

Citizen Participation and Public Petitions Committee

1st Meeting, 2024 (Session 6), Wednesday 24
January 2024

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

Lodged on 5 July 2021

Petitioner Lucy Hunter Blackburn, Lisa Mackenzie and Kath Murray

**Petition
summary** Calling on the Scottish Parliament to urge the Scottish Government to
require Police Scotland, the Crown Office and the Scottish Court
Service to accurately record the sex of people charged or convicted of
rape or attempted rape.

Webpage <https://petitions.parliament.scot/petitions/PE1876>

Introduction

1. The Committee last considered this petition at its meeting on [6 December 2023](#). At that meeting, the Committee heard evidence from the petitioners, Dr Lucy Hunter Blackburn, and Lisa McKenzie.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. Written submissions received prior to the Committee's last consideration can be found on the [petition's webpage](#).
4. Further background information about this petition can be found in the [SPICe briefing](#) for this petition.
5. The Scottish Government's initial position on this petition can be found on the [petition's webpage](#).

6. Every petition collects signatures while it remains under consideration. At the time of writing, 13,191 signatures have been received on this petition.

Action

The Committee is invited to consider what action it wishes to take.

Clerk to the Committee

Annexe A

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

Petitioner

Lucy Hunter Blackburn, Lisa Mackenzie, Kath Murray

Date lodged

5 July 2021

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to require Police Scotland, the Crown Office and the Scottish Court Service to accurately record the sex of people charged or convicted of rape or attempted rape.

Previous action

We have met the Scottish Government's Chief Statistician to argue for the need to collect accurate data on sex in various contexts, including in cases of rape and attempted rape.

Draft guidance subsequently issued by the Chief Statistician rejected this in all but exceptional circumstances, which did not include the recording of these cases.

Background information

Police Scotland recently stated that a person directly charged with rape or attempted rape could be recorded as female. The Scottish Government has stated that 'this is a matter for Police Scotland'.

Rape is defined in law as involving penetration by a penis without consent and is therefore, by definition, the act of a male body (cases involving a surgically constructed penis appear to be unknown to date).

Women may be charged with rape as accessories, but this is extremely rare. Only a very small proportion of offenders directly charged with rape or attempted rape would therefore need to be recorded as female to have a substantial and misleading effect on the understanding of female offending. The same issue appears to arise for information collected in other parts of the criminal justice system.

Recording sex accurately in these cases matters for data accuracy and trust in official statistics, public policy, media reporting, research, and for trust in public bodies.

Annexe B

Extract from Official Report of last consideration of PE1876 on 6 December 2023

The Convener: Item 2 is consideration of continued petitions, the first of which is PE1876, on accurately recording the sex of people who are charged with or convicted of rape or attempted rape. The petition has been lodged by Lucy Hunter Blackburn, Lisa Mackenzie and Kath Murray, and I am pleased to welcome Lucy Hunter Blackburn and Lisa Mackenzie to the committee; good morning to you both.

The petition calls on the Scottish Parliament to urge the Scottish Government to require Police Scotland, the Crown Office and the Scottish Courts and Tribunals Service to accurately record the sex of people who are charged with or convicted of rape or attempted rape. We last considered the petition at our meeting on 22 March, when we agreed to write to the Scottish Crime Recording Board and Police Scotland, and to invite the petitioners to give evidence.

Before we move to the substance of today's consideration of the petition, I should note that the committee has received responses from the Scottish Crime Recording Board and Police Scotland, as well as a further written submission from the petitioners responding to those responses.

In its response, the Scottish Crime Recording Board advised that its remit focuses solely on the police recorded crime national statistics, which measure crimes, not people, and it has never included the recording of demographic details of suspects or perpetrators. Police Scotland indicated that a review of its recording policy is progressing through its internal governance processes and, if approved by the professionalism, strategy and engagement management board, it will be subject to wider consultation with relevant stakeholders. Police Scotland also carried out a manual review of its recorded crime data for rape. It states that, although it is unable to confirm the biological sex of those who were recorded in the statistics,

“none of the females recorded for the crime of rape were involved in the physical act itself ... In all cases, their involvement was art and part (aiding or abetting in the perpetration of the crime)”.

In light of those responses and the evidence that has been gathered throughout the consideration of the petition, the committee has a number of questions that we would like to explore with the petitioners today. Is there anything that you would like to say in advance of us doing so?

Dr Lucy Hunter Blackburn: If it would be helpful, convener, I have a few opening comments.

The Convener: I am quite happy for you to speak.

Dr Hunter Blackburn: Our petition was lodged on 7 June 2021, which is two and a half years ago. First, we thank the committee for pursuing it so diligently with the various organisations. During the course of that, you have accumulated a lot of material and a lot of questions that you could ask, but we want to say that our point here is very simple: rape is a male crime, and when a man rapes a woman, he should be recorded always, in all the statistics, as a man, or as a male person. That is the most important point that lies behind all the detail that we could explore this morning. I want to start there.

There has been a long-standing failure to deal with the issue. Police Scotland's policy on crime recording generally, not just specific to rape, was raised by Joan McAlpine in the Parliament in March 2019. The then justice secretary gave a reply that I regret to say I would call specious.

We noticed the recording of female rape in the 2018-19 criminal proceedings data and we asked the Scottish Government about it. It told us that it had to check newspaper reports to see whether it was right. Later, it said that it would amend the stats, but we notice that it has yet to do so.

There are four points that we think matter here, the first of which is trust in statistics. The statistics are important and they need to be right. The public trust in statistics rests on them being solid, reliable and correct.

There is also a point to be made about responsibility. A lot of the paperwork and exchanges show public bodies playing ping-pong with the issue and failing to take responsibility for it. It is not difficult. Police Scotland has ownership of its stats so it should own the decision. It should just make the decision, and it should be asked to make the right decision.

There is a moral obligation to victims. Michelle Thomson made that point very forcefully to the committee at an earlier stage. It is not acceptable that a victim of rape, who could be a man as well as a woman, but predominantly we are talking about women, should have to see the state and the system rebadge a person who raped them as a woman when they know fine well it was a man.

The Andrew Miller case illustrates that strongly. Andrew Miller was recorded as a man because he chose to be. We have that on the court records. Andrew Miller, who was arrested wearing a prosthetic bra—

The Convener: We have to be careful about the discussion of cases that are actively alive in court procedures at the moment, as is the one to which you are referring. I would be grateful if you perhaps did not refer specifically to something that is sub judice.

Dr Hunter Blackburn: Shall I talk about his conviction, which is not under review? It is only his sentencing that is under review. He is not challenging his conviction for sexual assault, just the sentencing. He was arrested wearing women's underwear. He was known in his community as Amy George, and he was allowed to have himself recorded as a man.

The Convener: It would be better to talk in general terms about the policy, because I am worried that we will prejudice in some way the wider consideration of these issues.

Dr Hunter Blackburn: I understand, convener.

The Convener: I understand how difficult that is, and the timing of when anything takes place is always a factor in such matters. Unfortunately, we are not immune when we are in this building in the way that members might be at Westminster.

Dr Hunter Blackburn: The point that I would like to make is that, without naming anyone, we have evidence that it is open to individuals who have been convicted of serious sexual assault to choose whether to be recorded as a man or a woman. We think that that is down to Police Scotland. The outgoing chief constable said that the force was institutionally sexist, and we cannot think of anything more misogynist than a man being able to choose whether he is recorded as the sex he is or the opposite one. We think that that is wrong in this context and in these kinds of cases. That is where we would like to start.

Lisa, is there anything to add?

Lisa Mackenzie: No.

The Convener: I invite my colleague Fergus Ewing to lead the questioning.

Fergus Ewing (Inverness and Nairn) (SNP): Thank you, convener, and good morning to our witnesses. Thank you for appearing. As you have alluded to, the committee was keen to give you the opportunity and to hear what you have to say.

You might have already answered my question, Dr Blackburn, but what is the aim of the petition? What would you like to see happening? You have made your views clear, and I am grateful for that, but I am curious to know what you would like to happen and what in particular you would like to see changed.

Dr Hunter Blackburn: We are grateful for the attention that the committee has paid to the petition. It feels as though the system is difficult and impenetrable to people. Where do we go? You write to public bodies and they just bat the issue around. We would like the committee to provide the ethical leadership that is lacking in Police Scotland and the Government. We would like the committee to provide the ethical leadership that says to those bodies that they should own the issue and that they own the recording of their statistics.

Secondly, we would like you to agree with us that getting this right matters and that the recording of rape should be done by sex. Anything else that is recorded about perpetrators is fine. We are not saying nothing else should be recorded, but we are saying that their sex should be clearly recorded and that, when you look at the female offending statistics, what you are seeing is the offending statistics for women.

Fergus Ewing: Ethical leadership. My understanding is that, at the moment, Police Scotland has the primary responsibility for accurately recording the sex of suspects. What is your view about that? Are you happy with that? Is it your view that you are happy with that but that the police do not carry it out in a way that you regard as displaying that ethical leadership?

Lisa Mackenzie: Well, ultimately it is the police who record the data at the point of arrest and charge, so it clearly falls to them operationally. One point that I make about the Scottish crime recording board is that I hear what it says about being set up for a very specific purpose. As I understand it, there was a set of crime data that it owns, which were de-designated as national statistics in 2014-15 and that had to be rectified. However, although the board is right that it collects statistics on crime, the same statistics will be used for criminal proceedings about the people. Therefore, someone who commits three crimes will appear in the criminal proceedings as a person, if you like, and under the crime data as the offence itself. It seems odd to me that the board cannot choose to have a little bit of oversight about that; it is chaired by the Scottish Government. There is a pointing game going on. However, Police Scotland probably has the primary responsibility.

Fergus Ewing: Are you happy with that, though?

Lisa Mackenzie: I think so but, at the end of the day, it is about ethical leadership, as Lucy Hunter Blackburn said. What we are seeing, not just on this issue but on related issues on sex and gender, is a failure to take leadership. Without going off into a divergent issue, we have schools guidance in Scotland and it is problematic from the view of lots of women who have been campaigning on the issue. What you get from the Scottish Government is, "Well, it is just non-statutory guidance," but that guidance has been used. There is a kind of naivety about it. Once the guidance bears the imprimatur of the Scottish Government, people quite understandably take it seriously, and schools will adhere to it. We have seen that. We have seen councils say, "We are changing the toilets to gender-neutral toilets, because the guidance suggests that that is a good way forward."

There is a naivety about what it means when a high-profile public body such as Police Scotland or the Scottish Government puts its badge on the norm of collecting data in that way. We had guidance from the chief statistician in September 2021, which basically said that public bodies could stop recording data on sex as a matter of course. We see that as enormously problematic across all sorts of different public policy areas. It is interesting that the one area where the chief statistician said that

perhaps it is important to collect data on biological sex is the investigation of crimes, but that seems to have been overlooked by Police Scotland.

Fergus Ewing: So your concern is not so much who is legally responsible for recording the sex of suspects but the fact that there is an abnegation of responsibility on the part of the Scottish Government. Instead of giving very clear instructions, it gives guidance that is vague—perhaps for political considerations.

Lisa Mackenzie: Yes, I think that that is fair.

Fergus Ewing: I am just trying to get to the root of your views and also to what you think should happen, so that we can consider matters in the light of that.

Lisa Mackenzie: If the Scottish Government were to say, “We think that it is imperative that you record the sex of rapists,” I assume that Police Scotland would probably do it.

Fergus Ewing: Yes.

Lisa Mackenzie: I hope that it would.

Dr Hunter Blackburn: Perhaps I could add one thing, which is that we notice a sort of domino effect in the system. Once the police do it, the courts do it and then the media do it. The system is linked and the police are important, because they are the first point in the system at which a person might be misrecorded by sex. However, if you take something like the Isla Bryson/Adam Graham case, you will see that he was initially recorded by the police as male because, at the point of being arrested and originally charged with rape, he had not adopted his cross-sex identity. However, later, when he goes into court, the pronouns change, and even today you could hear Rhona Hotchkiss talking on the BBC to someone and the journalist saying that they are using “she” because that is what the court used.

There is a sort of domino effect, but the police are the first domino, if you like. The system is linked and you have to take an interest in what everybody does, but guidance and leadership from the Scottish Government would simplify it, because of that linkage.

Fergus Ewing: I am obviously not going to mention any particular cases, but there may be instances of a rape suspect self-identifying as a trans woman. Many people—including me, although this is my personal view—might think that that person is frankly at it and is a bad actor. Given that that is happening in—happily—a very few instances, what is your view about how the gender identity of the suspects in those cases should be recorded? It is presumably your view that those are men and should be recorded as male. Is that it?

Dr Hunter Blackburn: Absolutely. That is exactly what we think. We are not saying that there is no reason to record anything else about them. Lisa Mackenzie and I like

data and were very supportive when the census added the question about trans identity. We thought that that was interesting, because we hear, and know, little about the population of people who identify as trans.

If the police want to record other details about that person and how they identify, because they might feel that they need to know that in order to handle them better in custody, that is absolutely fine. We are not arguing against having that data recorded as well, as part of the grand scheme of things. A huge amount of discussion in this area is hampered by a lack of data about how many such cases exist. To be able to say how many such cases exist without having to comb through the press would help everyone, no matter where they stand on the argument, because information is helpful.

We are not arguing that you must not also record that if you wish to, but the fundamental point is that that person should not go into the statistics as a woman.

Fergus Ewing: I have listened to what you said and I am grateful for the explanation that you have given. Is your concern not so much about the precise or dry technical rules about how sex should be recorded but about the fact that there have, in recent times, been cases of men carrying out rape and self-identifying as women so that, instead of recognising them as men, the state takes a wishy-washy, mealy-mouthed approach and cannot spit out that those people are, in fact, men? Is that really your concern? Rather than the issue of the recording of statistics, is this not more about an ethical or political view that you have? We have to consider where we go and what we do with the petition, if anything.

I do not mean in any way to criticise the view that you take, which I probably share, if I have understood the views that you have expressed this morning, but it seems to me that what you really want is for society to take the very clear approach that a male rapist is a male rapist, that rapists are men and that that is that, and that men who—as you see it—pretend to be women are at it. If that is your view, is that not more a matter of politics than of the recording of statistics? Many members of the public would say that it is pretty obvious that all rapists are men and that we all know that already, and that, if they identify as women, that is a matter of self-identification but does not change their biological sex.

Lisa Mackenzie: We have more than one reason for wanting this change. There is a moral duty to the victims of sexual assault and rape, but trust in statistics is also important. The statistics that are gathered generate an understanding of offending patterns and sexual offences are, by and large, perpetrated by men. We looked through the criminal justice proceedings, picked up one instance of female rape in 2018-19 and took that to the Scottish Government, which thought that it looked odd and went to look at newspaper reports. That is not a sustainable way of running a data collection exercise.

If that figure trebles over two years, it will look as if there has been a sudden explosion in female rape and it is not as if that data just sits in the ether and we do not do anything with it. You have been a minister and you know that statistics are the foundation of public policy. Policy making and resource allocation are done on the basis of data, so if we suddenly see what looks like an explosion in female rape or female sexual assault, we might want to divert public resources to deal with that new phenomenon. However, it is not actually a new phenomenon: it is a male offence, committed by males, and that is what we should be dealing with.

The ethical thing is one part of it, but trust in statistics is fundamental. We are already seeing people concerned about misinformation being perpetrated with the advent of social media, but it is important for the public to trust the statistics. If they read a Daily Mail headline about a trebling in the incidence of female sexual assaults, can they be sure that that is really happening? Is that the phenomenon that they are really being faced with, or has the data been skewed?

When Police Scotland reviewed the 28 cases that it came across between, I think, 2012 and 2018 of those suspected of or arrested for female rape, the response was, "Well, they were all art and part." However, that was not what we were asking. What we were asking was: how do you know for sure that those 28 people were biological females? That is what you lose once you change your data collection practice; you can no longer say with certainty that those 28 people are biologically male or biologically female.

Dr Hunter Blackburn: I wonder whether I could just add something about some of the language that you were using. I am very uncomfortable that the response to the Bryson case was to say that Bryson was "at it". That was the political response. From my point of view, when we talk about this, I would not use words such as "pretending" or whatever. I think that it is just a fact that this is a male person. What that person genuinely believes about themselves is a separate question in this context, and I am not wanting to make that kind of judgment. It is a simple fact that the crime has been committed with a male body by someone whom I would describe as a man, but I am not asking anyone to make a judgment whether, in every individual case, we are going to use a phrase such as "at it", which I do not think is particularly helpful here. We just need to say, "This is a male person."

In any such case that might arise, the relationship of the person with the identity that they profess is a completely different question, and it will vary. I want to be careful here: the argument here is not that we should do this, because people are "at it". It is simply that we should record them correctly by their sex, because they are male.

Fergus Ewing: I guess that the background to that view is the feeling that some individuals might seek to be housed in female prisons. In that sense, the motive for professing female gender is one that most people would regard as bogus. That said, I take the distinction that has been made.

I have just one more question for the witnesses, which is this: what would you like to happen next? You have already said that ethical leadership is what you require from the Government, the police, those who record statistics and so on, but are there any more specific things that you would like to be done in response to your petition?

Dr Hunter Blackburn: It is simply what it says, I suppose. We started this by asking essentially what the petition says: will the Parliament ask the Government to ask the police and the other bodies concerned to do this? It is, I suppose, a fundamental and simple request.

Fergus Ewing: Right, and the Government's response, which is that it is up to the police, is an abnegation of leadership.

Dr Hunter Blackburn: Yes, absolutely.

Lisa Mackenzie: That is the problem: the perpetual finger pointing and people saying, "It's not me who's got the responsibility—it's them." I would like to know why Police Scotland believes that it is consistent with its so-called values to hand rapists the power to determine how they are represented in public statistics. That has been the consistent response that the police have given to the media—that this is aligned with their values. I find that quite incredible.

In April 2019, the police were asked by a feminist campaigner, "Why have you changed your recording policy? When did it change, and on what basis?" They said, "Well, it evolved." Then the assistant chief constable wrote to the Criminal Justice Committee in January 2022 to report that, actually, the reason for changing their practice was in anticipation of the Gender Recognition Act 2014 being reformed later in 2019. That is a very common phenomenon, too: public policy running ahead of law reform, which of course none of us can guarantee will happen or come to fruition. We have seen the same with other public bodies—the sort of casting around for a rationale that Police Scotland has done and then retrofitting and changing it, perhaps when it comes under scrutiny.

I would like to know why the police thinks that this policy is consistent with their so-called values. I find that quite shocking.

Fergus Ewing: And you would like us to find that out.

Lisa Mackenzie: That would be great.

Fergus Ewing: You want us to find out why the values to which the police have referred have resulted in changing the previous practice. To many of us, such matters seem to be fairly straightforward and have always been so—for decades, if not centuries.

Maurice Golden (North East Scotland) (Con): I am keen to establish whether there is a general issue or a specific issue in relation to the recording of crimes and

the related data and databases. It is my understanding that, even though we have a single police force, police officers often record details of a crime in different ways, particularly when it comes down to the granularity, and that there is not even a central database that covers all the recorded data that is universally shared across Scotland. The committee might choose to find out why that is the case, but do you have any insights into that?

Dr Hunter Blackburn: No. Police Scotland would have to give you the answer to that. Although we do not deny that the same arguments could apply to serious sexual assault and violent crime—all the crimes that women very rarely commit and that men do, so the statistics would be skewed—the reason why the petition focuses on rape is that, if you are charging rape and you take out the art and part people, because of the definition in law of rape, you know something about that person. It is one of the very few crimes that unambiguously requires a sex. In a sense, to be generous, rape is therefore unusual.

However, there are questions about other crimes. That might relate to what you have described about it being more complicated to chase something down if there is inconsistency across systems.

It is a very good question to ask Police Scotland. It comes back to the issue of trust in public statistics. The statistics that the police collect across the board are an incredibly important statistical set, and you, as politicians, will work with that data a great deal, so there should be consistency in data recording by the police. You need to feel secure that what the police are giving you as an account of the world is reliable and trustworthy, and that local variation is within the limits that are absolutely unavoidable.

Maurice Golden: Thanks.

Foyso Choudhury (Lothian) (Lab): Do you believe that, instead of the police, there should be a third party involved in recording or determining the sex of the person committing the rape?

Lisa Mackenzie: I do not understand. Do you mean at the point of charge?

Foyso Choudhury: I mean at the point of reporting. What I have heard in our discussion is that the petitioners want the person's biological sex and gender identity to be recorded, but if the police are not recording that on the database, should a third party be involved?

Dr Hunter Blackburn: I think that it has to be the police. I go back to what I said to Mr Golden. If the police are charging rape, they must know the sex of the person, because the sex of a rapist is unambiguous. The police cannot charge rape unless they know that the person in question has used an erect penis to rape a person. No third party would be required at that point to add anything. The police have done this and had to know this since rape has been on the statute book. The police should

have recording practices that are robust in their own right. As a functional entity, they need to be able to do that.

The Convener: I have a couple of questions on the various submissions that the committee has received and your own. In your final submission, you say that the Police Scotland statement remains “technically correct”. I want to look behind that. Do you believe that it remains technically correct because that is convenient or because it is technically correct—if you understand my meaning? When you say “technically correct”, do you worry that that is a euphemism for not entirely responding to the issues that you are raising?

Dr Hunter Blackburn: Forgive me, convener, but can you tell me where that is in our submission?

The Convener: That is in the last paragraph.

Dr Hunter Blackburn: Right. Please give us a moment.

The Convener: It says:

“As we have previously argued, while the PS statement remains technically correct (since Bryson declared a trans identity after being charged)”.

Are you familiar with where I am reading from now?

Dr Hunter Blackburn: Yes, absolutely. In 2021, Police Scotland said that there was no such case, which was technically true because, at the point of arrest, Bryson was presenting as a man called Adam Graham. He transitioned—he assumed his new character—between being charged and the trial. Therefore, it is technically correct that the police had never dealt with such a case at that time. It is a case of angels on pinheads. There is the case that I know that you would rather that I did not mention, but let us say that we now have evidence of a person who had lived in their community for many years using a female name and who was known around the community; they were arrested dressed in a manner that showed that they were clearly in that persona at the time and yet the fact that that person was recorded as male was the choice of that individual. Therefore, there is an angels on pinheads quality to Police Scotland maintaining the position that it has taken.

The Convener: Earlier, you referred to the way in which statistics can be manipulated and how a tabloid might suggest that there has been an explosion in a particular area of crime. These statistics, in so far as we have them from any of the bodies, take us up to 2020. Is it your worry that the statistics that might be presented for the period since then might give rise to the type of tabloid journalism to which you are referring? Are you disappointed that there are not more up-to-date statistics that might confirm or not the worry that you have that this evolving practice might be about to have an impact on the way that these things are reported and perceived?

Lisa Mackenzie: [Inaudible.]—we cannot and will not know once the data recording practice has been altered. That is what really troubles us. When we went to the Scottish Government to say that we had spotted one female rape in the 2018-19 criminal proceedings data, its response was, “Oh, yes, that does look strange. We’re going to check newspaper reports.” That is not a sustainable way to run a data collection exercise. Obviously, we are talking specifically about the crime of rape in this instance but if, for example, Police Scotland has ended up recording a number of sexual assaults as being perpetrated by females, when they were actually perpetrated by males, we will not know that now.

If we contact the Government again, will it scour the newspapers to go back and check whether it has misrecorded something? That is not sustainable. Once you have lost the data and the certainty about the data, you have lost it, so we just will not know. Rape is the most obvious crime, as Lucy Hunter Blackburn said. We came to you because, to us, it is an indisputably male crime. Some women commit sexual assault but the numbers are very small. However, because the numbers are small, the ability to skew the information is great. That would go for serious sexual assault as well. However, the fact is that Police Scotland has changed its practice, and we just do not know that information any more. It is one of those unknown things.

Dr Hunter Blackburn: I will add that there was a case in Stranraer sheriff court in the past week relating to groping and indecent exposure, breach of bail conditions and use of the internet. The person concerned had been convicted in 2008—as a man, just straightforwardly—of past sexual assaults. That person is now using a female name and the press reporting that I saw used a female name and pronouns, but I think that, in court, a female name and pronouns were used. Therefore, we do not know how that case will be recorded. It could well turn up in the sexual offending statistics for the current year as a female case. The only way to find that out later will be to do exactly as Lisa Mackenzie says, which is to comb through the press. As a former senior civil servant, I find that to be an extraordinary proposition from any Government.

The Convener: Thank you. That is very helpful. I see that colleagues do not have any further questions. I thank the witnesses for coming in. Is there anything that you would like to mention that you feel we did not manage to explore in the detail that you might have wished?

Dr Hunter Blackburn: Yes; I made a note. We are grateful for the conversation, and I hope that you will come back to us if there is anything that comes up in your own discussions. We continue to be very pleased to help the committee with this.

I will make a closing comment, convener. You are all men—you will be very aware of that—and you have two women sitting in front of you today, talking about the issues in the petition, but this is not an experience that we would choose. I really want to make that point. This is not normal. Please do not read into the fact that we are

sitting here as we are that we are comfortable doing this. We think that it is the unwillingness of Police Scotland, in particular, and of the Scottish Government to give leadership here that has made this policy and this petition such a drawn-out process. That is a problem.

Neither you nor we are being asked to engage in a normal political discussion. It should not take two and a half years to bottom out the proposition that rapists should be recorded as male. I will finish there, if I may.

The Convener: I understand your point, and I understand the point that you make about the committee. I have a long experience with this committee. In 2013, women came forward on the transvaginal mesh scandal. It must have been an incredibly difficult presentation to make at that time, to identify what was not an area of public health policy and to discuss it in detail. I hope that the Parliament—certainly, those of us men who were on the panel at the time—understood and pursued that case very actively on behalf of those women. I hope, and I believe, that we are capable of doing that but, from that experience, I have long understood that some of those issues are very difficult to present and discuss.

I thank you both very much for your evidence this morning. We will have a short suspension to allow us to reset.