

## CRIME AND JUSTICE

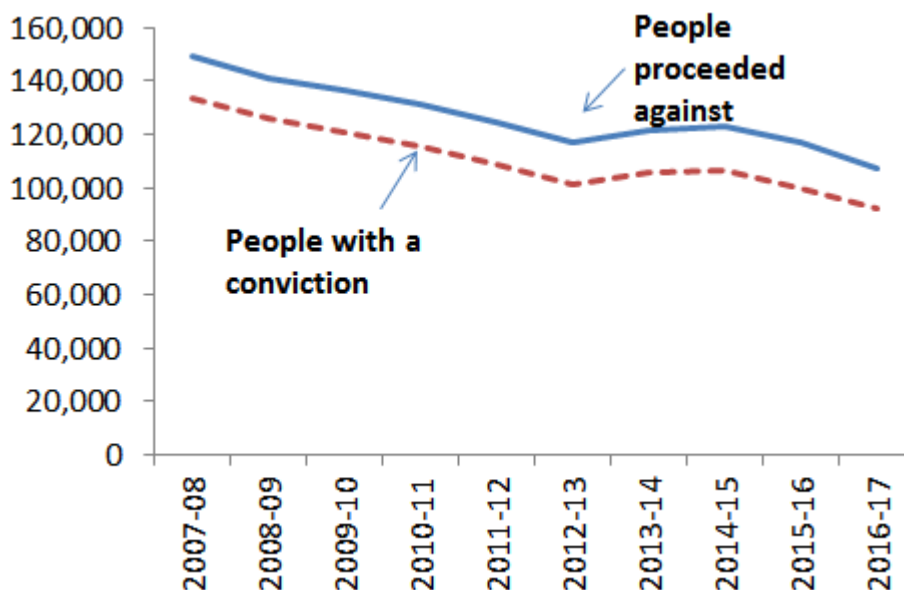
# Criminal Proceedings in Scotland, 2016-17

This bulletin forms part of the Scottish Government series of statistical bulletins on the criminal justice system. Statistics are presented on criminal proceedings concluded in Scottish courts and on a range of measures available as alternatives to prosecution, which are issued by the police and by the Crown Office and Procurator Fiscal Service. Detailed figures for 2016-17 are presented, along with selected trends for the last ten years.

Further detailed tables are published as background statistics on the Scottish Government Crime and Justice Statistics [website](#).

A total of 107,338 people were **proceeded against** in court in 2016-17, a fall of eight per cent on 2015-16 (116,833 proceedings). The number of convictions fell at a similar rate, down eight per cent to 92,334 from 2015-16 (99,962). This continues the general downward trend of the last ten years with the exception of the short term rise in court activity between 2012-13 and 2014-15. Convictions in 2016-17 were around 31% lower than the ten-year high of 133,608 in 2007-08.

Chart 1: Number people proceeded against and those convicted



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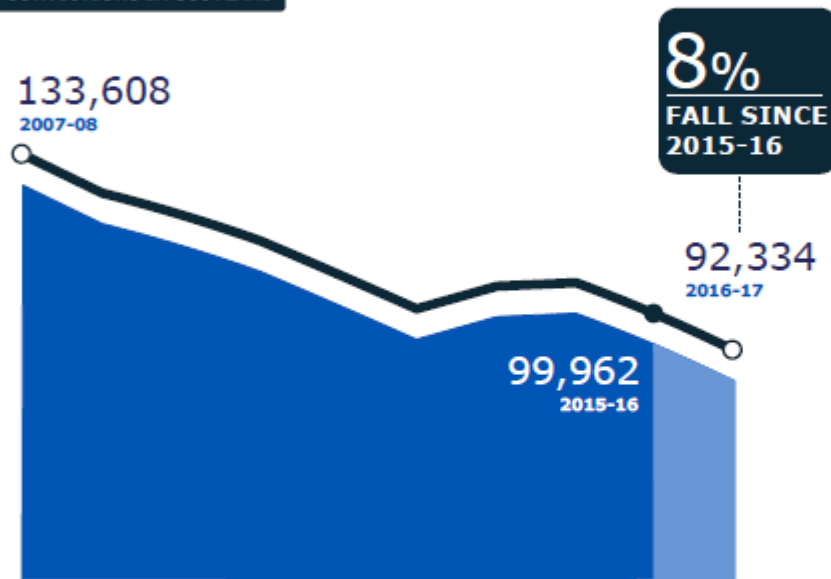
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# CRIMINAL PROCEEDINGS IN SCOTLAND 2016-2017



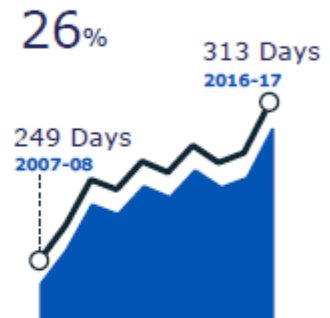
▶ COURT ACTIVITY DECREASED IN 2016-17 AND CONTINUES THE DOWNWARD TREND OF THE LAST TEN YEARS

## CONVICTIONS IN SCOTLAND



▶ Since 2007-08

the average length of custodial sentences increased by

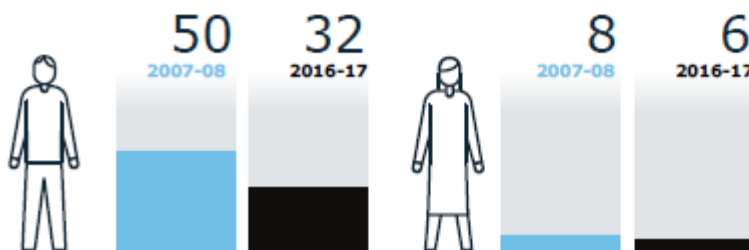


▼ Corresponds with

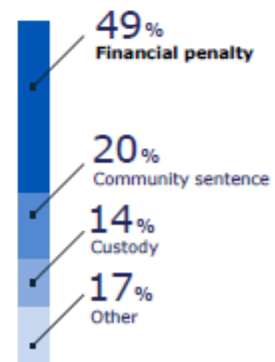
a decline in use of short custodial sentences of up to 3 months

**50% → 28%**  
of all custodial sentences

▶ Since 2007-08 the fall in convictions per 1,000 population has been driven by a decrease for men



Around half of sentences were financial penalties



## CRIMINAL PROCEEDINGS IN SCOTLAND 2016-2017

Justice Analytical Services

# Key points

## Court proceedings and convictions

([Tables 1,2,3](#) and [4a-c](#))

- A total of 107,338 people were **proceeded against** in court in 2016-17, a fall of eight per cent on 2015-16 (116,833 proceedings). The number of convictions fell at a similar rate, down eight per cent to 92,334 from 2015-16 (99,962).
- This continues the general downward trend of the last ten years and is in contrast to the rises in court activity seen between 2012-13 and 2014-15. Conviction rates have also declined over the last ten years, down four percentage points from 90% in 2007-08 to 86% in 2016-17.
- The fall in convictions in the last year has been driven by a **fall in speeding offence convictions** (down 14% to 10,684 convictions in 2016-17), **crimes against public justice convictions** (down 11% to 9,022 convictions in 2016-17) and **common assault convictions** (down seven per cent to 11,243 convictions in 2016-17), although there are falls in the number of convictions in almost every category.
- The number of convictions for **sexual crimes** declined by 11% in 2016-17 to 1,037 convictions. This follows five consecutive annual rises, although convictions in 2016-17 are still 37% higher than in 2010-11 (756 convictions). The rise since 2010-11, in part, likely reflects an increased level of reporting in the wake of high profile cases and a corresponding rise in the number of people being proceeded against in court.
- The number of convictions for **rape and attempted rape** is more than double the amount in 2010-11 (36 convictions), although this declined by seven per cent in 2016-17 to 98. This is in contrast to the number of proceedings for these crimes increasing by 16% from 216 in 2015-16 to 251 proceedings in 2016-17.
- Convictions for **non-sexual crimes of violence** fell by three per cent in 2016-17 to 1,722, compared to 1,776 in 2015-16. The number of convictions for homicide fell by seven to 77. The number of **attempted murder and serious assault** convictions remained almost unchanged at 1,110, with levels for **robbery** and **other non-sexual crimes of violence** falling to the lowest levels in the last ten years (372 and 163 convictions respectively).
- Convictions for **crimes of dishonesty** declined by seven per cent in 2016-17, down to 10,795 convictions from 11,605 in 2015-16. This continues the decline of the last ten years with convictions now 39% lower than in 2007-08 (17,728).

## Court sentences

### [\(Tables 7 to 10\)](#)

- The total number of convictions fell by eight per cent, those resulting in a **custodial sentence** fell at a similar rate, down eight per cent in 2016-17 (from 13,766 in 2015-16 to 12,690). Custodial sentences represented 14% of all convictions in 2016-17, a proportion that has remained relatively stable since 2007-08, fluctuating between 13 and 15%.
- The **average length of custodial sentence** for all crimes, excluding life sentences, in 2016-17 was around 10 months (313 days), which is 20 days (seven per cent) longer than in 2015-16 (293 days). Over the longer term, some fluctuations aside, there has been a general upward trend in sentence length, and they are now 26% longer than in 2007/08 (249 days).
- The number of **financial penalties** has been in general decline over the last ten years, dropping from 83,344 in 2007-08, when they accounted for 62% of all disposals to 44,999 in 2016-17 (49%). This year's decline of 10% relates to the fall in motor vehicle offences, which are more likely to be given financial penalties (90% received a financial penalty in 2016-17).
- The crime type with the longest average sentences (excluding life sentences) in 2016-17 was **rape and attempted rape**, which reached 2,572 days in 2015-16, and has declined by four per cent to 2,462 days in 2016-17.
- Sentences of **3 to 6 months** have made up the most predominant sentence length since 2010-11 and stood at 35% of all custodial sentences in 2016-17. Prior to 2011-12 sentences of up to 3 months were the most common custodial sentence, dropping from 50 per cent in 2007-08 to 28% in 2016-17.
- Twenty per cent (18,600) of all convictions in 2016-17 resulted in a main penalty of a **community sentence**, accounting for a higher proportion than ten years ago, up almost eight percentage points from 13% in 2007-08. In 2016-17 there was a two per cent fall in the number of community sentences, down from 18,949 in 2015-16.
- **Community payback orders** (CPO) make up the vast majority of community sentences (86% or 15,918). This is a fall of five per cent from 2015-16 from 16,763, where these sentences made up 88% of community sentences. At the same time, there has been a 34% increase in the use of Restriction of Liberty Orders, from 1,643 to 2,200.

## Characteristics of offenders

([Tables 5, 6, 8c, 10b, and 11](#))

- The number of **convictions per 1,000 population** has declined over the last ten years from 28 in 2007-08 to 19 in 2016-17. This fall has been largely driven by a decline for males, down to 32 convictions per 1,000 population in 2016-17 from 50 in 2007-08. The rate for females has also declined slightly over the ten years although at a much less extreme rate, from eight convictions per 1,000 population in 2007-08 to six in 2016-17.
- Over the past 10 years the gap between the number of convictions per 1,000 population for younger people compared to older people has become smaller. This has been driven by a fall in the rate for younger people, whilst the rate for older people (aged 31 or above) has remained relatively stable.
- Patterns in the types of disposals most frequently issued differ by age and gender over the last ten years. Whilst the number of convictions for almost all age and gender groups has fallen compared to 2015-16, there has been a small rise in “other sentences” for women aged 31-40.

## Aggravators

([Tables 12 and 13](#))

- There were 10,830 convictions with a domestic abuse aggravator recorded, a 12% decrease from 2015-16 (12,376 convictions). This is a relatively large fall following four consecutive annual increases and a small decrease in 2015-16, although levels are still 26% higher than in 2010-11 (8,566 convictions).

## Bail

([Tables 14, 15 and 16](#))

- The number of **bail orders** decreased by three per cent from 45,346 in 2015-16 to 42,277 in 2016-17. Over the last decade, numbers have fallen by 30%, down from 60,362 bail orders in 2007-08. This is consistent with the longer term trends in volumes of cases coming to court.
- There were 7,671 **bail-related offences** in 2016-17 (e.g. breach of bail conditions, such as failure to appear in court after being granted bail), an 11% fall compared to 2015-16 (8,589 bail related offences). Less than one in five bail orders result in a bail-related offence. This is around the same as last year but five percentage points higher than in 2007-08 (13%).
- In 2016-17 there were 14,442 **undertakings** to appear in court, a fall of eight per cent from the number in 2015-16 (15,641 undertakings). This continues the declining trend since 2010-11.

## Police disposals ([Tables 17](#) to [18](#))

- In 2016-17, 15,363 people received an **Anti-Social Behaviour Fixed Penalty Notice (ASBFPN)** as a main penalty, a fall of 48% from 29,368 in 2015-16. It is thought that some of the decline may be due to Police Scotland issuing revised guidance around the use of ASBFPNs.
- **Recorded Police Warnings (RPWs)** were introduced in January 2016 to replace and extend the **Formal Adult Warnings (FAW)** system. There were 19,596 RPWs issued during 2016-17, following the issue of 4,231 in the last quarter of 2015-16.

## Crown Office and Procurator Fiscal Service ([Tables 19](#) to [22](#))

- In 2016-17 21,798 people were issued a **fiscal fine** as a main penalty, a decline of 37% from 34,395 in 2015-16. This large fall is the fourth annual decline in the numbers of fiscal fines being issued by the COPFS. This partly reflects a fall in the number of criminal reports submitted to COPFS. Where appropriate, the police can issue a Recorded Police Warning where someone might previously have been reported to COPFS.
- In 2016-17, 8,429 **Crown Office Fixed Penalty Notices (COFP)** were issued to people as a main penalty, a decrease of 22% from 10,745 in 2015-16. This is the third annual decline with the number issued being close to a third of the level in 2013-14 (23,494 COFPs).

# Introduction

This bulletin presents statistics on the number of people dealt with by the Scottish Criminal Justice System. The statistics are derived from data held on the Criminal History System (CHS), a central hub used for the electronic recording of information on people accused and/or convicted of perpetrating a criminal act. The CHS is maintained by Police Scotland, who are also responsible for managing its operation.

## Changes made to this year's report

A change has been made to this year's report as follows:

Tables showing the breakdown of **Formal Adult Warnings** by crime type have been removed. FAWs were discontinued in 2015-16 and therefore appeared in such small numbers in 2016-17 that a breakdown by crime type would not be meaningful.

## Local authority statistics based on the location of the accused

A set of local authority tables, **based on the home postcode of the accused**, for 2015-16 and 2016-17 have again been published alongside this output. Criminal proceedings statistics were previously available at local authority level, based on the location of the court in which the case is heard. As cases for accused individuals can be heard in courts based in a different local authority to the one in which they live the court-based information has not always been the most useful information for our users. This is because the information is not necessarily representative of where the accused individuals live and therefore where support services are required to reduce reoffending.

These statistics have been badged as [Experimental Statistics: Data being developed](#) because they are based on incomplete postcode information, with currently 82% of records having a valid postcode. This is a slight improvement on last year, the first year for which this data was published, partly aided by the inclusion of postcodes from the rest of the UK for the first time.

The statistics can be downloaded [here](#) along with full information on the limitations of the data.

## Routes through the Criminal Justice System

[Chart 2](#) depicts the various possible routes through the criminal justice system. People who are accused of a crime can be dealt with in a variety of ways: they can be dealt with directly by the police or the police can send a report to the Crown Office and Procurator Fiscal Service (COPFS) for review. The COPFS can decide to take no further action, to issue a direct measure or to proceed against the individual in court. The number of people passing through the Criminal Justice System at a particular point in time depends in part on levels of crime made known



to the police, as well as the measures that are available for use by criminal justice organisations at that time, as these can influence the point at which action is taken.

At each of the stages presented in [Chart 2](#) information is logged on the CHS regarding the status of the accused. The COPFS and the Scottish Courts and Tribunals Service (SCTS) make updates on their own systems which are fed back electronically to Police Scotland's CHS. When an offender's case reaches its final conclusion it is considered completed and the case is "disposed" of from the criminal justice system. The option used to complete the case is referred to as the method of "disposal", whether it is a court disposal used by SCTS or non-court disposal employed by the COPFS or the police.

## **Recorded Crime**

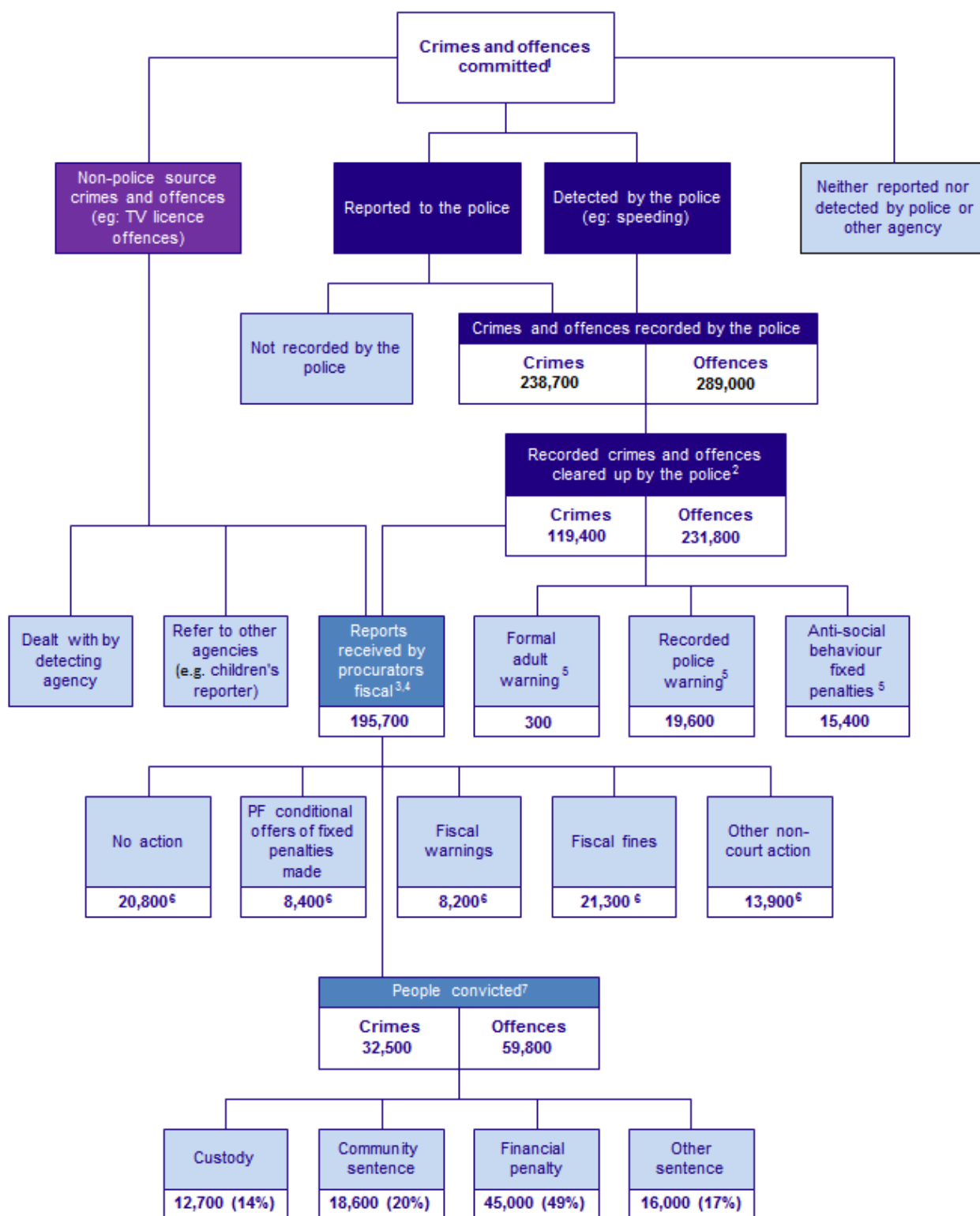
The statistical publication, [Recorded Crime in Scotland 2016-17](#), was published on 26th September 2017. The Recorded Crime publication and this Criminal Proceedings publication divide violations of criminal law into (a) crimes and (b) offences (see [Annex D](#) for further detail). This distinction is made only for statistical reporting purposes.

As shown in [Chart 2](#) the total number of crimes recorded by the police in Scotland in 2016-17 was 238,651, three per cent lower than in 2015-16 (246,243). This is the lowest level of recorded crime since 1974. The proportion of recorded crimes 'cleared up' by the police decreased by 1.6 percentage points from 51.6% in 2015-16 to 50.0% in 2016-17. A crime is regarded as 'cleared-up' where there is sufficient evidence under Scots law to justify consideration of criminal proceedings.

The total number of offences recorded by the police decreased by 15% from 339,193 in 2015-16 to 288,961 in 2016-17. It should be noted that the number of offences recorded by the police generally tends to be affected more by police activity and operational decisions than the number of crimes.

Whilst differences in counting methods (see [Annex C](#)) mean the figures in the Recorded Crime publication and those in this bulletin are not directly comparable, a crime or offence only comes to the attention of COPFS for consideration for prosecution once it has been recorded as such by the police, so recorded crime figures will have some influence on the number of prosecutions and convictions in court.

**Chart 2: Overview of action within the criminal justice system 2016-17**



1. Figures rounded to the nearest 100.
2. Crimes recorded in 2015-16 may not be cleared up or dealt with until 2016-17 or later.
3. A report to the procurator fiscal may involve more than one crime or offence and more than one alleged offender.
4. Reports to the fiscal on non-criminal matters such as sudden deaths, are not included in this total.
5. Number of people from CHS.
6. Number of cases; [data from Crown Office](#).
7. Figures for people with a charge proved count the number of occasions on which a person is convicted.

A number of outcomes may result in subsequent prosecutions or referrals to other agencies, for example if a condition such as payment of a fixed penalty is not complied with. For simplicity, these pathways are not shown in the diagram.

## Police disposals and referrals

[Chart 2](#) also shows that following a crime being cleared up, Police Scotland will either send a report to the COPFS to decide what action should be taken or will deal with the case directly. [Section 15](#) of this report contains statistics on the following non-court disposals available to the police when dealing with a case directly:

- **Anti-Social Behaviour Fixed Penalty Notices (ASBFPNs)** as provided for in the [Antisocial Behaviour etc \(Scotland\) Act 2004](#) for a range of offences including drunken-related behaviours and playing loud music;
- **Recorded Police Warnings (RPW)** were introduced on 11<sup>th</sup> January 2016 to deal with a wider range of low level offences. A warning can be issued on the spot, or a notice issued retrospectively. This scheme replaces and extends Formal Adult Warnings, with statistics in this publication covering the first full year of RPWs being in use;
- **Formal Adult Warnings (FAW)** were for minor offences, wherein a warning letter was issued to the offender. They were in force until 11<sup>th</sup> January 2016. In some cases, proceedings may not have been completed until some time after this date, so a small number of FAWs are recorded in 2016-17; and
- Actions which are used specifically for juveniles (aged 8 to 17) such as **Restorative Justice Warnings** and **Early and Effective Interventions (EEI)**.

There are further options available to the police that we are not able to provide data on such as conditional offers of a fixed penalty notice for moving motor vehicle offences. **A full listing of the range of disposals available can be seen in [Annex D](#).**

## **COPFS disposals and referrals ([Section 16](#))**

In 2016-17, the COPFS received 195,731 criminal reports (from the police and other specialist reporting agencies), a decrease of 13% compared with 2015-16 (225,537). Where there is sufficient evidence and it is in the public interest to take action, prosecution in court is only one of a range of possible options the COPFS has for dealing with people they have received a report for and, where appropriate, they may issue a direct measure. Statistics for the following non-court disposals are included in this publication:

- **Fiscal fines** of between £50 and £300;
- **Compensation orders** of up to £5,000;
- **Fixed penalties** of between £50 and £300, generally issued for motor vehicle offences.

There are further actions that the COPFS can take that are not included in this report such as fiscal warnings as well as diverting cases to social work and other agencies and referrals to the Scottish Children's Reporter Administration (SCRA).

A full listing of the range of disposals available can be seen in [Annex D](#).

## **Court disposals**

The majority of statistics in this publication provide information on criminal cases brought to court and are contained in [sections 1](#) to [13](#). The outcomes possible for the person proceeded against are:

- The person is **convicted**, either after pleading guilty or being found guilty after evidence has been heard in court;
- The person is **acquitted** following a **not guilty verdict**;
- The person is **acquitted** following a **not proven verdict**;
- The person has their **plea of not guilty accepted** by the prosecutor or the case against them is **deserted**.

## **Comparability with other statistics**

Please note that the statistics presented in Chart 2 are taken from multiple data sources which are not strictly comparable and there is no direct relationship between the number of crimes and offences recorded by the police and the number of follow-up actions taken by other agencies within the criminal justice system. For example, in the recorded crime statistics a single crime or offence recorded by the police may have more than one perpetrator, each of whom would be counted separately in the criminal proceedings statistics. There are also some offences included in this bulletin, such as failure to pay a television licence, which are reported directly to the procurator fiscal by specialist reporting agencies such as TV Licensing and therefore are not included in the police recorded crime statistics.

There are other comparability issues in that crimes or offences recorded and cleared up by the police may not be fully processed by the procurator fiscal or the courts in the same year. There is also the possibility that the crime or offence recorded by the police may be altered by the COPFS during their marking process.

For full details of comparability issues please see the relevant sections in [Annex C](#).

### ► WHAT IS COVERED BY THESE STATISTICS?

People who are dealt with at the different stages of the Scottish Criminal Justice System:



#### **Police Disposals**

- Anti Social Behaviour Fixed Penalty Notice
- Recorded Police Warning

#### **Crown Office Fiscal Disposals**

- Fiscal fine
- Fixed penalty
- Compensation order

#### **Scottish Courts**

- Proceedings
- Convictions
- Sentencing outcomes
- Bail



#### **What is NOT covered by these statistics**

- Police fixed penalty notices for motor vehicle offences
- Fiscal work orders
- Appeals
- Children's hearing system activity and most diversions for young people

# Commentary

## 1. Trends in people proceeded against and convicted

([Tables 1](#) and [2, 4a and 4b](#))

Unless otherwise stated, references in this bulletin to the crime or offence group for which a person is proceeded against or convicted relate to the **main charge** involved. The main charge is the crime or offence receiving the most severe penalty if one or more charges are proved in a single proceeding (as defined in [Annex C](#)). The final column of Table 4(a) provides counts of individual offences with a charge proved regardless of whether or not they were the main offence involved. Please note that where a person is subject to two (or more) separate proceedings, they will be counted two (or more) times in the figures presented in this bulletin.

A total of 107,338 people were **proceeded against** in court in 2016-17, a fall of eight per cent on 2015-16 (116,833 proceedings). The number of convictions fell at a similar rate, down eight per cent to 92,334 from 2015-16 (99,962). This continues the general downward trend of the last ten years. It is in contrast to the rises in court activity seen between 2012-13 and 2014-15, a result of a short term rise in the number of motor vehicle offence cases reaching court. Convictions in 2016-17 were 31% lower than the ten-year high of 133,608 in 2007-08.

## 2. Trends in conviction rates

([Tables 4a-c](#))

Conviction rates are calculated by dividing the number of people convicted by the number of people proceeded against. Eighty six per cent of people proceeded against in court in 2016-17 were convicted after being found guilty of at least one charge (92,334 people). This is the same proportion as in 2015-16 but four percentage points less than in 2007-08 when 90% of people were convicted.

Conviction rates are highest for motor vehicle offences, with 93% of people proceeded against being convicted in 2016-17. In particular, **speeding offences** had a conviction rate of 98% whilst the lowest rate was for **rape and attempted rape** (39%). Further detail for acquittals can be seen in [section 3](#) with respect to **rape and attempted rape**.

Over the last ten years the largest declines in conviction rates have been for:

- **Robbery**, down 11 percentage points from 82% in 2007-08 to 71% in 2016-17; and
- **Sexual assault**, down 11 percentage points from 71% in 2007-08 to 60% in 2016-17. The number of proceedings for these types of crimes has doubled in this period, from 204 proceedings 2007-08 to 442 in 2016-17.
- It should also be noted that conviction rates for miscellaneous offences relating to urinating etc have fallen by 22% since 2007/08, but the total number of proceedings for such offences has fallen by 97%.

### 3. Acquittals by crime type

([Table 2a](#) and [2b](#))

As outlined in section 2, there was an overall conviction rate of 86% in 2016-17 (calculated by dividing the number of people convicted by the number of people proceeded against). Five per cent were **acquitted on a ‘not guilty’** verdict, and around one per cent were **acquitted on a ‘not proven’** verdict. The remaining seven per cent either had a plea of **‘not guilty’ accepted** or their case was deserted by the prosecution. These proportions are broadly the same as in 2015-16.

The overall acquittal rate (for ‘not guilty’ and ‘not proven’ verdicts) of six per cent is driven by the acquittal rates of the crime types within **crimes of dishonesty** (three per cent), **motor vehicle offences** (two per cent) and **“other crimes”** (three per cent), which make up around 60% of all proceedings (64,821).

**Chart 3: Crime types with the highest acquittal rates**

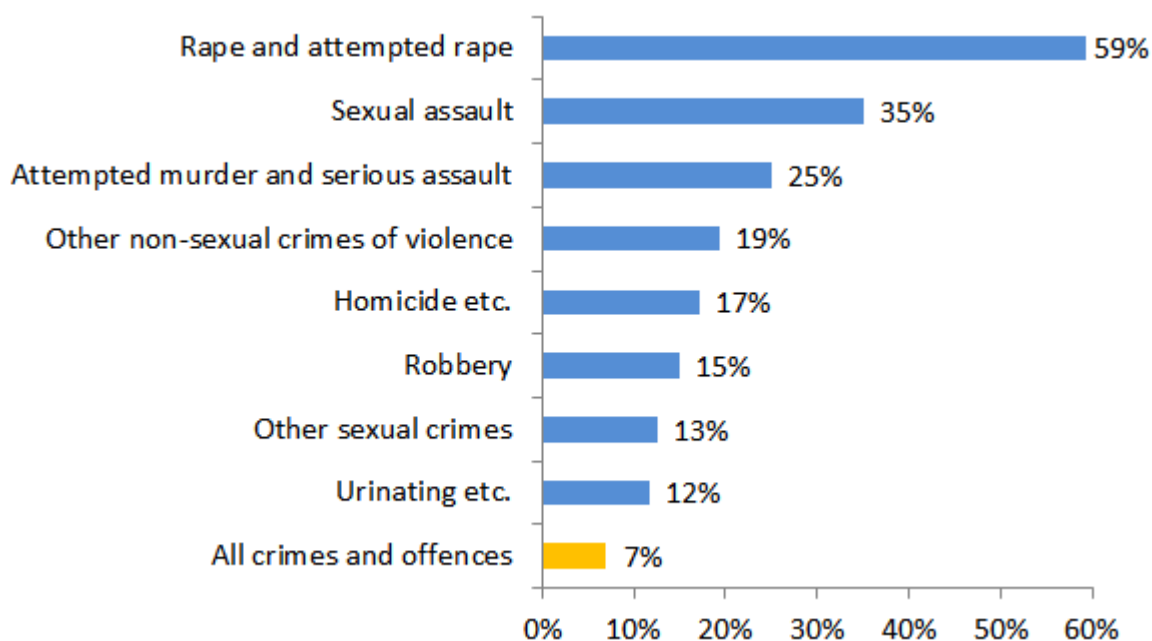


Chart 3 shows the crime types with the highest acquittal rates in comparison with the overall rate of seven per cent in 2016-17:

- The highest rate was seen for **rape and attempted rape**, where 59% or 149 people of the 251 proceeded against were acquitted;
- There were also high acquittal rates for **sexual assault** (35% had their case acquitted); and
- Crimes of **attempted murder and serious assault** and **other non-sexual crimes of violence** had relatively high acquittal rates in

comparison with the seven per cent average for all crimes and offences, standing at 25% and 19% respectively.

Twenty-two per cent of people proceeded against for theft of a motor vehicle had a **plea of not guilty accepted** or the case against them was **deserted**, the highest proportion of all crime groups.

## 4. People convicted by court type

### [\(Table 3\)](#)

There are three main court types that deal with criminal cases in Scotland:

- The **high court**, which deals with the most serious crimes such as murder, rape and armed robbery. A single judge hears cases with a jury of 15 people.
- **Sheriff Courts**, which deal with the majority of cases in Scotland. These can either be **solemn**, where the Sheriff sits with a jury of 15 people or **summary**, where the Sheriff sits alone. The maximum penalty that may be imposed for summary cases (in most circumstances<sup>1</sup>) is 1 year's imprisonment or a £10,000 fine. For solemn cases the maximum penalty is 5 years' imprisonment or an unlimited fine.
- **Justice of the Peace** courts deal with the less serious crimes, such as speeding, careless driving and breach of the peace. They are chaired by a justice of the peace or "lay magistrate" who has been appointed from the local community and trained in criminal law and procedure.

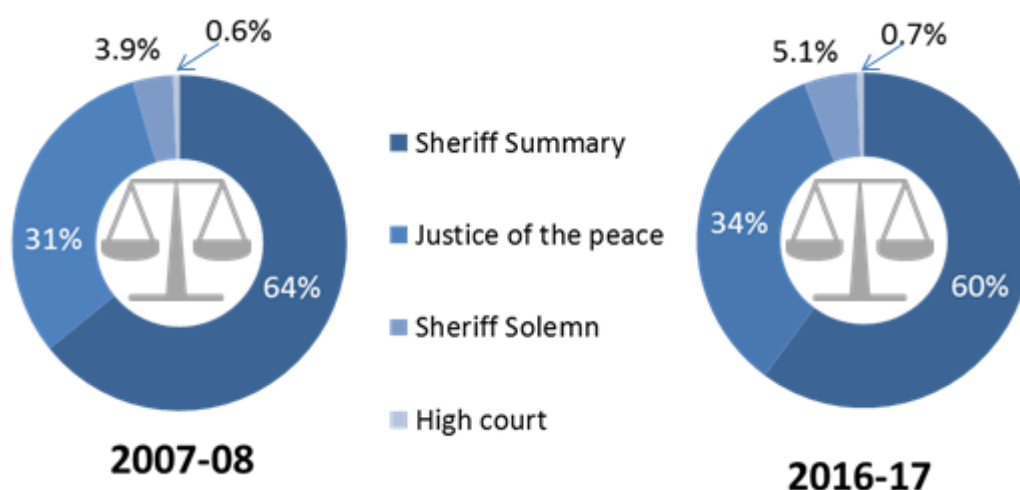
[Chart 4](#) shows that 60% of convictions in 2016-17 were in sheriff summary courts, four percentage points less than ten years ago when levels were at 64% in 2007-08. The fall reflects the growing share of activity in Justice of the Peace (JP) courts, which accounted for 34% of convictions in 2016-17 compared to 31% in 2007-08. This is consistent with the aims of Summary Justice Reform which was introduced in 2007, which included enhancing the capacity of Justices of the Peace to act as judges and making effective use of non-court disposals. See [Annex E](#) for more detail.

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<sup>1</sup> The court can sentence up to an additional six months where there is a bail aggravation on the charge, and Sheriff Court fines can be higher than £10,000 where there is legislative provision for this in relation to a specific offence.



**Chart 4: Proportion of convictions by court type, 2007-08 to 2016-17**



A total of 92,334 people were convicted in 2016-17, a fall of eight per cent on levels in 2015-16 (99,962). There was also an eight per cent fall in the numbers of proceedings. The annual change varied by court type with:

- Activity in **Justice of the Peace** (JP) courts is a large component of the overall decline with a 10% fall from 35,149 convictions in 2015-16 to 31,484 in 2016-17. The decline follows relatively high levels in 2013-14 and 2014-15 of over 41,000 convictions in each year, which can be attributed, in part, to a rise in motor vehicle offence business, which are types of offences JP courts tend to deal with. However, motoring offences have fallen sharply this year, taking JP court activity to its lowest level in the last decade. Motor vehicle convictions dropped by six per cent to 30,596 convictions in the last year.
- Convictions in **Sheriff Summary** courts were also notably down, falling by six per cent to 55,489 in 2016-17 from 59,224 in 2015-16. The fall follows a period of relative stability in Sheriff Summary court convictions over the previous four years.
- The number of convictions in **Sheriff solemn** courts decreased by five per cent in 2016-17 to 4,719 convictions from 4,986 in 2015-16. This reduction reverses the increases seen in 2014-15 and 2015-16, although this total remains 13% higher than in 2013-14.
- The number of **high court** convictions increased by six per cent in 2016-17 to 642 convictions (from 603 in 2015-16), although high court activity remains historically low. Please note that recording delays are typical for high court activity due to the complex nature of cases held there. As a result the total number of high court convictions for more recent years may be slightly underestimated.

## 5. People convicted by crime/ offence

([Tables 4a](#) and [4b](#))

This publication divides violations of criminal law into (a) crimes and (b) offences. This distinction is made only for statistical reporting purposes. Although the violations allocated under “crimes” tend to be more serious there are some “offences” that have more severe punishments associated with them e.g. drink driving is classified under “offences” under “motor vehicle offences” rather than under “crimes”. See [Annex D](#) for a full listing of the classification.

A total of 92,334 people had a charge proved in 2016-17, a decline of eight per cent on levels in 2015-16 (99,962). In 2016-17 “crimes” made up 32,540 of the total number of convictions (35%) while “offences” stood at 59,794 (65%). The rate of decline was higher for crimes in the year to 2016-17 (down nine per cent) than for offences (down seven per cent). The largest components of these decreases are in convictions related to ‘other crimes’, including ‘crimes against public justice’ and ‘drugs’; and there are continuing falls in motoring offences convictions, especially in speeding.

## 6. People convicted by crime group

([Tables 4a](#) and [4b](#))

### Non-sexual crimes of violence

**Non-sexual crimes of violence** include the crimes of homicide, attempted murder & serious assault, robbery and other violent crime (see [Annex D](#) for a full listing). Convictions for these types of crimes fell by three per cent in 2016-17 to 1,722, from 1,776 in 2015-16. This is 37% lower than the level of convictions in 2007-08 (2,750 convictions), and all crimes within this group are at their lowest level in the last ten years.

The smallest decline for an individual crime type within non-sexual crimes of violence was for **attempted murder and serious assault**, down one per cent from 1,118 convictions in 2015-16 to 1,110. The number of convictions for **robbery** also decreased by a relatively small three per cent from 384 convictions in 2015-16 to 372 in 2016-17. The number of convictions for **homicide** has fallen another eight per cent to 77 in 2016-17, and is now 43% below its 2007-08 level (136 convictions).

Convictions for **other non-sexual crimes of violence** declined by 14% from 190 convictions in 2015-16 to 163 in 2016-17.

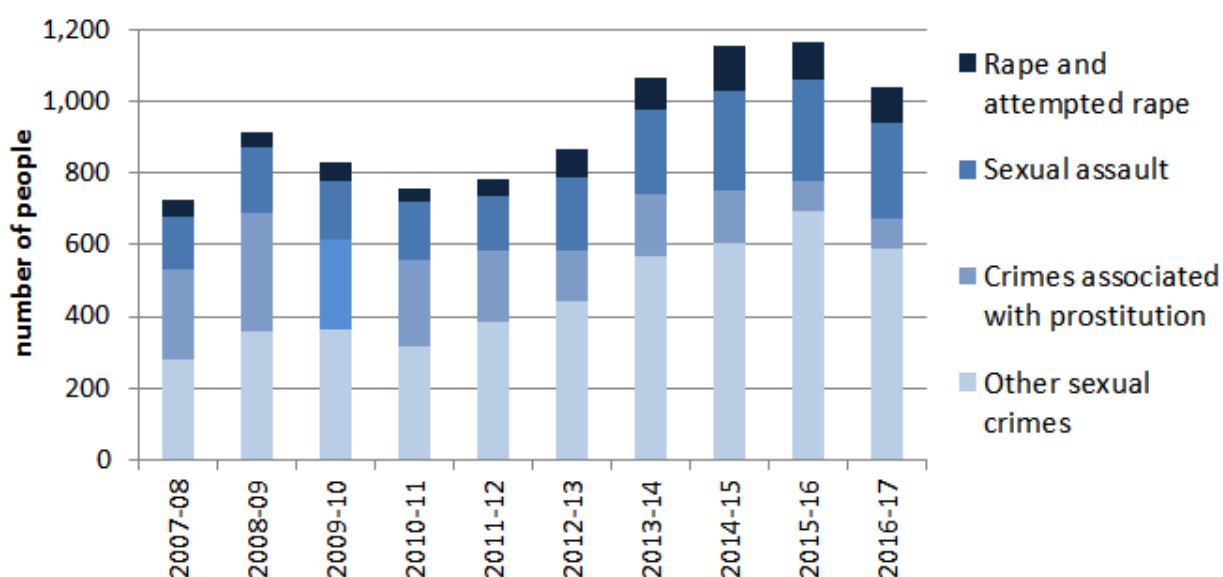
## Sexual crimes

The number of convictions for **sexual crimes** fell by 11% in 2016-17 to 1,037 convictions. This follows five consecutive annual rises, although convictions in 2016-17 remain 37% higher than in 2010-11 (756 convictions). The rise since 2010-11, in part, likely reflects an increased level of reporting in the wake of high profile cases and a corresponding rise in the number of people being proceeded against in court, up 62% since 2010-11 from 933 proceedings to 1,510 in 2016-17, although this number was at a high in 2014-15 at 1,644.

The number of convictions for **rape and attempted rape** decreased by seven per cent (from 105 in 2015-16 to 98 in 2016-17). The number of proceedings for these crimes increased this year to 251 from 216 in 2015-16, up 16%. However, the number of convictions for rape and attempted rape have nearly tripled since 2010-11 (36 convictions). Please note that recording delays are typical for high court activity due to the complex nature of cases held there. As a result the number of convictions for rape and attempted rape for 2016-17 may be slightly underestimated.

The number of **sexual assault** convictions has fallen by four per cent in 2016-17, to 266 convictions. This follows four consecutive rises in convictions since 2011-12 (151 convictions) with numbers now 76% higher.

**Chart 5: Sexual crime type convictions, 2007-08 to 2016-17**



Over the last decade, chart 5 shows that it is **other sexual crimes**<sup>2</sup> that have grown as a proportion of all sexual crimes to make up the majority. “Other sexual crimes” made up 42% of all sexual offence convictions in 2010-11 (315 convictions) but their share rose to 60% by 2015-16 (694 convictions), before falling back to 57% in 2016-17 (590 convictions). The growth in the proportion of this crime type

<sup>2</sup> Includes “taking, distribution, possession etc of indecent photos of children”, public indecency, sexual exposure, communicating indecently and intercourse with older child. See annex D for more detail.

has been partly driven by increases in convictions for “taking, distribution, possession etc of indecent photos of children”, and for “communicating indecently”.

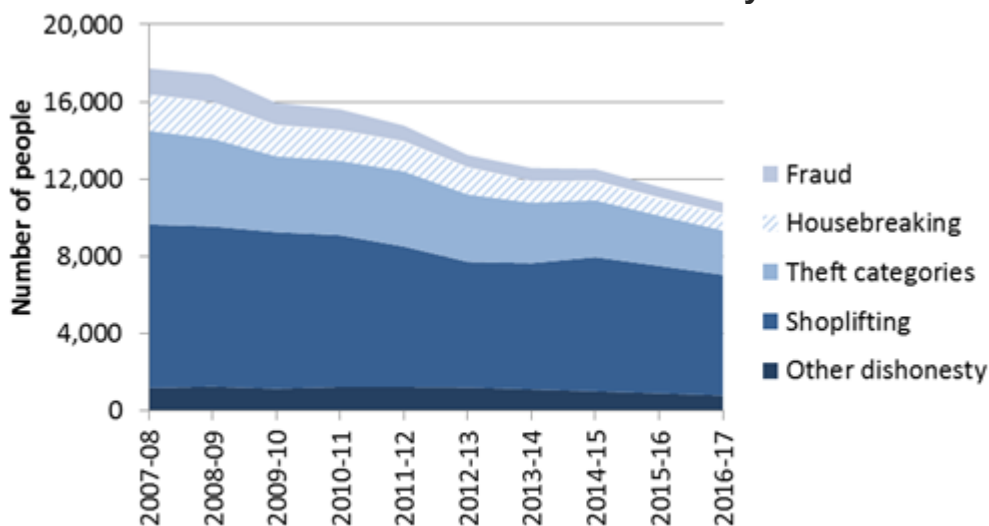
The other categories of sexual crimes have declined only slightly from 2015-16, and convictions for **crimes associated with prostitution** remained at its notably low level with 83 convictions, 67% lower than in 2007-08. Given the small numbers for these types of proceedings there are year on year fluctuations for levels of convictions for these types of crimes. In 2016-17, the conviction rate for **rape and attempted rape** fell by 10 percentage points to 39%, its lowest rate since 2008-09. This was caused by a combination of a 16% increase in the number of proceedings (from 216 in 2015-16 to 251 in 2016-17), and a seven per cent decrease in convictions from 105 to 98.

### Crimes of dishonesty

As a proportion of all crimes, convictions for **crimes of dishonesty** (which is mainly shoplifting and theft) accounted for nearly a third (33%) of all convictions in 2016-17 (10,795 convictions). As shown in chart 6, convictions for these types of crimes have steadily declined in the last ten years down from 17,728 in 2007-08 to 10,795 convictions in 2016-17 (a drop of 39%).

The total number of proceedings has declined at a similar rate, down 38% from 19,901 in 2007-08 to 12,296 in 2016-17. This is reflective of fairly stable conviction rates for crimes of dishonesty, which have varied between 86 and 89% over the last ten years.

**Chart 6: Convictions for Crimes of Dishonesty 2007-08 to 2016-17**



“Theft categories” includes “theft of a motor vehicle”, “Theft from a motor vehicle”, “Theft by opening lockfast places” and “other theft”

Overall convictions for crimes of dishonesty declined by seven per cent in 2016-17, down to 10,795 convictions from 11,605 in 2015-16. There were declines in all crime types within crimes of dishonesty between 2015-16 and 2016-17, with the exception of small rises in housebreaking and fraud:

- **Housebreaking** convictions increased by one per cent from 858 to 868 convictions;
- **Fraud** convictions up by one per cent from 545 to 548, although this is 59% lower than in 2007-08 (1,337 convictions); and
- **Theft from motor vehicle** convictions fell by eight per cent from 101 to 93 convictions.

## 7. People convicted by offence group

([Tables 4a](#) and [4b](#))

All “offence” convictions totalled 59,794 in 2016-17. As a proportion of all offences, **common assault** and **breach of the peace** made up 44%, while **speeding** and **unlawful use of a vehicle** accounted for 30%. These proportions have remained at broadly similar levels since 2007-08.

### Motor vehicle offences

**Motor vehicle offence** convictions declined by 16% from 32,565 convictions in 2015-16 to 30,596 in 2016-17. This drop continues a downward trend following the marked rise of 14% in motor vehicle offences in 2013-14 attributed, in part, to Police Scotland’s road safety priority. There have since been changes in guidelines issued to officers around these types of offences and since 2014-15 declines were observed for each of the motor vehicle offence groups except **dangerous and careless driving** (up five per cent in 2016-17 to 3,763). **Unlawful use of motor vehicle** fell in 2015-16, but reversed the decline in 2016-17, increasing by 13% to 7,167 convictions.

The crime groups within motor vehicle offence convictions which decreased the most between 2015-16 and 2016-17 were for:

- **Mobile phone offences** down 35% from 2,281 convictions to 1,478; and
- **Seat belt offences** down 28% from 481 to 313.

Convictions for **driving under the influence** increased by three per cent from 3,537 in 2015-16 to 3,646 in 2016-17, the first increase in a decade. It is not clear whether this is related to the change in the legal **alcohol limit for drivers from 80 mg to 50 mg per 100 ml blood** which applied from the 5th December 2014.

### Miscellaneous Offences

The vast majority of “miscellaneous offences” are **breach of the peace** and **common assault** offences. Both groups showed decreases for convictions between 2015-16 and 2016-17:

- **Breach of the peace** category, down six per cent from 16,298 to 15,302 convictions. This has been driven by a fall in the number of “**threatening or abusive behaviour**” offences, an offence classified within the breach of the peace total; and
- **Common assault**, down seven per cent from 12,080 to 11,243 convictions.

## Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012

### The Offensive Behaviour at Football and Threatening Communications

**(Scotland) Act 2012** criminalises offensive or threatening behaviour likely to incite public disorder in relation to regulated football matches. The Act also criminalises making communications which contain threats of serious violence, or which contain threats intended to incite religious hatred. Crimes under the Act are categorised within the breach of the peace crime type. Depending on the circumstances, some offences of disorderly and offensive behaviour at football matches could also be charged under other breach of the peace charges such as threatening and abusive behaviour under section 38 of the Criminal Justice and Licensing (Scotland) Act 2010.

Table A shows that there were 158 people convicted for offences under the Act in 2016-17. When compared with the number of people proceeded against, this represents a conviction rate of 69%. The total number of people proceeded against increased by a third between 2015-16 and 2016-17 (up from 172 to 229 proceedings), however it is important to bear in mind that the overall number is still relatively low and subject to annual fluctuations.

**Table A: People proceeded against under the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012<sup>1</sup>**

	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
<b>Section 1: Offensive Behaviour at Football</b>						
Convictions	2	67	86	76	130	157
Proceedings	2	91	154	90	172	229
<b>Section 6: Threatening Communications</b>						
Convictions	-	2	3	2	1	1
Proceedings	-	2	4	4	2	1
<b>Sections 1 and 6</b>						
<b>Total convictions</b>	<b>2</b>	<b>69</b>	<b>89</b>	<b>78</b>	<b>131</b>	<b>158</b>
<b>Total proceedings</b>	<b>2</b>	<b>93</b>	<b>158</b>	<b>94</b>	<b>174</b>	<b>230</b>
Conviction rate	100%	74%	56%	83%	75%	69%

1- Where main charge

Please note that these statistics are not directly comparable with the COPFS report [Hate Crime in Scotland](#) or the Scottish Government publication [Charges reported under the Offensive Behaviour at Football and Threatening Communications Act 2016-2017](#). Both of those outputs use COPFS figures which measure individual charges at the case marking stage while statistics in this report are representative of closed cases that have reached a final verdict in court. Whilst the other reports include information on the disposal in court they are only counted if the charges were proceeded against and closed by the time the information was compiled. Some charges marked by the COPFS for court action will not have received a final verdict and will still be on-going at the time the reports were published. Information on convictions from the COPFS data source is thus provisional at the time of publication and subject to change. Please see [Annex C](#) for more detail on COPFS data sources.

## 8. Headlines in court sentencing

([Tables 7](#) and [8](#))

The main types of penalty or sentence given to those found guilty in Scottish Courts are **custodial sentences**, **community sentences** and **financial penalties**.

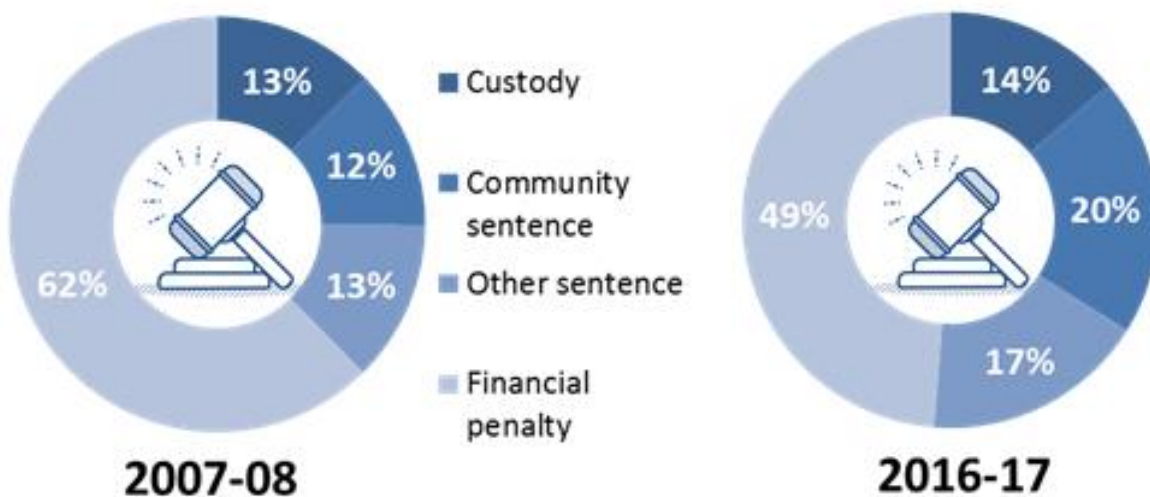
Sections 9-12 provide statistics on these types of punishments. In addition, for less serious cases or where it is felt the main punishment types are not suitable, the individual found guilty can be “**admonished**” (given a verbal warning from the sheriff). A full listing of the range of court disposals is outlined in [Annex D](#).

Of all people convicted during 2016-17:

- 49% were issued **financial penalties** (44,999);
- 20% were issued **community sentences** (18,600); and
- 13% were issued **custodial sentences** (12,690).

A further 17% of people were issued **other sentences** (16,045), which are mostly admonishments.

**Chart 7: Sentences imposed, 2007-08 and 2016-17**



## 9. Custodial Sentences

([Tables 7](#), [8a-c](#), [9](#) and [10a-d](#))

Custodial sentences comprise convicted people who are sent to prison or a young offenders institution. The number of custodial sentences fell by eight per cent (from 13,766 in 2015-16 to 12,690 in 2016-17), the same percentage decrease as seen in the overall number of convictions. Levels of custodial sentences have generally declined since the peak of 16,946 custodial sentences in 2008-09 and are now 25% below that level. Custodial sentences represented 14% of all convictions in 2016-17. This proportion has remained relatively stable over the last ten years fluctuating between 12 and 15%.

### Extended sentences and Supervised Release Orders

This is the second year that **extended sentences and supervised release orders** have been included in this publication. These sentences are for offenders who have served time in prison but have an additional post-release supervision period attached to their sentence (see Annex D for more details). Inclusion of these sentences complements the statistics on Orders for Lifelong Restriction (orders for post custodial supervision of high-risk violent and sexual offenders).

Please note that we do not have information on the length of the supervision period on our dataset, just the length of the custodial part of the sentence. There are more details in [Annex B](#) on how this change impacts our statistics as a whole.

### Length of custodial sentences

Courts will consider the full facts and circumstances of a case before deciding an appropriate sentence in a given case. This includes whether or not the offender has been convicted before and whether there are any other mitigating circumstances. These statistics do not take into account the factors influencing the sentencing decisions.

All of the 30 people issued **life sentences** in 2016-17 received these for murder. When a court imposes a life sentence, a minimum period in custody, called the “punishment part” is set by the court before the prisoner can be considered for release on licence by the parole board. “On licence” means that a life prisoner is subject to recall to prison if they breach the terms of their release in their lifetime.

### Average custodial sentence

Information on the minimum custodial period of a life sentence is not available from the criminal proceedings database, therefore it is not possible to incorporate these sentences into the average sentence length. The **average length of custodial sentences** for all crimes, excluding life sentences, in 2016-17 was around 10 months (313 days), which is 20 days (seven per cent) longer than in 2015-16 (293 days). Over the longer term, some fluctuations aside, there has been a general



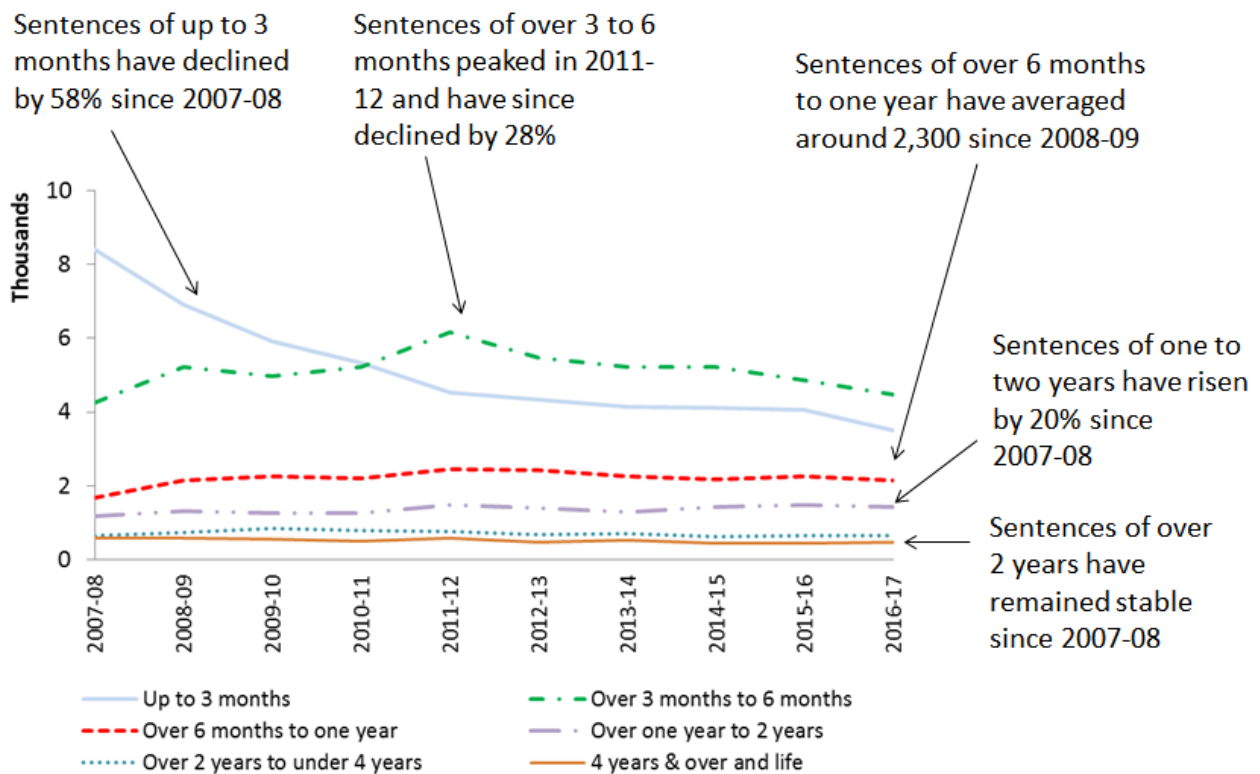
upward trend in sentence length, and they are now 26% longer than in 2007/08 (249 days).

### Categories of custodial sentence length

The [Criminal Justice and Licensing \(Scotland\) Act 2010](#) commenced in February 2011 and introduced a presumption against short sentences (3 months or less). This presumption states that a court must not pass a sentence of imprisonment for a term of 3 months or less unless it considers that no other method of dealing with the person is appropriate.

Chart 8 illustrates patterns of custodial sentence length by specific categories. In 2007-08 the most common length was “**up to 3 months**” (8,414 people), which made up 50% of custodial sentences. Over the ten-year period, levels have dropped with sentences of “**up to 3 months**” making up 28% of custodial sentences in 2016-17. Please note that these sentences started to fall before the presumption was introduced.

**Chart 8: Length of Custodial Sentences, 2007-08 to 2016-17**



Other patterns show that:

- Custodial sentences of “**over 3 months to 6 months**” accounted for 25% of custodial sentences in 2007-08 (4,250 people) and rose to 39% (6,153 people) by 2011-12. 35% of sentences were between 3 and 6 months long in 2016-17.

- Sentences of “**over 6 months to 1 year**” made up 10% of all sentences in 2007-08 (1,662 people), rising to 17% by 2016-17 (2,150 people);
- Similarly the share of custodial sentences “**over one year to 2 years**” has also been increasing. They made up seven per cent in 2007-08 (1,188 people), rising to 11% by 2016-17 (1,427 people); and
- The proportion of custodial sentences of “**2 years to under 4 years**” and “**4 years and over**” the longest categories of custodial sentence, have remained broadly constant over the last ten years, at around five and four per cent of all custodies respectively.

## 10. Custodial Sentences by type of crime

([Tables 9](#) and [10a-d](#))

### Custodial Sentences for Non-sexual Crimes of Violence

**Homicide** comprises murder, culpable homicide (i.e. unlawful killing but without intent to do so) and the statutory crimes of causing death by dangerous or careless driving, causing death by careless driving when under the influence of drink or drugs, driving illegally when involved in a fatal accident and corporate homicide.

Seventy-four per cent, or 57 of the 77 people convicted of homicide in 2016-17 were given a **custodial sentence**, a slight increase on the 2015-16 figure of 70%. Crimes such as homicide, which have a relatively small number of convictions attached, are subject to year-on-year fluctuations which means that care is required when interpreting annual changes in conviction rate. During the period from 2007-08 to 2013-14, the proportion of homicide convictions receiving custodial sentences ranged from 69 to 98%. At 74%, the rate in 2016-17 is still close to the lower end of what was recorded during this period. This can, in part, be attributed to a higher proportion of “**causing death by careless driving**” crimes making up the total of homicide convictions in 2016-17 compared to previous years and the fact that these types of homicide tend to attract non-custodial sentences.

Around 53% of custody sentences for homicide were life sentences imposed for murder (30 people), a little higher than in 2015-16 (44%, 27 people). The remainder, who were convicted for other types of homicide, were given an average sentence of over five years (1,899 days), 14 days shorter than in 2015-16 (1,913 days) and the shortest average for homicide (excluding murder) in ten years.

Other changes in average custodial sentences for non-sexual crimes of violence between 2015-16 and 2016-17 are as follows:

- Increases of 7% for both “**attempted murder and serious assault**” and **robbery** (64 and 57 days respectively); and
- A fall of 11% for **other non-sexual crimes of violence**, down by 81 days to under two years (675 days) but still higher than most years in the last

decade. It should be noted that this is the smallest category of crimes within the group, and average sentences are therefore more variable.

### **Custodial Sentences for Sexual Crimes**

As shown in chart 9, custody was the most frequently used disposal for “**rape and attempted rape**”, being imposed on 71% of people with a charge proven. Custodial sentences for “rape and attempted rape” attracted the longest average custodial sentence of all crime types (other than life sentences for murder). The average sentence length for this kind of crime decreased in 2016-17, down 110 days (four per cent) to 2,462 days (more than six and a half years), and 2015-16 aside, retains the highest average sentence for rape and attempted rape since 2008-09. There is no clear recent trend in average sentence length for rape and attempted rape.

**Sexual assault** sentences were, on average, 74 days (seven per cent) shorter than in 2015-16, falling to 947 days (over two and a half years) in 2016-17. This fall follows two successive increases in sentence length.

### **Custodial Sentences for Crimes of Dishonesty**

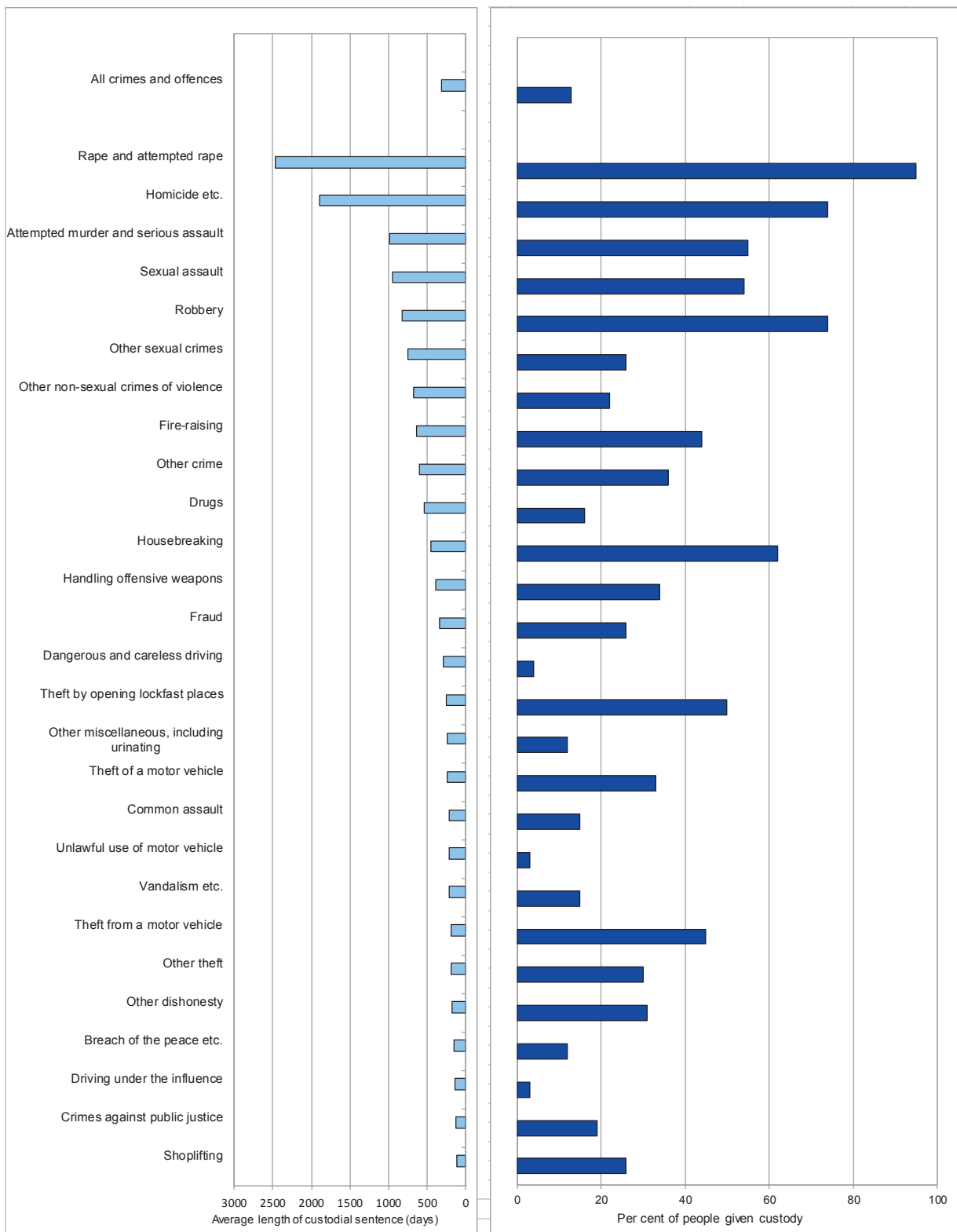
Overall, the average custodial sentence length for crimes of dishonesty increased from 193 days in 2015-16 to 205 days in 2016-17; a rise of six per cent and 68 days longer (50%) than in 2007-08 when the average stood at 137 days. The average custodial sentence increased for all crime types with the exception of **other dishonesty** (which includes such crimes as forgery (other), reset, embezzlement and corruption), down nine per cent (18 days) to 181 days.

Other noticeable trends for crimes of dishonesty included:

Around 62% of **housebreaking** convictions received custodial sentences in 2016-17, unchanged from 2015-16. This remains the highest proportion of housebreaking convictions for which custodial sentences have been imposed in the last decade. In 2016-17, the average custodial sentence for **housebreaking** was almost 15 months (451 days), seven per cent longer than in 2015-16 (423 days). The average sentence length is almost twice the length it was in 2007-08 (228 days).

The proportion of convictions for **fraud** that resulted in a custodial sentence was 26% in 2016-17, a decrease of three percentage points on the previous year. The average sentence length has increased by 62% since 2007-08 up to 334 days, the highest average sentence in ten years.

Chart 9: Average sentence length (excluding life sentences) and proportion receiving custody, by crime and offence group, 2016-17<sup>1</sup>



1 - Excludes crime types where the number of people sentenced to prison is fewer than 30.

## Custodial Sentences for Handling Offensive Weapons

Sections 47 and 49 of the [Criminal Law \(Consolidation\) \(Scotland\) Act 1995](#) make provision for the offences of:

- Carrying offensive weapons;
- Having in a public place an article with a blade or point.

These two offences make up the crime group “**handling offensive weapons**”, statistics for which are presented in the standard tables accompanying this publication. As shown in Table B there were 1,436 people convicted of “handling offensive weapons” in 2016-17, of which more than half were for carrying knives i.e. “**having in a public place an article with a blade or point**” (917 convictions). The remainder related to crimes for other weapons such as baseball bats, bottles and pieces of wood. Firearm offences are not included in the “handling offensive weapons” category but are included within “**other miscellaneous offences**”.

Statistics for carrying knives are not published separately in the standard tables accompanying this bulletin but are presented below alongside trends for all “handling offensive weapons”.

**Table B: Sentencing for handling offensive weapons**

		2007-08	2015-16	2016-17
<b>"Handling offensive weapons"</b> (as published in tables 4b, 9 and 10c) Having in a public place an article with a blade/point or carrying other offensive weapons.	Number convicted	3,405	1,489	1,436
	% receiving a custodial sentence	29%	34%	34%
	Average custodial sentence (days)	218	364	391
<b>Knife offences only:</b> "Having in a public place an article with a blade or point"	Number convicted	1,719	941	917
	% receiving a custodial sentence	37%	39%	37%
	Average custodial sentence (days)	228	377	421

The proportion of convictions for **handling offensive weapons** which received a custodial sentence remained steady in 2016-17 at 34%, the joint lowest proportion since 2010-11. The rate of custodial sentencing for **knife offences** remains similar to 2007-08, although the recent decline is continuing, with a fall of two percentage points from 39% in 2015-16 to 37% in 2016-17.

The average custodial sentence length for handling offensive weapons has almost doubled in the last ten years, from 218 days in 2007-08 to 391 days in 2016-17. In 2016-17, the average sentence length for this type of offence increased by seven per cent to 391 from 364 in 2015-16. The trend over the last ten years is similar for knife offences, with the average custodial sentence length being around eight per cent longer than that of handling offensive weapons at 421 days in 2016-17.

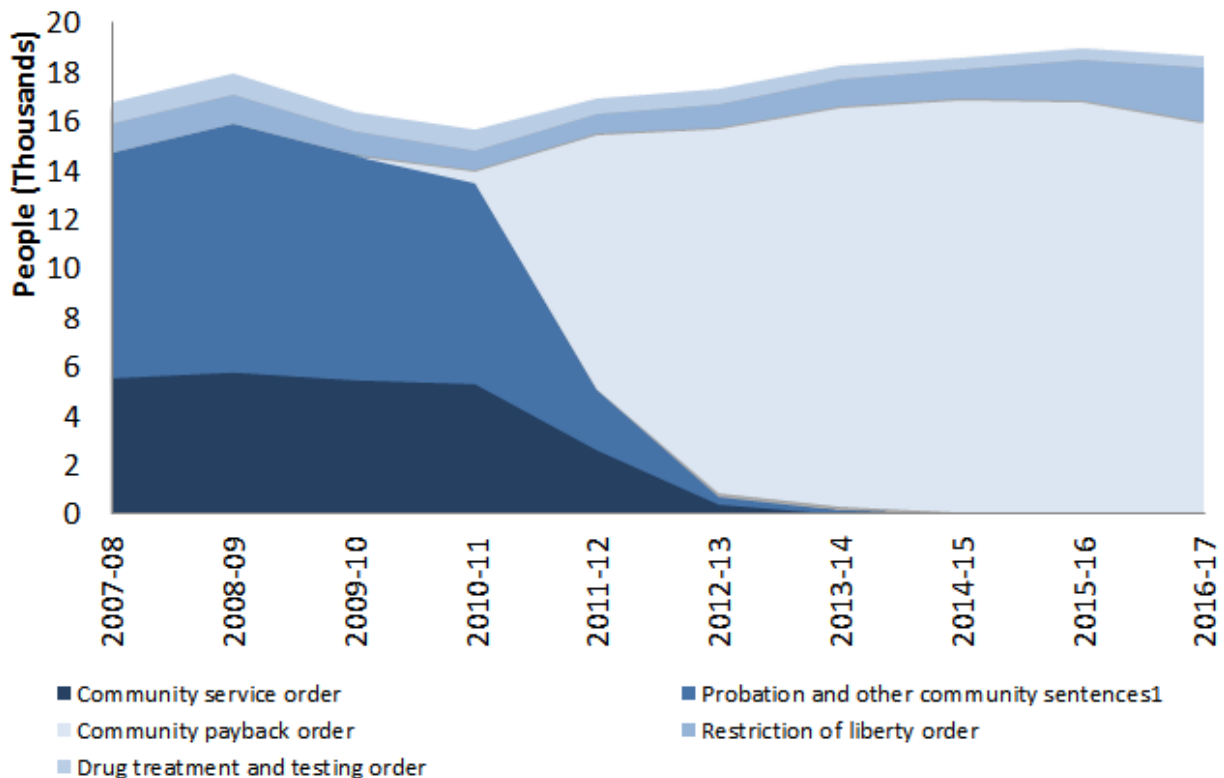
## 11. Community Sentences

([Tables 7](#) and [8a-c](#))

Community sentence is a collective term for the ways that courts can punish someone convicted of committing an offence other than by serving a custodial sentence. There is a wide range of options available in the Scottish courts, which are listed at [Annex D](#).

Twenty per cent (or 18,600) of all convictions in 2016-17 resulted in a main penalty of a community sentence. These account for a higher proportion of the total court sentences than ten years ago, up seven percentage points from 13% in 2007-08. There was a two per cent fall in community sentences in 2016-17 from 18,949 in 2015-16.

Chart 10: Persons issued community sentences, 2006-07 to 2015-16



**Community Payback Orders (CPO)** enable the courts to impose a range of requirements including unpaid work and supervision as well as being put through a programme of rehabilitation to address their behaviours (see [Annex D](#) for full details). CPOs replaced probation and community service orders for offences committed on or after 1<sup>st</sup> February 2011. This is reflected in the statistics, as the number of people receiving CPOs rose sharply between 2010-11 (461 CPOs) and 2013-14 (16,375 CPOs). Numbers declined by five per cent in the year to 2016-17 to 15,918 people, representing 86% of all community sentences.

A **Restriction of Liberty Order (RLO)** is a court order that requires a person to remain within a location, usually their home, at times specified by the court. A

person's compliance with the order is monitored electronically. RLOs made up 12% of people receiving community sentences in 2016-17 (2,200 RLOs), rising 34% from 1,643 in 2015-16. Please note that these statistics on RLOs will not match the [statistics published by G4S](#), the Scottish Government's contractor for electronic monitoring. This is because the statistics in this publication are representative of the main charge in a set of proceedings and will mask RLOs issued for secondary charges. By contrast the G4S figures count all RLOs issued by the courts relating to all charges.

**Drug Treatment and Testing Orders (DTTOs)** are designed to reduce or stop offending by addressing problem drug use through the provision or access to a closely monitored treatment programme. The number of DTTOs dropped by seven per cent from 474 in 2015-16 to 439 in 2016-17. This is the eighth consecutive annual decline, with levels 50% lower than in 2008-09 (885 DTTOs).

Community sentences are available for courts to use in any case where the offence is punishable by imprisonment. In 2016-17 the crimes/offences with the highest proportion of community sentences were for:

**Other sexual crimes** – 307 people, or 58% of court disposals;

**Theft of a motor vehicle** – 95 people, or 45%; and

**Fire-raising** – 38 people, or 45%.

## 12. Financial penalties and other sentences

### ([Tables 7](#) and [8a-c](#))

The courts can impose **fin**es, which are paid to the Scottish Courts and Tribunals Service (SCTS), or **compensation orders**, which are paid to the victim.

The number of **financial penalties** has been in general decline over the last ten years, dropping from 83,344 in 2007-08, when they accounted for 62% of all disposals. Numbers have continued to decline in the latest year, down by 10% from 49,872 in 2015-16 to 44,999 in 2016-17. This is similar in proportion to the overall decline in convictions.

The median<sup>3</sup> **fine** imposed by courts on individuals (excluding companies) in 2016-17 was £200, in cash terms<sup>4</sup>. The median fine has increased by 14% over the last 10 years, up from £175 in 2007-08.

The use of **compensation orders** as a main penalty declined by six per cent to 727 in the year to 2016-17. The median value for compensation orders has risen at a faster rate than for fines, up from £150 in 2007-08 to £250 in 2016-17. Please note that compensation orders can be given as an additional punishment to a single offence and hence the median is based on either the main or secondary penalty for specific offences.

### **Other sentences**

“Other sentences” are mostly admonishments (a verbal warning from the sheriff). In 2016-17, 15,228 people were admonished, which represented 16% of all convictions. In 2016-17 the crimes for which admonishments were most frequently given were:

- **Prostitution offences** with 64% of all convictions being admonishments (53 convictions);
- **Drunkenness and other disorderly conduct** with 55% (38 convictions); and
- **Crimes against public justice** with 31% (2,841 convictions).

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<sup>3</sup> The median value is the midpoint of a ranked series of data so that very high or very low values do not impact excessively on the calculated average.

<sup>4</sup> Year-on-year comparisons for fines and compensation orders are in cash terms, and have therefore not been adjusted for inflation.



## 13. Aggravators

([Table 12](#) and [13](#))

Aggravator codes can be recorded on the Criminal History System (CHS) to provide additional information relating to the nature of a charge. For example, someone who commits an assault which is motivated by malice towards the victim as a result of their religion might have their offence recorded under “common assault” with an aggravator code of “religious” hatred.

This publication includes statistics on a subset of the full set of aggravator codes on the CHS. The set of aggravators published covers **disability, racial, religious, sexual orientation** and **transgender**. These are ‘statutory aggravators’ as they are covered by legislation, as outlined in Annex C. In addition, information is published on domestic abuse cases, which are recorded on the CHS using the “**domestic**” aggravator code to highlight particular cases to the police, COPFS or SCTS.

The [Abusive Behaviour and Sexual Harm \(Scotland\) Act 2016](#) creates a statutory aggravation of domestic abuse. This part of the legislation came into force on 24 April 2017. Such aggravations will therefore appear for the first time in the 2017-18 statistics.

Please note that statistics on **bail aggravators**, which identify offences that were committed while the offender was on bail, are not included in this publication but are available for download from the “[Additional data](#)” page.

### Changes to aggravator statistics

In 2015-16, the number of aggravator types included was reduced due to concerns around data quality. The information dropped included aggravation by breaching an order (such as harassment orders or antisocial behaviour orders) and other aggravator codes such as “**sexual**” or “**offence against a child**”. These have again been excluded in 2016-17, and further investigation is required to establish whether the recording of these codes on the CHS is of a high enough standard to warrant publication for 2017-18.

### Statistics on aggravators

Please be aware that a single proceeding can have more than one aggravator recorded against it e.g. “domestic” and “disability”. In this case the same proceeding would be counted twice in the aggravator tables but once in the main court tables.

### Domestic abuse

The most common aggravator type in 2016-17 was for “**domestic**” abuse with 10,830 convictions, a 12% decrease from 2015-16 (12,376 convictions). This represents the first large fall in the recording of this aggravator in recent years. Levels are still 26% higher than in 2010-11 (8,566 convictions). The longer term

increase had been driven by an increase in breach of the peace convictions, particularly offences of “threatening or abusive behaviour” or stalking.

In 2016-17 the vast majority of people convicted of an offence with a domestic abuse aggravator recorded were **male** (9,501 convictions or 88%). This proportion has declined by five percentage points since 2007-08 when the proportion of males convicted with a domestic abuse aggravator recorded stood at 93%.

In 2016-17 the most common crime types with a domestic abuse aggravator recorded against a conviction were for:

- **Breach of the peace**, which made up 46% of domestic abuse convictions (4,945 convictions). The vast majority of these breach of the peace convictions (88% or 4,329 convictions) were for offences of “threatening or abusive behaviour” or stalking.
- **Common assault** (29% or 3,113 convictions); and
- **Crimes against public justice** (16% or 1,750 convictions).

### **Other aggravators**

After the domestic abuse aggravator, the next most common types of aggravators recorded in 2016-17 were:

- **Racial** (721 convictions);
- **Sexual orientation** (356 convictions); and
- **Religious** (277 convictions).

Convictions with racial and sexual orientation aggravators have fallen for the first time in 2016-17 since their introduction through the Offences (Aggravation by Prejudice) (Scotland) Act 2009 (by five and four per cent respectively), but religious aggravators have bucked the trend and risen strongly, by 12% from 247 convictions.

Convictions with the transgender aggravator have doubled in 2016-17, although use overall remains very low at 14 convictions.

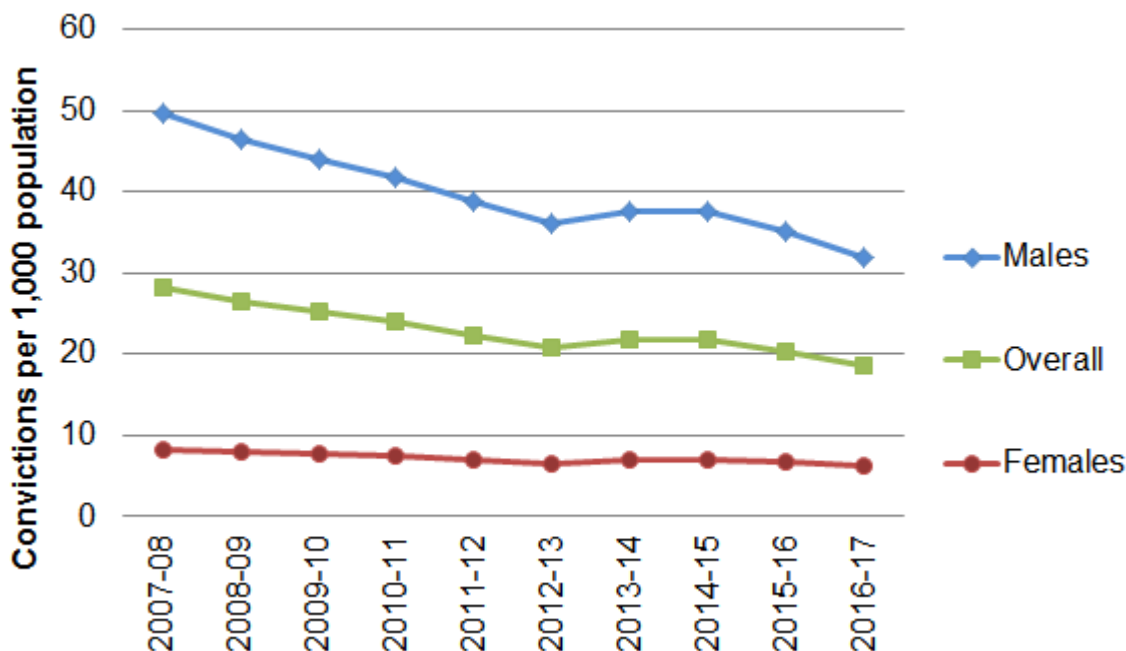
## 14. Age and Gender

([Tables 5](#), [6a-b](#), and [11](#))

In 2016-17 there were 19 convictions per 1,000 members of the population (almost 1 in every 50 people). There were more convictions for males at 32 convictions per 1,000 population compared to six for females.

The overall number of convictions per head has declined over the last ten years from 28 convictions per 1,000 population in 2007-08. The number dropped to 21 convictions per 1,000 by 2012-13 and after stabilising temporarily is once again showing a downward trend. The decline has been driven by a decrease for males, down to 32 convictions per 1,000 population in 2016-17 from 50 in 2007-08. The number for females has remained more stable over the ten years, with an overall decline from eight to six convictions per 1,000 population in 2016-17.

**Chart 11: Convictions per 1,000 population by gender, 2007-08 to 2016-17**



Over the past 10 years, the gap between the number of convictions per 1,000 population for younger people compared to older people has become smaller. This has been driven by a fall in the number of convictions per 1,000 population for younger people, whilst for older people (aged 31 or above), the number has remained relatively stable.

In 2007-08, the age group with the highest numbers of convictions per head was those aged 18-20 with 97 convictions per 1,000 population. Since then, the age with the highest number has increased. In 2016-17, the highest number of convictions per 1000 population was for the 21-30 age group (41 per 1,000). Numbers by age follow similar trends for both males and females, although the highest number of convictions per head for females falls into the slightly older 31-40 age group.

## Convictions by gender/age and crime type

Males accounted for 83% of all convictions in 2016-17 (where the gender was known), unchanged from 2015-16. More males than females were convicted in all crime/offence categories except for **offences associated with prostitution** (71% of all convictions were for females).

Whilst females accounted for 17% of all convictions they accounted for higher proportions of convictions for the following crime types in 2016-17:

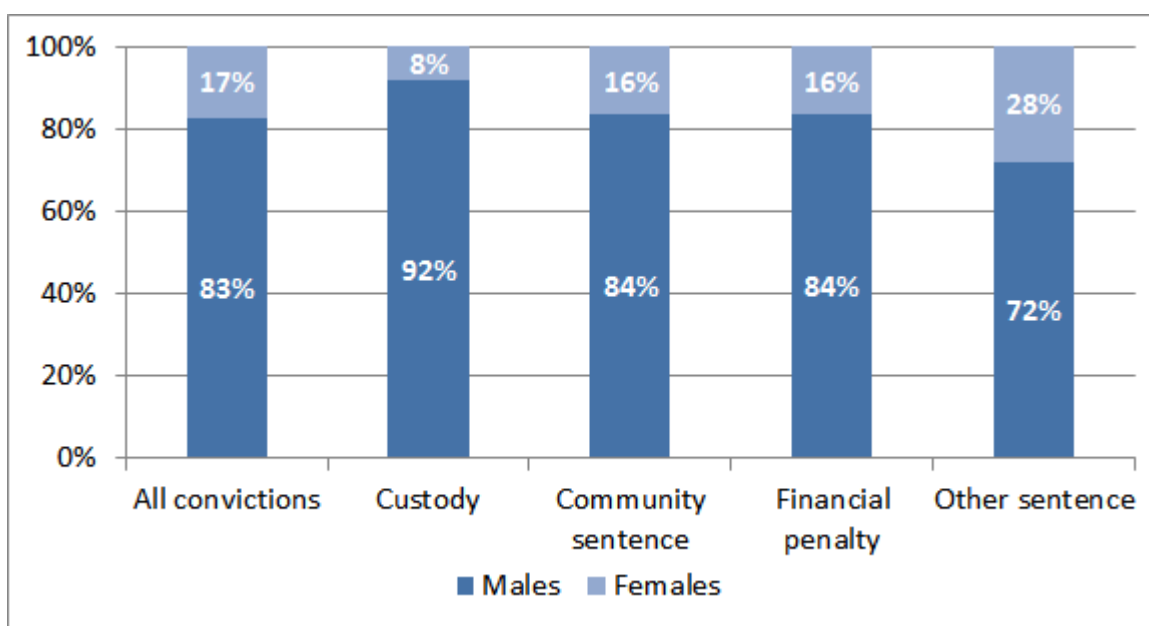
- 43% (70 convictions) of **other non-sexual crimes of violence**. The vast majority of these were for “cruelty to and unnatural treatment of children” convictions;
- 36% (200 convictions) of all **fraud** convictions; and
- 30% (1,866 convictions) of all **shoplifting** convictions.

Compared to older people, a larger proportion of convictions for **people under 21** are for **crimes of public justice** and **common assault**. For example, more than a quarter (28%) of convictions for females under 21 were for common assault with the corresponding figure for males being 16%. By contrast common assault accounted for smaller proportions of convictions for both men and women aged over 40 (10 and 12% for males and females respectively).

Convictions for **motor vehicle offences** accounted for higher proportions of convictions for those aged over 40; 42% of males convicted and 40% of females convicted. This compares to the under 21-age group where 21 and 19% of males and females respectively were convicted of motor vehicle offences.

## Sentencing by gender and age

Chart 12: Total Convictions and Disposal Type by gender, 2016-17

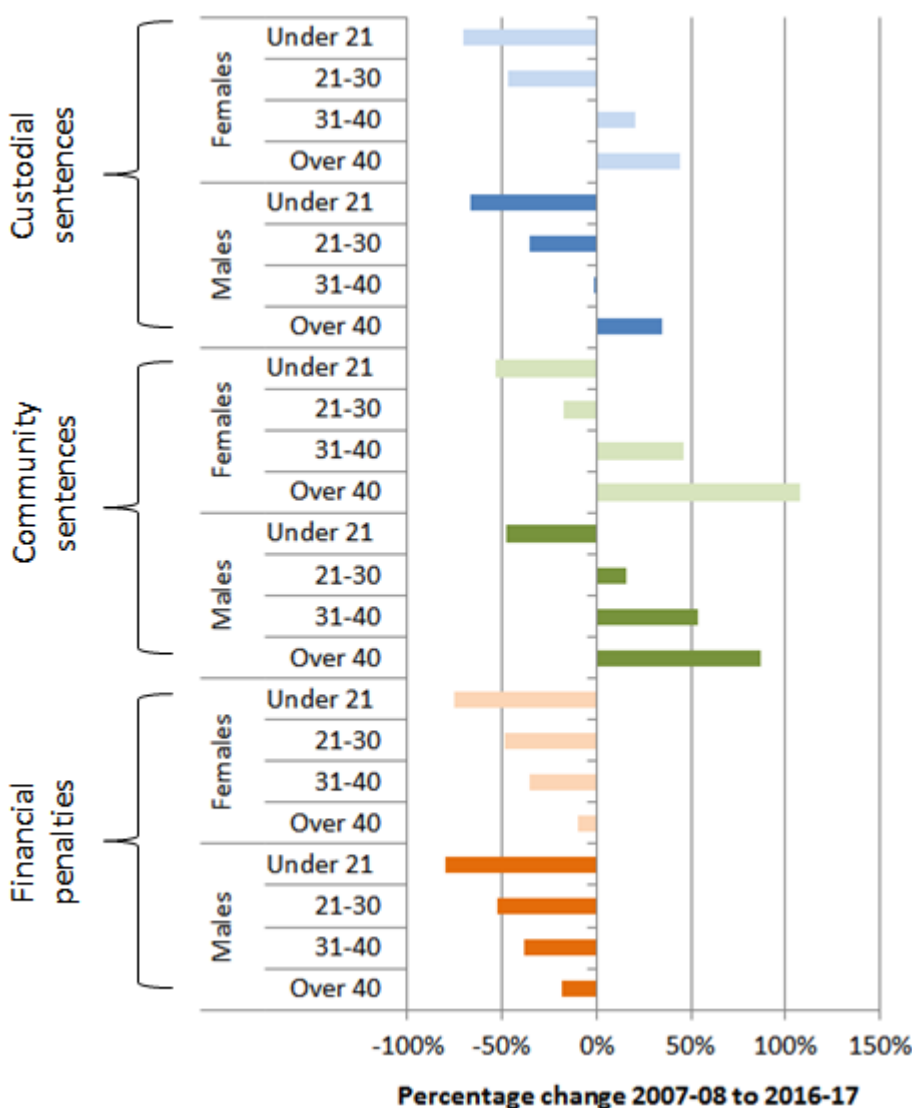


Overall, males are more likely to receive a custodial sentence than females. This is illustrated by males accounting for 83% of all people convicted in 2016-

17 but representing a higher proportion of all **custodial sentences** (92%). Females were more likely to be issued with an “**Other sentence**” with 28% of these types of punishments having been given to females compared to the 17% of all convictions that females represent. “Other sentences” are mostly admonishments i.e. a verbal warning from the sheriff.

Please note that sentencing decisions are reflective of a number of factors such as the severity of the crime and whether the individual has offended in the past. In addition, the decision on what type of punishment is reasonable will be based on the personal circumstances of the offender. These statistics do not take account of these factors.

**Chart 13: Change in number of disposals by age and gender, 2007-08 to 2016-17**



[Table 11](#) illustrates different patterns by age and gender over the last ten years. Chart 13 above summarises the main changes between 2007-08 and 2016-17. In summary it shows that:

- **Financial penalties** are the only disposal types where the trend is in decline for all age-gender groups, with the largest decreases being for the under 21 year olds for both genders;
- With respect to **custodial** and **community sentences** there have been decreases in numbers for those aged “under 21” and “21-30” for both genders with the exception of community sentences for males aged 21-30, which increased by 16% over the ten year period;
- The largest increases have been for those aged over 40, particularly those receiving **community sentences**. The number of community sentences for females over 40 has increased by 108% since 2007-08, whilst for males the rise has been 87%; and
- There have also been rises in the number of **custodial sentences** in the over 40s, females up 44% and males up 35%.

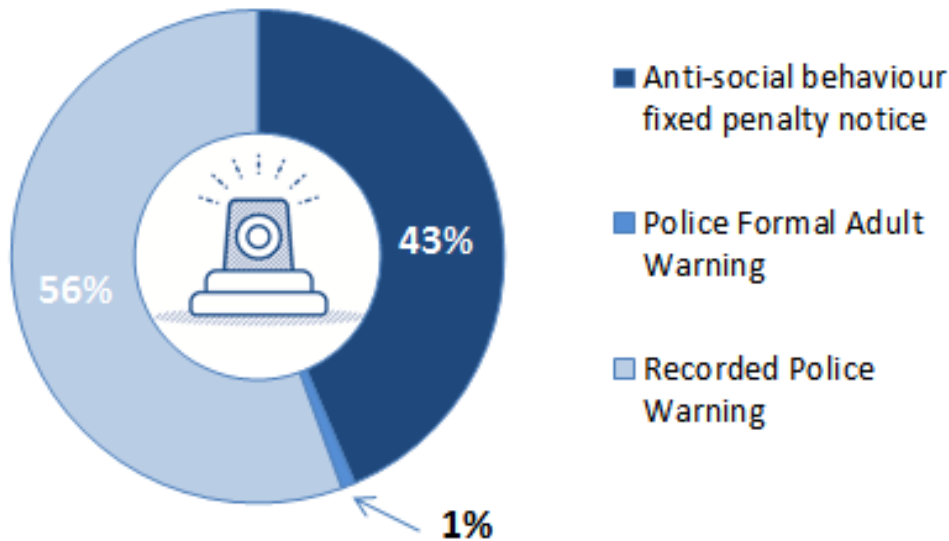
## 15. Police Disposals

([Tables 17 - 20](#))

This section outlines detail on some of the measures available to the police for dealing with minor offences rather than referring individuals to the COPFS and therefore potentially to court. Statistics are presented on **Anti-Social Behaviour Fixed Penalty Notices** (ASBFPNs), **Recorded Police Warnings** (RPW) and actions used specifically for juveniles (aged 8 to 17) such as **Restorative Justice Warnings** and **Early and Effective Interventions** (EEI). **Formal Adult Warnings** were phased out on the introduction of RPWs in January 2016.

At their peak, ASBFPNs accounted for around three quarters of the police disposals presented in this publication, but this has declined to 37% this year, the most used disposal in 2016-17 (47%) now being Recorded Police Warnings. It is important to note, however, that there are other types of police measures not included in these statistics such as fixed penalty notices for moving motor vehicle offences and other youth justice measures. A more detailed listing of the disposals available in this publication can be seen in [Annex D](#).

**Chart 14: Police disposals by type in 2016-17**

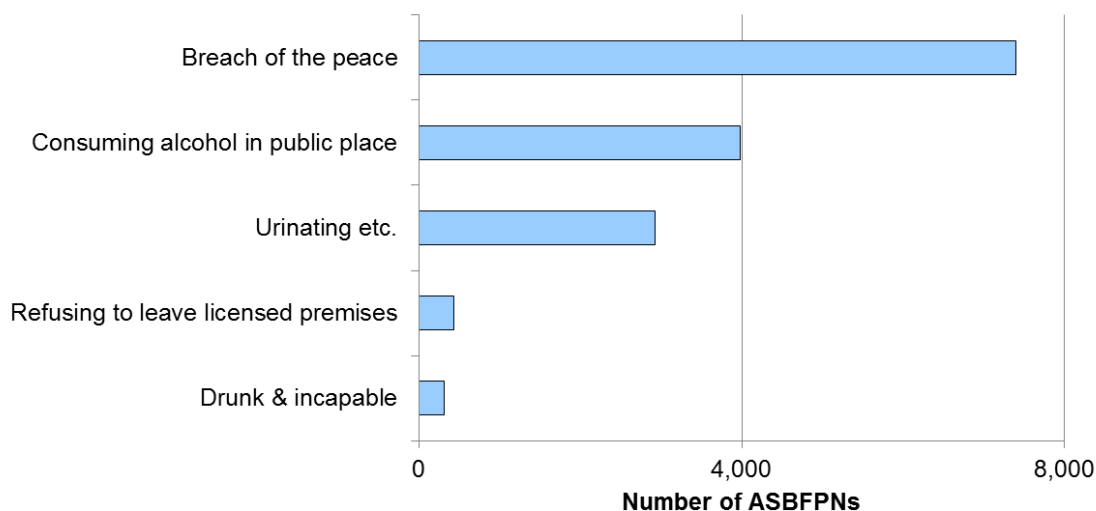


Excludes police fixed notices for cars, motor vehicle offences and measures specifically for dealing with young people

### Anti-Social Behaviour Fixed Penalty Notices

**Anti-Social Behaviour Fixed Penalty Notices** (ASBFPNs) allow the police to issue offenders a £40 fine for a range of offences including drunken-related behaviours and playing loud music. In 2016-17, 15,363 people received an ASBFPN as a main penalty, a decrease of 48% from 29,368 in 2015-16. Levels have decreased sharply for the third year in a row after a period of relative stability between 2010-11 and 2013-14 (ranging between 53,674 to 55,562 ASBFPNs per annum). It is thought that some of the decline may be due to Police Scotland issuing revised guidance around the use of ASBFPN, and there may be some displacement by the use of Recorded Police Warnings.

**Chart 15: Most common offences for Anti-Social Behaviour Fixed Penalty Notices (ASBFPNs), 2016-17**



In 2016-17 the vast majority of ASBFPNs were issued for three offence types:

- 7,397 for **breach of the peace** (48%); and
- 3,982 for **consuming alcohol in a public place** (26% of total);
- 2,921 for **urinating etc.** in circumstances causing annoyance to others (19%).

Males received 85% of all ASBFPNs in 2016-17 (12,986 people) with the most common offences being for **breach of the peace, etc.** (45% of ASBFPNs issued to males) followed by **consuming alcohol in a public place** (27%). ASBFPNs issued to females (2,376 people in total) were primarily issued for breach of the peace (66% of ASBFPNs to females) and consuming alcohol in a public place (21%).

### **Recorded Police Warnings and Formal Adult Warnings**

The use of **Recorded Police Warnings** has grown quickly since being introduced in January 2016, becoming the most used police disposal in 2016-17. In the final quarter of 2015-16, 4,231 people (10%) received a recorded police warning as a main penalty. In 2016-17, the first full year of data since RPWs were introduced, 19,596 RPWs were issued, making up 47% of all police disposals in the year.

**Formal Adult Warnings** (FAW) were phased out in January 2016 and, unsurprisingly, fell by 91% from 3,358 in 2015-16 to 316 in 2016-17. It is possible that cases relating to the small number of FAWs issued in 2016-17 may have commenced in previous years but were not closed until 2016-17. It is expected that the number of FAWs will be close to zero in the future.



## Police disposals for children and young people involved in offending

This section provides statistics on some of the police disposals that specifically target children and young people, under the age of 18, involved in offending. The disposals we have information for are **Early and Effective Interventions (EEl)** and **Restorative Justice Warnings** as recorded on the Criminal History System (CHS).

Please note that these statistics are not a full measure of disposals for under-18s as there are a number of other measures managed by the police and other public bodies that we cannot quantify levels for.

There are a number of routes for dealing with young people who have offended in Scotland as follows:

- Increasingly, the **Whole System Approach (WSA)** is used to deal with young people aged 8 to 17. Following the preventing offending framework in 2008 and a WSA pilot in 2010, this approach was rolled out across Scotland in 2011 to encourage justice partners to channel young people away from the adult courts and hearing system. One approach used by the police to respond to the needs of children who offend is **Early and Effective Intervention (EEI)**. Early and Effective Intervention is a multi-agency response to low level offending, typically offences of a less serious nature, which might previously have automatically resulted in referral to the Children's Reporter. The EEI process runs differently in each Local Authority and the involvement of the police can be different in each Local Authority. For these reasons, the statistics presented here should be seen as a minimum indication of EEI activity.
- Other young people are referred to the **Scottish Children's Reporter Administration (SCRA)**, which manages the children's hearing system. This is a needs based system, including responding to occasions when children offend, rather than exposing them to the adult courts, which can be a damaging experience. The police can use a number of ways to refer individuals to SCRA such as **restorative justice warnings**, the disposal for which statistics are available. It is important to note that other organisations such as COPFS, social work and educational bodies can also make referrals to SCRA, though such referrals are not included in the statistics in this report, and can be found elsewhere<sup>5</sup>.
- Depending on their age and the nature of the offence some young people who have offended move through the Criminal Justice System in the same way as adults i.e. they are issued a disposal by the police, COPFS or the adult courts. This tends to happen for young people accused of more serious crimes with activity for these cases included within the statistics elsewhere in

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<sup>5</sup> [http://www.scra.gov.uk/resources\\_articles\\_category/official-statistics/](http://www.scra.gov.uk/resources_articles_category/official-statistics/)

the report. No one under the age of 12 can be prosecuted in the adult courts in Scotland.

- The focus of EEs is to respond as quickly as possible to offending behaviour by children and young people and to put in place appropriate support with the aim of reducing the likelihood of reoffending. Practices vary by local authority with a range of agencies (police, education, social work and the third sector) being involved.

### **Trends in Police Disposals for Young People**

In terms of police disposals specifically aimed at young people involved in offending, **Restorative Justice Warnings** have been in decline from 2,457 people in 2008-09 to 280 people in 2016-17.

By contrast, the number of young people referred for **EEI** increased steadily since their introduction in 2008-09 rising to 2,588 people by 2011-12. In the three years between 2011-12 and 2015-16 numbers more than doubled to 6,587 people as the use of these practices became more commonplace. Between 2015-16 and 2016-17, numbers decreased by eight per cent from 6,587 to 6,090, although this follows a 26% increase between 2014-15 and 2015-16, so the latest figure remains higher than all but last year.

## 16. Crown Office and Procurator Fiscal Service Disposals

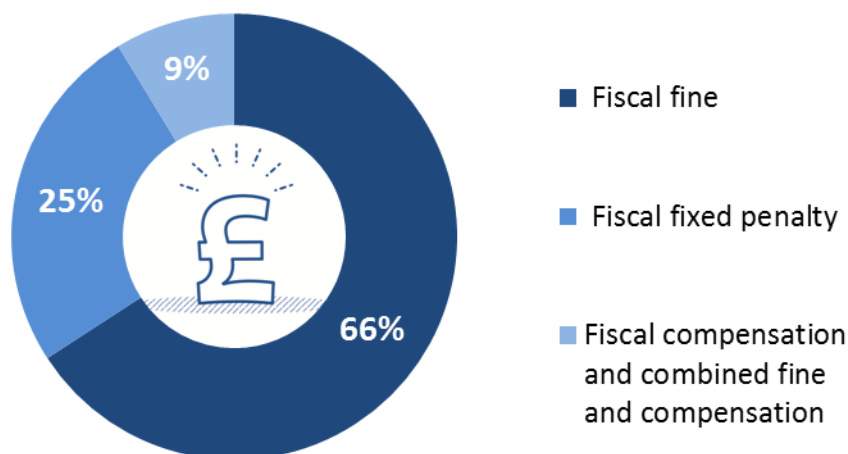
### (Tables 19-22)

When a report is submitted by the police to the Crown Office and Procurator Fiscal Service (COPFS), prosecution in court is only one of a range of possible options for dealing with people who have been charged. The COPFS can decide to take no action e.g. if there is insufficient evidence, or if it is not in the public interest to proceed. Alternatively, the COPFS can decide to use a non-court direct measure such as a fiscal fine or a diversion from prosecution.

Of the COPFS disposals included in this publication, in 2016-17 around 65% were fiscal fines (21,798 people) with a further 25% being fiscal fixed penalties (8,429). The remainder were made up of compensation orders, where the accused pays a prescribed sum of money to court and it is then remitted to the victim, and combined offers which comprise a fine and a compensation element. A full listing of the range of disposals available can be seen in [Annex D](#).

**Fiscal Work Orders** (FWOs) were introduced across Scotland in April 2015 and provide the COPFS with the option of offering an alleged offender a period of unpaid work of between 10 and 50 hours, as an alternative to prosecution. Successful completion of the order discharges the right to prosecute. We have been unable to derive statistics for this year's Criminal Proceedings bulletin due to uncertainty around what stage information relating to the FWO is captured on the Criminal History System. We will investigate the process of recording these disposals in the coming year with the hope of publishing FWO statistics in the 2017-18 report.

**Chart 16: COPFS Disposals by type, 2016-17**



## Fiscal fines

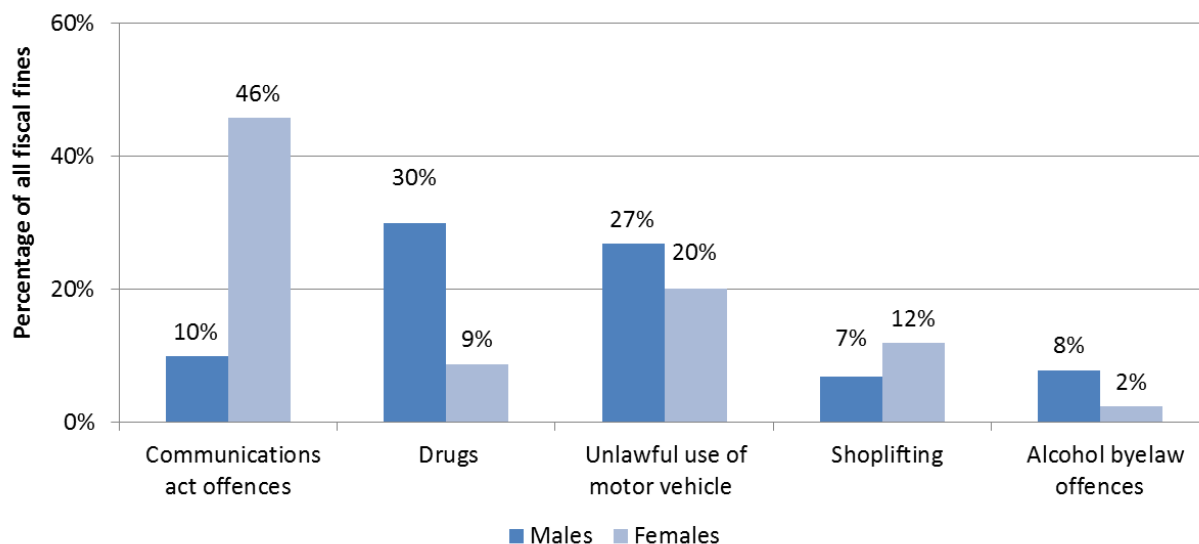
Fiscal fines of between £50 and £300 can be offered to the alleged offender by the COPFS as an alternative to prosecution. Where a fiscal fine is accepted, the accused cannot be prosecuted, but if the fine is unpaid, it can be enforced through the courts. If the fine is actively rejected, prosecution for the original offence will normally follow.

In 2016-17 there were 21,798 people issued a fiscal fine as a main penalty, a decline of 37% from 34,395 in 2015-16, a fall much greater than the decline in the number of proceedings. This partly reflects a fall in the number of criminal reports submitted to the COPFS. Where appropriate, the police can issue a Recorded Police Warning where someone might previously have been reported to the COPFS. This is the third annual decline following a period of three years where the number of fiscal fines exceeded 42,000 (between 2011-12 to 2013-14). Fiscal fines were most commonly issued for the following crimes:

- 25% were for **Unlawful use of vehicle** (5,348 fines);
- 23% were for **Drugs** (4,963 fines); and
- 22% were for **Communications Act offences** (mainly TV licensing), which totalled 4,799 fines.

Two-thirds (66%) of all fiscal fines in 2016-17 were issued to males (14,467 fines). The most noticeable differences for males and females for which fiscal fines were issued are presented in Chart 17. For example 30% of fiscal fines issued to males were for drugs offences compared to nine per cent for females and 23% overall.

**Chart 17: Fiscal fines, percentage issued by crime type and gender**



## Fiscal fixed penalties

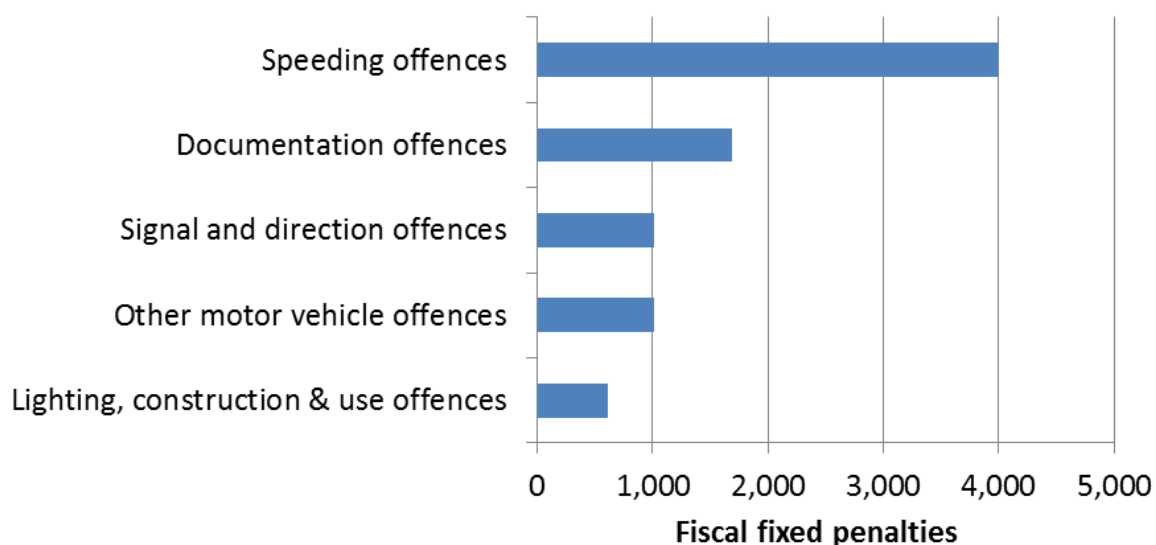
Crown Office Fixed Penalties (COFPs) are generally issued for certain road traffic/motor vehicle offences and can involve a fine or a fine and points. The amount of the fine is prescribed by law. In 2016-17, 8,429 COFPs were issued to people as a main penalty, a decrease of 22% from 10,745 in 2015-16. This is the

third annual decline, with the number issued now being only 36% of the level in 2013-14 (23,494 COFPs). This is related to a fall in the number of Road Traffic offences reported by the police.

The decrease was driven by a fall in penalties for:

- **“Signal and direction offences”** down 29% to 1,013 from 1,425; and
- **“Speeding offences”** down 28% to 4,004 from 5,541; and
- **“Other motor vehicle offences”** (including mobile phone offences and seatbelt offences) down 28% to 1,007 from 1,391.

**Chart 18: Most common offences for Fiscal Fixed Penalties, 2016-17**



The most common crime COFPs were issued for in 2016-17 was for speeding offences (4,004 penalties), which made up almost half (48%). After this COFPs were most commonly issued for the following crimes:

- 20% were for **Documentation offences** (such as using a vehicle without a test certificate, without a licence or failure to insure), totalling 1,692;
- 12% were for **Signal and direction offences**, totalling 1,013 penalties; and
- 12% were for **“Other motor vehicle offences”**, which includes mobile phone and seatbelt offences, totalling 1,007 penalties.

In 2016-17, more than three-quarters (77% or 6,508) of COFPs were issued to males and over a third (34% or 2,872) of all COFPs were issued to males aged over 40.

## 17. Bail and undertakings

### [\(Tables 14 -16\)](#)

Where a person has been arrested or charged by the police, the police may decide to keep the person in custody. The police will submit a report to the COPFS in respect of the person in custody and where the COPFS decide that he or she is to be prosecuted, they will appear at court on the first lawful day after they were taken into police custody. At this point the accused may apply for **bail** and the sheriff or judge will decide whether the accused should be released on bail until they next need to appear in court for later stages of the proceedings.

In some circumstances, where the individual is not merely cited to appear at a later date, the police may decide to release the individual on an **undertaking**. This means the accused will have their initial appearance in court at a later date. Conditions similar to bail are applicable. It is not possible to release someone charged with rape or murder on an undertaking.

Please note that four additional tables on **bail** are available for download from the "[Additional data](#)" page. These include bail statistics by court type as well as age and gender. One of the tables presents bail aggravators i.e. offences that were committed while the offender was on bail.

### **Bail orders made, and by main crime type**

The number of bail orders decreased by seven per cent from 45,346 in 2015-16 to 42,277 in 2016-17. Over the longer term, numbers have fallen by 30% since 2007-08. This is consistent with the longer term trends in volumes of cases coming to court.

In the year to 2016-17, there were annual decreases in most categories, the exceptions being in **motor vehicle offences** (up nine per cent to 1,924 bail orders); Fire-Raising and Vandalism (up two per cent to 2,509); and **handling offensive weapons** (up two per cent to 1,265).

The most prominent decreases are seen in the numbers of bail orders issued for **common assault** (down 12% to 7,652); **drug offences** (down 11% to 2,346); and **'other crime'** (down 10% to 7,138).

### **Bail-related offences**

Bail-related offences cover the offences of breach of bail conditions (e.g. interfering with a witness) and failure to appear in court after being granted bail. A total of 7,671 bail-related offences had a charge proved in 2016-17, a decrease of 11% on 2015-16 (8,589).

The proportion of bail-related offences as a percentage of all bail orders granted in 2016-17 was 18%. This has remained fairly constant since 2008-09 but is 5 percentage points higher than in 2007-08 (13%).

In 2016-17 there were 14,442 undertakings to appear in court, a fall of eight per cent from 2015-16 (15,641 undertakings). Three quarters of undertakings were issued to males in 2016-17 (10,765 people), a proportion that has been in decline since 2009-10 when they represented 79% of all undertakings. The proportion of young people being issued with an undertaking has been in decline with 15% of undertakings for under-21 year olds in 2016-17 compared to 25% in 2009-10.

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**Table 1 Summary of known action in the Scottish Criminal Justice System, 2007-08 to 2016-17**

	Thousands									
	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
<b>Crimes and offences recorded by the police</b>										
Crimes	386	377	338	323	314	273	270	256	246	239
Offences <sup>1</sup>							501	379	339	289
<b>Crimes and offences cleared up by the police</b>										
Crimes	185	185	167	157	155	140	139	129	127	119
Offences <sup>1</sup>							472	351	308	254
<b>Police disposals</b>										
Anti-social behaviour fixed penalty notices	n/a	48	61	54	54	55	56	43	29	15
Formal adult warnings	n/a	8	8	8	8	8	7	5	3	*
Recorded Police Warnings	-	-	-	-	-	-	-	-	4	20
Early & Effective Interventions and Restorative Justice Warnings	n/a	3	3	2	4	5	5	5	7	6
<b>Children's Panel referrals</b>										
Offence referrals to Reporter to Children's Panel <sup>2</sup>	30	25	21	16	12	8	7	7	7	7
<b>Procurator Fiscal action</b>										
Total criminal reports received (COPFS cases)	307	285	276	266	276	281	294	244	226	196
Fiscal fines (CHS people) <sup>3,4</sup>	n/a	38	36	36	42	48	47	36	34	22
Fiscal fines (COPFS cases) <sup>4,5</sup>	19	37	34	33	41	46	47	35	33	21
Fiscal fixed penalties (CHS people) <sup>3</sup>	n/a	18	19	20	21	22	23	15	11	8
Fiscal fixed penalties (COPFS cases) <sup>5</sup>	15	20	18	20	21	22	24	15	11	8
Compensation orders (CHS people) <sup>3</sup>	n/a	2	2	2	1	1	1	1	1	1
Compensation orders (COPFS cases) <sup>5</sup>	n/a	2	2	2	1	1	1	1	*	1
Combined fiscal fines/compensation orders (CHS people) <sup>3,4</sup>	n/a	1	2	2	3	2	2	2	3	2
Combined fiscal fines/compensation orders (COPFS cases) <sup>4,5</sup>	n/a	1	2	2	3	2	2	2	3	2
Fiscal warnings (COPFS cases) <sup>4,5</sup>	25	15	14	13	12	13	8	8	13	8
No action (COPFS cases) <sup>4,5</sup>	44	32	30	29	32	35	28	27	26	21
Other non-court disposals <sup>6</sup> (COPFS cases)	10	9	8	8	8	10	13	13	10	11
<b>People proceeded against in court</b>	<b>149</b>	<b>141</b>	<b>136</b>	<b>131</b>	<b>125</b>	<b>117</b>	<b>122</b>	<b>123</b>	<b>117</b>	<b>107</b>

1. Since 2013-14, not all offence categories in recorded crime statistics are comparable with previous years data. Please see Annex 2 of the Recorded Crime in Scotland publication for further information.

2. A referral may relate to more than one offence. Figures exclude cases jointly referred to the Children's Reporter and the Procurator Fiscal. These types of cases are included in the Crown Office & Procurator Fiscal (COPFS) action totals.

3. Number of people with main penalty as recorded on the Police Scotland's Criminal History System (CHS).

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

5. Number of cases of highest disposal as recorded on the COPFS information system.

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

**Table 2(a) People proceeded against in court by main crime/offence and outcome of court proceedings, 2016-17<sup>1</sup>**

Main crime or offence	PNGA <sup>2,3</sup> or deserted <sup>4</sup>	Acquitted not guilty	Acquitted not proven	Charge proved	Total
<b>All crimes and offences</b>	<b>7,872</b>	<b>5,898</b>	<b>1,234</b>	<b>92,334</b>	<b>107,338</b>
<b>All crimes</b>	<b>3,658</b>	<b>1,774</b>	<b>483</b>	<b>32,540</b>	<b>38,455</b>
<b>Non-sexual crimes of violence</b>	<b>273</b>	<b>407</b>	<b>160</b>	<b>1,722</b>	<b>2,562</b>
Homicide etc	-	11	5	77	93
Attempted murder and serious assault	159	294	130	1,110	1,693
Robbery	76	61	18	372	527
Other non-sexual crimes of violence	38	41	7	163	249
<b>Sexual crimes</b>	<b>71</b>	<b>292</b>	<b>110</b>	<b>1,037</b>	<b>1,510</b>
Rape and attempted rape	4	107	42	98	251
Sexual assault	21	106	49	266	442
Crimes associated with prostitution	6	7	1	83	97
Other sexual crimes	40	72	18	590	720
<b>Crimes of dishonesty</b>	<b>1,125</b>	<b>321</b>	<b>55</b>	<b>10,795</b>	<b>12,296</b>
Housebreaking	100	35	14	868	1,017
Theft by opening lockfast places	26	4	3	183	216
Theft from a motor vehicle	9	1	1	93	104
Theft of a motor vehicle	82	26	2	266	376
Shoplifting	441	36	-	6,243	6,720
Other theft	272	122	18	1,792	2,204
Fraud	69	35	4	548	656
Other dishonesty	126	62	13	802	1,003
<b>Fire-raising, vandalism, etc.</b>	<b>228</b>	<b>171</b>	<b>24</b>	<b>1,965</b>	<b>2,388</b>
Fire-raising	13	8	5	114	140
Vandalism etc.	215	163	19	1,851	2,248
<b>Other crimes</b>	<b>1,961</b>	<b>583</b>	<b>134</b>	<b>17,021</b>	<b>19,699</b>
Crimes against public justice	919	304	45	9,022	10,290
Handling offensive weapons	149	147	58	1,436	1,790
Drugs	885	126	30	6,378	7,419
Other crime	8	6	1	185	200
<b>All offences</b>	<b>4,214</b>	<b>4,124</b>	<b>751</b>	<b>59,794</b>	<b>68,883</b>
<b>Miscellaneous offences</b>	<b>2,890</b>	<b>3,314</b>	<b>655</b>	<b>29,198</b>	<b>36,057</b>
Common assault	1,375	1,871	377	11,243	14,866
Breach of the peace etc.	1,296	1,208	218	15,302	18,024
Drunkenness and other disorderly conduct	6	3	2	69	80
Urinating etc.	2	2	-	13	17
Other miscellaneous	211	230	58	2,571	3,070
<b>Motor vehicle offences</b>	<b>1,324</b>	<b>810</b>	<b>96</b>	<b>30,596</b>	<b>32,826</b>
Dangerous and careless driving	126	249	34	3,763	4,172
Driving under the influence	44	119	27	3,646	3,836
Speeding	122	61	5	10,684	10,872
Unlawful use of motor vehicle	682	68	7	7,167	7,924
Vehicle defect offences	77	16	1	1,335	1,429
Seat belt offences	13	1	-	313	327
Mobile phone offences	71	154	8	1,478	1,711
Other motor vehicle offences	189	142	14	2,210	2,555

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

2. Plea of not guilty accepted.

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

4. Deserted simpliciter i.e. trial is permanently abandoned by the Procurator Fiscal.

**Table 2(b) People proceeded against in court by main crime/offence and percentage outcome of court proceedings, 2016-17<sup>1</sup>**

Main crime or offence	Row per cent					
	PNGA <sup>2,3</sup> or deserted <sup>4</sup>	Acquitted not guilty	Acquitted not proven	Charge proved	Total	Not proven as % of all acquitted
<b>All crimes and offences</b>	<b>7</b>	<b>5</b>	<b>1</b>	<b>86</b>	<b>100</b>	<b>17</b>
<b>All crimes</b>	<b>10</b>	<b>5</b>	<b>1</b>	<b>85</b>	<b>100</b>	<b>21</b>
<b>Non-sexual crimes of violence</b>	<b>11</b>	<b>16</b>	<b>6</b>	<b>67</b>	<b>100</b>	<b>28</b>
Homicide etc	-	12	5	83	100	31
Attempted murder and serious assault	9	17	8	66	100	31
Robbery	14	12	3	71	100	23
Other non-sexual crimes of violence	15	16	3	65	100	15
<b>Sexual crimes</b>	<b>5</b>	<b>19</b>	<b>7</b>	<b>69</b>	<b>100</b>	<b>27</b>
Rape and attempted rape	2	43	17	39	100	28
Sexual assault	5	24	11	60	100	32
Crimes associated with prostitution	6	7	1	86	100	13
Other sexual crimes	6	10	3	82	100	20
<b>Crimes of dishonesty</b>	<b>9</b>	<b>3</b>	<b>*</b>	<b>88</b>	<b>100</b>	<b>15</b>
Housebreaking	10	3	1	85	100	29
Theft by opening lockfast places	12	2	1	85	100	43
Theft from a motor vehicle	9	1	1	89	100	50
Theft of a motor vehicle	22	7	1	71	100	7
Shoplifting	7	1	-	93	100	-
Other theft	12	6	1	81	100	13
Fraud	11	5	1	84	100	10
Other dishonesty	13	6	1	80	100	17
<b>Fire-raising, vandalism, etc.</b>	<b>10</b>	<b>7</b>	<b>1</b>	<b>82</b>	<b>100</b>	<b>12</b>
Fire-raising	9	6	4	81	100	38
Vandalism etc.	10	7	1	82	100	10
<b>Other crimes</b>	<b>10</b>	<b>3</b>	<b>1</b>	<b>86</b>	<b>100</b>	<b>19</b>
Crimes against public justice	9	3	*	88	100	13
Handling offensive weapons	8	8	3	80	100	28
Drugs	12	2	4	86	100	19
Other crime	4	3	1	93	100	14
<b>All offences</b>	<b>6</b>	<b>6</b>	<b>1</b>	<b>87</b>	<b>100</b>	<b>15</b>
<b>Miscellaneous offences</b>	<b>8</b>	<b>9</b>	<b>2</b>	<b>81</b>	<b>100</b>	<b>17</b>
Common assault	9	13	3	76	100	17
Breach of the peace etc.	7	7	1	85	100	15
Drunkenness and other disorderly conduct	8	4	3	86	100	40
Urinating etc.	12	12	-	76	100	-
Other miscellaneous	7	7	2	84	100	20
<b>Motor vehicle offences</b>	<b>4</b>	<b>2</b>	<b>*</b>	<b>93</b>	<b>100</b>	<b>11</b>
Dangerous and careless driving	3	6	1	90	100	12
Driving under the influence	1	3	1	95	100	18
Speeding	1	1	*	98	100	8
Unlawful use of motor vehicle	9	1	*	90	100	9
Vehicle defect offences	5	1	*	93	100	6
Seat belt offences	4	*	-	96	100	-
Mobile phone offences	4	9	*	86	100	5
Other motor vehicle offences	7	6	1	86	100	9

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

2. Plea of not guilty accepted.

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

4. Deserted simpliciter i.e. trial is permanently abandoned by the Procurator Fiscal.

**Table 3 People convicted by type of court, 2007-08 to 2016-17**

Type of court	Number									
	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
<b>All court types</b>	<b>133,608</b>	<b>125,893</b>	<b>121,041</b>	<b>115,581</b>	<b>108,424</b>	<b>101,019</b>	<b>105,664</b>	<b>106,583</b>	<b>99,962</b>	<b>92,334</b>
High court <sup>1,2</sup>	862	810	769	706	765	708	704	593	603	642
Sheriff solemn	5,195	4,533	4,223	4,022	4,141	4,293	4,181	4,748	4,986	4,719
Sheriff summary <sup>3</sup>	85,703	78,329	69,773	65,360	64,264	60,055	59,205	59,918	59,224	55,489
Justice of the Peace court <sup>4</sup>	41,848	42,221	46,276	45,493	39,254	35,963	41,574	41,324	35,149	31,484

Type of court	Per cent									
	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
<b>All court types</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
High court <sup>1,2</sup>	1	1	1	1	1	1	1	1	1	1
Sheriff solemn	4	4	3	3	4	4	4	4	5	5
Sheriff summary <sup>3</sup>	64	62	58	57	59	59	56	56	59	60
Justice of the Peace court <sup>4</sup>	31	34	38	39	36	36	39	39	35	34

Type of court	Index: 2007-08=100									
	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
<b>All court types</b>	<b>100</b>	<b>94</b>	<b>91</b>	<b>87</b>	<b>81</b>	<b>76</b>	<b>79</b>	<b>80</b>	<b>75</b>	<b>69</b>
High court <sup>1,2</sup>	100	94	89	82	89	82	82	69	70	74
Sheriff solemn	100	87	81	77	80	83	80	91	96	91
Sheriff summary <sup>3</sup>	100	91	81	76	75	70	69	70	69	65
Justice of the Peace court <sup>4</sup>	100	101	111	109	94	86	99	99	84	75

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

2. The figures for the most recent year, and to an extent earlier years, may be underestimated due to late recording of disposals. See annex notes B16 to B18.

3. Includes any remaining cases seen in the stipendiary magistrates court in Glasgow.

4. Includes District courts up to 2009-10.

**Table 4(a) People proceeded against by main crime/offence, 2007-08 to 2016-17**

Main crime or offence	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	% change 2015-16 to 2016-17	All offences proceeded, 2016-17 <sup>2</sup>
<b>All crimes and offences</b>	<b>149,048</b>	<b>140,666</b>	<b>136,303</b>	<b>131,142</b>	<b>124,842</b>	<b>116,685</b>	<b>121,793</b>	<b>123,332</b>	<b>116,833</b>	<b>107,338</b>	<b>-8</b>	<b>192,869</b>
<b>All crimes</b>	<b>55,638</b>	<b>53,674</b>	<b>50,351</b>	<b>49,105</b>	<b>48,066</b>	<b>44,093</b>	<b>42,982</b>	<b>42,793</b>	<b>42,027</b>	<b>38,455</b>	<b>-8</b>	<b>75,260</b>
<b>Non-sexual crimes of violence</b>	<b>3,592</b>	<b>3,574</b>	<b>3,430</b>	<b>3,557</b>	<b>3,434</b>	<b>3,175</b>	<b>2,655</b>	<b>2,586</b>	<b>2,641</b>	<b>2,562</b>	<b>-3</b>	<b>3,433</b>
Homicide etc	158	136	144	139	134	148	113	111	111	93	-16	98
Attempted murder and serious assault	2,326	2,382	2,210	2,098	2,047	2,033	1,633	1,641	1,740	1,693	-3	2,092
Robbery	667	703	677	687	771	668	585	505	522	527	1	760
Other non-sexual crimes of violence	441	353	399	633	482	326	324	329	268	249	-7	483
<b>Sexual crimes</b>	<b>915</b>	<b>1,114</b>	<b>1,016</b>	<b>933</b>	<b>972</b>	<b>1,179</b>	<b>1,455</b>	<b>1,644</b>	<b>1,615</b>	<b>1,510</b>	<b>-7</b>	<b>3,588</b>
Rape and attempted rape	119	114	117	80	93	138	219	271	216	251	16	505
Sexual assault	204	231	218	216	218	314	373	453	447	442	-1	1,225
Crimes associated with prostitution	267	355	264	270	217	167	185	176	117	97	-17	125
Other sexual crimes	325	414	417	367	444	560	678	744	835	720	-14	1,733
<b>Crimes of dishonesty</b>	<b>19,901</b>	<b>19,585</b>	<b>17,902</b>	<b>17,630</b>	<b>17,040</b>	<b>15,366</b>	<b>14,654</b>	<b>14,248</b>	<b>13,236</b>	<b>12,296</b>	<b>-7</b>	<b>23,845</b>
Housebreaking	2,133	2,172	1,886	1,813	1,880	1,706	1,276	1,168	1,017	1,017	0	1,684
Theft by opening lockfast places	452	408	367	338	337	312	284	254	234	216	-8	579
Theft from a motor vehicle	505	437	340	318	295	238	167	131	120	104	-13	331
Theft of a motor vehicle	1,009	975	772	647	669	553	442	446	417	376	-10	1,499
Shoplifting	9,074	8,826	8,617	8,369	7,817	6,986	7,070	7,426	7,092	6,720	-5	11,715
Other theft	3,744	3,596	3,213	3,391	3,571	3,308	3,155	2,865	2,552	2,204	-14	4,221
Fraud	1,512	1,623	1,292	1,228	925	761	825	693	679	656	-3	1,859
Other dishonesty	1,472	1,548	1,415	1,526	1,546	1,502	1,435	1,265	1,125	1,003	-11	1,957
<b>Fire-raising, vandalism, etc.</b>	<b>6,185</b>	<b>4,964</b>	<b>4,452</b>	<b>3,991</b>	<b>3,623</b>	<b>3,174</b>	<b>3,024</b>	<b>2,944</b>	<b>2,712</b>	<b>2,388</b>	<b>-12</b>	<b>4,620</b>
Fire-raising	273	283	223	194	176	170	161	159	143	140	-2	213
Vandalism etc.	5,912	4,681	4,229	3,797	3,447	3,004	2,863	2,785	2,569	2,248	-12	4,407
<b>Other crimes</b>	<b>25,045</b>	<b>24,437</b>	<b>23,551</b>	<b>22,994</b>	<b>22,997</b>	<b>21,199</b>	<b>21,194</b>	<b>21,371</b>	<b>21,823</b>	<b>19,699</b>	<b>-10</b>	<b>39,774</b>
Crimes against public justice	11,231	11,789	11,200	11,244	11,806	11,249	11,111	11,430	11,589	10,290	-11	21,499
Handling offensive weapons	4,021	4,134	3,457	2,953	2,838	2,226	2,104	1,989	1,883	1,790	-5	3,182
Drugs	9,501	8,261	8,694	8,553	8,125	7,492	7,782	7,766	8,181	7,419	-9	14,790
Other crime	292	253	200	244	228	232	197	186	170	200	18	303
<b>All offences</b>	<b>93,410</b>	<b>86,992</b>	<b>85,952</b>	<b>82,037</b>	<b>76,776</b>	<b>72,592</b>	<b>78,811</b>	<b>80,539</b>	<b>74,806</b>	<b>68,883</b>	<b>-8</b>	<b>117,609</b>
<b>Miscellaneous offences</b>	<b>45,531</b>	<b>39,677</b>	<b>37,411</b>	<b>34,976</b>	<b>35,853</b>	<b>34,746</b>	<b>35,939</b>	<b>38,789</b>	<b>39,688</b>	<b>36,057</b>	<b>-9</b>	<b>66,232</b>
Common assault	16,766	16,511	16,079	15,812	16,341	15,017	14,744	15,766	16,374	14,866	-9	26,709
Breach of the peace etc.	19,739	18,003	16,168	13,958	14,608	15,069	16,262	18,522	19,418	18,024	-7	33,178
Drunkenness and other disorderly conduct	3,539	960	768	670	352	257	358	283	165	80	-52	632
Urinating etc.	524	82	54	55	28	44	47	47	31	17	-45	120
Other miscellaneous	4,963	4,121	4,342	4,481	4,524	4,359	4,528	4,171	3,700	3,070	-17	5,593
<b>Motor vehicle offences</b>	<b>47,879</b>	<b>47,315</b>	<b>48,541</b>	<b>47,061</b>	<b>40,923</b>	<b>37,846</b>	<b>42,872</b>	<b>41,750</b>	<b>35,118</b>	<b>32,826</b>	<b>-7</b>	<b>51,377</b>
Dangerous and careless driving	4,266	4,002	3,713	3,495	3,198	3,095	3,899	3,778	3,989	4,172	5	5,407
Driving under the influence	8,124	7,516	6,529	5,648	5,562	5,009	4,318	3,845	3,730	3,836	3	5,056
Speeding	14,245	13,696	14,490	13,172	12,602	12,195	14,281	14,251	12,630	10,872	-14	11,468
Unlawful use of motor vehicle	14,869	13,812	13,271	12,137	9,899	8,671	9,474	9,242	7,076	7,924	12	17,184
Vehicle defect offences	1,531	1,614	1,792	1,902	1,623	1,374	1,740	1,724	1,661	1,429	-14	3,088
Seat belt offences	1,037	1,282	2,267	2,743	2,047	2,132	2,604	2,293	527	327	-38	517
Mobile phone offences	1,244	2,386	3,018	3,916	2,896	2,937	3,415	3,606	2,645	1,711	-35	1,917
Other motor vehicle offences	2,563	3,007	3,461	4,048	3,096	2,433	3,141	3,011	2,860	2,555	-11	6,740

1. Figures for some categories dealt with by the high court - including homicide, rape and major drug cases - may be underestimated due to late recording of disposals - see annex notes B16 to B19.

2. Number of individual offences relating to people proceeded against, whether or not the main crime/offence involved.

**Table 4(b) People convicted by main crime/offence, 2007-08 to 2016-17**

Main crime or offence	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17 <sup>1</sup>	% change 2015-16 to 2016-17	All offences proved, 2016-17 <sup>2</sup>
<b>All crimes and offences</b>	<b>133,608</b>	<b>125,893</b>	<b>121,041</b>	<b>115,581</b>	<b>108,424</b>	<b>101,019</b>	<b>105,664</b>	<b>106,583</b>	<b>99,962</b>	<b>92,334</b>	<b>-8</b>	<b>126,606</b>
<b>All crimes</b>	<b>48,642</b>	<b>46,799</b>	<b>43,552</b>	<b>42,288</b>	<b>40,671</b>	<b>36,979</b>	<b>36,210</b>	<b>36,504</b>	<b>35,738</b>	<b>32,540</b>	<b>-9</b>	<b>44,760</b>
<b>Non-sexual crimes of violence</b>	<b>2,750</b>	<b>2,659</b>	<b>2,463</b>	<b>2,540</b>	<b>2,461</b>	<b>2,143</b>	<b>1,803</b>	<b>1,745</b>	<b>1,776</b>	<b>1,722</b>	<b>-3</b>	<b>1,920</b>
Homicide etc	136	116	118	117	111	115	93	81	84	77	-8	80
Attempted murder and serious assault	1,732	1,709	1,511	1,419	1,365	1,285	1,043	1,053	1,118	1,110	-1	1,196
Robbery	548	563	533	526	606	520	448	386	384	372	-3	444
Other non-sexual crimes of violence	334	271	301	478	379	223	219	225	190	163	-14	200
<b>Sexual crimes</b>	<b>727</b>	<b>914</b>	<b>832</b>	<b>756</b>	<b>784</b>	<b>866</b>	<b>1,066</b>	<b>1,153</b>	<b>1,163</b>	<b>1,037</b>	<b>-11</b>	<b>1,921</b>
Rape and attempted rape	49	42	57	36	49	77	91	125	105	98	-7	197
Sexual assault	145	182	159	160	151	204	236	276	278	266	-4	633
Crimes associated with prostitution	253	333	250	245	200	142	169	145	86	83	-3	90
Other sexual crimes	280	357	366	315	384	443	570	607	694	590	-15	1,001
<b>Crimes of dishonesty</b>	<b>17,728</b>	<b>17,429</b>	<b>15,951</b>	<b>15,613</b>	<b>14,772</b>	<b>13,250</b>	<b>12,579</b>	<b>12,525</b>	<b>11,605</b>	<b>10,795</b>	<b>-7</b>	<b>15,014</b>
Housebreaking	1,867	1,860	1,604	1,540	1,498	1,365	1,037	979	858	868	1	1,108
Theft by opening lockfast places	389	349	312	284	291	247	218	212	196	183	-7	287
Theft from a motor vehicle	447	387	297	270	250	200	143	112	101	93	-8	181
Theft of a motor vehicle	776	733	572	483	450	373	272	318	302	266	-12	587
Shoplifting	8,457	8,287	8,098	7,853	7,267	6,500	6,532	6,942	6,596	6,243	-5	8,288
Other theft	3,260	3,113	2,768	2,871	2,961	2,720	2,577	2,341	2,093	1,792	-14	2,439
Fraud	1,337	1,438	1,142	1,067	811	624	681	602	545	548	1	1,019
Other dishonesty	1,195	1,262	1,158	1,245	1,244	1,221	1,119	1,019	914	802	-12	1,105
<b>Fire-raising, vandalism, etc.</b>	<b>5,392</b>	<b>4,375</b>	<b>3,836</b>	<b>3,362</b>	<b>3,016</b>	<b>2,583</b>	<b>2,504</b>	<b>2,442</b>	<b>2,233</b>	<b>1,965</b>	<b>-12</b>	<b>2,489</b>
Fire-raising	224	244	190	159	146	133	130	133	116	114	-2	133
Vandalism etc.	5,168	4,131	3,646	3,203	2,870	2,450	2,374	2,309	2,117	1,851	-13	2,356
<b>Other crimes</b>	<b>22,045</b>	<b>21,422</b>	<b>20,470</b>	<b>20,017</b>	<b>19,638</b>	<b>18,137</b>	<b>18,258</b>	<b>18,639</b>	<b>18,961</b>	<b>17,021</b>	<b>-10</b>	<b>23,416</b>
Crimes against public justice	9,825	10,350	9,744	9,822	10,170	9,767	9,672	10,013	10,177	9,022	-11	12,847
Handling offensive weapons	3,405	3,516	2,838	2,445	2,265	1,709	1,684	1,586	1,489	1,436	-4	1,844
Drugs	8,547	7,318	7,699	7,531	6,990	6,449	6,720	6,868	7,144	6,378	-11	8,502
Other crime	268	238	189	219	213	212	182	172	151	185	23	223
<b>All offences</b>	<b>84,966</b>	<b>79,094</b>	<b>77,489</b>	<b>73,293</b>	<b>67,753</b>	<b>64,040</b>	<b>69,454</b>	<b>70,079</b>	<b>64,224</b>	<b>59,794</b>	<b>-7</b>	<b>81,846</b>
<b>Miscellaneous offences</b>	<b>39,610</b>	<b>34,165</b>	<b>31,508</b>	<b>29,187</b>	<b>29,470</b>	<b>28,587</b>	<b>29,169</b>	<b>31,120</b>	<b>31,659</b>	<b>29,198</b>	<b>-8</b>	<b>41,543</b>
Common assault	13,834	13,647	12,966	12,600	12,762	11,648	11,213	11,762	12,080	11,243	-7	15,476
Breach of the peace etc.	17,494	16,003	14,077	12,114	12,544	12,961	13,731	15,585	16,298	15,302	-6	22,215
Drunkenness and other disorderly conduct	3,432	898	705	624	309	220	306	250	148	69	-53	194
Urinating etc.	514	81	47	43	20	32	41	43	29	13	-55	35
Other miscellaneous	4,336	3,536	3,713	3,806	3,835	3,726	3,878	3,480	3,104	2,571	-17	3,623
<b>Motor vehicle offences</b>	<b>45,356</b>	<b>44,929</b>	<b>45,981</b>	<b>44,106</b>	<b>38,283</b>	<b>35,453</b>	<b>40,285</b>	<b>38,959</b>	<b>32,565</b>	<b>30,596</b>	<b>-6</b>	<b>40,303</b>
Dangerous and careless driving	3,967	3,696	3,405	3,167	2,858	2,811	3,574	3,411	3,569	3,763	5	4,385
Driving under the influence	7,820	7,222	6,232	5,351	5,287	4,735	4,091	3,681	3,537	3,646	3	4,233
Speeding	14,156	13,589	14,357	12,955	12,381	12,034	14,125	14,007	12,370	10,684	-14	10,977
Unlawful use of motor vehicle	13,609	12,740	12,175	11,052	9,001	7,855	8,515	8,303	6,324	7,167	13	12,822
Vehicle defect offences	1,414	1,483	1,662	1,723	1,504	1,243	1,611	1,580	1,537	1,335	-13	2,149
Seat belt offences	1,010	1,257	2,199	2,673	1,982	2,052	2,539	2,172	481	313	-35	397
Mobile phone offences	1,197	2,265	2,856	3,603	2,641	2,663	3,096	3,162	2,281	1,478	-35	1,544
Other motor vehicle offences	2,183	2,677	3,095	3,582	2,629	2,060	2,734	2,643	2,466	2,210	-10	3,796

1. Figures for some categories dealt with by the high court - including homicide, rape and major drug cases - may be underestimated due to late recording of disposals - see annex notes B16 to B19.

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

**Table 4(c) Conviction rate<sup>1</sup> by main crime/offence, 2007-08 to 2016-17**

Main crime or offence	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
<b>All crimes and offences</b>	<b>90</b>	<b>89</b>	<b>89</b>	<b>88</b>	<b>87</b>	<b>87</b>	<b>87</b>	<b>86</b>	<b>86</b>	<b>86</b>
<b>All crimes</b>	<b>87</b>	<b>87</b>	<b>86</b>	<b>86</b>	<b>85</b>	<b>84</b>	<b>84</b>	<b>85</b>	<b>85</b>	<b>85</b>
<b>Non-sexual crimes of violence</b>	<b>77</b>	<b>74</b>	<b>72</b>	<b>71</b>	<b>72</b>	<b>67</b>	<b>68</b>	<b>67</b>	<b>67</b>	<b>67</b>
Homicide etc	86	85	82	84	83	78	82	73	76	83
Attempted murder and serious assault	74	72	68	68	67	63	64	64	64	66
Robbery	82	80	79	77	79	78	77	76	74	71
Other non-sexual crimes of violence	76	77	75	76	79	68	68	68	71	65
<b>Sexual crimes</b>	<b>79</b>	<b>82</b>	<b>82</b>	<b>81</b>	<b>81</b>	<b>73</b>	<b>73</b>	<b>70</b>	<b>72</b>	<b>69</b>
Rape and attempted rape	41	37	49	45	53	56	42	46	49	39
Sexual assault	71	79	73	74	69	65	63	61	62	60
Crimes associated with prostitution	95	94	95	91	92	85	91	82	74	86
Other sexual crimes	86	86	88	86	86	79	84	82	83	82
<b>Crimes of dishonesty</b>	<b>89</b>	<b>89</b>	<b>89</b>	<b>89</b>	<b>87</b>	<b>86</b>	<b>86</b>	<b>88</b>	<b>88</b>	<b>88</b>
Housebreaking	88	86	85	85	80	80	81	84	84	85
Theft by opening lockfast places	86	86	85	84	86	79	77	83	84	85
Theft from a motor vehicle	89	89	87	85	85	84	86	85	84	89
Theft of a motor vehicle	77	75	74	75	67	67	62	71	72	71
Shoplifting	93	94	94	94	93	93	92	93	93	93
Other theft	87	87	86	85	83	82	82	82	82	81
Fraud	88	89	88	87	88	82	83	87	80	84
Other dishonesty	81	82	82	82	80	81	78	81	81	80
<b>Fire-raising, vandalism, etc.</b>	<b>87</b>	<b>88</b>	<b>86</b>	<b>84</b>	<b>83</b>	<b>81</b>	<b>83</b>	<b>83</b>	<b>82</b>	<b>82</b>
Fire-raising	82	86	85	82	83	78	81	84	81	81
Vandalism etc.	87	88	86	84	83	82	83	83	82	82
<b>Other crimes</b>	<b>88</b>	<b>88</b>	<b>87</b>	<b>87</b>	<b>85</b>	<b>86</b>	<b>86</b>	<b>87</b>	<b>87</b>	<b>86</b>
Crimes against public justice	87	88	87	87	86	87	87	88	88	88
Handling offensive weapons	85	85	82	83	80	77	80	80	79	80
Drugs	90	89	89	88	86	86	86	88	87	86
Other crime	92	94	95	90	93	91	92	92	89	93
<b>All offences</b>	<b>91</b>	<b>91</b>	<b>90</b>	<b>89</b>	<b>88</b>	<b>88</b>	<b>88</b>	<b>87</b>	<b>86</b>	<b>87</b>
<b>Miscellaneous offences</b>	<b>87</b>	<b>86</b>	<b>84</b>	<b>83</b>	<b>82</b>	<b>82</b>	<b>81</b>	<b>80</b>	<b>80</b>	<b>81</b>
Common assault	83	83	81	80	78	78	76	75	74	76
Breach of the peace etc.	89	89	87	87	86	86	84	84	84	85
Drunkenness and other disorderly conduct	97	94	92	93	88	86	85	88	90	86
Urinating etc.	98	99	87	78	71	73	87	91	94	76
Other miscellaneous	87	86	86	85	85	85	86	83	84	84
<b>Motor vehicle offences</b>	<b>95</b>	<b>95</b>	<b>95</b>	<b>94</b>	<b>94</b>	<b>94</b>	<b>94</b>	<b>93</b>	<b>93</b>	<b>93</b>
Dangerous and careless driving	93	92	92	91	89	91	92	90	89	90
Driving under the influence	96	96	95	95	95	95	95	96	95	95
Speeding	99	99	99	98	98	99	99	98	98	98
Unlawful use of motor vehicle	92	92	92	91	91	91	90	90	89	90
Vehicle defect offences	92	92	93	91	93	90	93	92	93	93
Seat belt offences	97	98	97	97	97	96	98	95	91	96
Mobile phone offences	96	95	95	92	91	91	91	88	86	86
Other motor vehicle offences	85	89	89	88	85	85	87	88	86	86

1. Conviction rate is calculated as the proportion of people with charge proved as a proportion of people proceeded against for a specific crime type.

**Table 5 Numbers of people convicted per 1,000 population by sex and age, 2007-08 to 2016-17**

Type of accused <sup>1</sup>	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
<b>All People<sup>2,3</sup></b>										
<b>Total<sup>4</sup></b>	<b>28</b>	<b>26</b>	<b>25</b>	<b>24</b>	<b>22</b>	<b>21</b>	<b>22</b>	<b>22</b>	<b>20</b>	<b>19</b>
under 16 <sup>5</sup>	*	*	*	*	*	*	*	*	*	*
16-17	60	50	39	32	27	20	16	15	15	15
18-20	97	81	71	62	54	45	42	41	40	36
21-30	74	69	65	60	55	51	51	49	45	41
31-40	43	43	43	43	41	40	42	44	41	38
41-50	23	22	23	23	22	22	24	25	24	22
51-60	9	9	10	10	10	10	11	12	11	10
Over 60	2	2	2	2	2	2	3	3	3	3
<b>Males</b>										
<b>Total<sup>4</sup></b>	<b>50</b>	<b>46</b>	<b>44</b>	<b>42</b>	<b>39</b>	<b>36</b>	<b>37</b>	<b>38</b>	<b>35</b>	<b>32</b>
under 16 <sup>5</sup>	1	*	*	*	*	*	*	*	*	*
16-17	105	87	67	55	45	34	28	26	26	25
18-20	170	140	123	108	94	77	72	69	68	61
21-30	127	117	110	103	94	86	86	84	77	70
31-40	73	73	73	72	69	67	71	74	68	63
41-50	38	38	38	38	38	37	41	42	40	36
51-60	16	16	17	17	16	16	19	20	19	18
Over 60	4	4	4	4	4	4	5	5	5	5
<b>Females</b>										
<b>Total<sup>4</sup></b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>6</b>
under 16 <sup>5</sup>	*	*	*	*	*	*	*	-	-	*
16-17	14	12	11	7	7	6	4	4	3	4
18-20	24	20	18	17	14	12	12	12	12	10
21-30	22	22	20	19	17	16	16	15	14	13
31-40	15	14	15	15	14	13	15	16	15	14
41-50	8	8	8	8	8	8	9	9	9	8
51-60	3	3	3	3	3	3	4	4	4	4
Over 60	*	*	1	1	*	*	1	1	1	1

1. A person who had a charge proved more than once within an individual year will be counted more than once .
2. Figures in the table are calculated as ratios per 1,000 of the Scottish population.
3. Includes sex not known; excludes companies.
4. Includes age not known; uses mid-year population estimate for those aged 8 upwards.
5. Uses mid-year population estimate for those aged 8-15.



**Table 6(a) Males<sup>1</sup> convicted by main crime/offence and age, 2016-17**

Main crime or offence	(Number)					(Per cent)				
	Under 21	21-30	31-40	over 40	Total	Under 21	21-30	31-40	over 40	Total
<b>All crimes and offences</b>	<b>7,596</b>	<b>25,785</b>	<b>20,709</b>	<b>22,401</b>	<b>76,491</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>All crimes</b>	<b>3,386</b>	<b>9,242</b>	<b>8,113</b>	<b>6,289</b>	<b>27,030</b>	<b>45</b>	<b>36</b>	<b>39</b>	<b>28</b>	<b>35</b>
<b>Non-sexual crimes of violence</b>	<b>260</b>	<b>622</b>	<b>398</b>	<b>235</b>	<b>1,515</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>2</b>
Homicide etc	7	24	15	20	66	*	*	*	*	*
Attempted murder and serious assault	176	427	254	155	1,012	2	2	1	1	1
Robbery	73	141	91	39	344	1	1	*	*	*
Other non-sexual crimes of violence	4	30	38	21	93	*	*	*	*	*
<b>Sexual crimes</b>	<b>98</b>	<b>235</b>	<b>186</b>	<b>437</b>	<b>956</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>1</b>
Rape and attempted rape	6	30	18	44	98	*	*	*	*	*
Sexual assault	23	43	45	150	261	*	*	*	1	*
Crimes associated with prostitution	-	2	2	20	24	-	*	*	*	*
Other sexual crimes	69	160	121	223	573	1	1	1	1	1
<b>Crimes of dishonesty</b>	<b>738</b>	<b>2,436</b>	<b>3,010</b>	<b>2,012</b>	<b>8,196</b>	<b>10</b>	<b>9</b>	<b>15</b>	<b>9</b>	<b>11</b>
Housebreaking	160	272	266	143	841	2	1	1	1	1
Theft by opening lockfast places	18	62	52	40	172	*	*	*	*	*
Theft from a motor vehicle	8	28	40	16	92	*	*	*	*	*
Theft of a motor vehicle	73	106	45	22	246	1	*	*	*	*
Shoplifting	207	1,164	1,786	1,220	4,377	3	5	9	5	6
Other theft	156	451	503	311	1,421	2	2	2	1	2
Fraud	18	113	112	105	348	*	*	1	*	*
Other dishonesty	98	240	206	155	699	1	1	1	1	1
<b>Fire-raising, vandalism, etc.</b>	<b>350</b>	<b>712</b>	<b>377</b>	<b>278</b>	<b>1,717</b>	<b>5</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>2</b>
Fire-raising	20	43	24	13	100	*	*	*	*	*
Vandalism etc.	330	669	353	265	1,617	4	3	2	1	2
<b>Other crimes</b>	<b>1,940</b>	<b>5,237</b>	<b>4,142</b>	<b>3,327</b>	<b>14,646</b>	<b>26</b>	<b>20</b>	<b>20</b>	<b>15</b>	<b>19</b>
Crimes against public justice	1,129	2,697	2,054	1,722	7,602	15	10	10	8	10
Handling offensive weapons	249	471	336	276	1,332	3	2	2	1	2
Drugs	538	2,031	1,725	1,278	5,572	7	8	8	6	7
Other crime	24	38	27	51	140	*	*	*	*	*
<b>All offences</b>	<b>4,210</b>	<b>16,543</b>	<b>12,596</b>	<b>16,112</b>	<b>49,461</b>	<b>55</b>	<b>64</b>	<b>61</b>	<b>72</b>	<b>65</b>
<b>Miscellaneous offences</b>	<b>2,631</b>	<b>8,500</b>	<b>6,028</b>	<b>6,748</b>	<b>23,907</b>	<b>35</b>	<b>33</b>	<b>29</b>	<b>30</b>	<b>31</b>
Common assault	1,208	3,366	2,152	2,152	8,878	16	13	10	10	12
Breach of the peace etc.	1,276	4,591	3,409	3,816	13,092	17	18	16	17	17
Drunkness and other disorderly conduct	6	14	17	19	56	*	*	*	*	*
Urinating etc.	1	2	-	9	12	*	*	-	*	*
Other miscellaneous	140	527	450	752	1,869	2	2	2	3	2
<b>Motor vehicle offences</b>	<b>1,579</b>	<b>8,043</b>	<b>6,568</b>	<b>9,364</b>	<b>25,554</b>	<b>21</b>	<b>31</b>	<b>32</b>	<b>42</b>	<b>33</b>
Dangerous and careless driving	382	1,065	601	1,095	3,143	5	4	3	5	4
Driving under the influence	186	838	711	1,169	2,904	2	3	3	5	4
Speeding	339	2,620	2,343	3,775	9,077	4	10	11	17	12
Unlawful use of motor vehicle	498	2,193	1,578	1,574	5,843	7	9	8	7	8
Vehicle defect offences	49	361	329	467	1,206	1	1	2	2	2
Seat belt offences	9	103	103	71	286	*	*	*	*	*
Mobile phone offences	31	396	456	410	1,293	*	2	2	2	2
Other motor vehicle offences	85	467	447	803	1,802	1	2	2	4	2

1. Excludes companies and gender not known.

**Table 6(b) Females<sup>1</sup> convicted by main crime/offence and age, 2016-17**

Main crime or offence	(Number)					(Per cent)				
	Under 21	21-30	31-40	over 40	Total	Under 21	21-30	31-40	over 40	Total
<b>All crimes and offences</b>	<b>1,218</b>	<b>4,660</b>	<b>4,959</b>	<b>5,005</b>	<b>15,842</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>All crimes</b>	<b>396</b>	<b>1,666</b>	<b>2,061</b>	<b>1,387</b>	<b>5,510</b>	<b>33</b>	<b>36</b>	<b>42</b>	<b>28</b>	<b>35</b>
<b>Non-sexual crimes of violence</b>	<b>25</b>	<b>72</b>	<b>76</b>	<b>34</b>	<b>207</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>1</b>
Homicide etc	-	3	5	3	11	-	*	*	*	*
Attempted murder and serious assault	21	37	23	17	98	2	1	*	*	1
Robbery	3	5	17	3	28	*	*	*	*	*
Other non-sexual crimes of violence	1	27	31	11	70	*	1	1	*	*
<b>Sexual crimes</b>	<b>2</b>	<b>11</b>	<b>58</b>	<b>10</b>	<b>81</b>	<b>*</b>	<b>*</b>	<b>1</b>	<b>*</b>	<b>1</b>
Rape and attempted rape	-	-	-	-	-	-	-	-	-	-
Sexual assault	-	1	1	3	5	-	*	*	*	*
Crimes associated with prostitution	-	8	47	4	59	-	*	1	*	*
Other sexual crimes	2	2	10	3	17	*	*	*	*	*
<b>Crimes of dishonesty</b>	<b>94</b>	<b>762</b>	<b>1,048</b>	<b>695</b>	<b>2,599</b>	<b>8</b>	<b>16</b>	<b>21</b>	<b>14</b>	<b>16</b>
Housebreaking	3	12	9	3	27	*	*	*	*	*
Theft by opening lockfast places	-	7	1	3	11	-	*	*	*	*
Theft from a motor vehicle	-	1	-	-	1	-	*	-	-	*
Theft of a motor vehicle	3	5	8	4	20	*	*	*	*	*
Shoplifting	53	541	796	476	1,866	4	12	16	10	12
Other theft	21	115	135	100	371	2	2	3	2	2
Fraud	9	50	66	75	200	1	1	1	1	1
Other dishonesty	5	31	33	34	103	*	1	1	1	1
<b>Fire-raising, vandalism, etc.</b>	<b>40</b>	<b>96</b>	<b>59</b>	<b>53</b>	<b>248</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>2</b>
Fire-raising	1	3	2	8	14	*	*	*	*	*
Vandalism etc.	39	93	57	45	234	3	2	1	1	1
<b>Other crimes</b>	<b>235</b>	<b>725</b>	<b>820</b>	<b>595</b>	<b>2,375</b>	<b>19</b>	<b>16</b>	<b>17</b>	<b>12</b>	<b>15</b>
Crimes against public justice	186	452	426	356	1,420	15	10	9	7	9
Handling offensive weapons	16	34	34	20	104	1	1	1	*	1
Drugs	27	227	346	206	806	2	5	7	4	5
Other crime	6	12	14	13	45	*	*	*	*	*
<b>All offences</b>	<b>822</b>	<b>2,994</b>	<b>2,898</b>	<b>3,618</b>	<b>10,332</b>	<b>67</b>	<b>64</b>	<b>58</b>	<b>72</b>	<b>65</b>
<b>Miscellaneous offences</b>	<b>595</b>	<b>1,625</b>	<b>1,458</b>	<b>1,612</b>	<b>5,290</b>	<b>49</b>	<b>35</b>	<b>29</b>	<b>32</b>	<b>33</b>
Common assault	337	783	635	610	2,365	28	17	13	12	15
Breach of the peace etc.	205	692	638	675	2,210	17	15	13	13	14
Drunkenness and other disorderly conduct	-	6	5	2	13	-	*	*	*	*
Urinating etc.	-	-	1	-	1	-	-	*	-	*
Other miscellaneous	53	144	179	325	701	4	3	4	6	4
<b>Motor vehicle offences</b>	<b>227</b>	<b>1,369</b>	<b>1,440</b>	<b>2,006</b>	<b>5,042</b>	<b>19</b>	<b>29</b>	<b>29</b>	<b>40</b>	<b>32</b>
Dangerous and careless driving	52	146	130	292	620	4	3	3	6	4
Driving under the influence	45	179	176	342	742	4	4	4	7	5
Speeding	48	430	476	653	1,607	4	9	10	13	10
Unlawful use of motor vehicle	55	402	433	434	1,324	5	9	9	9	8
Vehicle defect offences	3	35	44	47	129	*	1	1	1	1
Seat belt offences	-	11	4	12	27	-	*	*	*	*
Mobile phone offences	6	68	73	38	185	*	1	1	1	1
Other motor vehicle offences	18	98	104	188	408	1	2	2	4	3

1. Excludes companies and gender not known.

**Table 7(a) People convicted by main penalty, 2007-08 to 2016-17**

Main penalty	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	% change 2015-16 to 2016-17
<b>Total</b>	<b>133,608</b>	<b>125,893</b>	<b>121,041</b>	<b>115,581</b>	<b>108,424</b>	<b>101,019</b>	<b>105,664</b>	<b>106,583</b>	<b>99,962</b>	<b>92,334</b>	<b>-8</b>
<b>Custody</b>	<b>16,762</b>	<b>16,946</b>	<b>15,802</b>	<b>15,320</b>	<b>15,950</b>	<b>14,790</b>	<b>14,172</b>	<b>14,041</b>	<b>13,766</b>	<b>12,690</b>	<b>-8</b>
Prison	13,378	13,709	12,760	12,810	13,356	12,728	12,402	12,324	12,032	11,265	-6
Young offenders institution	3,089	2,960	2,679	2,082	2,105	1,606	1,244	1,155	1,184	1,014	-14
Supervised release order	178	206	179	230	267	265	286	325	351	236	-33
Extended sentence	117	70	175	185	212	174	223	217	189	166	-12
Order for life-long restriction	-	1	9	13	10	17	17	20	10	9	-10
<b>Community sentence</b>	<b>16,709</b>	<b>17,921</b>	<b>16,349</b>	<b>15,615</b>	<b>16,937</b>	<b>17,263</b>	<b>18,276</b>	<b>18,584</b>	<b>18,949</b>	<b>18,600</b>	<b>-2</b>
Community payback order	-	-	-	461	10,380	14,940	16,379	16,769	16,763	15,918	-5
Restriction of liberty order	1,155	1,143	931	831	845	919	1,078	1,174	1,643	2,200	34
Drug treatment & testing order	822	885	807	806	642	607	589	525	474	439	-7
Community service order	5,601	5,784	5,471	5,306	2,642	479	141	68	40	16	-60
Probation and other community sentences <sup>1</sup>	9,131	10,109	9,140	8,211	2,428	318	89	48	29	27	-7
<b>Financial penalty</b>	<b>83,344</b>	<b>73,991</b>	<b>72,491</b>	<b>67,576</b>	<b>59,320</b>	<b>53,429</b>	<b>57,797</b>	<b>56,779</b>	<b>49,872</b>	<b>44,999</b>	<b>-10</b>
Fine	82,019	72,838	71,452	66,492	58,395	52,661	56,923	55,939	49,100	44,272	-10
Compensation order	1,325	1,153	1,039	1,084	925	768	874	840	772	727	-6
<b>Other sentence</b>	<b>16,793</b>	<b>17,035</b>	<b>16,399</b>	<b>17,070</b>	<b>16,217</b>	<b>15,537</b>	<b>15,419</b>	<b>17,179</b>	<b>17,375</b>	<b>16,045</b>	<b>-8</b>
Admonition <sup>2</sup>	16,084	16,398	15,687	16,421	15,577	15,011	14,839	16,427	16,501	15,228	-8
Absolute discharge, no order made	430	412	522	460	476	361	465	660	788	688	-13
Remit to children's hearing	259	209	175	170	140	133	94	67	77	101	31
Insanity, hospital, guardianship order	20	16	15	19	24	32	21	25	9	28	211
<b>Average amount of penalty</b>											
Custody (days)	249	263	282	278	290	285	296	289	293	313	
Fine (£) <sup>3,4</sup>	175	200	180	180	200	200	180	200	200	200	
Compensation order (£) <sup>4,5</sup>	150	180	180	190	200	200	200	200	200	250	

1. Includes supervised attendance orders, community reparation orders and anti-social behaviour orders. 2. Includes a small number of court cautions and dog-related disposals.  
3. Excludes company fines. 4. Calculated as the median. 5. As main or secondary penalty.

**Table 7(b) Percentage of people convicted by main penalty, 2007-08 to 2016-17**

Main penalty	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	Percentage
<b>Total</b>											
<b>Custody</b>	<b>13</b>	<b>13</b>	<b>13</b>	<b>13</b>	<b>15</b>	<b>15</b>	<b>13</b>	<b>13</b>	<b>14</b>	<b>14</b>	
Prison	10	11	11	11	12	13	12	12	12	12	
Young offenders institution	2	2	2	2	2	2	1	1	1	1	
Supervised release order	*	*	*	*	*	*	*	*	*	*	
Extended sentence	*	*	*	*	*	*	*	*	*	*	
Order for life-long restriction	-	*	*	*	*	*	*	*	*	*	
<b>Community sentence</b>	<b>13</b>	<b>14</b>	<b>14</b>	<b>14</b>	<b>16</b>	<b>17</b>	<b>17</b>	<b>17</b>	<b>19</b>	<b>20</b>	
Community payback order	-	-	-	*	10	15	16	16	17	17	
Restriction of liberty order	1	1	1	1	1	1	1	1	2	2	
Drug treatment & testing order	1	1	1	1	1	1	1	*	*	*	
Community service order	4	5	5	5	2	*	*	*	*	*	
Probation and other community sentences	7	8	8	7	2	*	*	*	*	*	
<b>Financial penalty</b>	<b>62</b>	<b>59</b>	<b>60</b>	<b>58</b>	<b>55</b>	<b>53</b>	<b>55</b>	<b>53</b>	<b>50</b>	<b>49</b>	
Fine	61	58	59	58	54	52	54	52	49	48	
Compensation order	1	1	1	1	1	1	1	1	1	1	
<b>Other sentence</b>	<b>13</b>	<b>14</b>	<b>14</b>	<b>15</b>	<b>15</b>	<b>15</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>17</b>	
Admonition	12	13	13	14	14	15	14	15	17	16	
Absolute discharge, no order made	*	*	*	*	*	*	*	1	1	1	
Remit to children's hearing	*	*	*	*	*	*	*	*	*	*	
Insanity, hospital, guardianship order	*	*	*	*	*	*	*	*	*	*	

**Table 8(a) People convicted by main crime/offence and main penalty, 2016-17**

Main crime or offence	Prison	Young	Supervised	Extended sentence	Order for	Community	Restriction	Drug	Community	Probation	Compen sation order	Admonition	Absolute discharge	Remit to Children's hearing	Insanity,	Total	
		offenders institution	release order		lifelong restriction	payback order	of liberty order	treatment and testing order	service order	and other community sentences					guardianship, hospital order		
<b>All crimes and offences</b>	<b>11,265</b>	<b>1,014</b>	<b>236</b>	<b>166</b>	<b>9</b>	<b>15,918</b>	<b>2,200</b>	<b>439</b>	<b>16</b>	<b>27</b>	<b>44,272</b>	<b>727</b>	<b>15,228</b>	<b>688</b>	<b>101</b>	<b>28</b>	<b>92,334</b>
<b>All crimes</b>	<b>7,319</b>	<b>637</b>	<b>189</b>	<b>158</b>	<b>9</b>	<b>7,376</b>	<b>1,208</b>	<b>382</b>	<b>9</b>	<b>20</b>	<b>7,585</b>	<b>381</b>	<b>7,004</b>	<b>186</b>	<b>62</b>	<b>15</b>	<b>32,540</b>
<b>Non-sexual crimes of violence</b>	<b>693</b>	<b>117</b>	<b>106</b>	<b>56</b>	<b>3</b>	<b>436</b>	<b>136</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>81</b>	<b>13</b>	<b>66</b>	<b>6</b>	<b>5</b>	<b>1</b>	<b>1,722</b>
Homicide etc	49	6	-	2	-	15	-	-	-	-	4	-	-	1	-	-	77
Attempted murder and serious assault	428	73	62	40	3	315	105	-	-	-	51	9	15	4	4	1	1,110
Robbery	182	38	42	14	-	49	20	3	-	-	11	3	10	-	-	-	372
Other non-sexual crimes of violence	34	-	2	-	-	57	11	-	-	-	15	1	41	1	1	-	163
<b>Sexual crimes</b>	<b>273</b>	<b>13</b>	<b>1</b>	<b>94</b>	<b>6</b>	<b>401</b>	<b>27</b>	<b>-</b>	<b>2</b>	<b>16</b>	<b>87</b>	<b>8</b>	<b>85</b>	<b>22</b>	<b>-</b>	<b>2</b>	<b>1,037</b>
Rape and attempted rape	62	5	-	23	3	1	-	-	-	-	-	-	1	3	-	-	98
Sexual assault	107	2	1	31	2	91	4	-	2	5	3	7	4	6	-	1	266
Crimes associated with prostitution	-	-	-	-	-	2	-	-	-	-	25	-	53	3	-	-	83
Other sexual crimes	104	6	-	40	1	307	23	-	-	11	59	1	27	10	-	1	590
<b>Crimes of dishonesty</b>	<b>3,116</b>	<b>177</b>	<b>26</b>	<b>-</b>	<b>-</b>	<b>2,221</b>	<b>339</b>	<b>249</b>	<b>3</b>	<b>2</b>	<b>1,991</b>	<b>194</b>	<b>2,416</b>	<b>36</b>	<b>16</b>	<b>9</b>	<b>10,795</b>
Housebreaking	453	63	21	-	-	177	54	22	-	-	28	7	42	-	1	-	868
Theft by opening lockfast places	85	5	1	-	-	40	7	3	-	-	18	3	21	-	-	-	183
Theft from a motor vehicle	41	1	-	-	-	23	3	5	-	-	6	3	11	-	-	-	93
Theft of a motor vehicle	73	15	1	-	-	95	24	2	-	-	41	-	12	1	2	-	266
Shoplifting	1,592	38	-	-	-	1,065	119	156	1	-	1,306	79	1,856	18	4	9	6,243
Other theft	508	25	2	-	-	414	61	41	-	-	348	69	310	9	5	-	1,792
Fraud	139	5	-	-	-	160	33	4	2	1	118	24	55	6	1	-	548
Other dishonesty	225	25	1	-	-	247	38	16	-	1	126	9	109	2	3	-	802
<b>Fire-raising, vandalism, etc.</b>	<b>270</b>	<b>40</b>	<b>11</b>	<b>1</b>	<b>-</b>	<b>557</b>	<b>91</b>	<b>7</b>	<b>1</b>	<b>-</b>	<b>470</b>	<b>161</b>	<b>342</b>	<b>8</b>	<b>6</b>	<b>-</b>	<b>1,965</b>
Fire-raising	43	2	4	1	-	38	11	2	-	-	4	-	7	1	1	-	114
Vandalism etc.	227	38	7	-	-	519	80	5	1	-	466	161	335	7	5	-	1,851
<b>Other crimes</b>	<b>2,967</b>	<b>290</b>	<b>45</b>	<b>7</b>	<b>-</b>	<b>3,761</b>	<b>615</b>	<b>123</b>	<b>3</b>	<b>2</b>	<b>4,956</b>	<b>5</b>	<b>4,095</b>	<b>114</b>	<b>35</b>	<b>3</b>	<b>17,021</b>
Crimes against public justice	1,526	198	8	5	-	2,044	292	42	1	1	1,967	1	2,841	66	27	3	9,022
Handling offensive weapons	411	48	30	-	-	501	102	12	2	-	190	-	120	14	6	-	1,436
Drugs	977	32	5	2	-	1,172	215	69	-	1	2,778	-	1,096	30	1	-	6,378
Other crime	53	12	2	-	-	44	6	-	-	-	21	4	38	4	1	-	185
<b>All offences</b>	<b>3,946</b>	<b>377</b>	<b>47</b>	<b>8</b>	<b>-</b>	<b>8,542</b>	<b>992</b>	<b>57</b>	<b>7</b>	<b>7</b>	<b>36,687</b>	<b>346</b>	<b>8,224</b>	<b>502</b>	<b>39</b>	<b>13</b>	<b>59,794</b>
<b>Miscellaneous offences</b>	<b>3,481</b>	<b>350</b>	<b>47</b>	<b>8</b>	<b>-</b>	<b>7,178</b>	<b>869</b>	<b>53</b>	<b>7</b>	<b>7</b>	<b>9,167</b>	<b>340</b>	<b>7,183</b>	<b>458</b>	<b>37</b>	<b>13</b>	<b>29,198</b>
Common assault	1,507	184	35	6	-	3,151	404	14	1	5	3,180	203	2,321	205	21	6	11,243
Breach of the peace etc.	1,688	143	11	2	-	3,405	360	36	-	-	5,043	93	4,283	218	13	7	15,302
Drunkenness and other disorderly conduct	2	-	-	-	-	4	-	-	-	-	25	-	38	-	-	-	69
Other miscellaneous, including urinating	284	23	1	-	-	618	105	3	6	2	919	44	541	35	3	-	2,584
<b>Motor vehicle offences</b>	<b>465</b>	<b>27</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,364</b>	<b>123</b>	<b>4</b>	<b>-</b>	<b>-</b>	<b>27,520</b>	<b>6</b>	<b>1,041</b>	<b>44</b>	<b>2</b>	<b>-</b>	<b>30,596</b>
Dangerous and careless driving	135	18	-	-	-	281	41	1	-	-	3,200	3	78	5	1	-	3,763
Driving under the influence	93	-	-	-	-	615	48	2	-	-	2,851	-	34	3	-	-	3,646
Speeding	-	-	-	-	-	17	-	-	-	-	10,614	-	52	1	-	-	10,684
Unlawful use of motor vehicle	231	7	-	-	-	406	30	1	-	-	5,823	2	641	25	1	-	7,167
Vehicle defect offences	-	-	-	-	-	5	-	-	-	-	1,234	-	92	4	-	-	1,335
Other motor vehicle offences <sup>1</sup>	6	2	-	-	-	40	4	-	-	-	3,798	1	144	6	-	-	4,001

1. Includes seat belt and mobile phone offences.

**Table 8(b) People convicted by main crime/offence and main penalty, 2016-17**

Main crime or offence	Row percentages					Column percentages				
	Community					Community				
	Custody	sentence	Monetary	Other	Total	Custody	sentence	Monetary	Other	Total
<b>All crimes and offences</b>	<b>14</b>	<b>20</b>	<b>49</b>	<b>17</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>All crimes</b>	<b>26</b>	<b>28</b>	<b>24</b>	<b>22</b>	<b>100</b>	<b>66</b>	<b>48</b>	<b>18</b>	<b>45</b>	<b>35</b>
<b>Non-sexual crimes of violence</b>	<b>57</b>	<b>33</b>	<b>5</b>	<b>5</b>	<b>100</b>	<b>8</b>	<b>3</b>	<b>*</b>	<b>*</b>	<b>2</b>
Homicide etc	74	19	5	1	100	*	*	*	*	*
Attempted murder and serious assault	55	38	5	2	100	5	2	*	*	1
Robbery	74	19	4	3	100	2	*	*	*	*
Other non-sexual crimes of violence	22	42	10	26	100	*	*	*	*	*
<b>Sexual crimes</b>	<b>37</b>	<b>43</b>	<b>9</b>	<b>11</b>	<b>100</b>	<b>3</b>	<b>2</b>	<b>*</b>	<b>1</b>	<b>1</b>
Rape and attempted rape	95	1	-	4	100	1	*	-	*	*
Sexual assault	54	38	4	4	100	1	1	*	*	*
Crimes associated with prostitution	-	2	30	67	100	-	*	*	*	*
Other sexual crimes	26	58	10	6	100	1	2	*	*	1
<b>Crimes of dishonesty</b>	<b>31</b>	<b>26</b>	<b>20</b>	<b>23</b>	<b>100</b>	<b>26</b>	<b>15</b>	<b>5</b>	<b>15</b>	<b>12</b>
Housebreaking	62	29	4	5	100	4	1	*	*	1
Theft by opening lockfast places	50	27	11	11	100	1	*	*	*	*
Theft from a motor vehicle	45	33	10	12	100	*	*	*	*	*
Theft of a motor vehicle	33	45	15	6	100	1	1	*	*	*
Shoplifting	26	21	22	30	100	13	7	3	12	7
Other theft	30	29	23	18	100	4	3	1	2	2
Fraud	26	36	26	11	100	1	1	*	*	1
Other dishonesty	31	38	17	14	100	2	2	*	1	1
<b>Fire-raising, vandalism, etc.</b>	<b>16</b>	<b>33</b>	<b>32</b>	<b>18</b>	<b>100</b>	<b>3</b>	<b>4</b>	<b>1</b>	<b>2</b>	<b>2</b>
Fire-raising	44	45	4	8	100	*	*	*	*	*
Vandalism etc.	15	33	34	19	100	2	3	1	2	2
<b>Other crimes</b>	<b>19</b>	<b>26</b>	<b>29</b>	<b>25</b>	<b>100</b>	<b>26</b>	<b>24</b>	<b>11</b>	<b>26</b>	<b>18</b>
Crimes against public justice	19	26	22	33	100	14	13	4	18	10
Handling offensive weapons	34	43	13	10	100	4	3	*	1	2
Drugs	16	23	44	18	100	8	8	6	7	7
Other crime	36	27	14	23	100	1	*	*	*	*
<b>All offences</b>	<b>7</b>	<b>16</b>	<b>62</b>	<b>15</b>	<b>100</b>	<b>34</b>	<b>52</b>	<b>82</b>	<b>55</b>	<b>65</b>
<b>Miscellaneous offences</b>	<b>13</b>	<b>28</b>	<b>33</b>	<b>26</b>	<b>100</b>	<b>31</b>	<b>44</b>	<b>21</b>	<b>48</b>	<b>32</b>
Common assault	15	32	30	23	100	14	19	8	16	12
Breach of the peace etc.	12	25	34	30	100	15	20	11	28	17
Drunkenness and other disorderly conduct	3	6	36	55	100	*	*	*	*	*
Other miscellaneous, including urinating	12	28	37	22	100	2	4	2	4	3
<b>Motor vehicle offences</b>	<b>2</b>	<b>5</b>	<b>90</b>	<b>4</b>	<b>100</b>	<b>4</b>	<b>8</b>	<b>61</b>	<b>7</b>	<b>33</b>
Dangerous and careless driving	4	9	85	2	100	1	2	7	1	4
Driving under the influence	3	18	78	1	100	1	4	6	*	4
Speeding	-	*	99	*	100	-	*	24	*	12
Unlawful use of motor vehicle	3	6	81	9	100	2	2	13	4	8
Vehicle defect offences	-	*	92	7	100	-	*	3	1	1
Other motor vehicle offences <sup>1</sup>	*	1	95	4	100	*	*	8	1	4

1. Includes seat belt and mobile phone offences.

**Table 8(c) People convicted by gender, main crime/offence and main penalty, 2016-17**

Main crime or offence	Male					Female				
	Total	(percentages)				Total	(percentages)			
		Custody	Community sentence	Monetary	Other		Custody	Community sentence	Monetary	Other
<b>All crimes and offences</b>	<b>76,491</b>	<b>15</b>	<b>20</b>	<b>49</b>	<b>15</b>	<b>15,842</b>	<b>6</b>	<b>19</b>	<b>47</b>	<b>28</b>
<b>All crimes</b>	<b>27,030</b>	<b>28</b>	<b>28</b>	<b>25</b>	<b>20</b>	<b>5,510</b>	<b>13</b>	<b>28</b>	<b>23</b>	<b>35</b>
<b>Non-sexual crimes of violence</b>	<b>1,515</b>	<b>61</b>	<b>30</b>	<b>6</b>	<b>3</b>	<b>207</b>	<b>22</b>	<b>55</b>	<b>5</b>	<b>18</b>
Homicide etc	66	80	14	5	2	11	36	55	9	-
Attempted murder and serious assault	1,012	57	35	6	2	98	27	64	3	6
Robbery	344	76	18	3	2	28	46	32	7	14
Other non-sexual crimes of violence	93	35	34	13	17	70	4	51	6	39
<b>Sexual crimes</b>	<b>956</b>	<b>40</b>	<b>46</b>	<b>8</b>	<b>6</b>	<b>81</b>	<b>5</b>	<b>14</b>	<b>19</b>	<b>63</b>
Rape and attempted rape	98	95	1	-	4	-	-	-	-	-
Sexual assault	261	54	38	4	4	5	40	60	-	-
Crimes associated with prostitution	24	-	-	54	46	59	-	3	20	76
Other sexual crimes	573	26	58	10	6	17	12	35	18	35
<b>Crimes of dishonesty</b>	<b>8,196</b>	<b>35</b>	<b>26</b>	<b>19</b>	<b>20</b>	<b>2,599</b>	<b>17</b>	<b>27</b>	<b>23</b>	<b>33</b>
Housebreaking	841	63	29	4	5	27	33	37	11	19
Theft by opening lockfast places	172	53	27	11	9	11	-	27	18	55
Theft from a motor vehicle	92	46	34	10	11	1	-	-	-	100
Theft of a motor vehicle	246	35	44	15	6	20	15	60	20	5
Shoplifting	4,377	31	21	22	27	1,866	16	23	23	38
Other theft	1,421	32	29	22	17	371	21	30	26	23
Fraud	348	32	34	26	8	200	17	41	26	17
Other dishonesty	699	34	34	17	15	103	15	59	15	12
<b>Fire-raising, vandalism, etc.</b>	<b>1,717</b>	<b>18</b>	<b>34</b>	<b>32</b>	<b>16</b>	<b>248</b>	<b>8</b>	<b>28</b>	<b>30</b>	<b>33</b>
Fire-raising	100	47	41	3	9	14	21	71	7	-
Vandalism etc.	1,617	16	34	34	16	234	7	26	32	35
<b>Other crimes</b>	<b>14,646</b>	<b>21</b>	<b>26</b>	<b>30</b>	<b>23</b>	<b>2,375</b>	<b>10</b>	<b>27</b>	<b>24</b>	<b>39</b>
Crimes against public justice	7,602	21	27	23	30	1,420	10	26	18	47
Handling offensive weapons	1,332	36	43	14	8	104	15	48	10	27
Drugs	5,572	17	22	44	17	806	9	27	38	26
Other crime	140	45	25	10	20	45	9	33	24	33
<b>All offences</b>	<b>49,461</b>	<b>8</b>	<b>16</b>	<b>63</b>	<b>13</b>	<b>10,332</b>	<b>3</b>	<b>14</b>	<b>59</b>	<b>24</b>
<b>Miscellaneous offences</b>	<b>23,907</b>	<b>15</b>	<b>29</b>	<b>34</b>	<b>23</b>	<b>5,290</b>	<b>5</b>	<b>24</b>	<b>28</b>	<b>43</b>
Common assault	8,878	18	33	31	18	2,365	5	27	27	41
Breach of the peace etc.	13,092	13	26	35	26	2,210	4	17	28	50
Drunkenness and other disorderly conduct	56	2	5	36	57	13	8	8	38	46
Other miscellaneous, including urinating	1,881	15	26	39	20	702	4	35	32	28
<b>Motor vehicle offences</b>	<b>25,554</b>	<b>2</b>	<b>5</b>	<b>90</b>	<b>3</b>	<b>5,042</b>	<b>*</b>	<b>4</b>	<b>91</b>	<b>5</b>
Dangerous and careless driving	3,143	5	9	84	2	620	*	4	93	2
Driving under the influence	2,904	3	18	78	1	742	1	18	80	1
Speeding	9,077	-	*	99	*	1,607	-	-	99	1
Unlawful use of motor vehicle	5,843	4	7	80	9	1,324	*	2	85	12
Vehicle defect offences	1,206	-	*	93	7	129	-	1	88	12
Other motor vehicle offences <sup>1</sup>	3,381	*	1	95	4	620	-	1	95	3

1. Includes seat belt and mobile phone offences.

**Table 9 Percentage of people convicted receiving custodial sentences by main crime/offence, 2007-08 to 2016-17**

Main crime or offence	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
<b>All crimes and offences</b>	<b>13</b>	<b>13</b>	<b>13</b>	<b>13</b>	<b>15</b>	<b>15</b>	<b>13</b>	<b>13</b>	<b>14</b>	<b>14</b>
<b>All crimes</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>27</b>	<b>26</b>	<b>25</b>	<b>26</b>
<b>Non-sexual crimes of violence</b>	<b>51</b>	<b>55</b>	<b>58</b>	<b>53</b>	<b>60</b>	<b>60</b>	<b>61</b>	<b>59</b>	<b>58</b>	<b>57</b>
Homicide etc	96	98	91	83	83	82	88	69	73	74
Attempted murder and serious assault	48	53	56	53	62	56	60	58	57	55
Robbery	66	71	73	72	78	78	76	78	78	74
Other non-sexual crimes of violence	25	19	27	27	21	23	24	25	17	22
<b>Sexual crimes</b>	<b>24</b>	<b>24</b>	<b>31</b>	<b>26</b>	<b>27</b>	<b>34</b>	<b>34</b>	<b>32</b>	<b>33</b>	<b>37</b>
Rape and attempted rape	92	98	93	94	94	92	92	93	90	95
Sexual assault	47	52	62	46	45	48	46	38	43	54
Crimes associated with prostitution	1	1	3	1	2	-	3	-	1	-
Other sexual crimes	22	23	27	28	24	28	29	24	24	26
<b>Crimes of dishonesty</b>	<b>28</b>	<b>29</b>	<b>29</b>	<b>30</b>	<b>31</b>	<b>32</b>	<b>32</b>	<b>33</b>	<b>32</b>	<b>31</b>
Housebreaking	47	45	49	53	54	54	55	58	62	62
Theft by opening lockfast places	34	36	37	38	40	45	42	37	37	50
Theft from a motor vehicle	40	45	39	41	45	42	39	51	40	45
Theft of a motor vehicle	22	27	24	27	29	31	26	27	31	33
Shoplifting	26	27	26	27	28	28	29	31	29	26
Other theft	26	27	29	28	28	30	30	31	29	30
Fraud	18	21	21	23	24	29	23	22	30	26
Other dishonesty	25	27	29	31	33	32	33	30	34	31
<b>Fire-raising, vandalism, etc.</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>15</b>	<b>15</b>	<b>15</b>	<b>14</b>	<b>16</b>	<b>16</b>
Fire-raising	36	31	30	35	41	47	38	35	43	44
Vandalism etc.	9	10	11	12	13	13	14	13	15	15
<b>Other crimes</b>	<b>21</b>	<b>22</b>	<b>22</b>	<b>21</b>	<b>22</b>	<b>22</b>	<b>21</b>	<b>20</b>	<b>19</b>	<b>19</b>
Crimes against public justice	22	20	22	20	21	21	21	21	20	19
Handling offensive weapons	29	30	32	31	36	38	38	37	34	34
Drugs	15	19	19	19	19	17	16	14	14	16
Other crime	35	31	27	26	32	35	35	26	26	36
<b>All offences</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>7</b>	<b>7</b>	<b>6</b>	<b>7</b>	<b>7</b>	<b>7</b>
<b>Miscellaneous offences</b>	<b>10</b>	<b>12</b>	<b>12</b>	<b>13</b>	<b>15</b>	<b>15</b>	<b>14</b>	<b>13</b>	<b>13</b>	<b>13</b>
Common assault	14	15	15	16	17	17	16	15	16	15
Breach of the peace etc.	10	11	12	13	14	14	14	13	12	12
Drunkenness and other disorderly conduct	*	*	1	*	2	1	1	*	2	3
Other miscellaneous, including urinating	5	8	6	7	11	11	11	11	11	12
<b>Motor vehicle offences</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>2</b>
Dangerous and careless driving	4	4	3	3	4	3	2	3	4	4
Driving under the influence	2	2	2	2	2	2	2	2	3	3
Speeding	-	-	-	-	-	-	-	-	-	-
Unlawful use of motor vehicle	5	5	3	3	4	3	2	2	3	3
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-
Other motor vehicle offences <sup>1</sup>	*	*	*	*	*	*	*	*	*	*

1. Includes seat belt and mobile phone offences.

**Table 10(a) People receiving a custodial sentence by main crime/offence and length of sentence, 2016-17<sup>1</sup>**

Main crime or offence	Total	(Numbers)							(Percentages)						
		Up to 3 months	Over 3 months to 6 months	Over 6 months to 1 year	Over 1 year to 2 years	Over 2 years to less than 4 years	4 years and over	Life	Average length of sentence (days) <sup>2,3</sup>	Up to 3 months	Over 3 months to 6 months	Over 6 months to 1 year	Over 1 year to 2 years	Over 2 years to less than 4 years	4 years and over including life etc
<b>All crimes and offences</b>	<b>12,649</b>	<b>3,495</b>	<b>4,459</b>	<b>2,150</b>	<b>1,427</b>	<b>644</b>	<b>444</b>	<b>30</b>	<b>313</b>	<b>28</b>	<b>35</b>	<b>17</b>	<b>11</b>	<b>5</b>	<b>4</b>
<b>All crimes</b>	<b>8,282</b>	<b>2,353</b>	<b>2,410</b>	<b>1,281</b>	<b>1,202</b>	<b>578</b>	<b>428</b>	<b>30</b>	<b>379</b>	<b>28</b>	<b>29</b>	<b>15</b>	<b>15</b>	<b>7</b>	<b>6</b>
<b>Non-sexual crimes of violence</b>	<b>959</b>	<b>8</b>	<b>35</b>	<b>134</b>	<b>361</b>	<b>207</b>	<b>184</b>	<b>30</b>	<b>950</b>	<b>1</b>	<b>4</b>	<b>14</b>	<b>38</b>	<b>22</b>	<b>22</b>
Homicide etc	56	-	1	1	6	4	14	30	1,899	-	2	2	11	7	79
Attempted murder and serious assault	595	1	16	82	232	147	117	-	981	*	3	14	39	25	20
Robbery	272	5	13	42	111	53	48	-	829	2	5	15	41	19	18
Other non-sexual crimes of violence	36	2	5	9	12	3	5	-	675	6	14	25	33	8	14
<b>Sexual crimes</b>	<b>386</b>	<b>12</b>	<b>22</b>	<b>64</b>	<b>85</b>	<b>67</b>	<b>136</b>	<b>-</b>	<b>1,229</b>	<b>3</b>	<b>6</b>	<b>17</b>	<b>22</b>	<b>17</b>	<b>35</b>
Rape and attempted rape	92	-	-	-	1	6	85	-	2,462	-	-	-	1	7	92
Sexual assault	143	4	10	21	37	41	30	-	947	3	7	15	26	29	21
Crimes associated with prostitution	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other sexual crimes	151	8	12	43	47	20	21	-	743	5	8	28	31	13	14
<b>Crimes of dishonesty</b>	<b>3,312</b>	<b>1,113</b>	<b>1,284</b>	<b>538</b>	<b>277</b>	<b>89</b>	<b>11</b>	<b>-</b>	<b>205</b>	<b>34</b>	<b>39</b>	<b>16</b>	<b>8</b>	<b>3</b>	<b>*</b>
Housebreaking	534	29	95	155	194	56	5	-	451	5	18	29	36	10	1
Theft by opening lockfast places	91	16	43	22	7	2	1	-	254	18	47	24	8	2	1
Theft from a motor vehicle	42	5	26	10	-	1	-	-	192	12	62	24	-	2	-
Theft of a motor vehicle	89	16	40	18	12	3	-	-	236	18	45	20	13	3	-
Shoplifting	1,627	754	734	132	6	1	-	-	118	46	45	8	*	*	-
Other theft	534	146	236	119	25	6	2	-	192	27	44	22	5	1	*
Fraud	144	33	33	48	14	13	3	-	334	23	23	33	10	9	2
Other dishonesty	251	114	77	34	19	7	-	-	181	45	31	14	8	3	-
<b>Fire-raising, vandalism, etc.</b>	<b>322</b>	<b>89</b>	<b>125</b>	<b>46</b>	<b>39</b>	<b>14</b>	<b>9</b>	<b>-</b>	<b>277</b>	<b>28</b>	<b>39</b>	<b>14</b>	<b>12</b>	<b>4</b>	<b>3</b>
Fire-raising	50	2	8	10	17	7	6	-	637	4	16	20	34	14	12
Vandalism etc.	272	87	117	36	22	7	3	-	211	32	43	13	8	3	1
<b>Other crimes</b>	<b>3,303</b>	<b>1,131</b>	<b>944</b>	<b>499</b>	<b>440</b>	<b>201</b>	<b>88</b>	<b>-</b>	<b>302</b>	<b>34</b>	<b>29</b>	<b>15</b>	<b>13</b>	<b>6</b>	<b>3</b>
Crimes against public justice	1,735	923	593	164	41	13	1	-	129	53	34	9	2	1	*
Handling offensive weapons	488	30	118	137	157	44	2	-	391	6	24	28	32	9	*
Drugs	1,013	170	210	182	236	140	75	-	537	17	21	18	23	14	7
Other crime	67	8	23	16	6	4	10	-	597	12	34	24	9	6	15
<b>All offences</b>	<b>4,367</b>	<b>1,142</b>	<b>2,049</b>	<b>869</b>	<b>225</b>	<b>66</b>	<b>16</b>	<b>-</b>	<b>190</b>	<b>26</b>	<b>47</b>	<b>20</b>	<b>5</b>	<b>2</b>	<b>*</b>
<b>Miscellaneous offences</b>	<b>3,876</b>	<b>1,100</b>	<b>1,829</b>	<b>666</b>	<b>205</b>	<b>61</b>	<b>15</b>	<b>-</b>	<b>186</b>	<b>28</b>	<b>47</b>	<b>17</b>	<b>5</b>	<b>2</b>	<b>*</b>
Common assault	1,725	324	817	396	142	43	3	-	219	19	47	23	8	2	*
Breach of the peace etc.	1,841	689	868	224	45	14	1	-	145	37	47	12	2	1	*
Drunkenness and other disorderly conduct	2	-	2	-	-	-	-	-	152	-	100	-	-	-	-
Other miscellaneous, including urinating	308	87	142	46	18	4	11	-	240	28	46	15	6	1	4
<b>Motor vehicle offences</b>	<b>491</b>	<b>42</b>	<b>220</b>	<b>203</b>	<b>20</b>	<b>5</b>	<b>1</b>	<b>-</b>	<b>222</b>	<b>9</b>	<b>45</b>	<b>41</b>	<b>4</b>	<b>1</b>	<b>*</b>
Dangerous and careless driving	153	6	52	73	17	4	1	-	286	4	34	48	11	3	1
Driving under the influence	93	18	67	8	-	-	-	-	142	19	72	9	-	-	-
Speeding	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Unlawful use of motor vehicle	237	16	96	121	3	1	-	-	215	7	41	51	1	*	-
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other motor vehicle offences <sup>4</sup>	8	2	5	1	-	-	-	-	128	25	63	13	-	-	-

1. Excludes a small number of cases which resulted in detention of a child aged under 16, recall sentences and a small number of records we do not have sentence information for.
2. Excludes life sentences.
3. Average sentence length figures for some categories may be underestimated slightly due to late recording of some high court disposals.
4. Includes seat belt and mobile phone offences.



**Table 10(b) People receiving a custodial sentence by gender, main crime/offence and length of sentence, 2016-17<sup>1</sup>**

Main crime or offence	Male								Female							
	Total	(Percentages)							Total	(Percentages)						
		Up to 3 months	Over 3 months to 6 months	Over 6 months to 1 year	Over 1 year to less than 2 years	Over 2 years to less than 4 years	4 years and over including life etc	Up to 3 months		Over 3 months to 6 months	Over 6 months to 1 year	Over 1 year to less than 2 years	Over 2 years to less than 4 years	4 years and over including life etc		
<b>All crimes and offences</b>	<b>11,656</b>	<b>26</b>	<b>35</b>	<b>17</b>	<b>12</b>	<b>5</b>	<b>4</b>	<b>993</b>	<b>43</b>	<b>37</b>	<b>11</b>	<b>5</b>	<b>3</b>	<b>1</b>		
<b>All crimes</b>	<b>7,549</b>	<b>27</b>	<b>29</b>	<b>16</b>	<b>15</b>	<b>7</b>	<b>6</b>	<b>733</b>	<b>45</b>	<b>32</b>	<b>11</b>	<b>7</b>	<b>4</b>	<b>1</b>		
<b>Non-sexual crimes of violence</b>	<b>914</b>	<b>1</b>	<b>4</b>	<b>14</b>	<b>38</b>	<b>22</b>	<b>23</b>	<b>45</b>	<b>7</b>	<b>7</b>	<b>18</b>	<b>31</b>	<b>22</b>	<b>16</b>		
Homicide etc	52	*	2	2	12	8	77	4	*	*	*	*	*	100		
Attempted murder and serious assault	570	*	3	13	39	24	20	25	*	4	24	32	36	4		
Robbery	259	1	4	16	41	20	18	13	15	15	8	38	8	15		
Other non-sexual crimes of violence	33	3	15	24	33	9	15	3	33	*	33	33	*	*		
<b>Sexual crimes</b>	<b>382</b>	<b>3</b>	<b>6</b>	<b>17</b>	<b>22</b>	<b>17</b>	<b>36</b>	<b>4</b>	<b>25</b>	<b>*</b>	<b>*</b>	<b>50</b>	<b>25</b>	<b>*</b>		
Rape and attempted rape	92	*	*	*	1	7	92	-	-	-	-	-	-	-		
Sexual assault	141	3	7	15	26	28	21	2	*	*	*	50	50	*		
Crimes associated with prostitution	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Other sexual crimes	149	5	8	29	31	13	14	2	50	*	*	50	*	*		
<b>Crimes of dishonesty</b>	<b>2,881</b>	<b>31</b>	<b>39</b>	<b>17</b>	<b>9</b>	<b>3</b>	<b>*</b>	<b>431</b>	<b>49</b>	<b>35</b>	<b>11</b>	<b>4</b>	<b>1</b>	<b>*</b>		
Housebreaking	525	5	18	29	36	11	1	9	11	11	33	44	*	*		
Theft by opening lockfast places	91	18	47	24	8	2	1	-	-	-	-	-	-	-		
Theft from a motor vehicle	42	12	62	24	*	2	*	-	-	-	-	-	-	-		
Theft of a motor vehicle	86	19	43	21	14	3	*	3	*	100	*	*	*	*		
Shoplifting	1,334	43	48	8	*	*	*	293	59	33	6	1	*	*		
Other theft	457	26	45	23	5	1	*	77	35	40	19	4	1	*		
Fraud	110	24	17	36	11	9	3	34	21	41	24	6	9	*		
Other dishonesty	236	47	31	14	6	3	*	15	20	27	13	33	7	*		
<b>Fire-raising, vandalism, etc.</b>	<b>302</b>	<b>28</b>	<b>37</b>	<b>14</b>	<b>13</b>	<b>5</b>	<b>3</b>	<b>20</b>	<b>20</b>	<b>60</b>	<b>20</b>	<b>*</b>	<b>*</b>	<b>*</b>		
Fire-raising	47	4	13	19	36	15	13	3	*	67	33	*	*	*		
Vandalism etc.	255	33	42	13	9	3	1	17	24	59	18	*	*	*		
<b>Other crimes</b>	<b>3,070</b>	<b>33</b>	<b>28</b>	<b>16</b>	<b>14</b>	<b>6</b>	<b>3</b>	<b>233</b>	<b>48</b>	<b>30</b>	<b>8</b>	<b>7</b>	<b>6</b>	<b>1</b>		
Crimes against public justice	1,597	52	34	10	2	1	*	138	63	31	3	1	1	1		
Handling offensive weapons	472	6	23	29	33	9	*	16	13	50	13	19	6	*		
Drugs	938	16	21	18	24	14	8	75	29	23	13	16	17	1		
Other crime	63	13	33	22	10	6	16	4	*	50	50	*	*	*		
<b>All offences</b>	<b>4,107</b>	<b>26</b>	<b>47</b>	<b>20</b>	<b>5</b>	<b>2</b>	<b>*</b>	<b>260</b>	<b>36</b>	<b>49</b>	<b>13</b>	<b>2</b>	<b>*</b>	<b>*</b>		
<b>Miscellaneous offences</b>	<b>3,624</b>	<b>28</b>	<b>47</b>	<b>17</b>	<b>6</b>	<b>2</b>	<b>*</b>	<b>252</b>	<b>37</b>	<b>48</b>	<b>13</b>	<b>2</b>	<b>*</b>	<b>*</b>		
Common assault	1,601	18	47	24	9	3	*	124	31	52	15	2	1	*		
Breach of the peace etc.	1,745	37	47	12	3	1	*	96	47	43	9	1	*	*		
Drunkenness and other disorderly conduct	1	*	100	*	*	*	*	1	*	100	*	*	*	*		
Other miscellaneous, including urinating	277	29	46	14	6	1	4	31	26	48	19	6	*	*		
<b>Motor vehicle offences</b>	<b>483</b>	<b>8</b>	<b>44</b>	<b>42</b>	<b>4</b>	<b>1</b>	<b>*</b>	<b>8</b>	<b>13</b>	<b>75</b>	<b>13</b>	<b>*</b>	<b>*</b>	<b>*</b>		
Dangerous and careless driving	152	4	34	48	11	3	1	1	*	100	*	*	*	*		
Driving under the influence	89	19	72	9	*	*	*	4	25	75	*	*	*	*		
Speeding	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Unlawful use of motor vehicle	234	7	40	51	1	*	*	3	*	67	33	*	*	*		
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Other motor vehicle offences <sup>2</sup>	8	25	63	13	*	*	*	-	-	-	-	-	-	-		

1. Excludes a small number of cases which resulted in detention of a child aged under 16, recall sentences and a small number of records we do not have sentence information for.

2. Includes seat belt and mobile phone offences.

**Table 10(c) Average length of custodial sentence in days, by main crime/offence, 2007-08 to 2016-17<sup>1,2</sup>**

Main crime or offence	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	% change 2015-16 to 2016-17
<b>All crimes and offences</b>	<b>249</b>	<b>263</b>	<b>282</b>	<b>278</b>	<b>290</b>	<b>285</b>	<b>296</b>	<b>289</b>	<b>293</b>	<b>313</b>	<b>7</b>
<b>All crimes</b>	<b>295</b>	<b>307</b>	<b>328</b>	<b>319</b>	<b>337</b>	<b>334</b>	<b>351</b>	<b>343</b>	<b>347</b>	<b>379</b>	<b>9</b>
<b>Non-sexual crimes of violence</b>	<b>927</b>	<b>907</b>	<b>904</b>	<b>878</b>	<b>950</b>	<b>894</b>	<b>974</b>	<b>983</b>	<b>902</b>	<b>950</b>	<b>5</b>
Homicide etc	2,630	2,329	2,201	2,264	2,206	2,392	2,335	2,022	1,913	1,899	-1
Attempted murder and serious assault	878	886	917	924	999	880	957	1,009	917	981	7
Robbery	727	807	761	812	834	804	907	927	772	829	7
Other non-sexual crimes of violence	658	510	529	271	482	472	726	565	756	675	-11
<b>Sexual crimes</b>	<b>1,306</b>	<b>1,339</b>	<b>1,312</b>	<b>1,214</b>	<b>1,257</b>	<b>1,277</b>	<b>1,240</b>	<b>1,347</b>	<b>1,268</b>	<b>1,229</b>	<b>-3</b>
Rape and attempted rape	2,713	2,543	2,275	2,105	2,224	2,437	2,456	2,395	2,572	2,462	-4
Sexual assault	948	1,090	1,220	1,363	1,222	1,070	871	885	1,021	947	-7
Crimes associated with prostitution	244	403	183	185	540	-	1,089	-	1,096	-	-100
Other sexual crimes	758	1,069	971	805	832	807	874	843	706	743	5
<b>Crimes of dishonesty</b>	<b>137</b>	<b>142</b>	<b>151</b>	<b>154</b>	<b>165</b>	<b>166</b>	<b>168</b>	<b>181</b>	<b>193</b>	<b>205</b>	<b>6</b>
Housebreaking	228	223	242	255	267	266	315	382	423	451	7
Theft by opening lockfast places	132	150	171	169	190	214	198	231	215	254	18
Theft from a motor vehicle	122	146	162	172	156	154	161	169	185	192	4
Theft of a motor vehicle	133	158	159	151	182	174	216	198	213	236	11
Shoplifting	94	98	101	105	116	114	113	116	115	118	3
Other theft	128	137	156	159	167	162	165	191	188	192	2
Fraud	206	224	226	236	220	270	262	250	332	334	1
Other dishonesty	167	143	164	133	164	171	176	190	199	181	-9
<b>Fire-raising, vandalism, etc.</b>	<b>188</b>	<b>176</b>	<b>198</b>	<b>194</b>	<b>220</b>	<b>213</b>	<b>226</b>	<b>235</b>	<b>240</b>	<b>277</b>	<b>15</b>
Fire-raising	469	447	470	555	702	496	511	641	553	637	15
Vandalism etc.	142	128	158	144	145	159	184	174	190	211	11
<b>Other crimes</b>	<b>254</b>	<b>268</b>	<b>294</b>	<b>300</b>	<b>285</b>	<b>285</b>	<b>302</b>	<b>264</b>	<b>264</b>	<b>302</b>	<b>14</b>
Crimes against public justice	90	96	102	112	116	113	121	120	128	129	1
Handling offensive weapons	218	260	269	289	312	343	375	369	364	391	7
Drugs	559	544	575	575	542	578	604	517	476	537	13
Other crime	215	183	659	155	260	258	343	310	641	597	-7
<b>All offences</b>	<b>142</b>	<b>162</b>	<b>168</b>	<b>178</b>	<b>184</b>	<b>178</b>	<b>179</b>	<b>178</b>	<b>188</b>	<b>190</b>	<b>1</b>
<b>Miscellaneous offences</b>	<b>134</b>	<b>159</b>	<b>164</b>	<b>174</b>	<b>181</b>	<b>175</b>	<b>177</b>	<b>175</b>	<b>183</b>	<b>186</b>	<b>2</b>
Common assault	160	181	195	202	212	206	206	216	215	219	2
Breach of the peace etc.	87	109	115	124	136	135	142	139	145	145	0
Drunkenness and other disorderly conduct	6	38	31	33	73	97	35	40	60	152	153
Other miscellaneous, including urinating	295	326	285	243	216	210	205	168	234	240	3
<b>Motor vehicle offences</b>	<b>170</b>	<b>176</b>	<b>188</b>	<b>202</b>	<b>207</b>	<b>202</b>	<b>203</b>	<b>218</b>	<b>229</b>	<b>222</b>	<b>-3</b>
Dangerous and careless driving	233	230	241	289	283	261	275	315	324	286	-12
Driving under the influence	124	142	137	130	145	146	141	151	156	142	-9
Speeding	-	-	-	-	-	-	-	-	-	-	0
Unlawful use of motor vehicle	168	174	189	204	207	207	200	200	202	215	6
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-	0
Other vehicle	115	80	123	152	100	93	97	118	60	128	113

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

2. Figures for some categories dealt with by the High Court - including homicide, rape and major drug cases - may be underestimated slightly due to late recording of disposals - see annex B16 to B18.

**Table 10(d) People receiving a custodial sentence by length of sentence, 2007-08 to 2016-17**

Year	Total <sup>1</sup>	Over 2						
		Up to 3 months	Over 3 months to 6 months	Over 6 months to 1 year	Over 1 year to 2 years	years to less than 4 years	4 years and over	Life
2007-08	16,737	8,414	4,250	1,662	1,188	640	529	54
2008-09	16,924	6,914	5,230	2,158	1,318	721	524	59
2009-10	15,781	5,919	4,957	2,250	1,269	834	504	48
2010-11	15,296	5,332	5,229	2,192	1,264	776	455	48
2011-12	15,926	4,529	6,153	2,437	1,478	755	523	51
2012-13	14,769	4,339	5,471	2,418	1,390	666	436	49
2013-14	14,139	4,140	5,223	2,247	1,301	707	475	46
2014-15	14,008	4,103	5,229	2,172	1,433	620	418	32
2015-16	13,736	4,067	4,852	2,252	1,482	646	410	27
2016-17	12,649	3,495	4,459	2,150	1,427	644	444	30

1. Excludes a small number of cases which resulted in detention of a child aged under 16, recall sentences and a small number of records we do not have sentence information for.

**Table 11 People convicted by main penalty, gender and age, 2007-08 to 2016-17**

	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	% change 15-16 to 16-17	
<b>Total<sup>1</sup></b>	<b>133,608</b>	<b>125,893</b>	<b>121,041</b>	<b>115,581</b>	<b>108,424</b>	<b>101,019</b>	<b>105,664</b>	<b>106,583</b>	<b>99,962</b>	<b>92,334</b>	<b>-8</b>	
<b>Males<sup>2</sup></b>	<b>Total</b>	<b>112,793</b>	<b>106,300</b>	<b>101,613</b>	<b>97,042</b>	<b>90,902</b>	<b>84,347</b>	<b>87,988</b>	<b>88,658</b>	<b>83,018</b>	<b>76,491</b>	<b>-8</b>
	Under 21	24,526	20,536	17,328	15,145	13,135	10,358	9,187	8,628	8,417	7,596	-10
	21-30	41,224	38,899	37,316	35,177	32,761	30,337	30,706	30,155	28,124	25,785	-8
	31-40	25,146	24,755	24,149	23,564	22,467	21,568	22,837	23,762	22,104	20,709	-6
	41-100	21,897	22,110	22,820	23,156	22,539	22,084	25,258	26,113	24,373	22,401	-8
<b>Females<sup>2</sup></b>	<b>Total</b>	<b>20,565</b>	<b>19,581</b>	<b>19,424</b>	<b>18,531</b>	<b>17,437</b>	<b>16,557</b>	<b>17,590</b>	<b>17,920</b>	<b>16,944</b>	<b>15,842</b>	<b>-7</b>
	Under 21	3,306	2,830	2,511	2,228	1,952	1,616	1,429	1,448	1,358	1,218	-10
	21-30	7,387	7,314	7,010	6,573	5,989	5,873	5,656	5,514	5,178	4,660	-10
	31-40	5,484	5,069	5,132	4,984	4,853	4,492	5,001	5,313	4,998	4,959	-1
	41-100	4,388	4,368	4,771	4,746	4,643	4,576	5,504	5,645	5,410	5,005	-7
<b>Custody<sup>1</sup></b>	<b>Total</b>	<b>16,762</b>	<b>16,946</b>	<b>15,802</b>	<b>15,320</b>	<b>15,950</b>	<b>14,790</b>	<b>14,172</b>	<b>14,041</b>	<b>13,766</b>	<b>12,690</b>	<b>-8</b>
<b>Males<sup>2</sup></b>	<b>Total</b>	<b>15,487</b>	<b>15,593</b>	<b>14,522</b>	<b>14,018</b>	<b>14,582</b>	<b>13,500</b>	<b>12,959</b>	<b>12,748</b>	<b>12,574</b>	<b>11,695</b>	<b>-7</b>
	Under 21	2,987	2,858	2,601	2,014	2,050	1,588	1,238	1,137	1,190	1,002	-16
	21-30	6,864	6,718	6,156	6,074	6,059	5,486	5,021	4,984	4,755	4,419	-7
	31-40	3,700	3,841	3,582	3,776	4,094	3,974	4,025	3,904	3,916	3,665	-6
	41-100	1,936	2,176	2,183	2,154	2,379	2,452	2,675	2,723	2,713	2,609	-4
<b>Females<sup>2</sup></b>	<b>Total</b>	<b>1,275</b>	<b>1,353</b>	<b>1,280</b>	<b>1,302</b>	<b>1,368</b>	<b>1,290</b>	<b>1,213</b>	<b>1,293</b>	<b>1,192</b>	<b>995</b>	<b>-17</b>
	Under 21	182	182	175	168	160	116	83	84	72	53	-26
	21-30	615	682	581	588	620	599	491	483	400	326	-19
	31-40	312	325	295	324	349	345	395	488	462	377	-18
	41-100	166	164	229	222	239	230	244	238	258	239	-7
<b>Community sentence<sup>1</sup></b>	<b>Total</b>	<b>16,709</b>	<b>17,921</b>	<b>16,349</b>	<b>15,615</b>	<b>16,937</b>	<b>17,263</b>	<b>18,276</b>	<b>18,584</b>	<b>18,949</b>	<b>18,600</b>	<b>-2</b>
<b>Males<sup>2</sup></b>	<b>Total</b>	<b>13,886</b>	<b>14,954</b>	<b>13,483</b>	<b>12,977</b>	<b>14,090</b>	<b>14,395</b>	<b>15,249</b>	<b>15,507</b>	<b>15,863</b>	<b>15,588</b>	<b>-2</b>
	Under 21	4,471	4,607	3,640	3,446	3,292	2,743	2,635	2,522	2,497	2,348	-6
	21-30	4,935	5,303	5,036	4,696	5,249	5,590	5,674	5,763	5,762	5,730	-1
	31-40	2,641	2,988	2,768	2,724	3,168	3,403	3,797	3,970	4,136	4,064	-2
	41-100	1,839	2,056	2,039	2,111	2,381	2,659	3,143	3,252	3,468	3,446	-1
<b>Females<sup>2</sup></b>	<b>Total</b>	<b>2,823</b>	<b>2,967</b>	<b>2,866</b>	<b>2,638</b>	<b>2,847</b>	<b>2,868</b>	<b>3,027</b>	<b>3,077</b>	<b>3,086</b>	<b>3,012</b>	<b>-2</b>
	Under 21	667	593	559	453	433	428	340	378	341	309	-9
	21-30	1,092	1,177	1,013	1,020	1,014	1,063	1,030	1,014	967	897	-7
	31-40	651	735	773	661	769	735	882	862	949	949	0
	41-100	413	462	521	504	631	642	775	823	829	857	3
<b>Financial Penalty<sup>1</sup></b>	<b>Total</b>	<b>83,344</b>	<b>73,991</b>	<b>72,491</b>	<b>67,576</b>	<b>59,320</b>	<b>53,429</b>	<b>57,797</b>	<b>56,779</b>	<b>49,872</b>	<b>44,999</b>	<b>-10</b>
<b>Males<sup>2</sup></b>	<b>Total</b>	<b>71,061</b>	<b>63,240</b>	<b>61,480</b>	<b>57,359</b>	<b>50,260</b>	<b>45,144</b>	<b>48,436</b>	<b>47,734</b>	<b>42,012</b>	<b>37,625</b>	<b>-10</b>
	Under 21	13,597	9,886	8,462	7,071	5,365	4,061	3,697	3,343	3,037	2,683	-12
	21-30	25,792	23,102	22,258	20,360	17,798	15,812	16,479	15,553	13,867	12,339	-11
	31-40	16,147	15,074	14,942	14,085	12,261	11,185	12,005	12,455	10,727	9,894	-8
	41-100	15,525	15,178	15,818	15,843	14,836	14,086	16,255	16,383	14,381	12,709	-12
<b>Females<sup>2</sup></b>	<b>Total</b>	<b>12,047</b>	<b>10,739</b>	<b>11,007</b>	<b>10,210</b>	<b>8,983</b>	<b>8,174</b>	<b>9,282</b>	<b>9,041</b>	<b>7,860</b>	<b>7,373</b>	<b>-6</b>
	Under 21	1,569	1,206	1,061	909	746	530	519	533	444	382	-14
	21-30	4,140	3,754	3,818	3,382	2,907	2,705	2,772	2,604	2,311	2,120	-8
	31-40	3,357	2,890	3,011	2,843	2,463	2,192	2,551	2,557	2,177	2,169	0
	41-100	2,981	2,889	3,117	3,076	2,867	2,747	3,440	3,347	2,928	2,702	-8
<b>Other sentence<sup>1</sup></b>	<b>Total</b>	<b>16,793</b>	<b>17,035</b>	<b>16,399</b>	<b>17,070</b>	<b>16,217</b>	<b>15,537</b>	<b>15,419</b>	<b>17,179</b>	<b>17,375</b>	<b>16,045</b>	<b>-8</b>
<b>Males<sup>2</sup></b>	<b>Total</b>	<b>12,359</b>	<b>12,513</b>	<b>12,128</b>	<b>12,688</b>	<b>11,970</b>	<b>11,308</b>	<b>11,344</b>	<b>12,669</b>	<b>12,569</b>	<b>11,583</b>	<b>-8</b>
	Under 21	3,471	3,185	2,625	2,614	2,428	1,966	1,617	1,626	1,693	1,563	-8
	21-30	3,633	3,776	3,866	4,047	3,655	3,449	3,532	3,855	3,740	3,297	-12
	31-40	2,658	2,852	2,857	2,979	2,944	3,006	3,010	3,433	3,325	3,086	-7
	41-100	2,597	2,700	2,780	3,048	2,943	2,887	3,185	3,755	3,811	3,637	-5
<b>Females<sup>2</sup></b>	<b>Total</b>	<b>4,420</b>	<b>4,522</b>	<b>4,271</b>	<b>4,381</b>	<b>4,239</b>	<b>4,225</b>	<b>4,068</b>	<b>4,509</b>	<b>4,806</b>	<b>4,462</b>	<b>-7</b>
	Under 21	888	849	716	698	613	542	487	453	501	474	-5
	21-30	1,540	1,701	1,598	1,583	1,448	1,506	1,363	1,413	1,500	1,317	-12
	31-40	1,164	1,119	1,053	1,156	1,272	1,220	1,173	1,406	1,410	1,464	4
	41-100	828	853	904	944	906	957	1,045	1,237	1,395	1,207	-13

1. Includes a small number of cases for companies and where age and gender are unknown.

2. Gender totals exclude companies and where age and gender are unknown. The sum of gender totals may not equal disposal totals.

**Table 12 People convicted with an aggravator recorded against the main charge by gender, 2007-08 to 2016-17<sup>1,2</sup>**

	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	% change 2015-16 to 2016-17
<b>Male and Female All aggravators</b>	<b>6,584</b>	<b>7,981</b>	<b>9,642</b>	<b>9,519</b>	<b>10,040</b>	<b>10,481</b>	<b>12,294</b>	<b>13,751</b>	<b>13,828</b>	<b>12,252</b>	<b>-11%</b>
Domestic	5,650	7,108	8,844	8,566	8,877	9,292	11,077	12,441	12,376	10,830	-12%
Racial	674	583	563	614	626	696	699	701	761	721	-5%
Religious	260	290	235	275	370	272	256	241	247	277	12%
Sexual orientation	-	-	-	56	155	194	227	320	369	356	-4%
Disability	-	-	-	5	9	21	30	40	68	54	-21%
Transgender	-	-	-	3	3	6	5	8	7	14	100%
<b>Male All aggravators</b>	<b>6,064</b>	<b>7,250</b>	<b>8,627</b>	<b>8,492</b>	<b>8,933</b>	<b>9,184</b>	<b>10,715</b>	<b>11,884</b>	<b>11,980</b>	<b>10,689</b>	<b>-11%</b>
Domestic	5,255	6,495	7,944	7,665	7,927	8,176	9,693	10,796	10,741	9,501	-12%
Racial	561	482	468	520	512	569	569	573	633	588	-7%
Religious	248	273	215	254	349	255	239	213	230	258	12%
Sexual orientation	-	-	-	48	135	164	186	265	316	290	-8%
Disability	-	-	-	2	8	16	23	33	55	41	-25%
Transgender	-	-	-	3	2	4	5	4	5	11	120%
<b>Female All aggravators</b>	<b>520</b>	<b>731</b>	<b>1,015</b>	<b>1,027</b>	<b>1,107</b>	<b>1,297</b>	<b>1,579</b>	<b>1,867</b>	<b>1,848</b>	<b>1,563</b>	<b>-15%</b>
Domestic	395	613	900	901	950	1,116	1,384	1,645	1,635	1,329	-19%
Racial	113	101	95	94	114	127	130	128	128	133	4%
Religious	12	17	20	21	21	17	17	28	17	19	12%
Sexual orientation	-	-	-	8	20	30	41	55	53	66	25%
Disability	-	-	-	3	1	5	7	7	13	13	0%
Transgender	-	-	-	-	1	2	-	4	2	3	50%

1. Each proceeding may have one or more aggravator codes associated with it. A proceeding will be counted under each aggravator code associated with it. e.g. A homicide with a 'racial' and 'religious' aggravator will appear once in the racial aggravator column and once under the religious aggravator column.

2. Caution is required when comparing changes over the longer term or shortly after an aggravator code is introduced.

**Table 13 People convicted with an aggravator recorded against the main charge by crime type, 2016-17<sup>1</sup>**

Main crime or offence	Domestic Abuse	Disability	Racial	Religious	Sexual orientation	Trans-gender	Total
<b>All crimes and offences</b>	<b>10,830</b>	<b>54</b>	<b>721</b>	<b>277</b>	<b>356</b>	<b>14</b>	<b>12,252</b>
<b>All crimes</b>	<b>2,365</b>	<b>3</b>	<b>33</b>	<b>6</b>	<b>8</b>	<b>-</b>	<b>2,415</b>
<b>Non-sexual crimes of violence</b>	<b>160</b>	<b>1</b>	<b>11</b>	<b>-</b>	<b>3</b>	<b>-</b>	<b>175</b>
Homicide etc	5	-	-	-	-	-	5
Attempted murder and serious assault	135	-	5	-	3	-	143
Robbery	9	-	5	-	-	-	14
Other non-sexual crimes of violence	11	1	1	-	-	-	13
<b>Sexual crimes</b>	<b>27</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2</b>	<b>-</b>	<b>29</b>
Rape and attempted rape	20	-	-	-	-	-	20
Sexual assault	4	-	-	-	1	-	5
Crimes associated with prostitution	-	-	-	-	-	-	-
Other sexual crimes	3	-	-	-	1	-	4
<b>Crimes of dishonesty</b>	<b>76</b>	<b>1</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>78</b>
Housebreaking	5	-	-	-	-	-	5
Theft by opening lockfast places	3	-	-	-	-	-	3
Theft from a motor vehicle	-	-	-	-	-	-	-
Theft of a motor vehicle	7	-	-	-	-	-	7
Shoplifting	2	-	1	-	-	-	3
Other theft	46	1	-	-	-	-	47
Fraud	12	-	-	-	-	-	12
Other dishonesty	1	-	-	-	-	-	1
<b>Fire-raising, vandalism, etc.</b>	<b>318</b>	<b>-</b>	<b>12</b>	<b>2</b>	<b>2</b>	<b>-</b>	<b>334</b>
Fire-raising	9	-	-	-	-	-	9
Vandalism etc.	309	-	12	2	2	-	325
<b>Other crimes</b>	<b>1,784</b>	<b>1</b>	<b>9</b>	<b>4</b>	<b>1</b>	<b>-</b>	<b>1,799</b>
Crimes against public justice	1,750	1	4	1	-	-	1,756
Handling offensive weapons	22	-	3	2	-	-	27
Drugs	12	-	-	1	-	-	13
Other crime	-	-	2	-	1	-	3
<b>All offences</b>	<b>8,465</b>	<b>51</b>	<b>688</b>	<b>271</b>	<b>348</b>	<b>14</b>	<b>9,837</b>
<b>Miscellaneous offences</b>	<b>8,444</b>	<b>51</b>	<b>688</b>	<b>271</b>	<b>348</b>	<b>14</b>	<b>9,816</b>
Common assault	3,113	6	89	16	26	-	3,250
Breach of the peace etc.	4,945	43	465	238	309	13	6,013
Drunkenness and other disorderly conduct	1	-	-	1	-	-	2
Urinating etc.	-	-	-	-	-	-	-
Other miscellaneous	385	2	134	16	13	1	551
<b>Motor vehicle offences</b>	<b>21</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>21</b>
Dangerous and careless driving	14	-	-	-	-	-	14
Driving under the influence	4	-	-	-	-	-	4
Speeding	-	-	-	-	-	-	-
Unlawful use of motor vehicle	3	-	-	-	-	-	3
Vehicle defect offences	-	-	-	-	-	-	-
Seat belt offences	-	-	-	-	-	-	-
Other motor vehicle offences	-	-	-	-	-	-	-

1. Each crime/offence may have one or more aggravator codes associated with it. A crime/offence will be counted under each aggravator code associated with it. e.g. A homicide with a 'racial' and 'religious' aggravator will appear once in the racial aggravator column and once under the religious aggravator column.

**Table 14 Bail orders made by main charge, 2007-08 to 2016-17<sup>1</sup>**

Year	Non-sexual crimes of violence	Sexual crimes	Crimes of dishonesty	Fire-raising vandalism etc.	Handling an offensive weapon	Drug offences	Other crimes	Common assault	Breach of the peace	Miscellaneous offences	Motor vehicle offences	Unknown <sup>2</sup>	Total <sup>3</sup>
	Number												
2007-08	2,341	726	6,736	2,247	1,823	2,061	5,288	5,414	4,382	1,269	2,212	25,819	60,362
2008-09	-	-	-	-	-	-	-	-	-	-	-	52,593	52,593
2009-10	3,294	863	8,429	2,981	2,189	3,074	7,795	8,777	6,377	2,403	1,673	28	47,922
2010-11	3,420	825	8,477	2,696	2,070	2,879	7,695	8,413	5,739	2,298	1,672	19	46,221
2011-12	3,240	960	8,378	2,732	2,001	2,769	8,157	8,740	6,404	2,590	1,596	28	47,606
2012-13	2,530	1,046	7,583	2,492	1,542	2,645	7,548	7,913	6,077	2,937	1,681	35	44,039
2013-14	2,510	1,414	7,651	2,487	1,584	2,321	8,148	8,976	7,429	2,936	1,715	14	47,196
2014-15	2,426	1,574	6,707	2,406	1,471	2,571	8,034	8,967	7,723	2,927	1,730	12	46,560
2015-16	2,601	1,434	6,400	2,456	1,243	2,646	7,960	8,668	7,215	2,925	1,768	20	45,346
2016-17	2,454	1,370	6,163	2,509	1,265	2,346	7,138	7,652	6,764	2,664	1,924	18	42,277
	Percentage of total <sup>4</sup>												
2007-08	7	2	20	7	5	6	15	16	13	4	6	75	100
2008-09	-	-	-	-	-	-	-	-	-	-	-	-	100
2009-10	7	2	18	6	5	6	16	18	13	5	3	*	100
2010-11	7	2	18	6	4	6	17	18	12	5	4	*	100
2011-12	7	2	18	6	4	6	17	18	13	5	3	*	100
2012-13	6	2	17	6	4	6	17	18	14	7	4	*	100
2013-14	5	3	16	5	3	5	17	19	16	6	4	*	100
2014-15	5	3	14	5	3	6	17	19	17	6	4	*	100
2015-16	6	3	14	5	3	6	18	19	16	6	4	*	100
2016-17	6	3	15	6	3	6	17	18	16	6	5	*	100

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

2. A breakdown of bail orders by the main charge is not available for the period from 20 October 2007 to 31 March 2009.

3. Row totals do not equal the sum of the main charges for some years as bail can be granted following the lodging of an appeal.

4. Percentage of bail orders made where crime/offence type is known.

**Table 15 Bail-related Offences<sup>1</sup> with a conviction, 2007-08 to 2016-17**

	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	% change 2015-16 to 2016-17
<b>All bail-related offences:</b>	<b>8,025</b>	<b>9,098</b>	<b>8,363</b>	<b>8,261</b>	<b>8,860</b>	<b>8,462</b>	<b>8,003</b>	<b>8,547</b>	<b>8,589</b>	<b>7,671</b>	<b>-11</b>
Bail-related offences as a percentage of bail orders made	13	17	17	18	19	19	17	18	19	18	
<b>Court:</b>											
High Court	35	35	15	27	20	16	26	38	20	18	<b>-10</b>
Sheriff Solemn	352	275	222	227	209	224	236	330	344	309	<b>-10</b>
Sheriff Summary	7,436	8,227	7,459	7,334	7,946	7,643	7,188	7,527	7,719	6,990	<b>-9</b>
Justice of the Peace	202	561	667	673	685	579	553	652	506	354	<b>-30</b>
<b>Age:</b>											
Under 21	2,639	2,580	2,292	2,051	2,146	1,811	1,412	1,355	1,384	1,290	<b>-7</b>
21-30	2,773	3,394	3,081	3,111	3,290	3,169	2,936	3,043	2,994	2,660	<b>-11</b>
31-40	1,536	1,874	1,696	1,777	1,999	1,987	2,050	2,262	2,301	2,078	<b>-10</b>
41-100	1,077	1,250	1,294	1,322	1,425	1,495	1,605	1,887	1,910	1,643	<b>-14</b>
<b>Gender:</b>											
Male	7,145	7,911	7,316	7,215	7,758	7,267	6,939	7,413	7,364	6,571	<b>-11</b>
Female	880	1,187	1,047	1,046	1,102	1,195	1,064	1,134	1,225	1,100	<b>-10</b>
<b>Main result of proceedings:</b>											
Custody	2,268	2,275	2,197	2,083	2,220	2,117	2,018	2,147	2,012	1,648	<b>-18</b>
Community	1,625	1,795	1,473	1,464	1,520	1,685	1,644	1,811	1,853	1,778	<b>-4</b>
Monetary	1,889	2,267	1,916	1,818	1,922	1,679	1,508	1,555	1,509	1,342	<b>-11</b>
Other	2,243	2,761	2,777	2,896	3,198	2,981	2,833	3,034	3,215	2,903	<b>-10</b>

1. Bail related offences include breach of bail conditions and failure to appear in court.



**Table 16 Undertakings to appear in court, by gender and age, 2009-10 - 2016-17<sup>1,2</sup>**

	2009-10		2010-11		2011-12		2012-13		2013-14		2014-15		2015-16		2016-17	
	Number	Percentage of total	Number	Percentage of total	Number	Percentage of total	Number	Percentage of total	Number	Percentage of total	Number	Percentage of total	Number	Percentage of total	Number	Percentage of total
<b>Gender</b>																
Male	20,661	79	21,384	78	20,244	77	17,328	76	16,642	75	12,738	76	11,769	75	10,765	75
Female	5,461	21	5,912	22	5,953	23	5,489	24	5,465	25	4,015	24	3,870	25	3,677	25
Not known	3	*	1	*	4	*	1	*	3	*	4	*	2	*	-	-
<b>Age</b>																
Under 21	6,499	25	6,297	23	5,484	21	4,244	19	3,992	18	2,812	17	2,542	16	2,226	15
21-30	8,807	34	9,468	35	8,978	34	7,824	34	7,203	33	5,356	32	4,829	31	4,415	31
31-40	5,251	20	5,629	21	5,712	22	5,086	22	5,095	23	3,918	23	3,686	24	3,467	24
Over 40	5,568	21	5,903	22	6,027	23	5,664	25	5,820	26	4,671	28	4,584	29	4,334	30
Not known	1	*	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>26,126</b>	<b>100</b>	<b>27,297</b>	<b>100</b>	<b>26,201</b>	<b>100</b>	<b>22,818</b>	<b>100</b>	<b>22,110</b>	<b>100</b>	<b>16,757</b>	<b>100</b>	<b>15,641</b>	<b>100</b>	<b>14,442</b>	<b>100</b>

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

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

**Table 17 People given police disposals by disposal type, 2008-09 to 2016-17**

	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	% change 15-16 to 16-17
<b>All police disposals<sup>1</sup></b>	<b>58,846</b>	<b>72,173</b>	<b>64,171</b>	<b>65,696</b>	<b>67,733</b>	<b>68,119</b>	<b>53,172</b>	<b>43,973</b>	<b>41,740</b>	<b>-5</b>
Anti-social behaviour fixed penalty notice (ASBFPN)	48,462	61,236	54,360	53,674	54,748	55,562	42,956	29,368	15,363	-48
Police formal adult warning	7,828	8,386	7,517	8,446	8,264	7,135	4,756	3,358	316	-91
Police Restorative Justice Warning (PRW)	2,457	2,313	1,715	988	575	385	218	374	280	-25
Early and Effective Intervention	99	238	579	2,588	4,146	5,029	5,222	6,587	6,090	-8
Recorded Police Warning <sup>2</sup>	-	-	-	-	-	-	-	4,231	19,596	363

1. Includes counts of no further action.

2. Recorded Police Warnings were introduced as a new direct measure on 11th January 2016, at the same time as police formal adult warnings were discontinued.

**Table 18 People given ASBFPNs, by main crime/offence and age and gender, 2016-17<sup>1</sup>**

Main crime or offence	Male					Female				
	Under 21	21-30	31-40	Over 40	Total Male	Under 21	21-30	31-40	Over 40	Total Female
<b>Total number of ASBFPNs</b>	<b>2,927</b>	<b>4,937</b>	<b>2,603</b>	<b>2,519</b>	<b>12,986</b>	<b>544</b>	<b>817</b>	<b>536</b>	<b>479</b>	<b>2,376</b>
Riotous behaviour while drunk in licensed premises	-	-	-	-	-	-	-	-	-	-
Refusing to leave licensed premises	64	141	86	77	368	6	28	13	18	65
Urinating etc.	590	1,169	575	461	2,795	43	54	14	15	126
Drunk & incapable	22	62	55	108	247	6	16	13	32	67
Drunk in charge of child	-	1	1	1	3	-	-	-	1	1
Loud music etc.	26	44	18	12	100	16	16	8	4	44
Vandalism	53	53	20	16	142	4	8	5	3	20
Consuming alcohol in public place	770	1,088	837	796	3,491	130	117	144	100	491
Breach of the peace etc.	1,400	2,377	1,011	1,047	5,835	339	578	339	306	1,562
Malicious mischief	2	1	-	-	3	-	-	-	-	-
Offensive behaviour at football and threatening communications	-	1	-	1	2	-	-	-	-	-
<b>Per cent by ASBFPN type</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
Riotous behaviour while drunk in licensed premises	-	-	-	-	-	-	-	-	-	-
Refusing to leave licensed premises	2	3	3	3	3	1	3	2	4	3
Urinating etc.	20	24	22	18	22	8	7	3	3	5
Drunk & incapable	1	1	2	4	2	1	2	2	7	3
Drunk in charge of child	-	*	*	*	*	-	-	-	*	*
Loud music etc.	1	1	1	*	1	3	2	1	1	2
Vandalism	2	1	1	1	1	1	1	1	1	1
Consuming alcohol in public place	26	22	32	32	27	24	14	27	21	21
Breach of the peace etc.	48	48	39	42	45	62	71	63	64	66
Malicious mischief	*	*	-	-	*	-	-	-	-	-
Offensive behaviour at football and threatening communications	-	*	-	*	*	-	-	-	-	-

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

**Table 19 People given COPFS disposals by disposal type, 2008-09 to 2016-17**

	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	% change 15-16 to 16-17
<b>All COPFS disposals</b>	<b>62,828</b>	<b>59,108</b>	<b>60,099</b>	<b>67,341</b>	<b>72,847</b>	<b>73,594</b>	<b>54,272</b>	<b>48,329</b>	<b>33,117</b>	-31
Fiscal fine	38,418	36,057	35,604	42,184	47,826	47,338	36,191	34,395	21,798	-37
Fiscal fixed penalty	18,092	18,592	20,357	21,067	21,638	23,494	15,480	10,745	8,429	-22
Fiscal combined fine + compensation	1,405	2,030	2,195	2,713	2,326	1,942	1,980	2,671	2,215	-17
Fiscal compensation	1,992	1,985	1,838	1,322	1,020	784	595	505	669	32
Fiscal fixed penalties (Pre-SJR)	2,921	444	105	55	37	36	26	13	6	-54

**Table 20 Males given fiscal fines, by main crime/offence and age, 2016-17<sup>1</sup>**

Main crime or offence	Number					Per cent				
	Under 21	21-30	31-40	Over 40	Total	Under 21	21-30	31-40	Over 40	Total
<b>All crimes and offences</b>	<b>1,332</b>	<b>4,540</b>	<b>3,915</b>	<b>4,676</b>	<b>14,467</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>All crimes</b>	<b>823</b>	<b>2,074</b>	<b>1,622</b>	<b>1,259</b>	<b>5,778</b>	<b>62</b>	<b>46</b>	<b>41</b>	<b>27</b>	<b>40</b>
<b>Non-sexual crimes of violence</b>	-	-	-	-	-	-	-	-	-	-
Homicide etc	-	-	-	-	-	-	-	-	-	-
Attempted murder and serious assault	-	-	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-	-	-
Other non-sexual crimes of violence	-	-	-	-	-	-	-	-	-	-
<b>Sexual crimes</b>	-	<b>1</b>	-	<b>2</b>	<b>3</b>	-	*	-	*	*
Rape and attempted rape	-	-	-	-	-	-	-	-	-	-
Sexual assault	-	-	-	-	-	-	-	-	-	-
Crimes associated with prostitution	-	-	-	-	-	-	-	-	-	-
Other sexual crimes	-	1	-	2	3	-	*	-	*	*
<b>Crimes of dishonesty</b>	<b>110</b>	<b>311</b>	<b>390</b>	<b>387</b>	<b>1,198</b>	<b>8</b>	<b>7</b>	<b>10</b>	<b>8</b>	<b>8</b>
Housebreaking	-	-	-	-	-	-	-	-	-	-
Theft by opening lockfast places	-	-	1	-	1	-	-	*	-	*
Theft from a motor vehicle	-	-	-	-	-	-	-	-	-	-
Theft of a motor vehicle	-	-	-	-	-	-	-	-	-	-
Shoplifting	76	243	329	341	989	6	5	8	7	7
Other theft	25	49	41	34	149	2	1	1	1	1
Fraud	1	14	12	10	37	*	*	*	*	*
Other dishonesty	8	5	7	2	22	1	*	*	*	*
<b>Fire-raising, vandalism, etc.</b>	<b>29</b>	<b>39</b>	<b>20</b>	<b>10</b>	<b>98</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>*</b>	<b>1</b>
Fire-raising	-	-	-	-	-	-	-	-	-	-
Vandalism etc.	29	39	20	10	98	2	1	1	*	1
<b>Other crimes</b>	<b>684</b>	<b>1,723</b>	<b>1,212</b>	<b>860</b>	<b>4,479</b>	<b>51</b>	<b>38</b>	<b>31</b>	<b>18</b>	<b>31</b>
Crimes against public justice	30	69	33	27	159	2	2	1	1	1
Handling offensive weapons	-	-	-	-	-	-	-	-	-	-
Drugs	654	1,654	1,179	833	4,320	49	36	30	18	30
Other crime	-	-	-	-	-	-	-	-	-	-
<b>All offences</b>	<b>509</b>	<b>2,466</b>	<b>2,293</b>	<b>3,417</b>	<b>8,689</b>	<b>38</b>	<b>54</b>	<b>59</b>	<b>73</b>	<b>60</b>
<b>Miscellaneous offences</b>	<b>367</b>	<b>1,299</b>	<b>1,231</b>	<b>1,833</b>	<b>4,730</b>	<b>28</b>	<b>29</b>	<b>31</b>	<b>39</b>	<b>33</b>
Common assault	46	117	67	90	320	3	3	2	2	2
Breach of the peace etc.	162	423	268	312	1,165	12	9	7	7	8
Drunkenness and other disorderly conduct	3	22	17	42	84	*	*	*	1	1
Urinating etc.	12	63	32	50	157	1	1	1	1	1
Other miscellaneous	31	84	78	105	298	2	2	2	2	2
Alcohol byelaw offences	88	273	330	444	1,135	7	6	8	9	8
Litter offences	17	43	35	38	133	1	1	1	1	1
Communications act offences	8	274	404	752	1,438	1	6	10	16	10
<b>Motor vehicle offences</b>	<b>142</b>	<b>1,167</b>	<b>1,062</b>	<b>1,584</b>	<b>3,959</b>	<b>11</b>	<b>26</b>	<b>27</b>	<b>34</b>	<b>27</b>
Dangerous and careless driving	-	-	-	-	-	-	-	-	-	-
Driving under the influence	-	-	-	-	-	-	-	-	-	-
Speeding	-	-	-	-	-	-	-	-	-	-
Unlawful use of motor vehicle	140	1,155	1,047	1,532	3,878	11	25	27	33	27
Vehicle defect offences	-	-	2	-	2	-	-	*	-	*
Seat belt offences	-	-	-	-	-	-	-	-	-	-
Mobile phone offences	-	-	-	-	-	-	-	-	-	-
Other motor vehicle offences	2	12	13	52	79	*	*	*	1	1

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

**Table 21 Females given fiscal fines, by main crime/offence and age, 2016-17<sup>1</sup>**

Main crime or offence	Number					Per cent				
	Under 21	21-30	31-40	Over 40	Total	Under 21	21-30	31-40	Over 40	Total
<b>All crimes and offences</b>	<b>341</b>	<b>2,043</b>	<b>2,290</b>	<b>2,657</b>	<b>7,331</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>All crimes</b>	<b>140</b>	<b>443</b>	<b>542</b>	<b>529</b>	<b>1,654</b>	<b>41</b>	<b>22</b>	<b>24</b>	<b>20</b>	<b>23</b>
<b>Non-sexual crimes of violence</b>	-	-	-	-	-	-	-	-	-	-
Homicide etc	-	-	-	-	-	-	-	-	-	-
Attempted murder and serious assault	-	-	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-	-	-
Other non-sexual crimes of violence	-	-	-	-	-	-	-	-	-	-
<b>Sexual crimes</b>	-	<b>2</b>	<b>2</b>	-	<b>4</b>	-	*	*	-	*
Rape and attempted rape	-	-	-	-	-	-	-	-	-	-
Sexual assault	-	-	-	-	-	-	-	-	-	-
Crimes associated with prostitution	-	2	2	-	4	-	*	*	-	*
Other sexual crimes	-	-	-	-	-	-	-	-	-	-
<b>Crimes of dishonesty</b>	<b>78</b>	<b>228</b>	<b>316</b>	<b>344</b>	<b>966</b>	<b>23</b>	<b>11</b>	<b>14</b>	<b>13</b>	<b>13</b>
Housebreaking	-	-	-	-	-	-	-	-	-	-
Theft by opening lockfast places	-	-	-	-	-	-	-	-	-	-
Theft from a motor vehicle	-	-	-	-	-	-	-	-	-	-
Theft of a motor vehicle	-	-	-	-	-	-	-	-	-	-
Shoplifting	68	210	286	307	871	20	10	12	12	12
Other theft	8	8	20	22	58	2	*	1	1	1
Fraud	1	8	6	12	27	*	*	*	*	*
Other dishonesty	1	2	4	3	10	*	*	*	*	*
<b>Fire-raising, vandalism, etc.</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>5</b>	<b>14</b>	<b>1</b>	<b>*</b>	<b>*</b>	<b>*</b>	<b>*</b>
Fire-raising	-	-	-	-	-	-	-	-	-	-
Vandalism etc.	3	3	3	5	14	1	*	*	*	*
<b>Other crimes</b>	<b>59</b>	<b>210</b>	<b>221</b>	<b>180</b>	<b>670</b>	<b>17</b>	<b>10</b>	<b>10</b>	<b>7</b>	<b>9</b>
Crimes against public justice	6	6	4	11	27	2	*	*	*	*
Handling offensive weapons	-	-	-	-	-	-	-	-	-	-
Drugs	53	204	217	169	643	16	10	9	6	9
Other crime	-	-	-	-	-	-	-	-	-	-
<b>All offences</b>	<b>201</b>	<b>1,600</b>	<b>1,748</b>	<b>2,128</b>	<b>5,677</b>	<b>59</b>	<b>78</b>	<b>76</b>	<b>80</b>	<b>77</b>
<b>Miscellaneous offences</b>	<b>162</b>	<b>1,174</b>	<b>1,336</b>	<b>1,522</b>	<b>4,194</b>	<b>48</b>	<b>57</b>	<b>58</b>	<b>57</b>	<b>57</b>
Common assault	16	65	35	30	146	5	3	2	1	2
Breach of the peace etc.	43	106	101	96	346	13	5	4	4	5
Drunkenness and other disorderly conduct	1	3	2	6	12	*	*	*	*	*
Urinating etc.	-	2	2	-	4	-	*	*	-	*
Other miscellaneous	9	20	23	23	75	3	1	1	1	1
Alcohol byelaw offences	8	27	91	46	172	2	1	4	2	2
Litter offences	6	21	23	28	78	2	1	1	1	1
Communications act offences	79	930	1,059	1,293	3,361	23	46	46	49	46
<b>Motor vehicle offences</b>	<b>39</b>	<b>426</b>	<b>412</b>	<b>606</b>	<b>1,483</b>	<b>11</b>	<b>21</b>	<b>18</b>	<b>23</b>	<b>20</b>
Dangerous and careless driving	-	-	-	-	-	-	-	-	-	-
Driving under the influence	-	-	-	-	-	-	-	-	-	-
Speeding	-	-	-	-	-	-	-	-	-	-
Unlawful use of motor vehicle	38	424	409	599	1,470	11	21	18	23	20
Vehicle defect offences	-	-	-	-	-	-	-	-	-	-
Seat belt offences	-	-	-	-	-	-	-	-	-	-
Mobile phone offences	-	-	-	-	-	-	-	-	-	-
Other motor vehicle offences	1	2	3	7	13	*	*	*	*	*

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

**Table 22 Fiscal fixed penalties by main crime/offence and age and gender, 2016-17<sup>1</sup>**

Main crime or offence	Males					Females				
	Under 21	21-30	31-40	Over 40	Total Male	Under 21	21-30	31-40	Over 40	Total Female
<b>Total number of Fiscal fixed penalties</b>	<b>283</b>	<b>1,726</b>	<b>1,627</b>	<b>2,872</b>	<b>6,508</b>	<b>68</b>	<b>457</b>	<b>536</b>	<b>860</b>	<b>1,921</b>
Serious driving offences <sup>2</sup>	6	23	9	36	74	2	4	3	23	32
Speeding offences	71	718	792	1,442	3,023	24	227	290	440	981
Signal and direction offences	30	163	191	367	751	11	53	66	132	262
Lighting, construction & use offences	55	169	102	199	525	8	29	16	28	81
Documentation offences	86	422	293	486	1,287	17	96	108	184	405
Other motor vehicle offences <sup>3</sup>	35	231	240	341	847	6	48	53	53	160
Non-motor vehicle offences <sup>4</sup>	-	-	-	1	1	-	-	-	-	-
<b>Per cent by Fiscal fixed penalty type</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
Serious driving offences <sup>2</sup>	2	1	1	1	1	3	1	1	3	2
Speeding offences	25	42	49	50	46	35	50	54	51	51
Signal and direction offences	11	9	12	13	12	16	12	12	15	14
Lighting, construction & use offences	19	10	6	7	8	12	6	3	3	4
Documentation offences	30	24	18	17	20	25	21	20	21	21
Other motor vehicle offences <sup>3</sup>	12	13	15	12	13	9	11	10	6	8
Non-motor vehicle offences <sup>4</sup>	-	-	-	*	*	-	-	-	-	-

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

2. In some circumstances fiscal fixed penalties can be issued for contraventions of Section 3 of the Road Traffic Act 1988 (driving without due care and attention).

3. Contains a number of other offences, however around a half of fixed penalties given for this group were for mobile phone offences and half were seatbelt offences.

4. Contains bicycle offences and roadworks offences.

# Background Notes

## Annex A - Data Sources and Data Standards

### Court proceedings, Police disposals and COPFS disposals

**A.1** Statistical information on the Scottish Government Criminal Proceedings database is derived from data held on the Criminal History System (CHS), a central database used for the electronic recording of information on persons accused and/or convicted of committing a criminal act. The CHS is maintained by Police Scotland and they are responsible for managing its operation and own the majority of the data.

**A.2** [Chart 2](#) in the main body of the bulletin depicts how people accused of committing a crime move through the criminal justice system. People can be disposed from the system in a variety of ways, including being dealt with directly by the police, being fined or warned by the Crown Office and Procurator Fiscal Service (COPFS) or being proceeded against in court. At each of these stages information is logged on the CHS regarding the status of the accused. The COPFS and the Scottish Courts and Tribunal Service (SCTS) make updates on their own systems which are fed back electronically to Police Scotland's CHS. When an offender's case reaches its final conclusion or "disposal" the case is considered completed on the CHS.

**A.3** The Scottish Government receives individual level returns from the CHS on a monthly basis. These are electronically submitted by Police Scotland for cases that are completed. Information on criminal trials that are on-going or have not been dealt with through the police or COPFS disposals are not included in this report. As the CHS data used to produce this bulletin is provided via an existing automated process, there was no cost to the data provider.

### Bail and undertakings

**A.4** The source of the statistical data on bail orders and undertakings is also the CHS. The Scottish Government receives monthly files for this data.

### Other data sources

**A.5** [Chart 2](#) presents a range of summary data other than that derived from the CHS, such as information collected directly from the COPFS, Scottish Government Recorded Crime outputs, referrals to the Children's Reporter and information on police conditional offers made for motor vehicle offences, based on figures provided from another Police Scotland database. Please see [Annex C](#) for a description on how the counting bases for these data sources differ.



**A.6** The population figures used to produce the rates shown in Table 5 are the relevant mid-year estimates prepared by the [National Records of Scotland](#) (NRS).

### **Data standards for Justice partners**

**A.7** Data standards are adhered to by organisations inputting data to the CHS in terms of the definitions of data items and their corresponding values. These standards are agreed under the Justice Digital Strategy and ensure there is consistency across the justice organisations in the information they collect. Further information on the data standards can be found [here](#).

**A.8** The following protocols also ensure consistency in the data collected:

- The Scottish Courts and Tribunal Service protocol for the handling of errors that may occur in the transmission of data between justice partners' databases;
- The protocol for the investigation/resolution of disputed data between Police Scotland and the Crown Office and Procurator Fiscal Service;
- The protocol for sharing electronic information between justice partners.

Further information on these protocols can be seen [here](#).

**A.9** The Scottish Government also has representation on a data quality group and is kept informed of any data quality issues relating to the CHS. This group meets around three times a year and has representation from Police Scotland, COPFS, Scottish Prison Service and Scottish Courts and Tribunals Service.

**A.10** The Scottish Government has implemented a crime code classification framework to ensure consistent and comparable reporting between criminal justice statistical outputs. Please see Annex [B4 - B5](#) and [Annex D](#) for full details.

## **Annex B - Data Quality, Data Processing and Data confidentiality**

### **Data quality: Data capture**

**B.1** The Criminal History System (CHS) is an administrative system used to track individuals through the criminal justice system and, as such, was not designed purely for statistical purposes. However, actions and processes have been put in place to ensure that Scottish Government statisticians understand the data.

**B.2** Annex A outlines how information is entered on the CHS and that extracts are sent to the Scottish Government from Police Scotland on a monthly basis. The data requirements for these extracts are contained in a joint specification document that has been agreed between Police Scotland and the Scottish Government.

**B.3** Monthly extracts are uploaded onto a Scottish Government database at which point validation checks are undertaken to ensure a realistic number of records are added to the database. Checks are also made to ensure values for charges, court locations and disposal type are recognised. If any unexplained patterns or unrecognised codes are identified at the data upload stage, further investigations are undertaken. It may be necessary, at times, to go back to Police Scotland to verify the data.

**B.4** Charge codes are the operational codes used to identify the crime or offence and are linked to legislation. New charge codes for crimes and offences under emerging legislation are created by the Crown Office and Procurator Fiscal Service (COPFS) on a monthly basis, and shared with the Scottish Government. When new codes are identified at the data upload stage they are verified and then added to a look-up table of recognised codes.

**B.5** The Scottish Government is responsible for mapping each charge code to a crime code, which forms the basis of the crime code classification (see [Annex D](#)). There are around 6,000 charge codes which are mapped to around 400 crime types. This mapping is agreed with individuals from Police Scotland and COPFS. Once any updates and/or amendments have been agreed, the updated charge code list, together with its mapped crime code, is published by the Scottish Government. The latest version of the charge code list can be accessed [here](#):

### **Data quality: Data validation during production of the statistical bulletin**

**B.6** As a court proceeding or police/ COPFS non-court disposal can be made up of more than one offence, production of the statistics at 'persons' level requires an intermediary processing stage to be carried out on the CHS data. Where a person is proceeded against for more than one crime or offence in a single proceeding, only the main charge is counted. The main charge is the one receiving the most

severe penalty (or disposal) if one or more charges are proved, and is identified using a look-up table which ranks the disposal types in order of importance.

**B.7** For example, custody is ranked higher than a monetary fine, so for a proceeding where there was a mixture of these two types of disposal, the main charge counted for this record would be the charge associated with the custody disposal rather than the charge related to the monetary disposal. Once this dataset is created the following types of validation are carried out:

- Automated validation procedures and manual checks to identify any unrealistic data values e.g. long custodial sentences for petty crimes or short sentences for the most serious of crimes. Effort is also made to clean up records for which key information is missing e.g. missing court locations or age/gender of the offender. These are referred back to Police Scotland, Scottish Court and Tribunal Service (SCTS) or COPFS (depending upon the nature of the problem) either for correction or for explanation of any unusual circumstances.
- Other checks are carried out as necessary based on changes to the justice system. For example when new legislation is implemented, checks are undertaken to ensure cases are coming through the system at a realistic rate.
- Trends in the statistics are compared against case processing information published by COPFS and management information provided by SCTS to ensure that the volume of court proceedings are consistent. Information is compared by court type (e.g. high court, sheriff court etc.) to identify any differences.
- Further checks are undertaken by crime type, sentence type and other characteristics to identify any errors. As an extra level of assurance, policy experts within the Scottish Government are consulted to identify why any significant changes may have occurred. Any relevant contextual information is then added to the bulletin.
- Similar consultation is undertaken with COPFS, SCTS and Police Scotland wherein results are shared purely for quality assurance purposes. Insight at an operational level provides invaluable feedback and informs whether further investigation on the statistics is required.
- Further quality assurance and checking is undertaken on the statistics by members of Scottish Government Justice Analytical Services support staff when preparing the tables. Scottish Government statisticians, who have not been involved in the production process, check the results further and highlight issues that may have gone unnoticed.

### **Data quality: Double counting**

**B.8** In recent years, we have carried out much more extensive quality assurance with external agencies. The purpose of this is to ensure the accuracy and quality of the statistics published. The COPFS have identified that there may be a small number of court proceedings (often involving multiple charges and of a complex nature) which are being recorded as separate court cases which, in fact, should

only be reported as one. The effect of this would be to over-estimate the true number of court proceedings.

**B.9** Initial investigations suggest that this affects all crime types, though to varying degrees. Further work will be carried out with a view to quantifying the extent of the problem and identifying whether a change in processing methodology is required.

### **Data confidentiality**

**B.10** Court proceedings are held in public and may be reported on by the media unless the court orders otherwise, for example where children are involved. While our aim is for the statistics in this bulletin to be sufficiently detailed to allow a high level of practical utility, care has been taken to ensure that it is not possible to identify an individual or organisation and obtain any private information relating to them.

**B.11** We have assessed the risk of individuals being identified in the tables in this bulletin and have established that no private information can be identified. Where demographic information is provided this is done either in wider categories of ages (for example tables 6, 22 and 23) or in numbers per 1,000 population (table 5). This ensures that where there are small numbers, individuals can not be identified.

**B.12** Some of the additional data tables we provide alongside this publication have local authority information related to the offender. In the Local Authority tables, either demographic information is provided or offence-level information is provided, but not a combination of both. Similar to the main publication tables demographic information is divided into wider age categories to further ensure no information about individuals can be extracted from these tables.

**B.13** In terms of security and confidentiality of the data received from the data suppliers, only a small number of Scottish Government employees have access to the datasets outlined in the various stages of processing outlined above. The only personal details received by the Scottish Government in the data extract are those which are essential for the analyses in this bulletin.

**B.14** The data presented in this publication are drawn from an administrative IT system. Although care is taken when processing and analysing the data, they are subject to the inaccuracies inherent in any large scale recording system. While the figures shown have been checked as far as practicable, they should be regarded as approximate and not necessarily accurate to the last whole number shown in the tables. They are also updated and quality assured on an on-going basis, and the figures shown here may therefore differ slightly from those published previously. Where substantive revisions have been made to improve the quality of the data, these will be indicated in the footnotes.

**B.15** New information based on the postcode of the accused replaced the tables on Criminal Justice Authority Areas (CJA) in the 2015-16 publication. CJAs are groups of local authorities and the data were based on the local authority of the court location rather than the home location of the accused. Users are still able to request information based on the location of the court.

## Revisions

**B.16** The CHS is not designed for statistical purposes and is dependent on receiving timely information from Criminal Justice organisations. A pending case on the CHS should be updated in a timely manner but there are occasions when slight delays happen. Recording delays of this sort generally affect High Court disposals more than those of other types of court, as they are the most complex and lengthy trials.

**B.17** The figures given in this bulletin reflect the details of court proceedings as recorded on the CHS, that were concluded on or by 31st March 2017, and as provided to the Scottish Government up to the end of October 2017. Any subsequent updates on court disposals made will be incorporated into future bulletins and therefore some figures for 2016-17 (in particular those relating to the High Court) are likely to be subject to minor revisions.

**B.18** These recording delays mean that figures for 2016-17 should be considered provisional as future bulletins may provide updates. We estimate that the 2015-16 bulletin contained a small undercount of around 12 people convicted in 2015-16, less than one per cent of all people convicted.

**B.19** It should be noted that in the 2015-16 publication, some tables contained inaccuracies:

- a) The percentages in the top four lines of table 10a did not add to 100, as the 27 persons receiving life sentences had not been included.
- b) In table 15, the reported numbers of bail-related cases with a conviction in High Court was too high in 2014-15 and 2015-16, this has now been corrected.
- c) The 'knife-only' figures presented in the table B in 2015-16 erroneously included some additional convictions – these have been removed this year.

**B.20** No revisions (except those described in B18 above) have been made to the Criminal Proceedings statistics as described below. When revisions are required, they comply with [Scotland's Chief Statistician's current revisions policy](#).

## Annex C – Understanding the statistics in this bulletin

**C.1** Individual offenders may be proceeded against on more than one occasion; on each occasion they may be proceeded against for more than one charge. The units of measurement used in this bulletin, which may be different to those in other criminal justice statistics publications, are:

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

People are counted once for each occasion they are proceeded against. If a person is proceeded against more than once on the same day, each proceeding will be counted separately. References to ‘people’ include companies.

Where a person is proceeded against for more than one crime or offence in a single proceeding, only the **main charge** is counted. The main charge is the one receiving the most severe penalty (or disposal) if one or more charges are proved, and is identified using a look-up table which ranks the disposal types in order of importance. For example, custody is ranked higher than a monetary fine, so for a proceeding where there was a mixture of these two types of disposal, the main charge counted for this record would be the charge associated with the custody disposal rather than the charge related to the monetary disposal.

A **person convicted** is defined to be one who had a plea of ‘guilty’ accepted, or who was proved guilty of at least one charge as a result of a trial. Throughout this bulletin, the terms ‘people convicted’ and ‘convictions’ are used interchangeably. If the case does not reach the courts then the main charge within the case that reaches the furthest stage in the criminal justice system e.g. if the case is disposed of via a non-court disposal by the police or the COPFS.

(b) **individual offender**

In the period covered by this bulletin, each offender convicted of a crime or offence will have been assigned a unique reference number by Police Scotland. This enables all convictions relating to an individual offender to be linked together, so that analysis of the number of convictions per offender in any given year, or the number of their previous convictions, can be derived. The Scottish Government also publishes information on reconvictions in the publication [Reconviction rates in Scotland](#).

(c) **individual offences**

In addition to analysing people convicted by the main charge involved, data in relation to individual offences which are proved are also available. [Tables 4a and 4b](#) show aggregate figures for offences by crime type.

**C.2** Generally only the initial outcome is included in the court proceedings statistics so that, for example, a person fined is regarded as fined even if he or she subsequently goes to prison in default of payment. Similarly, no account is taken of the outcome of appeals; the exception to this is for those crimes where an appeal is

determined prior to publication and the conviction is quashed or the sentence is substituted.

**C.3** The number of prosecutions and sentences given could be influenced by operational practices within the justice system. For example there may be times when the police report a particular offence to the procurator fiscal but, when the facts and circumstances are examined, the procurator fiscal decides to proceed with an alternative charge. There are rare occasions when such decisions are made but unfortunately, the charge is not then updated on the computerised records. There is nothing to suggest that the scale of this issue is large enough to alter the overall trends reported.

**C.4** A court can impose more than one penalty in appropriate cases. For example, a fine can be imposed in addition to a more severe penalty, such as custody. The main additional punishments are generally disqualification from holding or obtaining a driving licence and the endorsement of a driving licence. Please note that although statistics on driving licence disqualifications are not published in this output they are available on request.

**C.5** In the court proceedings statistics, the reference year used is the year in which the person is sentenced. For example if a person pleads to, or is convicted for, a charge in 2008-09, but is not sentenced until 2009-10, all events are recorded as occurring in 2009-10. The age of each person is calculated as at the date of sentence or acquittal.

**C.6** Figures for sentence lengths imposed include any element imposed for bail aggravation under section 27(1)(b) of the Criminal Procedure (Scotland) Act 1995, and under section 16 of the Prisoners and Criminal Proceedings (Scotland) Act 1993 (where the offender committed an offence following release from custody on licence prior to the end of a previous sentence period imposed).

**C.7 Aggravators** can be recorded to provide additional information relating to the nature of a charge. For example, someone who commits an assault which is motivated by malice towards the victim as a result of their religion might have their offence recorded under “common assault” with an aggravator code of “religious” hatred.

**C.8** The set of aggravator codes that are used on the CHS include statutory aggravators which are those introduced through legislation, such as the religious or racial aggravators, and a “domestic” abuse aggravator code, which is used to highlight particular cases to the police, COPFS or SCTS. Examples of statutory aggravators are:

- Sexual orientation, transgender identity and disability as introduced through the [Offences \(Aggravation by Prejudice\) \(Scotland\) Act 2009](#);
- Racially motivated crime as legislated for under [Section 96 of the Crime and Disorder Act 1998](#);

- Religiously motivated crime as legislation for under [Section 74 of the Criminal Justice \(Scotland\) Act 2003](#);
- Bail and undertaking aggravations as introduced in [Criminal Procedure \(Scotland\) Act 1995](#), sections 22 and 27.

**C.9** Statistics on offences with a bail aggravator recorded , which identify offences that were committed while the offender was on bail, are available in the “[Additional data](#)” page.

## **Comparisons with other sources**

**C.10** Care should be taken when comparing different data sources relating to the criminal justice system. For example **recorded crime** statistics count crimes and offences at the time that they came to the attention of Police Scotland while criminal proceedings statistics report on cases which have concluded in court. This means that a crime may be recorded by the police in one year and court proceedings concluded in a subsequent year. In addition, a person may be proceeded against for more than one crime involving more than one victim and there is the possibility that the crime recorded by the police may be altered in the course of judicial proceedings. There are also some offences included in this bulletin, such as failure to pay a television licence, which are reported directly to the procurator fiscal by specialist reporting agencies such as TV Licensing and therefore are not included in the police recorded crime statistics.

**C.11** COPFS publish a number of outputs, including [annual figures](#) relating to the number of cases reported to procurators fiscal each year, and the number of cases disposed of each year, by type of disposal. Some of these figures are presented in [table 1](#) clearly marked as cases. Each COPFS case includes at least one charge, similar to criminal proceedings, but may involve more than one offender. The criminal proceedings statistics count individual people disposed of. It is not currently possible to extract information on some of the other COPFS non-court disposals from the CHS e.g. warnings and no actions.

**C.12** The COPFS also publish charge level statistics in publications such as [Hate Crime in Scotland](#) and [Domestic Abuse Charges reported to the COPFS](#). The counting base for these statistics are at individual charge level rather than case level. As Criminal Proceedings statistics only measure the main charge in a case it would be expected that the COPFS figures would be higher. There will also be timing differences since the COPFS figures are based on the year of the report to COPFS, while the Criminal Proceedings figures are based on year of disposal.

**C.13** Custodial disposals are counted differently from the direct sentenced prison receptions (excluding fine default receptions) published in the Scottish Government [Prison Statistics](#) publications. Most of this difference is because a person given custodial sentences for separate sets of charges on the same day is counted as



two custodial sentences in the criminal proceedings statistics, but only one direct sentence reception in the prison statistics.

**C.14** Community sentence disposals are also counted on a slightly different basis from the statistics in Criminal Justice Social Work (CJSW) publications. The differences between the two sources include:

- Where two or more identical orders have been issued to run concurrently, the CJSW information only counts one order, whereas the criminal proceedings statistics will count more than one.
- Criminal proceedings data counts the penalty of first disposal whereas CJSW data includes orders given subsequent to the initial disposal (e.g. as a result of fine default, following an appeal etc.)
- The date on which the order is deemed to be given can vary between the two collections, particularly where the penalty is given on a different date from the plea/verdict.

**C.15** Please note that statistics on Restriction of Liberty Orders (**RLOs**) will not match [statistics published by G4S](#), the Scottish Government's contractor for electronic monitoring. This is because statistics in this publication are representative of the main charge in a set of proceedings and will mask RLOs issued for secondary charges. In the case of RLOs, it is common for Community Payback Orders (CPOs) to be issued in combination where there is more than one conviction within a proceeding but only the CPO will be counted. By contrast the G4S figures count all RLOs issued by the courts relating to all charges.

### **Comparisons with statistics from other countries**

**C.16** Direct comparisons with statistics from other countries should be taken with care as legal frameworks and legislation for criminal offences differ. In addition, data collection techniques and recording definitions will vary considerably. For example, the Ministry of Justice court statistics are based on information directly captured from the court's operational databases and are typically published by calendar year. By contrast these statistics for Scotland are from the CHS, a police database that collates information from the COPFS and the SCTS, and are published on a financial year basis.

**C.17** Despite international differences, Criminal Proceedings statistics are included in international reports collated by the United Nations and Eurostat such as:

- [European Sourcebook of Crime and Criminal Justice Statistics](#)
- Various analysis and reports on the [Eurostat website](#).

## Annex D - Definitions, Classifications and Notation

**D.1** The measures available to a court in sentencing a convicted person depend on a number of matters including what Parliament has legislated for in terms of appropriate penalties and the age of the person.

**D.2** In some cases, if the court obtains evidence that the accused is suffering from a mental disorder, they can be assessed as unfit for trial, or acquitted because they were not criminally responsible at the time of the offence with a mental health disposal being issued by the court.

### Custodial sentences

**D.3** In 2016-17 the custodial sentence measures available to courts, that we have statistics for, included the options to:

- a. **Imprison** the convicted person (if aged 21 or over); sentence to a **Young Offenders' Institution (YOI)** (if aged 16 to 21 and not a child subject to compulsory supervision); or, if the convicted person has been released on licence/ under supervision following a previous conviction, recall to prison or YOI. On licence means that a prisoner is subject to recall to prison if they breach the terms of their release.
- b. Issue an **Order for Lifelong Restriction (OLR)**. The OLR provides for the lifelong supervision of high-risk violent and sexual offenders and allows for a greater degree of intensive supervision than is the current norm. The OLR is designed to ensure that offenders, after having served an adequate period in prison to meet the requirements of punishment, do not present an unacceptable risk to public safety once they are released into the community. The period spent in the community will be an integral part of the sentence, which lasts for the remaining period of the offender's life.
- c. Impose an **Extended Sentence**. These sentences give additional post-release supervision on licence where it is considered that any existing supervision after the offender's release from custody would be a risk to the public. Extended sentences are imposed on sex offenders or on violent offenders who receive a custodial sentence of four years or more.
- d. Impose a **Supervised Release Order**. These can be used for people sentenced to less than 4 years in custody for offences other than sexual crimes. They mean that the person is compulsorily supervised for up to one year following release. These orders should only be imposed where the Court believes it would help prevent serious harm. The offender must comply with the reasonable instructions of the supervising officer.

e. Sentence a person under the age of 18 convicted of murder to be detained without limit of time in such place, and under such conditions, as Scottish Ministers may direct (the effect of this is normally detention in a **young offenders institution or secure unit**). Where the person is aged 18 but under 21 he or she should be detained initially in a young offenders institution.

f. Where a child (as defined in section 199 of the Children's Hearings (Scotland) Act 2011) is convicted on indictment and the court is of the view that no other method of dealing with the child is appropriate, the court may sentence the child to be detained for a period specified in the sentence and shall during that period be liable to be detained in such place, and on such conditions, as Scottish Ministers may direct.

## Community sentences

**D.4** Community sentence is a collective term for the ways that courts can punish someone convicted of committing an offence other than by serving a custodial sentence. The following list includes the community sentence options to:

a. Impose a **community payback order** (CPO). These were introduced by the Criminal Justice and Licensing (Scotland) Act 2010 and can only be imposed in respect of offence(s) committed on or after 1 February 2011. The CPO replaces provisions for community service orders, probation orders and supervised attendance orders, and the former community reparation order.

A CPO can consist of one or more of nine requirements including offender supervision, compensation, unpaid work or other activity, mental health treatment, drug treatment and alcohol treatment. Every order must contain either an unpaid work or other activity requirement or an offender supervision requirement (or both). If an offender fails to comply with a requirement in the order, the court can impose a number of sanctions, including a restricted movement requirement.

b. Impose a **restriction of liberty order**: a community sentence introduced by section 5 of the Crime and Punishment (Scotland) Act 1997 and available to courts nationally from 1 May 2002. This requires a person to remain within a location, usually their home, at times specified by the court. A person's compliance with the order is monitored electronically.

c. Impose a **drug treatment and testing order** (DTTO): a measure introduced by the Crime and Disorder Act 1998 and rolled out in phases from 1999 onwards. These are designed to reduce or stop offending by addressing problem drug use through the provision or access to a closely monitored treatment programme.

- d. Impose a **probation order**, of which some had conditions such as unpaid work or alcohol treatment attached (for offences committed prior to 1 February 2011).
- e. Impose a **community service order** requiring the offender to undertake unpaid work (for offences committed prior to 1 February 2011).
- f. Impose a **supervised attendance order** which the court can impose as an alternative to custody for people who have defaulted on fines imposed for minor criminal offences (for offences committed prior to 1 February 2011).

### Financial penalties

**D.5** The list below includes the financial penalty sentence options that allow the courts to :

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

### Other sentences

**D.6** The list below includes the “other” sentence options that allow the courts to :

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

**D.7** The range of options available to the police for minor offences includes:

- a. **Anti-social behaviour fixed penalty notices** (ASBFPNs) of £40, can be issued for eleven crime/offence types, including drunken-related

behaviours and playing loud music, to people aged 16 or over. Payment of the penalty involves no admission of guilt.

b. **Recorded Police Warnings** were introduced on the 11<sup>th</sup> January 2016 to deal with low level offences and replace Formal Adult Warnings. Police recorded warnings can be issued to any person over the age of 16. It is not a finding of guilt but is an alternative to prosecution and can be taken into account within a period of two years should the offender come to the further notice of the police.

c. Disposals for young people who offend such as **Early and Effective Interventions (EEI)** and **Restorative Justice Warnings**.

d. It should be noted that **Formal Adult Warnings (FAWs)** (issued for minor offences) were withdrawn on the 11<sup>th</sup> January 2016 and replaced by recorded police warnings.

**D.8** When a report is submitted by the police to the procurator fiscal, prosecution in court is only one of a range of possible options for dealing with people who have been charged. These cover:

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

b. **Fiscal fixed penalties** are generally issued for motor vehicle offences. Available to fiscals before SJR, but cannot be separately identified in CHS until after SJR;

c. **Fiscal compensation** orders of up to £5,000 payable to the victim. Only available after SJR, for personal injury, loss, damage, alarm or distress;

d. **Combined fiscal fine and fiscal compensation** order; and

e. **Fiscal Work Orders (FWOs)** were introduced across Scotland in April 2015 and provide the COPFS with the option of offering an alleged offender a period of unpaid work of between 10 and 50 hours, as an alternative to prosecution. Successful completion of the order discharges the right to prosecute. We have been unable to derive statistics for this year's Criminal Proceedings bulletin due to uncertainty around what stage information relating to the FWO is captured on the Criminal History System. We will investigate the process of recording these disposals in the coming year with the hope of publishing FWO statistics in the 2017-18 report.

## Classification of crimes and offences

**D.9** Violations of criminal law are divided, for statistical purposes only, into crimes and offences. There are around 6,000 charge codes, which are the operational codes used within the Criminal Justice System to identify crimes and offences. These charge codes are mapped to around 400 crime codes, which in turn are grouped into 35 broader categories, and further into 7 crime and offence groups. This classification enables consistent and comparable reporting between criminal justice organisations and is presented in the table below.

### CRIMES

<b>Group 1: Non-sexual crimes of violence</b> (Also referred to as <b>Crimes of violence</b> )	
Homicide etc.	Includes: <ul style="list-style-type: none"> <li>• Murder</li> <li>• Culpable homicide <ul style="list-style-type: none"> <li>– Culpable homicide (common law)</li> <li>– Causing death by dangerous driving</li> <li>– Causing death by careless driving while under the influence of drink or drugs</li> <li>– Causing death by careless driving</li> <li>– Illegal driver involved in fatal accident</li> <li>– Corporate homicide</li> </ul> </li> </ul>
Attempted murder and serious assault	Includes: <ul style="list-style-type: none"> <li>• Attempted murder</li> <li>• Serious assault</li> </ul> <p>An assault is classified as <b>serious</b> if the victim sustained an injury resulting in detention in hospital as an in-patient or any of the following injuries whether or not he/she was detained in hospital: fractures, internal injuries, severe concussion, lacerations requiring sutures which may lead to impairment or disfigurement or any other injury which may lead to impairment or disfigurement.</p>
Robbery	Includes: <ul style="list-style-type: none"> <li>• Robbery and assault with intent to rob</li> </ul>
Other	Includes: <ul style="list-style-type: none"> <li>• Threats and extortion</li> <li>• Cruel and unnatural treatment of children</li> <li>• Abortion</li> <li>• Concealment of pregnancy</li> <li>• Possession of a firearm with intent to endanger life, commit crime etc.</li> <li>• Abduction</li> <li>• Ill treatment of mental patients</li> <li>• Drugging</li> </ul>

<b><u>Group 2: Sexual crimes</u></b>	
Rape and attempted rape	Includes: <ul style="list-style-type: none"> <li>• Rape</li> <li>• Attempted rape</li> </ul>
Sexual assault	Includes: <ul style="list-style-type: none"> <li>• Contact sexual assault (13-15 year old or adult 16+)</li> <li>• Sexually coercive conduct (13-15 year old or adult 16+)</li> <li>• Sexual crimes against children under 13 years</li> <li>• Lewd and libidinous practices</li> </ul>
Crimes associated with prostitution	Includes: <ul style="list-style-type: none"> <li>• Crimes relating to prostitution</li> <li>• Soliciting services of person engaged in prostitution</li> <li>• Brothel keeping</li> <li>• Immoral traffic</li> <li>• Procuration</li> </ul>
Other	Includes: <ul style="list-style-type: none"> <li>• Other sexually coercive conduct</li> <li>• Other sexual crimes involving 13-15 year old children</li> <li>• Indecent image offences i.e. "Taking, distribution, possession etc. of indecent photos of children"</li> <li>• Incest</li> <li>• Unnatural crimes</li> <li>• Public indecency</li> <li>• Sexual exposure</li> <li>• Other sexual crimes</li> </ul>
<b><u>Group 3: Crimes of dishonesty (Also referred to as Dishonesty)</u></b>	
Housebreaking	Includes: <ul style="list-style-type: none"> <li>• Theft by housebreaking domestic property (dwelling and non-dwelling)</li> <li>• Theft by housebreaking other property</li> <li>• Housebreaking with intent to steal domestic property (dwelling and non-dwelling)</li> <li>• Housebreaking with intent to steal other property</li> <li>• Attempted housebreaking with intent to enter and steal domestic property (dwelling and non-dwelling)</li> <li>• Attempted housebreaking with intent to enter and steal other property</li> </ul>
Theft by opening a lockfast place (OLP)	Includes: <ul style="list-style-type: none"> <li>• Theft by opening lockfast places (OLP) (excluding motor vehicle)</li> <li>• OLP (excluding motor vehicle) with intent to steal</li> <li>• Attempted OLP excluding motor vehicle with intent to steal</li> </ul>

Theft from a motor vehicle by OLP	Includes : <ul style="list-style-type: none"> <li>• Theft by OLP from a motor vehicle</li> <li>• OLP with intent to steal from a motor vehicle</li> <li>• Attempted OLP with intent to steal from a motor vehicle</li> </ul>
Theft of motor vehicle	Includes : <ul style="list-style-type: none"> <li>• Theft of a motor vehicle and contents</li> <li>• Attempted theft of a motor vehicle</li> </ul>
Shoplifting	Includes : <ul style="list-style-type: none"> <li>• Shoplifting</li> </ul>
Other theft	Includes : <ul style="list-style-type: none"> <li>• Theft of pedal cycles</li> <li>• Theft from a motor vehicle not elsewhere classified</li> </ul>
Fraud	Includes: <ul style="list-style-type: none"> <li>• Common law fraud</li> <li>• Statutory fraud</li> <li>• Forgery and uttering (excluding currency crimes)</li> </ul>
Other crimes of dishonesty	Includes: <ul style="list-style-type: none"> <li>• Forgery (other)</li> <li>• Reset</li> <li>• Embezzlement</li> <li>• Corruption</li> </ul>
<b><u>Group 4: Fire-raising, vandalism etc.</u></b>	
Fire-raising	Includes: <ul style="list-style-type: none"> <li>• Fire-raising</li> <li>• Muirburn</li> </ul>
Vandalism, etc.	Includes: <ul style="list-style-type: none"> <li>• Malicious mischief</li> <li>• Vandalism</li> <li>• Culpable and reckless conduct (not with firearms)</li> <li>• Reckless conduct with firearms</li> </ul>
<b><u>Group 5: Other crimes</u></b>	
Crimes against public justice	Includes: <ul style="list-style-type: none"> <li>• Perjury</li> <li>• Resisting arrest</li> <li>• Bail offences (other than absconding or re-offending)</li> <li>• Wasting police time</li> </ul>
Handling offensive weapons	Includes: <ul style="list-style-type: none"> <li>• Possession of an offensive weapon</li> <li>• Restriction of offensive weapons</li> <li>• Having in a public place an article with a blade or point</li> <li>• Having in prison an article with a blade or point</li> <li>• Possession of an offensive weapon (not blade or point) in a prison</li> </ul>



Drugs	Includes: <ul style="list-style-type: none"> <li>• Importation of drugs</li> <li>• Production, manufacture or cultivation of drugs</li> <li>• Possession and supply of controlled drugs</li> <li>• Related money laundering offences</li> <li>• Bringing drugs into prison</li> </ul>
Other	Includes: <ul style="list-style-type: none"> <li>• Treason</li> <li>• Conspiracy</li> <li>• Explosives offences</li> <li>• Wrecking, piracy and hijacking</li> <li>• Crimes against public order</li> </ul>

## OFFENCES

<b>Group 6: Miscellaneous offences</b>	
Common assault	Includes: <ul style="list-style-type: none"> <li>• Common assault</li> <li>• Common assault on an emergency worker</li> </ul>
Breach of the peace etc.	Includes: <ul style="list-style-type: none"> <li>• Breach of the peace</li> <li>• Threatening or abusive behaviour</li> <li>• Offence of stalking</li> <li>• Offensive behaviour at football</li> <li>• Threatening communications (Offensive Behaviour at Football and Threatening Communications Act 2012)</li> </ul>
Drunkenness and other disorderly conduct	Includes: <ul style="list-style-type: none"> <li>• Drunk and disorderly</li> <li>• Drunk and incapable</li> <li>• Drunk in charge of a child</li> <li>• Drunk and attempting to enter licensed premises</li> <li>• Drunk or drinking in unlicensed premises</li> <li>• Disorderly on licensed premises</li> <li>• Drunk and attempting to enter a sports ground</li> <li>• Refusing to quit licensed premises</li> <li>• Consumption of alcohol in designated places, byelaws prohibited</li> </ul>
Urinating etc.	Includes: <ul style="list-style-type: none"> <li>• Urinating /defecating</li> </ul>
Other	Includes: <ul style="list-style-type: none"> <li>• Racially aggravated harassment</li> <li>• Racially aggravated conduct</li> <li>• False/Hoax calls</li> <li>• Offences involving children</li> <li>• Offences involving animals/plants</li> <li>• Offences against local legislation</li> </ul>

	<ul style="list-style-type: none"> <li>• Offences against liquor licensing laws</li> <li>• Labour laws</li> <li>• Naval military and air force laws</li> <li>• Offences against environmental legislation</li> <li>• Consumer protection acts</li> </ul>
<b>Group 7: Motor vehicle offences</b>	
Dangerous and careless driving	<p>Includes:</p> <ul style="list-style-type: none"> <li>• Dangerous driving offences</li> <li>• Driving carelessly</li> </ul>
Driving under the influence	<p>Includes:</p> <ul style="list-style-type: none"> <li>• Driving or in charge of motor vehicle while unfit through drink or drugs</li> <li>• Blood alcohol content above limit</li> <li>• Failing to provide breath, blood or urine specimens</li> </ul>
Speeding	<p>Includes:</p> <ul style="list-style-type: none"> <li>• Speeding in restricted areas</li> <li>• Other speeding offences</li> </ul>
Unlawful use of motor vehicle	<p>Includes:</p> <ul style="list-style-type: none"> <li>• Driving whilst disqualified</li> <li>• Driving without a licence</li> <li>• Offences relating to driving without insurance</li> <li>• Vehicle excise license offences</li> </ul>
Vehicle defect offences	<p>Includes:</p> <ul style="list-style-type: none"> <li>• Offences relating to faulty lights on vehicles</li> <li>• Other vehicle defects relating to tyres, brakes etc.</li> <li>• Weight contraventions for goods vehicles</li> </ul>
Seat belt offences	<p>Includes:</p> <ul style="list-style-type: none"> <li>• Drivers and passengers failing to wear seatbelts</li> <li>• Failure to restrain children in appropriate seatbelts</li> </ul>
Mobile phone offences	<p>Includes:</p> <ul style="list-style-type: none"> <li>• Driving whilst using a mobile phone</li> </ul>
Other motor vehicle offences	<p>Includes:</p> <ul style="list-style-type: none"> <li>• Accident offences including failing to stop/provide details</li> <li>• Parking offences</li> <li>• Motor Vehicle Records of Work (eg Tachograph) Offences</li> </ul>

## Annex E – Legislative and policy changes

### Legislative changes

**E.1** There were no major legislative changes in 2016-17 but it may be useful for users to be aware of the following changes in more recent years:

**E.2** On December 5th 2014 the **alcohol limit for drivers in Scotland** was reduced from 80 mg to 50 mg per 100 ml blood.

**E.3** Aside from the changes in drink driving legislation there have been no other major legislative changes throughout 2016-17 which impact on the comparability of the statistics. However, it should be noted that legislation introduced in more recent years prior to 2016-17 will continue to have an impact on the statistics as people are charged under the new legislation and proceeded against in court. Some of these changes are outlined below.

**E.4** The [Offensive Behaviour at Football and Threatening Communications \(Scotland\) Act 2012](#) was implemented on 1 March 2012. The Act criminalises behaviour which is threatening, hateful or otherwise offensive at a regulated football match including offensive singing or chanting. It also criminalises the communication of threats of serious violence and threats intended to incite religious hatred, whether sent through the post or posted on the internet.

**E.5** On 6 October 2010, section 38 of the [Criminal Justice and Licensing \(Scotland\) Act 2010](#) was implemented. This introduced a new offence to combat threatening or abusive behaviour. Unlike the common law offence of breach of the peace, where it is necessary to show a “public element” to the conduct, there is no requirement in the new offence to demonstrate that the offending behaviour was in a public place.

**E.6** Section 39 of the same act also introduced a specific criminal offence of stalking. It is based fairly closely on the offence of harassment in the Protection from Harassment Act 1997, although with important differences. Section 39 of the Act defines conduct which amounts to stalking by means of a list of behaviours. This includes following or attempting to contact the victim; monitoring electronic communications; watching and spying. It also includes a “catch all” “acting in any other way that a reasonable person would expect would cause (the victim) to suffer fear or alarm”.

**E.7** [Section 17](#) of the same act included a presumption against short sentences (3 months or less). This presumption states that a court must not pass a sentence of imprisonment for a term of 3 months or less on a person unless the court considers that no other method of dealing with the person is appropriate.

**E.8** The Sexual Offences (Scotland) Act 2009 was implemented on 1 December 2010. The act replaces a number of common law crimes such as rape, lewd and libidinous practices and sodomy, with new statutory sexual offences. The act also created a number of new 'protective' offences which criminalise sexual activity with children and mentally disordered people. Protective offences are placed into categories concerning young children (under 13) and older children (13-15 years).

**E.9** The new legislation only applies to offences committed on or after 1 December 2010, with any offences committed prior to this date recorded using the previous legislation. The new legislation may result in some increases in Group 2 crime (sexual crimes), though the more noticeable effect was a change in the distribution of these crimes among the sub classifications. For example, some crimes previously categorised as lewd and libidinous practices are now classified as sexual assault. The crime categories within the 'sexual crimes' grouping have been updated to reflect the current legislative position.

### **Summary Justice Reform**

**E.10** Summary justice (i.e. non-jury) reform focused on reducing the number of cases that go to court needlessly with more people being dealt with by non-court actions, where it is appropriate to do so. 2008-09 was the first full year across which many aspects of the reform were implemented.

**E.11** A range of measures were implemented as part of the Anti-Social Behaviour (Scotland) Act 2004 and the Criminal Proceedings etc. (Reform) (Scotland) Act 2007, including:

- Increased roll out and use of alternatives to prosecution that can be offered by the police (e.g. Anti-Social Behaviour Fixed Penalty Notices and Formal Adult Warnings) and procurator fiscal (e.g. increased use of Fiscal Fines)
- Reforms to bail procedures
- Increased use of undertakings
- Increased sentencing powers in Summary courts
- Enhanced fines enforcement
- Replacement of district courts with Justice of the Peace (JP) courts
- Reforms to appointing and training lay Justices of the Peace (JPs)
- Reforms to summary criminal legal aid

## A National Statistics publication for Scotland

The United Kingdom Statistics Authority has designated these statistics as National Statistics, in accordance with the Statistics and Registration Service Act 2007 and signifying compliance with the Code of Practice for Official Statistics.

Designation can be interpreted to mean that the statistics: meet identified user needs; are produced, managed and disseminated to high standards; and are explained well.

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### How to access background or source data

The data collected for this statistical bulletin:

- are available in more detail through Scottish Neighbourhood Statistics
- are available via an alternative route
- may be made available on request, subject to consideration of legal and ethical factors. Please contact [Justice\\_Analysts@gov.scot](mailto:Justice_Analysts@gov.scot) for further information.
- cannot be made available by Scottish Government for further analysis as Scottish Government is not the data controller.

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