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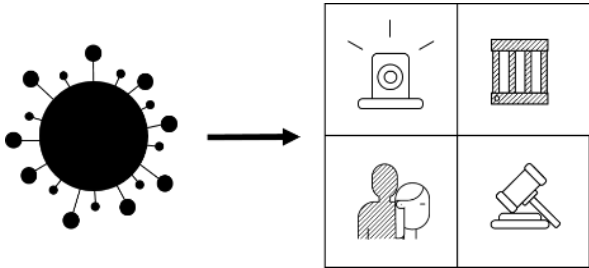
**Justice Analytical Services
Coronavirus (COVID-19) Data Report:
September 2021**

Published 28th October 2021

Summary

This pack provides information on the impact of COVID-19 on the Justice system during September 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 September 2021 was lower than that in both September 2020 and September 2019.
- Weekly Police recorded incident numbers have been generally lower in September 2021, compared to September 2020.
- The number of Domestic Abuse incidents recorded by the Police in September 2021 was lower than the level seen in September 2020, but higher than in September 2019.
- The use of Police COVID-19 interventions fell to almost zero in September 2021.

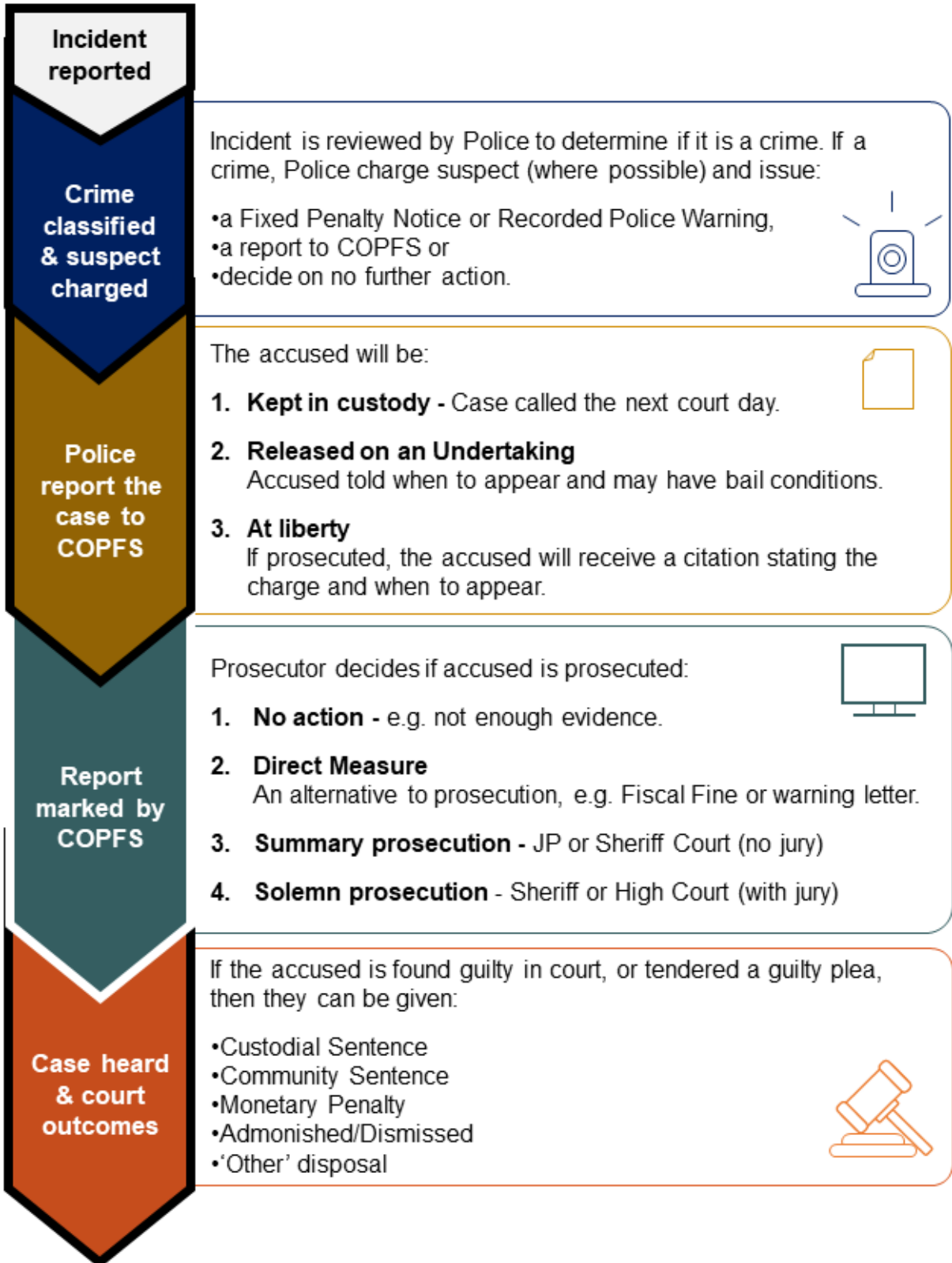
Crown Office and Procurator Fiscal Service (COPFS), Courts & Prisons

- Custody reports received by COPFS remain consistently below pre-pandemic levels and undertaking reports remain consistently above pre-pandemic levels.
- Subjects marked for court by COPFS remain below pre-pandemic levels, driven by a decrease in summary court markings.
- 16 additional trial courts per day have been added to address backlogs
- Initiations in the civil court remain below 19-20 levels, while disposals have almost returned to 19-20 levels.
- The number of prisoners on remand is at a historically high level.
- The prison population has been stable at around 7,500 since November 2020.

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How crime flows through the Justice System



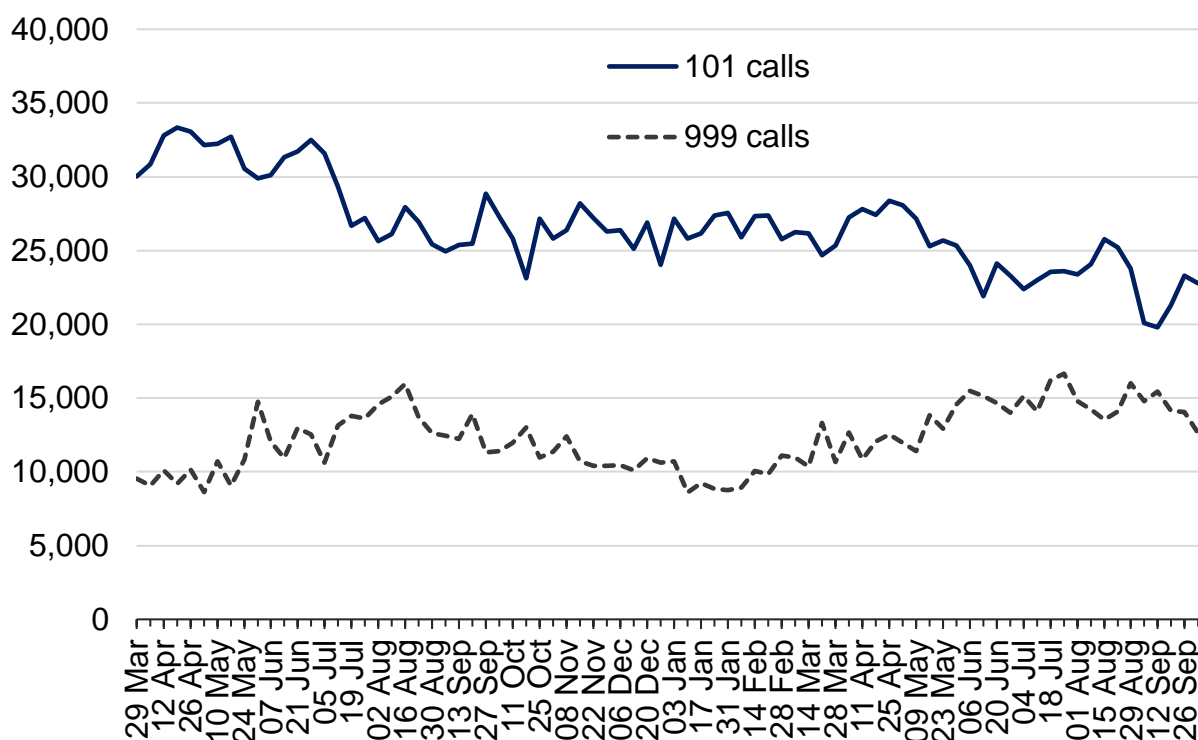
Police Activity (Police Scotland)

101 and 999 call volumes

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

- 101 calls have remained fairly consistent over the past few months with a noticeable decrease at the end of August and beginning of September before generally increasing again throughout September
- 999 calls increased from February to August before stabilising and have decreased in recent weeks.
- In the week ending 3rd October, 35,399 calls were made to Police Scotland.
- When combined, calls were lower than the previous week (37,319).

Chart: Number of calls



Type of call	Week ending 26th September 2021	Week ending 3rd October 2021
101 calls	23,284	22,760
999 calls	14,035	12,639
Total calls	37,319	35,399

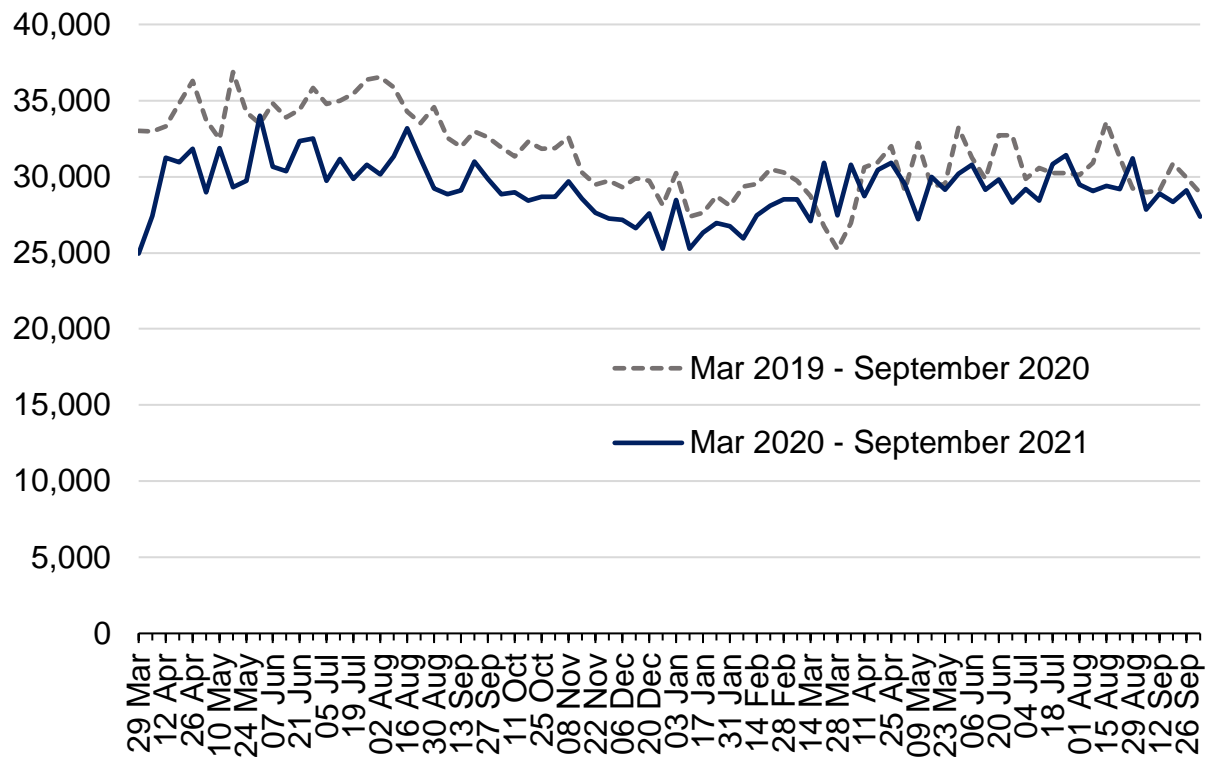
Incidents recorded

Weekly incident numbers have been generally lower in September 2021, compared to September 2020.

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 3rd October:

27,378
incidents recorded



Down 5% compared to the equivalent week in 2020 (28,924 incidents)

Further information:

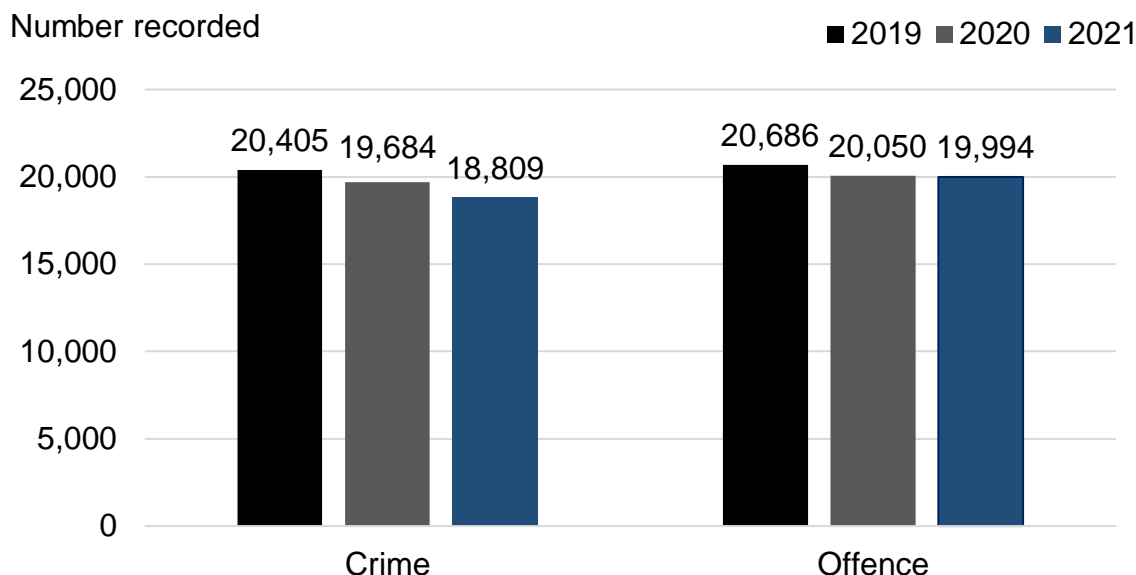
A full breakdown of calls & incident volumes is available from:

<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, September 2019, 2020 and 2021

September 2021

The number of crimes recorded in September 2021 was 4% lower than in September 2020 and 8% lower than in September 2019. The number of offences was unchanged compared to September 2020 (<1% lower) and 3% lower than in September 2019.

Non-sexual crimes of violence were 16% higher (or 111 crimes) compared to September 2020, increasing from 704 to 815 crimes, and 4% lower compared to September 2019 (decreasing from 851 crimes). Within this, Attempted murder and serious assault increased by 6% compared to September 2020 (from 291 to 308). Other violence increased by 29% compared to September 2020 (from 163 to 210) and also increased by 23% from September 2019 (from 171 to 210).

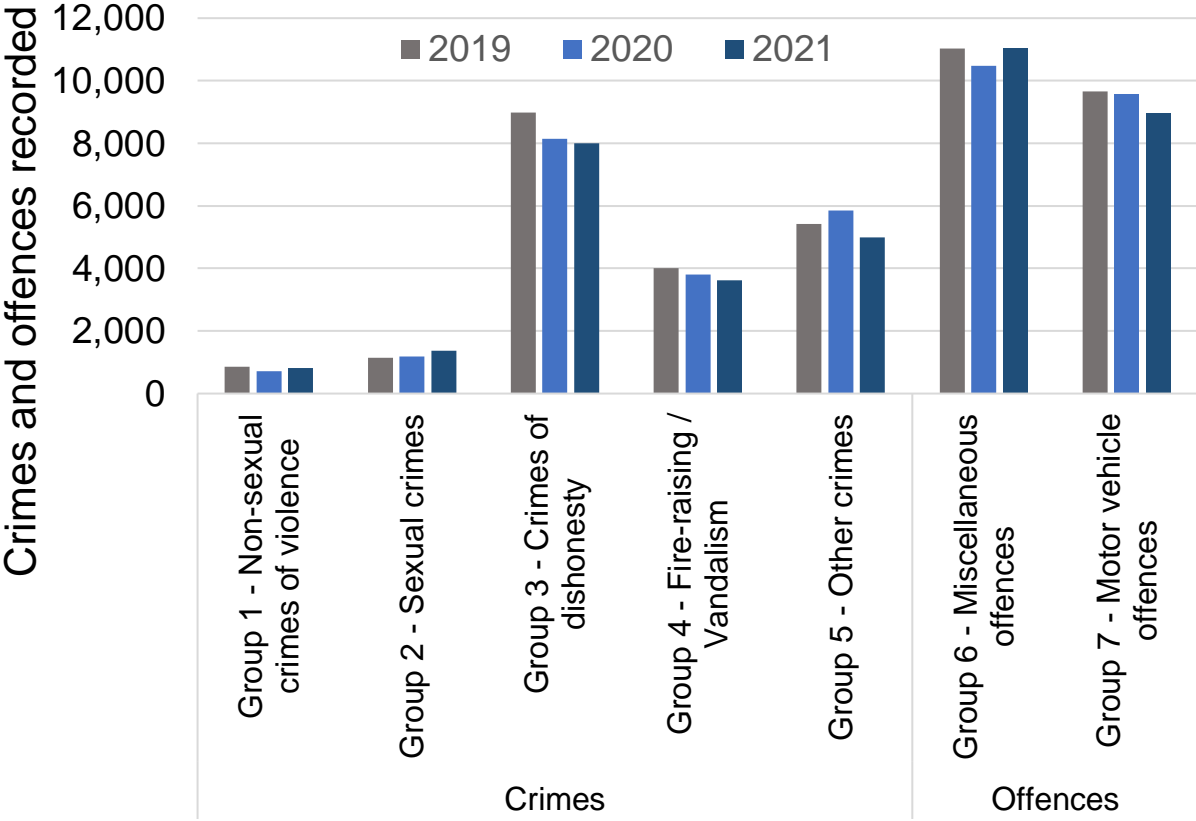
Sexual crimes were 16% higher (or 194 crimes) compared to last September, increasing from 1,185 to 1,379 crimes. This was also 21% higher than in September 2019 (increasing from 1,143 crimes). Other sexual crimes saw the largest increase since September 2020, increasing by 21% (from 539 to 654). This was also 35% higher than in September 2019. Rape and attempted rape decreased by 1% compared to September 2020, from 232 to 229 crimes, but this was also a 2% increase compared to September 2019 (from 224 to 229 crimes).

Fire raising, vandalism etc. was 5% lower (or 191 fewer crimes) compared to September 2020, and 10% lower than in September 2019.

Crimes of dishonesty were 2% lower (or 129 crimes) compared to September 2020, decreasing from 8,139 to 8,010 crimes. This was 11% lower than in September 2019 (decreasing from 8,980 crimes). Crimes of Fraud have increased throughout the pandemic, but there has been a 3% decrease since September 2020 (from 1,367 to 1,328).

Other crimes were 15% lower (or 860 crimes) than in September 2020, decreasing from 5,844 to 4,984 crimes. This was also 8% lower than September 2019 (decreasing from 5,428 to 4,984 crimes). The main contributors to these decreases were Drugs (which fell by 21% compared to September 2020 and 26% compared to September 2019) and Crimes against public justice (which fell by 11% compared to September 2020 but were 25% higher compared to September 2019).

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



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

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

The biggest drivers of the 4% decrease over this period were:

Drugs

- ↓ 21% (or 594 crimes)
- ↓ 26% (or 790 crimes) compared to September 2019

Crimes against public justice

- ↓ 11% (or 230 crimes)
- ↑ 25% (or 374 crimes) compared to August 2019

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

Other theft

- ↑ 4% (or 130 crimes)
- ↓ 15% (or 534 crimes) compared to September 2019

Other sexual crimes

- ↑ 21% (or 115 crimes)
- ↑ 35% (or 168 crimes) compared to September 2019

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: September 2021](#).

Coronavirus legislation intervention activity

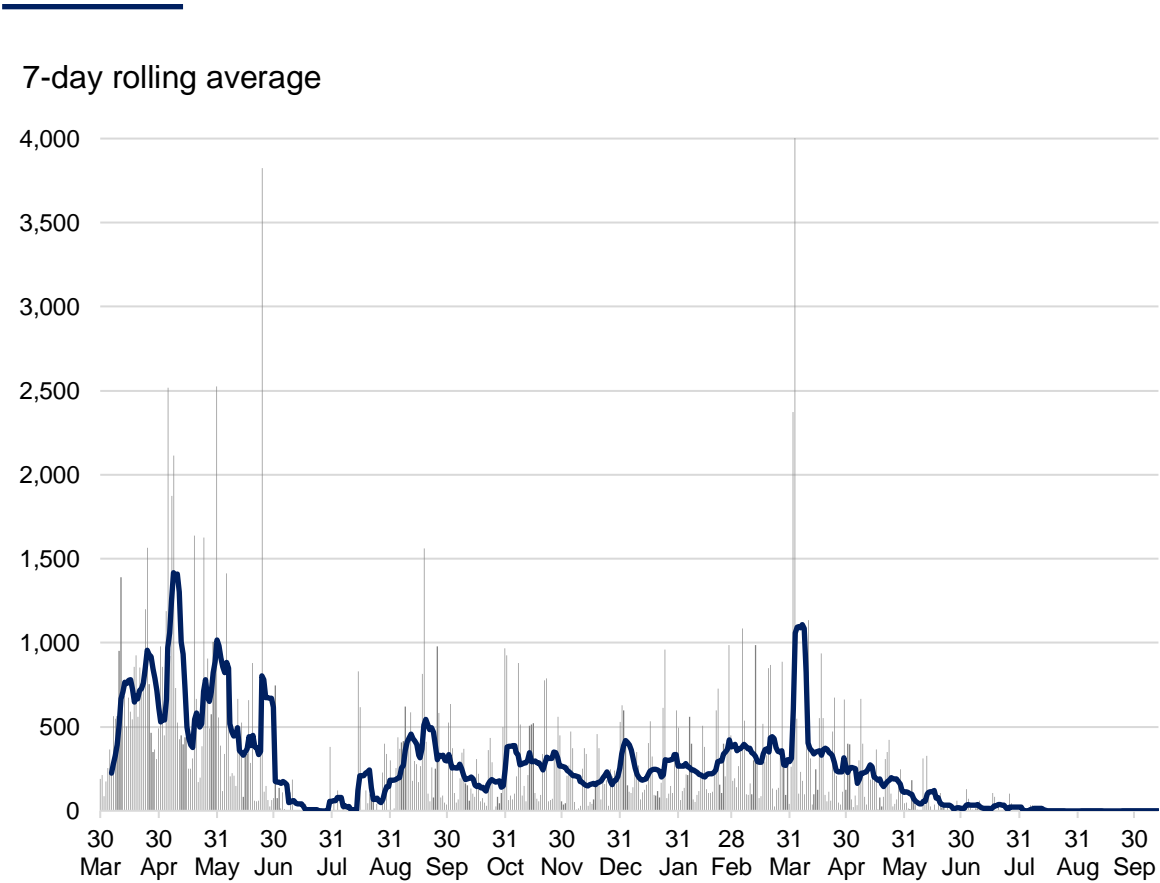
This information is drawn from Police Scotland’s ‘Coronavirus Interventions’ application, which relies on manual input from Police Officers. Due to this manual input, these figures should be viewed as indicative only.

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

The use of interventions fell to almost zero in September 2021, with only 2 cases recorded (compared to 92 in August). This will likely be due to the lifting of restrictions.

In September, one of the interventions was a dispersal (when informed), the other resulted in arrest. Throughout the pandemic, the majority of interventions have been dispersals.

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



Further Information:

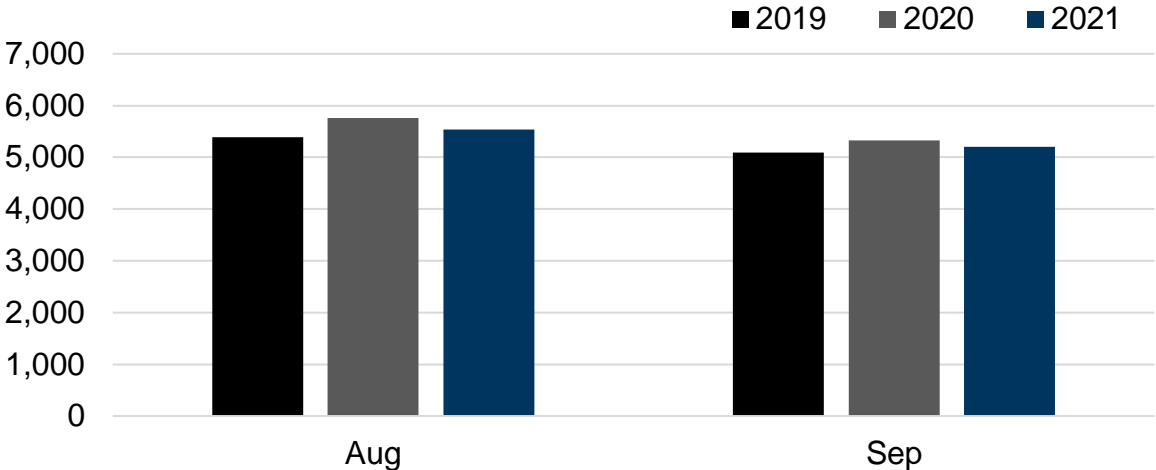
A full breakdown of interventions is available from Police Scotland: <https://www.scotland.police.uk/about-us/covid-19-police-scotland-response/enforcement-and-response-data/>

Police Recorded Domestic Abuse Incidents

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



In September 2021:

5,199 Domestic incidents recorded	↓	Down 2% since September 2020 (5,323 incidents)	↑	Up 2% since September 2019 (5,087 incidents)
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In April to September 2021:

31,989 Domestic incidents recorded	↓	Down 6% since the same months in 2020 (34,106 incidents)	↑	Up 1% since the same months in 2019 (31,689 incidents)
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The proportion of April to September 2021 incidents that included the recording of at least one crime or offence was 42.3%, which is lower than for the equivalent period in 2020-21 of 43.4%.

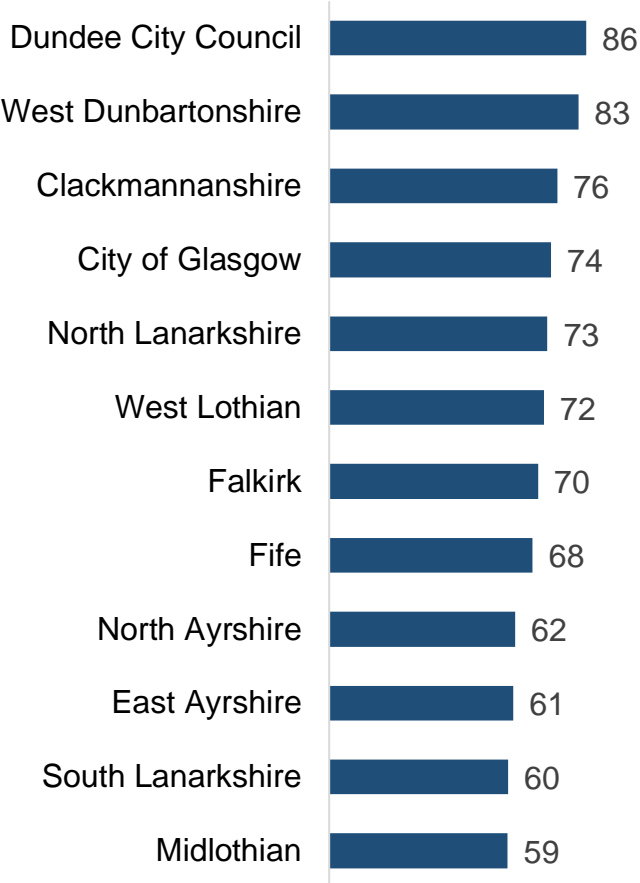
In addition to the above, separate figures on crimes recorded under the Domestic Abuse (Scotland) Act 2018 are available from the Recorded Crime in Scotland monthly Official Statistics. There were 149 such crimes recorded by the police in September 2021, this is 39% higher than September 2020 (107 crimes) but 2% lower than September 2019 (152 crimes).

Police Recorded Domestic Abuse Incidents per 10,000 population

Across Scotland as a whole, the police recorded 58 domestic abuse incidents per 10,000 population¹ during the period April to September 2021.

The local authorities with the highest rates were Dundee City Council (86), West Dunbartonshire (83) and Clackmannanshire (76).

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



¹ [NRS Population Projections \(2018-based\)](#) for 2021 are used for these calculations.

The following map shows local authorities with above the national average (in a darker shading) of Domestic Abuse incidents per 10,000 population, in the period April to September 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 the Monthly Official Statistics on [Recorded Crime in Scotland](#).

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 the first lockdown. Numbers then increased towards but on average below pre-pandemic levels.
- Custody report numbers are consistently around two-thirds of 19-20 average levels (around 1,000 less per month).
- Undertaking report numbers remain consistently around 50% higher than 2019-20 levels (around 1,000 more per month) and were at their highest level since the pandemic started (almost twice the 19-20 average) in June 2021.

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

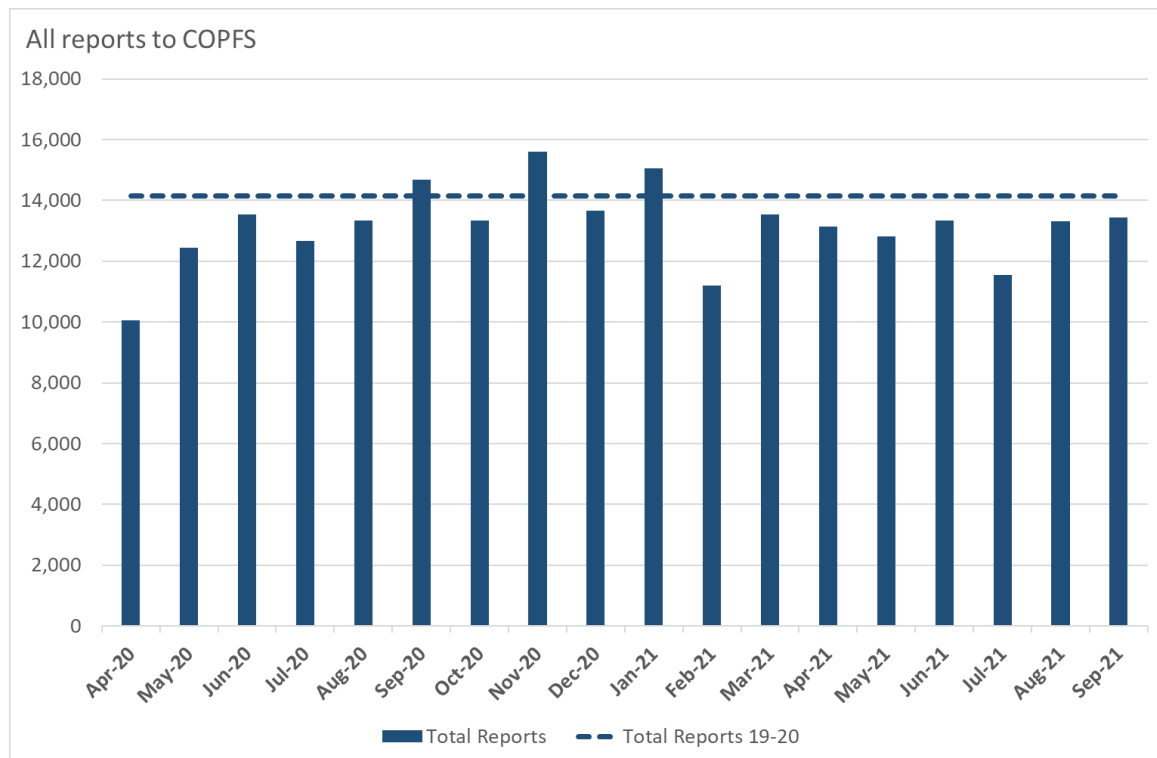


Chart: Custody reports received by COPFS (bars – monthly count April 2020 to September 2021, dashed line 19-20 average)

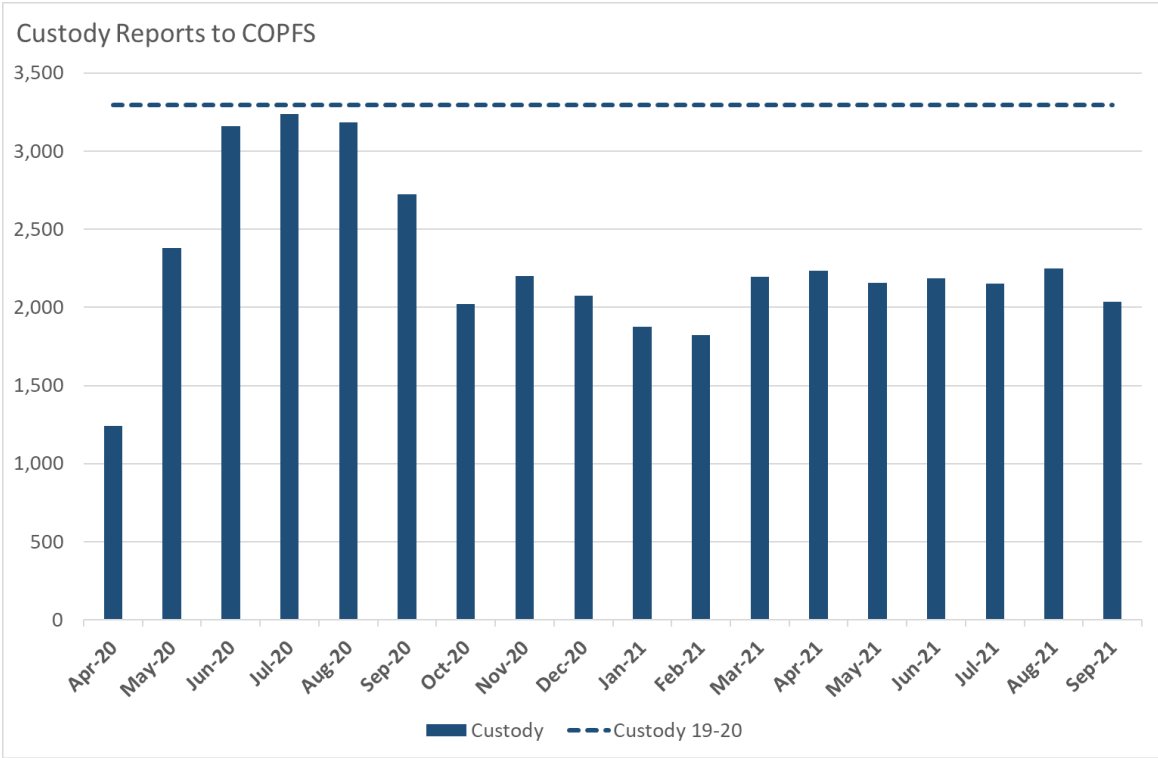
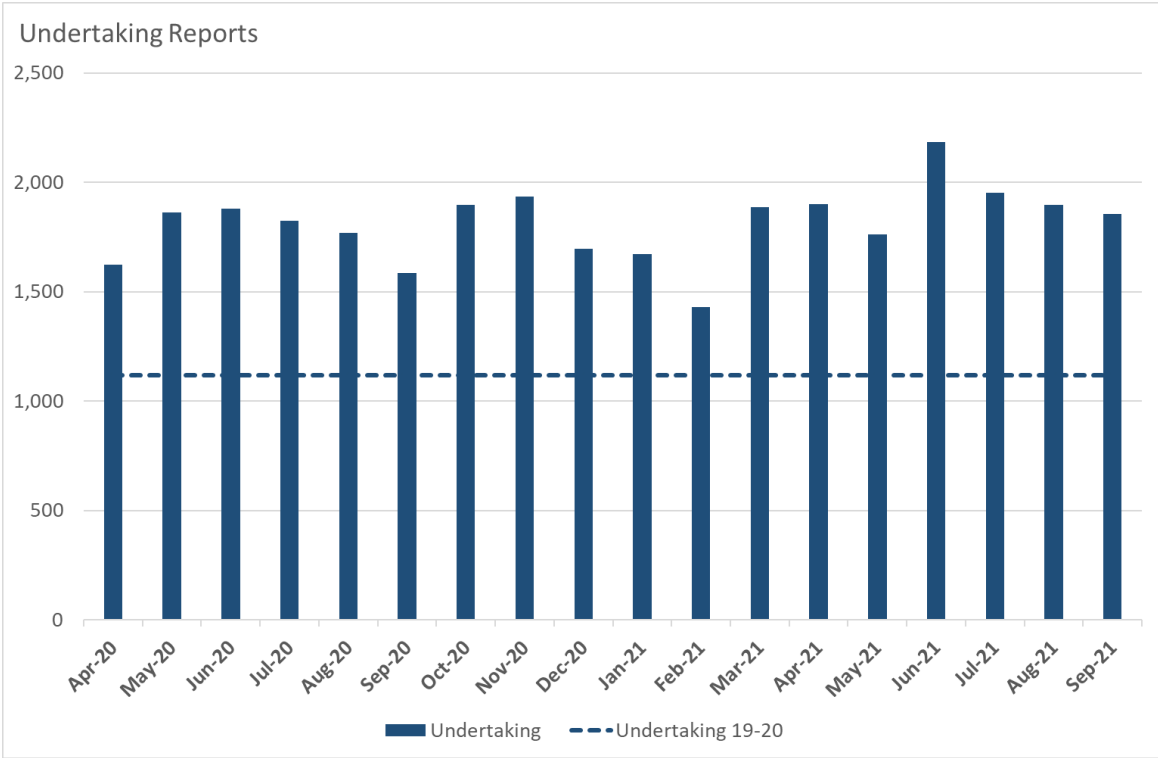


Chart: Undertaking reports received by COPFS (bars – monthly count April 2020 to September 2021, dashed line 19-20 average)

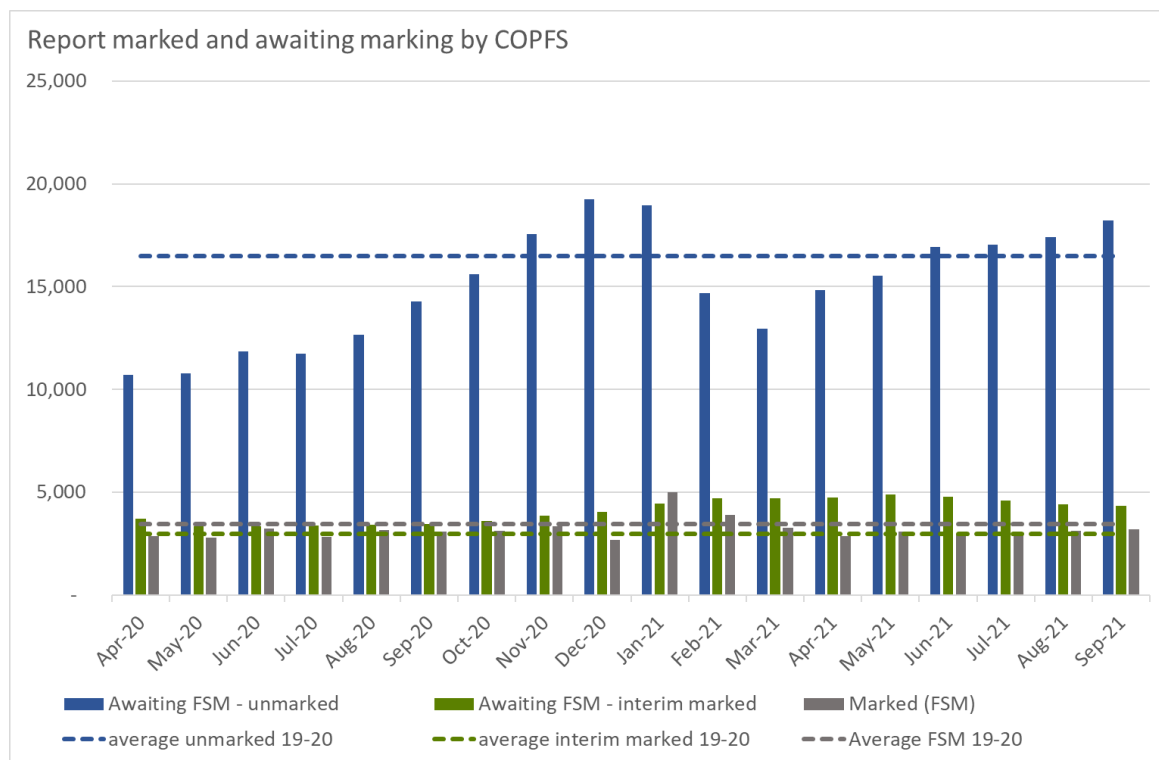


First substantive marking

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 remains below pre-pandemic levels. The number of reports awaiting marking has been increasing in recent months and sits above 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 September 2021, dashed lines 19-20 average)



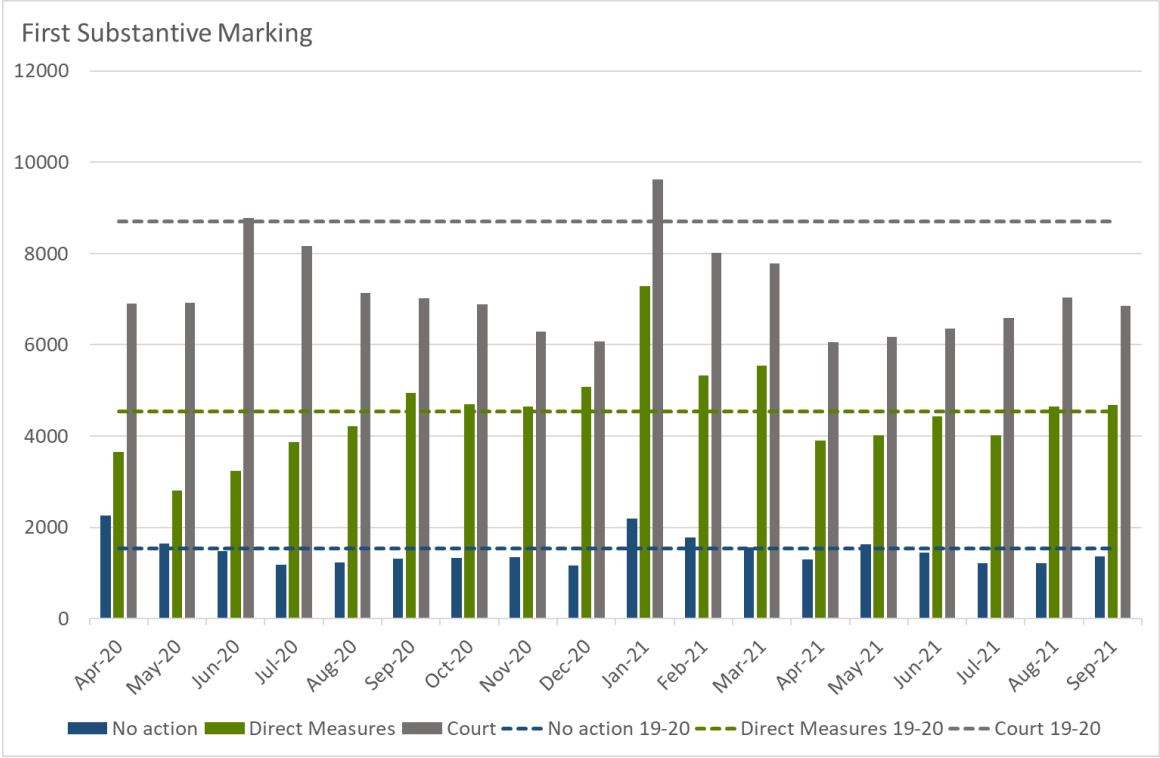
Summary of COPFS First Substantive Markings

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. Markings for No Action remain below pre-pandemic levels, marking for Direct Measures have recently increased to pre-pandemic levels and markings for court remain below pre-pandemic levels.

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



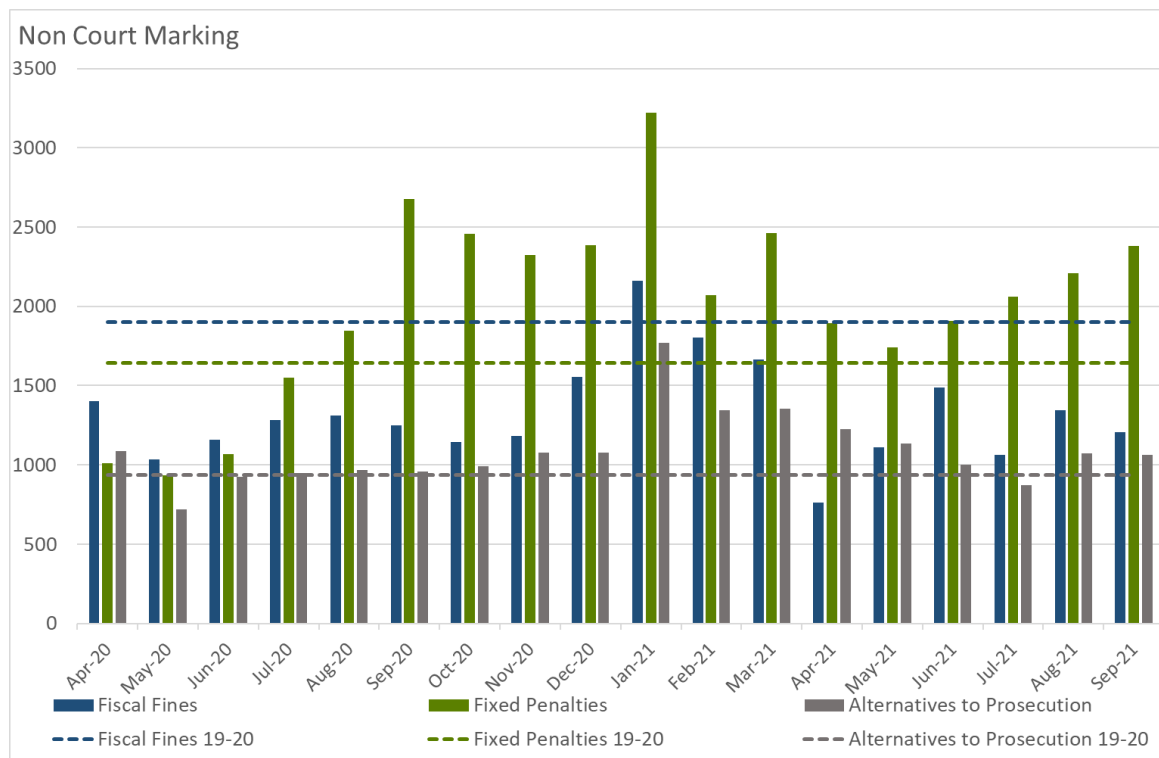
Subjects marked for Direct Measure

Direct measure or 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 fell to a low in April 2021 and although they have increased overall since that time, they remain below pre-pandemic levels.

The number of subjects given Fiscal fixed penalties increased from May 2020, and have remained above 19-20 average levels since August 2020.

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



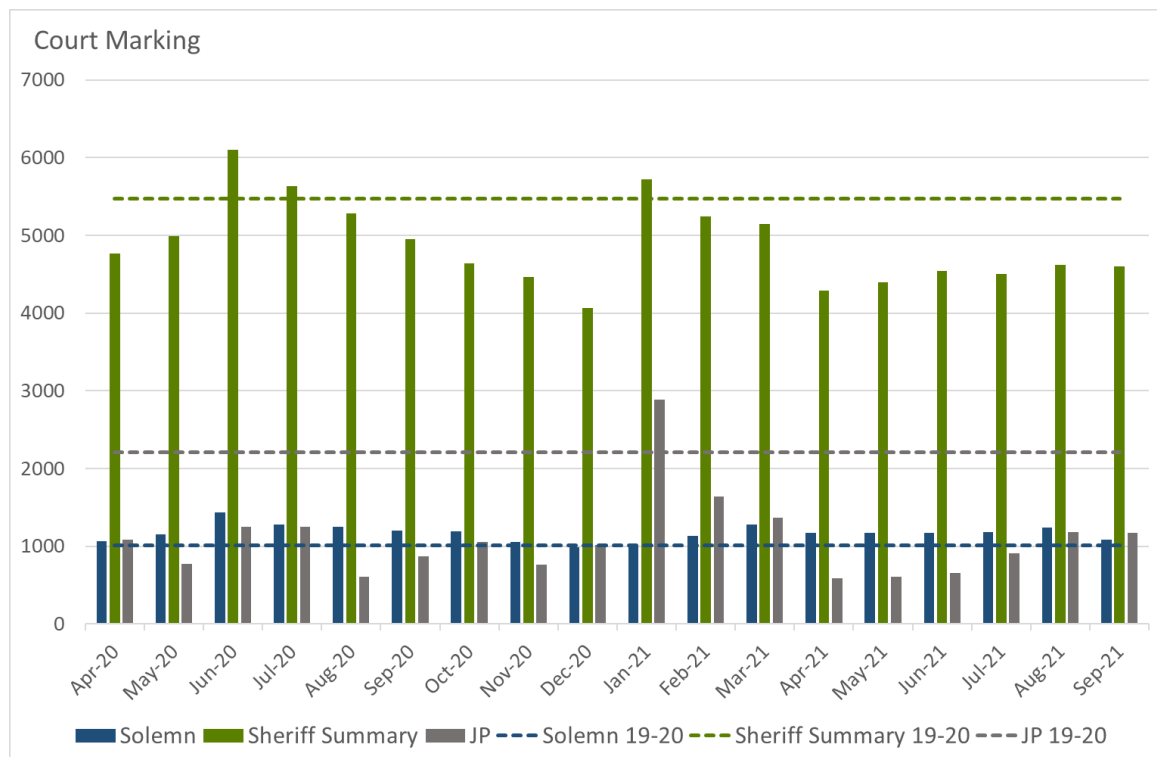
Subjects marked for court

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 consistently at or above 19-20 average levels since April 2020.
- Sheriff Summary court have, on the whole, remained below pre pandemic levels since April 2020. In September 2021, numbers were around 80% of the 19-20 average.
- Markings for JP court have remained below the 19-20 average.

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



Fatal Accident Inquiries (as of 01 October 2021)

FAIs with scheduled court dates 34

FAIs with First Notice lodged, awaiting court dates: 2

Source:

Data in this section comes from COPFS Internal Management Information System.

Scottish Courts & Tribunal Service (SCTS)

SCTS Update

On September 6th, SCTS announced an increase of up to 16 additional courts per day to help return the justice system to pre-pandemic capacity and address backlogs. The new capacity provides 4 additional High Courts, 2 additional Sheriff Solemn courts and up to 10 additional Sheriff Summary Courts.

Criminal Registered & Scheduled Trials

Since the initial lockdown in March 2020, there have been 119,291 criminal registrations in the courts. 577 of these registrations have been COVID-19 related (0.5%).

In September 2021, all types of court registration except Sheriff Solemn indictments remained lower than 2019-20 averages. Sheriff court indictments were 6% higher than pre-pandemic levels.

Cases Registered	19-20 monthly average	September 2021	Change from 19-20 monthly average	Outstanding trials March 2020	Outstanding trials September 2021
Indictments					
High Court	85	57	-28 (-33%)	390	519
Sheriff Court	454	481	27 (6%)	497	1,842
Complaints					
Sheriff Court	5,458	4,453	-1,005 (-18%)	13,971	32,433
JP Court	2,799	2,133	-666 (-24%)	3,497	7,890

At the end of September 2021 there were 42,684 trials outstanding. This compares to 18,355 at the end of 2019-20. In addition, SCTS have forecast that there are another 1,920 cases in the system, mostly solemn, which are likely to come to trial but have not yet had a trial date set (see SCTS published monthly criminal statistics for more detail - <https://www.scotcourts.gov.uk/official-statistics>).

Criminal Disposals

In September 2021 there were 6,169 disposals (excluding secondary disposals and the 'other' disposal category) from Scotland's courts. This is 85% of the 19-20 monthly average of 7,276 and similar to August 2021.

Between April 2020 and September 2021 there were 49,661 (38%) fewer disposals from courts than would have been expected based on 19-20 average figures. Over this time period, there have been 33% fewer custodial sentences and 41% fewer community disposals imposed by the courts than might have been expected.

To:	Monthly			Estimated*	Actual	
30 September 2021	average	September	Change	April 2020	April 2020	
	2019-20	2021	%	– Sep	– Sep	Change %
				2021	2021	
Imprisonment	1,010	744	-26%	18,180	12,157	-33%
Community Disposal (CPO & DTTO)	1,383	1,099	-21%	24,894	14,602	-41%
Restriction of Liberty Order	296	278	-6%	5,328	4,417	-17%
Fine etc.	3,105	2,872	-8%	55,890	31,788	-43%
Admonished/ Discharged	1,482	1,176	-21%	26,676	18,343	-31%

* 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.

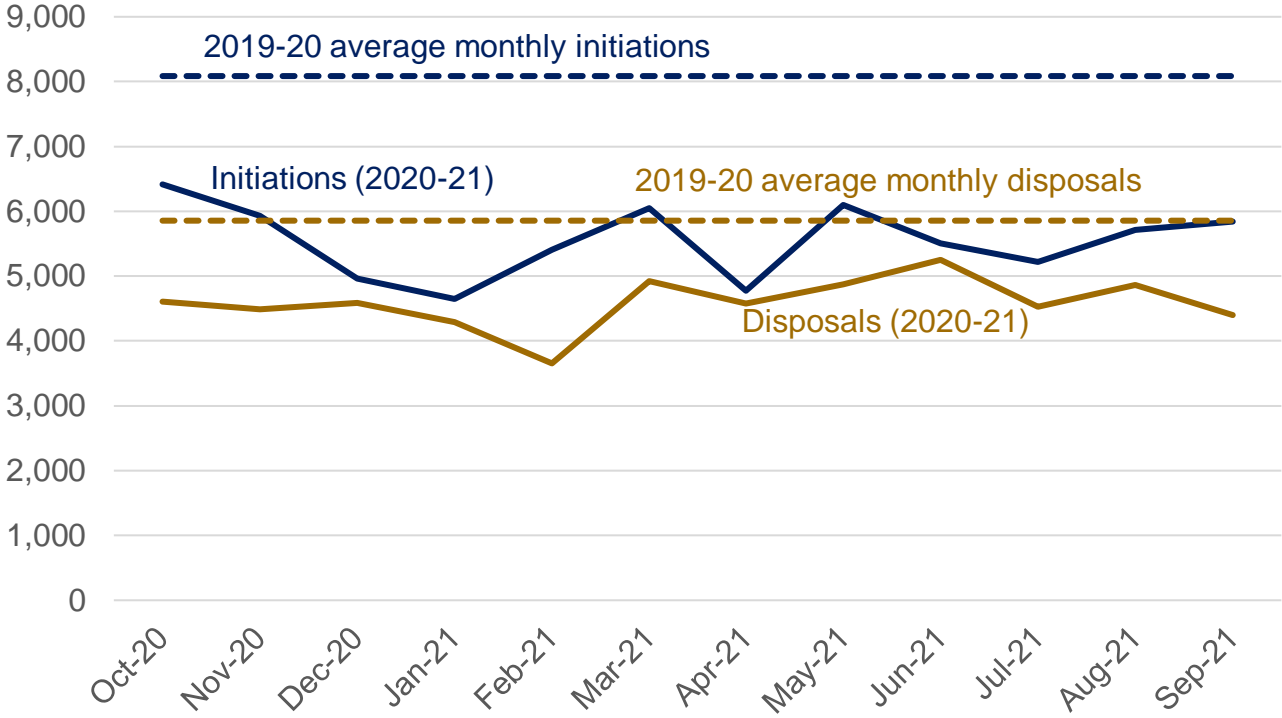
Further Information: Latest SCTS published official statistics can be found here: <https://scotcourts.gov.uk/official-statistics>

Sheriff Court Civil Case Volumes

Initiations and disposals

Initiations in the Sheriff Civil Courts remain lower than the 2019-20 typical levels, while disposals have almost returned to 2019-20 levels (see dotted lines). In September there was an increase in initiations, but disposals saw a decrease from the previous month.

Chart: Initiations and disposals



Sheriff Court 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. Both procedures numbers are comparable to the previous month with little change. Summary cause is much lower than 2019-20 levels, but increased by over a fifth from the previous month. Small claims have largely been replaced by simple procedure.

Likewise, disposed cases for ordinary cause and simple procedure are returning to 2019-20 levels. Ordinary cause disposals in September were slightly lower than the 2019-20 average levels. Summary cause disposals are returning to 2019-20 monthly average levels, but have been lower than the recent high in June, for the last three months.





Summary cause figures are heavily influenced by the emergency legislation which protected 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	May-21	Jun-21	Jul-21	Aug-21	Sep-21	2019/20 monthly average
Initiated						
Ordinary cause	1,838	1,796	1,753	1,856	1,804	1,928
Summary cause	274	266	303	287	349	1,132
Small claim	0	0	0	0	0	2
Simple procedure	2,311	1,680	1,267	1,824	1,854	2,695
Total initiated	4,423	3,742	3,323	3,967	4,007	5,758
Disposed						
Ordinary cause	1,374	1,638	1,400	1,501	1,383	1,445
Summary cause	794	848	556	658	578	1,096
Small claim	0	26	8	18	8	5
Simple procedure	2,079	1,928	1,772	1,892	1,526	2,306
Total disposed	4,247	4,440	3,736	4,069	3,495	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.

Focus on case types

- The case types presented below show gradual return to 2019-20 levels of initiation, with some month to month variation. Family cases in September were higher than the 2019-20 average levels, while the other case types shown are lower.
- Similar to initiated cases, Family disposals in September were higher than the 2019-20 average levels. All the other case types presented below are lower.

Case Type	Initiated Cases (Sep 2021)		Disposed Cases (Sep 2021)	
	Sep 2021	Change from 19-20	Sep 2021	Change from 19-20
 Family	1,100	104% of 19-20 average month (1,055 cases)	926	102% of 19-20 average month (910 cases)
 Children's Referrals	429	71% of 19-20 average month (602 cases)	216	83% of 19-20 average month (260 cases)
 Debt	2,148	75% of 19-20 average month (2,883 cases)	1,754	74% of 19-20 average month (2,368 cases)
 Personal Injury	297	74% of 19-20 average month (402 cases)	168	55% 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 overall prison population is lower than pre-pandemic levels, the number of people held on remand remains at a historic high. The changing levels across groups that are required by law to be housed separately – like those on remand – pose new difficulties in the management of the prison population.

In September 2021 (up until the morning of Friday 1st October 2021)::

- the population decreased by 37 to 7541
- 2078 were on remand: 1781 (24%) untried & 297 (4%) awaiting sentence
- 66% of arrivals were untried (592 of 901), and 17% awaiting sentence (149)

During the pandemic, growth in the prison population was largely driven by growth in the remand population. However, the prison population rose in June 2021 while remand population remained relatively static. This is likely an effect of increasing court activity following the easing of public health restrictions.

Chart: Total prison population

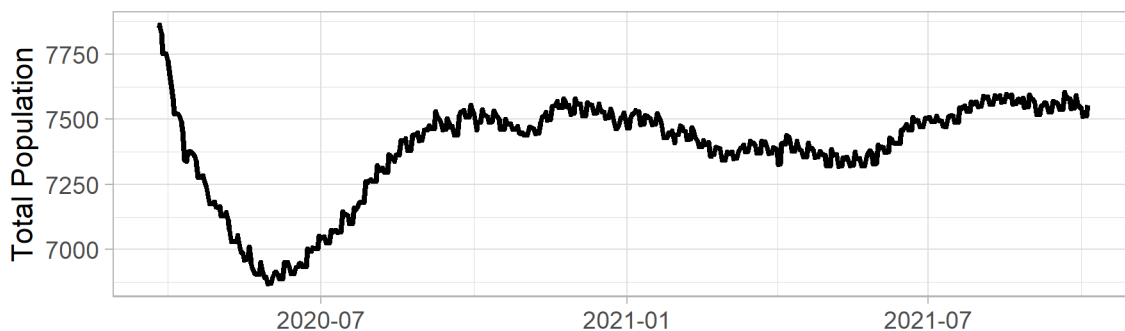
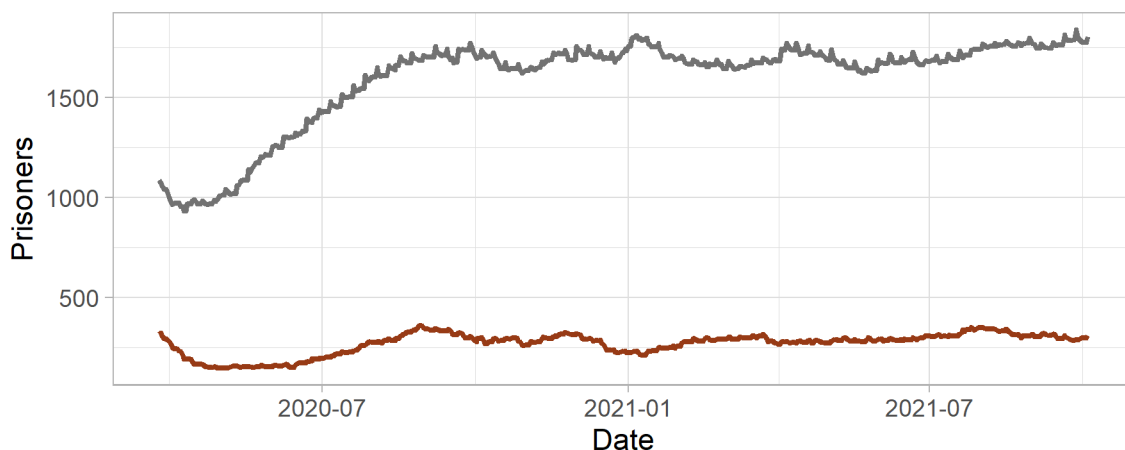


Chart: Remand population

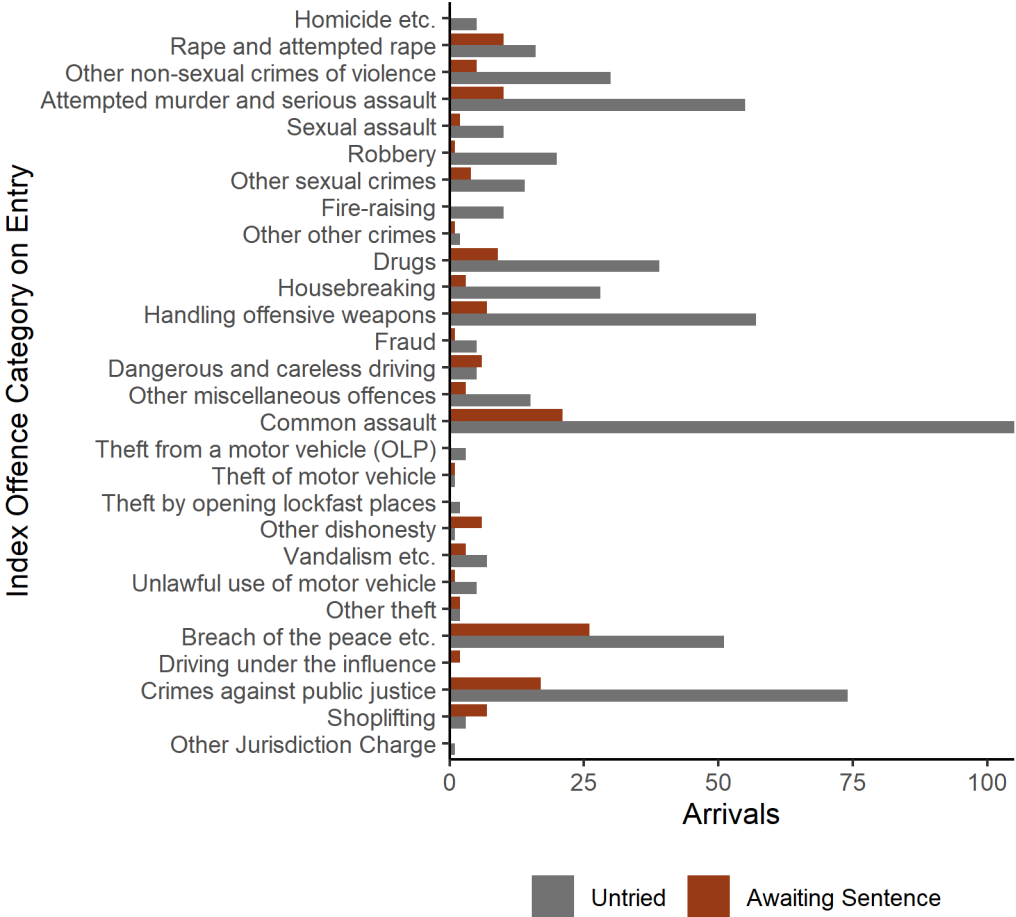


Status — Untried — Awaiting Sentence

Remand Arrival Offences

There were 714 un-sentenced arrivals to prison with known offence types in September, awaiting trial or sentence 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: 2019-20](#) 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/>

Details of forthcoming publications can be found at www.gov.scot/statistics

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The Scottish Government
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