



Ministry of
JUSTICE



2012 Compendium of re-offending statistics and analysis

Ministry of Justice
Statistics bulletin

Published 12 July 2012

Executive Summary

The Compendium of re-offending statistics and analysis is a publication created to address a wide array of re-offending questions not answered in existing statistical publications. It is designed to answer questions of interest to policy-makers and delivery staff and aid in development of policy and delivery of services to reduce re-offending.

The 2012 Compendium of re-offending statistics and analysis consists of seven papers covering:

- the relative effectiveness of different juvenile sentences in reducing re-offending between 2005 and 2009;
- longer-term trends in re-offending;
- an examination on the concentration of re-offending;
- re-offending of those starting supervision on licence;
- an update on re-offending statistics for offender while on Home Detention Curfew;
- an update on re-offending statistics for Serious Further Offences; and,
- a discussion paper on what the options for measuring end of sentence re-offending are.

Relative effectiveness of different juvenile sentences

This paper uses Propensity Score Matching methodology to assess the relative effectiveness of a range of juvenile sentences by constructing matched offender groups within which we can reliably compare the proven re-offending rates for years 2005 to 2009.

These methods used control for offender characteristics such as age, gender, and length of criminal career, but do not control for dynamic characteristics such as offender employment needs or accommodation status that are likely to influence sentencing decisions and also the likelihood of proven re-offending. For this reason, further work is required using a richer dataset, for example using information on risk assessments for young people.

This builds on the work developed for adults published in both the 2010 and 2011 Compendia. The analysis shows:

- Juvenile offenders that received a low level community sentence had a statistically significant lower re-offending rate when compared with those receiving a high level community sentence (4 percentage points in 2009);

- There was a slightly higher re-offending rate for offenders receiving a custodial sentence of 6 months or less than those receiving a high level community sentence (between 3 and 5 percentage points, from 2005 to 2008). In 2009, there was no difference in the re-offending rates. These results hold when adjusting for time spent in custody; and,
- Overall, there was no difference in the re-offending rates for those sentenced to custody greater than 6 months and less than 12 months and those given a custodial sentence of 6 months or less.

Re-offending rates over longer follow-up rates

Using a cohort of offenders between January and December 2000:

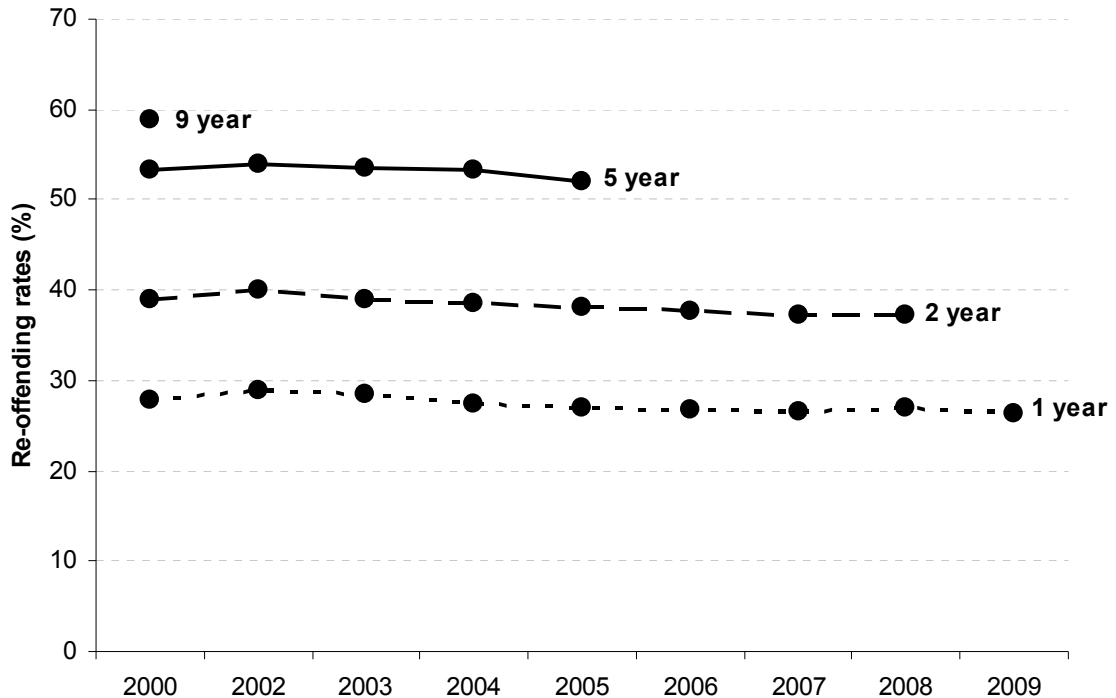
- 27.9 per cent re-offended within one year;
- 38.9 per cent after 2 years;
- 53.2 per cent after 5 years; and,
- 58.9 per cent after nine years.

In 2000 there were around 480,000 offenders in the cohort. Over 9 years this group committed approximately 3.6 million further offences.

For adults 26.2 per cent re-offended within one year and 56.4 per cent re-offended within nine years. While for juveniles 33.7 per cent re-offended within one year and 67.7 per cent re-offended within 9 years.

For the 54,108 in the cohort who were discharged from custody in 2000, 45.8 per cent re-offended within one year and 78.4 per cent within 9 years. While for community sentences 32.3 per cent re-offended within one year and 67.8 per cent within 9 years.

Looking at the trends over time, the two and five year re-offending rates both show a similar trend to the one year re-offending rate published in the Proven Re-offending Statistics Quarterly Bulletin (Figure E1). Therefore using a one year follow-up period provides a good proxy for measuring trends in re-offending over longer follow-up periods.

Figure E1: Re-offending rates for different follow-up periods

In the 2010 Compendium of re-offending statistics and analysis we first published a nine year re-offending rate of 74.0 per cent. However, this used the old measure of re-offending; only covered offenders starting a community sentence or discharged from custody between January to March 2000. A comparable figure from this new analysis is a nine year re-offending rate of 72.3 per cent for offenders receiving a court order or a custodial sentence between January to December 2000. The reasons for changes between the new proven re-offending measure and the previous re-conviction measure see Annex B in the [Proven Re-offending Statistics Quarterly Bulletin](#).

The concentration of re-offending

The analysis shows that offenders with 4 or more re-offences (24 per cent of re-offenders) account for 56 per cent of re-offences, while the most prolific one per cent account for seven per cent of re-offences. There has been a small change in the distribution over time, with prolific re-offenders committing fewer proven re-offences.

Re-offending from start of licence period

Individual Probation Trust proven re-offending rates for offenders released from prison on licence in England and Wales are published in this paper for the first time.

The one year proven re-offending rate for offenders released from prison on licence was 39.2 per cent in 2008 and 37.0 per cent in 2009. This is very similar to the one year re-offending rate for those released from custody after

-serving a sentence of more than 12 months (34.7 per cent in 2009) who make up the majority of this cohort. The reason for the small difference is because the figure of 34.7 per cent does not include young offenders (aged between 18 and 20) who would be under licence supervision.

The re-offending rates for Probation Trusts varied from 34.6 per cent to 50.2 per cent in 2008 and 28.6 per cent to 46.6 per cent in 2009. The average number of re-offences per re-offender across the Trusts ranged from 2.92 to 4.71 in 2008 and 2.80 to 4.52 in 2009.

After controlling for changes in offender characteristics in the caseload for each Probation Trust, three Trusts (Derbyshire, Devon and Cornwall, and Staffordshire and West Midlands) had re-offending rates statistically significantly lower than expected in 2009 while one Trust (Humberside) had a rate statistically significantly higher than expected.

Re-offending while on Home Detention Curfew

In 2009/10, 3.6 per cent of offenders who started the Home Detention Curfew scheme re-offended whilst on the scheme, committing an average of 1.6 offences each during this period. This is the lowest proven re-offending rate figures since 2003/04.

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Overview

The Ministry of Justice (MoJ) compendia of re-offending statistics and analysis are regular publications that contain a selection of papers summarising statistical analysis carried out on re-offending. The papers included in the compendia are usually designed to answer frequent requests by the general public, policy makers, academic researchers, media and practitioners where the analyses have not been previously published or have not been routinely available.

This edition of the Compendium extends the effectiveness of sentencing analysis published in the 2011 Compendium for adults to juvenile offenders. This is covered in Paper 1 where the analysis focuses on five sentencing comparisons covering a range of possible realistic options a sentencer may have considered when sentencing an offender at court. The five comparisons are:

- Absolute discharges compared with referral orders;
- Custodial sentences (6 months or less) compared with referral orders;
- Low level community sentences compared with high level community sentences (15 to 17 year olds);
- Custodial sentences (6 months or less) compared with high level community sentences (15 to 17 year olds); and,
- Custodial sentences (over 6 months and less than 12 months) compared with custodial sentences (6 months or less) (15 to 17 year olds).

The 2012 Compendium of re-offending statistics and analysis also includes six additional papers on a range of re-offending topics:

- Paper 2 which covers re-offending rates over one, two and five year follow-up periods. It also updates the 9 year re-offending rate which was first published in the 2010 Compendium using the new measure of proven re-offending;
- Paper 3 which examines the distribution of proven re-offending across re-offenders, how it has changed over time, and how it varies between different re-offender and re-offence types, and local areas;
- Paper 4 which publishes for the first time the individual Probation Trust proven re-offending rates for offenders released from prison on licence in England and Wales;
- Paper 5 which publishes updated re-offending rates for offenders who started the Home Detention Curfew scheme during 2009/10 and re-offended whilst on the scheme;

- Paper 6 which publishes updated total number of Serious Further Offences (SFOs) up to 2010/11 as well as a summary overview of volumes over time; and finally,
- Paper 7 which discusses the feasibility of measuring re-offending at the 'end of sentence' using available data sources.

There is also an Appendix which contains a glossary of key re-offending terms which have been used throughout this Compendium.

Existing re-offending publications

The Ministry of Justice publishes the following National Statistics for England and Wales on a quarterly basis:

- [Proven re-offending in England and Wales](#): A quarterly report which provides statistics on proven re-offending in England and Wales. This report gives proven re-offending figures for offenders who were released from custody, received a non-custodial conviction at court, received a caution, reprimand, warning or tested positive for opiates or cocaine in a specific period. Proven re-offending is defined as any offence committed in a one year follow-up period and receiving a court conviction, caution, reprimand or warning in the one year follow-up. Following this one year period, a further six month waiting period is allowed for cases to progress through the courts. The latest published report contains re-offending statistics based on a cohort for the period July 2009 to June 2010 and annual statistics are available from 2000 to 2009.

These National Statistics provide figures at a national and regional level on a quarterly basis. In addition to the National Statistics there are two other statistical publications which were introduced to cover different sub groups of offenders. These are:

- [Compendium of re-offending statistics and analysis](#): A publication designed to answer an array of statistical questions that are not covered in existing statistical publications on re-offending. The focus is to address commonly asked questions by the media and practitioners; it shows the relative effectiveness of different disposals given prior to or in court, re-offending figures by individual prisons, detailed breakdowns of published material, long-term time series on re-offending, and international comparisons.
- [Local adult re-offending](#): A quarterly report published by the Ministry of Justice to provide Probation Trusts with performance data on trends in re-offending of adult offenders under probation supervision. The latest publication covers re-offending in the period 1 January 2011 to 31 December 2011 and these results are available from 1 October 2007 to 31 December 2011.

Paper 1 Impact of sentences on proven re-offending rates for young people

Summary

This paper compares proven re-offending rates for young offenders aged between 10 and 17 receiving different types of sentences at courts in England and Wales, for each year from 2005 to 2009.

The analysis uses a statistical method called Propensity Score Matching (PSM) which enables the comparison of outcomes for groups receiving different 'treatments' – in this case young offenders receiving different sentence types. Pairs of young offenders with different sentences were matched on the basis of observable characteristics such as age, gender, offence and criminal history. Once matched, the impact of one sentence compared with another was calculated by taking difference in mean rates of proven re-offending for each group.

These results should be treated as indicative and with a degree of caution, as findings fluctuate from year to year, and there can be no certainty that the matching technique has controlled for all the main relevant factors that predispose offenders to re-offend. For example, factors such as whether the young person has learning difficulties or a drug problem. For this reason, further work is required using a richer dataset, for example using information on risk assessments for young people.

To note, the comparisons included in the report pre-date the introduction of the Youth Rehabilitation Order (YRO) in November 2009.

Proven re-offending rates in a one year follow-up period¹, for a subset of those aged between 15 and 17 show the following results for the sentencing comparisons set out below:

Low level community sentences compared with high level community sentences

Young offenders receiving a low level community sentence in 2009 had a lower re-offending rate (63 per cent) than those receiving a high level community sentence (67 per cent), a statistically significant difference of 4 percentage points. A statistically significant difference was also found in all other years with differences of 4 percentage points in 2005, 6 percentage points in 2006 and 5 percentage points in 2007 and 2008.

¹ Plus a further 6 months waiting period to allow time for the offence to be proven at court.

Custodial sentences (6 months or less) compared with high level community sentences

In 2009, there was no statistically significant difference in re-offending rates of young offenders given a custodial sentence of 6 months or less and those given a high level community sentence. In other years, however, young offenders given a custodial sentence of 6 months or less had a significantly higher re-offending rate, between 3 percentage points in 2008, 5 percentage points in 2006 and 4 percentage points in 2005 and 2007.

Custodial sentences (over 6 months and less than 12 months) compared with custodial sentences (6 months or less)

In all years except 2008, there was no statistically significant difference in re-offending rates for young offenders given a custodial sentence over 6 months and under 12 months and those given shorter custodial sentences. In 2008, those young offenders given the longer custodial sentences had a significantly higher re-offending rate, with a 4 percentage point difference.

Two additional comparisons were explored between offenders aged between 10 and 17, but the analysis did not provide robust results mainly due to the inability of the PSM methodology to generate valid matches between the sentence types. These were absolute discharges with referral orders, and custodial sentences (6 months or less) with referral orders.

Overall, the results show that for some offenders receiving low level community sentences have a lower proven re-offending rate than those offenders given high level community sentences. Offenders given custodial sentences have a higher proven re-offending rate than those given high level community sentences and finally, the proven re-offending rates are not significantly different for offenders receiving short custodial sentences (6 months or less) or longer custodial sentences between 6 and 12 months.

Introduction

This paper presents findings from an initial and high level statistical analysis based on readily available data to assess the relative effectiveness of different types of sentences for young people². It builds on earlier analysis published in the previous Compendia which assessed the relative effectiveness of adult sentences in terms of proven re-offending rates.

This analysis uses a cohort of young offenders between 2005 to 2009, the latest year for which data was available at the time of analysis. To note, the comparisons included in the report pre-date the introduction of the Youth Rehabilitation Order (YRO) in November 2009³. This study forms part of a

² In this report young offenders are defined as being between the ages of 10 and 17.

³ See Annex B for further details.

wider project which aims to further our understanding of effective practice to reduce re-offending among young people.

The Ministry of Justice publishes quarterly National Statistics on proven re-offending among young people aged between 10 and 17 years in England and Wales⁴. This publication provides measures of re-offending broken down by the type of sentence, and is used to consider trends both overall and within disposal types. However, comparisons between disposals are not recommended using these unadjusted data as they do not control for the differences between offenders receiving different types of disposals. For example, the published re-offending rates are based on offenders with different characteristics such as, age, gender, length of criminal career or number of previous offences. Thus, any difference in re-offending rates cannot be solely attributed to the sentence the young offender received.

This paper aims to assess the relative effectiveness of a range of disposals for young people by constructing matched young offender groups within which we can reliably compare the one year proven re-offending rates for years 2005 to 2009. This involves matching offenders with similar characteristics who were given different sentencing outcomes, using a methodology called Propensity Score Matching (PSM).

The PSM methodology allows you to control for observable characteristics in offenders receiving different types of disposals. However, some factors that we do not observe can potentially influence the outcome. For example, if a group of young offenders receiving one type of disposal had a higher prevalence of drug use than the young offenders who received another type of disposal this may affect the difference in re-offending rates.

The main data source used for the analysis is the Police National Computer (PNC) as it holds key information about offender's personal characteristics and their offending history⁵.

There is a range of court sentences available to offenders aged between 10 and 17 years old, see Annex B for details about these sentences. The comparisons chosen cover a range of realistic options a sentencer may have considered when sentencing a young offender at court. They were also dependant on whether the data were readily available and the sample size was large enough to analyse for each sentence type.

A number of comparisons were considered for this analysis:

⁴ [Proven Re-offending Quarterly Statistics Bulletin July 2009 – June 2010, \(Ministry of Justice, 26 April 2012\).](#)

⁵ The Ministry of Justice's Juvenile Cohort Study (JCS) and the Youth Justice Board's Management Information System (YJMIS) were also considered. However they were not pursued due to insufficient sample sizes for this analysis in the JCS and the inability to link the YJMIS data to the PNC. The JCS is one of three major cohort studies undertaken by the Ministry of Justice to track large groups of offenders at specific points in the criminal justice system.

1. Absolute discharges compared with referral orders⁶;
2. Custodial sentences (6 months or less)⁷; compared with referral orders (15 to 17 year olds)⁸;
3. Low level community sentences compared with high level community sentences (15 to 17 year olds);
4. Custodial sentences (6 months or less) with high level community sentences (15 to 17 year olds); and,
5. Custodial sentences (over 6 months and less than 12 months) with custodial sentences (6 months or less) (15 to 17 year olds).

This study was conducted before the Youth Rehabilitation Order (YRO) was introduced in November 2009 (see Annex B for further details) and low and high community sentences were defined as follows:

- **Low level community sentences:** These are usually given to young offenders when the sentencer deemed the offender to have a lower risk of re-offending and the offence(s) committed were considered to be a lower level of seriousness. These include: Reparation Orders, Attendance Centre Orders and Action Plan Orders.
- **High level community sentences:** These are usually given to young offenders when the sentencer believed the offender had a higher risk of re-offending and the offence(s) committed were considered to be a higher level of seriousness. These include: Community Punishment Orders, Community Rehabilitation Orders, Community Rehabilitation and Punishment Orders, Supervision Orders and Curfew Orders.

⁶ A referral order, hospital order (small number of cases so not included in this analysis), absolute discharge or a custodial sentence are the four sentences available to the sentencer when it is the young person's first appearance in court and they have pleaded guilty to the offence(s).

⁷ Analyses involving custodial sentences were based on information recorded on the prison IT system using standard custodial sentence length bands: 6 months or less; greater than 6 months and less than 12 months; 12 months to less than 4 years; 4 to 10 years and greater than 10 years.

In 2009, 49 per cent of 15 to 17 year olds sentenced to custody were on a Detention and Training Order (DTO) of 6 months or less (see Annex B for more details about this sentence). DTOs combine a custodial sentence with community supervision in equal measure. Source: Police National Computer (PNC) extract linked to data from the National Offender Management Service (NOMS) and Secure Accommodation Clearing House System (SACHS).

⁸ Analyses were limited to 15-17 year olds for comparisons 2 to 5, as the majority of offenders receiving these sentences are of this age group.

Methodology

Comparing measures of proven re-offending

Table 1.1 shows proven one year re-offending rates, one year re-offending frequency rates and the average number of previous offences for unmatched samples of young offenders given different types of sentence. The table highlights systematic differences in the criminal histories of the four groups. This means reliable comparisons cannot be drawn from the higher re-offending rates of those receiving the more severe sentences⁹.

Table 1.1: Number of young offenders, proven re-offending rates and number of previous offences by sentence type, 2009

	Number of offenders	Proven one-year re-offending rate	Proven one year re-offending frequency rate	Average number of previous offences
Custody > 6 months and < 12 months	450	74.2%	3.2	15.6
Custody ≤ 6 months	1,107	73.8%	3.6	15.2
High level community sentences	10,339	66.0%	2.5	8.5
Low level community sentences	5,835	62.9%	2.2	7.5
Absolute discharges	744	35.3%	0.9	1.5
Referral orders	17,566	35.5%	0.9	1.5

Arguably, the best way of comparing the impact of two sentence types would be a Randomised Controlled Trial (RCT), randomly assigning offenders to each of the two sentences. This would enable us to control not only for observable and unobservable offender characteristics but also underlying systematic differences in sentencing and offender management. However, randomised assignment of offenders is difficult to implement with regards to sentencing decisions. For this reason it has usually proved both undesirable and impractical to mount RCTs to assess the impact of youth sentences.

Given the constraints of using a RCT in the youth court setting, an alternative to the RCT is to use a quasi-experimental design. The one judged appropriate here was PSM, where a well-matched comparison group is constructed that takes the relevant available factors into consideration¹⁰. The PSM technique has also been used to evaluate other programmes in the criminal justice system¹¹.

⁹ The proven re-offending rates shown in Table 1.1 differ from the published figures in the [Proven Re-offending Quarterly Statistics Bulletin July 2009 – June 2010, \(Ministry of Justice, 26 April 2012\)](#) because the published figures are based on data 12 months from the third quarter of 2008. Additionally, the published proven re-offending rates show a detailed breakdown by type of community sentence and an aggregated re-offending rate for all custodial sentences for young people.

¹⁰ [Harper G. and Chitty C; The impact of corrections on re-offending: a review of 'what works'.](#) (Home Office, 2005) and [Handbook on Impact Evaluation Quantitative Methods and Practices \(World Bank, 2010\)](#)

¹¹ Ministry of Justice's [Evaluation of the impact of the HM Prison Service Enhanced Thinking Skills programme on re-offending Outcomes of the Surveying Prisoner Crime Reduction \(SPCR\) sample](#) (G.Sadler, November 2010); and, Ministry of Justice's [Peterborough Social Impact Bond: an independent assessment.](#) (S.Cave, T.Williams, D.Jolliffe, C.Hedderman, May 2012).

Propensity score matching

Propensity score matching (PSM) constructs statistical comparison groups of offenders based on the probability of receiving one of the sentences, using observed characteristics. Offenders given one type of sentence are matched on the basis of this probability, or 'propensity score', to offenders receiving the other sentence type. The average treatment effect of receiving one sentence rather than the other is then calculated as the mean difference in the outcomes between these two sentences. Where this difference has been referred to as statistically significant, a significance level of 0.05 has been used to determine the significance.

Under PSM, the propensity score of an offender receiving a particular sentencing outcome is derived from a binary logistic regression model¹² using a wider range of offender and offence characteristics likely to be associated with the sentencer's decision: age, age of first offence, gender, Copas rate¹³, offence type, severity of offence, number of offences committed and the number of previous offences, cautions, convictions and custodial sentences. Variables that were statistically significant at the 0.2 level were included in the model. Table A1.4, in Annex A contains descriptive statistics of each included variable by each sentence comparison.

Nearest-Neighbour matching¹⁴ was used to match offenders receiving a particular sentencing outcome, individually with up to 10 offenders receiving another sentencing outcome with propensity scores within a set caliper level of 0.05¹⁵. The matching is carried out with replacement, which means one offender receiving the 'treatment' sentence can be matched more than once, up to a maximum of 10 times¹⁶ with offenders receiving the 'comparison' sentence. Offenders are matched based on having received different sentence

¹² Logistic regression is a type of regression analysis used for predicting the outcome of a binary variable based on one or more explanatory/covariate variables.

¹³ The Copas rate controls for the rate at which an offender has built up convictions throughout their criminal career. The higher the rate, the more convictions an offender has in a given amount of time, and the more likely it is that an offender will re-offend within one year. The Copas rate formula is

$$\text{copas rate} = \log_e \left(\frac{\text{Number of court appearances or cautions} + 1}{\text{Length of criminal career in years} + 10} \right)$$

¹⁴ Nearest-neighbour matching is where each offender receiving the 'treatment' sentence is matched to an offender receiving the 'comparison' sentence with the closest propensity score. The matching used in this analysis allows up to 10 nearest neighbours to be matched and the matching is done with replacement. This means the same offender in the 'comparison' group can be used as a match for different offenders receiving the 'treatment' sentence.

¹⁵ Caliper is the distance which is acceptable for any match. The probabilities of receiving a particular sentence outcome do not have to be exactly the same, but need to be similar. The caliper is measured in standardised standard deviation units. For example, a caliper level of 0.05 means that a match needs to be within 0.05 standard deviations of each covariate.

¹⁶ This approach is also being used to assess the [Peterborough Social Impact Bond](#). Matching up to 10 young offenders ensures a balance between the number of matches for each young person receiving sentence A and the closeness of the match to the individuals receiving sentence B.

outcomes, but having similar propensity to receive the same sentence (due to having similar demographic profiles and criminal histories).

To illustrate how this methodology works, a comparison can be made between, for example, young offender A who receives a custodial sentence of 6 months or less and young offender B who receives a high level community sentence. Due to their respective propensity scores of receiving a custodial sentence being similar, say 0.32 and 0.33 respectively, offender A and B are a likely match, even though their actual sentence outcomes are different. If they are matched then their re-offending records are compared; in this case, offender A re-offended whilst offender B did not. This method can then be applied to all offenders in the dataset, enabling reliable comparison of re-offending rates for the two different sentence outcomes.

The effectiveness of the PSM technique depends on the common support or overlap condition. This condition ensures that offenders receiving the 'treatment' sentence have an offender in the 'comparison' sentence relatively close by in the propensity score distribution¹⁷. Hence offenders in both sentences should be similar in terms of their observed characteristics. Consequently, some young offenders receiving the 'comparison' sentence have been dropped from the analysis to ensure comparability between the groups. In addition a small number of offenders receiving the 'treatment' sentence have also been dropped if a similar offender in the 'comparison' sentence does not exist. Tables A1.1 and A1.2 in Annex A show there is a very small number of offenders receiving the 'treatment' sentence that have been dropped from the analysis.

Proven re-offending data

Statistics on young offenders'¹⁸ re-offending and sentences in England and Wales were constructed by matching the Ministry of Justice's extract of the Police National Computer (PNC), with the Youth Justice Board's Secure Accommodation Clearing House System (SACHS) database and data from the National Offender Management Service (NOMS).

Previous criminal history and other re-offending information were extracted for each occasion when young offenders received one of the selected court sentences. For this analysis, an offender is considered as many times as the number of sentencing occasions during the five year period; thus an offender who was sentenced on several occasions between 2005 and 2009 will have more than one record in the data used for matching. However, an instance when an offender is sentenced more than once to the same sentence in any given year, only the first sentence is considered in the analysis. To evaluate the

¹⁷ [The Economics and Econometrics of Active Labor Market Programs](#) (Heckman, LaLonde and Smith, 1999)

¹⁸ Young offenders are defined as offenders aged between 10 and 17 years old at the time of their sentence, or in the case of Detention and Training Orders or other custodial sentences, at the time of their discharge from custody. This is also referred to as the start date or index date.

effect of sentencing on proven re-offending, re-offending rates were calculated for each comparable group of offenders receiving a particular sentencing type. The re-offending rate was calculated in the same way as the Ministry of Justice's National Statistics on proven re-offending in England and Wales¹⁹ and was also used in previous analysis on the effectiveness of adult sentences²⁰.

Proven re-offending²¹ is expressed in the following ways:

1. The proportion of offenders that commit a proven re-offence (known as the **one year proven re-offending rate**). This is determined by the number of young offenders within each sentence type that went on to re-offend at least once during a one year follow-up period, where the re-offence resulted in a conviction at court or an out of court disposal within the one year follow-up period with a further six months²².
2. The average number of proven re-offences per offender (**known as the proven re-offending frequency rate**). This is determined by the number of proven re-offences per young offender within each sentence type during a one year follow-up period, where all re-offences result in a conviction at court or an out of court disposal within the one year follow-up period with a further six months.

Methodological limitations

The PSM approach has the advantage of using all relevant observed offence and offender characteristics available in the dataset to match the two groups. Matching on individual characteristics directly, rather than on the single variable of the propensity score, makes it likely that very few young offenders would have a direct match, drastically reducing the external validity of the results. As with any matching approach, this methodology relies heavily on the model specification and robustness, and in particular on having a complete set of factors in the propensity score model. Essentially, it needs to include all factors which influence both the likelihood of proven re-offending²³ and the type of sentence received²⁴.

¹⁹ [Proven Re-offending Quarterly Statistics Bulletin July 2009 – June 2010. \(Ministry of Justice, 26 April 2012\)](#)

²⁰ [2011 Compendium of Re-offending Statistics and Analysis. \(Ministry of Justice, 10 May 2011\)](#)

²¹ A proven offence is defined as an offence which results in offenders aged between 10 and 17 receiving a reprimand, final warning, or conviction. The proven re-offending rates are likely to underestimate the 'true' re-offending rate as these measures are based on crimes that have come to the attention of the police and recorded on the Police National Computer.

²² A further 6 months waiting period to allow time for the offence to be proven at court.

²³ The Ministry of Justice's research report: [Assessing the predictive validity of the Asset youth risk assessment tool using the Juvenile Cohort Study](#) (S. Hinks. E. Wilson, December 2011) found that a combination of dynamic risk factors (e.g. lifestyle, substance use, motivation to change and living arrangements) and static risk factors (e.g. offence details and criminal histories) were better at predicting

The analysis is limited to the offence and offender characteristics available on the Police National Computer and cannot draw upon other relevant offender and offence characteristics that may influence the sentencing decision and also the probability of re-offending. Approaches to sentencing, as described by sentencers, are applied on the basis of three factors; seriousness of the offence, circumstances of the offender and aspects unique to the individual²⁵.

There are a number of factors not included in this analysis that will affect sentencer's decisions in court as to which disposal to issue, these factors are also likely to have an impact on future re-offending rates. This is especially true in determining borderline cases where a sentencer is considering two disposals. Studies²⁶ have found that the key factors in issuing a lower level sentence in a borderline case for example, from custody to community sentences are mitigating factors such as:

- showing remorse;
- guilty plea²⁷;
- motivation to address personal problems;
- family responsibilities; and,
- good employment record or prospects.

Youth Justice Board research²⁵ lists other factors, which specifically relate to the sentencing of young people and these include the following:

- whether the young person has medical problems;
- whether the young person has emotional and learning difficulties;
- circumstances, characteristics and attitude (e.g., if the young person is constructively engaged in education, training or work, or comes from a 'good home'); and,
- whether the young person has a parent present in court.

proven re-offending among 10 to 17 year olds within a one year period than dynamic or static factors alone.

²⁴ More technically, the Conditional Independence Assumption needs to be satisfied. For a fuller account of this see ([Bryson, Dorsett and Purdon, 2002](#)).

²⁵ [Fine art or science? Sentencers deciding between community penalties and custody for young people, \(Youth Justice Board, 2009\)](#).

²⁶ For example, [Sentencing and Criminal Justice, Andrew Ashworth \(Cambridge University Press, 2010\)](#).

²⁷ Data on plea is available on the Police National Computer database; however it is of poor quality and therefore was not used for this analysis.

The same research also suggests other factors for borderline cases, where a higher sentence is considered more appropriate, for example: the young offender's personal circumstances, including situations where lack of permanent accommodation was deemed to make them unsuitable for an Intensive Supervision and Surveillance Programme (ISSP) disposal in the community.

Information on these factors has not been available for this analysis and may therefore explain some of the differences in re-offending rates. To give some indication of the possible impact of hidden bias due to the unavailability of data on such characteristics and the robustness of findings, some sensitivity analyses were performed, which are discussed below.

In addition, the matching of young offenders was conducted on the basis of selecting the 'treatment' group as the sentence with the smallest number of young offenders and the 'comparison' group as the sentence with the largest number of young offenders. This limits our interpretation of the results to comparisons of the re-offending rates in one direction only²⁸. For example, when comparing low level community sentences with high level community sentences the analysis shows what would have happened to those young offenders receiving a low level community sentence if they had received a high level community sentence. However, it does not show what would have happened to those young offenders receiving a high level community sentence if they had received a low level community sentence instead.

Sensitivity analysis

The PSM matching method offers the possibility to carry out some additional sensitivity tests on the findings. The following tests give some assurance that any differences in re-offending between different sentences are indeed robust and not spurious.

Custodial sentences (6 months or less) compared with high level community sentences: results after adjusting for time spent in custody

Proven re-offending rates for custodial sentences are calculated based on the date the young offender was discharged from custody, whereas for other sentences it is based on the date the young person was convicted of the offence. To test whether the different ways of measuring re-offending affects the results, re-offending rates for custodial sentences were re-calculated using the conviction date as opposed to the date of discharge. The matching was then repeated again, using the propensity scores derived from observed factors such as age, gender, offence and criminal history. Results can be found in Tables C1.1 and C1.2 in Annex C and are summarised in the results presented below.

²⁸ Matching in this direction ensured that a statistically 'similar' group of young offenders could be selected from the larger group of young offenders in the control group to be matched with the 'treatment' group. Matching in the opposite direction may change the results seen in this report.

Assessment of control match quality

The robustness of the calculated treatment effect depends on the quality of the match achieved. The degree of ‘similarity’ between the treatment and the comparison group for all characteristics pre-selected as being predictive of sentence outcome and re-offending was tested using t-tests of the equality of means.

In summary, for each comparison conducted the equality of means test confirmed no statistically significant differences between the two sentence outcomes across all characteristics pre-selected as being predictive of sentence outcome and re-offending. The comparison groups are therefore well matched on the pre-selected matching characteristics, with a similar expected re-offending rate as the treatment group, allowing robust estimation of the treatment effect. Detailed results of these tests for 2009 can be found in Tables C1.3, C1.4 and C1.5 in Annex C.

Sensitivity of results to hidden bias

As noted above there are likely to be some factors that influence both re-offending and sentencing decisions which could not be accounted for in the analysis. This sensitivity test assesses the extent to which the results could be affected by the presence and magnitude of unobserved characteristics²⁹. The analysis will test whether the Nearest-Neighbour with replacement PSM estimates are statistically unreliable if we introduce an unobserved factor that simultaneously reduces the likelihood of re-offending and increases the likelihood of receiving one sentence over another. Sensitivity results for 2009 are summarised in the results presented below.

Results

The main findings for all sentencing comparisons for the matched offender groups between 2005 and 2009 are presented in two tables in Annex A: Table A1.1 which shows the results for the proven re-offending rates and Table A1.2 which summarises the results for the average number of proven re-offences per offender for all matched young offender groups. The coefficients from the logistic regression for each comparison are shown for 2009 in table A1.3 in Annex A.

Detailed results for the five comparisons considered are presented below:

Absolute discharges compared with referral orders, and custodial sentences 6 months or less compared with referral orders

When an offender appears for the first time in court and pleads guilty, the main disposal types available to the sentencer are absolute discharges, referral

²⁹ This analysis uses a user-written STATA routine called `mhbounds` developed by Becker and Caliendo and `rbounds` by Diprete and Gangl. For more information refer to Becker, SO and Caliendo M. [Sensitivity analysis for average treatment effects](#). The Stata Journal (2007) 7, Number 1, pp. 71–83.

orders and custodial sentences. However it was not possible to generate valid matches for the comparison of absolute discharges with referral orders. Also, when limiting the analysis to offenders with no previous convictions the cohort of offenders receiving a short custodial sentence was significantly reduced. Due to issues around sample size these analyses were not conducted; and therefore, results for both of these comparisons have not been included in the report.

Low level community sentences compared with high level community sentences (15 to 17 year olds)³⁰

Young offenders given low level community sentences re-offended at a lower rate than those matched offenders given a higher level community sentence; the differences were statistically significant and ranged from 4 to 6 percentage points over the 5 years. In 2009, there was a statistically significant difference of 4 percentage points.

When offenders were compared in terms of the frequency of re-offending, those young people who received a low level community sentence committed fewer re-offences on average than young offenders who received a high level community sentence. In 2009, there was a statistically significant difference of 0.26 fewer re-offences per offender. The difference ranged between 0.26 and 0.34 re-offences offender for all years from 2005 to 2009.

The results suggest that for some offenders low level community sentences can be more effective at reducing re-offending than high level community sentences.

Sensitivity checks show, for 2009, if an unobserved factor was introduced that reduced the likelihood of re-offending and increased the likelihood of receiving a low level community sentence by even 50 per cent our estimate of difference in the proven re-offending rates would still be statistically significant.

The difference in the proven re-offending frequency rates would become questionable if a factor was introduced that increased the likelihood of receiving a low level community sentence by 10 per cent.

Custodial sentences 6 months or less compared with high level community sentences (15 to 17 year olds)³⁰

Young offenders given a custodial sentence of 6 months or less re-offended at a higher rate than those matched offenders who received a high level community sentence. The difference was statistically significant and ranged between 3-5 percentage points between 2005 and 2008, though in 2009, the re-offending rates for the two sentences were not significantly different after matching.

³⁰ Analyses were limited to offenders aged 15 to 17 year old in this comparison as the majority of offenders receiving these sentences are of this age group.

When offenders were compared in terms of the frequency of their re-offending, those young offenders given a custodial sentence of 6 months or less committed more re-offences in all years than offenders receiving a high level community sentence, the significant difference ranged from 0.39 and 0.76 more re-offences per offender over the 5 years. In 2009, there was a significant difference of 0.48 more re-offences per offenders.

This analysis implies that for some young offenders a custodial sentence of 6 months or less can be less effective than a high level community sentence.

Sensitivity checks show, for 2009, if an unobserved factor was introduced that reduced the likelihood of re-offending and increased the likelihood of receiving a custodial sentence of 6 months or less by even 50 per cent our estimate of difference in the proven re-offending rates would still hold true.

The difference in the proven re-offending frequency rates would become questionable if a factor was introduced that increased the likelihood of receiving a custodial sentence of 6 months or less by 15 per cent.

When adjusting for time spent in custody the re-offending rates for young offenders given custodial sentences of 6 months or less were not statistically significantly different to rates for matched offenders given a high level community sentence, for all years except 2009. In 2009, young offenders given a custodial sentence had a lower re-offending rate, a statistically significant difference of 5 percentage points (see Table C1.1 in Annex C).

There was also no statistically significant difference in the frequency of re-offending between matched offenders from the two sentences in years 2006, 2007 and 2009, when adjusting for time spent in custody. A statistically significant difference was found in 2005 where there were 0.26 fewer re-offences per offender for those offenders with a custodial sentence of 6 months or less, in 2008 there were 0.34 fewer re-offences per offender (see Table C1.2 in Annex C).

Custodial sentences over 6 months and less than 12 months compared with custodial sentences 6 months or less (15 to 17 year olds)³¹

Re-offending rates for young offenders discharged from 6 to 12 month custodial sentences were not statistically significantly different to rates for matched offenders discharged from custodial sentences of 6 months or less, for all years except 2008. In 2008, young offenders given a custodial sentence between 6 and 12 months had a higher re-offending rate, a significant difference of 4 percentage points.

There was also no statistically significant difference in the frequency of re-offending between matched offenders from the two sentences for all years.

³¹ Analyses were limited to offenders aged 15 to 17 year old in this comparison as the majority of offenders receiving these sentences are of this age group.

This suggests that for some young offenders a short custodial sentence of 6 to 12 months can be just as effective at reducing re-offending as a custodial sentence of 6 months or less.

Sensitivity checks carried out on the 2009 data, show if an unobserved factor was introduced that reduced the likelihood of re-offending and increased the likelihood of receiving a 6 to 12 month custodial sentence by even 50 per cent our estimate of difference in the proven re-offending rates would still hold.

The difference in the proven re-offending frequency rates would become questionable if a factor was introduced that increased the likelihood of receiving a 6 to 12 month custodial sentence by 5 per cent.

Annex A: Statistical tables

Table A1.1: Binary proven re-offending rates of matched pairs of young offenders in England and Wales, 2005 to 2009

	2005	2006	2007	2008	2009
Number of matched pairs (15-17 yr olds only)	617	591	643	622	443
Number of offenders in the 'treatment' group unmatched	1	1	0	2	7
Percentage of offenders in the 'treatment' group matched	99.8%	99.8%	100%	99.7%	98.4%
Re-offending rates for Custody (> 6 months and < 12 months)	77%	82%	78%	79%	74%
Re-offending rates for Custody (≤ 6 months)	77%	82%	76%	75%	71%
Difference in re-offending rates (percentage points)	0	0	2	4**	2
Number of matched pairs (15-17 yr olds only)	1,480	1,419	1,360	1,408	1,107
Number of offenders in the 'treated' group unmatched	2	0	1	0	0
Percentage of offenders in the 'treatment' group matched	99.9%	100%	99.9%	100%	100%
Re-offending rates for Custody (≤ 6 months)	78%	80%	78%	77%	74%
Re-offending rates for High Level Community Sentences²	74%	75%	74%	74%	73%
Difference in re-offending rates (percentage points)	4***	5***	4***	3**	0
Number of matched pairs (15-17 yr olds only)	6,972	7,425	7,983	7,217	5,835
Number of offenders in the 'treated' group unmatched	6	2	0	0	0
Percentage of offenders in the 'treatment' group matched	99.9%	100.0%	100.0%	100.0%	100.0%
Re-offending rates for Low Level Community Sentences¹	62%	62%	62%	62%	63%
Re-offending rates for High Level Community Sentences²	67%	69%	67%	68%	67%
Difference in re-offending rates (percentage points)	-4***	-6***	-5***	-5***	-4***

*** Significant at the 1% level, ** Significant at the 5% level

Source: Police National Computer (PNC) extract linked to data from the National Offender Management Service (NOMS) and Secure Accommodation Clearing House System (SACHS)

Notes:

¹ Low level community sentences include: Reparation Orders, Action Plan Orders and Attendance Centre Orders

² High level community sentences include: Community Punishment Orders, Community Rehabilitation Orders, Community Rehabilitation and Punishment Orders, Supervision Orders and Curfew Orders

Table A1.2: Frequency of proven re-offending rates of matched pairs of young offenders in England and Wales, 2005 to 2009

	2005	2006	2007	2008	2009
Number of matched pairs (15-17 yr olds only)	617	591	643	622	443
Number of offenders in the 'treatment' group unmatched	1	1	0	2	7
Percentage of offenders in the 'treatment' group matched	99.8%	99.8%	100%	99.7%	98.4%
Re-offending rates for Custody (> 6 months and < 12 months)	4.21	4.50	3.83	3.84	3.18
Re-offending rates for Custody (≤ 6 months)	4.18	4.62	3.86	3.52	3.24
Difference in the average number of re-offences per offender	0.04	-0.13	-0.03	0.33	-0.06
Number of matched pairs (15-17 yr olds only)	1,480	1,419	1,360	1,408	1,107
Number of offenders in the 'treatment' group unmatched	2	0	1	0	0
Percentage of offenders in the 'treatment' group matched	99.9%	100%	99.9%	100%	100%
Re-offending rates for Custody (≤ 6 months)	4.21	4.22	4.16	3.71	3.60
Re-offending rates for High Level Community Sentences²	3.76	3.56	3.40	3.32	3.12
Difference in the average number of re-offences per offender	0.44***	0.66***	0.76***	0.39***	0.48***
Number of matched pairs (15-17 yr olds only)	6,972	7,425	7,983	7,217	5,835
Number of offenders in the 'treatment' group unmatched	6	2	0	0	0
Percentage of offenders in the 'treatment' group matched	99.9%	100%	100%	100%	100%
Re-offending rates for Low Level Community Sentences¹	2.48	2.42	2.24	2.24	2.24
Re-offending rates for High Level Community Sentences²	2.78	2.75	2.58	2.55	2.50
Difference in the average number of re-offences per offender	-0.3***	-0.33***	-0.34***	-0.3***	-0.26***

*** Significant at the 1% level, ** Significant at the 5% level

Source: Police National Computer (PNC) extract linked to data from the National Offender Management Service (NOMS) and Secure Accommodation Clearing House System (SACHS)

Notes:

¹ Low level community sentences include: Reparation Orders, Action Plan Orders and Attendance Centre Orders

² High level community sentences include: Community Punishment Orders, Community Rehabilitation Orders, Community Rehabilitation and Punishment Orders, Supervision Orders and Curfew Orders

Table A1.3: Logistic regression model output showing the statistically significant¹ offender and offence characteristics that affect 15-17 year old offenders receiving a particular sentence outcome, 2009

	Custody (> 6 months & < 12 months) compared with Custody (≤ 6 months)		Custody (≤ 6 months) compared with High Level Community Sentences ⁴		Low Level Community Sentences ³ compared with High Level Community Sentences ⁴	
Offender characteristics	Coefficient (SE)	P-Value	Coefficient (SE)	P-Value	Coefficient (SE)	P-Value
Age	0.16(0.06)	0.01	0.29(0.04)	<0.001	-0.16(0.02)	<0.001
Age of first offence	-	-	-0.07(0.04)	0.10	-0.08(0.02)	<0.001
Number of previous offences	-	-	0.2(0.05)	<0.001	-	-
Number of previous custodial sentences	0.17(0.06)	<0.01	0.24(0.03)	<0.001	-0.08(0.02)	<0.01
Copas rate	-	-	0.17(0.06)	<0.01	-0.25(0.02)	<0.001
Count of offences on the index_date	0.26(0.06)	<0.001	0.3(0.03)	<0.001	-0.47(0.02)	<0.001
Constant	-1.64(0.21)	<0.001	-4.18(0.23)	<0.001	-0.31(0.06)	<0.001
Gender						
Female	<i>reference category</i>		<i>reference category</i>		<i>reference category</i>	
Male	-	-	1.68(0.19)	<0.001	-	-
Ethnicity						
White	<i>reference category</i>		<i>reference category</i>		<i>reference category</i>	
Asian	-	-	0.32(0.17)	0.05	-0.21(0.1)	0.04
Black	-	-	0.33(0.1)	<0.01	-0.27(0.06)	<0.001
Not recorded	-	-	<i>reference category²</i>		-0.32(0.21)	0.12
Other	-	-	<i>reference category²</i>		-0.45(0.28)	0.11
Previous Caution Events						
0 Previous Cautions	<i>reference category</i>		<i>reference category</i>		<i>reference category</i>	
1 Previous Cautions	-	-	0.01(0.11)	0.92	0.13(0.06)	0.03
2 Previous Cautions	-	-	-0.23(0.11)	0.04	0.28(0.06)	<0.001
3 or more Previous Cautions	-	-	-0.24(0.16)	0.14	0.33(0.09)	<0.001
Severity of Offence						
Violent Serious Tier 1 index offence	2.32(1.24)	0.06	-2.19(1.03)	0.03	-2.52(0.28)	<0.001
Acquisitive Crime Tier 2 index offence	-0.01(0.3)	0.98	-0.12(0.19)	0.55	-0.74(0.17)	<0.001
Non-serious offences Tier 3 index offence	<i>reference category</i>		<i>reference category</i>		<i>reference category</i>	
Offence Category⁵						
Theft	<i>reference category</i>		<i>reference category</i>		<i>reference category</i>	
Absconding or bail offences	-	-	-	-	-0.05(0.14)	0.71
Criminal or malicious damage	-	-	-0.76(0.19)	<0.001	0.1(0.06)	0.09
Drink driving offences	-	-	-	-	-	-
Domestic burglary	1.28(0.4)	<0.01	0.87(0.24)	<0.001	-1.13(0.21)	<0.001
Drugs import/export/ production/supply	-	-	-	-	-	-
Drugs possession/small scale supply	-	-	-0.56(0.22)	0.01	-0.07(0.08)	0.41
Fraud and forgery	-	-	-	-	-0.07(0.2)	0.74
Handling	-	-	-0.17(0.23)	0.46	-0.33(0.11)	<0.01
Other motoring offences	-	-	-0.15(0.24)	0.53	-0.08(0.11)	0.47
Other	0.31(0.24)	0.19	0.42(0.14)	<0.01	-0.35(0.09)	<0.001
Other burglary	-	-	0.16(0.18)	0.37	-0.8(0.1)	<0.001
Public order or riot	0.76(0.32)	0.02	0.35(0.16)	0.03	-0.28(0.07)	<0.001
Robbery	1.44(0.41)	<0.001	0.88(0.25)	<0.001	-1.63(0.22)	<0.001
Sexual	-	-	-	-	-	-
Sexual (child)	-	-	-	-	-	-
Taking and driving away and related offences	-	-	-0.05(0.21)	0.83	-0.02(0.12)	0.88
Theft from vehicles	-	-	-	-	0.26(0.23)	0.25
Non-serious violence	0.55(0.25)	0.03	0.39(0.12)	<0.01	-0.79(0.05)	<0.001
Violence Serious	-0.57(1.27)	0.65	3.75(1.05)	<0.001	-	-

Source: Police National Computer (PNC) extract linked to data from the National Offender Management Service (NOMS) and Secure Accommodation Clearing House System (SACHS)

Notes:

1. Explanatory variables with p-values <0.2 are included in the regression model.

2. Ethnicities 'not recorded' and 'other' were included in the reference category due to small numbers in these categories.

3. Low level community sentences include: Reparation Orders, Action Plan Orders and Attendance Centre Orders

4. High level community sentences include: Community Punishment Orders, Community Rehabilitation Orders, Community Rehabilitation and Punishment Orders, Supervision Orders and Curfew Orders

5. Offence Categories with '-' have been merged into the 'Other' category as these categories have less than 25 observations

Table A1.4: Descriptive statistics before matching for each sentence considered, 2009

	Absolute discharges	Referral orders	Low level community sentences	High level community sentences	Custody ≤ 6 months	Custody ≤ 6 months and < 12 months
Total number of young offenders	26,904	17,566	5,835	10,339	1,107	450
Gender						
Female	6,958	3,655	973	1,558	30	8
Male	19,946	13,911	4,862	8,781	1,077	442
Age						
10	152	29	-	-	-	-
11	506	153	-	-	-	-
12	1,276	510	-	-	-	-
13	2,633	1,248	-	-	-	-
14	4,353	2,434	-	-	-	-
15	5,968	3,778	1,755	2,556	150	35
16	6,124	4,339	2,162	3,569	357	154
17	5,892	5,075	1,918	4,214	600	261
Severity of offence						
Tier 1 Violent Offences	361	327	15	235	41	40
Tier 2 Acquisitive Crime	1,430	2,333	338	1,805	272	171
Tier 3 Offences	25,092	14,901	5,481	8,296	794	239
Tier unknown	21	5	1	3	-	-
Ethnicity						
Asian	936	895	173	406	51	28
Black	1,784	1,967	501	1,210	152	69
Not Recorded	340	218	39	84	8	2
Other	145	117	19	54	5	6
White	23,699	14,369	5,103	8,585	891	345
Age of first offence						
10	1,105	696	485	757	122	50
11	2,050	1,246	695	1,180	179	58
12	3,456	2,140	1,155	1,821	225	107
13	4,886	3,025	1,326	2,227	233	98
14	5,467	3,424	1,158	2,134	140	52
15	4,877	3,222	735	1,460	127	53
16	3,287	2,259	244	621	65	27
17	1,776	1,554	37	139	16	5
Offence Category						
Absconding Bail Offence	15	111	95	172	20	4
Criminal Malicious Damage	4,497	2,120	965	968	41	11
Domestic Burglary	660	708	107	695	126	87
Drink Driving	-	378	12	31	1	-
Drugs Import/Export/Supply	73	63	13	56	8	2
Drugs possession/Small Scale Supply	2,288	1,097	414	551	30	20
Fraud/Forgery	251	117	46	71	10	-
Handling	400	334	161	278	30	5
Motoring Offence	206	336	156	237	26	16
Other	336	157	208	340	102	24
Other Burglary	987	471	187	433	50	15
Public Order	2,670	1,595	613	783	72	26
Robbery	174	1,012	64	685	93	66
Sexual	107	68	7	41	1	2
Sexual Child	247	101	2	80	2	1
Soliciting Prostitution	3	1	-	-	-	-
Taking and Driving Away	702	774	206	466	53	15
Theft	5,918	2,604	1,251	1,458	132	29
Theft of Vehicles	232	155	85	162	18	6
Violence-non serious	7,010	5,156	1,234	2,682	252	83
Violence-serious	128	208	9	150	40	38
Average number of previous offences	1.0	1.5	7.5	8.5	15.2	15.6
Average count of offences on index date	1.3	1.5	1.4	1.8	2.3	2.6
Average Copas Rate	-1.9	-1.7	-1.0	-0.9	-0.6	-0.7
Average number of cautions	0.8	1.2	1.5	1.4	1.4	1.4
Average number of previous convictions	0.1	0.0	3.4	3.9	6.7	6.8
Average number of previous Prison events	0.0	0.0	0.2	0.3	1.1	1.1

Source: Police National Computer (PNC) extract linked to data from the National Offender Management Service (NOMS) and Secure Accommodation Clearing House System (SACHS)

Annex B: Sentences in the youth justice system

The youth justice system is different to the adult system and is structured to address the needs of young people. Young people between the ages of 10 and 17 years old that are being charged for committing an offence will usually be tried at a youth court. The youth court is part of the magistrates court and up to three specially-trained magistrates hear the case.

A range of out-of-court sentences are available for young people aged between 10 to 17 years. A young person can usually receive one (and only one) of each out-of-court disposals (reprimand or warning). Thus there is a hierarchical and escalating element in the system. If the young person offends repeatedly, this will lead to an appearance in court. A reprimand is usually given for a first offence a warning is normally given for a further low-level offence and triggers a formal assessment by the Youth Offending Team (YOT), and in the majority of cases an intervention is attached. If the young person has been convicted by a court, they cannot (by definition) receive an out-of-court disposal.

If the young person enters court for the first time and has admitted guilt then there are four disposals available to the sentencer, an absolute discharge, a referral order, a hospital order (a small number of cases) or a custodial sentence. If it is the offenders second time in court or if the offender has pleaded 'not guilty' then there is a range of 'first-tier' community and custodial sentences available. These include: conditional discharges, fines reparation orders, youth rehabilitation orders, detention and training orders and other custodial sentences.

The Youth Rehabilitation Order (YRO) came into effect on 30 November 2009 for offences committed on or after this date. Prior to this, there were 11 separate community sentences available to young offenders: Action Plan Order, Attendance Centre Order, Community Punishment Order, Community Rehabilitation Order, Community Punishment and Community Rehabilitation Order, Supervision Order, Curfew Order, Drug and Treatment and Testing Order, Parenting Order, Intensive Supervision and Surveillance Programme and Intensive Fostering. These have now been replaced with 18 requirements that can be attached to the YRO and these are as follows: supervision, curfew, activity, unpaid work, attendance centre order, electronic monitoring, programme, education, exclusion, drug treatment, prohibited activity, residence, intoxicating substance treatment, drug testing, mental health treatment, intensive fostering, Local Authority residence and intensive surveillance supervision. The YROs are tailored by the court to meet the individual needs of the young person and their offending. The analysis in this paper focuses on the community sentences available to young offenders prior to the introduction of the YRO.

The Detention & Training Order (DTO) is the main custodial sentence given to young offenders for a minimum term of four months and a maximum term of two years. The first half of the order is served in custody and the other half under supervision in the community. Other custodial sentences are given for more serious offences these include detention under Section 90, Section 91, S226 Detention for public protection, and S228 Extended sentence.

Annex C: Sensitivity checks

Table C1.1: Sensitivity analysis – adjusting for time in custody (one year proven re-offending rates)

	2005	2006	2007	2008	2009
One year follow-up from discharge date from custody²					
Number of matched pairs (15-17 yr olds only)	1,480	1,419	1,360	1,408	1,107
Number of offenders in the 'treatment' group unmatched	2	0	1	0	0
Percentage of offenders in the 'treatment' group matched	99.9%	100%	99.9%	100%	100%
Re-offending rates for Custody (≤ 6 months)	78%	80%	78%	77%	74%
Re-offending rates for High Level Community Sentences¹	74%	75%	74%	74%	73%
Difference in re-offending rates (percentage points)	4***	5***	4***	3**	0
One year follow-up from conviction date²					
Number of matched pairs (15-17 yr olds only)	1,480	1,419	1,360	1,408	1,107
Number of offenders in the 'treated' group unmatched	2	0	1	0	0
Percentage of offenders in the 'treatment' group matched	99.9%	100%	99.9%	100%	100%
Re-offending rates for Custody (≤ 6 months)	73%	76%	74%	72%	69%
Re-offending rates for High Level Community Sentences¹	74%	75%	74%	74%	73%
Difference in re-offending rates (percentage points)	0	1	0	-2	-5***

*** Significant at the 1% level, ** Significant at the 5% level

Source: Police National Computer (PNC) extract linked to data from the National Offender Management Service (NOMS) and Secure Accommodation Clearing House System (SACHS)

Notes:

¹ High level community sentences include: Community Punishment Orders, Community Rehabilitation Orders, Community Rehabilitation and Punishment Orders, Supervision Orders and Curfew Orders

² A further 6 months is required to allow time for the offence to be proven at court

Table C1.2: Sensitivity analysis – adjusting for time in custody (frequency of proven re-offending rates)

	2005	2006	2007	2008	2009
One year follow-up from discharge date from custody²					
Number of matched pairs (15-17 yr olds only)	1,480	1,419	1,360	1,408	1,107
Number of offenders in the 'treatment' group unmatched	2	0	1	0	0
Percentage of offenders in the 'treatment' group matched	99.9%	100%	99.9%	100%	100%
Re-offending rates for Custody (≤ 6 months)	4.21	4.22	4.16	3.71	3.60
Re-offending rates for High Level Community Sentences¹	3.76	3.56	3.40	3.32	3.12
Difference in the average number of re-offences per offender	0.44***	0.66***	0.76***	0.39***	0.48***
One year follow-up from conviction date²					
Number of matched pairs (15-17 yr olds only)	1,480	1,419	1,360	1,408	1,107
Number of offenders in the 'treatment' group unmatched	2	0	1	0	0
Percentage of offenders in the 'treatment' group matched	99.9%	100%	99.9%	100%	100%
Re-offending rates for Custody (≤ 6 months)	3.50	3.49	3.45	2.99	2.94
Re-offending rates for High Level Community Sentences¹	3.76	3.56	3.40	3.32	3.12
Difference in the average number of re-offences per offender	-0.26**	-0.07	0.05	-0.34***	-0.18

*** Significant at the 1% level, ** Significant at the 5% level

Source: Police National Computer (PNC) extract linked to data from the National Offender Management Service (NOMS) and Secure Accommodation Clearing House System (SACHS)

Notes:

¹ High level community sentences include: Community Punishment Orders, Community Rehabilitation Orders, Community Rehabilitation and Punishment Orders, Supervision Orders and Curfew Orders

² A further 6 months is required to allow time for the offence to be proven at court

Table C1.3: Means and t-tests for equality of means in the low level community sentence and high level community sentence groups, before and after matching

Offender characteristics	Sample	Mean of low level community sentences	Mean of high level community sentences	t-test	p>t
Age	Unmatched	-0.11	0.06	-10.20	<0.001
	Matched	-0.11	-0.11	0.22	0.82
Age of first offence	Unmatched	-0.07	0.04	-6.76	<0.001
	Matched	-0.07	-0.07	0.12	0.90
Number of previous custodial sentences	Unmatched	0.08	0.05	-7.78	<0.001
	Matched	0.08	-0.08	0.16	0.87
Copas rate	Unmatched	-0.04	0.02	-3.94	<0.001
	Matched	-0.04	-0.04	-0.19	0.85
Count of offences on the index_date	Unmatched	-0.21	0.12	-19.84	<0.001
	Matched	-0.21	-0.20	-0.62	0.54
Ethnicity					
White	Unmatched		<i>reference category</i>		
	Matched				
Asian	Unmatched	0.03	0.04	-3.16	<0.001
	Matched	0.03	0.03	-0.02	0.99
Black	Unmatched	0.09	0.12	-6.20	<0.01
	Matched	0.09	0.09	0.07	0.95
Not recorded	Unmatched	0.01	0.01	-1.01	0.31
	Matched	0.01	0.01	-0.14	0.89
Other	Unmatched	0.00	0.01	-1.79	0.07
	Matched	0.00	0.00	0.49	0.62
Previous Caution Events					
0 Previous Cautions	Unmatched		<i>reference category</i>		
	Matched				
1 Previous Cautions	Unmatched	0.30	0.32	-2.30	0.02
	Matched	0.30	0.31	-0.66	0.51
2 Previous Cautions	Unmatched	0.49	0.45	5.43	0.00
	Matched	0.49	0.49	-0.07	0.94
3 or more Previous Cautions	Unmatched	0.07	0.07	1.03	0.30
	Matched	0.07	0.07	0.34	0.74
Severity of Offence					
Violent Serious Tier 1 index offence	Unmatched	0.00	0.02	-10.01	<0.001
	Matched	0.00	0.00	-0.27	0.79
Acquisitive Crime Tier 2 index offence	Unmatched	0.06	0.17	-21.31	<0.001
	Matched	0.06	0.06	0.24	0.81
Non-serious offences Tier 3 index offence	Unmatched		<i>reference category</i>		
	Matched				
Offence Category¹					
Theft	Unmatched		<i>reference category</i>		
	Matched				
Absconding or bail offences	Unmatched	0.02	0.02	-0.17	0.87
	Matched	0.02	0.02	-0.12	0.90
Criminal or malicious damage	Unmatched	0.17	0.09	13.59	<0.001
	Matched	0.17	0.16	0.13	0.90
Drink driving offences	Unmatched	-	-	-	-
	Matched	-	-	-	-
Domestic burglary	Unmatched	0.02	0.07	-13.83	<0.001
	Matched	0.02	0.02	0.53	0.59
Drugs/export/production/supply	Unmatched	-	-	-	-
	Matched	-	-	-	-
Drugs possession/small scale supply	Unmatched	0.07	0.05	4.56	<0.001
	Matched	0.07	0.07	0.10	0.92
Fraud and forgery	Unmatched	0.01	0.01	0.73	0.46
	Matched	0.01	0.01	-0.55	0.58
Handling	Unmatched	0.03	0.03	0.26	0.79
	Matched	0.03	0.03	-0.34	0.73
Other motoring offences	Unmatched	0.03	0.02	1.51	0.13
	Matched	0.03	0.03	0.06	0.95
Other	Unmatched	0.04	0.07	-6.37	0.00
	Matched	0.04	0.05	-0.64	0.52
Other burglary	Unmatched	0.03	0.04	-3.13	<0.001
	Matched	0.03	0.03	-0.26	0.80
Public order or riot	Unmatched	0.11	0.08	6.38	0.00
	Matched	0.11	0.11	-0.14	0.89
Robbery	Unmatched	0.01	0.07	-16.20	<0.01
	Matched	0.01	0.01	0.57	0.57
Sexual (child)	Unmatched	-	-	-	-
	Matched	-	-	-	-
Taking and driving away and related offences	Unmatched	0.04	0.05	-2.99	<0.01
	Matched	0.04	0.04	-0.14	0.89
Theft from vehicles	Unmatched	0.01	0.02	-0.55	0.58
	Matched	0.01	0.02	-0.34	0.74
Non-serious violence	Unmatched	0.21	0.26	-6.84	<0.001
	Matched	0.21	0.21	0.23	0.82
Violence Serious	Unmatched	-	-	-	-
	Matched	-	-	-	-

Source: Police National Computer (PNC) extract linked to data from the National Offender Management Service (NOMS) and Secure Accommodation Clearing House System (SACHS)

¹ Offence Categories with '-' have been merged into the 'Other' category as these categories have less than 25 observations

Table C1.4: Means and t-tests for equality of means in the (≤ 6 months) custodial sentence and high level community sentence groups, before and after matching

Offender characteristics	Sample	Mean of custodial sentences ≤ 6 months	Mean of high level community sentences	t-test	p>t
Age	Unmatched	0.28	-0.03	9.90	<0.001
	Matched	0.28	0.32	-0.98	0.33
Age of first offence	Unmatched	-0.20	0.02	-6.87	<0.001
	Matched	-0.20	-0.17	-0.48	0.63
Number of previous offences	Unmatched	0.65	-0.07	23.26	<0.001
	Matched	0.65	0.59	0.96	0.34
Number of previous custodial sentences	Unmatched	0.68	-0.07	24.45	<0.001
	Matched	0.68	0.57	1.62	0.10
Copas rate	Unmatched	0.43	-0.05	15.32	<0.001
	Matched	0.43	0.44	-0.17	0.87
Count of offences on the index_date	Unmatched	0.33	-0.04	11.65	<0.001
	Matched	0.33	0.27	1.10	0.27
Gender					
Female	Unmatched		<i>reference category</i>		
	Matched				
Male	Unmatched	0.97	0.85	11.37	<0.01
	Matched	0.97	0.98	-0.96	0.34
Ethnicity					
White, Other and Not Recorded	Unmatched		<i>reference category</i>		
	Matched				
Asian	Unmatched	0.05	0.04	1.10	0.27
	Matched	0.05	0.04	0.17	0.86
Black	Unmatched	0.14	0.12	1.98	0.05
	Matched	0.14	0.14	-0.42	0.67
Previous Caution Events					
0 Previous Cautions	Unmatched		<i>reference category</i>		
	Matched				
1 Previous Cautions	Unmatched	0.35	0.32	1.97	0.05
	Matched	0.35	0.35	-0.13	0.90
2 Previous Cautions	Unmatched	0.42	0.45	-1.36	0.17
	Matched	0.42	0.42	0.18	0.86
3 or more Previous Cautions	Unmatched	0.08	0.07	1.39	0.17
	Matched	0.08	0.08	-0.06	0.95
Severity of Offence					
Violent Serious Tier 1 index offence	Unmatched	0.04	0.02	2.95	<0.01
	Matched	0.04	0.05	-1.08	0.28
Acquisitive Crime Tier 2 index offence	Unmatched	0.25	0.17	5.84	<0.001
	Matched	0.25	0.25	-0.11	0.91
Non-serious offences Tier 3 index offence	Unmatched		<i>reference category</i>		
	Matched				
Offence Category¹					
Theft	Unmatched		<i>reference category</i>		
	Matched				
Absconding or bail offences	Unmatched	-	-	-	-
	Matched	-	-	-	-
Criminal or malicious damage	Unmatched	0.04	0.09	-6.32	<0.001
	Matched	0.04	0.03	0.72	0.47
Drink driving offences	Unmatched	-	-	-	-
	Matched	-	-	-	-
Domestic burglary	Unmatched	0.11	0.07	5.72	<0.001
	Matched	0.11	0.12	-0.55	0.58
Drugs/export/production/supply	Unmatched	-	-	-	-
	Matched	-	-	-	-
Drugs possession/small scale supply	Unmatched	0.03	0.05	-3.78	<0.001
	Matched	0.03	0.02	0.53	0.60
Fraud and forgery	Unmatched	-	-	-	-
	Matched	-	-	-	-
Handling	Unmatched	0.03	0.03	0.04	0.97
	Matched	0.03	0.03	0.25	0.80
Other motoring offences	Unmatched	0.02	0.02	0.12	0.91
	Matched	0.02	0.02	0.14	0.89
Other	Unmatched	0.15	0.09	5.78	<0.001
	Matched	0.15	0.15	-0.34	0.73
Other burglary	Unmatched	0.05	0.04	0.52	0.61
	Matched	0.05	0.05	-0.04	0.97
Public order or riot	Unmatched	0.07	0.08	-1.29	0.20
	Matched	0.07	0.07	-0.23	0.82
Robbery	Unmatched	0.08	0.07	2.23	0.03
	Matched	0.08	0.08	-0.01	0.99
Sexual (child)	Unmatched	-	-	-	-
	Matched	-	-	-	-
Taking and driving away and related offences	Unmatched	0.05	0.05	0.43	0.67
	Matched	0.05	0.04	0.54	0.59
Theft from vehicles	Unmatched	-	-	-	-
	Matched	-	-	-	-
Non-serious violence	Unmatched	0.23	0.26	-2.30	0.02
	Matched	0.23	0.23	0.01	0.99
Violence Serious	Unmatched	0.04	0.01	5.36	<0.001
	Matched	0.04	0.05	-1.13	0.26

Source: Police National Computer (PNC) extract linked to data from the National Offender Management Service (NOMS) and Secure Accommodation Clearing House System (SACHS)

Notes:

¹ Offence Categories with '-' have been merged into the 'Other' category as these categories have less than 25 observations

Table C1.5: Means and t-tests for equality of means in the (> 6 months and < 12 months) custodial sentence and (≤ 6 month) custodial sentence groups, before and after matching

Offender characteristics	Sample	Mean of custodial sentences (> 6 months and < 12 months)	Mean of custodial sentences (≤ 6 months)	t-test	p>t
Age	Unmatched	0.10	-0.04	2.47	0.01
	Matched	0.10	0.20	-1.58	0.11
Number of previous custodial sentences	Unmatched	0.04	-0.02	1.06	0.29
	Matched	-0.01	-0.10	1.42	0.16
Count of offences on the index_date	Unmatched	0.14	-0.06	3.44	<0.01
	Matched	0.08	-0.04	1.72	0.09
Severity of Offence					
Violent Serious Tier 1 index offence	Unmatched	0.09	0.04	4.20	<0.001
	Matched	0.09	0.10	-0.64	0.52
Acquisitive Crime Tier 2 index offence	Unmatched	0.38	0.25	5.37	0.00
	Matched	0.37	0.38	-0.04	0.97
Non-serious offences Tier 3 index offence	Unmatched		<i>reference category</i>		
Matched					
Offence Category¹					
Theft	Unmatched		<i>reference category</i>		
	Matched				
Absconding or bail offences	Unmatched	-	-	-	-
	Matched	-	-	-	-
Criminal or malicious damage	Unmatched	-	-	-	-
	Matched	-	-	-	-
Drink driving offences	Unmatched	-	-	-	-
	Matched	-	-	-	-
Domestic burglary	Unmatched	0.19	0.11	4.16	<0.001
	Matched	0.19	0.17	0.95	0.34
Drugs/export/production/supply	Unmatched	-	-	-	-
	Matched	-	-	-	-
Drugs possession/small scale supply	Unmatched	-	-	-	-
	Matched	-	-	-	-
Fraud and forgery	Unmatched	-	-	-	-
	Matched	-	-	-	-
Handling	Unmatched	-	-	-	-
	Matched	-	-	-	-
Other motoring offences	Unmatched	-	-	-	-
	Matched	-	-	-	-
Other	Unmatched	0.27	0.35	-3.25	<0.01
	Matched	0.27	0.26	0.38	0.70
Other burglary	Unmatched	-	-	-	-
	Matched	-	-	-	-
Public order or riot	Unmatched	0.06	0.07	-0.53	0.59
	Matched	0.06	0.06	-0.25	0.80
Robbery	Unmatched	0.15	0.08	3.72	<0.001
	Matched	0.15	0.17	-0.99	0.33
Sexual (child)	Unmatched	-	-	-	-
	Matched	-	-	-	-
Taking and driving away and related offences	Unmatched	-	-	-	-
	Matched	-	-	-	-
Theft from vehicles	Unmatched	-	-	-	-
	Matched	-	-	-	-
Non-serious violence	Unmatched	0.18	0.23	-1.88	0.06
	Matched	0.19	0.20	-0.41	0.68
Violence Serious	Unmatched	0.08	0.04	3.98	<0.001
	Matched	0.09	0.10	-0.70	0.48

Source: Police National Computer (PNC) extract linked to data from the National Offender Management Service (NOMS) and Secure Accommodation Clearing House System (SACHS)

Notes:

¹ Offence Categories with '-' have been merged into the 'Other' category as these categories have less than 25 observations

Paper 2 Measuring re-offending: varying the follow-up period

Summary

This paper presents proven re-offending rates using one, two and five year follow-up periods. It also presents an update to the 9 year rate which was first published in paper 4.2 in the 2010 Compendium of re-offending statistics and analysis. This update was carried out to reflect the new measure of proven re-offending.

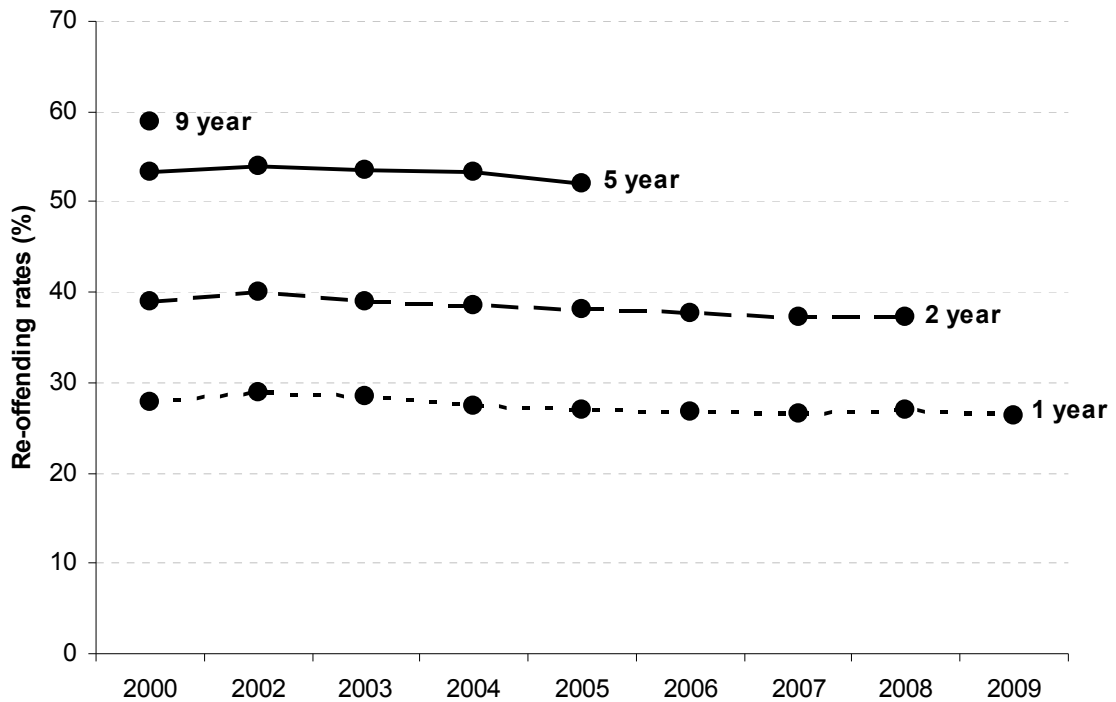
The results show that using the 2000 cohort³² of offenders:

- 27.9 per cent re-offended within one year;
- 38.9 per cent after 2 years;
- 53.2 per cent after 5 years; and,
- 58.9 per cent after nine years.

For adults 26.2 per cent re-offended within one year and 56.4 per cent re-offended within nine years. While for juveniles 33.7 per cent re-offended within one year and 67.7 per cent re-offended within nine years.

Looking at the trends over time, the two and five year re-offending rates both show a similar trend to the one year re-offending rate published in the [Proven Re-offending Statistics Quarterly Bulletin](#) (Figure 2.1). Thus, using a one year follow-up period provides a good proxy for measuring trends in re-offending over longer follow-up periods.

³² The group of offenders over a 12 month period for whom re-offending is measured.

Figure 2.1: Re-offending rates for different follow-up periods

Introduction

The aim of this paper is to provide re-offending rates for longer follow-up periods and to consider what this additional information adds to our understanding of re-offending patterns. This is partly in response to user demands, following the Ministry of Justice consultation on improvements to re-offending statistics, when users asked for the period of measurement to be extended to allow a longer time frame for offences to be measured.

The current measure of re-offending is detailed in the [Proven Re-offending Statistics Quarterly Bulletin](#). The bulletin provides key statistics on proven re-offending in England and Wales for offenders who were released from custody, received a non-custodial conviction at court, received a caution, reprimand, warning or tested positive for opiates or cocaine over a 12 month period. Proven re-offending is defined as any offence committed in a one year follow-up period and receiving a court conviction, caution, reprimand or warning in the one year follow-up or a further six months waiting period.

Using offenders in the 2000 cohort (the earliest available) and the latest data available on the Police National Computer allows us to calculate re-offending rates for follow-up periods of up to 9 years. It will be possible to calculate re-offending rates with a 10 year follow-up period from October 2012 onwards.

The 2010 Compendium of re-offending statistics and analysis included re-conviction rates using 2, 5 and 9 year follow-up periods. These figures were all produced using the old re-conviction measure, which has now been replaced by the proven re-offending measure.

Re-offending rates are lower using the proven re-offending measure than using the previous re-conviction measure. This is because:

- The inclusion of offenders from a full 12 month period (full year cohort) means the re-offending results are calculated using the full offender population from a given year rather than the 3 month period from January to March. This change to a full year cohort ensures that prolific offenders are not over-represented, which was a cause for bias in the January to March cohort as in the previous adult re-conviction measure.
- For adults the new measure counts all offenders including those who received a caution, fine or discharge, where the previous adult re-conviction measure only included those who commenced a court order or were discharged from custody. The inclusion of offenders who received less severe disposals and are generally less prolific reduces the proportion who re-offends.

For further details on the differences between the new proven re-offending measure and the previous re-conviction measure see Annex B in the [Proven Re-offending Statistics Quarterly Bulletin](#).

Methodology

Re-offending rates

The measures used in this report are:

- Re-offending rate (the proportion of offenders who commit a re-offence);
- Average number of re-offences per re-offender; and,
- Average number of re-offences per offender (frequency rate).

Producing rates of re-offending for one year to nine years

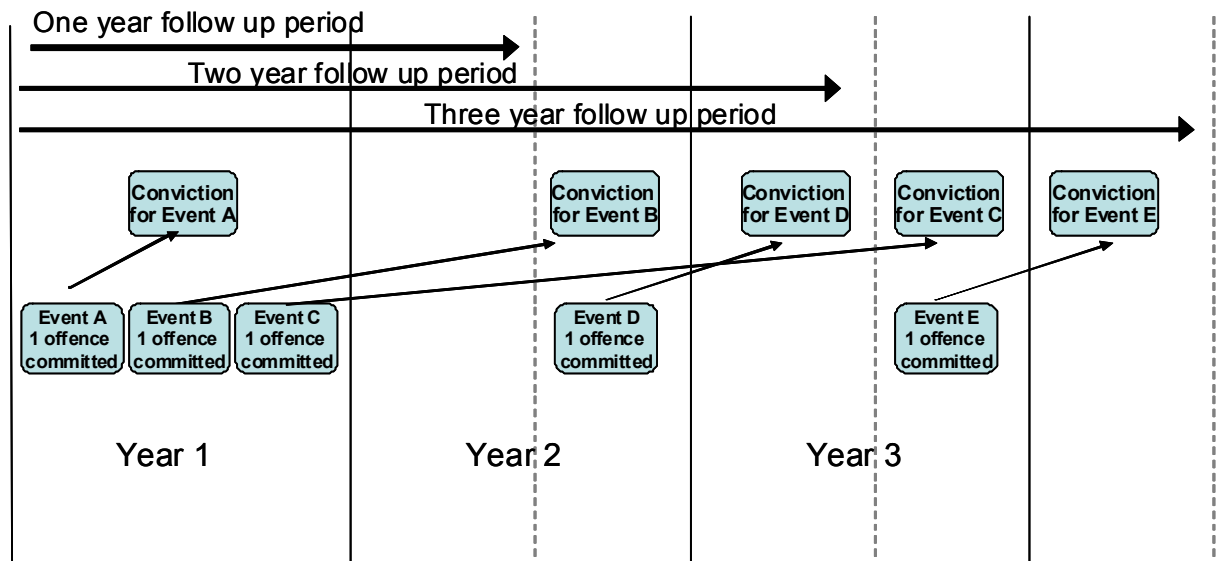
The starting cohort of offenders is the same as the 2000 cohort used in the proven re-offending quarterly statistics. This cohort was then matched to the latest Police National Computer database and their criminal history was collated and criminal behaviour tracked over nine years.

In this article a proven re-offence is defined as any offence committed in the relevant follow-up period and receiving a court conviction, caution, reprimand or warning in the follow-up period or a further six months waiting period. For example for the three year re-offending rate the offender was allowed three years to commit a re-offence and a further 6 months for the offence to be proven by a court conviction, caution, reprimand or final warning. Throughout the report, references to the follow-up period include the further 6 months for the offence to be proven.

Re-offences committed in each year of the follow-up periods

Due to the nature of the follow-up periods the number of offences committed in each year will include those offences committed and proven in that follow-up year as well as offences committed in a previous year but only proven after the previous year's follow-up period. Figure 2.2 gives an example of how re-offences are counted in each year.

Figure 2.2: Diagram summarising which re-offences are included in different follow-up years



Number of offences counted in year 1 → 1 (Event A)
 Number of offences counted in year 2 → 2 (Event B and Event D)
 Number of offences counted in year 3 → 2 (Event C and Event E)

Although Events B and C are committed in year 1 they are not proven until years 2 and 3 respectively. Therefore these re-offences would not be included in the one year rate of re-offending but would be included in the 2 year rate and the 3 year rate respectively.

Results

Table 2.1 and figure 2.3 show that, using the 2000 cohort, 27.9 per cent of offenders re-offend within a one year follow-up period. This rises to 38.9 per cent after two years, 53.2 per cent after five years and 58.9 per cent after nine years. At the point of the one year follow-up period, almost half of offenders who will re-offend within the nine years follow-up have already done so.

Comparing the one and two year rates, just over two-thirds (71.6 per cent) of all offenders who re-offend in the two year follow-up period have already done so within the one year follow-up period.

The nine year re-offending rate of 58.9 per cent is lower than the nine year re-conviction rate of 74.0 per cent previously published in the 2010 Compendium of re-offending statistics and analysis. The main reasons for the difference

between the two measures are discussed in the Introduction of this paper. A more comparable figure would be the re-offending rate for offenders receiving a court order or a custodial sentence the re-offending rate, which is 72.3 per cent.

Figure 2.3: One year to nine year follow-up periods, proven re-offending rates for the 2000 cohort.

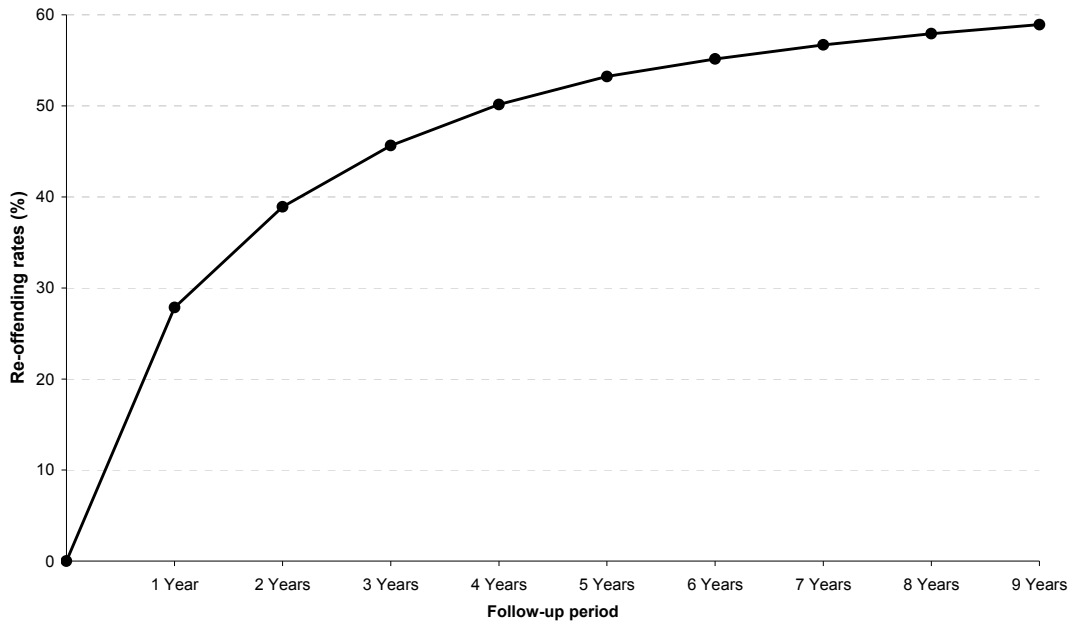


Figure 2.4 shows the 1, 2, 5 and 9 year overall proven re-offending rates over time.

Figure 2.4: Re-offending rates with different follow-up periods

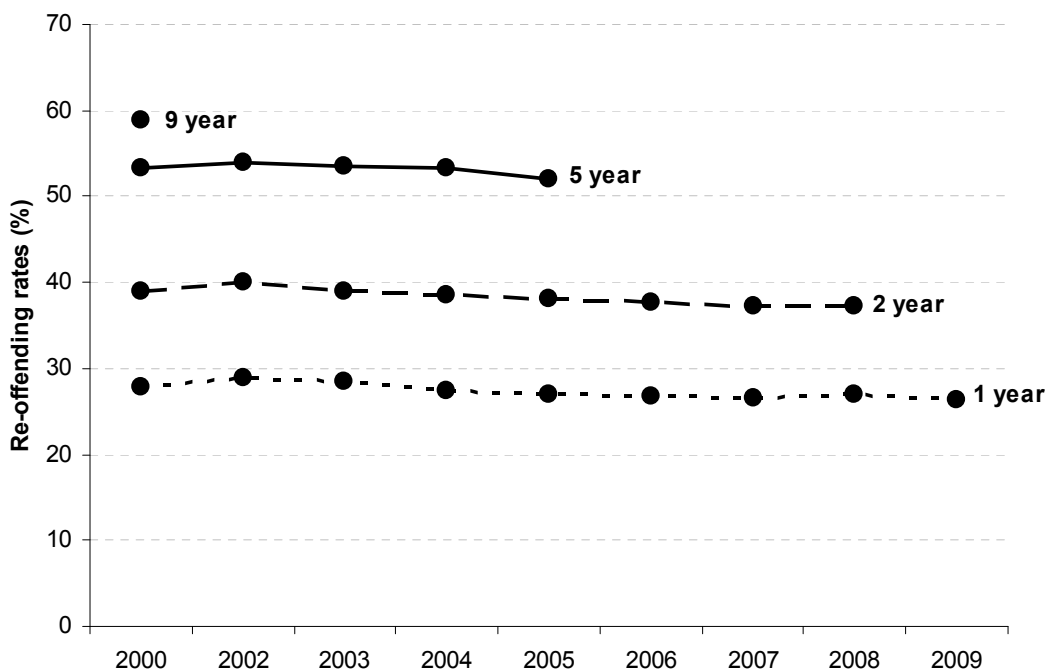


Table 2.1: Proven re-offending rates, for adults and juveniles, for the 2000 cohort, for different follow-up periods

	Follow-up period	Number of offenders in cohort	Proportion of offenders who re-offend (%)	Average number of re-offences per re-offender	Average number of re-offences per offender (frequency rate)
Adult offenders					
	1 Year	477,698	26.2	3.39	0.89
	2 Years	477,698	36.5	4.62	1.69
	3 Years	477,698	42.8	5.68	2.43
	4 Years	477,698	47.1	6.55	3.08
	5 Years	477,698	50.0	7.23	3.61
	6 Years	477,698	52.1	7.84	4.08
	7 Years	477,698	53.8	8.36	4.50
	8 Years	477,698	55.2	8.86	4.89
	9 Years	477,698	56.4	9.33	5.26
Juvenile offenders					
	1 Year	139,326	33.7	3.32	1.12
	2 Years	139,326	47.1	4.67	2.20
	3 Years	139,326	55.3	5.87	3.25
	4 Years	139,326	60.8	6.93	4.21
	5 Years	139,326	64.3	7.83	5.03
	6 Years	139,326	65.7	8.76	5.75
	7 Years	139,326	66.6	9.59	6.38
	8 Years	139,326	67.2	10.36	6.96
	9 Years	139,326	67.7	11.06	7.49
All Offenders					
	1 Year	617,024	27.9	3.37	0.94
	2 Years	617,024	38.9	4.64	1.80
	3 Years	617,024	45.6	5.73	2.62
	4 Years	617,024	50.2	6.66	3.34
	5 Years	617,024	53.2	7.39	3.94
	6 Years	617,024	55.2	8.09	4.46
	7 Years	617,024	56.7	8.69	4.92
	8 Years	617,024	57.9	9.25	5.36
	9 Years	617,024	58.9	9.78	5.76

2 year rates (Tables 2.2 and 2.3)

The adult two year re-offending rate in 2008 was 35.2 per cent, a decrease of 1.3 percentage points compared to the two year rate for 2000. The average number of re-offences per re-offender also fell – down 20 per cent compared to 2000.

The juvenile two year re-offending rate in 2008 was 45.0 per cent, a decrease of 2.1 percentage points compared to 2000. For these offenders the average number of re-offences per re-offender fell by 21 per cent compared to 2000.

5 year rates (Tables 2.2 and 2.3)

The adult five year re-offending rate in 2005 was 48.6 per cent, a decrease of 1.4 percentage points compared to the 5 year rate for 2000. The average number of re-offences per re-offender for these offenders fell by 18 per cent compared to 2000.

The juvenile five year re-offending rate in 2005 was 63.7 per cent, decrease of 0.6 percentage points compared to 2000. The average number of re-offences per re-offender shows a fall of 19 per cent compared to 2000.

Table 2.2: Re-offending rates for different follow-up periods

	2000	2002	2003	2004	2005	2006	2007	2008	2009
Adults									
1y	26.2	27.6	26.9	25.5	24.9	24.6	24.8	25.4	24.9
2y	36.5	37.9	36.6	35.9	35.2	35.0	35.0	35.2	-
5y	50.0	50.9	50.2	49.8	48.6	-	-	-	-
9y	56.4	-	-	-	-	-	-	-	-
Number of offenders	477,698	495,664	520,660	512,600	532,045	571,458	595,020	589,948	576,255
Juveniles									
1y	33.7	33.4	34.3	33.6	33.6	33.9	32.5	32.9	32.8
2y	47.1	47.4	48.1	47.7	47.7	46.9	45.2	45.0	-
5y	64.3	65.0	65.7	65.1	63.7	-	-	-	-
9y	67.7	-	-	-	-	-	-	-	-
Number of offenders	139,326	136,401	138,379	149,452	163,545	171,061	171,454	145,579	121,107
All offenders									
1y	27.9	28.9	28.4	27.3	27.0	26.7	26.5	26.9	26.3
2y	38.9	40.0	39.0	38.5	38.1	37.8	37.3	37.2	-
5y	53.2	54.0	53.5	53.2	52.1	-	-	-	-
9y	58.9	-	-	-	-	-	-	-	-
Number of offenders	617,024	632,065	659,039	662,052	695,590	742,519	766,474	735,527	697,362

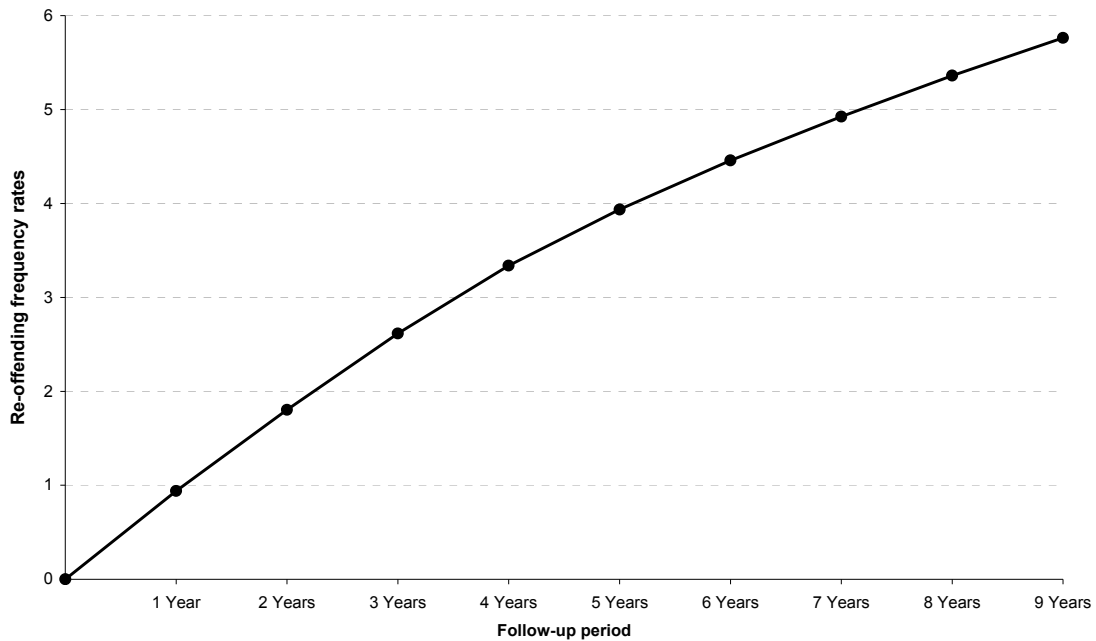
Table 2.3: Average number of re-offences per re-offender

	2000	2002	2003	2004	2005	2006	2007	2008	2009
Adults									
1y	3.39	3.59	3.44	3.27	3.10	2.95	2.94	2.93	2.80
2y	4.62	4.76	4.46	4.22	4.00	3.85	3.81	3.71	-
5y	7.23	6.86	6.45	6.24	5.94	-	-	-	-
9y	9.33	-	-	-	-	-	-	-	-
Juveniles									
1y	3.32	3.29	3.19	3.06	2.91	2.86	2.77	2.75	2.75
2y	4.67	4.53	4.35	4.17	3.98	3.86	3.71	3.71	-
5y	7.83	7.32	7.08	6.78	6.35	-	-	-	-
9y	11.1	-	-	-	-	-	-	-	-
All offenders									
1y	3.37	3.51	3.38	3.21	3.04	2.93	2.89	2.89	2.79
2y	4.64	4.70	4.43	4.21	3.99	3.85	3.78	3.71	-
5y	7.39	6.98	6.62	6.39	6.06	-	-	-	-
9y	9.78	-	-	-	-	-	-	-	-

Average number of re-offences per re-offender

Figure 2.5 shows that, for the 2000 cohort, the average number of re-offences per re-offender rises from 0.94 after one year to 5.76 after nine years. The chart shows that offenders continue to commit substantial numbers of offences after the first year, although the number of re-offences per year does decline over time. No adjustment has been made for factors that may lead to a decline in the number of offences over time such as time in prison, death, migration.

Figure 2.5: One to nine year follow-up for the average number of re-offences per re-offender for the 2000 cohort



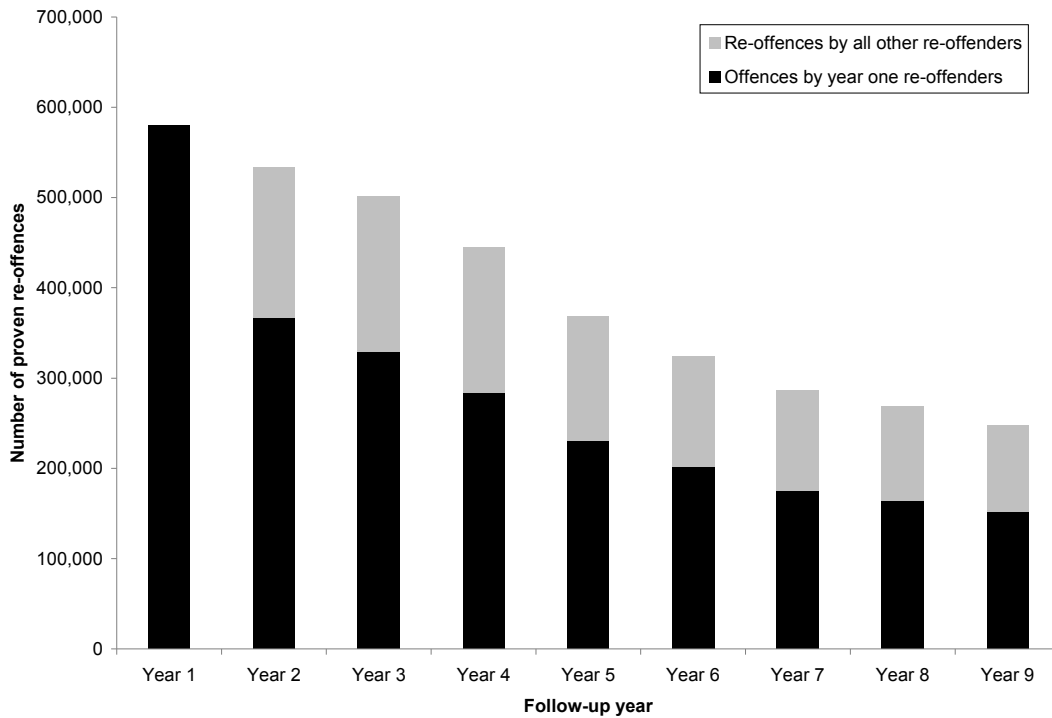
The next section considers the number of re-offences committed in each year over the nine year follow-up period.

Re-offences

In the nine year follow-up period the 617,024 offenders from 2000 committed 3,555,569 proven re-offences. Figure 2.6 shows the number of proven re-offences committed in each of the follow-up years. 579,770 offences were committed in the first year, falling to 533,538 in year two, and to 247,791 offences in year nine. This illustrates the gradual decline in the frequency of re-offending over time.

The chart also clearly shows that those offenders who re-offend in the first year go on to commit a large proportion of the re-offences in future years. For each year following year one, between 61 and 69 per cent of re-offences were committed by those who had a proven re-offence in the one year follow-up period.

Figure 2.6: Number of proven re-offences committed in each of the follow-up years by offenders who re-offended in the first year follow-up period, 2000 cohort



Analysis by Index disposal

Table 2.4a shows the proven re-offending rate for all adult offenders in the 2000 cohort by disposal category. Regardless of the follow-up period, adult offenders who received a caution have the lowest re-offending rates (15.7 per cent after 1 year, 38.0 per cent after 9 years) and those discharged from custody have the highest re-offending rates (45.8 per cent after 1 year, 78.4 per cent after 9 years).

Table 2.4a: Adult Proven re-offending rates, and frequency, after one to nine years for the 2000 cohort, by index disposal

Disposal	Follow-up period	Number of offenders in cohort	Proportion of offenders who re-offend (%)	Average number of re-offences per re-offender	Average number of re-offences per offender (frequency rate)
Cautions	1 Year	135722	15.7	2.43	0.38
	2 Years	135722	23.3	3.02	0.70
	3 Years	135722	28.5	3.52	1.00
	4 Years	135722	32.1	3.91	1.26
	5 Years	135722	34.7	4.22	1.47
	6 Years	135722	35.9	4.58	1.64
	7 Years	135722	36.8	4.91	1.81
	8 Years	135722	37.4	5.22	1.96
	9 Years	135722	38.0	5.50	2.09
Court orders	1 Year	73,075	32.3	3.53	1.14
	2 Years	73,075	44.7	4.97	2.22
	3 Years	73,075	51.9	6.20	3.22
	4 Years	73,075	56.6	7.24	4.10
	5 Years	73,075	59.8	8.06	4.82
	6 Years	73,075	62.5	8.73	5.46
	7 Years	73,075	64.7	9.30	6.01
	8 Years	73,075	66.4	9.85	6.54
	9 Years	73,075	67.8	10.36	7.02
Custody	1 Year	54,108	45.8	4.45	2.04
	2 Years	54,108	59.4	6.63	3.94
	3 Years	54,108	66.1	8.60	5.69
	4 Years	54,108	70.0	10.28	7.20
	5 Years	54,108	72.5	11.64	8.43
	6 Years	54,108	74.5	12.76	9.50
	7 Years	54,108	76.1	13.73	10.45
	8 Years	54,108	77.4	14.66	11.34
	9 Years	54,108	78.4	15.54	12.19
Other Disposals	1 Year	214,793	25.8	3.23	0.83
	2 Years	214,793	36.4	4.31	1.57
	3 Years	214,793	43.0	5.24	2.25
	4 Years	214,793	47.5	6.01	2.85
	5 Years	214,793	50.6	6.61	3.35
	6 Years	214,793	53.2	7.13	3.79
	7 Years	214,793	55.3	7.57	4.19
	8 Years	214,793	57.1	8.00	4.57
	9 Years	214,793	58.5	8.40	4.91
Total	1 Year	477,698	26.2	3.39	0.89
	2 Years	477,698	36.5	4.62	1.69
	3 Years	477,698	42.8	5.68	2.43
	4 Years	477,698	47.1	6.55	3.08
	5 Years	477,698	50.0	7.23	3.61
	6 Years	477,698	52.1	7.84	4.08
	7 Years	477,698	53.8	8.36	4.50
	8 Years	477,698	55.2	8.86	4.89
	9 Years	477,698	56.4	9.33	5.26

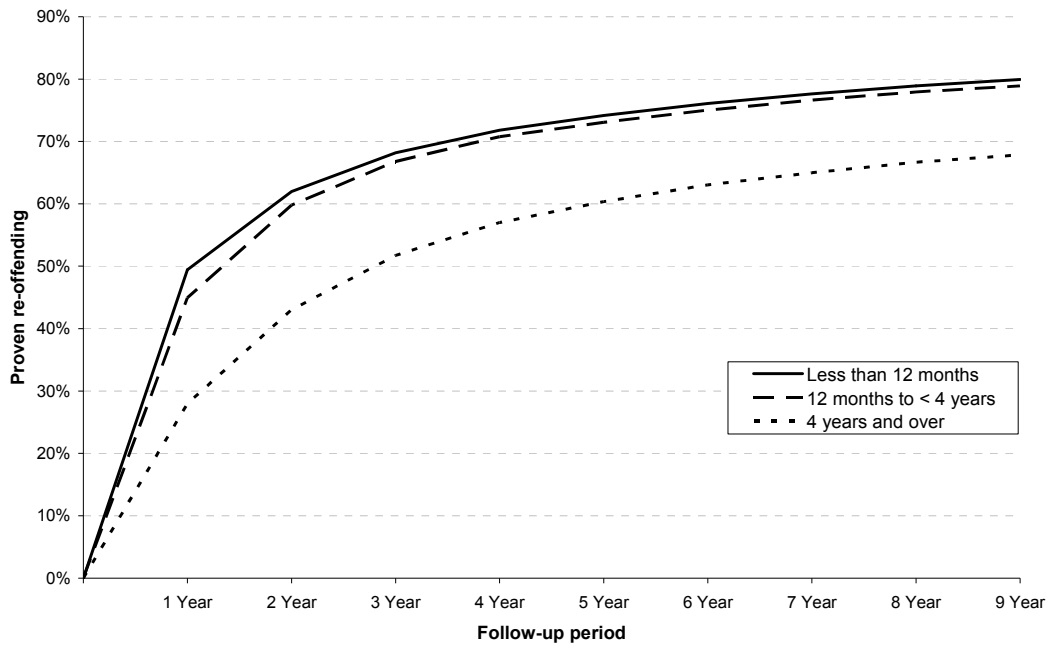
Table 2.4b: Adult Proven re-offending rates, and frequency, after one to nine years for the 2000 cohort, by index disposal: custodial sentence length

Disposal	Follow-up period	Number of offenders in cohort	Proportion of offenders who re-offend (%)	Average number of re-offences per offender	Average number of re-offences per offender (frequency rate)
Custody	1 Year	54,108	45.8	4.45	2.04
	2 Years	54,108	59.4	6.63	3.94
	3 Years	54,108	66.1	8.60	5.69
	4 Years	54,108	70.0	10.28	7.20
	5 Years	54,108	72.5	11.64	8.43
	6 Years	54,108	74.5	12.76	9.50
	7 Years	54,108	76.1	13.73	10.45
	8 Years	54,108	77.4	14.66	11.34
	9 Years	54,108	78.4	15.54	12.19
Less than 12 Months	1 Year	29,205	49.4	4.77	2.36
	2 Years	29,205	62.0	7.15	4.44
	3 Years	29,205	68.2	9.33	6.36
	4 Years	29,205	71.8	11.15	8.01
	5 Years	29,205	74.2	12.58	9.33
	6 Years	29,205	76.1	13.78	10.48
	7 Years	29,205	77.6	14.80	11.49
	8 Years	29,205	78.9	15.75	12.43
	9 Years	29,205	79.9	16.67	13.33
12 months to < 4 years	1 Year	19,788	44.9	4.13	1.86
	2 Years	19,788	59.8	6.20	3.71
	3 Years	19,788	66.8	8.07	5.39
	4 Years	19,788	70.8	9.71	6.87
	5 Years	19,788	73.1	11.07	8.09
	6 Years	19,788	75.0	12.18	9.14
	7 Years	19,788	76.6	13.16	10.08
	8 Years	19,788	77.9	14.09	10.98
	9 Years	19,788	78.9	14.97	11.81
4 Years and over	1 Year	5,115	28.0	3.33	0.93
	2 Years	5,115	43.0	4.66	2.01
	3 Years	5,115	51.7	5.78	2.99
	4 Years	5,115	57.0	6.83	3.90
	5 Years	5,115	60.4	7.67	4.63
	6 Years	5,115	63.0	8.43	5.32
	7 Years	5,115	65.0	9.12	5.93
	8 Years	5,115	66.7	9.81	6.54
	9 Years	5,115	67.9	10.47	7.11

Table 2.4b and Figure 2.7 show that, in line with the published one year proven re-offending rates, the 2, 5 and 9 year re-offending rates are higher for adult offenders discharged from short custodial sentences (less than 12 months) than those discharged from longer sentences. Additionally, those discharged from a short custodial sentence re-offend at a faster rate than longer sentenced prisoners. Among the short sentenced prisoners, 80 per cent of those re-offending within 2 years had already done so within one year. Whereas for long sentenced prisoners (4 years and over) this was only 56 per cent.

Adult offenders discharged from short custodial sentences (less than twelve months) form 5 per cent of the total cohort but commit 11.9 per cent of re-offences in the one year follow-up, and 10.9 per cent of all re-offences over the nine year follow-up (389,198 out of 3,555,569).

Figure 2.7: One year to nine year follow-up for the re-offending rates for the 2000 cohort, by sentence length



Paper 3 The concentration of re-offending

Summary

The concentration of re-offending refers to the unequal distribution of re-offences amongst re-offenders. The main aims of this paper are to examine the concentration of proven re-offending between different re-offender and re-offence types, and local areas.

The analysis shows that offenders with 4 or more re-offences (24 per cent of re-offenders) account for 56 per cent of re-offences, while the most prolific one per cent account for seven per cent of re-offences.

However, the larger group of less frequent re-offenders also account for a considerable proportion of re-offences, with 44 per cent of re-offences committed by the 76 per cent of re-offenders who re-offend one to three times.

There was little variation in the concentration of re-offending amongst re-offenders according to gender and by whether the re-offenders were adults or juveniles. This means that the most prolific re-offenders have a similar gender and adult/juvenile make-up to all re-offenders. In common with all re-offenders, around eight out of ten of the most prolific re-offenders are adults and almost nine out of ten of the most prolific re-offenders are male.

The most prolific re-offenders are more likely than other re-offenders to be on the Prolific and Priority Offender (PPO) scheme and to be drug-misusing offenders.

The concentration of re-offending varies between offence types. The most prolific one per cent of theft re-offenders account for seven per cent of theft re-offences while the most prolific one per cent of violent re-offenders account for four per cent of violent re-offences.

There is also some variation in the concentration of re-offending between upper-tier local authorities, although some of this will be due to the lower numbers at local area level. The percentage of re-offences accounted for by the most prolific percentile of re-offenders ranges from three per cent to eleven per cent.

Introduction

The concentration of re-offending refers to the unequal distribution of re-offences amongst re-offenders. Previous research and analysis has demonstrated that a relatively small number of offenders are responsible for a

high proportion of offences. This finding has been shown from both self-reported offending and proven offending data³³.

Such findings are the basis of crime reduction and criminal justice policies that focus resources on the most prolific offenders in order to achieve greater reductions in re-offending and crime. An example is the Prolific and Priority Offender (PPO) scheme that aims to manage offenders who are identified by local areas as committing a disproportionate amount of crime and harm in their communities.

The aims of this paper are to assess:

- the concentration of re-offending using the proven re-offending data for the 2009 cohort;
- the extent to which concentration of re-offending has changed between the 2000, 2005 and 2009 cohorts; and,
- how concentration of re-offending varies according to various offender characteristics, type of re-offence, and upper-tier local authority.

Methodology

The data used for the analysis of the concentration of re-offending are the proven re-offences committed in a one year follow-up period by the cohort of offenders being released from custody, receiving a non-custodial conviction at court, receiving a caution, reprimand, warning or testing positive for opiates or cocaine between 1 January and 31 December 2009. Just over a quarter (26 per cent) of this cohort re-offended (committed an offence resulting in a conviction, caution, reprimand or final warning) in the one year follow-up period. These re-offenders and their re-offences are the focus of this analysis. These data include nearly 185,000 re-offenders who committed 1.2 million re-offences in the follow-up period³⁴.

The number of re-offences for each re-offender in the follow-up period was extracted from the Police National Computer along with the offender characteristics and the types of re-offences committed.

The distribution of re-offences across re-offenders is shown in two different ways in the paper:

³³ For evidence from self-reported offending data see: Budd, T., Sharp, C. and Mayhew, P. (2005) [Offending in England and Wales: First results from the 2003 Crime and Justice Survey](#), Home Office Research Study 275. London: Home Office. For evidence from proven offending data see: Prime, S., White, S., Liano, S. and Pattel, K. (2001), Criminal careers of those born between 1953 and 1978, Home Office Statistical Bulletin 4/01. London: Home Office.

³⁴ Ministry of Justice (2011) [Proven Re-offending Statistics Quarterly Bulletin. Ministry of Justice Statistical Bulletin](#). London: Ministry of Justice.

1. By calculating the percentage of re-offences committed by the different groups of re-offenders that correspond most closely to the most prolific percentile, decile, and quartile of re-offenders. (Exact percentiles, deciles and quartiles cannot always be calculated as the exact cut-off points divide equally prolific re-offenders); and,
2. Using a Lorenz curve. These graphs are most commonly used in economics to demonstrate the unequal distribution of wealth, but are used in this context to display the unequal distribution of re-offences amongst re-offenders. In this paper, the cumulative percentage of total re-offences is plotted against the cumulative percentage of re-offenders on the graph.

Methodological issues

Using available data on proven re-offending will under-estimate the true extent of re-offending as not all offences are detected and sanctioned. Estimates of the concentration of re-offending based on self-reported offending tend to be greater than estimates of the concentration of re-offending based on proven offending. This is because comparison of self-reported offending surveys and proven offence records indicate that although the probability of an offender being convicted increases with the number of offences committed, the probability of conviction per offence decreases³⁵. So while prolific offenders are likely to be well represented in data on proven offending, the true extent of their offending will not be. In addition, the types of offences for which offenders are found guilty may not reflect the composition of actual offending due to different detection rates for different offence types. This means that any extrapolation from this analysis of the distribution of re-offences amongst re-offenders to the distribution of crime amongst offenders should be treated with caution as patterns in proven offending may not reflect actual offending.

This analysis is based on a one year follow-up period. A different picture may emerge if a longer follow-up period was used.

The disposals received by re-offenders for their re-offence may also influence the findings on the concentration of re-offending. Re-offenders receiving a custodial sentence for a re-offence may then be unable to re-offend for a significant proportion of the re-offending window, which will affect their frequency of re-offending. This is particularly relevant for comparisons of the distribution of re-offences amongst re-offenders by offence type as custody rates for different offence types vary considerably³⁶.

³⁵ Farrington, D. (2003) [What has been learned from self-reports about criminal careers and the causes of offending?](#) Home Office Online Report. London: Home Office.

³⁶ Ministry of Justice (2011) [Criminal Justice Statistics Quarterly Update to December 2010. Ministry of Justice Statistical Bulletin.](#) London: Ministry of Justice.

Results

Overall

The 2009 cohort data are used to calculate the percentage of re-offences committed by the groups of re-offenders that correspond most closely to the most prolific percentile, decile and quartile. This reveals that the top:

- one per cent most prolific re-offenders each commit more than 13 re-offences in the one year follow-up period, accounting for seven per cent of re-offences in total;
- eleven per cent of re-offenders commit more than five re-offences in the one year follow-up period, accounting for just over a third (36 per cent) of total re-offences;
- 24 per cent of re-offenders commit more than three re-offences in the one year follow-up period, accounting for over half (56 per cent) of re-offences in total.

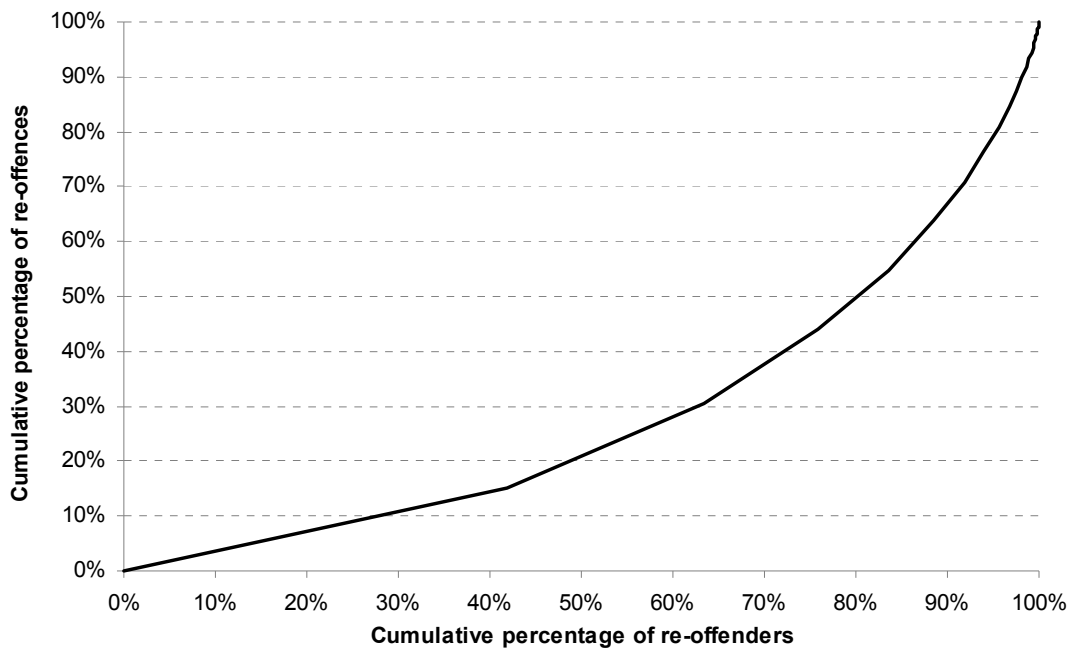
Although the most prolific re-offenders account for a high proportion of re-offences relative to the proportion of re-offenders they represent, the larger group of less frequent re-offenders also account for a considerable proportion of re-offences. In particular, 44 per cent of re-offences are committed by the 76 per cent of re-offenders who re-offend one to three times during the follow-up period, as shown by Table 3.1.

Table 3.1: Percentages of re-offenders and re-offences by number of re-offences committed by each re-offender; 2009 cohort

Number of re-offences	Percentage of re-offenders	Percentage of re-offences	Cumulative percentage of re-offenders	Cumulative percentage of re-offences
1	42%	15%	42%	15%
2 to 3	34%	29%	76%	44%
4 to 5	13%	20%	89%	64%
6 to 10	9%	24%	98%	88%
More than 10	2%	12%	100%	100%
Total number of re-offenders/re-offences	183,382	511,668	183,382	511,668

A graphical display of the concentration of re-offending is shown by Figure 3.1. This uses a Lorenz curve to display the cumulative proportion of re-offences accounted for by the least to the most prolific re-offenders in the 2009 cohort. The first actual data point on the curve (indicated in Figure 3.1) relates to the 42 per cent of re-offenders who commit only one offence in the follow-up period and account for 15 per cent of all re-offences in the follow-up period (see Table 3.1). The increasing gradient of the curve represents the fact that more frequent offenders will inevitably account for an increasingly disproportionate amount of re-offences.

Figure 3.1: Lorenz curve showing the distribution of proven re-offending across re-offenders; 2009 cohort



Over time

Figure 3.2 shows Lorenz curves for the distribution of re-offences amongst re-offenders for the 2000 and 2009 cohorts. The further the Lorenz curves are below the 'line of perfect equality' (which represents the distribution of re-offences amongst re-offenders if all re-offenders re-offended at an equal rate), the more unequal the distribution of re-offences amongst re-offenders and the greater the concentration of re-offending.

There has been a small change in the concentration of re-offending over time, with re-offences slightly less concentrated amongst re-offenders in the 2009 cohort when compared with those in the 2000 cohort (Figure 3.2, Table 3.2). This reflects the decrease in the average number of re-offences per re-offender seen over this period from 3.39 in 2000 to 2.80 in 2009³⁷.

³⁷ Ministry of Justice (2011) [Proven Re-offending Statistics Quarterly Bulletin](#). Ministry of Justice Statistical Bulletin. London: Ministry of Justice.

Figure 3.2: Lorenz curves showing the distribution of proven re-offending across re-offenders; 2000 and 2009 cohorts

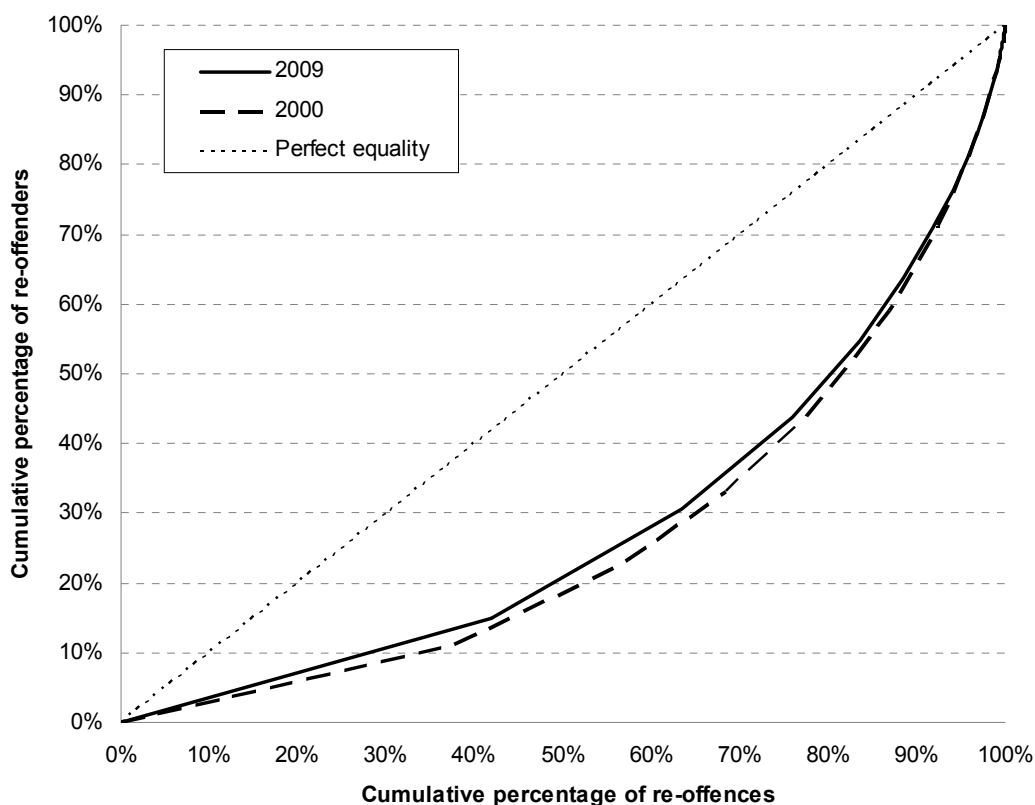


Table 3.2: Percentages of re-offenders and re-offences by number of re-offences committed by each re-offender; 2000, 2005 and 2009 cohorts

Number of re-offences	2000		2005		2009	
	Percentage of re-offenders	Percentage of re-offences	Percentage of re-offenders	Percentage of re-offences	Percentage of re-offenders	Percentage of re-offences
1	37%	11%	39%	13%	42%	15%
2 to 3	31%	22%	33%	26%	34%	29%
4 to 5	14%	18%	14%	20%	13%	20%
6 to 10	13%	28%	11%	27%	9%	24%
More than 10	5%	20%	3%	15%	2%	12%
Total number of re-offenders/re-offences	171,935	579,770	187,539	571,002	183,382	511,668

By offender characteristics

The distribution of re-offences amongst re-offenders is very similar for adults (aged 18 or over), juveniles (aged between 10 to 17), and for males and females. Table 3.3 shows that the most prolific re-offenders within each group (males, females, adults or juveniles) account for a similar proportion of re-offences committed by each group. This means that these demographic characteristics of the most prolific re-offenders are similar to those of re-offenders in general, as shown by Table 3.4. In common with all re-offenders, around eight out of ten of the most prolific re-offenders are adults and almost nine out of ten of the most prolific re-offenders are male.

Table 3.3: The percentages of re-offences committed by re-offenders approximately representing the most prolific percentile, decile and quartile by offender characteristics; 2009 cohort

Type of re-offender	Re-offenders committing more than						Total number of	
	13 re-offences		Five re-offences		Three re-offences		re-offenders	re-offences
	Percentage of re-offenders	Percentage of re-offences	Percentage of re-offenders	Percentage of re-offences	Percentage of re-offenders	Percentage of re-offences		
All	1%	7%	11%	36%	24%	56%	183,382	511,668
Juvenile	1%	6%	12%	37%	24%	57%	39,667	109,259
Adult	1%	7%	11%	36%	24%	56%	143,715	402,409
Male	1%	7%	12%	37%	25%	57%	157,843	445,051
Female	1%	7%	10%	35%	21%	53%	25,539	66,617

Table 3.4: Characteristics of the most prolific offenders; 2009 cohort

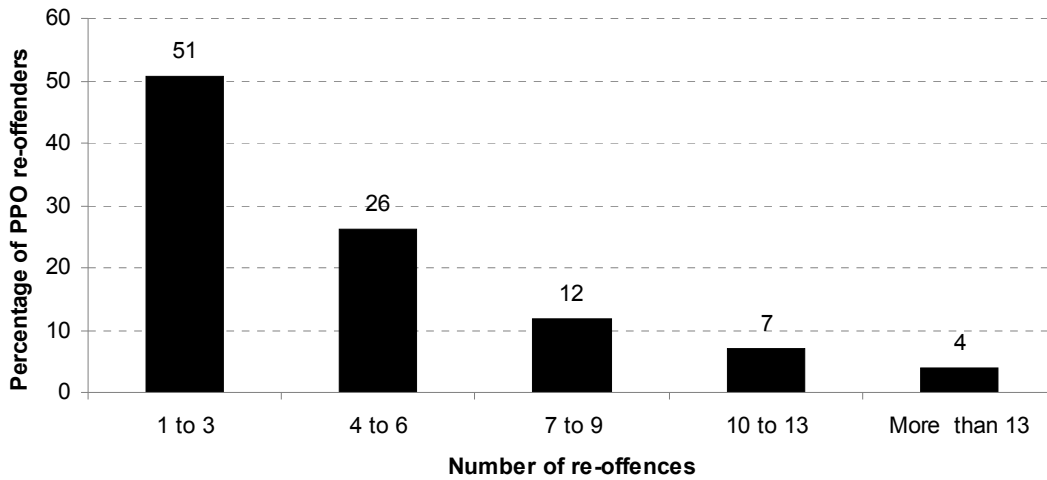
Re-offender characteristics	Re-offenders committing more than			All re-offenders
	13 re-offences	five re-offences	three re-offences	
Juvenile	19%	22%	22%	22%
Adult	81%	78%	78%	78%
Male	87%	88%	88%	86%
Female	13%	12%	12%	14%
PPO	12%	9%	7%	3%
Drug-misusing offender	37%	30%	26%	16%
Average number of previous offences per re-offender	56	36	31	20
Total number of re-offenders	1,924	21,032	44,129	183,382

The PPO Programme has a focus on a small group of the most prolific or persistent offenders identified by relevant agencies in local areas, so it would be expected that the percentage of the most prolific re-offenders who are part of the PPO scheme is higher than for all re-offenders³⁸. Twelve per cent of the most prolific percentile of re-offenders in the 2009 cohort are on the PPO scheme compared with three per cent of all re-offenders (Table 3.4). However, looking at PPOs as a group only a small minority of them (4 per cent) are in the most prolific percentile of re-offenders who commit more than 13 re-offences (Figure 3.3). Around half (51 per cent) of PPOs commit between one and three re-offences. This may seem surprising but could be due to several factors:

- Some PPOs may be in custody for a significant proportion of the follow-up period due to their re-offending;
- The re-offending behaviour of some PPOs will be managed successfully while on the scheme and their re-offending reduced; or,
- Different thresholds will be applied to identifying PPOs in different areas due to different local priorities (see analysis below on distribution of re-offending across re-offenders by area).

³⁸ Please refer to the 'Definitions and Measurement' document for more detail on the PPO scheme and how PPOs are identified: www.justice.gov.uk/statistics/reoffending/proven-re-offending

Figure 3.3: Percentage of PPO re-offenders by number of re-offences committed; 2009 cohort



The relationship between drugs and offending is complex but previous research has shown higher levels of offending amongst drug users³⁹. Drug misusers, identified during their contact with the Criminal Justice System, represent a higher proportion of the most prolific re-offenders compared with all re-offenders.⁴⁰ More than one in three (37 per cent) of the most prolific percentile of re-offenders are drug-misusing offenders compared with around one in six (16 per cent) of all re-offenders (Table 3.4). This finding supports previous research in suggesting that addressing the drug use of the most prolific offenders may be important for reducing the re-offending of this group⁴¹.

The number of previous offences is well established as a predictor of the likelihood and rate of re-offending⁴². This analysis shows that the most prolific re-offenders have, on average, a higher number of previous offences compared with all re-offenders. For example, the most prolific percentile of re-offenders in 2009 had committed 56 previous proven offences on average compared to 20 previous proven offences for all re-offenders (Table 3.4). The 2009 cohort of offenders had committed 10 previous proven offences on average⁴³.

³⁹ Boreham, R., Fuller, E., Hills, A. and Pudney, S. (2006) [The Arrestee Survey Annual Report: Oct 2003 - Sept 2004](#). Home Office Statistical Bulletin 04/06. London: Home Office.

⁴⁰ Please refer to the 'Definitions and Measurement' document for more detail on the definition of drug-misusers: www.justice.gov.uk/statistics/reoffending/proven-re-offending

⁴¹ Perry, A. E., Newman, M., Hallam, G., Johnson, M., Sinclair, J. and Bowes, E. R. (2009) Rapid Evidence Assessment of the evidence on the effectiveness of interventions with persistent/prolific offenders in reducing re-offending. Ministry of Justice Research Series 12/09. London: Ministry of Justice.

⁴² See 'Definitions and Measurement' document: www.justice.gov.uk/statistics/reoffending/proven-re-offending

⁴³ Ministry of Justice (2011) [Proven Re-offending Statistics Quarterly Bulletin](#). Ministry of Justice Statistical Bulletin. London: Ministry of Justice.

By type of re-offence

In this section, the focus is on a specific re-offence type and how these re-offences are distributed amongst re-offenders who commit this type of re-offence (irrespective of the nature of their index offence⁴⁴ or whether they commit other types of re-offence). This is different to analysis of re-offending by offence type in the proven re-offending quarterly statistics, which relates to re-offending rates by offenders with different index offence types (irrespective of their type of re-offence).⁴⁵

The findings show differences in the distribution of re-offences amongst re-offenders by type of re-offence. The most common types of re-offences committed by the 2009 cohort are theft (21 per cent of all re-offences – the majority of which are shoplifting offences⁴⁶) and violence (17 per cent of all re-offences). Figure 3.4 shows Lorenz curves for violence and theft re-offences. In Figure 3.4, the curve for theft diverges further from the line of perfect equality than the curve for violence. This indicates that theft re-offences are concentrated to a greater extent amongst the most prolific re-offenders than are violence re-offences.

- The one per cent of theft re-offenders who each commit more than ten theft re-offences account for seven per cent of theft re-offences.
- The one per cent of violent re-offenders who each commit more than five violent re-offences account for four per cent of violent re-offences.
- Theft re-offenders who only commit one re-offence of theft account for more than half (59 per cent) of theft re-offenders and just over a quarter (28 per cent) of theft re-offences
- Violent re-offenders who only commit one re-offence of violence account for nearly three-quarters (73 per cent) of violent re-offenders and around half (51 per cent) of violent re-offences (Table 3.5).

⁴⁴ The index offence represents the offence that led to the offender entering the cohort.

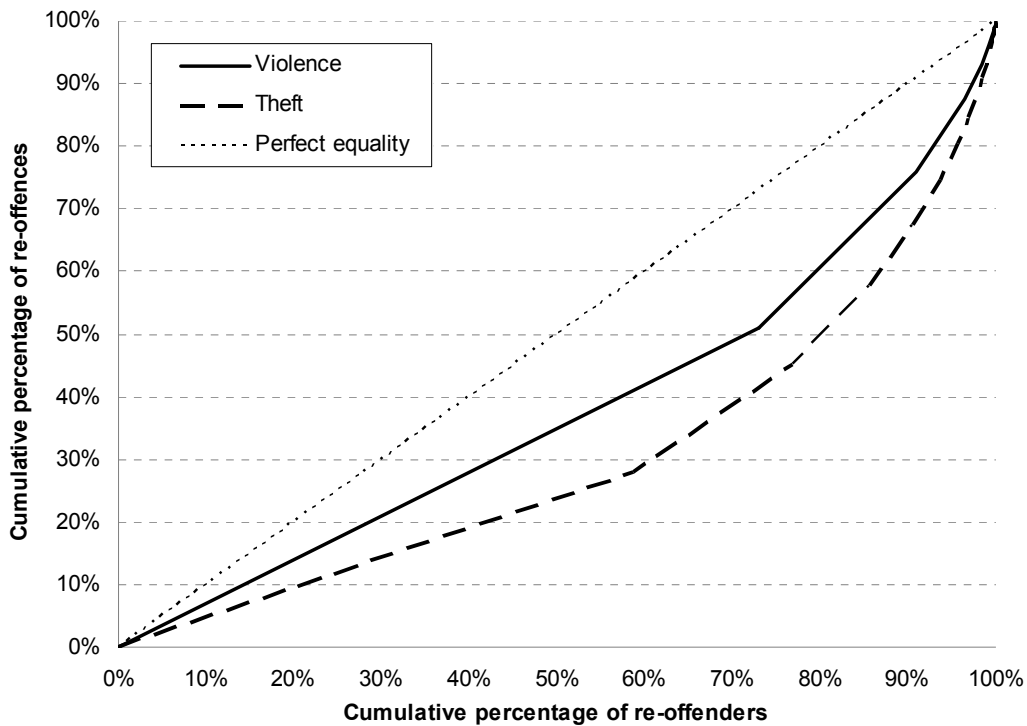
⁴⁵ Ministry of Justice (2011) [Proven Re-offending Statistics Quarterly Bulletin](#). Ministry of Justice Statistical Bulletin. London: Ministry of Justice.

⁴⁶ The theft category also includes theft from the person but excludes theft of and from vehicles while the violence category includes possession of weapons but excludes robbery.

Table 3.5: Percentages of re-offenders and re-offences by number of re-offences committed by each re-offender and re-offence type; 2009 cohort

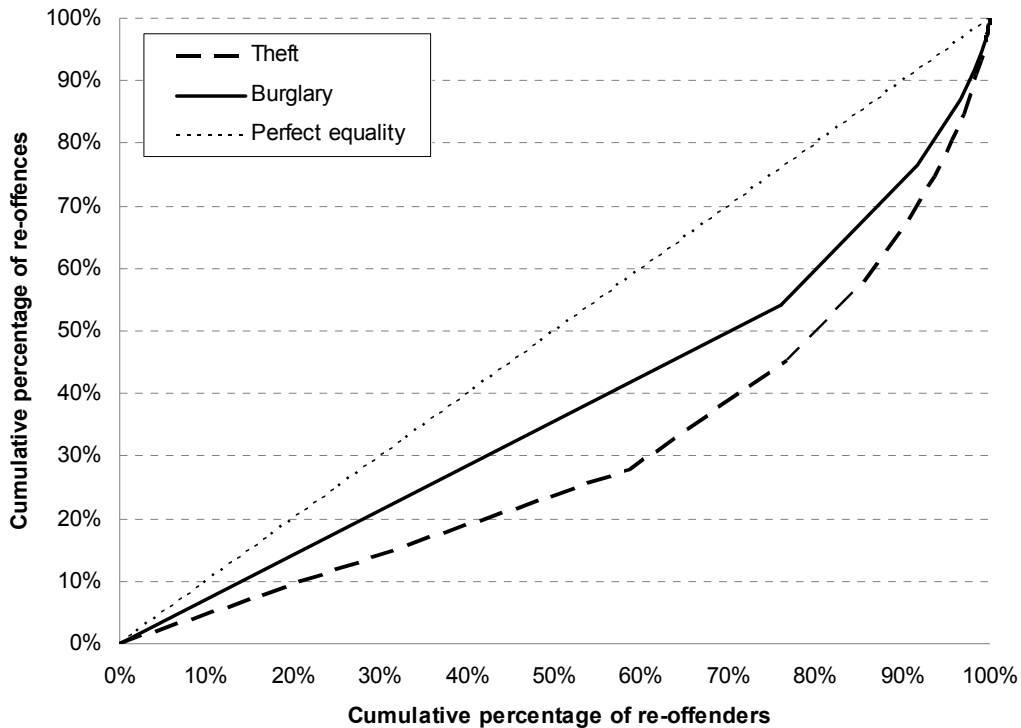
Number of re-offences	Violence		Theft		Burglary	
	Percentage of re-offenders	Percentage of re-offences	Percentage of re-offenders	Percentage of re-offences	Percentage of re-offenders	Percentage of re-offences
1	73%	51%	59%	28%	76%	54%
2 to 3	23%	37%	27%	30%	21%	33%
4 to 5	3%	9%	8%	17%	2%	8%
6 to 10	1%	3%	5%	18%	1%	4%
More than 10	0%	1%	1%	7%	0%	2%
Total number of re-offenders/re-offences	59,040	84,565	52,264	109,761	16,414	23,042

Figure 3.4: Lorenz curves showing the distribution of proven re-offending across re-offenders for violence and theft re-offences; 2009 cohort



Theft re-offences are committed at a higher rate than violence re-offences and there are a greater number of prolific theft re-offenders than violent re-offenders. This results in the higher concentration of theft re-offences. However, the difference in the concentration of re-offending between violent and theft re-offences does not reflect a general difference between violent and acquisitive re-offence types. For example, burglary re-offences are also less concentrated amongst the most prolific re-offenders compared with theft re-offences (Figure 3.5).

Figure 3.5: Lorenz curves showing the distribution of proven re-offending across re-offenders for burglary and theft re-offences; 2009 cohort



By area

Data on the concentration of re-offending by upper-tier local authority are presented in Table 3.6. Concentration of re-offending does appear to vary slightly between areas.

The threshold for identifying the most prolific one per cent of re-offenders varies between those committing more than nine offences in the follow-up period to those committing more than 20 (Table 3.6). This indicates the local variation in frequency of re-offending. It also demonstrates how local areas may focus on the most prolific offenders in their area even if those offenders would not be highlighted as the most prolific on a broader, national scale.

The percentage of re-offences accounted for by the most prolific percentile of re-offenders ranges from three percent to eleven percent. In most local areas (76 per cent of them) the most prolific percentile of re-offenders account for between six and eight per cent of re-offences (Table 3.6). However, at local area level the most prolific percentile consists of a small number of re-offenders, so one or two particularly prolific re-offenders can influence the results.

Table 3.6 (Part 1): Number of re-offences committed and percentage of re-offences accounted for by most prolific percentile of re-offenders, by upper-tier local authority

Local Authority	Number of re-offences	Percentage of re-offences	Number of re-offenders in local cohort
Barking and Dagenham	More than 11	6%	833
Barnet	More than 10	6%	744
Barnsley	More than 10	7%	907
Bath and North East Somerset	More than 14	6%	457
Bedford	More than 12	5%	487
Bexley	More than 11	8%	628
Birmingham	More than 12	6%	4,544
Blackburn with Darwen	More than 17	7%	687
Blackpool	More than 14	7%	1,089
Blaenau Gwent	More than 12	6%	308
Bolton	More than 14	7%	1,059
Bournemouth	More than 13	7%	722
Bracknell Forest	More than 10	5%	212
Bradford	More than 11	6%	2,003
Brent	More than 11	7%	1,145
Bridgend	More than 11	5%	501
Brighton and Hove	More than 18	7%	753
Bristol, City of	More than 15	4%	1,968
Bromley	More than 12	6%	704
Buckinghamshire	More than 13	7%	885
Bury	More than 16	8%	562
Caerphilly	More than 14	8%	569
Calderdale	More than 12	6%	594
Cambridgeshire	More than 15	8%	1,531
Camden	More than 13	7%	800
Cardiff	More than 12	5%	1,537
Carmarthenshire	More than 16	8%	686
Central Bedfordshire	More than 18	11%	442
Ceredigion	More than 9	3%	162
Cheshire East	More than 14	8%	752
Cheshire West and Chester	More than 12	6%	971
City of London	*	*	10
Conwy	More than 12	6%	441
Cornwall	More than 12	7%	1,135
Coventry	More than 11	5%	1,268
Croydon	More than 15	7%	1,444
Cumbria	More than 14	6%	1,963
Darlington	More than 15	6%	523
Denbighshire	More than 15	5%	412
Derby	More than 11	4%	894
Derbyshire	More than 12	5%	1,606
Devon	More than 13	8%	1,521
Doncaster	More than 13	6%	1,324
Dorset	More than 15	6%	760
Dudley	More than 11	5%	724
Durham	More than 14	7%	1,865
Ealing	More than 11	6%	1,070
East Riding of Yorkshire	More than 13	7%	685
East Sussex	More than 12	7%	1,486
Enfield	More than 11	6%	914
Essex	More than 12	6%	3,795
Flintshire	More than 13	6%	423
Gateshead	More than 12	5%	944
Gloucestershire	More than 13	6%	1,676
Greenwich	More than 12	6%	1,014
Gwynedd	More than 14	8%	482
TOTAL	More than 13	7%	183,381

* Data based on less than 100 offenders or offences are removed as they make data unreliable for interpretation.

Table 3.6 (Part 2): Number of re-offences committed and percentage of re-offences accounted for by most prolific percentile of re-offenders, by upper-tier local authority

Local Authority	Number of re-offences	Percentage of re-offences	Number of re-offenders in local cohort
Hackney	More than 11	7%	1,175
Halton	More than 11	6%	451
Hammersmith and Fulham	More than 13	6%	755
Hampshire	More than 16	6%	3,113
Haringey	More than 12	5%	1,235
Harrow	More than 11	5%	458
Hartlepool	More than 15	7%	716
Havering	More than 9	5%	513
Herefordshire	More than 14	7%	436
Hertfordshire	More than 12	6%	2,705
Hillingdon	More than 10	6%	764
Hounslow	More than 13	6%	963
Isle of Anglesey	More than 17	9%	268
Isle of Wight	More than 14	6%	480
Islington	More than 14	6%	1,031
Kensington and Chelsea	More than 11	7%	492
Kent	More than 12	6%	4,130
Kingston upon Hull, City of	More than 13	7%	1,573
Kingston upon Thames	More than 14	8%	294
Kirklees	More than 13	6%	1,293
Knowsley	More than 12	7%	809
Lambeth	More than 11	5%	1,426
Lancashire	More than 14	7%	4,359
Leeds	More than 13	6%	3,479
Leicester	More than 13	6%	1,301
Leicestershire	More than 13	6%	1,088
Lewisham	More than 12	5%	1,268
Lincolnshire	More than 13	7%	1,881
Liverpool	More than 14	6%	2,820
Luton	More than 13	5%	771
Manchester	More than 15	7%	2,810
Medway	More than 13	7%	964
Merthyr Tydfil	More than 12	5%	326
Merton	More than 13	6%	547
Middlesbrough	More than 16	7%	1,139
Milton Keynes	More than 11	6%	925
Monmouthshire	More than 10	7%	204
Neath Port Talbot	More than 16	8%	488
Newcastle-upon Tyne	More than 17	7%	1,890
Newham	More than 12	6%	1,839
Newport	More than 17	6%	835
Norfolk	More than 12	6%	2,308
North East Lincolnshire	More than 13	7%	712
North Lincolnshire	More than 14	4%	533
North Somerset	More than 14	6%	497
North Tyneside	More than 16	8%	946
North Yorkshire	More than 14	6%	1,488
Northamptonshire	More than 13	7%	2,013
Northumberland	More than 12	6%	1,078
Nottingham	More than 16	6%	1,801
Nottinghamshire	More than 13	7%	2,353
Oldham	More than 13	7%	735
Oxfordshire	More than 13	5%	1,505
Pembrokeshire	More than 20	10%	382
Peterborough	More than 15	6%	958
Plymouth	More than 11	6%	1,072
Poole	More than 14	5%	341
TOTAL	More than 13	7%	183,381

* Data based on less than 100 offenders or offences are removed as they make data unreliable for interpretation.

Table 3.6 (Part 3): Number of re-offences committed and percentage of re-offences accounted for by most prolific percentile of re-offenders, by upper-tier local authority

Local Authority	Number of re-offences	Percentage of re-offences	Number of re-offenders in local cohort
Portsmouth	More than 15	7%	983
Powys	More than 13	5%	349
Reading	More than 14	6%	629
Redbridge	More than 11	5%	811
Redcar and Cleveland	More than 15	6%	739
Rhondda, Cynon, Taff	More than 11	5%	908
Richmond upon Thames	More than 17	8%	282
Rochdale	More than 13	5%	812
Rotherham	More than 9	6%	907
Rutland	*	*	31
Salford	More than 13	6%	989
Sandwell	More than 10	6%	1,108
Sefton	More than 14	6%	918
Sheffield	More than 12	6%	2,053
Shropshire	More than 14	8%	641
Slough	More than 13	6%	587
Solihull	More than 14	5%	443
Somerset	More than 18	8%	1,180
South Gloucestershire	More than 14	7%	457
South Tyneside	More than 13	6%	806
Southampton	More than 15	7%	1,155
Southend-on-Sea	More than 14	5%	557
Southwark	More than 12	7%	1,362
St Helens	More than 18	9%	712
Staffordshire	More than 11	7%	1,562
Stockport	More than 12	6%	711
Stockton-on-Tees	More than 15	6%	841
Stoke-on-Trent	More than 11	7%	1,105
Suffolk	More than 17	8%	2,003
Sunderland	More than 15	8%	1,765
Surrey	More than 14	7%	1,891
Sutton	More than 12	7%	501
Swansea	More than 14	6%	991
Swindon	More than 16	7%	552
Tameside	More than 16	8%	778
Telford and Wrekin	More than 13	6%	478
The Vale of Glamorgan	More than 13	6%	492
Thurrock	More than 10	6%	577
Torbay	More than 13	9%	453
Torfaen	More than 16	7%	310
Tower Hamlets	More than 11	5%	1,241
Trafford	More than 11	5%	494
Wakefield	More than 13	7%	1,161
Walsall	More than 12	7%	935
Waltham Forest	More than 12	7%	1,052
Wandsworth	More than 11	6%	814
Warrington	More than 14	7%	589
Warwickshire	More than 12	7%	1,315
West Berkshire	More than 12	3%	364
West Sussex	More than 13	6%	2,027
Westminster	More than 17	5%	963
Wigan	More than 12	5%	924
Wiltshire	More than 12	6%	939
Windsor and Maidenhead	More than 12	7%	255
Wirral	More than 15	8%	1,384
Wokingham	More than 13	6%	198
Wolverhampton	More than 14	7%	1,016
Worcestershire	More than 12	9%	1,496
Wrexham	More than 14	5%	671
York	More than 14	5%	677
TOTAL	More than 13	7%	183,381

* Data based on less than 100 offenders or offences are removed as they make data unreliable for interpretation.

Paper 4 Individual Probation Trust proven re-offending rates for offenders on licence

Summary

Individual Probation Trust proven re-offending rates for offenders released from prison on licence in England and Wales are published in this paper for the first time.

This analysis will help Probation Trusts monitor their success on dealing with people who are on licence and will also be of benefit to policy makers in considering how to develop Payment by Results schemes.

The one year proven re-offending rate for offenders released from prison on licence was 39.2 per cent in 2008 and 37.0 per cent in 2009. This is very similar to the one year re-offending rate for those released from custody after serving a sentence of more than 12 months (34.7 per cent in 2009) who make up the majority of this cohort. The reason for the small difference is because the figure of 34.7 per cent does not include young offenders (aged between 18 and 20) who would be under licence supervision.

The re-offending rates for Probation Trusts varied from 34.6 per cent to 50.2 per cent in 2008 and 28.6 per cent to 46.6 per cent in 2009. The average number of re-offences per re-offender across the Trusts ranged from 2.92 to 4.71 in 2008 and 2.80 to 4.52 in 2009.

After controlling for changes in offender characteristics in the caseload for each Probation Trust, three Trusts (Derbyshire, Devon and Cornwall, and Staffordshire and West Midlands) had re-offending rates statistically significantly lower than expected in 2009 while one Trust (Humberside) had a rate statistically significantly higher than expected.

For future reporting this analysis will be presented in the Ministry of Justice quarterly re-offending bulletin, providing a fuller picture of how re-offending rates vary by Trusts.

Introduction

Currently, proven re-offending rates for offenders released from custody are produced at a national level and also by discharging prison. Many of these offenders are released on licence to be supervised in the community by the Probation Service for the remainder of their sentence. This paper demonstrates how re-offending for these offenders can be attributed to the relevant Probation Trust supervising them on licence.

The aims of this paper are to:

- Use the 2008 and 2009 proven re-offending data⁴⁷ to produce re-offending rates for offenders on licence by Probation Trust level;
- Provide each of the 35 Probation Trusts with a predicted rate of re-offending from which they can measure their progress in reducing re-offending; and,
- Help to inform policy thinking in developing Payment by Results schemes.

Comparing changes in the actual rates of re-offending between Probation Trusts can be misleading. This is because the comparisons are not necessarily like for like as the mix of offenders being dealt with can vary across Trusts and, in the same way, comparisons over time are unreliable. Therefore it is important that comparisons are made on the basis of the reduction in re-offending after controlling for changes in the characteristics of offenders on the caseload in each Trust. To make this comparison, predicted rates have been calculated which are derived from the model used in the Proven Re-offending Statistics Quarterly Bulletin⁴⁸.

Having established a working method for measuring re-offending on licence by Probation Trust, we plan to include this measure in the quarterly proven re-offending statistics bulletin from now on.

Methodology

There are two potential ways to identify those offenders subject to licence supervision: using Probation Trust data on those starting post-release supervision; or using prison data on those released from prison on licence.

Probation Trusts keep electronic records on all offenders they are currently supervising. However, for those offenders who are supervised on licence, the switch from being supervised prior to release to supervision post-release on licence is not always well recorded in the data available to the MoJ (which does not affect the operational working of the Trusts). This means the data available centrally on offenders starting post-release licence supervision is not always complete.

We have, therefore, used prison data to identify those released from prison on licence. The quarterly proven re-offending measures already include all offenders released from custody in the relevant period. To produce this new measure, we have taken the subset of offenders who will be subject to licence

⁴⁷ Proven re-offending data from the proven re-offending quarterly bulletin is derived from offenders who were released from custody, received a non-custodial conviction at court, received a caution, reprimand, warning, or tested positive for opiates or cocaine.

⁴⁸ For more details about how the predicted model works please consult the Definitions and Measurement document at the link <http://www.justice.gov.uk/statistics/reoffending/proven-re-offending>.

supervision after release, and then matched them to probation data to identify the supervising Probation Trust.

This approach has the advantage of providing a further breakdown of published re-offending statistics so that the new measure of re-offending on licence aligns with existing measures and remains under the single framework for measuring re-offending. This means figures can be easily aggregated from Trust level to national figures.

The proven re-offending rate measures re-offending in a one year follow-up period. However, some offenders spend less than 12 months on licence. The re-offending rates presented below may therefore include some re-offending which occurred after the end of the licence period. To create the final cohort of offenders there is a two step process.

Step 1: Identify cohort of offenders released on licence

In order to identify the relevant offenders in our cohort, we restricted the prison discharges to select those who would be subject to licence supervision following their release from prison using the following criteria:

1. All young offenders (aged between 18 and 20); and,
2. Offenders aged 21 or more who received a custodial sentence of 12 months or more.

Step 2: Match cohort to the probation caseload

To identify a Probation Trust for each offender in the cohort we matched the cohort to the probation caseload. To minimise the risk of false matches, the cohort was split into quarters, and each quarter matched to the relevant quarterly probation caseload (for example offenders released from prison in January to March were matched to the probation caseload as at 31 March). Any unmatched offenders were then matched to the next quarterly caseload (so using our example, this would be the caseload as at 30 June). Matching to the second caseload increased the match rate slightly (by just under 2 per cent).

Table 4.1 shows the match rates for each stage in this process starting with the 2009 re-offending cohort.

Table 4.1: Match rates for re-offending cohort, 2009

Offender's age	Step 1: Number of offenders in the re-offending cohort	Step 2: Number matched to Probation Trust caseload	Overall match rate
18-20	8,392	7,497	89.3%
21 and older (sentences of 12 months or more)	25,467	23,043	90.5%
Total	33,859	30,540	90.2%

Assigning offenders to Probation Trusts and local authorities

Offenders were assigned to a Probation Trust based on the data recorded on each Trust's Caseload Management System. In a small number of cases (less than one per cent), offenders could not be assigned to a single Probation Trust as they had been recorded on the caseload of more than one Probation Trust. Any such offenders have been classified as having an Unknown Probation Trust, and therefore only counted towards the England and Wales level data (see Table 4.2 for details).

Proportion of offenders who re-offend adjusted to the 2008 baseline (predicted rate)

The predicted rate is the proportion of offenders we would expect to re-offend given known characteristics of the offenders in the caseload. This is calculated using a model derived from the 2008 cohort (the baseline cohort). This means that the predicted rate is equal to the actual rate for 2008, but different for 2009.

Data sources and quality

The re-offending rates presented here have been produced by matching data from the Prison IT system, Probation Caseload Management systems and the Ministry of Justice extract of the Police National Computer. Although care is taken when processing and analysing the returns, the detail collected is subject to the inaccuracies inherent in any large-scale recording system.

Re-offenders receiving a custodial sentence for a re-offence may then be unable to re-offend for a significant proportion of the re-offending window, which will affect their frequency of re-offending. However, offenders who have entered custody during this one year follow-up period cannot be identified in the dataset, and are therefore included in these figures.

Results

Table 4.2 below shows the re-offending rates for offenders released from prison on licence in 2008 and 2009.

The one year proven re-offending rate for offenders released from prison on licence was 39.2 per cent in 2008 and 37.0 per cent in 2009. This is very similar to the one year re-offending rate for those released from custody after serving a sentence of more than 12 months (34.7 per cent in 2009) who make up the majority of this cohort. The reason for the small difference is because the figure of 34.7 per cent does not include young offenders (aged between 18 and 20) who would be under licence supervision.

The re-offending rates for Probation Trusts varied from 34.6 per cent to 50.2 per cent in 2008 and 28.6 per cent to 46.6 per cent in 2009. The average number of re-offences per re-offender across the Trusts ranged from 2.92 to 4.71 in 2008 and 2.80 to 4.52 in 2009.

After controlling for changes in offender characteristics in the caseload for each Probation Trust, three Trusts (Derbyshire, Devon and Cornwall, and

Staffordshire and West Midlands) had re-offending rates significantly lower than expected in 2009 while one Trust (Humberside) had a rate significantly higher than expected.

Table 4.2: Re-offending rates for offenders released from prison on licence by Probation Trust

Probation Trust	2008						2009					
	Proportion of offenders who re-offend	Average number of offences per re-offender	Average number of re-offences per offender	Number of re-offences	Number of offenders	Proportion of offenders who re-offend - Adjusted to baseline (%) (predicted rate)	Proportion of offenders who re-offend	Average number of offences per re-offender	Average number of re-offences per offender	Number of re-offences	Number of offenders	Proportion of offenders who re-offend - Adjusted to baseline (%) (predicted rate)
Avon and Somerset	41.5	4.39	1.82	1,195	655	41.5	36.9	3.76	1.39	913	659	40.5
Bedfordshire	39.0	3.28	1.28	390	305	39.0	34.1	3.83	1.31	437	334	38.8
Cambridgeshire and Peterborough	38.7	3.92	1.52	565	372	38.7	39.9	3.12	1.24	502	404	37.5
Cheshire	38.9	3.68	1.43	761	532	38.9	36.2	3.68	1.33	658	495	38.7
Cumbria	46.5	3.25	1.51	383	254	46.5	41.4	3.45	1.43	414	290	44.8
Derbyshire	41.5	3.72	1.54	896	581	41.5	36.9	3.27	1.21	648	536	43.2
Devon and Cornwall	42.4	3.15	1.33	690	517	42.4	38.8	3.37	1.31	748	572	44.6
Dorset	35.3	3.73	1.32	366	278	35.3	33.0	3.20	1.06	304	288	34.1
Durham Tees Valley	47.3	4.13	1.95	1,751	896	47.3	46.6	4.00	1.86	1,604	861	47.0
Essex	38.3	3.56	1.36	793	583	38.3	37.5	3.53	1.33	862	650	39.5
Gloucestershire	39.0	3.39	1.32	332	251	39.0	34.2	3.70	1.26	311	246	37.9
Greater Manchester	37.9	3.83	1.45	3,267	2,251	37.9	34.1	3.45	1.17	2,536	2,159	35.5
Hampshire	39.3	3.98	1.56	1,288	825	39.3	40.3	3.84	1.55	1,159	749	39.0
Hertfordshire	37.3	3.77	1.41	430	306	37.3	36.3	3.41	1.24	382	309	39.2
Humberside	38.1	3.67	1.40	1,108	793	38.1	44.1	3.16	1.39	1,067	766	37.7
Kent	35.3	3.22	1.14	802	705	35.3	34.3	3.40	1.17	782	670	33.8
Lancashire	38.5	3.52	1.35	1,277	943	38.5	38.4	3.71	1.42	1,209	850	38.8
Leicestershire	37.5	3.39	1.27	607	477	37.5	35.0	3.65	1.28	587	460	34.5
Lincolnshire	36.7	3.13	1.15	316	275	36.7	28.6	3.44	0.98	268	273	33.0
London	36.2	3.05	1.10	4,954	4,487	36.2	34.9	2.84	0.99	4,550	4,590	36.0
Merseyside	36.1	3.16	1.14	1,488	1,305	36.1	33.6	2.80	0.94	1,114	1,183	34.6
Norfolk and Suffolk	37.5	4.03	1.51	996	659	37.5	35.8	3.76	1.35	883	656	36.8
York and North Yorkshire	46.8	4.11	1.92	637	331	46.8	41.4	3.07	1.27	408	321	45.4
Northamptonshire	34.6	2.92	1.01	394	390	34.6	36.5	3.57	1.30	542	417	32.6
Northumbria	50.2	4.23	2.13	1,752	824	50.2	46.3	4.16	1.92	1,484	771	49.0
Nottinghamshire	39.3	3.22	1.26	875	693	39.3	38.4	3.12	1.20	954	796	39.8
South Yorkshire	42.0	3.19	1.34	1,524	1,138	42.0	38.8	3.03	1.17	1,208	1,029	40.6
Staffordshire and West Midlands	39.3	3.22	1.26	3,538	2,800	39.3	34.1	3.01	1.03	2,887	2,808	38.5
Surrey and Sussex	35.6	3.54	1.26	1,001	795	35.6	36.3	3.58	1.30	1,077	830	35.0
Thames Valley	37.8	3.42	1.29	1,117	865	37.8	35.4	3.21	1.13	952	839	36.2
Wales	43.3	3.63	1.57	2,873	1,826	43.3	41.9	3.43	1.44	2,916	2,026	42.1
Warwickshire	38.4	4.60	1.77	373	211	38.4	38.8	4.52	1.75	393	224	40.1
West Mercia	39.9	3.57	1.43	672	471	39.9	34.2	2.93	1.00	454	453	37.9
West Yorkshire	39.6	3.24	1.28	2,098	1,635	39.6	36.7	3.04	1.12	1,842	1,647	38.4
Wiltshire	37.5	4.71	1.77	311	176	37.5	35.4	3.57	1.27	243	192	36.7
Unknown Area	30.8	3.72	1.15	350	305	30.8	32.1	2.53	0.81	152	187	31.3
Total	39.2	3.51	1.37	42,170	30,710	39.2	37.0	3.31	1.23	37,450	30,540	38.4

Paper 5 Re-offending by offenders on home detention curfew

Summary

The purpose of this paper is to update re-offending rates for offenders who started the Home Detention Curfew (HDC) scheme during 2009/10 and re-offended whilst on the scheme.

In 2009/10, 3.6 per cent of offenders who started the Home Detention Curfew scheme re-offended whilst on the scheme, committing an average of 1.6 offences each during this period. This is the lowest proven re-offending rate figures since 2003/04.

In 2009/10, 32.5 per cent of the proven re-offences (whilst on the HDC scheme) were summary offences of various kinds including summary motoring offences, 27.2 per cent related to theft and handling offences while 15.0 per cent were drug offences. Violent offences made up 6.3 per cent of the total.

Criminal history of offenders on HDC show that the proportion of those offenders who had a number of previous offences of 15 or more fell between 2003/04 (44.1 per cent) and 2008/09 (35.9 per cent), but then increased slightly between 2008/09 and 2009/10 to 39.7 per cent. The proportion of those offenders on HDC who had no previous criminal record fell sharply between 2008/09 and 2009/10 from 14.4 per cent to 6.8 per cent.

Introduction

The Home Detention Curfew (HDC) scheme came into effect in England and Wales on 28 January 1999. To be eligible for the scheme, prisoners need to be primarily serving between three months and less than four years and may be discharged up to 135 days earlier than they would be otherwise, depending on the length of their sentence. Prisoners discharged on HDC are subject to an electronically monitored curfew in their home, usually for twelve hours a day.

The most recent statistics on the number of offenders on HDC were published in 2010 Compendium of re-offending statistics and analysis⁴⁹.

Methodology

The HDC start and end dates used in this paper are taken from data recorded by the Prison Service. Where no end date has been recorded, or where the end date gives a HDC period longer than the maximum of 135 days, the duration of the HDC period has been derived as follows:

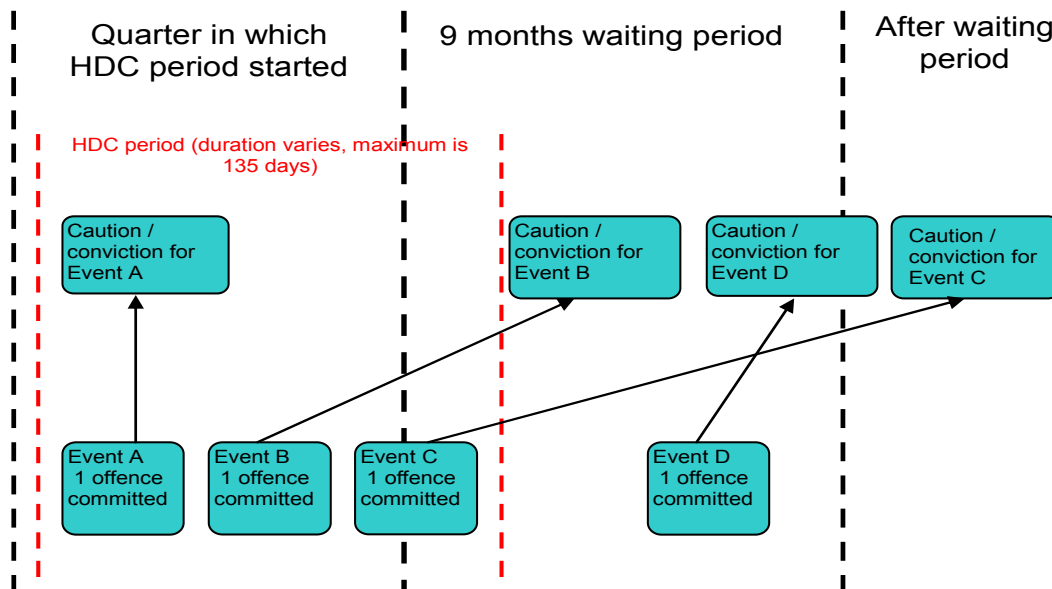
⁴⁹ [Compendium of re-offending statistics and analysis](#); Ministry of Justice, November 2010.

- For offenders recorded as receiving a custodial sentence of eighteen months or longer, the HDC period has been set to 135 days;
- For offenders recorded as receiving a custodial sentence of less than eighteen months, the HDC period has been set as a quarter of the sentence length.

The re-offending data of these offenders is taken from an extract of the Police National Computer (PNC) held by the Ministry of Justice. Offenders recorded in the prison data that cannot be found on the PNC due to discrepancies of recording between the two different systems are excluded from the figures. The figures relate to offenders starting on HDC in each quarter. An offender is considered to have re-offended if, during their period on HDC, he or she committed an offence that was recorded on the PNC as resulting in a reprimand, warning, caution or conviction. For the offence to count, the caution or conviction has to be given within nine months of the end of the offender specific HDC period (this duration varies up to a maximum of 135 days, see Figure 5.1 for more detail).

This approach is not consistent with the measures of re-offending used in the [proven re-offending in England and Wales](#). This is because the statistics presented here measure proven re-offending whilst on the HDC scheme, whereas the main measure of re-offending has a fixed follow-up period of one year with a further six month waiting period to allow for cases to progress through the courts.

Figure 5.1: Offences counted as proven re-offences



Offences A and B count as proven re-offences because they were committed during the HDC period and resulted in a caution or conviction during the HDC period, or during the nine months waiting period. Offence C does not count as a proven re-offence as the caution or conviction was given after the waiting period. Offence D does not count as it was committed after the HDC period.

Results

Re-offending figures for those on HDC from April 2003 to March 2010 are shown in Table 5.1. In 2009/10, 3.6 per cent of those offenders who started on HDC during 2009/10 re-offended while on HDC and committed an average of 1.6 offences each. This is the lowest proven re-offending rate of recorded figures over the period from 2003/04 onwards.

Table 5.1: Proven re-offending rates while on HDC and the number of offences per offender in England and Wales, 2003/04 to 2009/10

Financial Year	Number of offenders on HDC	Number of offenders who re-offended whilst on HDC	Proven re-offending rates	Number of proven re-offences ¹	Proven re-offending frequency rate for re-offenders
2003/04	20,802	1,244	6.0%	2,307	1.85
2004/05	18,587	839	4.5%	1,533	1.83
2005/06	15,443	688	4.5%	1,176	1.71
2006/07	12,626	484	3.8%	822	1.70
2007/08	11,316	486	4.3%	820	1.69
2008/09	11,417	526	4.6%	890	1.69
2009/10	11,532	413	3.6%	668	1.62

¹ The total number offences committed whilst on HDC that resulted in a conviction or caution within nine months of the end of the quarter. Breach offences have been excluded.

Looking at the underlying quarterly data for offenders on HDC, the proven re-offending rate has fallen from around 6 per cent in 2003/04 to remain broadly stable at around 3.5 to 5 per cent over the period between 2004/05 and the first two quarters of 2009/10. It then falls again to around 3 per cent in the most recent 2 quarters. Figure 5.2 shows the proven re-offending rates for offenders commencing HDC in each quarter.

Figure 5.2: Proven re-offending rates of offenders while on home detention curfew in England and Wales, quarterly between 2003/04 to 2009/10

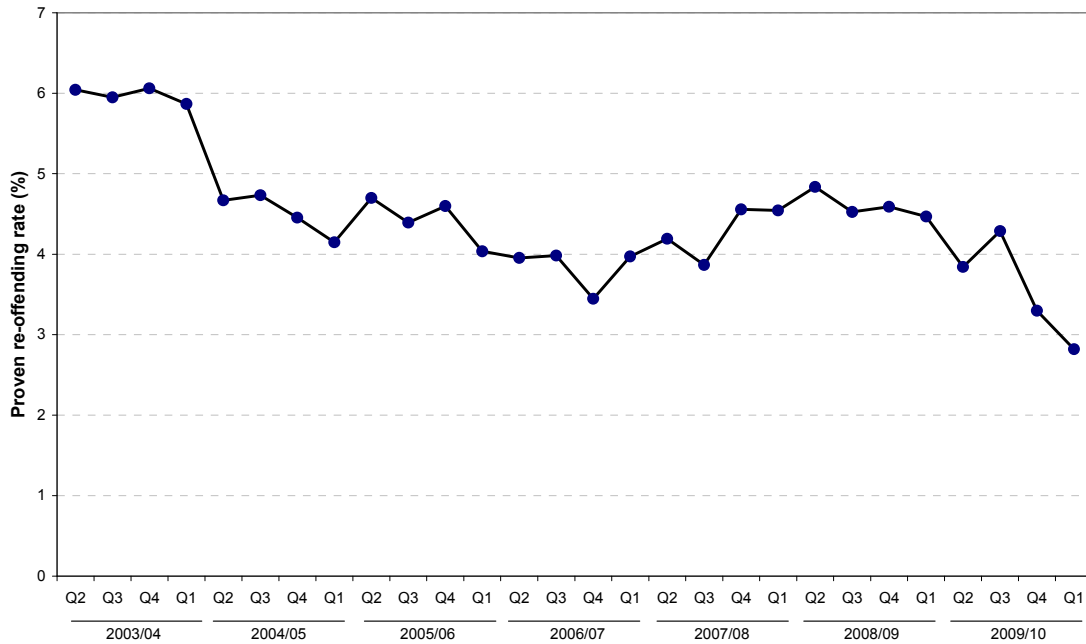


Table 5.2 shows the types of offences committed whilst on HDC. In 2009/10, 32.5 per cent of the proven re-offences were summary offences of various kinds including summary motoring offences, 27.2 per cent related to theft and handling offences while 15.0 per cent were drug offences. Violent offences made up 6 per cent of the total. The trend of re-offences type over the period shows that the proportion of summary offences has generally decreased since being 45.7 per cent in 2003/04 while theft and handling offences has generally increased from 22.5 per cent in 2003/04. Drug offences have a sharp increase to 15.0 per cent compared to 4.0 per cent in 2008/09.

Table 5.2: Proven re-offences committed while on home detention curfew by offence category in England and Wales, 2003/04 to 2009/10

Offence Category	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10
	Number						
Violence against the person	74	47	50	40	60	43	42
Sexual offences	3	2	0	0	1	0	1
Burglary	120	82	81	60	54	70	35
Robbery	19	19	14	19	7	13	4
Theft and handling stolen goods	519	331	282	204	206	252	182
Criminal damage	15	21	5	9	4	1	12
Drug offences	210	142	108	77	88	36	100
Fraud and forgery	103	38	35	30	32	104	34
Indictable motoring offences	18	21	9	7	6	8	8
Other indictable offences	172	96	62	35	35	28	33
Summary motoring offences	658	398	294	172	128	147	85
Summary offences excluding motoring	396	336	236	169	199	188	132
All offences	2,307	1,533	1,176	822	820	890	668
	Percentage						
Violence against the person	3.2%	3.1%	4.3%	4.9%	7.3%	4.8%	6.3%
Sexual offences	0.1%	0.1%	0.0%	0.0%	0.1%	0.0%	0.1%
Burglary	5.2%	5.3%	6.9%	7.3%	6.6%	7.9%	5.2%
Robbery	0.8%	1.2%	1.2%	2.3%	0.9%	1.5%	0.6%
Theft and handling stolen goods	22.5%	21.6%	24.0%	24.8%	25.1%	28.3%	27.2%
Criminal damage	0.7%	1.4%	0.4%	1.1%	0.5%	0.1%	1.8%
Drug offences	9.1%	9.3%	9.2%	9.4%	10.7%	4.0%	15.0%
Fraud and forgery	4.5%	2.5%	3.0%	3.6%	3.9%	11.7%	5.1%
Indictable motoring offences	0.8%	1.4%	0.8%	0.9%	0.7%	0.9%	1.2%
Other indictable offences	7.5%	6.3%	5.3%	4.3%	4.3%	3.1%	4.9%
Summary motoring offences	28.5%	26.0%	25.0%	20.9%	15.6%	16.5%	12.7%
Summary offences excluding motoring	17.2%	21.9%	20.1%	20.6%	24.3%	21.1%	19.8%
All offences (100%)	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

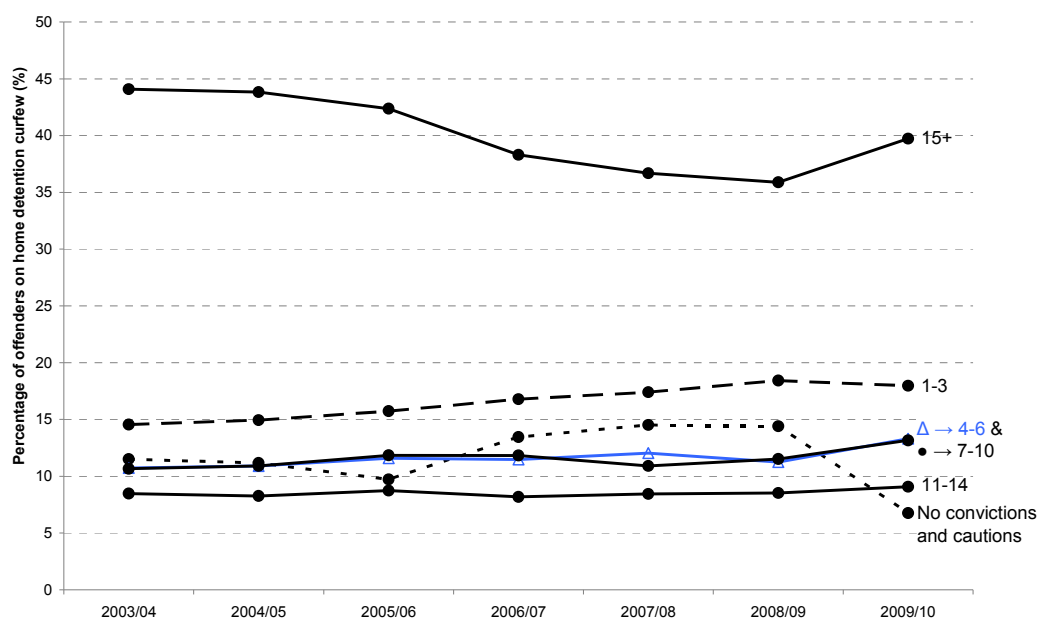
Figure 5.3: Percentage of offenders on Home Detention Curfew by number of previous convictions and cautions received and recorded on the Police National Computer for offences they committed in England and Wales, 2003/04 to 2009/10

Figure 5.3 shows the proportion of offenders on HDC by their criminal history between 2003/04 and 2009/10. The percentage of those offenders on HDC who have a substantial criminal record (15 or more offences) on the Police National Computer has fallen by 4 percentage points since 2003/04 although

the latest figure represents a slight increase compared to figures for the last two years. The percentage of offenders who had no previous criminal records has fallen by 8 percentage points between 2008/09 and 2009/10.

Paper 6 Serious further offences

Summary

This paper presents the total number of Serious Further Offences (SFOs) as collected from the SFO Review Process, which have previously been published in Offender Management Caseload Statistics (OMCS)⁵⁰. It provides figures up to 2010/11 as well as a summary overview of volumes over time.

The total number of SFOs notifications for 2009/10 and 2010/11 was 266 and 206 respectively. However, care must be taken when interpreting the 2010/11 data as number of cases are pending. There was a decrease in the total number of SFO convictions reflecting the change in definitions since November 2008. Additionally, changes in the number of SFOs are likely to occur as this is an operational measure. For a consistent measure of serious re-offending please refer to Table 8 in the published proven re-offending quarterly statistics bulletin at:

www.justice.gov.uk/statistics/reoffending/proven-re-offending

Introduction

Historically, SFO data collected from Probation Areas by means of the SFO Review Process was an attempt to capture those occasions where an offender under the supervision of the Probation Service was charged with having committed a serious violent or sexual offence⁵¹. In instances where Probation Areas notified first the National Probation Directorate and later the National Offender Management Service (NOMS) of such an occurrence, the notifying Probation Area was required to undertake an SFO review⁵². The data has been used within the Ministry of Justice to monitor the number and type of SFO reviews. Published SFO data in OMCS was broken down into those cases which led to a conviction for an SFO Review offence, those that led to a

⁵⁰ For detailed SFO statistics published in the Offender Management Caseload Statistics between 2006 and 2008 please visit www.justice.gov.uk/publications/prisonandprobation-archive.htm; Ministry of Justice; July 2009.

⁵¹ This is based on a list of SFO qualifying offences as outlined in the Probation Circular 22/2008, which updated the previous list which had been included in the Probation Circular 41/2006. This SFO list consists of specified violent or specified sexual offences that carry a prison sentence of at least 10 years. The specified offences are detailed in Schedule 15 to the Criminal Justice Act 2003.

⁵² An SFO review process is conducted by the relevant probation trust (normally the Trust that supervised the offender at the point the SFO was committed, although there is a requirement that no one involved in management of the offender and/or the line management of staff involved in the case can write the Review). The SFO Review assesses the quality of management including implementation of conditions and requirements of orders and licences over the current supervision period. As part of the Review, Trusts will identify an action plan that contains recommendations for dissemination of good practice and key learning points to address areas for improvement.

conviction for less serious offences, and those that did not lead to a conviction of any kind. The previously published tables have been replicated below.

Prior to April 2006, whilst there were procedures to notify and review individual SFOs, it is known that there was very significant under-reporting of serious further offending by Probation Areas, in large part due to the fact that there was no common view on how to treat grievous bodily harm offences. From 1 April 2006 to 30 November 2008, the NOMS SFO Review Process required Probation Areas to undertake a review *whenever* an offender under supervision was charged with murder or one of the offences listed in Schedule 15 to the Criminal Justice Act 2003 (including Section 18 assault or grievous bodily harm), *provided that* a victim impact test was met. This was the closest that the SFO Review Process had ever come to providing an accurate guide to the rate of serious further offending by offenders during their statutory supervision in the community. The requirements of the SFO Review Process changed from 1 December 2008 (see below under Methodology).

For these reasons, under each manifestation of the Probation SFO Review Process, where a review is conducted on the basis of charge, data on SFO reviews were not used as a measure of serious re-offending even once the outcome of the prosecution and trial processes has been taken into account. Since the requirements of the SFO Review process changed from 1 December 2008, there is even less reason to use data from the SFO Reviews to measure the rate of serious further offending and this is explained in more detail below.

Methodology

Since 1 December 2008, an offence listed in Schedule 15 to the 2003 Act might attract a review (referred to in this paper as the SFO qualifying offence list – details of the Home Office codes used can be found in the Annex to this paper), if committed within the probation supervision period or within 28 working days of the supervision period terminating.

Mandatory SFO reviews are triggered in the following circumstances:

1. any eligible offender who has been charged with one of the most serious SFOs – murder, manslaughter, other offence causing death, rape or sexual offence against a child under 13 years (including attempted offences); and,
2. any eligible offender who has been charged with another offence on the SFO list and is or has been assessed as high/very high risk of serious harm during their current supervision period or has not been subject to a risk assessment during that period.

A review may be carried out on a *discretionary* basis in the following circumstances:

3. any eligible offender who has been charged with an offence, irrespective of whether that offence is a qualifying offence, and NOMS and the

supervising area/trust have identified public interest reasons for conducting a review.

In 2008, the SFO review process was changed. The changes outlined in Probation Circular 22/2008 reflect the general finding that the procedures were working well but that, given that the majority of cases were found to have been managed to a sufficient standard, the Review Process needed to be better focused on learning lessons in the cases of the most serious re-offending and the most serious offenders.

Results

The numbers of SFO notifications under the Probation SFO Review Process **which resulted in a conviction** for a serious further offence between 2004/05 and 2010/11 are shown in Table 2.1. There are three issues with this data: first, the significant under-reporting which occurred prior to April 2006; second, the method of counting SFOs changed on 1 April 2006 and then again on 1 December 2008; and, third these figures do not take the size of the initial cohort into account.

Table 2.1: Number of SFO notifications received under the NPD / NOMS SFO Review Process which resulted in a conviction for England and Wales, financial years 2004/05 to 2010/11 – totals

Year	Number of SFO convictions	Notes
2004 - 2005	326	These numbers are under-reported because of flawed HMI Probation review. More details can be found in Offender management caseload statistics 2006.
2005 - 2006	349	
2006 - 2007	605	These numbers are based on the offences in line with Probation Circular 41/2006.
2007 - 2008	672	
2008 - 2009 ¹	587	The cases submitted after 30th November 2008 are in line with the revised criteria in Probation Circular 22/2008 which provides an amended list of eligible offences which excludes section 18 wounding. Caution should be exercised in comparing data for 2008/9 with future years.
2009 - 2010	266	
2010 - 2011 ²	206	

¹ Revised. Previous published figure was 592.

² Provisional figures subject to change as outstanding cases are completed.

Table 2.2 show the breakdowns in table 2.1 by type of offence.

Table 2.2: Number of SFO notifications received under the NPD / NOMS SFO Review Process which resulted in a conviction for England and Wales, financial years 2004/05 to 2010/11

Type of offence	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11 ³
Murder	60	56	74	66	62	56	44
Attempted murder	16	15	14	15	18	15	8
Manslaughter	22	17	29	25	29	29	15
Rape	53	63	61	62	75	63	78
Arson with intent to endanger life	25	20	21	32	17	8	4
Kidnapping/abduction	13	19	38	57	19	8	1
Attempted kidnapping/abduction	-	1	0	0	0	0	0
Other serious sexual or violent offences ¹	137	158	368	415	367	87	56
Offences which did not meet SFO criteria ²	81	74	191	227	224	51	58
All convictions	407	423	796	899	811	317	264
SFO convictions	326	349	605	672	587 ⁴	266	206

¹ Any other serious violent or sexual offence which carries a maximum custodial penalty of more than 10 years.

² Offenders who had been charged with an offence which met with the SFO criteria, but were convicted of a less serious offence.

³ Provisional figures subject to change as outstanding cases are completed.

⁴ Revised. Previous published figure was 592.

Annex A: Home Office codes and descriptions used in the latest SFO Review offences list

Part 1: Violent serious offence list

Offence code	Offence description
1.	Murder
1.01	Murder of persons aged 1 year or over
1.02	Murder of infants under 1 year of age
2.	Attempted murder
3.02	Conspiracy or soliciting etc to commit murder
4.01	Manslaughter
4.02	Infanticide
4.03	Child destruction
4.04	Causing death by dangerous driving
4.06	Causing death by careless driving when under the influence of drink or drugs
4.07	Causing or allowing the death of a child or vulnerable person
5.04	Attempting to choke suffocate etc with intent to commit an indictable offence
5.05	Using chloroform etc to commit or assist in committing an indictable offence
5.06	Burning, maiming etc by explosion
5.07	Causing explosion or casting corrosive fluids with intent to do grievous bodily harm
5.09	Placing explosives in or near ships or buildings with intent to do bodily harm etc.
5.13	Making, possessing or controlling explosive substance with intent to endanger life
5.14	Possession of firearm with intent to endanger life (Group I)
5.15	Possession of firearm with intent to endanger life (Group II)
5.16	Possession of firearm with intent to endanger life (Group III)
5.17	Using firearms or imitation firearms to resist arrest (Group I)
5.18	Using firearms or imitation firearms to resist arrest (Group II)
5.19	Using firearms or imitation firearms to resist arrest (Group III)
5.26	Endangering safety at aerodromes
5.27	Torture
6.01	Endangering railway passengers by placing etc anything on railway, taking up rails, changing points and signals etc.
6.04	Destroying, damaging etc a Channel Tunnel train or the Tunnel system or committing acts of violence likely to endanger safety of operation
7.14	Destroying ships or fixed platforms endangering their security
7.15	Other acts endangering or likely to endanger safe navigation
8.13	Possessing firearms or imitation fire arm at time of committing or being arrested for an offence specified in schedule 1 of the Act
8.14	Possessing firearm or imitation firearm at time of committing or being arrested for an offence specified in schedule 1 of the Act
8.15	Possessing firearm or imitation firearm at time of committing or being arrested for an offence specified in schedule 1 of the Act
8.16	Possessing firearm or imitation firearm with intent to commit an indictable offence or resist arrest
8.17	Possessing firearm or imitation firearm with intent to commit an indictable offence or resist arrest
8.18	Possessing firearm or imitation firearm with intent to commit an indictable offence or resist arrest
8.52	Excise, infibulate or otherwise mutilate the whole or any part of a girl's labia majora, labia minora or clitoris. Aid, abet, counsel or procure a girl to excise, infibulate or otherwise mutilate the whole or any part of her own labia majora, labia minora
28.01 ¹	Burglary in a dwelling with intent to commit or the commission of an offence triable only on indictment.
28.02 ¹	Burglary in a dwelling with the commission of an offence triable only on indictment or with violence or the threat of violence
29.	Aggravated burglary in a dwelling (including attempts)
31.	Aggravated burglary in a building other than a dwelling (including attempts)
36.	Kidnapping
36.01	Kidnapping (Common Law)
36.02	Hijacking. Person on board aircraft in flight by unlawful use of force or threats seizes the aircraft. Destroying, damaging or endangering safety of aircraft. Other acts endangering or likely to endanger safety of aircraft.
36.03	False imprisonment
36.04	Detaining and threatening to kill or injure a hostage
37.01	Aggravated taking where, owing to the driving of the vehicle, an accident occurs causing the death of any person
56.01	Arson endangering life
57.	Other criminal damage endangering life excluding arson. Causing explosion likely to endanger life . Doing act with intent to cause, or conspiring to cause, explosion likely to endanger life. Criminal damage endangering life (excluding arson) while travel
66.44	Compelling by threatening to destroy or damage ship or sea aircraft or property used in navigation
34.01	Robbery with firearm or imitation (ACPO code = TH68134, CCCJS = 0050100102 ²)

¹ Offence codes 28.01 and 28.02 covers violent SFO "Burglary with intent to inflict grievous bodily harm on a person" and sexual SFO "Burglary with intent to commit rape"

² The ACPO (Association of Chief Police Officers standard) code is unique to the specific type of offence recorded. The CCCJS (Co-ordination of Computerisation in the Criminal Justice System) an offence coding that uniquely describes the offence.

Part 2.1: Sexual serious offence list

Offence code	Offence description
19.	Rape
19.07	Rape of a female aged under 16
19.08	Rape of a female aged 16 or over
19.09	Rape of a male aged under 16
19.10	Rape of a male aged 16 or over
19.11	Attempted rape of a female aged under 16
19.12	Attempted rape of a female aged 16 or over
19.13	Attempted rape of a male aged under 16
19.14	Attempted rape of a male aged 16 or over
19.16	Rape of a female child under 13 by a male
19.17	Rape of a male child under 13 by a male
20.03	Assault on a female by penetration
20.04	Assault of a female child under 13 by penetration
20.06	Sexual assault of a female child under 13
21	Unlawful sexual intercourse with girl under 13
21.02	Causing or inciting a female child under 13 to engage in sexual activity – penetration
21.03	Causing or inciting a female child under 13 to engage in sexual activity – no penetration
21.04	Causing or inciting a male child under 13 to engage in sexual activity – penetration
21.05	Causing or inciting a male child under 13 to engage in sexual activity – no penetration
21.06	Sexual activity with a female child under 13 – offender aged 18 or over – penetration
21.07	Sexual activity with a male child under 13 – offender aged 18 or over – penetration
21.08	Causing or inciting a female child under 13 to engage in sexual activity offender aged 18 or over – penetration
21.09	Causing or inciting a male child under 13 to engage in sexual activity offender aged 18 or over – penetration
21.12	Sexual activity with a female child under 13 – offender aged under 18
21.13	Sexual activity with a male child under 13 – offender aged under 18
21.14	Causing or inciting a female child under 13 to engage in sexual activity – offender under 18
21.15	Causing or inciting a male child under 13 to engage in sexual activity – offender under 18
21.18	Sexual activity with a female child under 13 – offender aged 18 or over – no penetration
21.19	Sexual activity with a male child under 13 – offender aged 18 or over – no penetration
21.22	Sexual activity with a female child under 13 – offender aged under 18 – no penetration
21.23	Sexual activity with a male child under 13 – offender aged under 18 – no penetration
21.24	Causing or inciting a female child under 13 to engage in sexual activity offender aged under 18 – no penetration
21.25	Causing or inciting a male child under 13 to engage in sexual activity offender aged under 18 – no penetration
22.02	Causing a female person to engage in sexual activity without consent – penetration
22.03	Causing a male person to engage in sexual activity without consent – penetration
22.06	Sexual activity with a female child under 16 (offender aged 18 or over) – penetration
22.07	Sexual activity with a male child under 16 (offender aged 18 or over) – penetration
22.08	Causing or inciting a female child under 16 to engage in sexual activity (offender aged 18 or over) – penetration
22.09	Causing or inciting a male child under 16 to engage in sexual activity (offender aged 18 or over) – penetration
22.12	Sexual activity with a female child under 16 (offender under 18)
22.13	Sexual activity with a male child under 16 – offender under 18
22.14	Causing or inciting a female child under 16 to engage in sexual activity – offender under 18
22.15	Causing or inciting a male child under 16 to engage in sexual activity – offender under 18
22.18	Sexual activity with a female child under 16 offender aged 18 or over – no penetration
22.19	Sexual activity with a male child under 16 offender aged 18 or over – no penetration
22.2	Causing or inciting a female child under 16 to engage in sexual activity (offender aged 18 or over) – no penetration
22.21	Causing or inciting a male child under 16 to engage in sexual activity (offender aged 18 or over) – no penetration
22.22	Sexual activity with a female child under 16 (offender aged under 18) – no penetration
23.01	Incest with girl under 13 years old
23.02	Other incest
23.04	Sexual activity with a female child family member – offender aged 18 or over at time of offence & victim 13 – 17 – penetration
23.05	Sexual activity with a male child family member – offender aged 18 or over at time of offence & victim 13 – 17 – penetration
23.06	Sexual activity with a female child family member – offender not 18 or over at time of offence & victim 13 – 17 – no penetration
23.07	Sexual activity with a male child family member – offender not 18 or over at time of offence & victim 13 – 17 – no penetration
23.08	Inciting a female child family member to engage in sexual activity – offender aged 18 or over at time of offence & victim 13 – 17 – penetration
23.09	Inciting a male child family member to engage in sexual activity – offender aged 18 or over at time of offence & victim 13 – 17 – penetration
23.1	Inciting a female child family member to engage in sexual activity – offender not 18 or over at time of offence & victim 13 – 17 – no penetration
23.11	Inciting a male child family member to engage in sexual activity – offender not 18 or over at time of offence & victim 13 – 17 – no penetration
23.14	Sexual activity with a female child family member – offender aged 18 or over at time of offence & victim under 13 – penetration
23.15	Sexual activity with a male child family member – offender aged 18 or over at time of offence & victim under 13 – penetration
23.16	Sexual activity with a female child family member – offender not 18 or over at time of offence & victim under 13 – no penetration
23.17	Sexual activity with a male child family member – offender not 18 or over at time of offence & victim under 13 – no penetration

Part 2.2: Sexual serious offence list

Offence code	Offence description
23.18	Inciting a female child family member to engage in sexual activity – offender aged 18 or over at time of offence & victim under 13 – penetration
23.19	Inciting a male child family member to engage in sexual activity – offender aged 18 or over at time of offence & victim & under 13 – penetration
23.2	Inciting a female child family member to engage in sexual activity – offender not 18 or over at time of offence & victim under 13 – no penetration
23.21	Inciting a male child family member to engage in sexual activity – offender not 18 or over at time of offence & victim under 13 – no penetration
23.22	Sexual activity with a female child family member – offender aged 18 or over at time of offence & victim 13 – 17 – no penetration
23.23	Sexual activity with a male child family member – offender aged 18 or over at time of offence & victim 13 – 17 – no penetration
23.24	Sexual activity with a female child family member – offender aged 18 or over at time of offence & victim under 13 – no penetration
23.25	Sexual activity with a male child family member – offender aged 18 or over at time of offence & victim under 13 – no penetration
23.26	Inciting a female child family member to engage in sexual activity – offender aged 18 or over at time of offence & victim 13 – 17 – no penetration
23.27	Inciting a male child family member to engage in sexual activity – offender aged 18 or over at time of offence & victim 13 – 17 – no penetration
23.28	Inciting a female child family member to engage in sexual activity – offender aged 18 or over at time of offence & victim under 13 – no penetration
23.29	Inciting a male child family member to engage in sexual activity – offender aged 18 or over at time of offence & victim & under 13 – no penetration
23.3	Sexual activity with a female child family member under 13 – offender U.18 – penetration of anus, vagina, mouth by penis /part of body
23.31	Sexual activity with a male child family member under 13 – offender U.18 – penetration of anus, vagina, mouth by penis /part of body
23.32	Sexual activity with a female child family member 13 to 17 – offender U.18 – penetration of anus, vagina, mouth by penis /part of body
23.33	Sexual activity with a male child family member 13 to 17 – offender U.18 – penetration of anus, vagina, mouth by penis /part of body
23.34	Incite a female child family member under 13 to engage in sexual activity – offender U.18 – penetration of anus, vagina, mouth by penis/part of body
23.35	Incite a male child family member under 13 to engage in sexual activity – offender U.18 – penetration of anus, vagina, mouth by penis/part of body
23.36	Incite a female child family member 13 to 17 to engage in sexual activity – offender U.18 – penetration of anus, vagina, mouth by penis/part of body
23.37	Incite a male child family member 13 to 17 to engage in sexual activity – offender U.18 – penetration of anus, vagina, mouth by penis/part of body
25.01	Abduction of female having interest in property
25.02	Abduction of female by force
28.01 ¹	Burglary in a dwelling with intent to commit or the commission of an offence triable only on indictment
28.02 ¹	Burglary in a dwelling with the commission of an offence triable only on indictment or with violence or the threat of violence
70.01	Sexual activity with a male person with a mental disorder impeding choice – penetration
70.02	Sexual activity with a female person with a mental disorder impeding choice – penetration
70.03	Sexual activity with a male person with a mental disorder impeding choice – no penetration
70.04	Sexual activity with a female person with a mental disorder impeding choice – no penetration
70.05	Causing or inciting a male person with a mental disorder impeding choice to engage in sexual activity – penetration
70.06	Causing or inciting a female person with a mental disorder impeding choice to engage in sexual activity – penetration
70.07	Causing or inciting a male person with a mental disorder impeding choice to engage in sexual activity – no penetration
70.08	Causing or inciting a female person with a mental disorder impeding choice to engage in sexual activity – no penetration
70.11	Inducement, threat or deception to procure sexual activity with a person with a mental disorder– penetration
70.12	Inducement, threat or deception to procure sexual activity with a person with a mental disorder– no penetration
70.13	Causing a person with a mental disorder to engage in sexual activity by inducement, threat or deception – penetration
70.14	Causing a person with a mental disorder to engage in sexual activity by inducement, threat or deception – no penetration
70.17	Care workers: Sexual activity with a male person with a mental disorder – penetration
70.18	Care workers: Sexual activity with a female person with a mental disorder – penetration
70.21	Care workers: causing or inciting sexual activity (person with a mental disorder) – penetration
71.01	Arranging or facilitating the commission of a child sex offence
71.02	Paying for sex with a female child under 13 – penetration
71.03	Paying for sex with a male child under 13 – penetration
71.04	Paying for sex with a female child under 16 – no penetration
71.05	Paying for sex with a male child under 16 – no penetration
71.06	Paying for sex with a female child 16 or 17
71.07	Paying for sex with a male child 16 or 17
71.08	Causing or inciting child prostitution or pornography – child 13 – 17
71.09	Controlling a child prostitute or a child involved in pornography – child 13 – 17
71.1	Arranging or facilitating child prostitution or pornography – child 13 – 17
71.11	Causing or inciting child prostitution or pornography – child under 13
71.12	Controlling a child prostitute or a child involved in pornography – child under 13
71.13	Arranging or facilitating child prostitution or pornography – child under 13
71.14	Paying for sex with a female child under 16 – penetration
71.15	Paying for sex with a male child under 16 – penetration
72.01	Arrange/facilitate arrival into the UK of a person for sexual exploitation (Trafficking)
72.02	Arrange/facilitate travel within the UK of a person for sexual exploitation (Trafficking)
72.03	Arrange/facilitate departure from the UK of a person for sexual exploitation (Trafficking)
24.02	Owner / occupier permit premises to be used for unlawful sexual intercourse with girl under 13 (ACPO code = SX 56044, CCCJS = 002040070 ²)

¹ Offence codes 28.01 and 28.02 covers violent SFO "Burglary with intent to inflict grievous bodily harm on a person" and sexual SFO "Burglary with intent to commit rape"

² The ACPO (Association of Chief Police Officers standard) code is unique to the specific type of offence recorded. The CCCJS (Co-ordination of Computerisation in the Criminal Justice System) an offence coding that uniquely describes the offence.

Paper 7 End of sentence re-offending: what are the options

Summary

The new proven re-offending measure is based on a cohort of all offenders who were released from custody, received a non-custodial conviction at court, received a caution, reprimand, warning or tested positive for opiates or cocaine over a 12 month period. This means that re-offending is measured from the start of sentence for some offenders (for example, those given a community sentence or a suspended sentence order), and from the mid-point of sentence for some other offenders (those released from custody, who are typically released at the halfway point of the sentence).

Following the Ministry of Justice consultation on improvements to re-offending statistics, there was user demand for a measure of re-offending that used the same starting point for all offenders. In response, the Ministry of Justice committed to consider developing a new measure of re-offending that took as its starting point the end of sentence for all offenders.

This discussion paper considers some of the issues involved in defining a measure for 'end of sentence' re-offending, and proposes how such a measure could be developed using existing data sources. Overall, we have concluded that there is no easy way to make a true like-for-like comparison between community sentences and release from custody. Additionally, users should consider that even if we did harmonise the definitions they would still not be comparable due to differences in offender characteristics.

In the articles in each of the Compendia of re-offending statistics and analysis we have shown how propensity score matching can be used to compare the relative effectiveness of different sentences in reducing re-offending. In doing this work we are able to both control for different offender characteristics and test the results by controlling for time spent in prison. Ministry of Justice statisticians currently assess the comparisons using propensity score matching as our best current estimates of effectiveness of different sentences at reducing re-offending.

Ministry of Justice will continue work to derive a measure from end of sentence and users are invited to give views on the issues raised in this article.

Discussion

Defining the measure

An end of sentence measure of re-offending is conceptually easy to understand. It would be based on a cohort of offenders who had finished their community sentence, Suspended Sentence Order (SSO), or custodial sentence within a 12 month period. Their re-offending would then be measured in line with the published one year proven re-offending measure.

However, in practice defining the cohort is a more complex exercise. For those whose sentence was a court order – that is community sentences and SSOs – the end of sentence date could be defined as either:

- a) the date on which the court order was expected to end (for example if given a 12 month community order, the end date would be a year after the sentence date); or,
- b) the date on which the court order was actually terminated, where an early termination date can be either a positive or negative outcome.

For those who were given a custodial sentence, part of that sentence will be served in custody with the remainder served in the community – under licence supervision for young offenders and for adults serving a sentence of 12 months or more. The end of sentence occurs once the period in the community has been completed.

This would still be reasonably simple if offenders all completed their sentences in full, however we know that this is not always the case. Offenders on court orders can breach those orders resulting in a further sentence or, in the case of SSOs, the activation of the suspended custodial sentence. Those who have been released from prison and are being supervised on licence in the community may breach the conditions of their licence and be recalled to prison (and subsequently re-sentenced if the recall was for committing a further offence).

Potential measurement issues

Using existing data sources, it would be fairly easy to identify offenders ending a court order in the relevant period. But in some cases the termination would have occurred because the offender was sent to prison for a breach or further offence. It would be technically possible, but complex to adjust the cohort to remove these offenders.

Similarly, it would be fairly easy to identify those offenders ending a short custodial sentence. We would need to consider whether to adjust the cohort to remove any who were returned to prison and re-sentenced before the end of their original sentence; the most feasible way of doing this would be to remove any offenders who were in the prison population as at the end of sentence date.

For those offenders ending a longer custodial sentence, it would be more complex to identify the cohort due to the way that existing data is captured. Data on prisoners released from custody is generally captured and held by MoJ according to the prison release date, not the end of sentence date. So, for example, while we hold a data extract for all prisoners released from custody in 2009, we do not hold a similar data extract for all offenders whose period of licence supervision in the community ended in 2009. To identify the cohort of offenders whose licence period ended in 2009 would require us to select all offenders released from prison in every past year who were recorded as having

an end of sentence date in 2009. For those given long custodial sentences this would involve going back over many years.

As with those ending a short custodial sentence, we would again need to consider whether to adjust the cohort to remove those offenders who were returned to prison and re-sentenced before the end of their original sentence.

Other issues with an end of sentence measure

Aside from the potential measurement issues, the main disadvantages to an end of sentence measure are:

1. it excludes life and indeterminate sentenced prisoners who remain under supervision by offender management services for the rest of their life after release from prison;
2. it may exclude the most prolific of offenders who are repeatedly re-sentenced before the end of their current sentence, and therefore never actually end a sentence to be included in such a measure; and,
3. it ignores offences committed whilst under probation supervision before the end of sentence.

These issues are negated by the fact that an end of sentence measure would sit alongside the existing proven re-offending measures, which do include life and indeterminate sentenced prisoners, those who never end a sentence, and offences committed whilst under probation supervision.

Comparability of sentences

Even if user agreement can be reached on these issues and the technical challenges overcome any new measure would still have differences between community orders and custody due to differing offender characteristics of offenders. Paper 1 of the current Compendium (and in previous Compendia papers) show how propensity score matching can be used to control for both offender characteristics and the effects of time spent in custody. Ministry of Justice statisticians currently assess the comparisons using propensity score matching as our best current estimates of effectiveness of different sentences at reducing re-offending.

Next steps

There is clear user demand for this new measure, however as outlined above there are a number of technical and data challenges in developing an end of sentence measure. Given these challenges, we propose to initially work on developing an end of sentence measure of re-offending for offenders released from short prison sentences (less than 12 months) and those ending court orders (community sentences and SSOs). In doing so, we will work through the issues around handling breaches and any other cohort adjustments. We will publish this analysis when complete, together with a discussion on the feasibility of extending the measure to cover longer custodial sentences.

Appendix A Glossary of terms

Cohort definition used in the [Proven Re-offending Statistics Quarterly Bulletin in England and Wales](#) publication

The re-offending cohort consists of offenders who were released from custody, received a non-custodial conviction at court, received a caution, reprimand, warning or tested positive for opiates or cocaine during the year. This cohort's criminal history is collated and criminal behaviour is tracked over the following one year. Any offence committed in this one year follow-up period and receiving a court conviction, caution, reprimand or warning (either in the one year follow-up or in a further six months waiting period) counts as a re-conviction.

The latest available publication is the [Proven re-offending quarterly - July 2009 to June 2010](#); Ministry of Justice, April 2012.

Criminal Justice Act 2003 (CJA03)

For offences committed on or after 4 April 2005, the new community order replaced all existing community sentences for adults. The Act introduced a new suspended sentence order for offences which pass the custody threshold. It also changed the release arrangements for prisoners. See Definitions and Measurement of the Offender Management Statistics Quarterly Bulletin⁵³ for more information.

Indictable and summary offences

Summary offences are triable only by a magistrates' court. This group of offences include motoring offences, common assault and criminal damage up to £5,000. More serious offences are classed either as triable-either-way (these can be tried either at the Crown Court or at a magistrates' court and include criminal damage where the value is £5,000 or greater, theft and burglary) or indictable (the most serious offences that must be tried at the Crown Court. These 'indictable-only' offences include murder, manslaughter, rape and robbery).

National Probation Service

The National Probation Service generally deals with those aged 18 years and over. Those under 18 are mostly dealt with by Youth Offending Teams, answering to the Youth Justice Board. They are responsible for supervising offenders who are given community sentences and suspended sentence orders

⁵³ [Offender management statistics: definitions and measurement](#); Ministry of Justice, April 2011.

by the courts, as well as offenders given custodial sentences, both pre and post their release.

Offence Group

Offences are broadly split into twelve separate groups. This includes a split of ten indictable offence groups (violence against the person, sexual offences, burglary, robbery, theft and handling and stolen goods, fraud and forgery, criminal damage, drug offences, other indictable offences (excluding motoring), indictable motoring and the two summary offence groups (summary non-motoring and summary motoring offence types).

Police National Computer

The Police National Computer (PNC) is the police's administrative IT system used by all police forces in England and Wales and managed by the National Policing Improvement Agency (NPIA). As with any large scale recording system the PNC is subject to possible errors with data entry and processing. The Ministry of Justice maintains a database based on weekly extracts of selected data from the PNC in order to compile statistics and conduct research on re-offending and criminal histories. The PNC largely covers recordable offences – these are all indictable and triable-either-way offences plus many of the more serious summary offences. All figures derived from the Ministry of Justice's PNC database, and in particular those for the most recent months, are likely to be revised as more information is recorded by the police.

Proven offence

A proven offence is defined as an offence which results in the offender receiving a reprimand, warning, caution or conviction.

Probation Trust

On 1 April 2010, 29 new Probation Trusts were established following a rigorous formal application process, resulting in all 42 former Probation Boards having been replaced by 35 Probation Trusts. As part of these changes, a number of former Probation Boards were involved in mergers to become Probation Trusts.

Recordable offences

Recordable offences are those that the police are required to record on the Police National Computer. They include all offences for which a custodial sentence can be given plus a range of other offences defined as recordable in legislation. They exclude a range of less serious summary offences, for example television licence evasion, driving without insurance, speeding and vehicle tax offences.

Adult sentencing types

Offenders can be sentenced at a magistrates' court or the Crown Court. The sentences include immediate custody, a suspended sentence order, a community order, a fine, a conditional discharge or an absolute discharge.

- **Community orders** - For offences committed on or after 4 April 2005, the new community order introduced under the CJA 2003 replaced all existing community sentences for those aged 18 years and over. The court must impose one or more requirements depending on the offences and the offender. The requirements are:
 - unpaid work (formerly community service/community punishment) – a requirement to complete between 40 and 300 hours' unpaid work;
 - activity – for example, to attend basic skills classes;
 - programme – there are several designed to reduce the prospects of re-offending;
 - prohibited activity – a requirement not do so something that is likely to lead to further offending;
 - curfew – which is electronically monitored;
 - exclusion – this is not used frequently as there is no reliable electronic monitoring yet available;
 - residence – requirement to reside only where approved by probation officer;
 - mental health treatment (requires offender's consent);
 - drug rehabilitation (requires offender's consent);
 - alcohol treatment (requires offender's consent);
 - supervision – meetings with probation officer to address needs/offending behaviour; and,
 - attendance centre – three hours of activity, between a minimum of 12 hours and a maximum of 36 in total.

Typically, the more serious the offence and the more extensive the offender's needs, the more requirements there will be. Most orders will comprise one or two requirements but there are packages of several requirements available where required. The court tailors the order as appropriate and is guided by the Probation Service through a pre-sentence report.

- **Community orders - Pre CJA03 Court Orders**
 - **Community punishment order (CPO):** the offender is required to undertake unpaid community work.
 - **Community rehabilitation order (CRO):** a community sentence imposing supervision, which may have additional requirements

such as residence, probation centre attendance or treatment for drug, alcohol or mental health problems.

- **Community punishment and rehabilitation order (CPRO):** a community sentence consisting of probation supervision alongside community punishment, with additional conditions like those of a community rehabilitation order.
- **Curfew order:** the offender is subject to a curfew of between two and 12 hours per day for up to six months, with a presumption that it will be electronically monitored.
- **Drug treatment and testing order (DTTO):** a community sentence targeted at offenders with drug misuse problems.
- **Conditional discharge** - This is where the offender remains liable to punishment for the offence if they are convicted of a further offence within a period specified by the court (but not more than three years).
- **Fine** - A financial penalty imposed following conviction.
- **Immediate Custody** - The offender is given a sentence to be served in prison (adults aged over 21) or Young Offenders Institute (adults aged 18-20 and 15-17 year olds). If the offender was given a sentence of 12 months or over, or was aged under 22 on release, the offender is supervised by the Probation Service on release.
 - **Prison Sentences – under 12 months:** Those sentenced to under 12 months (made under the Criminal Justice Act 1991) spend the first half of their sentence in prison and are then released and considered ‘**at risk**’ for the remaining period. This means they are under no positive obligations and do not report to the probation service but, if they commit a further imprisonable offence during the at risk period, they can be made to serve the remainder of the sentence in addition to the punishment for the new offence. The exception to this is those aged 18 to 20 who have a minimum of three months’ supervision on release.
 - **Prison Sentences - 12 months or over:** The Criminal Justice Act 2003 created a distinction between **standard determinate sentences** (for 12 months or more) and **public protection sentences**. Offenders sentenced to a standard determinate sentence serve the first half in prison and the second half in the community on licence. Offenders convicted of a sexual or violent offence may be sentenced to a public protection sentence. There are two such sentences: Imprisonment or detention for Public Protection (IPP), an indeterminate sentence where the offender will serve the minimum term in prison as set by the judge and then is eligible to be released if considered safe by the Parole Board. If and when released, the offender must serve at least ten years on licence in the community. An Extended sentence for

Public Protection (EPP) comprises the normal determinate custodial period plus an extended period on licence. Changes introduced in the Criminal Justice and Immigration Act 2008 mean that offenders sentenced to an EPP are now released automatically at the halfway point of the custodial period with licence extending from then until the end of the extension period.

- **Suspended Sentence Order (SSO)** - The Criminal Justice Act 2003 introduced a new suspended sentence order. This is a custodial sentence which is suspended and in addition the court imposes one or more community requirements, which are the same as those available under a community order. The order consists of an 'operational period' (the time for which the custodial sentence is suspended) and a 'supervision period' (the time during which any requirements take effect). Both may be between six months and two years and the 'supervision period' cannot be longer than the 'operational period', although it may be shorter. Failure to comply with the requirements of the order or commission of another offence will normally result in the custodial sentence being given effect.

Youth sentencing types

- **Absolute discharge:** When the court decides someone is guilty, but decides not to punish them further at this time, they will be given a 'discharge'. Discharges are given for minor offences. An 'absolute discharge' means that no more action will be taken.
- **Conditional discharge:** When the court decides someone is guilty, but decides not to punish them further at this time, they will be given a 'discharge'. Discharges are given for minor offences. A 'conditional discharge' means that the young person won't be punished unless they commit another offence within a set period of time (no longer than three years).
- **Community sentences pre-November 2009:** When a court imposes a community sentence, the young person doesn't go to custody. But the court says there are specific things the young person can, can't and must do while serving their sentence. This is an umbrella term used to refer to the following orders made at court pre November 2009:
 - **Attendance Centre Order:** This order sentences a young person to attend an Attendance Centre. The order can last up to 36 hours depending on the age of the young person and the seriousness of the offence.
 - **Action Plan Order:** This is an intensive, community-based programme that lasts for 3 months. The programme is developed and supervised by the Youth Offending Team (YOT) and is specifically tailored to the risks and need of the young person. The YOT will see the young person at least twice a week for the 3 months of the order.

- **Drug Treatment and Testing Order:** The order is used for young offenders who have drug misuse issues that require treatment. The order lasts between 6 months and 3 years and the young person must agree to comply with the order before it can be made.
- **Curfew Order:** This sentence requires the young person to remain for set periods of time at a specified place. The time period can be between 2-12 hours a day and the sentence can last no longer than months for those aged 16 years and above.
- **Community Punishment Order:** This sentence is only available to courts for young people aged 16-17. The community punishment order requires a young person to complete unpaid work for a period of 40 –240 hours.
- **Community Punishment and Rehabilitation Order:** This sentence is only available to young people aged 16-17. It is a combination of the Community Punishment Order and the Community Rehabilitation Order.
- **Community Rehabilitation Order:** This order is only available to courts for young people aged 16-17. The order lasts for up to 3 years and requires the young person to complete a programme of work based on assessment to reduce their risk of committing further offences.
- **Intensive Fostering:** This order provides intensive care for up to 12 months for each individual, as well as a comprehensive programme of support for their family. It aims to hold the young person to account for their crimes while ensuring they get the support they need within their community to address factors which may have contributed to their offending behaviour.
- **Intensive supervision and surveillance programme:** This programme combines very high levels of community-based surveillance with a comprehensive and sustained focus on tackling the factors that contribute to the young person's offending behaviour.
- **Parenting Order:** This order requires the Parent or Guardian to attend counselling or guidance sessions where they receive help and support in dealing with their children. The Parent or Guardian can be required to attend these sessions no more than once a week for up to six months.
- **Supervision Order:** This can last up to 3 years. The young person receiving a Supervision Order is required to take part in activities set by the YOT which could include repairing the harm done by their offence either to the victim or the community and

programmes to address their offending behaviour such as anger management.

- **Community sentences post November 2009:** When a court imposes a community sentence, the young person doesn't go to custody. But the court says there are specific things the young person can, can't and must do while serving their sentence. The magistrate or judge will give a Youth Rehabilitation Order and decide which combination of these 'requirements' will most effectively punish the offender for their crime, while also reducing the risk of them offending again.
 - **The Youth Rehabilitation Order (YRO):** The YRO was introduced on 30th November 2009 for offences committed after this date. This order replaces the separate orders available to the court pre-November 2009. The YRO provides judges and magistrates with a choice of 18 rigorous community options from which they can create a sentence specifically designed to deal with the circumstances of the young offender before them. There are 18 requirements possible on a YRO, these are; Supervision, Curfew, Activity, Unpaid Work, Attendance Centre order, Electronic Monitoring, Programme, Education, Exclusion, Drug Treatment, Prohibited Activity, Intoxicating Substance Treatment, Residence, Drug Testing, Mental Health Treatment, Intensive Fostering, Local Authority Residence and Intensive Surveillance and Supervision.
 - Intensive Fostering can be used as part of a YRO in more serious cases. This provides intensive care for up to 12 months for each individual, as well as a comprehensive programme of support for their family. It aims to hold the young person to account for their crimes while ensuring they get the support they need within their community to address factors which may have contributed to their offending behaviour.
 - Intensive supervision and surveillance programme: This requirement for cusp-of-custody cases very high levels of community-based surveillance with a comprehensive and sustained focus on tackling the factors that contribute to the young person's offending behaviour.
- **Custodial sentence:** This is an umbrella term used to refer to the following custodial sentences made at court: Detention and Training Orders, Section 90, section 91, Section 226, Section 228.
 - **Detention and Training Order (DTOs):** Detention and Training Orders (DTOs) are determinate custodial sentences which can last from four months to 24 months in length. A young person spends the first half of the order in custody and the second half released on licence. Should they offend while on licence, they may be recalled back to custody.

- **Section 90:** Any young person convicted of murder is sentenced under section 90.
- **Section 91:** Equivalent to a discretionary life sentence, the indeterminate section 91 sentence is for young people convicted of an offence other than murder for which a life sentence may be passed on an adult. The court shall, if appropriate, sentence a young person to detention for life. The court may impose a determinate custodial sentence under section 91 for:
 - serious, non-specified offences where the maximum sentence as an adult is 14 years or more.
 - specified offences where the young person is not determined dangerous.
- **Section 226 (detention for life and detention for public protection):** This is a sentence of 'detention for public protection' imposed if the court decides that on the basis of the risk presented by the young person an extended sentence would be inadequate to protect the public.
- **Section 228:** For specified offences where the young person is assessed as dangerous the court can impose an extended sentence for public protection. The extension applies to the licence period and does not affect the length of the custodial term.
- **First-tier penalty:** This is an umbrella term used for the following orders made at court: bind over, Compensation Orders, discharges, fines, Referral Orders, Reparation Orders and deferred sentences.
 - **Compensation Orders:** a compensation penalty imposed in any case where there has been an injury, or loss/damage as a result of the offence that is being sentenced.
 - **Fines:** A financial penalty imposed following conviction.
 - **Referral Orders:** when a young person pleads guilty to an offence and appeared in court for the first time, then the court had to make a Referral Order. The only exception to this is if the offence is so serious that it merits a custodial sentence (DTO, section 90/91, section 226 or section 228) or so minor that a fine or absolute discharge may be given. The order requires the young person to attend a youth offender panel consisting of a YOT representative and two lay members. The panel agrees a contract with the young person lasting between 3 and 12 months. The contract will include reparation and a number of interventions felt suitable for that young person (for example, a substance misuse assessment, anger management etc.). If completed successfully, the Referral Order is considered a 'spent' conviction and need not be declared.

- **Reparation Order:** Reparation Orders require a young offender to undertake reparation either directly for the victim or for the community at large (for example, cleaning up graffiti or undertaking community work).
- **High level community sentences (Pre-November 2009):** This is an umbrella term used for the following orders usually given to young offenders when the sentencer believed the offender had a higher risk of re-offending and the offence(s) committed were considered to be a higher level of seriousness: Community Punishment Orders, Community Rehabilitation Orders, Community Rehabilitation and Punishment Orders, Supervision Orders and Curfew Orders
- **Low level community sentences (Pre-November 2009):** This is an umbrella term used for the following orders usually given to young offenders when the sentencer deemed the offender to have a lower risk of re-offending and the offence(s) committed were considered to be a lower level of seriousness: Action Plan Order, Attendance Centre Order and Reparation Order.
- **Out of court disposals:** A range of out-of-court sentences are available to youth under the age of 18. A young person can receive one of each out of court disposals (Reprimand or Warning)
 - **Reprimand:** This is usually given for a first offence if a restorative diversion was not appropriate.
 - **Warning:** This is normally given for a further low-level offence and triggers a formal assessment by the Youth Offending Team who will put in place a rehabilitation programme unless deemed inappropriate.
- **Parenting Order:** Parenting orders are civil orders that can be issued by the courts for those parents whose actions contribute to the offending behaviour of their children. An order requires a parent to attend a parenting programme for up to three months and requires a parent to comply with any other requirements for up to twelve months. This may for example include ensuring that a child is at home during certain hours. Parenting Orders are civil orders, but breach of an order is a criminal offence punishable by a fine of up to £1,000.

Disposal

This is an umbrella term referring both to sentences given by the court and pre-court decisions made by the police. Disposals may be divided into four separate categories of increasing seriousness starting with pre-court disposals then moving into first-tier and community-based penalties through to custodial sentences.

Youth Offending Teams (YOTs)

Youth Offending Teams (YOTs) are statutory multi-agency teams in every Local Authority made up of representatives from police, probation, education, health and social services, and specialist workers, such as accommodation officers and substance misuse workers.

Waiting period

This is the additional time beyond the follow-up period to allow for offences committed towards the end of the follow-up period to be proved.

Explanatory notes

This publication has been produced by the Ministry of Justice and follows the National Statistics Code of Practice. It is produced free from any political interference.

Symbols and conventions

All figures have been rounded to one decimal place, except offender counts.

The following symbols have been used throughout the tables in this bulletin:

- Italics* = Treat data with caution
- * = Data removed as it is unreliable for interpretation
- .
- .. = Data is not available
- = Nil

Contact points for further information

Spreadsheet files of the tables and graphs contained in this document, and previous editions of this publication are available for download at:

www.justice.gov.uk/publications/statistics-and-data/reoffending/compendium-of-reoffending-statistics-and-analysis.htm

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