

Statistical Bulletin

Crime and Justice Series

A National Statistics Publication for Scotland

CRIMINAL PROCEEDINGS IN SCOTLAND, 2012-13

26 November 2013



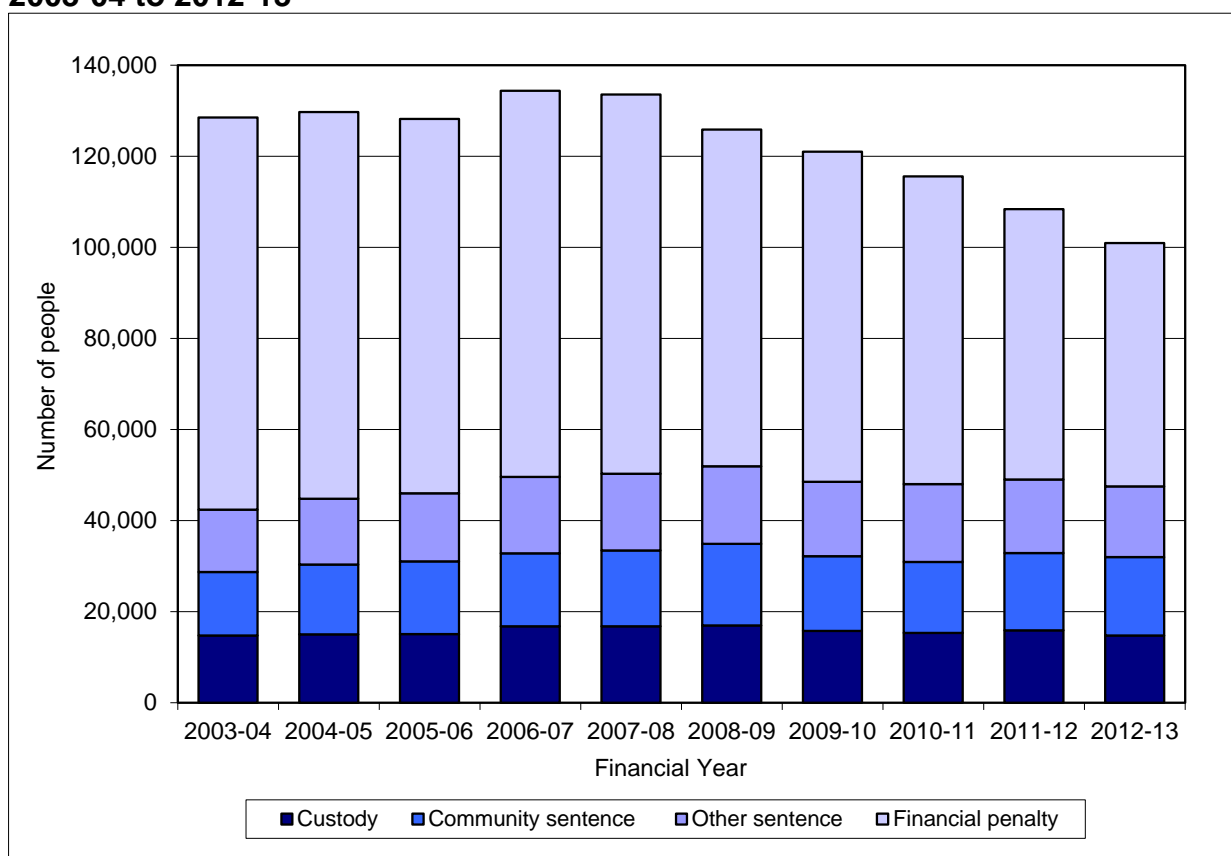
1. Introduction

1.1. This bulletin forms part of the Scottish Government series of statistical bulletins on the criminal justice system. Statistics are presented on criminal proceedings concluded in Scottish courts and on a range of non-court disposals issued by the police and by the Crown Office and Procurator Fiscal Service during the financial year 2012-13.

1.2. Further detailed tables have been published as background statistics on the Scottish Government Crime and Justice Statistics [website](#).

1.3. In 2012-13, the number of people proceeded against in Scottish courts fell by 7 per cent to 116,623 – the sixth consecutive annual fall since 2006-07 and the lowest figure seen within the ten year period covered in this bulletin. The number of people a charge proved in 2012-13 also fell by 7 per cent to 100,964 – at the same rate as the overall fall in proceedings (see [Chart 1](#)).

Chart 1: Number of people with a charge proved in Scottish courts by main penalty, 2003-04 to 2012-13



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2. Key Points for 2012-13

Further explanatory detail is provided in the commentary in [Section 3](#).

2.1. Court proceedings and convictions (Tables [1](#), [2](#), [3](#), [4a](#) and [Chart 2](#))

2.1.1. A total of 116,623 people were proceeded against in court in 2012-13, a decrease of 7 per cent on 2011-12. This is the lowest number seen since 2003-04 as well as the largest annual fall observed since 2003-04 (the period covered in this bulletin).

2.1.2. The total number of people convicted fell by 7 per cent to 100,964 in the one year to 2012-13. Eighty-seven per cent of people proceeded against in court had at least one charge proved or a guilty plea accepted, the same proportion as in 2011-12.

2.1.3. In the one year to 2012-13 the number of people convicted fell for nearly all crime groups excluding sexual crimes, which saw an 11 per cent increase overall (from 783 to 866). Higher numbers of sexual offences may be explained by a widening of the definition of rape in the new Sexual Offences (Scotland) Act 2009, which came into force in December 2010.

2.1.4. Convictions for all crimes of violence (excluding **homicide**) saw decreases. Convictions for **homicide** remained at around the same figure as in 2011-12 with 113 convictions in 2012-13.

2.1.5. In the one year to 2012-13, the number of people convicted increased for all crime types within the group sexual crimes (excluding **prostitution offences**). The number of convictions for **rape and attempted rape** increased by 57 per cent (from 49 to 77 in 2012-13), **sexual assault** by 37 per cent (from 150 to 206) and other **sexual crimes** rose by 15 per cent (from 384 to 441).

2.2. Court sentences (Tables [7](#) and [10\(c\)](#))

2.2.1. The use of all main penalties (excluding community sentences) fell in the year to 2012-13. Financial penalties continue to account for the majority (53 per cent or 53,423) of penalties though this proportion has fallen since 2003-04 as custodial and community sentences account for an increasing proportion of the total penalties given.

2.2.2. The number of convictions resulting in a custodial sentence decreased by 7 per cent in the year to 2012-13 (14,758) – falling at the same rate as the overall fall in convictions in the year to 2012-13. Custodial sentences account for 15 per cent of all penalties in 2012-13 increasing by 3 percentage points from 2003-04.

2.2.3. In the year to 2012-13 the number of short sentences (6 months or less) fell by 8 per cent (from 10,679 to 9,804), falling faster than the overall rate in convictions. This is mainly driven by an 11 per cent decrease in sentences of 4 to 6 months (from 6,152 to 5,470) while sentences of length 1 to 3 months fell by 4 per cent (from 4,527 to 4,334).

2.2.4. The average length of custodial sentences in 2012-13 was greater than 9 months (283 days), around the same as it was in 2011-12 and 10 per cent longer than the average custodial sentence in 2003-04. The crime types with the longest average sentences in 2012-13 were **homicide** (which increased by 7 per cent to 2,367 days (nearly six and a half years)) and **rape and attempted rape** (which increased 9 per cent to 2,414 days (over six and a half years)).

2.2.5. One in every six (or 17 per cent of) convictions in 2012-13 resulted in a community sentence, increasing from 11 per cent of the total in 2003-04. The total number of community sentences increased by 2 per cent in the year to 2012-13 (from 16,934 to 17,254). Community payback orders make up the vast majority of community sentences (86 per cent or 14,924).

2.3. Characteristics of offenders convicted in court (Tables [6\(a\)](#), [6\(b\)](#), [8\(c\)](#), [11](#) and [12](#))

2.3.1. The total number of convictions fell for offenders of all ages in the one year to 2012-13. The largest decreases were seen in people aged under 21 where numbers fell at much faster rates than the overall conviction rate. Convictions of males aged under 21 fell by 21 per cent (to 10,351 in 2012-13) while convictions for females aged under 21 fell by 17 per cent (to 1,615). These are the largest annual decreases that these age-sex groups have seen since 2003-04, the time period covered in this bulletin.

2.3.2. The peak rates of convictions for males per 1,000 population in 2012-13 were for males aged 21 to 25 and 26 to 30 groups with 87 and 86 convictions per 1,000 population, respectively. For the first time since 2003-04, in 2011-12, the rate of convictions per 1,000 population for males aged 18 and 19 fell below that of older males with the gap widening in 2012-13. There were 71 and 81 convictions per 1,000 population for males aged 18 and 19, respectively.

2.4. Bail and undertakings (Tables [13](#), [17](#) and [18](#))

2.4.1. The total number of bail orders made by Scottish courts in 2012-13 was 44,038, falling by 7 per cent in the year to 2012-13 (from 47,607 to 44,038). This decrease is in line with the fall in volumes of court proceedings, overall. In 2012-13, the total number of people released on an undertaking to appear in court was 22,819, falling by 13 per cent in the year to 2012-13.

2.4.2. Other than committing an offence while on bail, there were 8,438 other bail-related offences in 2012-13 (e.g. breach of bail conditions, such as failure to appear in court after being granted bail), a decrease of 5 per cent on 2011-12. The number of bail-related offences as a percentage of bail orders granted remained at 19 per cent.

2.5. Non-Court Disposals (Tables [19](#) to [28](#))

2.5.1. Overall the use of police disposals increased by 2 per cent to 68,678 in 2012-13. This is driven by the use of anti-social behaviour fixed penalty notices (ASBFPNs) which account for 80 per cent of all police disposals in 2012-13. In 2012-13, 54,665 ASBFPNs were issued to people as a main penalty, increasing by 2 per cent from 2011-12.

2.5.2. In 2012-13, the use of disposals from the Crown Office and Procurator Fiscal Service (COPFS) increased by 8 per cent (from 67,341 to 72,840). Two thirds (66 per cent) of COPFS disposals in 2012-13 were fiscal fines; 47,819 people were issued with a fiscal fine as a main penalty (up 13 per cent from 2011-12), and 21,638 people were issued a fiscal fixed penalty (up 3 per cent).

2.5.3. Two-thirds (64 per cent) of fiscal fines in 2012-13 were issued to males, a third (35 per cent) of which were issued for **drug** offences. Of the 17,360 fiscal fines issued to females, the most common offence for which they were given were **Communications Act offences** (mainly TV licensing offences) – accounting for 66 per cent of the total number of fiscal fines given to females.

3. Commentary

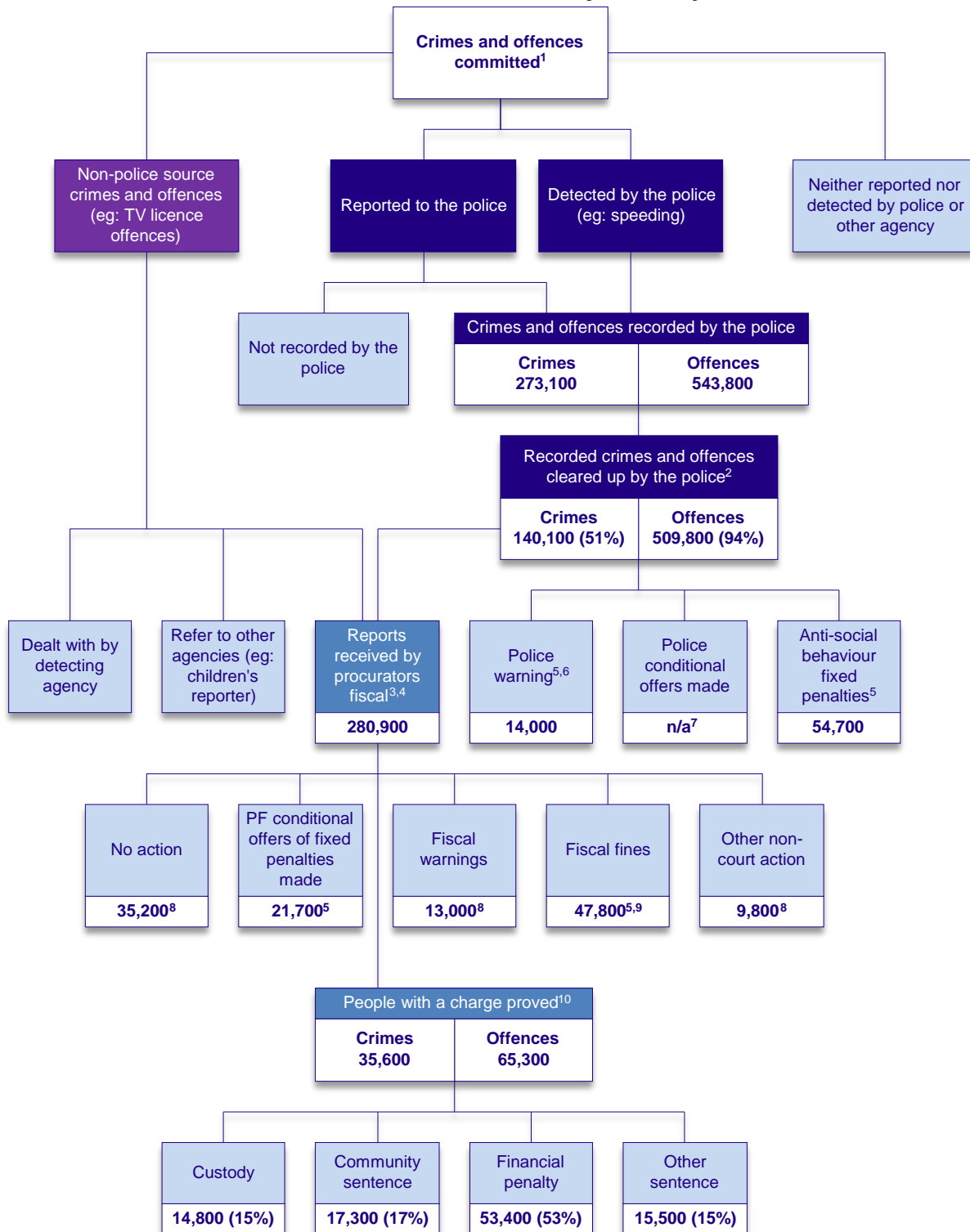
3.1. Criminal Proceedings in Context

[Table 1](#), [Table 19](#), [Chart 2](#)

- 3.1.1. Contraventions of the law are classified (see [Annex D](#)) into crimes and offences. This distinction is made only for statistical reporting purposes and the 'seriousness' of the offence is generally related to the maximum sentence that can be imposed. [Table 1](#) and [Chart 2](#) provide a summary of known action in the criminal justice system.
- 3.1.2. The statistical publication, [Recorded Crime in Scotland 2012-13](#), was published in June 2013. It shows that the total number of crimes recorded by the police in 2012-13 was 273,053, 13 per cent lower than in 2011-12. The proportion of recorded crimes cleared up by the police in 2012-13 increased by 2 percentage points from 49 per cent in 2011-12 to 51 per cent in 2012-13. A crime is regarded as 'cleared-up' where there is a sufficiency of evidence under Scots law to justify consideration of criminal proceedings.
- 3.1.3. The number of offences recorded by the police in 2012-13 (543,768) increased by less than 1 per cent on the total in 2011-12 (542,315). The number of recorded offences cleared up by the police in 2012-13 (509,786) also increased by less than 1 per cent compared to 2011-12. The clear-up rate was 94 per cent and has been around this figure over the past four years.
- 3.1.4. 'Clear-ups' do not necessarily result in a report being sent by the police to the procurator fiscal. The [Antisocial Behaviour \(Scotland\) Act 2004](#) allowed the police to issue Anti-Social Behaviour Fixed Penalty Notices (ASBFPNs) for a range of offences, in addition to other types of [police disposals](#). In 2012-13, 54,665 people were issued with ASBFPNs as a main penalty and 8,235 people received a formal adult warning.
- 3.1.5. In 2012-13, the police issued 567 [restorative justice warnings](#) to [juveniles](#). In addition, where the alleged offender is a [juvenile](#), a referral can be made to the children's reporter. One outcome of that process is for the police or the reporter to issue a warning letter to the offender; 1,326 such [warning letters](#) were issued in 2012-13.
- 3.1.6. Owners of defective vehicles can avoid possible court proceedings, by having their vehicle repaired within a given period (Vehicle Defect Rectification Scheme). Alternatives to court proceedings for moving motor vehicle offences are police conditional offers of a fixed penalty and procurator fiscal fixed penalty notices. It is not known how many alleged offenders are otherwise dealt with using discretion, informally by the police or by other agencies.

- 3.1.7.** Referrals or reports often include more than one crime or offence. Reports to the procurator fiscal may also involve more than one person. Thus, there is no direct relationship between the number of crimes and offences recorded by the police and the number of disposals resulting from the action of other agencies within the criminal justice system. In addition, many offences included in this bulletin, such as failure to pay a television licence, are reported to the procurator fiscal by specialist reporting agencies such as TV Licensing. Where crimes or offences are recorded and cleared up by the police, any action by the procurator fiscal (or other action) does not necessarily occur in the same year.
- 3.1.8.** In 2012-13, the procurator fiscal received 280,942 criminal reports (from the police and other specialist reporting agencies), an increase of 2 per cent compared with 2011-12. Prosecution in court is only one of a range of possible options the procurator fiscal has for dealing with people who have been charged. Other actions include the use of a range of non-court-based actions such as fiscal fines, compensation orders, fixed penalties, diversion to social work and other agencies, warnings and referrals to the children's reporter, or a decision to take no action. In 2012-13, the Criminal History System (CHS) included 47,819 people issued with fiscal fines as a main penalty and 21,638 people issued with fiscal fixed penalties. More details are available on this newer data extraction in notes [B7](#) to [B9](#), [C5](#) and [D3](#).

Chart 2: Overview of action within the criminal justice system 2012-13



1. Figures rounded to the nearest 100.
2. Crimes recorded in 2012-13 may not be cleared up or dealt with until 2013-14 or later.
3. A report to the procurator fiscal may involve more than one crime or offence and more than one alleged offender.
4. Reports to the fiscal on non-criminal matters such as sudden deaths, are not included in this total.
5. Number of people from CHS.
6. Includes formal adult warnings, restorative justice warnings, warning letters and other police warnings.
7. Following consultation, figures for motor vehicle offences are no longer collated centrally.
8. Number of cases; data [from Crown Office](#).
9. Figures relate to cases which were closed as offer deemed accepted.
10. Figures for people with a charge proved count the number of occasions on which a person is convicted.

A number of outcomes may result in subsequent prosecutions or referrals to other agencies, for example if a condition such as payment of a fixed penalty is not complied with. For simplicity, these pathways are not shown in the diagram.

3.2. People Proceeded Against in Court

[Tables 1](#) and [2](#)

Unless otherwise stated, references in this bulletin to the crime or offence group for which a person is proceeded against or convicted relate to the main charge involved; the main charge is defined in [Annex C](#). The final column of [Table 4\(a\)](#) provides counts of individual offences with a charge proved regardless of whether or not they were the main offence involved.

- 3.2.1. The number of **people proceeded against** in court decreased to 116,623 in 2012-13. This represents a fall of 7 per cent from the corresponding figure of 124,787 from 2011-12. Where a person is subject to two (or more) separate proceedings, they will be counted two (or more) times in this total.
- 3.2.2. Eighty-seven per cent of people proceeded against in court in 2012-13 were convicted after being found guilty of at least one charge. This equates to a total of 100,964 convictions. Four per cent were acquitted on a 'not guilty' verdict, and around 1 per cent on a 'not proven' verdict. The remaining 9 per cent either had their case deserted by the prosecution or had a plea of 'not guilty' accepted. These proportions are broadly the same as in 2011-12.
- 3.2.3. Of all 5,680 people acquitted after trial in 2012-13, 17 per cent received a not proven verdict. This figure was around the same in 2011-12.
- 3.2.4. Acquittal rates vary by crime group. The highest rate of 'not guilty' verdicts was seen in **rape and attempted rape** where 28 per cent of the 138 people proceeded against were acquitted. **Serious assault and attempted murder** and **sexual assault** also had high acquittal rates in 2012-13 when compared to the other crimes and offences. Eighteen per cent of people proceeded against for **serious assault and attempted murder** and 18 per cent of those proceeded against for **sexual assault** were acquitted on 'not guilty' verdicts after trial.
- 3.2.5. The proportion of people receiving a 'not proven' verdict was also highest for **rape and attempted rape** (15 per cent) and **sexual assault** (11 per cent) in 2012-13.
- 3.2.6. Twenty-nine per cent of people proceeded against for **theft of a motor vehicle** had a plea of not guilty accepted or had the case against them deserted. This figure is unchanged from 2011-12.

3.3. People Convicted (by court)

[Table 3](#)

- 3.3.1.** In 2012-13, there were a total of 100,964 convictions, a 7 per cent decrease in the number of convictions from 108,378 in 2011-12. This represents a fall of 25 per cent from the peak of 134,413 convictions in 2006-07.
- 3.3.2.** All courts saw a decrease in the number of convictions between 2011-12 and 2012-13, excluding sheriff solemn which saw convictions increase by 4 per cent. Convictions in sheriff summary and [Justice of the Peace](#) (JP) courts each fell by 7 per cent between 2011-12 and 2012-13 against an overall 3 per cent increase in the number of convictions on indictment (High Court and sheriff solemn) - where more serious crimes are dealt with.
- 3.3.3.** Fifty-six per cent of all convictions were in sheriff summary courts, the same proportion as in 2011-12 but lower than in 2003-04 (where it was 60 per cent). Convictions in JP courts fell to 39,636 in 2012-13 and account for nearly two in every five convictions (39 per cent).
- 3.3.4.** High Court and sheriff solemn courts accounted for 5 per cent of all convictions in 2012-13 – this figure has been relatively stable since 2003-04. Recording delays mean that the figures for High Court convictions in 2012-13 may be slight underestimates.

3.4. People Convicted (by crime/offence)

[Tables 4\(a\)](#) and [4\(b\)](#)

- 3.4.1.** Overall, the total number of convictions for all crimes and offences fell by 7 per cent between 2011-12 and 2012-13, the largest annual percentage fall observed since 2003-04. In the one year to 2012-13 there was a 9 per cent fall in convictions for all crimes (from 39,192 in 2011-12 to 35,628 in 2012-13). This is the largest annual fall (both in relative and absolute terms) in convictions for all crimes (i.e. excluding offences) that has been observed since 2003-04. This represents a 24 per cent decrease in convictions for all crimes since 2006-07 (where convictions peaked).
- 3.4.2.** Similarly, the number of convictions for all offences fell by 6 per cent (from 69,186 in 2011-12 to 65,336 in 2012-13) and by a quarter (25 per cent) since 2006-07.

By crime group

- 3.4.3.** Between 2011-12 and 2012-13 there were decreases in the number of convictions in all but four crime types (with **homicide** remaining unchanged). **Rape and attempted rape, sexual assault and other sexual crimes** all saw increases in the year to 2012-13 (including the largest annual increases for these crime types seen since 2003-04):
- Convictions for **rape and attempted rape** saw a 57 per cent increase (49 in 2011-12 to 77 in 2012-13);
 - Convictions for **sexual assault** saw a 37 per cent increase (150 in 2011-12 to 206 in 2012-13); and
 - Convictions for **other sexual crimes** increased by 15 per cent (from 384 in 2011-12 to 441 in 2012-13).

- 3.4.4. Higher numbers of sexual offences may in part be explained by a widening of the definition of rape in the new Sexual Offences (Scotland) Act 2009, which came into force in December 2010 and by increased reporting in the wake of high-profile cases.
- 3.4.5. The number of convictions for **homicide** remained unchanged in the year to 2012-13, with 113 convictions in 2012-13. The statistical publication [Homicide in Scotland 2012-13](#) reported that in the one year to 2012-13 there was a 32 per cent decrease in the number of homicides reported. The Homicide in Scotland publication excludes all cases of causing death by dangerous driving, causing death by careless driving when under the influence of drink or drugs, causing death by careless driving, illegal driver involved in fatal accident and corporate homicide which are all included in the Criminal Proceedings crime type of **homicide**. It would therefore be expected that statistics from Criminal Proceedings would be higher than expected based on the Homicide in Scotland statistics. Of the crime types where convictions fell between 2011-12 and 2012-13:
- **Other violence** fell by 41 per cent from 379 in 2011-12 to 223 in 2012-13;
 - **Prostitution offences** fell by 29 per cent from 200 in 2011-12 to 142 in 2012-13; and
 - **Handling an offensive weapon** and **fraud** each fell by around a quarter. **Handling an offensive weapon** fell by 24 per cent from 2,278 in 2011-12 to 1,733 in 2012-13 and **fraud** fell by 23 per cent from 811 in 2011-12 to 623 in 2012-13.
- 3.4.6. As a proportion of all crimes, convictions for crimes of dishonesty (which is mainly **shoplifting** and **theft**) and other crimes (mainly **crimes against public justice** and **drug** offences) account for the vast majority (84 per cent) of convictions in 2012-13. More serious crime groups, specifically non-sexual crimes of violence and sexual crimes account for under one in every ten (8 per cent) of convictions. These proportions have been around the same since 2003-04.

By offence group

- 3.4.7. Decreases were observed in all offence groups between 2011-12 and 2012-13 with the only exception being **breach of the peace**. **Breach of the peace** has seen a 3 per cent increase from 12,544 in 2011-12 to 12,935 in 2012-13. This is the second consecutive increase of this magnitude after falling four years in a row from a peak of 18,104 in 2006-07.
- 3.4.8. Convictions for **drunkenness** fell by 18 per cent (from 124 in 2011-12 to 102 in 2012-13); convictions for **drunkenness** account for less than 1 per cent of all offence convictions. Convictions for **common assault** fell by 8 per cent from 14,207 in 2011-12 to 13,039 convictions in 2012-13.
- 3.4.9. Of motor vehicle offences, in the one year to 2012-13, convictions for **vehicle defect offences** fell by 17 per cent (from 1,504 to 1,241). **Unlawful use of vehicle** offences saw its fifth annual consecutive decrease, falling by 13 per cent in the year to 2012-13 (from 9,002 to 7,842) and **drink/drug driving** convictions fell by 11 per cent (from 5,287 to 4,730).

- 3.4.10.** As a proportion of all offences, convictions for **common assault** and **breach of the peace** make up two in every five (40 per cent) of the convictions while **speeding** and **unlawful use of a vehicle** account for 30 per cent of all offence convictions. These proportions have remained around the same since 2003-04.

3.5. People Convicted (by age and gender)

[Tables 5, 6\(a\), 6\(b\) and 12](#)

- 3.5.1.** In the one year to 2012-13, the number of convictions per 1,000 population fell from 25 to 24. Overall, the rate of convictions has been falling year on year since 2006-07, mainly driven by a fall in the rate of males convicted.
- 3.5.2.** The overall rate of convictions per 1,000 population has been falling for both males and females (with the rate falling more slowly for females). In the one year to 2012-13 the rate of females convicted remained at 8 per 1,000 population (falling by 2 per 1,000 since 2003-04), while the comparable rate for males fell from 43 to 40 in 2012-13 (falling by 14 per 1,000 population since 2003-04). The rate of males with a charge proved is higher than the rate of females, in each of the age categories presented in [table 5](#).
- 3.5.3.** The peak rates of convictions per 1,000 population for males are in the age groups 21 to 25 and 26 to 30 (87 and 86 respectively). Since 2003-04, males aged 18, 19 and 20 generally had the highest rates of convictions. The rate of convictions for all age groups have generally been falling for the past five years, with the rate of convictions per population falling for younger males much faster than older males.
- 3.5.4.** In 2011-12 the rate of convictions for males aged 18 and 19 fell below that of males aged 21 to 25 and the gap widened in 2012-13 as the rate of convictions for younger males continued to fall faster than it has for older males. There were 71 and 81 convictions per 1,000 population for males aged 18 and 19, respectively (compared to the peak rates of 87 and 86 for males aged 21 to 25 and 26 to 30, respectively).
- 3.5.5.** The peak age range for female convictions per 1,000 population is in the age groups 26 to 30 (with 17 convictions per 1,000 population). Females aged 26 to 30 have had the highest rate of convictions per 1,000 population since 2008-09. In the year to 2012-13, the greatest change in the rate of convictions for females is in the age 19 group, where the charges proved per 1,000 population has fallen by 22 per cent.
- 3.5.6.** The greatest change in rate in the one year to 2012-13 is in males aged 18; the rate of convictions has fallen by 20 to 71 convictions per 1,000 population in 2012-13. Since 2003-04 the rate of convictions for males aged 18 has fallen by 107 convictions per 1,000 population.
- 3.5.7.** Males account for 84 per cent of all convictions in 2012-13 (where the gender was known), unchanged in the last year. More males than females were convicted in all crime/offence categories except for **offences associated with prostitution**. Other crime types with high proportions of female convictions include **other violence** (38 per cent), **fraud** (31 per cent) and **shoplifting** (27 per cent).

- 3.5.8.** In 2012-13, **common assault** was the most common offence for people under the age of 30. Of all the crimes and offences for which females aged under 21 were convicted, one-third (33 per cent) were in the crime category **common assault**, while 16 per cent of females aged 21 to 30 were convicted for **common assault** (and a further 13 per cent for **shoplifting**). For males, 19 per cent of those under 21, and 14 per cent of males aged 21 to 30, were convicted of **common assault**.
- 3.5.9.** Convictions for the crime group motor vehicle offences accounted for higher proportions of male and female convictions for those aged over 30; 42 per cent for males and 40 per cent for females. This compares to the under 21 age group where 19 per cent for males and 15 per cent for females were convicted of motor vehicle offences. **Speeding** is the offence for which males and females aged over 30 are most commonly convicted (16 per cent and 13 per cent, respectively).

3.6. Sentencing

[Tables 7, 8\(a\), 8\(b\), 8\(c\), 9, 10\(a\), 10\(b\), 10\(c\), 11, 12, Charts 3 and 4](#)

It should be noted that sentencing is affected by, amongst other things, the particular circumstances of each crime/offence, offending history and offender background.

Homicide

- 3.6.1.** **Homicide** comprises murder and culpable homicide (including the statutory crimes of causing death by dangerous or careless driving or causing death by careless driving while under the influence of drink or drugs, or when driving illegally). Non-custodial sentences for **homicide** are mostly related to motor vehicle fatalities.
- 3.6.2.** The proportion of people convicted of **homicide** who were given a custodial sentence is around the same as in 2011-12 (falling by 2 percentage points from 83 to 81 per cent). The average custodial sentence length is 7 per cent longer than in 2011-12, increasing to just under six and a half years (2,367 days). However, this is 10 per cent shorter than the ten year peak of 2,630 (over 7 years) in 2007-08.

Rape

- 3.6.3.** In 2012-13, of the 77 people convicted of **rape and attempted rape**, 71 (92 per cent) were given a custodial sentence. Of the six people not given a custodial sentence, three were convicted of **rape** and the other three of **attempted rape**. **Rape and attempted rape** attracted the longest average custodial sentences of all crime types in 2012-13, increasing by 9 per cent in the year to 2012-13 - 2,414 days or over six and a half years.
- 3.6.4.** The average sentence length for **rape and attempted rape** has followed a similar trend to that of **homicide** over the past five years – peaking in 2007-08 at 2,682 days (over seven years) in 2007-08.

Custodial sentences

- 3.6.5.** Custodial sentences represent 15 per cent of all court disposals in 2012-13. This proportion remains unchanged from 2011-12 and is 3 percentage points higher than in 2003-04.
- 3.6.6.** The number of convictions resulting in a custodial sentence fell by 7 per cent in the year to 2012-13 (from 15,911 to 14,758) – decreasing at the same rate as the total number of convictions. This is the largest relative annual decrease in the number of convictions observed since 2003-04.
- 3.6.7.** Overall, the average length of custodial sentences in 2012-13 was over 9 months (283 days) falling marginally by 1 per cent in the year to 2012-13 (from 286 days). The average sentence length has been around this figure since 2009-10 though it is 24 per cent longer than the lowest figure observed in the past ten years of seven and a half months (229 days) in 2005-06.
- 3.6.8.** Custody is the most frequently used sentence for most types of crime involving violence, including the sexual crimes of **rape and attempted rape** and **sexual assault**.
- 3.6.9.** Other crime types (excluding those of a violent and sexual nature) that also attracted high proportions of custodial sentences in 2012-13 were:
- Over half (54 per cent) of **housebreaking** convictions received custodial sentences – unchanged from 2011-12;
 - Nearly half (47 per cent) of **fire-raising** convictions received a custodial sentence – up six percentage points from 2011-12;
 - Forty-five per cent of convictions for **theft by opening a lock fast place** attracted custodial sentences – up five percentage points from 2011-12.

All have reached their highest levels since 2003-04.

- 3.6.10.** Other crime types which had reached or maintained their highest rates of custodial sentences in 2012-13 were **other sexual crimes** (28 per cent); **theft of a motor vehicle** (31 per cent); **other theft** (30 per cent); **fraud** (29 per cent); and **handling an offensive weapon** (38 per cent).
- 3.6.11.** The proportion of convictions for **handling an offensive weapon** which attracted a custodial sentence in 2012-13 has increased by 16 percentage points since 2003-04.
- 3.6.12.** In 2003-04 over one-fifth (22 per cent) of convictions for **handling an offensive weapon** resulted in custody increasing to one in three (or 38 per cent) in 2012-13. The increase in use of custodial sentences for **handling an offensive weapon** has been seen alongside an increase in the average sentence length for those sentences.
- 3.6.13.** The average custodial sentence length for **handling an offensive weapon** has seen its eighth consecutive annual increase, increasing by 11 per cent to 346 days (over 11 months) – reaching its highest level since 2003-04.

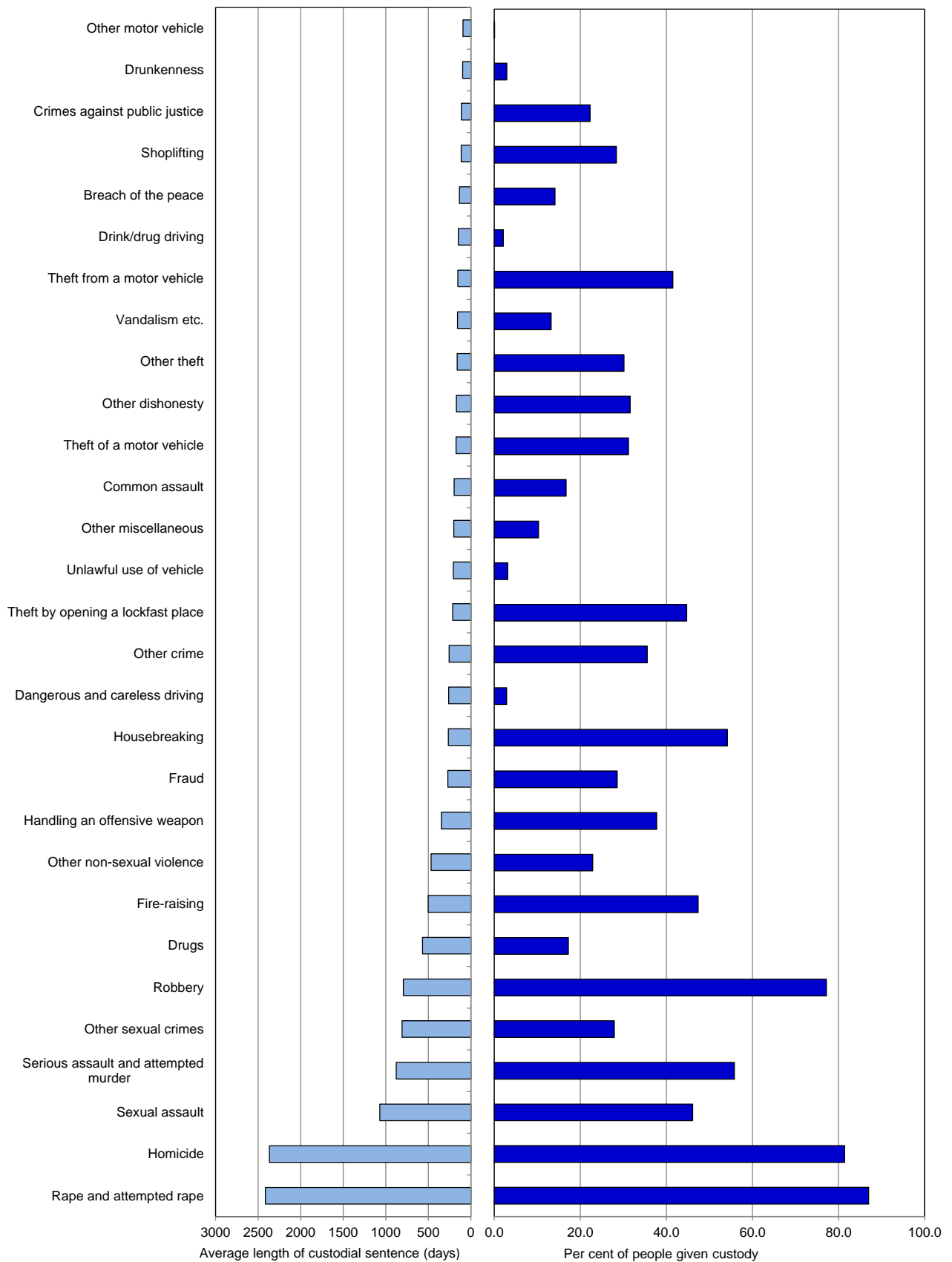
- 3.6.14.** Other crime types which have seen relatively large changes in the rate of custodial sentences since 2003-04 include:
- **Fraud** – around one in ten (11 per cent) of convictions resulted in custody in 2003-04 increasing to 29 per cent in 2012-13; and
 - **Fire-raising** - increasing from 31 per cent in 2003-04 to 47 per cent in 2012-13.
- 3.6.15.** Between 2011-12 and 2012-13 decreases in the average length of custodial sentences were seen in a number of the more serious crimes.
- The average custodial sentence length for **serious assault and attempted murder** fell by 10 per cent between 2011-12 and 2012-13 to 876 days (nearly two and a half years).
 - **Sexual assault** sentences were, on average, 14 per cent shorter than in 2011-12, falling to 1,070 days (nearly three years). This was the second consecutive annual decrease since 2010-11.
- 3.6.16.** The average sentence length increased for a range of other crimes and offences, some of which are typically dealt with in summary courts. This may therefore be related to the continuing use of police and procurator fiscal disposals for some of the less serious cases in relevant crime categories meaning that the more serious crimes would be heard in court, resulting in an increase in the average sentence length. For example; the average custodial sentence for:
- **Theft by opening a lockfast place** increased by 13 per cent to 214 days (around seven months); and
 - **Fraud** increased by 23 per cent to 270 days (nearly nine months) after being relatively stable since 2007-08.

In both these examples, the average sentence lengths are longer than at any other point since 2003-04.

- 3.6.17.** Twenty-nine per cent (or 4,334) of all custodial sentences in 2012-13 were for three months or less which is around the same as in 2011-12 but 24 percentage points lower than in 2006-07 where the number of very short sentences (i.e. sentences up to and including 3 months) peaked. Overall, sentences up to and including 6 months account for two-thirds (66 per cent) of all custodial sentences.
- 3.6.18.** The total number of sentences of length 6 months or less fell by 8 per cent, in the one year to 2012-13. The number of very short sentences (i.e. 1 to 3 months) fell by 4 per cent (from 4,527 in 2011-12 to 4,334 in 2012-13) while over the same period the number of sentences of length 4 to 6 months fell by 11 per cent (from 6,152 in 2011-12 to 5,470 in 2012-13). Sentences over 6 months fell by 6 per cent (from 5,219 in 2011-12 to 4929 in 2012-13).
- 3.6.19.** The only crime types where the majority of custodial sentences are over 2 years are **homicide** and **rape and attempted rape**; 94 per cent of custodial sentences for **homicide** and 97 per cent of custodial sentences for **rape and attempted rape** are more than 2 years.

- 3.6.20.** Crimes of violence and sexual crimes were the most likely to attract long custodial sentences. In 2012-13, only 1 per cent of custodial sentences for the crime group crimes of dishonesty were over two years whereas the corresponding proportions for non-sexual crimes of violence and sexual crimes were 42 and 53 per cent respectively.
- 3.6.21.** Overall, 92 per cent of all custodial sentences were two years or less. Fifty-eight per cent of custodial sentences for non-sexual crimes of violence and 96 per cent of custodial sentences for **handling an offensive weapon** were for a period of up to 2 years.

Chart 3: Average sentence length (excluding life sentences) and per cent receiving custody, by crime or offence group, 2012-13



Community sentences

- 3.6.22.** Seventeen per cent (or 17,254) of all convictions in 2012-13 resulted in a main penalty of a community sentence – increasing by 2 per cent in the year to 2012-13. Community disposals account for a higher proportion of the total court disposals than they did in 2003-04, increasing by 6 percentage points from 11 per cent.
- 3.6.23.** February 2011 saw the introduction of Community Payback Orders (CPO), making 2011-12 the first full financial year for which this disposal was available. CPOs can only be given for crimes committed after 1 February 2011 and as such there are still a small number of old community disposals (such as probation orders and community service orders) being given in 2012-13.
- 3.6.24.** Eighty-six per cent of all community sentences in 2012-13 were CPOs. The number of CPOs handed out in court increased by 44 per cent from 10,380 in 2011-12 to 14,924 in 2012-13. The number of probation and community sentence orders have decreased as they are increasingly being replaced by the use of the new CPO sentence.
- 3.6.25.** In 2012-13, two-fifths (44 per cent) of all community sentences were for miscellaneous offences; over one-fifth (23 per cent) were for **common assault** and a further 16 per cent were for **breach of the peace**.
- 3.6.26.** Over half (56 per cent) of **other sexual crimes** received community sentences, an increase of 3 percentage points from 2011-12. Other crime types which attracted high rates of community sentences were:
- **Sexual assault** - 47 per cent and constant from 2011-12;
 - **Other violent crimes** - 38 per cent representing a 4 percentage point increase from 2011-12;
 - **Fire-raising** - 37 per cent, falling by 2 percentage points from 2011-12; and
 - **Handling an offensive weapon** where 37 per cent of convictions received a community sentence, increasing by 2 percentage points from 2011-12.

Financial penalties

- 3.6.27.** As a proportion of all penalties imposed, financial penalties (which include a small number of compensation orders) have been steadily decreasing, falling 14 percentage points from over two-thirds (67 per cent) of all sentences in 2003-04 to over half (53 per cent) in 2012-13.
- 3.6.28.** The use of fines, the most common main penalty imposed by courts, fell 10 per cent from 58,395 in 2011-12 to 52,654 in 2012-13. This may be, in part, a result of some of those offences likely to have previously been punished by fines now being dealt with outside the court with police or COPFS disposals.

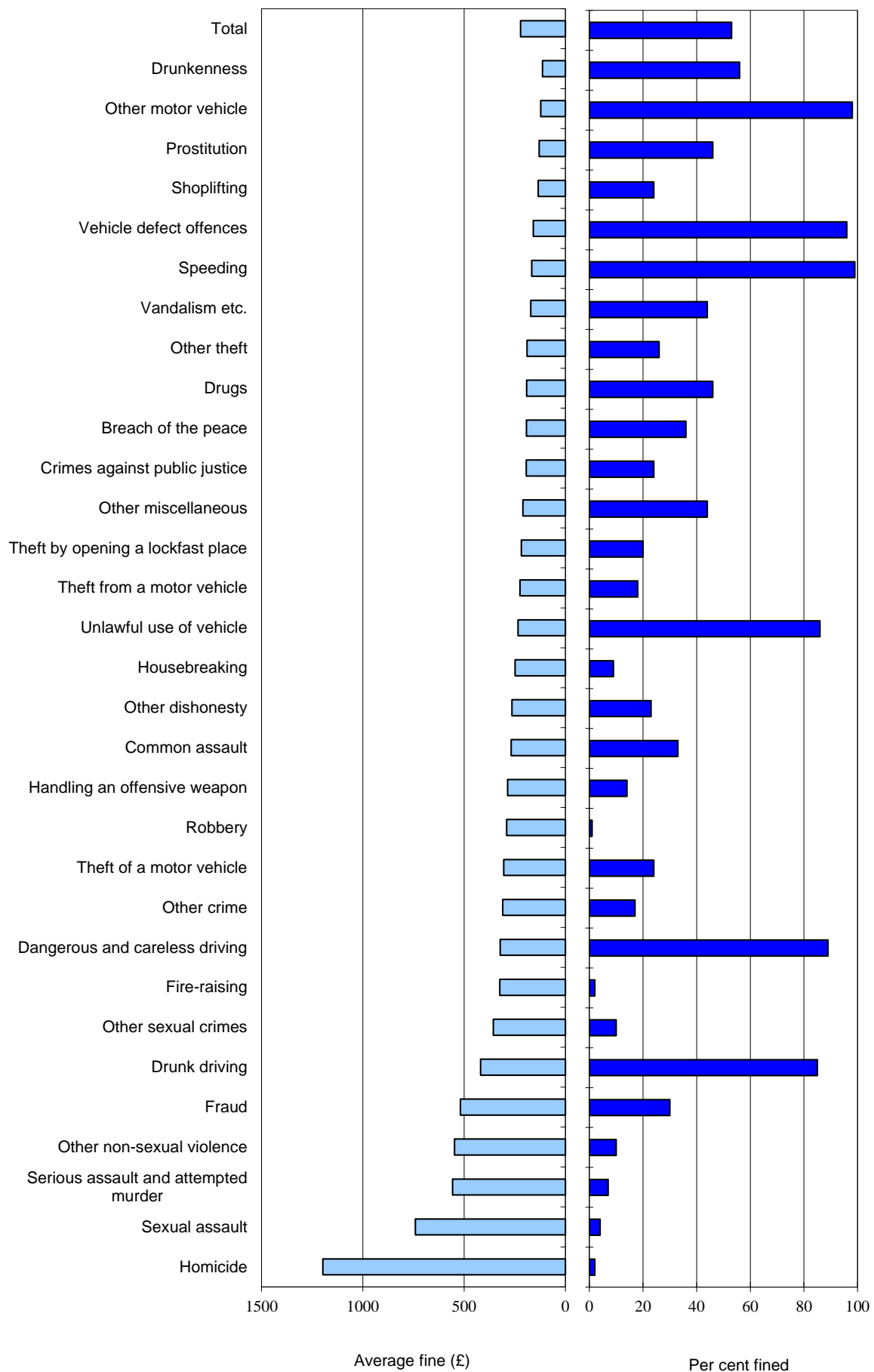
- 3.6.29.** In 2012-13, 93 per cent of convictions for motor vehicle offences resulted in a financial penalty – the same proportion as in 2011-12. Other crime/offence types which attracted high proportions of fines in 2012-13 include **drunkenness** (56 per cent), **drug** offences (46 per cent) and **prostitution offences** (46 per cent). These crime types also had high proportions of fines in 2011-12.
- 3.6.30.** The average fine imposed by courts on individuals (excluding companies) in 2012-13 was around £245, increasing from £241 in 2011-12, in cash terms¹.
- 3.6.31.** The use of compensation orders as a main penalty fell by 17 per cent to 769 in the year to 2012-13; the average compensation order imposed by courts, either as the main or secondary penalty, was £439 in 2012-13 up 3 per cent from 2011-12, in cash terms. The average cash value of a compensation order has more than doubled since 2003-04.

Other sentences

- 3.6.32.** In 2012-13, 15,010 people were admonished (which includes a small proportion who were cautioned). This represented 15 per cent of all convictions in 2012-13. This sentence was the most frequent outcome for **prostitution offences** (51 per cent) and **crimes against public justice** (33 per cent).

¹ Year-on-year comparisons for fines and compensation orders are in cash terms, and have therefore not been adjusted for inflation.

Chart 4: Average fine and per cent fined by crime or offence group, 2012-13
 (Excludes companies)



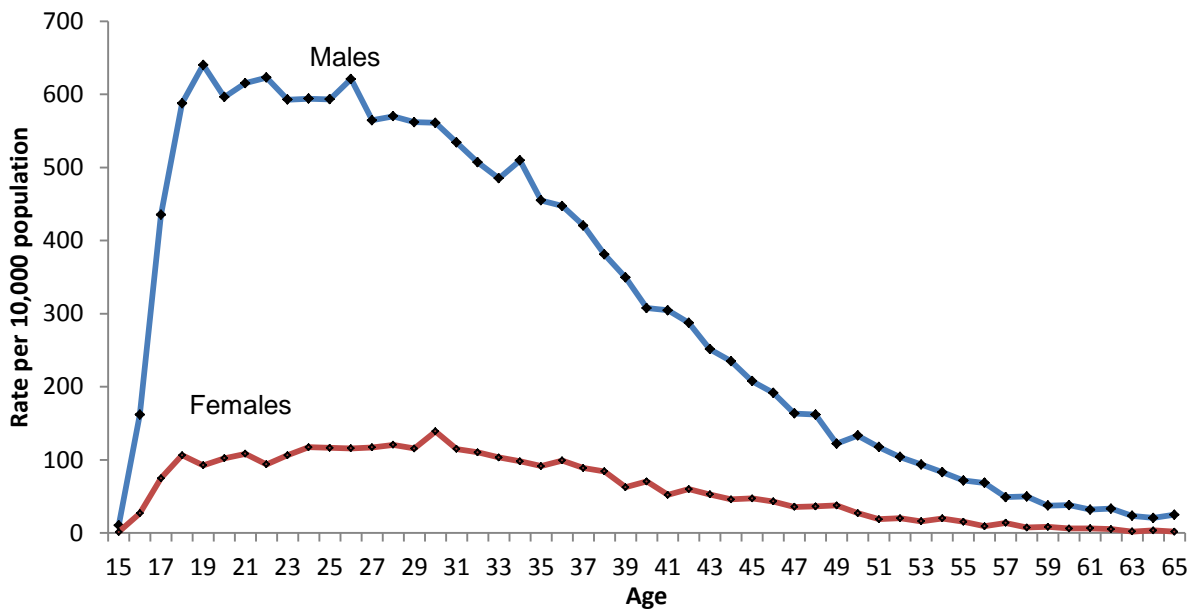
3.7. Sentencing by age and gender of offender

[Tables 8\(c\)](#), [10\(b\)](#), [11](#) and [12](#)

- 3.7.1.** Males account for 84 per cent of all convictions in 2012-13, representing 91 per cent of all convictions which resulted in a custodial sentence. Females account for 16 per cent of all convictions in 2012-13 and 27 per cent of 'other' sentences (mainly admonishment). Overall, males aged over 21 account for seven in ten (73 per cent) of all convictions in 2012-13; males aged 21 to 30 account for three in ten (30 per cent).
- 3.7.2.** Although the number of convictions fell by 7 per cent in the year to 2012-13, convictions for younger offenders saw a sharper fall than convictions for older offenders. The number of convictions for males aged under 21 fell by a fifth (21 per cent) representing the largest annual fall in convictions for any of the age-sex groups seen since 2003-04. Males aged under 21 have seen a 56 per cent fall in the number of convictions (from 23,550 in 2003-04 to 10,351 in 2012-13). The fall in the number of convictions for males aged 21 to 30 and over 30 has been more conservative, falling by 7 per cent and 3 per cent, respectively in the one year to 2012-13.
- 3.7.3.** Conviction numbers for females by age group have followed a similar pattern to that observed in males in the one year to 2012-13. The largest fall in convictions was seen in females aged under 21, falling by 17 per cent (the largest year-on-year decrease seen in any of the female age groups since 2003-04) and representing a fall of nearly a half (45 per cent) for females aged under 21 since 2003-04. Females aged 21 to 30 saw the total number of convictions fall by 2 per cent and females aged over 30 convictions fell by 5 per cent.
- 3.7.4.** Of those sentenced to custody in 2012-13, 77 per cent of females and 66 per cent of males received a tariff of 6 months or less. The proportion of males who received a very short sentence (i.e. 3 months or less) was lower than the proportion of females for many of the crime categories in which relatively higher numbers of both gender were convicted. For example, 69 per cent of males and 76 per cent of females who were sentenced to custody for **common assault** received a sentence of 6 months or less.
- 3.7.5.** The total number of convictions resulting in a community sentence increased by 2 per cent in the year to 2012-13. The largest increase for males was for those aged over 30 (9 per cent) while for females it was for those aged 21 to 30 (5 per cent). The number of males aged under 21 receiving community sentences decreased by 17 per cent (from 3,292 in 2011-12 to 2,741 in 2012-13) and females receiving community sentences aged under 21 and over 30 each saw a 2 per cent decrease from 2011-12 levels. Males aged over 21 represent two-thirds (67 per cent) of all community sentence disposals given in 2012-13. Women account for around one in every six (17 per cent) community disposals given in 2012-13.

- 3.7.6. Since 2003-04, the largest changes in the number of community disposals by age-sex groups have been for males and females aged over 30; the number of males aged over 30 receiving a community sentence have increased by 68 per cent since 2003-04 while the equivalent figure for females is 61 per cent.
- 3.7.7. Males and females each saw decreases of around 10 per cent in the number of convictions leading to a financial penalty in the year to 2012-13. This is the sixth consecutive annual decrease in the number of males receiving financial penalties and the third consecutive decrease for females.
- 3.7.8. Between 2011-12 and 2012-13 both males and females saw large falls in the use of financial penalties for convictions of offenders aged under 21 (a fall of 24 per cent for males and a fall of 29 per cent for females). While the largest falls have been observed in people aged under 21, this age group accounts for less than one in ten (9 per cent) convictions receiving a financial penalty in 2012-13. Males aged over 21 accounted for over three-quarters (77 per cent) of all convictions receiving a financial penalty in 2012-13 while females accounted for around one in every six (14 per cent).

Chart 5: Convictions per 10,000¹ population in 2012-13 for all crimes and offences (excluding Motor Vehicle offences), by age and gender



1. Mid-2012 population estimates for Scotland.

3.8. Bail and Undertakings

Bail orders made

[Tables 13](#), [14](#), [15](#) and [16](#)

- 3.8.1. The total number of bail orders fell by 7 per cent from 47,607 in 2011-12 to 44,038 in 2012-13. This continues a falling trend in total bail orders issued since 2006-07 and is in line with the fall in overall volumes of cases coming to court. The total number of bail orders has fallen by over a quarter (29 per cent) since the highest volumes observed since 2003-04 were recorded in 2006-07.
- 3.8.2. The vast majority (91 per cent) of bail orders are issued in sheriff courts with the majority of remainder being issued in JP courts. The relative proportions of bail orders issued by different courts have been relatively constant since 2003-04.
- 3.8.3. In 2012-13 males accounted for 84 per cent of all bail orders issued. Since 2009-10, the proportion of bail orders given to people (males and females) aged over 30 has increased from 41 per cent in 2009-10 to 47 per cent in 2012-13. Conversely, the proportion of bail orders given for people aged under 21 years old has fallen from 21 per cent in 2009-10 to 16 per cent in 2012-13.
- 3.8.4. The 44,038 bail orders which were issued in 2012-13 related to 32,741 individuals; 78 per cent of individuals received 1 bail order, 15 per cent received two and 8 per cent received three or more bail orders. These proportions have been the same for the past three years from 2009-10 to 2012-13.

Bail orders made by crime type

- 3.8.5. In the year to 2012-13 the number of bail orders issued fell for most individual crime groups, excluding **sexual crimes**, **miscellaneous offences** and **motor vehicle offences**. There were relatively large annual falls in the numbers of bail orders issued for crimes of **handling an offensive weapon** (23 per cent) and **non-sexual crimes of violence** (22 per cent).
- 3.8.6. In the one year to 2012-13 there was a 10 per cent increase in the number of bail orders issued for **sexual crimes** (from 915 to 1,003). Bail orders for **sexual crimes** account for the smallest proportion of all the crimes, accounting for 2 per cent of all bail orders issued in 2012-13.

- 3.8.7.** The relative proportions of bail orders issued for each crime group have been broadly the same since 2010-11. However, there have been some large changes in the relative proportions since 2003-04:
- Bail orders issued for **crimes of dishonesty** accounted for around a quarter (24 per cent) of all bail orders issued in 2003-04 falling by seven percentage points to 17 per cent in 2012-13;
 - **Common assault** accounted for the largest proportion of bail orders in 2012-13 at over a fifth (22 per cent) of all bail orders issued. This figure has fallen by five percentage points from 17 per cent in 2003-04; and
 - **Breach of the peace** – accounting for 14 per cent of bail orders in 2012-13 (falling four percentage points from 2003-04).
- 3.8.8.** All other crime groups individually account for less than one in ten of the total bail orders issued in 2012-13.

Undertakings to appear

[Table 17](#)

- 3.8.9.** The number of people released by the police on an undertaking to appear in court in 2012-13 was 22,819, down 13 per cent from the 2011-12 figure (26,200). This is the second annual decrease in undertakings issued since 2010-11.
- 3.8.10.** In 2012-13, 76 per cent of undertakings were issued to males and nearly half (47 per cent) to people aged over 30. People aged under 21 account for around a fifth (19 per cent) of undertakings that were issued in 2012-13, this is a smaller proportion than in 2009-10 where a quarter (25 per cent) were under 21.

Bail-related offences

[Table 18](#)

- 3.8.11.** Bail-related offences (other than committing an offence on bail) covers the offences of breach of bail conditions (e.g. interfering with a witness) and failure to appear in court after being granted bail. A total of 8,438 of these offences had a charge proved in 2012-13, a decrease of 5 per cent from 2011-12 (8,860). The proportion of bail-related offences as a percentage of all bail orders granted in 2012-13 was 19 per cent. This has remained fairly constant for the five years from 2008-09 but is 7 percentage points higher than in 2003-04 where it was 12 per cent.
- 3.8.12.** The number of bail-related offences in sheriff solemn courts increased by 7 per cent (from 209 in 2011-12 to 224 in 2012-13) which compares to an overall 5 per cent decrease in the overall number of convictions. However, numbers are relatively small in comparison to the total number of bail-related offences. In contrast, the number of bail-related offences in JP courts decreased by 15 per cent in 2012-13 (from 667 in 2011-12 to 556 in 2012-13), compared to an overall fall in the number of all cases with a charge proved in JP courts of 7 per cent (see [Table 3](#)).

3.9. Police Disposals

[Tables 19](#) to [23](#)

A range of options are available to the police for minor offences, including anti-social behaviour fixed penalty notices, formal adult warnings, restorative justice warnings and warning letters for juvenile offenders, and a number of other types of warnings. More details on this are available in annex notes [C5](#) and [D2](#).

Anti-social behaviour fixed penalty notices (ASBFPN)

- 3.9.1.** In 2012-13, 54,665 people received an ASBFPN as a main penalty, an increase of 2 per cent from 53,665 in 2011-12. The vast majority of ASBFPNs were issued for three of the offence types for which they are available:
- 23,251 for **consuming alcohol in a public place** (42 per cent of the total)
 - 14,514 for **breach of the peace** (26 per cent of total); and
 - 14,214 for **urinating etc.** in circumstances causing annoyance to others (26 per cent).
- 3.9.2.** Males received 87 per cent of all ASBFPNs in 2012-13. Twenty-four per cent of all ASBFPNs were given to males aged under 21 while over a third (36 per cent) were given to males aged 21 to 30.
- 3.9.3.** Almost half (47 per cent) of the 13,320 ASBFPNs given to males aged under 21 were given for **consuming alcohol in a public place** (6,218 in 2012-13).
- 3.9.4.** Females received 6,882 ASBFPNs in 2012-13 mainly for two offences;
- **Consuming alcohol in a public place** (45 per cent); and
 - **Breach of the peace** (41 per cent).

Formal adult warnings (FAWs)

- 3.9.5.** Police FAWs were given as a main penalty to 8,233 people in 2012-13, down 2 per cent from 8,446 in 2011-12. Three-quarters of FAWs issued in 2012-13 were for four crimes/offences;
- **Shoplifting** (31 per cent or 2,585);
 - **Drunkenness** (18 per cent or 1,517);
 - **Common assault** (13 per cent or 1,102); and
 - **Breach of the peace** (11 per cent or 866).
- 3.9.6.** In 2012-13, nearly two-thirds (61 per cent) of people given FAWs as main penalties were male – 5,002 in 2012-13. One third (33 per cent) of FAWs issued in 2012-13 were to males age over thirty (2,721).
- 3.9.7.** Around a quarter (24 per cent) of all FAWs issued to males were for **drunkenness**. Of the 2,721 FAWs issued to males aged over 30, a third (33 per cent) were for **drunkenness** while, in contrast, only 8 per cent of the 1,017 FAWs issued to males aged under 21 were for the same offence. For males aged under 21, 18 per cent of FAWs were given for **shoplifting** and 14 per cent for **common assault**.

- 3.9.8.** Almost half (46 per cent) of the 3,227 FAWs issued to females in 2012-13 were for **shoplifting** (compared to 22 per cent for males). Thirteen per cent of FAWs issued to females aged over 30 were for **drunkenness**, compared to 6 per cent of FAWs issued to females aged under 21. In contrast, 16 per cent of FAWs issued to females aged under 21 were for **fraud** compared to 4 per cent of FAWs issued to females aged over 30.

Other police warnings

- 3.9.9.** In 2012-13 the number of restorative justice warnings issued as a main penalty fell 43 per cent (from 996 in 2011-12 to 567 in 2012-13). The number of warning letters issued by the police or children's reporter fell by 39 per cent, from 2,169 to 1,326 in 2012-13.
- 3.9.10.** Other police warnings increased by two thirds (67 per cent) from 2,330 in 2011-12 to 3,887 in 2012-13. There has been a large increase in these warnings over the past two years with an increased number of verbal and other police warnings being issued in the past three years.

3.10. Crown Office Procurator Fiscal Service (COPFS) disposals

[Tables 24](#), [25](#), [26](#), [27](#) and [28](#)

When a report is submitted by the police to the procurator fiscal, prosecution in court is only one of a range of possible options for dealing with people who have been charged. Other possible actions include the use of fiscal fines, compensation orders and fixed penalties. More details on this new information are available in annex notes [C5](#) and [D3](#).

- 3.10.1.** In 2012-13, 47,819 people were issued with a fiscal fine as a main penalty (up 13 per cent from 42,184 in 2011-12) and 21,638 people were issued a fiscal fixed penalty (up 3 per cent from 21,067 in 2011-12).

Fiscal fines

- 3.10.2.** In 2012-13, 59 per cent of the 47,819 fiscal fines issued to people as main penalties were issued for miscellaneous offences, including:
- **Communications Act offences** (mainly TV licensing) which account for one-third (34 per cent);
 - **Breach of the peace** which accounted for nearly one in ten (8 per cent); and
 - **Alcohol bylaw** offences which attracted 7 per cent of the total.
- 3.10.3.** In addition to miscellaneous offences, other crime types which attracted a high proportion of the total fiscal fines issued in 2012-13 were **drug** crimes (24 per cent) and **shoplifting** (8 per cent).

- 3.10.4.** Two-thirds (64 per cent) of all fiscal fines in 2012-13 were issued to males. The profile of crimes/offences for which fiscal fines were issued differed for males and females. However, **Communications Act offences** and **drug** offences were both very common offences which attracted fiscal fines in both males and females. For example, of the 17,360 fiscal fines issued to females, the most common crimes/offences for which they were given were:
- **Communications Act offences** (66 per cent);
 - **Shoplifting** (9 per cent); and
 - **Drug** offences (6 per cent).
- 3.10.5.** For males, of the 30,438 fiscal fines issued, the most common crimes/offences for which they were given were:
- **Drug** offences (35 per cent);
 - **Communications Act offences** (16 per cent); and
 - **Alcohol bylaw** offences (10 per cent).
- 3.10.6.** Both males and females aged over 30 account for the largest proportion of fiscal fines issued to either gender. Males aged over 30 account for nearly half (49 per cent) of all fiscal fines issued to males while females aged over 30 account for the majority (60 per cent) of all fiscal fines given to women.
- 3.10.7.** Males and females aged under 21 received the smallest share of fiscal fines issued for each gender. Around one in six (16 per cent) of the total fiscal fines issued to males were to those aged under 21 while females aged under 21 accounted for 6 per cent.
- 3.10.8.** Three quarters (74 per cent) of fiscal fines issued to males aged under 21 were for three main crimes; **drug** offences accounted for half (50 per cent), **breach of the peace** accounted for 13 per cent and **alcohol bylaw** offences which represents one in ten (11 per cent).
- 3.10.9.** Younger females received relatively more fiscal fines than older females for other sub-categories of miscellaneous offences, for example:
- **Breach of the peace** - 12 per cent of fiscal fines issued to females aged under 21 compared to 4 per cent of those issued to females aged over 30; and
 - Seven per cent of fiscal fines given to women aged under 21 were for **common assault** compared to 1 per cent for women aged over 30.

Fiscal fixed penalties

- 3.10.10.** Crown Office Fixed Penalties (COFPs) are generally issued for motor vehicle offences (in 2012-13 less than one per cent were issued for non-motor vehicle offences, such as bicycle offences). In 2012-13, of the 21,638 COFPs issued to people as a main penalty:
- Thirty-four per cent were for **speeding offences**;
 - Seventeen per cent were for **documentation offences** (such as using a vehicle without a test certificate, without a licence or failure to insure); and
 - Twelve per cent were for **signal and direction offences** (such as failure to comply with traffic signs and crossings).

3.10.11. In 2012-13, nearly four in every five (79 per cent or 16,982) of COFPs were issued to males and over half (53 per cent or 11,388) of all COFPs were issued to males aged over 30.

4. Bulletin Tables (see note B11).

Table 1 Summary of known action, 2003-04 to 2012-13¹

	Thousands									
	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
Crimes and offences recorded by the police										
Crimes	414	438	418	419	386	377	338	323	314	273
Offences	616	639	600	607	572	560	564	530	544	544
Crimes and offences cleared up by the police										
Crimes	196	195	191	199	185	185	167	157	155	140
Offences	592	595	558	566	534	519	523	491	508	510
Police disposals										
Anti-social behaviour fixed penalty notices	n/a	n/a	n/a	n/a	n/a	48	61	54	54	55
Formal adult warnings	n/a	n/a	n/a	n/a	n/a	8	8	8	8	8
Other police warnings	n/a	n/a	n/a	n/a	n/a	5	5	4	5	6
Crimes and offences dealt with by:										
Offence referrals to Reporter to Children's Panel ¹	34	36	38	36	31	26	23	18	13	9
Procurator Fiscal action										
Total criminal reports received (COPFS cases)	307	309	320	316	307	285	276	266	276	281
Fiscal fines (CHS people) ^{2,3}	n/a	n/a	n/a	n/a	n/a	38	36	36	42	48
Fiscal fines (COPFS cases) ^{3,4}	30	23	18	21	19	37	34	33	41	46
Fiscal fixed penalties (CHS people) ²	n/a	n/a	n/a	n/a	n/a	18	19	20	21	22
Fiscal fixed penalties (COPFS cases) ⁴	9	10	10	14	15	20	18	20	21	22
Compensation orders (CHS people) ^{3,4}	n/a	n/a	n/a	n/a	n/a	2	2	2	1	1
Compensation orders (COPFS cases) ^{2,4}	n/a	n/a	n/a	n/a	n/a	2	2	2	1	1
Combined fiscal fines/compensation orders (CHS people) ^{3,4}	n/a	n/a	n/a	n/a	n/a	1	2	2	3	2
Combined fiscal fines/compensation orders (COPFS cases) ^{3,4}	n/a	n/a	n/a	n/a	n/a	1	2	2	3	2
Fiscal warnings (COPFS cases)	22	32	33	27	25	15	14	13	12	13
No action (COPFS cases)	44	61	49	44	44	32	30	29	32	35
Other non-court disposals ⁵	13	11	11	12	10	9	8	8	8	10
People proceeded against in court	141	144	142	149	149	141	136	131	125	117

1. Includes referrals from the procurator fiscal; a referral may relate to more than one offence.

2. Number of people with main penalty, from CHS. The combined number of fiscal fines and fixed penalties is underestimated by around 2,700 in 2008-09 and 500 in 2009-10.

3. Figures relate to cases which were closed as offer paid/accepted/deemed accepted.

4. Number of cases of highest disposal, from COPFS website.

5. Includes cases diverted from prosecution, e.g. to the Children's Reporter, cases transferred within COPFS and cases rolled up with other ongoing cases.

Table 2a People proceeded against in court by main crime/offence and outcome of court proceedings, 2012-13

Main crime or offence ¹	PNGA ^{2,3} or deserted ⁴	Acquitted not guilty	Acquitted not proven	Charge proved	Total
All crimes and offences	9,979	4,710	970	100,964	116,623
All crimes	4,697	1,650	436	35,628	42,411
Non-sexual crimes of violence	411	465	148	2,125	3,149
Homicide	6	17	10	113	146
Serious assault and attempted murder	246	369	124	1,276	2,015
Robbery	92	48	8	513	661
Other violence	67	31	6	223	327
Sexual crimes	77	157	79	866	1,179
Rape and attempted rape	2	38	21	77	138
Sexual assault	19	57	34	206	316
Offences associated with prostitution	12	13	-	142	167
Other sexual crimes	44	49	24	441	558
Crimes of dishonesty	1,789	283	53	13,236	15,361
Housebreaking	295	40	6	1,365	1,706
Theft by opening a lockfast place	59	4	2	246	311
Theft from a motor vehicle	32	7	-	200	239
Theft of a motor vehicle	160	15	5	372	552
Shoplifting	461	23	7	6,491	6,982
Other theft	467	107	15	2,719	3,308
Fraud	102	30	5	623	760
Other dishonesty	213	57	13	1,220	1,503
Fire-raising, vandalism, etc.	400	166	24	2,579	3,169
Fire-raising	19	15	3	133	170
Vandalism, etc.	381	151	21	2,446	2,999
Other crimes	2,020	579	132	16,822	19,553
Crimes against public justice	869	238	43	8,421	9,571
Handling an offensive weapon	253	208	57	1,733	2,251
Drugs	884	128	32	6,457	7,501
Other crime	14	5	-	211	230
All offences	5,282	3,060	534	65,336	74,212
Miscellaneous offences	3,680	2,361	442	29,911	36,394
Common assault	2,007	1,438	254	13,039	16,738
Breach of the peace, etc.	1,298	678	130	12,935	15,041
Drunkenness	15	1	1	102	119
Other offences	360	244	57	3,835	4,496
Motor vehicle offences	1,602	699	92	35,425	37,818
Dangerous and careless driving	125	140	19	2,812	3,096
Drink/drug driving	100	138	36	4,730	5,004
Speeding	95	65	1	12,028	12,189
Unlawful use of vehicle	759	50	7	7,842	8,658
Vehicle defect offences	113	16	2	1,241	1,372
Other vehicle	410	290	27	6,772	7,499

1. Excludes people against whom proceedings are started but which are dropped before they reach court.

2. Plea of not guilty accepted.

3. Includes cases where proceedings are dropped after a person has been called to court, e.g. if witnesses cannot be traced.

4. Deserted simpliciter.

Table 2b People proceeded against in court by main crime/offence and percentage outcome of court proceedings, 2012-13

Main crime or offence ¹	PNGA ^{2,3} or deserted ⁴	Acquitted not guilty	Acquitted not proven	Charge proved	Total	Row per cent
						Not proven as % of all acquitted
All crimes and offences	9	4	1	87	100	17
All crimes	11	4	1	84	100	21
Non-sexual crimes of violence	13	15	5	67	100	24
Homicide	4	12	7	77	100	37
Serious assault and attempted murder	12	18	6	63	100	25
Robbery	14	7	1	78	100	14
Other violence	20	9	2	68	100	16
Sexual crimes	7	13	7	73	100	33
Rape and attempted rape	1	28	15	56	100	36
Sexual assault	6	18	11	65	100	37
Offences associated with prostitution	7	8	-	85	100	-
Other sexual crimes	8	9	4	79	100	33
Crimes of dishonesty	12	2	*	86	100	16
Housebreaking	17	2	*	80	100	13
Theft by opening a lockfast place	19	1	1	79	100	33
Theft from a motor vehicle	13	3	-	84	100	-
Theft of a motor vehicle	29	3	1	67	100	25
Shoplifting	7	*	*	93	100	23
Other theft	14	3	*	82	100	12
Fraud	13	4	1	82	100	14
Other dishonesty	14	4	1	81	100	19
Fire-raising, vandalism, etc.	13	5	1	81	100	13
Fire-raising	11	9	2	78	100	17
Vandalism, etc.	13	5	1	82	100	12
Other crimes	10	3	1	86	100	19
Crimes against public justice	9	2	*	88	100	15
Handling an offensive weapon	11	9	3	77	100	22
Drugs	12	2	*	86	100	20
Other crime	6	2	-	92	100	-
All offences	7	4	1	88	100	15
Miscellaneous offences	10	6	1	82	100	16
Common assault	12	9	2	78	100	15
Breach of the peace, etc.	9	5	1	86	100	16
Drunkenness	13	1	1	86	100	50
Other offences	8	5	1	85	100	19
Motor vehicle offences	4	2	*	94	100	12
Dangerous and careless driving	4	5	1	91	100	12
Drink/drug driving	2	3	1	95	100	21
Speeding	1	1	*	99	100	2
Unlawful use of vehicle	9	1	*	91	100	12
Vehicle defect offences	8	1	*	90	100	11
Other vehicle	5	4	*	90	100	9

1. Excludes people against whom proceedings are started but which are dropped before they reach court.

2. Plea of not guilty accepted.

3. Includes cases where proceedings are dropped after a person has been called to court, e.g. if witnesses cannot be traced.

4. Deserted simpliciter.

Table 3 People with a charge proved by type of court, 2003-04 to 2012-13

Type of court	Number									
	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
All court types¹	128,520	129,733	128,204	134,413	133,608	125,895	121,042	115,576	108,378	100,964
High court ^{2,3}	1,217	974	885	908	861	810	771	702	722	691
Sheriff solemn	3,535	3,670	3,967	4,682	5,195	4,532	4,222	4,021	4,138	4,298
Sheriff summary	76,621	77,196	75,989	80,503	79,981	73,898	65,585	61,572	60,677	56,339
Justice of the Peace court ^{4,5}	47,144	47,891	47,358	48,319	47,569	46,632	50,448	49,281	42,841	39,636

Type of court	Per cent									
	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
All court types¹	100	100	100	100	100	100	100	100	100	100
High court ^{2,3}	1	1	1	1	1	1	1	1	1	1
Sheriff solemn	3	3	3	3	4	4	3	3	4	4
Sheriff summary	60	60	59	60	60	59	54	53	56	56
Justice of the Peace court ^{4,5}	37	37	37	36	36	37	42	43	40	39

Type of court	Index: 2003-04=100									
	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
All court types¹	100	101	100	105	104	98	94	90	84	79
High court ^{2,3}	100	80	73	75	71	67	63	58	59	57
Sheriff solemn	100	104	112	132	147	128	119	114	117	122
Sheriff summary	100	101	99	105	104	96	86	80	79	74
Justice of the Peace court ^{4,5}	100	102	100	102	101	99	107	105	91	84

1. Includes court type unknown.
2. Includes cases remitted to the High court from the Sheriff court.
3. The figures for 2012-13, and to an extent earlier years, may be underestimates due to late recording of disposals.
4. Includes the stipendiary magistrates court in Glasgow.
5. Includes District courts up to 2009-10 - more details in annex E.11.

Table 4(a) People with a charge proved by main crime/offence, 2003-04 to 2012-13

Main crime or offence	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10 ¹	2010-11	2011-12	2012-13 ²	% change 2011-12 to 2012-13		All offences proved 2012-13 ^{2,3}
All crimes and offences	128,520	129,733	128,204	134,413	133,608	125,895	121,042	115,576	108,378	100,964		-7	134,063
All crimes	43,314	44,713	43,299	46,998	46,858	45,160	42,176	40,973	39,192	35,628		-9	46,959
Non-sexual crimes of violence	2,596	2,429	2,459	2,461	2,749	2,658	2,462	2,538	2,432	2,125		-13	2,351
Homicide	131	143	111	121	136	116	118	117	111	113		2	118
Serious assault and attempted murder	1,476	1,376	1,561	1,496	1,731	1,709	1,511	1,417	1,349	1,276		-5	1,335
Robbery	689	610	512	529	548	562	532	526	593	513		-13	626
Other violence	300	300	275	315	334	271	301	478	379	223		-41	272
Sexual crimes	678	839	864	855	727	915	830	756	783	866		11	1,352
Rape and attempted rape	59	70	61	60	49	42	57	36	49	77		57	119
Sexual assault	209	197	185	184	145	182	158	159	150	206		37	448
Offences associated with prostitution	130	229	292	306	254	335	250	245	200	142		-29	145
Other sexual crimes	280	343	326	305	279	356	365	316	384	441		15	640
Crimes of dishonesty	19,825	19,610	17,997	18,381	17,728	17,429	15,951	15,614	14,772	13,236		-10	17,295
Housebreaking	2,508	2,372	2,074	2,025	1,867	1,860	1,604	1,540	1,498	1,365		-9	1,694
Theft by opening a lockfast place	504	458	366	398	389	349	312	284	291	246		-15	352
Theft from a motor vehicle	725	649	489	408	447	387	297	270	250	200		-20	307
Theft of a motor vehicle	1,086	942	847	851	776	733	572	484	450	372		-17	730
Shoplifting	8,123	8,427	8,162	8,548	8,457	8,287	8,098	7,853	7,267	6,491		-11	7,806
Other theft	3,652	3,668	3,289	3,430	3,260	3,113	2,768	2,871	2,961	2,719		-8	3,520
Fraud	1,636	1,537	1,457	1,355	1,337	1,438	1,142	1,065	811	623		-23	1,265
Other dishonesty	1,591	1,557	1,313	1,366	1,195	1,262	1,158	1,247	1,244	1,220		-2	1,621
Fire-raising, vandalism, etc.	4,759	5,028	5,000	5,438	5,392	4,375	3,836	3,362	3,015	2,579		-14	3,327
Fire-raising	169	192	192	251	224	244	190	159	145	133		-8	150
Vandalism, etc.	4,590	4,836	4,808	5,187	5,168	4,131	3,646	3,203	2,870	2,446		-15	3,177
Other crimes	15,456	16,807	16,979	19,863	20,262	19,783	19,097	18,703	18,190	16,822		-8	22,634
Crimes against public justice	5,293	5,774	5,764	7,218	8,043	8,704	8,351	8,494	8,720	8,421		-3	11,861
Handling an offensive weapon	2,875	3,447	3,500	3,550	3,422	3,539	2,863	2,465	2,278	1,733		-24	2,092
Drugs	7,258	7,555	7,606	8,892	8,529	7,302	7,694	7,525	6,979	6,457		-7	8,447
Other crime	30	31	109	203	268	238	189	219	213	211		-1	234
All offences	85,206	85,020	84,905	87,415	86,750	80,735	78,864	74,603	69,186	65,336		-6	87,104
Miscellaneous offences	34,523	37,463	39,666	42,301	41,394	35,804	32,884	30,496	30,902	29,911		-3	41,593
Common assault	12,378	13,644	14,502	15,517	15,616	15,292	14,361	13,927	14,207	13,039		-8	17,233
Breach of the peace, etc.	15,050	16,172	16,894	18,104	17,494	16,004	14,077	12,114	12,544	12,935		3	18,789
Drunkenness	418	311	293	261	235	129	146	160	124	102		-18	208
Other offences	6,677	7,336	7,977	8,419	8,049	4,379	4,300	4,295	4,027	3,835		-5	5,363
Motor vehicle offences	50,683	47,557	45,239	45,114	45,356	44,931	45,980	44,107	38,284	35,425		-7	45,511
Dangerous and careless driving	4,067	3,774	3,620	3,774	3,967	3,696	3,404	3,167	2,858	2,812		-2	3,362
Drink/drug driving	8,145	7,997	7,970	8,066	7,820	7,222	6,232	5,351	5,287	4,730		-11	5,226
Speeding	12,539	13,512	12,252	13,395	14,156	13,589	14,357	12,955	12,381	12,028		-3	12,338
Unlawful use of vehicle	19,334	16,592	14,703	13,450	13,609	12,741	12,175	11,053	9,002	7,842		-13	13,703
Vehicle defect offences	1,823	1,786	1,652	1,707	1,414	1,483	1,662	1,723	1,504	1,241		-17	2,204
Other vehicle	4,775	3,896	5,042	4,722	4,390	6,200	8,150	9,858	7,252	6,772		-7	8,678

1. Includes two cases with unknown crime.

2. Figures for some categories dealt with by the High Court - including homicide, rape and major drug cases - may be underestimated slightly due to late recording of disposals - see annex notes B10 to B13.

3. Number of individual offences relating to people with a charge proved, whether or not the main crime/offence involved. Breaches of social work orders are not counted as individual offences.

Table 4(b) People with a charge proved by main crime/offence, 2003-04 to 2012-13

Index: 2003-04=100

Main crime or offence	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13 ¹
All crimes and offences	100	101	100	105	104	98	94	90	84	79
All crimes	100	103	100	109	108	104	97	95	90	82
Non-sexual crimes of violence	100	94	95	95	106	102	95	98	94	82
Homicide	100	109	85	92	104	89	90	89	85	86
Serious assault and attempted murder	100	93	106	101	117	116	102	96	91	86
Robbery	100	89	74	77	80	82	77	76	86	74
Other violence	100	100	92	105	111	90	100	159	126	74
Sexual crimes	100	124	127	126	107	135	122	112	115	128
Rape and attempted rape	100	119	103	102	83	71	97	61	83	131
Sexual assault	100	94	89	88	69	87	76	76	72	99
Offences associated with prostitution	100	176	225	235	195	258	192	188	154	109
Other sexual crimes	100	123	116	109	100	127	130	113	137	158
Crimes of dishonesty	100	99	91	93	89	88	80	79	75	67
Housebreaking	100	95	83	81	74	74	64	61	60	54
Theft by opening a lockfast place	100	91	73	79	77	69	62	56	58	49
Theft from a motor vehicle	100	90	67	56	62	53	41	37	34	28
Theft of a motor vehicle	100	87	78	78	71	67	53	45	41	34
Shoplifting	100	104	100	105	104	102	100	97	89	80
Other theft	100	100	90	94	89	85	76	79	81	74
Fraud	100	94	89	83	82	88	70	65	50	38
Other dishonesty	100	98	83	86	75	79	73	78	78	77
Fire-raising, vandalism, etc.	100	106	105	114	113	92	81	71	63	54
Fire-raising	100	114	114	149	133	144	112	94	86	79
Vandalism, etc.	100	105	105	113	113	90	79	70	63	53
Other crimes	100	109	110	129	131	128	124	121	118	109
Crimes against public justice	100	109	109	136	152	164	158	160	165	159
Handling an offensive weapon	100	120	122	123	119	123	100	86	79	60
Drugs	100	104	105	123	118	101	106	104	96	89
Other crime	100	103	363	677	893	793	630	730	710	703
All offences	100	100	100	103	102	95	93	88	81	77
Miscellaneous offences	100	109	115	123	120	104	95	88	90	87
Common assault	100	110	117	125	126	124	116	113	115	105
Breach of the peace, etc.	100	107	112	120	116	106	94	80	83	86
Drunkenness	100	74	70	62	56	31	35	38	30	24
Other offences	100	110	119	126	121	66	64	64	60	57
Motor vehicle offences	100	94	89	89	89	89	91	87	76	70
Dangerous and careless driving	100	93	89	93	98	91	84	78	70	69
Drink/drug driving	100	98	98	99	96	89	77	66	65	58
Speeding	100	108	98	107	113	108	114	103	99	96
Unlawful use of vehicle	100	86	76	70	70	66	63	57	47	41
Vehicle defect offences	100	98	91	94	78	81	91	95	83	68
Other vehicle	100	82	106	99	92	130	171	206	152	142

1. Figures for some categories dealt with by the High Court - including homicide, rape and major drug cases - may be underestimated slightly due to late recording of disposals - see Annex notes B10 to B13.

Table 5 Numbers of people with a charge proved per 1,000 population by gender and age, 2003-04 to 2012-13

Type of accused ¹	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
All People^{2,3}										
Total⁴	31	31	31	32	32	30	29	28	25	24
Under 16 ⁵	*	*	*	*	*	*	*	*	*	*
16	29	32	38	38	33	29	22	17	15	11
17	80	80	83	93	86	70	57	47	38	30
18	101	98	100	107	104	86	70	62	52	42
19	102	96	95	99	99	83	71	65	55	46
20	99	90	88	93	92	79	73	65	56	47
21-25	87	83	79	81	80	71	67	60	56	51
26-30	67	69	67	67	67	65	60	57	54	51
31-40	41	42	42	44	43	44	44	44	41	40
Over 40 ⁶	12	13	13	13	13	13	14	14	13	13
Male										
Total⁴	54	54	53	56	55	52	49	47	43	40
Under 16 ⁵	*	*	1	*	1	*	*	*	*	*
16	52	55	66	67	58	49	38	30	26	19
17	139	139	143	160	148	120	96	81	64	50
18	178	170	174	184	178	149	120	104	91	71
19	177	169	167	171	167	142	123	112	95	81
20	172	155	154	162	159	133	125	110	97	80
21-25	146	139	133	138	135	120	112	101	97	87
26-30	114	116	110	112	112	107	98	93	91	86
31-40	69	71	71	74	74	75	75	74	69	67
Over 40 ⁶	21	22	22	23	23	23	23	24	22	22
Female										
Total⁴	10	10	10	10	10	9	9	9	8	8
Under 16 ⁵	*	*	*	*	*	*	*	*	*	*
16	6	6	8	7	7	7	5	4	3	3
17	17	17	20	21	20	17	16	11	10	8
18	21	21	22	26	25	20	18	18	13	11
19	24	22	20	23	26	21	17	16	15	12
20	24	24	20	22	23	21	19	18	15	14
21-25	26	26	24	24	23	21	20	18	16	15
26-30	22	23	23	22	22	22	21	19	18	17
31-40	14	15	15	15	15	14	15	15	14	13
Over 40 ⁶	4	4	4	4	4	4	5	4	4	4

1. A person who had a charge proved more than once in 2012-13 will be counted more than once in this table.

2. Figures in the table are calculated as ratios per 1,000 overall Scottish population.

3. Includes sex not known; excludes companies.

4. Includes age not known; uses mid-year population estimate for those aged 8-70.

5. Uses mid-year population estimate for those aged 8-15.

6. Uses mid-year population estimate for those aged 41-70.

Table 6(a) Males with a charge proved by main crime/offence and age, 2012-13

Main crime or offence	(Number)				(Per cent)			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
All crimes and offences¹	10,351	30,332	43,621	84,304	100	100	100	100
All crimes	4,642	11,281	13,960	29,883	45	37	32	35
Non-sexual crimes of violence	435	847	593	1,875	4	3	1	2
Homicide	16	27	59	102	*	*	*	*
Serious assault and attempted murder	295	557	318	1,170	3	2	1	1
Robbery	114	206	145	465	1	1	*	1
Other violence	10	57	71	138	*	*	*	*
Sexual crimes	98	207	457	762	1	1	1	1
Rape and attempted rape	8	21	48	77	*	*	*	*
Sexual assault	18	55	130	203	*	*	*	*
Offences associated with prostitution	3	5	45	53	*	*	*	*
Other sexual crimes	69	126	234	429	1	*	1	1
Crimes of dishonesty	1,285	3,787	5,537	10,609	12	12	13	13
Housebreaking	282	478	546	1,306	3	2	1	2
Theft by opening a lockfast place	28	100	109	237	*	*	*	*
Theft from a motor vehicle	31	65	102	198	*	*	*	*
Theft of a motor vehicle	113	165	72	350	1	1	*	*
Shoplifting	273	1,584	2,874	4,731	3	5	7	6
Other theft	376	853	1,066	2,295	4	3	2	3
Fraud	33	156	238	427	*	1	1	1
Other dishonesty	149	386	530	1,065	1	1	1	1
Fire-raising, vandalism, etc.	633	982	636	2,251	6	3	1	3
Fire-raising	42	46	32	120	*	*	*	*
Vandalism, etc.	591	936	604	2,131	6	3	1	3
Other crimes	2,191	5,458	6,737	14,386	21	18	15	17
Crimes against public justice	1,395	2,536	3,096	7,027	13	8	7	8
Handling an offensive weapon	330	624	647	1,601	3	2	1	2
Drugs	444	2,256	2,900	5,600	4	7	7	7
Other crime	22	42	94	158	*	*	*	*
All offences	5,709	19,051	29,661	54,421	55	63	68	65
Miscellaneous offences	3,737	9,464	11,428	24,629	36	31	26	29
Common assault	1,951	4,327	4,227	10,505	19	14	10	12
Breach of the peace, etc.	1,511	4,218	5,484	11,213	15	14	13	13
Drunkenness	5	36	41	82	*	*	*	*
Other offences	270	883	1,676	2,829	3	3	4	3
Motor vehicle offences	1,972	9,587	18,233	29,792	19	32	42	35
Dangerous and careless driving	346	826	1,275	2,447	3	3	3	3
Drink/drug driving	297	1,216	2,334	3,847	3	4	5	5
Speeding	384	2,808	7,057	10,249	4	9	16	12
Unlawful use of vehicle	613	2,309	3,447	6,369	6	8	8	8
Vehicle defect offences	82	392	610	1,084	1	1	1	1
Other vehicle	250	2,036	3,510	5,796	2	7	8	7

1. Excludes companies and gender not known.

Table 6(b) Females with a charge proved by main crime/offence and age, 2012-13

Main crime or offence	(Number)				(Per cent)			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
All crimes and offences¹	1,615	5,866	9,064	16,545	100	100	100	100
All crimes	541	2,340	2,864	5,745	33	40	32	35
Non-sexual crimes of violence	37	114	99	250	2	2	1	2
Homicide	1	3	7	11	*	*	*	*
Serious assault and attempted murder	20	55	31	106	1	1	*	1
Robbery	10	27	11	48	1	*	*	*
Other violence	6	29	50	85	*	*	1	1
Sexual crimes	5	43	56	104	*	1	1	1
Rape and attempted rape	-	-	-	-	-	-	-	-
Sexual assault	-	1	2	3	-	*	*	*
Offences associated with prostitution	5	37	47	89	*	1	1	1
Other sexual crimes	-	5	7	12	-	*	*	*
Crimes of dishonesty	158	1,110	1,359	2,627	10	19	15	16
Housebreaking	9	34	16	59	1	1	*	*
Theft by opening a lockfast place	-	4	5	9	-	*	*	*
Theft from a motor vehicle	-	1	1	2	-	*	*	*
Theft of a motor vehicle	7	9	6	22	*	*	*	*
Shoplifting	92	738	930	1,760	6	13	10	11
Other theft	34	196	194	424	2	3	2	3
Fraud	9	75	112	196	1	1	1	1
Other dishonesty	7	53	95	155	*	1	1	1
Fire-raising, vandalism, etc.	69	141	118	328	4	2	1	2
Fire-raising	5	2	6	13	*	*	*	*
Vandalism, etc.	64	139	112	315	4	2	1	2
Other crimes	272	932	1,232	2,436	17	16	14	15
Crimes against public justice	202	549	643	1,394	13	9	7	8
Handling an offensive weapon	28	50	54	132	2	1	1	1
Drugs	35	312	510	857	2	5	6	5
Other crime	7	21	25	53	*	*	*	*
All offences	1,074	3,526	6,200	10,800	67	60	68	65
Miscellaneous offences	830	1,804	2,604	5,238	51	31	29	32
Common assault	537	967	1,030	2,534	33	16	11	15
Breach of the peace, etc.	230	570	922	1,722	14	10	10	10
Drunkenness	1	8	11	20	*	*	*	*
Other offences	62	259	641	962	4	4	7	6
Motor vehicle offences	244	1,722	3,596	5,562	15	29	40	34
Dangerous and careless driving	29	93	243	365	2	2	3	2
Drink/drug driving	41	232	610	883	3	4	7	5
Speeding	64	527	1,187	1,778	4	9	13	11
Unlawful use of vehicle	66	475	924	1,465	4	8	10	9
Vehicle defect offences	13	40	53	106	1	1	1	1
Other vehicle	31	355	579	965	2	6	6	6

1. Excludes companies and gender not known.

Table 7 People with a charge proved by main penalty, 2003-04 to 2012-13

Main penalty	Number										% change 11-12 to 12-13
	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	
Total¹	128,520	129,733	128,204	134,413	133,608	125,895	121,042	115,576	108,378	100,964	-7
Custody	14,784	15,011	15,082	16,758	16,761	16,944	15,801	15,313	15,911	14,758	-7
Prison	11,959	12,306	12,155	13,489	13,593	13,905	13,019	13,127	13,696	13,046	-5
Young offenders institution	2,801	2,685	2,903	3,245	3,142	3,017	2,753	2,168	2,202	1,688	-23
Other custody	24	20	24	24	26	21	22	12	6	10	67
Order for life-long restriction	-	-	-	-	-	1	7	6	7	14	100
Community sentence	13,943	15,316	15,973	16,077	16,709	17,922	16,350	15,617	16,934	17,254	2
Community payback order	-	-	-	-	-	-	-	461	10,380	14,924	44
Community service order	4,299	4,850	5,183	5,286	5,601	5,784	5,471	5,308	2,642	479	-82
Probation	8,137	8,623	8,785	8,614	9,002	9,912	8,893	7,935	2,305	295	-87
Restriction of liberty order	879	1,097	1,136	1,179	1,155	1,143	931	831	845	910	8
Drug treatment & testing order	610	713	758	865	822	885	808	806	642	621	-3
Supervised attendance order ²	18	33	99	112	129	198	247	276	120	25	-79
Community reparation order	-	-	11	15	-	-	-	-	-	-	-
Anti-social behaviour order	-	-	1	6	-	-	-	-	-	-	-
Financial penalty	86,094	84,932	82,194	84,820	83,345	73,993	72,491	67,575	59,320	53,423	-10
Fine	84,327	83,237	80,723	83,445	82,020	72,840	71,452	66,491	58,395	52,654	-10
Compensation order	1,767	1,695	1,471	1,375	1,325	1,153	1,039	1,084	925	769	-17
Other sentence¹	13,699	14,474	14,955	16,758	16,793	17,036	16,400	17,071	16,213	15,529	-4
Insanity, hospital, guardianship order	129	95	115	65	20	16	15	19	24	31	29
Admonition ³	12,935	13,744	14,175	15,967	16,084	16,399	15,687	16,422	15,577	15,010	-4
Absolute discharge	435	403	401	413	430	412	523	460	472	358	-24
Remit to children's hearing	196	221	260	313	259	209	175	170	140	130	-7
Average amount of penalty⁴											
Custody (days) ⁵	257	238	229	232	248	263	284	278	286	283	
Community service order (hours)	154	149	148	147	146	146	146	149	155	161	
Fine ^{6,7} (£)	208	217	211	213	219	229	217	215	241	245	
Compensation order ^{7,8} (£)	208	247	282	335	322	378	394	391	426	439	

1. Includes a small number of sentence unknown for the years 2003-04, 2004-05 and 2005-06. 2. Of first instance. 3. Includes a small number of court cautions and dog-related disposals.

4. Excludes indeterminate/not known sentences. 5. Figures for 2012-13 may be underestimates. 6. Excludes company fines. 7. Excludes a small number of large fines. 8. As main or secondary penalty.

Main penalty	Percentage									
	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
Total	12	12	12	12	13	13	13	13	15	15
Custody	12	12	12	12	13	13	13	13	15	15
Prison	9	9	9	10	10	11	11	11	13	13
Young offenders institution	2	2	2	2	2	2	2	2	2	2
Other custody	*	*	*	*	*	*	*	*	*	*
Order for life-long restriction	-	-	-	-	-	*	*	*	*	*
Community sentence	11	12	12	12	13	14	14	14	16	17
Community payback order	-	-	-	-	-	-	-	*	10	15
Community service order	3	4	4	4	4	5	5	5	2	*
Probation	6	7	7	6	7	8	7	7	2	*
Restriction of liberty order	1	1	1	1	1	1	1	1	1	1
Drug treatment & testing order	*	1	1	1	1	1	1	1	1	1
Supervised attendance order	*	*	*	*	*	*	*	*	*	*
Financial penalty	67	65	64	63	62	59	60	58	55	53
Fine	66	64	63	62	61	58	59	58	54	52
Compensation order	1	1	1	1	1	1	1	1	1	1
Other sentence	11	11	12	12	13	14	14	15	15	15
Insanity, hospital, guardianship order	*	*	*	*	*	*	*	*	*	*
Admonition	10	11	11	12	12	13	13	14	14	15
Absolute discharge	*	*	*	*	*	*	*	*	*	*
Remit to children's hearing	*	*	*	*	*	*	*	*	*	*

Table 8(a) People with a charge proved by main crime/offence and main penalty, 2012-13

Main crime or offence	Prison	Young offenders Institution	Other custody	Order for lifelong restriction	Community payback order	Community service order	Probation	Restriction of liberty order	Drug treatment & testing order	Supervised attendance order ¹	Fine	Compensation order	Insanity, hospital, guardianship order	Admonition	Absolute discharge	Remit to children's hearing	Total ²
All crimes and offences	13,046	1,688	10	14	14,924	479	295	910	621	25	52,654	769	31	15,010	358	130	100,964
All crimes	8,791	1,110	10	13	7,176	206	205	513	562	14	9,144	456	17	7,216	127	68	35,628
Non-sexual crimes of violence	1,024	220	7	6	508	43	26	54	11	-	101	14	6	95	6	4	2,125
Homicide	81	9	2	-	7	8	-	1	-	-	2	-	2	1	-	-	113
Serious assault and attempted murder	574	134	4	4	351	31	16	42	3	-	71	13	4	22	3	4	1,276
Robbery	321	74	1	1	79	2	3	8	7	-	7	-	-	9	1	-	513
Other violence	48	3	-	1	71	2	7	3	1	-	21	1	-	63	2	-	223
Sexual crimes	263	22	-	7	270	1	76	3	-	-	117	-	4	96	4	3	866
Rape and attempted rape	61	6	-	4	4	-	1	-	-	-	-	-	1	-	-	-	77
Sexual assault	89	6	-	2	78	-	18	-	-	-	8	-	2	1	1	1	206
Prostitution	-	-	-	-	3	-	-	-	-	-	66	-	-	73	-	-	142
Other sexual crimes	113	10	-	1	185	1	57	3	-	-	43	-	1	22	3	2	441
Crimes of dishonesty	3,971	301	2	-	2,420	104	46	174	385	6	2,820	190	-	2,753	46	18	13,236
Housebreaking	640	99	-	-	293	6	7	24	47	1	103	18	-	121	2	4	1,365
Theft by opening a lockfast place	102	8	-	-	45	3	-	-	6	-	44	6	-	30	1	1	246
Theft from a motor vehicle	75	8	-	-	39	-	3	4	8	-	32	3	-	28	-	-	200
Theft of a motor vehicle	94	22	-	-	112	1	1	9	2	1	83	6	-	37	3	1	372
Shoplifting	1,771	72	-	-	920	11	13	60	235	1	1,505	47	-	1,832	18	6	6,491
Other theft	751	68	1	-	620	20	9	43	52	1	624	73	-	438	14	5	2,719
Fraud	175	3	-	-	117	46	3	8	4	-	162	28	-	74	3	-	623
Other dishonesty	363	21	1	-	274	17	10	26	31	2	267	9	-	193	5	1	1,220
Fire-raising, vandalism, etc.	301	84	1	-	653	8	3	31	9	-	833	251	1	379	10	15	2,579
Fire-raising	51	11	1	-	42	3	1	3	-	-	1	2	1	12	-	5	133
Vandalism etc.	250	73	-	-	611	5	2	28	9	-	832	249	-	367	10	10	2,446
Other crimes	3,232	483	-	-	3,325	50	54	251	157	8	5,273	1	6	3,893	61	28	16,822
Crimes against public justice	1,526	347	-	-	1,565	9	22	130	32	5	1,997	-	2	2,725	39	22	8,421
Handling an offensive weapon	562	92	-	-	566	10	6	48	11	-	244	-	4	181	6	3	1,733
Drugs	1,075	38	-	-	1,131	31	26	69	114	3	2,997	-	-	957	15	1	6,457
Other crime	69	6	-	-	63	-	-	4	-	-	35	1	-	30	1	2	211
All offences	4,255	578	-	1	7,748	273	90	397	59	11	43,510	313	14	7,794	231	62	65,336
Miscellaneous offences	3,855	545	-	1	6,792	262	87	367	58	5	10,443	297	14	6,932	192	61	29,911
Common assault	1,844	333	-	-	3,534	62	46	229	27	1	4,092	183	4	2,547	94	43	13,039
Breach of the peace	1,639	186	-	1	2,575	17	13	109	26	1	4,635	71	10	3,570	66	16	12,935
Drunkenness	3	-	-	-	10	-	-	-	-	1	57	-	-	29	2	-	102
Other offences	369	26	-	-	673	183	28	29	5	2	1,659	43	-	786	30	2	3,835
Motor vehicle offences	400	33	-	-	956	11	3	30	1	6	33,067	16	-	862	39	1	35,425
Dangerous and careless driving	67	14	-	-	167	3	-	5	-	1	2,504	2	-	48	1	-	2,812
Drink/drug driving	98	1	-	-	527	3	1	12	1	2	4,037	-	-	47	1	-	4,730
Speeding	-	-	-	-	1	-	-	-	-	-	11,967	-	-	57	3	-	12,028
Unlawful use of vehicle	233	15	-	-	243	5	2	13	-	2	6,757	13	-	529	29	1	7,842
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-	1,194	-	-	46	1	-	1,241
Other vehicle	2	3	-	-	18	-	-	-	-	1	6,608	1	-	135	4	-	6,772

1. Of first instance

2. Includes a small number of charges where the main penalty is not known.

Table 8(b) People with a charge proved by main crime/offence and main penalty, 2012-13

Main crime or offence	Row percentages					Column percentages				
	Custody	Community sentence	Monetary	Other	Total	Custody	Community sentence	Monetary	Other	Total
All crimes and offences	15	17	53	15	100	100	100	100	100	100
All crimes	28	24	27	21	100	67	50	18	48	35
Non-sexual crimes of violence	59	30	5	5	100	9	4	*	1	2
Homicide	81	14	2	3	100	-	-	-	-	-
Serious assault and attempted murder	56	35	7	3	100	5	3	*	*	1
Robbery	77	19	1	2	100	3	1	*	*	1
Other violence	23	38	10	29	100	*	*	*	*	*
Sexual crimes	34	40	14	12	100	2	2	*	1	1
Rape and attempted rape	92	6	-	1	100	*	*	-	*	*
Sexual assault	47	47	4	2	100	1	1	*	*	*
Prostitution	-	2	46	51	100	-	*	*	*	*
Other sexual crimes	28	56	10	6	100	1	1	*	*	*
Crimes of dishonesty	32	24	23	21	100	29	18	6	18	13
Housebreaking	54	28	9	9	100	5	2	*	1	1
Theft by opening a lockfast place	45	22	20	13	100	1	*	*	*	*
Theft from a motor vehicle	42	27	18	14	100	1	*	*	*	*
Theft of a motor vehicle	31	34	24	11	100	1	1	*	*	*
Shoplifting	28	19	24	29	100	12	7	3	12	6
Other theft	30	27	26	17	100	6	4	1	3	3
Fraud	29	29	30	12	100	1	1	*	*	1
Other dishonesty	32	30	23	16	100	3	2	1	1	1
Fire-raising, vandalism, etc.	15	27	42	16	100	3	4	2	3	3
Fire-raising	47	37	2	14	100	*	*	*	*	*
Vandalism, etc.	13	27	44	16	100	2	4	2	2	2
Other crimes	22	23	31	24	100	25	22	10	26	17
Crimes against public justice	22	21	24	33	100	13	10	4	18	8
Handling an offensive weapon	38	37	14	11	100	4	4	*	1	2
Drugs	17	21	46	15	100	8	8	6	6	6
Other crime	36	32	17	16	100	1	*	*	*	*
All offences	7	13	67	12	100	33	50	82	52	65
Miscellaneous offences	15	25	36	24	100	30	44	20	46	30
Common assault	17	30	33	21	100	15	23	8	17	13
Breach of the peace	14	21	36	28	100	12	16	9	24	13
Drunkenness	3	11	56	30	100	*	*	*	*	*
Other offences	10	24	44	21	100	3	5	3	5	4
Motor vehicle offences	1	3	93	3	100	3	6	62	6	35
Dangerous and careless driving	3	6	89	2	100	1	1	5	*	3
Drink/drug driving	2	12	85	1	100	1	3	8	*	5
Speeding	-	*	99	*	100	-	*	22	*	12
Unlawful use of vehicle	3	3	86	7	100	2	2	13	4	8
Vehicle defect offences	-	-	96	4	100	-	-	2	*	1
Other vehicle	*	*	98	2	100	*	*	12	1	7

Table 8(c) People with a charge proved by gender, main crime/offence and main penalty, 2012-13

Main crime or offence	Male					Female				
	Total ¹	(percentages)				Total ¹	(percentages)			
		Community					Community			
		Custody	sentence	Monetary	Other		Custody	sentence	Monetary	Other
All crimes and offences	84,304	16	17	54	13	16,545	8	17	49	26
All crimes	29,883	30	24	27	18	5,745	16	25	24	35
Non-sexual crimes of violence	1,875	63	29	5	3	250	31	42	7	20
Homicide	102	83	13	1	3	11	64	27	9	-
Serious assault and attempted murder	1,170	57	34	7	2	106	42	46	6	7
Robbery	465	80	17	1	2	48	50	42	6	2
Other violence	138	36	37	10	17	85	4	39	9	48
Sexual crimes	762	38	45	12	4	104	-	7	23	70
Rape and attempted rape	77	92	6	-	1	-	-	-	-	-
Sexual assault	203	48	46	3	2	3	-	67	33	-
Prostitution	53	-	-	91	9	89	-	3	20	76
Other sexual crimes	429	29	57	9	5	12	-	17	42	42
Crimes of dishonesty	10,609	36	23	23	18	2,627	18	25	24	33
Housebreaking	1,306	56	27	9	8	59	22	46	5	27
Theft by opening a lockfast place	237	46	22	20	13	9	11	33	33	22
Theft from a motor vehicle	198	41	27	18	14	2	50	50	-	-
Theft of a motor vehicle	350	33	34	23	11	22	9	27	45	18
Shoplifting	4,731	32	18	24	25	1,760	18	21	23	38
Other theft	2,295	33	27	25	15	424	17	29	27	27
Fraud	427	33	27	31	8	196	18	32	29	21
Other dishonesty	1,065	33	27	23	16	155	20	45	17	18
Fire-raising, vandalism, etc.	2,251	16	28	42	14	328	10	21	40	29
Fire-raising	120	48	38	2	13	13	38	31	8	23
Vandalism, etc.	2,131	14	28	45	14	315	9	20	42	30
Other crimes	14,386	24	23	32	21	2,436	13	24	25	37
Crimes against public justice	7,027	24	21	24	31	1,394	14	21	21	45
Handling an offensive weapon	1,601	40	36	14	10	132	14	50	12	23
Drugs	5,600	18	21	48	13	857	12	25	34	28
Other crime	158	42	30	19	9	53	17	38	11	34
All offences	54,421	8	13	68	11	10,800	3	13	63	21
Miscellaneous offences	24,629	16	25	37	21	5,238	7	25	29	39
Common assault	10,505	19	31	34	17	2,534	8	27	28	37
Breach of the peace	11,213	15	22	38	25	1,722	7	17	29	48
Drunkenness	82	4	9	66	22	20	-	20	15	65
Other offences	2,829	13	21	47	19	962	4	35	34	28
Motor vehicle offences	29,792	1	3	93	2	5,562	*	2	94	3
Dangerous and careless driving	2,447	3	6	89	1	365	1	5	91	4
Drink/drug driving	3,847	2	12	85	1	883	1	10	88	1
Speeding	10,249	-	*	99	1	1,778	-	-	100	*
Unlawful use of vehicle	6,369	4	4	85	7	1,465	*	1	90	9
Vehicle defect offences	1,084	-	-	97	3	106	-	-	91	9
Other vehicle	5,796	*	*	98	2	965	-	*	98	2

1. Excludes a small number of companies.

Table 9 Percentage of people with a charge proved receiving custodial sentences by main crime/offence, 2003-04 to 2012-13

Main crime or offence	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
All crimes and offences	12	12	12	12	13	13	13	13	15	15
All crimes	24	23	24	24	24	26	26	26	28	28
Non-sexual crimes of violence	52	51	50	54	51	55	58	53	60	59
Homicide	94	92	88	93	96	98	91	82	83	81
Serious assault and attempted murder	48	50	46	52	48	53	56	53	61	56
Robbery	65	61	66	70	66	71	73	72	78	77
Other violence	18	17	25	22	25	19	27	27	21	23
Sexual crimes	33	26	28	26	24	24	31	26	27	34
Rape and attempted rape	83	93	90	98	92	98	95	92	94	92
Sexual assault	57	49	51	46	47	52	62	46	45	47
Prostitution	-	-	1	1	1	1	3	1	2	-
Other sexual crimes	19	17	28	24	22	23	27	28	24	28
Crimes of dishonesty	29	29	28	28	28	29	29	30	31	32
Housebreaking	48	47	45	50	47	45	49	53	54	54
Theft by opening a lockfast place	39	31	35	36	34	36	37	38	40	45
Theft from a motor vehicle	36	37	37	43	40	45	39	41	45	42
Theft of a motor vehicle	23	23	22	27	22	27	24	27	29	31
Shoplifting	29	28	28	26	26	27	26	27	28	28
Other theft	26	26	26	24	26	27	29	28	28	30
Fraud	11	11	14	17	18	21	21	23	24	29
Other dishonesty	28	24	26	27	25	27	29	31	33	32
Fire-raising, vandalism, etc.	9	9	9	9	10	11	12	13	15	15
Fire-raising	31	24	35	27	36	31	30	35	41	47
Vandalism, etc.	8	8	8	8	9	10	11	12	13	13
Other crimes	17	17	19	20	21	22	23	21	22	22
Crimes against public justice	19	19	23	24	24	22	23	21	22	22
Handling an offensive weapon	22	22	26	30	29	30	32	31	35	38
Drugs	14	14	13	13	15	19	19	19	19	17
Other crime	20	42	45	37	35	31	27	26	32	36
All offences	5	5	6	6	6	7	6	6	7	7
Miscellaneous offences	8	9	9	10	10	12	12	13	15	15
Common assault	12	13	13	14	14	15	15	16	17	17
Breach of the peace	8	9	10	10	10	11	12	13	14	14
Drunkenness	3	3	2	2	-	2	3	1	3	3
Other offences	2	2	2	2	3	7	5	6	10	10
Motor vehicle offences	3	3	3	3	2	2	1	1	1	1
Dangerous and careless driving	3	4	4	4	4	4	3	3	4	3
Drink/drug driving	2	2	2	3	2	2	2	2	2	2
Speeding	-	-	-	-	-	-	-	-	-	-
Unlawful use of vehicle	6	5	6	6	5	5	3	3	4	3
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-
Other vehicle	1	1	-	-	-	-	-	-	-	-

Table 10(a) People receiving a custodial sentence by main crime/offence and length of sentence, 2012-13

Main crime or offence	(Numbers)									(Percentages)				
	Total ^{1,2}	Up to 3 months	Over 3 months to 6 months	Over 6 months to 2 years	Over 2 years to less than 4 years	4 years and over	Life	Indeterminate	Average length of sentence (days) ^{3,4}	Up to 3 months	Over 3 months to 6 months	Over 6 months to 2 years	Over 2 years to less than 4 years	4 years and over including life etc
All crimes and offences	14,748	4,334	5,470	3,804	659	424	49	-	283	29	37	26	4	3
All crimes	9,914	2,887	3,197	2,757	611	408	49	-	336	29	32	28	6	5
Non-sexual crimes of violence	1,250	16	56	651	283	196	47	-	884	1	4	52	23	19
Homicide	90	-	-	5	4	34	47	-	2,367	-	-	6	4	90
Serious assault and attempted murder	712	3	17	409	174	108	-	-	876	*	2	57	24	15
Robbery	396	5	26	216	99	50	-	-	794	1	7	55	25	13
Other non-sexual violence	52	8	13	21	6	4	-	-	468	15	25	40	12	8
Sexual crimes	292	5	29	103	46	107	2	-	1,283	2	10	35	16	37
Rape and attempted rape	71	-	-	2	4	64	1	-	2,414	-	-	3	6	92
Sexual assault	97	-	11	39	25	21	1	-	1,070	-	11	40	26	23
Prostitution	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other sexual crimes	124	5	18	62	17	22	-	-	808	4	15	50	14	18
Crimes of dishonesty	4,272	1,431	1,942	839	49	8	-	-	166	33	45	20	1	*
Housebreaking	739	72	307	332	25	3	-	-	265	10	42	45	3	*
Theft by opening a lockfast place	110	19	53	36	2	-	-	-	214	17	48	33	2	-
Theft from a motor vehicle	83	22	46	15	-	-	-	-	154	27	55	18	-	-
Theft of a motor vehicle	116	24	65	26	1	-	-	-	174	21	56	22	1	-
Shoplifting	1,843	843	851	147	-	-	-	-	114	46	46	8	-	-
Other theft	819	238	415	158	6	1	-	-	162	29	51	19	1	*
Fraud	178	31	67	70	9	1	-	-	270	17	38	39	5	1
Other dishonesty	384	182	138	55	6	3	-	-	171	47	36	14	2	1
Fire-raising, vandalism etc.	385	126	141	105	11	2	-	-	214	33	37	27	3	1
Fire-raising	62	4	9	39	8	2	-	-	502	6	15	63	13	3
Vandalism etc.	323	122	132	66	3	-	-	-	158	38	41	20	1	-
Other crimes	3,715	1,309	1,029	1,059	222	95	-	-	293	35	28	29	6	3
Crimes against public justice	1,873	1,113	618	132	6	4	-	-	111	59	33	7	*	*
Handling an offensive weapon	654	36	180	412	24	2	-	-	346	6	28	63	4	*
Drugs	1,113	149	187	502	187	88	-	-	569	13	17	45	17	8
Other crime	75	11	44	13	5	1	-	-	256	15	59	17	7	1
All offences	4,834	1,447	2,273	1,047	48	16	-	-	175	30	47	22	1	*
Miscellaneous offences	4,401	1,400	2,065	870	47	16	-	-	172	32	47	20	1	*
Common assault	2,177	482	1,040	617	32	4	-	-	197	22	48	28	1	*
Breach of the peace	1,826	775	835	206	8	1	-	-	135	42	46	11	*	*
Drunkenness	3	2	1	-	-	-	-	-	97	67	33	-	-	-
Other miscellaneous	395	141	189	47	7	11	-	-	201	36	48	12	2	3
Motor vehicle offences	433	47	208	177	1	-	-	-	202	11	48	41	*	-
Dangerous and careless driving	81	3	33	44	1	-	-	-	262	4	41	54	1	-
Drink/drug driving	99	18	67	14	-	-	-	-	147	18	68	14	-	-
Speeding	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Unlawful use of vehicle	248	24	105	119	-	-	-	-	206	10	42	48	-	-
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other motor vehicle	5	2	3	-	-	-	-	-	93	40	60	-	-	-

1. Includes a small number of cases where sentence length is unknown
 2. Excludes a small number of cases which resulted in detention of a child aged under 16.
 3. Excludes life sentences.
 4. Average sentence length figures for some categories may be underestimated slightly due to late recording of some High Court disposals.

Table 10(b) People receiving a custodial sentence by gender, main crime/offence and length of sentence, 2012-13

Main crime or offence	Male						Female					
	Total ^{1,2}	(Percentages)					Total ¹	(Percentages)				
		Up to 3 months	Over 3 months to 6 months	Over 6 months to 2 years	Over 2 years to less than 4 years	4 years and over including life etc		Up to 3 months	Over 3 months to 6 months	Over 6 months to 2 years	Over 2 years to less than 4 years	4 years and over including life etc
All crimes and offences	13,463	29	37	26	5	3	1,284	38	39	19	2	1
All crimes	9,005	28	32	29	6	5	908	40	36	19	3	1
Non-sexual crimes of violence	1,171	1	4	52	23	20	78	3	6	58	18	16
Homicide	83	-	-	6	4	90	7	-	-	-	14	86
Serious assault and attempted murder	667	*	2	57	25	16	44	-	7	64	20	9
Robbery	372	1	7	53	26	13	24	-	4	71	17	8
Other non-sexual violence	49	12	24	43	12	8	3	67	33	-	-	-
Sexual crimes	292	2	10	35	16	38	-	-	-	-	-	-
Rape and attempted rape	71	-	-	3	6	91	-	-	-	-	-	-
Sexual assault	97	-	11	40	26	23	-	-	-	-	-	-
Prostitution	-	-	-	-	-	-	-	-	-	-	-	-
Other sexual crimes	124	4	15	50	14	18	-	-	-	-	-	-
Crimes of dishonesty	3,800	33	46	21	1	*	472	41	46	13	*	-
Housebreaking	726	10	41	45	3	*	13	15	69	15	-	-
Theft by opening a lockfast place	109	17	48	33	2	-	1	-	100	-	-	-
Theft from a motor vehicle	82	27	55	18	-	-	1	-	100	-	-	-
Theft of a motor vehicle	114	20	56	23	1	-	2	50	50	-	-	-
Shoplifting	1,524	46	46	8	-	-	319	47	47	7	-	-
Other theft	749	29	51	19	1	*	70	30	47	23	-	-
Fraud	143	13	36	43	6	1	35	34	43	23	-	-
Other dishonesty	353	49	37	12	1	1	31	32	19	42	6	-
Fire-raising, vandalism etc.	353	32	37	27	3	1	32	41	34	25	-	-
Fire-raising	57	7	12	63	14	4	5	-	40	60	-	-
Vandalism etc.	296	37	42	21	1	-	27	48	33	19	-	-
Other crimes	3,389	34	28	29	6	3	326	47	29	20	4	*
Crimes against public justice	1,682	58	34	7	*	*	191	70	26	4	1	-
Handling an offensive weapon	635	6	27	63	4	*	19	-	47	47	5	-
Drugs	1,006	13	16	45	17	9	107	18	27	44	10	1
Other crime	66	15	58	18	8	2	9	11	78	11	-	-
All offences	4,458	30	47	22	1	*	376	35	46	19	1	-
Miscellaneous offences	4,034	32	47	20	1	*	367	35	46	19	1	-
Common assault	1,964	21	48	29	2	*	213	29	47	23	-	-
Breach of the peace	1,706	42	46	12	*	*	120	50	43	7	-	-
Drunkenness	3	67	33	-	-	-	-	-	-	-	-	-
Other miscellaneous	361	37	48	10	1	3	34	21	41	32	6	-
Motor vehicle offences	424	11	48	42	*	-	9	22	67	11	-	-
Dangerous and careless driving	79	4	41	54	1	-	2	-	50	50	-	-
Drink/drug driving	94	18	67	15	-	-	5	20	80	-	-	-
Speeding	-	-	-	-	-	-	-	-	-	-	-	-
Unlawful use of vehicle	246	9	42	48	-	-	2	50	50	-	-	-
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-	-	-
Other motor vehicle	5	40	60	-	-	-	-	-	-	-	-	-

1. Includes a small number of cases where sentence length is unknown.

2. Excludes a small number of cases which resulted in detention of a child aged under 16.

Table 10(c) Average length of custodial sentence in days, by main crime/offence, 2003-04 to 2012-13

Main crime or offence ¹	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
All crimes and offences	257	238	229	232	248	263	284	278	286	283
All crimes	300	283	274	281	299	310	332	322	336	336
Non-sexual crimes of violence	964	884	882	905	926	906	904	881	930	884
Homicide	2,056	2,191	1,927	1,957	2,630	2,329	2,201	2,304	2,206	2,367
Serious assault and attempted murder	906	870	892	898	877	887	917	926	977	876
Robbery	942	666	726	818	727	804	761	819	812	794
Other non-sexual violence	592	601	770	566	658	510	529	271	482	468
Sexual crimes	1,047	1,254	1,034	1,224	1,291	1,342	1,304	1,213	1,265	1,283
Rape and attempted rape	1,931	1,960	2,191	2,074	2,682	2,543	2,280	2,074	2,224	2,414
Sexual assault	817	960	830	1,133	948	1,099	1,195	1,380	1,244	1,070
Prostitution	-	365	395	96	284	403	183	185	540	-
Other sexual crimes	799	1,011	622	710	764	1,060	955	798	832	808
Crimes of dishonesty	137	128	128	133	137	142	151	154	165	166
Housebreaking	207	193	211	211	228	223	242	256	267	265
Theft by opening a lockfast place	163	148	111	127	132	150	171	169	190	214
Theft from a motor vehicle	133	126	135	129	122	146	162	176	156	154
Theft of a motor vehicle	156	120	120	135	133	158	159	151	183	174
Shoplifting	97	97	93	90	94	98	101	106	116	114
Other theft	125	134	124	119	128	137	156	159	167	162
Fraud	228	150	180	245	206	224	226	230	220	270
Other dishonesty	125	102	126	146	167	143	165	137	164	171
Fire-raising, vandalism etc..	125	140	138	168	188	176	198	194	217	214
Fire-raising	395	450	385	507	469	447	470	555	683	502
Vandalism etc.	90	103	92	112	142	128	158	144	145	158
Other crimes	307	286	249	239	263	276	304	308	291	293
Crimes against public justice	79	89	84	74	88	95	100	112	114	111
Handling an offensive weapon	116	111	118	161	218	261	271	288	312	346
Drugs	655	629	584	548	559	545	576	575	535	569
Other crime	1,415	326	159	221	215	183	659	155	260	256
All offences	153	137	132	131	140	160	171	175	181	175
Miscellaneous offences	138	125	121	123	132	156	168	171	178	172
Common assault	172	154	148	149	153	174	199	195	204	197
Breach of the peace	88	85	80	83	87	109	115	124	136	135
Drunkenness	27	27	30	38	-	45	32	29	76	97
Other miscellaneous	223	153	224	224	293	318	285	244	212	201
Motor vehicle offences	183	171	165	157	170	176	188	202	207	202
Dangerous and careless driving	286	233	261	212	233	230	241	289	283	262
Drink/drug driving	120	131	112	105	124	142	137	130	145	147
Speeding	-	-	-	-	-	-	-	-	-	-
Unlawful use of vehicle	178	165	161	161	168	174	189	204	207	206
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-
Other motor vehicle	334	396	96	95	115	80	123	152	100	93

1. Average sentence lengths exclude life sentences and indeterminate detention.

2. Figures for some categories dealt with by the high court - including homicide, rape and major drug cases - may be underestimated slightly due to late recording of disposals - see annex B6 to B8.

Table 11 People with a charge proved by main penalty, gender and age, 2012-13

Main penalty	Total	Male					Female					Number
		All males	Under 16	16 to 20	21 to 30	Over 30	All females	Under 16	16 to 20	21 to 30	Over 30	Companies
Total¹	100,964	84,304	33	10,318	30,332	43,621	16,545	1	1,614	5,866	9,064	113
Custody	14,758	13,474	10	1,576	5,485	6,403	1,284	-	116	594	574	-
Community sentence	17,254	14,386	5	2,736	5,585	6,060	2,868	1	424	1,065	1,378	-
Monetary	53,423	45,143	1	4,059	15,818	25,265	8,169	-	533	2,702	4,934	109
Other sentence	15,529	11,301	17	1,947	3,444	5,893	4,224	-	541	1,505	2,178	4

Main penalty	Total	Male					Female					Row per cent
		All males	Under 16	16 to 20	21 to 30	Over 30	All females	Under 16	16 to 20	21 to 30	Over 30	Companies
Total	100	83	*	10	30	43	16	*	2	6	9	*
Custody	100	91	*	11	37	43	9	-	1	4	4	-
Community sentence	100	83	*	16	32	35	17	*	2	6	8	-
Monetary	100	85	*	8	30	47	15	-	1	5	9	*
Other sentence	100	73	*	13	22	38	27	-	3	10	14	*

Main penalty	Total	Male					Female					Column per cent
		All males	Under 16	16 to 20	21 to 30	Over 30	All females	Under 16	16 to 20	21 to 30	Over 30	Companies
Total	100	100	100	100	100	100	100	100	100	100	100	100
Custody	15	16	30	15	18	15	8	-	7	10	6	-
Community sentence	17	17	15	27	18	14	17	100	26	18	15	-
Monetary	53	54	3	39	52	58	49	-	33	46	54	96
Other sentence	15	13	52	19	11	14	26	-	34	26	24	4

1. Includes a small number of cases where age and sex are unknown

2. An investigation is underway to consider the reasons for the falls in recent years in the number of companies.

Table 12 People with a charge proved by main penalty, gender and age, 2003-04 to 2012-13

	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	% change 11-12 -12-13
Total^{1,2,3}	128,053	129,235	127,843	134,113	133,353	125,881	121,038	115,556	108,293	100,849	-7
Males	107,933	108,460	107,804	113,511	112,788	106,301	101,614	97,027	90,856	84,304	-7
Under 21	23,550	23,205	24,185	25,639	24,525	20,535	17,328	15,144	13,130	10,351	-21
21-30	40,053	39,337	38,079	40,404	41,222	38,899	37,315	35,174	32,735	30,332	-7
Over 30	44,325	45,912	45,537	47,466	47,041	46,867	46,971	46,708	44,991	43,621	-3
Females	20,120	20,775	20,039	20,602	20,565	19,580	19,424	18,529	17,437	16,545	-5
Under 21	2,944	2,909	2,937	3,264	3,306	2,830	2,511	2,228	1,952	1,615	-17
21-30	7,494	7,652	7,387	7,401	7,387	7,313	7,010	6,572	5,989	5,866	-2
Over 30	9,680	10,214	9,715	9,935	9,872	9,437	9,903	9,727	9,496	9,064	-5
Custody	14,784	15,010	15,082	16,758	16,761	16,944	15,801	15,312	15,911	14,758	-7
Males	13,684	13,809	13,939	15,583	15,486	15,591	14,521	14,010	14,543	13,474	-7
Under 21	2,620	2,521	2,803	3,070	2,986	2,856	2,601	2,013	2,049	1,586	-23
21-30	6,726	6,478	6,030	6,684	6,864	6,718	6,154	6,074	6,036	5,485	-9
Over 30	4,338	4,809	5,106	5,829	5,636	6,017	5,766	5,923	6,458	6,403	-1
Females	1,100	1,201	1,143	1,175	1,275	1,353	1,280	1,302	1,368	1,284	-6
Under 21	211	191	125	200	182	182	175	168	160	116	-28
21-30	542	611	563	592	615	682	581	588	620	594	-4
Over 30	347	399	455	383	478	489	524	546	588	574	-2
Community sentence	13,943	15,316	15,973	16,077	16,709	17,921	16,350	15,617	16,934	17,254	2
Males	11,624	12,821	13,355	13,566	13,886	14,955	13,484	12,979	14,087	14,386	2
Under 21	3,583	3,914	4,158	4,486	4,471	4,608	3,640	3,446	3,292	2,741	-17
21-30	4,435	4,832	4,920	4,878	4,935	5,303	5,037	4,697	5,246	5,585	6
Over 30	3,606	4,075	4,277	4,202	4,480	5,044	4,807	4,836	5,549	6,060	9
Females	2,319	2,495	2,618	2,511	2,823	2,966	2,866	2,638	2,847	2,868	1
Under 21	478	529	532	633	667	593	559	453	433	425	-2
21-30	987	1,042	1,126	926	1,092	1,176	1,013	1,020	1,014	1,065	5
Over 30	854	924	960	952	1,064	1,197	1,294	1,165	1,400	1,378	-2
Monetary	85,647	84,468	81,862	84,541	83,105	73,980	72,487	67,558	59,243	53,312	-10
Males	72,573	71,134	69,505	72,051	71,058	63,241	61,480	57,350	50,260	45,143	-10
Under 21	14,389	13,765	14,029	14,646	13,597	9,886	8,462	7,070	5,365	4,060	-24
21-30	25,771	24,840	23,884	25,214	25,791	23,102	22,258	20,357	17,798	15,818	-11
Over 30	32,409	32,524	31,589	32,189	31,670	30,253	30,760	29,922	27,097	25,265	-7
Females	13,074	13,334	12,357	12,490	12,047	10,739	11,007	10,208	8,983	8,169	-9
Under 21	1,549	1,494	1,507	1,572	1,569	1,206	1,061	909	746	533	-29
21-30	4,572	4,611	4,254	4,253	4,140	3,754	3,818	3,381	2,907	2,702	-7
Over 30	6,952	7,229	6,596	6,663	6,338	5,779	6,128	5,916	5,330	4,934	-7
Other sentence	13,679	14,441	14,926	16,737	16,778	17,036	16,400	17,069	16,205	15,525	-4
Males	10,052	10,696	11,005	12,311	12,358	12,514	12,129	12,688	11,966	11,301	-6
Under 21	2,958	3,005	3,195	3,437	3,471	3,185	2,625	2,615	2,424	1,964	-19
21-30	3,121	3,187	3,245	3,628	3,632	3,776	3,866	4,046	3,655	3,444	-6
Over 30	3,972	4,504	4,565	5,246	5,255	5,553	5,638	6,027	5,887	5,893	0
Females	3,627	3,745	3,921	4,426	4,420	4,522	4,271	4,381	4,239	4,224	0
Under 21	706	695	773	859	888	849	716	698	613	541	-12
21-30	1,393	1,388	1,444	1,630	1,540	1,701	1,598	1,583	1,448	1,505	4
Over 30	1,527	1,662	1,704	1,937	1,992	1,972	1,957	2,100	2,178	2,178	0

1. Includes people with sentence unknown.

2. Excludes people with gender unknown.

3. Excludes companies.

4. Includes people with age unknown.

Table 13 Bail orders made by type of court, 2003-04 to 2012-13Number^{1,2}

Type of court	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
All court types³	50,388	52,884	56,260	62,294	60,362	52,593	47,921	46,221	47,607	44,038
High court	369	348	297	434	305	279	261	252	299	207
Sheriff court	43,495	46,832	50,314	55,460	54,095	47,545	43,133	41,710	42,667	39,915
Justice of the Peace court ⁴	6,524	5,704	5,644	6,400	5,962	4,768	4,522	4,256	4,638	3,911

Per cent

Type of court	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
All court types³	100	100	100	100	100	100	100	100	100	100
High court	1	1	1	1	1	1	1	1	1	0
Sheriff court	86	89	89	89	90	90	90	90	90	91
Justice of the Peace court ⁴	13	11	10	10	10	9	9	9	10	9

Index: 2003-04=100

Type of court	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
All court types³	100	105	112	124	120	104	95	92	94	87
High court	100	94	80	118	83	76	71	68	81	56
Sheriff court	100	108	116	128	124	109	99	96	98	92
Justice of the Peace court ⁴	100	87	87	98	91	73	69	65	71	60

1. Excludes modifications to existing bail orders, persons counted once only where more than one bail order on same day.

2. The recording of bail orders has improved over time, so some caution is needed when comparing changes from earlier years.

3. Includes some records where court type is not assigned.

4. Includes District courts up to 2009-10 and the Stipendiary Magistrates court - more details in annex E.11.

Table 14 Bail orders made by gender and age, 2009-10 to 2012-13

	2009-10		2010-11		2011-12		2012-13	
	Number	Percentage of total	Number	Percentage of total	Number	Percentage of total	Number	Percentage of total
Sex								
Male	40,468	84	39,019	84	39,982	84	36,781	84
Female	7,448	16	7,201	16	7,620	16	7,254	16
Age								
Under 21	10,153	21	9,630	21	8,931	19	6,973	16
21-30	17,917	37	17,001	37	17,774	37	16,431	37
Over 30	19,850	41	19,589	42	20,902	44	20,633	47
Total^{1,2,3}	47,921	100	46,221	100	47,607	100	44,038	100

1. Contains a small number of bail orders where gender and/or age are unknown.

2. Excludes modifications to existing bail orders. People counted once only where more than one bail order on same day.

3. Totals include people where main offence not known, and where bail was granted following the lodging of an appeal.

Table 15 Bail orders made by main charge, 2003-04 to 2012-13

Year	Non-sexual crimes of violence	Sexual crimes	Crimes of dishonesty	Fire-raising vandalism etc.	Handling an offensive weapon	Drug offences	Other crimes	Common assault	Breach of the peace	Miscellaneous offences	Motor vehicle offences	Unknown ¹	Total ^{1,2,3,4}
	Number												
2003-04	4,078	973	12,279	2,976	2,340	3,126	4,582	8,573	4,836	1,984	4,527	22	50,388
2004-05	4,239	1,078	12,126	3,320	2,633	3,344	4,445	9,885	5,770	2,092	3,857	21	52,884
2005-06	4,147	1,199	11,538	3,599	2,819	3,533	5,281	10,946	6,668	2,563	3,861	8	56,260
2006-07	4,207	1,164	12,414	4,067	3,371	3,909	6,314	12,675	7,297	2,423	4,315	44	62,294
2007-08	2,342	704	6,737	2,250	1,922	2,123	3,773	7,077	4,125	1,235	2,211	25,819	60,362
2008-09	-	-	-	-	-	-	-	-	-	-	-	52,593	52,593
2009-10	3,295	815	8,429	2,985	2,313	3,152	6,026	10,788	6,017	2,362	1,672	28	47,921
2010-11	3,421	765	8,478	2,696	2,193	2,949	6,086	10,267	5,500	2,157	1,672	19	46,221
2011-12	3,285	915	8,365	2,734	2,121	2,853	6,343	10,851	6,263	2,243	1,595	28	47,607
2012-13	2,570	1,003	7,565	2,496	1,637	2,735	5,852	9,887	5,995	2,573	1,680	35	44,038
	Percentage of total ⁵												
2003-04	8	2	24	6	5	6	9	17	10	4	9	*	100
2004-05	8	2	23	6	5	6	8	19	11	4	7	*	100
2005-06	7	2	21	6	5	6	9	19	12	5	7	*	100
2006-07	7	2	20	7	5	6	10	20	12	4	7	*	100
2007-08	7	2	20	7	6	6	11	20	12	4	6	-	100
2008-09	-	-	-	-	-	-	-	-	-	-	-	-	100
2009-10	7	2	18	6	5	7	13	23	13	5	3	*	100
2010-11	7	2	18	6	5	6	13	22	12	5	4	*	100
2011-12	7	2	18	6	4	6	13	23	13	5	3	*	100
2012-13	6	2	17	6	4	6	13	22	14	6	4	*	100

1. A breakdown of bail orders by the main charge is not available for the period from 20 October 2007 to 31 March 2009. More details in Annex B.

2. The recording of bail orders has improved over time, so some caution is needed when comparing changes from earlier years.

3. Includes in 2012-13, 10 persons where bail was granted following the lodging of an appeal. Other years also include some numbers of these cases. As a result of these appeals, row totals do not equal the sum of the main charges.

4. Excludes modifications to existing bail orders, persons counted once only where more than one bail order on same day.

5. Percentage of bail orders made where crime/offence type is known.

Table 16 Number and percentage of bail orders issued to individuals accused of crimes or offences, by gender and age, 2012-13

					Number
	1	2	3	>3	Total
Gender					
Female	4,243	712	248	179	5,382
Male	21,242	4,087	1,257	771	27,357
Age					
Under 21	3,418	823	274	238	4,753
21-30	9,190	1,896	611	340	12,037
Over 30	12,878	2,080	620	372	15,950
Total^{1,2}	25,487	4,799	1,505	950	32,741

					Per cent
	1	2	3	>3	Total
Gender					
Female	79	13	5	3	100
Male	78	15	5	3	100
Age					
Under 21	72	17	6	5	100
21-30	76	16	5	3	100
Over 30	81	13	4	2	100
Total^{1,2}	78	15	5	3	100

1. Contains a small number of bail orders where gender and/or age are unknown.

2. Excludes modifications to existing bail orders. People counted once only where more than one bail order on the same day.

Table 17 Undertakings to appear in court, by gender and age, 2008-09 and 2012-131

	2009-10		2010-11		2011-12		2012-13	
	Number	Percentage of total	Number	Percentage of total	Number	Percentage of total	Number	Percentage of total
Gender²								
Male	20,662	79	21,384	78	20,243	77	17,329	76
Female	5,461	21	5,912	22	5,953	23	5,489	24
Not known	3	*	1	*	4	*	1	*
Age²								
Under 21	6,500	25	6,297	23	5,483	21	4,244	19
21-30	8,807	34	9,468	35	8,978	34	7,824	34
Over 30	10,818	41	11,532	42	11,739	45	10,749	47
Not known	2	*	-	-	-	-	2	*
Total	26,127	100	27,297	100	26,200	100	22,819	100

1. Gender and date of birth were added to the main collection of bail data from 2009-10.

2. Excludes modifications to existing undertakings. People counted once only where more than one undertaking on the same day.

Table 18 Bail-related Offences with a Charge Proved, 2003-04 to 2012-13

	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	% change 2011-12 to 2012-13
All bail-related offences:	5,839	6,100	5,996	7,438	8,025	9,098	8,363	8,261	8,860	8,438	-5
Bail-related offences as a percentage of bail orders made	12	12	11	12	13	17	17	18	19	19	
Court:											
High Court	42	38	43	34	35	35	15	27	20	16	-20
Sheriff Solemn	243	233	294	332	352	275	222	227	209	224	7
Sheriff Summary	5,174	5,576	5,415	6,836	7,436	8,227	7,477	7,358	7,964	7,632	-4
Justice of the Peace	380	253	244	236	202	556	649	649	667	566	-15
Age:											
Under 21	1,574	1,781	1,763	2,560	2,639	2,580	2,292	2,051	2,146	1,807	-16
21-30	2,555	2,344	2,177	2,486	2,773	3,394	3,081	3,111	3,290	3,157	-4
Over 30	1,710	1,975	2,056	2,392	2,613	3,124	2,990	3,099	3,424	3,474	1
Gender:											
Male	5,056	5,349	5,235	6,622	7,145	7,911	7,316	7,214	7,758	7,248	-7
Female	783	751	761	816	880	1,187	1,047	1,046	1,102	1,190	8
Main result of proceedings:											
Custody	1,447	1,476	1,717	2,174	2,268	2,275	2,197	2,083	2,220	2,115	-5
Community	1,085	1,297	1,243	1,461	1,625	1,795	1,473	1,464	1,520	1,678	10
Monetary	1,444	1,449	1,354	1,703	1,889	2,267	1,916	1,818	1,922	1,677	-13
Other	1,863	1,878	1,682	2,100	2,243	2,761	2,777	2,896	3,198	2,968	-7

Table 19 People given police disposals by disposal type, 2008-09 to 2012-13

	2008-09	2009-10	2010-11	2011-12	2012-13	% change 2011-12 to 2012-13
All police disposals¹	61,609	74,260	66,011	67,606	68,678	2%
Anti-social behaviour fixed penalty notice (ASBFPN)	48,462	61,234	54,345	53,665	54,665	2%
Police formal adult warning	7,828	8,386	7,517	8,446	8,233	-2%
Police restorative justice warning	2,479	2,326	1,726	996	567	-43%
Other police warnings ²	315	201	304	2,330	3,887	67%
Warning letter (Police/Children's Reporter) ³	2,525	2,113	2,119	2,169	1,326	-39%

1. Includes a small number of records where age and/or gender are unknown.

2. Mainly verbal warnings, but also includes prostitute warnings and community warning notices.

3. Not possible to separately identify the numbers issued by the police or the children's reporter.

Table 20 Males given ASBFPNs, by main crime/offence and age, 2012-13

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
Total¹	13,320	19,492	14,963	47,775	100	100	100	100
Riotous behaviour while drunk in licensed premises	-	-	-	-	-	-	-	-
Refusing to leave licensed premises	122	291	253	666	1	1	2	1
Urinating etc.	3,053	6,665	4,012	13,730	23	34	27	29
Drunk & incapable	133	199	385	717	1	1	3	2
Drunk in charge of child	3	6	5	14	*	*	*	*
Loud music etc.	44	105	74	223	*	1	*	*
Vandalism	251	193	97	541	2	1	1	1
Consuming alcohol in public place	6,218	7,242	6,698	20,158	47	37	45	42
Breach of the peace	3,492	4,783	3,436	11,711	26	25	23	25
Malicious mischief	4	6	1	11	*	*	*	*
Offensive behaviour at football and threatening communications	-	2	2	4	-	*	*	*

1. Excludes a small number of records where age and / or gender are unknown.

Table 21 Females given ASBFPNs, by main crime/offence and age, 2012-13

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
Total¹	2,152	2,397	2,333	6,882	100	100	100	100
Riotous behaviour while drunk in licensed premises	-	-	-	-	-	-	-	-
Refusing to leave licensed premises	9	30	46	85	*	1	2	1
Urinating etc.	169	199	116	484	8	8	5	7
Drunk & incapable	32	54	109	195	1	2	5	3
Drunk in charge of child	-	-	2	2	-	-	*	*
Loud music etc.	49	63	34	146	2	3	1	2
Vandalism	23	24	27	74	1	1	1	1
Consuming alcohol in public place	1,141	1,038	914	3,093	53	43	39	45
Breach of the peace	729	989	1,085	2,803	34	41	47	41
Malicious mischief	-	-	-	-	-	-	-	-
Offensive behaviour at football and threatening communications	-	-	-	-	-	-	-	-

1. Excludes a small number of records where age and / or gender are unknown.

Table 22 Males given Formal Adult Warnings by main crime/offence and age, 2012-13

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
All crimes and offences¹	1,017	1,264	2,721	5,002	100	100	100	100
All crimes	501	486	899	1,886	49	38	33	38
Non-sexual crimes of violence	-	-	3	3	-	-	*	*
Homicide	-	-	-	-	-	-	-	-
Serious assault and attempted murder	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-
Other violence	-	-	3	3	-	-	-	-
Sexual crimes	1	-	2	3	*	-	*	*
Rape and attempted rape	-	-	-	-	-	-	-	-
Sexual assault	-	-	-	-	-	-	-	-
Prostitution	-	-	2	2	-	-	*	*
Other sexual crimes	1	-	-	1	*	-	-	*
Crimes of dishonesty	362	412	828	1,602	36	33	30	32
Housebreaking	3	-	-	3	*	-	-	*
Theft by opening a lockfast place	1	-	-	1	*	-	-	*
Theft from a motor vehicle	-	-	-	-	-	-	-	-
Theft of a motor vehicle	-	-	1	1	-	-	*	*
Shoplifting	188	281	646	1,115	18	22	24	22
Other theft	66	92	152	310	6	7	6	6
Fraud	97	37	26	160	10	3	1	3
Other dishonesty	7	2	3	12	1	*	*	*
Fire-raising, vandalism, etc.	129	60	59	248	13	5	2	5
Fire-raising	6	-	1	7	1	-	*	*
Vandalism, etc.	123	60	58	241	12	5	2	5
Other crimes	9	14	7	30	1	1	*	1
Crimes against public justice	6	12	6	24	1	1	*	*
Handling an offensive weapon	1	-	-	1	*	-	-	*
Drugs	2	2	-	4	*	*	-	*
Other crime	-	-	1	1	-	-	*	*
All offences	516	778	1,822	3,116	51	62	67	62
Miscellaneous offences	514	776	1,809	3,099	51	61	66	62
Common assault	143	177	339	659	14	14	12	13
Breach of the peace	127	125	286	538	12	10	11	11
Drunkenness	81	223	885	1,189	8	18	33	24
Urinating etc.	20	55	44	119	2	4	2	2
Alcohol byelaw offences	82	107	94	283	8	8	3	6
Litter offences	15	16	11	42	1	1	*	1
Communications act offences	4	12	17	33	*	1	1	1
Other offences	42	61	133	236	4	5	5	5
Motor vehicle offences	2	2	13	17	*	*	*	*
Dangerous and careless driving	-	-	3	3	-	-	*	*
Drink/drug driving	-	-	-	-	-	-	-	-
Speeding	-	-	-	-	-	-	-	-
Unlawful use of vehicle	1	-	4	5	*	-	*	*
Vehicle defect offences	-	1	-	1	-	*	-	*
Other vehicle	1	1	6	8	*	*	*	*

1. Excludes a small number of records where age and / or gender are unknown.

Table 23 Females given Formal Adult Warnings by main crime/offence and age, 2012-13

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
All crimes and offences¹	674	815	1,738	3,227	100	100	100	100
All crimes	395	476	1,060	1,931	59	58	61	60
Non-sexual crimes of violence	-	-	1	1	-	-	*	*
Homicide	-	-	-	-	-	-	-	-
Serious assault and attempted murder	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-
Other violence	-	-	1	1	-	-	*	*
Sexual crimes	1	3	5	9	*	*	*	*
Rape and attempted rape	-	-	-	-	-	-	-	-
Sexual assault	-	-	-	-	-	-	-	-
Prostitution	1	3	5	9	*	*	*	*
Other sexual crimes	-	-	-	-	-	-	-	-
Crimes of dishonesty	365	449	1,027	1,841	54	55	59	57
Housebreaking	-	-	-	-	-	-	-	-
Theft by opening a lockfast place	-	-	-	-	-	-	-	-
Theft from a motor vehicle	-	-	-	-	-	-	-	-
Theft of a motor vehicle	-	-	-	-	-	-	-	-
Shoplifting	229	364	877	1,470	34	45	50	46
Other theft	27	48	77	152	4	6	4	5
Fraud	109	36	72	217	16	4	4	7
Other dishonesty	-	1	1	2	-	*	*	*
Fire-raising, vandalism, etc.	17	18	23	58	3	2	1	2
Fire-raising	1	-	-	1	*	-	-	*
Vandalism, etc.	16	18	23	57	2	2	1	2
Other crimes	12	6	4	22	2	1	*	1
Crimes against public justice	11	6	4	21	2	1	*	1
Handling an offensive weapon	1	-	-	1	*	-	-	*
Drugs	-	-	-	-	-	-	-	-
Other crime	-	-	-	-	-	-	-	-
All offences	279	339	678	1,296	41	42	39	40
Miscellaneous offences	278	336	672	1,286	41	41	39	40
Common assault	126	120	197	443	19	15	11	14
Breach of the peace	55	88	185	328	8	11	11	10
Drunkenness	41	63	224	328	6	8	13	10
Urinating etc.	1	3	-	4	*	*	-	*
Alcohol byelaw offences	30	34	15	79	4	4	1	2
Litter offences	3	2	1	6	*	*	*	*
Communications act offences	10	6	14	30	1	1	1	1
Other offences	12	20	36	68	2	2	2	2
Motor vehicle offences	1	3	6	10	*	*	*	*
Dangerous and careless driving	1	-	-	1	*	-	-	*
Drink/drug driving	-	-	-	-	-	-	-	-
Speeding	-	-	-	-	-	-	-	-
Unlawful use of vehicle	-	-	-	-	-	-	-	-
Vehicle defect offences	-	1	-	1	-	*	-	*
Other vehicle	-	2	6	8	-	*	*	*

1. Excludes a small number of records where age and / or gender are unknown.

Table 24 People given COPFS disposals by disposal type, 2008-09 to 2012-13

	2008-09	2009-10	2010-11	2011-12	2012-13	% change 2011-12 to 2012-13
All COPFS disposals	62,829	59,108	60,099	67,341	72,840	<i>8</i>
Fiscal fine	38,419	36,057	35,604	42,184	47,819	<i>13</i>
Fiscal fixed penalty	18,092	18,592	20,357	21,067	21,638	<i>3</i>
Fiscal combined fine + compensation	1,405	2,030	2,195	2,713	2,326	<i>-14</i>
Fiscal compensation	1,992	1,985	1,838	1,322	1,021	<i>-23</i>
Fiscal fixed penalties (Pre-SJR)	2,921	444	105	55	36	<i>-35</i>

Table 25 Males given fiscal fines, by main crime/offence and age, 2012-13

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
All crimes and offences¹	4,907	10,650	14,881	30,438	100	100	100	100
All crimes	3,010	5,520	5,756	14,286	61	52	39	47
Non-sexual crimes of violence	1	-	-	1	*	-	-	*
Homicide	-	-	-	-	-	-	-	-
Serious assault and attempted murder	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-
Other violence	1	-	-	1	*	-	-	*
Sexual crimes	2	11	13	26	*	*	*	*
Rape and attempted rape	-	-	-	-	-	-	-	-
Sexual assault	-	-	-	-	-	-	-	-
Prostitution	1	4	12	17	*	*	*	*
Other sexual crimes	1	7	1	9	*	*	*	*
Crimes of dishonesty	387	913	1,788	3,088	8	9	12	10
Housebreaking	-	-	-	-	-	-	-	-
Theft by opening a lockfast place	1	1	5	7	*	*	*	*
Theft from a motor vehicle	-	-	-	-	-	-	-	-
Theft of a motor vehicle	-	-	-	-	-	-	-	-
Shoplifting	224	628	1,441	2,293	5	6	10	8
Other theft	127	207	248	582	3	2	2	2
Fraud	18	54	53	125	*	1	*	*
Other dishonesty	17	23	41	81	*	*	*	*
Fire-raising, vandalism, etc.	126	148	74	348	3	1	*	1
Fire-raising	-	-	-	-	-	-	-	-
Vandalism, etc.	126	148	74	348	3	1	*	1
Other crimes	2,494	4,448	3,881	10,823	51	42	26	36
Crimes against public justice	52	89	93	234	1	1	1	1
Handling an offensive weapon	-	-	-	-	-	-	-	-
Drugs	2,442	4,359	3,788	10,589	50	41	25	35
Other crime	-	-	-	-	-	-	-	-
All offences	1,897	5,130	9,125	16,152	39	48	61	53
Miscellaneous offences	1,823	4,568	7,779	14,170	37	43	52	47
Common assault	207	401	396	1,004	4	4	3	3
Breach of the peace	649	1,158	1,230	3,037	13	11	8	10
Drunkenness	30	79	155	264	1	1	1	1
Urinating etc.	76	200	218	494	2	2	1	2
Alcohol byelaw offences	553	967	1,546	3,066	11	9	10	10
Litter offences	120	278	311	709	2	3	2	2
Communications act offences	102	1,253	3,538	4,893	2	12	24	16
Other offences	86	232	385	703	2	2	3	2
Motor vehicle offences	74	562	1,346	1,982	2	5	9	7
Dangerous and careless driving	-	-	-	-	-	-	-	-
Drink/drug driving	-	-	-	-	-	-	-	-
Speeding	-	1	8	9	-	*	*	*
Unlawful use of vehicle	74	555	1,307	1,936	2	5	9	6
Vehicle defect offences	-	1	-	1	-	*	-	*
Other vehicle	-	5	31	36	-	*	*	*

1. Excludes a small number of records where age and / or gender are unknown.

Table 26 Females given fiscal fines, by main crime/offence and age, 2012-13

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
All crimes and offences¹	1,003	5,958	10,399	17,360	100	100	100	100
All crimes	327	994	1,618	2,939	33	17	16	17
Non-sexual crimes of violence	-	-	-	-	-	-	-	-
Homicide	-	-	-	-	-	-	-	-
Serious assault and attempted murder	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-
Other violence	-	-	-	-	-	-	-	-
Sexual crimes	-	1	2	3	-	*	*	*
Rape and attempted rape	-	-	-	-	-	-	-	-
Sexual assault	-	-	-	-	-	-	-	-
Prostitution	-	1	2	3	-	*	*	*
Other sexual crimes	-	-	-	-	-	-	-	-
Crimes of dishonesty	147	574	1,060	1,781	15	10	10	10
Housebreaking	-	-	-	-	-	-	-	-
Theft by opening a lockfast place	-	1	-	1	-	*	-	*
Theft from a motor vehicle	-	-	-	-	-	-	-	-
Theft of a motor vehicle	-	-	-	-	-	-	-	-
Shoplifting	115	495	926	1,536	11	8	9	9
Other theft	20	41	82	143	2	1	1	1
Fraud	10	30	40	80	1	1	*	*
Other dishonesty	2	7	12	21	*	*	*	*
Fire-raising, vandalism, etc.	17	15	8	40	2	*	*	*
Fire-raising	-	-	-	-	-	-	-	-
Vandalism, etc.	17	15	8	40	2	*	*	*
Other crimes	163	404	548	1,115	16	7	5	6
Crimes against public justice	9	19	17	45	1	*	*	*
Handling an offensive weapon	-	-	-	-	-	-	-	-
Drugs	154	385	531	1,070	15	6	5	6
Other crime	-	-	-	-	-	-	-	-
All offences	676	4,964	8,781	14,421	67	83	84	83
Miscellaneous offences	659	4,802	8,347	13,808	66	81	80	80
Common assault	67	136	154	357	7	2	1	2
Breach of the peace	123	301	386	810	12	5	4	5
Drunkenness	-	10	27	37	-	*	*	*
Urinating etc.	6	8	5	19	1	*	*	*
Alcohol byelaw offences	76	172	235	483	8	3	2	3
Litter offences	57	162	199	418	6	3	2	2
Communications act offences	304	3,950	7,250	11,504	30	66	70	66
Other offences	26	63	91	180	3	1	1	1
Motor vehicle offences	17	162	434	613	2	3	4	4
Dangerous and careless driving	-	-	-	-	-	-	-	-
Drink/drug driving	-	-	-	-	-	-	-	-
Speeding	-	-	2	2	-	-	*	*
Unlawful use of vehicle	17	162	426	605	2	3	4	3
Vehicle defect offences	-	-	-	-	-	-	-	-
Other vehicle	-	-	6	6	-	-	*	*

1. Excludes a small number of records where age and / or gender are unknown.

Table 27 Males given fiscal fixed penalties by main crime/offence and age, 2012-13

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
Total¹	842	4,752	11,388	16,982	100	100	100	100
Serious driving offences	-	-	-	-	-	-	-	-
Speeding offences	164	1,334	4,161	5,659	19	28	37	33
Signal and direction offences	98	479	1,362	1,939	12	10	12	11
Lighting, construction & use offences	143	344	649	1,136	17	7	6	7
Documentation offences	185	854	1,803	2,842	22	18	16	17
Other motor vehicle offences ²	250	1,733	3,405	5,388	30	36	30	32
Non-motor vehicle offences ³	2	8	8	18	*	*	*	*

1. Excludes a small number of records where age and / or gender are unknown.

2. Contains a number of other offences, however around a half of fixed penalties given for this group were for mobile phone offences and half were seatbelt offences.

3. Contains bicycle offences and roadworks offences.

Table 28 Females given fiscal fixed penalties by main crime/offence and age, 2012-13

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
Total¹	183	1,343	3,116	4,642	100	100	100	100
Serious driving offences	-	-	-	-	-	-	-	-
Speeding offences	49	459	1,287	1,795	27	34	41	39
Signal and direction offences	25	208	483	716	14	15	16	15
Lighting, construction & use offences	15	61	111	187	8	5	4	4
Documentation offences	48	259	605	912	26	19	19	20
Other motor vehicle offences ²	44	354	627	1,025	24	26	20	22
Non-motor vehicle offences ³	2	2	2	6	1	*	*	*

1. Excludes a small number of records where age and / or gender are unknown.

2. Contains a number of other offences, however around a two thirds of fixed penalties given for this group were for mobile phone offences and a third were seatbelt offences.

3. Contains bicycle offences and roadworks offences.

Notes on Statistics Used in this Bulletin

Annex A - Data Sources

Court proceedings, Police disposals and COPFS disposals

A.1 Statistical information in the Scottish Government Criminal Proceedings database is derived from data held on the Criminal History System (CHS). The CHS is maintained by Police Scotland who own the majority of the data on the system.

Bail and undertakings

A.2 The source of the statistical data on bail orders and undertakings is also the CHS. Police Scotland create a statistical extract each day, which picks up records of any bail orders or undertakings granted three days before, which are still associated with live pending cases on the database. For example, the extract run at the start of a Thursday will pick up any bail orders or undertakings granted on the Monday of that week which (a) have been recorded on the database by the start of Thursday, and (b) which are associated with pending cases still live at the start of Thursday.

Other

A.3 [Chart 2](#) uses a range of summary data collected from the [Crown Office and Procurator Fiscal Service](#), Scottish Government [Recorded Crime](#) data and information on police conditional offers made for motor vehicle offences, based on figures provided by police force traffic departments, and information derived from CHS.

A.4 The population figures used as denominators in [Table 5](#) are the relevant mid-year estimates prepared by the [National Records of Scotland](#) (NRS).

Annex B - Data Quality, Revisions and Data Processing

Data quality

B.1 The data collected are subject to the errors which may arise in any large scale recording system, however, effort has been made to clean up records for which key information is incongruent or missing (such as checking against case extract information provided by the Crown Office and Procurator Fiscal Service (COPFS)).

B.2 It is known that there may be times when the police report an offence to the procurator fiscal but, when the facts and circumstances are examined by the procurator fiscal, they decide to libel an alternative charge which may be less serious in nature and penalty. There are rare occasions when such decisions are made but unfortunately, the charge is not then updated on the computerised records. Changes such as this have been made where observed; however, it is likely that some other occurrences exist which have not been amended. There is nothing to suggest that the scale of this issue is large enough to alter the overall trends reported.

B.3 Information on the outcomes of court proceedings is publicly available. However, while our aim is for the statistics in this bulletin to be sufficiently detailed to allow a high level of practical utility, care has been taken to ensure that it is not possible to identify an individual or organisation and glean any private information relating to them.

B.4 In recent years, we have carried out much more extensive quality assurance with external agencies. The purpose of this is to ensure the accuracy and quality of the statistics published herein. The Crown Office and Procurator Fiscal Service (COPFS) have identified that there may be a small number of court proceedings (often involving multiple charges and of a complex nature) which are being recorded as separate court cases which, in fact, should only be reported as one. The effect of this would be to over-estimate the true number of court proceedings.

B.5 Initial investigations suggest that this affects all crime types, though to varying degrees. Further work will be carried out in preparation for the next publication of Criminal Proceedings in Scotland with a view to quantifying the extent of the problem and identifying whether a change in processing methodology is required.

B.6 The police record very detailed information on statutory offences but this does not always correspond exactly to the categories used by Scottish Government. The most important example of this, in numerical terms, is an offence under section 41(1)(a) of the Police (Scotland) Act 1967, which relates to "any person who assaults, resists, obstructs, molests or hinders a constable". The Scottish Government classification divides this into 3 categories - resisting arrest, serious assault and common assault, but this distinction is not made by the courts. The majority of such cases are thought to have been classed as common assault, and all the offences under this [sub]section have been so classified. Additional information on the number of such offences (and against other Emergency Workers) has been published alongside this bulletin as background data.

B.7 Following the introduction of computerisation of case recording to the sheriff courts, some difficulties were experienced by police force records offices in distinguishing court types when recording disposal information on the CHS database. Where possible, those cases where the court type was incorrect have been identified and appropriate changes made to the data held in the Scottish Government Criminal Proceedings Database.

B.8 There was a technical issue which resulted in the loss of information relating to companies in the criminal proceedings database between 2008 and 2011. This issue has now been resolved. Partial information for companies was available for 2011-12 with full information from 2012-13 onwards.

B.9 Information on the number of cases which received a highest disposal of fiscal fine, fixed penalty, compensation order and combined fiscal fine and compensation order are presented on the [Crown Office website](#); and have been reported in [Table 1](#). The number of people who received these disposals as identified by CHS are also presented in that table and have been validated against the Crown Office case-level data using an intermediate data extract of Crown Office 'closed case' data.

B.10 The way that Crown Office disposals are recorded in CHS was altered after summary justice reform. Previously, CHS did not consistently record when a procurator fiscal fine or fixed penalty had been issued, and, when it was recorded, it was not possible to derive the relative numbers of each. CHS began to record fiscal fines and fixed penalties consistently under separate codes following summary justice reform. During the transition to the use of the new codes however, in 2008-09 and 2009-10, CHS continued to record, respectively, 2,700 and 500 pre-SJR codes representing a combination of procurator fiscal fines or fixed penalties, although it is not possible to separate the numbers of each. These numbers are now much lower.

B.11 It is not currently possible to extract information on some of the other COPFS disposals, e.g. warnings and no actions, from CHS.

Revisions

B.12 The CHS, which holds information on the outcome of court proceedings, is not designed for statistical purposes. It is dependent on receiving timely information from the courts and police force records offices, while some types of outcome, e.g. acquittals, are weeded after a prescribed length of time. A pending case on the CHS is updated in a timely manner but there are occasions when slight delays happen. Recording delays of this sort generally affect High Court disposals relatively more than those for other types of court, as the most complex and lengthy trials are held in the High Court.

B.13 The figures given in this bulletin reflect the details of court proceedings as recorded on the CHS and as provided to the Scottish Government up to the end of July 2013. Any subsequent updates on court disposals made will be incorporated into future bulletins and therefore some figures for 2011-12 (in particular those relating to the High Court) are likely to be subject to minor revisions.

B.14 These recording delays mean that figures for 2012-13 should be considered provisional as future bulletins may provide updates. We estimate that the 2011-12 bulletin contained a small undercount of around 40 people with a charge proved in 2011-12, less than 1 per cent of all people with a charge proved. Since the 2011-12 bulletin was published, a small number of High Court cases have been added to the court proceedings database.

Restriction of Liberty Orders – Revision

B.15 During 2012-13, we noted that the number of restriction of liberty orders (RLOs) were falling sharply, which was unexpected. Further investigation showed that this occurred after the introduction of the Community Payback Order (CPO) and the fall in RLOs was the result of how the CPO was ranked in the Scottish Government Criminal Proceedings database.

B.16 When a person is proceeded against for multiple charges and/or given multiple disposals, the Scottish Government Criminal Proceedings database must identify which one should be reported as the main disposal. The database logic identifies which penalty is the most severe through a ranking system; disposals with a higher ranking take precedence over those which are ranked lower. This logic is used to decide which charge will be reported as the main charge within the statistical bulletin.

B.17 When the CPO disposal was introduced in 1 February 2010, it was ranked higher than the old community sentences (i.e. probation and community service orders). This meant that, in cases where someone is given an RLO and a CPO in the same proceedings, the CPO was taken as the main disposal. This impact of this was to under-report the number of RLOs in the Criminal Proceedings statistical bulletin.

B.18 In 2012-13, the Criminal Proceedings database was updated to rank the CPO disposal to be the same as the old community based sentence, probation. This change was introduced to ensure consistency of the processing of CPOs against the old community based sentences and importantly to ensure that the Criminal Proceedings statistics did not under-report the number of RLOs being issued in Scottish courts since the introduction of the CPO.

B.19 The change in processing takes effect from the 2012-13 statistical bulletin. However, in order to ensure comparability with previously published information on RLOs, the data related to CPOs was re-processed from its introduction in February 2010. The impact of re-processing this information is to increase the number of RLOs that we previously reported in the 2011-12 Criminal Proceedings statistical bulletin which conversely reduces the amount of CPOs we previously reported.

B.20 The backdating of the 2011-12 data means that there are now around an extra 200 RLOs being reported in 2011-12 which were previously recorded as CPOs. The 200 extra RLO disposals account for 29 per cent of the new total of RLOs and results in a 2 per cent decrease in the number of CPOs which were originally reported in 2011-12.

B.21 No other years or court disposals are affected by this change.

Bail Orders and Undertakings to Appear - Revision

B.22 During processing of bail and undertakings for 2012-13, it was noticed that a small number of undertakings to appear were incorrectly coded in 2011-12 as bail orders (i.e. issued by the courts as opposed to an undertaking to appear issued by the police). In total 83 records were incorrectly coded which resulted in an under-count of the total number of undertakings to appear that was published in 2011-12. The error accounts for less than one per cent of the total number of bail orders and undertakings to appear issued in 2011-12. The tables in the 2012-13 bulletin have been modified to reflect this change.

Table 8b (Column Percentages) - Revision

B.23 During processing of the 2012-13 statistical bulletin, we found a discrepancy in the processing of the column percentages. These figures were being calculated on an offence basis, rather than on the main charge – the unit used for the majority of tables in this bulletin.

B.24 In 2011-12, this discrepancy in processing resulted in the true column percentages for the 'all crimes' grouping being reported lower for custodial sentences (4 percentage points), community sentences (6 percentage points) and other sentences (6 percentage points) and 1 percentage point higher for monetary sentences. The discrepancy in processing led to differences of similar magnitude for 'all offences'.

B.25 The data that inform these statistics are collated and shared via an existing automated process from the CHS. Therefore, there was no cost to the data provider in 2012-13.

B.26 In all matters relating to revisions, these statistics comply with Scotland's Chief Statistician's current revisions policy:

<http://scotland.gov.uk/Topics/Statistics/About/CPSONRevisionsCorrections/Q/EditMode/on/ForceUpdate/on>

Data processing - Bail orders

B.27 Difficulties with the supply of consistent bail data due to the move to a new version of the CHS in October 2007 have now been resolved, allowing provision of offence level breakdowns again from 2009-10. However, due to these difficulties, processing of the 2008-09 bail data was carried out in isolation from bail data from previous years.

Data processing - Breach of social work orders

B.28 In bulletins since 2007-08, tables 1 to 12 have been amended compared to previous years, with people having a charge proved for breach of a social work order (for example breaches of community service orders, probation orders and supervised attendance orders) excluded from the totals. Analysis has shown that the number of people with a charge proved for breaching a social work order fell by 39 per cent between 2006-07 and 2007-08 from 4,900 to 3,000. Analysis found that this sharp fall is likely to be due to a change in recording practices rather than a true fall in actual numbers.

B.29 In 2006-07 and previous years, a breach of social work order had, by necessity, been recorded as a crime on its own, with no link to the previous crime which led to the imposition of the order in the first place. This was because it was not operationally possible for cases to be re-opened if a breach of the original community sentence occurred. However, the introduction of new IT systems within the courts meant that breaches could be recorded within the original case. Therefore, because (generally) only the initial outcome is included, the change in recording practice produced a fall in the numbers of breach of a social work order identified.

Annex C – Understanding the statistics in this bulletin

C.1 Individual offenders may be proceeded against on more than one occasion; on each occasion they may be proceeded against for more than one charge. The units of analysis used in this bulletin are:

(a) the **person or company proceeded against or convicted**

People are counted once for each occasion on which they are proceeded against. If a person is proceeded against more than once on the same day, each proceeding will be counted separately. The statistics are therefore not directly comparable with statistics on direct sentenced receptions to penal establishments or with social work authorities' statistics on community sentences. References to 'people' include companies, unless otherwise stated.

Where a person is proceeded against for more than one crime or offence in a single proceeding, only the **main charge** is counted. The main charge is the one receiving the severest penalty if one or more charges are proved. If more than one charge receives the same (or a combined) penalty, then the main charge is the one judged by the police (who provide the information) to be the most serious. If no charge is proved then the one reaching the furthest stage in proceedings is the main one. A **person with a charge proved** is defined to be one who had a plea of 'guilty' accepted, or who was proved guilty of at least one charge as a result of a trial. Throughout this bulletin, the terms 'person with a charge proved', 'people convicted' and 'convictions' are used interchangeably.

(b) **individual offender**

In the period covered by this bulletin, each offender convicted of a crime or offence will have been recorded by Police Scotland (generally) under a unique reference number. This enables all such convictions to be linked together, so that analysis of the number of convictions per offender in any given year, or the number of their previous convictions, can be derived.

(c) **individual offences**

In addition to analysing people convicted by the main charge involved, data in relation to individual offences which are proved are also available.

C.2 Generally only the initial outcome is included in the court proceedings statistics so that, for example, a person fined is regarded as fined even if he or she subsequently goes to prison (or a Supervised Attendance Order is imposed) in default of payment. Similarly, no account is taken of the outcome of appeals; the exception to this is for those crimes where an appeal is determined prior to publication and the conviction is quashed or the sentence is substituted. Interim decisions such as deferral of sentence are also excluded.

C.3 A court can impose more than one penalty in appropriate cases. For example, a fine or an order to find caution can be imposed in addition to a more severe penalty. Equipment used in the commission of a crime or offence may also be forfeited. However, the main additional punishments are generally disqualification from holding or obtaining a driving licence and the endorsement of a driving licence. The main charge in such cases is almost always either a motor vehicle offence or the theft of a motor vehicle.

C.4 In the court proceedings statistics, the reference year used is the year in which the person's case is disposed of. If a person pleads to, or is convicted for, a charge in 2008-09, but is not sentenced until 2009-10, all events are recorded as occurring in 2009-10. The age of each person is calculated as at the date of sentence or acquittal.

C.5 Many offences are dealt with by means other than prosecution in court, for example through the use of procurator fiscal direct measures such as fiscal fines and compensation orders, or by police warnings and fixed penalties. Data on a range of these disposals are extracted from CHS and added to this bulletin using the same person, main charge and main penalty bases described above for court disposals.

C.6 Figures for sentence lengths imposed include any element imposed for bail aggravation under section 27(1)(b) of the Criminal Procedure (Scotland) Act 1995, and under section 16 of the Prisoners and Criminal Proceedings (Scotland) Act 1993 (where the offender committed an offence following release from custody and prior to the end of the previous sentence period imposed). They also include any element imposed for the offence being aggravated by prejudice, under the terms of the Offences (Aggravation by Prejudice) (Scotland) Act 2009.

C.7 The Stipendiary Magistrates court in Glasgow generally hears less serious cases than the sheriff solemn courts and may impose up to twelve months imprisonment or a fine up to £10,000.

Comparisons with other sources

C.8 COPFS publish annual figures relating to the number of cases processed each year (available online at: <http://www.copfs.gov.uk/images/Documents/Statistics/Case%20Processing%20Last%205%20Years%202008-13.pdf>).

C.9 Unless otherwise specified, the figures contained in this bulletin are based on the number of people recorded on CHS. As individual cases can each involve more than one person, it is likely that the figures herein will be higher.

C.10 Court proceedings statistics are not directly comparable with the recorded crime statistics as a person may be proceeded against for more than one crime involving more than one victim and there is the possibility that the crime recorded by the police may be altered in the course of judicial proceedings. A crime may be recorded by the police in one year and court proceedings concluded in a subsequent year.

C.11 Court custodial disposals are counted differently from the direct sentenced prison receptions (excluding fine default receptions) published in the Scottish Government [Prison Statistics](#) publications. Most of this difference is because a person given consecutive custodial sentences for several separate sets of charges from the same court on the same day is counted as two custodial sentences in the court statistics, but only one direct sentence reception.

Annex D - Definitions, Classifications and Notation

D.1 The measures available to a court in sentencing a convicted person depend on a number of matters including what Parliament has legislated for in terms of appropriate penalties and whether the accused is an adult (21 or over), a young offender (aged 16 but less than 21) or a juvenile (under 16 or under 18 with a current supervisory requirement from a children's hearing). In some cases, the court may obtain evidence on whether the accused is suffering from a mental disorder. In 2012-13 the available measures include:

Custodial sentences

- a. Imprison the offender (or sentence a young offender to a Young Offenders' Institution (YOI)) or, if the offender has been released on licence/under supervision following a previous conviction, recall to prison or YOI.

- b. Issue an Order for Lifelong Restriction (OLR). OLR provides for the lifelong supervision of high-risk violent and sexual offenders and allows for a greater degree of intensive supervision than is the current norm. The OLR is designed to ensure that offenders, after having served an adequate period in prison to meet the requirements of punishment, do not present an unacceptable risk to public safety once they are released into the community. The period spent in the community will be an integral part of the sentence, which lasts for the remaining period of the offender's life.

- c. Sentence a young offender under 18 years of age convicted of murder to detention for an indeterminate period (the effect of these sentences is normally detention in a young offenders institution).

- d. Sentence a juvenile to a specified period of detention in a place and on such conditions as Scottish Ministers may direct.

(The Crime and Disorder Act 1998 introduced provisions to allow courts to impose additional post-release supervision on licence where they consider that any existing supervision after the offender's release from custody would not be enough to protect the public from serious harm from the offender. These 'extended sentences' can be imposed on indictment cases on sex offenders or on violent offenders who would have received a determinate sentence of four years or more.) Changes made through the Criminal Justice and Licensing (Scotland) Act 2010 mean that courts can also now impose an extended sentence on non-sexual offences where there is a significant sexual aspect to the offence.)

Community sentences

- a. Impose a community payback order (for offences committed after 1 February 2011).
- b. Impose a probation order with or without various conditions including a requirement to do unpaid work (for offences committed prior to 1 February 2011).
- c. Impose a community service order requiring the offender to undertake unpaid work (for offences committed prior to 1 February 2011).
- d. Impose a supervised attendance order which the court can impose as an alternative to custody for people who have defaulted on fines imposed for minor criminal offences (for offences committed prior to 1 February 2011).
- e. Impose a restriction of liberty order: a community sentence introduced by section 5 of the Crime and Punishment (Scotland) Act 1997 and available to courts nationally from 1 May 2002.
- f. Impose a drug treatment and testing order (DTTO): a measure introduced by the Crime and Disorder Act 1998 and rolled out in phases from 1999 onwards. A new model for DTTOs has been rolled out to at least one local authority and this can be issued from lower courts and for less serious offenders.

Financial penalties

- g. Fine the offender.
- h. Impose a compensation order requiring the offender to compensate the victim for any resulting injury, loss, damage, alarm or distress.

Other sentences

- i. Order an absolute discharge (with no conviction recorded in summary procedure) or, following a deferral of sentence, make no order.
- j. Admonish the offender or make an order to find caution (the overwhelming majority of these are admonishments).
- k. Remit the disposal of a child offender to a children's hearing (if the accused is a child, under 16 years of age or aged 16 or 17 and subject to a supervision requirement).
- l. Make a guardianship order if the accused is suffering from mental disorder (with no conviction recorded in summary procedure).
- m. Make a compulsion order if the accused is suffering from mental disorder (with a conviction recorded), for a period of six months with regular reviews.

- D.2** The range of options available to the police for minor offences includes:
- a. Anti-social behaviour fixed penalty notices (ASBFPNs) of £40, can be issued for eleven crime/offence types to people aged 16 or over. Payment of the penalty involves no admission of guilt.
 - b. Formal adult warnings (FAWs) are issued for minor offences, commonly including street drinking, drunk and incapable, urinating, minor theft by shoplifting, assault, breach of the peace and vandalism.
 - c. Restorative justice warnings are issued to juvenile offenders for minor offences when there have been no previous offences or referrals to the Children's Reporter, and a range of other criteria are met.
 - d. Warning letters can be issued to juvenile offenders for minor offences by the police or the Children's Reporter (however it is not possible to identify the issuing authority in the CHS data).
 - e. A small number of other types of police warnings have been identified in the CHS database, including prostitute warnings, verbal warnings and community warning notices.

D.3 When a report is submitted by the police to the procurator fiscal, prosecution in court is only one of a range of possible options for dealing with people who have been charged. This bulletin presents information on the following options, all non-convictions:

- a. Fiscal fines of up to £300 for summary offences. Available to fiscals before SJR, but cannot be separately identified in CHS until after SJR.
- b. Fiscal fixed penalties (mainly) for motor vehicle offences. Available to fiscals before SJR, but cannot be separately identified in CHS until after SJR.
- c. Fiscal compensation orders of up to £5,000 payable to the victim. Only available after SJR, for personal injury, loss, damage, alarm or distress.
- d. Combined fiscal fine and fiscal compensation order.

Notation

- D.4** The following symbols are used throughout the tables in this bulletin:
- Nil
 - * Less than 0.5
 - n/a Not available

D.5 The percentage figures given in tables and charts have been independently rounded, so they may not always sum to the relevant sub-totals or totals.

Classification of crimes and offences

D.6 Contraventions of the law are divided, for statistical purposes only, into crimes and offences. The classification of crimes and offences used by the Scottish Government for criminal statistics contains over 300 codes. These are grouped in this bulletin as shown in the following table.

CRIMES	
<u>NON-SEXUAL CRIMES OF VIOLENCE</u>	(Also referred to as Violence)
Homicide	Comprises murder and culpable homicide (including the statutory crimes of causing death by dangerous or careless driving or causing death by careless driving while under the influence of drink or drugs, or when driving illegally).
Serious assault and attempted murder	Sometimes referred for short in the text as 'serious assault'.
Robbery	Includes offences involving intent to rob.
Other violence	Includes threats, extortion and cruel and unnatural treatment of children.
<u>SEXUAL CRIMES</u>	(Also referred to as Sexual)
Rape and attempted rape	-
Sexual assault	Includes: Contact sexual assault (13-15 yr old or adult 16+), Other sexually coercive conduct (adult 16+), Sexual offences against children under 13, Sexual activity with children aged 13-15, Other sexual offences involving children aged 13-15, Lewd and libidinous practices
Offences associated with prostitution	Includes: Soliciting services of person engaged in prostitution, Brothel keeping, Immoral traffic, and Procuration
Other sexual crimes	Includes: Incest, Unnatural Crimes, Public indecency, Sexual exposure, and other sexual offences
<u>CRIMES INVOLVING DISHONESTY</u>	(Also referred to as Dishonesty)
Housebreaking	Includes business as well as domestic premises.
Theft by opening a lockfast place	-
Theft from a motor vehicle	-
Theft of a motor vehicle	-
Shoplifting	-
Other theft	Includes theft of pedal cycles.
Fraud	Includes statutory fraud, except social security benefit fraud.
Other dishonesty	Includes forgery, reset and embezzlement.
<u>FIRE-RAISING, VANDALISM ETC</u>	
Fire-raising	-
Vandalism	Includes malicious mischief, vandalism and reckless conduct with firearms.

<u>OTHER CRIMES</u>	
Crimes against public justice	Includes perjury, contempt of court, bail offences and failing to appear at court.
Handling an offensive weapon	Comprises carrying offensive weapons including articles with a point or blade, restriction of offensive weapons legislation.
Drugs	Includes importation, possession and supply of controlled drugs.
Other crime	Includes conspiracy and explosives offences.
OFFENCES	
<u>MISCELLANEOUS OFFENCES</u>	
Common assault	Also sometimes termed petty assault or minor assault.
Breach of the peace, etc.	Includes breach of the peace, threatening or abusive behaviour, stalking, and offensive behaviour at football and threatening communications (Offensive Behaviour at Football and Threatening Communications Act 2012)
Drunkenness	Includes offences of being drunk and incapable, being drunk in charge of a child, being disorderly on (or in attempting to enter) licensed premises and being drunk inside (or in attempting to enter) a sports ground.
Other offence	Includes offences against local legislation, Revenue and Excise Acts, Licensing Acts, Wireless Telegraphy Acts / Communication Acts.
<u>MOTOR VEHICLE OFFENCES</u>	
Dangerous and careless driving	-
Drink/drug driving	Comprises driving or in charge of motor vehicle while unfit through drink or drugs, blood alcohol content above limit and failing to provide breath, blood or urine specimens.
Speeding	-
Unlawful use of vehicle	Comprises driving while disqualified, without a licence, insurance, test certificate, vehicle tax and registration and identification offences.
Vehicle defect offences	Comprises construction and use and lighting offences.
Other vehicle	Includes parking, record of work offences, neglect of traffic directions, failing to stop after accident and mobile phone offences and the small number of motorway and clearway offences.

Annex E – Legislative and policy changes

Legislative changes

E.1 The [Offensive Behaviour at Football and Threatening Communications \(Scotland\) Act 2012](#) was implemented on 1 March 2012. The Act criminalises behaviour which is threatening, hateful or otherwise offensive at a regulated football match including offensive singing or chanting. It also criminalises the communication of threats of serious violence and threats intended to incite religious hatred, whether sent through the post or posted on the internet.

E.2 The 2012-13 bulletin is the first full year which includes the new act. Offences under this legislation are included in the crime type **breach of the peace**. The table below is provided for information on the number of people proceeded against under the new legislation since the Act came into force in 2012.

People proceeded against¹ under the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012

Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012		2011-12	2012-13
Offensive Behaviour at Football	Guilty	2	67
	Not guilty	-	24
Threatening Communications	Guilty	-	2
	Not guilty	-	-
All		2	93

1. Where main charge

E.3 On 6 October 2010, section 38 of the [Criminal Justice and Licensing \(Scotland\) Act 2010](#) was implemented. This introduced a new offence to combat threatening or abusive behaviour. Unlike the common law offence of breach of the peace, where it is necessary to show a “public element” to the conduct, there is no requirement in the new offence to demonstrate that the offending behaviour was in a public place.

E.4 [Section 17](#) of the [Criminal Justice and Licensing \(Scotland\) Act 2010](#) included a presumption against short sentences (3 months or less). This presumption states that a court must not pass a sentence of imprisonment for a term of 3 months or less on a person unless the court considers that no other method of dealing with the person is appropriate.

E.5 Community Payback Orders (CPOs) were also introduced by the Criminal Justice and Licensing (Scotland) Act 2010 and came into effect from 1 February 2011. A CPO can only be imposed in respect of offence(s) committed on or after 1 February 2011. The CPO replaces provisions for community service orders, probation orders and supervised attendance orders, and the former community reparation order. Other existing court orders including drug treatment and testing orders and restriction of liberty orders remain unchanged.

A CPO can consist of one or more of the following nine requirements at commencement:

- Offender supervision,
- Compensation,
- Unpaid work or other activity,
- Programme,
- Residence,
- Mental health treatment,
- Drug treatment,
- Alcohol treatment,
- Conduct.

In addition, after the original imposition of the order, if an offender has failed to comply with one or more of the requirements in the order, a further requirement can be imposed, namely a restricted movement requirement. Every order must contain either (or both of) an unpaid work or other activity requirement and an offender supervision requirement. An unpaid work or other activity requirement can only be issued to offenders aged 16 or over. A court must impose an offender supervision requirement if the offender is under 18 years of age at the time the order is imposed and/or if at least one of the requirements compensation, programme, residence, mental health treatment, drug treatment, alcohol treatment or conduct has been imposed.

E.6 The [Sexual Offences \(Scotland\) Act 2009](#) was implemented on 1 December 2010, making 2011-12 the first full year of data since the change. The act replaces a number of common law crimes such as rape, lewd and libidinous practices and sodomy with new statutory sexual offences. The act also created a number of new 'protective' offences which criminalise sexual activity with children and mentally disordered people. Protective offences are placed into categories concerning young children (under 13) and older children (13-15 years). The new legislation only applies to offences committed on or after 1 December 2010, with any offences committed prior to this date recorded using the previous legislation. The new legislation may result in some increases in Group 2 crime (sexual crimes), though the more noticeable effect was a change in the distribution of these crimes among the sub classifications. For example, some crimes previously categorised as lewd and libidinous practices are now classified as sexual assault. The crime categories within the 'sexual crimes' grouping have been updated to reflect the current legislative position.

E.7 This year's bulletin has renamed the previous 'crimes of indecency' crime group to 'sexual crimes'. There have been no substantive changes to the crime codes which are included in this group. The 2012-13 publication of recorded crime statistics used the term sexual offences and this will be reviewed next year.

E.8 Section 3 of the [Offensive Behaviour at Football and Threatening Communications \(Scotland\) Act 2012](#) made offensive behaviour at regulated football matches the eleventh offence for which a fixed penalty notice (ASBFPN) can be issued. This provision came into force on 1 March 2012. Tables 20 and 21 of this bulletin have been amended to incorporate this additional offence.

Summary Justice Reform

E.9 The summary (i.e. non-jury) criminal justice system in Scotland has undergone an extensive and far-reaching programme of reform. Summary justice reform focused on all aspects of the summary criminal justice system and intended to create a system that is fair, effective, efficient and quick. 2008-09 was the first full year across which many aspects of summary justice reform were implemented.

E.10 At an overall level, for example, the continued reduction in the number of people proceeded against in court since 2007-08 is consistent with the principal aim of the reforms – that fewer cases go to court needlessly and more are dealt with by non-court actions, where it is appropriate to do so.

E.11 A range of measures were implemented as part of the Anti-Social Behaviour (Scotland) Act 2004 and the Criminal Proceedings etc. (Reform) (Scotland) Act 2007, including:

- Increased roll out and use of alternatives to prosecution that can be offered by the police (e.g. Anti-Social Behaviour Fixed Penalty Notices and Formal Adult Warnings) and procurator fiscal (e.g. increased use of Fiscal Fines)
- Reforms to bail procedures
- Increased use of undertakings
- Increased sentencing powers in Summary courts
- Enhanced fines enforcement
- Replacement of district courts with Justice of the Peace (JP) courts
- Reforms to appointing and training lay Justices of the Peace (JPs)
- Reforms to summary criminal legal aid

E.12 The provisions of the 2007 act were brought into force in stages. The changes to undertakings, bail, lay justice, sentencing powers and certain procedural reforms came into effect on 10 December 2007. Those relating to procurator fiscal alternatives to prosecution and fines enforcement came into effect on 10 March 2008. The unification of the administration of the sheriff and district/JP Courts was rolled-out on a sheriffdom-by-sheriffdom basis and completed in February 2010.

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