



An Official Statistics Publication for Scotland

Criminal court cases activity from Quarter 1 2014/15 to Quarter 4 2021/22

This statistical bulletin is part of a series 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. <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 85,567 first instance criminal cases registered in Scottish courts in 2021/22, which is a 12% increase from the volume registered in 2020/21 and is 81% of 2019/20 pre-COVID levels.

The number of trials scheduled¹ 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 8% to 40,923 trials when scheduled trials at the end of March 2022 are compared to those scheduled to call as at the end of March 2021.

65,297 trials were called in 2021/22, which is more than double the number called in 2020/21 (30,217). An additional sixteen trial courts were made available from September 2021 as part of a recovery programme.

The volume of evidence led trials that took place in 2021/22 was 7,505, more than double the number that occurred in 2020/21 (3,545) and 74% of the 2019/20 pre-COVID volume.

The percentage of trials adjourned due to lack of court time is 1.9% for 2021/22 which is 0.7 percentage points higher/ than in 2020/21 and 1 percentage point lower than in 2019/20.

82,147 cases were concluded in 2021/22 – an increase of 78% from 2020/21 and 87% of pre-COVID figures.

The High Court of Justiciary

There were 745 indictments registered in 2021/22 compared to 767 in 2020/21, representing a 3% decrease and 73% of pre-COVID levels.

577 evidence led trials took place in 2021/22, compared with 278 in 2020/21. This is 16% higher than pre-COVID volumes.

Trials scheduled¹ at the end of March 2022 is 560, up from 267 as at the end of March 2021 due to more cases now being progressed to trial. This is 44% higher than the number scheduled as at the end of March 2020.

756 indictments were concluded, which is an increase of 66% on the previous year (455) and 94% of pre-COVID levels.

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 11,769 petitions registered in 2021/22, a rise of 6% from 2020/21 and an additional 20% higher than 2019/20.

In 2021/22 the number of indictments registered is 5,759, an increase of 19% from 2020/21. This is 6% higher than pre-COVID volumes.

As at the end of March 2022, the number of trials scheduled¹ has gone up by 71% to 2,274 when compared to the end of March 2021 and is more than four times the number scheduled as at the end of March 2020.

The volume of evidence led trials in 2021/22 has gone up by 360% to 907 when compared to 2020/21 and is 80% of pre-COVID levels.

5,132 indictments were concluded in 2021/22, which is comparable to 2019/20 volumes (5,155) and an increase of 56% from 2020/21.

The Sheriff Court – summary business

Summary business in the Sheriff Court has seen a 3% rise in the volume of complaints registered between 2020/21 and 2021/22. This equates to 85% of 2019/20 volumes.

95% of domestic abuse court cases are heard at the Sheriff Summary Court. Domestic abuse cases make up 25% of the total summary complaints registered in 2021/22 in the Sheriff Court. This proportion is the same as in 2020/21, but is an increase of 2 percentage points when measured against 2019/20 levels.

Evidence led trials have risen 102% from 2,721 in 2020/21 to 5,503 in 2021/22 which equates to 79% of 2019/20 pre-COVID figure.

The percentage of trials adjourned due to lack of court time for 2021/22 shows an increase of 0.5 percentage points from 2020/21 and a decrease of 1.3 percentage points from 2019/20.

Domestic abuse cases account for 33% of Sheriff Summary trials called and 42% of those Sheriff Summary trials in which evidence was led.

The volume of Sheriff Summary trials scheduled¹ as at the end of March 2022, is 30,520, which is 0.4% lower than trials scheduled¹ as at the end of March 2021 and more than double the volume scheduled as at the end of March 2020. Domestic abuse scheduled¹ trials decreased by 21% to 5,844 between the end of March 2021 and March 2022.

2021/22 saw 54,201 complaints concluded which is a rise of 67% compared to the volume concluded in 2020/21 and 95% of the number concluded in 2019/20. Domestic abuse cases continue to account for three out of every ten cases concluded in the period.

The Justice of the Peace Court

The Justice of the Peace Court has seen a rise of 39% in the volume of cases registered between 2020/21 (16,932) and 2021/22 (23,557).

There were 518 evidence led trials in 2021/22, 48% more than in 2020/21.

0.8% of trials were adjourned due to lack of court time in 2021/22 which is comparable to 2020/21 and a drop of 1.6 percentage points from 2019/20.

The number of trials scheduled¹ at the end of March 2022 has increased by 36% to 7,569 when compared to the end of March 2021.

22,058 complaints were concluded in the 2021/22, a rise of 121% when compared to 2020/21, and 72% of the volume concluded in 2019/20.

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 2021/22 by 48% to 773 appeals.

Of the appeals registered in 2021/22, 15% relate to appeal solely against conviction, 65% to appeal solely against sentence and 20% 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 23% in 2021/22. 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 87% of all sustained appeals in 2021/22.

42% of appeals registered relate to summary business and 58% relate to solemn business. 95% of summary appeals are from Sheriff Court cases and 5% are from Justice of the Peace Court cases.

Appeals at the High Court of Justiciary

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

In 2021/22, 450 appeals were registered; 60% more than in 2020/21. In previous years, with the exception of 2020/21, approximately 600 appeals per year were received. 55% relate to appeals solely against sentence.

There were 80 sustained appeals at the High Court with 88% of these being solely against sentence.

Appeals at the Sheriff Criminal Appeal Court

In 2021/22, the Sheriff Criminal Appeal Court saw 323 appeals registered which is a decrease of 54% 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.

29% 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 2021/22 Excel workbook with interactive tables and charts is located on webpage: <http://www.scotcourts.gov.uk/official-statistics>

Background

This is the latest 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 solemn 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. This relates mostly to solemn business. 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
Director of Corporate Communications, SCTS
Media Officer, Corporate Communications, SCTS
Web developer, Change and Digital Innovation, 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 2022. 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>.