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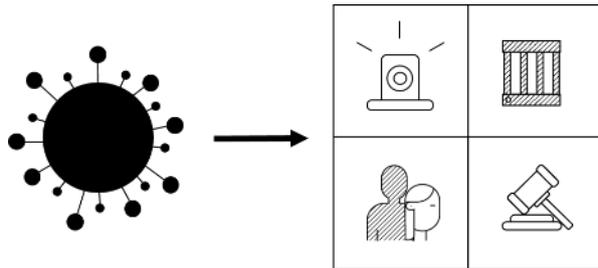
Justice Analytical Services
Coronavirus (COVID-19) Data Report:
December 2020

Published 28th January 2021

Summary

This pack provides information on the impact of COVID-19 on the Justice system during December 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 was high in September and October.

Police activity

- Recorded crime was 6% lower over April to December compared to last year.
- The number of incidents remain below 2019 levels.
- Domestic abuse incidents were 4% higher in April to December 2020 compared to last year.
- Coronavirus interventions decreased by 10% between November and December.

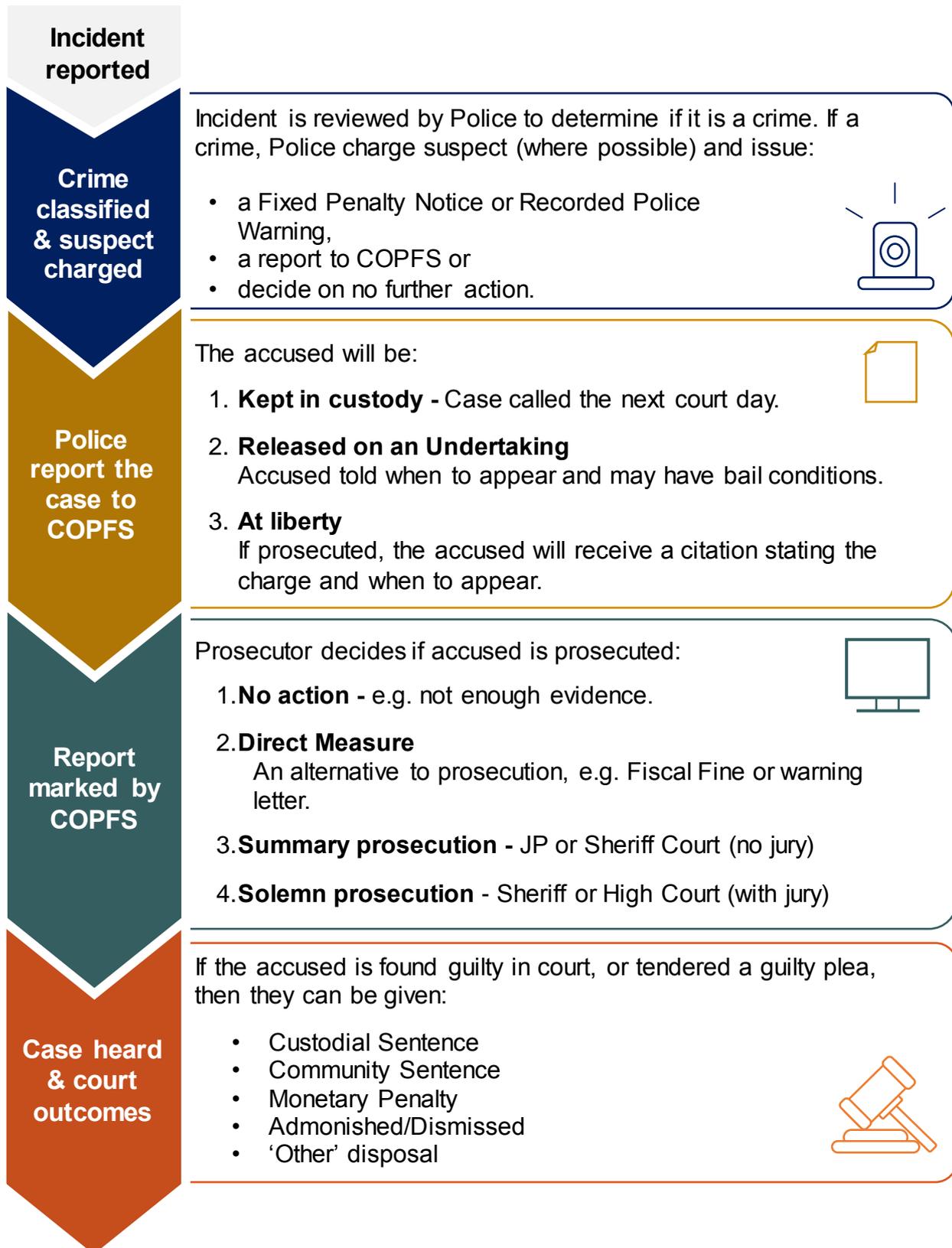
Crown Office and Procurator Fiscal Service (COPFS), Courts & Prisons

- COPFS reports awaiting marking continue to increase beyond 19-20 levels.
- To reduce footfall in lockdown, the majority of summary business will be adjourned.
- 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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How crime flows through the Justice System



Police Activity

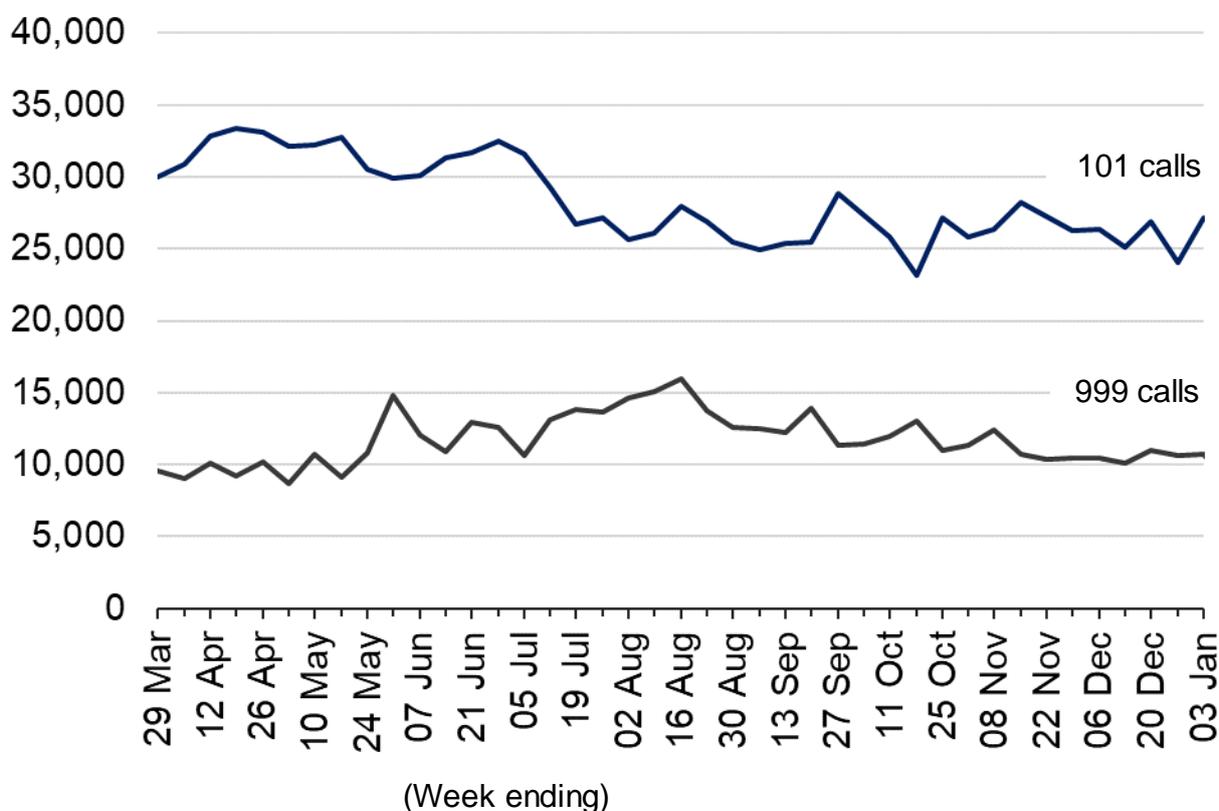
(Police Scotland)

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 four months.
- There may be evidence of a slight downward trend in 999 calls since August, though this has leveled off in December.
- In the week ending 3rd January there were 37,846 calls made.
- When combined, calls were higher than the previous week.

Number of calls



	27 th December 2020	3 rd January 2020
101 calls	24,022	27,151
999 calls	10,620	10,695
Total calls	34,642	37,846

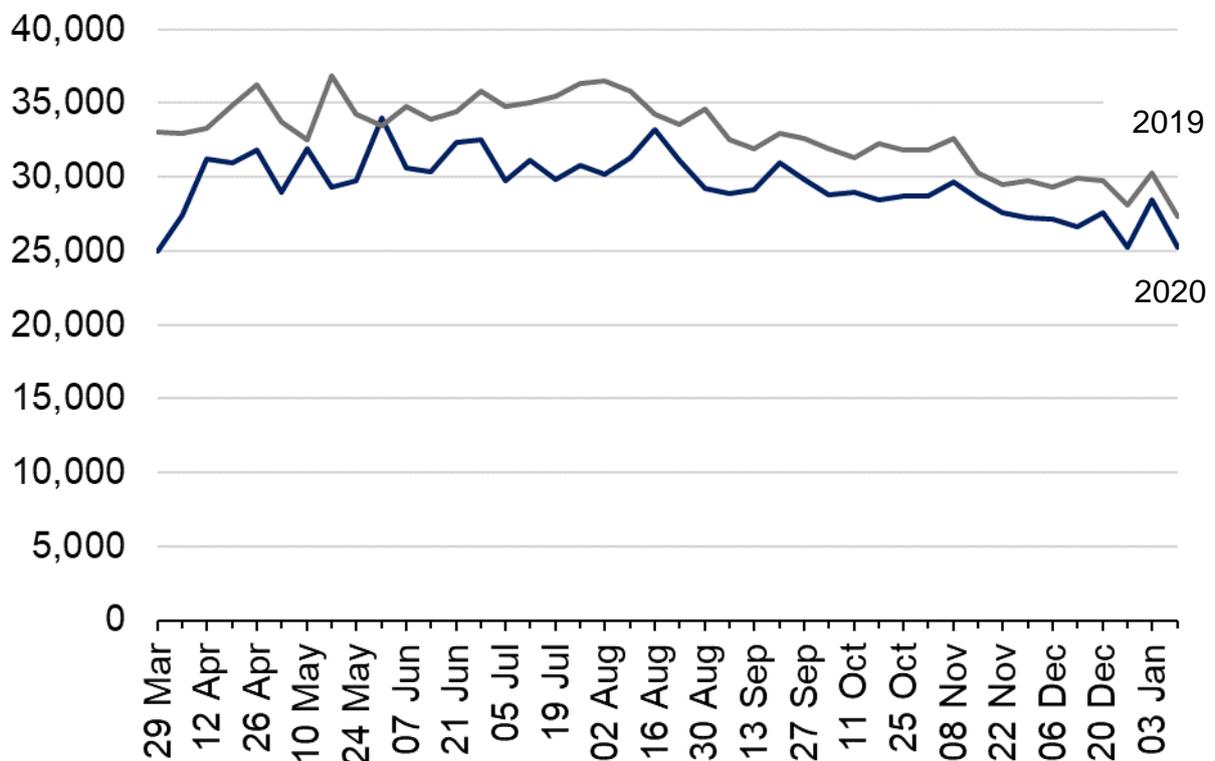
Incidents recorded

Weekly incident numbers remain below 2019 levels

Since March 2020, 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 declined from November onwards. Slight rises can be seen in the most recent week, which includes Hogmany.

Number of incidents



In the week ending 3rd January:

28,461
incidents recorded



Down 6% compared to an equivalent week in 2019 (30,233 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/>

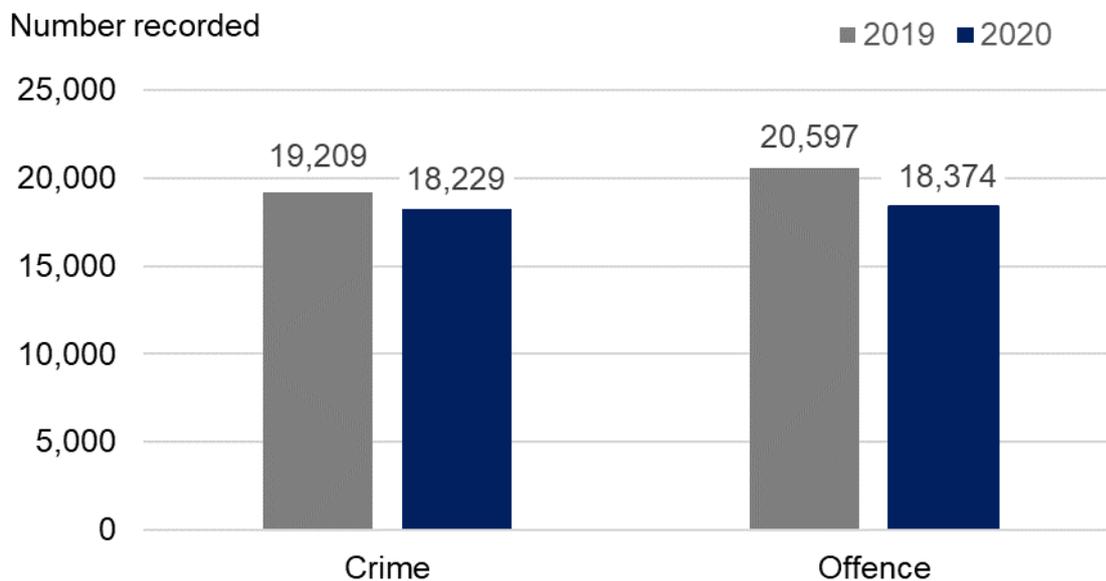
Recorded Crime in Scotland

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

December 2020

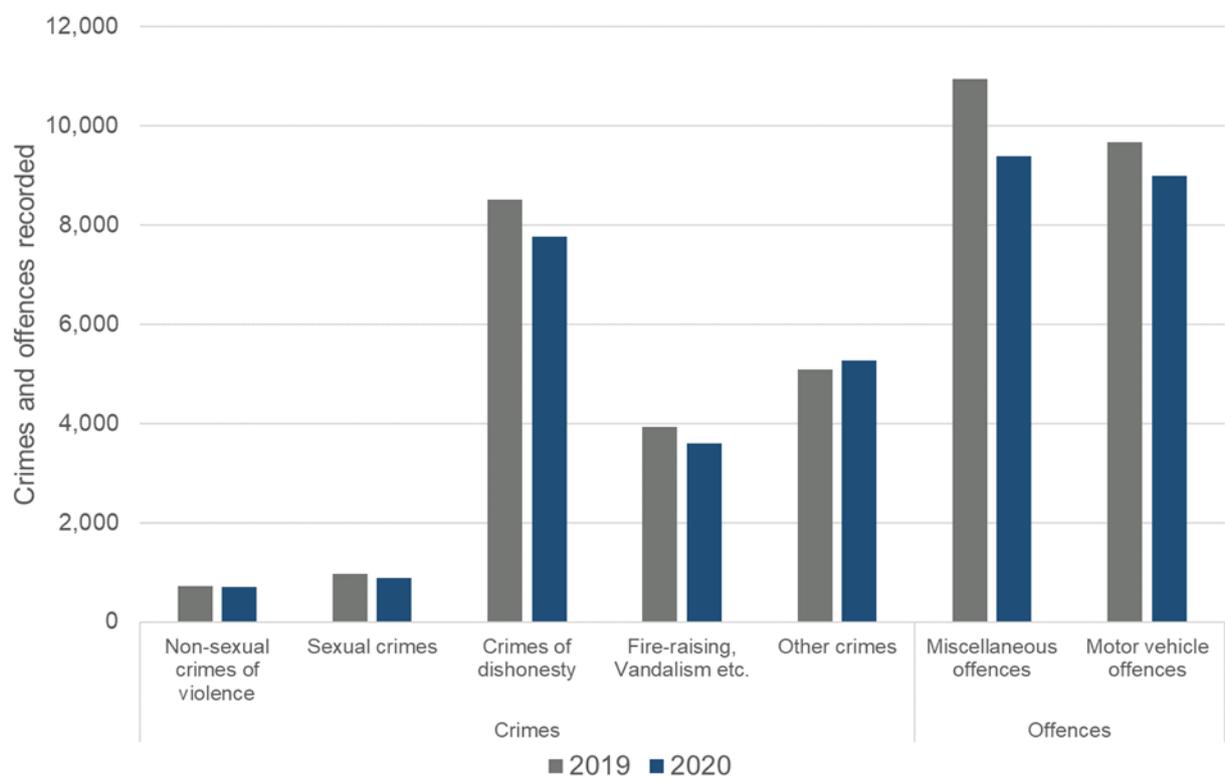
The number of crimes recorded in 2020 has returned to trending below 2019 levels

The number of crimes recorded in December 2020 was 5% lower than in December 2019, and the number of offences was 11% lower than in December 2019.



Since last year, most crime and offence groups have seen a reduction while one group is at a higher level.

Other crimes were 4% higher (or 188 crimes). This increase was driven by rises in Crimes against public justice (up 12%, or 200 crimes).



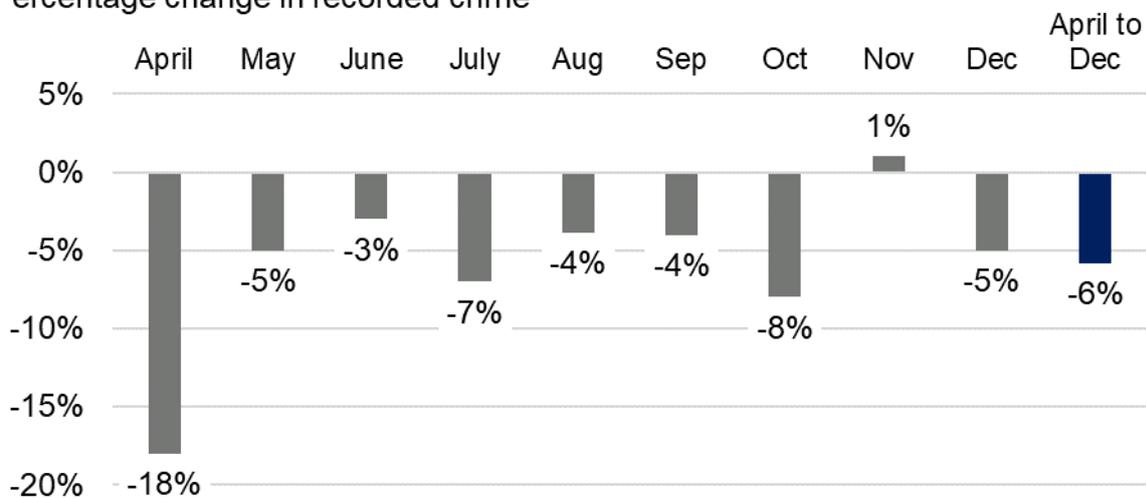
April to December 2020

In December 2020, crime returned to below 2019 levels after seeing an increase in November.

When looking across April to December 2020*, 176,562 crimes were recorded. This was 6% lower than April to December last year (187,513 crimes recorded).

When comparing to previous months, crime in 2020 generally remained below 2019 levels, with the exception of December.

Percentage change in recorded crime



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

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

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

Shoplifting
↓ 32% (or 7,590 crimes)

Other theft
↓ 18% (or 5,753 crimes)

Vandalism etc.
↓ 11% (or 3,830 crimes)

The biggest increases of this period were in:

Fraud
↑ 64% (or 5,028 crimes)

Crimes against public justice
↑ 32% (or 4,648 crimes)

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

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: December 2020](#).

Coronavirus legislation intervention activity

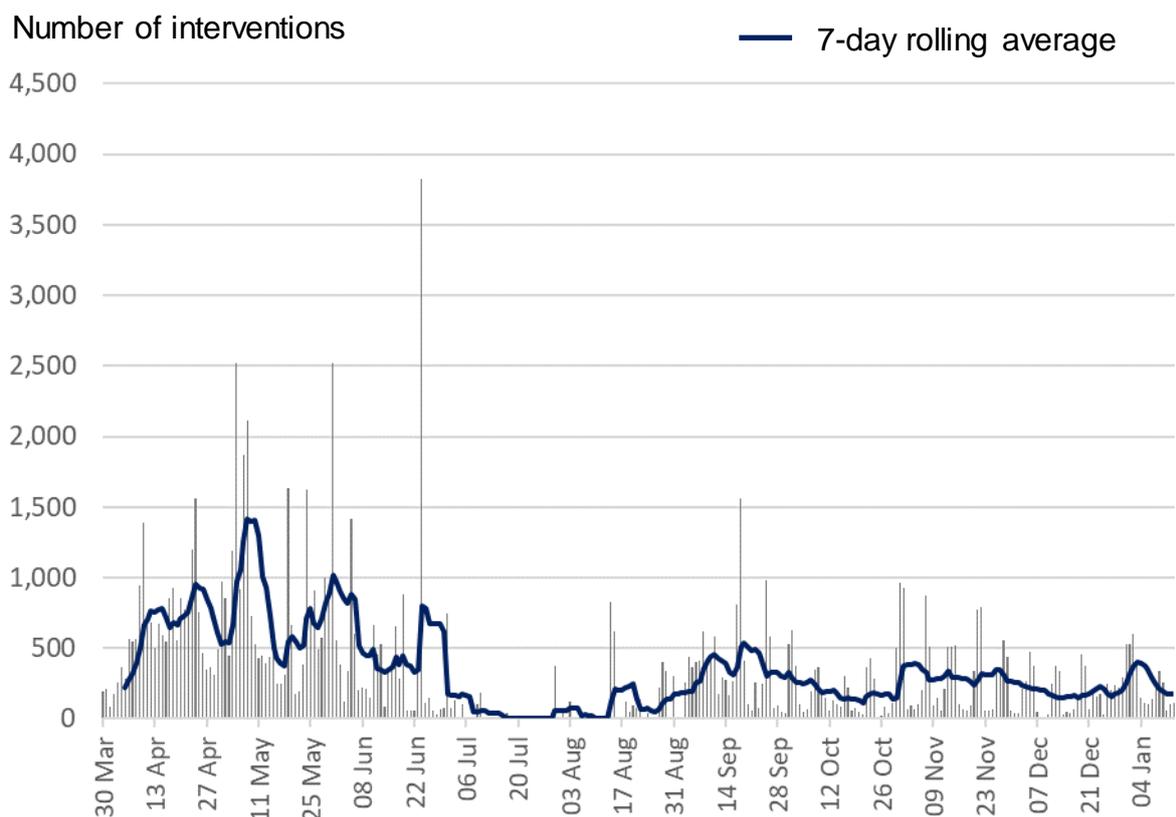
This information is drawn from Police Scotland's 'Coronavirus Interventions' application, which relies on manual input from Police Officers. Due to this manual input, these figures should be viewed as indicative only.

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

The use of interventions fell through December and remains lower than April to June levels

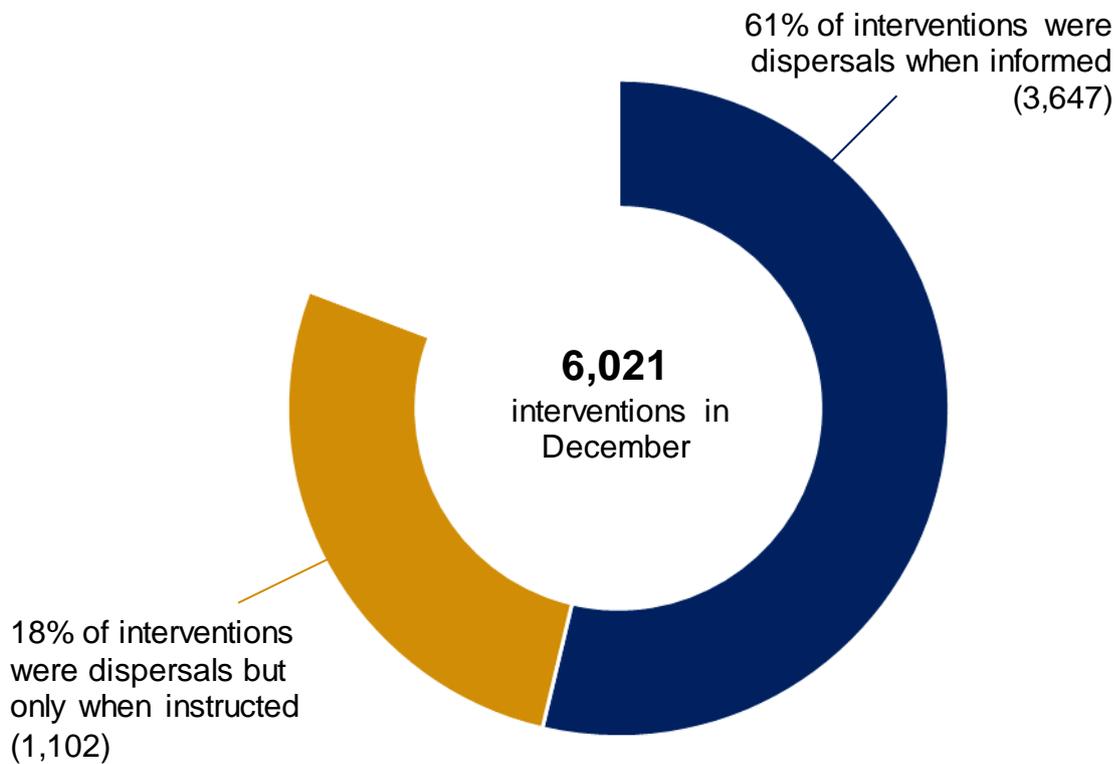
Total use of interventions has decreased by 10% (or 888 interventions) since the previous month. However, there was a slight rise at the end of the month.

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



COVID-19 Intervention Activity in December

In December, most interventions made were dispersals. This remains consistent with previous months.



Of the remaining 21% of interventions:

- 108 were dispersed using reasonable force
- 1,100 were issued a Fixed Penalty Notice (FPN)
- 64 were arrested

Further Information:

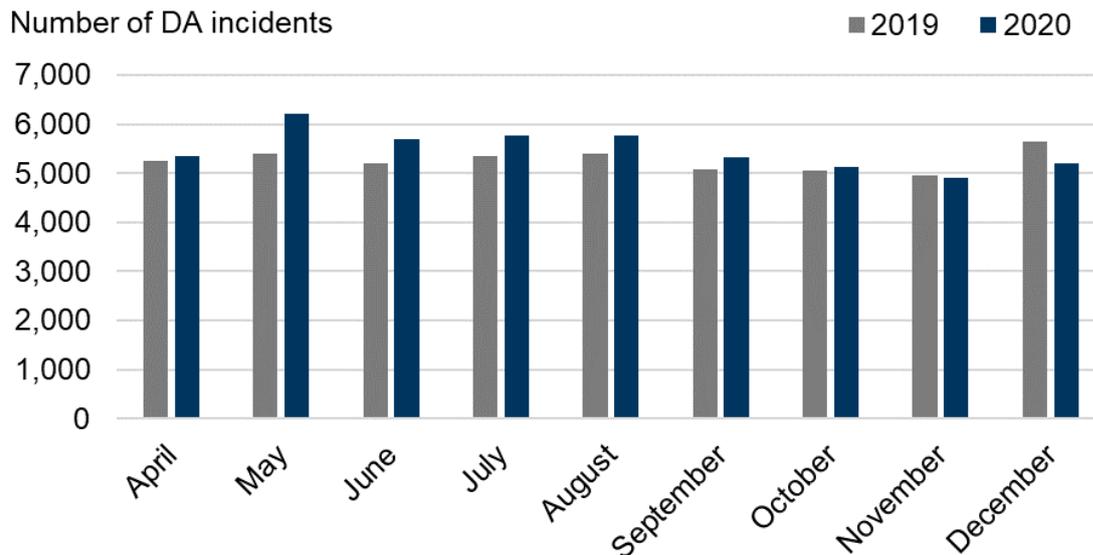
A full breakdown of interventions is available from Police Scotland:
<https://www.scotland.police.uk/about-us/covid-19-police-scotland-response/enforcement-and-response-data/>

Police Recorded Domestic Abuse Incidents

The number of Domestic Abuse incidents recorded in December 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 December 2020, incidents were 4% higher than the equivalent period in 2019.



In December 2020:

5,199

Domestic incidents recorded



Down 8% since last year
(5,655 incidents)

In April to December 2020:

49,353

Domestic incidents recorded



Up 4% since equivalent period last year
(47,363 incidents)

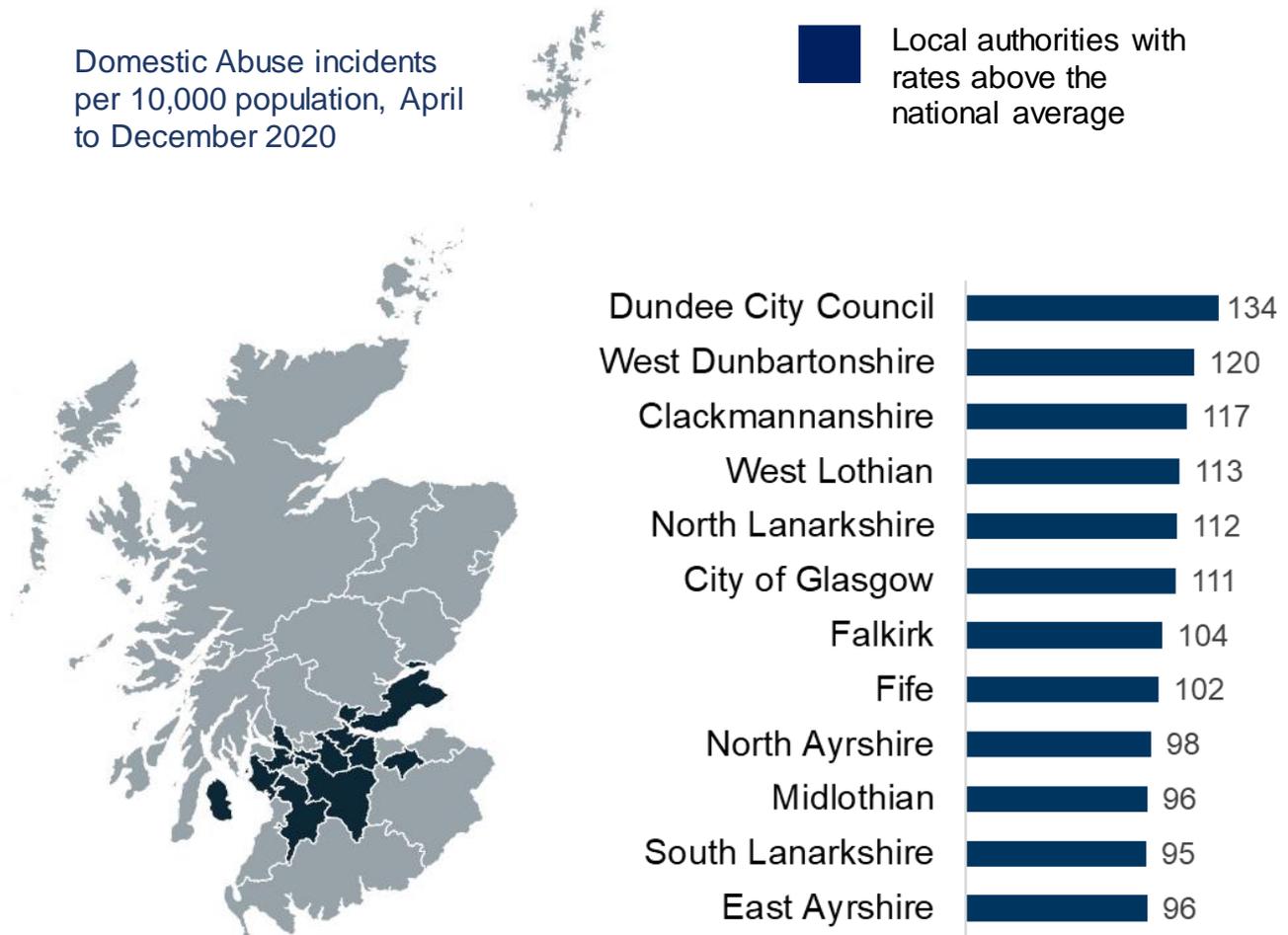
The proportion of April to December 2020 incidents that include the recording of at least one crime or offence was 39.0%. [Police Scotland's Management Information Report](#) suggests an equivalent figure of 43.9% for 2019-20.

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 1,167 such crimes recorded by the police in April to December 2020, compared to 1,300 during the equivalent period in 2019 (down 10%).

Police Recorded Domestic Abuse Incidents per 10,000 population

Across Scotland as a whole, the police recorded 90 domestic abuse incidents per 10,000 population during April to December 2020.

The local authorities with the highest rates were Dundee City (134), West Dunbartonshire (120), Clackmannanshire (117), West Lothian (113), and North Lanarkshire (112).



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: December 2020](#).

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

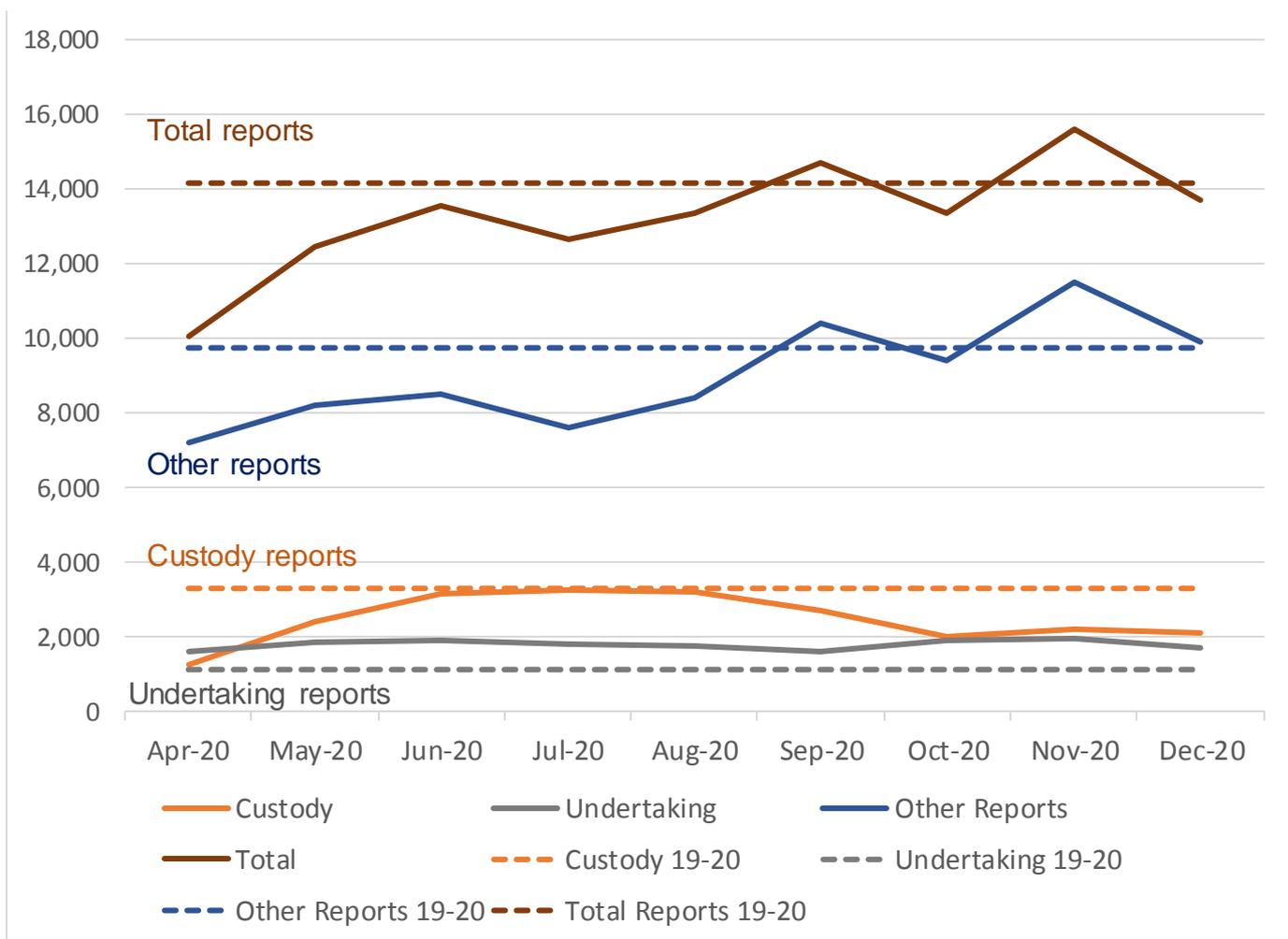
Reports received by COPFS

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 around 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

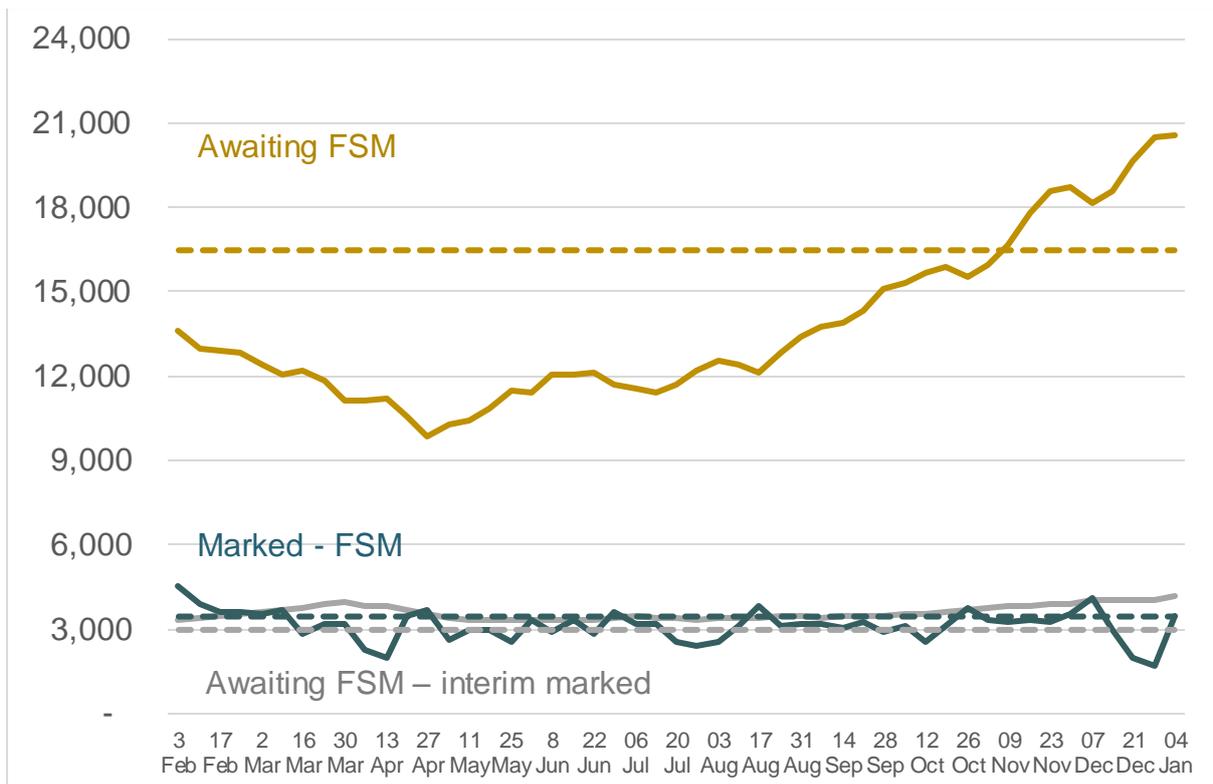


First substantive marking

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



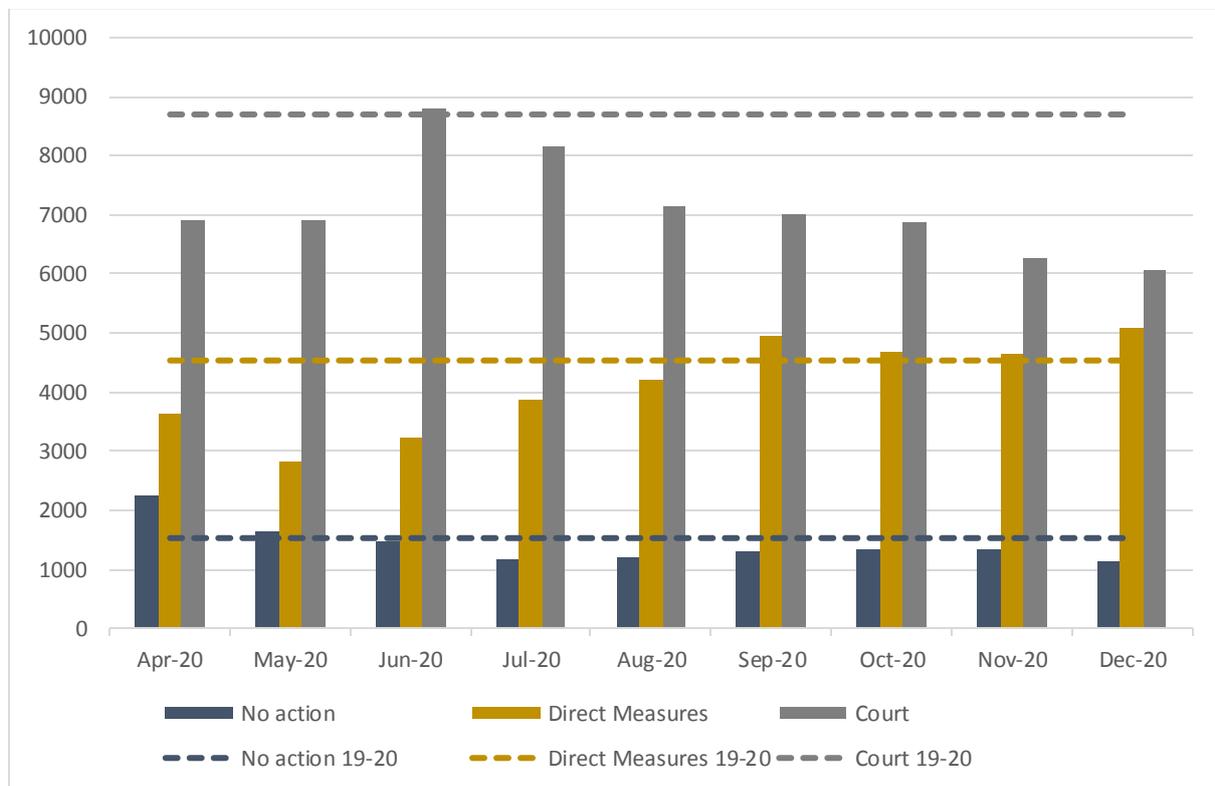
Summary of COPFS First Substantive Markings

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



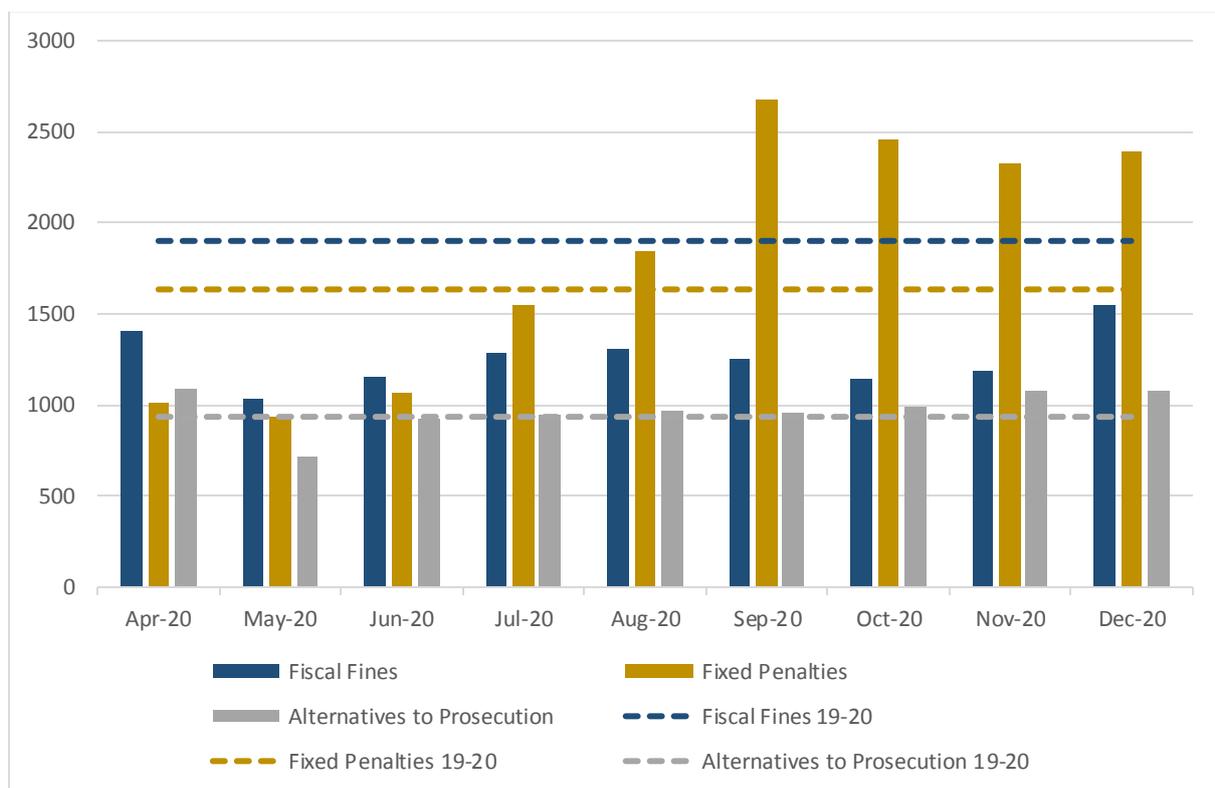
Subjects not marked for court

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 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



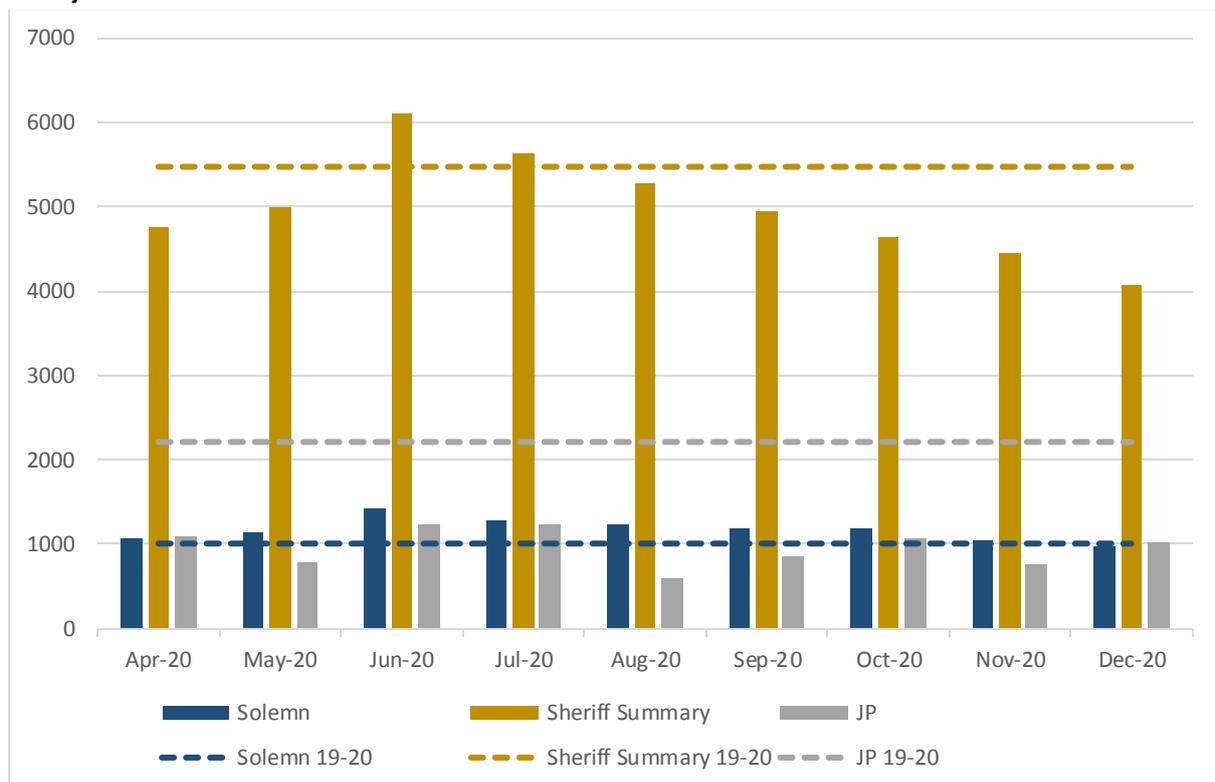
Subjects marked for court

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 since April 2020, but fell just below this level in December.
- 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 31 December 2020)

FAIs with scheduled court dates 40

FAIs with First Notice lodged, awaiting court dates: 7

Source:

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

Scottish Courts & Tribunal Service (SCTS)

Update from SCTS

As a result of the increasing spread of the new variant of COVID-19 across Scotland, the Lord President has announced that during the lockdown period the criminal courts will focus on the most serious trials and the majority of summary trials in the Sheriff Court and Justice of the Peace Court will be adjourned. This will reduce the overall number of criminal trials taking place during lockdown by up to 75% and be implemented from January 12th.

Criminal Registered & Scheduled Trials

Since lockdown, there have been 57,932 criminal registrations in the courts. 248 of these registrations have been COVID-19 related (0.4%).

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

- The number of indictments registered in the High Court is 44% lower than 19-20 average levels.
- The number of indictments registered in the Sheriff court (solemn cases) is 6% lower than the 19-20 average.
- The number of complaints (summary cases) registered in the Sheriff Court is 28% lower than the 19-20 average.
- Complaints registered in the JP court are 49% lower than the 19-20 average.

Cases Registered	19-20 monthly average	December 2020	Change from 19-20 monthly average	Outstanding (scheduled) trials	
				Pre-lockdown	December 2020
Indictments					
High Court	85	48	-37 (-44%)	390	250
Sheriff Court	454	428	-26 (-6%)	497	939
Complaints					
Sheriff Court	5,478	3,956	-1,522 (-28%)	13,971	27,723
JP Court	2,799	1,426	-1,373 (-49%)	3,497	5,371

At the end of December there were 34,283 trials outstanding. This compares to 18,355 at the end of 2019-20. In addition, SCTS have forecast that there are another 5,735 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 December 2020 there were 6,092 disposals (excluding secondary disposals and the 'other' disposal category) from Scotland's courts. This is 84% of the 19-20 monthly average of 7,278 and 0.25% higher than November 2020.

However, as a result of lockdown, between April and December 2020 there were 28,447 (43%) 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 December of 2020, there have been 40% fewer custodial sentences and 51% fewer community disposals imposed by the courts than might have been expected under normal circumstances.

To:	Monthly average	Dec	Change	Apr-Dec	Apr-Dec	Change
31 December 2020	2019-20	2020	%	2019	2020	%
Imprisonment	1,011	902	-11%	9,211	5,560	-40%
Community Disposal (CPO & DTTO)	1,384	1,308	-5%	12,639	6,167	-51%
Restriction of Liberty Order	296	414	+40%	2,668	1,831	-31%
Fine etc.	3,106	2,186	-30%	27,938	14,790	-47%
Admonished/ Discharged	1,481	1,282	-13%	13,315	8,976	-33%

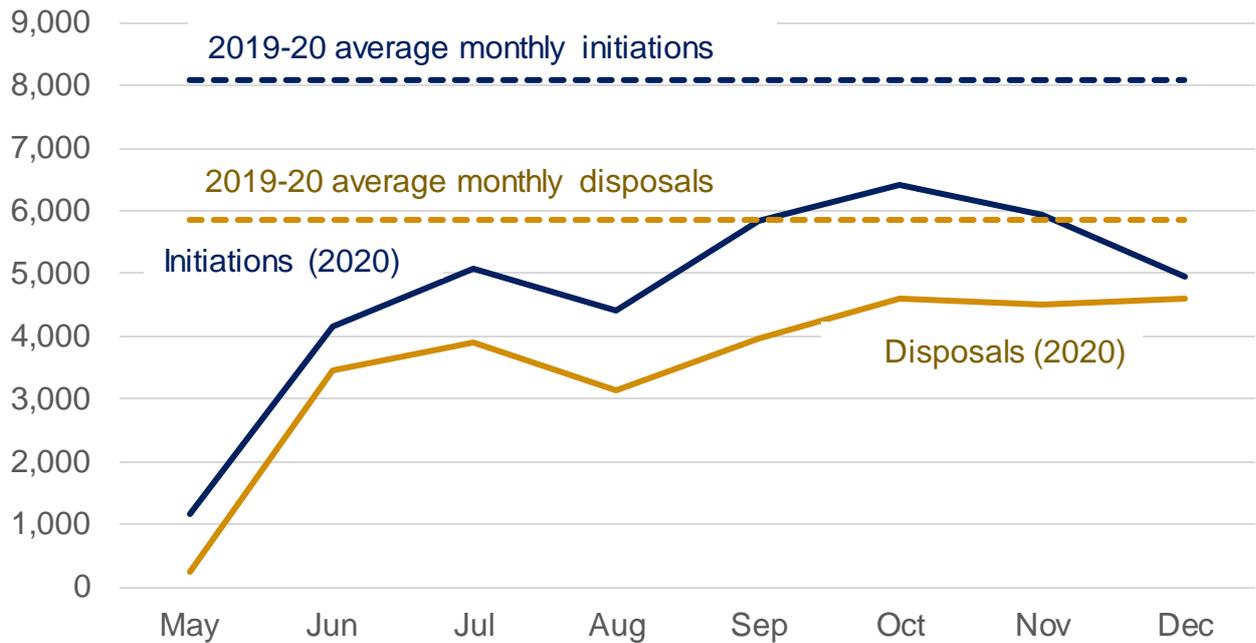
Overall, the number of crimes recorded by the police between April and December 2020 was 6% lower than the same period in 2019. It will take time for these cases to move through the courts system and it is unlikely that many of these cases are included in the disposal figures above. Any changes in crime 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. However, figures recorded in December for initiations were lower than previous months due to fewer court days as a result of the festive period.



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, although they were lower than previous months in December due to fewer court days as a result of the festive period. 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 the [Coronavirus \(Scotland\) Act 2020](#). The provisions of the Act, although temporary in nature, have now been extended until 31 March 2021.

Procedures	Aug	Sept	Oct	Nov	Dec	2019/20 monthly average
Initiated						
Ordinary cause	1,597	2,013	2,000	1,885	1,512	1,928
Summary cause	202	384	181	154	186	1,132
Small claim	0	3	1	2	4	2
Simple procedure	1,375	1,964	2,633	2,282	1,668	2,695
Total initiated	3,174	4,364	4,815	4,323	3,370	5,758
Disposed						
Ordinary cause	1,000	1,271	1,373	1,424	1,367	1,445
Summary cause	142	357	335	366	562	1,096
Small claim	2	13	4	2	4	5
Simple procedure	1,428	1,680	2,194	2,170	2,140	2,306
Total disposed	2,572	3,321	3,906	3,962	4,073	4,852

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

- Initiated case types presented are gradually returning to 2019-20 levels, with month to month variation. They were lower for December compared with previous months due to fewer court days as a result of the festive period.
- In December, 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. These figures are again affected by fewer court days in December.

Initiated Cases (Dec 20)			Disposed Cases (Dec 20)		
December 2020	Change from 19-20	Case Type	December 2020	Change from 19-20	
868	82% of 19-20 average month (1,055 cases)	 Family	923	101% of 19-20 average month (910 cases)	
392	65% of 19-20 average month (602 cases)	 Children's Referrals	133	51% of 19-20 average month (260 cases)	
1,953	68% of 19-20 average month (2,883 cases)	 Debt	2,306	97% of 19-20 average month (2,368 cases)	
257	64% of 19-20 average month (402 cases)	 Personal Injury	195	64% 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/>

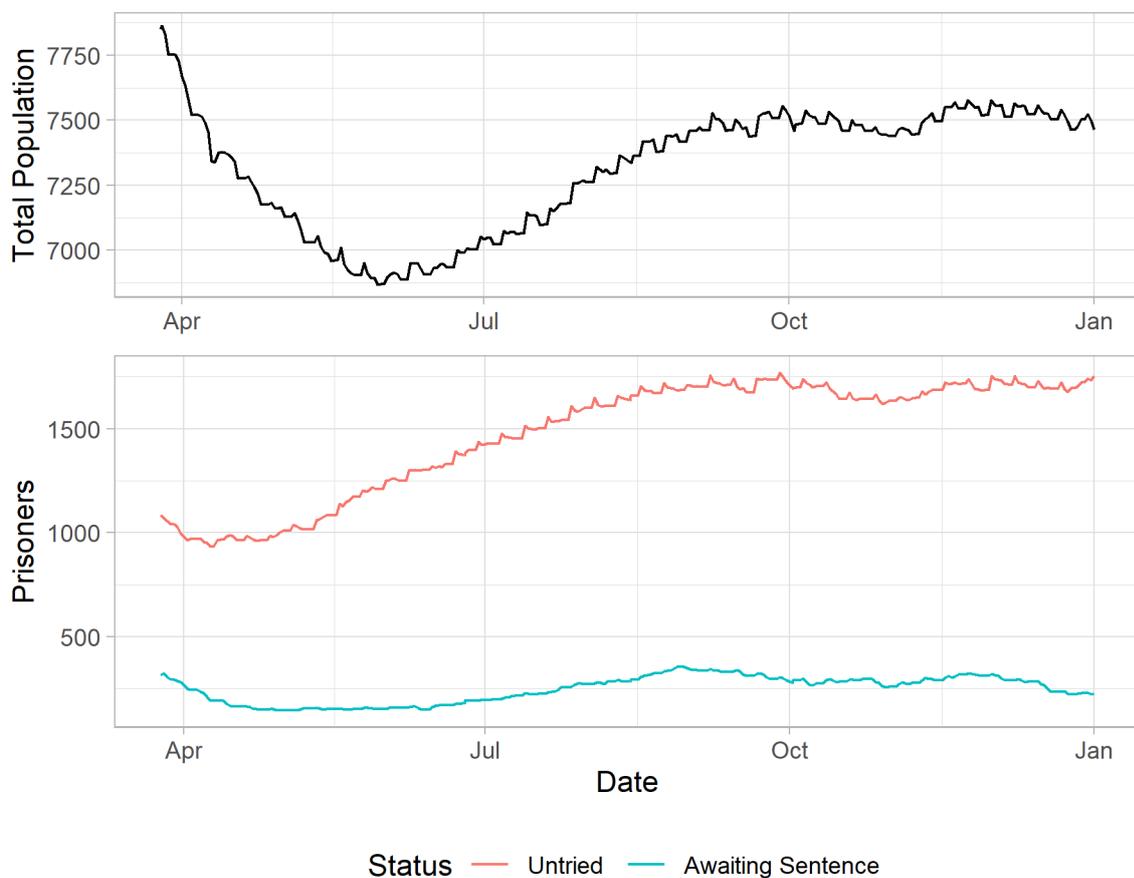
Prisons

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.

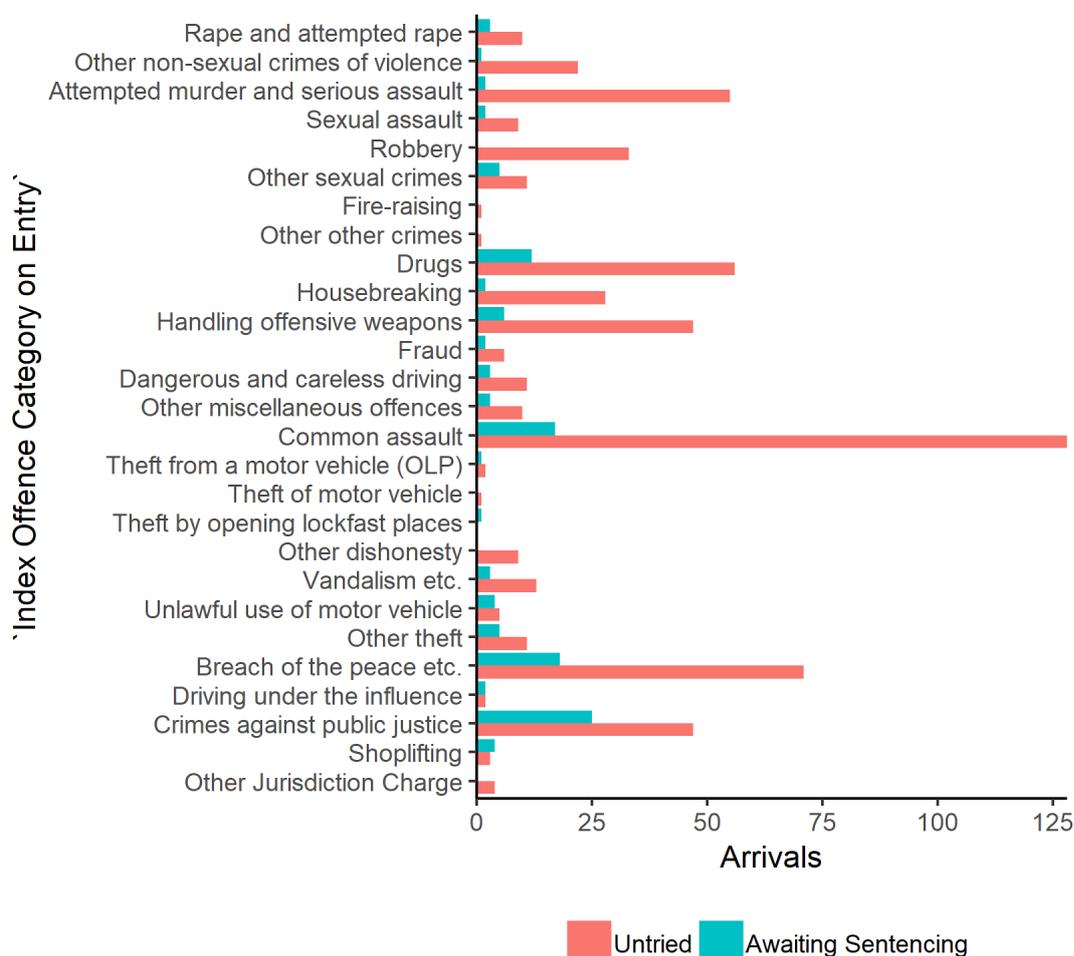
In December 2020 (up until the morning of 1st January):

- the population fell by 113 to 7,465
- 1,979 were on remand: 1,755 (24%) untried & 224 (3%) awaiting sentence
- 69% of arrivals in December were untried (678 of 976), and 13% awaiting sentence (129)



Remand Arrivals

There were 717 un-sentenced arrivals to prison with known offence types in December, 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.

Revision: The way index offences are identified for remand prisoners has changed. Offences are now prioritised on the basis of average sentence length from [Criminal Proceedings 2018-19](#). This has increased the proportion where Common Assault, Drugs or Handling Offensive Weapons is the index offence. It has reduced the number of remanded individuals for whom Crimes Against Public Justice and Vandalism are the index offences

Further Information:

Latest published annual prison population statistics can be found here: <https://www.gov.scot/publications/scottish-prison-population-statistics-2019-20/>

Sources and Further Information

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

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