



### An Official Statistics Publication for Scotland

#### Criminal court cases activity from Quarter 1 2014/15 to Quarter 3 2021/22

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

#### Notices

Due to the Conference of Parties (COP 26) occurring in Quarter 3 2021/22, there were no trials running for two weeks for Sheriff solemn business and three weeks for summary business.

The impact of the COVID Omicron variant impacted Q3 2021/22 resulting in increased self-isolation by parties and reduced summary criminal trial loadings to manage overall footfall in the courts.

In October 2020, to meet the needs of justice partners, court users and the media, the Scottish Courts and Tribunals Service commenced the publication of a monthly workbook of Management Information showing interim monthly business volumes and trends for first instance criminal cases calling at Scottish courts during the pandemic. The monthly workbook, which is not designated as Official Statistics, may be used alongside these quarterly Official Statistics. <http://www.scotcourts.gov.uk/official-statistics>

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

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

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

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

##### All Criminal Courts

There were 21,800 first instance criminal cases registered in Scottish courts in Q3 2021/22, which is a 3% increase from the volume registered in Q2 2021/22.

The number of trials scheduled<sup>1</sup> is an indication of system capacity as it shows the volume of trial business at the end of each financial year or quarter. Scheduled trials have risen by 1.1% from September 2021 to 43,016 in December 2021.

In Q3 2021/22, the number of trials called was 15,751, a decrease of 11% from the previous quarter.

Evidence led trials were 15% lower than the previous quarter with 1,716 taking place in Q3 2021/22 compared to Q2 2021/22 (2,022).

The percentage of trials adjourned due to lack of court time in Q3 2021/22 is comparable to Q2 2021/22 at 2.1%.

19,783 cases were concluded in Q3 2021/22 – a decrease of 18% from the previous quarter.

### The High Court of Justiciary

The volume of indictments registered in the latest quarter has risen by 20% to 192 in Q3 2021/22 from 160 in Q2 2020/21.

Evidence led trials in Q3 2021/22 have remained broadly consistent with Q2 2021/22, with 147 evidence led trials occurring in the period.

Trials scheduled<sup>1</sup> at the end of December 2021 have risen by 33% to 516 when compared to trials scheduled as at the end of September 2021 (389). This is due to parties confirming they are ready to go to trial which allows the trial diet to be fixed.

In Q3 2021/22, 208 indictments were concluded, which is an increase of 6% on the previous quarter (196).

### 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. Q3 2021/22 shows a fall of 5% to 2,835 petitions when compared to Q2 2021/22.

In this reporting quarter, the number of indictments registered is 1,470, which is 2% higher than the 1,448 registered in Q2 2021/22.

As at the end of December 2021, the number of trials scheduled<sup>1</sup> has gone up by 18% when compared to the end of September 2021. This is due to an increase in solemn trial diets being fixed.

The number of evidence led trials in Q3 2021/22 has fallen by 33% when compared to Q2 2021/22.

1,180 indictments were concluded in Q3 2021/22, which is 12% lower than Q2 2021/22.

### The Sheriff Court – summary business

In Q3 2021/22 there has been an increase of 4% in the number of registered complaints to 14,140 from 13,611 in Q2 2021/22.

95% of domestic abuse court cases are heard at the Sheriff Summary Court. In Q3 2021/22, domestic abuse cases make up 24% of the total summary complaints registered in the Sheriff Court. This proportion is comparable with previous quarters.

The number of Sheriff Summary cases called for trial in Q3 2021/22 is 12,397 which is a reduction of 12% from Q2 2020/21. Evidence led trials fell by the same percentage for the reporting period, with 1,246 evidence led trials.

The percentage of trials adjourned due to lack of court time for Q3 2021/22 was broadly similar to Q2 2021/22 at 1.9%

Domestic abuse cases account for 33% of Sheriff Summary trials called and 41% of those Sheriff Summary trials in which evidence was led.

As at the end of December 2021, the volume of Sheriff Summary trials scheduled is 32,394, which is 39 lower than the end of September 2021. Domestic abuse scheduled trials decreased by 5% or 342 trials to 6,547 over the same period.

In Q3 2021/22, there were 12,671 complaints concluded which is a fall of 11% from Q2 2021/22 (14,286). Domestic abuse cases continue to account for three out of every ten cases concluded in the quarter.

### The Justice of the Peace Court

For the reporting quarter, the number of cases registered has increased by 2% on the previous quarter to 5,998.

The number of evidence led trials is 153 in Q3 2021/22 which is 24% lower than in the previous quarter.

0.9% of trials were adjourned due to lack of court time.

The number of trials scheduled at the end of December 2021 has increased by 1% to 7,936 when compared to the end of September 2021.

5,724 complaints were concluded in the quarter, a decrease of 31% when compared to Q2 2021/22.

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

### All criminal appeals

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

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

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

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

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

### Appeals at the High Court of Justiciary

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

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

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

### Appeals at the Sheriff Criminal Appeal Court

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

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

## **Data tables**

The Q3 2021/22 Excel workbook with interactive tables and charts is located on webpage: <http://www.scotcourts.gov.uk/official-statistics>

## **Background**

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

## **Revisions and corrections**

There are no revisions or corrections to report.

## **Guidance on definitions and data**

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

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

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

## Shaping Scotland's Court Services

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

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

## Contacts

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

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

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

The next quarterly bulletin of Criminal Court statistics will be published in June 2022. The exact date of the report will be announced via the Scottish Government's Forthcoming Publications Schedule - <http://www.gov.scot/Topics/Statistics/ForthcomingPubs> at least 4 weeks in advance and on the SCTS' Official Statistics webpage <http://www.scotcourts.gov.uk/official-statistics>.