PE2247/A: Mandate Police Scotland to collect data on nationality, religion, ethnicity, asylum status and instances of gang based abuse

Scottish Government written submission, 29 September 2026

Does the Scottish Government consider the specific ask[s] of the petition to be practical or achievable? If not, please explain why.

The Scottish Government does not accept the assertion that cases of child sexual abuse and exploitation (CSAE) are not properly investigated or prosecuted in Scotland. Allegations of child sexual abuse and exploitation (CSAE) are treated with the utmost seriousness by the criminal justice system in Scotland. All reported offences are rigorously investigated by Police Scotland, with victims and safeguarding considerations at the forefront. Where investigations identify sufficient evidence of criminal conduct, cases are reported to the independent prosecution authorities for consideration and prosecution through the courts. The Scottish Government remains committed to supporting a robust criminal justice response that prioritises victim protection, pursues offenders, and ensures accountability for those responsible for these abhorrent crimes.

As the petitioner notes, the petitioner previously lodged petition PE2208 calling for mandatory collection and publication of child sexual offender data. The Scottish Government's response to this previous petition set out some of the limitations with mandating the collection of the specified data. These are set out again below, with some additional details regarding Police Scotland accountability.

Under the Police and Fire Reform (Scotland) Act 2012, responsibility for the policing of Scotland rests with the Chief Constable of Police Scotland, who is accountable to the Scottish Police Authority rather than directly to Scottish Ministers. These arrangements are intended to safeguard the operational independence of policing and to ensure public confidence that decisions relating to policing are made free from political direction or Ministerial influence. These are operational matters for the Chief Constable, subject to oversight by the Scottish Police Authority

The Criminal Justice (Scotland) Act 2016 states that following arrest, a person is under no obligation to answer any question apart from their name, address, date and place of birth and nationality. The arrested person is not required to disclose their ethnicity, immigration status or religion. Recording an ethnicity requires Police Scotland to either rely on the arresting officer's observation or on the arrested person providing this data

Police Scotland record information based on operational needs or where a legal requirement exists. They do not hold coded data on nationality, immigration status or religion as it is not required unless the specific circumstances of the offences make it relevant to the prosecution of the case.

What, if any, action is the Scottish Government currently taking to address the issues raised by this petition, and is any further action being considered that will achieve the ask[s] of this petition?

There is a huge amount of action in this area as Committee members will be aware.

National Child Sexual Abuse and Exploitation Strategic Group

Protecting children from harm is an absolute priority for the Scottish Government. Child sexual abuse and exploitation are abhorrent crimes with devastating impacts on the victims and their families. Our recognition of this abhorrent crime is why we formed the expert National Child Sexual Abuse and Exploitation Strategic Group which brings together key services and expert stakeholders to inform and strengthen our collective action against this horrendous form of abuse. It is uniquely positioned to assess current challenges and make informed recommendations to tackle child sexual abuse and exploitation so we can ensure we are doing all we can to tackle it through prevention and early intervention.

Activity to improve Data on Child Sexual Abuse and Exploitation

A programme of work is underway under the National Child Sexual Abuse and Exploitation Strategic Group to improve data on CSAE. The Scottish Government's Chief Statistician is chairing a short-life working group looking at this issue specifically. This group brings together experts to consider a range of data sources that can be collated and analysed to build a more comprehensive picture of CSAE in Scotland.

The group will publish an interim report summarising work so far by the end of the year. Data related to perpetrators will be considered as part of this report.

Minutes from meetings of the group are published on the Scottish Government's website.

National Review of group-based child sexual abuse and exploitation

Last year, Ministers directed the Care Inspectorate, His Majesty's Inspectorate of Constabulary in Scotland and other inspectorates involved in scrutinising health and education services, to lead an Independent National Review of responses to group-based child sexual abuse and exploitation in Scotland.

Phase One of the National Review was published on 3 September, providing an assessment of local areas' understanding, response, and improvement in tackling the threats that organised networks represent to the safeguarding of children and young people from child exploitation. The report provides valuable insight into the challenges and opportunities in preventing and responding to group-based child sexual abuse and exploitation. It highlights areas of progress while identifying issues requiring further consideration as we continue to strengthen Scotland's approach to protecting children and young people.

One of the key findings of the Phase One report was that there was a lack of accurate national data related to group-based harms. The findings and recommendation on data collection align with activity already underway through the Short-Life Working Group on CSAE Data outlined above.

Police Scotland-led review of group-based child sexual abuse and exploitation.

Following instruction by the UK Government, Baroness Casey published an Audit into group-based child sexual exploitation and abuse in England and Wales in June 2025 which set out findings and recommendations on this issue which included a focus on policing.

In response, Police Scotland has taken forward a series of actions to review their operations and response to this specific issue. The Police Scotland review is based on identifying cases of possible interest, followed by an initial review by trained police officers and investigators. The review covers cases since 2013 involving one or more victims aged under 18 and two or more suspects where Police Scotland and the Crown and Procurator Fiscal Service made the decision to take no further action. This work closely aligns with similar activity by English and Welsh forces as part of Operation Beaconport, established by the National Police Chiefs' Council and the National Crime Agency in response to Baroness Casey's recommendations.

The Scottish Government has provided additional funding to Police Scotland to support a comprehensive review process and allow coordination of activity across Police Scotland to manage both the complexity and sensitivity of these cases. Police Scotland's review of cases is an operational matter, with progress overseen by the Chief Constable. As noted above, the Scottish Police Authority provides independent oversight of Police Scotland and is responsible for the governance, oversight and administration of Police Scotland and holds the Chief Constable to account for policing in Scotland.

Independent Inquiry into Group-Based Child Sexual Abuse and Exploitation

An independent statutory inquiry into group-based child sexual abuse and exploitation to be chaired by Professor Alexis Jay, who has extensive experience and expertise, was announced earlier this year. Professor Jay is engaging with stakeholders and victims, as part of the preparatory work required to formally establish the inquiry. This includes consideration of the inquiry's terms of reference, structure, and arrangements, ensuring that it is able to operate independently while also proceeding at pace and with sufficient flexibility to investigate all relevant issues.

Child Protection Unit, Directorate for Children and Families