

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

February 2022

March 2022

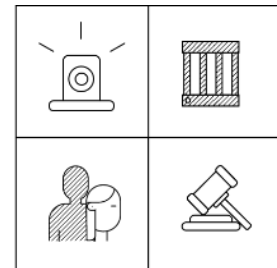
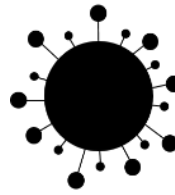


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Summary

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

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



With the ending of all legal COVID-19 restrictions on 21 March 2022, the next edition of this COVID focused report (for March 2022) will be the final one. After this, we will produce a more concise but comprehensive monthly Safer Communities and Justice Brief. This will combine statistics from the current report with information from the existing Safer Communities and Justice monthly brief to give an up-to-date overview of all the most important statistics across the justice portfolio.

Police activity

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

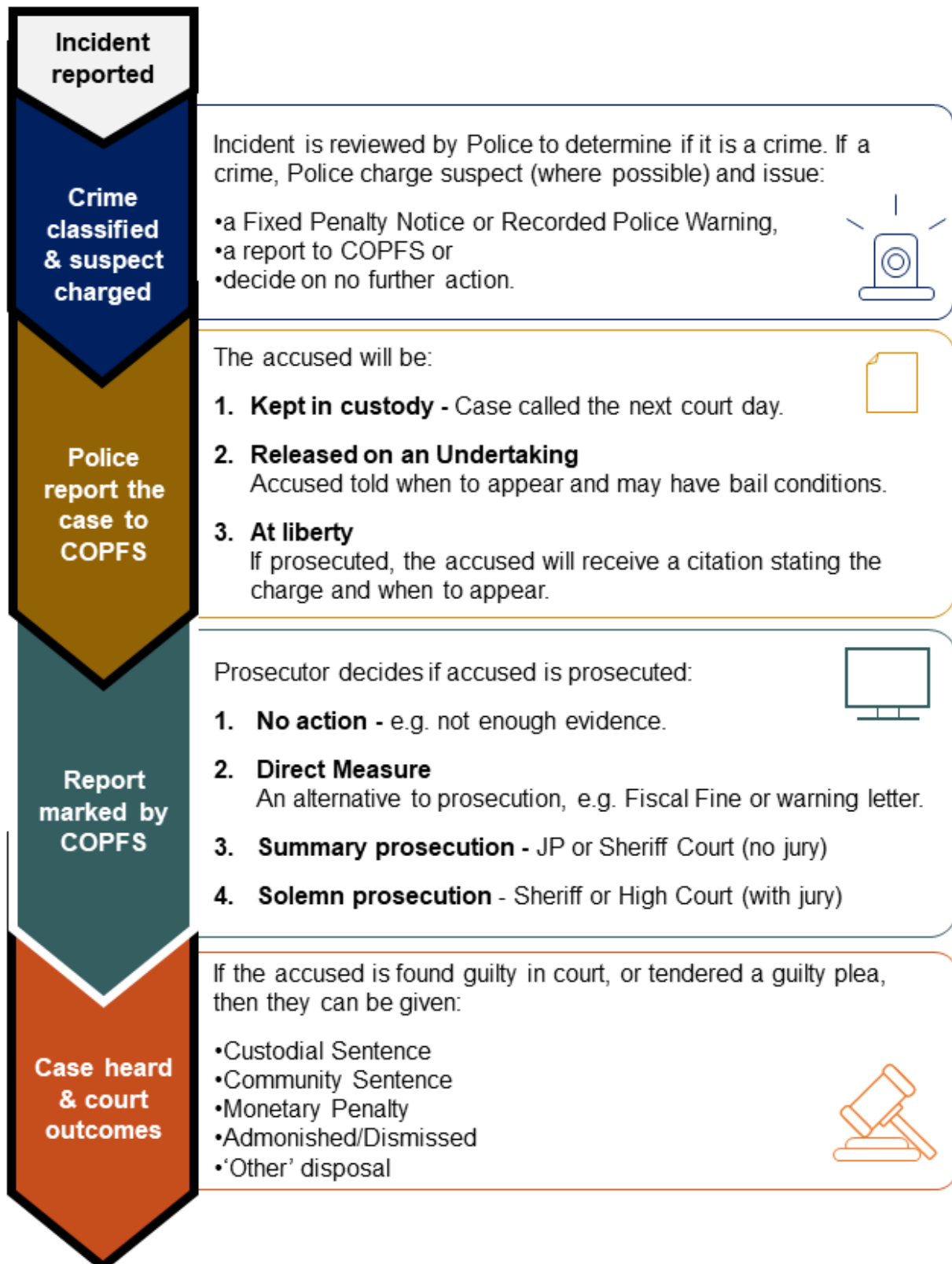
Owing to the stopping of the Operation Talla daily overview in mid-November 2021 we are no longer including these figures here.

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

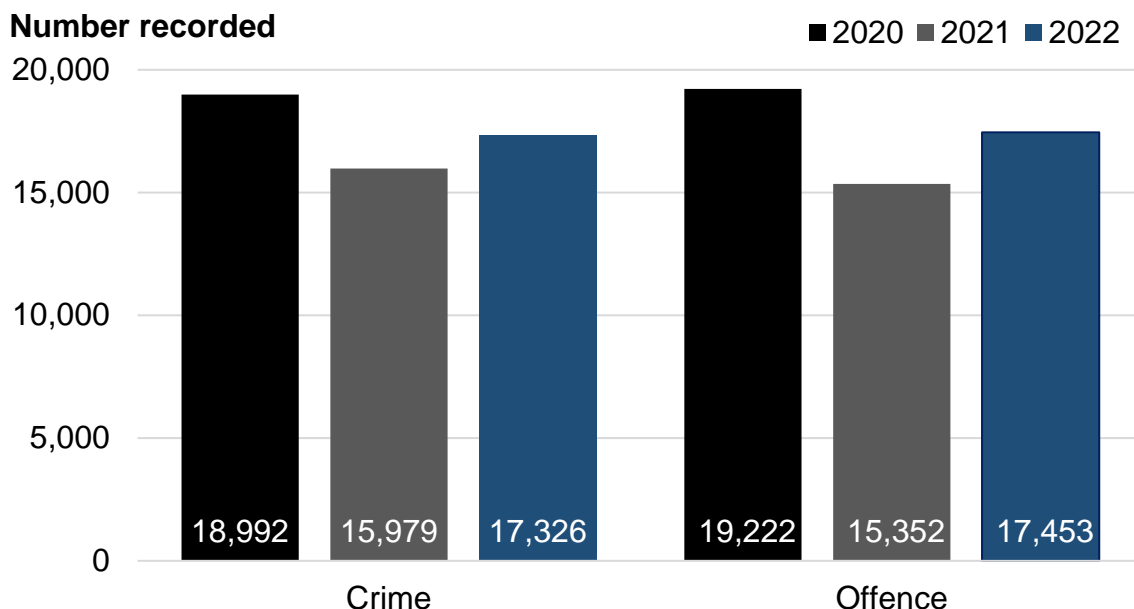


Police Activity (Police Scotland)

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, February 2020, 2021 and 2022

February 2022

The number of crimes recorded in February 2022 was 8% higher than in February 2021 but 9% lower than in February 2020. The number of offences was 14% higher compared to February 2021 but 9% lower than in February 2020.

Non-sexual crimes of violence were 18% (or 119 crimes) higher compared to February 2021, increasing from 653 to 772 crimes, and 11% higher compared to February 2020 (increasing from 694 crimes). Within this, Attempted murder and serious assault increased by 34% compared to February 2021 (from 194 to 259). Other violence increased by 29% compared to February 2021 (from 198 to 255) and also increased by 101% from February 2020 (from 127 to 255). The increase in Other violence between February 2020 and February 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 7% compared to February 2021 (from 128 to 137 crimes) and were 8% higher than in February 2020 (decreasing from 127 to 137 crimes).

Sexual crimes were 25% (or 260 crimes) higher compared to February 2021, increasing from 1,020 to 1,280 crimes. This was also 14% higher than in February 2020 (increasing from 1,124 crimes). Sexual assault saw the largest percentage increase since February 2021, increasing by 35% (from 315 to 424). This was 1%

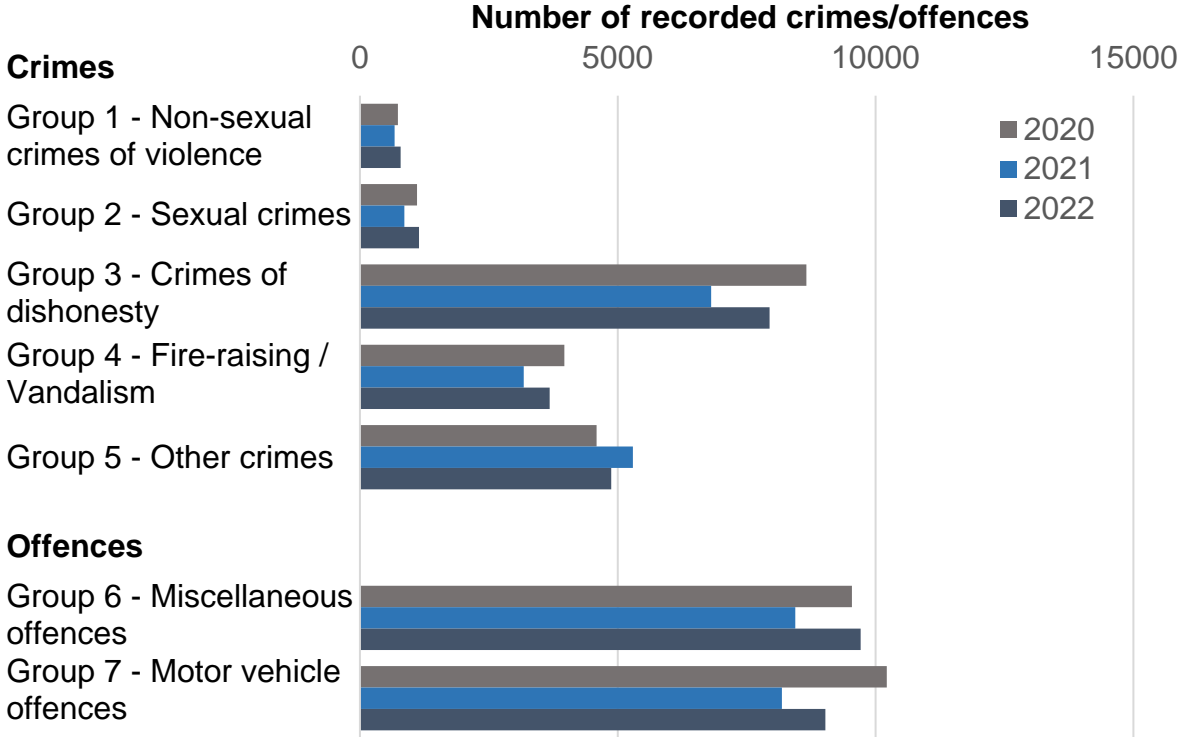
higher compared to February 2020 (from 418 to 424). Rape and attempted rape increased by 29% compared to February 2021, from 163 to 211 crimes, and increased by 13% compared to February 2020 (from 186 to 211 crimes).

Crimes of dishonesty were 17% (or 1,109 crimes) higher compared to February 2021, increasing from 6,405 to 7,514 crimes. This was 15% lower than in February 2020 (decreasing from 8,843 crimes). Crimes of Fraud have increased throughout the pandemic. Despite a 4% decrease compared to February 2021 (from 1,592 to 1,536 crimes), there was a 40% increase since February 2020 (from 1,099 to 1,536). 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 was the biggest contributor (by volume) to the increase since 2021 having risen by 47% compared to February 2021 (from 1,299 to 1,915 crimes), but was 24% lower when compared to February 2020.

Fire-raising, vandalism etc. was 12% (or 361 crimes) higher compared to February 2021, increasing from 3,019 to 3,380 crimes, but was 8% lower than February 2020. Vandalism etc. has risen 14% since February 2021 (increasing from 2,850 to 3,237). This is 7% lower than February 2020 levels.

Other crimes were 10% (or 502 crimes) lower than in February 2021, decreasing from 4,882 to 4,380 crimes. This is 6% lower than February 2020 (decreasing from 4,675 to 4,380 crimes). The sole contributors to the decrease since 2021 was Drugs (which fell by 27% compared to February 2021 and 20% compared to February 2020).

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



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

The biggest decreases from February 2021 to February 2022 were Drugs and Fraud.

The biggest decreases over this period were:

Drugs

↓ 27% (or 693 crimes)

↓ 20% (or 484 crimes) compared to February 2020

Fraud

↓ 4% (or 56 crimes)

↑ 40% (or 437 crimes) compared to February 2020

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

Shoplifting

↑ 47% (or 616 crimes)

↓ 24% (or 590 crimes) compared to February 2020

Other theft

↑ 21% (or 443 crimes)

↓ 14% (or 419 crimes) compared to February 2020

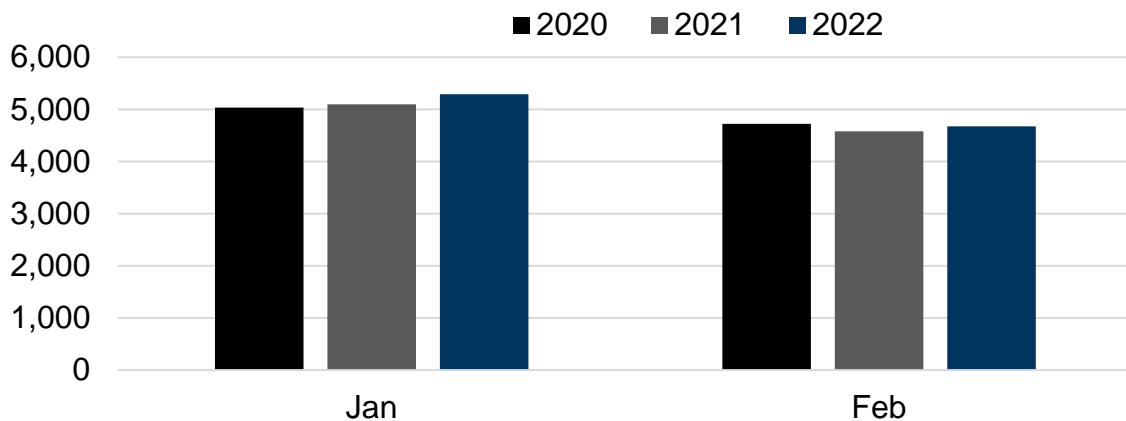
Further Information: The data in this section comes from the monthly Official Statistics on crimes and offences recorded by the police in Scotland during the COVID-19 pandemic. For more information, please see [Recorded Crime in Scotland: February 2022](#).

Police Recorded Domestic Abuse Incidents

The number of Domestic Abuse incidents recorded in February 2022 was higher than the levels seen in February 2021 but lower than in February 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 January and February 2020, 2021 and 2022



In February 2022:

4,675

Domestic incidents recorded



Up 2% since February 2021 (4,580 incidents)



Down 1% since February 2020 (4,723 incidents)

In April 2021 to February 2022:

57,788

Domestic incidents recorded



Down 2% since the same months in Apr 2020 to Feb 2021 (59,031 incidents)



Up 1% since the same months in Apr 2019 to Feb 2020 (57,121 incidents)

The proportion of April 2021 to February 2022 incidents that included the recording of at least one crime or offence was 42.3%, lower than for the equivalent period the previous year (April 2020 to February 2021), at 43.3%.

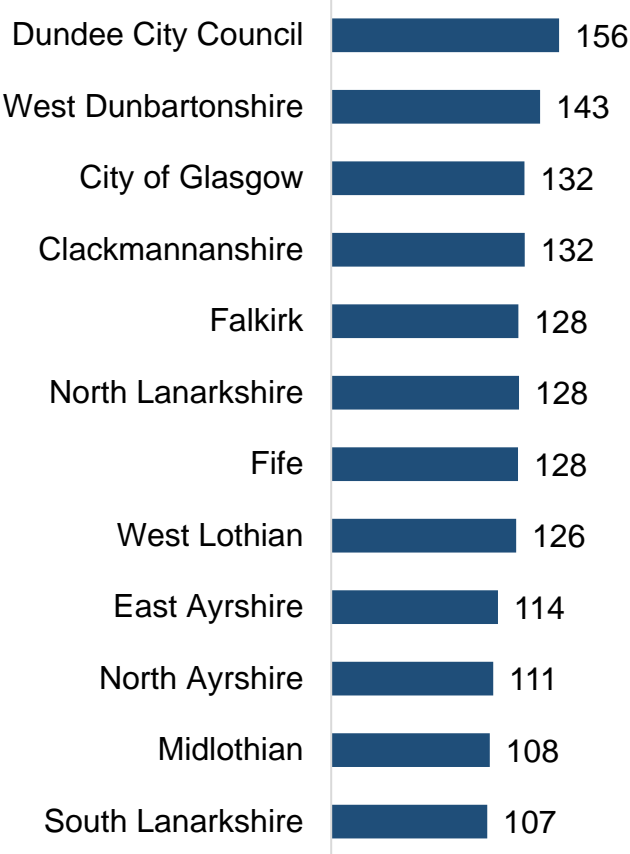
In addition to the above, separate figures on crimes recorded under the Domestic Abuse (Scotland) Act 2018 are available from the Recorded Crime in Scotland monthly Official Statistics. There were 137 such crimes recorded by the police in February 2022, this is 7% higher than February 2021 (128 crimes) and 8% higher than February 2020 (127 crimes).

Police Recorded Domestic Abuse Incidents per 10,000 population

Across Scotland as a whole, the police recorded 106 domestic abuse incidents per 10,000 population¹ during the period April 2021 to February 2022.

The local authorities with the highest rates were Dundee City (156), West Dunbartonshire (143) and City of Glasgow (132).

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



¹ [NRS Population Projections \(2018-based\)](#) 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 2021 to February 2022.



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 below pre-pandemic levels since February 2021.

- Custody report numbers are consistently around 60% of 19-20 average levels (around 1,300 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 February 2022, dashed line 19-20 average)

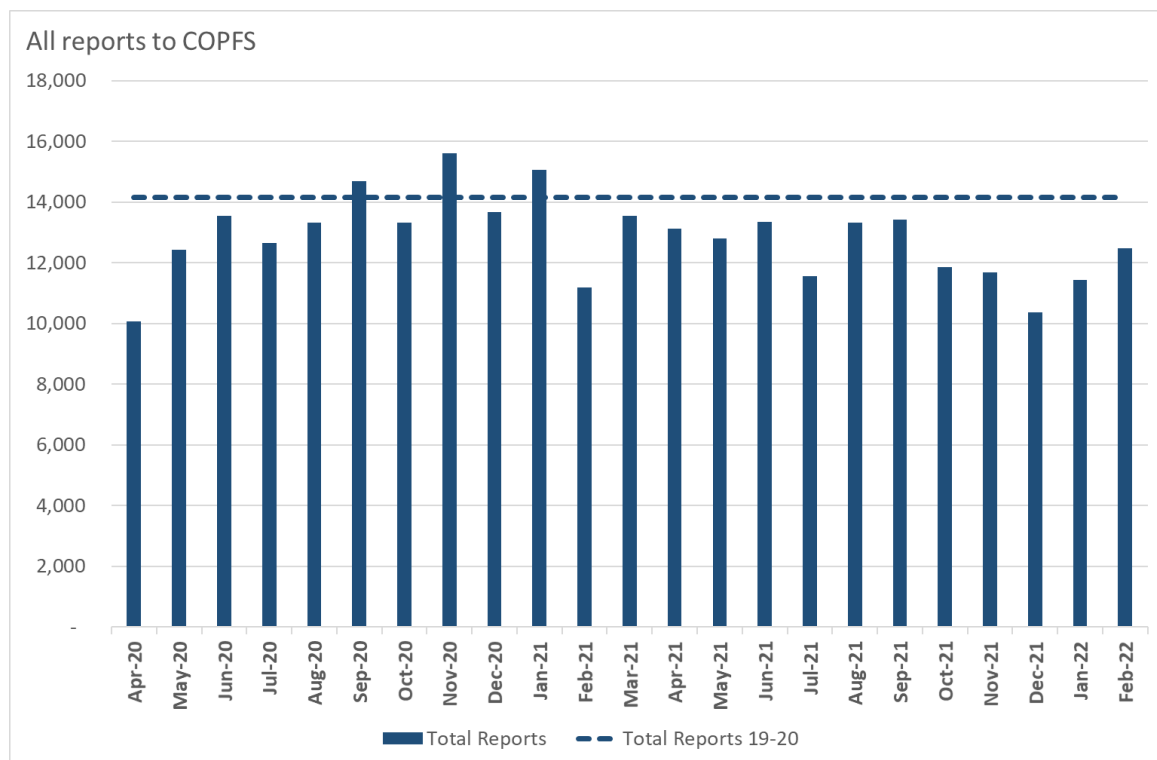


Chart: Custody reports received by COPFS (bars – monthly count April 2020 to February 2022, dashed line 19-20 average)

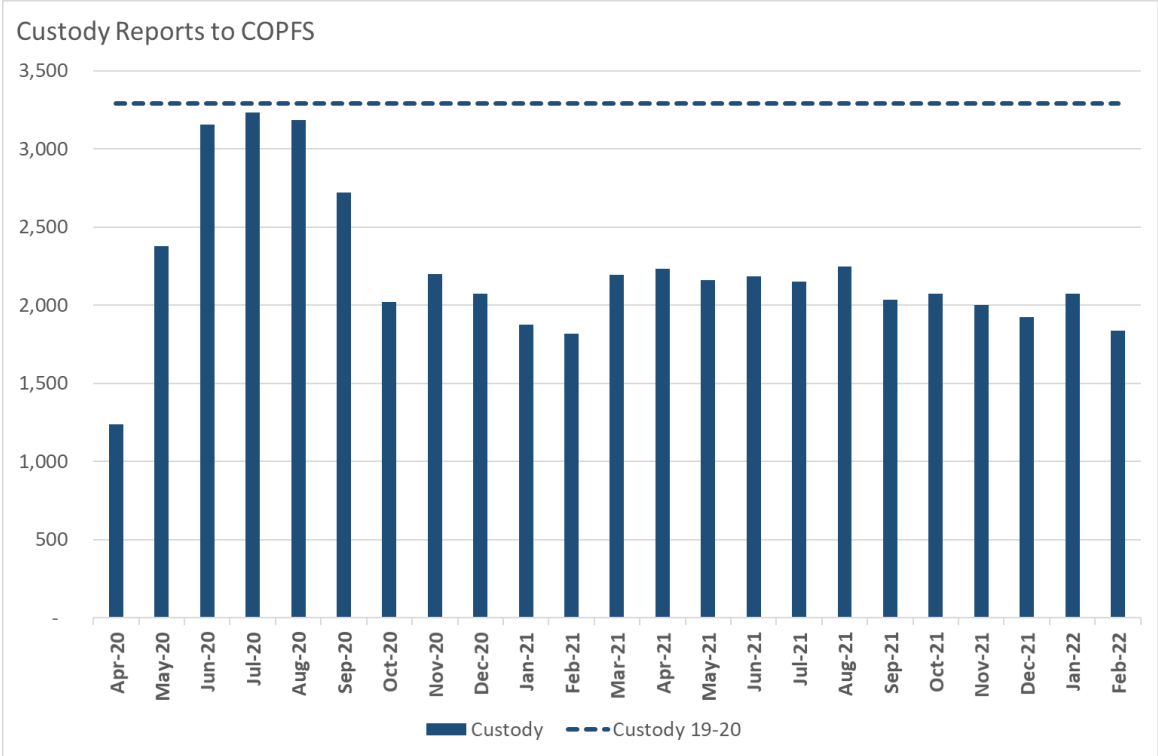
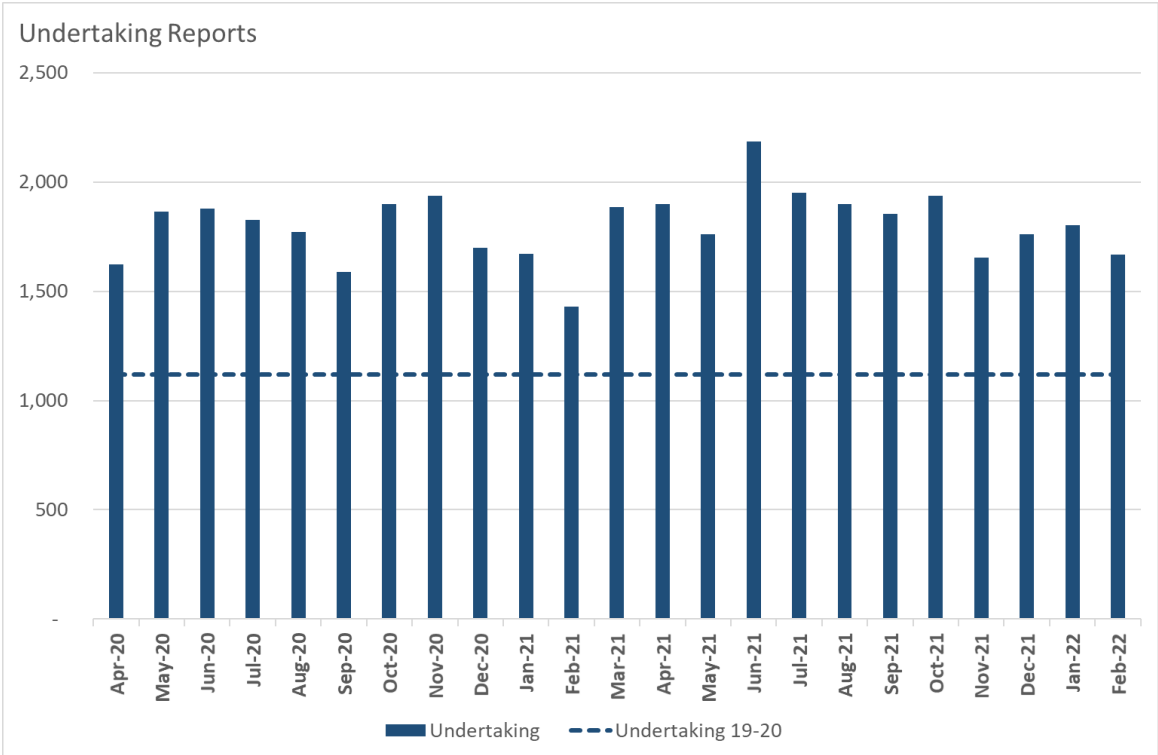


Chart: Undertaking reports received by COPFS (bars – monthly count April 2020 to February 2022, dashed line 19-20 average)

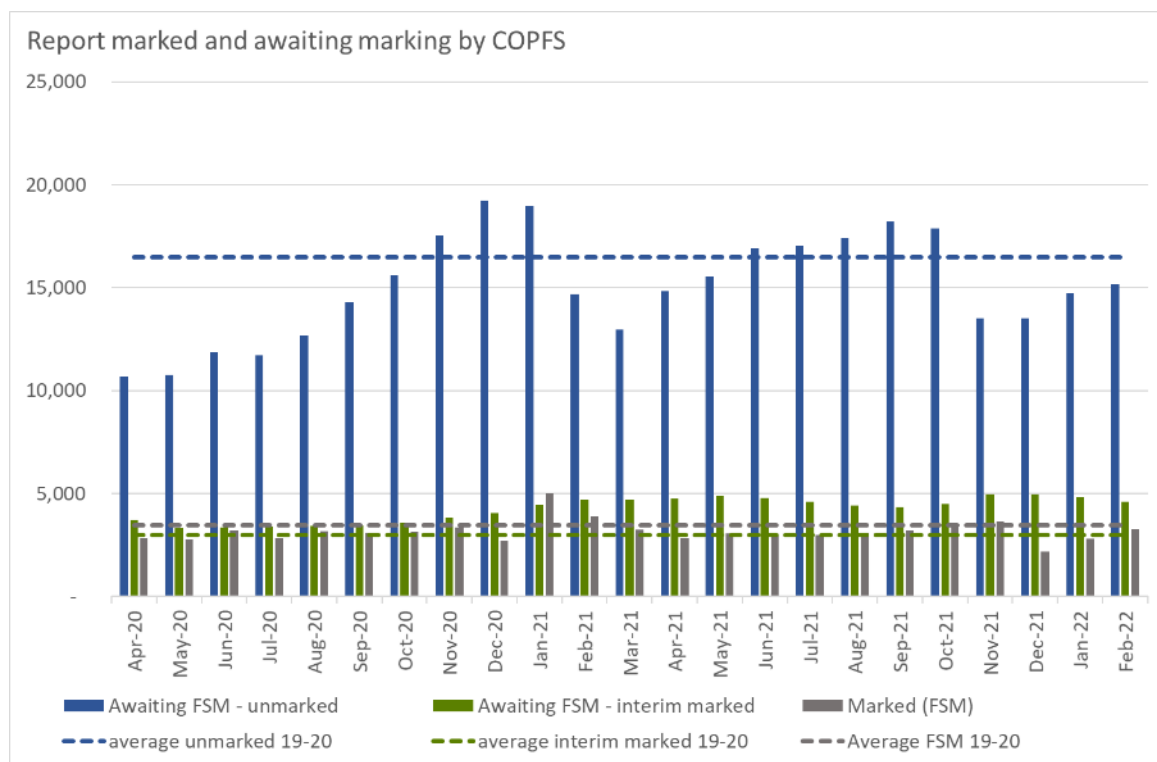


First substantive marking

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 February 2022 has increased slightly but is still below pre-pandemic levels. The number of unmarked reports in February 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 February 2022, dashed lines 19-20 average)



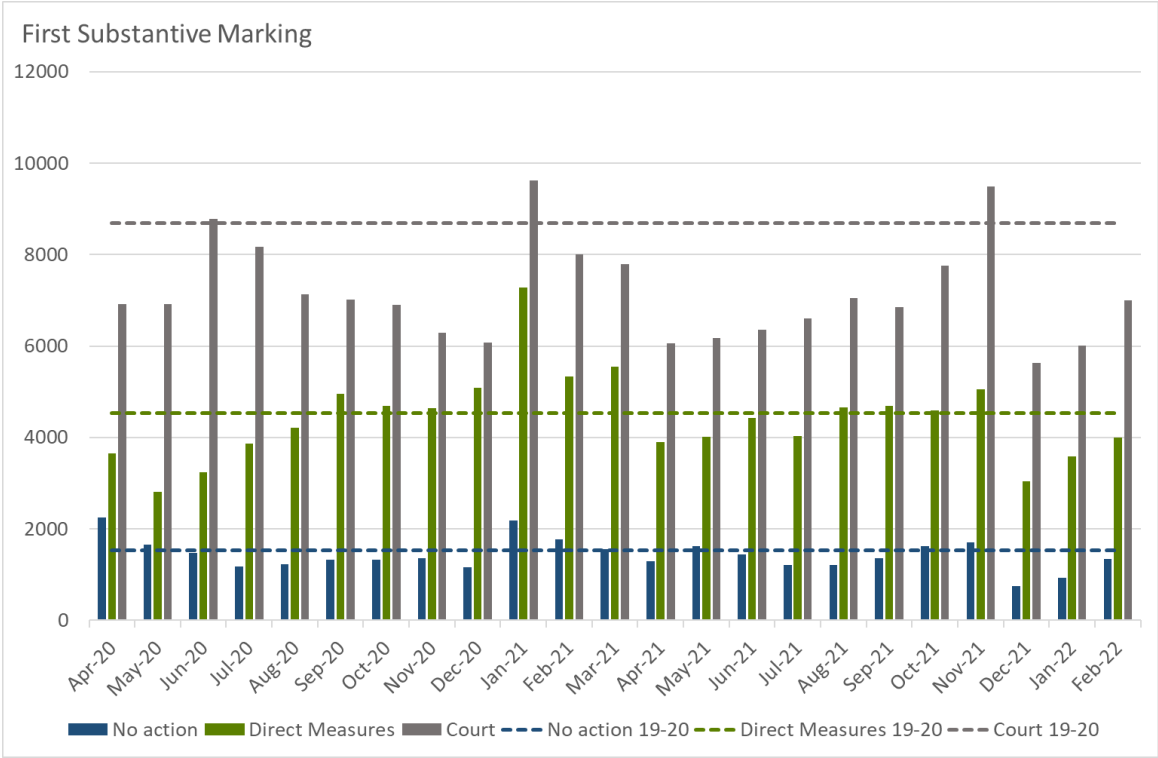
Summary of COPFS First Substantive Markings

There are three 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 February 2022, dashed lines 19-20 average)



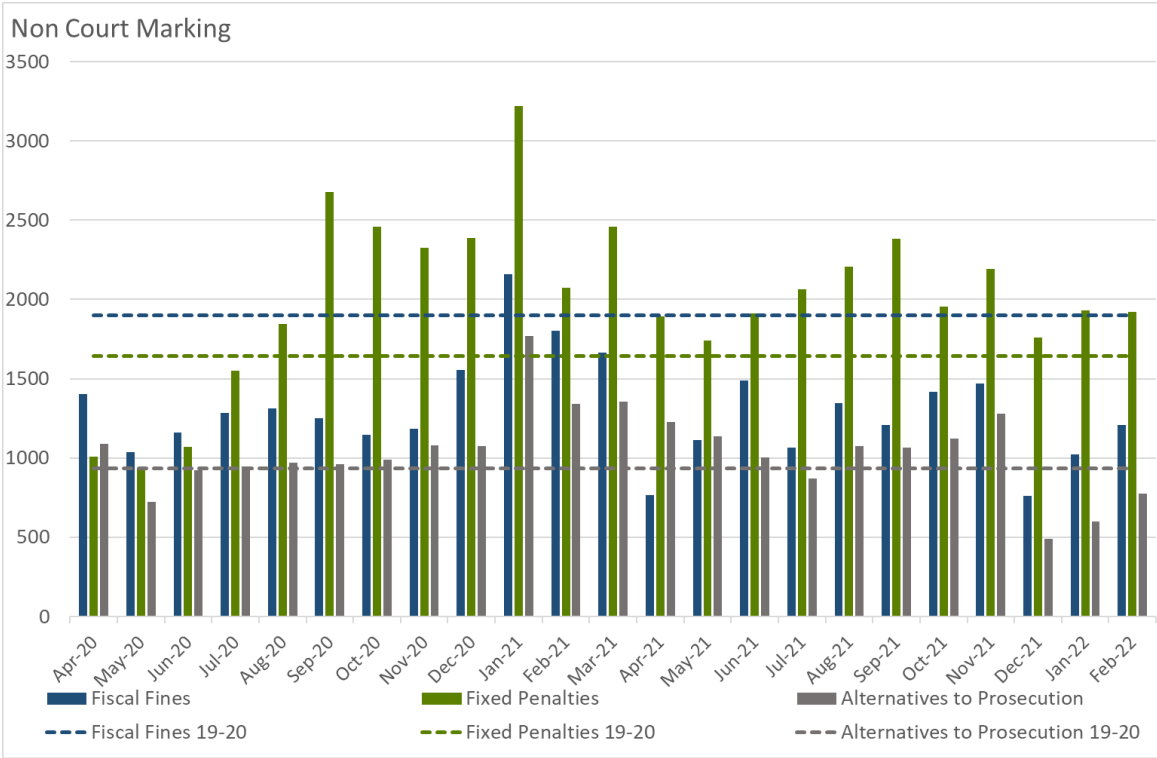
Subjects marked for Direct Measure

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 have been increasing 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 February 2022, dashed lines 19-20 average)

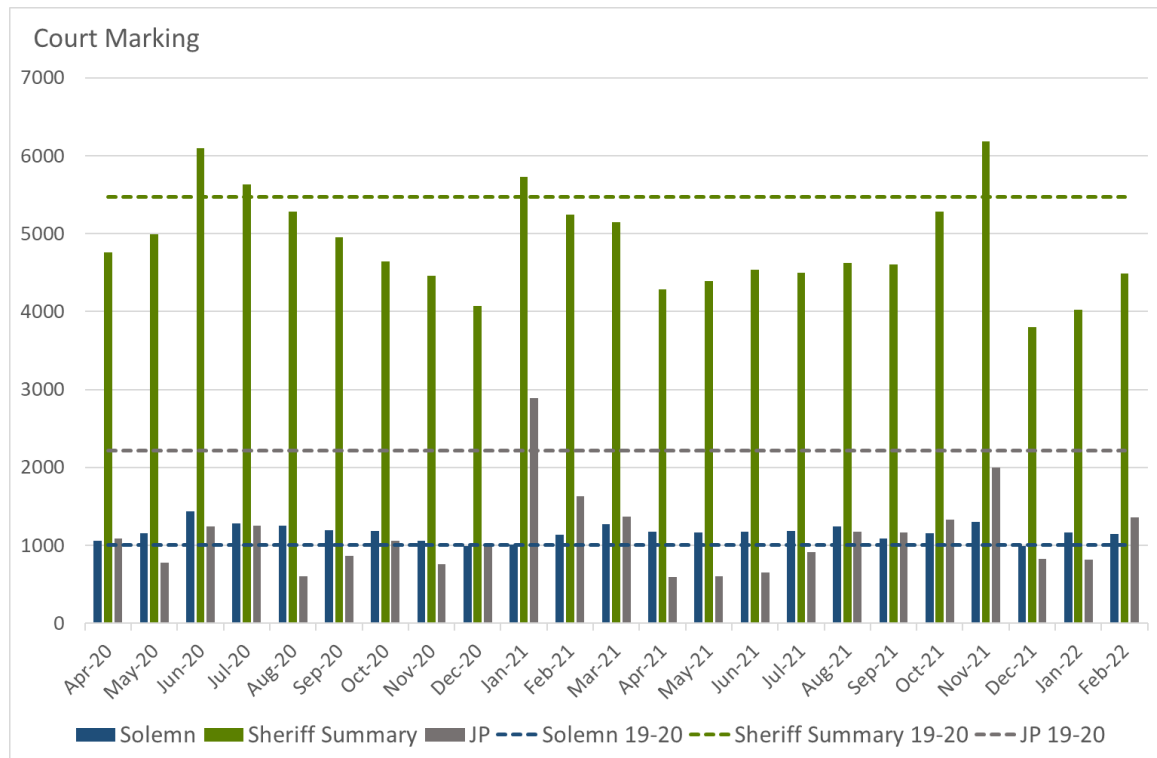


Subjects marked for court

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 February 2022, dashed lines 19-20 average)



Fatal Accident Inquiries (as of 1 March 2022)

FAIs with scheduled court dates: 29

FAIs with First Notice lodged, awaiting court dates: 0

Source:

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

Scottish Courts & Tribunal Service (SCTS)

Criminal Registered & Scheduled Trials

Since the initial lockdown in March 2020, there have been 154,218 criminal registrations in the courts. Six-hundred and forty-eight of these registrations have been COVID-19 related (0.4%).

In February 2022, only summary court registrations were below 19-20 averages.

Cases Registered	19-20 monthly average	February 2022	Change from 19-20 monthly average	Outstanding trials March 2020	Outstanding trials February 2022
Indictments					
High Court	85	90	5 (6%)	390	535
Sheriff Court	454	525	71 (16%)	497	2,196
Complaints					
Sheriff Court	5,458	4,007	-1,451 (-27%)	13,971	31,904
JP Court	2,799	1,611	-1,188 (-42%)	3,497	7,868

At the end of February 2022 there were 42,503 trials outstanding. This compares to 18,355 at the end of 2019-20. In addition, SCTS have forecast that there are another 1,652 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 February 2022 there were 5,676 disposals (excluding secondary disposals and the 'other' disposal category) from Scotland's courts. This is 78% of the 19-20 monthly average of 7,276 and higher than January 2022 (5,027 disposals).

Between April 2020 and February 2022 there were 58,549 (35%) 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	February	Change	Estimated*	Actual	
28 February 2022	average 2019-20	2022	%	April 2020 – February 2022	April 2020 – February 2022	Change %
Imprisonment	1,010	737	-27%	23,230	15,666	-33%
Community Disposal (CPO & DTTO)	1,383	1,054	-24%	31,809	19,865	-38%
Restriction of Liberty Order	296	254	-14%	6,808	5,797	-15%
Fine etc.	3,105	2,433	-22%	71,415	43,443	-39%
Admonished/ Discharged	1,482	1,198	-19%	34,086	24,028	-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.

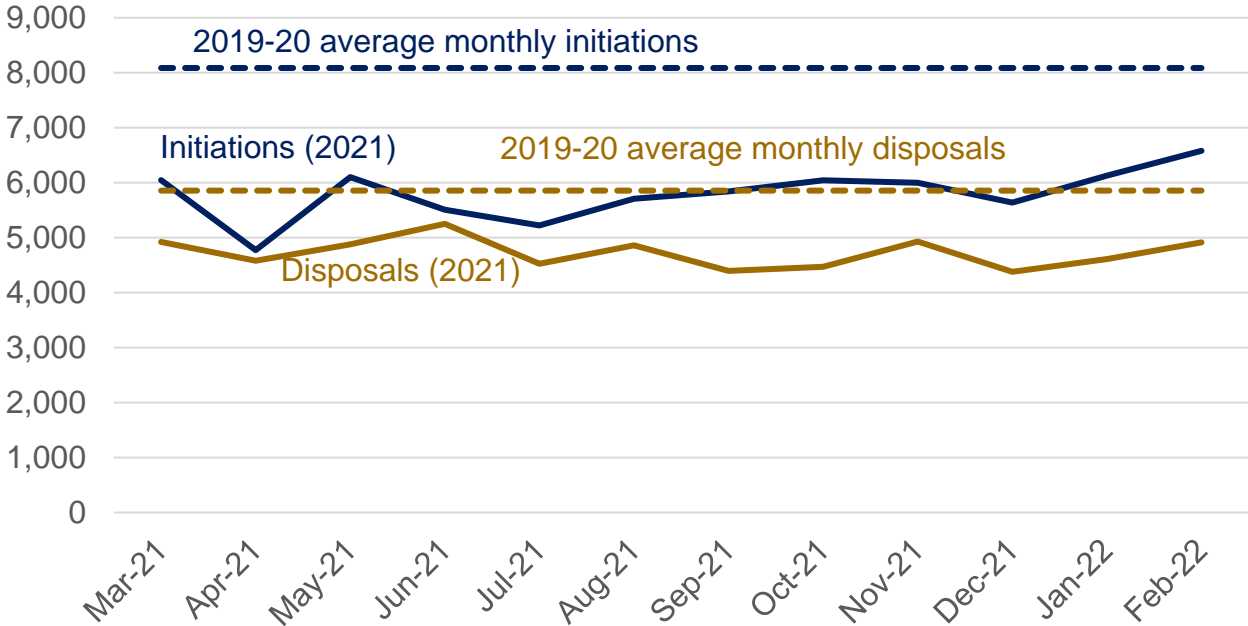
Further Information: Latest [SCTS published official statistics](#)

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 February, for the second month in a row. Initiations are at their highest in the last 12 months.

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 February recovered from the last two months and are much closer to the 2019-20 average monthly levels. Summary cause cases increased too in February but are still much lower than 2019-20 average levels. Simple procedure cases decreased in February. Small claims have largely been replaced by simple procedure.

Likewise, disposed cases for ordinary cause and simple procedure are returning to 2019-20 levels. All procedure types increased from the previous month but are still lower than the 2019-20 average levels.





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	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	2019/20 monthly average
Initiated						
Ordinary cause	1,783	1,908	1,580	1,455	1,803	1,928
Summary cause	345	361	262	298	361	1,132
Small claim	0	0	0	0	2	2
Simple procedure	2,130	1,715	1,811	2,648	2,418	2,696
Total initiated	4,258	3,984	3,653	4,401	4,584	5,758
Disposed						
Ordinary cause	1,420	1,412	1,280	1,208	1,391	1,445
Summary cause	647	561	407	468	589	1,096
Small claim	1	2	2	0	3	5
Simple procedure	1,682	2,022	1,766	1,984	2,040	2,306
Total disposed	3,750	3,997	3,455	3,660	4,023	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 initiations, with some month to month variation. Save for Personal Injury which was slightly lower, the other three case types presented were all above 90% of 2019-20 average levels.
- Similar to initiations, Family, Children’s Referrals and Debts were all close to 2019-20 average monthly levels, all above 90%. Personal Injury was lower.

Case Type	Initiated Cases (Feb 2022)		Disposed Cases (Feb 2022)	
	Feb 2022	Change from 19-20	Feb 2022	Change from 19-20
 Family	994	98% of 19-20 average month (1,014 cases)	891	99% of 19-20 average month (892 cases)
 Children’s Referrals	546	91% of 19-20 average month (602 cases)	247	95% of 19-20 average month (260 cases)
 Debt	2,732	95% of 19-20 average month (2,883 cases)	2,218	94% of 19-20 average month (2,368 cases)
 Personal Injury	328	82% of 19-20 average month (402 cases)	183	60% of 19-20 average month (306 cases)

Further Information:

Latest published [Civil Justice Statistics](#)

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 increasing difficulties in the management of the prison population.

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

- the population decreased by 40 to 7,528
- 2,249 were on remand: 1,936 (26%) untried and 313 (4%) awaiting sentence
- 66% of arrivals were untried (555 of 837), and 16% awaiting sentence (130)

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 and has fallen slightly since.

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

Chart: Total prison population

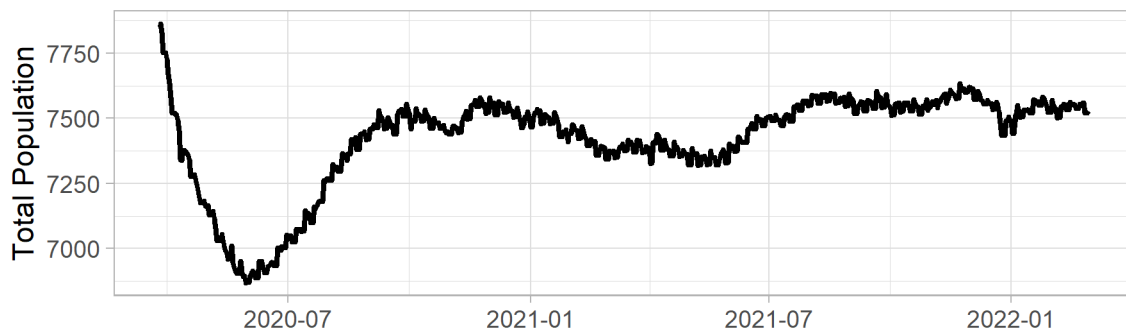
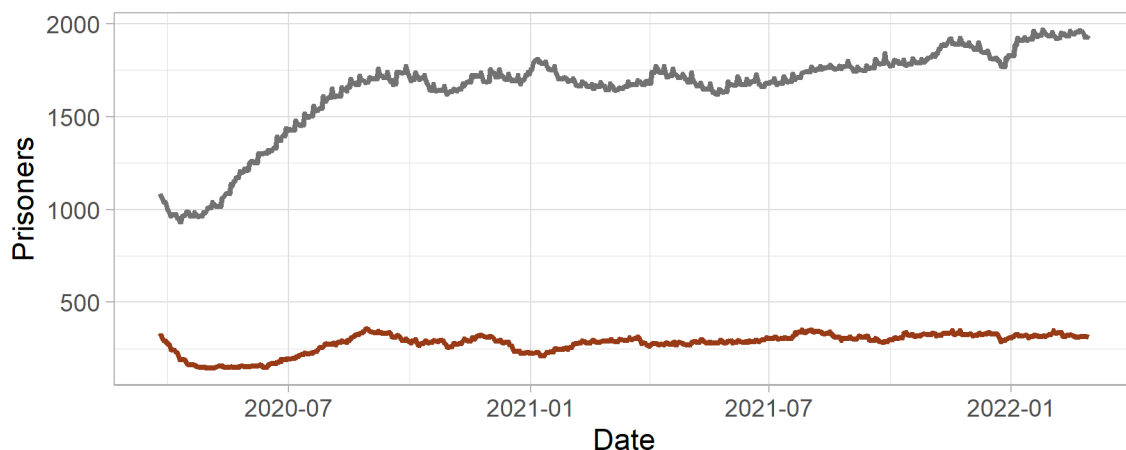


Chart: Remand population

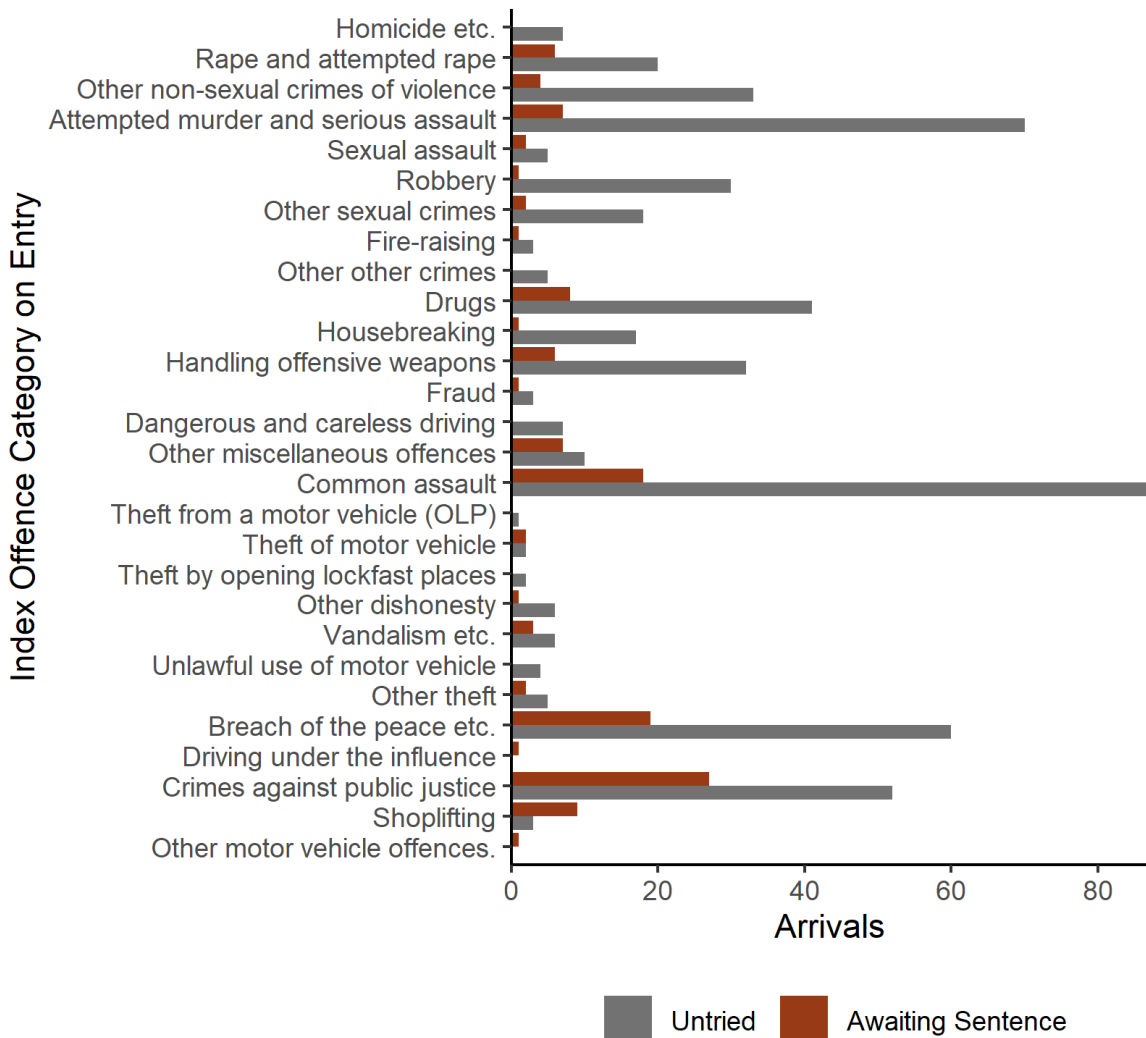


Status — Untried — Awaiting Sentence

Remand Arrival Offences

There were 658 un-sentenced arrivals to prison with known offence types in February, 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](#)

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.

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

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The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-80435-313-4 (web only)

Published by The Scottish Government, March 2022

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS1039210 (03/22)

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