| Police Scotland logo | Freedom of Information Response Our reference: FOI 25-0065  Responded to: 07 February 2025 |
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Your recent request for information is replicated below, together with our response.

## CLARIFICATION

## Thank you for your recent Freedom of Information request.

## Before we progress further with this, could we please clarify a few points with yourself?

## Firstly, we do not operate Claire’s Law in Scotland, we have the Disclosure Scheme Domestic Abuse Scotland (DSDAS). Are you looking for information for this?

## Could you also clarify what you mean by fulfilled? Do you mean disclosures delivered, or processed?

## Also re rejection, what do you mean by this? Do you mean no disclosure delivered?

## Yes, that would be great. All info pertaining to DSDAS would be great.

## I'm afraid I'm not familiar with the Police Scotland difference between disclosures delivered and disclosures processed. I am hoping to learn how many requests were 'accepted' and information supplied in response accordingly. Similarly, requests rejected would pertain to those where a disclosure was not made due to, e.g. Applications did either not meet the criteria, no risk involved or the risk did not meet the threshold for disclosure.

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.

## I would like to file an FOI request for the following data, pertaining to the Domestic Violence Disclosure Scheme (Clare's Law), for each annual period from 2014\* - 2024 inclusive.

The Domestic Violence Disclosure Scheme (DVDS), known as ‘Clare’s Law’ was introduced in England and Wales in March 2014. The DVDS was not introduced in Scotland. On 1 October 2015, Police Scotland introduced the Disclosure Scheme for Domestic Abuse Scotland (DSDAS) which operates in a similar way to the DVDS. 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.

The Disclosure Scheme Domestic Abuse Scotland (DSDA’s) aims to prevent domestic abuse by empowering people with the **Right to Ask (RTA)** 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 (PTT)** where Police Scotland receives information or intelligence that domestic abuse may impact upon the safety of a victim or potential victim.

Please be advised that the number of DSDAS applications is less than the number of persons identified as being at risk. This can occur as a result of more than 1 potential victim being identified and multiple ‘persons at risk’ being added to a single application or due to an input error.

The DSDAS database is a dynamic database which is constantly being updated and changed.

Duplicate applications are often submitted for persons potentially at risk.

Every application received by Police Scotland is assessed to confirm that it meets the criteria for disclosure.

Once an application has been submitted further information may come to light meaning that the application is no longer appropriate, for example if the applicant is no longer in a relationship with that person. In this instance the application will not be progressed further.

Additionally in such circumstances where there is no information to disclose the application will not progress to a disclosure. In this instance the applicant will be informed.

Each potential disclosure is subject to multi-agency discussion, with at least two partner agencies. There, those that are agreed to be lawful, necessary and proportionate proceed to disclosure.

## Within each period that follows, please could you provide:

## How many DVDS requests were received within each period?

## How many of those requests within each period were fulfilled?

## How many of those requests within each period were rejected?

## And, if retrievable, reason(s) for rejection?

## The periods in question are from 01 January to 31 December (inclusive) within each year 2014 - 2024 (2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024).

## For example, in 2014, between 01 Jan - 31 Dec inclusive, X DVDS requests were received, X were fulfilled, X were rejected. Of those rejected, X number were rejected owing to X reason, and X were rejected owed to X reason.

## \*Or as the scheme was implemented – please specific.

Following clarification with you, “fulfilled” will relate to applications where a disclosure has been made, and “rejected” relates to when an application has either not met the criteria for the scheme or where a disclosure has not been made for e.g. nothing to disclose or the application does not meet criteria for a disclosure. Detailed information about DSDAS, criteria, processes and decision making can be found on the Police Scotland website here - [Disclosure Scheme for Domestic Abuse Scotland - Police Scotland](https://www.scotland.police.uk/advice-and-information/domestic-abuse/disclosure-scheme-for-domestic-abuse-scotland/).

With regards to providing you information prior to 2019 I regret to inform you that Police Scotland does not hold the above requested information.

In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of explanation, data has been provided in line with the Record Retention Standard Operating Procedures.

In line with Police Scotland’s Record Retention Standard Operating Procedures, records of Disclosure Scheme for Domestic Abuse Scotland (DSDAS) applications will be retained for 6 years and thereafter destroyed. As such, Police Scotland can only provide you with the data you are requesting for the previous 6 years (from the date the information is extracted). For example, if the data was extracted on 23rd January 2025 from the database, the data provided to you will go back to 23rd January 2019.

Please refer to Table 1 below in response to your questions. Please note the caveats below Table 1.

**Table 1.**

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| --- | --- | --- | --- |
| **Calendar Year** | **No. of Applications Received** | **No. of Disclosures Made** | **No. of applications not proceeding to disclosure** |
| 2019 (from 23rd January) | 2310 | 1247 | 1063 |
| 2020 | 3287 | 1998 | 1289 |
| 2021 | 3862 | 2305 | 1557 |
| 2022 | 4293 | 2540 | 1753 |
| 2023 | 5303 | 3047 | 2256 |
| 2024 | 6883 | 3830 | 3053 |

All statistics are provisional and should be treated as management information.

\*All data has been extracted from Police Scotland internal systems and are correct as of 23 January 2025. It should be noted that applications submitted in December 2024 will still be progressing and the figures for this year may be subject to change.

In response to your question below:

## Of those rejected, X number were rejected owing to X reason, and X were rejected owed to X reason.

In response to 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, the only way to provide an accurate response to your request would be to manually examine every application to determine the reason as to why it either did not progress or lead to a disclosure. Given the numbers involved this an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

By way of assistance, there are several reasons as to why an application may not progress or lead to a disclosure, for example, duplicate applications, applications not meeting the criteria for the scheme, or there being nothing to disclose. Please refer to the Police Scotland website to read more about the scheme, the criteria, the processes and the decision making involved.

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](https://www.foi.scot/appeal), by [email](mailto:enquiries@foi.scot) 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.