

Penal system – community sentences and financial penalties



Use of community sentences

Community-based sentences are a form of criminal sanction handed down by the courts. Often they are defined and discussed with reference to what they are not: imprisonment. Hence, they are referred to as ‘alternatives to custody’ or as ‘alternatives to prison’. Prisons tend to dominate our thinking about punishment but, in fact, community sentences are more frequently used than imprisonment – and many prisoners are also subject to supervision in the community after release. However, both community sentences and sentences of imprisonment are much less frequently used than financial penalties (fines and compensation orders).

Chart 1, taken from a Statistical Bulletin by the Scottish Government titled [Criminal Proceedings in Scotland, 2013-14](#), illustrates the penalties issued by the courts for charges that have been proved in court (for more information about how the court system and wider criminal justice system work, see [SCCJR ‘Scottish criminal justice system’](#)).

Some key findings for the period April 2013 to March 2014 include:

- In 2013-14 there were a total of 105,549 people who had a charge proved in court.
- Financial penalties accounted for the majority of court sentences (55%).
- Custodial sentences accounted for 13% of all penalties in 2013-14.
- 17% of all convictions in 2013-14 resulted in a main penalty of a community sentence.
- ‘Other sentences’ accounted for 15% of all penalties. These include:
 - an absolute discharge (when the court decides to impose no penalty).
 - admonishing of the offender (when the court warns the offender not to do it again). The overwhelming majority of ‘other sentences’ are admonishments.
 - referral of the case to a Children’s Hearing (see [SCCJR ‘Youth justice’](#)).
 - making a guardianship order if the accused is suffering from a mental disorder.

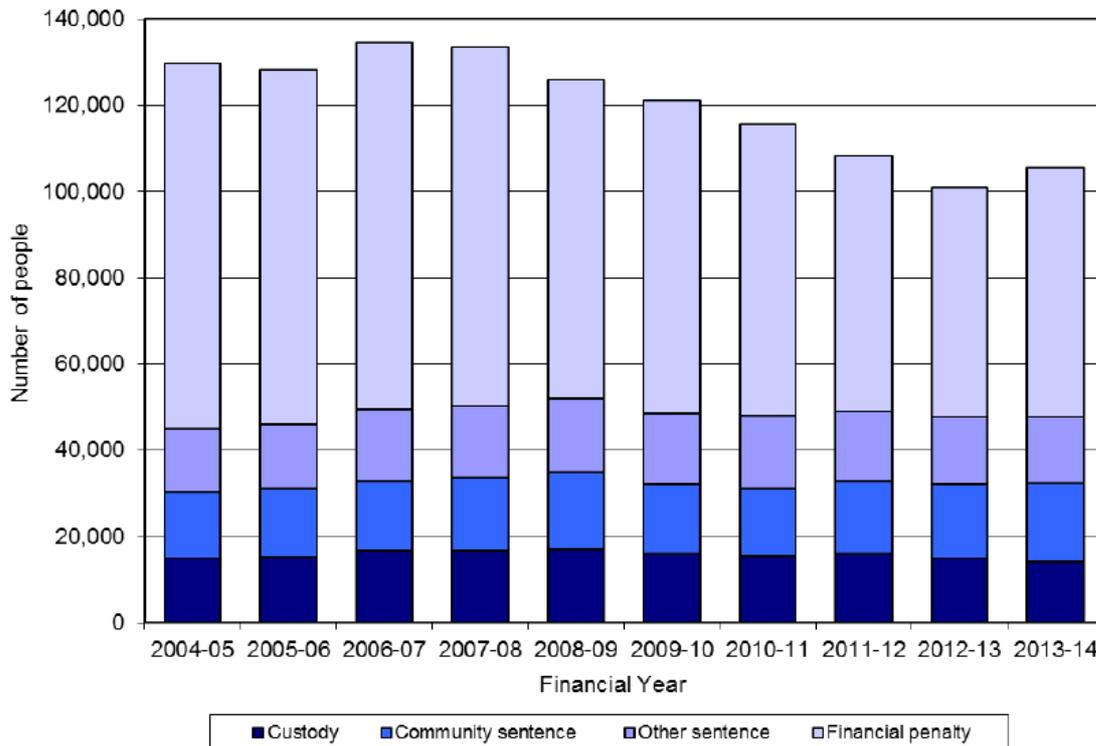


Chart 1: Number of people with a charge proved in Scottish courts by main penalty 2004-05 to 2013-14

Access the [publication](#) for more information, including about the characteristics of individuals who have faced criminal proceedings, and the **disposals** given for various types of crime/offence.

Disposal: a disposal is a sentence given in a court or action taken in non-court cases.

While this briefing is primarily concerned with community sentences and financial penalties issued by the courts, it is important to recognise that prosecution in court is only one of a range of outcomes available for individuals who have been identified by the police as having committed an offence (see [SCCJR 'Scottish criminal justice system'](#)). In 2007-2008 new options became available to the police for dealing with minor offences. This means that the police can issue 'direct measures', rather than handing over the case to the Crown Office and Procurator Fiscal Service (COPFS). These include:

- Anti-Social Behaviour Fixed Penalty Notices. In 2013-14 55,490 people received these as a main penalty. The vast majority were issued for: consuming alcohol in a public place (42%); breach of the peace (28%); and urinating etc.

- Formal Adult Warnings. 7,100 people were given these in 2013-14. Common offences: shoplifting (27%); drunkenness (16%) and common assault (14%).

The police may, however, decide to arrest and charge an individual and send a report to the COPFS. When the COPFS receive a report about an individual who has been charged, it must reach a decision about whether the case should proceed to court or proceed out of court. The COPFS has had long-standing powers to issue Fiscal Warnings and Fiscal Fines as an alternative to court prosecution for a range of offences. It also has the power to issue Fiscal Fixed penalties, mostly used for motor vehicle offences. (Fiscal Fines are discussed further below.)

Community sentences vs Imprisonment?

The 2008 report published by the Scottish Prisons Commission, [Scotland's Choice](#), made the following recommendations:

- “1. To target imprisonment better and make it more effective, the Commission recommends that imprisonment should be reserved for people whose offences are so serious that no other form of punishment will do and for those who pose a threat of serious harm to the public.*
- 2. To move beyond our reliance on imprisonment as a means of punishing offenders, the Commission recommends that paying back in the community should become the default position in dealing with less serious offenders.”*

The commission judged there to be a need for a more effective and credible community sentence that would command public support and through which offenders would be ordered to provide ‘**payback**’ in the community while being able to access opportunities for positive personal change. By arguing for community payback as the default option, they hoped to shift thinking about punishment away from imprisonment.

The Prisons Commission found that Scotland’s prisons (like those in England and Wales) faced an issue of overcrowding and expressed concern that “*prisons can increase the likelihood of reoffending more than often than reduce it*”. The review claimed prisons were not being used mainly to tackle crime, as many in the prison population were there for very short periods. Although this may provide communities with very short-term respite, there is not enough time to engage the offender in a meaningful rehabilitation programme. The commission also expressed concern about the impact of imprisonment on offenders’ families (See [SCCJR ‘Impact of punishment – families of people in prison’](#)) and the cost of short-term sentences, believing this money could be directed to other programmes to reduce offending.

One of the commission's proposals was that courts be required in most circumstances to replace short-term prison sentences (of up to six months) with community sentences. Under subsequent reforms introduced under the Criminal Justice and Licensing (Scotland) Act 2010, passed by the Scottish Parliament, although it was decided not to *abolish* short-term prison sentences, there is now a *presumption against* short-term sentences of less than three months. Recently the Scottish Government has opened a consultation on whether the three months minimum for custodial sentences should be increased.

What is meant by 'payback'?

A 2010 [briefing paper produced by SCCJR](#) explored this issue:

- The paper notes that the 'operational definition' of 'payback' used by policy-makers in Scotland seems to be that stated in the 'Scotland's Choice' report: *"In essence, payback means finding constructive ways to compensate or repair harms caused by crime. It involves making good to the victim and/or the community. This might be through financial payment, unpaid work, engaging in rehabilitative work or some combination of these and other approaches. Ultimately, one of the best ways for offenders to pay back is by turning their lives around."* (Scotland's Choice).
- The paper also notes that a report released in England on community-based sentences suggested that *"payback should be about making community service more visible"*: it should be more painful or punishing, and shaming on the offender.
- It is suggested that there are two ways to think about paying back. One interpretation is linked to vengeance – that the debt the offender owes to society must be paid in pain, which should provide an advantage to society by the offender suffering a disadvantage.
- Under the other interpretation of payback, the offender must do something constructive to the benefit of society, rather than being compelled to suffer some personal harm.
- However, it is pointed out that the difference between these two interpretations of payback – retributive (or punitive) payback and reparative payback – might not be as large as some people think, as making any kind of payback hurts the offender.
- The paper also raises an alternate view: does the community, society, or country owe something to the offender, whose "limited life chances" may have played some part in the origin of this or her offending? Does the community need to pay back?

So, what's the point of community sentences?

In a 2007 Scottish Government review of the use of community sentences, the government laid out what it sees as the main purposes of *punishment*:

- *“Public Protection/Safety: Where an offender presents a real risk to the public they must be imprisoned in the interests of public safety. Where they do not, punishment in the community may be more likely to reduce offending.*
- *Punishment and Deterrence: Offenders must realise that crime does not pay and that their actions will lead to a stern consequence. When a crime is particularly serious, prison will rightly be regarded by the courts as the only viable sentencing option.*
- *Payback: Where an offender can remain in the community they should be made to pay back. Crime causes damage – wherever possible punishment should include an element of reparation to make good on that damage and force offenders to face up to their actions.*
- *Rehabilitation and Reintegration: With the exception of a small number of very serious crimes, “offenders” will return to (or remain in) a community. Where possible, penalties should do what they can to help people tackle underlying problems that contribute towards their offending and help them move back towards a law-abiding lifestyle.”*

See [SCCJR 'What is prison for?'](#) to compare this to the purported purposes of imprisonment.

Criminal Justice Social Work (CJSW) has responsibility for delivering community-based sentences in Scotland (See [SCCJR 'Scottish criminal justice system'](#)). In its publication [National Outcomes and Standards for Social Work Services in the Criminal Justice System](#), the Scottish Government states three **key outcomes** for CJSW services:

1. Community safety and public-protection.
2. The reduction of re-offending.
3. Social inclusion to support **desistance** from offending.

Desistance: while there is no complete agreement on the definition of desistance, it is defined in the Scottish Government document as “*an offender’s cessation of criminal activity*”.

Key interventions of CJSW services required to achieve the key outcomes set out above are characterised as ‘the four Rs’:

- Restriction – punishing the offender for their crime by restricting their movement, e.g. a prison sentence.
- Reparation – the offender paying back to society, either financially or through activities such as unpaid work in the community.
- Rehabilitation – rehabilitating the offender to reduce their chances of offending.
- Reintegration – reintegrating the offender back into society.

Community Sentences available

- Community Payback Order (CPO) – the main penalty for 15% of all charges proved in court in 2013-2014
- Restriction of Liberty Order (tagging) – the main penalty for 1% of all charges proved in court in 2013-2014
- Drug Testing Treatment Order (DTTO) – the main penalty for 1% of all charges proved in court in 2013-2014

*above figures from [Criminal Proceedings in Scotland, 2013-14 Statistical Bulletin](#).

Community Payback Order (CPO)

Community Payback Orders (CPOs) were introduced by the Criminal Justice and Licensing (Scotland) Act 2010 and came into effect from February 1 2011. The CPO replaces the formerly separate Community Service Order, Probation Order and Supervised Attendance Order.

According to [guidance issued by the Scottish Government](#), the CPO is designed to ensure that offenders ‘pay back to society’, first by requiring an offender to make reparation (make amends), and second by requiring them to address and change their offending behaviours.

The government’s advice also states that by bringing together different options for judges, courts will have the ability to not only punish individuals but also do so in a way that addresses the areas of their lives that need to change.

A CPO may contain a number of different requirements, including:

- unpaid work or other activity requirements (20 to 300 hours; to be completed within three months for 20-100 hours and six months for 101-300 hours)
- offender supervision requirement (this is mandatory when an order is imposed on an individual aged under 18, or in addition to other requirements of the order)
- compensation requirement (requiring an individual to pay compensation for any

personal injury, loss, damage or anything else resulting from the offending behaviour)

- programme requirement
- mental health treatment requirement
- drug treatment requirement (if the offender is dependent on or is susceptible to drug abuse)
- conduct requirement (for example, the court may require the individual not to enter a certain street or not enter a play park)

Orders will usually be made for a period of between six months and three years, other than an order consisting of unpaid work of up to 101 hours. When the court imposes a CPO it can arrange for the case to be reviewed at a later stage. These reviews are called 'progress reviews' and are carried out by the court. If an offender has been found to have breached the requirements of his or her CPO then the court can impose sanctions, such as custody or electronic monitoring.

So, have CPOs been effective?

Scottish Government (2015) [Criminal Justice Social Work Statistics in Scotland: 2013-2014](#):

- ✓ An important part of CPOs is that direct contact with the offender should take place on the same day as the order is imposed, or the next working day. In the majority of cases (79%) in 2013-14, first contact took place within one working day of the order being imposed.
- ✓ 72% of all CPOs that were terminated in 2013-2014 were successfully completed or resulted in an early discharge. Only 16% were revoked following a breach application to the courts (where the offender had failed to meet the requirements of their order).
- ✗ For CPOs revoked due to breach, the most likely outcome was that a custodial sentence was imposed (in 34% of cases) or a new order was imposed (in 28% of cases) or another outcome (29%).
- ✗ There are some variations in completion rate according to age: only 66% of 16- and 17-year-olds and 66% of 18-20-year-olds completed their CPO, compared to 81% of those over 40.
- The majority of CPOs (61%) included only one requirement on the offender. This was largely unpaid work/other activity or supervision. A further 29% had two requirements (usually including supervision).
- Treatment for alcohol and drugs accounted for a small proportion of the orders issued (only 0.9% for drugs and 2.2% for alcohol treatment). It is not known if this is appropriate to those being sentenced.

Restriction of Liberty Order (tagging)

Restriction of Liberty Orders have been available in Scotland since 2002. Such orders require that an offender be:

- restricted to a specific place for a maximum period of 12 hours per day for a maximum of 12 months;
- and/or restricted from a specific place or places for 24 hours a day for up to 12 months.

In Scotland, the offender wears an electronic tagging device on his or her ankle, which emits a signal that is picked up by a monitoring unit when the offender is within range. See the [Scottish Government website](#) for more information.

Electronic monitoring is also used to monitor the Home Detention Curfew (HDC), which allows prisoners controlled access to the community. (See [SCCJR 'The penal system: reducing reoffending?'](#) for further information on this).

Drug Testing Treatment Order (DTTO)

Drug Treatment and Testing Orders (DTTOs) were introduced in the UK in 1998. In Scotland, DTTOs were first introduced in Glasgow, then Fife, and are now available across the country.

The emphasis of a DTTO is on treatment for drug problems as the primary means of reducing the offending behaviour of drug-using offenders, who might otherwise receive a custodial sentence. DTTOs target individuals whose offending is a direct result of their drug misuse, such as people who steal to fund their drug habit (See [SCCJR 'Drug crime'](#) for further information on this)

So, have DTTOs been effective?

'Effectiveness' can refer to outcomes including (i) reductions in offending and (ii) reductions in drug use; as well as an analysis of the cost (cost of programme vs. cost if it was not in place from reoffending, prison time etc).

A 2004 Scottish Executive Social Research report – [Reconviction Following Drug Treatment And Testing Orders](#) – assessed whether DTTOs had been successful in reducing **reoffending**. It focused on those offenders who received DTTOs in Glasgow and Fife in the first two years of operation of these schemes.

- ✓ Almost half of those who completed their orders had no further convictions within two years.
- ✓ The percentage of offenders convicted in the two-year period after being placed on a DTTO was lower than the percentage convicted in the two years before. The

report notes that this is impressive given the criminal histories and long-standing drug problems of those made subject to DTTOs.

- ✓ The frequency of reconviction was lower in the two-year period after being placed on a DTTO than in the two years before. This was particularly the case for individuals who had fully completed their DTTOs.
- ✗ 41% of offenders given DTTOs were reconvicted within 12 months and 66% within 24 months of the order being made.

A [Statistical Bulletin of Criminal Justice Social Work Statistics in Scotland: 2013-2014](#) published in 2015 found that:

- ✓ Of DTTOs terminated in 2013-2014, 52.2% of individuals had successfully completed or had early discharge from their DTTO.
- ✗ 43% OF DTTOs were revoked (or cancelled after the conditions were broken), and a custodial sentence was imposed in 51% of revoked cases. This seems like a high revocation rate but has to be seen in the context of how difficult it can be to resolve the complex problems associated with chronic or dependent drug use.

Further points made about DTTOs in a 2011 report by SCCJR – [Interventions for Drug Users in the Criminal Justice System: Scottish Review](#) – include:

- ✓ The cost of an average length DTTO in Scotland was estimated to be £9,129 per year compared to the average cost of a six-month prison sentence estimated to be £7,029 (figures from 1999/00), highlighting possible cost benefits of the programme.
- ✗ A study of DTTOs in England and Wales noted that after 12 months on DTTOs, 70% of participants tested positive for opiates (heroin).
- ✗ Women in Scotland have been found to breach DTTOs at a higher rate than men, with 41% of women and 33% of men given DTTOs in Scotland having their orders revoked as a result of breach in 2008/09.

Drug Courts

Drug Courts were introduced in 2001 in Glasgow and in 2002 in Fife as a pilot scheme, which was subsequently reviewed and extended. The Drug Court is a special court that deals exclusively with people who have committed crime because of their addiction to drugs. It has the same powers as any sheriff court and can impose the full range of sentences as well as a special 'Drug Court Order' (which include DTTOs and other conditions of drug treatment). The most common order

handed down to offenders across both courts has been the DTTO. When placed on a Drug Court Order, offenders must be willing to undergo treatment for drug misuse, undergo regular and random drug testing, attend court regularly so that the sheriff can review their case, and be supervised by the supervision and treatment team. The independent report [The Operation and Effectiveness of the Scottish Drug Court Pilots](#), published in 2005 for the then-Scottish Executive, provides more information on the early implementation of the scheme.

A distinctive feature of Drug Courts is the use of pre-review meetings prior to an individual's Court Order being reviewed in court. This is a meeting that takes place between the Drugs Court sheriffs, Criminal Justice Social Work (CJSW) and addiction workers. A 2010 [report by the Scottish Government that reviewed the Glasgow and Fife Drug Courts](#) found the pre-review meetings were popular with the professionals who were questioned, who felt that they helped to guide their approach to the actual review hearing.

The report analysed data over a four-year period from the point each court was introduced in order to determine reconviction rates. Across the two Drug Courts, 70% of offenders had been reconvicted within 12 months and 82% within 24 months.

In order to assess the effectiveness of orders imposed by Drug Courts used in Fife and Glasgow compared to orders handed down by Sheriff Courts in the rest of the Scotland, the report included an analysis of reconviction rates for those individuals who had been given DTTOs. Over the four-year period, 70% of those who had received a DTTO in the Drug Courts had reoffended, compared to 71% of those who had received a DTTO in other Sheriff Courts in the rest of the country. In other words, it appears that DTTOs imposed by a Drug Court have had no impact on reoffending rates when compared to those imposed by Sheriff Courts in other parts of the country.

However, there are limitations to this research. As the report points out:

- The comparison of reconviction rates of Drug Court participants poses particular challenges because the very nature of the Drug Court process means cases dealt with are highly selected through a rigorous process of assessment of suitability for drug treatment and the Drug Court regime. Therefore, offenders appearing in Drug Courts are not directly comparable to those appearing in courts elsewhere.
- The number of cases on which the analysis is based in the report is relatively low and a larger sample size would be required to obtain statistical proof of findings.

Monetary Disposals (fines)

All criminal courts in Scotland have the power to issue financial penalties. Figures from the Scottish Government's (2014) statistical bulletin – [Criminal Proceedings in Scotland, 2013-2014](#) – show that 55% of all sentences issued in 2013-2014 were financial penalties. This means monetary disposals are by far the most common sentence handed down by the courts. The second most common disposal was community sentences (17%). As noted above, the Crown Office and Procurator Fiscal Service (COPFS) also has the power to issue Fiscal Fines as a way of disposing of cases before they reach court. The police, too, can issue a fine as a direct measure, rather than referring the case to the COPFS.

Issues:

- Collection of fines: The Scottish Courts and Tribunals Service (SCTS), which replaced the previously separate Scottish Court Service and Scottish Tribunals Service, is responsible for collecting Sheriff Court Fines, Justice of the Peace Court Fines, Fiscal penalties and Antisocial Behaviour Fixed Penalty Notices. Non-payment of fines has been an ongoing issue, though, as the SCTS points out, its record on collecting fines is improving.

The [most recent figures released by SCTS](#) (under 'Statistics' – '2014/15 Quarterly Fines Report') show that:

- For the full three-year period as at April 2015, 87% of the value of Sheriff Court fines has either been paid or is on track to be paid through instalments.
- Of fines imposed by Justice of the Peace (JP) Courts in the financial year 2013/14, 79% of the value had been repaid as at April 2015.
- For Fiscal direct penalties (imposed by COPFS) registered in 2013/14, 55% of the value had been paid as at April 2015.
- For Police Antisocial Behaviour Fixed Penalties registered in 2013/2014, 63% of the value has been paid as at April 2015.
- Measures to pursue outstanding fines include using enhanced tracing facilities that make it easier to act by: deducting benefit payments, freezing bank accounts, arresting wages and seizing cars.

So, are fines an effective sentence?

Academic Lucia Zedner (2004), in her book *Criminal Justice* (Chapter 6: Financial and Community Penalties), has made the following points:

- The fine is mainly a 'punitive device' that is designed to inflict pain of financial deprivation upon an offender in return for wrongdoing. The financial pain it inflicts is designed to deter the individual from further offending, while, if properly

publicised, it may also deter others.

- Fines do not repair damage done by the original crime, and do not offer the offender an opportunity to be rehabilitated.
- The fine is quite different from other penalties in that:
 - It is the only penal sanction for which the offender can (and routinely does) get someone else to bear the burden. There is nothing in place to prohibit others, for instance family or friends, from paying a fine on the offender's behalf. In the case of young offenders, it is assumed by courts that it is parents who will pay the amount due.
 - The fine relies on the co-operation of the offender to a greater extent than other penalties. The setting of the term of the fine routinely involves negotiations with offenders, and offenders can refuse to pay the fine. Offenders could not, however, refuse to be imprisoned.
- The fine is "*commonly hailed as a success: flexible, ready calibrated to reflect the gravity of the offence, minimally intrusive, it is followed by fewer reconvictions than other penalties*".
- However, the fine is not unproblematic. The same sum of money does not have the same impact on all those who are fined. For example, 10 individuals fined the same amount could be affected in very different ways, depending on their wealth and ability to pay. It is also important to consider the existing financial disadvantage experienced by a number of offenders (See [SCCJR 'Who's in prison? Snapshot of Scotland's prison population'](#) for further information on this). It could be argued that because the amount of a fine is based primarily on the seriousness of a crime, and not on the offender's ability to pay, it is an unfair penalty.

Are community sentences and financial penalties more effective than prison?

One of the stated objectives of the criminal justice system in Scotland is to reduce **reoffending**.

A [report published by SCCJR in 2012](#) found that in all the countries reviewed, reconviction rates were higher for those leaving prison than those who had served community services. It is noted that the reoffending rate in Scotland for those who had completed prison sentences or were given non-custodial sentences during 2008-2009 (between April 1 2008 and March 31 2009) was 47%, compared to 39% for all community-based disposals.

More recent statistics from the Scottish Government, in the report [Reconviction](#)

[Rates in Scotland 2012-13 Offender Cohort](#), highlight the link between the sentence received by offenders and reoffending rates. The reoffending rate for those who completed a sentence during 2012-2013 (between April 1 2012 and April 31 2013) was 43.3%. This compares to 35.6% for Restriction of Liberty disposals and 32.1% for Community Payback sentences. Chart 2 below is an adaptation of Table 8 from this report.

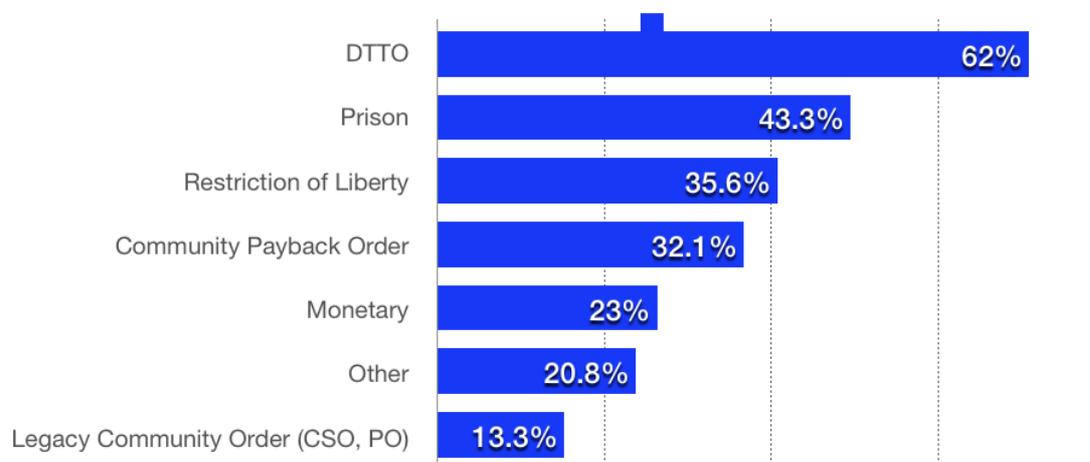


Chart 2: Reoffending rates for the 2012-13 cohort in Scotland by disposal

Chart 2 Notes: Legacy Community Order refers to Community Service Orders and Probation Orders (POs) which were replaced by Community Payback Orders for crimes or offences committed after 1 February 2011. Legacy community orders given after 1 February are for crimes or offences committed prior to 1 February 2011.

But, we must be careful about the conclusions we draw from these figures!

As noted both in the SCCJR report and in Audit Scotland's 2012 report [Reducing Reoffending in Scotland](#), we cannot directly compare those offenders who have served a prison sentence with those who have been given a non-custodial sentence. For example, people in prison are more likely to have longer criminal histories than those on community sentences.

See [SCCJR 'The penal system: reducing reoffending?'](#) for further information on the effectiveness of community sentences.

Further Reading

Armstrong, S. and Weaver, B. (2013) 'Persistent punishment: users views of short prison sentences', *Howard Journal of Criminal Justice*. Available from: http://strathprints.strath.ac.uk/39665/1/SSRN_id2012415_1_.pdf

Audit Scotland (2012) *Reducing Reoffending in Scotland*. Available from: http://www.audit-scotland.gov.uk/utilities/search_report.php?id=2039

Howard League for Penal Reform – *Response to Breaking the Cycle* Available from: https://www.howardleague.org/fileadmin/howard_league/user/pdf/Consultations/Response_to_Breaking_the_Cycle.pdf

Howard League for Penal Reform (2015) *No Winners: The Reality of Short Term Prison Sentences - Summary* Available from: http://www.howardleague.org/fileadmin/howard_league/user/pdf/Publications/No_Winners_-_summary.pdf

McIvor, G. (2010) 'Paying back: 30 years of unpaid work by offenders in Scotland', *European Journal of Probation*, 2(1), 41-62. Available from: <http://www.sccjr.ac.uk/publications/paying-back-30-years-of-unpaid-work-by-offenders-in-scotland/>

McIvor, G., Barnside, L., Eley, S., Malloch, M., Yates, R. and Brown, A. (2005) *The Operation and Effectiveness of the Scottish Drug Court Pilots*. Crime and Justice, Research Findings No.81/2006. Available from: <http://www.gov.scot/Resource/Doc/47121/0020290.pdf>

McNeill, F. (2010) *Community Payback and the new National Standards for Criminal Justice Social Work*. SCCJR Briefing Paper No. 02/2010. Available from: <http://www.sccjr.ac.uk/publications/community-payback-and-the-new-national-standards-for-criminal-justice-social-work/>

Mills, H. (2011) *Community sentences: a solution to penal excess*. Centre for Crime and Justice Studies, August 2011. Available from: <http://www.crimeandjustice.org.uk/publications/community-sentences-solution-penal-excess>

Parliamentary Office of Science and Technology (2008) *Alternatives to Custodial Sentencing*, POST Note 306, May 2008. Available from: <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/POST-PN-308>

Prison Reform Trust (2015) *Prison: The Facts*, Bromley Briefings: Summer 2015. Available from: <http://www.prisonreformtrust.org.uk/Portals/0/Documents/Prison%20the%20facts%20May%202015.pdf>

SCCJR (2010) *Report on Community Payback Order Seminar*, SCCJR and SCCCJ Report. Available from: <http://www.sccjr.ac.uk/publications/report-on-community-payback-order-seminar/>

SCCJR (2012) *Reducing Reoffending: Review of Selected Countries. Final Report for Audit Scotland*. Report No. 04/2012, September 2012. Available from: <http://www.sccjr.ac.uk/wp-content/uploads/2012/12/Reducing-Reoffending-FINAL-Dec-2012.pdf>

Scottish Courts and Tribunals Service (2015) 'Reports and Data' [Online] Available from: <https://www.scotcourts.gov.uk/about-the-scottish-court-service/reports-data>

Scottish Government (2007) *Reforming and Revitalising: Report of the Review of Community Penalties*. Available from: <http://www.gov.scot/Resource/Doc/204067/0054359.pdf>

Scottish Government (2010) *About the Community Payback Order*. Available from: <http://www.gov.scot/Resource/Doc/925/0110081.pdf>

Scottish Government (2010) *National Outcomes and Standards for Social Work Services in the Criminal Justice System*. Available from: <http://www.gov.scot/resource/doc/925/0103556.pdf>

Scottish Government (2010) *Review of the Glasgow & Fife Drug Courts Report*. <http://www.gov.scot/Resource/Doc/299438/0093354.pdf>

Scottish Government (2014) *Criminal Proceedings in Scotland, 2013-14*. Statistical Bulletin, Crime and Justice Series, 16 December 2014. Available from: <http://www.gov.scot/Resource/0048/00481722.pdf>

Scottish Government (2015) *Criminal Justice Social Work Statistics in Scotland: 2013-14*. Statistical Bulletin, Crime and Justice Series, 30 March 2015. Available from: <http://www.gov.scot/Resource/0047/00474323.pdf>

Scottish Government (2015) *Reconviction Rates in Scotland: 2012-2013 Offender Cohort*. A National Statistics Publication for Scotland. Statistical Bulletin, Crime and Justice Series, 31 March 2015. Available from:

<http://www.gov.scot/Resource/0047/00474253.pdf>

Scottish Government (2015) *Use of Electronic Monitoring*. [Online] Available from:

<http://www.gov.scot/Topics/archive/law-order/offender-management/offender/community/examples/6825/electronicmonitoring>

Scottish Prisons Commission (2008) *Scotland's Choice: Report of the Scottish Prisons Commission*. Available from:

www.gov.scot/Resource/Doc/230180/0062359.pdf

Spencer, A. (2007) *Rethinking Imprisonment in Scotland: The Dilemma for Prison Reform and the Challenges Beyond*. Available from:

<http://www.gov.scot/resource/doc/1102/0056826.pdf>

UK Ministry of Justice (2010) *Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders*. Available from:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/186345/breaking-the-cycle-government-response.pdf

Zender, L. (2004) *Criminal Justice*. New York: Oxford. (Available from libraries).