

# **PE1876/HH: Accurately record the sex of people charged or convicted of rape or attempted rape**

## **Michelle Thomson MSP written submission, 16 October 2024**

I write again to this committee in support of Petition PE1876 - 'Accurately record the sex of people charged or convicted of rape or attempted rape'.

I am aware there have been a number of evidence sessions thus far and that clarity has been sought regarding the policy of Police Scotland on the recording of data by sex and/or gender in general, and particularly for sexual assaults and/or rape.

The most recent Police Scotland submission dated March 2024, but made public more recently included the following statements:

“The sex/gender identification of individuals who come into contact with the police will be based on how they present or how they self-declare, which is consistent with the values of the organisation.

The practice adheres to legislative compliance, operational need and the values of respect, integrity, fairness and human rights whilst promoting a strong sense of belonging”.

These statements caused grave offence to me personally.

The Chief Constable recently undertook a media interview but has not brought sufficient clarity on the operational detail of their policies.

Fundamentally, it is not clear to me that Police Scotland understand the impact of conflating sex with gender, and in particular the extent to which this could skew their crime statistics.

It also remains unclear how and when an offender's records might be changed as they travel through the criminal justice system, up to and including the point where they are released and added to the Sex Offenders Register and possibly subject to MAPPA arrangements.

I am surprised, despite the prolonged efforts of the committee that Police Scotland have not been asked to appear in person. With respect, I would request that the committee address this.