



**An Official Statistics Publication for Scotland**

**Criminal court cases activity from Quarter 1 2014/15 to Quarter 2 2021/22**

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

Notice

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

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

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

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

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

All Criminal Courts

The number of first instance criminal cases registered in Scottish courts has remained consistent with the previous quarter with 21,081 cases registered in the period.

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 rose by 0.2% between June 2021 and September 2021.

17,757 trials were called in Q2 2021/22 which is a 56% increase on 2021/22 Q1 (11,393).

From 6<sup>th</sup> September 2021, an additional 16 trial courts were available per day. 2,022 evidence led trials occurred in Q2 2021/22 which is a 22% increase on 2021/22 Q1 (1,650).

In the second quarter of 2021/22, the percentage of trials adjourned due to lack of court time has fallen by 0.5 percentage points to 2.0%.

The volume of cases concluded continues its upward trend from Q1 2021/22, with 24,152 cases concluded in Q2 2021/22 – an increase of 48%.

### The High Court of Justiciary

The volume of indictments registered is 3% higher for Q2 2021/22 (160) compared to Q1 2021/22 (155).

There was a 21% increase in evidence led trials in Q2 2021/22 when compared to Q1 2021/22. Since 6<sup>th</sup> September 2021, there have been four additional trial courts available each day.

Trials scheduled<sup>1</sup> at the end of September 2021 shows an increase of 24% with 389 trials scheduled. This is down to new trials being fixed.

196 indictments were concluded in Q2 2021/22, which is an increase of 13% on the previous quarter (173).

### 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 Q2 2021/22 is 2,992. This is 3% higher than the 2,909 reported in Q1 2021/22.

Indictments registered in 2021/22 Q2 is 1,448, which is comparable to the 1,444 registered in 2021/22 Q1.

As at the end of September 2021, the number of trials scheduled<sup>1</sup> increased by 15% when compared to the end of the previous quarter due to solemn trial diets being fixed.

In Q2 2021/22, the volume of evidence led trials (254) is slightly higher than the quarter immediately before the pandemic (252 in Q4 2019/20).

1,343 indictments were concluded in Q2 2021/22 and this is 10% higher than the quarter immediately before the pandemic (1,221 in Q4 2019/20). Since 6<sup>th</sup> September 2021, there have been two additional trial courts available each day.

### The Sheriff Court – summary business

There has been a reduction of 4% in the volume of registered complaints from 14,164 in Q1 2021/22 to 13,611 in Q2 2021/22.

95% of domestic abuse court cases are heard at the Sheriff Summary Court. In Q2 2021/22, domestic abuse cases constitute 26% of the total summary complaints registered in the Sheriff Court. This proportion is comparable with previous quarters.

There was a significant rise of 45% in the number of Sheriff Summary cases called for trial in Q2 2021/22 (14,111) when compared to Q1 2021/22 (9,715).

Since 6<sup>th</sup> September 2021, there have been ten additional trial courts available each day.

Evidence Led trials rose by 13% to 1,418 in Q2 2021/22 compared to the previous quarter. The same period saw a fall of 0.2 percentage points to 1.8% of trials adjourned due to lack of court time.

In Q2 2021/22, domestic abuse cases accounted for 34% of Sheriff Summary trials called and 43% of those Sheriff Summary trials in which evidence was led.

The volume of Sheriff Summary trials scheduled as at the end of September 2021, has fallen by 3% since the end of June 2021 to 32,433. Domestic abuse scheduled trials decreased by 10% to 6,889 over the same period.

Q2 2021/22 saw 14,286 complaints concluded which is a rise of 17% compared to the volume concluded in Q1 2021/22. Three in every ten of these conclusions were domestic abuse cases and that amounted to 4,090 domestic abuse cases being concluded in the quarter - an increase of 24% compared to Q1 2021/22.

### The Justice of the Peace Court

The number of cases registered in the reporting period rose by 1.3% to 5,862 when compared to Q1 2021/22.

There were 200 evidence led trials in Q2 2021/22, more than twelve times the number in Q1 2021/22 or a rise of 1150%.

1% of trials were adjourned due to lack of court time.

As at the end of September 2021, the number of trials scheduled has increased by 14% to 7,890 when compared to the end of June 2021.

There has been a significant rise in the number of complaints that were concluded in the quarter (8,327) which is 4% higher than the quarter immediately before the pandemic (8,030 in Q4 2019/20).

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

#### All criminal appeals

The volume of criminal appeals registered has dropped between 2014/15 and 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 Q2 2021/22 Excel workbook with interactive tables and charts is located on webpage: <https://scotcourts.gov.uk/official-statistics>

### **Background**

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

### **Revisions and corrections**

There are no revisions or corrections to report.

### **Guidance on definitions and data**

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

The impact of the pandemic has meant that some cases that would be expected to come to trial at a future date do not yet have a trial diet fixed and will therefore not be counted in the scheduled trial figures within these statistics. This relates mostly to solemn business. The SCTS publish monthly figures that contain an estimate of trials in the system without a trial

diet fixed so that a forecast of scheduled trials can be provided.

<http://www.scotcourts.gov.uk/official-statistics>

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

### Shaping Scotland's Court Services

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

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