



CROWN OFFICE & PROCURATOR FISCAL SERVICE

SCOTLAND'S PROSECUTION SERVICE

Response and Information Unit
Crown Office
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PRIVATE AND CONFIDENTIAL

Evan McLaughlin

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By email:

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Our ref: R023621

16 July 2020

Dear Evan McLaughlin,

I refer to your e-mail of 25 June 2020 in which you requested the following information under the Freedom of Information (Scotland) Act 2002 (FOISA):

- 1) *In the years 2019 and 2020 (so far), how many sexual assaults have been reported by Police Scotland to COPFS?*
- 2) *Out of all sexual assaults reported to the PF, how many did the Crown choose to prosecute?*
- 3) *What was the most common reason for not choosing to prosecute?*
- 4) *Out of all the sexual assaults prosecuted by the Crown, how many were convicted?*
- 5) *What was the most common reason the Crown lost the cases?*
- 6) *In the year 2019, how many persons from East Dunbartonshire were prosecuted by the Crown?*
- 7) *What was the most common crime prosecuted?*

The information we have provided relates to charges reported to the Crown Office & Procurator Fiscal Service (COPFS) in 2019-20 and 2020-21 up to 30 June 2020.

Questions 1, 2 & 3:

Sexual Assault Charges reported to COPFS 2019-20 & 2020-21 (to 30 June 2020) -

Charges reported & actions taken:

Action taken re Charge	Financial Year Reported	
	2019-20	2020-21
Court	1,951	173
Direct Measure - Diversion	*	7
Direct Measure - Reporter	149	9
Direct Measure - Warning	*	0
Not Separately Actioned	390	36
No Action	175	15
No Decision	305	169
Total	2,990	409



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Table note:

Not Separately Actioned: *The total number of charges reported will also include charges where action was taken in relation to other charges reported in the case, for example, because the prosecutor took the view that an alternative charge was more appropriate or because details of the charge were included within the body of another charge for evidential reasons.*

Questions 4 & 5:

Sexual Assault Charges reported to COPFS 2019-20 & 2020-21 (to 30 June 2020) -

Charges Prosecuted & Outcome		Financial Year Reported	
Outcome		2019-20	2020-21
Convicted		154	0
Not Convicted		80	0
Ongoing		1,657	173
No Further Action		60	0
Total		1,951	173

Charges Not Convicted & Reason	
Outcome	2019-20
No Case To Answer	5
Accepted Not Guilty	34
Found Not Guilty	21
Not Proven	20
Total	80

Questions 6 & 7:

As the information you are seeking relates to prosecutions it may more effectively be obtained from the Scottish Government Justice Department's Court Proceedings Database, which is designed to provide statistical information. You can contact the Scottish Government Justice Department at justicestatistics@gov.scot

I attach a link to the Scottish Government Crime and Justice statistics for your information: http://www.gov.scot/Topics/Statistics/Browse/Crime-Justice?utm_source=website&utm_medium=navigation&utm_campaign=statistics-topics

It contains information about cases prosecuted in all Courts and can provide information either at the level of the specific offence or by certain broader groupings of offences (e.g. crimes of violence, crimes of dishonesty, offences involving drugs etc.).

If you are dissatisfied with the COPFS response to your FOI request you have the right to ask us to review it. Your review request should be made within 40 working days of receipt of this letter; please e-mail foi@copfs.gov.uk and we will reply within 20 working days of receipt.



The review will be undertaken by a member of the COPFS FOI unit who was not involved in the original consideration of your request.

Under section 47(1) of FOISA if the COPFS position is unchanged following a review you have the right to appeal to the Scottish Information Commissioner within six months of receiving the review.

Under section 48(c) of FOISA that right of appeal might be limited as it can be subject to what information is requested. It is for the Scottish Information Commissioner to decide if he will accept your appeal on a case by case basis.

Yours sincerely

H Hart
Response and Information Unit

A Register of FOI responses is published on the [FOI page](http://www.copfs.gov.uk) on the COPFS website:
www.copfs.gov.uk.

