

Statistical Bulletin

Crime and Justice Series

A National Statistics Publication for Scotland

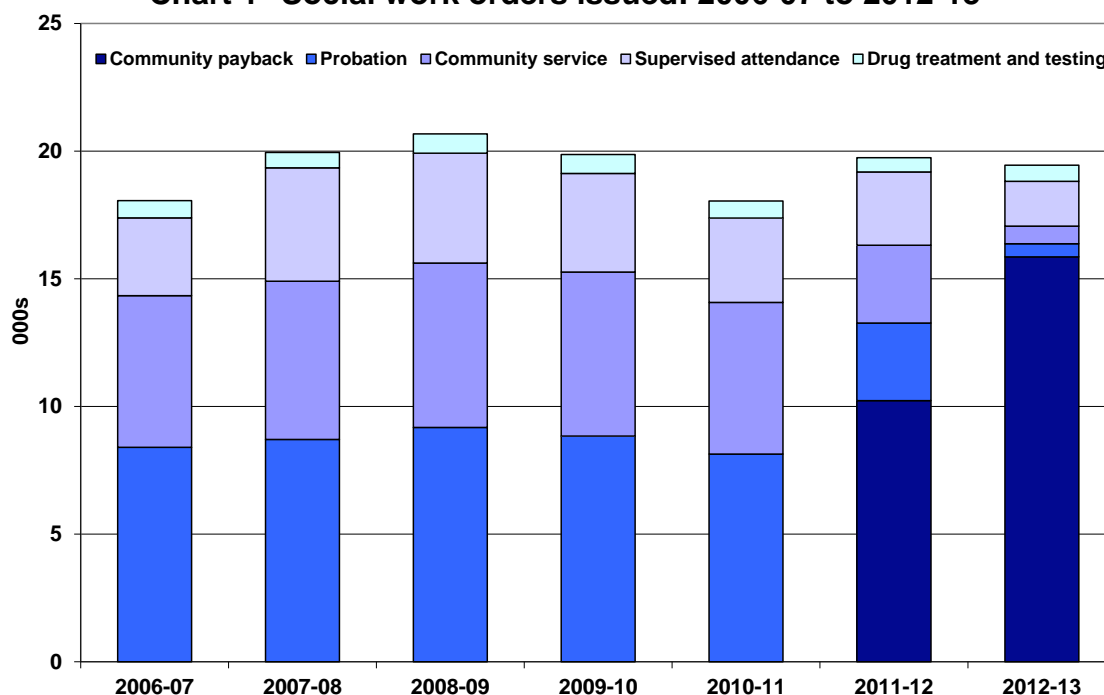


CRIMINAL JUSTICE SOCIAL WORK STATISTICS IN SCOTLAND: 2012-13 30 May 2014

1 Introduction

- 1.1 This publication presents national-level information on criminal justice social work activity in Scotland. The report includes data on criminal justice social work services and social work orders, as well as the characteristics of offenders involved.
- 1.2 The number of social work orders issued has been fairly stable over the past five years with numbers generally falling just short of the 20,000 mark, the most recent figures showing a slight drop between 2011-12 and 2012-13 ([Chart 1](#) and [Table 1](#)).

Chart 1 Social work orders issued: 2006-07 to 2012-13



Note : Figures for 2010-11 exclude about 300 community payback orders issued in February and March which were not included in the data collected from local authorities (see [§5.1.4](#) for details).

Contents

	Page
1	Introduction 1
	Highlights 5
2	Background 6
3	Diversion from prosecution 6
4	Court-based services and social work reports 8
5	Trends in social work orders 10
5.1	Community payback orders 11
5.2	Legacy orders 17
5.3	Drug treatment and testing orders 18
6	Statutory/voluntary throughcare and throughcare addiction service 20
7	Pre-release reports 22
8	Tables 22
Annex A	Sources of information and data quality 44
Annex B	Definitions 46
Annex C	Consultation and accreditation 49

List of tables

Table 1	Summary of criminal justice social work activity: 2006-07 to 2012-13	23
Table 2	Diversion from prosecution: 2008-09 to 2012-13.....	24
Table 3	Diversion from prosecution cases commenced by age, gender, employment status and ethnicity: 2008-09 to 2012-13	25
Table 4	Bail information, court services and home detention curfew assessments: 2008-09 to 2012-13.....	26
Table 5	Criminal justice social work reports submitted by age, gender, employment status and ethnicity: 2008-09 to 2012-13	27
Table 6	Criminal justice social work reports preferred sentencing options: 2012-13	28
Table 7	Main outcomes from criminal justice social work reports: 2012-13.....	29
Table 8	Community payback orders commenced by age, gender, employment status and ethnicity: 2012-13	30
Table 9	Community payback orders issued by court type: 2012-13	31
Table 10	Community payback order requirements: 2012-13.....	31
Table 11	Community payback orders commenced by length of unpaid work requirement: 2012-13	32
Table 12	Community payback orders commenced by length of supervision requirement: 2012-13	32
Table 13	Timescales for first direct contact and induction/case management meeting for community payback orders: 2011-12 and 2012-13	33
Table 14	Reason for not meeting timescales for community payback orders: 2012-13....	33
Table 15	Timescales for starting community payback order work placement: 2012-13....	34
Table 16	Reason for not meeting timescales for starting community payback order work placement: 2012-13	34
Table 17	Breach applications for community payback orders: 2012-13	34
Table 18	Community payback orders terminated by outcome: 2012-13.....	35
Table 19	Community payback orders terminated by number of breach applications: 2012-13	35
Table 20	Community payback order unpaid work requirements by length and time taken to complete: 2012-13	36
Table 21	Terminations of legacy orders: 2008-09 to 2012-13	36
Table 22	Legacy order breach applications by outcome: 2008-09 to 2012-13	37
Table 23	Drug treatment and testing orders commenced by age, gender, employment status, ethnicity and length: 2008-09 to 2012-13.....	38
Table 24	Timescales for first direct contact and case management meeting for drug treatment and testing orders: 2012-13	39
Table 25	Reason for not meeting timescales for drug treatment and testing orders: 2012-13	39
Table 26	Drug treatment and testing orders terminated: 2008-09 to 2012-13	40
Table 27	Drug treatment and testing orders terminated by outcome: 2012-13.....	41
Table 28	Drug treatment and testing orders terminated by number of breach applications: 2012-13	41
Table 29	Statutory throughcare in custody by sentence type: 2008-09 to 2012-13	42
Table 30	Statutory throughcare in the community by type of licence: 2008-09 to 2012-13	43
Table 31	Voluntary throughcare and throughcare addiction services: 2008-09 to 2012-13	43

List of charts

Chart 1	Social work orders issued: 2006-07 to 2012-13	1
Chart 2	Diversion from prosecution cases commenced per 10,000 population by age and gender: 2011-12 and 2012-13.....	7
Chart 3	Completions of social work orders: 2008-09 to 2012-13.....	11
Chart 4	Community payback orders commenced per 10,000 population by age and gender: 2011-12 and 2012-13.....	13
Chart 5	Community payback order requirements: 2011-12 and 2012-13.....	14
Chart 6	Community payback orders commenced by number of requirements: 2012-13	15
Chart 7	Completions/discharges of community payback orders by gender, age, employment status and number of requirements: 2012-13.....	17
Chart 8	Drug treatment and testing order commencements, terminations and completions/discharges: 2006-07 to 2012-13.....	19
Chart 9	Completions/discharges of drug treatment and testing orders by gender, age and employment status: 2012--13.....	20

Highlights

- The number of **diversion from prosecution** cases fluctuated around the 1,000 mark between 2006-07 and 2010-11, before increasing by nearly three quarters over the past couple of years to 1,700 during 2012-13 ([Table 1](#)).
- The number of **criminal justice social work reports** submitted to the courts has shown an overall downward trend over the past four years. The most recent figure for 2012-13 is a drop of 10 per cent over the previous year, from 36,400 to 32,600 (including supplementary reports), and has dropped by almost a quarter since 2008-09 ([Table 1](#)).
- The number of **social work orders** issued has been fairly stable over the past five years with numbers generally falling just short of the 20,000 mark, the most recent figures showing a slight drop of 2 per cent between 2011-12 and 2012-13 ([Table 1](#)). Social work orders include community payback orders introduced in 2011, drug treatment and testing orders and legacy community service/probation/supervised attendance orders ([Table 1](#)).
- Around 15,300 orders commencing in 2012-13 included an element of **unpaid work or other activity**, or just under four-fifths (79 per cent) of social work orders ([Table 1](#) and [Table 10](#)). This represents a consistent increase from previous years' figures of 76 and 68 per cent for 2011-12 and 2010-11 respectively.
- The number of **terminations of social work orders** (including completion/discharge, revocation and other reasons for termination) in 2012-13 rose to 18,100, reversing the decreases seen in the previous two years and bringing numbers back up to around the same level as in 2009-10 ([Table 1](#)).
- There were 12,400 **completions/discharges of social work orders** in 2012-13, or 69 per cent of all terminations ([Table 1](#)). This reflects a continuation of the upward trend from 59 per cent in 2008-09.
- There were 15,900 **community payback orders** commenced in 2012-13, representing 82 per cent of social work orders imposed in that year ([Table 1](#)).
- Most community payback orders included a requirement for **unpaid work or other activity** (80 per cent), and 55 per cent included **offender supervision** ([Table 10](#)).
- The **statutory custody- and community-based throughcare caseload** has been gradually increasing over the years, reaching a peak to date of 5,800 individuals on 31 March 2013 ([Table 1](#)). The custody-based caseload is about 60 per cent of the total.
- The number of **voluntary throughcare** cases commenced has averaged about 2,700 per year over the past five years, with levels falling to 2,600 during the past two years compared to the high point of 2,900 in 2008-09 ([Tables 1](#) and [31](#)).

2 Background

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

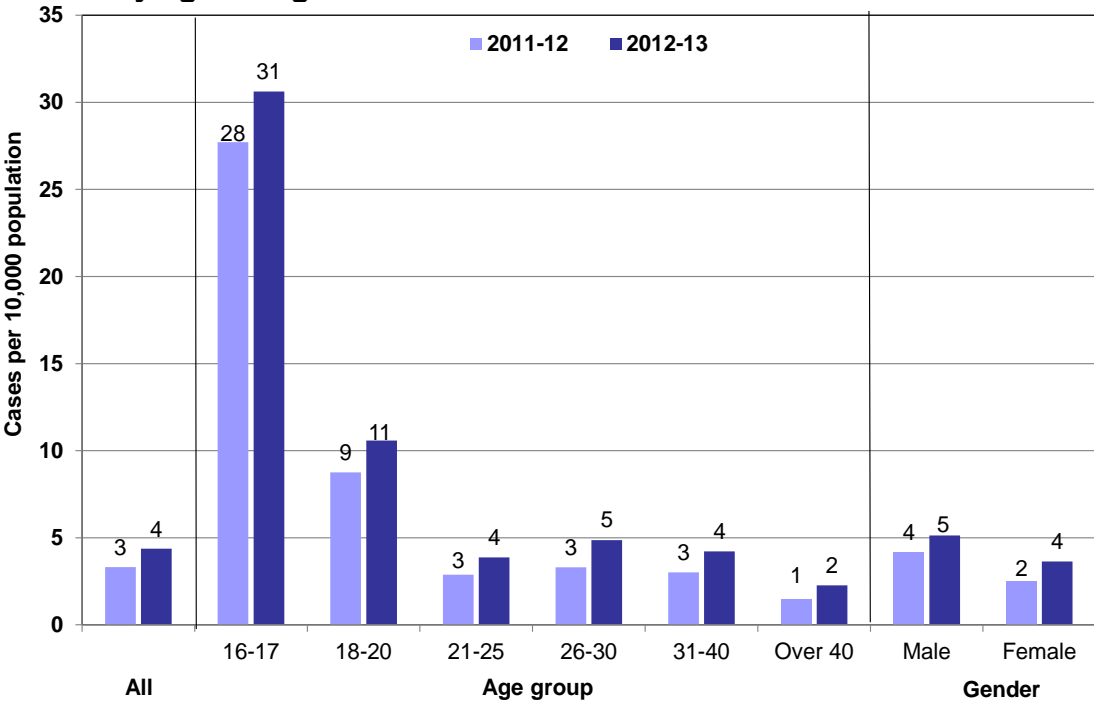
3 Diversion from prosecution (Tables 1, 2 & 3 and Chart 2)

- 3.1 In the case of more minor offences, the procurator fiscal may decide to refer the case to criminal justice social work rather than prosecuting the individual through the courts or offering fiscal direct measures. In such cases, prosecution

is waived, subject to successful completion of the scheme. Diversion from prosecution schemes have been in existence in Scotland since the early 1980s and aim to provide support and advice in relation to the underlying causes of offending, such as problematic substance use. In the late 1990s, the Scottish Office provided funding for a number of pilot schemes, which were rolled out across Scotland in 2000.

- 3.2 Historically, diversion involves relatively low volumes compared to other fiscal disposals such as fines and warnings, or court proceedings. The number of diversion cases has fluctuated around the 1,000 mark between 2006-07 and 2010-11, increasing sharply over the past couple of years to 1,700 during 2012-13, involving some 1,500 individuals. The number of cases is nearly a third (32 per cent) higher than in 2011-12, and represents an increase of nearly three-quarters (74 per cent) over the past two years (Table 1). During 2012-13, there were almost 2,600 referrals, 2,400 assessments and 1,200 cases completed, representing increases of 64, 68 and 52 per cent respectively since 2010-11 (Table 2).
- 3.3 The rise in the number of diversion cases is not consistent across all local authorities, although a large number of councils showed an increase. Further information is provided in the [additional datasets](#) which accompany this publication.
- 3.4 On the whole, the proportion of diversion cases involving women is similar to that for men, although there has been some variation over the years (Table 3). Over half of cases in 2012-13 were either for under 18s (23 per cent) or over 40s (29 per cent). However, under 21s are over-represented when the population base is taken into account and this is likely to reflect a general focus on diversion for this age group (Chart 2).

Chart 2 Diversion from prosecution cases commenced per 10,000 population by age and gender: 2011-12 and 2012-13



3.5 Over half (54 per cent) of diversion cases commenced in 2012-13 involved offenders who were unemployed. This was lower than the equivalent figures for both community payback and drug treatment and testing orders.

4 Court-based services and social work reports

(Tables 1 & 4-7)

4.1 There are various tasks associated with providing information and advice to the court, as well as a throughcare service to individuals and their families at the point when a custodial sentence is made. These include:

- oral/written reports and information at the court's request on specific matters to inform the sentencing process or the decision to remand to custody rather than grant bail
- interviews with individuals and completing a medical mandate where significant medical issues have been highlighted
- diverting persons with mental health problems who may be at 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, establish if any pressing problems should be dealt with immediately, and inform individuals about the availability of relevant social work services
- forwarding relevant information to prisons in the event of a custodial sentence, including details on persons who may pose a risk of harm to themselves and/or others
- representing the local authority criminal justice social work service in the court setting, including where appropriate court users' groups and liaising with other professional groups.

4.2 During 2012-13, the courts made 8,700 requests for **bail information** to local authorities, down 11 per cent from 9,700 in 2011-12. In a proportion of cases, this may result in the use of supervised bail rather than remand. A total of 410 **bail supervision** cases were commenced, a decrease of 17 per cent from the previous year's figure of 500 (Table 4). **Same day reports** (previously called stand down reports) are either pre-sentence reports or specific sentence reports requested by the court - 3,300 such reports were provided to the courts, representing an increase of 10 per cent since 2011-12 and the highest level in the last five years. There were 17,900 **post sentence interviews** with people remanded into custody or receiving custodial sentences for the first time, a decrease of 6 per cent from 19,100 in 2011-12 (Table 4).

Criminal justice social work reports

4.3 The revised criminal justice social work report (CJSWR) was introduced across Scotland from February 2011 to ensure a consistent provision of information, including the social worker's professional analysis. This report (previously called a social enquiry 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 impact upon offending behaviour. A CJSWR must be requested

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

4.4 The number of criminal justice social work reports requested by the courts has shown an overall downward trend since 2006-07. The most recent figure for 2012-13 represents a fall of 12 per cent over the previous year, from 42,100 to 37,200 (including supplementary reports), and has fallen by over a quarter since 2006-07. Similarly, the number of reports submitted in 2012-13 (including supplementaries but excluding letters sent in lieu of reports) fell to 32,600, a drop of 10 per cent compared to the previous year, and over a fifth lower since 2006-07 ([Table 1](#)).

4.5 While the pattern of change varied somewhat across local authorities, the majority showed a general downward trend. Further information is provided in the [additional datasets](#) which accompany this publication.

4.6 The majority of reports (83 per cent, excluding supplementary reports) in 2012-13 involved males ([Table 5](#)).

Preferred sentencing options

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

4.8 Just over two-fifths of reports (42 per cent) recommended the use of a community payback order in 2012-13 ([Table 6](#)). Sixteen per cent involved a CPO with supervision but not unpaid work, while 14 per cent involved unpaid work but no supervision. The proportion of reports where the preferred option was community service or probation has been falling with the introduction of the CPO for offences committed after February 2011.

4.9 Fifteen per cent of reports recommended a deferred sentence of 3 months or more and 7 per cent suggested a monetary penalty. Custody was rarely suggested, featuring as the preferred option in less than 5 per cent of reports. Fourteen per cent of reports suggested some other form of preferred option

(including a restriction of liberty order or deferment for a drug treatment and testing order assessment). Fourteen per cent of CJSWRs in 2012-13 gave no preferred sentencing option.

- 4.10 The main outcome for 37 per cent of CJSWRs in 2012-13 was a community payback order (Table 7). Thirteen per cent of reports resulted in a CPO with unpaid work but no supervision, with 9 per cent resulting in an order with supervision but not unpaid work. In 15 per cent of cases, a CPO was given with both supervision and unpaid work.
- 4.11 Custody was the main outcome for 18 per cent of reports in 2012-13, and this has not changed over the past three years. The other main outcome categories in 2012-13 were deferred sentences (8 per cent) and monetary penalties (7 per cent).

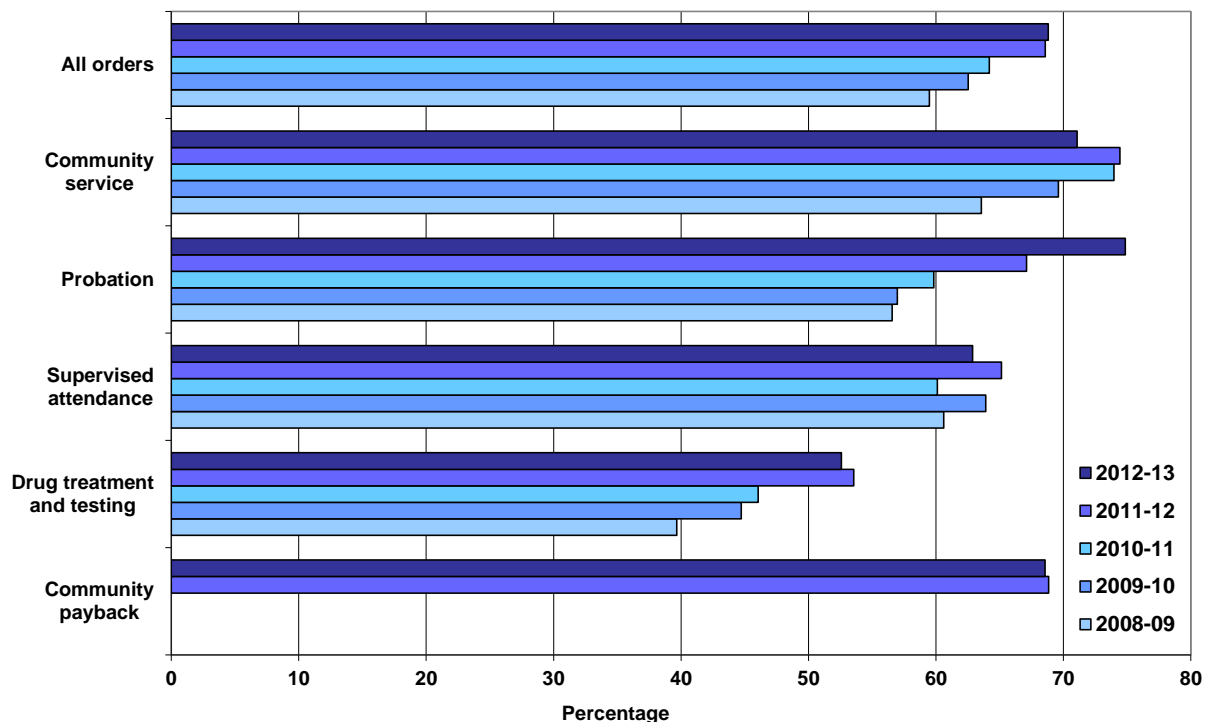
5 Trends in social work orders (Tables 1 & 10 and Chart 3)

- 5.1 Social work orders include community payback, community service, probation, supervised attendance and drug treatment and testing orders. Community payback orders replaced community service, probation and supervised attendance orders for offences committed after 1 February 2011.
- 5.2 While the number of social work order **commencements** decreased slightly by 2 per cent between 2011-12 and 2012-13, the trend has been relatively stable over the past five years, with numbers generally falling just short of the 20,000 mark (Table 1). On the whole, this reflects patterns in sentencing (see the *Criminal proceedings in Scotland* publications). Local authority and community justice authority level breakdowns are available in the [additional datasets](#) which accompany this publication.
- 5.3 There were 15,900 community payback order commencements in 2012-13, representing 82 per cent of all social work orders imposed in that year (Table 1).
- 5.4 Around 15,300 orders commencing in 2012-13 had an element of **unpaid work or other activity**, or just under four-fifths (79 per cent) of all social work orders (Tables 1 and 10). This represents a consistent increase from previous years' figures of 76 and 68 per cent for 2011-12 and 2010-11 respectively.
- 5.5 The number of **terminations** (including completion/discharge, revocation and other reasons for termination) of social work orders in 2012-13 rose to 18,100, reversing the decreases seen in the previous two years and bringing numbers back up to around the same level as in 2009-10 (Table 1).
- 5.6 There were 12,400 social work orders **completed/discharged** in 2012-13, or 69 per cent of all terminations (Table 1 and Chart 3). This represents the culmination of a consistent increase from 59 per cent in 2008-09. Completion rates vary between the different types of order, with the lower tariff orders, such as the community service order, historically having the highest completion rate. The higher tariff orders such as the drug treatment and testing order tend to

show lower completion rates, which reflect the challenges facing this particular client group.

- 5.7 The completion rates for legacy orders issued during the past couple of years **are not strictly comparable with earlier years** as the former will not include cases involving crimes committed after the introduction of the community payback order. Legacy orders issued from 2011-12 onward are therefore likely to involve more complicated court cases compared to cases resulting in a community payback order, and meaningful comparison of completion rates between the two groups is not straightforward.

Chart 3 Completions of social work orders: 2008-09 to 2012-13



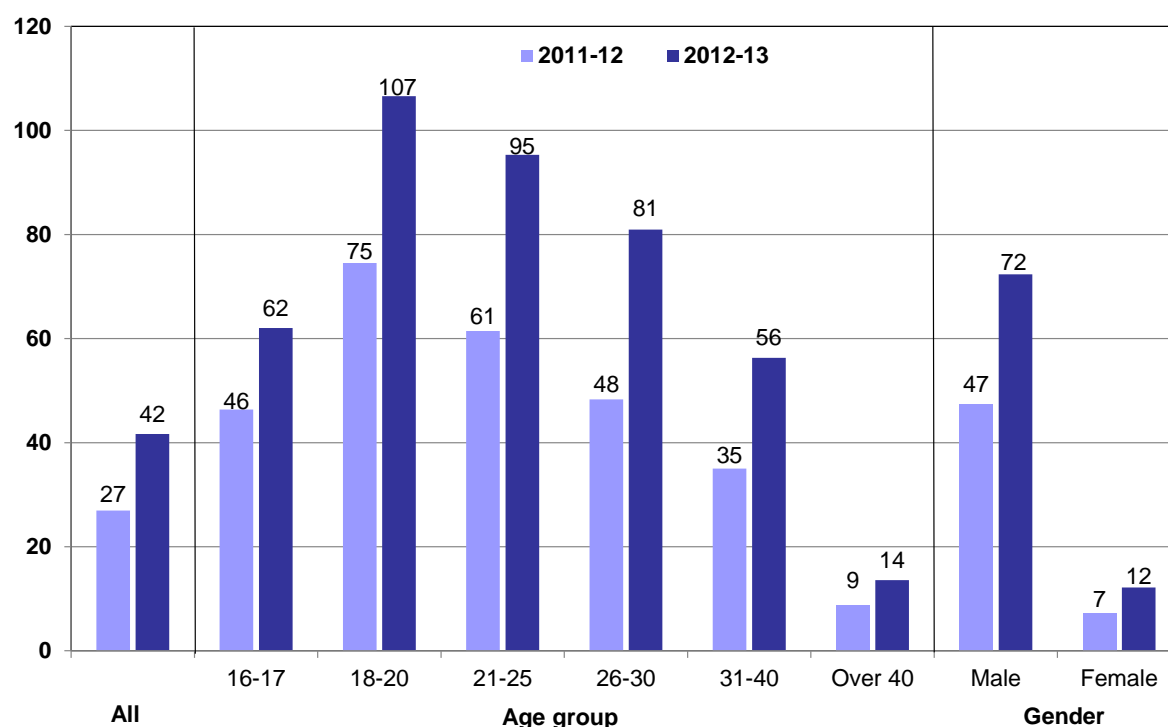
Note: **Completion rates for different orders since 2011-12 are not strictly comparable** as the legacy orders will tend to involve a different offender mix than the group currently getting a community payback order. Comparing completion rates for legacy orders before and after the introduction of the community payback order is therefore also problematic as the more recent cases will involve more complicated court cases compared to cases resulting in a community payback order.

5.1 Community payback orders (Tables 1 and 8-20)

- 5.1.1 Community payback orders were introduced by the [Criminal Justice and Licensing \(Scotland\) Act 2010](#) and replace provisions for community / probation / supervised attendance orders for offences committed from 1 February 2011 onward. They can include one or more of the following requirements:
- offender supervision
 - compensation
 - unpaid work or other activity
 - programme
 - residence

- mental health treatment
 - drug treatment
 - alcohol treatment
 - conduct
- 5.1.2 If an offender fails to comply with the requirements in the order, a restricted movement requirement can also be imposed.
- 5.1.3 The community payback order (CPO) is available to all courts, with restrictions applying to justice of the peace courts in relation to treatment and programme requirements. More information on the community payback order can be found in [Community payback orders practice guidance](#).
- 5.1.4 Local authorities were not asked to provide data on CPOs for 2010-11 due to the small numbers involved. [Monthly figures](#) obtained separately from Scottish Court Service indicate there were only around 300 orders imposed in that year. In 2011-12, authorities were asked to submit details of CPOs as part of the aggregate criminal justice social work statistical return. From 2012-13, data on the implementation of the community payback order are being collected at unit level. This allows the scope for looking at how each order progresses and provides more detailed information on outcomes. While it will take at least two years of data to realise their full potential, this bulletin contains substantially more information than that previously available from the aggregate level collection (see [Annex A](#) for more details).
- 5.1.5 The change in data collection from aggregate to unit level can result in identifying inconsistencies in the data and caution should therefore be exercised when looking at changes in the figures between 2011-12 and 2012-13. **One particular issue affecting comparability is in relation to the type of offender most likely to complete a community payback order during the first few years of implementation.** They will tend to involve cases which are resolved relatively quickly and may result in shorter orders.
- 5.1.6 In addition, not all local authorities were able to provide complete data for 2012-13 due to technical difficulties. Some were not able to supply all of the information requested, and three (Aberdeen City, Fife and Moray) were unable to provide data at unit level. Certain tables therefore include estimated data and this is described in the footnotes.
- 5.1.7 A total of 15,900 community payback orders **commenced** in 2012-13 ([Table 1](#)). As expected, this is substantially higher than in previous years as the legacy orders are phased out. Eighty-five per cent (13,500) of CPOs commenced in 2012-13 were for males ([Table 8](#)). People aged 18 to 25 were more likely to be given a CPO than other age groups when the population base is taken into account ([Chart 4](#)).

Chart 4 Community payback orders commenced per 10,000 population by age and gender: 2011-12 and 2012-13



Note: The change in rates between 2011-12 and 2012-13 will be primarily due to the use of the community payback order for offences committed after February 2011 as the legacy orders are phased out.

5.1.8 Offenders were unemployed in about two-thirds of cases (63 per cent) in 2012-13 (Table 8). A fifth were employed or self-employed, and 8 per cent were not economically active.

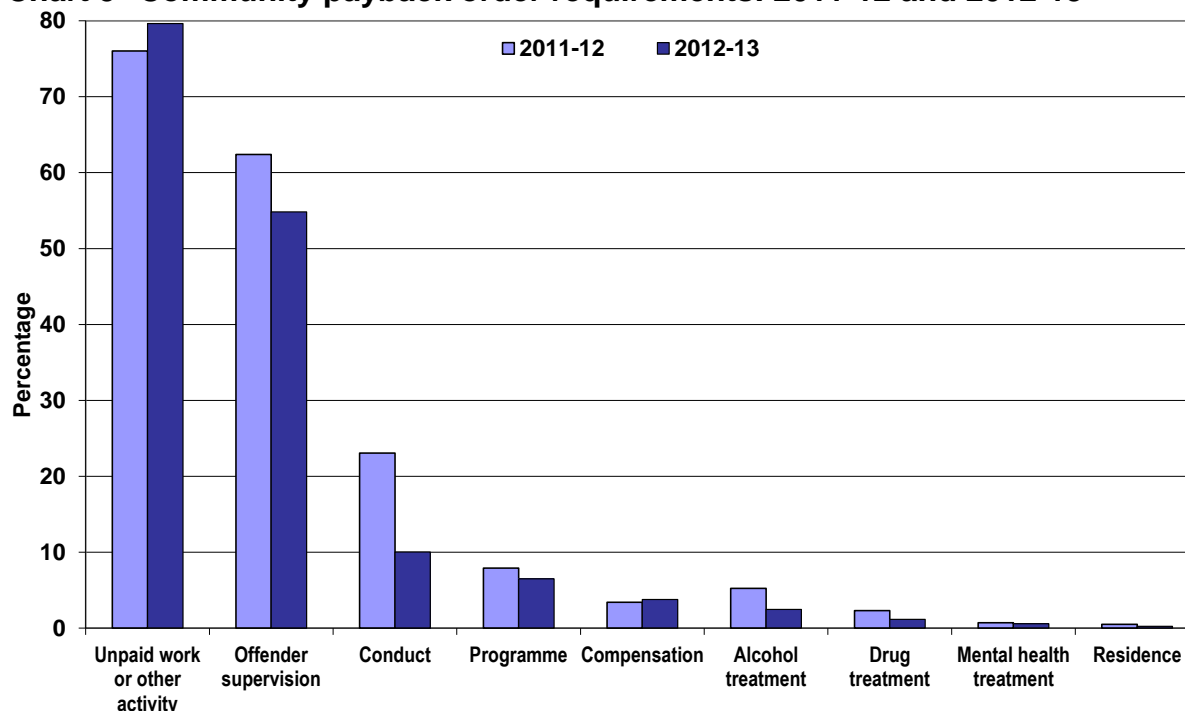
5.1.9 Just under 90 per cent of community payback orders were issued by sheriff summary courts, with a further 5 per cent issued as a result of sheriff solemn procedure (Table 9).

5.1.10 There were a total of 13,600 **CPOs in force** at 31 March 2013 (see Table 1 and the additional datasets which accompany this publication). At present there is not a long enough time series for these figures to allow meaningful in-depth commentary and comparison. Patterns for snapshot numbers in force will be discussed further once the data collection becomes more established.

Requirements

5.1.11 As anticipated, most community payback orders included a requirement for **unpaid work or other activity** (80 per cent), and 55 per cent included **offender supervision** (Table 10 and Chart 5). The split between level 1 (20-100 hours) and level 2 (over 100 – 300 hours) work requirements was roughly half and half (Table 11). The most common length for supervision requirements was 12 months or less, which accounted for nearly 60 per cent of all cases, while nearly two-fifths were between 12 and 24 months (Table 12).

Chart 5 Community payback order requirements: 2011-12 and 2012-13



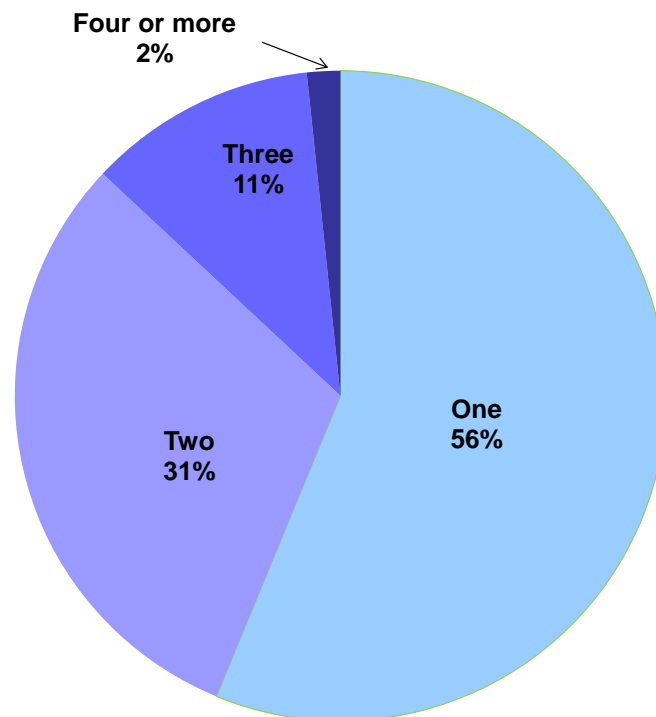
5.1.12 A **conduct requirement** was issued for 10 per cent of orders (Table 10). This was just under half the proportion observed for 2011-12 due to a 2012 appeal court judgement¹ that conduct requirements must be specific and include more than general conditions to stay out of trouble or to refrain from committing another criminal offence. The fall in the use of conduct requirements will also have had a knock on effect on the level of supervision requirements as orders with a conduct requirement should also include supervision.

5.1.13 Other requirements included **programme** (7 per cent) and **compensation** (4 per cent). Treatment for **alcohol, drug** and **mental health** problems accounted for relatively few requirements, ranging from just under 2½ per cent (**drug**) to 0.6 per cent (**mental health**).

5.1.14 Over half (56 per cent) of community payback orders commenced in 2012-13 included one requirement – normally unpaid work/other activity or supervision. About 30 per cent had two requirements (normally including supervision) while about a tenth had three (Chart 6).

¹ Scottish Court Service (2012) *High court of judiciary appeal court opinion 96*. <http://www.scotcourts.gov.uk/opinions/2012HCJAC96.html>

Chart 6 Community payback orders commenced by number of requirements: 2012-13



Note: As this information could only be obtained from unit level data, the chart excludes data from Aberdeen City, Fife and Moray council areas.

Timescales for implementation

5.1.15 The Scottish Government *Community payback orders practice guidance* is intended to support practitioners and managers to improve their performance and work towards the achievement of the national outcomes and standards for social work services in the criminal justice system. The guidance contains a number of principles of best practice, including:

- the first direct contact with the offender 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 5 working days of the date of imposition of the order
- where an unpaid work or other activity requirement is imposed, the work placement should begin within 7 working days of imposition of the order.

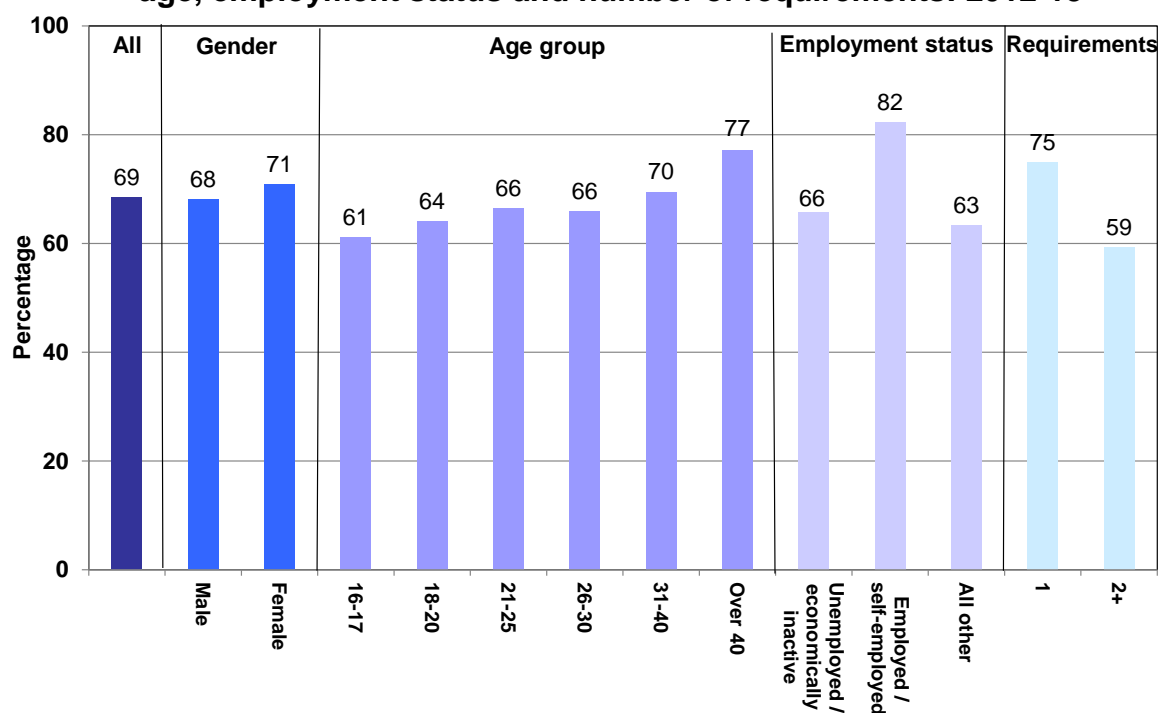
5.1.16 In nearly 80 per cent of cases in 2012-13, first direct contact took place within one working day of the order being imposed (Table 13). The first induction / case management meeting took place within five working days in over 80 per cent of cases and about a tenth took between six and ten working days.

- 5.1.17 There may be various reasons why these timescales are not met. About a third of delays in first direct contact were due to offenders missing their appointment, while the unavailability of a social worker or other non client-related reason accounted for a further third. Other client-based reasons included being subject to another sentence, employment or illness. Delays for the first induction / case management meeting were due to a wide range of reasons: about 15 per cent of cases involved the offender being subject to another sentence, employment or illness, another 15 per cent were due to delays in first making contact or staff availability, and about half the cases involved other client-based reasons (Table 14).
- 5.1.18 Just over 70 per cent of cases commenced work placements within seven working days (Table 15). A further 18 per cent began their work placement within three weeks. Only 4 per cent took more than two months.

Terminations

- 5.1.19 A total of 10,000 community payback orders were **terminated** in 2012-13 (Table 17). Approximately 70 per cent (6,800) of these orders were either completed or resulted in an early discharge (Table 18). A further 18 per cent were revoked following a breach application to the courts, 5 per cent were revoked following a review and the remaining 9 per cent were terminated for other reasons (including transfer to another area or death).
- 5.1.20 The majority, or three-quarters, of orders terminated during 2012-13 were completed or terminated without any breach applications (Table 19). For the remainder, there were a total of 2,800 breach applications made (Table 17). The majority of breach applications (82 per cent) were lodged with the court within five working days of the decision to make an application.
- 5.1.21 For CPOs revoked due to breach, the most likely outcome was that a custodial sentence was imposed (35 per cent) followed by a new order being imposed or another outcome (29 and 27 per cent respectively) (Table 18). About a fifth of orders revoked due to review resulted in a custodial sentence, while nearly 60 per cent resulted in another outcome.
- 5.1.22 Completion rates varied by age, number of requirements and employment status (Chart 7). They showed a consistent increase with age, ranging from just over 60 per cent for 16 and 17 year olds to over three quarters for the over 40s. Over three quarters of offenders with one requirement completed their order, and this proportion fell to just under 60 per cent for orders with more than one requirement. Eighty two per cent of those who were employed or self-employed completed, compared to two thirds of those who were unemployed or economically inactive.

Chart 7 Completions/discharges of community payback orders by gender, age, employment status and number of requirements: 2012-13



Note: Figures include estimates for the three councils unable to provide unit level data.

5.2 Legacy orders (Tables 1, 21 and 22)

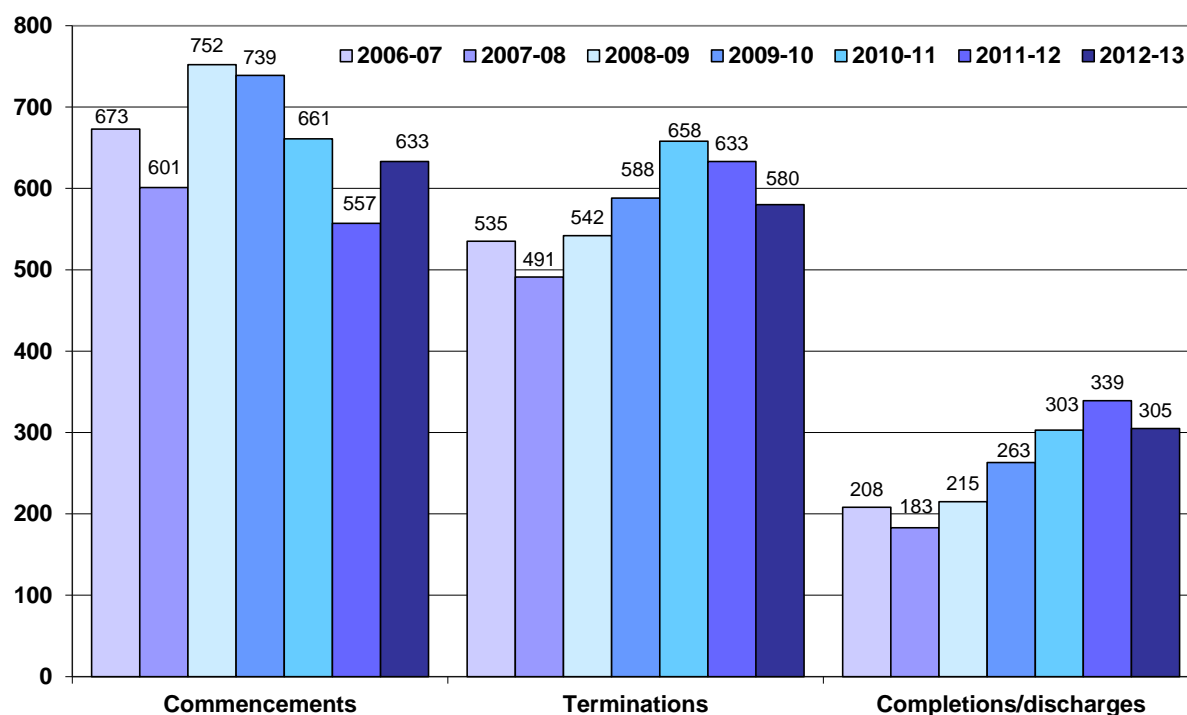
- 5.2.1 There were nearly 3,000 community service / probation / supervised attendance orders **commenced** during 2012-13 for offences committed before February 2011, accounting for about 15 per cent of all social work orders (Table 1).
- 5.2.2 Most legacy orders in 2012-13 (almost 60 per cent or 1,800) were **supervised attendance orders**. This reflects the fact that the majority of these orders are issued as a secondary penalty for fine default, and so it is more likely that the original offence occurred before February 2011. Community service and probation orders accounted for 23 and 17 per cent of legacy orders respectively.
- 5.2.3 A total of 7,500 legacy orders were **terminated** in 2012-13 (Tables 1 and 21). The majority (70 per cent) of these orders were completed or discharged. A further 22 per cent involved revocation following breach or review, and the remaining 7 per cent were terminated for other reasons (including transfer to another area or death). As discussed in §5.1.5, comparing completion rates for legacy orders before and after the introduction of the community payback order is problematic as recent cases will tend to be the more complex ones which have taken longer to process through the courts.

- 5.2.4 There were almost 2,400 **breach applications** made to the courts in 2012-13 in respect of legacy orders (Table 22). These do not necessarily relate to orders either commenced or terminated during the year.
- 5.2.5 The outcome of breach applications was fairly evenly split between the original order being revoked and a custodial sentence imposed (15 per cent), order being revoked and some other action taken (13 per cent, including probation and monetary penalty), and the original order being continued with no further action (23 per cent). The outcome was not known for 16 per cent of breach applications, the lowest proportion in any of the last five years (this will reflect time lags in reporting outcomes of breach procedures in many cases, rather than loss of contact with the client). Readers should note that these figures reflect outcomes of breach applications made during the year (where known) and **are on a different basis from those reported for community payback and drug treatment and testing orders**. The latter represent the outcome of breach applications which may have occurred in earlier years, and will therefore be more complete.

5.3 Drug treatment and testing orders (Tables 1 and 23-28)

- 5.3.1 The drug treatment and testing order is available to high, sheriff and Glasgow stipendiary magistrates courts as a high tariff disposal for offenders with substance use problems who might otherwise get a custodial sentence. In addition, the less intensive DTTO II has been available to courts (including justice of the peace courts) in City of Edinburgh, East Lothian and Midlothian on a pilot basis since 2008, and currently accounts for about a third of the DTTOs in these areas (see §B.5). Data for 2012-13 onward are collected at unit level, while earlier figures are based on aggregate data and so **caution is suggested when comparing with current figures** (see Annex A for more details).
- 5.3.2 A total of 630 drug treatment and testing orders **commenced** in 2012-13 (including the DTTO II, which is not identified separately from the original order). This represents an increase of 14 per cent on 2011-12, although figures over the past three years have been lower than the peak of about 750 in 2008-09 and 2009-10 (Table 1 and Chart 8). Male offenders accounted for 80 per cent of DTTOs commenced in 2012-13 (Table 23). The incidence of DTTOs was highest amongst 26 to 40 year olds (4-5 per 10,000 population), and less than ½ per 10,000 population for under 21s and over 40s (see the [additional datasets](#) which accompany this publication).
- 5.3.3 Just over three quarters of people getting a DTTO were unemployed, and a further 16 per cent were economically inactive.
- 5.3.4 The **average length** of a DTTO in 2012-13 was 18.1 months, around 2½ weeks longer than in 2011-12, and at a similar level to 2010-11 (Table 23).

Chart 8 Drug treatment and testing order commencements, terminations and completions/discharges: 2006-07 to 2012-13



5.3.5 Nearly four fifths of DTTOs had first direct contact within one working day of the order being imposed, with only 7 per cent of cases taking longer than five working days (Table 24).

5.3.6 The first case management meeting took place within five working days in 2012-13 in nearly three quarters of cases, with 15 per cent taking longer than ten working days.

5.3.7 The reasons provided for not complying with these timescales suggest that this offender group presents more challenges, as not attending meetings without an excuse is more prevalent than for other offender groups - 43 per cent for the initial contact meeting and 44 per cent for the induction / case management meeting (Table 25).

5.3.8 There were a total of 750 drug treatment and testing orders in force on 31 March 2013 (Table 1).

5.3.9 During 2012-13, the number of DTTO **terminations** fell for the second year in a row, dropping by 8 per cent over the previous year to 580 (Tables 1 and 26). Fifty-three per cent of terminations were completions/discharges in 2012-13; this is similar to the previous year and higher than the proportions of around 40 to 45 per cent observed in earlier years. The completion rate for DTTOs does tend to be lower than for other social work orders, primarily due to the type of offender involved.

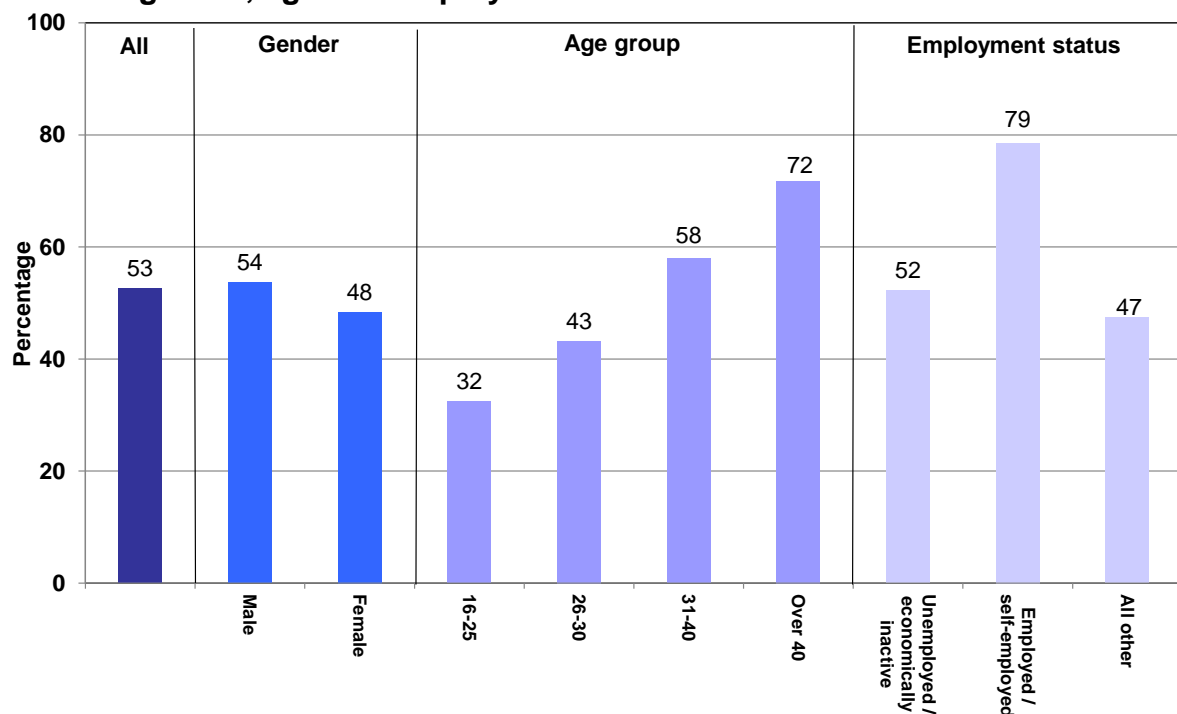
5.3.10 Twenty-three per cent of orders were revoked due to review, and, reflecting the recent higher completion rates, the proportion of terminations due to breach was at a five year low of 17 per cent (Table 26). The remaining 7 per

cent were terminated for other reasons (including transfer out of the area or death). A custodial sentence was imposed in 43 per cent of revoked cases (Table 27).

5.3.11 Three-quarters of orders were terminated without breach applications (Table 28). The majority (93 per cent) of the breach applications were lodged with the court within 5 working days of the decision being made to make an application (see the additional datasets which accompany this publication).

5.3.12 Completion rates varied markedly by age and employment status (Chart 9), with older offenders and those in employment being more likely to complete. The over 40s were more than twice as likely as the under 25s, and nearly 80 per cent of those who were employed / self-employed completed their order, compared to just over half for those who were unemployed or economically inactive.

Chart 9 Completions/discharges of drug treatment and testing orders by gender, age and employment status: 2012--13



Notes: Age and employment status at termination. Figures may include a small number of under 16s.

6 Statutory/voluntary throughcare and throughcare addiction service (Tables 1 and 29-31)

6.1 Criminal justice social work departments are expected to provide a throughcare service to all offenders who are subject to statutory supervision on release from prison. This includes those serving sentences of four years or more and sex offenders serving six months or more, 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 (or assistance) 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. A throughcare addiction service was also introduced in 2005 which provides a more intensive motivational service to help the offender address their addiction and associated difficulties, and includes referral services. More information on these services can be found in [Annex B](#). The [throughcare map](#) developed by the [Institute for Research and Innovation in Social Services](#) also provides useful general background to throughcare services in Scotland.

- 6.2 Commencements for **statutory throughcare in custody** have fluctuated between just under 1,000 and just over 1,100 over the past five years, with figures for 2012-13 representing a relative low of 970 cases ([Table 29](#)). Almost half involved determinate sentences of four years or more, while supervised release orders accounted for nearly a quarter and extended sentences for 16 per cent.
- 6.3 **Statutory throughcare cases in the community** have dropped over the past five years from a peak of over 1,200 commencements in 2008-09 to 1,000 in 2012-13 ([Table 30](#)). A quarter of all cases commenced in 2012-13 related to non-parole licences, while parole licences and supervised release orders accounted for about a further fifth each.
- 6.4 The **statutory custody- and community-based throughcare caseload** has been gradually increasing over the years, reaching a peak to date of 5,800 individuals on 31 March 2013 ([Tables 1, 29 and 30](#)). The custody-based caseload is about 60 per cent of the total.
- 6.5 **Completions** of statutory throughcare cases in the community have also fluctuated over the years. The two most recent years represent an increase over the levels observed in 2009-10, from 850 to 930 in 2012-13. ([Table 30](#)).
- 6.6 The number of **voluntary throughcare cases** commenced has averaged about 2,700 per year over the past five years, with levels falling to 2,600 during the past two years compared to the high point of 2,900 in 2008-09 ([Tables 1 and 31](#)).
- 6.7 The number of **individuals receiving voluntary throughcare** each year has also fluctuated around 2,400-2,500 for the past five years, with the most recent figure of 2,500 for 2012-13 representing a slight increase of about 5 per cent over the past two years.
- 6.8 Use of the **throughcare addiction service** has involved around 1,500 cases starting each year for the past five years, with the figures falling to about 1,300 in 2012-13 ([Table 31](#)).

7 Pre-release reports

(Tables 1 and 4)

- 7.1 Part of statutory throughcare involves providing reports to inform temporary release from prison on home leave to facilitate re-integration into the community, and to inform the process of liberation on parole/non-parole licence. In 2012-13, 1,500 **home leave reports**² were produced, though this was a considerable decrease of 22 per cent on the 2011-12 figure of 1,900. A total of 1,500 **home circumstance reports** for release from prison on parole/non-parole licence were recorded in 2012-13, around the same as in 2011-12 (Table 1).
- 7.2 From 2006, those serving a custodial sentence may also be released early under a home detention curfew scheme³. During 2012-13, there were 3,200 **home detention curfew assessments**, around the same as in 2011-12 (Table 4).

8 Tables

- 8.1 The following symbols are used throughout the tables in this bulletin:
- nil
 - .. missing
 - n/a not available/applicable
- 8.2 Percentage figures given in tables and charts may not always sum to the exact totals due to rounding. Any percentages in the tables which are less than 0.5% are represented by the symbol *.
- 8.3 Figures are given precisely in the tables but are generally **rounded for presentational purposes** in the text as follows (percentages are calculated using the unrounded figures):
- 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

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

³ Scottish Prison Service webpage <http://www.sps.gov.uk/Prisons/HomeDetentionCurfewHDC.aspx>

Table 1 Summary of criminal justice social work activity: 2006-07 to 2012-13

	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
Diversion from prosecution							
Cases commenced	1,133	956	962	1,053	958	1,260	1,664
Individuals	1,089	939	929	933	939	1,231	1,512
Cases successfully completed	809	818	779	763	800	898	1,217
Bail supervision							
Cases commenced	782	729	583	481	450	497	411
Individuals	687	657	496	436	430	467	397
Criminal justice social work reports¹							
<i>Total reports submitted (including supplementaries)</i>	40,848	41,986	42,472	40,762	37,504	36,367	32,558
Individuals with reports submitted	28,349	28,947	29,247	28,888	27,371	26,922	24,785
Supplementary reports submitted	5,842	6,100	6,159	6,031	5,493	4,488	4,536
Reports requested	50,698	49,620	51,208	47,095	44,031	42,054	37,184
Social work orders							
Commencements	18,061	19,947	20,674	19,865	18,044	19,746	19,449
Community payback orders ²					..	10,228	15,857
Community service orders	5,937	6,202	6,437	6,429	5,940	3,044	693
Probation orders	8,404	8,706	9,179	8,838	8,136	3,040	514
With an element of unpaid work	2,499	3,053	3,324	3,236	3,031	1,276	216
Supervised attendance orders	3,047	4,438	4,306	3,859	3,307	2,877	1,752
Drug treatment and testing orders	673	601	752	739	661	557	633
Individuals	16,858	18,169	18,786	18,127	16,554	18,044	17,069
Community payback orders					..	9,376	13,880
Community service orders	5,672	5,874	6,124	6,053	5,665	2,933	656
Probation orders	7,851	7,984	8,422	8,182	7,520	2,833	490
With an element of unpaid work	2,393	2,887	3,135	3,074	2,875	1,228	213
Supervised attendance orders	2,745	3,768	3,582	3,219	2,764	2,380	1,472
Drug treatment and testing orders	590	543	658	673	605	522	571
Orders in force at 31 March³							
Community payback orders							13,609
Drug treatment and testing orders							753
Terminations	15,446	16,135	18,889	18,290	17,869	17,213	18,057
Community payback orders					..	2,616	9,983
Community service orders	5,432	5,825	6,883	6,737	6,082	4,706	2,037
Probation orders	6,755	6,849	7,488	7,551	7,883	6,619	3,329
Supervised attendance orders	2,724	2,970	3,976	3,414	3,246	2,639	2,128
Drug treatment and testing orders	535	491	542	588	658	633	580
Proportion of completions/discharges	61.5	59.7	59.5	62.5	64.2	68.6	68.8
Community payback orders					..	68.8	68.6
Community service orders	65.7	64.6	63.6	69.6	74.0	74.4	71.1
Probation orders	60.2	58.4	56.6	57.0	59.8	67.1	74.9
Supervised attendance orders	61.0	56.7	60.6	63.9	60.1	65.1	62.9
Drug treatment and testing orders	38.9	37.3	39.7	44.7	46.0	53.6	52.6
Statutory throughcare							
Cases commenced (custody)	1,228	1,247	1,110	1,019	1,028	1,072	965
Cases commenced (community)	1,256	1,056	1,238	1,062	1,046	1,047	1,001
Cases completed (community)	954	879	1,062	845	881	944	927
Cases in force at 31 March (custody/community)	5,081	5,292	5,388	5,546	5,392	5,576	5,778
Voluntary throughcare (assistance)							
Cases commenced	2,464	2,681	2,883	2,683	2,725	2,625	2,597
Individuals who received assistance	2,087	2,253	2,545	2,433	2,350	2,428	2,464
Throughcare addiction services cases commenced	1,339	1,424	1,453	1,523	1,515	1,486	1,320
Pre-release reports							
Total	2,331	2,701	2,854	3,251	3,616	3,425	2,982
Home leave reports	989	1,315	1,230	1,569	2,055	1,923	1,500
Home circumstance reports (parole/non-parole)	1,342	1,386	1,624	1,682	1,561	1,502	1,482

1. Social enquiry reports prior to February 2011.

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

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

Table 2 Diversion from prosecution: 2008-09 to 2012-13

	2008-09	2009-10	2010-11	2011-12	2012-13
Referrals	1,331	1,862	1,561	1,878	2,561
Assessments	1,236	1,391	1,415	1,717	2,377
Cases commenced	962	1,053	958	1,260	1,664
Individuals	929	933	939	1,231	1,512
Cases successfully completed	779	763	800	898	1,217
Cases referred to drug treatment/education	43	17	31	129	43
Cases referred to alcohol treatment programmes					67
Cases referred to mental health services					48

Table 3 Diversion from prosecution cases commenced by age, gender, employment status and ethnicity: 2008-09 to 2012-13

	2008-09	2009-10	2010-11	2011-12	2012-13
Total	962	1,053	958	1,260	1,664
					<i>Number</i>
Age group¹					
16-17	191	189	142	349	379
18-20	59	96	143	188	221
21-25	93	103	99	104	142
26-30	97	115	103	114	168
31-40	214	235	230	201	278
Over 40	308	315	241	304	476
Gender					
Male	472	552	497	779	957
Female	490	501	461	481	707
Employment status					
Full-time education	57	57	124	136	127
Employed/self employed	148	162	163	223	319
Unemployed	375	354	514	654	899
Government training scheme	3	15	6	37	24
Economically inactive ²	116	148	129	107	117
Other ³	263	317	22	103	178
Ethnicity					
White	659	848	631	1,034	1,415
Asian	14	16	9	23	18
African, Caribbean or Black	5	15	7	15	12
Mixed	-	1	2	-	4
Other	17	18	8	5	20
Not known/provided	267	155	301	183	195
					<i>Percentage</i>
Total	100.0	100.0	100.0	100.0	100.0
Age group¹					
16-17	19.9	17.9	14.8	27.7	22.8
18-20	6.1	9.1	14.9	14.9	13.3
21-25	9.7	9.8	10.3	8.3	8.5
26-30	10.1	10.9	10.8	9.0	10.1
31-40	22.2	22.3	24.0	16.0	16.7
Over 40	32.0	29.9	25.2	24.1	28.6
Gender					
Male	49.1	52.4	51.9	61.8	57.5
Female	50.9	47.6	48.1	38.2	42.5
Employment status					
Full-time education	5.9	5.4	12.9	10.8	7.6
Employed/self employed	15.4	15.4	17.0	17.7	19.2
Unemployed	39.0	33.6	53.7	51.9	54.0
Government training scheme	*	1.4	0.6	2.9	1.4
Economically inactive ²	12.1	14.1	13.5	8.5	7.0
Other ³	27.3	30.1	2.3	8.2	10.7
Ethnicity (where known)					
White	94.8	94.4	96.0	96.0	96.3
Asian	2.0	1.8	1.4	2.1	1.2
African, Caribbean or Black	0.7	1.7	1.1	1.4	0.8
Mixed	-	*	*	-	*
Other	2.4	2.0	1.2	*	1.4

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

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

3. Figures for 2008-09 and 2009-10 include a large number of cases in City of Edinburgh and Highland where employment status was unknown.

Table 4 Bail information, court services and home detention curfew assessments: 2008-09 to 2012-13

	2008-09	2009-10	2010-11	2011-12	2012-13
Bail information					
<i>Requests from court for bail information</i>	8,852	9,061	8,355	9,709	8,662
<i>Bail supervision cases</i>					
Number commenced	583	481	450	497	411
Individuals	496	436	430	467	397
Court services					
<i>Same day reports</i> ¹	1,869	1,896	2,031	2,955	3,255
Written reports	456	345	748	975	1,177
Oral reports	1,413	1,551	1,283	1,980	2,078
<i>Information at court's request</i> ²			370	424	774
<i>Post sentence interviews</i>	16,455	18,605	18,090	19,143	17,913
Home detention curfew assessments					
Reports	3,231	3,203	2,917	3,167	3,178
Individuals	2,965	2,911	2,665	2,845	2,876

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

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

Table 5 Criminal justice social work reports submitted by age, gender, employment status and ethnicity: 2008-09 to 2012-13

	2008-09	2009-10	2010-11	2011-12	2012-13
Total	36,313	34,731	32,011	31,879	<i>Number</i> 28,022
Age group					
16-17 ¹	3,195	2,810	2,105	1,911	1,369
18-20	6,511	5,971	5,374	5,056	3,835
21-25	7,683	7,256	6,712	6,426	5,810
26-30	5,715	5,604	5,194	5,113	4,737
31-40	7,506	7,332	6,987	7,332	6,654
Over 40	5,703	5,758	5,639	6,041	5,617
Gender					
Males	30,536	28,809	26,612	26,558	23,185
Females	5,777	5,922	5,399	5,321	4,837
Employment status					
Full-time education	720	688	624	630	465
Employed/self employed	7,985	7,082	7,013	6,086	5,859
Unemployed	20,081	18,738	17,836	18,141	15,606
Government training scheme	373	302	283	209	138
Economically inactive ²	5,062	4,771	4,666	4,635	3,867
Other	2,092	3,150	1,589	2,178	2,087
Ethnicity					
White	29,833	30,918	28,876	28,501	24,900
Asian	414	387	351	360	247
African, Caribbean or Black	226	209	158	172	145
Mixed	132	117	129	113	80
Other	916	458	275	312	327
Not known/provided	4,792	2,642	2,222	2,421	2,323
Total	100.0	100.0	100.0	100.0	<i>Percentage</i> 100.0
Age group					
16-17 ¹	8.8	8.1	6.6	6.0	4.9
18-20	17.9	17.2	16.8	15.9	13.7
21-25	21.2	20.9	21.0	20.2	20.7
26-30	15.7	16.1	16.2	16.0	16.9
31-40	20.7	21.1	21.8	23.0	23.7
Over 40	15.7	16.6	17.6	18.9	20.0
Gender					
Males	84.1	82.9	83.1	83.3	82.7
Females	15.9	17.1	16.9	16.7	17.3
Employment status					
Full-time education	2.0	2.0	1.9	2.0	1.7
Employed/self employed	22.0	20.4	21.9	19.1	20.9
Unemployed	55.3	54.0	55.7	56.9	55.7
Government training scheme	1.0	0.9	0.9	0.7	*
Economically inactive ²	13.9	13.7	14.6	14.5	13.8
Other	5.8	9.1	5.0	6.8	7.4
Ethnicity (where known)					
White	94.6	96.4	96.9	96.8	96.9
Asian	1.3	1.2	1.2	1.2	1.0
African, Caribbean or Black	0.7	0.7	0.5	0.6	0.6
Mixed	*	*	*	*	*
Other	2.9	1.4	0.9	1.1	1.3

Note: Figures **exclude supplementary reports**.

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

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

Table 6 Criminal justice social work reports preferred sentencing options: 2012-13

	2008-09	2009-10	2010-11	2011-12	2012-13
Total	36,313	34,731	32,011	31,879	28,022
					<i>Number</i>
Monetary penalty	2,886	2,640	2,292	2,261	1,883
Community service	5,600	5,836	5,456	2,830	606
Probation: unpaid work	1,727	1,706	1,887	989	314
Probation: standard conditions	3,932	3,702	3,431	1,186	147
Probation: additional conditions	2,980	3,151	2,889	1,037	161
Community payback order: unpaid work, no supervision				2,511	4,040
Community payback order: supervision, no unpaid work				3,192	4,461
Community payback order: unpaid work and supervision				2,916	3,188
Restriction of liberty order	720	784	702	499	543
Deferment for DTTO assessment	914	1,024	757	649	702
Custody	1,045	1,051	1,015	1,053	927
Custody: extended sentence	145	145	105	171	163
Custody: supervised release order	151	142	128	203	182
Sentence deferred: 3 months or more	5,581	5,712	4,998	4,630	4,204
No preferred option	5,570	5,391	5,011	4,382	3,949
Other	5,062	3,447	3,340	3,370	2,552
					<i>Percentage</i>
Total	100.0	100.0	100.0	100.0	100.0
Monetary penalty	7.9	7.6	7.2	7.1	6.7
Community service	15.4	16.8	17.0	8.9	2.2
Probation: unpaid work	4.8	4.9	5.9	3.1	1.1
Probation: standard conditions	10.8	10.7	10.7	3.7	0.5
Probation: additional conditions	8.2	9.1	9.0	3.3	0.6
Community payback order: unpaid work, no supervision				7.9	14.4
Community payback order: supervision, no unpaid work				10.0	15.9
Community payback order: unpaid work and supervision				9.1	11.4
Restriction of liberty order	2.0	2.3	2.2	1.6	1.9
Deferment for DTTO assessment	2.5	2.9	2.4	2.0	2.5
Custody	2.9	3.0	3.2	3.3	3.3
Custody: extended sentence	*	*	*	0.5	0.6
Custody: supervised release order	*	*	*	0.6	0.6
Sentence deferred: 3 months or more	15.4	16.4	15.6	14.5	15.0
No preferred option	15.3	15.5	15.7	13.7	14.1
Other	13.9	9.9	10.4	10.6	9.1

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

Table 7 Main outcomes from criminal justice social work reports: 2012-13

	2008-09	2009-10	2010-11	2011-12	2012-13
					<i>Number</i>
Total	36,313	34,731	32,011	31,879	28,022
Monetary penalty	3,362	3,077	2,917	2,517	2,040
Community service	5,400	5,668	5,281	2,418	487
Probation: unpaid work	2,904	2,811	2,795	1,046	202
Probation: standard conditions	2,832	2,798	2,460	853	190
Probation: additional conditions	2,090	2,090	2,133	490	77
Community payback order: unpaid work, no supervision				2,098	3,711
Community payback order: supervision, no unpaid work				2,019	2,503
Community payback order: unpaid work and supervision				3,689	4,200
Restriction of liberty order	569	560	452	375	421
Deferment for DTTO assessment	823	396	419	302	325
Custody	5,105	5,758	5,375	5,435	4,705
Custody: extended sentence	171	122	126	150	117
Custody: supervised release order	178	145	141	199	172
Warrant for apprehension / recall	1,535	890	817	869	620
Sentence deferred: 3 months or more	3,412	3,265	3,163	2,688	2,225
Admonition	1,248	1,074	1,046	1,061	842
Absolute discharge	24	25	30	21	17
Other	5,016	3,473	2,956	2,766	2,754
Outcome not yet known	1,644	2,579	1,900	2,883	2,414
					<i>Percentage</i>
Total	100.0	100.0	100.0	100.0	100.0
Monetary penalty	9.3	8.9	9.1	7.9	7.3
Community service	14.9	16.3	16.5	7.6	1.7
Probation: unpaid work	8.0	8.1	8.7	3.3	0.7
Probation: standard conditions	7.8	8.1	7.7	2.7	0.7
Probation: additional conditions	5.8	6.0	6.7	1.5	*
Community payback order: unpaid work, no supervision				6.6	13.2
Community payback order: supervision, no unpaid work				6.3	8.9
Community payback order: unpaid work and supervision				11.6	15.0
Restriction of liberty order	1.6	1.6	1.4	1.2	1.5
Deferment for DTTO assessment	2.3	1.1	1.3	0.9	1.2
Custody	14.1	16.6	16.8	17.0	16.8
Custody: extended sentence	*	*	*	*	*
Custody: supervised release order	*	*	*	0.6	0.6
Warrant for apprehension / recall	4.2	2.6	2.6	2.7	2.2
Sentence deferred: 3 months or more	9.4	9.4	9.9	8.4	7.9
Admonition	3.4	3.1	3.3	3.3	3.0
Absolute discharge	*	*	*	*	*
Other	13.8	10.0	9.2	8.7	9.8
Outcome not yet known	4.5	7.4	5.9	9.0	8.6

Notes: Figures exclude supplementary reports. 'Other' category includes compensation order, referral to children's hearing, psychiatric assessment, supervised attendance order, continue current order, driving disqualification, license endorsed and outcome unknown. Community payback order was also recorded as 'other' in 2010-11.

Table 8 Community payback orders commenced by age, gender, employment status and ethnicity: 2012-13

	2011-12	2012-13
Total	10,228	15,857
Age group¹		<i>Number</i>
16-17	584	768
18-20	1,601	2,227
21-25	2,218	3,497
26-30	1,667	2,798
31-40	2,337	3,712
Over 40	1,821	2,855
Gender		
Male	8,826	13,498
Female	1,402	2,359
Employment status		
Full-time education	201	294
Employed/self employed	1,954	3,153
Unemployed	6,362	9,996
Government training scheme	62	89
Economically inactive ²	1,116	1,260
Other	533	1,065
Ethnicity		
White	9,189	14,341
Asian	93	125
African, Caribbean or Black	32	52
Mixed	25	69
Other	85	156
Not known/provided	804	1,114
Total	100.0	100.0
Age group¹		<i>Percentage</i>
16-17	5.7	4.8
18-20	15.7	14.0
21-25	21.7	22.1
26-30	16.3	17.6
31-40	22.8	23.4
Over 40	17.8	18.0
Gender		
Male	86.3	85.1
Female	13.7	14.9
Employment status		
Full-time education	2.0	1.9
Employed/self employed	19.1	19.9
Unemployed	62.2	63.0
Government training scheme	0.6	0.6
Economically inactive ²	10.9	7.9
Other	5.2	6.7
Ethnicity (where known)		
White	97.5	97.3
Asian	1.0	0.8
African, Caribbean or Black	*	*
Mixed	*	*
Other	0.9	1.1

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

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

Table 9 Community payback orders issued by court type: 2012-13

	<i>Number</i>
Total	15,857
High/appeal	76
Sheriff solemn	827
Sheriff summary	14,124
Stipendiary magistrates	376
Justice of the peace	378
Outwith Scotland	76
	<i>Percentage</i>
Total	100.0
High/appeal	0.5
Sheriff solemn	5.2
Sheriff summary	89.1
Stipendiary magistrates	2.4
Justice of the peace	2.4
Outwith Scotland	0.5

Note: Figures for sheriff solemn and sheriff summary include estimates where councils were not able to distinguish between solemn and summary.

Table 10 Community payback order requirements: 2012-13

	2011-12	2012-13
		<i>Number</i>
Unpaid work or other activity	7,776	12,630
Offender supervision	6,382	8,696
Conduct ¹	2,360	1,589
Programme	809	1,032
Alcohol treatment	536	392
Compensation	350	599
Drug treatment	236	183
Mental health treatment	74	95
Residence	51	37
		<i>Percentage</i>
Unpaid work or other activity	76.0	79.6
Offender supervision	62.4	54.8
Conduct ¹	23.1	10.0
Programme	7.9	6.5
Alcohol treatment	5.2	2.5
Compensation	3.4	3.8
Drug treatment	2.3	1.2
Mental health treatment	0.7	0.6
Residence	*	*

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

1. The fall in the use of the conduct requirement after 2011-12 is due to a 2012 appeal court judgement that conduct requirements must be specific and include more than general conditions to stay out of trouble or to refrain from committing another criminal offence. This will have an impact on the level of supervision requirements as orders with a conduct requirement should also include supervision.

Table 11 Community payback orders commenced by length of unpaid work requirement: 2012-13

	2011-12	2012-13
Orders with unpaid work/other activity requirement	7,763	12,630
Level 1: 100 hours or less	3,946	6,482
Level 2: Over 100 - 300 hours	3,817	6,148
Average length (hours)	120.4	124.2
Level 1	77.9	75.5
Level 2	164.2	175.5

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

Table 12 Community payback orders commenced by length of supervision requirement: 2012-13

	2011-12¹	2012-13
Orders with supervision requirement	6,364	8,696
6 months or less	575	621
More than 6 months - 12 months	3,381	4,408
More than 12 months - 18 months	1,460	2,140
More than 18 months - 24 months	847	1,285
More than 24 months - 36 months	101	242
Average length (months)	14.5	15.2

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

1. Figures from 2011-12 have been slightly revised since their original publication due to amended figures for Clackmannanshire and North Lanarkshire.

Table 13 Timescales for first direct contact and induction/case management meeting for community payback orders: 2011-12 and 2012-13

	2011-12	2012-13
Total	10,228	15,857
Time between order imposed and first contact		<i>Number</i>
Within 1 working day	7,319	12,013
Over 1 - 5 working days	1,255	1,526
Over 5 working days	961	1,647
Not known/applicable	693	671
Time between order imposed and first induction/case management meeting		
Within 5 working days	7,484	12,008
Over 5 - 10 working days	833	1,274
Over 10 working days	734	1,210
Not known/applicable	1,177	1,365
Total	100.0	100.0
Time between order imposed and first contact		<i>Percentage</i>
Within 1 working day	76.8	79.1
Over 1 - 5 working days	13.2	10.0
Over 5 working days	10.1	10.8
Time between order imposed and first induction/case management meeting		
Within 5 working days	82.7	82.9
Over 5 - 10 working days	9.2	8.8
Over 10 working days	8.1	8.3

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

Table 14 Reason for not meeting timescales for community payback orders: 2012-13

	Percentage
First direct contact more than 1 working day after order imposed	
Offender did not turn up	31.7
Currently on order or supervision	6.3
Offender in custody	3.6
Offender undertaking paid employment	2.2
Offender ill	1.1
Other: client based	24.7
Social worker not available	1.4
Other: non-client based	30.8
First induction/case management meeting more than 5 working days after order imposed	
First direct contact occurred late	11.7
Currently on order or supervision	4.6
Offender in custody	4.7
Offender undertaking paid employment	3.2
Offender ill	2.6
Other: client based	47.7
Suitable social work staff not available	2.5
Other: non-client based	24.8

Notes: More than one reason may be given and so percentages may not add up to 100. This table does not include information for some local authorities unable to supply unit-level data. Orders transferred from other jurisdictions are not included.

Table 15 Timescales for starting community payback order work placement: 2012-13

	2011-12	2012-13
		<i>Number</i>
Commencements with unpaid work or other activity requirement	7,763	12,630
Time between order imposed and work placement starting		
Within 7 working days	4,965	8,074
Over 7 working days - 3 weeks	1,162	2,006
Over 3 weeks - 1 month	303	363
Over 1 month - 2 months	309	413
Over 2 months	267	470
Not known/applicable	757	1,304
		<i>Percentage</i>
Commencements with unpaid work or other activity requirement	100.0	100.0
Time between order imposed and work placement starting		
Within 7 working days	70.9	71.3
Over 7 working days - 3 weeks	16.6	17.7
Over 3 weeks - 1 month	4.3	3.2
Over 1 month - 2 months	4.4	3.6
Over 2 months	3.8	4.1

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

Table 16 Reason for not meeting timescales for starting community payback order work placement: 2012-13

	<i>Percentage</i>
Work placement starting later than 7 working days after order imposed	
Offender did not turn up for first day of placement	22.2
Currently on order or supervision	10.1
Offender in custody	3.9
First direct contact occurred late	6.7
Offender ill	5.7
Offender undertaking paid employment	4.2
Suitable work not available	1.9
Other: client based	32.1
Suitable social work staff not available	1.7
Other: non-client based	15.1

Notes: More than one reason may be given and so percentages may not add up to 100. This table does not include information for some local authorities. Orders transferred from other jurisdictions are not included.

Table 17 Breach applications for community payback orders: 2012-13

Orders completed/terminated in 2012-13	9,983
Breach applications	2,786
Average number of breach applications	0.28
<i>Percentage of breach applications lodged with court within 5 working days</i>	<i>82.3</i>

Notes: Figures for breach applications include estimates for a small number of councils who were unable to provide unit level data and will include some breach applications in earlier years.

Table 18 Community payback orders terminated by outcome: 2012-13

	Total		Custodial sentence	New order	Monetary penalty	Other penalty	Other outcome
	Number	Percentage					
Total	9,983	100.0	<i>Row%</i>				
Successfully completed/early discharge	6,844	68.6					
Revoked due to review	518	5.2	21	14	6	2	57
Revoked due to breach	1,758	17.6	35	29	5	4	27
Transfer out of area	381	3.8					
Death	77	0.8					
Other	405	4.1	11	4	*	*	85

Notes: The breakdown by outcome includes estimates for a small number of councils who were unable to provide unit level data.

Table 19 Community payback orders terminated by number of breach applications: 2012-13

	Number of terminations	Breach applications (%)		
		None	One	Two or more
Total	9,983	75	23	2
Successfully completed/early discharge	6,844	94	6	1
Revoked due to review	518	86	13	*
Revoked due to breach	1,758	-	91	9
Transfer out of area	381	87	12	1
Death	77	86	14	-
Other	405	53	42	4

Notes: The breakdown by number of breach applications includes estimates for a small number of councils who were unable to provide unit level data.

Table 20 Community payback order unpaid work requirements by length and time taken to complete: 2012-13

Unpaid work requirements completed	6,903
Level 1: 100 hours or less	3,761
Level 2: Over 100 - 300 hours	3,142
Average length (hours)	117
Level 1	75
Level 2	167
Average time taken to complete from date imposed (days)	160
Level 1	129
Level 2	195

Notes: The number of requirements completed may be a slight underestimate as some local authorities were not able to supply details if the whole order was not completed in that year. Figures for time taken to complete requirements are expressed in terms of calendar days and include an estimate for Aberdeen City.

Table 21 Terminations of legacy orders: 2008-09 to 2012-13

	2008-09	2009-10	2010-11	2011-12	2012-13
					<i>Number</i>
Total	18,347	17,702	17,211	13,964	7,494
Successfully completed/early discharge	11,021	11,174	11,166	9,664	5,278
Revoked due to review	470	561	378	376	307
Revoked due to breach	4,876	4,090	3,527	2,543	1,353
Transfer out of area	702	647	647	378	203
Death	172	144	155	104	50
Other	1,106	1,086	1,338	899	303
					<i>Percentage</i>
Total	100.0	100.0	100.0	100.0	100.0
Successfully completed/early discharge	60.1	63.1	64.9	69.2	70.4
Revoked due to review	2.6	3.2	2.2	2.7	4.1
Revoked due to breach	26.6	23.1	20.5	18.2	18.1
Transfer out of area	3.8	3.7	3.8	2.7	2.7
Death	0.9	0.8	0.9	0.7	0.7
Other	6.0	6.1	7.8	6.4	4.0

Note: 'Other' category includes further offence, order revoked following appeal, in custody and information unknown/missing.

Table 22 Legacy order breach applications by outcome: 2008-09 to 2012-13

	2008-09	2009-10	2010-11	2011-12	2012-13
					<i>Number</i>
Total	8,313	8,014	7,670	5,284	2,360
<i>Revoked</i>					
Custody	1,325	1,198	1,198	778	344
Probation	618	666	581	281	80
Monetary penalty	142	110	85	42	34
Other	695	817	656	461	200
<i>Continued</i>					
No further action	1,499	1,548	1,489	1,147	538
Order varied	511	682	715	518	217
Monetary penalty	182	125	111	84	31
Warrant for apprehension/recall	227	317	463	286	160
Other	951	805	762	591	380
Outcome not yet known	2,163	1,746	1,610	1,096	376
					<i>Percentage</i>
Total	100.0	100.0	100.0	100.0	100.0
<i>Revoked</i>	33.4	34.8	32.9	29.6	27.9
Custody	15.9	14.9	15.6	14.7	14.6
Probation	7.4	8.3	7.6	5.3	3.4
Monetary penalty	1.7	1.4	1.1	0.8	1.4
Other	8.4	10.2	8.6	8.7	8.5
<i>Continued</i>	26.4	29.4	30.2	33.1	33.3
No further action	18.0	19.3	19.4	21.7	22.8
Order varied	6.1	8.5	9.3	9.8	9.2
Monetary penalty	2.2	1.6	1.4	1.6	1.3
Warrant for apprehension/recall	2.7	4.0	6.0	5.4	6.8
Other	11.4	10.0	9.9	11.2	16.1
Outcome not yet known	26.0	21.8	21.0	20.7	15.9

Notes: 'Other' category includes action not proved/application withdrawn and order discharged. **Readers should note that these figures reflect outcomes of breach applications made during the year (where known) and are on a different basis from those reported for community payback and drug treatment and testing orders.**

Table 23 Drug treatment and testing orders commenced by age, gender, employment status, ethnicity and length: 2008-09 to 2012-13

	2008-09	2009-10	2010-11	2011-12	2012-13
					<i>Number</i>
Total	752	739	661	557	633
Age group¹					
16-17	2	2	-	1	5
18-20	35	23	24	10	9
21-25	154	143	117	67	66
26-30	256	237	176	152	173
31-40	252	265	262	258	287
Over 40	53	69	82	69	93
Gender					
Male	576	566	533	455	505
Female	176	173	128	102	128
Employment status					
Full-time education	2	2	1	3	2
Employed/self employed	38	14	21	22	14
Unemployed	541	530	475	436	482
Government training scheme	-	-	-	-	2
Economically inactive ²	121	119	145	76	103
Other	50	74	19	20	30
Ethnicity					
White	623	648	599	520	607
Asian	2	-	-	2	1
African, Caribbean or Black	2	4	3	2	4
Mixed	5	-	5	2	5
Other	28	18	12	10	4
Not known/not provided	92	69	42	21	12
Average length (months)	18.4	17.9	18.4	17.6	18.1
					<i>Percentage</i>
Total	100.0	100.0	100.0	100.0	100.0
Age group¹					
16-17	*	*	-	*	0.8
18-20	4.7	3.1	3.6	1.8	1.4
21-25	20.5	19.4	17.7	12.0	10.4
26-30	34.0	32.1	26.6	27.3	27.3
31-40	33.5	35.9	39.6	46.3	45.3
Over 40	7.0	9.3	12.4	12.4	14.7
Gender					
Male	76.6	76.6	80.6	81.7	79.8
Female	23.4	23.4	19.4	18.3	20.2
Employment status					
Full-time education	*	*	*	0.5	*
Employed/self employed	5.1	1.9	3.2	3.9	2.2
Unemployed	71.9	71.7	71.9	78.3	76.1
Government training scheme	-	-	-	-	*
Economically inactive ²	16.1	16.1	21.9	13.6	16.3
Other	6.6	10.0	2.9	3.6	4.7
Ethnicity (where known)					
White	94.4	96.7	96.8	97.0	97.7
Asian	*	-	-	*	*
African, Caribbean or Black	*	0.6	*	*	0.6
Mixed	0.8	-	0.8	*	0.8
Other	4.2	2.7	1.9	1.9	0.6

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

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

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

Table 24 Timescales for first direct contact and case management meeting for drug treatment and testing orders: 2012-13

	Number	<i>Percentage</i>
Total commencements	633	100.0
First contact after order imposed		
Within 1 working day	481	77.6
Over 1 - 5 working days	95	15.3
Over 5 working days	44	7.1
Not known/applicable	13	
First case management meeting after order imposed		
Within 5 working days	451	73.5
Over 5 - 10 working days	73	11.9
Over 10 working days	90	14.7
Not known/applicable	19	

Notes: Figures include DTTO IIs piloted in City of Edinburgh, Midlothian and East Lothian areas since June 2008. The first case management meeting involves clarifying requirements and expectations, and drawing up a case management plan. Orders where the client did not/was unable to comply or transferred from another jurisdiction are included in the 'not known' category. These cases are not included in the percentage figures.

Table 25 Reason for not meeting timescales for drug treatment and testing orders: 2012-13

	<i>Percentage</i>
First direct contact more than 1 working day after order imposed	
Offender did not turn up	43.2
Offender in custody	5.0
Offender ill	1.4
Other: client based	5.0
Social worker not available	2.2
Other: non-client based	43.2
First case management meeting more than 5 working days after order imposed	
Offender did not turn up	44.2
Offender in custody	6.1
Currently on order or supervision	0.6
Offender ill	0.6
Other: client based	9.2
Social worker not available	2.5
Other: non-client based	37.4

Notes: Figures include DTTO IIs piloted in City of Edinburgh, Midlothian and East Lothian areas since June 2008. The first case management meeting involves clarifying requirements and expectations, and drawing up a case management plan. More than one reason may be given and so percentages may not add up to 100. Orders transferred from other jurisdictions are not included.

Table 26 Drug treatment and testing orders terminated: 2008-09 to 2012-13

	2008-09	2009-10	2010-11	2011-12	2012-13
	<i>Number</i>				
Total	542	588	658	633	580
Successfully completed/early discharge	215	263	303	339	305
Revoked due to review	83	119	115	90	135
Revoked due to breach	193	144	185	127	101
Transfer out of area	8	5	6	41	11
Death	3	4	6	4	6
Other	40	53	43	32	22
	<i>Percentage</i>				
Total	100.0	100.0	100.0	100.0	100.0
Successfully completed/early discharge	39.7	44.7	46.0	53.6	52.6
Revoked due to review	15.3	20.2	17.5	14.2	23.3
Revoked due to breach	35.6	24.5	28.1	20.1	17.4
Transfer out of area	1.5	0.9	0.9	6.5	1.9
Death	0.6	0.7	0.9	0.6	1.0
Other	7.4	9.0	6.5	5.1	3.8

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

Table 27 Drug treatment and testing orders terminated by outcome: 2012-13

	Total		Custodial sentence	Community payback order	New order	Other penalty	Other outcome
	Number	Percentage					
Total	580	100.0	<i>Row%</i>				
Successfully completed/early discharge	305	52.6					
Revoked due to review	135	23.3	42	-	-	2	56
Revoked due to breach	101	17.4	45	4	7	7	38
Transfer out of area	11	1.9					
Death	6	1.0					
Other	22	3.8	50	-	-	-	50

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

Table 28 Drug treatment and testing orders terminated by number of breach applications: 2012-13

	Number of terminations	Breach applications (%)		
		None	One	Two or more
Total	580	75	21	4
Successfully completed/early discharge	305	94	4	2
Revoked due to review	135	88	12	-
Revoked due to breach	101	-	84	16
Transfer out of area	11	100	-	-
Death	6	33	67	-
Other	22	64	27	9

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

Table 29 Statutory throughcare in custody by sentence type: 2008-09 to 2012-13

	Cases commenced					Caseload at 31 March				
	2008-09	2009-10	2010-11	2011-12	2012-13	2008-09	2009-10	2010-11	2011-12	2012-13
Total	1,110	1,019	1,028	1,072	965	3,039	3,181	3,107	3,204	3,347
Determinate long-term sentence (4 years and over)	602	544	488	534	456	1,594	1,637	1,578	1,625	1,597
Extended sentence	181	157	189	179	151	497	527	510	514	549
Life sentence	73	54	48	56	39	674	693	708	709	779
Order for lifelong restriction	8	16	14	14	8	16	30	48	57	75
Short-term sex offender ¹	61	71	84	59	84	41	64	44	54	69
Supervised release order	185	177	205	230	227	217	230	219	245	278
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)	54.2	53.4	47.5	49.8	47.3	52.5	51.5	50.8	50.7	47.7
Extended sentence	16.3	15.4	18.4	16.7	15.6	16.4	16.6	16.4	16.0	16.4
Life sentence	6.6	5.3	4.7	5.2	4.0	22.2	21.8	22.8	22.1	23.3
Order for lifelong restriction	0.7	1.6	1.4	1.3	0.8	0.5	0.9	1.5	1.8	2.2
Short-term sex offender ¹	5.5	7.0	8.2	5.5	8.7	1.3	2.0	1.4	1.7	2.1
Supervised release order	16.7	17.4	19.9	21.5	23.5	7.1	7.2	7.0	7.6	8.3

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

Table 30 Statutory throughcare in the community by type of licence: 2008-09 to 2012-13

	Cases commenced					Caseload at 31 March					Cases completed				
	2008-09	2009-10	2010-11	2011-12	2012-13	2008-09	2009-10	2010-11	2011-12	2012-13	2008-09	2009-10	2010-11	2011-12	2012-13
Total	1,238	1,062	1,046	1,047	1,001	2,349	2,365	2,285	2,372	2,431	1,062	845	881	944	927
Parole	412	286	220	220	181	667	563	473	479	476	308	222	204	233	194
Non parole	337	269	261	286	255	479	466	379	424	403	257	226	236	225	231
Extended sentence	121	134	177	183	144	232	332	362	390	401	98	83	86	137	145
Life	48	58	43	63	52	387	421	435	438	445	52	43	43	51	38
Short-term sex offender ¹	57	92	84	54	93	40	93	70	46	73	57	46	72	66	57
Supervised release order	202	166	181	199	214	192	184	167	174	188	217	186	172	173	183
Recalled prisoner ²						206	240	326	368	359					
Other	61	57	80	42	62	146	66	73	53	86	73	39	68	59	79
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Parole	33.3	26.9	21.0	21.0	18.1	28.4	23.8	20.7	20.2	19.6	29.0	26.3	23.2	24.7	20.9
Non parole	27.2	25.3	25.0	27.3	25.5	20.4	19.7	16.6	17.9	16.6	24.2	26.7	26.8	23.8	24.9
Extended sentence	9.8	12.6	16.9	17.5	14.4	9.9	14.0	15.8	16.4	16.5	9.2	9.8	9.8	14.5	15.6
Life	3.9	5.5	4.1	6.0	5.2	16.5	17.8	19.0	18.5	18.3	4.9	5.1	4.9	5.4	4.1
Short-term sex offender ¹	4.6	8.7	8.0	5.2	9.3	1.7	3.9	3.1	1.9	3.0	5.4	5.4	8.2	7.0	6.1
Supervised release order	16.3	15.6	17.3	19.0	21.4	8.2	7.8	7.3	7.3	7.7	20.4	22.0	19.5	18.3	19.7
Recalled prisoner ²						8.8	10.1	14.3	15.5	14.8					
Other	4.9	5.4	7.6	4.0	6.2	6.2	2.8	3.2	2.2	3.5	6.9	4.6	7.7	6.3	8.5

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.

Table 31 Voluntary throughcare and throughcare addiction services: 2008-09 to 2012-13

	Cases commenced					Individuals receiving assistance				
	2008-09	2009-10	2010-11	2011-12	2012-13	2008-09	2009-10	2010-11	2011-12	2012-13
Voluntary throughcare (including addiction services)	2,883	2,683	2,725	2,625	2,597	2,545	2,433	2,350	2,428	2,464
Throughcare addiction services	1,453	1,523	1,515	1,486	1,320	1,305	1,414	1,375	1,390	1,267
Males	1,197	1,192	1,189	1,194	1,014	1,062	1,124	1,083	1,115	969
Under 21s serving sentences under 31 days	13	15	19	36	3	12	7	16	35	2
Females	256	331	326	292	306	243	290	292	275	298
Serving sentences under 31 days	26	16	9	25	15	26	15	9	25	14

Annex A Sources of information and data quality

- A.1 The annual aggregate CJS return for local authority criminal justice social work services was introduced for 1999-00 and covered social enquiry reports, community service and probation orders. The content and format of the return has changed over time to reflect new developments and an increasing demand for information, as well as clarify points of definition in relation to particular data items. Additional items include:
- supervised attendance orders (2000-01)
 - throughcare (statutory post release supervision) (2001-02)
 - diversion from prosecution (2001-02)
 - drug treatment and testing orders (2003-04, removed from 2012-13 onward)
 - bail information (2003-04)
 - voluntary assistance/throughcare (2004-05)
 - court services (2004-05)
 - throughcare addiction service (2005-06)
 - community payback orders (2011-12, removed from 2012-13 onward)
- A.2 Data for community payback and drug treatment and testing orders has been collected at **unit level for each order** since 2012-13. The aim of this change was to be able to analyse the process and outcomes for individual orders, which is not feasible through a collection of aggregate tables. Nearly all councils provided CPO unit level data (apart from Aberdeen City, Fife and Moray due to technical reasons). Some local authorities were not able to supply all the variables requested. As a result, some tables will include estimates, and such cases will be indicated in the footnotes. With the introduction of the CPO, the aggregate return now includes less information for the legacy orders.
- A.3 Changing from aggregate to unit level data collection can result in differences compared to previous years, and **comparisons should therefore be made with caution**. Comparability will improve over the coming years as the legacy orders are phased out completely.
- A.4 The statistics presented in this bulletin reflect information on criminal justice social work activity in the financial year 1 April 2012 to 31 March 2013. Figures are extracted from live information management systems and may differ slightly from those published previously as administrative systems are updated.
- A.5 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.6 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.7 The data obtained from local authorities is considered of relatively good quality as they come from recording systems which the local authorities use for case management and for internal monitoring. However, administrative data of this type will be subject to some degree of error which may arise in any large scale recording system. Therefore the data have been quality assured as far as practicable through a series of validation processes before publication.
- A.8 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 councils have been received, further analysis is carried out to detect any major changes to figures over recent time periods.
- A.9 The **unit level collections** for community payback and drug treatment and testing orders include automatic checks built into the data loading system so that errors in information provided are flagged up at an early stage for correction. In addition, the CPO figures are checked against those from the Scottish Court Service. The data are further checked for internal consistency by statistical administrative staff.
- A.10 [Additional datasets](#) at local authority level are available on the Scottish Government website. These also show data for community justice authorities. The community justice authority structure is currently under review, with a [consultation paper](#) on the future model for community justice.

Annex B Definitions

- B.1 The following section provides a brief description of the main types of criminal justice social work orders and services. More information on social work orders and the operation of the criminal justice system can be found in the *Criminal proceedings in Scotland* publications. Details on court services can be found in the *National outcomes and standards for social work services in the criminal justice system: criminal justice social work reports and court services guidance*. In addition to social work orders issued by the courts, work orders may be offered by the procurator fiscal as an alternative to summary court proceedings when appropriate. Fiscal work orders are currently available in a small number of pilot areas⁴ with a national roll-out planned during 2014-15.
- B.2 A convicted person 16 or over can be given a community service order to carry out unpaid work in the community for 80-240 hours in summary procedure and up to 300 hours under solemn procedure. These orders can only be made by courts as an alternative to a custodial sentence and must be completed within 12 months. The offender must agree to the order and be suitable for work, and community service/suitable work must be available in the area where the offender lives.
- B.3 **Probation orders** provide the opportunity for criminal justice social work services to focus on the offending behaviour and underlying causes. Prior consent of the offender is required, and the order should be informed by a mutually agreed action plan. This order can be used very flexibly by the courts and additional conditions attached regarding undertaking unpaid work, residence, curfew (including electronic monitoring), financial recompense to the victim or attendance at a specialist programme (such as alcohol or drug treatment). The probation order may last between six months and three years.
- B.4 **Supervised attendance orders** tend to be used in cases of fine default and require the offender to undertake a programme of activity for a specified number of hours, which may involve education, activities designed to encourage the constructive use of time, or unpaid work in the community. These orders may run between 10 and 100 hours (subject to a limit of 50 hours where the outstanding fine amount is up to £200).
- B.5 The **drug treatment and testing order** is a high tariff disposal for offenders with serious drug use problems, who might otherwise receive a custodial sentence. This order includes the requirement for regular reviews by the court and that the offender consent to frequent random drug tests throughout the lifetime of the order. These orders were rolled out across Scotland in phases between 1999 and 2002. This order is available to all courts apart from justice of the peace courts. In addition, the less intensive DTTO II was introduced on a pilot basis in the Lothian areas (apart from West Lothian) in June 2008 for lower tariff offenders at a relatively early stage in their criminal career. The DTTO II is also available from justice of the peace courts.

⁴ Richards, P. et al (2011) *Summary justice reform: evaluation of fiscal work order pilots*. Scottish Government: Edinburgh.
<http://www.scotland.gov.uk/Resource/Doc/339704/0112293.pdf>

- B.6 **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 offenders receiving a restriction of liberty order is reported in the [Criminal proceedings in Scotland](#) publications. The contract for monitoring restriction of liberty orders is managed by Scottish Government, and some management data will be available from the current contractor G4S.
- B.7 **Throughcare** is the provision of a range of social work and associated services to offenders 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. Offenders 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.8 **Voluntary throughcare** (assistance) is available to those who are not subject to statutory throughcare, but who request support while in custody or within 12 months of release. From 2005-06, figures on voluntary throughcare include the throughcare addiction service.
- B.9 The **throughcare addiction service** (TAS) commenced on 1 August 2005 and forms part of the voluntary aftercare service. TAS is delivered by local authority criminal justice social work – or their contracted service providers – who will work with the offender in the six week period prior to release from custody through the six week period post-release. The TAS worker will offer a more intensive motivational service to support the offender address their addiction (and associated) difficulties, and link them into appropriate services. TAS is not normally available to offenders serving sentences of less than 31 days unless they are female or males under 21 years.
- B.10 General background to developments in throughcare services in Scotland can be found in the [throughcare map](#) produced by the [Institute for Research and Innovation in Social Services](#). Users may also be interested in the [audit](#) carried out for the throughcare addiction service.
- B.11 **Bail information services** assist procurators fiscal and courts through verification of information in cases where bail might otherwise have been opposed or refused. In a proportion of cases, this will result in a period of supervised bail.
- B.12 A court may ask for a **same day oral or written report** from a court-based worker during the court proceedings and adjourn a case until later in the day for this to be completed. A same day report will be a brief report and not a full criminal justice social work report. Same day reports tend to deal with issues specific to the case to inform decision-making. The information may be relevant

to decisions regarding bail or custodial remand, the need for a full report, the need to defer a case to a future date and final sentence.

Annex C Consultation and accreditation

- C.1 A working group involving data providers and other internal/external stakeholders was formed in early 2010 as part of a Scottish Government review of criminal justice social work statistics. The group met during 2010 and 2011 and agreed to collect unit level data for community payback and drug treatment and testing orders from 2012-13 onwards, data which is now helping to provide better information on the process and outcome of these orders. Consideration is also being given to collecting data on criminal justice social work reports at unit level and improving statistics on the use of throughcare will be a focus in the future. Papers from the meetings can be found on the [CJSW review sharepoint website](#).
- C.2 The statistics collected on criminal justice social work have a wide range of uses. They contribute to policy development, as well as the monitoring and evaluation of policy implementation. They provide information on local authorities' workloads in terms of criminal justice social work activity and inform central government funding allocation. Keeping in regular contact with local authorities is also advantageous as this enables 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 group are held twice a year to discuss relevant data collection and other matters.
- C.3 Some examples of how these data are being used include:
- determining annual funding allocations for community justice authorities
 - 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 councils operate.
- C.4 The statistics in this bulletin have been designated as National Statistics. Under the provisions of the Statistics and Registration Service Act 2007, the UK Statistics Authority has a statutory responsibility to conduct periodic assessments to ensure compliance with the Code of Practice for Official Statistics. Criminal justice social work statistics were assessed in 2011 and the National Statistics designation confirmed (assessment report 128 is available at <http://www.statisticsauthority.gov.uk/assessment/assessment/assessment-reports/index.html>).

A NATIONAL STATISTICS PUBLICATION FOR SCOTLAND

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, Scottish Government, Justice Analytical Services,
Floor 1F (South), Victoria Quay, Edinburgh EH6 6QQ
Telephone: (0131) 244 7768,
e-mail: JusticeAnalysts@scotland.gsi.gov.uk

For general enquiries about Scottish Government statistics please contact:

Office of the Chief Statistician, Telephone: (0131) 244 0442,
e-mail: statistics.enquiries@scotland.gsi.gov.uk

How to access background or source data

The data collected for this statistical bulletin:

- are available in more detail through Scottish Neighbourhood Statistics
- are available via an alternative route, namely the [criminal justice social work datasets page on the Scottish Government website](#).
- may be made available on request, subject to consideration of legal and ethical factors.
- 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, 3WR, St Andrews House, Edinburgh EH1 3DG, Telephone: (0131) 244 0302, e-mail statistics.enquiries@scotland.gsi.gov.uk.

If you would like to be consulted about statistical collections or receive notification of publications, please register your interest at www.scotland.gov.uk/scotstat.
Details of forthcoming publications can be found at www.scotland.gov.uk/statistics.

ISSN 0264 1178 ISBN 978-1-78412-518-9 (web only)

Crown Copyright

You may use or re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. See: www.nationalarchives.gov.uk/doc/open-government-licence/