

10th February 2021

Freedom of Information Request - Reference No: 20210260

REQUEST

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 2020 up to and including 31st December 2020 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.

2) During the period 1st January 2020 up to and including 31st December 2020 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".

RESPONSE

In our response to a previous FOI request which you submitted with the same type of data request, we provided a response under our reference 20192128. I have however approached PVP Performance and Governance Unit for assistance, and a Detective Chief Inspector has confirmed that our response is the same as 20192128.

Section 17 of the Freedom of Information Act 2000 requires South Yorkshire Police, when refusing to provide such information (because the information is exempt), to provide you the applicant with a notice which:

- a. states that fact,
- b. specifies the exemption in question and
- c. states (if that would not otherwise be apparent) why the exemption applies.

The following exemption applies to the disclosure of the information:

Section 12(2) – Exemption where cost of compliance exceeds appropriate limit

I assume that they mean 'Right To Ask' ie, self-generated by a member of the public or a third party on their behalf.

Without a manual search it is very difficult to discriminate between someone asking for themselves and someone asking on behalf of a friend/relative etc. We record Clare's Law as non-crime investigations and the person making the request, the person at risk and the subject posing the risk are therefore recorded as 'involved parties' Hence, any data run would show the gender of the involved parties but not the role they play in the disclosure – without going into each one manually to determine whether they were the requester and/or person and risk and the subject. It would take more than 18 hours to provide this information.

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 provide that the cost limit for non-central government public authorities is £450. This must be calculated at the rate of £25 per hour, providing an effective time limit of 18 hours. . If you feel your endeavours can be achieved within the appropriate limit by refining your request, South Yorkshire Police would be more than happy to consider any further request.

Guidance from the Information Commissioner to public authorities is that where one part of a request is reasonably estimated to exceed the appropriate limit then the authority is not obliged to consider or comply with the remainder of the request up to the point at which the appropriate limit has been reached. Please note point 30 of the below link:-

https://ico.org.uk/media/for-organisations/documents/1199/costs_of_compliance_exceeds_appropriate_limit.pdf

Under Section 16 of the Freedom of Information Act 2000, my duty to provide advice and assistance to persons who have made request for information, please be advised that South Yorkshire Police can offer the following advice as to how to refine your request:

As per the clarification sent in our response 20192128, would could provide you with a number of 'Right to Ask' requests received, and the number of requests granted, if this would assist with your research.