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Domestic Abuse and Stalking Charges in Scotland 2022-23

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Charges reported to COPFS with a Domestic Abuse identifier

In 2022-23, 30,139 charges were reported to COPFS with a domestic abuse identifier.

This is a decrease of 8% compared to the 2021-22 total of 32,776.

Decisions taken

Most of the charges reported with a domestic abuse identifier are prosecuted. The proportion resulting in court proceedings has increased over recent years and is at its highest level since 2013-14 (the period from which consistent figures are available). At the time the data was extracted, an initial decision had been made to proceed to court with 94% of charges reported in 2022-23 compared to 85% in 2013-14.

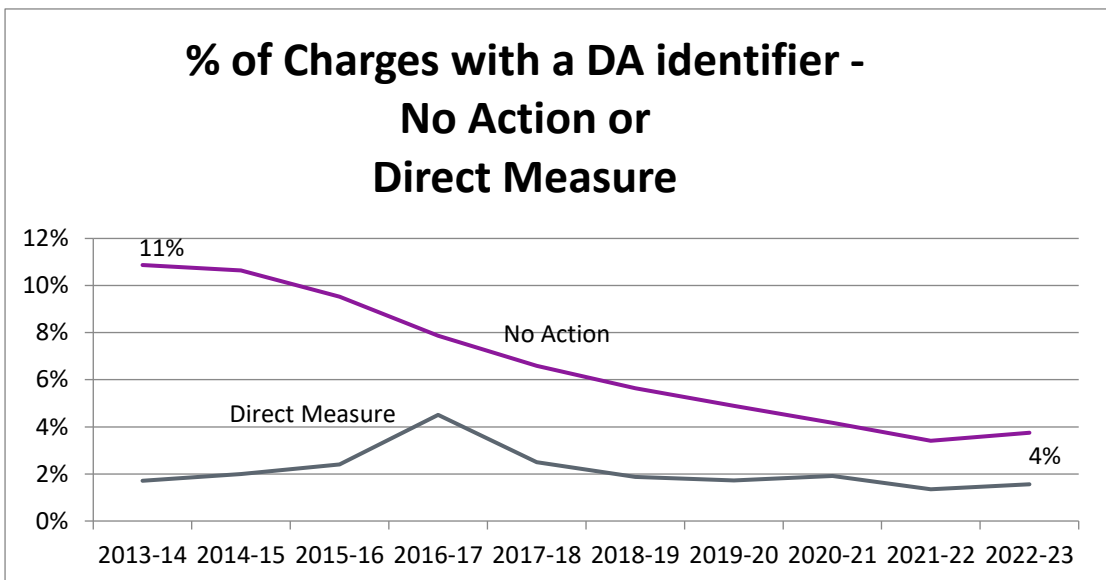
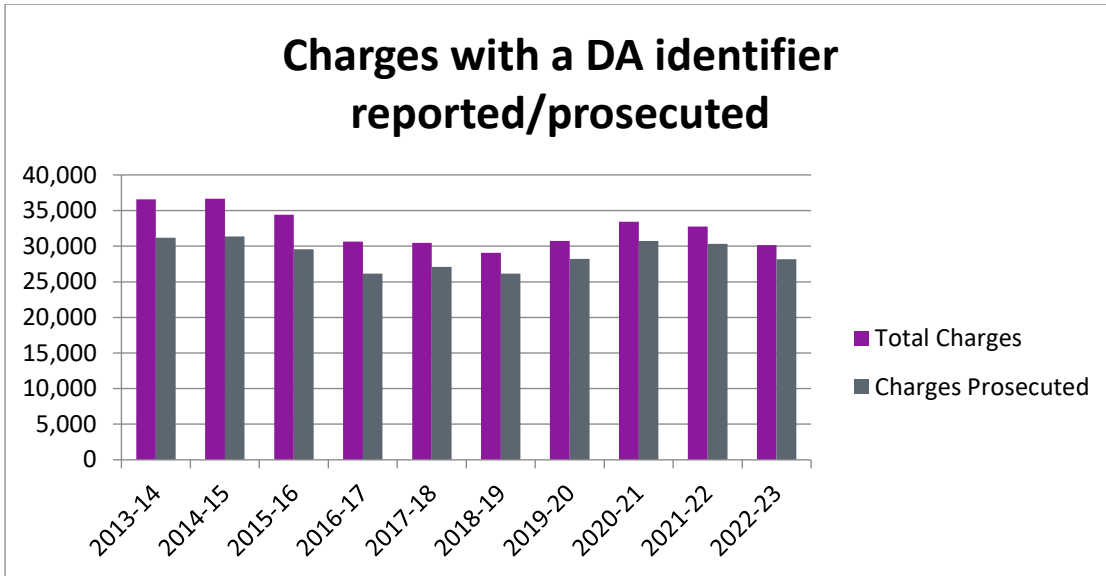
Other prosecutorial actions are available using Direct Measures, including warnings and diversion from prosecution. Direct Measures are used in fewer than 2% of overall charges reported.

The number and percentage of charges where No Action was taken have decreased over the last few years from 3,974 (11%) in 2013-14 to 1,131 (4%) in 2022-23.

Where the decision was to take No Action in 2022-23, the most common reason recorded was "Insufficient Admissible Evidence" (60%).

Table 1: Charges reported with a domestic abuse identifier, by year reported and initial decision on how charge will proceed

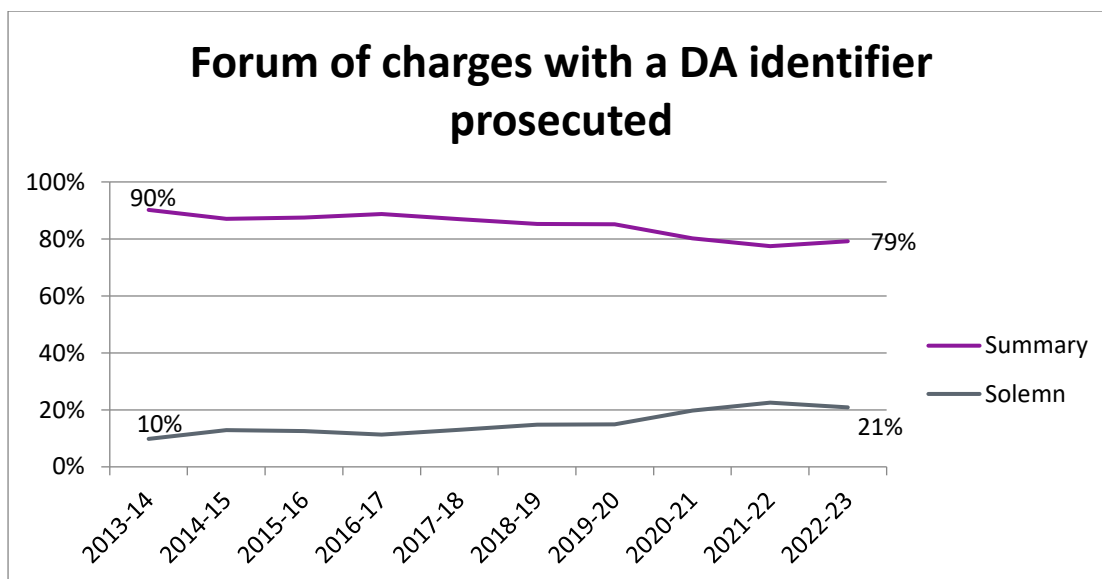
Year of report	Total charges reported	Court	Direct Measure	No Action	No Decision	Reporter
2013-14	36,552	31,179	624	3,974	749	26
2014-15	36,667	31,373	733	3,900	638	23
2015-16	34,420	29,556	825	3,280	723	36
2016-17	30,630	26,157	1,381	2,412	661	19
2017-18	30,481	27,073	763	2,007	623	15
2018-19	29,054	26,138	545	1,640	699	32
2019-20	30,718	28,234	530	1,501	402	51
2020-21	33,425	30,727	640	1,392	620	46
2021-22	32,776	30,333	442	1,117	807	77
2022-23	30,139	28,184	469	1,131	281	74



Court forum

Most of the charges that are prosecuted in court are at sheriff summary level. In 2022-23, 79% of charges prosecuted were at sheriff summary level.

However, the proportion of charges prosecuted at solemn level has increased over recent years, from 10% in 2013-14 to its highest level of 23% in 2021-22 decreasing slightly to 21% in 2022-23.



Statutory domestic abuse aggravation

In 2022-23, 24,787 charges were reported with a statutory aggravation under the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, accounting for 82% of all domestic abuse charges reported. This is a slight increase in comparison with 80% in 2021-22. Since 2019-20, some charges which might previously have been reported with a statutory aggravation may instead have been reported under section 1 of the Domestic Abuse (Scotland) Act 2018.

Table 2: Charges with a statutory aggravation

Year of report	Total number of charges	Charges with statutory aggravation	Percentage of Charges with statutory aggravation
2017-18	30,481	20,338	67%
2018-19	29,054	24,747	85%
2019-20	30,718	25,507	83%
2020-21	33,425	27,658	83%
2021-22	32,776	26,248	80%
2022-23	30,139	24,787	82%

Type of offences

The most common types of offences reported in 2022-23 with a domestic abuse identifier were threatening and abusive behaviour offences (27%), common assault (24%) and crimes against public justice (23%, includes bail offences).

Table 3: Charges reported to COPFS with a domestic abuse identifier 2022-23

Offence	Court	Direct Measure	No Action	No Decision	Reporter	Total
Murder and culpable homicide	7	0	0	0	0	7
Serious assault and attempted murder	480	1	4	6	0	491
Common assault	6,780	163	312	85	17	7,357
Robbery	71	0	1	2	1	75
Domestic Abuse (Scotland) Act 2018	1,684	5	27	31	6	1,753
Other non-sexual violence	568	4	14	11	0	597
Rape & attempted rape	587	9	14	12	17	639
Sexual assault	272	7	6	7	3	295
Causing to view sexual activity or images	68	3	4	2	1	78
Communicating indecently	22	1	2	0	1	26
Threatening to or disclosing intimate images	140	3	10	5	3	161
Indecent photos of children	3	2	0	1	2	8
Other sexual crimes	124	4	10	5	2	145
Housebreaking	32	0	0	0	0	32
Theft by opening lockfast places	3	0	0	0	0	3
Theft of motor vehicle	91	1	2	1	0	95
Other theft	431	8	26	3	0	468
Fraud	75	3	8	4	0	90
Other dishonesty	5	0	1	0	0	6
Fire-raising	26	0	2	0	0	28
Vandalism	1,327	22	50	9	2	1,410
Reckless conduct	78	2	2	2	1	85
Crimes against public justice	6,640	21	335	42	4	7,042
Weapons possession (not used)	137	1	1	1	1	141

Offence	Court	Direct Measure	No Action	No Decision	Reporter	Total
Drugs - Supply	2	0	0	0	0	2
Other crimes against society	2	0	0	0	0	2
Threatening and abusive behaviour	7,768	186	236	41	4	8,235
Racially aggravated conduct	10	0	0	0	0	10
Drunkenness & other disorderly conduct	2	0	0	0	0	2
Community and public order offences	672	23	63	11	9	778
Licensing offences	2	0	0	0	0	2
Wildlife offences	21	0	0	0	0	21
Other misc. offences	1	0	1	0	0	2
Dangerous & careless driving	34	0	0	0	0	34
Unlawful use of motor vehicle	12	0	0	0	0	12
Other road traffic offences	7	0	0	0	0	7
Total	28,184	469	1,131	281	74	30,139

Table 4: Charges reported to COPFS with a statutory domestic abuse aggravator 2022-23

Offence	Court	Direct Measure	No Action	No Decision	Reporter	Total
Murder and culpable homicide	6	0	0	0	0	6
Serious assault and attempted murder	428	1	3	6	0	438
Common assault	6,222	147	239	62	14	6,684
Robbery	67	0	1	2	0	70
Other non-sexual violence	506	2	11	9	0	528
Rape & attempted rape	367	5	8	7	15	402
Sexual assault	199	6	4	6	2	217
Causing to view sexual activity or images	58	3	3	2	1	67
Communicating indecently	22	1	0	0	1	24
Threatening to or disclosing intimate images	131	3	9	5	3	151
Indecent photos of children	2	2	0	1	1	6
Other sexual crimes	90	4	5	3	2	104
Housebreaking	31	0	0	0	0	31
Theft by opening lockfast places	3	0	0	0	0	3
Theft of motor vehicle	75	1	2	1	0	79
Other theft	411	8	25	3	0	447
Fraud	68	3	8	4	0	83
Other dishonesty	5	0	1	0	0	6
Fire-raising	26	0	1	0	0	27
Vandalism	1,224	19	44	8	2	1,297
Reckless conduct	67	2	1	2	1	73
Crimes against public justice	5,075	15	248	28	4	5,370
Weapons possession (not used)	128	1	1	1	1	132

Offence	Court	Direct Measure	No Action	No Decision	Reporter	Total
Drugs - Supply	2	0	0	0	0	2
Other crimes against society	2	0	0	0	0	2
Threatening and abusive behaviour	7,350	168	194	32	4	7,748
Racially aggravated conduct	9	0	0	0	0	9
Drunkenness & other disorderly conduct	2	0	0	0	0	2
Community and public order offences	621	20	52	8	8	709
Licensing offences	1	0	0	0	0	1
Wildlife offences	16	0	0	0	0	16
Other misc. offences	1	0	1	0	0	2
Dangerous & careless driving	33	0	0	0	0	33
Unlawful use of motor vehicle	11	0	0	0	0	11
Other road traffic offences	7	0	0	0	0	7
Total	23,266	411	861	190	59	24,787

Sex of accused

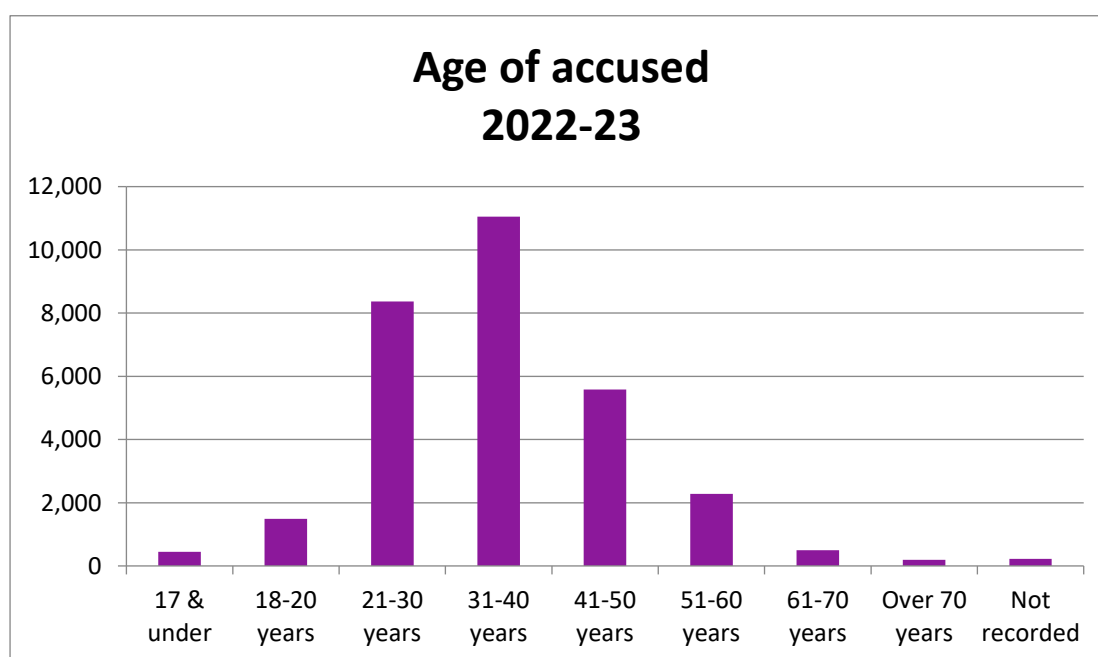
The majority of those accused of domestic abuse are male. In 2022-23, 26,003 (86%) of the charges reported with a domestic abuse identifier were in cases where the accused was male.

Age of accused

The majority of those reported with a charge with a domestic offence identifier in 2022-23 were aged 31-40 years (37%) or 21-30 years (28%).

Table 5: Age of accused

Age of accused	Number of charges	Percentage of charges
17 & under	445	1.5%
18-20 years	1,493	5.0%
21-30 years	8,371	27.8%
31-40 years	11,053	36.7%
41-50 years	5,577	18.5%
51-60 years	2,278	7.6%
61-70 years	501	1.7%
Over 70 years	197	0.7%
Not recorded	224	0.7%
Total Charges	30,139	100.0%



Location of charges

Table 6a: Location of charges with a domestic abuse identifier 2022-23, Glasgow and Strathkelvin

Procurator Fiscal Office	Total charges
Glasgow	5,048

Table 6b: Location of charges with a domestic abuse identifier 2022-23, Grampian, Highland and Islands

Procurator Fiscal Office	Total charges
Aberdeen	1,580
Banff	89
Elgin	457
Fort William	61
Inverness	683
Kirkwall	67
Lerwick	41
Peterhead	358
Portree	35
Stornoway	77
Tain	164
Wick	105
Total	3,717

Table 6c: Location of charges with a domestic abuse identifier 2022-23, Lothian and Borders

Procurator Fiscal Office	Total charges
Edinburgh	3,366
Jedburgh	235
Livingston	1,226
Selkirk	355
Total	5,182

Table 6d: Location of charges with a domestic abuse identifier 2022-23, North Strathclyde

Procurator Fiscal Office	Total charges
Ayr	866
Campbeltown	39
Dumbarton	779
Dunoon	161
Greenock	469
Kilmarnock	1,189
Oban	96
Paisley	1,298
Rothesay	57
Total	4,954

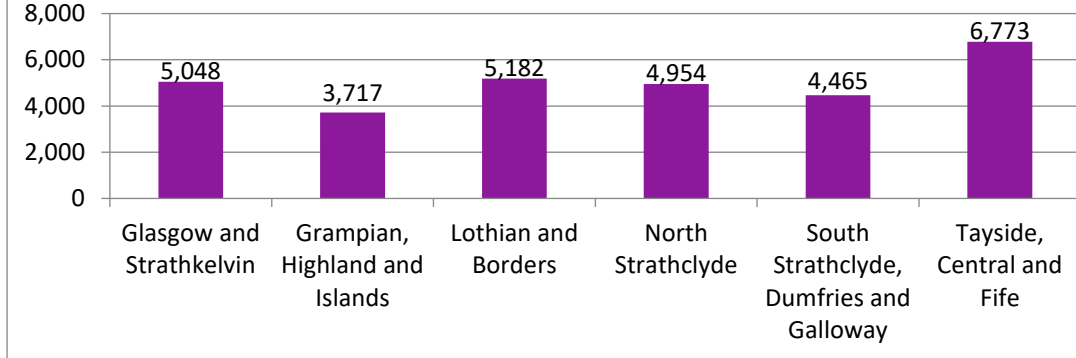
Table 6e: Location of charges with a domestic abuse identifier 2022-23, South Strathclyde, Dumfries and Galloway

Procurator Fiscal Office	Total charges
Airdrie	1,112
Dumfries	700
Hamilton	2,119
Kirkcudbright	119
Lanark	266
Stranraer	149
Total	4,465

Table 6f: Location of charges with a domestic abuse identifier 2022-23, Tayside, Central and Fife

Procurator Fiscal Office	Total charges
Alloa	301
Dundee	1,513
Dunfermline	1,012
Falkirk	945
Forfar	573
Kirkcaldy	1,318
Perth	725
Stirling	386
Total	6,773

Charges reported with DA identifier by COPFS Business Unit 2022-23



Domestic Abuse (Scotland) Act 2018 Section 1 - Engage in a course of behaviour which is abusive of your partner or ex-partner

In 2022-23, 1,753 charges were reported under the Domestic Abuse (Scotland) Act 2018 (DASA), accounting for 5.8% of all domestic abuse charges reported. This is broadly in line with the 2021-22 total of 1,790 (5.5% of all domestic abuse charges reported). This legislation came into force on 1 April 2019.

Court proceedings were commenced in 96% of the DASA charges reported. This is an increase in comparison with 2021-22 where court proceedings were commenced in respect of 94% DASA charges.

The majority of charges prosecuted in court proceed at sheriff summary level. The proportion prosecuted at this level has fallen from 69% in 2020-21 to 62% in 2022-23 (61% in 2021-22). The corresponding proportion prosecuted at solemn level increased from 31% in 2020-21 to 38% in 2022-23 (39% in 2021-22).

A statutory child aggravation under section 5 of DASA was recorded against 350 (20%) of the DASA charges reported (compared with 290 or 16% in 2021-22). Court proceedings were commenced in nearly all charges (99%) with a child aggravation.

95% (1,668) of the DASA charges reported were in cases where the accused was male.

The majority of accused in DASA charges fell into the age group 31-40 years (34%) or 21-30 years (31%).

Table 7: DASA Section 1 charges, by year reported and initial decision on how charge will proceed

Year of report	Total charges reported	Court	Direct Measure	No Action	No Decision	Reporter
2019-20	1,065	1,022	6	16	18	3
2020-21	1,581	1,496	13	28	41	3
2021-22	1,790	1,686	8	37	56	3
2022-23	1,753	1,684	5	27	31	6

Stalking charges

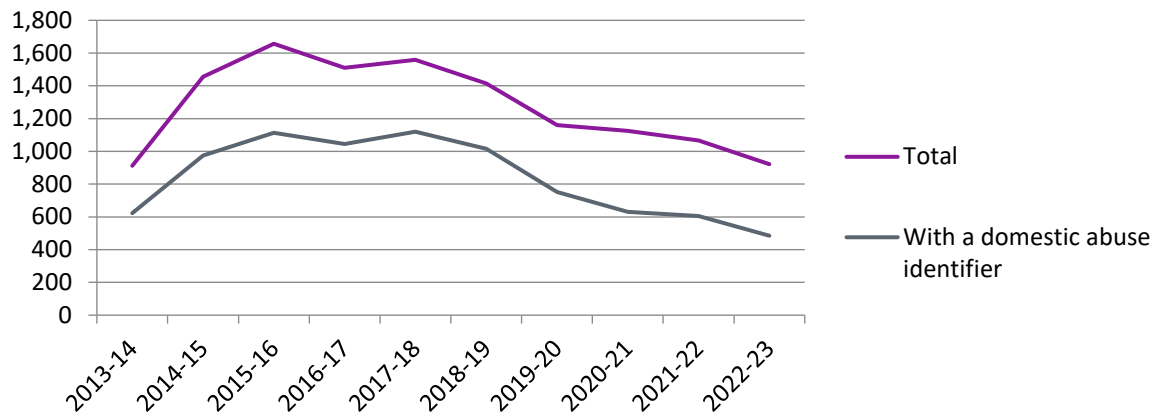
In 2022-23, 921 stalking charges under section 39 of the Criminal Justice and Licensing (Scotland) Act 2010 were reported to COPFS. This represents a decrease of 14% compared with 2021-22. Of these, 485 (53%) contained a domestic abuse identifier (57% in 2021-22). These are included under the “Other non-sexual violence” category in Tables 3 and 4.

From 1 April 2019, if an offence that would previously have been reported as a stalking charge under section 39 of the 2010 Act was part of a course of conduct of domestic abuse, where appropriate it will have been reported as part of a charge under section 1 of the Domestic Abuse (Scotland) Act 2018. This will have contributed to the fall in the number of stalking charges reported since 2019-20.

Table 8: Stalking charges by year reported

Year	Total charges reported	Charges with a domestic abuse identifier	Charges without a domestic abuse identifier	Percentage of charges with a domestic abuse identifier
2013-14	912	623	289	68%
2014-15	1,456	975	481	67%
2015-16	1,657	1,114	543	67%
2016-17	1,510	1,044	466	69%
2017-18	1,558	1,120	438	72%
2018-19	1,415	1,015	400	72%
2019-20	1,160	751	409	65%
2020-21	1,125	630	495	56%
2021-22	1,067	606	461	57%
2022-23	921	485	436	53%

Stalking Charges Reported



Annex: Guidance, definitions and background

Data source

1. The information in this publication is taken from the live COPFS operational database used to manage the processing of reports submitted to Procurators Fiscal by the police and other reporting agencies throughout Scotland. 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.
2. Reports to the Procurator Fiscal can include one or more persons. Each person within a report can be reported for one or more charges. The information in this publication relates to charges, rather than reports or people.
3. During the course of a case, the Procurator Fiscal may decide to amend the original charge reported. The COPFS database holds details of the amended charge only. The data for charges reported in 2022-23 was extracted in late June 2023 and therefore reflects the information held at that date. The figures may not therefore exactly match those previously published, or the number of charges initially reported by the Police.

Definition of, and legislation on, domestic abuse

4. The definition of domestic abuse followed by COPFS and the Police Service of Scotland is set out in the published [Joint Protocol](#).
5. 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”.
6. Police Scotland report a range of offences involving domestic abuse to COPFS, as set out in Tables 3 and 4. COPFS prosecute these offences using a range of different statutory and common law charges. A charge that fits the definition of domestic abuse in the Protocol will have a domestic abuse identifier. Most of the information in this publication relates to charges with a domestic abuse identifier.

7. On 24 April 2017, the statutory aggravation of domestic abuse was introduced by the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 section 1. The aggravation only applies to conduct that took place on or after 24 April 2017. An offence is aggravated if in committing the offence the person intends to cause or is reckless about causing their partner or ex-partner to suffer physical or psychological harm. The aggravation can only be applied where there is evidence capable of proving it and evidence from a single source is sufficient to prove that an offence is aggravated. All charges which carry the aggravation should carry the domestic abuse identifier, but the identifier may apply to charges to which the aggravation does not.
8. Charges with a statutory domestic abuse aggravation are separately identified in Table 4. This table is therefore a subset of the information in Table 3.
9. The Domestic Abuse (Scotland) Act 2018 came into force on 1st April 2019. This Act created a new statutory offence of engaging in a course of behaviour which is abusive of a partner or ex-partner. A course of behaviour involves behaviour on at least 2 occasions where a reasonable person would consider this course of behaviour to be likely to cause physical or psychological harm and the person intended to cause or was reckless about causing their partner or ex-partner to suffer physical or psychological harm. The new offence only applies to conduct that took place on or after 1 April 2019.
10. The Domestic Abuse (Scotland) Act 2018 section 5 also created a new statutory aggravation to the new section 1 offence, where a child was involved in the offending. The aggravation can only be applied where there is evidence capable of proving it and evidence from a single source is sufficient to prove that an offence is aggravated.
11. Charges under this legislation are included as a separate category of offence in Table 3.
12. Charges under the Domestic Abuse (Scotland) Act 2018 will not have a statutory aggravation under the Abusive Behaviour and Sexual Harm (Scotland) Act 2016. The aggravation will be used with other statutory or common law charges if appropriate, for instance if a single incident of assault involving domestic abuse is prosecuted.
13. 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.

Initial Decision on how charge will proceed

14. Court includes charges where the initial decision is to prosecute in court at either solemn level (i.e. before a jury) or summary level (i.e. without a jury). The court figures also include charges which were not prosecuted in court, but where other charges for the same accused within the same case were prosecuted. In some cases, the charges which were prosecuted will have included details from the charges against the same accused which were not prosecuted.
15. Direct measures include fiscal fines, fiscal compensation orders, fiscal work orders, warning letters and referral to diversion from prosecution schemes. The direct measures figures include charges which were not actioned, but where the accused was given a direct measure in respect of other charges within the same case. In some cases, the charges which were given a direct measure will have included details from the charges which were not actioned.
16. No action includes charges where a decision has been taken not to proceed. This will include charges where, for instance, there is insufficient evidence to proceed or where further action would be disproportionate.
17. No decision includes charges where no decision has been taken yet, including those which have been reviewed but where more information is required before a final decision can be taken on whether to proceed.
18. Reporter includes charges where the accused is a child or young person, and they have been referred to the Scottish Children's Reporter for consideration of action to be taken. The Reporter figures include charges which were not included in the referral to the Reporter, but where the accused was referred in respect of other charges in the same case.
19. The number and proportion of charges for which no decision had yet been taken at the time the figures were compiled varies slightly from year to year. This needs to be borne in mind when comparing the initial decisions made on taking charges forward in different years.

Figures for previous years

20. Figures for earlier years were previously published on the Crown Office website. Figures for 2011-12 and 2012-13 were compiled on a slightly different basis from figures from 2013-14 onwards. Consistent information on trends and changes are therefore available from 2013-14. Tables providing figures for previous years are available in Excel format at [Domestic abuse and stalking data tables](#).
21. Figures for earlier years have not been revised. They therefore reflect the information available at the time they were extracted from the database – generally around 3 months after the end of the financial year to which they relate.

Classification of charges

22. Charges have been classified in tables 3 and 4 according to the crime classification system used by the Scottish Government. This classification was updated in June 2022. The first publication to use the new classification was the Scottish Government's Recorded Crime 2021-22 bulletin. This included a description of the new classification and the main changes from the previous classification at [Recorded Crime Annex 5](#)
23. The breakdown provided in tables 3 and 4 is therefore not the same as that provided in this publication for 2020-21 and earlier years. Copies of these tables for all years are available in an Excel spreadsheet [Domestic abuse and stalking data tables](#).

Stalking

24. The publication includes some additional information on stalking. Offences of stalking are reported under section 39 of the Criminal Justice and Licensing (Scotland) Act 2010.
25. Not all stalking charges relate to domestic abuse but those that do have been separately identified in the figures provided in Table 8.
26. After 1 April 2019, if stalking is part of a course of conduct of domestic abuse, where appropriate it will be included within the libel of a charge reported under section 1 of the Domestic Abuse (Scotland) Act 2018. As the stalking offence would previously have been reported separately, this is likely to lead to a decrease in the number of stand-alone stalking charges reported.

Use of terms sex and gender

27. 'Sex' can be considered to refer to whether someone is male or female based on their physiology, with 'gender' representing a social construct or sense of self that takes a wider range of forms.
28. Sex, as referred to in this report, is generally identified by a police officer based on their assessment of whether a person presents as male or female. In most cases this is based on the physiology of a person rather than self-identified gender. It is recorded for operational purposes, such as requirements for searching. It is also included in the information reported to COPFS. However, in order to prosecute crime, information regarding the sex or gender of accused persons is not essential. It should be noted that COPFS will respect and use the chosen pronouns of an accused person in all communications with them.

29. In this report we refer to 'sex' rather than 'gender' because this better reflects recording practices in relation to this information. In reality it is likely that recording includes a mixture of physiological and personal identity. The sex of a small number of accused is not recorded, where the police have not provided this information to COPFS.

Convictions

30. The publication does not include information on convictions or conviction rates. Many of the charges reported in 2022-23 will not yet have reached conviction stage. The Scottish Government Criminal Proceedings database is the usual source for convictions data, and they have [published figures](#) for years up to 2020-21. They have also published a supporting document in Excel format which includes figures on offences convicted with a domestic abuse identifier recorded (at Tables 12 and 13) and figures on people prosecuted and convicted under the Domestic Abuse (Scotland) Act 2018 (at Tables 4a, 4b and 4c).

31. Percentages may not add up to 100% due to rounding.

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