

Our Ref: IM-FOI-2022-0034
Date: 31st January 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.

Q1. How many rapes were reported to your police force in 2021? (Or the most recent 12 month figures you have)

Q3. How many historic / non-recent rape cases were recorded in 2021? (Or the most recent 12 month figures you have)

Q4. How many historic / non-recent rape cases were recorded in 2017?

In response to your questions 1, 3 and 4, please see the table below. I would ask you to note the caveats below the table.

Number of Recorded Rape crimes: Police Scotland		
Calendar Year: 2017 & 2021		
Period	2021	2017
Non_Recent	994	805
Recent	1 356	1 241
% Non Recent	42.3	39.3
Total	2 350	2 046
All statistics are provisional and should be treated as management information. All data have been extracted from Police Scotland internal systems and are correct as at 17/1/2022.		
1. The data was extracted using the crime's raised date and by using SGJD codes:		
201400 Rape (common law, pre SOSA 2009)		
201401 Rape – M (16+)		
201402 Rape – F (16+)		
201403 Rape – M (13-15)		
201404 Rape – F (13-15)		
201405 Rape – M (< 13)		
201406 Rape – F (< 13)		

Q2. How many stranger rapes were reported to your police force in 2021? (Or the most recent 12 month figures you have)

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In response to your request, I regret to inform you that I am unable to provide you with 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, there is no straightforward method to extract the data that you require. In order to determine how many rape offences occurred with the perpetrator being a stranger to the victim, each report would need to be manually examined to determine the relationship between the victim and the perpetrator. This may include reviewing individual victim statements.

As you can see from the table above in response to question 1, there were 2,350 rape offences reported in 2021. A conservative estimate is that it would take approximately 5 minutes to manually examine a single record, this equates to over 195 hours of work to examine all of the necessary records.

Police Scotland have assessed that the £600 cost limit within the Act equates to 40 hours of work and so this part of your request would breach the cost threshold.

In order to be of some assistance, you may wish to consider refining your request by reducing the timescale covered. This may allow for some information to be provided.

Q5. What percentage of rape cases are not put forward to the CPS?

Q6. What percentage of all criminal cases are not put forward to the CPS?

Please note that Police Scotland reports cases to the Crown Office and Procurator Fiscals Service (COPFS) and so we have answered in this regard.

In response to questions 5 and 6, I regret to inform you that I am unable to provide you with 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, again there is no straightforward method to determine the number of reports not presented to COPFS. In order to determine this each report would need to be manually examined. As in question 2, 2350 offences of rape were reported in 2021 alone, with a conservative estimate of 2 minutes per record, equating to an excess of 78 hours of

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work for a single year alone for a single offence type. To widen the parameters to all criminal cases would significantly increase the manual search and as a result increase the number of hours needed to gather the data.

Police Scotland have assessed that the £600 cost limit within the Act equates to 40 hours of work and so this part of your request would breach the cost threshold.

Again, you may wish to reduce the timescale of your request which may allow some information to be provided.

Q7. What percentage of crimes reported to your force are sexual offences?

In response to your question please see the table below.

Scottish Government Crime Codes assign sexual offences to sit within the Group 2 category for recording purposes.

Number of recorded group 2 crimes and overall crime and offences	
Period: 1st January 2021 to and inclusive of 31st December 2021	
	Total
Crimes	480,493
Group 2 crimes	14,599
Group 2 crime % over overall crime	3.04
All statistics are provisional and should be treated as management information. All data have been extracted from Police Scotland internal systems and are correct as at 17/1/2022.	

Q8. What is the average number of rape cases per workload of each detective assigned to such cases?

I can confirm that the information you seek is not held by Police Scotland. The average number of rape cases allocated to officers is simply not recorded.

As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information requested is not held by Police Scotland.

Q9. What was the average length of time from charge to court for rape cases in 2021? (Or the most recent 12 month figures you have)

Police Scotland does not hold information on how long a case will remain with COPFS once reported before it proceeds to court. As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information you seek is not held by Police Scotland.

You may wish to contact COPFS which holds conviction information for Scotland. A request can be submitted to COPFS via email using the following address
foi@copfs.gsi.gov.uk

Should you require any further assistance please contact Information Management quoting the reference number given.

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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.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 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.