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Our Ref: IM-FOI-2022-1742
Date: 1st 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.

1) The number of times Police Scotland have used their ‘power to tell’ to proactively notify a potential victim of their partner’s offending history despite the victim not making a request for a disclosure under the Disclosure Scheme for Domestic Abuse Scotland. Please provide this figure for the financial years of 2019-20, 2020-21 and 2021-22.

The Disclosure Scheme for Domestic Abuse Scotland (DSDAS) provides a formal means for concerned members of the public and professionals to make inquiries about someone’s partner if they are worried they have been abusive in the past.

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The DSDAS database has been developed to record all applications into the scheme, document their progression and record decision making. However, not all applications will lead to a disclosure and may be routed out the scheme due to their individual circumstances.

Please note that in regards to question 1 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 we are unable to provide the number of times Police Scotland have used their 'Power to Tell' to proactively notify a potential victim of their partner's offending history despite the victim not making a request for a disclosure.

The DSDAS database is a dynamic database which is constantly being updated and changed. If multiple applications are submitted via the **Right to Ask** and/or **Power to Tell** pathways, in respect of the same persons, then a single application will be progressed and one disclosure outcome recorded.

To ascertain the number of **Power to Tell** disclosures where the applicant had not submitted a duplicate **Right to Ask** application would require a manual review of all application forms.

In this case the application forms associated with 5,023 disclosure would need to be manually checked. At a conservative estimate of 5 minutes per disclosure record, this equates to over 419 hours of work to provide 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, in this case, even taking the most recent year would involve a manual check requiring over 163 hours of work. I do not believe there is a way to refine the request which would allow usable statistics to be provided.

To be of some assistance however, please find the information in the table below which relates to the number of **Power to Tell** disclosures.

Year	Total Number of Power To Tell Disclosures
2019-2020	1,185
2020-2021	1,879
2021-2022	1,959

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2) How many total disclosures of any kind have been made under the Disclosure Scheme for Domestic Abuse Scotland to potential victims for the financial years of 2019-20, 2020-21 and 2021-22.

In regards to question 2 please find the information requested in the table below.

Year	Total Number of Disclosures Made
2019-2020	1,445
2020-2021	2,177
2021-2022	2,354

DSDAS is a time bound, staged process with guidelines stating that disclosures should be made within 45 days where possible. There will, however be occasions where disclosures are made out with these timescales, either earlier or later depending on the circumstances.

Full details of the Disclosure Scheme for Domestic Abuse Scotland (DSDAS) are available on the Police Scotland website on the following link;

<https://www.scotland.police.uk/advice-and-information/domestic-abuse/disclosure-scheme-for-domestic-abuse-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.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.

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.