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

May 2021

Published 24th June 2021

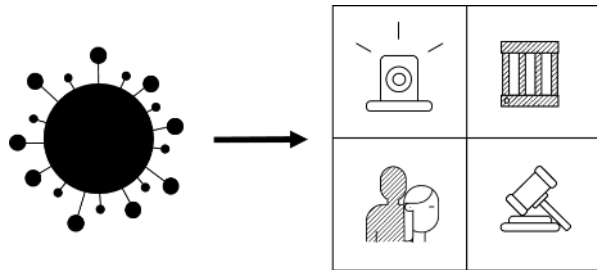


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Summary

This pack provides information on the impact of COVID-19 on the Justice system during May 2021.

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



Public compliance

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

Three quarters of respondents agreed that the best thing to do is to follow the government's advice. This has remained high and stable through January and February. However, those stating they had engaged in a non-compliant activity has risen from the start of January (23% to 33%).

Police activity

- The number of crimes recorded in May 2021 was lower than that in both May 2020 and May 2019.
- Weekly incident numbers have been similar in May 2021, compared to May 2020.
- The number of Domestic Abuse incidents recorded in May 2021 was lower than the level seen in May 2020, but higher than May 2019.
- The use of interventions decreased in May 2021. This was primarily due to the spike in the April figures, although the lifting of restrictions may also have contributed.

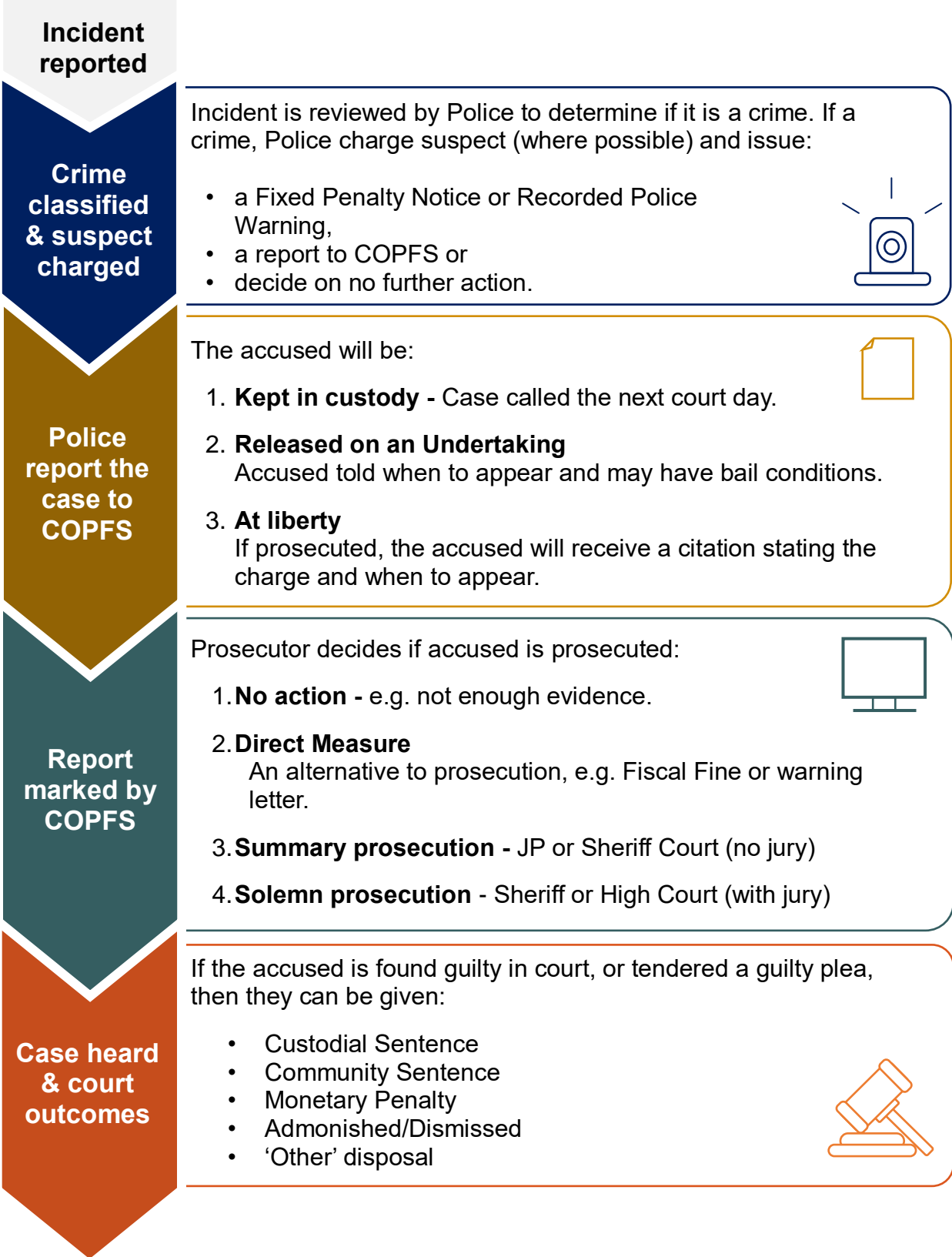
Crown Office and Procurator Fiscal Service (COPFS), Courts & Prisons

- May represents the first full month of business since Sheriff Summary courts eased partial restrictions on April 19th.
- JP courts resumed on 7th June, this will be reflected in next month's publication.
- Community disposals were returning to 19-20 levels but there remains a backlog of cases (and associated disposals) to conclude.
- Initiations and disposals in the civil court remain below 19-20 levels.
- Prison populations initially decreased as court business abated.
- The number of prisoners on remand subsequently rose to its current, historically high, level.

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How crime flows through the Justice System



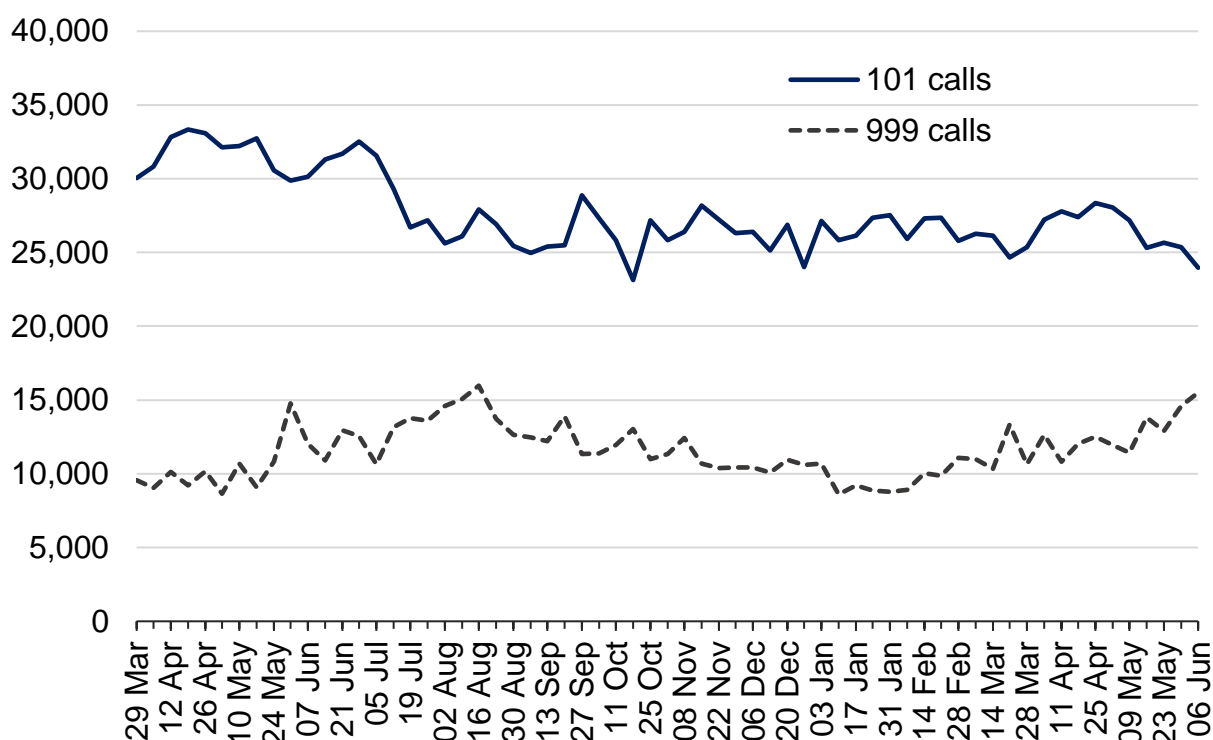
Police Activity (Police Scotland)

101 and 999 call volumes

Total weekly 999 & 101 calls have generally been lower compared to the equivalent weeks from the previous year.

- Both 101 calls have remained relatively stable over the past six months, whilst 999 calls have experienced an increasing trend.
- In the week ending 6th June, 39,488 calls were made to Police Scotland.
- When combined, calls were lower than the previous week.

Chart: Number of calls



Type of call	Week ending 30th May 2021	Week ending 6th June 2021
101 calls	25,353	23,983
999 calls	14,585	15,505
Total calls	39,938	39,488

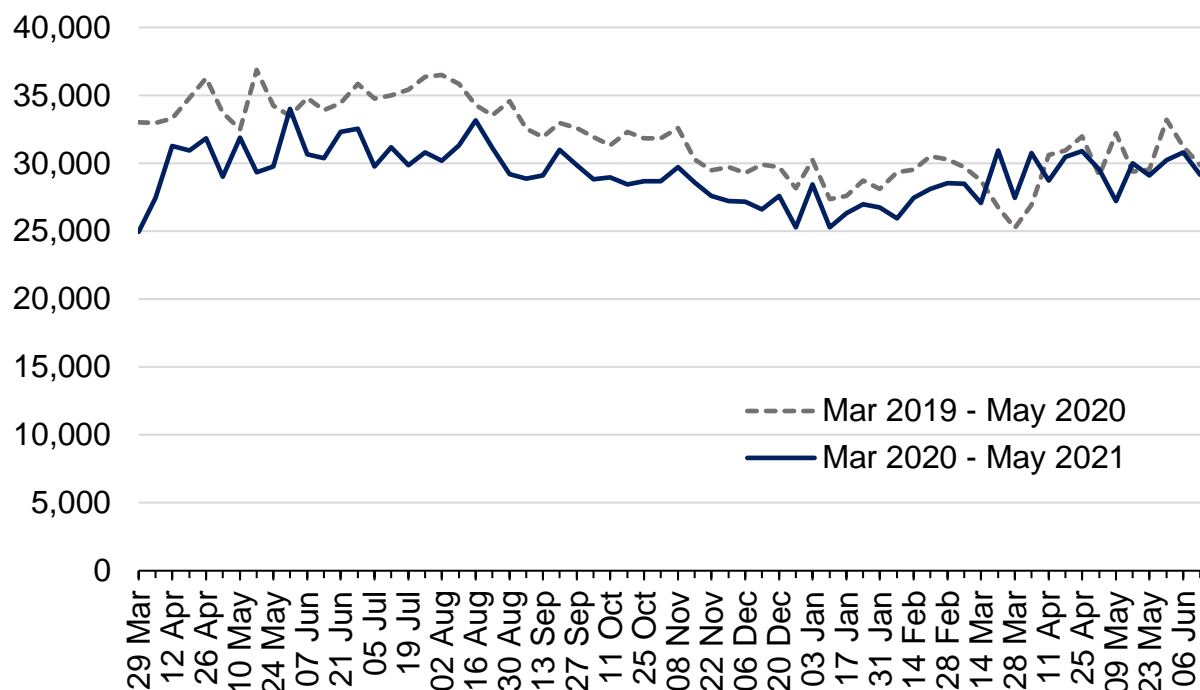
Incidents recorded

Weekly incident numbers have been similar in May 2021, compared to May 2020. It should be noted that coronavirus restrictions were in place in both months.

Incident levels have generally been lower in recent weeks compared to the equivalent weeks from the previous year.

Scotland entered Phase 2 of its route map on 28th May 2020. There was an increase in incidents during that week (ending Sunday 31st May). However, incident numbers remained below 2019-20 levels in the weeks that followed, and declined from November onwards. Scotland entered a new period of lockdown on 5th January 2021. Since then, there has been evidence of an increasing trend although levels remain generally lower than at the start of the pandemic.

Chart: Number of incidents



In the week ending 6th June:

30,799
incidents recorded



Down 1% compared to the equivalent week in 2020 (31,229 incidents)

Further information:

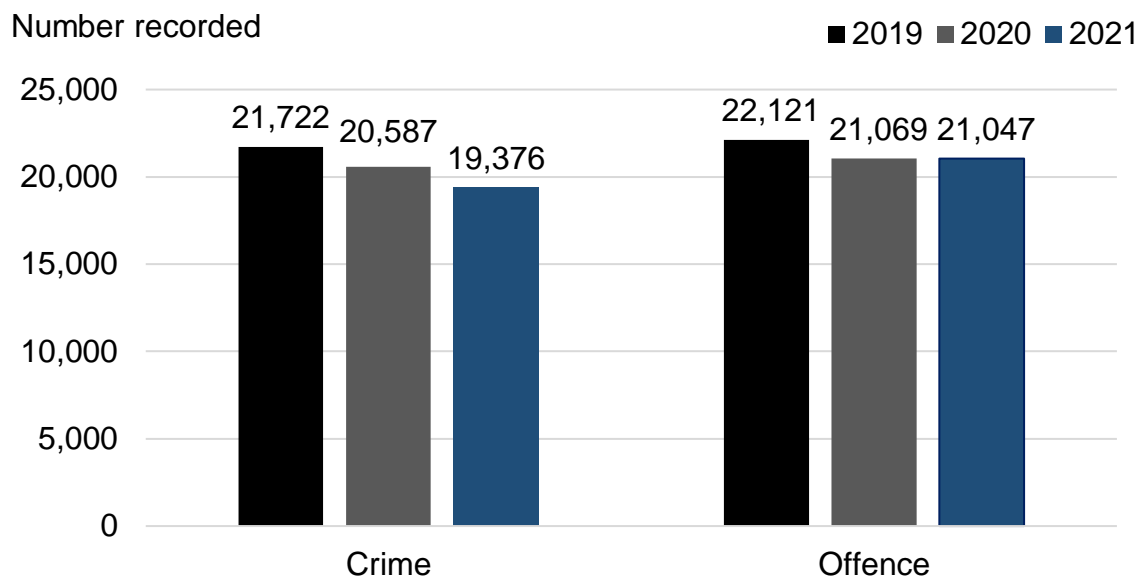
A full breakdown of calls & incident volumes is available from:

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

Recorded Crime in Scotland

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

Chart: Number of crimes and offences recorded



Note: Each set of columns shows from left to right, May 2019, 2020 and 2021

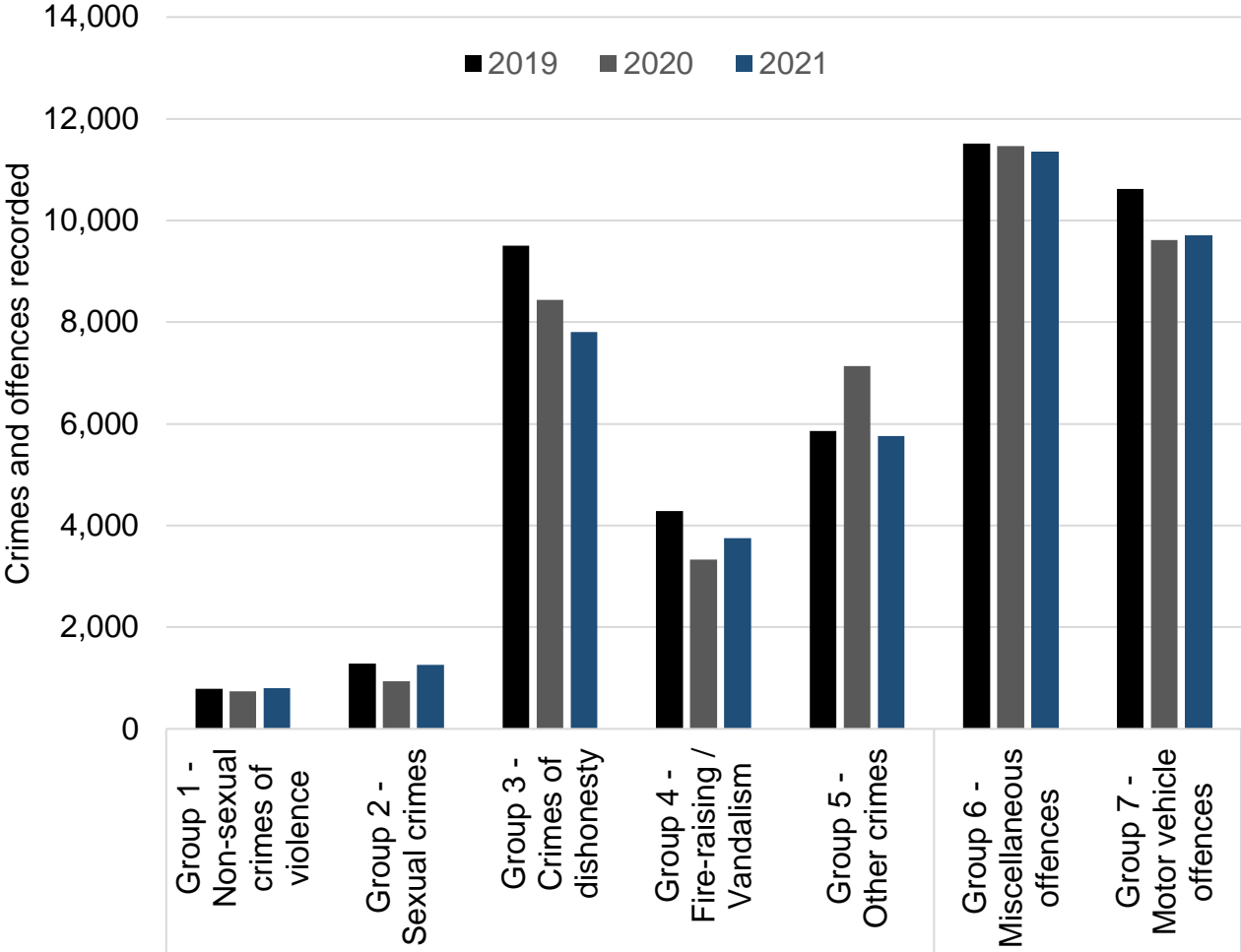
May 2021

The number of crimes recorded in May 2021 was 6% lower than in May 2020 and 11% lower than in May 2019. The number of offences was almost identical in May 2020 (0% change) and 5% lower than in May 2019.

Sexual crimes were 34% higher (or 317 crimes) than in May 2020, but 2% lower than in May 2019. Sexual assault saw the largest increase since May 2020, increasing by 55%, however it remained 14% below May 2019 levels. Other sexual crimes increased by 22% compared to May 2020; this was also a 12% increase compared to May 2019. Rape and attempted rape increased by 35% compared to May 2020, however this is a 10% decrease compared to May 2019.

Other crimes were 19% lower (or 1,386 crimes) than in May 2020. This was also a 2% decrease since May 2019. The main contributors to these decreases were Drugs (which fell by 27% compared to May 2020 and 18% compared to May 2019) and Crimes against public justice (which fell by 18% compared to May 2020, however this was 25% higher compared to May 2019).

The following chart shows a breakdown of the crime and offence groups, comparing May 2019, 2020 and 2021



Note: each category shows columns from left to right for May 2019, 2020 and 2021

The biggest drivers of the decrease from May 2020 to May 2021 were Drugs and Crimes against public justice.

The biggest drivers of the 6% decrease over this period were:

Drugs

- ↓ 27% (or 1,014 crimes)
- ↓ 18% (or 599 crimes) compared to May 2019

Crimes against public justice

- ↓ 18% (or 430 crimes)
- ↑ 25% (or 405 crimes) compared to May 2019

The biggest increases from May 2020 to May 2021 (by volume) were:

Vandalism

- ↑ 15% (or 463 crimes)
- ↓ 11% (or 437 crimes) compared to May 2019

Sexual assault.

- ↑ 55% (or 146 crimes)
- ↓ 14% (or 67 crimes) compared to May 2019

Fraud

- ↑ 7% (or 108 crimes)
- ↑ 85% (or 712 crimes) compared to May 2019

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

Further Information: The data in this section comes from the monthly Official Statistics on crimes and offences recorded by the police in Scotland during the COVID-19 pandemic. For more information, please see [Recorded Crime in Scotland: May 2021](#).

Coronavirus legislation intervention activity

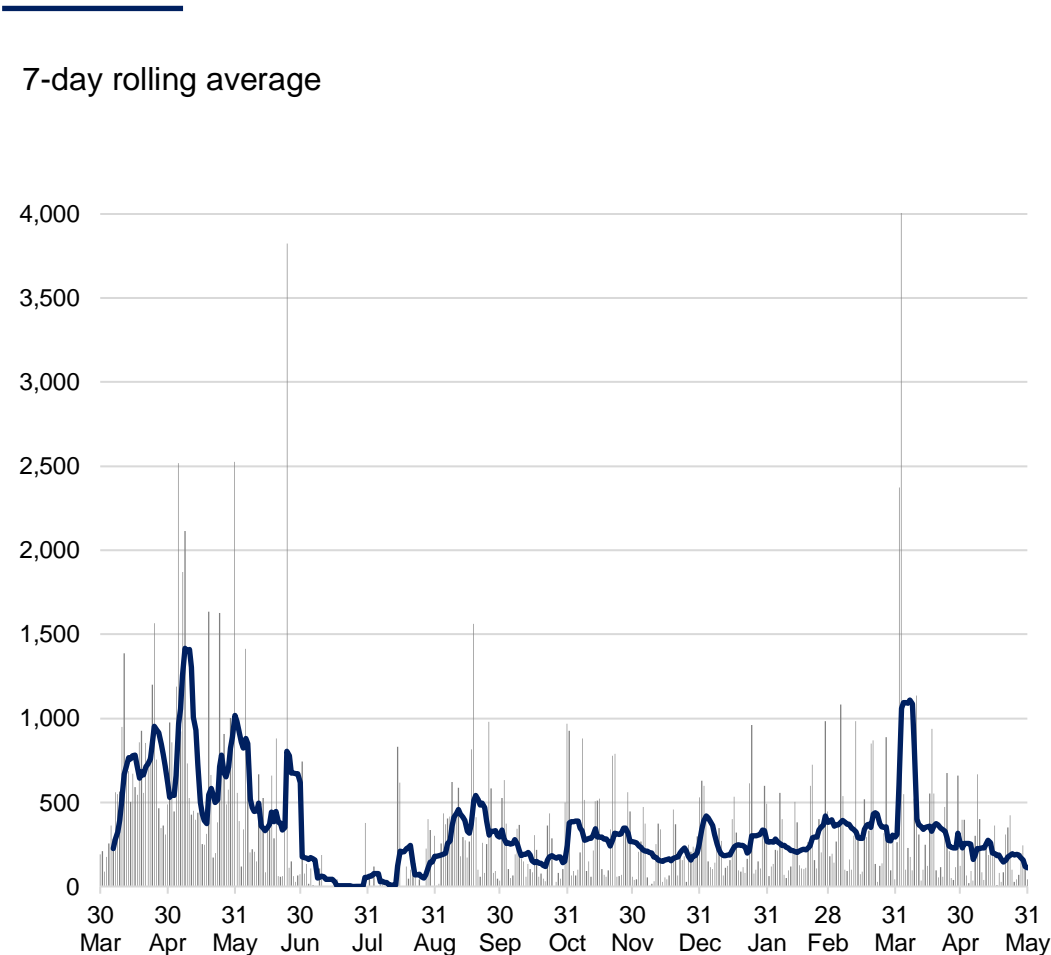
This information is drawn from Police Scotland’s ‘Coronavirus Interventions’ application, which relies on manual input from Police Officers. Due to this manual input, these figures should be viewed as indicative only.

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

The use of interventions decreased in May 2021. This was primarily due to the spike in the April figures, although the lifting of restrictions may also have contributed.

Total use of interventions decreased by 61% (or 9,144 interventions) since the previous month.

Chart: Number of interventions (including 7-day rolling average)



COVID-19 Intervention Activity in May 2021

In May, 79% of interventions made were dispersals. This is a lower percentage than in the previous month (90% in April).

Chart: Monthly COVID-19 interventions

5,888 interventions in May



- 20% of interventions were dispersals but only when instructed (1,189)
- 43% of interventions were dispersals when informed (2,513)

Of the remaining 37% of interventions:

- 989 were dispersed using reasonable force
- 1,176 were issued a Fixed Penalty Notice (FPN)
- 41 were arrested

Further Information:

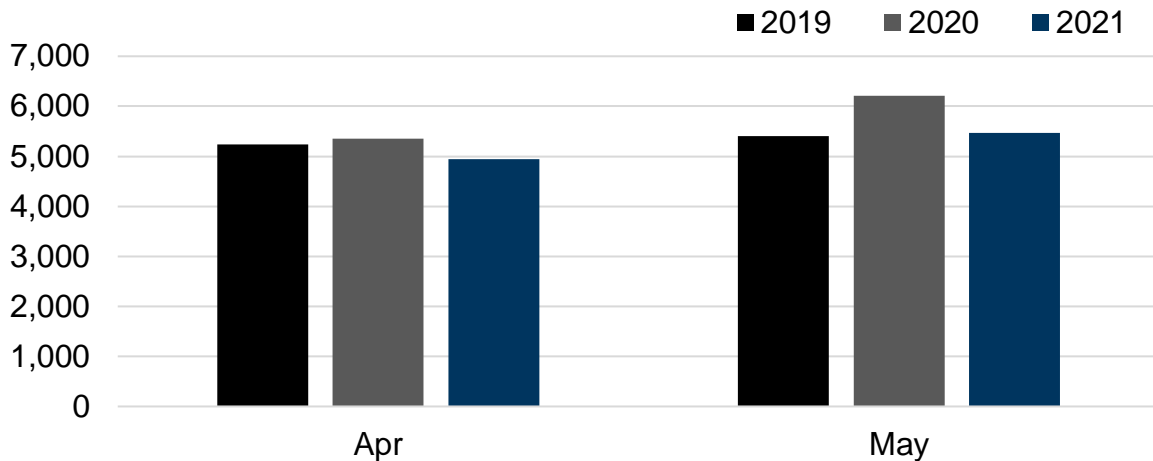
A full breakdown of interventions is available from Police Scotland:
<https://www.scotland.police.uk/about-us/covid-19-police-scotland-response/enforcement-and-response-data/>

Police Recorded Domestic Abuse Incidents

The number of Domestic Abuse incidents recorded in May 2021 was lower than the level seen in May 2020, but higher than May 2019.

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

Chart: Number of domestic abuse incidents recorded in May 2019, 2020 and 2021



In May 2021:

5,474

Domestic incidents recorded



Down 12% since May 2020 (6,205 incidents)



Up 1% since May 2019 (5,401 incidents)

In April to May 2021:

10,418

Domestic incidents recorded



Down 10% since The same months in 2020 (11,561 incidents)



Down 2% since May 2019 (10,645 incidents)

The proportion of April and May 2021 incidents that included the recording of at least one crime or offence was 42.6%. [Police Scotland's Management Information Report](#) suggests an equivalent figure of 43.6% for 2020-21.

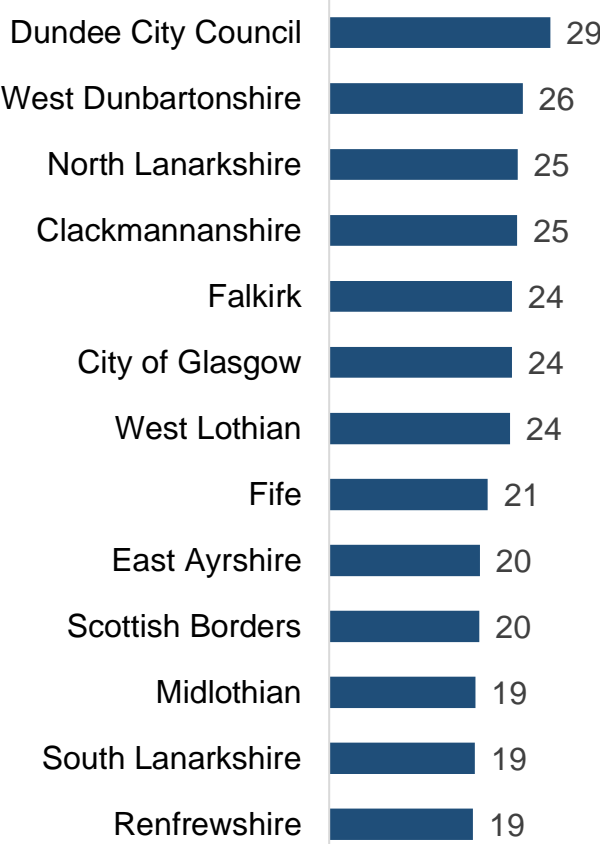
In addition to the above, separate figures on crimes recorded under the Domestic Abuse (Scotland) Act 2018 are available from the Recorded Crime in Scotland monthly Official Statistics. There were 132 such crimes recorded by the police in May 2021, this is 4% lower than May 2020 (138 crimes) and 16% lower than May 2019 (157 crimes).

Police Recorded Domestic Abuse Incidents per 10,000 population

Across Scotland as a whole, the police recorded 19 domestic abuse incidents per 10,000 population during April to May 2021.

The local authorities with the highest rates were Dundee City (29), West Dunbartonshire (26), North Lanarkshire (25) and Clackmannanshire (25).

The following chart shows local authorities with rates above the national average



The following map shows Domestic Abuse incidents per 10,000 population, April to May 2021



Further Information:

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

For more information, please see [Recorded Crime in Scotland: May 2021](#)

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

Reports received by COPFS

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

Total reports received by COPFS have remained just below pre-pandemic levels since March 2021.

- The total number of reports received by COPFS decreased substantially at the beginning of lockdown. Numbers increased to pre-pandemic levels before a substantial decrease in February 2021. Reports in March recovered to just under pre-pandemic levels and have remained around that number over the last few months.
- Undertaking report numbers remain higher than 2019-20 levels.
- Custody report numbers had returned to 2019-20 levels but decreased from August and are now around two-thirds of 19-20 average levels.

Chart: All reports received by COPFS (bars – monthly count April 2020 to May 2021, dashed line 19-20 average)

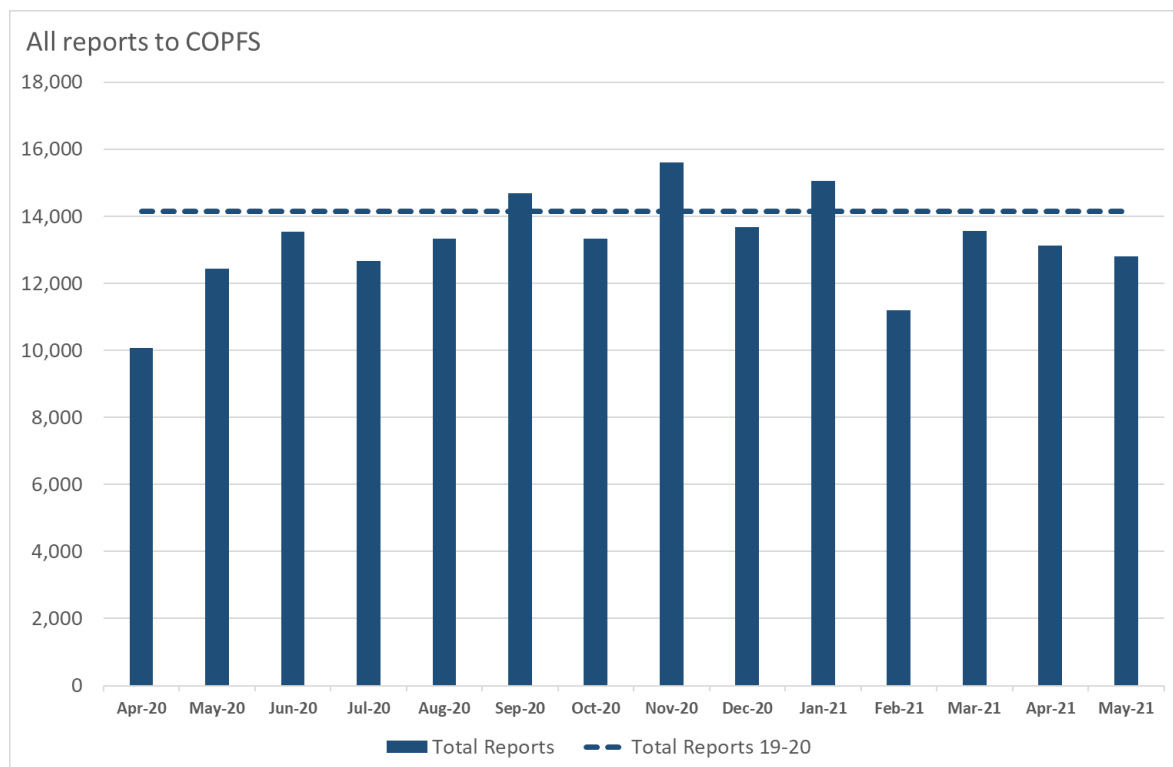


Chart: Custody reports received by COPFS (bars – monthly count April 2020 to May 2021, dashed line 19-20 average)

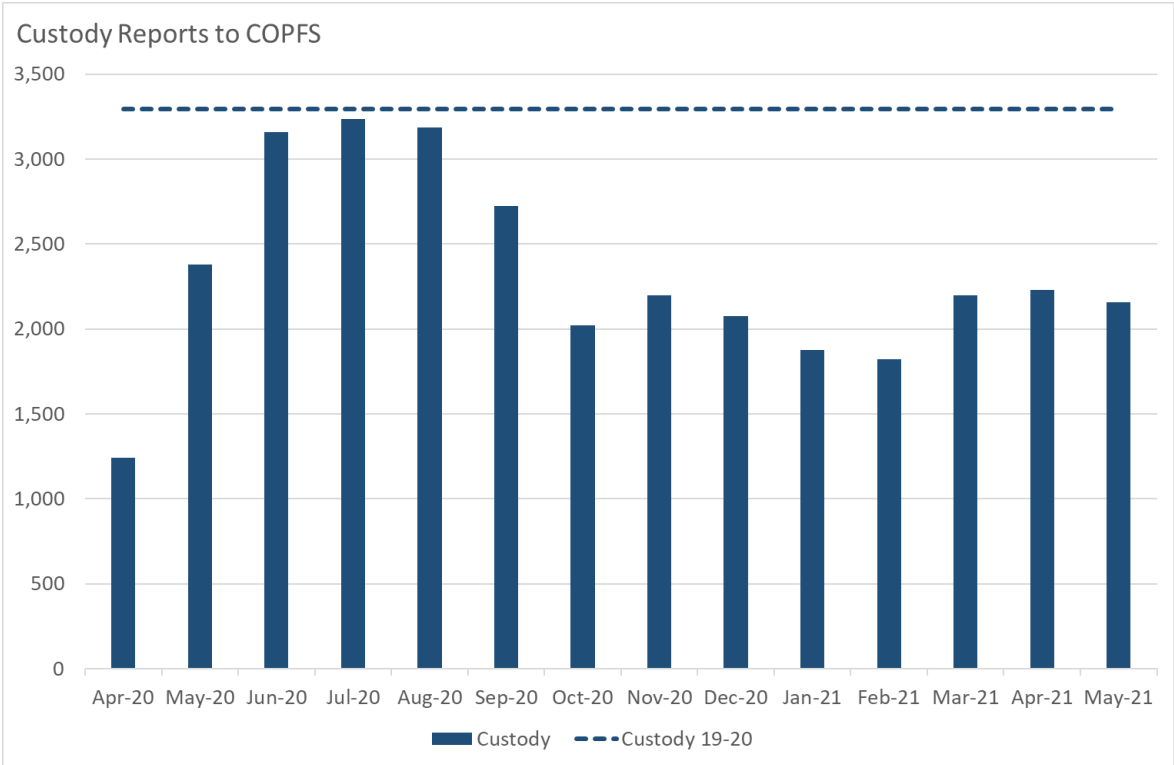
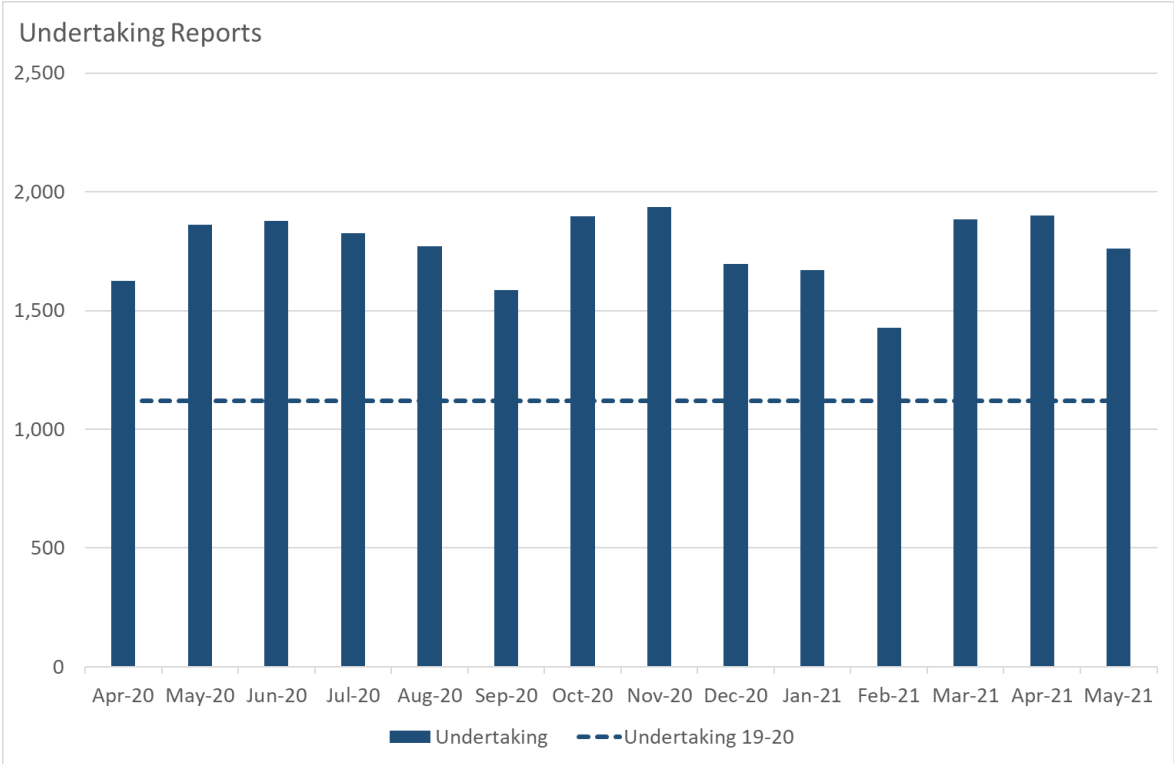


Chart: Undertaking reports received by COPFS (bars – monthly count April 2020 to May 2021, dashed line 19-20 average)

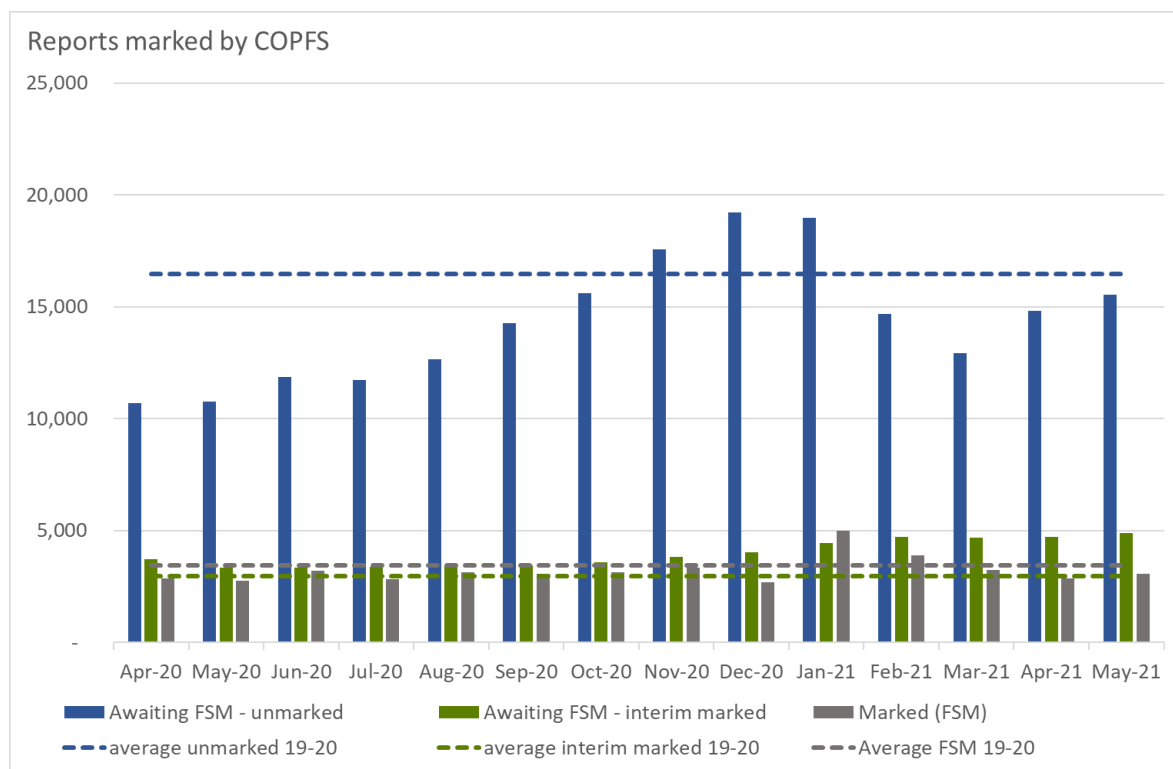


First substantive marking

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

The number of accused given a FSM by COPFS increased substantially in January 2021 but has since decreased to below pre-pandemic levels. The number of reports awaiting marking has been increasing in recent months and now sits just below 19-20 average levels. The number of reports with an interim marking has been above 19-20 average levels throughout 2020 and into 2021.

Chart: Marking status of COPFS reports (bars – monthly count April 2020 to May 2021, dashed lines 19-20 average)



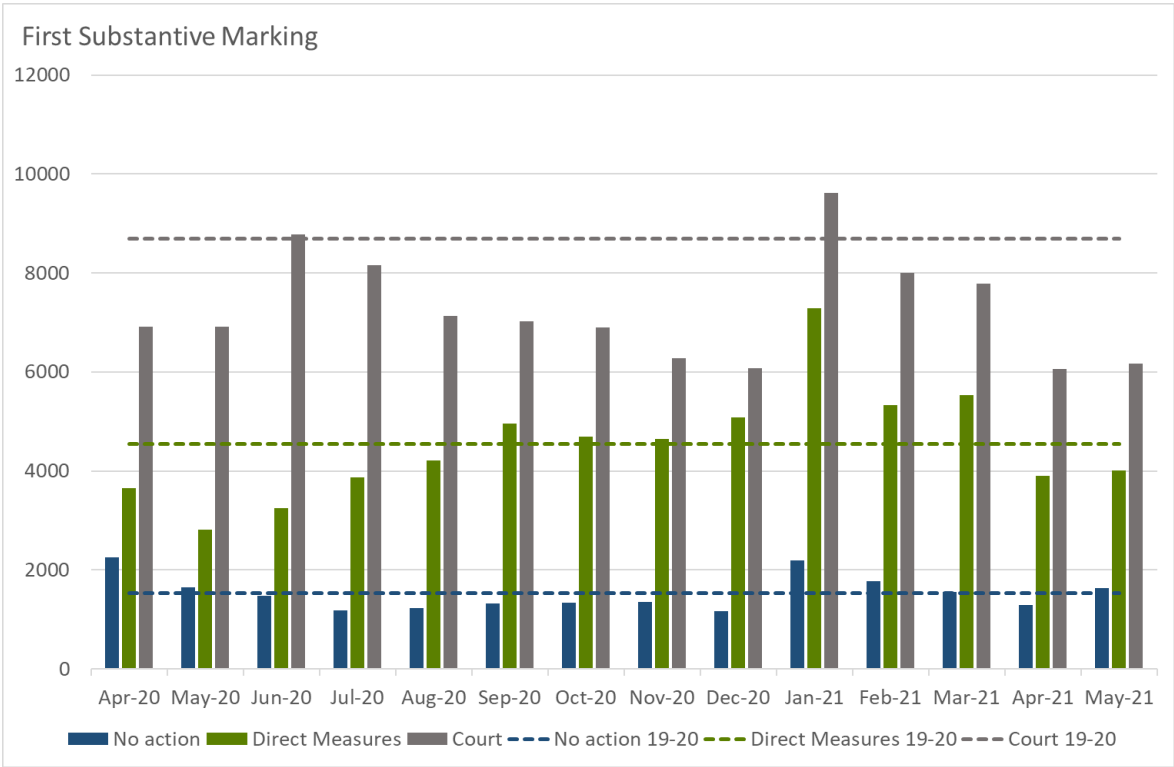
Summary of COPFS First Substantive Markings

There are 3 types of marking decision available to COPFS:

- No Action
- Direct Measures
- Court proceedings

Following an increase in all marking types in January 2021, numbers of markings subsequently decreased. The number of markings in May was broadly similar to the number in April. Markings for No Action and Direct Measures remain at or just below 19-20 average levels and markings for court are around two-thirds of 19-20 average levels.

Chart: First Substantive Marking (bars – monthly count April 2020 to May 2021, dashed lines 19-20 average)



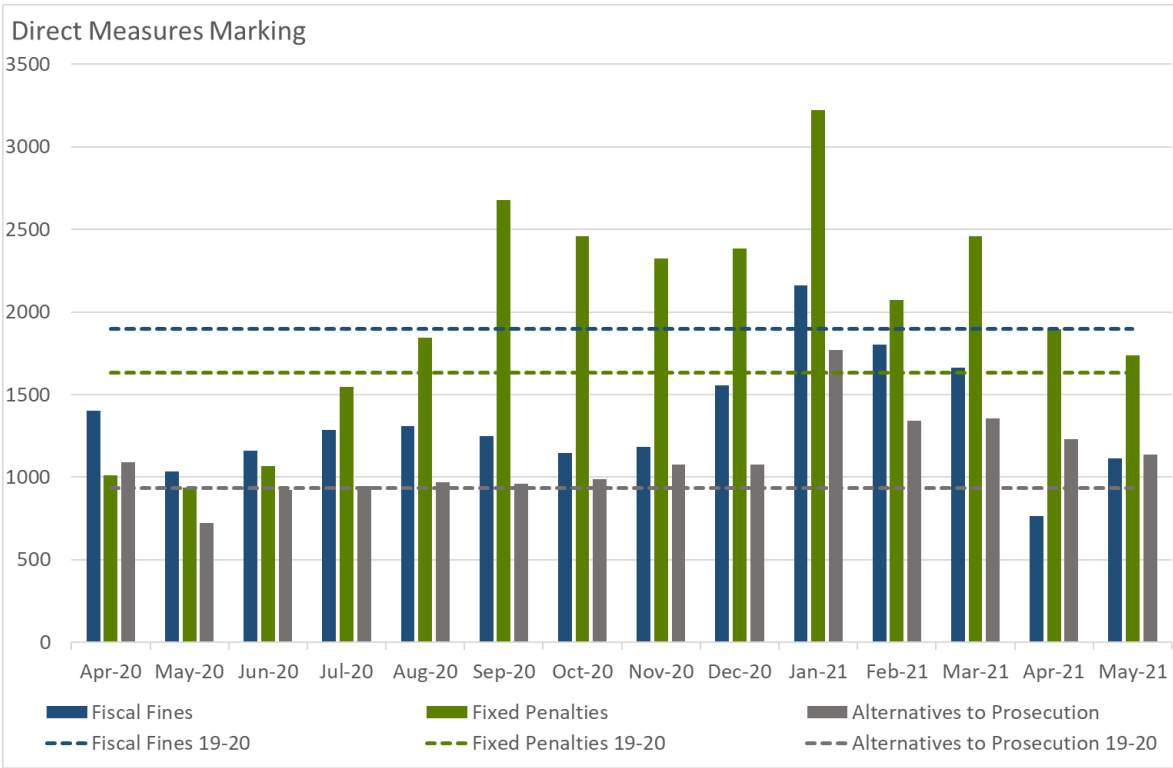
Subjects marked for Direct Measure

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

In January 2021, for the first time in 2020-21, the numbers of subjects receiving a Fiscal Fine increased to above 19-20 average levels (dotted lines). Numbers have decreased in subsequent months and fell to less than half the 19-20 average in April 2021 before increasing again in May 21.

The number of subjects given Fiscal fixed penalties increased from May 2020, and remained above 19-20 average levels throughout the end of 2020. Numbers increased to almost double 19-20 average levels in January 2021 before decreasing again but remaining above pre-pandemic levels.

Chart: Subjects marked for direct measures (bars – monthly count April 2020 to May 2021, dashed lines 19-20 average)



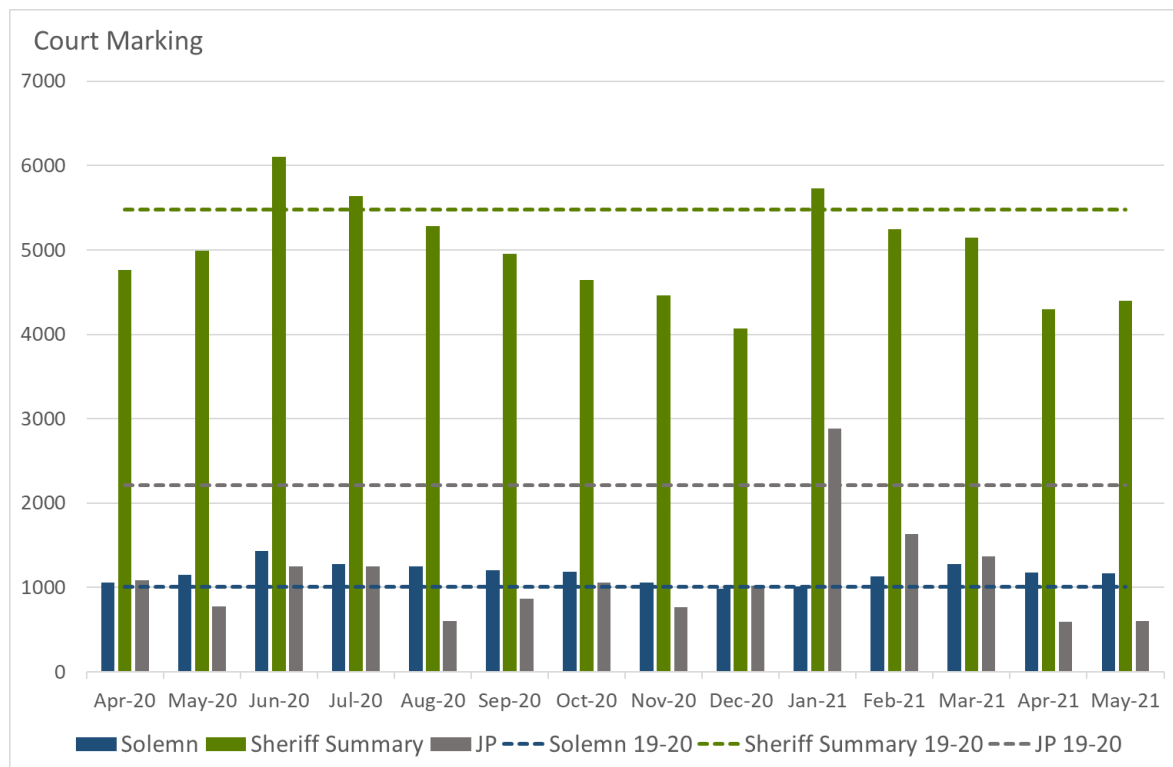
Subjects marked for court

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

The number of people marked for proceedings in:

- Solemn court (High Court or Sheriff & Jury) has been at or above 19-20 average levels since April 2020.
- Sheriff Summary court fell below 19-20 average levels in August and continued to decrease until levels returned to at or near the 19-20 average in early 2021 before decreasing again. Numbers are now around 80% of the 19-20 average.
- Markings for JP court have remained well below the 19-20 average.

Chart: Subjects marked for court (bars – monthly count April 2020 to May 2021, dashed lines 19-20 average)



Fatal Accident Inquiries (as of 01 June 2021)

FAIs with scheduled court dates 33

FAIs with First Notice lodged, awaiting court dates: 3

Source:

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

Scottish Courts & Tribunal Service (SCTS)

SCTS Update

Data for May represents the first full month of business since Sheriff Summary courts eased partial restrictions on April 19th. JP courts resumed on 7th June, this will be reflected in next month’s publication.

Criminal Registered & Scheduled Trials

Since the initial lockdown in March 2020, there have been 91,074 criminal registrations in the courts. 479 of these registrations have been COVID-19 related (0.5%).

In May 2021, all types of court registration remained lower than 2019-20 averages, although sheriff court registrations appear to be returning to pre-pandemic levels:

- Indictments registered in the High Court were 35% lower than the 19-20 average.
- Indictments registered in the Sheriff court (solemn cases) were 3% lower than the 19-20 average.
- Complaints (summary cases) registered in the Sheriff Court were 8% lower than the 19-20 average.
- Complaints registered in the JP court were 29% lower than the 19-20 average.

Cases Registered	19-20 monthly average	May 2021	Change from 19-20 monthly average	Outstanding trials March 2020	Outstanding trials May 2021
Indictments					
High Court	85	43	-42 (-49%)	390	304
Sheriff Court	454	532	+78 (+17%)	497	1,479
Complaints					
Sheriff Court	5,478	4,603	-875 (-16%)	13,971	32,778
JP Court	2,799	1,731	-1,068 (-38%)	3,497	6,321

At the end of May 2021 there were 40,882 trials outstanding. This compares to 18,355 at the end of 2019-20. In addition, SCTS have forecast that there are another 7,736 cases in the system which are likely to come to trial but have not yet had a trial date set (see SCTS published monthly criminal statistics for a more detail - <https://www.scotcourts.gov.uk/official-statistics>).

Criminal Disposals

In May 2021 there were 4,525 disposals (excluding secondary disposals and the 'other' disposal category) from Scotland's courts. This is 62% of the 19-20 monthly average of 7,278 and 16% higher than April 2021.

Between April 2020 and May 2021 there were 44,916 (44%) fewer disposals than would have been expected based on 19-20 average figures. Over this time period, there have been 35% fewer custodial sentences and 47% fewer community disposals imposed by the courts than might have been expected.

To:	Monthly average	May	Change	Estimated*	Actual	
31 May 2021	2019-20	2021	%	April 2020 – May 2021	April 2020 – May 2021	Change %
Imprisonment	1,011	785	-22%	14,153	9,142	-35%
Community Disposal (CPO & DTTO)	1,384	917	-34%	19,373	10,284	-47%
Restriction of Liberty Order	296	253	-15%	4,149	3,288	-21%
Fine etc.	3,106	1,549	-50%	43,479	20,805	-52%
Admonished/ Discharged	1,481	1,021	-31%	20,738	13,456	-35%

* based on 19-20 monthly average disposals

Disposals from court at any point in time are related both to the volume of business coming into courts and the length of time it takes that business to proceed through the court system. Therefore, changes in crime levels or the ability of courts to function in the usual way may have associated impacts on disposals.

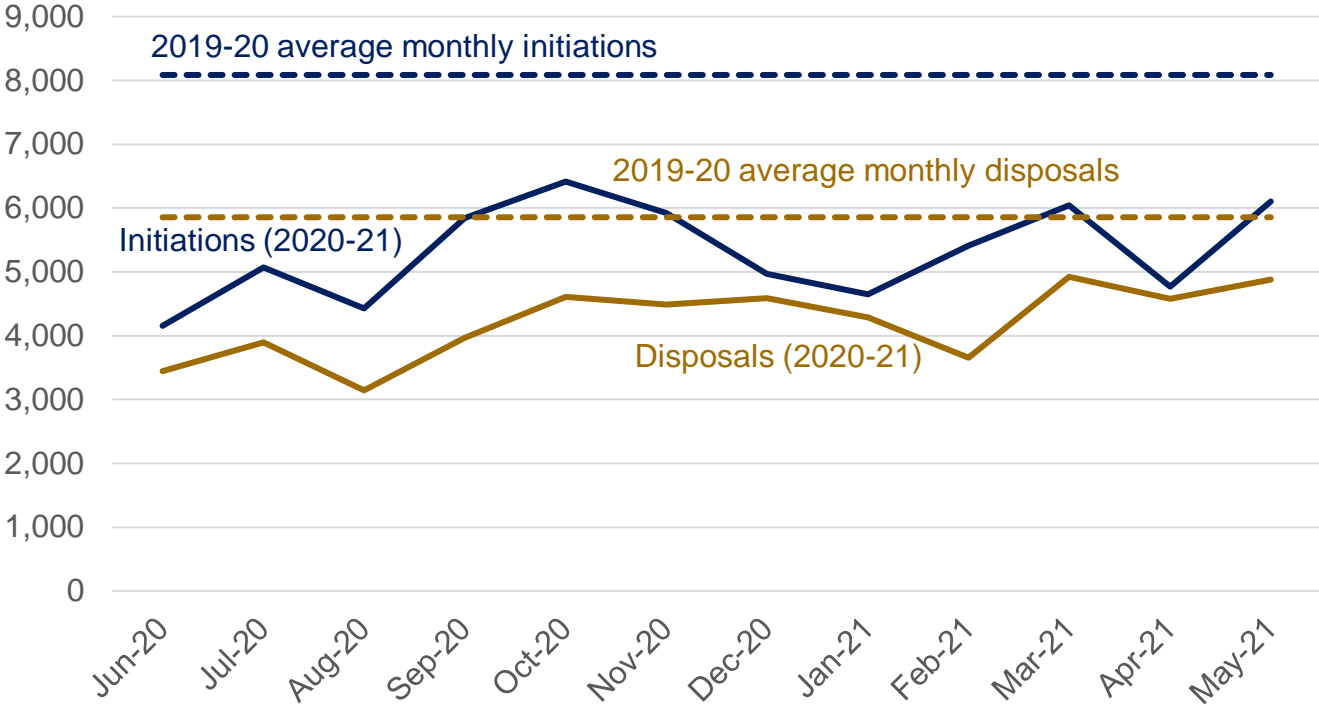
Further Information: Latest SCTS published official statistics can be found here: <https://scotcourts.gov.uk/official-statistics>

Sheriff Court Civil Case Volumes

Case initiations and disposals

Initiations and Disposals (of all types) in the Sheriff Civil Courts remain low, but are recovering to 2019-20 typical levels (dotted lines) as the courts continue to emerge from lockdown. There was a increase in both initiations and disposals in May.

Chart: Initiations and disposals



Sheriff Court initiated and disposed cases by procedure

Initiated case numbers for ordinary cause and simple procedure are returning to 2019-20 monthly average levels, with month to month variation. Summary cause is much lower than 2019-20 levels, but increased from the previous month in line with overall initiations. Small claims have largely been replaced by simple procedure.

Likewise, disposed cases for ordinary cause and simple procedure are returning to 2019-20 levels. Similar to overall disposals in May, disposals for both procedures were higher than they were in April. Summary cause disposals are returning to 2019-20 monthly average levels, and have increased in the last three months.

In addition to lower volumes across all procedures, summary cause figures were heavily influenced by the emergency legislation which protects tenants during the pandemic, brought into force in April 2020 as part of [Coronavirus \(Scotland\) Act 2020](#). The provisions of the Act expired on 30 March 2021.





Procedures	Jan-21	Feb-21	Mar-21	Apr-21	May-21	2019/20 monthly average
Initiated						
Ordinary cause	1,304	1,577	2,161	1,676	1,838	1,928
Summary cause	173	209	228	181	274	1,132
Small claim	0	0	1	0	0	2
Simple procedure	1,819	2,181	1,823	1,369	2,311	2,695
Total initiated	3,296	3,967	4,213	3,226	4,423	5,758
Disposed						
Ordinary cause	1,003	1,047	1,428	1,254	1,374	1,445
Summary cause	411	284	644	724	794	1,096
Small claim	1	2	4	0	0	5
Simple procedure	2,364	1,754	2,148	2,000	2,079	2,306
Total disposed	3,779	3,087	4,224	3,978	4,247	4,852

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

Case types

In May 2021, total initiated and disposed cases were below 2019-20 levels.

- Initiated case types presented are gradually returning to 2019-20 levels, with month to month variation. Family cases are higher than the 2019-20 average levels while personal injury are much lower.
- There was an overall increase in disposals from the previous month, with all case types presented higher than the previous month save for children's referrals.

Initiated Cases (May 21)			Disposed Cases (May 21)	
May 2021	Change from 19-20	Case Type	May 2021	Change from 19-20
1,105	105% of 19-20 average month (1,055 cases)	 Family	944	104% of 19-20 average month (910 cases)
437	73% of 19-20 average month (602 cases)	 Children's Referrals	115	44% of 19-20 average month (260 cases)
2,662	92% of 19-20 average month (2,883 cases)	 Debt	2,257	95% of 19-20 average month (2,368 cases)
244	61% of 19-20 average month (402 cases)	 Personal Injury	200	65% of 19-20 average month (306 cases)

Further Information:

Latest published Civil Justice Statistics can be found here:

<https://www.gov.scot/publications/civil-justice-statistics-scotland-2019-20/>

Prisons

Prison population

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

In May 2021 (up until the morning of 1st June):

- the population increased by 79 to 7,400
- 1,979 were on remand: 1,689 (23%) untried & 290 (4%) awaiting sentence
- 66% of arrivals were untried (613 of 935), and 16% awaiting sentence (152)

Chart: Total prison population

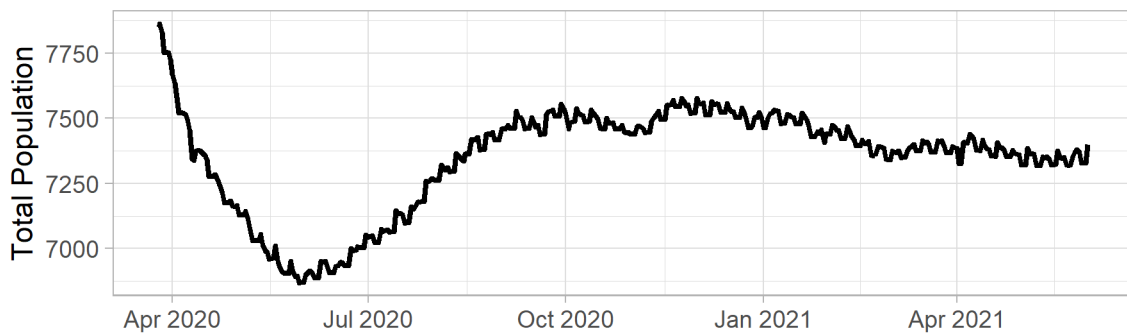
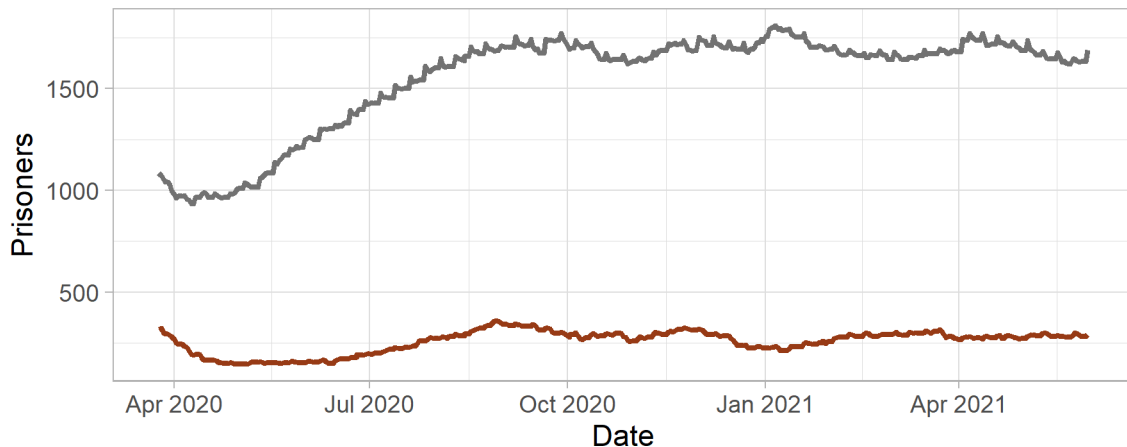


Chart: Remand population

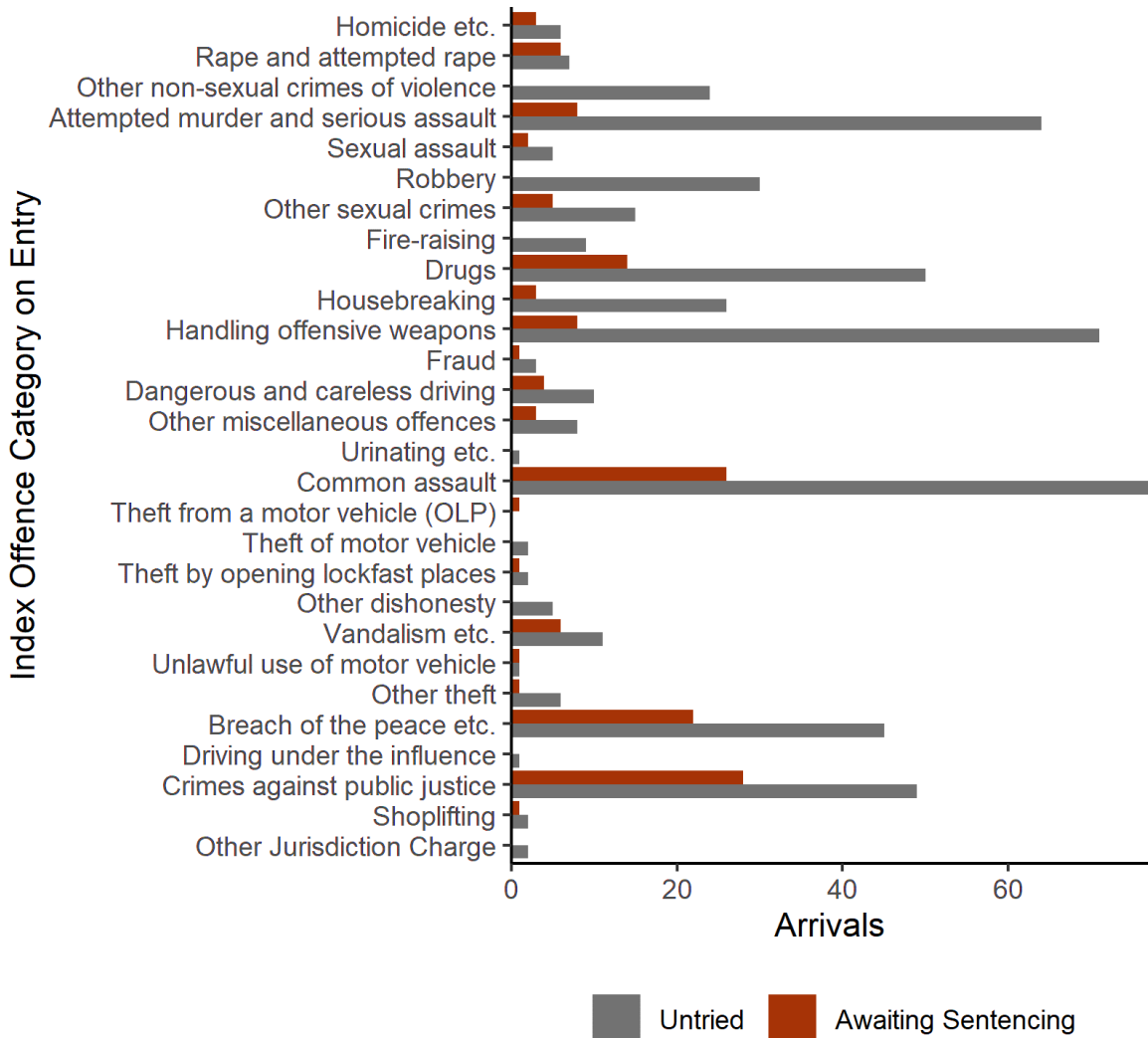


Status — Untried — Awaiting Sentence

Remand Arrival Offences

There were 691 un-sentenced arrivals to prison with known offence types in May, awaiting trial or sentencing for the following alleged offences

Chart: Index offence category on entry of un-sentenced arrivals



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

Further Information:

Latest published annual prison population statistics can be found here:

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

Sources and Further Information

Sources and further information

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

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

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

Police activity:

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

Courts and prisons data:

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

Correspondence and enquiries

For enquiries about this publication please contact:

Justice Analytical Services,

e-mail: Justice_Analysts@gov.scot

If you would like to be consulted about statistical collections or receive notification of publications, please register your interest at

<https://www.gov.scot/publications/scotstat-register-guidance/>

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The Scottish Government
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