



Scottish Government  
Riaghaltas na h-Alba  
gov.scot

# Conviction Rate Data for Cases of Rape and Attempted Rape: Occasional Paper



**CRIME AND JUSTICE**



**social  
research**

# Introduction

As part of the [Criminal Justice Committee's](#) consideration of the [Victim, Witnesses and Justice Reform \(VWJR\) Bill](#) there has been considerable discussion of the conviction rate for rape in Scotland. The following analysis has been done to inform that discussion and is being published as an occasional paper in the interest of accessibility and transparency. The Scottish Government is convening a short life working group to examine what further work may be possible in this area; any relevant information on this will be circulated via the ScotStat network

If you have any questions about the data or analysis included in this paper please contact colleagues in Justice Analytical Services at [Justice\\_Analysts@gov.scot](mailto:Justice_Analysts@gov.scot).

## Analysis

The [Accredited Official Statistics on Criminal proceedings in Scotland](#) show the conviction rate for rape is consistently much lower than for other crime types: in 2021/22 the overall conviction rate in Scotland for rape and attempted rape was 48%, compared to 84% for all crimes and 88% for all crimes and offences. The VWJR Bill is proposing a jury-less rape trial pilot, and the Lord Advocate explained in her evidence to the Criminal Justice Committee, that the overall rate masks the fact that in the type of cases the pilot proposes to focus on – that is, cases where there is one complainer and one charge involving one accused person – the conviction rate is even lower.

There is no complainer information included in the dataset that is used to produce accredited official statistics and therefore the overall conviction rate for rape and attempted rape cannot be broken down by case type. Therefore, Justice Analytical Services have utilised a data set that is provided to Scottish Government in order to calculate conviction rates for case accused, by crime type. In each of the five years 2018-19 to 2022-23, the conviction rate for cases of rape and attempted rape where that was the single charge on the indictment was **between 22% and 27%**. The five-year average conviction rate was 24%. Whilst we cannot guarantee that these single charge cases involved single complainers and single accused, as that could only be guaranteed through a manual checking of indictments, we are confident those are sensible assumptions to provide a proxy to determine this conviction rate. A table setting out the data in full, including a description of how the rate is calculated, is included below.

**Table 1: Conviction rate data** (the highlighted column contains the conviction rates referred to in the paragraph above)

	Accused with single charge of rape or attempted rape at registration			Accused with more than one charge of rape or attempted rape at registration		
	Convicted	Not convicted	Conviction rate	Convicted	Not convicted	Conviction rate
<b>2018-19</b>	21	73	22.3%	154	145	51.1%
<b>2019-20</b>	23	62	27.0%	119	141	45.8%
<b>2020-21</b>	12	38	24.0%	75	80	48.4%
<b>2021-22</b>	19	67	22.1%	174	128	57.6%
<b>2022-23</b>	24	70	25.5%	155	123	55.8%

Source: Scottish Government – Journey Times Data Extract

Notes:

1. This data extract is derived from the Scottish Courts and Tribunals Service administrative criminal data base and is provided primarily for the calculation of criminal case accused [journey times](#). This is a different data source from Police Scotland’s Criminal History System which is used to produce the Criminal Proceedings Accredited Official Statistics. The data sources are very close but not identical in terms of overall conviction numbers and conviction rates for rape and attempted rape.
2. These data represent the number of individual case accused who had at least one charge of rape or attempted rape at registration.
3. The data are split between those who had only a single charge of rape or attempted rape and those who had more than one charge. The single charge cases are therefore assumed to be single charge and single complainer.
4. We cannot tell from this data source if the accused was convicted on a single or multiple accused rape case but we are making an assumption that the all accused are single accused.
5. In keeping with the methodology used to produce the Accredited Official Statistics, cases where an accused was found guilty of a charge other than rape or attempted rape have been excluded from the totals.
6. Not convicted includes verdicts of acquitted, plea of not guilty accepted and deserted and should not be treated as an acquittal rate.

### **How to access background or source data**

The data collected for this <statistical bulletin / social research publication>:

- are available in more detail through Scottish Neighbourhood Statistics
- are available via an alternative route <specify or delete this text>
- may be made available on request, subject to consideration of legal and ethical factors. Please contact [Justice\\_Analysts@gov.scot](mailto:Justice_Analysts@gov.scot) for further information.
- cannot be made available by Scottish Government for further analysis as Scottish Government is not the data controller.