

**Can you confirm when the West Midlands Police first began to record gender as self-defined, rather than reporting by biological sex please?**

**I'm aware that the ONS report on sexual crimes specifically reports crimes categorised by defendants' biological sex. It clarifies this:  
"(3) As the offences under the offence group "Rape of a Female" all requires penile penetration, prosecutions of female defendants for this offence group are for inchoate offences (i.e. a crime of preparing for or seeking to commit another crime) - for example, encouraging or assisting the offence."**

**As female is now a self-defined measure, this opens the new legal possibility of self-defined females (biologically male and capable of penile penetration) being recorded directly as rapists ie. no longer only inchoate offences.**

**Clearly, at some point this measure changed from recording sex to recording self-identified gender. This information is critical when one is interpreting crime statistics as it represents a very significant change in numbers and distribution of crimes. Could you please clarify when the change happened?**

**I would further like to ask how many crimes of rape West Midlands Police have recorded as being committed by females using their own penis, by year if possible.**

## **RESPONSE**

We have been recording self-defined gender as a result of the Equality Act since 2011

The gender field in our Crimes system has a drop-down box with Male, Female or Unknown and in dealing with transgender nominals this would be updated according to their wishes.

We have researched every rape recorded on our systems with Suspect, Defendant, Person Probably Responsible or Person Thought Responsible where the gender is female or other, researched the MO Notes and have found no relevant cases of rape committed by females using their own penis.