

PE1876/LL: Accurately record the sex of people charged or convicted of rape or attempted rape

Petitioners written submission, 25 November 2025

We are pleased that Police Scotland has moved to support our petition, and the wider principle of accurately recording sex across all crime types, as well trans status where relevant.

We welcome Police Scotland's commitment to following the recommendations of the Sullivan Review and to prioritising this work for approval at the Scottish Police Authority February Board meeting.

Recognising the need for consistent, reliable data and the moral imperative underpinning our petition, the Chief Constable has drawn a line under the longstanding confusion in this area and set a clear standard for other police forces to follow.

Related to the issues raised by our petition, we welcome the commitment to engage with Police SEEN (Sex Equality and Equity Network).

We hope that this balanced and respectful approach signals a fresh start for Police Scotland, not only in relation to data, but in its handling of issues around sex and gender identity more widely. To this aim, we hope that Police Scotland will move to formally recognise Police SEEN, enabling proper representation for staff and officers with the protected belief that sex matters and is immutable.

A question remains as to how the Chief Constable's predecessors and their senior colleagues allowed the capture of the force's policies and practices, to the detriment of something so basic as the accurate recording of sex in criminal investigations.

It should not have taken so many years of pressure and scrutiny to get Police Scotland to abandon its defence of recording some male offenders as women, so that this ended up in the overflowing inbox of the current Chief Constable on her taking office.

In addition to Police Scotland, our petition calls on the Scottish Parliament to urge the Scottish Government to require the Crown Office and Scottish Court Service to record accurately the sex of people charged with or convicted of rape or attempted rape. Therefore, we ask that the Committee now writes to both organisations to ask them to confirm that they will follow Police Scotland's lead and will not retrospectively alter any record of a person's sex (other than if it is clear that biological sex has been incorrectly recorded for them by Police Scotland). Although our petition did not originally mention the Scottish Prison Service, for completeness, we would be grateful if the Committee would also obtain the same reassurance from the SPS.