

Statistical Bulletin

Crime and Justice Series

A National Statistics Publication for Scotland

CRIMINAL PROCEEDINGS IN SCOTLAND, 2010-11

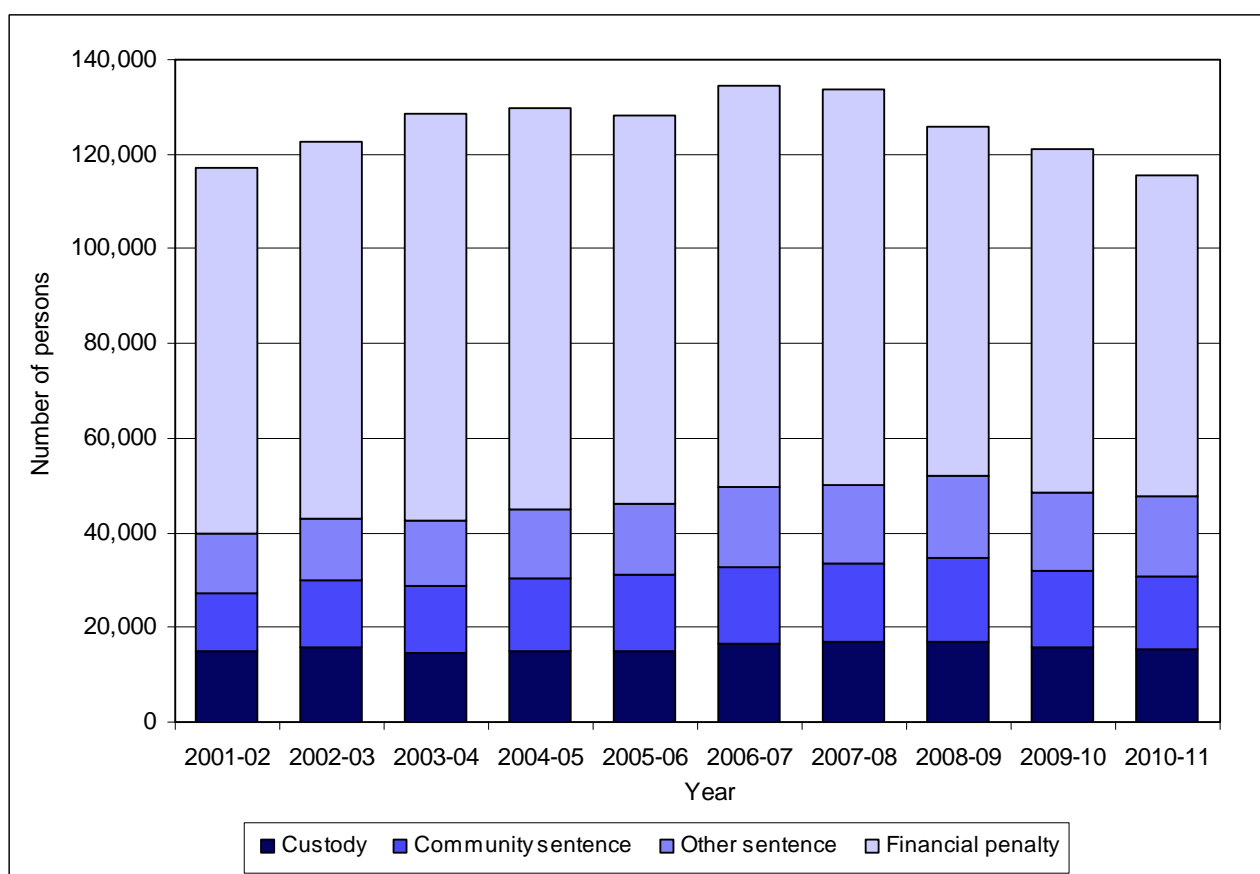
13 December 2011



1. Introduction

- 1.1 This bulletin forms part of the Scottish Government series of statistical bulletins on the criminal justice system. Statistics are presented on criminal proceedings concluded in Scottish courts and on a range of non-court disposals issued by the police and by the Crown Office and Procurator Fiscal Service during 2010-11.
- 1.2 Further detailed tables have been published as background statistics on the Scottish Government Crime and Justice Statistics [website](#).
- 1.3 The number of people with a charge proved in 2010-11 fell to 115,398 – the fourth consecutive annual fall and the lowest figure in ten years (see Chart 1).

Chart 1: Number of people with a charge proved in Scottish courts by main penalty, 2001-02 to 2010-11



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2. Key Points for 2010-11

Further explanatory detail is provided in the commentary in [Section 5](#).

Court proceedings and convictions (Tables 1, 2, 3, 4a and Chart 2)

- A total of 130,268 people were proceeded against in court, a decrease of 5 per cent on 2009-10 and the lowest total since 2002-03.
- Eighty-nine per cent of people proceeded against in court had at least one charge proved or a plea of guilty accepted, up from 88 per cent in 2009-10.
- The total number of people convicted was 115,398, a decrease of 5 per cent on 2009-10; 53 per cent were convicted in sheriff summary courts, down from 54 per cent in 2009-10, while the proportion of people convicted in district/justice of the peace (JP) courts rose from 42 per cent in 2009-10 to 43 per cent in 2010-11.
- The number of people with a charge proved fell for most crime groups including serious assault and attempted murder which fell by 7 per cent (from 1,507 in 2009-10 to 1,406 in 2010-11), crimes of dishonesty, which decreased by 2 per cent (from 15,971 to 15,606), handling offensive weapons, which fell by 14 per cent (from 2,866 to 2,473), rape and attempted rape, which fell by 33 per cent (from 54 to 36), and 'other' crimes of indecency, which fell by 19 per cent (from 358 to 290).
- The number of people with a charge proved increased for a handful of crime groups, including sexual assault which increased by 8 per cent (from 260 in 2009-10 to 280 in 2010-11) and 'other' non-sexual crimes of violence which rose by 56 per cent (from 305 in 2009-10 to 476 in 2010-11).
- As with last year, there were decreases in the number of people with a charge proved in court for a number of those crime categories for which the police can now offer fixed penalty notices (for example, vandalism fell by 12 per cent between 2009-10 and 2010-11).

Court sentences (Tables 7 and 10(c))

- The majority (67,525; 59 per cent) of all convictions in 2010-11 resulted in a financial penalty, a similar proportion to last year (60 per cent) although the number is down 7 per cent on 2009-10 (72,491). The average amount of fine imposed was £215, down 1 per cent (£2) from 2009-10.
- The number of convictions resulting in a custodial sentence decreased 3 per cent in 2010-11 to 15,268 (from 15,788 in 2009-10), the lowest level since 2005-06 (15,082). However, as a proportion of all main penalties, the use of custody remained at 13 per cent.
- The average length of custodial sentences in 2010-11 was just over 9 months (277 days), five days lower than in 2009-10.

- Thirteen per cent (15,550) of convictions in 2010-11 resulted in a community sentence, down 5 per cent overall on 2009-10 (16,350). Community sentences mainly comprise probation orders (down 11 per cent from 8,893 to 7,902) and community service orders (down 3 per cent from 5,471 to 5,302). However, community payback orders were introduced in February 2011 and 448 of these were issued by the end of March 2011. The remaining 15 per cent of convictions in 2010-11 mostly resulted in cautions or admonishments.

Characteristics of offenders convicted in court (Tables 6(a), 6(b), 8(c), 11 and 12)

- Females accounted for 16 per cent of all convictions but only 7 per cent of custodial sentences. The proportion of males receiving a custodial sentence was higher than the proportion of females in almost all categories of crime and offence (the exceptions being homicide and sexual assault).
- The number of convictions fell for offenders of all ages. The number of males under age 21 convicted fell by 13 per cent from 17,327 in 2009-10 to 15,117 in 2010-11, and the number of females under age 21 who were convicted fell by 11 per cent from 2,511 in 2009-10 to 2,223 in 2010-11. The number of males over 30 who were convicted in 2010-11 fell by 1 per cent to 46,659, while the number of females over 30 who were convicted fell by 2 per cent to 9,709.

Bail and undertakings (Tables 13, 17 and 18)

- The total estimated number of bail orders made by Scottish courts in 2010-11 was 46,221, a decrease of 4 per cent from the 47,921 bail orders in 2009-10, and the lowest total since 2002-03 (46,795) when reporting began. In 2010-11, the total estimated number of people released on an undertaking to appear in court was 27,297.
- Other than committing an offence while on bail, there were 8,241 other bail-related offences in 2010-11 (e.g. breach of bail conditions, such as failure to appear in court after being granted bail), a decrease of 1 per cent on 2009-10. The number of bail-related offences as a percentage of bail orders granted increased slightly from 17 per cent in 2009-10 to 18 per cent in 2010-11.

Police disposals (Tables 19 to 23)

- Anti-Social Behaviour Fixed Penalty Notices (ASBFPNs) were issued to 54,243 people as a main penalty in 2010-11, down 11 per cent from 61,208 in 2009-10.
- In 2010-11, the vast majority of ASBFPNs were issued for three of the ten offences for which they are available; 25,144 for consuming alcohol in a public place (46 per cent of the total), 13,786 for breach of the peace (25 per cent) and 12,529 for urinating etc. (23 per cent). Males received 88 per cent of ASBFPNs in 2010-11.
- Police Formal Adult Warnings (FAWs) were given as a main penalty to 7,381 people in 2010-11, down 11 per cent from 8,340 in 2009-10.

- Three-quarters of FAWs issued in 2010-11 were for four crimes/offences; shoplifting (32 per cent), drunkenness (18 per cent), common assault (15 per cent) and breach of the peace (10 per cent). Females received 41 per cent of FAWs in 2010-11.

Crown Office and Procurator Fiscal Service disposals (Tables 24 to 28)

- In 2010-11, 35,446 people were issued with a fiscal fine as a main penalty (down 1 per cent from 35,700 in 2009-10) and 20,342 people were issued a fiscal fixed penalty (up 10 per cent from 18,546 in 2009-10).
- Over two-thirds of fiscal fines in 2010-11 were issued to males (68 per cent). Of the 11,362 fiscal fines issued to females, the most common crimes/offences for which they were given were Communications Act offences (53 per cent), shoplifting (12 per cent) and drugs offences (8 per cent), while of the 24,081 fiscal fines issued to males, 32 per cent were for drugs offences, 12 per cent for Communications Act offences and 11 per cent for consuming alcohol in a public place.
- Procurator fiscal fixed penalties are generally issued for motor vehicle offences. In 2010-11, 32 per cent were for speeding offences, 18 per cent for documentation offences, 14 per cent for signal and direction offences, 6 per cent for lighting/construction and use offences and 30 per cent for other motor vehicle offences (such as seat belt and mobile telephone offences).

3. Review of this bulletin and associated changes

- 3.1 A wide-ranging review of the content and analysis contained in this bulletin series was conducted during autumn 2009. The results of the review, which include a range of requests for additional information and suggestions for changes, are available on the Scottish Government [website](#).
- 3.2 Following [Summary Justice Reform](#), and in response to the review, a number of changes were integrated into the 2008-09 and 2009-10 bulletins. Further changes and additions have been incorporated into this 2010-11 bulletin, including the following:
- An [additional table](#) has been included within the bulletin presenting actual numbers of people proceeded against in court by main crime.
 - Tables relating to numbers of convictions and previous convictions (tables 13 and 14 in last year's bulletin) have been removed. Information about previous convictions will in future be available in [Reconviction Rates in Scotland](#).
 - Publication has been brought forward by a further month compared to 2009-10.
- 3.3 There have been a number of legislative changes throughout 2010-11 which have affected the comparability of some crime groups with previous years. Analyses have been updated where appropriate to reflect these changes.
- 3.3.1 On 6 October 2010, section 38 of the Criminal Justice and Licensing (Scotland) Act 2010 was implemented. This introduced a new offence to combat threatening or

abusive behaviour. Unlike the common law offence of breach of the peace, where it is necessary to show a “public element” to the conduct, there is no requirement in the new offence to demonstrate the offending behaviour was in a public place.

- 3.3.2 The Sexual Offences (Scotland) Act 2009 was implemented on 1 December 2010. The act repeals a number of common law crimes including rape, clandestine injury to women and sodomy, and replaces them with new statutory sexual offences. The act also created a number of new 'protective' offences, which criminalise sexual activity with children and mentally disordered people. Protective offences are placed into categories concerning young children (under 13) and older children (13-15 years). The new legislation will only apply to offences committed from 1 December 2010, with any offences committed prior to this date recorded using the previous legislation. While the new legislation may result in some increases in Group 2 crime, it is more likely that the effect will be to change the distribution of these crimes among the sub classifications. For example, some crimes previously categorised as lewd and libidinous practices will now be classified as sexual assault. The crime categories within the 'crimes of indecency' grouping have been updated to reflect the current legislative position.
- 3.4 The Criminal Justice and Licensing (Scotland) Act 2010 will also have an effect on court disposals. Among other things, this act introduced the Community Payback Orders (CPO) and the presumption against short prison sentences of 3 months or less. CPOs came into force in February 2011, so the impact on the statistics presented in this 2010-11 bulletin will be minimal; however the effect will become more substantial in future years' statistics, and subsequent bulletins will be revised to reflect this.
- 3.5 In order to more closely align these criminal proceedings statistics with recorded crime statistics, some crime/offence groups have been amended. 'Theft of a motor vehicle' is now reported as a separate category, with 'theft from a motor vehicle' now included in the 'other' crimes of dishonesty category. Motorway and clearway offences have been removed from 'speeding' and placed in the 'other' motor vehicle offence category.

4. Summary Justice Reform

- 4.1 The summary (i.e. non-jury) criminal justice system in Scotland has undergone an extensive and far-reaching programme of reform. Summary justice reform^{1, 2} focused on all aspects of the summary criminal justice system and intended to create a system that is fair, effective, efficient and quick.

¹ Summary Justice Reform: System Performance, Monitoring and Evaluation, at: <http://www.scotland.gov.uk/Publications/2009/07/10110349/0>
Smarter Justice, Safer Communities, Summary Justice Reform Next Steps, at: <http://www.scotland.gov.uk/Publications/2005/03/20888/55016>

- 4.2 A range of measures were implemented as part of the Anti-Social Behaviour (Scotland) Act 2004 and the Criminal Proceedings etc. (Reform) (Scotland) Act 2007, including:
- Increased roll out and use of alternatives to prosecution that can be offered by the police (e.g. Anti-Social Behaviour Fixed Penalty Notices and Formal Adult Warnings) and procurator fiscal (e.g. increased use of Fiscal Fines).
 - Reforms to bail procedures.
 - Increased use of undertakings.
 - Increased sentencing powers in Summary courts.
 - Enhanced fines enforcement.
 - Replacement of district courts with Justice of the Peace (JP) courts.
 - Reforms to appointing and training lay Justices of the Peace (JPs).
 - Reforms to summary criminal legal aid.
- 4.3 The provisions of the 2007 act were brought into force in stages. The changes to undertakings, bail, lay justice, sentencing powers and certain procedural reforms came into effect on 10 December 2007. Those relating to procurator fiscal alternatives to prosecution and fines enforcement came into effect on 10 March 2008. The unification of the administration of the sheriff and district/JP Courts was rolled-out on a sheriffdom-by-sheriffdom basis and completed in February 2010¹.
- 4.4 2008-09 was the first full year across which many aspects of summary justice reform were implemented. This bulletin contains a range of results and changes which are likely to be related to, and have been affected by, summary justice reform. The commentary in [section 5](#) highlights a selection of these results.
- 4.5 At an overall level, for example, the continued reduction in the number of people proceeded against in court since 2007-08 is consistent with the principal aim of the reforms – that fewer cases go to court needlessly and more are dealt with by non-court actions, where it is appropriate to do so. Similarly, the number of criminal reports received by the procurator fiscal has fallen year-on-year since 2006-07.

5. Commentary

5.1 Criminal Proceedings in Context

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

- 5.1.1 Contraventions of the law are classified (see Annex D) into crimes and offences. This distinction is made only for statistical reporting purposes and the "seriousness" of the offence is generally related to the maximum sentence that can be imposed. [Table 1](#) and [Chart 2](#) provide a summary of known action in the criminal justice system.

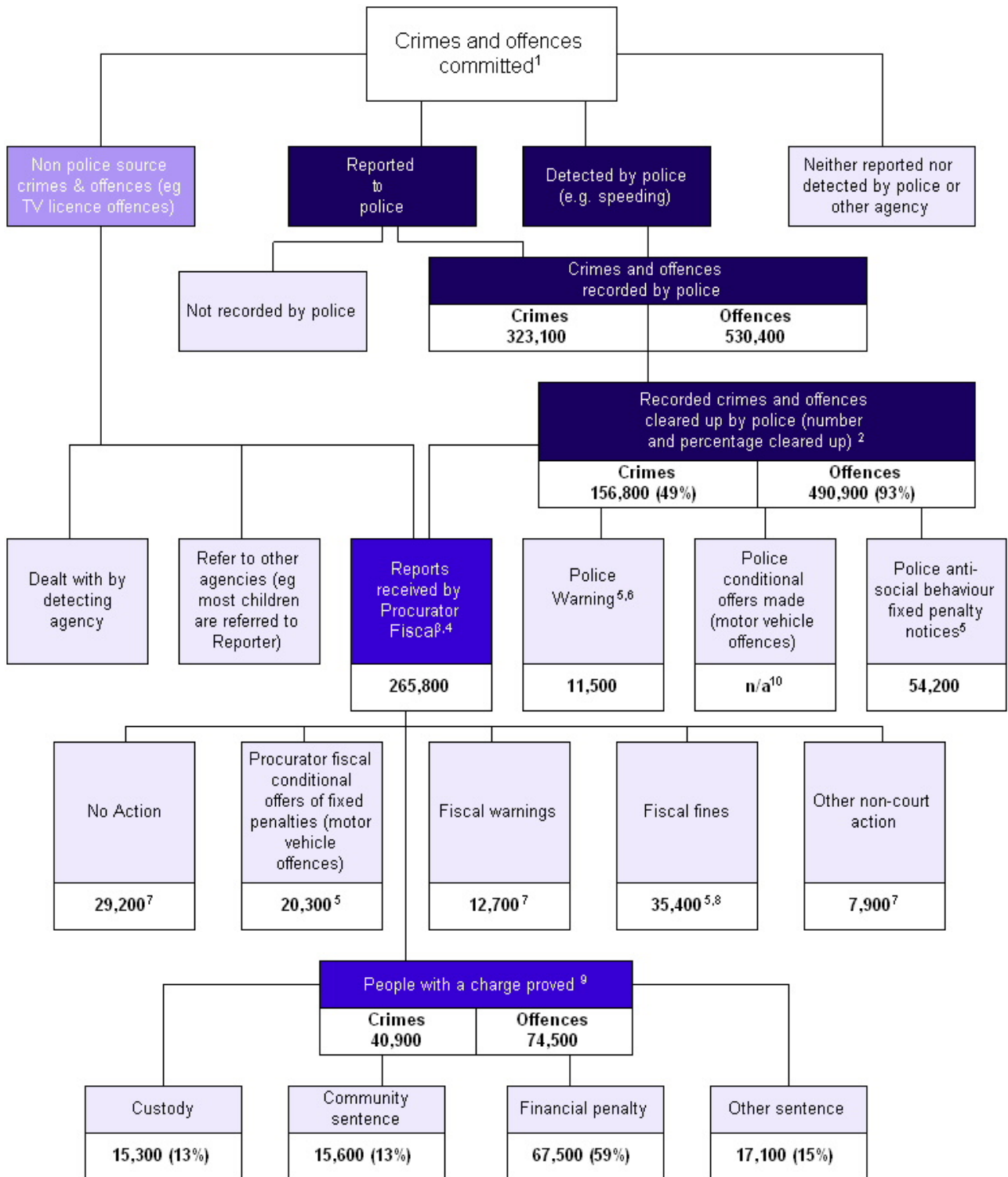
¹ Scottish Court Service news release:

http://www.scotcourts.gov.uk/current/news/22022010/NewsRelease_SSDG_February2010.doc

- 5.1.2 The total number of crimes recorded by the police in 2010-11 was 323,060, 4 per cent lower than in 2009-10. The total remains well below the 2004-05 figure of 438,123, and is the lowest number recorded since 1980. The number of recorded crimes cleared up by the police in 2010-11 (156,772) fell by 6 per cent compared to 2009-10, meaning that the clear-up rate remained at 49 per cent (a crime is regarded as 'cleared-up' where there is a sufficiency of evidence under Scots law to justify consideration of criminal proceedings).
- 5.1.3 The number of offences recorded by the police in 2010-11 (530,436) decreased by 6 per cent on the total in 2009-10 (563,735). The number of recorded offences cleared up by the police in 2010-11 (490,851) also fell by 6 per cent compared to 2009-10, meaning that the clear-up rate remained at 93 per cent
- 5.1.4 "Clear-ups" do not necessarily result in a report being sent by the police to the procurator fiscal, and there is not always sufficient available evidence to prosecute the offence in court. The Antisocial Behaviour (Scotland) Act 2004 allowed the police to issue Anti-Social Behaviour Fixed Penalty Notices (ASBFPNs) for a range of offences, in addition to other types of [police disposals](#). In 2010-11 54,243 people were issued with ASBFPNs as a main penalty and 7,381 people received a formal adult warning.
- 5.1.5 In 2010-11, the police issued 1,677 [restorative justice warnings](#) to [juveniles](#). In addition, where the alleged offender is a [juvenile](#), a referral can be made to the Reporter to the Children's Panel. One outcome of that process is for the police or the reporter to issue a warning letter to the offender; 2,105 such [warnings letters](#) were issued in 2010-11.
- 5.1.6 Owners of defective vehicles can avoid possible court proceedings, by having their vehicle repaired within a given period (Vehicle Defect Rectification Scheme). Alternatives to court proceedings for moving motor vehicle offences are police conditional offers of a fixed penalty and procurator fiscal fixed penalty notices. It is not known how many alleged offenders are otherwise dealt with using discretion, informally by the police or by other agencies.
- 5.1.7 Referrals or reports 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 included in this bulletin, such as failure to pay a television licence, are reported to the procurator fiscal by specialist reporting agencies such as TV Licensing. Where crimes or offences are recorded and cleared up by the police, any action by the procurator fiscal (or other action) does not necessarily occur in the same year.

- 5.1.8 In 2010-11, the procurator fiscal received 265,830 criminal reports (from the police and other specialist reporting agencies), a decrease of 4 per cent compared with 2009-10. Prosecution in court is only one of a range of possible options the procurator fiscal has for dealing with people who have been charged. Other actions include the use of a range of non-court-based actions such as fiscal fines, compensation orders, fixed penalties, diversion to social work and other agencies, warnings and referrals to the Reporter to the Children's Panel, or a decision to take no action. In 2010-11, the Criminal History System (CHS) included 35,446 people issued with fiscal fines as a main penalty and 20,342 people issued with fiscal fixed penalties for motor vehicle offences. More details are available on this new data extraction in notes [B8 to B10](#), [C5](#) and [D3](#).
- 5.1.9 In February 2011 COPFS carried out a review of the impact of the supreme court's ruling in *Cadder v HMA*. At the time of the ruling in October 2010, COPFS estimated that there were 3471 cases where the issue of the admissibility of evidence from police interviews had been raised by the defence. Over the three months after the judgment a total of 867 cases could not proceed or could not continue as a direct result of *Cadder*. The vast majority of cases affected were summary prosecutions, although 9 high court cases and 51 sheriff and jury cases were not able to continue as a result of *Cadder*. In addition, 3 summary appeals were conceded by the Crown. The details of the review were published on the COPFS website: <http://www.copfs.gov.uk/News/Releases/2011/02/Crown-review-cases-after-Cadder-V-HMA>

Chart 2: Overview of action within the criminal justice system 2010-11



1. Figures rounded to the nearest 100.
2. Crimes recorded in 2010-11 may not be cleared up or dealt with until 2011-12 or later.
3. A report to the procurator fiscal may involve more than one crime or offence and more than one alleged offender.
4. Reports to the fiscal on non-criminal matters such as sudden deaths, are not included in this total.
5. Number of people from CHS.
6. Includes formal adult warnings, restorative justice warnings, warning letters and other police warnings.
7. Number of cases; data from Crown Office.
8. Figures relate to cases which were closed as offer deemed accepted.
9. Figures for people with a charge proved count the number of occasions on which a person is convicted.
10. Following consultation, figures for motor vehicle offences are no longer collated centrally.

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.

5.2 People Proceeded Against in Court

Tables 1 & 2

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

- 5.2.1 The number of people proceeded against decreased to 130,268 in 2010-11, a fall of 5 per cent from the corresponding figure in 2009-10 (137,014).
- 5.2.2 An estimated 89 per cent of people proceeded against in court in 2010-11 were convicted of at least one charge, a total of 115,398 convictions. Four per cent were acquitted on a “not guilty” verdict, and one per cent on a “not proven” verdict. The remaining seven per cent either had their case deserted by the prosecution or had a plea of “not guilty” accepted.
- 5.2.3 Acquittal rates vary by crime group, although in 2010-11 it was highest for rape and attempted rape; 38 per cent of the 81 people proceeded against for rape or attempted rape were acquitted following a “not guilty” verdict. The proportion of people receiving a “not proven” verdict was also highest for rape/ attempted rape (14 per cent).
- 5.2.4 Twenty-one per cent of people proceeded against for theft of a motor vehicle had a plea of “not guilty” accepted or had the case against them deserted.
- 5.2.5 Of all people acquitted after trial in 2010-11, 16 per cent received a “not proven” verdict, however this proportion varied considerably by crime group.

5.3 People Convicted (by court and crime/offence group)

Tables 3, 4(a) & 4(b)

By court type

- 5.3.1 The total number of convictions in 2010-11 was 115,398, a decrease of 5 per cent from 2009-10. Compared to 2009-10, the number of convictions fell in all court types, including the high court (10 per cent), in sheriff solemn courts (5 per cent), in sheriff summary courts (6 per cent) and in district/JP courts (2 per cent).
- 5.3.2 The number of convictions in sheriff summary courts fell from 65,585 in 2009-10 to 61,458 in 2010-11, or, as a proportion of all convictions, from 54 per cent to 53 per cent. This is the lowest number of sheriff summary court convictions in the last ten years. The number of convictions that took place in district/JP courts decreased from 50,448 in 2008-09 to 49,243 in 2010-11, although, as a proportion of all convictions, this represents an increase from 42 per cent to 43 per cent.

5.3.3 More-serious cases are dealt with in the high court or sheriff solemn courts. In 2010-11 4,697 people were convicted in these courts – 4 per cent of all people convicted. [Recording delays](#) mean that the figures for high court convictions in 2010-11 may be slight underestimates.

By crime group

5.3.4 While the number of people convicted of all types of crime and offence fell by 5 per cent in 2010-11, the number of people convicted of crimes was down 3 per cent (from 42,194 in 2009-10 to 40,924 in 2010-11), and the number of people convicted of offences fell by 6 per cent (from 78,834 in 2009-10 to 74,474 in 2010-11).

5.3.5 The number of people convicted fell for all but a handful of crime groups. Some of the more notable changes were:

- Rape and attempted rape fell by 33 per cent, from 54 in 2009-10 to 36 in 2010-11. Sexual assault increased by 8 per cent, from 260 to 280.
- Fire-raising fell by 17 per cent, from 190 in 2009-10 to 158 in 2010-11.
- Theft of a motor vehicle decreased by 16 per cent, from 572 in 2009-10 to 482 in 2010-11.
- Vandalism was down 12 per cent, the same proportional decrease as seen last year, from 3,646 in 2009-10 to 3,193 in 2010-11. The decrease in convictions for this crime is likely to be related to the continued rollout of police fixed penalty notices.
- Having been relatively stable at around 3,500 convictions per year from 2004-05 to 2008-09, handling an offensive weapon crimes fell for the second time, by 14 per cent, from 2,866 in 2009-10 to 2,473 in 2010-09.
- There was a 56 per cent increase in the number of convictions for ‘other’ non-sexual crimes of violence, from 305 in 2009-10 to 476 in 2010-11. This increase is largely explained by the number of charges relating to threatening behaviour; in previous years these such offences would generally have been charged under ‘breach of the peace’ (under other miscellaneous offences), so much of the observed change is a result of the re-classification of offences rather than an increase in offending (see 5.3.6).

By offence group

5.3.6 The number of people convicted in court of common assault fell 4 per cent from 14,148 in 2009-10 to 13,640 in 2010-11. The number of people convicted of breach of the peace also decreased, by 22 per cent, from 14,077 in 2009-10 to 11,003 in 2010-11, the lowest level in the last ten years. The falls in these convictions may be related, in part, to the roll out and increased usage of [Police](#) and [COPFS](#) disposals following Summary Justice Reform. The changes will also be linked to the legislative changes described in section 3.3, as a result of which a number of offences previously recorded as breaches of the peace will now be recorded as threatening behaviour offences (see 5.3.7) or threatening behaviour crimes (see 5.3.5).

- 5.3.7 The number of convictions for 'other' miscellaneous offences increased by 25 per cent, from 4,483 in 2009-10 to 5,607 in 2010-11. This increase is mostly a result of 1,165 offences of threatening behaviour being recorded in this group due to changes brought about by the enactment of section 38 of the Criminal Justice and Licensing (Scotland) Act 2010 (see 3.3.2)
- 5.3.8 Within the motor vehicle offences group, convictions for drink/drug driving offences decreased again by 14 per cent (from 6,232 in 2009-10 to 5,347 in 2010-11). Convictions for speeding also decreased, by 10 per cent (from 14,357 in 2009-10 to 12,945 in 2010-11).
- 5.3.9 'Other' motor vehicle offences increased by 21 per cent (from 8,150 in 2009-10 to 9,853 in 2010-11). This increase is mostly due to increases in seatbelt offences (21 per cent increase from 2,267 to 2,743) and mobile phone offences (30 per cent increase from 3,018 to 3,914). Mobile phone offences have been increasing steadily over the last four years, since the Road Safety Act 2006 amendments were introduced to the Road Traffic Act 1988.

5.4 People Convicted (by age and gender)

Tables 5, 6(a) & 6(b) & 12

- 5.4.1 The number of convictions per 1,000 population fell from 29 in 2009-10 to 28 in 2010-11; there was no change for females (9 in both 2009-10 and 2010-11) but the number for males fell from 49 to 47. The number of males with a charge proved (per 1,000 population) is higher than the number of females, in each of the age categories presented in [table 5](#).
- 5.4.2 The peak rates of convictions per 1,000 population for males are in the ages 18 to 20 (ranging from 104 for age 18, to 112 for age 19); however, in these age ranges, the rate of charges proved per 1,000 population has fallen over the most recent year (from 120 for age 18, and 123 for age 19, in 2009-10). The peak age range for female convictions per 1,000 population is age 26-30 (with 19 per 1,000), though this is closely followed by ages 18 to 25 (for which the conviction rate per 1,000 population ranged from 16 to 18).
- 5.4.3 Males accounted for 84 per cent of all convictions in 2010-11 (excluding companies) where the gender was known, unchanged since 2009-10. More males than females were convicted in all crime/offence categories except for prostitution. Other categories with high proportions of female convictions include 'other' non-sexual crimes of violence (29 per cent), fraud (32 per cent) and shoplifting (26 per cent).
- 5.4.4 Although the number of convictions fell 5 per cent in 2010-11, the number of convictions fell by more for younger offenders than for older offenders. The number of males under age 21 convicted fell by 13 per cent from 17,327 in 2009-10 to 15,117 in 2010-11, and the number of females under age 21 who were convicted fell by 11 per cent from 2,511 in 2009-10 to 2,223 in 2010-11. In contrast the

number of males over 30 who were convicted fell by 1 per cent, from 46,962 to 46,659 while the number of females over 30 who were convicted decreased by 2 per cent from 9,903 in 2009-10 to 9,709 in 2010-11.

- 5.4.5 In 2010-11, of the crimes and offences for which females aged under 21 were convicted, over a quarter were in the crime category common assault (29 per cent). The most common crime/offence for which females aged 21 to 30 were convicted was shoplifting (15 per cent). Males under 21 were responsible for 13 per cent of all crimes/offences with charges proved in 2010-11, including 41 per cent of all convictions for theft of a motor vehicle, and nearly a third of serious assault and attempted murder (31 per cent).
- 5.4.6 Convictions for motor vehicle offences accounted for higher proportions of male and female convictions for those aged over 30; 46 per cent for males (21,558 of the 46,659 convictions for males over 30) and 43 per cent for females (4,200 of the 9,709 convictions). This compares for the under 21 age group, to 22 per cent for males (3,321 of 15,117 convictions) and 19 per cent for females (417 of 2,223 convictions).

5.5 Sentencing

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

Homicide

- 5.5.1 The proportion of people convicted of homicide who were given a custodial sentence fell from 90 per cent in 2009-10 to 83 per cent in 2010-11. This follows the introduction in August 2008 of new offences related to motor vehicle fatalities. In 2010-11, 11 people convicted of causing death by careless driving received a community service order as a main penalty and 6 others received a fine (averaging £1,280).

Rape

- 5.5.2 In 2010-11, of the 36 people convicted of rape or attempted rape, 32 (89 per cent) were given a custodial sentence. Of the four people not given a custodial sentence/order, three were charged with attempted rape.

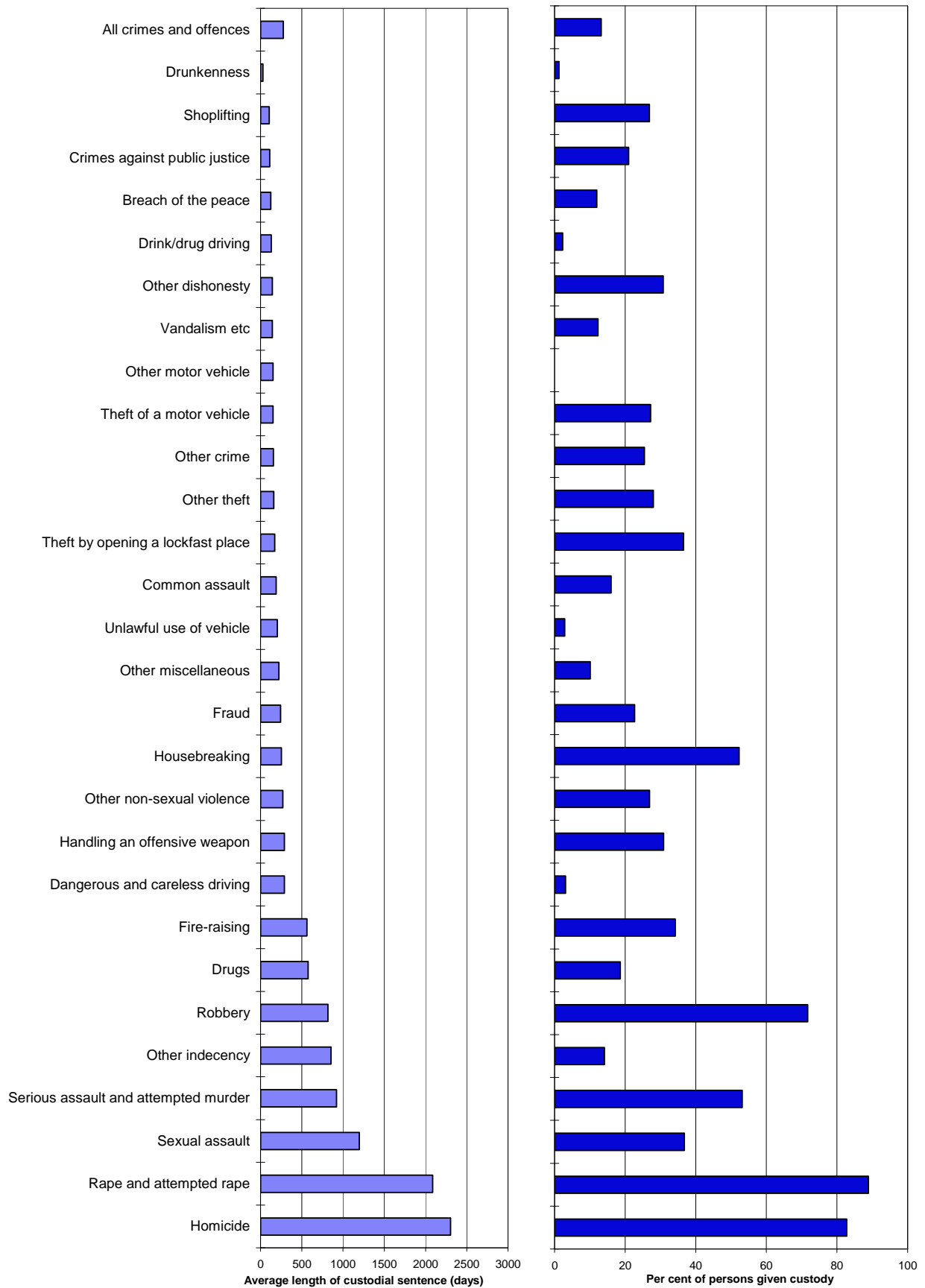
Custodial sentences

- 5.5.3 The number of convictions resulting in a custodial sentence decreased 3 per cent in 2010-11 to 15,268, the lowest figure since 2005-06 (15,082), although as a proportion of all main penalties, the use of custody remained the same as in the previous three years (13 per cent).
- 5.5.4 Custody is the most frequently used sentence for most types of crime involving violence, including rape and attempted rape. Other crime types with high proportions of convictions resulting in a custodial sentence in 2008-09 were

housebreaking (52 per cent), theft by opening a lockfast place (37 per cent), fire-raising (34 per cent) and handling an offensive weapon (31 per cent).

- 5.5.5 The average length of custodial sentences for those sentenced to custody in 2009-10 was just over 9 months (277 days), five days lower than in 2008-09.
- 5.5.6 Between 2009-10 and 2010-11, average custodial sentence lengths increased for some of the more serious crimes and fell for some of the others; for example, the average custodial sentence length for:
- Sexual assault increased by 10 per cent (to 1,197 days).
 - Serious assault and attempted murder increased by 1 per cent (to 920 days).
 - Homicide (excluding life sentences) rose 5 per cent (to 2,302 days), the highest figure since 2007-08.
 - Rape and attempted rape fell by 5 per cent to 2,085 days.
 - 'Other' crimes of indecency rose by 15 per cent to 854 days.
- 5.5.7 The average sentence length also increased for a range of other crimes and offences, some of which are typically dealt with in summary courts and may therefore be related to the [change in sentencing powers in that court](#), and the [increased use of police and COPFS disposals](#) for some of the less serious cases in relevant crime categories. For example; the average custodial sentence for:
- Breach of the peace rose 8 per cent to 124 days, the highest level over the last 10 years.
 - Fire-raising increased by 20 per cent to 563 days, the highest level over the last 10 years.
 - Handling an offensive weapon increased by 5 per cent (to 288 days), and for the sixth year in a row.
- 5.5.8 Thirty-five per cent of all custodial sentences in 2010-11 were for three months or less (down from 38 per cent in 2009-10 and 41 per cent in 2008-09) and there were corresponding increases in the proportions of sentences of over three months and up to two years. As noted in [section 3.4](#), the presumption against sentences of 3 months or less is likely to ensure that this trend continues.
- 5.5.9 Crimes of violence and crimes of indecency were the most likely to attract long custodial sentences. Only one per cent of custodial sentences for crimes of dishonesty in 2010-11 were for over two years whereas the corresponding proportions for non-sexual crimes of violence and crimes of indecency were 42 and 54 per cent respectively.
- 5.5.10 Fifty-eight per cent of custodial sentences for non-sexual crimes of violence and 95 per cent of custodial sentences for handling an offensive weapon were for a period of up to 2 years.

Chart 3: Average sentence length (excluding life sentences) and per cent of custody, by crime or offence group, 2010-11



Community sentences

- 5.5.10 Thirteen per cent (15,550) of all convictions in 2010-11 resulted in a main penalty of a community sentence, 5 per cent down on 2009-10 (16,350). However, over the last ten years, the use of community sentences has increased in absolute terms (from 12,494 in 2001-02) and as a proportion of all sentences imposed by the courts (from 11 per cent in 2001-02 to 13 per cent in 2010-11).
- 5.5.11 In 2010-11, the number of convictions resulting in a main penalty of a probation order (including probation with a requirement that the offender shall perform unpaid work) was 7,902, 11 per cent lower than in 2009-10 (8,893) and returning to around the same level seen ten years ago (7,708 in 2001-02). The proportion of convictions resulting in an offender being placed on probation was highest for fire-raising, 'other' non-sexual crimes of violence and theft of a motor vehicle (23, 20 and 18 per cent respectively).
- 5.5.12 The number of convictions in 2010-11 resulting in a community service order was 5,302, a fall of 3 per cent compared with 2009-10. In 2010-11, the categories with the highest proportion of convictions resulting in a community service order were serious assault and attempted murder (20 per cent), fraud (18 per cent), and handling an offensive weapon (16 per cent). The average length of community service order imposed in 2009-10 was 149 hours, the highest level since 2004-05.
- 5.5.13 Other community sentences used by courts in 2010-11 included 816 restriction of liberty orders (down 12 per cent from 931 in 2009-10), 806 drug treatment and testing orders (negligible change from 808 in 2009-10) and 276 supervised attendance orders of first instance (up 12 per cent from 247 in 2009-10). Community payback orders were also made available from February 2011 onwards, with 448 being used by the end of March 2011.

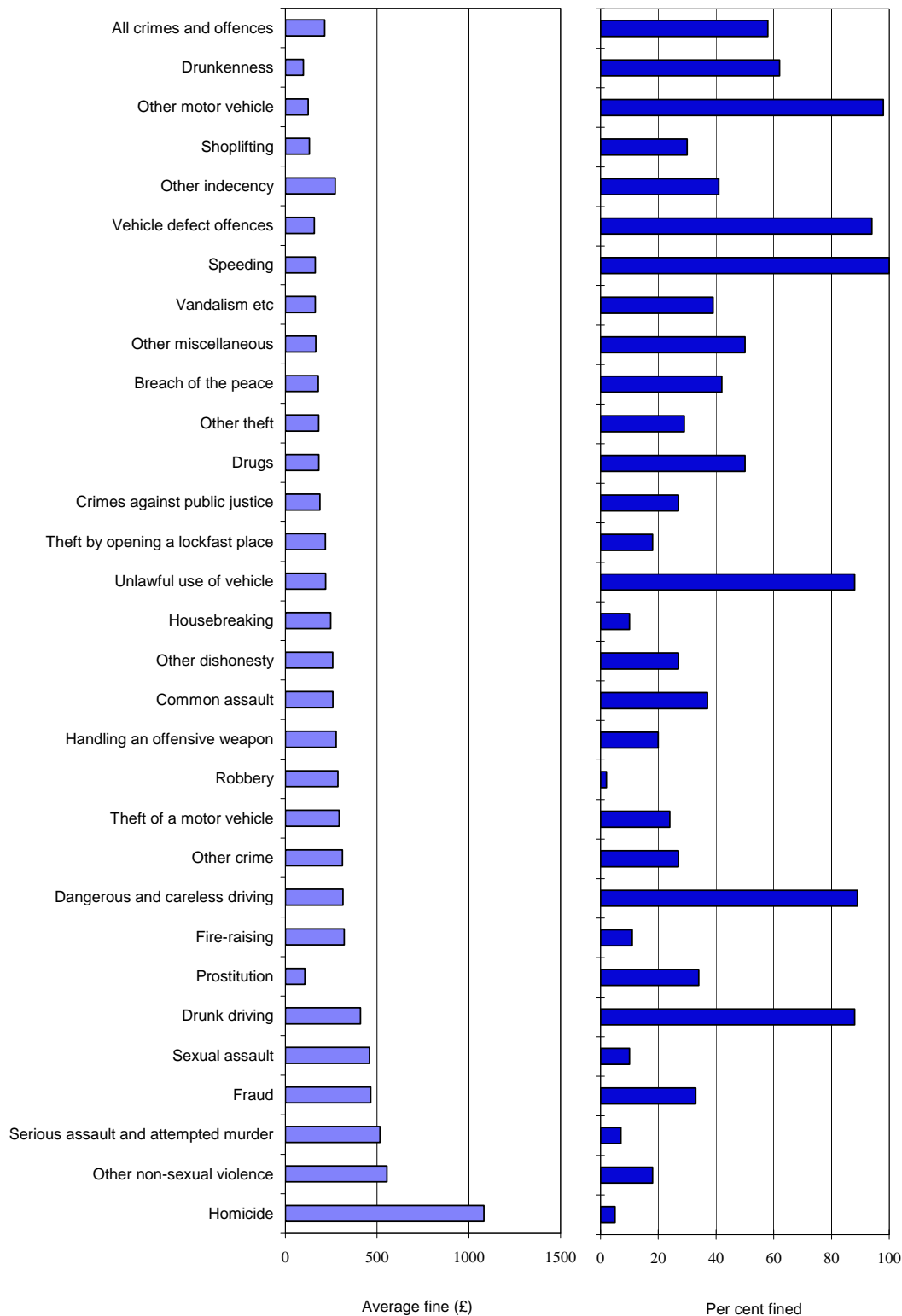
Financial penalties

- 5.5.14 The use of fines, the most common main penalty imposed by courts, fell 7 per cent from 72,491 in 2009-10 to 67,525 in 2010-11. As a proportion of all penalties imposed, fines have generally fallen over the last 10 years, from 66 per cent in 2001-02 to 59 per cent in 2010-11. This is likely, in part, to be a result of those offences most likely to have previously been punished by fines now being increasingly dealt with outside the court with [police](#) or [COPFS](#) disposals.
- 5.5.15 In 2010-11, 94 per cent of convictions for motor vehicle offences resulted in a fine (the same proportion as in 2009-10). Other crimes with high proportions of fines include drunkenness (62 per cent), drugs crimes (50 per cent) and breach of the peace (43 per cent).
- 5.5.16 The average fine imposed by courts in 2010-11 was £215, down 1 per cent from 2009-10 (£217). The use of a compensation order as a main penalty rose by 4 per cent to 1,083 in 2010-11; the average compensation order imposed by courts, either as main or secondary penalty, was £394 in 2010-11, the same as in 2009-10.

Other sentences

5.5.17 In 2010-11, 16,412 people convicted were cautioned or admonished (14 per cent of all convictions). This sentence was a more frequent outcome for crimes against public justice (32 per cent), 'breach of the peace' (30 per cent), drunkenness (29 per cent) and shoplifting (26 per cent).

Chart 4: Average fine and per cent fined by crime or offence group, 2010-11
(Excludes companies)



Sentencing by age and gender of offender

- 5.5.18 The profile of penalties imposed in 2010-11 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 84 per cent of all convictions in 2010-11, they represented 91 per cent of custodial convictions. Females accounted for 16 per cent of all convictions and 26 per cent of other sentences (mainly admonition).
- 5.5.19 Although the number of convictions fell by 5 per cent between 2009-10 and 2010-11, and the number of people receiving a custodial sentence decreased by 3 per cent, there was a 4 per cent fall for males but a 2 per cent rise for females. There were also some differences by age group; for example, the number of females aged over 30 who received a custodial sentence increased by 4 per cent to 546, while there was a decrease of 3 per cent for females aged under 21 (to 169). The number of males under age 21 who received a custodial sentence fell by 23 per cent to 2,000, while there was an increase for males aged over 30 of 3 per cent to 5,914.
- 5.5.20 The proportion of males receiving a custodial sentence was higher than the proportion of females sentenced to custody in almost every category of crime and offence; at the overall level (14 per cent of males and 7 per cent of females), and in many sub-categories of crime, the proportion of males sentenced to custody was around double the proportion of females. For example, 57 per cent of males and 29 per cent of females were sentenced to custody for non-sexual crimes of violence. It should be noted that sentence is affected by, amongst other things, the particular circumstances of each crime/offence, offending history and offender background.
- 5.5.21 Of those sentenced to custody in 2010-11, 75 per cent of females and 68 per cent of males received a tariff of 6 months or less. The proportion of males who received a short sentence was lower than the proportion of females for many of the crime categories in which relatively higher numbers of both gender were convicted; for example, 74 per cent of males and 81 per cent of females who were sentenced to custody for common assault received a sentence of 6 months or less. However for some crime categories, particularly where the numbers of females given custody were relatively small (e.g. other crimes of dishonesty), the proportion of males who received shorter sentences was higher than the proportion of females.
- 5.5.22 The number of convictions resulting in a community sentence decreased by 5 per cent between 2009-10 and 2010-11. The largest decrease for males was for those aged 21-30 (7 per cent fall to 4,670 in 2010-11) and for females aged under 21 (19 per cent fall to 451 in 2010-11).
- 5.5.23 Between 2009-10 and 2010-11, the number of convictions resulting in a financial penalty fell by 7 per cent (a decrease of 7 per cent for males to 57,311, and a decrease of 7 per cent for females to 10,197). For both males and females large falls were seen in the use of financial penalties for those aged under 21 (a fall of 16 per cent for males to 7,066, and a fall of 14 per cent for females to 909).

5.6 Bail and Undertakings

Bail Orders Made

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

- 5.6.1 The total estimated number of bail orders made by Scottish courts in 2010-11 was 46,221, a decrease of 4 per cent from 2009-10 and a decrease of 26 per cent since the recent high of 62,283 bail orders made in 2006-07. In addition, this is the lowest total recorded since reporting of bail records began in 2002-03.
- 5.6.2 In 2010-11, 84 per cent of bail orders were issued to males and 42 per cent were issued to males and females aged over 30. Most bail orders were issued at sheriff courts (90 per cent), with district/JP courts issuing 9 per cent of the remainder.
- 5.6.3 The proportion of bail orders given for common assault has increased from 16 per cent of bail orders in 2002-03 to 22 per cent in 2010-11; in contrast, the proportion of bail orders given for dishonesty has fallen from 28 per cent in 2002-03 to 18 per cent in 2010-11. Additionally, 4,301 bail orders were issued for breach of the peace in 2010-11, a 29 per cent reduction from 6,018 bail orders issued in the previous year.
- 5.6.4 The 46,221 bail orders made in 2010-11 were issued to 33,713 individuals; 77 per cent of individuals received one bail order, 15 per cent received two, 5 per cent received three and 3 per cent received more than three bail orders.

Undertakings to Appear

[Table 17](#)

- 5.6.5 The number of people released by the police on an undertaking to appear in court in 2010-11 was 27,297, up 4 per cent from 26,127 in 2009-10.
- 5.6.6 In 2010-11, 78 per cent of undertakings were issued to males and 42 per cent to males and females aged over 30.

Offences Committed Whilst on Bail

[Table 18](#)

- 5.6.7 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 8,241 of these offences were proved in 2010-11, a decrease of 1 per cent from 2009-10. The number of bail-related offences as a percentage of bail orders granted in 2010-11 was 18 per cent.

5.6.8 The number of bail-related offences increased by 4 per cent in sheriff solemn courts (from 222 in 2009-10 to 230 in 2010-11), compared to a fall in the overall number of charges proved in that court of 5 per cent. In contrast, the number of bail-related offences decreased by 1 per cent in district/JP courts in 2010-11 (from 649 in 2009-10 to 641 in 2010-11), compared to an overall fall in the number of charges proved in that court of 2 per cent (see [Table 3](#)).

5.7 Police Disposals

[Tables 19 to 23](#)

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

Anti-Social Behaviour Fixed Penalty Notices (ASBFPN)

5.7.1 In 2010-11, 54,243 people received an ASBFPN as a main penalty, down 11 per cent from 61,208 in 2009-10. The vast majority of ASBFPNs were issued for three of the ten offences for which they are available.

- 25,144 for consuming alcohol in a public place (46 per cent of the total).
- 13,786 for breach of the peace (25 per cent).
- 12,529 for urinating/defecating in circumstances causing annoyance to others (23 per cent).

5.7.2 Males received 88 per cent of ASBFPNs in 2010-11.

- 30 per cent of all ASBFPNs were given to males aged under 21.
- 34 per cent were given to males aged 21 to 30.
- Over half of the 16,206 ASBFPNs given to males aged under 21 were given for consuming alcohol in a public place (8,302).

Females received 6,583 ASBFPNs in 2010-11, mainly for two offences;

- consuming alcohol in a public place (48 per cent).
- breach of the peace (38 per cent).

Formal Adult Warnings (FAW)

5.7.3 Police FAWs were given as a main penalty to 7,381 people in 2010-11, down 11 per cent from 8,340 in 2009-10. Three-quarters of FAWs issued in 2010-11 were for four crimes/offences.

- shoplifting (32 per cent).
- drunkenness (18 per cent).
- common assault (15 per cent).
- breach of the peace (10 per cent).

5.7.4 In 2010-11, 59 per cent of people given FAWs as main penalties were male (4,351) and 51 per cent were aged over 30 (3,770).

- Of the 2,203 FAWs issued to males aged over 30, 34 per cent were given for drunkenness.

- In contrast, of the 1,093 FAWs issued to males aged under 21, 8 per cent were for drunkenness; for this age and gender group, 20 per cent of FAWs were given for shoplifting and 16 per cent for common assault.
- Forty-six per cent of the 3,028 FAWs issued to females in 2010-11 were for shoplifting.
- Thirteen per cent of FAWs issued to females aged over 30 were for drunkenness compared to 5 per cent of FAWs issued to females aged under 21.
- In contrast, 17 per cent of FAWs issued to females aged under 21 were for fraud compared to 3 per cent of FAWs issued to females aged over 30).

Other police warnings

5.7.5. In the 2010-11 the number of restorative justice warnings issued as a main penalty fell 26 per cent (from 2,267 in 2009-10 to 1,677 in 2010-11). The number of warning letters issued remained fairly static, falling negligibly from 2,112 to 2,105 in 2010-11. There were 307 other police warnings issued in 2010-11.

5.8 COPFS Disposals

[Tables 24 to 28](#)

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

5.8.1 After summary justice reform, CHS started to record Crown Office fiscal fines and fixed penalties separately. In 2010-11, 35,446 people were issued with a fiscal fine as a main penalty (down 1 per cent from 35,700 in 2009-10) and 20,342 people were issued a fiscal fixed penalty (up 10 per cent from 18,546 in 2009-10).

Fiscal fines

5.8.2 In 2010-11, 57 per cent of the 35,446 fiscal fines issued to people as main penalties were issued for 'miscellaneous' offences, including:

- 8,950 (25 per cent) Communications Act offences (i.e. mainly TV licensing).
- 3,057 (9 per cent) for consuming alcohol in a public place.
- 2,462 (7 per cent) for breach of the peace.

A further 25 per cent of fiscal fines were issued for 'other' crimes, including:

- 8,714 for drugs crimes (25 per cent).
13 per cent were issued for crimes of dishonesty, including:
- 3,542 (10 per cent) for shoplifting.

5.8.3 Over two-thirds of fiscal fines in 2010-11 were issued to males (70 per cent). The profile of crimes/offences for which fiscal fines were issued differed for males and females. For example, of the 11,362 fiscal fines issued to females, the most common crimes/offences for which they were given were:

- Communications Act offences (53 per cent).
- Shoplifting (12 per cent).
- Drugs (8 per cent).

while for males, of the 24,081 fiscal fines issued, the most common crimes/offences for which they were given were:

- Drugs (32 per cent).
- Communications Act offences (12 per cent).
- Consuming alcohol in a public place (11 per cent).

5.8.4 Males aged under 21 received 21 per cent of fiscal fines issued to males (5,025), while females aged under 21 received 9 per cent of those issued to females (1,060). More than half of fiscal fines issued to males aged under 21 were for either drugs crimes (37 per cent) or consuming alcohol in a public place (15 per cent). Fiscal fines for Communications Act offences were less likely to go to those aged under 21. Conversely, younger females received relatively more fiscal fines for other sub-categories of miscellaneous offences; for example:

- common assault - 12 per cent of fiscal fines issued to females aged under 21 compared to 3 per cent of those issued to females aged over 30.
- breach of the peace - 11 per cent of fiscal fines issued to females aged under 21 compared to 4 per cent of those issued to females aged over 30.
- consuming alcohol in a public place - 8 per cent of fiscal fines issued to females aged under 21 compared to 2 per cent of those issued to females aged over 30.

Fiscal fixed penalties

5.8.5 Crown Office Fixed Penalties (COFPs) are generally issued for motor vehicle offences (in 2010-11 a handful of COFPs were issued for other non motor vehicle offences, such as bicycle offences). In 2010-11, of the 20,342 COFPs issued to people as a main penalty:

- 32 per cent were for speeding offences.
- 18 per cent were for documentation offences (such as using a vehicle without a test certificate, without a licence or failure to insure).
- 14 per cent were for signal and direction offences (such as failure to comply with traffic signs and crossings).
- 6 per cent were for lighting and construction and use offences (such as maintenance of lights and using vehicles in a dangerous condition); and,
- 30 per cent for other motor vehicle offences (such as seat belt and mobile telephone offences).

5.8.6 In 2010-11, 79 per cent of COFPs (16,093) were issued to males and almost half of all COFPs were issued to males aged over 30 (10,111).

6. Bulletin Tables (see note [B12](#)).

Table 1 Summary of known action, 2001-02 to 2010-11⁷

	Thousands									
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
Crimes and offences recorded by the police										
Crimes	426	418	414	438	418	419	386	377	338	323
Offences	532	524	616	639	600	607	572	560	564	530
Crimes and offences cleared up by the police										
Crimes	191	193	196	195	191	199	185	185	167	157
Offences	510	502	592	595	558	566	534	519	523	491
Police disposals										
Anti-social behaviour fixed penalty notices	n/a	n/a	n/a	n/a	n/a	n/a	n/a	48	61	54
Formal adult warnings	n/a	n/a	n/a	n/a	n/a	n/a	n/a	8	8	7
Other police warnings	n/a	n/a	n/a	n/a	n/a	n/a	n/a	5	4	4
Crimes and offences dealt with by:										
Offence referrals to Reporter to Children's Panel ¹	29	30	34	36	38	36	31	26	23	18
Procurator Fiscal action										
Total criminal reports received (COPFS cases) ²	257	290	307	309	320	316	307	285	276	266
Fiscal fines (CHS People) ^{3,4}	n/a	n/a	n/a	n/a	n/a	n/a	n/a	38	36	35
Fiscal fines (COPFS cases) ^{4,5}	20	24	30	23	18	21	19	37	34	33
Fiscal fixed penalties (CHS People) ³	n/a	n/a	n/a	n/a	n/a	n/a	n/a	18	19	20
Fiscal fixed penalties (COPFS cases) ⁴	8	6	9	10	10	14	15	20	18	20
Compensation orders (CHS People) ^{3,4}	n/a	n/a	n/a	n/a	n/a	n/a	n/a	2	2	2
Compensation orders (COPFS cases) ^{4,5}	n/a	n/a	n/a	n/a	n/a	n/a	n/a	2	2	2
Combined Fiscal Fines/Compensation Orders (CHS People) ^{3,4}	n/a	n/a	n/a	n/a	n/a	n/a	n/a	1	2	2
Combined Fiscal Fines/Compensation Orders (COPFS cases) ^{4,5}	n/a	n/a	n/a	n/a	n/a	n/a	n/a	1	2	2
Fiscal warnings (COPFS cases)	19	16	22	32	33	27	25	15	14	13
No action (COPFS cases)	43	51	44	61	49	44	44	32	30	29
Other non-court disposals ⁶	11	10	13	11	11	12	10	9	8	8
People proceeded against in court	136	133	142	144	142	150	149	141	137	130

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

2. Includes reports from the police and other specialist reporting agencies, eg: TV licensing

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

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

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

6. Includes cases diverted from prosecution, e.g. to the children's reporter, cases transferred within COPFS and cases rolled up with other ongoing cases.

7. Following a user consultation, data for police conditional offers (motor vehicle offences) have been removed from this table. Details of the consultation can be found at:

<http://www.scotland.gov.uk/Topics/Statistics/Browse/Crime-Justice/scotstatcrime/StakeCon/CrimProcCon>

Table 2a People proceeded against in court by main crime/offence and outcome of court proceedings, 2010-11

Main crime or offence ¹	PNGA ^{2,3} or deserted ⁴	Acquitted not guilty	Acquitted not proven	Charge proved	Total
All crimes and offences	9,336	4,658	876	115,398	130,268
All crimes	4,213	1,646	378	40,924	47,161
Non-sexual crimes of violence	404	460	151	2,517	3,532
Homicide	5	14	3	116	138
Serious assault and attempted murder	248	321	120	1,406	2,095
Robbery	85	60	12	519	676
Other	66	65	16	476	623
Crimes of indecency	49	120	53	766	988
Rape and attempted rape	3	31	11	36	81
Sexual assault	22	68	29	280	399
Prostitution	3	1	-	160	164
Other	21	20	13	290	344
Crimes of dishonesty	1,586	302	36	15,606	17,530
Housebreaking	201	48	10	1,536	1,795
Theft by opening a lockfast place	82	17	3	663	765
Theft of a motor vehicle	132	17	-	482	631
Shoplifting	486	19	3	7,842	8,350
Other theft	392	91	9	2,849	3,341
Fraud	102	35	3	903	1,043
Other	191	75	8	1,331	1,605
Fire-raising, vandalism, etc	382	183	13	3,351	3,929
Fire-raising	15	15	3	158	191
Vandalism, etc	367	168	10	3,193	3,738
Other crimes	1,792	581	125	18,684	21,182
Crimes against public justice	831	226	35	8,491	9,583
Handling an offensive weapon	227	213	50	2,473	2,963
Drugs	726	132	35	7,500	8,393
Other	8	10	5	220	243
All offences	5,123	3,012	498	74,474	83,107
Miscellaneous offences	3,169	2,169	400	30,410	36,148
Common assault	1,648	1,349	233	13,640	16,870
Breach of the peace	1,046	543	113	11,003	12,705
Drunkenness	6	3	-	160	169
Other	469	274	54	5,607	6,404
Motor vehicle offences	1,954	843	98	44,064	46,959
Dangerous and careless driving	144	164	17	3,162	3,487
Drink/drug driving	112	153	25	5,347	5,637
Speeding	165	48	6	12,945	13,164
Unlawful use of vehicle	972	80	6	11,034	12,092
Vehicle defect offences	147	25	3	1,723	1,898
Other	414	373	41	9,853	10,681

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

2. Plea of not guilty accepted.

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

4. Deserted simpliciter.

Table 2b People proceeded against in court by main crime/offence and estimated percentage outcome of court proceedings, 2010-11

Main crime or offence ¹	Row per cent					
	PNGA ^{2,3} or deserted ⁴	Acquitted not guilty	Acquitted not proven	Charge proved	Total	Not proven as % of all acquitted
All crimes and offences	7	4	1	89	100	16
All crimes	9	3	1	87	100	19
Non-sexual crimes of violence	11	13	4	71	100	25
Homicide	4	10	2	84	100	18
Serious assault and attempted murder	12	15	6	67	100	27
Robbery	13	9	2	77	100	17
Other	11	10	3	76	100	20
Crimes of indecency	5	12	5	78	100	31
Rape and attempted rape	4	38	14	44	100	26
Sexual assault	6	17	7	70	100	30
Prostitution	2	1	-	98	100	-
Other	6	6	4	84	100	39
Crimes of dishonesty	9	2	-	89	100	11
Housebreaking	11	3	1	86	100	17
Theft by opening a lockfast place	11	2	-	87	100	15
Theft of a motor vehicle	21	3	-	76	100	-
Shoplifting	6	-	-	94	100	14
Other theft	12	3	-	85	100	9
Fraud	10	3	-	87	100	8
Other	12	5	-	83	100	10
Fire-raising, vandalism, etc	10	5	*	85	100	7
Fire-raising	8	8	2	83	100	17
Vandalism, etc	10	4	*	85	100	6
Other crimes	8	3	1	88	100	18
Crimes against public justice	9	2	*	89	100	13
Handling an offensive weapon	8	7	2	83	100	19
Drugs	9	2	*	89	100	21
Other	3	4	2	91	100	33
All offences	6	4	1	90	100	14
Miscellaneous offences	9	6	1	84	100	16
Common assault	10	8	1	81	100	15
Breach of the peace	8	4	1	87	100	17
Drunkenness	4	2	-	95	100	-
Other	7	4	1	88	100	16
Motor vehicle offences	4	2	*	94	100	10
Dangerous and careless driving	4	5	*	91	100	9
Drink/drug driving	2	3	*	95	100	14
Speeding	1	*	*	98	100	11
Unlawful use of vehicle	8	1	*	91	100	7
Vehicle defect offences	8	1	*	91	100	11
Other	4	3	*	92	100	10

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

2. Plea of not guilty accepted.

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

4. Deserted simpliciter.

Table 3 People with a charge proved by type of court, 2001-02 to 2010-11

Type of court	Number									
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
All court types¹	117,089	122,826	128,518	129,732	128,204	134,413	133,607	125,889	121,028	115,398
High court ^{2,3}	1,125	1,194	1,217	974	885	908	861	804	757	682
Sheriff solemn	3,055	3,299	3,535	3,670	3,967	4,682	5,195	4,532	4,222	4,015
Sheriff summary	68,966	76,817	76,619	77,195	75,989	80,503	79,980	73,898	65,585	61,458
District/JP court ^{4,5}	43,939	41,516	47,144	47,891	47,358	48,319	47,569	46,632	50,448	49,243

Type of court	Per cent									
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
All court types¹	100	100	100	100	100	100	100	100	100	100
High court ^{2,3}	1	1	1	1	1	1	1	1	1	1
Sheriff solemn	3	3	3	3	3	3	4	4	3	3
Sheriff summary	59	63	60	60	59	60	60	59	54	53
District/JP court ^{4,5}	38	34	37	37	37	36	36	37	42	43

Type of court	Index: 2001-02=100									
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
All court types¹	100	105	110	111	109	115	114	108	103	99
High court ^{2,3}	100	106	108	87	79	81	77	71	67	61
Sheriff solemn	100	108	116	120	130	153	170	148	138	131
Sheriff summary	100	111	111	112	110	117	116	107	95	89
District/JP court ^{4,5}	100	94	107	109	108	110	108	106	115	112

1. Includes court type unknown.
2. Includes cases remitted to the high court from the sheriff court.
3. The figures for 2010-11, and to a lesser 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 - more details in Section 4.

Table 4(a) People with a charge proved by main crime/offence, 2001-02 to 2010-11

Main Crime or Offence	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11 ¹	% change 2009-10 to 2010-11	All offences proved 2010-11 ^{1,2}
All crimes and offences	117,089	122,826	128,518	129,732	128,204	134,413	133,607	125,889	121,028	115,398	-5	154,023
All crimes	42,101	42,780	43,321	44,720	43,297	47,027	46,950	45,213	42,194	40,924	-3	54,477
Non-sexual crimes of violence	2,092	2,381	2,595	2,427	2,458	2,461	2,749	2,655	2,460	2,517	2	2,770
Homicide	103	99	131	143	111	121	136	114	116	116	0	120
Serious assault and attempted murder	1,171	1,360	1,474	1,374	1,560	1,495	1,731	1,707	1,507	1,406	-7	1,458
Robbery	627	682	689	610	512	529	548	561	532	519	-2	619
Other	191	240	301	300	275	316	334	273	305	476	56	573
Crimes of indecency	614	562	666	810	853	866	790	947	837	766	-8	1,077
Rape and attempted rape	67	55	58	70	61	59	49	41	54	36	-33	45
Sexual assault	307	282	297	270	262	259	259	285	260	280	8	173
Prostitution	110	99	126	225	282	299	228	229	165	160	-3	498
Other	130	126	185	245	248	249	254	392	358	290	-19	361
Crimes of dishonesty	21,513	21,661	19,847	19,654	18,007	18,398	17,753	17,450	15,971	15,606	-2	20,574
Housebreaking	2,672	2,751	2,508	2,372	2,074	2,025	1,867	1,860	1,604	1,536	-4	1,920
Theft by opening a lockfast place	1,478	1,448	1,288	1,194	951	911	944	863	722	663	-8	1,092
Theft of a motor vehicle	1,319	1,337	1,098	975	847	851	776	733	572	482	-16	1,030
Shoplifting	8,366	8,826	8,123	8,427	8,162	8,548	8,457	8,287	8,098	7,842	-3	9,379
Other theft	4,278	3,894	3,652	3,666	3,289	3,430	3,258	3,113	2,765	2,849	3	3,859
Fraud	1,479	1,459	1,443	1,354	1,243	1,179	1,159	1,220	953	903	-5	1,460
Other	1,921	1,946	1,735	1,666	1,441	1,454	1,292	1,374	1,257	1,331	6	1,834
Fire-raising, vandalism, etc	4,051	4,212	4,759	5,025	5,000	5,438	5,392	4,375	3,836	3,351	-13	4,417
Fire-raising	125	147	169	192	192	251	224	244	190	158	-17	192
Vandalism, etc	3,926	4,065	4,590	4,833	4,808	5,187	5,168	4,131	3,646	3,193	-12	4,225
Other crimes	13,831	13,964	15,454	16,804	16,979	19,864	20,266	19,786	19,090	18,684	-2	25,639
Crimes against public justice	5,265	5,058	5,291	5,771	5,764	7,218	8,043	8,704	8,351	8,491	2	12,808
Handling an offensive weapon	2,633	2,771	2,875	3,447	3,500	3,550	3,422	3,541	2,866	2,473	-14	2,960
Drugs	5,913	6,111	7,258	7,555	7,606	8,893	8,533	7,303	7,683	7,500	-2	9,622
Other	20	24	30	31	109	203	268	238	190	220	16	249
All offences	74,988	80,046	85,197	85,012	84,907	87,386	86,657	80,676	78,834	74,474	-6	99,546
Miscellaneous offences	30,144	32,052	34,536	37,488	39,668	42,272	41,301	35,745	32,854	30,410	-7	42,080
Common assault	10,823	11,745	12,317	13,574	14,427	15,443	15,502	15,137	14,148	13,640	-4	17,978
Breach of the peace	13,950	14,384	15,050	16,172	16,894	18,104	17,494	16,003	14,077	11,003	-22	15,916
Drunkenness	374	370	418	311	293	261	235	129	146	160	10	295
Other	4,997	5,553	6,751	7,431	8,054	8,464	8,070	4,476	4,483	5,607	25	7,891
Motor vehicle offences	44,844	47,994	50,661	47,524	45,239	45,114	45,356	44,931	45,980	44,064	-4	57,466
Dangerous and careless driving	3,319	3,628	4,118	3,810	3,621	3,774	3,967	3,696	3,404	3,162	-7	3,833
Drink/drug driving	6,538	9,508	8,158	8,001	7,970	8,066	7,222	8,003	6,232	5,347	-14	5,948
Speeding	9,684	9,809	12,675	13,521	12,252	13,395	14,156	13,589	14,357	12,945	-10	13,225
Unlawful use of vehicle	18,553	19,192	19,563	16,696	14,712	13,450	13,609	12,741	12,175	11,034	-9	18,996
Vehicle defect offences	1,252	1,510	1,859	1,791	1,652	1,707	1,414	1,483	1,662	1,723	4	2,880
Other	5,498	4,347	4,288	3,705	5,032	4,722	4,390	6,200	8,150	9,853	21	12,584

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 B.

2. Number of individual offences relating to people with a charge proved, whether or not the main crime/offence involved.

Table 4(b) People with a charge proved by main crime/offence, 2001-02 to 2010-11

Index: 2001-02=100

Main Crime or Offence	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11 ¹
All crimes and offences	100	105	110	111	109	115	114	108	103	99
All crimes	100	102	103	106	103	112	112	107	100	97
Non-sexual crimes of violence	100	114	124	116	117	118	131	127	118	120
Homicide	100	96	127	139	108	117	132	111	113	113
Serious assault and attempted murder	100	116	126	117	133	128	148	146	129	120
Robbery	100	109	110	97	82	84	87	89	85	83
Other	100	126	158	157	144	165	175	143	160	249
Crimes of indecency	100	92	108	132	139	141	129	154	136	125
Rape and attempted rape	100	82	87	104	91	88	73	61	81	54
Sexual Assault	100	92	97	88	85	84	84	93	85	91
Prostitution	100	90	115	205	256	272	207	208	150	145
Other	100	97	142	188	191	192	195	302	275	223
Crimes of dishonesty	100	101	92	91	84	86	83	81	74	73
Housebreaking	100	103	94	89	78	76	70	70	60	57
Theft by opening a lockfast place	100	98	87	81	64	62	64	58	49	45
Theft of a motor vehicle	100	101	83	74	64	65	59	56	43	37
Shoplifting	100	105	97	101	98	102	101	99	97	94
Other theft	100	91	85	86	77	80	76	73	65	67
Fraud	100	99	98	92	84	80	78	82	64	61
Other	100	101	90	87	75	76	67	72	65	69
Fire-raising, vandalism, etc	100	104	117	124	123	134	133	108	95	83
Fire-raising	100	118	135	154	154	201	179	195	152	126
Vandalism, etc	100	104	117	123	122	132	132	105	93	81
Other crimes	100	101	112	121	123	144	147	143	138	135
Crimes against public justice	100	96	100	110	109	137	153	165	159	161
Handling an offensive weapon	100	105	109	131	133	135	130	134	109	94
Drugs	100	103	123	128	129	150	144	124	130	127
Other	100	120	150	155	545	1015	1340	1190	950	1100
All offences	100	107	114	113	113	117	116	108	105	99
Miscellaneous offences	100	106	115	124	132	140	137	119	109	101
Common assault	100	109	114	125	133	143	143	140	131	126
Breach of the peace	100	103	108	116	121	130	125	115	101	79
Drunkenness	100	99	112	83	78	70	63	34	39	43
Other	100	111	135	149	161	169	161	90	90	112
Motor vehicle offences	100	107	113	106	101	101	101	100	103	98
Dangerous and careless driving	100	109	124	115	109	114	120	111	103	95
Drink/drug driving	100	145	125	122	122	123	120	110	95	82
Speeding	100	101	131	140	127	138	146	140	148	134
Unlawful use of vehicle	100	103	105	90	79	72	73	69	66	59
Vehicle defect offences	100	121	148	143	132	136	113	118	133	138
Other	100	79	78	67	92	86	80	113	148	179

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 B.

Table 5 Numbers of people with a charge proved per 1,000 population by gender and age, 2001-02 to 2010-11

Type of accused ¹	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
All People^{2,3}										
Total⁴	29	30	31	31	31	32	32	30	29	28
Under 16 ⁵	*	*	*	*	*	*	*	*	*	*
16	28	32	29	32	38	38	33	29	22	17
17	76	79	80	80	83	93	86	70	57	47
18	106	103	101	98	100	107	104	86	70	62
19	103	106	102	96	95	99	99	83	71	65
20	100	103	99	90	88	93	92	79	73	65
21-25	82	87	87	83	79	81	80	71	67	60
26-30	59	62	67	69	67	67	67	65	60	57
31-40	34	37	41	42	42	44	43	44	44	44
Over 40 ⁶	10	11	12	13	13	13	13	13	14	14
Male										
Total⁴	50	52	54	54	53	56	55	52	49	47
Under 16 ⁵	*	*	*	*	1	*	1	*	*	*
16	50	56	52	55	66	67	58	49	38	29
17	134	138	139	139	143	160	148	120	96	81
18	190	182	178	170	174	184	178	149	120	104
19	182	189	177	169	167	171	167	142	123	112
20	178	180	172	155	154	162	159	133	125	110
21-25	144	148	146	139	133	138	135	120	112	101
26-30	104	107	114	116	110	112	112	107	98	93
31-40	60	63	69	71	71	74	74	75	75	74
Over 40 ⁶	18	19	21	22	22	23	23	23	23	24
Female										
Total⁴	8	9	10	10	10	10	10	9	9	9
Under 16 ⁵	*	*	*	*	*	*	*	*	*	*
16	5	6	6	6	8	7	7	7	5	4
17	16	16	17	17	20	21	20	17	16	11
18	21	21	21	21	22	26	25	20	18	18
19	24	22	24	22	20	23	26	21	17	16
20	20	25	24	24	20	22	23	21	19	18
21-25	22	25	26	26	24	24	23	21	20	18
26-30	17	19	22	23	23	22	22	22	21	19
31-40	10	13	14	15	15	15	15	14	15	15
Over 40 ⁶	3	4	4	4	4	4	4	4	5	4

1. A person who had a charge proved more than once in 2010-11 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, 2010-11

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
All crimes and offences	15,117	35,109	46,659	96,886	100	100	100	100
All crimes	6,729	13,616	13,947	34,292	45	39	30	35
Non-sexual crimes of violence	667	929	600	2,196	4	3	1	2
Homicide	18	38	44	100	*	*	*	*
Serious assault and attempted murder	439	559	299	1,297	3	2	1	1
Robbery	149	212	98	459	1	1	*	*
Other	61	120	159	340	*	*	*	*
Crimes of indecency	109	144	322	575	1	*	1	1
Rape and attempted rape	4	13	19	36	*	*	*	*
Sexual assault	36	65	175	276	*	*	*	*
Prostitution	-	-	1	1	-	-	*	*
Other	69	66	127	262	*	*	*	*
Crimes of dishonesty	1,903	5,126	5,411	12,440	13	15	12	13
Housebreaking	379	571	514	1,464	3	2	1	2
Theft by opening a lockfast place	117	262	228	607	1	1	*	1
Theft of a motor vehicle	200	192	72	464	1	1	*	*
Shoplifting	532	2,377	2,863	5,772	4	7	6	6
Other theft	448	1,009	898	2,355	3	3	2	2
Fraud	47	246	319	612	*	1	1	1
Other	180	469	517	1,166	1	1	1	1
Fire-raising, vandalism, etc	1,096	1,142	753	2,991	7	3	2	3
Fire-raising	53	47	33	133	*	*	*	*
Vandalism, etc	1,043	1,095	720	2,858	7	3	2	3
Other crimes	2,954	6,275	6,861	16,090	20	18	15	17
Crimes against public justice	1,694	2,676	2,839	7,209	11	8	6	7
Handling an offensive weapon	656	880	760	2,296	4	3	2	2
Drugs	579	2,683	3,177	6,439	4	8	7	7
Other	25	36	85	146	*	*	*	*
All offences	8,388	21,493	32,712	62,594	55	61	70	65
Miscellaneous offences	5,067	9,047	11,154	25,268	34	26	24	26
Common assault	2,561	4,260	4,333	11,154	17	12	9	12
Breach of the peace	1,844	3,419	4,261	9,524	12	10	9	10
Drunkenness	4	59	67	130	*	*	*	*
Other	658	1,309	2,493	4,460	4	4	5	5
Motor vehicle offences	3,321	12,446	21,558	37,326	22	35	46	39
Dangerous and careless driving	538	890	1,310	2,739	4	3	3	3
Drink/drug driving	502	1,436	2,508	4,446	3	4	5	5
Speeding	540	3,294	7,207	11,041	4	9	15	11
Unlawful use of vehicle	1,029	3,395	4,660	9,084	7	10	10	9
Vehicle defect offences	191	530	859	1,580	1	2	2	2
Other	521	2,901	5,014	8,436	3	8	11	9

Table 6(b) Females with a charge proved by main crime/offence and age, 2010-11

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
All crimes and offences	2,223	6,558	9,709	18,492	100	100	100	100
All crimes	799	2,832	2,999	6,630	36	43	31	36
Non-sexual crimes of violence	61	143	117	321	3	2	1	2
Homicide	4	6	6	16	*	*	*	*
Serious assault and attempted murder	27	47	35	109	1	1	*	1
Robbery	22	31	7	60	1	*	*	*
Other	8	59	69	136	*	1	1	1
Crimes of indecency	4	113	74	191	*	2	1	1
Rape and attempted rape	-	-	-	-	-	-	-	-
Sexual assault	1	1	2	4	*	*	*	*
Prostitution	2	100	57	109	*	2	1	1
Other	2	12	15	28	*	*	*	*
Crimes of dishonesty	269	1,422	1,475	3,166	12	22	15	17
Housebreaking	19	42	11	72	1	1	*	*
Theft by opening a lockfast place	11	23	22	56	*	*	*	*
Theft of a motor vehicle	2	12	4	18	*	*	*	*
Shoplifting	140	972	958	2,070	6	15	10	11
Other theft	58	220	216	494	3	3	2	3
Fraud	23	82	186	291	1	1	2	2
Other	16	71	78	165	1	1	1	1
Fire-raising, vandalism, etc	94	128	137	359	4	2	1	2
Fire-raising	11	3	10	24	*	*	*	*
Vandalism, etc	83	125	127	335	4	2	1	2
Other crimes	371	1,026	1,196	2,593	17	16	12	14
Crimes against public justice	262	494	525	1,281	12	8	5	7
Handling an offensive weapon	43	80	54	177	2	1	1	1
Drugs	58	424	579	1,061	3	6	6	6
Other	8	28	38	74	*	*	*	*
All offences	1,424	3,726	6,710	11,862	64	57	69	64
Miscellaneous offences	1,007	1,617	2,510	5,135	45	25	26	28
Common assault	654	836	996	2,486	29	13	10	13
Breach of the peace	253	496	730	1,479	11	8	8	8
Drunkenness	2	8	20	30	*	*	*	*
Other	98	277	764	1,140	4	4	8	6
Motor vehicle offences	417	2,109	4,200	6,727	19	32	43	36
Dangerous and careless driving	45	117	261	423	2	2	3	2
Drink/drug driving	76	232	593	901	3	4	6	5
Speeding	89	546	1,265	1,900	4	8	13	10
Unlawful use of vehicle	118	657	1,173	1,949	5	10	12	11
Vehicle defect offences	10	51	81	142	*	1	1	1
Other	79	506	827	1,412	4	8	9	8

Table 7 People with a charge proved by main penalty, 2001-02 to 2010-11

Main penalty	Number										% change 09-10 - 10-11
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	
Total ⁵	117,089	122,826	128,518	129,732	128,204	134,413	133,607	125,889	121,028	115,398	-5
Custody	14,858	15,614	14,784	15,011	15,082	16,758	16,761	16,938	15,788	15,268	-3
Prison	11,437	12,427	11,959	12,306	12,155	13,489	13,593	13,900	13,013	13,099	1
Young offenders institution	3,407	3,162	2,801	2,685	2,903	3,245	3,142	3,017	2,753	2,157	-22
Other custody	14	25	24	20	24	24	26	21	22	12	-45
Community sentence	12,494	14,248	13,942	15,315	15,973	16,077	16,709	17,922	16,350	15,550	-5
Probation	7,708	8,451	8,137	8,623	8,785	8,614	9,002	9,912	8,893	7,902	-11
Community service order	4,323	4,719	4,298	4,849	5,183	5,286	5,601	5,784	5,471	5,302	-3
Supervised attendance order ⁷	11	13	18	33	99	112	129	198	247	276	12
Restriction of liberty order	166	656	879	1,097	1,136	1,179	1,155	1,143	931	816	-12
Drug treatment & testing order	286	409	610	713	758	865	822	885	808	806	-
Community reparation order	-	-	-	-	11	15	-	-	-	-	-
Anti Social Behaviour Order	-	-	-	-	1	6	-	-	-	-	-
Community payback order	-	-	-	-	-	-	-	-	-	448	-
Financial penalty	77,359	79,887	86,094	84,932	82,194	84,820	83,344	73,993	72,491	67,525	-7
Fine	76,217	78,540	84,327	83,237	80,723	83,445	82,019	72,840	71,452	66,442	-7
Compensation order	1,142	1,347	1,767	1,695	1,471	1,375	1,325	1,153	1,039	1,083	4
Other sentence ⁵	12,378	13,077	13,698	14,474	14,955	16,758	16,793	17,036	16,399	17,055	4
Insanity, hospital, guardianship order	103	101	129	95	115	65	20	16	15	18	20
Caution or admonition	11,702	12,360	12,934	13,744	14,175	15,967	16,084	16,399	15,687	16,412	5
Absolute discharge ⁸	415	385	435	403	401	413	430	412	522	455	-13
Remit to children's hearing	158	230	196	221	260	313	259	209	175	170	-3
Average amount of penalty ¹											
Custody (days) ⁴	243	252	257	238	229	232	248	262	282	277	
Community service order (hours)	153	154	154	149	148	147	146	146	146	149	
Fine ^{2,6} (£)	188	205	208	217	211	213	219	229	217	215	
Compensation order ^{3,6} (£)	233	223	208	247	282	335	322	378	394	394	

1. Excludes indeterminate/not known sentences. 2. Excludes company fines. 3. As main or secondary penalty. 4. Figures for 2009-10 and 2010-11 may be underestimates.

5. Includes a small number of sentence unknown. 6. Excludes a small number of large fines/ large compensation orders. 7. Of first instance.

8. Includes a small number of court cautions and dog-related disposals.

Main penalty	Percentage									
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
Total	100	100	100	100	100	100	100	100	100	100
Custody	13	13	12	12	12	12	13	13	13	13
Prison	10	10	9	9	9	10	10	11	11	11
Young offenders institution	3	3	2	2	2	2	2	2	2	2
Other custody	*	*	*	*	*	*	*	*	*	*
Community sentence	11	12	11	12	12	12	13	14	14	13
Probation	7	7	6	7	7	6	7	8	7	7
Community service order	4	4	3	4	4	4	4	5	5	5
Supervised attendance order	*	*	*	*	*	*	*	*	*	*
Restriction of liberty order	*	1	1	1	1	1	1	1	1	1
Drug treatment & testing order	*	*	*	1	1	1	1	1	1	1
Community payback order	-	-	-	-	-	-	-	-	-	*
Financial penalty	66	65	67	65	64	63	62	59	60	59
Fine	65	64	66	64	63	62	61	58	59	58
Compensation order	1	1	1	1	1	1	1	1	1	1
Other sentence	11	11	11	11	12	12	13	14	14	15
Insanity, hospital, guardianship order	*	*	*	*	*	*	*	*	*	*
Caution or admonition	10	10	10	11	11	12	12	13	13	14
Absolute discharge	*	*	*	*	*	*	*	*	*	*
Remit to children's hearing	*	*	*	*	*	*	*	*	*	*

Table 8(a) People with a charge proved by main crime/offence and main penalty, 2010-11

Main crime or offence	Prison	Y O I	Other custody	Probation	Community service order	Community payback order	Supervised attendance order ¹	Restriction of liberty order	Drug treatment & testing order	Fine	Compensation order	Insanity, guardianship, hospital order	Caution or admonition	Absolute discharge	Remit to children's hearing	Total
All crimes and offences	13,099	2,157	12	7,902	5,302	448	276	816	806	66,442	1,083	18	16,412	455	170	115,398
All crimes	9,207	1,437	12	4,309	2,873	249	127	483	747	12,506	702	14	8,014	136	108	40,924
Non-sexual crimes of violence	1,005	330	8	367	360	2	1	45	6	194	24	6	154	4	11	2,517
Homicide	74	22	-	1	11	-	-	-	-	6	-	1	1	-	-	116
Serious assault and attempted murder	535	206	6	205	278	1	-	33	-	93	17	2	24	2	4	1,406
Robbery	287	83	2	65	38	-	-	6	3	10	5	1	11	1	7	519
Other	109	19	-	96	33	1	1	6	3	85	2	2	118	1	-	476
Crimes of indecency	156	19	1	191	35	-	-	8	4	202	1	3	141	3	2	766
Rape and attempted rape	29	3	-	2	1	-	-	-	-	-	-	-	1	-	-	36
Sexual assault	96	6	1	120	18	-	-	2	1	27	1	3	3	1	1	280
Prostitution	-	-	-	4	-	-	-	-	3	55	-	-	98	-	-	160
Other	31	10	-	65	16	-	-	6	-	120	-	-	39	2	1	290
Crimes of dishonesty	4,266	428	-	1,481	944	98	59	169	519	4,197	287	-	3,092	43	23	15,606
Housebreaking	683	120	-	179	136	8	2	38	64	150	26	-	124	4	2	1,536
Theft by opening a lockfast place	220	22	-	82	54	5	1	16	25	122	28	-	87	-	1	663
Theft of a motor vehicle	89	42	-	86	61	6	3	20	3	116	13	-	34	3	6	482
Shoplifting	2,005	101	-	697	143	49	31	40	302	2,322	72	-	2,049	21	10	7,842
Other theft	702	95	-	282	209	19	17	30	79	832	96	-	473	11	4	2,849
Fraud	194	11	-	49	165	2	3	4	8	301	35	-	129	2	-	903
Other	373	37	-	106	176	9	2	21	38	354	17	-	196	2	-	1,331
Fire-raising, vandalism etc	330	117	-	388	223	27	9	53	10	1,272	382	3	520	3	14	3,351
Fire-raising	42	12	-	36	21	2	-	2	-	17	8	1	14	-	3	158
Vandalism etc	288	105	-	352	202	25	9	51	10	1,255	374	2	506	3	11	3,193
Other crimes	3,450	543	3	1,882	1,311	122	58	208	208	6,641	8	2	4,107	83	58	18,684
Crimes against public justice	1,448	333	-	983	383	71	26	102	54	2,317	4	2	2,688	42	38	8,491
Handling an offensive weapon	624	138	2	381	399	33	5	58	11	500	2	-	288	17	15	2,473
Drugs	1,329	65	1	482	511	14	27	43	141	3,765	-	-	1,098	22	2	7,500
Other	49	7	-	36	18	4	-	5	2	59	2	-	33	2	3	220
All offences	3,892	720	-	3,593	2,429	199	149	333	59	53,936	381	4	8,398	319	62	74,474
Miscellaneous offences	3,404	666	-	3,218	1,928	173	99	294	52	12,576	331	4	7,326	279	60	30,410
Common assault	1,761	425	-	1,790	1,147	78	30	177	23	5,004	232	2	2,804	136	31	13,640
Breach of the peace	1,121	194	-	1,020	392	33	43	92	25	4,649	41	2	3,288	81	22	11,003
Drunkenness	2	-	-	6	1	-	-	1	-	99	-	-	47	4	-	160
Other	520	47	-	402	388	62	26	24	4	2,824	58	-	1,187	58	7	5,607
Motor vehicle offences	488	54	-	375	501	26	50	39	7	41,360	50	-	1,072	40	2	44,064
Dangerous and careless driving	81	17	-	56	92	1	11	7	2	2,823	-	-	66	6	-	3,162
Drink/drug driving	111	11	-	230	214	15	23	13	-	4,694	-	-	35	1	-	5,347
Speeding	-	-	-	2	-	-	1	-	-	12,888	-	-	52	2	-	12,945
Unlawful use of vehicle	293	25	-	77	189	10	14	18	4	9,723	49	-	610	20	2	11,034
Vehicle defect offences	-	-	-	-	-	-	-	-	-	1,623	-	-	97	3	-	1,723
Other	3	1	-	10	6	-	1	1	1	9,609	1	-	212	8	-	9,853

1. Of first instance.

Table 8(b) People with a charge proved by main crime/offence and main penalty, 2010-11

Main crime or offence	Row percentages					Column percentages				
	Custody	Community sentence	Monetary	Other	Total	Custody	Community sentence	Monetary	Other	Total
All crimes and offences	13	13	59	15	100	100	100	100	100	100
All crimes	26	21	32	20	100	65	51	20	43	35
Non-sexual crimes of violence	53	31	9	7	100	7	4	*	1	2
Homicide	83	10	5	2	100	*	*	*	*	*
Serious assault and attempted murder	53	37	8	2	100	3	2	*	*	1
Robbery	72	22	3	4	100	2	1	*	*	*
Other	27	29	18	25	100	1	1	*	1	*
Crimes of indecency	23	31	27	19	100	2	1	-	1	1
Rape and attempted rape	89	8	-	3	100	-	-	-	-	-
Sexual assault	37	50	10	3	100	-	-	-	-	-
Prostitution	-	4	34	61	100	1	1	-	-	-
Other	14	30	41	14	100	-	-	-	1	-
Crimes of dishonesty	30	21	29	20	100	29	20	7	15	13
Housebreaking	52	28	11	8	100	5	2	-	1	1
Theft by opening a lockfast place	37	28	23	13	100	2	2	-	1	1
Theft of a motor vehicle	27	37	27	9	100	1	1	-	1	1
Shoplifting	27	16	31	27	100	11	7	3	9	6
Other theft	28	22	33	17	100	5	4	1	2	3
Fraud	23	26	37	15	100	2	2	1	1	1
Other	31	26	28	15	100	3	2	1	1	1
Fire-raising, vandalism etc	13	21	49	16	100	3	4	3	3	3
Fire-raising	34	39	16	11	100	*	*	*	*	*
Vandalism etc	12	20	51	16	100	3	4	2	3	3
Other crimes	21	20	36	23	100	25	22	10	24	17
Crimes against public justice	21	19	27	33	100	13	9	4	16	8
Handling an offensive weapon	31	36	20	13	100	4	5	1	1	2
Drugs	19	16	50	15	100	8	7	6	6	6
Other	25	30	28	17	100	*	*	*	*	*
All offences	6	9	73	12	100	35	49	80	57	65
Miscellaneous offences	13	19	42	25	100	30	41	19	38	27
Common assault	16	24	38	22	100	15	21	7	14	12
Breach of the peace	12	15	43	31	100	11	13	7	18	10
Drunkenness	1	5	62	32	100	*	*	*	*	*
Other	10	16	51	22	100	5	7	4	6	5
Motor vehicle offences	1	2	94	3	100	4	8	61	19	37
Dangerous and careless driving	3	5	89	2	100	1	1	4	1	2
Drink/drug driving	2	9	88	1	100	1	3	6	*	4
Speeding	-	*	100	*	100	-	*	16	*	9
Unlawful use of vehicle	3	3	89	6	100	2	4	17	13	12
Vehicle defect offences	-	-	94	6	100	*	*	3	1	2
Other	*	*	98	2	100	*	*	14	3	8

Table 8(c) People with a charge proved by gender, main crime/offence and main penalty, 2010-11

Main crime or offence	Male					Female				
	Total	(percentages)				Total	(percentages)			
		Custody	Community sentence	Monetary	Other		Custody	Community sentence	Monetary	Other
All crimes and offences¹	96,886	14	13	59	13	18,492	7	14	55	24
All crimes	34,292	28	21	33	18	6,630	14	24	29	33
Non-sexual crimes of violence	2,196	57	30	8	4	321	29	36	10	25
Homicide	100	81	12	6	1	16	94	-	-	6
Serious assault and attempted murder	1,297	55	36	8	2	109	32	50	9	8
Robbery	459	75	20	3	3	60	48	35	3	13
Other	340	34	29	20	17	136	10	29	15	46
Crimes of indecency	575	30	39	24	8	191	2	8	35	54
Rape and attempted rape	36	89	8	-	3	-	-	-	-	-
Sexual assault	276	37	50	10	3	4	50	50	-	-
Prostitution	1	-	-	-	100	109	-	4	35	61
Other	262	15	31	41	13	28	7	25	43	25
Crimes of dishonesty	12,440	34	20	29	17	3,166	15	23	30	32
Housebreaking	1,464	53	27	11	8	72	29	42	11	18
Theft by opening a lockfast place	607	38	26	23	13	56	16	46	20	18
Theft of a motor vehicle	464	28	37	27	8	18	11	33	33	22
Shoplifting	5,772	31	15	31	23	2,070	15	19	29	37
Other theft	2,355	31	22	33	15	494	15	26	32	27
Fraud	612	29	21	39	11	291	10	35	33	22
Other	1,166	33	25	27	14	165	12	35	33	21
Fire-raising, vandalism etc	2,991	14	21	50	15	359	9	22	41	28
Fire-raising	133	37	37	17	9	24	17	50	8	25
Vandalism etc	2,858	13	20	52	15	335	9	20	43	28
Other crimes	16,090	23	20	37	21	2,593	13	25	29	34
Crimes against public justice	7,209	23	19	28	31	1,281	11	22	23	44
Handling an offensive weapon	2,296	32	35	21	12	177	19	45	15	21
Drugs	6,439	19	15	52	14	1,061	14	25	38	23
Other	146	34	30	24	12	74	9	28	35	27
All offences	62,594	7	9	74	11	11,862	3	9	70	18
Miscellaneous offences	25,268	15	19	44	23	5,135	7	18	36	38
Common assault	11,154	18	24	39	19	2,486	9	21	34	36
Breach of the peace	9,524	13	15	44	28	1,479	6	11	36	47
Drunkenness	130	1	3	68	28	30	3	13	37	47
Other	4,460	11	15	54	20	1,140	5	21	42	31
Motor vehicle offences	37,326	1	2	94	2	6,727	*	2	95	3
Dangerous and careless driving	2,739	4	6	89	2	423	*	3	91	5
Drink/drug driving	4,446	3	9	87	1	901	*	9	89	1
Speeding	11,041	-	*	100	*	1,900	-	-	100	*
Unlawful use of vehicle	9,084	3	3	88	6	1,949	*	1	92	7
Vehicle defect offences	1,580	-	-	94	6	142	-	-	94	6
Other	8,436	*	*	98	2	1,412	-	*	98	2

1. Excludes companies and gender not known.

Table 9 Percentage of people with a charge proved receiving custodial sentences by main crime/offence, 2001-02 to 2010-11

Main crime or offence	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
All crimes and offences	13	13	12	12	12	12	13	13	13	13
All crimes	26	26	24	23	24	24	24	26	26	26
Non-sexual crimes of violence	57	54	52	51	50	54	51	55	57	53
Homicide	83	93	94	92	88	93	96	98	91	83
Serious assault and attempted murder	52	51	48	50	46	52	48	53	56	53
Robbery	75	67	65	61	66	70	66	71	73	72
Other	13	22	18	17	25	22	25	20	27	27
Crimes of indecency	36	35	33	27	27	24	24	22	28	23
Rape and attempted rape	85	95	83	93	90	98	92	98	94	89
Sexual assault	42	40	46	41	43	41	35	42	47	37
Prostitution	-	-	-	-	-	1	-	-	-	-
Other	25	25	17	18	25	18	20	13	16	14
Crimes of dishonesty	31	30	29	29	28	28	28	29	29	30
Housebreaking	51	49	48	47	45	50	47	45	49	52
Theft by opening a lockfast place	39	40	37	33	34	37	36	38	36	37
Theft of a motor vehicle	26	29	22	23	22	27	22	27	24	27
Shoplifting	29	28	29	28	28	26	26	27	26	27
Other theft	28	27	26	26	26	24	26	27	29	28
Fraud	11	11	10	11	13	17	17	22	22	23
Other	26	28	26	24	25	27	26	27	28	31
Fire-raising, vandalism, etc	8	8	9	9	9	9	10	11	12	13
Fire-raising	34	35	31	24	35	27	36	31	30	34
Vandalism, etc	7	7	8	8	8	8	9	10	11	12
Other crimes	19	19	17	17	19	20	21	22	23	21
Crimes against public justice	19	20	19	19	23	24	24	22	23	21
Handling an offensive weapon	24	26	22	22	26	30	29	30	32	31
Drugs	16	16	14	14	13	13	15	19	19	19
Other	45	29	20	42	45	37	35	31	27	25
All offences	5	6	5	5	6	6	6	7	6	6
Miscellaneous offences	9	9	8	9	9	10	10	12	12	13
Common assault	13	13	12	13	13	14	14	15	15	16
Breach of the peace	9	9	8	9	10	10	10	11	12	12
Drunkenness	1	1	3	3	2	2	-	2	3	1
Other	2	3	2	3	3	3	3	7	6	10
Motor vehicle offences	3	3	3	3	3	3	2	2	1	1
Dangerous and careless driving	4	6	4	4	4	4	4	4	3	3
Drink/drug driving	2	3	2	2	2	3	2	2	2	2
Speeding	-	-	-	-	-	-	-	-	-	-
Unlawful use of vehicle	5	6	6	5	6	6	5	5	3	3
Vehicle defect offences	*	-	-	-	-	-	-	-	-	-
Other	*	*	*	*	*	*	*	*	*	*

Table 10(a) People receiving a custodial sentence by main crime/offence and length of sentence, 2010-11

Main crime or offence	(Numbers)									(Percentages)				
	Total ^{1,2}	Up to 3 months	Over 3 months to 6 months	Over 6 months to 2 years	Over 2 years to less than 4 years	4 years and over	Life	Indeterminate Detention	Average length of sentence (days) ^{3,4}	Up to 3 months	Over 3 months to 6 months	Over 6 months to 2 years	Over 2 years to less than 4 years	4 years and over including life etc
All crimes and offences	15,256	5,324	5,220	3,436	766	451	43	5	277	35	34	23	5	3
All crimes	10,644	3,640	3,306	2,522	689	430	43	5	321	34	31	24	6	4
Non-sexual crimes of violence	1,335	41	120	609	292	225	43	5	877	3	9	46	22	20
Homicide	96	-	1	6	4	37	43	5	2,302	-	1	6	4	89
Serious assault and attempted murder	741	4	30	395	176	136	-	-	920	1	4	53	24	18
Robbery	370	8	29	182	101	50	-	-	816	2	8	49	27	14
Other	128	29	60	26	11	2	-	-	271	23	47	20	9	2
Crimes of indecency	175	13	14	52	27	69	-	-	1,279	7	8	30	15	39
Rape and attempted rape	32	-	-	3	2	27	-	-	2,085	-	-	9	6	84
Sexual assault	102	5	4	35	23	35	-	-	1,197	5	4	34	23	34
Prostitution	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	41	8	10	14	2	7	-	-	854	20	24	34	5	17
Crimes of dishonesty	4,694	1,915	1,947	762	51	10	-	-	154	41	41	16	1	*
Housebreaking	803	130	335	304	27	5	-	-	254	16	42	38	3	1
Theft by opening a lockfast place	242	66	112	60	2	-	-	-	172	27	46	25	1	-
Theft of a motor vehicle	131	48	57	25	1	-	-	-	152	37	44	19	1	-
Shoplifting	2,106	1,141	835	126	2	-	-	-	105	54	40	6	*	-
Other theft	797	269	385	132	7	1	-	-	159	34	48	17	1	*
Fraud	205	55	80	61	5	4	-	-	244	27	39	30	2	2
Other	410	206	143	54	7	-	-	-	143	50	35	13	2	-
Fire-raising, vandalism etc.	447	174	174	83	12	4	-	-	194	39	39	19	3	1
Fire-raising	54	2	12	28	8	4	-	-	563	4	22	52	15	7
Vandalism etc.	393	172	162	55	4	-	-	-	144	44	41	14	1	-
Other crimes	3,993	1,497	1,051	1,016	307	122	-	-	309	37	26	25	8	3
Crimes against public justice	1,781	1,156	475	128	15	7	-	-	112	65	27	7	1	*
Handling an offensive weapon	762	98	306	321	36	1	-	-	288	13	40	42	5	*
Drugs	1,394	230	234	561	255	114	-	-	577	16	17	40	18	8
Other	56	13	36	6	1	-	-	-	155	23	64	11	2	-
All offences	4,612	1,684	1,914	914	77	21	-	-	176	37	42	20	2	*
Miscellaneous offences	4,070	1,593	1,665	715	76	19	-	-	173	39	41	18	2	*
Common assault	2,186	651	971	511	46	6	-	-	189	30	44	23	2	*
Breach of the peace	1,315	725	461	114	12	2	-	-	124	55	35	9	1	*
Drunkenness	2	2	-	-	-	-	-	-	29	100	-	-	-	-
Other	567	215	233	90	18	11	-	-	223	38	41	16	3	2
Motor vehicle offences	542	91	249	199	1	2	-	-	202	17	46	37	*	*
Dangerous and careless driving	98	7	38	51	1	1	-	-	289	7	39	52	1	1
Drink/drug driving	122	48	61	13	-	-	-	-	130	39	50	11	-	-
Speeding	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Unlawful use of vehicle	318	33	150	134	-	1	-	-	204	10	47	42	-	*
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	4	3	-	1	-	-	-	-	152	75	-	25	-	-

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

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

3. Excludes life sentences and indeterminate detentions.

4. Average sentence length figures for some categories may be underestimated slightly due to late recording of some high court disposals.

Table 10(b) People receiving a custodial sentence by gender, main crime/offence and length of sentence, 2010-11

Main crime or offence	Male						Female					
	Total ^{1,2}	(Percentages)					Total ¹	(Percentages)				
		Up to 3 months	Over 3 months to 6 months	Over 6 months to 2 years	Over 2 years to less than 4 years	4 years and over including life etc		Up to 3 months	Over 3 months to 6 months	Over 6 months to 2 years	Over 2 years to less than 4 years	4 years and over including life etc
All crimes and offences	13,954	34	34	23	5	3	1,301	42	33	19	3	2
All crimes	9,712	34	31	24	7	4	931	40	32	21	5	3
Non-sexual crimes of violence	1,242	3	9	46	22	20	93	8	14	44	14	20
Homicide	81	-	1	7	2	89	15	-	-	-	13	87
Serious assault and attempted murder	706	1	4	53	24	18	35	-	6	63	14	17
Robbery	341	2	7	48	28	15	29	7	14	62	17	-
Other	114	21	46	22	9	2	14	36	50	7	7	-
Crimes of indecency	171	7	8	29	16	40	4	25	-	50	-	25
Rape and attempted rape	32	-	-	9	6	84	-	-	-	-	-	-
Sexual assault	100	5	4	34	23	34	2	-	-	50	-	50
Prostitution	-	-	-	-	-	-	-	-	-	-	-	-
Other	39	18	26	33	5	18	2	50	-	50	-	-
Crimes of dishonesty	4,230	40	42	17	1	*	464	46	41	12	*	*
Housebreaking	782	16	42	38	3	1	21	38	38	19	5	-
Theft by opening a lockfast place	233	27	47	24	1	1	9	44	22	33	-	-
Theft of a motor vehicle	129	37	43	19	1	-	2	-	50	50	-	-
Shoplifting	1,798	54	39	6	*	*	308	54	41	5	-	*
Other theft	721	35	48	16	1	*	76	26	51	22	-	-
Fraud	177	26	40	30	2	2	28	32	36	29	4	-
Other	390	51	35	12	2	-	20	40	25	35	-	-
Fire-raising, vandalism etc.	413	40	38	18	3	1	33	24	52	24	-	-
Fire-raising	49	4	24	49	16	6	4	-	-	100	-	-
Vandalism etc.	364	45	40	14	1	-	29	28	59	14	-	-
Other crimes	3,656	37	27	25	8	3	337	42	22	27	8	1
Crimes against public justice	1,638	64	27	7	1	*	143	75	20	4	1	-
Handling an offensive weapon	728	13	40	42	5	*	34	15	35	44	6	-
Drugs	1,241	16	16	40	19	9	153	17	20	44	16	3
Other	49	22	65	10	2	-	7	29	57	14	-	-
All offences	4,242	36	42	20	2	*	370	48	38	14	1	*
Miscellaneous offences	3,709	38	41	18	2	*	361	48	37	14	1	*
Common assault	1,970	29	45	24	2	*	216	41	40	18	1	-
Breach of the peace	1,231	54	36	9	1	*	84	68	27	5	-	-
Drunkenness	1	100	-	-	-	-	1	100	-	-	-	-
Other	507	37	41	17	4	2	60	48	40	10	-	2
Motor vehicle offences	533	17	46	37	*	*	9	22	67	11	-	-
Dangerous and careless driving	96	7	38	53	1	1	2	-	100	-	-	-
Drink/drug driving	119	40	49	11	-	-	3	-	100	-	-	-
Speeding	-	-	-	-	-	-	-	-	-	-	-	-
Unlawful use of vehicle	314	10	47	42	-	*	4	50	25	25	-	-
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-	-	-
Other	4	75	-	25	-	-	-	-	-	-	-	-

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

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

Table 10(c) Average length of custodial sentence in days, by main crime/offence, 2001-02 to 2010-11

Main Crime or Offence ¹	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10 ²	2010-11 ²
All crimes and offences	243	252	257	238	229	232	248	262	282	277
All crimes	283	297	301	283	273	280	300	309	329	321
Non-sexual crimes of violence	937	969	964	881	882	906	926	906	904	877
Homicide	1,955	2,092	2,056	2,191	1,927	1,957	2,630	2,276	2,201	2,302
Serious assault and attempted murder	869	948	906	866	892	899	877	888	910	920
Robbery	927	924	942	664	726	818	727	802	761	816
Other	813	632	608	601	770	589	658	617	610	271
Crimes of indecency	1,211	1,274	1,085	1,307	1,043	1,223	1,237	1,326	1,246	1,279
Rape and attempted rape	2,255	2,180	1,941	1,960	2,191	2,072	2,682	2,473	2,203	2,085
Sexual Assault	749	926	794	982	758	1,024	839	1,007	1,085	1,197
Prostitution	0	0	0	0	0	7	0	0	0	0
Other	1,362	1,069	1,126	1,207	616	678	758	1,159	744	854
Crimes of dishonesty	137	140	137	128	128	134	138	142	152	154
Housebreaking	205	219	207	193	211	211	228	223	242	254
Theft by opening a lockfast place	141	128	148	133	127	129	128	149	169	172
Theft of a motor vehicle	153	140	156	120	120	135	133	158	159	152
Shoplifting	99	99	97	97	93	90	94	98	101	105
Other theft	125	147	125	134	124	119	128	137	156	159
Fraud	194	161	249	159	195	263	222	235	235	244
Other	128	131	125	104	125	151	178	152	177	143
Fire-raising, vandalism, etc	153	164	125	140	138	168	188	176	198	194
Fire-raising	533	458	395	450	385	507	469	447	470	563
Vandalism, etc	97	111	90	103	92	112	142	128	158	144
Other crimes	302	319	307	286	249	239	263	276	304	309
Crimes against public justice	74	85	78	89	84	74	88	95	100	112
Handling an offensive weapon	119	112	116	111	118	161	218	263	273	288
Drugs	652	717	655	629	585	548	559	545	575	577
Other	1,038	1,576	1,415	326	159	221	215	183	659	155
All offences	135	142	152	136	134	132	138	160	174	176
Miscellaneous offences	117	127	136	122	124	125	130	157	172	173
Common assault	146	147	167	148	146	145	149	170	195	189
Breach of the peace	81	91	88	85	80	83	87	108	115	124
Drunkenness	49	26	27	27	30	38	0	45	32	29
Other	159	221	236	172	285	279	301	350	352	223
Motor vehicle offences	171	169	183	171	165	157	170	176	188	202
Dangerous and careless driving	234	224	303	259	261	212	233	230	241	289
Drink/drug driving	116	115	120	131	112	105	124	142	137	130
Speeding	0	0	0	0	0	0	0	0	0	0
Unlawful use of vehicle	171	172	178	165	161	161	168	174	189	204
Vehicle defect offences	91	0	0	0	0	0	0	0	0	0
Other	84	106	48	213	76	95	115	80	123	152

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

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

Table 11 People with a charge proved by main penalty, gender and age, 2010-11

Main penalty	Total	Male					Female					Number
		All males	Under 16	16 to 20	21 to 30	Over 30	All females	Under 16	16 to 20	21 to 30	Over 30	
		Total¹	115,398	96,885	53	15,064	35,109	46,659	18,490	14	2,209	6,558
Custody	15,268	13,966	12	1,988	6,052	5,914	1,301	-	169	586	546	
Community sentence	15,550	12,927	12	3,427	4,670	4,818	2,623	4	447	1,015	1,157	
Financial penalty	67,525	57,310	12	7,054	20,343	29,901	10,195	2	907	3,378	5,908	
Other sentence	17,055	12,682	17	2,595	4,044	6,026	4,371	8	686	1,579	2,098	

Main penalty	Total	Male					Female					Row per cent
		All males	Under 16	16 to 20	21 to 30	Over 30	All females	Under 16	16 to 20	21 to 30	Over 30	
		Total	100	84	*	13	30	40	16	*	2	6
Custody	100	91	*	13	40	39	9	-	1	4	4	
Community sentence	100	83	*	22	30	31	17	*	3	7	7	
Financial penalty	100	85	*	10	30	44	15	*	1	5	9	
Other sentence	100	74	*	15	24	35	26	*	4	9	12	

Main penalty	Total	Male					Female					Column per cent
		All males	Under 16	16 to 20	21 to 30	Over 30	All females	Under 16	16 to 20	21 to 30	Over 30	
		Total	100	100	100	100	100	100	100	100	100	100
Custody	13	14	23	13	17	13	7	-	8	9	6	
Community sentence	13	13	23	23	13	10	14	29	20	15	12	
Financial penalty	59	59	23	47	58	64	55	14	41	52	61	
Other sentence	15	13	32	17	12	13	24	57	31	24	22	

1. Includes a small number of cases where gender is unknown, and companies.

Table 12 People with a charge proved by main penalty, gender and age, 2001-02 to 2010-11

	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	% change 09-10 - 10-11
Total^{1,2,3}	116,745	122,471	128,051	129,234	127,843	134,113	133,352	125,875	121,024	115,378	-5
Male	100,874	104,311	107,931	108,459	107,804	113,511	112,787	106,295	101,601	96,886	-5
Under 21	23,780	24,076	23,550	23,205	24,185	25,639	24,525	20,535	17,327	15,117	-13
21-30	38,441	39,405	40,052	39,336	38,079	40,404	41,222	38,896	37,312	35,109	-6
Over 30	38,362	40,811	44,324	45,912	45,537	47,466	47,040	46,864	46,962	46,659	-1
Female	15,871	18,160	20,120	20,775	20,039	20,602	20,565	19,580	19,423	18,492	-5
Under 21	2,746	2,845	2,944	2,909	2,937	3,264	3,306	2,830	2,511	2,223	-11
21-30	6,200	6,843	7,494	7,652	7,387	7,401	7,387	7,313	7,009	6,558	-6
Over 30	6,854	8,468	9,680	10,214	9,715	9,935	9,872	9,437	9,903	9,709	-2
Custody	14,858	15,614	14,784	15,010	15,082	16,758	16,761	16,938	15,788	15,267	-3
Male	13,884	14,610	13,684	13,809	13,939	15,583	15,486	15,585	14,509	13,966	-4
Under 21	3,185	2,979	2,620	2,521	2,803	3,070	2,986	2,856	2,600	2,000	-23
21-30	6,626	7,145	6,726	6,478	6,030	6,684	6,864	6,715	6,151	6,052	-2
Over 30	4,072	4,486	4,338	4,809	5,106	5,829	5,636	6,014	5,758	5,914	3
Female	974	1,004	1,100	1,201	1,143	1,175	1,275	1,353	1,279	1,301	2
Under 21	237	218	211	191	125	200	182	182	175	169	-3
21-30	463	499	542	611	563	592	615	682	580	586	1
Over 30	274	287	347	399	455	383	478	489	524	546	4
Community sentence	12,494	14,245	13,942	15,315	15,973	16,077	16,709	17,921	16,350	15,550	-5
Male	10,538	11,952	11,623	12,820	13,355	13,566	13,886	14,955	13,484	12,927	-4
Under 21	3,677	4,012	3,583	3,914	4,158	4,486	4,471	4,608	3,640	3,439	-6
21-30	3,969	4,511	4,435	4,831	4,920	4,878	4,935	5,303	5,037	4,670	-7
Over 30	2,890	3,429	3,605	4,075	4,277	4,202	4,480	5,044	4,807	4,818	0
Female	1,956	2,293	2,319	2,495	2,618	2,511	2,823	2,966	2,866	2,623	-8
Under 21	480	498	478	529	532	633	667	593	559	451	-19
21-30	894	1,071	987	1,042	1,126	926	1,092	1,176	1,013	1,015	0
Over 30	582	723	854	924	960	952	1,064	1,197	1,294	1,157	-11
Financial penalty	77,037	79,562	85,647	84,468	81,862	84,541	83,104	73,980	72,487	67,508	-7
Male	67,188	68,016	72,573	71,134	69,505	72,051	71,057	63,241	61,480	57,311	-7
Under 21	14,026	13,997	14,389	13,765	14,029	14,646	13,597	9,886	8,462	7,066	-16
21-30	24,941	24,663	25,771	24,840	23,884	25,214	25,791	23,102	22,258	20,343	-9
Over 30	27,947	29,340	32,409	32,524	31,589	32,189	31,669	30,253	30,760	29,901	-3
Female	9,849	11,546	13,074	13,334	12,357	12,490	12,047	10,739	11,007	10,197	-7
Under 21	1,318	1,437	1,549	1,494	1,507	1,572	1,569	1,206	1,061	909	-14
21-30	3,665	4,019	4,572	4,611	4,254	4,253	4,140	3,754	3,818	3,378	-12
Over 30	4,805	6,087	6,952	7,229	6,596	6,663	6,338	5,779	6,128	5,908	-4
Other sentence	12,356	13,050	13,678	14,441	14,926	16,737	16,778	17,036	16,399	17,053	4
Male	9,264	9,733	10,051	10,696	11,005	12,311	12,358	12,514	12,128	12,682	5
Under 21	2,892	3,088	2,958	3,005	3,195	3,437	3,471	3,185	2,625	2,612	0
21-30	2,905	3,086	3,120	3,187	3,245	3,628	3,632	3,776	3,866	4,044	5
Over 30	3,453	3,556	3,972	4,504	4,565	5,246	5,255	5,553	5,637	6,026	7
Female	3,092	3,317	3,627	3,745	3,921	4,426	4,420	4,522	4,271	4,371	2
Under 21	711	692	706	695	773	859	888	849	716	694	-3
21-30	1,178	1,254	1,393	1,388	1,444	1,630	1,540	1,701	1,598	1,579	-1
Over 30	1,193	1,371	1,527	1,662	1,704	1,937	1,992	1,972	1,957	2,098	7

1 Includes people with sentence unknown.

2 Excludes people with gender unknown.

3 Excludes companies.

4 Includes people with age unknown.

Table 13 Bail orders made by type of court, 2002-03 to 2010-11

Number ^{1,2}									
Type of court	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
All court types³	46,795	50,155	52,820	56,233	62,283	60,355	52,592	47,921	46,221
High court	226	359	345	294	434	305	279	261	252
Sheriff court	41,379	43,273	46,757	50,272	55,443	54,089	47,545	43,133	41,710
District/JP court ⁴	5,190	6,523	5,709	5,647	6,400	5,958	4,767	4,522	4,256

Per cent									
Type of court	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
All court types³	100	100	100	100	100	100	100	100	100
High court	0	1	1	1	1	1	1	1	1
Sheriff court	88	86	89	89	89	90	90	90	90
District/JP court ⁴	11	13	11	10	10	10	9	9	9

Index: 2002-03=100									
Type of court	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
All court types³	100	107	113	120	133	129	112	102	99
High court	100	159	153	130	192	135	123	115	112
Sheriff court	100	105	113	121	134	131	115	104	101
District/JP court ⁴	100	126	110	109	123	115	92	87	82

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

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

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

4. Includes justice of the peace courts and the stipendiary magistrates court.

Table 14 Bail orders made by gender and age, 2010-11

	2009-10		2010-11	
	Number	Percentage of total	Number	Percentage of total
Sex¹				
Male	40,468	84%	39,019	84%
Female	7,448	16%	7,201	16%
Age¹				
Under 21	10,153	21%	9,630	21%
21-30	17,917	37%	17,001	37%
Over 30	19,850	41%	19,589	42%
Total^{2,3}	47,921	100	46,221	100

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

counted once only where more than one bail order on same day.

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

Table 15 Bail orders made by main charge, 2002-03 to 2010-11

Year	Non-sexual crimes of violence	Crimes of indecency	Crimes of dishonesty	Fire-raising vandalism etc.	Handling an offensive weapon	Drug offences	Other crimes	Common Assault	Breach of the peace	Miscellaneous offences	Motor vehicle offences	Unknown ⁵	Total ^{1,2,3,4,5}
	Number												
2002-03	3,886	738	12,945	2,565	1,980	2,726	4,067	7,556	4,280	1,675	4,311	20	46,795
2003-04	4,045	871	12,262	2,970	2,332	3,115	4,525	8,561	4,837	2,001	4,527	22	50,155
2004-05	4,234	973	12,136	3,321	2,630	3,342	4,422	9,887	5,771	2,150	3,861	21	52,820
2005-06	4,142	1,111	11,546	3,600	2,819	3,529	5,275	10,955	6,671	2,616	3,865	7	56,233
2006-07	4,204	1,099	12,434	4,064	3,369	3,903	6,314	12,679	7,299	2,462	4,318	45	62,283
2007-08	2,344	656	6,741	2,250	1,922	2,122	3,770	7,082	4,125	1,270	2,212	25,817	60,355
2008-09	-	-	-	-	-	-	-	-	-	-	-	52,592	52,592
2009-10	3,294	732	8,446	2,982	2,313	3,153	6,026	10,788	6,018	2,429	1,673	28	47,921
2010-11	3,421	657	8,499	2,692	2,193	2,945	6,086	10,268	4,301	3,451	1,672	18	46,221
	Percentage of total ⁶												
2002-03	8	2	28	5	4	6	9	16	9	4	9	-	100
2003-04	8	2	24	6	5	6	9	17	10	4	9	-	100
2004-05	8	2	23	6	5	6	8	19	11	4	7	-	100
2005-06	7	2	21	6	5	6	9	19	12	5	7	-	100
2006-07	7	2	20	7	5	6	10	20	12	4	7	-	100
2007-08	7	2	20	7	6	6	11	21	12	4	6	-	100
2008-09	-	-	-	-	-	-	-	-	-	-	-	-	100
2009-10	7	2	18	6	5	7	13	23	13	5	3	-	100
2010-11	7	1	18	6	5	6	13	22	9	7	4	-	100

1. Excludes modifications to existing bail orders. People 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 bulletin's prior to 2007-08, due to a change in methodology. More details are available in annex B.
4. Includes, in 2009-10, 9 people where bail was granted following the lodging of an appeal. Other years also include some numbers of these cases.
5. A breakdown of bail orders by the main charge is not available for the period from 20 October 2007 to 31 March 2009. More details in annex B.
6. Percentage of bail orders made where crime/offence type known.

Table 16 Number and percentage of bail orders issued to individuals accused of crimes or offences, by gender and age, in 2010-11

					Number
	1	2	3	>3	Total
Gender					
Female	4,189	678	238	192	5,297
Male	21,742	4,324	1,416	933	28,415
Age					
Under 21	4,455	1,097	416	362	6,330
21-30	9,321	1,963	619	402	12,305
Over 30	12,155	1,942	619	361	15,077
Total^{1,2}	25,932	5,002	1,654	1,125	33,713

					Per cent
	1	2	3	>3	Total
Gender					
Female	79	13	4	4	100
Male	77	15	5	3	100
Age					
Under 21	70	17	7	6	100
21-30	76	16	5	3	100
Over 30	81	13	4	2	100
Total^{1,2}	77	15	5	3	100

1. Contains a small number of bail orders where gender and/or age are unknown.
2. Excludes modifications to existing bail orders. People counted once only where more than one bail order on the same day.

Table 17 Undertakings to appear in court, by gender and age, 2008-09 and 2010-11

	2008-09 ³		2009-10		2010-11	
	Number	Percentage of total	Number	Percentage of total	Number	Percentage of total
Gender ^{1,2}						
Male	-	-	20,662	79%	21,384	78%
Female	-	-	5,461	21%	5,912	22%
Not known	-	-	3	0%	1	0%
Age ^{1,2}						
Under 21	-	-	6,500	25%	6,297	23%
21-30	-	-	8,807	34%	9,468	35%
Over 30	-	-	10,818	41%	11,532	42%
Not known	-	-	2	0%	0	0%
Total	22,710	100	26,127	100	27,297	100

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

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

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

Table 18 Bail-related Offences with a Charge Proved, 2001-02 to 2010-11

	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	% change 2009-10 to 2010-11
All Bail-related Offences¹	5,445	5,534	5,840	6,102	5,996	7,438	8,025	9,098	8,363	8,241	-1
<i>Bail-related offences as a percentage of bail orders made²</i>	<i>n/a</i>	<i>12</i>	<i>12</i>	<i>12</i>	<i>11</i>	<i>12</i>	<i>13</i>	<i>17</i>	<i>17</i>	<i>18</i>	
High Court	37	51	42	38	43	34	35	35	15	27	80
Sheriff Solemn	216	216	243	233	294	332	352	275	222	230	4
Sheriff Summary	4,597	4,848	5,175	5,578	5,415	6,836	7,436	8,227	7,477	7,343	-2
District/JP Court	594	419	380	253	244	236	202	556	649	641	-1
Age:											
Under 21	1,693	1,576	1,575	1,781	1,763	2,560	2,639	2,580	2,292	2,049	-11
21-30	2,381	2,285	2,555	2,345	2,177	2,486	2,773	3,394	3,081	3,103	1
Over 30	1,371	1,673	1,710	1,976	2,056	2,392	2,613	3,124	2,990	3,089	3
Male	4,713	4,867	5,057	5,351	5,235	6,622	7,145	7,911	7,316	7,203	-2
Female	732	667	783	751	761	816	880	1,187	1,047	1,037	-1
Main result of proceedings:											
Custody	1,338	1,445	1,448	1,476	1,717	2,174	2,268	2,275	2,197	2,081	-5
Community	961	950	1,085	1,297	1,243	1,461	1,625	1,795	1,473	1,452	-1
Monetary	1,431	1,429	1,444	1,451	1,354	1,703	1,889	2,267	1,916	1,819	-5
Other	1,715	1,710	1,863	1,878	1,682	2,100	2,243	2,761	2,777	2,889	4

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).

2. Data not available for 2001-02; provision of bail order data commenced in 2002-03.

Table 19 People given police disposals by disposal type, 2008-09 to 2010-11

	2008-09 ¹	2009-10 ¹	2010-11 ¹	% change 2009-10 to 2010-11
Anti-social Behaviour Fixed Penalty Notice (ASBFPN) ²	48,397	61,208	54,243	-11
Formal Adult Warning	7,782	8,340	7,381	-11
Restorative Justice Warning	2,445	2,267	1,677	-26
Other Police Warnings ²	341	199	307	54
Warning Letter (Police/Childrens Reporter) ³	2,520	2,112	2,105	0

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

2. Includes prostitute warnings, verbal warnings and community warning notices.

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

Table 20 Males given ASBFPNs, by main crime/offence and age, 2010-11

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
Total¹	16,206	18,611	12,836	47,653	100	100	100	100
Riotous behaviour while drunk in licensed premises	-	1	-	1	-	*	-	*
Refusing to leave licensed premises	59	187	134	380	*	1	1	1
Urinating etc	3,131	5,726	3,301	12,158	19	31	26	26
Drunk & incapable	135	225	522	882	1	1	4	2
Drunk in charge of child	4	4	6	14	*	*	*	*
Loud music etc	42	99	66	207	*	1	1	*
Vandalism	376	253	114	743	2	1	1	2
Consuming alcohol in public place	8,302	7,886	5,782	21,970	51	42	45	46
Breach of the peace	4,142	4,211	2,902	11,255	26	23	23	24
Malicious mischief	15	19	9	43	*	*	*	*

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

Table 21 Females given ASBFPNs, by main crime/offence and age, 2010-11

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
Total¹	2,510	2,090	1,983	6,583	100	100	100	100
Riotous behaviour while drunk in licensed premises	-	-	-	-	-	-	-	-
Refusing to leave licensed premises	11	28	27	66	*	1	1	1
Urinating etc	149	146	76	371	6	7	4	6
Drunk & incapable	40	45	109	194	2	2	5	3
Drunk in charge of child	-	-	1	1	-	-	*	*
Loud music etc	23	41	32	96	1	2	2	1
Vandalism	59	44	41	144	2	2	2	2
Consuming alcohol in public place	1,414	999	761	3,174	56	48	38	48
Breach of the peace	811	787	933	2,531	32	38	47	38
Malicious mischief	3	-	3	6	*	-	*	*

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

Table 22 Males given Formal Adult Warnings by main crime/offence and age, 2010-11

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
All crimes and offences¹	1,093	1,055	2,203	4,351	100	100	100	100
All crimes	559	400	684	1,643	51	38	31	38
Non-sexual crimes of violence	2	-	1	3	*	-	*	*
Homicide	-	-	-	-	-	-	-	-
Serious assault and attempted murder	2	-	-	2	*	-	-	*
Robbery	-	-	-	-	-	-	-	-
Other	-	-	1	1	-	-	*	*
Crimes of indecency	-	1	2	3	-	*	*	*
Rape and attempted rape	-	-	-	-	-	-	-	-
Sexual assault	-	-	1	1	-	-	*	*
Prostitution	-	1	-	1	-	*	-	*
Other	-	-	1	1	-	-	*	*
Crimes of dishonesty	423	330	622	1,375	39	31	28	32
Housebreaking	1	1	-	2	*	*	-	*
Theft by opening a lockfast place	1	-	-	1	*	-	-	*
Theft of a motor vehicle	-	2	1	3	-	*	*	*
Shoplifting	215	240	515	970	20	23	23	22
Other theft	104	55	77	236	10	5	3	5
Fraud	93	30	26	149	9	3	1	3
Other	9	2	3	14	1	*	*	*
Fire-raising, vandalism, etc	118	55	48	221	11	5	2	5
Fire-raising	2	-	-	2	*	-	-	*
Vandalism, etc	116	55	48	219	11	5	2	5
Other crimes	16	14	11	41	1	1	*	1
Crimes against public justice	6	11	8	25	1	1	*	1
Handling an offensive weapon	-	-	-	-	-	-	-	-
Drugs	10	3	2	15	1	*	*	*
Other	-	-	1	1	-	-	*	*
All offences	534	655	1,519	2,708	49	62	69	62
Miscellaneous offences	526	645	1,482	2,653	48	61	67	61
Common assault	179	201	288	668	16	19	13	15
Breach of the peace	115	93	250	458	11	9	11	11
Drunkenness	84	194	753	1,031	8	18	34	24
Urinating etc	11	16	14	41	1	2	1	1
Consuming alcohol in public place	35	26	17	78	3	2	1	2
Litter offences	35	21	6	62	3	2	*	1
Communications act offences	13	13	24	50	1	1	1	1
Other	54	81	130	265	5	8	6	6
Motor vehicle offences	8	10	37	55	1	1	2	1
Dangerous and careless driving	2	-	2	4	*	-	*	*
Drink/drug driving	-	-	-	-	-	-	-	-
Speeding	-	-	-	-	-	-	-	-
Unlawful use of vehicle	2	3	15	20	*	*	1	*
Vehicle defect offences	-	-	2	2	-	-	*	*
Other	4	7	18	29	*	1	1	1

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

Table 23 Females given Formal Adult Warnings by main crime/offence and age, 2010-11

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
All crimes and offences¹	724	737	1,567	3,028	100	100	100	100
All crimes	469	404	927	1,800	65	55	59	59
Non-sexual crimes of violence	-	-	2	2	-	-	*	*
Homicide	-	-	-	-	-	-	-	-
Serious assault and attempted murder	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-
Other	-	-	2	2	-	-	*	*
Crimes of indecency	2	7	1	10	*	1	*	*
Rape and attempted rape	-	-	-	-	-	-	-	-
Sexual assault	-	-	-	-	-	-	-	-
Prostitution	-	-	-	-	-	-	-	-
Other	2	7	1	10	*	1	*	*
Crimes of dishonesty	432	373	900	1,705	60	51	57	56
Housebreaking	-	-	1	1	-	-	*	*
Theft by opening a lockfast place	1	-	-	1	*	-	-	*
Theft of a motor vehicle	-	-	-	-	-	-	-	-
Shoplifting	273	309	802	1,384	38	42	51	46
Other theft	36	42	43	121	5	6	3	4
Fraud	122	22	51	195	17	3	3	6
Other	-	-	3	3	-	-	*	*
Fire-raising, vandalism, etc	19	16	11	46	3	2	1	2
Fire-raising	-	-	-	-	-	-	-	-
Vandalism, etc	19	16	11	46	3	2	1	2
Other crimes	16	8	13	37	2	1	1	1
Crimes against public justice	16	7	12	35	2	1	1	1
Handling an offensive weapon	-	-	-	-	-	-	-	-
Drugs	-	-	-	-	-	-	-	-
Other	-	1	1	2	-	*	*	*
All offences	255	333	640	1,228	35	45	41	41
Miscellaneous offences	251	326	621	1,198	35	44	40	40
Common assault	115	141	187	443	16	19	12	15
Breach of the peace	45	60	143	248	6	8	9	8
Drunkenness	39	65	198	302	5	9	13	10
Urinating etc	1	1	1	3	*	*	*	*
Consuming alcohol in public place	10	5	1	16	1	1	*	1
Litter offences	12	7	3	22	2	1	*	1
Communications act offences	12	16	23	51	2	2	1	2
Other	17	31	65	113	2	4	4	4
Motor vehicle offences	4	7	19	30	1	1	1	1
Dangerous and careless driving	-	-	1	1	-	-	*	*
Drink/drug driving	-	-	-	-	-	-	-	-
Speeding	-	-	-	-	-	-	-	-
Unlawful use of vehicle	1	2	6	9	*	*	*	*
Vehicle defect offences	-	-	1	1	-	-	*	*
Other	3	5	11	19	*	1	1	1

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

Table 24 People given COPFS disposals by disposal type, 2008-09 to 2010-11

	2008-09	2009-10	2010-11	% change 09-10 to 10-11
Fiscal Fine	38,189	35,700	35,446	-1
Fiscal Fixed Penalty	18,035	18,546	20,342	10
Fiscal Combined Fine and Compensation	1,401	2,026	2,194	8
Fiscal Compensation	1,981	1,980	1,837	-7
Fiscal Fixed Penalties (Pre-SJR codes) ¹	2,671	413	66	-84

1. Number of pre-Summary Justice Reform procurator fiscal fixed penalty codes. It is known that this category contains both fiscal fines and fixed penalties, however it is not possible to separate the numbers of each.

Table 25 Males given fiscal fines, by main crime/offence and age, 2010-11¹

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
All crimes and offences¹	5,025	8,774	10,282	24,081	100	100	100	100
All crimes	2,662	4,568	4,194	11,424	53	52	41	47
Non-sexual crimes of violence	8	8	11	27	*	*	*	*
Homicide	-	-	-	-	-	-	-	-
Serious assault and attempted murder	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-
Other	8	8	11	27	*	*	*	*
Crimes of indecency	2	5	7	14	*	*	*	*
Rape and attempted rape	-	-	-	-	-	-	-	-
Sexual assault	-	-	-	-	-	-	-	-
Prostitution	1	2	4	7	*	*	*	*
Other	1	3	3	7	*	*	*	*
Crimes of dishonesty	552	972	1,460	2,984	11	11	14	12
Housebreaking	-	-	-	-	-	-	-	-
Theft by opening a lockfast place	10	2	3	15	*	*	*	*
Theft of a motor vehicle	-	1	-	1	-	*	-	*
Shoplifting	327	687	1,114	2,128	7	8	11	9
Other theft	162	232	255	649	3	3	2	3
Fraud	34	38	60	132	1	*	1	1
Other	19	12	28	59	*	*	*	*
Fire-raising, vandalism, etc	166	133	65	364	3	2	1	2
Fire-raising	2	-	-	2	*	-	-	*
Vandalism, etc	164	133	65	362	3	2	1	2
Other crimes	1,934	3,450	2,651	8,035	38	39	26	33
Crimes against public justice	57	82	77	216	1	1	1	1
Handling an offensive weapon	-	-	-	-	-	-	-	-
Drugs	1,877	3,368	2,574	7,819	37	38	25	32
Other	-	-	-	-	-	-	-	-
All offences	2,363	4,206	6,088	12,657	47	48	59	53
Miscellaneous offences	2,321	3,807	5,491	11,619	46	43	53	48
Common assault	386	492	445	1,323	8	6	4	5
Breach of the peace	525	728	684	1,937	10	8	7	8
Drunkenness	28	72	157	257	1	1	2	1
Urinating etc	106	140	132	378	2	2	1	2
Consuming alcohol in public place	757	821	1,179	2,757	15	9	11	11
Litter offences	278	444	489	1,211	6	5	5	5
Communications act offences	66	834	2,037	2,937	1	10	20	12
Other	175	276	368	819	3	3	4	3
Motor vehicle offences	42	399	597	1,038	1	5	6	4
Dangerous and careless driving	-	-	-	-	-	-	-	-
Drink/drug driving	-	-	-	-	-	-	-	-
Speeding	-	-	1	1	-	-	*	*
Unlawful use of vehicle	42	390	589	1,021	1	4	6	4
Vehicle defect offences	-	1	1	2	-	*	*	*
Other	-	8	6	14	-	*	*	*

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

Table 26 Females given fiscal fines, by main crime/offence and age, 2010-11¹

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
All crimes and offences¹	1,060	4,093	6,209	11,362	100	100	100	100
All crimes	325	986	1,353	2,664	31	24	22	23
Non-sexual crimes of violence	-	1	-	1	-	*	-	*
Homicide	-	-	-	-	-	-	-	-
Serious assault and attempted murder	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-
Other ³	-	1	-	1	-	*	-	*
Crimes of indecency	2	11	4	17	*	*	*	*
Rape and attempted rape	-	-	-	-	-	-	-	-
Sexual assault	-	-	-	-	-	-	-	-
Prostitution	-	3	2	5	-	*	*	*
Other	2	8	2	12	*	*	*	*
Crimes of dishonesty	200	590	865	1,655	19	14	14	15
Housebreaking	-	-	-	-	-	-	-	-
Theft by opening a lockfast place	1	-	1	2	*	-	*	*
Theft of a motor vehicle	-	-	-	-	-	-	-	-
Shoplifting	149	499	766	1,414	14	12	12	12
Other theft	32	61	55	148	3	1	1	1
Fraud	18	24	37	79	2	1	1	1
Other	-	6	6	12	-	*	*	*
Fire-raising, vandalism, etc	18	15	15	48	2	*	*	*
Fire-raising	-	-	-	-	-	-	-	-
Vandalism, etc	18	15	15	48	2	*	*	*
Other crimes	105	369	469	943	10	9	8	8
Crimes against public justice	9	18	21	48	1	*	*	*
Handling an offensive weapon	-	-	-	-	-	-	-	-
Drugs	96	351	448	895	9	9	7	8
Other	-	-	-	-	-	-	-	-
All offences	735	3,107	4,856	8,698	69	76	78	77
Miscellaneous offences	730	3,012	4,679	8,421	69	74	75	74
Common assault	125	163	179	467	12	4	3	4
Breach of the peace	116	155	254	525	11	4	4	5
Drunkenness	4	18	34	56	*	*	1	*
Urinating etc	4	6	2	12	*	*	*	*
Consuming alcohol in public place	85	93	122	300	8	2	2	3
Litter offences	159	289	367	815	15	7	6	7
Communications act offences	190	2,221	3,602	6,013	18	54	58	53
Other	47	67	119	233	4	2	2	2
Motor vehicle offences	5	95	177	277	*	2	3	2
Dangerous and careless driving	-	-	-	-	-	-	-	-
Drink/drug driving	-	-	-	-	-	-	-	-
Speeding	-	-	-	-	-	-	-	-
Unlawful use of vehicle	5	93	175	273	*	2	3	2
Vehicle defect offences	-	-	1	1	-	-	*	*
Other	-	2	1	3	-	*	*	*

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

Table 27 Males given fiscal fixed penalties by main crime/offence and age, 2010-11

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
Total¹	1,174	4,808	10,111	16,093	100	100	100	100
Speeding	173	1,155	3,563	4,891	15	24	35	30
Signal and Direction Offences	130	571	1,404	2,105	11	12	14	13
Lighting, Construction & Use Offences	238	350	478	1,066	20	7	5	7
Documentation Offences	296	944	1,631	2,871	25	20	16	18
Other Motor Vehicle Offences ²	331	1,783	3,031	5,145	28	37	30	32
Non-Motor Vehicle Offences ³	6	5	4	15	1	*	*	*

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

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

3. Contains bicycle offences and roadworks offences.

Table 28 Females given fiscal fixed penalties by main crime/offence and age, 2010-11

Main crime or offence	Number				Per cent			
	Under 21	21-30	Over 30	Total	Under 21	21-30	Over 30	Total
Total¹	200	1,250	2,788	4,238	100	100	100	100
Speeding	43	388	1,170	1,601	22	31	42	38
Signal and Direction Offences	40	225	484	749	20	18	17	18
Lighting, Construction & Use Offences	19	57	97	173	10	5	3	4
Documentation Offences	48	246	523	817	24	20	19	19
Other Motor Vehicle Offences ²	50	333	513	896	25	27	18	21
Non-Motor Vehicle Offences ³	-	1	1	2	-	*	*	*

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

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

3. Contains bicycle offences and roadworks offences.

Notes on Statistics Used in this Bulletin

Annex A - Data Sources

Court proceedings, Police disposals and COPFS disposals

A1. Statistical information in the Scottish Government Criminal Proceedings Database is derived from data held on the Criminal History System (CHS) at the Scottish Police Services Authority (SPSA). The CHS is maintained by SPSA on behalf of the eight Scottish police forces who own the majority of the data on the system.

Bail and undertakings

A2. The source of the statistical data on bail orders and undertakings is also the SPSA CHS. SPSA create a statistical extract each day, which picks up records of any bail orders or undertakings granted three days before, which are still associated with live pending cases on the SPSA database. For example, the extract run at the start of a Thursday will pick up any bail orders or undertakings granted on the Monday of that week which a) have been recorded on the database by the start of Thursday, and b) which are associated with pending cases still live at the start of Thursday.

A3. CHS data on undertakings commenced in April 2008, however analysis has found that the recording of undertakings in CHS does not appear to have become consistent across Scotland until July 2008. Projecting back the relatively stable trend in the number of undertakings issued between July 2008 and February 2009 suggests that the number of undertakings recorded on CHS for the period April 2008 to July 2008 is likely to be an underestimate of around 2,000. Between July and November 2008, CHS data on undertakings are consistently higher than comparable data collected by the Association of Chief Police Officers (ACPOS). More confidence in the undertakings data emerges from December 2008 onwards, when the ACPOS data begins to include undertaking numbers for Strathclyde, Glasgow & Strathkelvin, Argyll & Clyde and Ayrshire; thereafter, the CHS and ACPOS data become more aligned in relative magnitude and trend (as shown in [Chart 5](#)).

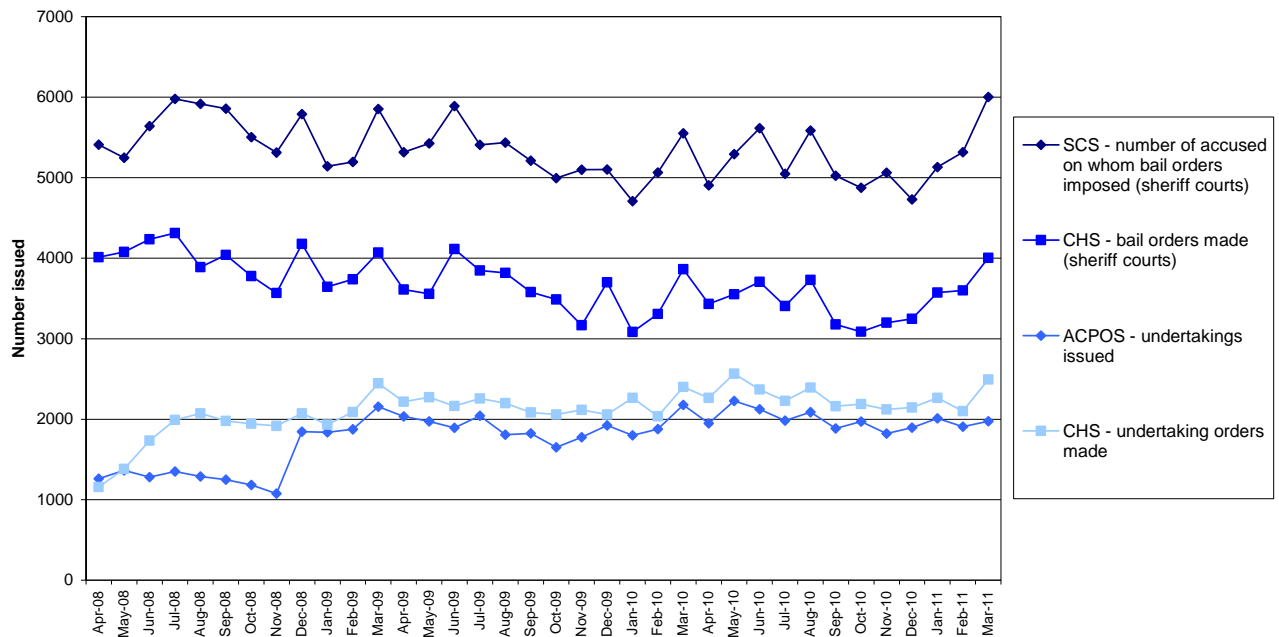
Other

A4. [Chart 2](#) uses a range of summary data collected from the Crown Office and Procurator Fiscal Service, Scottish Government Recorded Crime data and information on police conditional offers made for motor vehicle offences, based on figures provided by police force traffic departments, and information derived from CHS.

A5. The population figures used as denominators in [Table 5](#) and [Chart 5](#) are the relevant mid-year estimates prepared by the National Records of Scotland (NRS)¹.

¹ NRS (formerly the General Register Office for Scotland) mid-year population estimates:
<http://www.gro-scotland.gov.uk/statistics/theme/population/estimates/mid-year/index.html>

Chart 5: Comparison of Criminal History System bail and undertakings data, 2008-09 to 2010-11 (using data provided by the Scottish Court Service and ACPOS)



Annex B - Data Quality, Revisions and Data Processing

Data quality

B1. The data collected are subject to the errors which may arise in any large scale recording system, however effort has been made to clean up records for which key information is incongruent or missing (such as checking against case extract information provided by the Crown Office and Procurator Fiscal Service (COPFS)).

B2. It is known that there may be times when the police report an offence to the procurator fiscal but, when the facts and circumstances are examined by the procurator fiscal, they decide to libel an alternative charge which may be less serious in nature and penalty. There are rare occasions when such decisions are made but unfortunately the charge is not then updated on the computerised records. Changes such as this have been made where observed; however, it is likely that some other occurrences exist which have not been amended. There is nothing to suggest that the scale of this issue is large enough to alter the overall trends reported.

B3. Information on the outcomes of court proceedings is publicly available. However, while our aim is for the statistics in this bulletin to be sufficiently detailed to allow a high level of practical utility, care has been taken to ensure that it is not possible to identify an individual or organisation and glean any private information relating to them.

B4. The police record very detailed information on statutory offences but this does not always correspond exactly to the categories used by Scottish Government. The most

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

B5. Following the introduction of computerisation of case recording to the sheriff courts, some difficulties were experienced by police force records offices in distinguishing court types when recording disposal information on the CHS database. Where possible those cases where the court type was incorrect have been identified and appropriate changes made to the data held in the Scottish Government Criminal Proceedings Database.

B6. Work has been taken forward to examine the reasons for a fall in the number of companies identified in the criminal proceedings database from 2008-09 onwards. This has now been resolved and it is anticipated that these numbers will be retrieved in 2012.

B7. Information on the number of **cases** which received a highest disposal of fiscal fine, fixed penalty, compensation order and combined fiscal fine and compensation order are presented on the [Crown Office website](#); and have been reported in [Table 1](#). The number of **people** who received these disposals as identified by CHS are also presented in that table and have been validated against the Crown Office case-level data using an intermediate data extract of Crown Office 'closed case' data.

B8. The way that Crown Office disposals are recorded in CHS was altered after summary justice reform. Previously, CHS did not consistently record when a procurator fiscal fine or fixed penalty had been issued, and when it was recorded, it was not possible to derive the relative numbers of each. CHS began to record fiscal fines and fixed penalties consistently under separate codes following summary justice reform. During the transition to the use of the new codes however, in 2008-09 and 2009-10, CHS continued to record, respectively, 2,700 and 500 pre-SJR codes representing a combination of procurator fiscal fines or fixed penalties, although it is not possible to separate the numbers of each.

B9. It is not currently possible to extract information on some of the other COPFS disposals, e.g. warnings and no actions, from CHS.

Revisions

B10. The CHS, which holds information on the outcome of court proceedings, is not designed for statistical purposes. It is dependent on receiving timely information from the courts and police force records offices, while some types of outcome, e.g. acquittals, are weeded after a prescribed length of time. A pending case on the CHS is updated in a timely manner but there are occasions when slight delays happen. Recording delays of this sort generally affect high court disposals relatively more than those for other types of court, as the most complex and lengthy trials are held in the high court.

B11. The figures given in this bulletin reflect the details of court proceedings as recorded on the CHS and as provided to the Scottish Government up to the end of July 2011. Any subsequent updates on court disposals made will be incorporated into future bulletins and therefore some figures for 2010-11 (in particular those relating to the high court) are likely to be subject to minor revisions.

B12. These recording delays mean that figures for 2010-11 should be considered provisional as future bulletins may provide updates. We estimate that the 2009-10 bulletin contained a small undercount of around 300 people with a charge proved in 2009-10, around 0.2 per cent of all people with a charge proved. Since the 2009-10 bulletin was published, a small number of high court cases have been added to the court proceedings database.

B13. In all matters relating to revisions, these statistics comply with Scotland's Chief Statistician's current revisions policy:

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

Data processing - Bail orders

B14. Difficulties with the supply of consistent bail data due to the move to a new version of the CHS in October 2007 have now been resolved, allowing provision of offence level breakdowns again from 2009-10. However, due to these difficulties, processing of the 2008-09 bail data was carried out in isolation from bail data from previous years.

Data processing - Breach of social work orders

B15. In bulletins since 2007-08, [tables 1 to 12](#) have been amended compared to previous years, with people having a charge proved for breach of a social work order (for example breaches of community service orders, probation orders and supervised attendance orders) excluded from the totals. Analysis has shown that the number of people with a charge proved for breaching a social work order fell by 39 per cent between 2006-07 and 2007-08 from 4,900 to 3,000. Analysis found that this sharp fall is likely to be due to a change in recording practices rather than a true fall in actual numbers.

B16. In 2006-07 and previous years, a breach of social work order had, by necessity, been recorded as a crime on its own, with no link to the previous crime which led to the imposition of the order in the first place. This was because it was not operationally possible for cases to be re-opened if a breach of the original community sentence occurred. However, the introduction of new IT systems within the courts meant that breaches could be recorded within the original case. Therefore, because (generally) only the initial outcome is included, the change in recording practice produced a fall in the numbers of breach of a social work order identified.

B17. The data that inform these statistics are collated and shared via an existing automated process from the CHS. Therefore, there was no cost to the data provider in 2010-11.

Annex C - Understanding the Statistics in this Bulletin

C1. Individual offenders may be proceeded against on more than one occasion; on each occasion they may be proceeded against for more than one charge. The units of analysis used in this bulletin are:

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

People are counted once for each occasion on which they are proceeded against. If 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 community sentences. References to "people" 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", "people convicted" and "convictions" are used interchangeably.

(b) ***individual offender***

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

(c) ***individual offences***

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

C2. Generally only the initial outcome is included in the court proceedings statistics so that, for example, a person fined is regarded as fined even if he or she subsequently goes to prison (or a Supervised Attendance Order is imposed) in default of payment. Similarly, no account is taken of the outcome of appeals; the exception to this is for those crimes where an appeal is determined prior to publication and the conviction is quashed or the sentence is substituted. Interim decisions such as deferral of sentence are also excluded.

C3. A court can impose more than one penalty in appropriate cases. For example, a fine or an order to find caution can be imposed in addition to a more severe penalty. Equipment used in the commission of a crime or offence may also be forfeited. However, the main additional punishments are generally disqualification from holding or obtaining a driving licence and the endorsement of a driving licence. The main charge in such cases is almost always either a motor vehicle offence or the theft of a motor vehicle.

C4. In the court proceedings statistics, the reference year used is the year in which the person's case is disposed of. If a person pleads to, or is convicted for, a charge in 2008-09, but is not sentenced until 2009-10, all events are recorded as occurring in 2009-10. The age of each person is calculated as at the date of sentence or acquittal.

C5. Many offences are dealt with by means other than prosecution in court, for example through the use of procurator fiscal direct measures such as fiscal fines and compensation orders, or by police warnings and fixed penalties. Data on a range of these disposals are extracted from CHS and added to this bulletin using the same person, main charge and main penalty bases described above for court disposals.

C6. 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.

C7. Court custodial disposals are counted differently from the direct sentenced prison receptions (excluding fine default receptions) published in the Scottish Government [Prison Statistics](#) publications. Most of this difference is because a person given consecutive custodial sentences for several separate sets of charges from the same court on the same day is counted as two custodial sentences in the court statistics, but only one direct sentence reception.

C8. 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).

C9. The Stipendiary Magistrates court in Glasgow generally hears less serious cases than the sheriff court and may impose up to twelve months imprisonment or a fine up to £10,000.

Annex D - Definitions, Classifications and Notation

D1. The measures available to a court in sentencing a convicted person depend on whether the accused is an adult (21 or over), a young offender (aged 16 but less than 21) or a juvenile (under 16 or under 18 with a current supervisory requirement from a children's hearing). In some cases, the court may obtain evidence on whether the accused is suffering from a mental disorder. The measures available to courts in 2010-11 included:

Custodial sentences

- a. Imprison the offender (or sentence a young offender to a young offenders institution (YOI)) or, if the offender has been released on licence/under supervision following a previous conviction, recall to prison or YOI.
- b. Sentence a young offender under 18 years of age convicted of murder to detention for an indeterminate period (*the effect of these sentences is normally detention in a young offenders institution*).
- c. 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

- d. Impose a probation order with or without various conditions including a requirement to do unpaid work.
- e. Impose a community service order requiring the offender to undertake unpaid work.
- f. Impose a supervised attendance order which the court can impose as an alternative to custody for people who have defaulted on fines imposed for minor criminal offences.
- g. 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.
- h. Impose a drug treatment and testing order (DTTO): a measure introduced by the Crime and Disorder Act 1998 and rolled out in phases from 1999 onwards. It is now available to the high court and all sheriff courts, together with the Glasgow Stipendiary Magistrates Court. In addition, a new model for DTTOs has been rolled out to at least one local authority and this can be issued from lower courts and for less serious offenders.
- i. From February 2011, impose a community payback order

Financial penalties

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

Other sentences

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

D2. The range of options available to the police for minor offences includes:

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

D3. When a report is submitted by the police to the procurator fiscal, prosecution in court is only one of a range of possible options for dealing with people who have been charged.

This bulletin presents information on the following options, all non-convictions:

- a. Fiscal fines of up to £300 for summary offences. Available to fiscals before SJR, but cannot be separately identified in CHS until after SJR.

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

Notation

D4. The following symbols are used throughout the tables in this bulletin:

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

D5. The percentage figures given in tables and charts have been independently rounded, so they may not always sum to the relevant sub-totals or totals.

Classification of crimes and offences

D6. Contraventions of the law are divided, for statistical purposes only, into crimes and offences. The classification of crimes and offences used by the Scottish Government for criminal statistics contains over 300 codes. These are grouped in this bulletin as shown in the following table.

CRIMES	
<u>NON-SEXUAL CRIMES OF VIOLENCE</u>	(Also referred to as Violence)
Homicide	Comprises murder and culpable homicide (including the statutory crimes of causing death by dangerous or careless driving or causing death by careless driving while under the influence of drink or drugs, or when driving illegally).
Serious assault and attempted murder	Sometimes referred for short in the text as “serious assault”.
Robbery	Includes offences involving intent to rob.
Other	Includes threats, extortion and cruel and unnatural treatment of children.
<u>CRIMES OF INDECENCY</u>	(Also referred to as Indecency)
Rape and attempted rape	-
Sexual assault	Includes: Contact sexual assault (13-15 yr old or adult 16+), Other sexually coercive conduct (adult 16+), Sexual offences against children under 13, Sexual activity with children aged 13-15, Other sexual offences involving children aged 13-15, Lewd and libidinous practices
Prostitution	-
Other	Includes: Incest, Unnatural Crimes, Public indecency, Sexual exposure, Procuration and other sexual offences

<u>CRIMES INVOLVING DISHONESTY</u>	(Also referred to as Dishonesty)
Housebreaking	Includes business as well as domestic premises.
Theft by opening a lockfast place	-
Theft of a motor vehicle	-
Shoplifting	-
Other theft	Includes theft of pedal cycles.
Fraud	Includes statutory fraud, except social security benefit fraud.
Other	Includes forgery, reset and embezzlement.
<u>FIRE-RAISING, VANDALISM ETC</u>	
Fire-raising	-
Vandalism	Includes malicious mischief, vandalism and reckless conduct with firearms.
<u>OTHER CRIMES</u>	
Crimes against public justice	Includes perjury, contempt of court, bail offences and failing to appear at court.
Handling an offensive weapon	Comprises carrying offensive weapons, restriction of offensive weapons legislation.
Drugs	Includes importation, possession and supply of controlled drugs.
Other	Includes conspiracy and explosives offences.
<u>OFFENCES</u>	
<u>MISCELLANEOUS OFFENCES</u>	
Common assault	Also sometimes termed petty assault or minor assault.
Breach of the peace	-
Drunkenness	Includes offences of being drunk and incapable, being drunk in charge of a child, being disorderly on (or in attempting to enter) licensed premises and being drunk inside (or in attempting to enter) a sports ground.
Other	Includes offences against local legislation, Revenue and Excise Acts, Licensing Acts, Wireless Telegraphy Acts / Communication Acts.
<u>MOTOR VEHICLE OFFENCES</u>	
Dangerous and careless driving	-
Drink/drug driving	Comprises driving or in charge of motor vehicle while unfit through drink or drugs, blood alcohol content above limit and failing to provide breath, blood or urine specimens.
Speeding	-
Unlawful use of vehicle	Comprises driving while disqualified, without a licence, insurance, test certificate, vehicle tax and registration and identification offences.
Vehicle defect offences	Comprises construction and use and lighting offences.
Other	Includes parking, record of work offences, neglect of traffic directions, failing to stop after accident and mobile phone offences and the small number of motorway and clearway offences.

D7. While data was being collated for this bulletin a number of amendments were made to the criminal proceedings classification groupings to increase consistency with the recorded crime groupings. These amendments mainly affect the 'crimes of indecency' group, which has been re-structured as a result of the changes brought about by the Sexual Offences (Scotland) Act 2009. The theft of/from motor vehicle category has also been amended, with theft from a motor vehicle being re-classified into the 'crimes of dishonesty – other' group, leaving theft of a motor vehicle as a separate group. Similarly, motorway and clearway offences have been removed from the speeding group to the 'other' motor vehicle offences group. None of these changes affect the higher level figures (i.e. 'crimes of indecency', 'crimes of dishonesty' and 'motor vehicle offences' are unaffected).

Comparisons with other sources

D8. The figures in this bulletin that relate to community payback orders are derived from the Criminal History System, and are a count of the number of people issued with CPOs, based on sentencing date. Details of CPOs have been published on a quarterly basis by the Scottish Government (available online at:

<http://www.scotland.gov.uk/Topics/Statistics/Browse/Crime-Justice/Datasets/CPOs>).

These quarterly figures are based on monthly extracts from the Scottish Court Service's management information system, and are a count of the number of CPOs issued, based on the date recorded by the court service. As a result, it is expected that the two sets of published figures will not be identical, with the figures herein likely to be higher.

D9. COPFS publish annual figures relating to the number of cases processed each year (available online at: <http://www.copfs.gov.uk/About/corporate-info/Caseproclast5>).

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

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