

Our Ref: IM-FOI-2022-0180  
Date: 09 February 2022



## FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

**How many accusations of sexual offences where both the alleged perpetrator and victim were under 18 were recorded by Police Scotland police force in 2021, 2020, 2019 and 2018.**

Having considered your request in terms of the Act, I regret to inform you that I am unable to provide you with all the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

By way of explanation, prior to the introduction of the Sexual Offences (Scotland) Act 2009 which came into force in 2010, rapes and sexual assaults regardless of age or gender of victim were classified under the same offence.

Where a historic offence that pre-dates the introduction of this legislation was reported *after* the legislation coming into force, it will still be recorded in terms of the classification code relevant to the period - ie with no age/gender marker.

For example if male reported to the police in 2020 that they had been raped as a 12 year old child in 2006, the crime would be recorded as *rape* as opposed to *rape of a male (<13)*.

Furthermore, there are a number of sexual offences which simply make no distinction between the age or gender of the victim - irrespective of when they occurred.

To be of assistance, I have therefore provided you with a breakdown of *all* sexual offences recorded by Police Scotland during the period set out in your request.

**OFFICIAL**

Some of these, you will see from the descriptions have been committed against children but for the other offences, it is not possible to ascertain this or age/gender of the accused without reading each and every crime report individually.

As there are several thousand such reports, this is an exercise which would far exceed the cost limit set out in the Fees Regulations.

<b>Offence</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Incest	6	3	4	8
Illegal homosexual acts	112	103	56	81
Assault to commit unnatural crimes	15	17	18	1
Rape (common law, pre SOSA 2009)	439	480	374	345
Rape - M (16+)	41	55	36	51
Rape - F (16+)	1253	1359	1322	1487
Rape - M (13-15)	20	19	18	15
Rape - F (13-15)	307	276	216	287
Rape - M (< 13)	33	46	49	30
Rape - F (< 13)	148	120	98	135
Assault with Intent to rape or ravish (common law, pre SOSA 2009)	21	23	35	22
Assault wi Rape - M (16+)	5	5	3	6
Assault wi Rape - F (16+)	72	74	73	69
Assault wi Rape - M (13-15)		1	2	2
Assault wi Rape - F (13-15)	12	19	12	13
Assault wi Rape - M (< 13)	2	3	2	3
Assault wi Rape - F (< 13)	4	13	11	8
Sexual assault (common law, pre SOSA 2009)	356	317	222	189
Sex. Assault by Penetration - M (16+)	17	17	20	20
Sex. Assault by Penetration - F (16+)	327	355	346	386
Sex. Assault by Penetration - M (13-15)	3	4	2	2
Sex. Assault by Penetration - F (13-15)	106	99	79	111
Sexual Assault - M (16+)	196	261	171	208
Sexual Assault - F (16+)	1707	1569	1354	1710
Sexual Assault - M (13-15)	68	69	42	70
Sexual Assault - F (13-15)	500	447	483	536
Sexual Coercion - M (16+)	7	4	3	10
Sexual Coercion - F (16+)	32	36	35	44
Sexual Coercion - M (13-15)	4	5	6	10
Sexual Coercion - F (13-15)	34	37	33	63
Coercing a person into being present/ looking at sexual activity	917	931	955	1141
Communicating indecently	804	799	856	955
Sex. Assault by Penetration - M (< 13)	17	10	8	11
Sex. Assault by Penetration - F (< 13)	96	86	72	121
Sexual Assault - M (< 13)	119	120	98	86
Sexual Assault - F (< 13)	381	391	341	449
Cause to Participate Sexual Activity - M (< 13)	26	28	26	34
Cause to Participate Sexual Activity - F (< 13)	51	56	106	110

**OFFICIAL**

**OFFICIAL**

Cause to be Present Sex Act/To Look at Sex Image -M&F (< 13)	268	335	367	367
Communicate Indecently/Cause see/hear Indec Comm -M&F (< 13)	261	317	368	384
Sex. Exposure - M&F (< 13)	39	47	57	43
Voyeurism - M&F (below 13)	24	47	27	36
Intercourse wi Child - M (13-15)(Consensual)	22	23	17	19
Intercourse wi Child - F (13-15)(Consensual)	173	164	132	130
Penetrative Sex Activity - M (13-15)(Consensual)	1			2
Penetrative Sex Activity - F (13-15)(Consensual)	26	19	33	17
Sexual Activity - M (13-15)(Consensual)	10	22	18	15
Sexual Activity - F (13-15)(Consensual)	41	52	38	38
Cause to Participate Sex Activity - M (13-15)(Consensual)	9	19	10	22
Cause to Participate Sex Activity - F (13-15)(Consensual)	38	41	48	59
Engage while Older Child in Sex Conduct/Consens Sex Cond - M	12	5	8	3
Engage while Older Child in Sex Conduct/Consens Sex Cond - F	26	14	16	11
Cause to be Pres Sex Act/Look at Sex Image-M&F(13-15)(Cons)	162	183	215	183
Commun Indecently/Cause see/hear Indec Comm-M&F(13-15)(Cons)	272	302	334	275
Sex. Exposure - M&F (13-15)	28	21	29	14
Voyeurism - M&F (13-15)	30	41	32	43
Threatening to disclose an intimate image	244	271	329	356
Disclosure of an intimate image	322	388	445	501
Communications Act 2003 (sexual)	242	255	322	316
Public indecency	188	166	133	164
Sexual exposure	286	307	348	315
Voyeurism	229	262	332	525
Procuration - excluding homosexual acts	9	5	10	7
Defilement of girl under 13	8	6	2	4
Defilement of girl under 16	43	41	51	47
Carnal knowledge of mentally defective or lunatic person				1
Brothel keeping	7	8	16	28
Person with custody & care of girl or other causing her seduction	1			3
Immoral traffic	22	17	21	32
Offences related to prostitution	38	35	4	7
Conspiracy to commit sexual acts outside the UK	8	4	69	73
Grooming of children for the purposes of sexual offences	113	111	75	71
Procuration of sexual services from children under 18	1	4	3	5
Procuration of child under 18 for pornography		1		
Soliciting services of a person engaged in prostitution	99	80	11	10
Taking, distribution, possession etc. of indecent photos of children (from Apr 2011)	516	582	680	651
Sex. Abuse of Trust (Children)	11	9	11	11
Sex. Abuse of Trust of a Mentally Disordered Person	1	3	3	

**OFFICIAL**

**OFFICIAL**

Bestiality (from Apr 2011)	6		5	7
Lewd and Libidinous (from Apr 2011)	1188	1250	923	880
Administering a substance for sexual Purposes	11	23	16	18
Possession of extreme pornography	53	71	71	84
<b>Total</b>	<b>13346</b>	<b>13808</b>	<b>13216</b>	<b>14606</b>

Should you require any further assistance please contact Information Management - Dundee on [foidundee@scotland.pnn.police.uk](mailto:foidundee@scotland.pnn.police.uk) quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to [foi@scotland.pnn.police.uk](mailto:foi@scotland.pnn.police.uk) or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info) or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.

**OFFICIAL**