| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1336  Responded to: 08 June 2023 |
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Your recent request for information is replicated below, together with our response.

**1) Does the police force have any in-house or nationwide protocols at present for eliciting earwitness testimonies? If yes, what document, guidelines or tools are used?**2) What training is in place for how police officers conduct an initial account from a victim/witness when taking an earwitness testimony?

I can advise you that there are no such Police Scotland guidance documents etc which refer to earwitness testimony.

As such, in terms of section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information you seek is not held by Police Scotland.

## You may be interested in our [Crime Investigation](https://www.scotland.police.uk/spa-media/uwwcamlx/crime-investigation-sop.pdf) Standard Operating Procedure.

## 3) How many cases in the past year have involved earwitness evidence?

Having considered 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, there are no markers to distinguish between the types of information held.

I can advise you that there are over 223,000 potentially relevant crimes in financial year 2021/22 and as such this is an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

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](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) 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.