



### An Official Statistics Publication for Scotland

#### Criminal court cases activity from Quarter 1 2014/15 to Quarter 4 2020/21

This is the twelfth statistical bulletin providing quarterly Official Statistics on first and second instance criminal case activity in the High, Sheriff, Justice of the Peace and Sheriff Criminal Appeal courts in Scotland.

#### Notice

In October 2020, to meet the needs of justice partners, court users and the media, the Scottish Courts and Tribunals Service commenced the publication of a monthly workbook of Management Information showing interim monthly business volumes and trends for first instance criminal cases calling at Scottish courts during the pandemic. The monthly workbook, which is not designated as Official Statistics, may be used alongside these quarterly Official Statistics. The workbook will be updated more frequently than this quarterly Official Statistics series and it contains an estimate of trials in the system without a trial diet fixed so that a forecast of scheduled trials can be provided. The impact of the pandemic has meant that some cases that would be expected to come to trial at a future date do not yet have a trial diet fixed and will therefore not be counted in the scheduled trial figures within these statistics. <http://www.scotcourts.gov.uk/official-statistics>

The Scottish Courts and Tribunals Service (SCTS) aims to provide the people, buildings and services to enable criminal cases to call in court. The statistics show the volume of criminal first and second instance court cases over time as they flow through court.

The statistics in this bulletin do not have information relating to accused persons in terms of what they were charged with or their resulting conviction or sentence as there are already well-established National Statistics on these aspects of criminal justice. This bulletin does not cover court cases relating to civil business. See the Scottish Government's website for statistics relating to criminal or civil justice: <http://www.gov.scot/Topics/Statistics/Browse/Crime-Justice>

#### **Commentary on high level trends in first instance criminal court case activity**

##### All Criminal Courts

There were 76,660 first instance criminal cases registered in Scottish courts in 2020/21 which is 27% less than the number registered in 2019/20.

The number of trials scheduled<sup>1</sup> is an indication of system capacity as it shows the volume of trial business at the end of each financial year or quarter. There has been an increase of 106% to 37,801 trials when scheduled trials at the end of March 2020 are compared to those still to call as at the end of March 2021. This is mostly attributable to Summary business

which saw trial diets being fixed for the priority cases that were entering pleas. In Solemn business, a trial diet can only be fixed when all parties are ready to go to trial.

The percentage of trials adjourned due to lack of court time fell from 2.9% in 2019/20 to 1.2% in 2020/21 – a drop of 1.7 percentage points.

Despite the challenging conditions due to the pandemic, 46,159 cases were concluded in 2020/21 – almost half the volume of those concluded in 2019/20.

### The High Court of Justiciary

The volume of indictments registered in the latest quarter sees a return to the 200 plus indictments that had been received for each quarter from 2017/18 Q4 to 2020/21 Q1.

The number of evidence led trials continues to grow from 106 in 2020/21 Q3 to 136 this quarter; an increase of 28%. This was due to remote jury centres running at full capacity enabling trials to proceed.

Trials scheduled<sup>1</sup> at the end of March 2021 is 267 which is a fall from the 390 reported as scheduled at the end of March 2020. This is due to few new trial diets having been fixed in the period alongside trial indictments concluding. There remains a significant number of Preliminary Hearings awaiting trial dates to be assigned.

In 2020/21, 455 indictments were concluded, compared with 806 in 2019/20.

### The Sheriff Court – solemn business

The volume of petitions registered is a useful indicator of future levels of solemn business as petitions tend to become registered indictments at the High Court or Sheriff Court. There were 11,076 petitions registered in 2020/21, a rise of 1,296 (13.3%) from 2019/20.

Indictments registered in 2020/21 have fallen by 11% to 4,851 when compared to 2019/20.

The number of trials scheduled<sup>1</sup> at the end of March 2021 saw an increase to 1,329.

Remote jury centres enabled 197 evidence led trials to proceed in the latter part of 2020/21, a return to pre-pandemic throughput.

The number of indictments concluded in 2020/21 stands at 3,286, which is 36% lower than in 2019/20. In 2020/21 Q4 this figure is 1,139 which is comparable to pre-pandemic levels.

### The Sheriff Court – summary business

Summary business in the Sheriff Court has seen a 17.4% decrease in the volume of complaints registered between 2019/20 and 2020/21 with an average of 13,500 complaints registered per quarter.

95% of domestic abuse court cases are heard at the Sheriff Summary Court and constitute 25% of the total summary complaints registered in the Sheriff Court in 2020/21. This figure is in line with previous years.

Sheriff Summary cases calling for trial during 2020/21 show a 42% reduction compared to the previous year. 2,721 trials were evidence led and 1.2% of trials were adjourned due to lack of court time.

Of the Sheriff Summary trials that called in 2020/21, 34% were domestic abuse cases and of those Sheriff Summary trials where evidence was led, 43% were domestic abuse cases. Both show an increase when compared to 2019/20 percentages.

The volume of Sheriff Summary trials scheduled<sup>1</sup> as at the end of March 2021 is 30,645 which has more than doubled since the end of March 2020.

Sheriff Summary complaints concluded in 2020/21 totalled 32,443 which is 57% of the volume in 2019/20. 29% of the Sheriff Summary cases concluded were domestic abuse cases - an increase of 5 percentage points from the 24% concluded in 2019/20.

### The Justice of the Peace Court

The Justice of the Peace Court has seen a reduction of almost 50% in the volume of cases registered between 2019/20 and 2020/21.

The number of evidence led trials dropped by 77% over the period 2019/20 to 2020/21.

The volume of trials scheduled<sup>1</sup> at the end of March 2021 has increased by 59% to 5,560 trials still to call when compared to the end of March 2020.

9,975 complaints were concluded in 2020/21, a third of the volume concluded in 2019/20 (30,686).

### **Commentary on high level trends in second instance criminal court case activity**

#### All criminal appeals

The volume of criminal appeals registered has dropped between 2014/15 and 2020/21 by 63% to 554 appeals.

Of the appeals registered in 2020/21, 13% relate to appeal solely against conviction, 73% to appeal solely against sentence and 14% to a joint appeal against conviction and sentence following the trend of previous years, showing that appeals solely against sentence continue to be the most common type of appeal.

Sustained appeals expressed as a percentage of registered appeals rose from 11% in 2014/15 to 29% in 2020/21. This is due to lower level of registered appeals impacting the percentage rather than a significant change in sustainment.

Appeals against sentence continue to be the appeal type most likely to be sustained which account for 84% of all sustained appeals in 2020/21.

Echoing the trends illustrated last year, 49% of appeals registered relate to summary business and 51% relate to solemn business. 92% of summary appeals are from Sheriff Court cases and 8% are from Justice of the Peace Court cases.

## Appeals at the High Court of Justiciary

Since the Sheriff Criminal Appeal Court commenced on 22<sup>nd</sup> September 2015, registration of appeals at the High Court of Justiciary have fallen following the introduction of the new appeal Court.

In 2020/21, 281 appeals were registered; under half the amount registered in 2019/20. In previous years approximately 600 appeals per year were received. Two in three relate to appeals solely against sentence.

There were 67 sustained appeals at the High Court with 81% of these being solely against sentence.

## Appeals at the Sheriff Criminal Appeal Court

In 2020/21, the Sheriff Criminal Appeal Court saw 273 appeals registered which is a decrease of 61% when compared to the 700 registered in 2016/17 – the first full financial year since the new appeal court commenced in September 2015. Four in five relate to appeals solely against sentence.

One third of appeals registered at the Sheriff Criminal Appeal Court were sustained. The most common type of successful appeal is solely against sentence at 87% of sustained appeals.

## **Data tables**

The Q4 2020/21 Excel workbook with interactive tables and charts is located on webpage: <http://www.scotcourts.gov.uk/official-statistics>

## **Background**

This is the twelfth bulletin in a series of quarterly reports on criminal court activity and can be viewed on webpage: <http://www.scotcourts.gov.uk/official-statistics>

## **Revisions and corrections**

There are no revisions or corrections to report.

## **Guidance on definitions and data**

*Note 1: The figures for scheduled trials should be treated with caution.*

The impact of the pandemic has meant that some cases that would be expected to come to trial at a future date do not yet have a trial diet fixed and will therefore not be counted in the scheduled trial figures within these statistics. The SCTS publish monthly figures that contain an estimate of trials in the system without a trial diet fixed so that a forecast of scheduled trials can be provided <http://www.scotcourts.gov.uk/official-statistics>

See the Glossary and Data Notes worksheet within the Excel workbook.

## **Shaping Scotland's Court Services**

As part of [Shaping Scotland's Court Services](#) work, a number of courts closed with relevant live business transferring to receiving courts.

Closed Court	Receiving Court
<i>End of November 2013</i>	
Annan JP Court Cumbernauld JP Court Dornoch Sheriff and JP Court Irvine JP Court Kirkcudbright Sheriff and JP Court Motherwell JP Court Portree JP Court Rothesay Sheriff Court Stornoway JP Court Wick JP Court	Dumfries JP Court Coatbridge JP Court Tain Sheriff and JP Court Kilmarnock JP Court Dumfries Sheriff and JP Court Hamilton JP Court Portree Sheriff Court Greenock Sheriff and JP Court Stornoway Sheriff Court Wick Sheriff Court
<i>End of May 2014</i>	
Arbroath Sheriff and JP Court Cupar Sheriff and JP Court Stonehaven Sheriff and JP Court	Forfar Sheriff and JP Court Dundee Sheriff and JP Court Aberdeen Sheriff and JP Court
<i>End of July 2015</i>	
Dingwall Sheriff and JP Court Duns Sheriff and JP Court Haddington Sheriff and JP Court Peebles Sheriff and JP Court	Inverness Sheriff and JP Court Jedburgh Sheriff and JP Court Edinburgh Sheriff and JP Court Selkirk Sheriff and JP Court

## Contacts

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Further information about Official and National Statistics in Scotland is available from <http://www.gov.scot/Topics/Statistics/producingstats>

Access to official statistics in their final form before they are published is restricted. The following list details who received pre-release access to the statistics in their final form within the maximum period of 5 working days before publication:

Executive Director, Court Operations, SCTS  
Director of Operations - Delivery, SCTS  
Principal Clerk of Session & Justiciary, SCTS  
Deputy Principal Clerk of Justiciary, SCTS  
Head of Corporate Communications, SCTS  
Media Officer, Corporate Communications, SCTS  
Web developer, Information Technology Unit, SCTS  
Head of Policy, Crown Office and Procurator Fiscal Service  
Statistician, Crown Office and Procurator Fiscal Service  
Statistician, Justice Analytical Services, Scottish Government  
Media Officer, Justice Communications, Scottish Government  
Policy Implementation Manager, Criminal Justice Division, Scottish Government

The next quarterly bulletin of Criminal Court statistics will be published in September 2021. The exact date of the report will be announced via the Scottish Government's Forthcoming Publications Schedule - <http://www.gov.scot/Topics/Statistics/ForthcomingPubs> at least 4 weeks in advance and on the SCTS' Official Statistics webpage <http://www.scotcourts.gov.uk/official-statistics>.