| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-0222  Responded to: 16 February 2024 |
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Your recent request for information is replicated below, together with our response.

## 1) How many charges have been made for people committing incest every year for the last 10 years?

I have included a table at the bottom of this letter providing recorded and detected incidents for crime requested above.

## 2) How many instances were consensual involving two adults, their ages and sexuality?

I can advise 13 cases were consensual.

Their ages were as follows.

Under 18 – 10

20 - 40 – 7

40 onwards – 9

With regards to sexuality, I can advise you that Police Scotland does not hold the requested information. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

## 3) How many instances resulted in prosecution and sentencing and what those sentences were?

I can advise you that Police Scotland does not hold the requested information. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held. By way of explanation, the role of the police in Scotland, in relation to crimes and offences, is to investigate the circumstances and where sufficient evidence exists to then report the matter to the relevant Procurator Fiscal. It is a matter for the Procurator Fiscal to decide on and to progress any prosecution through the courts. The disposal in relation to cases reported to the Procurator Fiscal is not routinely passed to the police, therefore, the Service do not hold the information requested.

By way of assistance, I have listed below contact details for the Crown Office and Procurator Fiscals Service who may be able to assist you in this matter:

Crown Office, 25 Chambers Street, Edinburgh, EH1 1LA or via <http://www.copfs.gov.uk/>

If you require any further assistance, please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.

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| **Table 1** |  |  |  |  |  |  |  |  |  |  |  |
| **Title: Recorded Selected Group 2 Crime, Police Scotland** | | | | |  |  |  |  |  |  |  |
| Period: 1st January 2013 - 31st December 2023 (Calendar Years) | | | | |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |
| **Crime/Offence** | **2013** | **2014** | **2015** | **2016** | **2017** | **2018** | **2019** | **2020** | **2021** | **2022** | **2023** |
|  |  |  |  |  |  |  |  |  |  |  |  |
| Incest | 12 | 4 | 10 | 5 | 4 | 6 | 3 | 4 | 8 | 8 | 2 |
|  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  |  |  |  |  |  |  |
| 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 09/02/2024 | | | |  |  |  |  |  |  |  |  |
| 1 The Recorded Offences are extracted using the Date Raised and Stats Classcode '201200' (Incest) | | | |  |  |  |  |  |  |  |  |
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| **Table 2** |  |  |  |  |  |  |  |  |  |  |  |
| **Title: Detected Selected Group 2 Crime, Police Scotland1** | | | | |  |  |  |  |  |  |  |
| Period: 1st January 2013 - 31st December 2023 (Calendar Years) | | | | |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |
| **Crime/Offence** | **2013** | **2014** | **2015** | **2016** | **2017** | **2018** | **2019** | **2020** | **2021** | **2022** | **2023** |
|  |  |  |  |  |  |  |  |  |  |  |  |
| Incest | 11 | 4 | 5 | 4 | 2 | 4 | 1 | 6 | 2 | 2 | 4 |
|  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  |  |  |  |  |  |  |
| 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 09/02/2024 | | | |  |  |  |  |  |  |  |  |
| 1 The Detected Offences are extracted using the Date Detected and Stats Classcode '201200' (Incest) | | | |  |  |  |  |  |  |  |  |