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# **Justice Analytical Services Coronavirus (COVID-19) Data Report:**

## **November 2020**

Published 22<sup>nd</sup> December 2020

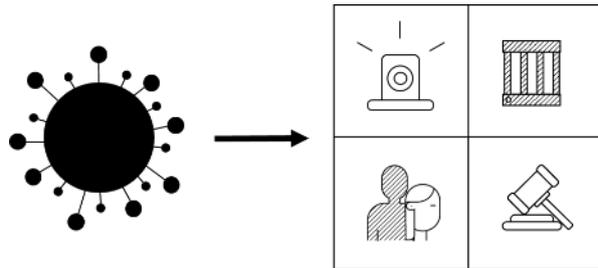


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# Summary

This pack provides information on the impact of COVID-19 on the Justice system during November 2020.

Data has been gathered from a number of different sources and may be subject to future revision.



## Public compliance

This pack includes information on COVID-19 related interventions undertaken by Police Scotland. In addition to this, information on the public's compliance with measures to help restrict the spread of COVID-19 is collected from surveys of the population. Findings from these surveys can be found in the [Public attitudes to Coronavirus: November Update](#).

Claimed compliance in Phase 3 has been high.

## Police activity

- Recorded crime was 6% lower over April to November compared to last year.
- The number of incidents remain below 2019 levels.
- Domestic abuse incidents were 6% higher in April to November 2020 compared to last year.
- Coronavirus interventions increased by just under a third (31%) between October and November.

## Crown Office and Procurator Fiscal Service (COPFS), Courts & Prisons

- Total reports received by COPFS are above the 19-20 average.
- COPFS reports awaiting marking continue to increase beyond 19-20 levels.
- There were 27,872 fewer disposals from courts between April and November compared to last year.
- Community disposals are returning to 19-20 levels but there remains a backlog of cases (and associated disposals) to conclude.
- Initiations and disposals in the civil court remain below 19-20 levels.
- Prison populations decreased as court business abated.
- Prisoners on remand remain at historically high levels.

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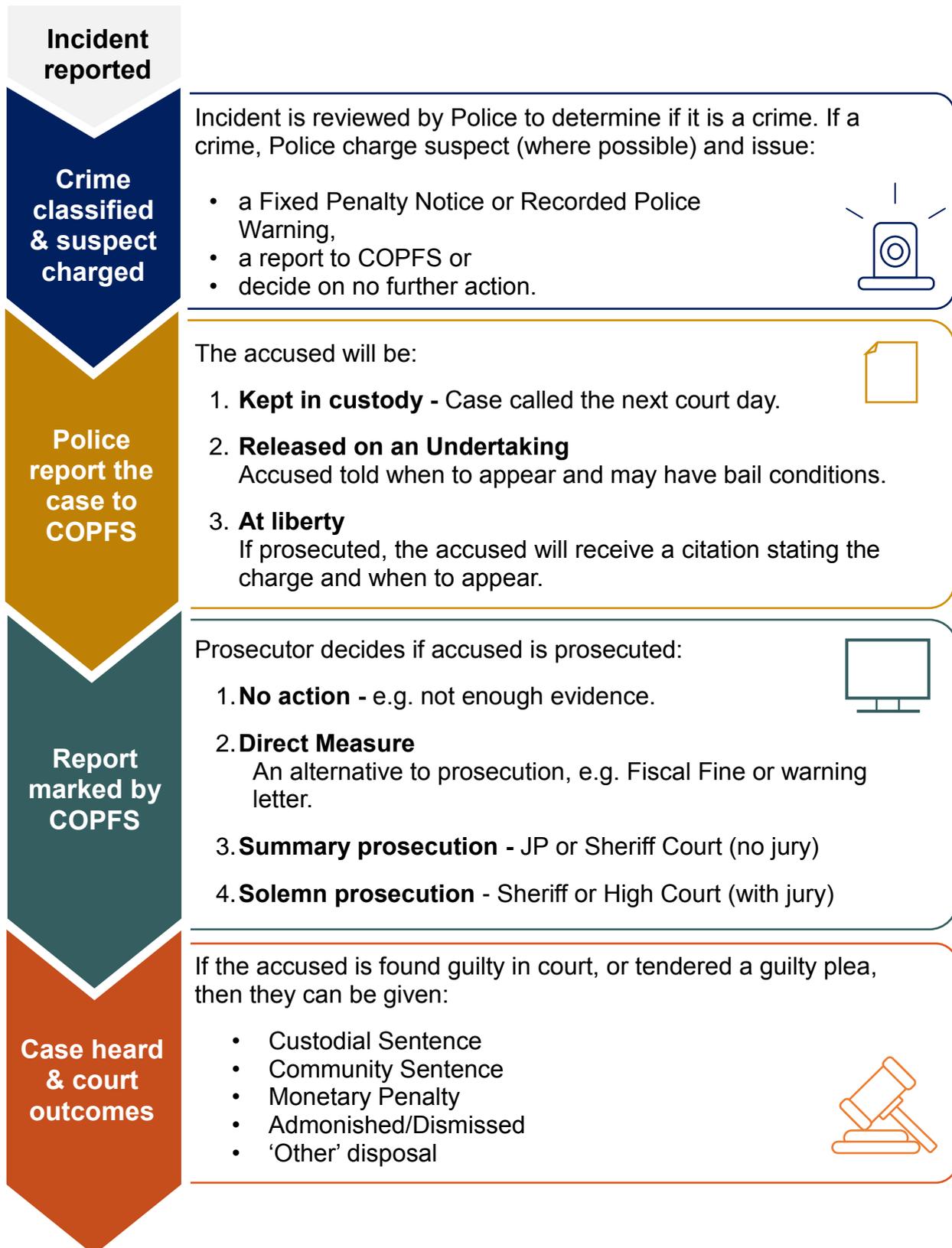
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# How crime flows through the Justice System



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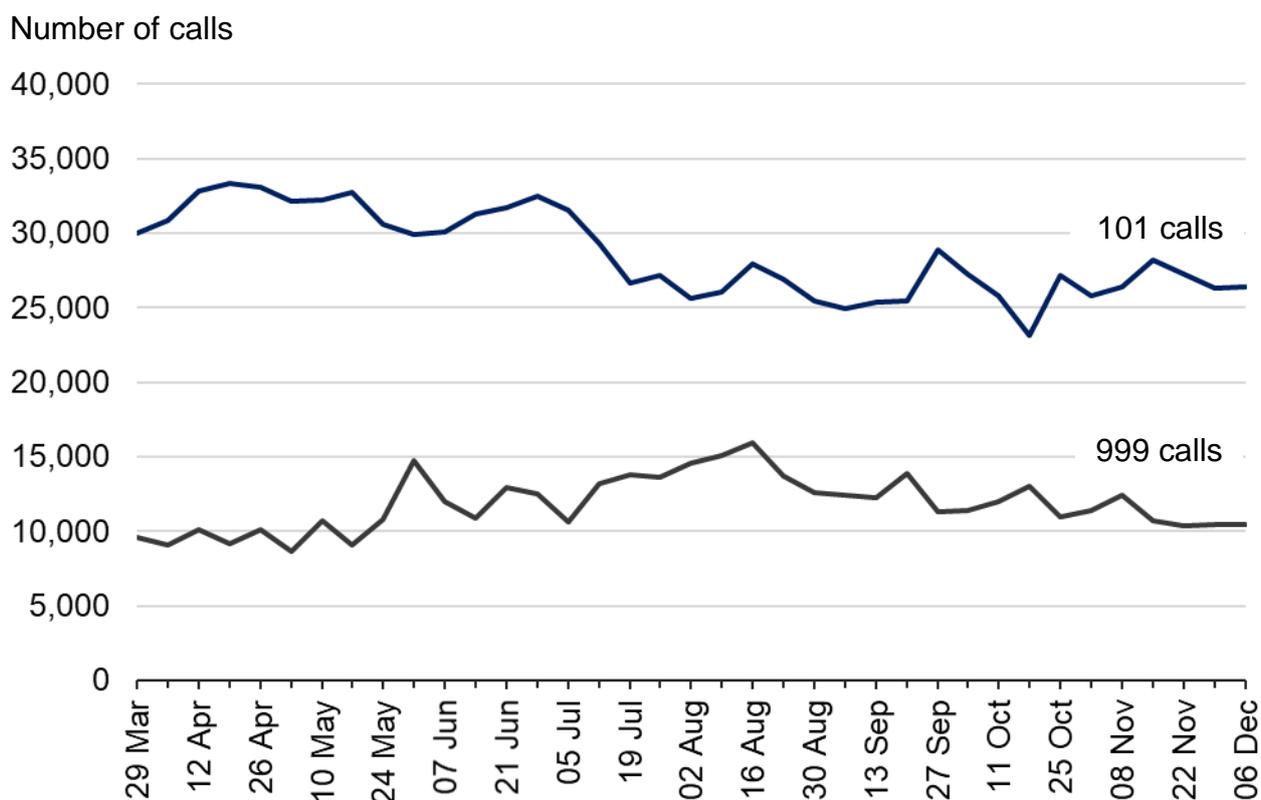
# **Police Activity (Police Scotland)**

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# 101 and 999 call volumes

## Total weekly 999 & 101 calls remain below 2019 levels

- Both 101 calls and 999 calls have remained relatively stable over the past three months.
- There may be evidence of a slight downward trend in 999 calls since August.
- In the week ending 6<sup>th</sup> December there were 36,831 calls made.
- When combined, calls were almost the same as the previous week.



(Week ending)

29<sup>th</sup> November 2020

6<sup>th</sup> December 2020

101 calls	26,310	26,384
999 calls	10,422	10,447
<b>Total calls</b>	<b>36,732</b>	<b>36,831</b>

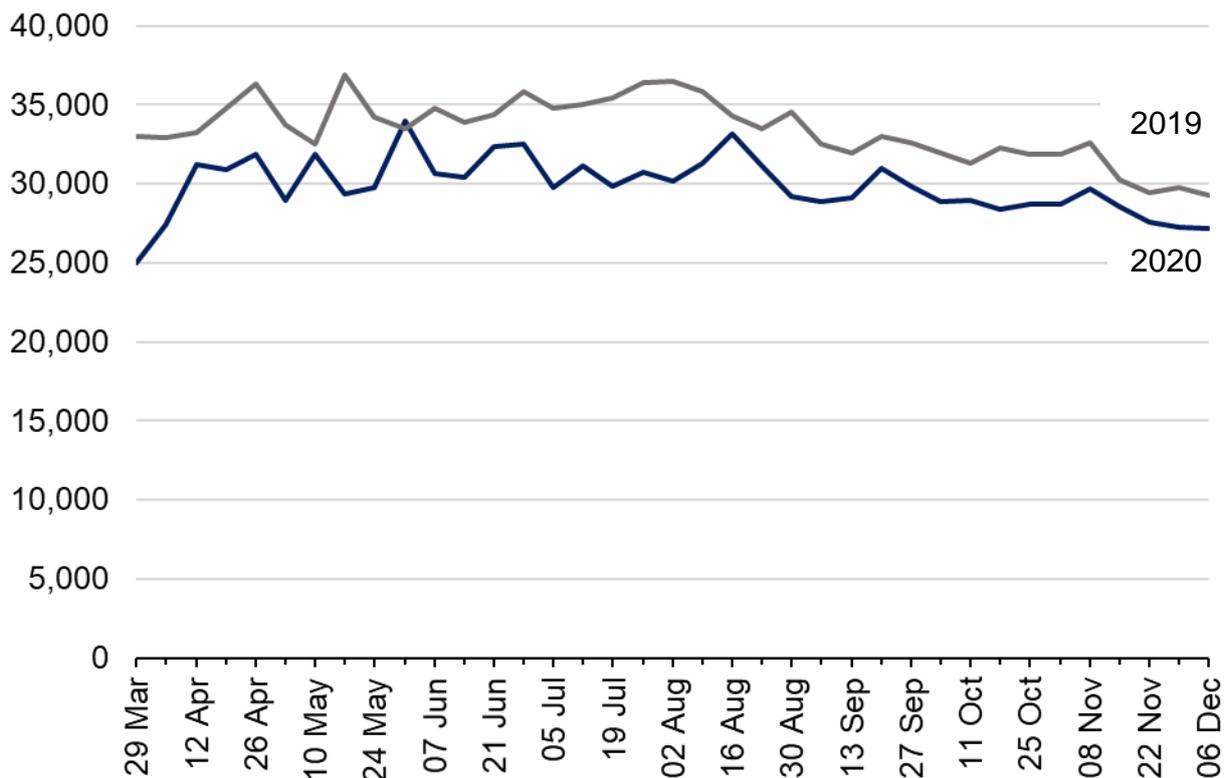
# Incidents recorded

## Weekly incident numbers remain below 2019 levels

Since lockdown began, incident numbers have been trending below 2019 levels.

Scotland entered Phase 2 of its route map on 28th May. There was an increase in incidents during that week (w/e Sunday 31st May). However, incident numbers have remained below 2019 levels in the weeks that followed, and have declined throughout November.

Number of incidents



### In the week ending 6<sup>th</sup> December:

27,147  
incidents recorded



Down 7% compared to an equivalent week in 2019 (29,295 incidents)

### Further information:

A full breakdown of calls & incident volumes is available from:

<https://www.scotland.police.uk/about-us/covid-19-police-scotland-response/enforcement-and-response-data/>

# Recorded Crime in Scotland

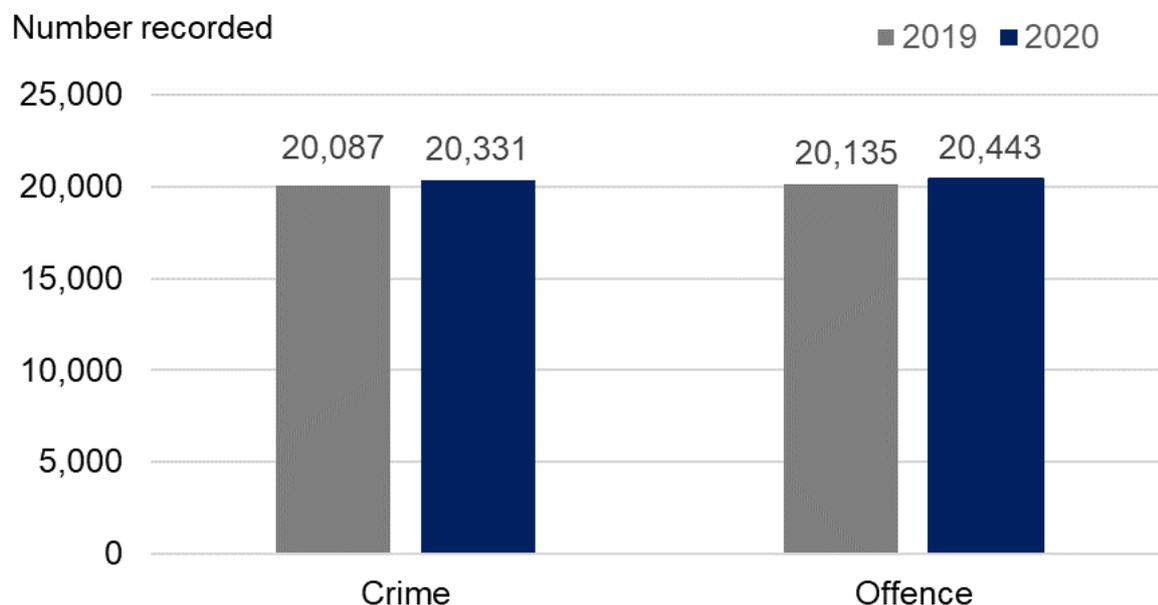
The recorded crime figures presented below exclude crimes recorded under the coronavirus legislation.

## November 2020

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### The number of crimes recorded in 2020 has risen above 2019 levels

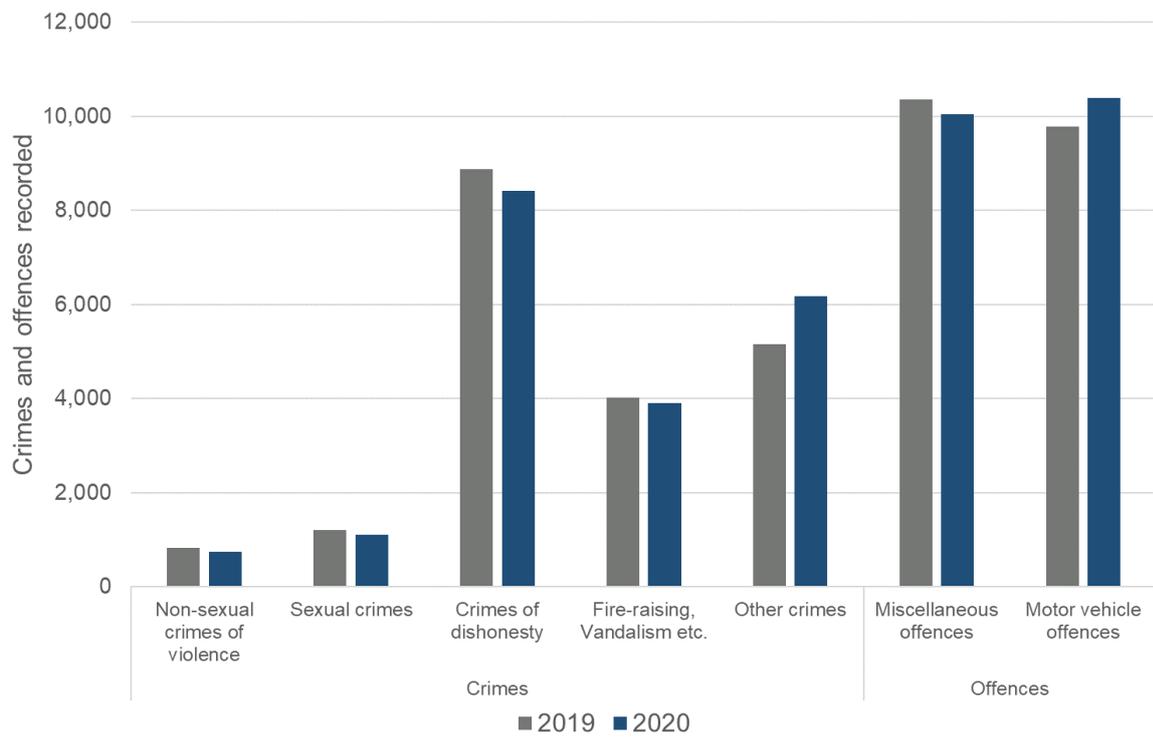
The number of crimes recorded in November 2020 was 1% higher than in November 2019, and the number of offences was 2% higher than in November 2019.



### Since last year, five crime and offence groups have seen a reduction while two groups are at a higher level.

Other crimes were 20% higher (or 1,018 crimes). This increase was driven by rises in Crimes against public justice (up 38%, or 598 crimes).

Motor vehicle offences were 6% higher (or 622 offences). This increase was driven by rises in Unlawful use of a vehicle (up 23%, or 752 offences).



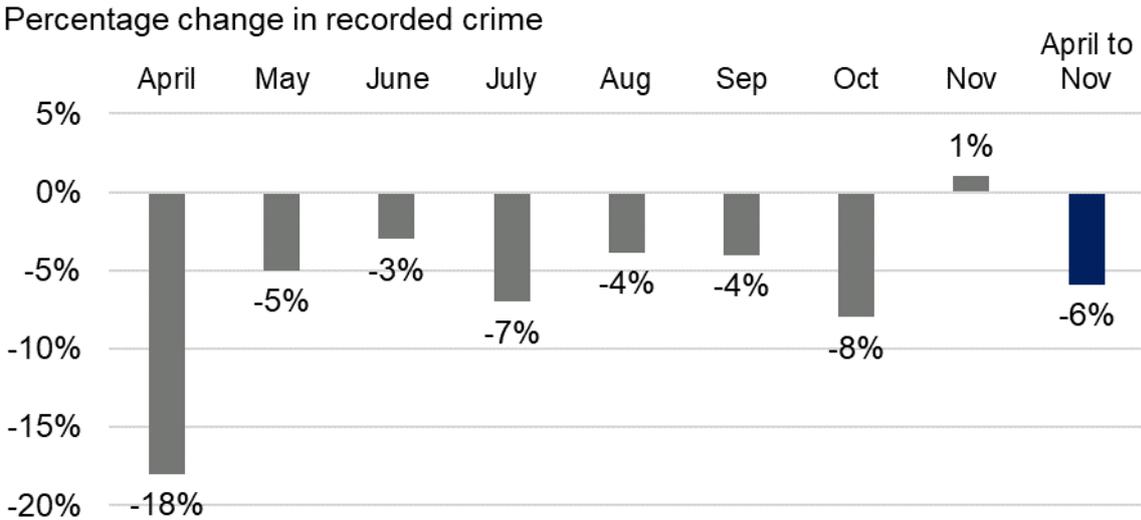
## April to November 2020

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### For the first time since April 2020, crime has risen above 2019 levels

When looking across April to November 2020\*, 158,333 crimes were recorded. This was 6% lower than April to November last year (168,304 crimes recorded).

When comparing to previous months, crime in 2020 has remained fairly stable since May.



\*The recorded crime figures presented here exclude crimes recorded under the new coronavirus legislation.

**The biggest drivers of the reduction across April to November were Shoplifting, Other theft and Vandalism etc.**

The [Changes in levels of recorded fraud section](#) in the latest bulletin provides further background on what may be contributing to this change.

The biggest drivers of the 6% reduction over April to November (by volume) were:

Shoplifting  
↓ 33% (or 7,042 crimes)

Other theft  
↓ 18% (or 5,254 crimes)

Vandalism etc.  
↓ 11% (or 3,541 crimes)

The biggest increases of this period were in:

Crimes against public justice  
↑ 34% (or 4,448 crimes)

Fraud  
↑ 64% (or 4,436 crimes)

**Further Information:**

The data in this section comes from the monthly Official Statistics on crimes and offences recorded by the police in Scotland during the COVID-19 pandemic.

For more information, please see [Recorded Crime in Scotland: November 2020](#).

# Coronavirus legislation intervention activity

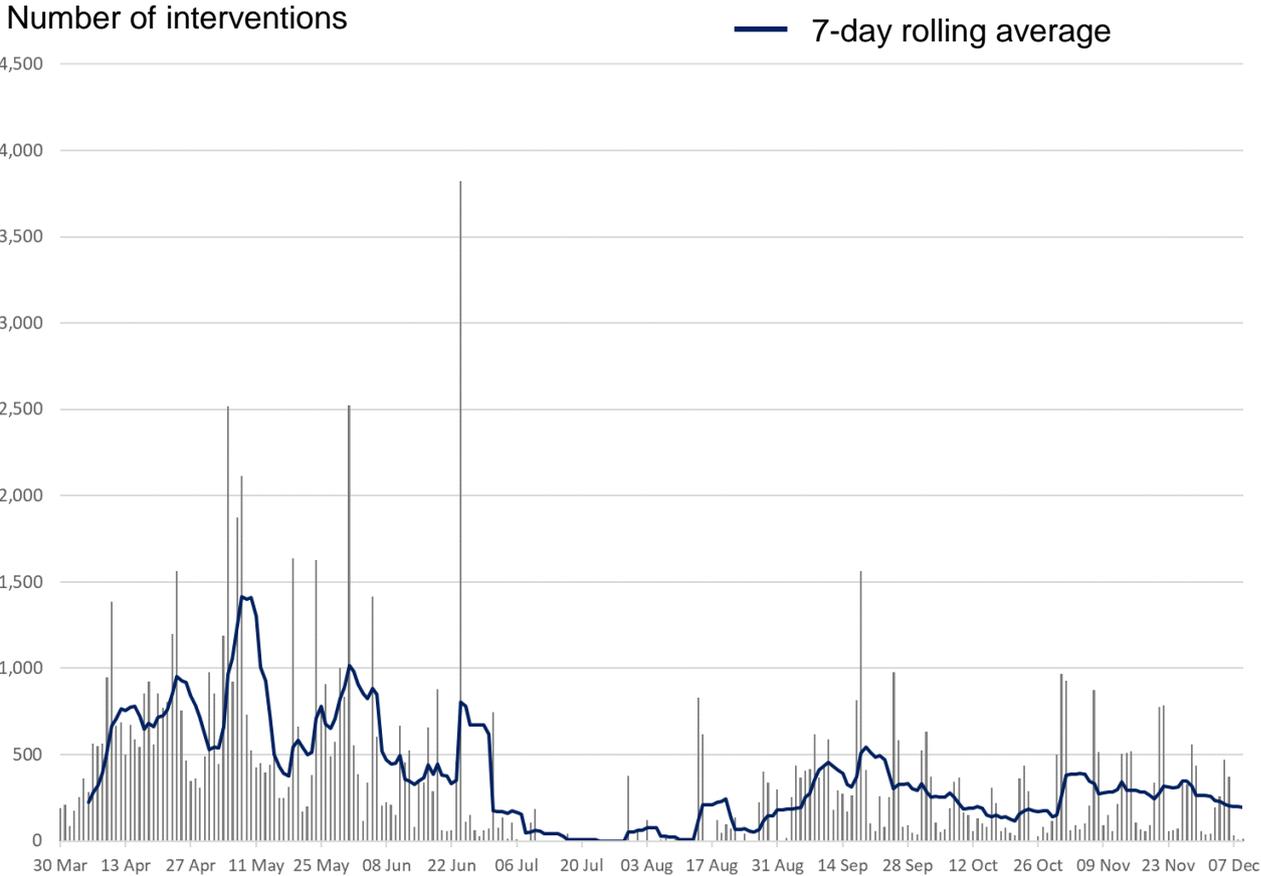
This information is drawn from Police Scotland’s ‘Coronavirus Interventions’ application, which relies on manual input from Police Officers. Due to this manual input, these figures should be viewed as indicative only.

This system currently provides the broadest picture of the differing levels of co-operation experienced by Police across Scotland.

## The use of interventions have risen slightly through the month but remains lower than April to June levels

Total use of interventions have increased by almost a third (31%, or 2,136 interventions) since the previous month.

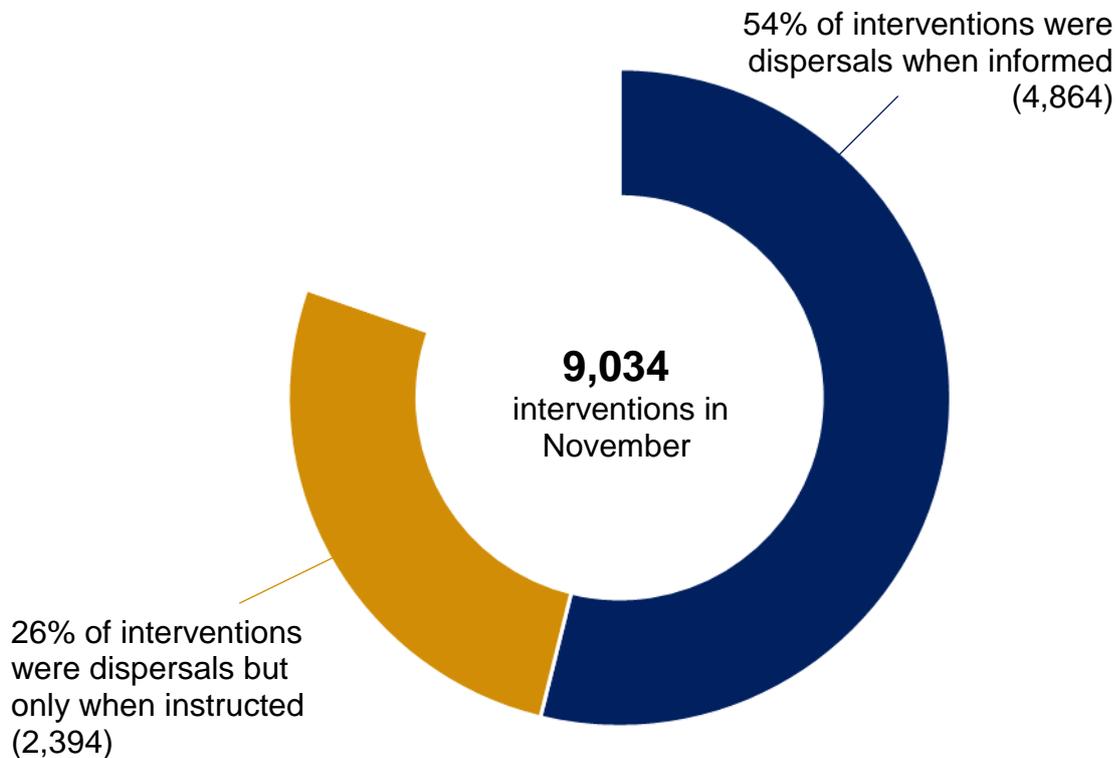
A large spike in interventions was seen on 25<sup>th</sup> June, following a large scale disturbance in Kelvingrove Park.



## COVID-19 Intervention Activity in November

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In November, almost all interventions made were dispersals. This remains consistent with previous months.



### Of the remaining 20% of interventions:

- 57 were dispersed using reasonable force
- 1,662 were issued a Fixed Penalty Notice (FPN)
- 57 were arrested

### Further Information:

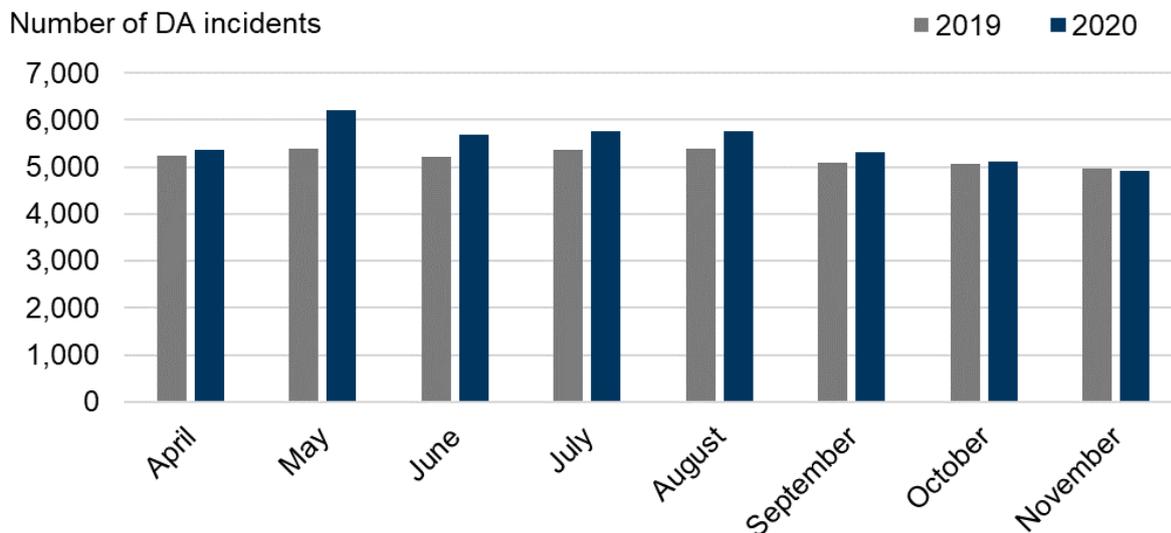
A full breakdown of interventions is available from Police Scotland:  
<https://www.scotland.police.uk/about-us/covid-19-police-scotland-response/enforcement-and-response-data/>

## Police Recorded Domestic Abuse Incidents

The number of Domestic Abuse incidents recorded in November 2020 was below the level seen in 2019.

These updates (including the proportion with a crime or offence) will be reflected in future editions of the Official Statistics on [Domestic Abuse in Scotland](#). The next edition will cover the 2019-20 reporting year.

Looking cumulatively across April to November 2020, incidents were 6% higher than the equivalent period in 2019.



### In November 2020:

4,919

Domestic incidents recorded



Down 1% since last year  
(4,964 incidents)

### In April to November 2020:

44,154

Domestic incidents recorded



Up 6% since equivalent period last year  
(41,708 incidents)

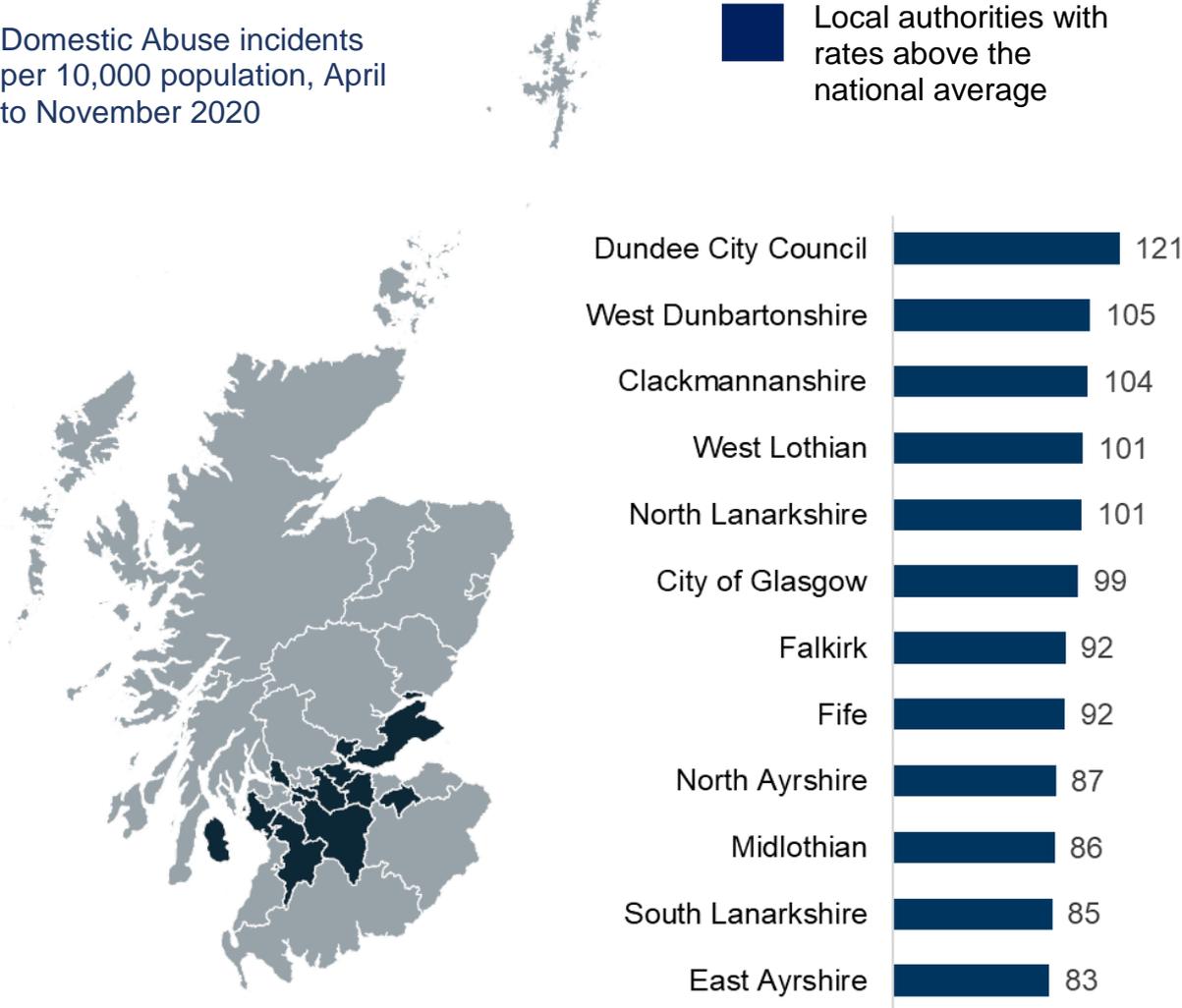
The proportion of April to November 2020 incidents that include the recording of at least one crime or offence was 38.5%. [Police Scotland's Management Information Report](#) suggests an equivalent figure of 43.9% for 2019-20.

In addition to the above, separate figures on crimes recorded under the Domestic Abuse (Scotland) Act 2018 are available from the Recorded Crime in Scotland monthly Official Statistics. There were 1,039 such crimes recorded by the police in April to November 2020, compared to 1,166 during the equivalent period in 2019 (down 11%).

**Police Recorded Domestic Abuse Incidents per 10,000 population**

**Across Scotland as a whole, the police recorded 81 domestic abuse incidents per 10,000 population during April to November 2020.**

The local authorities with the highest rates were Dundee City (121), West Dunbartonshire (105), Clackmannanshire (104), West Lothian (101), and North Lanarkshire (101).



**Further Information:**

The data in this section comes from the monthly Official Statistics on crimes and offences recorded by the police in Scotland during the COVID-19 pandemic.

For more information, please see [Recorded Crime in Scotland: November 2020](#).

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# **Crown Office and Procurator Fiscal Service (COPFS)**

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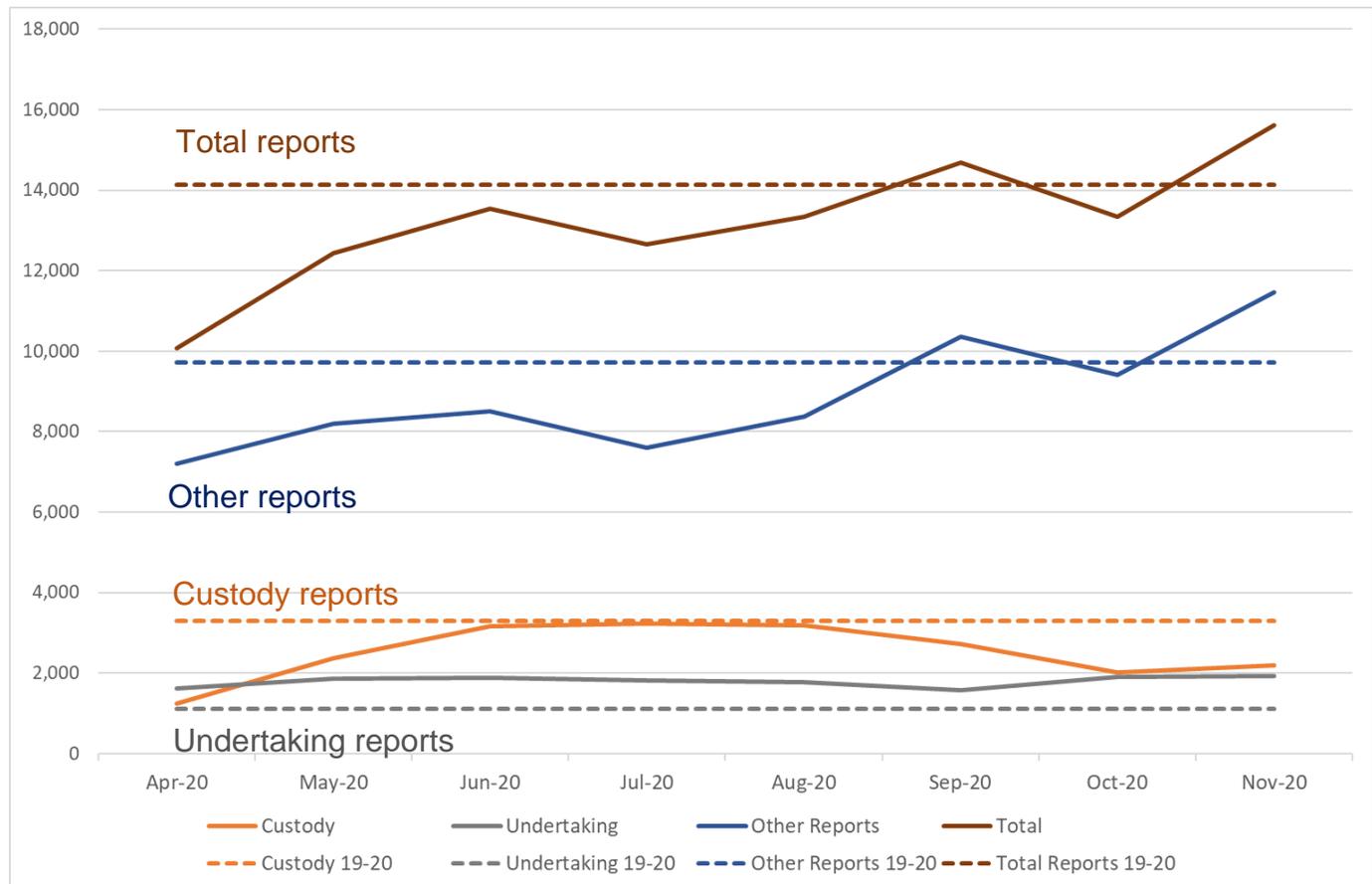
# Reports received by COPFS

After a crime is classified and a suspect charged, police send a report to the Crown Office Procurator Fiscal Service (COPFS).

## Total reports received by COPFS now exceed last year's average levels.

- The total number of reports received by COPFS decreased substantially at the beginning of lockdown. Since that time numbers have been gradually increasing and now sit above 19-20 average levels.
- Undertaking report numbers remain higher than 2019-20 levels.
- Custody report numbers had returned to 2019-20 levels but decreased from August and are now at around half of 19-20 average levels.

Reports received

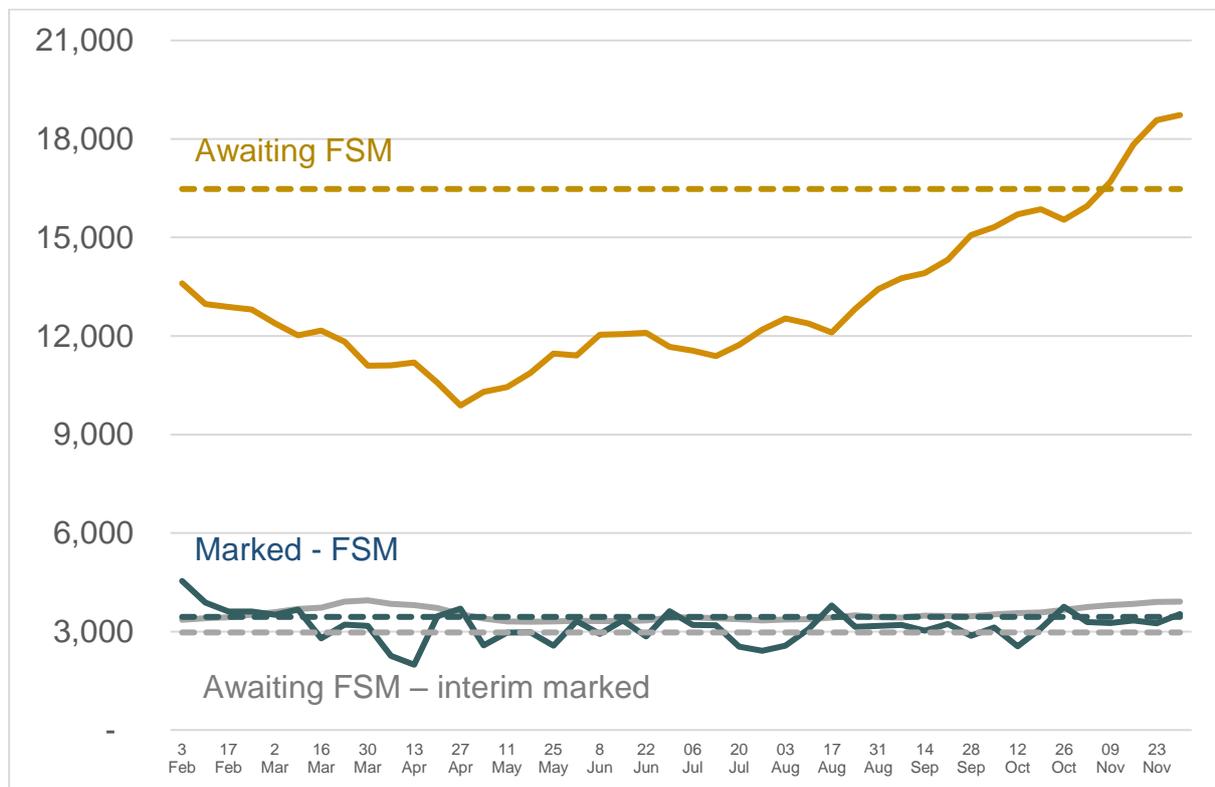


# First substantive marking

When COPFS receive a report that someone has committed a crime the prosecutor must decide whether and what action to take. This is recorded on the case as a “marking”. If a decision cannot be taken immediately, an interim marking may be recorded. When a substantive decision is reached a First Substantive Marking (FSM) is recorded, to indicate how the prosecutor has decided to proceed.

The number of accused given a FSM by COPFS has returned to pre-lockdown levels. However the number of unmarked and interim marked cases (work in progress) continues to increase beyond pre COVID levels.

Number of reports



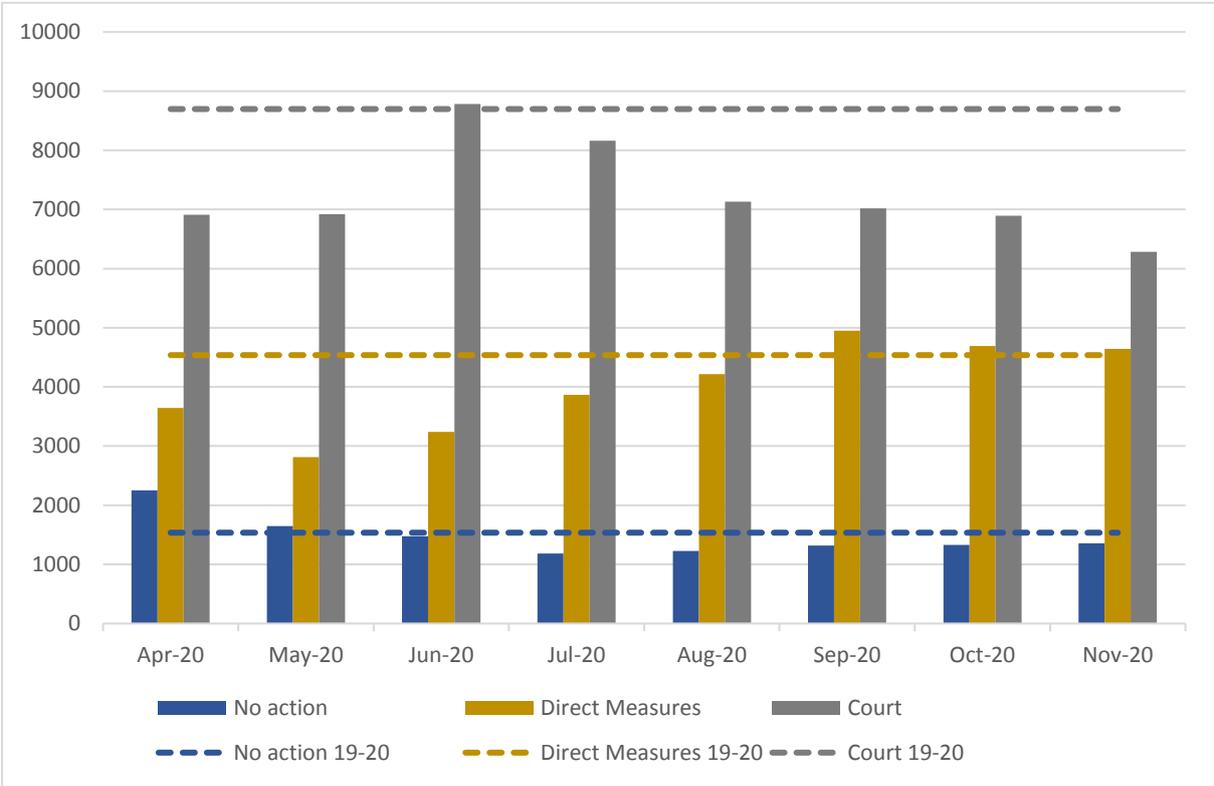
# Summary of COPFS First Substantive Markings

There are 3 types of marking decision available to COPFS:

- No Action
- Direct Measures
- Court proceedings

Cases marked No Action were higher than 19-20 average levels during the initial lockdown period but have stabilised at just below last year’s average levels.

Number of cases



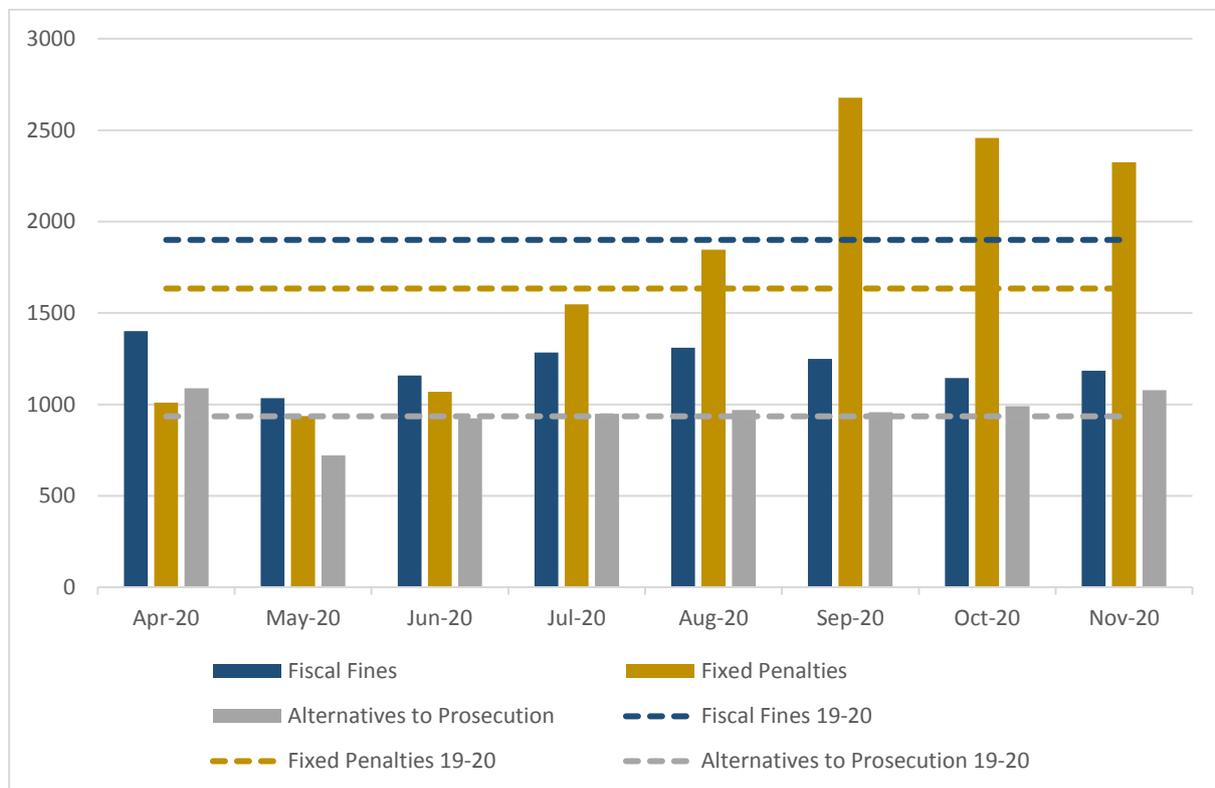
# Subjects not marked for court

Alternatives to court include diversion, fiscal fines, fixed penalties, community and work orders. Fiscal fine limits were increased as part of the Coronavirus (Scotland) Act 2020.

The numbers of subjects receiving a Fiscal Fine have generally remained below 19-20 average levels (dotted lines) since April 2020.

The number of subjects given Fiscal fixed penalties increased from May, reaching a high in September. Numbers have decreased since that time but remain above 19-20 average levels.

## Subjects marked



# Subjects marked for court

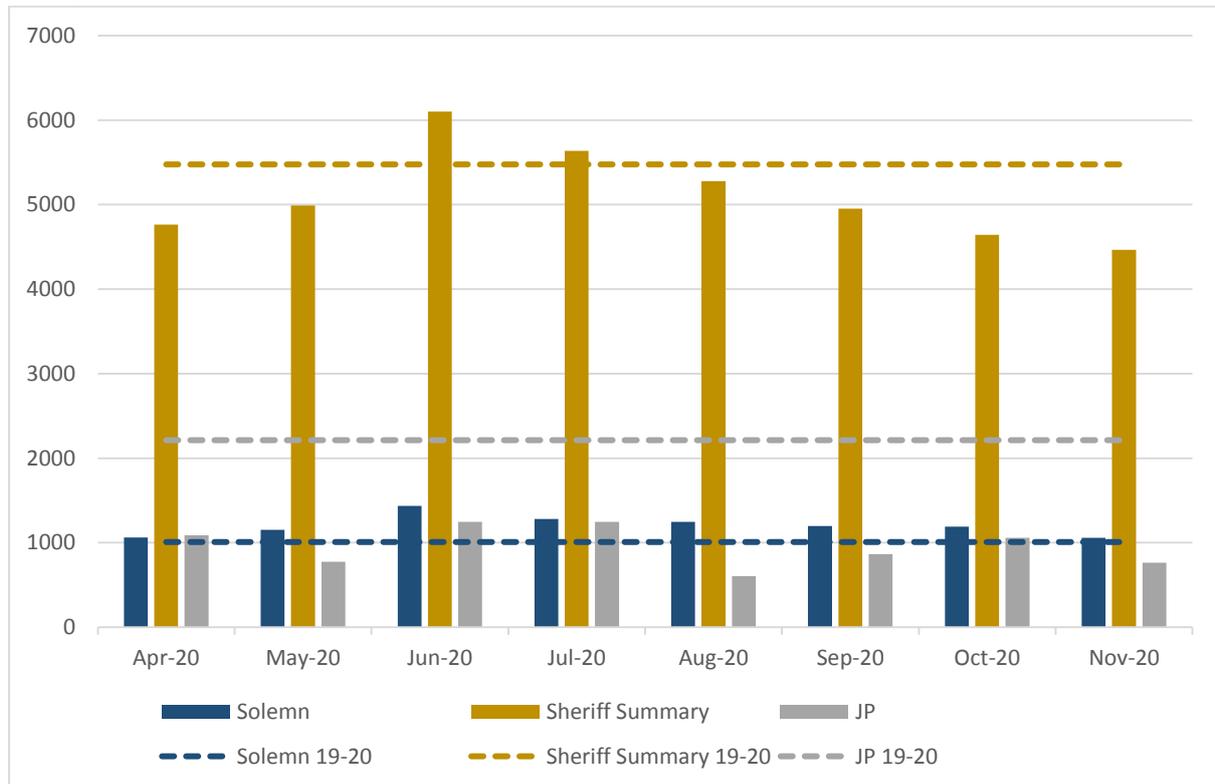
The type of court proceedings appropriate for a case depends on the nature of the crimes or offences involved. The most serious crimes are marked for solemn proceedings, whilst less serious crimes and offences will be marked for Sheriff Summary or JP courts.

## The number of people marked for proceedings in:

- Solemn court (High Court or Sheriff & Jury) has been higher than 19-20 average levels from April 2020.
- Sheriff Summary court fell below 19-20 average levels in August and has been decreasing since that time.

JP Court remains significantly below 19-20 average levels.

## Subjects marked



# Fatal Accident Enquiries (as of 30 November 2020)

FAIs with scheduled court dates 38

FAIs with First Notice lodged, awaiting court dates: 2

## Source:

Data in this section has come from COPFS Internal Management Information System.

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# **Scottish Courts & Tribunal Service (SCTS)**

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## Criminal Registered & Scheduled Trials

Since lockdown, there have been 52,074 criminal registrations in the courts. 224 of these registrations have been COVID-19 related (0.4%).

In November 2020, all types of court registration were lower than 2019-20 averages:

- The number of indictments registered in the High Court is 62% lower than 19-20 average levels.
- The number of indictments registered in the Sheriff court (solemn cases) is 9% lower than the 19-20 average.
- The number of complaints (summary cases) registered in the Sheriff Court is 20% lower than the 19-20 average.
- Complaints registered in the JP court are 56% lower than the 19-20 average.

Cases Registered	19-20 monthly average	November 2020	Change from 19-20 monthly average	Outstanding (scheduled) trials	
				Pre-lockdown	November 2020
<b>Indictments</b>					
High Court	85	32	-63 (-62%)	390	291
Sheriff Court	454	414	-40 (-9%)	497	738
<b>Complaints</b>					
Sheriff Court	5,478	4,383	-1,095 (-20%)	13,971	27,372
JP Court	2,799	1,221	-1,578 (-56%)	3,497	5,189

At the end of November there were 33,590 trials outstanding. This compares to 18,355 at the end of 2019-20. In addition, SCTS have forecast that there are another 5,271 cases in the system which are likely to come to trial but have not yet had a trial date set (see SCTS published monthly criminal statistics for a more detail - <https://www.scotcourts.gov.uk/official-statistics>)

## Criminal Disposals

In November 2020 there were 6,077 disposals (excluding secondary disposals and the 'other' disposal category) from Scotland's courts. This is 83% of the 19-20 monthly average of 7,278 and 8% lower than October 2020.

However, as a result of lockdown, between April and November 2020 there were 27,872 (47%) fewer disposals compared to the same time the previous year.

If courts had not been subject to lockdown and crime levels had remained the same we could have expected the number of April to November 2020 court disposals to be similar to April to November 2019 levels.

From April to November of 2020, there have been 44% fewer custodial sentences and 57% fewer community disposals imposed by the courts than might have been expected under normal circumstances.

To:	Monthly average 2019-20	Nov 2020	Change %	Apr- Nov 2019	Apr- Nov 2020	Change %
<b>30 November 2020</b>						
Imprisonment	1,011	746	-26%	8,255	4,658	-44%
Community Disposal (CPO & DTTO)	1,384	1,185	-14%	11,371	4,859	-57%
Restriction of Liberty Order	296	354	+19%	2,367	1,417	-40%
Fine etc.	3,106	2,425	-22%	25,179	12,604	-50%
Admonished/ Discharged	1,481	1,367	-8%	11,932	7,694	-36%

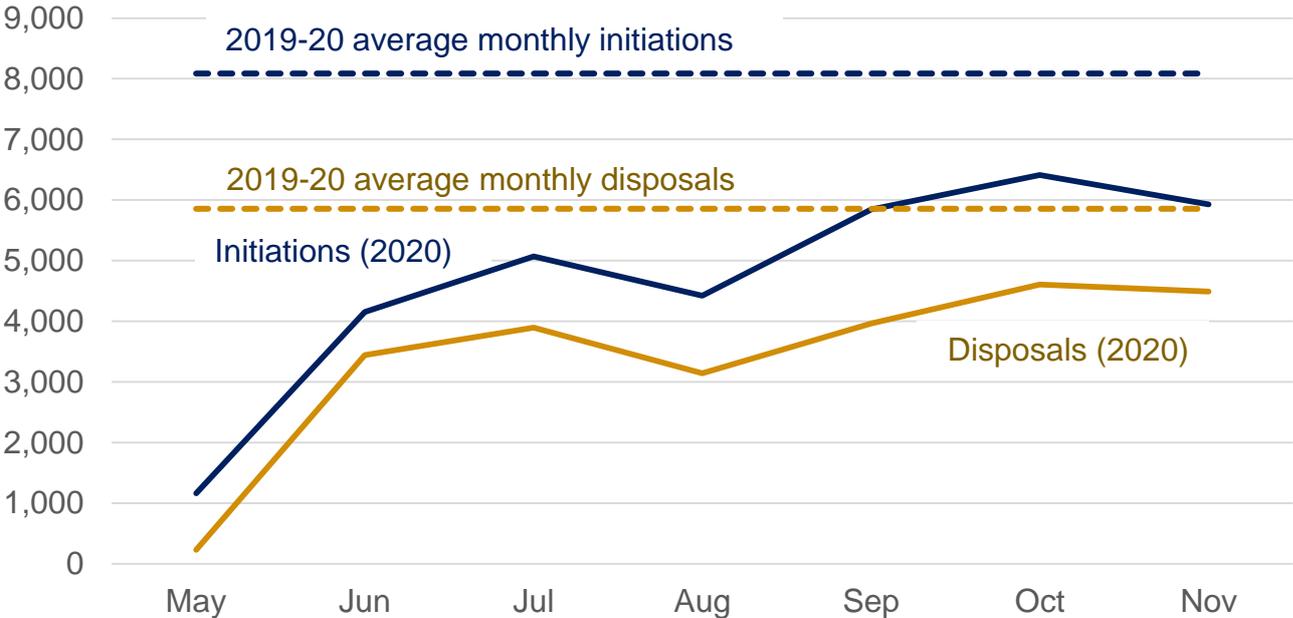
Overall, the number of crimes recorded by the police between April and November 2020 was 6% lower than the same period in 2019. It will take time for these cases to move through the courts system and it is unlikely that many of these cases are included in the disposal figures above. Any changes in crime levels may have associated impacts on volumes of court business and disposals.

**Further Information:** Latest SCTS published official statistics can be found here: <https://scotcourts.gov.uk/official-statistics>

# Sheriff Court Civil Case Volumes

## Case initiations and disposals

Initiations and Disposals (**of all types**) in the Sheriff Civil Courts remain low, but are recovering to 19-20 typical levels (dotted lines) as the courts continue to emerge from lockdown.



## Sheriff Court initiated and disposed cases by procedure

Initiated case numbers for ordinary cause and simple procedure are returning to 2019-20 monthly average levels. Summary cause is lower than 2019-20 levels, while small claims have largely been replaced by simple procedure.

Likewise, disposed cases for ordinary cause and simple procedure are returning to 2019-20 levels, while summary cause are much lower.

In addition to lower volumes across all procedures, summary cause figures were heavily influenced by the emergency legislation which protects tenants during the pandemic, brought into force in April 2020 as part of [Coronavirus \(Scotland\) Act 2020](#). The provisions of the Act, although temporary in nature, have now been extended until 31 March 2021.

Procedures	Jul	Aug	Sept	Oct	Nov	2019/20 monthly average
<b>Initiated</b>						
Ordinary cause	2,017	1,597	2,013	2,000	1,885	1,928
Summary cause	213	202	384	181	154	1,132
Small claim	5	0	3	1	2	2
Simple procedure	1,316	1,375	1,964	2,633	2,282	2,695
<b>Total initiated</b>	<b>3,551</b>	<b>3,174</b>	<b>4,364</b>	<b>4,815</b>	<b>4,323</b>	<b>5,758</b>
<b>Disposed</b>						
Ordinary cause	1,058	1,000	1,271	1,373	1,424	1,445
Summary cause	166	142	357	335	366	1,096
Small claim	5	2	13	4	2	5
Simple procedure	2,057	1,428	1,680	2,194	2,170	2,306
<b>Total disposed</b>	<b>3,286</b>	<b>2,572</b>	<b>3,321</b>	<b>3,906</b>	<b>3,962</b>	<b>4,852</b>

1. Figures exclude summary applications.
2. Figures for initiations and disposals do not necessarily refer to the same cases.
3. Excludes Sheriff Personal Injury Court.

## Case types

In November 2020, most initiated and disposed cases were below 2019-20 levels.

- All initiated case types presented are gradually returning to 2019-20 levels, with month to month variation. Family cases are higher than 2019-20 monthly average.
- In November, for disposals, Family and Debt had returned to 2019-20 levels, but Children's Referrals and Personal Injury were lower than 2019-20 average levels.

Initiated Cases (Nov 20)			Disposed Cases (Nov 20)	
November 2020	Change from 19-20	Case Type	October 2020	Change from 19-20
1,176	112% of 19-20 average month (1,055 cases)	 Family	945	104% of 19-20 average month (910 cases)
368	61% of 19-20 average month (602 cases)	 Children's Referrals	173	67% of 19-20 average month (260 cases)
2,594	90% of 19-20 average month (2,883 cases)	 Debt	2,366	100% of 19-20 average month (2,368 cases)
261	65% of 19-20 average month (402 cases)	 Personal Injury	212	69% of 19-20 average month (306 cases)

### Further Information:

Latest published Civil Justice Statistics can be found here:

<https://www.gov.scot/publications/civil-justice-statistics-scotland-2018-19/>

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# Prisons

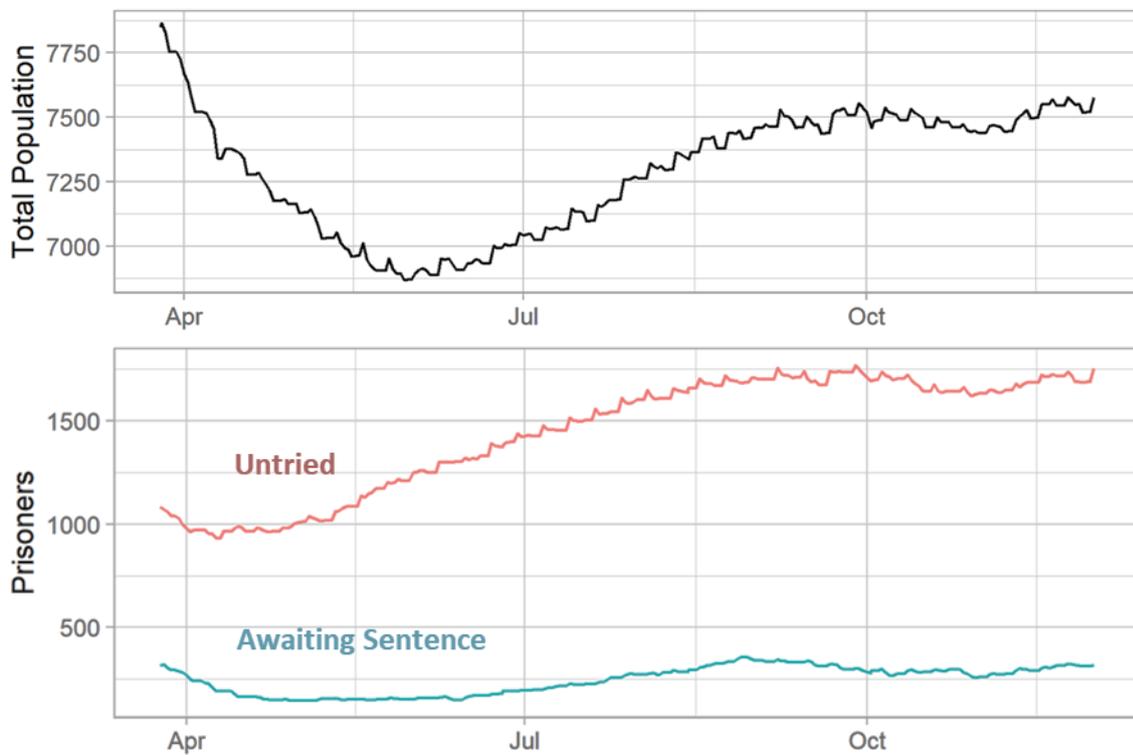
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# Prison population

While the total prison population has fallen with reduced court business, the number of people held on remand remains at a historic high level.

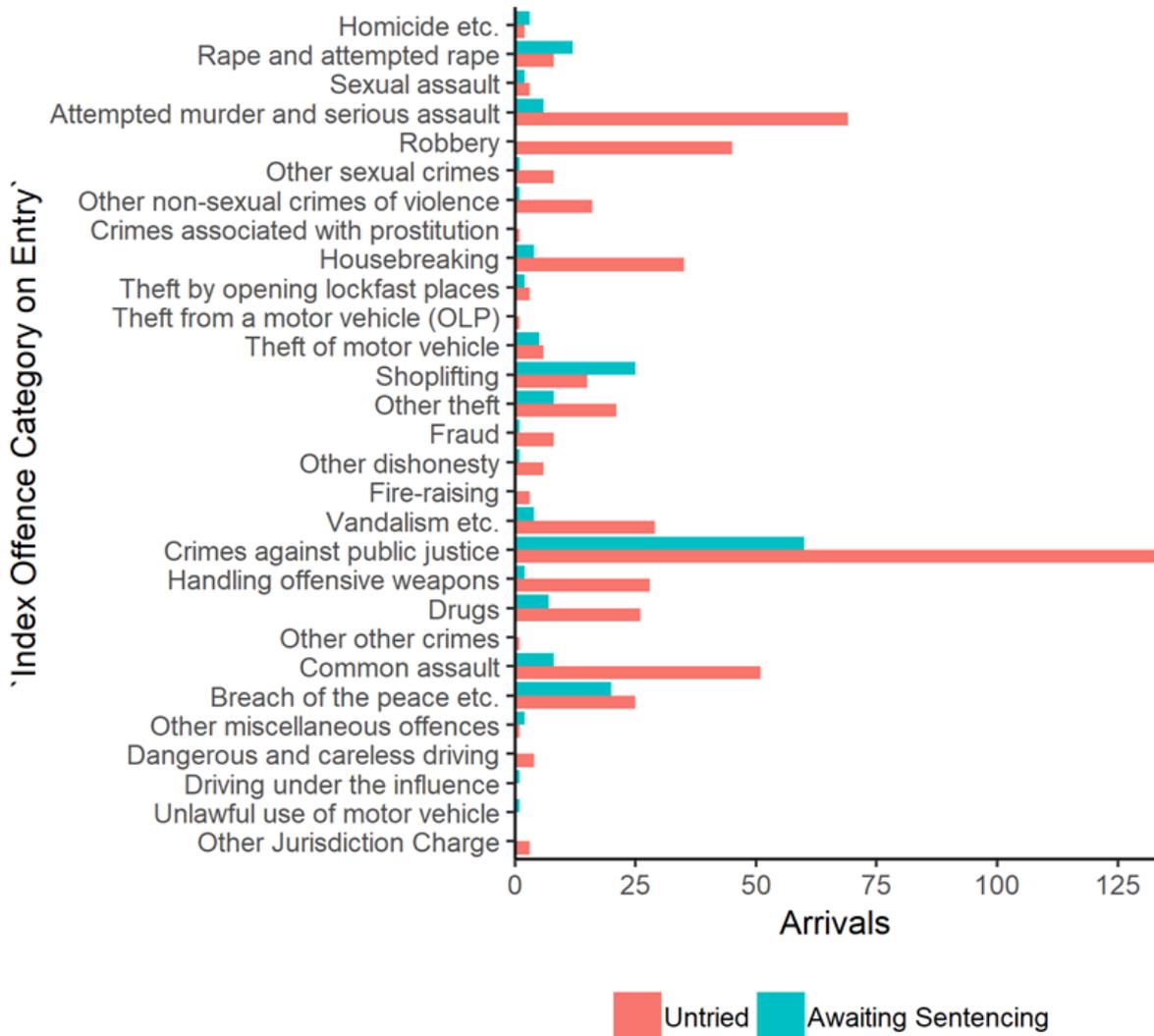
In November 2020 (up until the morning of 1<sup>st</sup> December):

- the population rose by 139 to 7,578
- 2,074 were on remand: 1,754 (23%) untried & 320 (4%) awaiting sentence
- 65% of arrivals in October were untried (644 of 901), and 19% awaiting sentence (183)



# Remand Arrivals

There were 727 un-sentenced arrivals to prison with known offence types in November, awaiting trial or sentencing for the following alleged offences



Note: Double-counting may occur where an individual is absent from prison for a night in the week and then returns. Where an individual has multiple alleged offence types, the offence towards the top of the list in the chart is used as the index offence.

## Further Information:

Latest published annual prison population statistics can be found here:

<https://www.gov.scot/publications/scottish-prison-population-statistics-2019-20/>

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# Sources and Further Information

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## Sources and further information

The information presented in this pack are compiled from a range of sources – including Official Statistics, management information published by partner bodies, and more recent analysis of administrative data. These are combined to provide users with a summary of the latest impacts of the COVID-19 pandemic on Scotland.

It should be noted that where information has come from non-Official Statistics sources, it will be provisional in nature and may be subject to future revision. It's inclusion at this stage is to provide users with more timely and detailed information on how the pandemic has affected different parts of Scotland's Justice system. As such this should be seen as providing a broadly indicative summary – rather than a precise measure of activity.

In due course and as standard practice, many of these measures will be reflected in the associated annual Official Statistics. Links to these related products are provided below, along with management information published by partner organisations.

### Police activity:

- Monthly [Recorded Crime in Scotland](#) Bulletin. This contains Official Statistics on crimes and offences recorded by the police in Scotland.
- [Domestic Abuse Statistics: 2018-19](#). Official statistics on domestic abuse in Scotland.
- Quarterly [Police Scotland Management Information](#) reports. These contain the number of domestic abuse incidents recorded by the police in Scotland and the proportion of these incidents that resulted in the recording of a crime or offence.
- Police Scotland [Enforcement and Response Data](#). Includes data on enforcement activity and demands on policing. As this is drawn from management information it is subject to change.

### Courts and prisons data:

- Annual [Civil Justice Statistics Bulletin](#). This contains Official Statistics on civil justice and court reform as recorded by the Scottish Courts and Tribunals Service (SCTS).
- [Scottish Prison Population Statistics, 2019-20](#). Experimental statistics on Scottish prison populations, exploring population levels and composition and change over time.
- [SCTS Official Statistics](#). Includes quarterly data on fines, financial penalty collection rates, and criminal court activity in Scotland.



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