



Ministry of
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2011 Compendium of re-offending statistics and analysis

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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.

The main focus of this publication is on the relative effectiveness of different types of sentences and builds on the work of the 2010 Compendium of re-offending statistics and analysis released in November 2010 which showed the relative effectiveness of community sentences compared with short prison sentences. The Ministry of Justice Business Plan committed the Ministry to doing this for a wider range of sentences and this edition compares:

- less than 12 month sentences compared with community sentences and suspended sentence orders (updating last year's analysis);
- less than 12 month prison sentences compared with 1 to 2 year sentences;
- 1 to 2 year sentences compared with 2 to 4 year sentences;
- fines compared with conditional discharges;
- community orders compared with conditional discharges;
- community orders compared with fines; and,
- suspended sentence orders compared with community orders.

This edition also includes findings on the likelihood of re-offending in different types of offence categories over time, and considers the likelihoods for different groups of offenders.

The key findings from this Compendium are outlined below.

Effectiveness of adult court sentences in reducing re-offending

A range of comparisons of different combinations of adult court sentences between 2005 and 2008 were carried out by comparing matched pairs of offenders who were identical in terms of 5 characteristics (age, gender, ethnicity, number of previous criminal offences and latest offence type).

Some of the findings have been further validated by a more complex matching procedure which takes into account a wider range of variables.

All the comparisons below relate to one year proven re-offending rates for matched samples of offenders.

Comparison of immediate custodial sentences

Those sentenced to 2 to 4 years in custody had lower re-offending rates than those given 1 to 2 year custodial sentences – the proven re-offending rate in

2008 was 7.2 percentage points lower for those serving 2 to 4 years in custody.

Those sentenced to 1 to 2 years in custody had lower re-offending rates than those given sentences of less than 12 months – the difference in proven re-offending rates was 4.4 percentage points in 2008.

Custodial sentences of less than twelve months were less effective at reducing re-offending than both community orders and suspended sentence orders – between 5 and 9 percentage points in 2008. This reinforces the finding in the 2010 Compendium which was only based on 2007 data. The findings were similar for both community orders and suspended sentence orders.

The findings are not conclusive on whether the deterrent effect of longer custodial sentences is effective at reducing re-offending. Despite higher re-offending rates, offenders receiving sentences of less than 12 months do not have access to offender management programmes and are not subject to supervision by the Probation Service upon release. This latter factor is also likely to explain some of the difference between community sentences/suspended sentence orders and short prison sentences. However, the true impact of offender management programmes and Probation supervision cannot be reliably established using current Ministry of Justice administrative data.

Comparison of court sentences other than immediate custodial sentences

Offenders sentenced to community orders had slightly higher re-offending rates than those sentenced to suspended sentence orders – the difference being 2.7 percentage points. However, this difference is reduced to 1.4 percentage points when sensitivity testing was carried out.

Those sentenced to community orders had higher re-offending rates than those given a fine by 1.6 percentage points. However, further sensitivity checking suggested that there is no evidence of a difference in re-offending between those receiving fines and those receiving community orders.

Offenders sentenced to a conditional discharge had re-offending rates that were 3.9 percentage points lower than offenders sentenced to a fine.

Offenders sentenced to a conditional discharge had re-offending rates that were 5.6 percentage points lower than for similar offenders sentenced to community orders.

Hazards of re-offending

This paper looks at re-offending from an alternative view; rather than the proven re-offending rate over one-year for all offenders under probation supervision, it looks at the probability of re-offending in the following three months provided offenders did not re-offend previously. This is known as the hazard of re-offending.

The paper looks at a sample of 180,746 offenders following them for up to four years. The results show that hazards for all types of re-offending were highest

in the first few months following sentence/discharge, but some types of re-offending had a more persistent hazard than others. The hazards of violent and sexual re-offending were more persistent than the hazards for non-violent re-offending, although non-violent re-offending was most prevalent and sexual re-offending was least prevalent.

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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 but these papers to date have either not been published or have not been routinely available.

This Compendium extends the effectiveness of sentencing analysis published in the [2010 Compendium of reoffending statistics and analysis](#) to include seven different court sentencing types in England and Wales:

- fines;
- conditional discharges;
- community orders;
- suspended sentence orders; and,
- immediate custodial sentences split into 3 sentence lengths: under 12 months, 1 year or more but less than 2 years, and 2 years or more but less than 4 years.

It covers eight comparisons on the likelihood of re-offending ensuring that offenders are adequately matched on their criminogenic characteristics. The Compendium also looks at identifying the pattern of proven re-offending for different offence types over a four-year period.

The 2011 Compendium of re-offending statistics and analysis consists of three papers:

- Paper 1 presents the results from a comparison of re-offending by adults between 2005 and 2008 who had received different types of sentences where at least one of the sentences is an immediate custodial sentence;
- Paper 2 presents the results from a comparison of re-offending by adults between 2005 and 2008 who had received different types of sentences other than immediate custodial sentences;
- Paper 3 identifies the different re-offending hazards by offence type between January 2002 to March 2007.

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 has annually published the following National Statistics

for England and Wales:

- [Re-conviction of adults in England and Wales](#): An annual report which contains re-offending statistics covering adults discharged from custody or commencing a court order under probation supervision in the first quarter of each year. The latest published report contains re-offending statistics based on a cohort for the first quarter of 2009 and statistics are available from 2000 to 2009.
- [Re-offending of juveniles in England and Wales](#): An annual report which contains re-offending statistics covering juveniles discharged from custody or commencing a non-custodial court disposal or given a reprimand or warning in the first quarter of each year. As with adults, the latest published report contains re-offending statistics based on a cohort for the first quarter of 2009 and statistics are available from 2000 to 2009.

These National Statistics focus on providing figures for England and Wales on an annual basis for main sub groups of offenders, but are not able to cover all areas of interest. Therefore, in addition to the National Statistics there are other statistical publications which were introduced to cover different sub groups of offenders and to be more timely and specific. These are:

- [Compendium of reoffending 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 more timely performance data on trends in re-offending of adult offenders under probation supervision at regional and local levels. The latest publication covers re-offending in the period 1 October 2009 to 30 September 2010 and these results are available from 1 October 2007 to 30 September 2010.
- [Prolific and other Priority Offenders](#): An annual report published by the Home Office which provides further offending information on offenders who are included on the Prolific and Priority offender scheme. The latest publication contains statistics based on a 2009 cohort.
- [Drug misusing offenders](#): An annual report produced by the Home Office which provides further offending information on offenders who are identified as drug misusing. The latest publication contains statistics based on a 2009 cohort.

Future re-offending publications

On the 17th of March 2011 the Ministry of Justice (MoJ) Chief Statistician

announced a new single framework for measuring re-offending following a consultation on improvements to MoJ statistics. This will consolidate individual publications on re-offending into a single comprehensive publication on 27th October 2011 with quarterly updates thereafter. The major proposal is to standardise the measure of re-offending nationally and locally, including the measurement of Prolific and other Priority Offenders as well as drug-related offending, and adult and youth measures. For further details, the consultation and response can be accessed from:

<http://www.justice.gov.uk/consultations/565.htm>.

Measures of re-offending

The basic concept of re-offending (or recidivism, which is the most commonly used term internationally) is that someone who has received some form of criminal justice sanction (such as a conviction or a caution) goes on to commit another offence within a set time period.

Measuring true re-offending is difficult. Official records are taken from either the police or courts, but they will underestimate the true level of re-offending because only a proportion of crime is detected and sanctioned and not all crimes and sanctions are recorded on one central system. Other methods of measuring re-offending, such as self report studies rely on offenders being honest about their offending behaviour and are therefore likely to be unreliable.

In the National Statistics publication for adults, the term proven re-conviction is used to measure offences which result in a court conviction. For juveniles, the term proven re-offending is used to measure offences which results in either a court conviction or a reprimand or warning. This Compendium uses proven re-offending as the consistent measure for the analysis of effectiveness of adult sentences which is in line with the planned future re-offending publications. Proven re-offending is where an offender is convicted at court or receives a caution for an offence committed within the follow up period (12 months) and then disposed of within either the follow up period or waiting period (further 6 month period).

The key parameters in any measure of re-offending are:

- The **cohort** – this is the group of individuals for who re-offending is to be measured. The adult National Statistics publications include all offenders discharged from custody or commencing a court order under probation supervision in January to March of each year. The juvenile cohort is formed of all offenders discharged from custody, otherwise sanctioned at court, or receiving a reprimand or warning in January to March of each year.
- The **start point** (also known as the **index date**) – this is the set point in time where re-offending is measured from. For example, this could be an offenders conviction date or the date of the end of a prison sentence. The National Statistics adult publication defines the start point as the date of prison discharge or the commencement of a community order for each offender. Typically, there is an offence that results in a conviction.

This offence is referred to as the index offence throughout this Compendium.

- The **follow up period** – this is the length of time re-offending is measured over. The follow up period is one year from the start point for the National Statistics publications.
- The **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 by a court conviction or any other sanction. The National Statistics publications use a six month waiting period.
- The type of **sentences/disposals** that count as a re-offending event – the adult National Statistics publication counts offences which are dealt with by a court conviction. The juvenile National Statistics publication counts offences which are dealt with by a court conviction or a reprimand or warning.
- The type of **offences** that count as re-offending – for example, whether to include all offences (including the most minor summary offences); recordable offences (which cover all indictable and triable either way offences and the most serious summary offences) or just indictable offences only. The National Statistics publications count recordable offences that are committed in England and Wales.

Given all these parameters there are many alternative ways to measure re-offending. The Compendium expresses the re-offending rates in the following ways:

- The proportion of offenders that commit a proven re-offence (known as the **proven re-offending rate**);
- The number of proven re-offences per 100 offenders (known as the **proven re-offending frequency rate**);
- The proportion of offenders that commit a proven re-offence that resulted in an immediate custodial sentence (known as the **proven re-offending custody rate**).

Chapter 1 Impact of court sentences on proven re-offending rates

Introduction

The Ministry of Justice publishes National Statistics on re-offending in England and Wales for both juvenile and adult offenders¹. The publications provide measures of re-offending broken down by sentence type, but these re-offending rates cannot be reliably compared to assess the effectiveness of sentencing in reducing re-offending. 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 could not be solely attributed to the sentence the offender received. In this chapter we aim at addressing this issue by constructing similar offender groups to reliably compare the re-offending rates for adults between 2005 and 2008. A more reliable comparison can be carried out by matching offenders that receive different sentencing outcomes using two different matching methodologies: variable by variable and propensity score matching (detailed description of both these methods are available in the methodological section below). These methods use a range of available offender and offence characteristics readily available from the Ministry of Justice databases (Police National Computer, court order commencements data and prison discharge data).

The chapter is divided in two papers, where paper 1 focuses on comparisons of sentencing types where one is a custodial sentence. The comparisons covered are:

- immediate custody (under 12 months) compared with community orders;
- immediate custody (under 12 months) compared with suspended sentence orders;
- immediate custody (1 year or more but less than 2 years) compared with immediate custody (under 12 months); and,
- immediate custody (2 years or more but less than 4 years) compared with immediate custody (1 year or more but less than 2 years).

Paper 2 focuses on the comparisons of sentencing types which are not custodial. The comparisons carried out in paper 2 are:

- fines compared with conditional discharges;

¹ Latest publications: [Adult re-convictions: results from the 2009 cohort](#); [Re-offending of juveniles: results from the 2009 cohort](#); Ministry of Justice, March 2011.

- community orders compared with conditional discharges;
- community orders compared with fines; and,
- suspended sentence orders compared with community orders.

The selected comparisons cover a range of possible realistic options a judge may have considered when sentencing an offender at court. The comparisons in this chapter are an extension to the 2010 Compendium of Re-offending Statistics and Analysis.

The matching methods used a limited number of 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 (e.g. employment needs or accommodation status).

Methodology

Re-offending data and measures

Datasets of adult² offenders receiving different types of sentence in England and Wales were constructed using details taken from the Police National Computer (PNC) between 2005 and 2008. Criminal careers and re-offending information was extracted for each occasion when an adult offender received one of the selected court sentences³. For this analysis, an offender is considered as many times as the number of sentencing occasions during the four year period; thus an offender who was sentenced on several occasions between during 2005 and 2008 will have more than one record in the data used for matching.

To compare the effect of sentencing on re-offending, one-year re-offending rates were calculated for each comparable group of offenders receiving a particular sentencing type. The re-offending rate is calculated in a similar way to the National Statistics on re-offending in England and Wales. In this chapter three different re-offending measures were used:

1. The proven re-offending rate: the proportion of offenders that commit a proven re-offence;

² Adult offenders are defined as offenders aged 18 or over at the time of their sentence, or in the case of custodial sentences, at the time of their discharge from prison. This is also referred to as the start point or the index date.

³ Conditional discharges and fines were taken from an extract of the PNC held by the Ministry of Justice, court order commencements data was used for community orders and suspended sentence orders, and prison discharge data was used for immediate custodial sentences. The PNC was then used to obtain criminal histories for all sentence types.

2. The proven re-offending frequency rate: the total number of proven re-offences committed that resulted in a conviction or caution, expressed as the number per 100 offenders; and,
3. The proven re-offending custody rate: the proportion of offenders that commit a proven re-offence that resulted in an immediate custodial sentence.

These rates calculated for the different sentence outcomes would not be comparable given that offenders receiving different sentences vary widely on different characteristics, such as age, gender, length of criminal career or number of previous offences. To ensure that these re-offending measures are comparable between different sentences offenders were matched using two different matching methods. The first method is variable by variable matching and it is also the primary method, since all main results are from this analysis. The second method is propensity score matching and it is the secondary method, since it is only used to verify, confirm and contextualise some of the results from the primary method.

Variable by variable matching method

The variable by variable matching method is the primary matching method used throughout this chapter. This method matches offenders where each offender receiving one sentence is matched exactly to a different offender receiving the comparison sentence on five offender and offence characteristics:

- gender;
- age at index date (in years);
- offence (based on the detailed Home Office offence codes);
- ethnicity (white northern European, white southern European, black, Asian, Chinese, Japanese or South East Asian, and Middle Eastern as assessed by the police); and,
- number of previous offences (this includes convictions, cautions, reprimands and warnings).

If an offender in one sentencing group had exactly the same details for these five characteristics as an offender in the other sentencing group, then they were considered to be a match. If there was more than one offender that matched on these characteristics then one offender would be selected at random. Once an offender at a particular sentencing occasion had been matched this occasion was excluded from further matching.

This matching method is relatively easy to understand and has the key advantage that the offender matches are exact on the selected characteristics. For this method all sentencing occasions that involved more than one offence were excluded.

Propensity score matching method

Propensity Score Matching (PSM) is a model-based matching method that was used as a secondary matching method and applied to certain sentencing comparisons to verify findings from the primary method (variable by variable). Under PSM, the propensity of an offender receiving a particular sentencing outcome is derived from a logistic regression model using a wider range of offender and offence characteristics: age, age of first offence, gender, ethnicity, offence type, Copas rate⁴, length of criminal career and number of previous offences, conviction and prison spells.

Once PSM propensities are all derived from the logistic regression model, offenders can be matched based on receiving different sentence outcomes, but having similar propensity to receive the same sentence. For example, to illustrate this methodology, we can have offender A receiving a short custodial sentence and offender B receiving a community order, but their respective propensity of receiving a short custodial sentence is similar, say 0.21 and 0.20 respectively. Thus, offender A and B are a likely match despite their actual sentence outcome being different. If they are a match, then their actual re-offending can be compared; in this case, say offender A re-offended whilst offender B did not. This method can then be applied to all offenders in the dataset to compare rates of re-offending between two different sentence outcomes.

In the PSM matching method used in this chapter, offenders receiving a particular sentencing outcome are matched one by one to offenders receiving another sentencing outcome with the closest propensity provided the difference in propensities is less than a caliper of 0.05⁵. The matching is carried out without replacement, which means the same offender from one sentencing outcome can be matched to only one offender from another sentencing outcome.

The PSM method will include sentencing occasions that involved one or more offences. This is different from the variable by variable method where all sentencing occasions that involved more than one offence were excluded.

Methodological drawbacks

Both methods have some important drawbacks. The variable by variable matching method means that many offenders are dropped from the

⁴ 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:

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

⁵ Caliper is the distance which is acceptable for any match. The probabilities of receiving a particular sentence outcome don't have to be exactly the same, but have to be similar. The caliper is measured in standardised standard deviation units. In this case, 0.05 means that a match needs to be within 0.05 standard deviations of each covariate.

comparison, since many offenders in one sentencing group do not have a suitable comparable offender in another sentencing group. These unmatched offenders mean that the matched datasets are considerably smaller than the original number of candidate offenders and are unlikely to be representative of the original data in terms of the mix of offender and offence characteristics. However the purpose of this exercise is to examine the extent to which the two matched datasets differ rather than attempting to construct datasets that retain the original mix of offenders and outcomes.

The PSM approach has the advantage of using all observed offence and offender characteristics to match the two groups and, because it is based on a statistical model, most offenders with a particular sentencing outcome are likely to have a corresponding matched offender in another sentencing outcome. However, this statistical matching methodology relies heavily on the model specification and robustness, which can lead to inferior matching quality.

Both matching methods use a limited number of offence and offender characteristics available on the Police National Computer (PNC) and cannot draw upon other relevant offender and offence characteristics that may influence the sentencing decision and also the probability of re-offending. It is therefore possible that some of the differences in re-offending observed results at least in part from differences in the offenders and their offences that are not reflected in the data used.

Sensitivity analysis

The large number of matched offenders in the PSM matching method also offers the possibility to carry out some additional sensitivity tests on the findings. In this chapter, two stress tests are carried out:

1. **adding a randomly generated factor** that is linearly correlated by 0.57 with the outcome measure (proven re-offending rate in this case). The level of correlation of 0.57 with re-offending was set to be substantially higher than the linear correlation of any existing variable with proven re-offending (this is usually the Copas rate). The inclusion of this factor aims at emulating unobserved offender characteristics that are highly correlated with re-offending but which the Ministry of Justice currently does not collect in their administrative datasets; and,
2. **comparing offenders sentenced at the low/high probability courts.** Using PSM it is possible to derive the overall propensities of a court to give a particular sentence outcome. This enables us to control for some of the court variability by dividing all the courts into three sub-groups (high, medium and low) propensities for any given sentencing outcome. Offenders receiving sentence A in courts with low propensities to give sentence A, and offenders receiving sentence B in courts with high propensities to give sentence A are compared in terms of their re-offending.

These two additional tests are likely to give additional assurance that any differences in re-offending between different sentences are indeed robust and not spurious.

Paper 1 A comparison of re-offending by adults between 2005 and 2008 who had received different types of sentences, including immediate custodial sentences

Summary

This paper describes results comparing re-offending rates between adult offenders receiving different types of sentences with custodial sentences at courts in England and Wales for each year between 2005 and 2008. The results from the variable by variable method show:

- Offenders receiving Community Orders (COs) had lower re-offending rates than those given immediate custodial sentences of less than 12 months for all four years. In 2008 the difference was 8.3 percentage points.
- Offenders on Suspended Sentence Orders (SSOs) had lower re-offending rates than those given immediate custodial sentences of less than 12 months for all four years. In 2008 the difference was 8.8 percentage points.
- Offenders given immediate custodial sentences of 1 year or more but less than 2 years had lower re-offending rates than those who received immediate custodial sentences of less than 12 months for all four years. Given the small numbers of matched pairs for this comparison the difference between these two sentences are highly variable, ranging between 2.5 percentage points in 2006 and 10.3 percentage points in 2005. The latest figure for 2008 showed a difference of 4.4 percentage points.
- Offenders given immediate custodial sentences of 2 years or more but less than 4 years had lower re-offending rates than those who receive immediate custodial sentences of 1 year or more but less than 2 years for all four years compared. Given the small numbers of matched pairs for this comparison the difference between these two sentences are highly variable, ranging between 2.7 percentage points in 2005 and 7.2 percentage points in 2008.

The results are broadly consistent across the two matching methodologies and a range of offender sub groups including offenders of different ages, different numbers of previous offences and between males and females. In some comparisons the re-offending differences are slightly larger for females, for older offenders and for offenders with many previous offences.

The results show that offenders released after having received an immediate custodial sentence of less than 12 months re-offend at a higher rate than offenders given SSOs and COs, but also at a higher rate than offenders given longer custodial sentences. The findings from this paper are not conclusive on whether the deterrent effect of longer custodial sentences is effective at reducing re-offending. Despite higher re-offending rates, offenders receiving

sentences of less than 12 months do not have access to offender management programmes and are not subject to supervision by the Probation Service upon release. This latter factor is also likely to explain some of the difference between court orders (community sentences and suspended sentence orders) and under 12 months prison sentences. However, the true impact of offender management programmes and Probation supervision cannot be reliably established using current MoJ administrative data.

Results

The main findings from all sentencing comparisons for the matched offender groups between 2005 and 2008 are presented in Tables 1 - 3. Further information and breakdowns from the variable by variable matching method are given in Annex A to this paper. Table A1 shows numbers of offenders in the original datasets and numbers of matched pairs, 2005 to 2008. Tables A2 to A5 combine the results for all four years and present results for each comparison by gender, age group, number of previous offences and for the most common offences⁶. Propensity score model outputs used to create comparable sentencing groups are shown in Annex B to this paper.

Immediate custodial sentences of under 12 months compared with Community Orders (COs) (Tables 1 - 3, A1 and A2)

Offenders discharged from immediate custodial sentences of less than 12 months re-offended at a higher rate than offenders receiving a CO. The difference ranged between 5.9 and 8.3 percentage points for the years 2005 to 2008. The PSM matching method and sensitivity analysis supports these findings, but reduces the magnitude of the difference slightly by placing it between 3.1 and 5.6 percentage points for 2008.

Further breakdowns show that the difference in re-offending rates was greater for female offenders, for older offenders and offenders with more previous offences. Offenders convicted of drink driving showed little difference in their re-offending rates when the two sentences were compared over the four years.

When offenders were compared in terms of the frequency of their re-offending, offenders discharged from immediate custodial sentences committed more re-offences than the matched offenders given a CO, the difference ranged between 62.7 and 80.3 re-offences per 100 offenders. Offenders discharged from custody were also more likely to commit a re-offence resulting in a further custodial sentence than those on COs – the difference ranged between 11.0 and 14.5 percentage points.

⁶ Note that the number of matched pairs vary from year to year so that some years make a greater contribution to the combined figures than others.

Immediate custodial sentences of under 12 months compared with Suspended Sentence Orders (SSOs) (Tables 1 - 3, A1 and A3)

The proportion of offenders discharged from immediate custodial sentences of less than 12 months who re-offended was higher than those on SSOs, the difference ranged between 3.8 and 8.8 percentage points. The PSM matching confirmed these findings, but reduced the magnitude of the difference placing it between 1.3 and 8.6 percentage points for 2008.

Further breakdowns showed that the differences in re-offending rates were generally higher for older offenders and for offenders with the most substantial criminal histories. Offenders convicted of either drink driving or affray showed the smallest differences in their re-offending rates.

The difference in the frequency of re-offending was between 30.4 and 66.5 re-offences per 100 offenders lower for those commencing an SSO. Unlike the previous comparison, the percentages of these two groups of offenders who committed a re-offence resulting in an immediate custodial sentence were very similar.

Immediate custodial sentences (1 year or more but less than 2 years) compared with immediate custodial sentences (under 12 months) (Tables 1 - 3, A1 and A4)

Offenders discharged from immediate custodial sentences of 1 to 2 years re-offended at a lower rate than those discharged from immediate custodial sentences of less than 12 months, the difference ranged between 2.5 and 10.3 percentage points. The PSM analysis supports these findings.

Further breakdowns showed that the difference in re-offending rates were greatest when offenders with a substantial previous criminal history were compared.

The figures for the frequency of re-offending showed that offenders discharged from 1 to 2 year immediate custodial sentences committed fewer re-offences than those who had served immediate custodial sentences of less than 12 months, the difference ranged between 18.9 and 46.8 re-offences per 100 offenders. Furthermore, a greater proportion of offenders discharged after a custodial sentence of less than 12 months committed re-offences resulting in a further custodial sentence, than those discharged after a 1 to 2 year sentence (19.8 per cent compared with 15.7 per cent). The small numbers of offenders matched for this sentencing comparison is likely to have lead to the variability in the results presented.

Immediate custodial sentences (2 years or more but less than 4 years) compared with immediate custodial sentences (1 year or more but less than 2 years) (Tables 1 - 3, A1 and A5)

Offenders discharged from immediate custodial sentences of 2 to 4 years re-offended at a lower rate than those offenders discharged from an immediate custodial sentence of 1 to 2 years, the difference ranged between 2.7 and 7.2 percentage points. The additional PSM model was not carried out for this comparison.

Further breakdowns were highly variable due to the small numbers in each one of the offender sub-groups.

The difference in the frequency of re-offending was lower for offenders discharged from 2 to 4 year immediate custodial sentences between the years 2006 to 2008 by 14.7 to 27.3 re-offences per 100 offenders. For 2005 those offenders discharged from a 2 to 4 year immediate custodial sentence committed 6.2 more re-offences than those discharged from a 1 to 2 year immediate custodial sentence. This variability is likely to be due to the small numbers of offenders matched for this particular sentencing comparison.

Table 1: Proven re-offending rates of matched pairs of offenders where one sentencing type is an immediate custodial sentence in England and Wales by gender, 2005¹ to 2008

England and Wales									Number of matched pairs of offenders and re-offending rates (%)						
Males					Females				All offenders ²				PSM analysis all offenders 2008 only		
	2005	2006	2007	2008	2005	2006	2007	2008	2005	2006	2007	2008	Full dataset PSM analysis	Additional randomly generated factor	High/low probability courts
Matched pairs	2,391	3,618	3,986	5,264	166	218	287	372	2,557	3,836	4,273	5,636	37,983	37,960	1,431
Immediate custody (less than 12 months)	50.2%	54.5%	56.6%	58.9%	53.6%	55.0%	65.2%	65.6%	50.4%	54.5%	57.2%	59.4%	57.7%	57.5%	46.8%
Community orders	44.2%	48.6%	49.8%	50.6%	41.6%	49.1%	51.9%	57.3%	44.0%	48.6%	50.0%	51.1%	52.1%	53.1%	43.7%
Difference (percentage points)	6.0	5.9	6.8	8.3	12.0	6.0	13.2	8.3	6.4	5.9	7.2	8.3	5.6	4.4	3.1
Matched pairs	343	1,595	2,002	2,549	22	85	108	118	365	1,680	2,110	2,667	27,663	27,500	915
Immediate custody (less than 12 months)	34.7%	42.1%	45.8%	47.6%	*	50.6%	36.1%	43.2%	34.5%	42.6%	45.3%	47.4%	52.4%	50.8%	43.0%
Suspended sentence orders	31.5%	37.7%	38.9%	38.8%	*	44.7%	34.3%	34.7%	30.7%	38.0%	38.7%	38.6%	43.8%	44.8%	41.6%
Difference (percentage points)	3.2	4.5	6.8	8.8	*	5.9	1.9	8.5	3.8	4.5	6.6	8.8	8.6	6.0	1.3
Matched pairs	491	425	463	617	6	8	3	15	497	433	466	632	9,285	9,276	32
Immediate custody (1 year or more but less than 2 years)	30.5%	32.7%	35.4%	40.7%	*	*	*	*	30.2%	32.8%	35.4%	40.0%	39.4%	39.7%	*
Immediate custody (less than 12 months)	40.7%	35.5%	42.1%	45.1%	*	*	*	*	40.4%	35.3%	42.1%	44.5%	50.0%	47.1%	*
Difference (percentage points)	-10.2	-2.8	-6.7	-4.4	*	*	*	*	-10.3	-2.5	-6.7	-4.4	-10.6	-7.4	*
Matched pairs	359	378	330	428	10	9	3	1	369	387	333	429	.	.	.
Immediate custody (2 years or more but less than 4 years)	32.6%	31.5%	33.0%	35.7%	*	*	*	*	31.7%	31.0%	32.7%	35.7%	.	.	.
Immediate custody (1 year or more but less than 2 years)	35.4%	36.5%	36.7%	43.0%	*	*	*	*	34.4%	35.7%	36.3%	42.9%	.	.	.
Difference (percentage points)	-2.8	-5.0	-3.6	-7.2	*	*	*	*	-2.7	-4.7	-3.6	-7.2	.	.	.

¹ Community orders and suspended sentence orders were introduced in the Criminal Justice Act 2003 and came into force from April 2005.

² Includes offenders with no recorded gender.

Italics means less than or equal to 50 offenders - treat the data with caution.

* Data based on 10 or fewer offenders are removed as they make the data unreliable for interpretation.

Table 2: Frequency of proven re-offending rates of matched pairs of offenders where one sentencing type is an immediate custodial sentence in England and Wales by gender, 2005¹ to 2008

England and Wales					Number of matched pairs of offenders and number of offences per 100 matched offenders							
	Males				Females				All offenders ²			
	2005	2006	2007	2008	2005	2006	2007	2008	2005	2006	2007	2008
Matched pairs	2,391	3,618	3,986	5,264	166	218	287	372	2,557	3,836	4,273	5,636
Immediate custody (less than 12 months)	226.3	247.2	262.1	272.0	225.3	283.5	340.1	311.0	226.2	249.3	267.4	274.6
Community orders	165.5	171.1	187.4	190.8	136.7	169.3	227.5	243.3	163.6	171.0	190.1	194.3
Difference in re-offences per 100 matched offenders	60.9	76.1	74.8	81.2	88.6	114.2	112.5	67.7	62.7	78.3	77.3	80.3
Matched pairs	343	1,595	2,002	2,549	22	85	108	118	365	1,680	2,110	2,667
Immediate custody (less than 12 months)	130.0	170.8	182.2	187.9	90.9	230.6	198.1	223.7	127.7	173.8	183.0	189.5
Suspended sentence orders	100.9	112.3	122.0	122.8	*	144.7	129.6	127.1	97.3	113.9	122.4	122.9
Difference in re-offences per 100 matched offenders	29.2	58.5	60.2	65.1	*	85.9	68.5	96.6	30.4	59.9	60.6	66.5
Matched pairs	491	425	463	617	6	8	3	15	497	433	466	632
Immediate custody (1 year or more but less than 2 years)	92.3	100.2	101.7	109.1	*	*	*	*	91.1	100.7	101.7	107.8
Immediate custody (less than 12 months)	136.7	120.7	147.5	153.8	*	*	*	86.7	135.2	119.6	148.5	152.2
Difference in re-offences per 100 matched offenders	-44.4	-20.5	-45.8	-44.7	*	*	*	*	-44.1	-18.9	-46.8	-44.5
Matched pairs	359	378	330	428	10	9	3	1	369	387	333	429
Immediate custody (2 years or more but less than 4 years)	95.0	92.3	82.4	107.7	*	*	*	*	92.4	91.2	81.7	107.5
Immediate custody (1 year or more but less than 2 years)	88.6	108.5	100.0	135.0	*	*	*	*	86.2	105.9	99.1	134.7
Difference in re-offences per 100 matched offenders	6.4	-16.1	-17.6	-27.3	*	*	*	*	6.2	-14.7	-17.4	-27.3

¹ Community orders and suspended sentence orders were introduced in the Criminal Justice Act 2003 and came into force from April 2005.

² Includes offenders with no recorded gender.

Italics means less than or equal to 50 offenders - treat the data with caution.

* Data based on 10 or fewer offenders are removed as they make the data unreliable for interpretation.

Table 3: Proven re-offending custody rates of matched pairs of offenders where one sentencing type is an immediate custodial sentence in England and Wales by gender, 2005¹ to 2008

England and Wales					Number of matched pairs of offenders and re-offending custody rates (%)							
	Males				Females				All offenders ²			
	2005	2006	2007	2008	2005	2006	2007	2008	2005	2006	2007	2008
Matched pairs	2,391	3,618	3,986	5,264	166	218	287	372	2,557	3,836	4,273	5,636
Immediate custody (less than 12 months)	31.0%	35.6%	36.3%	37.4%	29.5%	30.7%	46.3%	43.0%	30.9%	35.3%	37.0%	37.8%
Community orders	20.3%	23.3%	23.8%	23.1%	15.1%	20.6%	23.3%	25.8%	20.0%	23.1%	23.8%	23.3%
Difference (percentage points)	10.7	12.3	12.5	14.3	14.5	10.1	23.0	17.2	11.0	12.2	13.2	14.5
Matched pairs	343	1,595	2,002	2,549	22	85	108	118	365	1,680	2,110	2,667
Immediate custody (less than 12 months)	17.8%	23.9%	26.3%	25.2%	*	28.2%	20.4%	23.7%	17.5%	24.2%	26.0%	25.1%
Suspended sentence orders	20.4%	23.1%	24.8%	24.9%	*	24.7%	23.1%	20.3%	19.7%	23.2%	24.7%	24.7%
Difference (percentage points)	-2.6	0.8	1.5	0.3	*	3.5	-2.8	3.4	-2.2	1.0	1.3	0.4
Matched pairs	491	425	463	617	6	8	3	15	497	433	466	632
Immediate custody (1 year or more but less than 2 years)	13.6%	14.4%	15.1%	19.3%	*	*	*	*	13.5%	14.1%	15.0%	19.0%
Immediate custody (less than 12 months)	18.7%	18.1%	20.5%	21.9%	*	*	*	*	18.5%	17.8%	20.6%	21.5%
Difference (percentage points)	-5.1	-3.8	-5.4	-2.6	*	*	*	*	-5.0	-3.7	-5.6	-2.5
Matched pairs	359	378	330	428	10	9	3	1	369	387	333	429
Immediate custody (2 years or more but less than 4 years)	16.7%	17.5%	15.5%	23.8%	*	*	*	*	16.3%	17.3%	15.3%	23.8%
Immediate custody (1 year or more but less than 2 years)	15.3%	18.3%	18.5%	21.3%	*	*	*	*	14.9%	17.8%	18.3%	21.2%
Difference (percentage points)	1.4	-0.8	-3.0	2.6	*	*	*	*	1.4	-0.5	-3.0	2.6

¹ Community orders and suspended sentence orders were introduced in the Criminal Justice Act 2003 and came into force from April 2005.² Includes offenders with no recorded gender.*Italics means less than or equal to 50 offenders - treat the data with caution.*

* Data based on 10 or fewer offenders are removed as they make the data unreliable for interpretation.

Annex A: Statistical tables

Table A1: Number of offenders in original datasets and number of matched pairs, 2005¹ to 2008

England and Wales					Number of offenders and number of matched pairs							
	2005	2006	2007	2008	2005	2006	2007	2008	2005	2006	2007	2008
	Offenders receiving immediate custody (less than 12 months)				Offenders receiving community orders				Immediate custody (less than 12 months) matched with community orders			
Males	11,718	12,154	13,165	17,274	19,664	44,304	48,447	52,020	2,391	3,618	3,986	5,264
Females	1,271	1,383	1,533	1,972	3,384	7,756	8,705	9,588	166	218	287	372
All offenders ²	12,989	13,537	14,698	19,248	23,067	52,118	57,220	61,669	2,557	3,836	4,273	5,636
	Offenders receiving immediate custody (less than 12 months)				Offenders receiving suspended sentence orders				Immediate custody (less than 12 months) matched with suspended sentence orders			
Males	11,718	12,154	13,165	17,274	1,525	10,175	14,392	15,664	343	1,595	2,002	2,549
Females	1,271	1,383	1,533	1,972	260	1,584	2,283	2,541	22	85	108	118
All offenders ²	12,989	13,537	14,698	19,248	1,786	11,767	16,695	18,222	365	1,680	2,110	2,667
	Immediate custody (1 year or more but less than 2 years)				Offenders receiving immediate custody (less than 12 months)				Immediate custody (1 year or more but less than 2 years) matched with immediate custody (less than 12 months)			
Males	3,585	3,448	3,645	4,333	11,718	12,154	13,165	17,274	491	425	463	617
Females	297	253	240	354	1,271	1,383	1,533	1,972	6	8	3	15
All offenders ²	3,882	3,701	3,885	4,690	12,989	13,537	14,698	19,248	497	433	466	632
	Immediate custody (2 years or more but less than 4 years)				Immediate custody (1 year or more but less than 2 years)				Immediate custody (2 years or more but less than 4 years) matched with immediate custody (1 year or more but less than 2 years)			
Males	3,407	3,281	3,235	3,720	3,585	3,448	3,645	4,333	359	378	330	428
Females	300	260	211	238	297	253	240	354	10	9	3	1
All offenders ²	3,707	3,541	3,446	3,959	3,882	3,701	3,885	4,690	369	387	333	429

¹ Community orders and suspended sentence orders were introduced in the Criminal Justice Act 2003 and came into force from April 2005.

² Includes offenders with no recorded gender.

Italics means less than or equal to 50 offenders - treat the data with caution.

Table A2: Re-offending comparisons of matched pairs of offenders who have received an immediate custodial sentence of 12 months or less or a community order, 2005¹ to 2008

England and Wales		Number of matched pairs of offenders and different measures of re-offending								
	Number of matched pairs of offenders	One-year re-offending rate			Frequency of re-offending			Re-offending custody rates		
		Immediate custody (less than 12 months)	Community orders	Difference (percentage points)	Immediate custody (less than 12 months)	Community orders	Difference	Immediate custody (less than 12 months)	Community orders	Difference (percentage points)
All offenders²	16,302	56.3%	49.1%	7.2	259.2	182.9	76.3	35.9%	22.9%	13.1
Males	15,259	55.9%	48.9%	7.0	256.4	181.3	75.1	35.7%	22.9%	12.8
Females	1,043	61.4%	51.6%	9.8	299.6	206.5	93.1	39.2%	22.3%	16.9
Age										
18 - 20	3,381	54.0%	50.4%	3.5	215.1	172.7	42.4	30.9%	22.1%	8.8
21 - 24	3,489	54.0%	48.8%	5.2	241.7	178.2	63.5	32.2%	21.9%	10.3
25 - 29	3,470	62.2%	56.3%	5.9	315.2	229.2	86.1	42.2%	28.9%	13.3
30 - 34	2,491	63.9%	54.4%	9.5	315.6	212.2	103.3	44.6%	26.5%	18.1
35 - 39	1,721	56.9%	46.7%	10.3	267.8	166.0	101.8	37.1%	21.3%	15.8
40 - 49	1,501	44.4%	30.6%	13.9	193.7	105.3	88.5	29.0%	12.2%	16.9
50 and over	249	26.5%	11.2%	15.3	92.8	34.1	58.6	16.5%	*	*
Most common offences										
Shoplifting	5,353	84.3%	75.2%	9.2	486.3	343.1	143.2	64.2%	42.4%	21.8
Assault	3,096	43.4%	33.9%	9.6	134.7	85.9	48.8	22.5%	11.1%	11.5
Actual bodily harm	1,745	27.4%	24.0%	3.4	70.9	54.7	16.2	8.9%	6.0%	2.9
Burglary ³	1,081	68.0%	57.0%	11.0	277.6	193.0	84.6	42.0%	27.5%	14.5
Affray	852	28.2%	27.7%	0.5	72.8	62.3	10.4	7.9%	6.2%	1.6
Drink driving	571	11.6%	13.3%	-1.8	29.1	24.0	5.1	3.3%	*	*
Number of previous convictions or cautions										
0	1,144	10.9%	9.4%	1.5	21.0	17.0	4.0	3.1%	1.1%	1.9
1 - 2	1,423	18.7%	18.7%	0.0	45.7	38.6	7.2	5.2%	3.6%	1.6
3 - 6	2,205	34.2%	30.3%	3.9	97.0	68.6	28.3	13.3%	7.4%	5.9
7 - 10	1,766	46.1%	39.0%	7.1	153.5	112.7	40.7	23.0%	12.7%	10.2
11 - 14	1,527	55.1%	48.9%	6.2	202.4	150.2	52.2	31.4%	17.7%	13.7
15 or more	8,237	77.3%	67.1%	10.2	405.7	282.6	123.2	55.5%	36.5%	19.0

¹ Community orders and suspended sentence orders were introduced in the Criminal Justice Act 2003 and came into force from April 2005.² Includes offenders with no recorded gender.³ Refers to burglary both in a dwelling and not in a dwelling.*Italics means less than or equal to 50 offenders - treat the data with caution.*

* Data based on 10 or fewer offenders are removed as they make the data unreliable for interpretation.

Table A3: Re-offending comparisons of matched pairs of offenders who have received an immediate custodial sentence of 12 months or less or a suspended sentence order, 2005¹ to 2008

England and Wales		Number of matched pairs of offenders and different measures of re-offending								
	Number of matched pairs of offenders	One-year re-offending rate			Frequency of re-offending			Re-offending custody rates		
		Immediate custody (less than 12 months)	Suspended sentence orders	Difference (percentage points)	Immediate custody (less than 12 months)	Suspended sentence orders	Difference	Immediate custody (less than 12 months)	Suspended sentence orders	Difference (percentage points)
All offenders²	6,822	44.9%	38.1%	6.8	180.3	119.2	61.1	24.7%	24.1%	0.7
Males	6,489	45.0%	38.2%	6.8	178.9	118.8	60.1	24.8%	24.2%	0.6
Females	333	42.0%	36.0%	6.0	208.4	126.7	81.7	23.1%	21.6%	1.5
Age										
18 - 20	1,768	46.0%	40.6%	5.4	154.4	112.4	41.9	21.9%	22.5%	-0.6
21 - 24	1,705	43.5%	37.0%	6.5	169.3	110.0	59.3	22.2%	21.1%	1.1
25 - 29	1,278	50.8%	44.0%	6.8	232.7	155.6	77.2	31.3%	30.6%	0.7
30 - 34	859	49.6%	42.4%	7.2	222.2	148.9	73.3	30.3%	31.7%	-1.4
35 - 39	583	44.6%	33.6%	11.0	178.9	117.3	61.6	28.3%	23.8%	4.5
40 - 49	531	29.2%	22.8%	6.4	125.8	55.7	70.1	16.4%	14.1%	2.3
50 and over	98	16.3%	*	*	92.9	20.4	72.4	*	*	*
Most common offences										
Assault	1,431	43.3%	33.6%	9.7	129.0	77.9	51.1	21.1%	20.4%	0.7
Actual bodily harm	1,424	28.8%	23.9%	4.9	73.5	48.1	25.4	10.5%	10.5%	0.0
Shoplifting	1,094	87.0%	77.2%	9.8	512.9	344.4	168.5	65.0%	63.2%	1.8
Affray	603	29.2%	26.7%	2.5	66.0	60.4	5.6	7.6%	10.9%	-3.3
Burglary ³	512	65.8%	56.1%	9.8	272.7	181.6	91.0	39.3%	35.7%	3.5
Drink driving	284	10.6%	8.5%	2.1	24.6	14.8	9.9	*	*	*
Number of previous convictions or cautions										
0	801	9.6%	7.2%	2.4	18.7	11.9	6.9	1.7%	1.7%	0.0
1 - 2	893	17.5%	16.2%	1.2	32.8	25.1	7.7	2.9%	5.2%	-2.2
3 - 6	1,229	31.4%	25.1%	6.3	74.8	50.4	24.3	10.8%	10.1%	0.7
7 - 10	878	40.7%	34.2%	6.5	108.4	78.5	30.0	16.9%	18.3%	-1.5
11 - 14	623	49.4%	40.8%	8.7	147.5	99.4	48.2	25.4%	24.1%	1.3
15 or more	2,398	74.1%	63.9%	10.2	378.1	245.3	132.8	50.4%	47.8%	2.6

¹ Community orders and suspended sentence orders were introduced in the Criminal Justice Act 2003 and came into force from April 2005.² Includes offenders with no recorded gender.³ Refers to burglary both in a dwelling and not in a dwelling.*Italics means less than or equal to 50 offenders - treat the data with caution.*

* Data based on 10 or fewer offenders are removed as they make the data unreliable for interpretation.

Table A4: Re-offending comparisons of matched pairs of offenders who have received an immediate custodial sentence of 12 months or an immediate custodial sentence of more than one year but less than two years, 2005 to 2008

England and Wales		Number of matched pairs of offenders and different measures of re-offending								
	Number of matched pairs of offenders	One-year re-offending rate			Frequency of re-offending			Re-offending custody rates		
		Immediate custody (more than 1 year but less than 2)	Immediate custody (less than 12 months)	Difference (percentage points)	Immediate custody (more than 1 year but less than 2)	Immediate custody (less than 12 months)	Difference	Immediate custody (more than 1 year but less than 2)	Immediate custody (less than 12 months)	Difference (percentage points)
All offenders¹	2,028	35.0%	41.0%	-6.0	100.8	140.2	-39.4	15.7%	19.8%	-4.1
Males	1,996	35.3%	41.3%	-6.0	101.4	141.1	-39.7	15.9%	20.0%	-4.1
Females	32	*	*	*	65.6	87.5	-21.9	*	*	*
Age										
18 - 20	761	41.8%	44.8%	-3.0	111.0	139.8	-28.8	15.2%	21.8%	-6.6
21 - 24	633	30.8%	37.8%	-7.0	86.1	124.8	-38.7	14.8%	16.4%	-1.6
25 - 29	328	32.3%	43.0%	-10.7	103.4	160.4	-57.0	19.5%	20.7%	-1.2
30 - 34	138	33.3%	38.4%	-5.1	102.9	140.6	-37.7	15.2%	18.8%	-3.6
35 - 39	110	32.7%	38.2%	-5.5	135.5	190.0	-54.5	16.4%	23.6%	-7.3
40 - 49	53	*	24.5%	*	43.4	92.5	-49.1	*	*	*
50 and over	5	*	*	*	*	*	*	*	*	*
Most common offences										
Actual bodily harm	640	26.4%	35.8%	-9.4	60.2	93.8	-33.6	10.2%	12.2%	-2.0
Burglary ²	376	60.9%	71.3%	-10.4	197.3	304.5	-107.2	34.6%	47.3%	-12.8
Grievous bodily harm ³	284	19.4%	19.0%	0.4	34.9	39.1	-4.2	4.9%	*	*
Affray	274	32.1%	34.7%	-2.6	71.5	90.5	-19.0	8.8%	11.3%	-2.6
Robbery	113	41.6%	43.4%	-1.8	145.1	134.5	10.6	19.5%	18.6%	0.9
Violent disorder	60	18.3%	21.7%	-3.3	35.0	41.7	-6.7	*	*	*
Number of previous convictions or cautions										
0	295	8.5%	7.5%	1.0	14.6	16.3	-1.7	*	*	*
1 - 2	287	16.4%	19.9%	-3.5	24.7	38.0	-13.2	*	*	*
3 - 6	420	26.4%	31.7%	-5.2	57.4	72.1	-14.8	8.3%	7.6%	0.7
7 - 10	228	32.9%	39.9%	-7.0	68.4	99.6	-31.1	9.2%	13.6%	-4.4
11 - 14	172	43.6%	50.6%	-7.0	136.6	137.8	-1.2	18.6%	25.6%	-7.0
15 or more	626	60.2%	70.4%	-10.2	207.3	306.7	-99.4	35.6%	44.4%	-8.8

¹ Includes offenders with no recorded gender.² Refers to burglary both in a dwelling and not in a dwelling.³ Refers to wounding with intent to do grievous bodily harm and wounding or inflicting grievous bodily harm.*Italics means less than or equal to 50 offenders - treat the data with caution.*

* Data based on 10 or fewer offenders are removed as they make the data unreliable for interpretation.

Table A5: Re-offending comparisons of matched pairs of offenders who have received an immediate custodial sentence of more than one year but less than two years or an immediate custodial sentence of more than two years but less than 4 years, 2005 to 2008

England and Wales		Number of matched pairs of offenders and different measures of re-offending								
	Number of matched pairs of offenders	One-year re-offending rate			Frequency of re-offending			Re-offending custody rates		
		Immediate custody (2 years or more but less than 4 years)	Immediate custody (more than 1 year but less than 2)	Difference (percentage points)	Immediate custody (2 years or more but less than 4 years)	Immediate custody (more than 1 year but less than 2)	Difference	Immediate custody (2 years or more but less than 4 years)	Immediate custody (more than 1 year but less than 2)	Difference (percentage points)
All offenders¹	1,518	32.9%	37.5%	-4.7	94.0	107.8	-13.8	18.4%	18.2%	0.3
Males	1,495	33.3%	38.1%	-4.8	95.2	109.4	-14.2	18.7%	18.5%	0.2
Females	23	*	*	*	*	*	*	*	*	*
Age										
18 - 20	552	33.7%	38.0%	-4.3	84.4	100.9	-16.5	17.4%	18.5%	-1.1
21 - 24	488	32.0%	36.7%	-4.7	94.9	96.3	-1.4	17.2%	16.2%	1.0
25 - 29	235	33.2%	35.7%	-2.6	107.7	122.6	-14.9	19.6%	18.3%	1.3
30 - 34	133	35.3%	44.4%	-9.0	112.0	144.4	-32.3	24.1%	25.6%	-1.5
35 - 39	61	37.7%	39.3%	-1.6	121.3	144.3	-23.0	26.2%	21.3%	4.9
40 - 49	38	*	31.6%	*	55.3	92.1	-36.8	*	*	*
50 and over	11	*	*	*	*	*	*	*	*	*
Most common offences										
Robbery	527	34.3%	39.3%	-4.9	86.1	105.1	-19.0	16.7%	17.6%	-0.9
Grievous bodily harm ²	393	21.9%	20.9%	1.0	61.3	42.7	18.6	11.2%	6.9%	4.3
Burglary ³	383	53.3%	61.9%	-8.6	172.8	211.7	-38.9	35.2%	37.9%	-2.6
Actual bodily harm	90	16.7%	21.1%	-4.4	34.4	51.1	-16.7	*	*	*
Violent disorder	29	*	*	*	*	51.7	*	*	*	*
Death by dangerous driving	24	*	*	*	*	*	*	*	*	*
Number of previous convictions or cautions										
0	171	6.4%	9.4%	-2.9	18.7	14.6	4.1	*	*	*
1 - 2	211	15.2%	14.2%	0.9	30.8	24.2	6.6	6.2%	*	*
3 - 6	267	25.1%	27.0%	-1.9	53.6	53.2	0.4	11.2%	7.1%	4.1
7 - 10	174	28.7%	28.2%	0.6	90.2	63.2	27.0	16.1%	10.3%	5.7
11 - 14	137	33.6%	47.4%	-13.9	92.0	129.9	-38.0	19.7%	21.9%	-2.2
15 or more	558	52.5%	60.6%	-8.1	162.0	202.5	-40.5	31.5%	35.5%	-3.9

¹ Includes offenders with no recorded gender.

² Refers to wounding with intent to do grievous bodily harm and wounding or inflicting grievous bodily harm.

³ Refers to burglary both in a dwelling and not in a dwelling.

Italics means less than or equal to 50 offenders - treat the data with caution.

* Data based on 10 or fewer offenders are removed as they make the data unreliable for interpretation.

Annex B: Propensity Score model outputs

Table B1 shows the offender and offence characteristics that significantly influenced the probability of an offender receiving a custodial sentence when compared with another sentence type. From the model outputs it can be ascertained how different offender and offence characteristics affect sentencing. In general, a positive coefficient means that that offender or offence characteristic increases the likelihood of sentencing outcome marked 1, and conversely, a negative coefficient means that that offender or offence characteristic increases the likelihood of sentencing outcome marked 0 (see top of table B1 for which sentence is 1 or 0 in each sentencing comparison). So, for example males are more likely to get an immediate short custodial sentence than a community order, since the positive coefficient means that males are more likely to have the one outcome (immediate custody under 12 months in this case). In the same way, males are more likely to receive a suspended sentence order than an immediate custody under 12 months.

Table B1: Logistic regression model output showing the statistically significant offender and offence characteristics that affect offenders receiving a custodial sentencing outcome, 2008

Offender characteristics	Immediate custody <12M (1) compared with community orders (0)			Suspended orders (1) compared with immediate custody <12M (0)			Immediate custody >=12 & <24M (1) compared with immediate custody <12M		
	Coefficient	SE	P-Value	Coefficient	SE	P-Value	Coefficient	SE	P-Value
Male	0.316	0.021	< 0.001	-0.324	0.025	< 0.001	0.179	0.048	< 0.001
Age	0.142	0.013	< 0.001	-0.089	0.015	< 0.001	-0.030	0.022	0.171
Age (Squared)	0.024	0.006	< 0.001	-0.016	0.007	0.026	-0.015	0.010	0.159
Age of First Offence	0.059	0.016	< 0.001	-0.048	0.018	0.008	-0.325	0.027	< 0.001
Age of First Offence (Squared)	-0.030	0.005	< 0.001	0.022	0.006	< 0.001	0.057	0.007	< 0.001
Number of previous offences	0.368	0.027	< 0.001	-0.146	0.034	< 0.001	0.185	0.048	< 0.001
Number of previous offences (Squared)	-0.057	0.005	< 0.001	0.047	0.006	< 0.001	-0.018	0.009	0.058
Number of previous convictions	-0.853	0.034	< 0.001	0.625	0.044	< 0.001	-0.149	0.054	0.006
Number of previous convictions (Squared)	0.066	0.004	< 0.001	-0.063	0.007	< 0.001	0.008	0.006	0.158
Number of previous custodial sentences	0.510	0.017	< 0.001	-0.423	0.022	< 0.001	0.198	0.037	< 0.001
Number of previous custodial sentences (squared)	-0.038	0.003	< 0.001	0.032	0.004	< 0.001	-0.010	0.007	0.136
Copas rate	1.066	0.019	< 0.001	-0.807	0.022	< 0.001	-0.589	0.028	< 0.001
Offence Category									
Violence	reference category			reference category			reference category		
Robbery	1.271	0.111	< 0.001	0.338	0.091	< 0.001	2.582	0.083	< 0.001
Public order or riot	-0.278	0.030	< 0.001	0.034	0.034	0.322	0.218	0.050	< 0.001
Sexual	0.529	0.065	< 0.001	-0.728	0.079	< 0.001	0.265	0.092	0.004
Sexual (child)	1.293	0.081	< 0.001	-0.791	0.087	< 0.001	1.145	0.088	< 0.001
Domestic burglary	0.024	0.045	0.588	0.404	0.046	< 0.001	1.838	0.048	< 0.001
Other burglary	-0.169	0.035	< 0.001	-0.186	0.043	< 0.001	0.054	0.058	0.353
Theft	-0.311	0.019	< 0.001	-0.472	0.024	< 0.001	-1.313	0.049	< 0.001
Handling	-0.442	0.048	< 0.001	0.043	0.057	0.452	0.169	0.081	0.037
Fraud and forgery	0.533	0.036	< 0.001	-0.422	0.040	< 0.001	-0.214	0.063	0.001
Absconding or bail offences	0.271	0.035	< 0.001	-1.230	0.053	< 0.001	-3.506	0.269	< 0.001
Taking and driving away and related offences	-0.068	0.042	0.107	-0.309	0.053	< 0.001	-0.094	0.076	0.217
Theft from vehicles	-0.326	0.052	< 0.001	-0.322	0.069	< 0.001	-1.151	0.141	< 0.001
Other motoring offences	0.217	0.025	< 0.001	-0.242	0.028	< 0.001	-0.790	0.052	< 0.001
Drink driving offences	-0.470	0.031	< 0.001	0.029	0.037	0.436	-3.070	0.216	< 0.001
Criminal or malicious damage	-0.892	0.038	< 0.001	-0.315	0.052	< 0.001	-0.383	0.085	< 0.001
Drugs import/export/ production/supply	-0.552	0.070	< 0.001	0.846	0.072	< 0.001	1.649	0.083	< 0.001
Drugs possession/small scale supply	-1.004	0.036	< 0.001	0.310	0.042	< 0.001	0.711	0.055	< 0.001
Other	0.573	0.037	< 0.001	-0.583	0.042	< 0.001	-0.598	0.072	< 0.001
Ethnicity									
Unknown	reference category			reference category			reference category		
White North European	-0.080	0.056	0.154	0.021	0.064	0.737	-0.065	0.098	0.510
White South European	0.592	0.072	< 0.001	-0.578	0.085	< 0.001	-0.517	0.138	< 0.001
Black	0.386	0.059	< 0.001	-0.349	0.067	< 0.001	-0.325	0.104	0.002
Asian	0.310	0.062	< 0.001	-0.185	0.071	0.009	-0.108	0.110	0.325
Chinese, Japanese or SE Asian	1.746	0.104	< 0.001	-1.717	0.132	< 0.001	-1.500	0.215	< 0.001
Middle Eastern	0.925	0.093	< 0.001	-0.864	0.112	< 0.001	-1.552	0.236	< 0.001
Constant	-1.244	0.060	< 0.001	0.436	0.068	< 0.001	-1.424	0.110	< 0.001

Paper 2 A comparison of re-offending by adults between 2005 and 2008 who had received different types of sentences other than immediate custodial sentences

Summary

This paper describes results comparing re-offending rates between adult offenders receiving different types of sentences other than custodial at courts in England and Wales for each year between 2005 and 2008. The results from the variable by variable method show:

- Offenders receiving conditional discharges had a lower re-offending rate than those receiving fines for all four years. In 2008 the difference was 3.9 percentage points.
- Offenders receiving conditional discharges had a lower re-offending rate than those receiving Community Orders (COs) for all four years. In 2008 the difference was between 2.9 and 5.6 percentage points depending on the matching method used. Additional analysis restricted to offenders given a low level requirement (a single requirement of unpaid work), showed the differences in the observed re-offending rates were reduced to between 1.6 and 3.1 percentage points for all four years. This suggests that at least some of the differences in re-offending observed when COs were compared with conditional discharges relate to the more problematic offenders who received the more serious forms of COs.
- Offenders receiving a fine re-offend at lower rate than those receiving COs for all four years. In 2008 the difference was 1.6 percentage points using the variable by variable matching method, however PSM suggests that COs have a lower re-offending rate by 0.9 percentage points for 2008. This is supported by looking at the subgroup of offenders receiving a CO with a requirement of unpaid work only, where the difference in re-offending rates disappears.
- Offenders receiving Suspended Sentence Orders (SSOs) had a lower re-offending rate than those on COs for all four years. In 2008 the difference was between 2.7 percentage points.

This paper also shows that the Propensity Score Matching (PSM) method is less robust when comparing non-custodial sentences than when comparing sentences where one outcome is a custodial sentence. For two comparisons – community orders with conditional discharges and community order with fines – the offender and offence characteristics used are not sufficient to reliably predict the sentencing outcome for all offenders. Thus, the results from the PSM method are unreliable. This is confirmed by the similar findings for the variable by variable method and the high/low probability courts sensitivity test, where only a sub-group of similar offenders are matched. This is a symptom of missing one or more offender or offence characteristics in the current Ministry of Justice administrative data systems that would help PSM to provide better offender matching.

The results are broadly consistent across a range of offender sub groups including offenders of different ages, different numbers of previous offences and between males and females. In some comparisons the re-offending differences are slightly larger for females, for older offenders and for offenders with many previous offences.

Results

The main findings from all sentencing comparisons for the matched offender groups between 2005 and 2008 are presented in Tables 1 - 3. Further information and breakdowns from the variable by variable matching method are given in Annex C to this paper. Table C1 shows numbers of offenders in the original datasets and numbers of matched pairs, 2005 to 2008. Tables C2 to C5 combine the results for all four years and present results for each comparison by gender, age group, number of previous offences and for the most common offences⁷. Propensity score model outputs used to create comparable sentencing groups are shown in Annex D to this paper.

Fines compared with conditional discharges (Tables 1 - 3, C1 and C2)

A higher proportion of adult offenders given a fine re-offended when compared with offenders who received a conditional discharge. The difference ranged between 2.0 and 4.3 percentage points between the years 2005 and 2008. The PSM method suggests a similar higher re-offending rate for fines (3.6 percentage points) in 2008. However, the higher re-offending rate for fines rapidly dwindles when adding a randomly generated factor and using only offenders from low/high probability courts (2.3 and 1.9 percentage points respectively).

When looking at specific offences, offenders convicted of assault have noticeably lower re-offending rates and smaller differences between re-offending measures compared with the other offences shown.

When offenders were compared in terms of the frequency of their re-offending, those offenders who were fined committed more re-offences than offenders given a conditional discharge, the difference ranged between 13.3 and 24.0 re-offences per 100 offenders. The fined offenders were also slightly more likely to receive a custodial sentence for one of their re-offences than those receiving a conditional discharge, the difference ranged between 1.0 and 1.9 percentage points.

Community orders compared with conditional discharges (Tables 1 - 3, C1 and C3)

Offenders given Community Orders (COs) re-offend at a higher rate than those matched offenders given a conditional discharge; the overall difference ranged

⁷ Note that the number of matched pairs vary from year to year so that some years make a greater contribution to the combined figures than others.

between 3.7 and 5.6 percentage points. The PSM method suggests a reduced difference with 3.0 percentage points for 2008. However, when comparing offenders receiving a community order from courts with a high rate of conditional discharges with offenders receiving a conditional discharge from courts with a high rate of community orders, the difference increases to 5.0 percentage points in 2008. This suggests that both the variable by variable method and the high/low probability courts sensitivity testing are comparing the most similar sub-group offenders within the community orders and conditional discharges sentencing types.

The re-offending rate differences were similar for males and females (5.0 and 4.7 percentage points respectively) and for offenders of different ages (between 2.8 and 6.1 percentage points). There were larger differences in the re-offending rates for those with the highest number of previous offences. Matched offenders convicted of Actual Bodily Harm offence type showed the lowest re-offending rates and the smallest difference between the two sentence types.

A further analysis within the matched datasets covered those offenders given a CO with an unpaid requirement only – this is commonly accepted to be one of the least serious requirements of a CO given in general to less problematic offenders. When the re-offending for this subgroup was compared with the matched offenders who received a conditional discharge the re-offending rate difference reduced to 1.6 and 3.1 percentage points, compared to 3.7 and 5.6 percentage points previously.

When offenders were compared in terms of the frequency of their re-offending, those offenders who received a community order committed more re-offences than offenders given a conditional discharge, the difference ranged between 12.6 and 27.2 re-offences per 100 offenders. Those who received a community order were also more likely to receive a custodial sentence for one of their re-offences than those receiving a conditional discharge, the difference ranged between 3.3 and 4.2 percentage points.

Community orders compared with fines (Tables 1 - 3, C1 and C4)

These two sentences were the most similar in terms of the resultant re-offending by the matched offenders. There was a very slightly higher rate of re-offending following a CO compared with a fine, the difference ranged between 1.1 and 1.6 percentage points. The PSM method changes the sign of this difference by suggesting that community orders have a lower re-offending rate by 0.9 percentage points in 2008. However, when comparing offenders sentenced at the low/high probability courts of receiving community orders, the difference was 2.5 percentage points in 2008. As with the comparison of community orders with conditional discharges, this difference suggests that there are two different sub-groups within the fines and community orders comparison. Fines are more effective at reducing re-offending for the more comparable sub-group.

The further breakdowns by gender, age, previous history and offence did not reveal any notable differences for these sub-groups compared with the overall results for this comparison.

The small differences seen in the re-offending rate was also seen in the frequency of re-offending measure and the proportion receiving a subsequent custodial sentence. When the re-offending for this subgroup of offenders who had received a CO with only an unpaid work requirement were compared with offenders who had been fined, the difference in the re-offending rates reduced to -0.8 and 0.8 compared to 1.1 and 1.6 percentage points previously. This shows that excluding the more serious offenders on COs generated matched groups of offenders with very similar re-offending rates. A slightly greater proportion of offenders given a community order committed re-offences resulting in a custodial sentence, than those given a fine, the difference being 1.7 percentage points.

Suspended sentence orders compared with community orders (Tables 1 - 3, C1 and C5)

Offenders receiving a SSO re-offended at a lower rate than similar offenders receiving a CO; the difference ranged between 1.9 and 2.7 percentage points. The PSM method confirms this finding by suggesting this difference is between 1.4 and 3.2 percentage points.

Further breakdowns show the re-offending rate differences were slightly greater for male offenders and younger offenders.

When offenders receiving different sentences were compared in terms of the frequency of their re-offending, those offenders who received an SSO committed fewer re-offences than the matched offenders given a community order for the years 2006 to 2008, the difference ranged between 7.8 and 11.6 re-offences per 100 offenders. However, in 2005 offenders receiving a SSO committed more re-offences than offenders given a CO. This variability is likely to be due to the small numbers of matched offenders for this year which was caused by SSOs becoming available for offences committed on or after 4 April 2005, after being introduced under the Criminal Justice Act 2003.

The terms of an SSO mean that an offender committing a further offence during the period of suspension is more likely to receive an immediate custodial sentence than an offender on a CO. Between 2006 and 2008 a higher proportion of offenders on SSOs re-offended and received an immediate custodial sentence than matched offender given a CO (the difference ranged between 4.7 and 5.5 percentage points) even though the overall re-offending rate of those receiving an SSO was lower.

Table 1: Proven re-offending rates of matched pairs of offenders for sentences other than custodial in England and Wales by gender, 2005¹ to 2008

England and Wales					Number of matched pairs of offenders and re-offending rates (%)										
Males					Females				All offenders ²				PSM analysis all offenders 2008 only		
	2005	2006	2007	2008	2005	2006	2007	2008	2005	2006	2007	2008	Full dataset PSM analysis	Additional randomly generated factor	High/low probability courts
Matched pairs	18,587	17,059	17,187	17,750	2,592	2,271	2,392	2,507	21,197	19,356	19,603	20,275	54,487	54,313	3,033
Fines	37.9%	39.2%	40.6%	41.6%	30.4%	30.7%	30.0%	32.5%	37.0%	38.2%	39.3%	40.4%	39.7%	38.8%	34.0%
Conditional discharges	36.0%	35.6%	36.3%	37.8%	28.0%	24.7%	26.2%	27.7%	35.0%	34.3%	35.0%	36.5%	36.1%	36.4%	32.0%
Difference (percentage points)	1.9	3.6	4.4	3.7	2.3	6.0	3.8	4.8	2.0	3.9	4.3	3.9	3.6	2.3	1.9
Matched pairs	6,638	10,915	11,629	11,465	1,044	1,918	2,265	2,297	7,685	12,838	13,904	13,765	53,305	53,303	3,020
Community orders	37.2%	37.6%	38.9%	41.0%	35.5%	28.8%	28.6%	33.3%	37.0%	36.2%	37.2%	39.7%	39.6%	39.4%	35.8%
Conditional discharges	33.8%	32.4%	33.9%	35.4%	30.7%	25.5%	23.8%	27.7%	33.3%	31.3%	32.3%	34.1%	36.7%	37.0%	30.8%
Difference (percentage points)	3.5	5.2	5.0	5.7	4.9	3.3	4.8	5.5	3.7	4.9	4.9	5.6	2.9	2.4	5.0
Matched pairs	9,395	15,115	16,084	16,960	1,309	2,120	2,371	2,553	10,709	17,241	18,463	19,517	68,911	68,907	4,065
Community orders	30.2%	31.0%	32.1%	34.0%	25.8%	20.3%	21.9%	23.2%	29.7%	29.7%	30.8%	32.6%	35.4%	35.5%	26.3%
Fines	29.0%	29.9%	31.1%	32.2%	22.8%	19.6%	20.5%	23.0%	28.2%	28.6%	29.7%	31.0%	36.3%	36.3%	23.7%
Difference (percentage points)	1.3	1.1	1.0	1.8	3.0	0.8	1.4	0.2	1.5	1.1	1.1	1.6	-0.9	-0.9	2.5
Matched pairs	568	4,418	5,949	6,407	54	429	632	679	622	4,848	6,583	7,087	39,209	39,215	1,242
Suspended sentence orders	25.9%	28.5%	29.3%	30.5%	*	21.9%	18.2%	19.1%	25.1%	27.9%	28.2%	29.4%	36.0%	36.0%	31.4%
Community orders	27.8%	30.7%	31.2%	33.3%	*	20.3%	22.3%	21.4%	27.0%	29.8%	30.3%	32.1%	39.2%	37.7%	32.9%
Difference (percentage points)	-1.9	-2.2	-1.9	-2.7	*	1.6	-4.1	-2.2	-1.9	-1.9	-2.1	-2.7	-3.2	-1.8	-1.4

¹ Community orders and suspended sentence orders were introduced in the Criminal Justice Act 2003 and came into force from April 2005.

² Includes offenders with no recorded gender.

* Data based on 10 or fewer offenders are removed as they make the data unreliable for interpretation.

Table 2: Frequency of proven re-offending rates of matched pairs of offenders for sentences other than custodial in England and Wales by gender, 2005¹ to 2008

England and Wales					Number of matched pairs of offenders and number of offences per 100 matched offenders							
	Males				Females				All offenders ²			
	2005	2006	2007	2008	2005	2006	2007	2008	2005	2006	2007	2008
Matched pairs	18,587	17,059	17,187	17,750	2,592	2,271	2,392	2,507	21,197	19,356	19,603	20,275
Fines	131.6	133.0	139.6	146.3	102.0	97.3	102.4	101.8	127.9	128.7	134.8	140.7
Conditional discharges	118.0	113.4	115.8	121.8	91.1	75.3	77.4	80.9	114.6	108.8	110.9	116.7
Difference in re-offences per 100 matched offenders	13.6	19.7	23.8	24.5	10.9	22.0	25.0	20.9	13.3	19.9	23.9	24.0
Matched pairs	6,638	10,915	11,629	11,465	1,044	1,918	2,265	2,297	7,685	12,838	13,904	13,765
Community orders	123.6	119.3	123.8	139.0	113.0	83.2	97.7	115.2	122.2	113.9	119.4	135.0
Conditional discharges	111.2	102.7	110.7	112.6	99.1	79.5	70.9	84.4	109.5	99.2	104.1	107.8
Difference in re-offences per 100 matched offenders	12.4	16.6	13.1	26.5	13.9	3.8	26.8	30.8	12.6	14.7	15.3	27.2
Matched pairs	9,395	15,115	16,084	16,960	1,309	2,120	2,371	2,553	10,709	17,241	18,463	19,517
Community orders	98.9	93.8	99.7	109.0	76.3	57.6	68.3	72.8	96.1	89.4	95.7	104.2
Fines	97.1	95.8	103.8	106.2	79.6	63.1	65.9	71.1	94.9	91.8	98.9	101.6
Difference in re-offences per 100 matched offenders	1.8	-2.0	-4.0	2.8	-3.3	-5.4	2.4	1.7	1.2	-2.4	-3.2	2.7
Matched pairs	568	4,418	5,949	6,407	54	429	632	679	622	4,848	6,583	7,087
Suspended sentence orders	80.3	81.0	80.1	83.9	61.1	59.4	59.3	66.0	78.6	79.1	78.1	82.2
Community orders	71.3	89.9	90.0	95.7	55.6	56.9	78.6	75.8	69.9	86.9	88.9	93.8
Difference in re-offences per 100 matched offenders	9.0	-8.9	-9.9	-11.8	5.6	2.6	-19.3	-9.9	8.7	-7.8	-10.8	-11.6

¹ Community orders and suspended sentence orders were introduced in the Criminal Justice Act 2003 and came into force from April 2005.² Includes offenders with no recorded gender.*Italics means less than or equal to 50 offenders - treat the data with caution.*

Table 3: Proven re-offending custody rates of matched pairs of offenders for sentences other than custodial in England and Wales by gender, 2005¹ to 2008

England and Wales					Number of matched pairs of offenders and re-offending custody rates (%)							
	Males				Females				All offenders ²			
	2005	2006	2007	2008	2005	2006	2007	2008	2005	2006	2007	2008
Matched pairs	18,587	17,059	17,187	17,750	2,592	2,271	2,392	2,507	21,197	19,356	19,603	20,275
Fines	11.5%	12.2%	12.7%	13.2%	6.6%	6.4%	5.7%	6.6%	10.9%	11.5%	11.9%	12.4%
Conditional discharges	10.5%	10.6%	10.7%	11.4%	5.2%	4.4%	4.7%	5.0%	9.9%	9.9%	10.0%	10.6%
Difference (percentage points)	1.0	1.6	2.0	1.8	1.4	1.9	1.0	1.6	1.0	1.6	1.9	1.8
Matched pairs	6,638	10,915	11,629	11,465	1,044	1,918	2,265	2,297	7,685	12,838	13,904	13,765
Community orders	14.4%	14.2%	14.9%	15.6%	9.6%	7.6%	7.9%	9.2%	13.7%	13.2%	13.7%	14.6%
Conditional discharges	10.7%	10.6%	11.2%	11.4%	6.4%	5.9%	4.7%	5.6%	10.1%	9.9%	10.1%	10.4%
Difference (percentage points)	3.7	3.6	3.7	4.3	3.2	1.7	3.3	3.6	3.6	3.3	3.6	4.2
Matched pairs	9,395	15,115	16,084	16,960	1,309	2,120	2,371	2,553	10,709	17,241	18,463	19,517
Community orders	11.1%	10.7%	11.2%	12.2%	5.9%	4.8%	5.3%	5.4%	10.4%	10.0%	10.5%	11.3%
Fines	8.9%	9.1%	9.8%	10.2%	5.2%	4.7%	4.0%	4.7%	8.4%	8.5%	9.0%	9.5%
Difference (percentage points)	2.2	1.7	1.5	2.0	0.7	0.1	1.3	0.7	2.0	1.5	1.5	1.8
Matched pairs	568	4,418	5,949	6,407	54	429	632	679	622	4,848	6,583	7,087
Suspended sentence orders	16.0%	16.0%	16.3%	17.4%	*	11.0%	10.8%	9.6%	15.8%	15.6%	15.8%	16.6%
Community orders	7.9%	11.3%	11.1%	11.5%	*	6.5%	5.9%	7.1%	7.7%	10.9%	10.6%	11.1%
Difference (percentage points)	8.1	4.7	5.2	5.9	*	4.4	4.9	2.5	8.0	4.7	5.2	5.5

¹ Community orders and suspended sentence orders were introduced in the Criminal Justice Act 2003 and came into force from April 2005.

² Includes offenders with no recorded gender.

Italics means less than or equal to 50 offenders - treat the data with caution.

* Data based on 10 or fewer offenders are removed as they make the data unreliable for interpretation.

Annex C: Statistical tables

Table C1: Number of offenders in original datasets and number of matched pairs, 2005¹ to 2008

England and Wales									Number of offenders and number of matched pairs			
	2005	2006	2007	2008	2005	2006	2007	2008	2005	2006	2007	2008
Offenders receiving fines					Offenders receiving conditional discharges				Fines matched with conditional discharges			
Males	108,067	104,553	104,695	105,898	41,905	40,031	41,218	39,584	18,587	17,059	17,187	17,750
Females	15,920	15,283	16,171	16,471	11,711	10,913	11,377	10,991	2,592	2,271	2,392	2,507
All offenders ²	124,387	120,222	121,238	122,822	53,848	51,151	52,790	50,747	21,197	19,356	19,603	20,275
Offenders receiving community orders					Offenders receiving conditional discharges				Community orders matched with conditional discharges			
Males	19,664	44,304	48,447	52,020	41,905	40,031	41,218	39,584	6,638	10,915	11,629	11,465
Females	3,384	7,756	8,705	9,588	11,711	10,913	11,377	10,991	1,044	1,918	2,265	2,297
All offenders ²	23,067	52,118	57,220	61,669	53,848	51,151	52,790	50,747	7,685	12,838	13,904	13,765
Offenders receiving community orders					Offenders receiving fines				Community orders matched with fines			
Males	19,664	44,304	48,447	52,020	108,067	104,553	104,695	105,898	9,395	15,115	16,084	16,960
Females	3,384	7,756	8,705	9,588	15,920	15,283	16,171	16,471	1,309	2,120	2,371	2,553
All offenders ²	23,067	52,118	57,220	61,669	124,387	120,222	121,238	122,822	10,709	17,241	18,463	19,517
Offenders receiving suspended sentence orders					Offenders receiving community orders				Suspended sentence orders matched with community orders			
Males	1,525	10,175	14,392	15,664	19,664	44,304	48,447	52,020	568	4,418	5,949	6,407
Females	260	1,584	2,283	2,541	3,384	7,756	8,705	9,588	54	429	632	679
All offenders ⁴	1,786	11,767	16,695	18,222	23,067	52,118	57,220	61,669	622	4,848	6,583	7,087

¹ Community orders and suspended sentence orders were introduced in the Criminal Justice Act 2003 and came into force from April 2005.

² Includes offenders with no recorded gender.

Table C2: Re-offending comparisons of matched pairs of offenders who have received a fine or conditional discharge, 2005 to 2008

England and Wales		Number of matched pairs of offenders and different measures of re-offending								
	Number of matched pairs of offenders	One-year re-offending rate			Frequency of re-offending			Re-offending custody rates		
		Fines	Conditional discharges	Difference (percentage points)	Fines	Conditional discharges	Difference	Fines	Conditional discharges	Difference (percentage points)
All offenders¹	80,431	38.7%	35.2%	3.5	133.0	112.8	20.2	11.7%	10.1%	1.6
Males	70,583	39.8%	36.4%	3.4	137.6	117.3	20.3	12.4%	10.8%	1.6
Females	9,762	30.9%	26.7%	4.2	101.0	81.4	19.5	6.3%	4.8%	1.5
Age										
18 - 20	20,352	44.1%	40.4%	3.7	136.4	121.1	15.3	11.4%	11.0%	0.5
21 - 24	17,556	37.9%	35.2%	2.7	117.6	108.9	8.7	10.6%	10.2%	0.4
25 - 29	13,290	39.3%	35.7%	3.6	144.3	120.3	24.1	14.2%	11.1%	3.2
30 - 34	9,617	39.9%	37.5%	2.4	151.4	127.4	24.0	14.2%	12.1%	2.1
35 - 39	8,475	36.4%	32.0%	4.4	132.0	105.0	27.0	11.4%	8.9%	2.5
40 - 49	8,795	32.4%	27.8%	4.6	131.1	96.0	35.2	9.5%	7.0%	2.5
50 and over	2,346	21.1%	17.6%	3.5	89.9	60.4	29.5	5.3%	3.2%	2.2
Most common offences										
Shoplifting	15,813	60.3%	54.1%	6.2	266.5	212.5	53.9	26.2%	20.6%	5.6
Criminal damage, £5,000 or less	11,406	38.4%	34.9%	3.5	104.1	93.3	10.8	9.5%	9.0%	0.5
Causing harassment, alarm or distress	10,129	41.5%	36.7%	4.8	143.4	112.8	30.6	12.1%	10.1%	2.0
Common assault	10,077	18.1%	17.3%	0.9	36.9	34.9	2.1	2.5%	2.4%	0.0
Drunk and disorderly	6,310	50.7%	47.4%	3.2	201.5	180.2	21.3	13.4%	11.9%	1.5
Cannabis possession	4,384	38.8%	36.4%	2.5	102.3	94.7	7.6	9.1%	8.7%	0.4
Number of previous convictions or cautions										
0	12,152	10.9%	9.7%	1.1	23.1	20.1	2.9	1.1%	1.1%	0.0
1 - 2	16,656	26.4%	24.2%	2.1	62.3	56.5	5.8	3.5%	3.1%	0.3
3 - 6	17,905	35.8%	32.8%	3.0	95.8	85.6	10.2	6.5%	5.7%	0.7
7 - 10	8,785	43.7%	40.0%	3.8	130.7	115.1	15.6	10.4%	9.3%	1.1
11 - 14	5,467	50.0%	44.2%	5.8	163.8	139.2	24.6	15.7%	13.0%	2.7
15 or more	19,466	63.7%	58.0%	5.7	288.7	235.5	53.2	29.5%	25.2%	4.3

¹ Includes offenders with no recorded gender.

Table C3: Re-offending comparisons of matched pairs of offenders who have received a community order or conditional discharge, 2005¹ to 2008

England and Wales		Number of matched pairs of offenders and different measures of re-offending								
	Number of matched pairs of offenders	One-year re-offending rate			Frequency of re-offending			Re-offending custody rates		
		Community orders	Conditional discharges	Difference (percentage points)	Community orders	Conditional discharges	Difference	Community orders	Conditional discharges	Difference (percentage points)
All offenders²	48,192	37.6%	32.7%	4.9	122.8	104.7	18.1	13.8%	10.1%	3.7
Males	40,647	38.9%	33.9%	5.0	126.9	109.2	17.7	14.8%	11.0%	3.9
Females	7,524	31.0%	26.4%	4.7	101.5	81.1	20.4	8.5%	5.5%	2.9
Age										
18 - 20	11,634	43.7%	38.4%	5.3	137.4	115.3	22.1	15.2%	11.1%	4.1
21 - 24	9,591	38.9%	34.5%	4.4	125.9	111.1	14.7	14.1%	10.9%	3.2
25 - 29	8,189	41.9%	36.8%	5.1	148.6	132.8	15.8	17.6%	13.1%	4.5
30 - 34	6,070	40.1%	34.9%	5.2	140.9	116.9	24.0	16.3%	12.0%	4.3
35 - 39	5,499	34.1%	28.1%	6.1	107.9	87.3	20.7	12.3%	8.1%	4.2
40 - 49	5,778	23.8%	20.0%	3.9	69.9	56.6	13.3	6.8%	4.6%	2.2
50 and over	1,431	14.0%	11.2%	2.8	31.2	25.5	5.7	3.3%	1.9%	1.4
Most common offences										
Common assault	15,091	21.6%	18.4%	3.2	46.3	39.2	7.1	4.8%	3.0%	1.7
Shoplifting	11,044	66.8%	58.6%	8.2	280.8	238.8	42.1	32.8%	24.1%	8.7
Criminal damage, £5,000 or less	4,067	46.9%	41.1%	5.9	140.9	119.4	21.6	16.7%	12.3%	4.4
Fear or provocation of violence	3,086	27.1%	23.6%	3.5	62.0	56.2	5.8	5.0%	4.5%	0.5
Other theft	1,838	41.5%	37.6%	3.9	125.0	115.8	9.2	13.9%	11.6%	2.2
Actual bodily harm	1,255	12.5%	12.7%	-0.2	24.5	23.2	1.4	2.2%	1.8%	0.5
Number of previous convictions or cautions										
0	7,736	9.5%	6.9%	2.7	17.9	12.9	5.0	1.1%	0.8%	0.3
1 - 2	9,198	21.6%	18.9%	2.7	46.4	38.8	7.6	3.8%	2.3%	1.5
3 - 6	10,321	33.5%	29.8%	3.7	87.0	77.1	10.0	8.3%	5.4%	2.9
7 - 10	5,423	44.0%	37.1%	6.9	128.5	105.3	23.2	13.3%	8.8%	4.5
11 - 14	3,362	49.4%	42.2%	7.2	156.0	127.9	28.1	18.1%	12.4%	5.8
15 or more	12,152	65.1%	57.6%	7.6	266.3	229.9	36.4	33.3%	26.0%	7.3

¹ Community orders and suspended sentence orders were introduced in the Criminal Justice Act 2003 and came into force from April 2005.² Includes offenders with no recorded gender.*Italics means less than or equal to 50 offenders - treat the data with caution.*

Table C4: Re-offending comparisons of matched pairs of offenders who have received a community order or fine, 2005¹ to 2008

England and Wales		Number of matched pairs of offenders and different measures of re-offending								
	Number of matched pairs of offenders	One-year re-offending rate			Frequency of re-offending			Re-offending custody rates		
		Community orders	Fines	Difference (percentage points)	Community orders	Fines	Difference	Community orders	Fines	Difference (percentage points)
All offenders²	65,930	30.8%	29.6%	1.3	96.6	97.2	-0.5	10.6%	8.9%	1.7
Males	57,554	32.1%	30.8%	1.3	100.8	101.3	-0.5	11.3%	9.6%	1.8
Females	8,353	22.5%	21.4%	1.1	68.2	68.9	-0.7	5.3%	4.6%	0.8
Age										
18 - 20	12,353	43.3%	42.1%	1.2	134.2	130.1	4.1	14.9%	12.1%	2.8
21 - 24	12,476	35.6%	33.9%	1.6	108.8	107.1	1.7	12.1%	9.7%	2.4
25 - 29	11,185	33.9%	32.2%	1.7	112.7	113.0	-0.3	13.0%	11.0%	2.1
30 - 34	8,420	31.4%	30.8%	0.6	105.0	113.4	-8.4	11.5%	11.3%	0.2
35 - 39	7,754	26.6%	25.1%	1.5	81.7	82.0	-0.3	9.1%	7.4%	1.7
40 - 49	9,858	17.6%	16.9%	0.8	50.5	55.1	-4.5	4.4%	4.1%	0.3
50 and over	3,884	8.3%	6.7%	1.6	20.2	16.6	3.7	1.4%	0.7%	0.7
Most common offences										
Drink driving	19,961	10.9%	11.0%	-0.1	23.1	24.6	-1.5	1.7%	1.1%	0.6
Common assault	10,868	22.9%	20.3%	2.6	49.2	42.9	6.3	5.2%	3.1%	2.1
Shoplifting	10,229	67.5%	65.5%	2.0	282.5	298.1	-15.5	32.8%	30.6%	2.2
Fear or provocation of violence.	4,020	29.9%	29.0%	0.8	68.2	66.8	1.4	6.3%	5.3%	1.0
Criminal damage, £5,000 or less	3,811	46.9%	45.6%	1.4	139.8	131.7	8.1	17.2%	13.2%	4.0
Other theft	1,721	41.6%	44.0%	-2.4	124.4	133.6	-9.2	13.4%	12.4%	1.0
Number of previous convictions or cautions										
0	14,512	7.8%	6.6%	1.2	15.4	13.1	2.3	0.8%	0.5%	0.3
1 - 2	13,615	17.3%	16.9%	0.4	36.5	36.4	0.1	2.8%	1.9%	0.9
3 - 6	13,774	29.6%	28.4%	1.2	74.2	72.6	1.6	7.0%	4.8%	2.2
7 - 10	7,107	39.8%	38.1%	1.7	113.5	109.8	3.7	12.0%	9.3%	2.6
11 - 14	4,193	47.2%	43.6%	3.6	145.0	134.4	10.6	17.0%	13.9%	3.1
15 or more	12,729	62.5%	61.2%	1.3	252.5	265.3	-12.8	31.1%	28.7%	2.4

¹ Community orders and suspended sentence orders were introduced in the Criminal Justice Act 2003 and came into force from April 2005.² Includes offenders with no recorded gender.*Italics means less than or equal to 50 offenders - treat the data with caution.*

Table C5: Re-offending comparisons of matched pairs of offenders who have received a suspended sentence order or community order, 2005¹ to 2008

England and Wales		Number of matched pairs of offenders and different measures of re-offending								
	Number of matched pairs of offenders	One-year re-offending rate			Frequency of re-offending			Re-offending custody rates		
		Suspended sentence orders	Community orders	Difference (percentage points)	Suspended sentence orders	Community orders	Difference	Suspended sentence orders	Community orders	Difference (percentage points)
All offenders²	19,140	28.5%	30.7%	-2.3	79.9	89.6	-9.7	16.0%	10.8%	5.3
Males	17,342	29.4%	31.7%	-2.3	81.7	91.5	-9.7	16.6%	11.2%	5.4
Females	1,794	19.4%	21.3%	-2.0	61.9	71.7	-9.8	10.4%	6.5%	4.0
Age										
18 - 20	4,528	34.9%	38.6%	-3.7	93.2	107.7	-14.4	17.8%	12.9%	4.9
21 - 24	4,283	29.6%	33.4%	-3.8	79.4	93.8	-14.5	15.8%	11.2%	4.6
25 - 29	3,245	32.6%	34.6%	-2.0	99.4	111.0	-11.6	20.1%	14.2%	5.9
30 - 34	2,148	29.8%	31.1%	-1.3	92.1	96.1	-4.1	18.9%	11.0%	7.9
35 - 39	1,961	23.9%	24.5%	-0.7	68.0	74.5	-6.5	14.5%	9.2%	5.3
40 - 49	2,363	16.5%	16.5%	0.0	43.4	43.7	-0.3	9.0%	4.4%	4.7
50 and over	612	7.4%	6.9%	0.5	17.5	15.5	2.0	4.9%	1.8%	3.1
Most common offences										
Assault	4,159	28.3%	29.6%	-1.3	63.8	72.8	-9.0	15.8%	8.7%	7.1
Actual bodily harm	3,951	19.5%	21.5%	-2.0	38.1	45.5	-7.4	7.6%	4.3%	3.3
Drink driving	2,101	9.2%	12.8%	-3.5	19.8	26.7	-6.9	4.2%	1.9%	2.4
Affray	1,608	21.8%	22.9%	-1.1	45.1	49.9	-4.8	7.6%	4.5%	3.2
Shoplifting	1,534	74.1%	74.1%	-0.1	322.6	337.7	-15.2	59.1%	43.0%	16.0
Burglary ³	1,184	47.8%	51.2%	-3.4	136.8	166.8	-30.0	28.6%	24.5%	4.1
Number of previous convictions or cautions										
0	3,448	7.0%	8.5%	-1.5	11.5	14.2	-2.7	1.6%	0.8%	0.8
1 - 2	3,820	14.5%	16.9%	-2.5	26.3	31.6	-5.4	4.9%	2.5%	2.4
3 - 6	4,074	23.2%	26.8%	-3.6	49.4	60.1	-10.7	10.0%	6.2%	3.8
7 - 10	2,307	33.2%	36.5%	-3.3	80.0	96.4	-16.5	17.6%	11.2%	6.4
11 - 14	1,400	42.5%	42.4%	0.1	111.0	120.1	-9.1	25.1%	14.0%	11.1
15 or more	4,091	57.4%	59.0%	-1.6	207.2	222.3	-15.1	40.6%	30.0%	10.6

¹ Community orders and suspended sentence orders were introduced in the Criminal Justice Act 2003 and came into force from April 2005.² Includes offenders with no recorded gender.³ Refers to burglary both in a dwelling and not in a dwelling.*Italics means less than or equal to 50 offenders - treat the data with caution.*

Annex D: Propensity Score model outputs

Table D1 shows the offender and offence characteristics that significantly influenced the probability of an offender receiving a particular sentencing outcome (where none of the sentences is an immediate custodial sentence). From the model outputs it can be ascertained how different offender and offence characteristics affect sentencing. In general, a positive coefficient means that that offender or offence characteristic increases the likelihood of sentencing outcome marked 1, and conversely, a negative coefficient means that that offender or offence characteristic increases the likelihood of sentencing outcome marked 0 (see top of table D1 for which sentence is 1 or 0 in each sentencing comparison). So, for example males are more likely to get a fine than a conditional discharge, since the negative coefficient means that males are more likely to have the zero outcome (fines in this case). In the same way, males are more likely to receive a fine than a community order.

Table D1: Logistic regression model output showing the statistically significant offender and offence characteristics that affect offenders receiving a sentencing outcome other than custody, 2008

Offender characteristics	Conditional discharges (1) compared with fines (0)			Conditional discharges (1) compared with community orders (0)			Community orders (1) compared with fines (0)			Suspended orders (1) compared with community orders (0)		
	Coefficient	SE	P-Value	Coefficient	SE	P-Value	Coefficient	SE	P-Value	Coefficient	SE	P-Value
Male	-0.647	0.015	< 0.001	-0.389	0.014	< 0.001	-0.222	0.013	< 0.001	0.035	0.018	0.047
Age	0.057	0.008	< 0.001	0.095	0.008	< 0.001	0.137	0.008	< 0.001	0.024	0.011	0.029
Age (Squared)	0.020	0.005	< 0.001	0.057	0.005	< 0.001	-0.058	0.005	< 0.001	0.011	0.006	0.079
Age of First Offence	.	.	.	.	.	.	-0.071	0.011	< 0.001	0.043	0.014	0.002
Age of First Offence (Squared)	.	.	.	.	.	.	-0.017	0.005	0.001	-0.011	0.005	0.038
Number of previous offences	0.165	0.022	< 0.001	0.094	0.026	< 0.001	0.059	0.017	< 0.001	0.233	0.026	< 0.001
Number of previous offences (Squared)	-0.008	0.003	0.001	-0.007	0.004	0.054	0.004	0.002	0.006	-0.023	0.004	< 0.001
Number of previous convictions	0.040	0.025	< 0.001	0.100	0.029	< 0.001	-0.319	0.017	< 0.001	-0.098	0.021	< 0.001
Number of previous convictions (Squared)	-0.003	0.002	< 0.001	0.005	0.003	0.157	.	.	.	.	.	.
Number of previous custodial sentences	-0.046	0.010	< 0.001	0.013	0.014	0.350	-0.067	0.011	< 0.001	0.084	0.017	< 0.001
Number of previous custodial sentences (Squared)	.	.	.	-0.004	0.002	0.009	0.006	0.001	< 0.001	-0.004	0.002	0.103
Copas rate	-0.190	0.013	< 0.001	-0.316	0.014	< 0.001	0.417	0.011	< 0.001	0.109	0.014	< 0.001
Offence Category												
Violence	reference category			reference category			reference category			reference category		
Robbery	0.083	0.637	0.897	-2.439	0.453	< 0.001	2.624	0.454	< 0.001	1.563	0.092	< 0.001
Public order or riot	-0.677	0.018	< 0.001	1.599	0.019	< 0.001	-2.345	0.018	< 0.001	-0.168	0.026	< 0.001
Sexual	-0.328	0.085	< 0.001	-0.343	0.075	< 0.001	-0.053	0.066	0.420	-0.155	0.067	0.021
Sexual (child)	0.938	0.350	0.007	-2.245	0.181	< 0.001	3.259	0.305	< 0.001	0.465	0.070	< 0.001
Domestic burglary	0.765	0.159	< 0.001	-1.524	0.095	< 0.001	2.274	0.132	< 0.001	0.442	0.038	< 0.001
Other burglary	0.376	0.069	< 0.001	-0.503	0.049	< 0.001	0.845	0.055	< 0.001	-0.406	0.038	< 0.001
Theft	0.190	0.019	< 0.001	0.840	0.017	< 0.001	-0.724	0.017	< 0.001	-0.681	0.020	< 0.001
Handling	0.111	0.056	0.046	0.226	0.045	< 0.001	-0.133	0.047	0.004	-0.354	0.046	< 0.001
Fraud and forgery	-0.141	0.034	< 0.001	0.220	0.030	< 0.001	-0.337	0.030	< 0.001	0.219	0.030	< 0.001
Absconding or bail offences	-1.768	0.034	< 0.001	0.413	0.036	< 0.001	-2.249	0.026	< 0.001	-0.901	0.049	< 0.001
Taking and driving away and related offences	-0.665	0.073	< 0.001	-0.969	0.063	< 0.001	0.372	0.047	< 0.001	-0.525	0.045	< 0.001
Theft from vehicles	0.355	0.073	< 0.001	0.264	0.057	< 0.001	0.040	0.062	0.519	-0.704	0.063	< 0.001
Other motoring offences	-2.827	0.035	< 0.001	-0.889	0.036	< 0.001	-1.775	0.018	< 0.001	-0.064	0.024	0.008
Drink driving offences	-4.965	0.050	< 0.001	-2.376	0.051	< 0.001	-2.501	0.016	< 0.001	-0.628	0.026	< 0.001
Criminal or malicious damage	0.371	0.022	< 0.001	1.643	0.021	< 0.001	-1.342	0.022	< 0.001	-1.165	0.040	< 0.001
Drugs import/export/production/supply	-0.780	0.077	< 0.001	-0.571	0.069	< 0.001	-0.286	0.052	< 0.001	0.504	0.044	< 0.001
Drugs possession/small scale supply	-0.865	0.021	< 0.001	1.116	0.022	< 0.001	-2.069	0.019	< 0.001	-0.441	0.029	< 0.001
Other	-0.794	0.026	< 0.001	0.990	0.029	< 0.001	-1.859	0.026	< 0.001	0.039	0.036	0.286
Ethnicity												
Unknown	reference category			reference category			reference category			reference category		
White North European	0.247	0.033	< 0.001	-0.154	0.037	< 0.001	0.407	0.030	< 0.001	-0.044	0.044	0.309
White South European	0.137	0.053	0.010	-0.024	0.057	0.672	0.146	0.046	0.002	0.029	0.066	0.655
Black	0.124	0.038	0.001	-0.159	0.041	< 0.001	0.240	0.033	< 0.001	0.076	0.048	0.111
Asian	0.043	0.042	0.304	-0.314	0.046	< 0.001	0.314	0.035	< 0.001	0.140	0.050	0.006
Chinese, Japanese or SE Asian	0.252	0.096	0.008	0.148	0.105	0.158	0.007	0.083	0.929	0.085	0.122	0.485
Middle Eastern	0.236	0.077	0.002	0.026	0.082	0.748	0.195	0.067	0.004	0.067	0.093	0.472
Constant	0.351	0.037	< 0.001	-0.641	0.040	< 0.001	0.937	0.033	< 0.001	-0.756	0.047	< 0.001

Chapter 2 Other re-offending analysis

Paper 3 Hazards of different types of re-offending

Author: Philip Howard

Summary

A sample of 180,746 offenders commencing a court order or discharge from an immediate custodial sentence of over 12 months were analysed in terms of their hazards of re-offending. In this paper hazard means the chance of re-offending in a given time period if re-offending had not occurred in an earlier time period. These offenders had also had a comprehensive OASys (Offender Assessment System) assessment, matched to the Police National Computer (PNC) database to extract individual criminal careers and derive re-offending behaviour for up to 4 years.

The aim of this paper is to compare the hazards of re-offending by different categories of re-offending and by different offender groups. In general, the re-offending hazards for violent and non-violent re-offending were much higher than for sexual re-offending. In particular, this paper shows that:

- Hazards for all types of re-offending were highest in the first few months following the index date.
- Some types of re-offending had a more persistent hazard than others. The hazards of violent and sexual re-offending were more persistent than the hazards for non-violent re-offending.

Banded scores for the OASys General re-offending Predictor (OGP) and OASys Violence Predictor (OVP) and sexual offending history were used to create six groups of offenders: sexual, low risk, non-violent specialists, violent specialists, versatile, and high-risk versatile. The results imply that it may be beneficial to concentrate offender treatment and management resources on the period soon after sentence/discharge for most offenders, but those at considerable risk of violent re-offending would benefit from continued treatment and resources for longer periods.

Introduction

Most studies of re-offending look at the probability of one type of re-offending – most focus on general re-offending, but some look at violent or sexual re-offending. Less is known about the probability of the range of individual offences an offender may commit, and how these probabilities vary over time. Studies of criminal careers have considered whether individuals specialise in particular offences (Soothill, Fitzpatrick and Francis, 2009). If some degree of specialisation does exist, then different patterns of re-offending may apply to different offences, given that they will be committed by different (if overlapping) groups of offenders.

This paper focuses on re-offending hazards which are akin to conditional probabilities. So, for example, the hazard for a given quarter was the probability of re-offending in that quarter, given that re-offending had not occurred for that offence type previously. The aims of the paper were to:

- Compare the hazards (speed and persistence of hazard) of re-offending involving different offence types;
- Compare the hazards of violent and non-violent re-offending for offenders with different predicted likelihoods of violent and non-violent re-offending; and,
- Consider the implications of these results for offender management and interventions.

The study used data from OASys, the national risk and need assessment tool for adult offenders in England and Wales. The tool was developed through three pilot studies between 1999 and 2001 (Howard, Clark and Garnham, 2006), building upon the existing 'What Works' evidence-base (McGuire, 1995). OASys has since been validated further (Debidin, 2009), and it is now viewed as an integral part of the management of adult offenders across the probation and prison services⁸, being used to:

- measure an offender's likelihood of further offending;
- identify any risk of serious harm issues;
- develop an offending-related needs profile;
- develop individualised sentence plans and risk management plans; and,
- measure progress and change over time.

OASys includes two predictors of re-offending: the OASys Violence Predictor (OVP) and the OASys General re-offending Predictor (OGP). OVP predicts the likelihood of proven re-offending involving a broad group of offences related to non-sexual violent offences (Howard, 2009). OGP covers all other offences, but is not intended to predict sexual offending, nor is it validated for rare, harmful offences (for example, arson, terrorist offences, child neglect)⁹. OGP and OVP

⁸ Offenders serving non-rehabilitative community orders (e.g. featuring only unpaid work or curfew requirements) or custodial sentences of under 12 months did not receive post-sentence OASys assessments during the period under study. However, small numbers of such offenders and those receiving non-custodial disposals such as fines and conditional discharges are included in the sample due to OASys assessment at the pre-sentence report stage.

⁹ In this study, the terms violent and non-violent refer to offences covered by OVP and OGP respectively. OVP encompasses offences of homicide and assault, threats and harassment, public order, non-arson criminal damage, robbery and aggravated burglary, and weapon possession. Howard (2009) shows that all of these offences have similar patterns of dynamic risk factors and tend to be committed by overlapping groups of offenders with similar risk profiles. As OGP predicts offences not included in OVP, it is strictly a predictor of non-violent rather than general re-offending.

are both scored on 100-point scales using a range of static (age, sex, criminal history) and dynamic (offending-related needs) risk factors, then transformed into one- and two-year predicted re-offending probabilities and banded into low, medium, high and very high as shown in Table 1 below.

Table 1: Bands for OASys Violence Predictor (OVP) and OASys General re-offending Predictor (OGP) scores based on their two-year predicted re-offending probabilities

Band	OGP 2-year predicted re-offending rate	OVP 2-year predicted re-offending rate
Low	0% – 33%	0% – 29%
Medium	34% – 66%	30% – 59%
High	67% – 84%	60% – 79%
Very High	85% - 99%	80% – 99%

Methodology

OASys assessments completed at the start of community supervision dating from January 2002 to March 2007 were checked for data quality and timeliness of completion, with duplicates being removed¹⁰. This data was matched to the Ministry of Justice extract of the Police National Computer (PNC) resulting in OGP and OVP scores being successfully generated for 180,746 cases. Within this sample:

- 87% of the offenders were male.
- 18% were aged 18 to 20, 20% were 21 to 24, 47% were 25 to 40 and 16% were 41 and over.
- 28% were on licence from a custodial sentence, 71% were commencing community sentences, and 1% commencing other sentences.
- 19% were identified in OASys as domestic violence (DV) perpetrators.
- 34% of index offences were in OVP's violence category and 2% were sexual.

As set out in Table 2, the sample was divided into six groups on the basis of their criminal history and OGP and OVP scores.

¹⁰ The initial OASys sample included 828,898 assessments. General OASys data quality was satisfactory for 651,009. These referred to 370,619 different periods of contact with NOMS, as OASys assessments are administered repeatedly over the course of a sentence. Further attrition occurred due to non-recording of sentence dates (vital for correct coding of criminal histories from PNC data, but poorly recorded in OASys data from this time period) and assessment completion more than three months after the start of the community sentence or discharge from custody.

Table 2: Offender groups based on criminal history and OASys General re-offending Predictor (OGP) and OASys Violence Predictor (OVP) scores

Group label	Description	Percentage of sample
Sexual offenders	Those with any previous cautions/convictions for sexual offending	6%
Low risk	Those with low OGP and OVP scores	30%
Non-violent specialists ¹	Those with medium/high/very high OGP and low OVP scores	20%
Violent specialists	Those with low OGP and medium OVP scores	6%
Versatile	Those with medium/high/very high OGP and medium OVP scores	30%
High-risk versatile	Those with high/very high OVP scores	8% ²

¹ The term 'specialists' is used here to refer to specialisation in the very broad offence classes covered by OGP and OVP. It is likely that some offenders will specialise further within those classes, tending to commit particular crimes such as acquisitive offences, drink driving or criminal damage offences.

² Of which two-thirds had high/very high OGP scores.

The study used survival analysis rather than traditional re-offending analysis, tracking proven re-offending rates in successive quarters of the follow up period, based on the date when further offences were committed. Rather than asking "Will the offender re-offend within x months?", the question was "How likely is the offender to re-offend in quarter x, given that they have not already re-offended previously in this offence type?".

The follow up period in this case is defined as the period of time when the offender was at risk of re-offending. It started on the day of an offender's conviction leading to a court order or upon discharge from custody for their index offence. It then continued until either the offender reached the cut off date (up to a maximum of four years) without re-offending, or until they were imprisoned for any offence¹¹, or until they committed the offence type being studied.

Hazards were then calculated for the different types of re-offending: the hazard for a given quarter was the probability of re-offending in that quarter, given that re-offending had not occurred for that offence type previously. Hazards are described as persistent when the probability of re-offending in a particular offence type falls relatively slowly after the first few quarters. Each type of re-offending was checked for all offenders, not just those who had a similar index offence.

Relative hazards were used to compare the change in the hazard over time, allowing changing hazards for different types of re-offending to be compared despite different base rates.

Further details about this approach are provided in the survival analysis Annex E to this paper.

¹¹ Offenders whose follow up is upon discharge from custody may be recalled to custody at any time until the expiry of their sentence. Due to poor data quality, it is not possible to take account of this interruption to follow up periods.

Results

Figure 1 sets out the hazards for selected categories of re-offending. Key findings were as follows:

- The hazards for theft and handling, and violent re-offending started at very similar levels – more than 6% for the first quarter – but the theft and handling risk dropped away rapidly whereas violent re-offending risk was more persistent;
- By the final quarter of the first year of follow up, the violent hazard was around 4% and the theft and handling hazard around 2%; and,
- Among the less prevalent offences, burglary hazards reduced quickly, while drugs and sexual hazards reduced slowly.

Figure 1: Hazards of selected categories of re-offending

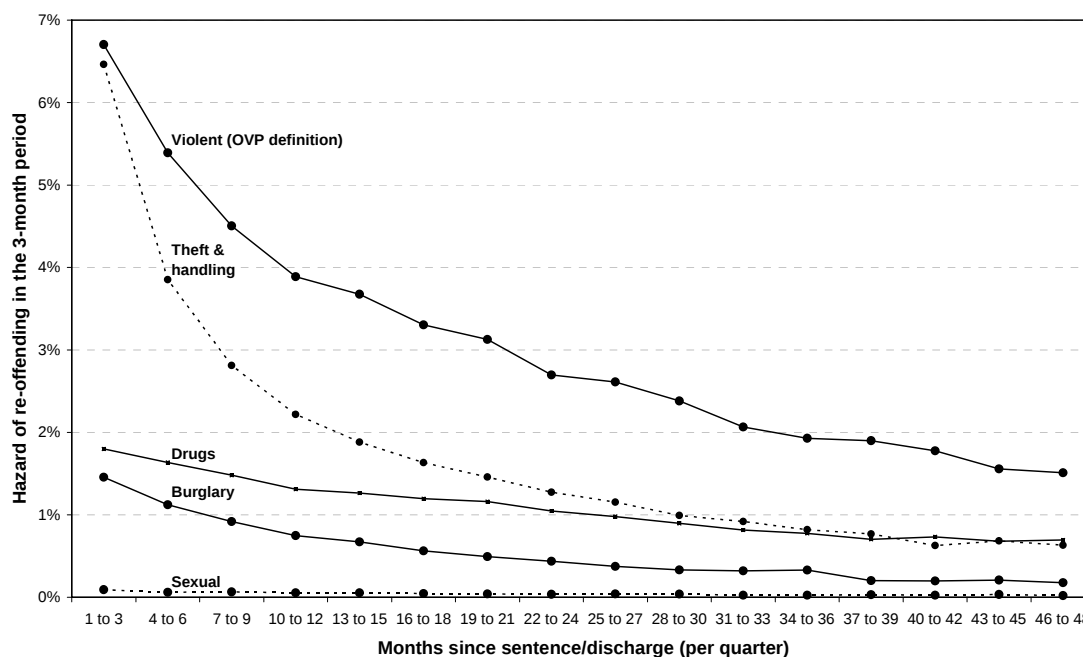


Figure 2 presents hazards of violent re-offending for the six offender groups outlined in Table 2 above, and also includes the hazard of sexual/compliance¹² re-offending for the sexual offenders group. Figure 3 presents hazards of non-violent re-offending for all six groups. Key findings were as follows:

- The high-risk versatile group had a high probability for both violent and non-violent re-offending (see Figures 2 and 3). These offenders had hazards of more than 20% for both violent and non-violent re-offending

¹² Compliance re-offending involves breaching reporting requirements of a sentence for sex offending (for example, providing incorrect address details to police) or criminal breaches of civil orders related to sexual offending.

in the first three months of the at-risk period. There was considerable persistence in the violent re-offending hazard, and eventually almost 80% re-offended violently¹³;

- Non-violent specialist and versatile offenders were almost as likely to commit early non-violent re-offences as high-risk versatile offenders, with similar falls in the hazard as time progressed (see Figure 3). The versatile group also had the second highest violent re-offence risk (see Figure 2), with hazards around one-half of those of the high-risk versatile group for most of the follow up period. Non-violent specialists were much less likely than the high-risk versatile group to commit violent re-offences¹⁴;
- Violent specialists were consistently more likely to commit violent than non-violent re-offences, though their absolute level of violent re-offending was only around two-thirds that of versatile offenders and two-fifths that of high-risk versatile offenders¹⁵ (see Figures 2 and 3);
- Sexual offenders had low but non-negligible hazards of violent and non-violent re-offending, which remained greater than the hazard of sexual or compliance re-offending¹⁶ (see Figures 2 and 3); and,
- Low risk offenders had the lowest likelihood of all groups of violent and non-violent re-offending¹⁷ (see Figures 2 and 3).

¹³ In this group, offenders were 95% male, 47% were aged 18 to 20, 44% were on licence from a custodial sentence, 29% were domestic violence perpetrators, and they were disproportionately likely to have current criminal damage or public order offences.

¹⁴ The characteristics of the versatile offenders were part way between those of the high-risk versatile group and the overall average. The offenders in the non-violent specialist group were 20% female, 63% were aged 25 to 40, 7% were DV perpetrators, and they were disproportionately likely to have current theft and handling, burglary, bail/abscond or drug possession/supply offences.

¹⁵ The violent specialist group featured many domestically violent males (93% male, 43% DV perpetrators) on community sentences (only 17% custodial), and a majority (59%) had current violence against the person offences.

¹⁶ These offenders were older than offenders in all other groups and 99% male.

¹⁷ The low risk offenders had above-average age with relatively few custodial sentences (19%), 18% were female, and they often had current violence against the person, fraud, drink driving, drug import/export/production or miscellaneous offences.

Figure 2: Hazards for six offender groups: violent and sexual re-offending

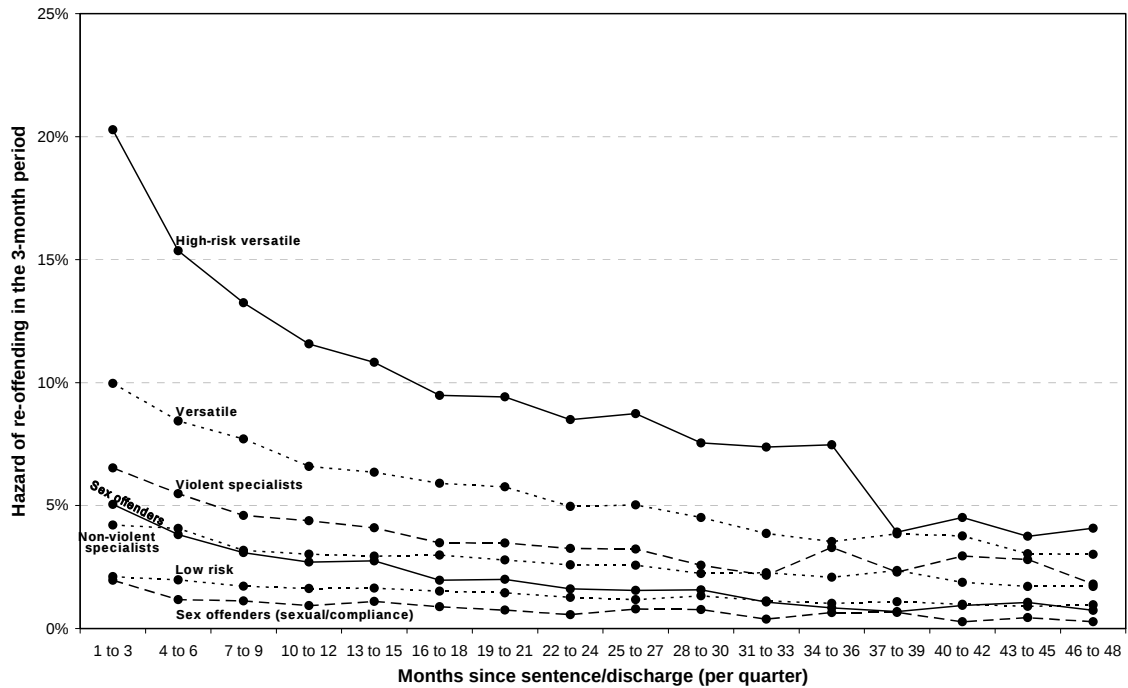
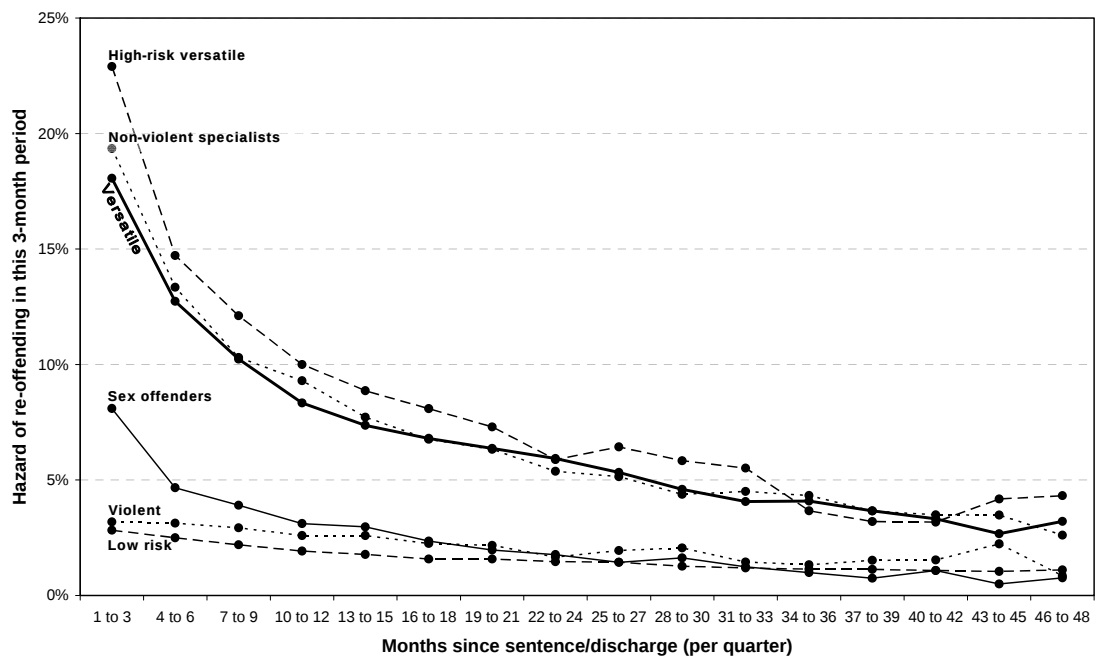


Figure 3: Hazards for six offender groups: non-violent re-offending



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Annex E Survival analysis

Survival analysis includes techniques to measure the rate of re-offending over time (hazards and survival functions). It has the presentational advantage of showing what is happening at every stage of the follow up. It has also the statistical advantage of making more efficient use of the available data than traditional re-offending analysis, by ensuring that data on all offenders are included for as long as they can be legitimately followed up, rather than including only those who can be followed up for a fixed period.

The **hazard** is the likelihood that an offender will re-offend (for the offence of interest) during a certain period *given that* they have not yet already offended nor completed their at-risk period. For example, imagine a study of the violent re-offending of 1,000 individuals released from prison at least three months ago. In Quarter 1, 100 were imprisoned for a nonviolent offence and, of the remainder, 90 commit a violent re-offence. The hazard in Quarter 1 is 10% (90/900). Of the remaining 810, 60 were imprisoned for a nonviolent offence in Quarter 2 and 50 were released more than three but less than six months ago, so only 700 can be studied in Quarter 2. In Quarter 2, 35 of this group committed a violent re-offence. The hazard in Quarter 2 is 5% (35/700). The **survival rate** is 85.5%, meaning that 14.5% re-offend in the first six months. The survival rate is an accurate measure of real proven re-offending, as it appropriately corrects for the 200 'censored' follow up periods¹⁸.

Relative hazards can be used to compare the change in the hazard over time, allowing changing hazards for different types of re-offending to be compared despite different base rates. The relative hazard is set to 1 for the first quarter for every type of offence. The hazards in subsequent quarters are compared with the first-quarter hazard. For example, in the scenario above, the relative hazard for Quarter 2 is 0.5 (5%/10%). For non-violent re-offending, with hazards of 20% in Quarter 1 and 8% in Quarter 2, the Quarter 2 relative hazard for nonviolent re-offending would be 0.4 (8%/20%). Even though there are more nonviolent than violent re-offences in Quarter 2, the relative hazard for nonviolent re-offending is lower because the probability of re-offending has fallen more quickly. Offences can be described as persistent when their relative hazard is comparatively close to 1 in later quarters, and non-persistent or less persistent when their relative hazard is comparatively close to 0 in later quarters.

¹⁸ The sum here is (1-Quarter 1 Hazard)*(1-Quarter 2 Hazard) = (1-10%)*(1-5%) = 90%*95% = 85.5%, leaving 14.5% re-offending. If the study ignored the fact that some of the offenders' follow ups had been censored, it would have calculated 135/1000=13.5%, and so underestimated re-offending. If the study only included offenders who had a full six-month follow up, it would be different again (the effect is unpredictable, as the study would have probably ignored some of the 90 who re-offended in Quarter 1 because of what happened to them in Quarter 2).

Appendix A Glossary of terms

Cohort definition used in the Re-offending of adults in England and Wales publication

The adult re-offending cohort consists of adults discharged from custody or commencing a court order under probation supervision in the first quarter of each 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 period which is proven by a court conviction (either in the one-year period, or in a further six months waiting period) counts as a re-conviction.

The latest available publication is the [Adult re-convictions: results from the 2009 cohort](#); Ministry of Justice, March 2011.

Cohort definition used in the Re-offending of juveniles in England and Wales publication

The juvenile re-offending cohort is formed of all offenders discharged from custody, otherwise sanctioned at court, or receiving a reprimand or warning in January to March of each 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 period which is proven by a court conviction, or a reprimand or warning (either in the one-year period, or in a further six months waiting period) counts as proven re-offending.

The latest available publication is the [Re-offending of juveniles: results from the 2009 cohort](#); Ministry of Justice, March 2011.

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 Bulletin¹⁹ for more information.

Hazard of re-offending

This is the chance of re-offending in a given time period if re-offending had not occurred in an earlier time period.

¹⁹ [Offender management statistics: definitions and measurement](#); Ministry of Justice, April 2011.

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

OASys

The Offender Assessment System (OASys) is a national risk/need assessment tool used across probation areas and prison establishments in England and Wales. OASys was introduced in 2001 and combines actuarial methods of prediction with structured professional judgement to provide standardised assessments of offenders' risks and needs, helping to link these risks and needs to individualised sentence plans and risk management plans.

OASys Re-offending Predictors

The OASys predictors are scored on 100-point scales using a range of static (age, sex, criminal history) and dynamic (offending-related needs) risk factors, then transformed into one- and two-year predicted re-offending probabilities and banded into low, medium, high and very high bands. The predictors are:

- **OASys General Re-offending Predictor (OGP)** - OGP covers all offences excluding non-sexual violent offences, but is not intended to predict sexual offending, nor is it validated for rare, harmful offences (for example: arson, terrorist offences, child neglect).
- **OASys Violent Re-offending Predictor (OVP)** - OVP predicts the likelihood of proven re-offending involving a broad group of offences related to non-sexual violent offences.

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.

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.

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:
 - o unpaid work (formerly community service/community punishment) – a requirement to complete between 40 and 300 hours' unpaid work;
 - o activity – for example, to attend basic skills classes;
 - o programme – there are several designed to reduce the prospects of re-offending;
 - o prohibited activity – a requirement not do so something that is likely to lead to further offending;
 - o curfew – which is electronically monitored;
 - o exclusion – this is not used frequently as there is no reliable electronic monitoring yet available;

- o residence – requirement to reside only where approved by probation officer;
- o mental health treatment (requires offender's consent);
- o drug rehabilitation (requires offender's consent);
- o alcohol treatment (requires offender's consent);
- o supervision – meetings with probation officer to address needs/offending behaviour; and,
- o 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**

- o **Community punishment order (CPO):** the offender is required to undertake unpaid community work.
- o **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.
- o **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.
- o **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.
- o **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.

- o **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.
- o **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.

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 applicable
- .. = 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:

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

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