient admissible evidence” - are these recorded crimes, and the personal data attached to crime reports, then removed from the police crime recording systems or do they still feature as recorded crimes?**

Where the police assessment is that there is sufficient evidence to submit a case to COPFS for consideration of criminal proceedings the crime would remain as detected, with the details of the individual recorded thereon, immaterial of what decision COPFS makes.

We do not retrospectively amend crime reports should COPFS decide there is a lack of “sufficient admissible evidence.” Similarly if we report a specific charge to COPFS and they amend the charge to an alternative one, we do not retrospectively amend the crime recorded. This is the same across Police Scotland.

Should you require any further assistance please contact Information Management quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to [foi@scotland.pnn.police.uk](mailto:foi@scotland.pnn.police.uk) or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision.

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You can apply [online](#), by email to [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info) or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.

