



### An Official Statistics Publication for Scotland

#### Criminal court cases activity from Quarter 1 2014/15 to Quarter 4 2022/23

This statistical bulletin is part of a series providing quarterly Official Statistics on first instance criminal case activity in the High, Sheriff and Justice of the Peace courts.

Annual statistics showing custody and remand rates; crime and offence breakdowns; protected characteristics (sex, ethnicity and age) and criminal appeals are also provided.

#### Notice

*To meet the needs of justice partners, court users and the media during the Coronavirus pandemic and the subsequent recovery period, the Scottish Courts and Tribunals Service publishes a monthly workbook of Management Information showing business volumes and trends for first instance criminal cases calling at Scottish courts. The monthly workbook, which is not designated as Official Statistics, may be used alongside these quarterly Official Statistics: <http://www.scotcourts.gov.uk/official-statistics>*

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

The statistics in this bulletin do not detail conviction rates or sentencing as there are already well-established National Statistics on these aspects of criminal justice. This bulletin does not cover court cases relating to civil business. See the Scottish Government's website for statistics relating to criminal or civil justice:

<http://www.gov.scot/Topics/Statistics/Browse/Crime-Justice>

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

##### All Criminal Courts

There were 85,859 first instance criminal cases registered in Scottish courts in 2022/23, which is comparable to the 85,567 cases registered in 2021/22 and is 81% of the pre-COVID level (105,548 in 2019/20).

81,105 trials were called in 2022/23, which is a 24% increase on the number called in 2021/22 (65,297).

The volume of evidence led trials that took place in 2022/23 was 9,051, a 21% increase to the number that occurred in 2021/22 (7,505) and 89% of the pre-COVID volume.

The percentage of trials adjourned due to lack of court time is 2.1% for 2022/23 which is 0.8 percentage points lower than in 2019/20.



The number of trials scheduled is an indication of system capacity as it shows the volume of trial business at the end of each financial year or quarter. There were 27,406 trials scheduled at the end of March 2023 which is a 36% reduction compared to the peak quarter-end scheduled trial volume (December 2021 - 43,016). Specifically, this is a reduction of 68% in the trial backlog caused by COVID-19.

99,671 cases were concluded in 2022/23 – 15% more than the volume concluded in 2021/22 and 98% of the pre-COVID figure (101,790 in 2019/20).

### The High Court of Justiciary

There were 939 indictments registered in 2022/23, a 26% increase from the 745 indictments registered in 2021/22 and 92% of the pre-COVID level (1,024 in 2019/20).

611 evidence led trials took place in 2022/23, a 6% rise compared with 577 in 2021/22. This is 23% higher than the pre-COVID volume (498 in 2019/20).

Trials scheduled as at the end of March 2023 is 687, an increase of 23% from the trials scheduled as at the end of March 2022 (560). This has gone up 76% from the number scheduled as at the end of March 2020 (390).

815 indictments were concluded in 2022/23, which is an increase of 8% on the previous year (756) and similar to the pre-COVID level (806).

### The Sheriff Court – solemn business

The volume of petitions registered is a useful indicator of future levels of solemn business as petitions tend to become registered indictments at the High Court or Sheriff Court. The number of petitions registered in 2022/23 (11,699) is broadly comparable with the 11,769 registered in 2021/22. This equates to a 20% rise in petitions registered when compared to 2019/20 (9,780).

In 2022/23 the number of indictments registered was 5,938, a 3% increase from 2021/22. This is 9% higher than the 2019/20 pre-COVID volume of 5,452.

As at the end of March 2023, the volume of trials scheduled is 2,389, an increase of 5% when compared with the volume scheduled as at the end of March 2022 (2,274) and is more than four times the number scheduled as at the end of March 2020 (497).

The number of evidence led trials in 2022/23 has risen by 17% to 1,061 when compared to 907 in 2021/22 and is 94% of the 1,134 in 2019/20 before COVID-19.

6,986 indictments were concluded in 2022/23, which is an increase of 13% from the 6,172 in 2021/22 and an increase of 20% when compared to 2019/20 (5,841).

#### The Sheriff Court – summary business

There was a 3% increase in the volume of complaints registered in the Sheriff Court between 2021/22 (55,506) and 2022/23 (57,226). This is 87% of the number registered in 2019/20 (65,490).

95% of domestic abuse court cases are heard at the Sheriff Summary Court. Domestic abuse cases make up 24% of the total summary complaints registered in 2022/23 in the Sheriff Court. This proportion is broadly similar to 2021/22 (25%) and 2019/20 (23%).

The number of Sheriff Summary cases called for trial during 2022/23 was 62,350, up 19% on the 52,452 called in 2021/22.

Evidence led trials have risen by 16% to 6,380 in 2022/23 from 5,503 in 2021/22, and is 92% of the pre-COVID figure (6,946 in 2019/20).

Compared to 2019/20, the percentage of trials adjourned due to lack of court time for 2022/23 shows a decrease of 1.4 percentage points to 1.6%.

Domestic abuse cases account for 27% of Sheriff Summary trials called and 34% of Sheriff Summary trials in which evidence was led.

The volume of Sheriff Summary trials scheduled as at the end of March 2023, is 20,064, which is a 34% drop compared to the end of March 2022. Domestic abuse scheduled trials decreased by 30% to 4,120 between the end of March 2022 and March 2023.

66,977 complaints were concluded in 2022/23 which is an increase of 18% compared to the volume concluded in 2021/22. Domestic abuse cases accounted for 23% of cases concluded in the period.

#### The Justice of the Peace Court

The Justice of the Peace Court has seen an 8% decrease in the volume of cases registered between 2021/22 and 2022/23 to 21,756.

The number of evidence led trials is 999 in 2022/23, which is nearly double the volume in 2021/22 (518).

1% of trials were adjourned due to lack of court time in 2022/23 which is 1.4 percentage points lower than 2019/20.

The number of trials scheduled at the end of March 2023 has decreased by 44% to 4,266 when compared to the end of March 2022.

24,893 complaints were concluded in 2022/23 which is a 10% increase when compared to 2021/22.

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

### All criminal appeals

The volume of criminal appeals registered has fallen between 2014/15 and 2022/23 by 45% to 812 appeals.

Of the appeals registered in 2022/23, 12% relate to appeal solely against conviction, 62% to appeal solely against sentence and 26% to a joint appeal against conviction and sentence following the trend of previous years, showing that appeals solely against sentence continue to be the most common type of appeal.

Sustained appeals expressed as a percentage of registered appeals rose from 18% in 2019/20 to 20% in 2022/23.

Appeals against sentence continue to be the appeal type most likely to be sustained which account for 85% of all sustained appeals in 2022/23.

36% of appeals registered relate to summary business and 64% relate to solemn business. 89% of summary appeals are from Sheriff Court cases and 11% are from Justice of the Peace Court cases.

### Appeals at the High Court of Justiciary

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

In 2022/23, 521 appeals were registered; a 16% increase from 2021/22. 11% relate to appeal solely against conviction, 57% to appeal solely against sentence and 32% to a joint appeal against conviction and sentence.

There were 75 sustained appeals at the High Court in 2022/23 with 79% of these being solely against sentence.

### Appeals at the Sheriff Criminal Appeal Court

In 2022/23, the Sheriff Criminal Appeal Court saw 291 appeals registered which is a decrease of 58% when compared to the 700 registered in 2016/17 – the first full financial year since the new appeal court commenced in September 2015. Seven in ten relate to appeals solely against sentence.

30% of appeals registered at the Sheriff Criminal Appeal Court were sustained. The most common type of successful appeal is solely against sentence at 90% of sustained appeals.

## **Data tables**

The Q4 2022/23 Excel workbook with interactive tables and charts is located on webpage: <http://www.scotcourts.gov.uk/official-statistics>

## **Background**

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

### Revisions and corrections

Sheriff Summary and Justice of the Peace Courts: The count of ‘complaints concluded’ was enhanced in spring 2023 to include complaints that concluded at after warrant diets. The enhancement is for 2019/20 data onwards therefore caution is advised when comparing summary business conclusion data before and after 2019/20.

Sheriff Solemn: The count of ‘indictments concluded’ was redeveloped in Spring 2023 to employ the same methodology used in the summary conclusion count viz. to aggregate conclusions at key diets. Prior to this development, the solemn conclusion count used ‘disposed’ cases as it was the best available data at that time. The change is for 2019/20 data onwards therefore caution is advised when comparing solemn conclusion data before and after 2019/20.

### Guidance on definitions and data

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

### Shaping Scotland’s Court Services

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

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

## Contacts

Press enquiries on the contents of this bulletin should be directed to the Scottish Courts and Tribunals Service communications office.

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

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

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

The next quarterly bulletin of Criminal Court statistics will be published in September 2023. The exact date of the report will be announced via the Scottish Government's Forthcoming Publications Schedule - <http://www.gov.scot/Topics/Statistics/ForthcomingPubs> at least 4 weeks in advance and on the SCTS' Official Statistics webpage <http://www.scotcourts.gov.uk/official-statistics>.