

CRIME AND JUSTICE

Extended Presumption Against Short Sentences – Monitoring Information

January to December 2020

This bulletin is being published at this time in response to a commitment made in the previous version of the [bulletin](#) to provide regular updates. We are now in receipt of an additional 12 months of data relating to the progress of this policy. However, the impact of the [Coronavirus \(COVID-19\) pandemic on the Justice System](#), makes it difficult to separate the effects of the pandemic from the effects of the extended presumption against short custodial sentences. Therefore, this bulletin documents what has happened to court disposals (with a particular focus on custodial sentences of 12 months or less) in 2020 but will not attempt to attribute those results to events or policies.

Key Points

- The impact of the Coronavirus (COVID-19) pandemic, the associated suspension of court cases and the resulting backlog in court cases waiting to progress complicates the interpretation of recent patterns in custodial sentence lengths, making it difficult to separate the effects of the pandemic from the effects of the extended presumption against short custodial sentences (PASS).
- Numbers of custodial sentences of less than or equal to 12 months, and the proportion of all disposals that these made up, were reducing in the period between the implementation of the extended presumption (PASS) and the announcement of lockdown in late March.
- The number of Restriction of Liberty Orders (RLO) issued has increased steadily since [lockdown](#) and numbers were at a recent high in December 2020.

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Background

The presumption against short sentences (PASS) was extended from three months or less to twelve months or less by the Presumption Against Short Periods of Imprisonment (Scotland) Order 2019. The extension to 12 months followed the original statutory presumption against short-term sentences which was approved by the Scottish Parliament through the Criminal Justice and Licensing (Scotland) Act 2010. The current presumption applies to offences committed on or after 04 July 2019.

Evidence suggests that short custodial sentences are less effective than community sentences at reducing re-offending. For example, people released from a custodial sentence of 12 months or less are reconvicted nearly twice as often as those sentenced to serve a Community Payback Order (CPO) [Reconviction rates - offender cohort: 2017 to 2018 - gov.scot \(www.gov.scot\)](http://www.gov.scot/Reconviction-rates-offender-cohort-2017-to-2018). The extended presumption against short prison sentences is intended to encourage greater use of community sentences and help break cycles of reoffending.

This publication provides information on sentencing patterns in the courts throughout 2020. Information on disposals from April 2017 is included to provide context and background relating to sentencing patterns prior to the implementation of the extension to PASS.

The Criminal Proceedings bulletin is the National Statistics source for court proceedings in [Scotland Criminal Proceedings in Scotland 2018-19 - gov.scot \(www.gov.scot\)](http://www.gov.scot/Scotland-Criminal-Proceedings-in-Scotland-2018-19). However, the publication schedule of the Criminal Proceedings bulletin is such that data to monitor the impact of PASS will not be available for some time.

In the interim, the Scottish Courts and Tribunals Service (SCTS) has provided information to the Scottish Government on every charge disposed of for every individual brought to court between 01 April 2017 and 31 December 2020. This information has been processed to isolate the most serious disposal for each individual in a case, using similar methodology to that used in the Criminal Proceedings bulletin. It should be noted that although the overall trends presented by both sets of statistics will be similar, actual numbers will vary because the data sets are processed in different ways. In the data presented here, if an individual was given one or more custodial sentence, the total sentence length has been extracted. So for example, if an individual was given three consecutive custodial sentences of 6 months for different charges, their total sentence length will be 18 months.

The data presented in this report will be available to monitor the impact of PASS until such time as they can be replaced by those in the Criminal Proceedings bulletin.

The background data for the charts in this bulletin are available in the additional datasets accompanying the bulletin.

Impact of COVID-19

Since March 2020, following the coronavirus (COVID-19) outbreak, the Scottish Government put in place significant restrictions, including a period of lockdown, to slow the spread of COVID-19 and prevent the NHS from being overwhelmed. As a direct result of these restrictions, there was a 12 week period in 2020 where only priority court business proceeded. For the purposes of this bulletin this period will be referred to as 'lockdown'. In the last six months of 2020, different parts of the court system recovered at different speeds with jury trials being the last to return with remote jury centres being set up. Despite the fact that courts have managed to resume business, there are still limitations on throughput which has resulted in a backlog of cases waiting to proceed. Data recently published by the Scottish Government: [Coronavirus \(COVID-19\): Justice Analytical Services Data Report - December 2020 - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/coronavirus-justice-analytical-services-data-report-december-2020/pages/1-to-4.aspx) showed that there had been 40% fewer custodial disposals and 51% fewer community disposals imposed by the courts between April to December 2020 compared to April to December 2019.

With this in mind, it will be difficult to separate the effects of the COVID-19 pandemic from the effects of the extended presumption against short custodial sentences. Therefore, this bulletin documents what has happened to court disposals (with a particular focus on custodial sentences of 12 months or less) in 2020 but will not attempt to attribute those results to events or policies.

Offences subject to the extended presumption

Only offences committed on or after 4 July 2019 are subject to the extended presumption against short sentences. Around 75% of cases disposed in 2020 relate to offences committed after that date and therefore subject to the presumption.

In the two full years preceding the implementation of the extended presumption, the median time between an offence being committed and disposed of in the Sheriff Summary court was just under six months. The corresponding figure was 10 months in the Sheriff Solemn court and 16 months in the High Court. So, even without the impact of COVID-19 related suspension of court business previously discussed, we would only now be getting to a stage where we could assume that the vast majority of offences coming to court would be subject to the extended presumption.

This report focusses on all offences disposed of by the courts in 2020.

Results

1 Types of Disposal

This bulletin builds on the previous bulletin:

<https://www.gov.scot/publications/extended-presumption-against-short-sentences-monitoring-information-july-2019-december-2019/> and reports on over 130,000 separate charges disposed of in Scotland's courts between 01 January 2020 and 31 December 2020. It includes disposals from Justice of the Peace, Sheriff Summary, Sheriff Solemn and High Courts.

For the purposes of this report, disposals have been grouped into four main categories:

Custody – including Imprisonment, Detention in a Young Offenders Institution, Extended Sentences, Orders for Life Long Restriction (OLR) and Life Sentences.

Community – including Community Payback Orders (CPO), Restriction of Liberty Orders (RLO), Drug Treatment and Testing Orders (DTTO) and other community disposals not already mentioned.

Monetary – including fines and compensation.

Other disposal – any disposal which does not fall in any of the previous categories, including: admonishments, absolute discharge and a range of orders relating to mental health and other issues.

The distribution of these four main categories of disposal are shown in [Chart 1 \(Table 1\)](#). The total number of charges disposed of by the courts fell by 32% between 2019 and 2020 (reflecting the effect of adjourning the majority of court business in lockdown). In 2019, community disposals accounted for 22% of all disposals and custodial disposals accounted for around 14.5%. In 2020, of the reduced number of charges disposed, 21% were community disposals and 15.5% were custodial.

Numbers of custodial disposals recovered quickly following lockdown (reflecting a system wide desire to prioritise more serious cases) and overall numbers are at lower levels than 2019. However, until the backlog of cases created by lockdown is cleared it is unclear if this trend will continue.

Numbers of community disposals took longer to recover after lockdown and again, although numbers are lower than reported in 2019, it will not be until the backlog of cases is cleared that we will be able to assess long term trends.

Chart 1: Main disposal over time

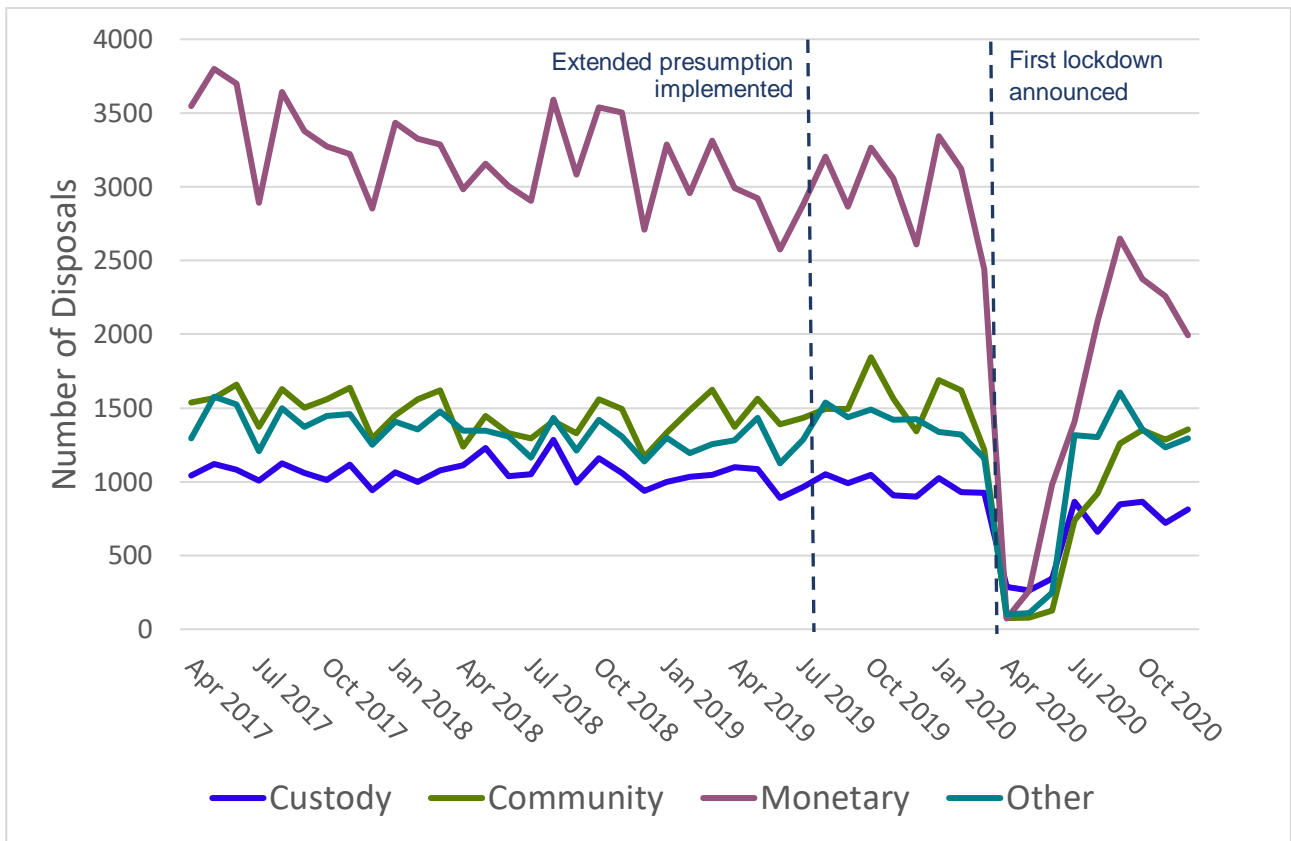
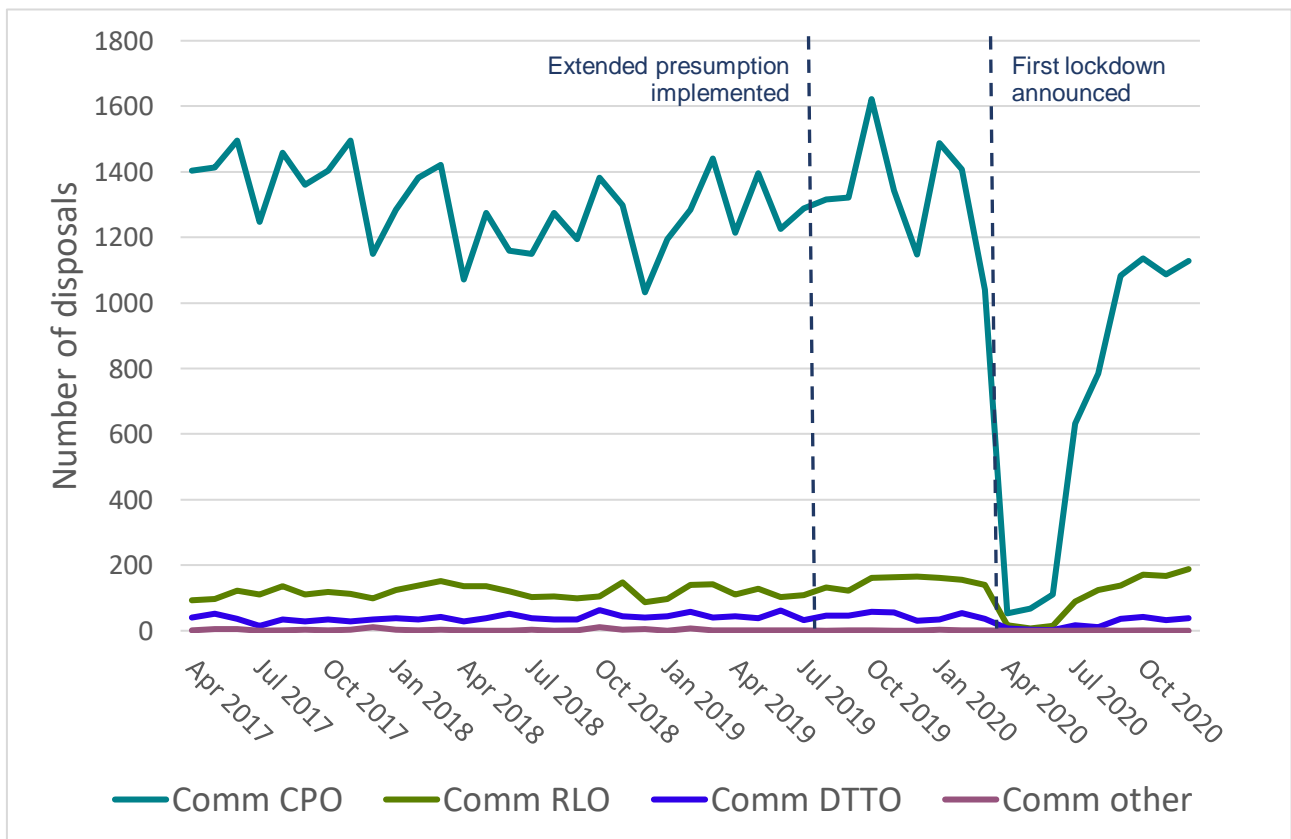


Chart 2: Community disposals over time



[Chart 2 \(Table 2\)](#) details numbers of community disposals over time. The majority of community disposals were Community Payback Orders (CPO). The numbers of these fell sharply when lockdown commenced and although they have almost recovered, as previously discussed, it is too early to determine if the lower levels reported will change once the backlog of court cases is cleared. The number of Restriction of Liberty Orders (RLO) issued increased steadily since lockdown eased and numbers were at a recent high of 188 in December 2020.

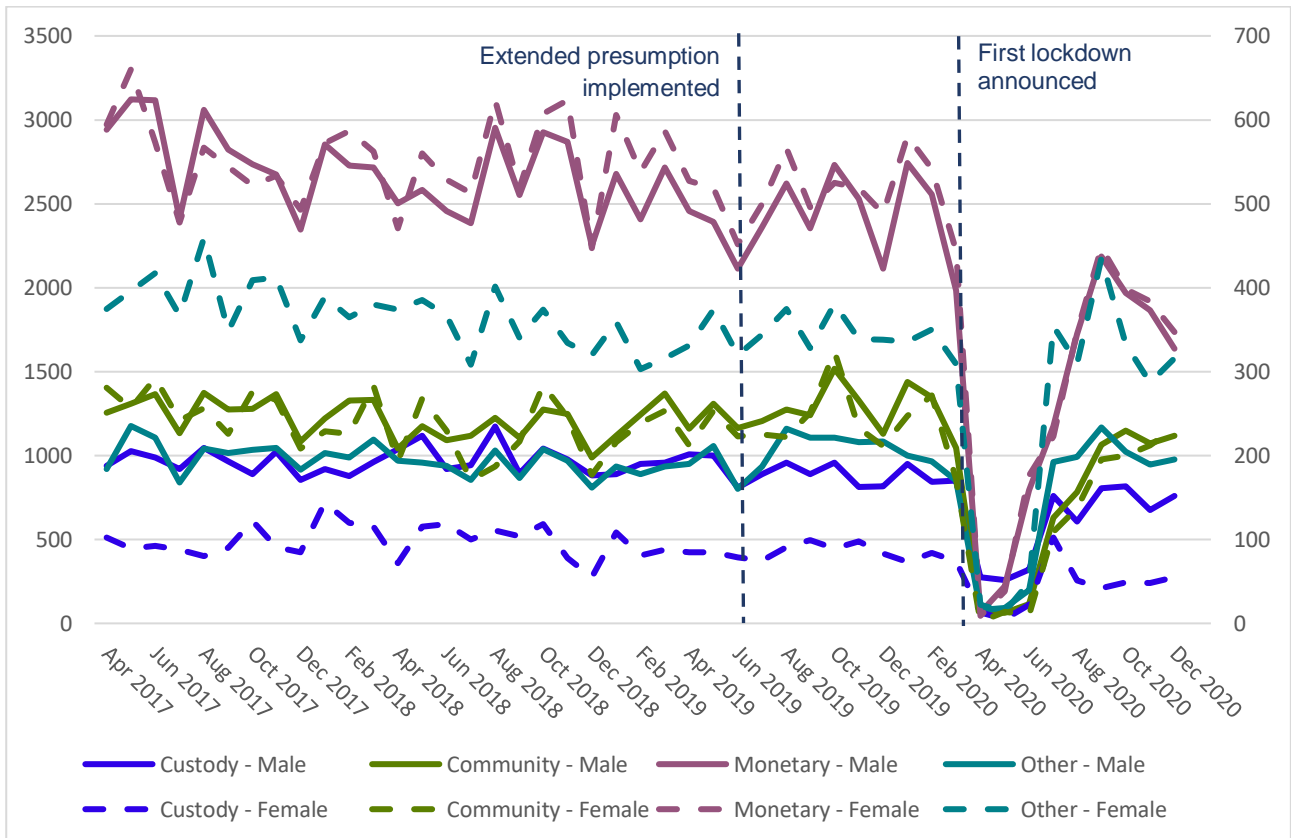
1.1 Disposal by Gender

Over 80% of disposals were given to males. This proportion did not change in 2020.

Disposal groups over time split by gender are shown in [Chart 3 \(Table 3\)](#) (*note that female disposals are displayed on a separate axis from male disposals to aid comparison*). We can see that although monetary and community disposals account for similar proportions of disposals regardless of gender (Monetary - 44% of male disposals, 43% of female disposals in April 2017-December 2020, Community – 21% of male disposals, 19% of female disposals in April 2017-December 2020). A larger proportion of men than women receive custodial disposals and a larger proportion of women than men receive other disposals (Custodial - 17% of male disposals, 7% of female disposals in April 2017-December 2020, Other disposal – 18% of male disposals, 30% of female disposals in April 2017-December 2020). There was no observed difference to this pattern following lockdown.

Chart 3: Disposals over time by gender

(male disposals linked to left hand axis, female disposals linked to right hand axis)

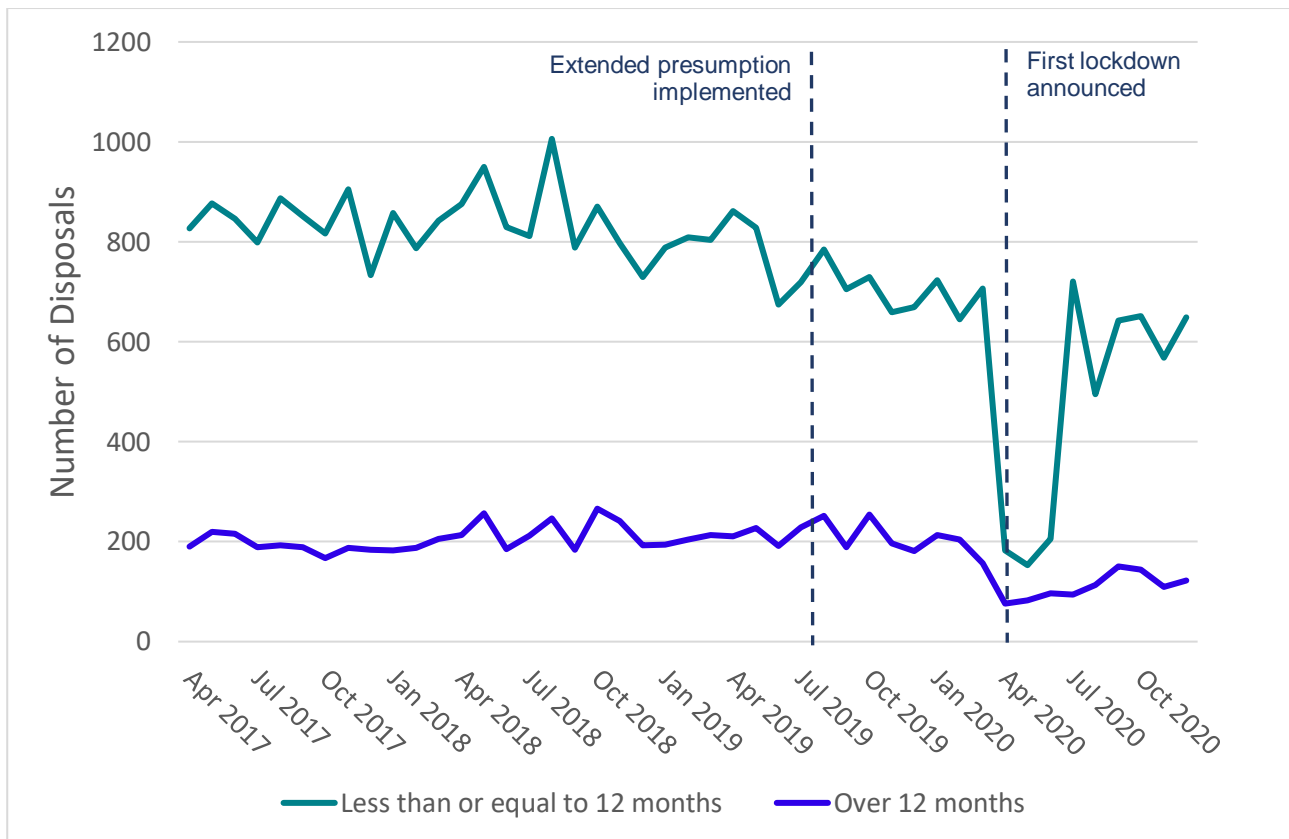


2 Sentence Length

[Chart 4 \(Table 4\)](#) shows the distribution of custodial sentences (less than or equal to 12 months and greater than 12 months) since April 2017.

Until lockdown, the number of sentences of less than or equal to 12 months had been decreasing. This is part of a longer term trend confirmed by the latest criminal proceedings bulletin: Criminal proceedings in Scotland: 2018-2019 - gov.scot (www.gov.scot). Since lockdown, the court backlog has meant that there have been fewer custodial sentences than usual imposed by the courts. Although it appears that the number of custodial sentences of less than or equal to 12 months remains lower than pre-lockdown, it will not be until the court backlog is cleared that we are able to confirm this.

Chart 4: Number of custodial sentences less than or equal to 12 months and over 12 months by month of disposal



[Chart 5 \(Table 5\)](#) shows sentence length broken down into more detailed categories. There was a decrease in the number of 6-12 month sentences in the period between the extension of the presumption in July 2019 and the lockdown in late March 2020. There was also a less marked decline in numbers of under 3 months and 3-6 month sentences in this time period. There was no evidence of an associated increase in 1-2 year custodial sentences. It will not be until the backlog of cases in the courts has cleared that we are able to assess trends.

The proportion of all disposals that are accounted for by custodial sentences of 12 months or less had been falling until lockdown was announced. Immediately following lockdown when custody cases were being prioritised, this proportion increased to above pre-lockdown levels. This proportion appears to have returned to around 2019 levels, but it will not be until court backlogs have cleared that we will be able to confirm this [Chart 6 \(Table 4\)](#).

Chart 5: Detailed breakdown of sentence lengths over time

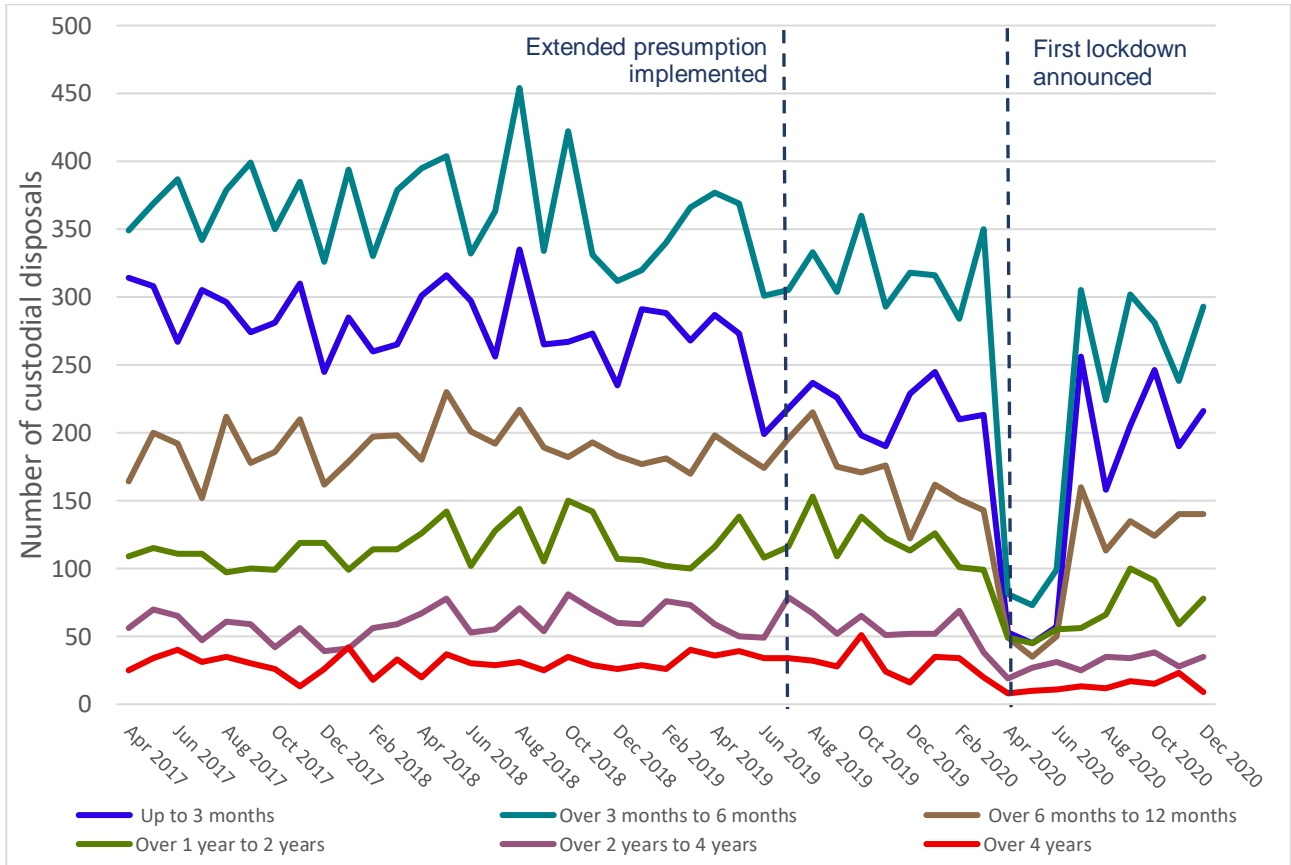
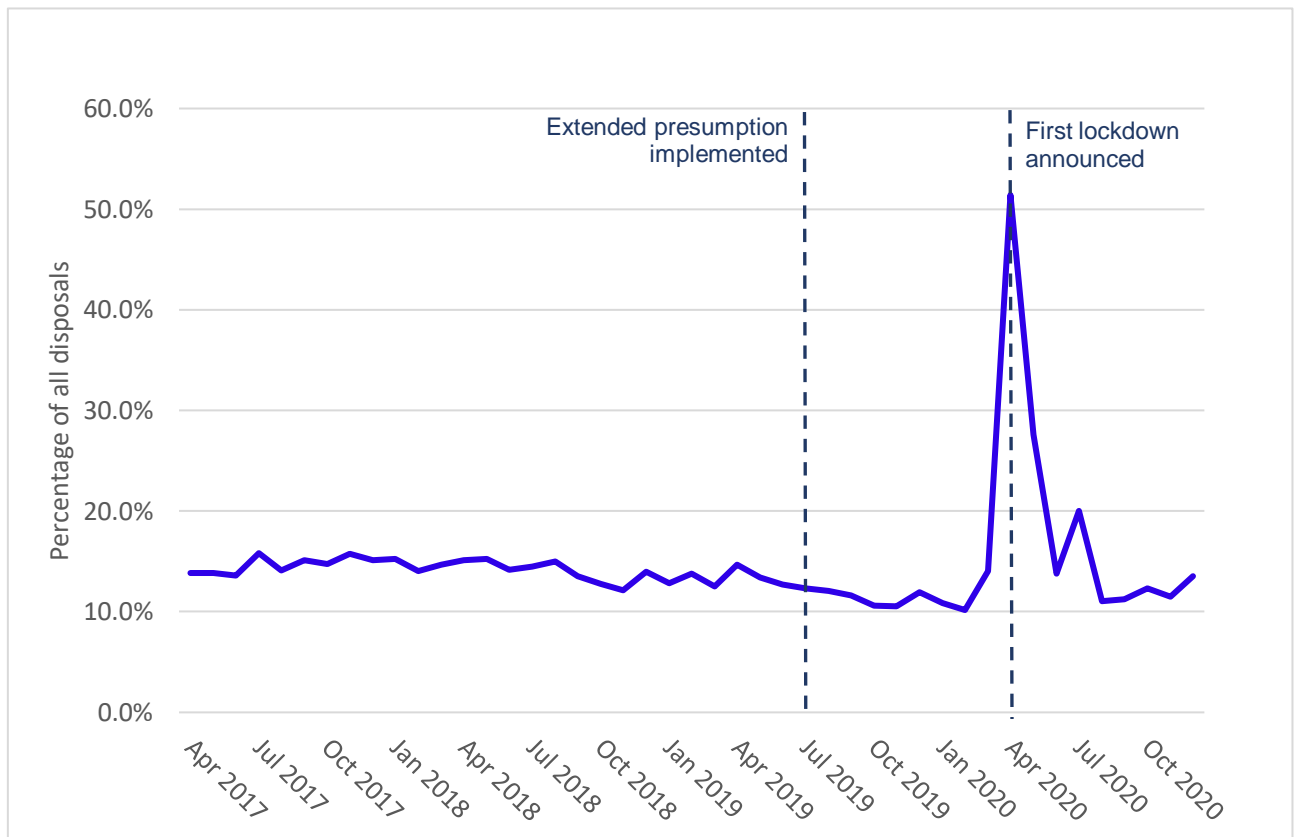


Chart 6: Custodial sentences of 12 months or less as a proportion of all disposals over time



3 Disposals by Local Authority & Sheriffdom

Disposals by Local Authority of residence and Sheriffdom for calendar years 2019 & 2020 are presented in Tables [6](#), [7](#), [8](#) & [9](#). Disposals by Local Authority may be incomplete as these are based on recording of postcode of residence which is not always accurately recorded. Local Authority of residence is currently available for 76% of disposals, there will also be a proportion of disposals which relate to non Scottish residents.

Conclusions

As discussed, the impact of COVID-19 on court business and the unavoidable backlogs caused by court closures mean it is not possible to confidently identify and attribute cause to any trends in court disposals over the last 12 months. However, the following have been noted in the data presented and we will continue to monitor progress.

Numbers of custodial sentences of less than or equal to 12 months, and the proportion of all disposals that these made up, were reducing in the period between the implementation of the extended presumption and lockdown.

The number of Restriction of Liberty Orders (RLO) issued has increased steadily since lockdown eased and numbers were at a recent high in December 2020.

The distribution of disposals by gender was unchanged following lockdown.

Tables (note numbers may differ slightly from previous bulletins as data are regularly updated)

Table 1: Type of disposal by month of disposal

	Custody		Community		Monetary		Other		Total
	N	%	N	%	N	%	N	%	
Apr 2017	1043	14.0%	1538	20.7%	3548	47.8%	1296	17.5%	7425
May 2017	1119	13.9%	1566	19.4%	3799	47.1%	1576	19.6%	8060
Jun 2017	1081	13.6%	1659	20.8%	3700	46.4%	1526	19.2%	7966
Jul 2017	1007	15.5%	1374	21.2%	2893	44.6%	1206	18.6%	6480
Aug 2017	1126	14.3%	1628	20.6%	3642	46.1%	1500	19.0%	7896
Sep 2017	1058	14.5%	1503	20.6%	3377	46.2%	1372	18.8%	7310
Oct 2017	1013	13.9%	1558	21.4%	3273	44.9%	1446	19.8%	7290
Nov 2017	1115	15.0%	1639	22.0%	3220	43.3%	1460	19.6%	7434
Dec 2017	941	14.8%	1293	20.4%	2852	45.0%	1252	19.8%	6338
Jan 2018	1066	14.5%	1452	19.7%	3434	46.7%	1406	19.1%	7358
Feb 2018	999	13.8%	1557	21.5%	3325	46.0%	1355	18.7%	7236
Mar 2018	1078	14.5%	1619	21.7%	3286	44.1%	1476	19.8%	7459
Apr 2018	1110	16.6%	1236	18.5%	2983	44.7%	1347	20.2%	6676
May 2018	1231	17.1%	1448	20.2%	3156	44.0%	1345	18.7%	7180
Jun 2018	1039	15.6%	1330	19.9%	3003	45.0%	1308	19.6%	6680
Jul 2018	1049	16.4%	1294	20.2%	2906	45.3%	1164	18.2%	6413
Aug 2018	1284	16.6%	1413	18.3%	3590	46.5%	1433	18.6%	7720
Sep 2018	996	15.0%	1328	20.1%	3083	46.6%	1211	18.3%	6618
Oct 2018	1161	15.1%	1561	20.3%	3540	46.1%	1422	18.5%	7684
Nov 2018	1058	14.4%	1494	20.3%	3502	47.6%	1307	17.8%	7361
Dec 2018	939	15.8%	1167	19.6%	2711	45.5%	1137	19.1%	5954
Jan 2019	998	14.4%	1334	19.3%	3288	47.5%	1299	18.8%	6919
Feb 2019	1033	15.5%	1487	22.3%	2955	44.3%	1196	17.9%	6671
Mar 2019	1046	14.5%	1623	22.4%	3313	45.8%	1254	17.3%	7236
Apr 2019	1097	16.3%	1372	20.4%	2990	44.4%	1281	19.0%	6740
May 2019	1085	15.5%	1563	22.3%	2923	41.7%	1433	20.5%	7004
Jun 2019	891	14.9%	1390	23.2%	2575	43.1%	1123	18.8%	5979
Jul 2019	965	14.7%	1431	21.8%	2878	43.9%	1284	19.6%	6558
Aug 2019	1050	14.4%	1495	20.5%	3206	44.0%	1538	21.1%	7289
Sep 2019	989	14.6%	1492	22.0%	2866	42.2%	1439	21.2%	6786
Oct 2019	1045	13.7%	1844	24.1%	3266	42.7%	1490	19.5%	7645
Nov 2019	909	13.1%	1562	22.5%	3056	44.0%	1422	20.5%	6949
Dec 2019	899	14.3%	1343	21.4%	2608	41.6%	1425	22.7%	6275
Jan 2020	1023	13.8%	1687	22.8%	3345	45.3%	1337	18.1%	7392
Feb 2020	928	13.3%	1619	23.2%	3121	44.7%	1321	18.9%	6989
Mar 2020	926	16.1%	1218	21.2%	2441	42.5%	1159	20.2%	5744
Apr 2020	288	53.4%	76	14.1%	73	13.5%	102	18.9%	539
May 2020	263	37.1%	77	10.9%	261	36.9%	107	15.1%	708
Jun 2020	345	20.3%	126	7.4%	983	57.8%	248	14.6%	1702
Jul 2020	863	19.9%	739	17.1%	1408	32.5%	1318	30.5%	4328
Aug 2020	659	13.3%	921	18.5%	2090	42.0%	1302	26.2%	4972
Sep 2020	846	13.3%	1258	19.8%	2649	41.7%	1605	25.2%	6358
Oct 2020	865	14.5%	1351	22.7%	2376	39.9%	1356	22.8%	5948
Nov 2020	723	13.1%	1286	23.4%	2257	41.0%	1235	22.5%	5501
Dec 2020	814	14.9%	1355	24.8%	1994	36.5%	1294	23.7%	5457
Total	43063	14.9%	60306	20.9%	127745	44.3%	57113	19.8%	288227

Table 2: Detailed breakdown of Community disposals

	Community CPO	Community RLO	Community DTTO	Community other	Total
Apr 2017	1403	93	40	2	1538
May 2017	1414	96	51	5	1566
Jun 2017	1495	123	36	5	1659
Jul 2017	1248	111	15	0	1374
Aug 2017	1458	135	34	1	1628
Sep 2017	1360	111	29	3	1503
Oct 2017	1404	119	34	1	1558
Nov 2017	1496	112	28	3	1639
Dec 2017	1149	99	34	11	1293
Jan 2018	1285	125	38	4	1452
Feb 2018	1383	138	34	2	1557
Mar 2018	1421	152	42	4	1619
Apr 2018	1071	135	28	2	1236
May 2018	1274	136	38	0	1448
Jun 2018	1159	120	51	0	1330
Jul 2018	1149	103	38	4	1294
Aug 2018	1274	104	35	0	1413
Sep 2018	1194	98	34	2	1328
Oct 2018	1383	105	63	10	1561
Nov 2018	1298	147	45	4	1494
Dec 2018	1033	88	41	5	1167
Jan 2019	1194	96	44	0	1334
Feb 2019	1285	139	57	6	1487
Mar 2019	1440	141	41	1	1623
Apr 2019	1215	111	45	1	1372
May 2019	1395	128	38	2	1563
Jun 2019	1225	103	61	1	1390
Jul 2019	1288	108	33	2	1431
Aug 2019	1316	132	47	0	1495
Sep 2019	1322	122	46	2	1492
Oct 2019	1622	162	58	2	1844
Nov 2019	1343	163	56	0	1562
Dec 2019	1148	165	30	0	1343
Jan 2020	1488	161	34	4	1687
Feb 2020	1408	156	54	1	1619
Mar 2020	1041	139	37	1	1218
Apr 2020	53	17	6	0	76
May 2020	67	7	3	0	77
Jun 2020	110	14	2	0	126
Jul 2020	633	89	17	0	739
Aug 2020	785	124	11	1	921
Sep 2020	1084	137	37	0	1258
Oct 2020	1136	171	42	2	1351
Nov 2020	1087	167	32	0	1286
Dec 2020	1129	188	38	0	1355

Table 3a: Type of disposal (custody & community) by month of disposal and gender

	Custodial Disposal				Community Disposal			
	Male		Female		Male		Female	
	N	%	N	%	N	%	N	%
Apr 2017	939	15.5%	102	7.5%	1257	20.8%	281	20.8%
May 2017	1026	15.5%	89	6.4%	1309	19.7%	256	18.3%
Jun 2017	989	15.0%	92	6.7%	1365	20.8%	292	21.3%
Jul 2017	919	17.3%	88	7.5%	1132	21.4%	242	20.6%
Aug 2017	1045	16.0%	80	5.9%	1372	21.1%	256	18.8%
Sep 2017	967	15.9%	90	7.5%	1275	21.0%	226	18.7%
Oct 2017	889	15.0%	122	9.2%	1277	21.5%	276	20.8%
Nov 2017	1022	16.7%	91	7.0%	1366	22.4%	266	20.4%
Dec 2017	856	16.5%	85	7.6%	1084	20.8%	208	18.5%
Jan 2018	921	15.3%	144	10.8%	1219	20.3%	229	17.2%
Feb 2018	878	14.8%	120	9.2%	1328	22.4%	226	17.4%
Mar 2018	963	15.8%	115	8.6%	1333	21.8%	283	21.1%
Apr 2018	1036	18.7%	72	6.5%	1042	18.8%	193	17.4%
May 2018	1116	19.1%	115	8.7%	1175	20.2%	268	20.2%
Jun 2018	920	17.0%	118	9.5%	1092	20.2%	230	18.5%
Jul 2018	944	17.8%	100	9.2%	1117	21.1%	171	15.7%
Aug 2018	1173	18.4%	111	8.4%	1224	19.2%	187	14.1%
Sep 2018	892	16.5%	104	8.8%	1106	20.4%	217	18.4%
Oct 2018	1041	16.6%	118	8.5%	1275	20.3%	284	20.5%
Nov 2018	977	16.1%	78	6.1%	1246	20.6%	246	19.2%
Dec 2018	882	17.9%	55	5.5%	989	20.1%	177	17.7%
Jan 2019	890	15.8%	108	8.4%	1116	19.9%	216	16.8%
Feb 2019	951	17.3%	81	7.0%	1245	22.7%	239	20.6%
Mar 2019	958	16.0%	88	7.1%	1369	22.9%	253	20.3%
Apr 2019	1009	18.1%	85	7.4%	1158	20.8%	212	18.4%
May 2019	999	17.4%	85	6.9%	1308	22.7%	253	20.6%
Jun 2019	810	16.6%	79	7.4%	1165	23.8%	223	20.8%
Jul 2019	889	16.5%	75	6.6%	1206	22.4%	225	19.7%
Aug 2019	958	15.9%	91	7.3%	1273	21.2%	222	17.7%
Sep 2019	890	15.9%	99	8.4%	1241	22.2%	251	21.4%
Oct 2019	956	15.1%	89	6.7%	1517	24.0%	324	24.6%
Nov 2019	811	14.1%	98	8.2%	1328	23.1%	233	19.6%
Dec 2019	816	15.9%	83	7.4%	1131	22.0%	211	18.8%
Jan 2020	950	15.5%	73	5.9%	1440	23.5%	247	20.0%
Feb 2020	844	14.8%	84	6.7%	1347	23.6%	272	21.8%
Mar 2020	852	18.0%	74	7.4%	1046	22.1%	172	17.2%
Apr 2020	275	55.8%	13	28.3%	74	15.0%	2	4.3%
May 2020	258	40.7%	5	7.0%	63	9.9%	14	19.7%
Jun 2020	322	22.5%	22	8.6%	116	8.1%	10	3.9%
Jul 2020	760	21.5%	102	12.9%	630	17.9%	109	13.8%
Aug 2020	608	14.8%	51	6.0%	784	19.1%	137	16.2%
Sep 2020	804	15.4%	42	3.8%	1063	20.4%	195	17.4%
Oct 2020	816	16.5%	49	5.0%	1150	23.2%	200	20.4%
Nov 2020	674	14.8%	48	5.2%	1074	23.5%	212	22.8%
Dec 2020	759	16.9%	55	5.8%	1119	24.9%	233	24.5%

Table 3b: Type of disposal (monetary & other) by month of disposal and gender

	Monetary Disposal				Other Disposal			
	Male		Female		Male		Female	
	N	%	N	%	N	%	N	%
Apr 2017	2940	48.5%	594	43.9%	920	15.2%	375	27.7%
May 2017	3122	47.1%	660	47.1%	1176	17.7%	396	28.3%
Jun 2017	3115	47.4%	573	41.7%	1107	16.8%	417	30.3%
Jul 2017	2410	45.5%	478	40.7%	839	15.8%	367	31.2%
Aug 2017	3059	46.9%	567	41.6%	1040	16.0%	459	33.7%
Sep 2017	2822	46.4%	544	45.0%	1016	16.7%	348	28.8%
Oct 2017	2736	46.1%	522	39.3%	1034	17.4%	409	30.8%
Nov 2017	2673	43.8%	533	40.9%	1046	17.1%	412	31.6%
Dec 2017	2347	45.1%	493	43.9%	915	17.6%	337	30.0%
Jan 2018	2855	47.5%	572	42.9%	1016	16.9%	389	29.2%
Feb 2018	2727	46.1%	587	45.2%	988	16.7%	365	28.1%
Mar 2018	2717	44.5%	562	41.9%	1096	17.9%	380	28.4%
Apr 2018	2503	45.1%	471	42.4%	970	17.5%	374	33.7%
May 2018	2582	44.3%	560	42.2%	957	16.4%	385	29.0%
Jun 2018	2458	45.5%	529	42.5%	938	17.3%	367	29.5%
Jul 2018	2383	45.0%	513	47.0%	854	16.1%	308	28.2%
Aug 2018	2952	46.3%	623	47.1%	1029	16.1%	401	30.3%
Sep 2018	2554	47.1%	519	44.0%	867	16.0%	340	28.8%
Oct 2018	2927	46.6%	607	43.9%	1039	16.5%	374	27.0%
Nov 2018	2869	47.3%	623	48.6%	970	16.0%	334	26.1%
Dec 2018	2250	45.6%	447	44.7%	810	16.4%	320	32.0%
Jan 2019	2679	47.7%	606	47.0%	936	16.7%	359	27.9%
Feb 2019	2407	43.8%	538	46.3%	890	16.2%	303	26.1%
Mar 2019	2715	45.4%	587	47.2%	936	15.7%	316	25.4%
Apr 2019	2455	44.1%	527	45.6%	950	17.0%	331	28.7%
May 2019	2392	41.6%	519	42.2%	1057	18.4%	374	30.4%
Jun 2019	2115	43.2%	452	42.1%	802	16.4%	320	29.8%
Jul 2019	2363	43.8%	500	43.7%	936	17.4%	344	30.1%
Aug 2019	2619	43.6%	566	45.1%	1161	19.3%	375	29.9%
Sep 2019	2354	42.1%	496	42.2%	1108	19.8%	328	27.9%
Oct 2019	2732	43.3%	525	39.8%	1107	17.5%	381	28.9%
Nov 2019	2531	44.0%	519	43.7%	1081	18.8%	339	28.5%
Dec 2019	2112	41.1%	488	43.6%	1085	21.1%	338	30.2%
Jan 2020	2742	44.7%	581	47.0%	1000	16.3%	336	27.2%
Feb 2020	2557	44.7%	542	43.4%	966	16.9%	350	28.0%
Mar 2020	1983	41.9%	444	44.4%	849	17.9%	309	30.9%
Apr 2020	64	13.0%	9	19.6%	80	16.2%	22	47.8%
May 2020	220	34.7%	38	53.5%	93	14.7%	14	19.7%
Jun 2020	794	55.5%	176	68.5%	199	13.9%	49	19.1%
Jul 2020	1177	33.4%	223	28.3%	962	27.3%	354	44.9%
Aug 2020	1723	42.0%	348	41.1%	992	24.2%	310	36.6%
Sep 2020	2185	41.9%	448	40.0%	1169	22.4%	435	38.8%
Oct 2020	1969	39.7%	398	40.6%	1023	20.6%	333	34.0%
Nov 2020	1866	40.9%	384	41.2%	947	20.8%	287	30.8%
Dec 2020	1638	36.4%	347	36.5%	978	21.8%	316	33.2%

Table 4: Custodial disposals (12 months or less and over 12 months) as a proportion of all disposals by month of disposal

	Custodial Sentence ≤ 12 months		Custodial Sentence > 12 months		Other Disposal		Total
	N	%	N	%	N	%	
Apr 2017	827	11.2%	190	2.6%	6382	86.3%	7399
May 2017	877	10.9%	219	2.7%	6941	86.4%	8037
Jun 2017	846	10.6%	216	2.7%	6885	86.6%	7947
Jul 2017	799	12.4%	189	2.9%	5473	84.7%	6461
Aug 2017	887	11.3%	193	2.5%	6770	86.2%	7850
Sep 2017	851	11.7%	189	2.6%	6252	85.7%	7292
Oct 2017	817	11.3%	167	2.3%	6277	86.4%	7261
Nov 2017	905	12.2%	188	2.5%	6319	85.3%	7412
Dec 2017	733	11.6%	184	2.9%	5397	85.5%	6314
Jan 2018	858	11.7%	182	2.5%	6292	85.8%	7332
Feb 2018	787	10.9%	188	2.6%	6237	86.5%	7212
Mar 2018	842	11.3%	206	2.8%	6381	85.9%	7429
Apr 2018	876	13.2%	213	3.2%	5566	83.6%	6655
May 2018	950	13.3%	257	3.6%	5949	83.1%	7156
Jun 2018	830	12.5%	185	2.8%	5641	84.8%	6656
Jul 2018	811	12.7%	212	3.3%	5364	84.0%	6387
Aug 2018	1006	13.1%	246	3.2%	6436	83.7%	7688
Sep 2018	788	12.0%	184	2.8%	5622	85.3%	6594
Oct 2018	871	11.4%	266	3.5%	6523	85.2%	7660
Nov 2018	797	10.9%	241	3.3%	6303	85.9%	7341
Dec 2018	730	12.3%	193	3.3%	5015	84.5%	5938
Jan 2019	788	11.4%	194	2.8%	5921	85.8%	6903
Feb 2019	809	12.2%	204	3.1%	5638	84.8%	6651
Mar 2019	804	11.2%	213	3.0%	6190	85.9%	7207
Apr 2019	862	12.8%	211	3.1%	5643	84.0%	6716
May 2019	828	11.9%	227	3.3%	5919	84.9%	6974
Jun 2019	674	11.3%	191	3.2%	5088	85.5%	5953
Jul 2019	719	11.0%	229	3.5%	5593	85.5%	6541
Aug 2019	785	10.8%	252	3.5%	6239	85.7%	7276
Sep 2019	705	10.5%	189	2.8%	5797	86.6%	6691
Oct 2019	729	9.6%	254	3.3%	6600	87.0%	7583
Nov 2019	659	9.6%	197	2.9%	6040	87.6%	6896
Dec 2019	669	10.7%	181	2.9%	5376	86.3%	6226
Jan 2020	723	9.9%	213	2.9%	6369	87.2%	7305
Feb 2020	645	9.3%	204	3.0%	6061	87.7%	6910
Mar 2020	706	12.4%	157	2.8%	4818	84.8%	5681
Apr 2020	183	35.9%	76	14.9%	251	49.2%	510
May 2020	153	22.5%	82	12.1%	445	65.4%	680
Jun 2020	206	12.4%	97	5.8%	1357	81.7%	1660
Jul 2020	721	16.8%	94	2.2%	3465	81.0%	4280
Aug 2020	495	10.1%	113	2.3%	4313	87.6%	4921
Sep 2020	642	10.2%	151	2.4%	5512	87.4%	6305
Oct 2020	651	11.1%	144	2.4%	5083	86.5%	5878
Nov 2020	568	10.4%	110	2.0%	4778	87.6%	5456
Dec 2020	649	12.0%	122	2.3%	4643	85.8%	5414

Table 5: Detailed breakdown of sentence lengths

	Up to 3 months	Over 3 months to 6 months	Over 6 months to 12 months	Over 1 year to 2 years	Over 2 years to 4 years	Over 4 years
Apr 2017	314	349	164	109	56	25
May 2017	308	369	200	115	70	34
Jun 2017	267	387	192	111	65	40
Jul 2017	305	342	152	111	47	31
Aug 2017	296	379	212	97	61	35
Sep 2017	274	399	178	100	59	30
Oct 2017	281	350	186	99	42	26
Nov 2017	310	385	210	119	56	13
Dec 2017	245	326	162	119	39	26
Jan 2018	285	394	179	99	41	42
Feb 2018	260	330	197	114	56	18
Mar 2018	265	379	198	114	59	33
Apr 2018	301	395	180	126	67	20
May 2018	316	404	230	142	78	37
Jun 2018	297	332	201	102	53	30
Jul 2018	256	363	192	128	55	29
Aug 2018	335	454	217	144	71	31
Sep 2018	265	334	189	105	54	25
Oct 2018	267	422	182	150	81	35
Nov 2018	273	331	193	142	70	29
Dec 2018	235	312	183	107	60	26
Jan 2019	291	320	177	106	59	29
Feb 2019	288	340	181	102	76	26
Mar 2019	268	366	170	100	73	40
Apr 2019	287	377	198	116	59	36
May 2019	273	369	186	138	50	39
Jun 2019	199	301	174	108	49	34
Jul 2019	218	305	196	116	79	34
Aug 2019	237	333	215	153	67	32
Sep 2019	226	304	175	109	52	28
Oct 2019	198	360	171	138	65	51
Nov 2019	190	293	176	122	51	24
Dec 2019	229	318	122	113	52	16
Jan 2020	245	316	162	126	52	35
Feb 2020	210	284	151	101	69	34
Mar 2020	213	350	143	99	38	20
Apr 2020	53	81	49	49	19	8
May 2020	45	73	35	45	27	10
Jun 2020	57	99	50	55	31	11
Jul 2020	256	305	160	56	25	13
Aug 2020	158	224	113	66	35	12
Sep 2020	205	302	135	100	34	17
Oct 2020	246	281	124	91	38	15
Nov 2020	190	238	140	59	28	23
Dec 2020	216	293	140	78	35	9

Table 6: Disposals by Sheriffdom 2019 (note – High Court cases are not allocated to a Sheriffdom)

	Custody		Community		Monetary		Other		Total
	N	%	N	%	N	%	N	%	
Glasgow & Strathkelvin	1879	13.8%	3110	22.9%	5042	37.1%	3566	26.2%	13597
Grampian, Highlands & Islands	1287	9.2%	3077	21.9%	7582	54.0%	2091	14.9%	14037
Lothian & Borders	1532	12.9%	2172	18.3%	5437	45.9%	2707	22.8%	11848
North Strathclyde	1944	19.3%	2500	24.8%	3838	38.0%	1807	17.9%	10089
South Strathclyde, Dumfries & Galloway	1994	12.7%	3432	21.9%	7118	45.5%	3105	19.8%	15649
Tayside, Central & Fife	2744	17.1%	3606	22.5%	6904	43.0%	2787	17.4%	16041
Total	11380	14.0%	17897	22.0%	35921	44.2%	16063	19.8%	81261

Table 7: Disposals by Sheriffdom 2020 (note – High Court cases are not allocated to a Sheriffdom)

	Custody		Community		Monetary		Other		Total
	N	%	N	%	N	%	N	%	
Glasgow & Strathkelvin	1553	17.2%	2125	23.6%	2826	31.4%	2507	27.8%	9011
Grampian, Highlands & Islands	941	9.9%	1968	20.8%	4794	50.7%	1756	18.6%	9459
Lothian & Borders	890	11.8%	1299	17.2%	3309	43.9%	2036	27.0%	7534
North Strathclyde	1379	20.5%	1449	21.5%	2567	38.1%	1344	19.9%	6739
South Strathclyde, Dumfries & Galloway	1412	12.5%	2502	22.1%	4677	41.3%	2723	24.1%	11314
Tayside, Central & Fife	1975	17.8%	2342	21.1%	4823	43.5%	1938	17.5%	11078
Total	8543	15.4%	11713	21.1%	22998	41.3%	12384	22.3%	55638

Table 8: Disposals by Local Authority 2019

	Custody		Community		Monetary		Other		Total
	N	%	N	%	N	%	N	%	
Aberdeen City	368	10.0%	1010	27.4%	1736	47.0%	576	15.6%	3690
Aberdeenshire	219	7.2%	613	20.1%	1816	59.4%	407	13.3%	3055
Angus	156	11.6%	271	20.1%	651	48.3%	270	20.0%	1348
Argyll & Bute	56	8.8%	140	22.0%	344	54.0%	97	15.2%	637
City of Edinburgh	559	11.8%	820	17.3%	2117	44.6%	1252	26.4%	4748
Clackmannanshire	107	14.3%	198	26.5%	283	37.9%	159	21.3%	747
Dumfries & Galloway	162	7.5%	472	21.8%	1197	55.3%	335	15.5%	2166
Dundee City	495	20.7%	479	20.0%	1020	42.6%	400	16.7%	2394
East Ayrshire	177	14.0%	332	26.3%	576	45.6%	178	14.1%	1263
East Dunbartonshire	82	12.0%	145	21.2%	344	50.2%	114	16.6%	685
East Lothian	76	9.0%	123	14.5%	454	53.7%	193	22.8%	846
East Renfrewshire	42	8.3%	70	13.9%	285	56.5%	107	21.2%	504
Falkirk	333	16.2%	512	24.9%	835	40.7%	374	18.2%	2054
Fife	712	15.1%	1024	21.7%	2151	45.6%	834	17.7%	4721
Glasgow City	1166	12.9%	2203	24.3%	3568	39.4%	2120	23.4%	9057
Highland	188	7.0%	488	18.1%	1520	56.4%	499	18.5%	2695
Inverclyde	161	21.8%	136	18.5%	327	44.4%	113	15.3%	737
Midlothian	94	9.0%	190	18.3%	534	51.3%	222	21.3%	1040
Moray	101	8.2%	342	27.7%	586	47.4%	207	16.7%	1236
Na h-Eileanan Siar	14	7.1%	39	19.9%	111	56.6%	32	16.3%	196
North Ayrshire	200	14.1%	367	25.9%	677	47.7%	175	12.3%	1419
North Lanarkshire	512	11.5%	999	22.4%	2023	45.4%	922	20.7%	4456
Orkney	15	8.4%	57	31.8%	85	47.5%	22	12.3%	179
Perth & Kinross	323	20.7%	276	17.7%	793	50.8%	169	10.8%	1561
Renfrewshire	172	11.3%	353	23.1%	692	45.3%	309	20.2%	1526
Scottish Borders	77	7.3%	196	18.7%	644	61.3%	133	12.7%	1050
Shetland	17	8.0%	41	19.3%	120	56.6%	34	16.0%	212
South Ayrshire	155	14.1%	267	24.3%	456	41.5%	222	20.2%	1100
South Lanarkshire	425	11.4%	775	20.7%	1743	46.6%	794	21.2%	3737
Stirling	93	12.0%	166	21.5%	388	50.3%	125	16.2%	772
West Dunbartonshire	204	17.6%	260	22.5%	476	41.1%	218	18.8%	1158
West Lothian	332	16.2%	445	21.7%	984	48.0%	287	14.0%	2048
Total	7793	12.4%	13809	21.9%	29536	46.9%	11899	18.9%	63037

Table 9: Disposals by Local Authority 2020

	Custody		Community		Monetary		Other		Total
	N	%	N	%	N	%	N	%	
Aberdeen City	300	11.2%	669	24.9%	1246	46.4%	468	17.4%	2683
Aberdeenshire	180	8.9%	401	19.8%	1091	53.8%	354	17.5%	2026
Angus	111	13.2%	170	20.3%	427	51.0%	130	15.5%	838
Argyll & Bute	44	10.6%	73	17.6%	213	51.3%	85	20.5%	415
City of Edinburgh	325	11.3%	440	15.3%	1235	42.9%	880	30.6%	2880
Clackmannanshire	138	24.6%	147	26.3%	193	34.5%	82	14.6%	560
Dumfries & Galloway	185	10.4%	475	26.7%	829	46.6%	289	16.3%	1778
Dundee City	246	16.9%	277	19.0%	634	43.5%	300	20.6%	1457
East Ayrshire	112	14.7%	166	21.7%	311	40.7%	175	22.9%	764
East Dunbartonshire	95	19.0%	87	17.4%	208	41.6%	110	22.0%	500
East Lothian	49	7.9%	80	12.9%	321	51.6%	172	27.7%	622
East Renfrewshire	29	10.4%	49	17.5%	172	61.4%	30	10.7%	280
Falkirk	309	20.0%	385	25.0%	566	36.7%	283	18.3%	1543
Fife	496	15.3%	672	20.7%	1476	45.4%	607	18.7%	3251
Glasgow City	900	15.6%	1524	26.4%	1800	31.2%	1538	26.7%	5762
Highland	131	7.1%	305	16.5%	1009	54.6%	404	21.8%	1849
Inverclyde	65	17.0%	88	23.0%	166	43.5%	63	16.5%	382
Midlothian	33	5.5%	104	17.3%	302	50.2%	162	27.0%	601
Moray	67	8.6%	171	22.1%	391	50.5%	146	18.8%	775
Na h-Eileanan Siar	9	6.4%	19	13.5%	91	64.5%	22	15.6%	141
North Ayrshire	110	15.2%	157	21.7%	313	43.2%	144	19.9%	724
North Lanarkshire	280	9.8%	599	21.1%	1270	44.7%	694	24.4%	2843
Orkney	3	2.2%	33	24.6%	82	61.2%	16	11.9%	134
Perth & Kinross	203	18.7%	188	17.4%	548	50.6%	144	13.3%	1083
Renfrewshire	122	13.0%	190	20.3%	433	46.3%	190	20.3%	935
Scottish Borders	59	7.9%	167	22.3%	386	51.6%	136	18.2%	748
Shetland	20	12.0%	28	16.8%	92	55.1%	27	16.2%	167
South Ayrshire	102	15.1%	173	25.6%	225	33.3%	176	26.0%	676
South Lanarkshire	309	11.9%	539	20.7%	1104	42.4%	652	25.0%	2604
Stirling	88	16.7%	106	20.1%	250	47.4%	83	15.7%	527
West Dunbartonshire	142	18.9%	192	25.5%	271	36.0%	147	19.5%	752
West Lothian	196	15.1%	308	23.7%	567	43.7%	227	17.5%	1298
Total	5458	13.1%	8982	21.6%	18222	43.8%	8936	21.5%	41598

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