
Relapse study in the correctional services of the Nordic countries. Key results and perspectives

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ABSTRACT

Key findings and perspectives from a relapse study of correctional clients in the Nordic countries are presented and discussed. The findings are based on data from national computer registers of correctional offenders. Methodologically, a common definition of reoffending, a common observation period and a shared classification of offender groups are applied. Selected national differences are pointed out and discussed. In the article it is argued that the overall national differences in reoffending rates mainly reflect the national differences in the criminal sanction systems, such as the distribution and the proportion of principal crime type groups serving in prison compared to those serving community sanctions, and differences in risk of committing new offences. The latter is clearly reflected by the different percentages of previous prison sentences among different offender groups in prison and probation. Except for traffic offences, in total, all crime type groups reoffended more often to a different primary crime type than the original offence. This strongly indicates that most reoffenders seem to have comprehensive crime problems that have to be addressed. Some consequences for

policy making when it comes to national expectations on general reductions in recidivism are also commented on, as well as some future perspectives.

KEYWORDS

Recidivism, reoffending in correctional services, Nordic relapse study, reoffending among prisoners and probationers, reoffending among different types of sentences.

INTRODUCTION

Recidivism is defined and measured differently, and this creates a problem when comparing national reoffending rates between nations. This study is a product of a yearlong collaboration between a group of researchers and statisticians from the correctional services in Denmark, Finland, Iceland, Norway and Sweden. The purpose of the collaboration was to overcome national hindrances in comparing recidivism due to differences in sentencing practice and the various ways recidivism was measured and reported, trying to agree on at least some minimum common requirements necessary in order to do an approximate comparison. I will present and discuss

some key findings and perspectives from this relapse study of correctional clients in the Nordic countries (Graunbøl et al, 2010). I will also present and discuss some new points related to the case of Norway. Generally the most important finding is probably how the study demonstrates that national differences in reoffending rates among different offender groups reflect national differences in the criminal sanction systems and the proportion of risk groups serving in prison compared to those serving in the probation. Inherently, data from the study also draw attention to some unanticipated consequences and the need for moderation in policy making regarding expectations as to what is achievable on a national level when it comes to reductions in recidivism, especially in an era of continuously increasing the use of prison alternatives at the expense of increasingly troubled prisons.

METHODS

National computer registers are the sources for this analysis of reoffending. Irrespective of national differences in defining recidivism, reoffending figures in this study are based on a common definition of reoffending defined by the research group. Consequently, equally long observation periods of two years and a shared classification of approximately similar offender groups are applied.

The correctional clientele in the Nordic countries are divided into five offender groups: Prisoners, community service, conditional sentence with supervision, conditional sentence with treatment (including programmes) and electronic monitoring. The latter four groups are for simplistic reasons lumped into one category labelled “community sanctions (CS)” or “probationers”. A central object of the study is to present and discuss reoffending rates among those released from prison compared to those who served a community sanction in 2005. Relapse is defined as a new prison sentence or community sanction that became legally binding within two years of release from prison or from commencement of the community sanction in 2005. Put differently, suspended sentences and fines are excluded from the relapse definition. Secondly, at least one act of reoffending must have taken place *after* release from prison or after starting a community sanction in 2005. The latter criterion is important in order to avoid counting false recidivists and consequently reporting overstated reoffending rates. This is a common source of error in many relapse studies based on new convictions.ⁱ The survey comprises a total of almost 60,000 offenders in the Nordic countries. Table 1 shows the number of offenders included in this study divided by type of sentence.ⁱⁱ

Table 1. Number of sentences included in the study divided by type of sentence in 2005

	Denmark	Finland	Iceland	Norway	Sweden
Released sentenced prisoners	9 572	4 507	185	8 788	9 805
Community service	4 211	3 169	73	2 547	4 212
Conditional sentence with supervision	1 895	800	-	19	4 141
Conditional sentence with treatment	1 171	28	.	497	1 223
Electronic monitoring	55	.	.	.	2 828
Total	16 904	8 504	258	11 851	22 209

The work represents an important pioneering effort as there are no previous relapse studies that report and analyse reoffending in the correctional services in a Nordic comparative perspective. A word of caution about the applicability of the survey is necessary: The results cannot be used to predict the effects of various measures delivered to the offenders while serving their sentences, but on the other hand it cannot be ruled out that such national differences may have contributed to the overall reoffending rates. Other external factors may also have contributed to the differences in reoffending rates between the Nordic countries, such as clear up rates for criminal cases and the capacity to deal with them in the police and the courts, as well as changes in the lives of the offenders. Besides, there is no standardized risk assessment instrument in any of the Nordic countries that might have influenced the recruitment of offenders to the various categories of clients and their reoffending rates. Recruitment

reflects a mixture of national laws and regulations and judgement by members of staff.

MAIN RESULTS AND DISCUSSION OF NATIONAL DIFFERENCES

The purpose of this article is to illuminate some essential findings. Table 2 shows the main results of the survey, i.e. percentages of new sentences for released sentenced prisoners versus CS, as well as the national total percentages for all clients added together. The table shows that Norway has the lowest overall reoffending rate among offenders in the Nordic countries. Within two years, a fifth of all those released from prison and those who started serving a community sanction in Norway incurred a new conviction that had to be served in the correctional services. In the other Nordic countries the overall reoffending rate varies from 24% to 31%.

Table 2. Percentages of new sentences within two years to be served in the correctional services after serving either a prison sentence or community sanction in 2005.

	Denmark	Finland	Iceland	Norway	Sweden
Released from prison in 2005	29	36	27	20	43
Commenced a CS in 2005	22	25	16	21	20
Total percentages	26	31	24	20	30

Young age is a well-known risk factor (see e.g. Hirschi and Gottfredson, 1983), and about one third of all Nordic clients under the age of twenty-one relapsed. Even so, offenders under the age of twenty-one constituted only 12% of all clients, which reduces their effect on total national reoffending rates. The most significant variables explaining differences in the national reoffending rates are previous prison sentence and different distribution

of principal crime types with different risk of committing new offences among the clients in prison or probation. Table 3 specifies the national reoffending rates for the different categories of probationers. Except for Iceland, in which community service was the only option in 2005, there are minor differences within the Nordic countries in the overall reoffending rate among probationers.

Table 3. Percentages of new correctional sentences within two years after started serving a sentence in the probation service in 2005.

Type of sentence commenced in 2005	Denmark	Finland	Iceland	Norway	Sweden
Community service	19	26	16	23	9
Conditional sentence with supervision	27	22	-	21	33
Conditional sentence with treatment	22	39	.	12	29
Electronic monitoring	20	.	.	.	12
Total	22	25	16	21	20

Nevertheless, there is a large variation in risk of committing new offences among the groups of offenders in the probation services, among which the reoffending rate also varies correspondingly, cf. Table 3. This is clearly demonstrated if we, for instance, compare the Norwegian and the Swedish offenders sentenced to community service. The Norwegian offenders sentenced to community service show the second highest reoffending rate compared to those who serve other forms of community service in the other Nordic countries. This is primarily explained by the fact that in Norway this offender group has a significantly higher proportion of clients with a previous prison sentence than those serving community orders in the other countries. The percentage of offenders with a previous prison sentence among the Norwegian offenders serving a community sentence is practically the same as for released prisoners. In both groups the figure is approximately one fourth measured five years back in time prior to the commencement of the sanction in 2005. This shows that previous prison sentence is not a crucial obstacle when the courts decide whether an offender in Norway should be given a community sentence.

In other words, the Norwegian courts' willingness to impose a noncustodial sentence in cases where the offender is an ex-prisoner, is higher than the other countries, hence contributing to higher reoffending rates than would otherwise be the case. In contrast, only four percent of the Swedish offenders serving community service have previously served a prison sentence. Not surprisingly this offender group shows the lowest reoffending rate of all offender groups in the Nordic countries, i.e. nine percent.

The study also shows that national differences in reoffending rates among offenders are influenced by national differences in the use of suspended sentences with no correctional conditions.ⁱⁱⁱ Suspended sentences are believed to be the closest alternative to conditional sentences with supervision or other terms administered by the probation service. The size of the offender groups and the distribution of principal crime types among those receiving merely suspended sentences vary greatly between the countries, indirectly affecting the composition of offender groups in the correctional

services and their reoffending rates. Figure 1 shows the proportion of suspended sentences passed by the courts in the Nordic countries in 2005 in relation to all correctional sentences passed by the courts same year. Suspended sentences amount to a little more than half in Finland, whereas in Sweden such sentences constitute only one fifth. In other words, Sweden seems to have "absorbed" a much wider group of offenders into their probation service compared to e.g. Finland. More than half of all clients in the Swedish correctional services serve their sentences in the probation service.

Furthermore, in Finland more than half of all suspended sentences are imposed for traffic offences, mostly drunk driving. Moreover, within the Finnish correctional system almost half of all drunk drivers will serve in prison. However, only one third of all offenders serving traffic crimes in Sweden will serve their sentence in prison, while two thirds – a large group of low risk traffic offenders – will serve a probation order, mainly electronic monitoring or community service. Consequently, such differences in the distribution of principal crime types among correctional clients contribute to national differences in reoffending rates for prisons versus probation.

Offenders sentenced for thefts show generally the highest reoffending rates in all the countries. Table 4 and Table 5 show reoffending rates for prisoners versus probationers in different principal crime types, and Table 6 add up all offenders in the Nordic countries.

On average almost half of all offenders sentenced for theft in the Nordic countries reoffended (cf. Table 6), but the national proportion of them differs both in prison and probation. For example, released offenders sentenced for theft constituted 18% of all released prisoners in Sweden in 2005. In contrast, Norway had the smallest population of released offenders sentenced for thefts, 12%, thus contributing to the generally low reoffending rate for prisoners in Norway. In Sweden actually 61% of released prisoners sentenced for thefts reoffended, cf. Table 4.

Figure 1. The relationship between suspended sentences versus prison sentences and CS in 2005.

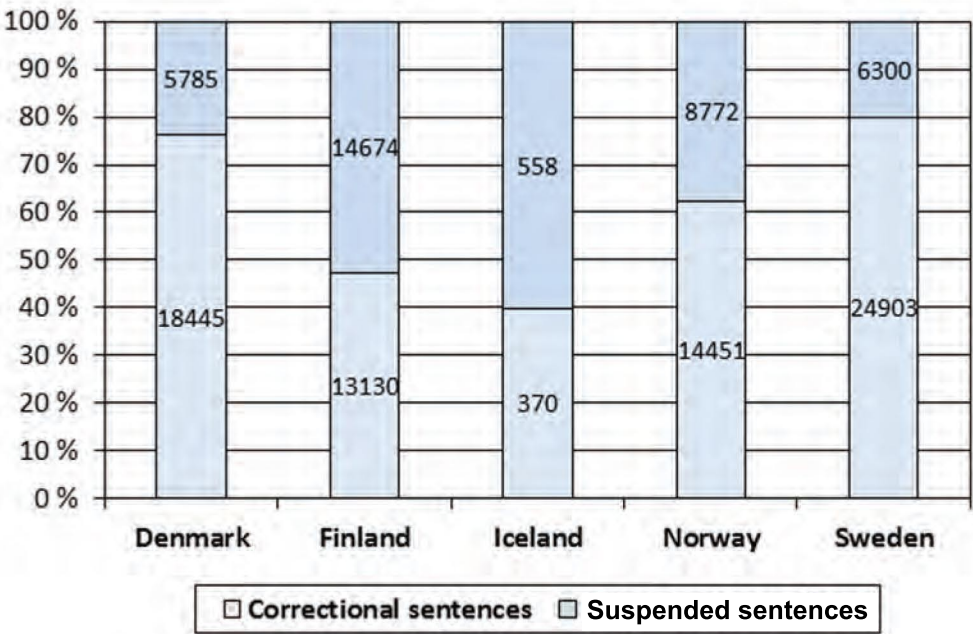


Table 4. Percentages of reoffending within two years per principal crime type among released prisoners in the Nordic countries in 2005.

	Denmark	Finland	Iceland	Norway	Sweden
Violence	28	32	33	18	34
Drugs	26	22	7	23	48
Thefts	39	48	44	48	61
Robbery	36	43	50	22	40
Sex	8	11	0	3	8
Economic	25	28	20	21	32
Traffic	27	42	36	8	42
Other	24	25	0	12	40
Total	29	36	27	20	43

On the other hand, Norway had the biggest proportion of low risk traffic offenders released from prison – 30% (n = 2617) of all released sentenced prisoners (n = 8788), of which roughly ninety percent had no previous prison conviction. One third of released prisoners for traffic crimes in

Norway were sentenced for speeding only. Hence the reoffending rate for released prisoners for traffic crimes in Norway was not quite unexpectedly only eight percent, compared to Finland’s and Sweden’s rates of 42 percent.

Table 5. Percentages of reoffending within two years per principal crime type for probationers in the Nordic countries in 2005.

	Denmark	Finland	Iceland	Norway	Sweden
Violence	19	22	0	26	16
Drugs	20	15	14	24	33
Thefts	30	32	20	39	40
Robbery	24	36	-	33	34
Sex	10	12	-	5	7
Economic	11	17	0	5	19
Traffic	22	26	20	9	10
Other	20	25	0	19	20
Total	22	25	16	21	20

The survey also reveals that Norway chooses imprisonment more often than the other countries, both in relation to general population and when it comes to choosing between prison and probation. 74% of the correctional clients in Norway in 2005 were prisoners, while in Sweden the percentage was 44. When comparing this evidence with the generally low reoffending rate among released prisoners in Norway, the political and empirical conditions for increased use of alternatives to imprisonment seem advantageous in Norway, especially for low risk offenders, such as first-timers sentenced to prison for traffic offences. However, if all released traffic offenders in Norwegian prisons in 2005 alternatively served their prison sentence in probation, leaving the rest of the prison population as it was, the overall percentage of reoffending among released prisoners in Norway in 2005 would increase with five percentage points. Currently this category of prisoners is gradually being diverted from prison to alternative sanctions in Norway, primarily electronic monitoring. In 2011, 1064 electronic monitoring cases started serving in Norway, compared to none in 2005, and the majority of those serving electronic monitoring are traffic offenders. An unexpected but likely consequence of this politically desired development would be a general higher reoffending rate for prisoners and most likely a higher share of more troubled prisoners. However, I do not wish to imply that this consequence is unacceptable. The

alternative is the unnecessary imprisoning of a large group of sentenced people with a low risk of reoffending.

There is naturally some variation in reoffending rates among crime types from country to country, but in total robbery and drugs succeed thefts as the principal crime groups with the highest reoffending rates. The average reoffending rate for all the Nordic countries together was 27%. Interestingly, Table 6 also discloses an unexpected observation about the proportion of offenders who did not reoffend to the same principal crime type.

Except for traffic crimes, where a little more than half of all reoffenders reoffended to the same primary crime type, in total all other groups reoffended more often to a different primary crime type than the original offence. Surprisingly this is even the case with sex and economic crimes, where three quarters or more of the reoffenders actually reoffended to a different primary crime type. This indicates that most reoffenders seem to have comprehensive crime problems that have to be addressed and the worthwhileness of targeting special categories of offence such as drugs or sex seems questionable. For example a lot of cognitive behavioural programmes target specific crime problems in which case sentenced crime type is an important criterion of recruitment to the programme.

Table 6. Total number of clients and percentages of reoffending per principal crime type for all correctional clients in the Nordic countries in 2005.

	N	Percent reoffending	Percent same principal crime	Percent other principal crime
Violence	12 927	23	10	13
Drugs	6 948	32	13	18
Thefts	9 191	45	20	25
Robbery	1 755	35	6	29
Sex	1 065	8	2	6
Economic	4 193	20	3	17
Traffic	17 679	22	12	10
Other	5 972	24	4	20
Total	59 730	27	11	16

As mentioned earlier, the majority of correctional clients in Sweden serve their punishment in probation, whereas only one fourth of the Norwegian clients do so.^{iv} When large groups of sentenced persons with a low reoffending risk are transferred to probation, such as in Sweden, prisons will increasingly be left with a more troubled clientele with a higher reoffending risk, as demonstrated by the fact that almost half of the released prisoners in Sweden are formerly sentenced to prison. Conversely, the large group of low risk traffic offenders among released prisoners in Norway strongly contributed to the low reoffending rate among released prisoners in Norway. In total only approximately one fourth of released prisoners in Norway have previously been sentenced to prison. In the other countries the proportion varies between 34% in Iceland to 59% in Finland. The proportion of offenders formerly sentenced to prison is therefore the most significant contributor to national differences in reoffending rates. If you compare Table 7 to Table 8, an earlier prison sentence tends

to double or – in the case of Sweden – even triple the risk of reoffending. The differences in overall reoffending rates are relatively small when comparing national reoffending rates for those formerly sentenced to at least one prison sentence prior to the prison sentence that was served in 2005 (cf. Table 7). In all countries except Sweden the total reoffending rates as well as the reoffending rate for prisoners vary around approximately 40 percent.

Correspondingly, national differences in reoffending rates even out when we measure recidivism among those with no former prison sentence prior to the sentence served in 2005 (cf. Table 8). Norway stands out with lower reoffending rates compared to the other countries, which hover around twenty percent or a little more. The even lower reoffending rate for prisoners in Norway compared to probationers would equalize if the large group of low risk traffic offenders released from prison had served their time in probation instead.

Table 7. Percentages of new sentences within two years for those sentenced to prison prior to the sentence served in 2005

	Denmark	Finland	Iceland	Norway	Sweden
Released prisoners in 2005	42	45	40	43	68
Started serving a CS in 2005	38	33	14	37	49
Total	42	43	38	41	63

Table 8. Percentages of new sentences within two years for those with no former prison sentence prior to the sentence served in 2005

	Denmark	Finland	Iceland	Norway	Sweden
Released prisoners in 2005	21	25	20	12	22
Started serving a CS in 2005	19	24	17	16	15
Total	20	24	19	13	18

RISK GROUPS AND NATIONAL REDUCTIONS IN RECIDIVISM: THE CASE OF NORWAY

The study also gives data on the ten most dominant risk groups for reoffending. In the case of Norway they were all previously sentenced to prison. Young and middle aged persons sentenced for thefts, serving either short prison sentences or community service, were among the most dominant groups in Norway. Their reoffending rate was from 50% up to 75%. Sixty four percent of middle aged prisoners sentenced for violence also reoffended. The ten most dominant risk groups where at least one third reoffended amounted to 1307 individuals in Norway. Altogether they constituted more than half of a total recidivist population of 2392 people.

Targeting these high risk groups would seem a sensible national goal in reducing recidivism. Generally it seems widely acknowledged that all forms of treatment would be quite successful if reconviction rates can be reduced by up to e.g. 20%. For example meta analyses of programmes based on cognitive behavioural therapy (CBT) show that properly designed programmes can reduce reconviction rates up to fifteen or perhaps twenty percent (see e.g. Lösel, 1995, Lipton, 2002, MacKenzie, 2006). Though not very likely, if all the members of the dominant risk groups in Norway participated in any kind of effective treatment,

whether that is programme or anything else, a twenty percent reduction would result in 261 fewer recidivists. 261 fewer recidivists would, on a national level, reduce the overall reoffending rate in Norway with merely two percentage points from 20% to 18%. This calls for moderation when formulating goals or expectations as to what can be achieved on a national level when it comes to reducing recidivism even with effective measures targeting proper target groups. This example illustrates that changes in the general characteristics of the correctional population due to changes in criminal policy or practice are potentially much more important than treatment when it comes to explaining national reoffending figures in prison or probation.

CONCLUSION AND FUTURE PERSPECTIVES

The most important finding in this study is that it demonstrates that reoffending rates among different offender groups inside the correctional services is a reflection of national differences in the criminal sanction system and the dispersion and the proportion of offender groups serving in prison compared to those serving in the probation. National differences in the proportions of offenders formerly sentenced to prison, serving either in prison or probation, significantly contributes to the Nordic differences in overall reoffending. Except for traffic offences, all crime type groups reoffended more

often to a different primary crime type than the original offence. This strongly indicates that most reoffenders seem to have comprehensive crime problems that have to be addressed. When it comes to national ambitions or expectations in reducing general reoffending rates, this study also suggests that it is important to be realistic and bear in mind the relatively moderate impact of treatment initiatives on national, general reoffending rates compared to the general impact of the aforementioned variables. The results in this study cannot be used to predict the effects of various measures delivered to the offenders while serving their sentences, but on the other hand it cannot be ruled out that such national differences may have contributed to the overall reoffending rates, though the effect is probably marginal compared to the effect on recidivism caused by national differences in the distribution of offender groups with dissimilar risk of reoffending. If measuring reoffending is repeated in the same way over the years, it should be possible to recognize how general changes in client characteristics within one sanction affect reoffending rates in others. Thus, when national policies change by introducing new sanctions, it should be possible to predict what will happen with recidivism in one group when offender groups move from one sanction to another, e.g. from prison to probation. The Nordic group behind this study will continue its work.

NOTES

- ⁱ When using new sentences as a criterion for reoffending, any person who is sentenced again might look like a recidivist, even though the act of the last sentenced crime(s) actually may have happened at an earlier date prior to the sentence that was initially served. In this case he will be a false recidivist.
- ⁱⁱ A comment on notation in this and forthcoming tables: A hyphen (-) means “zero”. A dot (.) means “not applicable”. A zero (0) means “less than 0.5”. Electronic monitoring was not an option in Finland, Iceland and Norway in 2005.
- ⁱⁱⁱ Data on suspended sentences were collected from the national bureaus of statistics in the Nordic countries.
- ^{iv} See Kristoffersen (2010) for more detailed descriptions of the correctional services in the Nordic countries.

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