

## CRIME AND JUSTICE

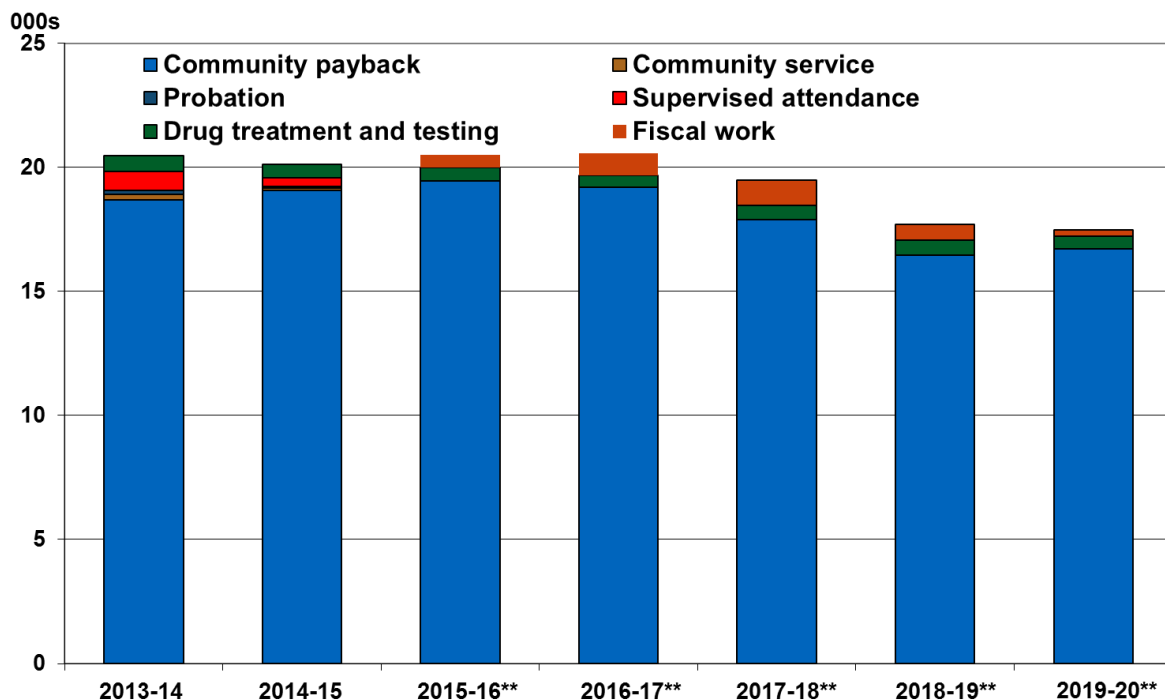
# Criminal Justice Social Work Statistics in Scotland: 2019-20

8 March 2021

## 1 Introduction

- 1.1 This publication presents national-level information on criminal justice social work activity in Scotland. The report includes data on justice social work services and social work orders, as well as characteristics of the individuals involved. Note that the statistics in the bulletin cover the period up to 31 March 2020 and are therefore only minimally affected by the COVID-19 pandemic.
- 1.2 The number of social work orders issued was at around the 20,000 mark between 2013-14 and 2016-17 but has fallen since then. The most recent figures show 17,500 orders issued in 2019-20 ([Chart 1](#) and [Table 2](#)).

**Chart 1 Social work orders issued: 2013-14 to 2019-20**



\*\* Figures from 2015-16 onwards exclude a small (and falling) number of legacy orders as details of these were not collected from local authorities in those years (see [Annex A](#)).

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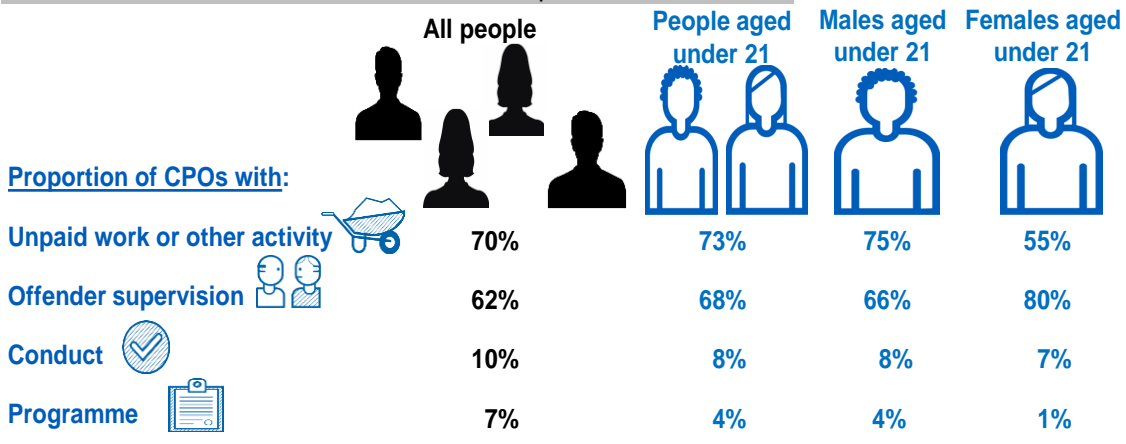
## Key Points

- The number of **diversion from prosecution** cases commenced rose by eight per cent between 2018-19 and 2019-20 to around 2,000 ([Table 1](#)).
- A total of 470 **bail supervision** cases were commenced in 2019-20, a 40 per cent increase on 2018-19 and the highest level in any of the last seven years ([Table 1](#)).
- The number of **criminal justice social work reports** (including supplementary reports) rose by four per cent to 28,400 in 2019-20. Numbers have, however, dropped by 10 per cent since 2013-14, broadly reflecting changes in court volumes ([Table 1](#)).
- The number of **social work orders** issued was 17,500 in 2019-20, a fall of one per cent on 2018-19 and 15 per cent lower than the peak in 2016-17 ([Table 2](#)).
- There were 16,700 **community payback orders** commenced in 2019-20, a rise of one per cent from 16,500 in 2018-19 ([Table 2](#)). The magnitude of this rise would have been higher had it not been for lower than normal court volumes in March 2020 resulting from the effect of the COVID-19 pandemic.
- Between 2013-14 and 2019-20, the prevalence of unpaid work or other activity requirements has fallen from 80 to 70 per cent of all orders while the prevalence of offender supervision has increased from 50 to 62 per cent ([Chart 5](#)).
- The successful completion rate for **community payback orders** was 69 per cent in 2019-20 ([Table 2](#)). This rate has generally been around 70 per cent since these orders were introduced. Seventy-two per cent of community payback orders which terminated in 2019-20 were not subject to any **breach applications** ([Table 21](#)).
- The **completion rate** for **community payback orders** was 77 per cent for those **aged over 40**, compared with 66 per cent for those **aged 40 or under** ([Chart 7](#)).
- The number of **drug treatment and testing orders** commenced was 510 in 2019-20, 15 per cent lower than in 2018-19 and the second lowest level in the last seven years ([Table 2](#)).
- Seventy-five per cent of **drug treatment and testing orders** terminated in 2019-20 were not subject to breach applications ([Table 30](#)). The successful completion rate was 39 per cent in 2019-20, around the same level as the previous two years ([Table 2](#)). A third of orders were **revoked due to review** in 2019-20 ([Table 28](#)).
- There were 250 **fiscal work orders** commenced in 2019-20. Numbers have fallen sharply in the last two years, by 76 per cent from the peak of 1,030 in 2017-18 ([Table 2](#)). Seventy-eight per cent of orders terminated during 2019-20 were successfully completed ([Table 32](#)).
- There were 890 **structured deferred sentences** imposed in Scotland in 2019-20, an increase of eight per cent on 2018-19 ([Table 1](#)).
- There were 1,900 statutory **custody** and **community based throughcare cases commenced** in 2019-20, the lowest in the last seven years ([Tables 1, 35 & 36](#)).

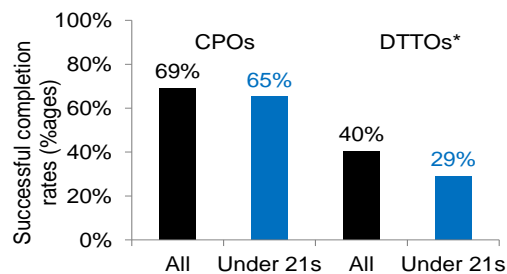
# CRIMINAL JUSTICE SOCIAL WORK STATISTICS, 2019-20 : YOUNG PEOPLE

People aged 16 to 20 represent **8%** of the Scottish population aged 16 to 70. In the area of criminal justice social work in 2019-20, they accounted for:

- **50%** of diversion from prosecution cases commenced
- **1%** of home detention curfew assessment reports completed
- **11%** of criminal justice social work reports submitted
- **11%** of community payback orders (CPOs) imposed
- **2%** of drug treatment and testing orders (DTTOs) imposed
- **34%** of fiscal work orders imposed
- **23%** of structured deferred sentences imposed



Successful completion rates are lower for under 21s for both CPOs and DTTOs\*



Average length of:

CPOs:

Unpaid work or other activity requirement (hours)

128.5

126.2

Offender supervision requirement (months)

15.7

15.0

DTTOs (months)\*

17.7

15.6

\* Figures for drug treatment and testing orders calculated as average over the last four years due to small numbers for those aged under 21.

## 2 Background

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

## 3 Diversion from prosecution

### (Tables 1, 4 & 5)

- 3.1 The Procurator Fiscal may decide to refer cases to criminal justice social work in appropriate cases where referral may prevent or deter further offences. In such cases, prosecution may be waived or a decision on prosecution deferred pending successful completion of the social work scheme. National guidelines on diversion from prosecution in Scotland can be found on the [Community Justice Scotland website](#).



- 3.2 The number of diversion from prosecution cases commenced rose by eight per cent between 2018-19 and 2019-20 to around 2,000 (Table 1). Numbers had fallen sharply between 2016-17 and 2017-18 but the rise in the most recent year has brought numbers back up to around the same level as the historic high in 2016-17 (see additional datasets which accompany this publication).
- 3.3 During 2019-20, there were around 3,100 referrals, 2,800 assessments and 1,600 cases completed (Table 4).
- 3.4 The rise between 2018-19 and 2019-20 was particularly marked (18 per cent) for those aged 16 to 20 while there was a rise of 9 per cent for people aged over 30 (Table 5). By contrast, numbers for people aged 21 to 30 fell by almost a quarter. People aged 16 to 20 were substantially over-represented when the population base was taken into account - they accounted for 50 per cent of people getting diversion from prosecution in 2019-20 but only 8 per cent of the population aged 16 to 70. This continues to reflect a general focus on diversion for younger people.
- 3.5 In 2019-20, there were around 5.2 diversion from prosecution cases commenced per 10,000 population (Table 3). This was highest for those living in Dumfries & Galloway (14.4) and lowest for those living in Scottish Borders (1.0), Orkney (1.3) and East Renfrewshire (1.6). Further information is provided in the additional datasets which accompany this publication.

#### **4 Court-based services and social work reports (Tables 1 & 6-9, Chart 2)**

- 4.1 There are various tasks associated with providing information and advice to the court. These include:
- oral/written reports and information at the court's request on specific matters to inform the sentencing process or the decision to remand to custody rather than grant bail
  - interviews with individuals and completing a medical mandate where significant medical issues have been highlighted
  - diverting people with mental health difficulties who may be a risk to themselves from a custodial remand, to either hospital or appropriate bail accommodation, where available, for assessment
  - interviewing individuals immediately after the court has passed a custodial sentence/remand or a community disposal involving criminal justice social work, in order to further explain the decision of the court and what this means for individuals. Also, establish if any pressing issues 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 people who may pose a risk of harm to themselves and/or others
  - representing the local authority criminal justice social work service in the court setting, including, where appropriate, court users' groups and liaising with other professional groups.



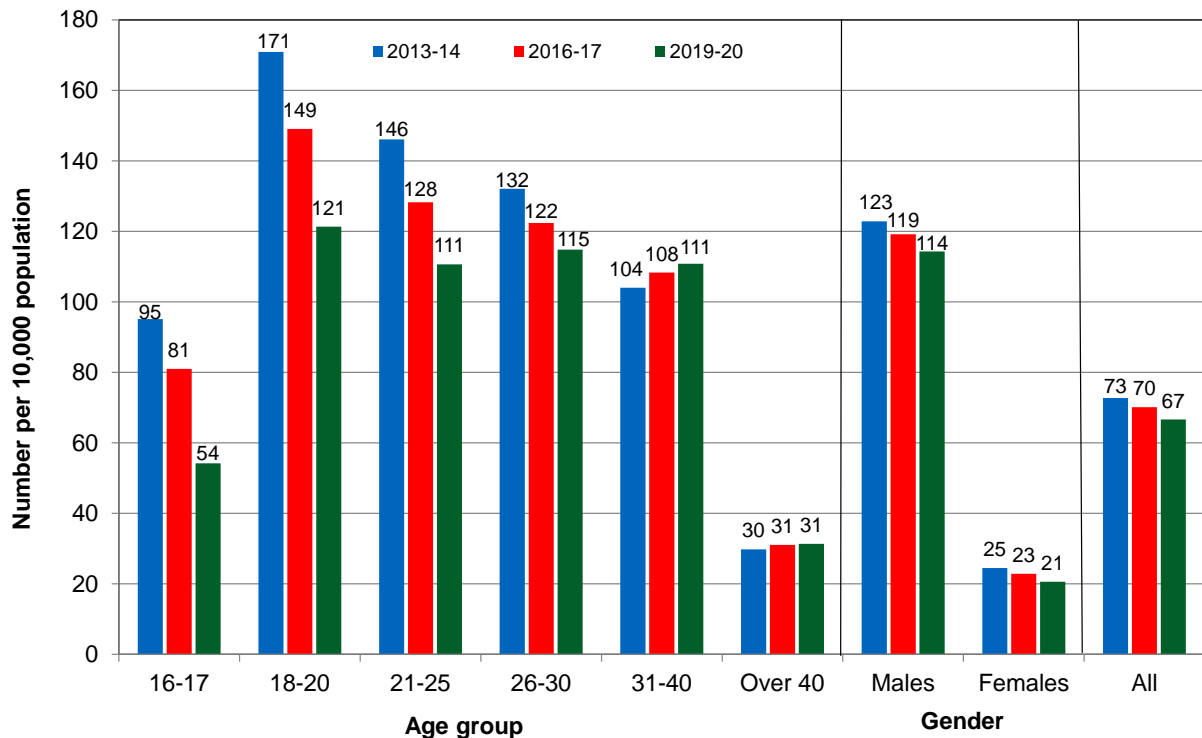
- 4.2 During 2019-20, the courts made 5,700 requests for **bail information**, a historically low level and 6 per cent lower than the level of 6,000 in 2018-19 ([Table 1](#)). In some cases, bail information requests may result in the use of supervised bail rather than remand, and a total of 470 **bail supervision** cases were commenced in 2019-20. This represented a 40 per cent increase on 2018-19 and was the highest level in any of the last seven years. More detailed information on bail supervision services can be found in the [National guidance on bail supervision](#).
- 4.3 **Same day reports** are either pre-sentence reports or specific sentence reports requested by the court. There were 3,600 such reports provided to the courts in 2019-20, down 23 per cent on 2018-19 and the lowest level in the last five years ([Table 6](#)). In 2019-20, there were 15,300 **post sentence interviews** with people remanded into custody or receiving custodial sentences for the first time. This fell in each of the last four years and was 24 per cent lower than in 2015-16.

### **Criminal justice social work reports**

- 4.4 The criminal justice social work report (CJSWR) in its current format was introduced across Scotland from February 2011 to ensure a consistent provision of information, including the social worker's professional assessment. This report is intended to assist in the sentencing process and to complement the range of other considerations, such as victim information and narratives from the Procurator Fiscal. In particular, the CJSWR provides information on social work interventions and how these may prevent or reduce further offending. A CJSWR must be requested:
- before imposing a custodial sentence for the first time or where a person is under 21
  - when imposing a community payback order with a supervision requirement or level 2 unpaid work or other activity requirement (over 100 hours)
  - when imposing a drug treatment and testing order.
- 4.5 The number of CJSWRs submitted (including supplementary reports but excluding letters sent in lieu of reports) rose by four per cent between 2018-19 and 2019-20 to 28,400 ([Table 1](#)). There has, however, been a general drop over the last seven years, with the total in 2019-20 the second lowest over that period and 10 per cent lower than in 2013-14. This drop is broadly in line with an overall fall in court volumes over recent years.
- 4.6 The number of full CJSWRs (i.e. excluding supplementary reports) also rose in 2019-20, by five per cent to 25,700 ([Table 7](#)). Since 2013-14, numbers have fallen by seven per cent ([Table 1](#)). The number of supplementary reports submitted continued to be low, at 2,700 in 2019-20.
- 4.7 [Chart 2](#) illustrates the patterns of change in full reports since 2013-14. Between 2013-14 and 2016-17, the overall fall in the total number of reports per 10,000 population was driven by the drop for those aged 30 and under. Over that period, numbers rose slightly for the over 30s. A similar pattern was observed between 2016-17 and 2019-20, with the largest fall, of around

a third, among the under 18s, reflecting the marked fall in court volumes for this age group. There has also been a sharper fall across both periods for women than for men.

**Chart 2 Number of criminal justice social work reports per 10,000 population by age and gender: 2013-14, 2016-17 & 2019-20**



Note : Population aged 16 to 70.

4.8 In 2019-20, there were around 74 CJSWRs (including supplementaries) submitted per 10,000 population (Table 3). This was highest for those living in Dundee City (133), Clackmannanshire (112), Dumfries & Galloway (111) and East Ayrshire (109) and lowest for those living in East Lothian (30), East Renfrewshire (37) and East Dunbartonshire (37). The proportion for City of Edinburgh (40) was lower than for any of the other city council areas and just over half the rate for Scotland.

4.9 Between 2018-19 and 2019-20, the total number of reports submitted varied a little across local authorities, with around two-thirds showing an increase in reports submitted and one-third showing a decrease. Further information is provided in the additional datasets which accompany this publication.

### Preferred sentencing options

4.10 The criminal justice social work report writer is expected to provide a professional assessment as to the suitability of available sentencing options in terms of maximising the opportunity for the individual to change their behaviour and desist from offending. This analysis is based on the individual's attitude to offending and motivation to change, as well as risks and identified needs. While the decision on sentencing is for the court to take, the expectation is that the professional analysis will cover substantive issues such as the need for specialist assessment where significant

substance use or mental health difficulties are indicated. There is also the expectation that the report will include an assessment of the suitability or otherwise of the community payback order, including the individual's motivation to successfully complete the order.

- 4.11 Forty-six per cent of CJSWRs in 2019-20 recommended the use of a community payback order (Table 8). Nineteen per cent recommended a CPO with supervision but not unpaid work, while 13 per cent recommended unpaid work but no supervision.
- 4.12 In addition, 11 per cent of reports recommended a deferred sentence of three months or more and five per cent suggested a monetary penalty. Custody was the preferred option in six per cent of reports, while 20 per cent suggested some other form of sentence (including a restriction of liberty order or deferment for a drug treatment and testing order assessment). Eleven per cent of CJSWRs gave no preferred sentencing option.
- 4.13 The main outcome for 40 per cent of CJSWRs in 2019-20 was a community payback order (Table 9). Ten per cent of reports resulted in a CPO with unpaid work but no supervision, with 13 per cent resulting in an order with supervision but no unpaid work. In 17 per cent of cases, a CPO was given with both supervision and unpaid work.
- 4.14 Custody was the main outcome for 15 per cent of reports in 2019-20. The largest other main outcome categories in 2019-20 were deferred sentence and monetary penalty (9 and 5 per cent of the total respectively).

## 5.1 Social work orders (Tables 2 & 12)

- 5.1.1 Total social work orders for the years 2015-16 to 2019-20 include community payback, drug treatment & testing and fiscal work orders. Community payback orders replaced community service, probation and supervised attendance orders (the latter three referred to as 'legacy' orders in this report) for offences committed from February 2011 onwards. Due to the low numbers involved, the number of legacy orders commenced was not collected for these most recent five years. Fiscal work orders were introduced nationally on 1 April 2015 and have therefore been collected since 2015-16. As a result of these changes in order types, caution should be exercised when comparing total social work orders in the most recent five years with totals from previous years.
- 5.1.2 There were 17,500 social work orders **commenced** in 2019-20 (Table 2), a fall of one per cent on 2018-19, though 15 per cent lower than the peak in 2016-17. The vast majority (96 per cent) of social work orders in 2019-20 were community payback orders. Local authority level breakdowns for each of these individual order types are available in the additional datasets which accompany this publication.
- 5.1.3 In total, 69 per cent of orders commencing in 2019-20 (around 12,000) included an element of **unpaid work or other activity**. This comprised 250

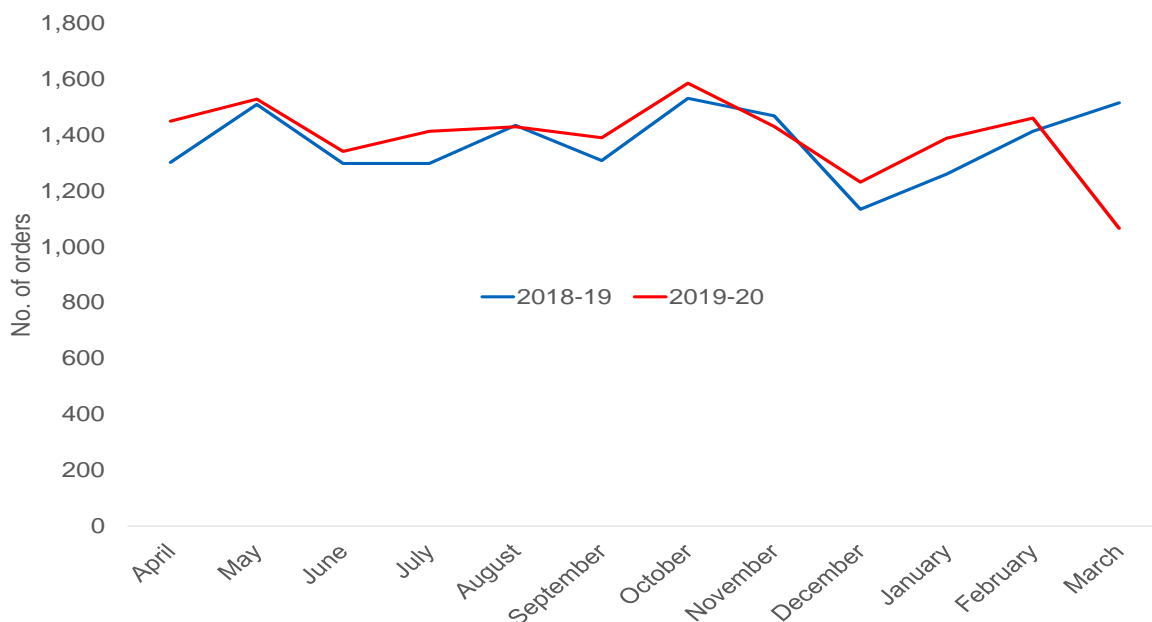
fiscal work orders (Table 2) and 11,800 community payback orders with an unpaid work or other activity requirement (Table 12).

5.1.4 Sixty-eight per cent of social work order terminations in 2019-20 resulted in **completion or discharge** (Table 2). This proportion has been relatively stable over the last six years. The completion rates in 2019-20 varied substantially between different types of order. The highest was for fiscal work orders (78 per cent) and the lowest for the higher tariff drug treatment and testing orders (39 per cent), reflecting the challenges facing the latter client group. The completion rate for community payback orders was 69 per cent in 2019-20.

## 5.2 Community payback orders (Tables 2 & 10-24 and Charts 3-7)

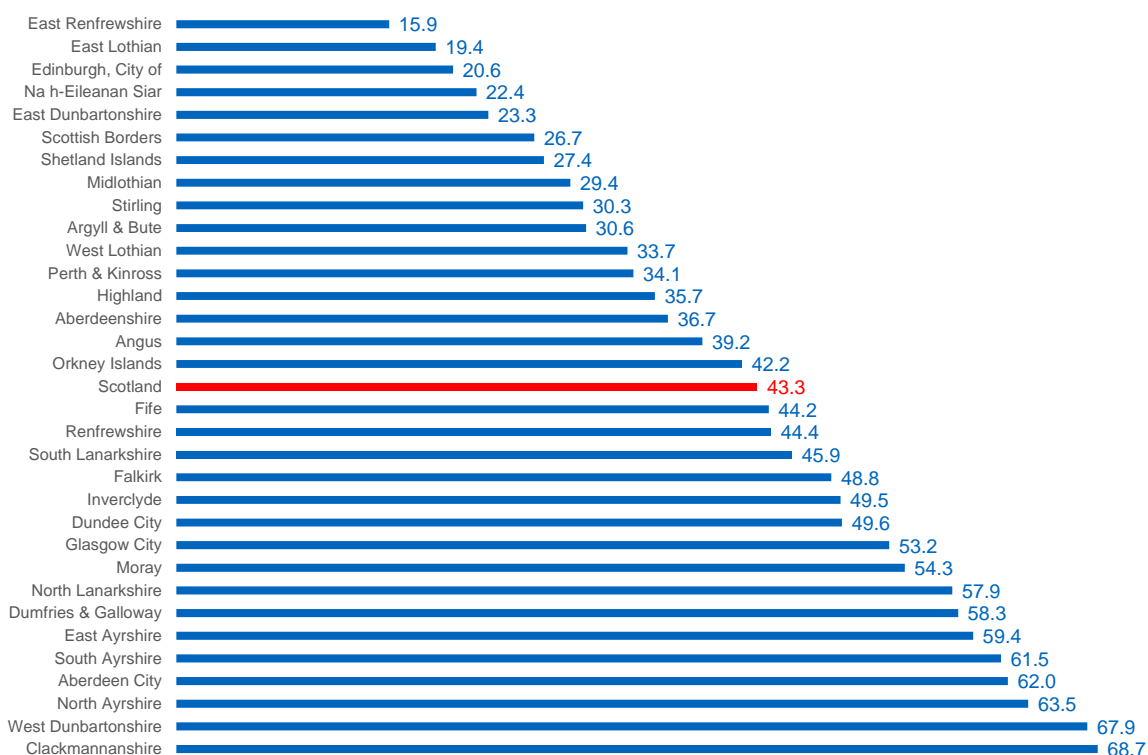
5.2.1 The number of community payback orders (CPOs) imposed increased in the initial years following their introduction, reaching 19,500 in 2015-16 (Table 2). This rise was expected due to CPOs replacing legacy orders for offences committed on or after 1 February 2011. The total CPOs imposed then fell in the next three years to 16,500 in 2018-19. There was a small rise in 2019-20 of 1 per cent to 16,700.

**Chart 3 Number of community payback orders imposed per month, 2018-19 & 2019-20**



5.2.2 Chart 3 shows how numbers imposed in 2019-20 were consistently higher for most months compared to the equivalent month in 2018-19. The only exception to this was in March where numbers in March 2020 were clearly lower than normal due to the effect on court business of the COVID-19 pandemic. This did not stop the total orders imposed from rising between 2018-19 and 2019-20 although it is worth noting that, if March figures had been excluded from both years, the increase would have been higher - 5 per cent.

**Chart 4 Number of community payback orders imposed per 10,000 population : Breakdown by local authority area, 2019-20**



Note : Population aged 16 to 70.

5.2.3 In 2019-20, there were 43 CPOs imposed per 10,000 population (Table 3 & Chart 4). This was highest for those living in Clackmannanshire (69), West Dunbartonshire (68) and North Ayrshire (64). The lowest proportions were for those living in East Renfrewshire (16), East Lothian (19) and City of Edinburgh (21). While the proportion for City of Edinburgh was considerably lower than for Scotland as a whole, it was higher than the national average in the other three city council areas - Aberdeen (62), Glasgow (53) and Dundee (50). More detailed information by local authority area can be found in the additional datasets which accompany this publication.

## Requirements

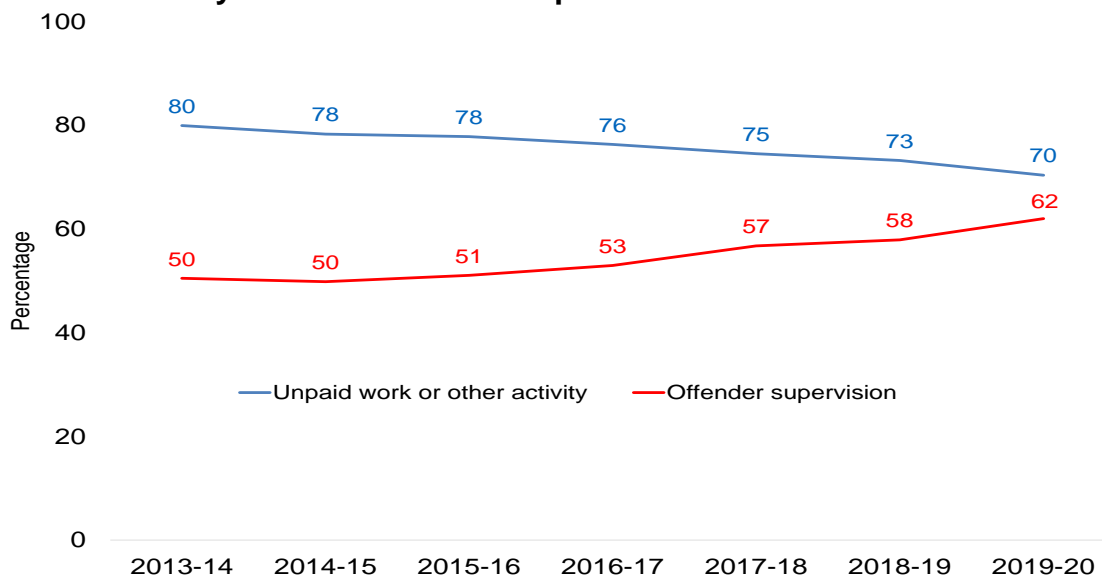
5.2.4 A CPO can contain up to nine different requirements at first imposition but every order should have either or both an unpaid work or other activity requirement or an offender supervision requirement.

5.2.5 Unpaid work or other activity has always been the requirement most commonly issued as part of a CPO. The proportion of orders with unpaid work was high in the early years after the orders were introduced, peaking at 80 per cent in 2013-14. This has fallen each year since, reaching 70 per cent in 2019-20 (Table 12 and Chart 5). The average number of hours given as part of unpaid work requirements has risen steadily in each of the last four years, reaching 129 hours in 2019-20 (Table 13). The proportion of unpaid work requirements which are level 2 (over 100 hours) has increased from 47 per cent in 2015-16 to 53 per cent in 2019-20.

5.2.6 The proportion of orders with an offender supervision requirement rose to 62 per cent in 2019-20, the highest level in the last seven years (Table 12 and Chart 5). In the years 2015-16 to 2019-20, around 56 to 58 per cent of supervision requirements were for 12 months or less (Table 14). The average length of supervision requirements in 2019-20 was 15.7 months, in line with the position in the previous four years.

5.2.7 Chart 5 illustrates how much the composition of orders has changed since 2013-14, with much greater use being made of offender supervision and less being used of unpaid work or other activity.

**Chart 5 Percentage of community payback orders with unpaid work or other activity and with offender supervision: 2013-14 to 2019-20**



5.2.8 The proportion of orders issued with both unpaid work or other activity and offender supervision remained historically high in 2019-20, at 32 per cent (Table 12).

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

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

5.2.10 Conduct and programme have been the most commonly issued of these requirements (Table 12). The proportion of orders with conduct requirements has risen in each of the last four years and now sits at almost 10 per cent. The rise in this proportion may have been a contributing factor in the increase in the proportion of orders with offender supervision requirements over the same period. The proportion of orders with a programme

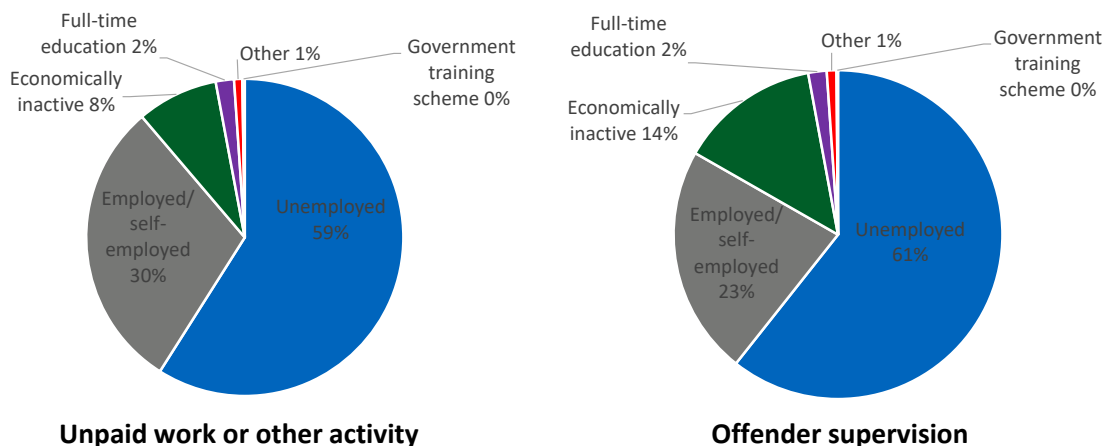
requirement was steady across 2015-16 to 2018-19, at between five and six per cent of all orders, although this rose to seven per cent in 2019-20.

- 5.2.11 Other requirements include compensation (3.1 per cent in 2019-20), alcohol treatment (1.2 per cent) and drug treatment (1.0 per cent) (Table 12). The least commonly issued requirements were mental health treatment and residence.
- 5.2.12 The average number of requirements per order has been steadily rising over the last five years, increasing from 1.45 in 2015-16 to 1.55 in 2019-20 (Tables 10 & 12).

### Characteristics

- 5.2.13 People aged 18 to 20 have always been the most likely to be given a CPO, with 84 people per 10,000 population of this age group given an order in 2019-20. However, people receiving CPOs have been getting slightly older each year. The proportion aged 25 and under has fallen from 34 per cent in 2015-16 to 28 per cent in 2019-20, while those aged over 30 now account for over half of the total (54 per cent) compared with 48 per cent in 2015-16 (Table 10). The fall in the prevalence for young people reflects the marked fall in court volumes for this age group. As a result of these changes over time, the average age of a CPO recipient has risen by three years since the introduction of the orders.
- 5.2.14 The proportion of orders issued to males has remained unchanged at 85 per cent (Table 10). Generally around 60 per cent of those receiving orders were unemployed with around a quarter in employment or self-employed and just over 10 per cent economically inactive.
- 5.2.15 Chart 6 illustrates how the employment status differs between those who are given an unpaid work or other activity requirement and those given an offender supervision requirement. While the proportion who are unemployed is similar across the two groups, those getting unpaid work were more likely to be in employment and less likely to be economically inactive compared to those getting supervision.

**Chart 6 Employment status breakdown for CPOs with unpaid work or other activity and with offender supervision, 2019-20**





- 5.2.16 The vast majority (96 per cent) of community payback orders were issued by sheriff courts in 2019-20, mainly by summary procedure (Table 11). The proportion accounted for by justice of the peace courts fell slightly to three per cent.
- 5.2.17 On imposing a community payback order, a court may include provision for the order to be reviewed at specified time(s). Seventeen per cent of orders commenced in 2019-20 were issued with provision for court progress reviews (Table 15). This varied substantially according to the makeup of the order. Orders with unpaid work or other activity (14 per cent) and compensation (17 per cent) were the least likely to have progress reviews. This proportion was highest for those with a drug treatment requirement (49 per cent). It was also high for those with mental health treatment and residence requirements in 2019-20 although these can vary substantially from year to year due to the small numbers involved.
- 5.2.18 There were a total of 16,500 CPOs in force at 31 March 2020 (see Table 2 and the additional datasets which accompany this publication). This total rose in 2019-20 after falling in each of the two previous years.

### **Timescales for implementation**

- 5.2.19 The Scottish Government community payback order practice guidance is intended to support practitioners and managers to improve their performance and work towards the achievement of the national outcomes and standards for social work services in the criminal justice system. Further details on the guidance can be found in §B.6.
- 5.2.20 The proportion of orders where first direct contact took place within one working day of imposition has fluctuated around the 75 per cent mark over the last five years (Table 16). In addition, in 2019-20, 13 per cent took more than five working days.
- 5.2.21 Over the last five years, just under 80 per cent of first induction / case management meetings took place within five working days. Roughly equal proportions took six to ten working days and more than ten working days.
- 5.2.22 There were various reasons why these timescales were not met. Forty-two per cent of delays in first direct contact were due to missed appointments, while the unavailability of a social worker (3 per cent) or other non-client related reason (26 per cent) together accounted for a further 28 per cent (Table 17). Other client-based reasons included being subject to another sentence, employment or illness. Delays for the first induction / case management meeting were due to a wide range of reasons. In 28 per cent of cases the individual missed their induction/meeting, while a further 24 per cent involved being subject to another sentence, employment or illness. Another 6 per cent were due to delays in first making contact or staff availability, with 23 and 18 per cent of cases involving, respectively, other client based and other non-client based reasons.

5.2.23 The proportion of unpaid work placements which started within seven working days in 2019-20 was 73 per cent, a slight rise on the levels seen over the last four years (Table 18). Twenty-seven per cent of people who started their work placement after seven working days in 2019-20 did so because they did not turn up for the first day of placement (Table 19).

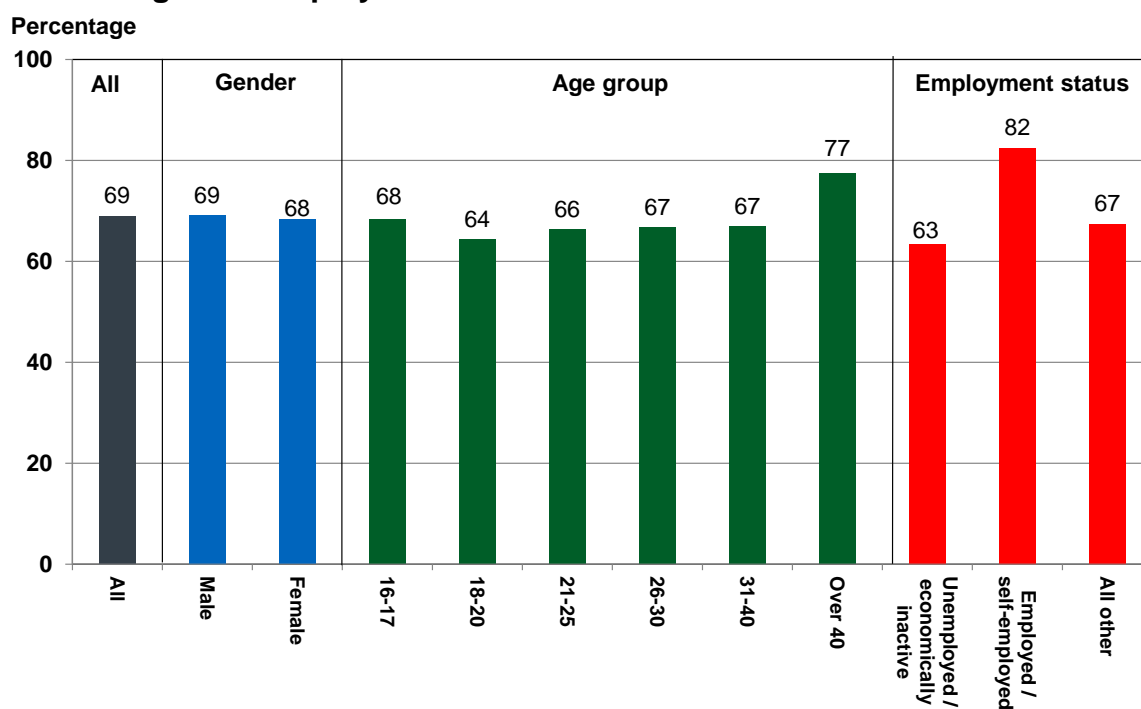
## Terminations

5.2.24 The successful completion rate for CPOs terminated in 2019-20 was 69 per cent (Table 2). With the exception of the high level in 2013-14, this rate has generally been around 70 per cent since these orders were introduced. In 2019-20, 16 per cent of orders terminated were revoked following a breach application to the courts and a further nine per cent were revoked following a review (Table 20).

5.2.25 Seventy-two per cent of orders which finished during 2019-20 did not involve any breach applications during the lifetime of the order (Table 21). For the remainder, there were a total of 5,700 breach applications made (Table 22). The vast majority of breach applications (83 per cent) were lodged with the court within five working days of the decision to make an application.

5.2.26 For CPOs revoked due to breach, the most likely specific outcomes were a custodial sentence or a new order (24 and 27 per cent, respectively), with 25 per cent resulting in an “other” outcome (Table 20). Eighteen per cent of orders revoked due to review resulted in a custodial sentence, another 15 per cent got a new CPO or a monetary penalty, while 45 per cent had an “other” outcome.

**Chart 7 Completions/discharges of community payback orders by gender, age and employment status : 2019-20**



Notes: Age at imposition of order and employment status at termination. The male category includes one order where the gender of the individual in question was classified under “other”.

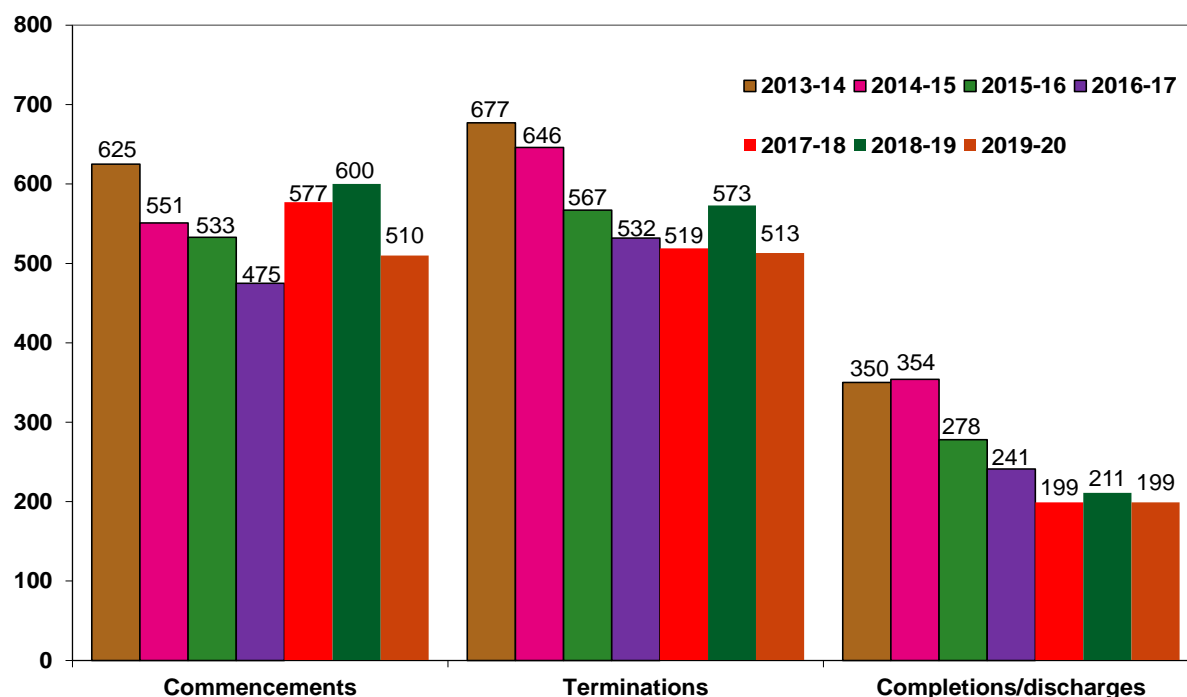
- 5.2.27 Completion rates in 2019-20 varied by age and employment status ([Chart 7](#)). Rates were again relatively similar for all age groups up to age 40, ranging from 64 per cent for those aged 18 to 20 to 68 per cent for under 18s. For those aged 40 or under as a whole, 66 per cent of orders were successfully completed. For people aged over 40 however, the rate was much higher at 77 per cent. Eighty-two per cent of those who were employed or self-employed completed successfully, compared to 63 per cent of those who were unemployed or economically inactive.
- 5.2.28 During 2019-20, a total of 7,400 unpaid work or other activity requirements were successfully completed, 11 per cent fewer than in 2018-19 and 17 per cent lower compared with 2017-18 ([Table 23](#)). On average, 129 hours were carried out for each order and they took around 7½ months to complete.
- 5.2.29 The [Criminal Justice and Licensing \(Scotland\) Act 2010](#) defined the time limit for completion of an unpaid work or other activity requirement as "3 months or such longer period as the court may specify in the requirement" for level 1 and "6 months or such longer period as the court may specify in the requirement" for level 2. While these time limits were increased by the [Coronavirus \(Scotland\) Act 2020](#), this change did not come into effect until after the end of year 2019-20 and does not therefore influence any of the figures in this bulletin.
- 5.2.30 Thirty-five per cent of successfully completed unpaid work or other activity requirements were completed within the 3/6 month time frame in 2019-20 while a further 43 per cent were completed within a later timescale which the court had specified ([Table 24](#)).
- 5.2.31 For requirements which were completed outwith the specified timescale in 2019-20, the reason why they were completed later was most commonly down to non-compliance (21 per cent), other non-client-based (22 per cent) or other client-based reasons (35 per cent).

### **5.3 Drug treatment and testing orders** ([Tables 2 and 25-31](#))

#### **Characteristics**

- 5.3.1 The drug treatment and testing order (DTTO) is available to courts (excluding justice of the peace courts) as a high tariff disposal for people with substance-related offending who might otherwise get a custodial sentence. In addition, the less intensive DTTO II is available to courts in City of Edinburgh, East Lothian, Midlothian and Highland, and accounted for around 15 per cent of the DTTOs in these areas in 2019-20 (see [§B.7](#)).
- 5.3.2 The total number of DTTOs imposed fell each year between 2013-14 and 2016-17 to a low of 480, before rising in each of the next two years. Numbers fell again in 2019-20, by 15 per cent, to 510, the second lowest level in the last seven years ([Tables 2 & 25](#) and [Chart 8](#)).

**Chart 8 Drug treatment and testing order commencements, terminations and completions/discharges: 2013-14 to 2019-20**



5.3.3 In 2019-20, there were 1.3 DTTOs imposed per 10,000 population (Table 3). This was highest for residents of City of Edinburgh (3.4), West Dunbartonshire (2.1) and Inverclyde (2.0). More information by local authority area can be found in the additional datasets which accompany this publication.

5.3.4 Over the last five years, people aged 31 to 40 have been the most likely to receive a DTTO (3 per 10,000 population in 2019-20). It has consistently been those aged 25 and under and those aged over 40 who have been the least likely (0.6 and 0.7, respectively, per 10,000 population in 2019-20).

5.3.5 The proportion of orders issued to males has been around 80 per cent over the last five years (Table 25). A very high proportion (generally around 90 per cent) of those receiving a DTTO are unemployed or economically inactive.

5.3.6 The **average length** of a DTTO has been between 17 and 18 months in each of the last five years (Table 25).

5.3.7 There were 590 DTTOs in force on 31 March 2020, the same as one year earlier (Table 2).

### Timescales for implementation

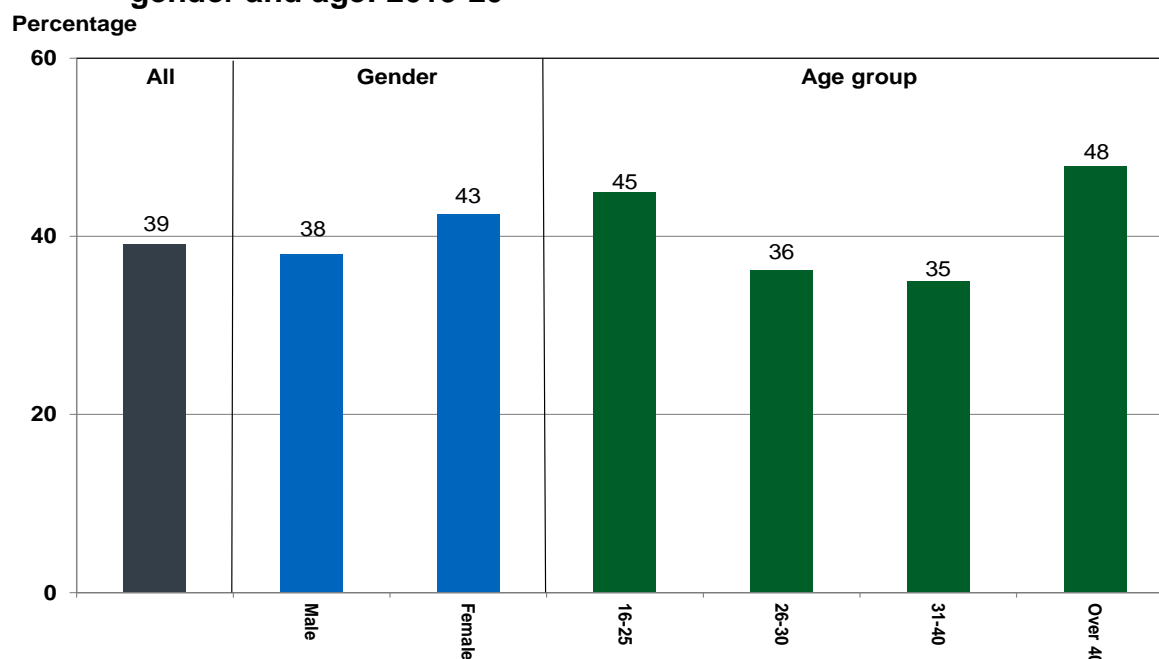
5.3.8 The proportion of DTTOs which had first direct contact within one working day of the order being imposed rose to 69 per cent in 2019-20 (Table 26). The small number of orders involved mean there are inevitable year on year fluctuations for this proportion.

- 5.3.9 The proportion of orders where the first case management meeting took place within five working days also rose in 2019-20, to 82 per cent, which was around the levels in years 2015-16 to 2017-18 (Table 26). In around 10 per cent of cases in 2019-20, it took longer than ten working days for the first meeting to take place. Again, proportions fluctuate from year to year due to the small number of orders involved.
- 5.3.10 The reasons provided for not meeting these timescales in 2019-20 suggest that people receiving DTTOs have difficulty complying, as not attending meetings without an excuse is very prevalent. This was particularly the case for case management meetings. In 64 per cent of cases where the meeting did not occur within five working days, this was down to either the person not turning up or another client-related reason (Table 27).

## Terminations

- 5.3.11 The percentage of orders successfully completed tends to be lower for DTTOs than for other social work orders, due to the complex needs of those involved and the intensity of the supervision involved in a DTTO.
- 5.3.12 The completion rate for DTTOs terminated fell each year between 2014-15 to 2018-19, from the historic high of 55 per cent in 2014-15 to 37 per cent in 2018-19 (Table 2). In the same period, the proportion of orders revoked due to review increased substantially from 16 per cent in 2014-15 to 35 per cent in 2018-19 (Table 28). While this has likely been a contributory factor in the fall in the completion rate over that period, orders can be revoked due to review for a number of different reasons, not all of which necessarily represent an unsuccessful outcome. In 2019-20, the successful completion rate rose slightly, to 39 per cent while 33 per cent were revoked due to review.
- 5.3.13 Eighteen per cent of orders in 2019-20 were revoked due to breach, around the same proportion as in previous years (Table 28). A custodial sentence was imposed in 31 per cent of revoked cases in 2019-20 (Table 29).
- 5.3.14 Seventy-five per cent of orders were terminated without breach applications (Table 30). The vast majority (92 per cent) of the breach applications were lodged with the court within five working days of the decision being made to make an application (see the additional datasets which accompany this publication).
- 5.3.15 People aged over 40 were still the most likely to successfully complete their order in 2019-20, with just under half doing so (Chart 9). The main reason for the rise in the overall success rate in 2019-20 was the increased proportion for 16 to 25 year olds, up from 30 per cent in 2018-19 to 45 per cent in 2019-20.

**Chart 9 Completions/discharges of drug treatment and testing orders by gender and age: 2019-20**



Notes: Age at imposition of order.

### Longitudinal analysis

5.3.16 [Table 31](#) shows results from a longitudinal analysis of the DTTO data. All but a very small number of the orders imposed up to the end of March 2018 have now finished and this analysis mainly looks at completion rates by various factors for the cohorts of orders commenced in those years. For each of the years 2014-15 to 2017-18, while most orders were for over a year and up to 18 months in length, the completion rate was highest for orders of up to a year and lowest for those of over 18 months.

5.3.17 For each year apart from 2015-16, the success rate was substantially higher for DTTO IIs than for full DTTOs.

5.3.18 Unsurprisingly, whether there are breach application(s) during the course of an order is a major indicator of whether the order is likely to be successfully completed. Almost half of orders which started in 2017-18 and which had no breach applications, were successfully completed. This compared with only 8 per cent of orders where there was at least one breach application.

### 5.4 Fiscal work orders ([Tables 2 and 32-33](#))

5.4.1 Fiscal work orders (FWOs) were introduced nationally on 1 April 2015 and allow Procurators Fiscal to offer unpaid work orders as an alternative to prosecution. They can be for a minimum of 10 and a maximum of 50 hours and should be completed within six months.

5.4.2 The number of FWOs commenced in Scotland increased from the base level of 510 in 2015-16 to 1,030 in 2017-18 ([Table 32](#)). However, numbers have

dropped sharply in each of the last two years, to 630 in 2018-19 and 250 in 2019-20.

- 5.4.3 In addition, in 2019-20, there were 430 fiscal work order assessments undertaken by local authorities, 270 of which resulted in the orders being accepted. The number of orders which finished was 220, 78 per cent of which were successfully completed.
- 5.4.4 People given fiscal work orders tended to be younger than those given community payback orders. Fifty-three per cent of FWOs commenced in 2019-20 were for people aged 25 and under, while only 17 per cent were for those aged over 40 ([Table 33](#)).
- 5.4.5 In years 2015-16 to 2018-19, substantially more people were employed or self-employed than any other category of employment. In 2019-20 for the first time, a higher proportion were unemployed or economically inactive (42 per cent) than were in employment (39 per cent).
- 5.4.6 2019-20 also showed a change in the lengths of orders that were issued. In years 2015-16 to 2018-19, more orders were for 30 hours than any other length. However, the most common length in 2019-20 was 50 hours (35 per cent of the total), while 30 and 40 hours accounted for 34 and 21 per cent respectively. As a result, the average length in 2019-20 was 38 hours, the highest since the orders were introduced.

## **6 Structured deferred sentences** **([Tables 1 and 34](#))**

- 6.1 Structured deferred sentences offer courts the option to provide a short period of intensive supervision to individuals post-conviction but prior to final sentencing.
- 6.2 There were 890 structured deferred sentences imposed in Scotland in 2019-20, an increase of eight per cent on 2018-19. These were imposed in just over half of all council areas in both 2018-19 and 2019-20. In 2019-20, three-quarters of sentences were for males, while 35 per cent were aged 25 or under and 24 per cent were aged over 40.
- 6.3 [Guidance on structured deferred sentences in Scotland](#) was published in February 2021.

## **7 Statutory/voluntary throughcare** **([Tables 1 and 35-36](#))**

- 7.1 Criminal justice social work departments are expected to provide a throughcare service to all those who are subject to statutory supervision on release from prison. This includes people serving sentences of 4 years or more (or 6 months or more for sexual crimes) as well as those subject to an extended sentence or supervised release order. Throughcare begins at the start of the sentence and is implemented through the Scottish Prison Service's integrated case management process. Voluntary throughcare



services are also available to those who are not subject to supervision on release from prison. These services may be requested while in custody or up to 12 months after release.

- 7.2 Commencements for **statutory throughcare in custody** have generally fluctuated on or just above 1,000 over the past seven years, with 1,000 cases in 2019-20 (Table 1). Forty per cent involved determinate sentences of four years or more in 2019-20, while supervised release orders and short-term sex offenders accounted for 27 and 16 per cent respectively (Table 35).
- 7.3 The number of commencements for **statutory throughcare cases in the community** have generally been around 1,000 in recent years, although numbers fell to 910 cases in 2019-20, the lowest in the last seven years (Table 1). Twenty-eight per cent of all cases commenced in 2019-20 related to supervised release orders, while short-term sex offenders and extended sentences accounted for 20 and 15 per cent respectively (Table 36). The number of commencements related to non-parole fell substantially, from being 20 per cent of all cases in 2018-19 to 12 per cent in 2019-20.
- 7.4 The **statutory custody- and community-based throughcare caseload** totalled 6,100 individuals on 31 March 2020 (Tables 1, 35 and 36). Numbers have fluctuated around the 6,000 mark over the last seven years. The custody-based caseload was 61 per cent of the total in 2019-20.
- 7.5 The number of **completions** of statutory throughcare cases in the community have fluctuated either side of 1,000 over the last seven years, sitting at 1,000 in 2019-20 (Tables 1 and 36).
- 7.6 The number of **voluntary throughcare** cases in 2019-20 was 2,000. This rose for the first time since 2014-15, though remained 24 per cent below the historic high in that year (Table 1).

## 8 Pre-release reports (Tables 1 and 6)

- 8.1 Part of statutory throughcare involves preparing reports to inform temporary release from prison on home leave and liberation on licence. In 2019-20, 1,600 **home leave reports**<sup>1</sup> were produced, a rise of 18 per cent on the previous year and back to around the level of the recent high in 2016-17. A total of 2,300 **home circumstance reports** for release from prison on parole/non-parole licence were recorded in 2019-20. This number rose for the sixth year in a row and was up by 44 per cent on the number in 2013-14 (Table 1). While pre-release reports in 2013-14 consisted of roughly equal numbers of home leave and home circumstance reports, by 2019-20 home circumstance reports accounted for 59 per cent of the total.

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<sup>1</sup> Scottish Government (2010) Integrated practice guidance for staff involved in the home leave process. Justice Directorate Circular JD 3/2010  
<http://www.gov.scot/Publications/2010/07/09112100/0>

- 8.2 From 2006, those serving a custodial sentence may also be released early under a home detention curfew scheme. The number of **home detention curfew assessments** fell sharply for the second year in a row, falling overall by 70 per cent between 2017-18 and 2019-20 to 810 ([Table 6](#)).

## 9 Tables

- 9.1 The following symbols are used throughout the tables in this bulletin:
- nil
  - .. missing / not available
  - not applicable
- 9.2 Percentage figures given in tables and charts may not always sum to the exact totals due to rounding. Any percentages in the tables which are less than 0.5% are represented by the symbol \*.
- 9.3 The data presented in this publication is drawn from administrative IT systems. Although care is taken when processing and analysing the data, it is subject to the inaccuracies inherent in any large scale recording system. While the figures shown have been checked as far as practicable, they should be regarded as approximate and not necessarily accurate to the last whole number in the tables. They are also updated and quality assured on an on-going basis, and the figures shown here may therefore differ slightly from those published previously. Where substantive revisions have been made to improve the quality of the data, these are indicated in the footnotes.
- 9.4 Numbers are given precisely in the tables but are **rounded for presentational purposes** in the text. The numbers in the text are generally rounded as follows:
- 1,000 to less than 100,000 – rounded to the nearest 100
  - 100 to less than 1,000 – rounded to the nearest 10
  - Less than 100 – unrounded
- Also in the text, percentages are calculated based on the unrounded numbers and are then rounded to the nearest whole number.

**Table 1 Summary of criminal justice social work activity: 2013-14 to 2019-20**

	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
<b>Diversion from prosecution</b>							
Cases commenced	1,710	1,869	1,859	2,006	1,725	1,849	1,990
Individuals	1,657	1,812	1,787	1,960	1,686	1,789	1,927
Cases successfully completed <sup>1</sup>	1,374	1,355	1,330	1,578	1,367	1,416	1,578
<b>Bail information</b>							
Requests from court for bail information	6,874	8,006	7,278	6,955	5,919	6,037	5,656
Bail supervision cases commenced	417	407	355	310	268	337	471
Bail supervision individuals <sup>2</sup>	400	390	318	292	253	317	456
<b>Criminal justice social work reports</b>							
Total reports submitted (including supplementaries) <sup>3</sup>	31,406	30,838	29,846	30,250	28,688	27,278	28,405
Individuals with reports submitted <sup>3</sup>	23,740	22,120	22,667	22,565	21,280	20,160	20,958
Supplementary reports submitted <sup>3</sup>	3,632	4,235	2,858	3,189	2,976	2,763	2,708
<b>Structured deferred sentences</b>							
Number of sentences imposed						817	885
Number of individuals with sentences imposed						718	749
<b>Statutory throughcare</b>							
Cases commenced (custody)	1,049	1,038	1,027	1,042	1,042	1,064	999
Cases commenced (community)	1,027	1,085	982	1,121	1,010	972	912
Cases completed (community)	911	942	982	1,101	1,121	962	1,000
Cases in force at 31 March (custody/community)	6,002	5,904	5,801	5,831	5,836	5,786	6,126
<b>Voluntary throughcare (assistance)</b>							
Cases commenced <sup>4</sup>	2,489	2,663	2,537	2,222	2,084	1,795	2,022
Individuals who received assistance <sup>4</sup>	2,327	2,429	2,343	2,081	1,948	1,810	1,757
<b>Pre-release reports</b>							
Total	3,184	3,056	3,199	3,344	3,359	3,350	3,877
Home leave reports	1,597	1,462	1,513	1,631	1,517	1,343	1,584
Home circumstance reports (parole/non-parole)	1,587	1,594	1,686	1,713	1,842	2,007	2,293

1. Figures for diversion from prosecution cases successfully completed for 2018-19 have been amended due to the provision of revised figures for Clackmannanshire.

2. Figures for individuals with bail supervision for 2018-19 have been amended due to the provision of revised figures for Orkney.

3. Figures for criminal justice social work reports for 2016-17 and 2017-18 have been amended due to the provision of revised figures for Highland.

4. Figures for voluntary throughcare in 2018-19 have been amended due to the provision of revised figures for Midlothian.

**Table 2 Social work orders: 2013-14 to 2019-20**

	2013-14	2014-15	2015-16 <sup>6,7</sup>	2016-17 <sup>6,7</sup>	2017-18 <sup>6,7</sup>	2018-19 <sup>6,7</sup>	2019-20 <sup>6,7</sup>
<b>Orders commenced</b>	<b>20,457</b>	<b>20,121</b>	<b>20,492</b>	<b>20,571</b>	<b>19,485</b>	<b>17,704</b>	<b>17,468</b>
Community payback orders <sup>1</sup>	18,688	19,065	19,451	19,202	17,881	16,470	16,710
Community service orders <sup>2</sup>	227	85	..	..	..	..	..
Probation orders <sup>2</sup>	138	62	..	..	..	..	..
With an element of unpaid work <sup>2</sup>	71	24	..	..	..	..	..
Supervised attendance orders <sup>2</sup>	779	358	..	..	..	..	..
Drug treatment and testing orders <sup>1</sup>	625	551	533	475	577	600	510
Fiscal work orders <sup>4</sup>			508	894	1,027	634	248
<b>Individuals with orders commenced</b>	<b>17,682</b>	<b>17,285</b>	<b>17,517</b>	<b>17,490</b>	<b>16,753</b>	<b>15,096</b>	<b>14,845</b>
Community payback orders <sup>1</sup>	16,082	16,323	16,525	16,160	15,197	13,908	14,122
Community service orders <sup>2</sup>	219	83	..	..	..	..	..
Probation orders <sup>2</sup>	130	61	..	..	..	..	..
With an element of unpaid work <sup>2</sup>	66	24	..	..	..	..	..
Supervised attendance orders <sup>2</sup>	654	298	..	..	..	..	..
Drug treatment and testing orders <sup>1</sup>	597	520	489	446	531	556	476
Fiscal work orders <sup>4</sup>			503	884	1,025	632	247
<b>Orders in force at 31 March</b>							
Community payback orders <sup>1</sup>	16,020	16,821	17,181	17,446	16,742	15,770	16,488
Drug treatment and testing orders <sup>1</sup>	690	595	561	504	562	589	586
<b>Orders terminated</b>	<b>20,095</b>	<b>20,098</b>	<b>20,555</b>	<b>20,261</b>	<b>20,094</b>	<b>18,713</b>	<b>16,721</b>
Community payback orders <sup>1</sup>	16,209	18,264	19,091	18,937	18,585	17,442	15,992
Community service orders <sup>2,5</sup>	759	245	109	..	..	..	..
Probation orders <sup>2,5</sup>	996	317	127	..	..	..	..
Supervised attendance orders <sup>2,5</sup>	1,454	626	298	..	..	..	..
Drug treatment and testing orders <sup>1</sup>	677	646	567	532	519	573	513
Fiscal work orders <sup>4,5</sup>			363	792	990	698	216
<b>Proportion of completions/discharges<sup>6</sup></b>	<b>72.7</b>	<b>69.9</b>	<b>69.5</b>	<b>69.2</b>	<b>69.3</b>	<b>67.8</b>	<b>68.2</b>
Community payback orders <sup>1,3,5</sup>	74.3	70.6	70.0	69.3	69.3	68.1	69.0
Community service orders <sup>2,5</sup>	71.7	66.8	66.4	..	..	..	..
Probation orders <sup>2,5</sup>	80.5	79.8	87.7	..	..	..	..
Supervised attendance orders <sup>2,5</sup>	59.9	61.0	58.3	..	..	..	..
Drug treatment and testing orders <sup>1,5</sup>	52.2	55.5	49.6	45.8	38.9	37.2	39.1
Fiscal work orders <sup>4,5</sup>			80.4	82.8	85.8	87.1	77.8

1. Figures for community payback orders for the years 2014-15 to 2018-19 and for drug treatment & testing orders for 2017-18 and 2018-19 have been revised from those previously published due to updated information being received from some local authorities. These revisions are particularly substantive for CPO terminations in 2018-19 and CPOs in force at March 2019 due mainly to some councils reporting that orders had not been getting closed off on their IT systems.

2. Information on community service, probation and supervised attendance orders was not collected from local authorities from 2015-16 for orders commenced and from 2016-17 for orders terminated, due to the small numbers involved. These numbers were estimated to be in the region of around 200 and 150 for orders commenced in 2015-16 & 2016-17, respectively, and 200 for orders terminated in 2016-17. Since 2016-17, these numbers are estimated to be lower than 100 each year and falling.

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

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

5. Successful completion rates are calculated by taking the number of orders successfully completed or subject to an early discharge and dividing this by total orders terminated less those which finished because they were transferred out (and as per note 4 above, for 2013-14, less those where the reason for termination was not known).

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

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

**Table 3 Criminal justice social work reports submitted, community payback orders imposed, drug treatment & testing orders imposed and diversion from prosecution cases commenced : Number and proportion per 10,000 population, 2019-20**

Local authority area	Criminal justice social work reports submitted		Community payback orders imposed		Drug treatment & testing orders imposed		Diversion from prosecution cases commenced	
	Number	Proportion per 10,000 population <sup>1</sup>	Number	Proportion per 10,000 population <sup>1</sup>	Number	Proportion per 10,000 population <sup>1</sup>	Number <sup>2</sup>	Proportion per 10,000 population <sup>1,2</sup>
<b>Scotland</b>	<b>28,405</b>	<b>73.7</b>	<b>16,710</b>	<b>43.3</b>	<b>510</b>	<b>1.3</b>	<b>1,990</b>	<b>5.2</b>
Aberdeen City	1,126	66.4	1,052	62.0	7	0.4	114	6.7
Aberdeenshire	742	41.3	658	36.7	7	0.4	89	5.0
Angus	707	90.1	308	39.2	0	0.0	34	4.3
Argyll & Bute	326	56.0	178	30.6	2	0.3	29	5.0
Clackmannanshire	404	112.4	247	68.7	3	0.8	20	5.6
Dumfries & Galloway	1,109	110.9	583	58.3	13	1.3	144	14.4
Dundee City	1,435	133.4	534	49.6	1	0.1	68	6.3
East Ayrshire	922	108.7	504	59.4	16	1.9	50	5.9
East Dunbartonshire	269	37.0	169	23.3	2	0.3	29	4.0
East Lothian	218	29.9	141	19.4	14	1.9	35	4.8
East Renfrewshire	231	36.7	100	15.9	0	0.0	10	1.6
Edinburgh, City of <sup>1</sup>	1,577	40.1	812	20.6	135	3.4	285	7.2
Falkirk	1,019	90.2	552	48.8	14	1.2	71	6.3
Fife	2,121	82.1	1,141	44.2	49	1.9	106	4.1
Glasgow City	4,088	85.7	2,537	53.2	53	1.1	138	2.9
Highland	887	54.7	579	35.7	19	1.2	75	4.6
Inverclyde	369	68.0	269	49.5	11	2.0	12	2.2
Midlothian <sup>1</sup>	471	74.4	186	29.4	11	1.7	0	0.0
Moray	685	104.0	358	54.3	4	0.6	34	5.2
Na h-Eileanan Siar	73	40.9	40	22.4	0	0.0	6	3.4
North Ayrshire	763	82.7	586	63.5	13	1.4	66	7.2
North Lanarkshire	2,419	100.4	1,394	57.9	26	1.1	141	5.9
Orkney Islands	61	40.2	64	42.2	0	0.0	2	1.3
Perth & Kinross	748	72.2	353	34.1	2	0.2	35	3.4
Renfrewshire	966	76.4	561	44.4	20	1.6	43	3.4
Scottish Borders	354	45.7	207	26.7	4	0.5	8	1.0
Shetland Islands	63	40.2	43	27.4	0	0.0	10	6.4
South Ayrshire	673	88.8	466	61.5	12	1.6	44	5.8
South Lanarkshire	1,590	70.9	1,030	45.9	33	1.5	125	5.6
Stirling	331	49.7	202	30.3	13	2.0	48	7.2
West Dunbartonshire	636	101.7	425	67.9	13	2.1	30	4.8
West Lothian	1,022	79.8	431	33.7	13	1.0	89	6.9

1. Population aged 16 to 70 as at 30 June 2019.

2. Diversion from prosecution cases under City of Edinburgh include Midlothian. The rate per 10,000 population for City of Edinburgh is based on the population of both Edinburgh and Midlothian.

**Table 4 Diversion from prosecution: 2015-16 to 2019-20**

	2015-16	2016-17	2017-18	2018-19	2019-20
Referrals	3,054	3,476	2,662	2,945	3,088
Assessments	2,762	2,958	2,526	2,757	2,752
Cases commenced	1,859	2,006	1,725	1,849	1,990
Individuals with cases commenced	1,787	1,960	1,686	1,789	1,927
Cases successfully completed <sup>1</sup>	1,330	1,578	1,367	1,416	1,578
Cases referred to drug treatment/education	50	50	38	68	65
Cases referred to alcohol treatment programmes	50	52	51	60	40
Cases referred to mental health services	61	74	57	55	52

1. Figures for cases successfully completed for 2018-19 have been amended due to the provision of revised figures for Clackmannanshire.

**Table 5 Diversion from prosecution cases commenced by age, gender, employment status and ethnicity: 2015-16 to 2019-20**

	2015-16	2016-17	2017-18	2018-19	2019-20
<b>Total</b>	<b>1,859</b>	<b>2,006</b>	<b>1,725</b>	<b>1,849</b>	<b>1,990</b>
					<i>Number</i>
<b>Age group<sup>1</sup></b>					
16-17	540	414	488	560	650
18-20	267	248	287	289	348
21-25	120	170	136	158	118
26-30	145	178	124	142	110
31-40	264	360	265	293	304
Over 40	523	636	425	407	460
<b>Gender</b>					
Male	1,075	1,171	1,008	1,193	1,334
Female	784	835	717	656	656
<b>Employment status</b>					
Full-time education	169	163	187	176	172
Employed/self employed	350	579	413	370	461
Unemployed	677	670	547	763	841
Government training scheme	39	23	11	16	10
Economically inactive <sup>2</sup>	215	211	133	146	173
Other <sup>3</sup>	409	360	434	378	333
<b>Ethnicity</b>					
White	1,397	1,642	1,331	1,538	1,648
Asian	20	23	10	16	20
African, Caribbean or Black	15	15	13	5	12
Mixed	7	3	9	5	8
Other	15	16	16	11	21
Not known/provided	405	307	346	274	281
					<i>Percentage</i>
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>Age group<sup>1</sup></b>					
16-17	29.0	20.6	28.3	30.3	32.7
18-20	14.4	12.4	16.6	15.6	17.5
21-25	6.5	8.5	7.9	8.5	5.9
26-30	7.8	8.9	7.2	7.7	5.5
31-40	14.2	17.9	15.4	15.8	15.3
Over 40	28.1	31.7	24.6	22.0	23.1
<b>Gender</b>					
Male	57.8	58.4	58.4	64.5	67.0
Female	42.2	41.6	41.6	35.5	33.0
<b>Employment status</b>					
Full-time education	9.1	8.1	10.8	9.5	8.6
Employed/self employed	18.8	28.9	23.9	20.0	23.2
Unemployed	36.4	33.4	31.7	41.3	42.3
Government training scheme	2.1	1.1	0.6	0.9	0.5
Economically inactive <sup>2</sup>	11.6	10.5	7.7	7.9	8.7
Other <sup>3</sup>	22.0	17.9	25.2	20.4	16.7
<b>Ethnicity (where known)</b>					
White	96.1	96.6	96.5	97.7	96.4
Asian	1.4	1.4	0.7	1.0	1.2
African, Caribbean or Black	1.0	0.9	0.9	*	0.7
Mixed	*	*	0.7	*	*
Other	1.0	0.9	1.2	0.7	1.2

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

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

3. Includes cases where the employment status is not known.

**Table 6 Bail information, court services and home detention curfew assessments: 2015-16 to 2019-20**

	2015-16	2016-17	2017-18	2018-19	2019-20
<b>Bail information</b>					
<i>Requests from court for bail information</i>	7,278	6,955	5,919	6,037	5,656
<i>Bail supervision cases</i>					
Number commenced	355	310	268	337	471
Individuals <sup>1</sup>	318	292	253	317	456
<b>Court services</b>					
<i>Same day reports</i>	3,705	4,258	4,214	4,648	3,572
Written reports <sup>2</sup>	1,446	1,926	2,205	2,908	2,242
Oral reports <sup>2</sup>	2,259	2,332	2,009	1,740	1,330
<i>Information at court's request</i> <sup>3,4</sup>	1,603	2,095	1,881	1,689	1,222
<i>Post sentence interviews</i>	20,072	19,253	18,208	16,915	15,305
<b>Home detention curfew assessments</b>					
Reports	2,676	2,513	2,738	1,856	811
Individuals	2,439	2,236	2,470	1,674	765

1. The figure for 2018-19 for individuals with bail supervision has been amended from that originally published last year due to the receipt of a revised figure for Orkney.

2. The breakdown into written and oral for same day reports in 2018-19 has been amended from that originally published due to the receipt of revised figures for South Ayrshire.

3. The figure for 2017-18 for information at court's request includes an estimated figure for Aberdeen City.

4. The figure for 2018-19 for information at court's request includes a figure for Aberdeen City which is considered an underestimate.



**Table 7 Criminal justice social work reports submitted by age, gender, employment status and ethnicity: 2015-16 to 2019-20**

	2015-16	2016-17 <sup>4</sup>	2017-18 <sup>4</sup>	2018-19	2019-20
<b>Total</b>	<b>26,988</b>	<b>27,061</b>	<b>25,712</b>	<b>24,515</b>	<i>Number</i> <b>25,697</b>
<b>Age group</b>					
16-17 <sup>1</sup>	945	938	863	740	584
18-20	3,133	2,920	2,498	2,418	2,237
21-25	4,777	4,789	4,297	3,975	3,926
26-30	4,569	4,499	4,365	4,145	4,417
31-40	7,097	7,280	7,244	7,187	7,906
Over 40	6,467	6,635	6,445	6,050	6,627
<b>Gender</b>					
Males <sup>2</sup>	22,417	22,565	21,418	20,629	21,652
Females	4,571	4,496	4,294	3,886	4,045
<b>Employment status</b>					
Full-time education	438	490	394	475	457
Employed/self employed	6,340	6,000	5,428	5,341	5,752
Unemployed	13,150	13,568	13,407	12,243	13,592
Government training scheme	126	129	129	96	103
Economically inactive <sup>3</sup>	4,140	4,006	3,494	3,633	3,881
Other	2,794	2,868	2,860	2,727	1,912
<b>Ethnicity</b>					
White	23,211	23,767	22,462	21,224	22,986
Asian	310	312	285	326	383
African, Caribbean or Black	156	182	173	188	197
Mixed	55	71	63	64	77
Other	287	304	266	304	270
Not known/provided	2,969	2,425	2,463	2,409	1,784
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<i>Percentage</i> <b>100.0</b>
<b>Age group</b>					
16-17 <sup>1</sup>	3.5	3.5	3.4	3.0	2.3
18-20	11.6	10.8	9.7	9.9	8.7
21-25	17.7	17.7	16.7	16.2	15.3
26-30	16.9	16.6	17.0	16.9	17.2
31-40	26.3	26.9	28.2	29.3	30.8
Over 40	24.0	24.5	25.1	24.7	25.8
<b>Gender</b>					
Males <sup>2</sup>	83.1	83.4	83.3	84.1	84.3
Females	16.9	16.6	16.7	15.9	15.7
<b>Employment status</b>					
Full-time education	1.6	1.8	1.5	1.9	1.8
Employed/self employed	23.5	22.2	21.1	21.8	22.4
Unemployed	48.7	50.1	52.1	49.9	52.9
Government training scheme	*	*	0.5	*	*
Economically inactive <sup>3</sup>	15.3	14.8	13.6	14.8	15.1
Other	10.4	10.6	11.1	11.1	7.4
<b>Ethnicity</b>					
White	96.6	96.5	96.6	96.0	96.1
Asian	1.3	1.3	1.2	1.5	1.6
African, Caribbean or Black	0.6	0.7	0.7	0.9	0.8
Mixed	*	*	*	*	*
Other	1.2	1.2	1.1	1.4	1.1

Note: Figures exclude supplementary reports.

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

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

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

4. Figures for 2016-17 and 2017-18 have been amended due to the provision of revised figures for Highland.

**Table 8 Criminal justice social work reports preferred sentencing options: 2015-16 to 2019-20**

	2015-16	2016-17 <sup>1</sup>	2017-18 <sup>1</sup>	2018-19	2019-20 <sup>2</sup>
<b>Total</b>	<b>26,988</b>	<b>27,061</b>	<b>25,712</b>	<b>24,515</b>	<b>25,697</b>
					<i>Number</i>
Monetary penalty	1,749	1,590	1,368	1,281	1,333
Community payback order: unpaid work, no supervision	4,118	3,978	3,772	3,352	3,229
Community payback order: supervision, no unpaid work	5,181	4,882	4,722	4,780	4,892
Community payback order: unpaid work and supervision	3,042	3,408	3,363	3,114	3,808
Other community penalty	188	256	313	214	230
Restriction of liberty order	791	946	1,120	1,207	1,420
Deferment for DTTO assessment	553	540	533	597	677
Custody	910	900	958	1,016	1,089
Custody: extended sentence	141	177	195	204	234
Custody: supervised release order	230	214	240	252	229
Sentence deferred: 3 months or more	3,496	3,012	2,777	2,628	2,926
No preferred option	3,167	3,457	3,074	3,281	2,851
Other	3,422	3,701	3,277	2,589	2,779
					<i>Percentage</i>
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
Monetary penalty	6.5	5.9	5.3	5.2	5.2
Community payback order: unpaid work, no supervision	15.3	14.7	14.7	13.7	12.6
Community payback order: supervision, no unpaid work	19.2	18.0	18.4	19.5	19.0
Community payback order: unpaid work and supervision	11.3	12.6	13.1	12.7	14.8
Other community penalty	0.7	0.9	1.2	0.9	0.9
Restriction of liberty order	2.9	3.5	4.4	4.9	5.5
Deferment for DTTO assessment	2.0	2.0	2.1	2.4	2.6
Custody	3.4	3.3	3.7	4.1	4.2
Custody: extended sentence	0.5	0.7	0.8	0.8	0.9
Custody: supervised release order	0.9	0.8	0.9	1.0	0.9
Sentence deferred: 3 months or more	13.0	11.1	10.8	10.7	11.4
No preferred option	11.7	12.8	12.0	13.4	11.1
Other	12.7	13.7	12.7	10.6	10.8

Notes:

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

1. Figures for 2016-17 and 2017-18 have been amended due to the provision of revised figures for Highland.

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

**Table 9 Main outcomes from criminal justice social work reports: 2015-16 to 2019-20**

	2015-16	2016-17 <sup>1</sup>	2017-18 <sup>1</sup>	2018-19	2019-20
<b>Total</b>	<b>26,988</b>	<b>27,061</b>	<b>25,712</b>	<b>24,515</b>	<b>25,697</b>
					<i>Number</i>
Monetary penalty	1,828	1,866	1,668	1,493	1,412
Community payback order: unpaid work, no supervision	3,751	3,499	3,063	2,834	2,494
Community payback order: supervision, no unpaid work	3,392	3,246	3,278	3,220	3,331
Community payback order: unpaid work and supervision	4,446	4,666	4,463	3,955	4,380
Other community penalty	257	261	410	349	200
Restriction of liberty order	695	975	1,279	1,424	1,587
Deferment for DTTO assessment	228	225	211	240	229
Custody	4,122	4,092	3,717	3,747	3,460
Custody: extended sentence	105	124	122	117	117
Custody: supervised release order	232	209	224	211	256
Warrant for apprehension / recall	544	582	520	407	412
Sentence deferred: 3 months or more	2,046	2,211	2,009	2,128	2,404
Admonition	905	941	810	739	660
Absolute discharge	16	32	22	19	11
Other	2,315	2,500	2,455	2,184	2,700
Outcome not yet known	2,106	1,632	1,461	1,448	2,044
					<i>Percentage</i>
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
Monetary penalty	6.8	6.9	6.5	6.1	5.5
Community payback order: unpaid work, no supervision	13.9	12.9	11.9	11.6	9.7
Community payback order: supervision, no unpaid work	12.6	12.0	12.7	13.1	13.0
Community payback order: unpaid work and supervision	16.5	17.2	17.4	16.1	17.0
Other community penalty	1.0	1.0	1.6	1.4	0.8
Restriction of liberty order	2.6	3.6	5.0	5.8	6.2
Deferment for DTTO assessment	0.8	0.8	0.8	1.0	0.9
Custody	15.3	15.1	14.5	15.3	13.5
Custody: extended sentence	*	*	*	*	*
Custody: supervised release order	0.9	0.8	0.9	0.9	1.0
Warrant for apprehension / recall	2.0	2.2	2.0	1.7	1.6
Sentence deferred: 3 months or more	7.6	8.2	7.8	8.7	9.4
Admonition	3.4	3.5	3.2	3.0	2.6
Absolute discharge	*	*	*	*	*
Other	8.6	9.2	9.5	8.9	10.5
Outcome not yet known	7.8	6.0	5.7	5.9	8.0

Note:

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

1. Figures for 2016-17 and 2017-18 have been amended due to the provision of revised figures for Highland.

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

**Table 10 Community payback orders commenced by age, gender, employment status and ethnicity: 2015-16 to 2019-20**

	2015-16 <sup>6</sup>	2016-17 <sup>6</sup>	2017-18 <sup>6</sup>	2018-19 <sup>6,7</sup>	2019-20 <sup>7</sup>
<b>Total</b>	<b>19,451</b>	<b>19,202</b>	<b>17,881</b>	<b>16,470</b>	<b>16,710</b>
<b>Age group<sup>1</sup></b>					<i>Number</i>
16-17	615	615	532	438	343
18-20	2,271	2,061	1,839	1,596	1,552
21-25	3,816	3,751	3,161	2,860	2,792
26-30	3,499	3,419	3,114	3,000	3,003
31-40	5,066	5,143	5,078	4,736	5,107
Over 40	4,184	4,213	4,157	3,840	3,913
<b>Gender</b>					
Male	16,493	16,362	15,165	14,058	14,229
Female	2,958	2,840	2,716	2,412	2,481
<b>Employment status</b>					
Full-time education	315	353	277	264	278
Employed/self employed	4,358	4,325	4,247	4,076	4,123
Unemployed	11,503	11,100	10,245	9,264	9,671
Government training scheme	72	52	55	32	33
Economically inactive <sup>2</sup>	1,875	2,025	1,951	1,803	1,884
Other <sup>3,4</sup>	1,328	321	456	432	147
Not known <sup>5</sup>		1,026	650	599	574
<b>Ethnicity</b>					
White	17,682	17,301	16,029	14,513	15,002
Asian	202	220	218	250	243
African, Caribbean or Black	93	124	136	125	142
Mixed	49	64	52	52	48
Other	175	192	209	182	179
Not known/provided	1,250	1,301	1,237	1,348	1,096
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>Age group<sup>1</sup></b>					<i>Percentage</i>
16-17	3.2	3.2	3.0	2.7	2.1
18-20	11.7	10.7	10.3	9.7	9.3
21-25	19.6	19.5	17.7	17.4	16.7
26-30	18.0	17.8	17.4	18.2	18.0
31-40	26.0	26.8	28.4	28.8	30.6
Over 40	21.5	21.9	23.2	23.3	23.4
<b>Gender</b>					
Male	84.8	85.2	84.8	85.4	85.2
Female	15.2	14.8	15.2	14.6	14.8
<b>Employment status</b>					
Full-time education	1.6	1.9	1.6	1.7	1.7
Employed/self employed	22.4	23.8	24.6	25.7	25.6
Unemployed	59.1	61.1	59.5	58.4	59.9
Government training scheme	*	*	*	*	*
Economically inactive <sup>2</sup>	9.6	11.1	11.3	11.4	11.7
Other <sup>3</sup>	6.8	1.8	2.6	2.7	0.9
<b>Ethnicity (where known)</b>					
White	97.1	96.6	96.3	96.0	96.1
Asian	1.1	1.2	1.3	1.7	1.6
African, Caribbean or Black	0.5	0.7	0.8	0.8	0.9
Mixed	*	*	*	*	*
Other	1.0	1.1	1.3	1.2	1.1

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

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

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

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

5. Orders where the employment status was unknown have been shown separately from 2016-17 onwards. Percentages for these years are calculated as a proportion of all orders where the employment status was known.

6. Figures for the years 2015-16 to 2018-19 have been revised from those previously published due to the receipt of updated information from some councils.

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

**Table 11 Community payback orders issued by court type: 2015-16 to 2019-20**

	2015-16 <sup>1</sup>	2016-17 <sup>2</sup>	2017-18 <sup>2</sup>	2018-19 <sup>2</sup>	2019-20
					<i>Number</i>
<b>Total</b>	<b>19,451</b>	<b>19,202</b>	<b>17,881</b>	<b>16,470</b>	<b>16,710</b>
High/appeal	82	98	60	65	69
Sheriff solemn <sup>1</sup>	1,054	1,037	755	854	866
Sheriff summary <sup>1</sup>	17,227	17,057	16,248	14,754	15,218
Stipendiary magistrates	265	53	32	13	-
Justice of the peace	718	870	684	649	455
Alcohol court	-	-	-	44	-
Outwith Scotland	105	87	102	91	102
					<i>Percentage</i>
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
High/appeal	0.4	0.5	0.3	0.4	0.4
Sheriff solemn <sup>1</sup>	5.4	5.4	4.2	5.2	5.2
Sheriff summary <sup>1</sup>	88.6	88.8	90.9	89.6	91.1
Stipendiary magistrates	1.4	0.3	0.2	0.1	0.0
Justice of the peace	3.7	4.5	3.8	3.9	2.7
Alcohol court	0.0	0.0	0.0	0.3	0.0
Outwith Scotland	0.5	0.5	0.6	0.6	0.6

Notes:

1. Figures for sheriff solemn and sheriff summary include estimates as some local authorities were not able to distinguish between solemn and summary for all orders.
2. Figures for the years 2015-16 to 2018-19 have been revised from those previously published due to the receipt of updated information from some councils.

**Table 12 Community payback order requirements: 2015-16 to 2019-20**

	2015-16 <sup>1</sup>	2016-17 <sup>1</sup>	2017-18 <sup>1</sup>	2018-19 <sup>1</sup>	2019-20
					<i>Number</i>
Unpaid work or other activity	15,136	14,655	13,328	12,061	11,761
Offender supervision	9,935	10,172	10,147	9,537	10,360
Unpaid work or other activity <u>and</u> offender supervision	5,621	5,638	5,599	5,146	5,411
Conduct	1,091	1,366	1,347	1,440	1,593
Programme	1,034	1,028	958	933	1,166
Alcohol treatment	264	245	193	196	199
Compensation	592	593	651	490	521
Drug treatment	164	168	150	140	167
Mental health treatment	43	44	46	36	44
Residence	30	27	17	16	19
					<i>Percentage</i>
Unpaid work or other activity	77.8	76.3	74.5	73.2	70.4
Offender supervision	51.1	53.0	56.7	57.9	62.0
Unpaid work or other activity <u>and</u> offender supervision	28.9	29.4	31.3	31.2	32.4
Conduct	5.6	7.1	7.5	8.7	9.5
Programme	5.3	5.4	5.4	5.7	7.0
Alcohol treatment	1.4	1.3	1.1	1.2	1.2
Compensation	3.0	3.1	3.6	3.0	3.1
Drug treatment	0.8	0.9	0.8	0.9	1.0
Mental health treatment	*	*	*	*	*
Residence	*	*	*	*	*

Note:

1. Figures for 2015-16 to 2018-19 have been revised from those previously published due to the receipt of updated information from some councils.

**Table 13 Community payback orders commenced by length of unpaid work requirement: 2015-16 to 2019-20**

	2015-16 <sup>1</sup>	2016-17 <sup>1</sup>	2017-18 <sup>1</sup>	2018-19 <sup>1</sup>	2019-20
<b>Orders with unpaid work/other activity requirement</b>	<b>15,136</b>	<b>14,655</b>	<b>13,328</b>	<b>12,061</b>	<b>11,761</b>
Level 1: 100 hours or less	8,071	7,631	6,699	5,817	5,504
Level 2: Over 100 - 300 hours	7,065	7,024	6,629	6,244	6,257
<b>Average length (hours)</b>	<b>120.7</b>	<b>122.4</b>	<b>124.3</b>	<b>126.6</b>	<b>128.5</b>
Level 1	71.5	71.1	70.8	71.0	73.1
Level 2	177.0	178.2	178.4	178.5	177.2

Notes:

1. Figures for 2015-16 to 2018-19 have been revised from those previously published due to the receipt of updated information from some councils.

**Table 14 Community payback orders commenced by length of supervision requirement: 2015-16 to 2019-20**

	2015-16 <sup>1</sup>	2016-17 <sup>1</sup>	2017-18 <sup>1</sup>	2018-19 <sup>1</sup>	2019-20
<b>Orders with supervision requirement</b>	<b>9,935</b>	<b>10,172</b>	<b>10,147</b>	<b>9,537</b>	<b>10,360</b>
6 months or less	631	663	702	615	634
More than 6 months - 12 months	4,935	5,017	5,150	4,943	5,243
More than 12 months - 18 months	2,415	2,498	2,415	2,183	2,261
More than 18 months - 24 months	1,548	1,613	1,493	1,394	1,767
More than 24 months - 36 months	406	381	387	402	455
<b>Average length (months)</b>	<b>15.6</b>	<b>15.5</b>	<b>15.4</b>	<b>15.4</b>	<b>15.7</b>

Note:

1. Figures for 2015-16 to 2018-19 have been revised from those previously published due to the receipt of updated information from some councils.

**Table 15 Community payback orders with court progress reviews set at first imposition: All orders and different requirements: 2019-20**

	Total orders	Orders with court progress reviews	Percentage with court progress reviews
<b>All orders commenced</b>	<b>16,710</b>	<b>2,795</b>	<b>17%</b>
<b>Orders commenced with:</b>			
Unpaid work or other activity	11,761	1,607	14%
Offender supervision	10,360	2,330	22%
Unpaid work or other activity & offender supervision	5,411	1,142	21%
Conduct	1,593	468	29%
Programme	1,166	310	27%
Alcohol treatment	199	62	31%
Compensation	521	88	17%
Drug treatment	167	82	49%
Mental health treatment	44	18	41%
Residence	19	8	42%

**Table 16 Timescales for first direct contact and induction/case management meeting for community payback orders: 2015-16 to 2019-20**

	2015-16 <sup>1</sup>	2016-17 <sup>1</sup>	2017-18 <sup>1</sup>	2018-19 <sup>1</sup>	2019-20
<b>Total</b>	<b>19,451</b>	<b>19,202</b>	<b>17,881</b>	<b>16,470</b>	<b>16,710</b>
<b>Time between order imposed and first contact</b>					<i>Number</i>
Within 1 working day	13,939	13,311	12,411	11,334	11,691
Over 1 - 5 working days	1,592	1,784	1,557	1,629	1,696
Over 5 working days	2,526	2,544	2,107	2,198	2,032
Not known/applicable	1,394	1,563	1,806	1,309	1,291
<b>Time between order imposed and first induction/case management meeting</b>					
Within 5 working days	14,059	13,609	12,635	11,754	12,106
Over 5 - 10 working days	1,687	1,760	1,571	1,594	1,578
Over 10 working days	1,985	1,965	1,787	1,596	1,475
Not known/applicable	1,720	1,868	1,888	1,526	1,551
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>Time between order imposed and first contact</b>					<i>Percentage</i>
Within 1 working day	77.2	75.5	77.2	74.8	75.8
Over 1 - 5 working days	8.8	10.1	9.7	10.7	11.0
Over 5 working days	14.0	14.4	13.1	14.5	13.2
<b>Time between order imposed and first induction/case management meeting</b>					
Within 5 working days	79.3	78.5	79.0	78.7	79.9
Over 5 - 10 working days	9.5	10.2	9.8	10.7	10.4
Over 10 working days	11.2	11.3	11.2	10.7	9.7

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

1. Figures for 2015-16 to 2018-19 have been revised from those previously published due to the receipt of updated information from some councils.

**Table 17 Reason for not meeting timescales for community payback orders: 2019-20**

<b>Reason why first direct contact more than 1 working day after order imposed</b>	<i>Percentage</i>
Offender did not turn up	41.6
Currently on order or supervision	5.6
Offender in custody	3.8
Offender undertaking paid employment	2.5
Offender ill	1.9
Other: client based	16.3
Social worker not available	2.9
Other: non-client based	25.6
<b>Reason why first induction/case management meeting more than 5 working days after order imposed</b>	
Offender did not turn up	28.3
First direct contact occurred late	4.9
Currently on order or supervision	12.7
Offender in custody	4.6
Offender undertaking paid employment	3.9
Offender ill	3.2
Other: client based	23.1
Suitable social work staff not available	1.4
Other: non-client based	17.9

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



**Table 18 Timescales for starting community payback order work placement: 2015-16 to 2019-20**

	2015-16 <sup>1</sup>	2016-17 <sup>1</sup>	2017-18 <sup>1</sup>	2018-19 <sup>1</sup>	2019-20
					<i>Number</i>
<b>Commencements with unpaid work or other activity requirement</b>	<b>15,136</b>	<b>14,655</b>	<b>13,328</b>	<b>12,061</b>	<b>11,761</b>
<b>Time between order imposed and work placement starting</b>					
Within 7 working days	8,981	8,524	7,887	7,245	7,289
Over 7 working days - 3 weeks	1,806	1,733	1,603	1,465	1,340
Over 3 weeks - 1 month	655	652	546	539	432
Over 1 month - 2 months	782	832	656	597	472
Over 2 months	934	942	843	628	486
Not known/applicable	1,978	1,972	1,793	1,587	1,742
					<i>Percentage</i>
<b>Commencements with unpaid work or other activity requirement</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>Time between order imposed and work placement starting</b>					
Within 7 working days	68.3	67.2	68.4	69.2	72.8
Over 7 working days - 3 weeks	13.7	13.7	13.9	14.0	13.4
Over 3 weeks - 1 month	5.0	5.1	4.7	5.1	4.3
Over 1 month - 2 months	5.9	6.6	5.7	5.7	4.7
Over 2 months	7.1	7.4	7.3	6.0	4.9

Notes: Figures exclude cases where the requirement was imposed after commencement. Orders where the client did not/was unable to comply or orders transferred from another jurisdiction are included in the 'not known/applicable' category. These cases are not included in the percentage figures. In all years, some local authorities were not able to provide complete information.

1. Figures for 2015-16 to 2018-19 have been revised from those previously published due to the receipt of updated information from some councils.

**Table 19 Reason for not meeting timescales for starting community payback order work placement: 2019-20**

<b>Reason for work placement starting later than 7 working days after order imposed</b>	<i>Percentage</i>
Offender did not turn up for first day of placement	27.4
Currently on order or supervision	9.7
Offender in custody	2.9
First direct contact occurred late	6.3
Offender ill	4.9
Offender undertaking paid employment	6.2
Suitable work not available	2.2
Other: client based	22.7
Suitable social work staff not available	0.4
Other: non-client based	17.2

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

**Table 20 Community payback orders terminated by outcome: 2019-20**

	Number of terminations	Custodial sentence	New order	Monetary penalty	Other penalty	Other outcome	Outcome not known
<b>Total</b>	<b>15,992</b>	<i>Row%</i>					
Successfully completed/early discharge	10,682						
Revoked due to review	1,486	18	10	5	9	45	13
Revoked due to breach	2,580	24	27	6	8	25	9
Transfer out of area	519						
Death	188						
Other	537	14	8	4	11	53	11

**Table 21 Community payback orders terminated by number of breach applications: 2019-20**

	Number of terminations	Breach applications (%)		
		None	One	Two or more
<b>Total</b>	<b>15,992</b>	<b>72</b>	<b>23</b>	<b>5</b>
Successfully completed/early discharge	10,682	89	9	2
Revoked due to review	1,486	77	20	3
Revoked due to breach	2,580	-	81	19
Transfer out of area	519	83	13	3
Death	188	86	13	2
Other	537	53	41	6

**Table 22 Breach applications for community payback orders: 2015-16 to 2019-20**

	2015-16 <sup>2</sup>	2016-17 <sup>2</sup>	2017-18 <sup>2</sup>	2018-19 <sup>2</sup>	2019-20
<b>Orders completed/terminated</b>	<b>19,091</b>	<b>18,937</b>	<b>18,585</b>	<b>17,442</b>	<b>15,992</b>
Breach applications	5,891	5,969	6,006	6,190	5,653
Average number of breach applications	0.31	0.32	0.32	0.35	0.35
<i>Percentage of breach applications lodged with court within 5 working days<sup>1</sup></i>	83.0	86.0	84.2	83.1	82.6

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

2. Figures for 2015-16 to 2018-19 have been revised from those previously published due to the receipt of updated information from some councils.

**Table 23 Community payback order unpaid work or other activity requirements by length and time taken to complete: 2015-16 to 2019-20**

	2015-16	2016-17	2017-18	2018-19	2019-20
<b>Unpaid work or other activity requirements completed</b>	<b>9,715</b>	<b>9,787</b>	<b>8,903</b>	<b>8,248</b>	<b>7,347</b>
Level 1: 100 hours or less	5,140	5,067	4,388	3,914	3,388
Level 2: Over 100 - 300 hours	4,575	4,720	4,515	4,334	3,959
<b>Average length (hours)</b>	<b>121</b>	<b>123</b>	<b>125</b>	<b>129</b>	<b>129</b>
Level 1	71	71	70	72	71
Level 2	178	178	179	180	178
<b>Average time taken to complete from date imposed (days)</b>	<b>203</b>	<b>207</b>	<b>214</b>	<b>223</b>	<b>226</b>
Level 1	157	159	160	170	171
Level 2	254	258	266	271	273

Notes:

The number of requirements completed may be a slight underestimate as some local authorities were not able to supply full details for orders where the unpaid work or other activity element was completed but some part of the order (usually the supervision element) was not completed in that year. Figures for time taken to complete requirements are expressed in terms of calendar days. Figures for 2015-16 to 2018-19 have been revised from those previously published due to the receipt of updated information from some councils.

**Table 24 Community payback order unpaid work or other activity requirements by whether completed to timescale and reasons for not completing to timescale: 2019-20**

<b>Total requirements successfully completed</b>	<b>7,347</b>
<b>Requirements completed within specified timescale</b>	<b>5,687</b>
Requirements which completed within 3 months (level 1) or 6 months (level 2) <sup>1</sup>	2,540
Requirements completed within later timescale <sup>1</sup> given by court	3,147
Requirements completed outwith timescale	1,660
<b>Reason why requirements were not completed within timescale</b>	
Non-compliance	21.2
Offender's paid employment	10.7
Offender's ill health	9.3
Difficulty finding suitable work	0.6
Suitable social work staff not available	0.9
Other: client based	34.9
Other: non-client based	22.5

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

1. The Criminal Justice and Licensing (Scotland) Act 2010 defined the time limit for completion of an unpaid work or other activity requirement as "3 months or such longer period as the court may specify in the requirement" for level 1 and "6 months or such longer period as the court may specify in the requirement" for level 2. The changes to these time limits in the Coronavirus (Scotland) Act 2020 took effect after the end of year 2019-20 and this table is therefore unaffected by those changes.

**Table 25 Drug treatment and testing orders commenced by age, gender, employment status, ethnicity and length of orders: 2015-16 to 2019-20**

	2015-16	2016-17	2017-18 <sup>3</sup>	2018-19 <sup>3</sup>	2019-20
					<i>Number</i>
<b>Total</b>	<b>533</b>	<b>475</b>	<b>577</b>	<b>600</b>	<b>510</b>
<b>Age group<sup>1</sup></b>					
16-17	1	-	1	-	-
18-20	10	8	5	7	8
21-25	52	48	54	35	32
26-30	124	91	115	112	82
31-40	249	243	285	291	240
Over 40	97	85	117	155	148
<b>Gender</b>					
Male	421	380	463	477	417
Female	112	95	114	123	93
<b>Employment status</b>					
Full-time education	7	-	-	1	2
Employed/self employed	18	15	9	13	15
Unemployed	317	270	343	325	323
Government training scheme	1	-	-	2	1
Economically inactive <sup>2</sup>	144	135	156	152	142
Other	45	30	46	31	20
Not known	1	25	23	76	7
<b>Ethnicity</b>					
White	503	453	552	564	473
Asian	3	3	-	-	-
African, Caribbean or Black	-	1	5	1	4
Mixed	4	1	2	-	2
Other	4	-	1	-	1
Not known/not provided	19	17	17	35	30
<b>Average length (months)</b>	<b>17.8</b>	<b>17.9</b>	<b>17.9</b>	<b>17.4</b>	<b>17.6</b>
					<i>Percentage</i>
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>Age group<sup>1</sup></b>					
16-17	*	-	*	-	-
18-20	1.9	1.7	0.9	1.2	1.6
21-25	9.8	10.1	9.4	5.8	6.3
26-30	23.3	19.2	19.9	18.7	16.1
31-40	46.7	51.2	49.4	48.5	47.1
Over 40	18.2	17.9	20.3	25.8	29.0
<b>Gender</b>					
Male	79.0	80.0	80.2	79.5	81.8
Female	21.0	20.0	19.8	20.5	18.2
<b>Employment status (where known)</b>					
Full-time education	1.3	-	-	*	*
Employed/self employed	3.4	3.3	1.6	2.5	3.0
Unemployed	59.6	60.0	61.9	62.0	64.2
Government training scheme	*	-	-	*	*
Economically inactive <sup>2</sup>	27.1	30.0	28.2	29.0	28.2
Other	8.5	6.7	8.3	5.9	4.0
<b>Ethnicity (where known)</b>					
White	97.9	98.9	98.6	99.8	98.5
Asian	0.6	0.7	-	-	-
African, Caribbean or Black	-	*	0.9	*	0.8
Mixed	0.8	*	*	-	*
Other	0.8	-	*	-	*

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

1. Age is at commencement of order. Figures may include a small number of under 16s.
2. Includes those who are retired, supported by family, caring for home/family or long-term sick/disabled.
3. Figures for 2017-18 & 2018-19 have been revised from those previously published due to the receipt of updated information from some councils.

**Table 26 Timescales for first direct contact and case management meeting for drug treatment and testing orders: 2015-16 to 2019-20**

	2015-16		2016-17		2017-18 <sup>1</sup>		2018-19 <sup>1</sup>		2019-20	
	Number	Percent age	Number	Percent age	Number	Percent age	Number	Percent age	Number	Percent age
<b>Total commencements</b>	533	100.0	475	100.0	577	100.0	600	100.0	510	100.0
<b>First contact after order imposed</b>										
Within 1 working day	401	81.2	334	73.9	366	68.0	353	63.4	334	69.4
Over 1 - 5 working days	51	10.3	62	13.7	109	20.3	117	21.0	86	17.9
Over 5 working days	42	8.5	56	12.4	63	11.7	87	15.6	61	12.7
Not known/applicable	39		23		39		43		29	
<b>First case management meeting after order imposed</b>										
Within 5 working days	412	83.7	373	82.9	447	83.6	433	78.2	387	82.2
Over 5 - 10 working days	37	7.5	39	8.7	39	7.3	47	8.5	35	7.4
Over 10 working days	43	8.7	38	8.4	49	9.2	74	13.4	49	10.4
Not known/applicable	41		25		42		46		39	

Notes: Figures include DTTO IIs piloted in the City of Edinburgh, Midlothian and East Lothian areas since June 2008 and in Highland since 2019. The first case management meeting involves clarifying requirements and expectations, and drawing up a case management plan. Orders where the client did not/was unable to comply or orders transferred from another jurisdiction are included in the 'not known/applicable' category. These cases are not included in the percentage figures.

1. Some small changes have been made to the figures for 2017-18 & 2018-19 since they were last published due to the receipt of updated information from some councils.

**Table 27 Reason for not meeting timescales for drug treatment and testing orders: 2019-20**

<b>First direct contact more than 1 working day after order imposed</b>	<i>Percentage</i>
Offender did not turn up	51.4
Offender ill	5.5
Offender in custody	6.2
Currently on order or supervision	0.7
Other: client based	8.9
Social worker not available	2.1
Other: non-client based	25.3
<b>First case management meeting more than 5 working days after order imposed</b>	
Offender did not turn up	51.8
Offender ill	7.2
Offender in custody	12.0
Currently on order or supervision	2.4
Other: client based	12.0
Social worker not available	0.0
Other: non-client based	14.5

Note: Figures include DTTO IIs piloted in the City of Edinburgh, Midlothian and East Lothian areas since June 2008 and in Highland since 2019. The first case management meeting involves clarifying requirements and expectations, and drawing up a case management plan. Orders transferred from other jurisdictions are not included.

**Table 28 Drug treatment and testing orders terminated: 2015-16 to 2019-20**

	2015-16	2016-17	2017-18	2018-19 <sup>1</sup>	2019-20
<b>Total</b>	<b>567</b>	<b>532</b>	<b>519</b>	<b>573</b>	<b>513</b>
Successfully completed/early discharge	278	241	199	211	199
Revoked due to review	136	142	193	198	170
Revoked due to breach	121	110	97	123	94
Transfer out of area	6	6	8	6	4
Death	7	10	14	11	23
Other	19	23	8	24	23
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
Successfully completed/early discharge	49.6	45.8	38.9	37.2	39.1
Revoked due to review	24.2	27.0	37.8	34.9	33.4
Revoked due to breach	21.6	20.9	19.0	21.7	18.5
Death	1.2	1.9	2.7	1.9	4.5
Other	3.4	4.4	1.6	4.2	4.5

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

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

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

**Table 29 Drug treatment and testing orders terminated by outcome: 2019-20**

	Number of terminations	Custodial sentence	Community payback order	New order	Other penalty	Other outcome
<b>Total</b>	<b>513</b>	<i>Row%</i>				
Successfully completed/early discharge	199					
Revoked due to review	170	25	4	3	11	56
Revoked due to breach	94	41	8	6	5	40
Transfer out of area	4					
Death	23					
Other	23	35	17	4	-	43

Note: Figures include DTTO IIs piloted in the City of Edinburgh, Midlothian and East Lothian areas since June 2008 and in Highland since 2019. Row percentages are based on total orders where the outcome was known - there are a small number of cases where this information was not known.

**Table 30 Drug treatment and testing orders terminated by number of breach applications: 2019-20**

	Number of terminations	Breach applications (%)		
		None	One	Two or more
<b>Total</b>	<b>513</b>	<b>75</b>	<b>22</b>	<b>2</b>
Successfully completed/early discharge	199	93	7	1
Revoked due to review	170	92	8	-
Revoked due to breach	94	-	89	11
Transfer out of area	4	75	25	-
Death	23	100	-	-
Other	23	83	13	4

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

**Table 31 Drug treatment and testing orders commenced : Breakdown of proportion successfully completed, 2014-15 to 2017-18**

	2014-15		2015-16		2016-17		2017-18	
	No. of orders commenced	Percentage successfully completed <sup>1</sup>	No. of orders commenced	Percentage successfully completed <sup>1</sup>	No. of orders commenced	Percentage successfully completed <sup>1</sup>	No. of orders commenced <sup>2</sup>	Percentage successfully completed <sup>1,2</sup>
<b>Length of order</b>								
<b>Total</b>	<b>551</b>	<b>50</b>	<b>533</b>	<b>45</b>	<b>475</b>	<b>42</b>	<b>577</b>	<b>36</b>
Up to a year	102	56	88	50	71	61	90	47
More than a year - 18 months	343	49	350	45	312	39	368	36
More than 18 months	106	49	95	37	92	38	119	26
<b>Whether order is full DTTO or a DTTO II</b>								
Full DTTO	501	49	478	45	438	40	540	35
DTTO II <sup>3</sup>	50	64	55	40	37	73	37	49
<b>Number of breach applications during the life of the order</b>								
No breach applications	352	73	328	69	322	59	392	49
At least one breach application	199	10	205	7	153	9	184	8

Note : This table differs from tables 28 to 30, in that it looks at orders which commenced during the years in question and which have now finished, while tables 28 to 30 look at orders which finished in the years in question.

1. Successful completion rates are calculated as a proportion of all orders terminated minus those which did not finish due to the transfer of the orders.
2. One of the orders which was imposed in 2017-18 (a full DTTO with length of over 18 months) has to date not finished. This is therefore excluded from the numbers under "Number of breach applications during the life of the order" and is also excluded from all of the calculations for successful completion rates for that year.
3. DTTO IIs have been piloted in the City of Edinburgh, Midlothian and East Lothian areas since June 2008.

**Table 32 Fiscal work orders: 2015-16 to 2019-20**

	2015-16	2016-17	2017-18	2018-19	2019-20
<b>Assessments undertaken:</b>					
<b>Total</b>	<b>795</b>	<b>1,213</b>	<b>1,443</b>	<b>909</b>	<b>432</b>
Accepted by local authority	551	937	1,064	649	268
Deemed unsuitable by local authority	244	276	379	260	164
<b>Orders commenced</b>	<b>508</b>	<b>894</b>	<b>1,027</b>	<b>634</b>	<b>248</b>
Individuals with orders commenced	503	884	1,025	632	247
<b>Orders completed/terminated:</b>					
<b>Total</b>	<b>363</b>	<b>792</b>	<b>990</b>	<b>698</b>	<b>216</b>
Successfully completed	292	656	849	608	168
Terminated without being successfully completed	71	136	141	90	48

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

**Table 33 Fiscal work orders commenced by age, gender, employment status, ethnicity and length of orders: 2015-16 to 2019-20**

	2015-16		2016-17		2017-18		2018-19		2019-20	
	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
<b>Total</b>	<b>508</b>	<b>100.0</b>	<b>894</b>	<b>100.0</b>	<b>1,027</b>	<b>100.0</b>	<b>634</b>	<b>100.0</b>	<b>248</b>	<b>100.0</b>
<b>Age group<sup>1</sup></b>										
16-17	27	5.3	47	5.3	49	4.8	36	5.7	30	12.1
18-20	107	21.1	230	25.7	268	26.1	158	24.9	55	22.2
21-25	132	26.0	248	27.7	276	26.9	163	25.7	47	19.0
26-30	83	16.3	147	16.4	168	16.4	98	15.5	29	11.7
31-40	99	19.5	128	14.3	144	14.0	91	14.4	44	17.7
Over 40	60	11.8	94	10.5	122	11.9	88	13.9	43	17.3
<b>Gender</b>										
Male	409	80.5	762	85.2	854	83.2	520	82.0	196	79.0
Female	99	19.5	132	14.8	173	16.8	114	18.0	52	21.0
<b>Employment status</b>										
Full-time education	29	5.7	64	7.2	65	6.3	39	6.2	12	4.8
Employed/self employed	219	43.1	414	46.3	541	52.7	332	52.4	96	38.7
Unemployed	146	28.7	259	29.0	266	25.9	165	26.0	87	35.1
Government training scheme	3	0.6	2	*	2	*	1	*	2	0.8
Economically inactive <sup>2</sup>	24	4.7	23	2.6	21	2.0	26	4.1	17	6.9
Other	87	17.1	132	14.8	132	12.9	71	11.2	34	13.7
<b>Ethnicity<sup>3</sup></b>										
White	375	96.9	717	97.4	890	97.2	562	97.9	216	97.7
Asian	6	1.6	10	1.4	11	1.2	5	0.9	2	0.9
African, Caribbean or Black	3	0.8	1	*	3	*	4	0.7	0	-
Mixed	0	-	1	*	5	0.5	2	*	1	*
Other	3	0.8	7	1.0	7	0.8	1	*	2	0.9
Not known/provided	121		158		111		60		27	
<b>Length of order</b>										
Over 10 and under 20 hours	0	-	1	*	1	*	0	-	0	-
20 hours	93	18.3	66	7.4	43	4.2	49	7.7	24	9.7
Over 20 and under 30 hours	3	0.6	0	-	0	-	0	-	0	-
30 hours	267	52.6	403	45.1	547	53.3	278	43.8	84	33.9
40 hours	99	19.5	319	35.7	265	25.8	191	30.1	53	21.4
Over 40 and under 50 hours	0	-	0	-	1	*	0	-	0	-
50 hours	46	9.1	105	11.7	170	16.6	116	18.3	87	35.1

**Notes:**

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

1. Age is at commencement of order.

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

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



**Table 34 Structured deferred sentences imposed by age and gender: 2018-19 to 2019-20**

	2018-19	2019-20
		<i>Number</i>
<b>Total</b>	<b>817</b>	<b>885</b>
<b>Age group<sup>1</sup></b>		
16-17 <sup>2</sup>		49
18-20		151
21-25		113
26-30		105
31-40		253
Over 40		214
<b>Gender</b>		
Males	575	660
Females	242	225
		<i>Percentage</i>
<b>Total</b>	<b>100.0</b>	<b>100.0</b>
<b>Age group<sup>1</sup></b>		
16-17 <sup>2</sup>		5.5
18-20		17.1
21-25		12.8
26-30		11.9
31-40		28.6
Over 40		24.2
<b>Gender</b>		
Males	70.4	74.6
Females	29.6	25.4

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

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

**Table 35 Statutory throughcare in custody by sentence type: 2015-16 to 2019-20**

	Cases commenced					Caseload at 31 March				
	2015-16	2016-17	2017-18	2018-19	2019-20	2015-16	2016-17	2017-18	2018-19	2019-20
<b>Total</b>	<b>1,027</b>	<b>1,042</b>	<b>1,042</b>	<b>1,064</b>	<b>999</b>	<b>3,374</b>	<b>3,328</b>	<b>3,408</b>	<b>3,468</b>	<b>3,755</b>
Determinate long-term sentence (4 years and over)	443	443	460	469	403	1,474	1,469	1,543	1,509	1,687
Extended sentence	152	167	129	133	129	559	558	526	581	608
Life sentence	25	34	30	34	31	790	770	756	766	774
Order for lifelong restriction	9	5	11	13	13	107	119	139	157	155
Short-term sex offender <sup>1</sup>	107	116	149	195	156	102	115	132	159	192
Supervised release order	291	277	263	220	267	342	297	312	296	339
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
Determinate long-term sentence (4 years and over)	43.1	42.5	44.1	44.1	40.3	43.7	44.1	45.3	43.5	44.9
Extended sentence	14.8	16.0	12.4	12.5	12.9	16.6	16.8	15.4	16.8	16.2
Life sentence	2.4	3.3	2.9	3.2	3.1	23.4	23.1	22.2	22.1	20.6
Order for lifelong restriction	0.9	0.5	1.1	1.2	1.3	3.2	3.6	4.1	4.5	4.1
Short-term sex offender <sup>1</sup>	10.4	11.1	14.3	18.3	15.6	3.0	3.5	3.9	4.6	5.1
Supervised release order	28.3	26.6	25.2	20.7	26.7	10.1	8.9	9.2	8.5	9.0

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

**Table 36 Statutory throughcare in the community by type of licence: 2015-16 to 2019-20**

	Cases commenced					Caseload at 31 March					Cases completed				
	2015-16	2016-17	2017-18	2018-19	2019-20	2015-16	2016-17	2017-18	2018-19	2019-20	2015-16	2016-17	2017-18	2018-19	2019-20
<b>Total</b>	<b>982</b>	<b>1,121</b>	<b>1,010</b>	<b>972</b>	<b>912</b>	<b>2,427</b>	<b>2,503</b>	<b>2,428</b>	<b>2,318</b>	<b>2,371</b>	<b>982</b>	<b>1,101</b>	<b>1,121</b>	<b>962</b>	<b>1,000</b>
Parole	183	186	123	112	126	444	430	346	311	328	170	194	143	132	131
Non parole	202	264	216	199	110	338	359	349	334	292	232	245	207	203	179
Extended sentence	161	181	170	141	135	428	451	470	395	343	167	145	182	140	140
Life	32	47	46	67	47	430	454	448	396	387	38	45	49	52	45
Short-term sex offender <sup>1</sup>	87	98	125	162	178	88	82	102	136	156	86	118	128	141	163
Supervised release order	265	287	252	221	251	261	253	215	234	264	239	297	304	221	257
Recalled prisoner <sup>2</sup>						368	384	386	387	474					
Other	52	58	78	70	65	70	90	112	125	127	50	57	108	73	85
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
Parole	18.6	16.6	12.2	11.5	13.8	18.3	17.2	14.3	13.4	13.8	17.3	17.6	12.8	13.7	13.1
Non parole	20.6	23.6	21.4	20.5	12.1	13.9	14.3	14.4	14.4	12.3	23.6	22.3	18.5	21.1	17.9
Extended sentence	16.4	16.1	16.8	14.5	14.8	17.6	18.0	19.4	17.0	14.5	17.0	13.2	16.2	14.6	14.0
Life	3.3	4.2	4.6	6.9	5.2	17.7	18.1	18.5	17.1	16.3	3.9	4.1	4.4	5.4	4.5
Short-term sex offender <sup>1</sup>	8.9	8.7	12.4	16.7	19.5	3.6	3.3	4.2	5.9	6.6	8.8	10.7	11.4	14.7	16.3
Supervised release order	27.0	25.6	25.0	22.7	27.5	10.8	10.1	8.9	10.1	11.1	24.3	27.0	27.1	23.0	25.7
Recalled prisoner <sup>2</sup>						15.2	15.3	15.9	16.7	20.0					
Other	5.3	5.2	7.7	7.2	7.1	2.9	3.6	4.6	5.4	5.4	5.1	5.2	9.6	7.6	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.

## Annex A Sources of information and data quality

- A.1 The annual aggregate CJS return for local authority justice social work services was introduced for 1999-00 and covered social enquiry reports (now criminal justice social work reports), community service orders and probation orders. The content and format of the return has changed over time to reflect new developments and an increasing demand for information, as well as to clarify points of definition in relation to particular data items. Additional items include:
- supervised attendance orders (2000-01, removed (alongside community service orders and probation orders) from 2016-17 onwards)
  - throughcare (statutory post release supervision) (2001-02)
  - diversion from prosecution (2001-02)
  - drug treatment and testing orders (2003-04, removed from 2012-13 onward)
  - bail information (2003-04)
  - voluntary throughcare (2004-05)
  - court services (2004-05)
  - throughcare addiction service (2005-06, removed from 2015-16 onward)
  - community payback orders (2011-12, removed from 2012-13 onward)
  - fiscal work orders (2015-16)
  - structured deferred sentences (2018-19).
- A.2 Data for community payback and drug treatment and testing orders has been collected at **unit level for each order** since 2012-13. The aim of this change has been to enable analysis of the process and outcomes for individual orders, which is not feasible through a collection of aggregate tables. This allows the scope for looking at how each order progresses and provides more detailed information on outcomes.
- A.3 All 32 Scottish local authorities have been able to provide the CPO unit level data in each of the last seven years. For some of the tables in the bulletin, local authorities were not able to supply all of the information requested. As a result, these tables include estimates, and such cases are indicated in the footnotes.
- A.4 After the introduction of the CPO, information on the legacy orders (community service, probation and supervised attendance orders) was phased out of the aggregate return. Due to the small numbers involved, recent years' returns have not collected information on the number of legacy orders commenced and terminated. These numbers are estimated to be fairly small and do not adversely affect trends observed across the years.
- A.5 As a result of the change from the legacy orders to community payback orders, it is important to note that comparability between the data for subsequent years may be affected by **the demographic characteristics of those most likely to complete a community payback order during the first few years of implementation**. Orders which finished during the early years after they were introduced tended to be lower-tariff orders which generally took less time to complete than those which finished in later years.

- A.6 Figures in this bulletin are extracted from live criminal justice social work information management systems and may differ slightly from those published previously as administrative systems are updated. The statistics presented reflect information on activity in the financial year 1 April 2019 to 31 March 2020. They therefore reflect any changes to social work activity that may have resulted from the change to the presumption against short custodial sentences, which was extended from three months to 12 months for offences committed on or after 4 July 2019.
- A.7 Revisions are flagged up in the publication at the time but not in future publications. The live tables, including earlier data at sub-Scotland level, on the Scottish Government crime and justice statistics website may be revised at any point if required, and revisions are highlighted in the relevant table.
- A.8 As a result of information provided by local authorities with their 2019-20 unit returns, some revisions were made to the 2018-19 and (to a lesser extent) earlier years' data. These revisions were mainly a result of:
- a. The inclusion in the 2019-20 data of orders which were in existence before the 2019-20 year but which had erroneously not been included in earlier years' data returns, and
  - b. Some orders which were previously advised in the 2018-19 returns as being in existence at the end of that year but which had actually been completed/terminated before then. Some authorities advised of substantial numbers of CPOs falling into this category, due mainly to orders not being closed off on their IT systems. As a result of these changes, the total for CPO terminations in 2018-19 has been revised upwards by around 450, with CPOs in existence at 31 March 2019 revised downwards by around 400.
- A.9 In this bulletin, the calculation of successful completion rates for community payback orders and drug treatment & testing orders ([Table 2](#)) is calculated as follows. The number of successful completions and early discharges are divided by the total orders terminated less orders which were transferred out of a local authority.
- A.10 Figures in this bulletin on the number of new orders commenced are not collected on the same basis as those published in the criminal proceedings bulletins. This is due to differences in the unit of analysis (cases versus orders) and criminal proceedings data referring to the court rather than the local authority implementing the order.
- A.11 The data obtained from local authorities comes from recording systems which they use for case management and for internal monitoring. Information on personal characteristics such as gender and ethnicity are taken directly from these systems. While recording practices may vary across local authorities, it is likely that the recording of gender and ethnicity will include a mixture of self-identified values and values as perceived by the justice professional recording the information, for example a case worker.
- A.12 While the data is considered of good quality, administrative data of this type will be subject to some degree of error which may arise in any large scale

recording system. Therefore the data has been quality assured as far as practicable through a series of validation processes before publication.

- A.13 The **aggregate return** includes electronic checks to notify local authorities of inconsistencies within the data. In the case of substantial changes since the previous year, the local authority is asked to confirm the figures are correct. Once data returns from all authorities have been received, further analysis is carried out to detect any major changes to figures over recent time periods.
- A.14 The **unit level collections** for community payback and drug treatment and testing orders include automatic checks built into the data loading system so that errors in information provided are flagged up at an early stage for correction. The data are checked for accuracy by internal statistical administrative staff. Checks are also made to ensure there is consistency between 2019-20 and earlier years' data.
- A.15 Additional datasets at local authority level are available on the Scottish Government website.

## Annex B Definitions

- B.1 The following section provides a brief description of the main types of criminal justice social work orders and services. More information on social work orders and the operation of the criminal justice system can be found in the Criminal Proceedings in Scotland publications. Details on court services can be found in commensurate justice social work practice guidance. In addition to social work orders issued by the courts, work orders may be offered by the procurator fiscal as an alternative to summary court proceedings when appropriate. Fiscal work orders had previously been available in a small number of pilot areas but were rolled out nationally from 1 April 2015 (see [§B.8](#)).
- B.2 **Diversion from prosecution** schemes have been in existence in Scotland since the early 1980s and aim to provide support and advice in relation to the underlying causes of offending, such as substance use. In the late 1990s, the Scottish Office provided funding for a number of pilot schemes, which were rolled out across Scotland in 2000. Historically, diversion involves relatively low volumes compared to other fiscal disposals such as fines and warnings, or court proceedings.
- B.3 **Bail information services** assist procurators fiscal and courts through verification of information in cases where bail might otherwise have been opposed or refused. In a proportion of cases, this will result in a period of supervised bail. Information on bail supervision services can be found in the [National guidance on bail supervision](#).
- B.4 A court may ask for a **same day oral or written report** from a court-based worker during the court proceedings and adjourn a case until later in the day for this to be completed. A same day report will be a brief report and not a full criminal justice social work report. Same day reports tend to deal with issues specific to the case to inform decision-making. The information may be relevant to decisions regarding bail or custodial remand, the need for a full report or the need to defer a case to a future date and final sentence.
- B.5 The **community payback order** was introduced by the [Criminal Justice and Licensing \(Scotland\) Act 2010](#) and replaced provisions for community service, probation and supervised attendance orders for offences committed from 1 February 2011 onwards. It is available to all courts, with some restrictions applying to justice of the peace courts in relation to treatment and programme requirements. There are currently up to nine different requirements which can be issued with a CPO, the most common of which are unpaid work or other activity and offender supervision. Courts may not impose unpaid work or other activity on someone under 16 years old while offender supervision must be imposed for someone aged under 18. More information on the community payback order can be found in the most recent community payback order practice guidance.
- B.6 The community payback order practice guidance contains a number of principles of best practice, including:
- the first direct contact should take place on the same day as the order is imposed, or the next working day

- where an offender supervision requirement has been imposed, the appointed case manager should arrange to meet the individual within five working days of the date of imposition of the order
- where an unpaid work or other activity requirement has been imposed, arrangements should be made for the individual to begin the induction process within five working days of the date of imposition of the order
- where an unpaid work or other activity requirement is imposed, the work placement should begin within seven working days of the order being imposed.

B.7 The **drug treatment and testing order (DTTO)** is a high tariff disposal for people with more serious substance use related to their offending, who might otherwise receive a custodial sentence. This order includes the requirement for regular reviews by the court and that the person consent to frequent random drug tests throughout the lifetime of the order. On the basis of these regular reviews, the judiciary may, among other courses of action, vary the conditions of the order (such as the frequency of testing, the type of treatment or the frequency of attendance at treatment), revoke the order on the basis that satisfactory progress has been made or, in the event of non-compliance, revoke the order and re-sentence the person for the original offence. DTTOs were rolled out across Scotland in phases between 1999 and 2002. They are available to all courts apart from justice of the peace courts. In addition, the less intensive DTTO II was introduced in the Lothian areas (apart from West Lothian) in June 2008 for people committing lower tariff offences at a relatively early stage in their lives. The DTTO II is also now able to be issued in the Highland area and is available from justice of the peace courts.

B.8 **Fiscal work orders** allow fiscals to offer unpaid work orders as an alternative to prosecution, where:

- There is sufficient evidence to prosecute a summary offence,
- A financial penalty or other direct measure is not deemed appropriate.

These orders were initially piloted in four council areas from June 2008 (Highland, South Lanarkshire, West Dunbartonshire and West Lothian) and the pilot was extended to include three more areas from early 2011 (Aberdeen City, Dundee City and City of Edinburgh). Fiscal work orders were introduced nationally on 1 April 2015, can be for a minimum of ten and a maximum of 50 hours and should be completed within six months.

B.9 **Restriction of liberty orders** have been available to courts (excluding justice of the peace courts) since May 2002. This order can be imposed for periods of up to one year, and involves restricting an individual to a specified place for up to 12 hours per day and/or from a specified place for up to 24 hours. The number of people receiving a restriction of liberty order is reported in the Criminal Proceedings in Scotland publications. The electronic monitoring service in Scotland is provided by G4S, under Scottish Government contract, and includes the monitoring of restriction of liberty orders. Some additional management data will be available from G4S.

B.10 **Throughcare** is the provision of a range of social work and associated services to people serving a prison sentence and their families from the point of sentence or remand, during the period of imprisonment and following release



into the community. People serving more than four years are released under statutory supervision. Those serving less than four years who are short-term sex offenders under [Section 15 of the Management of Offenders Etc. \(Scotland\) Act 2005](#), or who are subject to an extended sentence or supervised release order, are also supervised on release. The objective of throughcare services is public protection, as well as assisting individuals to prepare for release and supporting community reintegration and rehabilitation.

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

## Annex C Consultation and accreditation

- C.1 A working group involving data providers and other internal/external stakeholders was formed in early 2010 as part of a Scottish Government review of criminal justice social work statistics. The group met during 2010 and 2011 and agreed to collect unit level data for community payback and drug treatment and testing orders from 2012-13 onwards. The data collected has helped to provide better information on the process and outcome of these orders.
- C.2 The statistics collected on criminal justice social work have a wide range of uses. They contribute to policy development, as well as the monitoring and evaluation of policy implementation. Keeping in regular contact with local authorities is also advantageous as this enables the Scottish Government to ensure it is kept up to date on matters which affect implementation and delivery. Meetings of the Local Authority Social Work Statistics: Criminal Justice (LASWS:CJ) group are generally held once a year to discuss relevant data collection and other matters.
- C.3 Some examples of how these data are being used include:
- determining annual funding allocations for local authorities,
  - supporting local authority workload planning exercises, performance management and the allocation of staff resources,
  - assessing the uptake of specific preferred options in criminal justice social work reports,
  - benchmarking demand on local authority service to compare how different authorities operate.
- C.4 The statistics in this bulletin have been designated as National Statistics. Under the provisions of the Statistics and Registration Service Act 2007, the UK Statistics Authority has a statutory responsibility to conduct periodic assessments to ensure compliance with the Code of Practice for Official Statistics. Criminal justice social work statistics were assessed in 2011 and the National Statistics designation confirmed (assessment report 128 is available at [https://osr.statisticsauthority.gov.uk/wp-content/uploads/2015/12/images-assessmentreport128statisticsonoffendermanagementinscotlan\\_tcm97-40864.pdf](https://osr.statisticsauthority.gov.uk/wp-content/uploads/2015/12/images-assessmentreport128statisticsonoffendermanagementinscotlan_tcm97-40864.pdf)).

## 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.

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

### How to access background or source data

The data collected for this statistical bulletin:

- are available in more detail through [Scotland's official statistics website](#).
- are available via an alternative route, namely the criminal justice social work datasets on the Scottish Government website.
- may be made available on request, subject to consideration of legal and ethical factors. Please contact [Justice\\_Analysts@gov.scot](mailto:Justice_Analysts@gov.scot) for further information.
- cannot be made available by Scottish Government for further analysis as Scottish Government is not the data controller.

### Complaints and suggestions

If you are not satisfied with our service or have any comments or suggestions, please write to the Chief Statistician, GR, St Andrews House, Edinburgh, EH1 3DG, Telephone: (0131) 244 0302, email [statistics.enquiries@gov.scot](mailto:statistics.enquiries@gov.scot).

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