

Cabinet Secretary for Justice and Veterans submission of 25 October 2022

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

Thank you for your letter of 27 September following the Committee's consideration of this petition on 23 March.

As set out in previous correspondence, it is a matter for Police Scotland to determine how the sex of people charged or convicted of rape or attempted rape is recorded within their operational databases. Similarly, the recording practices of the Crown Office and Procurator Fiscal Service and the Scottish Courts and Tribunals Service are operational matters for those bodies.

Any legal implications of the two judgments of the Inner House of the Court of Session on these operational matters would be for Police Scotland or the other bodies mentioned to consider and to obtain their own legal advice on, if it is appropriate to do so.

You also ask for further information on the Chief Statistician's guidance on Sex, Gender Identity, Trans Status – Data Collection and Publication. The final guidance was published on 22 September 2021 and is available [online](#). There are no current plans to revise this guidance.