

Statistical Bulletin

Crime and Justice Series

A National Statistics Publication for Scotland

CRIMINAL PROCEEDINGS IN SCOTLAND, 2013-14

16 December 2014



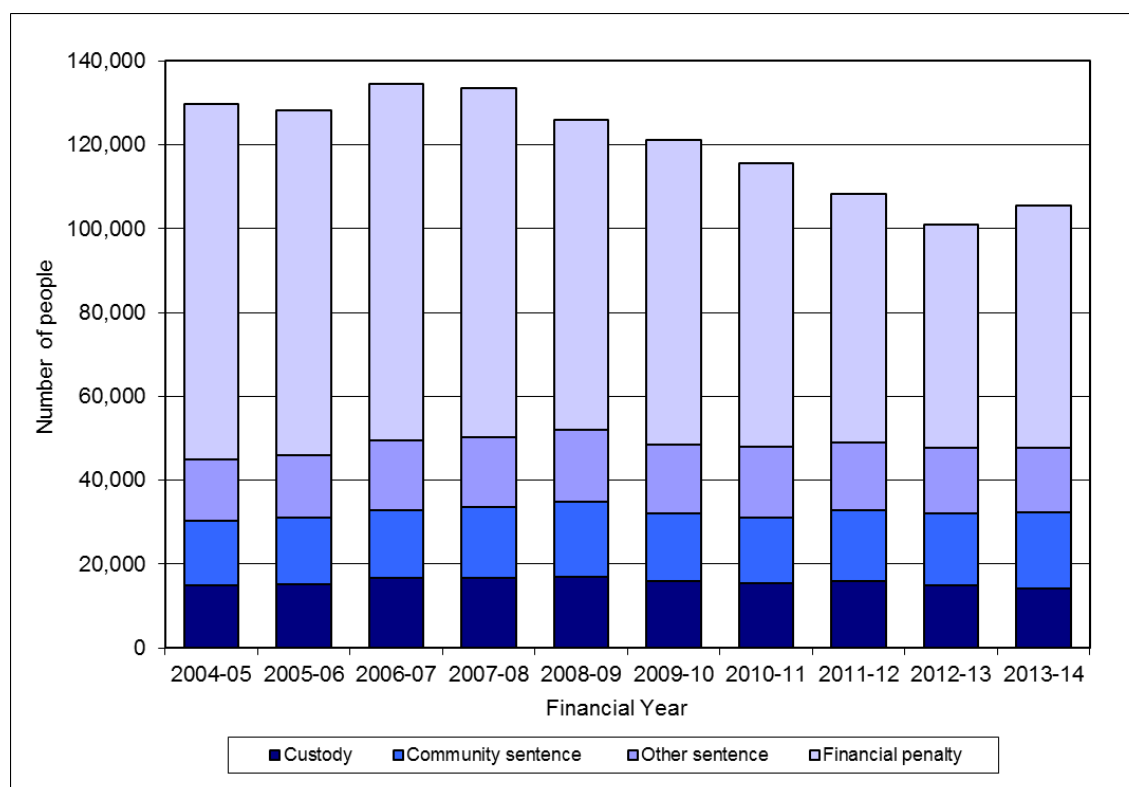
1. Introduction

1.1. This bulletin forms part of the Scottish Government series of statistical bulletins on the criminal justice system. Statistics are presented on criminal proceedings concluded in Scottish courts and on a range of non-court disposals issued by the police and by the Crown Office and Procurator Fiscal Service during the financial year 2013-14.

1.2. Further detailed tables have been published as background statistics on the Scottish Government Crime and Justice Statistics [website](#).

1.3. In 2013-14, the number of people proceeded against in Scottish courts increased by 4 per cent to 121,668 the first annual increase in seven years. The number of people with a charge proved in 2013-14 also increased by 4 per cent to 105,549 ([Chart 1](#)).

Chart 1: Number of people with a charge proved in Scottish courts by main penalty, 2004-05 to 2013-14



CONTENTS

PAGE

1. Introduction	1
2. Key Points for 2013-14	4
3. Commentary	6
3.1. Criminal Proceedings in Context	6
3.2. People Proceeded Against in Court	9
3.3. People Convicted (by court)	10
3.4. People Convicted (by crime/offence)	10
3.5. People Convicted (by age and gender)	13
3.6. Sentencing	15
3.7. Sentencing by age and gender of offender	22
3.8. Bail and Undertakings	24
3.9. Police Disposals	26
3.10. Crown Office Procurator Fiscal Service (COPFS) disposals	28
4. Bulletin Tables	30
Annex A - Data Sources	63
Annex B - Data Quality, Revisions and Data Processing	64
Annex C – Understanding the statistics in this bulletin	69
Annex D - Definitions, Classifications and Notation	72
Annex E – Legislative and policy changes	81

List of tables

Table 1 Summary of known action, 2004-05 to 2013-14 ¹	30
Table 2a People proceeded against in court by main crime/offence and outcome of court proceedings, 2013-14.....	30
Table 2b People proceeded against in court by main crime/offence and percentage outcome of court proceedings, 2013-14.....	32
Table 3 People with a charge proved by type of court, 2004-05 to 2013-14.....	33
Table 4(a) People with a charge proved by main crime/offence, 2004-05 to 2013-14.....	34
Table 4(b) People with a charge proved by main crime/offence, 2004-05 to 2013-14.....	35
Table 5 Numbers of people with a charge proved per 1,000 population by gender and age, 2004-05 to 2013-14.....	36
Table 6(a) Males with a charge proved by main crime/offence and age, 2013-14.....	37
Table 6(b) Females with a charge proved by main crime/offence and age, 2013-14.....	38
Table 7 People with a charge proved by main penalty, 2004-05 to 2013-14.....	39
Table 8(a) People with a charge proved by main crime/offence and main penalty, 2013-14.....	40
Table 8(b) People with a charge proved by main crime/offence and main penalty, 2013-14.....	41
Table 8(c) People with a charge proved by gender, main crime/offence and main penalty, 2013-14.....	42
Table 9 Percentage of people with a charge proved receiving custodial sentences by main crime/offence, 2004-05 to 2013-14.....	43
Table 10(a) People receiving a custodial sentence by main crime/offence and length of sentence, 2013-14.....	44
Table 10(b) People receiving a custodial sentence by gender, main crime/offence and length of sentence, 2013-14.....	45
Table 10(c) Average length of custodial sentence in days, by main crime/offence, 2004-05 to 2013-14.....	46
Table 11 People with a charge proved by main penalty, gender and age, 2013-14.....	47
Table 12 People with a charge proved by main penalty, gender and age, 2004-05 to 2013-14.....	48
Table 13 Bail orders made by type of court, 2004-05 to 2013-14.....	49
Table 14 Bail orders made by gender and age, 2009-10 to 2013-14.....	50
Table 15 Bail orders made by main charge, 2004-05 to 2013-14.....	51
Table 16 Number and percentage of bail orders issued to individuals accused of crimes or offences, by gender and age, 2013-14.....	52
Table 17 Undertakings to appear in court, by gender and age, 2009-10 and 2013-14.....	53
Table 18 Bail-related Offences with a Charge Proved, 2004-05 to 2013-14.....	54
Table 19 People given police disposals by disposal type, 2008-09 to 2013-14.....	55
Table 20 Males given ASBFPNs, by main crime/offence and age, 2013-14.....	56
Table 21 Females given ASBFPNs, by main crime/offence and age, 2013-14.....	56
Table 22 Males given Formal Adult Warnings by main crime/offence and age, 2013-14.....	57
Table 23 Females given Formal Adult Warnings by main crime/offence and age, 2013-14.....	58
Table 24 People given COPFS disposals by disposal type, 2008-09 to 2013-14.....	59
Table 25 Males given fiscal fines, by main crime/offence and age, 2013-14.....	60
Table 26 Females given fiscal fines, by main crime/offence and age, 2013-14.....	61
Table 27 Males given fiscal fixed penalties by main crime/offence and age, 2013-14.....	62
Table 28 Females given fiscal fixed penalties by main crime/offence and age, 2013-14.....	62

List of charts

Chart 1: Number of people with a charge proved in Scottish courts by main penalty, 2004-05 to 2013-14.....	1
Chart 2: Overview of action within the criminal justice system 2013-14.....	8
Chart 3: Average sentence length (excluding life sentences) and per cent receiving custody, by crime or offence group, 2013-14.....	18
Chart 4: Average fine and per cent fined by crime or offence group, 2013-14.....	21

2. Key Points for 2013-14

Further explanatory detail is provided in the commentary in [Section 3](#).

2.1. Court proceedings and convictions (Tables [1](#), [2](#), [3](#), [4a](#) and [Chart 2](#))

2.1.1. A total of 121,668 people were **proceeded against** in court in 2013-14, a rise of 4 per cent on 2012-13 (116,678 proceedings). This is the first increase in 7 years, as between 2006-07 and 2012-13 proceedings followed a downward trend.

2.1.2. In 2013-14 there were a total of 105,549 **people with a charge proved**, a 4 per cent increase from 101,013 in 2012-13. Eighty-seven per cent of people proceeded against in court had at least one charge proved or a guilty plea accepted, the same as in 2012-13.

2.1.3. The increase in convictions in the one year to 2013-14 has been primarily driven by rises in convictions for **motor vehicle offences** (up 14 per cent from 35,453 in 2012-13 to 40,258 in 2013-14). This may be explained, in part, by a change in Police Scotland's operational practices during this time.

2.1.4. Convictions for non-sexual crimes of violence saw falls and, in particular, convictions for **homicide** and "**attempted murder & serious assault**" both declined by 20 per cent in the year to 2013-14 (down to 90 and 1,029 people respectively).

2.1.5. The number of people convicted for **sexual crimes** continued to rise with a 22 per cent increase overall (from 864 in 2012-13 to 1,053 in 2013-14). Higher numbers of sexual offences may be partly explained by a widening of the definition of rape in the Sexual Offences (Scotland) Act 2009, which came into force in December 2010, and by increased reporting in the wake of high profile cases.

2.1.6. The number of convictions for **rape and attempted rape** increased by 13 per cent (from 77 in 2012-13 to 87 in 2013-14), **sexual assault** by 15 per cent (from 204 to 235) and **offences related to prostitution** by 19 per cent (142 to 169).

2.2. Court sentences (Tables [7](#) and [10\(c\)](#))

2.2.1. **Financial penalties** continue to account for the majority of court sentences (55 per cent) and rose 8 per cent to 57,812 in 2013-14. This rise goes against a long-term decline in the number of financial penalties imposed since 2006-07 and may be a result of increased motor vehicle offence convictions in 2013-14.

2.2.2. The number of convictions resulting in a **custodial sentence** fell by 5 per cent from 14,783 in 2012-13 to 14,101 in 2013-14. Custodial sentences accounted for 13 per cent of all penalties in 2013-14 decreasing by 2 percentage points from 2012-13, partially driven by the increase in the proportion of financial penalties.

2.2.3. Overall the average length of custodial sentences, excluding life sentences, in 2013-14 was around nine and a half months (292 days), 9 days (3 per cent) longer than in 2012-13 (283 days) and 63 days (28 per cent) longer than in 2005-06 (229 days or seven and a half months) when sentences were shortest in the last ten years.

2.2.4. The crime types with the longest average sentences in 2013-14 were **homicide** convictions (excluding murder), which decreased by 7 per cent to 2,207 days (six years)) and **rape and attempted rape**, which remained at a similar length to last year at 2,471 days (just over six and a half years).

2.2.5. Seventeen per cent (or 18,231) of all convictions in 2013-14 resulted in a main penalty of a **community sentence** increasing by 6 per cent (from 17,264 in 2012-13). Community payback orders make up the vast majority of community sentences (90 per cent or 16,317) and have increased markedly since they were introduced in February 2011, replacing the previously used community service and probation orders.

2.2.6. Overall community sentences now account for a higher proportion of the total court sentences than they did in 2004-05, increasing by 5 percentage points from 12 per cent of all sentences in 2004-05 to 17 per cent in 2013-14.

2.3. Characteristics of offenders convicted (Tables [5](#), [6\(a\)](#), [6\(b\)](#), [8\(c\)](#), [11](#) and [12](#))

2.3.1. In the past 10 years, the number of convictions in courts for younger people has fallen at much faster rates than for older people. Convictions for people aged under 21 continued to fall in 2013-14, a drop of 11 per cent to 10,613 people, despite the overall increase of 4 per cent in convictions for people of all ages.

2.3.2. In the year to 2013-14 the number of **convictions per 1,000 population** rose from 24 to 25. This is the first rise in 7 years and has been driven by an increase for males, up by 42 convictions per 1,000 population from 40 in 2012-13. By contrast the rate of convictions for females remained at 8 convictions per 1,000 population.

2.4. Bail and undertakings (Tables [13](#) to [18](#))

2.4.1. The total number of **bail orders** made by Scottish courts in 2013-14 was 47,196, increasing by 7 per cent from 44,039 in 2012-13. This increase is in line with rises in court activity. In 2013-14, there were 22,110 people released on an **undertaking to appear in court**, falling by 3 per cent from 2012-13 (22,818).

2.4.2. Besides committing an offence while on bail, there were 7,987 **other bail-related offences** in 2013-14 (e.g. breach of bail conditions, such as failure to appear in court after being granted bail), a decrease of 6 per cent on 2012-13. The number of bail-related offences as a percentage of bail orders granted was 17 per cent.

2.5. Non-Court Disposals (Tables [19](#) to [28](#))

2.5.1. In 2013-14, 55,490 people received an **anti-social behaviour fixed penalty notices** (ASBFPN) as a main penalty, an increase of 1 per cent from 54,713 in 2012-13. **Police formal adult warnings** (FAW) were given as a main penalty to 7,100 people in 2013-14, down 14 per cent from 8,264 in 2012-13.

2.5.2. In 2013-14, the use by the Crown Office and Procurator Fiscal Service (COPFS) of alternatives to prosecution involving a financial penalty increased marginally by 1 per cent (from 72,848 in 2012-13 to 73,567 in 2013-14). Nearly two-thirds (64 per cent) of COPFS disposals in 2013-14 were fiscal fines (47,322), down 1 per cent from 2012-13.

2.5.3. A total of 23,486 people were issued a fiscal fixed penalty in 2013-14, up 9 per cent on 2012-13 (21,638). This increase may be partially accounted for by an increase in motor vehicle offences.

3. Commentary

3.1. Criminal Proceedings in Context

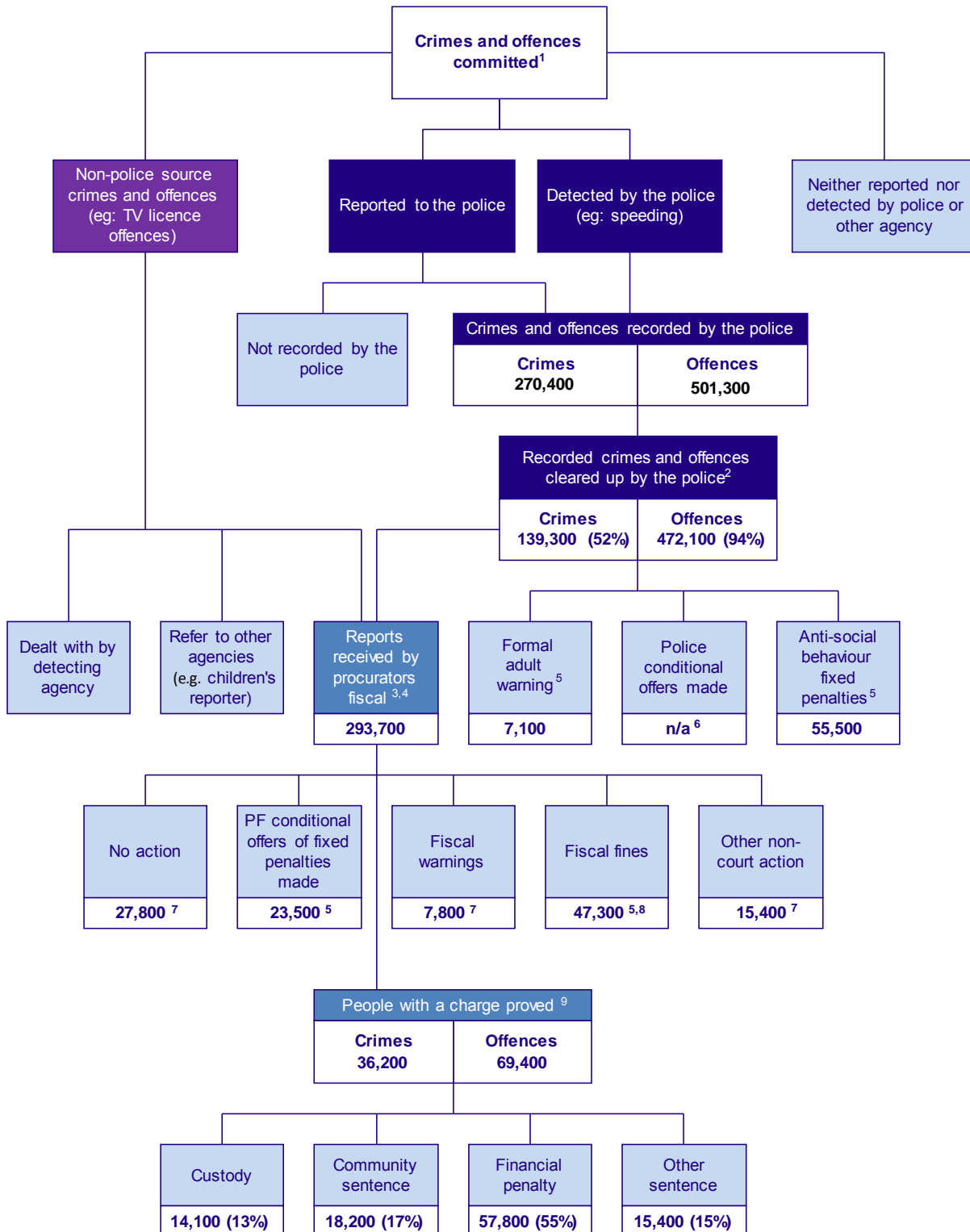
[Table 1](#), [Table 19](#), [Chart 2](#)

- 3.1.1. Contraventions of criminal law are classified into crimes and offences (see [Annex D](#)). This distinction is made only for statistical reporting purposes. [Table 1](#) and [Chart 2](#) provide a summary of known action in the criminal justice system.
- 3.1.2. The statistical publication, [Recorded Crime in Scotland 2013-14](#), was published on 25th November 2014. It shows that the total number of crimes recorded by the police in 2013-14 was 270,397, 1 per cent lower than in 2012-13. The proportion of recorded crimes cleared up by the police in 2013-14 increased by 1 percentage point from 51 per cent in 2012-13 to 52 per cent in 2013-14. A crime is regarded as 'cleared-up' where there is a sufficiency of evidence under Scots law to justify consideration of criminal proceedings.
- 3.1.3. The number of offences recorded by the police in 2013-14 was 501,281 with the number of recorded offences cleared up by the police totalling 472,099. The clear-up rate for offences was 94 per cent and has been around this figure over the past five years.
- 3.1.4. „Clear-ups“ do not necessarily result in a report being sent by the police to the procurator fiscal. The [Antisocial Behaviour \(Scotland\) Act 2004](#) allowed the police to issue **Anti-Social Behaviour Fixed Penalty Notices (ASBFPNs)** for a range of offences, in addition to other types of [police disposals](#). In 2013-14, 55,490 people were issued with ASBFPNs as a main penalty and 7,100 people received a **formal adult warning**.
- 3.1.5. Juvenile offenders can be dealt with in a number of ways and do not necessarily come into contact with the courts. The police can issue **restorative justice warnings** to deal directly with juveniles or they can refer individuals directly to the Scottish Children’s Reporter Administration (SCRA).
- 3.1.6. In addition, Early and Effective Intervention (EEI) diversions have been increasingly used to redirect juveniles from the courts and SCRA. Practices vary by local authority with a range of agencies (police, education, social work and the third sector) being involved in the interventions.
- 3.1.7. In previous criminal proceeding publications statistics on police restorative justice warnings, warning letters and “other police warnings” were published. It has been identified that those statistics were potentially misleading as other elements relating to juvenile diversions were not reported. We will look to investigate quantifying levels of EEIs and other juvenile warnings for the 2014-15 bulletin.
- 3.1.8. Owners of defective vehicles can avoid possible court proceedings by having their vehicle repaired within a given period (Vehicle Defect Rectification Scheme). Alternatives to court proceedings for moving motor vehicle offences are police conditional offers of a **fixed penalty** and procurator **fiscal fixed penalty** notices.
- 3.1.9. Referrals or reports often include more than one crime or offence. Reports to the procurator fiscal may also involve more than one person. Thus, there is no direct

relationship between the number of crimes and offences recorded by the police and the number of disposals resulting from the action of other agencies within the criminal justice system. In addition, many offences included in this bulletin, such as failure to pay a television licence, are reported to the procurator fiscal by **specialist reporting agencies** such as TV Licensing. Where crimes or offences are recorded and cleared up by the police, any action by the procurator fiscal (or other action) does not necessarily occur in the same year.

- 3.1.10.** In 2013-14, the procurator fiscal received 293,672 criminal reports (from the police and other specialist reporting agencies), an increase of 5 per cent compared with 2012-13. Prosecution in court is only one of a range of possible options the procurator fiscal has for dealing with people who have been charged. Other actions include the use of a range of non-court-based actions such as fiscal fines, compensation orders, fixed penalties, diversion to social work and other agencies, warnings and referrals to the children’s reporter, or a decision to take no action. In 2013-14, the Criminal History System (CHS) included 47,322 people issued with fiscal fines as a main penalty and 23,486 people issued with fiscal fixed penalties. More details are available on this in notes [B16 to B18](#), [C5](#) and [D3](#).

Chart 2: Overview of action within the criminal justice system 2013-14



1. Figures rounded to the nearest 100.
2. Crimes recorded in 2013-14 may not be cleared up or dealt with until 2014-15 or later.
3. A report to the procurator fiscal may involve more than one crime or offence and more than one alleged offender.
4. Reports to the fiscal on non-criminal matters such as sudden deaths, are not included in this total.
5. Number of people from CHS.
6. Following consultation, figures for motor vehicle offences are no longer collated centrally.
7. Number of cases; data [from Crown Office](#).
8. Figures relate to cases which were closed as offer deemed accepted.
9. Figures for people with a charge proved count the number of occasions on which a person is convicted.

A number of outcomes may result in subsequent prosecutions or referrals to other agencies, for example if a condition such as payment of a fixed penalty is not complied with. For simplicity, these pathways are not shown in the diagram.

3.2. People Proceeded Against in Court

[Tables 1](#) and [2](#)

Unless otherwise stated, references in this bulletin to the crime or offence group for which a person is proceeded against or convicted relate to the main charge involved (as defined in [Annex C](#)). The final column of [Table 4\(a\)](#) provides counts of individual offences with a charge proved regardless of whether or not they were the main offence involved.

- 3.2.1. A total of 121,668 **people were proceeded against** in court in 2013-14, an increase of 4 per cent on 2012-13 (116,678 proceedings). This is the first increase in proceedings in 7 years, as between 2006-07 and 2012-13 they followed a downward trend. Where a person is subject to two (or more) separate proceedings, they will be counted two (or more) times in this total.
- 3.2.2. Eighty-seven per cent of people proceeded against in court in 2013-14 were convicted after being found guilty of at least one charge. This equates to a total of 105,549 convictions. Four per cent were acquitted on a „not guilty“ verdict, and around 1 per cent were acquitted on a „not proven“ verdict. The remaining 8 per cent either had their case deserted by the prosecution or had a plea of „not guilty“ accepted. These proportions are broadly the same as in 2012-13.
- 3.2.3. Acquittal rates vary by crime group. The highest rate of „not guilty“ verdicts was seen for **rape and attempted rape** where 37 per cent of the 214 people proceeded against were acquitted on a „not guilty“ verdict. **Sexual assault** and **serious assault and attempted murder** also had high acquittal rates in 2013-14 when compared to the other crimes and offences (22 and 20 per cent for those proceeded against for sexual assault and serious assault and attempted murder respectively).
- 3.2.4. The proportion of people receiving a „not proven“ verdict in 2013-14 was also highest for **rape and attempted rape** (20 per cent), followed by **sexual assault** (9 per cent).
- 3.2.5. Thirty-five per cent of people proceeded against for **theft of a motor vehicle** had a plea of not guilty accepted or had the case against them deserted, the highest proportion of all crime groups.

3.3. People Convicted by court

[Table 3](#)

- 3.3.1. In 2013-14, there were a total of 105,549 **people with a charge proved**, a 4 per cent increase from 101,013 in 2012-13. This is the first annual increase in convictions in 7 years but levels are still 21 per cent lower than the peak of 134,413 convictions in 2006-07.
- 3.3.2. The increase in convictions has been driven by rises in activity in [Justice of the Peace](#) (JP) courts, which have seen a rise of 14 per cent between 2012-13 and 2013-14 to 45,313 convictions. The number of convictions for other court types have declined; by 6 per cent for high courts and 2 per cent each for sheriff solemn and sheriff summary courts. Please note that recording delays are typical for high court activity therefore the total number of high court convictions for 2013-14 may be a slight underestimate and therefore the corresponding annual decline may be an overestimate.
- 3.3.3. Fifty-two per cent of all convictions were in sheriff summary courts, 4 percentage points less than in 2012-13 and the lowest proportion in the last 10 years. The fall in the sheriff summary courts' proportion reflects the growing share of activity in JP courts, which accounted for more than two in every five convictions in 2013-14 (43 per cent).
- 3.3.4. High Court and sheriff solemn courts accounted for 5 per cent of all convictions in 2013-14 – this figure has been relatively stable since 2004-05.

3.4. People Convicted by crime/offence

[Tables 4\(a\)](#) and [4\(b\)](#)

The classification of crime and offence groups is outlined in [Annex D](#).

- 3.4.1. In 2013-14 there was a total of 105,549 people with a charge proved **for all crimes and offences**, a 4 per cent increase from 101,013 in 2012-13. This represents 87 per cent of people proceeded against and can be broken down as follows:
- A decrease in the number of convictions for **crimes**, down 2 per cent from 36,996 in 2012-13 to 36,158 in 2013-14; and
 - An increase in the number of convictions for **offences**, up 8 per cent from 64,017 in 2012-13 to 69,391 in 2013-14 but still 19 per cent lower than the peak of offence convictions in 2006-07.
- 3.4.2. Although convictions for offences have risen in the last year, the decline in crime convictions represents the 7th consecutive year for which they have declined. This is 26 per cent lower than in 2006-07 (where convictions for crimes peaked at 48,798).

By crime group: Non-sexual crimes of violence

- 3.4.3. Convictions for **non-sexual crimes of violence** continued to decline in 2013-14, with a 17% fall in the latest year. Decreases were seen for **homicide**

(20 per cent decline), **serious assault and attempted murder** (20 per cent) and **robbery** (15 per cent), with only “**other violent**” crimes remaining static.

3.4.4. With regards to **homicide** the number of convictions declined by 20 per cent in the year to 2013-14, down from 113 convictions in 2012-13 to 90 in 2013-14. The statistical publication [Homicide in Scotland 2013-14](#) reported that in the one year to 2013-14 there was a 4 per cent increase in the number of people accused of homicide. The Homicide in Scotland publication excludes all cases of causing death by dangerous driving, causing death by careless driving (including under the influence of drink or drugs), illegal driver involved in fatal accident and corporate homicide which are all included in the Criminal Proceedings crime type of **homicide**. It would therefore be expected that statistics from Criminal Proceedings would be higher than those based on the Homicide in Scotland statistics.

By crime group: Sexual crimes

3.4.5. Between 2012-13 and 2013-14 there was an overall increase in convictions for **sexual crimes** of 22 per cent from 864 in 2012-13 to 1,053 in 2013-14. Increases were seen for all of the subgroups in this category as follows:

- Convictions for **rape and attempted rape** saw a 13 per cent increase (77 in 2012-13 to 87 in 2013-14);
- Convictions for **sexual assault** saw a 15 per cent increase (204 in 2012-13 to 235 in 2013-14); and
- Convictions for **offences related to prostitution** saw a 19 per cent increase (142 in 2012-13 to 169 in 2013-14).

3.4.6. Higher numbers of **sexual offences** may be partly explained by a widening of the definition of rape in the Sexual Offences (Scotland) Act 2009, which came into force in December 2010, and by increased reporting in the wake of high profile cases.

By crime group: Crimes of dishonesty and “other crimes”

3.4.7. As a proportion of all crimes, convictions for **crimes of dishonesty** (which is mainly shoplifting and theft) and **other crimes** (mainly crimes against public justice and drug offences) account for the vast majority (85 per cent) of convictions in 2013-14.

3.4.8. On the whole convictions for **crimes of dishonesty** fell by 5 per cent in the year to 2013-14, down to 12,546 convictions. Within this total the number of convictions for these crimes fell noticeably as follows:

- **Theft from a motor vehicle** convictions fell by 29 per cent from 200 in 2012-13 to 142 in 2013-14.
- **Theft of a motor vehicle** convictions fell by 28 per cent from 373 in 2012-13 to 269 in 2013-14; and
- **Housebreaking** convictions fell by 24 per cent from 1,365 in 2012-13 to 1,034 in 2013-14.

By offence group

- 3.4.9.** The number of convictions for all offences increased in the year to 2013-14, up 8 per cent from 64,017 in 2012-13 to 69,391 in 2013-14. This rise has been driven primarily by increases in convictions for **motor vehicle offences** which have increased by 14 per cent from 35,453 in 2012-13 to 40,258 in 2013-14. This can be partially attributed to Police Scotland focussing their attentions on specific motor vehicle offences which is reflected in increases for these offences between 2012-13 and 2013-14:
- **Vehicle defect offence** convictions up 30 per cent from 1,243 to 1,610;
 - **Dangerous and careless driving** convictions up 27 per cent from 2,811 to 3,574;
 - **Seat belt offence** convictions up 24 per cent from 2,052 to 2,537; and
 - **Speeding offence** convictions up 17 per cent from 12,034 to 14,117.
- 3.4.10.** It should be noted that despite the overall increase in convictions for motor vehicle offences, convictions for **driving under the influence** decreased by 14 per cent from 4,735 in 2012-13 to 4,087 convictions in 2013-14. This is the 7th consecutive year that driving under the influence convictions have fallen with levels now 49 per cent below the 2006-07 peak of 8,066 convictions.
- 3.4.11.** Notable changes between 2012-13 and 2013-14 for **miscellaneous offences** convictions are as follows:
- Convictions for **common assault**, which has seen a decrease of 4 per cent from 11,649 to 11,203 convictions. This is countered with an increase of 6 per cent for **breach of the peace** convictions up from 12,961 to 13,723 convictions; and
 - Convictions for **drunkenness**, where there has been a decrease of 17 per cent from 102 to 85 convictions.
- 3.4.12.** As a proportion of all offences, **common assault** and **breach of the peace** make up 36 per cent of the convictions while **speeding** and **unlawful use of a vehicle** account for a further third (33 per cent). These proportions have remained at similar levels since 2004-05 although there has been a slight shift towards the speeding and unlawful use of vehicle offences in the year to 2013-14.

3.5. People Convicted (by age and gender)

[Tables 5](#), [6\(a\)](#), [6\(b\)](#) and [12](#)

- 3.5.1.** In the past 10 years, the number of convictions for younger people has fallen at much faster rates than for older people. Convictions for people aged under 21 continued to fall in 2013-14, a drop of 11 per cent to 10,613 people, despite the overall increase of 4 per cent in convictions for people of all ages.
- 3.5.2.** In the one year to 2013-14, the number of convictions per 1,000 population rose from 24 to 25. This is the first rise in 7 years and has been driven by an increase for males, up to 42 convictions per 1,000 population from 40 in 2012-13. By contrast the rate of convictions for females remained the same as in 2012-13 at 8 convictions per 1,000 population.
- 3.5.3.** Males accounted for 83 per cent of all convictions in 2013-14 (where the gender was known), unchanged from 2012-13. More males than females were convicted in all crime/offence categories except for **offences associated with prostitution**. Females had high proportions of convictions for “other crimes” in 2013-14 as follows:
- 38 per cent of all **other violence** convictions;
 - 33 per cent of all **fraud** convictions ; and
 - 28 per cent of all **shoplifting** convictions.
- 3.5.4.** In 2013-14, **common assault** was the most common offence for people under the age of 21. One quarter (26 per cent) of female under 21 convictions were for common assault with the corresponding figure for males being 15 per cent. By contrast common assault accounted for smaller proportions of convictions for the over 30 age groups (10 and 8 per cent for females and males respectively).
- 3.5.5.** Convictions for **motor vehicle offences** accounted for higher proportions of convictions for those aged over 30; 44 per cent of males convicted and 43 per cent of females convicted. This compares to the under 21-age group where 21 per cent of males and 19 per cent of females convicted were done so for motor vehicle offences. **Speeding** is the specific motor vehicle offence for which males and females aged over 30 are most commonly convicted (17 per cent and 14 per cent respectively).

Convictions per 1,000 population detail

- 3.5.6.** Aside from the increase in convictions per 1,000 population for males in the most recent year, levels had been falling year on year from 56 per 1,000 population in 2006-07 to 40 in 2012-13. In comparison, the rate for females has stabilised at 8 convictions per 1,000 population for the last three years.
- 3.5.7.** The ages where male convictions peak has moved from younger to older age groups over the last ten years with convictions for males falling at a much faster rate. In 2013-14 the peak convictions were for age groups 21 to 25 years and 26 to 30 years (85 and 88 convictions per 1,000 population

respectively). This contrasts with 2004-05 when males aged 18 and 19 had the highest concentrations of convictions.

- 3.5.8.** The trend for females differs to that of males with those aged 26 to 30 having had the highest level of convictions per 1,000 population for the last six years. Convictions within this group have dropped however, with 22 convictions per 1,000 population in 2008-09, declining to 17 in 2013-14.
- 3.5.9.** In the year to 2013-14, the greatest change in the number of convictions per 1,000 population for females was for those aged 31-40, an increase from 13 to 15 per 1,000 population. The largest change for males was for those aged 17 and 18 which saw both saw decreases of 8 people per 1,000 population to 42 and 63 respectively.

3.6. Sentencing

[Tables 7](#) to [12](#), [Charts 3](#) and [4](#)

It should be noted that sentencing is affected by, amongst other things, the particular circumstances of each crime/offence, offending history and offender background.

- 3.6.1. Of all people convicted during 2013-14 the following sentences were issued:
- Thirteen per cent were issued **custodial** sentences (14,101);
 - Seventeen per cent were issued **community sentences** (18,231);
 - Fifty-five per cent were issued **financial penalties** (57,812); and
 - Fifteen per cent were issued **other sentences** (15,405) such as admonishments.

Custodial sentences

- 3.6.2. The number of convictions resulting in a custodial sentence fell by 5 per cent in the year to 2013-14 (from 14,783 to 14,101). This is the lowest level observed in custodial sentences since 2004-05.
- 3.6.3. Custodial sentences represent 13 per cent of all court sentences in 2013-14. This proportion declined since 2012-13 (15 per cent) but has been between 12 and 15 per cent over the last 10 years.
- 3.6.4. Overall, the average length of custodial sentences, excluding life sentences, in 2013-14 was around 9 and a half months (292 days), 9 days (3 per cent) longer than in 2012-13 (283 days) and 63 days (28 per cent) longer than in 2005-06 (229 days or 7 and a half months) when sentences were at their shortest in the last ten years.

Custodial Sentences for Non-sexual Crimes of Violence

- 3.6.5. **Homicide** comprises murder, culpable homicide and the statutory crimes of causing death by dangerous or careless driving, causing death by careless driving while under the influence of drink or drugs, driving illegally and corporate homicide. Non-custodial sentences for **homicide** are mostly related to motor vehicle fatalities.
- 3.6.6. Eighty-eight per cent or 79 people of the 90 convicted of **homicide** in 2013-14 were given a custodial sentence, higher than in 2012-13 (81 per cent). Over half of these (46 people) had life sentences imposed for murder. The remainder, who were convicted for other types of homicide were given an average sentence of 6 years, 160 days (7 per cent) shorter than in 2012-13 (6 and half years).
- 3.6.7. The average custodial sentence length for **other non-sexual crimes of violence** increased by 75 per cent from 446 days in 2012-13 to 779 days in 2013-14 (just over two years). It is thought that this could be attributed to courts enforcing harsher punishments for serious organised crime, which falls into this crime grouping.

Custodial Sentences for Sexual Crimes

- 3.6.8.** Custody was the most frequently used sentence for most types of crime involving violence, including the sexual crimes of **rape and attempted rape** and **sexual assault** (with custody being served to 92 per cent and 46 per cent of people with a charge proven respectively).
- 3.6.9.** **Rape and attempted rape** attracted the longest average custodial sentence of all crime types (other than murder) in 2013-14 and remains relatively unchanged since 2012-13 at 2,471 days (just over six and a half years). This is now 7 months (8 per cent) shorter than the peak in 2007-08 when it was 2,682 days (over seven years).
- 3.6.10.** **Sexual assault** sentences were, on average, 20 per cent shorter than in 2012-13, falling to 859 days (just under two and half years). This was the third consecutive annual decrease since 2010-11 and may be in part related to the impact of the new statutory framework for crimes of this nature provided by the Sexual Offences (Scotland) Act 2009. Caution should be taken in drawing conclusions on this decline as the mix of charges being used for prosecution will not be the same year on year until the old legislation phases out.
- 3.6.11.** There was also a large jump in custodial sentence lengths for **prostitution** convictions in 2013-14 with the average sentence being 1,089 days (three years). This contrasts with the next highest average sentence seen in the last ten years at 540 days in 2011-12 (a year and a half). This jump may be explained in part by an increase in the number of brothel keeping convictions which attract higher sentencing lengths than other prostitution crimes.

Custodial Sentences for Handling an Offensive Weapon

- 3.6.12.** The proportion of convictions for **handling an offensive weapon** which attracted a custodial sentence has increased by 16 percentage points from just over one-fifth (22 per cent) of convictions in 2004-05 to one in three (or 38 per cent) in 2013-14. This proportion was the same in 2012-13.
- 3.6.13.** The increase in use of custodial sentences for **handling an offensive weapon** has been accompanied by an increase in the average sentence length for those sentences. The average custodial sentence length for handling an offensive weapon has seen its ninth consecutive annual increase, rising by 7 per cent to 374 days (just over 12 months) in the year to 2013-14 and is now over three times the length it was in 2004-05 (111 days).

Custodial Sentences for Crimes of Dishonesty

- 3.6.14.** Over half (55 per cent) of **housebreaking** convictions received custodial sentences, the highest proportion for which custodial sentences have been imposed for housebreaking since 2004-05. The average sentence length has also increased, up by 63 per cent from 193 days in 2004-05 to 315 days in 2013-14.
- 3.6.15.** The increase in sentence length may be related to changes in the way **crimes of dishonesty** are dealt with in the justice system. The increased use of police

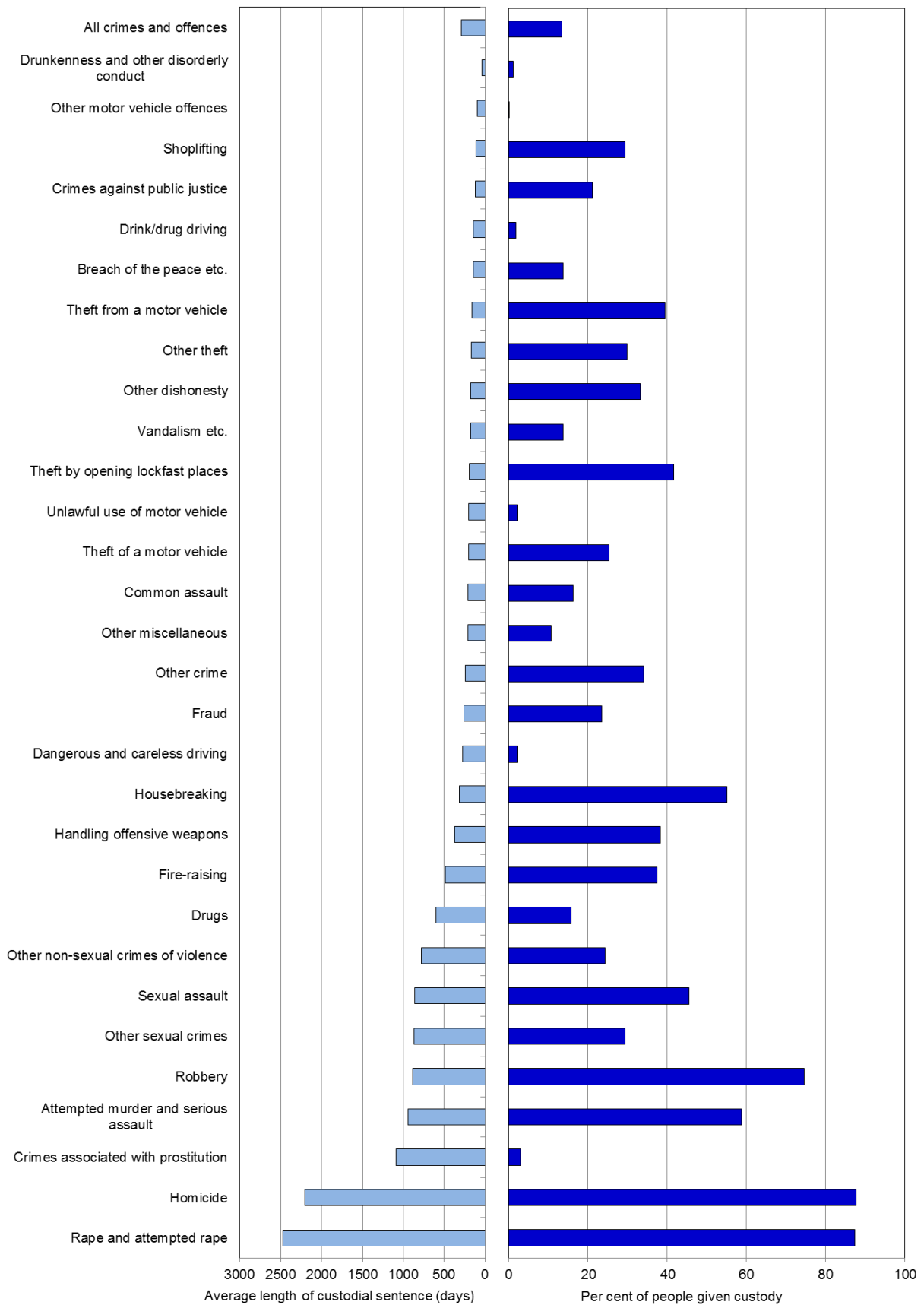
and procurator fiscal disposals to deal with some cases may have allowed the courts to deal with more serious cases.

- 3.6.16.** Although overall activity in summary courts has declined markedly over the last 10 years (down by 28 per cent to 55,347 convictions), and a lower number of dishonesty crimes overall are reported by the Police and prosecuted in court, the courts may now be dealing with a higher proportion of more serious incidents for specific crime types which results in longer average sentencing. This may have had an impact, for example, on sentence lengths for **theft of a motor vehicle**, which increased by 17 per cent between 2004-05 and 2013-14 to 203 days (around six and a half months).
- 3.6.17.** Aside from housebreaking and theft of a motor vehicle, other noticeable trends for crimes of dishonesty included:
- Forty-two per cent of convictions for **theft by opening lockfast places** attracted custodies, down 3 percentage points from 2012-13; and
 - **Fraud** – although the proportion of convictions resulting in custodial sentences has declined for fraud in the last year from 29 per cent in 2012-13 to 23 per cent in 2013-14, there has been an increase in the longer term from around one in ten of convictions (11 per cent) in 2004-05.

Break down of duration of custody sentences

- 3.6.18.** Overall ninety-one per cent (12,879) of all custodial sentences (14,079) were two years or less.
- 3.6.19.** As illustrated above with the average sentence lengths, **non-sexual crimes of violence** and **sexual crimes** were the most likely to attract long custodial sentences. In 2013-14, only 2 per cent of custodial sentences for the crime group **crimes of dishonesty** were over two years whereas the corresponding proportions for **non-sexual crimes of violence** and **sexual crimes** were 47 and 53 per cent respectively.
- 3.6.20.** By crime type the highest proportion of custodial sentences being over two years were **homicide** and **rape and attempted rape**; 97 per cent of custodial sentences for **homicide** and 93 per cent of custodial sentences for **rape and attempted rape** were more than two years.
- 3.6.21.** Looking at very short sentences, 29 per cent (or 4,126) of all custodial sentences in 2013-14 were for three months or less, which is around the same proportion as in 2012-13 but 23 percentage points lower than in 2004-05 when these sentences made up 52 per cent of all custodies.
- 3.6.22.** The decrease in the proportion of very short sentences of three months or less over the last ten years has been associated with an increase in the proportion of sentences of between 3 months and two years. Sentences of between 3 months and two years have increased from 41 per cent of all custodial sentences in 2004-05 to 62 per cent in 2013-14 while those over 2 years have remained at a similar proportion over this period, at around 8 per cent of all custodies.

Chart 3: Average sentence length (excluding life sentences) and per cent receiving custody, by crime or offence group, 2013-14



Community sentences

- 3.6.23.** Seventeen per cent (or 18,231) of all convictions in 2013-14 resulted in a main penalty of a **community sentence**. These account for a higher proportion of the total court sentences than they did in 2004-05, increasing by 5 percentage points from 12 per cent.
- 3.6.24.** The number of people receiving **Community Payback Orders (CPO)**, has risen sharply since their introduction in February 2011 increasing by 44 per cent in the year to 2012-13 (14,940 CPOs) followed by a smaller rise of 9 per cent in the year to 2013-14 (16,317). Ninety per cent of all community sentences in 2013-14 were CPOs with the proportion of previously used probation and community service orders continuing to decline as they are increasingly being replaced by the use of the new CPO sentences.
- 3.6.25.** **Restriction of Liberty Orders (RLOs)** made up 6 per cent of people receiving community sentences at 1,074 RLOs in 2013-14, rising 17 per cent from 919 in 2012-13. The number of **drug treatment and testing orders** remained roughly the same in the year to 2013-14 at 610 people.
- 3.6.26.** In 2013-14 around two fifths of community sentences were for **common assault** (19 per cent) and **breach of the peace** (18 per cent).
- 3.6.27.** Crime types which attracted high rates of community sentences were:
- **Fire-raising** - 51 per cent of people convicted, up 14 percentage points from 2012-13;
 - **Sexual assault** - 46 per cent, a slight drop of 1 percentage point from 2012-13;
 - **Theft of a motor vehicle** – 44 per cent, up 10 percentage points; and
 - **Handling an offensive weapon** where 38 per cent of convictions received a community sentence, up by 1 percentage point from 2012-13.

Financial penalties

- 3.6.28.** The use of **financial penalties**, which include a small number of compensation orders are the most common main penalty imposed by courts and increased by 8 per cent from 53,429 in 2012-13 to 57,812 in 2013-14.
- 3.6.29.** This increase goes against the long-term decline in the number of people issued financial penalties, which has dropped by 32 per cent since 2006-07 (84,820). It is probable that the increase in 2013-14 is due to the corresponding rise in motor vehicle offence convictions as these types of offences made up 65 per cent of financial penalties in 2013-14.
- 3.6.30.** The longer term decrease in the number of financial penalties may be, in part, a result of some crimes or offences typically punished by court fines increasingly being dealt with by police or COPFS disposals rather than reaching court in the first place.
- 3.6.31.** Other crime/offence types which attracted high proportions of financial penalties in 2013-14 include **drunkenness** (55 per cent of people convicted),

drug offences (49 per cent) and **vandalism** (44 per cent). These crime types also had high proportions of financial penalties in 2012-13.

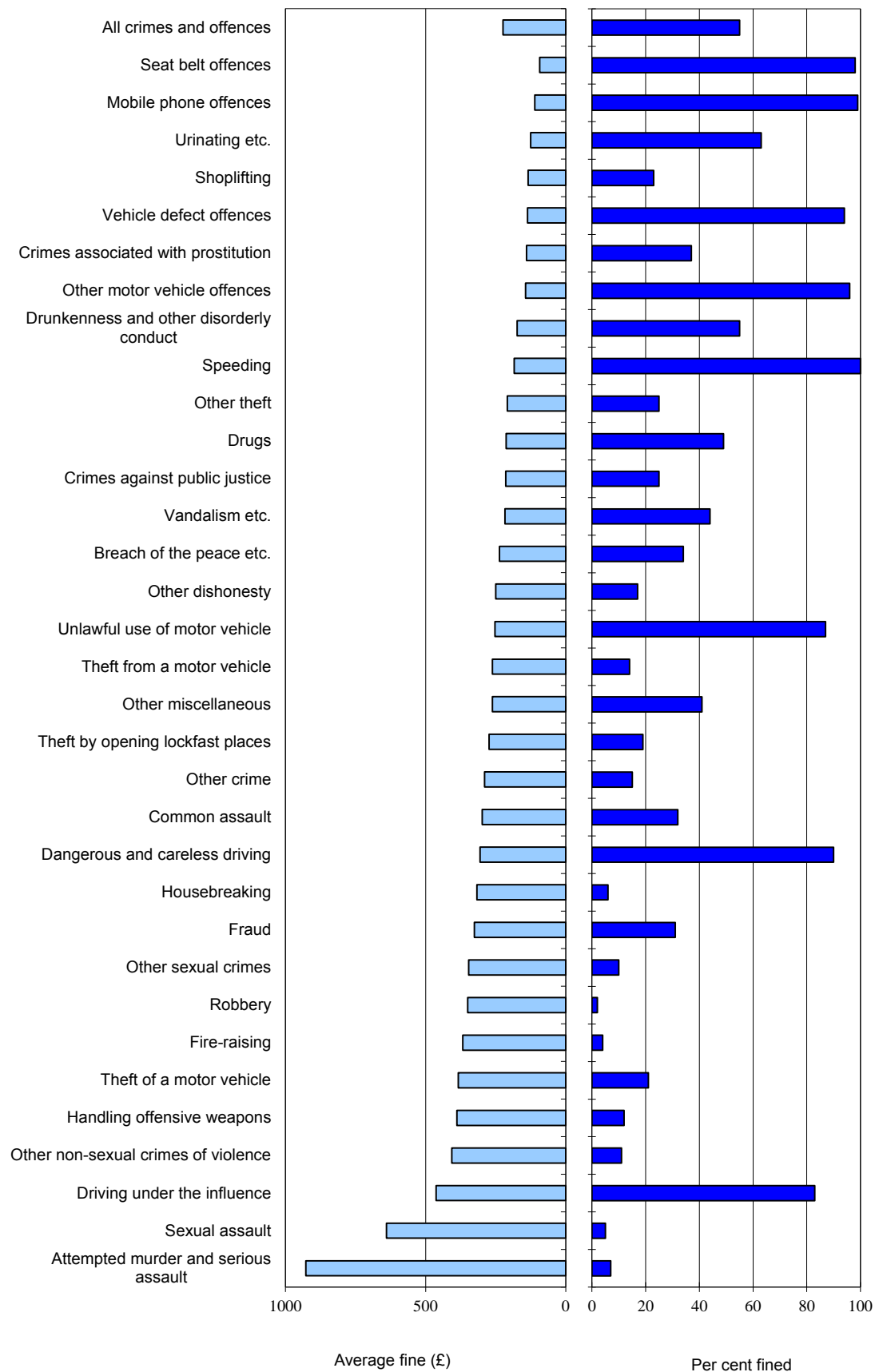
- 3.6.32.** The average fine imposed by courts on individuals (excluding companies) in 2013-14 was around £224, in cash terms¹, decreasing from £245 in 2012-13. The use of compensation orders as a main penalty rose by 14 per cent to 874 in the year to 2013-14; the average compensation order imposed by courts, either as the main or secondary penalty, was £442 in 2013-14 up from £439 in 2012-13, in cash terms. The average cash value of a compensation order has nearly doubled since 2004-05, up by 79 per cent from £247.

Other sentences

- 3.6.33.** In 2013-14, 14,834 people were admonished (which includes a small proportion who were cautioned). This represented 14 per cent of all convictions in 2013-14 and was the most frequent outcome for **prostitution offences** (54 per cent of all convictions).

¹ Year-on-year comparisons for fines and compensation orders are in cash terms, and have therefore not been adjusted for inflation.

Chart 4: Average fine and per cent fined by crime or offence group, 2012-13
(Excludes companies)



3.7. Sentencing by age and gender of offender

[Tables 8\(c\)](#), [10\(b\)](#), [11](#) and [12](#)

- 3.7.1.** Section 3.5 describes trends for all convictions by gender and age. It illustrates that aside from the 4 per cent increase in convictions in the year to 2013-14, convictions had declined for all age and sex groups between 2006-07 and 2012-13. Over this period convictions have been shown to have fallen at a faster rate for younger groups of the population, particularly for males.
- 3.7.2.** Males accounted for 83 per cent of all people convicted in 2013-14 but represented a higher proportion of all **custodial sentences** (91 per cent). By contrast females accounted for 17 per cent of people convicted but only 9 per cent of custodial sentences illustrating they were more likely than males to be penalised with other types of sentences.
- 3.7.3.** Of those sentenced to **custody** in 2013-14, 76 per cent of females and 66 per cent of males received a tariff of 6 months or less. The proportion of males who received a very short sentence (i.e. 3 months or less) was lower than the proportion of females for many of the crime categories. For example, 19 per cent of males and 27 per cent of females who were sentenced to custody for **common assault** received a sentence of 3 months or less.
- 3.7.4.** Despite the 5 per cent decrease in custodial sentences in the year to 2013-14, sentences for those aged over 30 rose. Custodial sentences were up by 4 per cent to 6,666 for males aged over 30 and by 11 per cent to 635 for females aged over 30. This continues the longer term trend observed since 2004-05 where custodial sentences have increased for these age groups, countering the overall decrease for custodial sentences and for those aged 30 and under.
- 3.7.5.** Of the 18,231 people issued **community sentences** in 2013-14, two thirds were males aged over 21 (69 per cent) with females of all ages accounting for a further 17 per cent.
- 3.7.6.** The total number of convictions resulting in a community sentence increased by 6 per cent to 18,231 in the year to 2013-14. This increase has been driven by increases in community sentences for both males and females **aged over 30** (up 14 per cent to 6,924 and up 20 per cent to 1,649 respectively). The number of convicted males aged under 21 receiving community sentences decreased by 4 per cent to 2,632 in 2013-14 with the equivalent female group decreasing by 21 per cent 340.
- 3.7.7.** Although there have been annual decreases for some individual years since 2004-05 the latest annual increase for community sentence disposals for males and females aged over 30 continues the longer-term upward trend. Numbers of community sentences for these cohorts have increased 70 per cent up to 6,924 and 78 per cent up 1649 people for males and females respectively since 2004-05. By contrast, longer-term trends for community sentences for those aged under 21 have been decreasing in every year since 2009-10 and 2010-11 for females and males respectively.
- 3.7.8.** As previously described the increase in the latest year goes against the long-term fall in the number of **financial penalties** issued with numbers for both

males and females increasing in the year to 2013-14 by 7 per cent and 14 per cent respectively.

- 3.7.9.** The increase in financial penalties in the year to 2013-14 has been driven by a rise in people aged 21 and over being issued these types of penalties (up 9 per cent and 15 per cent for males and females respectively). This contrasts with custody and community sentences where convictions for those aged over 30, rather than over 21, have increased.
- 3.7.10.** Over the longer term, between 2006-07 and 2013-14, the use of financial penalties for convictions for both males and females has fallen by 33 per cent and 26 per cent respectively. While the largest falls have been observed in people aged under 21 (75 per cent for males and 67 per cent for females under 21), this age group accounted for less than one in ten in 2013-14 (7 per cent) convictions receiving a financial penalty in 2013-14.

3.8. Bail and Undertakings

Bail orders made

[Tables 13](#), to [16](#)

- 3.8.1.** The annual change and longer-term trends in numbers of bail orders are consistent with the overall trends in volumes of cases coming to court. The number of bail orders have:
- Increased by 7 per cent from 44,309 in 2012-13 to 47,196 in 2013-14; and
 - Fallen over the longer term by 24 per cent since 2006-07 (62,294).
- 3.8.2.** The vast majority of bail orders (92 per cent) are issued in sheriff courts (solemn and summary) with a further 8 per cent being issued in JP courts. A very small number of bail orders were issued in high courts (217 bail orders or 0.6 per cent of the total). The relative proportions of bail orders issued by different courts have been relatively constant since 2004-05.
- 3.8.3.** In 2013-14 males accounted for 84 per cent of all bail orders issued. This has remained at the same proportion since 2009-10.
- 3.8.4.** Looking at patterns in age the proportion of bail orders given to people aged over 30 has increased from 41 per cent in 2009-10 to 50 per cent in 2013-14. Conversely, the proportion of bail orders given for people aged under 21 years old has fallen from 21 to 14 per cent over the same period. This mirrors the trends in age structure for people being proceeded against in court.
- 3.8.5.** The 47,196 bail orders which were issued in 2013-14 related to 34,883 individuals; 78 per cent of individuals received one bail order, 15 per cent received two and 8 per cent received three or more bail orders. These proportions have been the same since 2009-10.

Bail orders made by main crime type

- 3.8.6.** In the year to 2013-14 the number of bail orders issued increased or remained broadly the same for all individual crime groups with the exception of **drugs offences** (down 12 per cent to 2,314).
- 3.8.7.** In the year to 2013-14 there was a 33 per cent increase in the number of bail orders issued for **sexual crimes** (from 1,005 in 2012-13 to 1,337 in 2013-14). Bail orders for **sexual crimes** are a small proportion of the total, accounting for 3 per cent of all bail orders in 2013-14.
- 3.8.8.** In the year to 2013-14 there were also relatively large annual increases in the numbers of bail orders issued for crimes of **breach of the peace** (up 22 per cent to 7,441) and **common assault** (up 14 per cent to 8,981).
- 3.8.9.** The relative proportions of bail orders issued for each crime group have been broadly the same since 2009-10 however there have been some large changes in the relative proportions since 2004-05:

- Bail orders issued for **crimes of dishonesty** accounted for around a quarter (23 per cent) of all bail orders issued in 2004-05 falling by seven percentage points to 16 per cent in 2013-14;
- **Common assault** accounted for 19 per cent of all bail orders issued in 2013-14. This figure has increased by five percentage points from 14 per cent in 2004-05; and
- **Breach of the peace** – accounted for 16 per cent of bail orders in 2013-14 (increasing four percentage points from 12 per cent in 2004-05).

Undertakings to appear

[Table 17](#)

- 3.8.10.** The number of people released by the police on an undertaking to appear in court in 2013-14 was 22,110, down 3 per cent from the 2012-13 figure (22,818). This is the third annual decrease in undertakings issued since 2010-11.
- 3.8.11.** In 2013-14, 75 per cent of undertakings were issued to males. Nearly half (49 per cent) of undertakings in 2013-14 were issued to people aged over 30 while people aged under 21 account for around a fifth (18 per cent). This contrasts with undertakings issued in 2009-10 where the proportion issued to over 30 year olds was 41 per cent and the proportion issued to under 21 years was 25 per cent. This shift in age profile complements the shift in a higher proportion of older people being proceeded against in courts.

Bail-related offences

[Table 18](#)

- 3.8.12.** Bail-related offences (other than committing an offence on bail) covers the offences of breach of bail conditions (e.g. interfering with a witness) and failure to appear in court after being granted bail. A total of 7,987 of bailed-related offences had a charge proved in 2013-14, a decrease of 6 per cent from 2012-13 (8,462).
- 3.8.13.** The proportion of bail-related offences as a percentage of all bail orders granted in 2013-14 was 17 per cent. This has remained fairly constant for the six years from 2008-09 but is 5 percentage points higher than in 2004-05 when it was 12 per cent.

3.9. Police Disposals

[Tables 19](#) to [23](#)

A range of options are available to the police for minor offences, including anti-social behaviour fixed penalty notices and formal adult warnings. Please note that in previous publications, statistics on police restorative justice warnings and warning letters, which relate to juvenile diversions, were presented. It has been identified that those statistics were potentially misleading as other elements relating to juvenile diversions were not reported. We will look to investigate quantifying levels of all juvenile warnings for the 2014-15 bulletin.

More details on police disposals are available in [section 3](#) as well as in annex notes [C5](#) and [D2](#).

- 3.9.1.** In previous criminal proceeding publications statistics on police restorative justice warnings, warning letters and “other police warnings” were published. It has been identified that those statistics were potentially misleading as other elements relating to juvenile diversions were not reported. We will look to investigate quantifying levels of EEs and other juvenile warnings for the 2014-15 bulletin.

Anti-social behaviour fixed penalty notices (ASBFPN)

- 3.9.2.** In 2013-14, 55,490 people received an ASBFPN as a main penalty, an increase of 1 per cent from 54,713 in 2012-13. The vast majority of ASBFPNs were issued for three of the offence types for which they are available:
- 23,384 for **consuming alcohol in a public place** (42 per cent of total);
 - 15,568 for **breach of the peace** (28 per cent); and
 - 13,831 for **urinating etc.** in circumstances causing annoyance to others (25 per cent).
- 3.9.3.** Males received 86 per cent of all ASBFPNs in 2013-14 with the most common offences being for **consuming alcohol in a public place** (41 per cent of ASBFPNs issued to males) followed by **urinating** (28 per cent). With regards to **breach of the peace**, a higher proportion of ASBFPNs issued to males aged under 21 were for this offence in comparison to males aged over 30 (31 and 22 per cent respectively).
- 3.9.4.** ASBFPNs issued to females were primarily issued for **consuming alcohol** in a public place (46 per cent of ASBFPNs to females) and **breach of the peace** (40 per cent). Over half (52 per cent) of ASBFPNs issued to females aged under 21 were for **consuming alcohol in a public place**, which compares with 44 per cent for the aged over 30 females.

Formal adult warnings (FAWs)

- 3.9.5.** Police FAWs were given as a main penalty to 7,100 people in 2013-14, down 14 per cent from 8,264 in 2012-13. Three-fifths of the people issued FAWs were done so in 2013-14 for three crimes/offences:
- **Shoplifting** (27 per cent or 1,906);
 - **Drunkenness** (16 per cent or 1,165); and
 - **Common assault** (14 per cent or 989).
- 3.9.6.** In 2013-14, 62 per cent of people given FAWs as a main penalty were male – 4,368 in 2013-14. One-third (32 per cent) of all people issued FAWs were males aged over thirty (2,282).
- 3.9.7.** Around 21 per cent of the 4,368 males issued FAWs in 2013-14 were given them for **drunkenness** (934 people). This differs by age group with a third (30 per cent) of males aged over 30 and 7 per cent of males aged under 21 being issued FAWs for drunkenness.
- 3.9.8.** Seventeen per cent of males issued FAWs in 2013-14 were given the penalty for **shoplifting**. Of the FAWs issued to males aged under 21, 15 per cent were for shoplifting in comparison with 20 per cent of FAWs issued to males aged over 30. For FAWs issued to females, a similar pattern is highlighted with respect to age albeit at a higher rate than for males (49 per cent for females aged over 30 and 29 per cent for females aged under 21).
- 3.9.9.** Differences highlighted for different age groups of females being issued FAWs are as follows:
- Eleven per cent of females aged over 30 issued FAWs were given them for **drunkenness** compared to 4 per cent for females aged under 21; and
 - Thirteen per cent of females aged under 21 issued FAWs were given them for **fraud** compared to 3 per cent for females aged over 30.

3.10. Crown Office Procurator Fiscal Service (COPFS) disposals

[Tables 24](#) to [28](#)

When a report is submitted by the police to the procurator fiscal, prosecution in court is only one of a range of possible options for dealing with people who have been charged. Other possible actions include the use of fiscal fines, compensation orders and fixed penalties. More details on this new information are available in annex notes [C5](#) and [D3](#).

- 3.10.1.** In 2013-14, the use by COPFS of alternatives to prosecution involving a financial penalty increased marginally by 1 per cent (from 72,848 in 2012-13 to 73,567 in 2013-14). Nearly two-thirds (64 per cent) of COPFS disposals in 2013-14 were fiscal fines (47,322), down 1 per cent from 2012-13.

Fiscal fines

- 3.10.2.** In 2013-14, 53 per cent of the 47,322 people issued **fiscal fines** as main penalties were issued them for miscellaneous offences, including:
- **Communications Act offences** (mainly TV licensing) which account for 29 per cent or 13,526 penalties;
 - **Alcohol bylaw** offences which attracted 12 per cent of the total (5,533 penalties); and
 - **Breach of the peace** which accounted for nearly one in twenty (6 per cent) or 2,986 penalties.
- 3.10.3.** In addition to miscellaneous offences, other crime types which attracted a high proportion of the total fiscal fines issued in 2013-14 were **drug** crimes (28 per cent) and **unlawful use of vehicle** (9 per cent).
- 3.10.4.** Two-thirds (67 per cent) of all fiscal fines in 2013-14 were issued to males. The profile of crimes/offences for which fiscal fines were issued differed for males and females. For example, of the 15,482 fiscal fines issued to females, the most common crimes/offences for which they were given were:
- **Communications Act offences** (60 per cent);
 - **Shoplifting** (9 per cent); and
 - **Drug** offences (9 per cent).
- 3.10.5.** For males, of the 31,829 fiscal fines issued, the most common crimes/offences for which they were given were:
- **Drug** offences (37 per cent);
 - **Alcohol bylaw** offences (15 per cent); and
 - **Communications Act offences** (13 per cent).
- 3.10.6.** For both males and females those aged over 30 account for the largest proportion of fiscal fines issued. Those aged over 30 account for over half (51 per cent) of all fiscal fines issued to males and the majority (60 per cent) of all fiscal fines given to females.

Fiscal fixed penalties

- 3.10.7.** Crown Office Fixed Penalties (COFPs) are generally issued for motor vehicle offences. In 2013-14, 23,486 COFPs were issued to people as a main penalty, an increase of 9 per cent from 21,638 in 2012-13.
- 3.10.8.** The increase was driven by a rise in penalties for:
- “**Other motor vehicle offences**” (including mobile phone offences and seatbelt offences) up 14 per cent to 7,305; and
 - An increase in **speeding offences** penalties, up 7 per cent to 7,454. This is in line with the operational practices of Police Scotland during 2013.
- 3.10.9.** The breakdown of COFPs in 2013-14 was as follows:
- Thirty-four per cent were for **speeding offences** (7,454 penalties);
 - Thirty-one per cent were for “**other motor vehicle offences**”, including mobile phone and seatbelt offences, totalling 7,305 penalties; and
 - Seventeen per cent were for **documentation offences** (such as using a vehicle without a test certificate, without a licence or failure to insure), totalling 4,071.
- 3.10.10.** In 2013-14, nearly four in every five (79 per cent or 18,478) of COFPs were issued to males and over half (54 per cent or 12,692) of all COFPs were issued to males aged over 30.

4. Bulletin Tables

Table 1 Summary of known action, 2004-05 to 2013-14

	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
Crimes and offences recorded by the police										
Crimes	438	418	419	386	377	338	323	314	273	270
Offences ¹	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	501
Crimes and offences cleared up by the police										
Crimes	195	191	199	185	185	167	157	155	140	139
Offences ¹	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	472
Police disposals										
Anti-social behaviour fixed penalty notices	n/a	n/a	n/a	n/a	48	61	54	54	55	55
Formal adult warnings	n/a	n/a	n/a	n/a	8	8	8	8	8	7
Crimes and offences dealt with by:										
Offence referrals to Reporter to Children's Panel ²	35	37	34	30	25	21	16	12	8	7
Procurator Fiscal action										
Total criminal reports received (COPFS cases)	309	320	316	307	285	276	266	276	281	294
Fiscal fines (CHS people) ^{3,4}	n/a	n/a	n/a	n/a	38	36	36	42	48	47
Fiscal fines (COPFS cases) ^{4,5}	23	18	21	19	37	34	33	41	46	47
Fiscal fixed penalties (CHS people) ³	n/a	n/a	n/a	n/a	18	19	20	21	22	23
Fiscal fixed penalties (COPFS cases) ⁵	10	10	14	15	20	18	20	21	22	24
Compensation orders (CHS people) ^{4,5}	n/a	n/a	n/a	n/a	2	2	2	1	1	1
Compensation orders (COPFS cases) ^{3,5}	n/a	n/a	n/a	n/a	2	2	2	1	1	1
Combined fiscal fines/compensation orders (CHS people) ^{3,4}	n/a	n/a	n/a	n/a	1	2	2	3	2	2
Combined fiscal fines/compensation orders (COPFS cases) ^{4,5}	n/a	n/a	n/a	n/a	1	2	2	3	2	2
Fiscal warnings (COPFS cases)	32	33	27	25	15	14	13	12	13	8
No action (COPFS cases)	61	49	44	44	32	30	29	32	35	28
Other non-court disposals ⁶	11	11	12	10	9	8	8	8	10	13
People proceeded against in court	144	142	149	149	141	136	131	125	117	122

1. Since 2013-14, not all offence categories are comparable with previous years data. Please see Annex 2 of the [Recorded Crime in Scotland, 2013-14](#) publication for further information.

2. Shows the number of offence referrals received by the Children's Reporter in each year. A referral may relate to more than one offence. Please note that the data definitions around this measure have been changed to exclude cases which are jointly referred to the Children's Reporter and the Procurator Fiscal, since these cases will be included in the Procurator Fiscal action totals. This change has been applied retrospectively to historical data

3. Number of people with main penalty as recorded on the Police Scotland's Criminal History System (CHS). The combined number of fiscal fines and fixed penalties is underestimated by around 2,700 in 2008-09 and 500 in 2009-10.

4. Figures relate to cases which were closed as offer paid/accepted/deemed accepted.

5. Number of cases of highest disposal as recorded on the Crown Office Procurator Fiscal Service (COPFS) information system.

6. Includes cases diverted from prosecution, e.g. to the Children's Reporter, cases transferred within COPFS and cases rolled up with other ongoing cases.

Table 2a People proceeded against in court by main crime/offence and outcome of court proceedings, 2013-14

Main crime or offence ¹	PNGA ^{2,3} or deserted ⁴	Acquitted not guilty	Acquitted not proven	Charge proved	Total
All crimes and offences	9,685	5,318	1,116	105,549	121,668
All crimes	4,582	1,716	472	36,158	42,928
Non-sexual crimes of violence	280	425	149	1,782	2,636
Homicide etc	2	10	7	90	109
Attempted murder and serious assault	151	326	113	1,029	1,619
Robbery	73	46	18	441	578
Other non-sexual crimes of violence	54	43	11	222	330
Sexual crimes	80	214	92	1,053	1,439
Rape and attempted rape	4	80	43	87	214
Sexual assault	22	81	34	235	372
Crimes associated with prostitution	9	6	1	169	185
Other sexual crimes	45	47	14	562	668
Crimes of dishonesty	1,704	324	48	12,546	14,622
Housebreaking	195	38	6	1,034	1,273
Theft by opening lockfast places	50	12	4	216	282
Theft from a motor vehicle	23	1	-	142	166
Theft of a motor vehicle	155	12	3	269	439
Shoplifting	504	35	-	6,517	7,056
Other theft	449	113	16	2,572	3,150
Fraud	103	34	7	681	825
Other dishonesty	225	79	12	1,115	1,431
Fire-raising, vandalism, etc.	352	146	22	2,500	3,020
Fire-raising	14	9	8	128	159
Vandalism etc.	338	137	14	2,372	2,861
Other crimes	2,166	607	161	18,277	21,211
Crimes against public justice	1,099	280	61	9,691	11,131
Handling offensive weapons	185	180	60	1,697	2,122
Drugs	873	145	39	6,713	7,770
Other crime	9	2	1	176	188
All offences	5,103	3,602	644	69,391	78,740
Miscellaneous offences	3,370	2,836	556	29,133	35,895
Common assault	1,540	1,669	319	11,203	14,731
Breach of the peace etc.	1,455	896	178	13,723	16,252
Drunkenness and other disorderly conduct	26	1	1	85	113
Urinating etc.	6	-	-	41	47
Other miscellaneous	343	270	58	4,081	4,752
Motor vehicle offences	1,733	766	88	40,258	42,845
Dangerous and careless driving	120	170	35	3,574	3,899
Driving under the influence	73	131	23	4,087	4,314
Speeding	106	47	3	14,117	14,273
Unlawful use of motor vehicle	879	76	4	8,507	9,466
Vehicle defect offences	118	10	1	1,610	1,739
Seat belt offences	52	13	-	2,537	2,602
Mobile phone offences	101	204	14	3,094	3,413
Other motor vehicle offences	284	115	8	2,732	3,139

1. Excludes people against whom proceedings are started but which are dropped before they reach court.

2. Plea of not guilty accepted.

3. Includes cases where proceedings are dropped after a person has been called to court, e.g. if witnesses cannot be traced.

4. Deserted simpliciter i.e. trial is permanently abandoned by the Procurator Fiscal

Table 2b People proceeded against in court by main crime/offence and percentage outcome of court proceedings, 2013-14

Main crime or offence ¹	PNGA ^{2,3} or deserted ⁴	Acquitted not guilty	Acquitted not proven	Charge proved	Total	Row per cent
						Not proven as % of all acquitted
All crimes and offences	8	4	1	87	100	17
All crimes	11	4	1	84	100	22
Non-sexual crimes of violence	11	16	6	68	100	26
Homicide etc	2	9	6	83	100	41
Attempted murder and serious assault	9	20	7	64	100	26
Robbery	13	8	3	76	100	28
Other non-sexual crimes of violence	16	13	3	67	100	20
Sexual crimes	6	15	6	73	100	30
Rape and attempted rape	2	37	20	41	100	35
Sexual assault	6	22	9	63	100	30
Crimes associated with prostitution	5	3	1	91	100	14
Other sexual crimes	7	7	2	84	100	23
Crimes of dishonesty	12	2	*	86	100	13
Housebreaking	15	3	*	81	100	14
Theft by opening lockfast places	18	4	1	77	100	25
Theft from a motor vehicle	14	1	-	86	100	-
Theft of a motor vehicle	35	3	1	61	100	20
Shoplifting	7	*	-	92	100	-
Other theft	14	4	1	82	100	12
Fraud	12	4	1	83	100	17
Other dishonesty	16	6	1	78	100	13
Fire-raising, vandalism, etc.	12	5	1	83	100	13
Fire-raising	9	6	5	81	100	47
Vandalism etc.	12	5	*	83	100	9
Other crimes	10	3	1	86	100	21
Crimes against public justice	10	3	1	87	100	18
Handling offensive weapons	9	8	3	80	100	25
Drugs	11	2	1	86	100	21
Other crime	5	1	1	94	100	33
All offences	6	5	1	88	100	15
Miscellaneous offences	9	8	2	81	100	16
Common assault	10	11	2	76	100	16
Breach of the peace etc.	9	6	1	84	100	17
Drunkenness and other disorderly conduct	23	1	1	75	100	50
Urinating etc.	13	-	-	87	100	-
Other miscellaneous	7	6	1	86	100	18
Motor vehicle offences	4	2	*	94	100	10
Dangerous and careless driving	3	4	1	92	100	17
Driving under the influence	2	3	1	95	100	15
Speeding	1	*	*	99	100	6
Unlawful use of motor vehicle	9	1	*	90	100	5
Vehicle defect offences	7	1	*	93	100	9
Seat belt offences	2	*	-	98	100	-
Mobile phone offences	3	6	*	91	100	-
Other motor vehicle offences	9	4	*	87	100	-

1. Excludes people against whom proceedings are started but which are dropped before they reach court.

2. Plea of not guilty accepted.

3. Includes cases where proceedings are dropped after a person has been called to court, e.g. if witnesses cannot be traced.

4. Deserted simpliciter i.e. trial is permanently abandoned by the Procurator Fiscal

Table 3 People with a charge proved by type of court, 2004-05 to 2013-14

Type of court	Number									
	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
All court types¹	129,733	128,204	134,413	133,608	125,895	121,042	115,576	108,388	101,013	105,549
High court ^{2,3}	974	885	908	861	810	771	702	732	703	661
Sheriff solemn	3,670	3,967	4,682	5,195	4,532	4,222	4,020	4,138	4,303	4,228
Sheriff summary	77,196	75,989	80,503	79,981	73,898	65,585	61,573	60,677	56,239	55,347
Justice of the Peace court ^{4,5}	47,891	47,358	48,319	47,569	46,632	50,448	49,281	42,841	39,768	45,313

Type of court	Per cent									
	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
All court types¹	100	100	100	100	100	100	100	100	100	100
High court ^{2,3}	1	1	1	1	1	1	1	1	1	1
Sheriff solemn	3	3	3	4	4	3	3	4	4	4
Sheriff summary	60	59	60	60	59	54	53	56	56	52
Justice of the Peace court ^{4,5}	37	37	36	36	37	42	43	40	39	43

Type of court	Index: 2004-05=100									
	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
All court types¹	100	99	104	103	97	93	89	84	78	81
High court ^{2,3}	100	91	93	88	83	79	72	75	72	68
Sheriff solemn	100	108	128	142	123	115	110	113	117	115
Sheriff summary	100	98	104	104	96	85	80	79	73	72
Justice of the Peace court ^{4,5}	100	99	101	99	97	105	103	89	83	95

1. Includes court type unknown.

2. Includes cases remitted to the High court from the Sheriff court.

3. The figures for 2013-14, and to an extent earlier years, may be underestimates due to late recording of high court disposals. See Annex notes B17 to B20.

4. Includes the stipendiary magistrates court in Glasgow.

5. Includes District courts up to 2009-10 - more details in annex E.9-12.

Table 4(a) People with a charge proved by main crime/offence, 2004-05 to 2013-14

Main crime or offence	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14 ¹	% change 2012-13 to 2013-14	All offences proved, 2013-14 ²
All crimes and offences	129,733	128,204	134,413	133,608	125,895	121,042	115,576	108,388	101,013	105,549	4	138,722
All crimes	46,219	44,882	48,798	48,640	46,805	43,570	42,301	40,651	36,996	36,158	-2	47,764
Non-sexual crimes of violence	2,429	2,459	2,461	2,749	2,658	2,462	2,539	2,438	2,136	1,782	-17	1,961
Homicide etc	143	111	121	136	116	118	117	111	113	90	-20	92
Attempted murder and serious assault	1,376	1,561	1,496	1,731	1,709	1,511	1,418	1,352	1,283	1,029	-20	1,087
Robbery	610	512	529	548	562	532	526	596	517	441	-15	526
Other non-sexual crimes of violence	300	275	315	334	271	301	478	379	223	222	0	256
Sexual crimes	839	864	855	727	915	831	756	784	864	1,053	22	1,769
Rape and attempted rape	70	61	60	49	42	57	36	49	77	87	13	148
Sexual assault	197	185	184	145	182	158	160	151	204	235	15	528
Crimes associated with prostitution	229	292	306	254	335	250	245	200	142	169	19	176
Other sexual crimes	343	326	305	279	366	366	315	384	441	562	27	917
Crimes of dishonesty	19,610	17,997	18,381	17,728	17,429	15,951	15,614	14,772	13,250	12,546	-5	16,436
Housebreaking	2,372	2,074	2,025	1,867	1,860	1,604	1,540	1,498	1,365	1,034	-24	1,303
Theft by opening lockfast places	458	366	398	389	349	312	284	291	247	216	-13	306
Theft from a motor vehicle	649	489	408	447	387	297	270	250	200	142	-29	229
Theft of a motor vehicle	942	847	851	776	733	572	484	450	373	269	-28	583
Shoplifting	8,427	8,162	8,548	8,457	8,287	8,098	7,853	7,267	6,500	6,517	0	8,071
Other theft	3,668	3,289	3,430	3,260	3,113	2,768	2,871	2,961	2,720	2,572	-5	3,248
Fraud	1,537	1,457	1,355	1,337	1,438	1,142	1,065	811	624	681	9	1,252
Other dishonesty	1,557	1,313	1,366	1,195	1,262	1,158	1,247	1,244	1,221	1,115	-9	1,444
Fire-raising, vandalism, etc.	5,028	5,000	5,438	5,392	4,375	3,836	3,362	3,016	2,584	2,500	-3	3,145
Fire-raising	192	192	251	224	244	190	159	146	134	128	-4	160
Vandalism etc.	4,836	4,808	5,187	5,168	4,131	3,646	3,203	2,870	2,450	2,372	-3	2,985
Other crimes	18,313	18,562	21,663	22,044	21,428	20,490	20,030	19,641	18,162	18,277	1	24,453
Crimes against public justice	7,280	7,347	9,018	9,825	10,349	9,744	9,821	10,169	9,767	9,691	-1	13,465
Handling offensive weapons	3,447	3,500	3,550	3,422	3,539	2,863	2,465	2,278	1,734	1,697	-2	2,027
Drugs	7,555	7,606	8,892	8,529	7,302	7,694	7,525	6,981	6,449	6,713	4	8,753
Other crime	31	109	203	268	238	189	219	213	212	176	-17	208
All offences	83,514	83,322	85,615	84,968	79,090	77,472	73,275	67,737	64,017	69,391	8	90,958
Miscellaneous offences	35,957	38,083	40,501	39,612	34,159	31,491	29,168	29,453	28,564	29,133	2	40,695
Common assault	12,138	12,919	13,717	13,834	13,647	12,968	12,600	12,757	11,649	11,203	-4	14,999
Breach of the peace etc.	16,172	16,894	18,104	17,494	16,004	14,077	12,113	12,544	12,961	13,723	6	19,747
Drunkenness and other disorderly conduct	311	293	261	235	129	146	160	124	102	85	-17	186
Urinating etc.	257	345	473	514	81	47	43	20	32	41	28	92
Other miscellaneous	7,079	7,632	7,946	7,535	4,298	4,253	4,252	4,008	3,820	4,081	7	5,671
Motor vehicle offences	47,557	45,239	45,114	45,356	44,931	45,981	44,107	38,284	35,453	40,258	14	50,263
Dangerous and careless driving	3,774	3,620	3,774	3,967	3,696	3,405	3,167	2,858	2,811	3,574	27	3,956
Driving under the influence	7,997	7,970	8,066	7,820	7,222	6,232	5,351	5,287	4,735	4,087	-14	4,537
Speeding	13,512	12,252	13,395	14,156	13,589	14,357	12,955	12,381	12,034	14,117	17	14,422
Unlawful use of motor vehicle	16,592	14,703	13,450	13,609	12,741	12,175	11,053	9,002	7,855	8,507	8	14,068
Vehicle defect offences	1,786	1,652	1,707	1,414	1,483	1,662	1,723	1,504	1,243	1,610	30	2,781
Seat belt offences	978	1,234	1,211	1,010	1,257	2,199	2,673	1,982	2,052	2,537	24	2,744
Mobile phone offences	251	631	814	1,197	2,266	2,856	3,603	2,641	2,663	3,094	16	3,314
Other motor vehicle offences	2,667	3,177	2,697	2,183	2,677	3,095	3,582	2,629	2,060	2,732	33	4,441

1. Figures for some categories dealt with by the High Court - including homicide, rape and major drug cases - may be underestimated due to late recording of disposals - see Annex notes B17 to B20.

2. Number of individual offences relating to people with a charge proved, whether or not the main crime/offence involved. Breaches of social work orders are not counted as individual offences.

Table 4(b) People with a charge proved by main crime/offence, 2004-05 to 2013-14

Index: 2004-05=100

Main crime or offence	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14 ¹
All crimes and offences	100	99	104	103	97	93	89	84	78	81
All crimes	100	97	106	105	101	94	92	88	80	78
Non-sexual crimes of violence	100	101	101	113	109	101	105	100	88	73
Homicide etc	100	78	85	95	81	83	82	78	79	63
Attempted murder and serious assault	100	113	109	126	124	110	103	98	93	75
Robbery	100	84	87	90	92	87	86	98	85	72
Other non-sexual crimes of violence	100	92	105	111	90	100	159	126	74	74
Sexual crimes	100	103	102	87	109	99	90	93	103	126
Rape and attempted rape	100	87	86	70	60	81	51	70	110	124
Sexual assault	100	94	93	74	92	80	81	77	104	119
Crimes associated with prostitution	100	128	134	111	146	109	107	87	62	74
Other sexual crimes	100	95	89	81	104	107	92	112	129	164
Crimes of dishonesty	100	92	94	90	89	81	80	75	68	64
Housebreaking	100	87	85	79	78	68	65	63	58	44
Theft by opening lockfast places	100	80	87	85	76	68	62	64	54	47
Theft from a motor vehicle	100	75	63	69	60	46	42	39	31	22
Theft of a motor vehicle	100	90	90	82	78	61	51	48	40	29
Shoplifting	100	97	101	100	98	96	93	86	77	77
Other theft	100	90	94	89	85	75	78	81	74	70
Fraud	100	95	88	87	94	74	69	53	41	44
Other dishonesty	100	84	88	77	81	74	80	80	78	72
Fire-raising, vandalism, etc.	100	99	108	107	87	76	67	60	51	50
Fire-raising	100	100	131	117	127	99	83	76	70	67
Vandalism etc.	100	99	107	107	85	75	66	59	51	49
Other crimes	100	101	118	120	117	112	109	107	99	100
Crimes against public justice	100	101	124	135	142	134	135	140	134	133
Handling offensive weapons	100	102	103	99	103	83	72	66	50	49
Drugs	100	101	118	113	97	102	100	92	85	89
Other crime	100	352	655	865	768	610	706	687	684	568
All offences	100	100	103	102	95	93	88	81	77	83
Miscellaneous offences	100	106	113	110	95	88	81	82	79	81
Common assault	100	106	113	114	112	107	104	105	96	92
Breach of the peace etc.	100	104	112	108	99	87	75	78	80	85
Drunkenness and other disorderly conduct	100	94	84	76	41	47	51	40	33	27
Urinating etc.	100	134	184	200	32	18	17	8	12	16
Other miscellaneous	100	108	112	106	61	60	60	57	54	58
Motor vehicle offences	100	95	95	95	94	97	93	81	75	85
Dangerous and careless driving	100	96	100	105	98	90	84	76	74	95
Driving under the influence	100	100	101	98	90	78	67	66	59	51
Speeding	100	91	99	105	101	106	96	92	89	104
Unlawful use of motor vehicle	100	89	81	82	77	73	67	54	47	51
Vehicle defect offences	100	92	96	79	83	93	96	84	70	90
Seat belt offences	100	126	124	103	129	225	273	203	210	259
Mobile phone offences	100	251	324	477	903	1,138	1,435	1,052	1,061	1,233
Other motor vehicle offences	100	119	101	82	100	116	134	99	77	102

1. Figures for some categories dealt with by the High Court - including homicide, rape and major drug cases - may be underestimated slightly due to late recording of disposals - see Annex notes B17 to B20

Table 5 Numbers of people with a charge proved per 1,000 population by gender and age, 2004-05 to 2013-14

Type of accused ¹	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
All People^{2,3}										
Total⁴	31	31	32	32	30	29	28	25	24	25
Under 16 ⁵	*	*	*	*	*	*	*	*	*	*
16	32	38	38	33	29	22	17	15	11	8
17	80	83	93	86	70	57	47	38	30	25
18	98	100	107	104	86	70	62	52	42	37
19	96	95	99	99	83	71	65	55	46	43
20	90	88	93	92	79	73	65	56	47	46
21-25	83	79	81	80	71	67	60	56	51	49
26-30	69	67	67	67	65	60	57	54	51	52
31-40	42	42	44	43	44	44	44	41	40	42
Over 40 ⁶	13	13	13	13	13	14	14	13	13	15
Male										
Total⁴	54	53	56	55	52	49	47	43	40	42
Under 16 ⁵	*	1	*	1	*	*	*	*	*	*
16	55	66	67	58	49	38	30	26	19	14
17	139	143	160	148	120	96	81	64	50	42
18	170	174	184	178	149	120	104	91	71	63
19	169	167	171	167	142	123	112	95	81	74
20	155	154	162	159	133	125	110	97	80	79
21-25	139	133	138	135	120	112	101	97	87	85
26-30	116	110	112	112	107	98	93	91	86	88
31-40	71	71	74	74	75	75	74	69	67	71
Over 40 ⁶	22	22	23	23	23	23	24	22	22	25
Female										
Total⁴	10	10	10	10	9	9	9	8	8	8
Under 16 ⁵	*	*	*	*	*	*	*	*	*	*
16	6	8	7	7	7	5	4	3	3	2
17	17	20	21	20	17	16	11	10	8	7
18	21	22	26	25	20	18	18	13	11	10
19	22	20	23	26	21	17	16	15	12	12
20	24	20	22	23	21	19	18	15	14	13
21-25	26	24	24	23	21	20	18	16	15	14
26-30	23	23	22	22	22	21	19	18	17	17
31-40	15	15	15	15	14	15	15	14	13	15
Over 40 ⁶	4	4	4	4	4	5	4	4	4	5

1. A person who had a charge proved more than once within an individual year will be counted more than once .
2. Figures in the table are calculated as ratios per 1,000 overall Scottish population.
3. Includes sex not known; excludes companies.
4. Includes age not known; uses mid-year population estimate for those aged 8-70.
5. Uses mid-year population estimate for those aged 8-15.
6. Uses mid-year population estimate for those aged 41-70.

Table 6(a) Males¹ with a charge proved by main crime/offence and age, 2013-14

Main crime or offence	(Number)				(Per cent)			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
All crimes and offences	9,182	30,679	48,035	87,896	100	100	100	100
All crimes	4,208	11,243	15,055	30,506	46	37	31	35
Non-sexual crimes of violence	296	721	541	1,558	3	2	1	2
Homicide etc	3	30	49	82	*	*	*	*
Attempted murder and serious assault	188	453	301	942	2	1	1	1
Robbery	96	185	116	397	1	1	*	*
Other non-sexual crimes of violence	9	53	75	137	*	*	*	*
Sexual crimes	97	209	618	924	1	1	1	1
Rape and attempted rape	14	25	48	87	*	*	*	*
Sexual assault	18	41	175	234	*	*	*	*
Crimes associated with prostitution	-	8	50	58	-	*	*	*
Other sexual crimes	65	135	345	545	1	*	1	1
Crimes of dishonesty	977	3,275	5,597	9,849	11	11	12	11
Housebreaking	187	346	468	1,001	2	1	1	1
Theft by opening lockfast places	39	63	105	207	*	*	*	*
Theft from a motor vehicle	15	56	68	139	*	*	*	*
Theft of a motor vehicle	77	105	63	245	1	*	*	*
Shoplifting	239	1,419	3,054	4,712	3	5	6	5
Other theft	274	781	1,077	2,132	3	3	2	2
Fraud	28	173	258	459	*	1	1	1
Other dishonesty	118	332	504	954	1	1	1	1
Fire-raising, vandalism, etc.	554	956	715	2,225	6	3	1	3
Fire-raising	36	34	35	105	*	*	*	*
Vandalism etc.	518	922	680	2,120	6	3	1	2
Other crimes	2,284	6,082	7,584	15,950	25	20	16	18
Crimes against public justice	1,367	3,083	3,824	8,274	15	10	8	9
Handling offensive weapons	319	604	648	1,571	3	2	1	2
Drugs	580	2,362	3,038	5,980	6	8	6	7
Other crime	18	33	74	125	*	*	*	*
All offences	4,974	19,436	32,980	57,390	54	63	69	65
Miscellaneous offences	3,073	8,856	11,993	23,922	33	29	25	27
Common assault	1,377	3,509	4,039	8,925	15	11	8	10
Breach of the peace etc.	1,419	4,392	6,036	11,847	15	14	13	13
Drunkenness and other disorderly conduct	5	26	41	72	*	*	*	*
Urinating etc.	3	15	22	40	*	*	*	*
Other miscellaneous	269	914	1,855	3,038	3	3	4	3
Motor vehicle offences	1,901	10,580	20,987	33,468	21	34	44	38
Dangerous and careless driving	359	931	1,669	2,959	4	3	3	3
Driving under the influence	214	1,049	2,024	3,287	2	3	4	4
Speeding	414	3,300	8,259	11,973	5	11	17	14
Unlawful use of motor vehicle	560	2,390	3,823	6,773	6	8	8	8
Vehicle defect offences	98	499	802	1,399	1	2	2	2
Seat belt offences	114	926	1,244	2,284	1	3	3	3
Mobile phone offences	43	873	1,662	2,578	*	3	3	3
Other motor vehicle offences	99	612	1,504	2,215	1	2	3	3

1. Excludes companies and gender not known.

Table 6(b) Females¹ with a charge proved by main crime/offence and age, 2013-14

Main crime or offence	(Number)				(Per cent)			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
All crimes and offences	1,431	5,647	10,490	17,568	100	100	100	100
All crimes	514	2,005	3,132	5,651	36	36	30	32
Non-sexual crimes of violence	27	96	101	224	2	2	1	1
Homicide etc	-	4	4	8	-	*	*	*
Attempted murder and serious assault	14	30	43	87	1	1	*	*
Robbery	10	19	15	44	1	*	*	*
Other non-sexual crimes of violence	3	43	39	85	*	1	*	*
Sexual crimes	2	38	89	129	*	1	1	1
Rape and attempted rape	-	-	-	-	-	-	-	-
Sexual assault	-	1	-	1	-	*	-	*
Crimes associated with prostitution	1	30	80	111	*	1	1	1
Other sexual crimes	1	7	9	17	*	*	*	*
Crimes of dishonesty	139	963	1,594	2,696	10	17	15	15
Housebreaking	3	14	16	33	*	*	*	*
Theft by opening lockfast places	-	3	6	9	-	*	*	*
Theft from a motor vehicle	-	2	1	3	-	*	*	*
Theft of a motor vehicle	5	8	11	24	*	*	*	*
Shoplifting	71	647	1,087	1,805	5	11	10	10
Other theft	39	166	235	440	3	3	2	3
Fraud	14	69	139	222	1	1	1	1
Other dishonesty	7	54	99	160	*	1	1	1
Fire-raising, vandalism, etc.	41	104	130	275	3	2	1	2
Fire-raising	6	3	14	23	*	*	*	*
Vandalism etc.	35	101	116	252	2	2	1	1
Other crimes	305	804	1,218	2,327	21	14	12	13
Crimes against public justice	253	498	666	1,417	18	9	6	8
Handling offensive weapons	26	47	53	126	2	1	1	1
Drugs	17	241	475	733	1	4	5	4
Other crime	9	18	24	51	1	*	*	*
All offences	917	3,642	7,358	11,917	64	64	70	68
Miscellaneous offences	646	1,719	2,802	5,167	45	30	27	29
Common assault	376	823	1,079	2,278	26	15	10	13
Breach of the peace etc.	200	653	1,023	1,876	14	12	10	11
Drunkenness and other disorderly conduct	1	2	10	13	*	*	*	*
Urinating etc.	-	1	-	1	-	*	-	*
Other miscellaneous	69	240	690	999	5	4	7	6
Motor vehicle offences	271	1,923	4,556	6,750	19	34	43	38
Dangerous and careless driving	47	147	421	615	3	3	4	4
Driving under the influence	33	184	583	800	2	3	6	5
Speeding	73	606	1,465	2,144	5	11	14	12
Unlawful use of motor vehicle	65	503	1,161	1,729	5	9	11	10
Vehicle defect offences	9	59	112	180	1	1	1	1
Seat belt offences	16	102	135	253	1	2	1	1
Mobile phone offences	11	182	323	516	1	3	3	3
Other motor vehicle offences	17	140	356	513	1	2	3	3

1. Excludes companies and gender not known.

Table 7 People with a charge proved by main penalty, 2004-05 to 2013-14

Main penalty	Number										% change 2012-13 to 2013-14
	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	
Total¹	129,733	128,204	134,413	133,608	125,895	121,042	115,576	108,388	101,013	105,549	4
Custody	15,011	15,082	16,758	16,761	16,944	15,801	15,314	15,921	14,783	14,101	-5
Prison	12,306	12,155	13,489	13,593	13,905	13,017	13,121	13,703	13,066	12,768	-2
Young offenders institution	2,685	2,903	3,245	3,142	3,017	2,753	2,168	2,202	1,690	1,311	-22
Other custody	20	24	24	26	21	22	12	6	10	5	-50
Order for life-long restriction	-	-	-	-	1	9	13	10	17	17	-
Community sentence	15,316	15,973	16,077	16,709	17,922	16,350	15,617	16,934	17,264	18,231	6
Community payback order	-	-	-	-	-	-	461	10,380	14,940	16,317	9
Community service order	4,850	5,183	5,286	5,601	5,784	5,471	5,308	2,642	479	141	-71
Probation	8,623	8,785	8,614	9,002	9,912	8,893	7,935	2,305	293	82	-72
Restriction of liberty order	1,097	1,136	1,179	1,155	1,143	931	831	845	919	1,074	17
Drug treatment & testing order	713	758	865	822	885	808	806	642	608	610	0
Supervised attendance order ²	33	99	112	129	198	247	276	120	25	7	-72
Community reparation order	-	11	15	-	-	-	-	-	-	-	-
Anti-social behaviour order	-	1	6	-	-	-	-	-	-	-	-
Financial penalty	84,932	82,194	84,820	83,345	73,993	72,491	67,575	59,320	53,429	57,812	8
Fine	83,237	80,723	83,445	82,020	72,840	71,452	66,491	58,395	52,661	56,938	8
Compensation order	1,695	1,471	1,375	1,325	1,153	1,039	1,084	925	768	874	14
Other sentence¹	14,474	14,955	16,758	16,793	17,036	16,400	17,070	16,213	15,537	15,405	-1
Insanity, hospital, guardianship order	95	115	65	20	16	15	19	24	32	19	-41
Admonition ³	13,744	14,175	15,967	16,084	16,399	15,687	16,421	15,577	15,011	14,834	-1
Absolute discharge, no order made	403	401	413	430	412	523	460	472	361	458	27
Remit to children's hearing	221	260	313	259	209	175	170	140	133	94	-29
Average amount of penalty⁴											
Custody (days) ⁵	238	229	232	248	263	284	278	287	284	292	
Fine ^{6,7} (£)	217	211	213	219	229	217	215	241	245	224	
Compensation order ^{7,8} (£)	247	282	335	322	378	394	391	426	439	442	

1. Includes a small number of sentences unknown for the years 2004-05 and 2005-06. 2. Of first instance. 3. Includes a small number of court cautions and dog-related disposals. 4. Excludes indeterminate/not known sentences. 5. Figures for 2013-14 may be underestimates due to delayed reporting. 6. Excludes company fines. 7. Excludes a small number of large fines. 8. As main or secondary penalty.

Main penalty	Percentage									
	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
Total	12	12	12	13	13	13	13	15	15	13
Custody	12	12	12	13	13	13	13	15	15	13
Prison	9	9	10	10	11	11	11	13	13	12
Young offenders institution	2	2	2	2	2	2	2	2	2	1
Other custody	*	*	*	*	*	*	*	*	*	*
Order for life-long restriction	-	-	-	-	*	*	*	*	*	*
Community sentence	12	12	12	13	14	14	14	16	17	17
Community payback order	-	-	-	-	-	-	*	10	15	15
Community service order	4	4	4	4	5	5	5	2	*	*
Probation	7	7	6	7	8	7	7	2	*	*
Restriction of liberty order	1	1	1	1	1	1	1	1	1	1
Drug treatment & testing order	1	1	1	1	1	1	1	1	1	1
Supervised attendance order	*	*	*	*	*	*	*	*	*	*
Financial penalty	65	64	63	62	59	60	58	55	53	55
Fine	64	63	62	61	58	59	58	54	52	54
Compensation order	1	1	1	1	1	1	1	1	1	1
Other sentence	11	12	12	13	14	14	15	15	15	15
Insanity, hospital, guardianship order	*	*	*	*	*	*	*	*	*	*
Admonition	11	11	12	12	13	13	14	14	15	14
Absolute discharge, no order made	*	*	*	*	*	*	*	*	*	*
Remit to children's hearing	*	*	*	*	*	*	*	*	*	*

Table 8(a) People with a charge proved by main crime/offence and main penalty, 2013-14

Main crime or offence	Young offenders		Other custody	Order for lifelong restriction	Community payback order	Community service order	Probation	Restriction of liberty order	Drug treatment & testing order	Supervised attendance order ¹	Fine	Compensation order	Insanity, hospital, guardianship order	Admonition	Absolute discharge/ no order	Remit to children's hearing	Total ²
	Prison	Institution															
All crimes and offences	12,768	1,311	5	17	16,317	141	82	1,074	610	7	56,938	874	19	14,834	458	94	105,549
All crimes	8,719	874	5	17	8,112	41	61	663	547	4	9,434	529	12	6,965	124	51	36,158
Non-sexual crimes of violence	902	162	3	11	448	4	2	45	18	-	93	18	3	64	5	4	1,782
Homicide etc	77	2	-	-	8	-	-	1	-	-	-	-	1	1	-	-	90
Attempted murder and serious assault	507	95	3	7	287	2	-	33	5	-	62	15	2	10	-	1	1,029
Robbery	267	62	-	3	72	1	1	7	10	-	6	3	-	4	2	3	441
Other non-sexual crimes of violence	51	3	-	1	81	1	1	4	3	-	25	-	-	49	3	-	222
Sexual Crimes	334	18	1	5	383	1	43	10	1	-	130	2	5	109	8	3	1,053
Rape and attempted rape	68	8	-	4	5	-	-	-	-	-	-	-	-	-	1	1	87
Sexual assault	100	6	1	-	91	-	14	4	-	-	10	2	3	2	1	1	235
Crimes associated with prostitution	5	-	-	-	10	-	-	-	-	-	62	-	-	91	1	-	169
Other sexual crimes	161	4	-	1	277	1	29	6	1	-	58	-	2	16	5	1	562
Crimes of dishonesty	3,781	215	-	-	2,637	33	9	208	362	-	2,531	223	-	2,509	22	16	12,546
Housebreaking	506	64	-	-	233	2	-	35	52	-	51	13	-	73	2	3	1,034
Theft by opening lockfast places	77	13	-	-	41	1	-	7	8	-	33	7	-	28	-	1	216
Theft from a motor vehicle	52	4	-	-	32	-	-	5	9	-	13	7	-	20	-	-	142
Theft of a motor vehicle	62	6	-	-	103	1	-	12	2	-	55	1	-	25	-	2	269
Shoplifting	1,853	59	-	-	1,105	-	-	58	201	-	1,457	59	-	1,715	6	4	6,517
Other theft	720	49	-	-	627	2	1	45	50	-	567	86	-	411	9	5	2,572
Fraud	151	9	-	-	182	16	7	18	5	-	168	42	-	80	3	-	681
Other dishonesty	360	11	-	-	314	11	1	28	35	-	187	8	-	157	2	1	1,115
Fire-raising, vandalism, etc.	307	65	1	-	641	1	3	47	9	-	761	279	-	363	16	7	2,500
Fire-raising	32	15	1	-	56	-	-	7	2	-	5	-	-	6	3	1	128
Vandalism etc.	275	50	-	-	585	1	3	40	7	-	756	279	-	357	13	6	2,372
Other crimes	3,395	414	-	1	4,003	2	4	353	157	4	5,919	7	4	3,920	73	21	18,277
Crimes against public justice	1,763	281	-	1	2,186	-	2	200	36	2	2,397	6	2	2,758	40	17	9,691
Handling offensive weapons	553	96	-	-	567	1	-	63	19	-	209	1	1	178	5	4	1,697
Drugs	1,024	32	-	-	1,198	1	2	85	102	2	3,287	-	-	952	28	-	6,713
Other crime	55	5	-	-	52	-	-	5	-	-	26	-	1	32	-	-	176
All offences	4,049	437	-	-	8,205	100	21	411	63	3	47,504	345	7	7,869	334	43	69,391
Miscellaneous offences	3,710	417	-	-	7,199	97	19	348	59	1	9,763	324	7	6,860	286	43	29,133
Common assault	1,598	215	-	-	3,194	8	5	173	24	-	3,431	202	2	2,210	123	18	11,203
Breach of the peace etc.	1,703	172	-	-	3,123	1	1	127	31	-	4,617	79	5	3,720	127	17	13,723
Drunkenness and other disorderly conduct	1	-	-	-	5	-	-	-	-	-	47	-	-	31	1	-	85
Other miscellaneous, including urinating	408	30	-	-	877	88	13	48	4	1	1,668	43	-	899	35	8	4,122
Motor vehicle offences	339	20	-	-	1,006	3	2	63	4	2	37,741	21	-	1,009	48	-	40,258
Dangerous and careless driving	70	14	-	-	177	1	-	14	-	-	3,221	3	-	68	6	-	3,574
Driving under the influence	73	-	-	-	541	2	1	24	2	1	3,410	-	-	33	-	-	4,087
Speeding	-	-	-	-	6	-	-	-	-	-	14,049	-	-	59	3	-	14,117
Unlawful use of motor vehicle	189	6	-	-	267	-	1	19	2	1	7,371	18	-	600	33	-	8,507
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-	1,515	-	-	92	3	-	1,610
Other motor vehicle offences	7	-	-	-	15	-	-	6	-	-	8,175	-	-	157	3	-	8,363

1. Of first instance

2. Includes a small number of charges where the main penalty is not known.

Table 8(b) People with a charge proved by main crime/offence and main penalty, 2013-14

Main crime or offence	Row percentages					Column percentages				
	Custody	Community sentence	Monetary	Other	Total	Custody	Community sentence	Monetary	Other	Total
All crimes and offences	13	17	55	15	100	100	100	100	100	100
All crimes	27	26	28	20	100	68	52	17	46	34
Non-sexual crimes of violence	60	29	6	4	100	8	3	*	*	2
Homicide etc	88	10	-	2	100	-	-	-	-	-
Attempted murder and serious assault	59	32	7	1	100	4	2	*	*	1
Robbery	75	21	2	2	100	2	*	*	*	*
Other non-sexual crimes of violence	25	41	11	23	100	*	*	*	*	*
Sexual crimes	34	42	13	12	100	3	2	*	1	1
Rape and attempted rape	92	6	-	2	100	1	*	-	*	*
Sexual assault	46	46	5	3	100	1	1	*	*	*
Crimes associated with prostitution	3	6	37	54	100	*	*	*	1	*
Other sexual crimes	30	56	10	4	100	1	2	*	*	1
Crimes of dishonesty	32	26	22	20	100	28	18	5	17	12
Housebreaking	55	31	6	8	100	4	2	*	1	1
Theft by opening lockfast places	42	26	19	13	100	1	*	*	*	*
Theft from a motor vehicle	39	32	14	14	100	*	*	*	*	*
Theft of a motor vehicle	25	44	21	10	100	*	1	*	*	*
Shoplifting	29	21	23	26	100	14	7	3	11	6
Other theft	30	28	25	17	100	5	4	1	3	2
Fraud	23	33	31	12	100	1	1	*	1	1
Other dishonesty	33	35	17	14	100	3	2	*	1	1
Fire-raising, vandalism, etc.	15	28	42	15	100	3	4	2	3	2
Fire-raising	38	51	4	8	100	*	*	*	*	*
Vandalism etc.	14	27	44	16	100	2	3	2	2	2
Other crimes	21	25	32	22	100	27	25	10	26	17
Crimes against public justice	21	25	25	29	100	15	13	4	18	9
Handling offensive weapons	38	38	12	11	100	5	4	*	1	2
Drugs	16	21	49	15	100	7	8	6	6	6
Other crime	34	32	15	19	100	*	*	*	*	*
All offences	6	13	69	12	100	32	48	83	54	66
Miscellaneous offences	14	27	35	25	100	29	42	17	47	28
Common assault	16	30	32	21	100	13	19	6	15	11
Breach of the peace etc.	14	24	34	28	100	13	18	8	25	13
Drunkenness and other disorderly conduct	1	6	55	38	100	*	*	*	*	*
Other miscellaneous, including urinating	11	25	42	23	100	3	6	3	6	4
Motor vehicle offences	1	3	94	3	100	3	6	65	7	38
Dangerous and careless driving	2	5	90	2	100	1	1	6	*	3
Driving under the influence	2	14	83	1	100	1	3	6	*	4
Speeding	-	*	100	*	100	-	*	24	*	13
Unlawful use of motor vehicle	2	3	87	7	100	1	2	13	4	8
Vehicle defect offences	-	-	94	6	100	-	-	3	1	2
Other motor vehicle offences	*	*	98	2	100	*	*	14	1	8

Table 8(c) People with a charge proved by gender, main crime/offence and main penalty, 2013-14

Main crime or offence	Male					Female				
	Total ¹	(percentages)				Total ¹	(percentages)			
		Community					Community			
		Custody	sentence	Monetary	Other		Custody	sentence	Monetary	Other
All crimes and offences	87,896	15	17	55	13	17,568	7	17	53	23
All crimes	30,506	29	26	28	17	5,651	15	28	25	33
Non-sexual crimes of violence	1,558	65	26	7	3	224	30	51	4	16
Homicide etc	82	89	9	-	2	8	75	25	-	-
Attempted murder and serious assault	942	61	30	8	1	87	41	55	1	2
Robbery	397	79	17	2	2	44	45	50	2	2
Other non-sexual crimes of violence	137	36	35	14	15	85	6	49	7	38
Sexual crimes	924	39	46	11	4	129	2	12	22	65
Rape and attempted rape	87	92	6	-	2	-	-	-	-	-
Sexual assault	234	46	46	5	3	1	-	100	-	-
Crimes associated with prostitution	58	5	3	71	21	111	2	7	19	72
Other sexual crimes	545	30	57	9	4	17	-	35	41	24
Crimes of dishonesty	9,849	36	26	21	17	2,696	17	27	25	31
Housebreaking	1,001	56	31	6	7	33	30	33	6	30
Theft by opening lockfast places	207	42	26	18	14	9	33	33	22	11
Theft from a motor vehicle	139	40	32	14	14	3	33	33	-	33
Theft of a motor vehicle	245	27	44	20	9	24	8	42	29	21
Shoplifting	4,712	34	21	23	23	1,805	18	22	25	36
Other theft	2,132	33	28	25	15	440	14	31	29	26
Fraud	459	26	30	32	11	222	18	40	27	14
Other dishonesty	954	35	33	17	15	160	22	46	21	12
Fire-raising, vandalism, etc.	2,225	16	28	42	13	275	6	25	38	31
Fire-raising	105	39	51	4	6	23	30	48	4	17
Vandalism etc.	2,120	15	27	44	14	252	4	23	41	33
Other crimes	15,950	22	24	34	20	2,327	12	27	25	36
Crimes against public justice	8,274	23	25	26	27	1,417	11	26	20	43
Handling offensive weapons	1,571	39	38	13	10	126	23	41	9	27
Drugs	5,980	16	20	50	13	733	12	26	38	24
Other crime	125	40	29	15	16	51	20	41	14	25
All offences	57,390	7	13	69	11	11,917	3	12	66	18
Miscellaneous offences	23,922	16	27	36	22	5,167	7	25	29	38
Common assault	8,925	18	31	33	17	2,278	8	27	29	36
Breach of the peace etc.	11,847	15	25	35	25	1,876	8	17	29	46
Drunkenness and other disorderly conduct	72	1	3	63	33	13	-	23	15	62
Other miscellaneous, including urinating	3,078	13	21	44	21	1,000	4	38	31	28
Motor vehicle offences	33,468	1	3	94	2	6,750	*	2	94	3
Dangerous and careless driving	2,959	3	6	89	2	615	*	3	94	3
Driving under the influence	3,287	2	14	83	1	800	*	13	85	1
Speeding	11,973	-	*	100	*	2,144	-	-	99	1
Unlawful use of motor vehicle	6,773	3	4	86	7	1,729	*	1	90	8
Vehicle defect offences	1,399	-	-	95	5	180	-	-	90	10
Other motor vehicle offences	7,077	*	*	98	2	1,282	-	*	98	2

1. Excludes a small number of companies.

Table 9 Percentage of people with a charge proved receiving custodial sentences by main crime/offence, 2004-05 to 2013-14

Main crime or offence	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
All crimes and offences	12	12	12	13	13	13	13	15	15	13
All crimes	23	23	24	24	25	26	26	27	28	27
Non-sexual crimes of violence	51	50	54	51	55	58	53	60	59	60
Homicide etc	92	88	93	96	98	91	82	83	81	88
Attempted murder and serious assault	50	46	52	48	53	56	53	61	56	59
Robbery	61	66	70	66	71	73	72	78	78	75
Other non-sexual crimes of violence	17	25	22	25	19	27	27	21	23	25
Sexual crimes	26	28	26	24	24	31	26	27	34	34
Rape and attempted rape	93	90	98	92	98	93	94	94	92	92
Sexual assault	49	51	46	47	52	62	46	45	48	46
Crimes associated with prostitution	*	1	1	1	1	3	1	2	-	3
Other sexual crimes	17	28	24	22	23	27	28	24	28	30
Crimes of dishonesty	29	28	28	28	29	29	30	31	32	32
Housebreaking	47	45	50	47	45	49	53	54	54	55
Theft by opening lockfast places	31	35	36	34	36	37	38	40	45	42
Theft from a motor vehicle	37	37	43	40	45	39	41	45	42	39
Theft of a motor vehicle	23	22	27	22	27	24	27	29	31	25
Shoplifting	28	28	26	26	27	26	27	28	28	29
Other theft	26	26	24	26	27	29	28	28	30	30
Fraud	11	14	17	18	21	21	23	24	29	23
Other dishonesty	24	26	27	25	27	29	31	33	32	33
Fire-raising, vandalism, etc.	9	9	9	10	11	12	13	15	15	15
Fire-raising	24	35	27	36	31	30	35	41	47	38
Vandalism etc.	8	8	8	9	10	11	12	13	13	14
Other crimes	17	19	20	21	22	22	21	22	22	21
Crimes against public justice	18	20	22	22	20	22	20	21	21	21
Handling offensive weapons	22	26	30	29	30	32	31	35	38	38
Drugs	14	13	13	15	19	19	19	19	17	16
Other crime	42	45	37	35	31	27	26	32	35	34
All offences	5	6	6	6	6	6	6	7	7	6
Miscellaneous offences	9	9	10	10	12	12	13	15	15	14
Common assault	13	13	14	14	15	15	16	17	17	16
Breach of the peace etc.	9	10	10	10	11	12	13	14	14	14
Drunkenness and other disorderly conduct	3	2	2	-	2	3	1	3	3	1
Other miscellaneous, including urinating	2	2	2	3	7	5	6	10	10	11
Motor vehicle offences	3	3	3	2	2	1	1	1	1	1
Dangerous and careless driving	4	4	4	4	4	3	3	4	3	2
Driving under the influence	2	2	3	2	2	2	2	2	2	2
Speeding	-	-	-	-	-	-	-	-	-	-
Unlawful use of motor vehicle	5	6	6	5	5	3	3	4	3	2
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-
Other motor vehicle offences	1	*	*	*	*	*	*	*	*	*

Table 10(a) People receiving a custodial sentence by main crime/offence and length of sentence, 2013-14

Main crime or offence	(Numbers)								(Percentages)					
	Total ^{1,2}	Up to 3 months	Over 3 months to 6 months	Over 6 months to 2 years	Over 2 years to less than 4 years	4 years and over	Life	Indeterminate Detention	Average length of sentence (days) ^{3,4}	Up to 3 months	Over 3 months to 6 months	Over 6 months to 2 years	Over 2 years to less than 4 years	4 years and over including life etc
All crimes and offences	14,079	4,126	5,214	3,539	697	450	46	-	292	29	37	25	5	4
All crimes	9,593	2,847	3,088	2,528	649	432	46	-	345	30	32	26	7	5
Non-sexual crimes of violence	1,064	7	49	512	251	198	46	-	956	1	5	48	24	23
Homicide etc	79	-	-	2	6	25	46	-	2,207	-	-	3	8	90
Attempted murder and serious assault	602	2	13	323	157	106	-	-	941	*	2	54	26	18
Robbery	329	2	24	162	82	59	-	-	887	1	7	49	25	18
Other non-sexual crimes of violence	54	3	12	25	6	8	-	-	779	6	22	46	11	15
Sexual crimes	352	10	31	125	61	125	-	-	1,216	3	9	36	17	36
Rape and attempted rape	76	-	1	4	2	69	-	-	2,471	-	1	5	3	91
Sexual assault	106	2	12	48	24	20	-	-	859	2	11	45	23	19
Crimes associated with prostitution	5	-	-	2	1	2	-	-	1089	-	-	40	20	40
Other sexual crimes	165	8	18	71	34	34	-	-	872	5	11	43	21	21
Crimes of dishonesty	3,996	1,427	1,733	762	65	8	-	-	168	36	43	19	2	*
Housebreaking	570	44	210	272	38	5	-	-	315	8	37	48	7	1
Theft by opening lockfast places	90	23	40	26	1	-	-	-	190	26	44	29	1	-
Theft from a motor vehicle	56	17	24	15	-	-	-	-	161	30	43	27	-	-
Theft of a motor vehicle	68	12	27	29	-	-	-	-	203	18	40	43	-	-
Shoplifting	1,912	892	886	134	-	-	-	-	113	47	46	7	-	-
Other theft	769	236	354	171	8	-	-	-	166	31	46	22	1	-
Fraud	160	22	74	57	7	-	-	-	262	14	46	36	4	-
Other dishonesty	371	181	118	58	11	3	-	-	176	49	32	16	3	1
Fire-raising, vandalism, etc.	372	123	137	93	18	1	-	-	217	33	37	25	5	*
Fire-raising	47	3	4	32	7	1	-	-	490	6	9	68	15	2
Vandalism etc.	325	120	133	61	11	-	-	-	177	37	41	19	3	-
Other crimes	3,809	1,280	1,138	1,036	254	100	-	-	300	34	30	27	7	3
Crimes against public justice	2,044	1,089	759	185	9	1	-	-	121	53	37	9	*	*
Handling offensive weapons	649	30	164	414	41	-	-	-	374	5	25	64	6	-
Drugs	1,056	149	184	423	202	98	-	-	603	14	17	40	19	9
Other crime	60	12	31	14	2	1	-	-	239	20	52	23	3	2
All offences	4,486	1,279	2,126	1,011	48	18	-	-	180	29	47	23	1	*
Miscellaneous offences	4,127	1,231	1,965	862	48	17	-	-	178	30	48	21	1	*
Common assault	1,813	355	874	548	29	5	-	-	206	20	48	30	2	*
Breach of the peace etc.	1,875	752	866	240	14	1	-	-	142	40	46	13	1	*
Drunkenness and other disorderly conduct	1	1	-	-	-	-	-	-	40	100	-	-	-	-
Other miscellaneous, including urinating	438	123	225	74	5	11	-	-	211	28	51	17	1	3
Motor vehicle offences	359	48	161	149	-	1	-	-	204	13	45	42	-	*
Dangerous and careless driving	84	4	27	52	-	1	-	-	275	5	32	62	-	1
Driving under the influence	73	20	45	8	-	-	-	-	141	27	62	11	-	-
Speeding	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Unlawful use of motor vehicle	195	19	88	88	-	-	-	-	200	10	45	45	-	-
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other motor vehicle offences	7	5	1	1	-	-	-	-	97	71	14	14	-	-

1. Includes a small number of cases where sentence length is unknown

2. Excludes a small number of cases which resulted in detention of a child aged under 16.

3. Excludes life sentences, indeterminate detention and orders for life long restriction.

4. Average sentence length figures for some categories may be underestimated slightly due to late recording of some High Court disposals.

Table 10(b) People receiving a custodial sentence by gender, main crime/offence and length of sentence, 2013-14^{1,2}

Main crime or offence	Male						Female					
	Total ³	(Percentages)					Total ³	(Percentages)				
		Up to 3 months	Over 3 months to 6 months	Over 6 months to 2 years	Over 2 years to less than 4 years	4 years and over including life etc		Up to 3 months	Over 3 months to 6 months	Over 6 months to 2 years	Over 2 years to less than 4 years	4 years and over including life etc
All crimes and offences	12874	29	37	26	5	3	1205	37	39	19	3	1
All crimes	8759	29	32	27	7	5	834	39	34	20	5	2
Non-sexual crimes of violence	998	1	4	48	24	23	66	-	8	56	21	15
Homicide etc	73	-	-	3	8	90	6	-	-	-	-	100
Attempted murder and serious assault	567	*	2	54	25	18	35	-	6	46	37	11
Robbery	309	1	7	47	27	19	20	-	10	90	-	-
Other non-sexual crimes of violence	49	6	22	45	10	16	5	-	20	60	20	-
Sexual crimes	350	3	9	35	17	35	2	-	-	50	-	50
Rape and attempted rape	76	-	1	5	3	91	-	-	-	-	-	-
Sexual assault	106	2	11	45	23	19	-	-	-	-	-	-
Crimes associated with prostitution	3	-	-	33	33	33	2	-	-	50	-	50
Other sexual crimes	165	5	11	43	21	21	-	-	-	-	-	-
Crimes of dishonesty	3525	34	44	20	2	*	471	45	39	14	1	*
Housebreaking	560	7	37	48	7	1	10	30	30	30	10	-
Theft by opening lockfast places	87	25	45	29	1	-	3	33	33	33	-	-
Theft from a motor vehicle	55	31	42	27	-	-	1	-	100	-	-	-
Theft of a motor vehicle	66	18	38	44	-	-	2	-	100	-	-	-
Shoplifting	1594	45	48	7	-	-	318	54	38	8	-	-
Other theft	707	30	46	23	1	-	62	39	44	18	-	-
Fraud	120	13	46	37	4	-	40	15	48	33	5	-
Other dishonesty	336	51	32	13	2	1	35	23	26	37	11	3
Fire-raising, vandalism, etc.	355	34	37	24	5	*	17	6	35	47	12	-
Fire-raising	40	8	10	65	15	3	7	-	-	86	14	-
Vandalism etc.	315	38	40	19	3	-	10	10	60	20	10	-
Other crimes	3531	33	30	28	7	3	278	39	32	21	6	3
Crimes against public justice	1893	53	37	9	*	*	151	60	33	7	1	-
Handling offensive weapons	620	4	25	65	6	-	29	14	41	41	3	-
Drugs	968	14	17	40	19	9	88	10	27	38	17	8
Other crime	50	14	56	24	4	2	10	50	30	20	-	-
All offences	4115	28	47	23	1	*	371	32	52	16	1	-
Miscellaneous offences	3761	30	47	21	1	*	366	32	51	16	1	-
Common assault	1627	19	48	31	2	*	186	27	52	20	1	-
Breach of the peace etc.	1733	40	46	13	1	*	142	43	51	6	1	-
Drunkenness and other disorderly conduct	1	100	-	-	-	-	-	-	-	-	-	-
Other miscellaneous, including urinating	400	29	52	15	1	3	38	16	50	34	-	-
Motor vehicle offences	354	13	44	42	-	*	5	20	80	-	-	-
Dangerous and careless driving	83	5	31	63	-	1	1	-	100	-	-	-
Driving under the influence	70	27	61	11	-	-	3	33	67	-	-	-
Speeding	-	-	-	-	-	-	-	-	-	-	-	-
Unlawful use of motor vehicle	194	10	45	45	-	-	1	-	100	-	-	-
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-	-	-
Other motor vehicle offences	7	71	14	14	-	-	-	-	-	-	-	-

1. Excludes a small number of cases which resulted in detention of a child aged under 16.

2. Excludes orders for lifelong restriction

3. Includes a small number of cases where sentence length is unknown.

Table 10(c) Average length of custodial sentence in days, by main crime/offence, 2004-05 to 2013-14¹

Main crime or offence	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14 ²
All crimes and offences	238	229	232	248	262	283	277	286	283	292
All crimes	279	271	277	295	306	326	317	332	332	345
Non-sexual crimes of violence	884	882	905	926	905	903	876	933	886	956
Homicide etc	2,191	1,927	1,957	2,630	2,329	2,201	2,304	2,206	2,367	2,207
Attempted murder and serious assault	870	892	898	877	886	914	920	978	877	941
Robbery	666	726	818	727	804	761	813	819	798	887
Other non-sexual crimes of violence	601	770	566	658	510	529	271	484	446	779
Sexual crimes	1,254	1,034	1,224	1,291	1,342	1,271	1,216	1,255	1,281	1,216
Rape and attempted rape	1,960	2,191	2,074	2,682	2,543	2,280	2,090	2,264	2,450	2,471
Sexual assault	960	830	1,133	948	1,099	1,185	1,397	1,229	1,078	859
Crimes associated with prostitution	365	395	96	284	403	183	185	540	-	1,089
Other sexual crimes	1,011	622	710	764	1,060	916	805	832	807	872
Crimes of dishonesty	128	128	133	137	142	151	154	165	166	168
Housebreaking	193	211	211	228	223	242	256	267	266	315
Theft by opening lockfast places	148	111	127	132	150	171	169	190	214	190
Theft from a motor vehicle	126	135	129	122	146	162	176	156	154	161
Theft of a motor vehicle	120	120	135	133	158	159	151	183	174	203
Shoplifting	97	93	90	94	98	101	106	116	114	113
Other theft	134	124	119	128	137	156	159	167	163	166
Fraud	150	180	245	206	224	226	230	220	270	262
Other dishonesty	102	126	146	167	143	165	137	164	171	176
Fire-raising, vandalism, etc.	140	138	168	188	176	198	194	220	214	217
Fire-raising	450	385	507	469	447	470	555	702	502	490
Vandalism etc.	103	92	112	142	128	158	144	145	159	177
Other crimes	273	240	230	254	268	294	300	283	286	300
Crimes against public justice	91	85	78	90	96	102	112	116	113	121
Handling offensive weapons	111	118	161	218	261	271	288	312	348	374
Drugs	629	584	548	559	545	576	575	538	578	603
Other crime	326	159	221	215	183	659	155	260	256	239
All offences	139	133	133	142	162	173	177	183	177	180
Miscellaneous offences	126	122	125	134	159	171	173	181	175	178
Common assault	161	154	156	160	181	208	202	212	206	206
Breach of the peace etc.	85	80	83	87	109	115	122	136	135	142
Drunkenness and other disorderly conduct	27	30	38	-	45	32	29	76	97	40
Other miscellaneous, including urinating	153	224	224	293	318	284	244	216	202	211
Motor vehicle offences	171	165	157	170	176	188	202	207	202	204
Dangerous and careless driving	233	261	212	233	230	241	289	283	261	275
Driving under the influence	131	112	105	124	142	137	130	145	146	141
Speeding	-	-	-	-	-	-	-	-	-	-
Unlawful use of motor vehicle	165	161	161	168	174	189	204	207	207	200
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-
Other vehicle	396	96	95	115	80	123	152	100	93	97

1. Average sentence lengths exclude life sentences, indeterminate detention and orders of lifelong restriction.

2. Figures for some categories dealt with by the high court - including homicide, rape and major drug cases - may be underestimated slightly due to late recording of disposals - see Annex notes B17 to B20

Table 11 People with a charge proved by main penalty, gender and age¹, 2013-14

Main penalty	Total	Male					Female					Number
		All males	Under 16	16 to 20	21 to 30	Over 30	All females	Under 16	16 to 20	21 to 30	Over 30	Companies
Total	105,549	87,896	15	9,167	30,679	48,035	17,568	1	1,430	5,647	10,490	85
Custody	14,101	12,895	4	1,230	4,995	6,666	1,206	1	82	488	635	-
Community sentence	18,231	15,218	3	2,629	5,662	6,924	3,013	-	340	1,024	1,649	-
Monetary	57,812	48,452	1	3,698	16,489	28,264	9,282	-	521	2,774	5,987	78
Other sentence	15,405	11,331	7	1,610	3,533	6,181	4,067	-	487	1,361	2,219	7
Row per cent												
Main penalty	Total	Male					Female					Companies
		All males	Under 16	16 to 20	21 to 30	Over 30	All females	Under 16	16 to 20	21 to 30	Over 30	Companies
Total	100	83	*	9	29	46	17	*	1	5	10	*
Custody	100	91	*	9	35	47	9	*	1	3	5	-
Community sentence	100	83	*	14	31	38	17	-	2	6	9	-
Financial penalty	100	84	*	6	29	49	16	-	1	5	10	*
Other sentence	100	74	*	10	23	40	26	-	3	9	14	*
Column per cent												
Main penalty	Total	Male					Female					Companies
		All males	Under 16	16 to 20	21 to 30	Over 30	All females	Under 16	16 to 20	21 to 30	Over 30	Companies
Total	100	100	100	100	100	100	100	100	100	100	100	100
Custody	13	15	27	13	16	14	7	100	6	9	6	-
Community sentence	17	17	20	29	18	14	17	-	24	18	16	-
Financial penalty	55	55	7	40	54	59	53	-	36	49	57	92
Other sentence	15	13	47	18	12	13	23	-	34	24	21	8

1. Includes a small number of cases where age and sex are unknown.

Table 12 People with a charge proved by main penalty, gender and age, 2004-05 to 2013-14

	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	% change 12-13 to 13-14
Total¹	129,235	127,843	134,113	133,353	125,881	121,038	115,556	108,303	100,897	105,464	5
Males⁴	108,460	107,804	113,511	112,788	106,301	101,614	97,027	90,866	84,342	87,896	4
Under 21	23,205	24,185	25,639	24,525	20,535	17,328	15,144	13,130	10,358	9,182	-11
21-30	39,337	38,079	40,404	41,222	38,899	37,315	35,174	32,742	30,336	30,679	1
Over 30	45,912	45,537	47,466	47,041	46,867	46,971	46,708	44,994	43,646	48,035	10
Females⁴	20,775	20,039	20,602	20,565	19,580	19,424	18,529	17,437	16,555	17,568	6
Under 21	2,909	2,937	3,264	3,306	2,830	2,511	2,228	1,952	1,616	1,431	-11
21-30	7,652	7,387	7,401	7,387	7,313	7,010	6,572	5,989	5,872	5,647	-4
Over 30	10,214	9,715	9,935	9,872	9,437	9,903	9,727	9,496	9,067	10,490	16
Custody^{2,3}	15,010	15,082	16,758	16,761	16,944	15,801	15,313	15,921	14,783	14,101	-5
Males⁴	13,809	13,939	15,583	15,486	15,591	14,521	14,011	14,553	13,495	12,895	-4
Under 21	2,521	2,803	3,070	2,986	2,856	2,601	2,014	2,049	1,588	1,234	-22
21-30	6,478	6,030	6,684	6,864	6,718	6,154	6,074	6,043	5,487	4,995	-9
Over 30	4,809	5,106	5,829	5,636	6,017	5,766	5,923	6,461	6,420	6,666	4
Females	1,201	1,143	1,175	1,275	1,353	1,280	1,302	1,368	1,288	1,206	-6
Under 21	191	125	200	182	182	175	168	160	116	83	-28
21-30	611	563	592	615	682	581	588	620	598	488	-18
Over 30	399	455	383	478	489	524	546	588	574	635	11
Community sentence^{2,3}	15,316	15,973	16,077	16,709	17,921	16,350	15,617	16,934	17,264	18,231	6
Males⁴	12,821	13,355	13,566	13,886	14,955	13,484	12,979	14,087	14,396	15,218	6
Under 21	3,914	4,158	4,486	4,471	4,608	3,640	3,446	3,292	2,743	2,632	-4
21-30	4,832	4,920	4,878	4,935	5,303	5,037	4,697	5,246	5,590	5,662	1
Over 30	4,075	4,277	4,202	4,480	5,044	4,807	4,836	5,549	6,063	6,924	14
Females⁴	2,495	2,618	2,511	2,823	2,966	2,866	2,638	2,847	2,868	3,013	5
Under 21	529	532	633	667	593	559	453	433	428	340	-21
21-30	1,042	1,126	926	1,092	1,176	1,013	1,020	1,014	1,063	1,024	-4
Over 30	924	960	952	1,064	1,197	1,294	1,165	1,400	1,377	1,649	20
Monetary^{2,3}	84,468	81,862	84,541	83,105	73,980	72,487	67,558	59,243	53,317	57,734	8
Males⁴	71,134	69,505	72,051	71,058	63,241	61,480	57,350	50,260	45,143	48,452	7
Under 21	13,765	14,029	14,646	13,597	9,886	8,462	7,070	5,365	4,061	3,699	-9
21-30	24,840	23,884	25,214	25,791	23,102	22,258	20,357	17,798	15,810	16,489	4
Over 30	32,524	31,589	32,189	31,670	30,253	30,760	29,922	27,097	25,270	28,264	12
Females⁴	13,334	12,357	12,490	12,047	10,739	11,007	10,208	8,983	8,174	9,282	14
Under 21	1,494	1,507	1,572	1,569	1,206	1,061	909	746	530	521	-2
21-30	4,611	4,254	4,253	4,140	3,754	3,818	3,381	2,907	2,705	2,774	3
Over 30	7,229	6,596	6,663	6,338	5,779	6,128	5,916	5,330	4,939	5,987	21
Other sentence^{2,3}	14,441	14,926	16,737	16,778	17,036	16,400	17,068	16,205	15,533	15,398	-1
Males⁴	10,696	11,005	12,311	12,358	12,514	12,129	12,687	11,966	11,308	11,331	*
Under 21	3,005	3,195	3,437	3,471	3,185	2,625	2,614	2,424	1,966	1,617	-18
21-30	3,187	3,245	3,628	3,632	3,776	3,866	4,046	3,655	3,449	3,533	2
Over 30	4,504	4,565	5,246	5,255	5,553	5,638	6,027	5,887	5,893	6,181	5
Total	3,745	3,921	4,426	4,420	4,522	4,271	4,381	4,239	4,225	4,067	-4
Under 21	695	773	859	888	849	716	698	613	542	487	-10
21-30	1,388	1,444	1,630	1,540	1,701	1,598	1,583	1,448	1,506	1,361	-10
Over 30	1,662	1,704	1,937	1,992	1,972	1,957	2,100	2,178	2,177	2,219	2

1. Includes people with sentence unknown.
2. Sentence type breakdowns exclude people with gender unknown.
3. Sentence type breakdowns exclude companies.
4. Gender totals include people with age unknown.

Table 13 Bail orders made by type of court^{1,2}, 2004-05 to 2013-14

											Number
Type of court	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	
All court types³	52,884	56,260	62,294	60,362	52,593	47,922	46,221	47,606	44,039	47,196	
High court	348	297	434	305	279	261	252	299	207	271	
Sheriff court	46,827	50,315	55,454	54,093	47,545	43,135	41,711	42,664	39,919	43,233	
Justice of the Peace court ⁴	5,709	5,643	6,406	5,964	4,768	4,521	4,255	4,640	3,908	3,692	

											Per cent
Type of court	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	
All court types³	100	100	100	100	100	100	100	100	100	100	
High court	1	1	1	1	1	1	1	1	0	1	
Sheriff court	89	89	89	90	90	90	90	90	91	92	
Justice of the Peace court ⁴	11	10	10	10	9	9	9	10	9	8	

											Index: 2004-05=100
Type of court	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	
All court types³	100	106	118	114	99	91	87	90	83	89	
High court	100	85	125	88	80	75	72	86	59	78	
Sheriff court	100	107	118	116	102	92	89	91	85	92	
Justice of the Peace court ⁴	100	99	112	104	84	79	75	81	68	65	

1. Excludes modifications to existing bail orders, persons counted once only where more than one bail order on same day.
2. The recording of bail orders has improved over time, so some caution is needed when comparing changes from earlier years.
3. Total includes some records where court type is not assigned.
4. Includes District courts up to 2009-10 and the Stipendiary Magistrates court - more details in annex E9- E11.

Table 14 Bail orders made by gender and age, 2009-10 to 2013-14

	2009-10		2010-11		2011-12		2012-13		2013-14	
	Number	Percentage of total	Number	Percentage of total	Number	Percentage of total	Number	Percentage of total	Number	Percentage of total
Sex										
Male	40,468	84	39,019	84	39,981	84	36,782	84	39,490	84
Female	7,448	16	7,201	16	7,620	16	7,254	16	7,703	16
Age										
Under 21	10,153	21	9,630	21	8,930	19	6,973	16	6,752	14
21-30	17,917	37	17,001	37	17,774	37	16,431	37	16,924	36
Over 30	19,850	41	19,589	42	20,902	44	20,634	47	23,518	50
Total^{1,2,3}	47,921	100	46,221	100	47,606	100	44,039	100	47,196	100

1. Totals contains a small number of bail orders where gender and/or age are unknown.

2. Excludes modifications to existing bail orders. People counted once only where more than one bail order on same day.

3. Totals include people where main offence not known and where bail was granted following the lodging of an appeal.

Table 15 Bail orders made by main charge, 2004-05 to 2013-14

Year	Non-sexual crimes of violence	Sexual crimes	Crimes of dishonesty	Fire-raising vandalism etc.	Handling an offensive weapon	Drug offences	Other crimes	Common assault	Breach of the peace	Miscellaneous offences	Motor vehicle offences	Unknown ¹	Total ^{1,2,3,4}
	Number												
2004-05	4,235	1,078	12,126	3,320	2,480	3,205	6,654	7,508	6,173	2,149	3,861	21	52,884
2005-06	4,142	1,198	11,538	3,599	2,656	3,387	7,658	8,418	7,064	2,629	3,865	8	56,260
2006-07	4,203	1,163	12,415	4,067	3,197	3,775	9,011	9,769	7,748	2,490	4,318	44	62,294
2007-08	2,341	703	6,737	2,250	1,831	2,058	5,290	5,415	4,385	1,277	2,212	25,819	60,362
2008-09	-	-	-	-	-	-	-	-	-	-	-	52,593	52,593
2009-10	3,294	814	8,429	2,985	2,204	3,068	7,800	8,774	6,378	2,436	1,673	28	47,922
2010-11	3,420	764	8,479	2,697	2,083	2,874	7,699	8,417	5,747	2,332	1,672	19	46,221
2011-12	3,284	914	8,365	2,735	2,008	2,768	8,132	8,743	6,409	2,613	1,596	28	47,606
2012-13	2,569	1,005	7,565	2,496	1,563	2,636	7,528	7,910	6,080	2,961	1,681	35	44,039
2013-14	2,565	1,337	7,644	2,486	1,596	2,314	8,116	8,981	7,441	2,976	1,715	14	47,196
	Percentage of total ⁵												
2004-05	8	2	23	6	5	6	13	14	12	4	7	*	100
2005-06	7	2	21	6	5	6	14	15	13	5	7	*	100
2006-07	7	2	20	7	5	6	14	16	12	4	7	*	100
2007-08	7	2	20	7	5	6	15	16	13	4	6	75	100
2008-09	-	-	-	-	-	-	-	-	-	-	-	-	100
2009-10	7	2	18	6	5	6	16	18	13	5	3	*	100
2010-11	7	2	18	6	5	6	17	18	12	5	4	*	100
2011-12	7	2	18	6	4	6	17	18	13	5	3	*	100
2012-13	6	2	17	6	4	6	17	18	14	7	4	*	100
2013-14	5	3	16	5	3	5	17	19	16	6	4	*	100

1. A breakdown of bail orders by the main charge is not available for the period from 20 October 2007 to 31 March 2009.
2. The recording of bail orders has improved over time, so some caution is needed when comparing changes from earlier years.
3. Row totals do not equal the sum of the main charges for some years as bail can be granted following the lodging of an appeal
4. Excludes modifications to existing bail orders, persons counted once only where more than one bail order on same day.
5. Percentage of bail orders made where crime/offence type is known.

Table 16 Number and percentage of bail orders issued to individuals accused of crimes or offences, by gender and age, 2013-14

	Number				
	1	2	3	>3	Total
Gender					
Female	4,547	707	253	200	5,707
Male	22,504	4,480	1,347	842	29,173
Age					
Under 21	3,145	800	298	232	4,475
21-30	9,587	1,945	583	363	12,478
Over 30	14,320	2,442	719	447	17,928
Total^{1,2}	27,054	5,187	1,600	1,042	34,883

	Per cent				
	1	2	3	>3	Total
Gender					
Female	80	12	4	4	100
Male	77	15	5	3	100
Age					
Under 21	70	18	7	5	100
21-30	77	16	5	3	100
Over 30	80	14	4	2	100
Total^{1,2}	78	15	5	3	100

1. Total contains a small number of bail orders where gender and/or age are unknown.

2. Excludes modifications to existing bail orders. People counted once only where more than one bail order on the same day.

Table 17 Undertakings to appear in court, by gender and age, 2009-10 to 2013-14^{1,2}

	2009-10		2010-11		2011-12		2012-13		2013-14	
	Number	Percentage of total	Number	Percentage of total	Number	Percentage of total	Number	Percentage of total	Number	Percentage of total
Gender										
Male	20,661	79	21,384	78	20,244	77	17,328	76	16,642	75
Female	5,461	21	5,912	22	5,953	23	5,489	24	5,465	25
Not known	3	*	1	*	4	*	1	*	3	*
Age										
Under 21	6,499	25	6,297	23	5,484	21	4,244	19	3,992	18
21-30	8,807	34	9,468	35	8,978	34	7,824	34	7,203	33
Over 30	10,818	41	11,532	42	11,739	45	10,748	47	10,915	49
Not known	2	*	-	-	-	-	2	*	-	-
Total	26,126	100	27,297	100	26,201	100	22,818	100	22,110	100

1. Gender and date of birth were added to the main collection of bail data from 2009-10.

2. Excludes modifications to existing bail orders. People counted once only where more than one bail order on the same day.

Table 18 Bail-related Offences with a Charge Proved, 2004-05 to 2013-14

	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	% change 2012-13 to 2013-14
All bail-related offences:	6,100	5,996	7,438	8,025	9,098	8,363	8,261	8,860	8,462	7,987	-6
Bail-related offences as a percentage of bail orders made	12	11	12	13	17	17	18	19	19	17	
Court:											
High Court	38	43	34	35	35	15	27	20	16	26	63
Sheriff Solemn	233	294	332	352	275	222	227	209	224	233	4
Sheriff Summary	5,576	5,415	6,836	7,436	8,227	7,477	7,358	7,964	7,653	7,184	-6
Justice of the Peace	253	244	236	202	556	649	649	667	569	544	-4
Age:											
Under 21	1,781	1,763	2,560	2,639	2,580	2,292	2,051	2,146	1,811	1,413	-22
21-30	2,344	2,177	2,486	2,773	3,394	3,081	3,111	3,290	3,169	2,928	-8
Over 30	1,975	2,056	2,392	2,613	3,124	2,990	3,099	3,424	3,482	3,646	5
Gender:											
Male	5,349	5,235	6,622	7,145	7,911	7,316	7,214	7,758	7,267	6,925	-5
Female	751	761	816	880	1,187	1,047	1,046	1,102	1,195	1,062	-11
Main result of proceedings:											
Custody	1,476	1,717	2,174	2,268	2,275	2,197	2,083	2,220	2,117	2,015	-5
Community	1,297	1,243	1,461	1,625	1,795	1,473	1,464	1,520	1,685	1,639	-3
Monetary	1,449	1,354	1,703	1,889	2,267	1,916	1,818	1,922	1,679	1,510	-10
Other	1,878	1,682	2,100	2,243	2,761	2,777	2,896	3,198	2,981	2,823	-5

Table 19 People given police disposals by disposal type, 2008-09 to 2013-14^{1,2}

	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	%change 2012-13 to 2013-14
Anti-social behaviour fixed penalty notice (ASBFPN)	48,462	61,234	54,345	53,665	54,713	55,490	1%
Police formal adult warning	7,828	8,386	7,517	8,446	8,264	7,100	-14%

1. Includes a small number of records where age and/or gender are unknown.

2. Mainly verbal warnings, but also includes prostitute warnings and community warning notices.

Table 20 Males given ASBFPNs, by main crime/offence and age, 2013-14¹

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
Total	12,223	19,547	15,980	47,750	100	100	100	100
Riotous behaviour while drunk in licensed premises	-	-	-	-	-	-	-	-
Refusing to leave licensed premises	131	368	295	794	1	2	2	2
Urinating etc.	2,744	6,290	4,254	13,288	22	32	27	28
Drunk & incapable	96	191	436	723	1	1	3	2
Drunk in charge of child	2	4	1	7	*	*	*	*
Loud music etc.	53	117	74	244	*	1	*	1
Vandalism	201	157	81	439	2	1	1	1
Consuming alcohol in public place	5,260	7,228	7,310	19,798	43	37	46	41
Breach of the peace etc.	3,730	5,192	3,529	12,451	31	27	22	26
Malicious mischief	5	-	-	5	*	-	-	*
Offensive behaviour at football and threatening communications	1	-	-	1	*	-	-	*

1. Excludes a small number of records where age and / or gender are unknown.

Table 21 Females given ASBFPNs, by main crime/offence and age, 2013-14¹

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
Total	2,216	2,642	2,880	7,738	100	100	100	100
Riotous behaviour while drunk in licensed premises	-	-	-	-	-	-	-	-
Refusing to leave licensed premises	20	43	77	140	1	2	3	2
Urinating etc.	167	253	123	543	8	10	4	7
Drunk & incapable	26	45	92	163	1	2	3	2
Drunk in charge of child	-	2	2	4	-	*	*	*
Loud music etc.	45	48	31	124	2	2	1	2
Vandalism	10	18	33	61	*	1	1	1
Consuming alcohol in public place	1,148	1,162	1,276	3,586	52	44	44	46
Breach of the peace etc.	800	1,071	1,246	3,117	36	41	43	40
Malicious mischief	-	-	-	-	-	-	-	-
Offensive behaviour at football and threatening communications	-	-	-	-	-	-	-	-

1. Excludes a small number of records where age and / or gender are unknown.

Table 22 Males given Formal Adult Warnings by main crime/offence and age, 2013-14

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
All crimes and offences¹	821	1,265	2,282	4,368	100	100	100	100
All crimes	309	333	626	1,268	38	26	27	29
Non-sexual crimes of violence	1	-	-	1	*	-	-	*
Homicide etc	-	-	-	-	-	-	-	-
Attempted murder and serious assault	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-
Other non-sexual crimes of violence	1	-	-	1	*	-	-	*
Sexual crimes	-	-	-	-	-	-	-	-
Rape and attempted rape	-	-	-	-	-	-	-	-
Sexual assault	-	-	-	-	-	-	-	-
Crimes associated with prostitution	-	-	-	-	-	-	-	-
Other sexual crimes	-	-	-	-	-	-	-	-
Crimes of dishonesty	249	282	586	1,117	30	22	26	26
Housebreaking	-	-	-	-	-	-	-	-
Theft by opening lockfast places	1	2	1	4	*	*	*	*
Theft from a motor vehicle	-	-	-	-	-	-	-	-
Theft of a motor vehicle	-	-	-	-	-	-	-	-
Shoplifting	123	178	457	758	15	14	20	17
Other theft	59	66	93	218	7	5	4	5
Fraud	60	32	32	124	7	3	1	3
Other dishonesty	6	4	3	13	1	*	*	*
Fire-raising, vandalism, etc.	50	40	33	123	6	3	1	3
Fire-raising	1	-	1	2	*	-	*	*
Vandalism etc.	49	40	32	121	6	3	1	3
Other crimes	9	11	7	27	1	1	*	1
Crimes against public justice	9	11	4	24	1	1	*	1
Handling offensive weapons	-	-	-	-	-	-	-	-
Drugs	-	-	3	3	-	-	*	*
Other crime	-	-	-	-	-	-	-	-
All offences	512	932	1,656	3,100	62	74	73	71
Miscellaneous offences	512	928	1,648	3,088	62	73	72	71
Common assault	130	177	299	606	16	14	13	14
Breach of the peace etc.	101	126	275	502	12	10	12	11
Drunkenness and other disorderly conduct	60	193	681	934	7	15	30	21
Urinating etc.	54	113	109	276	7	9	5	6
Other miscellaneous	17	30	68	115	2	2	3	3
Alcohol byelaw offences	137	272	189	598	17	22	8	14
Litter offences	7	13	14	34	1	1	1	1
Communications act offences	6	4	13	23	1	*	1	1
Motor vehicle offences	-	4	8	12	-	*	*	*
Dangerous and careless driving	-	1	-	1	-	*	-	*
Driving under the influence	-	-	-	-	-	-	-	-
Speeding	-	-	-	-	-	-	-	-
Unlawful use of motor vehicle	-	2	3	5	-	*	*	*
Vehicle defect offences	-	-	-	-	-	-	-	-
Seat belt offences	-	1	2	3	-	*	*	*
Mobile phone offences	-	-	-	-	-	-	-	-
Other motor vehicle offences	-	-	3	3	-	-	*	*

1. Excludes a small number of records where age and / or gender are unknown.

Table 23 Females given Formal Adult Warnings by main crime/offence and age, 2013-14

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
All crimes and offences¹	460	770	1,501	2,731	100	100	100	100
All crimes	230	347	873	1,450	50	45	58	53
Non-sexual crimes of violence	-	-	-	-	-	-	-	-
Homicide etc	-	-	-	-	-	-	-	-
Attempted murder and serious assault	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-
Other non-sexual crimes of violence	-	-	-	-	-	-	-	-
Sexual crimes	-	2	2	4	-	*	*	*
Rape and attempted rape	-	-	-	-	-	-	-	-
Sexual assault	-	-	-	-	-	-	-	-
Crimes associated with prostitution	-	2	2	4	-	*	*	*
Other sexual crimes	-	-	-	-	-	-	-	-
Crimes of dishonesty	215	338	858	1,411	47	44	57	52
Housebreaking	-	-	-	-	-	-	-	-
Theft by opening lockfast places	-	-	-	-	-	-	-	-
Theft from a motor vehicle	-	-	-	-	-	-	-	-
Theft of a motor vehicle	-	-	-	-	-	-	-	-
Shoplifting	132	281	735	1,148	29	36	49	42
Other theft	21	24	71	116	5	3	5	4
Fraud	60	33	51	144	13	4	3	5
Other dishonesty	2	-	1	3	*	-	*	*
Fire-raising, vandalism, etc.	5	4	8	17	1	1	1	1
Fire-raising	-	-	-	-	-	-	-	-
Vandalism etc.	5	4	8	17	1	1	1	1
Other crimes	10	3	5	18	2	*	*	1
Crimes against public justice	10	2	5	17	2	*	*	1
Handling offensive weapons	-	-	-	-	-	-	-	-
Drugs	-	1	-	1	-	*	-	*
Other crime	-	-	-	-	-	-	-	-
All offences	230	423	628	1,281	50	55	42	47
Miscellaneous offences	229	423	626	1,278	50	55	42	47
Common assault	81	125	177	383	18	16	12	14
Breach of the peace etc.	44	80	174	298	10	10	12	11
Drunkenness and other disorderly conduct	19	51	161	231	4	7	11	8
Urinating etc.	8	7	6	21	2	1	*	1
Other miscellaneous	5	12	22	39	1	2	1	1
Alcohol byelaw offences	70	137	76	283	15	18	5	10
Litter offences	1	-	3	4	*	-	*	*
Communications act offences	1	11	7	19	*	1	*	1
Motor vehicle offences	1	-	2	3	*	-	*	*
Dangerous and careless driving	-	-	-	-	-	-	-	-
Driving under the influence	-	-	-	-	-	-	-	-
Speeding	-	-	-	-	-	-	-	-
Unlawful use of motor vehicle	-	-	1	1	-	-	*	*
Vehicle defect offences	-	-	-	-	-	-	-	-
Seat belt offences	-	-	-	-	-	-	-	-
Mobile phone offences	-	-	-	-	-	-	-	-
Other motor vehicle offences	1	-	1	2	*	-	*	*

1. Excludes a small number of records where age and / or gender are unknown.

Table 24 People given COPFS disposals by disposal type, 2008-09 to 2013-14

	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	%change 2012-13 to 2013-14
All COPFS disposals	62,829	59,108	60,099	67,341	72,848	73,567	<i>1</i>
Fiscal fine	38,419	36,057	35,604	42,184	47,826	47,322	<i>-1</i>
Fiscal fixed penalty	18,092	18,592	20,357	21,067	21,638	23,486	<i>9</i>
Fiscal combined fine + compensation	1,405	2,030	2,195	2,713	2,326	1,942	<i>-17</i>
Fiscal compensation	1,992	1,985	1,838	1,322	1,021	784	<i>-23</i>
Fiscal fixed penalties (Pre-SJR)	2,921	444	105	55	37	33	<i>-11</i>

Table 25 Males given fiscal fines, by main crime/offence and age, 2013-14

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
All crimes and offences¹	4,742	10,960	16,127	31,829	100	100	100	100
All crimes	3,117	5,695	5,951	14,763	66	52	37	46
Non-sexual crimes of violence	-	1	1	2	-	*	*	*
Homicide etc	-	-	-	-	-	-	-	-
Attempted murder and serious assault	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-
Other non-sexual crimes of violence	-	1	1	2	-	*	*	*
Sexual crimes	-	2	5	7	-	*	*	*
Rape and attempted rape	-	-	-	-	-	-	-	-
Sexual assault	-	-	-	-	-	-	-	-
Crimes associated with prostitution	-	-	3	3	-	-	*	*
Other sexual crimes	-	2	2	4	-	*	*	*
Crimes of dishonesty	298	760	1,459	2,517	6	7	9	8
Housebreaking	-	-	-	-	-	-	-	-
Theft by opening lockfast places	2	-	2	4	*	-	*	*
Theft from a motor vehicle	-	-	-	-	-	-	-	-
Theft of a motor vehicle	-	-	-	-	-	-	-	-
Shoplifting	197	520	1,178	1,895	4	5	7	6
Other theft	71	177	211	459	1	2	1	1
Fraud	18	33	45	96	*	*	*	*
Other dishonesty	10	30	23	63	*	*	*	*
Fire-raising, vandalism, etc.	49	96	56	201	1	1	*	1
Fire-raising	-	-	-	-	-	-	-	-
Vandalism etc.	49	96	56	201	1	1	*	1
Other crimes	2,770	4,836	4,430	12,036	58	44	27	38
Crimes against public justice	73	128	111	312	2	1	1	1
Handling offensive weapons	-	-	-	-	-	-	-	-
Drugs	2,697	4,708	4,319	11,724	57	43	27	37
Other crime	-	-	-	-	-	-	-	-
All offences	1,625	5,265	10,176	17,066	34	48	63	54
Miscellaneous offences	1,503	4,295	7,996	13,794	32	39	50	43
Common assault	80	236	197	513	2	2	1	2
Breach of the peace etc.	431	868	997	2,296	9	8	6	7
Drunkenness and other disorderly conduct	26	57	154	237	1	1	1	1
Urinating etc.	78	229	305	612	2	2	2	2
Other miscellaneous	75	235	304	614	2	2	2	2
Alcohol byelaw offences	668	1,430	2,733	4,831	14	13	17	15
Litter offences	66	167	270	503	1	2	2	2
Communications act offences	79	1,073	3,036	4,188	2	10	19	13
Motor vehicle offences	122	970	2,180	3,272	3	9	14	10
Dangerous and careless driving	-	-	-	-	-	-	-	-
Driving under the influence	-	-	-	-	-	-	-	-
Speeding	-	-	3	3	-	-	*	*
Unlawful use of motor vehicle	122	961	2,145	3,228	3	9	13	10
Vehicle defect offences	-	-	1	1	-	-	*	*
Seat belt offences	-	2	1	3	-	*	*	*
Mobile phone offences	-	1	-	1	-	*	-	*
Other motor vehicle offences	-	6	30	36	-	*	*	*

1. Excludes a small number of records where age and / or gender are unknown.

Table 26 Females given fiscal fines, by main crime/offence and age, 2013-14

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
All crimes and offences¹	830	5,299	9,352	15,482	100	100	100	100
All crimes	261	935	1,769	2,965	31	18	19	19
Non-sexual crimes of violence	-	-	-	-	-	-	-	-
Homicide etc	-	-	-	-	-	-	-	-
Attempted murder and serious assault	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-
Other non-sexual crimes of violence	-	-	-	-	-	-	-	-
Sexual crimes	1	1	4	6	*	*	*	*
Rape and attempted rape	-	-	-	-	-	-	-	-
Sexual assault	-	-	-	-	-	-	-	-
Crimes associated with prostitution	1	1	3	5	*	*	*	*
Other sexual crimes	-	-	1	1	-	-	*	*
Crimes of dishonesty	86	454	1,033	1,573	10	9	11	10
Housebreaking	-	-	-	-	-	-	-	-
Theft by opening lockfast places	-	-	1	1	-	-	*	*
Theft from a motor vehicle	-	-	-	-	-	-	-	-
Theft of a motor vehicle	-	1	-	1	-	*	-	*
Shoplifting	66	378	899	1,343	8	7	10	9
Other theft	13	44	75	132	2	1	1	1
Fraud	6	24	51	81	1	*	1	1
Other dishonesty	1	7	7	15	*	*	*	*
Fire-raising, vandalism, etc.	7	6	14	27	1	*	*	*
Fire-raising	-	-	-	-	-	-	-	-
Vandalism etc.	7	6	14	27	1	*	*	*
Other crimes	167	474	718	1,359	20	9	8	9
Crimes against public justice	4	20	16	40	*	*	*	*
Handling offensive weapons	-	-	-	-	-	-	-	-
Drugs	163	454	702	1,319	20	9	8	9
Other crime	-	-	-	-	-	-	-	-
All offences	569	4,364	7,583	12,517	69	82	81	81
Miscellaneous offences	542	4,045	6,814	11,402	65	76	73	74
Common assault	35	74	95	204	4	1	1	1
Breach of the peace etc.	120	234	336	690	14	4	4	4
Drunkenness and other disorderly conduct	-	2	31	33	-	*	*	*
Urinating etc.	2	6	6	14	*	*	*	*
Other miscellaneous	19	41	70	130	2	1	1	1
Alcohol byelaw offences	74	217	411	702	9	4	4	5
Litter offences	41	103	147	291	5	2	2	2
Communications act offences	251	3,368	5,718	9,338	30	64	61	60
Motor vehicle offences	27	319	769	1,115	3	6	8	7
Dangerous and careless driving	-	-	-	-	-	-	-	-
Driving under the influence	-	-	-	-	-	-	-	-
Speeding	-	1	1	2	-	*	*	*
Unlawful use of motor vehicle	27	316	767	1,110	3	6	8	7
Vehicle defect offences	-	-	-	-	-	-	-	-
Seat belt offences	-	-	1	1	-	-	*	*
Mobile phone offences	-	-	-	-	-	-	-	-
Other motor vehicle offences	-	2	-	2	-	*	-	*

1. Excludes a small number of records where age and / or gender are unknown.

Table 27 Males given fiscal fixed penalties by main crime/offence and age, 2013-14

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
Total¹	731	5,054	12,692	18,478	100	100	100	100
Serious driving offences ²	3	7	11	21	*	*	*	*
Speeding offences	136	1,465	4,560	6,162	19	29	36	33
Signal and direction offences	82	530	1,456	2,068	11	10	11	11
Lighting, construction & use offences	108	362	584	1,054	15	7	5	6
Documentation offences	160	840	2,057	3,057	22	17	16	17
Other motor vehicle offences ³	241	1,841	4,019	6,101	33	36	32	33
Non-motor vehicle offences ⁴	1	9	5	15	*	*	*	*

1. Excludes a small number of records where age and / or gender are unknown.

2. In some circumstances fiscal fixed penalties can be issued for contraventions of Section 3 of the Road Traffic Act 1988 (driving without due care and attention).

3. Contains a number of other offences, however around a two thirds of fixed penalties given for this group were for mobile phone offences and a third were seatbelt offences.

4. Contains bicycle offences and road works offences.

Table 28 Females given fiscal fixed penalties by main crime/offence and age, 2013-14

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
Total¹	181	1,400	3,420	5,002	100	100	100	100
Serious driving offences ²	1	1	5	7	1	*	*	*
Speeding offences	59	445	1,283	1,787	33	32	38	36
Signal and direction offences	27	215	561	803	15	15	16	16
Lighting, construction & use offences	10	56	116	183	6	4	3	4
Documentation offences	38	269	707	1,014	21	19	21	20
Other motor vehicle offences ³	46	413	745	1,204	25	30	22	24
Non-motor vehicle offences ⁴	-	1	3	4	-	*	*	*

1. Excludes a small number of records where age and / or gender are unknown.

2. In some circumstances fiscal fixed penalties can be issued for contraventions of Section 3 of the Road Traffic Act 1988 (driving without due care and attention).

3. Contains a number of other offences, however around a two thirds of fixed penalties given for this group were for mobile phone offences and a third were seatbelt offences.

4. Contains bicycle offences and road works offences.

Notes on Statistics Used in this Bulletin

Annex A - Data Sources

Court proceedings, Police disposals and COPFS disposals

A.1 Statistical information on the Scottish Government Criminal Proceedings database is derived from data held on the Criminal History System (CHS), a central hub used for the electronic recording of information on persons accused and/or convicted of perpetrating a criminal act. The CHS is maintained by Police Scotland and they are responsible for managing its operation and own the majority of the data.

A.2 [Chart 2](#) in the main body of the bulletin depicts how those accused move through the criminal justice system. People can be “disposed” from the system in a variety of ways, including being dealt with directly by the police, being fined by Crown Office and Procurator Fiscal Service (COPFS) or being proceeded against in court. At each of these stages information is logged on the CHS regarding the status of the accused. When an offender’s case reaches its final conclusion or “disposal” this information is captured on the CHS and the case is considered completed. COPFS and the Scottish Court Service (SCS) make updates on their own systems which are fed back electronically to Police Scotland’s CHS.

A.3 The Scottish Government receives individual level returns from the CHS on a monthly basis. These are electronically submitted by Police Scotland for cases that are completed. Information on criminal trials that are on going or have not been dealt with through police or COPFS disposals are not collected. As the process is an existing automated process, there was no cost to the data provider in 2013-14.

Bail and undertakings

A.4 The source of the statistical data on bail orders and undertakings is also the CHS. Police Scotland create a statistical extract each day, which picks up records of any bail orders or undertakings granted three days before, which are associated with live pending cases on the database. For example, the extract run at the start of a Thursday will pick up any bail orders or undertakings granted on the Monday of that week which (a) have been recorded on the database by the start of Thursday, and (b) which are associated with pending cases still live at the start of Thursday.

Other

A.5 [Chart 2](#) uses a range of summary data collected from the [Crown Office and Procurator Fiscal Service](#), Scottish Government [Recorded Crime](#) and information on police conditional offers made for motor vehicle offences, based on figures provided by police force traffic departments, and information derived from CHS.

A.6 The population figures used as denominators in [Table 5](#) are the relevant mid-year estimates prepared by the [National Records of Scotland](#) (NRS).

Annex B - Data Quality, Revisions and Data Processing

Data quality: Data capture

B.1 The CHS is an administrative system used to track individuals through the criminal justice system and has not been designed purely for statistical purposes. However, actions and processes have been put in place to ensure that the CHS is fully understood and is fit for purpose in terms of being the data source for criminal proceedings statistics.

B.2 Data standards are adhered to by organisations inputting data to the CHS in terms of the definitions the of data items and their corresponding values. These standards are agreed by the Integration of Scottish Criminal Justice Information Systems/ Co-ordinating IT and Management Information (ISCJIS/CIMI) programme and should ensure there is consistency across the justice organisations in the information they collect. Given a number of different organisations input information to the CHS this is crucial.

Further information on the data standards can be found here:

<http://www.scotland.gov.uk/Topics/archive/law-order/iscjis/standards>

B.3 The following protocols also contribute to a shared vision across the CIMI partners and consistency in the data collected:

- The Scottish Court Service have devised a protocol for the handling of errors that may occur in the transmission of data between CIMI partners;
- The protocol for the investigation/resolution of disputed data between Police Scotland and the Crown Office and Procurator Fiscal Service;
- The protocol for sharing electronic information between CIMI partners.

Further information on these protocols can be seen here:

<http://www.scotland.gov.uk/Topics/archive/law-order/iscjis/protocols>

Crime Classification

B.4 The Scottish Government has implemented a crime code classification framework to ensure consistent and comparable reporting between criminal justice statistical outputs. Crime codes contain groups of charge codes, which are the operational codes are used within Criminal Justice to identify crimes and offences. Individual crime codes are grouped into 35 broader categories, and further into 7 crime and offence groups, which are used in the main publication tables. A full listing of the 35 crime groups is set out at [Annex D](#).

B.5 New charge codes are created by COPFS on a monthly basis, and shared with the Scottish Government. The Scottish Government then map each charge code to a crime code, and the list circulated to Police Scotland crime registrars, individuals within Police Scotland, the Scottish Police Authority and to relevant individuals within partner justice organisations for comment. Once any updates and/or amendments have been agreed for each month, the updated charge code list, together with its mapped crime code, is then

published by the Scottish Government. The latest version on the charge code list can be accessed here: <http://www.scotland.gov.uk/Topics/Statistics/Browse/Crime-Justice/DataSource/chargecodes>.

Data quality: Data validation during production of the statistical bulletin

B.6 Validation processes are adopted during the production of the statistical bulletin. Key stages are outlined below.

B.7 In the early stages of producing the statistics automated validation procedures and manual checks are undertaken to identify any unrealistic data values. These are referred back to Police Scotland, SCS or COPFS (depending upon the nature of the problem) for correction or for explanation on any unusual circumstances.

B.8 Effort is made to clean up records for which key information is incongruent or missing (such as checking against case extract information provided by the Crown Office and Procurator Fiscal Service (COPFS)).

B.9 Trends in the preliminary statistics are compared against case processing information published by COPFS and management information provided by SCS to ensure that the volume of court proceedings are consistent with reports from these organisations. Information is compared by court type (e.g. high court, sheriff court etc) to narrow down where any differences may lie.

B.10 Further checks on trends in the preliminary statistics are undertaken by crime type, sentence type and other characteristics to narrow down where any errors may lie. Policy experts within the Scottish Government are consulted as an extra level of assurance, to identify why any significant changes may have occurred which is then added to the bulletin as context to the statistics that are presented.

B.11 Similar consultation is undertaken with COPFS, SCS and Police Scotland wherein preliminary results are shared with them purely for quality assurance purposes. Their insight at an operational level provides invaluable feedback and informs whether further investigation on the statistics is required.

B.12 Further quality assurance and checking is undertaken on the statistics by members of Scottish Government Justice Analytical Services support staff when preparing the excel tables. Scottish Government statisticians, who have not been involved in the production process, check the results further and highlight issues that may have gone unnoticed.

Issues to be aware of when interpreting the statistics

B.13 The number of prosecutions and type of sentencing could be influenced by operational practices within the justice system. For example it is known that there may be times when the police report an offence to the procurator fiscal but, when the facts and circumstances are examined by the procurator fiscal, they decide to libel an alternative charge which may be less serious in nature and penalty. There are rare occasions when such decisions are made but unfortunately, the charge is not then updated on the computerised records. Changes such as this have been made where observed; however, it is likely that some other occurrences exist which have not been amended. There is nothing to suggest that the scale of this issue is large enough to alter the overall trends reported.

B.14 In recent years, we have carried out much more extensive quality assurance with external agencies. The purpose of this is to ensure the accuracy and quality of the statistics published herein. The Crown Office and Procurator Fiscal Service (COPFS) have identified that there may be a small number of court proceedings (often involving multiple charges and of a complex nature) which are being recorded as separate court cases which, in fact, should only be reported as one. The effect of this would be to over-estimate the true number of court proceedings.

B.15 Initial investigations suggest that this affects all crime types, though to varying degrees. Further work will be carried out in preparation for the next publication of Criminal Proceedings in Scotland with a view to quantifying the extent of the problem and identifying whether a change in processing methodology is required.

B.16 Information on the number of cases which received a highest disposal of fiscal fine, fixed penalty, compensation order and combined fiscal fine and compensation order are presented on the Crown Office website; and have been reported in [Table 1](#). The number of people who received these disposals as identified by CHS are also presented for comparison.

B.17 The way that Crown Office disposals are recorded in CHS was altered after summary justice reform. Previously, CHS did not consistently record when a procurator fiscal fine or fixed penalty had been issued, and, when it was recorded, it was not possible to derive the relative numbers of each. CHS began to record fiscal fines and fixed penalties consistently under separate codes following summary justice reform. During the transition to the use of the new codes however, in 2008-09 and 2009-10, CHS continued to record, respectively, 2,700 and 500 pre-SJR codes representing a combination of procurator fiscal fines or fixed penalties, although it is not possible to separate the numbers of each. These numbers are now much lower.

B.18 It is not currently possible to extract information on some of the other COPFS disposals, e.g. warnings and no actions, from CHS.

Revisions and Data Processing

B.19 The CHS, which holds information on the outcome of court proceedings, is not designed for statistical purposes. It is dependent on receiving timely information from the Criminal Justice organisations, while some types of outcome, e.g. acquittals, are weeded after a prescribed length of time. A pending case on the CHS is updated in a timely manner but there are occasions when slight delays happen. Recording delays of this sort generally affect High Court disposals relatively more than those for other types of court, as the most complex and lengthy trials are held in the High Court.

B.20 The figures given in this bulletin reflect the details of court proceedings as recorded on the CHS and as provided to the Scottish Government up to the end of July 2014. Any subsequent updates on court disposals made will be incorporated into future bulletins and therefore some figures for 2013-14 (in particular those relating to the High Court) are likely to be subject to minor revisions.

B.21 These recording delays mean that figures for 2013-14 should be considered provisional as future bulletins may provide updates. We estimate that the 2013-14 bulletin contained a small undercount of around 40 people with a charge proved in 2013-14, less than 1 per cent of all people with a charge proved. Since the 2013-14 bulletin was published, a small number of High Court cases have been added to the court proceedings database.

B.22 A number of specific revisions have been made to the Criminal Proceedings statistics as described below. In all matters relating to revisions, these statistics comply with Scotland's Chief Statistician's current revisions policy:

<http://scotland.gov.uk/Topics/Statistics/About/CPSONRevisionsCorrections/Q/EditMode/on/ForceUpdate/on>

Order of Life Long Restriction – Revision

B.23 During 2013-14, we noted that the number of order of lifelong restrictions (OLR) in the Criminal Proceedings database was lower than the number identified by SCS on their operational database. Further investigation showed that where there was also a custodial element to addition to an OLR being issued, the custody sentence was applied as the main disposal of the proceeding in the Criminal Proceedings database thus we undercounted OLRs.

B.24 The undercount of OLRs was the result of how the OLR was ranked in comparison to custodial sentences in the Scottish Government Criminal Proceedings database. When a person is proceeded against for multiple charges and/or given multiple disposals, the Criminal Proceedings database must identify which one should be reported as the main disposal. The database logic identifies which penalty is the most severe through a ranking

system; disposals with a higher ranking take precedence over those which are ranked lower. This logic is used to decide which charge will be reported as the main charge within the statistical bulletin.

B.25 When the OLR disposal was introduced it was ranked lower than custodial sentences. As it is common for an OLR to be issued alongside a custodial sentence, proceedings where this was the case were assigned a custodial sentence as the main disposal with the resultant number of OLRs being an undercount.

B.26 In 2013-14, the Criminal Proceedings database was updated to rank the OLR disposal to be higher than the custodial sentence disposal. This change has ensured that the Criminal Proceedings statistics do not under-report the number of OLRs being issued in Scottish courts going forward. To ensure consistency with previously published information on OLRs, data relating to OLRs was re-processed back to 2009-10.

B.27 The backdating of the data means that there are now around an extra 15 OLRs being reported from between 2009-10 to 2012-13 which were previously recorded as custodial sentences. The 15 extra OLR disposals account for 31 per cent of the revised level of OLRs over the same period. The impact on the decreased numbers of custodial sentences is negligible as these stand at much higher levels than OLRs.

B.28 No other years or court disposals are affected by this change.

Crime types – Overall reclassification

B.29 In 2013-14 there was an update to the classification of crime groups with 3 additional groups being added to the listing. Under motor vehicle offences, speeding and mobile phone crimes are separated out and under miscellaneous offences, urinating is now an additional category. This is consistent with the classifications in recorded crime. Please see [Annex D](#) for a full listing of this.

Obstructing a constable - reclassification

B.30 Since the last Criminal Proceedings publication the classification of charges relating to assaulting a constable under the Police Scotland (Act) 1967 section 41(1) have moved from the crime group of “Common assault” to “Crimes of public justice”. More specifically, at crime level, these charges have moved from “Common assault” to “Obstructing a constable in the pursuance of justice”.

B.31 This reclassification has been applied through the criminal proceedings series back to 2004-05. The total levels for crimes of public justice have therefore increased e.g. in 2012-13, 1,346 of the people convicted for these crimes (16 per cent) are from the newly

classified charges bring the total up to 9,691 people. By contrast the common assault total has declined by 11 per cent as a result of this reclassification.

Data confidentiality

B.32 Information on the outcomes of court proceedings is publicly available. However, while our aim is for the statistics in this bulletin to be sufficiently detailed to allow a high level of practical utility, care has been taken to ensure that it is not possible to identify an individual or organisation and glean any private information relating to them.

B.33 Furthermore, to maintain the security and confidentiality of the data received from the data suppliers, only a small number of Scottish Government employees have access to the data. The only personal details received by the Scottish Government in the data extract are those which are essential for the analyses in this bulletin.

Annex C – Understanding the statistics in this bulletin

C.1 Individual offenders may be proceeded against on more than one occasion; on each occasion they may be proceeded against for more than one charge. The units of analysis used in this bulletin are:

(a) the **person or company proceeded against or convicted**

People are counted once for each occasion they are proceeded against. If a person is proceeded against more than once on the same day, each proceeding will be counted separately. The statistics are therefore not directly comparable with statistics on direct sentenced receptions to penal establishments or with social work authorities' statistics on community sentences. References to „people“ include companies, unless otherwise stated.

Where a person is proceeded against for more than one crime or offence in a single proceeding, only the **main charge** is counted. The main charge is the one receiving the severest penalty if one or more charges are proved. If more than one charge receives the same (or a combined) penalty, then the main charge is the one judged by the police (who provide the information) to be the most serious. If no charge is proved then the one reaching the furthest stage in proceedings is the main one. A **person with a charge proved** is defined to be one who had a plea of „guilty“ accepted, or who was proved guilty of at least one charge as a result of a trial. Throughout this bulletin, the terms „person with a charge proved“, „people convicted“ and „convictions“ are used interchangeably.

(b) **individual offender**

In the period covered by this bulletin, each offender convicted of a crime or offence will have been recorded by Police Scotland (generally) under a unique reference number. This enables all such convictions to be linked together, so that analysis of the number of convictions per offender in any given year, or the number of their previous convictions, can be derived.

(c) **individual offences**

In addition to analysing people convicted by the main charge involved, data in relation to individual offences which are proved are also available.

C.2 Generally only the initial outcome is included in the court proceedings statistics so that, for example, a person fined is regarded as fined even if he or she subsequently goes to prison (or a Supervised Attendance Order is imposed) in default of payment. Similarly, no account is taken of the outcome of appeals; the exception to this is for those crimes where an appeal is determined prior to publication and the conviction is quashed or the sentence is substituted. Interim decisions such as deferral of sentence are also excluded.

C.3 A court can impose more than one penalty in appropriate cases. For example, a fine or an order to find caution can be imposed in addition to a more severe penalty. Equipment used in the commission of a crime or offence may also be forfeited. However, the main additional punishments are generally disqualification from holding or obtaining a driving licence and the endorsement of a driving licence. The main charge in such cases is almost always either a motor vehicle offence or the theft of a motor vehicle.

C.4 In the court proceedings statistics, the reference year used is the year in which the person's case is disposed of. If a person pleads to, or is convicted for, a charge in 2008-09, but is not sentenced until 2009-10, all events are recorded as occurring in 2009-10. The age of each person is calculated as at the date of sentence or acquittal.

C.5 Many offences are dealt with by means other than prosecution in court, for example through the use of procurator fiscal direct measures such as fiscal fines and compensation orders, or by police warnings and fixed penalties. Data on a range of these disposals are extracted from CHS and added to this bulletin using the same person, main charge and main penalty bases described above for court disposals.

C.6 Figures for sentence lengths imposed include any element imposed for bail aggravation under section 27(1)(b) of the Criminal Procedure (Scotland) Act 1995, and under section 16 of the Prisoners and Criminal Proceedings (Scotland) Act 1993 (where the offender committed an offence following release from custody and prior to the end of the previous sentence period imposed). They also include any element imposed for the offence being aggravated by prejudice, under the terms of the Offences (Aggravation by Prejudice) (Scotland) Act 2009.

C.7 The Stipendiary Magistrates court in Glasgow generally hears less serious cases than the sheriff solemn courts and may impose up to twelve months imprisonment or a fine up to £10,000.

Comparisons with other sources

C.8 COPFS publish annual figures relating to the number of cases processed each year which are available online [here](#).

C.9 Unless otherwise specified, the figures contained in this bulletin are based on the number of people recorded on CHS. As individual cases can each involve more than one person, it is likely that the figures herein will be higher.

C.10 Court proceedings statistics are not directly comparable with the recorded crime statistics as a person may be proceeded against for more than one crime involving more than one victim and there is the possibility that the crime recorded by the police may be altered in the course of judicial proceedings. A crime may be recorded by the police in one year and court proceedings concluded in a subsequent year.

C.11 Court custodial disposals are counted differently from the direct sentenced prison receptions (excluding fine default receptions) published in the Scottish Government [Prison Statistics](#) publications. Most of this difference is because a person given consecutive custodial sentences for several separate sets of charges from the same court on the same day is counted as two custodial sentences in the court statistics, but only one direct sentence reception.

Annex D - Definitions, Classifications and Notation

D.1 The measures available to a court in sentencing a convicted person depend on a number of matters including what Parliament has legislated for in terms of appropriate penalties and whether the accused is an adult (21 or over), a young offender (aged 16 but less than 21) or a juvenile (under 16 or under 18 with a current supervisory requirement from a children's hearing). In some cases, the court may obtain evidence on whether the accused is suffering from a mental disorder. In 2013-14 the available measures include:

Custodial sentences

- a. Imprison the offender (or sentence a young offender to a Young Offenders' Institution (YOI)) or, if the offender has been released on licence/under supervision following a previous conviction, recall to prison or YOI.
- b. Issue an Order for Lifelong Restriction (OLR). OLR provides for the lifelong supervision of high-risk violent and sexual offenders and allows for a greater degree of intensive supervision than is the current norm. The OLR is designed to ensure that offenders, after having served an adequate period in prison to meet the requirements of punishment, do not present an unacceptable risk to public safety once they are released into the community. The period spent in the community will be an integral part of the sentence, which lasts for the remaining period of the offender's life.
- c. Sentence a young offender under 18 years of age convicted of murder to detention for an indeterminate period (the effect of these sentences is normally detention in a young offenders institution).
- d. Sentence a juvenile to a specified period of detention in a place and on such conditions as Scottish Ministers may direct.

(The Crime and Disorder Act 1998 introduced provisions to allow courts to impose additional post-release supervision on licence where they consider that any existing supervision after the offender's release from custody would not be enough to protect the public from serious harm from the offender. These „extended sentences“ can be imposed on indictment cases on sex offenders or on violent offenders who would have received a determinate sentence of four years or more.) Changes made through the Criminal Justice and Licensing (Scotland) Act 2010 mean that courts can also now impose an extended sentence on non-sexual offences where there is a significant sexual aspect to the offence.)

Community sentences

- a. Impose a community payback order (for offences committed after 1 February 2011).
- b. Impose a probation order with or without various conditions including a requirement to do unpaid work (for offences committed prior to 1 February 2011).
- c. Impose a community service order requiring the offender to undertake unpaid work (for offences committed prior to 1 February 2011).
- d. Impose a supervised attendance order which the court can impose as an alternative to custody for people who have defaulted on fines imposed for minor criminal offences (for offences committed prior to 1 February 2011).
- e. Impose a restriction of liberty order: a community sentence introduced by section 5 of the Crime and Punishment (Scotland) Act 1997 and available to courts nationally from 1 May 2002.
- f. Impose a drug treatment and testing order (DTTO): a measure introduced by the Crime and Disorder Act 1998 and rolled out in phases from 1999 onwards. A new model for DTTOs has been rolled out to at least one local authority and this can be issued from lower courts and for less serious offenders.

Financial penalties

- g. Fine the offender.
- h. Impose a compensation order requiring the offender to compensate the victim for any resulting injury, loss, damage, alarm or distress.

Other sentences

- i. Order an absolute discharge (with no conviction recorded in summary procedure) or, following a deferral of sentence, make no order.
- j. Admonish the offender or make an order to find caution (the overwhelming majority of these are admonishments).
- k. Remit the disposal of a child offender to a children's hearing (if the accused is a child, under 16 years of age or aged 16 or 17 and subject to a supervision requirement).
- l. Make a guardianship order if the accused is suffering from mental disorder (with no conviction recorded in summary procedure).

m. Make a compulsion order if the accused is suffering from mental disorder (with a conviction recorded), for a period of six months with regular reviews.

D.2 The range of options available to the police for minor offences includes:

a. Anti-social behaviour fixed penalty notices (ASBFPNs) of £40, can be issued for eleven crime/offence types to people aged 16 or over. Payment of the penalty involves no admission of guilt.

b. Formal adult warnings (FAWs) are issued for minor offences, commonly including street drinking, drunk and incapable, urinating, minor theft by shoplifting, assault, breach of the peace and vandalism.

D.3 When a report is submitted by the police to the procurator fiscal, prosecution in court is only one of a range of possible options for dealing with people who have been charged.

This bulletin presents information on the following options, all non-convictions:

a. Fiscal fines of up to £300 for summary offences. Available to fiscals before SJR, but cannot be separately identified in CHS until after SJR.

b. Fiscal fixed penalties (mainly) for motor vehicle offences. Available to fiscals before SJR, but cannot be separately identified in CHS until after SJR.

c. Fiscal compensation orders of up to £5,000 payable to the victim. Only available after SJR, for personal injury, loss, damage, alarm or distress.

d. Combined fiscal fine and fiscal compensation order.

Notation

D.4 The following symbols are used throughout the tables in this bulletin:

- Nil

* Less than 0.5

n/a Not available

D.5 The percentage figures given in tables and charts have been independently rounded, so they may not always sum to the relevant sub-totals or totals.

Classification of crimes and offences

D.6 Contraventions of the law are divided, for statistical purposes only, into crimes and offences. The classification of crimes and offences used by the Scottish Government for criminal statistics contains over 300 codes.

D.7 Please note that in 2013-14 there was an update to the classification the crime groups with 3 additional groups being added to the listing. Under motor vehicle offences, speeding and mobile phone crimes are separated out and under miscellaneous offences, urinating is now an additional category. Please see table below for full details.

CRIMES

Group 1: Non-sexual crimes of violence (Also referred to as Crimes of violence)	
Homicide etc.	<p>Includes:</p> <ul style="list-style-type: none"> • Murder • Culpable homicide <ul style="list-style-type: none"> - Culpable homicide (common law) - Causing death by dangerous driving - Causing death by careless driving while under the influence of drink or drugs - Causing death by careless driving - Illegal driver involved in fatal accident - Corporate homicide
Attempted murder and serious assault -	<p>Includes:</p> <ul style="list-style-type: none"> • Attempted murder • Serious assault <p>An assault is classified as serious if the victim sustained an injury resulting in detention in hospital as an in-patient or any of the following injuries whether or not he/she was detained in hospital: fractures, internal injuries, severe concussion, lacerations requiring sutures which may lead to impairment or disfigurement or any other injury which may lead to impairment or disfigurement.</p>
Robbery	Robbery and assault with intent to rob

Other	Includes: <ul style="list-style-type: none"> • Threats and extortion • Cruel and unnatural treatment of children • Abortion • Concealment of pregnancy • Possession of a firearm with intent to endanger life, commit crime etc. • Abduction • Ill treatment of mental patients • Drugging
<u>Group 2: Sexual crimes</u>	
Rape and attempted rape	Includes: <ul style="list-style-type: none"> • Rape • Attempted rape
Sexual assault	Includes: <ul style="list-style-type: none"> • Contact sexual assault (13-15 year old or adult 16+) • Sexually coercive conduct (13-15 year old or adult 16+) • Sexual crimes against children under 13 years • Lewd and libidinous practices
Crimes associated with prostitution	Includes: <ul style="list-style-type: none"> • Crimes relating to prostitution • Soliciting services of person engaged in prostitution • Brothel keeping • Immoral traffic • Procuration
Other	Includes: <ul style="list-style-type: none"> • Other sexually coercive conduct • Other sexual crimes involving 13-15 year old children • Taking, distribution, possession etc. of indecent photos of children • Incest • Unnatural crimes • Public indecency • Sexual exposure • Other sexual crimes

Group 3: Crimes of dishonesty (Also referred to as Dishonesty)	
Housebreaking	Includes: <ul style="list-style-type: none"> • Theft by housebreaking domestic property (dwelling and non-dwelling) • Theft by housebreaking other property • Housebreaking with intent to steal domestic property (dwelling and non-dwelling) • Housebreaking with intent to steal other property • Attempted housebreaking with intent to enter and steal domestic property (dwelling and non-dwelling) • Attempted housebreaking with intent to enter and steal other property
Theft by opening a lockfast place (OLP)	<ul style="list-style-type: none"> • Theft by opening lockfast places (OLP) (excluding motor vehicle) • OLP (excluding motor vehicle) with intent to steal • Attempted OLP excluding motor vehicle with intent to steal
Theft from a motor vehicle by OLP	Includes : <ul style="list-style-type: none"> • Theft by OLP from a motor vehicle • OLP with intent to steal from a motor vehicle • Attempted OLP with intent to steal from a motor vehicle
Theft of motor vehicle	<ul style="list-style-type: none"> • Theft of a motor vehicle and contents • Attempted theft of a motor vehicle
Shoplifting	Shoplifting
Other theft	Includes : <ul style="list-style-type: none"> • Theft of pedal cycles • Theft from a motor vehicle not elsewhere classified
Fraud	Includes: <ul style="list-style-type: none"> • Common law fraud • Statutory fraud • Forgery and uttering (excluding currency crimes)
Other crimes of dishonesty	Includes: <ul style="list-style-type: none"> • Forgery (other) • Reset • Embezzlement • Corruption

Group 4: Fire-raising, vandalism etc.	
Fire-raising	Includes: <ul style="list-style-type: none"> • Fire-raising • Muirburn
Vandalism, etc.	Includes: <ul style="list-style-type: none"> • Malicious mischief • Vandalism • Culpable and reckless conduct (not with firearms) • Reckless conduct with firearms
Group 5: Other crimes	
Crimes against public justice	Includes: <ul style="list-style-type: none"> • Perjury • Resisting arrest • Bail offences (other than absconding or re-offending) • Wasting police time
Handling offensive weapons	Includes: <ul style="list-style-type: none"> • Possession of an offensive weapon • Restriction of offensive weapons • Having in a public place an article with a blade or point • Having in prison an article with a blade or point • Possession of a firearm in a prison • Possession of an offensive weapon (not elsewhere specified) in a prison
Drugs	Includes: <ul style="list-style-type: none"> • Importation of drugs • Production, manufacture or cultivation of drugs • Possession and supply of controlled drugs • Related money laundering offences • Bringing drugs into prison
Other	Includes: <ul style="list-style-type: none"> • Treason • Conspiracy • Explosives offences • Wrecking, piracy and hijacking • Crimes against public order

OFFENCES

Group 6: Miscellaneous offences	
Common assault	Includes: <ul style="list-style-type: none"> • Common assault • Common assault on an emergency worker
Breach of the peace etc.	Includes: <ul style="list-style-type: none"> • Breach of the peace • Threatening or abusive behaviour • Offence of stalking • Offensive behaviour at football • Threatening communications (Offensive Behaviour at Football and Threatening Communications Act 2012)
Drunkenness and other disorderly conduct	Includes: <ul style="list-style-type: none"> • Drunk and disorderly • Drunk and incapable • Drunk in charge of a child • Drunk and attempting to enter licensed premises • Drunk or drinking in unlicensed premises • Disorderly on licensed premises • Drunk and attempting to enter a sports ground • Refusing to quit licensed premises • Consumption of alcohol in designated places, byelaws prohibited
Urinating etc.	Includes: Urinating /defecating
Other	Includes: <ul style="list-style-type: none"> • Racially aggravated harassment • Racially aggravated conduct • False/Hoax calls • Offences involving children • Offences involving animals/plants • Offences against local legislation • Offences against liquor licensing laws • Labour laws • Naval military and air force laws • Offences against environmental legislation • Consumer protection acts

Group 7: Motor vehicle offences	
Dangerous and careless driving	Includes: <ul style="list-style-type: none"> • Dangerous driving offences • Driving carelessly
Driving under the influence	Includes: <ul style="list-style-type: none"> • Driving or in charge of motor vehicle while unfit through drink or drugs • Blood alcohol content above limit • Failing to provide breath, blood or urine specimens
Speeding	Includes: <ul style="list-style-type: none"> • Speeding in restricted areas • Other speeding offences

Annex E – Legislative and policy changes

Legislative changes

E.1 There have been no major legislative changes throughout 2013-14 which impact on the comparability of the statistics in the short term. However, it should be noted that legislation introduced in more recent years prior to 2013-14 will continue to have an impact on the statistics as people are charged under the new legislation and proceeded against in court.

E.2 The [Offensive Behaviour at Football and Threatening Communications \(Scotland\) Act 2012](#) was implemented on 1 March 2012. The Act criminalises behaviour which is threatening, hateful or otherwise offensive at a regulated football match including offensive singing or chanting. It also criminalises the communication of threats of serious violence and threats intended to incite religious hatred, whether sent through the post or posted on the internet.

E.3 The 2013-14 bulletin is the second full year which includes the new act. Offences under this legislation are included in the crime type **breach of the peace**. The table below is provided for information on the number of people proceeded against under the new legislation since the Act came into force in 2012.

People proceeded against¹ under the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012

Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012		2011-12	2012-13	2013-14
Offensive Behaviour at Football	Guilty	2	66	80
	Not guilty	-	25	74
Threatening Communications	Guilty	-	2	6
	Not guilty	-	2	1
All		2	93	161

1. Where main charge

E.4 On 6 October 2010, section 38 of the [Criminal Justice and Licensing \(Scotland\) Act 2010](#) was implemented. This introduced a new offence to combat threatening or abusive behaviour. Unlike the common law offence of breach of the peace, where it is necessary to show a “public element” to the conduct, there is no requirement in the new offence to demonstrate that the offending behaviour was in a public place.

E.5 Section 39 of the same act also introduced a specific criminal offence of stalking. It is based fairly closely on the offence of harassment in the Protection from Harassment Act 1997, although with important differences. Section 39 of the Act defines conduct which amounts to stalking by means of a list of behaviours. This includes following or attempting to contact the victim; monitoring electronic communications; watching and spying. It also includes a “catch all” “acting in any other way that a reasonable person would expect would cause (the victim) to suffer fear or alarm”.

E.6 [Section 17](#) of the [Criminal Justice and Licensing \(Scotland\) Act 2010](#) included a presumption against short sentences (3 months or less). This presumption states that a court must not pass a sentence of imprisonment for a term of 3 months or less on a person unless the court considers that no other method of dealing with the person is appropriate.

E.7 Community Payback Orders (CPOs) were also introduced by the Criminal Justice and Licensing (Scotland) Act 2010 and came into effect from 1 February 2011. A CPO can only be imposed in respect of offence(s) committed on or after 1 February 2011. The CPO replaces provisions for community service orders, probation orders and supervised attendance orders, and the former community reparation order. Other existing court orders including drug treatment and testing orders and restriction of liberty orders remain unchanged.

A CPO can consist of one or more of the following nine requirements at commencement:

- Offender supervision,
- Compensation,
- Unpaid work or other activity,
- Programme,
- Residence,
- Mental health treatment,
- Drug treatment,
- Alcohol treatment,
- Conduct.

In addition, after the original imposition of the order, if an offender has failed to comply with one or more of the requirements in the order, a further requirement can be imposed, namely a restricted movement requirement. Every order must contain either (or both of) an unpaid work or other activity requirement and an offender supervision requirement. An unpaid work or other activity requirement can only be issued to offenders aged 16 or over. A court must impose an offender supervision requirement if the offender is under 18 years of age at the time the order is imposed and/or if at least one of the requirements compensation, programme, residence, mental health treatment, drug treatment, alcohol treatment or conduct has been imposed.

E.8 The [Sexual Offences \(Scotland\) Act 2009](#) was implemented on 1 December 2010. The act replaces a number of common law crimes such as rape, lewd and libidinous practices and sodomy with new statutory sexual offences. The act also created a number of new 'protective' offences which criminalise sexual activity with children and mentally disordered people. Protective offences are placed into categories concerning young children (under 13) and older children (13-15 years). The new legislation only applies to offences committed on or after 1 December 2010, with any offences committed prior to this date recorded using the previous legislation. The new legislation may result in some increases in Group 2 crime (sexual crimes), though the more noticeable effect was a change in the distribution of these crimes among the sub classifications. For example,

some crimes previously categorised as lewd and libidinous practices are now classified as sexual assault. The crime categories within the „sexual crimes“ grouping have been updated to reflect the current legislative position.

Summary Justice Reform

E.9 The summary (i.e. non-jury) criminal justice system in Scotland has undergone an extensive and far-reaching programme of reform. Summary justice reform focused on all aspects of the summary criminal justice system and intended to create a system that is fair, effective, efficient and quick. 2008-09 was the first full year across which many aspects of summary justice reform were implemented.

E.10 At an overall level, for example, the continued reduction in the number of people proceeded against in court since 2007-08 is consistent with the principal aim of the reforms – that fewer cases go to court needlessly and more are dealt with by non-court actions, where it is appropriate to do so.

E.11 A range of measures were implemented as part of the Anti-Social Behaviour (Scotland) Act 2004 and the Criminal Proceedings etc. (Reform) (Scotland) Act 2007, including:

- Increased roll out and use of alternatives to prosecution that can be offered by the police (e.g. Anti-Social Behaviour Fixed Penalty Notices and Formal Adult Warnings) and procurator fiscal (e.g. increased use of Fiscal Fines)
- Reforms to bail procedures
- Increased use of undertakings
- Increased sentencing powers in Summary courts
- Enhanced fines enforcement
- Replacement of district courts with Justice of the Peace (JP) courts
- Reforms to appointing and training lay Justices of the Peace (JPs)
- Reforms to summary criminal legal aid

E.12 The provisions of the 2007 act were brought into force in stages. The changes to undertakings, bail, lay justice, sentencing powers and certain procedural reforms came into effect on 10 December 2007. Those relating to procurator fiscal alternatives to prosecution and fines enforcement came into effect on 10 March 2008. The unification of the administration of the sheriff and district/JP Courts was rolled-out on a sheriffdom-by-sheriffdom basis and completed in February 2010.

AN OFFICIAL STATISTICS PUBLICATION FOR SCOTLAND

Official and National Statistics are produced to high professional standards set out in the Code of Practice for Official Statistics. Both undergo regular quality assurance reviews to ensure that they meet customer needs and are produced free from any political interference.

Correspondence and enquiries

For enquiries about this publication please contact:

Howard Hooper,
Justice Analytical Services,
Telephone: 0131 244 2927,
e-mail: justiceanalysts@scotland.gsi.gov.uk

For general enquiries about Scottish Government statistics please contact:

Office of the Chief Statistician, Telephone: 0131 244 0442,
e-mail: statistics.enquiries@scotland.gsi.gov.uk

How to access background or source data

The data collected for this statistical bulletin:

- are available through Scottish Neighbourhood Statistics
- are available via an alternative route
- may be made available on request, subject to consideration of legal and ethical factors. Please contact justiceanalysts@scotland.gsi.gov.uk for further information.
- cannot be made available by Scottish Government for further analysis as Scottish Government is not the data controller.

Complaints and suggestions

If you are not satisfied with our service or have any comments or suggestions, please write to the Chief Statistician, 3WR, St Andrews House, Edinburgh, EH1 3DG, Telephone: (0131) 244 0302, e-mail statistics.enquiries@scotland.gsi.gov.uk.

If you would like to be consulted about statistical collections or receive notification of publications, please register your interest at www.scotland.gov.uk/scotstat
Details of forthcoming publications can be found at www.scotland.gov.uk/statistics

ISBN 978-1-78544-018-2 (web only)

Crown Copyright

You may use or re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. See: www.nationalarchives.gov.uk/doc/open-government-licence/