HOW POLICE FORCES IN THE UNITED KINGDOM RECORD SUSPECTS' SEX IN CRIME & INCIDENT REPORTING: *2023 UPDATE*

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Sex registered at birth is a fundamental demographic and explanatory variable, which is a powerful predictor of outcomes in almost every dimension of social life. Sex registered at birth is established throughout the criminal justice system as important to analysing patterns of offending, pathways into offending and risk. These sex differences between males and females underpin policy and practice throughout the criminal justice system.

We have undertaken to determine, on an annual basis, how police forces nationally record suspects' sex in crime and incident reporting. Of the 32 forces that answered our Freedom of Information Access Requests in 2023, no force records sex registered at birth as standard, in all circumstances.

- 20 forces record legally recognised acquired gender, not sex registered at birth, where the suspect has been issued with a gender recognition certificate
- 13 forces record a suspect's self-declared gender/gender identity
- 22 forces answered questions on how rape suspects' sex is recorded: 20 forces record legally recognised acquired gender, where the suspect has been issued with a GRC; only 1 force records sex registered at birth for a suspect with a GRC; 13 forces record self-declared gender/gender identity
- 11 forces will record the sex of a suspect who identifies as non-binary as "indeterminate", "unspecified", "other"

Offending patterns differ significantly between males and females, with males committing the large majority of offences.

Some offence categories are only very rarely committed by females. This means that the allocation of even one or two cases of male offending to the female subgroup can have a significant impact on those data, compromising both its reliability, and its utility and relevance to service development.

The lawfulness of police forces collecting data on suspects' sex registered at birth is clear, including where the suspect has been issued with a GRC: to request this data of suspects is neither discrimination nor harassment.

Our recommendations are grounded in the collection of data on the protected characteristics in the Equality Act 2010 and include that the Home Office issue clear centralised guidance mandating police forces to record suspects' sex registered at birth.

Accurate, relevant and reliable data on offending is a legitimate public interest. The evidence overwhelmingly demonstrates that the interests of data collection are best served when police forces collect data on suspects' sex registered at birth. There is no evidence that allowing the substitution of gender identity, or legal gender where a suspect is in receipt of a GRC, affords greater (or even equivalent) explanatory power.