| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-0194  Responded to: 20 February 2024 |
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Please, first of all, accept my sincere apologies for the delay in providing a response to your request.

Your request for information is replicated below, together with our response.

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.

## 1) The total number of Disclosure Requests made under the Domestic Violence Disclosure Scheme (also known as “*Clare’s Law*”)" during the period 1st January 2023 up to and including 31st December 2023 inclusive by gender, age, & ethnicity.

## For your ease of reference, please provide the details for the “*Person at Risk*” i.e. the person for whom the enquiry has been made by directly and/or on behalf of.

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.

DSDAS aims to prevent domestic abuse by empowering people with the **Right to Ask** 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** 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 2 partner agencies.

There, those that are agreed to be Lawful, Necessary and Proportionate proceed to disclosure.

Therefore, in response to your request, I can provide that there was 3676 Power to Tell applications and 1627 Right to Ask applications (total 5303) between 1 January and 31 December 2023.

The tables below provide age/gender and ethnicity breakdowns:

|  | Female | Male | Total |
| --- | --- | --- | --- |
| Under 16\* | 63 | 3 | 66 |
| 16-18 | 119 | 7 | 126 |
| 19-21 | 283 | 16 | 299 |
| 22-25 | 543 | 31 | 574 |
| 26-30 | 846 | 55 | 901 |
| 31-35 | 888 | 82 | 970 |
| 36-40 | 695 | 76 | 771 |
| 41-50 | 744 | 120 | 864 |
| 51-60 | 214 | 51 | 265 |
| 61 and over | 50 | 8 | 58 |
| Not recorded | 6 | 0 | 6 |
| Total | 4451 | 449 | 4900 |

\* Please note that when the date of birth of the applicant, or person potentially at risk is unknown, the date of the submission of the application is automatically entered resulting in statistics regarding ‘Under 16s’ in the table above.

\*\*Please note that the total number of persons at potential risk is less than the total number of DSDAS applications due to the system counting the unique person number which can appear in more than one application\*\*

| Ethnicity | Count |
| --- | --- |
| African | 4 |
| Black Scottish other black | 5 |
| Caribbean | 3 |
| Indian | 2 |
| Other ethnic group | 18 |
| Other South Asian | 1 |
| Pakistani | 9 |
| Prefer not to say | 47 |
| White other | 262 |
| White Scottish | 2462 |
| Blank | 2087 |
| Total | 4900 |

\*\*Please note that the total number of persons at potential risk is less than the total number of DSDAS applications due to the system counting the unique person number which can appear in more than one application\*\*

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## 2)  During the period 1st January 2023 up to and including 31st December 2023 inclusive, please provide the gender of the person making the enquiry regarding their current partner and/or the person making the enquiry directly on behalf of the “*Person at Risk.*”

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process your request. I am therefore refusing to provide the information sought in terms of section 12(1) of the Act - Excessive Cost of Compliance.

By way of explanation, the only way to provide an accurate response to your request would be to manually examine every application to establish this information. Given the numbers involved this 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.