

Domestic Abuse charges reported to COPFS 2017 - 2018

The data has been extracted from the COPFS case management system.

This is a live operational database. It is designed to meet business needs in the processing of criminal cases, rather than for statistical analysis, and the information within it is structured accordingly. The data was extracted in May 2018, and reflects the position at that date.

Reports to the Procurator Fiscal can include one or more persons. Each person within a report can be reported for one or more charges. Charges can include a domestic abuse identifier/aggravator where appropriate.

COPFS and the Police Service of Scotland have a wide definition of crimes identified as domestic abuse, which is set out in the published Joint Protocol, [Joint Protocol, "in partnership challenging domestic abuse"](#)

The definition set out in the protocol is "any form of physical, verbal, sexual, psychological or financial abuse which might amount to criminal conduct and which takes place within the context of a relationship. The relationship will be between partners (married, cohabiting, civil partnership or otherwise) or ex-partners. The abuse can be committed in the home or elsewhere including online".

Table 1 relates to all charges (rather than reports, or people) reported to COPFS in 2017-18, which had a domestic abuse identifier as at May 2018.

On 24 April 2017, the statutory aggravation of domestic abuse was introduced by the Abusive Behaviour and Sexual Harm (Scotland) Act 2016. The aggravation only applies to conduct that took place on or after 24 April 2017. The aggravation can only be applied where there is evidence capable of proving it. All cases which carry the aggravation should carry the identifier, but the identifier may apply to cases which the aggravation does not.

Table 2 relates to all charges reported to COPFS in 2017-18, which had a statutory domestic abuse aggravation applied as at May 2018.

Some charges may have the domestic abuse identifier or the statutory aggravation of domestic abuse removed by the Procurator Fiscal during the processing of the case, where they considered it was not appropriate to apply this. Conversely, a domestic abuse identifier or statutory aggravation of domestic abuse may be added by the Procurator Fiscal, where appropriate, to charges that were reported without this.

The figures for Court and Direct Measures include charges that were not actioned (either through prosecution or a direct measure) but where other charges for the same accused within the same case were actioned. In some cases the charges which were actioned may have included details from the charges that were not actioned.

In the majority of cases where no action was taken, the reason given is insufficient admissible evidence.

COPFS does not normally disclose statistical information for data entries of less than 5 to ensure it meets its obligations under the Data Protection Act 2018.

As such, where the number of charges is less than 5, these figures have been replaced with an asterisk. In some cases it may be necessary to apply a further suppression to a figure equal to or higher than 5 to prevent other suppressed data being deduced through subtraction.

This applies to all data being published by COPFS where Data Protection considerations apply.

COPFS uses a live operational database and the information contained within it is structured accordingly.

Information provided may therefore be subject to change as our systems are updated for operational reasons.

Charges have been classified according to the crime classification system used by the Scottish Government. The table below gives more information on what is included in the categories.

Crimes	
Homicide	<p>Includes:</p> <ul style="list-style-type: none"> • Murder • Culpable homicide • Culpable homicide (common law) • Causing death by dangerous driving • Causing death by careless driving while under the influence of drink or drugs • Causing death by careless driving • Illegal driver involved in fatal accident • Corporate homicide
Serious assault and attempted murder	<p>Includes:</p> <ul style="list-style-type: none"> • Attempted murder • Serious assault <p>An assault is classified as serious 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	<p>Includes:</p> <ul style="list-style-type: none"> • Robbery and assault with intent to rob

Crimes	
Other violence	<p>Includes:</p> <ul style="list-style-type: none"> • Threats and extortion • Cruel and unnatural treatment of children • Abortion • Concealment of pregnancy • Possession of a firearm with intent to endanger life, commit crime etc. • Abduction • Ill treatment of mental patients • Drugging
Rape and attempted rape	<p>Includes:</p> <ul style="list-style-type: none"> • Rape • Attempted rape
Sexual assault	<p>Includes:</p> <ul style="list-style-type: none"> • Contact sexual assault (13-15 year old or adult 16+) • Sexually coercive conduct (13-15 year old or adult 16+) • Sexual crimes against children under 13 years • Lewd and libidinous practices
Other sexual crimes	<p>Includes:</p> <ul style="list-style-type: none"> • Other sexually coercive conduct • Other sexual crimes involving 13-15 year old children • Indecent image offences i.e. "Taking, distribution, possession etc. of indecent photos of children"

Crimes	
	<ul style="list-style-type: none"> • Incest • Unnatural crimes • Public indecency • Sexual exposure • Other sexual crimes
Housebreaking	<p>Includes:</p> <ul style="list-style-type: none"> • Theft by housebreaking domestic property (dwelling and non-dwelling) • Theft by housebreaking other property • Housebreaking with intent to steal domestic property (dwelling and non-dwelling) • Housebreaking with intent to steal other property • Attempted housebreaking with intent to enter and steal domestic property (dwelling and non-dwelling) • Attempted housebreaking with intent to enter and steal other property
Theft by opening a lockfast place (OLP)	<p>Includes:</p> <ul style="list-style-type: none"> • Theft by opening lockfast places (OLP) (excluding motor vehicle) • OLP (excluding motor vehicle) with intent to steal • Attempted OLP excluding motor vehicle with intent to steal
Theft from a Motor Vehicle (OLP)	<p>Includes :</p> <ul style="list-style-type: none"> • Theft by OLP from a motor vehicle • OLP with intent to steal from a motor vehicle • Attempted OLP with intent to steal from a motor vehicle

Crimes	
Theft of motor vehicle	Includes : <ul style="list-style-type: none"> • Theft of a motor vehicle and contents • Attempted theft of a motor vehicle
Other theft	Includes : <ul style="list-style-type: none"> • Theft of pedal cycles • Theft from a motor vehicle not elsewhere classified
Fraud	Includes: <ul style="list-style-type: none"> • Common law fraud • Statutory fraud • Forgery and uttering (excluding currency crimes)
Other dishonesty	Includes: <ul style="list-style-type: none"> • Forgery (other) • Reset • Embezzlement • Corruption
Fire-raising	Includes: <ul style="list-style-type: none"> • Fire-raising • Muirburn
Vandalism etc	Includes: <ul style="list-style-type: none"> • Malicious mischief • Vandalism • Culpable and reckless conduct (not with firearms) • Reckless conduct with firearms
Crimes against	Includes:

Crimes	
public justice	<ul style="list-style-type: none"> • Perjury • Resisting arrest • Bail offences (other than absconding or re-offending) • Wasting police time
Handling offensive weapons	<p>Includes:</p> <ul style="list-style-type: none"> • Possession of an offensive weapon • Restriction of offensive weapons • Having in a public place an article with a blade or point • Having in prison an article with a blade or point • Possession of an offensive weapon (not blade or point) in a prison
Other	<p>Includes:</p> <ul style="list-style-type: none"> • Treason • Conspiracy • Explosives offences • Wrecking, piracy and hijacking • Crimes against public order
Common assault	<p>Includes:</p> <ul style="list-style-type: none"> • Common assault • Common assault on an emergency worker
Breach of the peace etc.	<p>Includes:</p> <ul style="list-style-type: none"> • Breach of the peace • Threatening or abusive behaviour • Offence of stalking

Crimes	
	<ul style="list-style-type: none"> • Offensive behaviour at football • Threatening communications (Offensive Behaviour at Football and Threatening Communications Act 2012)
Drunkenness	<p>Includes:</p> <ul style="list-style-type: none"> • Drunk and disorderly • Drunk and incapable • Drunk in charge of a child • Drunk and attempting to enter licensed premises • Drunk or drinking in unlicensed premises • Disorderly on licensed premises • Drunk and attempting to enter a sports ground • Refusing to quit licensed premises • Consumption of alcohol in designated places, byelaws prohibited.
Other Misc Offences	<p>Includes:</p> <ul style="list-style-type: none"> • Offences against local legislation • Revenue and Excise Acts • Licensing Acts • Wireless Telegraphy Acts / Communication Acts.
Dangerous and careless driving	<p>Includes:</p> <ul style="list-style-type: none"> • Dangerous driving offences • Driving carelessly