

CRIME AND JUSTICE

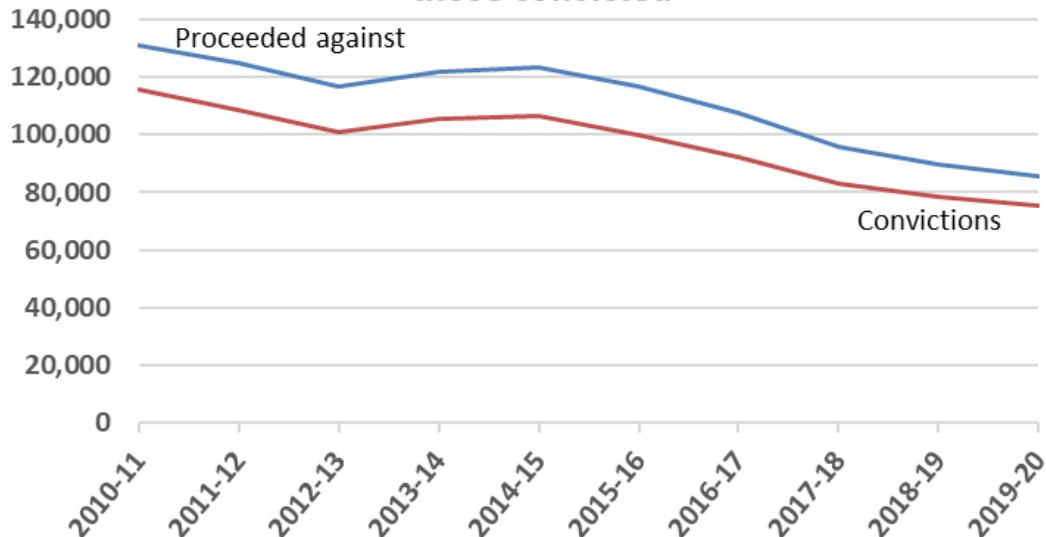
Criminal Proceedings in Scotland, 2019-20

This bulletin forms part of the Scottish Government series of statistical bulletins on the criminal justice system. Statistics are presented on criminal proceedings concluded in Scottish courts and on a range of measures available as alternatives to prosecution, which are issued by the police and by the Crown Office and Procurator Fiscal Service. Detailed figures for 2019-20 are presented, along with selected trends for the last ten years. Please note this publication covers the period ending in March 2020, so court volumes presented here would have been largely unaffected by the Coronavirus pandemic, and doesn't cover offences introduced by Coronavirus legislation (see [Annex B29](#)).

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

A total of 85,726 people were *proceeded against* in Scottish criminal courts in 2019-20, a fall of 4% on 2018-19 (89,725 proceedings). The number of convictions fell at the same rate (4%) down to 75,251 in 2019-20 (from 78,488 in 2018-19). This continues the general downward trend of the last ten years ([Chart 1](#)). Convictions in 2019-20 were 35% lower than the ten-year high of 115,581 in 2010-11.

Chart 1: Number of people proceeded against and those convicted



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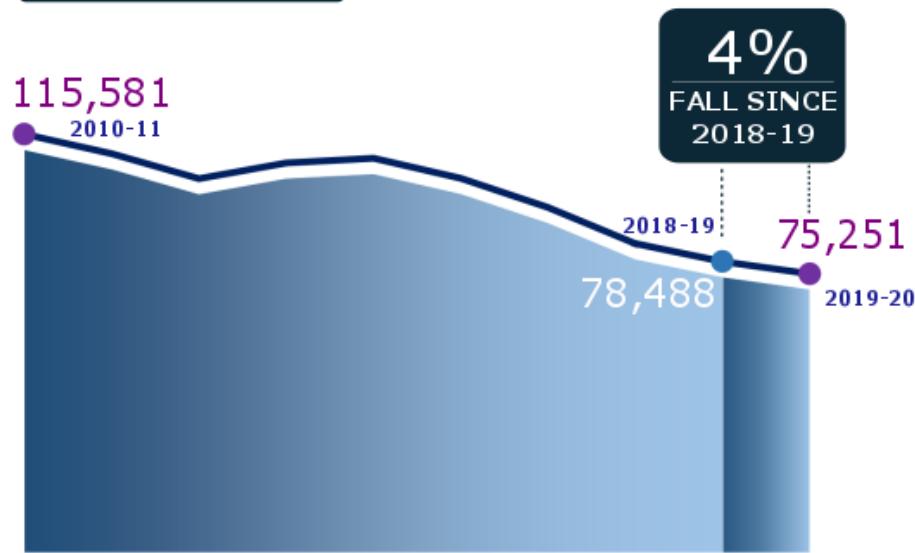
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CRIMINAL PROCEEDINGS IN SCOTLAND 2019-20

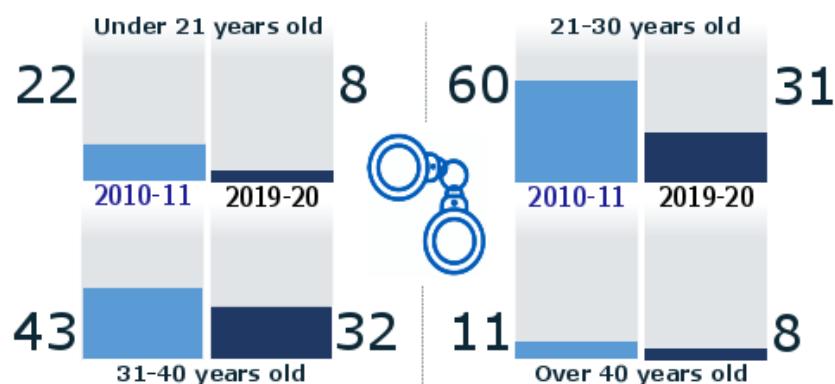


- COURT ACTIVITY DECREASED IN 2019-20 AND CONTINUES THE DOWNWARD TREND OF THE LAST TEN YEARS

CONVICTIONS IN SCOTLAND

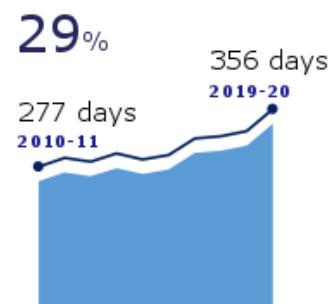


- Since 2010-11 the fall in the *number* of convictions per 1,000 population has been driven by a decrease for the under-30s



► Custodial sentences

Since 2010-11, the average length of custodial sentences increased by:



▼ Corresponds with

A smaller proportion of shorter sentences

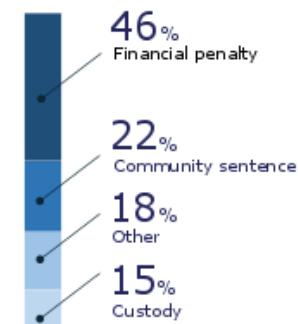
Proportion of 12 months or less

83% → 75%

Proportion longer than 12 months

17% → 25%

Nearly half of sentences in 2019-20 were financial penalties



Key points

Court proceedings and convictions

([Tables 1,2,3](#) and [4a-c](#))

- A total of 85,726 people were *proceeded against* in court in 2019-20, a fall of 4% on 2018-19 (89,725 proceedings). The number of convictions fell at the same rate, down 4% to 75,251 from 78,488 in 2018-19. In the same period, there was a 0.4% fall in the number of criminal reports received by COPFS.
- The overall conviction rate has remained relatively stable over the last ten years, ranging from 86% to 88%. It was 88% in 2019-20.
- Convictions for **non-sexual crimes of violence** crimes increased by 21% in the past year, from 1,772 in 2018-19 to 2,142 in 2019-20. The number of people convicted for **attempted murder and serious assault** rose by 11% from 1,166 in 2018-19 to 1,298 in 2019-20; and robbery, which increased by 14% from 361 to 410. However, the number of convictions for **homicide** remained unchanged over the past year.
- The increase in convictions for **non-sexual crimes of violence** over the past year was also due, in part, to the introduction of the new crime of **domestic abuse** under the Domestic Abuse (Scotland) Act 2018, which came into effect for crimes committed on or after 1st April 2019. There were 206 convictions in 2019-20. This was out of 246 people proceeded against, giving a conviction rate of 84%.
- There has been a slight decrease of 2% in the number of convictions for **sexual crimes**, from 1,224 in 2018-19 to 1,204 in 2019-20. Convictions for sexual crimes in 2019-20 were 47% higher than their lowest point in the last decade, ten years ago in 2010-11 (818 convictions).
- The number of convictions for **rape and attempted rape** decreased by 8% from 142 in 2018-19 to 130 in 2019-20. The figure in 2019-20, was the second highest in the past decade after 2018-19. The number of proceedings for these crimes decreased by 4% from 313 in 2018-19 to 300 in 2019-20. The conviction rate for rape and attempted rape has fluctuated year to year and was 43% in 2019-20.
- Convictions for **crimes of dishonesty** fell by 7% from 9,771 convictions in 2018-19 to 9,076 in 2019-20. This continues the decline of the last ten years with convictions now 42% lower than in 2010-11 (15,613).

Court sentences

(Tables 7 to 10)

- The total number of convictions fell by 4%, however, those resulting in a **custodial sentence** decreased by 9% (from 12,221 in 2018-19 to 11,101 in 2019-20). Custodial sentences represented 15% of sentences imposed for all convictions in 2019-20, similar to the proportion over the past decade, which has ranged between 13% and 16%.
- The **average length of custodial sentence** for all crimes, excluding life sentences and Orders for Lifelong Restrictions, in 2019-20 was almost a year (356 days), which is 9% longer than in 2018-19 (326 days). The increase in average sentence length is due to fewer shorter sentences being given out, rather than more longer sentences. This is the biggest increase in the past ten years, and the fact that fewer short sentences are being imposed may be associated with the presumption against short sentences extension from 3 months or less to 12 months or less on the 4th July 2019. However, it is too early to attribute any changes in sentencing patterns to the extension.
- The crime type with the longest average sentences (excluding life sentences) in 2019-20 was **rape and attempted rape**, which decreased by 8% from 2,655 days in 2018-19 to 2,445 in 2019-20, which is the lowest since 2014-15.
- Sentences of **3 to 6 months** have been the most common sentence length since 2011-12, accounting for 33% of all custodial sentences in 2019-20.
- The numbers of custodial sentences of 1 year or less, and over 2 years to 4 years, decreased in the past year. The numbers of sentences over 1 year to 2 years, and 4 years and over, increased in the past year.
- In 2019-20, 22% (16,296) of all convictions resulted in a main penalty of a **community sentence**. This is a 7% increase in the number from 15,211 in 2018-19, and the highest proportion of convictions where community sentences were imposed in the past ten years (up from 14% in 2010-11).
- The increase in community sentences in the past year was driven by increases in Community Payback Orders (CPOs) and Restriction of Liberty Orders (RLOs). **CPOs** increased by 6% from 11,812 people in 2018-19 to 12,530 in 2019-20. The number of **RLOs** increased by 15% from 2,848 in 2018-19 to 3,261 in 2019-20. In contrast, the number of **Drug Treatment and Testing Orders (DTTOs)** decreased by 7% from 529 in 2018-19 to 493 in 2019-20.

Characteristics of offenders

([Tables 5, 6, 8c, 10b, and 11](#))

- The number of **convictions per 1,000 population** has declined over the last ten years from 24 in 2010-11 to 15 in 2019-20. This fall is driven by a decline for males, down to 26 convictions per 1,000 population in 2019-20 from 42 in 2010-11. The rate for females has also declined over the ten year period although more gradually, from seven convictions per 1,000 population in 2010-11 to five in 2019-20.
- During the past 10 years, the number of convictions per 1,000 population for younger people (under-21s and 21-30s) has fallen much more quickly than the numbers for older people (those aged 31 and over). Nonetheless, in all age-sex groups under 50, there has been a fall in the number of convictions per 1,000 people.

Aggravations

([Tables 12 and 13](#))

- The statutory **domestic abuse aggravator** was introduced in 2017-18, and was proven in 8,120 convictions in 2019-20, which is a 5% increase from 7,751 in 2018-19.
- There were 9,355 convictions with a domestic abuse identifier recorded in 2019-20, a 2% increase from 9,205 convictions in 2018-19. This is the first year this has increased, after decreases each year from 2015-16.
- There were 38 convictions with a statutory **aggravation for domestic abuse in relation to a child** in 2019-20. This aggravation was introduced by the Domestic Abuse (Scotland) Act 2018 and came into effect for crimes committed on or after 1st April 2019, and so there is no comparable data for previous years.
- In respect of hate crime legislation, crimes may be aggravated if the crime is motivated against a particular characteristic. The number of convictions with a **sexual orientation aggravation** increased by 19% in the past year, and were at the highest level in the past ten years in 2019-20. There was also an increase in the past year for convictions with a **religion aggravation** by 12%, but the 2019-20 figure was the second lowest in the past ten years. Convictions with the **racial aggravation** were 6% lower than last year, and are at their lowest level in the past 10 years.

Bail

(Tables [14](#), [15](#) and [16](#))

- The number of **bail orders** issued decreased by 16% from 34,735 in 2018-19 to 29,150 in 2019-20. Over the last decade, numbers have fallen by 37%, down from 46,221 bail orders in 2010-11. This is consistent with the longer term trends in volumes of cases coming to court.
- There were 6,800 **bail-related offences** in 2019-20 (e.g. breach of bail conditions, such as failure to appear in court after being granted bail), a 5% increase compared to 2018-19 (6,504 bail related offences). The proportion of bail-related offences as a percentage of all bail orders granted in 2019-20 was 23%, which is the highest percentage in the last ten years.
- In 2019-20, there were 11,599 **undertakings to appear in court**, a fall of 26% from 2018-19 (15,646 undertakings). This is the biggest fall from the previous year in the past ten years. The total in 2019-20 is 58% below the ten year high in 2010-11.

Police disposals

(Tables [17](#) to [18](#))

- The total number of police disposals decreased by 4% in the past year, from 36,164 in 2018-19 to 34,631 in 2019-20. The number in 2019-20 was 49% lower than the highest number over the past ten years in 2013-14.
- There were 22,353 **Recorded Police Warnings** issued during 2019-20, which is small increase of 1% from 22,108 in 2018-19.
- In 2019-20, 7,036 people received an **Anti-Social Behaviour Fixed Penalty Notice** as a main penalty, a decrease of 21% from 8,893 in 2018-19.

Crown Office and Procurator Fiscal Service disposals

(Tables [20](#) to [22](#))

- In 2019-20 there were 18,354 people issued a **fiscal fine** as a main penalty, very similar to the 18,460 in 2018-19. The number issued in 2019-20 was less than half the number (62% lower) than the ten year peak of 47,969 in 2012-13.
- In 2019-20, 7,955 **Crown Office Fixed Penalty Notices** were issued to people as a main penalty, an increase of 14% from 6,977 in 2018-19. This is the second year in row that their use has increased, although the number issued now is 66% lower than the ten year high in 2013-14 (23,467).

Introduction

This bulletin presents statistics on the number of people dealt with by the Scottish Criminal Justice System. The statistics are derived from data held on the Criminal History System (CHS), a central hub used for the electronic recording of information on people accused or convicted of perpetrating a criminal act. The CHS is used and maintained by Police Scotland.

Changes made to this year's report

Changes have been made to this year's report as follows:

1. The new crime of **domestic abuse** under the [Domestic Abuse \(Scotland\) Act 2018](#) came into effect on 1st April 2019, and so proceedings and convictions are included in this bulletin for the first time.
2. As part of libelling the crime of domestic abuse, the statutory aggravation for **domestic abuse in relation to a child** was also introduced by the Domestic Abuse (Scotland) Act 2018 on 1st April 2019.

Routes through the Criminal Justice System

[Chart 2](#) depicts the various possible routes through the criminal justice system. People accused of a crime can be dealt with in a variety of ways: they can be dealt with directly by the police, by measures such as a warning or fixed penalty notice (see [Police Disposals section](#)); or the police can send a report to the Crown Office and Procurator Fiscal Service (COPFS) for review. COPFS can decide to:

- take no action
- to issue a direct measure (see [COPFS Disposals section](#)), or
- to proceed against the individual in Court.

The number of people passing through the Criminal Justice System at a particular point in time depends in part on levels of crime made known to the police, as well as the measures that are available for use by criminal justice organisations at that time, as these can influence the point at which action is taken.

At each of the stages presented in [Chart 2](#) information is logged on the CHS regarding the status of the accused. COPFS and the Scottish Courts and Tribunals Service (SCTS) provide updates on their own systems which are fed back electronically to Police Scotland's CHS. When an accused's case is given a final conclusion it is considered completed and the case is "disposed" of from the criminal justice system. The option used to complete the case is referred to as the method of "disposal", whether it is a court disposal used by SCTS or non-court disposal employed by COPFS or the Police.

Recorded Crime

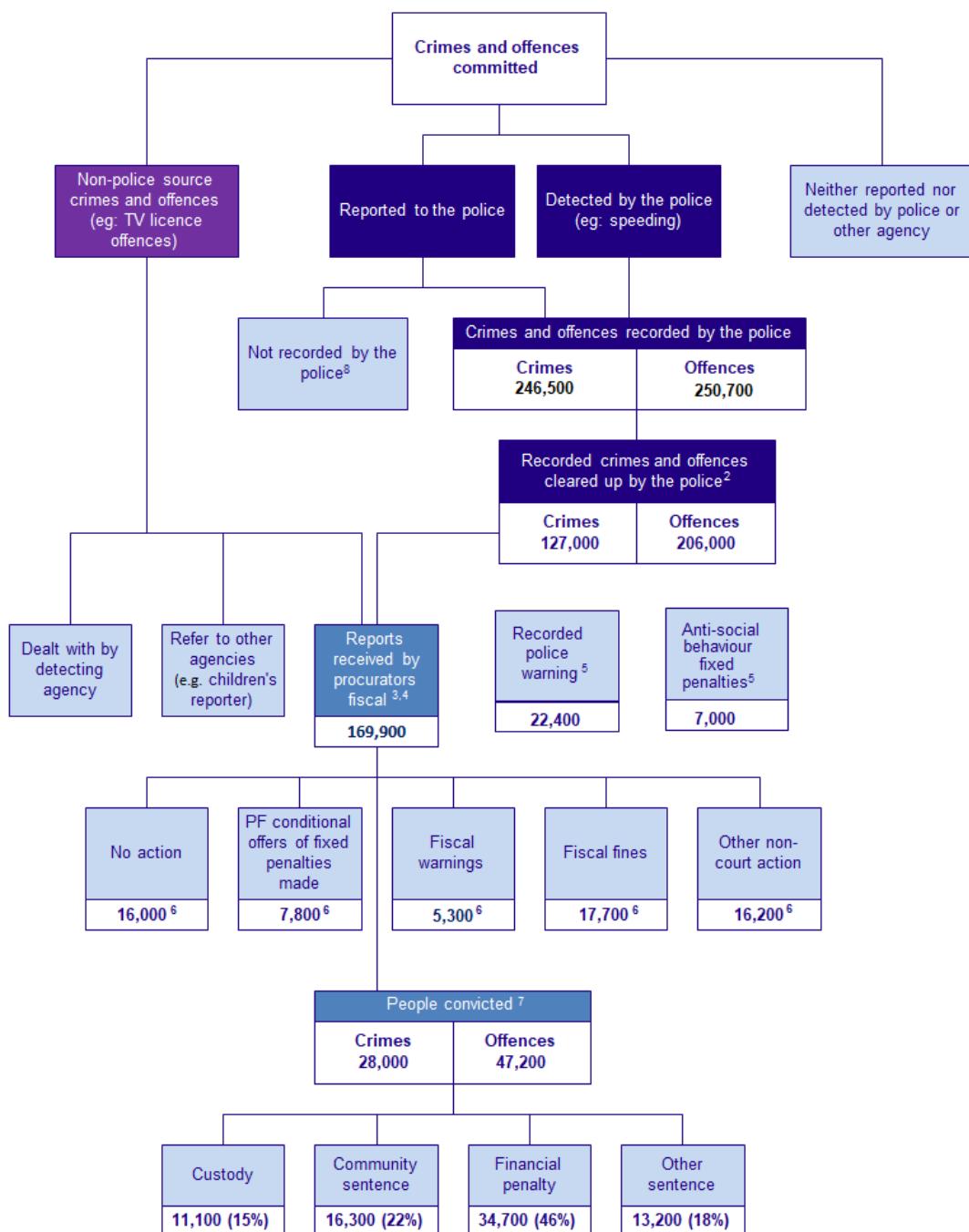
The statistical publication, [Recorded Crime in Scotland 2019-20](#), was published on 29th September 2020. The Recorded Crime publication and this Criminal Proceedings publication divide violations of criminal law into (a) crimes and (b) offences (see [Annex D](#) for further detail). This distinction is made only for statistical reporting purposes.

As shown in [Chart 2](#), the total number of crimes recorded by the police in Scotland in 2019-20 was 246,516, less than 1% higher than in 2018-19 (244,480). The proportion of recorded crimes 'cleared up' by the Police increased by 0.5 percentage points from 51.0% in 2018-19 to 51.5% in 2019-20. A crime is regarded as 'cleared-up' where there is sufficient evidence under Scots criminal law to justify consideration of criminal proceedings.

The total number of offences recorded by the police increased by 1% from 247,791 in 2018-19 to 250,662 in 2019-20. It should be noted that the number of offences recorded by the police generally tends to be affected more by Police activity and operational decisions than the number of crimes.

Whilst differences in counting methods (see [Annex C](#)) mean the figures in the Recorded Crime publication and those in this bulletin are not directly comparable, a crime or offence only comes to the attention of COPFS for consideration for prosecution once it has been recorded as such by the police, so recorded crime figures will have some influence on the number of prosecutions and convictions in Court.

Chart 2: Overview of action within the criminal justice system 2019-20¹



1. Figures rounded to the nearest 100, and based on activity during 2019-20.
2. Crimes recorded in 2019-20 may not be cleared up or dealt with until 2020-21 or later.
3. A report to the procurator fiscal may involve more than one crime or offence and more than one alleged offender.
4. Reports to the fiscal on non-criminal matters such as sudden deaths, are not included in this total.
5. Number of people from CHS, Recorded Police Warning also includes 18 Formal Adult Warnings.
6. Number of cases; Data from [Crown Office](#).
7. Figures for people with a charge proved count the number of different proceedings in which a person is convicted. People may be convicted of multiple charges in one proceeding, but this is counted as one person convicted per proceeding.
8. It may be deemed that an incident does not warrant recording e.g. if there is a lack of evidence that a crime was committed.

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

Police disposals and referrals

[Chart 2](#) also shows that following a crime being cleared up, Police Scotland will either send a report to COPFS to decide what action should be taken or will deal with the case directly. [Section 15](#) of this report contains statistics on the following non-court disposals available to the police when dealing with a case directly:

- **Recorded Police Warnings** (RPW) were introduced on 11th January 2016 to deal with a wider range of low level offences. A warning can be issued on the spot, or a notice issued retrospectively. This scheme replaced and extended Formal Adult Warnings.
- **Anti-Social Behaviour Fixed Penalty Notices** (ASBFPNs) as provided for in the [Antisocial Behaviour etc \(Scotland\) Act 2004](#) for a range of offences including drunken-related behaviours and playing loud music; and
- actions which are used specifically for juveniles (aged 8 to 17) such as **Restorative Justice Warnings** and **Early and Effective Interventions** (EEI).

There are further options available to the police that we are not able to provide data on such as conditional offers of a fixed penalty notice for moving motor vehicle offences. A full listing of the range of disposals available can be seen in [Annex D](#).

COPFS disposals and referrals ([Section 16](#))

In 2019-20, COPFS received 169,900 criminal reports (from the police and other specialist reporting agencies), a decrease of 0.4% compared to 2018-19 (170,600) – see [COPFS Performance Statistics 2015-20](#). Where there is sufficient evidence and it is in the public interest to take action, prosecution in court is only one of a range of possible options the Procurator Fiscal has for dealing with people they have received a report for and, where appropriate, they may issue a direct measure. Statistics for the following non-court disposals are included in this publication:

- **Fiscal fines** of between £50 and £300
- **Compensation orders** of up to £5,000
- **Fiscal warnings**, and
- **Fixed penalties** of between £50 and £300, generally issued for motor vehicle offences.

There are further actions that the Procurator Fiscal can take that are not included in this report such as diverting cases to social work and other agencies and referrals to the Scottish Children's Reporter Administration (SCRA).

A full listing of the range of disposals available can be seen in [Annex D](#).

Court disposals

The majority of statistics in this publication provide information on criminal cases brought to court and are contained in [Sections 1 to 14](#). The outcomes possible for the person proceeded against are:

- the person is **convicted**, either after pleading guilty or being found guilty after evidence has been heard in Court
- the person is **acquitted** following a **not guilty verdict**
- the person is **acquitted** following a **not proven verdict**, or
- the person has their **plea of not guilty accepted** by the prosecutor or the case against them is **deserted** i.e. the Crown decides no longer to proceed with a prosecution at that time (though they may in some cases decide to prosecute at a future date).

Comparability with other statistics

Please note that the statistics presented in [Chart 2](#) are taken from multiple data sources which are not strictly comparable, and there is no direct relationship between the number of crimes and offences recorded by the police and the number of follow-up actions taken by other agencies within the criminal justice system. For example, in the recorded crime statistics a single crime or offence recorded by the Police may have more than one perpetrator, each of whom would be counted separately in the criminal proceedings statistics. There are also some offences included in this bulletin, such as failure to pay a television licence, which are reported directly to the procurator fiscal by specialist reporting agencies such as TV Licensing and therefore are not included in the police recorded crime statistics.

There are other comparability issues in that crimes or offences recorded and cleared up by the Police may not be processed by the Procurator Fiscal or the Courts in the same year as they were recorded. There is also the possibility that the crime or offence recorded by the police is altered by the Procurator Fiscal during the marking process.

For full details of comparability issues please see the relevant sections in [Annex C](#).

► WHAT IS COVERED BY THESE STATISTICS?

People who are dealt with at the different stages of the Scottish Criminal Justice System:

 1 Police Disposals	 2 Crown Office Fiscal Disposals	 3 Scottish Courts
<ul style="list-style-type: none">• Anti Social Behaviour Fixed Penalty Notice• Recorded Police Warning	<ul style="list-style-type: none">• Fiscal fine• Fixed penalty• Fiscal warning• Compensation order	<ul style="list-style-type: none">• Proceedings• Convictions• Sentencing outcomes• Bail



What is NOT covered by these statistics

- Police fixed penalty notices for motor vehicle offences
- Fiscal work orders
- Appeals
- Children's hearing system activity and most diversions for young people

Commentary

1. Trends in people proceeded against and convicted

([Tables 1](#) and [2a and 2b](#), [4a and 4b](#))

Unless otherwise stated, references in this bulletin to the crime or offence group for which a person is proceeded against or convicted relate to the **main charge** involved. If there are multiple charges libelled on a Complaint or Indictment, and thereafter proven against an accused in a single proceeding, the main charge is the crime or offence receiving the most severe penalty (as defined in [Annex C](#)). The final column of [table 4b](#) provides counts of individual crimes or offences with a charge proven regardless of whether or not it was the main crime or offence involved. Please note that where an accused is subject to multiple separate proceedings, that accused is counted multiple times in the figures presented in this bulletin.

A total of 85,726 people were **proceeded against** in Court in 2019-20, a fall of 4% on 2018-19 (89,725 proceedings). The number of convictions fell at the same rate, down 4% to 75,251 from 2018-19 (78,488). This continues the general downward trend of the last ten years. It is in contrast to the rises in court activity seen between 2012-13 and 2014-15 which was a result of a short term rise in the number of motor vehicle offence cases reaching court. Convictions in 2019-20 were 35% lower than the ten-year high of 115,581 in 2010-11.

The fall in the number of convictions in the last year has been led by a fall in absolute numbers of convictions for: **Unlawful use of motor vehicle** down 18% to 6,285 convictions in 2019-20; **drugs** down 11% to 4,430; and **shoplifting** down 9% to 5,395. Together these 3 crimes and offences represented a large number of convictions, making up 24% of convictions in 2018-19 and 21% in 2019-20. The conviction rates for these crimes are almost unchanged.

2. Trends in conviction rates

([Tables 4a-c](#))

Conviction rates are calculated by dividing the number of people convicted by the number of people proceeded against. Care should be taken when interpreting data on conviction rates. Conviction rates are dependent on a number of factors, including the strength of evidence available; and the complexity of the case. However, all convictions are wholly dependent upon the decision of the fact-finder hearing the evidence in the case. A high conviction rate could indicate that cases brought to court are evidentially strong or straightforward (for example road traffic offences), but it could also indicate that cases which are evidentially weak, for instance, lacking sufficient admissible evidence are not reaching court. Conversely, a low conviction rate could indicate that the highly complex or evidentially difficult cases are brought to Court, but, the fact-finder (the judge or jury) is unwilling to accept the evidence provided by the prosecutor and thereafter unable to convict the accused.

Eighty-eight per cent of people proceeded against in court in 2019-20 were convicted after being found guilty of at least one charge (75,251 people). This is one percentage point higher than 2018-19. The conviction rate for all crimes and offences has remained relatively stable over the last decade, sitting between 86% and 88% in each year.

Conviction rates are highest for motor vehicle offences, with 94% of people proceeded against being convicted in 2019-20. In particular, **speeding offences** had a conviction rate of 99%. Apart from motor vehicle offences, the highest conviction rates for crimes was 94% for **other crime** and 93% for **shoplifting**, whilst the lowest rate was for **rape and attempted rape** (43%). The conviction rate for rape and attempted rape has been the lowest of all crimes in each of the last ten years. Further detail of acquittals with respect to **rape and attempted rape** can be seen in [section 3](#).

Over the last ten years, the most notable declines in conviction rates have been for:

- **Sexual assault**, down 10 percentage points from 74% in 2010-11 to 64% in 2019-20, although the rate was 8 percentage points higher in 2019-20 compared to the previous year;
- **Crimes associated with prostitution**, down 30 percentage points from 91% in 2010-11 to 61% in 2019-20, with a decrease of 25 percentage points in the past year. These conviction rates are based on relatively small numbers of proceedings and convictions (74 proceeded against, and 45 convictions in 2019-20), so rates can be more affected by relatively small changes in these, compared to crimes with more numerous proceedings and convictions; and
- **Urinating etc.**, decreased by 49 percentage points from 78% in 2010-11, to 29% 2019-20. As with Crimes associated with prostitution, these are based on relatively small numbers of proceedings and convictions.

3. Acquittals by crime type

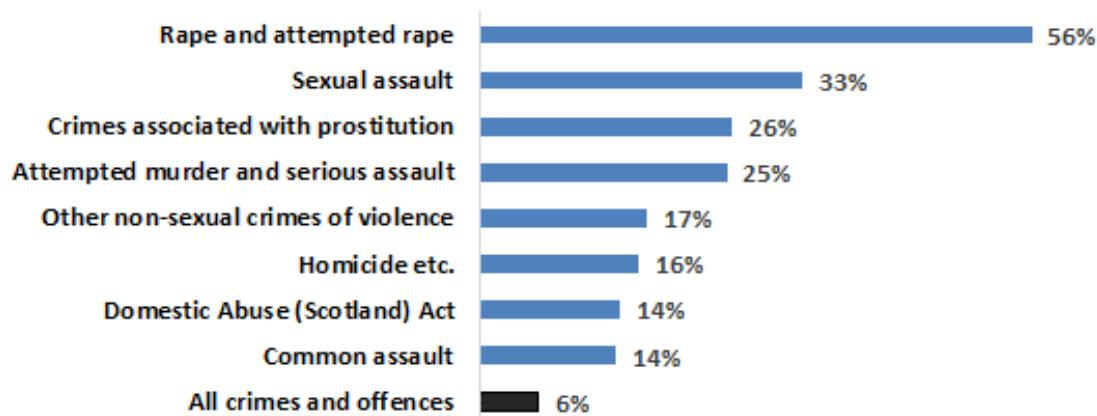
([Table 2a](#) and [2b](#))

When an accused person is found not guilty of a charge, or the charge is not proven, this is called an ‘acquittal’. In 2019-20, 5% of people were **acquitted on a ‘not guilty’ verdict**, and 1% were **acquitted on a ‘not proven’ verdict**. A further 6% either had a plea of **‘not guilty’ accepted** or their case was deserted by the prosecution or the Court. These proportions are broadly unchanged over the last five years.

[Chart 3](#) shows the crime types with the highest acquittal rates in comparison with the overall rate of 6% in 2019-20:

- as in previous years, the highest rate was seen for **rape and attempted rape**, where 56% or 169 people of the 300 proceeded against were acquitted,
- there were also high acquittal rates for **sexual assault** (33% had their case acquitted), and
- The highest rate of acquittals for non-sexual crimes was for 25% of cases of **attempted murder and serious assault**.

Chart 3: Crime types with the highest acquittal rates (not guilty and not proven)



4. People convicted by court type

[\(Table 3\)](#)

There are four main court types that deal with criminal cases in Scotland.

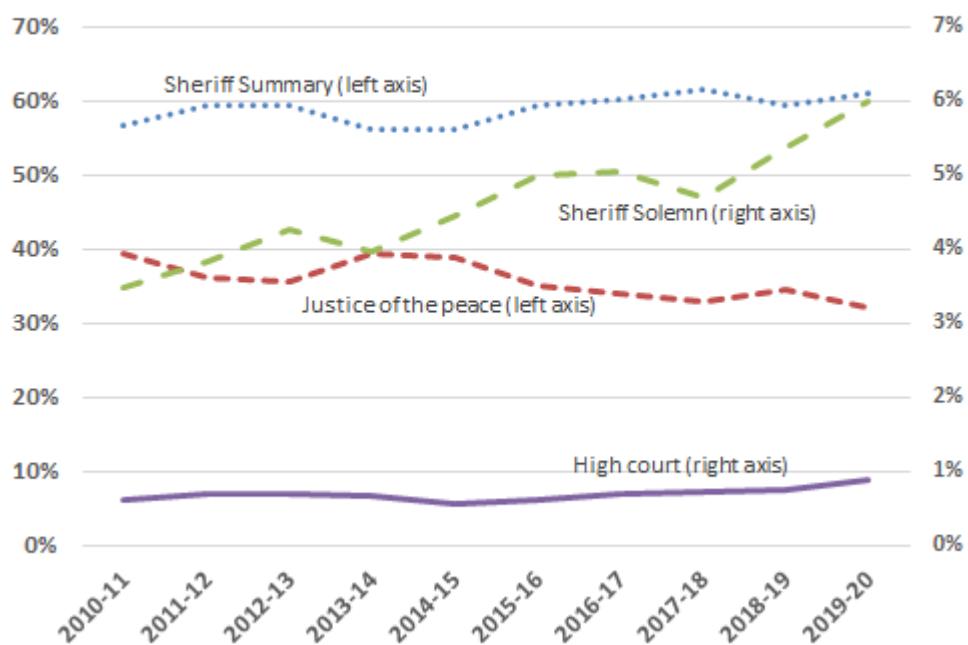
- The **High Court**, which deals with the most serious crimes such as murder, rape and armed robbery. The maximum penalty that may be imposed is up to life imprisonment and/or an unlimited fine. The exact maximum in a given case will be determined by any limit provided for in the statute creating the offence being prosecuted. A single judge hears cases with a jury of 15 people.
- **Sheriff Courts**, which deal with the majority of cases in Scotland. These can either be **solemn**, where the Sheriff sits with a jury of 15 people or **summary**, where the Sheriff sits alone¹. For solemn cases the maximum penalty is 5 years' imprisonment and/or an unlimited fine and for summary

¹ In a sheriff solemn court, the jury determines whether an accused is guilty or not and the sheriff determines sentence. In a sheriff summary court, the sheriff determines both whether an accused is guilty or not and, if guilty, the sentence.

cases, the maximum penalty that may be imposed (in most circumstances²) is 1 year's imprisonment and/or a £10,000 fine.

- **The Justice of the Peace** courts. These deal with the less serious crimes, such as speeding, shoplifting and breach of the peace. They are chaired by a Justice of the Peace or "lay magistrate" who has been appointed from the local community and trained in criminal law and procedure. They can impose custodial sentences of up to 60 days and fines up to £2,500.

**Chart 4: Proportion of convictions by court type,
2010-11 to 2019-20**



[Chart 4](#) shows the changes in the proportion of convictions seen in each court type relative to 2010-11. Sheriff Solemn courts have risen from 3% of all convictions in 2010-11 to 6% in 2019-20. This increase in the proportion of more serious convictions is likely to be partly responsible for the increase in sentence lengths since 2010-11. The proportion of convictions in the sheriff summary increased most of any court type (by 4 percentage points), but the absolute number of convictions fell. The increase in the proportion of convictions in the sheriff summary courts is mostly due to decreases in the numbers seen in the JP courts. The proportion of cases seen in High Court has been broadly steady over the last decade, although has exhibited a slow increase in recent years.

There has been little change in the proportion seen in Sheriff Summary courts, where there were 61% of convictions in 2019-20, an increase from 59% in 2018-19, and four percentage points higher than 57% in 2010-11.

² The court can sentence up to an additional six months where there is a bail aggravation on the charge, and Sheriff Court fines can be higher than £10,000 where there is legislative provision for this in relation to a specific offence.

Justice of the Peace courts account for 32% of convictions in 2019-20 compared to 39% in 2010-11.

- The number of convictions in **Justice of the Peace** courts has fallen by 11% from 27,145 in 2018-19 to 24,179 in 2019-20. This represents a levelling of the decline which followed relatively high levels in 2013-14 and 2014-15. The long-term fall in numbers of convictions in the JP courts, reflect decreases in the number of proceedings for motor offences, which the JP courts tend to deal with.
- Convictions in **Sheriff Summary** courts fell by 1% from 46,542 in 2018-19 to 45,901 in 2019-20. This continues the general downward trend in sheriff summary convictions since 2010-11, but this decrease is smaller than it has been in the previous three years.
- The number of convictions in **Sheriff Solemn** courts increased by 7% from 4,219 in 2018-19 to 4,511 convictions in 2019-20. This is the second year in a row this has increased.
- The number of **High Court** convictions increased by 13% in 2019-20 to 660 convictions (from 582 in 2018-19), in part due to an increase in the numbers of convictions for attempted murder and serious assault. Over the past decade, the number of convictions in the High Court has ranged from 582 in 2018-19 to 765 in 2011-12. Please note that recording delays (see revisions in Annex [revisions section](#)) are typical for high court activity due to the complex nature of cases held there. As a result, the total number of high court convictions for the most recent year may be slightly underestimated, and will likely be revised upwards next year.

5. People convicted by crime/offence

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

This publication divides breaches of criminal law into (a) crimes and (b) offences. This distinction is made only for statistical reporting purposes. Although the breaches allocated under “crimes” can generally be considered to be more serious, there are some “offences” that have more severe punishments associated with them than “crimes”. The Scottish Government [has recently consulted](#) about changing the classification of some of these in response to the needs of users, and future publications may reflect the change. See [Annex D](#) for a full listing of the classification as it stands.

In 2019-20 “crimes” made up 28,033 of the total number of convictions (37%) while “offences” stood at 47,218 (63%). The decrease from 2018-19 to 2019-20 was higher for offences (down 6%) than for crimes (down 2%). Falls in convictions for crimes have been driven by reductions in the number of crimes of dishonesty (down 7% or 695 convictions). The largest contributors to this decrease were convictions for shoplifting.

Most of the decrease in convictions for offences is due to falls in the number of convictions for Unlawful use of motor vehicle (down 1,358), Breach of the peace etc. (down 452), and common assault (down 426).

6. People convicted by crime group

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

Non-sexual crimes of violence

Non-sexual crimes of violence include the crimes of homicide, attempted murder & serious assault, Domestic Abuse (Scotland) Act, robbery and other violent crime. Convictions for these types of crimes increased by 21% in the past year, from 1,772 in 2018-19 to 2,142 in 2019-20. This was the only main high level crime or offence group that increased over the past year.

The increase in non-sexual crimes of violence was driven in part by new **domestic abuse** convictions under the [Domestic Abuse \(Scotland\) Act 2018](#). This came into effect on 1st April 2019 for crimes committed on or after this date, and so are included in this bulletin for the first time. The crime under this act covers a course of behaviour which is abusive of a person's partner or ex-partner. There were 206 convictions under this act in 2019-20. This number is likely to increase in the next few years. Although this crime came into effect at the start of 2019-20, the full course of conduct has to have taken place on or after 1 April 2019. Therefore there will have been a time lag before such crimes could be reported, so this year does not effectively cover a full year under the act. Note that in the past, these crimes will often have been convicted under individual charges in other crimes or offences categories, including breach of the peace etc. (which covers stalking, and threatening and abusive behaviour) and common assault in the miscellaneous offences category. See also [Table 13](#) that shows the number of crimes and offences that had an aggravation of domestic abuse recorded against them.

Increases in convictions for non-sexual crimes of violence over the past year, were also due to increases in the number of people convicted for **attempted murder and serious assault**, which rose by 11% from 1,166 in 2018-19 to 1,298 in 2019-20; and **robbery**, which increased by 14% from 361 to 410. The numbers of convictions for attempted murder and serious assault in 2019-20 are the highest they've been since 2011-12, and 24% higher than the ten year low of 1,053 in 2014-15. The numbers of convictions for robbery are the same as they were two years ago.

The number of **homicide** convictions was 81 in 2019-20, which was the same as the year before. The number of convictions for **other non-sexual crimes of violence** (see [Annex D13](#) for type of crimes this includes) declined by 10%, from 164 convictions in 2018-19 to 147 in 2019-20.

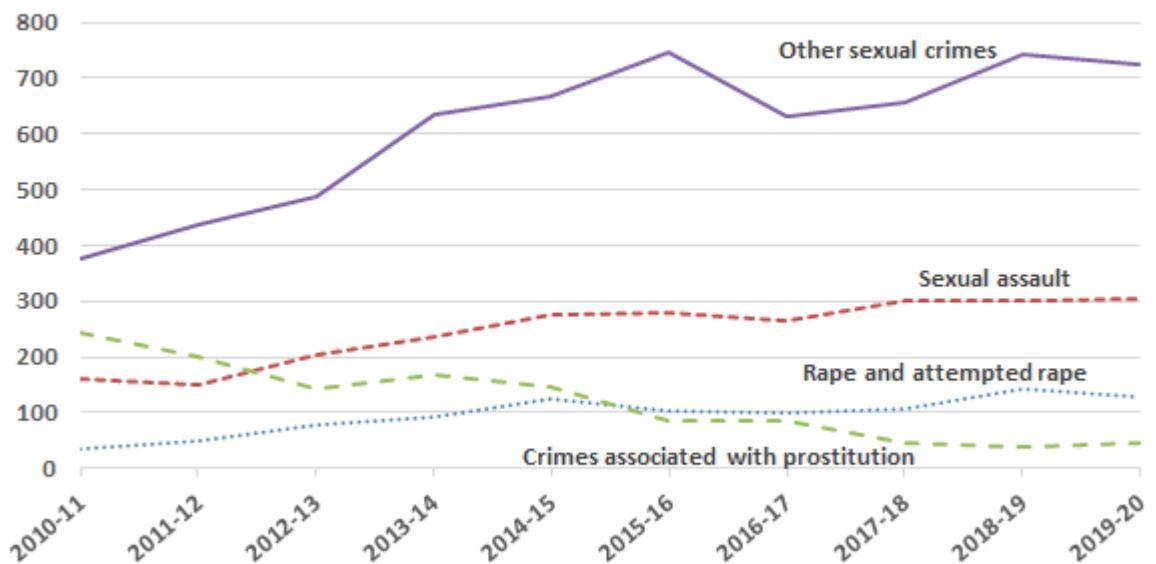
Sexual crimes

The number of convictions for sexual crimes decreased slightly by 2% in the past year, after increasing in the past two years. The number of convictions was 1,204 in 2019-20, down 20 convictions from 1,224 in 2018-19. Convictions for sexual crimes in 2019-20 were 47% higher than their lowest point in the last decade, ten years ago in 2010-11 (818 convictions). The rise reflects a corresponding rise in the number of people being proceeded against in court, up 69% since 2010-11 from 1,033 proceedings to 1,700 in 2019-20.

The number of convictions for **rape and attempted rape** decreased by 8% (from 142 in 2018-19 to 130 in 2019-20). The figure in 2019-20, was the second highest in the past decade after 2018-19. The number of proceedings for these crimes decreased by 4% to 300 in 2019-20, from 313 in 2018-19. The conviction rate for **rape and attempted rape** decreased slightly this year by two percentage points to 43%. This is not indicative of an upward trend, as the conviction rate fluctuates year to year - the highest over the past ten years was 56% in 2012-13, and the lowest was 39% in 2016-17. Please note that recording delays (see revisions in Annex [revisions section](#)) are typical for high court activity due to the complex nature of cases held there. As a result the number of proceedings and convictions for rape and attempted rape for 2019-20 may be slightly underestimated.

There were 305 **sexual assault** convictions in 2019-20, which is very similar to the number in the previous two years (301 in 2018-19 and 300 in 2017-18). This remains a notably high number in comparison to ten years ago, with nearly twice as many as in 2010-11 (160 convictions).

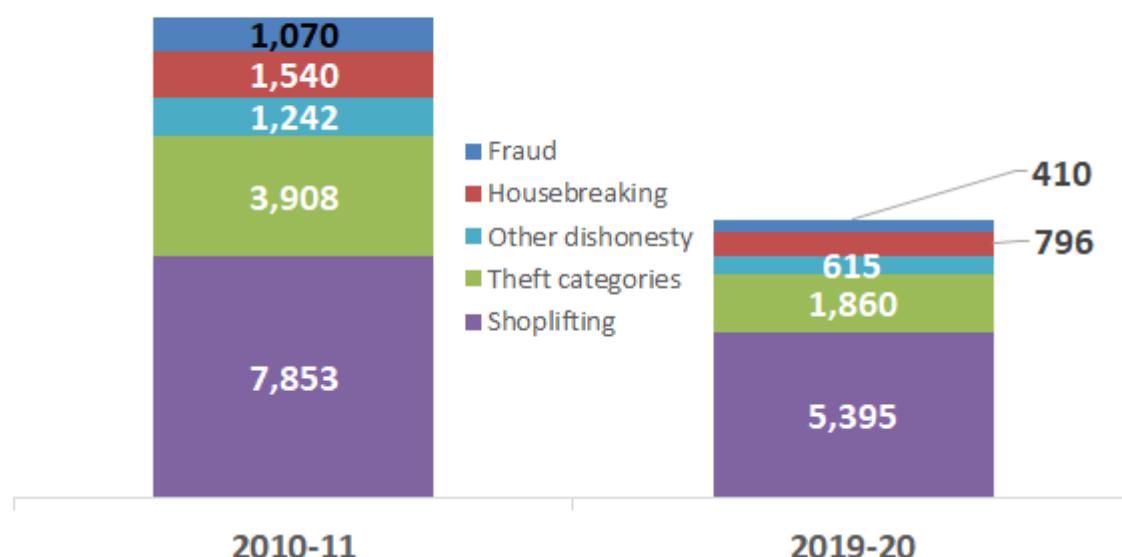
Chart 5: Number of sexual crime convictions, 2010-11 to 2019-20



[Chart 5](#) shows that over the last decade, **other sexual crimes**³ have grown as a proportion of all convictions for sexual crimes and are the majority (60%) of all crimes in this category. The number of convictions in this category has almost doubled in the last decade, from 377 in 2010-11, to 724 in 2019-20. However, they decreased slightly in the past year by 3%, from 744 convictions in 2018-19. The long-term growth in the proportion of this crime type has been partly driven by increases in convictions for “taking, distribution, possession etc. of indecent photos of children”, and for “communicating indecently”. Further information can be found in the study [Recorded crime in Scotland: 'Other sexual crimes', 2013-2014 and 2016-2017](#) which was published by the Scottish Government in 2017.

Crimes of dishonesty

Chart 6: Convictions for Crimes of Dishonesty 2010-11 to 2019-20



Convictions for **crimes of dishonesty**, as shown in [Chart 6](#), have steadily declined in the last ten years down from 15,613 in 2010-11 to 9,076 convictions in 2019-20 (a drop of 42%).

The total number of proceedings has declined at the same rate, down 42% from 17,630 in 2010-11 to 10,149 in 2019-20.

Convictions for **crimes of dishonesty** declined by 7% in 2019-20, down to 9,076 convictions from 9,771 in 2018-19. Over the past ten years, convictions for crimes of dishonesty have decreased by 42% from 15,613 in 2010-11. There were declines in most crime types within crimes of dishonesty between 2018-19 and 2019-20, including:

- A 9% decrease in the number of **shoplifting** convictions, which is the one of the biggest decreases of any type of crime or offence in absolute

³ Includes “taking, distribution, possession etc of indecent photos of children”, public indecency, sexual exposure, communicating indecently and intercourse with older child. See annex D for more detail.

numbers of convictions (-533 convictions), from 5,928 in 2018-19 to 5,395 in 2019-20. This is almost a third lower (31%) than the number of 7,853 convictions ten years ago in 2010-11.

- A 31% decrease in **theft by opening lockfast place** convictions from 161 to 111.
- A 19% decrease in **theft from a motor vehicle** convictions, from 110 to 89 convictions.
- A 10% decrease in **other dishonesty** and a 2% decrease in **other theft**.
- There was an increase compared to last year in the number of convictions for **housebreaking**, with a 4% increase from 765 in 2018-19 to 796 in 2019-20. The figure in 2019-20 was almost half the figure of 1,540 ten years ago in 2010-11.

7. People convicted by offence group

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

There were 47,218 “offence” convictions in 2019-20. As a proportion of all offences, **common assault** and **breach of the peace** together made up 42%, while **speeding** and **unlawful use of a vehicle** accounted for 33%. There is some variation year-to-year, but in total, these offences have increased from 67% of offences in 2010-11 to 75% in 2019-20, mostly due to larger declines in convictions in other categories.

Miscellaneous Offences

Ninety-two per cent of “miscellaneous offences” are **breach of the peace** and **common assault** offences. Both groups showed decreases in convictions between 2018-19 and 2019-20, with the **breach of the peace** category down 4% from 11,901 to 11,449 convictions, and **common assault**, down 5% from 8,727 to 8,301 convictions. Both of these offences saw their highest level over the past ten years in 2015-16, but have decreased each year since then, and are now at their lowest level over the last ten years.

Motor vehicle offences

Motor vehicle offence convictions decreased by 7% from 27,504 convictions in 2018-19 to 25,680 in 2019-20. This continues the decreases seen since 2015-16 following a marked rise of 14% in 2013-14. Convictions for motor vehicle offences are 42% lower than they were ten years ago, and decreases occurred across most categories of motor vehicle offences, with the exception of **dangerous and careless driving**.

Most types of motor vehicle offences saw a decrease over the past year. Crimes with the largest decreases between 2018-19 and 2019-20 were for:

- **mobile phone offences**, down 33% from 688 convictions to 463.
- **Unlawful use of motor vehicle**, down 18% from 7,643 convictions to 6,285. This is the largest decrease in absolute numbers of any type of crime or offence in the past year.

- **Seat belt offences** decreased by 17% from 209 to 173.

The offences which increased between 2018-19 and 2019-20 were for:

- **Dangerous and careless driving**, up 8% from 3,118 convictions to 3,360.
- **Speeding**, up 1% from 9,069 to 9,171.

The increases follow relatively low numbers of convictions for these kind of offences in 2018-19, and numbers remain below 2017-18 levels.

There were 3,385 convictions in 2019-20 for **driving under the influence**, which is 5% lower than the figure of 3,552 in 2018-19. This represents a decrease of more than a third (37%) in the number of convictions for this offence compared to ten years ago in 2010-11 (when there were 5,351 convictions). Most of this fall occurred in the years to 2014-15; since then there have been around 3,600 convictions a year up to before this year. It is to be noted that the **alcohol limit for drivers was reduced from 80 mg to 50 mg per 100 ml blood** in December 2014.

8. Headlines in court sentencing

([Tables 7](#) and [8](#))

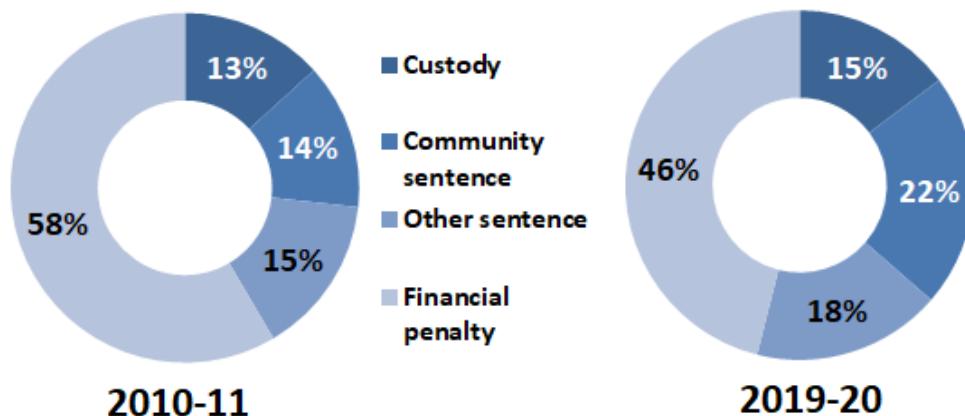
The main types of penalty or sentence given to those found guilty in Scottish Courts are **custodial sentences**, **community sentences** and **financial penalties**.

[Sections 9-12](#) provide statistics on these types of punishments. In addition, for less serious cases or where it is felt the main punishment types are not suitable, the individual found guilty can be “**admonished**” (given a verbal warning from the sheriff). A full listing of the range of court disposals is outlined in [Annex D](#).

Of all people convicted during 2019-20:

- 46% were issued **financial penalties** (34,661)
- 22% were issued **community sentences** (16,296), and
- 15% were issued **custodial sentences** (11,101).
- A further 18% of people were issued **other sentences** (13,193), which are mostly admonishments.

Chart 7: Sentences imposed, 2010-11 and 2019-20



Percentages are rounded to nearest whole percent.

9. Custodial Sentences

([Tables 7a-b](#), [8a-c](#), [9](#) and [10a-d](#))

Custodial sentences comprise convicted people who are sent to prison or a young offenders' institution. The number of custodial sentences given is affected by a range of factors, including the number of convictions in any given year and the types of crimes for which people are being convicted.

Courts will consider the full facts and circumstances of a case before deciding an appropriate sentence in a given case. This includes whether or not the offender has been convicted before and whether there are any mitigating circumstances. These statistics do not take into account the factors influencing the sentencing decisions.

The number of custodial sentences, decreased by 9% from 12,221 in 2018-19 to 11,101 in 2019-20. The number of custodial sentences has decreased every year since 2011-12 (15,950), with the exception of an increase in 2018-19. The number of custodial sentences is more than a quarter lower (28%) than it was ten years ago in 2010-11. Custodial sentences represented 15% of all convictions in 2019-20, similar to the proportion over the past decade, which has ranged between 13% and 16%.

There has been an increase in the number of people receiving custodial convictions for non-sexual crimes of violence in past year, increasing by 7% from 1,030 to 1,107. This reflects the increase in the number of convictions for violent crimes in the past year, but the percentage of people convicted for non-sexual crimes of violence who received a custodial sentence decreased from 58% to 52%.

The number of people convicted for sexual crimes who received a custodial sentence decreased from 474 to 425 in the past year, and the percentage of people convicted for non-sexual crimes of violence who received a custodial sentence also correspondingly decreased from 39% to 35%.

Most crimes and offences saw a decrease in the number of people given a custodial sentence.

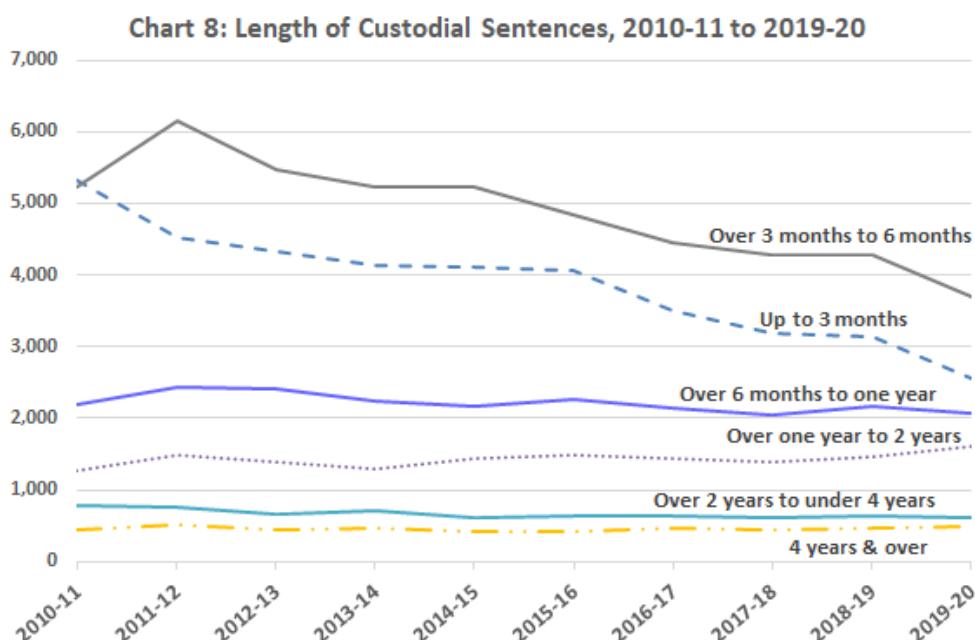
Extended sentences and Supervised Release Orders

Extended sentences and supervised release orders are for offenders who have served time in prison but have an additional post-release supervision period attached to their sentence (see [Annex D](#) for more details). There has been a slight increase in their use this year (from 455 in 2018-19 to 472 in 2019-20). This combined total issued has remained between 415 and 539 per year since 2010-11. Please note these statistics only give the length of the custodial part of the sentence and not the length of the supervision period. We have incomplete information on the length of the supervision period on our dataset, and we are working to understand and improve the quality of the data before we can consider publishing it.

Length of custodial sentences

All but one of the 41 people issued **life sentences** in 2019-20 received these for murder⁴. When a court imposes a life sentence, a minimum period in custody, called the “punishment part”, is set by the court before the prisoner can be considered for release on licence by the parole board. “On licence” means that a life prisoner is subject to recall to prison if they breach the terms of their release in their lifetime.

Average custodial sentence



Note that life sentences and Orders for Lifelong Restriction (OLRs) are not included in calculations for average life sentence as they are of indeterminate length.

⁴ Murder carries a mandatory life sentence upon conviction. Although an Order for Lifelong Restriction is a sentence that lasts for the rest of a person’s life, it is not treated as a life sentence for the purpose of these statistics.

Although a minimum term in custody is specified, the actual time in custody will depend on decisions by the Parole Board and they may spend longer in custody than the minimum specified. Data on the **average length of the punishment part of life sentences and OLRs** are published in an experimental statistics paper alongside this bulletin, which can be found under the “supporting documents” menu on the [website for this publication](#).

The **average length of custodial sentences** for all crimes, in 2019-20 was almost a year (356 days), which is 9% longer than in 2018-19 (326 days). This is the biggest increase in the past ten years, and reflects fewer short sentences being imposed, rather than more longer sentences ([see next section](#)). This may, in part, reflect the presumption against short sentences extension from 3 months or less to 12 months or less on the 4th July 2019. However, it is too early to attribute any changes in sentencing patterns to the extension. Over the longer term, there has been a general upward trend in average sentence length, and it is now 29% longer than in 2010-11 (277 days).

Some types of crimes and offences saw increases in average sentence length in the last year, whereas others saw decreases. Notable increases between 2018-19 and 2019-20 have been increased lengths of sentences for “other crime” (increasing by 203% from 531 days to 1,607 days), which may reflect a decrease in the use of short custodial sentences for some crimes in this group; attempted murder and serious assault (increasing by 16% from 927 days to 1,074 days); and sexual assault (increasing by 23% from 822 days to 1,008 days). The latter two crimes have fluctuated year to year over the past ten years.

A decrease in average sentence length over the past year was seen for rape and attempted rape (decrease by 8% from 2,655 days to 2,445 days), which is the lowest since 2014-15. Other notable decreases include fraud (down 19% from 356 days to 290 days), vandalism (down 16% from 209 days to 175 days), and “other dishonesty” (down 14% from 213 days to 183 days).

Categories of custodial sentence length

The [Criminal Justice and Licensing \(Scotland\) Act 2010](#) commenced in February 2011 and introduced a presumption against short sentences (PASS) (3 months or less). This presumption states that a court must not pass a sentence of imprisonment for a term of 3 months or less unless it considers that no other method of dealing with the person is appropriate.

In June 2019, the extension of the presumption to 12 months or less was approved by the Scottish Parliament in the [Presumption Against Short Periods of Imprisonment \(Scotland\) Order 2019](#). This came into force on 4th July 2019 in relation to offences committed on that date and after. However, the policy was introduced part way through the financial year, and it would take time for the first eligible offences to go to court, so there are still likely to be a significant number of convictions in 2019-20 that were not covered by the extension. Although initial effects of this policy may be seen to some extent in these statistics in the 2019-20

financial year, subsequent versions of this bulletin will be able to come to more definitive conclusions. The [Extended Presumption Against Short Sentences – Monitoring Information](#) Official Statistics also provide data on sentencing to monitor the progress of the extension policy.

[Chart 8](#) illustrates patterns of custodial sentence length by specific categories. In 2010-11, the most common lengths were “**up to 3 months**” (5,332 people), which made up 35% of custodial sentences and “**over 3 months to 6 months**” (5,229 people, 34% of custodial sentences). Over the ten-year period, levels of sentences of “**up to 3 months**” decreased, and made up 23% of custodial sentences in 2019-20. The biggest decrease seen in the proportion of sentences of “**up to 3 months**” was in 2011-12 (seven percentage point reduction) which was the first full year after the presumption against short sentences of under 3 months was introduced. The percentage of “**over 3 months to 6 months**” out of all custodial sentences was broadly similar in 2019-20 (33%) as it was in 2010-11 (34%), but the percentage went up to a high of 39% in 2011-12, perhaps as a result of up-tariffing of sentences in response to the presumption against shorter sentences of 3 months or less starting in 2011.

Sentences of 1 year or less made up 75% of all custodial sentence lengths in 2019-20. This is eight percentage points lower than it was ten years ago in 2010-11, when they represented 83% of all custodial sentences. The biggest decrease in the percentage was in the past year between 2018-19 and 2019-20, with a four percentage point reduction, which may be associated with the extension of the presumption to one year. Note that this recent decrease was mostly due to decreases in the number of shorter sentences, particularly under three months, rather than an increase in sentences over 1 year (see below).

Figures show that:

- The number of custodial sentence of “**up to 3 months**” decreased by 19% in the past year, from 3,139 in 2018-19 to 2,551 in 2019-20, and is less than half the number ten years ago (5,332 in 2010-11).
- Custodial sentences of “**over 3 months to 6 months**” decreased by 14% in the past year, from 4,285 to 3,704. Numbers reached a high of 6,153 over the past ten years in 2011-12, in the first full year after the introduction of a presumption against sentences of 3 months or less.
- There were 2,069 sentences of “**over 6 months to 1 year**” in 2019-20 which was a 4% decrease from 2,161 the previous year. The numbers of this length of sentence has been relatively similar over the past few years.
- the number of custodial sentences “**over 1 year to 2 years**” has increased over the past two years, and was at its highest number over the past ten years in 2019-20. The number increased over the past year by 9% from 1,469 to 1,600.
- The number of custodial sentences of “**2 years to under 4 years**” has declined from 776 in 2010-11 to 625 in 2019-20. Since 2014-15, the numbers have been relatively similar with small year to year fluctuations.
- “**4 years and over**” has changed little over the last ten years, from 455 in 2010-11 to 486 in 2019-20.

10. Custodial Sentences by type of crime

([Tables 9](#) and [10a-d](#))

Custodial Sentences for Non-sexual Crimes of Violence

Homicide comprises murder, culpable homicide (i.e. unlawful killing but without intent to do so) and the statutory crimes of causing death by dangerous or careless driving, causing death by careless driving when under the influence of drink or drugs, driving illegally when involved in a fatal accident and corporate homicide.

Eighty-three percent, or 67 of the 81 people convicted of homicide in 2019-20 were given a **custodial sentence**, a ten percentage-point increase on the 2018-19 figure of 73%. During the period from 2010-11 to 2013-14, the proportion of homicide convictions receiving custodial sentences was more than 80%. Since then, it has been between 69% and 73%, until this year when it was more similar to levels prior to 2014-15. **Causing death by careless driving** crimes are more likely to receive non-custodial sentences than other types of homicide. In 2019-20, 16% of homicide convictions were for death by careless driving, but 93% of non-custodial sentences for homicide were for death by careless driving.

Eighty-two percent of custodial sentences for homicide were life sentences imposed for murder (40 people), an increase compared to 2018-19 (76%, 35 people). The remainder, who were convicted for other types of homicide, were given an average sentence of around six years and three months (2,297 days), two weeks (15 days) less than in 2018-19 (2,312 days), and similar to most years in the last decade.

The average sentence length for the newly introduced **domestic abuse** crime under the Domestic Abuse (Scotland) Act was about a year (363 days) in 2019-20.

Changes in average custodial sentence lengths for other non-sexual crimes of violence between 2018-19 and 2019-20 are as follows:

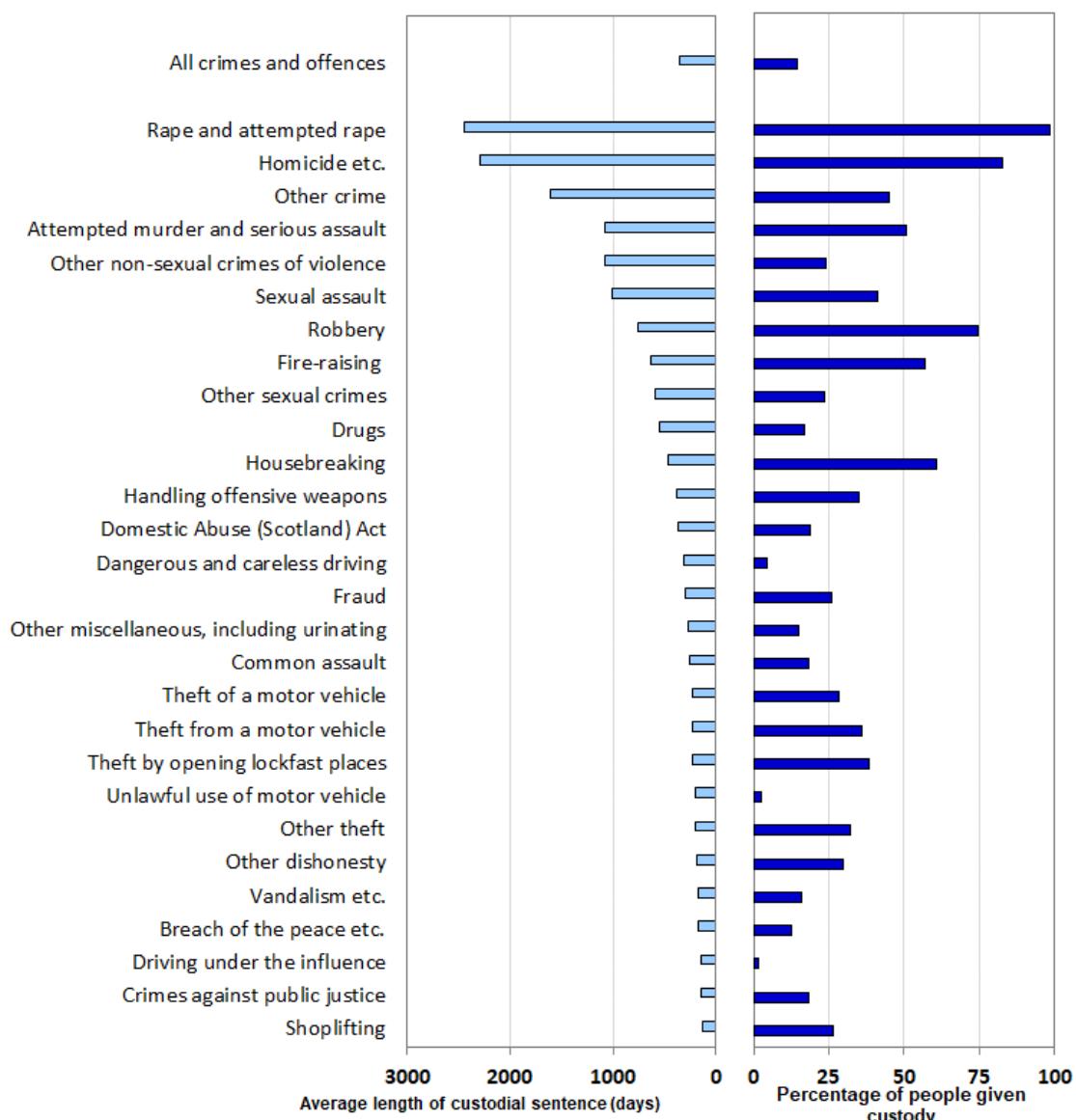
- An increase of 16% (147 days) for **attempted murder and serious assault** (an average of 1,074 days given on average in 2019-20);
- A decrease of 6% for **robbery** (down 45 days, to 752 days); and
- An increase of 11% for **other non-sexual crimes of violence**, (up by 104 to 1,071 days), this makes it the longest average length for this crime category in the last decade. This is a relatively small group, with a total of 35 people receiving a custodial sentence in 2019-20, and the average is therefore more variable.

Custodial Sentences for Sexual Crimes

As shown in [Chart 9](#), custody was the most frequently used disposal for “**rape and attempted rape**”, being imposed on 98% of people with a charge proven. Custodial sentences for “rape and attempted rape” attracted the longest average custodial sentence of all crime types (other than life sentences for murder, which are

excluded from the homicide category in the chart). The average sentence length for this kind of crime decreased in 2019-20, down 210 days (8%) from last year to 2,445 days (six years and 8 months). Last year was the highest average sentence for rape and attempted rape of the last ten years, and this year was the lowest since 2014-15.

Chart 9: Average sentence length (excluding life sentences) and proportion receiving custody, by crime and offence group¹, 2019-20



1. - Excludes crime types where the number of people sentenced to prison is fewer than 30.

Sexual assault sentences were, on average, 186 days (23%) longer than in 2018-19, increasing to 1,008 days (around 2 years and 9 months) in 2019-20. This is the highest average sentence for this crime since 2015-16.

Custodial Sentences for Crimes of Dishonesty

Thirty one percent of convictions for crimes of dishonesty received a custodial sentence in 2019-20, a decrease from 35% in 2018-19, but similar to most years over the past ten years. Overall, the average custodial sentence length for crimes of dishonesty increased from 190 days in 2018-19 to 208 days in 2019-20; an increase of 9%. This is back to a similar level in 2017-18 and is 54 days longer (35%) than in 2010-11 when the average was 154 days. The average length of

custodial sentence increased for all crimes groups within the wider crimes of dishonesty over the past ten years.

Around 61% of **housebreaking** convictions received custodial sentences in 2019-20, down five percentage points from 2018-19. In 2019-20, the average custodial sentence for **housebreaking** was about a year and three months (457 days), a 51 day (13%) increase from 406 days in 2018-19. The average sentence length is almost double the figure ten years ago in 2010-11 (255 days).

Custodial Sentences for Handling Offensive Weapons

Sections 47 and 49 of the [Criminal Law \(Consolidation\) \(Scotland\) Act 1995](#) make provision for the offences of:

- Carrying offensive weapons;
- Having in a public place an article with a blade or point.

These two offences make up the crime group “**handling offensive weapons**”, statistics for which are presented in the standard tables accompanying this publication. As shown in Table A, there were 1,735 people convicted of “handling offensive weapons” in 2019-20, of which almost two-thirds (64%) were for carrying knives i.e. “**having in a public place an article with a blade or point**” (1,107 convictions). Compared to last year these changes represent increases of 10% for both categories; but numbers of convictions are 29% lower for handling offensive weapons, and 15% lower for carrying knives, than they were in 2010-11. The remainder of offensive weapons convictions related to crimes for other weapons such as baseball bats, bottles and pieces of wood. Firearm offences are not included in the “handling offensive weapons” category but are included within “**other miscellaneous offences**”.

Statistics for carrying knives are not published separately in the standard tables accompanying this bulletin but are presented below alongside trends for all “handling offensive weapons”.

Table A: Sentencing for handling offensive weapons

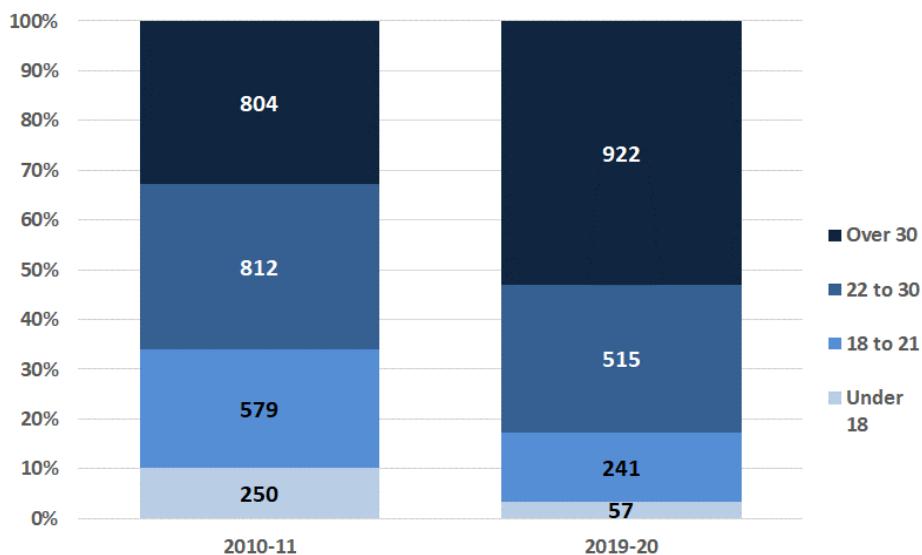
		2010-11	2018-19	2019-20
"Handling offensive weapons" (as published in tables 4b, 9 and 10c) Having in a public place an article with a blade/point or carrying other offensive weapons.	Number convicted	2,445	1,579	1,735
	% receiving a custodial sentence	31%	38%	35%
	Average custodial sentence (days)	289	359	376
Knife offences only: "Having in a public place an article with a blade or point"	Number convicted	1,308	1,009	1,107
	% receiving a custodial sentence	37%	41%	38%
	Average custodial sentence (days)	313	382	395

The proportion of convictions **for handling offensive weapons** which received a custodial sentence decreased by three percentage points to 35% in 2019-20, but was four percentage points higher than in 2010-11. The proportion of custodial sentences given specifically for **knife offences** has also decreased in the past year by three percentage points to 38%, which was also slightly higher than the 37% in 2010-11).

As seen in [Chart A](#) below, there has been a shift in the age profile of persons being convicted for handling offensive weapons since 2010-11. In 2010-11, 33% of convictions were in the over-30s group, and 34% were for people under 22 years of age. We now see more than half (53%) of all offensive weapon convictions in the over 30s, and under a fifth (17%) for those aged under 22, 3% being for under-18s.

The average custodial sentence length for handling offensive weapons is 30% higher than it was in 2010-11, increasing from 289 days in 2010-11 to 376 days in 2019-20. The figure in 2019-20 was also 5% higher than 359 days in 2018-19. The trend over the last ten years is broadly similar for knife offences only, with the average custodial sentence length being 5% longer than that of all handling offensive weapons at 395 days in 2019-20.

Chart A: Proportion of convictions for handling offensive weapons - by age group, 2010-11 and 2019-20



Numbers on bars are numbers of convictions.

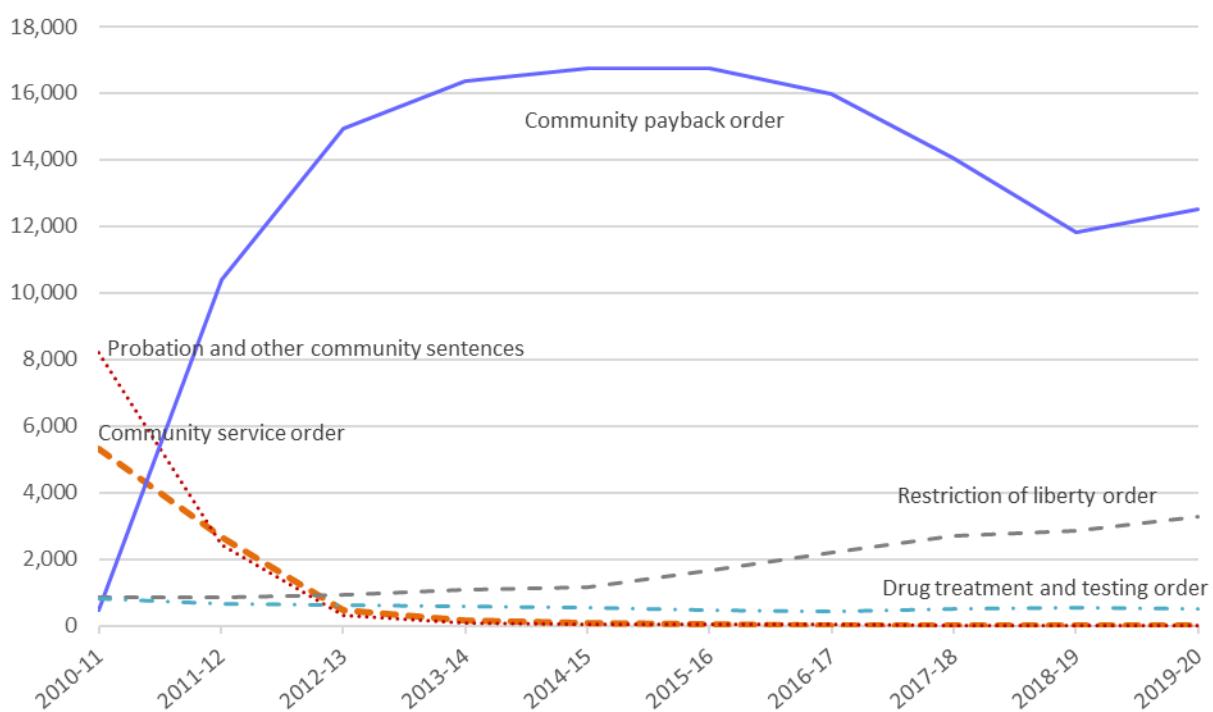
11. Community Sentences

(Tables 7a and 7b and 8a-c)

Community sentence is a collective term for the different sentences given by courts that are served in the community, often as an alternative to a custodial sentence. Community sentences consist of requirements, such as unpaid work, being supervised by a social worker, or being restricted to their home at certain times. There is a wide range of options available in the Scottish courts, which are listed at [Annex D](#).

Twenty-two percent (or 16,296) of all convictions in 2019-20 resulted in a main penalty of a community sentence. This is the highest proportion over the past ten years, up from 14% of convictions in 2010-11, and from 19% last year. There was a 7% increase in the number of community sentences the past year, up from 15,211 in 2018-19, driven by increases in the use of Community Payback Orders and Restriction of Liberty Orders. The increase in the numbers and proportion of community sentences may in part be associated with the extension of the presumption against short sentences in July 2019. However, it is too early to attribute any changes in sentencing patterns to this extension.

Chart 10: People issued community sentences, 2010-11 to 2019-20



Community Payback Orders (CPO) enable the courts to impose a range of requirements including unpaid work and supervision as well as being put through a programme of rehabilitation to address their behaviours (see [Annex D](#) for full details). CPOs replaced probation and community service orders for offences committed on or after 1st February 2011. This is reflected in the statistics, as the number of people receiving CPOs rose sharply between 2010-11 (461 CPOs) and

2013-14 (16,375 CPOs). Numbers increased by 6% from 11,812 in 2018-19 to 12,530 people in 2019-20; and represented 77% of all community sentences in 2019-20 (compared to 78% the previous year). This is the first year the number of CPOs has increased, after decreasing for three consecutive years.

A **Restriction of Liberty Order** (RLO) is a court order that requires a person to remain within a location, usually their home, at times specified by the Court. A person's compliance with the order is monitored electronically. The number of RLOs increased by 15% in the past year, from 2,848 in 2018-19 to 3,261 in 2019-20. The use of RLOs has increased each year over the past 10 years, increasing from 1% of people convicted in 2010-11 to 4% of people convicted in 2019-20. RLOs made up 20% of people receiving community sentences in 2019-20 (3,261 RLOs), up slightly from 19% in 2018-19. Please note that these statistics on RLOs will not match the statistics published by G4S, the Scottish Government's contractor for electronic monitoring. This is because the statistics in this publication are representative of the main charge in a set of proceedings and will not include RLOs issued for secondary charges. By contrast the G4S figures count all RLOs issued by the courts relating to all charges.

Drug Treatment and Testing Orders (DTTOs) are designed to reduce or stop offending by addressing problem drug use through the provision or access to a closely monitored treatment programme. The number of DTTOs decreased by 7% from 529 in 2018-19 to 493 in 2019-20. Numbers have been relatively similar in recent years, but are 39% lower than ten years ago in 2010-11 (806 DTTOs).

Community sentences are available for courts to use in any case where the offence is punishable by imprisonment (with the exception of charges which attract mandatory life sentences). The majority of community sentences were given for breach of the peace (3,290 or 20%), common assault (2,854 or 18%), and crimes against public justice (2,069 or 13%).

In 2019-20 the crimes/offences where community sentences were most commonly given for that type were:

- **other sexual crimes** – 457 people, or 63% of court disposals for these crimes
- **Domestic Abuse (Scotland) Act** - 126 people or 61%
- **sexual assault** – 159 people, or 52%
- **other non-sexual crimes of violence** – 68 people, or 46%
- **theft from a motor vehicle** – 40 people, or 45%
- theft of a motor vehicle – 85 people, or 43%
- **handling offensive weapons** – 713 people, or 41% of court disposals

12. Financial penalties and other sentences

(Tables 7a-b and 8a-c)

The Courts can impose financial penalties such as **fines**, which are enforced by the Scottish Courts and Tribunals Service (SCTS), or **compensation orders**, which are collected by the SCTS with the monies then paid to the victim. A victim surcharge came into force in Scotland on 25 November 2019 under the [Victims and Witnesses \(Scotland\) Act 2014](#) which can [apply to a person who is convicted and fined](#). For statistics on victim surcharges, see the [SCTS Quarterly Fines Statistics](#).

The number of **financial penalties** has been in general decline over the last ten years, dropping from 67,576 in 2010-11, when they accounted for 58% of all disposals, to 34,661 in 2019-20 (46% of all disposals). Numbers have continued to decline in the latest year, down by 7% from 37,283 in 2018-19. This is possibly because the types of cases that would have historically attracted a financial penalty are now more likely to be dealt with non-court disposals before they get to Court (see [Police disposals](#) and [COPFS disposals](#) section).

The median⁵ **fine** imposed by Courts on individuals (excluding companies) in 2019-20 was £240, in cash terms⁶. The median fine has increased by a third (33%) over the last 10 years, up from £180 in 2010-11.

The use of **compensation orders** as a main penalty has remained almost unchanged for the last three years, with 791 people receiving them in 2019-20. Numbers are more than a quarter (27%) lower than in 2010-11 (1,084). The median value for compensation orders was £250 in 2019-20, which is higher than the value of £190 ten years ago, but lower than the highest of £290 in 2017-18. Please note that compensation orders can be given as an additional punishment to a single offence and hence the median is based on either the main or secondary penalty for specific offences, although this still only refers to the main offence.

Other sentences

“Other sentences” are mostly admonishments (95% in 2019-20), which are a verbal warning from the sheriff. In 2019-20, 12,504 people were admonished, which represented 17% of all convictions. This is slightly higher than the 14% in 2010-11, although has remained almost unchanged since 2015-16. In 2019-20 the crimes for which admonishments were most commonly given for (where there were more than 1,000 convictions overall) were:

- **crimes against public justice** with 34% of all convictions being admonishments (2,564 convictions)
- **shoplifting** with 33% (1,783 convictions)
- **breach of the peace etc.** with 27% (3,109 convictions) , and

⁵ The median value is the midpoint of a ranked series of data. It is used so that very high or very low values do not impact excessively on the calculated average.

⁶ Year-on-year comparisons for fines and compensation orders are in cash terms, and have therefore not been adjusted for inflation.

- **common assault** with 19% (1,586 convictions)

13. Aggravations

([Table 12](#) and [13](#))

Codes can be recorded on the Criminal History System (CHS) by Police Scotland or the Crown Office and Procurator Fiscal Service (COPFS) to provide additional information relating to the nature of a charge. Some of these codes (aggravations) are created by legislation. Although aggravations must be proved in court they can be proven by a single source of evidence, rather than by corroborated evidence. For example, someone who commits a common assault which is motivated by malice towards the victim as a result of the victim's religion would have their offence recorded under assault with an aggravation code of religious prejudice. The statutory aggravations are taken into account during sentencing, and a higher penalty may be given as a result.

Other aggravations are not created by legislation, but are identifiers added to a charge to provide additional information for operational purposes. These do not need to be proved in Court.

This publication includes statistics on a subset of the full set of aggravation/identifier codes on the CHS. The set of aggravations this publication covers are: **domestic abuse, disability, racial, religious, sexual orientation and transgender**. The legislation creating these aggravations is outlined in [Annex C](#). The [Abusive Behaviour and Sexual Harm \(Scotland\) Act 2016](#) created a statutory aggravation of **domestic abuse**, which came into force on 24th April 2017. The aggravation for **domestic abuse in relation to a child** under the [Domestic Abuse \(Scotland\) Act 2018](#) came into effect on the 1st April 2019, so this is first year data has been presented on this aggravation.

Please note that statistics on statutory **bail aggravations**, which identify offences that were committed while the offender was on bail, are not included in this publication but are published alongside this bulletin, under the "supporting documents" menu on the [website for this publication](#).

Statistics on aggravations

Please be aware that a single proceeding can have more than one aggravation recorded against it e.g. "domestic" and "disability". In these cases, the same proceeding would be counted twice in the aggravation tables but once in the other court tables.

Domestic abuse

The new **statutory domestic abuse aggravation**, used for the first time in 2017-18, was applied to 8,120 or 87% of convictions with a domestic identifier in 2019-20 – it is never applied to a proceeding without the non-statutory identifier, but it is not applied to convictions for the domestic abuse crime under the Domestic Abuse

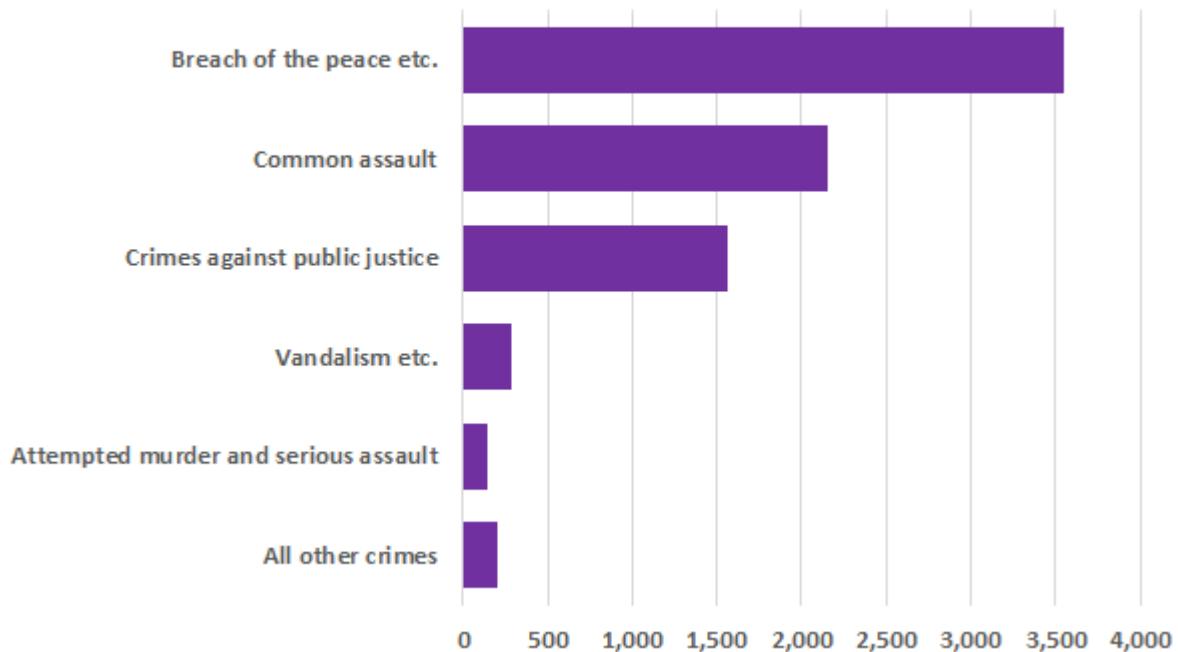
(Scotland) Act. The number of convictions with a statutory domestic abuse aggravation in 2019-20 was 5% higher than the number of 7,751 in 2018-19.

In 2019-20 the vast majority of people convicted of an offence with a domestic abuse statutory aggravation were **male** (7,243 convictions or 89%). This proportion has been identical since it was introduced.

In 2019-20 the most common crime types (see [Chart 11](#)) with a domestic abuse statutory aggravation that people were convicted of were:

- **breach of the peace**, which made up 44% of domestic abuse convictions (3,547 convictions) – of these breach of the peace-type convictions, the vast majority of convictions were for offences of “threatening or abusive behaviour” (3,172), with the others for stalking (345) and breach of the peace (30);
- **common assault** (26% or 2,151 convictions); and
- **crimes against public justice** (19% or 1,560 convictions).

Chart 11 - The number of convictions by crime with a domestic abuse statutory aggravation 2019-20



There were 9,355 convictions with a domestic abuse identifier in 2019-20, a 2% increase from 2018-19 (9,205 convictions). This is the first year this has increased after decreases each year from 2015-16 onwards. The highest level over the past ten years was 12,441 in 2014-15 and the lowest was 8,566 in 2010-11.

Note that the introduction of the new **domestic abuse crime** under the Domestic Abuse (Scotland) Act in 2019-20 may have affected the number of convictions with a domestic abuse identifier or statutory aggravation. This crime covers a course of conduct. Before the introduction of the crime, this may have resulted in multiple

convictions for different offences at different times, whereas now they may result in a single conviction (with a more severe penalty). COPFS' [Domestic Abuse and Stalking Charges 2019-20 Statistics](#) on the number of charges reported to them showed that the percentage of charges for stalking with a domestic abuse identifier fell from 72% in 2018-19 to 65% in 2019-20.

Domestic abuse in relation to a child

There were 38 people with a conviction with a **statutory aggravation for domestic abuse in relation to a child** in 2019-20, which is the first year of data. This is only applied to the crime of domestic abuse under the Domestic Abuse (Scotland) Act. This number is likely to increase in the next few years as this covers a course of conduct that has taken place on or after 1st April 2019. Therefore there will have been a time lag before such crimes could be reported, so this year does not effectively cover a full year under the act.

Other aggravations

After the domestic abuse aggravation, the next most common types of aggravations recorded in 2019-20 were:

- racial (595 convictions);
- sexual orientation (420 convictions); and
- religious (230 convictions).

The number of convictions with a sexual orientation aggravation increased by 19% in the past year, and are the highest level in the past ten years in 2019-20. There was also an increase in the past year for convictions with a religion aggravation by 12%, but the 2019-20 figure was the second lowest in the past ten years.

Convictions with the racial aggravation were 6% lower than last year, and were at their lowest level in the past 10 years. Disability aggravations in 2019-20 were at a similar level (87) compared to last year (89). Convictions with a transgender aggravation were higher than last year, but are relatively low and tend to fluctuate year to year, due to the small numbers recorded (14 in 2019-20).

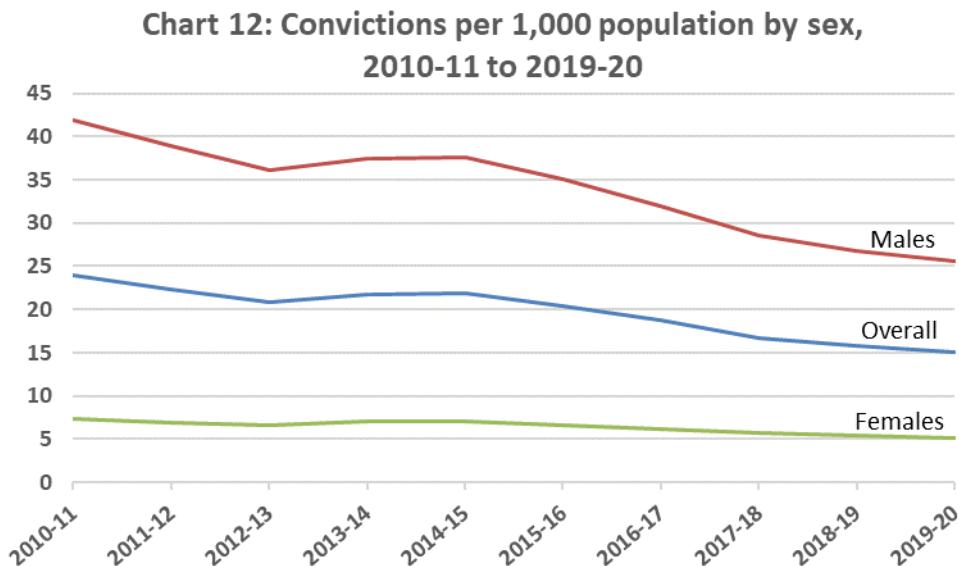
14. Age and Sex

([Tables 5a-c](#), [6a-b](#), and [11](#))

Sex in this bulletin is generally based on a person's physiology as perceived by a police officer, rather than self-identified gender, and is recorded when a person's details are entered into the CHS. Sex may be different to that recorded at birth if a person has a Gender Recognition Certificate. In a small number of records sex will be recorded as unknown if a clear understanding of the sex of the individual is not known. See [Annex D](#) for further details.

In 2019-20 there were 15 convictions per 1,000 population. There were more convictions for males at 26 convictions per 1,000 population compared to five for females.

The overall number of convictions per 1,000 population has declined over the last ten years from 24 convictions per 1,000 population in 2010-11. The decline has been driven by a decrease for males, down from 42 convictions per 1,000 population in 2010-11 to 26 in 2019-20. The number for females has been consistently much lower than for males, but also shows an overall decline, from seven to five convictions per 1,000 population between 2010-11 and 2019-20.



Over the past 10 years, the gap between the number of convictions per 1,000 population for younger people compared to older people has become smaller. This has been driven by a fall in the number of convictions per 1,000 population for younger people, especially younger men. For people aged 31-50, the number has been on a more gradual downward trend over the last decade.

In 2010-11, the age group with the highest numbers of convictions per 1,000 population was those aged 18-20, with 62 convictions per 1,000 population. Since then, this has changed. In 2019-20, the highest number of convictions per 1,000 population was for the 31-40 age group overall (32 per 1,000), the 21-30 age group also showing a similar 31 convictions per 1,000 population.

Convictions by sex/age and crime type

Males accounted for 83% of all convictions in 2019-20, a similar proportion as each year in the past ten years. More males than females were convicted in all crime/offence categories.

Whilst females accounted for 17% of all convictions, they accounted for relatively higher proportions of convictions for the following crime types in 2019-20:

- 46% (67 convictions) of **other non-sexual crimes of violence**. The vast majority of these were for “cruelty to and unnatural treatment of children” convictions;
- 34% (138 convictions) of all **fraud** convictions; and

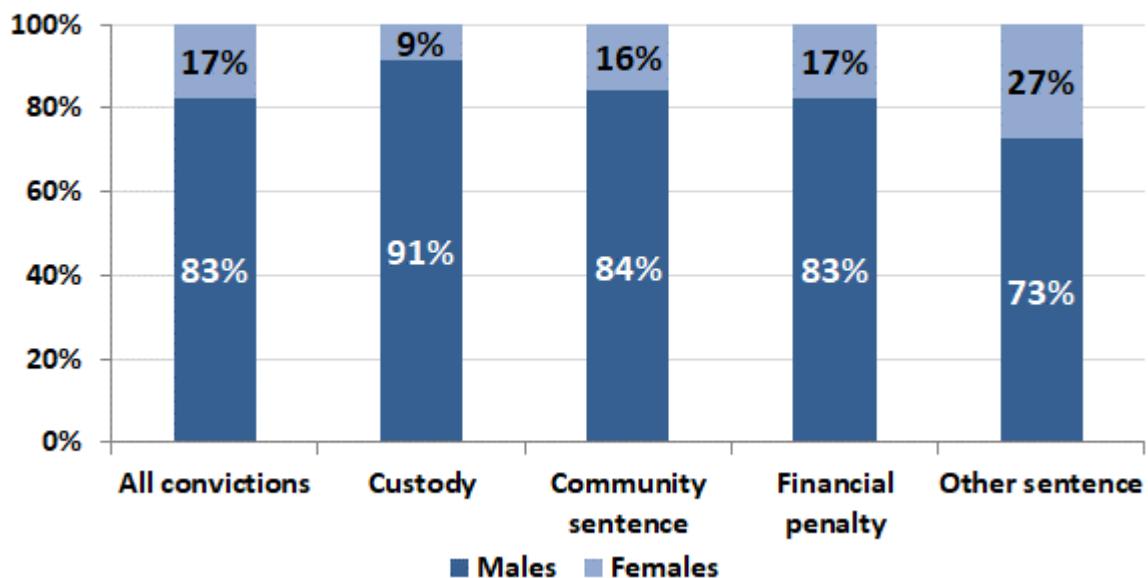
- 32% (10 convictions) of all **drunkenness and other disorderly conduct** convictions.

Compared to older people, a larger proportion of convictions for **people under 21** are for **crimes against public justice** and **common assault**. For example, about a quarter of convictions (26%) for females under 21 were for common assault with the corresponding figure for males being 13%. By contrast common assault accounted for smaller proportions of convictions for both men and women aged over 40 (9% and 10% for males and females respectively).

Convictions for **motor vehicle offences** accounted for higher proportions of convictions for those aged over 40; 41% of males, and 44% of females convicted. This compares to the under 21 age group where 24% of males and 23% of females were convicted of motor vehicle offences.

Sentencing by sex and age

Chart 13: Total convictions and disposal type by gender, 2019-20

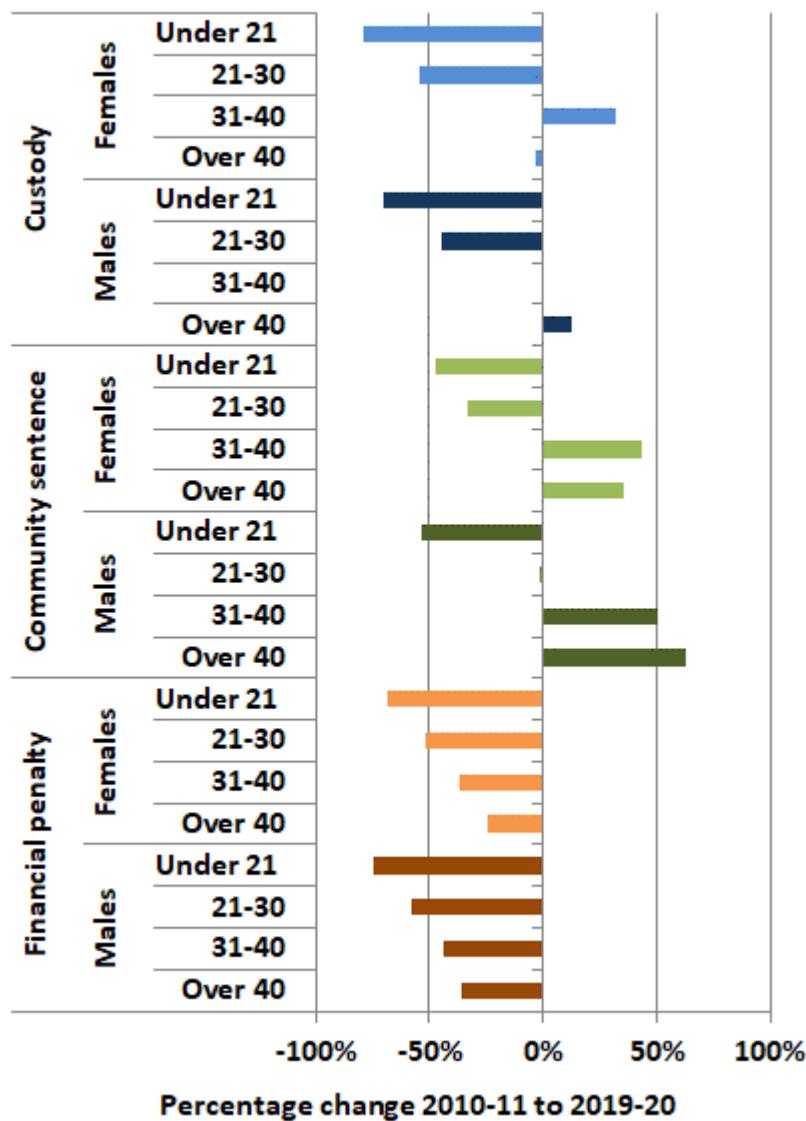


Overall, males are more likely to receive a custodial sentence than females. This is illustrated by males accounting for 83% of all people convicted in 2019-20 but representing a higher proportion of all **custodial sentences** (91%). Females were more likely to be issued with an "**Other sentence**" (which are mostly admonishments) with 27% of these types of punishments having been given to females compared to the 17% of all convictions that females represent.

Please note that sentencing decisions are reflective of a number of factors such as the severity of the crime and whether the individual has offended in the past. In addition, the decision on what type of punishment is reasonable will be based on the personal circumstances of the offender. These statistics do not take account of these factors. The [Reconviction Rates in Scotland National](#)

Statistics present analyses on the last sentence received in a financial year, by the number and type of previous crimes and sentences.

Chart 14: Change in number of disposals by age and gender, 2010-11 to 2019-20



[Table 11](#) illustrates different patterns by age and sex over the last ten years. [Chart 14](#) above summarises the main changes between 2010-11 and 2019-20.

- There are falls in the total numbers of convictions across every sentence type. This fits with the overall fall in convictions, although the largest and most consistent falls are seen in **financial penalties**.
- **Financial penalties** are the only disposal types where the trend is in decline for all age-sex groups, with the largest decreases being for younger age groups.
- With respect to **custodial sentences**, numbers for males and females have fallen by 28% and 27%, respectively. There have been notable decreases of 70% for males under 21 and 79% for females under 21.

- **Community sentences** have seen an increase of 4%, decreases are seen in the under-30s, the over-30s are increasing, with a similar pattern in males and females. The number of community sentences had decreased each year since a high over the past ten years in 2015-16. However the number of community sentences increased by 7% in the past year, which may be associated with the extension of the presumption against short custodial sentences to 12 months or less that was introduced in July 2019.

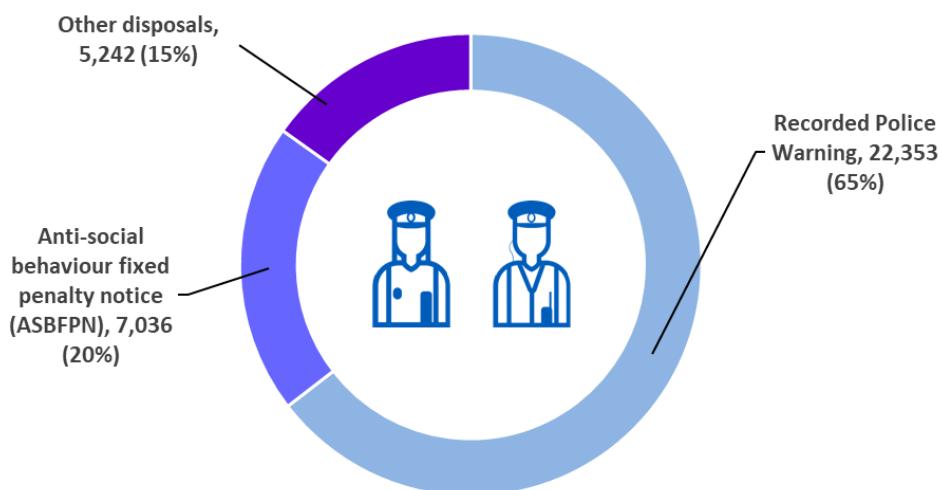
15. Police Disposals

([Tables 17 - 20](#))

This section outlines detail on some of the measures available to the police for dealing with minor offences rather than referring individuals to COPFS and therefore potentially to court. Statistics are presented on **Recorded Police Warnings (RPW)**, **Anti-Social Behaviour Fixed Penalty Notices (ASBFPNs)** and actions used specifically for juveniles (aged 8 to 17) such as **Restorative Justice Warnings** and **Early and Effective Interventions (EEI)**. **Formal Adult Warnings** were phased out following the introduction of RPWs in January 2016.

In 2010-11, there were 64,171 police disposals, this increased to a peak in the last 10 years of 68,289 in 2013-14. Since 2013-14 numbers have generally decreased, (although they increased in 2018-19) and the number in 2019-20 was 34,631, which is 49% lower than the number in 2013-14.

Chart 15: Police disposals by type in 2019-20



ASBFPNs accounted for more than 85% of the police disposals presented in this publication in 2010-11, but the number has been declining after 2013-14, and they now make up only 20% of police disposals this year. The most used police disposal in 2019-20 (65%) is now the Recorded Police Warning which was introduced in 2015-16. It is important to note, however, that there are other types of police measures not included in these statistics such as fixed penalty notices for moving

motor vehicle offences and other youth justice measures. A more detailed listing of the disposals available in this publication can be seen in [Annex D](#).

Recorded Police Warnings

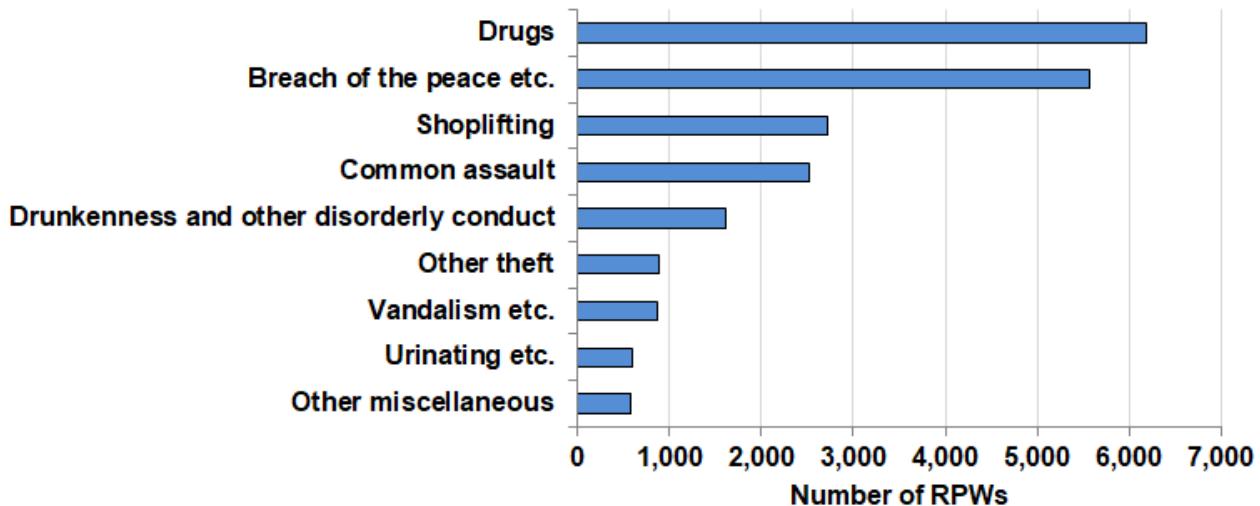
The use of **Recorded Police Warnings (RPWs)** grew quickly after their introduction in January 2016, becoming the most used police disposal in 2016-17 (19,678 issued). In 2019-20 there were 22,353 issued, which is a small increase of 1% from 22,108 in 2018-19.

RPWs were issued in 2019-20 for a wide range of offences, such as **drugs** (which made up 28% of the total number issued in 2019-20), **breach of the peace etc** (25%), and **shoplifting** (12%). Males received 72% of all RPWs in 2019-20.

The introduction of RPWs coincided with the phasing out of Formal Adult Warnings (FAWs), although wasn't a direct replacement. Only 18 FAWs were recorded in 2019-20, and they should disappear completely in the near future.

From 16 July 2018, it became possible to issue RPWs for less serious, non-sexual common assault, and this use made up 11% of the total number of RPWs in 2018-19.

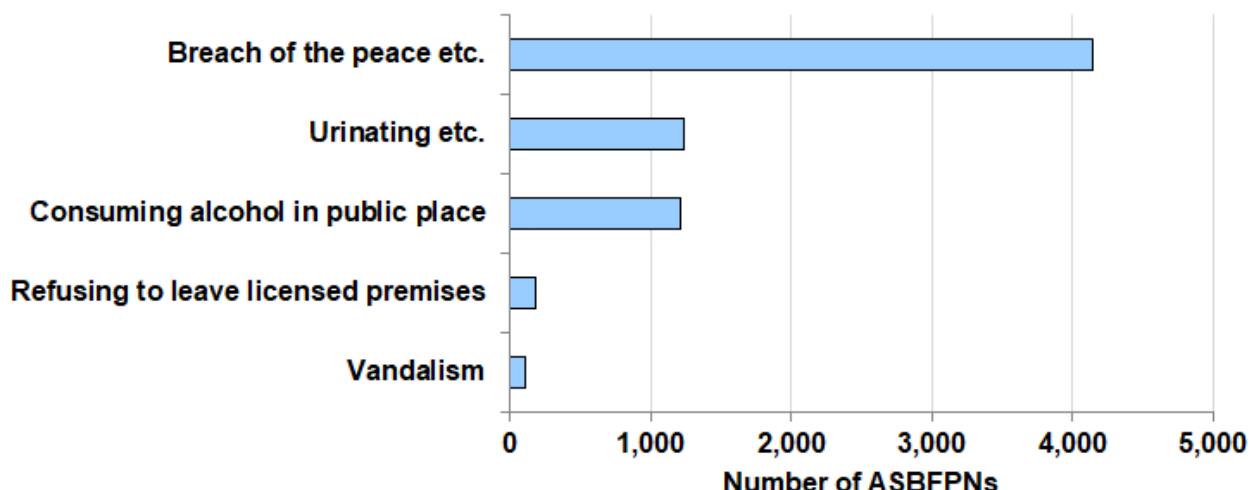
Chart 16: Most common offences for Recorded Police Warnings, 2019-20



Anti-Social Behaviour Fixed Penalty Notices

Anti-Social Behaviour Fixed Penalty Notices (ASBFPNs) allow the police to issue offenders a £50 fine for a range of offences including drunken-related behaviours and playing loud music. In 2019-20, 7,036 people received an ASBFPN as a main penalty, a decrease of 21% from 8,893 in 2018-19. Levels have decreased for the fifth year in a row after a period of relative stability between 2010-11 and 2013-14 (around 55,000 ASBFPNs per annum). Some of the decline may be due to Police Scotland issuing revised guidance around the use of ASBFPNs, and there may be also some displacement by the use of Recorded Police Warnings.

Chart 17: Most common offences for Anti-Social Behaviour Fixed Penalty Notices (ASBFPNs), 2019-20



In 2019-20 the vast majority of ASBFPNs were issued for three offence types:

- 4,142 for **breach of the peace** (59% of total);
- 1,236 for **urinating etc.** (18%); and
- 1,219 for **consuming alcohol in a public place** (17%).

Males received 83% of all ASBFPNs in 2018-19 (5,834 people) with the most common offences being for **breach of the peace etc.** (56% of ASBFPNs issued to males) followed by **urinating etc.** (20%). ASBFPNs issued to females (1,483 people in total) were primarily issued for breach of the peace (74% of ASBFPNs to females) and consuming alcohol in a public place (14%).

Police disposals for children and young people involved in offending

This section provides statistics on some of the police disposals that specifically target children and young people, under the age of 18, involved in offending. The disposals we have information for are **Early and Effective Interventions** (EEIs) and **Restorative Justice Warnings** as recorded on the Criminal History System (CHS).

Please note that these statistics are not a full measure of disposals for under-18s as there are a number of other measures managed by the police and other public bodies that we cannot quantify levels for.

There are a number of routes for dealing with young people who have offended in Scotland as follows:

- The **Whole System Approach** (WSA) is increasingly used to deal with young people aged 8 to 17. Following the preventing offending framework in 2008 and a WSA pilot in 2010, this approach was rolled out across Scotland in 2011 to encourage justice partners to channel young people away from the adult courts and hearing system. One approach used by the police to respond to the needs of children who offend is **Early and Effective Intervention** (EEI). Early and Effective Intervention is a multi-agency

response to low level offending, typically offences of a less serious nature, which might previously have automatically resulted in referral to the Children's Reporter. The EEI process runs differently in each Local Authority and the involvement of the police can be different in each Local Authority. For these reasons, the statistics presented here should be seen as a minimum indication of EEI activity.

- Other young people are referred to the **Scottish Children's Reporter Administration** (SCRA), which manages the Children's Hearing system. This is a needs based system, including responding to occasions when children offend, rather than exposing them to the adult courts, which can be a damaging experience. The police can use a number of ways to refer individuals to SCRA such as **restorative justice warnings**, the disposal for which statistics are available. It is important to note that other organisations such as COPFS, social work and educational bodies can also make referrals to SCRA, though such referrals are not included in the statistics in this report, and can be found elsewhere⁷.
- Depending on their age and the nature of the offence some young people who have offended move through the Criminal Justice System in the same way as adults i.e. they are issued a disposal by the police, COPFS or the adult courts. This tends to happen for young people accused of more serious crimes with activity for these cases included within the statistics elsewhere in the report. No one under the age of 12 can be prosecuted in the adult courts in Scotland.
- The focus of EEIs is to respond as quickly as possible to offending behaviour by children and young people and to put in place appropriate support with the aim of reducing the likelihood of reoffending. Practices vary by local authority with a range of agencies (police, education, social work and the third sector) being involved.

Trends in Police Disposals for Young People

In terms of police disposals specifically aimed at young people involved in offending, **Restorative Justice Warnings** have been in decline. The number issued has fallen from 1,715 people in 2010-11 to 328 people in 2019-20, but numbers have fluctuated since 2014-15.

By contrast, the number of young people referred for **EEI** increased steadily since their introduction, rising to 6,655 in 2015-16 as the use of these practices became more commonplace. Since then, numbers have decreased each year, up to last year. In 2019-20, the total number increased slightly by 1% to 4,806 from 4,742 in 2018-19.

⁷ http://www.scra.gov.uk/resources_articles_category/official-statistics/

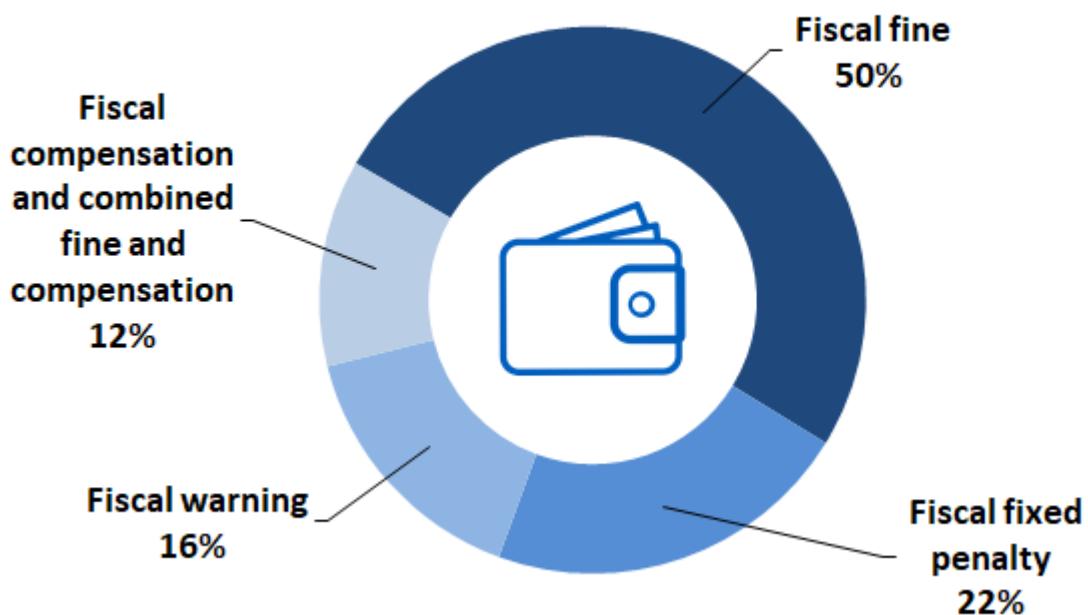
16. Crown Office and Procurator Fiscal Service Disposals

(Tables 20-22)

When a report is submitted by the Police (or other specialist reporting agency) to the Procurator Fiscal, prosecution in court is only one of a range of possible options for dealing with people who have been charged. The Procurators Fiscal can decide to take no action e.g. if there is insufficient evidence, or if it is not in the public interest to proceed. Alternatively, the Procurators Fiscal can decide to use a non-court direct measure such as a fiscal fine or a diversion from prosecution. Where the Procurators Fiscal decide to offer a diversion from prosecution, this is not shown in the data in this publication.

Of COPFS disposals included in this publication for 2019-20, around 50% were fiscal fines (18,354 people) with a further 22% being fiscal fixed penalties (7,955). Fiscal Warnings made up 16% of all COPFS disposals (5,650). The remainder were made up of compensation orders, where the accused pays a prescribed sum of money to court and it is then remitted to the victim, and combined offers which comprise a fine and a compensation element. A full listing of the range of disposals available can be seen in [Annex D](#).

Chart 18: COPFS Disposals by type, 2019-20



Procurator Fiscal Warnings (FW) provide a method of dealing with a case that doesn't involve prosecution, and if someone receives a FW, they cannot be prosecuted for that specific offence in the future. Figures are reported from 2012-13 onwards (earlier figures obtained from COPFS can be seen in [Table 1](#)). Different recording practices before this date meant that it wasn't possible to present older figures.

In 2019-20, there was a decrease of 9% from 6,216 FWs in 2018-19 to 5,650. Prior to this, the numbers had been relatively steady around 9,000 per year apart from a

spike of around 14,000 in 2015-16 – the fall seen over the last two years is a notable change, and may be partly due to increased use of RPWs, and to a presumption that 16- and 17-year-olds will be referred to the Children's Reporter rather than given a FW. At the same time, the range of offences for which FWs are used has increased.

Fiscal Work Orders (FWO) were introduced across Scotland in April 2015 and provide the Procurators Fiscal with the option of offering an offender a period of unpaid work of between 10 and 50 hours, as an alternative to prosecution.

Successful completion of the order discharges the right to prosecute. We are currently unable to derive statistics on Fiscal Work Orders due to uncertainty around the recording of this information on the Criminal History System. Work is ongoing to resolve this issue, with the intention of publishing FWO statistics in this bulletin in future. However, numbers of FWOs issued can be found elsewhere in the [Criminal Justice Social Work](#) statistics.

Fiscal fines

During the period covered by this bulletin, fiscal fines of between £50 and £300 could be offered to an accused by the Procurators Fiscal as an alternative to prosecution. Where a fiscal fine is accepted, the accused cannot be prosecuted, but if the fine is unpaid, it can be enforced through the courts. If the fine is actively rejected, prosecution for the original offence will normally follow.

In 2019-20 there were 18,354 people issued a fiscal fine as a main penalty, very similar to the number of 18,460 people they were issued to in 2018-19. The number issued in 2019-20 was less than half the number (62% lower) than the ten year peak of 47,969 in 2012-13. Fiscal fines were most commonly issued for the following crimes:

- 32% were for **Drugs** crimes (5,829 fines),
- 25% were for **Other miscellaneous** offences (4,509 fines), and
- 18% were for **Unlawful use of vehicle**, which totalled 3,217 fines.

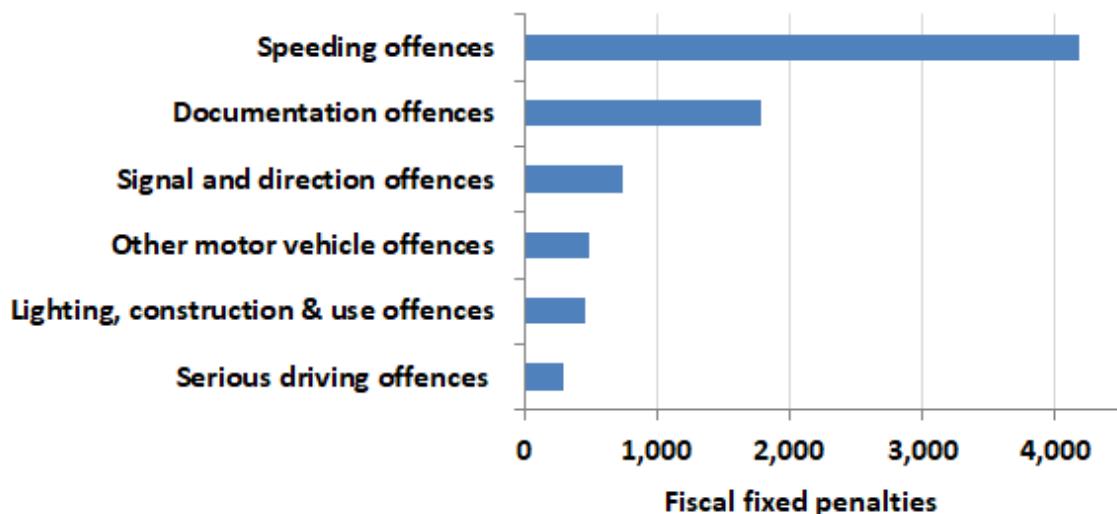
Fiscal fixed penalties

Crown Office Fixed Penalties (COFPs) are generally issued for certain road traffic/motor vehicle offences and can involve a fine or a fine and points. The amount of the fine is prescribed by law. In 2019-20, 7,955 COFPs were issued to people as a main penalty, an increase of 14% from 6,977 in 2018-19. This is the second year in row that their use has increased, although the number issued now is 66% lower than the ten year high in 2013-14 (23,467 COFPs). This is related to a fall in the number of Road Traffic offences reported by the police.

The increase in the most recent year was driven by a rise in penalties for:

- **Serious driving offences** up 118% to 296 from 135,
- **Speeding offences** up 26% from 3,324 to 4,182; and
- **Documentation offences** up 12% to 1,592 from 1,786

Chart 19: Most common offences for Fiscal Fixed Penalties, 2019-20



The most common crime that COFPs were issued for in 2019-20 was for speeding offences (4,182 penalties), which made up more than half (53%). After this COFPs were most commonly issued for the following crimes:

- 22% were for **Documentation offences** (such as using a vehicle without a test certificate, without a licence or failure to insure), totalling 1,786;
- 9% were for **Signal and direction offences**, totalling 741 penalties; and
- 6% were for **Other motor vehicle offences** (such as mobile phone and seatbelt offences), totalling 492 penalties.

In 2019-20, more than three-quarters (75% or 5,925) of COFPs were issued to males and 44% (or 2,587) of all COFPs were issued to males aged over 40.

17. Bail and undertakings

([Tables 14 -16](#))

When a person is arrested or charged by the Police, the Police may decide to keep that person in custody. The police will submit a report to the Procurator Fiscal in respect of the person in custody and where the Procurator Fiscal decides that the accused is to be prosecuted, they will appear at court on the first lawful day after they were taken into police custody. At this point, the Court will decide whether the accused should be released on **bail** until they next need to appear in court for later stages of the proceedings.

In some circumstances, the individual is not merely cited to appear at Court at a later date, but the Police decide to release the individual on an **Undertaking to appear at Court on a specified date and time**.

On 25th January 2018, the law applicable to undertakings was changed, and is now set out under [sections 25-30 of the Criminal Justice \(Scotland\) Act 2016](#). An Undertaking generally has conditions attached including that the person should not commit an offence; interfere with witnesses or evidence or otherwise obstruct the course of justice; or behave in a manner which causes, or is likely to cause, alarm or distress to witnesses. Any further condition that a constable considers necessary and proportionate to ensure that the undertaking conditions are observed may also be imposed. These undertaking conditions are similar to those for bail.

Please note that four additional tables on **bail** are published alongside this bulletin, and can be found under the “supporting documents” menu on the [website for this publication](#). These include bail statistics by court type as well as age and sex. One of the tables presents bail aggravations i.e. offences that were committed while the offender was on bail.

Bail orders made, and by main crime type

The number of bail orders relates to individual bail orders. Unlike the number of proceedings, where we count only one ‘main’ charge per person in each proceeding, multiple bail orders can be issued to a person during one case. Bail orders can also be issued in circumstances which may not lead to proceedings. However, there is a direct correlation between numbers of bail orders and numbers of proceedings, and any overall trend is likely to be similar in both. This is the case in 2019-20, as the number of bail orders decreased by 16% from 34,735 in 2018-19 to 29,150 in 2019-20. Over the longer term, numbers have fallen by 37% since 2010-11. In the year to 2019-20, there were annual decreases in all crime categories.

Bail-related offences

Bail-related offences cover the offences of breach of bail conditions (e.g. interfering with a witness) and failure to appear in court when required to do so. There were 6,800 convictions for bail-related offences in 2019-20, an increase of 5% on 2018-19 (6,504).

The proportion of bail-related offences as a percentage of all bail orders granted in 2019-20 was 23%. This is the highest percentage in the last ten years, and in the previous nine years it ranged between 17% and 19%.

Undertakings

In 2019-20, there were 11,599 undertakings to appear in court, a fall of 26% from 2018-19 (15,646 undertakings). This is the biggest fall from the previous year in the past ten years. The total in 2019-20 is 58% below the ten year high in 2010-11. This may be related to changes introduced by the [Criminal Justice \(Scotland\) 2016 Act - Part I \(Police powers\)](#), which replaced written undertaking provisions from the [Criminal Procedure \(Scotland\) Act 1995](#).

More than three-quarters of undertakings (77%) were issued to males in 2019-20 (8,961 people). The proportion of young people being issued with an undertaking has declined over the past ten years, with 14% of undertakings being issued to under-21 year olds in 2019-20 compared to 23% in 2010-11.

Tables – also provided on accompanying spreadsheet

Table 1 Summary of known action in the Scottish Criminal Justice System, 2010-11 to 2019-20

Table 2(a) People proceeded against in court by main crime/offence and outcome of court proceedings, 2019-20

Table 2(b) Percentage of people proceeded against in court by main crime/offence and outcome of court proceedings, 2019-20

Table 3 People convicted by type of court, 2010-11 to 2019-20

Table 4(a) People proceeded against by main crime/offence, 2010-11 to 2019-20

Table 4(b) People convicted by main crime/offence, 2010-11 to 2019-20

Table 4(c) Conviction rate by main crime/offence, 2010-11 to 2019-20

Table 5(a) People convicted by sex and age, 2010-11 to 2019-20

Table 5(b) Percentage of people convicted by sex and age, 2010-11 to 2019-20

Table 5(c) People convicted per 1,000 population by sex and age, 2010-11 to 2019-20

Table 6(a) Males convicted by main crime/offence and age, 2019-20

Table 6(b) Females convicted by main crime/offence and age, 2019-20

Table 6(c) People convicted by main crime/offence and age, 2019-20

Table 7(a) People convicted by main penalty, 2010-11 to 2019-20

Table 7(b) Percentage of people convicted by main penalty, 2010-11 to 2019-20

Table 8(a) People convicted by main crime/offence and main penalty, 2019-20

Table 8(b) People convicted by main crime/offence and main penalty type, 2019-20

Table 8(c) People convicted by sex, main crime/offence and main penalty, 2019-20

Table 9(a) People convicted receiving custodial sentences by main crime/offence, 2010-11 to 2019-20

Table 9(b) Percentage of people convicted receiving custodial sentences by main crime/offence, 2010-11 to 2019-20

Table 10(a) People receiving a custodial sentence by main crime/offence and length of sentence 2010-11 to 2019-20

Table 10(b) People receiving a custodial sentence by sex, main crime/offence and length of sentence, 2019-20

Table 10(c) Average length of custodial sentence in days, by main crime/offence, 2010-11 to 2019-20

Table 10(d) People receiving a custodial sentence by length of sentence, 2010-11 to 2019-20

Table 11 People convicted by main penalty, sex and age, 2010-11 to 2019-20

Table 12 People convicted with an aggravation recorded against the main charge by sex, 2010-11 to 2019-20

Table 13 People convicted with an aggravation recorded against the main charge by crime type, 2019-20

Table 14 Bail orders made by main charge, 2010-11 to 2019-20

Table 15 Bail-related offences with a conviction, 2010-11 to 2019-20

Table 16 Undertakings to appear in court, by sex and age, 2010-11 to 2019-20

Table 17 People given police disposals by disposal type, 2010-11 to 2019-20

Table 18(a) Males given RPWs, by main crime/offence and age and sex, 2019-20

Table 18(b) Females given RPWs, by main crime/offence and age and sex, 2019-20

Table 18(c) People given RPWs, by main crime/offence and age and sex, 2019-20

Table 19 People given ASBFPNs, by main crime/offence and age and sex, 2019-20

Table 20 People given COPFS disposals by disposal type, 2010-11 to 2019-20

Table 21(a) Males given fiscal fines, by main crime/offence and age, 2019-20

Table 21(b) Females given fiscal fines, by main crime/offence and age, 2019-20

Table 21(c) People given fiscal fines, by main crime/offence and age, 2019-20

Table 22 Fiscal fixed penalties by main crime/offence and age and sex, 2019-20

Table 1 Summary of known action in the Scottish Criminal Justice System, 2010-11 to 2019-20

Thousands

	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
Crimes and offences recorded by the police										
Crimes	323	314	273	270	256	246	239	245	246	247
Offences ¹				501	379	339	289	264	248	251
Crimes and offences cleared up by the police										
Crimes	157	155	140	139	129	127	119	121	126	127
Offences ¹				472	351	308	254	222	206	207
Police disposals										
Anti-social behaviour fixed penalty notices	54	54	55	56	43	29	15	11	9	7
Formal adult warnings	8	8	8	7	5	3	*	*	*	*
Recorded Police Warnings	-	-	-	-	-	4	20	17	22	22
Early & Effective Interventions and Restorative Justice Warnings	2	4	5	5	6	7	6	6	5	5
Children's Panel referrals										
Offence referrals to Reporter to Children's Panel ²	16	12	8	7	7	7	7	9	8	7
Procurator Fiscal action										
Total criminal reports received (COPFS cases)	266	276	281	294	244	226	196	178	171	170
Fiscal fines (CHS people) ^{3,4}	36	42	48	47	36	34	22	23	18	18
Fiscal fines (COPFS cases) ^{4,5}	33	41	46	47	35	33	21	22	18	18
Fiscal fixed penalties (CHS people) ³	20	21	22	23	15	11	8	7	7	8
Fiscal fixed penalties (COPFS cases) ⁵	20	21	22	24	15	11	8	6	7	8
Compensation orders (CHS people) ³	2	1	1	1	1	1	1	1	1	1
Compensation orders (COPFS cases) ⁵	2	1	1	1	1	*	1	1	1	1
Combined fiscal fines/compensation orders (CHS people) ^{3,4}	2	3	2	2	2	3	2	2	3	4
Combined fiscal fines/compensation orders (COPFS cases) ^{4,5}	2	3	2	2	2	3	2	2	3	4
Fiscal warnings (COPFS cases) ^{4,5}	13	12	13	8	8	13	8	9	6	5
No action (COPFS cases) ^{4,5}	29	32	35	28	27	26	21	21	18	16
Other non-court disposals ⁶ (COPFS cases)	8	8	10	13	13	10	11	10	11	12
People proceeded against in court	131	125	117	122	123	117	107	96	90	86

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

2. A referral may relate to more than one offence. Figures exclude cases jointly referred to the Children's Reporter and the Procurator Fiscal. These types of cases are included in the Crown Office & Procurator Fiscal (COPFS) action totals.

3. Number of people with main penalty as recorded on the Police Scotland's Criminal History System (CHS).

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

5. Number of cases of highest disposal as recorded on COPFS information system.

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

Table 2(a) People proceeded against in court by main crime/offence and outcome of court proceedings, 2019-20¹

Main crime or offence	PNGA ^{2,3} or deserted ⁴	Acquitted not guilty	Acquitted not proven	Charge proved	Total	Not proven as % of all acquitted
All crimes and offences	5,381	4,055	1,039	75,251	85,726	20
All crimes	2,719	1,544	514	28,033	32,810	25
Non-sexual crimes of violence	270	465	177	2,142	3,054	28
Homicide etc	2	10	6	81	99	38
Attempted murder and serious assault	164	354	138	1,298	1,954	28
Robbery	76	42	22	410	550	34
Domestic Abuse (Scotland) Act	5	32	3	206	246	9
Other non-sexual crimes of violence	23	27	8	147	205	23
Sexual crimes	73	266	157	1,204	1,700	37
Rape and attempted rape	1	95	74	130	300	44
Sexual assault	14	96	60	305	475	38
Crimes associated with prostitution	10	18	1	45	74	5
Other sexual crimes	48	57	22	724	851	28
Crimes of dishonesty	832	198	43	9,076	10,149	18
Housebreaking	76	19	17	796	908	47
Theft by opening lockfast places	11	1	1	111	124	50
Theft from a motor vehicle	7	5	-	89	101	-
Theft of a motor vehicle	61	20	2	200	283	9
Shoplifting	366	17	1	5,395	5,779	6
Other theft	200	86	8	1,460	1,754	9
Fraud	43	25	7	410	485	22
Other dishonesty	68	25	7	615	715	22
Fire-raising, vandalism, etc.	187	118	20	1,693	2,018	14
Fire-raising	13	6	6	121	146	50
Vandalism etc.	174	112	14	1,572	1,872	11
Other crimes	1,357	497	117	13,918	15,889	19
Crimes against public justice	644	243	45	7,652	8,584	16
Handling offensive weapons	143	147	47	1,735	2,072	24
Drugs	567	106	23	4,430	5,126	18
Other crime	3	1	2	101	107	67
All offences	2,662	2,511	525	47,218	52,916	17
Miscellaneous offences	1,592	1,990	470	21,538	25,590	19
Common assault	778	1,168	284	8,301	10,531	20
Breach of the peace etc.	695	703	152	11,449	12,999	18
Drunkenness and other disorderly conduct	3	1	-	31	35	-
Urinating etc.	5	-	-	2	7	-
Other miscellaneous	111	118	34	1,755	2,018	22
Motor vehicle offences	1,070	521	55	25,680	27,326	10
Dangerous and careless driving	101	190	25	3,360	3,676	12
Driving under the influence	39	78	18	3,385	3,520	19
Speeding	76	20	1	9,171	9,268	5
Unlawful use of motor vehicle	583	36	3	6,285	6,907	8
Vehicle defect offences	64	9	-	1,067	1,140	-
Seat belt offences	7	1	-	173	181	-
Mobile phone offences	28	70	3	463	564	4
Other motor vehicle offences	172	117	5	1,776	2,070	4

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

2. Plea of not guilty accepted.

3. Includes cases where proceedings are dropped after a person has been called to court, e.g. if witnesses fail to attend.

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

Table 2(b) People proceeded against in court by main crime/offence and percentage outcome of court proceedings, 2019-20¹

Main crime or offence	PNGA ^{2,3} or deserted ⁴	Acquitted not guilty	Acquitted not proven	Charge proved	Total	Not proven as % of all acquitted
All crimes and offences	6	5	1	88	100	20
All crimes	8	5	2	85	100	25
Non-sexual crimes of violence	9	15	6	70	100	28
Homicide etc	2	10	6	82	100	38
Attempted murder and serious assault	8	18	7	66	100	28
Robbery	14	8	4	75	100	34
Domestic Abuse (Scotland) Act	2	13	1	84	100	9
Other non-sexual crimes of violence	11	13	4	72	100	23
Sexual crimes	4	16	9	71	100	37
Rape and attempted rape	-	32	25	43	100	44
Sexual assault	3	20	13	64	100	38
Crimes associated with prostitution	14	24	1	61	100	5
Other sexual crimes	6	7	3	85	100	28
Crimes of dishonesty	8	2	-	89	100	18
Housebreaking	8	2	2	88	100	47
Theft by opening lockfast places	9	1	1	90	100	50
Theft from a motor vehicle	7	5	-	88	100	-
Theft of a motor vehicle	22	7	1	71	100	9
Shoplifting	6	-	-	93	100	6
Other theft	11	5	-	83	100	9
Fraud	9	5	1	85	100	22
Other dishonesty	10	3	1	86	100	22
Fire-raising, vandalism, etc.	9	6	1	84	100	14
Fire-raising	9	4	4	83	100	50
Vandalism etc.	9	6	1	84	100	11
Other crimes	9	3	1	88	100	19
Crimes against public justice	8	3	1	89	100	16
Handling offensive weapons	7	7	2	84	100	24
Drugs	11	2	-	86	100	18
Other crime	3	1	2	94	100	67
All offences	5	5	1	89	100	17
Miscellaneous offences	6	8	2	84	100	19
Common assault	7	11	3	79	100	20
Breach of the peace etc.	5	5	1	88	100	18
Drunkenness and other disorderly conduct	9	3	-	89	100	-
Urinating etc.	71	-	-	29	100	-
Other miscellaneous	6	6	2	87	100	22
Motor vehicle offences	4	2	-	94	100	10
Dangerous and careless driving	3	5	1	91	100	12
Driving under the influence	1	2	1	96	100	19
Speeding	1	-	-	99	100	5
Unlawful use of motor vehicle	8	1	-	91	100	8
Vehicle defect offences	6	1	-	94	100	-
Seat belt offences	4	1	-	96	100	-
Mobile phone offences	5	12	1	82	100	4
Other motor vehicle offences	8	6	-	86	100	4

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

2. Plea of not guilty accepted.

3. Includes cases where proceedings are dropped after a person has been called to court, e.g. if witnesses fail to attend.

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

Table 3 People convicted by type of court, 2010-11 to 2019-20

Type of court	Number										% change 2018-19 to 2019-20
	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	
All court types	115,581	108,424	101,018	105,658	106,575	99,954	92,330	83,177	78,488	75,251	-4%
High court ^{1,2}	706	765	708	704	595	603	649	598	582	660	13%
Sheriff solemn	4,022	4,141	4,292	4,180	4,745	4,984	4,658	3,908	4,219	4,511	7%
Sheriff summary ³	65,360	64,264	60,055	59,200	59,911	59,218	55,534	51,227	46,542	45,901	-1%
Justice of the Peace court	45,493	39,254	35,963	41,574	41,324	35,149	31,489	27,444	27,145	24,179	-11%

Type of court	percent										Index: 2010-11=100
	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	
All court types	100										
High court ^{1,2}	1	1	1	1	1	1	1	1	1	1	1
Sheriff solemn	3	4	4	4	4	5	5	5	5	6	
Sheriff summary ³	57	59	59	56	56	59	60	62	59	61	
Justice of the Peace court	39	36	36	39	39	35	34	33	35	32	

Type of court	Index: 2010-11=100										
	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	
All court types	100	94	87	91	92	86	80	72	68	65	
High court ^{1,2}	100	108	100	100	84	85	92	85	82	93	
Sheriff solemn	100	103	107	104	118	124	116	97	105	112	
Sheriff summary ³	100	98	92	91	92	91	85	78	71	70	
Justice of the Peace court	100	86	79	91	91	77	69	60	60	53	

1. Includes cases remitted to the high court from the sheriff court.

2. The figures for the most recent year, and to an extent earlier years, may be underestimated due to late recording of disposals. See annex [Revisions](#) section.

3. Includes any remaining cases seen in the stipendiary magistrates court in Glasgow.

Table 4(a) People proceeded against by main crime/offence, 2010-11 to 2019-20

Main crime or offence	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20 ¹	% change 2018-19 to 2019-20	All offences proceeded, 2019-20 ²
All crimes and offences	131,142	124,842	116,684	121,786	123,322	116,823	107,342	95,555	89,725	85,726	-4	166,270
All crimes	49,175	48,130	44,145	43,058	42,857	42,086	38,541	34,762	33,427	32,810	-2	70,096
Non-sexual crimes of violence	3,557	3,434	3,175	2,656	2,586	2,641	2,568	2,600	2,610	3,054	17	3,947
Homicide etc	139	134	148	113	111	111	94	113	99	99	-	105
Attempted murder and serious assault	2,098	2,047	2,033	1,633	1,641	1,740	1,700	1,732	1,777	1,954	10	2,365
Robbery	687	771	668	585	505	522	525	544	505	550	9	791
Domestic Abuse (Scotland) Act	-	-	-	-	-	-	-	-	-	246	-	269
Other non-sexual crimes of violence	633	482	326	325	329	268	249	211	229	205	-10	417
Sexual crimes	1,003	1,036	1,231	1,530	1,707	1,674	1,561	1,571	1,772	1,700	-4	4,144
Rape and attempted rape	80	93	138	219	271	216	251	246	313	300	-4	574
Sexual assault ³	216	218	314	373	453	447	443	482	540	475	-12	1,368
Crimes associated with prostitution	270	217	167	185	176	117	98	53	43	74	72	108
Other sexual crimes	437	508	612	753	807	894	769	790	876	851	-3	2,094
Crimes of dishonesty	17,630	17,040	15,366	14,654	14,249	13,236	12,311	11,115	10,935	10,149	-7	22,759
Housebreaking	1,813	1,880	1,706	1,276	1,168	1,017	1,022	946	892	908	2	1,633
Theft by opening lockfast places	338	337	312	284	254	234	217	167	186	124	-33	324
Theft from a motor vehicle	318	295	238	167	131	120	105	93	121	101	-17	228
Theft of a motor vehicle	647	669	553	442	446	417	380	331	300	283	-6	1,275
Shoplifting	8,369	7,817	6,986	7,070	7,426	7,092	6,725	6,067	6,369	5,779	-9	11,742
Other theft	3,391	3,571	3,308	3,155	2,865	2,552	2,208	1,955	1,750	1,754	-	3,815
Fraud	1,231	925	761	825	693	679	654	568	497	485	-2	1,911
Other dishonesty	1,523	1,546	1,502	1,435	1,266	1,125	1,000	988	820	715	-13	1,831
Fire-raising, vandalism, etc.	3,991	3,623	3,174	3,024	2,944	2,712	2,395	2,191	2,123	2,018	-5	4,293
Fire-raising	194	176	170	161	159	143	140	152	141	146	4	250
Vandalism etc.	3,797	3,447	3,004	2,863	2,785	2,569	2,255	2,039	1,982	1,872	-6	4,043
Other crimes	22,994	22,997	21,199	21,194	21,371	21,823	19,706	17,285	15,987	15,889	-1	34,953
Crimes against public justice	11,244	11,806	11,249	11,111	11,430	11,589	10,304	9,159	8,293	8,584	4	19,230
Handling offensive weapons	2,953	2,838	2,226	2,104	1,989	1,883	1,790	1,772	1,921	2,072	8	4,051
Drugs	8,553	8,125	7,492	7,782	7,766	8,181	7,412	6,238	5,663	5,126	-9	11,476
Other crime	244	228	232	197	186	170	200	116	110	107	-3	196
All offences	81,967	76,712	72,539	78,728	80,465	74,737	68,801	60,793	56,298	52,916	-6	96,174
Miscellaneous offences	34,906	35,789	34,693	35,856	38,715	39,619	35,992	31,220	27,149	25,590	-6	52,405
Common assault	15,812	16,341	15,017	14,744	15,766	16,374	14,867	12,891	11,335	10,531	-7	21,336
Breach of the peace etc.	13,958	14,608	15,069	16,262	18,522	19,418	18,025	15,795	13,676	12,999	-5	26,827
Drunkenness and other disorderly conduct	670	352	257	358	283	165	80	49	35	35	-	318
Urinating etc	55	28	44	47	31	17	16	12	7	7	-42	61
Other miscellaneous	4,411	4,460	4,306	4,445	4,097	3,631	3,003	2,469	2,091	2,018	-3	3,863
Motor vehicle offences	47,061	40,923	37,846	42,872	41,750	35,118	32,809	29,573	29,149	27,326	-6	43,769
Dangerous and careless driving	3,495	3,198	3,095	3,899	3,778	3,989	4,168	4,199	3,390	3,676	8	4,960
Driving under the influence	5,648	5,562	5,009	4,318	3,845	3,730	3,824	3,845	3,726	3,520	-6	5,000
Speeding	13,172	12,602	12,195	14,281	14,251	12,630	10,874	9,566	9,172	9,268	1	9,859
Unlawful use of motor vehicle	12,160	9,921	8,682	9,488	9,258	7,088	7,921	7,584	8,255	6,907	-16	14,850
Vehicle defect offences	1,902	1,623	1,374	1,740	1,724	1,661	1,429	1,058	1,197	1,140	-5	2,615
Seat belt offences	2,743	2,047	2,132	2,604	2,293	527	326	97	217	181	-17	374
Mobile phone offences	3,916	2,896	2,937	3,415	3,606	2,645	1,710	994	815	564	-31	672
Other motor vehicle offences	4,025	3,074	2,422	3,127	2,995	2,848	2,557	2,230	2,377	2,070	-13	5,439

1. Figures for some categories dealt with by the high court - including homicide, rape and major drug cases - may be underestimated due to late recording of disposals - See annex [Revisions](#) section.

2. Number of individual offences relating to people proceeded against, whether or not the main crime/offence involved.

Table 4(b) People convicted by main crime/offence, 2010-11 to 2019-20

Main crime or offence	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20 ¹	% change 2018-19 to 2019-20	All offences proceeded, 2019-20 ²
All crimes and offences	115,581	108,424	101,018	105,658	106,575	99,954	92,330	83,177	78,488	75,251	-4	108,184
All crimes	42,350	40,725	37,024	36,275	36,565	35,790	32,611	29,742	28,520	28,033	-2	40,852
Non-sexual crimes of violence	2,540	2,461	2,143	1,804	1,745	1,776	1,725	1,829	1,772	2,142	21	2,388
Homicide etc	117	111	115	93	81	84	78	89	81	81	-	83
Attempted murder and serious assault	1,419	1,365	1,285	1,043	1,053	1,118	1,115	1,176	1,166	1,298	11	1,396
Robbery	526	606	520	448	386	384	370	410	361	410	14	497
Domestic Abuse (Scotland) Act	-	-	-	-	-	-	-	-	206	-	-	208
Other non-sexual crimes of violence	478	379	223	220	225	190	162	154	164	147	-10	204
Sexual crimes	818	838	911	1,130	1,213	1,215	1,080	1,110	1,224	1,204	-2	2,353
Rape and attempted rape	36	49	77	91	125	105	99	106	142	130	-8	264
Sexual assault ³	160	151	204	236	276	278	266	300	301	305	1	760
Crimes associated w ith prostitution	245	200	142	169	145	86	84	47	37	45	22	52
Other sexual crimes	377	438	488	634	667	746	631	657	744	724	-3	1,277
Crimes of dishonesty	15,613	14,772	13,250	12,579	12,526	11,605	10,809	9,862	9,771	9,076	-7	14,008
Housebreaking	1,540	1,498	1,365	1,037	979	858	873	812	765	796	4	1,094
Theft by opening lock/ast places	284	291	247	218	212	196	184	147	161	111	-31	192
Theft from a motor vehicle	270	250	200	143	112	101	94	84	110	89	-19	142
Theft of a motor vehicle	483	450	373	272	318	302	270	249	222	200	-10	471
Shoplifting	7,853	7,267	6,500	6,532	6,942	6,596	6,248	5,661	5,928	5,395	-9	7,893
Other theft	2,871	2,961	2,720	2,577	2,341	2,093	1,796	1,634	1,487	1,460	-2	2,150
Fraud	1,070	811	624	681	602	545	545	471	411	410	-	1,064
Other dishonesty	1,242	1,244	1,221	1,119	1,020	914	799	804	687	615	-10	1,002
Fire-raising, vandalism, etc.	3,362	3,016	2,583	2,504	2,442	2,233	1,972	1,827	1,771	1,693	-4	2,298
Fire-raising	159	146	133	130	133	116	114	124	119	121	2	173
Vandalism etc.	3,203	2,870	2,450	2,374	2,309	2,117	1,858	1,703	1,652	1,572	-5	2,125
Other crimes	20,017	19,638	18,137	18,258	18,639	18,961	17,025	15,114	13,982	13,918	-	19,805
Crimes against public justice	9,822	10,170	9,767	9,672	10,013	10,177	9,033	8,108	7,298	7,652	5	11,138
Handling offensive weapons	2,445	2,265	1,709	1,684	1,586	1,489	1,436	1,476	1,579	1,735	10	2,244
Drugs	7,531	6,990	6,449	6,720	6,868	7,144	6,371	5,417	5,005	4,430	-11	6,268
Other crime	219	213	212	182	172	151	185	113	100	101	1	155
All offences	73,231	67,699	63,994	69,383	70,010	64,164	59,719	53,435	49,968	47,218	-6	67,332
Miscellaneous offences	29,125	29,416	28,541	29,098	31,051	31,599	29,140	25,765	22,464	21,538	-4	33,219
Common assault	12,600	12,762	11,648	11,213	11,762	12,080	11,240	9,901	8,727	8,301	-5	12,550
Breach of the peace etc.	12,114	12,544	12,961	13,731	15,585	16,298	15,303	13,674	11,901	11,449	-4	17,975
Drunkenness and other disorderly conduct	624	309	220	306	250	148	69	42	31	31	-	100
Urinating etc	43	20	32	41	43	29	13	14	9	2	-78	9
Other miscellaneous	3,744	3,781	3,680	3,807	3,411	3,044	2,515	2,134	1,796	1,755	-2	2,585
Motor vehicle offences	44,106	38,283	35,453	40,285	38,959	32,565	30,579	27,670	27,504	25,680	-7	34,113
Dangerous and careless driving	3,167	2,858	2,811	3,574	3,411	3,569	3,759	3,813	3,118	3,360	8	4,017
Driving under the influence	5,351	5,287	4,735	4,091	3,681	3,537	3,634	3,660	3,552	3,385	-5	4,085
Speeding	12,955	12,381	12,034	14,125	14,007	12,370	10,686	9,410	9,069	9,171	1	9,508
Unlaw ful use of motor vehicle	11,069	9,020	7,863	8,526	8,318	6,334	7,164	6,923	7,643	6,285	-18	10,971
Vehicle defect offences	1,723	1,504	1,243	1,611	1,580	1,537	1,335	981	1,130	1,067	-6	1,852
Seat belt offences	2,673	1,982	2,052	2,539	2,172	481	312	86	209	173	-17	258
Mobile phone offences	3,603	2,641	2,663	3,096	3,162	2,281	1,477	861	688	463	-33	499
Other motor vehicle offences	3,565	2,610	2,052	2,723	2,628	2,456	2,212	1,936	2,095	1,776	-15	2,923

1. Figures for some categories dealt with by the high court - including homicide, rape and major drug cases - may be underestimated due to late recording of disposals - see annex [Revisions](#) section.

2. Number of individual offences relating to people with a charge proved, whether or not the main crime/offence involved

Table 4(c) Conviction rate¹ by main crime/offence, 2010-11 to 2019-20

Main crime or offence	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
All crimes and offences	88	87	87	87	86	86	86	87	87	88
All crimes	86	85	84	84	85	85	85	86	85	85
Non-sexual crimes of violence	71	72	67	68	67	67	67	70	68	70
Homicide etc	84	83	78	82	73	76	83	79	82	82
Attempted murder and serious assault	68	67	63	64	64	64	66	68	66	66
Robbery	77	79	78	77	76	74	70	75	71	75
Domestic Abuse (Scotland) Act	-	-	-	-	-	-	-	-	-	84
Other non-sexual crimes of violence	76	79	68	68	68	71	65	73	72	72
Sexual crimes	82	81	74	74	71	73	69	71	69	71
Rape and attempted rape	45	53	56	42	46	49	39	43	45	43
Sexual assault ²	74	69	65	63	61	62	60	62	56	64
Crimes associated with prostitution	91	92	85	91	82	74	86	89	86	61
Other sexual crimes	86	86	80	84	83	83	82	83	85	85
Crimes of dishonesty	89	87	86	86	88	88	88	89	89	89
Housebreaking	85	80	80	81	84	84	85	86	86	88
Theft by opening lockfast places	84	86	79	77	83	84	85	88	87	90
Theft from a motor vehicle	85	85	84	86	85	84	90	90	91	88
Theft of a motor vehicle	75	67	67	62	71	72	71	75	74	71
Shoplifting	94	93	93	92	93	93	93	93	93	93
Other theft	85	83	82	82	82	82	81	84	85	83
Fraud	87	88	82	83	87	80	83	83	83	85
Other dishonesty	82	80	81	78	81	81	80	81	84	86
Fire-raising, vandalism, etc.	84	83	81	83	83	82	82	83	83	84
Fire-raising	82	83	78	81	84	81	81	82	84	83
Vandalism etc.	84	83	82	83	83	82	82	84	83	84
Other crimes	87	85	86	86	87	87	86	87	87	88
Crimes against public justice	87	86	87	87	88	88	88	89	88	89
Handling offensive weapons	83	80	77	80	80	79	80	83	82	84
Drugs	88	86	86	86	88	87	86	87	88	86
Other crime	90	93	91	92	92	89	93	97	91	94
All offences	89	88	88	88	87	86	87	88	89	89
Miscellaneous offences	83	82	82	81	80	80	81	83	83	84
Common assault	80	78	78	76	75	74	76	77	77	79
Breach of the peace etc.	87	86	86	84	84	84	85	87	87	88
Drunkenness and other disorderly conduct	93	88	86	85	88	90	86	86	89	89
Urinating etc	78	71	73	87	91	94	76	88	75	29
Other miscellaneous	85	85	85	86	83	84	84	86	86	87
Motor vehicle offences	94	94	94	94	93	93	93	94	94	94
Dangerous and careless driving	91	89	91	92	90	89	90	91	92	91
Driving under the influence	95	95	95	95	96	95	95	95	95	96
Speeding	98	98	99	99	98	98	98	98	99	99
Unlawful use of motor vehicle	91	91	91	90	90	89	90	91	93	91
Vehicle defect offences	91	93	90	93	92	93	93	93	94	94
Seat belt offences	97	97	96	98	95	91	96	89	96	96
Mobile phone offences	92	91	91	91	88	86	86	87	84	82
Other motor vehicle offences	89	85	85	87	88	86	87	87	88	86

1. Conviction rate is calculated as the proportion of people with charge proved as a proportion of people proceeded against for a specific crime type.

Table 5(a) Numbers of people convicted by sex and age, 2010-11 to 2019-20

Type of accused ¹		2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	% change 2018-19 to 2019-20
All People ^{2,3}	Total ⁴	115,574	108,339	100,905	105,573	106,571	99,954	92,328	83,175	78,488	75,249	-4
	under 16 ⁵	67	47	36	16	12	14	17	11	12	15	25
	16-17	4,053	3,347	2,534	2,027	1,834	1,787	1,713	1,478	1,321	994	-25
	18-20	13,253	11,693	9,404	8,573	8,230	7,974	7,086	6,002	5,305	5,015	-5
	21-30	41,750	38,750	36,212	36,361	35,670	33,301	30,443	26,528	24,510	22,745	-7
	31-40	28,549	27,320	26,059	27,837	29,069	27,099	25,663	24,168	23,413	23,004	-2
	41-50	18,344	17,989	17,408	19,443	19,541	18,308	16,296	14,828	14,008	13,553	-3
	51-60	6,970	6,760	6,761	8,146	8,880	8,242	7,920	7,222	6,956	6,911	-1
	Over 60	2,588	2,433	2,491	3,170	3,335	3,229	3,190	2,938	2,963	3,012	2
Males	Total ⁴	97,042	90,902	84,347	87,983	88,650	83,010	76,476	68,572	64,655	62,126	-4
	under 16 ⁵	52	45	34	15	12	14	13	10	11	15	36
	16-17	3,600	2,935	2,202	1,775	1,594	1,585	1,493	1,277	1,166	876	-25
	18-20	11,493	10,155	8,122	7,397	7,022	6,818	6,093	5,114	4,519	4,291	-5
	21-30	35,177	32,761	30,338	30,705	30,155	28,123	25,777	22,480	20,753	19,130	-8
	31-40	23,564	22,467	21,567	22,836	23,756	22,101	20,699	19,347	18,755	18,584	-1
	41-50	15,071	14,816	14,234	15,817	15,938	14,828	13,169	11,942	11,312	11,034	-2
	51-60	5,850	5,595	5,678	6,771	7,358	6,804	6,539	5,941	5,660	5,647	0
	Over 60	2,235	2,128	2,172	2,667	2,815	2,737	2,693	2,461	2,479	2,549	3
Females	Total ⁴	18,532	17,437	16,558	17,590	17,921	16,944	15,852	14,603	13,833	13,123	-5
	under 16 ⁵	15	2	2	1	-	-	4	1	1	-	-100
	16-17	453	412	332	252	240	202	220	201	155	118	-24
	18-20	1,760	1,538	1,282	1,176	1,208	1,156	993	888	786	724	-8
	21-30	6,573	5,989	5,874	5,656	5,515	5,178	4,666	4,048	3,757	3,615	-4
	31-40	4,985	4,853	4,492	5,001	5,313	4,998	4,964	4,821	4,658	4,420	-5
	41-50	3,273	3,173	3,174	3,626	3,603	3,480	3,127	2,886	2,696	2,519	-7
	51-60	1,120	1,165	1,083	1,375	1,522	1,438	1,381	1,281	1,296	1,264	-2
	Over 60	353	305	319	503	520	492	497	477	484	463	-4

1. A person who had a charge proved more than once within an individual year will be counted more than once .

2. Figures in the table are calculated as ratios per 1,000 of the Scottish population.

3. Includes sex not known; excludes companies.

4. Includes age not known; uses mid-year population estimate for those aged 8 upwards.

5. Uses mid-year population estimate for those aged 8-15.

Table 5(b) Proportions of people convicted by sex and age, 2010-11 to 2019-20

Type of accused ¹	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
All People^{2,3}	Total⁴	100	100	100	100	100	100	100	100	100
	under 16 ⁵	*	*	*	*	*	*	*	*	*
	16-17	4	3	3	2	2	2	2	2	1
	18-20	11	11	9	8	8	8	8	7	7
	21-30	36	36	36	34	33	33	33	32	30
	31-40	25	25	26	26	27	27	28	29	30
	41-50	16	17	17	18	18	18	18	18	18
	51-60	6	6	7	8	8	9	9	9	9
	Over 60	2	2	2	3	3	3	4	4	4
Males	Total⁴	100	100	100	100	100	100	100	100	100
	under 16 ⁵	*	*	*	*	*	*	*	*	*
	16-17	4	3	3	2	2	2	2	2	1
	18-20	12	11	10	8	8	8	8	7	7
	21-30	36	36	36	35	34	34	34	33	31
	31-40	24	25	26	26	27	27	27	28	30
	41-50	16	16	17	18	18	18	17	17	18
	51-60	6	6	7	8	8	9	9	9	9
	Over 60	2	2	3	3	3	3	4	4	4
Females	Total⁴	100	100	100	100	100	100	100	100	100
	under 16 ⁵	*	*	*	*	-	-	*	*	*
	16-17	2	2	2	1	1	1	1	1	1
	18-20	9	9	8	7	7	7	6	6	6
	21-30	35	34	35	32	31	31	29	28	28
	31-40	27	28	27	28	30	29	31	33	34
	41-50	18	18	19	21	20	21	20	20	19
	51-60	6	7	7	8	8	9	9	9	10
	Over 60	2	2	2	3	3	3	3	3	4

1. A person who had a charge proved more than once within an individual year will be counted more than once .

2. Figures in the table are calculated as ratios per 1,000 of the Scottish population.

3. Includes sex not known; excludes companies.

4. Includes age not known; uses mid-year population estimate for those aged 8 upwards.

5. Uses mid-year population estimate for those aged 8-15.

Table 5(c) Numbers of people convicted per 1,000 population by sex and age, 2010-11 to 2019-20

Type of accused ¹		2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
All People ^{2,3}	Total ⁴	24	22	21	22	22	20	19	17	16	15
	under 16 ⁵	*	*	*	*	*	*	*	*	*	*
	16-17	32	27	20	16	15	15	15	13	12	9
	18-20	62	54	45	42	41	40	36	31	28	28
	21-30	60	55	51	51	49	45	41	36	33	31
	31-40	43	41	40	42	44	41	38	35	34	32
	41-50	23	22	22	24	25	24	22	20	20	20
	51-60	10	10	10	11	12	11	10	9	9	9
	Over 60	2	2	2	3	3	3	3	2	2	2
Males	Total ⁴	42	39	36	37	38	35	32	29	27	26
	under 16 ⁵	*	*	*	*	*	*	*	*	*	*
	16-17	55	45	34	28	26	26	25	22	21	16
	18-20	108	94	77	72	69	68	61	53	47	46
	21-30	103	94	86	86	84	77	70	61	56	52
	31-40	72	69	67	71	74	68	63	58	55	53
	41-50	38	38	37	41	42	40	36	34	33	33
	51-60	17	16	16	19	20	19	18	16	15	15
	Over 60	4	4	4	5	5	5	5	4	4	4
Females	Total ⁴	7	7	7	7	7	7	6	6	5	5
	under 16 ⁵	*	*	*	*	-	-	*	*	*	-
	16-17	7	7	6	4	4	3	4	4	3	2
	18-20	17	14	12	12	12	12	10	9	9	8
	21-30	19	17	16	16	15	14	13	11	10	10
	31-40	15	14	13	15	16	15	14	14	13	12
	41-50	8	8	8	9	9	9	8	8	7	7
	51-60	3	3	3	4	4	4	4	3	3	3
	Over 60	1	*	*	1	1	1	1	1	1	1

1. A person who had a charge proved more than once within an individual year will be counted more than once .

2. Figures in the table are calculated as ratios per 1,000 of the Scottish population.

3. Includes sex not known; excludes companies.

4. Includes age not known; uses mid-year population estimate for those aged 8 upwards.

5. Uses mid-year population estimate for those aged 8-15.

Table 6(a) Males¹ convicted by main crime/offence and age, 2019-20

Main crime or offence	(Number)					(percent)				
	Under 21	21-30	31-40	over 40	Total	Under 21	21-30	31-40	over 40	Total
All crimes and offences	5,182	19,130	18,584	19,230	62,126	100	100	100	100	100
All crimes	2,443	7,062	7,549	6,289	23,343	47	37	41	33	38
Non-sexual crimes of violence	281	723	537	367	1,908	5	4	3	2	3
Homicide etc	8	27	15	26	76	*	*	*	*	*
Attempted murder and serious assault	196	489	311	204	1,200	4	3	2	1	2
Robbery	60	116	117	57	350	1	1	1	*	1
Domestic Abuse (Scotland) Act	12	69	61	60	202	*	*	*	*	*
Other non-sexual crimes of violence	5	22	33	20	80	*	*	*	*	*
Sexual crimes	96	258	274	546	1,174	2	1	1	3	2
Rape and attempted rape	10	29	33	58	130	*	*	*	*	*
Sexual assault	22	56	74	150	302	*	*	*	1	*
Crimes associated with prostitution	-	1	6	32	39	-	*	*	*	*
Other sexual crimes	64	172	161	306	703	1	1	1	2	1
Crimes of dishonesty	459	1,624	2,664	2,098	6,845	9	8	14	11	11
Housebreaking	100	188	257	210	755	2	1	1	1	1
Theft by opening lockfast places	9	28	36	34	107	*	*	*	*	*
Theft from a motor vehicle	3	15	34	36	88	*	*	*	*	*
Theft of a motor vehicle	36	83	48	25	192	1	*	*	*	*
Shoplifting	146	769	1,563	1,218	3,696	3	4	8	6	6
Other theft	97	328	436	335	1,196	2	2	2	2	2
Fraud	14	83	96	79	272	*	*	1	*	*
Other dishonesty	54	130	194	161	539	1	1	1	1	1
Fire-raising, vandalism, etc.	272	545	383	272	1,472	5	3	2	1	2
Fire-raising	20	34	31	22	107	*	*	*	*	*
Vandalism etc.	252	511	352	250	1,365	5	3	2	1	2
Other crimes	1,335	3,912	3,691	3,006	11,944	26	20	20	16	19
Crimes against public justice	764	2,059	1,990	1,657	6,470	15	11	11	9	10
Handling offensive weapons	233	517	469	371	1,590	5	3	3	2	3
Drugs	331	1,325	1,206	946	3,808	6	7	6	5	6
Other crime	7	11	26	32	76	*	*	*	*	*
All offences	2,739	12,068	11,035	12,941	38,783	53	63	59	67	62
Miscellaneous offences	1,492	5,847	5,400	5,063	17,802	29	31	29	26	29
Common assault	680	2,298	1,909	1,726	6,613	13	12	10	9	11
Breach of the peace etc.	748	3,217	3,100	2,775	9,840	14	17	17	14	16
Drunkenness and other disorderly conduct	-	9	6	6	21	-	*	*	*	*
Urinating etc.	-	-	-	2	2	-	-	-	*	-
Other miscellaneous	64	323	385	554	1,326	1	2	2	3	2
Motor vehicle offences	1,247	6,221	5,635	7,878	20,981	24	33	30	41	34
Dangerous and careless driving	292	903	625	1,030	2,850	6	5	3	5	5
Driving under the influence	144	742	730	1,052	2,668	3	4	4	5	4
Speeding	293	2,003	2,049	3,133	7,478	6	10	11	16	12
Unlawful use of motor vehicle	405	1,802	1,473	1,432	5,112	8	9	8	7	8
Vehicle defect offences	44	265	267	403	979	1	1	1	2	2
Seat belt offences	5	50	49	48	152	*	*	*	*	*
Mobile phone offences	14	122	136	142	414	*	1	1	1	1
Other motor vehicle offences	50	334	306	638	1,328	1	2	2	3	2

1. Excludes companies and sex not known.

Table 6(b) Females¹ convicted by main crime/offence and age, 2019-20

Main crime or offence	(Number)					(percent)				
	Under 21	21-30	31-40	over 40	Total	Under 21	21-30	31-40	over 40	Total
All crimes and offences	842	3,615	4,420	4,246	13,123	100	100	100	100	100
All crimes	296	1,220	1,942	1,232	4,690	35	34	44	29	36
Non-sexual crimes of violence	25	79	88	42	234	3	2	2	1	2
Homicide etc	1	2	1	1	5	*	*	*	*	*
Attempted murder and serious assault	13	37	30	18	98	2	1	1	*	1
Robbery	8	18	33	1	60	1	1	1	*	*
Domestic Abuse (Scotland) Act	1	1	1	1	4	*	*	*	*	*
Other non-sexual crimes of violence	2	21	23	21	67	*	1	1	*	1
Sexual crimes	2	11	8	9	30	*	*	*	*	*
Rape and attempted rape	-	-	-	-	-	-	-	-	-	-
Sexual assault	-	2	-	1	3	-	*	-	*	*
Crimes associated with prostitution	-	2	3	1	6	-	*	*	*	*
Other sexual crimes	2	7	5	7	21	*	*	*	*	*
Crimes of dishonesty	69	534	1,015	613	2,231	8	15	23	14	17
Housebreaking	5	17	14	5	41	1	*	*	*	*
Theft by opening lockfast places	-	1	3	-	4	-	*	*	-	*
Theft from a motor vehicle	-	1	-	-	1	-	*	-	-	*
Theft of a motor vehicle	-	4	2	2	8	-	*	*	*	*
Shoplifting	45	391	789	474	1,699	5	11	18	11	13
Other theft	9	69	120	66	264	1	2	3	2	2
Fraud	8	38	52	40	138	1	1	1	1	1
Other dishonesty	2	13	35	26	76	*	*	1	1	1
Fire-raising, vandalism, etc.	25	68	68	60	221	3	2	2	1	2
Fire-raising	4	1	-	9	14	*	*	-	*	*
Vandalism etc.	21	67	68	51	207	2	2	2	1	2
Other crimes	175	528	763	508	1,974	21	15	17	12	15
Crimes against public justice	130	337	441	274	1,182	15	9	10	6	9
Handling offensive weapons	18	45	47	35	145	2	1	1	1	1
Drugs	24	142	262	194	622	3	4	6	5	5
Other crime	3	4	13	5	25	*	*	*	*	*
All offences	546	2,395	2,478	3,014	8,433	65	66	56	71	64
Miscellaneous offences	349	1,122	1,119	1,145	3,735	41	31	25	27	28
Common assault	220	526	523	419	1,688	26	15	12	10	13
Breach of the peace etc.	113	478	489	529	1,609	13	13	11	12	12
Drunkenness and other disorderly conduct	-	3	3	4	10	-	*	*	*	*
Urinating etc.	-	-	-	-	-	-	-	-	-	-
Other miscellaneous	16	115	104	193	428	2	3	2	5	3
Motor vehicle offences	197	1,273	1,359	1,869	4,698	23	35	31	44	36
Dangerous and careless driving	32	131	103	244	510	4	4	2	6	4
Driving under the influence	32	165	174	346	717	4	5	4	8	5
Speeding	63	478	490	662	1,693	7	13	11	16	13
Unlawful use of motor vehicle	46	344	429	354	1,173	5	10	10	8	9
Vehicle defect offences	5	19	35	28	87	1	1	1	1	1
Seat belt offences	-	6	9	6	21	-	*	*	*	*
Mobile phone offences	3	14	19	13	49	*	*	*	*	*
Other motor vehicle offences	16	116	100	216	448	2	3	2	5	3

1. Excludes companies and sex not known.

Table 6(c) People¹ convicted by main crime/offence and age, 2019-20

Main crime or offence	(Number)					(percent)				
	Under 21	21-30	31-40	over 40	Total	Under 21	21-30	31-40	over 40	Total
All crimes and offences	6,024	22,745	23,004	23,476	75,249	100	100	100	100	100
All crimes	2,739	8,282	9,491	7,521	28,033	45	36	41	32	37
Non-sexual crimes of violence	306	802	625	409	2,142	5	4	3	2	3
Homicide etc	9	29	16	27	81	*	*	*	*	*
Attempted murder and serious assault	209	526	341	222	1,298	3	2	1	1	2
Robbery	68	134	150	58	410	1	1	1	*	1
Domestic Abuse (Scotland) Act	13	70	62	61	206	*	*	*	*	*
Other non-sexual crimes of violence	7	43	56	41	147	*	*	*	*	*
Sexual crimes	98	269	282	555	1,204	2	1	1	2	2
Rape and attempted rape	10	29	33	58	130	*	*	*	*	*
Sexual assault	22	58	74	151	305	*	*	*	1	*
Crimes associated with prostitution	-	3	9	33	45	-	*	*	*	*
Other sexual crimes	66	179	166	313	724	1	1	1	1	1
Crimes of dishonesty	528	2,158	3,679	2,711	9,076	9	9	16	12	12
Housebreaking	105	205	271	215	796	2	1	1	1	1
Theft by opening lockfast places	9	29	39	34	111	*	*	*	*	*
Theft from a motor vehicle	3	16	34	36	89	*	*	*	*	*
Theft of a motor vehicle	36	87	50	27	200	1	*	*	*	*
Shoplifting	191	1,160	2,352	1,692	5,395	3	5	10	7	7
Other theft	106	397	556	401	1,460	2	2	2	2	2
Fraud	22	121	148	119	410	*	1	1	1	1
Other dishonesty	56	143	229	187	615	1	1	1	1	1
Fire-raising, vandalism, etc.	297	613	451	332	1,693	5	3	2	1	2
Fire-raising	24	35	31	31	121	*	*	*	*	*
Vandalism etc.	273	578	420	301	1,572	5	3	2	1	2
Other crimes	1,510	4,440	4,454	3,514	13,918	25	20	19	15	19
Crimes against public justice	894	2,396	2,431	1,931	7,652	15	11	11	8	10
Handling offensive weapons	251	562	516	406	1,735	4	2	2	2	2
Drugs	355	1,467	1,468	1,140	4,430	6	6	6	5	6
Other crime	10	15	39	37	101	*	*	*	*	*
All offences	3,285	14,463	13,513	15,955	47,216	55	64	59	68	63
Miscellaneous offences	1,841	6,969	6,519	6,208	21,537	31	31	28	26	29
Common assault	900	2,824	2,432	2,145	8,301	15	12	11	9	11
Breach of the peace etc.	861	3,695	3,589	3,304	11,449	14	16	16	14	15
Drunkenness and other disorderly conduct	-	12	9	10	31	-	*	*	*	*
Urinating etc.	-	-	-	2	2	-	-	-	*	-
Other miscellaneous	80	438	489	747	1,754	1	2	2	3	2
Motor vehicle offences	1,444	7,494	6,994	9,747	25,679	24	33	30	42	34
Dangerous and careless driving	324	1,034	728	1,274	3,360	5	5	3	5	4
Driving under the influence	176	907	904	1,398	3,385	3	4	4	6	5
Speeding	356	2,481	2,539	3,795	9,171	6	11	11	16	12
Unlawful use of motor vehicle	451	2,146	1,902	1,786	6,285	7	9	8	8	8
Vehicle defect offences	49	284	302	431	1,066	1	1	1	2	1
Seat belt offences	5	56	58	54	173	*	*	*	*	*
Mobile phone offences	17	136	155	155	463	*	1	1	1	1
Other motor vehicle offences	66	450	406	854	1,776	1	2	2	4	2

1. Excludes companies.

Table 7(a) People convicted by main penalty, 2010-11 to 2019-20

Main penalty	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	% change 2018-19 to 2019-20
Total	115,581	108,424	101,018	105,658	106,575	99,954	92,330	83,177	78,488	75,251	-4
Custody	15,320	15,950	14,789	14,172	14,038	13,755	12,699	11,980	12,221	11,101	-9
Prison	12,810	13,356	12,727	12,402	12,324	12,029	11,158	10,755	10,988	10,032	-9
Young offenders institution	2,082	2,105	1,606	1,244	1,155	1,184	998	763	763	583	-24
Supervised release order	230	267	265	286	325	351	316	287	269	308	14
Extended sentence	185	212	174	223	214	181	218	162	186	164	-12
Order for life-long restriction	13	10	17	17	20	10	9	13	15	14	-7
Community sentence	15,615	16,937	17,263	18,272	18,580	18,952	18,644	17,301	15,211	16,296	7
Community payback order	461	10,380	14,940	16,375	16,765	16,766	15,974	14,072	11,812	12,530	6
Restriction of liberty order	831	845	919	1,078	1,174	1,643	2,207	2,712	2,848	3,261	15
Drug treatment & testing order	806	642	607	589	525	474	418	497	529	493	-7
Community service order	5,306	2,642	479	141	68	40	18	6	6	3	-50
Probation and other community sentences ¹	8,211	2,428	318	89	48	29	27	14	16	9	-44
Financial penalty	67,576	59,320	53,429	57,795	56,779	49,872	44,938	39,235	37,283	34,661	-7
Fine	66,492	58,395	52,661	56,921	55,939	49,100	44,213	38,447	36,495	33,870	-7
Compensation order	1,084	925	768	874	840	772	725	788	788	791	0
Other sentence	17,070	16,217	15,537	15,419	17,178	17,375	16,049	14,661	13,773	13,193	-4
Admonition ²	16,421	15,577	15,011	14,839	16,426	16,501	15,234	13,874	13,060	12,504	-4
Absolute discharge, no order made	460	476	361	465	660	788	687	677	607	580	-4
Remit to children's hearing	170	140	133	94	67	77	100	86	87	89	2
Insanity, hospital, guardianship order	19	24	32	21	25	9	28	24	19	20	5
Average amount of penalty											
Custody (days) ³	277	289	284	295	287	293	316	319	326	356	
Fine (£) ^{4,5}	180	200	200	180	200	200	200	230	230	240	
Compensation order (£) ^{5,6}	190	200	200	200	200	200	250	290	250	250	

1. Includes supervised attendance orders, community reparation orders and anti-social behaviour orders.

2. Includes a small number of court cautions and dog-related disposals.

3. Excludes life-long restriction orders.

4. Excludes company fines.

5. Calculated as the median.

6. As main or secondary penalty.

Table 7(b) Percentage of people convicted by main penalty, 2010-11 to 2019-20

Main penalty	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
Total	100									
Custody	13	15	15	13	13	14	14	14	16	15
Prison	11	12	13	12	12	12	12	13	14	13
Young offenders institution	2	2	2	1	1	1	1	1	1	1
Supervised release order	-	-	-	-	-	-	-	-	-	-
Extended sentence	-	-	-	-	-	-	-	-	-	-
Order for life-long restriction	-	-	-	-	-	-	-	-	-	-
Community sentence	14	16	17	17	17	19	20	21	19	22
Community payback order	-	10	15	15	16	17	17	17	15	17
Restriction of liberty order	1	1	1	1	1	2	2	3	4	4
Drug treatment & testing order	1	1	1	1	-	-	-	1	1	1
Community service order	5	2	-	-	-	-	-	-	-	-
Probation and other community sentences ¹	7	2	-	-	-	-	-	-	-	-
Financial penalty	58	55	53	55	53	50	49	47	48	46
Fine	58	54	52	54	52	49	48	46	46	45
Compensation order	1	1	1	1	1	1	1	1	1	1
Other sentence	15	15	15	15	16	17	17	18	18	18
Admonition ²	14	14	15	14	15	17	16	17	17	17
Absolute discharge, no order made	-	-	-	-	1	1	1	1	1	1
Remit to children's hearing	-	-	-	-	-	-	-	-	-	-
Insanity, hospital, guardianship order	-	-	-	-	-	-	-	-	-	-
Average amount of penalty										
Custody (days) ³	281	277	289	284	295	287	291	314	317	326
Fine (£) ^{4,5}	180	180	200	200	180	200	200	200	230	230
Compensation order (£) ^{5,6}	180	190	200	200	200	200	200	250	290	250

1. Includes supervised attendance orders, community reparation orders and anti-social behaviour orders.

2. Includes a small number of court cautions and dog-related disposals.

Table 8(a) People convicted by main crime/offence and main penalty, 2019-20

Main crime or offence	Drug															Insanity, guardianship, hospital order	Total
	Young offenders	Prison	Supervised release order	Extended sentence	Order for lifelong restriction	Community payback order	Restriction of liberty order	treatment and testing order	Community service order	and other community sentences	Fine	Compensation order	Admonition	Absolute discharge	Remit to Children's hearing		
All crimes and offences	10,032	583	308	164	14	12,530	3,261	493	3	9	33,870	791	12,504	580	89	20	75,251
All crimes	6,641	383	254	160	14	6,084	1,794	436	1	8	5,200	406	6,373	204	57	18	28,033
Non-sexual crimes of violence	775	88	153	87	4	511	227	12	-	1	133	43	84	17	4	3	2,142
Homicide etc	53	9	1	4	-	8	5	-	-	-	-	-	-	-	-	1	81
Attempted murder and serious assault	447	49	95	67	3	299	155	3	-	1	90	37	35	12	3	2	1,298
Robbery	211	30	49	14	1	39	39	8	-	-	6	4	7	1	1	-	410
Domestic Abuse (Scotland) Act	35	-	4	-	-	106	19	1	-	-	26	1	12	2	-	-	206
Other non-sexual crimes of violence	29	-	4	2	-	59	9	-	-	-	11	1	30	2	-	-	147
Sexual crimes	332	7	4	73	9	552	57	1	1	6	99	4	40	12	1	6	1,204
Rape and attempted rape	82	4	-	34	8	1	-	-	-	-	-	-	-	-	-	1	130
Sexual assault	110	-	2	14	-	136	17	-	-	6	5	3	2	8	-	2	305
Crimes associated with prostitution	2	-	-	-	-	-	-	-	-	-	33	-	10	-	-	-	45
Other sexual crimes	138	3	2	25	1	415	40	1	1	-	61	1	28	4	1	3	724
Crimes of dishonesty	2,681	76	38	-	-	1,616	489	306	-	-	1,330	213	2,272	45	10	-	9,076
Housebreaking	416	34	34	-	-	144	68	29	-	-	13	4	48	4	2	-	796
Theft by opening lock fast places	37	4	1	-	-	24	8	4	-	-	6	8	18	1	-	-	111
Theft from a motor vehicle	31	-	1	-	-	13	18	9	-	-	1	3	12	1	-	-	89
Theft of a motor vehicle	55	2	-	-	-	66	16	3	-	-	38	-	16	2	-	-	200
Shoplifting	1,401	19	-	-	-	824	195	195	-	-	836	119	1,783	22	1	-	5,395
Other theft	458	11	2	-	-	295	95	35	-	-	266	48	237	9	4	-	1,460
Fraud	104	3	-	-	-	93	34	2	-	-	87	28	54	5	-	-	410
Other dishonesty	179	3	-	-	-	157	55	29	-	-	83	3	104	1	1	-	615
Fire-raising, vandalism, etc.	269	35	15	-	1	430	108	7	-	-	354	141	309	15	8	1	1,693
Fire-raising	47	10	11	-	1	34	7	-	-	-	4	-	5	1	-	1	121
Vandalism etc.	222	25	4	-	-	396	101	7	-	-	350	141	304	14	8	-	1,572
Other crimes	2,584	177	44	-	-	2,975	913	110	-	1	3,284	5	3,668	115	34	8	13,918
Crimes against public justice	1,269	124	12	-	-	1,650	389	29	-	1	1,524	3	2,564	62	21	4	7,652
Handling offensive weapons	548	35	25	-	-	477	217	19	-	-	217	-	164	22	7	4	1,735
Drugs	724	16	6	-	-	829	299	62	-	-	1,537	-	925	27	5	-	4,430
Other crime	43	2	1	-	-	19	8	-	-	-	6	2	15	4	1	-	101
All offences	3,391	200	54	4	-	6,446	1,467	57	2	1	28,670	385	6,131	376	32	2	47,218
Miscellaneous offences	3,019	183	53	4	-	5,355	1,198	50	1	1	5,874	364	5,070	333	31	2	21,538
Common assault	1,383	110	40	3	-	2,272	561	20	-	1	1,966	204	1,586	138	16	1	8,301
Breach of the peace etc.	1,379	67	10	1	-	2,723	543	23	1	-	3,295	117	3,109	167	13	1	11,449
Drunkenness and other disorderly conduct	-	-	-	-	-	2	-	-	-	-	15	-	14	-	-	-	31
Other miscellaneous, including urinating	257	6	3	-	-	358	94	7	-	-	598	43	361	28	2	-	1,757
Motor vehicle offences	372	17	1	-	-	1,091	269	7	1	-	22,796	21	1,061	43	1	-	25,680
Dangerous and careless driving	140	11	1	-	-	289	91	2	1	-	2,742	7	70	5	1	-	3,360
Driving under the influence	57	-	-	-	-	512	91	2	-	-	2,684	-	34	5	-	-	3,385
Speeding	1	-	-	-	-	10	-	-	-	-	9,078	-	79	3	-	-	9,171
Unlawful use of motor vehicle	171	6	-	-	-	262	84	3	-	-	5,013	13	709	24	-	-	6,285
Vehicle defect offences	-	-	-	-	-	3	-	-	-	-	999	-	63	2	-	-	1,067
Other motor vehicle offences ¹	3	-	-	-	-	15	3	-	-	-	2,280	1	106	4	-	-	2,412

1. Includes seat belt and mobile phone offences.

Table 8(b) Percentage of people convicted by main crime/offence and main penalty, 2019-20

Main crime or offence	Row percentages					Column percentages				
	Custody	Community sentence	Financial penalty	Other	Total	Custody	Community sentence	Financial penalty	Other	Total
All crimes and offences	15	22	46	18	100	100	100	100	100	100
All crimes	27	30	20	24	100	67	51	16	50	37
Non-sexual crimes of violence	52	35	8	5	100	10	5	1	1	3
Homicide etc	83	16	-	1	100	1	*	-	*	*
Attempted murder and serious assault	51	35	10	4	100	6	3	*	*	2
Robbery	74	21	2	2	100	3	1	*	*	1
Domestic Abuse (Scotland) Act	19	61	13	7	100	*	1	*	*	*
Other non-sexual crimes of violence	24	46	8	22	100	*	*	*	*	*
Sexual crimes	35	51	9	5	100	4	4	*	*	2
Rape and attempted rape	98	1	-	1	100	1	*	-	*	*
Sexual assault	41	52	3	4	100	1	1	*	*	*
Crimes associated with prostitution	4	-	73	22	100	*	-	*	*	*
Other sexual crimes	23	63	9	5	100	2	3	*	*	1
Crimes of dishonesty	31	27	17	26	100	25	15	4	18	12
Housebreaking	61	30	2	7	100	4	1	*	*	1
Theft by opening lockfast places	38	32	13	17	100	*	*	*	*	*
Theft from a motor vehicle	36	45	4	15	100	*	*	*	*	*
Theft of a motor vehicle	29	43	19	10	100	1	1	*	*	*
Shoplifting	26	23	18	33	100	13	7	3	14	7
Other theft	32	29	22	17	100	4	3	1	2	2
Fraud	26	31	28	14	100	1	1	*	*	1
Other dishonesty	30	39	14	17	100	2	1	*	1	1
Fire-raising, vandalism, etc.	19	32	29	20	100	3	3	1	3	2
Fire-raising	57	34	3	6	100	1	*	*	*	*
Vandalism etc.	16	32	31	21	100	2	3	1	2	2
Other crimes	20	29	24	27	100	25	25	9	29	18
Crimes against public justice	18	27	20	35	100	13	13	4	20	10
Handling offensive weapons	35	41	13	11	100	5	4	1	1	2
Drugs	17	27	35	22	100	7	7	4	7	6
Other crime	46	27	8	20	100	*	*	*	*	*
All offences	8	17	62	14	100	33	49	84	50	63
Miscellaneous offences	15	31	29	25	100	29	41	18	41	29
Common assault	19	34	26	21	100	14	18	6	13	11
Breach of the peace etc.	13	29	30	29	100	13	20	10	25	15
Drunkenness and other disorderly conduct	-	6	48	45	100	-	*	*	*	*
Other miscellaneous, including urinating	15	26	36	22	100	2	3	2	3	2
Motor vehicle offences	2	5	89	4	100	4	8	66	8	34
Dangerous and careless driving	5	11	82	2	100	1	2	8	1	4
Driving under the influence	2	18	79	1	100	1	4	8	*	4
Speeding	*	*	99	1	100	*	*	26	1	12
Unlawful use of motor vehicle	3	6	80	12	100	2	2	15	6	8
Vehicle defect offences	-	*	94	6	100	-	*	3	*	1
Other motor vehicle offences ¹	*	1	95	5	100	-	-	7	1	3

1. Includes seat belt and mobile phone offences.

Table 8(c) People convicted by sex, main crime/offence and main penalty, 2019-20

Main crime or offence	Male					Female				
	Total	(percentages)				Total	(percentages)			
		Custody	Community sentence	Financial penalty	Other		Custody	Community sentence	Financial penalty	Other
All crimes and offences	62,126	16	22	46	15	13,123	7	19	46	27
All crimes	23,343	29	30	20	21	4,690	15	28	19	38
Non-sexual crimes of violence	1,908	55	34	8	3	234	28	46	8	18
Homicide etc	76	84	14	-	1	5	60	40	-	-
Attempted murder and serious assault	1,200	53	34	10	3	98	28	50	11	11
Robbery	350	77	19	2	2	60	57	35	3	5
Domestic Abuse (Scotland) Act	202	19	61	13	6	4	-	50	-	50
Other non-sexual crimes of violence	80	41	44	9	6	67	3	49	7	40
Sexual crimes	1,174	36	52	8	4	30	13	27	20	40
Rape and attempted rape	130	98	1	-	1	-	-	-	-	-
Sexual assault	302	41	52	3	4	3	67	33	-	-
Crimes associated with prostitution	39	3	-	82	15	6	17	-	17	67
Other sexual crimes	703	24	64	8	4	21	5	33	24	38
Crimes of dishonesty	6,845	35	27	16	22	2,231	18	26	19	37
Housebreaking	755	63	29	2	6	41	29	51	-	20
Theft by opening lockfast places	107	39	32	12	17	4	-	50	25	25
Theft from a motor vehicle	88	36	44	5	15	1	-	100	-	-
Theft of a motor vehicle	192	29	42	20	10	8	25	63	-	13
Shoplifting	3,696	30	23	17	30	1,699	18	22	18	42
Other theft	1,196	35	29	20	16	264	22	32	26	20
Fraud	272	33	28	30	10	138	13	38	25	24
Other dishonesty	539	31	38	14	16	76	20	45	12	24
Fire-raising, vandalism, etc.	1,472	20	33	29	18	221	12	29	28	30
Fire-raising	107	59	31	4	7	14	43	57	-	-
Vandalism etc.	1,365	17	33	31	19	207	10	28	30	32
Other crimes	11,944	22	29	24	25	1,974	11	28	19	42
Crimes against public justice	6,470	20	27	21	32	1,182	11	25	16	49
Handling offensive weapons	1,590	37	39	13	10	145	12	59	8	21
Drugs	3,808	18	27	36	20	622	10	28	27	34
Other crime	76	57	25	7	12	25	12	32	12	44
All offences	38,783	9	17	62	12	8,433	3	15	61	21
Miscellaneous offences	17,802	17	31	30	22	3,735	6	28	24	42
Common assault	6,613	21	35	27	17	1,688	7	32	24	37
Breach of the peace etc.	9,840	14	30	31	25	1,609	5	21	25	50
Drunkenness and other disorderly conduct	21	-	-	52	48	10	-	20	40	40
Other miscellaneous, including urinating	1,328	19	23	40	19	428	5	36	26	33
Motor vehicle offences	20,981	2	6	88	4	4,698	*	4	91	5
Dangerous and careless driving	2,850	5	12	80	2	510	-	6	91	3
Driving under the influence	2,668	2	18	79	1	717	*	18	80	1
Speeding	7,478	*	*	99	1	1,693	-	-	99	1
Unlawful use of motor vehicle	5,112	3	6	79	11	1,173	*	3	83	13
Vehicle defect offences	979	-	*	94	5	87	-	-	86	14
Other motor vehicle offences ¹	1,894	*	1	94	5	518	-	*	95	5

1. Includes seat belt and mobile phone offences.

Table 9(a) Number of people convicted receiving custodial sentences by main crime/offence, 2010-11 to 2019-20

Main crime or offence	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	% change 2018-19 to 2019-20
All crimes and offences	15,320	15,950	14,789	14,172	14,038	13,755	12,699	11,980	12,221	11,101	-9
All crimes	10,906	11,062	10,177	9,691	9,483	9,093	8,335	7,849	8,294	7,452	-10
Non-sexual crimes of violence	1,357	1,486	1,276	1,104	1,027	1,034	978	960	1,030	1,107	7
Homicide etc	97	92	94	82	56	61	57	62	59	67	14
Attempted murder and serious assault	755	844	724	629	612	639	610	576	654	661	1
Robbery	377	470	406	341	303	301	275	289	279	305	9
Domestic Abuse (Scotland) Act	-	-	-	-	-	-	-	-	39	-	
Other non-sexual crimes of violence	128	80	52	52	56	33	36	33	38	35	-8
Sexual crimes	205	219	295	374	366	386	395	403	474	425	-10
Rape and attempted rape	34	46	71	84	116	95	93	102	141	128	-9
Sexual assault	74	68	97	108	105	120	143	120	129	126	-2
Crimes associated with prostitution	3	4	-	5	-	1	-	1	-	2	-
Other sexual crimes	94	101	127	177	145	170	159	180	204	169	-17
Crimes of dishonesty	4,690	4,612	4,288	4,022	4,090	3,710	3,329	3,134	3,416	2,795	-18
Housebreaking	809	812	741	575	571	533	542	520	503	484	-4
Theft by opening lockfast places	108	115	110	92	78	72	91	76	74	42	-43
Theft from a motor vehicle	110	113	83	56	57	40	42	39	53	32	-40
Theft of a motor vehicle	132	131	116	72	87	95	93	76	80	57	-29
Shoplifting	2,108	2,019	1,850	1,922	2,127	1,881	1,632	1,495	1,824	1,420	-22
Other theft	798	824	825	771	732	615	535	534	539	471	-13
Fraud	246	192	178	160	131	165	144	133	115	107	-7
Other dishonesty	379	406	385	374	307	309	250	261	228	182	-20
Fire-raising, vandalism, etc.	448	445	384	375	351	360	320	339	334	320	-4
Fire-raising	55	60	62	49	46	50	49	56	71	69	-3
Vandalism etc.	393	385	322	326	305	310	271	283	263	251	-5
Other crimes	4,206	4,300	3,934	3,816	3,649	3,603	3,313	3,013	3,040	2,805	-8
Crimes against public justice	1,979	2,117	2,099	2,049	2,082	2,043	1,742	1,604	1,538	1,405	-9
Handling offensive weapons	758	805	646	643	587	509	488	505	601	608	1
Drugs	1,413	1,309	1,114	1,061	936	1,012	1,016	865	864	746	-14
Other crime	56	69	75	63	44	39	67	39	37	46	24
All offences	4,414	4,888	4,612	4,481	4,555	4,662	4,364	4,131	3,927	3,649	-7
Miscellaneous offences	3,872	4,347	4,182	4,125	4,192	4,226	3,875	3,624	3,481	3,259	-6
Common assault	2,069	2,139	1,949	1,815	1,823	1,879	1,726	1,635	1,635	1,536	*
Breach of the peace etc.	1,533	1,800	1,828	1,875	1,988	2,006	1,847	1,711	1,603	1,457	-9
Drunkenness and other disorderly conduct	3	5	3	2	1	3	2	1	-	-	-
Other miscellaneous, including urinating	267	403	402	433	380	338	300	277	243	266	9
Motor vehicle offences	542	541	430	356	363	436	489	507	446	390	-13
Dangerous and careless driving	98	102	80	80	97	142	152	175	155	152	-2
Driving under the influence	122	116	97	73	89	97	90	75	70	57	-19
Speeding	-	-	-	-	-	-	-	-	-	1	-
Unlawful use of motor vehicle	318	316	248	196	174	189	239	249	218	177	-19
Vehicle defect offences	-	-	-	-	-	-	-	1	-	-	-
Other motor vehicle offences ¹	4	7	5	7	3	8	8	7	3	3	-

1. Includes seat belt and mobile phone offences.

Table 9(b) Percentage of people convicted receiving custodial sentences by main crime/offence, 2010-11 to 2019-20

Main crime or offence	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
All crimes and offences	13	15	15	13	13	14	14	14	16	15
All crimes	26	27	27	27	26	25	26	26	29	27
Non-sexual crimes of violence	53	60	60	61	59	58	57	52	58	52
Homicide etc	83	83	82	88	69	73	73	70	73	83
Attempted murder and serious assault	53	62	56	60	58	57	55	49	56	51
Robbery	72	78	78	76	79	78	74	70	77	74
Domestic Abuse (Scotland) Act	-	-	-	-	-	-	-	-	-	19
Other non-sexual crimes of violence	27	21	23	24	25	17	22	21	23	24
Sexual crimes	25	26	32	33	30	32	37	36	39	35
Rape and attempted rape	94	94	92	92	93	90	94	96	99	98
Sexual assault	46	45	48	46	38	43	54	40	43	41
Crimes associated with prostitution	1	2	-	3	-	1	-	2	-	4
Other sexual crimes	25	23	26	28	22	23	25	27	27	23
Crimes of dishonesty	30	31	32	32	33	32	31	32	35	31
Housebreaking	53	54	54	55	58	62	62	64	66	61
Theft by opening lockfast places	38	40	45	42	37	37	49	52	46	38
Theft from a motor vehicle	41	45	42	39	51	40	45	46	48	36
Theft of a motor vehicle	27	29	31	26	27	31	34	31	36	29
Shoplifting	27	28	28	29	31	29	26	26	31	26
Other theft	28	28	30	30	31	29	30	33	36	32
Fraud	23	24	29	23	22	30	26	28	28	26
Other dishonesty	31	33	32	33	30	34	31	32	33	30
Fire-raising, vandalism, etc.	13	15	15	15	14	16	16	19	19	19
Fire-raising	35	41	47	38	35	43	43	45	60	57
Vandalism etc.	12	13	13	14	13	15	15	17	16	16
Other crimes	21	22	22	21	20	19	19	20	22	20
Crimes against public justice	20	21	21	21	21	20	19	20	21	18
Handling offensive weapons	31	36	38	38	37	34	34	34	38	35
Drugs	19	19	17	16	14	14	16	16	17	17
Other crime	26	32	35	35	26	26	36	35	37	46
All offences	6	7	7	6	7	7	7	8	8	8
Miscellaneous offences	13	15	15	14	14	13	13	14	16	15
Common assault	16	17	17	16	16	16	15	17	19	19
Breach of the peace etc.	13	14	14	14	13	12	12	13	13	13
Drunkenness and other disorderly conduct	*	2	1	1	*	2	3	2	-	-
Other miscellaneous, including urinating	7	11	11	11	11	11	12	13	13	15
Motor vehicle offences	1	1	1	1	1	1	2	2	2	2
Dangerous and careless driving	3	4	3	2	3	4	4	5	5	5
Driving under the influence	2	2	2	2	2	3	2	2	2	2
Speeding	-	-	-	-	-	-	-	-	-	*
Unlawful use of motor vehicle	3	4	3	2	2	3	3	4	3	3
Vehicle defect offences	-	-	-	-	-	-	-	*	-	-
Other motor vehicle offences ¹	*	*	*	*	*	*	*	*	*	*

1. Includes seat belt and mobile phone offences.

Table 10(a) People receiving a custodial sentence by main crime/offence and length of sentence, 2019-20¹

Main crime or offence	Total	(Numbers)								(Percentages)							
		Up to 3 months	Over 3 months to 6 months	Over 6 months to 1 year	Over 1 year to 2 years	Over 2 years to less than 4 years	4 years and over	Life	Average length of sentence (days) ^{2,3}	Up to 3 months	Over 3 months to 6 months	Over 6 months to 1 year	Over 1 year to 2 years	Over 2 years to less than 4 years	4 years and over including life etc		
All crimes and offences	11,076	2,551	3,704	2,069	1,600	625	486	41	356	23	33	19	14	6	5		
All crimes	7,437	1,763	2,097	1,203	1,308	561	464	41	425	24	28	16	18	8	7		
Non-sexual crimes of violence	1,102	6	39	136	431	234	216	40	988	1	4	12	39	21	23		
Homicide etc	67	-	-	-	1	1	25	40	2,297	-	-	-	1	1	97		
Attempted murder and serious assault	658	2	16	63	274	155	148	-	1,074	*	2	10	42	24	22		
Robbery	305	-	10	54	137	70	34	-	752	-	3	18	45	23	11		
Domestic Abuse (Scotland) Act	37	3	9	13	9	3	-	-	363	8	24	35	24	8	-		
Other non-sexual crimes of violence	35	1	4	6	10	5	9	-	1,071	3	11	17	29	14	26		
Sexual crimes	425	6	32	56	102	66	163	-	1,252	1	8	13	24	16	38		
Rape and attempted rape	128	-	-	-	1	10	117	-	2,445	-	-	-	1	8	91		
Sexual assault	126	2	3	19	39	30	33	-	1,008	2	2	15	31	24	26		
Crimes associated with prostitution	2	-	-	1	-	1	-	-	593	-	-	50	-	50	-		
Other sexual crimes	169	4	29	36	62	25	13	-	591	2	17	21	37	15	8		
Crimes of dishonesty	2,788	849	1,111	485	260	79	4	-	208	30	40	17	9	3	*		
Housebreaking	483	16	80	154	166	66	1	-	457	3	17	32	34	14	*		
Theft by opening lockfast places	42	11	14	12	4	1	-	-	222	26	33	29	10	2	-		
Theft from a motor vehicle	32	4	17	6	5	-	-	-	224	13	53	19	16	-	-		
Theft of a motor vehicle	57	7	27	15	7	1	-	-	230	12	47	26	12	2	-		
Shoplifting	1,417	611	664	133	8	-	1	-	123	43	47	9	1	-	*		
Other theft	469	101	224	104	35	5	-	-	196	22	48	22	7	1	-		
Fraud	107	19	32	33	18	3	2	-	290	18	30	31	17	3	2		
Other dishonesty	181	80	53	28	17	3	-	-	183	44	29	15	9	2	-		
Fire-raising, vandalism, etc.	319	81	117	56	47	15	3	-	272	25	37	18	15	5	1		
Fire-raising	69	2	6	16	29	13	3	-	628	3	9	23	42	19	4		
Vandalism etc.	250	79	111	40	18	2	-	-	175	32	44	16	7	1	-		
Other crimes	2,803	821	798	470	468	167	78	1	322	29	28	17	17	6	3		
Crimes against public justice	1,404	673	514	160	47	9	1	-	140	48	37	11	3	1	*		
Handling offensive weapons	607	34	139	186	212	34	2	-	376	6	23	31	35	6	*		
Drugs	746	113	129	117	205	124	58	-	545	15	17	16	27	17	8		
Other crime	46	1	16	7	4	-	17	1	1,607	2	35	15	9	-	39		
All offences	3,639	788	1,607	866	292	64	22	-	216	22	44	24	8	2	1		
Miscellaneous offences	3,250	750	1,436	719	268	55	22	-	214	23	44	22	8	2	1		
Common assault	1,534	246	630	417	197	36	8	-	249	16	41	27	13	2	1		
Breach of the peace etc.	1,450	436	682	263	55	13	1	-	165	30	47	18	4	1	*		
Drunkenness and other disorderly conduct	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Other miscellaneous, including urinating	266	68	124	39	16	6	13	-	275	26	47	15	6	2	5		
Motor vehicle offences	389	38	171	147	24	9	-	-	237	10	44	38	6	2	-		
Dangerous and careless driving	151	6	48	67	22	8	-	-	315	4	32	44	15	5	-		
Driving under the influence	57	13	36	7	1	-	-	-	142	23	63	12	2	-	-		
Speeding	1	1	-	-	-	-	-	-	7	100	-	-	-	-	-		
Unlawful use of motor vehicle	177	17	85	73	1	1	-	-	203	10	48	41	1	1	-		
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Other motor vehicle offences ⁴	3	1	2	-	-	-	-	-	132	33	67	-	-	-	-		

1. Excludes a small number of cases which resulted in detention of a child aged under 16, recall sentences and a small number of records we do not have sentence information for.

2. Excludes life sentences.

3. Average sentence length figures for some categories may be underestimated slightly due to late recording of some high court disposals see annex [Revisions](#) section.

4. Includes seat belt and mobile phone offences.

Table 10(b) People receiving a custodial sentence by sex, main crime/offence and length of sentence, 2019-10¹

Main crime or offence	Total	Male (Percentages)						Total	Female (Percentages)					
		Up to 3 months	Over 3 months to 6 months	Over 6 months to 1 year	Over 1 year to less than 2 years	Over 2 years to less than 4 years	4 years and over including life etc		Up to 3 months	Over 3 months to 6 months	Over 6 months to 1 year	Over 1 year to less than 2 years	Over 2 years to less than 4 years	4 years and over including life etc
All crimes and offences	10,132	22	33	19	15	6	5	944	38	36	14	8	3	1
All crimes	6,721	22	28	17	18	8	7	716	38	34	13	11	3	2
Non-sexual crimes of violence	1,036	1	3	12	38	22	24	66	-	6	15	52	14	14
Homicide etc	64	-	-	-	2	2	97	3	-	-	-	-	-	100
Attempted murder and serious assault	631	-	2	10	41	24	23	27	-	4	4	59	22	11
Robbery	271	-	3	17	44	25	12	34	-	9	26	53	9	3
Domestic Abuse (Scotland) Act	37	8	24	35	24	8	-	-	-	-	-	-	-	-
Other non-sexual crimes of violence	33	3	12	18	30	15	21	2	-	-	-	-	-	100
Sexual crimes	421	1	8	13	24	15	39	4	25	-	-	25	50	-
Rape and attempted rape	128	-	-	-	1	8	91	-	-	-	-	-	-	-
Sexual assault	124	2	2	15	31	23	27	2	-	-	-	50	50	-
Crimes associated with prostitution	1	-	-	100	-	-	-	1	-	-	-	-	100	-
Other sexual crimes	168	2	17	21	37	15	8	1	100	-	-	-	-	-
Crimes of dishonesty	2,383	29	40	18	10	3	-	405	41	41	13	4	-	-
Housebreaking	471	3	17	32	34	14	-	12	8	8	42	33	8	-
Theft by opening lockfast places	42	26	33	29	10	2	-	-	-	-	-	-	-	-
Theft from a motor vehicle	32	13	53	19	16	-	-	-	-	-	-	-	-	-
Theft of a motor vehicle	55	13	45	27	13	2	-	2	-	100	-	-	-	-
Shoplifting	1,116	41	49	9	1	-	-	301	49	40	10	-	-	-
Other theft	412	22	46	22	8	1	-	57	18	58	21	4	-	-
Fraud	89	17	30	33	15	3	2	18	22	28	22	28	-	-
Other dishonesty	166	45	29	16	8	1	-	15	33	33	7	20	7	-
Fire-raising, vandalism, etc.	292	26	36	18	14	5	1	27	22	41	11	22	4	-
Fire-raising	63	3	8	24	40	21	5	6	-	17	17	67	-	-
Vandalism etc.	229	32	44	17	7	-	-	21	29	48	10	10	5	-
Other crimes	2,589	28	28	17	17	6	3	214	44	29	12	9	5	1
Crimes against public justice	1,275	47	37	12	4	1	-	129	60	31	9	1	-	-
Handling offensive weapons	590	5	22	31	36	6	-	17	18	47	29	6	-	-
Drugs	681	15	17	16	27	17	8	65	22	15	15	28	17	3
Other crime	43	2	30	16	9	-	42	3	-	100	-	-	-	-
All offences	3,411	21	44	24	8	2	1	228	38	43	16	2	2	-
Miscellaneous offences	3,030	22	44	23	9	2	1	220	38	42	16	2	2	-
Common assault	1,418	15	41	28	14	2	1	116	28	45	22	3	3	-
Breach of the peace etc.	1,366	29	48	19	4	1	-	84	51	37	10	1	1	-
Drunkenness and other disorderly conduct	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other miscellaneous, including urinating	246	24	47	15	7	2	5	20	40	45	15	-	-	-
Motor vehicle offences	381	9	44	38	6	2	-	8	25	63	13	-	-	-
Dangerous and careless driving	151	4	32	44	15	5	-	-	-	-	-	-	-	-
Driving under the influence	54	22	63	13	2	-	-	3	33	67	-	-	-	-
Speeding	1	100	-	-	-	-	-	-	-	-	-	-	-	-
Unlawful use of motor vehicle	172	9	48	42	1	1	-	5	20	60	20	-	-	-
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other motor vehicle offences ²	3	33	67	-	-	-	-	-	-	-	-	-	-	-

1. Excludes a small number of cases which resulted in detention of a child aged under 16, recall sentences and a small number of records we do not have sentence information for.

2. Includes seat belt and mobile phone offences.

Table 10(c) Average length of custodial sentence in days, by main crime/offence, 2010-11 to 2019-20^{1,2}

Main crime or offence	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	% change 2018-19 to 2019-20
All crimes and offences	277	289	284	295	287	293	316	319	326	356	9
All crimes	318	336	333	349	339	347	382	383	384	425	11
Non-sexual crimes of violence	875	947	891	971	971	911	973	971	925	988	7
Homicide etc	2,264	2,206	2,392	2,335	2,022	1,913	1,920	2,390	2,312	2,297	-1
Attempted murder and serious assault	919	993	876	955	998	930	1,010	970	927	1,074	16
Robbery	813	834	804	907	927	775	838	816	797	752	-6
Domestic Abuse (Scotland) Act	-	-	-	-	-	-	-	-	-	363	-
Other non-sexual crimes of violence	271	484	446	676	443	756	675	846	967	1,071	11
Sexual crimes	1,186	1,201	1,271	1,212	1,316	1,239	1,213	1,253	1,299	1,252	-4
Rape and attempted rape	2,090	2,264	2,450	2,507	2,381	2,549	2,502	2,578	2,655	2,445	-8
Sexual assault	1,383	1,215	1,078	871	887	1,021	941	976	822	1,008	23
Crimes associated with prostitution	185	540	-	1,089	-	1,096	-	882	-	593	-
Other sexual crimes	770	766	795	835	830	694	722	705	678	591	-13
Crimes of dishonesty	154	165	166	168	181	193	206	209	190	208	9
Housebreaking	255	267	266	315	382	423	451	441	406	457	13
Theft by opening lockfast places	169	190	214	198	231	215	254	233	216	222	3
Theft from a motor vehicle	172	156	154	161	169	185	192	177	238	224	-6
Theft of a motor vehicle	151	182	174	216	198	213	235	257	221	230	4
Shoplifting	105	116	114	113	116	115	119	119	118	123	4
Other theft	159	167	162	165	191	188	192	192	175	196	12
Fraud	238	220	270	262	250	332	334	387	356	290	-19
Other dishonesty	131	164	171	176	190	199	181	190	213	183	-14
Fire-raising, vandalism, etc.	194	220	213	226	235	244	272	265	307	272	-11
Fire-raising	555	702	496	511	641	573	628	575	668	628	-6
Vandalism etc.	144	145	159	184	174	190	208	204	209	175	-16
Other crimes	300	285	285	302	264	265	303	283	293	322	10
Crimes against public justice	112	116	113	121	120	128	129	132	137	140	2
Handling offensive weapons	289	312	343	375	369	364	392	354	359	376	5
Drugs	575	542	578	604	517	476	539	512	516	545	6
Other crime	155	260	258	343	310	641	597	494	531	1,607	203
All offences	177	184	178	179	178	188	191	197	206	216	5
Miscellaneous offences	174	181	175	177	174	183	187	191	203	214	5
Common assault	202	212	206	206	216	215	220	227	238	249	5
Breach of the peace etc.	123	136	135	142	138	145	147	142	155	165	6
Drunkenness and other disorderly conduct	33	73	97	35	40	60	152	21	-	-	-
Other miscellaneous, including urinating	244	219	210	206	168	236	246	280	290	275	-5
Motor vehicle offences	202	207	202	203	218	229	221	239	229	237	3
Dangerous and careless driving	289	283	261	275	315	324	281	307	312	315	1
Driving under the influence	130	145	146	141	151	156	141	156	153	142	-7
Speeding	-	-	-	-	-	-	-	-	-	7	-
Unlawful use of motor vehicle	204	207	207	200	200	202	216	220	197	203	3
Vehicle defect offences	-	-	-	-	-	-	-	42	-	-	-
Other vehicle	152	100	93	97	118	60	128	104	99	132	33

1. Average sentence lengths exclude life sentences and indeterminate detention.

2. Figures for some categories dealt with by the High Court - including homicide, rape and major drug cases - may be underestimated slightly due to late recording of disposals - see annex [Revisions](#) section.

Table 10(d) People receiving a custodial sentence by length of sentence, 2010-11 to 2019-20

Year	Total ¹	Over 2 years						Year	Over 2 years						Over 2 years			
		Up to 3 months	Over 3 months to 6 months	Over 6 months to 1 year	Over 1 year to 2 years	years to less than 4 years	4 years and over		Up to 3 months	Over 3 months to 6 months	Over 6 months to 1 year	Up to 1 year (total)	Over 1 year to 2 years	years to less than 4 years	4 years and over	Life		
2010-11	15,296	5,332	5,229	2,192	1,264	776	455	48	2010-11	35%	34%	14%	83%	8%	5%	3%	0%	
2011-12	15,926	4,529	6,153	2,437	1,478	755	523	51	2011-12	28%	39%	15%	82%	9%	5%	3%	0%	
2012-13	14,768	4,339	5,471	2,418	1,390	665	436	49	2012-13	29%	37%	16%	83%	9%	5%	3%	0%	
2013-14	14,139	4,140	5,223	2,247	1,301	707	475	46	2013-14	29%	37%	16%	82%	9%	5%	3%	0%	
2014-15	14,008	4,103	5,229	2,170	1,434	620	419	32	2014-15	29%	37%	15%	82%	10%	4%	3%	0%	
2015-16	13,749	4,067	4,850	2,254	1,481	647	423	27	2015-16	30%	35%	16%	81%	11%	5%	3%	0%	
2016-17	12,686	3,502	4,463	2,139	1,440	646	466	30	2016-17	28%	35%	17%	80%	11%	5%	4%	0%	
2017-18	11,968	3,190	4,275	2,036	1,388	613	439	27	2017-18	27%	36%	17%	79%	12%	5%	4%	0%	
2018-19	12,202	3,139	4,285	2,161	1,469	647	463	37	2018-19	26%	35%	18%	79%	12%	5%	4%	0%	
2019-20	11,076	2,551	3,704	2,069	1,600	625	486	41	2019-20	23%	33%	19%	75%	14%	6%	4%	0%	

1. Excludes a small number of cases which resulted in detention of a child aged under 16, recall sentences and a small number of records we do not have sentence information for.

Table 11 People convicted by main penalty, sex and age, 2010-11 to 2019-20

	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	% change 18-19 to 19-20
Total¹	115,581	108,424	101,018	105,658	106,575	99,954	92,330	83,177	78,488	75,251	-4
Males²	Total	97,042	90,902	84,347	87,983	88,650	83,010	76,476	68,572	64,655	62,126
	Under 21	15,145	13,135	10,358	9,187	8,628	8,417	7,599	6,401	5,696	5,182
	21-30	35,177	32,761	30,338	30,705	30,155	28,123	25,777	22,480	20,753	19,130
	31-40	23,564	22,467	21,567	22,836	23,756	22,101	20,699	19,347	18,755	18,584
	41-100	23,156	22,539	22,084	25,255	26,111	24,369	22,401	20,344	19,451	19,230
Females²	Total	18,532	17,437	16,558	17,590	17,921	16,944	15,852	14,603	13,833	13,123
	Under 21	2,228	1,952	1,616	1,429	1,448	1,358	1,217	1,090	942	842
	21-30	6,573	5,989	5,874	5,656	5,515	5,178	4,666	4,048	3,757	3,615
	31-40	4,985	4,853	4,492	5,001	5,313	4,998	4,964	4,821	4,658	4,420
	41-100	4,746	4,643	4,576	5,504	5,645	5,410	5,005	4,644	4,476	4,246
Custody¹		15,320	15,950	14,789	14,172	14,038	13,755	12,699	11,980	12,221	11,101
Males²	Total	14,018	14,582	13,499	12,959	12,745	12,563	11,704	10,839	11,115	10,157
	Under 21	2,014	2,050	1,588	1,238	1,137	1,190	1,007	758	771	598
	21-30	6,074	6,059	5,486	5,021	4,983	4,748	4,415	3,948	3,948	3,371
	31-40	3,776	4,094	3,973	4,025	3,903	3,914	3,672	3,682	3,835	3,765
	41-100	2,154	2,379	2,452	2,675	2,722	2,711	2,610	2,451	2,561	2,423
Females²	Total	1,302	1,368	1,290	1,213	1,293	1,192	995	1,141	1,106	944
	Under 21	168	160	116	83	84	72	52	61	49	35
	21-30	588	620	599	491	483	400	325	324	302	267
	31-40	324	349	345	395	488	462	377	500	515	427
	41-100	222	239	230	244	238	258	241	256	240	215
Community sentence¹		15,615	16,937	17,263	18,272	18,580	18,952	18,644	17,301	15,211	16,296
Males²	Total	12,977	14,090	14,395	15,245	15,503	15,866	15,623	14,444	12,777	13,751
	Under 21	3,446	3,292	2,743	2,635	2,522	2,497	2,359	1,988	1,648	1,595
	21-30	4,696	5,249	5,590	5,674	5,763	5,768	5,755	4,929	4,349	4,619
	31-40	2,724	3,168	3,403	3,796	3,966	4,135	4,063	4,041	3,666	4,098
	41-100	2,111	2,381	2,659	3,140	3,252	3,466	3,446	3,114	3,439	10
Females²	Total	2,638	2,847	2,868	3,027	3,077	3,086	3,020	2,857	2,434	2,545
	Under 21	453	433	428	340	378	341	309	269	219	237
	21-30	1,020	1,014	1,063	1,030	1,014	967	903	816	689	678
	31-40	661	769	735	882	862	949	952	1,012	875	947
	41-100	504	631	642	775	823	829	856	760	651	683
Financial Penalty¹		67,576	59,320	53,429	57,795	56,779	49,872	44,938	39,235	37,283	34,661
Males²	Total	57,359	50,260	45,145	48,435	47,734	42,012	37,564	32,726	30,775	28,602
	Under 21	7,071	5,365	4,061	3,697	3,343	3,037	2,672	2,238	1,964	1,780
	21-30	20,360	17,798	15,813	16,478	15,554	13,867	12,306	10,630	9,648	8,675
	31-40	14,085	12,261	11,185	12,005	12,455	10,727	9,878	8,753	8,420	7,925
	41-100	15,843	14,836	14,086	16,255	16,382	14,381	12,708	11,105	10,743	10,222
Females²	Total	10,211	8,983	8,175	9,282	9,041	7,860	7,373	6,507	6,508	6,057
	Under 21	909	746	530	519	533	444	382	347	323	291
	21-30	3,382	2,907	2,706	2,772	2,604	2,311	2,121	1,828	1,698	1,636
	31-40	2,844	2,463	2,192	2,551	2,557	2,177	2,169	1,913	2,010	1,804
	41-100	3,076	2,867	2,747	3,440	3,347	2,928	2,701	2,419	2,477	2,326
Other sentence¹		17,070	16,217	15,537	15,419	17,178	17,375	16,049	14,661	13,773	13,193
Males²	Total	12,688	11,970	11,308	11,344	12,668	12,569	11,585	10,563	9,988	9,616
	Under 21	2,614	2,428	1,966	1,617	1,626	1,693	1,561	1,417	1,313	1,209
	21-30	4,047	3,655	3,449	3,532	3,855	3,740	3,301	2,973	2,808	2,465
	31-40	2,979	2,944	3,006	3,010	3,432	3,325	3,086	2,871	2,834	2,796
	41-100	3,048	2,943	2,887	3,185	3,755	3,811	3,637	3,302	3,033	3,146
Females²	Total	4,381	4,239	4,225	4,068	4,510	4,806	4,464	4,098	3,785	3,577
	Under 21	698	613	542	487	453	501	474	413	351	279
	21-30	1,583	1,448	1,506	1,363	1,414	1,500	1,317	1,080	1,068	1,034
	31-40	1,156	1,272	1,220	1,173	1,406	1,410	1,466	1,396	1,258	1,242
	41-100	944	906	957	1,045	1,237	1,395	1,207	1,209	1,108	1,022

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

2. Sex totals exclude companies and where age and sex are unknown. The sum of sex totals may not equal disposal totals.

Table 12 People convicted with an aggravator recorded against the main charge by sex, 2010-11 to 2019-20^{1,2,3}

	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	%change 18-19 to 19-20
Male and Female											
All aggravations	9,519	10,040	10,481	12,294	13,751	13,828	12,258	11,227	10,491	10,701	2
Domestic	8,566	8,877	9,292	11,077	12,441	12,376	10,836	9,885	9,205	9,355	2
of which also statutory:	-	-	-	-	-	-	-	4,327	7,751	8,120	5
<i>Involving a child</i>	-	-	-	-	-	-	-	-	-	38	0
Racial	614	626	696	699	701	761	719	660	631	595	-6
Religious	275	370	272	256	241	247	278	253	205	230	12
Sexual orientation	56	155	194	227	320	369	356	358	354	420	19
Disability	5	9	21	30	40	68	53	59	89	87	-2
Transgender	3	3	6	5	8	7	14	12	7	14	100
Male											
All aggravations	8,492	8,933	9,184	10,715	11,884	11,980	10,696	9,827	9,233	9,436	2
Domestic	7,665	7,927	8,176	9,693	10,796	10,741	9,508	8,715	8,163	8,331	2
of which also statutory:	-	-	-	-	-	-	-	3,889	6,888	7,243	5
<i>Involving a child</i>	-	-	-	-	-	-	-	-	-	38	0
Racial	520	512	569	569	573	633	586	528	507	471	-7
Religious	254	349	255	239	213	230	259	234	190	203	7
Sexual orientation	48	135	164	186	265	316	290	298	299	353	18
Disability	2	8	16	23	33	55	40	42	67	66	-1
Transgender	3	2	4	5	4	5	11	10	7	12	71
Female											
All aggravations	1,027	1,107	1,297	1,579	1,867	1,848	1,562	1,400	1,258	1,265	1
Domestic	901	950	1,116	1,384	1,645	1,635	1,328	1,170	1,042	1,024	-2
of which also statutory:	-	-	-	-	-	-	-	438	863	877	2
<i>Involving a child</i>	-	-	-	-	-	-	-	-	-	-	-
Racial	94	114	127	130	128	128	133	132	124	124	0
Religious	21	21	17	17	28	17	19	19	15	27	80
Sexual orientation	8	20	30	41	55	53	66	60	55	67	22
Disability	3	1	5	7	7	13	13	17	22	21	-5
Transgender	-	1	2	-	4	2	3	2	-	2	-

1. Each proceeding may have one or more aggravator codes associated with it. A proceeding will be counted under each aggravator code associated with it. e.g. A homicide with a 'racial'

and 'religious' aggravator will appear once in the racial aggravator column and once under the religious aggravator column.

2. Caution is required when comparing changes over the longer term or shortly after an aggravator code is introduced.

3. Statutory Domestic Abuse (DA) aggravators are not included in the overall total - they always accompany the main DA aggravator.

Table 13 People convicted with an aggravator recorded against the main charge by crime type, 2019-20^{1,2}

Main crime or offence	Domestic Abuse	DA - Statutory	Involving a child	Disability	Racial	Religious	Sexual orientation	Trans-gender	Total
All crimes and offences	9,355	8,120	38	87	595	230	420	14	10,701
All crimes	2,971	2,178	38	6	35	4	15	1	3,032
Non-sexual crimes of violence	395	155	38	2	13	-	2	-	412
Homicide etc	3	1	-	-	-	-	-	-	3
Attempted murder and serious assault	169	143	-	-	7	-	2	-	178
Robbery	6	5	-	-	4	-	-	-	10
Domestic Abuse (Scotland) Act	206	-	38	-	2	-	-	-	208
Other non-sexual crimes of violence	11	6	-	2	-	-	-	-	13
Sexual crimes	123	90	-	1	4	-	7	1	136
Rape and attempted rape	25	10	-	-	-	-	-	-	25
Sexual assault	13	9	-	-	-	-	1	-	14
Crimes associated with prostitution	-	-	-	-	-	-	-	-	-
Other sexual crimes	85	71	-	1	4	-	6	1	97
Crimes of dishonesty	82	66	-	3	-	-	-	-	85
Housebreaking	7	4	-	-	-	-	-	-	7
Theft by opening lockfast places	1	-	-	-	-	-	-	-	1
Theft from a motor vehicle	-	-	-	-	-	-	-	-	-
Theft of a motor vehicle	11	9	-	-	-	-	-	-	11
Shoplifting	1	-	-	-	-	-	-	-	1
Other theft	51	45	-	1	-	-	-	-	52
Fraud	10	7	-	2	-	-	-	-	12
Other dishonesty	1	1	-	-	-	-	-	-	1
Fire-raising, vandalism, etc.	320	296	-	-	11	1	-	-	332
Fire-raising	12	10	-	-	1	1	-	-	14
Vandalism etc.	308	286	-	-	10	-	-	-	318
Other crimes	2,051	1,571	-	-	7	3	6	-	2,067
Crimes against public justice	2,036	1,560	-	-	3	1	4	-	2,044
Handling offensive weapons	13	11	-	-	3	1	1	-	18
Drugs	2	-	-	-	-	-	-	-	2
Other crime	-	-	-	-	1	1	1	-	3
All offences	6,384	5,942	-	81	560	226	405	13	7,669
Miscellaneous offences	6,371	5,933	-	81	560	226	405	13	7,656
Common assault	2,286	2,151	-	3	71	11	22	4	2,397
Breach of the peace etc.	3,813	3,547	-	72	410	202	363	9	4,869
Drunkenness and other disorderly conduct	-	-	-	-	-	-	-	-	-
Urinating etc.	-	-	-	-	-	-	-	-	-
Other miscellaneous	272	235	-	6	79	13	20	-	390
Motor vehicle offences	13	9	-	-	-	-	-	-	13
Dangerous and careless driving	12	9	-	-	-	-	-	-	12
Driving under the influence	-	-	-	-	-	-	-	-	-
Speeding	-	-	-	-	-	-	-	-	-
Unlawful use of motor vehicle	1	-	-	-	-	-	-	-	1
Vehicle defect offences	-	-	-	-	-	-	-	-	-
Seat belt offences	-	-	-	-	-	-	-	-	-
Mobile phone offences	-	-	-	-	-	-	-	-	-
Other motor vehicle offences	-	-	-	-	-	-	-	-	-

1. Each crime/offence may have one or more aggravator codes associated with it. A crime/offence will be counted under each aggravator code associated with it. e.g. A homicide with a 'racial' and 'religious' aggravator will appear once in the racial aggravator column and once under the religious aggravator column.
2. Statutory Domestic Abuse (DA) and involving a child aggravators are not included in the overall total - they always accompany the main DA identifier.

Table 14 Bail orders made by main charge, 2010-11 to 2019-20¹

Year	Non-sexual crimes of violence	Sexual crimes	Crimes of dishonesty	Fire-raising vandalism etc.	Handling an offensive weapon	Drug offences	Other crimes	Common assault	Breach of the peace	Miscellaneous offences	Motor vehicle offences	Unknown	Total ²
Number													
2010-11	3,420	825	8,477	2,696	2,070	2,879	7,695	8,413	5,739	2,298	1,672	19	46,221
2011-12	3,240	960	8,378	2,732	2,001	2,769	8,157	8,740	6,404	2,590	1,596	28	47,606
2012-13	2,530	1,046	7,583	2,492	1,542	2,645	7,548	7,913	6,077	2,937	1,681	35	44,039
2013-14	2,510	1,414	7,651	2,487	1,584	2,321	8,148	8,976	7,429	2,936	1,715	14	47,196
2014-15	2,426	1,574	6,707	2,406	1,471	2,571	8,034	8,967	7,723	2,927	1,730	12	46,560
2015-16	2,601	1,434	6,400	2,456	1,243	2,646	7,960	8,668	7,215	2,925	1,768	20	45,346
2016-17	2,454	1,370	6,163	2,510	1,265	2,346	7,138	7,652	6,764	2,663	1,924	18	42,277
2017-18	2,287	1,589	5,570	2,231	1,422	1,907	6,765	6,086	4,934	2,285	1,759	13	36,853
2018-19	2,213	1,455	5,398	2,274	1,510	1,809	6,494	5,391	4,379	2,206	1,583	15	34,735
2019-20	2,246	1,160	4,320	1,886	1,336	1,484	5,732	4,236	3,592	1,776	1,356	20	29,150
Percentage of total ³													
2010-11	7	2	18	6	4	6	17	18	12	5	4	*	100
2011-12	7	2	18	6	4	6	17	18	13	5	3	*	100
2012-13	6	2	17	6	4	6	17	18	14	7	4	*	100
2013-14	5	3	16	5	3	5	17	19	16	6	4	*	100
2014-15	5	3	14	5	3	6	17	19	17	6	4	*	100
2015-16	6	3	14	5	3	6	18	19	16	6	4	*	100
2016-17	6	3	15	6	3	6	17	18	16	6	5	*	100
2017-18	6	4	15	6	4	5	18	17	13	6	5	*	100
2018-19	6	4	16	7	4	5	19	16	13	6	5	*	100
2019-20	8	4	15	6	5	5	20	15	12	6	5	*	100

1. Excludes modifications to existing bail orders, persons counted once only where more than one bail order on same day.

2. A breakdown of bail orders by the main charge is not available for the period from 20 October 2007 to 31 March 2009.

3. Row totals do not equal the sum of the main charges for some years as bail can be granted following the lodging of an appeal.

4. Percentage of bail orders made where crime/offence type is known.

Table 15 Bail-related Offences¹ with a conviction, 2010-11 to 2019-20

	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	%change 2018-19 to 2019-20
All bail-related offences:	8,261	8,860	8,462	8,003	8,547	8,589	7,702	7,000	6,504	6,800	5
Bail-related offences as a percentage of bail orders made	18	19	19	17	18	19	18	19	19	23	25
Court:											
High Court	27	20	16	26	38	20	18	20	18	33	83
Sheriff Solemn	227	209	224	236	330	344	309	243	354	384	8
Sheriff Summary ²	7,527	8,105	7,878	7,429	7,836	7,883	7,073	6,430	5,956	6,176	4
Justice of the Peace ³	480	526	344	312	343	342	302	307	176	207	18
Age:											
Under 21	2,051	2,146	1,811	1,412	1,355	1,384	1,302	969	820	857	5
21-30	3,111	3,290	3,169	2,936	3,043	2,994	2,671	2,359	2,248	2,111	-6
31-40	1,777	1,999	1,987	2,050	2,262	2,301	2,084	2,105	1,993	2,198	10
41-100	1,322	1,425	1,495	1,605	1,887	1,910	1,645	1,567	1,443	1,634	13
Sex:											
Male	7,215	7,758	7,267	6,939	7,413	7,364	6,597	5,972	5,578	5,780	4
Female	1,046	1,102	1,195	1,064	1,134	1,225	1,105	1,028	926	1,020	10
Main result of proceedings:											
Custody	2,083	2,220	2,117	2,018	2,147	2,013	1,659	1,621	1,623	1,446	-11
Community	1,464	1,520	1,685	1,644	1,811	1,853	1,794	1,507	1,296	1,568	21
Monetary	1,818	1,922	1,679	1,508	1,555	1,509	1,342	1,160	1,097	1,109	1
Other	2,896	3,198	2,981	2,833	3,034	3,214	2,907	2,712	2,488	2,677	8

1. Bail related offences include breach of bail conditions and failure to appear in court.

2. Includes any remaining cases seen in the stipendiary magistrates court in Glasgow.

3. Includes District courts up to 2009-10.

Table 16 Undertakings to appear in court, by sex and age, 2010-11 - 2019-20^{1,2}

Year	Sex			Age					Total
	Male	Female	Not known	Under 21	21-30	31-40	Over 40	Not known	
Number									
2010-11	21,384	5,912	1	6,297	9,468	5,629	5,903	-	27,297
2011-12	20,244	5,953	4	5,484	8,978	5,712	6,027	-	26,201
2012-13	17,328	5,489	1	4,244	7,824	5,086	5,664	-	22,818
2013-14	16,642	5,465	3	3,992	7,203	5,095	5,820	-	22,110
2014-15	12,738	4,015	4	2,812	5,356	3,918	4,671	-	16,757
2015-16	11,769	3,870	2	2,542	4,829	3,686	4,584	-	15,641
2016-17	10,765	3,677	-	2,226	4,415	3,467	4,334	-	14,442
2017-18	13,405	4,235	4	2,453	5,508	4,558	5,125	-	17,644
2018-19	12,031	3,610	5	2,157	4,683	4,069	4,737	-	15,646
2019-20	8,961	2,637	1	1,648	3,327	2,998	3,626	-	11,599
Percentage of total									
2010-11	78	22	*	23	35	21	22	-	100
2011-12	77	23	*	21	34	22	23	-	100
2012-13	76	24	*	19	34	22	25	-	100
2013-14	75	25	*	18	33	23	26	-	100
2014-15	76	24	*	17	32	23	28	-	100
2015-16	75	25	*	16	31	24	29	-	100
2016-17	75	25	-	15	31	24	30	-	100
2017-18	76	24	*	14	31	26	29	-	100
2018-19	77	23	*	14	30	26	30	-	100
2019-20	77	23	*	14	29	26	31	-	100

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

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

Table 17 People given police disposals by disposal type, 2010-11 to 2019-20

	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	%change 18-19 to 19-20
All police disposals¹	64,171	65,763	68,181	68,289	53,272	44,110	41,939	34,774	36,164	34,631	-4
Anti-social behaviour fixed penalty notice (ASBFPN)	54,360	53,686	54,875	55,622	42,920	29,389	15,381	11,018	8,893	7,036	-21
Police formal adult warning	7,517	8,458	8,435	7,263	4,807	3,377	298	203	33	18	-45
Police Restorative Justice Warning (PRW)	1,715	986	621	448	242	392	361	411	304	328	8
Early and Effective Intervention	579	2,598	4,149	4,927	5,283	6,655	6,126	5,716	4,742	4,806	1
Recorded Police Warning ²	-	-	-	-	-	4,242	19,678	17,332	22,108	22,353	1

1. Includes counts of no further action.

2. Recorded Police Warnings were introduced as a new direct measure on 11th January 2016, at the same time as police formal adult warnings were discontinued.

Table 18a Males given RPWs, by main crime/offence and age and sex, 2019-20¹

Main crime or offence	(Number)					(percent)				
	Under 21	21-30	31-40	over 40	Total	Under 21	21-30	31-40	over 40	Total
All crimes and offences	3,918	4,838	3,186	4,246	16,188	100	100	100	100	100
All crimes	2,331	2,815	1,601	1,585	8,332	59	58	50	37	51
Non-sexual crimes of violence	-	-	2	-	2	-	-	*	-	*
Homicide etc	-	-	-	-	-	-	-	-	-	-
Attempted murder and serious assault	-	-	-	-	-	-	-	-	-	-
Robbery	-	-	1	-	1	-	-	*	-	*
Domestic Abuse (Scotland) Act	-	-	-	-	-	-	-	-	-	-
Other non-sexual crimes of violence	-	-	1	-	1	-	-	*	-	*
Sexual crimes	4	-	3	9	16	*	-	*	*	*
Rape and attempted rape	-	-	-	-	-	-	-	-	-	-
Sexual assault	-	-	-	-	-	-	-	-	-	-
Crimes associated with prostitution	1	-	-	-	1	*	-	-	-	*
Other sexual crimes	3	-	3	9	15	*	-	*	*	*
Crimes of dishonesty	357	477	539	801	2,174	9	10	17	19	13
Housebreaking	14	2	-	3	19	*	*	-	*	*
Theft by opening lockfast places	2	4	3	5	14	*	*	*	*	*
Theft from a motor vehicle	-	-	1	-	1	-	-	*	-	*
Theft of a motor vehicle	-	-	-	-	-	-	-	-	-	-
Shoplifting	186	260	352	536	1,334	5	5	11	13	8
Other theft	109	153	151	206	619	3	3	5	5	4
Fraud	39	55	31	42	167	1	1	1	1	1
Other dishonesty	7	3	1	9	20	*	*	*	*	*
Fire-raising, vandalism, etc.	238	201	110	149	698	6	4	3	4	4
Fire-raising	4	-	1	4	9	*	-	*	*	*
Vandalism etc.	234	201	109	145	689	6	4	3	3	4
Other crimes	1,732	2,137	947	626	5,442	44	44	30	15	34
Crimes against public justice	26	32	42	38	138	1	1	1	1	1
Handling offensive weapons	-	-	-	-	-	-	-	-	-	-
Drugs	1,706	2,105	905	587	5,303	44	44	28	14	33
Other crime	-	-	-	1	1	-	-	*	*	-
All offences	1,587	2,023	1,585	2,661	7,856	41	42	50	63	49
Miscellaneous offences	1,572	1,941	1,531	2,614	7,658	40	40	48	62	47
Common assault	311	410	319	598	1,638	8	8	10	14	10
Breach of the peace etc.	682	899	783	1,401	3,765	17	19	25	33	23
Drunkenness and other disorderly conduct	371	328	258	379	1,336	9	7	8	9	8
Urinating etc.	148	206	100	100	554	4	4	3	2	3
Other miscellaneous	60	98	71	136	365	2	2	2	3	2
Motor vehicle offences	15	82	54	47	198	*	2	2	1	1
Dangerous and careless driving	5	6	2	3	16	*	*	*	*	*
Driving under the influence	-	-	-	-	-	-	-	-	-	-
Speeding	-	-	-	-	-	-	-	-	-	-
Unlawful use of motor vehicle	10	75	51	40	176	*	2	2	1	1
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-
Seat belt offences	-	-	-	-	-	-	-	-	-	-
Mobile phone offences	-	-	-	-	-	-	-	-	-	-
Other motor vehicle offences	-	1	1	4	6	-	*	*	*	*

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

Table 18b Females given RPWs, by main crime/offence and age and sex, 2019-20¹

Main crime or offence	(Number)					(percent)				
	Under 21	21-30	31-40	over 40	Total	Under 21	21-30	31-40	over 40	Total
All crimes and offences	1,077	1,612	1,483	1,991	6,163	100	100	100	100	100
All crimes	536	789	708	900	2,933	50	49	48	45	48
Non-sexual crimes of violence	-	-	1	-	1	-	-	*	-	*
Homicide etc	-	-	-	-	-	-	-	-	-	-
Attempted murder and serious assault	-	-	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-	-	-
Domestic Abuse (Scotland) Act	-	-	-	-	-	-	-	-	-	-
Other non-sexual crimes of violence	-	-	1	-	1	-	-	*	-	*
Sexual crimes	-	-	1	2	3	-	-	*	*	*
Rape and attempted rape	-	-	-	-	-	-	-	-	-	-
Sexual assault	-	-	-	-	-	-	-	-	-	-
Crimes associated with prostitution	-	-	-	-	-	-	-	-	-	-
Other sexual crimes	-	-	1	2	3	-	-	*	*	*
Crimes of dishonesty	259	401	474	684	1,818	24	25	32	34	29
Housebreaking	1	-	2	2	5	*	-	*	*	*
Theft by opening lockfast places	-	-	-	-	-	-	-	-	-	-
Theft from a motor vehicle	-	-	-	-	-	-	-	-	-	-
Theft of a motor vehicle	1	-	-	-	1	*	-	-	-	*
Shoplifting	181	283	369	552	1,385	17	18	25	28	22
Other theft	30	68	70	102	270	3	4	5	5	4
Fraud	46	50	33	28	157	4	3	2	1	3
Other dishonesty	-	-	-	-	-	-	-	-	-	-
Fire-raising, vandalism, etc.	48	44	34	46	172	4	3	2	2	3
Fire-raising	-	-	-	-	-	-	-	-	-	-
Vandalism etc.	48	44	34	46	172	4	3	2	2	3
Other crimes	229	344	198	168	939	21	21	13	8	15
Crimes against public justice	2	15	22	19	58	*	1	1	1	1
Handling offensive weapons	-	-	-	-	-	-	-	-	-	-
Drugs	227	328	176	148	879	21	20	12	7	14
Other crime	-	1	-	1	2	-	*	-	*	*
All offences	541	823	775	1,091	3,230	50	51	52	55	52
Miscellaneous offences	539	806	767	1,080	3,192	50	50	52	54	52
Common assault	143	234	196	305	878	13	15	13	15	14
Breach of the peace etc.	245	435	466	655	1,801	23	27	31	33	29
Drunkenness and other disorderly conduct	111	58	55	50	274	10	4	4	3	4
Urinating etc.	15	12	4	3	34	1	1	*	*	1
Other miscellaneous	25	67	46	67	205	2	4	3	3	3
Motor vehicle offences	2	17	8	11	38	*	1	1	1	1
Dangerous and careless driving	-	-	-	1	1	-	-	*	*	*
Driving under the influence	-	-	-	-	-	-	-	-	-	-
Speeding	-	-	-	-	-	-	-	-	-	-
Unlawful use of motor vehicle	2	17	8	8	35	*	1	1	*	1
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-
Seat belt offences	-	-	-	-	-	-	-	-	-	-
Mobile phone offences	-	-	-	-	-	-	-	-	-	-
Other motor vehicle offences	-	-	-	2	2	-	-	*	*	*

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

Table 18c People given RPWs, by main crime/offence and age and sex, 2019-20¹

Main crime or offence	(Number)					(percent)				
	Under 21	21-30	31-40	over 40	Total	Under 21	21-30	31-40	over 40	Total
All crimes and offences	4,995	6,450	4,669	6,237	22,351	100	100	100	100	100
All crimes	2,867	3,604	2,309	2,485	11,265	57	56	49	40	50
Non-sexual crimes of violence	-	-	3	-	3	-	-	*	-	*
Homicide etc	-	-	-	-	-	-	-	-	-	-
Attempted murder and serious assault	-	-	-	-	-	-	-	-	-	-
Robbery	-	-	1	-	1	-	-	*	-	*
Domestic Abuse (Scotland) Act	-	-	-	-	-	-	-	-	-	-
Other non-sexual crimes of violence	-	-	2	-	2	-	-	*	-	*
Sexual crimes	4	-	4	11	19	*	-	*	*	*
Rape and attempted rape	-	-	-	-	-	-	-	-	-	-
Sexual assault	-	-	-	-	-	-	-	-	-	-
Crimes associated with prostitution	1	-	-	-	1	*	-	-	-	*
Other sexual crimes	3	-	4	11	18	*	-	*	*	*
Crimes of dishonesty	616	878	1,013	1,485	3,992	12	14	22	24	18
Housebreaking	15	2	2	5	24	*	*	*	*	*
Theft by opening lockfast places	2	4	3	5	14	*	*	*	*	*
Theft from a motor vehicle	-	-	1	-	1	-	-	*	-	*
Theft of a motor vehicle	1	-	-	-	1	*	-	-	-	*
Shoplifting	367	543	721	1,088	2,719	7	8	15	17	12
Other theft	139	221	221	308	889	3	3	5	5	4
Fraud	85	105	64	70	324	2	2	1	1	1
Other dishonesty	7	3	1	9	20	*	*	*	*	*
Fire-raising, vandalism, etc.	286	245	144	195	870	6	4	3	3	4
Fire-raising	4	-	1	4	9	*	-	*	*	*
Vandalism etc.	282	245	143	191	861	6	4	3	3	4
Other crimes	1,961	2,481	1,145	794	6,381	39	38	25	13	29
Crimes against public justice	28	47	64	57	196	1	1	1	1	1
Handling offensive weapons	-	-	-	-	-	-	-	-	-	-
Drugs	1,933	2,433	1,081	735	6,182	39	38	23	12	28
Other crime	-	1	-	2	3	-	*	-	*	*
All offences	2,128	2,846	2,360	3,752	11,086	43	44	51	60	50
Miscellaneous offences	2,111	2,747	2,298	3,694	10,850	42	43	49	59	49
Common assault	454	644	515	903	2,516	9	10	11	14	11
Breach of the peace etc.	927	1,334	1,249	2,056	5,566	19	21	27	33	25
Drunkenness and other disorderly conduct	482	386	313	429	1,610	10	6	7	7	7
Urinating etc.	163	218	104	103	588	3	3	2	2	3
Other miscellaneous	85	165	117	203	570	2	3	3	3	3
Motor vehicle offences	17	99	62	58	236	*	2	1	1	1
Dangerous and careless driving	5	6	2	4	17	*	*	*	*	*
Driving under the influence	-	-	-	-	-	-	-	-	-	-
Speeding	-	-	-	-	-	-	-	-	-	-
Unlawful use of motor vehicle	12	92	59	48	211	*	1	1	1	1
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-
Seat belt offences	-	-	-	-	-	-	-	-	-	-
Mobile phone offences	-	-	-	-	-	-	-	-	-	-
Other motor vehicle offences	-	1	1	6	8	-	*	*	*	*

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

Table 19 People given ASBFPNs, by main crime/offence and age and sex, 2019-20¹

Main crime or offence	Number										
	Male					Female					
Under 21	21-30	31-40	Over 40	Total Male	Under 21	21-30	31-40	Over 40	Total Female	Overall total	
Total number of ASBFPNs	1,262	2,071	1,259	1,242	5,834	244	362	313	283	1,202	7,036
Riotous behaviour while drunk in licensed premises	-	-	-	-	-	-	-	-	-	-	
Refusing to leave licensed premises	37	53	47	27	164	2	11	7	5	25	189
Urinating etc.	236	483	230	226	1,175	20	24	8	9	61	1,236
Drunk & incapable	6	14	26	32	78	2	3	5	8	18	96
Drunk in charge of child	-	-	-	-	-	-	-	-	-	-	
Loud music etc.	5	7	6	6	24	5	10	5	5	25	49
Vandalism	20	30	16	20	86	3	5	2	8	18	104
Consuming alcohol in public place	257	274	227	295	1,053	55	42	42	27	166	1,219
Breach of the peace etc.	701	1,209	707	636	3,253	157	267	244	221	889	4,142
Malicious mischief	-	1	-	-	1	-	-	-	-	-	1
percent by offence type	100	100	100	100	100	100	100	100	100	100	100
Riotous behaviour while drunk in licensed premises	-	-	-	-	-	-	-	-	-	-	
Refusing to leave licensed premises	3	3	4	2	3	1	3	2	2	2	3
Urinating etc.	19	23	18	18	20	8	7	3	3	5	18
Drunk & incapable	*	1	2	3	1	1	1	2	3	1	1
Drunk in charge of child	-	-	-	-	-	-	-	-	-	-	
Loud music etc.	*	*	*	*	*	2	3	2	2	2	1
Vandalism	2	1	1	2	1	1	1	1	3	1	1
Consuming alcohol in public place	20	13	18	24	18	23	12	13	10	14	17
Breach of the peace etc.	56	58	56	51	56	64	74	78	78	74	59
Malicious mischief	-	*	-	-	*	-	-	-	-	-	*

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

Table 20 People given COPFS disposals by disposal type, 2010-11 to 2019-20¹

	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	% change 18-19 to 19-20
All COPFS disposals	60,099	67,378	87,591	82,357	63,116	62,461	41,823	41,835	35,620	36,426	2
Fiscal fine	35,604	42,212	47,969	47,259	36,314	34,477	21,825	22,693	18,460	18,354	-1
Fiscal fixed penalty	20,357	21,068	21,669	23,467	15,488	10,748	8,430	6,546	6,977	7,955	14
Fiscal warning	-	-	14,526	8,863	8,698	14,041	8,665	9,390	6,216	5,650	-9
Fiscal combined fine + compensation	2,195	2,715	2,334	1,930	1,986	2,671	2,217	1,979	3,180	3,841	21
Fiscal compensation	1,838	1,323	1,023	783	597	506	669	1,216	779	616	-21
Fiscal fixed penalties (Pre-SJR)	105	60	70	55	33	18	17	11	8	10	25

1. Due to the way they were recorded by COPFS, Fiscal Warning statistics are unavailable before 2012-13.

Table 21(a) Males given fiscal fines, by main crime/offence and age, 2019-20¹

Main crime or offence	Number					percent				
	Under 21	21-30	31-40	Over 40	Total ¹	Under 21	21-30	31-40	Over 40	Total
All crimes and offences	1,163	3,807	3,245	3,861	12,081	100	100	100	100	100
All crimes	858	2,337	1,673	1,573	6,442	74	61	52	41	53
Non-sexual crimes of violence	-	-	-	-	-	-	-	-	-	-
Homicide etc	-	-	-	-	-	-	-	-	-	-
Attempted murder and serious assault	-	-	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-	-	-
Domestic Abuse (Scotland) Act	-	-	-	-	-	-	-	-	-	-
Other non-sexual crimes of violence	-	-	-	-	-	-	-	-	-	-
Sexual crimes	-	5	1	-	6	-	*	*	-	*
Rape and attempted rape	-	-	-	-	-	-	-	-	-	-
Sexual assault	-	-	-	-	-	-	-	-	-	-
Crimes associated with prostitution	-	-	1	-	1	-	*	-	-	*
Other sexual crimes	-	5	-	-	5	-	*	-	-	*
Crimes of dishonesty	89	310	377	414	1,190	8	8	12	11	10
Housebreaking	-	-	-	-	-	-	-	-	-	-
Theft by opening lockfast places	-	1	2	3	6	-	*	*	*	*
Theft from a motor vehicle	-	-	-	-	-	-	-	-	-	-
Theft of a motor vehicle	-	-	-	-	-	-	-	-	-	-
Shoplifting	69	245	314	340	968	6	6	10	9	8
Other theft	14	50	53	57	174	1	1	2	1	1
Fraud	4	8	7	7	26	*	*	*	*	*
Other dishonesty	2	6	1	7	16	*	*	*	*	*
Fire-raising, vandalism, etc.	27	38	21	22	108	2	1	1	1	1
Fire-raising	-	-	-	-	-	-	-	-	-	-
Vandalism etc.	27	38	21	22	108	2	1	1	1	1
Other crimes	742	1,984	1,274	1,137	5,138	64	52	39	29	43
Crimes against public justice	33	56	30	35	154	3	1	1	1	1
Handling offensive weapons	-	-	-	-	-	-	-	-	-	-
Drugs	709	1,928	1,244	1,102	4,984	61	51	38	29	41
Other crime	-	-	-	-	-	-	-	-	-	-
All offences	305	1,470	1,572	2,288	5,639	26	39	48	59	47
Miscellaneous offences	234	783	869	1,391	3,279	20	21	27	36	27
Common assault	47	129	79	92	347	4	3	2	2	3
Breach of the peace etc.	133	369	284	280	1,066	11	10	9	7	9
Drunkenness and other disorderly conduct	21	72	130	196	419	2	2	4	5	3
Urinating etc.	5	25	12	20	62	*	1	*	1	1
Other miscellaneous	28	188	364	803	1,385	2	5	11	21	11
Alcohol byelaw offences	-	-	-	-	-	-	-	-	-	-
Litter offences	-	-	-	-	-	-	-	-	-	-
Communications act offences	-	-	-	-	-	-	-	-	-	-
Motor vehicle offences	71	687	703	897	2,360	6	18	22	23	20
Dangerous and careless driving	-	-	-	-	-	-	-	-	-	-
Driving under the influence	-	-	-	-	-	-	-	-	-	-
Speeding	-	-	-	-	-	-	-	-	-	-
Unlawful use of motor vehicle	69	677	690	860	2,298	6	18	21	22	19
Vehicle defect offences	-	1	2	-	3	-	*	*	-	*
Seat belt offences	-	-	-	-	-	-	-	-	-	-
Mobile phone offences	-	-	-	-	-	-	-	-	-	-
Other motor vehicle offences	2	9	11	37	59	*	*	*	1	*

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

Table 21(b) Females given fiscal fines, by main crime/offence and age, 2019-20¹

Main crime or offence	Number					percent				
	Under 21	21-30	31-40	Over 40	Total ¹	Under 21	21-30	31-40	Over 40	Total
All crimes and offences	209	1,471	2,088	2,505	6,273	100	100	100	100	100
All crimes	103	444	593	507	1,647	49	30	28	20	26
Non-sexual crimes of violence	-	-	-	-	-	-	-	-	-	-
Homicide etc	-	-	-	-	-	-	-	-	-	-
Attempted murder and serious assault	-	-	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-	-	-
Domestic Abuse (Scotland) Act	-	-	-	-	-	-	-	-	-	-
Other non-sexual crimes of violence	-	-	-	-	-	-	-	-	-	-
Sexual crimes	-	-	-	-	-	-	-	-	-	-
Rape and attempted rape	-	-	-	-	-	-	-	-	-	-
Sexual assault	-	-	-	-	-	-	-	-	-	-
Crimes associated with prostitution	-	-	-	-	-	-	-	-	-	-
Other sexual crimes	-	-	-	-	-	-	-	-	-	-
Crimes of dishonesty	43	163	289	255	750	21	11	14	10	12
Housebreaking	-	-	-	-	-	-	-	-	-	-
Theft by opening lockfast places	-	-	1	-	1	-	-	*	-	*
Theft from a motor vehicle	-	-	-	-	-	-	-	-	-	-
Theft of a motor vehicle	-	-	-	-	-	-	-	-	-	-
Shoplifting	41	141	257	228	667	20	10	12	9	11
Other theft	2	11	15	20	48	1	1	1	1	1
Fraud	-	6	13	5	24	-	*	1	*	*
Other dishonesty	-	5	3	2	10	-	*	*	*	*
Fire-raising, vandalism, etc.	-	8	6	5	19	-	1	*	*	*
Fire-raising	-	-	-	-	-	-	-	-	-	-
Vandalism etc.	-	8	6	5	19	-	1	*	*	*
Other crimes	60	273	298	247	878	29	19	14	10	14
Crimes against public justice	3	12	8	10	33	1	1	*	*	1
Handling offensive weapons	-	-	-	-	-	-	-	-	-	-
Drugs	57	261	290	237	845	27	18	14	9	13
Other crime	-	-	-	-	-	-	-	-	-	-
All offences	106	1,027	1,495	1,998	4,626	51	70	72	80	74
Miscellaneous offences	75	778	1,218	1,636	3,707	36	53	58	65	59
Common assault	9	45	49	46	149	4	3	2	2	2
Breach of the peace etc.	27	105	104	98	334	13	7	5	4	5
Drunkenness and other disorderly conduct	6	18	41	29	94	3	1	2	1	1
Urinating etc.	1	3	2	-	6	*	*	*	-	*
Other miscellaneous	32	607	1,022	1,463	3,124	15	41	49	58	50
Alcohol byelaw offences	-	-	-	-	-	-	-	-	-	-
Litter offences	-	-	-	-	-	-	-	-	-	-
Communications act offences	-	-	-	-	-	-	-	-	-	-
Motor vehicle offences	31	249	277	362	919	15	17	13	14	15
Dangerous and careless driving	-	-	-	-	-	-	-	-	-	-
Driving under the influence	-	-	-	-	-	-	-	-	-	-
Speeding	-	-	-	-	-	-	-	-	-	-
Unlawful use of motor vehicle	31	249	277	362	919	15	17	13	14	15
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-
Seat belt offences	-	-	-	-	-	-	-	-	-	-
Mobile phone offences	-	-	-	-	-	-	-	-	-	-
Other motor vehicle offences	-	-	-	-	-	-	-	-	-	-

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

Table 21(c) People given fiscal fines, by main crime/offence and age, 2019-20¹

Main crime or offence	Number					percent				
	Under 21	21-30	31-40	Over 40	Total ¹	Under 21	21-30	31-40	Over 40	Total
All crimes and offences	1,372	5,278	5,333	6,366	18,354	100	100	100	100	100
All crimes	961	2,781	2,266	2,080	8,089	70	53	42	33	44
Non-sexual crimes of violence	-	-	-	-	-	-	-	-	-	-
Homicide etc	-	-	-	-	-	-	-	-	-	-
Attempted murder and serious assault	-	-	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-	-	-
Domestic Abuse (Scotland) Act	-	-	-	-	-	-	-	-	-	-
Other non-sexual crimes of violence	-	-	-	-	-	-	-	-	-	-
Sexual crimes	-	5	1	-	6	-	*	*	-	*
Rape and attempted rape	-	-	-	-	-	-	-	-	-	-
Sexual assault	-	-	-	-	-	-	-	-	-	-
Crimes associated with prostitution	-	-	1	-	1	-	-	*	-	*
Other sexual crimes	-	5	-	-	5	-	*	-	-	*
Crimes of dishonesty	132	473	666	669	1,940	10	9	12	11	11
Housebreaking	-	-	-	-	-	-	-	-	-	-
Theft by opening lockfast places	-	1	3	3	7	-	*	*	*	*
Theft from a motor vehicle	-	-	-	-	-	-	-	-	-	-
Theft of a motor vehicle	-	-	-	-	-	-	-	-	-	-
Shoplifting	110	386	571	568	1,635	8	7	11	9	9
Other theft	16	61	68	77	222	1	1	1	1	1
Fraud	4	14	20	12	50	*	*	*	*	*
Other dishonesty	2	11	4	9	26	*	*	*	*	*
Fire-raising, vandalism, etc.	27	46	27	27	127	2	1	1	*	1
Fire-raising	-	-	-	-	-	-	-	-	-	-
Vandalism etc.	27	46	27	27	127	2	1	1	*	1
Other crimes	802	2,257	1,572	1,384	6,016	58	43	29	22	33
Crimes against public justice	36	68	38	45	187	3	1	1	1	1
Handling offensive weapons	-	-	-	-	-	-	-	-	-	-
Drugs	766	2,189	1,534	1,339	5,829	56	41	29	21	32
Other crime	-	-	-	-	-	-	-	-	-	-
All offences	411	2,497	3,067	4,286	10,265	30	47	58	67	56
Miscellaneous offences	309	1,561	2,087	3,027	6,986	23	30	39	48	38
Common assault	56	174	128	138	496	4	3	2	2	3
Breach of the peace etc.	160	474	388	378	1,400	12	9	7	6	8
Drunkenness and other disorderly conduct	27	90	171	225	513	2	2	3	4	3
Urinating etc.	6	28	14	20	68	*	1	*	*	*
Other miscellaneous	60	795	1,386	2,266	4,509	4	15	26	36	25
Alcohol byelaw offences	-	-	-	-	-	-	-	-	-	-
Litter offences	-	-	-	-	-	-	-	-	-	-
Communications act offences	-	-	-	-	-	-	-	-	-	-
Motor vehicle offences	102	936	980	1,259	3,279	7	18	18	20	18
Dangerous and careless driving	-	-	-	-	-	-	-	-	-	-
Driving under the influence	-	-	-	-	-	-	-	-	-	-
Speeding	-	-	-	-	-	-	-	-	-	-
Unlawful use of motor vehicle	100	926	967	1,222	3,217	7	18	18	19	18
Vehicle defect offences	-	1	2	-	3	-	*	*	-	*
Seat belt offences	-	-	-	-	-	-	-	-	-	-
Mobile phone offences	-	-	-	-	-	-	-	-	-	-
Other motor vehicle offences	2	9	11	37	59	*	*	*	1	*

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

Table 22 Fiscal fixed penalties by main crime/offence and age and sex, 2019-20¹

Main crime or offence	Males					Females					Overall total ¹
	Under 21	21-30	31-40	Over 40	Total Male	Under 21	21-30	31-40	Over 40	Total Female	
Total number of Fiscal fixed penalties	294	1,436	1,607	2,590	5,929	70	499	526	927	2,022	7,951
Serious driving offences ²	23	51	31	100	205	9	21	18	43	91	296
Speeding offences	86	674	871	1,415	3,047	32	258	293	552	1,135	4,182
Signal and direction offences	24	122	127	262	535	4	58	41	103	206	741
Lighting, construction & use offences	33	94	92	166	385	5	26	16	22	69	454
Documentation offences	99	391	353	493	1,336	16	117	134	183	450	1,786
Other motor vehicle offences ³	29	104	133	154	421	4	19	24	24	71	492
Non-motor vehicle offences ⁴	-	-	-	-	-	-	-	-	-	-	-
Percent by Fiscal fixed penalty type	100	100	100	100	100	100	100	100	100	100	100
Serious driving offences ²	8	4	2	4	3	13	4	3	5	5	4
Speeding offences	29	47	54	55	51	46	52	56	60	56	53
Signal and direction offences	8	8	8	10	9	6	12	8	11	10	9
Lighting, construction & use offences	11	7	6	6	6	7	5	3	2	3	6
Documentation offences	34	27	22	19	23	23	23	25	20	22	22
Other motor vehicle offences ³	10	7	8	6	7	6	4	5	3	4	6
Non-motor vehicle offences ⁴	-	-	-	-	-	-	-	-	-	-	-

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

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

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

4. Contains bicycle offences and roadworks offences.

Background Notes

Annex A - Data Sources and Data Standards

Court proceedings, Police disposals and COPFS disposals

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

A.2 [Chart 2](#) in the main body of the bulletin depicts how people accused of committing a crime move through the criminal justice system. People can be disposed from the system in a variety of ways, including being dealt with directly by the police by fines or warnings, being fined or warned by the Crown Office and Procurator Fiscal Service (COPFS), or being proceeded against in court. At each of these stages information is logged on the CHS regarding the status of the accused. COPFS and the Scottish Courts and Tribunal Service (SCTS) make updates on their own systems which are fed back electronically to Police Scotland's CHS. When an offender's case reaches its final conclusion or "disposal" and a sentence is given for guilty offenders, the case is considered completed on the CHS, and after this point, the data is sent to us in the next monthly return.

A.3 The Scottish Government receives individual-level returns from the CHS on a monthly basis. These are electronically submitted by Police Scotland for cases that are completed, or if case has been further modified. Information on criminal trials that are on-going or have not been dealt with through the police or COPFS disposals are not included in this report, and not held by the Scottish Government. As the CHS data used to produce this bulletin is provided via an existing automated process, there was no cost to the data provider.

Bail and undertakings

A.4 The source of the statistical data on bail orders and undertakings is also the CHS. The Scottish Government receives monthly files for this data.

Other data sources

A.5 [Chart 2](#) presents a range of summary data other than that derived from the CHS, such as information collected directly from COPFS, Scottish Government Recorded Crime outputs, [referrals to the Children's Reporter](#) and information on police conditional offers made for motor vehicle offences, based on figures provided from another Police Scotland database. Please see [Annex C](#) for a description on how the counting bases for these data sources differ.

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

Data standards for Justice partners

A.7 Data standards are adhered to by organisations inputting data to the CHS in terms of the definitions of data items and their corresponding values. These standards are agreed under the Justice Digital Strategy and ensure there is consistency across the justice organisations in the information they collect. Further information on the data standards can be found [here](#) and in the Integration of Scottish Criminal Justice Information Systems (ISCJIS) [data sharing manual](#).

A.8 The following protocols also ensure consistency in the data collected:

- The Scottish Courts and Tribunal Service protocol for the handling of errors that may occur in the transmission of data between justice partners' databases;
- The protocol for the investigation/resolution of disputed data between Police Scotland and the Crown Office and Procurator Fiscal Service;
- The protocol for sharing electronic information between justice partners.

Further information on these protocols can be seen [here](#).

A.9 The Scottish Government also has representation on a data quality group and is kept informed of any data quality issues relating to the CHS. This group meets around three times a year and includes representatives from Police Scotland, COPFS, Scottish Children's Reporter Administrator, and Scottish Courts and Tribunals Service.

A.10 The Scottish Government has implemented a crime code classification framework to ensure consistent and comparable reporting between criminal justice statistical outputs. Please see Annex [B4 - B5](#) and [Annex D](#) for full details.

Annex B - Data Quality, Data Processing and Data confidentiality

Data quality: Data processing system

B.1 The Criminal History System (CHS) is an administrative system used to track individuals through the criminal justice system and, as such, was not designed purely for statistical purposes. However, actions and processes have been put in place to ensure that Scottish Government statisticians understand the data.

B.2 Annex A outlines how information is entered on the CHS and that extracts are sent to the Scottish Government from Police Scotland on a monthly basis. The data requirements for these extracts are contained in a joint specification document that has been agreed between Police Scotland and the Scottish Government.

B.3 Monthly extracts are uploaded onto a Scottish Government database at which point validation checks are undertaken to ensure a realistic number of records are added to the database. Checks are also made to ensure values for charges, court locations and disposal type are recognised. If any unexplained patterns or unrecognised codes are identified at the data upload stage, further investigations are undertaken. It may be necessary, at times, to go back to Police Scotland to verify the data.

B.4 Charge codes are the operational codes used to identify the crime or offence and are linked to legislation. New charge codes for crimes and offences under emerging legislation are created by the Crown Office and Procurator Fiscal Service (COPFS) on a monthly basis, and shared with the Scottish Government. When new codes are identified at the data upload stage they are verified and then added to a look-up table of recognised codes.

B.5 The Scottish Government is responsible for mapping each charge code to a crime code, which forms the basis of the crime code classification (see [Annex D](#)). There are around 5,300 active charge codes which are mapped to around 400 crimes or offences. Once any updates and/or amendments have been agreed, the updated charge code list, together with its mapped crime code, is published by the Scottish Government. The latest version of the charge code list can be accessed [here](#). These 400 crimes and offences are further grouped in tables in this publication, most typically into 36 crimes and offences, as seen in [Table 4a](#) for example. This mapping is agreed with individuals from Police Scotland and COPFS

Data quality: Data processing system update

B.6 When we receive data from the CHS as described above, the monthly extracts mentioned in **B.3** are processed into our local database. In preparation for the annual Criminal Proceedings publication, a process is run which collates the year's data into a format that allows us to validate and analyse the information. These

processes have been updated for the 2017-18 bulletin onwards, and during the change, it was discovered that there were a number of errors in the previous data processes.

B.7 The effect of these errors ranged from the extremely rare (for example, records of proceedings with more than 99 charges were truncated at 99) to the more common but still rare (records acquired incorrect crime classification in particular circumstances).

B.8 It is difficult to completely enumerate the changes from the overall effect of fixing these errors on the 2017-18 data, as they interact with each other, and there are a small number of new cases included where the sentence date was too late for the data to be captured last year.

Data quality: Validation of CHS data

B.9 During the processing of the 2018-19 data, it was discovered that, due to additional notes being provided on a number of items in the CHS from 2017 onwards, many of these items were being filtered out automatically, and therefore incorrectly not making into the published tables. This was remedied in the 2018-19 bulletin, and 400 additional data items were included that year – the majority of these related to Community Payback Orders, although the direction of travel of these figures was not affected.

Data quality: Data validation during production of the statistical bulletin

B.10 As a court proceeding or police/ COPFS non-court disposal can be made up of more than one offence, production of the statistics at ‘persons’ level requires an intermediary processing stage to be carried out on the CHS data. Where a person is proceeded against for more than one crime or offence in a single proceeding, only the main charge is counted. The main charge is the one receiving the most severe penalty (or disposal) if one or more charges are proved, and is identified using a look-up table which ranks the disposal types in order of severity.

B.11 For example, custody is ranked higher than a monetary fine, so for a proceeding where there was a mixture of these two types of disposal, the main charge counted for this record would be the charge associated with the custody disposal rather than the charge related to the monetary disposal.

B.12 If two charges have the same disposal, then the charge mapped to the lowest numbered crime code is taken as the main crime. Generally the lower the crime code, the more serious the crime would be considered to be. The lowest crime code is for murder and the highest for motor vehicle offences.

B.13 Once this dataset is created the following types of validation are carried out:

- Automated validation procedures and manual checks to identify any unrealistic data values e.g. long custodial sentences for petty crimes or short sentences for the most serious of crimes. Effort is also made to clean up records for which key information is missing e.g. missing court locations or age/sex of the offender. These are referred back to Police Scotland, Scottish Court and Tribunal Service (SCTS) or COPFS for correction or for explanation of any unusual circumstances.
- Other checks are carried out as necessary changes to the justice system. For example when new legislation is implemented, checks are undertaken to ensure cases are coming through the system at a realistic rate.
- Trends in the statistics are compared against case processing information published by COPFS and management information provided by SCTS to ensure that the volume of court proceedings are consistent. Information is compared by court type (e.g. high court, sheriff court etc.) to identify any differences.
- Further checks are undertaken by crime type, sentence type and other characteristics to identify any errors and unusual values. As an extra level of assurance, policy experts within the Scottish Government are consulted to identify why any significant changes may have occurred. Any relevant contextual information is then added to the bulletin.
- Similar consultation is undertaken with COPFS, SCTS and Police Scotland wherein results are shared purely for quality assurance purposes. Insight at an operational level provides invaluable feedback and informs whether further investigation of statistical quality is required.
- Further quality assurance and checking is undertaken on the statistics by members of Scottish Government Justice Analytical Services support staff when preparing the tables, such as ensuring the same totals match in different tables. Scottish Government statisticians, who have not been involved in the production process, check the results further and highlight issues that may have gone unnoticed.

Data quality: Double counting

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

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

B.16 A particular error was identified that caused double counting of proceedings and convictions for extreme pornography. This was fixed for the 2019-20 bulletin and the earlier years' data were also revised. This increased the number of proceedings in the other sexual crimes category by between 2 and 20 each year.

Data confidentiality

B.17 Court proceedings are held in public and may be reported on by the media unless the court orders otherwise, for example where children are involved. While our aim is for the statistics in this bulletin to be sufficiently detailed to allow a high level of practical utility, care has been taken to ensure that it is not possible to identify an individual or organisation and obtain any private information relating to them.

B.18 We have carried out a [privacy impact assessment](#) on our handling and use of personal data which is available along with a [privacy notice](#).

B.19 We have assessed the risk of individuals being identified in the tables in this bulletin and have established that no private information can be identified. Where demographic information is provided, this is done either in wider categories of ages (for example tables 6, 21 and 22) or in numbers per 1,000 population (table 5). This ensures that where there are small numbers, personal information about individuals cannot be identified.

B.20 Some of the additional data tables we provide alongside this publication have local authority information related to the offender. In the local authority tables, either demographic information is provided or offence-level information is provided, but not a combination of both. Similar to the main publication tables, demographic information is divided into wider age categories to further restrict the ability to identify individuals.

B.21 In terms of security and confidentiality of the data received from the data suppliers, only a small number of Scottish Government employees in the IT and Justice Analytical Services divisions have access to the datasets outlined in the various stages of processing outlined above. The only personal details received by the Scottish Government in the data extract are those which are essential for the analyses in this bulletin.

B.22 The data presented in this publication are drawn from an administrative IT system. Although care is taken when processing and analysing the data, they are subject to the inaccuracies inherent in any large scale recording system. While the figures shown have been checked as far as practicable, they should be regarded as approximate and not necessarily accurate to the last whole number shown in the tables. They are also updated and quality assured on an on-going basis, and the

figures shown here may therefore differ slightly from those published previously. Where substantive revisions have been made to improve the quality of the data, these will be indicated in the footnotes.

B.23 New information based on the postcode of the accused replaced the tables on Criminal Justice Authority Areas (CJA) from the 2015-16 publication onwards. CJAs are groups of local authorities and the data were based on court location rather than the home location of the accused. Users are still able to request information based on the location of the court.

Revision

B.24 The CHS is not designed for statistical purposes and is dependent on receiving timely information from Criminal Justice organisations. A pending case on the CHS should be updated in a timely manner but there are occasions when slight delays happen. Recording delays of this sort generally affect High Court disposals more than those of other types of court, as they are the most complex and lengthy trials. Also, the court may await reports before passing a sentence, so there may be a gap between when the defendant is found guilty and when a sentence is given. We only receive the data when the sentence details are given.

B.25 The figures given in this bulletin reflect the details of court proceedings as recorded on the CHS, that were concluded on or by 31st March 2020, and as provided to the Scottish Government up to the end of August 2020. Any subsequent updates on court disposals made will be incorporated into future bulletins and therefore some figures for 2019-20 (in particular those relating to the High Court) are likely to be subject to minor revisions.

B.26 These recording delays mean that figures for 2019-20 should be considered provisional as future bulletins may provide updates.

B.27 Records may be changed on the CHS, and these updates are included in the monthly data extracts that are sent to us. In some cases the sentence date may be changed due to changes in the sentence. This may move some of the sentences into the following financial year.

B.28 The number of people convicted in 2018-19 was recorded as 78,488 in this bulletin which was actually slightly lower than the figure of 78,503 reported in 2018-19. This was due to a small number of erroneous records being deleted ([see Annex B16](#)), and the sentence date being changed ([see Annex B27](#)). Generally there is a small undercount of less than 1% of people convicted in the most recent year of each bulletin, which is revised up each year.

B.29 The lockdown due the Covid-19 pandemic only affected the last week of the 2019-20 financial year, so this will have minimal effect on court volumes in this

publication. However, we cannot rule out that there were greater recording delays for this year, so the revision to 2019-20 figures in the next bulletin may be greater than usual seen.

B.30 No other revisions (beyond the changes described in B6, B9, and B16 above) have been made to the Criminal Proceedings statistics as described below. When revisions are required, they comply with Scotland's Chief Statistician's revisions policy.

Annex C – Understanding the statistics in this bulletin and counting rules

C.1 Individual offenders may be proceeded against on more than one occasion, and within a proceeding, they may be proceeded against for more than one charge. The units of measurement used in this bulletin, which may be different to those in other criminal justice statistics publications, are:

(a) the person or company proceeded against or convicted

A person proceeded against can be defined as someone with a charge proved, those acquitted not guilty, those acquitted not proven, those where a not guilty plea was accepted and those deserted simpliciter. Where a case was deserted '*pro loco et tempore*', or 'not called', they are not included here.

Also excluded are people against whom proceedings are raised but which are dropped before they reach court. This will therefore exclude those who appear on petition but are not subsequently indicted.

People are counted once for each occasion they are proceeded against. If a person is proceeded against more than once on the same day, each proceeding will be counted separately. References to 'people' include companies.

Where a person is proceeded against for more than one crime or offence in a single proceeding, only the **main charge** is counted. The main charge is the one receiving the most severe penalty (or disposal) if one or more charges are proved, and is identified using a look-up table which ranks the disposal types in order of severity. For example, custody is ranked higher than a monetary fine, so for a proceeding where there was a mixture of these two types of disposal, the main charge counted for this record would be the charge associated with the custody disposal rather than the charge related to the monetary disposal.

If two charges have the same disposal, then the charge with the lowest numbered crime code is taken as the main crime. Generally the lower the

crime code, the more serious the crime would be considered to be. The lowest crime code is for murder and the highest for motor vehicle offences.

A **person convicted** is defined to be one who had a plea of 'guilty' accepted, or who was proved guilty of at least one charge within a proceeding as a result of a trial. Throughout this bulletin, the terms 'people convicted' and 'convictions' are used interchangeably. If the case does not reach the courts then the main charge within the case that reaches the furthest stage in the criminal justice system is counted e.g. if the case is disposed of via a non-court disposal by the police or COPFS.

(b) **individual person**

In the period covered by this bulletin, each person convicted of a crime or offence will have been assigned a unique reference number by Police Scotland. This enables all convictions relating to an individual person to be linked together, so that analysis of the number of convictions per person in any given year, and the number of their previous convictions and reconvictions can be derived. The Scottish Government publishes information on the number of previous convictions and reconvictions in the National Statistics publication [Reconviction rates in Scotland](#).

(c) **individual offences**

In addition to analysing people convicted by the main charge involved, data in relation to individual charges (offences) which are proved are also available. These can be seen in [Tables 4a and 4b](#), which show aggregate figures for charges (offences) by crime type alongside those based on the main charge.

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

C.3 The number of prosecutions and sentences given could be influenced by operational practices within the justice system. For example there may be times when the police report a particular offence to the procurator fiscal but, when the facts and circumstances are examined, the procurator fiscal decides to proceed with an alternative charge. There are rare occasions when such decisions are made but unfortunately, the charge is not then updated on the computerised records. There is nothing to suggest that the scale of this issue is large enough to alter the overall trends reported.

C.4 A court can impose more than one penalty in appropriate cases. For example, a fine can be imposed in addition to a more severe penalty, such as

custody, although the statistics are only based on whichever penalty is deemed to be the main charge. The main additional punishments are generally disqualification from holding or obtaining a driving licence and the endorsement of a driving licence. Please note that although statistics on driving licence disqualifications are not published in this output they are available on request.

C.5 In the court proceedings statistics, the reference year used is the year in which the person is sentenced. For example if a person pleads to, or is convicted for, a charge in 2018-19, but is not sentenced until 2019-20, all events are recorded as occurring in 2019-20. The age of each person is calculated as at the date of sentence or acquittal.

C.6 The custodial sentence length for the person is the total sentence given for all charges in a proceeding.

C.7 In some cases, although the publication focuses on the main charge, one sentence can be given for all charges, or multiple charges can be served consecutively or concurrently. For example, a single '*In Cumulo*' prison sentence can be given for multiple offences that arose from the same incident; an eighteen month sentence could consist of twelve months given for the main charge, and six months for a separate charge.

C.8 Figures for sentence lengths imposed include any element imposed for bail aggravation under section 27(1)(b) of the Criminal Procedure (Scotland) Act 1995, and under section 16 of the Prisoners and Criminal Proceedings (Scotland) Act 1993 (where the offender committed an offence following release from custody on licence prior to the end of a previous sentence period imposed).

C.9 Aggravations can be recorded by Police Scotland or COPFS to provide additional information relating to the nature of a charge. For example, someone who commits an assault which is motivated by malice towards the victim as a result of their religion might have their offence recorded under "common assault" with an aggravation code of "religious" hatred.

C.10 The set of aggravation codes that are used on the CHS include statutory aggravations which are those introduced through legislation. Examples of statutory aggravations are:

- Sexual orientation, transgender identity and disability as introduced through the [Offences \(Aggravation by Prejudice\) \(Scotland\) Act 2009](#);
- Racially motivated crime as legislated for under [Section 96 of the Crime and Disorder Act 1998](#);
- Religiously motivated crime as legislation for under [Section 74 of the Criminal Justice \(Scotland\) Act 2003](#);
- Bail and undertaking aggravations as introduced in [Criminal Procedure \(Scotland\) Act 1995](#), sections 22 and 27.

- Domestic abuse aggravations, as introduced via the [Abusive Behaviour and Sexual Harm \(Scotland\) Act 2016](#).
- Domestic abuse aggravation in relation to a child under the [Domestic Abuse \(Scotland\) Act 2018](#).

The CHS also includes some codes that are not statutory, but are used as identifiers to highlight particular cases to the police, COPFS, or SCTS. This includes an identifier for domestic abuse, which identifies domestic abuse related charges for operational purposes, whether or not the statutory domestic abuse aggravation applies to them.

C.11 Statistics on offences with a bail aggravation recorded, which identify offences that were committed while the offender was on bail, are published under the “supporting documents” menu on the website for this publication at <https://www.gov.scot/publications/criminal-proceedings-scotland-2019-20/>

C.12 Bail orders are issued at various times during the legal process. They are generally granted at an early point, often before there is a petition/complaint. Furthermore, it's possible that an individual can receive multiple bail orders in the same case – this may be because conditions have been breached/appealed/reviewed, and a new order is subsequently issued. The combination of these events mean that there is no expectation of a direct correlation between the numbers of bail orders issued and the numbers of proceedings, although at a basic level, an increase in activity in the justice system will generally correlate with an increase in the numbers of both bail orders and proceedings.

C.13 Bail undertakings are used when a person has been charged with a crime, but where the accused is trusted to maintain good behaviour until their court appearance, and therefore is not required to be held in custody. The accused agrees that they will attend court at a specific time, and may also be held to certain conditions. An undertaking will not be granted if a person was arrested on a warrant.

Comparisons with other sources

C.14 Care should be taken when comparing different data sources relating to the criminal justice system. For example [recorded crime statistics](#) count crimes and offences at the time that they came to the attention of Police Scotland while criminal proceedings statistics report on cases which have concluded in court. This means that a crime may be recorded by the police in one year and court proceedings concluded in a subsequent year. In addition, a person may be proceeded against for more than one crime, or a set of crimes with more than one victim, in a proceeding, but only the main charge is counted in these court proceedings statistics. There is also the possibility that the crime recorded by the police may be altered in the course of judicial proceedings. There are also some offences included in this bulletin, such as failure to pay a television licence, which are reported directly

to the procurator fiscal by specialist reporting agencies such as TV Licensing and therefore are not included in the police recorded crime statistics.

C.15 COPFS publish a number of outputs, including [annual figures](#) relating to the number of cases reported to procurators fiscal each year, and the number of cases disposed of each year, by type of disposal. Some of these figures are presented in [Table 1](#) clearly marked as cases. Each COPFS case includes at least one charge, similar to criminal proceedings, but may involve more than one offender. The criminal proceedings statistics count individual people disposed of. It is not currently possible to extract information on some of the other COPFS non-court disposals from the CHS e.g. fiscal work orders and no actions.

C.16 COPFS also publish charge-level statistics in publications such as Hate Crime in Scotland and Domestic Abuse Charges reported to COPFS, both found on the [COPFS statistics page](#). The counting base for these statistics are at individual charge level rather than case level. As Criminal Proceedings statistics only measure the main charge in a case it would be expected that COPFS figures would be higher. There will also be timing differences since COPFS figures are based on the year of the report to COPFS, while the Criminal Proceedings figures are based on the year a person is sentenced.

C.17 Custodial disposals are counted differently from the direct sentenced prison receptions (excluding fine default receptions) published in the Scottish Government [Prison Statistics publications](#). Most of this difference is because a person given custodial sentences for separate sets of proceedings on the same day is counted as two custodial sentences in the criminal proceedings statistics, but only one direct sentence reception in the prison statistics.

C.18 Community sentence disposals are also counted on a slightly different basis from the statistics in [Criminal Justice Social Work](#) (CJSW) publications. The differences between the two sources include:

- Where two or more identical orders have been issued to run concurrently, the CJSW information only counts one order, whereas the criminal proceedings statistics will count more than one, although only one may be shown for a person where the table only counts the main disposal.
- Criminal proceedings data counts the penalty of first disposal whereas CJSW data includes orders given subsequent to the initial disposal (e.g. as a result of fine default, following an appeal etc.). Similarly, orders such as Community Payback Orders show a variation relative to these statistics in the CJSW and other sources; this may be because they will sometimes be withdrawn and reissued in particular circumstances – we do not count these additional impositions here.
- The date on which the order is deemed to be given can vary between the two collections, particularly where the penalty is given on a different date from the plea/verdict.

C.19 Please note that statistics on Restriction of Liberty Orders (**RLOs**) will not match statistics published by G4S, the Scottish Government's contractor for electronic monitoring. This is because statistics in this publication are representative of the main charge in a set of proceedings and will mask RLOs issued for secondary charges. By contrast, the G4S figures count all RLOs issued by the courts relating to all charges.

Comparisons with statistics from other countries

C.20 Direct comparisons with statistics from other countries should be taken with care as legal frameworks and legislation for criminal offences differ. In addition, data collection techniques and recording definitions will vary considerably. For example, the Ministry of Justice's [Criminal court statistics quarterly](#) are based on information directly captured from the court's operational databases and are typically over a year to the latest quarter. By contrast these statistics for Scotland are from the CHS, a police database that collates information from COPFS and the SCTS, and are published on a financial year basis.

C.21 Despite international differences, Criminal Proceedings statistics are included in international reports collated by the United Nations and Eurostat such as:

- [European Sourcebook of Crime and Criminal Justice Statistics](#)
- Various analysis and reports on the [Eurostat website](#).

Annex D - Definitions, Classifications and Notation

D.1 The measures available to a court in sentencing a convicted person depend on a number of matters including what Parliament has legislated for in terms of appropriate penalties and the age of the person.

D.2 In some cases, if the court obtains evidence that the accused is suffering from a mental disorder, they can be assessed as unfit for trial, or acquitted because they were not criminally responsible at the time of the offence with a mental health disposal being issued by the court.

Person's Sex

D.3 'Sex' can be considered to refer to whether someone is male or female based on their physiology, with 'gender' representing a social construct or sense of self that takes a wider range of forms. Throughout this report we refer to 'sex' rather than 'gender' because this better reflects recording practices in relation to this information. In reality it is likely that recording includes a mixture of physiological and personal identity.

D.4 Sex in this bulletin is generally identified by a police officer based on how a person presents and recorded when a person's details are entered into the CHS. In most cases this is based on the physiology of a person rather than self-identified gender. It is recorded for operational purposes, such as requirements for searching. A person's sex may only be changed on the CHS if person has produced a Gender Recognition Certificate, or there has been a data entry error. A small number of records are recorded as 'unknown' where for some reason a clear understanding of the sex of the individual is not known.

D.5 During production of this bulletin we query any unusual sex values with Police Scotland, SCTS, and COPFS. Unusual values may be where sex for the same person has been recorded differently against two different proceedings, or where a female has been proceeded against for rape and attempted rape. We fix any values that were erroneous with the correct values.

D.6 The Scottish Government has created a [working group on the recording of sex and gender](#) in data to give guidance to public bodies on the collection, disaggregation, and use of data on sex and gender. [Draft guidance](#) has been published to collect feedback from users.

Custodial sentences

D.7 In 2019-20 the custodial sentence measures available to courts, that we have statistics for, included the options to:

- a. **Imprison** the convicted person (if aged 21 or over); sentence to a **Young Offenders' Institution** (YOI) (if aged 16 to 21 and not a child subject to compulsory supervision).
- b. Issue an **Order for Lifelong Restriction** (OLR). The OLR provides for the lifelong supervision of high-risk violent and sexual offenders and allows for a greater degree of intensive supervision than is the current norm. The OLR is designed to ensure that offenders, after having served an adequate period in prison to meet the requirements of punishment, do not present an unacceptable risk to public safety once they are released into the community. The period spent in the community will be an integral part of the sentence, which lasts for the remaining period of the offender's life.
- c. Impose an **Extended Sentence**. These sentences give additional post-release supervision on licence where it is considered that any existing supervision after the offender's release from custody would be a risk to the public. Extended sentences are imposed on sex offenders or on violent offenders who receive a custodial sentence of four years or more.
- d. Impose a **Supervised Release Order**. These can be used for people sentenced to less than 4 years in custody for offences other than sexual crimes. They mean that the person is compulsorily supervised by a criminal justice social worker for up to one year following release. These orders should only be imposed where the Court believes it would help prevent serious harm. The offender must comply with the reasonable instructions of the supervising officer.
- e. Sentence a person under the age of 18 convicted of murder to be detained without limit of time in such place, and under such conditions, as Scottish Ministers may direct (the effect of this is normally detention in a **young offenders institution or secure unit**). Where the person is aged 18 or over but under 21 he or she should be detained initially in a young offenders institution.
- f. Where a child (as defined in [section 199 of the Children's Hearings \(Scotland\) Act 2011](#)) is convicted on indictment and the court is of the view that no other method of dealing with the child is appropriate, the court may sentence the child to be detained for a period specified in the sentence and shall during that period be liable to be detained in such place, and on such conditions, as Scottish Ministers may direct.

Community sentences

D.8 Community sentence is a collective term for the ways that courts can punish someone convicted of committing an offence other than by serving a custodial sentence. The following list includes the community sentence options which can be imposed.

- a. **Community payback order** (CPO). These were introduced by the [Criminal Justice and Licensing \(Scotland\) Act 2010](#) and can only be imposed in respect of offence(s) committed on or after 1 February 2011. The CPO replaced provisions for community service orders, probation orders, supervised attendance orders, and the community reparation order.

A CPO can consist of one or more of nine requirements including offender supervision, compensation, unpaid work or other activity, mental health treatment, drug treatment and alcohol treatment. Every order must contain either an unpaid work or other activity requirement, or an offender supervision requirement (or both). If an offender fails to comply with a requirement in the order, the court can impose a number of sanctions, including a restricted movement requirement.

- b. **Restriction of liberty order**: a community sentence introduced by [section 5 of the Crime and Punishment \(Scotland\) Act 1997](#) and available to courts nationally from 1 May 2002. This requires a person to remain within a location, usually their home, at times specified by the court. A person's compliance with the order is monitored electronically.

- c. **Drug treatment and testing order** (DTTO): a measure introduced by the [Crime and Disorder Act 1998](#) and rolled out in phases from 1999 onwards. These are designed to reduce or stop offending by addressing problem drug use through the provision or access to a closely monitored treatment programme.

And, for offences committed prior to 1 February 2011:

- d. **Probation order**, of which some had conditions such as unpaid work or alcohol treatment attached.
- e. **Community service order** requiring the offender to undertake unpaid work.
- f. **Supervised attendance order** which the court can impose as an alternative to custody for people who have defaulted on fines imposed for minor criminal offences.

Financial penalties

D.9 The list below includes the financial penalty sentence options that allow the courts to:

- a. **fine** the offender
- b. impose a **compensation order** requiring the offender to compensate the victim for any resulting injury, loss, damage, alarm or distress.

Other sentences

D.10 The list below includes the “other” sentence options that allow the courts to:

- a. **admonish** the offender or make an order to find caution (the overwhelming majority of these are admonishments).
- b. order an **absolute discharge** (with no conviction recorded in summary procedure) or, following a deferral of sentence, make no order.
- c. remit a child offender to a **children's hearing** (if the accused is a child, under 16 years of age or aged 16 or 17 and subject to a supervision requirement).
- d. make a **guardianship order** if the accused is suffering from a mental disorder (with no conviction recorded in summary procedure).
- e. make a **compulsion order** if the accused is suffering from a mental disorder (with a conviction recorded), for a period of six months with regular reviews.

D.11 The range of options available to the police for minor offences (**Police non-court disposals**) includes:

- a. **Recorded Police Warnings**, which were introduced on 11 January 2016 to deal with low-level offences and replaced **Formal Adult Warnings**. They can be issued to any person over the age of 16. It is not a finding of guilt but is an alternative to prosecution and can be taken into account within a period of two years should the offender come to the further notice of the police.
- b. **Anti-social behaviour fixed penalty notices** (ASBFPNs) of £50, which can be issued for eleven crime/offence types, including drunken-related behaviours and playing loud music, to people aged 16 or over. Payment of the penalty involves no admission of guilt.
- c. Disposals for young people who offend such as **Early and Effective Interventions** (EEI) and **Restorative Justice Warnings**.

D.12 When a report is submitted by the police to COPFS, prosecution in court is only one of a range of possible options for dealing with people who have been charged. COPFS can decide to use one of these non-court direct measures (COPFS non-court disposal):

- a. **Fiscal fines** of between £50 to £300 for summary offences during the period covered by this bulletin.
- b. **Fiscal fixed penalties**, generally issued for motor vehicle offences.
- c. **Fiscal warnings** provide a method of dealing with a case without recourse to prosecution – they mean that the person receiving that warning cannot be prosecuted for that offence.
- d. **Fiscal compensation** orders of up to £5,000 payable to the victim for personal injury, loss, damage, alarm or distress.
- e. **Combined fiscal fine and fiscal compensation** order.
- f. **Fiscal Work Orders** (FWOs) were introduced across Scotland in April 2015 and provide COPFS with the option of offering an alleged offender a period of unpaid work of between 10 and 50 hours, as an alternative to prosecution. Successful completion of the order discharges the right to prosecute. Work is ongoing with COPFS and Police Scotland to ensure that these disposals are recorded correctly, and we intend to publish FWO statistics when we are satisfied that they are accurate.

Classification of crimes and offences

D.13 Violations of criminal law are divided, for statistical purposes only, into crimes and offences. There are around 5,300 charge codes, which are the operational codes used within the Criminal Justice System to identify crimes and offences. These charge codes are mapped to around 400 crime codes, which in turn are grouped into 35 broader categories, and further into 7 crime and offence groups. This classification enables consistent and comparable reporting between criminal justice organisations and is presented in the table below.

Crimes

Group 1: Non-sexual crimes of violence (Also referred to as Crimes of violence)	
Homicide etc.	<p>Includes:</p> <ul style="list-style-type: none">• Murder• Culpable homicide<ul style="list-style-type: none">– Culpable homicide (common law)– Causing death by dangerous driving– Causing death by careless driving while under the influence of drink or drugs– Causing death by careless driving– Illegal driver involved in fatal accident– Corporate homicide
Attempted murder and serious assault	<p>Includes:</p> <ul style="list-style-type: none">• Attempted murder• Serious assault <p>An assault is classified as serious if the victim sustained an injury resulting in detention in hospital as an in-patient or any of the following injuries whether or not he/she was detained in hospital: fractures, internal injuries, severe concussion, lacerations requiring sutures which may lead to impairment or disfigurement or any other injury which may lead to impairment or disfigurement.</p>
Robbery	<p>Includes:</p> <ul style="list-style-type: none">• Robbery and assault with intent to rob
Domestic Abuse (Scotland) Act	Crimes of domestic abuse under the Domestic Abuse (Scotland) Act 2018 , which covers a course of conduct.
Other	<p>Includes:</p> <ul style="list-style-type: none">• Threats and extortion• Cruel and unnatural treatment of children or adults• Abortion• Concealment of pregnancy• Possession of a firearm with intent to endanger life, commit crime etc.• Abduction

	<ul style="list-style-type: none"> • Ill-treatment and neglect of patients and vulnerable adults • Drugging
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Group 2: Sexual crimes	
Rape and attempted rape	<p>Includes:</p> <ul style="list-style-type: none"> • Rape • Attempted rape
Sexual assault	<p>Includes:</p> <ul style="list-style-type: none"> • Contact sexual assault (13-15 year old or adult 16+) • Sexually coercive conduct (13-15 year old or adult 16+) • Sexual crimes against children under 13 years • Lewd and libidinous practices
Crimes associated with prostitution	<p>Includes:</p> <ul style="list-style-type: none"> • Crimes relating to prostitution • Soliciting services of person engaged in prostitution • Brothel keeping • Immoral traffic • Procuration
Other	<p>Includes:</p> <ul style="list-style-type: none"> • Other sexually coercive conduct • Other sexual crimes involving 13-15 year old children • Indecent image offences i.e. “Taking, distribution, possession etc. of indecent photos of children” • Incest • Unnatural crimes • Public indecency • Sexual exposure • Other sexual crimes

Group 3: Crimes of dishonesty (Also referred to as Dishonesty)	
Housebreaking	<p>Includes:</p> <ul style="list-style-type: none"> • Theft by housebreaking domestic property (dwelling and non-dwelling) • Theft by housebreaking other property • Housebreaking with intent to steal domestic property (dwelling and non-dwelling) • Housebreaking with intent to steal other property • Attempted housebreaking with intent to enter and steal domestic property (dwelling and non-dwelling) • Attempted housebreaking with intent to enter and steal other property
Theft by opening a lockfast place (OLP)	<p>Includes:</p> <ul style="list-style-type: none"> • Theft by opening lockfast places (OLP) (excluding motor vehicle) • OLP (excluding motor vehicle) with intent to steal • Attempted OLP excluding motor vehicle with intent to steal

Theft from a motor vehicle by OLP	<p>Includes :</p> <ul style="list-style-type: none"> • Theft by OLP from a motor vehicle • OLP with intent to steal from a motor vehicle • Attempted OLP with intent to steal from a motor vehicle
Theft of motor vehicle	<p>Includes :</p> <ul style="list-style-type: none"> • Theft of a motor vehicle and contents • Attempted theft of a motor vehicle
Shoplifting	<p>Includes :</p> <ul style="list-style-type: none"> • Shoplifting
Other theft	<p>Includes :</p> <ul style="list-style-type: none"> • Theft of pedal cycles • Theft from a motor vehicle not elsewhere classified
Fraud	<p>Includes:</p> <ul style="list-style-type: none"> • Common law fraud • Statutory fraud • Forgery and uttering (excluding currency crimes)
Other crimes of dishonesty	<p>Includes:</p> <ul style="list-style-type: none"> • Forgery (other) • Reset • Embezzlement • Corruption

Group 4: Fire-raising, vandalism etc.

Fire-raising	<p>Includes:</p> <ul style="list-style-type: none"> • Fire-raising • Muirburn
Vandalism, etc.	<p>Includes:</p> <ul style="list-style-type: none"> • Malicious mischief • Vandalism • Culpable and reckless conduct (not with firearms) • Reckless conduct with firearms

Group 5: Other crimes

Crimes against public justice	<p>Includes:</p> <ul style="list-style-type: none"> • Perjury • Resisting arrest • Bail offences (other than absconding or re-offending) • Wasting police time
Handling offensive weapons	<p>Includes:</p> <ul style="list-style-type: none"> • Possession of an offensive weapon • Restriction of offensive weapons • Having in a public place an article with a blade or point • Having in prison an article with a blade or point • Possession of an offensive weapon (not blade or point) in a prison

Drugs	<p>Includes:</p> <ul style="list-style-type: none"> • Importation of drugs • Production, manufacture or cultivation of drugs • Possession and supply of controlled drugs • Related money laundering offences • Bringing drugs into prison
Other	<p>Includes:</p> <ul style="list-style-type: none"> • Treason • Conspiracy • Explosives offences • Wrecking, piracy and hijacking • Crimes against public order

Offences

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

	<ul style="list-style-type: none"> • Labour laws • Naval military and air force laws • Offences against environmental legislation • Consumer protection acts
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Group 7: Motor vehicle offences

Dangerous and careless driving	<p>Includes:</p> <ul style="list-style-type: none"> • Dangerous driving offences • Driving carelessly
Driving under the influence	<p>Includes:</p> <ul style="list-style-type: none"> • Driving or in charge of motor vehicle while unfit through drink or drugs • Blood alcohol content above limit • Failing to provide breath, blood or urine specimens
Speeding	<p>Includes:</p> <ul style="list-style-type: none"> • Speeding in restricted areas • Other speeding offences
Unlawful use of motor vehicle	<p>Includes:</p> <ul style="list-style-type: none"> • Driving whilst disqualified • Driving without a licence • Offences relating to driving without insurance • Vehicle excise license offences
Vehicle defect offences	<p>Includes:</p> <ul style="list-style-type: none"> • Offences relating to faulty lights on vehicles • Other vehicle defects relating to tyres, brakes etc. • Weight contraventions for goods vehicles
Seat belt offences	<p>Includes:</p> <ul style="list-style-type: none"> • Drivers and passengers failing to wear seatbelts • Failure to restrain children in appropriate seatbelts
Mobile phone offences	<p>Includes:</p> <ul style="list-style-type: none"> • Driving whilst using a mobile phone
Other motor vehicle offences	<p>Includes:</p> <ul style="list-style-type: none"> • Accident offences including failing to stop/provide details • Parking offences • Motor Vehicle Records of Work (eg Tachograph) Offences

Annex E – Legislative and policy changes

Domestic Abuse Scotland Act

E.1 The [Domestic Abuse \(Scotland\) Act 2018](#) introduced a crime relating to a person engaging in a course of behaviour relating to domestic abuse. There is also a provision for a new statutory aggravation relating to children, which is aggravated if the offence directs behaviour at a child, or uses a child to direct behaviour at the partner/ex-partner. It came into force on 1st April 2019.

E.2 In the past, these crimes will often have been convicted under individual charges in other crimes or offences categories, including Breach of the peace etc. (which covers stalking, and threatening and abusive behaviour) and Common assault in the Miscellaneous offences category. Therefore it may affect the numbers of proceedings and convictions for these crimes, and the numbers of proceedings and convictions with a statutory domestic abuse aggravation or domestic abuse identifier. COPFS' [Domestic Abuse and Stalking Charges 2019-20 Statistics](#) on the number of charges reported to them showed that the percentage of charges for stalking with a domestic abuse identifier fell from 72% in 2018-19 to 65% in 2019-20.

E.3 The introduction of this act is also likely to have an effect on the numbers of proceedings and convictions in the violent crime category, as the new crime under this act was added to this category. It was put in this category after consultation with users.

Other changes to legislation during the period covered by this bulletin

E.4 The [Abusive Behaviour and Sexual Harm \(Scotland\) Act 2016](#) introduced a new statutory aggravation for domestic abuse which came into force in April 2017. This act also covers 'intimate images' offences (often known as 'revenge porn').

E.5 [Sections 79-81 of the Criminal Justice \(Scotland\) Act 2016](#) ("the 2016 Act") made significant changes to the sheriff and jury procedures contained in the [Criminal Procedure \(Scotland\) Act 1995](#) ("the 1995 Act"), and were introduced over three dates during the period May to August 2017. This may feed through to average sentence lengths because it allows sentence discounts for early guilty pleas.

E.6 The [2016 Act - Part I \(Police powers\)](#) came into force on 25 January 2018. The provisions, amongst other matters, transferred written undertaking provisions from the 1995 Act to Part I of the 2016 Act.

E.7 On December 5th 2014 the **alcohol limit for drivers in Scotland** was reduced from 80 mg to 50 mg per 100 ml blood.

E.8 The [Offensive Behaviour at Football and Threatening Communications \(Scotland\) Act 2012](#), which came into effect on 1 March 2012, was repealed on 20 April 2018. See [Annex E7 in the 2018-19 bulletin](#) for a table of all the proceedings and convictions under this act by year.

E.9 Aside from the changes mentioned above, there have been no other major legislative changes throughout 2019-20 which impact on the comparability of the statistics. However, it should be noted that legislation introduced in years prior to 2019-20 will continue to have an impact on the statistics as people are charged under the new legislation and proceeded against in court.

A National Statistics publication for Scotland

The United Kingdom Statistics Authority has designated these statistics as National Statistics, in accordance with the Statistics and Registration Service Act 2007 and signifying compliance with the Code of Practice for Official Statistics.

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Correspondence and enquiries

For enquiries about this publication please contact:

Peter Malek,
Justice Analytical Services, Scottish Government,
Telephone: 0300 244 5694,
e-mail: Justice_Analysts@gov.scot

For general enquiries about Scottish Government statistics please contact:

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

How to access background or source data

The data collected for this statistical bulletin:

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

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