

# Scottish Courts and Tribunals Service



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30 September 2026:

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Dear Ms Chou Turvey

**SCOTTISH PARLIAMENTARY QUESTIONS S7W-02909 and S7W-02912 -  
*Rape and Sexual Offence cases at Trial***

The Cabinet Secretary in his response to the above PQ indicated that it related to operational matters within the responsibility of the Scottish Courts and Tribunals Service corporate body. I am now writing in response to the matters raised.

**S7W-02909** asks: *how many rape and serious sexual offence cases are currently awaiting trial while the accused is on bail.*

The information available is set out in the below table which shows the number of indictment cases awaiting trial as at 16 September 2026. figures should be read alongside the accompanying notes.

**Indictments with a scheduled trial where one or more accused  
persons are on bail for a Sexual Offence**

| Court Type    | Type of Sexual Offence |                        |
|---------------|------------------------|------------------------|
|               | All Sexual Offences    | Rape or Attempted Rape |
| High Court    | 556                    | 514                    |
| Sheriff Court | 124                    | 2                      |

Please note the following in relation to the data:

1. A charge is identified as being a Sexual Offence in accordance with the latest Scottish Government classifications, grouped as per the Integration of Scottish Criminal Justice Information Systems (ISCJIS) guidance (1-50 categories). Within the 'Sexual Crimes' grouping there is a subcategory for 'Rape and Attempted Rape'. Therefore the 'Rape and Attempted Rape' figures are a subset of the 'Sexual Crimes' figures.

2. Figures only relate to where an accused person has a trial diet assigned in relation to a relevant charge and is on also on bail. Other Sexual Offence related cases may have a trial diet assigned where an accused person is not on bail and these are not included in the figures.

3. Figures are provided in respect of cases, therefore where there is more than one accused person on the indictment, this will only return a count of one for that case.

**S7W-02912** asks: *how many rape and attempted rape cases proceeded to trial where the accused was (a) on bail and (b) remanded in custody, and what the median time was from first appearance to trial in each category, in each of the last five years.*

The Scottish Courts and Tribunals Service (the SCTS) uses live operational case management systems for the processing of criminal and civil court business. The information held on these systems is structured for operational needs, rather than for statistical reporting or research purposes. As such there is no existing aggregate data held in relation to the period between the registration date of an indictment to the trial diet.

The SCTS do publish data on the average time between the first appearance diet on indictment and evidence led trial. We publish this for both High Court and Sheriff Court indictments, though this is not currently published as a subset for Rape and Attempted Rape. This subset of data is extractable electronically only for Sheriff Court indictment cases, not High Court.

#### Sheriff Court Indictments

The available information for Sheriff Court indictments is provided in the tables below. The information provided shows indictment cases which called for trial at the Sheriff Court in which evidence was led and additionally the average period between First Diet and Trial Diet in which evidence was led, as at 23 September 2026. Both are in respect of cases involving a Rape or Attempted Rape charge. The figures should be read alongside the accompanying notes.

#### Indictments called for an evidence led trial at a Sheriff Court where one or more accused persons are on bail or on remand in connection with a Rape or Attempted Rape charge

| Arrival status at trial | Financial year |         |         |         |         |
|-------------------------|----------------|---------|---------|---------|---------|
|                         | 2021/22        | 2022/23 | 2023/24 | 2024/25 | 2025/26 |
| Remand                  | 2              | -       | -       | 1       | 3       |
| Bail                    | 9              | 8       | 5       | 9       | 6       |

#### Average time between first diet and evidence led trial for a Sheriff Court Indictment, where evidence led trial occurred in the period shown (weeks) where one or more accused persons are on bail or on remand in connection with a Rape or Attempted Rape charge

| Arrival status at trial | Financial year |         |         |         |         |
|-------------------------|----------------|---------|---------|---------|---------|
|                         | 2021/22        | 2022/23 | 2023/24 | 2024/25 | 2025/26 |
| Remand                  | 36             | -       | -       | 61      | 16      |
| Bail                    | 48             | 25      | 29      | 37      | 32      |

Please note the following in relation to the data:

1. A charge is identified as being a Rape or Attempted Rape in accordance with the latest Scottish Government classifications, grouped as per the Integration of Scottish Criminal

Justice Information Systems (ISCJIS) guidance (1-50 categories).

2. Figures only relate to where an accused person has a trial diet assigned in relation to a relevant charge and is on also on bail or remand. Where there is more than one accused the case is ranked based on the status of each accused to avoid double-counting. Where any accused is on remand for a Rape or Attempted Rape charge they will be counted in the remand figure regardless of the status of other accused in the case. Each case is only counted once where there is an evidence led trial in the period.

3. Due to the low number of Rape and Attempted Rape cases that proceed through the Sheriff Court Solemn procedure, this creates volatility in the figures.

4. The 2024/25 figure relates to a single case that took 61 weeks to progress from first diet to evidence-led trial. This period includes time during which the accused was the subject of an active warrant following non-appearance at court.

5. When an evidence led trial occurs, the trial date can be compared to the pleading diet date to obtain a measure of how long it has taken for the case to come to trial. Many factors can impact on the time between pleading diet and trial diet e.g. court programme capacity, adjournments due to lack of court time, witness availability, parties affected by COVID-19 etc.

#### High Court Indictments

High Court data is collated manually. SCTS began recording whether a case involved sexual offences in High Court cases in April 2023, in anticipation of the Scottish Parliament's consideration of proposals for a National Sexual Offences Court.

While SCTS records whether a case involves sexual offences, this information is not recorded at individual charge level. It is therefore not possible to separately identify cases involving rape or attempted rape. The data collection was established to support consideration of the proposed National Sexual Offences Court and was not designed to provide analysis by individual offence type.

The tables below provide information on sexual offence trials in which evidence was led (from 2023/24) and the average number of weeks from preliminary hearing to trial for all High Court cases in each year. SCTS's operating model is to offer the earliest available trial diet, irrespective of the accused person's custody status or the nature of the alleged offence. The average waiting period is therefore not calculated separately by offence type or custody status.

#### Indictments called for an evidence led trial at the High Court where one or more accused persons are on bail or on remand in connection with a Sexual Offence

| Arrival Status at trial | Financial year |         |         |
|-------------------------|----------------|---------|---------|
|                         | 2023/24        | 2024/25 | 2025/26 |
| Remand                  | 414            | 428     | 435     |
| Bail                    | 128            | 97      | 94      |

**Average time between Preliminary hearing and evidence led trial for a High Court Indictment, where evidence led trial occurred in the period shown (weeks)**

| Financial year |         |         |         |         |
|----------------|---------|---------|---------|---------|
| 2021/22        | 2022/23 | 2023/24 | 2024/25 | 2025/26 |
| 48             | 50      | 45      | 42      | 50      |

Please note the following in relation to the data:

1. Data relates to all sexual offences.
2. Figures for the average time between Preliminary hearing and evidence led trial is as at the end of the period shown.

A copy of this letter will be placed in the Scottish Parliament Information Centre and published on the Scottish Courts and Tribunals Service website.

Yours sincerely



Malcolm Graham  
Chief Executive