

# Community Justice Performance Framework

Guidance and Technical Notes

**Superseded**

## 1. Background

The [Community Justice \(Scotland\) Act 2016](#) (the Act) provides the legislative framework for the model of community justice.

As part of that model, s17 of the Act requires the Scottish Ministers to publish a performance framework, setting out nationally determined outcomes which are to be achieved in each local authority area, and national indicators which are to be used in measuring performance against these.

A revised version of the performance framework (referred to as the Community Justice Performance Framework (CJPF)) was published under s18(4)(a) of the Act. The CJPF supersedes the version (referred to as the Outcomes, Performance and Improvement Framework (OPIF)) that was published in 2016.

This document accompanies the CJPF and provides information on how to use the nationally determined outcomes and national indicators. In particular, it describes the source of the data underlying each national indicator, sets out how this data will be supplied to local areas, and provides additional technical notes. Brief guidance is also included on annual reporting periods, to support the transition to the new CJPF.

This document is primarily for statutory community justice partners acting jointly at a local level (referred to as 'community justice partnerships'). This document is published by the Scottish Government and is kept under review and updated as necessary.

In addition to this document, statutory guidance to support statutory community justice partners to understand their roles arising from the Act (as per s24 of the Act), in relation to local planning and reporting, is also published by the Scottish Government and is kept under review and updated as necessary.

## 2. Guidance on reporting periods

Community justice partnerships (CJPs) should use the nationally determined outcomes and national indicators in the CJPF to support their local planning and reporting cycles, as set out in the Act.

The first reporting period for the revised CJPF is 1 April 2023 to 31 March 2024. The first local annual reports aligned to this CJPF should therefore be published as soon as reasonably practicable following 31 March 2024 (as per s23 of the Act).

The publication of the revised CJPF will not affect reporting for the period of 1 April 2022 to 31 March 2023, which will be based on the OPIF published in 2016.

## 3. National Indicator Guidance

A table of the nationally determined outcomes and national indicators is included within the CJPF.

### 3.1 Sourcing of the national indicator data

This section sets out information on the source of the national indicator data.

The data for the majority of the 10 national indicators will be sourced from national available statistics (publications and dashboards) and supplied to CJPs by the Scottish Government. The national indicators were chosen based on both their ability to provide a suitable performance measure for the relevant outcomes, and the availability and consistency of the underlying data.

The data for one national indicator (see below) will need to be sourced by CJPs from management information (MI) systems within local authorities between June and September each year. The existing national statistics collection cannot provide this information for CJPs within the legislative reporting timeframe.

National indicator to be requested by CJPs from MI systems within local authorities:

Percentage of:

- community payback orders successfully completed
- drug treatment and testing orders successfully completed

It should be noted that, at the point of publication in 2023, arrangements for sourcing the data required for some of the national indicators were still being made. It is the intention of the Scottish Government to work with partners to develop the underlying data for these indicators and to work towards making this available before local areas are first required to report against it (which is following 31 March 2024, in relation to the period 1 April 2023 to 31 March 2024).

This is in relation to 3 national indicators:

Number of:

- referrals from custody centres

Number of transfers in drug/alcohol treatments from:

- custody to community

Percentage of:

- those in employability services with convictions

When this indicator data is developed, the information will be supplied to CJPs and updates will be made to this document as required.

### 3.2 Supplying the national indicator data

This section sets out the arrangements in relation to the national indicators which the Scottish Government is supplying to CJPs.

### 3.2.1 In advance of the first reporting on this CJPF

In advance of the first reporting on this CJPF (i.e. in relation to the period 1 April 2023 to 31 March 2024), available data related to the national indicators will be supplied to CJP's from the Scottish Government to inform any statutory planning purposes.

Data will be provided:

- where historic trend data is available for the national indicators, this will be supplied by the Scottish Government to CJP's in April 2023. Most of the national indicator data will only cover up to 2021-22, but this should still assist for planning purposes.
- where recent data relevant to the high level national indicator is available.

### 3.2.2 First reporting year

For the first reporting year (1 April 2023 to 31 March 2024), where indicator data is available it will be supplied. Where possible, the data will cover the period from 2015-16 to 2022-23. This historic trend data will be supplied to CJP's in spring 2024.

The remaining data required for reporting purposes (data covering the period concerned, i.e. 2023-24) will be supplied by the Scottish Government to local areas when it becomes available, between June 2024 and September 2024. As above, there is one indicator which CJP's will need to request directly from local authorities during this period.

To reflect these arrangements, the expectation for partners to publish their local annual reports (as per s23 in the Act) in September will be extended to December each year. This expectation is set out in the statutory guidance to support statutory community justice partners to understand their roles arising from the Act (as per s24 of the Act). At the time of publication, an update to this statutory guidance is planned. Community Justice Scotland (CJS) retains the right to ask for local returns in its own timeframe for the purposes of reporting on performance and improvement.

### 3.2.3 Annual process

It is the intention of the Scottish Government that this will become the annual process i.e. historic trend data to be provided in spring each year and data relating to the relevant reporting year to be provided between June and September each year.

An illustration of this cycle is available in **Annex A**.

Initially, the data will be supplied in an excel spreadsheet. A copy of the data will also be supplied to CJS.

Most of the data will be at a local authority level. Where data is from a higher geographical level, this will be supplied to the local authorities that it covers. For example, if a health board area covers three local authorities, the same information will be supplied to each of the CJP's covering those local authorities.

Technical information on each indicator is provided in **Annex B**. Links to other published data sources have also been provided to support CJPs with more information relevant to the nationally determined outcomes.

### 3.3 How to use the national indicators

This section sets out suggestions that CJPs may find helpful in using the national indicators to measure performance in achieving the nationally determined outcomes.

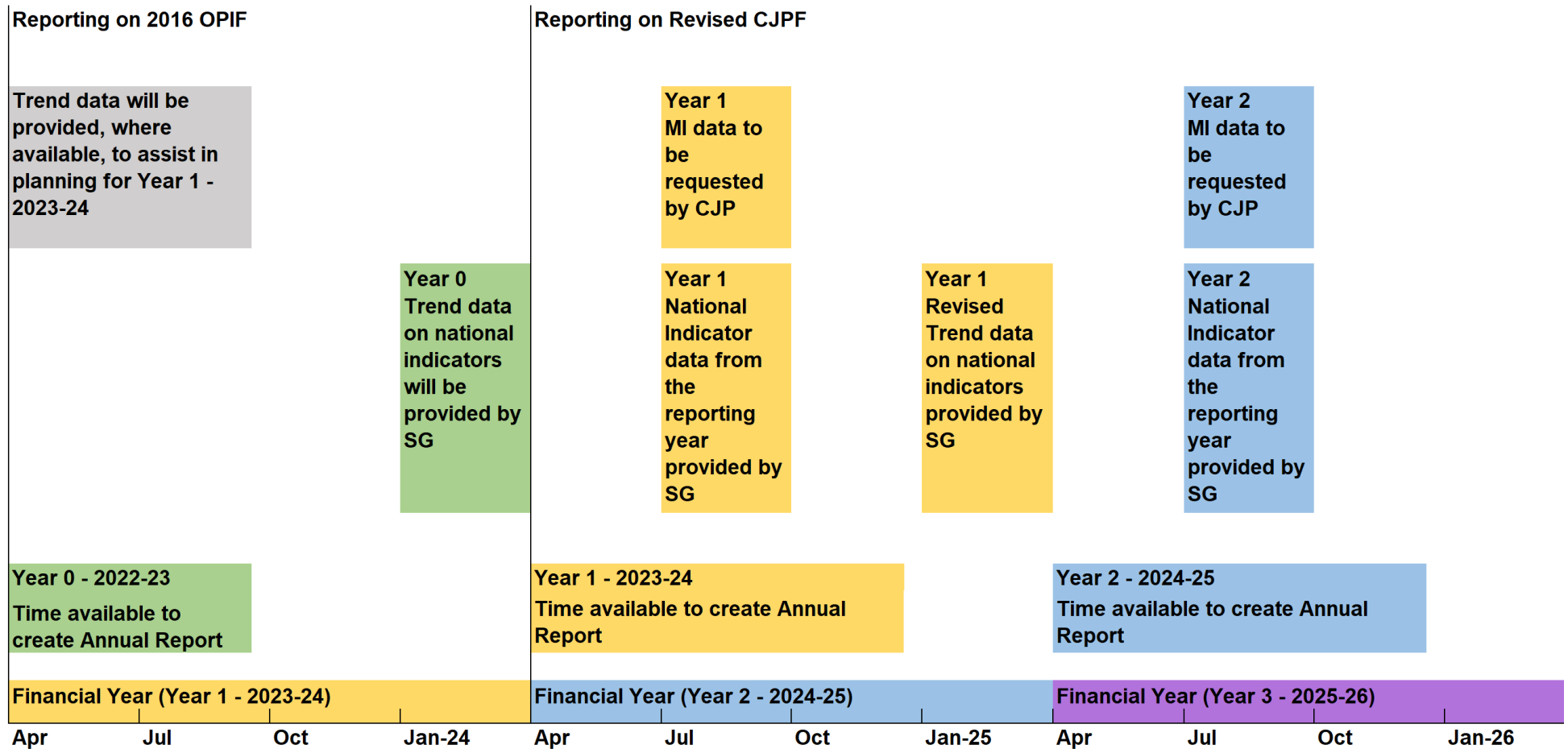
- **Picking a base year.** When examining the current year data within a trend, it is important to pick a base year where it was 'business as usual'. It is advisable not to use 2020-21 and 2021-22, as a lot of the evidence has been affected by the COVID-19 pandemic, unless this is something you are wishing to measure. The choice of base year for each national indicator should be stated and kept constant throughout the lifetime of the current CJPF. Where available, historic trend data will be provided from 2015-16 onwards.
- **Use the indicators to identify where improvements need to be made.** An indicator measures change over time, so where possible it is important to look at previous comparable data (i.e. trend data) to see the pattern of movement. A base year should be chosen, and data should be compared and considered every year within the trend to see what movement is occurring across the CJP area. In general, indicators should be maintaining or improving over time. It is expected that monitoring within this framework will occur from the base year to the next revision of the CJPF.
- **Examining trend data.** When looking at the data from the relevant reporting period, it should be examined along with trend data. It is normal for data points to move up and down by small amounts (variability) throughout the years. Plotting the data points on a graph will show if there is a line or curve through the data which indicates a direction. It is important to look at trend data over at least four years where possible. This movement of indicators should raise questions for CJPs to discuss every year. For example:
  - Increasing – are we expecting a genuine increase or is this just natural variability? Has a programme/project been implemented in the past years and the data is beginning to reflect this? Has something changed in national policy or legislation that is creating improvement, how have the CJP contributed to this?
  - Stable – how long has the trend been stable? Is there anything that can be done to create improvement? If so, how long would it be before the data might change – a year or two years?
  - Decreasing – is this a genuine decrease or is this just natural variability? Has something happened that affected this work area e.g. global pandemic, funding implications, etc.? What can the CJP do to support improvement in this area?
- **Small numbers.** It is important to identify if the data contains small numbers. This is particularly relevant to percentages. For example, if you have ten

people, one person would be 10% compared to if you had 40 people and one person would be 2.5%. If your data dropped 20 percentage points from one year to another – this could be only two people. It is important discuss this information in numbers rather than percentages. Local evidence may be more useful in explaining what is happening in the CJP area for small numbers. For example, low numbers may indicate that a service is not reaching your target group (if you are aware you have a large number of people in the target group), or that a third sector organisation is delivering the service and is not picked up by the national indicator.

- **Data revision.** Trend data related to the national indicators will be supplied every year by the Scottish Government. Some of the data sources allow for revisions and it is advised that the most recent trend data supplied each year is used. If there are revisions to trend data, these are normally very small, and we recommend highlighting these revisions in any reporting.
- **Use local evidence relevant to each outcome to explore specific improvements.** As set out in the CJPF, evidence collected at a local level will supplement the national indicator data. The national indicators will provide a measure of performance in achieving the nationally determined outcomes and indicate areas for improvement. Local evidence will provide further context to this and enable local analysis to be undertaken to explore specific improvements that may be needed. Further guidance on how this local evidence should be gathered and analysed will be set out by [CJS in Improvement Tools published on its website](#). There is an expectation that local areas will develop, gather and utilise information in collaboration with CJS in order to support ongoing improvement work and the achievement of the nationally determined outcomes. This includes an expectation that local areas will provide CJS with local evidence as part of their annual reporting for Scotland as a whole.

## Annex A: Flow of data and reporting

This is an illustration of the intended flow of the data and reporting timeframe.



## **Annex B: Data sources and data information**

### **High level national indicator: Disposal grouping split**

#### **Desired indicator direction**

Decrease in percentage of custody disposals compared to other disposal groups. This is a long term, very high-level indicator.

Movement of data should be considered every year and an awareness of what is happening in other disposal groups should be considered when reviewing this against other evidence.

#### **Trend data source**

[Scottish Government: Justice Analytical Services Criminal Disposals Dashboard](#)

The information reported within the dashboard is available quarterly. Data presented in the dashboard is based on MI supplied by the Scottish Courts and Tribunals Service. As such, results from the dashboard should be seen as providing a broadly indicative summary – rather than a precise measure of activity. The Scottish Government, where possible, will supply financial year trend data.

The data counts the number of disposals issued at charge level in Scottish criminal courts. The data does not tell you how many people received disposals, as each accused person can have multiple charges. Information is not included on charges for which the accused is not convicted.

The data provided is split into the following disposal groupings: custody, community, monetary, and other disposals.

These are defined in the technical notes in the dashboard.

#### **Frequency of trend source publication**

Quarterly

#### **Original source of data**

Scottish Courts and Tribunals Service

#### **Geography**

National, Local Authority Level

#### **Data required for annual report**

Historic trend data will be supplied in spring of every reporting year e.g. data up to 2022-23 supplied spring 2024.

Data for the reporting year will be supplied in June to September each year e.g. data for 2023-24 supplied between June and September 2024.

#### **Data notes to be included by CJPs in annual reporting**

Source:



Data from <Year> to <Year> : Scottish Government: Justice Analytical Services  
Criminal Disposals Dashboard

**Additional evidence base**

More information on disposals, including further breakdowns on types of community disposals:

[Scottish Government: Justice Analytical Services Criminal Disposals Dashboard](#)

## **Nationally determined outcome: More people successfully complete diversion from prosecution**

### **National indicator**

Number of diversion from prosecution:

- assessments undertaken
- cases commenced
- cases successfully completed

### **Desired indicator direction**

Increase from base year to year of next revision of CJPF. Movement of data to be examined and considered every year.

### **Trend data source**

Scottish Government: National Statistics

[Justice Social Work Statistics – additional tables](#)

Download: JSW local authority tables for diversion from prosecution

The source of this data is Justice Social Work statistics. This data is limited to information that is provided and collected from justice social work management systems. The number of assessments undertaken, cases commenced, and cases successfully completed is from a justice social work perspective.

It should be noted that decisions in relation to when to offer referral for diversion from prosecution are made by prosecutors within COPFS, acting independently and in the public interest.

### **Frequency of trend source publication**

Annually – reported on financial year

### **Original source of data**

Local Authority – Justice Social Work

### **Geography**

National, Local Authority Level

### **Data required for annual report**

Historic trend data will be supplied in spring of every reporting year e.g. data up to 2022-23 supplied spring 2024.

Data for the reporting year will be supplied in June to September each year e.g. data for 2023-24 supplied between June and September 2024.

### **Data notes to be included by CJPs in annual reporting**

Source:

Data from <Year> to <Year> : Scottish Government – National Statistics- Justice Social Work Statistics

**Additional evidence base**

More information on diversion from prosecution in link provided in trend data source:  
[Justice Social Work Statistics – additional tables](#)

## **Nationally determined outcome: More people in police custody receive support to address their needs**

### **National indicator**

This indicator is under development.

Number of:

- referrals from custody centres

### **Desired indicator direction**

Not yet set

### **Trend data source**

Not yet available

The Scottish Government is working with relevant community justice partners to develop an indicator to show the number of people using the referral process in police custody centres. This provides individuals with the opportunity to be referred to other health, social and third sector services, where appropriate.

When this information is available this technical note will be updated.

### **Frequency of trend source publication**

To be announced

### **Original source of data**

Police Scotland

### **Geography**

National, Police Custody Centres

### **Data required for annual report**

To be announced

### **Data notes to be included by CJPs in annual reporting**

To be announced

### **Additional evidence base**

Police Scotland Performance Reports, are produced quarterly. This is the most current at time of publication:

[Performance Report Quarter 2 2022/23 – Police Scotland](#)

## **Nationally determined outcome: More people are assessed for and successfully complete bail supervision**

### **National indicator**

Number of:

- assessment reports for bail suitability
- bail supervision cases commenced
- bail supervision cases completed

### **Desired indicator direction**

Increase from the base year to the year of the next revision of the CJPF. Movement of data to be examined and considered every year.

### **Trend data source**

Scottish Government: National Statistics

[Justice Social Work Statistics – additional tables](#)

Download: JSW local authority tables for courts and bail

The source of this data is Justice Social Work statistics, this indicator is on bail supervision only. Bail supervision is a social work or third sector service that supports people to comply with the conditions of their bail.

This data is limited to information that is provided and collected from justice social work management systems. Justice social work services undertake assessments of suitability for bail (including bail supervision and/or an electronic monitoring order) and provide reports to the court. They provide bail supervision services (either directly or via a commissioned third sector organisation) based on local needs and priorities. Bail supervision commences when the court imposes a bail supervision condition. Bail supervision case completion is when the period of bail supervision ends and when an individual has met all the terms of their bail supervision.

### **Frequency of trend source publication**

Annually – reported on financial year

### **Original source of data**

Local Authority – Justice Social Work

### **Geography**

National, Local Authority Level

### **Data required for annual report**

Number of:

- bail supervision cases commenced

Historic trend data will be supplied in spring of every reporting year e.g. data up to 2022-23 supplied spring 2024.

Data for the reporting year will be supplied in June to September each year e.g. data for 2023-24 supplied between June and September 2024.

Number of:

- assessment reports for bail suitability
- bail supervision cases completed

Data is being requested for the first time in 2022-23. These will be marked as experimental statistics. There will be no trend data available before 2022-23.

Data for the reporting year will be supplied in June to September each year e.g. data for 2023-24 supplied between June and September 2024.

### **Data notes to be included by CJPs in annual reporting**

Source:

Data from <Year> to <Year> : Scottish Government – National Statistics- Justice Social Work Statistics

### **Additional evidence base**

More information on bail supervision in link provided in trend data source: [Justice Social Work Statistics – additional tables](#)

More information on bail is available in [Quarterly Criminal Court Statistics](#) supplied by Scottish Courts and Tribunal Service.

## Nationally determined outcome: More people access services to support desistence and successfully complete community sentences

### National indicator

Percentage of:

- community payback orders successfully completed
- drug treatment and testing orders successfully completed

### Desired indicator direction

Increase from the base year to the year of the next revision of the CJPF. Movement of data to be examined and considered every year.

### Trend data source

Scottish Government: National Statistics: [Justice Social Work Statistics – additional tables](#)

Download:

- JSW local authority tables for community payback orders
- JSW local authority tables for drug treatment and testing orders

The source of this data is justice social work. The percentage of successfully completed orders in trend data is calculated as:

$$\frac{[(\text{Number of orders completed successfully plus those subject to early discharge in the financial year}) \text{ DIVIDED BY } ((\text{Number of orders terminated in financial year}) \text{ minus } (\text{Number of orders terminated in the financial year due to being transferred to another area}))]}{100}$$

This trend data allows for revisions, in general they are small changes. Use the most current trend data supplied when reporting.

### Frequency of trend source publication

Annually

### Original source of data

Local Authority – Justice Social Work

### Geography

National, Local Authority Level

### Data required for annual report

Historic trend data will be supplied in spring of every reporting year e.g. data up to 2022-23 supplied spring 2024.

Data for the reporting year is required to be sourced from local authority MI systems by CJPs.

### Data notes to be included by CJPs in annual reporting

Source:

Data from <Year> to <Year> : Scottish Government – National Statistics- Justice Social Work Statistics

Data from <Reporting year>: Local Authority: Justice Social Work

**Additional evidence base**

More information on community payback orders and drug treatment and testing orders in link provided in trend data source: [Justice Social Work Statistics – additional tables](#)



**Nationally determined outcome: More people have access to, and continuity of, health and social care following release from a prison sentence**

**National indicator**

This indicator is under development.

Number of transfers in drug/alcohol treatments from:

- custody to community

**Desired indicator direction**

Not set yet

**Trend data source**

Not available yet

The Scottish Government is working with relevant community justice partners to develop an indicator that shows the continuity of drug and alcohol treatments from a prison setting to a community setting. This indicator will be sourced from Public Health's Scotland Drug and Alcohol Information System (DAISy) dataset.

When this information is available this technical note will be updated.

**Frequency of trend source publication**

Annually

**Original source of data**

Public Health Scotland - Drug and Alcohol Information System (DAISy)

**Geography**

National, Health Boards

**Data required for annual report**

To be announced

**Data notes to be included by CJPs in annual reporting**

Source:

Data from <Year> to <Year>: Public Health Scotland

**Additional evidence base**

Scottish Prison Service: [Prisoner Survey 2019](#) – prevalence of prisoners with health issues

For information on National Drug and Alcohol Treatment Waiting Times: Public Health Scotland: [Prison Health Information Dashboard](#)

## **Nationally determined outcome: More people have access to suitable accommodation following release from a prison sentence**

### **National indicator**

Number of:

- homelessness applications where prison was the property the main applicant became homeless from

### **Desired indicator direction**

Decrease from the base year to the year of the next revision of the CJPF. Movement of data to be examined and considered every year.

### **Trend data source**

Scottish Government: [Prison Service Homelessness data tables](#)

The Scottish Government publishes bespoke secondary analysis for 'prison service homelessness' in the form of data tables, following the release of annual [Homelessness statistics](#) publications. This includes data for homelessness applications, by local authority, where the main applicant reports prison as the property type they have been made homeless/threatened with homelessness from.

Prison should be recorded where an applicant has given up or lost accommodation for a stay in prison, irrespective of the length of time in prison.

Where the applicant has been staying in accommodation on a temporary basis prior to making a homelessness application, including staying with friends or relatives, for a period of less than six months because he or she had already become homeless prior to the application being made, the property type from which the person became homeless should be recorded, not the temporary accommodation.

This data does not capture individuals who have been released from prison to known accommodation for over 6 months as this 'known' accommodation would be recorded as the property type, and not prison.

This trend data allows for revisions, in general the changes are small. The most current trend data published should be used for reporting.

### **Frequency of trend source publication**

Annually – reported on financial year

### **Original source of data**

Local Authority – Homelessness

### **Geography**

National, Local Authority Level

### **Data required for annual report**

Historic trend data will be supplied in spring of every reporting year e.g. data up to 2022-23 supplied spring 2024.

Data will be requested for the reporting year and will be supplied between June and September each year e.g. data for 2023-24 supplied between June and September 2024.

**Data notes to be included by CJPs in annual reporting**

Source:

Data from <Year> to <Year> : Scottish Government – Prison Service Homelessness  
Data is rounded to nearest the five.

**Additional evidence base**

Additional information on characteristics of homelessness requests or people leaving prison: [Prison Service Homelessness](#)

Numbers and characteristics of people leaving prison:  
[Scottish Prison Population Statistics](#)

Scottish Prison Service – prevalence of prisoners with housing issues: [Prisoner Survey 2019](#)

## **Nationally determined outcome: More people with convictions access support to enhance their readiness for employment**

### **National indicator**

This indicator is under development.

Percentage of:

- those in employability services with convictions

### **Desired indicator direction**

Not yet set

### **Trend data source**

Not yet available

The Scottish Government is working to develop an indicator to show the number of people with convictions participating in existing Scottish Government funded employability services.

When this information is available this technical note will be updated.

### **Frequency of trend source publication**

Annually

### **Original source of data**

Scottish Government – Employment Statistics

### **Geography**

National, lower geographic to be announced

### **Data required for annual report**

To be announced

### **Data notes to be included by CJPs in annual reporting**

Source:

Data from <Year> to <Year>: Scottish Government

### **Additional evidence base**

National Level Statistics available for Fair Start for people with convictions: [Fair Start Scotland year four annual report: accompanying statistics](#)

Experimental Statistics for No-one Left Behind: [Scotland's Devolved Employment Services statistics](#)

## **Nationally determined outcome: More people access voluntary throughcare following a short term prison sentence**

### **National indicator**

Number of:

- voluntary throughcare cases commenced

### **Desired indicator direction**

Increase from the base year to the year of the next revision of the CJPF. Movement of data to be examined and considered every year.

### **Trend data source**

Scottish Government: National Statistics

[Justice Social Work Statistics – additional tables](#)

Download: JSW local authority tables for throughcare

The source of this data is Justice Social Work statistics, and this indicator is on voluntary throughcare. Voluntary throughcare is available to those who are not subject to statutory throughcare, but who request support from local authorities while in custody or within 12 months of release.

This data is limited to information that is provided and collected from justice social work management systems.

There are other voluntary throughcare services that provide support in prison and after leaving prisons run by third sectors organisations. The Scottish Government wants to work with the Scottish Government funded third sector organisations in the future to increase the scope of this indicator.

### **Frequency of trend source publication**

Annually

### **Original source of data**

Local Authority – Justice Social Work

### **Geography**

National, Local Authority Level

### **Data required for annual report**

Historic trend data will be supplied in spring of every reporting year e.g. data up to 2022-23 supplied spring 2024.

Data will be requested for the reporting year and will be supplied between June and September each year e.g. data for 2023-24 supplied between June and September 2024.

### **Data notes to be included by CJPs in annual reporting**

Source:

Data from <Year> to <Year> : Scottish Government – National Statistics- Justice Social Work Statistics

**Additional evidence base**

More information on voluntary throughcare in link provided in trend data source:  
[Justice Social Work Statistics – additional tables](#)

Annual reports on third sector organisation voluntary throughcare services by the following, these provide national information on referrals:

[New Routes](#)

[Shine](#)

## **Nationally determined outcome: More people across the workforce and in the community understand, and have confidence in, community justice**

### **National indicator**

Percentage of people who agree that:

- people should help their community as part of a community sentence rather than spend a few months in prison for a minor offence

### **Desired indicator direction**

Increase from the base year to the year of the next revision of the CJPF. Movement of data to be examined and considered every year.

### **Trend data source**

Scottish Government: National Statistics

[Scottish Crime and Justice Survey](#)

Module B – Sentencing

The Scottish Crime and Justice Survey (SCJS) is a large-scale social survey which asks people about their experiences and perceptions of crime in Scotland. The sample is designed to be nationally representative of all private residential households in Scotland.

The SCJS also gathers information on attitudes towards prisons and community sentences to understand what the public thinks about the process of sentencing and rehabilitation. It is important to note that questions on attitudes towards community sentences within the SCJS are asked without reference to specific crime circumstances or individuals backgrounds, which may influence opinions about what constitutes a suitable sentence or approach.

### **Frequency of trend source publication**

Scottish Crime and Justice Survey – annual (apart from suspension due to Covid after March 2020, resuming November 2021)

### **Original source of data**

Scottish Crime and Justice Survey

### **Geography**

National

### **Data required for annual report**

Previous trend data will be supplied in spring of every reporting year e.g. data up to 2019-20 supplied in spring 2023.

There will be a time lag with this information as it is from a large survey, but it gives a very important national picture of the public confidence in this area.

### **Data notes to be included by CJPs in annual reporting**

Source:

Data from <Year> to <Year> : Scottish Government – Scottish Crime and Justice Survey

**Additional evidence base**

More information on community sentencing in link provided in trend data source:  
[Scottish Crime and Justice Survey](#)