Scottish Crime Recording Standard
Crime Recording and Counting Rules

August 2026

Scottish Government
Riaghaltas na h-Alba

Statement of Purpose

Crime is recorded by the police and others to assist:

- Both central and local Government to establish whether their policies are effective in driving down crime, and to gain understanding of the relative performance of policing and criminal justice providers within Scotland,
- The public in making informed decisions about the risk of crime to themselves as individuals and to allow judgements on how effective Government and police have been in tackling crime and,
- In providing police and their partners with data which informs the targeted use of resources and allows the relative effectiveness of different methodologies to be established.

As can be seen, this is a tripartite relationship where no individual stakeholder need is given greater credence than another. However, it is unlikely, for a variety of reasons, that Recorded Crime Statistics will ever give a full picture of crime. It is, therefore, important to emphasise that Government, and the police, generally consider Crime Statistics in conjunction with Crime Survey data and other sources, in order to achieve the aims stated above.

Introduction

Counting Rules for Recorded Crime

The Counting Rules provide a national standard for the recording and counting of crimes and offences recorded by the Police Service of Scotland (Police Scotland), known as 'recorded crime'. The Rules were devised to take account of the Scottish Crime Recording Standard (SCRS) which was introduced on 1st April 2004 with the aim of providing a more victim orientated approach to the recording of crime and ensuring uniformity in crime recording standards across Scotland.

The Scottish Crime Recording Board, chaired by the Scottish Government Justice Analysis and Strategy comprises members of Police Scotland, Scottish Police Authority, British Transport Police, Ministry of Defence Police, Crown Office and Procurator Fiscal Service, HM Inspectorate of Constabulary in Scotland and any other body that may be invited. The Board will act as guardian of and ultimate decision maker on issues relating to the Scottish Crime Recording Standard.

The Board will fulfil its purpose and objectives through a number of functions. These functions will remain under review over time, and some will be undertaken by supporting working groups. Further information is available on the Scottish Government internet pages.

Contents Part One

Section A	Scottish Crime Recording Standard
Section B	Whether and When to Record
Section C	Detections
Section D	Subsuming of Crimes
Section E	No Crime, Raised In Error and Duplicates
Section F	Transfer of Crime and Dealing with Crimes outside Police Scotland area
Section G	Notification of crime via Internet
Section H	Third Party Reporting
Section I	Hate Incidents and Hate Crime
Section J	Evidence Based Crime Recording
Section K	Scottish Government Justice Directorate (SGJD) Crime Codes

Contents Part Two

Part 2 is available on request, please contact justice_analysts@gov.scot if required.

The Annexes included in Part 2 will assist when recording crime. Each Annex is broken down by Crime Group with each crime type providing an abbreviated definition, who the victim/complainer is, the locus of the crime, how the counting rules apply, any notes pertinent to the recording and the relevant SGJD code. It must be recognised that it is impossible to cover every conceivable crime and scenario and therefore the manual concentrates on crimes in common use.

Part One – Scottish Crime Recording Standard

Section A – Scottish Crime Recording Standard

Introduction

In April 2004, the Scottish Crime Recording Standard (SCRS) was introduced throughout Scotland.

The Standard was produced by the Scottish Crime Registrar's Group and agreed by the Association of Chief Police Officers in Scotland (ACPOS), following research that identified the need to develop a more victim orientated approach to crime recording. This followed on from the National Crime Recording Standard, which was introduced in England and Wales in April 2002.

Tackling crime and the causes of crime are key priorities for Police Scotland. Ethical recording of crime is integral to modern policing, and it is vitally important that crime recording, and disposal practices are capable of withstanding rigorous scrutiny.

Police Scotland Code of Ethics is a set of guiding principles that define how the Police perform their duties and is enshrined in decisions made as individuals and as a service. The code is designed as a guide to help provide positive outcomes and improve the safety and wellbeing of people, places and communities in Scotland. Police Scotland's core values include Integrity, Fairness, Respect and Human Rights.

Accurate and timely recording of crime assists analysis of crime patterns, trends and fluctuations and supports the National Intelligence Model. Accurate crime data illustrates to the Service, Local Government and the public at large how the police are performing and identifies areas, if any, which require greater resourcing.

The Standard sets out to ensure a more victim-orientated approach is taken to recording crime. A more detailed approach with regards to the practical recording and application of the SCRS can be found within further sections of this manual.

The ultimate responsibility for ensuring compliance lies with the Chief Constable, discharged on a daily basis by the appointed Crime Registrars.

All recordable crime will be recorded electronically and strictly in line with this manual. The subsequent investigation of crime will be the responsibility of individual local Commanders. All recorded crime will be retained on systems in accordance with the Police Scotland Record Retention Standard Operating Procedure.

Any reference to 'crime' in this manual also refers to offences under statute.

The purpose of this manual is to advise on the recording of crime laid down by the SCRS which is underpinned by the counting rules for crime, where crimes and offences are grouped under recognised categories for statistical purposes as defined by the Scottish Government for production of Accredited Official Statistics.

All crime reports are subject to the rules set out in this document, which are under constant review. Updates to counting rules will normally be effective from 1st April each year.

It must be recognised that it is impossible to cover every conceivable crime and scenario, therefore, this manual concentrates on crimes in common use.

Police officers should seek further guidance from the Police Scotland Legal Database.

Aim of the Standard

The aim of the standard is:

To provide a more victim orientated approach that serves the needs of our communities and ensures uniformity in crime recording practices throughout Scotland.

Principles

The following principles apply:

All reports of incidents, whether crime related or not, will result in the creation of an incident report which is auditable.

Following initial registration, an incident will be recorded as a crime in all cases if:

- the circumstances amount to a crime defined by Scots Law or an offence under statute; and
- there is no credible evidence to the contrary.

Once recorded, a crime will remain recorded unless there is credible evidence to disprove that a crime had occurred.

Sources of Crime

It is recognised that reports of crime can be received from a variety of sources and do not always result in an incident (via Command and Control) being created before a crime is recorded. Whilst the auditable trail in most cases will be by the creation of an incident (via Command and Control), on occasions the initial details can be noted by other means e.g. within officer's notebook and a crime recorded directly thereafter.

Section B - Whether and When to Record

Incident Recording – Compliance with SCRS

Incident compliance with SCRS is assessed on whether an incident recorded on the relevant Command and Control system provides a clear narrative to either dispel or confirm criminality. A "record to investigate" approach should be applied in support of a victim-centred service.

In the main, incidents reported to the police as crimes will result in a corresponding crime report(s) being created. On occasions an incident initially reported to the police may not appear to be crime related, however, following further enquiry criminality may be identified. It is important that the content of an incident provides,

- an overview of the details of the initial call
- any update on the initial report
- any action taken, and
- the outcome.

Where evidence subsequently emerges to contradict that a crime has occurred, prior to an incident reaching a conclusion, the incident must be updated accordingly.

The following provides a brief synopsis of what is required to ensure incident compliance with SCRS.

- **Crime or Non-crime Disposal**

  Incident disposals must make a clear distinction which identifies the incident as a crime or a non-crime e.g. on STORM an SC01 disposal code indicates the incident has resulted in a Crime/Offence having been identified.

- **Conflict – Opening versus Closing Narratives**

  Conflict between the opening and closing narratives must be fully explained. Any credible evidence which contradicts the original report must be clearly outlined. When an incident at the outset infers a crime or apparent criminal activity, and subsequent Police attendance and investigation into the circumstances confirms that no crime under Scots Law or offence under statute was committed, or there was insufficient information to confirm a crime, the incident must be clearly updated with a satisfactory narrative which eliminates any inference of criminality and fully justifies a non-crime disposal.

- **Unsuitable Disposal Narratives**

  “VPD submitted”, “reported for information only”, “no complaint” or “advice given” are not considered suitable incident narrative disposals where there is inference of criminality.

- **Refuse to Make Complaint/For Information Only**

  Where victim refuses to make a complaint or wishes to advise Police of the crime “for information only”, there is still a requirement for a crime to be recorded.

- **Victim Impaired**

  Where no judgement can be made due to a potential victim being drunk or otherwise impaired, the incident must be followed up when the person is in a fit state. Incidents must not be closed "pending further call from victim" or that an officer will follow up later without a clear update to confirm the disposal as a crime or non-crime.

- **Unable to Confirm Criminality**

  When it cannot be confirmed whether any crime has occurred on officers attending, the incident must be deferred for further enquiry to be made, and the incident updated appropriately prior to final disposal.

- **Cross Refer Crime Reference Number on Incident**

  The crime reference number must be added to the corresponding incident when a crime report is raised, to provide a clear audit trail between the two systems.

- **Linked Incidents**

  Linked incident records are created when more than one report is received about the same incident and rather than replicate the text on the entire linked incident records they are cross-referenced on the incident recording system. It is important to check that the main incident has been correctly finalised.

- **Reports where Someone Suffering from Mental Health Condition**

  Reports of a crime received from, or on behalf of, someone who is suffering from a mental health condition and either insufficient information has been provided to initially record a crime, or, whilst having provided an initial report of a crime, it was felt their condition was such that it was unclear whether the incident(s) had occurred, then pro-active attempts to follow up such reports should be done as soon as reasonably practicable. The complainer should not be left to re-contact the police at a later date to report the incident(s). Crime related incidents involving persons lacking capacity should be assessed on a case-by-case basis and reference should be made

to the section within this manual covering ‘Crime Related Incidents Involving Persons Lacking Capacity’.

- **Recording of Sexual Crime, Pending Statement being Obtained**

  Where sufficient information has been provided in relation to a sexual crime, creation of the crime report must not be delayed by awaiting the statement from the victim by a Sexual Offences Liaison Officer (SOLO).

- **Victim Not Available to Confirm Details**

  Where an initial report is received which indicates that a crime may have occurred and the victim is not immediately available to confirm details sufficient to record a crime, reasonable attempts must be made to contact the victim in order to obtain these details before the incident can be closed. The incident log must be fully updated to document the number of attempts made.

- **Lost Property/Civil Matter**

  Lost property or civil matter decisions, rather than criminal, must be accompanied by the full rationale for this decision on the incident/crime report.

- **Hit and Run Collisions**

  Hit and Run type collision incidents are required to be raised and fully updated to dispel any criminality inferred (e.g. damage so minor in nature driver unaware of collision), however if unable to dispel initial criminality a crime report must be raised to facilitate any necessary enquiry. There is no requirement to wait 24 hours to establish if the offending driver reported the collision prior to recording a crime.

- **Incidents on Schools Premises**

  Crime related incidents occurring within schools can only be dealt with by the school as outlined within the ‘Incidents on School Premises’ section of this manual.

Recording a Crime

The degree to which Police Scotland investigate an initial report from a victim, or person reasonably assumed to be acting on behalf of the victim, to establish whether a crime has occurred or not will vary with the circumstances of the report. Such investigation may range from questioning over the telephone when the initial report is made, to fuller investigation of the circumstances surrounding the allegation. However, it is envisaged such further investigations, to facilitate the crime recording decision, would be the exception, not the norm.

Minimum Information Required to Record

Whilst it is difficult to be absolute, the minimum level of information required to raise a crime report is as follows:

- An approximate date/date range
- An approximate locus; and
- If an MO can be established (to ascertain crime type).

Where a decision is made to delay the recording despite having what would be deemed appropriate information to record, this must be made clear and sufficiently justified on the incident recording system.

Parents, Carers and Professional Reports

Where reports are received by individuals acting in a professional capacity or parents/carers acting as a guardian or responsible adult reporting crime on behalf of/in the best interests of another they should be regarded as acting on behalf of a victim.

Where there is no doubt as to their status and/or position or the veracity of their report, those reports must be recorded as crimes. Recording should occur regardless of whether the victim has given their permission for the reporting individual to speak to the police and irrespective of whether the victim subsequently confirms that a crime has occurred.

Where a decision is taken not to record a crime being reported, possibly due to there being concerns around the veracity of the report, there must be justification for this decision.

Timeliness of Recording

In all cases, where a crime is made known to the police, by any means, a crime report must be recorded as soon as reasonably practicable. The importance of ensuring that crime reports are submitted as soon as possible is paramount to ensuring the victim's needs are met and the relevant information is available for allocation of enquiry, assessment, statistical and analytical purposes. An incident will be recorded as a crime if, the circumstances amount to a crime as defined by Scots Law or an offence under statute and there is no credible evidence to the contrary.

All crimes must be recorded as soon as reasonably practicable and within a period of 72 hours from the time the incident is first notified. In most cases this will result in details of the reported crime being submitted to the crime system prior to termination of duty. If no crime is recorded within 72 hours the reason for the delay must be fully explained and justified within

the incident log. In exceptional circumstances a maximum of 7 days is permitted to consider situations outwith Police control.

Recording should not be delayed in order to wait for further details of the case, including the likelihood of obtaining a detection. Where sufficient information has been provided in relation to a crime, creation of the crime report must not be delayed, for example by awaiting the statement from the victim taken by a Sexual Offences Liaison Officer (SOLO).

Additional crimes made known to Police during the investigation of lengthy enquiries must be recorded as soon as reasonably practicable following notification to Police.

Additional Reports of Crime

Where a complainer reports that the same crime has occurred in the past, or has also happened to a neighbour, these additional reports should be followed up and additional crimes recorded where appropriate.

For example - a report of vandalism to a vehicle is received where the complainer also advises that it appears their neighbour's vehicle was also damaged. A crime should be recorded for the initial vandalism reported and enquiry made in respect of the information regarding the neighbour's vehicle, with an outcome of either a further crime being recorded or justification on the incident as to why no crime is being recorded.

Amendment of Crime Type

Where a crime type has been amended on a crime report, particularly if a crime is being upgraded or downgraded, the rationale must be noted on the crime report to justify the decision made, thereby providing an audit trail. The Crime Registrar will determine whether a crime should be recorded and/or the appropriate crime classification where there is uncertainty.

Uncooperative Complainers

It is not uncommon for someone to report a crime to the police and to then refuse to engage with an investigation. This happens in relation to all crime types but appears particularly common for victims of sexual crime who can sometimes lose confidence following the initial report and become reluctant to engage with the police. In such cases, a crime should be recorded where there is sufficient information to do so, and an uncooperative tag should be assigned. Only where a complainer freely retracts their initial report, and no crime has occurred can such incidents be closed without a crime report.

Visual Recording Systems

Where officers can identify the persons involved from an image, or it is appropriate to carry out further enquiry to identify the persons and, on the balance of probabilities, the officer believes that a crime has occurred, an investigation should be considered and a crime recorded. Where the basis for recording the crime is based solely on visual recording evidence, it is important that the provenance of the recording can be established. It is not the intention of the SCRS to record as crimes all incidents that could be construed as crimes when viewed remotely. For example, where, as a result of events, police officers attend the scene of a disturbance, but all parties have left, this should be recorded as an incident only rather than as a recorded crime.

Age of Criminal Responsibility

Where children below the age of criminal responsibility are reported as having been involved in criminal behaviour a crime must be recorded. A recorded crime committed by a child of non-age may be shown as detected if there would have been a sufficiency of evidence to have reported the child by SPR had they been over the age of criminal responsibility. In these circumstances the sufficiency of evidence must be documented on the crime report. The Age of Criminal Responsibility (Scotland) Act 2019 which commenced on 17 December 2021 increased the age of criminal responsibility from 8 to 12.

Admission by Offender

Where an offender admits to committing a crime and there is no confirmation of that crime having occurred, no crime report should be recorded unless other evidence of the crime exists.

Date Made Known for Statistical Purposes

Sources of crime reports are many and varied, originating with members of the public and police officers alike. The police will record crimes made known to them regardless of when they occurred. The timing of a recorded crime, for statistical purposes, should relate to the date it is recorded on the crime recording system e.g. a crime committed in September, but reported to the police and recorded as a crime in October, should be included in the recorded crime statistics for October.

Non-Recent Crimes

In circumstances where a victim discloses a further non-recent crime to Police over and above crimes which were previously recorded and investigated, where the further crime is undated and would have been incorporated within the crimes already recorded if disclosed at the earlier time, a new crime must be recorded.

Examples

1. A crime is reported in 1991 and was recorded on the crime recording system at that time and was detected, although no proceedings were taken at that time by the Procurator Fiscal. Further information has come to light which enables the crime to be re-investigated, and the Procurator Fiscal has requested a report be submitted for consideration of criminal proceedings.
    - No crime should be created on the crime recording system as it would have been counted as a recorded and detected crime at that time.
2. A complainer advises that they reported a crime in 1991 however due to changes to crime recording systems no trace of this report can be found.
    - A crime should be recorded on the present crime system.

Points to Consider

Establishing the Locus

Where the Location of a Crime is Unknown

In the vast majority of cases the location of a crime will be apparent or can be established by reference to the counting rules within Annexes 1 to 8 of this document. In circumstances where the location of a crime is unknown or cannot be established by reference to the counting rules the following should be considered:

Where, on the balance of probability, the crime could reasonably have occurred.

Where the offender would reasonably be expected to be at the time of the crime e.g. home address.

If at the time of the report the location of the offender and victim cannot be determined, then the crime may be recorded as having occurred at the victim's home address.

Theft in Transit

All reports of Theft in Transit (other than by air or sea) will be recorded as a crime at the point of departure unless there is evidence the theft occurred at a specific location.

Please see Section 'F' in relation to crimes committed in the air and at sea, and outside the jurisdiction of Police Scotland.

Locus for Communication Type Offences

Where ‘A’ reports receiving a threatening communication (e.g. phone/internet/social media) the locus will initially be recorded where the call is received (as this is where it can be evidenced as occurring at that stage). Only if enquiry confirms the specific location where the communication was made from can the locus be amended to ‘where made from’ e.g. confirmation that call made by landline, admission by accused.

This is also the case in respect of the locus for a number of other offences which take place over the phone/internet/social media etc. e.g. extortion, sexual crime (crimes such as Stalking and OCAG related offences are an exception to this rule).

Where the communication is confirmed as having been sent from outwith the UK, the crime must remain recorded with the locus being ‘where received’.

Where the communication is confirmed as having been sent from a specific location elsewhere in the UK, only where the relevant Force accept the transfer of the crime can the crime be updated to ‘No Crime’.

Online Child Sexual Abuse Activist Groups

In circumstances where a suspect commits an offence by communicating with a person or group of persons purporting to be a child under controlled conditions the locus will be as follows:

- If a meeting takes place the locus will be where the meeting takes place.
- If arrangements are made to meet and no meeting takes place the locus will initially be recorded where the suspect would reasonably be expected to be at the time of the crime e.g. home address.
- Where a sexual communication offence e.g. communicating indecently, cause to view sexual image has occurred, the locus will initially be recorded where the suspect would reasonably be expected to be at the time of the crime e.g. home address.
- If during the course of the investigation a specific locus is identified the crime will be updated to the correct locus.
- If there is sufficient evidence to report an offender for having made the communication but insufficient evidence to determine where the communication was made from, the locus will be where the communication can be evidenced as having been received.

Crimes Committed Outwith Scotland

Where a crime is reported to Police Scotland, the locus being out with Scotland, and Police Scotland will be undertaking an investigation with a view to reporting the circumstances to the Procurator Fiscal, a crime report should be recorded on UNIFI with the locus recorded where the crime took place.

Where it is deemed appropriate to record a crime report which will be forwarded to another Force/Country, a crime report can be recorded on UNIFI and should be considered on a case-by-case basis.

Provisions within certain pieces of legislation such as Criminal Procedure (Scotland) Act 1995, Section 11, Domestic Abuse (Scotland) Act 2018, Section 3 and Sexual Offences (Scotland) Act 2009, Section 55 allow for specific offences which occur outwith Scotland to be prosecuted in Scotland.

Examples

1. While victim ‘D’ who has a home address in Scotland is on holiday in Spain they purchase property in Spain which they discover is part of a scam and does not exist. They report the matter to Police Scotland when they arrive home.
    - No crime should be recorded.
2. While victim ‘E’ is on holiday in Spain they are assaulted by a person in their party. Both victim and suspect reside in Scotland. The matter is not reported to local police and is reported to Police Scotland when they arrive home.
    - A crime should be recorded if Police Scotland will be undertaking relevant enquiry with a view to reporting the circumstances. Provisions under Domestic Abuse Act 2021 would give Scottish Courts jurisdiction to hear such a case provided that the circumstances constituted a crime in the country outside Scotland and if it had occurred in Scotland, it would constitute the crime of assault. Any crime recorded for this purpose should have a locus outwith Scotland.

Crimes Committed Remotely

It should be noted that crimes committed remotely e.g. online Fraud, communications offences, sending sexual images, and other cyber related crime should continue to be recorded in accordance with the Scottish Crime Recording Standard. These crimes can only be updated as having been transferred to another UK Force where the receiving Force accept ownership, record the crime and forward the corresponding reference number. If the locus for a remote crime is confirmed as having occurred outwith the UK and the victim was in Scotland at the time of the offence, the crime will remain recorded by Police Scotland with a Scottish locus.

National Crime disposals of “Undetected – Suspect Elsewhere UK” or “Undetected – Suspect Outwith UK” should be used where the crime remains recorded by Police Scotland.

Crimes Committed Offshore

Where the locus of a crime is offshore, this should be recorded in the waters nearest to the Division where the crime takes place, which may not necessarily be the same Division who will be undertaking enquiry.

Crimes Committed against Victims in Scotland Where Suspect is Outside Scotland

In circumstances where a victim is in Scotland at the time a crime is committed, and the suspect is determined to be outside Scotland a crime will be recorded and retained by Police Scotland unless the location is established as being elsewhere in the UK and ownership is accepted by another UK Force. If crime transfer is accepted by another UK Force and crime reference number provided the crime report may be updated to ‘No Crime’. If crime transfer is not accepted the recorded crime will be retained by Police Scotland.

Examples

1. While victim ‘A’ is in Scotland they are defrauded of money by means of bank transfer and a crime of Fraud is recorded. Enquiry determines a home address of suspect in Wales and Welsh Force accept the crime transfer.
   - The recorded Fraud should be updated to ‘No Crime’.
2. While victim ‘B’ is in Scotland they are sent unwanted sexual images by a person they have befriended on social media and a crime of Sexual Offences (Scotland) Act 2009. S6 is recorded. Enquiry determines the images were sent from an IP address which is based in Turkey.
   - The recorded Sexual Offences (Scotland) Act 2009, S6 offence should be retained as a recorded crime by Police Scotland with the locus being where the images were received.
3. While victim ‘C’ is in Scotland they are defrauded of money by means of bank transfer and a crime of Fraud is recorded. The suspect is believed to be somewhere in England, but enquiry is unable to determine a locus sufficient to transfer the crime to another Force.
   - The recorded Fraud should be retained as a recorded crime by Police Scotland with the locus being the victim’s home address.

Circumstances Where a Crime May Not Be Recorded

Where No Crime Has Occurred

If an apparent crime related incident proves not to involve criminality, the incident record disposal will clearly depict the circumstances dispelling criminality. If, following the creation of a crime report, subsequent investigation proves that no crime occurred; the crime report will be marked accordingly. A full description of steps taken and the reason behind the change in status will be detailed in the crime report.

Recording on Other Systems

All incidents coming to the attention of the police will be registered by the creation of a report, which is auditable. This practice will ensure the Service has all available information to hand when determining possible crimes and will allow an audit trail to be created for future audit and inspection purposes. Where a report is recorded as a crime initially and does not require immediate police response (e.g. self-generated reports), it is not always necessary for an incident record to be created. However, where the report is not initially recorded as a crime, an auditable record should be registered (whether on the Incident System or some other accessible and auditable means).

Unable to Confirm Details of Initial Report

Where a complainer reports an incident which initially indicates a crime may have occurred, there is insufficient information available to record a “skeleton” crime report and reasonable enquiry has been made to contact the complainer in order to obtain the details of the alleged crime, but without success, no crime report need be created. However, the incident must be endorsed with a record of the attempts made.

Where sufficient detail has been obtained, a crime report must be raised, even though the police have been unable to contact the complainer to obtain further information.

A refusal to provide a statement is insufficient justification to close an incident as a non-crime. If any doubt exists as to the validity of a report, a crime must be recorded unless it can be evidenced that a crime did not occur.

No Victim, Witness etc. Traced

Where there are grounds to suspect that a crime may have taken place but no victim (or person reasonably assumed to be acting on behalf of the victim) can immediately be found or identified, the matter should be recorded as an incident until such time as confirmation of a crime can be ascertained. Where a crime report is not being raised, the auditable incident record must be fully updated to explain the circumstances. If sufficient details are reported by an apparently reliable witness which amount to a crime and no victim can be traced, a crime

will be recorded e.g. reliable witness reports one person being assaulted by two others on a public street.

Public Order Incident

In the case of a public order incident where on the arrival of the police there is no continuing disorder and no specific intended victim, the incident will not be routinely recorded as a crime. Reasonable enquiries should be undertaken to identify specific victims and secure any supporting evidence that would enable further police action in terms of arrest or summons. Where enquiries fail to identify any victim or produce supporting evidence, the incident will remain recorded as an incident only. Where police arrive at a scene and witness disorder, they will deal with the matter appropriately and where crimes are apparent, record a crime(s), as required. Where there is no specific intended victim, and where an officer warns an offender to stop the unlawful behaviour and the offender heeds the warning and no further action is taken, no crime report is required.

Anonymous Reports

Anonymous reports of crime must be supported by corroborative evidence prior to the creation of a crime report. Where a victim's details are withheld from the police the circumstances reported will normally be recorded as an incident only until such times as victim details are made known.

Specialist Reporting Agencies

Over 50 specialist agencies, other than Police, report cases to the Procurator Fiscal where the types of offences can include benefit fraud, illegal dumping of waste and infringement of trading standards. Where another reporting agency has primacy over an investigation and agrees to record, report and conduct an enquiry, there is no requirement for Police to record a crime. In most instances, these Agencies, being specialists in their own area of expertise will have a statutory duty to investigate and report direct without involving the police.

Agencies do not have full powers to act in all circumstances (e.g. where a member of staff is assaulted), therefore, some incidents may be referred to the Police for a crime report to be raised.

Examples of other reporting agencies include:

- British Telecom
- Department for Transport
- Department for Work and Pensions
- Driver and Vehicle Licensing Agency (DVLA)

- Fire and Rescue Service
- Food Standards Agency
- Gangmasters Licensing Authority
- Health and Safety Executive
- HM Revenue and Customs
- Local Authorities
- National Health Service
- Royal Mail
- Trading Standards
- UK Border Agency
- Information Commissioner

Balance of Probability

In all cases where apparent criminal activity is reported, but a crime is not initially recorded, the police would be expected to carry out reasonable enquiries to confirm whether a crime on the balance of probability has been committed, through seeking confirmation from the victim, a person reasonably assumed to be acting on behalf of the victim, witnesses or via other supporting evidence. Where this cannot be confirmed, the incident should be endorsed with the enquiries made and for audit purposes, the reason why a crime was not recorded.

Crimes can be made known to the police through a variety of channels. No corroborative evidence is required before a crime report is raised, if on the ‘balance of probability’ a crime has occurred. In most cases, a belief by the victim (or person reasonably assumed to be acting on behalf of the victim) that a crime has occurred will be sufficient to justify its recording as a crime. A crime should be recorded when it is more likely than not that a crime has been committed. The police will determine whether the circumstances, as reported, amount to a crime defined by Scots Law, or an offence under statute.

The fact that a person is drunk or otherwise impaired might have a bearing on the balance of probability issue within the crime recording decision-making process. As a minimum, an incident must be recorded and followed up by the police when the person is in a fit state. However, if at the time of reporting supporting evidence exists, a crime should be recorded, regardless of the victim’s condition.

Uncooperative Victims

In circumstances where a person reports that a crime has occurred, and there is sufficient information to confirm, but the victim, witness and/or complainer refuses to co-operate with the police, a crime report will be raised and the appropriate ‘Uncooperative’ tag assigned.

Power of Discretion

The SCRS while laying down a standard for ethical crime recording does not remove a police officer’s power of discretion, for example, when dealing with:

- instances of anti-social behaviour,
- minor acts of disorder e.g. stand-up fights where no serious injury is sustained and no party claims to have been assaulted,
- minor road traffic violations e.g. When a police officer has used their power of discretion to verbally warn in relation to a minor road traffic offence.

However, there will be occasions when priorities or local initiatives will limit powers of discretion as the police introduce tactical measures to deal with specific local problems or enforce new legislation.

On occasions when a police officer has used their power of discretion to verbally warn in the circumstances highlighted above, there is no requirement for a crime report to be raised. However, the auditable incident record must be fully updated with the circumstances and the rationale for the action being taken. In the use of discretionary powers, the decision must be appropriate to the circumstances and will be subject to scrutiny. Crimes should continue to be recorded in all circumstances where the crime is victim based, e.g. sexual crime, assault, theft, vandalism, hate crime, domestic crime.

Incidents on school premises

When a minor incident occurring on school premises is reported to the police, including those witnessed by, or reported directly to the police school liaison officers, the officer dealing should, in the first instance, invite the victim or the person acting on their behalf to report the matter to the head teacher to be dealt with under normal school discipline procedures. Such reports should be recorded as an incident only, until or unless:-

- They judge it to be a serious incident*,
- Having brought the matter to the attention of the school, they receive a formal request from the school to investigate; or
- The child, parent or guardian or the child’s representative asks the police to investigate.

The above excludes where the:

- victim or suspect is an adult e.g. teacher
- victim or suspect is not a pupil at the school where the incident has occurred
- incident has occurred on school transport to or from school
- incident has occurred on a school trip
- incident has occurred outwith normal school hours

The term "school premises" includes residential schools, however, the incident must have occurred during normal school hours within the confines of the teaching or recreational area for the above practice to be considered.

*A serious incident is one that has led/is intended to lead/is likely to lead/or threatened to lead to serious harm or loss to any school child in the view of the child, parent or child's representative. Incidents of a sexual nature should be considered as serious. Any assault meeting the definition of serious assault should be classed as a serious incident which should be dealt with by police.

Counter Allegations

In circumstances where counter allegations are made, the officer must apply the 'balance of probability' test. Consideration should be given to any injuries sustained, who was the initial aggressor and whether the alleged assault was as a result of retaliation, or in justified self-defence. Every case should be judged on its merits and officers do not require to raise crime reports on every occasion where a counter allegation is made. There may be occasions when a decision is made to report the principle perpetrator to the Procurator Fiscal with the circumstances outlined within the Police report, however, this does not in itself provide sufficient justification for not recording a crime should the circumstances be assessed that the principle perpetrator was also assaulted without justification.

Where the decision is made not to raise a crime report, this should be clearly explained on the Command-and-Control Log and/or initial crime report raised.

Where doubt exists, submit a crime report. Following enquiries, where evidence suggests no assault took place, authority should be sought to have the crime report updated to 'No Crime'.

Examples

1. Police are called to a domestic incident by an anonymous caller regarding a person assaulting their partner. On police attending, both parties are very drunk and aggressive. Both make counter allegations of assault, although no injuries are apparent. A credible third party (in opinion of attending officers) within the house confirms they were shouting

at each other, but no assault took place. Police speak to both parties in isolation, and they agree things got out of hand, but neither were assaulted.

   - No crime reports for Assault should be raised as there is credible evidence to justify no crime took place. Consideration must be given in relation to the extent of the arguing (e.g. Establish a disorder type crime such as Criminal Justice and Licensing (Scotland) Act 2010 Sec 38). In such a circumstance, it is vital that a detailed disposal is placed on the Command-and-Control System to explain the rationale behind the circumstances. Assessment of the incident must be thorough to ensure future safety of all parties involved.

2. 'A' assaults 'B' and makes a counter allegation that they were assaulted by 'B'. There is evidence that the injuries sustained by 'A' were inflicted by 'B' in self-defence.
   - 1 x Assault to Injury ('A' assaulting 'B')
3. 'A' assaults 'B' and is then subjected to a sustained attack at the hands of 'B'.
   - 2 x Assault to Injury ('A' was the main instigator and 'B's' retaliation was not justified retaliation or self-defence).

Crime Related Incidents Involving Persons Lacking Capacity

The following guidance should be considered when a crime related incident is reported to the police involving a victim or offender who lacks capacity.

Where a crime is reported, the police have a duty to obtain sufficient information from the victim, or person(s) acting on behalf of that victim, to submit a crime report and investigate where appropriate.

In all cases where a minor crime is reported, e.g. Common Assault, Theft etc. and following enquiries, it becomes apparent that the suspect lacks capacity, supporting evidence (e.g. a statement/document which may be recorded in the police officer’s notebook/mobile device or other related document) should be obtained from a named registered medical practitioner e.g. doctor, with regard to their capacity to having committed that crime. This should be to the effect that the suspect lacks the capacity in acknowledging their actions as defined by the Adults with Incapacity (Scotland) Act 2000. This credible evidence confirms there was no criminal intent to support that a crime took place. Therefore, the relevant procedure should be followed to have the crime report updated to ‘No Crime’.

In all circumstances where a serious crime is reported, e.g. Serious Assault, all Sexual Offences etc., and following investigation it becomes apparent that the suspect lacks capacity, the crime will remain recorded and must not be updated to ‘No Crime’. Any additional crime(s) committed at the same time as a ‘serious crime’ must also remain recorded. If a sufficiency of evidence exists, a police report (SPR) will be submitted to the

Procurator Fiscal who will make the decision based on the evidence presented, whether or not criminal intent can be proved and if it is in the public interest to proceed with the case. In such cases, the crime report will result in a detected crime. If there is not a sufficiency of evidence the crime will be recorded as undetected.

Crime related incidents reported involving persons lacking capacity should be considered on a case-by-case basis, depending on the medical evidence presented at the time to determine the aspect of criminal intent. A crime report should be recorded in all cases unless medical evidence obtained from a named registered medical practitioner e.g. doctor, is available from the outset which clearly confirms a lack of criminal intent, and the incident is fully updated to this effect.

Where an individual will permanently lack capacity, it is sufficient for reference to be made to medical notes by a medical practitioner e.g. nurse, however, in cases where the illness has not been diagnosed as being permanent this must be assessed by an appropriately qualified medical practitioner e.g. doctor.

Human Trafficking

Human trafficking can be understood as the illegal trade and exploitation of human beings. It can take many forms and cover a wide variety of activities, but human trafficking always involves either exploitation of a person or the intention to exploit a person. For the purposes of trafficking, a child is any person under 18 years of age. A trafficking victim does not have to cross international boundaries but merely being moved from one place to another within Scotland or the UK for the purpose of exploitation is sufficient.

Crimes reported which occur within Scotland will be recorded in accordance with SCRS. Crimes which have occurred outwith Scotland will not be recorded. In circumstances where the locus of a crime is unknown but is known to have occurred in the UK, the locus will be where it can reasonably be inferred to have occurred. Where on the balance of probability the locus is within Scotland, however, an approximate locus cannot be identified the locus will be where the person has come to the attention of the relevant authorities.

Examples

1. A potential victim of trafficking states that they were forced to work in a named restaurant or an unknown restaurant which can be established as being within Scotland, working long hours and with no pay.
    - A crime report is required.
2. A potential victim of trafficking states that they were forced to work for no money and in poor conditions at a named or unnamed warehouse in an unknown location overseas.
    - No crime report is required.

3. A potential victim of trafficking states that they were forced to work for no money and in poor conditions at a named or unnamed warehouse in the Manchester area.
    - No crime report is required. A crime transfer package should instead be sent to the relevant police force for their consideration.

A European Union directive has been ratified by the UK Government for the non-prosecution or non-criminalisation of persons where it can be shown that they were coerced or forced to commit crime through being a victim of trafficking. In these cases, liaison with the area Procurator Fiscal will decide whether it is in the "public interest" to continue with the prosecution of a potential victim of trafficking.

Where a person is believed to have been coerced or forced to commit crime this does not negate the requirement to record the crime committed.

4. ‘A’ is charged with a Theft by Shoplifting where the enquiry concludes that it is more than likely that they have been the victim of trafficking, and the Procurator Fiscal has advised they will not prosecute.
    - A crime of Theft by Shoplifting should be recorded and shown as detected (this meets the criteria of a "detected" crime due to reporting being considered as inappropriate in line with the EU directive and direction from the Procurator Fiscal).

Crime Occurring in Prisons

Before reporting an incident to the Police, the prison will consider each case to assess whether it can be dealt with by means of the prison adjudication system, which can in some instances provide a relatively quick and cost-effective means of dealing with minor crimes in prisons. Where a prisoner has been dealt with by way of the prison adjudication system, this does not remove the ability for the circumstances also to be reported to the Police to be dealt with as a crime.

Some crimes will be so serious that referral to the Police is necessary whilst others may be reported due to aggravating factors. An informed and balanced decision must be taken in making a referral to the Police regarding the appropriate actions for each individual case.

It should be noted where prisoners are detained in State Hospitals that this type of establishment does not meet the definition of a "Prison" per Prisons (Scotland) Act 1989.

Section C - Detections

Detections

The date ‘cleared up’ (detected) will feature as the index reference for statistical purposes e.g. a crime recorded in September and detected in October, should be included in the detected crime statistics for October.

A ‘cleared up’ crime, can be defined as follows:

There exists a sufficiency of evidence under Scots Law, to justify consideration of criminal proceedings notwithstanding that a report is not submitted to the Procurator Fiscal or Children’s Reporter because either:

- by standing agreement with the Procurator Fiscal or Children’s Reporter, the Police formally warn the accused, or
- reporting is inappropriate due to the non-age of the accused, death of the accused or other similar circumstances.

Time Barred Cases

Where a crime has been identified as being 'time barred', however, there would have been sufficient evidence to report the accused otherwise, the crime should be counted as detected.

There may be occasions where an alternative crime type can be used to report the circumstances to the Procurator Fiscal and where this is the case the alternative crime type should be recorded, for example, the timescales for reporting a vandalism may result in it being time barred, however the circumstances may allow a malicious mischief to be reported.

Fixed Penalty Notices

The Crimes/Offences covered by Anti-Social Behaviour Fixed Penalty Notice (ASB FPN), which are recorded as detected, are as follows:-

- Licensing (Scotland) Act 2005, Section 115 – Disorderly conduct.
- Licensing (Scotland) Act 2005, Section 116 – Refusal to leave premises.
- Civic Government (Scotland) Act 1982, Section 47 – Urinating or defecating in circumstances causing annoyance to others.

- Civic Government (Scotland) Act 1982, Section 54(1) – Persisting to annoyance of others, in playing musical instruments, singing, playing radios etc. on being required to stop
- Criminal (Consolidation) (Scotland) Act 1995, Section 52(1) – Vandalism
- Criminal Justice and Licensing (Scotland) Act 2010, Section 38 – Threatening or Abusive Behaviour (from 1st April 2026)
- Local Government (Scotland) Act 1973, Sections 201 and 203 – Consuming alcoholic liquor in a public place
- Breach of the Peace

Although the following offences are included as being suitable for disposal by way of a Fixed Penalty Notice, it is not common practice to issue a Fixed Penalty in respect of these offences.

- Civic Government (Scotland) Act 1982, Section 50(1) – Being drunk and incapable in a public place
- Civic Government (Scotland) Act 1982, Section 50(2) – Being drunk in a public place in charge of a child
- Malicious Mischief

It should be noted that there must always be sufficiency of evidence to justify consideration of criminal proceedings in relation to such crimes/offences outlined within any agreed protocol, before a crime can be recorded as detected.

Recorded Police Warnings

The Recorded Police Warning scheme (RPW) aims to address minor offending behaviour which Police Scotland currently report to the Procurator Fiscal resulting in either a non-court disposal or no action being taken on the grounds of triviality.

The Lord Advocate has issued guidelines for the Recorded Police Warning scheme which is now the first step in a three-tier disposal process i.e. Recorded Police Warning, Fixed Penalty Notice, SPR.

A Recorded Police Warning requires the same sufficiency of evidence to prove the crime as that which would be required to report the circumstances to the PF by SPR.

Issuing of Tickets

Where a ticket (Recorded Police Warning, Anti-social Behaviour, Conditional Offer, Vehicle Defect) has been issued via a mobile device, the crime report will automatically be recorded, and the ticket number automatically appended to the crime report.

Crime Resolution (Non-Investigation)

There will be occasions when a crime is reported to the police, but it is evident that the complainer or victim is reluctant to assist police, provide a statement or they state that they do not wish the police to investigate the crime. This reluctance can be for a number of reasons and includes fear of repercussions.

This should have no bearing on the actual recording of the crime, and this should continue to be done in adherence of the Scottish Crime Recording Standard.

It should be remembered that the aim of the Scottish Crime Recording Standard (SCRS) is:

- To provide a more victim orientated approach that serves the needs of our communities and ensure uniformity in crime recording practices throughout Scotland.

The crime recording / investigation process in its simplest format can be separated into three basic stages:

1. Record Crime
2. Investigate the Crime
3. Warn/Report Offender

Just because you start at ‘level 1’ does not mean you must always finish at ‘level 3’.

The principles of the SCRS indicate that a crime must be recorded and in the majority of occasions complainers fully support this official record of their incident but, to consider fully their needs, Divisions must contemplate breaking the link between the need to record and the need to investigate.

However, where a victim does not wish a crime investigated, the police, in deciding whether or not to pursue the investigation, must take the following into account

- The safety of the victim,
- Public safety; and
- Public interest.

In essence the wishes of the victim must be balanced with the public safety and public interest and if it is felt that any of these factors are compromised then the crime should be

investigated. The safety of the victim, both in relation to the incident reported, and any form of repercussions should the suspect be approached, or the crime investigated by the police must be taken into consideration.

This Crime Resolution Policy will be implemented in relation to minor or non-serious crime only.

The use of this Crime Resolution Policy must not be allowed to become an excuse for inappropriate non-investigation. Where a crime is not investigated on the wishes of the victim, the reasons for so doing must be fully recorded and auditable.

The victim must be made aware that, should a similar incident reoccur, or the current incident subsequently be linked to other offences, the matter could be reopened for further investigation.

Where a victim / complainer is assessed as being uncooperative with the police and a decision is taken not to investigate the crime, a tag which is searchable for statistical purposes, must be placed on the crime report to record this fact.

To prevent the abuse of such a policy the decision not to investigate must be made at an appropriate level depending on the individual circumstances, the expectation being the decision would be taken by an officer of the rank of Inspector or above.

Reporting to the Procurator Fiscal

Recording and Reporting of Rape

In circumstances where a victim reports a crime of Rape and there is insufficient evidence to corroborate penetration, but sufficient evidence to prove Attempted Rape or Assault with intent to Rape, then a crime of Rape should be recorded.

An SPR libelling a charge of Rape should be submitted to the Procurator Fiscal detailing the full circumstances for their consideration. The Rape crime report will be shown as detected in these circumstances. Whilst the accused may be charged with Attempted Rape or Assault with intent to Rape due to the evidence available, the "Remarks" section of the SPR should provide an explanation as to why the charge being libelled on the front page of the SPR is one of Rape. The following has been agreed by COPFS and must be added to the "Remarks" section of an SPR2 for cases where Rape is libelled but it is considered there is only a sufficiency of evidence to report Attempted Rape or Assault with intent to Rape:

'A charge of Rape has been libelled within this SPR to reflect the crime reported by the victim. The circumstances have been fully investigated, and it is considered that, despite significant and sufficient evidence in respect of the other essential evidential elements there

is insufficient evidence to prove penetration. On this occasion, the Accused has been charged with Attempted Rape / Assault with intent to Rape (as appropriate).'

This will allow the Procurator Fiscal to fully consider the evidence presented and enable them to change the charge to that which they intend to proceed with, and thus preserve the victim orientated approach to crime recording required by SCRS.

Recording and Reporting of Drug Offences

A number of drug types can be recorded and reported to the Procurator Fiscal based on a presumptive field test or presumptive laboratory test. Where this is not applicable and analysis is required an ‘Undetected’ Crime Report, based on the suspected drug type, must be recorded with an explanation in the ‘Enquiry Log’ that the substance is awaiting analysis.

Where a large quantity of suspected controlled drugs has been recovered with no immediate 'owner' identified and further enquiry will be carried out e.g. confirmation of substance being a controlled drug, DNA, fingerprints etc. in order to confirm a crime and identify the 'owner', a crime report should be recorded.

On completion of enquiries, even if the drug is confirmed as being a controlled substance, however, no 'owner' has been identified to allow the reporting of the circumstances, then the property should be treated as 'found' and the crime report updated to 'No Crime'.

Section D - Subsuming of Crimes

Subsuming is a term used to record a number of criminal acts as one crime. However, more serious crimes such as Robbery or Rape may incorporate a number of other criminal acts which amount to individual crimes in their own right if committed in isolation.

For example - 'A' approaches 'B', pushes 'B' to the ground, shouts abuse, demands money and removes money from the pocket of 'B'. The various elements (assault, threatening or abusive behaviour, and theft) all amount to a crime of Robbery, a crime in its own right.

The following is intended as general guidance on when subsuming may be appropriate.

Further enquiries should be directed to the Crime Registrar.

Group 1

In general, serious crimes within Group 1 may not be subsumed.

Examples

1. ‘A’ is abducted and sometime later whilst being held against their will, is stabbed.
   - 1 x Abduction
   - 1 x Serious Assault or Attempt Murder dependant on the evidence, plus possession of offensive weapon/bladed article used in commission of crime if committed in a public place, school or prison. The injury was not received during the act of abduction. It occurred at a later point in time. It is therefore not subsumed.

     Where an incident involves the same complainer and offender, crimes such as serious assault or threats may be subsumed into an attempt murder, murder or robbery.
2. ‘A’ threatens ‘B’ with a knife, demanding their wallet. ‘B’ refuses and a scuffle ensues, and ‘B’ is stabbed several times to the abdomen resulting in serious injury. ‘A’ removes the wallet from ‘B’s’ jacket and makes off.
   - 1 x Robbery with the Attempted Murder subsumed plus possession of offensive weapon/bladed article used in commission of crime if committed in public place, school or prison. If the stabbing occurred after the Robbery this would be recorded as Robbery and Attempted Murder. If the victim had died both Murder and Robbery would be recorded.
3. Person ‘A’ accidentally sustains a broken arm whilst being abducted.

- 1 x Abduction. The injury has been sustained as part of the abduction and is not a deliberate act.

4. ‘A’ shouts and swears at ‘B’ in their home before assaulting ‘B’ causing slight redness to their face.
   - 1 x Assault to Injury. There are no witnesses experiencing fear or alarm to merit a Section 38 offence being recorded.
5. In a public place ‘A’ shouts and swears at ‘B’ before punching ‘B’ in the face.
   - 1 x Assault to Injury (or Serious Assault depending on injuries). There is no requirement to record a Section 38 offence or Breach of the Peace in addition to the assault.

Group 2

In Group 2, Sexual Crimes, some activities taking place as part of a single incident can automatically be subsumed. For example, if a victim suffers sexual assault, a digital penetration and also a rape, by the same offender, as part of one incident, the sexual assault and digital penetration can be subsumed into the charge of rape which is the most serious crime.

Subsuming is restricted to conduct which falls within that outlined in Sections 1, 2 and 3 of the Sexual Offences (Scotland) Act, 2009; Sections 28, 29 and 30 relating to Older Children; and Sections 18, 19 and 20 relating to Younger Children where a single (most serious) crime may be recorded provided that this occurred as part of one incident, otherwise separate crimes must be recorded.

Examples

1. ‘A’ is held down and punched before being raped by ‘B’. Following the rape ‘B’ assaults ‘A’ again resulting in ‘A’ sustaining a broken arm.
   - The charge of common assault in this circumstance is a precursor to the Rape for the first attack and only Rape should be recorded provided that it can be shown the intent of the attack was to Rape. Since the second assault occurred after the Rape a separate crime of Serious Assault must be recorded. If ‘A’ had sustained a broken arm during the Rape this assault would have formed part of the Rape.

     Where there is a time delay between crimes occurring, they will not generally be subsumed.
2. ‘A’ and ‘B’ were having an argument ‘B’ started hitting ‘A’ following which ‘A’ left the room and went to bed. The following morning ‘B’ hit ‘A’ again before sexually assaulting ‘A’.

- Due to the time delay the common assault the previous evening, would be recorded as a separate crime. The common assault which took place in the morning would form part of the sexual assault provided that it can be shown the assault was a pre-cursor to the sexual assault, otherwise both crimes should be recorded.

Groups 3 & 4

The subsuming of crimes is mainly applicable, but not exclusive, to crimes within crime groups 3 and 4, which have occurred at the same locus on the same occasion with the same complainer.

Examples

1. ‘A’ comes across a van sitting stationary in a wooded area. ‘A’ finds the keys to the van in a box to the rear of the vehicle and drives it around, damaging the van before running off.
   - The damage to the van would be subsumed into the Theft of Motor Vehicle as this is the more serious crime.
2. ‘A’ breaks into a house, steals articles from within including car keys and steals the householder’s car from the driveway
   - The property is owned by one complainer and occurred at the same date and time. The theft of the car is subsumed into the more serious crime of housebreaking and is considered a continuous course of conduct.
3. ‘A’ drives a moped over a golf course, churning up turf on 8 greens causing extensive damage costing thousands of pounds, thereafter, writes a slogan on the green keeper’s hut with white paint.
   - The property is owned by one complainer (the Golf Club), sits within the confines of private property and the acts occurred at the same date and time, therefore, one crime of Malicious Mischief should be recorded due to the malicious destruction of property and the high value of damage caused.
4. ‘A’ breaks into a house, steals money lying in the bedroom, forces open a locked box and steals jewellery from within.
   - The Theft by OLP to the box will be subsumed within the Theft by Housebreaking. They are the same crime type (theft) and this is considered to be a continuity of action.
5. Vehicle is broken into. An attempt is made to steal the vehicle but fails, property to the value of £25 is stolen from within the vehicle.

- The attempted theft of the vehicle is subsumed into the theft of property from the vehicle, even though the value of the vehicle is greater than that of the property stolen. The theft of the property is a completed crime while the attempted theft of the vehicle is incomplete.

6. Persons unknown damage a water pipe feeding a large pond, so that the water level drops, and they can gain access to steal valuable fish from the pond.
   - The vandalism to the water pipe (Group 4) is subsumed into the theft (Group 3) as the theft is the more serious crime and this is a continuous course of conduct.
7. Person unknown breaks into a first floor flat and steals a TV. On exiting the flat they turn on the taps and the water floods through the floor to the ground floor flat below.
   - The flooding to the flat below (vandalism) is subsumed into the housebreaking.
8. 'A' steals a credit card and hands it to 'B'. 'B' later uses the card twice to remove funds at an ATM and then passes the card to 'C' who makes three withdrawals from an ATM.
   - 1 x Theft for the theft of the card and 1 x Theft by OLP (ATM) for the withdrawal of funds, with two suspects thereon. The theft of funds is counted per account and as only one account has been affected the withdrawal by 'C' is subsumed within that of 'B' and both are named as suspects.
9. Persons break into a cottage, remove property and thereafter break into 2 unoccupied holiday homes and a lockup garage within the same grounds owned by the same complainer.

   Note: If holiday homes are occupied, rules per hotel rooms apply.
   - Only 1 crime report is required for Theft by Housebreaking (dwelling) as the buildings are within the same curtilage and owned by the same complainer.

When subsuming is not appropriate

Offences committed where there is no victim, and the Procurator Fiscal is the complainer (e.g. Road Traffic Offences) will be counted per offence in addition to any victim-based crimes (unless otherwise specified in the counting rules).

Where the incident involves crimes against the person and also crimes against property, the property crimes will be counted in addition to the victim-based crimes.

Where there are two victims of the same crime type within the incident, the crime perpetrated against each individual victim will not automatically be subsumed and be counted as one crime. The specific counting rule for that crime type will apply.

Section E - No Crime, Raised in Error and Duplicates

A crime, once recorded, should be classified as a ‘No Crime’ if one of the following criteria is satisfied:

- Where following the report of an incident, a crime is recorded, and additional credible information is available which determines that no crime has been committed.
- The crime was committed outside the jurisdiction of Police Scotland and the respective Force has accepted the transfer of the crime.
- A procedural error has been made for a non-victim-based crime/offence, e.g. error on completing an ASB FPN or CO FPN.

The term ‘No Crime’ relate to crimes already recorded and are therefore distinct from incident reports which do not result in a crime being recorded.

It should be noted that ‘No Crime’ is a final disposal and should not be applied as an interim measure to any recorded crime.

The ‘No Crime’ rule can be applied to crimes recorded at any time during the financial year and may include offences recorded in previous financial years.

The Crime Registrar is the final arbiter for all ‘No Crime’ decisions.

The reason for the ‘No Crime’ decision must be explained in detail in the crime/incident report along with the details of the requesting and authorising officer. A victim of crime making "no complaint" is insufficient justification to reclassify a recorded crime to ‘No Crime’.

Where relevant, when a decision to ‘No Crime’ has been made complainers must be kept updated on the status of the investigation and the ‘No Crime’ conclusion, not just that enquiries have been concluded. This must be documented on the crime report.

Examples of crime which should be updated to ‘No Crime’

1. ‘A’ reports that they were robbed. The crime is recorded and investigated but the complaint is shown to be false. ‘A’ is then charged with wasting police time.
   - ‘No Crime’ the Robbery and record 1 x Wasting Police Time
2. A report of a sneak in theft of a handbag is reported by ‘A’ and recorded. ‘A’ later contacts the police to advise that their partner ‘B’ had placed the handbag within a cupboard without ‘A’s’ knowledge and no theft had taken place.
   - Update the Theft to ‘No Crime‘

Examples of crime which should remain recorded

1. A rape is reported to and recorded by the police. Following investigation there is no evidence to disprove a crime occurred.
   - The Rape remains recorded.
2. A complaint of assault is made and recorded by the police. The next day the complainer contacts the police stating they wish no further action to be taken although they confirm an assault had taken place.
   - The Assault remains recorded although an uncooperative tag should be appended (no complaint does not necessarily mean no crime).
3. 'A' reports their vehicle windscreen is smashed by someone throwing a brick and a Vandalism is recorded. Enquiry identifies and provides sufficient evidence that a child aged 7 was responsible and there is nothing to suggest this was an accidental act.
   - The Vandalism remains recorded (whilst a child of non-age was identified as being responsible this should remain recorded. Where there is sufficient evidence to confirm the child was responsible and there is nothing to indicate this was accidental, then the crime can be updated to 'detected').
4. 'A' is detained by security staff for stealing a small value of confectionary from a shop. Officers request ‘No Crime’ on the basis of low value involved and the person has been verbally warned.
   - Theft by Shoplifting remains recorded.

Medical Updates/No Crime

Sexual Offences (Scotland) Act, 2009, Section 1 provides that “penetration to any extent” amounts to Rape and any subsequent medical update which is inconclusive as to whether penetration occurred is insufficient rationale to reclassify any recorded crime to ‘No Crime’.

Duplicates

Where a duplicate crime report has been raised the crime number in respect of the ‘live’ crime report should be cross-referred on any duplicate crime report to provide an auditable trail. Care should be taken to ensure that the two records relate to the same circumstances involving the same complainer on the same date.

Example

1. A crime report has been created by the Resolution Team, however, the circumstances have also been reported direct to police at a Police Station when a further crime report was created.
    - One of the crime reports should be amended with a disposal of “Duplicate” with the crime report number of the ‘live’ crime report added as a cross reference.

Raised in Error

Where a reported incident is recorded as a crime in error or found to have been over-recorded the “Raised in Error” National Crime disposal should be used.

Example

1. On assessing a crime report for an assault and a related crime report for threatening and abusive behaviour, it is established that the threatening and abusive behaviour was used by the suspect during the assault on the victim, therefore the circumstances should be subsumed within the assault.
    - The threatening and abusive behaviour crime report should be amended to “Raised in Error” with an explanation that the conduct is included as part of the assault.

Note: Where an incident is initially recorded as a crime and later discovered not to be a crime, due to there being sufficient to fully dispel criminality, the ‘No Crime’ option will be used.

Section F - Transfer of Crime and Dealing with Crimes outside Police Scotland area

Where a crime is reported to Police Scotland, the locus being out with Scotland, and Police Scotland will be undertaking an investigation with a view to reporting the circumstances to the Procurator Fiscal, a crime report should be recorded on UNIFI with the locus recorded where the crime took place.

In circumstances where a crime is committed within the jurisdiction of another policing area, the receiving Force will record an initial report e.g. incident. The details of the crime should then be forwarded to the relevant area. The victim, or person making the report, will be advised of the action being taken.

The area recording the crime report will forward the Crime Reference Number for cross-referencing with the original report, thus providing an audit trail. This area will be responsible for further contact with the victim or person making the original report.

Where there is a disagreement between policing areas, the area receiving the original report will refer the case to the local Crime Registrar for review. The Crime Registrar from the original area will review the circumstances and decide, in consultation with the other Crime Registrar if the case is suitable for transfer. Whilst the question of ownership is being resolved that area has a duty to ensure that all necessary steps are taken in relation to victim care, preservation of evidence and meeting the immediate needs of the investigation.

In circumstances where a person resident outside Scotland contacts Police Scotland direct to report a crime believed to have been committed in Scotland, they should be directed to report the circumstances to their local Police Force in the first instance. In cases of fraud where the person is resident in England or Wales, they should be directed to report the circumstances to Report Fraud.

Crime Transfer Standards

Where appropriate, crimes can be transferred from other UK Forces and vice versa under NCRS/SCRS reciprocal agreements and where required assistance given in the investigation.

For all crimes with the exception of communication type crimes and Fraud the following minimum information standards should be adhered to when transferring a crime to another Force or for acceptance of a transferred crime from another Force:

- An approximate date/date range
- An approximate locus sufficient to identify the area where the crime occurred

- A modus operandi sufficient to establish a crime type

It should be noted that “somewhere in Scotland/England” is not sufficient to identify an area.

Where a minimum standard of information has been provided sufficient to record a crime, a crime may be recorded without a detailed statement being provided.

For all crimes which involve use of the telephone or internet, the locus will be where the offending communication can be evidenced as having been received and will only be updated to where the communication was sent from if a specific location can be evidenced. No crime will be transferred to another Force until such times as the necessary evidence confirming jurisdiction is obtained. In the main this will involve the provision of Cycomms evidence by the initial enquiring Force. It should be noted that the provision of an IP or E-mail address or the location of a telephone mast on their own may provide a line of enquiry, but without additional confirmation are insufficient to justify crime transfer. Only where a locus can be evidenced will a transfer be accepted. If a specific location is not provided the crime will be retained by the area where the communication was received. There is an expectation that Forces will provide the necessary assistance to further any investigations.

Where the communication is confirmed as having been sent from a specific location elsewhere in the UK and the crime transfer is accepted by another Force the recorded crime may be updated to ‘No Crime’ on provision of a crime reference number. If the crime transfer is not accepted the crime will remain recorded where the communication was received.

Where the communication is confirmed as having been sent from outwith the UK, the crime must remain recorded with the locus being ‘where received’ and must not be updated to ‘No Crime’.

Rules for transferring crimes of Fraud are contained within the Fraud pages in Part 2 of this manual.

Crimes Committed against Victims in Scotland Where Suspect is Outside Scotland

In circumstances where a victim is in Scotland at the time a crime is committed, and the suspect is determined to be outside Scotland a crime will be recorded and retained by Police Scotland unless the location is established as being elsewhere in the UK and ownership is accepted by another UK Force. If crime transfer is accepted by another UK Force and crime reference number provided the crime report may be updated to ‘No Crime’. If crime transfer is not accepted the recorded crime will be retained by Police Scotland.

Examples

1. While victim ‘A’ is in Scotland they are defrauded of money by means of bank transfer and a crime of Fraud is recorded. Enquiry determines a home address of suspect in Wales and Welsh Force accept the crime transfer.
   - The recorded Fraud should be updated to ‘No Crime’.
2. While victim ‘B’ is in Scotland they are sent unwanted sexual images by a person they have befriended on social media and a crime of Sexual Offences (Scotland) Act 2009, S6 is recorded. Enquiry determines the images were sent from an IP address which is based in Turkey.
   - The recorded Sexual Offences (Scotland) Act 2009, S6 offence should be retained as a recorded crime by Police Scotland with the locus being where the images were received. The disposal ‘Undetected – Suspect Outwith UK’ should be selected.
3. While victim ‘C’ is in Scotland they are defrauded of money by means of bank transfer and a crime of Fraud is recorded. The suspect is believed to be somewhere in England, but enquiry is unable to determine a locus sufficient to transfer the crime to another Force.
   - The recorded Fraud should be retained as a recorded crime by Police Scotland with the locus being the victim’s home address. The disposal ‘Undetected – Suspect Elsewhere UK’ should be selected.

Crimes Committed against Scottish Victims who are outside Scotland at the time of the Crime

Where a crime is reported to Police Scotland, the locus being out with Scotland, and Police Scotland will be undertaking an investigation with a view to reporting the circumstances to the Procurator Fiscal, a crime report should be recorded on UNIFI with the locus recorded where the crime took place.

Where it is deemed appropriate to record a crime report which will be forwarded to another Force/Country, a crime report can be recorded on UNIFI and should be considered on a case-by-case basis.

Provisions within certain pieces of legislation such as Criminal Procedure (Scotland) Act 1995, Section 11, Domestic Abuse (Scotland) Act 2018, Section 3, and Sexual Offences (Scotland) Act 2009, Section 55 allow for specific offences which occur outwith Scotland to be prosecuted in Scotland.

Examples

1. While victim ‘D’ who has a home address in Scotland is on holiday in Spain they purchase property in Spain which they discover is part of a scam and does not exist. They report the matter to Police Scotland when they arrive home.
   - No crime should be recorded.
2. While victim ‘E’ is on holiday in Spain they are assaulted by a person in their party. Both victim and suspect reside in Scotland. The matter is not reported to local police and is reported to Police Scotland when they arrive home.
   - A crime should be recorded if Police Scotland will be undertaking relevant enquiry with a view to reporting the circumstances. Provisions under Domestic Abuse Act 2021 would give Scottish Courts jurisdiction to hear such a case provided that the circumstances constituted a crime in the country outside Scotland and if it had occurred in Scotland, it would constitute the crime of assault. Any crime recorded for this purpose should have a locus outwith Scotland.

Procedure for recording crimes committed in the Air or at Sea

Where a crime is reported on an aircraft in flight, and it is not clear where the crime has occurred it will be recorded as follows:

For Internal UK Flights

The area/Force covering the aircraft's departure location must record the crime. Crimes reported to third party areas/Forces will be recorded as an incident and referred for crime recording to the area/Force covering the airport of departure. A common-sense approach should be adopted where crimes are committed aboard an aircraft in flight and the matter is dealt with by Police on arrival.

Aircraft in Flight

The following principles should be considered when a crime is reported aboard an aircraft in flight:

British Aircraft - In terms of jurisdiction COPFS can prosecute anything during the course of a flight (from when the doors close for take-off until they are opened on landing) in a British controlled aircraft as if it occurred in the UK.

Foreign Aircraft Travelling to the UK – If it is a foreign aircraft travelling to the UK, i.e. UK is its next destination, COPFS can prosecute for offences if they would also constitute an offence in the country in which the aircraft is registered.

Foreign Aircraft Travelling from the UK – If it is a foreign aircraft travelling from the UK to another country and the offence occurs in flight then it should be reported to the country of destination.

Note: the above rules also apply to crimes committed at sea. In these circumstances replace "aircraft" with "ship" and "airport" with "seaport".

Ministry of Defence

Crimes committed on Ministry of Defence property will be recorded by the Division for that area, unless the Division has agreed following a request by the Ministry of Defence Police to cede primacy of investigation, in which case the crime will be recorded by the Ministry of Defence Police.

British Transport Police

Details of any offence reported to the police that has been committed on railway premises that are within the jurisdiction of the British Transport Police, should be passed to the British Transport Police for recording in accordance with policy. The British Transport Police will be responsible for the annual reporting of offence statistics to the Home Office/Scottish Government in the format applicable to that Force. Similarly, offences that are reported to British Transport Police and which have been committed outside of the normal jurisdiction of that Force will be reported to the local policing area for adoption.

The principle rule to be taken into consideration when deciding to transfer a crime to or from British Transport Police should be the location of the victim or their property at the time of the crime. For example,

- A person stands on a roadway (owned by a local authority) and throws a missile at and damages a passenger train; the offence should be recorded by BTP.
- A person standing on a station platform property throws missiles at a private house and breaks a window; the offence should be recorded by the local policing area.
- Road Traffic offences committed on railway level crossings should be recorded by BTP.

In the case of a crime occurring in one police force area and finishing in another area the following crime recording practice should be followed.

- If it is an ongoing crime e.g. disorder which starts on the jurisdiction of BTP they will record the crime.
- If it starts on another police area that other force will record the crime.

- In circumstances where the disorder element of a crime is one that is subsumed the crime will be recorded where the recordable crime occurs e.g. victim is subjected to threatening or abusive behaviour in one area immediately before being assaulted in another, will be recorded where the assault takes place.

In the case of any dispute the police area first receiving the complaint will be responsible for the recording and investigation of the crime until the respective Crime Registrar can come to an agreement as to who will take primacy in the investigation in these cases the crime will then be retained or transferred as appropriate.

Where crimes committed in another area are detected by BTP officers, in the general course of their enquiries, they should normally be transferred to the local force for recording. Offenders will be reported to the PF or other appropriate agency by means of a police report.

Obtaining Crime Reference Number or Transferring a Crime to BTP

To obtain a BTP crime reference number a copy of either the incident log or crime report (or in exceptional cases the victim's statement, providing it contains sufficient detail) should be sent to the British Transport Police Crime Recording Centre (CRC), who will input the report to the BTP Crime system.

The CRC will respond with the crime reference number by e-mail.

Section G - Notification of Crime via Internet

Where the reporting of specific crimes/offences via the Internet is in place such reports will be assessed and recorded appropriately.

Where an e-mail is received which does not fall into the appropriate crime category i.e. lost property, advice required etc, the relevant department will be notified and required to act upon it appropriately.

Section H - Third Party Reporting

The definition of third-party reporting is:

Any report of a crime, incident or intelligence made to the police from a partner agency, organisation or other group or person. The report must be made on behalf of a third party or parties who have not reported the incident or information by any other means.

Third party reports can be provided by telephone, letter, e-mail, or other form of electronic communication, or in person.

In circumstances where a third party reports a crime to police and the victim refuses to engage with police to provide sufficient details to confirm the crime, no crime should be recorded, notwithstanding the need to record the details in an incident record.

However, if sufficient details are reported by an apparently reliable witness who is of the opinion that a crime has been committed, a crime will be recorded e.g. a reliable witness reports one person being assaulted by two others on a public street.

Anonymous reports of crime must be supported by corroborative evidence prior to the creation of a crime report. Where a victim's details are withheld from the police the circumstances reported will be recorded as an incident only until such times as victim details are made known.

Section I - Hate Incidents and Hate Crimes

The Hate Crime and Public Order (Scotland) 2021 was introduced on 1st April 2024. Details of changes to legislation are shown below with further information contained within the relevant annex.

Old Legislation

Racially Aggravated Harassment

Section 50A(1)(a) Criminal Law

(Consolidation) (Scotland) Act 1995

Racially Aggravated Conduct

Section 50A(1)(b) Criminal Law

(Consolidation) (Scotland) Act 1995

Stirring Up Hatred: Racial

Sections 18-21 Public Order Act 1986

(stirring up Racial Hatred)

Stirring Up Hatred: Other Group

Not Previously Covered.

New Legislation

Racially Aggravated Harassment

Section 3(1)(a) of the Hate Crime and

Public Order (Scotland) Act 2021

Racially Aggravated Conduct

Section 3(1)(b) of the Hate Crime and

Public Order (Scotland) Act 2021

Stirring Up Hatred: Racial

Section 4(1) of the Hate Crime and

Public Order (Scotland) Act 2021

Stirring Up Hatred: Other Group

Section 4(2) of the Hate Crime and Public Order Act 2021 – stirring up hatred towards age, disability, religious belief, sexual orientation, transgender identity and variations in sex characteristics.

Hate Incidents

There will be occasions when incidents occur where no crime has been committed but the incident itself is perceived to have been motivated due to hate or prejudice. In such cases these incidents will be recorded as hate incidents.

Perception

In terms of the perception element consideration must be given to:

- Who perceived the circumstances to amount to being a hate incident/crime.
- Why it was perceived to be a hate incident/crime.

Hate Crimes

The crime is based on the motivation of malice or ill will towards a social group. This means the question of whether the victim of a hate crime actually belongs to a social group or not, is irrelevant. For example, if someone is the victim of a homophobic attack, whether they are gay or not is irrelevant.

An individual may be targeted because of their vulnerability. This should not be automatically interpreted as hate crime.

If a crime is reported and is perceived to be motivated by hate by the victim or any other person, including a police officer, it should be recorded and investigated as such.

Statutory legislation exists which creates an aggravation of any criminal offence against a person or their property when motivated wholly or part by an offender's hatred of someone because of their perceived:-

Disability

A disability is a physical or mental impairment of any kind. For the purposes of what constitutes an impairment (but without prejudice to its generality), a medical condition which has, has had, or may have a substantial or long-term effect, or is of a progressive nature, is to be regarded as amounting to an impairment. This covers any disability including, learning disabilities, physical disabilities, sensory disabilities, mental health conditions and long-term medical conditions.

Age

This characteristic will cover persons of any age. Therefore, this would mean that it does not apply only to a particular age group such as elderly persons or children and young people.

Transgender Identity

A person is a member of a group defined by reference to transgender identity if the person is:

a. a female-to-male transgender person,

b. a male-to-female transgender person,

c. a non-binary person,

d. a person who cross-dresses,

and references to transgender identity are to be construed accordingly.

Transgender identity is an umbrella term for those whose gender is not the same as, nor sits comfortably with their sex assigned at birth.

Non-Binary - An umbrella term for people whose gender identity doesn't sit comfortably with 'man' or 'woman'. Non-binary identities are varied and can include people who identify with some aspects of binary identities, while others reject them entirely.

Race

Race is defined by reference to race, colour, nationality (including citizenship), or ethnic or national origins.

Race refers to groups of people who share physical characteristics such as skin colour and/or facial features or nationality (including citizenship) and ethnic or national origins. They may also share similar social or cultural identities and ancestral backgrounds.

Racial identity can include a person's accent, and the characteristic of Race includes Refugees, Asylum Seekers, Jewish people, and Gypsy Travellers.

Ethnicity describes the cultural identity of a person.

Religion

A group defined by reference to religion is a group of persons defined by reference to:

a. religious belief or lack of religious belief,

b. membership of, or adherence, to a church or religious organisation,

c. support for the culture or traditions of a church or religious organisation,

d. participation in activities associated with such a culture or such traditions.

This protected characteristic is a set of beliefs that is held by a group of people which includes any religion or belief group.

It should be noted that a belief is a firm thought that something is true, not just a way of life. Some religions do not have gods.

People can experience religious prejudice even if they don't follow any religion.

Sexual Orientation

A reference to sexual orientation is a reference to sexual orientation towards:

a. persons of the same sex,

b. persons of a different sex, or

c. both persons of the same sex and persons of a different sex.

Sexual orientation is related to physical, emotional, or romantic attraction to another.

Variations in Sex Characteristics

A person is a member of a group defined by reference to variations in sex characteristics if the person is born with physical and biological sex characteristics which, taken as a whole, are neither -

a. those typically associated with males, nor

b. those typically associated with females,

and references to variations in sex characteristics are to be construed accordingly.

The existing definition of "transgender identity" includes "intersexuality". It is now recognised that intersex (or a person being born with physical or variations in sex characteristics) is separate to a person's transgender identity.

The definition of "variations in sex characteristics" includes people who are born with biological and/or genetic characteristics not typically associated with males or females. There is a variety of terminology used with reference to variations of sex characteristics and intersex status. This is because some people prefer to use the term "differences in sex development" and some prefer to simply describe their specific variation.

Examples of Hate Crimes and Recording Practices

Examples

1. Person reports being subjected to verbal abuse perceived to be racially motivated.
   a. This conduct was not witnessed by others.
      - 1 x Criminal Justice and Licensing (Scotland) Act 2010, S38, Threatening or Abusive Behaviour (with Racial aggravator).

      Note: there is no corroboration to the racially aggravated conduct, so the Hate Crime and Public Order (Scotland) Act 2021, S3(1)(b) offence is not relevant.

   b. This conduct was witnessed by others.
      - 1 x Hate Crime and Public Order (Scotland) Act 2021, S3(1)(b) - Racially Aggravated Conduct.

   Note: corroborative evidence of racially aggravated conduct justifies recording under S3(1)(b).
2. Person reports a brick having been thrown at their living room window, breaking same and perceives this to be racially motivated providing reasons for same.
   - 1 x Criminal Law (Consolidation) (Scotland) Act 1995, S52 Vandalism (with Racial aggravator)
3. Person reports a slogan perceived to be racially motivated has been scratched into the bodywork of their car.
   - 1 x Criminal Law (Consolidation) (Scotland) Act 1995, S52 Vandalism (with Racial aggravator)
4. Person reports being assaulted. No comments are made by the assailant, but the incident is perceived to be racially motivated.
   - 1 x Assault (with Racial aggravator)
5. Person reports being assaulted. Comments made by assailant were perceived to be racially motivated and were uncorroborated.
   - 1 x Assault (with Racial aggravator).

   Note: no requirement to record a crime for the comments made which are subsumed into the assault.
6. Person reports being assaulted. Comments made by assailant were perceived to be racially motivated and were corroborated by witnesses.
   - 1 x Assault (with Racial aggravator).

Note: no requirement to record a crime for the comments made which are subsumed into the assault.

7. Disabled person reports being shouted and sworn at where comments made were perceived to be motivated by prejudice towards their disability.
   - 1 x Criminal Justice and Licensing (Scotland) Act 2010, S38, Threatening or Abusive Behaviour (with Disability aggravator)
8. Deaf person reports someone mimicking Sign Language towards them in an offensive manner which is perceived to be motivated by prejudice towards their hearing impairment.
   - 1 x Criminal Justice and Licensing (Scotland) Act 2010, S38, Threatening or Abusive Behaviour (with Disability aggravator)
9. Person is assaulted. During the assault, the assailant makes comments which were perceived to be motivated by prejudice towards their transgender identify.
   - 1 x Assault (with Transgender aggravator)
10. Person has comments scratched into the bodywork of their car. The comments were perceived to be motivated by prejudice towards their sexual orientation.
    - 1 x Criminal Law (Consolidation) (Scotland) Act 1995, S52 Vandalism (with Sexual Orientation aggravator)
11. Suspect who is caught stealing goods from a shop makes a comment perceived to be racially motivated to a member of staff which is not corroborated.
    - 1 x Theft by Shoplifting
    - 1 x Protection of Workers (Retail and Age-restricted Goods and Services) (Scotland) Act 2021, S1, Threatening or Abusive Behaviour of Retail Worker (with Racial aggravator).

    Note: the uncorroborated racial comment is a separate crime which cannot be subsumed into the shoplifting and must be recorded separately.
12. Suspect who is caught stealing goods from a shop assaults a member of staff and makes a comment perceived to be racially motivated which is corroborated.
    - 1 x Theft by Shoplifting
    - 1 x Protection of Workers (Retail and Age-restricted Goods and Services) (Scotland) Act 2021, S1, Assault of Retail Worker (with Racial aggravator)

    Note: the Assault is a separate crime which cannot be subsumed into the shoplifting and must be recorded separately. There is no requirement to record a crime for the comment made which is subsumed into the assault.

13. Suspect is asked to leave a shop by two members of staff and shouts verbal abuse at both, with some of the abuse towards one member of staff being of a racial nature.

    - 1 x Protection of Workers (Retail and Age-restricted Goods and Services) (Scotland) Act 2021, S1 Threatening or Abusive Behaviour of Retail worker (with Racial aggravator).

    Note: A separate Hate Crime and Public Order Act 2021 offence should not be recorded, the conduct amounts to one continuous incident.

14. Suspect shouts verbal abuse at two members of the public, with some of the abuse towards one person being of a racial and homophobic nature.

    - 1 x Criminal Justice and Licensing (Scotland) Act 2010, S38 -Threatening or Abusive Behaviour (with Racial and Sexual Orientation aggravators).

    Note: A separate Hate Crime and Public Order Act 2021 offence should not be recorded, the conduct amounts to one continuous incident.

Section J - Evidence Based Crime Recording

There can be various occasions where a crime or offence is committed notwithstanding the fact that the criminal act is not directed toward a specific intended victim.

Crimes/offences of this nature are frequently ‘self-generated’ by the police as they are identified through undertaking proactive policing measures but can also be brought to our attention by members of the public. In such circumstances the complainer is likely to be recorded as ‘Procurator Fiscal’.

Regardless of how the police are made aware of the crime the decision to record will be based on the evidence available; this will include any evidence of members of the public and police officers who have witnessed the criminal behaviour; as well as any physical or circumstantial evidence available.

Examples of crimes/offences which are considered to be evidence based are:-

- Public Mischief
- Drugs Offences
- No Insurance
- No Driving Licence
- Driving while using a mobile phone
- Seat Belt Offences
- Speeding Offences

There will be circumstances where there is evidence to show that an offence has been committed ‘against the State’ although the identity of the offender(s) hasn’t been established. However, there will be cases where the offence is only complete if the criminal liability of the offender can be proven.

Section K - Scottish Government Justice Directorate (SGJD) Crime Codes

For statistical purposes, all crimes are recorded and classified under a SGJD crime code assigned to a crime grouping. The following is a list of all current SGJD codes and crime groupings:

SGJD Crime Codes/Classifications (Groups) - Effective from 1 April 2024

Group 1	Non-sexual Crimes of Violence
Group 2	Sexual Crimes
Group 3	Crimes of Dishonesty
Group 4	Damage and Reckless Behaviour
Group 5	Crimes against Society
Group 6	Anti-social Offences
Group 7	Miscellaneous Offences
Group 8	Road Traffic Offences

Group 1 Non-sexual Crimes of Violence

Murder and Culpable Homicide

1/000	Murder
3/001	Culpable Homicide (common law)
3/006	Corporate homicide

Death by Dangerous Driving

3/002	Causing death by dangerous driving
3/003	Death by careless driving when under influence of drink/drugs
3/004	Causing death by careless driving
3/005	Illegal driver, disqualified/unlicensed etc. involved in fatal accident

Serious Assault and Attempted Murder

2/000	Attempted Murder
4/000	Serious Assault
4/001	Causing serious injury etc. by culpable and reckless conduct
4/002	Illegal driver, disqualified/unlicensed etc. causing serious injury
4/003	Serious assault of retail worker
4/004	Serious assault of police officer/staff
4/005	Serious assault of an emergency worker
11/007	Female genital mutilation

Common Assault

4/006	Common Assault (with injury)
4/007	Common Assault (without injury)
4/008	Common Assault of retail worker (with Injury)
4/009	Common Assault of retail worker (without injury)
4/010	Common Assault of police officer/staff (with injury)
4/011	Common Assault of police officer/staff (without injury)
4/012	Common Assault of an emergency worker (with injury)
4/013	Common Assault of an emergency worker (without injury)

Robbery

6/000	Robbery and Assault with intent to Rob

Domestic Abuse (Scotland) Act

11/012	Domestic abuse of male
11/013	Domestic abuse of female

Other non-sexual violence

7/000	Threats and Extortion
8/001	Cruelty (neglect and causing) to and unnatural treatment of children

8/002	Child stealing (Plagium)
8/003	Exposing child under 7 to risk of burning
9/000	Abortion
10/000	Concealment of pregnancy
11/001	Possess a firearm with intent to endanger life, commit crime and cause
11/002	Abduction
11/003	Ill-treatment and neglect of mental patients and vulnerable adults
11/004	Cruel and unnatural treatment of an adult
11/005	Drugging
11/006	Chemical weapon offences
11/009	Forced marriage
11/010	Slavery or forced labour
11/011	Human organ offences
11/014	Offence of Stalking
11/015	Encouraging or assisting serious self-harm

Group 2 Sexual Crimes

Rape and Attempted Rape

14/000	Rape (offences prior to 1 December 2010)
14/001	Rape of male (16+)
14/002	Rape of female (16+)
14/003	Rape of older male child (13-15 years)
14/004	Rape of older female child (13-15 years)
14/005	Rape of young male child (under 13)
14/006	Rape of young female child (under 13)
15/000	Attempted rape (offences prior to 1 December 2010)
15/001	Attempted rape of male (16+)
15/002	Attempted rape of female (16+)
15/003	Attempted rape of older male child (13-15 years)

15/004 Attempted rape of older female child (13-15 years)

15/005 Attempted rape of young male child (under 13)

15/006 Attempted rape of young female child (under 13)

Sexual Assault

16/000 Indecent Assault (prior to 1 December 2010)

16/001 Sexual assault by penetration of male (16+)

16/002 Sexual assault by penetration of female (16+)

16/003 Sexual assault by penetration of older male child (13-15 years)

16/004 Sexual assault by penetration of older female child (13-15 years)

16/005 Sexual assault of male (16+)

16/006 Sexual assault of female (16+)

16/007 Sexual assault of older male child (13-15 years)

16/008 Sexual assault of older female child (13-15 years)

16/009 Sexual coercion of male (16+)

16/010 Sexual coercion of female (16+)

16/011 Sexual coercion of older male child (13-15 years)

16/012 Sexual coercion of older female child (13-15 years)

16/015 Sexual assault by penetration of young male child (under 13)

16/016 Sexual assault by penetration of young female child (under 13)

16/017 Sexual assault of young male child (under 13)

16/018 Sexual assault of young female child (under 13)

16/019 Cause young male child (under 13) to participate in sexual activity

16/020 Cause young female child (under 13) to participate in sexual activity

18/002 Sexual intercourse with girl under 13 (prior to 1 December 2010)

18/022 Lewd and libidinous practices

Causing to view sexual activity or images

16/013 Causing a person into being present/looking at sexual activity

16/021 Causing young child (under 13) to be present/looking at sexual activity

16/023	Sexual exposure to a young child (under 13)
16/025	Causing an older child (13-15 years) to be present/looking at sexual activity
16/037	Sexual exposure to older child (13-15 years)
17/002	Public indecency
17/003	Sexual exposure

Communicating Indecently

16/014	Communicating indecently
16/022	Communicating indecently with young child (under 13)
16/036	Communicating indecently with older child (13-15 years)

Threatening to or disclosing an intimate image

16/039	Threatening to disclose an intimate image
16/040	Disclosure of an intimate image

Indecent photos of children

18/018	Taking, distribution, possession etc. of indecent photos of children

Crimes associated with prostitution

18/001	Procuration (excluding homosexual acts)
18/007	Brothel keeping
18/009	Immoral traffic
18/010	Offences relating to prostitution
18/012	Procuration of homosexual acts
18/017	Soliciting services of person engaged in prostitution

Other sexual crimes

12/000	Incest
13/001	Illegal homosexual acts
13/003	Attempt to commit unnatural crimes

16/024	Voyeurism against young child (under 13)
16/025	Intercourse with older male child (13-15 years)
16/026	Intercourse with older female child (13-15 years)
16/027	Penetrative sexual activity with older male child (13-15 years)
16/028	Penetrative sexual activity with older female child (13-15 years)
16/029	Sexual activity with older male child (13-15 years)
16/030	Sexual activity with older female child (13-15 years)
16/031	Cause older male child (13-15 years) to participate in sexual activity
16/032	Cause older female child (13-15 years) to participate in sexual activity
16/033	Older male child (13-15 years) engaging in sexual conduct with another older child
16/034	Older female child (13-15 years) engaging in sexual conduct with another older child
16/038	Voyeurism against older child (13-15 years)
16/041	Communications Act 2003 (sexual)
17/004	Voyeurism
18/003	Sexual intercourse with child under 16 (offences prior to 1 December 2010)
18/004	Carnal knowledge of mentally disordered person
18/005	Householder permitting carnal knowledge of mentally disordered person
18/013	Conspiracy to commit sexual acts outside the UK
18/014	Grooming of children for the purpose of sexual offences
18/015	Procuration of sexual services from children under 18
18/016	Procuration of child under 18 for pornography
18/019	Sexual abuse of trust of person under 18
18/020	Sexual abuse of trust of mentally disordered person
18/021	Bestiality
18/023	Administering a substance for a sexual purpose
18/024	Possession of extreme pornography

Group 3 Crimes of Dishonesty

Housebreaking

19/004	Theft by housebreaking domestic property (dwelling)
19/005	Theft by housebreaking domestic property (non-dwelling)
19/006	Theft by housebreaking other property
19/007	Housebreaking with intent to steal domestic property (dwelling)
19/008	Housebreaking with intent to steal domestic property (non-dwelling)
19/009	Housebreaking with intent to steal other property
19/010	Attempted housebreaking with intent to enter and steal domestic property (dwelling)
19/011	Attempted housebreaking with intent to enter and steal domestic property (non-dwelling)
19/012	Attempted housebreaking with intent to enter and steal other property

Theft by opening lockfast places

20/001	Theft by opening lockfast place (excluding motor vehicle)
20/002	Opening lockfast place (excluding motor vehicle) with intent to steal
20/003	Attempted opening lockfast place (excluding motor vehicle) with intent to steal

Theft from a motor vehicle

20/004	Theft by opening lockfast place (motor vehicle)
20/005	Opening lockfast place with intent to steal (motor vehicle)
20/006	Attempted opening lockfast place with intent to steal (motor vehicle)

Theft of a motor vehicle

22/002	Theft of motor vehicle and contents including taking and driving away
22/006	Attempted theft of a motor vehicle

Shoplifting

22/003 Theft by shoplifting

Other theft

22/001 Theft not elsewhere classified (excluding motor vehicle)

22/004 Theft of a pedal cycle

22/005 Theft from a motor vehicle not elsewhere classified

Fraud

25/000 Fraud

Other dishonesty

21/001 Prevention of crimes

21/002 Vagrancy and known thief

21/003 In building with intent to steal

23/000 Reset

24/000 Breach of trust and embezzlement

26/000 Forgery and uttering (excluding currency offences)

27/000 Bankruptcy

30/000 Corruption

31/001 Currency offences

31/004 Proceeds of crime/money laundering offences

Group 4 Damage and Reckless Behaviour

Fire-raising

32/001 Fire-raising

Vandalism

33/010 Computer Misuse Act 1990 (causing damage)

33/012 Vandalism

33/014 Malicious Mischief

Reckless Conduct

33/002 Reckless conduct with firearms

33/003 Flying aircraft to the danger of life or property

33/004 Endangering rail passengers

33/006 Culpable neglect of duty

33/007 Endangering ship by breach of duty

33/011 Reckless conduct (not with firearms)

33/016 Culpable and reckless conduct involving aircraft

Group 5 Crimes against Society

Crimes against Public Justice

38/002 Election etc. offences

38/003 Public Mischief (including wasting police time)

38/004 Falsely accusing (named) person of crime

38/006 Escape and rescue (including escape from police custody or prison)

38/007 Resisting arrest

38/010 Personation of police

38/011 Failing to give name or remaining with constable

38/013 Obstructing constable in pursuance of lawful duty

38/017 General attempts to defeat/pervert the ends/course of justice

38/018 Failure to notify police/provision of false information

38/019 Protection of vulnerable groups

39/001 Contempt of court

39/002 Failure to appear after undertaking to police

39/004 Publishing restricted information about person under 16 involved in trial

39/005 Failing to appear for trial having been given court bail

39/007	Bail offences other than absconding or re-offending
39/008	Accused failing to appear at trial diet
39/009	Offences by witnesses
39/010	Prevarication on oath etc.
39/011	Perjury and subornation
39/012	Breach of non-harassment order issued by criminal court
39/013	Breach of non-harassment order issued by civil court
39/014	Breach of anti-social behaviour order
39/015	Breach of sex offender order
39/016	Breach of parenting order
39/017	Breach of risk of sexual harm order or interim risk of sexual harm order
39/018	Breach of football banning order
39/020	Breach of violent offender order
39/021	Breach of domestic abuse interdict/notice/order
39/022	Breach of forced marriage order
39/023	Breach of trafficking and exploitation order

Weapons Possession (not used)

43/001	Possession of an offensive weapon
43/002	Restriction of offensive weapons
43/003	Having in a public place an article with a blade or point
43/004	Having in a prison an article with a blade or point
43/005	Possession of a firearm in a prison
43/006	Possession of an offensive weapon (not elsewhere specified) in a prison
43/007	Possession of an offensive weapon (not elsewhere specified) in a school
43/008	Having in a school an article with a blade or point
43/015	Possession of a corrosive substance
43/017	Possession of certain dangerous knives in a private place
43/019	Possession of prohibited offensive weapon in a private place

Weapons Possession (used in crime)

43/009	Possession of offensive weapon used in other criminal activity
43/010	Having in a public place an article with a blade or point used in other criminal activity
43/011	Possession of offensive weapon in a prison used in other criminal activity
43/012	Having in a prison an article with a blade or point used in other criminal activity
43/013	Possession of offensive weapon in a school used in other criminal activity
43/014	Having in a school an article with a blade or point used in other criminal activity
43/016	Possession of a corrosive substance used in other criminal activity
43/018	Possession of certain dangerous knives in a private place used in other criminal activity
43/020	Possession of prohibited offensive weapon in a private place used in other criminal activity

Drugs – Supply

44/001	Illegal importation of drugs
44/002	Production, manufacture or cultivation of drugs
44/003	Supply, possession with intent to supply etc. of drugs
44/006	Bringing drugs into prison
44/007	Psychoactive substance – Production, supply or possession in custody
44/008	Psychoactive substance – Other offences
44/099	Drugs, other offences

Drugs – Possession

44/004	Possession of drugs

Other crimes against society

34/001	Treason

34/002 Sedition

34/003 Official Secrets Acts

34/004 United Nations sanctions offences

34/005 Protection of cultural property

35/001 Mobbing and rioting

35/002 Public processions etc.

35/003 Trespass, crimes against public order

35/004 Raves, crimes against public order

35/005 Obstruct/hinder other emergency worker in pursuance of duty

36/001 Terrorism, money laundering related offences

36/009 Prevention of terrorism, other offences

37/001 Explosive substances legislation

37/002 Unlawful use of explosives

37/003 Reckless blasting

40/000 Conspiracy

40/001 Offences related to Serious Organised Crime

41/000 Sacrilege

42/001 Wrecking

42/002 Piracy and hijacking

Group 6 Anti-social Offences

Threatening or Abusive Behaviour

47/002 Breach of the peace

47/008 Threatening or abusive behaviour

47/013 Threatening or abusive behaviour of a retail worker

47/016 Abortion Services (Safe Access Zones) (Scotland) Act 2024

Racially Aggravated Conduct

47/004 Racially aggravated harassment

47/005 Racially aggravated conduct

47/014 Stirring up hatred: racial

47/015 Stirring up hatred: other group

85/020 Race relations legislation

Drunkenness and Other Disorderly Conduct

60/001 Drunk and incapable and habitual conduct

60/003 Drunk in charge of a child

60/004 Drunk and attempting to enter licensed premises

60/005 Drunk or drinking in unlicensed premises

60/006 Disorderly on licensed premises

60/007 Drunk in or attempting to enter designated sports ground

60/008 Refusing to quit licensed premises

72/008 Consuming or alcohol in designated places, byelaws prohibited

47/007 Antisocial behaviour offences

Urinating etc.

47/003 Urinating etc.

Group 7 Miscellaneous Offences

Community and Public Order Offences

48/000 False calls to emergency services and bomb hoaxes

50/001 Children and young person’s offences not elsewhere classified

50/003 Education Acts

50/004 Tattooing of Minors Act 1969

50/005 Child minding and day care for children

50/006 Employment of children (non-industrial)

50/007 Employment of children (industrial)

50/008 Selling loose cigarettes

50/009	Not displaying notice tobacco products sold to 18 and over
50/010	Selling tobacco or nicotine vapour products to persons under 18
50/013	Offences against selling spray paint to children
50/014	Smoking in car with child
59/001	Handling obscene material
59/002	Sex shop offences
66/000	Social security offences
71/000	Pedlars Act and offences against certificates issued by Local Authority
72/004	Licensing offences (Civic Government (Scotland) Act 1982)
72/005	Obstruction of local official
72/006	Common stairs offences
72/007	Civic Government (Scotland) Act 1982 not elsewhere classified
79/002	Obstruction by pedestrian
79/003	Touting
83/001	Weights and Measures Acts
83/002	Registration of business names
83/003	Prices Act 1974
83/007	Copyrights Acts
83/008	Fair Trading Act 1973
83/009	Restrictive Trade Practices Act 1976
83/010	Consumer Protection Acts
83/012	Consumer Credit Act 1974
83/013	Trading offences
83/016	Registration of care establishments
83/018	Rent Acts
83/019	Video Recordings Act 1984 not elsewhere classified
84/001	Wireless Telegraphy Act offences
84/002	General Post Office/telecommunications offences
84/003	Disclosure of information

84/004	Interception of communications
84/005	Data Protection Act offences
84/006	Computer Misuse Act 1990 offences (unauthorised access)
85/002	Charitable collection offences
85/008	Public utilities (gas, electric etc.) legislation
85/018	Sex Discrimination Act 1974
85/019	Census Acts
85/022	Social Work and community service offences
85/030	Child Support Act 1991

Environmental Offences

53/001	Petroleum Acts
53/002	Energy Acts
56/001	Salmon and Freshwater Fisheries offences
56/002	Sea fisheries offences
63/001	Factories legislation not elsewhere classified
63/002	Fire Precaution Acts
63/003	Health and Safety and Work Acts
63/004	Employment and property protection legislation
63/007	Trade Union and Labour Relations Act
67/000	Merchant Shipping Acts not elsewhere classified
73/001	Litter offences
73/002	Refuse Disposal (Amenity) Act 1978
73/003	Oil pollution in navigable waters
73/004	Control of pollution
73/006	Clean air acts
73/007	Sanitary laws
73/008	Food safety and food standards offences
73/009	Milk Acts
73/011	Water Acts

73/012	Town and Country Planning Acts
73/014	Housing (Scotland) Acts
73/015	Caravan Sites and Control of Development Act 1906
73/016	Methylated Spirits (Sale by Retail) (Scotland) Act 1937
73/019	Other environmental offences
73/020	Contravention of Section 6(1) by continuing to operate proscribed processes
73/021	Fail to comply with or contravention of enforcement or prohibition notice
73/022	Other conservation offences
80/000	Offences relating to roads and road works
82/002	Lighting fires without consent of owner
82/003	Lodging without consent of owner
85/003	Agricultural offences
85/006	Building legislation
85/013	Aviation legislation
85/028	Archaeological legislation

Licensing Offences

46/001	Betting
46/002	Gaming
46/003	Gaming by means of machine
46/004	Lotteries and amusements with prizes
49/000	Brokers (licensed) and Auction Acts
52/000	Crossbow offences
55/000	Firearms, miscellaneous offences
55/001	Air weapons licensing offences
61/001	Sale of drink to person under 18
61/003	Licensed person, employee or agent drunk in licensed promises
61/004	Permitting riotous behaviour in licensed premises
61/010	License holder of off sales permit person under 18 to sell alcohol
61/099	Licensed premises, other offences

62/004	Club licensing offences
62/006	Person under 18 buying excisable liquor or consuming in a bar
62/009	Purchasing excisable liquor for consumption by person under 18
62/012	Alcohol offences, travelling to and from sporting event
62/013	Sports grounds offences, possessing alcohol etc.
62/014	Confiscation of alcohol from person under 18
62/099	Liquor licensing laws, other offences
70/000	Pawnbrokers, dealers firearms offences
81/001	Hackney carriage offences
81/002	Public service vehicles offences

Animal Offences

51/001	Cruelty to Protected Animals (excluding dogs)
51/002	Rabies orders
51/003	Failure to comply with legal requirements relating to animals
51/004	Wild Birds, offences involving
51/006	Cruelty to dogs
51/008	Protection of livestock from dogs
51/009	Guard Dogs Act 1979
51/011	Dogs bred for fighting
51/012	Keeping dogs under proper control, contravention of an order
51/013	Hunting with dogs
51/014	Cruelty to wild animals
51/015	Offences involving badgers
51/016	Other wildlife offences
51/099	Dogs, other offences
56/003	Possession of salmon or trout unlawfully obtained
56/004	Possession of salmon or trout as a result of an offence
57/001	Poaching and game laws
57/002	Deer (Scotland) Act offences

Other Miscellaneous Offences

45/000	Aliens and immigration offences
50/011	Offences relating to persons disqualified from working with children
50/012	Prevent a person feeding a baby milk in a public place
54/000	Keeping and supply of explosives
58/000	Harbour Acts
68/001	Absentees and deserters
68/099	Naval, Military and air force, other offences
73/023	Dog fouling
73/024	Smoking in public places
74/001	Medical Acts
74/002	Dentists Acts
74/003	Nurses (Scotland) Acts
74/006	Poisons Acts
74/007	Medicines Acts
74/008	National Health Service (Scotland) Acts
75/000	Railways
76/001	Bigamy
76/002	False declarations
76/003	Births, deaths, marriages, registration offences
76/004	Marriage (Scotland) Act 1977
77/000	Revenue and Excise offences (excluding drugs)
85/001	Prisons (Scotland) Act 1989 not elsewhere classified
85/004	Investment legislation
85/005	Industrial training and statistics of trade offences
85/010	Fire services legislation
85/012	Solicitors (Scotland) Acts
85/014	Local government legislation
85/015	Architects registration offences

85/016 Estate agents act

85/021 Legal aid and advice legislation

85/025 Industrial and provident society's offences

85/034 Anti-social behaviour, private landlord offences

85/036 Offences under the Charities and Trustees Investment (Scotland) Act

85/037 Failure to comply with a Property Factor Enforcement Order

Group 8 Road Traffic Offences

Dangerous and Careless Driving

300/001 Dangerous driving offences

300/002 Driving carelessly

Driving under the influence

301/001 Driving motor vehicle while unfit through drink or drugs

301/002 In charge of motor vehicle while unfit through drink or drugs

301/003 Driving motor vehicle with blood alcohol content above prescribed limit

301/004 In charge of motor vehicle while blood alcohol content above prescribed limit

301/005 Failure to provide breath specimen at roadside

301/006 Failure to provide breath, blood or urine specimen at police station

301/007 Driving motor vehicle while under the influence of a controlled drug above prescribed limit

301/008 In charge of motor vehicle while under the influence of a controlled drug above prescribed limit

Speeding

303/000 Speeding in restricted areas

304/000 Other speeding offences

Unlawful use of motor vehicle

302/000	Vehicle excise licence offences
310/000	Using motor vehicle without test certificate
313/000	Driving while disqualified from holding or obtaining licence
314/000	Driving without a licence (including underage)
315/000	Driving licence, other offences
316/000	Failure to insure against third party risks
317/000	Insure against third party risks, other offences
318/000	Registration or identification mark offences (not lighting)

Vehicle defect offences

319/000	Lighting offences, motor vehicles
320/000	Construction and Use Regulations (other than lighting)

Seat belt offences

323/000	Seat belt offences

Mobile phone offences

324/000	Mobile phone offences

Other Road Traffic offences

78/001	Dangerously riding a bicycle or tricycle
78/002	Carelessly or inconsiderately riding a bicycle or tricycle
78/003	Drunk when riding a bicycle
78/099	Bicycles, other offences
79/001	Pedestrian traffic offences
305/000	Driver’s neglect of traffic directions (not pedestrian crossing)
306/000	Driver’s contravention of pedestrian crossing regulations
307/000	Accident offences
308/000	Parking offences

309/000	Failing to provide information to identify driver of vehicle
311/000	Motorway traffic offences
321/000	Motor vehicle records of work (e.g. tachograph) offences
399/000	Motor vehicles, other offences

© Crown copyright 2026

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit **nationalarchives.gov.uk/doc/open-government-licence/version/3** or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: **psi@nationalarchives.gsi.gov.uk**.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at **www.gov.scot**

Any enquiries regarding this publication should be sent to us at

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-80775-345-0 (web only)

Published by The Scottish Government, August 2026

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS1763826 (08/26)

w w w . g o v . s c o t