

CRIME AND JUSTICE

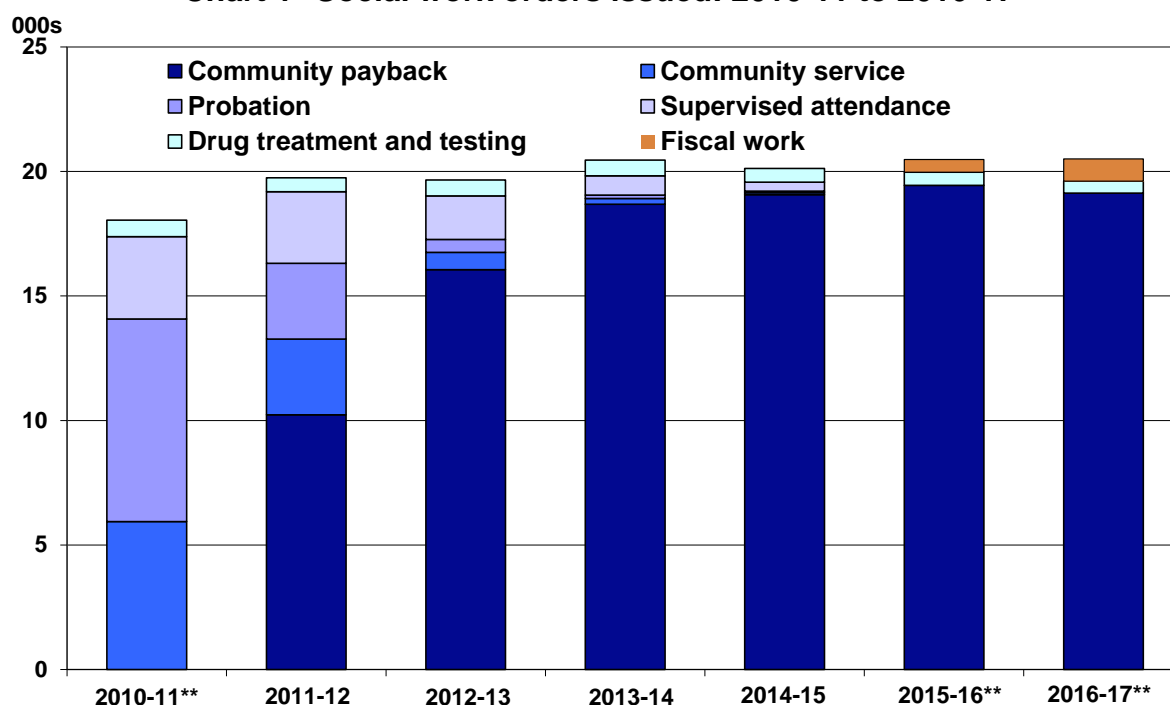
CRIMINAL JUSTICE SOCIAL WORK STATISTICS IN SCOTLAND: 2016-17 6 February 2018

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 very stable over the past six years with numbers generally around the 20,000 mark. The most recent figures show 20,500 orders issued in 2016-17 ([Chart 1](#) and [Table 2](#)).

Chart 1 Social work orders issued: 2010-11 to 2016-17



** Figures for 2010-11 exclude around 300 community payback orders and for 2015-16 and 2016-17 exclude, respectively, around 200 and 150 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** (including supplementary reports) rose for the first time in the last seven years, by one per cent to 30,100 in 2016-17. Despite this, numbers have dropped overall by a fifth since 2010-11, broadly reflecting changes in court volumes ([Table 1](#)).
- The number of **social work orders** issued has been stable over the past six years with numbers generally around the 20,000 mark, the most recent figures showing a total of 20,500 in 2016-17 ([Table 2](#)).
- There were 19,100 **community payback orders** commenced in 2016-17, with numbers having stabilised at around 19,000 in each of the last four years ([Table 2](#)). Most community payback orders included a requirement for **unpaid work or other activity** (76 per cent), and 53 per cent included **offender supervision** ([Table 11](#)).
- Sixty per cent of people given an **offender supervision requirement** of up to 6 months were aged 30 or under, compared with only 39 per cent of those given the maximum of 36 months ([Chart 3](#)).
- The prevalence of unpaid work or other activity requirements was lower in 2016-17 than in 2013-14, while it was higher for offender supervision and conduct ([Chart 4](#)). The change for conduct requirements was mainly driven by a 25 per cent rise in the number imposed between 2015-16 and 2016-17 ([Table 11](#)).
- Sixty-seven per cent of community payback order terminations resulted in **completion/discharge** in 2016-17, around the same level as the previous five years, with the exception of the high of 2013-14 ([Table 2](#)).
- The **successful completion rate** for **community payback orders** was highest for those **aged over 40** (77 per cent) and lowest for those **aged under 18** (60 per cent). Rates were also higher for the **employed/self-employed** (81 per cent) than for the **unemployed/economically inactive** (62 per cent) ([Chart 7](#)).
- There were 480 **drug treatment and testing orders** commenced in 2016-17, the lowest since this was first collected, and almost 30 per cent lower than in 2010-11 ([Table 2](#)). People aged 26 to 30 have been the most likely per head of population to get a drug treatment and testing order in each of the last three years.
- Forty-four per cent of **drug treatment and testing order** terminations resulted in **completion/discharge** in 2016-17, the lowest in any of the last seven years ([Table 2](#)).
- Almost 900 **fiscal work orders** commenced in 2016-17, nearly 60 per cent of which were for people aged 25 or under ([Table 31](#)).
- There were 2,200 statutory **custody** and **community based throughcare cases commenced** in 2016-17, around the same as in recent years ([Tables 1, 32 & 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 five years of unit-level data for community payback and drug treatment and testing orders. This is helping to 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 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 (see [additional datasets](#) which accompany this publication), they now sit at around double that level. The total of 2,000 in 2016-17 showed a 7 per cent increase on 2015-16 ([Table 1](#)). There was a sharp rise in the proportion of cases where the person was employed/self-employed, from 19 per cent of the total in 2015-16 to 29 per cent in 2016-17 ([Table 4](#)).
- 3.3 During 2016-17, there were also 3,400 referrals, 2,900 assessments and 1,500 cases completed ([Table 3](#)).
- 3.4 While the number of cases commenced rose only slightly between 2015-16 and 2016-17, they fell sharply, by 18 per cent, for 16 to 20 year olds ([Table 4](#)). By contrast, numbers rose for all age groups among those aged 21 and over. Despite this, those aged 16 to 20 are substantially over-represented when the population base is taken into account - they account for 33 per cent of people getting diversion from prosecution but only 8 per cent of the population aged 16 to 70. This continues to reflect a general focus on diversion for younger people.

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 2016-17, the courts made 7,000 requests for **bail information**. Numbers have generally been lower in the most recent four years, compared with the peaks of 2011-12 and 2012-13 ([Table 1](#)). In some cases, bail information requests may result in the use of supervised bail rather than remand. A total of 340 **bail supervision** cases were commenced in 2016-17, continuing the decline seen over the last five years.

4.3 **Same day reports** (previously called stand down reports) are either pre-sentence reports or specific sentence reports requested by the court. There were 4,300 such reports provided to the courts in 2016-17, continuing the general upward trend of recent years ([Table 5](#)). Most of this upward trend has resulted from the increase in the number of written reports (up 64 per cent since 2012-13). In 2016-17, there were 19,300 **post sentence interviews** with people remanded into custody or receiving custodial sentences for the first time. The total number of interviews has 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:

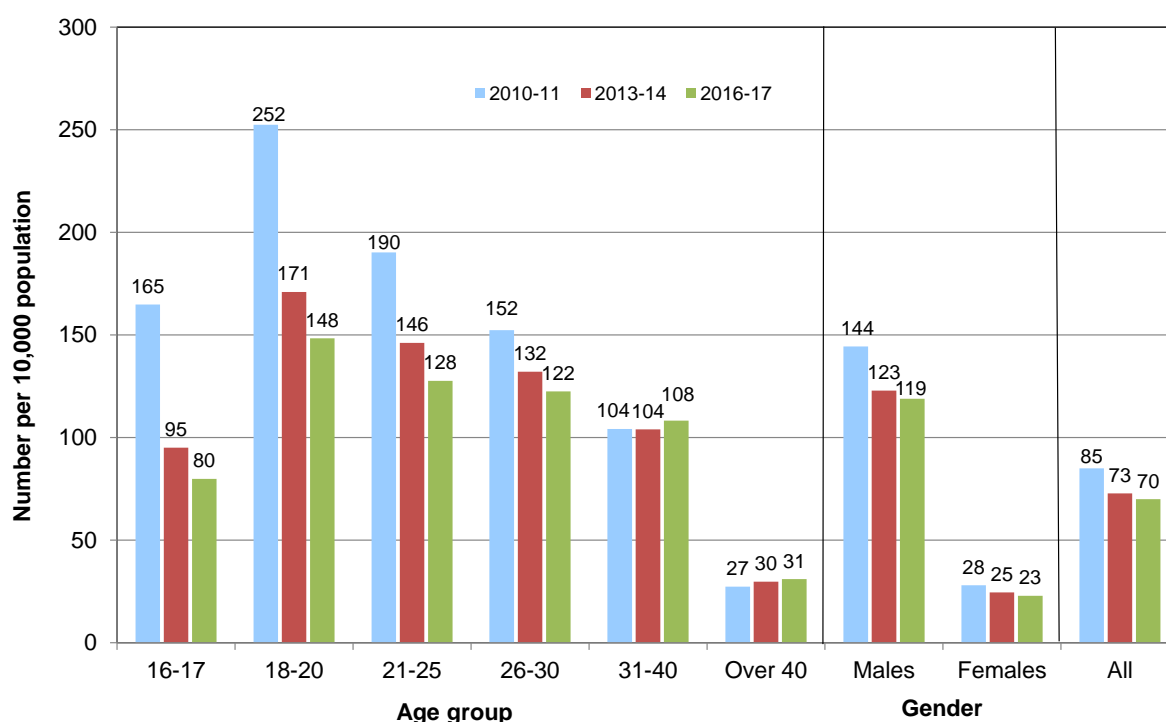
- before imposing a custodial sentence for the first time or where a person is under 21
- when imposing a community payback order with a supervision requirement or level 2 unpaid work requirement (over 100 hours)
- when imposing a drug treatment and testing order.

4.5 The number of criminal justice social work reports submitted (including supplementary reports but excluding letters sent in lieu of reports) rose for the first time in the last seven years, by one per cent to 30,100 in 2016-17 ([Table 1](#)). Despite this, numbers have dropped overall by 20 per cent since 2010-11. This downward trend is broadly in line with an overall fall in court volumes over the period.

4.6 The number of full CJSWRs (i.e. excluding supplementary reports) remained the same (27,000) in 2016-17 as the year before, although 16 per cent lower than in 2010-11 (Tables 1 & 6). The number of supplementary reports submitted, while still historically low, increased by nine per cent on 2015-16 to 3,100 reports (Table 1).

4.7 Chart 2 illustrates the patterns of change in full reports since 2010-11. The total number of reports per 10,000 population has fallen by 18 per cent since then. Patterns are similar for males and females but there are notable differences between age groups. Numbers per head of population have fallen by around a third for those aged 30 and under since 2010-11. The largest fall was among the under 18s, reflecting the marked fall in court volumes for this age group.

Chart 2 Number of criminal justice social work reports per 10,000 population by age and gender: 2010-11, 2013-14 & 2016-17



4.8 The pattern of change varied somewhat across local authorities, with half of councils showing an increase in full reports and half showing a decrease between 2015-16 and 2016-17. 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 Forty-five per cent of CJSWRs in 2016-17 recommended the use of a community payback order in 2016-17 ([Table 7](#)). Eighteen per cent recommended a CPO with supervision but not unpaid work, while 15 per cent recommended unpaid work but no supervision.
- 4.11 Eleven 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 20 per cent of reports suggested some other form of sentence (including a restriction of liberty order or deferment for a drug treatment and testing order assessment). Thirteen per cent of CJSWRs gave no preferred sentencing option.
- 4.12 The main outcome for 42 per cent of CJSWRs in 2016-17 was a community payback order ([Table 8](#)). Thirteen per cent of reports resulted in a CPO with unpaid work but no supervision, with 12 per cent resulting in an order with supervision but not unpaid work. In 17 per cent of cases, a CPO was given with both supervision and unpaid work.
- 4.13 Custody was the main outcome for 16 per cent of reports in 2016-17. This proportion has shown a very slight but steady fall over the past five years. The other main outcome categories in 2016-17 were deferred sentence and monetary penalty (8 and 7 per cent of the total respectively).

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

- 5.1.1 Total social work orders for 2016-17 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 has fallen to very low levels in recent years, this information was not collected for years 2015-16 and 2016-17. 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 and 2016-17 with totals from previous years.
- 5.1.2 There were 20,500 social work orders **commenced** in 2016-17 ([Table 2](#)), around the same as in 2015-16. The vast majority (around 93 per cent) of social work orders were community payback orders, with 19,100 commencements. The remainder was made up of fiscal work orders (four per cent) and drug treatment and testing orders (two per cent). Local 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 2016-17 (around 15,500) 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 2016-17 (including completion/discharge, revocation and other reasons for termination) was 19,700 (Table 2). As the number of legacy orders terminated/completed was very small in 2016-17 (estimated to be around 200), this information was not collected for the most recent year.
- 5.1.5 Sixty-seven per cent of social work order terminations in 2016-17 resulted in **completion or discharge** (Table 2). With the exception of the high in 2013-14, this proportion has remained stable over the last six years. The completion rates varied between different types of order. The highest was for fiscal work orders (83 per cent) and the lowest was for the higher tariff drug treatment and testing orders (44 per cent), reflecting the challenges facing this particular client group. The completion rate for community payback orders was also 67 per cent in 2016-17, around the same as in recent years.

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

- 5.2.1 The number of community payback orders (CPOs) imposed increased in the first few years following their introduction, from 10,200 in 2011-12 to 18,700 in 2013-14 (Table 2). This rise was expected due to these orders replacing the legacy community service, probation and supervised attendance orders for offences committed on or after 1 February 2011. The number of legacy orders being imposed is now very small and, as a result, total CPOs imposed in the last four years has remained stable at around 19,000, with 19,100 orders imposed in 2016-17.

Requirements

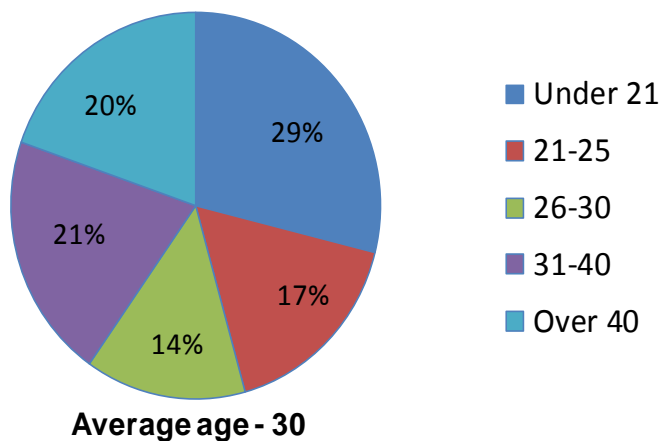
- 5.2.2 A CPO can have up to nine different requirements but every order should have either or both of an unpaid work or other activity requirement or an offender supervision requirement.
- 5.2.3 Unpaid work or other activity has always been the requirement most commonly issued as part of a CPO. The proportion of orders with unpaid work has been between 75 and 80 per cent every year since CPOs were introduced (76 per cent in 2016-17) (Table 11). The average number of hours given as part of unpaid work requirements has generally been just over 120 hours (122 hours in 2016-17) (Table 12). Just over half of those imposed in 2016-17 (52 per cent) were level 1 requirements (100 hours or less).
- 5.2.4 Generally around half of orders have an offender supervision requirement, with 53 per cent doing so in 2016-17 (Table 11). In the years 2012-13 to 2016-17, between 56 and 58 per cent of supervision requirements given out were for 12 months or less (Table 13). The average length of supervision

requirements in 2016-17 was around 15½ months, in line with the position in the previous three years.

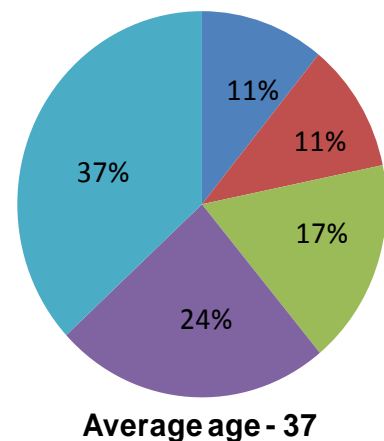
5.2.5 **Chart 3** shows that the longer periods of supervision tend to go to older people. Sixty per cent of people given supervision of up to six months were aged 30 or under, compared with 39 per cent for those given the maximum of 36 months supervision. As a result, those given supervision of up to six months were on average over seven years younger than those given 36 months.

Chart 3 Offender supervision requirements imposed: Breakdown by age group for shortest and longest supervision lengths: 2016-17

Supervision of 6 months or less



Supervision of 36 months



5.2.6 The proportion of orders with both unpaid work or other activity and offender supervision has generally been around 30 per cent over the last four years (**Table 11**).

5.2.7 The other seven CPO requirements, which should only be issued alongside an offender supervision requirement, are:

- Conduct
- Programme
- Alcohol treatment
- Compensation
- Drug treatment
- Mental health treatment
- Residence

5.2.8 Conduct and programme have been the most commonly issued of these requirements, with generally around 5 to 7 per cent of orders having one of these (**Table 11**). Larger numbers of conduct requirements were issued during the early part of 2012-13 (and prior to then), although this was before the 2012 appeal court judgement¹ that such requirements must be specific and include more than general conditions to stay out of trouble or to refrain from committing another criminal offence. Following this judgement, the

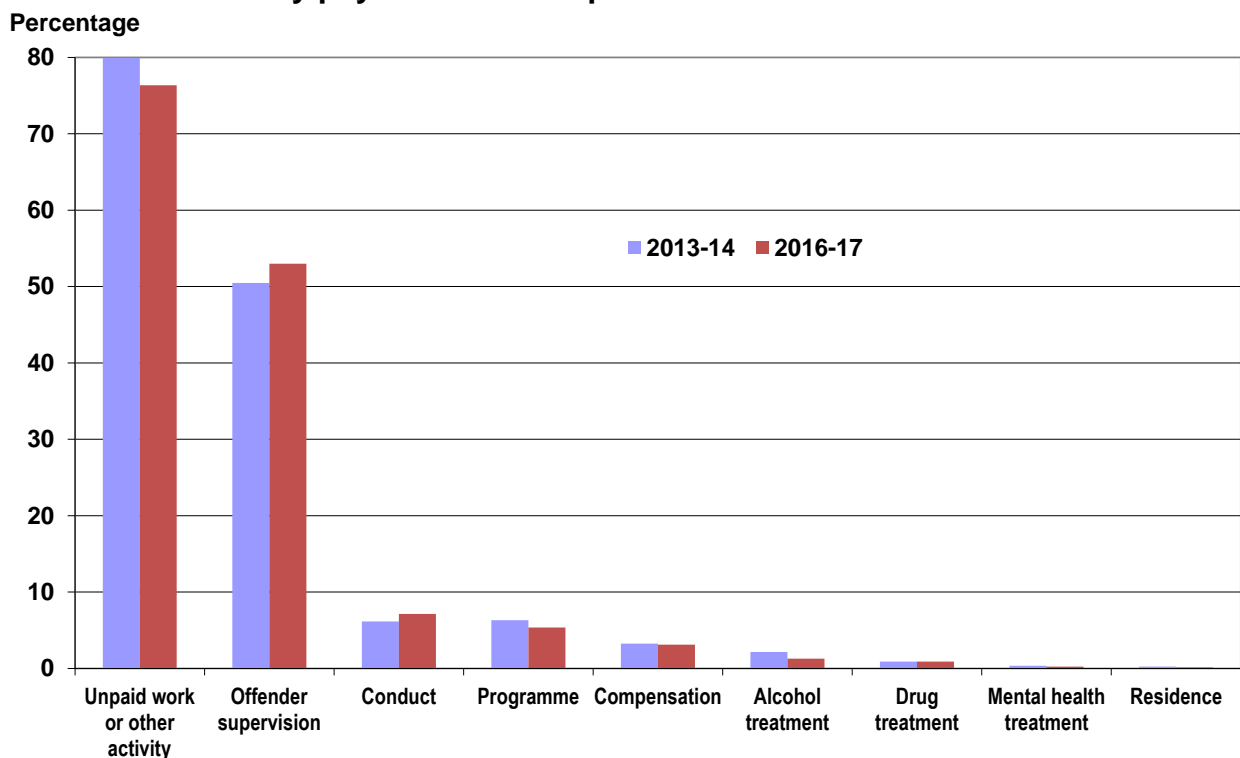
¹ Scottish Court Service (2012) High court of judiciary appeal court opinion **96**.

prevalence of conduct requirements fell. The number of conduct requirements did, however, rise sharply by 25 per cent between 2015-16 and 2016-17. This may have been a contributing factor in the increase in the number of offender supervision requirements issued in 2016-17.

5.2.9 Other requirements include compensation (3.1 per cent in 2016-17), alcohol treatment (1.3 per cent) and drug treatment (0.9 per cent) (Table 11). The least commonly issued requirements were mental health treatment and residence.

5.2.10 Chart 4 shows that the use of several requirements was lower in 2016-17 than it was in 2013-14, including unpaid work or other activity. On the other hand, the prevalence of offender supervision and conduct requirements were higher while the prevalence stayed around the same for compensation and drug treatment.

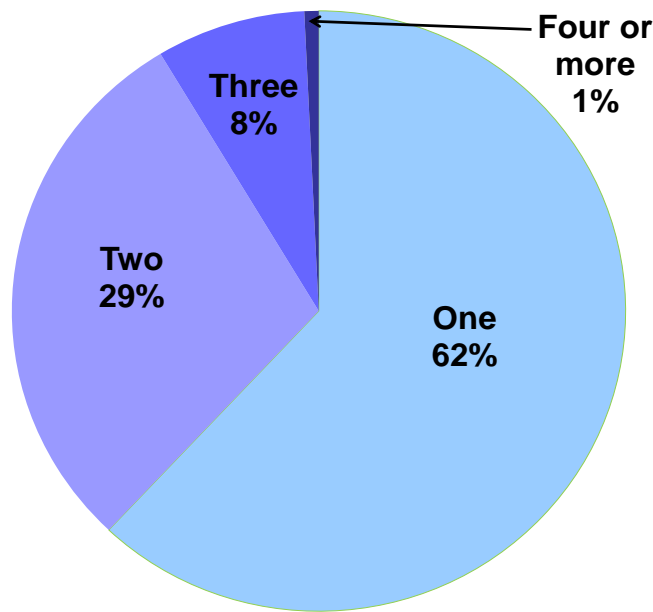
Chart 4 Community payback order requirements: 2013-14 & 2016-17



5.2.11 The average number of requirements per order was highest in the first few years after the introduction of the orders, partly (but not exclusively) due to the number of conduct requirements issued prior to the 2012 appeal court judgement. However, the average number has remained around the same in each of the years 2013-14 to 2016-17, at just under 1.5 (Tables 9 & 11).

5.2.12 Sixty-two per cent of community payback orders commenced in 2016-17 included one requirement – normally unpaid work/other activity or supervision (Chart 5). A further 29 per cent had two requirements (normally including supervision).

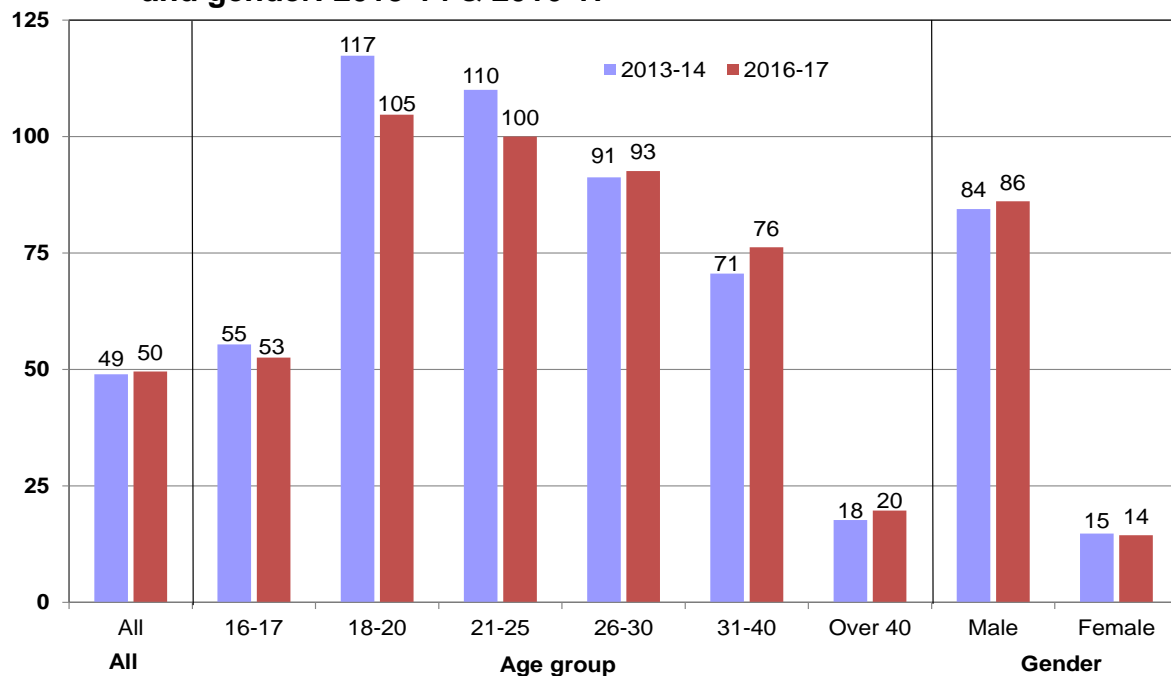
Chart 5 Community payback orders commenced by number of requirements: 2016-17



Characteristics

5.2.13 People aged 18 to 20 have always been the most likely to be given a CPO, with 105 people per 10,000 population of this age group given an order in 2016-17 (Chart 6). However, people getting CPOs have been getting slightly older each year with the proportion aged 25 and under falling from 41 per cent in 2012-13 to 33 per cent in 2016-17 (Table 9). The fall in the prevalence for young people reflects the marked fall in court volumes for this age group.

Chart 6 Community payback orders commenced per 10,000 population by age and gender: 2013-14 & 2016-17



- 5.2.14 The proportion of orders issued to males has remained unchanged at 85 per cent (Table 9). Generally around 60 per cent of those receiving orders were unemployed with around 20 to 25 per cent in employment or self-employed and around 10 per cent economically inactive.
- 5.2.15 The vast majority (94 per cent) of community payback orders were issued by sheriff courts in 2016-17, mainly by summary procedure (Table 10). The proportion accounted for by justice of the peace courts, although small, has almost doubled between 2012-13 and 2016-17 now accounting for almost five per cent of all CPOs issued.
- 5.2.16 On imposing a community payback order, a court may include provision for the order to be reviewed at specified time(s). Sixteen per cent of orders commenced in 2016-17 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 (13 per cent) or compensation (16 per cent) were the least likely to have progress reviews while those with drug treatment, residence or alcohol treatment were the most likely (40, 37 and 36 per cent respectively).
- 5.2.17 There were a total of 18,200 **CPOs in force** at 31 March 2017 (see Table 2 and the [additional datasets](#) which accompany this publication). As expected due to the gradual phasing out of legacy orders over the past six years, this number has increased each year.

Timescales for implementation

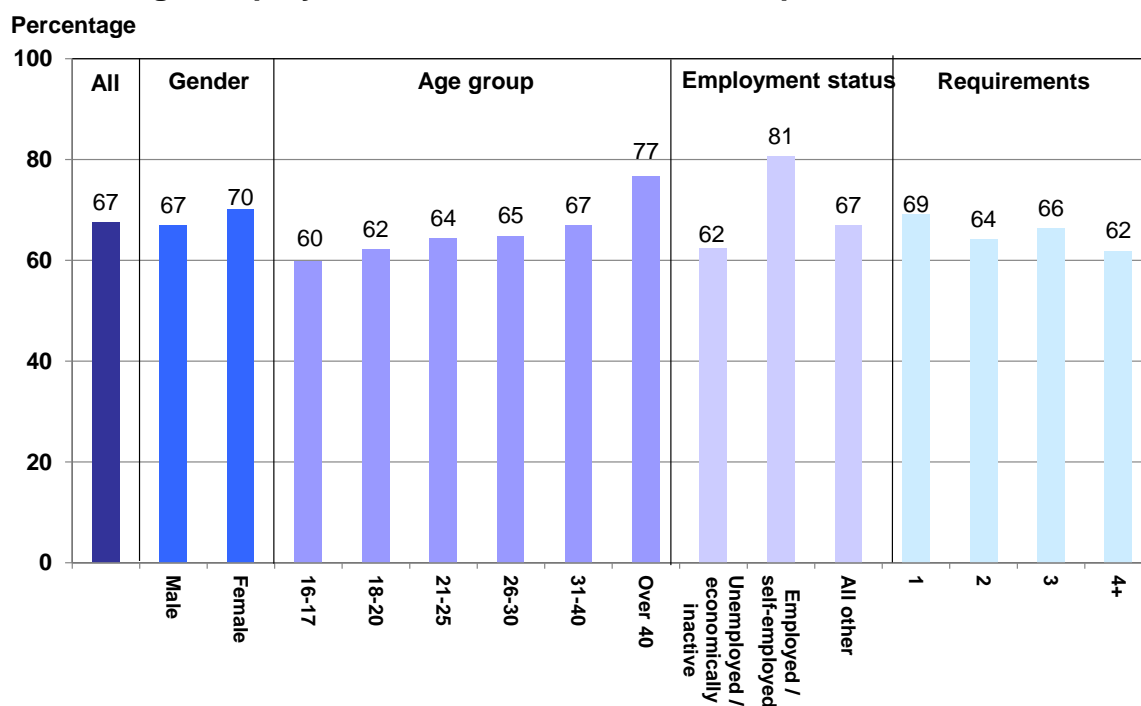
- 5.2.18 The Scottish Government [Community payback orders practice guidance](#) is intended to support practitioners and managers to improve their performance and work towards the achievement of the national outcomes and standards for social work services in the criminal justice system. The guidance 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 an offender 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 five 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 seven working days of the order being imposed.
- 5.2.19 The proportion of orders where first direct contact took place within one working day of imposition has fallen slightly over the last five years from 79 per cent in 2012-13 to 75 per cent in 2016-17 (Table 15). In the last two years, the proportion which took over five working days was 14 per cent, slightly higher than in the previous three years.

- 5.2.20 The first induction / case management meeting took place within five working days in 79 per cent of applicable cases in 2016-17. Over the last five years, the proportion taking place within timescale has fallen slightly.
- 5.2.21 There may be various reasons why these timescales are not met. Forty-one 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 (28 per cent) together accounted for a further 31 per cent (Table 16). 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 24 per cent of cases the individual missed their induction/meeting, while a further 15 per cent involved being subject to another sentence, employment or illness. Another 10 per cent were due to delays in first making contact or staff availability, with 30 and 22 per cent of cases involving, respectively, other client based and other non-client based reasons.
- 5.2.22 In 2016-17, 67 per cent of applicable cases commenced work placements within seven working days, around the same as in 2015-16 (Table 17). These proportions were slightly lower than in the three preceding years, when they fluctuated between 71 and 75 per cent. A quarter of people who started their work placement after the seven working days in 2016-17 did so because they did not turn up for the first day of placement (Table 18).

Terminations

- 5.2.23 Sixty-seven per cent of CPOs terminated in 2016-17 were successfully completed or resulted in an early discharge (Table 19). With the exception of the high level in 2013-14, the successful completion rate has fluctuated between 67 and 69 per cent in the years since these orders were introduced (Table 2). In 2016-17, a further 17 per cent were revoked following a breach application to the courts, eight per cent were revoked following a review and the remaining seven per cent were terminated for other reasons (including transfer to another area or the death of the person) (Table 19).
- 5.2.24 Almost three-quarters of orders terminated during 2016-17 did not involve any breach applications during the lifetime of the order (Table 20). For the remainder, there were a total of 5,800 breach applications made (Table 21). The vast majority of breach applications (87 per cent) were lodged with the court within five working days of the decision to make an application.
- 5.2.25 For CPOs revoked due to breach, the most likely outcomes were a custodial sentence or a new order (both 28 per cent) followed an “other” outcome (24 per cent) (Table 19). Twelve per cent of orders revoked due to review resulted in a custodial sentence, while over half resulted in an “other” outcome.

Chart 7 Completions/discharges of community payback orders by gender, age, employment status and number of requirements: 2016-17



Notes: Age at imposition of order and employment status at termination.

5.2.26 Completion rates in 2016-17 varied substantially by age and employment status (Chart 7). They showed a consistent increase with age, ranging from 60 per cent for 16-17 year olds to 77 per cent for the over 40s. Eighty-one per cent of those who were employed or self-employed completed successfully, compared to 62 per cent of those who were unemployed or economically inactive. Completion rates did not vary substantially according to how many requirements were in the order.

5.2.27 During 2016-17, a total of 9,700 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 around 7 months to complete.

5.2.28 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. Thirty-seven per cent of successfully completed unpaid work or other activity requirements were completed within the 3/6 month time frame in 2016-17 while a further 35 per cent were completed within a longer timescale which the court had specified (Table 23).

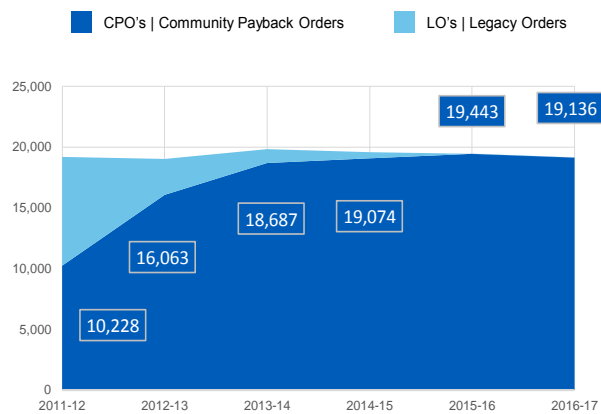
5.2.29 For the remaining requirements which were completed outwith the specified timescale, the reason why they were completed later was most commonly down to non-compliance (17 per cent) or other client-based reasons (36 per cent) in 2016-17.

Community payback orders in Scotland



Community payback orders (CPOs) were introduced by the Criminal Justice and Licensing (Scotland) Act 2010. CPOs are available to all Scottish courts for offences committed from 1 February 2011 onwards and courts may impose a CPO instead of imposing a custodial sentence.

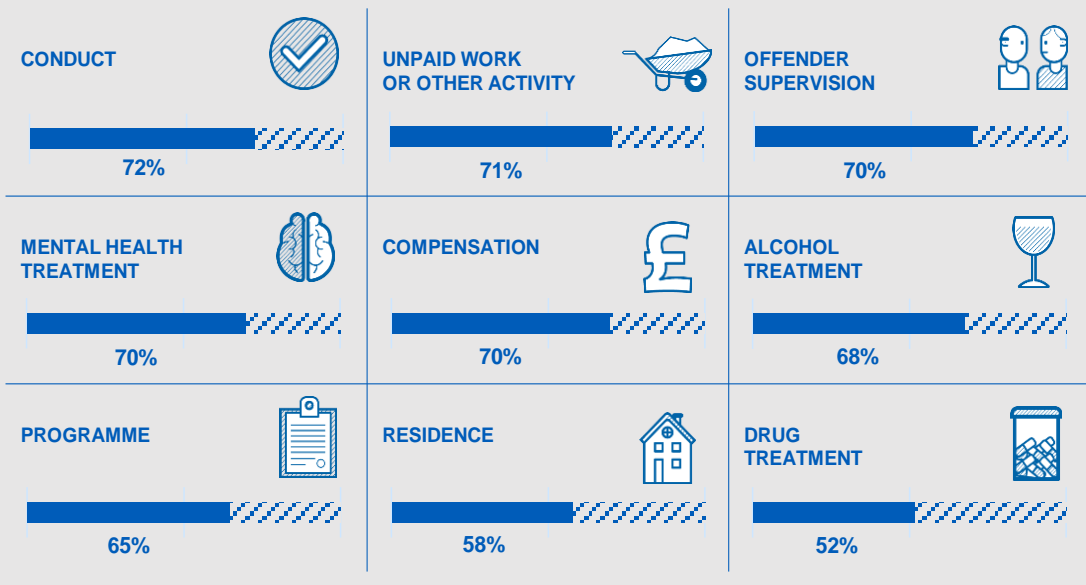
NUMBERS OF CPOs STABLE IN RECENT YEARS, AFTER INCREASING AS LEGACY ORDERS WERE PHASED OUT



► “COHORT” ANALYSIS OF ORDERS IMPOSED DURING 2012-13

The collection of unit level CPO data enables, for the first time, the following of orders through to completion. Presented below are the completion rates by requirement for orders imposed during 2012-13.

While most completion rates were around the 70% mark, people with drug treatment requirements were the least likely to successfully complete.



5.3 Drug treatment and testing orders

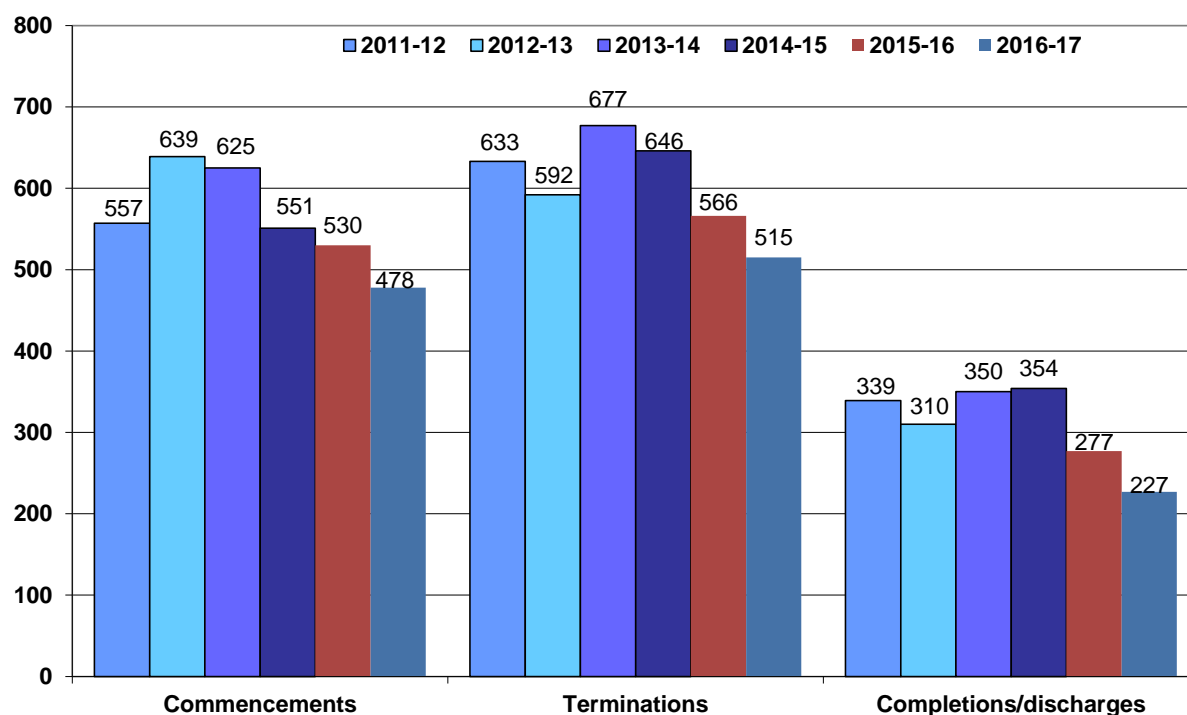
(Tables 2 and 24-29)

Characteristics

5.3.1 The drug treatment and testing order (DTTO) 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 around a fifth of the DTTOs in these areas (see §B.5).

5.3.2 The total number of DTTOs imposed has been decreasing between 2012-13 and 2016-17, falling by a quarter from 640 to 480, the lowest level since the data was first collected (Tables 2 & 24 and Chart 8).

Chart 8 Drug treatment and testing order commencements, terminations and completions/discharges: 2011-12 to 2016-17



5.3.3 Over the last four years, people aged 31 to 40 have been the most likely to get a DTTO (just under 4 per 10,000 population in 2016-17). Prior to 2013-14, those aged 26 to 30 were the most likely. It has consistently been those aged under 21 or over 40 who have been the least likely (0.3 and 0.4, respectively, per 10,000 population in 2016-17).

5.3.4 The proportion of orders issued to males has been around 80 per cent over the last five years (Table 24). A very high proportion (generally between 80 and 90 per cent) of those receiving a DTTO are unemployed or economically inactive.

5.3.5 The **average length** of a DTTO has been around 18 months over the last five years ([Table 24](#)).

5.3.6 There were 520 drug treatment and testing orders in force on 31 March 2017, the lowest number since this data was first collected ([Table 2](#)).

Timescales for implementation

5.3.7 The proportion of DTTOs which had first direct contact within one working day of the order being imposed has averaged just under 80 per cent over the last five years ([Table 25](#)). The level of 74 per cent in 2016-17 is the lowest over this period, though the small number of orders involved mean there are inevitable year on year fluctuations.

5.3.8 Over the last three years, the proportion of orders where the first case management meeting took place within five working days was consistent at around 83 to 84 per cent ([Table 25](#)). Around 9 per cent of cases took longer than ten working days over the same period.

5.3.9 The reasons provided for not complying with these timescales in 2016-17 suggest that people getting DTTOs present challenges, as not attending meetings without an excuse is very prevalent, particularly for case management meetings (49 per cent) ([Table 26](#)).

Terminations

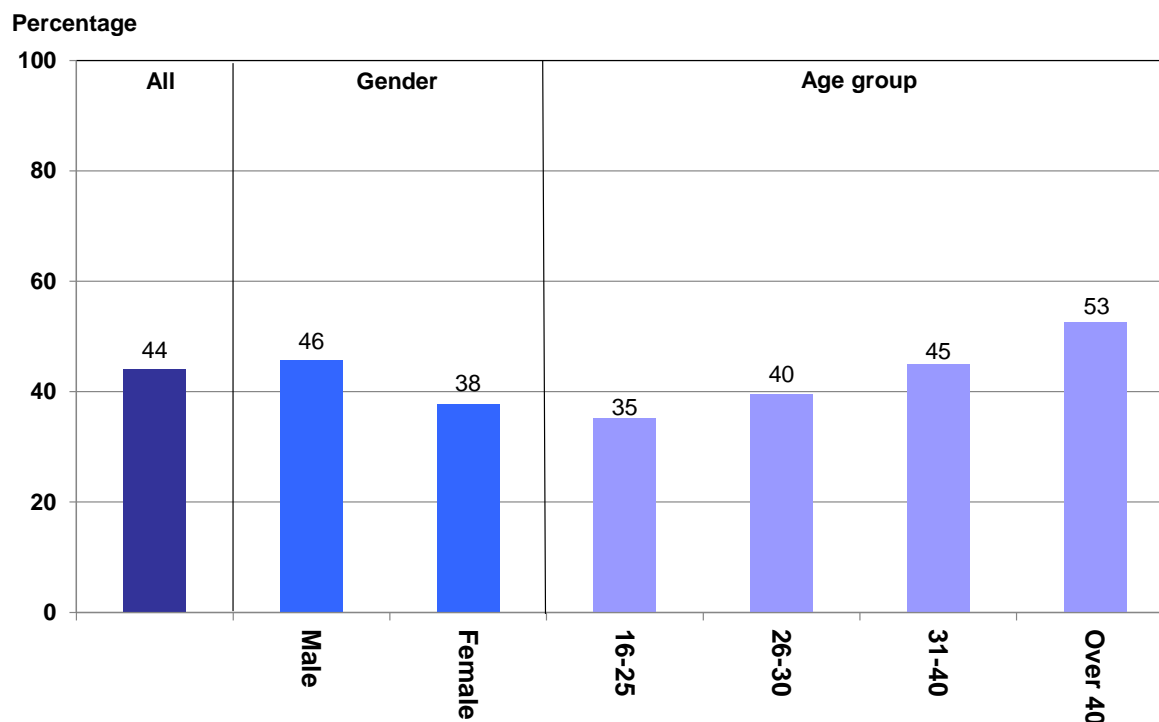
5.3.10 There were 520 DTTOs which finished during 2016-17, 44 per cent of which were successfully completed ([Table 2](#)). The successful completion rate rose from 46 per cent in 2010-11 to 54 per cent in 2011-12, and remained in the low 50s in each of the next three years. However, in the last two years, the rate has fallen to the lowest in any of the last seven years. The completion rate for DTTOs does tend to be lower than for other social work orders, due to the complex needs of those involved.

5.3.11 Twenty-seven per cent of orders were revoked due to review, with 21 per cent revoked due to breach ([Table 27](#)). The remaining 8 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 46 per cent of revoked cases ([Table 28](#)).

5.3.12 Sixty-three per cent of orders were terminated without breach applications ([Table 29](#)). The vast majority (94 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).

5.3.13 Completion rates in 2016-17 varied noticeably by age ([Chart 9](#)), with older people being more likely to complete. Fifty-three per cent of those aged over 40 successfully completed, compared with 35 per cent of the 16-25 group.

Chart 9 Completions/discharges of drug treatment and testing orders by gender and age: 2016-17



Notes: Age at imposition of order.

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 Procurator 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 four council areas from June 2008 and in a further three areas from early 2011.
- 5.4.3 As expected, the number of FWOs in Scotland increased between 2015-16 and 2016-17. During 2016-17, there were 1,200 fiscal work order assessments undertaken by local authorities, 940 of which resulted in the orders being accepted (Table 30). There were 890 orders commenced and 790 orders finished during the year. Eighty-three 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. Fifty-nine per cent of FWOs commenced in 2016-17 were for people aged 25 and under, while only 11 per cent were for those aged over 40 (Table 31). Unlike other orders, more people were employed or self-employed (46 per cent) than any other category of employment. Just under a third were either unemployed or economically inactive.

- 5.4.5 There were substantial changes between 2015-16 and 2016-17 in the length of orders issued. In 2015-16, 18 per cent of orders were for 20 hours but this fell to only 7 per cent in 2016-17. By contrast, orders with 40 or more hours accounted for 29 per cent of the total in 2015-16 but 47 per cent in 2016-17. As a result, the average length of order rose from under 32 hours in 2015-16 to over 35 hours in 2016-17.

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 seven years, with 1,040 cases in 2016-17 (Table 1). Forty-three per cent involved determinate sentences of four years or more in 2016-17, while supervised release orders and extended sentences accounted for 27 and 16 per cent respectively (Table 32).
- 6.3 The number of commencements for **statutory throughcare cases in the community** have also hovered around the 1,000 mark in the last seven years, with 1,100 cases in 2016-17 (Table 1). Twenty-six per cent of all cases commenced in 2016-17 related to supervised release orders, while parole and non-parole licences accounted for 17 and 24 per cent respectively (Table 33).
- 6.4 The **statutory custody- and community-based throughcare caseload** totalled 5,800 individuals on 31 March 2017, down from the peak of 6,000 in 2014 but still historically high (Tables 1, 32 and 33). The custody-based caseload is 57 per cent of the total.
- 6.5 After fluctuating between 800 and 1,000 between 2010-11 and 2015-16, the number of **completions** of statutory throughcare cases in the community rose by 12 per cent to 1,100 in 2016-17 (Table 33). More years of data will be required to assess whether constitutes a trend or simply yearly fluctuation.
- 6.6 The number of **voluntary throughcare** cases in 2016-17 was 2,200. This was a drop from previous years with numbers generally fluctuating between 2,500 and 2,700 (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 2016-17, 1,600 **home leave reports**² were produced. Numbers have been around this level in each of the last five 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 2016-17. This number has remained around 1,500-1,700 since 2010-11 (Table 1).
- 7.2 From 2006, those serving a custodial sentence may also be released early under a home detention curfew scheme. During 2016-17, there were 2,500 **home detention curfew assessments**, six per cent lower than in 2015-16. Numbers have fallen in each of the last four years and are now more than a fifth 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
- 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 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.

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>

Table 1 Summary of criminal justice social work activity: 2010-11 to 2016-17

	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Diversion from prosecution¹							
Cases commenced	958	1,260	1,326	1,710	1,869	1,855	1,980
Individuals	939	1,231	1,309	1,657	1,812	1,783	1,934
Cases successfully completed	800	898	1,078	1,374	1,355	1,326	1,549
Bail information							
Requests from court for bail information	8,355	9,709	8,662	6,874	8,006	7,278	6,955
Bail supervision cases commenced	450	497	411	417	407	355	335
Bail supervision individuals	430	467	397	400	390	318	312
Criminal justice social work reports²							
<i>Total reports submitted (including supplementaries)</i>	37,504	36,367	32,558	31,406	30,838	29,846	30,133
Individuals with reports submitted	27,371	26,922	24,785	23,740	22,120	22,667	22,610
Supplementary reports submitted	5,493	4,488	4,536	3,632	4,235	2,858	3,121
Statutory throughcare							
Cases commenced (custody) ^{3,4}	1,028	1,072	965	1,048	1,033	1,027	1,042
Cases commenced (community) ³	1,046	1,047	1,001	1,027	1,085	982	1,121
Cases completed (community)	881	944	927	911	942	982	1,101
Cases in force at 31 March (custody/community) ³	5,392	5,576	5,778	6,003	5,900	5,802	5,833
Voluntary throughcare (assistance)							
Cases commenced	2,725	2,625	2,597	2,489	2,663	2,537	2,222
Individuals who received assistance	2,350	2,428	2,464	2,327	2,429	2,343	2,081
Pre-release reports							
<i>Total</i>	3,616	3,425	2,982	3,184	3,056	3,199	3,344
Home leave reports	2,055	1,923	1,500	1,597	1,462	1,513	1,631
Home circumstance reports (parole/non-parole)	1,561	1,502	1,482	1,587	1,594	1,686	1,713

1. Figures for diversion from prosecution for 2015-16 have been revised from those previously published due to the receipt of updated information for Clackmannanshire.

2. Social enquiry reports prior to February 2011.

3. Figures for statutory throughcare cases commenced and cases in force for 2015-16 have been revised from those previously published due to the receipt of updated information for Aberdeen City.

4. Figures for statutory throughcare cases in custody commenced for 2014-15 and 2015-16 have been revised from those previously published due to the receipt of updated information for Stirling.

Table 2 Social work orders: 2010-11 to 2016-17

	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16 ⁷	2016-17 ^{7,8}
Orders commenced	18,044	19,746	19,659	20,456	20,123	20,482	20,508
Community payback orders ^{1,2}	..	10,228	16,061	18,687	19,067	19,444	19,136
Community service orders ³	5,940	3,044	693	227	85	..	..
Probation orders ³	8,136	3,040	514	138	62	..	..
With an element of unpaid work ³	3,031	1,276	216	71	24	..	..
Supervised attendance orders ³	3,307	2,877	1,752	779	358	..	..
Drug treatment and testing orders ²	661	557	639	625	551	530	478
Fiscal work orders ⁶						508	894
Individuals with orders commenced	16,554	18,044	17,178	17,683	17,292	17,514	17,452
Community payback orders ²	..	9,376	13,985	16,083	16,330	16,525	16,130
Community service orders ³	5,665	2,933	656	219	83	..	..
Probation orders ³	7,520	2,833	490	130	61	..	..
With an element of unpaid work ³	2,875	1,228	213	66	24	..	..
Supervised attendance orders ³	2,764	2,380	1,472	654	298	..	..
Drug treatment and testing orders ²	605	522	575	597	520	486	438
Fiscal work orders ⁶						503	884
Orders in force at 31 March⁴							
Community payback orders ²	..	..	13,545	16,028	16,881	17,395	18,180
Drug treatment and testing orders ²	..	..	742	690	595	559	522
Orders terminated	17,869	17,213	18,676	20,090	20,048	20,393	19,658
Community payback orders ²	..	2,616	10,580	16,204	18,214	18,930	18,351
Community service orders ³	6,082	4,706	2,037	759	245	109	..
Probation orders ³	7,883	6,619	3,339	996	317	127	..
Supervised attendance orders ³	3,246	2,639	2,128	1,454	626	298	..
Drug treatment and testing orders ²	658	633	592	677	646	566	515
Fiscal work orders ⁶						363	792
Proportion of completions/discharges⁵	64.2	68.6	68.7	70.3	68.0	67.5	67.5
Community payback orders ^{2,5}	..	68.8	68.3	71.7	68.6	67.9	67.5
Community service orders ³	74.0	74.4	71.1	69.2	64.1	65.1	..
Probation orders ³	59.8	67.1	74.8	78.6	78.5	84.3	..
Supervised attendance orders ³	60.1	65.1	62.9	58.3	59.3	56.7	..
Drug treatment and testing orders ²	46.0	53.6	52.4	51.7	54.8	48.9	44.1
Fiscal work orders ⁶						80.4	82.8

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. Figures for community payback orders and drug treatment & testing orders for the years 2012-13 to 2015-16 have been revised from those previously published due to updated information being received from some local authorities. These revisions are particularly substantive for CPO terminations in 2015-16 and CPOs in force at March 2016 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 was not collected from local authorities in 2015-16 & 2016-17 for orders commenced and in 2016-17 for orders terminated, due to the small numbers involved. These numbers are estimated to be in the region of around 200 and 150 for orders commenced in 2015-16 & 2016-17, respectively, and 200 for orders terminated in 2016-17.

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 in 2015-16 and the non-collection of commencements figures for community service, probation and supervised attendance orders from 2015-16, comparisons for total social work orders commenced over the period covered by this table should be interpreted with caution.

8. As a result of the introduction of fiscal work orders in 2015-16 and the non-collection of terminations figures for community service, probation and supervised attendance orders from 2016-17, comparisons for total social work orders completed/terminated over the period covered by this table should be interpreted with caution.

Table 3 Diversion from prosecution: 2012-13 to 2016-17

	2012-13	2013-14	2014-15	2015-16	2016-17
Referrals ¹	2,396	2,651	3,026	3,049	3,428
Assessments	2,025	2,389	2,509	2,757	2,908
Cases commenced ¹	1,326	1,710	1,869	1,855	1,980
Individuals with cases commenced ¹	1,309	1,657	1,812	1,783	1,934
Cases successfully completed ¹	1,078	1,374	1,355	1,326	1,549
Cases referred to drug treatment/education	43	50	48	50	50
Cases referred to alcohol treatment programmes	67	84	44	50	52
Cases referred to mental health services	48	34	37	61	74

1. Figures for 2015-16 have been revised from those previously published due to the receipt of updated information for Clackmannanshire.

Table 4 Diversion from prosecution cases commenced by age, gender, employment status and ethnicity: 2012-13 to 2016-17

	2012-13	2013-14	2014-15	2015-16 ³	2016-17
Total	1,326	1,710	1,869	1,855	<i>Number</i> 1,980
Age group¹					
16-17	342	469	535	536	408
18-20	183	264	299	267	247
21-25	108	142	136	120	168
26-30	111	134	156	145	174
31-40	209	311	273	264	355
Over 40	373	390	470	523	628
Gender					
Male	771	946	1,074	1,072	1,155
Female	555	764	795	783	825
Employment status					
Full-time education	104	135	201	166	161
Employed/self employed	244	305	367	350	567
Unemployed	712	886	888	677	660
Government training scheme	24	33	40	39	23
Economically inactive ²	89	171	153	214	209
Other	153	180	220	409	360
Ethnicity					
White	1,105	1,395	1,422	1,394	1,616
Asian	11	10	27	20	23
African, Caribbean or Black	8	14	14	15	15
Mixed	3	5	4	7	3
Other	11	12	14	15	16
Not known/provided	188	274	388	404	307
Total	100.0	100.0	100.0	100.0	<i>Percentage</i> 100.0
Age group¹					
16-17	25.8	27.4	28.6	28.9	20.6
18-20	13.8	15.4	16.0	14.4	12.5
21-25	8.1	8.3	7.3	6.5	8.5
26-30	8.4	7.8	8.3	7.8	8.8
31-40	15.8	18.2	14.6	14.2	17.9
Over 40	28.1	22.8	25.1	28.2	31.7
Gender					
Male	58.1	55.3	57.5	57.8	58.3
Female	41.9	44.7	42.5	42.2	41.7
Employment status					
Full-time education	7.8	7.9	10.8	8.9	8.1
Employed/self employed	18.4	17.8	19.6	18.9	28.6
Unemployed	53.7	51.8	47.5	36.5	33.3
Government training scheme	1.8	1.9	2.1	2.1	1.2
Economically inactive ²	6.7	10.0	8.2	11.5	10.6
Other	11.5	10.5	11.8	22.0	18.2
Ethnicity (where known)					
White	97.1	97.1	96.0	96.1	96.6
Asian	1.0	0.7	1.8	1.4	1.4
African, Caribbean or Black	0.7	1.0	0.9	1.0	0.9
Mixed	*	*	*	*	*
Other	1.0	0.8	0.9	1.0	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.

3. Figures for 2015-16 have been revised from those previously published due to the receipt of updated information for Clackmannanshire.

Table 5 Bail information, court services and home detention curfew assessments: 2012-13 to 2016-17

	2012-13	2013-14	2014-15	2015-16 ²	2016-17
Bail information					
<i>Requests from court for bail information</i>	8,662	6,874	8,006	7,278	6,955
<i>Bail supervision cases</i>					
Number commenced	411	417	407	355	335
Individuals	397	400	390	318	312
Court services					
<i>Same day reports</i>	3,255	3,679	3,534	3,705	4,258
Written reports	1,177	1,047	961	1,446	1,926
Oral reports	2,078	2,632	2,573	2,259	2,332
<i>Information at court's request¹</i>	774	1,322	1,280	1,603	2,095
<i>Post sentence interviews</i>	17,913	20,167	18,914	20,072	19,253
Home detention curfew assessments					
Reports	3,178	2,939	2,782	2,676	2,513
Individuals	2,876	2,649	2,532	2,439	2,236

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

2. The total for information at court's request for 2015-16 has been amended since its original publication due to the receipt of revised figures from West Dunbartonshire.

Table 6 Criminal justice social work reports submitted by age, gender, employment status and ethnicity: 2012-13 to 2016-17

	2012-13	2013-14	2014-15	2015-16	2016-17
Total	28,022	27,774	26,603	26,988	27,012
Age group					<i>Number</i>
16-17 ¹	1,369	1,173	926	945	925
18-20	3,835	3,445	3,140	3,133	2,906
21-25	5,810	5,443	4,996	4,777	4,768
26-30	4,737	4,588	4,390	4,569	4,503
31-40	6,654	6,818	6,768	7,097	7,278
Over 40	5,617	6,307	6,383	6,467	6,632
Gender					
Males ²	23,185	23,006	22,115	22,417	22,515
Females	4,837	4,768	4,488	4,571	4,497
Employment status					
Full-time education	465	442	457	438	490
Employed/self employed	5,859	5,944	5,733	6,340	5,991
Unemployed	15,606	14,825	13,865	13,150	13,551
Government training scheme	138	121	111	126	130
Economically inactive ³	3,867	3,754	4,013	4,140	4,039
Other	2,087	2,688	2,424	2,794	2,811
Ethnicity					
White	24,900	24,364	23,682	23,211	23,658
Asian	247	313	275	310	311
African, Caribbean or Black	145	165	154	156	182
Mixed	80	96	70	55	72
Other	327	288	243	287	303
Not known/provided	2,323	2,548	2,179	2,969	2,486
Total	100.0	100.0	100.0	100.0	100.0
Age group					<i>Percentage</i>
16-17 ¹	4.9	4.2	3.5	3.5	3.4
18-20	13.7	12.4	11.8	11.6	10.8
21-25	20.7	19.6	18.8	17.7	17.7
26-30	16.9	16.5	16.5	16.9	16.7
31-40	23.7	24.5	25.4	26.3	26.9
Over 40	20.0	22.7	24.0	24.0	24.6
Gender					
Males ²	82.7	82.8	83.1	83.1	83.4
Females	17.3	17.2	16.9	16.9	16.6
Employment status					
Full-time education	1.7	1.6	1.7	1.6	1.8
Employed/self employed	20.9	21.4	21.6	23.5	22.2
Unemployed	55.7	53.4	52.1	48.7	50.2
Government training scheme	*	*	*	*	*
Economically inactive ³	13.8	13.5	15.1	15.3	15.0
Other	7.4	9.7	9.1	10.4	10.4
Ethnicity					
White	96.9	96.6	97.0	96.6	96.5
Asian	1.0	1.2	1.1	1.3	1.3
African, Caribbean or Black	0.6	0.7	0.6	0.6	0.7
Mixed	*	*	*	*	*
Other	1.3	1.1	1.0	1.2	1.2

Note: Figures **exclude supplementary reports**.

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

2. Figure for 2016-17 includes two reports for people whose gender was described as "indeterminate" and "other specific".

3. 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: 2012-13 to 2016-17

	2012-13	2013-14	2014-15	2015-16	2016-17
Total	28,022	27,774	26,603	26,988	27,012
					<i>Number</i>
Monetary penalty	1,883	1,761	1,754	1,749	1,590
Community service	606	213			
Probation: unpaid work	314	59			
Probation: standard conditions	147	58			
Probation: additional conditions	161	37			
Other community penalty			394	188	256
Community payback order: unpaid work, no supervision	4,040	4,200	4,077	4,118	3,978
Community payback order: supervision, no unpaid work	4,461	5,015	4,956	5,181	4,882
Community payback order: unpaid work and supervision	3,188	3,231	3,266	3,042	3,408
Restriction of liberty order	543	530	551	791	946
Deferment for DTTO assessment	702	607	602	553	540
Custody	927	876	924	910	900
Custody: extended sentence	163	188	195	141	177
Custody: supervised release order	182	171	205	230	214
Sentence deferred: 3 months or more	4,204	3,381	3,646	3,496	3,012
No preferred option	3,949	4,056	3,500	3,167	3,407
Other	2,552	3,391	2,533	3,422	3,702
Total	100.0	100.0	100.0	100.0	100.0
					<i>Percentage</i>
Monetary penalty	6.7	6.3	6.6	6.5	5.9
Community service	2.2	0.8			
Probation: unpaid work	1.1	*			
Probation: standard conditions	0.5	*			
Probation: additional conditions	0.6	*			
Other community penalty			1.5	0.7	0.9
Community payback order: unpaid work, no supervision	14.4	15.1	15.3	15.3	14.7
Community payback order: supervision, no unpaid work	15.9	18.1	18.6	19.2	18.1
Community payback order: unpaid work and supervision	11.4	11.6	12.3	11.3	12.6
Restriction of liberty order	1.9	1.9	2.1	2.9	3.5
Deferment for DTTO assessment	2.5	2.2	2.3	2.0	2.0
Custody	3.3	3.2	3.5	3.4	3.3
Custody: extended sentence	0.6	0.7	0.7	0.5	0.7
Custody: supervised release order	0.6	0.6	0.8	0.9	0.8
Sentence deferred: 3 months or more	15.0	12.2	13.7	13.0	11.2
No preferred option	14.1	14.6	13.2	11.7	12.6
Other	9.1	12.2	9.5	12.7	13.7

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. 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: 2012-13 to 2016-17

	2012-13	2013-14	2014-15	2015-16	2016-17
Total	28,022	27,774	26,603	26,988	27,012
					<i>Number</i>
Monetary penalty	2,040	1,965	1,798	1,828	1,866
Community service	487	153			
Probation: unpaid work	202	57			
Probation: standard conditions	190	26			
Probation: additional conditions	77	38			
Other community penalty			263	257	261
Community payback order: unpaid work, no supervision	3,711	3,759	3,564	3,751	3,499
Community payback order: supervision, no unpaid work	2,503	2,852	3,318	3,392	3,246
Community payback order: unpaid work and supervision	4,200	4,915	4,280	4,446	4,666
Restriction of liberty order	421	458	429	695	975
Deferment for DTTO assessment	325	288	209	228	225
Custody	4,705	4,515	4,240	4,122	4,092
Custody: extended sentence	117	150	136	105	124
Custody: supervised release order	172	180	227	232	209
Warrant for apprehension / recall	620	622	552	544	582
Sentence deferred: 3 months or more	2,225	2,259	1,956	2,046	2,211
Admonition	842	905	913	905	941
Absolute discharge	17	24	17	16	32
Other	2,754	3,024	2,875	2,315	2,451
Outcome not yet known	2,414	1,584	1,826	2,106	1,632
					<i>Percentage</i>
Total	100.0	100.0	100.0	100.0	100.0
Monetary penalty	7.3	7.1	6.8	6.8	6.9
Community service	1.7	0.6			
Probation: unpaid work	0.7	*			
Probation: standard conditions	0.7	*			
Probation: additional conditions	*	*			
Other community penalty			1.0	1.0	1.0
Community payback order: unpaid work, no supervision	13.2	13.5	13.4	13.9	13.0
Community payback order: supervision, no unpaid work	8.9	10.3	12.5	12.6	12.0
Community payback order: unpaid work and supervision	15.0	17.7	16.1	16.5	17.3
Restriction of liberty order	1.5	1.6	1.6	2.6	3.6
Deferment for DTTO assessment	1.2	1.0	0.8	0.8	0.8
Custody	16.8	16.3	15.9	15.3	15.1
Custody: extended sentence	*	0.5	0.5	*	*
Custody: supervised release order	0.6	0.6	0.9	0.9	0.8
Warrant for apprehension / recall	2.2	2.2	2.1	2.0	2.2
Sentence deferred: 3 months or more	7.9	8.1	7.4	7.6	8.2
Admonition	3.0	3.3	3.4	3.4	3.5
Absolute discharge	*	*	*	*	*
Other	9.8	10.9	10.8	8.6	9.1
Outcome not yet known	8.6	5.7	6.9	7.8	6.0

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. 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: 2012-13 to 2016-17

	2012-13 ⁵	2013-14 ⁵	2014-15 ⁵	2015-16 ⁵	2016-17
Total	16,061	18,687	19,067	19,444	19,136
Age group¹					<i>Number</i>
16-17	788	685	610	614	609
18-20	2,263	2,374	2,314	2,271	2,051
21-25	3,546	4,092	3,877	3,816	3,735
26-30	2,830	3,167	3,385	3,496	3,405
31-40	3,753	4,626	4,859	5,066	5,125
Over 40	2,881	3,743	4,022	4,181	4,211
Gender					
Male	13,678	15,810	16,120	16,486	16,299
Female	2,383	2,877	2,947	2,958	2,837
Employment status					
Full-time education	293	314	313	314	343
Employed/self employed	3,138	3,870	4,108	4,355	4,310
Unemployed	9,959	11,431	11,505	11,504	11,068
Government training scheme	89	68	74	72	52
Economically inactive ²	1,260	1,621	1,822	1,876	2,022
Other ³	1,322	1,383	1,245	1,323	317
Not known ⁴					1,024
Ethnicity					
White	14,535	16,395	16,601	17,677	17,238
Asian	127	193	173	202	218
African, Caribbean or Black	51	57	99	93	125
Mixed	69	81	58	48	62
Other	156	145	163	175	194
Not known/provided	1,123	1,816	1,973	1,249	1,299
Total	100.0	100.0	100.0	100.0	<i>Percentage</i> 100.0
Age group¹					
16-17	4.9	3.7	3.2	3.2	3.2
18-20	14.1	12.7	12.1	11.7	10.7
21-25	22.1	21.9	20.3	19.6	19.5
26-30	17.6	16.9	17.8	18.0	17.8
31-40	23.4	24.8	25.5	26.1	26.8
Over 40	17.9	20.0	21.1	21.5	22.0
Gender					
Male	85.2	84.6	84.5	84.8	85.2
Female	14.8	15.4	15.5	15.2	14.8
Employment status					
Full-time education	1.8	1.7	1.6	1.6	1.9
Employed/self employed	19.5	20.7	21.5	22.4	23.8
Unemployed	62.0	61.2	60.3	59.2	61.1
Government training scheme	0.6	*	*	*	*
Economically inactive ²	7.8	8.7	9.6	9.6	11.2
Other ³	8.2	7.4	6.5	6.8	1.8
Ethnicity (where known)					
White	97.3	97.2	97.1	97.2	96.6
Asian	0.9	1.1	1.0	1.1	1.2
African, Caribbean or Black	*	*	0.6	0.5	0.7
Mixed	*	*	*	*	*
Other	1.0	0.9	1.0	1.0	1.1

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. Orders where the employment status was unknown have been shown separately for 2016-17. Percentages for this year are calculated as a proportion of all orders where the employment status was known.

5. Figures for the years 2012-13 to 2015-16 have been revised from those previously published due to the receipt of updated information from some councils.

Table 10 Community payback orders issued by court type: 2012-13 to 2016-17

	2012-13 ²	2013-14 ²	2014-15 ²	2015-16 ²	2016-17
					<i>Number</i>
Total	16,061	18,687	19,067	19,444	19,136
High/appeal	76	78	67	81	96
Sheriff solemn ¹	819	861	1,072	1,053	1,030
Sheriff summary ¹	14,076	16,441	16,605	17,223	17,005
Stipendiary magistrates	374	531	518	265	53
Justice of the peace	377	572	630	717	870
Outwith Scotland	75	72	120	105	82
Not known	264	132	55	-	-
					<i>Percentage</i>
Total	100.0	100.0	100.0	100.0	100.0
High/appeal	0.5	0.4	0.4	0.4	0.5
Sheriff solemn ¹	5.2	4.6	5.6	5.4	5.4
Sheriff summary ¹	89.1	88.6	87.3	88.6	88.9
Stipendiary magistrates	2.4	2.9	2.7	1.4	0.3
Justice of the peace	2.4	3.1	3.3	3.7	4.5
Outwith Scotland	0.5	0.4	0.6	0.5	0.4

Notes:

1. Figures for sheriff solemn and sheriff summary include estimates as some local authorities were not able to distinguish between solemn and summary for all orders.
2. Revisions have been made to the data for 2012-13 to 2015-16. A consequence of this, for the years 2012-13 to 2014-15, was that the court type for some orders was unknown for those years. The percentages are therefore calculated on the total orders where the court type was known.

Table 11 Community payback order requirements: 2012-13 to 2016-17

	2012-13 ²	2013-14 ²	2014-15 ²	2015-16 ²	2016-17
					<i>Number</i>
Unpaid work or other activity	12,786	14,941	14,928	15,131	14,613
Offender supervision	8,809	9,434	9,503	9,933	10,142
Unpaid work or other activity <u>and</u> offender supervision		5,701	5,374	5,620	5,619
Conduct ¹	1,605	1,148	1,100	1,092	1,366
Programme	1,044	1,180	1,118	1,031	1,026
Alcohol treatment	398	401	333	264	245
Compensation	605	608	564	592	594
Drug treatment	183	166	178	164	169
Mental health treatment	96	66	45	43	44
Residence	37	45	33	30	27
					<i>Percentage</i>
Unpaid work or other activity	79.6	80.0	78.3	77.8	76.4
Offender supervision	54.8	50.5	49.8	51.1	53.0
Unpaid work or other activity <u>and</u> offender supervision		30.5	28.2	28.9	29.4
Conduct ¹	10.0	6.1	5.8	5.6	7.1
Programme	6.5	6.3	5.9	5.3	5.4
Alcohol treatment	2.5	2.1	1.7	1.4	1.3
Compensation	3.8	3.3	3.0	3.0	3.1
Drug treatment	1.1	0.9	0.9	0.8	0.9
Mental health treatment	0.6	*	*	*	*
Residence	*	*	*	*	*

Notes:

1. The fall in the use of the conduct requirement after 2012-13 is chiefly 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 2015-16 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: 2012-13 to 2016-17

	2012-13 ¹	2013-14 ¹	2014-15 ¹	2015-16 ¹	2016-17
Orders with unpaid work/other activity requirement	12,786	14,941	14,928	15,131	14,613
Level 1: 100 hours or less	6,499	7,968	8,090	8,069	7,610
Level 2: Over 100 - 300 hours	6,165	6,873	6,807	7,062	7,003
Average length (hours)	124.2	120.5	120.6	120.7	122.4
Level 1	75.5	73.3	72.3	71.5	71.1
Level 2	175.6	175.2	177.9	177.0	178.2

Note:

1. Revisions have been made to the 2012-13 to 2015-16 data. As a consequence, for the years 2012-13 to 2014-15, information on the number of hours imposed was unknown for a small number of orders. The average length for these years is therefore calculated on orders where the hours imposed was known.

Table 13 Community payback orders commenced by length of supervision requirement: 2012-13 to 2016-17

	2012-13 ¹	2013-14 ¹	2014-15 ¹	2015-16 ¹	2016-17
Orders with supervision requirement	8,809	9,434	9,503	9,933	10,142
6 months or less	632	686	605	631	661
More than 6 months - 12 months	4,467	4,684	4,773	4,936	5,006
More than 12 months - 18 months	2,172	2,236	2,303	2,415	2,494
More than 18 months - 24 months	1,287	1,416	1,387	1,549	1,603
More than 24 months - 36 months	241	365	416	402	378
Average length (months)	15.2	15.5	15.6	15.6	15.5

Note:

1. Revisions have been made to the 2012-13 to 2015-16 data. As a consequence, for the years 2012-13 to 2014-15, information on the length of supervision was unknown for a small number of orders. The average length for these years 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: 2016-17

	Total orders	Orders with court progress reviews	Percentage with court progress reviews
All orders commenced	19,136	3,094	16%
Orders commenced with:			
Unpaid work or other activity	14,613	1,832	13%
Offender supervision	10,142	2,527	25%
Unpaid work or other activity & offender supervision	5,619	1,265	23%
Conduct	1,366	455	33%
Programme	1,026	258	25%
Alcohol treatment	245	88	36%
Compensation	594	97	16%
Drug treatment	169	68	40%
Mental health treatment	44	12	27%
Residence	27	10	37%

Table 15 Timescales for first direct contact and induction/case management meeting for community payback orders: 2012-13 to 2016-17

	2012-13 ¹	2013-14 ¹	2014-15 ¹	2015-16 ¹	2016-17
Total	16,061	18,687	19,067	19,444	19,136
Time between order imposed and first contact					
Within 1 working day	11,981	13,776	13,711	13,940	13,278
Over 1 - 5 working days	1,517	1,812	1,885	1,591	1,785
Over 5 working days	1,639	1,878	2,151	2,522	2,534
Not known/applicable	924	1,221	1,320	1,391	1,539
Time between order imposed and first induction/case management meeting					
Within 5 working days	11,969	13,952	14,238	14,059	13,583
Over 5 - 10 working days	1,270	1,667	1,582	1,686	1,754
Over 10 working days	1,205	1,562	1,673	1,982	1,955
Not known/applicable	1,617	1,506	1,574	1,717	1,844
Total	100.0	100.0	100.0	100.0	100.0
Time between order imposed and first contact					
Within 1 working day	79.2	78.9	77.3	77.2	75.5
Over 1 - 5 working days	10.0	10.4	10.6	8.8	10.1
Over 5 working days	10.8	10.8	12.1	14.0	14.4
Time between order imposed and first induction/case management meeting					
Within 5 working days	82.9	81.2	81.4	79.3	78.6
Over 5 - 10 working days	8.8	9.7	9.0	9.5	10.1
Over 10 working days	8.3	9.1	9.6	11.2	11.3

Notes: Orders where the client did not/was unable to comply or orders 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 2015-16 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: 2016-17

Reason why first direct contact more than 1 working day after order imposed	<i>Percentage</i>
Offender did not turn up	41.4
Currently on order or supervision	4.5
Offender in custody	3.0
Offender undertaking paid employment	2.4
Offender ill	1.3
Other: client based	16.5
Social worker not available	3.3
Other: non-client based	27.7
Reason why first induction/case management meeting more than 5 working days after order imposed	
Offender did not turn up	23.7
First direct contact occurred late	6.2
Currently on order or supervision	5.8
Offender in custody	3.6
Offender undertaking paid employment	3.7
Offender ill	2.0
Other: client based	29.7
Suitable social work staff not available	3.7
Other: non-client based	21.6

Note: 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: 2012-13 to 2016-17

	2012-13 ¹	2013-14 ¹	2014-15 ¹	2015-16 ¹	2016-17
					<i>Number</i>
Commencements with unpaid work or other activity requirement	12,786	14,941	14,928	15,131	14,613
Time between order imposed and work placement starting					
Within 7 working days	8,046	9,965	9,577	8,980	8,501
Over 7 working days - 3 weeks	1,643	1,558	1,544	1,805	1,729
Over 3 weeks - 1 month	467	555	613	675	675
Over 1 month - 2 months	538	587	719	759	808
Over 2 months	595	657	725	936	935
Not known/applicable	1,497	1,619	1,750	1,976	1,965
					<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	71.3	74.8	72.7	68.3	67.2
Over 7 working days - 3 weeks	14.6	11.7	11.7	13.7	13.7
Over 3 weeks - 1 month	4.1	4.2	4.7	5.1	5.3
Over 1 month - 2 months	4.8	4.4	5.5	5.8	6.4
Over 2 months	5.3	4.9	5.5	7.1	7.4

Notes: Figures exclude cases where the requirement was imposed after commencement. Orders where the client did not/was unable to comply or orders 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 information for some of the years 2012-13 to 2016-17.

1. Figures for 2012-13 to 2015-16 have been revised from those previously published due to the receipt of updated information from some councils.

Table 18 Reason for not meeting timescales for starting community payback order work placement: 2016-17

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	25.1
Currently on order or supervision	12.4
Offender in custody	1.8
First direct contact occurred late	3.8
Offender ill	4.2
Offender undertaking paid employment	4.6
Suitable work not available	2.8
Other: client based	23.8
Suitable social work staff not available	2.8
Other: non-client based	18.5

Note: 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: 2016-17

	Total		Custodial sentence	New order	Monetary penalty	Other penalty	Other outcome	Outcome not known
	Number	Percentage						
Total	18,351	100.0	<i>Row%</i>					
Successfully completed/early discharge	12,378	67.5						
Revoked due to review	1,551	8.5	12	9	5	9	55	10
Revoked due to breach	3,073	16.7	28	28	6	7	24	6
Transfer out of area	556	3.0						
Death	151	0.8						
Other	642	3.5	6	4	2	12	67	8

Table 20 Community payback orders terminated by number of breach applications: 2016-17

	Number of terminations	Breach applications (%)		
		None	One	Two or more
Total	18,351	73	23	4
Successfully completed/early discharge	12,378	91	8	1
Revoked due to review	1,551	82	16	2
Revoked due to breach	3,073	-	86	14
Transfer out of area	556	83	15	2
Death	151	87	12	1
Other	642	55	34	10

Table 21 Breach applications for community payback orders: 2015-16 & 2016-17

	2015-16	2016-17
Orders completed/terminated	18,930	18,351
Breach applications	5,839	5,754
Average number of breach applications	0.31	0.31
<i>Percentage of breach applications lodged with court within 5 working days ¹</i>	83.6	86.6

1. Figure for 2015-16 includes an estimate for Stirling.

Table 22 Community payback order unpaid work requirements by length and time taken to complete: 2015-16 & 2016-17

	2015-16	2016-17
Unpaid work requirements completed	9,696	9,743
Level 1: 100 hours or less	5,134	5,037
Level 2: Over 100 - 300 hours	4,562	4,706
Average length (hours)	121	123
Level 1	71	71
Level 2	178	178
Average time taken to complete from date imposed (days)	203	207
Level 1	158	159
Level 2	254	258

Note:

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: 2016-17

Total requirements successfully completed	9,743
Requirements completed within specified timescale	6,919
Requirements which completed within 3 months (level 1) or 6 months (level 2) ¹	3,557
Requirements completed within later timescale ¹ given by court	3,362
Requirements completed outwith timescale	2,824
Reason why requirements were not completed within timescale	
Non-compliance	17.0
Offender's paid employment	12.7
Offender's ill health	9.5
Difficulty finding suitable work	3.0
Suitable social work staff not available	8.8
Other: client based	35.6
Other: non-client based	13.3

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 of orders: 2012-13 to 2016-17

	2012-13	2013-14 ³	2014-15 ⁴	2015-16 ⁴	2016-17 <i>Number</i>
Total	639	625	551	530	478
Age group¹					
16-17	5	1	1	1	-
18-20	9	13	16	10	8
21-25	69	73	60	51	45
26-30	174	144	118	124	96
31-40	289	286	261	247	248
Over 40	93	108	95	97	81
Gender					
Male	512	498	437	419	384
Female	127	127	114	111	94
Employment status					
Full-time education	2	2	1	6	-
Employed/self employed	14	18	10	18	16
Unemployed	484	347	294	316	280
Government training scheme	2	-	1	1	-
Economically inactive ²	104	167	152	143	128
Other	28	63	91	45	30
Not known	5	28	2	1	24
Ethnicity					
White	613	595	534	500	455
Asian	1	2	1	3	3
African, Caribbean or Black	4	5	-	-	1
Mixed	5	2	2	4	1
Other	4	6	-	4	-
Not known/not provided	12	15	14	19	18
Average length (months)	18.1	17.4	17.7	17.8	18.0
					<i>Percentage</i>
Total	100.0	100.0	100.0	100.0	100.0
Age group¹					
16-17	0.8	*	*	*	-
18-20	1.4	2.1	2.9	1.9	1.7
21-25	10.8	11.7	10.9	9.6	9.4
26-30	27.2	23.0	21.4	23.4	20.1
31-40	45.2	45.8	47.4	46.6	51.9
Over 40	14.6	17.3	17.2	18.3	16.9
Gender					
Male	80.1	79.7	79.3	79.1	80.3
Female	19.9	20.3	20.7	20.9	19.7
Employment status (where known)					
Full-time education	*	*	*	1.1	-
Employed/self employed	2.2	3.0	1.8	3.4	3.5
Unemployed	76.3	58.1	53.6	59.7	61.7
Government training scheme	*	-	*	*	-
Economically inactive ²	16.4	28.0	27.7	27.0	28.2
Other	4.4	10.6	16.6	8.5	6.6
Ethnicity (where known)					
White	97.8	97.5	99.4	97.8	98.9
Asian	*	*	*	0.6	0.7
African, Caribbean or Black	0.6	0.8	-	-	*
Mixed	0.8	*	*	0.8	*
Other	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, changes were made in City of Edinburgh and Midlothian as to how the reason for being unemployed was recorded. This led to some orders which would previously have been recorded as unemployed being recorded as economically inactive.
4. Figures for 2014-15 and 2015-16 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 2016-17

	2012-13		2013-14		2014-15 ¹		2015-16 ¹		2016-17	
	Number	Percent age	Number	Percent age	Number	Percent age	Number	Percent age	Number	Percent age
Total commencements	639	100.0	625	100.0	551	100.0	530	100.0	478	100.0
First contact after order imposed										
Within 1 working day	484	77.6	463	76.4	425	81.3	398	81.1	341	74.3
Over 1 - 5 working days	96	15.4	91	15.0	68	13.0	51	10.4	63	13.7
Over 5 working days	44	7.1	52	8.6	30	5.7	42	8.6	55	12.0
Not known/applicable	15		19		28		39		19	
First case management meeting after order imposed										
Within 5 working days	456	73.8	521	86.3	407	83.7	409	83.6	381	83.4
Over 5 - 10 working days	71	11.5	28	4.6	35	7.2	37	7.6	38	8.3
Over 10 working days	91	14.7	55	9.1	44	9.1	43	8.8	38	8.3
Not known/applicable	21		21		65		41		21	

Notes: Figures include DTTO IIs piloted in the 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 orders 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 2014-15 and 2015-16 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: 2016-17

First direct contact more than 1 working day after order imposed	<i>Percentage</i>
Offender did not turn up	38.1
Offender ill	5.9
Offender in custody	4.2
Currently on order or supervision	0.8
Other: client based	11.9
Social worker not available	6.8
Other: non-client based	32.2
First case management meeting more than 5 working days after order imposed	
Offender did not turn up	48.7
Offender ill	5.3
Offender in custody	9.2
Currently on order or supervision	1.3
Other: client based	14.5
Social worker not available	3.9
Other: non-client based	17.1

Notes: Figures include DTTO IIs piloted in the 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: 2012-13 to 2016-17

	2012-13	2013-14 ¹	2014-15 ¹	2015-16 ¹	2016-17
	<i>Number</i>				
Total	592	677	646	566	515
Successfully completed/early discharge	310	350	354	277	227
Revoked due to review	136	139	100	136	139
Revoked due to breach	106	152	149	121	110
Transfer out of area	11	7	8	6	6
Death	6	8	9	7	10
Other	23	21	26	19	23
	<i>Percentage</i>				
Total	100.0	100.0	100.0	100.0	100.0
Successfully completed/early discharge	52.4	51.7	54.8	48.9	44.1
Revoked due to review	23.0	20.5	15.5	24.0	27.0
Revoked due to breach	17.9	22.5	23.1	21.4	21.4
Transfer out of area	1.9	1.0	1.2	1.1	1.2
Death	1.0	1.2	1.4	1.2	1.9
Other	3.9	3.1	4.0	3.4	4.5

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

1. Figures for 2013-14, 2014-15 and 2015-16 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: 2016-17

	Total		Custodial sentence	Community payback order	New order	Other penalty	Other outcome
	Number	Percentage					
Total	515	100.0	<i>Row%</i>				
Successfully completed/early discharge	227	44.1					
Revoked due to review	139	27.0	40	4	4	14	38
Revoked due to breach	110	21.4	52	4	3	4	38
Transfer out of area	6	1.2					
Death	10	1.9					
Other	23	4.5	48	4	-	-	48

Notes: Figures include DTTO IIs piloted in the 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: 2016-17

	Number of terminations	Breach applications (%)		
		None	One	Two or more
Total	515	63	35	1
Successfully completed/early discharge	227	93	6	1
Revoked due to review	139	59	40	1
Revoked due to breach	110	-	97	3
Transfer out of area	6	100	-	-
Death	10	100	-	-
Other	23	78	22	-

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

Table 30 Fiscal work orders: 2015-16 & 2016-17

	2015-16	2016-17
Assessments undertaken:		
Total	795	1,213
Accepted by local authority	551	937
Deemed unsuitable by local authority	244	276
Orders commenced	508	894
Individuals with orders commenced	503	884
Orders completed/terminated:		
Total	363	792
Successfully completed	292	656
Terminated without being successfully completed	71	136

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 & 2016-17

	2015-16		2016-17	
	Number	Percentage	Number	Percentage
Total	508	100.0	894	100.0
Age group¹				
16-17	27	5.3	47	5.3
18-20	107	21.1	230	25.7
21-25	132	26.0	248	27.7
26-30	83	16.3	147	16.4
31-40	99	19.5	128	14.3
Over 40	60	11.8	94	10.5
Gender				
Male	409	80.5	762	85.2
Female	99	19.5	132	14.8
Employment status²				
Full-time education	29	5.7	64	7.2
Employed/self employed	219	43.1	414	46.3
Unemployed	146	28.7	259	29.0
Government training scheme	3	0.6	2	*
Economically inactive ³	24	4.7	23	2.6
Other	87	17.1	132	14.8
Ethnicity⁴				
White	375	96.9	717	97.4
Asian	6	1.6	10	1.4
African, Caribbean or Black	3	0.8	1	*
Mixed	0	-	1	*
Other	3	0.8	7	1.0
Not known/provided	121		158	
Length of order				
Over 10 and under 20 hours	0	-	1	*
20 hours	93	18.3	66	7.4
Over 20 and under 30 hours	3	0.6	0	-
30 hours	267	52.6	403	45.1
40 hours	99	19.5	319	35.7
50 hours	46	9.1	105	11.7

Notes:

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

1. Age is at commencement of order.

2. The breakdown by employment status for 2015-16 has changed slightly since its original publication due to the receipt of revised figures for West Lothian.

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: 2012-13 to 2016-17

	Cases commenced					Caseload at 31 March				
	2012-13	2013-14	2014-15 ²	2015-16 ^{2,3}	2016-17	2012-13	2013-14	2014-15	2015-16 ³	2016-17
Total	965	1,048	1,033	1,027	1,042	3,347	3,318	3,376	3,375	3,330
Determinate long-term sentence (4 years and over)	456	482	442	443	443	1,597	1,566	1,510	1,474	1,469
Extended sentence	151	189	178	152	167	549	579	581	559	558
Life sentence	39	46	36	25	34	779	725	774	790	770
Order for lifelong restriction	8	12	10	9	5	75	91	98	108	121
Short-term sex offender ¹	84	90	90	107	116	69	85	87	102	115
Supervised release order	227	229	277	291	277	278	272	326	342	297
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)	47.3	46.0	42.8	43.1	42.5	47.7	47.2	44.7	43.7	44.1
Extended sentence	15.6	18.0	17.2	14.8	16.0	16.4	17.5	17.2	16.6	16.8
Life sentence	4.0	4.4	3.5	2.4	3.3	23.3	21.9	22.9	23.4	23.1
Order for lifelong restriction	0.8	1.1	1.0	0.9	0.5	2.2	2.7	2.9	3.2	3.6
Short-term sex offender ¹	8.7	8.6	8.7	10.4	11.1	2.1	2.6	2.6	3.0	3.5
Supervised release order	23.5	21.9	26.8	28.3	26.6	8.3	8.2	9.7	10.1	8.9

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

2. Figures for cases commenced for 2014-15 & 2015-16 have been revised from those originally published due to the receipt of updated information for Stirling.

3. Figures for 2015-16 have been revised from those originally published due to the receipt of updated information for Aberdeen City.

Table 33 Statutory throughcare in the community by type of licence: 2012-13 to 2016-17

	Cases commenced					Caseload at 31 March					Cases completed				
	2012-13	2013-14	2014-15	2015-16 ³	2016-17	2012-13	2013-14	2014-15	2015-16 ³	2016-17	2012-13	2013-14	2014-15	2015-16 ³	2016-17
Total	1,001	1,027	1,085	982	1,121	2,431	2,685	2,524	2,427	2,503	927	911	942	982	1,101
Parole	181	198	176	183	186	476	482	457	444	430	194	174	166	170	194
Non parole	255	269	252	202	264	403	438	425	338	359	231	249	230	232	245
Extended sentence	144	162	190	161	181	401	590	451	428	451	145	126	151	167	145
Life	52	58	68	32	47	445	467	464	430	454	38	26	46	38	45
Short-term sex offender ¹	93	83	100	87	98	73	64	75	88	82	57	90	69	86	118
Supervised release order	214	205	237	265	287	188	235	217	261	253	183	201	221	239	297
Recalled prisoner ²						359	341	364	368	384					
Other	62	52	62	52	58	86	68	71	70	90	79	45	59	50	57
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	18.1	19.3	16.2	18.6	16.6	19.6	18.0	18.1	18.3	17.2	20.9	19.1	17.6	17.3	17.6
Non parole	25.5	26.2	23.2	20.6	23.6	16.6	16.3	16.8	13.9	14.3	24.9	27.3	24.4	23.6	22.3
Extended sentence	14.4	15.8	17.5	16.4	16.1	16.5	22.0	17.9	17.6	18.0	15.6	13.8	16.0	17.0	13.2
Life	5.2	5.6	6.3	3.3	4.2	18.3	17.4	18.4	17.7	18.1	4.1	2.9	4.9	3.9	4.1
Short-term sex offender ¹	9.3	8.1	9.2	8.9	8.7	3.0	2.4	3.0	3.6	3.3	6.1	9.9	7.3	8.8	10.7
Supervised release order	21.4	20.0	21.8	27.0	25.6	7.7	8.8	8.6	10.8	10.1	19.7	22.1	23.5	24.3	27.0
Recalled prisoner ²						14.8	12.7	14.4	15.2	15.3					
Other	6.2	5.1	5.7	5.3	5.2	3.5	2.5	2.8	2.9	3.6	8.5	4.9	6.3	5.1	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.

3. Figures for 2015-16 have been revised from those originally published due to the receipt of updated information for Aberdeen City.

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 orders 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 has been 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.
- 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 four 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 (community service, probation and supervised attendance orders) has been phased out of the aggregate return. Due to the small numbers involved, the 2015-16 return did not collect information on the number of legacy orders commenced (estimated to be around 200) and the 2016-17 return did not collect information on numbers commenced (estimated at 150) or numbers terminated (estimated at 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 five 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 later.

- A.7 The statistics presented in this bulletin reflect information on criminal justice social work activity in the financial year 1 April 2016 to 31 March 2017. 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 2016-17 unit returns, some revisions were made to the 2015-16 and (to a lesser extent) 2014-15, 2013-14 and 2012-13 data for CPOs and DTTOs. These revisions were mainly a result of:
- a. The inclusion in the 2016-17 data of orders which were in existence before the 2016-17 year but which had erroneously not been included in earlier years' data returns, and
 - b. Some orders which were previously advised in the 2015-16 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. However, the number of authorities for which this was the case is declining and this is expected to improve further in the future.
- As a result of these changes, the total for CPO terminations in 2015-16 has been revised upwards by around 600, with CPOs in existence at 31 March 2016 revised downwards by around 800.
- 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 2016-17 and earlier years' data.
- A.15 [Additional datasets](#) at local authority level are available on the Scottish Government website. These no longer show the Scotland figures broken down by community justice authority area, as these bodies were replaced, from 1 April 2017, by 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.6](#)).
- B.2 **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.3 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.
- B.4 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. There are up to nine different requirements which can be issued with a CPO, the most common of which are unpaid work or other activity and offender supervision. Courts may not impose unpaid work or other activity on someone under 16 years old while offender supervision must be imposed for someone aged under 18. More information on the community payback order can be found in the [community payback orders practice guidance](#).
- B.5 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.6 **Fiscal work orders** allow fiscals to offer unpaid work orders as an alternative to prosecution, where:
- There is sufficient evidence to prosecute a summary offence,

- A financial penalty or other direct measure 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.7 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.8 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.9 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.

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. The data 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. 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 normally 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 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, email statistics.enquiries@gov.scot.

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