

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

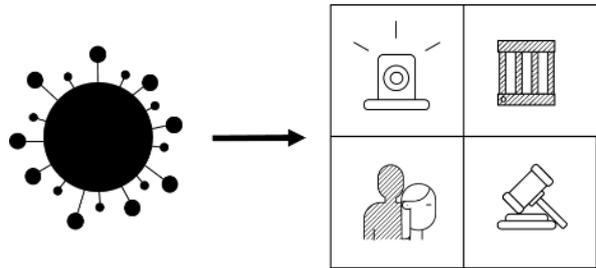
**January 2022**

Published 24 February 2022

# Summary

This pack provides information on the impact of COVID-19 on the Justice system during January 2022.

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



## Police activity

- The number of crimes recorded by the Police in January 2022 was higher than in January 2021 but lower than in January 2020.
- The number of Domestic Abuse incidents recorded by the Police in January 2022 was higher than in both January 2021 and January 2020.

## 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.
- Initiations in the civil court remain below 19-20 levels, while disposals have almost returned to 19-20 levels.
- The proportion of prisoners on remand remains at a historically high level.

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### **101 & 999 call volumes and incidents recorded**

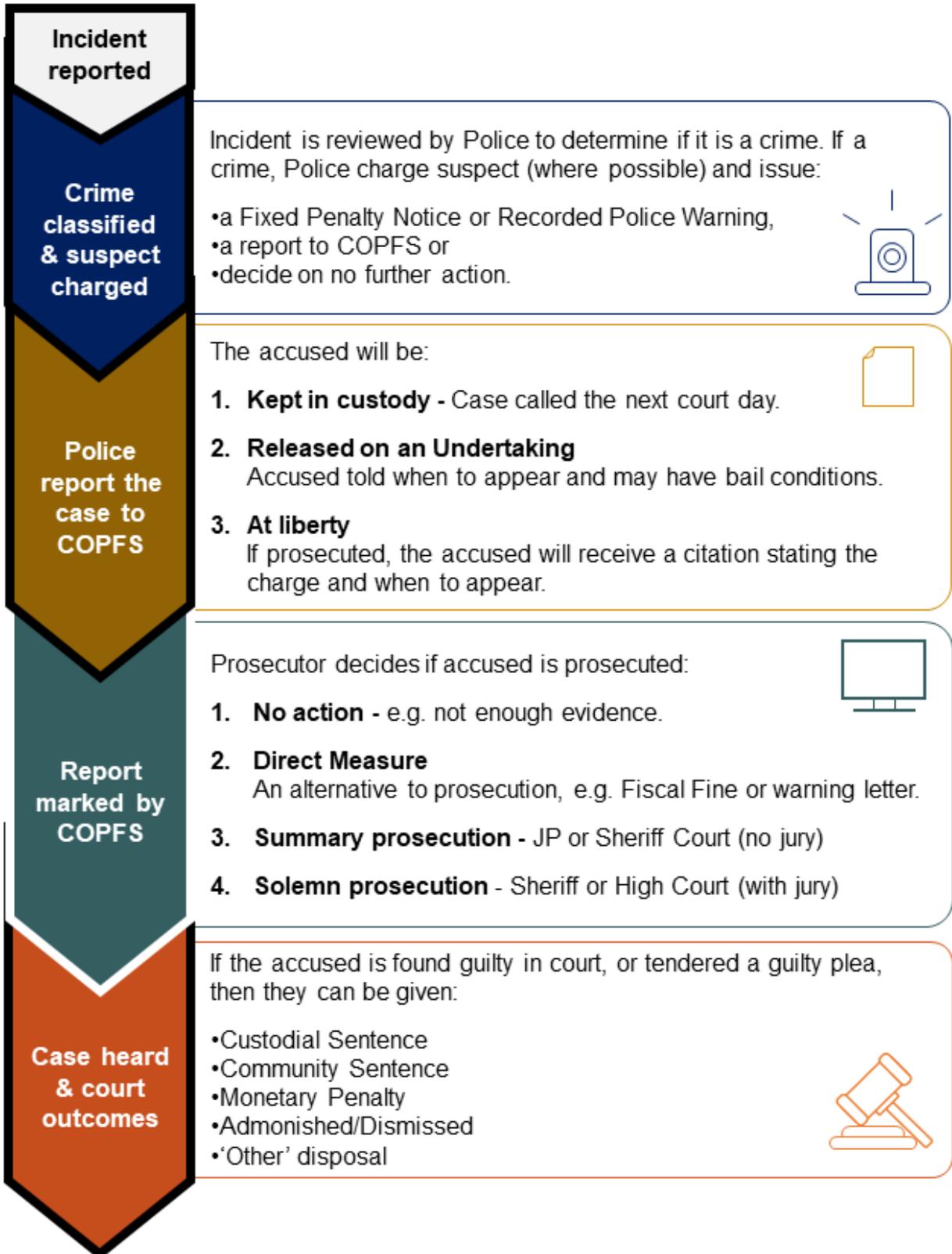
Owing to the stopping of the Operation Talla daily overview in mid-November 2021 we are no longer including these figures here.

A full breakdown of calls and incident volumes is still available from Police Scotland’s [Enforcement and response data page](#).

### **Coronavirus legislation intervention activity**

Following a decline to almost zero interventions, Operation Talla reporting of interventions was stopped in mid-November 2021. The [final report](#) from 17 November 2021 showed no interventions in November to that point.

# How crime flows through the Justice System



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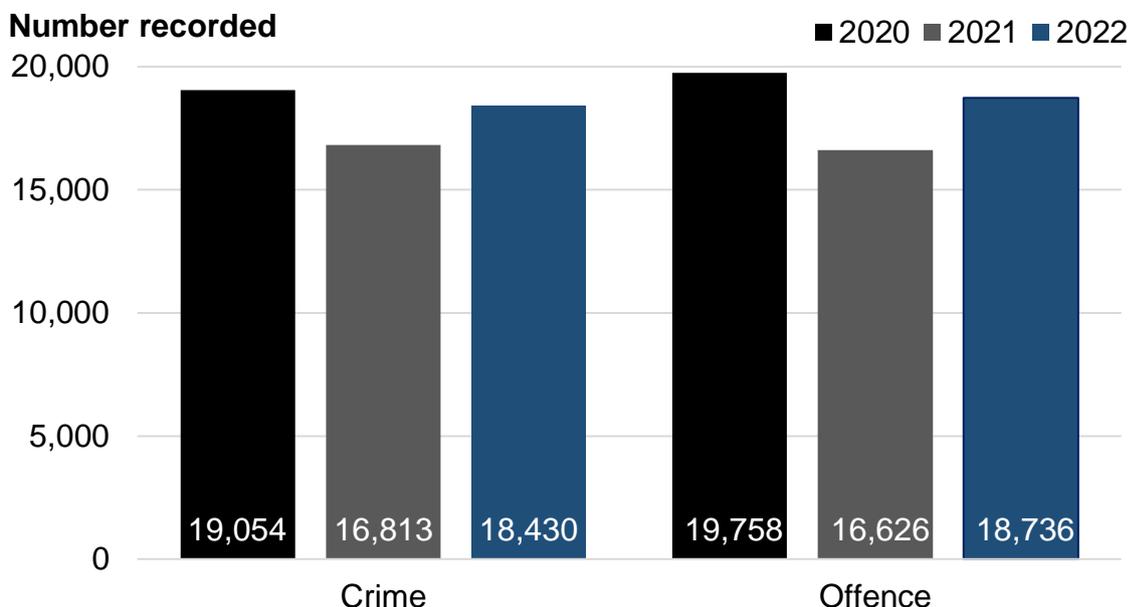
# **Police Activity (Police Scotland)**

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# 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, January 2020, 2021 and 2022

## January 2022

The number of crimes recorded in January 2022 was 10% higher than in January 2021 but 3% lower than in January 2020. The number of offences was 13% higher compared to January 2021 but 5% lower than in January 2020.

Non-sexual crimes of violence were 17% (or 117 crimes) higher compared to January 2021, increasing from 672 to 789 crimes, and 7% higher compared to January 2020 (increasing from 736 crimes). Within this, Attempted murder and serious assault increased by 38% compared to January 2021 (from 216 to 297). Other violence increased by 2% compared to January 2021 (from 219 to 223) and also increased by 72% from January 2020 (from 130 to 223). The increase in Other violence between January 2020 and January 2022 was due to a rise in Threats and extortion, with the recently published National Statistics bulletin estimating that more than three-quarters (77%) of Threats and extortion recorded in 2020-21 were cyber-crimes. Crimes under the Domestic Abuse (Scotland) Act 2018 increased by 15% compared to January 2021 (from 124 to 142 crimes), but were 7% lower than in January 2020 (decreasing from 153 to 142 crimes).

Sexual crimes were 33% (or 284 crimes) higher compared to January 2021, increasing from 861 to 1,145 crimes. This was also 3% higher than in January 2020 (increasing from 1,107 crimes). Sexual assault saw the largest percentage increase

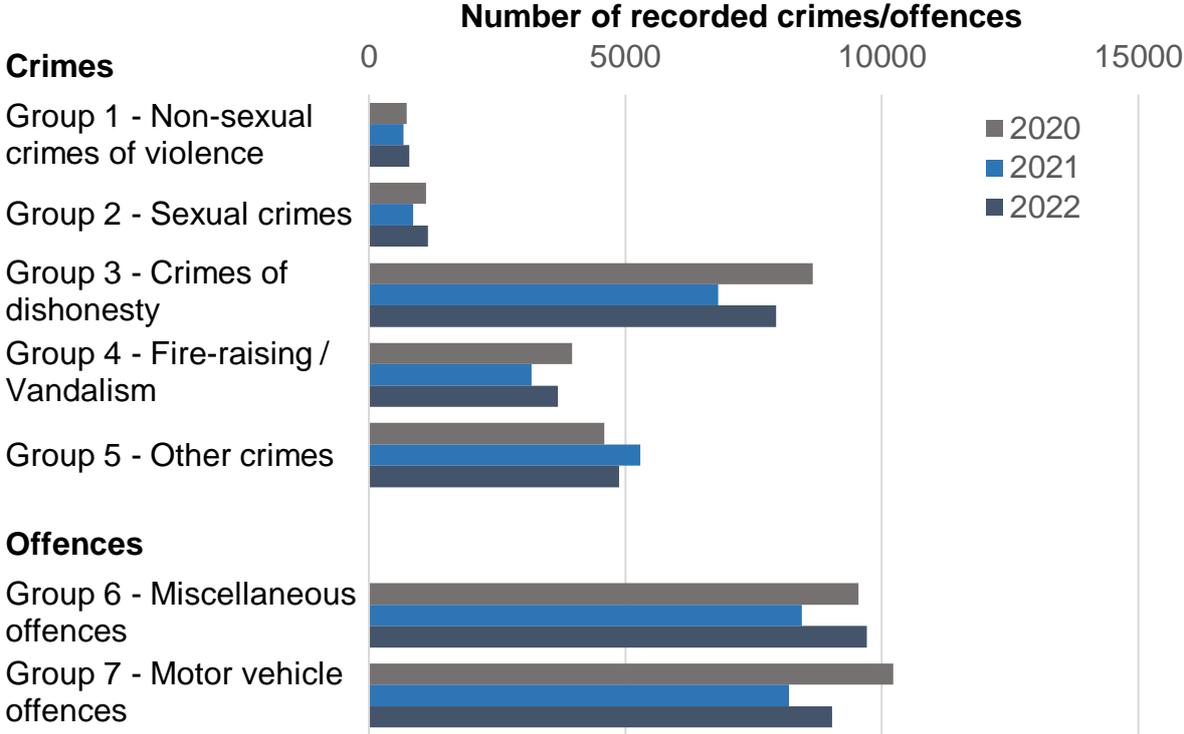
since January 2021, increasing by 50% (from 259 to 389). This was 4% lower compared to January 2020 (from 405 to 389). Rape and attempted rape increased by 14% compared to January 2021, from 145 to 166 crimes, but this was a 5% decrease compared to January 2020 (from 174 to 166 crimes).

Crimes of dishonesty were 17% (or 1,133 crimes) higher compared to January 2021, increasing from 6,811 to 7,944 crimes. This was 8% lower than in January 2020 (decreasing from 8,658 crimes). Crimes of Fraud have increased throughout the pandemic. There was a 3% increase compared to January 2021 (from 1,555 to 1,600 crimes), this follows a 65% increase since January 2020 (from 969 to 1,600). The [Changes in levels of recorded fraud](#) section in the monthly crime publication provides users with further background on what may be contributing to this change. Shoplifting has been the biggest contributor (by volume) to the increase since 2021 having risen by 42% compared to January 2021 (from 1,366 to 1,936 crimes), but was 12% lower when compared to January 2020.

Fire-raising, vandalism etc. was 16% (or 503 crimes) higher compared to January 2021, increasing from 3,176 to 3,679 crimes, but was 7% lower than January 2020. Vandalism etc. has risen 15% since January 2021 (increasing from 3,002 to 3,450). This is 9% lower than January 2020 levels.

Other crimes were 8% (or 420 crimes) lower than in January 2021, decreasing from 5,293 to 4,873 crimes. This is 6% higher than January 2020 (increasing from 4,589 to 4,873 crimes). The main contributors to these decreases were Drugs (which fell by 19% compared to January 2021 and 9% compared to January 2020) and Crimes against public justice (which fell by 2% compared to January 2021 but increased by 30% compared to January 2020).

The following chart shows a breakdown of the crime and offence groups, comparing January 2020, 2021 and 2022



Note: each category shows rows from top to bottom for January 2020, 2021 and 2022

The biggest decreases from January 2021 to January 2022 were Drugs and Crimes against public justice.

The biggest decreases over this period were:

### **Drugs**

- ↓ 19% (or 497 crimes)
- ↓ 9% (or 199 crimes) compared to January 2020

### **Crimes against public justice**

- ↓ 2% (or 32 crimes)
- ↑ 30% (or 462 crimes) compared to January 2020

The biggest increases from January 2021 to January 2022 (by volume) were:

### **Shoplifting**

- ↑ 42% (or 570 crimes)
- ↓ 12% (or 269 crimes) compared to January 2020

### **Vandalism etc.**

- ↑ 15% (or 448 crimes)
- ↓ 9% (or 335 crimes) compared to January 2020

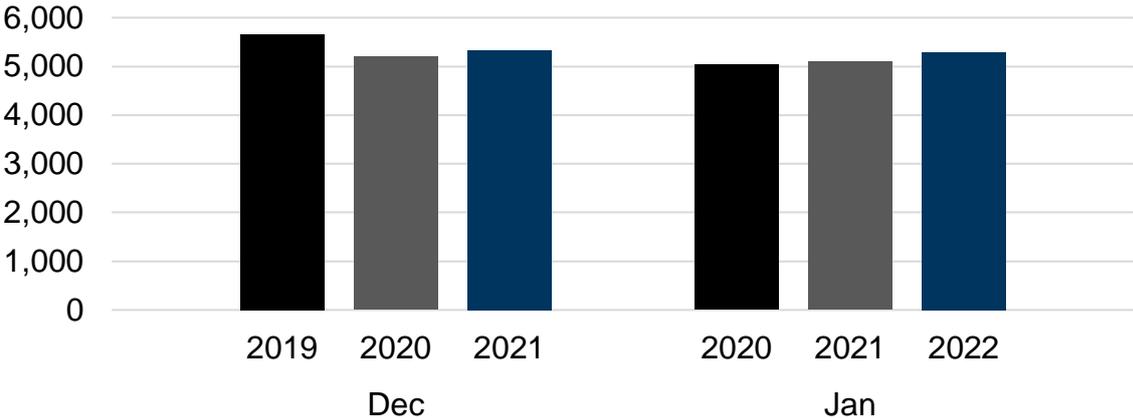
**Further Information:** The data in this section comes from the monthly Official Statistics on crimes and offences recorded by the police in Scotland during the COVID-19 pandemic. For more information, please see [Recorded Crime in Scotland: January 2022](#).

# Police Recorded Domestic Abuse Incidents

The number of Domestic Abuse incidents recorded in January 2022 was higher than the levels seen in both January 2021 and January 2020.

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 2020-21 reporting year.

Chart: Number of domestic abuse incidents recorded in December 2019, 2020 and 2021 and January 2020, 2021 and 2022



### In January 2022:

5,291 Domestic incidents recorded	↑	Up 4% since January 2021 (5,098 incidents)	↑	Up 5% since January 2020 (5,035 incidents)
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### In April 2021 to January 2022:

53,113 Domestic incidents recorded	↓	Down 2% since the same months in Apr 2020 to Jan 2021 (54,451 incidents)	↑	Up 1% since the same months in Apr 2019 to Jan 2020 (52,398 incidents)
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The proportion of April 2021 to January 2022 incidents that included the recording of at least one crime or offence was 42.4%, lower than for the equivalent period the previous year (April 2020 to January 2021), at 43.3%.

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 142 such crimes recorded by the police in January 2022, this is 15% higher than January 2021 (124 crimes) and 7% lower than January 2020 (153 crimes).

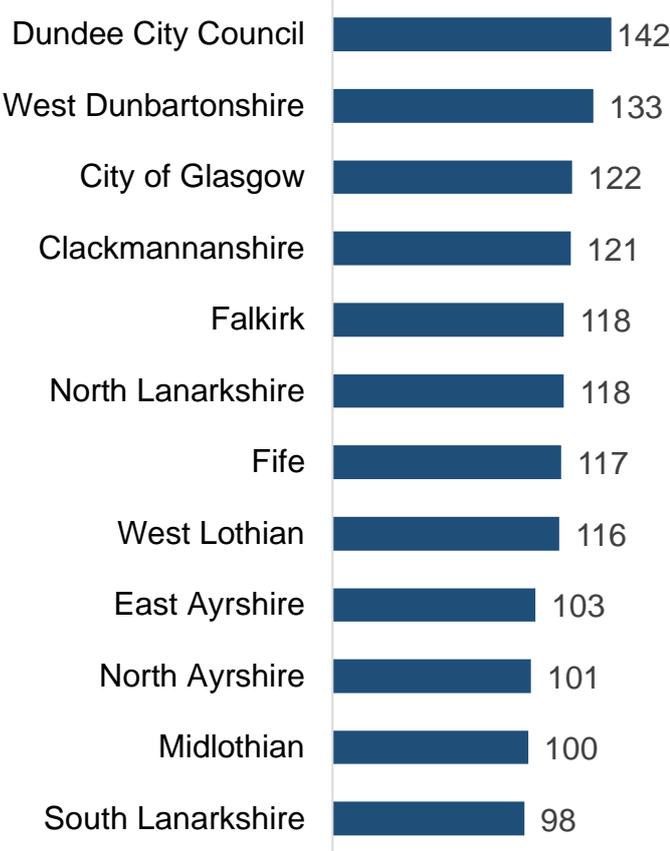
**Police Recorded Domestic Abuse Incidents per 10,000 population**

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Across Scotland as a whole, the police recorded 97 domestic abuse incidents per 10,000 population<sup>1</sup> during the period April 2021 to January 2022.

The local authorities with the highest rates were Dundee City (142), West Dunbartonshire (133) and City of Glasgow (122).

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



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



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

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# 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 below pre-pandemic levels since February 2021.**

- Custody report numbers are consistently around 60% of 19-20 average levels (around 1,200 less per month).
- The number of undertaking reports remain consistently around 60% higher than 2019-20 levels (around 700 more per month).

Chart: All reports received by COPFS (bars – monthly count April 2020 to January 2022, dashed line 19-20 average)

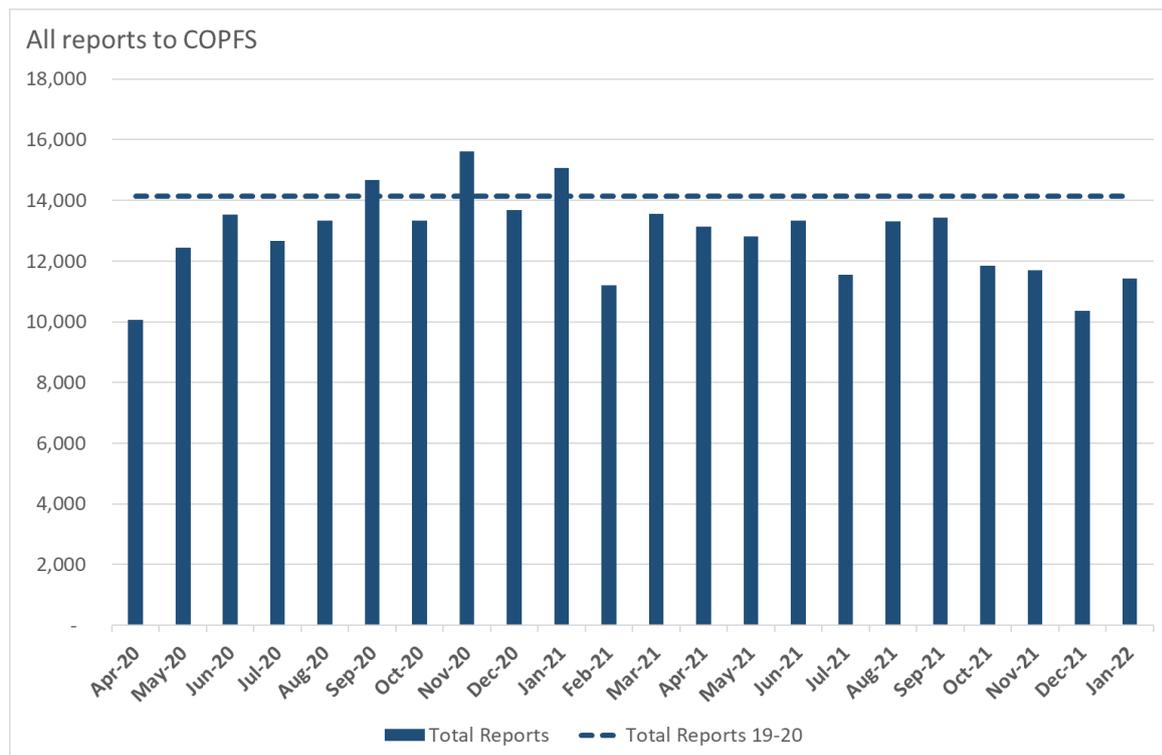


Chart: Custody reports received by COPFS (bars – monthly count April 2020 to January 2022, dashed line 19-20 average)

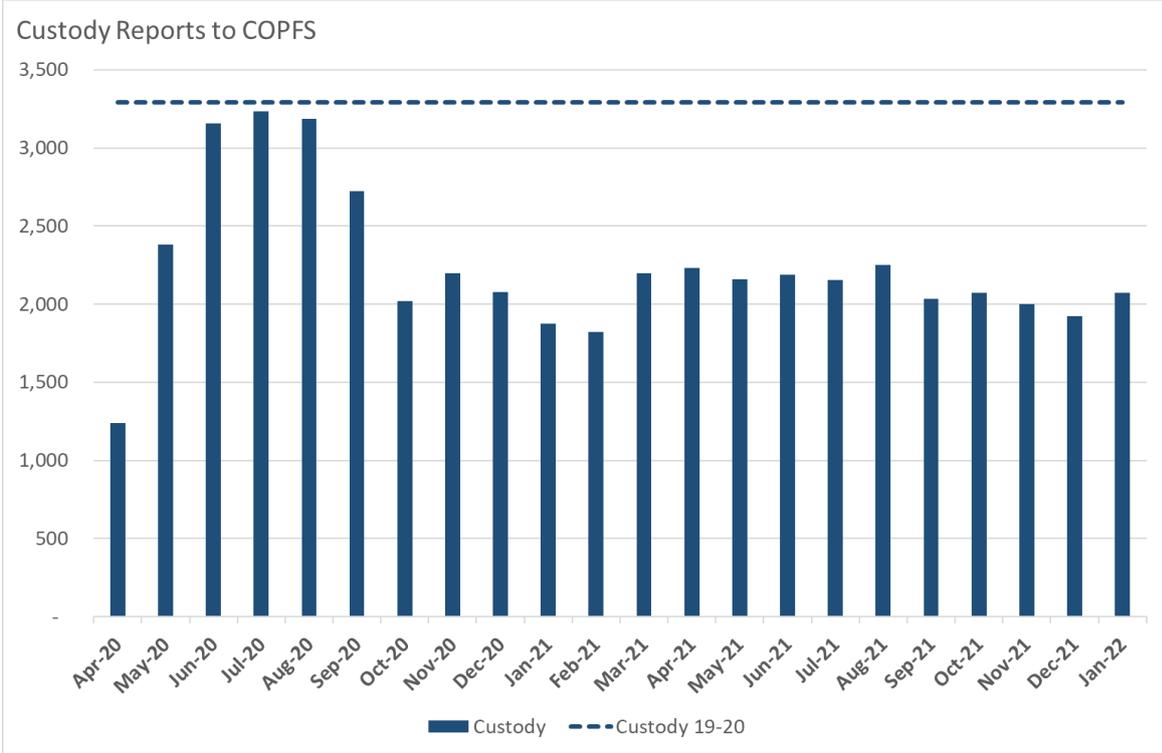
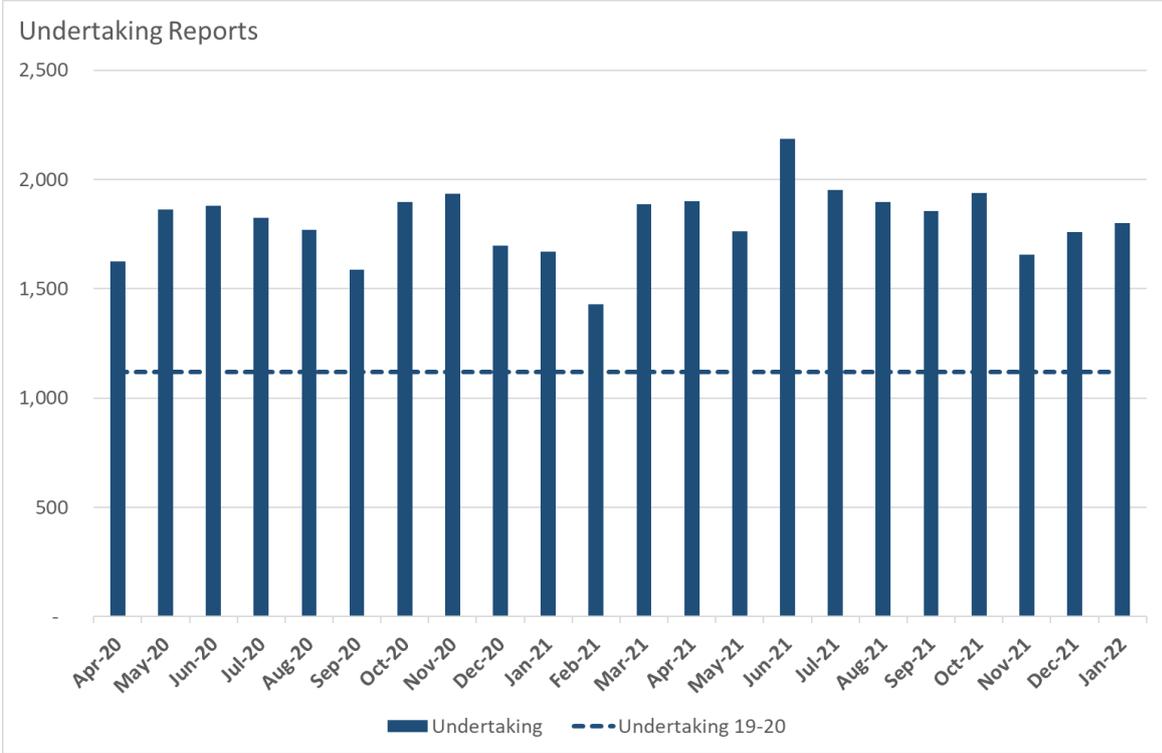


Chart: Undertaking reports received by COPFS (bars – monthly count April 2020 to January 2022, dashed line 19-20 average)

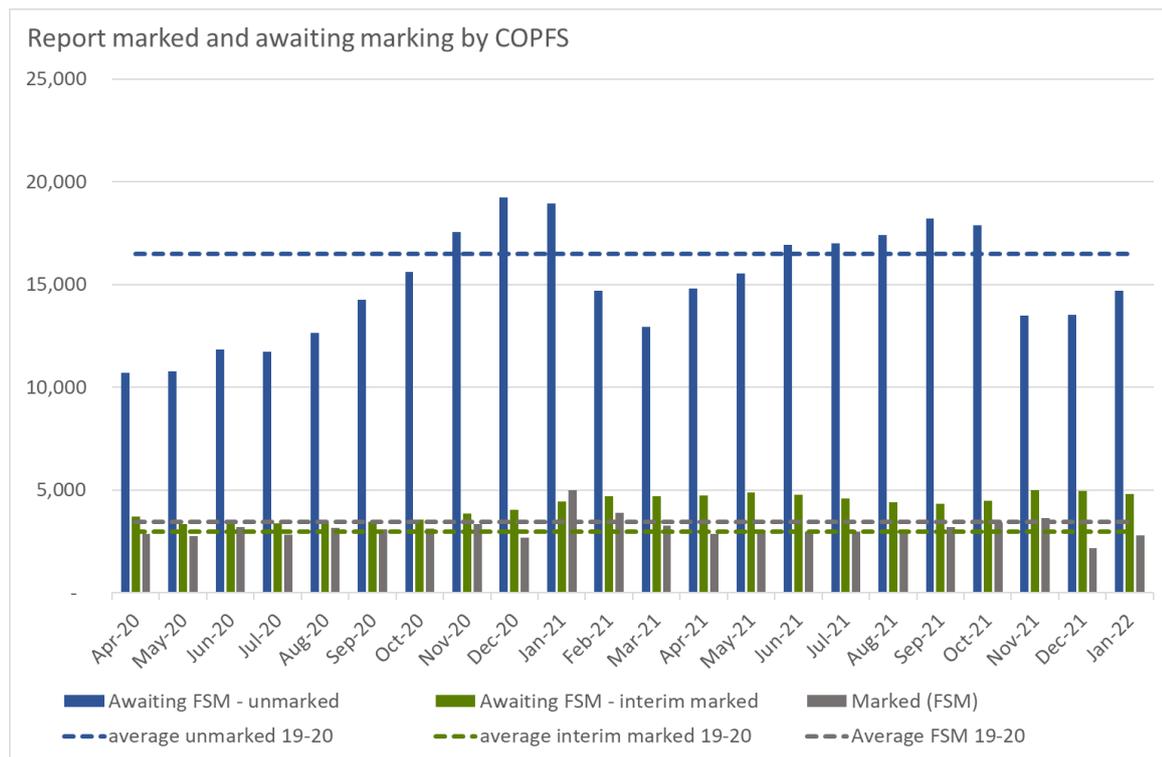


# First substantive marking

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 in January 2022 has increased slightly but is still below pre-pandemic levels. The number of unmarked reports in January 2022 is still below pre-pandemic levels and the number of interim marked reports is above pre-pandemic levels.

Chart: Marking status of COPFS reports (bars – monthly count April 2020 to January 2022, dashed lines 19-20 average)



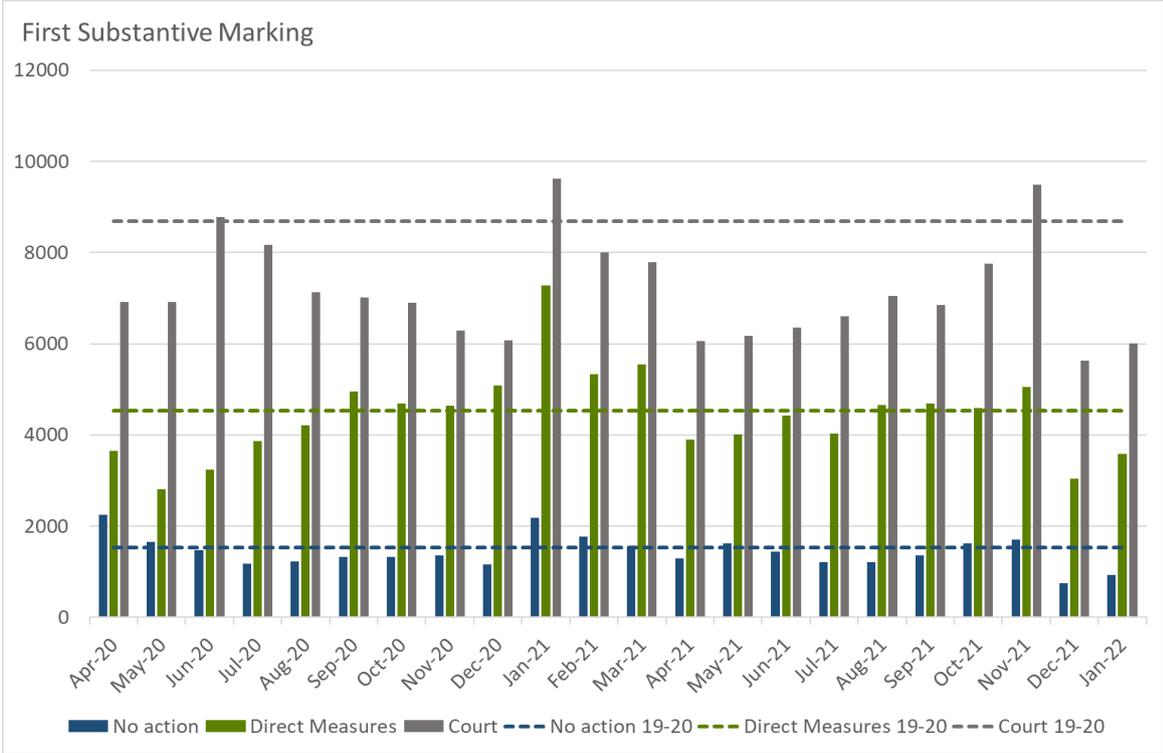
# Summary of COPFS First Substantive Markings

There are 3 types of marking decision available to COPFS:

- No Action
- Direct Measures
- Court proceedings

All marking types have increased this month.

Chart: First Substantive Marking (bars – monthly count April 2020 to January 2022, dashed lines 19-20 average)



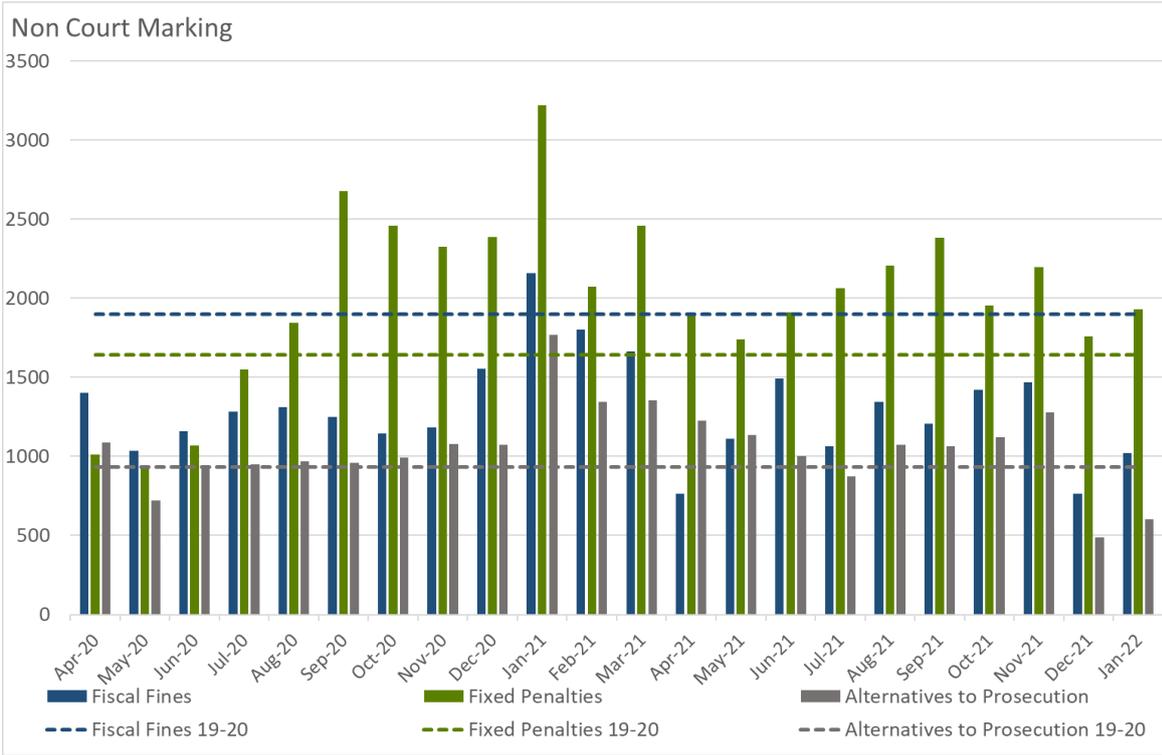
# Subjects marked for Direct Measure

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 number of subjects receiving a Fiscal Fine increased to above 19-20 average levels (dotted lines). Numbers fell to a low in April 2021 and have increased overall since that time. Following a substantial decline in December 2021, numbers increased in January 2022 but remain below the 19-20 average.

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

Chart: Subjects marked for direct measures (bars – monthly count April 2020 to January 2022, dashed lines 19-20 average)

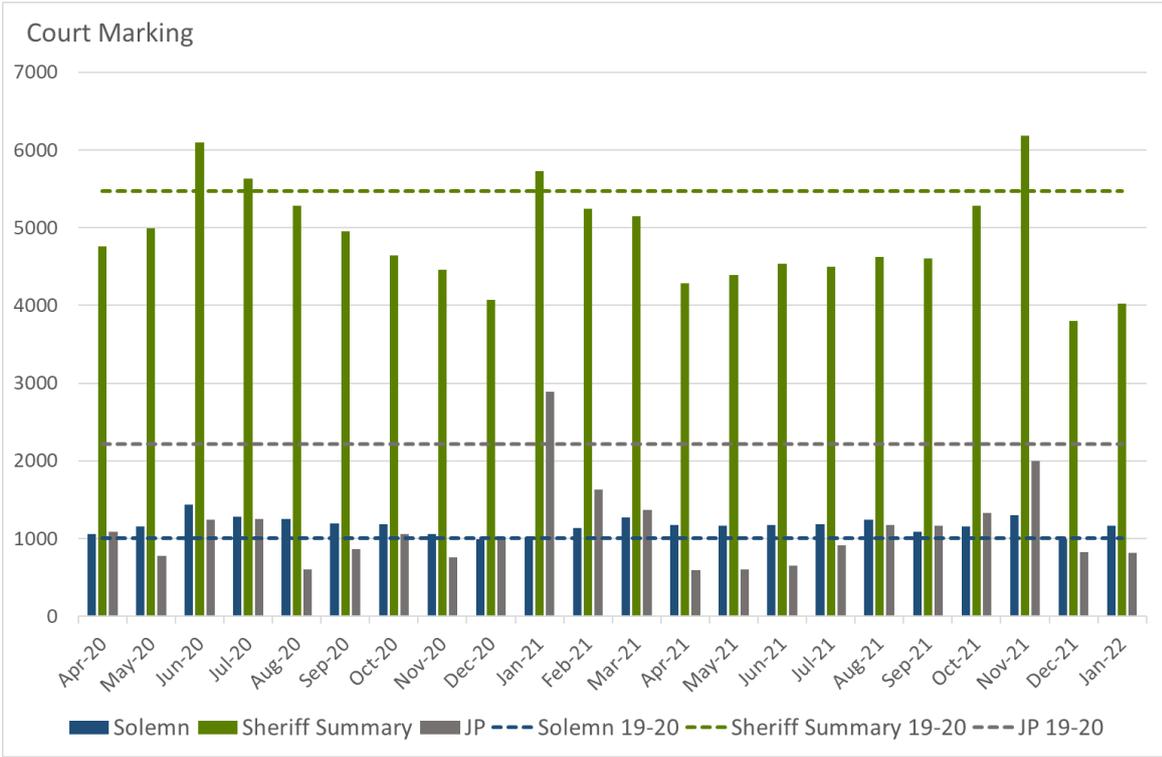


# Subjects marked for court

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.

- Markings for Solemn court (High Court or Sheriff & Jury) have been consistently at or above 19-20 average levels since April 2020.
- Markings for Sheriff Summary court have, on the whole, remained below pre-pandemic levels since April 2020.
- Markings for JP court remain below the 19-20 average.

Chart: Subjects marked for court (bars – monthly count April 2020 to January 2022, dashed lines 19-20 average)



# Fatal Accident Inquiries (as of 1 February 2022)

FAIs with scheduled court dates: 31  
 FAIs with First Notice lodged, awaiting court dates: 0

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

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# Scottish Courts & Tribunal Service (SCTS)

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## Criminal Registered & Scheduled Trials

Since the initial lockdown in March 2020, there have been 147,985 criminal registrations in the courts. 636 of these registrations have been COVID-19 related (0.4%).

In January 2022, all types of court registration remained lower than 2019-20 averages.

Cases Registered	19-20 monthly average	January 2022	Change from 19-20 monthly average	Outstanding trials March 2020	Outstanding trials January 2022
<b>Indictments</b>					
High Court	85	68	-17 (-20%)	390	534
Sheriff Court	454	425	-29 (-6%)	497	2,212
<b>Complaints</b>					
Sheriff Court	5,458	4,614	-844 (-15%)	13,971	32,759
JP Court	2,799	1,787	-1,012 (-36%)	3,497	8,101

At the end of January 2022 there were 43,606 trials outstanding. This compares to 18,355 at the end of 2019-20. In addition, SCTS have forecast that there are another 1,564 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 more detail).

## Criminal Disposals

In January 2022 there were 5,027 disposals (excluding secondary disposals and the 'other' disposal category) from Scotland's courts. This is 69% of the 19-20 monthly average of 7,276 and lower than December 2021 (5,449 disposals).

Between April 2020 and January 2022 there were 56,949 (36%) 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 38% fewer community disposals imposed by the courts than might have been expected.

To:	Monthly	January	Change	Estimated*	Actual	
<b>31 January 2022</b>	average 2019-20	2022	%	April 2020 – January 2022	April 2020 – January 2022	Change %
Imprisonment	1,010	601	-40%	22,220	14,929	-33%
Community Disposal (CPO & DTTO)	1,383	1,017	-26%	30,426	18,811	-38%
Restriction of Liberty Order	296	229	-23%	6,512	5,543	-15%
Fine etc.	3,105	2,122	-32%	68,310	41,010	-40%
Admonished/ Discharged	1,482	1,058	-29%	32,604	22,830	-30%

\* 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.

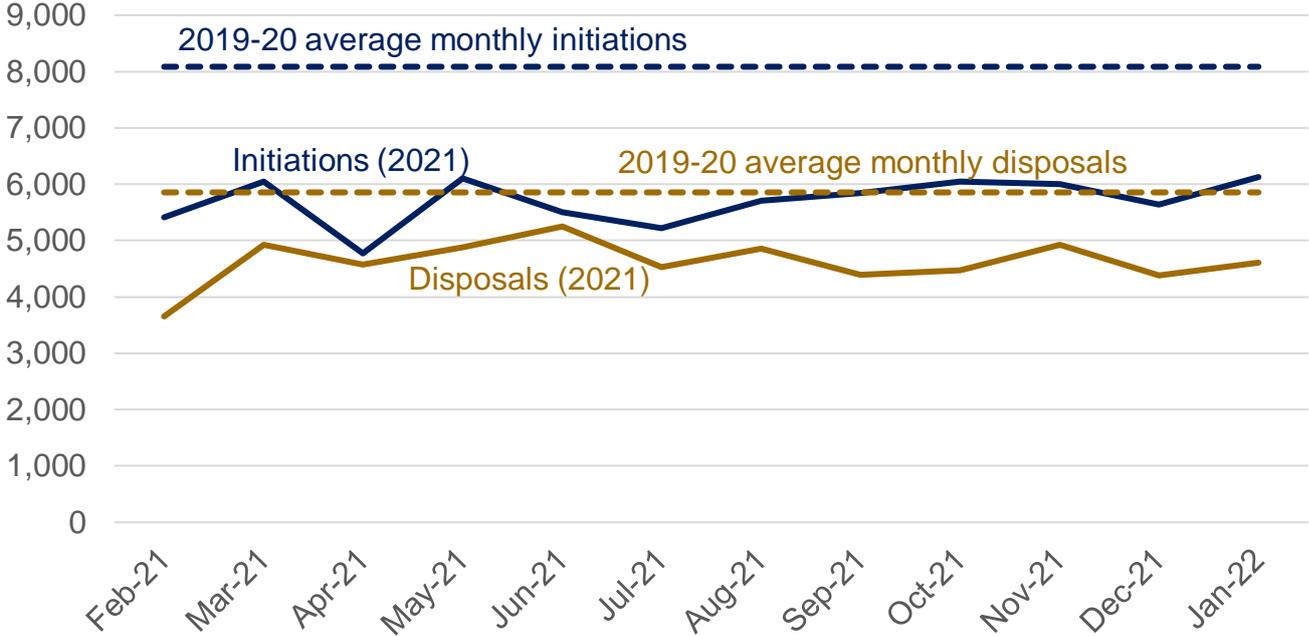
**Further Information:** Latest [SCTS published official statistics](#)

# 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). Numbers for both initiations and disposals increased in January, recovering from the lower numbers in December as a result of fewer court days.

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. Ordinary cause numbers in January were the lowest since September 2021 and much lower than the 2019-20 average levels. Simple procedure and summary cause cases increased in January. Simple procedure was the highest it has been since September 2021 and nearly matched 2019-20 average levels. Small claims have largely been replaced by simple procedure.

Likewise, disposed cases for ordinary cause and simple procedure are returning to 2019-20 levels. Simple procedure and summary cause disposals increased from the previous month but still lower than the 2019-20 average levels. There was a small decrease in Ordinary cause disposals from the previous month.

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	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	2019/20 monthly average
<b>Initiated</b>						
Ordinary cause	1,804	1,783	1,908	1,580	1,455	1,928
Summary cause	349	345	361	262	298	1,132
Small claim	0	0	0	0	0	2
Simple procedure	1,854	2,130	1,715	1,811	2,648	2,695
<b>Total initiated</b>	<b>4,007</b>	<b>4,258</b>	<b>3,984</b>	<b>3,653</b>	<b>4,401</b>	<b>5,758</b>
<b>Disposed</b>						
Ordinary cause	1,383	1,420	1,412	1,280	1,208	1,445
Summary cause	578	647	561	407	468	1,096
Small claim	8	1	2	2	0	5
Simple procedure	1,526	1,682	2,022	1,766	1,984	2,306
<b>Total disposed</b>	<b>3,495</b>	<b>3,750</b>	<b>3,997</b>	<b>3,455</b>	<b>3,660</b>	<b>4,852</b>

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 initiations, with some month to month variation. Debt cases in January were higher than the 2019-20 average levels, while the other case types shown are lower.
- Children's Referrals disposals in January were higher than the 2019-20 average levels (105%), and Debts were closer at 92%. Family and Personal Injury were lower.

Case Type	Initiated Cases (Jan 2022)		Disposed Cases (Jan 2022)	
	Jan 2022	Change from 19-20	Jan 2022	Change from 19-20
 Family	807	80% of 19-20 average month (1,014 cases)	746	84% of 19-20 average month (892 cases)
 Children's Referrals	561	93% of 19-20 average month (602 cases)	273	105% of 19-20 average month (260 cases)
 Debt	2,923	101% of 19-20 average month (2,883 cases)	2,188	92% of 19-20 average month (2,368 cases)
 Personal Injury	267	66% of 19-20 average month (402 cases)	157	51% of 19-20 average month (306 cases)

### Further Information:

Latest published [Civil Justice Statistics](#)

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# Prisons

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# 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 increasing difficulties in the management of the prison population.

In January 2022 (up until the morning of Tuesday 1 February 2022):

- the population increased by 77 to 7,568
- 2,292 were on remand: 1,956 (26%) untried and 336 (4%) awaiting sentence
- 68% of arrivals were untried (620 of 917), and 18% awaiting sentence (165)

The remand population grew through October and November and, after dropping somewhat in December, it continued to grow through January. The remand population exceeded its previous high point on 1 February when it was 2,292.

The specific needs of remand prisoners means this changing population profile poses additional challenges to staff and estate.

Chart: Total prison population

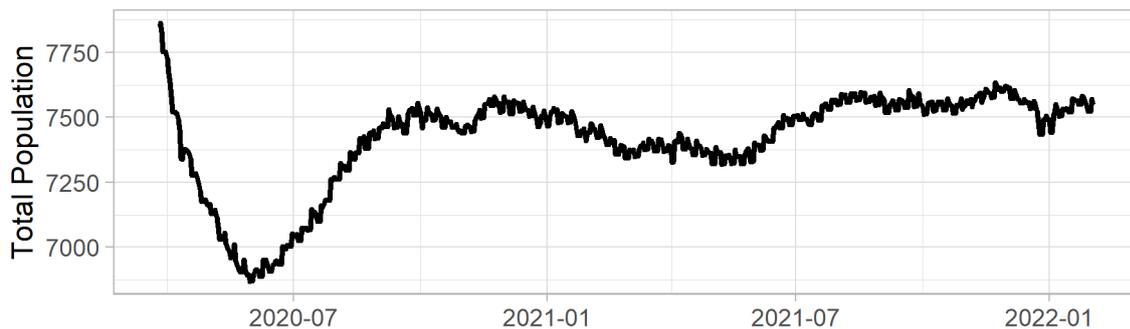
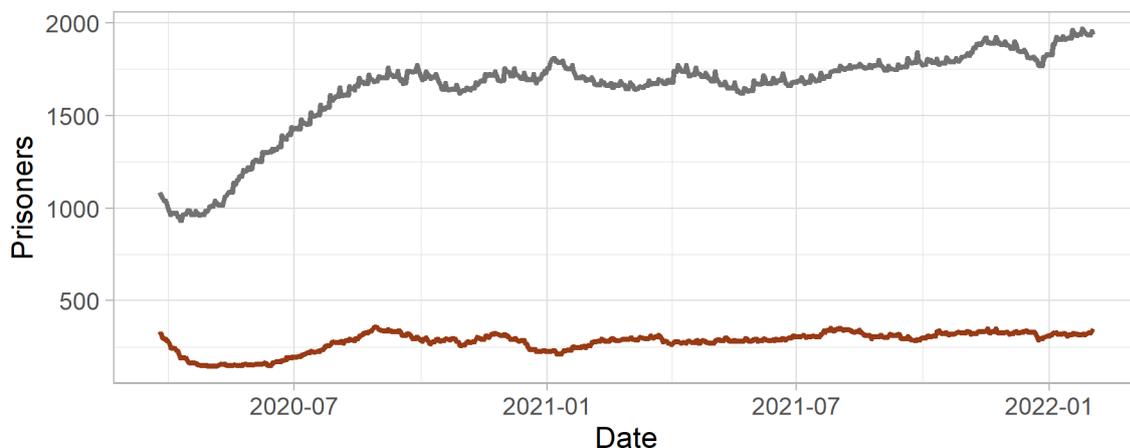


Chart: Remand population

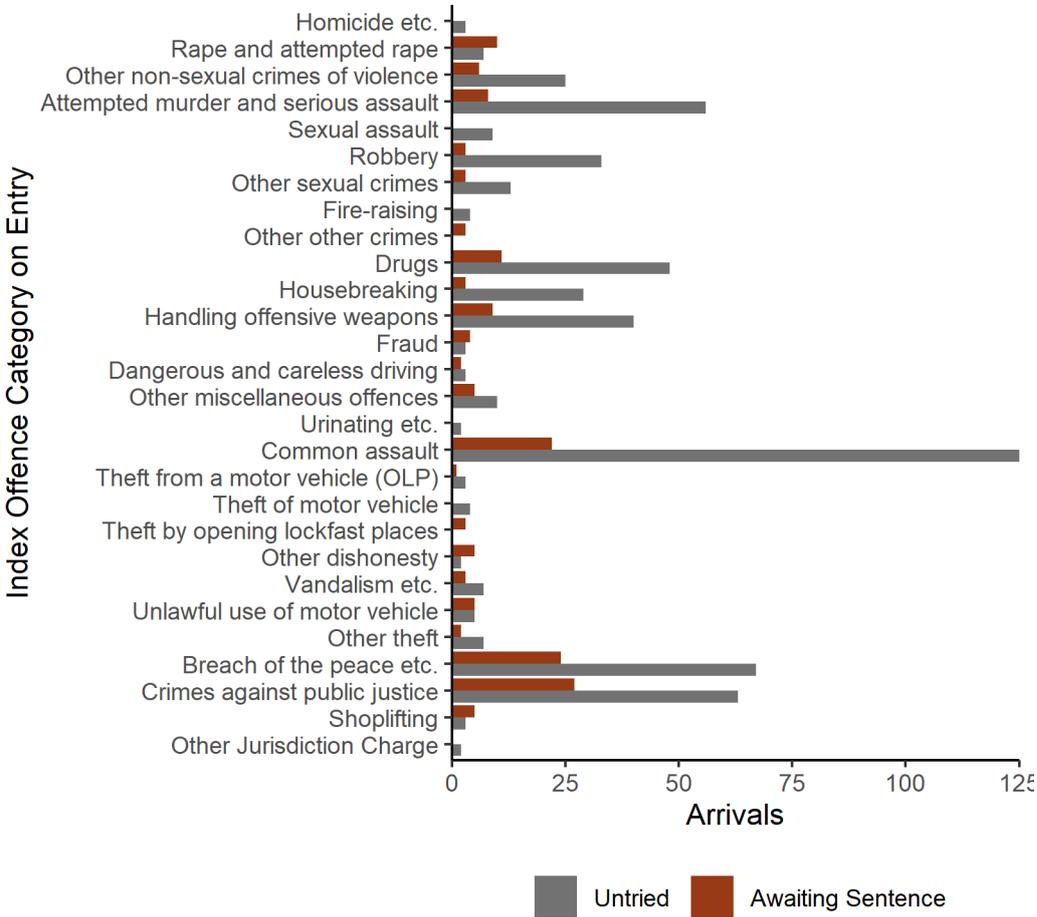


Status — Untried — Awaiting Sentence

## Remand Arrival Offences

There were 737 un-sentenced arrivals to prison with known offence types in January, 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 arrives, is absent from prison for one or more nights in the month, and then returns before the end of the period. Where an individual has multiple alleged offence types in a single stint, 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](#)

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# Sources and Further Information

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## 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.

### Courts and prisons data:

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

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