

# Statistical Bulletin

## Crime and Justice Series

A National Statistics Publication for Scotland



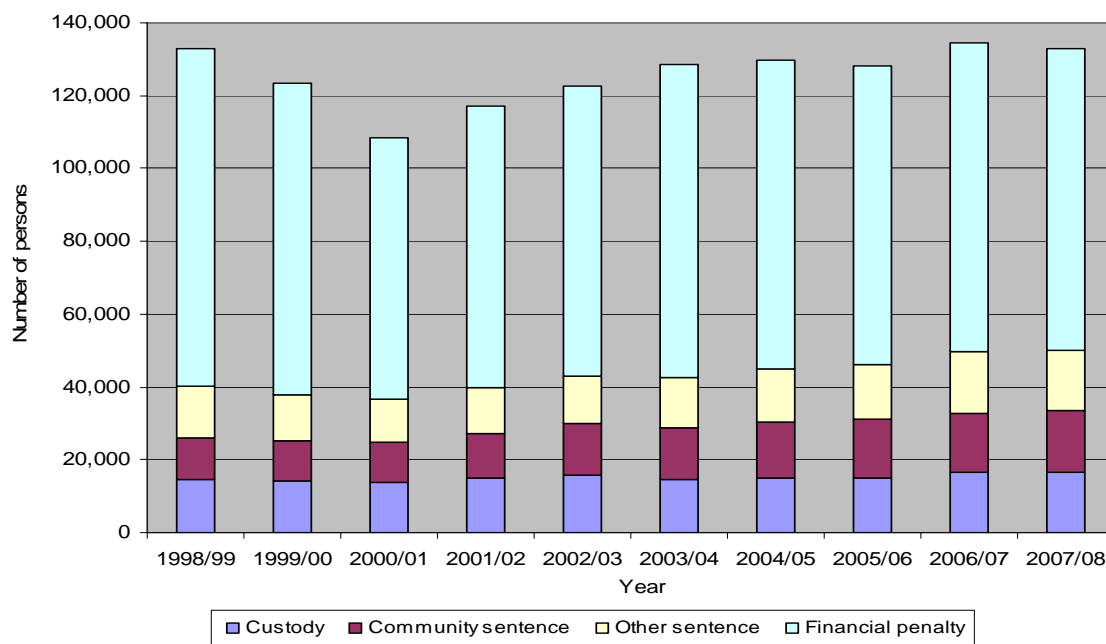
### CRIMINAL PROCEEDINGS IN SCOTTISH COURTS, 2007/08

28 April 2009

#### 1 Introduction

This bulletin presents statistics on criminal proceedings concluded in Scottish courts during 2007/08 as well as information on motor vehicle offences and statistics on bail orders and offences. The bulletin starts by summarising the key points from the statistics, before providing more detailed commentary in the subsequent sections 4 to 11. The tables referred to in the commentary are provided in Section 12, while detailed notes on the statistics used in the bulletin are given in the Annexes. Further more detailed tables will be published as background statistics on the Scottish Government Crime and Justice Statistics website.

**Chart 1: Number of persons with a charge proved in Scottish Courts by main penalty, 1998/99 to 2007/08**



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## **2 Key Points for 2007/08**

### ***Court proceedings***

- A total of 148,800 persons were proceeded against in court, a decrease of ½ per cent on 2006/07, although still higher than the totals for all of the last seven years prior to 2006/07.

### ***Verdicts***

- Eighty-nine per cent of persons proceeded against in court had at least one charge proved against them or a plea of guilty accepted.

### ***Convictions***

- The total number of people convicted was 133,100, a decrease of 1 per cent compared with 2006/07. Of these, 60 per cent took place in sheriff summary courts.
- The number of persons convicted in the district (including Justice of the Peace) and stipendiary magistrates courts in 2007/08 (47,200) showed a small decrease of 2 per cent compared with 2006/07, but was 18 per cent smaller than in 1998/99.
- The number of persons with a charge proved for non-sexual crimes of violence rose by 12 per cent from 2,400 to 2,700 while numbers convicted of crimes of indecency fell by 9 per cent from 862 to 785.

### ***Sentences***

- The majority (83,100 or 62 per cent) of all convictions resulted in a financial penalty. Most of these were fines, although there were also 1,300 compensation orders issued. The average amount of fine imposed was £220 (excluding fines imposed upon companies). The average value of compensation orders imposed was £331.
- The number of custodial sentences imposed by courts was just under 16,700, the second largest figure recorded during the last 10 years, and almost exactly the same as in 2006/07. Seventy six per cent of all custodial sentences were for six months or less.
- The average length of determinate custodial sentences in 2007/08 was around eight months, 16 days (7 per cent) higher than in 2006/07. For crimes of handling an offensive weapon, average sentences rose by 35 per cent over this period, from 161 days to 217 days.
- The number of convictions resulting in a community sentence was 16,700, 4 per cent higher than in 2006/07. Community sentences mainly comprised sentences of a probation order (9,000) or a community service order (5,600).
- Female offenders accounted for 15 per cent of all convictions, 8 per cent of custodial convictions, 17 per cent of community sentences, 15 per cent of monetary sentences and 26 per cent of other sentences (mainly admonitions).

### ***Characteristics of individual offenders***

- Of the 53,300 individuals convicted at least once in 2007/08 for a crime or relevant offence, 65 per cent had at least one such previous conviction in the previous ten years, while 12 per cent had over ten such previous convictions.

- The peak age for conviction for males was 18, with 7 per cent of 18 year old males in the Scottish population convicted of a crime or relevant offence (such as common assault or breach of the peace) on at least one occasion during 2007/08.

### ***Bail orders made***

- There were 60,700 bail orders made by Scottish courts in 2007/08, a decrease of just under 3 per cent from 2006/07, although 30 per cent higher than in 2002/03.
- Males accounted for over 80 per cent of all orders made in 2007/08. In addition, most bail orders made by courts (90 per cent) were issued at Sheriff courts.

### ***Offences committed while on bail***

- Sixteen per cent of offences with a charge proved in 2007/08 had a bail aggravator recorded against them, indicating that these offences were committed while the offender was on bail. This is an increase of one percentage point from 2006/07.
- Crime and offence categories where the highest proportion of offenders were on bail were shoplifting (39 per cent), housebreaking and crimes against public justice (both 32 per cent), robbery and theft by opening a lockfast place (both 29 per cent).
- Crimes and offences with a relatively low percentage of offenders on bail included most motor vehicle offences (particularly speeding (1 per cent) and vehicle defect offences (2 per cent)), as well as lewd and indecent behaviour (4 per cent) and rape and attempted rape (5 per cent).

### ***Motor vehicle offences***

- The total number of motor vehicle offences recorded by the police was 347,600, a decrease of 7 per cent on the total for 2006/07. Speeding offences accounted for 40 per cent of these offences.
- The police made an estimated 219,700 conditional offers of a fixed penalty, a decrease of 2 per cent compared with 2006/07. Sixty per cent of the offers related to speeding offences.
- The number of motor vehicle offences which resulted in a charge proved in court in 2007/08 was 65,700, 2 per cent lower than in 2006/07. A fine was the most common penalty, imposed for 82 per cent of charges proved or accepted. In addition to the main penalty imposed, 51 per cent of offences resulted in an endorsement of the offender's driving licence.
- The average fine imposed for motor vehicle offences with a charge proved was £189, while the average length of driving ban imposed was 19 months.
- An estimated 93,500 fixed penalty notices were issued by the police for stationary vehicle offences, 62 per cent of which were for parking and waiting offences and 32 per cent for failing to display a road tax disc. The total number of fixed penalty notices decreased by 11 per cent compared with 2006/07. Much of the long term decrease in the number of notices issued in recent years reflects the decriminalisation of parking infringements in particular areas.
- The total number of penalty charge notices for parking infringements issued in 2007/08 by those councils which operated civil penalty schemes was 484,100, an increase of only ½ per cent compared with 2006/07.

### **3. Revisions to data**

3.1 The figures given in this bulletin reflect the details of court proceedings as recorded on the Criminal History System and as provided to the Scottish Government up to the end of August 2008. Any subsequent updates on court disposals made will be incorporated into future bulletins and therefore some figures for 2007/08 (in particular those relating to the High Court) are likely to be subject to minor revisions.

3.2 There have been two main sets of changes to the numbers provided in this publication, compared with the 2006/07 bulletin (published in June 2008):

- Figures on persons proceeded against and persons with a charge proved, for 2007/08 and all previous years, have been altered to exclude those who have been proceeded against for a breach of a social work order, due to a change in recording practices for such crimes. As a result, all figures for “all offences” and “all crimes and offences” which appear in this bulletin are lower than the equivalent figures from previous versions of this bulletin.
- An improved methodology has been used to calculate total bail orders (Tables 15 to 17) for each of the years 2002/03 to 2007/08. The new method produces figures which are similar to (but typically around 1 to 2 per cent lower than) the previously published figures.

3.3 More details of these changes are provided in Annex C at the back of this publication.

#### 4. Commentary: Criminal Court Proceedings in Context (Table 1, Chart 2)

4.1 Chart 2 and Table 1 provide a summary of known action in the criminal justice system. The total number of crimes **recorded** by the police in 2007/08 was 385,500, eight per cent lower than in 2006/07. The total remains well below the 2004/05 figure of 438,100, and is indeed the lowest figure in the last ten years. The number of recorded crimes cleared up by the police fell by a similar proportion between 2006/07 and 2007/08, with the clear-up rate increasing slightly from 47 to 48 per cent.

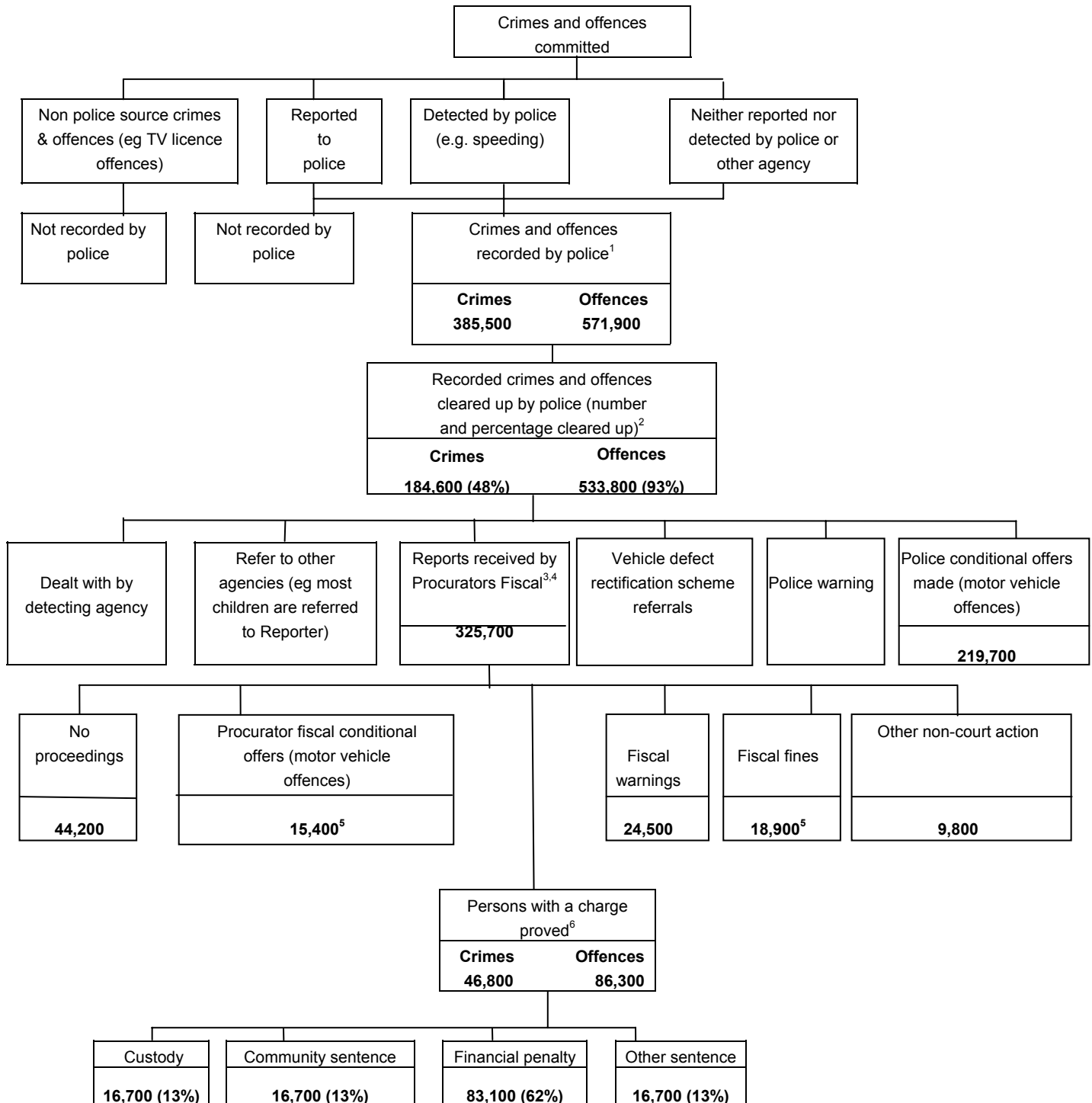
4.2 The number of offences recorded by the police fell by 6 per cent from 607,400 in 2006/07 to 571,900 in 2007/08. The number of offences cleared up also fell by a similar percentage, with the clear-up rate remaining at 93 per cent.

4.3 "Clear-ups" do not necessarily result in a report being made by the police to the procurator fiscal. For example, where the alleged offender is a child, a referral will normally be made to the Reporter to the Children's Panel. The vehicle defect rectification scheme operated by police forces offers the owners of defective vehicles the opportunity to avoid a report being made to the procurator fiscal, and the consequent possibility of court proceedings, by having their vehicle repaired within a given period. An alternative to court proceedings for moving motor vehicle offences is the police conditional offer of a fixed penalty. In 2007/08 there were an estimated 219,700 police conditional offers, 2 per cent less than in 2006/07. It is not known how many alleged offenders are dealt with informally by the police or by other agencies, rather than the procurator fiscal.

4.4 Referrals or reports may often include more than one crime or offence, and in the case of reports to the procurator fiscal may also involve more than one person. There is thus 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 such as Wireless Telegraphy Act or Communications Act offences (failure to pay a television licence) are not recorded by the police in the first instance. 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. In 2007/08, the number of reports received by the procurator fiscal was 325,700, a decrease of 1 per cent compared with 2006/07.

4.5 Prosecution in court is only one of a range of possible options the procurator fiscal has for dealing with persons who have been charged. Other actions include the use of fiscal warnings, diversion to social work, the use of conditional offers of a fixed penalty for a range of motor vehicle offences, the "fiscal fine" for less serious non-motor vehicle offences, sending cases to the Reporter to the Children's Panel or a decision to take no proceedings. In addition, as a result of the introduction of Summary Justice Reform in late 2007 / early 2008, the combination of the increased use of adult warnings, police fixed penalty notices and the increased fiscal fine levels and compensation offers available to the procurator fiscal is likely to increase the number of cases which will be dealt with outwith the courts in the future.

**Chart 2: Overview of action within the criminal justice system 2007/08 <sup>1</sup>**



1. Figures rounded to the nearest 100.
2. Crimes recorded in 2007/08 may not be cleared up or dealt with until 2008/09 or later.
3. A report to the procurator fiscal may involve more than one crime or offence and more than one alleged offender.
4. The total number of reports to the fiscal includes reports on non-criminal matters such as sudden deaths.
5. Figures relate to cases which were closed as offer accepted.
6. Figures for persons 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.

## **5 Commentary: Persons Proceeded Against (Tables 1 & 2)**

*(Unless otherwise stated, references in this bulletin to the type of crime or offence for which a person is proceeded against or convicted relate to the main charge involved. For the definition of main charge, please see Annex D. 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. More detailed information on individual motor vehicle offences with a charge proved is also included in Section 11.)*

5.1 In 2007/08, the total number of persons proceeded against decreased by ½ per cent compared to 2006/07, to an estimated 148,800. This figure is, however, higher than the totals for all of the last seven years prior to 2006/07.

5.2 An estimated 89 per cent of persons proceeded against in court in 2007/08 were convicted of at least one charge, a total of 133,100 convictions. Three per cent were acquitted on a "not guilty" verdict, and 1 per cent on a "not proven" verdict. The remaining 7 per cent either had their case deserted by the prosecution or had a plea of "not guilty" accepted.

5.3 Acquittal rates vary by type of crime. In 2007/08, 30 per cent of those proceeded against for rape or attempted rape were acquitted following a "not guilty" verdict. This proportion was also high for those proceeded against for indecent assault (19 per cent), lewd and indecent behaviour (12 per cent) and serious assault or attempted murder (11 per cent). The proportion of persons receiving a "not proven" verdict was highest by far for rape or attempted rape (24 per cent). Twenty-two per cent of persons proceeded against for theft of/from a motor vehicle had a plea of not guilty accepted or had the case against them deserted. By contrast, 95 per cent of persons proceeded against in court for motor vehicle offences were convicted in 2007/08, with only 1 per cent acquitted on a "not guilty" verdict and most of the remaining prosecutions either being deserted or having a plea of "not guilty" accepted.

5.4 Of those persons acquitted in 2007/08 after trial, 20 per cent received a "not proven" verdict. This proportion varied by type of crime. For example, it was higher than average for rape and attempted rape (45 per cent), drugs crimes (35 per cent), indecent assault (33 per cent), serious assault and attempted murder (30 per cent) and fire-raising and theft of/from a motor vehicle (both 27 per cent).

## **6. Commentary: Persons Convicted (Tables 3, 4(a) & 4(b))**

6.1 The total number of convictions in 2007/08 was 133,100, a decrease of 1 per cent compared with 2006/07. Of these, 79,700 (60 per cent of the total) took place in sheriff summary courts.

6.2 The more serious cases are dealt with in the High Court or by a sheriff sitting with a jury. Around 6,200 persons were convicted in these courts in 2007/08, 5 per cent of all persons convicted. Recording delays mean that the figures for High Court convictions in 2007/08, and to a lesser extent 2006/07, may be underestimates.

6.3 In 2007/08, a total of 47,200 persons were convicted in the district / justice of the peace courts or in the stipendiary magistrates court that operates in Glasgow. While this represented a small decrease of 2 per cent compared with the previous year, it was substantially (18 per cent) smaller than in 1998/99.



6.4 There were large percentage increases between 2006/07 and 2007/08 in the number of people with a charge proved for indecent assault (up 43 per cent to 116), vehicle defect offences (up 34 per cent to 2,300), 'other' crimes (up 32 per cent to 268), serious assault and attempted murder (up 16 per cent to 1,700) and crimes against public justice (up 11 per cent to 8,000). Numbers with a charge proved for homicide increased by 9 per cent from 118 to 129. There were also increases of 5 per cent in numbers with a charge proved for speeding (14,100) and dangerous and careless driving (4,000). The highlighted increases for serious assault and attempted murder and homicide, together with increases for robbery and 'other' violent crimes, resulted in the number of persons with a charge proved for non-sexual crimes of violence as a whole going up by 12 per cent, from 2,400 to 2,700.

6.5 There was a large decrease of 39 per cent in the number of persons with a charge proved for breach of social work orders, from 4,900 in 2006/07 to 3,000 in 2007/08. This fall is, however, likely to be as a result of a change in recording practices for such crimes and, as such, these offences have been excluded from the overall analysis. More detail on this is provided in Annex C. There were also decreases in the numbers with a charge proved for 'other' motor vehicle offences (down 27 per cent to 3,400), lewd and indecent behaviour (down 21 per cent to 247), rape and attempted rape (down 17 per cent to 48), 'other' crimes of dishonesty (down 12 per cent to 1,300) and fire-raising (down 11 per cent to 223). As a result of some of the highlighted falls, there was an overall decrease of 9 per cent (from 862 to 785) for persons with a charge proved for crimes of indecency.

6.6 The 133,100 convictions in 2007/08 involved a total of 184,400 individual offences where the charge was proved. On average there were 1.39 charges proved for each conviction.

## **7 Commentary: Sex and Age of Persons with a Charge Proved (Tables 5, 6(a) & 6(b))**

7.1 Between 2006/07 and 2007/08, the overall number of convictions per 1,000 population fell from 56 to 55 for males and remained at 10 for females. The number of convictions per 1,000 population in 2007/08 was generally lower than it was ten years previously for younger offenders (those aged 25 and under) but higher for older offenders.

7.2 Males accounted for 85 per cent of all convictions in 2007/08 (excluding companies) where the sex of the offender was known. More males than females were convicted in all crime and offence categories apart from 'other' crimes of indecency, where females accounted for 63 per cent of what are mainly offences related to prostitution. The other categories where females formed a higher than average proportion of those convicted included 'other' non-sexual crimes of violence (42 per cent), fraud (33 per cent), shoplifting (28 per cent) and 'other' miscellaneous offences (22 per cent).

7.3 For males and females aged under 21, 12 and 16 per cent respectively of convictions in 2007/08 were for crimes of dishonesty. Fourteen and 23 per cent respectively were for common assault. Over half (59 per cent) of convictions for theft of a motor vehicle involved males aged under 21. Convictions for motor vehicle offences accounted for a much higher proportion of total convictions for those aged over 30 (43 per cent for males and 39 per cent for females) than they did for the under 21 age group (20 per cent for males and 16 per cent for females).

*(An individual may be proceeded against on more than one occasion over the course of the year, with several charges involved on each occasion. Persons aged under 21 are*

*more likely than older offenders to be convicted on a number of occasions and hence to be counted more than once. Section 9 provides information on the characteristics of individuals in each age group who were convicted in 2007/08.)*

## **8 Commentary: Sentencing (Tables 7, 8(a), 8(b), 9, 10, 11 & 12, Charts 3 & 4)**

### ***Custodial sentences***

8.1 The overall number of convictions resulting in a custodial sentence in 2007/08 was just under 16,700, the second largest figure recorded during the last 10 years, and almost exactly the same as in 2006/07.

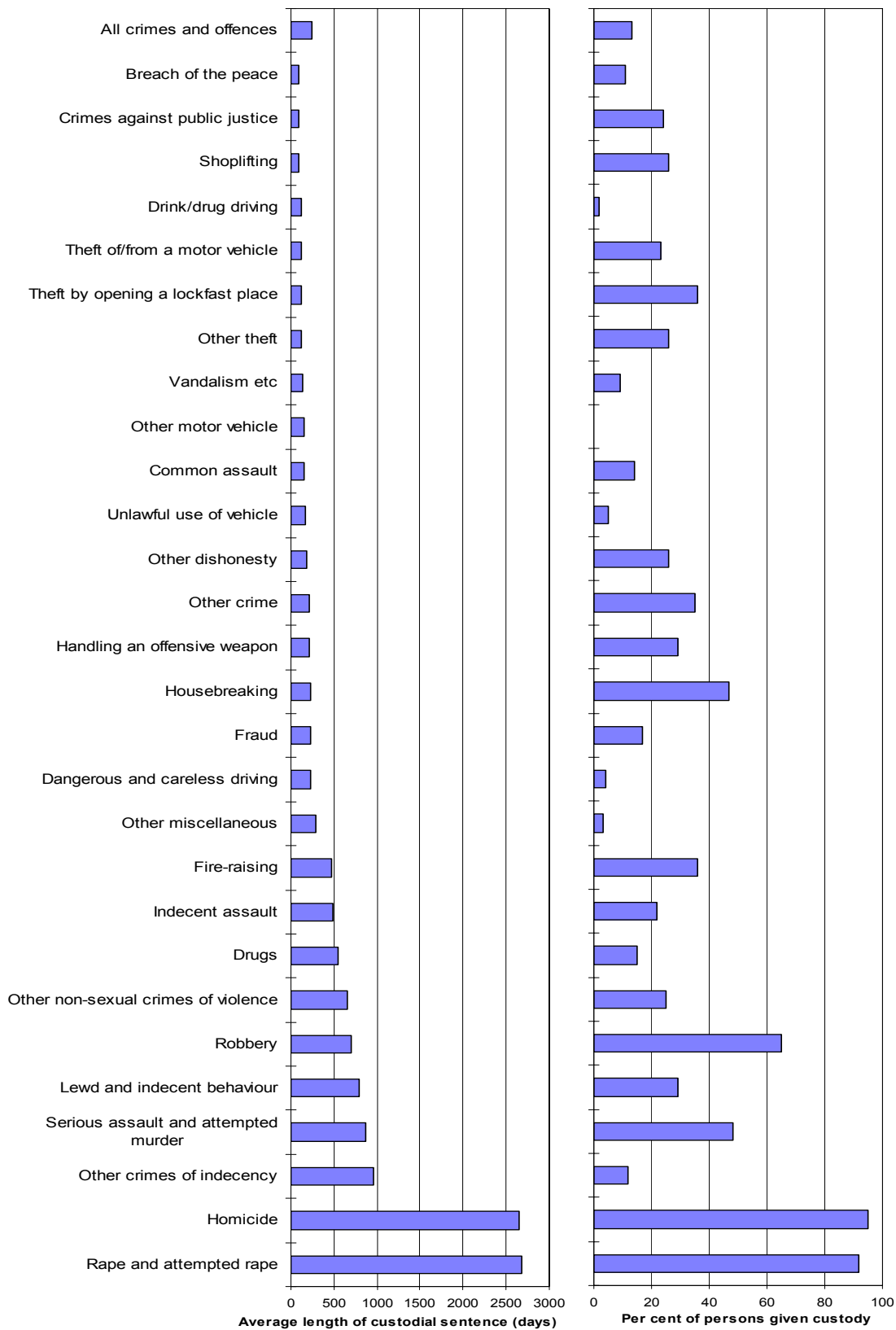
8.2 Custody is the most frequently used sentence for most types of crime involving violence and also rape and attempted rape. Other crime types with high proportions of convictions resulting in a custodial sentence in 2007/08 were housebreaking (47 per cent) and theft by opening a lockfast place and fire-raising (both 36 per cent).

8.3 The average length of determinate custodial sentences over most of the last decade has been between 7½ and 8½ months, although the average for 2007/08 of 244 days was more than 7 per cent higher than the figure for 2006/07. The increase in average sentence was particularly marked for crimes of handling an offensive weapon, which rose by 35 per cent from 161 days in 2006/07 to 217 days in 2007/08.

8.4 Half of all custodial sentences in 2007/08 were for three months or less, with 76 per cent being for six months or less. These were lower than the corresponding percentages for 2006/07 of 53 and 79 per cent respectively.

8.5 Crimes of violence and crimes of indecency were the most likely to attract long custodial sentences. Only 2 per cent of custodial sentences for crimes of dishonesty in 2007/08 were for over two years whereas the corresponding proportions for non-sexual crimes of violence and crimes of indecency were 39 and 51 per cent respectively. Outwith crimes of violence and indecency, the crimes which had the highest proportions of custodial sentences of over two years were drug offences (26 per cent) and fire-raising (18 per cent).

**Chart 3: Average sentence length<sup>1</sup> and per cent of custody by type of crime or offence, 2007/08**



1. Excludes life sentences and indeterminate detention.

## ***Community sentences***

8.6 The total number of convictions resulting in a community sentence in 2007/08 totalled just over 16,700, 4 per cent higher than 2006/07. Over the last ten years, the use of community sentences has generally increased as a proportion of all sentences imposed by the courts, although the proportion has levelled off in the last few years – while they accounted for 9 per cent of all sentences in 1998/99, this has been around 12 or 13 per cent in each of the last four years. In both 2004/05 and 2005/06 community sentences outnumbered custodial sentences, although in both 2006/07 and 2007/08 there have been more custodial sentences.

8.7 In 2007/08, the number of convictions resulting in a probation order (including probation with a requirement that the offender shall perform unpaid work) was just under 9,000 (4 per cent higher than in 2006/07). The proportion of convictions resulting in an offender being placed on probation was highest for indecent assault and lewd and indecent behaviour (both 41 per cent) and ‘other’ violence (23 per cent).

8.8 The number of convictions in 2007/08 resulting in a community service order was just under 5,600, an increase of 6 per cent compared with 2006/07. In 2007/08, the categories with the highest proportion of convictions resulting in a community service order were serious assault and attempted murder (20 per cent), handling an offensive weapon (16 per cent), fraud (15 per cent) and fire-raising (14 per cent). The average length of community service order imposed in 2007/08 was 146 hours.

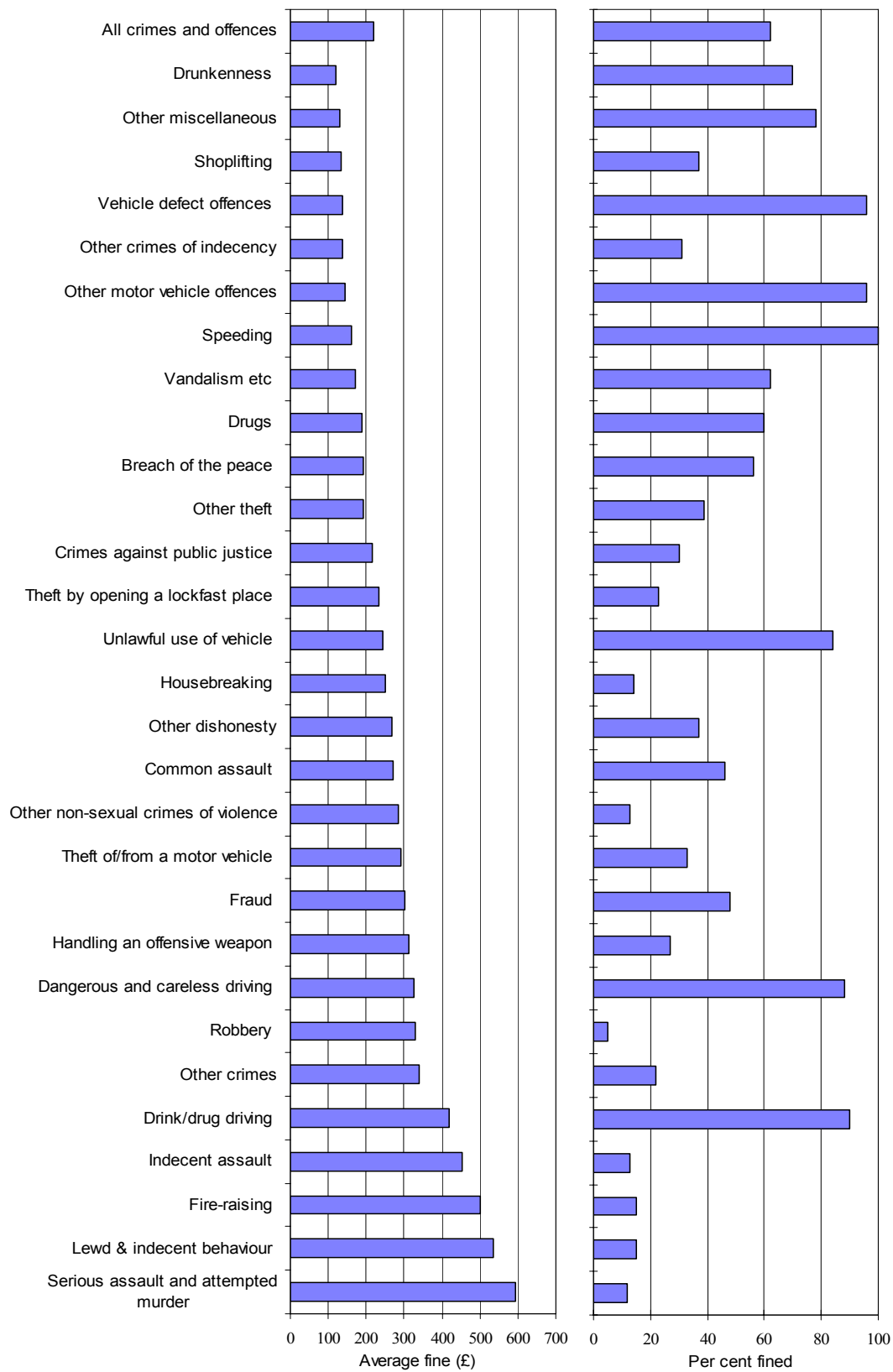
8.9 Other forms of community sentence were available to courts in a number of areas in 2007/08. These included restriction of liberty orders (1,151 sentences) drug treatment and testing orders (817 sentences) and supervised attendance orders of first instance (129 sentences).

## ***Financial penalties***

8.10 Between 1998/99 and 2007/08, the use of fines, the most common main penalty imposed by courts, has generally fallen as a proportion of all penalties imposed. This is in part a result of those offences most likely to be punished by fines increasingly being dealt with outside the court, for example by police conditional offers or “fiscal fines”. Fines were the main penalty imposed in 62 per cent of convictions in 2007/08, slightly lower than the proportion in 2006/07 and seven percentage points below the figure recorded for 1998/99. In 2007/08, the crimes which were most likely to result in a fine were motor vehicle offences (92 per cent), ‘other’ miscellaneous offences (77 per cent), drunkenness (70 per cent), drugs offences (60 per cent) and breach of the peace (56 per cent).

8.11 Excluding cases where a company was fined, the average fine imposed by courts in 2007/08 was £220, an increase of 3 per cent compared with the average in 2006/07 (£213). The average compensation order imposed by courts either as main or secondary penalty was £331 in 2007/08, a 4 per cent decrease compared with the average in 2006/07 (£344).

**Chart 4: Average fine and per cent fined by type of crime or offence, 2007/08<sup>1</sup>  
(excludes companies)**



1. Excludes homicide and rape

## ***Other sentences***

8.12 In 2007/08, the number of persons with a charge proved who were given a caution or admonition penalty was around the same as in 2006/07 and two percentage points higher than in 1998/99. This type of sentence was a relatively frequent outcome in convictions for the 'other' crimes of indecency category (38 per cent of convictions), the 'other' violence category (27 per cent), crimes against public justice and drunkenness (both 25 per cent), breach of the peace (22 per cent) and shoplifting (21 per cent).

## ***Sentencing by sex and age of offender***

8.13 The pattern of penalties imposed in 2007/08 varied with the age and gender of the offender. This is likely to reflect the different patterns of offending and conviction histories of the different groups of offenders. While males accounted for 85 per cent of all convictions (excluding companies and persons where gender was not known) in 2007/08, they represented 92 per cent of custodial convictions. Females accounted for 15 per cent of all convictions (excluding companies and persons where gender was not known) and 26 per cent of other sentences (mainly admonition).

8.14 Between 2006/07 and 2007/08, the number of convictions resulting in a custodial sentence fell only very slightly. The largest percentage increase was in females over 30 (up 24 per cent). Females aged under 21 fell by 9 per cent between 2006/07 and 2007/08. For males, numbers aged 21-30 increased by 3 per cent, while those aged under 21 and over 30 both fell by 3 per cent.

8.15 The number of convictions resulting in a community sentence increased slightly between 2006/07 and 2007/08. by 2 per cent for males to 13,900 and by 12 per cent for females to 2,800. For males, there was a slight decrease for those aged under 21, while numbers for those aged over 30 increased by 6 per cent. All age categories for females increased, particularly for those aged 21-30, where there was an increase of 18 per cent.

8.16 Between 2006/07 and 2007/08, the number of convictions resulting in a financial penalty fell by 2 per cent (to 70,800) for males and by 4 per cent (to 12,000) for females. Decreases were recorded for all age categories, apart from males aged 21-30 which increased by 2 per cent to 25,700.

## **9 Commentary: Characteristics of Individual Offenders (Tables 13 & 14, Chart 5)**

9.1 The preceding sections of the bulletin generally present information in terms of persons convicted in court for all crimes and offences. In those statistics, each occasion on which a person is convicted is counted once, so that one individual offender may be counted on a number of occasions throughout the year. It is possible to analyse convictions for crimes and certain offences (common assault, breach of the peace, racially aggravated conduct and harassment, firearms offences and social security offences) by individual offender. This section presents information on the 53,300 individual offenders who were convicted for these crimes and offences on at least one occasion in 2007/08.

9.2 About a quarter of the 53,300 individual offenders in 2007/08 accounted for half of the 80,900 convictions.

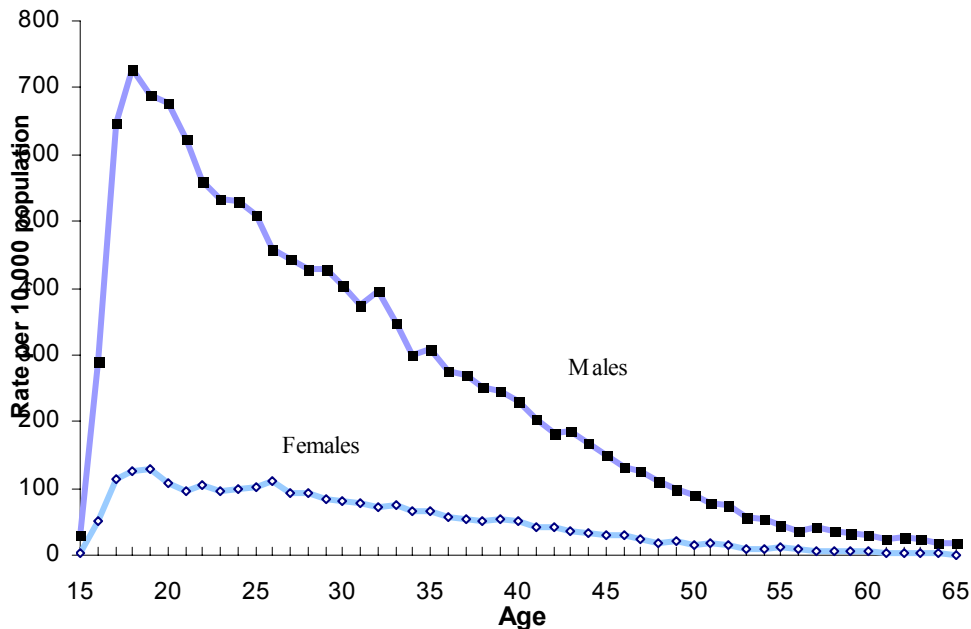
9.3 In 2007/08, the peak ages for convictions were 18 for males and 19 for females. The proportion of 18 year old males in the Scottish population who were convicted on at least one occasion for a crime or relevant offence was 7 per cent. The percentage of

females aged 19 who were convicted was much lower, at just 1 per cent of the overall female population of that age.

9.4 Of the 53,300 individuals convicted at least once in 2007/08 for a crime or relevant offence, 65 per cent had accumulated at least one previous conviction for these crimes and offences in the period 1998/99 to 2007/08, including 12 per cent with over 10 such previous convictions. This latter proportion was higher for males (12 per cent) than for females (8 per cent), and was highest for the 21-30 year old age group (18 per cent).

9.5 Sixty-six per cent of the 7,200 individuals sentenced to custody (for their most recent conviction) in 2007/08 for a crime or relevant offence had at least one previous custodial conviction for these crimes and offences in 1998/99 to 2007/08. Sixty-one per cent of this group of offenders had previously received a community sentence; and 39 per cent had previously been convicted before the High Court or a Sheriff and Jury Court.

**Chart 5: Individual offenders per 10,000 population<sup>1</sup> with one or more charges proved in court in 2007/08 for a crime or relevant offence<sup>2</sup>**



1. Mid-2007 population estimates for Scotland.

2. Common assault, breach of the peace, racially aggravated conduct or harassment, firearms offences and social security offences.

## 10.1 Commentary: Bail Orders Made (Tables 15, 16 & 17)

10.1.1 The total number of bail orders made by Scottish courts in 2007/08 was 60,700, a decrease of just under 3 per cent from 2006/07. In terms of longer-term trends, the 60,700 bail orders made in 2007/08 represented an increase of 30 per cent since 2002/03.

10.1.2 Males accounted for over 80 per cent of all orders made by the courts. Around a quarter of all bail orders were for people aged under 21, while those aged 21-30 and over 30 accounted for 36 and 38 per cent respectively of all orders made. Most bail orders made were issued at Sheriff courts (90 per cent of all orders), with District (including Justice of the Peace and Stipendiary) courts making up most of the remainder.

10.1.3 Details of the main crime type involved in each bail order are only available for 2007/08 for the 6½ month period up to 19<sup>th</sup> October 2007. Details of why this is the case are in Annex A towards the rear of this publication. During this period, crimes of common

assault and breach of the peace accounted for 32 per cent of all orders. This was substantially higher than in 2002/03, when these two crime types combined accounted for just 25 per cent of all orders.

10.1.4 In 2002/03, 28 per cent of all bail orders were issued for crimes of dishonesty. This proportion had fallen sharply by 2007/08, to 20 per cent.

10.1.5 There was a noticeable, though less marked, fall in the proportion accounted for by motor vehicle offences. This fell from 9 per cent of all bail orders in 2002/03 to 6 per cent for the first 6½ months of 2007/08.

## **10.2 Commentary: Offences Committed While on Bail (Tables 18 & 19)**

10.2.1 Of the total of 184,400 offences with a charge proved in 2007/08, 30,400 (16 per cent) had a bail aggravator recorded against them, indicating that these offences were committed while the offender was on bail, an increase of 1 percentage point from 2006/07.

10.2.2 Crime and offence categories where the highest proportion of offenders were on bail were shoplifting (39 per cent), housebreaking and crimes against public justice (both 32 per cent), robbery and theft by opening a lockfast place (both 29 per cent).

10.2.3 Crimes and offences with a relatively low percentage of offenders on bail included most motor vehicle offences (particularly speeding (1 per cent) and vehicle defect offences (2 per cent)), as well as lewd and indecent behaviour (4 per cent) and rape and attempted rape (5 per cent).

10.2.4 Bail-related offences other than committing an offence on bail covers the offences of breach of bail conditions (e.g. moving address without informing the court) and failure to appear in court after being granted bail. A total of 8,000 of these offences had a charge proved in 2007/08, an increase of 8 per cent compared with 2006/07. When looked at as a percentage of bail orders granted, the value for 2007/08 (13 per cent) was a one percentage point increase from both the previous year 2006/07, and 2002/03. For the number of bail-related offences, the biggest increases from 2006/07 to 2007/08 were seen in Sheriff Solemn and Sheriff Summary Court offences (up, respectively, 13 and 8 per cent to 380 and 7,400). Offences relating to those who received a community sentence rose by 11 per cent to 1,630 while those who received a monetary penalty also rose by 11 per cent, to 1,890.

## **11.1 Commentary: Motor Vehicle Offences: Context (Table 20)**

11.1.1 Most motor vehicle offences are dealt with by means other than court proceedings. Table 20 shows the numbers of offences which were dealt with by various means for the period 1998/99 to 2007/08. Further information on offences recorded, alternatives to prosecution and offences proceeded against in court is given in sections 11.2 to 11.7. Stationary vehicle offences, mainly parking offences, for which police fixed penalty notices are issued, are **not** included in the figures for recorded offences. However, moving offences such as speeding offences which are dealt with via the police and procurator fiscal conditional offer system **are** included. Further details of fixed penalty notices issued for stationary vehicle offences are given in section 11.5.

11.1.2 Non-payment of a procurator fiscal or police conditional offer of a fixed penalty is usually followed by prosecution. Consequently there is an overlap between conditional offers made and offences proceeded against in court.



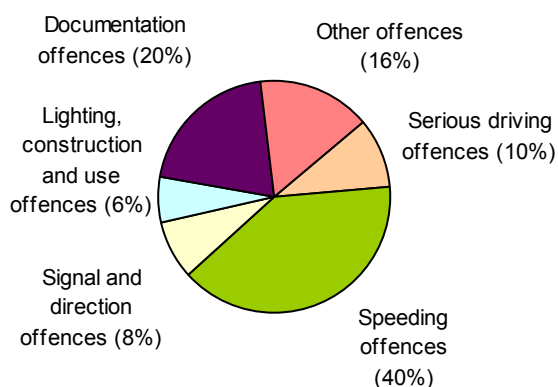
11.1.3 The number of licensed motor vehicles in Scotland increased by over a quarter (28 per cent) between 1998/99 and 2007/08 when it reached 2.65 million. However the number of recorded offences per 1,000 licensed vehicles in 2007/08 was 131, substantially lower than the figure of 145 in 2006/07 and the lowest annual figure in the last 10 years. There has been a general trend away from court proceedings against motor vehicle offences (number of charges proved in 2007/08 were around an eighth lower than in 1998/99) towards the use of alternatives to prosecution such as police and fiscal conditional offers of fixed penalties. Summary justice reform is likely to accelerate this process still further in future years.

## 11.2 Commentary: Motor Vehicle Offences Recorded by the Police (Table 21, Chart 6)

11.2.1 The number of motor vehicle offences recorded by the police in each of the years 1998/99 and 2003/04 to 2007/08 is shown in Table 21. These figures include offences in respect of which either the police or the procurator fiscal made a conditional offer of a fixed penalty (mainly *moving* vehicle offences). They do not include *stationary* vehicle offences (mainly parking and waiting offences) which are dealt with by the police or traffic wardens through the issuing of police fixed penalty notices. For information on stationary vehicle offences, see Section 11.5.

11.2.2 The total number of motor vehicle offences recorded in 2007/08 was 348,000, a decrease of 7 per cent on the 2006/07 total. Forty per cent of all motor vehicle offences recorded by the police in 2007/08 related to speeding offences. Changes in the figures for individual offence categories may arise because of changes in the level of enforcement or police deployment.

**Chart 6: Motor vehicle offences recorded by police in Scotland, 2007/08**



Number of motor vehicle offences recorded: 347,629

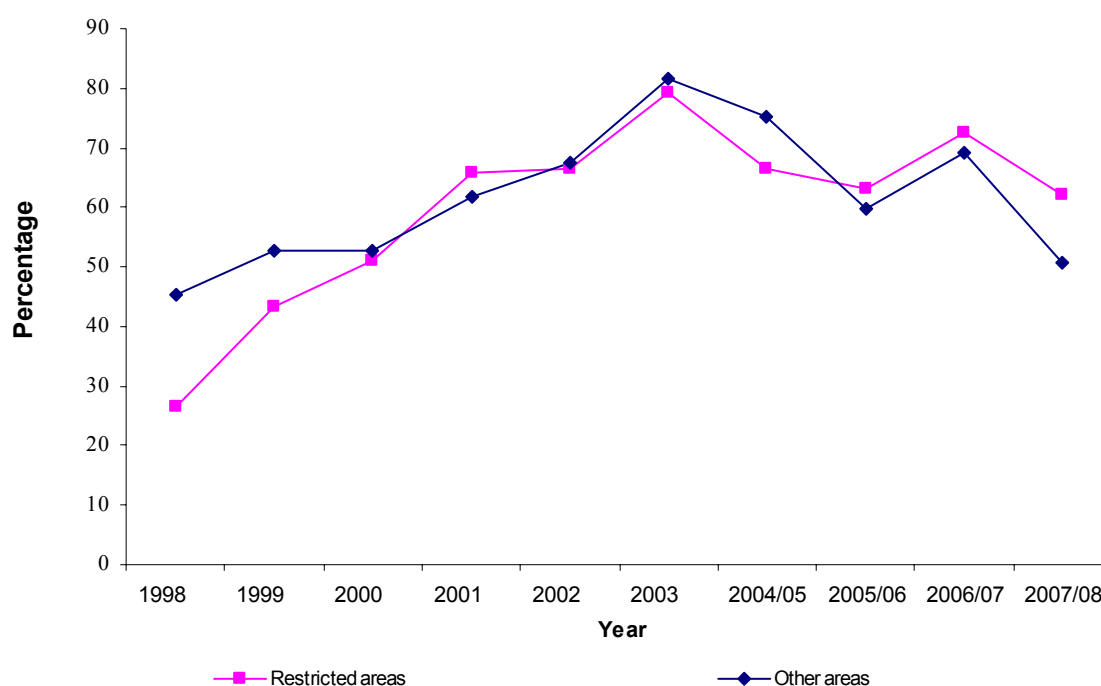
## 11.3 Commentary: Motor Vehicle Offences - Alternatives to Prosecution (Tables 22 & 23, Chart 7)

11.3.1 In many instances, where the offence is of a more minor nature, the offender is not prosecuted in court. There are several alternatives to prosecution which are available in Scotland. The main ones for road traffic offences being the vehicle defect rectification scheme, under which drivers of vehicles are given a set period of time to repair their vehicle, and conditional offers of a fixed penalty which can be given by the procurator fiscal or by the police.

11.3.2 The police made an estimated 219,700 conditional offers of a fixed penalty, a decrease of 2 per cent compared with 2006/07. Sixty per cent of the offers related to speeding offences. A total of around 15,000 reports to Procurators Fiscal in 2007/08 resulted in the acceptance of a conditional offer of a fixed penalty for moving vehicle offences.

11.3.3 Since the mid 1990s, an increasing proportion of the police conditional offers of a fixed penalty related to offences which had been detected automatically e.g. via a speed camera. The number of offences that are detected automatically will fluctuate according to the number of cameras that are in operation at any given time, as well as police campaigns and trends in driver behaviour.

**Chart 7: Police conditional offers made for speeding offences: Percentage where offence detected automatically, 1998-2007/08**



#### **11.4 Commentary: Motor Vehicle Offences - Offences with a Charge Proved (Table 24 & Table 4(a))**

11.4.1 In 2007/08, the total number of individual motor vehicle offences with a charge proved in court was 65,700, a decrease of 2 per cent compared with 2006/07. For 45,200 persons, a motor vehicle offence was the main offence with which they were charged.

11.4.2 Offence categories with the largest decreases between 2006/07 and 2007/08 included mobile phone offences (down 63 per cent to 352), 'other' offences (down 32 per cent to 487), being in charge of a vehicle while unfit through drink or drugs (down 24 per cent to 48), traffic direction offences (down 21 per cent to 996) and driving while unfit through drink or drugs (down 20 per cent to 343). The largest increase was in vehicle excise licence offences which more than doubled to 840. There was also a large increase in construction & use regulations offences (up 24 per cent to 3,100).

### ***Penalties imposed (Tables 25, 26 & 27)***

11.4.3 In 2007/08, an estimated 82 per cent of all motor vehicle offences proceeded against resulted in the charge being proved or accepted. A fine was the most common penalty, with 82 per cent of offences proved or accepted resulting in a fine. Eleven per cent resulted in an admonition and 2 per cent resulted in a custodial sentence.

11.4.4 While 2 per cent of all motor vehicle offences with a charge proved or accepted in 2007/08 resulted in a custodial sentence, the corresponding proportion was higher for driving while disqualified (36 per cent), registration/identification offences (21 per cent) and dangerous driving (17 per cent).

11.4.5 In addition to the main penalty imposed, 30 per cent of offences resulted in an outright disqualification or disqualification under the 'totting up' procedure (this is a procedure by which drivers who obtain 12 or more penalty points for offences committed within a three year period are disqualified from driving). A further 51 per cent of offences resulted in endorsement of penalty points on the driver's licence. Forty-two per cent of disqualifications were for drink/drug driving and a further 26 per cent were for failing to have third party insurance. This latter category also accounted for 26 per cent of all endorsements issued. For speeding offences, endorsement is obligatory in all but exceptional circumstances and is generally imposed with a fine.

### ***Fines***

11.4.6 Excluding the small number of cases where no separate figure was available, the average fine imposed in 2007/08 for motor vehicle offences which resulted in a fine was £189. Seven per cent of fines were for £50 or less while 13 per cent were in excess of £300. Unsurprisingly, the largest fines were imposed for more serious types of offences - the average fines for dangerous driving, driving while disqualified and drunk driving offences were £382, £348 and £341 respectively. The total amount of fines imposed by Scottish courts for motor vehicle offences in 2007/08 was estimated to be £10.2 million.

### ***Disqualifications***

11.4.7 In 2007/08, a total of around 19,600 motor vehicle offences resulted in the offender being disqualified from driving. Of those offences for which a separate period of disqualification was identifiable, 43 per cent resulted in disqualification for more than 12 months. Twenty-two offences led to disqualification for life and 282 resulted in the offender being disqualified until they had retaken their driving test.

11.4.8 Eighty-four per cent of disqualifications for over three years were imposed for drunk driving or driving while already disqualified. Dangerous driving and failure to insure against third party risks accounted for a further 6 per cent and 9 per cent respectively of disqualifications of this length.

11.4.9 For those offences for which a determinate period of disqualification was given, the average period of disqualification in 2007/08 was 19 months. However, for the offence of driving while disqualified the average period imposed was 39 months and, for both drunk driving and dangerous driving, it was 24 months.

## **11.5 Commentary: Police Fixed Penalty Notices for Stationary Vehicle Offences (Tables 28 & 29)**

11.5.1 The offender may discharge liability for prosecution for stationary vehicle offences, such as unlawful parking or failure to display a valid vehicle excise licence (road tax disc), via the police and traffic wardens issuing fixed penalty notices. In 2007/08, an estimate of 93,500 such notices were issued, 11 per cent less than in 2006/07. Much of the decrease in the number of fixed penalty notices issued since 1998 reflects the decriminalisation of parking infringements in some areas - further details in section 11.6.

## **11.6 Commentary: Civil Penalty Charge Notices for Parking Infringements (Tables 30 & 31)**

11.6.1 Most parking infringements in the City of Edinburgh, Glasgow City, Perth & Kinross, Aberdeen City, Dundee City and South Lanarkshire council areas have been dealt with as a civil matter, as from October 1998, October 1999, October 2002, March 2003, April 2004 and February 2005 respectively.

11.6.2 The total number of penalty charge notices for parking infringements issued in 2007/08 by those councils which operate these civil penalty schemes was 484,100, an increase of ½ per cent compared with 2006/07. Revenues from these notices and from vehicle removals totalled £14.6 million in 2007/08.

11.6.3 In 2007/08, City of Edinburgh (48 per cent) and Glasgow City (31 per cent) accounted for the great majority of penalty charge notices issued for parking infringements.

## **11.7 Commentary: Other Offences Related to Motor Vehicles (Table 32)**

11.7.1 Certain crimes related to motor vehicles are not included within the group of motor vehicle offences in the Scottish Government classification of crimes and offences. These are causing death by dangerous driving, causing death by careless driving when under the influence of drink or drugs and reckless driving (common law).

11.7.2 In 2007/08, the police recorded 23 crimes of causing death by dangerous driving and one crime of causing death by careless driving when under the influence of drink or drugs.

11.7.3 In 2007/08, 24 persons were convicted where the main offence was causing death by dangerous driving and one by careless driving when under the influence of drink or drugs. Custodial sentences were passed in all but one of these cases. No convictions were recorded for 2007/08 with reckless driving (common law) as the main offence.

11.7.4 Note that the statistics dealing with recorded crime and court proceedings are not directly comparable as a crime may be recorded by the police in one year and court proceedings concluded in a subsequent year.

## 12. Appendix of Tables

Table 1 Summary of known action, 1998/99-2007/08

### **Persons proceeded against**

Table 2 Persons proceeded against in court by main crime/offence and estimated outcome, 2007/08

### **Persons convicted**

Table 3 Persons with a charge proved by type of court, 1998/99-2007/08

Table 4(a) Persons with a charge proved by main crime/offence, 1998/99-2007/08 (Numbers)

Table 4(b) Persons with a charge proved by main crime/offence, 1998/99-2007/08 (Index)

Table 5 Persons with a charge proved per 1,000 population by sex and age, 1998/99-2007/08

Table 6(a) Males with a charge proved by main crime/offence and age, 2007/08

Table 6(b) Females with a charge proved by main crime/offence and age, 2007/08

### **Sentencing**

Table 7 Persons with a charge proved by main penalty, 1998/99-2007/08

Table 8(a) Persons with a charge proved by main crime/offence and main penalty, 2007/08 (Numbers)

Table 8(b) Persons with a charge proved by main crime/offence and main penalty, 2007/08 (Row and column percentages)

Table 9 Percentage of persons with a charge proved receiving custodial sentences by main crime/offence, 1998/99-2007/08

Table 10 Persons receiving a custodial sentence by main crime/offence and length of sentence, 2007/08

Table 11 Persons with a charge proved by main penalty, sex and age, 2007/08

Table 12 Persons (excluding companies) with a charge proved by main penalty, sex and age, 1998/99-2007/08

### **Individual offenders**

Table 13 Individual offenders with at least one charge proved in 2007/08 for a crime or relevant offence\*, by sex, age and number of convictions

Table 14 Individual offenders with a charge proved for a crime or relevant offence\* in 2007/08, by sex, age and number and type of previous convictions in 1998/99-2007/08

\* *common assault, breach of the peace, racially aggravated conduct or harassment, firearm offences or social security offences*

### **Bail orders and offences**

Table 15 Bail orders made by type of court, 2002/03-2007/08

Table 16 Bail orders made by sex and age, 2007/08

Table 17 Bail orders made by main charge, 2002/03-2006/07 & part of 2007/08

Table 18 Offences with a charge proved in 2006/07-2007/08 which have a bail aggravator recorded

Table 19 Bail-related offences with a charge proved, 2002/03 to 2007/08

### **Motor vehicle offences**

Table 20 Vehicles, offences and penalties, 1998/99-2007/08

Table 21 Motor vehicle offences recorded by the police by type of offence, 1998/99 & 2003/04-2007/08

Table 22 Police conditional offers for moving vehicle offences by type of offence, 1998-2007/08

Table 23 Police conditional offers for moving vehicle offences: percentage of offences detected automatically, 1998-2007/08

Table 24 Motor vehicle offences with a charge proved by type of offence, 1998/99-2007/08

Table 25 Motor vehicle offences proceeded against by type of offence and result of proceedings, 2007/08

Table 26 Motor vehicle offences proceeded against : Amount of fine imposed by type of offence and level of fine, 2007/08

Table 27 Motor vehicle offences proceeded against : Disqualification period by type of offence and length of disqualification, 2007/08

Table 28 Police fixed penalty notices issued for stationary vehicle offences by type of offence, 1998-2007/08

Table 29 Police fixed penalty notices issued for stationary vehicle offences: subsequent outcome, 1998-2007/08

Table 30 Penalty charge notices for parking infringements, 2003-2007/08

Table 31 Penalty charge notices for parking infringements by council area, 2007/08

Table 32 Causing death by dangerous driving or careless driving when under the influence of drink or drugs: crimes recorded by the police and persons with a charge proved, 1998/99-2007/08

**Table 1 - Summary of known action, 1998/99 - 2007/08**

Thousands

	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
Crimes and offences recorded by the police										
Crimes	434	435	418	426	418	414	438	418	419	386
Offences	520	499	496	532	524	616	639	600	607	572
Crimes and offences cleared up by the police										
Crimes	187	188	186	191	193	196	195	191	199	185
Offences	502	478	474	510	502	592	595	558	566	534
Crimes and offences dealt with by:										
Offence referrals to Reporter to Children's Panel <sup>1</sup>	28	31	27	29	30	34	36	38	36	31
Offences dealt with under Vehicle Defect Rectification Scheme <sup>2</sup>	35	31	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Police conditional offers (Motor vehicle Offences)	152	168	160	175	161	231	281	241	223	220
Procurator Fiscal action										
Total reports received <sup>3</sup>	295	286	281	276	304	321	323	339	330	326
Fiscal warnings	22	18	19	19	16	22	32	33	27	25
Conditional offers (Motor vehicle offences) <sup>4</sup>	9	8	7	8	6	9	10	10	14	15
Fiscal fines <sup>4</sup>	19	16	18	20	24	30	23	18	21	19
Diversion	1	1	1	1	1	1	1	2	1	1
No proceedings	41	44	44	43	51	44	61	49	44	44
Persons proceeded against in court <sup>5</sup>	152.0	143.0	127.6	135.6	133.3	141.6	144.0	142.1	149.5	148.8

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

2. Includes estimated data.

3. Includes reports on deaths etc.

4. Figures relate to cases which were closed as offer accepted.

5. 1999/00 and 2000/01 have an estimated shortfall of around 3,300 proceedings in total - see Annex B note 2.

**Table 2 - Persons proceeded against in court by main crime/offence and estimated percentage outcome of court proceedings, 2007/08 <sup>1</sup>**

Main crime or offence	PNGA <sup>2,3</sup> or deserted <sup>4</sup>	Acquitted not guilty	Acquitted not proven	Charge proved	Total	Not proven as % of all acquitted
<b>All crimes and offences</b>	7	3	1	89	100	20
<b>All crimes</b>	9	3	1	87	100	23
<b>Non-sexual crimes of violence</b>	11	9	4	76	100	28
Homicide	2	8	5	85	100	37
Serious assault and attempted murder	10	11	5	74	100	30
Robbery	12	5	2	82	100	23
Other	17	8	1	75	100	11
<b>Crimes of indecency</b>	5	12	6	77	100	33
Rape and attempted rape	6	30	24	40	100	45
Indecent assault	5	19	9	67	100	33
Lewd and indecent behaviour	8	12	4	76	100	26
Other	3	4	*	93	100	6
<b>Crimes of dishonesty</b>	10	1	*	89	100	16
Housebreaking	11	1	*	87	100	18
Theft by opening a lockfast place	11	1	*	88	100	7
Theft of/from a motor vehicle	22	1	*	76	100	27
Shoplifting	6	*	*	93	100	5
Other theft	11	2	*	87	100	10
Fraud	10	2	1	87	100	22
Other	14	3	1	82	100	23
<b>Fire-raising, vandalism, etc</b>	9	3	1	87	100	13
Fire-raising	10	6	2	82	100	27
Vandalism, etc	9	3	*	87	100	12
<b>Other crimes</b>	9	2	1	88	100	23
Crimes against public justice	10	2	*	88	100	16
Handling an offensive weapon	8	6	2	85	100	21
Drugs	9	1	*	90	100	35
Other	3	3	2	92	100	47
<b>All offences</b>	6	2	1	91	100	18
<b>Miscellaneous offences</b>	8	4	1	87	100	18
Common assault	10	6	1	83	100	18
Breach of the peace	8	3	1	88	100	18
Drunkenness	5	*	*	94	100	50
Other	6	3	1	91	100	19
<b>Motor vehicle offences</b>	4	1	*	95	100	18
Dangerous and careless driving	4	3	1	93	100	22
Drink/drug driving	1	2	*	96	100	19
Speeding	1	*	*	99	100	4
Unlawful use of vehicle	8	*	*	91	100	22
Vehicle defect offences	6	1	*	93	100	11
Other	8	2	*	90	100	14

1. Excludes persons 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 eg if witnesses cannot be traced.

4. Deserted simpliciter.

**Table 3 - Persons with a charge proved by type of court, 1998/99-2007/08**

Type of court	Number									
	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
<b>All court types<sup>1</sup></b>	<b>132,957</b>	<b>123,420</b>	<b>108,595</b>	<b>117,089</b>	<b>122,827</b>	<b>128,519</b>	<b>129,733</b>	<b>128,201</b>	<b>134,363</b>	<b>133,076</b>
High court <sup>2,3</sup>	1,043	1,174	1,092	1,125	1,194	1,217	974	882	858	804
Sheriff solemn	2,933	2,907	3,047	3,055	3,299	3,535	3,670	3,967	4,682	5,399
Sheriff summary	71,551	67,634	62,667	68,966	76,818	76,620	77,196	75,989	80,503	79,697
District court <sup>4,5</sup>	57,430	51,704	41,787	43,939	41,516	47,144	47,891	47,358	48,319	47,176

Type of court	Per cent									
	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
<b>All court types<sup>1</sup></b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
High court <sup>2,3</sup>	1	1	1	1	1	1	1	1	1	1
Sheriff solemn	2	2	3	3	3	3	3	3	3	4
Sheriff summary	54	55	58	59	63	60	60	59	60	60
District court <sup>4,5</sup>	43	42	38	38	34	37	37	37	36	35

Type of court	Index: 1998/99=100									
	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
<b>All court types<sup>1</sup></b>	<b>100</b>	<b>93</b>	<b>82</b>	<b>88</b>	<b>92</b>	<b>97</b>	<b>98</b>	<b>96</b>	<b>101</b>	<b>100</b>
High court <sup>2,3</sup>	100	113	105	108	114	117	93	85	82	77
Sheriff solemn	100	99	104	104	112	121	125	135	160	184
Sheriff summary	100	95	88	96	107	107	108	106	113	111
District court <sup>4,5</sup>	100	90	73	77	72	82	83	82	84	82

1. Includes court type unknown.

2. Includes cases remitted to the High court from the Sheriff court.

3. The figures for 2007/08, 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 Justice of the Peace courts in Lothian & Borders from 10 March 2008.



**Table 4(a) - Persons with a charge proved by main crime/offence, 1998/99-2007/08**

Main Crime or Offence	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08 <sup>1</sup>	% change 06/07-07/08	All offences proved, 07/08 <sup>1,2</sup>
<b>All crimes and offences</b>	<b>132,957</b>	<b>123,420</b>	<b>108,595</b>	<b>117,089</b>	<b>122,827</b>	<b>128,519</b>	<b>129,733</b>	<b>128,201</b>	<b>134,363</b>	<b>133,076</b>	<b>-1</b>	<b>184,404</b>
<b>All crimes</b>	<b>46,295</b>	<b>42,312</b>	<b>39,680</b>	<b>42,116</b>	<b>42,809</b>	<b>43,361</b>	<b>44,726</b>	<b>43,319</b>	<b>47,020</b>	<b>46,785</b>	<b>0</b>	<b>62,932</b>
<b>Non-sexual crimes of violence</b>	<b>2,000</b>	<b>2,003</b>	<b>1,976</b>	<b>2,092</b>	<b>2,381</b>	<b>2,596</b>	<b>2,427</b>	<b>2,455</b>	<b>2,441</b>	<b>2,723</b>	<b>12</b>	<b>2,950</b>
Homicide	92	105	100	103	99	131	143	111	118	129	9	132
Serious assault and attempted murder	1,036	1,053	1,089	1,171	1,360	1,475	1,374	1,560	1,480	1,721	16	1,793
Robbery	652	659	603	627	682	689	610	509	527	539	2	631
Other	220	186	184	191	240	301	300	275	316	334	6	394
<b>Crimes of indecency</b>	<b>1,280</b>	<b>790</b>	<b>633</b>	<b>614</b>	<b>562</b>	<b>666</b>	<b>810</b>	<b>853</b>	<b>862</b>	<b>785</b>	<b>-9</b>	<b>1,050</b>
Rape and attempted rape	58	48	52	67	55	58	70	61	58	48	-17	65
Indecent assault	83	84	60	48	65	93	87	84	81	116	43	161
Lewd and indecent behaviour	320	302	256	298	273	297	321	319	312	247	-21	415
Other	819	356	265	201	169	218	332	389	411	374	-9	409
<b>Crimes of dishonesty</b>	<b>24,726</b>	<b>22,652</b>	<b>20,571</b>	<b>21,536</b>	<b>21,700</b>	<b>19,887</b>	<b>19,665</b>	<b>18,045</b>	<b>18,447</b>	<b>17,736</b>	<b>-4</b>	<b>24,779</b>
Housebreaking	3,071	2,860	2,676	2,672	2,752	2,508	2,373	2,074	2,025	1,868	-8	2,557
Theft by opening a lockfast place	1,770	1,614	1,504	1,478	1,448	1,288	1,194	951	911	942	3	1,877
Theft of/from a motor vehicle	1,882	1,536	1,426	1,386	1,486	1,268	1,099	985	1,028	932	-9	2,010
Shoplifting	7,559	7,753	7,345	8,366	8,826	8,123	8,427	8,162	8,548	8,407	-2	9,752
Other theft	5,796	5,026	4,303	4,234	3,783	3,521	3,551	3,187	3,303	3,138	-5	4,319
Fraud	1,920	1,595	1,448	1,479	1,459	1,444	1,355	1,245	1,180	1,165	-1	2,508
Other	2,728	2,268	1,869	1,921	1,946	1,735	1,666	1,441	1,452	1,284	-12	1,756
<b>Fire-raising, vandalism, etc</b>	<b>4,591</b>	<b>3,979</b>	<b>3,942</b>	<b>4,051</b>	<b>4,212</b>	<b>4,759</b>	<b>5,024</b>	<b>4,998</b>	<b>5,437</b>	<b>5,350</b>	<b>-2</b>	<b>7,192</b>
Fire-raising	125	102	109	125	147	169	192	192	251	223	-11	292
Vandalism, etc	4,466	3,877	3,833	3,926	4,065	4,590	4,832	4,806	5,186	5,127	-1	6,900
<b>Other crimes</b>	<b>13,698</b>	<b>12,888</b>	<b>12,558</b>	<b>13,823</b>	<b>13,954</b>	<b>15,453</b>	<b>16,800</b>	<b>16,968</b>	<b>19,833</b>	<b>20,191</b>	<b>2</b>	<b>26,961</b>
Crimes against public justice	4,776	4,589	4,929	5,257	5,048	5,290	5,767	5,753	7,206	8,028	11	11,650
Handling an offensive weapon	2,033	2,118	2,340	2,633	2,771	2,875	3,447	3,500	3,550	3,418	-4	3,959
Drugs	6,861	6,158	5,279	5,913	6,111	7,258	7,555	7,606	8,874	8,477	-4	11,046
Other	28	23	10	20	24	30	31	109	203	268	32	306
<b>All offences</b>	<b>86,662</b>	<b>81,108</b>	<b>68,915</b>	<b>74,973</b>	<b>80,018</b>	<b>85,158</b>	<b>85,007</b>	<b>84,882</b>	<b>87,343</b>	<b>86,291</b>	<b>-1</b>	<b>121,472</b>
<b>Miscellaneous offences</b>	<b>35,024</b>	<b>29,505</b>	<b>28,651</b>	<b>30,152</b>	<b>32,062</b>	<b>34,536</b>	<b>37,492</b>	<b>39,679</b>	<b>42,278</b>	<b>41,143</b>	<b>-3</b>	<b>55,818</b>
Common assault	11,677	10,749	10,270	10,823	11,745	12,317	13,574	14,427	15,441	15,460	0	19,892
Breach of the peace	17,156	14,023	13,031	13,950	14,384	15,050	16,172	16,901	18,111	17,410	-4	25,829
Drunkenness	626	454	430	374	370	418	311	293	261	235	-10	354
Other	5,565	4,279	4,920	5,005	5,563	6,751	7,435	8,058	8,465	8,038	-5	9,743
<b>Motor vehicle offences</b>	<b>51,638</b>	<b>51,603</b>	<b>40,264</b>	<b>44,821</b>	<b>47,956</b>	<b>50,622</b>	<b>47,515</b>	<b>45,203</b>	<b>45,065</b>	<b>45,148</b>	<b>0</b>	<b>65,654</b>
Dangerous and careless driving	3,764	3,431	2,561	3,319	3,628	4,118	3,810	3,621	3,773	3,963	5	5,134
Drink/drug driving	7,290	7,366	6,265	6,538	6,508	8,158	8,001	7,970	8,066	7,812	-3	8,664
Speeding	12,971	15,293	9,427	9,988	9,832	12,700	13,546	12,273	13,434	14,114	5	14,462
Unlawful use of vehicle	18,662	16,950	15,987	18,553	19,192	19,563	16,696	14,711	13,449	13,569	1	27,866
Vehicle defect offences	2,470	2,075	1,302	1,252	1,510	1,859	1,791	1,653	1,709	2,298	34	3,585
Other	6,481	6,488	4,722	5,171	4,286	4,224	3,671	4,975	4,634	3,392	-27	5,943
<i>Breach of social work orders</i>	<i>4,217</i>	<i>4,684</i>	<i>4,611</i>	<i>4,509</i>	<i>4,945</i>	<i>5,095</i>	<i>5,317</i>	<i>4,609</i>	<i>4,911</i>	<i>3,014</i>	<b>-39</b>	-

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 note C1.

2. Number of individual offences relating to persons 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) - Persons with a charge proved by main crime/offence, 1998/99-2007/08**

**Index 1998/99=100**

Main Crime or Offence	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08 <sup>1</sup>
<b>All crimes and offences</b>	<b>100</b>	<b>93</b>	<b>82</b>	<b>88</b>	<b>92</b>	<b>97</b>	<b>98</b>	<b>96</b>	<b>101</b>	<b>100</b>
<b>All crimes</b>	<b>100</b>	<b>91</b>	<b>86</b>	<b>91</b>	<b>92</b>	<b>94</b>	<b>97</b>	<b>94</b>	<b>102</b>	<b>101</b>
<b>Non-sexual crimes of violence</b>	<b>100</b>	<b>100</b>	<b>99</b>	<b>105</b>	<b>119</b>	<b>130</b>	<b>121</b>	<b>123</b>	<b>122</b>	<b>136</b>
Homicide	100	114	109	112	108	142	155	121	128	140
Serious assault and attempted murder	100	102	105	113	131	142	133	151	143	166
Robbery	100	101	92	96	105	106	94	78	81	83
Other	100	85	84	87	109	137	136	125	144	152
<b>Crimes of indecency</b>	<b>100</b>	<b>62</b>	<b>49</b>	<b>48</b>	<b>44</b>	<b>52</b>	<b>63</b>	<b>67</b>	<b>67</b>	<b>61</b>
Rape and attempted rape	100	83	90	116	95	100	121	105	100	83
Indecent assault	100	101	72	58	78	112	105	101	98	140
Lewd and indecent behaviour	100	94	80	93	85	93	100	100	98	77
Other	100	43	32	25	21	27	41	47	50	46
<b>Crimes of dishonesty</b>	<b>100</b>	<b>92</b>	<b>83</b>	<b>87</b>	<b>88</b>	<b>80</b>	<b>80</b>	<b>73</b>	<b>75</b>	<b>72</b>
Housebreaking	100	93	87	87	90	82	77	68	66	61
Theft by opening a lockfast place	100	91	85	84	82	73	67	54	51	53
Theft of/from a motor vehicle	100	82	76	74	79	67	58	52	55	50
Shoplifting	100	103	97	111	117	107	111	108	113	111
Other theft	100	87	74	73	65	61	61	55	57	54
Fraud	100	83	75	77	76	75	71	65	61	61
Other	100	83	69	70	71	64	61	53	53	47
<b>Fire-raising, vandalism, etc</b>	<b>100</b>	<b>87</b>	<b>86</b>	<b>88</b>	<b>92</b>	<b>104</b>	<b>109</b>	<b>109</b>	<b>118</b>	<b>117</b>
Fire-raising	100	82	87	100	118	135	154	154	201	178
Vandalism, etc	100	87	86	88	91	103	108	108	116	115
<b>Other crimes</b>	<b>100</b>	<b>94</b>	<b>92</b>	<b>101</b>	<b>102</b>	<b>113</b>	<b>123</b>	<b>124</b>	<b>145</b>	<b>147</b>
Crimes against public justice	100	96	103	110	106	111	121	120	151	168
Handling an offensive weapon	100	104	115	130	136	141	170	172	175	168
Drugs	100	90	77	86	89	106	110	111	129	124
Other	100	82	36	71	86	107	111	389	725	957
<b>All offences</b>	<b>100</b>	<b>94</b>	<b>80</b>	<b>87</b>	<b>92</b>	<b>98</b>	<b>98</b>	<b>98</b>	<b>101</b>	<b>100</b>
<b>Miscellaneous offences</b>	<b>100</b>	<b>84</b>	<b>82</b>	<b>86</b>	<b>92</b>	<b>99</b>	<b>107</b>	<b>113</b>	<b>121</b>	<b>117</b>
Common assault	100	92	88	93	101	105	116	124	132	132
Breach of the peace	100	82	76	81	84	88	94	99	106	101
Drunkenness	100	73	69	60	59	67	50	47	42	38
Other	100	77	88	90	100	121	134	145	152	144
<b>Motor vehicle offences</b>	<b>100</b>	<b>100</b>	<b>78</b>	<b>87</b>	<b>93</b>	<b>98</b>	<b>92</b>	<b>88</b>	<b>87</b>	<b>87</b>
Dangerous and careless driving	100	91	68	88	96	109	101	96	100	105
Drink/drug driving	100	101	86	90	130	112	110	109	111	107
Speeding	100	118	73	77	76	98	104	95	104	109
Unlawful use of vehicle	100	91	86	99	103	105	89	79	72	73
Vehicle defect offences	100	84	53	51	61	75	73	67	69	93
Other	100	100	73	80	66	65	57	77	72	52

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 note C1.

**Table 5 - Numbers of persons with a charge proved<sup>1</sup> per 1,000 population by sex and age, 1998/99-2007/08**

Type of accused	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
<b>All persons<sup>3</sup></b>										
<b>Total<sup>4</sup></b>	<b>32</b>	<b>30</b>	<b>27</b>	<b>29</b>	<b>30</b>	<b>31</b>	<b>31</b>	<b>31</b>	<b>32</b>	<b>32</b>
Under 16 <sup>5</sup>	0.2	0.2	0.1	0.2	0.3	0.2	0.2	0.3	0.3	0.3
16	41	33	25	28	32	29	32	38	38	33
17	96	86	76	76	79	80	80	83	93	86
18	121	108	100	106	103	101	98	100	107	103
19	115	104	94	103	106	102	96	95	99	98
20	112	99	89	100	103	99	90	88	93	91
21-25	87	83	76	82	87	87	83	79	81	80
26-30	61	58	53	59	62	67	69	67	67	67
31-40	37	36	32	34	37	41	42	42	44	43
Over 40 <sup>6</sup>	11	11	9	10	11	12	13	13	13	13
<b>Males</b>										
<b>Total<sup>4</sup></b>	<b>57</b>	<b>53</b>	<b>46</b>	<b>50</b>	<b>52</b>	<b>52</b>	<b>54</b>	<b>53</b>	<b>56</b>	<b>55</b>
Under 16 <sup>5</sup>	0.4	0.3	0.2	0.3	0.5	0.4	0.4	0.5	0.5	0.6
16	73	59	44	50	56	55	55	66	67	58
17	169	153	134	134	138	147	139	143	160	148
18	211	189	178	190	182	186	170	174	184	177
19	203	185	165	182	189	182	169	167	171	166
20	202	172	157	178	180	174	155	154	162	158
21-25	152	146	132	144	148	149	139	133	138	135
26-30	108	103	93	104	107	110	116	110	112	112
31-40	66	63	55	60	63	64	71	71	74	74
Over 40 <sup>6</sup>	21	19	16	18	19	19	22	22	23	23
<b>Females</b>										
<b>Total<sup>4</sup></b>	<b>8</b>	<b>8</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>
Under 16 <sup>5</sup>	0.01	0.02	0.04	0.02	0.02	0.07	0.07	0.03	0.04	0.01
16	8	6	5	5	6	5	6	8	7	7
17	20	18	16	16	16	17	17	20	21	20
18	28	24	23	21	21	20	21	22	26	25
19	24	23	21	24	22	24	22	20	23	26
20	24	25	22	20	25	24	24	20	22	23
21-25	23	22	20	22	25	26	26	24	24	23
26-30	16	16	15	17	19	23	23	23	22	22
31-40	11	10	10	10	13	16	15	15	15	15
Over 40 <sup>6</sup>	3	3	3	3	4	4	4	4	4	4

1. A person who had a charge proved more than once in 2007/08 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, 2007/08**

Main crime or offence	(Number)				(Per cent)			
	Under 21	21-30	Over 30	Total <sup>1</sup>	Under 21	21-30	Over 30	Total <sup>1</sup>
<b>All crimes and offences</b>	<b>24,409</b>	<b>41,076</b>	<b>46,864</b>	<b>112,349</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>All crimes</b>	<b>10,501</b>	<b>15,669</b>	<b>13,079</b>	<b>39,249</b>	<b>43</b>	<b>38</b>	<b>28</b>	<b>35</b>
<b>Non-sexual crimes of violence</b>	<b>822</b>	<b>916</b>	<b>627</b>	<b>2,365</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>2</b>
Homicide	32	46	40	118	*	*	*	*
Serious assault and attempted murder	585	597	389	1,571	2	1	1	1
Robbery	173	202	106	481	1	*	*	*
Other	32	71	92	195	*	*	*	*
<b>Crimes of indecency</b>	<b>123</b>	<b>142</b>	<b>276</b>	<b>541</b>	<b>1</b>	<b>*</b>	<b>1</b>	<b>*</b>
Rape and attempted rape	6	7	35	48	*	*	*	*
Indecent assault	19	35	60	114	*	*	*	*
Lewd and indecent behaviour	48	51	143	242	*	*	*	*
Other	50	49	38	137	*	*	*	*
<b>Crimes of dishonesty</b>	<b>2,882</b>	<b>6,047</b>	<b>5,060</b>	<b>13,989</b>	<b>12</b>	<b>15</b>	<b>11</b>	<b>12</b>
Housebreaking	497	764	541	1,802	2	2	1	2
Theft by opening a lockfast place	291	358	220	869	1	1	*	1
Theft of/from a motor vehicle	552	258	82	892	2	1	*	1
Shoplifting	645	2,834	2,571	6,050	3	7	5	5
Other theft	570	1,111	850	2,531	2	3	2	2
Fraud	94	302	377	773	*	1	1	1
Other	233	420	419	1,072	1	1	1	1
<b>Fire-raising, vandalism, etc</b>	<b>2,240</b>	<b>1,578</b>	<b>967</b>	<b>4,785</b>	<b>9</b>	<b>4</b>	<b>2</b>	<b>4</b>
Fire-raising	112	47	39	198	*	*	*	*
Vandalism, etc	2,128	1,531	928	4,587	9	4	2	4
<b>Other crimes</b>	<b>4,434</b>	<b>6,986</b>	<b>6,149</b>	<b>17,569</b>	<b>18</b>	<b>17</b>	<b>13</b>	<b>16</b>
Crimes against public justice	2,066	2,405	2,465	6,936	8	6	5	6
Handling an offensive weapon	1,121	1,221	870	3,212	5	3	2	3
Drugs	1,202	3,288	2,717	7,207	5	8	6	6
Other	45	72	97	214	*	*	*	*
<b>All offences</b>	<b>13,908</b>	<b>25,407</b>	<b>33,785</b>	<b>73,100</b>	<b>57</b>	<b>62</b>	<b>72</b>	<b>65</b>
<b>Miscellaneous offences</b>	<b>9,068</b>	<b>11,930</b>	<b>13,403</b>	<b>34,401</b>	<b>37</b>	<b>29</b>	<b>29</b>	<b>31</b>
Common assault	3,506	4,545	4,793	12,844	14	11	10	11
Breach of the peace	3,601	5,303	6,282	15,186	15	13	13	14
Drunkenness	36	45	122	203	*	*	*	*
Other	1,925	2,037	2,206	6,168	8	5	5	5
<b>Motor vehicle offences</b>	<b>4,840</b>	<b>13,477</b>	<b>20,382</b>	<b>38,699</b>	<b>20</b>	<b>33</b>	<b>43</b>	<b>34</b>
Dangerous and careless driving	885	1,212	1,369	3,466	4	3	3	3
Drink/drug driving	886	2,200	3,595	6,681	4	5	8	6
Speeding	681	3,672	7,616	11,969	3	9	16	11
Unlawful use of vehicle	1,883	4,694	5,092	11,669	8	11	11	10
Vehicle defect offences	180	634	1,148	1,962	1	2	2	2
Other	325	1,065	1,562	2,952	1	3	3	3

1. Includes age not known.

**Table 6(b) - Females with a charge proved by main crime/offence and age, 2007/08**

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total <sup>1</sup>	Under 21	21-30	Over 30	Total <sup>1</sup>
<b>All crimes and offences</b>	<b>3,290</b>	<b>7,355</b>	<b>9,832</b>	<b>20,477</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>All crimes</b>	<b>1,279</b>	<b>3,286</b>	<b>2,961</b>	<b>7,526</b>	<b>39</b>	<b>45</b>	<b>30</b>	<b>37</b>
<b>Non-sexual crimes of violence</b>	<b>71</b>	<b>151</b>	<b>136</b>	<b>358</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>2</b>
Homicide	2	4	5	11	*	*	*	*
Serious assault and attempted murder	45	49	56	150	1	1	1	1
Robbery	19	28	11	58	1	*	*	*
Other	5	70	64	139	*	1	1	1
<b>Crimes of indecency</b>	<b>10</b>	<b>156</b>	<b>78</b>	<b>244</b>	<b>*</b>	<b>2</b>	<b>1</b>	<b>1</b>
Rape and attempted rape	-	-	-	-	-	-	-	-
Indecent assault	1	-	1	2	*	-	*	*
Lewd and indecent behaviour	-	2	3	5	-	*	*	*
Other	9	154	74	237	*	2	1	1
<b>Crimes of dishonesty</b>	<b>528</b>	<b>1,754</b>	<b>1,455</b>	<b>3,737</b>	<b>16</b>	<b>24</b>	<b>15</b>	<b>18</b>
Housebreaking	23	34	9	66	1	*	*	*
Theft by opening a lockfast place	16	37	20	73	*	1	*	*
Theft of/from a motor vehicle	22	15	3	40	1	*	*	*
Shoplifting	289	1,147	921	2,357	9	16	9	12
Other theft	128	297	182	607	4	4	2	3
Fraud	20	140	223	383	1	2	2	2
Other	30	84	97	211	1	1	1	1
<b>Fire-raising, vandalism, etc</b>	<b>205</b>	<b>161</b>	<b>199</b>	<b>565</b>	<b>6</b>	<b>2</b>	<b>2</b>	<b>3</b>
Fire-raising	8	6	11	25	*	*	*	*
Vandalism, etc	197	155	188	540	6	2	2	3
<b>Other crimes</b>	<b>465</b>	<b>1,064</b>	<b>1,093</b>	<b>2,622</b>	<b>14</b>	<b>14</b>	<b>11</b>	<b>13</b>
Crimes against public justice	290	405	397	1,092	9	6	4	5
Handling an offensive weapon	46	78	82	206	1	1	1	1
Drugs	120	567	583	1,270	4	8	6	6
Other	9	14	31	54	*	*	*	*
<b>All offences</b>	<b>2,011</b>	<b>4,069</b>	<b>6,871</b>	<b>12,951</b>	<b>61</b>	<b>55</b>	<b>70</b>	<b>63</b>
<b>Miscellaneous offences</b>	<b>1,491</b>	<b>2,094</b>	<b>3,073</b>	<b>6,658</b>	<b>45</b>	<b>28</b>	<b>31</b>	<b>33</b>
Common assault	770	793	1,053	2,616	23	11	11	13
Breach of the peace	488	714	1,022	2,224	15	10	10	11
Drunkenness	6	6	20	32	*	*	*	*
Other	227	581	978	1,786	7	8	10	9
<b>Motor vehicle offences</b>	<b>520</b>	<b>1,975</b>	<b>3,798</b>	<b>6,293</b>	<b>16</b>	<b>27</b>	<b>39</b>	<b>31</b>
Dangerous and careless driving	66	127	304	497	2	2	3	2
Drink/drug driving	108	294	729	1,131	3	4	7	6
Speeding	122	648	1,366	2,136	4	9	14	10
Unlawful use of vehicle	175	679	1,035	1,889	5	9	11	9
Vehicle defect offences	13	78	130	221	*	1	1	1
Other	36	149	234	419	1	2	2	2

1. Includes age not known.

**Table 7 - Persons with a charge proved by main penalty, 1998/99-2007/08**

Main penalty	Number										% change 06/07-07/08
	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	
<b>Total</b> <sup>6</sup>	<b>132,957</b>	<b>123,420</b>	<b>108,595</b>	<b>117,089</b>	<b>122,827</b>	<b>128,519</b>	<b>129,733</b>	<b>128,201</b>	<b>134,363</b>	<b>133,076</b>	<b>-1</b>
<b>Custody</b>	<b>14,408</b>	<b>14,168</b>	<b>13,837</b>	<b>14,858</b>	<b>15,614</b>	<b>14,785</b>	<b>15,012</b>	<b>15,079</b>	<b>16,714</b>	<b>16,686</b>	<b>0</b>
Prison	10,635	10,609	10,430	11,437	12,427	11,960	12,307	12,153	13,449	13,530	1
Young offenders institution	3,749	3,546	3,394	3,407	3,162	2,801	2,685	2,902	3,241	3,130	-3
Other custody	24	13	13	14	25	24	20	24	24	26	8
<b>Community sentence</b> <sup>5</sup>	<b>11,772</b>	<b>11,034</b>	<b>11,200</b>	<b>12,494</b>	<b>14,248</b>	<b>13,942</b>	<b>15,315</b>	<b>15,973</b>	<b>16,073</b>	<b>16,674</b>	<b>4</b>
Probation	6,824	6,542	6,654	7,708	8,451	8,137	8,623	8,785	8,612	8,984	4
Community service order	4,811	4,254	4,272	4,323	4,719	4,298	4,849	5,183	5,284	5,593	6
Supervised attendance order <sup>8</sup>	31	37	5	11	13	18	33	99	112	129	15
Restriction of liberty order	106	196	152	166	656	879	1,097	1,136	1,179	1,151	-2
Drug treatment & testing order	-	5	117	286	409	610	713	758	865	817	-6
Community reparation order	-	-	-	-	-	-	-	11	15	-	-100
Anti Social Behaviour Order	-	-	-	-	-	-	-	1	6	-	-100
<b>Financial penalty</b>	<b>92,631</b>	<b>85,406</b>	<b>71,759</b>	<b>77,359</b>	<b>79,888</b>	<b>86,094</b>	<b>84,932</b>	<b>82,194</b>	<b>84,820</b>	<b>83,055</b>	<b>-2</b>
Fine	91,393	84,255	70,683	76,217	78,541	84,327	83,237	80,723	83,445	81,742	-2
Compensation order	1,238	1,151	1,076	1,142	1,347	1,767	1,695	1,471	1,375	1,313	-5
<b>Other sentence</b> <sup>6</sup>	<b>14,146</b>	<b>12,812</b>	<b>11,799</b>	<b>12,378</b>	<b>13,077</b>	<b>13,698</b>	<b>14,474</b>	<b>14,955</b>	<b>16,756</b>	<b>16,661</b>	<b>-1</b>
Insanity, hospital, guardianship order	125	136	116	103	101	129	95	115	65	20	-69
Caution or admonition	13,442	12,188	11,203	11,702	12,360	12,934	13,744	14,175	15,967	15,955	0
Absolute discharge <sup>9</sup>	403	368	364	415	385	435	403	401	411	427	4
Remit to children's hearing	176	120	116	158	230	196	221	260	313	259	-17
<b>Average amount of penalty</b> <sup>1</sup>											
Custody (days) <sup>4</sup>	239	247	248	243	252	257	238	228	228	244	
Community service order (hours)	152	154	153	153	154	154	149	148	147	146	
Fine <sup>2,7</sup> (£)	167	172	177	188	205	208	217	211	213	220	
Compensation order <sup>3,7</sup> (£)	252	261	263	233	231	266	280	293	344	331	

1. Excludes indeterminate/not known sentences. 2. Excludes company fines. 3. As main or secondary penalty. 4. Figures for 2006/07 and 2007/08 may be underestimates.

5. Includes a small number of Community Reparation Orders and Anti Social Behaviour Orders. 6. Includes a small number of sentence unknown.

7. Excludes a small number of large fines which were having a disproportionate impact on the average value. 8. Of first instance 9. Includes a small number of court cautions and dog-related disposals

Main penalty	Percentage									
	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>Custody</b>	<b>11</b>	<b>11</b>	<b>13</b>	<b>13</b>	<b>13</b>	<b>12</b>	<b>12</b>	<b>12</b>	<b>12</b>	<b>13</b>
Prison	8	9	10	10	10	9	9	9	10	10
Young offenders institution	3	3	3	3	3	2	2	2	2	2
Other custody	*	*	*	*	*	*	*	*	*	*
<b>Community sentence</b>	<b>9</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>11</b>	<b>12</b>	<b>12</b>	<b>12</b>	<b>13</b>
Probation	5	5	6	7	7	6	7	7	6	7
Community service order	4	3	4	4	4	3	4	4	4	4
Supervised attendance order	*	*	*	*	*	*	*	*	*	*
Restriction of liberty order	*	*	*	*	1	1	1	1	1	1
Drug treatment & testing order	-	-	-	-	-	-	-	*	*	-
<b>Financial penalty</b>	<b>70</b>	<b>69</b>	<b>66</b>	<b>66</b>	<b>65</b>	<b>67</b>	<b>65</b>	<b>64</b>	<b>63</b>	<b>62</b>
Fine	69	68	65	65	64	66	64	63	62	61
Compensation order	1	1	1	1	1	1	1	1	1	1
<b>Other sentence</b>	<b>11</b>	<b>10</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>12</b>	<b>12</b>	<b>13</b>
Insanity, hospital, guardianship order	*	*	*	*	*	*	*	*	*	*
Caution or admonition	10	10	10	10	10	10	11	11	12	12
Absolute discharge	*	*	*	*	*	*	*	*	*	*
Remit to children's hearing	*	*	*	*	*	*	*	*	*	*

**Table 8(a) - Persons with a charge proved by main crime/offence and main penalty, 2007-08**

Main crime or offence	Prison		Other custody		Communi- ty service order	Super- vised attendance order <sup>2</sup>	Restrict- ion of liberty order	Drug treatment & testing order	Fine	Compen- sation order	Insanity, guardian- ship, hospital order	Caution or admoni- tion	Absolute discharge	Remit to children's hearing	Total <sup>1</sup>
	Prison	Y O I	Other custody	Probation											
<b>All crimes and offences</b>	<b>13,530</b>	<b>3,130</b>	<b>26</b>	<b>8,984</b>	<b>5,593</b>	<b>129</b>	<b>1,151</b>	<b>817</b>	<b>81,742</b>	<b>1,313</b>	<b>20</b>	<b>15,955</b>	<b>427</b>	<b>259</b>	<b>133,076</b>
<b>All crimes</b>	<b>9,280</b>	<b>2,098</b>	<b>20</b>	<b>5,016</b>	<b>3,075</b>	<b>58</b>	<b>680</b>	<b>761</b>	<b>17,367</b>	<b>903</b>	<b>12</b>	<b>7,199</b>	<b>152</b>	<b>164</b>	<b>46,785</b>
<b>Non-sexual crimes of violence</b>	<b>952</b>	<b>430</b>	<b>10</b>	<b>396</b>	<b>404</b>	<b>2</b>	<b>60</b>	<b>13</b>	<b>257</b>	<b>30</b>	<b>8</b>	<b>134</b>	<b>6</b>	<b>21</b>	<b>2,723</b>
Homicide	89	34	-	1	-	-	-	-	1	-	4	-	-	-	129
Serious assault and attempted murder	532	292	8	234	349	-	43	3	188	27	2	34	3	6	1,721
Robbery	259	92	2	84	30	-	12	9	23	3	2	9	1	13	539
Other	72	12	-	77	25	2	5	1	45	-	-	91	2	2	334
<b>Crimes of indecency</b>	<b>164</b>	<b>20</b>	<b>1</b>	<b>213</b>	<b>30</b>	<b>-</b>	<b>8</b>	<b>-</b>	<b>169</b>	<b>-</b>	<b>-</b>	<b>174</b>	<b>4</b>	<b>2</b>	<b>785</b>
Rape and attempted rape	40	3	1	4	-	-	-	-	-	-	-	-	-	-	48
Indecent assault	20	5	-	47	13	-	2	-	15	-	-	13	1	-	116
Lewd and indecent behaviour	67	4	-	102	11	-	4	-	37	-	-	19	2	1	247
Other	37	8	-	60	6	-	2	-	117	-	-	142	1	1	374
<b>Crimes of dishonesty</b>	<b>4,358</b>	<b>605</b>	<b>2</b>	<b>1,888</b>	<b>991</b>	<b>26</b>	<b>229</b>	<b>555</b>	<b>5,858</b>	<b>274</b>	<b>-</b>	<b>2,852</b>	<b>52</b>	<b>46</b>	<b>17,736</b>
Housebreaking	747	129	-	277	134	1	31	68	242	23	-	208	2	6	1,868
Theft by opening a lockfast place	277	60	-	139	82	-	22	30	192	20	-	111	3	6	942
Theft of/from a motor vehicle	113	96	1	167	87	3	38	12	301	8	-	91	4	11	932
Shoplifting	2,032	155	-	798	165	12	60	332	3,036	50	-	1,735	19	13	8,407
Other theft	703	116	-	338	213	7	50	71	1,115	101	-	404	12	8	3,138
Fraud	191	11	-	58	173	-	11	5	516	49	-	143	7	1	1,165
Other	295	38	1	111	137	3	17	37	456	23	-	160	5	1	1,284
<b>Fire-raising, vandalism etc</b>	<b>338</b>	<b>200</b>	<b>5</b>	<b>477</b>	<b>255</b>	<b>7</b>	<b>80</b>	<b>5</b>	<b>2,634</b>	<b>595</b>	<b>3</b>	<b>706</b>	<b>22</b>	<b>23</b>	<b>5,350</b>
Fire-raising	47	30	3	50	32	-	10	-	27	6	1	13	-	4	223
Vandalism etc	291	170	2	427	223	7	70	5	2,607	589	2	693	22	19	5,127
<b>Other crimes</b>	<b>3,468</b>	<b>843</b>	<b>2</b>	<b>2,042</b>	<b>1,395</b>	<b>23</b>	<b>303</b>	<b>188</b>	<b>8,449</b>	<b>4</b>	<b>1</b>	<b>3,333</b>	<b>68</b>	<b>72</b>	<b>20,191</b>
Crimes against public justice	1,418	518	1	1,009	394	9	163	80	2,380	1	1	1,971	30	53	8,028
Handling an offensive weapon	757	233	1	456	557	-	89	10	927	1	-	355	17	15	3,418
Drugs	1,218	73	-	529	416	14	47	97	5,085	-	-	975	20	3	8,477
Other	75	19	-	48	28	-	4	1	57	2	-	32	1	1	268
<b>All offences</b>	<b>4,250</b>	<b>1,032</b>	<b>6</b>	<b>3,968</b>	<b>2,518</b>	<b>71</b>	<b>471</b>	<b>56</b>	<b>64,375</b>	<b>410</b>	<b>8</b>	<b>8,756</b>	<b>275</b>	<b>95</b>	<b>86,291</b>
<b>Miscellaneous offences</b>	<b>3,293</b>	<b>915</b>	<b>6</b>	<b>3,396</b>	<b>1,780</b>	<b>42</b>	<b>377</b>	<b>46</b>	<b>22,950</b>	<b>380</b>	<b>8</b>	<b>7,627</b>	<b>230</b>	<b>93</b>	<b>41,143</b>
Common assault	1,597	543	5	1,889	1,161	18	228	24	6,890	262	6	2,674	107	56	15,460
Breach of the peace	1,501	329	1	1,309	481	13	134	21	9,672	41	2	3,789	93	24	17,410
Drunkenness	-	-	-	11	-	1	-	-	164	-	-	58	1	-	235
Other	195	43	-	187	138	10	15	1	6,224	77	-	1,106	29	13	8,038
<b>Motor vehicle offences</b>	<b>957</b>	<b>117</b>	<b>-</b>	<b>572</b>	<b>738</b>	<b>29</b>	<b>94</b>	<b>10</b>	<b>41,425</b>	<b>30</b>	<b>-</b>	<b>1,129</b>	<b>45</b>	<b>2</b>	<b>45,148</b>
Dangerous and careless driving	132	35	-	82	107	4	12	1	3,469	1	-	116	3	1	3,963
Drink/drug driving	171	18	-	262	222	5	16	-	7,057	-	-	58	3	-	7,812
Speeding	-	-	-	-	-	-	-	-	14,073	-	-	38	3	-	14,114
Unlawful use of vehicle	647	64	-	222	403	18	62	9	11,360	28	-	727	29	-	13,569
Vehicle defect offences	-	-	-	-	-	-	-	-	2,207	-	-	90	1	-	2,298
Other	7	-	-	6	6	2	4	-	3,259	1	-	100	6	1	3,392

1. Includes a small number of cases where the main penalty is not known.

2. Of first instance

**Table 8(b) - Persons with a charge proved by main crime/offence and main penalty, 2007-08**

Main crime or offence	Row percentages					Column percentages				
	Custody	Community sentence	Monetary	Other	Total	Custody	Community sentence	Monetary	Other	Total
<b>All crimes and offences</b>	<b>13</b>	<b>13</b>	<b>62</b>	<b>13</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>All crimes</b>	<b>24</b>	<b>20</b>	<b>39</b>	<b>16</b>	<b>100</b>	<b>65</b>	<b>51</b>	<b>22</b>	<b>36</b>	<b>34</b>
<b>Non-sexual crimes of violence</b>	<b>51</b>	<b>32</b>	<b>11</b>	<b>6</b>	<b>100</b>	<b>6</b>	<b>3</b>	<b>-</b>	<b>1</b>	<b>2</b>
Homicide	95	1	1	3	100	-	-	-	-	-
Serious assault and attempted murder	48	37	12	3	100	3	2	-	-	1
Robbery	65	25	5	5	100	2	1	-	-	-
Other	25	33	13	28	100	-	-	-	-	-
<b>Crimes of indecency</b>	<b>24</b>	<b>32</b>	<b>22</b>	<b>23</b>	<b>100</b>	<b>1</b>	<b>1</b>	<b>-</b>	<b>1</b>	<b>1</b>
Rape and attempted rape	92	8	-	-	100	-	-	-	-	-
Indecent assault	22	53	13	12	100	-	-	-	-	-
Lewd and indecent behaviour	29	47	15	9	100	1	1	-	-	-
Other	12	18	31	39	100	-	-	-	1	-
<b>Crimes of dishonesty</b>	<b>28</b>	<b>21</b>	<b>35</b>	<b>17</b>	<b>100</b>	<b>30</b>	<b>21</b>	<b>7</b>	<b>14</b>	<b>13</b>
Housebreaking	47	27	14	12	100	5	3	-	1	1
Theft by opening a lockfast place	36	29	23	13	100	3	2	-	1	1
Theft of/from a motor vehicle	23	33	33	11	100	2	2	1	1	1
Shoplifting	26	16	37	21	100	11	6	3	7	5
Other theft	26	22	39	14	100	5	4	1	2	2
Fraud	17	21	48	13	100	2	3	1	1	1
Other	26	24	37	13	100	2	2	1	1	1
<b>Fire-raising, vandalism etc</b>	<b>10</b>	<b>15</b>	<b>60</b>	<b>14</b>	<b>100</b>	<b>4</b>	<b>5</b>	<b>4</b>	<b>3</b>	<b>4</b>
Fire-raising	36	41	15	8	100	-	-	-	-	-
Vandalism etc	9	14	62	14	100	3	4	4	3	4
<b>Other crimes</b>	<b>21</b>	<b>20</b>	<b>42</b>	<b>17</b>	<b>100</b>	<b>24</b>	<b>20</b>	<b>10</b>	<b>18</b>	<b>15</b>
Crimes against public justice	24	21	30	26	100	12	9	3	10	6
Handling an offensive weapon	29	33	27	11	100	5	5	1	2	2
Drugs	15	13	60	12	100	7	6	6	5	6
Other	35	30	22	13	100	-	-	-	-	-
<b>All offences</b>	<b>6</b>	<b>8</b>	<b>75</b>	<b>11</b>	<b>100</b>	<b>35</b>	<b>49</b>	<b>78</b>	<b>64</b>	<b>66</b>
<b>Miscellaneous offences</b>	<b>10</b>	<b>14</b>	<b>57</b>	<b>19</b>	<b>100</b>	<b>28</b>	<b>38</b>	<b>27</b>	<b>37</b>	<b>30</b>
Common assault	14	21	46	18	100	13	19	8	12	11
Breach of the peace	11	11	56	22	100	14	16	12	20	14
Drunkenness	-	5	70	25	100	-	-	-	-	-
Other	3	4	78	14	100	2	3	7	5	5
<b>Motor vehicle offences</b>	<b>2</b>	<b>3</b>	<b>92</b>	<b>3</b>	<b>100</b>	<b>6</b>	<b>10</b>	<b>52</b>	<b>26</b>	<b>36</b>
Dangerous and careless driving	4	5	88	3	100	1	1	4	1	3
Drink/drug driving	2	6	90	1	100	1	3	7	1	5
Speeding	-	-	100	-	100	-	-	14	-	8
Unlawful use of vehicle	5	5	84	6	100	4	6	19	21	15
Vehicle defect offences	-	-	96	4	100	-	-	3	1	2
Other	-	1	96	3	100	-	-	5	3	3



**Table 9 - Percentage of persons with a charge proved receiving custodial sentences by main crime/offence, 1998/99-2007/08**

Main crime or offence	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
<b>All crimes and offences</b>	<b>11</b>	<b>11</b>	<b>13</b>	<b>13</b>	<b>13</b>	<b>12</b>	<b>12</b>	<b>12</b>	<b>12</b>	<b>13</b>
<b>All crimes</b>	<b>23</b>	<b>25</b>	<b>25</b>	<b>26</b>	<b>26</b>	<b>24</b>	<b>23</b>	<b>24</b>	<b>24</b>	<b>24</b>
<b>Non-sexual crimes of violence</b>	<b>53</b>	<b>56</b>	<b>56</b>	<b>57</b>	<b>54</b>	<b>52</b>	<b>51</b>	<b>50</b>	<b>54</b>	<b>51</b>
Homicide	84	84	89	83	93	94	92	88	93	95
Serious assault and attempted murder	48	50	50	52	51	48	50	46	52	48
Robbery	68	71	72	75	67	65	61	66	70	65
Other	20	16	17	13	22	18	17	25	22	25
<b>Crimes of indecency</b>	<b>20</b>	<b>29</b>	<b>32</b>	<b>36</b>	<b>35</b>	<b>33</b>	<b>27</b>	<b>27</b>	<b>24</b>	<b>24</b>
Rape and attempted rape	88	85	88	85	95	83	93	90	98	92
Indecent assault	30	46	37	44	28	39	30	26	30	22
Lewd and indecent behaviour	46	40	40	38	38	37	28	35	31	29
Other	4	8	12	13	15	11	12	11	7	12
<b>Crimes of dishonesty</b>	<b>27</b>	<b>29</b>	<b>30</b>	<b>31</b>	<b>30</b>	<b>29</b>	<b>29</b>	<b>28</b>	<b>28</b>	<b>28</b>
Housebreaking	47	51	53	51	49	48	47	45	50	47
Theft by opening a lockfast place	35	37	38	39	40	37	33	34	37	36
Theft of/from a motor vehicle	29	31	29	25	29	23	24	23	26	23
Shoplifting	22	26	27	29	28	29	28	28	26	26
Other theft	25	25	26	28	27	26	26	26	24	26
Fraud	12	12	10	11	11	10	11	13	17	17
Other	23	26	25	26	28	26	24	25	27	26
<b>Fire-raising, vandalism, etc</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>8</b>	<b>8</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>10</b>
Fire-raising	26	24	30	34	35	31	24	35	27	36
Vandalism, etc	7	6	6	7	7	8	8	8	8	9
<b>Other crimes</b>	<b>17</b>	<b>17</b>	<b>19</b>	<b>19</b>	<b>19</b>	<b>17</b>	<b>17</b>	<b>19</b>	<b>20</b>	<b>21</b>
Crimes against public justice	16	17	19	19	20	19	19	23	24	24
Handling an offensive weapon	23	25	27	24	26	22	22	26	30	29
Drugs	15	15	16	16	16	14	14	13	13	15
Other	43	61	30	45	29	20	42	45	37	35
<b>All offences</b>	<b>4</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>6</b>	<b>5</b>	<b>5</b>	<b>6</b>	<b>6</b>	<b>6</b>
<b>Miscellaneous offences</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>9</b>	<b>9</b>	<b>8</b>	<b>9</b>	<b>9</b>	<b>10</b>	<b>10</b>
Common assault	12	12	13	13	13	12	13	13	14	14
Breach of the peace	7	7	8	9	9	8	9	10	10	11
Drunkenness	1	2	2	1	1	3	3	2	2	-
Other	1	1	1	2	3	2	3	2	3	3
<b>Motor vehicle offences</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>2</b>
Dangerous and careless driving	3	4	5	4	6	4	4	4	4	4
Drink/drug driving	2	2	2	2	3	2	2	2	3	2
Speeding	-	-	-	-	-	-	-	-	-	-
Unlawful use of vehicle	5	6	7	5	6	6	5	6	6	5
Vehicle defect offences	*	-	-	*	-	-	-	-	-	-
Other	*	*	*	*	*	*	*	*	*	*

**Table 10 - Persons receiving a custodial sentence by main crime/offence and length of sentence, 2007/08**

Main crime or offence	Total <sup>1</sup>	(Percentages)								Average length of sentence (days) <sup>2,3</sup>	(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	Life	Indeterminate detention	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	
<b>All crimes and offences</b>	<b>16,660</b>	<b>8,402</b>	<b>4,244</b>	<b>2,842</b>	<b>624</b>	<b>496</b>	<b>48</b>	<b>3</b>	<b>244</b>	<b>50</b>	<b>25</b>	<b>17</b>	<b>4</b>	<b>3</b>	
<b>All crimes</b>	<b>11,378</b>	<b>5,371</b>	<b>2,716</b>	<b>2,187</b>	<b>585</b>	<b>467</b>	<b>48</b>	<b>3</b>	<b>294</b>	<b>47</b>	<b>24</b>	<b>19</b>	<b>5</b>	<b>5</b>	
<b>Non-sexual crimes of violence</b>	<b>1,382</b>	<b>65</b>	<b>126</b>	<b>648</b>	<b>244</b>	<b>250</b>	<b>46</b>	<b>3</b>	<b>912</b>	<b>5</b>	<b>9</b>	<b>47</b>	<b>18</b>	<b>22</b>	
Homicide	123	-	-	2	11	62	45	3	2,649	-	-	2	9	89	
Serious assault and attempted murder	824	14	49	464	166	130	1	-	869	2	6	56	20	16	
Robbery	351	25	60	159	62	45	-	-	703	7	17	45	18	13	
Other	84	26	17	23	5	13	-	-	658	31	20	27	6	15	
<b>Crimes of indecency</b>	<b>184</b>	<b>30</b>	<b>9</b>	<b>52</b>	<b>25</b>	<b>66</b>	<b>2</b>	<b>-</b>	<b>1,218</b>	<b>16</b>	<b>5</b>	<b>28</b>	<b>14</b>	<b>37</b>	
Rape and attempted rape	43	-	-	1	2	38	2	-	2,685	-	-	2	5	93	
Indecent assault	25	7	3	10	3	2	-	-	482	28	12	40	12	8	
Lewd and indecent behaviour	71	15	3	25	11	17	-	-	794	21	4	35	15	24	
Other	45	8	3	16	9	9	-	-	958	18	7	36	20	20	
<b>Crimes of dishonesty</b>	<b>4,963</b>	<b>2,664</b>	<b>1,711</b>	<b>512</b>	<b>58</b>	<b>18</b>	<b>-</b>	<b>-</b>	<b>138</b>	<b>54</b>	<b>34</b>	<b>10</b>	<b>1</b>	<b>*</b>	
Housebreaking	876	279	346	205	43	3	-	-	228	32	39	23	5	*	
Theft by opening a lockfast place	337	159	147	29	2	-	-	-	128	47	44	9	1	-	
Theft of/from a motor vehicle	209	111	71	26	1	-	-	-	127	53	34	12	*	-	
Shoplifting	2,187	1,379	731	77	-	-	-	-	95	63	33	4	-	-	
Other theft	819	439	291	82	5	2	-	-	129	54	36	10	1	*	
Fraud	202	90	54	50	3	5	-	-	229	45	27	25	1	2	
Other	333	207	71	43	4	8	-	-	178	62	21	13	1	2	
<b>Fire-raising, vandalism etc.</b>	<b>538</b>	<b>340</b>	<b>89</b>	<b>86</b>	<b>16</b>	<b>6</b>	<b>-</b>	<b>-</b>	<b>188</b>	<b>63</b>	<b>17</b>	<b>16</b>	<b>3</b>	<b>1</b>	
Fire-raising	77	16	3	43	11	3	-	-	469	21	4	56	14	4	
Vandalism etc.	461	324	86	43	5	3	-	-	142	70	19	9	1	1	
<b>Other crimes</b>	<b>4,311</b>	<b>2,272</b>	<b>781</b>	<b>889</b>	<b>242</b>	<b>127</b>	<b>-</b>	<b>-</b>	<b>257</b>	<b>53</b>	<b>18</b>	<b>21</b>	<b>6</b>	<b>3</b>	
Crimes against public justice	1,936	1,594	249	77	10	6	-	-	88	82	13	4	1	*	
Handling an offensive weapon	990	328	320	322	20	-	-	-	217	33	32	33	2	-	
Drugs	1,291	317	169	475	210	120	-	-	543	25	13	37	16	9	
Other	94	33	43	15	2	1	-	-	215	35	46	16	2	1	
<b>All offences</b>	<b>5,282</b>	<b>3,031</b>	<b>1,528</b>	<b>655</b>	<b>39</b>	<b>29</b>	<b>-</b>	<b>-</b>	<b>138</b>	<b>57</b>	<b>29</b>	<b>12</b>	<b>1</b>	<b>1</b>	
<b>Miscellaneous offences</b>	<b>4,208</b>	<b>2,669</b>	<b>1,075</b>	<b>405</b>	<b>35</b>	<b>24</b>	<b>-</b>	<b>-</b>	<b>129</b>	<b>63</b>	<b>26</b>	<b>10</b>	<b>1</b>	<b>1</b>	
Common assault	2,140	1,049	766	296	23	6	-	-	149	49	36	14	1	*	
Breach of the peace	1,830	1,487	254	84	4	1	-	-	86	81	14	5	*	*	
Drunkenness	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other	238	133	55	25	8	17	-	-	292	56	23	11	3	7	
<b>Motor vehicle offences</b>	<b>1,074</b>	<b>362</b>	<b>453</b>	<b>250</b>	<b>4</b>	<b>5</b>	<b>-</b>	<b>-</b>	<b>170</b>	<b>34</b>	<b>42</b>	<b>23</b>	<b>*</b>	<b>*</b>	
Dangerous and careless driving	167	38	67	60	1	1	-	-	230	23	40	36	1	1	
Drink/drug driving	189	101	78	7	1	2	-	-	124	53	41	4	1	1	
Speeding	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Unlawful use of vehicle	711	218	307	182	2	2	-	-	168	31	43	26	*	*	
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other	7	5	1	1	-	-	-	-	147	71	14	14	-	-	

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

2. Excludes life sentences and indeterminate detention.

3. Average sentence length figures for some categories may be underestimated slightly due to late recording of some High Court disposals.

**Table 11 - Persons with a charge proved by main penalty, sex and age, 2007/08**

Main penalty	Total	Males					Females					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
<b>Total</b> <sup>1</sup>	<b>133,076</b>	<b>112,349</b>	<b>155</b>	<b>24,254</b>	<b>41,076</b>	<b>46,864</b>	<b>20,477</b>	<b>3</b>	<b>3,287</b>	<b>7,355</b>	<b>9,832</b>	<b>241</b>
Custody	16,686	15,419	26	2,948	6,839	5,606	1,267	-	182	611	474	-
Community sentence	16,674	13,858	18	4,438	4,929	4,473	2,816	1	662	1,091	1,062	-
Financial penalty	83,055	70,805	32	13,500	25,708	31,565	12,014	-	1,565	4,131	6,318	227
Other sentence	16,661	12,267	79	3,368	3,600	5,220	4,380	2	878	1,522	1,978	14

Main penalty	Total	Males					Females					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
<b>Total</b>	<b>100</b>	<b>84</b>	*	<b>18</b>	<b>31</b>	<b>35</b>	<b>15</b>	*	<b>2</b>	<b>6</b>	<b>7</b>	*
Custody	100	92	*	18	41	34	8	-	1	4	3	-
Community sentence	100	83	*	27	30	27	17	*	4	7	6	-
Financial penalty	100	85	*	16	31	38	14	-	2	5	8	*
Other sentence	100	74	*	20	22	31	26	*	5	9	12	*

Main penalty	Total	Males					Females					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
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
Custody	13	14	17	12	17	12	6	-	6	8	5	-
Community sentence	13	12	12	18	12	10	14	33	20	15	11	-
Financial penalty	62	63	21	56	63	67	59	-	48	56	64	94
Other sentence	13	11	51	14	9	11	21	67	27	21	20	6

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

**Table 12 - Persons (excluding companies) with a charge proved by main penalty, sex and age, 1998/99-2007/08**

	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	% change 06/07-07/08	
<b>Total<sup>1</sup></b>	<b>132,298</b>	<b>122,858</b>	<b>108,279</b>	<b>116,769</b>	<b>122,484</b>	<b>128,069</b>	<b>129,253</b>	<b>127,848</b>	<b>134,069</b>	<b>132,835</b>	<b>-1</b>	
<b>Custody<sup>2</sup></b>	<b>14,408</b>	<b>14,168</b>	<b>13,837</b>	<b>14,858</b>	<b>15,614</b>	<b>14,785</b>	<b>15,012</b>	<b>15,079</b>	<b>16,714</b>	<b>16,686</b>	<b>0</b>	
<b>Males</b>	<b>Total<sup>3</sup></b>	<b>13,599</b>	<b>13,302</b>	<b>13,068</b>	<b>13,884</b>	<b>14,610</b>	<b>13,685</b>	<b>13,810</b>	<b>13,936</b>	<b>15,542</b>	<b>15,419</b>	<b>-1</b>
	Under 21	3,580	3,311	3,188	3,185	2,979	2,620	2,521	2,802	3,066	2,974	-3
	21-30	6,110	6,327	6,168	6,626	7,145	6,727	6,478	6,029	6,672	6,839	3
	Over 30	3,907	3,663	3,711	4,072	4,486	4,338	4,810	5,105	5,804	5,606	-3
<b>Females</b>	<b>Total<sup>3</sup></b>	<b>809</b>	<b>865</b>	<b>769</b>	<b>974</b>	<b>1,100</b>	<b>1,201</b>	<b>1,143</b>	<b>1,172</b>	<b>1,267</b>	<b>8</b>	
	Under 21	195	253	231	237	218	191	125	200	182	-9	
	21-30	395	439	379	463	499	611	563	589	611	4	
	Over 30	219	173	159	274	287	399	455	383	474	24	
<b>Community sentence<sup>2</sup></b>	<b>11,772</b>	<b>11,034</b>	<b>11,200</b>	<b>12,494</b>	<b>14,248</b>	<b>13,942</b>	<b>15,315</b>	<b>15,973</b>	<b>16,073</b>	<b>16,674</b>	<b>4</b>	
<b>Males</b>	<b>Total<sup>3</sup></b>	<b>10,001</b>	<b>9,267</b>	<b>9,546</b>	<b>10,538</b>	<b>11,952</b>	<b>11,623</b>	<b>12,820</b>	<b>13,355</b>	<b>13,563</b>	<b>13,858</b>	<b>2</b>
	Under 21	4,165	3,602	3,547	3,677	4,012	3,583	3,914	4,158	4,486	4,456	-1
	21-30	3,507	3,292	3,478	3,969	4,511	4,435	4,831	4,920	4,875	4,929	1
	Over 30	2,326	2,372	2,521	2,890	3,429	3,605	4,075	4,277	4,202	4,473	6
<b>Females</b>	<b>Total<sup>3</sup></b>	<b>1,771</b>	<b>1,767</b>	<b>1,654</b>	<b>1,956</b>	<b>2,293</b>	<b>2,319</b>	<b>2,495</b>	<b>2,618</b>	<b>2,510</b>	<b>2,816</b>	<b>12</b>
	Under 21	498	499	486	480	498	478	529	532	633	663	5
	21-30	703	768	697	894	1,071	987	1,042	1,126	925	1,091	18
	Over 30	567	499	471	582	723	854	924	960	952	1,062	12
<b>Financial penalty<sup>2</sup></b>	<b>92,023</b>	<b>84,885</b>	<b>71,470</b>	<b>77,060</b>	<b>79,572</b>	<b>85,663</b>	<b>84,485</b>	<b>81,870</b>	<b>84,546</b>	<b>82,828</b>	<b>-2</b>	
<b>Males</b>	<b>Total<sup>3</sup></b>	<b>80,693</b>	<b>74,515</b>	<b>61,643</b>	<b>67,188</b>	<b>68,017</b>	<b>72,573</b>	<b>71,134</b>	<b>69,505</b>	<b>72,051</b>	<b>70,805</b>	<b>-2</b>
	Under 21	16,019	14,667	12,638	14,026	13,998	14,389	13,765	14,029	14,646	13,532	-8
	21-30	30,972	27,627	22,904	24,941	24,663	25,771	24,840	23,884	25,214	25,708	2
	Over 30	32,831	31,457	25,469	27,947	29,340	32,409	32,524	31,589	32,189	31,565	-2
<b>Females</b>	<b>Total<sup>3</sup></b>	<b>11,321</b>	<b>10,356</b>	<b>9,771</b>	<b>9,849</b>	<b>11,546</b>	<b>13,074</b>	<b>13,334</b>	<b>12,357</b>	<b>12,490</b>	<b>12,014</b>	<b>-4</b>
	Under 21	1,664	1,527	1,363	1,318	1,437	1,549	1,494	1,507	1,572	1,565	0
	21-30	4,445	3,849	3,608	3,665	4,019	4,572	4,611	4,254	4,253	4,131	-3
	Over 30	4,964	4,732	4,578	4,805	6,087	6,952	7,229	6,596	6,663	6,318	-5
<b>Other sentence<sup>2</sup></b>	<b>14,095</b>	<b>12,771</b>	<b>11,772</b>	<b>12,357</b>	<b>13,050</b>	<b>13,679</b>	<b>14,441</b>	<b>14,926</b>	<b>16,736</b>	<b>16,647</b>	<b>-1</b>	
<b>Males</b>	<b>Total<sup>3</sup></b>	<b>10,591</b>	<b>9,570</b>	<b>8,662</b>	<b>9,264</b>	<b>9,733</b>	<b>10,051</b>	<b>10,696</b>	<b>11,005</b>	<b>12,309</b>	<b>12,267</b>	<b>0</b>
	Under 21	3,747	3,166	2,656	2,892	3,088	2,958	3,005	3,195	3,436	3,447	0
	21-30	3,010	2,802	2,701	2,905	3,086	3,120	3,187	3,245	3,628	3,600	-1
	Over 30	3,793	3,555	3,256	3,453	3,556	3,972	4,504	4,565	5,245	5,220	0
<b>Females</b>	<b>Total<sup>3</sup></b>	<b>3,504</b>	<b>3,200</b>	<b>3,108</b>	<b>3,092</b>	<b>3,317</b>	<b>3,627</b>	<b>3,745</b>	<b>3,921</b>	<b>4,426</b>	<b>4,380</b>	<b>-1</b>
	Under 21	897	815	698	711	692	706	695	773	859	880	2
	21-30	1,329	1,163	1,149	1,178	1,254	1,393	1,388	1,444	1,630	1,522	-7
	Over 30	1,221	1,210	1,240	1,193	1,371	1,527	1,662	1,704	1,937	1,978	2

1. Includes persons with sentence unknown.

2. Includes persons with sex unknown.

3. Includes persons with age unknown.

**Table 13 - Individual offenders with at least one charge proved in 2007/08 for a crime or relevant offence<sup>1</sup>, by sex, age and number of convictions**

		Number of convictions in 2007/08						Number of convictions in 2007/08					
		1	2	3-5	6-10	>10	Total	1	2	3-5	6-10	>10	Total
<b>All Persons<sup>2</sup></b>	<b>All ages<sup>3</sup></b>	<b>39,242</b>	<b>7,940</b>	<b>5,134</b>	<b>950</b>	<b>62</b>	<b>53,328</b>	<b>73.6</b>	<b>14.9</b>	<b>9.6</b>	<b>1.8</b>	<b>0.1</b>	<b>100.0</b>
	Under 21	8,300	2,107	1,488	309	27	12,231	67.9	17.2	12.2	2.5	0.2	100.0
	21-30	14,020	3,079	2,089	400	21	19,609	71.5	15.7	10.7	2.0	0.1	100.0
	Over 30	16,922	2,754	1,557	241	14	21,488	78.8	12.8	7.2	1.1	0.1	100.0
<b>Male Person</b>	<b>All ages<sup>3</sup></b>	<b>32,492</b>	<b>6,809</b>	<b>4,432</b>	<b>824</b>	<b>48</b>	<b>44,605</b>	<b>72.8</b>	<b>15.3</b>	<b>9.9</b>	<b>1.8</b>	<b>0.1</b>	<b>100.0</b>
	Under 21	6,977	1,871	1,343	287	21	10,499	66.5	17.8	12.8	2.7	0.2	100.0
	21-30	11,703	2,654	1,765	335	15	16,472	71.0	16.1	10.7	2.0	0.1	100.0
	Over 30	13,812	2,284	1,324	202	12	17,634	78.3	13.0	7.5	1.1	0.1	100.0
<b>Female Person</b>	<b>All ages<sup>3</sup></b>	<b>6,750</b>	<b>1,131</b>	<b>702</b>	<b>126</b>	<b>14</b>	<b>8,723</b>	<b>77.4</b>	<b>13.0</b>	<b>8.0</b>	<b>1.4</b>	<b>0.2</b>	<b>100.0</b>
	Under 21	1,323	236	145	22	6	1,732	76.4	13.6	8.4	1.3	0.3	100.0
	21-30	2,317	425	324	65	6	3,137	73.9	13.5	10.3	2.1	0.2	100.0
	Over 30	3,110	470	233	39	2	3,854	80.7	12.2	6.0	1.0	0.1	100.0
<b>All Persons<sup>2</sup></b>	<b>All ages<sup>3</sup></b>	<b>39,242</b>	<b>15,880</b>	<b>18,308</b>	<b>6,659</b>	<b>770</b>	<b>80,859</b>	<b>48.5</b>	<b>19.6</b>	<b>22.6</b>	<b>8.2</b>	<b>1.0</b>	<b>100.0</b>
	Under 21	8,300	4,214	5,420	2,153	326	20,413	40.7	20.6	26.6	10.5	1.6	100.0
	21-30	14,020	6,158	7,403	2,820	274	30,675	45.7	20.1	24.1	9.2	0.9	100.0
	Over 30	16,922	5,508	5,485	1,686	170	29,771	56.8	18.5	18.4	5.7	0.6	100.0
<b>Male Person</b>	<b>All ages<sup>3</sup></b>	<b>32,492</b>	<b>13,618</b>	<b>15,791</b>	<b>5,759</b>	<b>595</b>	<b>68,255</b>	<b>47.6</b>	<b>20.0</b>	<b>23.1</b>	<b>8.4</b>	<b>0.9</b>	<b>100.0</b>
	Under 21	6,977	3,742	4,895	1,992	255	17,861	39.1	21.0	27.4	11.2	1.4	100.0
	21-30	11,703	5,308	6,241	2,355	193	25,800	45.4	20.6	24.2	9.1	0.7	100.0
	Over 30	13,812	4,568	4,655	1,412	147	24,594	56.2	18.6	18.9	5.7	0.6	100.0
<b>Female Person</b>	<b>All ages<sup>3</sup></b>	<b>6,750</b>	<b>2,262</b>	<b>2,517</b>	<b>900</b>	<b>175</b>	<b>12,604</b>	<b>53.6</b>	<b>17.9</b>	<b>20.0</b>	<b>7.1</b>	<b>1.4</b>	<b>100.0</b>
	Under 21	1,323	472	525	161	71	2,552	51.8	18.5	20.6	6.3	2.8	100.0
	21-30	2,317	850	1,162	465	81	4,875	47.5	17.4	23.8	9.5	1.7	100.0
	Over 30	3,110	940	830	274	23	5,177	60.1	18.2	16.0	5.3	0.4	100.0

1. Relevant offences include common assault, breach of the peace, racially aggravated conduct or harassment, firearms offences or social security offences.

2. Includes sex not known.

3. Includes age not known.

**Table 14 - Individual offenders with a charge proved for a crime or relevant offence<sup>1</sup> in 2007/08, by sex, age and number and type of previous convictions in 1998/99-2007/08**

Percentages

Number and type of previous convictions in 1998/99-2007/08 <sup>1</sup>	Total <sup>4</sup>	Sex		Age <sup>5</sup>			(Last) sentence in 2007/08			
		Males	Females	Under 21	21-30	Over 30	Custody	Community Sentence	Monetary	Other
<b>Number of persons with charge proved (=100%)</b>	<b>53,328</b>	<b>44,605</b>	<b>8,723</b>	<b>12,119</b>	<b>19,662</b>	<b>21,547</b>	<b>7,202</b>	<b>8,930</b>	<b>27,227</b>	<b>9,969</b>
All previous convictions <sup>1</sup>										
None	35	33	44	48	26	35	13	27	38	48
1 or 2	25	26	25	27	24	26	13	26	30	22
3-10	28	29	23	21	31	28	37	35	26	21
Over 10	12	12	8	3	18	11	37	12	6	9
Previous custodial sentences										
None	78	76	89	89	73	76	34	79	87	85
1 or 2	10	11	6	6	11	11	22	10	8	7
3-10	9	10	4	5	12	9	30	9	5	6
Over 10	3	3	1	*	5	3	13	2	1	2
Previous community sentences										
None	68	67	73	75	59	71	39	57	76	75
1 or 2	21	22	17	17	24	21	33	28	17	17
3-10	10	11	10	7	15	8	26	14	6	8
Over 10	1	1	1	*	1	*	2	1	*	*
Previous solemn convictions <sup>2</sup>										
None	86	85	94	92	82	87	61	87	91	92
1 or 2	12	13	6	7	15	12	31	12	8	7
3-10	2	2	*	*	3	1	7	1	1	1
Over 10	*	*	-	-	*	-	*	-	-	-
Non-sexual crimes of violence <sup>3</sup>										
None	91	90	94	95	87	93	77	91	94	94
1 or 2	9	9	5	5	12	7	22	8	6	6
3-10	*	*	*	*	1	*	1	*	*	*
Over 10	-	-	-	-	-	-	-	-	-	-
Crimes of dishonesty <sup>3</sup>										
None	70	70	71	82	61	72	42	67	77	76
1 or 2	15	16	15	13	18	14	20	18	15	12
3-10	10	10	10	4	14	10	23	12	7	8
Over 10	4	4	4	-	7	4	14	4	2	4
Drug offences <sup>3</sup>										
None	81	80	86	93	75	80	66	80	83	86
1 or 2	16	17	13	7	21	17	28	16	14	11
3-10	3	3	2	*	4	3	6	3	2	2
Over 10	*	*	-	-	*	*	*	-	*	*

1. Convictions for crimes or common assault, breach of the peace, racially aggravated conduct or harassment, firearms offences or social security offences. Excludes convictions outwith Scotland.

2. Convictions in the High Court or in a sheriff and jury court.

3. Where main crime or offence.

4. Includes age not known.

5. Age as at date of last sentencing occasion in 2007/08.

**Table 15 - Bail orders made<sup>1,2,3</sup> by type of court, 2002/03-2007/08**

Year	All Courts <sup>4</sup>	District <sup>5</sup>	Sheriff	High	All Courts <sup>4</sup>	District <sup>5</sup>	Sheriff	High
	Number of bail orders				Percentages			
2002/03	46,793	5,190	41,377	226	100	11	88	0
2003/04	50,153	6,523	43,271	359	100	13	86	1
2004/05	52,820	5,703	46,757	345	100	11	89	1
2005/06	56,233	5,643	50,275	294	100	10	89	1
2006/07	62,283	6,398	55,438	434	100	10	89	1
2007/08	60,670	6,019	54,322	317	100	10	90	1

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. Figures from 2002/03 to 2006/07 are different from those published in the previous year's bulletin due to a change in methodology. More details are available in Annex C.
4. Includes some records where court type is not assigned.
5. Includes Justice of the Peace courts and the Stipendary Magistrates court.

**Table 16 - Bail orders made by sex and age, 2007/08<sup>1</sup>**

	<b>Number</b>	<b>Percentage of total</b>
<b>Sex</b>		
Male	50,579	83
Female	8,894	15
Not known	1,197	2
<b>Age</b>		
Under 21	14,602	24
21-30	21,621	36
Over 30	23,253	38
Not known	1,194	2
<b>Total<sup>2</sup></b>	<b>60,670</b>	<b>100</b>

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

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



**Table 17 - Bail orders made<sup>1,2,3</sup> by main charge, 2002/03-2006/07 & part of 2007/08<sup>7</sup>**

Year	Non-sexual crimes of violence	Crimes of indecency	Crimes of dishonesty	Fire-raising vandalism etc.	Handling an offensive weapon	Drug offences	Other crimes <sup>4</sup>	Common Assault	Breach of the peace	Miscellaneous offences <sup>5</sup>	Motor vehicle offences	Total <sup>6</sup>
	<i>Number</i>											
2002/03	3,886	740	12,990	2,563	1,980	2,726	4,054	7,555	4,280	1,679	4,274	<b>46,793</b>
2003/04	4,045	874	12,320	2,969	2,328	3,114	4,505	8,556	4,837	2,006	4,490	<b>50,153</b>
2004/05	4,233	981	12,186	3,319	2,628	3,340	4,398	9,881	5,773	2,160	3,828	<b>52,820</b>
2005/06	4,143	1,124	11,613	3,595	2,818	3,527	5,253	10,944	6,682	2,612	3,818	<b>56,233</b>
2006/07	4,204	1,105	12,513	4,062	3,368	3,901	6,290	12,669	7,301	2,461	4,271	<b>62,283</b>
Period from 1st April to 19th October 2007 <sup>7</sup>	2,343	662	6,794	2,249	1,922	2,119	3,767	7,076	4,124	1,265	2,173	<b>34,559</b>
	<i>Percentage of total</i>											
2002/03	8	2	28	5	4	6	9	16	9	4	9	<b>100</b>
2003/04	8	2	25	6	5	6	9	17	10	4	9	<b>100</b>
2004/05	8	2	23	6	5	6	8	19	11	4	7	<b>100</b>
2005/06	7	2	21	6	5	6	9	19	12	5	7	<b>100</b>
2006/07	7	2	20	7	5	6	10	20	12	4	7	<b>100</b>
Period from 1st April to 19th October 2007 <sup>7</sup>	7	2	20	7	6	6	11	20	12	4	6	<b>100</b>

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. Figures from 2002/03 to 2006/07 are different from those published in the previous year's bulletin due to a change in methodology. More details are available in Annex C.

4. Includes crimes against public order, prevention of terrorism acts and crimes against public justice etc

5. Includes racially aggravated harassment / conduct, drunkenness, offences by licensed persons etc

6. Includes in 2006-07, 49 persons where main offence not known, and 207 persons where bail was granted following the lodging of an appeal. Other years also include some numbers of these cases.

7. A breakdown of bail orders by the main charge involved is not available for the period from 20th October 2007 to 31st March 2008 and will also not be available for the year 2008/09. The reasons for this are explained in Annex A.

**Table 18 - Offences with a charge proved in 2006/07 and 2007/08, with a Bail Aggravator recorded<sup>1</sup>**

Main crime or offence	2006/07					2007/08				
	Total Offences	(Number)		(Per cent)		Total Offences	(Number)		(Per cent)	
		Bail Aggravator Yes	Bail Aggravator No	Bail Aggravator Yes	Bail Aggravator No		Bail Aggravator Yes	Bail Aggravator No	Bail Aggravator Yes	Bail Aggravator No
<b>All crimes and offences</b>	<b>188,511</b>	<b>28,999</b>	<b>159,512</b>	<b>15</b>	<b>85</b>	<b>184,404</b>	<b>30,369</b>	<b>154,035</b>	<b>16</b>	<b>84</b>
<i>Bail Aggravators as a percentage of bail orders made:</i>		47				50				
<b>All crimes</b>	<b>64,112</b>	<b>15,044</b>	<b>49,068</b>	<b>23</b>	<b>77</b>	<b>62,932</b>	<b>15,896</b>	<b>47,036</b>	<b>25</b>	<b>75</b>
<b>Non-sexual crimes of violence</b>	<b>2,598</b>	<b>553</b>	<b>2,159</b>	<b>21</b>	<b>83</b>	<b>2,950</b>	<b>597</b>	<b>2,353</b>	<b>20</b>	<b>80</b>
Homicide	104	16	101	15	97	132	16	116	12	88
Serious assault and attempted murder	1,496	250	1,304	17	87	1,793	328	1,465	18	82
Robbery	637	223	454	35	71	631	185	446	29	71
Other	361	64	300	18	83	394	68	326	17	83
<b>Crimes of indecency</b>	<b>1,148</b>	<b>189</b>	<b>1,007</b>	<b>16</b>	<b>88</b>	<b>1,050</b>	<b>150</b>	<b>900</b>	<b>14</b>	<b>86</b>
Rape and attempted rape	53	5	65	9	123	65	3	62	5	95
Indecent assault	143	11	130	8	91	161	16	145	10	90
Lewd and indecent behaviour	513	29	513	6	100	415	15	400	4	96
Other	439	144	299	33	68	409	116	293	28	72
<b>Crimes of dishonesty</b>	<b>26,134</b>	<b>7,238</b>	<b>18,957</b>	<b>28</b>	<b>73</b>	<b>24,779</b>	<b>7,545</b>	<b>17,234</b>	<b>30</b>	<b>70</b>
Housebreaking	2,716	789	1,927	29	71	2,557	816	1,741	32	68
Theft by opening a lockfast place	1,870	494	1,377	26	74	1,877	545	1,332	29	71
Theft of/from a motor vehicle	2,006	504	1,507	25	75	2,010	498	1,512	25	75
Shoplifting	9,919	3,607	6,334	36	64	9,752	3,786	5,966	39	61
Other theft	4,617	1,094	3,547	24	77	4,319	1,128	3,191	26	74
Fraud	3,011	322	2,695	11	90	2,508	294	2,214	12	88
Other	1,995	428	1,570	21	79	1,756	478	1,278	27	73
<b>Fire-raising, vandalism, etc</b>	<b>6,981</b>	<b>992</b>	<b>6,000</b>	<b>14</b>	<b>86</b>	<b>7,192</b>	<b>1,127</b>	<b>6,065</b>	<b>16</b>	<b>84</b>
Fire-raising	317	34	285	11	90	292	49	243	17	83
Vandalism, etc	6,664	958	5,715	14	86	6,900	1,078	5,822	16	84
<b>Other crimes</b>	<b>26,862</b>	<b>6,072</b>	<b>20,945</b>	<b>23</b>	<b>78</b>	<b>26,961</b>	<b>6,477</b>	<b>20,484</b>	<b>24</b>	<b>76</b>
Crimes against public justice	11,142	3,516	7,661	32	69	11,650	3,723	7,927	32	68
Handling an offensive weapon	4,096	852	3,262	21	80	3,959	873	3,086	22	78
Drugs	11,400	1,656	9,844	15	86	11,046	1,813	9,233	16	84
Other	224	48	178	21	79	306	68	238	22	78
<b>All offences</b>	<b>124,399</b>	<b>13,955</b>	<b>110,444</b>	<b>11</b>	<b>89</b>	<b>121,472</b>	<b>14,473</b>	<b>106,999</b>	<b>12</b>	<b>88</b>
<b>Miscellaneous offences</b>	<b>57,106</b>	<b>9,451</b>	<b>47,655</b>	<b>17</b>	<b>83</b>	<b>55,818</b>	<b>10,042</b>	<b>45,776</b>	<b>18</b>	<b>82</b>
Common assault	19,938	3,374	16,564	17	83	19,892	3,637	16,255	18	82
Breach of the peace	26,620	5,179	21,441	19	81	25,829	5,396	20,433	21	79
Drunkenness	382	73	309	19	81	354	73	281	21	79
Other	10,166	825	9,341	8	92	9,743	936	8,807	10	90
<b>Motor vehicle offences</b>	<b>67,293</b>	<b>4,504</b>	<b>62,789</b>	<b>7</b>	<b>93</b>	<b>65,654</b>	<b>4,431</b>	<b>61,223</b>	<b>7</b>	<b>93</b>
Dangerous and careless driving	5,081	318	4,763	6	94	5,134	329	4,805	6	94
Drink/drug driving	9,000	582	8,418	6	94	8,664	589	8,075	7	93
Speeding	13,783	44	13,739	*	100	14,462	91	14,371	1	99
Unlawful use of vehicle	28,943	3,286	25,657	11	89	27,866	3,110	24,756	11	89
Vehicle defect offences	3,092	68	3,024	2	98	3,585	78	3,507	2	98
Other	7,394	206	7,188	3	97	5,943	234	5,709	4	96

1. Indicating that the offence was committed while the offender was on bail.

**Table 19 - Bail-related Offences<sup>1</sup> with a Charge Proved, 2002/03 to 2007/08**

	2003/03	2003/04	2004/05	2005/06	2006/07	2007/08	% change 2006 /07 to 2007/08
<b>All Bail-related Offences</b>	<b>5,534</b>	<b>5,840</b>	<b>6,102</b>	<b>5,996</b>	<b>7,435</b>	<b>8,005</b>	<b>8</b>
<i>Bail-related offences as a percentage of bail orders made</i>	12	12	12	11	12	13	
High Court	51	42	38	43	31	33	<b>6</b>
Sheriff Solemn	216	243	233	294	332	376	<b>13</b>
Sheriff Summary	4,848	5,175	5,578	5,415	6,836	7,397	<b>8</b>
District Court	419	380	253	244	236	199	<b>-16</b>
Age:							
Under 21	1,576	1,575	1,781	1,763	2,559	2,632	<b>3</b>
21-30	2,285	2,555	2,345	2,177	2,484	2,769	<b>11</b>
Over 30	1,673	1,710	1,976	2,056	2,392	2,604	<b>9</b>
Male	4,867	5,057	5,351	5,235	6,619	7,130	<b>8</b>
Female	667	783	751	761	816	875	<b>7</b>
Main result of proceedings:							
Custody	1,445	1,448	1,476	1,717	2,172	2,262	<b>4</b>
Community	950	1,085	1,297	1,243	1,461	1,625	<b>11</b>
Monetary	1,429	1,444	1,451	1,354	1,703	1,886	<b>11</b>
Other	1,710	1,863	1,878	1,682	2,099	2,232	<b>6</b>

1. Bail offences other than committing an offence on bail (includes the offences of breach of bail conditions and failure to appear in court having been granted bail)

**Table 20 - Vehicles, offences and penalties, 1998/99-2007/08**

*Thousands*

Year	Number of vehicles currently licensed at 31 December <sup>1</sup>	Offences recorded by the police	Recorded offences per 1,000 vehicles licensed	Offences where charge proved in court	Fiscal conditional offers for motor vehicle offences <sup>2</sup>	Police conditional offers of fixed penalties sent <sup>3,4</sup>	Vehicle defect rectification scheme <sup>3,5</sup>	Police fixed penalties issued: stationary motor vehicle offences <sup>3,6</sup>
1998/99	2,073	367	177	78	9	152	35	397
1999/00	2,131	347	163	77	8	168	31	296
2000/01	2,188	341	156	62	7	160	n/a	186
2001/02	2,262	368	163	69	8	175	n/a	180
2002/03	2,330	355	152	76	6	161	n/a	164
2003/04	2,383	435	183	79	9	231	n/a	143
2004/05	2,448	424	173	72	10	281	n/a	106
2005/06	2,531	380	150	68	10	241	n/a	99
2006/07	2,587	375	145	67	14	223	n/a	105
2007/08	2,648	348	131	66	15	220	n/a	94

1. Estimates from the Vehicle Information Database.

2. Reports to the Procurators Fiscal disposed of by a conditional offer. Figures relate to cases which were closed as offer accepted.

3. From 1998/99 to 2003/04 data are on a calendar year basis - 1998/99=1998, etc.

4. Includes estimated data for 1999/2000 and 2000/01.

5. Includes estimated data for 1998/99 and 1999/2000.

6. Includes estimated data for 1999/2000 to 2002/03.

**Table 21 - Motor vehicle offences recorded by the police by type of offence, 1998/99 and 2003/04-2007/08**

Type of offence	1998/99	2003/04	2004/05	2005/06	2006/07	2007/08	Percentage change 06/07-07/08
<b>Total Offences</b>	<b>367,169</b>	<b>434,913</b>	<b>424,262</b>	<b>380,397</b>	<b>375,033</b>	<b>347,629</b>	<b>-7</b>
<b>Serious Driving Offences</b>							
Dangerous driving	1,965	2,842	3,002	2,873	3,044	2,898	-5
Careless driving	13,786	9,194	10,060	10,083	10,557	10,066	-5
Drunk Driving of which:	10,581	11,571	11,061	11,257	11,704	10,697	-9
<i>Driving while unfit through drink or drugs</i>	948	828	769	809	761	651	-14
<i>In charge while unfit through drink or drugs</i>	132	151	17	102	111	107	-4
<i>Driving with excess blood alcohol</i>	7,324	7,837	7,465	7,337	7,652	7,177	-6
<i>In charge with excess blood alcohol</i>	249	507	548	693	754	640	-15
<i>Failing to provide breath specimen at the roadside</i>	866	915	941	946	1,041	931	-11
<i>Failing to provide breath, blood or urine specimen at a police station</i>	1,062	1,333	1,321	1,370	1,385	1,191	-14
Failing to stop after accident	9,730	7,373	8,382	8,244	7,225	6,769	-6
Driving while disqualified	4,016	4,907	4,002	3,853	3,676	3,075	-16
<b>Speeding Offences</b>							
Speeding in restricted areas	74,014	120,949	123,926	93,495	70,758	65,420	-8
Other speeding and related offences <sup>1</sup>	46,179	78,686	86,642	74,749	93,068	72,956	-22
<b>Signal and Direction Offences</b>							
Traffic direction offences	16,610	23,362	24,399	24,396	22,911	24,477	7
Pedestrian crossing offences	4,206	6,071	5,542	4,511	3,767	3,120	-17
<b>Lighting, Construction &amp; Use Offences</b>							
Lighting offences	29,977	18,383	11,884	9,876	8,134	9,009	11
Construction & use regulations	33,845	18,811	15,138	14,056	13,036	13,319	2
<b>Documentation Offences</b>							
Vehicle excise licence offences	20,797	27,815	18,050	17,966	17,699	17,954	1
No test certificate	11,924	14,082	9,668	9,007	8,399	10,264	22
Driving licence offences	12,422	18,872	15,940	15,288	14,232	12,205	-14
Third party insurance offences	22,117	30,314	25,202	25,140	25,228	24,093	-4
Registration/identification offences	4,700	3,536	3,814	3,866	3,824	6,064	59
<b>Other Offences</b>							
Failure to provide information to identify driver	394	761	656	728	852	1,088	28
Tachograph etc offences	7,515	3,288	2,405	1,894	2,603	3,954	52
Seat belt offences	39,083	28,123	29,653	27,308	28,859	26,917	-7
Parking offences	789	587	511	419	2,321	2,251	-3
Other offences <sup>2</sup>	2,519	5,386	14,325	21,388	23,136	21,033	-9

1. Includes other speeding, clearway and motorway offences

2. Includes the offence of driving while using a mobile phone, introduced in December 2003.

**Table 22 - Police conditional offers for moving vehicle offences by type of offence<sup>1</sup>, 1998-2007/08**

Type of offence	1998	1999 <sup>5</sup>	2000	2001	2002	2003	2004/05	2005/06	2006/07	2007/08
<b>Total</b>	<b>152,332</b>	<b>168,198</b>	<b>159,782</b>	<b>175,184</b>	<b>161,360</b>	<b>231,163</b>	<b>280,900</b>	<b>240,609</b>	<b>223,474</b>	<b>219,670</b>
<b>Speeding (restricted areas):</b>	<b>53,009</b>	<b>65,473</b>	<b>59,153</b>	<b>65,427</b>	<b>63,682</b>	<b>99,242</b>	<b>110,460</b>	<b>82,499</b>	<b>56,294</b>	<b>72,080</b>
Automatic Detection <sup>2,3</sup>	14,120	28,319	30,217	42,974	42,298	78,557	73,568	51,989	40,829	44,782
Other <sup>2,3</sup>	38,889	37,154	28,936	22,453	21,384	20,685	36,892	30,510	15,465	27,298
<b>Speeding (other):</b>	<b>36,083</b>	<b>39,006</b>	<b>42,808</b>	<b>37,122</b>	<b>41,115</b>	<b>65,771</b>	<b>82,780</b>	<b>74,284</b>	<b>85,398</b>	<b>59,630</b>
Automatic Detection <sup>2,3</sup>	16,403	20,526	22,511	22,881	27,774	53,782	62,222	44,489	59,174	30,225
Other <sup>2,3</sup>	19,680	18,480	20,297	14,241	13,341	11,989	20,558	29,795	26,224	29,405
<b>Traffic direction offences:</b>	<b>14,602</b>	<b>12,002</b>	<b>12,416</b>	<b>14,234</b>	<b>16,271</b>	<b>19,437</b>	<b>23,514</b>	<b>25,015</b>	<b>20,117</b>	<b>23,599</b>
Automatic Detection <sup>2</sup>	1,815	1,782	1,871	3,521	2,696	8,499	9,636	11,643	12,046	9,404
Other <sup>2</sup>	12,787	10,220	10,545	10,713	13,575	10,938	13,878	13,372	8,071	14,195
<b>Other offences<sup>4</sup></b>	<b>48,638</b>	<b>43,771</b>	<b>45,405</b>	<b>51,920</b>	<b>40,292</b>	<b>46,713</b>	<b>64,146</b>	<b>58,811</b>	<b>61,665</b>	<b>64,361</b>

1. Includes estimated data. Totals may not sum to constituent parts due to missing data

2. During 1998 the automatic detection system in Tayside was not operational.

3. The split into automatic detection and other is estimated for Central from April 1997 to December 2000. Central and Northern included in subtotals for 2001 and 2002, but not in the breakdown into automatic detection and other categories.

4. Other offences include construction and use, driving licence, vehicle excise licence, parking, motorway traffic,

seat belt and other motor vehicle offences. The figure for 2007/08 includes an estimated 18,856 offences of driving while using a mobile telephone.

5. The total includes 7,946 offers in Central which could not be broken down by offence type.

**Table 23 - Police conditional offers for moving vehicle offences: percentage of offences detected automatically<sup>3</sup>, 1998-2007/08**

Type of offence	1998	1999 <sup>3</sup>	2000 <sup>3</sup>	2001 <sup>4</sup>	2002 <sup>5</sup>	2003	2004/05	2005/06	2006/07	2007/08
<b>Speeding (restricted areas):</b>										
Automatic Detection <sup>1,2</sup>	27	43	51	66	66	79	67	63	73	62
Other <sup>1,2</sup>	73	57	49	34	34	21	33	37	27	38
<b>Speeding (other):</b>										
Automatic Detection <sup>1,2</sup>	45	53	53	62	68	82	75	60	69	51
Other <sup>1,2</sup>	55	47	47	38	32	18	25	40	31	49
<b>Traffic direction offences:</b>										
Automatic Detection <sup>1</sup>	12	15	15	25	17	44	41	47	60	40
Other <sup>1</sup>	88	85	85	75	83	56	59	53	40	60

1. During 1998 the automatic detection system in Tayside was not operational.

2. The split into automatic detection and other is estimated for Central from April 1997 and for Northern in 2001.

3. Includes estimated data.

4. Excludes Central and Northern.

5. Excludes Northern.

**Table 24 - Motor vehicle offences with a charge proved by type of offence, 1998/99-2007/08**

Type of offence	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	Percentage change 06/07-07/08
<b>Total offences</b>	<b>77,912</b>	<b>76,948</b>	<b>61,797</b>	<b>69,091</b>	<b>76,464</b>	<b>78,657</b>	<b>72,143</b>	<b>67,847</b>	<b>67,293</b>	<b>65,654</b>	<b>-2</b>
<b>Serious Driving Offences</b>											
Dangerous driving	991	965	832	959	1,211	1,184	1,238	1,061	1,260	1,358	8
Careless driving	4,713	4,299	3,122	3,849	4,057	4,414	4,038	3,771	3,821	3,776	-1
Drunk Driving of which:	8,345	8,527	7,238	7,477	10,688	9,194	8,982	8,847	9,000	8,664	-4
<i>Driving while unfit through drink or drugs</i>	400	436	433	474	608	459	453	430	431	343	-20
<i>In charge while unfit through drink or drugs</i>	108	57	53	55	77	67	49	52	63	48	-24
<i>Driving with excess blood alcohol</i>	6,471	6,544	5,355	5,610	8,258	7,129	6,865	6,785	6,906	6,682	-3
<i>In charge with excess blood alcohol</i>	302	333	263	277	454	397	384	411	412	436	6
<i>Failing to provide breath specimen at the roadside</i>	305	310	274	253	279	240	264	259	226	209	-8
<i>Failing to provide breath, blood or urine specimen at a police station</i>	759	847	860	808	1,012	902	967	910	962	946	-2
Failing to stop after accident	2,510	2,293	1,369	1,523	1,520	1,529	1,419	1,363	1,351	1,242	-8
Driving while disqualified	3,323	3,207	3,313	3,377	4,093	3,959	3,538	3,204	3,035	2,697	-11
<b>Speeding Offences</b>											
Speeding in restricted areas	6,987	8,357	4,678	3,454	2,587	3,330	3,142	2,857	3,402	3,447	1
Other speeding offences <sup>1</sup>	6,346	7,427	5,095	6,885	7,576	9,755	10,741	9,726	10,381	11,015	6
<b>Signal and Direction Offences</b>											
Traffic direction offences	1,619	1,711	1,279	1,675	1,248	989	875	1,023	1,256	996	-21
Pedestrian crossing offences	370	279	206	245	185	218	169	205	230	237	3
<b>Lighting, Construction &amp; Use Offences</b>											
Lighting offences	1,318	1,134	829	1,136	1,043	970	714	655	613	517	-16
Construction & use regulations	3,548	2,973	1,949	1,813	2,447	2,823	2,718	2,400	2,479	3,068	24
<b>Documentation Offences</b>											
Vehicle excise licence offences	5,984	4,496	4,702	4,542	3,442	3,062	2,816	1,696	402	840	109
No test certificate	3,348	3,146	2,881	3,466	3,550	3,638	2,454	2,066	1,928	2,087	8
Driving licence offences	5,985	6,057	5,556	7,038	8,760	9,254	8,248	8,018	7,869	7,344	-7
Third party insurance offences	15,353	15,247	13,943	16,845	19,640	19,775	16,789	15,597	15,507	14,693	-5
Registration/identification offences	446	400	168	167	158	247	213	171	202	205	1
<b>Other Offences</b>											
Failure to provide information to identify driver	92	84	74	187	296	272	250	205	271	240	-11
Tachograph etc offences	2,051	1,721	1,005	864	1,000	1,126	1,400	1,172	1,148	1,033	-10
Seat belt offences	2,788	2,932	2,401	2,356	2,087	2,018	1,248	1,503	1,472	1,345	-9
Mobile phone offences	-	-	-	-	-	3	291	719	944	352	-63
Parking offences	313	369	70	21	16	8	8	9	6	11	83
Other offences	1,482	1,324	1,087	1,212	860	889	852	1,579	716	487	-32

1. Includes motorway and clearway offences

**Table 25 - Motor vehicle offences proceeded against by type of offence and result of proceedings, 2007/08**

Type of offence	% not proved <sup>1</sup>	Charge proved or accepted														
		Total	Total Disqual-ified	Endorse-ment	Total	Custodial Disqual-ified	Endorse-ment	Total	Fine Disqual-ified	Endorse-ment	Total	Admonished Disqual-ified	Endorse-ment	Total	Other sentence Disqual-ified	Endorse-ment
<b>Total offences</b>	<b>18</b>	<b>65,654</b>	<b>19,619</b>	<b>33,647</b>	<b>1,627</b>	<b>1,413</b>	<b>122</b>	<b>53,729</b>	<b>15,103</b>	<b>29,452</b>	<b>7,498</b>	<b>1,136</b>	<b>3,600</b>	<b>2,800</b>	<b>1,967</b>	<b>473</b>
<b>Serious Driving Offences</b>																
Dangerous driving	18	1,358	1,074	235	233	213	7	863	637	212	31	20	7	231	204	9
Careless driving	20	3,776	641	2,946	2	-	2	3,431	567	2,714	258	45	187	85	29	43
Drunk Driving of which:	-	8,664	8,227	332	331	294	15	7,437	7,138	252	153	95	45	743	700	20
<i>Driving while unfit through drink or drugs</i>	36	343	323	10	30	24	2	240	235	3	11	10	-	62	54	5
<i>In charge while unfit through drink or drugs</i>	34	48	36	11	6	5	1	34	24	9	1	1	-	7	6	1
<i>Driving with excess blood alcohol</i>	3	6,682	6,607	32	214	195	6	5,869	5,829	23	60	55	2	539	528	1
<i>In charge with excess blood alcohol</i>	25	436	347	85	9	8	-	391	309	82	8	7	1	28	23	2
<i>Failing to provide breath specimen at the roadside</i>	75	209	70	110	6	3	2	149	59	71	45	3	34	9	5	3
<i>Failing to provide breath, blood or urine specimen at a police station</i>	19	946	844	84	66	59	4	754	682	64	28	19	8	98	84	8
Failing to stop after accident	60	1,242	203	899	19	8	11	935	153	696	207	17	146	81	25	46
Driving while disqualified	8	2,697	2,418	196	980	880	65	747	677	60	79	51	23	891	810	48
<b>Speeding Offences</b>																
Speeding in restricted areas	3	3,447	99	3,271	-	-	-	3,415	98	3,255	30	1	16	2	-	-
Other speeding offences <sup>2</sup>	2	11,015	1,101	9,746	-	-	-	10,980	1,096	9,726	33	5	19	2	-	1
<b>Signal and Direction Offences</b>																
Traffic direction offences	26	996	46	662	2	-	1	931	45	640	61	1	21	2	-	-
Pedestrian crossing offences	16	237	12	202	-	-	-	231	12	202	6	-	-	-	-	-
<b>Lighting, Construction &amp; Use Offences</b>																
Lighting offences	37	517	2	8	-	-	-	406	-	5	110	2	3	1	-	-
Construction & use regulations	23	3,068	48	1,667	-	-	-	2,821	44	1,599	241	4	68	6	-	-
<b>Documentation Offences</b>																
Vehicle excise licence offences	15	840	1	1	-	-	-	750	-	-	57	1	1	33	-	-
No test certificate	48	2,087	21	50	-	-	-	1,363	10	27	709	9	22	15	2	1
Driving licence offences	20	7,344	632	4,416	-	1	5	4,984	458	3,115	2,148	131	1,200	200	42	96
Third party insurance offences	13	14,693	5,043	8,771	12	16	13	11,297	4,123	6,770	2,883	751	1,782	470	153	206
Registration/identification offences	34	205	1	2	43	-	-	170	-	1	31	1	1	4	-	-
<b>Other Offences</b>																
Failure to provide information to identify driver	58	240	17	125	-	-	-	184	17	103	53	-	21	3	-	1
Tachograph etc offences	27	1,033	2	1	-	-	-	931	2	1	99	-	-	3	-	-
Seat belt offences	17	1,345	5	8	-	-	-	1,257	5	6	87	-	2	1	-	-
Mobile phone offences	10	352	2	17	-	-	-	342	2	13	7	-	4	3	-	-
Parking offences	21	11	-	-	-	-	-	8	-	-	3	-	-	-	-	-
Other offences	60	487	24	92	5	1	3	246	19	55	212	2	32	24	2	2

1. Includes charge withdrawn, not guilty and not proven. Includes estimated data.

2. Includes motorway and clearway offences.



**Table 26 – Motor vehicle offences proceeded against : Amount of fine imposed by type of offence and level of fine, 2007/08**

Type of offence	Up to £25	£26-£50	£51-£100	£101-£200	£201-£300	£301-£400	£401-£500	Over £500	No separate figure	Total	Average fine(£) <sup>1</sup>
<b>Total offences</b>	<b>254</b>	<b>3,681</b>	<b>16,154</b>	<b>17,732</b>	<b>8,672</b>	<b>3,848</b>	<b>1,930</b>	<b>1,165</b>	<b>293</b>	<b>53,729</b>	<b>189</b>
<b>Serious Driving Offences</b>											
Dangerous driving	-	2	40	164	249	163	119	123	3	863	382
Careless driving	3	52	579	1,279	928	367	144	67	12	3,431	232
Drunk Driving of which:	2	10	142	1,128	2,246	1,996	1,188	708	17	7,437	341
<i>Driving while unfit through drink or drugs</i>	1	-	8	51	81	46	26	27	-	240	341
<i>In charge while unfit through drink or drugs</i>	-	-	-	6	15	9	3	1	-	34	316
<i>Driving with excess blood alcohol</i>	1	1	74	807	1,742	1,616	1,008	614	6	5,869	377
<i>In charge with excess blood alcohol</i>	-	-	12	82	122	118	43	13	1	391	320
<i>Failing to provide breath specimen at the roadside</i>	-	6	32	61	31	8	5	1	5	149	197
<i>Failing to provide breath, blood or urine specimen at a police station</i>	-	3	16	121	255	199	103	52	5	754	342
Failing to stop after accident	-	53	275	404	145	25	13	6	14	935	170
Driving while disqualified	-	2	52	186	210	104	95	86	12	747	348
<b>Speeding Offences</b>											
Speeding in restricted areas	-	34	1,669	1,461	217	25	8	-	1	3,415	124
Other speeding offences <sup>2</sup>	-	41	3,511	4,892	1,768	544	158	65	1	10,980	168
<b>Signal and Direction Offences</b>											
Traffic direction offences	3	113	625	174	14	-	1	-	1	931	90
Pedestrian crossing offences	-	13	184	28	5	1	-	-	-	231	88
<b>Lighting, Construction &amp; Use Offences</b>											
Lighting offences	22	198	163	19	2	-	-	-	2	406	61
Construction & use regulations	25	344	1,553	552	169	81	35	31	31	2,821	126
<b>Documentation Offences</b>											
Vehicle excise licence offences	11	155	435	142	5	-	-	-	2	750	86
No test certificate	20	368	832	113	12	3	-	1	14	1,363	78
Driving licence offences	129	1,084	2,639	958	110	12	6	4	42	4,984	95
Third party insurance offences	8	205	2,125	5,734	2,463	489	152	65	56	11,297	193
Registration/identification offences	3	73	84	4	2	2	-	-	2	170	66
<b>Other Offences</b>											
Failure to provide information to identify driver	9	31	50	58	21	11	2	1	1	184	147
Tachograph etc offences	5	122	293	322	87	17	3	5	77	931	148
Seat belt offences	11	592	623	29	-	-	-	-	2	1,257	58
mobile phone offences	1	138	180	23	-	-	-	-	-	342	66
Parking offences	-	4	2	1	1	-	-	-	-	8	93
Other offences	2	47	98	61	18	8	6	3	3	246	141

1. Excludes fines for which no separate figure given.

2. Includes motorway and clearway offences

**Table 27 – Motor vehicle offences proceeded against : Disqualification period by type of offence and length of disqualification, 2007/08**

Type of offence	3 months or less	4-6 months	7-12 months	13-18 months	19-24 months	25-36 months	Over 3 yrs to 5 yrs	Over 5 yrs to 10 yrs	Over 10 years	Life	Till pass test	No separate figure	Total	Average length of disqualification (months) <sup>1</sup>
<b>Total offences</b>	<b>1,072</b>	<b>3,653</b>	<b>6,173</b>	<b>2,683</b>	<b>2,146</b>	<b>1,795</b>	<b>1,301</b>	<b>405</b>	<b>30</b>	<b>22</b>	<b>282</b>	<b>57</b>	<b>19,619</b>	<b>19</b>
<b>Serious Driving Offences</b>														
Dangerous driving	26	47	327	136	138	98	78	26	2	-	193	3	1,074	24
Careless driving	122	283	163	15	27	13	5	-	-	-	7	6	641	9
Drunk Driving of which:	20	112	3,248	2,057	1,042	978	614	101	3	3	38	11	8,227	24
<i>Driving while unfit through drink or drugs</i>	2	1	131	54	45	54	28	6	-	-	2	-	323	24
<i>In charge while unfit through drink or drugs</i>	-	5	17	3	5	3	1	-	-	-	-	2	36	17
<i>Driving with excess blood alcohol</i>	5	6	2,533	1,787	906	753	495	78	2	2	32	8	6,607	22
<i>In charge with excess blood alcohol</i>	8	80	151	48	19	28	11	2	-	-	-	-	347	15
<i>Failing to provide breath specimen at the roadside</i>	3	7	37	4	5	6	6	1	-	-	1	-	70	19
<i>Failing to provide breath, blood or urine specimen at a police station</i>	2	13	379	161	62	134	73	14	1	1	3	1	844	23
Failing to stop after accident	21	88	50	11	18	5	1	1	-	2	3	3	203	11
Driving while disqualified	15	81	428	155	448	498	486	233	22	15	29	8	2,418	39
<b>Speeding Offences</b>														
Speeding in restricted areas	23	69	3	1	2	-	-	-	-	-	-	1	99	6
Other speeding offences <sup>2</sup>	507	557	29	3	-	-	-	-	-	-	2	3	1,101	4
<b>Signal and Direction Offences</b>														
Traffic direction offences	1	44	1	-	-	-	-	-	-	-	-	-	46	6
Pedestrian crossing offences	-	12	-	-	-	-	-	-	-	-	-	-	12	6
<b>Lighting, Construction &amp; Use Offences</b>														
Lighting offences	-	2	-	-	-	-	-	-	-	-	-	-	2	6
Construction & use regulations	5	38	1	2	1	-	-	-	-	-	-	1	48	7
<b>Documentation Offences</b>														
Vehicle excise licence offences	-	1	-	-	-	-	-	-	-	-	-	-	1	6
No test certificate	1	16	1	-	-	1	1	-	-	-	-	1	21	10
Driving licence offences	74	242	201	30	48	18	9	3	-	-	3	4	632	11
Third party insurance offences	254	2,038	1,703	270	421	183	106	41	3	2	7	15	5,043	13
Registration/identification offences	-	1	-	-	-	-	-	-	-	-	-	-	1	6
<b>Other Offences</b>														
Failure to provide information to identify driver	1	11	3	2	-	-	-	-	-	-	-	-	17	8
Tachograph etc offences	-	2	-	-	-	-	-	-	-	-	-	-	2	6
Seat belt offences	-	4	1	-	-	-	-	-	-	-	-	-	5	7
Mobile phone offences	-	2	-	-	-	-	-	-	-	-	-	-	2	
Parking offences	-	-	-	-	-	-	-	-	-	-	-	-	-	6
Other offences	2	3	14	1	1	1	1	-	-	-	-	1	24	14

1. Excludes disqualifications for life, until driving test has been taken again and for which no separate figure was available.

2. Includes motorway and clearway offences.

**Table 28 - Police fixed penalty notices issued for stationary vehicle offences by type of offence, 1998-2007/08**

Type of offence	1998	1999 <sup>3</sup>	2000 <sup>3</sup>	2001 <sup>3</sup>	2002 <sup>3</sup>	2003	2004/05 <sup>3</sup>	2005/06 <sup>3</sup>	2006/07 <sup>3</sup>	2007/08 <sup>3</sup>
<i>Numbers:</i>										
<b>Total notices issued<sup>4</sup></b>	<b>396,626</b>	<b>296,368</b>	<b>185,987</b>	<b>179,553</b>	<b>164,037</b>	<b>142,951</b>	<b>106,000</b>	<b>99,396</b>	<b>105,305</b>	<b>93,522</b>
Parking & waiting offences <sup>1</sup>	313,290	222,117	122,170	116,492	107,939	93,585	73,342	67,067	64,842	57,741
Failing to display a valid excise licence	83,245	74,185	63,431	62,358	56,015	49,329	32,576	32,287	33,243	29,641
Other <sup>2</sup>	91	66	386	703	83	37	82	42	6,323	6,140
<i>Percentages:</i>										
<b>Total notices issued</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
Parking & waiting offences <sup>1</sup>	79	75	66	65	66	65	69	67	62	62
Failing to display a valid excise licence	21	25	34	35	34	35	31	32	32	32
Other <sup>2</sup>	*	*	*	*	*	*	*	*	6	7

1. Includes clearway offences.

2. Includes vehicle lighting offences, prescribed routes offences, and infringements of the construction and use regulations.

3. Includes estimated data.

4. Total may not sum to constituent parts where figures cannot be broken down

**Table 29 - Police fixed penalty notices issued for stationary vehicle offences: subsequent outcome, 1998-2007/08**

Outcome	1998 <sup>2</sup>	1999	2000	2001	2002	2003	2004/05 <sup>3</sup>	2005/06 <sup>3</sup>	2006/07 <sup>3</sup>	2007/08 <sup>3</sup>
<i>Numbers:</i>										
<b>Total notices issued<sup>1</sup></b>	<b>396,626</b>	<b>296,368</b>	<b>185,987</b>	<b>179,553</b>	<b>164,037</b>	<b>142,951</b>	<b>106,000</b>	<b>99,396</b>	<b>105,305</b>	<b>93,522</b>
<i>Outcome:</i>										
Penalty paid	261,279	163,931	112,443	108,558	100,178	81,051	64,708	63,881	69,440	62,959
No further action:	62,775	45,649	30,386	35,782	30,027	23,589	18,343	16,003	16,191	12,731
Cautioned & excused payment	14,900	12,557	7,540	7,914	7,333	5,028	6,014	9,578	9,836	8,057
Diplomatic privilege/visitor from abroad	7,248	2,950	1,026	1,268	1,075	894	628	416	415	328
Other reasons	40,627	30,142	21,820	26,600	21,619	17,667	11,701	6,009	5,940	4,346
Hearing requested	519	251	257	415	751	205	65	189	953	1,026
Fine registered	72,053	48,919	33,585	33,914	32,124	25,931	16,287	18,406	18,367	16,193
<i>Percentages<sup>1</sup>:</i>										
<b>Total notices issued</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<i>Outcome:</i>										
Penalty paid	66	63	64	61	61	62	65	65	66	68
No further action:	16	18	17	20	18	18	18	16	15	14
Cautioned & excused payment	4	5	4	4	4	4	6	10	9	9
Diplomatic privilege/visitor from abroad	2	1	1	1	1	1	1	*	1	*
Other reasons	10	12	12	15	13	14	12	6	5	5
Hearing requested	*	*	*	*	*	*	*	*	1	1
Fine registered	18	19	19	19	20	20	16	19	18	17

1. Notices where the outcome is outstanding or could not be separately identified are included in the number of total notices but are excluded from the breakdown of outcomes and the percentage calculations.

2. Includes 3,399 notices for Lothian & Borders where information on the outcome was estimated.

3. Data for Dumfries & Galloway estimated by figures for calendar year 2003.

**Table 30 - Penalty charge notices for parking infringements<sup>1</sup>, 2003-2007/08**

Year	Total number of notices issued	% notices issued resulting in penalty:			Number of vehicles removed from on-street	Revenue (£million) <sup>2</sup>
		Paid	Written off or cancelled	Outstanding		
2003	562,891	71	18	11	9,109	14.2
2004/05	513,716	74	15	11	9,125	14.4
2005/06	545,910	71	16	13	8,263	16.9
2006/07	481,930	70	18	12	6,012	13.6
2007/08	484,113	74	10	16	6,058	14.6

1. Under revised arrangements, most parking infringements in the following council areas are now dealt with as a civil matter: Aberdeen City (from March 2003), City of Edinburgh (from October 1998), Dundee City (from April 2004), Glasgow City (from October 1999), Perth & Kinross (from October 2002) and South Lanarkshire (from February 2005).

2. From penalty charges and vehicle removals.

**Table 31 - Penalty charge notices for parking infringements by council area, 2007/08**

Council	Total number of notices issued	% notices issued resulting in penalty:			Number of vehicles removed from on-street	Revenue (£million) <sup>2</sup>
		Paid	Written off or cancelled	Outstanding		
Aberdeen City <sup>1</sup>	50,032	69	12	18	-	1.3
City of Edinburgh	232,693	73	10	17	2,630	6.8
Dundee City	25,242	75	10	14	-	0.7
Glasgow City	149,739	76	8	15	3,416	5.0
Perth & Kinross	11,046	75	14	11	12	0.3
South Lanarkshire	15,361	81	14	5	-	0.4

1. Aberdeen City contracts out the removal of vehicles from the street.

2. From penalty charges and vehicle removals.

**Table 32 - Causing death by dangerous driving or careless driving when under the influence of drink or drugs : crimes recorded by the police and persons with a charge proved, 1998/99-2007/08<sup>1</sup>**

	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
<b>Crimes recorded by the police</b>										
Causing death by dangerous driving	47	25	39	27	45	37	21	25	37	23
Death by careless driving when under the influence of drink or drugs	4	2	1	2	11	5	2	1	1	1
<b>Persons with a charge proved by sentence type<sup>2</sup></b>										
Causing death by dangerous driving										
Total	<b>16</b>	<b>22</b>	<b>11</b>	<b>23</b>	<b>16</b>	<b>18</b>	<b>29</b>	<b>19</b>	<b>11</b>	<b>24</b>
Custody	9	12	6	13	13	17	27	17	10	23
Community <sup>3</sup>	3	8	3	8	3	-	2	2	-	-
Monetary	3	2	1	2	-	1	-	-	1	1
Other	1	-	1	-	-	-	-	-	-	-
Death by careless driving when under the influence of drink or drugs										
Total	<b>1</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>-</b>	<b>3</b>	<b>5</b>	<b>3</b>	<b>5</b>	<b>1</b>
Custody	1	1	2	2	-	3	5	3	3	1
Community <sup>3</sup>	-	1	-	-	-	-	-	-	1	-
Monetary	-	-	-	-	-	-	-	-	1	-
Other	-	-	-	-	-	-	-	-	-	-

1. The statistics dealing with recorded crime and court proceedings are not directly comparable as a person may be proceeded against for more than one crime involving more than one victim and there is a possibility that the crime recorded by the police will be altered in the course of the judicial proceedings. Also a crime may be recorded by the police in one year and proceedings taken in a subsequent year.

2. Where these crimes were the main offence involved.

3. Probation and /or community service.

## Notes on Statistics Used in this Bulletin

### Annex A - Data Sources

#### ***Court proceedings***

A1. Statistical information in the Scottish Government Court Proceedings Database is derived from data held on the Criminal History System at the Scottish Police Services Authority (SPSA), previously the Scottish Criminal Records Office (SCRO). The Criminal History System is maintained by SPSA on behalf of the eight Scottish police forces, with the latter owning the majority of the data on the system.

A2. Summary Justice Reform, which is a significant package of reforms to summary justice in Scotland, is underpinned by the Criminal Proceedings etc. (Reform) (Scotland) Act 2007. The reforms cover the following aspects:

- Increased roll out of police and fiscal Direct Measures.
- Reforms to the procedures for bail.
- Increased use of undertakings.
- Reforms to summary criminal legal aid.
- Court unification.
- Lay Justice

These reforms will have an impact on all those who come into contact with the summary justice system and one of the aims of the reforms is to ensure fewer cases go to court needlessly and are dealt with by non-court actions, where it is more appropriate to do so. 2007/08 has seen the introduction of reforms such as, for example, the reforms to bail procedures (December 2007) and increased fiscal fines (March 2008). However, as these have been brought in towards the end of 2007/08, it is likely to be 2008/09 and future years before the full effect is witnessed, in terms of a downward trend in the number of persons proceeded against in Scottish courts.

A3. As part of the court unification process, district courts in Scotland are being replaced, on a phased basis, by Justice of the Peace (JP) courts. The first such change took place on 10<sup>th</sup> March 2008, when the new JP courts of Lothian & Borders came into existence, and figures in this bulletin for 2007/08 incorporate data from these new courts. Further changes in 2008/09 have resulted in new JP courts replacing their district equivalents in the Grampian, Highland & Islands, Glasgow & Strathkelvin and Tayside, Central & Fife sheriffdom areas. These changes will be reflected in the next (2008/09) criminal proceedings bulletin. In the remaining areas of Scotland – South Strathclyde, Dumfries & Galloway and North Strathclyde – the new JP courts will be introduced before the end of 2009.

A4. The Stipendiary Magistrates court in Glasgow hears less serious cases. It may impose up to three months' imprisonment - or six months for a second or subsequent conviction - or a fine up to £5,000.

#### ***Recorded crime***

A5. The statistical return from which the figures on recorded motor vehicle offences in this bulletin are taken is a simple count of the numbers of crimes and offences recorded by the police. The eight Scottish forces are included; other police forces, such as the British Transport Police, are not. One return is made for each council area in Scotland and these are aggregated to give the national total. The return is submitted quarterly to the Scottish Government and gives the information as known at the end of each quarter. Thus amendments (such as the deletion of

incidents found on investigation not to be criminal) which arise after the end of the year are not incorporated.

### ***Bail***

A6. The source of the statistical data on bail orders available to the Scottish Government is also the SPSA Criminal History System. This typically involves SPSA creating a statistical extract each day, which picks up records for any bail orders granted three days before which are still associated with live pending cases on the SPSA database. For example, the extract run at the start of a Thursday will pick up any bail orders 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. The information covered in the data extracts includes the date of the bail order, the court which made it, the charge(s) involved, the police case reference number and the SPSA reference number of the accused.

A7. Following SPSA's move to a new version of their Criminal History System in October 2007, and a resultant change to the extract that is sent to the Scottish Government, there have been problems with linking information on bail orders to the details of the charges that these orders relate to. It has therefore not been possible to produce a breakdown of bail orders by type of offence, for the period from 20<sup>th</sup> October 2007. Table 17 does, however, contain an offence breakdown for bail orders covering the period from 1<sup>st</sup> April to 19<sup>th</sup> October 2007. A breakdown by type of offence will also not be available for the whole of 2008/09. We anticipate that SPSA will have resolved the problems in time for a full offence level breakdown to be available from 2009/10 onwards.

### ***Other***

A8. Information on procurator fiscal conditional offers made for motor vehicle offences is derived from summary data collected by the Crown Office from procurators fiscal.

A9. Information on police conditional offers made for motor vehicle offences are based on figures provided by police force traffic departments. Estimates have been made for missing data.

A10. Separate statistical returns to the Scottish Government are made annually by each police force for the number of "stationary" offences dealt with by the issue of a fixed penalty notice by the police or traffic wardens. Estimates have been made for missing or incomplete data.

A11. Prior to 2004/05, statistics on police conditional offers, police fixed penalty notices and local authority penalty charge notices for parking infringements are only available on a calendar year basis.

A12. Information on penalty charge notices in Aberdeen City, City of Edinburgh, Glasgow City, Perth & Kinross, Dundee City and South Lanarkshire has been provided by the local authorities in these areas.

A13. The population figures used as denominators in Table 5 and Chart 5 are the relevant mid-year estimates prepared by the General Register Office for Scotland (GROS). Population estimates by age, sex and local authority area can be found at <http://www.gro-scotland.gov.uk/statistics/publications-and-data/population-estimates/population-estimates-time-series-data.html>.

## **Annex B – Quality, Collection and Coverage of the Court Proceedings Data**

B1. The Criminal History System, 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 a slight delay may happen. Recording delays of this sort generally affect High Court disposals relatively more than those for other types of court. The figures given in this bulletin reflect the details of court proceedings as made available to and recorded at SPSA, and as provided to the Scottish Government by the end of August 2008.

B2. During parts of 2000, a few police forces are known to have experienced backlogs in recording the outcome of some court proceedings for motor vehicle offences on the SPSA (then SCRO) database. At the time, information on disposals of such offences was generally only retained on the database for a couple of months from the date of disposal before being weeded off. Therefore, these cases were not included in the extracts of statistical data provided to the Scottish Government. The shortfall in the number of persons proceeded against during 1999/00 and 2000/01 is estimated to be around 3,300 proceedings in total.

B3. The police record very detailed information on statutory offences but this does not always correspond exactly to the categories in the Scottish Government classification of crimes and offences. The most important example in numerical terms is an offence under Section 41(1)(a) of the Police (Scotland) Act 1967. This offence 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 subsection have been so classified. The same problem arises in relation to a number of other statutes but, at the level of aggregation used in the bulletin, the numbers involved in cases where there is a change in the final crime category are thought to be small.

B4. Following the introduction of computerisation of case recording to the sheriff courts, some difficulties were experienced by police force records offices in distinguishing sheriff solemn from sheriff summary cases when recording the disposal information on the SPSA 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 Court Proceedings Database.

B5. Data supplied by courts is publicly available information. 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.



## **Annex C – Revisions to Data**

### **Recording delays**

C1. Because of the recording delays described in paragraph B1 of Annex B, figures for 2007/08, and (albeit to a much lesser extent) earlier years, should be considered provisional on the basis that future bulletins may be able to provide more up to date figures. We estimate that the 2006/07 bulletin contained a small undercount of around 400 persons with a charge proved in 2006/07, around 0.3 per cent of all persons with a charge proved. Since the last bulletin in this series was published, High Court cases which were entered too late on to the Criminal History System to be included in the data analysis files covering the years 2005 and 2006 and the first three months of 2007 have now been added to the Scottish Government court proceedings database.

C2. The data collected are subject to the errors which may arise in any large scale recording system. While some inconsistencies in the data received cannot currently be corrected, every effort has been made to clean up records for which key information is missing, such as the age and/or sex of the person or the type of court where they were proceeded against. This cleaning has been done by checking case extract information provided to the Scottish Government by the Crown Office and Procurator Fiscal Service (COPFS). In addition, dates of birth which suggest a person being proceeded against is very young have also been checked against information held by COPFS and, where appropriate, amended.

### **Reporting on breach of social work orders**

C3. There has been an amendment to all of Tables 1 to 12 in this year's bulletin compared with previous years, with persons having a charge proved for breach of a social work order excluded from the totals. The court proceedings figures for 2007/08 show that the number of persons with a charge proved for breaching a social work order fell by 39 per cent, compared with the previous year, from 4,900 to 3,000 (bottom of Table 4A). However, the sharp fall in numbers over this period is believed to be more due to a change in recording practices as opposed to a true fall in the actual numbers. 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, since the introduction of new IT systems within the courts, this has been rectified with any breaches being recorded within the original case when these happen. Therefore, as it is generally only the initial outcome which is included in the court proceedings statistics (see note D2 in Annex D), the change in recording practice is leading to fewer persons being identified as having a main crime category of "breach of a social work order". We also suspect that it may historically have been the case that someone who breaches a social work order by committing a crime, is having both the crime and the breach of the order recorded as separate crimes, thereby introducing an element of double counting. As the Criminal History System was not set up with the intention of being a statistical tool, there are significant limitations on the amount of analysis which can be done to check this. Some limited analysis to date of the raw data has shown that in the vast majority of cases, in both 2006/07 and 2007/08, where there has been a breach of a social work order, no other crime is recorded under that case. The limitations of the data mean it is not possible to check whether there is another crime which has been recorded under a different case number or whether the breach was not in fact as a result of criminal activity but was due to a material breach such as, for example, failing to report a change of address.

C4. Our belief that the apparent fall in the number of persons with a charge proved for breaching a social work order is due to the recording issue described in C3 earlier, is given weight by the figures in our Criminal Justice Social Work Statistics bulletin (<http://www.scotland.gov.uk/Publications/2008/12/09091001/0>). This shows that the combined number of breaches of probation orders and community service orders remained at around the same level in 2007/08 as in 2006/07.

C5. Almost all of the people with a charge proved for a breach of social work order had the charge proved in a sheriff court (ranging from 92 per cent in 1998/99 to 99 per cent in both 2006/07 and 2007/08). Table C shows the breakdown by main penalty of all with a charge proved for a breach in the last five years by the main penalties involved. It can be seen that these proportions have not been affected by the reduction in numbers between 2006/07 and 2007/08.

**Table C : Proportion of persons with a charge proved for breach of social work orders, 2003/04 to 2007/08 by main penalty imposed**

Main penalty	2003/04	2004/05	2005/06	2006/07	2007/08
Imprisonment	23	22	24	22	23
Young Offender Institution	12	10	11	11	9
Probation	12	13	11	11	10
Probation & Community Service Order	3	3	3	3	2
Community Service Order	11	11	11	11	10
Fine	9	10	9	8	9
Admonished	10	10	9	9	11
No order made	13	15	17	22	21
Others	6	6	5	5	4

### Reporting on bail orders

C6. The figures published in this bulletin for total bail orders issued by Scottish courts (in Tables 15, 16 and 17) for the years back to 2002/03 are calculated on a different basis from those published in previous versions of this bulletin. The totals in Tables 15 to 17 are based on the data sent to the Scottish Government by SPSA, but exclude any modifications to existing bail orders and, in addition, where there is more than one bail order for the same person on the same day, only one of those is counted. Previous calculations of bail order numbers have involved the use of a randomly generated court appearance number in identifying which records should be counted in order to exclude modifications and duplicate records. After consultation with the data provider SPSA, we have decided that the police case reference number is a more appropriate identifier to use. This has resulted in the figures from 2002/03 to 2006/07 in this bulletin being around 1 to 2 per cent lower than the previously published figures.

## Annex D - Understanding the Statistics in this Bulletin

D1. 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**. (Sections 5 to 8)

Persons are counted once for each occasion on which they are proceeded against. If more than one proceeding is disposed of on the same day, each occasion 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 probation and community service orders. Companies, which also include other bodies corporate, Scottish partnerships and unincorporated associations, constitute less than one per cent of the total and references to "persons" include companies, unless otherwise stated.

Where a person is proceeded against for more than one crime or offence, 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", "persons convicted" and "convictions" are used interchangeably.

(b) **individual offenders** (Section 9)

In the period covered by this bulletin, each offender convicted of a crime, common assault, breach of the peace, racially aggravated conduct or harassment, firearms offences or social security offences will have been recorded by SPSA 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** (Tables 4a, 18 and 19 and Section 10)

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

D2. 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 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. Interim decisions such as deferral of sentence are also excluded.

D3. In the court proceedings statistics, the reference year used is the year in which the person's case is disposed of. So if a person pleads to or is convicted for a charge in 2006/07 but is not sentenced until 2007/08 all events are recorded as occurring in 2007/08. The age of each person is calculated as at the date of sentence or acquittal. It is also possible that the offence recorded by the police may be altered as a result of the judicial proceedings, while many offences are dealt with by means other than prosecution, for example through the use of procurator or police conditional offers of fixed penalty. Children aged under 16 are generally referred to the children's hearings system rather

than the courts for their alleged offending. 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.

D4. Figures for custodial sentences in this bulletin will not agree with those published in the statistical bulletin "Prisons Statistics Scotland" because they count sentences of courts while those in the prisons statistical bulletin count receptions to penal establishments. Direct sentenced receptions to penal establishments (i.e. excluding fine defaulters) are counted differently from custodial disposals in the court proceedings statistics for two main reasons. Firstly, in the case of backdated sentences if, after backdating, it is found that the custodial sentence has expired, neither the warrant nor the person sentenced will be taken to prison and thus a reception will not be counted although the sentence will be included in the court statistics. Secondly, if a person is given one or more custodial sentences on each of two separate sets of charges from the same court on the same day, this will be counted as two custodial sentences in the court statistics but only one direct sentenced reception.

D5. 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).

D6. Most motor vehicle offences are discovered and recorded as a result of police activity rather than by being reported to the police by the public. Hence the numbers of such offences recorded are mainly determined by the strength and deployment of the police forces.

## **Annex E - Definitions and Classifications**

E1. The measures available to a court in sentencing a person with a charge proved depend on whether the accused is an adult (21 or over), a young offender (aged 16 but less than 21) or a child (under 16 or under 18 with a current supervisory requirement from a children's hearing). In some cases, the court may also obtain evidence from two medical practitioners as to whether the accused is suffering from mental disorder. The measures available in 2007/08 included:

### ***Custodial sentences***

- a. Imprison the offender (adults only) or, if the offender has been released from prison on licence following a previous conviction, recall him to prison.
- b. Sentence a young offender to a young offenders institution (YOI) for a period not greater than that of imprisonment which the court could have imposed on an adult.
- c. Recall to YOI an offender who is under supervision following detention in a YOI for a previous offence.
- d. 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 or further detention in a young offenders institution)*
- e. Sentence a child 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 in indictment cases on sex offenders or on violent offenders who would have received a determinate sentence of four years or more.)

### ***Community sentences***

- f. Impose a probation order with or without various conditions including a requirement to do unpaid work.
- g. Impose a community service order on an adult or young offender requiring him to undertake unpaid work.
- h. Impose a supervised attendance order as a disposal of first instance for those aged 16 and above and currently being piloted in a small number of courts.
- i. 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.
- j. Impose a drug treatment and testing order: a measure introduced by the Crime and Disorder Act 1998.
- k. Impose a community reparation order (being piloted since April 2005 in Dundee, Inverness and Inverclyde)
- l. Impose an (criminal) antisocial behaviour order

### ***Financial penalties***

- m. Fine the offender.

- n. Impose a compensation order requiring the offender to compensate the victim of his crime for any resulting injury, loss or damage.

### **Other sentences**

- o. Order an absolute discharge (with no conviction recorded in summary procedure) or, following a deferral of sentence, make no order.
- p. Admonish the offender or make an order to find caution.
- q. Remit the disposal of a child to a children's hearing.
- r. Make a guardianship order if the accused is suffering from mental disorder (with no conviction recorded in summary procedure).
- s. Make a hospital order if the accused is suffering from mental disorder (with no conviction recorded in summary procedure) or order the accused to be detained in hospital if he/she is found to be insane and unfit for trial or insane at the time of the offence.
- t. Make a compulsion order.

E2. The 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. Disqualification from driving necessarily involves endorsement of a driving licence. However, for simplicity of presentation, the figures quoted in the bulletin for endorsement do not include cases where a disqualification also applied.

### **Speeding offences**

E3. Some of the tables and charts in this bulletin refer to speeding offences in restricted areas and 'other' areas. Restricted areas refer to areas where there is a system of carriageway lighting furnished by means of lamps placed not more than 185 metres apart.

### **Notation**

E4. The following symbols are used throughout the tables in this bulletin:

- Nil
- \* Less than 0.5
- n/a Not available

E5. 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.

E6. Figures are generally quoted to the nearest 100 in the text but are given precisely in the tables.

E6. Contraventions of the law are divided for statistical purposes into crimes and offences, crimes generally being the more serious. 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 follows.

<b>CRIMES</b>	
<u>NON-SEXUAL CRIMES OF VIOLENCE</u>	(Also referred to as <b>Violence</b> )
<b>Homicide</b>	Comprises murder and culpable homicide (including the statutory crimes of causing death by dangerous driving or causing death by careless driving while under the influence of drink or drugs). Sometimes referred for short in the text as "serious assault".
<b>Serious assault and attempted murder</b>	Includes offences involving intent to rob.
<b>Robbery</b>	Includes threats, extortion and cruel and unnatural treatment of children.
<b>Other</b>	
<u>CRIMES OF INDECENCY</u>	(Also referred to as <b>Indecency</b> )
<b>Rape and attempted rape</b>	-
<b>Indecent assault</b>	-
<b>Lewd &amp; indecent behaviour</b>	Comprises lewd & indecent practices against children, indecent exposure.
<b>Other</b>	Includes offences connected with prostitution, incest and sexual intercourse with girls aged under 16.
<u>CRIMES INVOLVING DISHONESTY</u>	(Also referred to as <b>Dishonesty</b> )
<b>Housebreaking</b>	Includes business as well as domestic premises.
<b>Theft by opening a lockfast place</b>	-
<b>Theft off/from a motor vehicle</b>	-
<b>Shoplifting</b>	-
<b>Other theft</b>	Includes theft of pedal cycles.
<b>Fraud</b>	Includes statutory fraud, except social security benefit fraud.
<b>Other</b>	Includes forgery, reset and embezzlement.
<u>FIRE-RAISING, VANDALISM ETC</u>	
<b>Fire-raising</b>	-
<b>Vandalism</b>	Includes malicious mischief, vandalism and reckless conduct with firearms.
<u>OTHER CRIMES</u>	
<b>Crimes against public justice</b>	Includes perjury, contempt of court, bail offences and failing to appear at court.
<b>Handling an offensive weapon</b>	Comprises carrying offensive weapons, restriction of offensive weapons legislation (this crime category was previously included under the non-sexual crimes of violence group).
<b>Drugs</b>	Includes importation, possession and supply of controlled drugs.
<b>Other</b>	Includes conspiracy and explosives offences.
<b>OFFENCES</b>	
<u>MISCELLANEOUS OFFENCES</u>	
<b>Common assault</b>	Also sometimes termed petty assault or minor assault.
<b>Breach of the peace</b>	-
<b>Drunkenness</b>	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.
<b>Other</b>	Includes offences against local legislation, Revenue and Excise Acts, Licensing Acts, Wireless Telegraphy Acts / Communication Acts.
<u>MOTOR VEHICLE OFFENCES</u>	
<b>Dangerous and careless driving</b>	Prior to 1992 this was known as "reckless and careless driving".
<b>Drink/drug driving</b>	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.
<b>Speeding</b>	Includes the small number of motorway and clearway offences, as these are mostly speeding-related.
<b>Unlawful use of vehicle</b>	Comprises driving while disqualified, without a licence, insurance, test certificate, vehicle tax and registration and identification offences.
<b>Vehicle defect offences</b>	Comprises construction and use and lighting offences.
<b>Other</b>	Includes parking, record of work offences, neglect of traffic directions, failing to stop after accident and mobile phone offences.

## SCOTTISH GOVERNMENT STATISTICIAN GROUP

### OUR AIM

To provide relevant and reliable information, analysis and advice that meet the needs of government, business and the people of Scotland.

### OBJECTIVES

1. To produce statistics and analysis relevant to user needs by
  - Developing our understanding of customer requirements to ensure statistics are kept relevant and analysis is well targeted;
  - Developing the range of statistics and analysis we produce;
  - Where practicable improving timeliness;
  - Providing more statistics disaggregated by age, gender and ethnicity;
  - Developing more data for small areas through the Neighbourhood Statistics project;
  - Contributing to production of comparable statistics across the UK and internationally.
2. To ensure effective use of our statistics by
  - Contributing more directly to policy processes inside and where possible outside government;
  - Improving access to and presentation of data and analysis;
  - Improving the advice provided on statistics.
3. To work effectively with users and providers by
  - Maintaining arrangements to consult and involve users and providers;
  - Involving users and providers in planning developments in outputs and processes;
  - Minimising the burden on data providers through dropping or streamlining collections as appropriate, to ensure the benefits of the information justify the costs of collection.
4. To develop the quality of statistics by
  - Assuring and improving quality as an integral part of data collection and analysis and through regular reviews in line with National Statistics quality strategy;
  - Developing statistical methods, systems and classifications;
  - Working with the rest of the Government Statistical Service to develop joint approaches/solutions where appropriate.
5. To assure the integrity of statistics by
  - Maintaining and promoting integrity through implementation of the National Statistics Code of Practice and related protocols;
  - Safeguarding the confidentiality of data subjects.
6. To ensure the efficient and effective delivery of statistics products and services by
  - Making best use of all sources including administrative sources;
  - Working with other analysts to maximise the contribution of our own and other analysts' work;
  - Ensuring value for money;
  - Making best use of Information and Communications Technology;
  - Ensuring effective communication within the Statistician Group.
7. To develop our workforce and competences
  - Ensuring recruitment of staff with the necessary skills and potential;
  - Ensuring development of expertise amongst existing staff;
  - Promoting and upholding the standards of the statistics profession.

### This is a National Statistics publication

"This is a National Statistics publication. It has been produced to high professional standards set out in the National Statistics Code of Practice Protocol - see [www.statistics.gov.uk/about\\_ns/cop/default.asp](http://www.statistics.gov.uk/about_ns/cop/default.asp)

These statistics undergo regular quality assurance reviews to ensure that they meet customer needs. They are produced free from any political interference."

Details of pre-release access will be provided in the Scottish Government Statistics Website under 'Forthcoming Releases'



## Correspondence and enquiries

Enquiries on Criminal Proceedings In Scottish Courts, 2007/08 should be addressed to:

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 Scottish Government Justice Analytical Services  
 Performance Analysis & Support Team  
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 EDINBURGH EH1 3DG  
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General enquiries on Scottish Government statistics can be addressed to:

Statistics Enquiries  
 Office of the Chief Statistician  
 Scottish Government  
 3 Floor West Rear, St Andrews House  
 EDINBURGH EH1 3DG  
 Telephone: (0131) 244 0442; Fax: (0131) 244 0335  
 e-mail: statistics.enquiries@scotland.gsi.gov.uk

Advice on specific areas of Scottish Government statistical work can be obtained from staff at the telephone numbers given below:

### Scottish Government Statistics contacts

Agricultural census and labour force	(0131) 244 6150
Business	(0141) 242 5446
Community Care	(0131) 244 3777
Courts and law	(0131) 244 2227
Environment	(0131) 244 0445
Equality	(0131) 244 0324
Fisheries	(0131) 244 6441
Further and Higher Education	(0141) 242 0273
Health	(0131) 244 3432
Housing	(0131) 244 7236
Income, Tax and Benefits	(0131) 244 2583
Labour market	(0141) 242 5446
Local government finance	(0131) 244 7033
Planning	(0131) 244 0439
Prisons	(0131) 244 2147
Recorded crime	(0131) 244 2635
Schools – pupils and teachers	(0131) 244 1689
Schools – qualifications	(0131) 244 0315
Scottish Government personnel	(0131) 244 3926
Scottish Neighbourhood Statistics	(0131) 244 0442
The Economy	(0131) 244 2234
Transport	(0131) 244 7255

### Other contacts for Scottish statistics

Forestry Commission	(0131) 314 6337
General Register Office for Scotland - Vital statistics and publications	(0131) 314 4243
- Population statistics, census statistics or digital boundary products	(0131) 314 4254
The Scottish Funding Councils for Higher and Further Education	(0131) 313 6575

For **general enquiries about National Statistics** in the United Kingdom Government contact the National Statistics Public Enquiry Service on

#### +44 (0) 845 601 3034

minicom: 01633 812399  
 Email: info@statistics.gov.uk  
 Fax: +44 (0)1633 652747

Letters: Customer Contact Centre, Room 1.015  
 Office for National Statistics, Cardiff Road, Newport,  
 NP10 8XG

You can also find National Statistics on the internet - go to **www.statistics.gov.uk**

If you would like to be consulted about new or existing statistical collections or receive notification of forthcoming statistical publications, please register your interest on the Scottish Government ScotStat website at **www.scotland.gov.uk/Topics/Statistics/scotstat**

Current contact points, e-mail addresses and the publications listed below as well as a range of other statistical publications can be found on the Scottish Government Web site at **www.scotland.gov.uk/stats**

Further information on the General Register Office for Scotland is available on the website **www.gro-scotland.gov.uk**

### Most recent Statistical Publications relating to the Crime and Justice theme

Ref no. (ISBN)	Title	Last published	Price
978 0 7559 7231 9	Recorded Crime in Scotland, 2007/08	September 2008	
978 0 7559 7280 7	Criminal Appeals Statistics, Scotland, 2007-08	October 2008	
978 0 7559 7281 4	Recorded Crimes and Offences Involving Firearms, Scotland, 2007-08	October 2008	
978 0 7559 7327 9	Scottish Prison Population Projections: 2008-2009 to 2017-2018	November 2008	
978 0 7559 7310 1	Domestic Abuse Recorded by the Police in Scotland, 2007-08	November 2008	
978 0 7559 7342 2	Police Officer Quarterly Strength Statistics Scotland, 30 September 2008	December 2008	
978 0 7559 7341 5	Criminal Justice Social Work Statistics, 2007-08	December 2008	
978 0 7559 7365 1	Homicide in Scotland 2007-08	December 2008	

### Complaints and suggestions

If you are not satisfied with our service, please write to the Chief Statistician, Mr Rob Wishart, 3R.02, St Andrews House, Edinburgh, EH1 3DG, Telephone: (0131) 244 0302, e-mail rob.wishart@scotland.gsi.gov.uk. We also welcome any comments or suggestions that would help us to improve our standards of service.

ISSN 0264 1178

ISBN 978-0-7559-7524-2

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