

CRIME AND JUSTICE

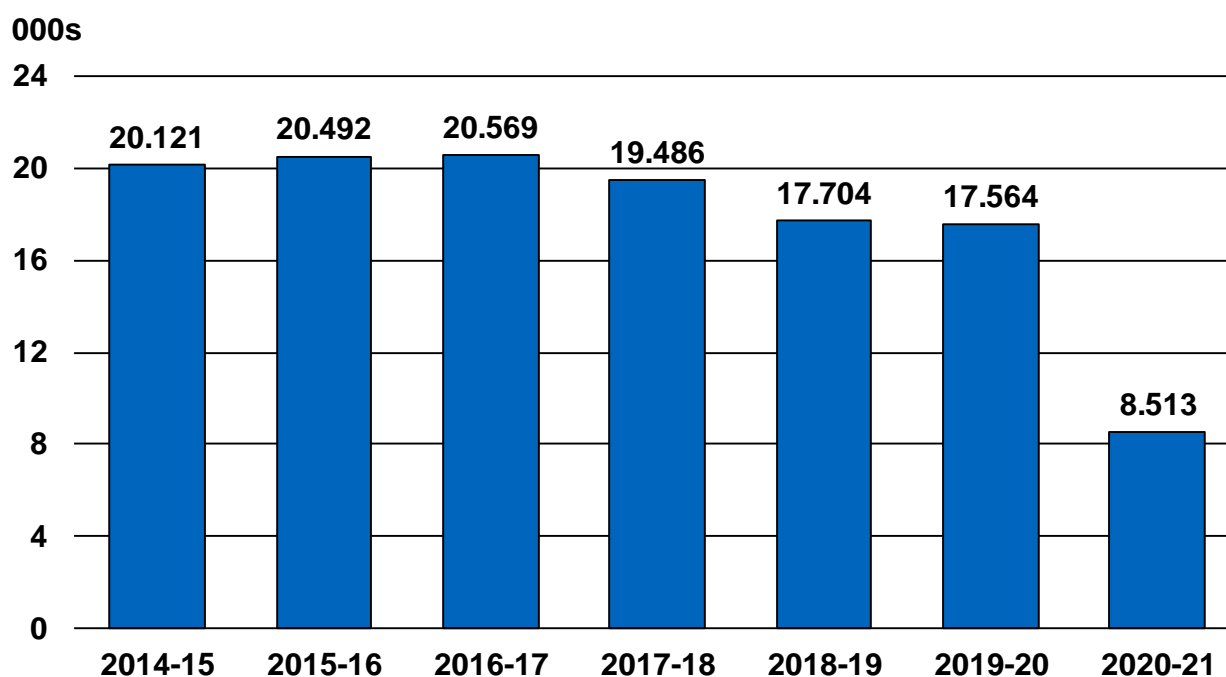
Criminal Justice Social Work Statistics in Scotland: 2020-21

31 January 2022

1 Introduction

- 1.1 This publication presents national-level information on criminal justice social work activity in Scotland. It includes data on justice social work services and social work orders, as well as characteristics of the individuals involved.
- 1.2 Note that the nationwide lockdowns and other measures put in place to limit social contact during the Coronavirus (COVID-19) pandemic have had a substantial impact on social work activity since March 2020. Caution is therefore advised in comparing activity in year 2020-21 with previous years.
- 1.3 The number of social work orders issued in 2020-21 was 8,500, less than half the number in any of the previous six years ([Chart 1](#) and [Table 2](#)).

Chart 1 Social work orders issued: 2014-15 to 2020-21



** Figures from 2015-16 onwards exclude a small (and falling) number of legacy orders as details of these have not been collected from local authorities in those years (see [Annex A](#)). The 2020-21 figure includes an estimate for the number of community payback orders for Renfrewshire.

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Key Points

- The Coronavirus (COVID-19) pandemic and associated public health measures have had an impact on many areas of criminal justice social work during year 2020-21. This resulted in lower volumes of cases going through courts and also impacted on justice social work capacity. Some caution is therefore advised in interpreting the figures in this bulletin for 2020-21, particularly in terms of how they compare with earlier years.
- The number of diversion from prosecution cases commenced rose by 12 per cent between 2019-20 and 2020-21 to around 2,200 ([Table 1](#)).
- After rising sharply in each of the previous two years, the number of bail supervision cases fell by 48 per cent between 2019-20 and 2020-21 to 250 cases ([Table 1](#)).
- The number of criminal justice social work reports (including supplementary reports) fell by 41 per cent to 16,900 in 2020-21 ([Table 1](#)).
- There were 8,200 community payback orders commenced in 2020-21, a fall of 51 per cent from 16,800 in 2019-20 ([Table 2](#)).
- For the first time in 2020-21, there were more community payback orders issued with offender supervision requirements than were issued with unpaid work or other activity requirements ([Chart 4](#)). The change in the latest year is likely to have been substantially influenced by face-to-face delivery of unpaid work having to be suspended for periods during the year.
- Fourteen per cent of community payback orders which terminated in 2020-21 were finished during the month of March 2021 ([Chart 6](#)). This was influenced by [The Community Orders \(Coronavirus\) \(Scotland\) Regulations 2021](#) coming into force that month, as these regulations reduced the hours of unpaid work requirements for some orders, resulting in some being automatically completed.
- The number of drug treatment and testing orders commenced fell by 56 per cent between 2019-20 and 2020-21 to 230, the lowest level in the last seven years ([Table 2](#)).
- There were 120 fiscal work orders commenced in 2020-21. Numbers have fallen sharply in each of the last three years, from the peak of 1,030 in 2017-18 ([Table 2](#)).
- There were 450 structured deferred sentences imposed in Scotland in 2020-21, a decrease of 49 per cent on 2019-20 ([Table 1](#)).
- There were 1,500 statutory custody and community based throughcare cases commenced in 2020-21, the lowest in the last seven years ([Tables 1, 27 & 28](#)).
- The number of home detention curfew assessment reports completed rose by nine per cent from the historic low of 810 in 2019-20 to 880 in 2020-21 ([Table 1](#)).

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
 - 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
 - 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 The data presented in this bulletin is extracted from criminal justice social work management information systems. This publication includes nine years of unit-level data for community payback and drug treatment and testing orders. This allows 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](#).
- 2.3 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 structured deferred sentences, then to the supervision and support for those serving prison sentences before and after release. Some key orders and services are described in the following sections, and further definitions can be found in [Annex B](#).
- 2.4 In the interests of presentation, time series tables in this publication tend to be for the past five years as this is normally long enough to illustrate current trends. However, significant public health measures relating to the impact of the Coronavirus pandemic, including two national lockdowns, were in effect during the 2020-21 recording year. For example, the temporary closure of a number of courts early in 2020-21, as well as capacity issues when courts reopened, mean that statistics for most areas of criminal justice social work are lower than in previous years. Caution is therefore advised in comparing 2020-21 data with that from earlier years.
- 2.5 Data for longer time periods can be found in the [additional tables](#) in the Scottish Government's criminal justice social work datasets. 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 The relevant prosecution policy of the Lord Advocate is that diversion should be considered for all individuals where there is an identifiable need that has contributed to their offending and which can best be met through a diversion scheme. This is particularly the case where the individual is aged under 18 and there is a presumption that an alternative to prosecution will be in the public interest. In diversion cases, prosecution may be waived or a decision on prosecution deferred pending successful completion of the diversion scheme. National guidelines on diversion from prosecution in Scotland can be found on the [Community Justice Scotland website](#).
- 3.2 The number of diversion from prosecution cases commenced rose by 12 per cent between 2019-20 and 2020-21 to around 2,200 (Table 1). Numbers had fallen sharply between 2016-17 and 2017-18 but the rise in the most recent year has brought numbers to their highest in the last seven years (see [additional datasets](#) which accompany this publication).
- 3.3 During 2020-21, there were around 3,900 referrals, 3,600 assessments and 1,600 cases completed (Table 3).
- 3.4 The rise in cases commenced between 2019-20 and 2020-21 was due to a sharp increase of 34 per cent for those aged 21 and over (Table 4). By contrast, numbers for people aged 16 to 20 fell by 10 per cent over the same period. Despite this fall, people aged 16 to 20 were still substantially over-represented when the population base was taken into account - they accounted for 40 per cent of people getting diversion from prosecution in 2020-21 but only 7 per cent of the population aged 16 to 70. This continues to reflect a general focus on diversion for younger people.
- 3.5 In each of the last three years, around two-thirds of cases commenced have been for men and around half have been for people either unemployed or economically inactive (Table 4).

4 Court-based services and social work reports

(Tables 1 & 5-7, Chart 2)

- 4.1 There are various tasks associated with providing information and advice to the court. 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 difficulties 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. In addition, establishing if any pressing issues should be dealt with immediately, and informing individuals about the availability of relevant social work or other services

- forwarding relevant information to prisons in the event of a custodial sentence, including details on people 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.
- assessing the significance of any substance related issues, their relevance to the offending behaviour and its causes, and considering whether a specialist report is required.

4.2 During 2020-21, the courts made 3,400 requests for bail information, 40 per cent lower than the previous historic low of 2019-20 ([Table 1](#)). In some cases, bail information requests may result in the use of supervised bail rather than remand. A total of 250 bail supervision cases were commenced in 2020-21. Numbers had increased sharply in each of the previous two years but the fall of 48 per cent between 2019-20 and 2020-21 reflects the situation caused by the COVID-19 pandemic. Detailed information on bail supervision services can be found in the [National guidance on bail supervision](#), which is currently under review.

4.3 Same day reports are either pre-sentence reports or specific sentence reports requested by the court. There were 1,500 such reports provided to the courts in 2020-21, down 58 per cent on the previous historic low of 2019-20 ([Table 1](#)). In 2020-21, there were 4,100 post sentence interviews with people remanded into custody or receiving custodial sentences for the first time. This had fallen in each of the previous four years but fell particularly sharply (73 per cent) between 2019-20 and 2020-21 as a result of impacts on court business arising from the COVID-19 pandemic.

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 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 (over 100 hours) unpaid work or other activity requirement
- when imposing a drug treatment and testing order.

4.5 The number of CJSWRs submitted (including supplementary reports but excluding letters sent in lieu of reports) had been relatively steady over the

period 2017-18 to 2019-20 but the lower volume of cases going through courts meant that the numbers inevitably fell between 2019-20 and 2020-21, by 41 per cent to 16,900 (Table 1).

- 4.6 The number of full CJSWRs (i.e. excluding supplementary reports) also fell by 41 per cent between 2019-20 and 2020-21 to 15,100 (Table 5). Eleven per cent of all reports were supplementary, a similar proportion to the last few years (Table 1).
- 4.7 Between 2019-20 and 2020-21, the total number of reports submitted has unsurprisingly decreased in all 32 local authority areas. Further information is provided in the [additional datasets](#) which accompany this publication.

Preferred sentencing options

- 4.8 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 identified needs. 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 difficulties 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.
- 4.9 Forty-six per cent of CJSWRs in 2020-21 recommended the use of a community payback order (Table 6). Twenty-three per cent recommended a CPO with supervision but not unpaid work, while ten per cent recommended unpaid work but no supervision. The proportion for unpaid work but no supervision was lower than in previous years which is likely to reflect awareness of the impact of necessary public health measures relating to the Coronavirus pandemic on the delivery of unpaid work. This included the suspension of face to face delivery of unpaid work for periods and lower capacity at other times.
- 4.10 In addition, 11 per cent of reports recommended either a deferred sentence of three months or more or a structured deferred sentence, with a further six per cent suggesting a monetary penalty. Custody was the preferred option in six per cent of reports, while 20 per cent suggested some other form of sentence (including a restriction of liberty order or deferment for a drug treatment and testing order assessment). Eleven per cent of CJSWRs gave no preferred sentencing option.
- 4.11 The main outcome for 37 per cent of CJSWRs in 2020-21 was a community payback order (Table 7). Seven per cent of reports resulted in a CPO with unpaid work but no supervision, with 16 per cent resulting in an order with supervision but no unpaid work. In 14 per cent of cases, a CPO was given with both supervision and unpaid work.

- 4.12 Custody was the main outcome for 15 per cent of reports in 2020-21. The largest other main outcome categories in 2020-21 were deferred sentence and monetary penalty (nine and seven per cent of the total respectively).

5.1 Social work orders

(Tables 2 & 9)

- 5.1.1 Total social work orders for the years 2015-16 to 2020-21 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. Due to the low numbers involved, the number of legacy orders commenced was not collected for these most recent six years. Fiscal work orders were introduced nationally on 1 April 2015 and have therefore been collected since 2015-16. As a result of these changes in order types, caution should be exercised when comparing total social work orders from 2014-15 and before with numbers after then.
- 5.1.2 There were 8,500 social work orders commenced in 2020-21 (Table 2), a fall of 52 per cent on 2019-20. The vast majority (96 per cent) of social work orders in 2020-21 were community payback orders. Local authority level breakdowns for each of these individual order types are available in the [additional datasets](#) which accompany this publication.
- 5.1.3 In total, 57 per cent of orders commencing in 2020-21 (around 4,800) included an element of unpaid work or other activity. This proportion is substantially lower than in previous years and comprised 120 fiscal work orders (Table 2) and 4,700 community payback orders with an unpaid work or other activity requirement (Table 9).
- 5.1.4 Seventy-five per cent of social work order terminations in 2020-21 were successfully completed or discharged (Table 2). This proportion was relatively stable over the period 2014-15 to 2019-20 but rose in 2020-21. The completion rates in 2020-21 varied substantially between different types of order. The highest was for fiscal work orders (82 per cent) and the lowest for the higher tariff drug treatment and testing orders (66 per cent), reflecting the challenges facing the latter client group. The completion rate for community payback orders was 75 per cent in 2020-21. More details about the completion rates for community payback orders and drug treatment and testing orders and how they compare with previous years can be found in sections [5.2](#) and [5.3](#).

5.2 Community payback orders

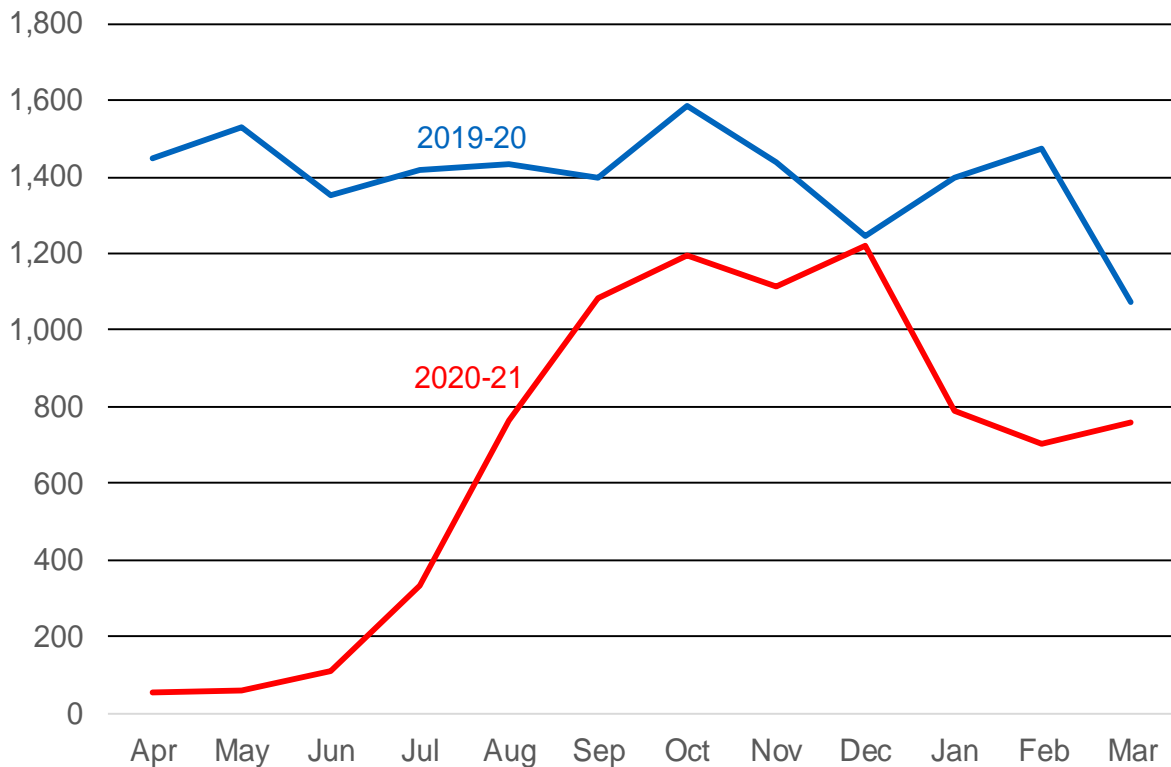
(Tables 2 & 8-17 and Charts 2-6)

- 5.2.1 The number of community payback orders (CPOs) imposed increased in the initial years following their introduction, reaching 19,500 in 2015-16 (Table 2). This rise was expected due to CPOs replacing legacy orders for offences committed on or after 1 February 2011. The total CPOs imposed then fell in

the next three years to 16,500 in 2018-19, before a small rise to 16,800 in 2019-20. The COVID-19 pandemic and the resulting decrease in court business meant numbers fell sharply in 2020-21, by 51 per cent to 8,200.

5.2.2 **Chart 2** shows how numbers imposed were lower in every month of 2020-21 than they were in the equivalent month in 2019-20. This was particularly the case during the period April to June 2020 when COVID-19 restrictions were at their highest level. Numbers were nearer normal between September and December 2020 but fell in the early part of 2021 when further restrictions were in place.

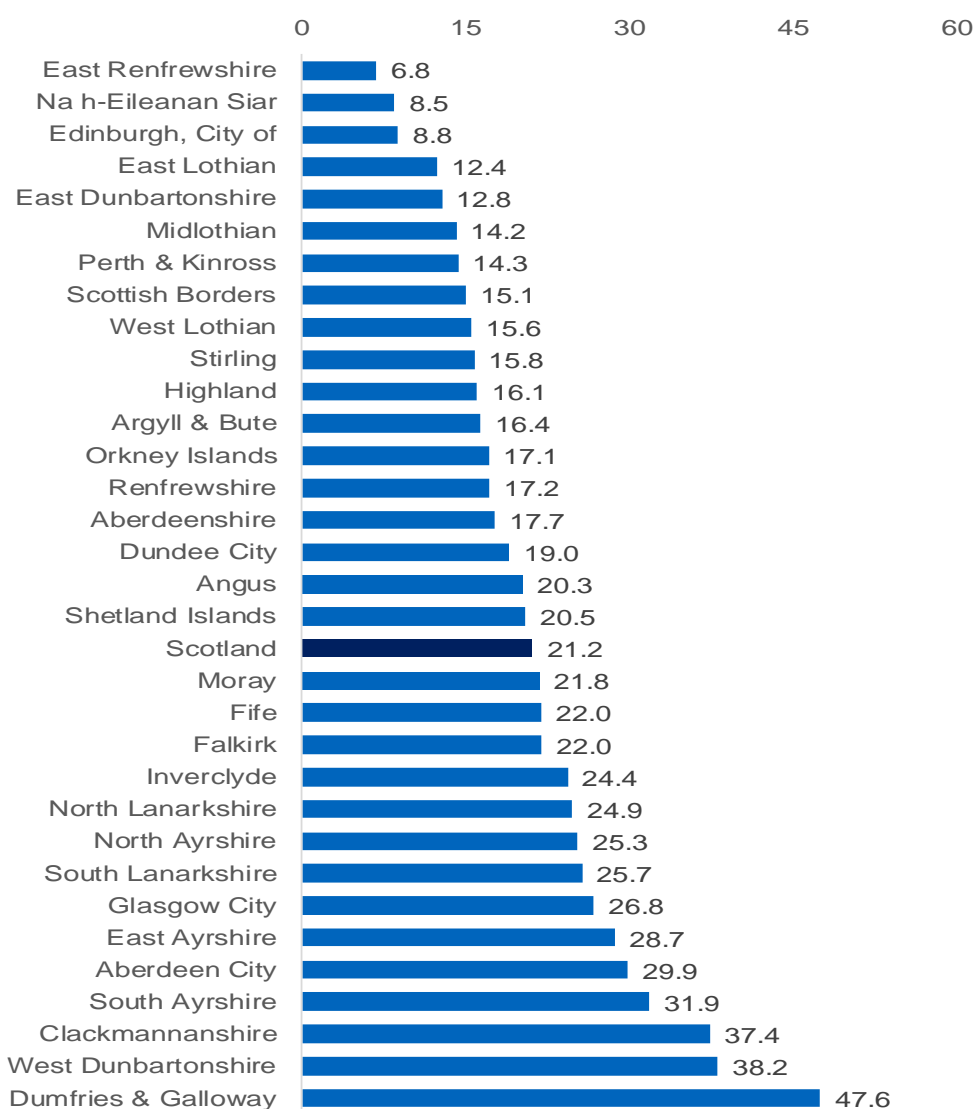
Chart 2 Number of community payback orders imposed per month, 2019-20 & 2020-21



Note : Figures for 2020-21 include estimates for Renfrewshire.

5.2.3 In 2020-21, there were 21 CPOs imposed per 10,000 population (**Chart 3**). This proportion was lower for Scotland and for every council in 2020-21 than in 2019-20. In 2020-21, the proportion was highest for those living in Dumfries & Galloway (48) followed by West Dunbartonshire (38) and Clackmannanshire (37). The lowest proportions were for those living in East Renfrewshire (7), Na h-Eileanan Siar (8) and City of Edinburgh (9). While the proportion for City of Edinburgh was considerably lower than for Scotland as a whole, the city council areas of Aberdeen (30) and Glasgow (27) were both considerably higher than the national average. More detailed information by local authority area can be found in the [additional datasets](#) which accompany this publication.

Chart 3 Number of community payback orders imposed per 10,000 population : Breakdown by local authority area, 2020-21



Notes : Population aged 16 to 70. Figures for Renfrewshire are estimates.

Requirements

5.2.4 A CPO can contain up to nine different requirements at first imposition. Every order should have either or both an unpaid work or other activity requirement or an offender supervision requirement.

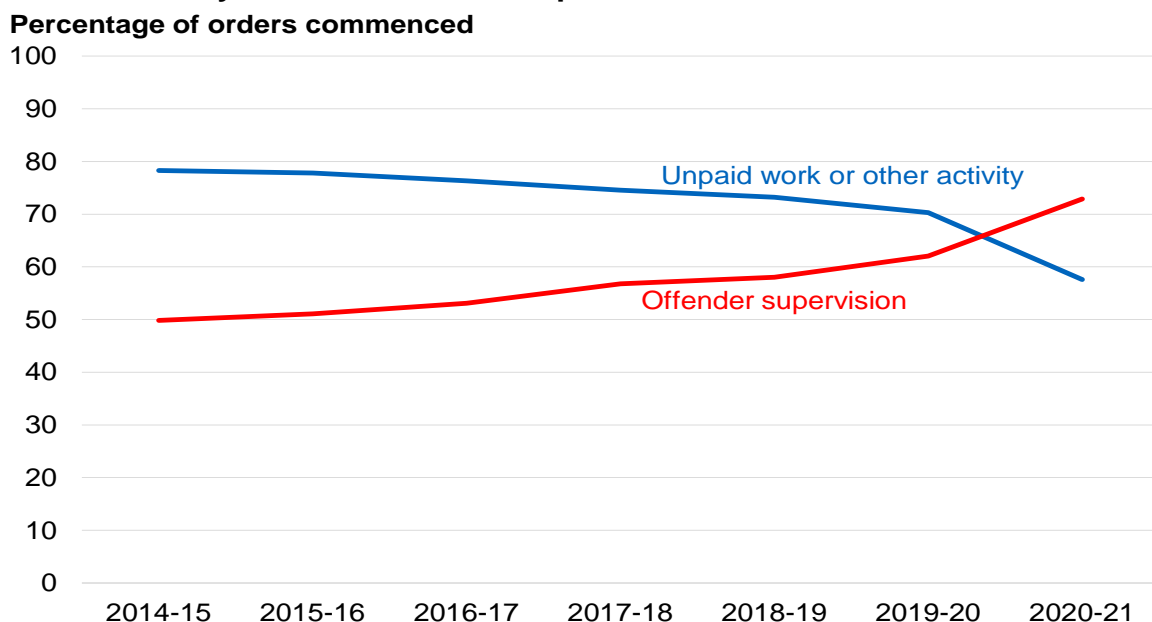
5.2.5 For every year up to 2019-20, unpaid work or other activity was the requirement most commonly issued as part of a CPO. The proportion of orders with unpaid work was high in the early years after the orders were introduced, peaking at 80 per cent in 2013-14. This then fell slightly in each of the next six years, reaching 70 per cent in 2019-20 (Table 9 and Chart 4), but fell sharply to 58 per cent in 2020-21.

5.2.6 The average number of hours given as part of unpaid work requirements has risen steadily in each of the last four years, reaching 131 hours in 2020-21 (Table 10). The proportion of unpaid work requirements which are level 2

(over 100 hours) has increased from 48 per cent in 2016-17 to 56 per cent in 2020-21.

- 5.2.7 In contrast, the proportion of orders with an offender supervision requirement has been rising over recent years, reaching 62 per cent in 2019-20 (Table 9 and Chart 4). This proportion then rose sharply in 2020-21 to 73 per cent.
- 5.2.8 In the years 2016-17 to 2019-20, around 56 to 58 per cent of supervision requirements were for 12 months or less (Table 11). This fell to 51 per cent in 2020-21. The average length of supervision requirements across 2016-17 to 2019-20 was around 15.5 months but was higher (16.7 months) in 2020-21.
- 5.2.9 Chart 4 illustrates how much the composition of orders has changed since 2014-15. Greater use is being made of offender supervision and less is being made of unpaid work or other activity. In 2014-15, 78 per cent of orders had an unpaid work requirement and 50 per cent had a supervision requirement. By 2019-20, unpaid work still remained the most common requirement, but its prevalence had fallen to 70 per cent, while supervision had risen to 62 per cent. There was a major change in 2020-21 when the proportion with unpaid work dropped markedly to 58 per cent while those with supervision showed a big increase to 73 per cent.
- 5.2.10 The type of orders being issued in 2020-21 was likely to have been influenced significantly by the impact of the pandemic. Face-to-face delivery of unpaid work had to be suspended for periods during the year and courts would have been aware of the challenges of delivering unpaid work. Factors relating to the nature of cases which had court hearings during the pandemic and the circumstances of the individuals involved may also have been a relevant factor.

Chart 4 Percentage of community payback orders with unpaid work or other activity and with offender supervision: 2014-15 to 2020-21

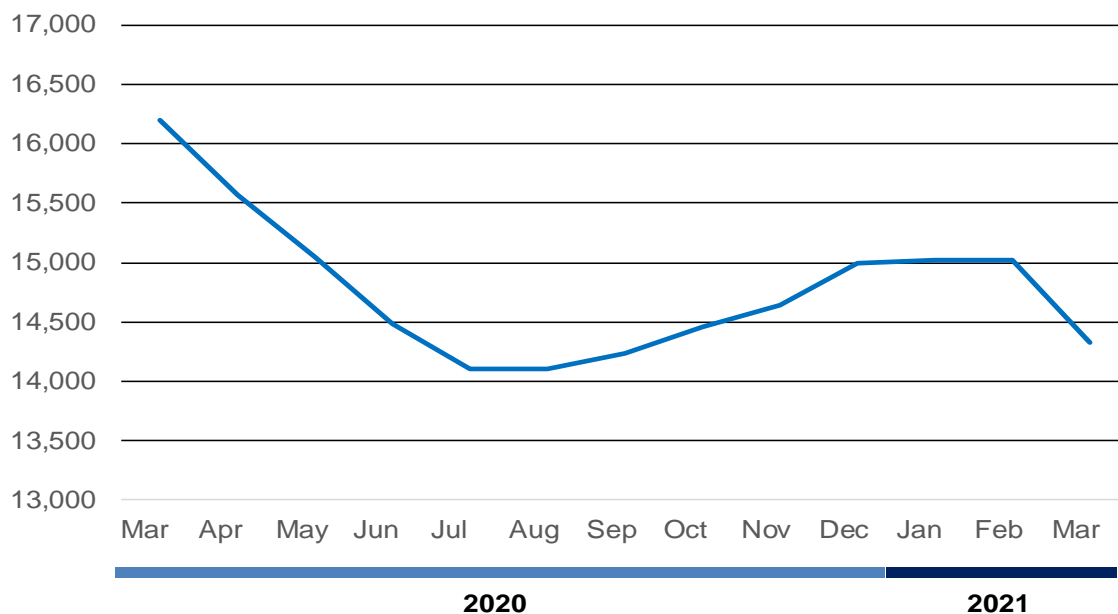


Note : Figures for 2020-21 include estimates for Renfrewshire.

- 5.2.11 The other seven CPO requirements, which should only be issued alongside offender supervision, are:
- Conduct
 - Programme
 - Alcohol treatment
 - Compensation
 - Drug treatment
 - Mental health treatment
 - Residence
- 5.2.12 Conduct and programme have been the most commonly issued of these requirements (Table 9). The proportion of orders with conduct requirements has risen in each of the last four years. There was a particularly marked rise in the last year from ten per cent in 2019-20 to 12 per cent in 2020-21. This is likely to reflect the sharp increase in the proportion of orders with offender supervision requirements over this period. The proportion of orders with a programme requirement has risen in each of the last three years and now sits at nine per cent of all orders in 2020-21, up from seven per cent in 2019-20.
- 5.2.13 The prevalence of the other five requirements remained at around the same level in 2020-21 as they were in 2019-20 (Table 9).
- 5.2.14 The average number of requirements per order has been steadily rising over the last five years, increasing from 1.48 in 2016-17 to 1.57 in 2020-21 (Tables 8 & 9).
- 5.2.15 People aged 18 to 20 were previously the most likely to be given a CPO, with 85 people per 10,000 population given an order in 2019-20. However, in 2020-21, it was those aged 26 to 30 who were the most likely, with 39 per 10,000 population of this age group given an order in that year. The proportion for those aged 18 to 20 in 2020-21 was only slightly less, at 38 per 10,000.
- 5.2.16 People receiving CPOs have been getting slightly older each year. The proportion aged 25 and under has fallen from 33 per cent in 2016-17 to 25 per cent in 2020-21, while those aged over 30 now account for 56 per cent of the total compared with 49 per cent in 2016-17 (Table 8). The fall in the prevalence for young people reflects the marked fall in court volumes for this age group. As a result of these changes over time, the average age of a CPO recipient has risen by four years from 30 in 2012-13 to 34 in 2020-21.
- 5.2.17 The proportion of orders issued to males remained more or less unchanged in 2020-21, at 86 per cent (Table 8). Three-quarters of those receiving orders were either unemployed or economically inactive in 2020-21 and a further 22 per cent were in employment or self-employed.
- 5.2.18 There were a total of 14,300 CPOs in force at 31 March 2021 (see Table 2 and the additional datasets which accompany this publication). This was 12 per cent lower than at 31 March 2020.

5.2.19 [Chart 5](#) shows how the numbers in force changed throughout the year. Numbers went down in the period up to August, reflecting the closure over this period of many courts. Numbers picked up during the remainder of 2020 as more cases were able to be concluded in courts. The drop in March 2021 was influenced significantly by [The Community Orders \(Coronavirus\) \(Scotland\) Regulations 2021](#) coming into force. Under these regulations, existing orders with unpaid work (with the exception of those imposed for offences involving domestic abuse, sexual offences or stalking) had their specified hours reduced by 35 per cent and, in some cases, this resulted in the order finishing.

Chart 5 Number of community payback orders in force as at the end of the month: March 2020 to March 2021



Note : Figures include estimates for Renfrewshire.

Timescales for implementation

5.2.20 The [Scottish Government community payback order 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. Further details on the guidance can be found in [§B.6](#).

5.2.21 First direct contact took place within one working day of imposition for 58 per cent of orders imposed in 2020-21 ([Table 12](#)). This was considerably lower than in the previous four years when it generally fluctuated around the 75 per cent mark. In addition, in 2020-21, 23 per cent took more than five working days.

5.2.22 In 2020-21, 68 per cent of first induction / case management meetings took place within five working days. Again, this was lower than in the previous four years, when generally just under 80 per cent took place within that timescale. Roughly equal proportions took six to ten working days and more than ten working days.

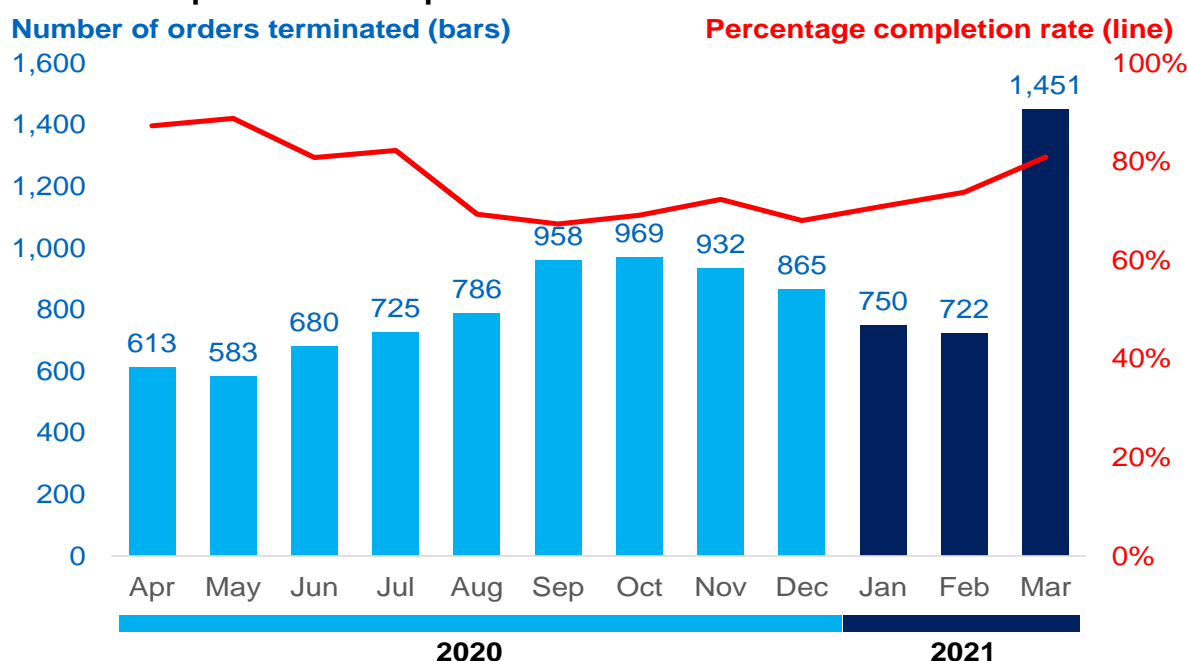
5.2.23 The proportion of unpaid work placements which started within seven working days in 2020-21 was 49 per cent, considerably lower than the levels of around 70 per cent seen over the last four years (Table 13).

5.2.24 The lower proportions in 2020-21 for these timescales were expected due to the impact of the COVID-19 pandemic and related public health measures to keep people safe.

Terminations

5.2.25 The successful completion rate for CPOs terminated in 2020-21 was 75 per cent (Table 2). This was higher than the rate in the previous six years when it was generally around 70 per cent. Caution is needed in interpreting this due to the impact of COVID-19 and the regulations reducing some unpaid work requirements. Chart 6 illustrates completion rates over the year by month. In the period from April to July 2020, the number of orders terminating was low, although the proportion which were successfully completed was very high, at 85 per cent. In the remainder of 2020, both numbers and completion rates were nearer to the levels witnessed in recent years.

Chart 6 Number of terminations of community payback orders and successful completion rates: April 2020 to March 2021



Note : Figures include estimates for Renfrewshire.

5.2.26 Chart 6 also shows that, in March 2021, the number of orders terminating rose very sharply, accounting for 14 per cent of the whole year's total. This was influenced by [The Community Orders \(Coronavirus\) \(Scotland\) Regulations 2021](#) which came into force on 15 March 2021. These regulations reduced the hours of unpaid work requirements, as originally imposed by the court, by 35 per cent, with exceptions for orders imposed involving domestic abuse, sexual offences or stalking. As a result, some orders were automatically completed due to sufficient hours having already

been delivered. In March 2021, the successful completion rate was also high (81 per cent).

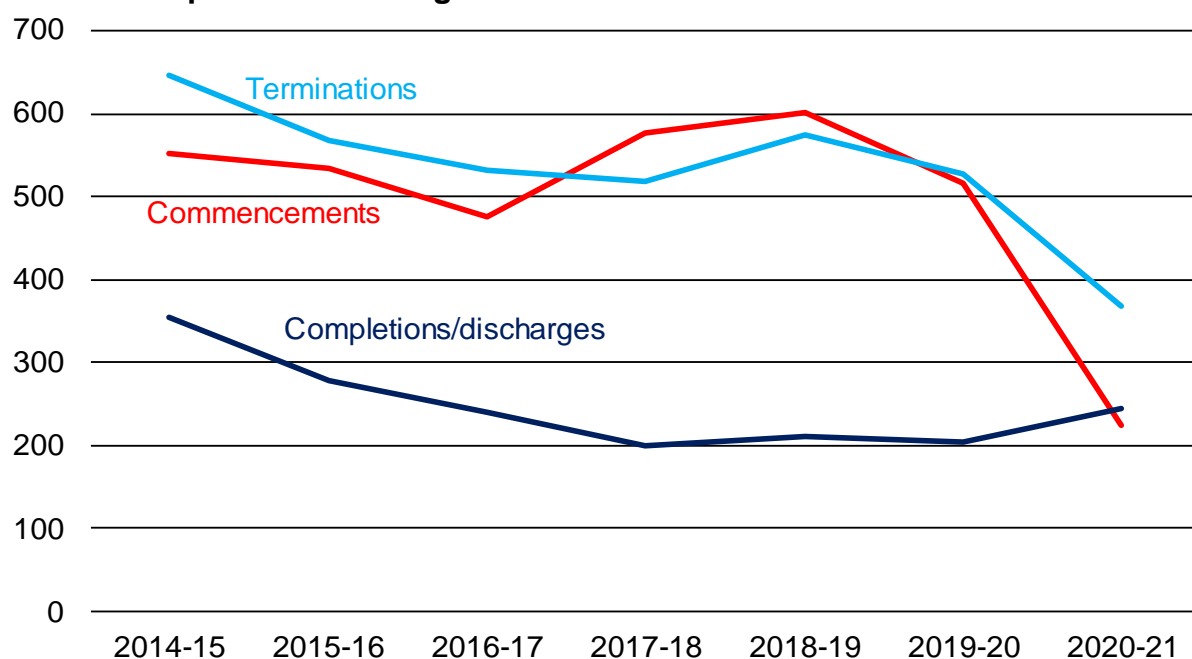
- 5.2.27 In 2020-21, 11 per cent of orders terminated were revoked following a breach application to the courts and a further seven per cent were revoked following a review (Table 14).
- 5.2.28 Seventy-nine per cent of orders which finished during 2020-21 did not involve any breach applications during the lifetime of the order (Table 15). For the remainder, there were a total of 2,500 breach applications made (Table 16). The vast majority of breach applications (77 per cent) were lodged with the court within five working days of the decision to make an application.
- 5.2.29 For CPOs revoked due to breach, the most likely specific outcomes were an “other” outcome (31 per cent), a new order (24 per cent) and a custodial sentence (21 per cent) (Table 14). Fifteen per cent of orders revoked due to review resulted in a custodial sentence, another 16 per cent got a new CPO or a monetary penalty, while 50 per cent had an “other” outcome.
- 5.2.30 During 2020-21, a total of 3,000 unpaid work or other activity requirements were successfully completed (Table 17). This was substantially fewer than in previous years, reflecting the fact that fewer unpaid work requirements were imposed (in particular level 1 requirements) and also issues impacting the delivery of unpaid work, both of which are related to the impact of the Coronavirus pandemic and related public health measures. On average, 124 hours were carried out for each order. The time taken to complete was around 13 months which was considerably longer than in previous years. This was expected given that the [Coronavirus \(Scotland\) Act 2020](#) extended time limits for unpaid work in CPOs by 12 months, and required similar time limits to be imposed in any new orders made. This came into effect on 7 April 2020.

5.3 Drug treatment and testing orders (Tables 2 & 18-22 and Chart 7)

Characteristics

- 5.3.1 The drug treatment and testing order (DTTO) is available to courts (excluding justice of the peace courts) as an intensive disposal for people with substance-related offending who might otherwise get a custodial sentence. In addition, the less intensive DTTO II is available to courts in City of Edinburgh, East Lothian, Midlothian and Highland, and accounted for around 12 per cent of the DTTOs in these areas in 2020-21 (see §B.7).
- 5.3.2 The COVID-19 pandemic and the resulting lack of court cases being able to be conducted meant the number of DTTOs commenced fell to a historic low of 230 in 2020-21 (Tables 2 & 18 and Chart 7).

Chart 7 Drug treatment and testing order commencements, terminations and completions/discharges: 2014-15 to 2020-21



5.3.3 Over the last five years, people aged 31 to 40 have been the most likely to receive a DTTO (1.7 per 10,000 population in 2020-21). It has consistently been those aged 25 and under and those aged over 40 who have been the least likely (0.1 and 0.3, respectively, per 10,000 population in 2020-21).

5.3.4 The proportion of orders issued to males has been around 80 per cent over the last five years (Table 18). A very high proportion (generally around 90 per cent) of those receiving a DTTO are unemployed or economically inactive.

5.3.5 The average length of a DTTO was between 17 and 18 months in the years 2016-17 to 2019-20 but was higher at 18.5 months in 2020-21 (Table 18).

5.3.6 There were 430 DTTOs in force on 31 March 2021, down by a quarter on one year earlier (Table 2).

Timescales for implementation

5.3.7 In 2020-21, the proportion of DTTOs which had first direct contact within one working day of the order being imposed was 62 per cent (Table 19).

5.3.8 The proportion of orders where the first case management meeting took place within five working days was 79 per cent in 2020-21, which was around the levels in years 2016-17 to 2019-20 (Table 19). In around 12 per cent of cases in 2020-21, it took longer than ten working days for the first meeting to take place.

5.3.9 These proportions can fluctuate considerably from year to year due to the small number of orders involved. The figures for 2020-21 are broadly similar

to the past year. Therefore, while implementation may have been impacted by the COVID-19 pandemic, the extent of any impact is not clear.

Terminations

- 5.3.10 The percentage of orders successfully completed tends to be lower for DTTOs than for other social work orders, due, in part, to the complex needs of those involved and the intensity of the supervision involved in a DTTO.
- 5.3.11 The completion rate for DTTOs terminated in 2020-21 was 66 per cent, substantially higher than at any point in the history of this order (Table 2). This rate may, however, be influenced in some way by the impact of the Coronavirus pandemic and the type of cases where it has been possible for the order to finish. Therefore caution is required in drawing any conclusions on completion rates over time.
- 5.3.12 The proportion of orders revoked due to review and due to breach in 2020-21 were 19 and 6 per cent respectively (Table 20). A custodial sentence was imposed in 27 per cent of revoked cases in 2020-21 (Table 21).
- 5.3.13 Eighty-three per cent of orders were terminated without breach applications (Table 22). This figure was higher than in 2019-20 and is likely to reflect the higher successful completion rate for orders which finished this year. The vast majority (94 per cent) of breach applications were lodged with the court within five working days of the decision being made to make an application (see the additional datasets which accompany this publication).

5.4 Fiscal work orders (Tables 2 and 23-24)

- 5.4.1 Fiscal work orders (FWOs) were introduced nationally on 1 April 2015 and allow Procurators Fiscal 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 six months.
- 5.4.2 The number of FWOs commenced in Scotland increased from the base level of 510 in 2015-16 to 1,030 in 2017-18 (Table 23). Numbers then dropped sharply in each of the next two years, to 630 in 2018-19 and 250 in 2019-20. They fell further, to 120 in 2020-21. It is difficult to say whether the COVID-19 pandemic was a factor in this historic low or whether this represented a continuation of recent trends.
- 5.4.3 In 2020-21, there were 230 fiscal work order assessments undertaken by local authorities, 120 of which resulted in the orders being accepted. The number of orders which finished was 110, 82 per cent of which were successfully completed.
- 5.4.4 People given fiscal work orders tended to be younger than those given community payback orders. Forty-four per cent of FWOs commenced in 2020-21 were for people aged 25 and under, while only 18 per cent were for those aged over 40 (Table 24).

5.4.5 In 2020-21, half of fiscal work orders issued were for unemployed or economically inactive people while a further 27 per cent were for people in employment.

5.4.6 Almost half (47 per cent) of orders imposed in 2020-21 were for 50 hours, while 23 per cent were for 40 hours and 25 per cent for 30 hours.

6 Structured deferred sentences

(Tables 1, 25 & 26)

6.1 Structured deferred sentences (SDS) offer courts the option to provide a short period of intensive supervision to individuals post-conviction but prior to final sentencing.

6.2 After rising between 2018-19 and 2019-20, the number of SDS imposed in Scotland fell by 49 per cent to 450 in 2020-21, reflecting the general drop in court volumes due to the COVID-19 pandemic (Table 25). In 2020-21, 71 per cent of SDSs were for males, while 38 per cent were aged 25 or under and 19 per cent were aged over 40.

6.3 Eighty-one per cent of people given SDS in 2020-21 were either unemployed or economically inactive. In addition, 30 per cent of SDS had a length of less than three months with 45 per cent having a length of three months or more but less than six months.

6.4 There were 420 SDS which finished during the 2020-21 year (Table 26). In 42 per cent of these, the outcome was that the person was admonished, while 12 per cent were given a community payback order. Figures on outcomes by local authority area are available from the [additional datasets](#) which accompany this publication. As well as judicial decision making, different outcomes may reflect the fact that SDS are not all used in the same way by different local authorities.

6.5 [National guidance on structured deferred sentences in Scotland](#) was published in February 2021.

7 Statutory/voluntary throughcare

(Tables 1 and 27-28)

7.1 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 offences) 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.

- 7.2 Commencements for statutory throughcare in custody generally fluctuated on, or just above, 1,000 over the previous six years, but fell to 630 cases in 2020-21 (Table 1). Thirty-seven per cent involved determinate sentences of four years or more in 2020-21, while supervised release orders and short-term sex offenders accounted for 28 and 18 per cent respectively (Table 27).
- 7.3 The number of commencements for statutory throughcare cases in the community has generally been around 1,000 in recent years, although numbers have been falling in recent years and fell further to 870 cases in 2020-21, the lowest in the last seven years (Table 1). Twenty-six per cent of all cases commenced in 2020-21 related to supervised release orders, while short-term sex offenders and non-parole accounted for 17 and 16 per cent respectively (Table 28).
- 7.4 The statutory custody-based and community-based throughcare caseload totalled 5,800 individuals on 31 March 2021 (Tables 1, 27 and 28). While this represented a drop of six per cent on March 2020, numbers across the last seven years have generally been just below the 6,000 mark. The custody-based caseload was 61 per cent of the total at March 2021.
- 7.5 The number of completions of statutory throughcare cases in the community have fluctuated either side of 1,000 over the last seven years, sitting at 1,000 in 2020-21 (Tables 1 and 28).
- 7.6 The number of voluntary throughcare cases in 2020-21 was 1,400, 30 per cent lower than in 2019-20 (Table 1).

8 Pre-release reports **(Table 1)**

- 8.1 Part of statutory throughcare involves preparing reports to inform temporary release from prison on home leave and liberation on licence. In 2020-21, 940 home leave reports¹ were produced, a fall of 41 per cent on the previous year and the lowest in the last seven years (Table 1). A total of 2,300 reports for release from prison on parole/non-parole licence were recorded in 2020-21. This was around the same as in 2019-20, after numbers had risen for the previous six years in a row. While pre-release reports in 2014-15 consisted of roughly equal numbers of home leave and parole/non-parole reports, in 2020-21 parole/non-parole reports accounted for 71 per cent of the total.
- 8.2 From 2006, those serving a custodial sentence may also be released early under a home detention curfew scheme. The number of home detention curfew assessments had fallen sharply in both 2018-19 and 2019-20. They rose slightly to 880 in 2020-21 but were still at a historically low level.

¹ [Scottish Government integrated practice guidance for staff involved in the home leave process, Justice Directorate Circular JD 3/2010](#)

9 Tables

- 9.1 The following symbols are used throughout the tables in this bulletin:
- nil
 - .. missing / not available
 - not applicable
- 9.2 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 per cent are represented by the symbol *.
- 9.3 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, this is indicated in the footnotes.
- 9.4 Numbers are given precisely in the tables but are rounded for presentational purposes in the text. The numbers in the text are generally rounded as follows:
- 1,000 to less than 100,000 – rounded to the nearest 100
 - 100 to less than 1,000 – rounded to the nearest 10
 - Less than 100 – unrounded
- Also in the text, percentages are calculated based on the unrounded numbers and are then rounded to the nearest whole number.

Table 1 Summary of criminal justice social work activity: 2014-15 to 2020-21

	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Diversion from prosecution							
Cases commenced	1,869	1,859	2,006	1,725	1,849	1,990	2,230
Individuals	1,812	1,787	1,960	1,686	1,789	1,927	2,141
Cases successfully completed	1,355	1,330	1,578	1,367	1,416	1,578	1,649
Bail information							
Requests from court for bail information	8,006	7,278	6,955	5,919	6,037	5,656	3,395
Bail supervision cases commenced	407	355	310	268	337	471	247
Bail supervision individuals	390	318	292	253	317	456	240
Court services							
Same day reports ¹	3,534	3,705	4,258	4,214	4,562	3,505	1,466
Written reports ¹	961	1,446	1,926	2,205	2,893	2,235	1,083
Oral reports ¹	2,573	2,259	2,332	2,009	1,669	1,270	383
Post sentence interviews	18,914	20,072	19,253	18,208	16,915	15,305	4,108
Home detention curfew assessments							
Reports	2,782	2,676	2,513	2,738	1,856	811	883
Individuals	2,532	2,439	2,236	2,470	1,674	765	831
Criminal justice social work reports							
Total reports submitted (including supplementaries) ²	30,838	29,846	30,387	28,775	27,353	28,512	16,894
Individuals with reports submitted ²	22,120	22,667	22,621	21,336	20,199	21,026	12,737
Supplementary reports submitted ²	4,235	2,858	3,196	2,980	2,768	2,710	1,790
Structured deferred sentences							
Number of sentences imposed					817	885	450
Number of individuals with sentences imposed					718	749	405

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	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Statutory throughcare							
Cases commenced (custody)	1,038	1,027	1,042	1,042	1,064	999	629
Cases commenced (community)	1,085	982	1,121	1,010	972	912	873
Cases completed (community)	942	982	1,101	1,121	962	1,000	997
Cases in force at 31 March (custody/community)	5,904	5,801	5,831	5,836	5,786	6,126	5,765
Voluntary throughcare (assistance)							
Cases commenced	2,663	2,537	2,222	2,084	1,795	2,022	1,406
Individuals who received assistance	2,429	2,343	2,081	1,948	1,810	1,757	1,266
Pre-release reports							
<i>Total</i>	3,056	3,199	3,344	3,359	3,350	3,877	3,249
Home leave reports	1,462	1,513	1,631	1,517	1,343	1,584	935
Parole/non-parole reports	1,594	1,686	1,713	1,842	2,007	2,293	2,314

1. Figures for same day reports for 2018-19 and 2019-20 have been amended due to the provision of revised figures for South Lanarkshire.

2. Figures for criminal justice social work reports for 2016-17 to 2019-20 have been amended due to the provision of revised figures for Aberdeen City.

Table 2 Social work orders: 2014-15 to 2020-21

	2014-15		2015-16 ^{5,6}	2016-17 ^{5,6}	2017-18 ^{5,6}	2018-19 ^{5,6}	2019-20 ^{5,6}	2020-21 ^{5,6,7}
Orders commenced	20,121		20,492	20,569	19,486	17,704	17,564	8,513
Community payback orders ¹	19,065		19,451	19,200	17,882	16,469	16,800	8,169
Community service orders ²	85		..	..	..	..	..	..
Probation orders ²	62		..	..	..	..	..	..
With an element of unpaid work ²	24		..	..	..	..	..	..
Supervised attendance orders ²	358		..	..	..	..	..	..
Drug treatment and testing orders ¹	551		533	475	577	601	516	225
Fiscal work orders ³			508	894	1,027	634	248	119
Individuals with orders commenced	17,285		17,517	17,489	16,753	15,097	14,917	7,660
Community payback orders ¹	16,323		16,525	16,159	15,197	13,909	14,190	7,326
Community service orders ²	83		..	..	..	..	..	..
Probation orders ²	61		..	..	..	..	..	..
With an element of unpaid work ²	24		..	..	..	..	..	..
Supervised attendance orders ²	298		..	..	..	..	..	..
Drug treatment and testing orders ¹	520		489	446	531	556	480	215
Fiscal work orders ³			503	884	1,025	632	247	119
Orders in force at 31 March								
Community payback orders ¹	16,820		17,180	17,441	16,712	15,667	16,196	14,331
Drug treatment and testing orders ¹	595		561	504	562	589	577	433

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	2014-15	2015-16 ^{5,6}	2016-17 ^{5,6}	2017-18 ^{5,6}	2018-19 ^{5,6}	2019-20 ^{5,6}	2020-21 ^{5,6,7}
Orders terminated	20,099	20,555	20,263	20,120	18,786	17,015	10,515
Community payback orders ¹	18,265	19,091	18,939	18,611	17,514	16,271	10,034
Community service orders ²	245	109	..	..	..	..	..
Probation orders ²	317	127	..	..	..	..	..
Supervised attendance orders ²	626	298	..	..	..	..	..
Drug treatment and testing orders ¹	646	567	532	519	574	528	369
Fiscal work orders ³		363	792	990	698	216	112
Proportion of completions/discharges⁵	69.9	69.5	69.2	69.3	67.8	68.1	75.2
Community payback orders ^{1,4}	70.6	70.0	69.2	69.3	68.1	68.9	75.4
Community service orders ^{2,4}	66.8	66.4	..	..	..	..	..
Probation orders ^{2,4}	79.8	87.7	..	..	..	..	..
Supervised attendance orders ^{2,4}	61.0	58.3	..	..	..	..	..
Drug treatment and testing orders ^{1,4}	55.5	49.6	45.8	38.9	37.1	38.9	66.5
Fiscal work orders ^{3,4}		80.4	82.8	85.8	87.1	77.8	82.1

1. Figures for community payback orders for the years 2016-17 to 2019-20 and for drug treatment & testing orders for 2018-19 and 2019-20 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 2019-20 and CPOs in force at March 2020 due mainly to some councils reporting that orders had not been getting closed off on their IT systems.
2. Information on community service, probation and supervised attendance orders was not collected from local authorities from 2015-16 for orders commenced and from 2016-17 for orders terminated, due to the small numbers involved. These numbers were 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. Since 2016-17, these numbers are estimated to be lower than 100 each year and falling.
3. Fiscal work orders were introduced nationally on 1 April 2015, having been piloted in a small number of local authority areas since June 2008.
4. Successful completion rates are calculated by taking the number of orders successfully completed or subject to an early discharge and dividing this by total orders terminated less those which finished because they were transferred out.
5. 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.
6. 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.
7. Figures for community payback orders for 2020-21 include estimates for Renfrewshire.

Table 3 Diversion from prosecution: 2016-17 to 2020-21

	2016-17	2017-18	2018-19	2019-20	2020-21
Referrals	3,476	2,662	2,945	3,088	3,886
Assessments	2,958	2,526	2,757	2,752	3,552
Cases commenced	2,006	1,725	1,849	1,990	2,230
Individuals with cases commenced	1,960	1,686	1,789	1,927	2,141
Cases successfully completed	1,578	1,367	1,416	1,578	1,649
Cases referred to drug treatment/education	50	38	68	65	93
Cases referred to alcohol treatment programmes	52	51	60	40	64
Cases referred to mental health services	74	57	55	52	69

Table 4 Diversion from prosecution cases commenced by age, gender, employment status and ethnicity: 2016-17 to 2020-21

	2016-17	2017-18	2018-19	2019-20	2020-21
Total	2,006	1,725	1,849	1,990	<i>Number</i> 2,230
Age group¹					
16-17	414	488	560	650	590
18-20	248	287	289	348	306
21-25	170	136	158	118	175
26-30	178	124	142	110	151
31-40	360	265	293	304	414
Over 40	636	425	407	460	594
Gender					
Male	1,171	1,008	1,193	1,334	1,493
Female	835	717	656	656	737
Employment status					
Full-time education	163	187	176	172	254
Employed/self employed	579	413	370	461	475
Unemployed	670	547	763	841	942
Government training scheme	23	11	16	10	12
Economically inactive ²	211	133	146	173	215
Other ³	360	434	378	333	332
Ethnicity					
White	1,642	1,331	1,538	1,648	1,797
Asian	23	10	16	20	28
African, Caribbean or Black	15	13	5	12	13
Mixed	3	9	5	8	10
Other	16	16	11	21	25
Not known/provided	307	346	274	281	357

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	2016-17	2017-18	2018-19	2019-20	2020-21
					<i>Percentage</i>
Total	100.0	100.0	100.0	100.0	100.0
Age group¹					
16-17	20.6	28.3	30.3	32.7	26.5
18-20	12.4	16.6	15.6	17.5	13.7
21-25	8.5	7.9	8.5	5.9	7.8
26-30	8.9	7.2	7.7	5.5	6.8
31-40	17.9	15.4	15.8	15.3	18.6
Over 40	31.7	24.6	22.0	23.1	26.6
Gender					
Male	58.4	58.4	64.5	67.0	67.0
Female	41.6	41.6	35.5	33.0	33.0
Employment status					
Full-time education	8.1	10.8	9.5	8.6	11.4
Employed/self employed	28.9	23.9	20.0	23.2	21.3
Unemployed	33.4	31.7	41.3	42.3	42.2
Government training scheme	1.1	0.6	0.9	0.5	0.5
Economically inactive ²	10.5	7.7	7.9	8.7	9.6
Other ³	17.9	25.2	20.4	16.7	14.9
Ethnicity (where known)					
White	96.6	96.5	97.7	96.4	95.9
Asian	1.4	0.7	1.0	1.2	1.5
African, Caribbean or Black	0.9	0.9	*	0.7	0.7
Mixed	*	0.7	*	*	0.5
Other	0.9	1.2	0.7	1.2	1.3

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. Includes cases where the employment status is not known.

Table 5 Criminal justice social work reports submitted by age, gender, employment status and ethnicity: 2016-17 to 2020-21

	2016-17 ⁴	2017-18 ⁴	2018-19 ⁴	2019-20 ⁴	2020-21
Total	27,191	25,795	24,585	25,802	<i>Number</i> 15,104
Age group					
16-17 ¹	940	864	742	589	307
18-20	2,943	2,504	2,429	2,243	1,156
21-25	4,809	4,311	3,988	3,947	2,223
26-30	4,516	4,378	4,157	4,436	2,604
31-40	7,330	7,274	7,208	7,941	4,814
Over 40	6,653	6,464	6,061	6,646	4,000
Gender					
Males ²	22,676	21,477	20,687	21,738	12,804
Females	4,515	4,318	3,898	4,064	2,300
Employment status					
Full-time education	491	394	471	458	273
Employed/self employed	6,025	5,440	5,327	5,767	3,008
Unemployed	13,647	13,455	12,250	13,650	8,474
Government training scheme	129	129	96	103	48
Economically inactive ³	4,009	3,496	3,636	3,883	2,158
Other	2,890	2,881	2,805	1,941	1,143
Ethnicity					
White	23,924	22,586	21,328	23,101	13,223
Asian	314	286	326	384	202
African, Caribbean or Black	186	175	193	200	92
Mixed	70	63	64	78	45
Other	303	267	305	270	212
Not known/provided	2,394	2,418	2,369	1,769	1,330

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	2016-17 ⁴	2017-18 ⁴	2018-19 ⁴	2019-20 ⁴	2020-21
Total	100.0	100.0	100.0	100.0	100.0
				<i>Percentage</i>	
Age group					
16-17 ¹	3.5	3.3	3.0	2.3	2.0
18-20	10.8	9.7	9.9	8.7	7.7
21-25	17.7	16.7	16.2	15.3	14.7
26-30	16.6	17.0	16.9	17.2	17.2
31-40	27.0	28.2	29.3	30.8	31.9
Over 40	24.5	25.1	24.7	25.8	26.5
Gender					
Males ²	83.4	83.3	84.1	84.2	84.8
Females	16.6	16.7	15.9	15.8	15.2
Employment status					
Full-time education	1.8	1.5	1.9	1.8	1.8
Employed/self employed	22.2	21.1	21.7	22.4	19.9
Unemployed	50.2	52.2	49.8	52.9	56.1
Government training scheme	*	0.5	*	*	*
Economically inactive ³	14.7	13.6	14.8	15.0	14.3
Other	10.6	11.2	11.4	7.5	7.6
Ethnicity					
White	96.5	96.6	96.0	96.1	96.0
Asian	1.3	1.2	1.5	1.6	1.5
African, Caribbean or Black	0.8	0.7	0.9	0.8	0.7
Mixed	*	*	*	*	*
Other	1.2	1.1	1.4	1.1	1.5

Note: Figures exclude supplementary reports.

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

2. The figure for males for 2016-17 includes two reports for people whose gender was described as "indeterminate" and "other specific". In addition, the figure for 2017-18 includes one report for "other specific" and the figure for 2018-19 includes one report for "non-binary" gender.

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

4. Figures for 2016-17 to 2019-20 have been amended due to the provision of revised figures for Aberdeen City.

Table 6 Criminal justice social work reports preferred sentencing options: 2016-17 to 2020-21

	2016-17 ¹	2017-18 ¹	2018-19 ¹	2019-20 ^{1,2}	2020-21
Total	27,191	25,795	24,585	25,802	<i>Number</i> 15,104
Monetary penalty	1,596	1,371	1,284	1,338	876
Community payback order: unpaid work, no supervision	3,993	3,784	3,358	3,237	1,474
Community payback order: supervision, no unpaid work	4,922	4,755	4,806	4,942	3,447
Community payback order: unpaid work and supervision	3,407	3,366	3,114	3,818	2,065
Other community penalty	256	313	214	230	22
Restriction of liberty order	946	1,121	1,210	1,421	993
Deferment for DTTO assessment	542	534	597	678	357
Custody	901	958	1,018	1,090	610
Custody: extended sentence	177	195	204	235	101
Custody: supervised release order	214	241	253	229	189
Sentence deferred: 3 months or more	3,041	2,780	2,601	2,893	1,284
Structured deferred sentence					357
No preferred option	3,484	3,080	3,290	2,847	1,697
Other	3,712	3,297	2,636	2,844	1,632

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	2016-17 ¹	2017-18 ¹	2018-19 ¹	2019-20 ^{1,2}	2020-21
Total	100.0	100.0	100.0	100.0	100.0
					<i>Percentage</i>
Monetary penalty	5.9	5.3	5.2	5.2	5.8
Community payback order: unpaid work, no supervision	14.7	14.7	13.7	12.5	9.8
Community payback order: supervision, no unpaid work	18.1	18.4	19.5	19.2	22.8
Community payback order: unpaid work and supervision	12.5	13.0	12.7	14.8	13.7
Other community penalty	0.9	1.2	0.9	0.9	*
Restriction of liberty order	3.5	4.3	4.9	5.5	6.6
Deferment for DTTO assessment	2.0	2.1	2.4	2.6	2.4
Custody	3.3	3.7	4.1	4.2	4.0
Custody: extended sentence	0.7	0.8	0.8	0.9	0.7
Custody: supervised release order	0.8	0.9	1.0	0.9	1.3
Sentence deferred: 3 months or more	11.2	10.8	10.6	11.2	8.5
Structured deferred sentence					2.4
No preferred option	12.8	11.9	13.4	11.0	11.2
Other	13.7	12.8	10.7	11.0	10.8

Notes:

Figures exclude supplementary reports. 'Other' category includes absolute discharge, admonition, referral to children's hearing, remand to secure unit, driving ban, compensation order, continue current order, psychiatric assessment, revoke and impose new order, non-specific community disposals and no suitable disposal.

1. Figures for 2016-17 to 2019-20 have been amended due to the provision of revised figures for Aberdeen City.

2. In the figures provided for Falkirk for 2019-20, all reports with a preferred option of a community payback order were recorded under "Community payback order: unpaid work and supervision".

Table 7 Main outcomes from criminal justice social work reports: 2016-17 to 2020-21

	2016-17 ¹	2017-18 ¹	2018-19 ¹	2019-20 ^{1,2}	2020-21
Total	27,191	25,795	24,585	25,802	<i>Number</i> 15,104
Monetary penalty	1,870	1,674	1,499	1,416	1,017
Community payback order: unpaid work, no supervision	3,529	3,074	2,845	2,503	991
Community payback order: supervision, no unpaid work	3,276	3,301	3,236	3,356	2,436
Community payback order: unpaid work and supervision	4,694	4,476	3,967	4,411	2,152
Other community penalty	258	410	349	200	34
Restriction of liberty order	979	1,279	1,435	1,603	1,250
Deferment for DTTO assessment	226	210	239	228	153
Custody	4,127	3,746	3,767	3,482	1,999
Custody: extended sentence	121	122	117	117	71
Custody: supervised release order	206	223	211	254	154
Warrant for apprehension / recall	587	522	402	415	251
Sentence deferred: 3 months or more	2,196	1,990	2,119	2,397	1,289
Structured deferred sentence					289
Admonition	960	825	748	667	597
Absolute discharge	32	23	20	11	17
Other	2,513	2,465	2,188	2,705	1,257
Outcome not yet known	1,617	1,455	1,443	2,037	1,147

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	2016-17 ¹	2017-18 ¹	2018-19 ¹	2019-20 ^{1,2}	2020-21
Total	100.0	100.0	100.0	100.0	100.0
				<i>Percentage</i>	
Monetary penalty	6.9	6.5	6.1	5.5	6.7
Community payback order: unpaid work, no supervision	13.0	11.9	11.6	9.7	6.6
Community payback order: supervision, no unpaid work	12.0	12.8	13.2	13.0	16.1
Community payback order: unpaid work and supervision	17.3	17.4	16.1	17.1	14.2
Other community penalty	0.9	1.6	1.4	0.8	*
Restriction of liberty order	3.6	5.0	5.8	6.2	8.3
Deferment for DTTO assessment	0.8	0.8	1.0	0.9	1.0
Custody	15.2	14.5	15.3	13.5	13.2
Custody: extended sentence	*	*	*	*	*
Custody: supervised release order	0.8	0.9	0.9	1.0	1.0
Warrant for apprehension / recall	2.2	2.0	1.6	1.6	1.7
Sentence deferred: 3 months or more	8.1	7.7	8.6	9.3	8.5
Structured deferred sentence					1.9
Admonition	3.5	3.2	3.0	2.6	4.0
Absolute discharge	*	*	*	*	*
Other	9.2	9.6	8.9	10.5	8.3
Outcome not yet known	5.9	5.6	5.9	7.9	7.6

Note:

Figures exclude supplementary reports. 'Other' category includes compensation order, referral to children's hearing, psychiatric assessment, continue current order, driving disqualification, license endorsed and outcome unknown.

1. Figures for 2016-17 to 2019-20 have been amended due to the provision of revised figures for Aberdeen City.

2. In the figures provided for Falkirk for 2019-20, all reports with a main outcome of a community payback order were recorded under "Community payback order: unpaid work and supervision".

Table 8 Community payback orders commenced by age, gender, employment status and ethnicity: 2016-17 to 2020-21

	2016-17 ⁴	2017-18 ⁴	2018-19 ^{4,5}	2019-20 ^{4,5}	2020-21 ^{5,6}
Total	19,200	17,882	16,469	16,800	<i>Number</i> 8,169
Age group¹					
16-17	615	532	438	349	151
18-20	2,061	1,839	1,595	1,559	676
21-25	3,751	3,161	2,859	2,816	1,245
26-30	3,419	3,115	3,000	3,008	1,483
31-40	5,142	5,078	4,736	5,133	2,515
Over 40	4,212	4,157	3,841	3,935	2,099
Gender					
Male	16,360	15,166	14,056	14,299	6,987
Female	2,840	2,716	2,413	2,501	1,182
Employment status					
Full-time education	353	277	264	279	157
Employed/self employed	4,325	4,247	4,076	4,142	1,755
Unemployed	11,099	10,246	9,263	9,707	4,908
Government training scheme	52	55	32	33	25
Economically inactive ²	2,025	1,951	1,804	1,899	1,023
Other ³	321	456	431	147	52
Not known	1,025	650	599	593	249
Ethnicity					
White	17,299	16,030	14,512	15,082	6,990
Asian	220	218	250	243	102
African, Caribbean or Black	124	136	125	142	58
Mixed	64	52	52	48	23
Other	192	209	182	179	72
Not known/provided	1,301	1,237	1,348	1,106	924

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	2016-17 ⁴	2017-18 ⁴	2018-19 ^{4,5}	2019-20 ^{4,5}	2020-21 ^{5,6}
Total	100.0	100.0	100.0	100.0	100.0
					<i>Percentage</i>
Age group¹					
16-17	3.2	3.0	2.7	2.1	1.8
18-20	10.7	10.3	9.7	9.3	8.3
21-25	19.5	17.7	17.4	16.8	15.2
26-30	17.8	17.4	18.2	17.9	18.2
31-40	26.8	28.4	28.8	30.6	30.8
Over 40	21.9	23.2	23.3	23.4	25.7
Gender					
Male	85.2	84.8	85.3	85.1	85.5
Female	14.8	15.2	14.7	14.9	14.5
Employment status					
Full-time education	1.8	1.6	1.7	1.7	2.0
Employed/self employed	22.5	24.6	25.7	25.6	22.2
Unemployed	57.8	59.5	58.4	59.9	62.0
Government training scheme	*	*	*	*	*
Economically inactive ²	10.5	11.3	11.4	11.7	12.9
Other	1.7	2.6	2.7	0.9	0.7
Ethnicity (where known)					
White	96.6	96.3	96.0	96.1	96.5
Asian	1.2	1.3	1.7	1.5	1.4
African, Caribbean or Black	0.7	0.8	0.8	0.9	0.8
Mixed	*	*	*	*	*
Other	1.1	1.3	1.2	1.1	1.0

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

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

3. An exercise was conducted for 2019-20 and 2020-21 which asked councils to look further at orders where the employment status was originally being classified under "other". As a result, a number of orders were reclassified and the number of "others" was substantially lower than in previous years.

4. Figures for the years 2016-17 to 2019-20 have been revised from those previously published due to the receipt of updated information from some councils.

5. The figures for males for 2018-19, 2019-20 and 2020-21 include, respectively, 5, 2 and 1 orders with gender "other".

6. Figures for 2020-21 include estimates for Renfrewshire.

Table 9 Community payback order requirements: 2016-17 to 2020-21

	2016-17 ¹	2017-18 ¹	2018-19 ¹	2019-20 ¹	2020-21 ²
					<i>Number</i>
Unpaid work or other activity	14,653	13,329	12,056	11,805	4,704
Offender supervision	10,193	10,156	9,558	10,428	5,952
Unpaid work or other activity <u>and</u> offender supervision	5,646	5,603	5,146	5,433	2,487
Conduct	1,367	1,347	1,454	1,610	991
Programme	1,033	960	936	1,171	701
Alcohol treatment	246	193	195	199	93
Compensation	597	652	490	523	241
Drug treatment	168	150	140	167	82
Mental health treatment	45	46	37	44	17
Residence	27	17	16	19	6
					<i>Percentage</i>
Unpaid work or other activity	76.3	74.5	73.2	70.3	57.6
Offender supervision	53.1	56.8	58.0	62.1	72.9
Unpaid work or other activity <u>and</u> offender supervision	29.4	31.3	31.2	32.3	30.4
Conduct	7.1	7.5	8.8	9.6	12.1
Programme	5.4	5.4	5.7	7.0	8.6
Alcohol treatment	1.3	1.1	1.2	1.2	1.1
Compensation	3.1	3.6	3.0	3.1	3.0
Drug treatment	0.9	0.8	0.9	1.0	1.0
Mental health treatment	*	*	*	*	*
Residence	*	*	*	*	*

Notes:

1. Figures for 2016-17 to 2019-20 have been revised from those previously published due to the receipt of updated information from some councils.
2. Figures for 2020-21 include estimates for Renfrewshire.

Table 10 Community payback orders commenced by length of unpaid work requirement: 2016-17 to 2020-21

	2016-17 ¹	2017-18 ¹	2018-19 ¹	2019-20 ¹	2020-21 ²
Orders with unpaid work/other activity requirement	14,653	13,329	12,056	11,805	4,704
Level 1: 100 hours or less	7,630	6,700	5,815	5,517	2,084
Level 2: Over 100 - 300 hours	7,023	6,629	6,241	6,288	2,620
Average length (hours)	122.4	124.3	126.6	128.6	131.1
Level 1	71.1	70.8	71.0	73.1	77.3
Level 2	178.2	178.4	178.5	177.2	174.0

Notes:

1. Figures for 2016-17 to 2019-20 have been revised from those previously published due to the receipt of updated information from some councils.
2. Figures for 2020-21 include estimates for Renfrewshire.

Table 11 Community payback orders commenced by length of supervision requirement: 2016-17 to 2020-21

	2016-17 ¹	2017-18 ¹	2018-19 ¹	2019-20 ¹	2020-21 ²
Orders with supervision requirement	10,193	10,156	9,558	10,428	5,952
6 months or less	663	702	615	638	242
More than 6 months - 12 months	5,023	5,155	4,946	5,273	2,764
More than 12 months - 18 months	2,500	2,418	2,190	2,277	1,429
More than 18 months - 24 months	1,624	1,494	1,401	1,781	1,162
More than 24 months - 36 months	383	387	406	459	355
Average length (months)	15.5	15.4	15.4	15.7	16.7

Notes:

1. Figures for 2016-17 to 2019-20 have been revised from those previously published due to the receipt of updated information from some councils.
2. Figures for 2020-21 include estimates for Renfrewshire.

Table 12 Timescales for first direct contact and induction/case management meeting for community payback orders: 2016-17 to 2020-21

	2016-17 ¹	2017-18 ¹	2018-19 ¹	2019-20 ¹	2020-21 ²
					<i>Number</i>
Total	19,200	17,882	16,469	16,800	8,169
Time between order imposed and first contact					
Within 1 working day	13,311	12,412	11,336	11,745	4,268
Over 1 - 5 working days	1,784	1,557	1,629	1,705	1,432
Over 5 working days	2,543	2,107	2,196	2,041	1,710
Not known/applicable	1,562	1,806	1,308	1,309	759
Time between order imposed and first induction/case management meeting					
Within 5 working days	13,609	12,637	11,756	12,165	4,982
Over 5 - 10 working days	1,760	1,571	1,592	1,587	1,062
Over 10 working days	1,964	1,787	1,596	1,479	1,271
Not known/applicable	1,867	1,887	1,525	1,569	854
					<i>Percentage</i>
Total	100.0	100.0	100.0	100.0	100.0
Time between order imposed and first contact					
Within 1 working day	75.5	77.2	74.8	75.8	57.6
Over 1 - 5 working days	10.1	9.7	10.7	11.0	19.3
Over 5 working days	14.4	13.1	14.5	13.2	23.1
Time between order imposed and first induction/case management meeting					
Within 5 working days	78.5	79.0	78.7	79.9	68.1
Over 5 - 10 working days	10.2	9.8	10.7	10.4	14.5
Over 10 working days	11.3	11.2	10.7	9.7	17.4

Notes: Orders where the individual 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.

1. Figures for 2016-17 to 2019-20 have been revised from those previously published due to the receipt of updated information from some councils.
2. Figures for 2020-21 include estimates for Renfrewshire.

Table 13 Timescales for starting community payback order work placement: 2016-17 to 2020-21

	2016-17 ¹	2017-18 ¹	2018-19 ¹	2019-20 ¹	2020-21 ²
	<i>Number</i>				
Commencements with unpaid work or other activity requirement	14,653	13,329	12,056	11,805	4,704
Time between order imposed and work placement starting					
Within 7 working days	8,524	7,887	7,244	7,305	1,812
Over 7 working days - 3 weeks	1,733	1,603	1,463	1,346	585
Over 3 weeks - 1 month	652	546	539	434	242
Over 1 month - 2 months	832	656	597	475	350
Over 2 months	941	844	629	492	690
Not known/applicable	1,971	1,793	1,584	1,753	1,025
	<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	67.2	68.4	69.2	72.7	49.3
Over 7 working days - 3 weeks	13.7	13.9	14.0	13.4	15.9
Over 3 weeks - 1 month	5.1	4.7	5.1	4.3	6.6
Over 1 month - 2 months	6.6	5.7	5.7	4.7	9.5
Over 2 months	7.4	7.3	6.0	4.9	18.8

Notes: Figures exclude cases where the requirement was imposed after commencement. Orders where the individual 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. In all years, some local authorities were not able to provide complete information.

1. Figures for 2016-17 to 2019-20 have been revised from those previously published due to the receipt of updated information from some councils.
2. Figures for 2020-21 include estimates for Renfrewshire.

Table 14 Community payback orders terminated by outcome: 2020-21

	Number of terminations	Custodial sentence	New order	Monetary penalty	Other penalty	Other outcome	Outcome not known
Total	10,034	<i>Row %</i>					
Successfully completed/early discharge	7,318						
Revoked due to review	689	15	8	8	6	50	13
Revoked due to breach	1,099	21	24	6	9	31	8
Transfer out of area	332						
Death	216						
Other	380	10	4	1	7	63	15

Note: Figures include estimates for Renfrewshire.

Table 15 Community payback orders terminated by number of breach applications: 2020-21

	Number of terminations	Breach applications (%)		
		<i>None</i>	<i>One</i>	<i>Two or more</i>
Total	10,034	79	18	3
Successfully completed/early discharge	7,318	91	7	1
Revoked due to review	689	83	15	3
Revoked due to breach	1,099	-	83	17
Transfer out of area	332	86	12	2
Death	216	86	11	2
Other	380	55	37	8

Note: Figures include estimates for Renfrewshire.

Table 16 Breach applications for community payback orders: 2016-17 to 2020-21

	2016-17 ¹	2017-18 ¹	2018-19 ¹	2019-20 ¹	2020-21 ²
Orders completed/terminated	18,939	18,611	17,514	16,271	10,034
Breach applications	5,970	6,014	6,222	5,768	2,529
Average number of breach applications	0.32	0.32	0.36	0.35	0.25
<i>Percentage of breach applications lodged with court within 5 working days¹</i>	<i>86.0</i>	<i>84.2</i>	<i>82.9</i>	<i>82.3</i>	<i>76.5</i>

1. Figures for 2016-17 to 2019-20 have been revised from those previously published due to the receipt of updated information from some councils.

2. Figures for 2020-21 include estimates for Renfrewshire.

Table 17 Community payback order unpaid work or other activity requirements by length and time taken to complete: 2016-17 to 2020-21

	2016-17	2017-18	2018-19	2019-20	2020-21
Unpaid work or other activity requirements completed	9,787	8,906	8,256	7,398	3,045
Level 1: 100 hours or less	5,067	4,391	3,915	3,415	1,455
Level 2: Over 100 - 300 hours	4,720	4,515	4,341	3,983	1,590
Average length (hours)	123	125	129	129	124
Level 1	71	70	72	71	70
Level 2	178	179	180	179	174
Average time taken to complete from date imposed (days)	207	214	223	226	402
Level 1	159	160	170	171	347
Level 2	258	266	271	272	451

Notes:

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 or other activity 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. Figures for 2017-18 to 2019-20 have been revised from those previously published due to the receipt of updated information from some councils. Figures for 2020-21 include estimates for Renfrewshire.

Table 18 Drug treatment and testing orders commenced by age, gender, employment status, ethnicity and length of orders: 2016-17 to 2020-21

	2016-17	2017-18	2018-19 ³	2019-20 ³	2020-21
					<i>Number</i>
Total	475	577	601	516	225
Age group¹					
16-17	-	1	-	-	1
18-20	8	5	7	8	1
21-25	48	54	35	32	7
26-30	91	115	112	83	36
31-40	243	285	291	243	122
Over 40	85	117	156	150	58
Gender					
Male	380	463	477	423	184
Female	95	114	124	93	41
Employment status (where known)					
Full-time education	-	-	1	2	1
Employed/self employed	15	9	13	15	8
Unemployed	270	343	325	328	144
Government training scheme	-	-	2	-	-
Economically inactive ²	135	156	152	142	55
Other	30	46	32	23	17
Not known	25	23	76	6	-
Ethnicity (where known)					
White	453	552	565	478	217
Asian	3	-	-	-	-
African, Caribbean or Black	1	5	1	4	-
Mixed	1	2	-	2	-
Other	-	1	-	1	-
Not known/not provided	17	17	35	31	8
Average length (months)	17.9	17.9	17.4	17.7	18.5

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	2016-17	2017-18	2018-19 ³	2019-20 ³	2020-21
					<i>Percentage</i>
Total	100.0	100.0	100.0	100.0	100.0
Age group¹					
16-17	-	*	-	-	*
18-20	1.7	0.9	1.2	1.6	*
21-25	10.1	9.4	5.8	6.2	3.1
26-30	19.2	19.9	18.6	16.1	16.0
31-40	51.2	49.4	48.4	47.1	54.2
Over 40	17.9	20.3	26.0	29.1	25.8
Gender					
Male	80.0	80.2	79.4	82.0	81.8
Female	20.0	19.8	20.6	18.0	18.2
Employment status (where known)					
Full-time education	-	-	*	*	*
Employed/self employed	3.3	1.6	2.5	2.9	3.6
Unemployed	60.0	61.9	61.9	64.3	64.0
Government training scheme	-	-	*	-	-
Economically inactive ²	30.0	28.2	29.0	27.8	24.4
Other	6.7	8.3	6.1	4.5	7.6
Ethnicity (where known)					
White	98.9	98.6	99.8	98.6	100.0
Asian	0.7	-	-	-	-
African, Caribbean or Black	*	0.9	*	0.8	-
Mixed	*	*	-	*	-
Other	-	*	-	*	-

Note: Figures include DTTO IIs, which have been piloted in the City of Edinburgh, Midlothian and East Lothian areas since June 2008 and in Highland since 2019.

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. Figures for 2018-19 & 2019-20 have been revised from those previously published due to the receipt of updated information from some councils.

Table 19 Timescales for first direct contact and case management meeting for drug treatment and testing orders: 2016-17 to 2020-21

	2016-17		2017-18		2018-19 ¹		2019-20 ¹		2020-21	
	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
Total commencements	475	100.0	577	100.0	601	100.0	516	100.0	225	100.0
First contact after order imposed										
Within 1 working day	334	73.9	366	68.0	353	63.3	334	68.7	125	61.9
Over 1 - 5 working days	62	13.7	109	20.3	117	21.0	89	18.3	40	19.8
Over 5 working days	56	12.4	63	11.7	88	15.8	63	13.0	37	18.3
Not known/applicable	23		39		43		30		23	
First case management meeting after order imposed										
Within 5 working days	373	82.9	447	83.6	433	78.0	389	81.7	159	79.1
Over 5 - 10 working days	39	8.7	39	7.3	48	8.6	36	7.6	18	9.0
Over 10 working days	38	8.4	49	9.2	74	13.3	51	10.7	24	11.9
Not known/applicable	25		42		46		40		24	

Notes: Figures include DTTO IIs piloted in the City of Edinburgh, Midlothian and East Lothian areas since June 2008 and in Highland since 2019. The first case management meeting involves clarifying requirements and expectations, and drawing up a case management plan. Orders where the individual 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 2018-19 & 2019-20 since they were last published due to the receipt of updated information from some councils.

Table 20 Drug treatment and testing orders terminated: 2016-17 to 2020-21

	2016-17	2017-18	2018-19 ¹	2019-20 ¹	2020-21
					<i>Number</i>
Total	532	519	574	528	369
Successfully completed/early discharge	241	199	211	204	244
Revoked due to review	142	193	198	176	71
Revoked due to breach	110	97	124	96	23
Transfer out of area	6	8	6	4	2
Death	10	14	11	24	15
Other	23	8	24	24	14
					<i>Percentage²</i>
Total	100.0	100.0	100.0	100.0	100.0
Successfully completed/early discharge	45.8	38.9	37.1	38.9	66.5
Revoked due to review	27.0	37.8	34.9	33.6	19.3
Revoked due to breach	20.9	19.0	21.8	18.3	6.3
Death	1.9	2.7	1.9	4.6	4.1
Other	4.4	1.6	4.2	4.6	3.8

Note: Figures include DTTO IIs piloted in the City of Edinburgh, Midlothian and East Lothian areas since June 2008 and in Highland since 2019.

1. Figures for 2018-19 and 2019-20 have been revised from those previously published due to the receipt of updated information from some councils.

2. Percentages are calculated as a proportion of all orders terminated minus those which did not finish due to the transfer of the orders.

Table 21 Drug treatment and testing orders terminated by outcome: 2020-21

	Number of terminations	Custodial sentence	Community payback order	New order	Other penalty	Other outcome
Total	369	<i>Row %</i>				
Successfully completed/early discharge	244					
Revoked due to review	71	25	5	3	-	67
Revoked due to breach	23	32	5	18	9	36
Transfer out of area	2					
Death	15					
Other	14	25	-	17	-	58

Note: Figures include DTTO IIs piloted in the City of Edinburgh, Midlothian and East Lothian areas since June 2008 and in Highland since 2019. 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 22 Drug treatment and testing orders terminated by number of breach applications: 2020-21

	Number of terminations	Breach applications (%)		
		None	One	Two or more
Total	369	83	16	1
Successfully completed/early discharge	244	91	9	*
Revoked due to review	71	80	18	1
Revoked due to breach	23	-	91	9
Transfer out of area	2	100	-	-
Death	15	100	-	-
Other	14	71	21	7

Note: Figures include DTTO IIs piloted in the City of Edinburgh, Midlothian and East Lothian areas since June 2008 and in Highland since 2019.

Table 23 Fiscal work orders: 2016-17 to 2020-21

	2016-17	2017-18	2018-19	2019-20	2020-21
Assessments undertaken:					
Total	1,213	1,443	909	432	225
Accepted by local authority	937	1,064	649	268	122
Deemed unsuitable by local authority	276	379	260	164	103
Orders commenced	894	1,027	634	248	119
Individuals with orders commenced	884	1,025	632	247	119
Orders completed/terminated:					
Total	792	990	698	216	112
Successfully completed	656	849	608	168	92
Terminated without being successfully completed	136	141	90	48	20

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 24 Fiscal work orders commenced by age, gender, employment status, ethnicity and length of orders: 2016-17 to 2020-21

	2016-17		2017-18		2018-19		2019-20		2020-21	
	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
Total	894	100.0	1,027	100.0	634	100.0	248	100.0	119	100.0
Age group¹										
16-17	47	5.3	49	4.8	36	5.7	30	12.1	3	2.5
18-20	230	25.7	268	26.1	158	24.9	55	22.2	22	18.5
21-25	248	27.7	276	26.9	163	25.7	47	19.0	27	22.7
26-30	147	16.4	168	16.4	98	15.5	29	11.7	19	16.0
31-40	128	14.3	144	14.0	91	14.4	44	17.7	27	22.7
Over 40	94	10.5	122	11.9	88	13.9	43	17.3	21	17.6
Gender										
Male	762	85.2	854	83.2	520	82.0	196	79.0	77	64.7
Female	132	14.8	173	16.8	114	18.0	52	21.0	42	35.3
Employment status										
Full-time education	64	7.2	65	6.3	39	6.2	12	4.8	11	9.2
Employed/self employed	414	46.3	541	52.7	332	52.4	96	38.7	32	26.9
Unemployed	259	29.0	266	25.9	165	26.0	87	35.1	56	47.1
Government training scheme	2	*	2	*	1	*	2	0.8	0	-
Economically inactive ²	23	2.6	21	2.0	26	4.1	17	6.9	4	3.4
Other	132	14.8	132	12.9	71	11.2	34	13.7	16	13.4

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	2016-17		2017-18		2018-19		2019-20		2020-21	
	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
Ethnicity³										
White	717	97.4	890	97.2	562	97.9	216	97.7	104	100.0
Asian	10	1.4	11	1.2	5	0.9	2	0.9	0	-
African, Caribbean or Black	1	*	3	*	4	0.7	0	-	0	-
Mixed	1	*	5	0.5	2	*	1	*	0	-
Other	7	1.0	7	0.8	1	*	2	0.9	0	-
Not known/provided	158		111		60		27		15	
Length of order										
Over 10 and under 20 hours	1	*	1	*	0	-	0	-	0	-
20 hours	66	7.4	43	4.2	49	7.7	24	9.7	6	5.0
Over 20 and under 30 hours	0	-	0	-	0	-	0	-	0	-
30 hours	403	45.1	547	53.3	278	43.8	84	33.9	30	25.2
40 hours	319	35.7	265	25.8	191	30.1	53	21.4	27	22.7
Over 40 and under 50 hours	0	-	1	*	0	-	0	-	0	-
50 hours	105	11.7	170	16.6	116	18.3	87	35.1	56	47.1

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

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

Table 25 Structured deferred sentences imposed by age and gender: 2018-19 to 2020-21

	2018-19	2019-20	2020-21
			<i>Number</i>
Total	817	885	450
Age group¹			
16-17 ²		49	45
18-20		151	58
21-25		113	70
26-30		105	73
31-40		253	119
Over 40		214	85
Gender			
Males	575	660	321
Females	242	225	129
Employment status³			
Full-time education			8
Employed/self employed			47
Unemployed			285
Government training scheme			0
Economically inactive ⁴			80
Other			30
Ethnicity³			
White			423
Asian			2
African, Caribbean or Black			0
Mixed			3
Other			4
Not known/not provided			18
Length of order³			
Less than 3 months			133
3 months or more and less than 6 months			204
6 months or more			113

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	2018-19	2019-20	2020-21
		<i>Percentage</i>	
Total	100.0	100.0	100.0
Age group¹			
16-17 ²		5.5	10.0
18-20		17.1	12.9
21-25		12.8	15.6
26-30		11.9	16.2
31-40		28.6	26.4
Over 40		24.2	18.9
Gender			
Males	70.4	74.6	71.3
Females	29.6	25.4	28.7
Employment status³			
Full-time education			1.8
Employed/self employed			10.4
Unemployed			63.3
Government training scheme			-
Economically inactive ⁴			17.8
Other			6.7
Ethnicity³			
White			97.9
Asian			*
African, Caribbean or Black			-
Mixed			0.7
Other			0.9
Length of order³			
Less than 3 months			29.6
3 months or more and less than 6 months			45.3
6 months or more			25.1

1. Information by age group first collected in 2019-20.

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

3. Information by employment status, ethnicity and length of order first collected in 2020-21.

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

Table 26 Structured deferred sentences finished by gender and outcome: 2020-21

	<i>Number</i>
Total	420
Gender	
Male	315
Female	105
Outcome	
Admonition	178
Further structured deferred sentence period	33
Community payback order	52
Drug treatment and testing order	22
Other community sentence	38
Custodial sentence	20
Other outcome	77
	<i>Percentage</i>
Total	100.0
Gender	
Male	75.0
Female	25.0
Outcome (where known)	
Admonition	42.4
Further structured deferred sentence period	7.9
Community payback order	12.4
Drug treatment and testing order	5.2
Other community sentence	9.0
Custodial sentence	4.8
Other outcome	18.3

Table 27 Statutory throughcare in custody by sentence type: 2016-17 to 2020-21

	Cases commenced					Caseload at 31 March				
	2016-17	2017-18	2018-19	2019-20	2020-21	2016-17	2017-18	2018-19	2019-20	2020-21
Total	1,042	1,042	1,064	999	629	3,328	3,408	3,468	3,755	3,529
Determinate long-term sentence (4 years and over)	443	460	469	403	232	1,469	1,543	1,509	1,687	1,574
Extended sentence	167	129	133	129	88	558	526	581	608	594
Life sentence	34	30	34	31	16	770	756	766	774	783
Order for lifelong restriction	5	11	13	13	7	119	139	157	155	160
Short-term sex offender ¹	116	149	195	156	113	115	132	159	192	168
Supervised release order	277	263	220	267	173	297	312	296	339	250
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)	42.5	44.1	44.1	40.3	36.9	44.1	45.3	43.5	44.9	44.6
Extended sentence	16.0	12.4	12.5	12.9	14.0	16.8	15.4	16.8	16.2	16.8
Life sentence	3.3	2.9	3.2	3.1	2.5	23.1	22.2	22.1	20.6	22.2
Order for lifelong restriction	0.5	1.1	1.2	1.3	1.1	3.6	4.1	4.5	4.1	4.5
Short-term sex offender ¹	11.1	14.3	18.3	15.6	18.0	3.5	3.9	4.6	5.1	4.8
Supervised release order	26.6	25.2	20.7	26.7	27.5	8.9	9.2	8.5	9.0	7.1

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

Table 28 Statutory throughcare in the community by type of licence: 2016-17 to 2020-21

	Cases commenced					Caseload at 31 March				
	2016-17	2017-18	2018-19	2019-20	2020-21	2016-17	2017-18	2018-19	2019-20	2020-21
Total	1,121	1,010	972	912	873	2,503	2,428	2,318	2,371	2,236
Parole	186	123	112	126	132	430	346	311	328	326
Non parole	264	216	199	110	137	359	349	334	292	269
Extended sentence	181	170	141	135	111	451	470	395	343	317
Life	47	46	67	47	44	454	448	396	387	397
Short-term sex offender ¹	98	125	162	178	149	82	102	136	156	149
Supervised release order	287	252	221	251	223	253	215	234	264	243
Recalled prisoner ²						384	386	387	474	413
Other	58	78	70	65	77	90	112	125	127	122
					<i>Percentage</i>					<i>Percentage</i>
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Parole	16.6	12.2	11.5	13.8	15.1	17.2	14.3	13.4	13.8	14.6
Non parole	23.6	21.4	20.5	12.1	15.7	14.3	14.4	14.4	12.3	12.0
Extended sentence	16.1	16.8	14.5	14.8	12.7	18.0	19.4	17.0	14.5	14.2
Life	4.2	4.6	6.9	5.2	5.0	18.1	18.5	17.1	16.3	17.8
Short-term sex offender ¹	8.7	12.4	16.7	19.5	17.1	3.3	4.2	5.9	6.6	6.7
Supervised release order	25.6	25.0	22.7	27.5	25.5	10.1	8.9	10.1	11.1	10.9
Recalled prisoner ²						15.3	15.9	16.7	20.0	18.5
Other	5.2	7.7	7.2	7.1	8.8	3.6	4.6	5.4	5.4	5.5

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	Cases completed				
	2016-17	2017-18	2018-19	2019-20	2020-21
Total	1,101	1,121	962	1,000	997
Parole	194	143	132	131	140
Non parole	245	207	203	179	166
Extended sentence	145	182	140	140	131
Life	45	49	52	45	34
Short-term sex offender ¹	118	128	141	163	153
Supervised release order	297	304	221	257	270
Recalled prisoner ²					
Other	57	108	73	85	103
					<i>Percentage</i>
Total	100.0	100.0	100.0	100.0	100.0
Parole	17.6	12.8	13.7	13.1	14.0
Non parole	22.3	18.5	21.1	17.9	16.6
Extended sentence	13.2	16.2	14.6	14.0	13.1
Life	4.1	4.4	5.4	4.5	3.4
Short-term sex offender ¹	10.7	11.4	14.7	16.3	15.3
Supervised release order	27.0	27.1	23.0	25.7	27.1
Recalled prisoner ²					
Other	5.2	9.6	7.6	8.5	10.3

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

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

Annex A Sources of information and data quality

- A.1 The annual aggregate CJS return for local authority justice social work services was introduced for 1999-00 and covered social enquiry reports (now criminal justice social work 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, removed, alongside community service orders and probation orders, from 2016-17 onward)
 - 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)
 - structured deferred sentences (2018-19).
- A.2 Data for community payback and drug treatment & 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 All 32 Scottish local authorities were able to provide the CPO unit level data in each of the years 2013-14 to 2019-20. Renfrewshire Council were not able to supply the 2020-21 data in sufficient time for inclusion in this bulletin and so estimated 2020-21 figures have been used for that area.
- A.4 After the introduction of the CPO, information on the legacy orders (community service, probation and supervised attendance orders) was phased out of the aggregate return. Due to the small numbers involved, recent years' returns have not collected information on the number of legacy orders commenced and terminated. These numbers are estimated to be fairly small and do not affect trends observed across the years.
- A.5 As a result of the change from the legacy orders to community payback orders, it is important to note that comparability between the data for subsequent years may be affected by the demographic characteristics of those most likely to complete a community payback order during the first few years of implementation. Orders which finished during the early years after they were introduced tended to be lower-tariff orders which generally took less time to complete than those which finished in later years.

- A.6 Figures in this bulletin are extracted from live criminal justice social work information management systems and may differ slightly from those published previously as administrative systems are updated. The statistics presented reflect information on activity in the financial year 1 April 2020 to 31 March 2021. They therefore reflect any changes to social work activity that may have resulted from the extension to the presumption against short custodial sentences, from three months to 12 months, for offences committed on or after 4 July 2019.
- A.7 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.8 As a result of information provided by local authorities with their 2020-21 unit returns, some revisions were made to the 2019-20 and (to a lesser extent) earlier years' data. These revisions were mainly a result of:
- The inclusion in the 2020-21 data of orders which were in existence before the 2020-21 year but which had erroneously not been included in earlier years' data returns, and
 - Some orders which were previously advised in the 2019-20 returns as being in existence at the end of that year but which had actually been completed/terminated before then. Some authorities advised of substantial numbers of CPOs falling into this category, due mainly to orders not being closed off on their IT systems.
- As a result of these changes, the total for CPO terminations in 2019-20 has been revised upwards by around 300 (up two per cent), with CPOs in existence at 31 March 2020 revised downwards by around 300 (down two per cent).
- A.9 In this bulletin, the calculation of successful completion rates for community payback orders and drug treatment & testing orders ([Table 2](#)) is calculated as follows. The number of successful completions and early discharges are divided by the total orders terminated less orders which were transferred out of a local authority.
- A.10 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.11 The data obtained from local authorities comes from recording systems which they use for case management and for internal monitoring. Information on personal characteristics such as gender and ethnicity are taken directly from these systems. While recording practices may vary across local authorities, it is likely that the recording of gender and ethnicity will include a mixture of self-identified values and values as perceived by the justice professional recording the information, for example a case worker.
- A.12 While the data is considered of good quality, 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 & 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 staff. Checks are also made to ensure there is consistency between 2020-21 and earlier years' data.

A.15 [Additional datasets](#) at local authority level are available on the Scottish Government website.

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 commensurate justice social work practice 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.
- B.2 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 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.
- B.3 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. Information on bail supervision services can be found in the [national guidance on bail supervision](#), currently being reviewed.
- B.4 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 or the need to defer a case to a future date and final sentence.
- B.5 The community payback order was introduced by the [Criminal Justice and Licensing \(Scotland\) Act 2010](#) and replaced provisions for community service, probation and supervised attendance orders for offences committed from 1 February 2011 onwards. 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 currently 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 most recent [community payback order practice guidance](#).
- B.6 The [community payback order practice 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.

B.7 The drug treatment and testing order (DTTO) is a high tariff disposal for people with more serious substance use related to their offending, who might otherwise receive a custodial sentence. This order includes the requirement for regular reviews by the court and for the person to consent to frequent random drug tests throughout the lifetime of the order. On the basis of these regular reviews, the judiciary may, among other courses of action, vary the conditions of the order (such as the frequency of testing, the type of treatment or the frequency of attendance at treatment), revoke the order on the basis that satisfactory progress has been made or, in the event of non-compliance, revoke the order and re-sentence the person for the original offence. DTTOs were rolled out across Scotland in phases between 1999 and 2002. They are available to all courts apart from justice of the peace courts. In addition, the less intensive DTTO II was introduced 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 now able to be issued in the Highland area and is available from justice of the peace courts.

B.8 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 ten and a maximum of 50 hours and should be completed within six months.

B.9 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 electronic monitoring service in Scotland is provided by G4S, under Scottish Government contract, and includes the monitoring of restriction of liberty orders. Some additional management data will be available from G4S.

B.10 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.11 Voluntary throughcare is available to those who are not subject to statutory throughcare, but who request support while in custody or within 12 months of release.
- B.12 Structured deferred sentences (SDS) offer courts the option to provide a short period of intensive supervision to individuals post-conviction but prior to final sentencing. They are designed to help individuals address their underlying issues, improve their employment prospects and build a sense of routine and self-esteem, allowing them to move away from offending. SDS are not a statutory order and as such are not used by every local authority. Areas with SDS schemes may utilise it as part of an early intervention approach, as an alternative or precursor to a community sentence or as an alternative to a short period of custody depending on the needs of the local area.

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 collected has helped to provide better information on the process and outcome of these orders.
- 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 held 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 in [assessment report 128 on the UK Statistics Authority website](#).

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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.

Correspondence and enquiries

For enquiries about this publication please contact:

Alan Fleming,
Justice Analytical Services,
Telephone: 07825 011477,
email: Justice_Analysts@gov.scot

For general enquiries about Scottish Government statistics please contact:

Office of the Chief Statistician, Telephone: (0131) 244 0442,
email: statistics.enquiries@gov.scot

How to access background or source data

The data collected for this statistical bulletin:

- are available in more detail through [Scotland's official statistics website](#).
- are available via an alternative route, namely the [criminal justice social work datasets 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, GR, St Andrews House, Edinburgh, EH1 3DG, Telephone: (0131) 244 0302, email statistics.enquiries@gov.scot.

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