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Our Ref: IM-FOI-2022-1772
Date: 23rd September 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.

Firstly, we would like to establish how many reported i.) incidents ii.) charges and iii.) convictions for image-based abuse (Abusive Behaviour and Sexual Harm (Scotland) Act 2016) have been recorded by your force for the years listed individually below?

This would be for the years 2016-2022:

- 2016
- 2017
- 2018
- 2019
- 2020

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- **2021**
- **2022**

The Abusive Behaviour and Sexual Harm (Scotland) Act 2016 was given Royal Assent on 28th April 2016. Section 2 of the act which creates the offence of disclosing, or threatening to disclose, an intimate photograph or film did not come into effect until 3rd July 2017. As a result there is no statistical information available prior to this date.

Please note that we have interpreted incidents as recorded crimes and charges as detected crimes. Please find the requested information in the attached spreadsheet. I would ask you to carefully note the caveats provided below each data table.

Conviction or case disposal information is held by the Crown Office and Procurator Fiscal Service (COPFS) rather than Police Scotland. As such, 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 make a request to COPFS directly using the following email address:
foi@copfs.gov.uk

Secondly, what training have officers and frontline staff in your force received regarding online and technology facilitated abuse during the past 5 years?

Please provide i.) Number of staff trained per year, including a breakdown by rank/category of staff receiving this training per year ii.) The name and content of the training course(s) provided per year.

This would be individually for the years 2018-2022:

- **2018**
- **2019**
- **2020**
- **2021**
- **2022**

Following a clarification request you confirmed:

Regarding training, we are interested in the details of any training received in relation to online abuse (e.g. 'revenge porn', online harassment) and the use of technology by perpetrators of stalking, domestic abuse and coercive control to harm/control victims (for example, tracking devices, spyware, 'digital gaslighting').

In response to your request, 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.

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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, following the implementation of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, I can confirm that no formal face to face or online training was provided to officers. While no formal training was carried out, details of the new legislation and police powers were circulated internally to all policing divisions by way of an E-briefing for local dissemination to staff.

Police Scotland however deliver a Domestic Abuse Investigation Course to specialist officers. This is a comprehensive course aimed at officers who have specifically undertaken the role of a domestic abuse investigator. The aim is to enhance officers' professional knowledge of key areas surrounding domestic abuse investigations and to further their development of appropriate investigative strategies. Specific inputs into perpetrators use of technology as a method of stalking and coercive control is provided as part of this comprehensive course.

In addition training material within probationer training and detective training at the Scottish Police College was reviewed and updated to include details of the Act and incorporated onto all future training course.

Unfortunately, in order to answer your question fully, a manual search of all training courses provided within both detective training and probationer training would need to be carried out to establish the number containing digital inputs. Due to the number of training courses involved and the timescale requested, it would take a large amount of time to retrieve the information requested.

Police Scotland have assessed that the £600 cost limit within the Act equates to 40 hours of work and so this part of your request would breach the cost threshold.

Whilst I would normally suggest a request with a refined timescale is considered, due to the amount of material involved, I do not believe this would be possible in this case.

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

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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.