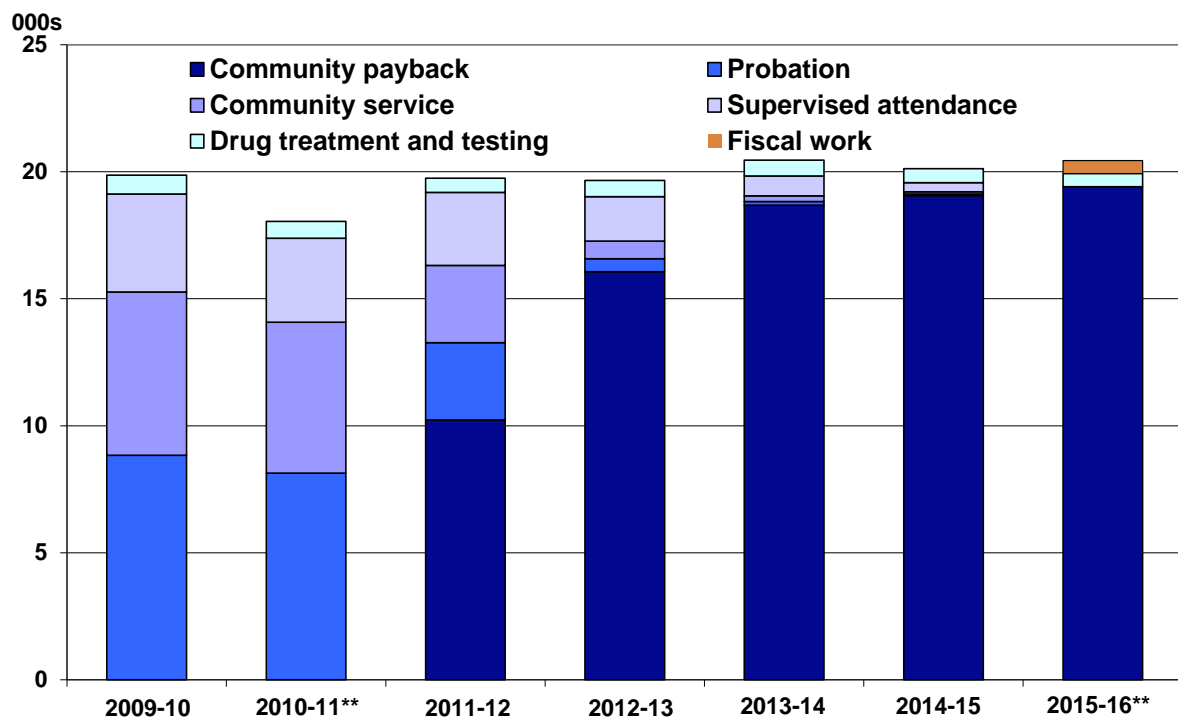


CRIMINAL JUSTICE SOCIAL WORK STATISTICS IN SCOTLAND: 2015-16 21 February 2017

1 Introduction

- 1.1 This publication presents national-level information on criminal justice social work activity in Scotland. The report includes data on criminal justice social work services and social work orders, as well as characteristics of the individuals involved.
- 1.2 The number of social work orders issued has been fairly stable over the past seven years with numbers generally around the 20,000 mark. The most recent figures show 20,400 orders issued in 2015-16 ([Chart 1](#) and [Table 2](#)).

Chart 1 Social work orders issued: 2009-10 to 2015-16



** Figures for 2010-11 exclude around 300 community payback orders and for 2015-16 exclude around 200 legacy orders as details of these were not collected from local authorities in those years (see [Annex A](#)).

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Highlights

- The number of **criminal justice social work reports** submitted to the courts has shown an overall downward trend over the past six years. The most recent figure for 2015-16 is a drop of 3 per cent on the previous year, from 30,800 to 29,800 (including supplementary reports), and has dropped by over a quarter since 2009-10, broadly reflecting changes in court volumes ([Table 1](#)).
- The number of **social work orders** issued has been fairly stable over the past seven years with numbers generally around the 20,000 mark, the most recent figures showing a total of 20,400 in 2015-16 ([Table 2](#)).
- Over three-quarters (76 per cent) of total social work orders commencing in 2015-16 included an element of **unpaid work or other activity** ([Table 2](#) and [Table 11](#)).
- There were 19,400 **community payback orders** commenced in 2015-16, around 95 per cent of social work orders imposed in that year ([Table 2](#)). Most community payback orders included a requirement for **unpaid work or other activity** (78 per cent), and 51 per cent included **offender supervision** ([Table 11](#)).
- The **average number of requirements** in a community payback order has fallen each year from 1.82 in 2011-12 to 1.45 in 2015-16. The prevalence of all requirements has fallen over this period with the exception of unpaid work or other activity ([Chart 4](#)).
- Sixty-two per cent of people given an **offender supervision requirement** of up to 6 months were aged 30 or under, compared with only 38 per cent for those given the maximum of 36 months ([Chart 5](#)).
- Sixty eight per cent of community payback order terminations resulted in **completion/ discharge** in 2015-16. This represents a drop from the 72 per cent recorded in 2013-14 but is consistent with levels in the high 60s in all other years back to 2011-12 ([Table 2](#)).
- **Successful completion rates** for **community payback orders** were highest for those **aged over 40** (78 per cent) and those **employed/self-employed** (81 per cent) ([Chart 7](#)).
- There were 520 **drug treatment and testing orders** commenced in 2015-16, the lowest ever total since this was first collected, and almost 30 per cent lower than in 2009-10 ([Table 2](#)).
- Around 510 **fiscal work orders** commenced in 2015-16, just over half (52 per cent) of which were for people aged 25 or under ([Table 31](#)).
- The number of **statutory custody- and community-based throughcare cases commenced** was 2,000 in 2015-16, around the same as in earlier years ([Tables 1, 32 and 33](#)).

2 Background

- 2.1 Local authority criminal justice social work departments provide a range of services, including:
- assessments and reports to assist decisions on sentencing
 - court services to assist those attending court whether as witnesses or accused/convicted people
 - bail information and supervision services as an alternative to custodial remand
 - supervising people on social work orders to tackle offending behaviour
 - supervising people who are required to perform unpaid, useful work for the benefit of the community
 - prison-based social work services to those serving custodial sentences and their families
 - preparing reports for the Parole Board to assist decisions about release from prison
 - throughcare services including parole, supervised release and other prison aftercare orders to ensure public safety
 - supporting those who have experienced crime and their families.
- 2.2 These services are described in more detail in the *National outcomes and standards for social work services in the criminal justice system: criminal justice social work reports and court services guidance* and the *Community payback orders practice guidance*.
- 2.3 The data presented in this bulletin is extracted from criminal justice social work management information systems. This publication includes the first four years of unit-level data for community payback and drug treatment and testing orders. In time, this will allow more comprehensive analysis of the implementation process and outcomes for these orders. Further information on how the data is collected and processed can be found in [Annex A](#).
- 2.4 The structure of this report reflects the main stages at which social work is involved in the criminal justice system, starting with diversion from prosecution and court based services, through to implementation of social work orders and support for those serving prison sentences before and after release. Some key orders and services are described alongside the commentary in the following sections, and further definitions can be found in [Annex B](#).
- 2.5 In the interests of presentation, time series tables in this publication tend to be for the past five years as this is long enough to illustrate current trends. Data for longer time periods can be found in the additional tables on the Scottish Government's criminal justice social work [datasets page](#). These tables also include analyses at local authority and community justice authority level. Numbers in this bulletin are given unrounded in the tables, but **rounded for presentational purposes** in the text.

3 Diversion from prosecution

(Tables 1, 3 & 4)

- 3.1 In the case of more minor offences, the procurator fiscal may decide to refer the case to criminal justice social work rather than prosecuting the individual through the courts or offering other fiscal direct measures. In such cases, prosecution is waived, subject to successful completion of the scheme. Diversion from prosecution schemes have been in existence in Scotland since the early 1980s and aim to provide support and advice in relation to the underlying causes of offending, such as problematic substance use. In the late 1990s, the Scottish Office provided funding for a number of pilot schemes, which were rolled out across Scotland in 2000. Historically, diversion involves relatively low volumes compared to other fiscal disposals such as fines and warnings, or court proceedings.
- 3.2 While the number of diversion cases commenced fluctuated around the 1,000 mark prior to 2011-12, they now sit at around double that level. The total of 1,900 in 2015-16 was around the same as in 2014-15 (Table 1).
- 3.3 In Scotland, during 2015-16, there were 3,100 referrals, 2,800 assessments, 1,900 cases commenced and 1,300 cases completed (Table 3).
- 3.4 Almost 30 per cent of cases commenced in 2015-16 were for 16 & 17 year olds, while those aged 18 to 20 accounted for a further 14 per cent (Table 4). Those aged 16 to 20 are substantially over-represented when the population base is taken into account - they only account for 11 per cent of the population aged 16 to 70. This likely reflects a general focus on diversion for these ages.

4 Court-based services and social work reports

(Tables 1 & 5-8 and Chart 2)

- 4.1 There are various tasks associated with providing information and advice to the court, as well as a throughcare service to individuals and their families at the point when a custodial sentence is made. These include:
 - oral/written reports and information at the court's request on specific matters to inform the sentencing process or the decision to remand to custody rather than grant bail
 - interviews with individuals and completing a medical mandate where significant medical issues have been highlighted
 - diverting people with mental health problems who may be a risk to themselves from a custodial remand, to either hospital or appropriate bail accommodation, where available, for assessment
 - interviewing individuals immediately after the court has passed a custodial sentence/remand or a community disposal involving criminal justice social work, in order to further explain the decision of the court and what this means for individuals. Also, establish if any pressing problems should be dealt with immediately, and inform individuals about the availability of relevant social work services

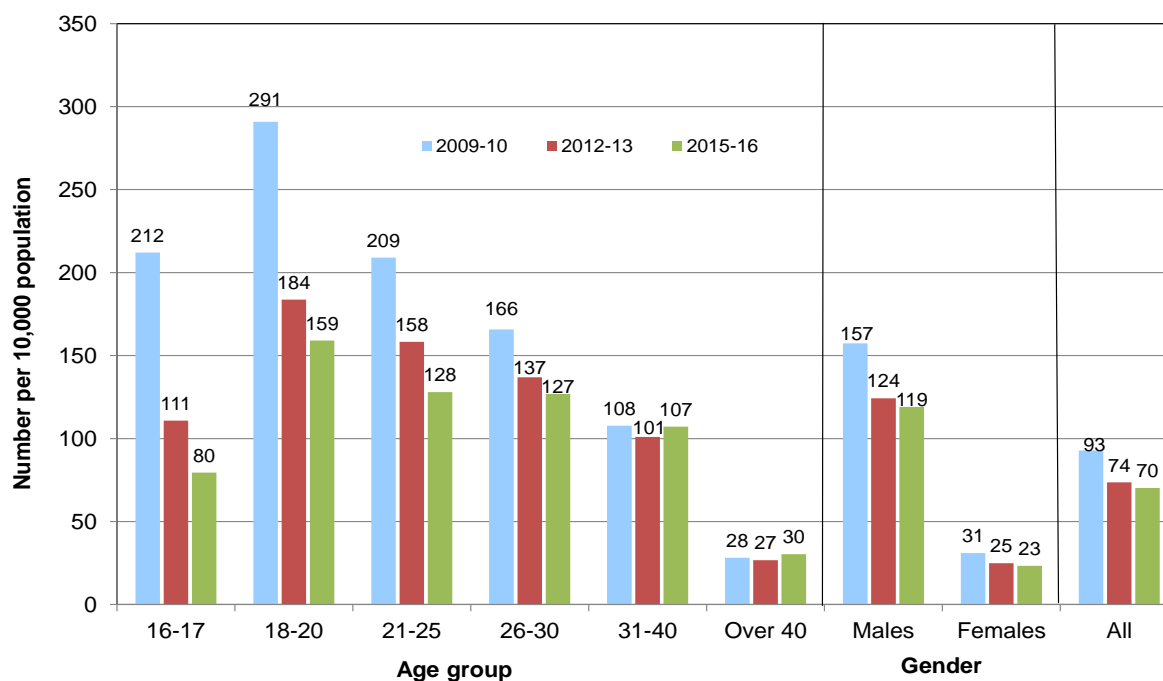
- forwarding relevant information to prisons in the event of a custodial sentence, including details on persons who may pose a risk of harm to themselves and/or others
 - representing the local authority criminal justice social work service in the court setting, including, where appropriate, court users' groups and liaising with other professional groups.
- 4.2 During 2015-16, the courts made 7,300 requests for **bail information**, the second lowest level in the last seven years and a fifth lower than in 2009-10 (Table 1). In some cases, this may result in the use of supervised bail rather than remand. A total of 360 **bail supervision** cases were commenced in 2015-16, by far the lowest level in the last seven years and more than a quarter lower than in 2009-10.
- 4.3 **Same day reports** (previously called stand down reports) are either pre-sentence reports or specific sentence reports requested by the court - 3,700 such reports were provided to the courts in 2015-16, similar to the levels of recent years although a quarter higher than in 2011-12 (Table 5). There were 20,100 **post sentence interviews** with people remanded into custody or receiving custodial sentences for the first time, with figures having fluctuated between around 18,000 and 20,000 in recent years.

Criminal justice social work reports

- 4.4 The criminal justice social work report (CJSWR) in its current format was introduced across Scotland from February 2011 to ensure a consistent provision of information, including the social worker's professional assessment. This report (called a social enquiry report prior to 2011) is intended to assist in the sentencing process and to complement the range of other considerations, such as victim information and narratives from the procurator fiscal. In particular, the CJSWR provides information on social work interventions and how these may prevent or reduce further offending. A CJSWR must be requested:
- before imposing a custodial sentence for the first time or where a person is under 21
 - when imposing a community payback order with a supervision requirement or level 2 unpaid work requirement (over 100 hours), community service order or probation order with unpaid work
 - when imposing a drug treatment and testing order.
- 4.5 The number of criminal justice social work reports (including supplementary reports but excluding letters sent in lieu of reports) has fallen each year since 2009-10 with 29,800 submitted in 2015-16, a drop of 27 per cent since 2009-10 (Table 1). This downward trend is broadly in line with an overall downward trend in court volumes over the period.
- 4.6 The number of full CJSWRs (i.e. excluding supplementary reports) increased for the first time in recent years, from 26,600 in 2014-15 to 27,000 in 2015-16 (Table 6). This reflected a large drop in the number of supplementary reports submitted, which fell by a third over the last year, from 4,200 to 2,900 reports.

4.7 **Chart 2** illustrates the patterns of change in full reports since 2009-10. The total number of reports per 10,000 population has fallen by around a quarter since then. Patterns are similar for males and females but there are notable differences between age groups. Numbers have fallen for those aged 30 and under between 2009-10 and 2015-16. By far the largest fall was among the under 18s, again reflecting the marked fall in court volumes for this age group.

Chart 2 Number of CJSWRs per 10,000 population by age and gender: 2009-10, 2012-13 & 2015-16



4.8 The pattern of change varied somewhat across local authorities, with only just over half of councils showing an increase in full reports between 2014-15 and 2015-16. Further information is provided in the [additional datasets](#) which accompany this publication.

Preferred sentencing options

4.9 The criminal justice social work report writer is expected to provide a professional assessment as to the suitability of available sentencing options in terms of maximising the opportunity for the individual to change their behaviour and desist from offending. This analysis is based on the individual's attitude to offending and motivation to change, as well as risks and needs identified. While the decision on sentencing is for the court to take, the expectation is that the professional analysis will cover substantive issues such as the need for specialist assessment where significant substance use or mental health problems are indicated. There is also the expectation that the report will include an assessment of the suitability or otherwise of the community payback order, including the individual's motivation to successfully complete the order.

4.10 Almost half of reports (46 per cent) recommended the use of a community payback order in 2015-16 ([Table 7](#)). Nineteen per cent involved a CPO with

supervision but not unpaid work, while 15 per cent involved unpaid work but no supervision.

- 4.11 Thirteen per cent of reports recommended a deferred sentence of 3 months or more and 6 per cent suggested a monetary penalty. Custody was the preferred option in 5 per cent of reports, while 18 per cent of reports suggested some other form of preferred option (including a restriction of liberty order or deferment for a drug treatment and testing order assessment). Twelve per cent of CJSWRs gave no preferred sentencing option.
- 4.12 The main outcome for 43 per cent of CJSWRs in 2015-16 was a community payback order ([Table 8](#)). Fourteen per cent of reports resulted in a CPO with unpaid work but no supervision, with 13 per cent resulting in an order with supervision but not unpaid work. In 16 per cent of cases, a CPO was given with both supervision and unpaid work.
- 4.13 Custody was the main outcome for 17 per cent of reports in 2015-16 and this has remained more or less the same over the past five years. The other main outcome categories in 2015-16 were deferred sentences and monetary penalty (8 and 7 per cent respectively).

5.1 Social work orders ([Tables 2 & 11](#))

- 5.1.1 Total social work orders for 2015-16 include community payback, drug treatment & testing and fiscal work orders. Community payback orders replaced community service, probation and supervised attendance orders (the latter three referred to as 'legacy' orders in this report) for offences committed from February 2011 onwards. As the number of legacy orders commenced was very small in 2015-16, this information was not collected for the most recent year. Fiscal work orders were introduced nationally on 1 April 2015 and were therefore collected for the first time in 2015-16. As a result of these issues, it is not possible to meaningfully compare total social work orders in 2015-16 with totals from previous years.
- 5.1.2 There were 20,400 social work order **commencements** in 2015-16 ([Table 2](#)). The vast majority (around 95 per cent) of social work orders were community payback orders, with 19,400 commencements. The remaining 5 per cent was made up almost equally of drug treatment and testing orders and fiscal work orders. Local authority and community justice authority level breakdowns for each of these individual order types are available in the [additional datasets](#) which accompany this publication.
- 5.1.3 Seventy-six per cent of orders commencing in 2015-16 (around 15,600) included an element of **unpaid work or other activity** (i.e. fiscal work orders ([Table 2](#)) as well as unpaid work or other activity requirements as part of community payback orders ([Table 11](#))).
- 5.1.4 The number of terminations of social work orders in 2015-16 (including completion/discharge, revocation and other reasons for termination) was 19,700 ([Table 2](#)). Ninety three per cent of these were community payback

orders, with legacy orders and drug treatment and testing orders each accounting for just under 3 per cent of the total and fiscal work orders the remaining 2 per cent.

- 5.1.5 Sixty-eight per cent of social work order terminations in 2015-16 (13,300) resulted in **completion or discharge** (Table 2). This has fallen from 70 per cent in 2013-14 but is around the same level as all other years back to 2011-12. The completion rates varied between different types of order. The highest was for fiscal work orders (80 per cent) and the lowest was for the higher tariff drug treatment and testing orders (50 per cent), reflecting the challenges facing this particular client group. The completion rate for community payback orders was 68 per cent in 2015-16, a slight drop from the level in 2014-15.
- 5.1.6 The completion rates for legacy orders issued during the past three or four years **are not strictly comparable with earlier years** as the former will not include cases involving crimes committed after the introduction of the community payback order. Legacy orders issued from 2011-12 onward relate to offences committed before the introduction of CPOs and are therefore likely to involve more complicated court cases compared to cases resulting in a community payback order, meaning that comparison of completion rates between the two groups is not straightforward.

5.2 Community payback orders (Tables 2 & 9-23, Charts 3-7 and Infographic)

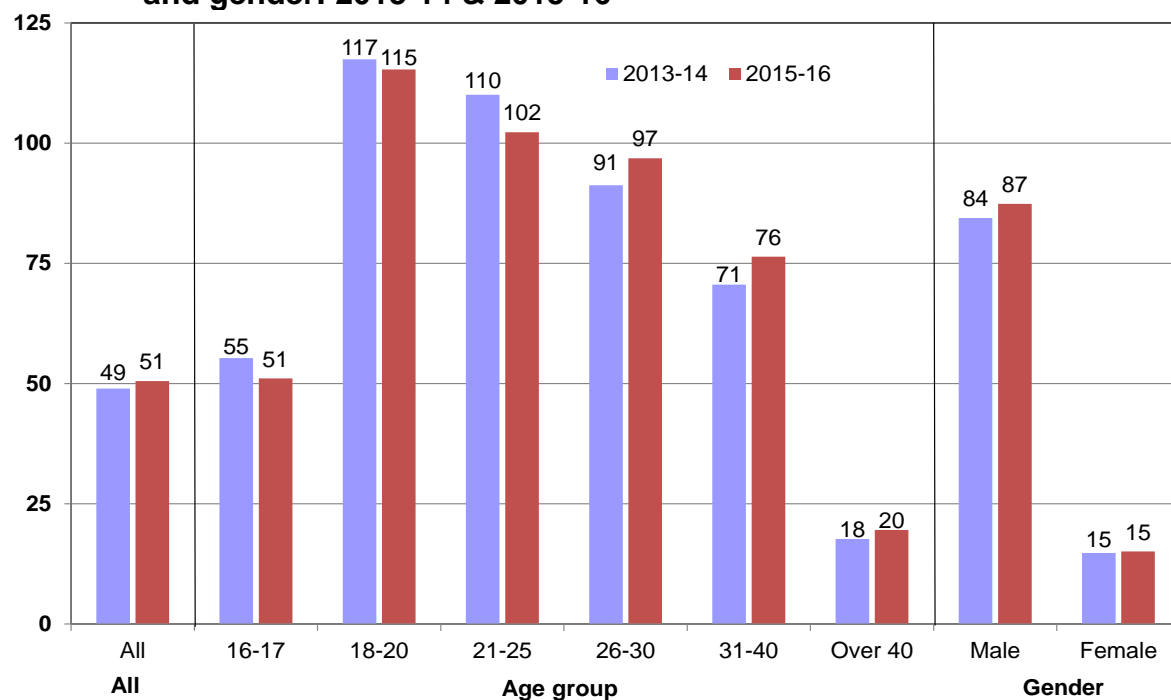
- 5.2.1 Community payback orders (CPOs) were introduced in early 2011 to replace community service, probation and supervised attendance orders for offences committed from 1 February 2011 onward. They can include one or more of the following requirements:
- offender supervision
 - compensation
 - unpaid work or other activity
 - programme
 - residence
 - mental health treatment
 - drug treatment
 - alcohol treatment
 - conduct
- If an individual fails to comply with the requirements in the order, a restricted movement requirement can also be imposed.
- 5.2.2 A total of 19,400 community payback orders **commenced** in 2015-16 (Table 2), up by 2 per cent on 2014-15. This total has risen each year since the introduction of CPOs as the legacy orders are phased out though, as expected, the rate of this rise has levelled out.
- 5.2.3 People aged 18 to 25 were the most likely to be given a CPO when the population base was taken into account (Chart 3). However, between 2013-14 and 2015-16, the prevalence fell for the 25 and unders, while increasing

for the 26-40 age group. This is reflected in the fact that the proportion of CPO commencements covering those aged 25 and under has fallen each year, from 43 per cent in 2011-12 to 35 per cent in 2015-16 (Table 9). The fall in the prevalence for under 18s continued the drop witnessed in recent years, in part due to the marked fall in court volumes for this age group.

5.2.4 Fifty-nine per cent of cases in 2015-16 involved individuals who were unemployed (Table 9). Just over a fifth were employed or self-employed, and 10 per cent were not economically active.

5.2.5 The vast majority (94 per cent) of community payback orders were issued by sheriff courts, mainly by summary procedure. The proportion accounted for by justice of the peace courts has risen each year and these now account for almost 4 per cent of all CPOs issued (Table 10).

Chart 3 Community payback orders commenced per 10,000 population by age and gender: 2013-14 & 2015-16

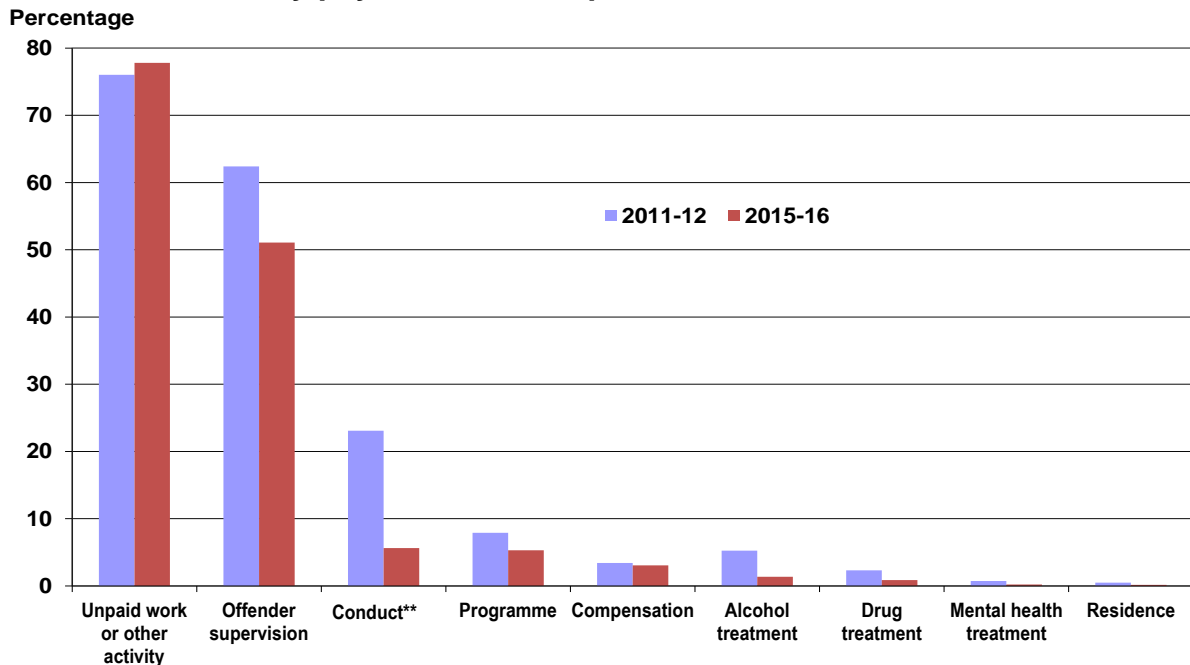


5.2.6 There were a total of 18,200 **CPOs in force** at 31 March 2016 (see Table 2 and the additional datasets which accompany this publication). There is not a long enough time series at present to allow meaningful comparison of snapshot numbers due to the gradual phasing out of legacy orders over the past few years.

Requirements

5.2.7 Seventy-eight per cent of community payback orders included a requirement for **unpaid work or other activity**, and just over half included **supervision** (Table 11 and Chart 4). About half of the unpaid work requirements issued (53 per cent) were level 1 (100 hours or less) (Table 12). Over half (56 per cent) of supervision requirements were for 12 months or less, while a further 40 per cent were for over 12 and up to 24 months (Table 13).

Chart 4 Community payback order requirements: 2011-12 & 2015-16

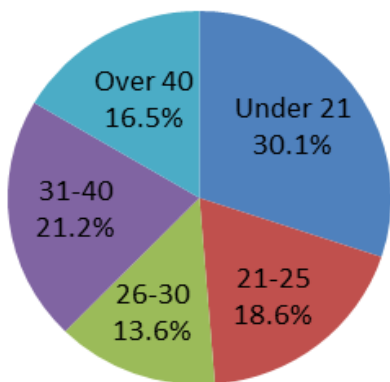


** The large reduction between 2011-12 and 2015-16 for conduct requirements reflects the 2012 appeal court judgement that conduct requirements must be specific (see §5.2.10).

5.2.8 **Chart 5** illustrates that people who received long supervision requirements were very different in age terms than those who got shorter ones. For people given supervision of up to 6 months, 62 per cent were aged 30 or under, compared with only 38 per cent for those given the maximum of 36 months supervision. As a result, people given supervision of up to 6 months were, on average, more than 8 years younger than those given 36 months.

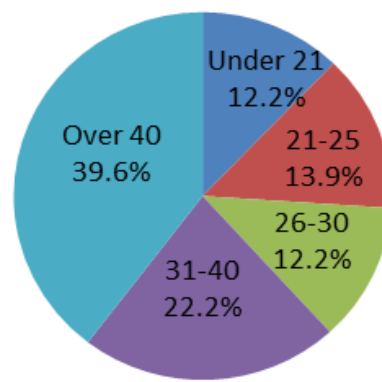
Chart 5 Offender supervision requirements imposed: Breakdown by age group for shortest and longest supervision lengths: 2015-16

Supervision of 6 months or less



Average age - 29

Supervision of 36 months



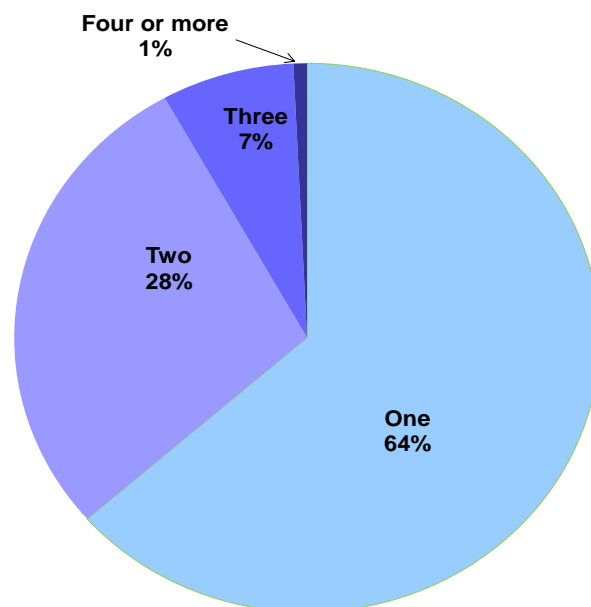
Average age - 37

5.2.9 The average number of requirements issued has fallen each year since the CPO was implemented in 2011-12, although the scale of this fall has stabilised in the last couple of years. The average has fallen from 1.82 in 2011-12 to 1.45 in 2015-16. The use of all requirements has fallen between 2011-12 and 2015-16, apart from unpaid work or other activity (**Chart 4**).

Between 2014-15 and 2015-16, all requirements decreased in prevalence apart from offender supervision and compensation.

- 5.2.10 Part of the overall fall in the use of requirements can be explained by the sharp drop in the use of **conduct requirements** between 2011-12 and 2013-14, reflecting the 2012 appeal court judgement¹ that conduct requirements must be specific and include more than general conditions to stay out of trouble or to refrain from committing another criminal offence. Recent years' figures do however show that this fall appears to have stabilised (Table 11).
- 5.2.11 Other requirements included **programme** (5 per cent) and **compensation** (3 per cent). Treatment for **alcohol, drug** and **mental health** problems accounted for relatively few requirements, ranging from 1.4 per cent (**alcohol**) to less than a quarter of one per cent (**mental health**).
- 5.2.12 Sixty-four per cent of community payback orders commenced in 2015-16 included one requirement – normally unpaid work/other activity or supervision. A further 28 per cent had two requirements (normally including supervision) (Chart 6)

Chart 6 Community payback orders commenced by number of requirements: 2015-16



- 5.2.13 On imposing a community payback order, a court may include provision for the order to be reviewed at specified time(s). Seventeen per cent of orders commenced in 2015-16 were issued with provision for court progress reviews (Table 14). This varied substantially according to the makeup of the order. Orders with unpaid work or other activity (14 per cent) or compensation (18 per cent) were the least likely to have progress reviews while those with residence, drug treatment or conduct were the most likely (50, 38 and 36 per cent respectively).

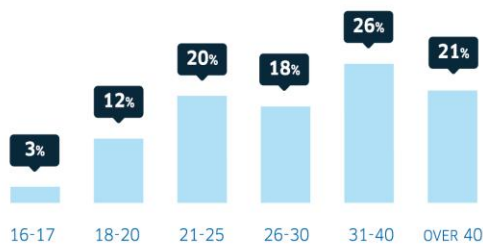
¹ Scottish Court Service (2012) High court of judiciary appeal court opinion 96.

COMMUNITY PAYBACK ORDERS IN SCOTLAND: 2015-2016



19,410 ORDERS COMMENCED IN SCOTLAND

Age



Location

Highest		Lowest	
1. North Ayrshire	86	4. East Renfrewshire	18
2. East Ayrshire	83	5. Na h-Eileanan Siar	23
3. Clackmannanshire	83	6. East Dunbartonshire	24

Orders imposed per head (of 10,000 population)



Employment status



- Full-time education - 1.6%
- Employed/self employed - 22.5%
- Unemployed - 59.1%
- Government training scheme - 0.4%
- Economically inactive - 9.6%
- Other - 6.8%

94%



of orders commenced are issued by sheriff courts

78%



of orders commenced have an unpaid work or other activity requirement

51%



have an offender supervision requirement

68%



of orders terminated resulted in successful completion or early discharge

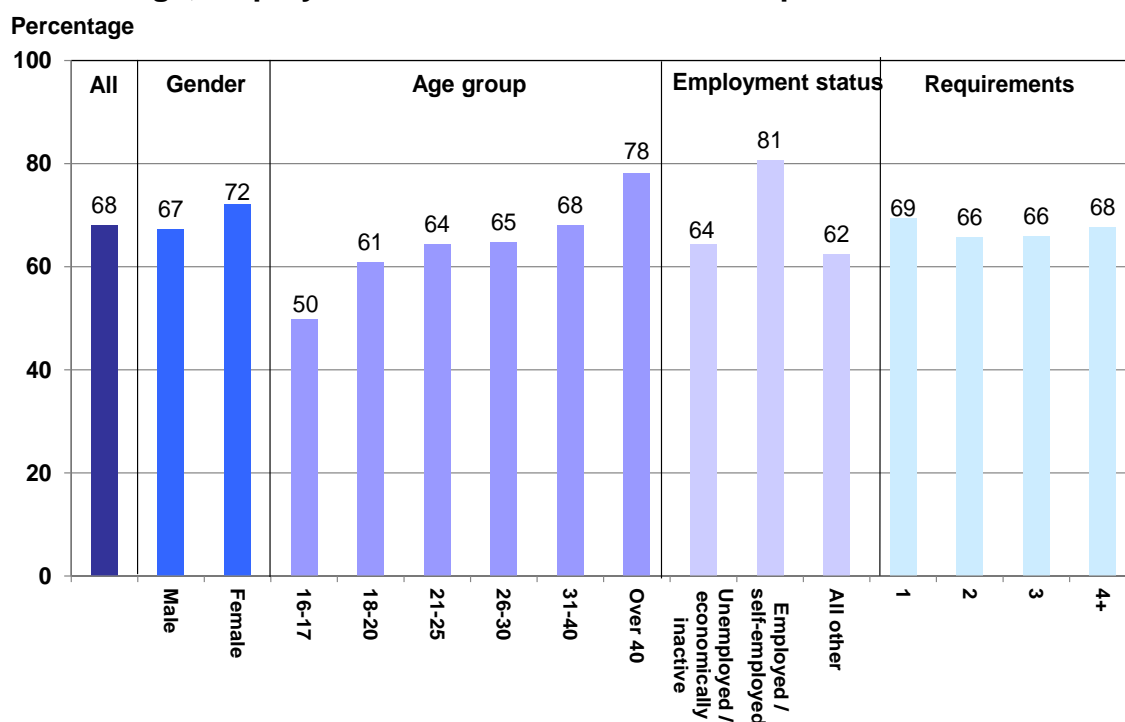
Timescales for implementation

- 5.2.14 The Scottish Government [Community payback orders practice guidance](#) is intended to support practitioners and managers to improve their performance and work towards the achievement of the national outcomes and standards for social work services in the criminal justice system. The guidance contains a number of principles of best practice, including:
- the first direct contact should take place on the same day as the order is imposed, or the next working day
 - where a supervision requirement has been imposed, the appointed case manager should arrange to meet the individual within five working days of the date of imposition of the order
 - where an unpaid work or other activity requirement has been imposed, arrangements should be made for the individual to begin the induction process within 5 working days of the date of imposition of the order
 - where an unpaid work or other activity requirement is imposed, the work placement should begin within 7 working days of imposition of the order.
- 5.2.15 In over three-quarters of applicable cases (77 per cent) in 2015-16, first direct contact took place within one working day of the order being imposed ([Table 15](#)). This proportion has remained at similar levels (between 75 and 80 per cent) over the last five years. The proportion which took over five working days (14 per cent) was the highest in the last five years.
- 5.2.16 The first induction / case management meeting took place within five working days in 79 per cent of applicable cases in 2015-16. Although this was the lowest in any of the last five years, trends have been relatively stable over this period. The proportion which took over ten working days (11 per cent) was the highest in the last five years.
- 5.2.17 There may be various reasons why these timescales are not met. Thirty-six per cent of delays in first direct contact were due to missed appointments, while the unavailability of a social worker (3 per cent) or other non client-related reason (30 per cent) together accounted for a further 34 per cent. Other client-based reasons included being subject to another sentence, employment or illness. Delays for the first induction / case management meeting were due to a wide range of reasons. In 15 per cent of cases the individual missed their induction/meeting, while a further 24 per cent involved being subject to another sentence, employment or illness. Another 12 per cent were due to delays in first making contact or staff availability, and 30 per cent of cases involved other client-based reasons ([Table 16](#)).
- 5.2.18 In 2015-16, 68 per cent of applicable cases commenced work placements within seven working days ([Table 17](#)). This was the lowest proportion over the past five years and the first time it has fallen below 70 per cent. The proportion which took over two months to commence (7 per cent) was the highest in the last five years. Just over a fifth of people who started their work placement after the seven working days did so because they did not turn up for the first day of placement ([Table 18](#)).

Terminations

- 5.2.19 A total of 18,300 community payback orders were **terminated** in 2015-16 (Table 19). Sixty-eight per cent (12,400) of these orders were successfully completed or resulted in an early discharge. The successful completion rate has fluctuated either side of 70 per cent each year since the orders were introduced. In 2015-16, a further 17 per cent were revoked following a breach application to the courts, 7 per cent were revoked following a review and the remaining 7 per cent were terminated for other reasons (including transfer to another area or the death of the person).
- 5.2.20 Almost three-quarters of orders terminated during 2015-16 did not involve any breach applications during the lifetime of the order (Table 20). For the remainder, there were a total of 5,700 breach applications made (Table 21). The vast majority of breach applications (83 per cent) were lodged with the court within five working days of the decision to make an application.
- 5.2.21 For CPOs revoked due to breach, the most likely outcome was a custodial sentence (30 per cent) followed by a new order being imposed or another outcome (28 and 23 per cent respectively) (Table 19). Fifteen per cent of orders revoked due to review resulted in a custodial sentence, while around half resulted in another outcome.

Chart 7 Completions/discharges of community payback orders by gender, age, employment status and number of requirements: 2015-16



- 5.2.22 Completion rates in 2015-16 varied substantially by age and employment status (Chart 7). They showed a consistent increase with age, ranging from 50 per cent for 16-17 year olds to 78 per cent for the over 40s. Eighty-one per cent of those who were employed or self-employed completed successfully, compared to 64 per cent of those who were unemployed or

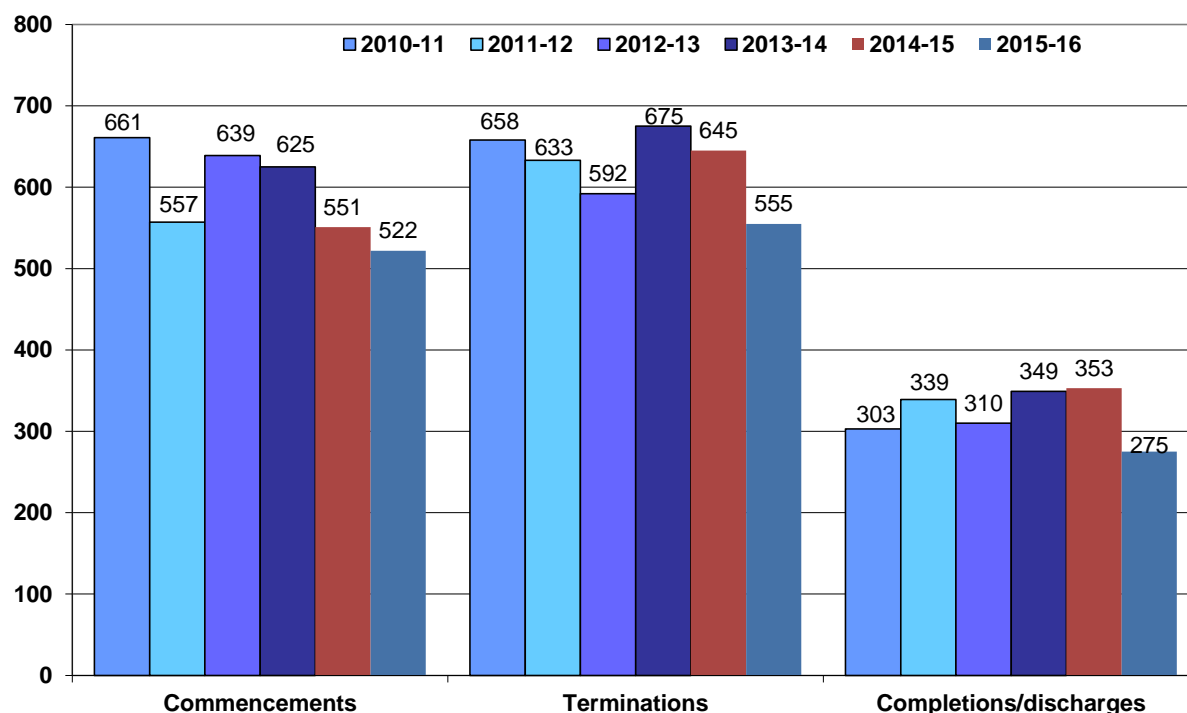
economically inactive. Completion rates did, however, vary little according to how many requirements were in the order.

- 5.2.23 During 2015-16, a total of 9,500 unpaid work or other activity requirements were successfully completed (Table 22). On average, just over 120 hours were carried out for each order and they took just over 6½ months to complete.
- 5.2.24 The [Criminal Justice and Licensing \(Scotland\) Act 2010](#) defines the time limit for completion of an unpaid work or other activity requirement as "3 months or such longer period as the court may specify in the requirement" for level 1 and "6 months or such longer period as the court may specify in the requirement" for level 2. Just under 40 per cent of successfully completed unpaid work activity requirements were completed within the 3/6 month time frame while a further 30 per cent were completed within a longer timescale which the court had specified (Table 23).
- 5.2.25 For the remaining requirements which were completed outwith the specified timescale, the reason why they were completed later was most commonly down to non-compliance (20 per cent) or other client-based reasons (40 per cent). In a further 24 per cent of cases this was attributed to the person's employment commitments or their health.

5.3 Drug treatment and testing orders (Tables 2 and 24-29)

- 5.3.1 The drug treatment and testing order is available to courts (excluding justice of the peace courts) as a high tariff disposal for people with substance use problems who might otherwise get a custodial sentence. In addition, the less intensive DTTO II has been available to all courts in City of Edinburgh, East Lothian and Midlothian on a pilot basis since 2008, and currently accounts for just over a quarter of the DTTOs in these areas (see §B.6). Data for 2012-13 onward are collected at unit level, while earlier figures are based on aggregate data and so **caution is suggested when comparing the two sets of figures** (see Annex A for more details).
- 5.3.2 A total of 520 drug treatment and testing orders **commenced** in 2015-16 (including the DTTO II). This was the lowest level since the data was first collected and was 29 per cent lower than in 2009-10 (Table 2). Males accounted for almost 80 per cent of orders commenced in 2015-16 (Table 24). The incidence of DTTOs was highest amongst the 31-40 age group (just under 4 per 10,000 population), and was lowest for under 21s and over 40s (less than ½ per 10,000 population).
- 5.3.3 Eighty-seven per cent of people getting a DTTO were either unemployed or economically inactive.
- 5.3.4 The **average length** of a DTTO in 2015-16 was just under 18 months. Average lengths have consistently sat at around 18 months over the last five years (Table 24).

Chart 8 Drug treatment and testing order commencements, terminations and completions/discharges: 2010-11 to 2015-16



5.3.5 Eighty-two per cent of DTTOs commenced in 2015-16 had first direct contact within one working day of the order being imposed, similar to 2014-15 but higher than the level of 76 per cent in 2013-14. Eight per cent of cases in 2015-16 took longer than five working days (Table 25).

5.3.6 In 84 per cent of orders commenced, the first case management meeting took place within five working days. This was similar to the levels of the previous two years, although substantially higher than the level of 74 per cent in 2012-13. In 2015-16, less than 9 per cent of cases took longer than ten working days (Table 25).

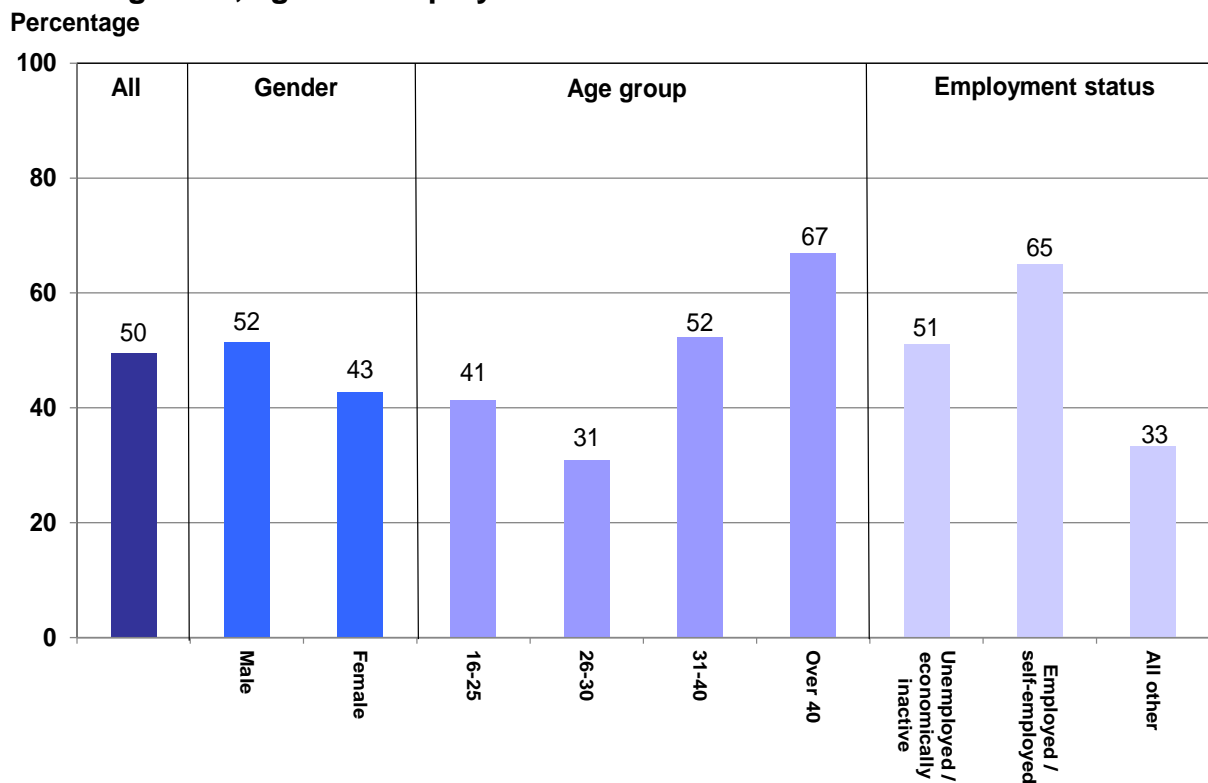
5.3.7 The reasons provided for not complying with these timescales in 2015-16 suggest that people getting DTTOs present more challenges, as not attending meetings without an excuse is more prevalent than for other order types - 51 per cent for the initial contact meeting and 41 per cent for the induction/ case management meeting (Table 26).

5.3.8 There were 570 drug treatment and testing orders in force on 31 March 2016, the lowest number since this was first collected (Table 2).

5.3.9 In 2015-16, the number of DTTO **terminations** fell to 560, also the lowest level in the last seven years (Tables 2 and 27). The successful completion rate fell from 55 per cent in 2014-15 to just below 50 per cent in 2015-16. This was the first time since 2010-11 that the rate was below half. The completion rate for DTTOs does tend to be lower than for other social work orders, due to the type of individuals involved.

- 5.3.10 Twenty-four per cent of orders were revoked due to review, with 21 per cent revoked due to breach (Table 27). The remaining 5 per cent were terminated for other reasons (including transfer out of the area or the death of the person). A custodial sentence was imposed in 48 per cent of revoked cases (Table 28).
- 5.3.11 Sixty-four per cent of orders were terminated without breach applications (Table 29). The vast majority (81 per cent) of the breach applications were lodged with the court within 5 working days of the decision being made to make an application (see the additional datasets which accompany this publication).
- 5.3.12 Completion rates in 2015-16 varied markedly by age and employment status (Chart 9), with older people and those in employment being more likely to complete. Over two-thirds of those aged over 40 successfully completed compared with 31 per cent of the 26-30 group. Just under two-thirds of those who were employed / self-employed completed their order. While this was the highest by employment status, it was substantially lower than the equivalent figure from 2014-15 of 88 per cent. It should, however, be pointed out that the number of people with a DTTO who are in employment is typically very small and completion rates can therefore vary widely between different years.

Chart 9 Completions/discharges of drug treatment and testing orders by gender, age and employment status: 2015-16



Notes: Age and employment status at termination.

5.4 Fiscal work orders

(Tables 2 and 30-31)

- 5.4.1 Fiscal work orders (FWOs) were introduced nationally on 1 April 2015 and allow fiscals to offer unpaid work orders as an alternative to prosecution. They can be for a minimum of 10 and a maximum of 50 hours and should be completed within 6 months.
- 5.4.2 Prior to their introduction nationally, fiscal work orders were piloted in the council areas of Highland, South Lanarkshire, West Dunbartonshire and West Lothian from June 2008 and in the areas Aberdeen City, Dundee City and City of Edinburgh from early 2011.
- 5.4.3 In Scotland, during 2015-16, there were 800 fiscal work order assessments undertaken by local authorities, 550 of which resulted in the orders being accepted (Table 30). There were 510 orders commenced and 360 orders finished during the year. Eighty per cent of orders finished were successfully completed.
- 5.4.4 People given fiscal work orders tended to be younger than those given community payback orders. Over half (52 per cent) of FWOs commenced were for people aged 25 and under, while only 12 per cent were for those aged over 40 (Table 31). Unlike other orders, more people were employed or self-employed (42 per cent) than any other category of employment. Just over a third were either unemployed or economically inactive. The average length of a fiscal work order was just under 32 hours, with the majority (53 per cent) for 30 hours and less than 10 per cent for 50 hours.

6 Statutory/voluntary throughcare

(Tables 1 and 32-33)

- 6.1 Criminal justice social work departments are expected to provide a throughcare service to all those who are subject to statutory supervision on release from prison. This includes people serving sentences of four years or more (or six months or more for sexual crimes) as well as those subject to an extended sentence or supervised release order. Throughcare begins at the start of the sentence and is implemented through the Scottish Prison Service's integrated case management process. Voluntary throughcare services are also available to those who are not subject to supervision on release from prison. These services may be requested while in custody or up to 12 months after release.
- 6.2 Commencements for **statutory throughcare in custody** have fluctuated around the 1,000 mark over the past five years, with 1,040 cases in 2015-16 (Table 32). Forty-five per cent involved determinate sentences of four years or more, while supervised release orders and extended sentences accounted for 27 and 15 per cent respectively.
- 6.3 The number of commencements for **statutory throughcare cases in the community** totalled between 1,000-1,100 between 2009-10 and 2014-15

but fell below 1,000 in 2015-16, to 970 (Table 1). Twenty-seven per cent of all cases commenced in 2015-16 related to supervised release orders, while parole and non-parole licences accounted for 19 and 21 per cent respectively (Table 33).

- 6.4 The **statutory custody- and community-based throughcare caseload** totalled 5,800 individuals on 31 March 2016, down from the peak of 6,000 in 2014 but still historically high (Tables 1, 32 and 33). The custody-based caseload is 58 per cent of the total.
- 6.5 The number of **completions** of statutory throughcare cases in the community was 980 in 2015-16. The trend for completion numbers has been fairly flat over the last five years with the total between 900 and 1,000 in each year since 2011-12 (Table 33).
- 6.6 The number of **voluntary throughcare** cases fell by 5 per cent between 2014-15 and 2015-16 to 2,500. Numbers have generally fluctuated between 2,500 and 2,700 over the last seven years (Table 1).

7 Pre-release reports (Tables 1 and 5)

- 7.1 Part of statutory throughcare involves preparing reports to inform temporary release from prison on home leave and liberation on licence. In 2015-16, 1,500 **home leave reports**² were produced. Numbers have been around the 1,500 mark in each of the last four years, after dropping sharply from the levels of around 2,000 in both 2010-11 and 2011-12. A total of 1,700 **home circumstance reports** for release from prison on parole/non-parole licence were recorded in 2015-16. This number has remained around 1,500-1,700 since 2009-10 (Table 1).
- 7.2 From 2006, those serving a custodial sentence may also be released early under a home detention curfew scheme. During 2015-16, there were 2,700 **home detention curfew assessments**, 4 per cent lower than in 2014-15. Numbers have fallen in each of the last three years and are now a sixth lower than they were in 2012-13 (Table 5).

8 Tables

- 8.1 The following symbols are used throughout the tables in this bulletin:
- nil
 - .. missing / not available
 - not applicable

² Scottish Government (2010) Integrated practice guidance for staff involved in the home leave process. Justice Directorate Circular JD 3/2010
<http://www.gov.scot/Publications/2010/07/09112100/0>

- 8.2 Percentage figures given in tables and charts may not always sum to the exact totals due to rounding. Any percentages in the tables which are less than 0.5% are represented by the symbol *.
- 8.3 The data presented in this publication is drawn from administrative IT systems. Although care is taken when processing and analysing the data, it is 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 are indicated in the footnotes.
- 8.4 Numbers are given precisely in the tables but are **rounded for presentational purposes** in the text. The numbers in the text are generally rounded as follows:
1,000 to less than 100,000 – rounded to the nearest 100
100 to less than 1,000 – rounded to the nearest 10
Less than 100 – unrounded
Also in the text, percentages are calculated based on the unrounded numbers and are then rounded to the nearest whole number.

Table 1 Summary of criminal justice social work activity: 2009-10 to 2015-16

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Diversion from prosecution							
Cases commenced	1,053	958	1,260	1,326	1,710	1,869	1,863
Individuals	933	939	1,231	1,309	1,657	1,812	1,791
Cases successfully completed	763	800	898	1,078	1,374	1,355	1,313
Bail information							
Requests from court for bail information	9,061	8,355	9,709	8,662	6,874	8,006	7,278
Bail supervision cases commenced	481	450	497	411	417	407	355
Bail supervision individuals	436	430	467	397	400	390	318
Criminal justice social work reports¹							
<i>Total reports submitted (including supplementaries)</i>	40,762	37,504	36,367	32,558	31,406	30,838	29,846
Individuals with reports submitted	28,888	27,371	26,922	24,785	23,740	22,120	22,667
Supplementary reports submitted	6,031	5,493	4,488	4,536	3,632	4,235	2,858
Statutory throughcare							
Cases commenced (custody)	1,019	1,028	1,072	965	1,048	1,044	1,040
Cases commenced (community)	1,062	1,046	1,047	1,001	1,027	1,085	968
Cases completed (community)	845	881	944	927	911	942	982
Cases in force at 31 March (custody/community)	5,546	5,392	5,576	5,778	6,003	5,900	5,794
Voluntary throughcare (assistance)							
Cases commenced	2,683	2,725	2,625	2,597	2,489	2,663	2,537
Individuals who received assistance	2,433	2,350	2,428	2,464	2,327	2,429	2,343
Pre-release reports							
<i>Total</i>	3,251	3,616	3,425	2,982	3,184	3,056	3,199
Home leave reports	1,569	2,055	1,923	1,500	1,597	1,462	1,513
Home circumstance reports (parole/non-parole)	1,682	1,561	1,502	1,482	1,587	1,594	1,686

1. Social enquiry reports prior to February 2011.

Table 2 Social work orders: 2009-10 to 2015-16

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16 ⁷
Orders commenced	19,865	18,044	19,746	19,661	20,458	20,120	20,440
Community payback orders ^{1,2}		..	10,228	16,063	18,689	19,064	19,410
Community service orders ³	6,429	5,940	3,044	693	227	85	..
Probation orders ³	8,838	8,136	3,040	514	138	62	..
With an element of unpaid work ³	3,236	3,031	1,276	216	71	24	..
Supervised attendance orders ³	3,859	3,307	2,877	1,752	779	358	..
Drug treatment and testing orders ²	739	661	557	639	625	551	522
Fiscal work orders ⁶							508
Individuals with orders commenced	18,127	16,554	18,044	17,179	17,684	17,290	17,473
Community payback orders ²		..	9,376	13,986	16,084	16,327	16,491
Community service orders	6,053	5,665	2,933	656	219	83	..
Probation orders	8,182	7,520	2,833	490	130	61	..
With an element of unpaid work	3,074	2,875	1,228	213	66	24	..
Supervised attendance orders	3,219	2,764	2,380	1,472	654	298	..
Drug treatment and testing orders ²	673	605	522	575	597	521	479
Fiscal work orders ⁶							503
Orders in force at 31 March⁴							
Community payback orders ²		..	..	13,558	16,088	17,060	18,186
Drug treatment and testing orders ²	..	..	..	742	692	598	565
Orders terminated	18,290	17,869	17,213	18,664	20,043	19,925	19,736
Community payback orders ²		..	2,616	10,568	16,159	18,092	18,284
Community service orders	6,737	6,082	4,706	2,037	759	245	109
Probation orders	7,551	7,883	6,619	3,339	996	317	127
Supervised attendance orders	3,414	3,246	2,639	2,128	1,454	626	298
Drug treatment and testing orders ²	588	658	633	592	675	645	555
Fiscal work orders ⁶							363
Proportion of completions/discharges⁵	62.5	64.2	68.6	68.7	70.3	68.0	67.6
Community payback orders ^{2,5}		..	68.8	68.3	71.7	68.7	68.0
Community service orders	69.6	74.0	74.4	71.1	69.2	64.1	65.1
Probation orders	57.0	59.8	67.1	74.8	78.6	78.5	84.3
Supervised attendance orders	63.9	60.1	65.1	62.9	58.3	59.3	56.7
Drug treatment and testing orders ²	44.7	46.0	53.6	52.4	51.7	54.7	49.5
Fiscal work orders ⁶							80.4

1. Information on orders commenced was collected from local authorities from 2011-12 onward. Figures from the Scottish Court Service suggest around 300 community payback orders were imposed in 2010-11. Figures are available at <http://www.gov.scot/Topics/Statistics/Browse/Crime-Justice/Datasets/CPOs>.

2. 2012-13, 2013-14 & 2014-15 figures for community payback orders and drug treatment & testing orders revised since original publication due to updated information being received from some local authorities. These revisions are particularly substantive for CPO terminations in 2014-15 and CPOs in force at March 2015 due mainly to some councils reporting that orders had not been getting closed off on their IT systems.

3. Information on community service, probation and supervised attendance orders commenced was not collected from local authorities in 2015-16 due to the small numbers involved. The total for these orders is estimated to be in the region of around 200.

4. Data based on unit-level returns from 2012-13 onward.

5. As a result of revisions made to the 2012-13 & 2013-14 figures for community payback orders since their original publication, the reason for termination is not known for a small number of orders. The figures for the proportion of completions/discharges have therefore been calculated as a proportion of the orders where this reason was known.

6. Fiscal work orders were introduced nationally on 1 April 2015, having been piloted in a small number of local authority areas since June 2008.

7. As a result of the introduction of fiscal work orders and the non-collection of commencements figures for community service, probation and supervised attendance orders in 2015-16, comparisons for total social work orders between 2015-16 and previous years should be interpreted with caution.

Table 3 Diversion from prosecution: 2011-12 to 2015-16

	2011-12	2012-13	2013-14	2014-15	2015-16
Referrals	1,878	2,396	2,651	3,026	3,050
Assessments	1,717	2,025	2,389	2,509	2,757
Cases commenced	1,260	1,326	1,710	1,869	1,863
Individuals with cases commenced	1,231	1,309	1,657	1,812	1,791
Cases successfully completed	898	1,078	1,374	1,355	1,313
Cases referred to drug treatment/education	129	43	50	48	50
Cases referred to alcohol treatment programmes	..	67	84	44	50
Cases referred to mental health services	..	48	34	37	61

Table 4 Diversion from prosecution cases commenced by age, gender, employment status and ethnicity: 2011-12 to 2015-16

	2011-12	2012-13	2013-14	2014-15	2015-16
Total	1,260	1,326	1,710	1,869	1,863
Age group¹					<i>Number</i>
16-17	349	342	469	535	536
18-20	188	183	264	299	267
21-25	104	108	142	136	121
26-30	114	111	134	156	148
31-40	201	209	311	273	266
Over 40	304	373	390	470	525
Gender					
Male	779	771	946	1,074	1,075
Female	481	555	764	795	788
Employment status					
Full-time education	136	104	135	201	166
Employed/self employed	223	244	305	367	350
Unemployed	654	712	886	888	685
Government training scheme	37	24	33	40	39
Economically inactive ²	107	89	171	153	214
Other	103	153	180	220	409
Ethnicity					
White	1,034	1,105	1,395	1,422	1,402
Asian	23	11	10	27	20
African, Caribbean or Black	15	8	14	14	15
Mixed	0	3	5	4	7
Other	5	11	12	14	15
Not known/provided	183	188	274	388	404
Total	100.0	100.0	100.0	100.0	100.0
Age group¹					<i>Percentage</i>
16-17	27.7	25.8	27.4	28.6	28.8
18-20	14.9	13.8	15.4	16.0	14.3
21-25	8.3	8.1	8.3	7.3	6.5
26-30	9.0	8.4	7.8	8.3	7.9
31-40	16.0	15.8	18.2	14.6	14.3
Over 40	24.1	28.1	22.8	25.1	28.2
Gender					
Male	61.8	58.1	55.3	57.5	57.7
Female	38.2	41.9	44.7	42.5	42.3
Employment status					
Full-time education	10.8	7.8	7.9	10.8	8.9
Employed/self employed	17.7	18.4	17.8	19.6	18.8
Unemployed	51.9	53.7	51.8	47.5	36.8
Government training scheme	2.9	1.8	1.9	2.1	2.1
Economically inactive ²	8.5	6.7	10.0	8.2	11.5
Other	8.2	11.5	10.5	11.8	22.0
Ethnicity (where known)					
White	96.0	97.1	97.1	96.0	96.1
Asian	2.1	1.0	0.7	1.8	1.4
African, Caribbean or Black	1.4	0.7	1.0	0.9	1.0
Mixed	-	*	*	*	*
Other	*	1.0	0.8	0.9	1.0

1. Age is at commencement of case. Figures may include a small number of under 16s.

2. Includes those who are retired, supported by family, caring for home/family or long-term sick/disabled.

Table 5 Bail information, court services and home detention curfew assessments: 2011-12 to 2015-16

	2011-12	2012-13	2013-14	2014-15 ³	2015-16
Bail information					
<i>Requests from court for bail information</i>	9,709	8,662	6,874	8,006	7,278
<i>Bail supervision cases</i>					
Number commenced	497	411	417	407	355
Individuals	467	397	400	390	318
Court services					
<i>Same day reports</i> ¹	2,955	3,255	3,679	3,534	3,705
Written reports	975	1,177	1,047	961	1,446
Oral reports	1,980	2,078	2,632	2,573	2,259
<i>Information at court's request</i> ²	424	774	1,322	1,280	1,443
<i>Post sentence interviews</i> ³	19,143	17,913	20,167	18,914	20,072
Home detention curfew assessments					
Reports	3,167	3,178	2,939	2,782	2,676
Individuals	2,845	2,876	2,649	2,532	2,439

1. Known as stand down reports prior to February 2011.

2. Introduced as part of implementing the revised criminal justice social work report.

3. The total for 2014-15 for post sentence interviews has been amended due to the receipt of revised figures for Glasgow City.

Table 6 Criminal justice social work reports submitted by age, gender, employment status and ethnicity: 2011-12 to 2015-16

	2011-12	2012-13	2013-14	2014-15	2015-16
Total	31,879	28,022	27,774	26,603	26,988
Age group					<i>Number</i>
16-17 ¹	1,911	1,369	1,173	926	945
18-20	5,056	3,835	3,445	3,140	3,133
21-25	6,426	5,810	5,443	4,996	4,777
26-30	5,113	4,737	4,588	4,390	4,569
31-40	7,332	6,654	6,818	6,768	7,097
Over 40	6,041	5,617	6,307	6,383	6,467
Gender					
Males	26,558	23,185	23,006	22,115	22,417
Females	5,321	4,837	4,768	4,488	4,571
Employment status					
Full-time education	630	465	442	457	438
Employed/self employed	6,086	5,859	5,944	5,733	6,340
Unemployed	18,141	15,606	14,825	13,865	13,150
Government training scheme	209	138	121	111	126
Economically inactive ²	4,635	3,867	3,754	4,013	4,140
Other	2,178	2,087	2,688	2,424	2,794
Ethnicity					
White	28,501	24,900	24,364	23,682	23,211
Asian	360	247	313	275	310
African, Caribbean or Black	172	145	165	154	156
Mixed	113	80	96	70	55
Other	312	327	288	243	287
Not known/provided	2,421	2,323	2,548	2,179	2,969
Total	100.0	100.0	100.0	100.0	100.0
Age group					<i>Percentage</i>
16-17 ¹	6.0	4.9	4.2	3.5	3.5
18-20	15.9	13.7	12.4	11.8	11.6
21-25	20.2	20.7	19.6	18.8	17.7
26-30	16.0	16.9	16.5	16.5	16.9
31-40	23.0	23.7	24.5	25.4	26.3
Over 40	18.9	20.0	22.7	24.0	24.0
Gender					
Males	83.3	82.7	82.8	83.1	83.1
Females	16.7	17.3	17.2	16.9	16.9
Employment status					
Full-time education	2.0	1.7	1.6	1.7	1.6
Employed/self employed	19.1	20.9	21.4	21.6	23.5
Unemployed	56.9	55.7	53.4	52.1	48.7
Government training scheme	0.7	*	*	*	*
Economically inactive ²	14.5	13.8	13.5	15.1	15.3
Other	6.8	7.4	9.7	9.1	10.4
Ethnicity (where known)					
White	96.8	96.9	96.6	97.0	96.6
Asian	1.2	1.0	1.2	1.1	1.3
African, Caribbean or Black	0.6	0.6	0.7	0.6	0.6
Mixed	*	*	*	*	*
Other	1.1	1.3	1.1	1.0	1.2

Note: Figures **exclude supplementary reports**.

1. May include a small number of under 16s.

2. Includes those who are retired, supported by family, caring for home/family or long-term sick/disabled.

Table 7 Criminal justice social work reports preferred sentencing options: 2011-12 to 2015-16

	2011-12	2012-13	2013-14	2014-15	2015-16
Total	31,879	28,022	27,774	26,603	26,988
					<i>Number</i>
Monetary penalty	2,261	1,883	1,761	1,754	1,749
Community service	2,830	606	213		
Probation: unpaid work	989	314	59		
Probation: standard conditions	1,186	147	58		
Probation: additional conditions	1,037	161	37		
Other community penalty				394	188
Community payback order: unpaid work, no supervision	2,511	4,040	4,200	4,077	4,118
Community payback order: supervision, no unpaid work	3,192	4,461	5,015	4,956	5,181
Community payback order: unpaid work and supervision	2,916	3,188	3,231	3,266	3,042
Restriction of liberty order	499	543	530	551	791
Deferment for DTTO assessment	649	702	607	602	553
Custody	1,053	927	876	924	910
Custody: extended sentence	171	163	188	195	141
Custody: supervised release order	203	182	171	205	230
Sentence deferred: 3 months or more	4,630	4,204	3,381	3,646	3,496
No preferred option	4,382	3,949	4,056	3,500	3,167
Other	3,370	2,552	3,391	2,533	3,422
					<i>Percentage</i>
Total	100.0	100.0	100.0	100.0	100.0
Monetary penalty	7.1	6.7	6.3	6.6	6.5
Community service	8.9	2.2	0.8		
Probation: unpaid work	3.1	1.1	*		
Probation: standard conditions	3.7	0.5	*		
Probation: additional conditions	3.3	0.6	*		
Other community penalty				1.5	0.7
Community payback order: unpaid work, no supervision	7.9	14.4	15.1	15.3	15.3
Community payback order: supervision, no unpaid work	10.0	15.9	18.1	18.6	19.2
Community payback order: unpaid work and supervision	9.1	11.4	11.6	12.3	11.3
Restriction of liberty order	1.6	1.9	1.9	2.1	2.9
Deferment for DTTO assessment	2.0	2.5	2.2	2.3	2.0
Custody	3.3	3.3	3.2	3.5	3.4
Custody: extended sentence	0.5	0.6	0.7	0.7	0.5
Custody: supervised release order	0.6	0.6	0.6	0.8	0.9
Sentence deferred: 3 months or more	14.5	15.0	12.2	13.7	13.0
No preferred option	13.7	14.1	14.6	13.2	11.7
Other	10.6	9.1	12.2	9.5	12.7

Note: Figures **exclude supplementary reports**. 'Other' category includes structured deferred sentences, absolute discharge, admonition, referral to children's hearing, remand to secure unit, supervised attendance order, driving ban, compensation order, continue current order, psychiatric assessment, revoke and impose new order, suspended sentence, non-specific community disposals and no suitable disposal. Community payback order was also recorded as 'Other' in 2010-11. The category 'Other community penalty' replaced the probation and community service order categories in 2014-15.

Table 8 Main outcomes from criminal justice social work reports: 2011-12 to 2015-16

	2011-12	2012-13	2013-14	2014-15	2015-16
Total	31,879	28,022	27,774	26,603	26,988
					<i>Number</i>
Monetary penalty	2,517	2,040	1,965	1,798	1,828
Community service	2,418	487	153		
Probation: unpaid work	1,046	202	57		
Probation: standard conditions	853	190	26		
Probation: additional conditions	490	77	38		
Other community penalty				263	257
Community payback order: unpaid work, no supervision	2,098	3,711	3,759	3,564	3,751
Community payback order: supervision, no unpaid work	2,019	2,503	2,852	3,318	3,392
Community payback order: unpaid work and supervision	3,689	4,200	4,915	4,280	4,446
Restriction of liberty order	375	421	458	429	695
Deferment for DTTO assessment	302	325	288	209	228
Custody	5,435	4,705	4,515	4,240	4,122
Custody: extended sentence	150	117	150	136	105
Custody: supervised release order	199	172	180	227	232
Warrant for apprehension / recall	869	620	622	552	544
Sentence deferred: 3 months or more	2,688	2,225	2,259	1,956	2,046
Admonition	1,061	842	905	913	905
Absolute discharge	21	17	24	17	16
Other	2,766	2,754	3,024	2,875	2,315
Outcome not yet known	2,883	2,414	1,584	1,826	2,106
					<i>Percentage</i>
Total	100.0	100.0	100.0	100.0	100.0
Monetary penalty	7.9	7.3	7.1	6.8	6.8
Community service	7.6	1.7	0.6		
Probation: unpaid work	3.3	0.7	*		
Probation: standard conditions	2.7	0.7	*		
Probation: additional conditions	1.5	*	*		
Other community penalty				1.0	1.0
Community payback order: unpaid work, no supervision	6.6	13.2	13.5	13.4	13.9
Community payback order: supervision, no unpaid work	6.3	8.9	10.3	12.5	12.6
Community payback order: unpaid work and supervision	11.6	15.0	17.7	16.1	16.5
Restriction of liberty order	1.2	1.5	1.6	1.6	2.6
Deferment for DTTO assessment	0.9	1.2	1.0	0.8	0.8
Custody	17.0	16.8	16.3	15.9	15.3
Custody: extended sentence	*	*	0.5	0.5	*
Custody: supervised release order	0.6	0.6	0.6	0.9	0.9
Warrant for apprehension / recall	2.7	2.2	2.2	2.1	2.0
Sentence deferred: 3 months or more	8.4	7.9	8.1	7.4	7.6
Admonition	3.3	3.0	3.3	3.4	3.4
Absolute discharge	*	*	*	*	*
Other	8.7	9.8	10.9	10.8	8.6
Outcome not yet known	9.0	8.6	5.7	6.9	7.8

Note: Figures **exclude supplementary reports**. 'Other' category includes compensation order, referral to children's hearing, psychiatric assessment, supervised attendance order, continue current order, driving disqualification, license endorsed and outcome unknown. Community payback order was also recorded as 'Other' in 2010-11. The category 'Other community penalty' replaced the probation and community service order categories in 2014-15..

Table 9 Community payback orders commenced by age, gender, employment status and ethnicity: 2011-12 to 2015-16

	2011-12	2012-13 ⁴	2013-14 ⁴	2014-15 ⁴	2015-16
Total	10,228	16,063	18,689	19,064	19,410
Age group¹					<i>Number</i>
16-17	584	788	684	610	607
18-20	1,601	2,263	2,375	2,314	2,272
21-25	2,218	3,546	4,093	3,874	3,818
26-30	1,667	2,831	3,166	3,384	3,489
31-40	2,337	3,754	4,626	4,859	5,057
Over 40	1,821	2,881	3,745	4,023	4,167
Gender					
Male	8,826	13,680	15,812	16,116	16,457
Female	1,402	2,383	2,877	2,948	2,953
Employment status					
Full-time education	201	293	314	313	314
Employed/self employed	1,954	3,139	3,869	4,107	4,358
Unemployed	6,362	9,959	11,430	11,502	11,477
Government training scheme	62	89	68	74	72
Economically inactive ²	1,116	1,260	1,621	1,822	1,873
Other ³	533	1,323	1,387	1,246	1,316
Ethnicity					
White	9,189	14,537	16,396	16,596	17,640
Asian	93	127	193	173	203
African, Caribbean or Black	32	51	57	99	94
Mixed	25	69	81	58	48
Other	85	156	145	164	178
Not known/provided	804	1,123	1,817	1,974	1,247
Total	100.0	100.0	100.0	100.0	<i>Percentage</i> 100.0
Age group¹					
16-17	5.7	4.9	3.7	3.2	3.1
18-20	15.7	14.1	12.7	12.1	11.7
21-25	21.7	22.1	21.9	20.3	19.7
26-30	16.3	17.6	16.9	17.8	18.0
31-40	22.8	23.4	24.8	25.5	26.1
Over 40	17.8	17.9	20.0	21.1	21.5
Gender					
Male	86.3	85.2	84.6	84.5	84.8
Female	13.7	14.8	15.4	15.5	15.2
Employment status					
Full-time education	2.0	1.8	1.7	1.6	1.6
Employed/self employed	19.1	19.5	20.7	21.5	22.5
Unemployed	62.2	62.0	61.2	60.3	59.1
Government training scheme	0.6	0.6	*	*	*
Economically inactive ²	10.9	7.8	8.7	9.6	9.6
Other ³	5.2	8.2	7.4	6.5	6.8
Ethnicity (where known)					
White	97.5	97.3	97.2	97.1	97.1
Asian	1.0	0.9	1.1	1.0	1.1
African, Caribbean or Black	*	*	*	0.6	0.5
Mixed	*	*	*	*	*
Other	0.9	1.0	0.9	1.0	1.0

1. Age is at commencement of order. Figures may include a small number of under 16s.

2. Includes those who are retired, supported by family, caring for home/family or long-term sick/disabled.

3. For 2012-13 to 2015-16, includes some orders where employment status was not known.

4. Figures for the years 2012-13 to 2014-15 have been revised from those previously published due to the receipt of updated information from some councils. The breakdown by employment status for 2014-15 has changed particularly markedly due to the receipt of an amended breakdown for Aberdeen City.

Table 10 Community payback orders issued by court type: 2012-13 to 2015-16

	2012-13 ²	2013-14 ²	2014-15 ^{2,3}	2015-16
				<i>Number</i>
Total	16,063	18,689	19,064	19,410
High/appeal	76	78	67	82
Sheriff solemn ^{1,3}	819	861	1,071	1,052
Sheriff summary ^{1,3}	14,078	16,440	16,601	17,190
Stipendiary magistrates	374	531	518	265
Justice of the peace	377	571	630	715
Outwith Scotland	75	72	120	106
Not known	264	136	57	-
				<i>Percentage</i>
Total	100.0	100.0	100.0	100.0
High/appeal	0.5	0.4	0.4	0.4
Sheriff solemn ^{1,3}	5.2	4.6	5.6	5.4
Sheriff summary ^{1,3}	89.1	88.6	87.3	88.6
Stipendiary magistrates	2.4	2.9	2.7	1.4
Justice of the peace	2.4	3.1	3.3	3.7
Outwith Scotland	0.5	0.4	0.6	0.5

Notes:

1. Figures for sheriff solemn and sheriff summary include estimates as some local authorities were not able to distinguish between solemn and summary.
2. Revisions were made to the 2012-13 to 2014-15 data and, as a consequence, the court type for some orders was unknown. The percentages are therefore calculated on the total orders where the court type was known.
3. A further revision has been made to the 2014-15 figures due to the categories "sheriff solemn" and "sheriff summary" for Stirling being wrongly allocated to each other.

Table 11 Community payback order requirements: 2011-12 to 2015-16

	2011-12	2012-13 ²	2013-14 ²	2014-15 ²	2015-16
					<i>Number</i>
Unpaid work or other activity	7,776	12,788	14,940	14,924	15,102
Offender supervision	6,382	8,810	9,430	9,504	9,912
Conduct ¹	2,360	1,605	1,147	1,100	1,090
Programme	809	1,044	1,180	1,118	1,031
Alcohol treatment	536	398	401	333	264
Compensation	350	606	607	564	591
Drug treatment	236	183	166	178	166
Mental health treatment	74	96	66	45	43
Residence	51	37	45	33	30
					<i>Percentage</i>
Unpaid work or other activity	76.0	79.6	79.9	78.3	77.8
Offender supervision	62.4	54.8	50.5	49.9	51.1
Conduct ¹	23.1	10.0	6.1	5.8	5.6
Programme	7.9	6.5	6.3	5.9	5.3
Alcohol treatment	5.2	2.5	2.1	1.7	1.4
Compensation	3.4	3.8	3.2	3.0	3.0
Drug treatment	2.3	1.1	0.9	0.9	0.9
Mental health treatment	0.7	0.6	*	*	*
Residence	*	*	*	*	*

Notes: 2011-12 figures are based on an aggregate return and may include extra requirements issued after the initial imposition of the order. This is not the case for figures based on the unit-level return from 2012-13 onward. The difference is not thought to be substantive.

1. The fall in the use of the conduct requirement after 2011-12 is due to a 2012 appeal court judgement that conduct requirements must be specific and include more than general conditions to stay out of trouble or to refrain from committing another criminal offence. This will have an impact on the level of supervision requirements as orders with a conduct requirement should also include supervision.
2. Figures for 2012-13 to 2014-15 have been revised from those previously published due to the receipt of updated information from some councils.

Table 12 Community payback orders commenced by length of unpaid work requirement: 2011-12 to 2015-16

	2011-12	2012-13 ¹	2013-14 ¹	2014-15 ¹	2015-16
Orders with unpaid work/other activity requirement	7,763	12,788	14,940	14,924	15,102
Level 1: 100 hours or less	3,946	6,500	7,968	8,085	8,053
Level 2: Over 100 - 300 hours	3,817	6,166	6,872	6,807	7,049
Average length (hours)	120.4	124.2	120.5	120.6	120.7
Level 1	77.9	75.5	73.3	72.3	71.5
Level 2	164.2	175.6	175.2	177.9	176.9

Notes: Figures exclude cases where the requirement was imposed after commencement. For cases where the length of the requirement was amended after the order was imposed, figures for 2011-12 are for the most recent length, while those for 2012-13 to 2015-16 are for the length when the order was first imposed. This is due to the change from an aggregate to a unit-level return, but the effect is not considered to be substantive.

1. Revisions were made to the 2012-13 to 2014-15 data and, as a consequence, information on the number of hours imposed was unknown for a small number of orders. The average length is therefore calculated on orders where the hours imposed was known.

Table 13 Community payback orders commenced by length of supervision requirement: 2011-12 to 2015-16

	2011-12 ¹	2012-13 ²	2013-14 ²	2014-15 ²	2015-16
Orders with supervision requirement	6,364	8,810	9,430	9,504	9,912
6 months or less	575	632	686	604	624
More than 6 months - 12 months	3,381	4,467	4,683	4,774	4,928
More than 12 months - 18 months	1,460	2,173	2,233	2,304	2,415
More than 18 months - 24 months	847	1,287	1,416	1,387	1,545
More than 24 months - 36 months	101	241	365	416	400
Average length (months)	14.5	15.2	15.5	15.6	15.6

Notes:

1. Figures for 2011-12 include cases where the requirement was imposed after commencement of the order but these cases are excluded for the 2012-13 to 2015-16 data. For cases where the length of the requirement was amended after the order was imposed, figures for 2011-12 are for the most recent length, while those for 2012-13 to 2015-16 are for the length when the order was first imposed. This is due to the change from an aggregate to unit-level return, but the effect is not considered to be substantive.

2. Revisions were made to the 2012-13 to 2014-15 data and, as a consequence, information on the length of supervision was unknown for a small number of orders. The average length is therefore calculated on orders where the length was known.

Table 14 Community payback orders with court progress reviews set at first imposition: All orders and different requirements: 2015-16

	Total orders	Orders with court progress reviews	Percentage with court progress reviews
All orders commenced	19,410	3,323	17%
Orders commenced with:			
Unpaid work or other activity	15,102	2,124	14%
Offender supervision	9,912	2,626	26%
Conduct	1,090	390	36%
Programme	1,031	285	28%
Alcohol treatment	264	86	33%
Compensation	591	109	18%
Drug treatment	166	63	38%
Mental health treatment	43	12	28%
Residence	30	15	50%

Table 15 Timescales for first direct contact and induction/case management meeting for community payback orders: 2011-12 to 2015-16

	2011-12	2012-13 ¹	2013-14 ¹	2014-15 ¹	2015-16
Total	10,228	16,063	18,689	19,064	19,410
<i>Number</i>					
Time between order imposed and first contact					
Within 1 working day	7,319	11,981	13,776	13,708	13,919
Over 1 - 5 working days	1,255	1,517	1,812	1,886	1,589
Over 5 working days	961	1,639	1,878	2,151	2,516
Not known/applicable	693	926	1,223	1,319	1,386
Time between order imposed and first induction/case management meeting					
Within 5 working days	7,484	11,969	13,952	14,237	14,042
Over 5 - 10 working days	833	1,270	1,667	1,582	1,683
Over 10 working days	734	1,205	1,562	1,672	1,975
Not known/applicable	1,177	1,619	1,508	1,573	1,710
<i>Percentage</i>					
Total	100.0	100.0	100.0	100.0	100.0
Time between order imposed and first contact					
Within 1 working day	76.8	79.2	78.9	77.2	77.2
Over 1 - 5 working days	13.2	10.0	10.4	10.6	8.8
Over 5 working days	10.1	10.8	10.8	12.1	14.0
Time between order imposed and first induction/case management meeting					
Within 5 working days	82.7	82.9	81.2	81.4	79.3
Over 5 - 10 working days	9.2	8.8	9.7	9.0	9.5
Over 10 working days	8.1	8.3	9.1	9.6	11.2

Notes: Orders where the client did not/was unable to comply or transferred from another jurisdiction are included in the 'not known/applicable' category. These cases are not included in the percentage figures. The first induction/case management meeting involves clarifying health and safety procedures, requirements and expectations, and drawing up a case management plan.

1. Figures for 2012-13 to 2014-15 have been revised from those previously published due to the receipt of updated information from some councils.

Table 16 Reason for not meeting timescales for community payback orders: 2015-16

Reason why first direct contact more than 1 working day after order imposed	<i>Percentage</i>
Offender did not turn up	35.6
Currently on order or supervision	5.6
Offender in custody	3.6
Offender undertaking paid employment	2.0
Offender ill	1.4
Other: client based	18.0
Social worker not available	3.4
Other: non-client based	30.5
Reason why first induction/case management meeting more than 5 working days after order imposed	
Offender did not turn up	14.7
First direct contact occurred late	8.5
Currently on order or supervision	15.0
Offender in custody	3.5
Offender undertaking paid employment	2.7
Offender ill	2.4
Other: client based	30.0
Suitable social work staff not available	3.9
Other: non-client based	19.3

Notes: This table does not include information for some local authorities unable to supply this information. Orders transferred from other jurisdictions are not included.

Table 17 Timescales for starting community payback order work placement: 2011-12 to 2015-16

	2011-12	2012-13 ¹	2013-14 ¹	2014-15 ¹	2015-16
					<i>Number</i>
Commencements with unpaid work or other activity requirement	7,763	12,788	14,940	14,924	15,102
Time between order imposed and work placement starting					
Within 7 working days	4,965	8,046	9,965	9,577	8,968
Over 7 working days - 3 weeks	1,162	1,643	1,558	1,543	1,804
Over 3 weeks - 1 month	303	467	555	613	673
Over 1 month - 2 months	309	538	588	719	759
Over 2 months	267	595	656	724	926
Not known/applicable	757	1,499	1,618	1,748	1,972
					<i>Percentage</i>
Commencements with unpaid work or other activity requirement	100.0	100.0	100.0	100.0	100.0
Time between order imposed and work placement starting					
Within 7 working days	70.9	71.3	74.8	72.7	68.3
Over 7 working days - 3 weeks	16.6	14.6	11.7	11.7	13.7
Over 3 weeks - 1 month	4.3	4.1	4.2	4.7	5.1
Over 1 month - 2 months	4.4	4.8	4.4	5.5	5.8
Over 2 months	3.8	5.3	4.9	5.5	7.1

Notes: Figures exclude cases where the requirement was imposed after commencement. Orders where the client did not/was unable to comply or transferred from another jurisdiction are included in the 'not known/applicable' category. These cases are not included in the percentage figures. Some local authorities were not able to provide complete unit-level information for some of the years 2012-13 to 2015-16, resulting in an increase in the number of 'not known' responses for those years and therefore limited comparability between 2011-12 and the subsequent years.

1. An error was spotted in the previously published figures for 2012-13 to 2014-15. As a result of this, figures for the categories "over 7 working days - 3 weeks", "over 3 weeks - 1 month", "over 1 month - 2 months" and "over 2 months" have been revised. There have also been smaller revisions to all figures for these years due to the receipt of updated information from some councils.

Table 18 Reason for not meeting timescales for starting community payback order work placement: 2015-16

Reason for work placement starting later than 7 working days after order imposed	<i>Percentage</i>
Offender did not turn up for first day of placement	21.1
Currently on order or supervision	10.8
Offender in custody	2.2
First direct contact occurred late	5.9
Offender ill	3.8
Offender undertaking paid employment	3.4
Suitable work not available	2.2
Other: client based	25.7
Suitable social work staff not available	3.2
Other: non-client based	21.7

Notes: This table does not include information for some local authorities. Orders transferred from other jurisdictions are not included.

Table 19 Community payback orders terminated by outcome: 2015-16

	Total		Custodial sentence	New order	Monetary penalty	Other penalty	Other outcome	Outcome not known
	Number	Percentage						
Total	18,284	100.0	<i>Row%</i>					
Successfully completed/early discharge	12,426	68.0						
Revoked due to review	1,340	7.3	15	7	4	10	51	13
Revoked due to breach	3,168	17.3	30	28	6	8	23	6
Transfer out of area	599	3.3						
Death	155	0.8						
Other	596	3.3	10	3	2	8	64	13

Table 20 Community payback orders terminated by number of breach applications: 2015-16

	Number of terminations	Breach applications (%)		
		None	One	Two or more
Total	18,284	74	22	4
Successfully completed/early discharge	12,426	92	7	1
Revoked due to review	1,340	80	18	2
Revoked due to breach ¹	3,168	1	85	14
Transfer out of area	599	86	13	1
Death	155	83	15	2
Other	596	61	30	9

1. There are a small number of orders whose reason for termination was "revoked due to breach" but where there were no breach applications made. A court can issue a warrant for someone's arrest if they fail to attend a court review, and the court can then revoke the order without the local authority having to submit a breach report.

Table 21 Breach applications for community payback orders: 2015-16

Orders completed/terminated in 2015-16	18,284
Breach applications	5,659
Average number of breach applications	0.31
<i>Percentage of breach applications lodged with court within 5 working days¹</i>	<i>83.4</i>

1. Figure includes an estimate for Stirling.

Table 22 Community payback order unpaid work requirements by length and time taken to complete: 2015-16

Unpaid work requirements completed	9,537
Level 1: 100 hours or less	5,054
Level 2: Over 100 - 300 hours	4,483
Average length (hours)	121
Level 1	71
Level 2	178
Average time taken to complete from date imposed (days)	202
Level 1	157
Level 2	253

Notes:

1. The number of requirements completed may be a slight underestimate as some local authorities were not able to supply full details for orders where the unpaid work element was completed but some part of the order (usually the supervision element) was not completed in that year. Figures for time taken to complete requirements are expressed in terms of calendar days.

Table 23 Community payback order unpaid work or other activity requirements by whether completed to timescale and reasons for not completing to timescale: 2015-16

Total requirements successfully completed	9,537
Orders completed within specified timescale	6,526
Orders which completed within 3 months (level 1) or 6 months (level 2) ¹	3,742
Orders completed within later timescale ¹ given by court	2,784
Orders completed outwith timescale	3,011
Reason why requirements were not completed within timescale	
Non-compliance	20.2
Offender's paid employment	13.4
Offender's ill health	10.4
Difficulty finding suitable work	2.5
Suitable social work staff not available	1.7
Other: client based	40.0
Other: non-client based	11.9

Notes: The information in this table on reasons excludes some orders where this information was not provided.

1. The Criminal Justice and Licensing (Scotland) Act 2010 defines the time limit for completion of an unpaid work or other activity requirement as "3 months or such longer period as the court may specify in the requirement" for level 1 and "6 months or such longer period as the court may specify in the requirement" for level 2.

Table 24 Drug treatment and testing orders commenced by age, gender, employment status, ethnicity and length: 2011-12 to 2015-16

	2011-12	2012-13	2013-14 ³	2014-15 ⁴	2015-16 <i>Number</i>
Total	557	639	625	551	522
Age group¹					
16-17	1	5	1	1	1
18-20	10	9	13	16	9
21-25	67	69	73	60	51
26-30	152	174	144	117	121
31-40	258	289	286	262	243
Over 40	69	93	108	95	97
Gender					
Male	455	512	498	437	412
Female	102	127	127	114	110
Employment status					
Full-time education	3	2	2	1	6
Employed/self employed	22	14	18	10	18
Unemployed	436	484	347	295	312
Government training scheme	-	2	-	1	1
Economically inactive ²	76	104	167	151	142
Other	20	28	63	91	42
Not known		5	28	2	1
Ethnicity					
White	520	613	595	534	492
Asian	2	1	2	1	3
African, Caribbean or Black	2	4	5	-	-
Mixed	2	5	2	2	4
Other	10	4	6	-	4
Not known/hot provided	21	12	15	14	19
Average length (months)	17.6	18.1	17.4	17.7	17.8
					<i>Percentage</i>
Total	100.0	100.0	100.0	100.0	100.0
Age group¹					
16-17	*	0.8	*	*	*
18-20	1.8	1.4	2.1	2.9	1.7
21-25	12.0	10.8	11.7	10.9	9.8
26-30	27.3	27.2	23.0	21.2	23.2
31-40	46.3	45.2	45.8	47.5	46.6
Over 40	12.4	14.6	17.3	17.2	18.6
Gender					
Male	81.7	80.1	79.7	79.3	78.9
Female	18.3	19.9	20.3	20.7	21.1
Employment status (where known)					
Full-time education	0.5	*	*	*	1.2
Employed/self employed	3.9	2.2	3.0	1.8	3.5
Unemployed	78.3	76.3	58.1	53.7	59.9
Government training scheme	-	*	-	*	*
Economically inactive ²	13.6	16.4	28.0	27.5	27.3
Other	3.6	4.4	10.6	16.6	8.1
Ethnicity (where known)					
White	97.0	97.8	97.5	99.4	97.8
Asian	*	*	*	*	0.6
African, Caribbean or Black	*	0.6	0.8	-	-
Mixed	*	0.8	*	*	0.8
Other	1.9	0.6	1.0	-	0.8

Note: Figures include DTTO IIs, which have been piloted in the City of Edinburgh, Midlothian and East Lothian areas since June 2008.

1. Age is at commencement of order. Figures may include a small number of under 16s.

2. Includes those who are retired, supported by family, caring for home/family or long-term sick/disabled.

3. In 2013-14, City of Edinburgh, Midlothian and Aberdeenshire separately identified a small number of records where the employment status was unknown. The percentages by employment status for that year are therefore calculated as a proportion of orders where this was known. Changes were also made in City of Edinburgh and Midlothian as to how the reason for being unemployed was recorded. This has led to some orders which would previously have been recorded as unemployed being recorded as economically inactive.

4. Figures for 2014-15 have been revised from those previously published due to the receipt of updated information from some councils.

Table 25 Timescales for first direct contact and case management meeting for drug treatment and testing orders: 2012-13 to 2015-16

	2012-13 ¹		2013-14		2014-15 ¹		2015-16	
	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
Total commencements	639	100.0	625	100.0	551	100.0	522	100.0
First contact after order imposed								
Within 1 working day	484	77.6	463	76.4	425	81.3	395	81.6
Over 1 - 5 working days	96	15.4	91	15.0	68	13.0	49	10.1
Over 5 working days	44	7.1	52	8.6	30	5.7	40	8.3
Not known/applicable	15		19		28		38	
First case management meeting after order imposed								
Within 5 working days	456	73.8	521	86.3	406	83.7	404	83.8
Over 5 - 10 working days	71	11.5	28	4.6	35	7.2	36	7.5
Over 10 working days	91	14.7	55	9.1	44	9.1	42	8.7
Not known/applicable	21		21		66		40	

Notes: Figures include DTTO IIs piloted in City of Edinburgh, Midlothian and East Lothian areas since June 2008. The first case management meeting involves clarifying requirements and expectations, and drawing up a case management plan. Orders where the client did not/was unable to comply or transferred from another jurisdiction are included in the 'not known/applicable' category. These cases are not included in the percentage figures.
1. Some small changes have been made to the figures for 2012-13 and 2014-15 since they were last published due to the receipt of updated information from some councils.

Table 26 Reason for not meeting timescales for drug treatment and testing orders: 2015-16

	Percentage
First direct contact more than 1 working day after order imposed	
Offender did not turn up	50.6
Offender ill	3.4
Offender in custody	1.1
Currently on order or supervision	1.1
Other: client based	6.7
Social worker not available	1.1
Other: non-client based	36.0
First case management meeting more than 5 working days after order imposed	
Offender did not turn up	41.0
Offender in custody	2.6
Offender ill	3.8
Other: client based	21.8
Social worker not available	6.4
Other: non-client based	25.6

Notes: Figures include DTTO IIs piloted in City of Edinburgh, Midlothian and East Lothian areas since June 2008. The first case management meeting involves clarifying requirements and expectations, and drawing up a case management plan. Orders transferred from other jurisdictions are not included.

Table 27 Drug treatment and testing orders terminated: 2011-12 to 2015-16

	2011-12	2012-13	2013-14 ¹	2014-15 ¹	2015-16
Total	633	592	675	645	555
Successfully completed/early discharge	339	310	349	353	275
Revoked due to review	90	136	138	100	134
Revoked due to breach	127	106	152	149	118
Transfer out of area	41	11	7	8	4
Death	4	6	8	9	7
Other	32	23	21	26	17
	<i>Number</i>				
Total	100.0	100.0	100.0	100.0	100.0
Successfully completed/early discharge	53.6	52.4	51.7	54.7	49.5
Revoked due to review	14.2	23.0	20.4	15.5	24.1
Revoked due to breach	20.1	17.9	22.5	23.1	21.3
Transfer out of area	6.5	1.9	1.0	1.2	0.7
Death	0.6	1.0	1.2	1.4	1.3
Other	5.1	3.9	3.1	4.0	3.1
	<i>Percentage</i>				

Note: Figures include DTTO IIs piloted in City of Edinburgh, Midlothian and East Lothian areas since June 2008.

1. Figures for 2013-14 and 2014-15 have been revised from those previously published due to the receipt of updated information from some councils.

Table 28 Drug treatment and testing orders terminated by outcome: 2015-16

	Total		Custodial sentence	Community payback order	New order	Other penalty	Other outcome
	Number	Percentage					
Total	555	100.0	<i>Row%</i>				
Successfully completed/early discharge	275	49.5					
Revoked due to review	134	24.1	46	4	2	7	42
Revoked due to breach	118	21.3	51	6	3	7	34
Transfer out of area	4	0.7					
Death	7	1.3					
Other	17	3.1	36	18	-	-	45

Note: Figures include DTTO IIs piloted in City of Edinburgh, Midlothian and East Lothian areas since June 2008. Row percentages are based on total orders where the outcome was known - there are a small number of cases where this information was not known.

Table 29 Drug treatment and testing orders terminated by number of breach applications: 2015-16

	Number of terminations	Breach applications (%)		
		None	One	Two or more
Total	555	64	34	2
Successfully completed/early discharge	275	94	5	1
Revoked due to review	134	51	49	1
Revoked due to breach ¹	118	3	92	5
Transfer out of area	4	100	-	-
Death	7	86	14	-
Other	17	88	12	-

Note: Figures include DTTO IIs piloted in the City of Edinburgh, Midlothian and East Lothian areas since June 2008.

1. There are a small number of orders whose reason for termination was "revoked due to breach" but where there were no breach applications made. A court can issue a warrant for someone's arrest if they fail to attend a court review, and the court can then revoke the order without the local authority having to submit a breach report.

Table 30 Fiscal work orders: 2015-16

Assessments undertaken:	
Total	795
Accepted by local authority	551
Deemed unsuitable by local authority	244
Orders commenced	508
Individuals with orders commenced	503
Orders completed/terminated:	
Total	363
Successfully completed	292
Terminated without being successfully completed	71

Note: Fiscal work orders were introduced nationally on 1 April 2015, having been piloted in a small number of local authority areas since June 2008.

Table 31 Fiscal work orders commenced by age, gender, employment status, ethnicity and length of orders: 2015-16

	Number	Percentage
Total	508	100.0
Age group²		
16-17	27	5.3
18-20	107	21.1
21-25	132	26.0
26-30	83	16.3
31-40	99	19.5
Over 40	60	11.8
Gender		
Male	409	80.5
Female	99	19.5
Employment status		
Full-time education	29	5.7
Employed/self employed	214	42.1
Unemployed	151	29.7
Government training scheme	3	0.6
Economically inactive ³	24	4.7
Other	87	17.1
Ethnicity⁴		
White	375	96.9
Asian	6	1.6
African, Caribbean or Black	3	0.8
Mixed	0	-
Other	3	0.8
Not known/provided	121	
Length of order		
20 hours	93	18.3
Over 20 and under 30 hours	3	0.6
30 hours	267	52.6
40 hours	99	19.5
50 hours	46	9.1

1. Fiscal work orders were introduced nationally on 1 April 2015, having been piloted in a small number of local authority areas since June 2008.

2. Age is at commencement of case.

3. Includes those who are retired, supported by family, caring for home/family or long-term sick/disabled.

4. The percentages for ethnicity represent the proportions of cases where the ethnicity was known.

Table 32 Statutory throughcare in custody by sentence type: 2011-12 to 2015-16

	Cases commenced					Caseload at 31 March				
	2011-12	2012-13	2013-14	2014-15	2015-16	2011-12	2012-13	2013-14	2014-15	2015-16
Total	1,072	965	1,048	1,044	1,040	3,204	3,347	3,318	3,376	3,358
Determinate long-term sentence (4 years and over)	534	456	482	453	468	1,625	1,597	1,566	1,510	1,476
Extended sentence	179	151	189	178	153	514	549	579	581	556
Life sentence	56	39	46	35	28	709	779	725	774	789
Order for lifelong restriction	14	8	12	10	10	57	75	91	98	108
Short-term sex offender ¹	59	84	90	90	104	54	69	85	87	98
Supervised release order	230	227	229	278	277	245	278	272	326	331
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Determinate long-term sentence (4 years and over)	49.8	47.3	46.0	43.4	45.0	50.7	47.7	47.2	44.7	44.0
Extended sentence	16.7	15.6	18.0	17.0	14.7	16.0	16.4	17.5	17.2	16.6
Life sentence	5.2	4.0	4.4	3.4	2.7	22.1	23.3	21.9	22.9	23.5
Order for lifelong restriction	1.3	0.8	1.1	1.0	1.0	1.8	2.2	2.7	2.9	3.2
Short-term sex offender ¹	5.5	8.7	8.6	8.6	10.0	1.7	2.1	2.6	2.6	2.9
Supervised release order	21.5	23.5	21.9	26.6	26.6	7.6	8.3	8.2	9.7	9.9

1. Under Section 15 of the Management of Offenders Etc. (Scotland) Act 2005.

Table 33 Statutory throughcare in the community by type of licence: 2011-12 to 2015-16

	Cases commenced					Caseload at 31 March					Cases completed				
	2011-12	2012-13	2013-14	2014-15	2015-16	2011-12	2012-13	2013-14	2014-15	2015-16	2011-12	2012-13	2013-14	2014-15	2015-16
Total	1,047	1,001	1,027	1,085	968	2,372	2,431	2,685	2,524	2,436	944	927	911	942	982
Parole	220	181	198	176	182	479	476	482	457	445	233	194	174	166	169
Non parole	286	255	269	252	201	424	403	438	425	339	225	231	249	230	232
Extended sentence	183	144	162	190	156	390	401	590	451	423	137	145	126	151	168
Life	63	52	58	68	32	438	445	467	464	428	51	38	26	46	38
Short-term sex offender ¹	54	93	83	100	87	46	73	64	75	86	66	57	90	69	85
Supervised release order	199	214	205	237	258	174	188	235	217	255	173	183	201	221	239
Recalled prisoner ²						368	359	341	364	387					
Other	42	62	52	62	52	53	86	68	71	73	59	79	45	59	51
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Parole	21.0	18.1	19.3	16.2	18.8	20.2	19.6	18.0	18.1	18.3	24.7	20.9	19.1	17.6	17.2
Non parole	27.3	25.5	26.2	23.2	20.8	17.9	16.6	16.3	16.8	13.9	23.8	24.9	27.3	24.4	23.6
Extended sentence	17.5	14.4	15.8	17.5	16.1	16.4	16.5	22.0	17.9	17.4	14.5	15.6	13.8	16.0	17.1
Life	6.0	5.2	5.6	6.3	3.3	18.5	18.3	17.4	18.4	17.6	5.4	4.1	2.9	4.9	3.9
Short-term sex offender ¹	5.2	9.3	8.1	9.2	9.0	1.9	3.0	2.4	3.0	3.5	7.0	6.1	9.9	7.3	8.7
Supervised release order	19.0	21.4	20.0	21.8	26.7	7.3	7.7	8.8	8.6	10.5	18.3	19.7	22.1	23.5	24.3
Recalled prisoner ²						15.5	14.8	12.7	14.4	15.9					
Other	4.0	6.2	5.1	5.7	5.4	2.2	3.5	2.5	2.8	3.0	6.3	8.5	4.9	6.3	5.2

1. Under Section 15 of the Management of Offenders Etc. (Scotland) Act 2005.

2. Individuals recalled to custody from license/order for community supervision, including those not yet apprehended.

Annex A Sources of information and data quality

- A.1 The annual aggregate CJS return for local authority criminal justice social work services was introduced for 1999-00 and covered social enquiry reports, community service and probation orders. The content and format of the return has changed over time to reflect new developments and an increasing demand for information, as well as to clarify points of definition in relation to particular data items. Additional items include:
- supervised attendance orders (2000-01)
 - throughcare (statutory post release supervision) (2001-02)
 - diversion from prosecution (2001-02)
 - drug treatment and testing orders (2003-04, removed from 2012-13 onward)
 - bail information (2003-04)
 - voluntary throughcare (2004-05)
 - court services (2004-05)
 - throughcare addiction service (2005-06, removed from 2015-16 onward)
 - community payback orders (2011-12, removed from 2012-13 onward)
 - fiscal work orders (2015-16).
- A.2 Data for community payback and drug treatment and testing orders has been collected at **unit level for each order** since 2012-13. The aim of this change was to enable analysis of the process and outcomes for individual orders, which is not feasible through a collection of aggregate tables. This allows the scope for looking at how each order progresses and provides more detailed information on outcomes. While it will take a number of years' data to realise the unit level collections' full potential, the last four bulletins in this series have contained substantially more information than that previously available from the aggregate level collection.
- A.3 In 2010-11, there were estimated to be around 300 **community payback orders** issued – these figures have not been included in this bulletin although [monthly figures](#) obtained separately from Scottish Court and Tribunal Service do provide more details.
- A.4 While 29 of the 32 Scottish local authorities were able to provide the CPO unit level data in 2012-13, all 32 have done so in each of the three subsequent years. In each year, some local authorities were not able to supply all of the variables requested. As a result, some tables will include estimates, and such cases will be indicated in the footnotes.
- A.5 With the introduction of the CPO, information on the legacy orders are gradually being phased out of the aggregate return. The 2015-16 return did not collect information on the number of legacy orders commenced due to the small numbers involved (estimated to be around 200).
- A.6 The change in data collection from aggregate to unit level can result in identifying inconsistencies in the data and caution should therefore be exercised when looking at changes in the figures between 2011-12 and the four most recent years. It is also important to note that comparability between the

unit level data for subsequent years may be affected by **the type of people most likely to complete a community payback order during the first few years of implementation**. Orders which finished during 2012-13 and 2013-14 will tend to be lower-tariff orders which generally take less time to complete than those which finished during 2014-15 or 2015-16.

- A.7 The statistics presented in this bulletin reflect information on criminal justice social work activity in the financial year 1 April 2015 to 31 March 2016. Figures are extracted from live information management systems and may differ slightly from those published previously as administrative systems are updated.
- A.8 Revisions are flagged up in the publication at the time but not in future publications. The live tables, including earlier data at sub-Scotland level, on the [Scottish Government crime and justice statistics website](#) may be revised at any point if required, and revisions are highlighted in the relevant table.
- A.9 As a result of information provided by local authorities with their 2015-16 unit returns, some revisions were made to the 2014-15, 2013-14 and (to a lesser extent) 2012-13 data for CPOs and DTTOs. These revisions were mainly a result of:
- a. The inclusion of orders which were in existence before the 2015-16 year but which had erroneously not been included in earlier years' data returns, and
 - b. Some orders which were previously advised in the 2014-15 returns as being in existence at the end of that year but which had actually been completed/terminated before then. Some authorities advised of substantial numbers of CPOs falling into this category, due mainly to orders not being closed off on their IT systems. As a result, the total for CPO terminations in 2014-15 has been revised upwards by around 1,000, with CPOs in existence at 31 March 2015 revised downwards by around the same amount.
- A.10 For some new records added to the 2014-15, 2013-14 and 2012-13 CPO data, not all of the necessary information was supplied. Some tables therefore contain a "not known" category for the information in question (e.g. [Table 10](#), CPOs by court type).
- A.11 Figures in this bulletin on the number of new orders commenced are not collected on the same basis as those published in the [criminal proceedings bulletins](#). This is due to differences in the unit of analysis (cases versus orders) and criminal proceedings data referring to the court rather than the local authority implementing the order.
- A.12 The data obtained from local authorities is considered of good quality as they come from recording systems which the local authorities use for case management and for internal monitoring. However, administrative data of this type will be subject to some degree of error which may arise in any large scale recording system. Therefore the data has been quality assured as far as practicable through a series of validation processes before publication.
- A.13 The **aggregate return** includes electronic checks to notify local authorities of inconsistencies within the data. In the case of substantial changes since the previous year, the local authority is asked to confirm the figures are correct.

Once data returns from all authorities have been received, further analysis is carried out to detect any major changes to figures over recent time periods.

A.14 The **unit level collections** for community payback and drug treatment and testing orders include automatic checks built into the data loading system so that errors in information provided are flagged up at an early stage for correction. The data are checked for accuracy by internal statistical administrative staff. Checks are also made to ensure there is consistency between 2015-16 and earlier years' data.

A.15 [Additional datasets](#) at local authority level are available on the Scottish Government website. These also show data for community justice authorities. The new model for community justice will come fully into operation from 1 April 2017, replacing the current community justice authorities with a model focussed on local strategic planning and delivery of improved community justice outcomes. Assurance and improvement support will be provided by a new body, Community Justice Scotland.

Annex B Definitions

- B.1 The following section provides a brief description of the main types of criminal justice social work orders and services. More information on social work orders and the operation of the criminal justice system can be found in the [Criminal proceedings in Scotland](#) publications. Details on court services can be found in the [National outcomes and standards guidance](#). In addition to social work orders issued by the courts, work orders may be offered by the procurator fiscal as an alternative to summary court proceedings when appropriate. Fiscal work orders had previously been available in a small number of pilot areas but were rolled out nationally from 1 April 2015 (see [§B.7](#)).
- B.2 The **community payback order** was introduced by the [Criminal Justice and Licensing \(Scotland\) Act 2010](#) and replaces provisions for community service, probation and supervised attendance orders for offences committed from 1 February 2011 onward. It is available to all courts, with some restrictions applying to justice of the peace courts in relation to treatment and programme requirements. More information on the community payback order can be found in [Community payback orders practice guidance](#).
- B.3 A convicted person 16 or over could be given a **community service order** to carry out unpaid work in the community. These orders could only be made by courts as an alternative to a custodial sentence and had to be completed within 12 months. The person had to agree to the order and be suitable for work, and community service/suitable work had to be available in the area where they lived.
- B.4 **Probation orders** provided the opportunity for criminal justice social work services to focus on the offending behaviour and underlying causes. Prior consent of the person was required, and the order needed to be informed by a mutually agreed action plan. This order could be used very flexibly by the courts and include additional conditions e.g. unpaid work, attendance at an alcohol or drug treatment programme. The probation order could last between six months and three years.
- B.5 **Supervised attendance orders** tended to be used in cases of fine default and required the person to undertake a programme of activity for a specified number of hours, which could involve education, constructive activities or unpaid work. These orders could run between 10 and 100 hours (subject to a limit of 50 hours where the outstanding fine amount was up to £200).
- B.6 The **drug treatment and testing order** is a high tariff disposal for people with serious drug use problems, who might otherwise receive a custodial sentence. This order includes the requirement for regular reviews by the court and that the person consent to frequent random drug tests throughout the lifetime of the order. These orders were rolled out across Scotland in phases between 1999 and 2002. This order is available to all courts apart from justice of the peace courts. In addition, the less intensive DTTO II was introduced on a pilot basis in the Lothian areas (apart from West Lothian) in June 2008 for people committing lower tariff offences at a relatively early stage in their lives. The DTTO II is also available from justice of the peace courts.

- B.7 **Fiscal work orders** allow fiscals to offer unpaid work orders as an alternative to prosecution, where:
- People appear to have committed a summary offence,
 - A court hearing is not appropriate in the first instance, and
 - A financial penalty is not deemed appropriate.
- These orders were initially piloted in four council areas from June 2008 (Highland, South Lanarkshire, West Dunbartonshire and West Lothian) and the pilot was extended to include three more areas from early 2011 (Aberdeen City, Dundee City and City of Edinburgh). Fiscal work orders were introduced nationally on 1 April 2015, can be for a minimum of 10 and a maximum of 50 hours and should be completed within 6 months.
- B.8 **Restriction of liberty orders** have been available to courts (excluding justice of the peace courts) since May 2002. This order can be imposed for periods of up to one year, and involves restricting an individual to a specified place for up to 12 hours per day and/or from a specified place for up to 24 hours. The number of people receiving a restriction of liberty order is reported in the [Criminal proceedings in Scotland](#) publications. The contract for monitoring restriction of liberty orders is managed by the Scottish Government, and some management data will be available from the current contractor G4S.
- B.9 **Throughcare** is the provision of a range of social work and associated services to people serving a prison sentence and their families from the point of sentence or remand, during the period of imprisonment and following release into the community. People serving more than four years are released under statutory supervision. Those serving less than four years who are short-term sex offenders under [Section 15 of the Management of Offenders Etc. \(Scotland\) Act 2005](#), or who are subject to an extended sentence or supervised release order, are also supervised on release. The objective of throughcare services is public protection, as well as assisting individuals to prepare for release and supporting community reintegration and rehabilitation.
- B.10 **Voluntary throughcare** is available to those who are not subject to statutory throughcare, but who request support while in custody or within 12 months of release.
- B.11 **Bail information services** assist procurators fiscal and courts through verification of information in cases where bail might otherwise have been opposed or refused. In a proportion of cases, this will result in a period of supervised bail.
- B.12 A court may ask for a **same day oral or written report** from a court-based worker during the court proceedings and adjourn a case until later in the day for this to be completed. A same day report will be a brief report and not a full criminal justice social work report. Same day reports tend to deal with issues specific to the case to inform decision-making. The information may be relevant to decisions regarding bail or custodial remand, the need for a full report, the need to defer a case to a future date and final sentence.

Annex C Consultation and accreditation

- C.1 A working group involving data providers and other internal/external stakeholders was formed in early 2010 as part of a Scottish Government review of criminal justice social work statistics. The group met during 2010 and 2011 and agreed to collect unit level data for community payback and drug treatment and testing orders from 2012-13 onwards, data which is now helping to provide better information on the process and outcome of these orders. Consideration will also be given in the future to improving statistics on the use of throughcare.
- C.2 The statistics collected on criminal justice social work have a wide range of uses. They contribute to policy development, as well as the monitoring and evaluation of policy implementation. They provide information on local authorities' workloads in terms of criminal justice social work activity and inform central government funding allocation. Keeping in regular contact with local authorities is also advantageous as this enables the Scottish Government to ensure it is kept up to date on matters which affect implementation and delivery. Meetings of the Local Authority Social Work Statistics: Criminal Justice (LASWS:CJ) group are held twice a year to discuss relevant data collection and other matters.
- C.3 Some examples of how these data are being used include:
- determining annual funding allocations for community justice authorities / local authorities.
 - supporting local authority workload planning exercises, performance management and the allocation of staff resources
 - assessing the uptake of specific preferred options in criminal justice social work reports
 - benchmarking demand on local authority service to compare how different authorities operate.
- C.4 The statistics in this bulletin have been designated as National Statistics. Under the provisions of the Statistics and Registration Service Act 2007, the UK Statistics Authority has a statutory responsibility to conduct periodic assessments to ensure compliance with the Code of Practice for Official Statistics. Criminal justice social work statistics were assessed in 2011 and the National Statistics designation confirmed (assessment report 128 is available at <https://www.statisticsauthority.gov.uk/archive/assessment/assessment/assessment-reports/>).

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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, namely the [criminal justice social work datasets page on the Scottish Government website](#).

may be made available on request, subject to consideration of legal and ethical factors. Please contact 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.

Complaints and suggestions

If you are not satisfied with our service or have any comments or suggestions, please write to the Chief Statistician, 2W.02, St Andrew's House, Edinburgh EH1 3DG, Telephone: (0131) 244 0302, e-mail statistics.enquiries@gov.scot.

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