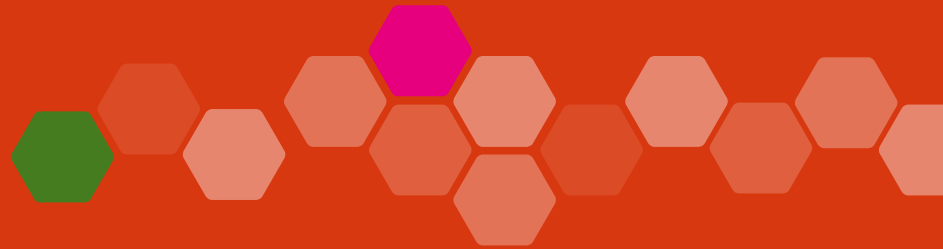


Ethnicity in the Justice System



CRIME AND JUSTICE

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Executive Summary

This paper presents a review of quantitative evidence relating to ethnicity in the justice system in Scotland. In so doing, it collates existing data from a range of sources into one compendium for the first time - presenting a picture of what is currently known about the experience of different ethnic groups within Scotland's justice system. However, it is recognised that there are areas where data is not available, and that the available data does not present a complete picture of the experiences of minority ethnic individuals within the justice system.

The paper presents evidence on four broad topics:

- (i) perceptions of crime, safety, the police and the justice system,
- (ii) experiences of crime,
- (iii) people's interactions with different elements of the justice system when they come into contact with it, and
- (iv) the ethnic composition of the justice workforce.

The data presented in the paper is drawn from a range of sources, including research and statistics produced by the Scottish Government; management information from Police Scotland; hate crime statistics produced by the Crown Office and Procurator Fiscal Service; and workforce information published by justice organisations.

Most of the data and analysis presented in this paper have already been published elsewhere and links to the original data sources are provided throughout. The exception to this is new ethnicity analysis which is based on a pooled sample from the Scottish Crime and Justice Survey (SCJS) which has not previously been published.

In the 2011 census, 91.8% of people in Scotland identified as 'White: Scottish' or 'White: Other British'. The term 'minority ethnic' is used to refer to people identifying as any ethnic group other than White Scottish/White Other British. Minority ethnic groups make up a small proportion of Scotland's population. Accordingly, the number of people from these groups that have come into contact with the justice system and/or are part of the justice system workforce are often very small.

Whilst this paper explores differences between minority ethnic groups, it is important to highlight that these findings do not take into consideration the set of unique circumstances faced by individuals in the justice system or their individual experiences or feelings. Similarly, differences within ethnic groups are not accounted for. Minority ethnic groups are not homogeneous and there will be a range of experiences *within* minority groups as well as *between* groups.

Perceptions of crime, safety, the police and the justice system

Analysis of the Scottish Crime and Justice Survey pooled sample shows that perceptions of crime, safety, the police and the justice system vary by ethnic group. Particular differences include:

- People who identify as White Minority Ethnic and African, Caribbean or Black are less likely than the national average to say that crime is very or fairly common in their area, and more likely to think that the national crime rate has gone down in the last two years.
- Those who identify as Asian and African, Caribbean or Black have a higher level of fear that they will be victim to both property crimes and violent crimes.
- People who identify as White Minority Ethnic have lower levels of fear around their home being broken into or being mugged or robbed.
- People who identify as Asian are less likely to say that they feel safe walking alone in their local area after dark, whilst those from a Mixed or Multiple or White Minority Ethnic group feel more safe, compared to the national average.
- Those who identify as White Minority Ethnic, Asian, and African, Caribbean or Black are all less likely, than the national average, to give a positive account of people in their area and their efforts to prevent crime.
- People from all minority ethnic groups are more likely to hold positive views of the police than the national average.
- The majority of people who had had personal interactions with the police in the last twelve months are satisfied with how the police handled the situation. Levels of satisfaction do not vary by ethnicity.
- People from minority ethnic groups tend to have more positive views of the justice system than the national average. However, there are exceptions, where those from minority ethnic groups have a more negative view of the justice system. These relate to the fairness and treatment of those accused of a crime.

Experiences of crime

Analysis of the Scottish Crime and Justice Survey pooled sample shows that:

- People who identify as African, Caribbean or Black have a higher rate of victimisation than the national average.
- There is no variation by ethnicity in whether or not someone reports a crime to the police.
- Issues with housing and immigration are more prevalent amongst some minority ethnic groups.

Race aggravated hate crimes make up the majority of hate crimes reported to the police. There has been a fall in the number of race aggravated hate crimes reported since 2014/15.

Patterns of offending and the justice system response

- In 2021/22, the vast majority of stop and searches were conducted on people identifying as White Scottish/White Other British.
- Between 2017/18 and 2021/22, the proportion of stop and searches being carried out on minority ethnic individuals has remained fairly stable.
- In 2021/22, the vast majority of use of force incidents related to subjects who identify as White Scottish/White Other British.
- In 2021/22, the vast majority of Taser use was on subjects who identify as White Scottish/White Other British.
- Racial crime remains the most commonly reported hate crime to the Procurator Fiscal. The numbers of charges have fluctuated in recent years but are currently lower than the peak in such charges in 2011/12.
- The ethnicity of the prison population has been largely unchanged over the past ten years. In 2021/22, 94.9% of the average daily population self-identified as White.
- In 2019/20, it was estimated that the incarceration rate for people who identify as African, Caribbean or Black, or from Other ethnic groups was significantly higher than for people who identify as White.

Justice workforce

- There is inconsistency in the level of ethnicity workforce data published by justice organisations.
- Overall, minority ethnic groups appear to be under-represented in justice organisations.
- Minority ethnic staff appear to be evenly distributed across roles and seniority within the justice organisations who report on this.

Ethnicity in the justice system

EXPERIENCE OF CRIME

- **17%** of adults experienced crime between 2008-09 and 2019-20.
- People who identify as African, Caribbean or Black had a higher rate of victimisation than average.

FEAR OF CRIME

- People who identify as Asian, and those who identify as African, Caribbean or Black have higher levels of fear that they will be victim to both property crimes and violent crimes.



PERCEPTION OF CRIME

- People who identify as White Minority Ethnic and those who identify as African, Caribbean or Black are more likely than average to think crime had decreased nationally over the last two years.



- **People from minority ethnic groups tend to hold more positive views of the police and the justice system than the national average. Conversely, people from minority ethnic groups tend to give a less positive account of people in their area and their efforts to prevent crime.**

FEELINGS OF SAFETY

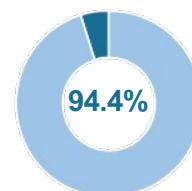
- People who identify as Asian are less likely than average to feel safe alone in their home at night or walking alone after dark.
- People from a Mixed or Multiple or White Minority Ethnic group are more likely to feel safe walking alone after dark.

CIVIL LAW PROBLEMS

- Immigration problems are exclusive to minority ethnic groups.
- Housing problems are more prevalent amongst people who identify as African, Caribbean or Black.
- Issues with neighbours are more prevalent amongst people who identify as Asian.

- **The proportion of stop and searches being carried out on minority ethnic individuals has been stable over the past 5 years.**

- In 2021-22, 94.4% of stop and searches were carried out on those who identified as White.



■ White ■ Other ethnic groups

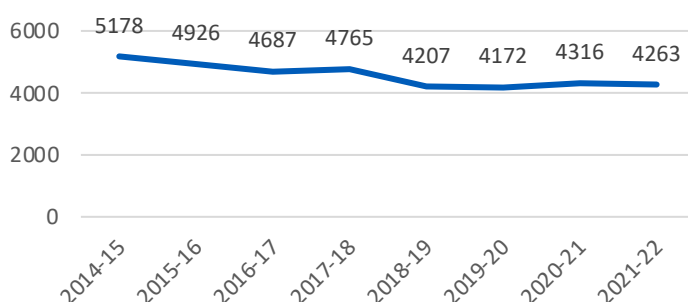
WORKFORCE

- **Minority ethnic groups appear to be under represented in the justice sector workforce.**



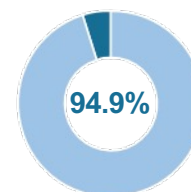
- **Race aggravated hate crimes comprise the majority of hate crimes recorded by the police.**

- Race aggravated hate crimes have declined since 2014 - 15:



- **The ethnicity of the prison population has been stable over the past 10 years.**

- In 2021-22, 94.9% of the average daily population self-identified as White.



■ White ■ Other ethnic groups

- The incarceration rate for people from African, Caribbean or Black and Other ethnic groups has been estimated to be significantly higher than for people who are White.

1. Introduction

1.1 Background and purpose

This paper presents a review of quantitative evidence relating to ethnicity in the justice system. Drawn from a range of data sources, its aim is to present analysis that compares the position of people from different ethnic groups on several justice-related topics in Scotland. These broadly include:

- (i) perceptions of crime, safety, the police and the justice system,
- (ii) experiences of crime,
- (iii) people's interactions with different elements of the justice system when they come into contact with it, and
- (iv) the ethnic composition of the justice workforce.

Information is presented to focus on how findings differ between ethnic groups and, where available, how these have changed over time.

This is the first time that such data has been collated and published together. This paper has originated from the work of the [Cross Justice Working Group on Race Data and Evidence](#) and will inform the Group's future activities.

The Cross Justice Working Group on Race Data and Evidence was set up in October 2020. Its membership includes representatives from the Scottish Government, all the main justice organisations, community groups and academia.

A separate working group, [The Cross Justice Working Group on Race and Workforce](#), was set up to look specifically at the issue of diversity in the justice workforce. Chapter 5 in this paper focusses on workforce and is relevant to the workforce group as well as the data and evidence group.

1.2 Ethnicity classifications

Ethnicity is a complex and emotive issue. There is a lack of consensus about what constitutes ethnic background or an 'ethnic group'. It can mean different things to different people, which can depend on the context or situation, and understanding of the term evolves over time. It encompasses aspects of identity, race, ancestry, history, culture, and it is very diverse.

The Scottish Government has published [guidance](#), for all public authorities, in order to promote consistency in the collection and reporting of ethnicity data. The Scottish Government has developed harmonised ethnicity questions, which are identical to [Scotland's Census 2022](#) questions, with the addition of a prefer not to say option. These harmonised questions are used in Scottish Government surveys, such as the Scottish Crime and Justice Survey. Table 1.1 shows the ethnicity categories used in Scotland's Census 2022.

Table 1.1: Ethnicity categories used in Scotland's Census 2022

<p>Category A. White</p> <p>Sub-categories:</p> <ul style="list-style-type: none">• Scottish• Other British• Irish• Polish• Gypsy / Traveller• Roma• Showman / Showwoman• Other white ethnic group, please write in
<p>Category B. Mixed or multiple ethnic groups</p> <p>Sub-categories:</p> <ul style="list-style-type: none">• Any mixed or multiple ethnic groups, please write in
<p>Category C. Asian, Scottish Asian or British Asian</p> <p>Sub-categories:</p> <ul style="list-style-type: none">• Pakistani, Scottish Pakistani or British Pakistani• Indian, Scottish Indian or British Indian• Bangladeshi, Scottish Bangladeshi or British Bangladeshi• Chinese, Scottish Chinese or British Chinese• Other, please write in
<p>Category D. African, Scottish African or British African</p> <p>Sub-categories:</p> <ul style="list-style-type: none">• Please write in (for example, Nigerian, Somali)
<p>Category E. Caribbean or Black</p> <p>Sub-categories:</p> <ul style="list-style-type: none">• Please write in (for example, Scottish Caribbean, Black Scottish)
<p>Category F. Other ethnic group</p> <p>Sub-categories:</p> <ul style="list-style-type: none">• Arab, Scottish Arab or British Arab• Other, please write in (for example, Sikh, Jewish)

The data presented in this report is drawn from a variety of sources and the ethnicity categories used in these data sets are not always consistent. Not all data has been gathered or reported using the 2022 census categories. Justice organisations in Scotland have [agreed to adopt](#) the 2022 census ethnicity classifications for their data collection, as soon as is practicably possible.

In the [2011 Scottish Census](#), the vast majority, 91.8%, of people identified as 'White: Scottish' or 'White: Other British'. 4.2% identified as belonging to a white minority ethnic group, such as Polish, Irish, Gypsy/Traveller or 'White: Other'. 4% of the population identified as, Asian, African, Caribbean or Black, Mixed, or Other ethnic group.

The term 'minority ethnic' is used in this report to refer to people identifying as any ethnic group other than White Scottish/White Other British.

As minority ethnic groups make up a small proportion of Scotland's population, the number of people from these groups within the justice system and the justice workforce are often very small. This could lead to statistical unreliability when analysing data and hinder publication of figures because of the need to avoid identification of individuals. Combining categories can overcome the issue of small numbers. However, it is not an ideal solution as it can hide disparities that occur between each of the separate ethnic groups.

The approach to reporting ethnicity in this paper, takes into account, the diversity of ethnicity categories and terminologies used by organisations, and the need to report data in a consistent way. It also attempts to balance the need to combine categories due to small numbers, whilst still endeavouring to show differences between minority ethnic groups.

1.3 Data sources

This paper presents data from a range of sources, including research and statistics produced by the Scottish Government; management information from Police Scotland; hate crime statistics produced by the Crown Office and Procurator Fiscal Service; and workforce information published by justice organisations. Further information on the data included in the report is provided in [Appendix A](#).

For the most part, the statistics presented in this paper have already been published and links to the original data are provided throughout. The exception to this is new ethnicity analysis based on pooled data from the Scottish Crime and Justice Survey (SCJS) which has not previously been published elsewhere.

Scottish Crime and Justice Survey pooled sample

The [Scottish Crime and Justice Survey](#) (SCJS) is a large-scale social survey which asks people about their experiences and perceptions of crime in Scotland. New ethnicity analysis of the SCJS using a pooled sample is presented in this report. This is the first time such analysis has been carried out and published.

The number of SCJS respondents from a minority ethnic community in an individual survey year is too small to do meaningful analysis on. To overcome this, a new analysis of the SCJS findings has been undertaken, combining the nine surveys conducted between 2008/09 and 2019/20 comprising 90,000 interviews. This means that analysis by ethnicity is possible for the first time. However, it is worth noting that pooling data from multiple surveys in this way has some limitations. It is not possible to present trend data to explore change over time. Some respondents will have been answering questions relating to experiences in 2008/09 and others as late as 2019/20. It is recognised that perceptions may well have changed over the time period which will not be able to be picked up in the

analysis. It should also be noted that the most recent data included is from the 2019/20 survey which took place prior to the Covid-19 pandemic and lockdown restrictions, and the Black Lives Matter movement coming to global prominence.

This is the first time that analysis of SCJS data has been undertaken by ethnicity and the approach taken will be reviewed for future analysis. It is hoped that over time it can be added to and potentially split into more than one time period to allow for changes over time to be identified. Users are also welcome to ask for further analysis of the data.

Table 1.2 shows the composition of the SCJS sample and the ethnicity categories used in the analysis. White Scottish/White Other British respondents make up 93% of the total SCJS pooled sample. Those who identify as White Minority Ethnic¹ make up a further 4.2% of the sample, therefore 97.2% of the sample identify as White. In contrast those who identify as belonging to other ethnic groups only make up a fraction of a percent of the sample. 1.5% of the sample identify as Asian, 0.6% as African, Caribbean or Black², 0.3% as Other and 0.1% as Mixed or Multiple. In 0.1% of the sample the ethnicity is not known.

Table 1.2 Size of SCJS pooled sample by ethnicity (unweighted data)

Ethnicity	%	No.
White Scottish/White Other British	93%	84,365
White Minority Ethnic	4.2%	3,790
Mixed or Multiple	0.1%	123
Asian	1.5%	1,416
African, Caribbean, or Black	0.6%	623
Other	0.3%	274
Don't Know / Refused	0.1%	122
N = 90,713		

Findings are presented by comparing responses from the six combined ethnicity categories with the national average. Throughout the report, results are presented where a statistically significant result was found at the 95% confidence level. Results that are not statistically significant are reported as showing 'no difference' (or equivalent) to the national average. As the White Scottish / White Other British category makes up a much larger proportion of the sample than any of the other ethnicity categories, a very small difference between the White Scottish/White Other British category and the national

¹ For the purposes of this analysis 'White Minority Ethnic' includes: 'White Polish'; 'White: Irish', 'White: Gypsy/Traveller' and 'White: Other White Ethnic Group'.

² For the purposes of this analysis 'African, Caribbean or Black' includes: 'African, Scottish African or British African' and 'Caribbean or Black'.

average might be classed as significant, whereas for other categories which make up a small proportion of the sample, a larger difference is likely to be required before the result would be considered a significant difference.

At this stage, no additional analysis has been done to explore how intersections such as age, gender or area deprivation might impact on findings.

Further details on the SCJS methodology and the pooled sample can be found in [Appendix B](#).

1.4 Data limitations

Although this paper explores differences between minority ethnic groups, it is important to highlight that these findings do not take into consideration the set of unique circumstances faced by individuals in the justice system or their individual experiences or feelings. Similarly, differences within ethnic groupings are not accounted for. Notwithstanding this, it is acknowledged that minority ethnic groups are not homogeneous and that there will be a range of experiences *within* minority groups as well as *between* groups.

The results reported in the paper, are drawn from survey and administrative data, and present averaged outcomes for ethnic groups.

It is difficult to make accurate comparisons with the overall population profile due to the age of available detailed comparator census data. Data from the 2011 census is applied in comparisons, however, this is more than 10 years old and new figures from Scotland's Census 2022 are yet to be published. More recent population estimates indicate that Scotland's population is more diverse now than it was in 2011, therefore a degree of caution is required when comparing current statistics to the 2011 Scottish Census.

In the [2011 Scottish Census](#), 91.8% of people identified as White Scottish/White Other British, 4.2% identified as belonging to a white minority ethnic group, and 4% of the population identified as, Asian, African, Caribbean or Black, Mixed, or Other ethnic group.

Estimates from the 2019 [Scottish Surveys Core Questions \(SSCQ\)](#) dataset, indicate an increase in the proportion of the population identifying as Asian, African, Caribbean or Black, Mixed, or Other ethnic group (4.7%), and White Minority Ethnic³ (6.7%), and a decrease in the proportion identifying as White Scottish/White Other British (88.4%).

This paper collates existing ethnicity and justice data into one compendium, presenting a picture of what is currently known about the experience of different ethnic groups within Scotland's justice system. However, there are areas where data is not available. In particular, arrest data by ethnicity is not routinely collected or published, and there is limited ethnicity data relating to court processes and outcomes.

It should be noted that the analysis and data reported in the paper, does not control for, or explore [intersectionality](#) with other characteristics of minority ethnic individuals (such as age, gender, education or socio-economic background) which are likely to influence a

³ For the purposes of this analysis 'White Minority Ethnic' includes: 'White Polish'; 'White: Irish', 'White: Gypsy/Traveller' and 'White: Other White Ethnic Group'

person's perception of and interaction with the justice system. Controlling for these effects would limit the ability to breakdown results by ethnicity which is the focus of this publication. The analysis and data presented do not by themselves explain why differences may exist between ethnic groups and these differences should not be taken as direct effects. Moreover, it is not possible to make any causal links between ethnicity and justice system outcomes.

It is intended that the evidence presented here will be used to inform further discussions and developments around improving the ethnicity evidence base within Scotland's justice system.

2. Perceptions of crime, safety, the police and the justice system

2.1 Introduction

In this chapter findings are presented from new analysis based on a pooled sample of the Scottish Crime and Justice Survey (SCJS). The [SCJS pooled sample](#) combines responses to the nine surveys conducted between 2008/09 and 2019/20. With this larger pooled sample analysis by ethnicity is possible for the first time. The analysis presented in this chapter focusses on people's experiences and perceptions of crime, community safety, and the justice system in Scotland.

2.2 Key findings

Analysis of Scottish Crime and Justice Survey (SCJS) pooled sample shows that perceptions of crime, safety, the police and the justice system vary by ethnic group. Particular differences include:

- People who identify as White Minority Ethnic and African, Caribbean or Black are less likely than the national average to say that crime is very or fairly common in their area, and more likely to think that the national crime rate has gone down in the last two years.
- Those who identify as Asian and African, Caribbean or Black have a higher level of fear that they will be victim to both property crimes and violent crimes.
- People who identify as White Minority Ethnic have lower levels of fear around their home being broken into or being mugged or robbed.
- People who identify as Asian are less likely to say that they feel safe walking alone in their local area after dark, whilst those from a Mixed or Multiple or White Minority Ethnic group feel more safe, compared to the national average.
- Those who identify as White Minority Ethnic, Asian, and African, Caribbean or Black are all less likely, than the national average, to give a positive account of people in their area and their efforts to prevent crime.
- People from all minority ethnic groups are more likely to hold positive views of the police than the national average.
- The majority of people who had had personal interactions with the police in the last twelve months are satisfied with how the police handled the situation. Levels of satisfaction do not vary by ethnicity.
- People from minority ethnic groups tend to have more positive views of the justice system than the national average. However, there are exceptions, where those from minority ethnic groups have a more negative view of the justice system. These relate to the fairness and treatment of those accused of a crime.

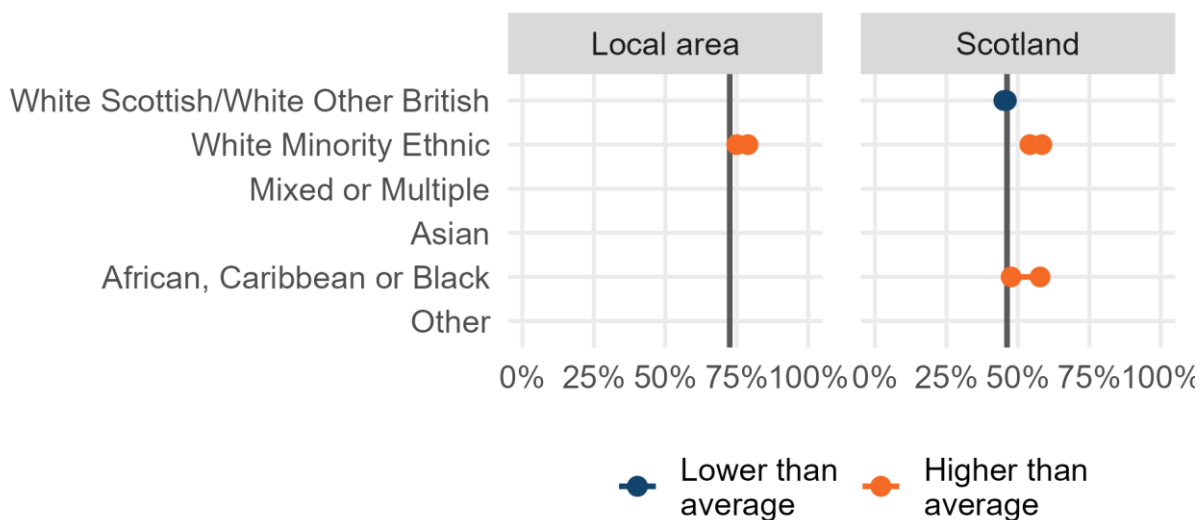
2.3 Perceptions of crime

This section presents findings from the Scottish Crime and Justice Survey (SCJS) pooled sample on people's perceptions of crime both in Scotland and their local community. It should be noted that, as the SCJS pooled sample combines responses to nine surveys,

some respondents will have been answering questions relating to experiences in 2008/09 and others as late as 2019/20.

People who identify as White Minority Ethnic are more likely than the national average to think that the crime rate in their local area has gone down or stayed the same in the last two years⁴ (77% compared to 73%). Results for all other ethnicities are equivalent to the national average (Figure 2.1).

Figure 2.1: Perceived change in crime rate in last two years – percentage of respondents who say about the same or less



When asked whether the crime rate in Scotland overall had changed in the last two years, respondents tend to have more negative opinions of the national crime rate than for their local area. 46% of people thought that the crime rate in Scotland had gone down or stayed the same in the last two years, compared to 73% when asked about their local area.

White Minority Ethnic respondents (56%), and African, Caribbean or Black respondents (53%) are more likely than the national average (46%) to think the crime rate in Scotland had gone down or stayed the same in the last two years. White Scottish/White Other British respondents are significantly less likely to think that the national crime rate had gone down or stayed the same.

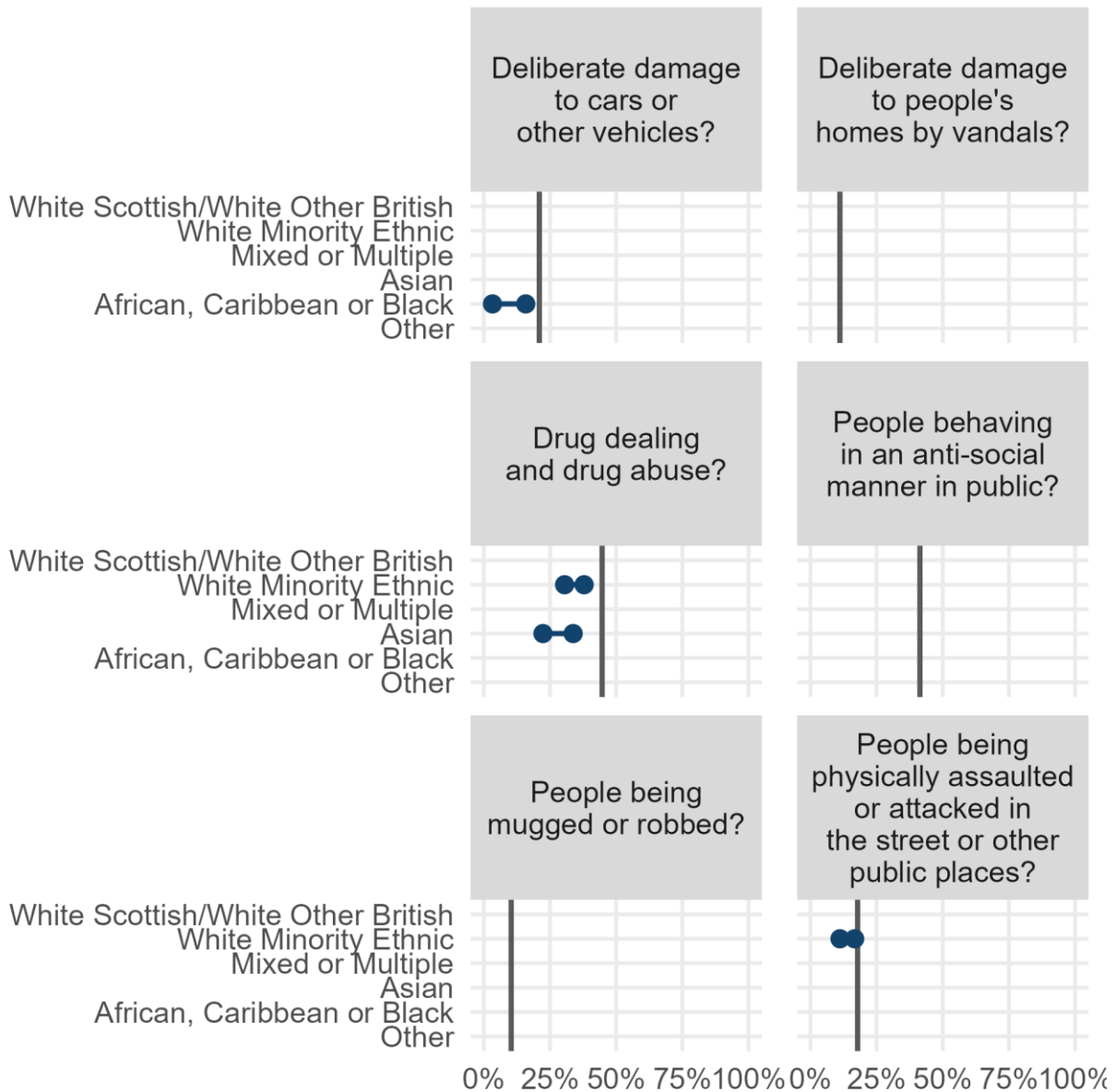
Perception of prevalence of specific crimes in local area

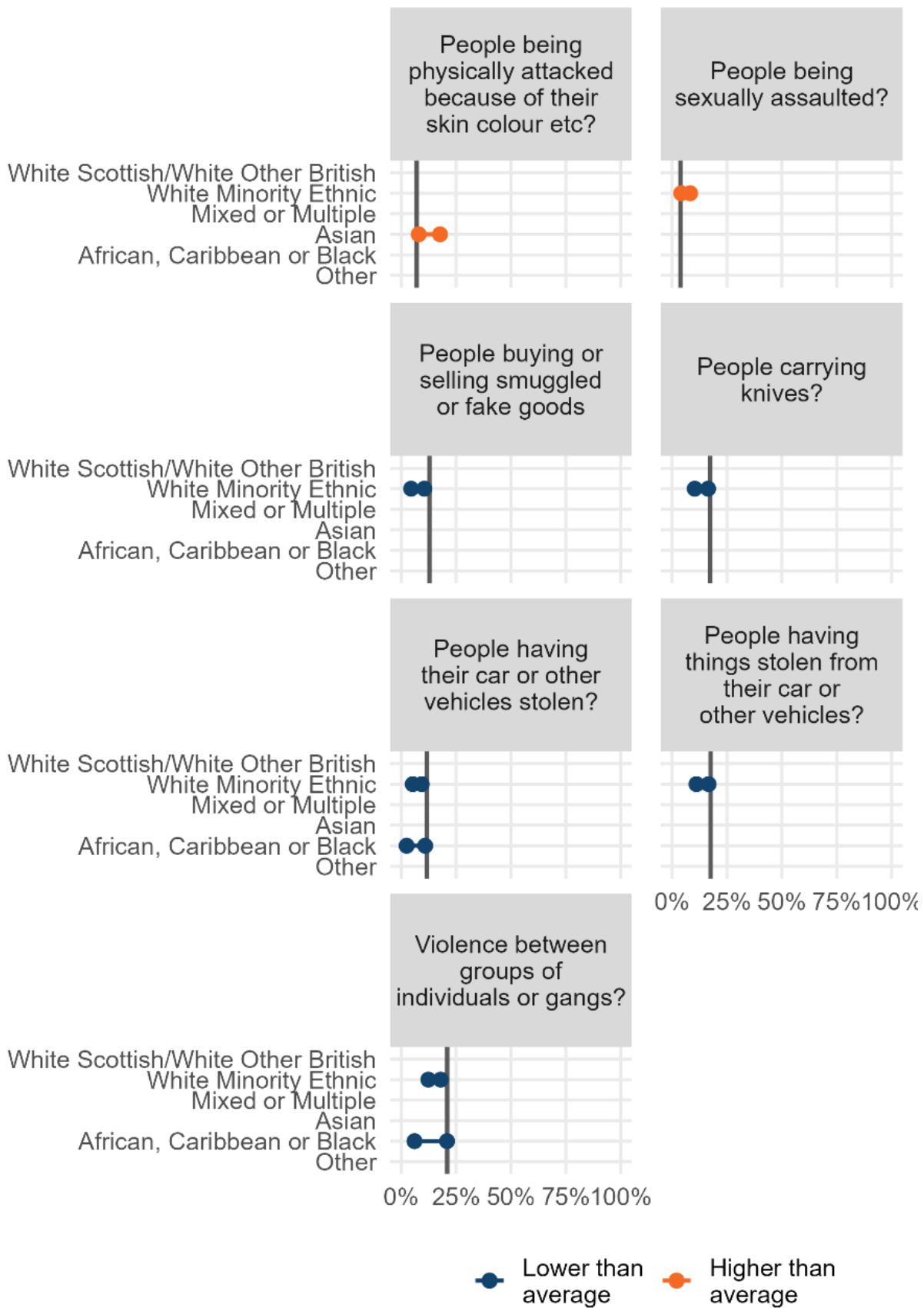
Respondents in the SCJS were asked how common they thought thirteen types of crime were in their local area. Overall, perceptions of how common a crime is in the local area vary by crime type. Sexual assault is perceived as the least common, 4% think it is fairly or very common in their area. Anti-social behaviour (41%) and drug dealing and drug abuse (45%) are perceived as the most common crimes in the local area.

⁴ The SCJS asks “How much would you say the crime rate in your local area has changed since two years ago? Would you say there is more, less or about the same?” The pooled sample combines data from a 10 year period, from 2008/09 to 2019/20, therefore respondents will be answering in relation to different “two year” reference periods depending on the year they participated in the survey.

Figure 2.2 provides a summary of statistically significant differences in perceptions of the thirteen different crimes by ethnicity. Full results are in Appendix C: Table A2.1.

Figure 2.2: Perceived prevalence of crime – proportion of respondents who think each crime is fairly or very common in their local area





There are significant differences in the perception of ten out of the thirteen crimes by ethnicity. There are no differences by ethnicity in views of how common people behaving in an anti-social manner in public (41% national average), deliberate damage to people's homes by vandals (11%) or people being mugged or robbed (10%) are in the local area.

Where differences are noted, in general African, Caribbean, or Black respondents and White Minority Ethnic respondents tend to be less likely than the national average to say that a crime is very or fairly common in their area. The exception to this is people being sexually assaulted, where White Minority Ethnic respondents are more likely to say this is fairly or very common.

Two differences are noted for Asian respondents, higher for one crime (people being physically assaulted because of their skin colour etc.) and lower for one crime (drug dealing and drug abuse). There are no significant differences by ethnicity for those who are from Other ethnic groups. Data is not available for those from Mixed or Multiple ethnic groups as there were fewer than 50 respondents in this group.

Fear of crime

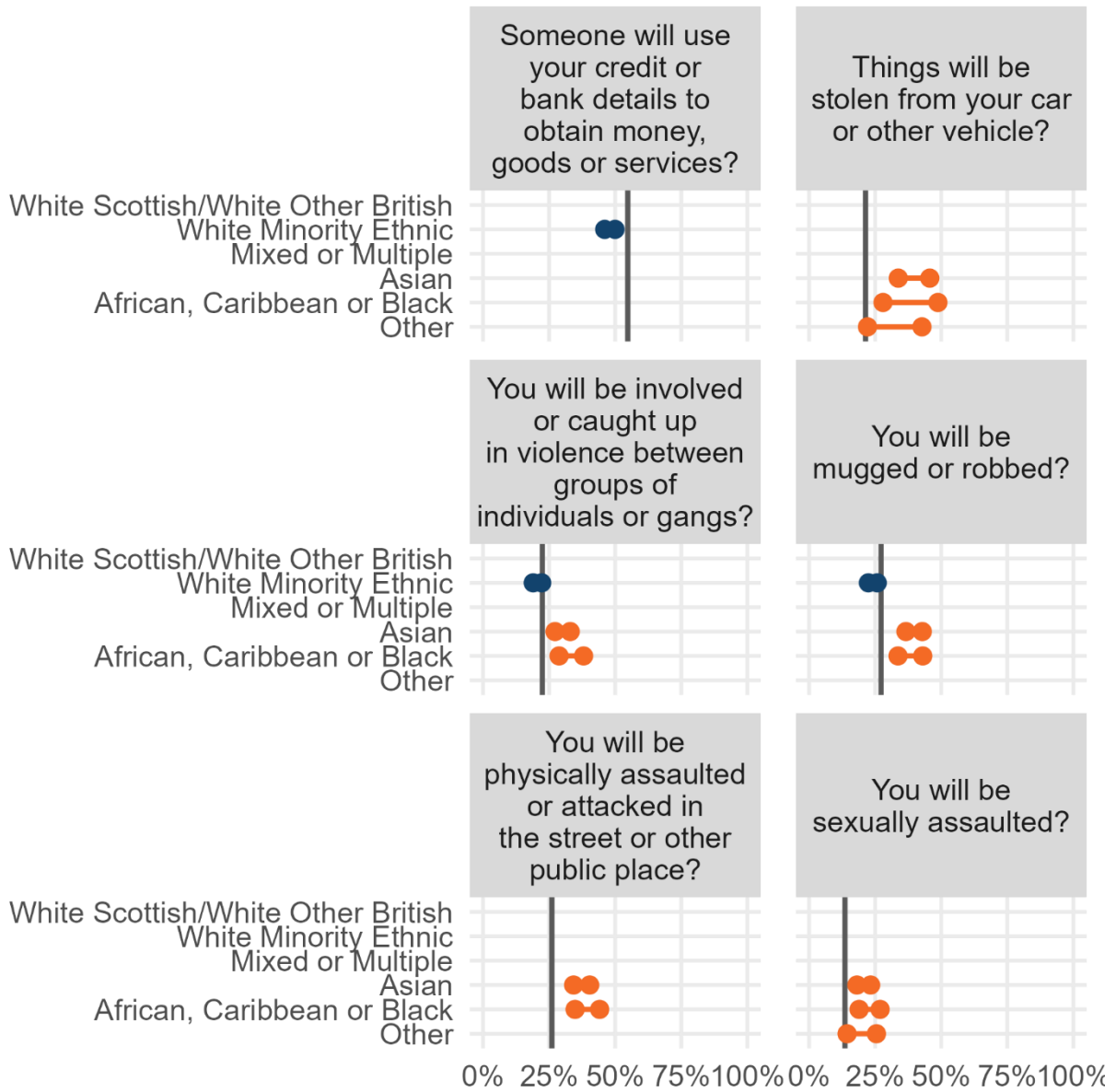
The SCJS asks respondents about their fear of eleven crime types. Degree of fear varies by crime type. Generally, people are more likely to say that they are fairly or very worried about crimes such as someone using their credit or bank details to obtain money, goods or services (55%), or having their identity stolen (47%), and property crime such as having their house broken into (33%), than violent crime, such as being mugged or robbed (27%) or being physically assaulted (26%), or sexually assaulted (14%). Full results are in Appendix C: Table A2.2.

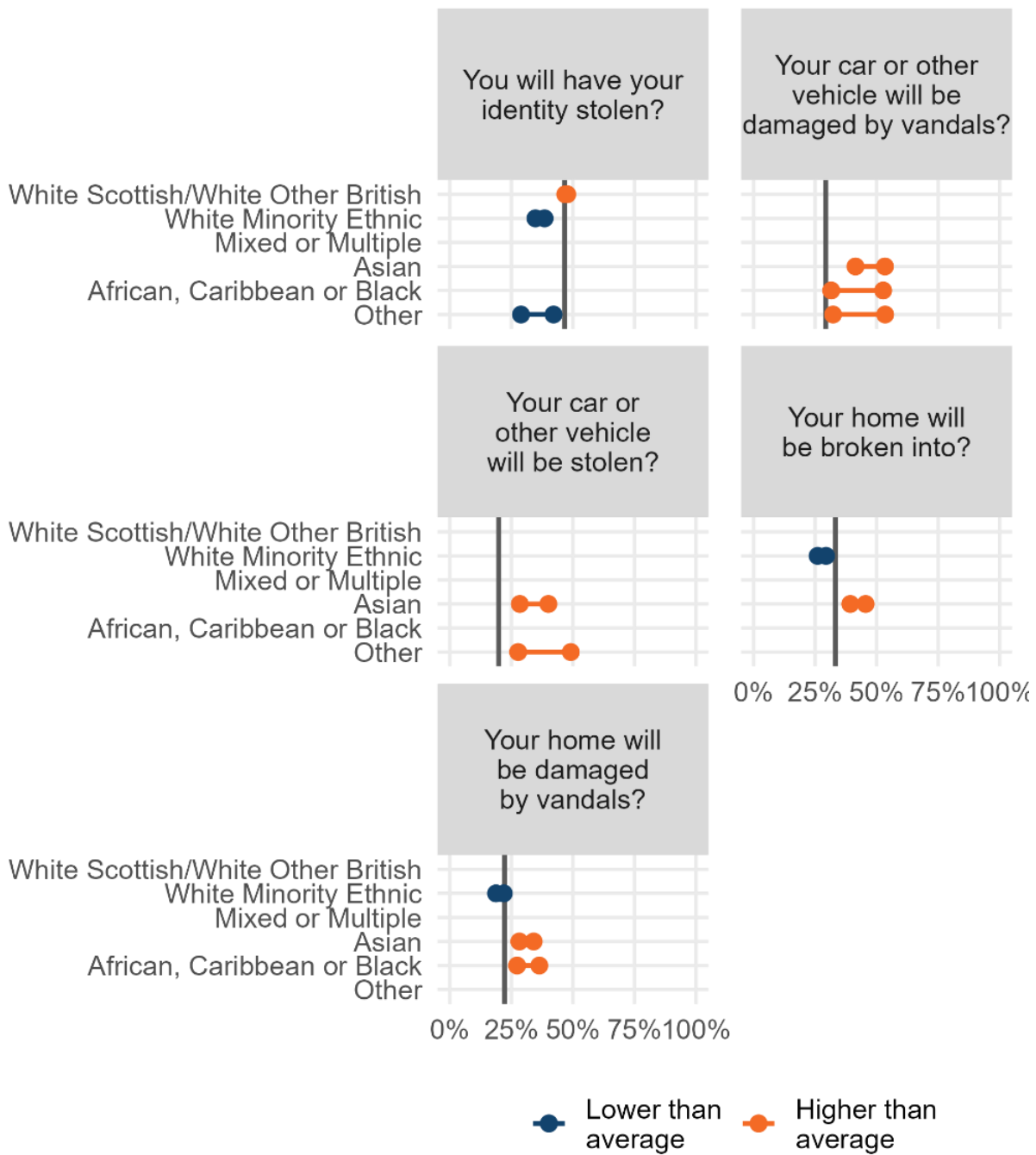
Figure 2.3 provides a summary of statistically significant differences in fear of crime by ethnicity. There are significant differences in how worried respondents are about the possibility of all eleven crimes happening to them by ethnicity. Respondents who identify as Asian, and those who identify as African, Caribbean or Black are consistently found to have higher than the national average level of fear for the majority of crimes asked about, including, both property crimes and violent crimes.

Asian respondents are more likely, than the national average to be fairly or very worried about nine out of the eleven types of crime asked about. They are more worried about all the crimes asked about, other than identity theft and card fraud, where their levels of worry are in line with the national average.

African, Caribbean or Black respondents are more likely to be worried about seven of the types of crime. Respondents from Other ethnic groups were more worried about four types of crime and less worried about one. In contrast, White Minority Ethnic respondents are less likely to be worried about six out of the eleven types of crime. Respondents from Mixed or Multiple ethnicities have levels of fear that are equivalent to the national average across all the crimes asked about.

Figure 2.3: Fear of crime – proportion of respondents who are fairly or very worried about each crime type:





Perceived likelihood of being a victim of crime

As well as being asked about how worried they are about being a victim of certain types of crime, SCJS respondents are also asked how likely they think it is that they will be a victim of those same eleven types of crime within the next twelve months.

The proportion of people who think they are likely to be a victim of a particular crime in the next twelve months is lower than the proportion who said that they were fairly or very worried about that crime. As with fear of crime, the crimes people are most likely to think they will be a victim of are: someone using their bank or credit details (17%); and having their identity stolen (12%). People are least likely to think that they will be a victim of sexual assault (1%). Full results are in Appendix C: Table A2.3.

Figure 2.4 provides a summary of statistically significant differences in perceived likelihood of victimisation by ethnicity. There are significant differences in how likely people think they are to be a victim of seven of the eleven crime types by ethnicity. This is less than the number of differences observed in relation to fear of these crimes.

Asian respondents are more likely to perceive themselves as likely victims of four out of the eleven types of crime, including both property and violent crimes. They are more likely to think that they will have their home broken into, as well as be mugged or robbed, sexually assaulted, and be physically assaulted or attacked in the street or other public place.

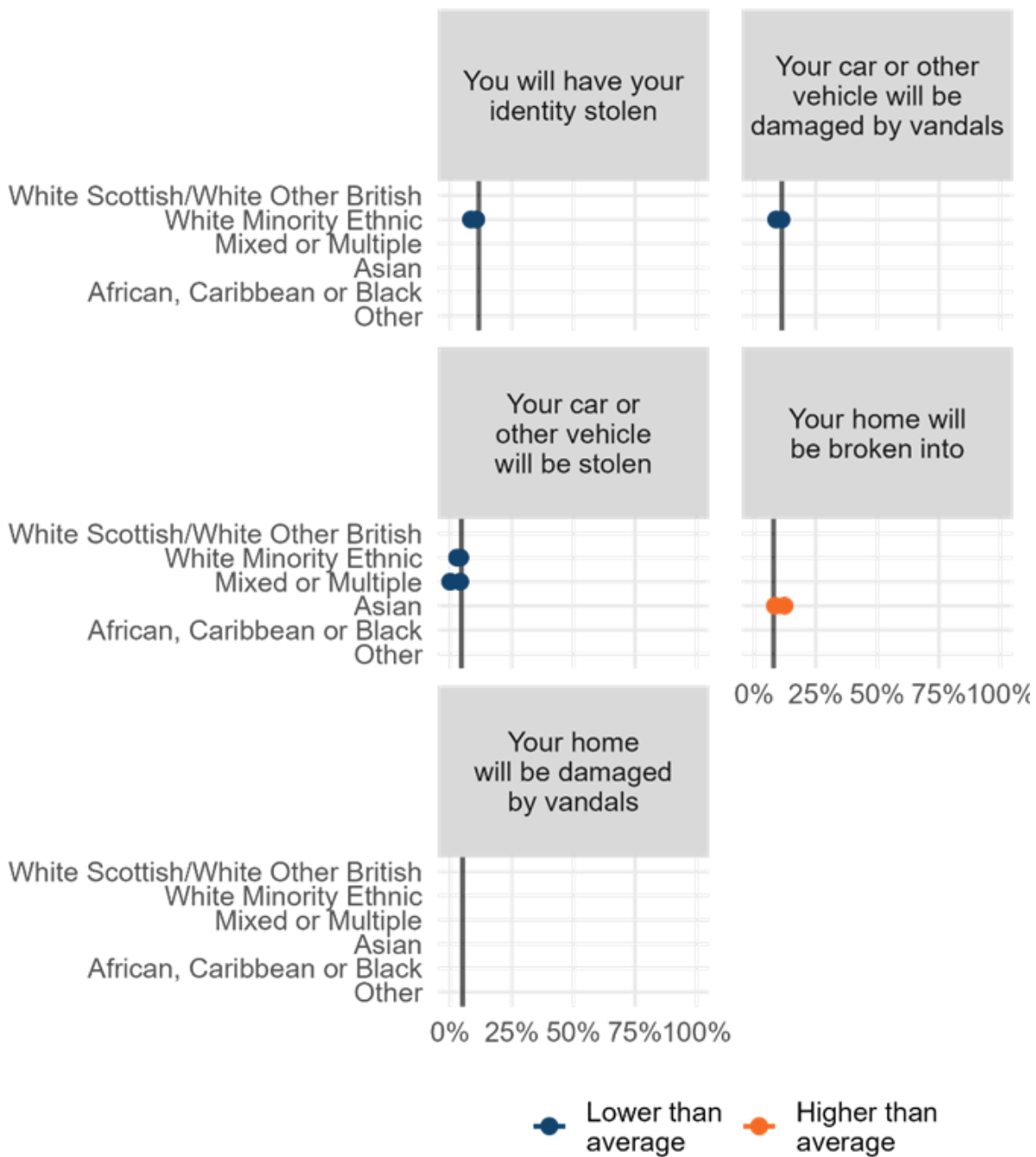
African, Caribbean or Black respondents are more likely to say that they will be a victim of one type of violent crime, being physically assaulted or attacked in the street or other public place.

Those who identify as White Minority Ethnic are less likely to think that they will be the victims of three types of crime, including vehicle related crimes and identity theft. They are however more likely to think they will be the victim of sexual assault.

Mixed or Multiple respondents are less likely to think that they will be the victims of one type of crime, having their car or other vehicle stolen.

Figure 2.4: Crime victimisation – proportion of respondents who think it is likely that they will be a victim of crimes in the next 12 months





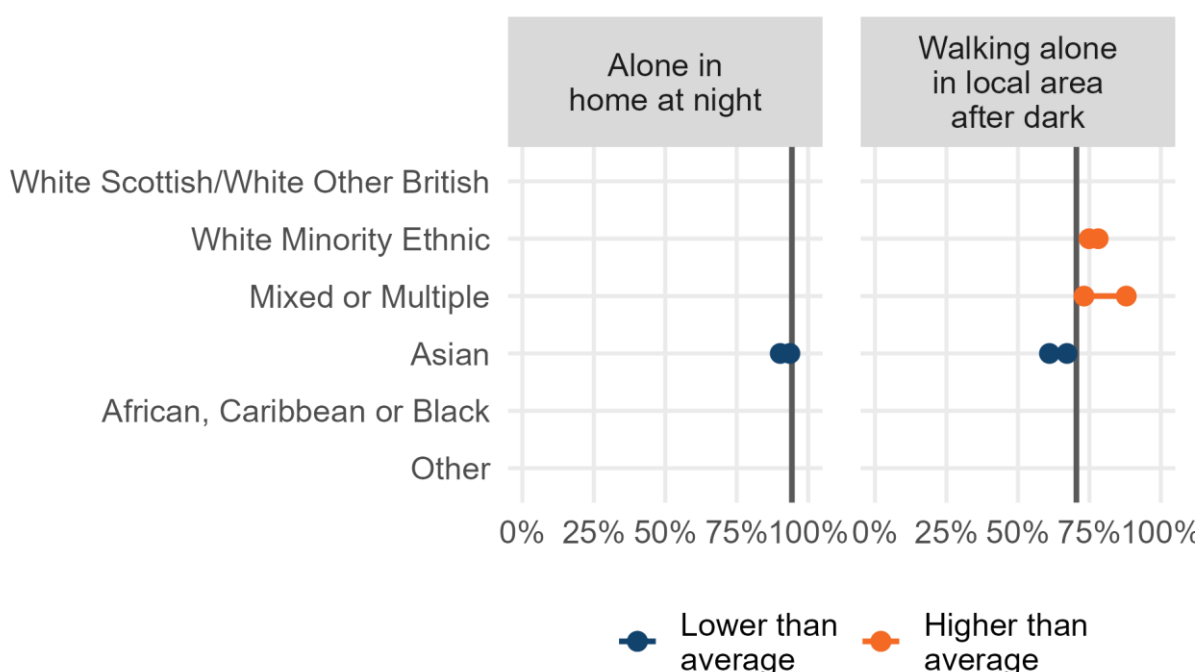
2.4 Feelings of safety

The SCJS survey asks respondents how safe they feel alone in their home at night and walking alone after dark. Figure 2.5 provides a summary of statistically significant differences in feelings of safety by ethnicity.

Overall 70% of respondents in the SCJS pooled sample say that they feel safe walking alone in their local area after dark. Those who identify as Asian feel less safe (64%), whilst those who identify as Mixed or Multiple (81%) or White Minority Ethnic (76%) feel more safe.

Those who identify as Asian also feel less safe alone in their home at night (92%) compared to the national average (94%). There were no other statistically significant differences found.

Figure 2.5: Feelings of safety – proportion of respondents who feel fairly or very safe



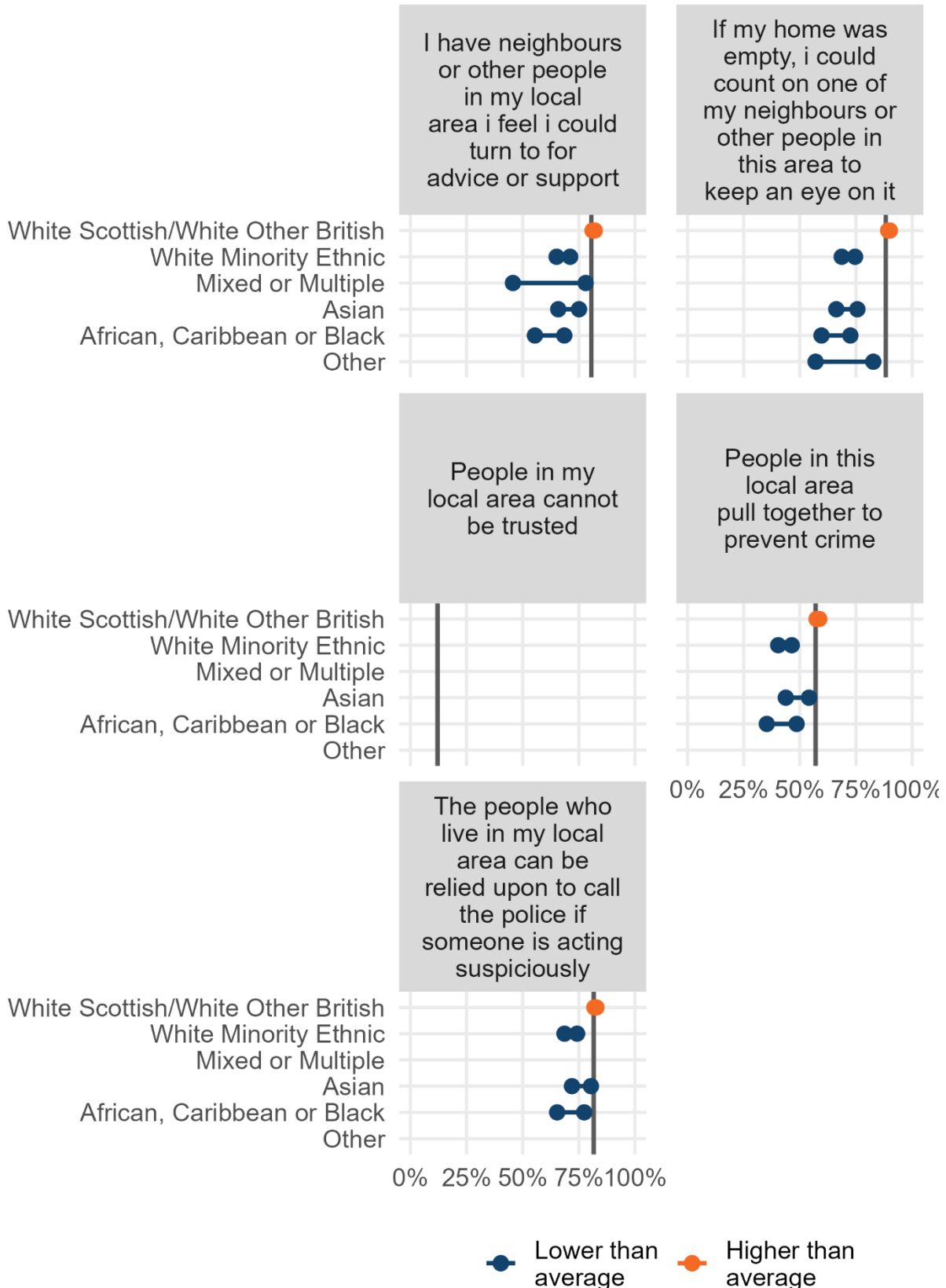
2.5 Perception of local community and their effort to prevent crime

SCJS respondents were asked a series of questions about people in their area and their efforts to prevent crime. Overall, there is high agreement amongst SCJS respondents in the pooled sample that people in their local area would keep an eye on their home if it was empty, call the police if someone was acting suspiciously, and having a neighbour or other person in the local community they could call on for advice or support (over 80% for each of those measures). Full results are in Appendix C: Table A2.4.

Figure 2.6 provides a summary of statistically significant differences in perceptions of community cohesion by ethnicity. Overall, there is low agreement with the statement “people in my local area cannot be trusted” (12%) and this does not differ significantly by ethnicity.

However, for all the other community cohesion statements, those who identify as White Minority Ethnic, Asian, and African, Caribbean or Black are less likely to agree than the national average, whilst respondents who identify as White Scottish/White Other British are more likely to agree.

Figure 2.6: Community cohesion - proportion of respondents who agree that:



Overall, nearly nine out of ten (88%) of people agree that if their home was empty they could count on neighbours or other people in the area to keep an eye on it. Respondents who identify as White Minority Ethnic (72%), Asian (71%), and African, Caribbean or Black (66%) are less likely to agree. White Scottish/White Other British respondents are more likely to agree (90%).

The vast majority of people (82%) also agree that people in their local area can be relied upon to call the police if someone is acting suspiciously. Again, agreement is lower amongst those who identify as White Minority Ethnic (71%), Asian (76%), and African, Caribbean or Black (71%).

The vast majority of people (81%) agree that they have neighbours or other people in their local area that they feel they could turn to for advice or support. Agreement is lower amongst those who are White Minority Ethnic (68%), Asian (70%), and African, Caribbean or Black (62%) and higher amongst White Scottish/White Other British respondents (82%).

Over half of people agree that people in their local area pull together to prevent crime (57%). Again, agreement is lower amongst those who are White Minority Ethnic (43%), Asian (49%), and African, Caribbean or Black (42%) and higher amongst White Scottish/White Other British respondents (58%).

2.6 Willingness to aid a victim of crime

Respondents in the SCJS were asked to imagine a hypothetical scenario where they were out and saw someone push a man to the ground and steal his wallet. They are then asked how willing/likely they would be to call the police, identify the person who had done it, and give evidence in court against the accused.

Generally the vast majority of people would be likely/willing to get involved in the ways asked about, and there is not much variation in willingness by ethnicity. Please note, that due to small numbers of respondents in certain groups, it is only possible to present data for three ethnicity categories: White Scottish/White Other British; White Minority Ethnic; and Asian. Full results are in Appendix C: Table A2.5.

In a hypothetical situation where people see someone push a man to the ground and steal his wallet, nearly all people (94%) say they are likely to call the police. There are no variations by ethnicity.

Around nine out of ten (91%) of people would be willing to identify the person who had pushed a man to the ground and stolen his wallet. Those who are White Minority Ethnic (94%) are more willing to identify the person who had done it, whilst those who are Asian (81%) are less willing.

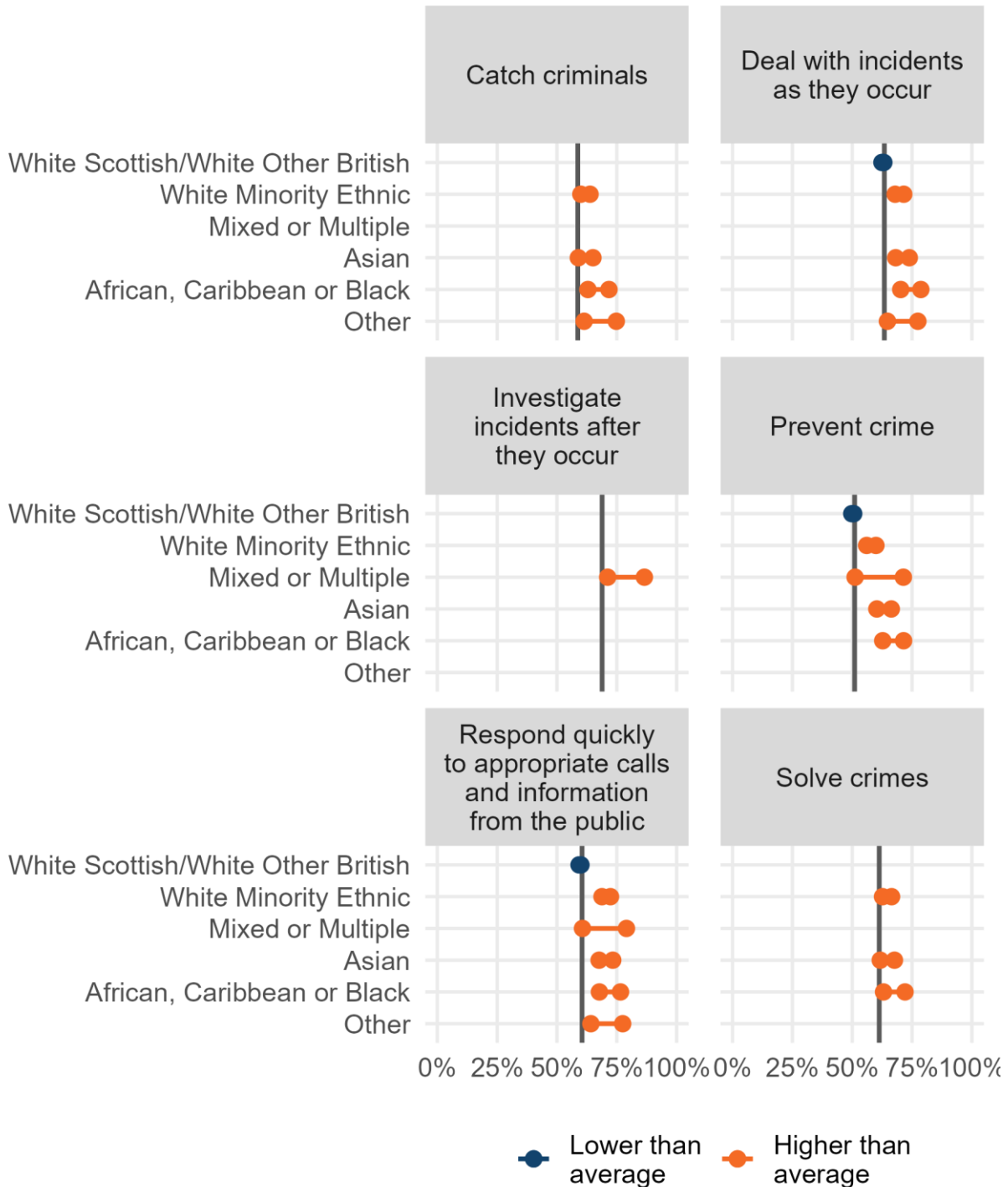
The majority of people (84%) are willing to give evidence in court against the accused. Willingness to give evidence in court did not vary by ethnicity.

2.7 Perceptions of the police and the criminal justice system

Confidence in the Police

SCJS respondents were asked about their confidence in the police on six statements relating to measures in their local area. There were statistically significant differences in responses to all six statements by ethnicity as shown in Figure 2.7. Full results are in Appendix C: Table A2.6.

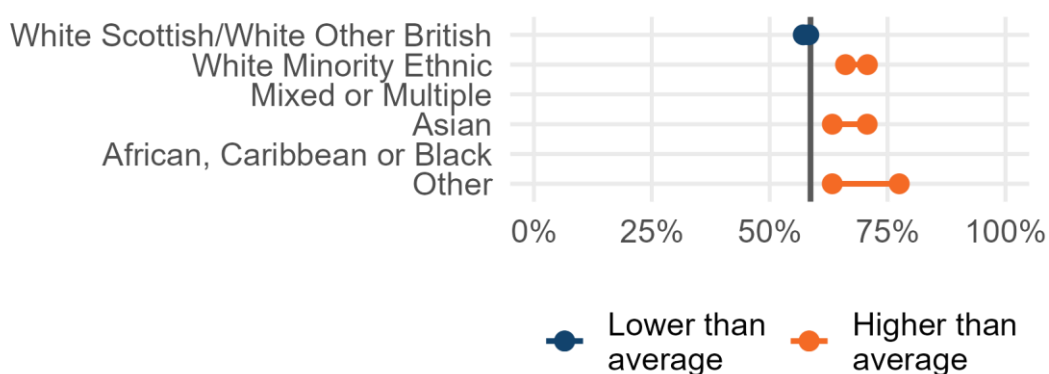
Figure 2.7: Confidence in the police – proportion of respondents who are very or fairly confident in the police to:



Respondents from minority ethnic groups tended to be more likely to hold positive views of the police, when compared to the national average. Across all six measures, those who identified as an ethnicity other than White Scottish/White Other British were either just as likely or more likely to be very or fairly confident than the national average. White Minority Ethnic, Asian, and African, Caribbean or Black respondents were statistically more likely to be confident in the police for five of the six measures. White Scottish/White Other British respondents were statistically less likely to be confident in the police for three of the six measures.

When asked “taking everything into account, how good a job do you think the police in this area are doing?” 59% of people said that the police were doing a good or excellent job (Figure 2.8). Those who identified as White Minority Ethnic (68%), Asian (67%), or Other (70%) were statistically more likely than the national average to say that the police in their area were doing a good or excellent job. People who identified as White Scottish/White Other British were statistically less likely to say that the police were doing a good or excellent job (58%).

Figure 2.8: Proportion of respondents who think the police are doing an excellent or good job, by ethnicity: Taking everything into account, how good a job do you think the police in this area are doing?



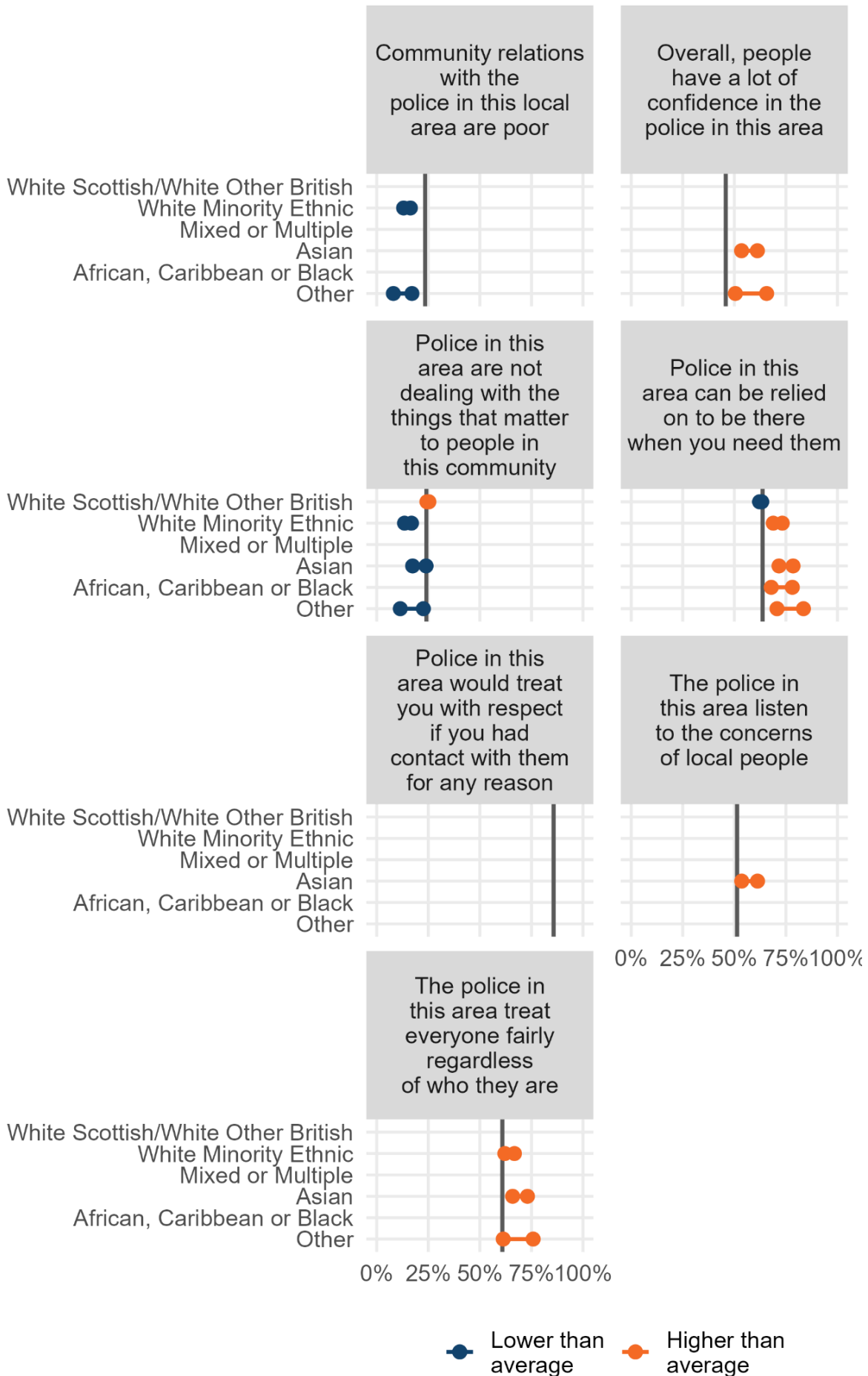
Police interactions with community

SCJS respondents were asked whether or not they agreed with seven statements relating to the police and how the police in their area interacted with the community. Full results are in Appendix C: Table A2.7.

Please note that the question is worded negatively for two of the seven statements, “community relations with the police in this local area are poor” and “police in this area are not dealing with the things that matter to people in this community”. Therefore, for those questions, a lower percentage agreeing is classed as a more positive response.

There were statistically significant differences in responses by ethnicity for six of the seven statements (Figure 2.9). Minority ethnic respondents were equally or more positive than the national average across all the statements asked. There were no statements where those from minority ethnic groups were more negative than the national average.

Figure 2.9: Police interactions with the community – proportion of respondents who agreed that:



In particular, respondents who identified as both Asian and Other were more positive on five out of the seven statements asked about, whilst White Minority Ethnic respondents were more positive on four out of seven. White Scottish/White Other British respondents were more negative on two of the six statements than the national average.

Overall, 64% of people agreed that the police can be relied on to be there when you need them. Agreement with this statement was higher for those who identified as White Minority Ethnic (71%); Asian (75%); African, Caribbean or Black, (73%), and Other ethnic group (77%). Agreement was lower amongst White Scottish/White Other British respondents (63%).

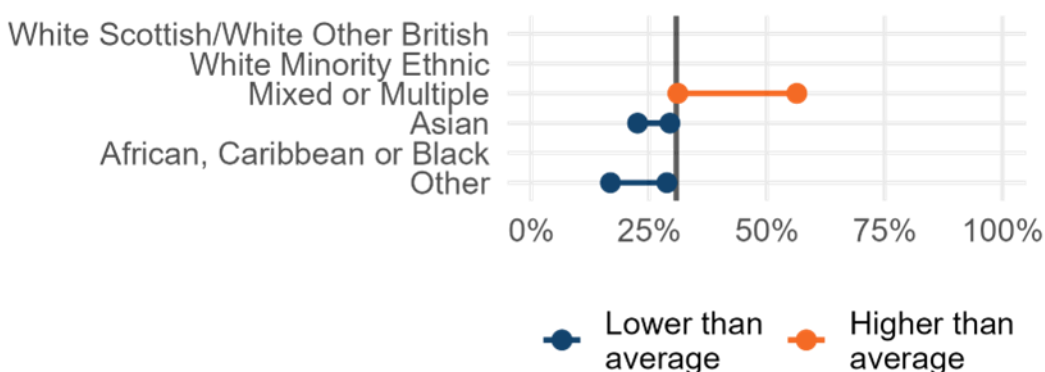
Overall, 24% of people agreed that the police “are not dealing with the things that matter to people in this community”. Agreement was lower, and therefore perceptions more positive, for those who identified as White Minority Ethnic (15%), Asian (21%), and Other ethnic group (17%). Agreement was higher, and therefore perceptions more negative, for those who identified as White Scottish/White Other British (25%).

Personal interaction with the police

The questions above were asked of all participants in the SCJS, regardless of whether or not they had had any personal interaction with the police. Participants were also asked if they had personally had any contact with the police service in the last year. It should be noted that as the SCJS pooled sample combines responses to nine surveys, some respondents will have been answering questions relating to experiences in 2008/09 and others as late as 2019/20.

Overall, less than one third (31%) said they had had contact with the police service in the last year (Figure 2.10). This was higher for those who identified as Mixed or Multiple ethnic group (44%) and lower for those who identified as Asian (26%) as well as Other ethnic group (23%).

Figure 2.10: Proportion of respondents who have personally had any contact with the police service in the last year:



People who had had personal interaction with the police were asked overall if they were satisfied or dissatisfied with the way the police handled the matter, during their most recent contact in the last year. Overall two thirds (66%) of those who had contact with the police were quite or very satisfied with how the police handled the matter. There were no statistically significant differences in levels of satisfaction by ethnicity.

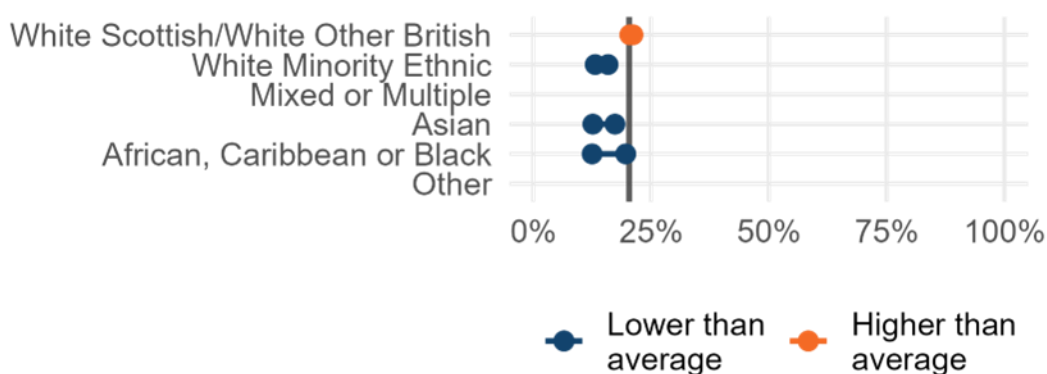
The vast majority of those who had had contact with the police said the police had been polite (93%) and treated them fairly (86%). There were no significant differences by ethnicity.

When asked how much interest the police had shown in what they had to say, over one quarter (28%), said the police had shown less interest than they thought they should show. This figure was lower, and therefore perceptions more positive for those identifying as White Minority Ethnic (20%.)

Perceptions of the Justice system

All SCJS respondents were asked how much they know about the Scottish criminal justice system in general. One fifth (20%) said that they know a lot or a fair amount. Those who identified as White Scottish/White Other British were statistically significantly more likely to say that they know a lot or a fair amount (21%). However, those from White Minority Ethnic (15%), Asian (15%) and African, Caribbean or Black (16%) groups were significantly less likely to say that they know a lot or a fair amount about the Scottish criminal justice system (Figure 2.11).

Figure 2.11: Proportion of respondents who say they know a lot or a fair amount about the Scottish criminal justice system in general:



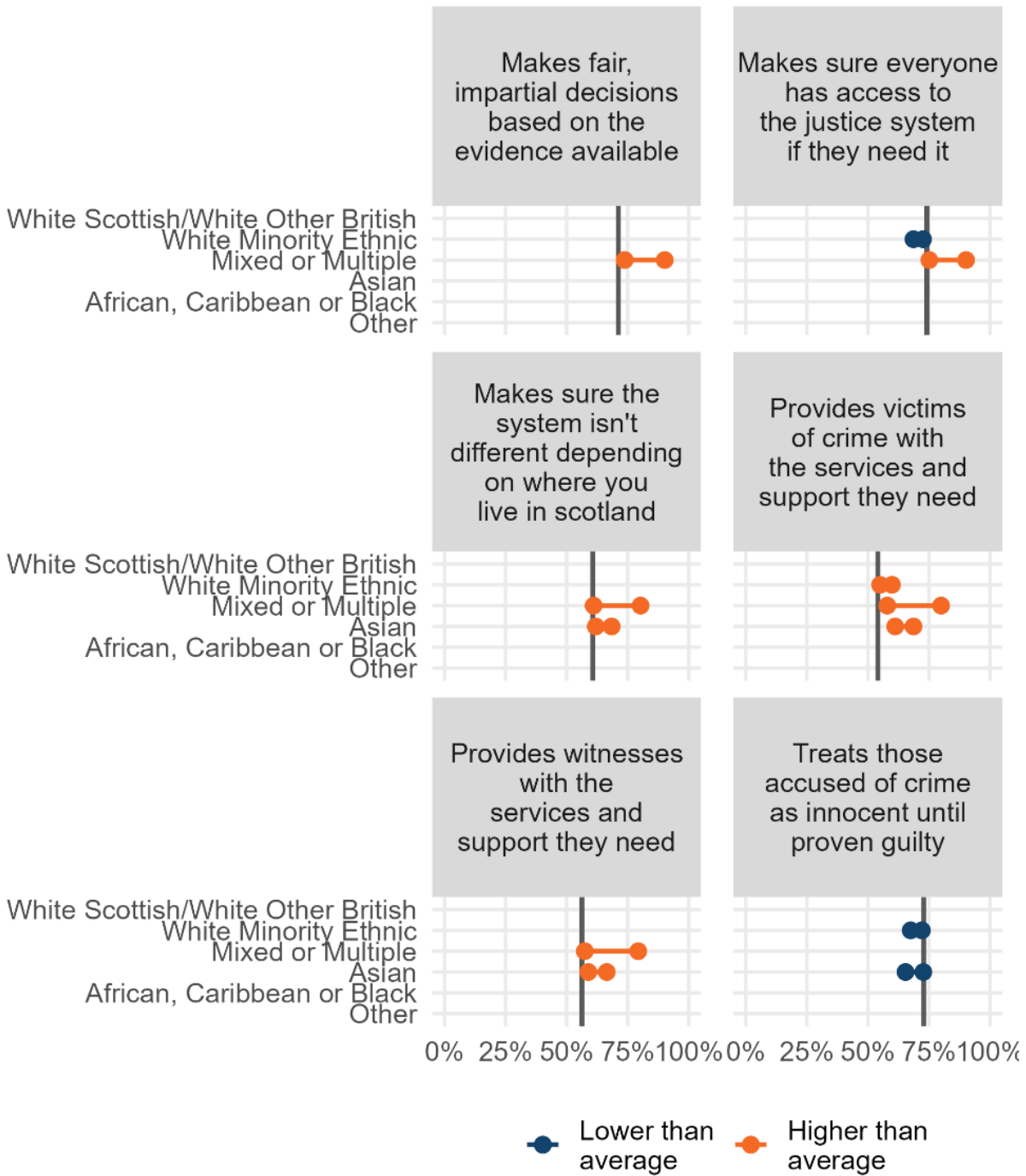
Participants were asked twelve questions about how confident they are in the justice system. These questions related to the operational functioning of the justice system, and the treatment of those who go through the justice system. There were statistically significant differences in responses by ethnicity for eleven of the twelve statements (Figure 2.12). Full results are in Appendix C: Table A2.8.

People from minority ethnic groups tend to have more positive views of the justice system than the national average, across a range of the questions asked. For nine out of the twelve measures, levels of confidence amongst minority ethnic respondents are either higher than, or equivalent to, the national average. Asian respondents were more likely than the national average to have confidence in seven out of the twelve statements about the Scottish criminal justice system. Respondents from Mixed or Multiple ethnic groups were more confident in six out of the twelve statements and White Minority Ethnic respondents were more confident in five out of the twelve statements.

Respondents from African, Caribbean or Black and Other ethnic groups had more confidence than the national average in one statement only, that the Scottish criminal justice system deals with cases promptly and efficiently (54% and 55% respectively compared to the national average of 42%).

Figure 2.12: Confidence in the criminal justice system – proportion of respondents are very or fairly confident that the criminal justice system:





However, there are exceptions where those from certain minority ethnic groups have a more negative view of the justice system. These relate to the fairness and treatment of those accused of a crime, specifically that the justice system “allows all those accused of crimes to get a fair trial regardless of who they are” and “treats those accused of crime as ‘innocent until proven guilty’”. Both White Minority Ethnic and Asian respondents displayed lower levels of confidence in these statements than the national average.

Respondents who identified as White Scottish/White Other British were less confident in two out of the twelve statements, relating to efficiency and sentencing.

Overall, nearly three quarters (74%) of people are confident that everyone has access to justice that needs it. However, those who identify as White Minority Ethnic are less likely to be confident (71%), whilst those who identify as Mixed or Multiple ethnicity are more likely to be confident (83%).

Attitudes to Prisons

The SCJS also asks people about their attitudes towards prisons, covering topics such as their role within society more broadly and also how they operate. Of the five questions on prisons in the survey (Appendix C: Table A2.9), there was only one significant difference by ethnicity on this subject. Respondents from a White Minority Ethnic background were more likely to think that only those who have committed the most serious crimes should be put in prison (59% vs 51% nationally).

Attitudes to Community sentencing

Attitudes to community sentencing tend to be positive with little difference by ethnicity (Appendix C: Table A2.10). 90% of respondents agree that people should help their community as part of a community sentence rather than spend a few months in prison for a minor offence. Asian respondents are significantly less likely to agree (70%).

There is also strong support for those who are serving community sentences to be given support around issues such as addiction, mental health, literacy or numeracy to reduce the likelihood of them committing crimes in future (90%). Asian respondents are less likely to agree (77%).

3. Experiences of crime

3.1 Introduction

This chapter provides information relating to people's experiences of crime. Information is provided on the ethnicity of victims of hate crime from studies into police recorded hate crime. Findings are also presented on experiences of being a victim of crime and on civil law problems from new analysis based on a pooled sample of the Scottish Crime and Justice Survey (SCJS). The [SCJS pooled sample](#) combines responses to the nine surveys conducted between 2008/09 and 2019/20. With this larger pooled sample analysis by ethnicity is possible for the first time.

3.2 Key findings

Analysis of the Scottish Crime and Justice Survey pooled sample shows that:

- People who identify as African, Caribbean or Black have a higher rate of victimisation than the national average.
- There is no variation by ethnicity in whether or not someone reports a crime to the police.
- Issues with housing and immigration are more prevalent amongst some minority ethnic groups.

Race aggravated hate crimes make up the majority of hate crimes reported to the police. There has been a fall in the number of race aggravated hate crimes reported since 2014/15.

3.3 Experience of crime

This section presents findings from the Scottish Crime and Justice Survey (SCJS) pooled sample on people's experiences of crime. The SCJS asks respondents if they have been a victim of a crime or an offence in the twelve months prior to the SCJS interview. The SCJS covers two broad categories of crime victimisation, property crime and violent crime. It should be noted that as the SCJS pooled sample combines responses to nine surveys, some respondents will have been answering questions relating to experiences in 2008/09 and others as late as 2019/20.

The survey found the national average victimisation rate to be just over 17% for the entire pooled sample. Respondents who identified as African, Caribbean or Black were the only ethnic group found to have a statistically significant higher rate of victimisation than the national average (22%).

Property crime is more prevalent than violent crime. Of all SCJS respondents, 15% said that they had been the victim of a property crime in the twelve months prior to being interviewed, but only 3% reported being the victim of a violent crime in the same period.

Overall, there was a higher rate of victimisation for property crime found amongst those who identified as African, Caribbean or Black (20% compared to a national average of 15%). When looking at just violent crime, there were no differences found between ethnic groups. Full results can be found in Appendix C: Table A3.1.

Reporting crime to the police

For people that reported being the victim of a crime in the SCJS, just under two in five (or 38%) said that the police came to know about the incident. No ethnic group was more or less likely than the national average to report an incident to the police.

3.4 Experience of hate crime

This section presents findings from two “deep dive” studies that have been completed into the characteristics of police recorded hate crime in Scotland⁵. The [first study](#) analysed data from 2018-19 and the [second follow up study](#) covered 2020-21. This research was based on a sample of police records⁶ (rather than all records), therefore the findings presented are estimates. The findings presented here are based on victims who are non-police officer victims of hate crime⁷.

Findings from both studies show a very similar picture of race aggravated hate crime, therefore only the most recent results, 2020-21, are presented here. The focus is on hate crimes where race is the aggravator. The ethnicities of victims of other hate crime aggravators are also briefly outlined.

Under-reporting of hate crime is known to be an issue and only incidents that were brought to the attention of the police are included in the studies. Incidents included in the studies may not necessarily be the same as for those hate crimes that didn't get reported to the police, and therefore the characteristics of all hate crime in Scotland could be different.

A hate crime is defined as any crime which is perceived by the victim or any other person, to be motivated (wholly or partly) by malice and ill-will towards a social group. In Scotland, the law recognises hate crimes as crimes motivated by prejudice based on the following characteristics:

- Disability,
- Race,
- Religion,
- Sexual orientation,
- Transgender identity.

⁵ Further information on how hate crimes are recorded by the police are available [here](#).

⁶ For the second deep dive study, 2,000 hate aggravated crime records were sampled from 2020-21, representing 30% of all cases recorded by the police during this year. 900 race aggravated hate crimes were included in the sample (21% of all recorded race aggravated hate crimes).

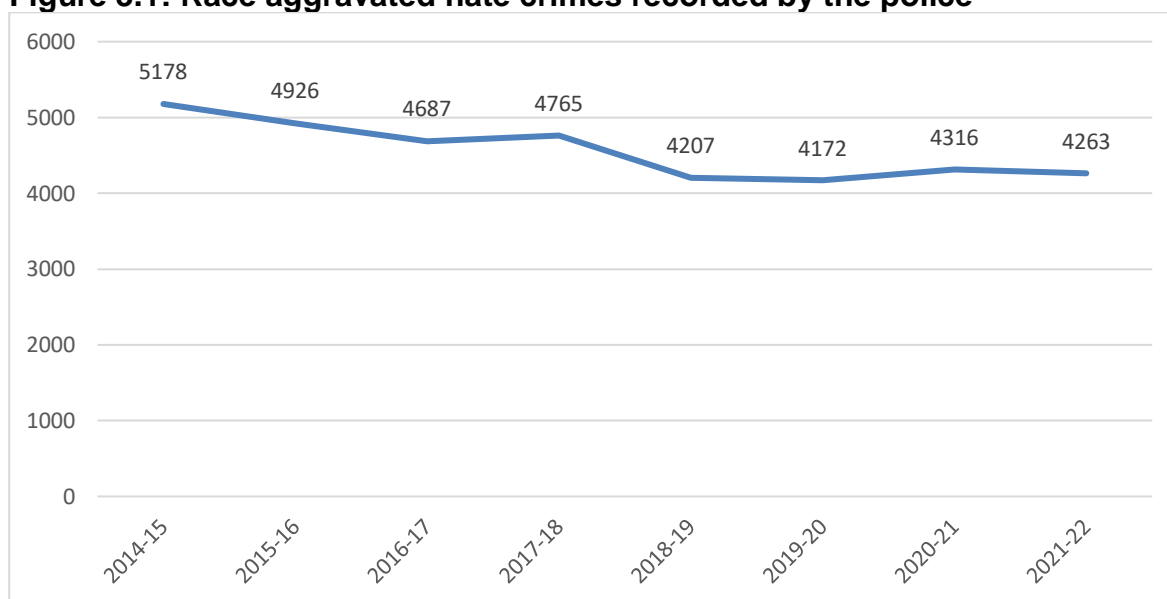
⁷ Of all hate crimes recorded by the police in 2020-21, an estimated 1,450 crimes had a police officer victim.

Overview of police recorded hate crimes

The police recorded 6,927 hate crimes in 2021-22. Since 2014-15, the number of hate crimes recorded each year has fluctuated between 6,300 and 7,000 crimes.

In 2021-22, around three-fifths (62%) of hate crimes included a race aggravator. Whilst race aggravated hate crimes make up the majority of hate crimes, as shown in Figure 3.1, there has been a fall in the number of race aggravated hate crimes since 2014-15 (down 18% from 5,178 crimes in 2014-15 to 4,263 crimes in 2021-22).

Figure 3.1: Race aggravated hate crimes recorded by the police



Victims of race aggravated hate crime

In 2020-21, where information was available on the ethnicity of victims, almost two-thirds (or 64%) of race aggravated hate crimes had a victim from a visible minority ethnic (non-white) group (Table 3.1). Over a third (36%) of victims of a race aggravated hate crime identified as Asian⁸, and 18% identified as African, Caribbean or Black⁹.

In 2020-21, the majority of racially aggravated hate crimes had a male or all male group of victims, representing 60% of crimes. The average age of a victim was 35 years old. In around half of these crimes (50%), the victim did not know the perpetrator, with a further third (33%) involving a perpetrator who was an acquaintance.

⁸ For the purposes of the analysis presented here, Asian includes: Pakistani, Pakistani Scottish or Pakistani British; Indian, Indian Scottish or Indian British; Bangladeshi, Bangladeshi Scottish or Bangladeshi British; Chinese, Chinese Scottish or Chinese British; and Other Asian.

⁹ For the purposes of the analysis presented here, African, Caribbean or Black includes: African, African Scottish or African British; Other African; Caribbean, Caribbean Scottish or Caribbean British; Black, Black Scottish or Black British; and Other Caribbean or Black.

Table 3.1: Ethnicity of race aggravated hate crime victims in 2020-21

Ethnicity	Approximate number of race hate crimes reported to police	Estimated % of race hate crimes experienced
White Scottish/White Other British	560	18%
White Minority Ethnic	550	18%
Mixed or Multiple Ethnic Group	160	5%
Asian	1100	36%
African, Caribbean, or Black	550	18%
Other	130	4%

Location of crimes

In 2020-21, a third of racially aggravated hate crimes (33%) occurred in an open space, followed by in or around a dwelling (24%) and a retail or hospitality setting (20%). In just over one in ten crimes (11%) the victim and perpetrator were not in the same location. This category includes cases that involved the use of cyber-enabled technologies, accounting for 7% of racially aggravated hate crimes.

In 2020-21, just over two-thirds of racially aggravated hate crime victims (36% of cases) experienced the incident at their place of work or whilst undertaking duties as part of their occupation, which is higher than the proportion for all hate crimes in total (31%). Where victims were working, most were in retail and service related industries, representing 70% of victims in work and a quarter (25%) of all victims.

Reporting to the police

In 2020-21, the vast majority of racially aggravated hate crimes which were reported to the police were reported by the victim (89%). This breaks down into 81.5% reported by the victim directly and 7.2% which were reported by someone on behalf of the victim (including parents, teachers, carers or employers). In 9% of cases, the crime was reported by a witness.

Prejudices shown by perpetrators when committing racially aggravated hate crimes

The prejudice shown by a perpetrator is most often based on the words used or actions taken during the crime. A person does not need to be a member of the social group being targeted by the perpetrator to be the victim of a hate crime and their identity or other characteristics do not need to align with the perpetrator's perceptions. A perpetrator can also show prejudice against multiple social groups as part of the same crime.

Table 3.2 shows the prejudices displayed in race aggravated hate crime in 2020-21. In 36% of race aggravated hate crimes, the words used or actions taken by the perpetrator

suggested an anti-black prejudice. As noted above, in these crimes the victim does not necessarily need to self-identify as black and in some cases they may have been targeted simply because the perpetrator perceived them to be from a visible minority ethnic (non-white) group.

In 27% of hate crimes, the prejudice shown was anti-Pakistani. In just under one in five crimes (18%), the perpetrator made general xenophobic remarks not directed at any one group. In 9% of crimes the prejudice was anti-Polish and in 6% of crimes it was anti-English.

Table 3.2: Prejudice shown in race aggravated hate crimes recorded by the police, 2020-21.

Prejudice shown	Percentage of race aggravated hate crimes
Anti-Black	36%
Anti-Pakistani	27%
Anti-Polish	9%
Anti-English	6%
Anti-Chinese	3%
Anti-White	2%
Anti-African	2%
General Xenophobia	18%
Unspecified Race	2%

Table 3.3 illustrates that the ethnicity of victims of race aggravated hate crimes does not always align to the prejudices shown against them. For example, in around a third (32%) of race aggravated hate crimes directed at Asian victims in 2020-21, the prejudice shown was anti-black.

Further more detailed analysis of victim ethnicity for race aggravated hate crime is available in the [first deep dive study](#) into the characteristics of police recorded hate crime in Scotland.

Table 3.3: Ethnicity of victims of race aggravated hate crimes and the most common prejudices shown, 2020-21

Victim ethnicity	Most common prejudices shown in proportion of cases
White Scottish/White Other British	Anti-English 29% Anti-Black ¹⁰ 23%
White Minority Ethnic	Anti-Polish 50% General Xenophobia 32%
Mixed or Multiple	Anti-Black 35% General Xenophobia 21%
Asian	Anti-Pakistani 56% Anti-Black 32%
African, Caribbean or Black	Anti-Black 89% General Xenophobia 16%
Other	General Xenophobia 39% Anti-Black 25%

Ethnicity of victims across all other hate crime aggravators

The ethnicity of victims is recorded across all of the five hate crime aggravators. In 2020/21, with the exception of race aggravated hate crime, the majority of hate crime victims across other aggravators identified as White Scottish/White Other British.

Where information was available on the ethnicity of victims of disability aggravated crime, the vast majority of crimes (88%) had a victim who was White Scottish/White Other British. The second largest group was White Minority Ethnic who were found to be the victim in 6% of crimes.

Where information was available on the ethnicity of victims of religion aggravated crime, it was found that in 72% of crimes the victim was from a White Scottish/White Other British background. The next largest group was Asian, who were found to be the victim in 14% of such crimes. All other ethnicities accounted for a further 14% of religion aggravated hate crimes.

In just under half (47%) of religion aggravated hate crimes, the perpetrator showed prejudice towards the Catholic community, which equates to an estimated 150 crimes. Prejudice towards the Muslim community and the Protestant community was shown in a similar proportion of crimes, equating to 16% (or 50 crimes) each.

¹⁰ Some of these cases related to incidents where the prejudice shown was directed towards a third party who was not present at the time and not the person who was the victim of the crime. In other cases, the victim's self-identified ethnicity did not align with the prejudice shown by the perpetrator.

Between the first and second deep dive, there was a reduction in the proportion of religion aggravated hate crimes that showed prejudice towards the Muslim community. In 2018-19, just over a quarter of such crimes showed prejudice towards this group (26%), compared to around one in six crimes in 2020-21 (16%).

Where information was available on the ethnicity of victims of sexual orientation aggravated crime, the vast majority (90%) of crimes had a victim who was from a White Scottish/White Other British background. White Minority Ethnic was the second largest group, who were found to be the victim in 5% of such crimes. All other ethnic groups accounted for the remaining 5% of victims.

Where information was available on the ethnicity of victims of transgender identity aggravated crime, the vast majority (90%) of crimes had a victim who was from a White Scottish/White Other British background. The second largest group was White Minority Ethnic who made up 8% of victims.

3.5 Experience of civil law problems

This section presents findings from the Scottish Crime and Justice Survey (SCJS) pooled sample on people's experiences of civil law problems. As part of the SCJS people were asked if they had experienced a range of civil law problems in the last three years. It should be noted that, as the SCJS pooled sample combines responses to nine surveys, some respondents will have been answering questions relating to experiences in 2008/09 and others as late as 2019/20.

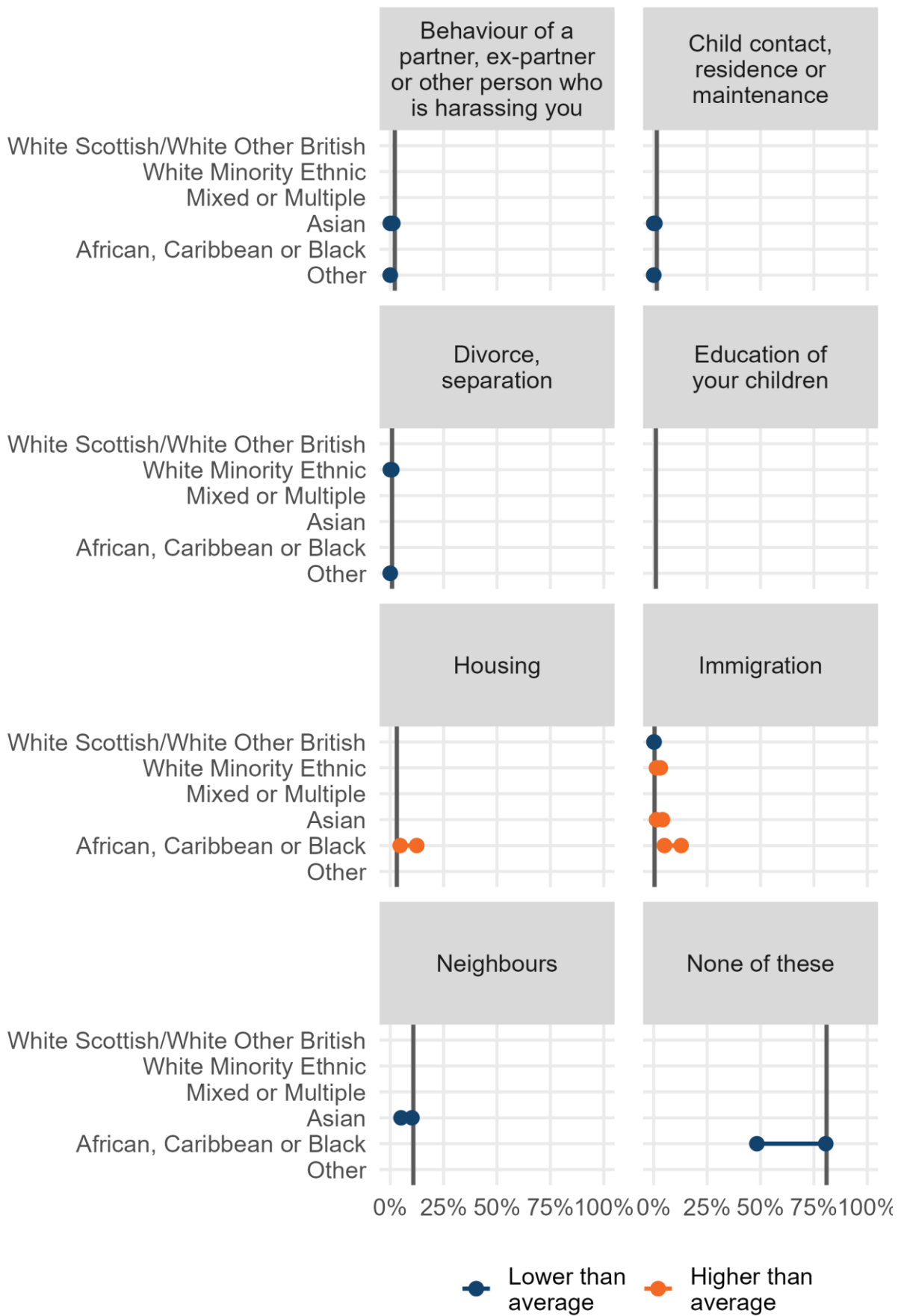
Only a small proportion of people experience any of the seven civil law problems asked about. Overall, 81% of respondents stated that they had experienced none of these problems in the last three years. African, Caribbean or Black respondents were the only group that were less likely to have experienced none of these problems (64%).

Problems with neighbours is the most commonly experienced, with 11% of people saying they have experienced this within the last three years. Full results can be found in Appendix C: Table A3.2.

There are statistically significant variations by ethnicity for six of the seven civil law problems, as can be seen in Figure 3.2. Problems with neighbours; child contact, residence or maintenance; divorce, separation; and the behaviour of a partner, ex-partner or other person harassing them are less commonly experienced in some minority ethnic groups.

Issues with housing and immigration are more prevalent amongst some minority ethnic groups. White Minority Ethnic, Asian, and African, Caribbean or Black respondents were all more likely than average to have experienced immigration problems. African, Caribbean or Black respondents were also more likely than average to have experienced housing problems.

Figure 3.2: Experience of civil law problems – proportion of respondents who, in the last three years, have experienced problems with:



4. Patterns of offending and the justice system response

4.1 Introduction

In this chapter a range of findings are presented on patterns of offending and the justice system response. The data is drawn from a variety of sources and includes police activity, offender management and court outcomes, characteristics of perpetrators of hate crime, criminal court cases, prison statistics and justice social work statistics.

4.2 Key findings

- In 2021/22, the vast majority of stop and searches were conducted on people identifying as White Scottish/White Other British.
- Between 2017/18 and 2021/22, the proportion of stop and searches being carried out on minority ethnic individuals has remained fairly stable.
- In 2021/22, the vast majority of use of force incidents related to subjects who identify as White Scottish/White Other British.
- In 2021/22, the vast majority of Taser use was on subjects who identify as White Scottish/White Other British.
- Racial crime remains most commonly reported form of hate crime to the Procurator Fiscal. The numbers of charges have fluctuated in recent years but are currently lower than the peak in such charges in 2011/12.
- The ethnicity of the prison population has been largely unchanged over the past ten years. In 2021/22, 94.9% of the average daily prison population self-identified as White.
- In 2019/20, it was estimated that the incarceration rate for people who identify as African, Caribbean or Black, or from Other ethnic groups was significantly higher than for people who identify as White.

4.3 Police activity

Stop and Search

As defined by Police Scotland, “a stop and search is one conducted by a police officer in the course of their duties where a person who is not in police custody is searched using a specific statutory provision or in accordance with a search warrant issued by a court in Scotland.”¹¹

The [Code of Practice on the Exercise by Constables of Powers of Stop and Search of the Person in Scotland](#) came into effect on 11 May 2017¹². The National Stop and Search

¹¹ [Management Information National Stop and Search Database: Quarterly Report April – March 2021/22 p4](#)

¹² The code governs all situations in which constables stop and search a person without first making an arrest, and sets out the requirements for recording and reporting information on stop and search, which includes a requirement to publish information on the age and gender, and the ethnic and national origin, of the persons searched.

Database was upgraded to coincide with the introduction of the Code. Due to these database changes it is not possible to make historical comparisons with data before 2017.

In 2021/22, 30,807 stop and searches were carried out in Scotland¹³. The vast majority of stop and searches were conducted on people identifying as White Scottish/White Other British (91.3%)¹⁴. A further 3.1% were for those who identified as White Minority Ethnic¹⁵, 1.8% who identified as Asian¹⁶, 1.2% who identified as African, Caribbean or Black¹⁷, 0.8% as Mixed or Multiple ethnicity, 0.7% as Other¹⁸. Ethnicity was not provided or unknown in 1.2% of cases.

Table 4.1, shows that the proportion of stop and searches being carried out on minority ethnic groups has remained fairly stable over the last five years. 2017/18, the year that the stop and search code of practice came into practice, shows the largest proportion of “not provided or unknown” ethnicity at 8.1%. This decreased sharply to 2.3% in 2018/19, and then continued to further decrease over time to 1.2% in 2021/22.

Table 4.1 Stop and searches by ethnicity (%)

Ethnicity	2017/18	2018/19	2019/20	2020/21	2021/22
White Scottish / White Other British	83.4%	89.4%	90.3%	90.4%	91.3%
White Minority Ethnic	3.4%	3.8%	3.3%	3.4%	3.1%
Mixed or Multiple	0.5%	0.6%	0.7%	0.6%	0.8%
Asian	2.2%	2%	2%	2.4%	1.8%
African, Caribbean or Black	1.3%	1.3%	1.5%	1.4%	1.2%
Other	0.9%	0.6%	0.6%	0.5%	0.7%
Not Provided/Unknown	8.1%	2.3%	1.7%	1.4%	1.2%

¹³ Data in Table 4.1 comes from [Management information on stop and search](#)

¹⁴ Police Scotland report on 19 ethnicity categories based on Census categories, along with “not provided / unknown”. In this report, these categories have been grouped together into 6 larger categories and not known. These categories are “White Scottish/White Other British”; “White Minority Ethnic”; “Asian”; “African, Caribbean or Black”; “Mixed or Multiple”; “Other” and “Not provided. / unknown”.

¹⁵ For the purposes of the analysis presented here, 'White Minority Ethnic' includes: White Irish; White Gypsy/Traveller; White Polish; and White Other

¹⁶ For the purposes of the analysis presented here, “Asian” includes: Pakistani; Indian; Bangladeshi; Chinese; and Asian Other

¹⁷ For the purposes of the analysis presented here, “African, Caribbean or Black” includes: African, African Scottish, African British; African Other; Caribbean, Caribbean Scottish or Caribbean British; Black, Black Scottish or Black British; Black Other

¹⁸ For the purposes of the analysis presented here, “Other” includes: Arab, Arab Scottish, Arab British; and Other Ethnic Group.

Positive searches

Police Scotland define a positive stop and search as “when an item is recovered where possession of same implies criminality on the part of the person being searched or any other or where an item has been recovered which is potentially harmful.”¹⁹

Table 4.2 shows that, in 2021/22, the overall positive search rate was around one third (34.7%). The overall proportion of positive searches has remained relatively stable over time, varying from 34.7% in 2021/22, to a high of 38.8% in 2018/19²⁰

In 2021/22, the positive search rate was similar across most ethnic groups (34.4% for White Scottish/White Other British, 33.9% for White Minority Ethnic, 34.7% for Other, and 34.6% where ethnicity was unknown). The positive search rate was higher for those who identified as African, Caribbean or Black (40.3%) or identified as Asian (42%). These figures have not been tested to determine whether or not these differences are statistically significant.

The positive search rate for those identifying as Asian has been higher than the overall positive search rate since 2018/19. Whilst there was a higher positive search rate for those who identify as African, Caribbean or Black than the overall positive search rate in 2021/22, in 2017/18 and 2018/19, those identifying as African, Caribbean or Black had lower positive search rates than the overall search rate.

Table 4.2 Positive stop and search rate by ethnicity (%)

Ethnicity	2017/18	2018/19	2019/20	2020/21	2021/22
White Scottish / White Other British	38.1%	39.3%	35.8%	34.7%	34.4%
White Minority Ethnic	36.0%	36.5%	37.1%	34.4%	33.9%
Mixed or Multiple	34.6%	33.2%	35.3%	37.5%	44.6%
Asian	34.3%	40.4%	45.1%	40.9%	42%
African, Caribbean or Black	34.4%	37.6%	39.8%	35.7%	40.3%
Other	30.6%	33.9%	34.2%	46.1%	34.7%
Not Provided/Unknown	27.2%	27%	33.1%	28.4%	34.6%
Overall	36.9%	38.8%	36%	34.8%	34.7%

¹⁹ [Management Information National Stop and Search Database: Quarterly Report April – March 2021/22 p4](#)

²⁰ Data in Table 4.2 comes from [annual Police Scotland Management information publications](#)

Use of force

[Use of force](#) is defined as “any physical use of force, except compliant handcuffing and come along hold / escort hold”.²¹ Police officers complete a “use of force form” following an incident where the use of force is applied. A single use of force form can be used to record more than one use of force during an incident, and can be used to record details of multiple subjects. Use of force only occurs in a very small proportion of incidents. In 2021/22, use of force forms were submitted in 0.36% of incidents (5,284 use of force forms out of a total of 1,469,488 incidents recorded by Police Scotland).

Quarterly reporting data on ethnicity and use of force is available from 2021/22 onwards²². An individual's ethnicity is determined by the subject and not by officers. Table 4.3 shows that, in 2021/22, the vast majority of use of force forms were submitted in relation to individuals who identified as White Scottish/White Other British (91.9%)²³. This is followed by those who identified as White Minority Ethnic (3.4%), African, Caribbean or Black (1.6%), and Asian (0.8%).

Table 4.3: Use of force forms by ethnicity in 2021/22 (%)

Victim ethnicity	%
White Scottish / White Other British ²⁴	91.9%
White Minority Ethnic ²⁵	3.4%
Mixed or Multiple	0.4%
Asian ²⁶	0.8%
African, Caribbean or Black ²⁷	1.6%
Other ²⁸	0.6%
Unknown	1.3%

²¹ [Use of force](#) includes: Empty Hand Techniques; Batons; Irritant Sprays - PAVA (both drawing and discharge); Leg Restraints; and Spit Hoods. /

²² In 2021, Police Scotland responded to a [Freedom of Information request around use of force and ethnicity](#). Their response includes annual numbers of use of force forms submitted, by ethnicity for 2018/19, 2019/20 and 2020/21.

²³ Data in Table 4.3 comes from [annual Police Scotland Management information publications](#)

²⁴ For the purposes of the analysis presented here, White Scottish/White Other British includes: White Scottish; White English; White Northern Irish; White Welsh; and Other White British.

²⁵ For the purposes of the analysis presented here, 'White Minority Ethnic' includes: White Irish; White Gypsy/Traveller; White Polish; and White Other

²⁶ For the purposes of the analysis presented here Asian includes: Pakistani, Pakistani Scottish or Pakistani British; Indian, Indian Scottish or Indian British; Bangladeshi, Bangladeshi Scottish or Bangladeshi British; Chinese, Chinese Scottish or Chinese British; and Other Asian Background

²⁷ For the purposes of the analysis presented here, “African, Caribbean or Black” includes: African, African Scottish or African British; Other African Background; Caribbean, Caribbean Scottish or Caribbean British; Other Caribbean or Black background; Black, Black Scottish or Black British.

²⁸ For the purposes of the analysis presented here, “Other” includes: Arab, Arab Scottish, Arab British; and Other Ethnic Group

Use of Tasers

Tasers use an electrical current to temporarily incapacitate a person. They were first used by Police Scotland in June 2018. They are only used by officers who have received specialised training and in situations where they need to deal with violent or dangerous individuals at a distance. Taser deployment forms are completed by officers after each use of a Taser, and include information on the ethnicity²⁹ of the subject.

In 2021/22, Tasers were used³⁰ 417 times on 403 subjects. Only on 60 of these occasions was the Taser fired.

Table 4.4 shows that in 2021/22, where ethnicity is known, the vast majority of use of Tasers is on subjects who identify as White British (95.5%)³¹. There were eighteen uses of a Taser on those who did not identify as White British. This consisted of eight occasions where the subject identified White Minority Ethnic, five occasions where they identified as Asian, three occasions where they identified as African, Caribbean or Black, and two occasions where the subject identified as being from a mixed ethnic group.

Table 4.4: Taser use by ethnicity of subject (where known), 2021/22

Ethnicity	Number	%
White British	379	95.5%
White Minority Ethnic ³²	8	2.0%
Mixed ³³	2	0.5%
Asian ³⁴	5 (consisting of: Asian Pakistani 1, Any other Asian background 4)	1.3%
African, Caribbean or Black ³⁵	3 (consisting of: African 2, Any other Black background 1)	0.8%
Other	0	0%

²⁹ Ethnicity Classifications used for Taser are Home Office Self Defined Ethnicity codes

³⁰ Taser can be used in a number of ways: Drawn; Aimed; Red Dot; and Arced are considered non-discharges; Fired is when probes have been deployed from the device.

³¹ Data in Table 4.4 comes from [annual Police Scotland Management information publications](#)

³² For the purposes of the analysis presented here, White Minority Ethnic includes: “Any other White background”

³³ For the purposes of the analysis presented here, “Mixed” includes: “White and Black African”

³⁴ For the purposes of the analysis presented here, “Asian” includes: Asian Pakistani; Chinese; Any other Asian background

³⁵ For the purposes of the analysis presented here, “African, Caribbean or Black” includes: African; Any other Black background

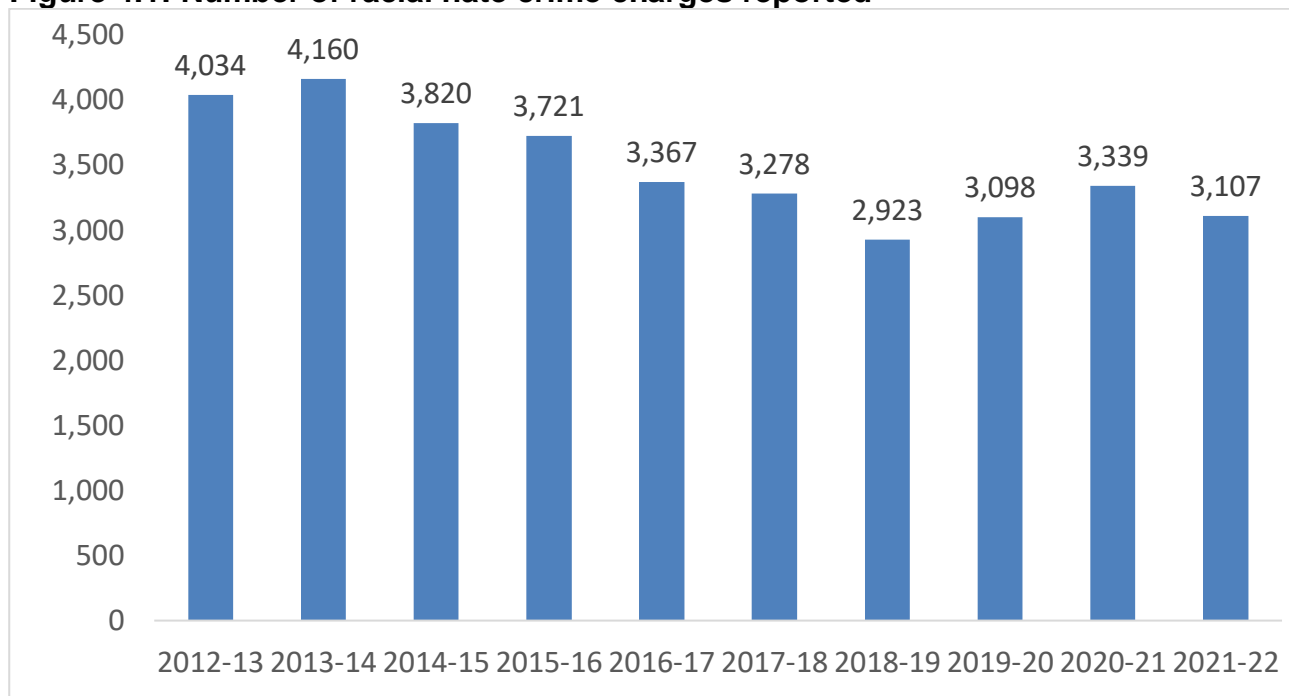
4.4 Prosecution response to race hate crimes

Charges for racially aggravated crime

The Crown Office and Procurator Fiscal Service (COPFS) publish [annual statistics of hate crime](#) reported to the Procurator Fiscal in Scotland. The figures relate to the number of charges reported rather than the number of individuals charged or the number of incidents that gave rise to such charges. Where a charge has more than one hate crime aggravation, it is included in the overall figures for each type of hate crime into which it falls.

Racial crime remains the hate crime most commonly reported to the Procurator Fiscal in Scotland. In total, 3,107 charges relating to race crime were reported in 2021-22, a decrease of 7% compared to 2020-21 (Figure 4.1). The number of charges of racial hate crime have fluctuated in recent years.

Figure 4.1: Number of racial hate crime charges reported

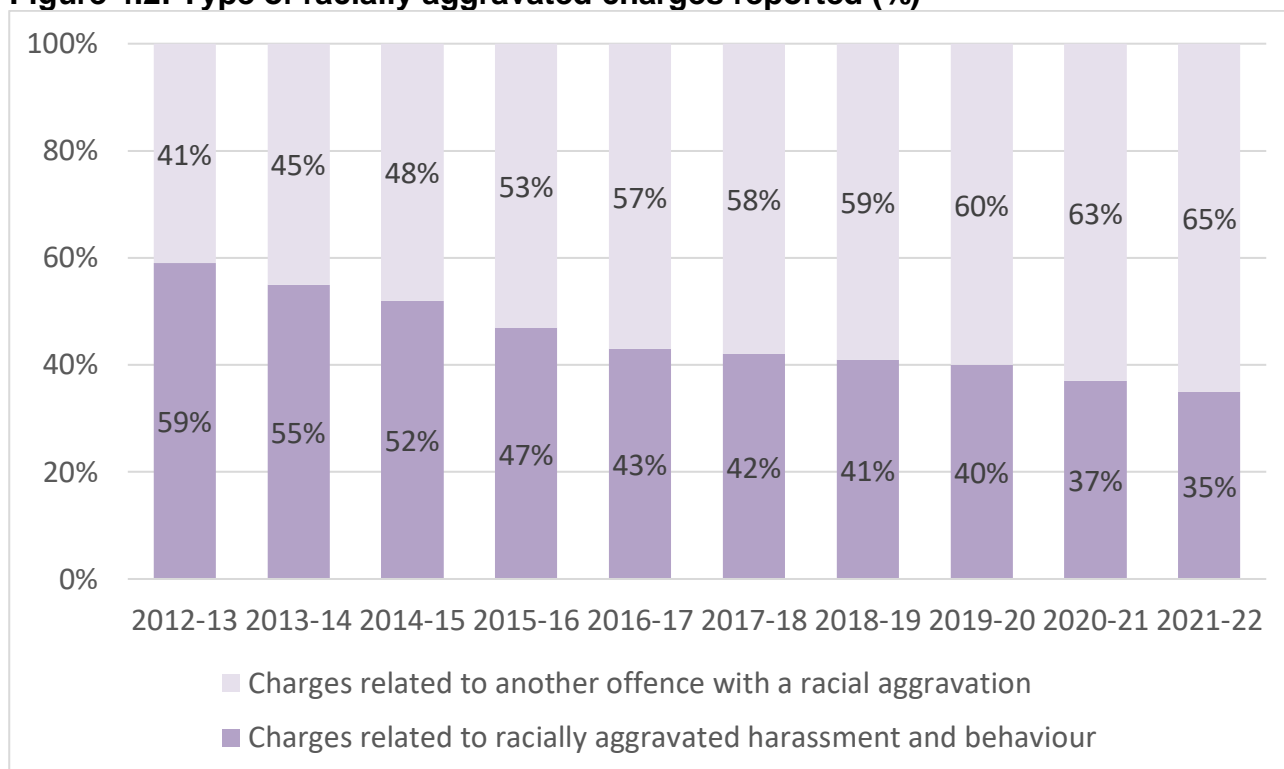


Source: Hate Crime in Scotland, 2021-22

In 2021-22, around one third (1,076) of race hate crime charges specifically relate to the charge of racially aggravated harassment and behaviour. In order to prove any substantive racially aggravated harassment charge, two sources of evidence are required. Around two thirds (2,031) of race hate charges related to another offence (for instance, threatening or abusive behaviour, or assault) with a racial aggravation. Evidence from a single source is sufficient to prove a racial aggravation which is attached to another substantive charge labelled.

The proportion of charges that specifically relate to the charge of racially aggravated harassment and behaviour has fallen steadily over recent years, from 59% in 2012-13 to 35% in 2021-22 (Figure 4.2). There has been a corresponding increase in the proportion of charges relating to other offences with a racial aggravation.

Figure 4.2: Type of racially aggravated charges reported (%)



Source: Hate Crime in Scotland, 2021-22

Court proceedings for racially aggravated crime

The proportion of racial hate crime charges leading to court proceedings has remained fairly stable over time, with the vast majority of cases leading to court proceedings. In 2021-22, court proceedings were commenced in respect of 82% of racial hate charges. A further 9% of charges were incorporated into other charges for the same accused which were prosecuted. In total, 91% of charges reported in 2021-22 led to court proceedings.

In 4% of cases direct measures were used, these include fiscal fines, fiscal compensation orders, fiscal work orders, warning letters and referral to diversion from prosecution schemes. In 2% of cases a referral was made to the Children’s Reporter.

In only 2% of cases was no further action taken. Reasons for no action being taken included: insufficient admissible evidence (29 charges); it not being a crime (2 charges); further action would be disproportionate (3 charges); mitigating circumstances (3 charges) and other (15 charges).

The proportion of hate crime charges resulting in no action being taken has remained fairly stable, ranging from a low of 2% in 2021-22, to 5% in 2012-13, and consistently being around 3% to 4%.

Convictions for racially aggravated crime

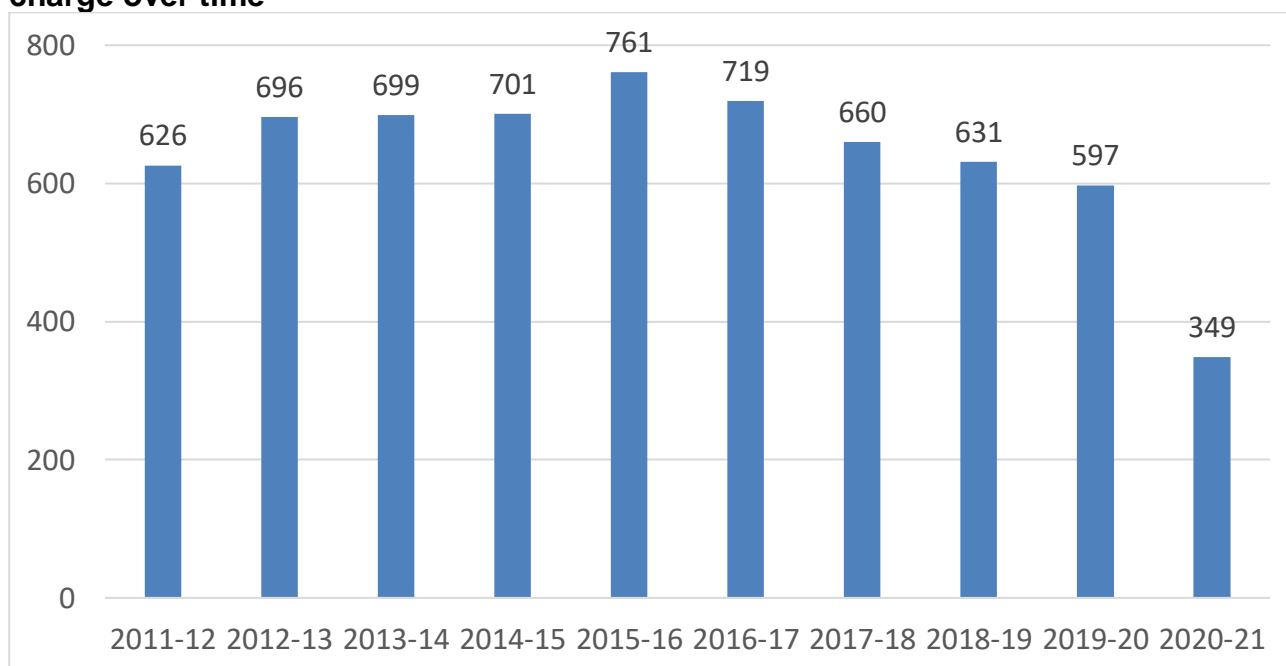
The Scottish Government statistics publication, [Criminal proceedings in Scotland, 2020-21](#), includes information on the aggravation codes recorded by Police Scotland or the Crown Office and Procurator Fiscal Service to provide additional information relating to the nature of a charge.

In 2020-21, 349 people were convicted for crimes with a racial aggravation recorded against the 'main charge'³⁶ (Figure 4.3). Racial aggravation was the second most common aggravation recorded against a main charge, after domestic abuse. The number of people convicted with a racial aggravation against the main charge was broadly stable between 2011-12 and 2019-20, with a high of 761 in 2015-16 and low of 597 in 2019-20.

The 2020-21 figures cover the first full year of the COVID-19 pandemic during which court closures and social distancing requirements resulted in substantial reductions in the number of cases proceeding and concluded in court. As such it is reasonable to conclude that the latest data is predominantly a reflection of the impact of the pandemic across the justice system, and should not be interpreted as indicative of longer-term trends.

Of those convicted for a crime with a racial aggravation against the main charge, the most common crime type was breach of the peace etc. which accounted for 288 out of the 349 convictions for crimes with a racial aggravation.

Figure 4.3: Number of people convicted with a racial aggravation against the main charge over time



Source: Criminal Proceedings in Scotland, 2020-21

Note: Data for 2020-21 are affected by the pandemic and subsequent court closures and should not be considered indicative of long term trends.

³⁶ If there are multiple charges libelled on a Complaint or Indictment, and thereafter proven against an accused in a single proceeding, the main charge is the crime or offence receiving the most severe penalty

4.5 Offender characteristics for perpetrators of hate crime

This section presents findings on the characteristics of those who are perpetrators of hate crime. Information presented here comes from three main sources: studies into the characteristics of police recorded hate crime in Scotland, statistics on hate crime reported to the Procurator Fiscal in Scotland published by the Crown Office and Procurator Fiscal Service, and Criminal Proceedings in Scotland statistics.

The Scottish Government has completed two “deep dive” studies into the characteristics of police recorded hate crime in Scotland. The [first study](#) analysed data from 2018-19 and the [second follow up study](#) covered 2020-21. More detail on these reports and information on the victims of these hate crimes is covered in [chapter 3](#) of this report.

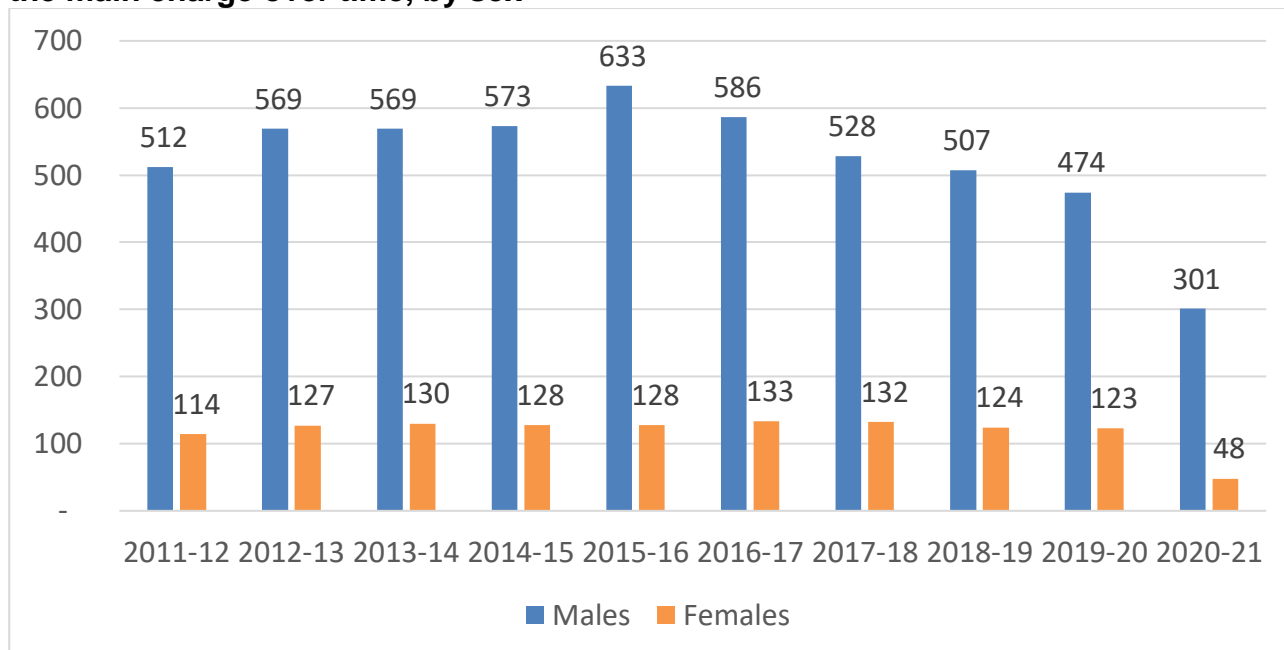
Characteristics of racially aggravated hate crimes perpetrators

The second hate crime deep dive study found that, in 2020-21, the majority of racially aggravated hate crimes had a male or all male group of perpetrators, representing almost three quarters (75%) of crimes. The average age of a perpetrator was 33 years old. Where information was available on the ethnicity of perpetrators, around nine in ten (89%) of racially aggravated hate crimes had a perpetrator of White Scottish / White Other British ethnicity. 4% of perpetrators were White Minority Ethnic and 3% were Asian.

Crown Office and Procurator Fiscal Service [hate crime statistics](#) show that in 2021-22, out of 3,107 racial hate crime charges where the sex of the accused was known, a male was accused in 73% of cases and a female was accused in 27% of cases. Over a third (35%) of those accused of a racial hate crime were aged over 40, just over a quarter were aged 31-40 or 21 – 30 (27% and 26% respectively). Younger age groups 18 – 20 and under-18 each made up 6% of those accused of a racial hate crime.

[Criminal proceedings in Scotland](#) data show that the majority of people convicted for crimes with a racial aggravation over the last ten years are male (Figure 4.4). In 2020-21, of the 349 people convicted for crimes with a racial aggravation, 301 of those convicted were male and 48 were female.

Figure 4.4 Number of people convicted with a racial aggravation recorded against the main charge over time, by sex



Source: Criminal Proceedings in Scotland, 2020-21

Note: Data for 2020-21 are affected by the pandemic and subsequent court closures and should not be considered indicative of long term trends.

Ethnicity of perpetrators for other hate crime aggravators

The second [hate crime deep dive study](#) found that, where the ethnicity of perpetrators of non-racial hate crimes is known, the vast majority are White Scottish/Other White British, consistently between 90% and 96% of perpetrators.

Where information was available on the ethnicity of perpetrators of disability aggravated hate crimes, the vast majority (95%) of crimes had a perpetrator of White Scottish/White Other British ethnicity. 4% of perpetrators were White Minority Ethnic.

Where information was available on the ethnicity of perpetrators of religion aggravated hate crimes, the vast majority (90%) had a perpetrator of White Scottish/White Other British ethnicity. 4% of perpetrators were Asian. All other ethnic groups accounted for the remaining 6% of perpetrators.

Where information was available on the ethnicity of perpetrators of sexual orientation aggravated hate crimes, the vast majority (93%) had a perpetrator of White Scottish/White Other British ethnicity. All other ethnic groups accounted for the remaining 7% of perpetrators.

Where information was available on the ethnicity of perpetrators of transgender identity aggravated hate crimes, the vast majority (96%) had a perpetrator of White Scottish/White Other British ethnicity. All other ethnic groups accounted for the remaining 4% of perpetrators.

4.6 Criminal court cases registered

In 2021/22, 85,567 [criminal court cases](#) (not including petitions) were registered in all courts in Scotland. The [High Court](#) hears the most serious criminal cases, such as murder and rape. In 2021/22, there were 745 indictments registered at the High Court. The majority of cases are dealt with in [Sheriff Courts](#). [Justice of the peace courts](#) deal with the less serious summary crimes, such as speeding, careless driving and breach of the peace.

Table 4.5 shows the ethnicity of the accused for cases registered in each type of court³⁷. The ethnicity of accused individuals has remained fairly consistent since 2014/15. The vast majority of individuals appearing in all courts accused of a crime in each year were white.

Where ethnicity was known, White Scottish individuals were the single largest group. Other White British and Other White were the next two largest groups in every type of court. Where ethnicity was known, the percentage of individuals from other ethnic groups was in low single figures.

In 2021/22, the ethnicity of the accused was Unknown in between 8.8% and 24.1% of cases across the different courts. This may be because the information was not recorded or because the accused is a company rather than a person. The proportion of Unknown was highest in the justice of the peace courts which deal with the least serious offences.

Further analysis on ethnicity in the court system is available in the [Occasional Paper: analysis of the ethnicity of individuals subject to hearings in Scottish courts](#).

Table 4.5: Ethnicity of accused in criminal court cases (%)

Accused ethnicity at case registration ³⁹	All Criminal courts (not including petitions ³⁸) (%)							
	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
White Scottish	61.8	61.9	61.3	60.9	60.0	60.8	64.5	62.2
Other White British	7.8	7.8	8.2	8.7	8.9	9.0	8.6	8.6
Other White	9.5	9.7	10.3	10.0	10.0	9.4	9.2	9.4
African	0.4	0.4	0.5	0.5	0.5	0.5	0.6	0.6
Asian	1.7	1.7	1.5	1.6	1.6	1.8	1.9	2.1
Caribbean or Black	0.5	0.6	0.5	0.6	0.7	0.7	0.8	0.8
Mixed or multiple	0.3	0.3	0.3	0.4	0.4	0.4	0.4	0.4
Other ethnic group	0.9	1.0	0.9	1.0	1.0	1.0	1.1	1.2
Unknown	17.1	16.6	16.5	16.3	17.1	16.4	12.9	14.7

³⁷ Data in Table 4.5 from [Scottish Courts and Tribunals Service Quarterly Criminal Court Statistics](#)

³⁸ In criminal proceedings, the Crown (the prosecutor) may begin proceedings by petition before deciding whether to prosecute on indictment or by summary complaint. Only serious cases are begun by petition.

³⁹ The ethnicity categories presented here are as reported by the Scottish Courts and Tribunals Service and have been grouped from the categories recorded by Police Scotland.

	High Court - Indictments⁴⁰ (%)							
Accused ethnicity at case registration	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
White Scottish	60.2	60.8	63.6	61.1	65.2	61.2	57.9	60.1
Other White British	10.4	9.9	8.4	8.8	8.7	9.5	12.3	9.4
Other White	8.8	8.1	8.4	8.9	7.4	7.9	8.0	8.5
African	0.5	0.6	0.9	0.8	0.8	1.0	0.7	1.1
Asian	2.0	2.1	2.2	1.5	1.8	2.1	3.1	3.4
Caribbean or Black	1.2	0.9	0.6	1.0	1.1	1.5	1.7	2.2
Mixed or multiple	0.2	0.3	0.4	0.4	0.4	1.0	0.6	0.5
Other ethnic group	0.8	1.1	0.9	2.0	1.1	1.3	1.7	0.9
Unknown	15.9	16.3	14.5	15.5	13.4	14.7	14.0	13.8

	Sheriff Court – Petitions (%)							
Accused ethnicity at case registration	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
White Scottish	69.4	67.9	69.3	68.3	68.7	67.1	68.6	67.9
Other White British	7.6	8.1	8.5	9.1	8.9	9.3	8.2	8.6
Other White	10.0	10.5	9.7	8.5	8.4	9.0	9.3	9.1
African	0.5	0.6	0.6	0.6	0.7	0.5	0.7	0.9
Asian	1.6	1.8	1.3	1.7	1.7	1.9	2.1	2.1
Caribbean or Black	1.0	0.8	0.8	0.8	1.0	1.1	1.0	1.1
Mixed or multiple	0.2	0.5	0.3	0.3	0.4	0.6	0.3	0.5
Other ethnic group	1.0	0.9	0.8	1.0	0.8	1.1	1.0	1.1
Unknown	8.8	9.0	8.5	9.7	9.5	9.5	8.8	8.8

⁴⁰ An indictment is a document setting out the charge(s) of crimes or offences against an accused in more serious cases. A case on indictment is tried by judge sitting with a jury in the High Court (in the most serious cases), or the sheriff court. Cases tried on indictment are known as solemn proceedings.

	Sheriff Court – Indictments (%)							
Accused ethnicity at case registration	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
White Scottish	69.2	67.2	68.3	66.7	65.9	66.7	66.7	66.5
Other White British	7.8	7.8	7.8	8.4	7.9	8.7	8.9	8.5
Other White	7.7	8.7	9.2	8.5	7.4	8.1	8.3	9.1
African	0.4	0.4	0.5	0.5	0.5	0.5	0.4	0.7
Asian	1.6	1.3	1.3	1.5	1.4	1.9	1.5	1.6
Caribbean or Black	0.8	0.7	0.7	0.7	0.8	0.8	1.0	0.9
Mixed or multiple	0.4	0.3	0.4	0.4	0.3	0.5	0.4	0.4
Other ethnic group	0.7	0.7	0.5	1.0	0.7	0.9	1.0	0.8
Unknown	11.5	12.9	11.2	12.4	14.9	12.0	11.8	11.5

	Sheriff Court - Complaints ⁴¹ (%)							
Accused ethnicity at case registration	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
White Scottish	65.0	65.1	65.2	65.3	64.1	65.3	67.1	66.2
Other White British	8.3	8.4	8.5	9.1	9.7	9.5	8.6	8.9
Other White	10.2	10.4	10.5	10.0	10.1	9.4	8.9	8.8
African	0.4	0.4	0.5	0.5	0.5	0.5	0.5	0.6
Asian	1.1	1.1	1.2	1.3	1.3	1.5	1.5	1.7
Caribbean or Black	0.4	0.5	0.5	0.6	0.7	0.7	0.7	0.8
Mixed or multiple	0.2	0.2	0.3	0.4	0.4	0.3	0.4	0.4
Other ethnic group	0.7	0.7	0.8	0.8	0.8	0.9	0.9	1.0
Unknown	13.6	13.2	12.5	11.9	12.5	11.9	11.5	11.4

⁴¹ In summary proceedings, the complaint contains the settled charge against the accused. It equates more easily to the indictment than to the petition. However, unlike the indictment, the complaint is the document upon which the first appearance of the accused is focused, and which commences proceedings.

	Sheriff Court - Domestic Abuse Complaints (%)							
Accused ethnicity at case registration	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
White Scottish	65.8	65.2	63.9	63.8	63.1	64.3	65.8	65.1
Other White British	9.4	9.7	9.9	10.2	10.9	10.5	9.2	9.8
Other White	10.5	10.8	11.6	11.4	10.9	9.9	10.3	9.6
African	0.6	0.6	0.6	0.4	0.5	0.6	0.6	0.6
Asian	1.3	1.2	1.4	1.5	1.6	1.9	1.7	1.8
Caribbean or Black	0.4	0.6	0.4	0.7	0.6	0.7	0.6	0.8
Mixed or multiple	0.1	0.2	0.2	0.4	0.4	0.3	0.3	0.4
Other ethnic group	0.7	0.7	0.9	1.0	0.9	1.0	1.0	1.1
Unknown	11.1	11.0	11.0	10.6	11.1	10.9	10.5	10.9

	Justice of the Peace Courts - Complaints (%)							
Accused ethnicity at case registration	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
White Scottish	57.1	56.7	53.0	52.1	51.7	50.4	55.4	50.8
Other White British	7.2	7.0	7.8	7.9	7.7	8.1	8.4	7.7
Other White	9.0	8.9	10.0	10.3	10.2	9.9	10.8	11.0
African	0.4	0.5	0.4	0.5	0.6	0.5	0.7	0.6
Asian	2.4	2.6	2.1	2.0	2.1	2.3	3.3	3.1
Caribbean or Black	0.5	0.6	0.5	0.5	0.6	0.6	0.8	0.7
Mixed or multiple	0.3	0.4	0.4	0.4	0.4	0.3	0.5	0.5
Other ethnic group	1.3	1.4	1.2	1.4	1.3	1.4	1.8	1.6
Unknown	21.8	22.0	24.6	24.9	25.4	26.6	18.2	24.1

4.7 Prison statistics

Average daily prison population

The average daily [prison population](#) in 2021-22 was 7,505. 94.9% of the average daily population self-identified as White, 1.9% as Asian, Asian Scottish or Asian British, 1.6% as African, Caribbean or Black, 0.4% as having Mixed or Multiple ethnicity, and 1.1% as belonging to an Other Ethnic Group (Table 4.5).

Over the past 13 years about 95-96% of the prison population has identified as White. The proportion of individuals who spent time in prison over the last 13 years and were minority ethnic (excluding white minority) was between 3.7% and 5.1%; broadly in line with the profile of the Scottish population as a whole (4% on census day 2011 and estimated at 4.7% in 2019⁴²).

Table 4.6: Average daily prison population by ethnicity (%)

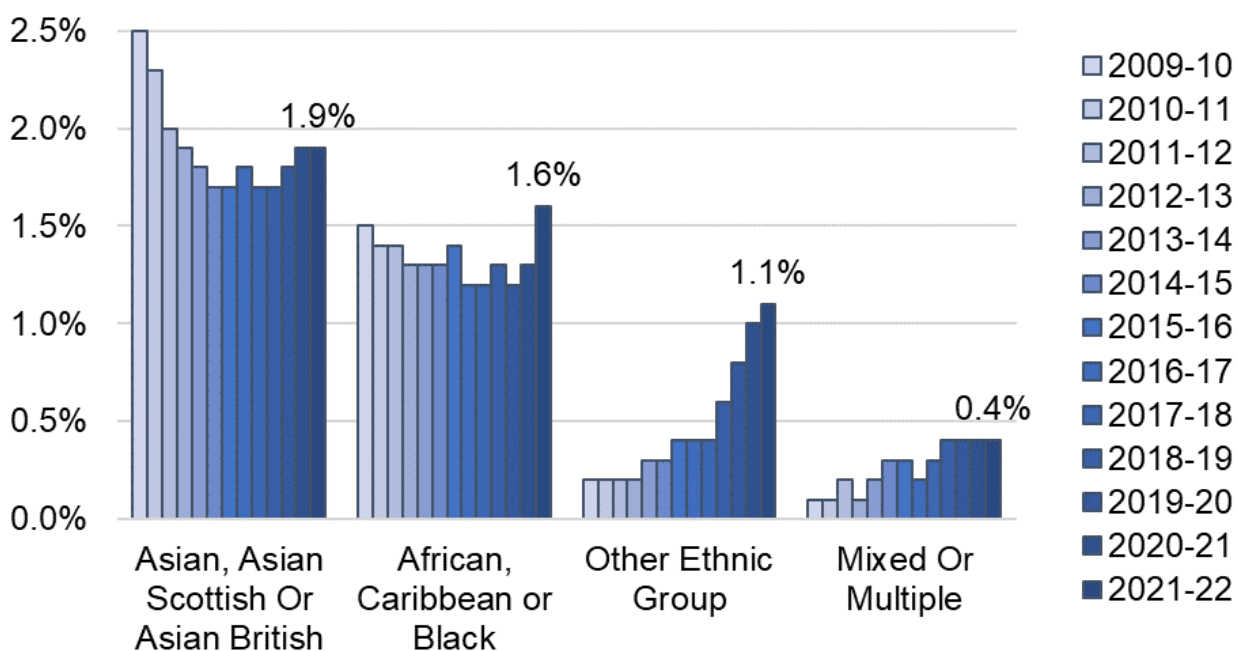
Ethnicity	2009-10	2011-12	2013-14	2015-16	2017-18	2019-20	2021-22
White	95.5	96.1	96.3	96.2	96.4	95.9	94.9
Asian, Asian Scottish or Asian British	2.5	2	1.8	1.7	1.7	1.8	1.9
African, Caribbean or Black	1.5	1.4	1.3	1.4	1.2	1.2	1.6
Other Ethnic Group	0.2	0.2	0.3	0.4	0.4	0.8	1.1
Mixed Or Multiple	0.1	0.2	0.2	0.3	0.3	0.4	0.4

Source: Scottish Prison Population Statistics 2021-22

Figure 4.5 shows the number of prisoners from a minority ethnic (excluding white minority) background in more detail. The prison population data does show an increase in the numbers of individuals in the 'Mixed or Multiple' and 'Other Ethnic Group' categories on an average day over the last 13 years. While the absolute numbers are small, the size of these groups has quadrupled in the 13 year period examined. This is in the context of the number of individuals spending time in prison falling overall over the period.

⁴² 2019 estimates of the ethnicity of the Scottish population come from the [Scottish Surveys Core Questions](#) (SSCQ) dataset, covering the collection period for 2019. The SSCQ data set contains a pooled sample of around 20 core questions from the three large-scale Scottish Government population surveys, the Scottish Crime and Justice Survey (SCJS), Scottish Health Survey (SheS) and Scottish Household Survey (SHS), with a sample size of around 20,000 responses.

Figure 4.5: Average daily population of minority ethnic (excluding white minority) prisoners (%)



Source: Scottish Prison Population Statistics 2021-22

Incarceration rates by ethnicity

As shown above, the number and proportion of prisoners from a minority ethnic (excluding white minority) community on an average day are low. In 2021-22, the [incarceration rates](#) of people spending any time in prison per 1,000 of the population were estimated⁴³. This showed that the incarceration rate for White and Asian people fell between 2011-12 and 2019-20. For other groups, taking into account the uncertainty around national ethnic group population estimates, there was no discernible change.

In 2021-22, it was estimated that the higher incarceration rate for people who identify as African, Caribbean or Black, (8.2 ± 1.6 per 1,000), Mixed or Multiple ethnic groups (4.5 ± 1.0 per 1,000) or from Other ethnic groups (7.2 ± 1.4 per 1,000) was statistically significant compared to people who identify as White (3.2 ± 0.1 per 1,000). The relative lower rate for Asian, Asian Scottish or Asian British (2.4 ± 0.3 per 1,000) was also statistically significant. Other factors that might lead to these differences, for example relative levels of deprivation and different age profiles across ethnicity groups, were not accounted for in this analysis.

The population rate of people identifying as White and as Asian, Asian Scottish or Asian British experiencing imprisonment each year has fallen over time to 3.2 per 1,000 and 2.4 per 1,000 respectively. This rate for 'Other Ethnic Group' members has increased, in particular since the low recorded level in 2017-18 of 3.2 per 1,000, to 7.2 per 1,000 in 2021-22. For other groups, populations are too small and overall population estimates were too uncertain to identify a statistically significant change. The forthcoming publication

⁴³ Scottish Prison Population Statistics 2021-22, [Supplementary Tables](#) B3

of the 2022 census data will allow more accurate population rate calculations in future prison statistics publications.

Ethnicity gender and age of prison population

The vast majority of the prison population is male. Over the last ten years female prisoners have accounted for only 4-5% of the total population on an average day. In 2021-22, 96% of the female prison population self-identified as White. The absolute number of female prisoners belonging to each of the other ethnic groups is in single figures, so it is hard to make any firm conclusions on trends within these groups.

Prisoners identifying as White are older in general than those from minority ethnic (excluding white minority ethnic) groups. The ethnicity of prisoners varies across age groups, with a higher proportion of younger prisoners being from minority ethnic (excluding white minority) groups (8.7% of under 21-year olds on an average day in 2021-22, compared with 5.1% of the prison population overall). In contrast, 97.2% of prisoners aged 50 or over were White. The 2011 census found a large proportion of minority ethnic groups in Scotland had much younger age profiles than those who identify as White.

4.8 Justice social work statistics

[Justice social work statistics](#) provide information on the range of activities undertaken by local authority justice social work departments. This paper reports on three of these national statistics which include ethnicity data: criminal justice social work reports; community payback orders; and diversion from prosecution.

Diversion from prosecution

The relevant prosecution policy of the Lord Advocate is that diversion should be considered for all individuals where there is an identifiable need that has contributed to their offending and which is best met through a diversion scheme. This is particularly the case where the individual is aged under 18 and there is a presumption that an alternative to prosecution will be in the public interest. In diversion cases, a Procurator Fiscal may decide to waive prosecution or to defer prosecution pending the successful completion of the diversion scheme.

2,230 diversion from prosecution cases commenced in 2020-21. Where ethnicity was known, 95.9% involved a person of White ethnicity, 1.5% a person of Asian ethnicity, 0.7% a person of African, Caribbean or Black ethnicity, 0.5% a person of Mixed ethnicity, and 1.3% a person of Other ethnicity. Table 4.7 shows that these figures have been largely stable for the past five years.

Table 4.7: Ethnicity of diversion from prosecution cases (where known) (%)

Ethnicity	2016-17	2017-18	2018-19	2019-20	2020-21
White	96.6	96.5	97.7	96.4	95.9
Asian	1.4	0.7	1.0	1.2	1.5
African, Caribbean or Black	0.9	0.9	0.3	0.7	0.7
Mixed	0.2	0.7	0.3	0.5	0.5
Other	0.9	1.2	0.7	1.2	1.3

Source: Criminal justice social work statistics: 2020 - 2021

Criminal Justice Social Work Reports

The [criminal justice social work report](#) (CJSWR) in its current format was introduced across Scotland from February 2011 to ensure a consistent provision of information, including the social worker's professional assessment. This report is intended to assist in the sentencing process and to complement the range of other considerations, such as victim information and narratives from the Procurator Fiscal. In particular, the CJSWR provides information on social work interventions and how these may prevent or reduce further offending. A CJSWR must be requested in the following situations:

- before imposing a custodial sentence for the first time or where a person is under 21
- when imposing a community payback order with a supervision requirement or level 2 (over 100 hours) unpaid work or other activity requirement
- when imposing a drug treatment and testing order

15,104 [criminal justice social work reports](#) (excluding supplementary reports) were submitted in 2020-21. This was a significant reduction compared to the previous 4 years and was reflective of lower court volumes as a result of Covid-19 restrictions. Where ethnicity was known, 96.0% of criminal justice social work reports submitted in 2020-21 involved a person of White ethnicity, 1.5% a person of Asian ethnicity, 0.7% a person of African, Caribbean or Black ethnicity, 0.3% a person of Mixed ethnicity and 1.5% a person of Other ethnicity. Table 4.8 shows that these figures have been largely stable for the past five years.

Table 4.8: Ethnicity of subjects of criminal justice social work reports (%)

Ethnicity	2016-17	2017-18	2018-19	2019-20	2020-21
White	96.5	96.6	96.0	96.1	96.0
Asian	1.3	1.2	1.5	1.6	1.5
African, Caribbean or Black	0.8	0.7	0.9	0.8	0.7
Mixed	0.3	0.3	0.3	0.3	0.3
Other	1.2	1.1	1.4	1.1	1.5

Source: Criminal justice social work statistics: 2020 - 2021

Community payback orders

A community payback order (CPO) can contain up to ten different requirements at first imposition. Every order should have either or both an unpaid work or other activity requirement or an offender supervision requirement.

8,169 [community payback orders](#) commenced in 2020-21. This was a significant reduction compared to the previous 4 years and was reflective of lower court volumes as a result of Covid-19 restrictions. Where ethnicity was known, 96.5% of community payback orders commenced in 2020-21 involved a person of White ethnicity, 1.4% a person of Asian ethnicity, 0.8% a person of African, Caribbean or Black ethnicity, 0.3% a person of Mixed ethnicity and 1.0% a person of Other ethnicity. Table 4.9 shows that these figures have been largely stable for the past five years.

Table 4.9: Ethnicity of subjects of community payback orders commenced (where known) (%)

Ethnicity	2016-17	2017-18	2018-19	2019-20	2020-21
White	96.6	96.3	96.0	96.1	96.5
Asian	1.2	1.3	1.7	1.5	1.4
African, Caribbean or Black	0.7	0.8	0.8	0.9	0.8
Mixed	0.4	0.3	0.3	0.3	0.3
Other	1.1	1.3	1.2	1.1	1.0

Source: Criminal justice social work statistics: 2020 - 2021

5. Justice Workforce

5.1 Introduction

Public authorities in Scotland are required by the Specific Duties of the Public Sector Equality Duty to publish employee information reports. This chapter provides information on the workforce composition of justice organisations in Scotland.

Published ethnicity workforce data is presented from seven Scottish justice organisations⁴⁴: Police Scotland, the Scottish Police Authority, the Scottish Prison Service, the Scottish Fire and Rescue Service, the Crown Office and Procurator Fiscal Service, the Scottish Courts and Tribunals Service, and the Scottish Legal Aid Board. Information is also included on solicitors who are regulated by the Law Society of Scotland.

5.2 Key findings

- There is inconsistency in the level of ethnicity workforce data published by justice organisations.
- Overall, minority ethnic groups appear to be under-represented in justice organisations.
- Minority ethnic staff appear to be evenly distributed across roles and seniority within the justice organisations who report on this.

5.3 Workforce composition

The ethnicity categories reported on vary by organisation. Some organisations report on a wider range of measures than others. When comparing workforce ethnicity statistics across justice organisations it is important to be aware that some organisations have more complete and detailed data than others. There are varying and often very high levels of non-disclosure, where staff have either not provided ethnicity information or have selected a “choose not to disclose” option.

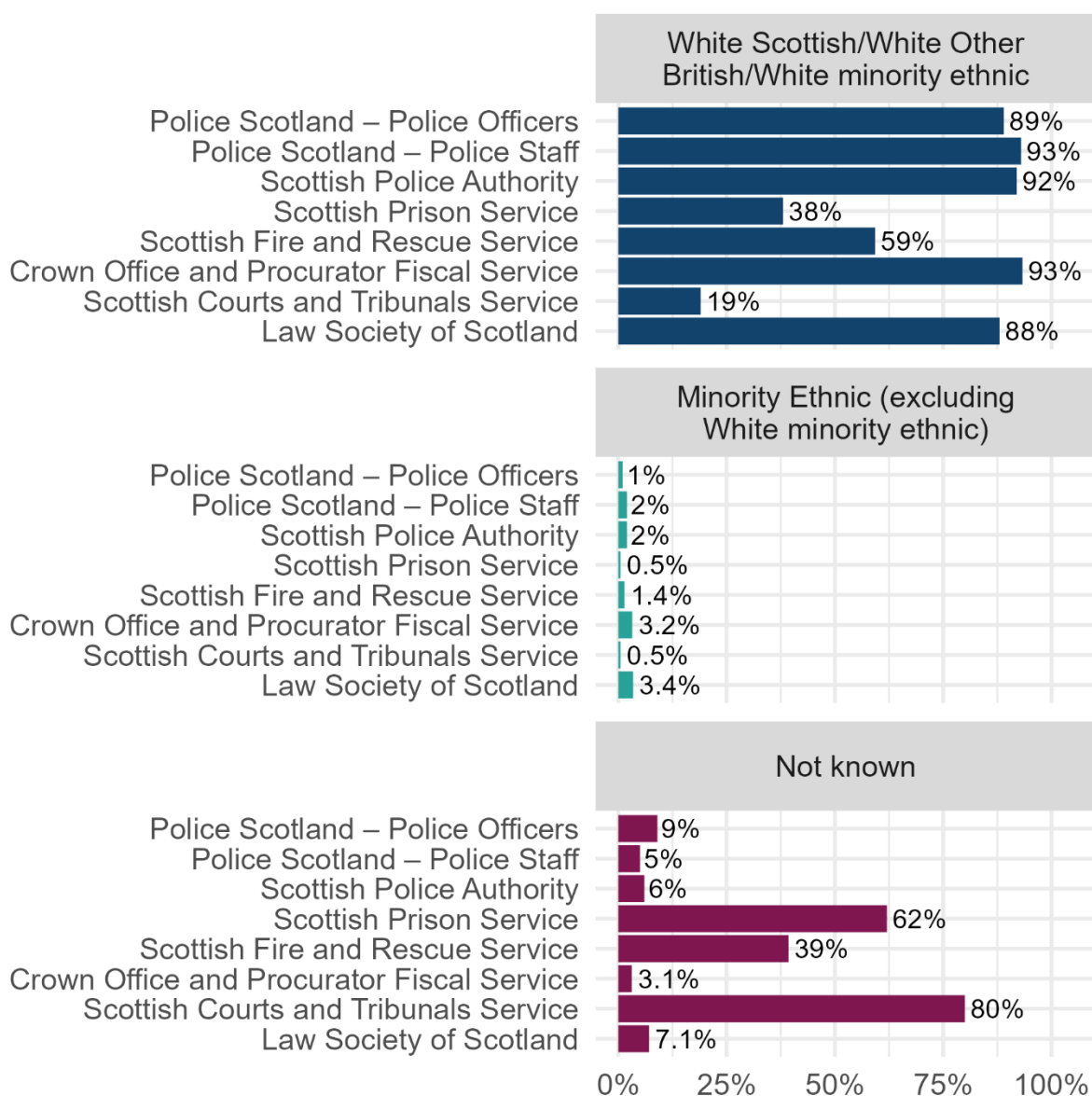
Organisations often combine ethnicity categories in order to report on them. Some organisations report on just two categories – “white” and “minority ethnic”, whilst other organisations include categories for “white minority ethnic” or “other” within their classifications. Police Scotland and the Scottish Police Authority (SPA) report on four categories “White Scottish” “All Other White British”, “White Minority” and “BME”. For consistency, this chapter uses the term “minority ethnic (excluding white minority)” and provides a footnote to the terminology used by the organisation in their reporting.

⁴⁴ Community Justice Scotland have less than fifty staff and have not previously been a Public Sector Equality Duty listed authority. They expect to be added to the list and to publish workforce data in future.

Figure 5.1 presents a simplified workforce composition by ethnicity for justice organisations⁴⁵ and for solicitors who are members the Law Society of Scotland⁴⁶, which is the regulatory body for solicitors in Scotland. As noted above, the categories used by organisations to report on ethnicity differ. In order to more readily compare across organisations, data is presented here in three broad high level categories: White (including white minority ethnic), Minority Ethnic (excluding white minority ethnic) and Not Known.

Figure 5.1 shows the proportion of staff who identify as minority ethnic (excluding white minority ethnic) across organisations, and the varying and sometimes high levels where ethnicity is not known.

Figure 5.1: Ethnic composition of workforce in justice organisations



⁴⁵ Scottish Legal Aid Board (SLAB) data is not included in this figure as SLAB reports its equality data in 5% bands to protect staff anonymity. SLAB data is included in the more detailed breakdown in Appendix C: Table A5.1.

⁴⁶ Law Society of Scotland data relates only to members who provided equality information, whereas other organisations include the percentage who did not provide information within their not known totals.

The proportion of minority ethnic (excluding white minority) staff in justice organisations varies from less than 0.5% up to 3.4%. Compared to the Scottish population as a whole, minority ethnic staff are under-represented in most organisations.

According to the [2011 Census](#), 4% of the Scottish population is minority ethnic (excluding white minority) and 4.2% is white minority ethnic. As noted in [Section 1.4](#), a degree of caution is required when comparing to the 2011 Census, as more recent data from the Scottish Survey Core Questions indicates that Scotland's population is more diverse now than it was in 2011. It is estimated that the proportion of the population identifying as Asian, African, Caribbean or Black, Mixed or Other ethnic group has increased to 4.7%. Accordingly, the level of representation required in the workforce to match the population as a whole will also have increased.

Further details on the ethnic composition of the workforce for each justice organisation is provided below. A more detailed breakdown of each organisation's data is shown in Appendix C: Table A5.1.

Police Scotland: Data from 31 March 2021 shows 1% of police officers and 2% of police staff in Police Scotland identified as minority ethnic (excluding white minority ethnic)⁴⁷ and 2% of police officers, and 1% of police staff identified as white minority ethnic. There has been an increase over time in the numbers of police officers and police staff identifying as minority ethnic (excluding white minority ethnic), between 2013 and 2021 and white minority ethnic between 2014 and 2021.⁴⁸

Looking specifically at probationary constables⁴⁹, in 2021, 2% identified as minority ethnic (excluding white minority ethnic) and 4% identified as white minority ethnic, an increase from 2017 where 1% identified as minority ethnic (excluding white minority ethnic), and 2% identified as white minority ethnic.

Police Scotland has relatively low levels of "choose not to disclose" (7% for police officers and 4% for police staff) or "not recorded" (2% for police officers and 1% for police staff) when compared to other justice organisations. Police Scotland also noted that the proportion and number of all staff identifying as "choose not to disclose" continues to decrease over time.

On 31 March 2021, 82% of those in a rank of sergeant and above identified as White Scottish, 8% identified as Other White British, 1% as White Minority Ethnic and 1% as minority ethnic (excluding white minority ethnic). Eight percent of those ranked sergeant and above chose not to disclose their ethnicity, and ethnicity was not recorded in less than 1% of cases.

Of those who identified as minority ethnic (excluding white minority ethnic), 16% were in a role of sergeant and above, this compares with 15% of those who identified as white

⁴⁷ Police Scotland uses the term "BME" in its reporting

⁴⁸ Trend data for minority ethnic (excluding white minority) is available from 2013 and for white minority from 2014

⁴⁹ Police Scotland new recruits serve a 2 year probationary period, following 12 weeks of initial training

minority ethnic, 20% who identified as other white British, and 23% of those who identified as White Scottish.

The proportion of those in the ranks of sergeant and above who identify as minority ethnic (excluding white minority ethnic). or white minority remains the same when compared to 31/03/2020. There has been an increasing trend in the number of minority ethnic (excluding white minority ethnic) and white minority ethnic police officers at rank of sergeant and above since 2014.

Six percent of police staff overall are grade 8 and above and 94% are grade 7 & below. Of those in grade 8 and above, 79% identify as White Scottish, 10% as Other White British, 3% as white minority ethnic, 2% as minority ethnic (excluding white minority ethnic) and 4% choose not to disclose and 2% are recorded as not known. There has been a small increase in the number of staff identifying as minority ethnic (excluding white minority ethnic) and white minority ethnic at grade 8 and above in 2021, compared to 2020. There are higher proportions of those who identify as minority ethnic (excluding white minority ethnic) (7%), white minority (12%) or other white British (9%) at grade 8 & above, when compared with the proportion who identify as white Scottish (6%).

As, with other organisations who report on role by ethnicity, there appears to be no evidence of horizontal segregation, i.e. minority ethnic staff working in particular roles. In Police Scotland in 2021 a similar proportion of those who identify as minority ethnic (excluding white minority ethnic) work as police officers (1%), police staff (2%) and special constables (2%). Those who identify as white minority ethnic make up 2% of police officers, 1% of police staff and 2% of Special Constables.

Scottish Police Authority (SPA):The [Equality, Diversity and Inclusion Employment Monitoring and Analysis Report](#) states that on 31 March 2021, 2% of staff at the Scottish Police Authority (SPA) identified as minority ethnic (excluding white minority ethnic)⁵⁰ and 2% as white minority ethnic, 5% chose not to disclose their ethnicity, whilst for a further 1% their ethnicity was not recorded. The SPA notes that the proportion of staff identifying as minority ethnic (excluding white minority ethnic) has been “static” since data were first recorded in 2014.

On 31 March 2021, data show that minority ethnic (excluding white minority ethnic) staff are proportionately represented at grade 8 and above compared to the overall workforce profile and disproportionately underrepresented at grade 7 and below. Minority ethnic (excluding white minority ethnic) staff make up 2% of the overall SPA workforce, 2% of those at grade 8 and above, and 1% of those at grade 7 or below. Those who identify as being white minority ethnic make up 2% of the overall SPA workforce and are proportionally represented at grade 7 and below (2%) and over-represented at grade 8 and above (3%). The proportions of minority ethnic (excluding white minority ethnic) staff and white minority ethnic staff remains the same as in 2020. SPA note that “given the small numbers involved, statistical variations can exist and therefore it is difficult to draw any clear conclusions.” ([p11](#))

⁵⁰ SPA use the term “BME” in their reporting

Those who identify as other white British (15% of the workforce) are also over-represented at grade 8 (22%) and above and under-represented at grade 7 and below (11%). Those who identify as White Scottish make up 75% of the SPA workforce and are over-represented at grade 7 and below (81%), and under-represented at grade 8 and above (64%).

The Scottish Prison Service (SPS): According to the [Scottish Prison Service Occupational Segregation and Equal Pay Statement](#) April 2021, less than 0.5% of SPS staff identified as minority ethnic (excluding white minority ethnic)⁵¹ on 31 March 2020. The SPS has no ethnicity data for over half its staff (52.8%), while a further 9.2% prefer not to declare. Due to small numbers SPS are unable to present numbers on the vertical segregation of staff, by grade. There is no evidence of horizontal segregation based on the number and proportion of staff who identify as minority ethnic (excluding white minority ethnic) in “operational” and “non-operational” roles.

Scottish Fire and Rescue Service (SFRS): Latest [organisational statistics from SFRS](#) report an increase in the proportion of staff identifying as minority ethnic (excluding white minority ethnic)⁵² from 0.6% of the workforce (excluding volunteers) in 2011/12 to 1.4% in 2021/22. The proportion of “not stated” ethnicity information has increased from 24.3% in 2011/12 to 39.3% in 2021/2. The highest rates of “not stated” were in 2016/17 at 45.2%. SFRS note that the merger of HR data from the Scottish Fire and Rescue Services in 2013/14 led to a reduction in reliable ethnicity data for staff, and that improvements in recent years have been driven by a new employee digital self-service tool for HR data.

In 201/22, SFRS staff who identify as minority ethnic (excluding white minority ethnic) are slightly more represented in control and support staff roles (2.3% each) compared to fire fighter roles (1.4% of wholetime operational staff).

Crown Office and Procurator Fiscal Service (COPFS): According to the [COPFS Mainstreaming Report 2021](#), COPFS appears to be more ethnically representative than most other Justice Organisations, with 3.2% of staff identifying as minority ethnic (excluding white minority ethnic)⁵³ and 0.4% as “Other” in 2020, which is a small increase from the 2.8% 2019, who identified as minority ethnic (excluding white minority ethnic). COPFS also holds more complete ethnicity data than many other justice organisations, with only 3.1% of staff choosing not to declare.

COPFS provides information on pay grades. Grades where the proportion of staff identifying as BAME are higher than the proportion identifying as BAME in the organisation (3.2%) are: trainee solicitor (10.3%); Procurator Fiscal Depute (4.5%); and Senior Procurator Fiscal Depute (4.8%).

Scottish Courts and Tribunals Service (SCTS): SCTS’s [Annual People Scorecard 2020/21](#) shows that SCTS has very high levels of non-disclosure, with 80% of staff classed as “unknown/prefer not to declare”. 10% of staff identify as White, and a further

⁵¹ SPS use the term “Ethnic Minority group” in their reporting

⁵² SFRS used the term “Ethnic Minority”

⁵³ COPFS uses the term “Black, Asian or Minority Ethnic (BAME)” in its reporting

9% as White - English/Welsh/Scottish/N Irish. Only 9 staff out of 1, 844 identified as “other ethnicity”, which is less than 0.5%.

Scottish Legal Aid Board (SLAB): [SLAB](#) reports its equality data in 5% bands to protect staff anonymity. In 2020/21, less than 5% of staff identified as minority ethnic (excluding white minority ethnic)⁵⁴, and 5-10% selected “prefer not to say”. These figures are based on 76% equality record completion, so nearly a quarter of staff (24%) did not provide equality information, which should be taken into account when considering the proportion of “unknown” values.

The Law Society of Scotland: The [Law Society of Scotland](#) is not a public sector justice organisation, it is the professional body for 12,630 Scottish solicitors in Scotland. It’s members make up part of the Scottish justice workforce. [Diversity Data from 2020/21 Practising Certificate \(PC\) Renewal](#) reports that 3.4%⁵⁵ of solicitors in Scotland identify as minority ethnic (excluding white minority ethnic)⁵⁶ in 2020/21. The Law Society of Scotland states that the profession is becoming more diverse, citing the significant increase in the number of solicitors identify as minority ethnic (excluding white minority ethnic) under the age of 30 (6.9%, compared to 3.4% of the total solicitor population).

⁵⁴ SLAB uses the term “Non-white minority ethnic” in its reporting

⁵⁵This is based on the 80% of who solicitors who completed survey

⁵⁶ The Law Society of Scotland uses the term “Black, Asian and Minority Ethnic (BAME)” in its reporting

Appendix A: Further information on data sources

Data in this paper comes from a variety of sources including Scottish Government Social Research, [National and Official Statistics](#), management information and HR information from justice organisations.

Below are links to the data sources used in each chapter, including who published them and the type of data.

Chapter 2: Perceptions of crime, safety, the police and the justice system

Data in Chapter 2 comes from new analysis by ethnicity from the Scottish Crime and Justice Survey (SCJS),¹ using a pooled sample, which combines data from 9 individual surveys across over 10 years (2008/09 to 2019/20) and 90,000 interviews. Further information on the methodology used can be found in [Appendix B](#).

Background information on the SCJS and findings from individual surveys can be found [here](#). SCJS Reports are published as National Statistics.

Chapter 3: Experience of victimisation

Data in Chapter 3 comes from:

New analysis by ethnicity from the Scottish Crime and Justice Survey (SCJS),¹ using a pooled sample, which combines data from 9 individual surveys across over 10 years (2008/09 to 2019/20) and 90,000 interviews. Further information on the methodology used can be found in [Appendix B](#).

[A Study into the Characteristics of Police Recorded Hate Crime in Scotland](#), The Scottish Government (Feb 2021) (Social Research publication)

[Police recorded hate crime - characteristics: updated study](#), The Scottish Government (January 2023) (Social Research publication)

Chapter 4: Patterns of offending and the justice system response

Data in Chapter 4 comes from:

[Police Scotland Management Information on "stop and search" data publications from 2017-18 onwards](#)

[Management Information National Stop and Search Database: Quarterly Report April – March 2021/22](#), Police Scotland

[Use of Force, quarterly forms](#), Police Scotland (Management information)

[Hate Crime in Scotland 2021-22](#), Crown Office and Procurator Fiscal Service (June 2022) (Official statistics Publication)

[A Study into the Characteristics of Police Recorded Hate Crime in Scotland](#), The Scottish Government (Feb 2021) (Social Research publication)

[Police recorded hate crime - characteristics: updated study](#), The Scottish Government (January 2023) (Social Research publication)

[Quarterly Criminal Court Statistics](#), Scottish Courts and Tribunals Service (Management Information)

[Scottish Prison Population Statistics, 2020-21](#), The Scottish Government (June 2022) (Official Statistics)

[Criminal Justice Social Work statistics](#), The Scottish Government (January 2022) (National Statistics)

Chapter 5 Workforce

Data in Chapter 5 comes from:

Police Scotland: [Bi-Annual Equality and Diversity and Inclusion Report](#), Scottish Police Authority (30 November 2021) (HR data)

Scottish Police Authority (SPA): [Equality, Diversity and Inclusion Employment Monitoring and Analysis Report](#), Scottish Police Authority (31 March 2021) (HR data)

Scottish Prison Service: [Scottish Prison Service Occupational Segregation and Equal Pay Statement](#) (April 2021) (HR data)

Scottish Fire and Rescue Service (SFRS): [Fire Safety and Organisational Statistics](#), Scottish Fire and Rescue Service (31 August 2022) (HR data)

Crown Office and Procurator Fiscal Service (COPFS): [COPFS Mainstreaming Report 2021](#) (HR data)

Scottish Courts and Tribunals Service (SCTS): [Annual People Scorecard 2020/21](#), Scottish Courts & Tribunals Service (August 2021 (HR data))

Scottish Legal Aid Board (SLAB) [Equality monitoring of protected characteristics 2020-21 data tables](#), SLAB (HR data)

The Law Society of Scotland: [Diversity Data from 2020/21 Practising Certificate \(PC\) Renewal](#), the Law Society of Scotland (diversity information provided by individuals renewing their practicing certificate)

Appendix B: Methodology for Scottish Crime and Justice Survey pooled sample analysis

Background

All analysis in this report from the Scottish Crime and Justice Survey (SCJS) on ethnicity comes from a pooled sample. This is a further analysis project of existing survey data that aimed to present findings on ethnicity for the first time.

The SCJS is a large scale social survey that asks people in Scotland about their attitudes and experiences of certain issues relating to crime and justice. The respondents are chosen at random among all adults aged 16 and over living in private residences in Scotland. Each survey sweep typically runs over a twelve month fieldwork period, and results of each sweep are reported separately in a long form findings document.

Given it is not feasible to interview all people in Scotland, a sample of addresses are selected for each sweep at random and members of these households are asked to take part in an interview. The results of these interviews are collected and analysed in order to make inferences about the Scottish population as a whole, as well as break the data down to examine different groups within society. Currently, findings are presented by gender, age, deprivation and disability status among other things.

However, it is not possible to necessarily provide breakdowns of the data for all groups, and one of the most notable cases where this occurs is for ethnicity. Given that participants are chosen completely at random, it cannot be guaranteed that the fieldwork period will collect a sufficiently large amount of data from people from minority ethnic backgrounds in order to report reliable and accurate data. Full details of the sampling process used in the SCJS can be found online in the [technical report](#).

In Scotland's 2011 census, still the most recent at time of writing, we can see in Table B.1 that the ethnicity makeup of Scotland is very imbalanced. As a result, the composition of ethnicities in the SCJS results will reflect this.

Table B.1: Size of ethnic groups present in the Scottish population, 2011 census

Ethnic Group	2011 Census result (% population)
White Scottish/White Other British	91.8%
White Minority Ethnic	4.2%
Any Mixed or Multiple Ethnic Group	0.4%
Asian	2.7%
African, Caribbean or Black	0.7%
Other Ethnicity	0.3%

The [most recent SCJS](#) sweep completed 5,570 interviews across the country, while this was sufficiently large to make accurate inferences about the population as a whole and of certain subgroups, it was not possible to do the same for many minority ethnic groups. In order to overcome this issue, a new analysis project had to be undertaken to be able to present findings for these groups.

Pooled sample methodology

To overcome the issue of having too few respondents from minority ethnic backgrounds, a new approach was taken to bring together the results of multiple SCJS sweeps into one pooled sample. This would bolster the sample size both overall and for lesser represented groups too, meaning it would be possible to present findings for the survey by ethnicity for the first time. The methodology to implement this pooled sample is described below.

Firstly, each survey sweep results in a certain number of interviews being completed, and this varies from sweep to sweep. At the beginning of the SCJS, the sample size (n) target was to complete approximately 16,000 interviews, however in the more recent years this target has been roughly 6,000. Table Y shows the exact number of interviews completed across the 9 sweeps.

Selection for participation in the SCJS is random, however it is not completely random for the entire country as a whole. The design framework of the survey is to be representative at the level of the 13 Police Division areas in Scotland. This deviation from a true random sample is expressed in what is known as the ‘design effect’ ($Deff$). The exact value of the design factor used in each survey sweep is provided by the contractors who run the fieldwork process of the SCJS.

Using the design factor, we can calculate the ‘effective sample size’ of each survey. The effective sample size ($neff$) is the overall sample size divided by the design effect, and is an expression of the number of responses needed under a pure random sample to obtain the same results as the actual sample framework.

$$neff_i = \frac{n_i}{Deff_i}$$

Having done this, the proportion of the overall effective sample across the 9 sweeps can be calculated for each individual sweep, denoted as ‘ $pool_neff$ ’ in Table B.2. This will be used later on when discussing weighting, and is an important step in ensuring that potential bias from uneven sample sizes across sweeps is reduced.

The only remaining step is to implement the pooled design effect on the weightings for the data. Survey data is weighted in order to ensure that the data better reflects what it is trying to measure. Each observation is assigned a weighted value to indicate how important it is to the analysis. The procedures for the implementation of the weighting methodology were developed by the Scottish Government with the Methodology Advisory Service at the Office for National Statistics (ONS), full detail on this can be found in the [SCJS technical report](#). Multiplying the pooled effect sample by the weight results in the pooled weight for the survey which is then used throughout the analysis.

$$Pool_scale_weight_INDIV_j = Pool_neff_i \times WGTGINDIV_scale_j$$

Table B.2: Information on SCJS sweeps to implement pooled methodology.

Survey year	2008-09	2009-10	2010-11	2012-13	2014-15	2016-17	2017-18	2018-19	2019-20
Sample size (n)	16003	16036	13010	12045	11472	5567	5475	5537	5568
Design Effect (Deff)	2.25	2.25	2.25	1.69	1.44	1.80	1.49	1.37	1.46
Effective sample size	7112	7127	5782	7127	7981	3100	3678	4045	3803
Pooled effective sample	0.143	0.143	0.116	0.143	0.160	0.06 2	0.07 4	0.08 1	0.07 6

Limitations of pooled sample

While the pooled sample methodology has been an effective project for implementing analysis of the SCJS by ethnicity for the first time, there are some limitations to the power of the analysis.

The main limitation is that any sense of change over time is lost by combining survey years. The pooled sample is able to give a sense of the overall picture across all surveys, it is not able to tell whether there have been improvements or changes from one survey to another. Given some of the data from the pooled sample is over a decade old, it remains unclear whether the picture presented in the pooled sample is still representative of how it is today. It would be possible to perform further analysis yet and split the pooled sample data into two or more time periods, allowing for a ‘before and after’ analysis, but the analysis as presented in this report focusses only on one overall picture.

The other limiting factor of the pooled analysis is that it has not fully overcome sample size issues present when looking at ethnicity data. The SCJS is a constantly evolving product, which is adapted to keep up with the changing nature of crime and justice and of emerging topics. Some questions in the survey have not been asked across every sweep, so the sample size is smaller. This means that some questions still cannot be analysed by ethnicity despite the pooled sample methodology. Further, even for questions which have been present in the questionnaire for a significant length of time, it was still not always possible to analyse questions at the most granular level. As a result, the findings are presented using groupings of ethnicities to maintain consistency of analysis throughout the report.

Appendix C: Additional data tables

Chapter 2: Perceptions of crime, safety, the police and the justice system

Perception of prevalence of specific crimes in local area

Table A2.1: Proportion of people who think the following types of crime are fairly or very common in their local area

	National Average	White Scottish/ White Other British	White Minority Ethnic	Asian	African, Caribbean or Black	Other
People having their car or other vehicles stolen	12%	12%	7%*	14%	7%*	10%
People having things stolen from their car or other vehicles	18%	18%	14%*	16%	11%	12%
People being mugged or robbed	10%	10%	8%	11%	8%	11%
People being physically assaulted or attacked in the street or other public places	18%	18%	14%*	16%	15%	13%
People being physically attacked because of their skin colour etc	7%	7%	9%	13%*	12%	11%
People being sexually assaulted	4%	4%	6%*	5%	3%	4%
Drug dealing and drug abuse	45%	46%	34%*	28%*	38%	32%
People behaving in an anti-social manner in public	41%	42%	39%	36%	38%	31%
Violence between groups of individuals or gangs	21%	21%	15%*	20%	13%*	16%

	National Average	White Scottish/ White Other British	White Minority Ethnic	Asian	African, Caribbean or Black	Other
<i>Base</i>	22, 718	21,054	1,002	360	162	67
People carrying knives	17%	18%	13%*	14%	14%	11%
<i>Base</i>	18,691	17,258	862	303	139	62
Deliberate damage to cars or other vehicles	21%	21%	18%	21%	10%*	13%
Deliberate damage to people's homes by vandals	11%	11%	11%	15%	15%	20%
<i>Base</i>	11,473	10,428	635	224	79	58
People buying or selling smuggled or fake goods	13%	13%	8%*	13%	-	-
<i>Base</i>	5,610	5,039	338	119	42	44

Where results are statistically significant compared to the national average this is marked by an asterisk *

'-' indicates that the base number is too low to report on (below 50)

The mixed or multiple group is not reported in the table as the base is below 50.

Fear of crime

Table A2.2: Proportion of people who are fairly or very worried that:

	National Average	White Scottish/ White Other British	White Minority Ethnic	Mixed or Multiple	Asian	African, Caribbean, or Black	Other
Your home will be damaged by vandals	22%	22%	20%*	24%	31%*	32%*	23%
Your home will be broken into	33%	33%	28%*	40%	42%*	35%	33%
You will be mugged or robbed	27%	27%	24%*	33%	40%*	38%*	29%
You will be physically assaulted or attacked in the street or other public place	26%	26%	25%	28%	37%*	39%*	29%
You will be involved or caught up in violence between groups of individuals or gangs	22%	22%	21%*	29%	30%*	33%*	25%
You will be sexually assaulted	14%	13%	14%	19%	21%*	23%*	20%*
You will have your identity stolen	47%	47%*	37%*	47%	45%	43%	36%*
Someone will use your credit or bank details to obtain money, goods or services	55%	55%	48%*	63%	54%	53%	54%
<i>Base</i>	<i>90,713</i>	<i>84,365</i>	<i>3,790</i>	<i>123</i>	<i>1,416</i>	<i>623</i>	<i>274</i>
Your car or other vehicle will be stolen	20%	19%	19%	11%	34%*	27%	38%*
Things will be stolen from your car or other vehicle	21%	21%	20%	14%	40%*	38%*	32%*

	National Average	White Scottish/ White Other British	White Minority Ethnic	Mixed or Multiple	Asian	African, Caribbean, or Black	Other
Your car or other vehicle will be damaged by vandals	29%	29%	28%	24%	47%*	42%*	43%*
<i>Base</i>	<i>17,643</i>	<i>16,004</i>	<i>980</i>	<i>47</i>	<i>366</i>	<i>110</i>	<i>110</i>

Where results are statistically significant compared to the national average this is marked by an asterisk *

Table A2.3: Proportion of people who think it is likely that they will be a victim of the following crimes in the next 12 months

	National Average	White Scottish/ White Other British	White Minority Ethnic	Mixed or Multiple	Asian	African, Caribbean or Black	Other
Your car or other vehicle will be stolen	5%	5%	3%*	2%*	4%	5%	7%
Things will be stolen from your car or other vehicle	5%	5%	5%	4%	7%	5%	8%
Your car or other vehicle will be damaged by vandals	11%	11%	10%*	13%	13%	12%	11%
Your home will be damaged by vandals	5%	5%	5%	6%	6%	7%	4%
Your home will be broken into	8%	8%	7%	10%	10%*	10%	9%

	National Average	White Scottish/ White Other British	White Minority Ethnic	Mixed or Multiple	Asian	African, Caribbean or Black	Other
You will be mugged or robbed	5%	5%	5%	10%	7%*	7%	7%
You will be physically assaulted or attacked in the street or other public place	6%	6%	7%	11%	8%*	12%*	9%
You will be involved or caught up in violence between groups of individuals or gangs	5%	5%	4%	4%	4%	7%	6%
You will be sexually assaulted	1%	1%	2%*	2%	2%*	2%	1%
You will have your identity stolen	12%	12%	9%*	14%	10%	9%	13%
Someone will use your credit or bank details to obtain money, goods or services	17%	17%	16%	20%	17%	17%	22%
<i>Base</i>	<i>90,713</i>	<i>84,365</i>	<i>3,790</i>	<i>123</i>	<i>1,416</i>	<i>623</i>	<i>274</i>

Where results are statistically significant compared to the national average this is marked by an asterisk *

Perception of local community and the collective effort to prevent crime in their neighbourhood

Table A2.4: Community cohesion: Proportion of people who agree that:

	National Average	White Scottish/ White Other British	White Minority Ethnic	Asian	African, Caribbean or Black	Other
People in my local area cannot be trusted	12%	12%	12%	16%	13%	16%
If my home was empty, I could count on one of my neighbours or other people in this area to keep an eye on it	88%	90%*	72%*	71%*	66%*	70%*
The people who live in my local area can be relied upon to call the police if someone is acting suspiciously	82%	82%*	71%*	76%*	71%*	69%
I have neighbours or other people in my local area I feel I could turn to for advice or support	81%	82%*	68%*	70%*	63%*	69%
People in this local area pull together to prevent crime	57%	58%*	43%*	49%*	42%*	53%
<i>Base</i>	<i>40,519</i>	<i>38022</i>	<i>1,496</i>	<i>512</i>	<i>316</i>	<i>711</i>

Where results are statistically significant compared to the national average this is marked by an asterisk *

The mixed or multiple group is not reported in the table as the base is below 50.

Willingness to aid a victim of crime

Table A2.5: Imagine that you were out and saw someone push a man to the ground and steal his wallet. Proportion who are quite or very willing /likely to do the following:

	National Average	White Scottish/ White Other British	White Minority Ethnic	Asian
How likely would you be to call the police?	94%	95%	95%	89%
How willing would you be to identify the person who had done it?	91%	91%	94%*	81%*
How willing would you be to give evidence in court against the accused?	84%	84%	87%	76%
<i>Base</i>	<i>4,221</i>	<i>3,786</i>	<i>261</i>	<i>85</i>

Where results are statistically significant compared to the national average this is marked by an asterisk *

The mixed or multiple, African, Caribbean or Black and Other groups are not reported in the table as the base is below 50 for these groups.

Table A2.6: Proportion of respondents who are fairly or very confident in the ability of police in the local area to:

	National Average	White Scottish/ White Other British	White Minority Ethnic	Mixed or Multiple	Asian	African, Caribbean, or Black	Other
Prevent crime	51%	50%*	58%*	61%*	63%*	67%*	57%
Respond quickly to appropriate calls and information from the public	60%	60%*	71%*	70%*	70%*	72%*	71%*
Deal with incidents as they occur	63%	63%*	70%*	70%	71%*	74%*	71%*
Investigate incidents after they occur	69%	69%	70%	79%*	69%	71%	70%
Solve crimes	61%	61	65%*	61%	65%*	68%*	66%
Catch criminals	59%	58%	62%*	66%	62%*	67%*	68%
Base	90,713	84,365	3,790	123	1416	623	274

Where results are statistically significant compared to the national average this is marked by an asterisk *

Table A2.7: Proportion of respondents who tend to agree or strongly agree that:

	National Average	White Scottish/ White Other British	White Minority Ethnic	Mixed or Multiple	Asian	African, Caribbean, or Black	Other
Police in this area can be relied on to be there when you need them	64%*	63%*	71%*	73%	75%*	73%*	77%*
Police in this area would treat you with respect if you had contact with them for any reason	86%	86%	86%	82%	85%	83%	89%
The police in this area treat everyone fairly regardless of who they are	61%	60%	64%*	56%	69%*	63%	69%*
Police in this area are not dealing with the things that matter to people in this community	24%	25%*	15%*	20%	21%*	20%	17%*
The police in this area listen to the concerns of local people	51%	51%	50%	53%	57%*	54%	58%
Community relations with the police in this local area are poor	23%	24%	15%*	22%	21%	25%	13%*
Overall, people have a lot of confidence in the police in this area	46%	45%	47%	40%	57%*	48%	58%*
Base	51,406	47084	2,582	96	946	388	238

Where results are statistically significant compared to the national average this is marked by an asterisk *

Table A2.8: Proportion of respondents who are fairly or very confident that the Scottish criminal justice system as a whole:

	National Average	White Scottish/ White Other British	White Minority Ethnic	Mixed	Asian	African, Caribbean or Black	Other
Is effective in bringing people who commit crimes to justice	57%	57%	61% *	61%	65% *	59%	64%
Deals with cases promptly and efficiently	42%	41% *	48% *	55% *	55% *	54% *	55% *
Makes sure everyone has access to the justice system if they need it	74%	74%	71% *	83% *	74%	70%	74%
Makes sure the system isn't different depending on where you live in Scotland	61%	61%	59%	71% *	65% *	59%	66%
<i>Base</i>	<i>74,710</i>	<i>69,215</i>	<i>3,282</i>	<i>107</i>	<i>1,185</i>	<i>563</i>	<i>249</i>
Makes fair, impartial decisions based on the evidence available	71%	71%	69%	82% *	72%	71%	74%
Adequately takes into account the circumstances surrounding a crime when it hands out sentences	57%	57%	61% *	65%	63%	58%	58%
Allows all victims of crime to seek justice regardless of who they are	67%	67%	67%	75%	69%	70%	72%
Allows all those accused of crimes to get a fair trial regardless of who they are	77%	78%	73% *	80%	74% *	72%	74%
Provides victims of crime with the services and support they need	54%	53%	57% *	69% *	65% *	59%	58%

	National Average	White Scottish/ White Other British	White Minority Ethnic	Mixed	Asian	African, Caribbean or Black	Other
Provides witnesses with the services and support they need	56%	56%	58%	68% *	63% *	55%	63%
Treats those accused of crime as innocent until proven guilty	73%	73%	70% *	75%	69% *	67%	69%
<i>Base</i>	<i>45,664</i>	<i>41,621</i>	<i>2,421</i>	<i>91</i>	<i>897</i>	<i>326</i>	<i>236</i>
Gives sentences which fit the crime	37%	34% *	53% *	-	53% *	45%	45%
<i>Base</i>	<i>16,580</i>	<i>14,900</i>	<i>994</i>	<i>44</i>	<i>364</i>	<i>126</i>	<i>124</i>

Where results are statistically significant compared to the national average this is marked by an asterisk *
‘-‘ indicates that the base number is too low to report on (below 50)

Attitudes to prisons

Table A2.9: Prisons: Proportion of people who agree that:

	National Average	White Scottish/ White Other British	White Minority Ethnic	Asian
Only those who have committed the most serious crimes should be put in prison	51%	50%	59%*	58%
Prisons should help prisoners change their behaviour rather than just punish them	90%	91%	91%	86%
Prisons should provide support in order to prevent people committing more crime	93%	93%	90%	86%
Prisons should work with other organisations in the community to help prisoners fit back into the community	90%	89%	92%	84%
Homeless prisoners should be helped to find a place to live after they leave prison	88%	89%	87%	81%
<i>Base</i>	<i>4,152</i>	<i>3,715</i>	<i>264</i>	<i>93</i>

Where results are statistically significant compared to the national average this is marked by an asterisk *

The mixed or multiple, African, Caribbean or Black and Other groups are not reported in the table as the base is below 50 for these groups.

Attitudes to Community sentencing

Table A2.10: Community Sentencing: Proportion of people who agree that:

	National Average	White Scottish/ White Other British	White Minority Ethnic	Asian
People should help their community as part of a community sentence rather than spend a few months in prison for a minor offence	90%	91%	89%	70%*
People serving community sentences should be given support such as help with addiction or mental health problems, or numeracy or literacy difficulties, to reduce the likelihood of them committing more crime in the future	90%	91%	89%	77%*
People who serve community sentences put the public at risk of crime	23%	23%	22%	24%
Base	4,152	3,715	264	933
People who fail to comply with their community sentence will still be held to account by the Justice System	55%	54%	63%	46%
Base	1,997	1,747	146	586

Where results are statistically significant compared to the national average this is marked by an asterisk *

The mixed or multiple, African, Caribbean or Black and Other groups are not reported in the table as the base is below 50 for these groups.

Chapter 3 Experience of crime

Experience of crime

Table A3.1: Percentage of people that were the victim of one or more crime in the 12 months prior to the interview taking place:

	National Average	White Scottish/ White Other British	White Minority Ethnic	Mixed or Multiple	Asian	African, Caribbean, or Black	Other
Victim of crime	17%	17%	18%	25%	17%	22%*	13%
Victim of violent (inc attempted assault) crime	3%	3%	3%	2%	3%	3%	2%
Victim of property crime	15%	15%	16%	24%	15%	20%*	12%
Base	<i>90,713</i>	<i>84,365</i>	<i>3,790</i>	<i>123</i>	<i>1,416</i>	<i>623</i>	<i>274</i>

Where results are statistically significant compared to the national average this is marked by an asterisk *

Experience of civil law problems

Table A3.2: Proportion of people who have experienced the following problems or disputes in the last three years

	National Average	White Scottish/ White Other British	White Minority Ethnic	Asian	African, Caribbean, or Black	Other
Neighbours	11%	11%	10%	8%*	10%	13%
Housing	3%	3%	4%	3%	9%*	3%
Immigration	0%	0%*	2%*	3%*	9%*	8%
<i>Base</i>	<i>35,762</i>	<i>33,3601</i>	<i>1,423</i>	<i>549</i>	<i>244</i>	<i>99</i>
Child contact, residence or maintenance	1%	2%	1%	0%*	1%	0%*
Divorce, separation	1%	1%	0%*	1%	2%	0%*
Education of your children	1%	1%	1%	1%	2%	3%
Behaviour of a partner, ex-partner or other person who is harassing you	2%	2%	2%	0%*	4%	0%*
<i>Base</i>	<i>17,269</i>	<i>15,818</i>	<i>860</i>	<i>323</i>	<i>136</i>	<i>79</i>
None of these	81%	81%	81%	80%	64%*	72%
<i>Base</i>	<i>5498</i>	<i>4982</i>	<i>302</i>	<i>111</i>	<i>41</i>	<i>37</i>

Where results are statistically significant compared to the national average this is marked by an asterisk *

The mixed or multiple group is not reported in the table as the base is below 50.

Chapter 5 Workforce

Table A 5.1: Workforce composition of Justice organisations by ethnicity

Organisation	White			Minority Ethnic (excluding white minority)	Other	Not known/ choose not to say	
	White Scottish	Other White British	White Minority Ethnic			Not recorded	Choose not to disclose
Police Scotland⁵⁷ – Police Officers				1%	N/A	Not recorded	Choose not to disclose
	79%	8%	2%			7%	2%
Police Scotland – Police Staff	85%	7%	1%	2%	N/A	4%	1%
Scottish Police Authority (SPA)⁵⁸	76%	15%	2%	2%	N/A	5%	
Scottish Prison Service (SPS)⁵⁹	38%			Less than 0.5%	N/A	52.8%	9.2%
Scottish Fire and Rescue Service (SFRS)⁶⁰ (excluding volunteers)	59.3%			1.4%	N/A	39.3%	
Crown Office Procurator Fiscal Service (COPFS)⁶¹	93.3%			3.2%	0.4%	3.1%	

⁵⁷ Data on 31 March 2021

⁵⁸ Data from 31 March 2020

⁵⁹ Data from April 2021

⁶⁰ Data from 2021/22

⁶¹ Data from 31 March 2020

Organisation	White		Minority Ethnic (excluding white minority)	Other	Not known/ choose not to say
Scottish Courts and Tribunals Service (SCTS) ⁶²	White	White – English/ Welsh/Scottish / N. Irish	0.5%		80%
	10%	9%			
Scottish Legal Aid Board (SLAB) ⁶³	White, Scottish, British Irish	White Minority Ethnic	Less than 5%	N/A	5-10%
	85-90%	Less than 5%			
Law Society of Scotland ⁶⁴	White, Scottish, British	White Minority Ethnic	3.4%	1.5%	7.1%
	86.5%	1.5%			

⁶² Data from 31 March 2021

⁶³ Data for 20/21, based on 76% completion rate for equality records

⁶⁴ Data for 20/21, based on 80% of solicitors who completed survey



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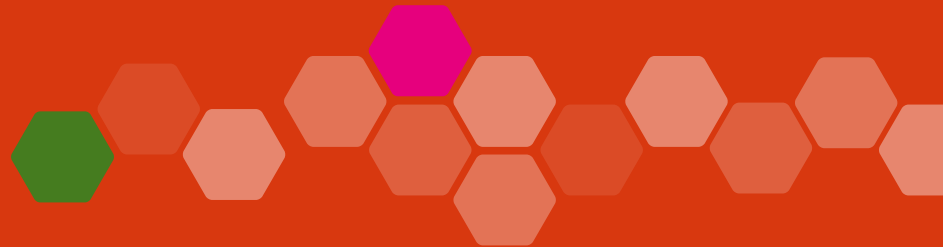
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