

Response ID ANON-5118-1BHQ-U

Submitted to The future of Recorded Crime and Police Activity Statistics
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Part One: Proposal to introduce new Crime Groups in 2022

Question 1 Would you have a preference between Option A and Option B?

Option B

If so, can you please tell us why?:

SWA preference would be for Option B since it adopts a more granular approach

Support the greater detail in separating out homicide, moving common assault from "offences" into the "crime" category but the overall re-categorisation does not fully meet SWA's needs and there are issues around the proposed presentation- see Question Two

Question 2 Does your preferred option meet your needs? Is there anything we can do to increase the value of it?

Please provide your answer in the box:

Domestic Abuse offences

- To reiterate the comments in our response to the earlier 2019 consultation on these statistics, we are extremely concerned that in the current consultation, both Options, but in specifically Option B, the "domestic abuse" category would only include crimes recorded under the Domestic Abuse (Scotland) Act 2018.
 - This will give an inaccurate picture of the number of domestic abuse prosecutions since the offence under the Act only constitutes a proportion of the COPFS domestic abuse prosecutions.
 - Any section on domestic abuse must also need to capture charges with the "domestic abuse statutory aggravation" in terms of s.1 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, otherwise the true extent and nature of domestic abuse in Scotland will be masked and the statistics will be misleading. However, they should be reported separately within the domestic abuse category in order to support analysis about coercive and controlling behaviours as defined in s.1.
 - Indeed, the COPF's own statistics separate out offences under the 2018 legislation and those that attract the 2016 aggravation
- <https://www.copfs.gov.uk/images/Documents/Publications/Statistics%20-%20Domestic%20Abuse/Domestic%20Abuse%20and%20Stalking%20Charges%20in%20S>

Bail offences

- While bail offences in Option B are at least recorded separately, which is important for crime statistic, they are recorded under "Crimes against Society" which is misleading and does not reflect the impact of such criminality.
- Where bail is in place to protect women, children and young people experiencing domestic abuse, and perpetrators breach bail conditions and even commit further offences during this breach, the impact is directly on the survivors, not "society" as a whole.

Question 3 Regarding Common assault, are you content with the proposed definition of with / without injury?

No

Please provide further comments below.:

This measure is likely to cause more problems than it solves, the categories are not particularly logical, e.g., the distinction between the impact of being spit upon with and without infection is nonsense, and the resulting conclusions drawn in data analysis are so vulnerable to stereotypical misinterpretation.

Question 4 Do you have any further feedback on this part of the consultation?

Please provide your answer in the box:

Part Two: Current publications on Recorded Crime in Scotland - Annual publications

Question 5 How do you use the annual Recorded Crime in Scotland bulletin? For example, to read through the commentary, pull out figures from tables, conduct your own detailed analysis of the data, etc.

Please provide your answer in the box:

Question 6 Does the depth of commentary meet your needs? Would it be an issue if we reduced the amount of commentary down to just the main points? (and for example removed more of the background detail to a separate user guide?)

Please provide your answer in the box:

Question 7 Does the way we currently present our data (in tables and charts) meet your needs? If we were to remove the tables from the bulletin and provide them in Excel format only, would this cause you an issue?

Please provide your answer in the box:

Question 8 Did you find the presentation of information relating to cyber-crime in the 2020-21 annual bulletin useful?

Not Answered

Would you suggest any improvements?:

Question 9 One potential development is to produce future annual reports which rotate around certain themes (such as violent crime or sexual crime) alongside a general summary long term trends on recorded crime. Would you find this approach helpful?

Yes

If so, what topics would be of interest? :

Question 10 Is there anything else we can do to increase the value of the annual publication?

Please provide your answer in the box:

Question 11 Do you find the chapter comparing Police Recorded Crime and Scottish Crime and Justice Survey's findings useful?

Not Answered

Would you suggest any improvements to the way in which this is presented?:

Part Two: Current publications on Recorded Crime in Scotland - Monthly publications

Question 12 What (if any) use do you make of these monthly statistics? Would it cause you any issues if the frequency of their release was reduced (e.g. quarterly rather than monthly)?

Please provide your answer in the box:

Quarterly would be fine.

Part Two: Current publications on Recorded Crime in Scotland - User Guide

Question 13 Do you use the User Guide?

Not Answered

If so, do you find it useful? Would you suggest any improvements?:

Part Two: Future developments - Individual level data

Question 14 Would it be useful to produce more detailed analysis on the characteristics of recorded crime in Scotland, such as the demographics of those involved? What would you use this data for?

Please provide your answer in the box:

SWA would like to see all data disaggregated by gender, race and disability. This would be a particular priority for arrests of women, where data on race and ethnicity is especially needed as well as data about dual arrests and counter allegations relating to incidents, recorded crimes and reports to the COPFS under the 2018 legislation.

Please note that provision of relevant demographic data is a human rights requirement. The relevant paragraph is 34(b) from CEDAW general recommendation 35 on VAW: "Establish a system to regularly collect, analyse and publish statistical data on the number of complaints about all forms of gender based violence against women, including technology mediated violence, the number and type of orders of protection issued, the rates of dismissal and withdrawal of complaints, prosecution and conviction and the amount of time taken for the disposal of cases. The system should include information on the sentences imposed on perpetrators and the reparations, including compensation, provided to victims/survivors. All data should be disaggregated by type of violence, relationship between the victim/survivor and the perpetrator, and in relation to intersecting forms of discrimination against women and other relevant sociodemographic characteristics, including the age of the victim/survivor."

Part Two: Future developments - Levels of geography

Question 15 Does the current level of geography (Scotland and local authority level) meet your needs? If not, what other levels of geography would be helpful? What might that enable you to do, that you cannot currently do?

Please provide your answer in the box:

We would like to have a better picture of the experience of island communities as well as very rural communities.

Part Two: Future developments - Crime Severity Score

Question 18 Would similar analysis to the Crime Severity Score for England and Wales be of value for Scotland? What might you use it for? Is there anything it would enable you to do that you currently cannot do?

Please provide your answer in the box:

SWA does not agree with the use of a "Crime Severity Score" giving some crimes and/or offences a higher weight than others, based on sentencing decisions, given our lack of confidence in sentencing decisions in the context of domestic abuse. Use of this measure is likely to compound the problem.

- Despite Sentencing Guidelines, sentencing decisions can vary from court to court, particularly for the same type of domestic abuse offences.
- The increasing use of Community Sentences also runs the risk of downgrading the seriousness of offences since an Unpaid Work Order can be imposed in place of a short-term custodial sentence.
- This means that under such a proposed grading system the perception of domestic abuse offending where fines Compensation Orders, and/or Community Payback Orders very much runs the risk of being regarded as trivial.
- Similarly, this devalues and demeans the experiences of women, children and young people experiencing domestic abuse if the abuse against them is rated as being "less severe" simply due to the vagaries of the sentencing process.

Part Three: Police Activity Statistics

Question 19 Would the production of new Official Statistics on incidents recorded by Police Scotland be something you would find of value?

Yes

If so, what types of police recorded incidents would be of most interest?:

In relation to Police Scotland recorded statistics on domestic abuse, the Domestic Abuse Recorded by the Police in Scotland annual publication, there is an urgent need for greater disaggregation of information

- The statistical report does not show reports of domestic abuse related crimes and offences reported to the COPFS- these should be presented and disaggregated by the age, sex, ethnicity, of the victim and offenders and also by geographical area
- Sex disaggregation of the victim and incidents where more than one crime was recorded and in those where no crime was recorded, For instance the latest Police Scotland statistical report on domestic abuse states that in 40% of incidents, the police recorded one or more crimes and in 60% they did not record any crime but there was no sex disaggregation of these figures.

Question 20 If this information on policing activity was made available, what would you use these statistics for?

Please provide your answer in the box:

Policy analysis and advocacy.

About you

What is your name?

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Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:
Scottish Women's Aid

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response with name

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

I confirm that I have read the privacy policy and consent to the data I provide being used as set out in the policy.

I consent