



Ministry of  
**JUSTICE**

# **Proven Re-offending Statistics Quarterly Bulletin**

April 2009 to March 2010,  
England and Wales

Ministry of Justice  
Statistics bulletin

26 January 2012

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## Introduction

The Proven Re-offending Statistics Quarterly bulletin provides key statistics on proven re-offending in England and Wales. It gives proven re-offending figures for offenders, who were released from custody, received a non-custodial conviction at court, received a caution, reprimand, warning or tested positive for opiates or cocaine between April 2009 and March 2010. Proven re-offending is defined as any offence committed in a one year follow-up period and receiving a court conviction, caution, reprimand or warning in the one year follow-up or a further six months waiting period. This is referred to as a proven re-offence.

This is the second quarterly bulletin in a new series. This series merges six previous measures of re-offending which were split across many publications into a single coherent overview of proven re-offending for the first time. It is a significant step forward for measuring re-offending as for the first time users can:

- get figures for the total number of proven re-offenders in an area and the total number of offences they commit in a year;
- see re-offending rates for adults, juveniles, drug misusing and prolific offenders measures on a consistent basis both nationally and locally;
- measure individual prison and probation level re-offending on a consistent basis.

This quarterly bulletin presents the proportion of offenders who re-offend (proven re-offending rate) and the number of proven re-offences those offenders commit by age group, gender, ethnicity, criminal history, offence type, serious proven re-offending, prolific and priority offenders and drug misusing offenders. Also included are proven re-offending rates for different types of sentence and by individual prison, probation trust and youth offending team.

Latest figures are provided with comparisons to the previous twelve months, April 2008 to March 2009 and the year 2000 in order to highlight long-term trends; 2000 is the earliest re-offending data that exists on a comparable basis. The accompanying 'Definitions and Measurement' document gives more information.

[www.justice.gov.uk/publications/statistics-and-data/reoffending/proven-reoffending-quarterly.htm](http://www.justice.gov.uk/publications/statistics-and-data/reoffending/proven-reoffending-quarterly.htm)

A full set of results is also provided at:

[www.justice.gov.uk/publications/statistics-and-data/reoffending/proven-reoffending-quarterly.htm](http://www.justice.gov.uk/publications/statistics-and-data/reoffending/proven-reoffending-quarterly.htm)

## Measuring proven re-offending

There is no agreed international standard for measuring and reporting re-offending. An offender's journey through the justice system can be a complex one; offenders can appear on numerous occasions.

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 not all crimes are recorded on one central system. Other methods of measuring re-offending, such as self report studies, are likely to be unreliable. Therefore, this report aims to measure proven re-offending.

Since re-offending is now measured on a consistent basis across all groups it is possible to tailor analysis of re-offending to meet specific requirements. This quarterly bulletin and the accompanying 'Early estimates of proven re-offending' [www.justice.gov.uk/publications/statistics-and-data/reoffending/proven-reoffending-quarterly.htm](http://www.justice.gov.uk/publications/statistics-and-data/reoffending/proven-reoffending-quarterly.htm) present measures on four different levels to meet users' needs:

- The headline measure – this is the main measure of re-offending and is presented for different demographic groups and by offence. To provide this **overview of proven re-offending**, offenders are tracked and their proven re-offending behaviour is recorded, taking the **first event**<sup>1</sup> in the **relevant period** as the start point and subsequent events as proven re-offences.
- A headline measure where the first event is related to criminal justice and offender management – this provides a realistic and relevant view of proven re-offending by disposal (sentence type), prison and probation trust. Offenders are tracked and their proven re-offending behaviour is recorded **within** each disposal (caution, court order, discharge from prison, etc) or operational unit (prison or probation trust) taking the first event **within** each as the start point and subsequent events as re-offences.
- Early estimates of re-offending – these use shorter follow-up and waiting periods but otherwise measure re-offending in exactly the same way as the headline measure. This is intended to provide offender managers with an earlier indication of proven re-offending trends so they can adjust or build on offender management operational policy.
- A re-conviction measure for use by payment by results – this is the measure used in the prison pilots since court convictions are more closely associated with costs to the Criminal Justice System. For more details please refer to Annex A.

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<sup>1</sup> An event is one of the following: a release from custody, convicted at court with a non-custodial sentence, received a caution, reprimand, warning or tested positive for opiates or cocaine

For a more detailed explanation, please see the accompanying 'Definitions and Measurement' document at [www.justice.gov.uk/publications/statistics-and-data/reoffending/proven-reoffending-quarterly.htm](http://www.justice.gov.uk/publications/statistics-and-data/reoffending/proven-reoffending-quarterly.htm)

## Consultation

This quarterly bulletin has been developed in response to a consultation in late 2010 and early 2011 by the Ministry of Justice (MoJ) on "Improvements to Ministry of Justice Statistics". The main points from the consultation that affect this publication can be found in Annex B.

## Users

The contents of the bulletin will be of interest to government policy makers, the agencies responsible for offender management at both national and local levels, providers, practitioners and others who want to understand more about proven re-offending.

In particular there are two Ministry of Justice impact indicators<sup>2</sup> which will be monitored using results from this bulletin;

- adult and juvenile re-offending – the percentage of adult and juvenile offenders who re-offend, measured quarterly by local authority
- the percentage of adults released from custody who re-offend measured annually, by prison

Government policy makers also use these statistics to develop, monitor and evaluate key elements of its policies including those on payments by results, legal aid, sentencing guidelines and drug and alcohol policies.

Offender management agencies use these statistics to gain a local understanding of the criminal justice system, understand performance and to highlight best practice. Key agencies include; the National Offender Management Service, Youth Justice Board, private and voluntary sector providers of prison and probation services and local authorities.

As proven re-offending is related to the characteristics of offenders, the actual rate of proven re-offending will depend, in part, on the characteristics of offenders coming into the system. This actual rate provides users with sufficient information on what the level of re-offending is (eg in their local area) and how it is changing over time. This bulletin also presents an adjusted proven re-offending rate to control for differences in the composition of the offender group which can be used by those who want to understand how changes in types of offenders coming through the justice system drives re-offending.

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<sup>2</sup> [www.justice.gov.uk/publications/corporate-reports/moj/index.htm](http://www.justice.gov.uk/publications/corporate-reports/moj/index.htm)

This is the second bulletin in a new series of publications produced in response to a consultation. The Ministry of Justice has addressed the main issues from the consultation. We have separately announced plans for further analysis on proven re-offending rates using a two and five year follow up period and to develop a measure of re-offending while on license under probation supervision for publication in July 2012.

**If you have any feedback, questions or requests for further information about this statistical bulletin, please direct them to the appropriate contact given at the end of this report.**

## Executive Summary

This report provides key statistics on proven re-offending in England and Wales. It gives proven re-offending figures for offenders who were released from custody, received a non-custodial conviction at court, received a caution, reprimand, warning or tested positive for opiates or cocaine between April 2009 and March 2010. Proven re-offending is defined as any offence committed in a one year follow-up period and receiving a court conviction, caution, reprimand or warning in the one year follow up. Following this one year period, a further six months is allowed for cases to progress through the courts.

In the 12 months ending March 2010, there were around 680,000<sup>3</sup> offenders who were cautioned<sup>4</sup>, convicted (excluding immediate custodial sentences) or released from custody<sup>5</sup>. Just under 180,000 of these offenders committed a proven re-offence within a year. This gives a one-year proven re-offending rate of 26.3 per cent.

These re-offenders committed an average of 2.80 offences each - around 500,000 offences in total – 79 per cent were committed by adults and 21 per cent were committed by juveniles.

- 53.3 per cent of these offences were committed by offenders with 11 or more previous offences.
- 0.7 per cent (around 3,300) were serious violent/sexual proven re-offences.

### Recent Changes

Compared to the previous twelve months' cohort, the proven re-offending rate was slightly lower at 26.3 per cent compared to 26.8 per cent. This trend held across most sub-groups.

Over the same time-period, the average number of proven re-offences per re-offender decreased by 2.1 per cent from 2.86 to 2.80.

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<sup>3</sup> A certain proportion of offenders could not be matched to the Police National Computer (PNC) and are, therefore, not included. Therefore, this number does not represent ALL proven offenders. Please refer to the Definitions and Measurement document for more detail [www.justice.gov.uk/publications/statistics-and-data/reoffending/proven-reoffending-quarterly.htm](http://www.justice.gov.uk/publications/statistics-and-data/reoffending/proven-reoffending-quarterly.htm)

This means that numbers of offenders in this bulletin will be different from the numbers published in the Offender Management Caseload Statistics [www.justice.gov.uk/publications/statistics-and-data/prisons-and-probation/oms-quarterly.htm](http://www.justice.gov.uk/publications/statistics-and-data/prisons-and-probation/oms-quarterly.htm) and Criminal Justice Systems statistics [www.justice.gov.uk/publications/statistics-and-data/criminal-justice/criminal-justice-statistics.htm](http://www.justice.gov.uk/publications/statistics-and-data/criminal-justice/criminal-justice-statistics.htm)

<sup>4</sup> Includes reprimands and warnings for juveniles

<sup>5</sup> Also includes those who tested positive for opiates or cocaine

**Table 1.1: Overview – latest period compared to the previous year and 2000**

|   | 2000    | 12 months ending Mar 2009 | 12 months ending Mar 2010 | Percentage change 2000 to 12 months ending Mar 2010 <sup>1</sup> | Percentage change 12 months ending March 2009 to 12 months ending March 2010 <sup>1</sup> |
|---|---------|---------------------------|---------------------------|--|---|
| <b>All Offenders</b>  |         |                           |                           |  |   |
| Proportion of offenders who re-offend (%)                                     | 27.9    | 26.8                      | 26.3                      | -1.6pp ↓   | -0.6pp ↓  |
| Average number of re-offences per re-offender                                 | 3.37    | 2.86                      | 2.80                      | -17.1% ↓   | -2.1% ↓   |
| Proportion of offenders who re-offend - Adjusted to baseline <sup>2</sup> (%) | 25.5    | 27.0                      | 27.0                      | -  | -   |
| Average number of re-offences per offender                                    | 0.94    | 0.77                      | 0.73                      | -21.8% ↓   | -4.2% ↓   |
| Number of re-offences   | 579,770 | 556,230                   | 500,656                   | -13.6% ↓   | -10.0% ↓  |
| Number of re-offenders  | 171,935 | 194,695                   | 179,040                   | 4.1% ↑   | -8.0% ↓   |
| Number of offenders   | 617,024 | 725,628                   | 681,555                   | 10.5% ↑  | -6.1% ↓   |
| <b>Adult offenders</b>  |         |                           |                           |  |   |
| Proportion of offenders who re-offend (%)                                     | 26.2    | 25.4                      | 24.9                      | -1.3pp ↓   | -0.5pp ↓  |
| Average number of re-offences per re-offender                                 | 3.39    | 2.89                      | 2.80                      | -17.5% ↓   | -3.1% ↓   |
| Proportion of offenders who re-offend - Adjusted to baseline <sup>2</sup> (%) | 23.6    | 25.6                      | 25.6                      | -  | -   |
| Average number of re-offences per offender                                    | 0.89    | 0.73                      | 0.70                      | -21.6% ↓   | -5.1% ↓   |
| Number of re-offences   | 423,989 | 429,875                   | 395,386                   | -6.7% ↓  | -8.0% ↓   |
| Number of re-offenders  | 125,023 | 148,839                   | 141,254                   | 13.0% ↑  | -5.1% ↓   |
| Number of offenders   | 477,698 | 585,896                   | 567,971                   | 18.9% ↑  | -3.1% ↓   |
| <b>Juvenile offenders</b>   |         |                           |                           |  |   |
| Proportion of offenders who re-offend (%)                                     | 33.7    | 32.8                      | 33.3                      | -0.4pp ↓   | 0.4pp ↑   |
| Average number of re-offences per re-offender                                 | 3.32    | 2.76                      | 2.79                      | -16.1% ↓   | 1.1% ↑  |
| Proportion of offenders who re-offend - Adjusted to baseline <sup>2</sup> (%) | 32.0    | 33.1                      | 33.9                      | -  | -   |
| Average number of re-offences per offender                                    | 1.12    | 0.90                      | 0.93                      | -17.1% ↓   | 2.5% ↑  |
| Number of re-offences   | 155,781 | 126,355                   | 105,270                   | -32.4% ↓   | -16.7% ↓  |
| Number of re-offenders  | 46,912  | 45,856                    | 37,786                    | -19.5% ↓   | -17.6% ↓  |
| Number of offenders   | 139,326 | 139,732                   | 113,584                   | -18.5% ↓   | -18.7% ↓  |

1. pp = percentage point and percentage changes may not add up due to rounding of raw figures

2. See the definitions and measurement paper for an explanation on how to use and interpret the predicted rate.

## Longer term changes

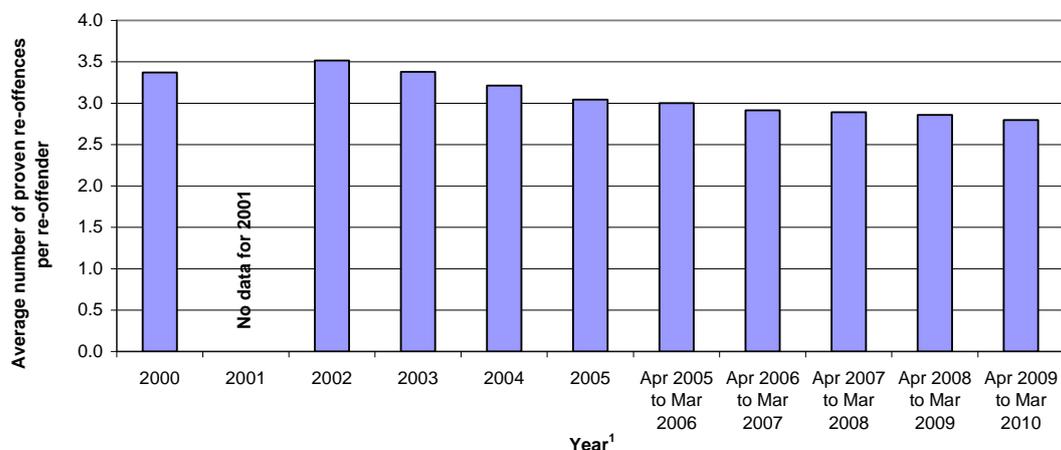
In the longer term for offenders included between 2000 and April 2009 to March 2010, the proven re-offending rate fell overall from 27.9 per cent to 26.3 per cent. The rate:

- fell over three times as much for adults than for juveniles
- fell for offenders commencing court orders, for offenders discharged from prison, for offenders given a discharge, and for those given reprimands, warnings and first tier penalties<sup>6</sup>, but rose for offenders given cautions, fines and youth community penalties.
- fell for offenders aged 15 to 29 and rose for all other age groups.
- fell more for adult women (-2.6 percentage points) than adult men (-0.9 percentage points).

Between 2000 and April 2009 to March 2010 the average number of proven re-offences per re-offender fell from 3.37 to 2.80, a fall of 17.1 per cent.

<sup>6</sup> This can include a discharge, fine, referral order, or reparation order. Please see Glossary for more information

**Figure E1: Average number of proven re-offences per re-offender, 2000 – 12 months ending March 2010**



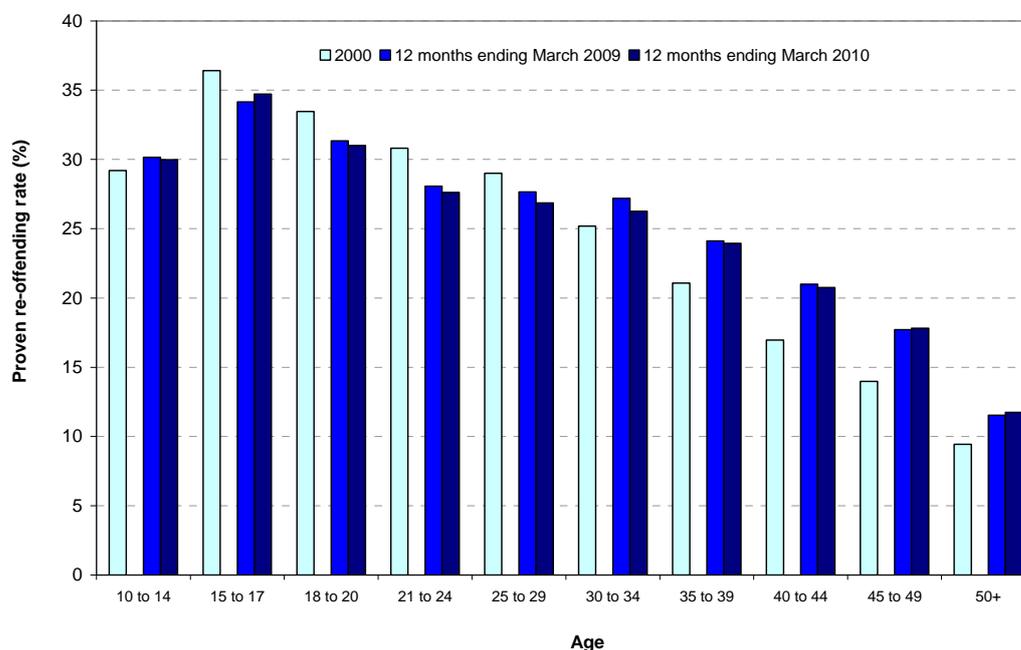
<sup>1</sup> Quarterly data only available from April 2005 onwards

### Re-offending by age

Between April 2009 to March 2010, as in previous years, 15 to 17 year old proven offenders had the highest proven re-offending rate at 34.7 per cent (Table 3). The proven re-offending rate falls with increasing age (after 15-17) as shown in Figure E2.

Compared to 2000 the latest proven re-offending rate rose for 10-14 year olds and for those aged 30 or more, but fell for offenders aged 15 to 29. The largest decreases in the average number of re-offences per re-offender were among those aged in the 21-24 age group from 3.61 re-offences per re-offender to 2.70 (a fall of around 25 per cent).

**Figure E2: Proportion of offenders who commit a proven re-offence, by age, 2000, 12 months ending March 2009 and 12 months ending March 2010**



### Previous offences

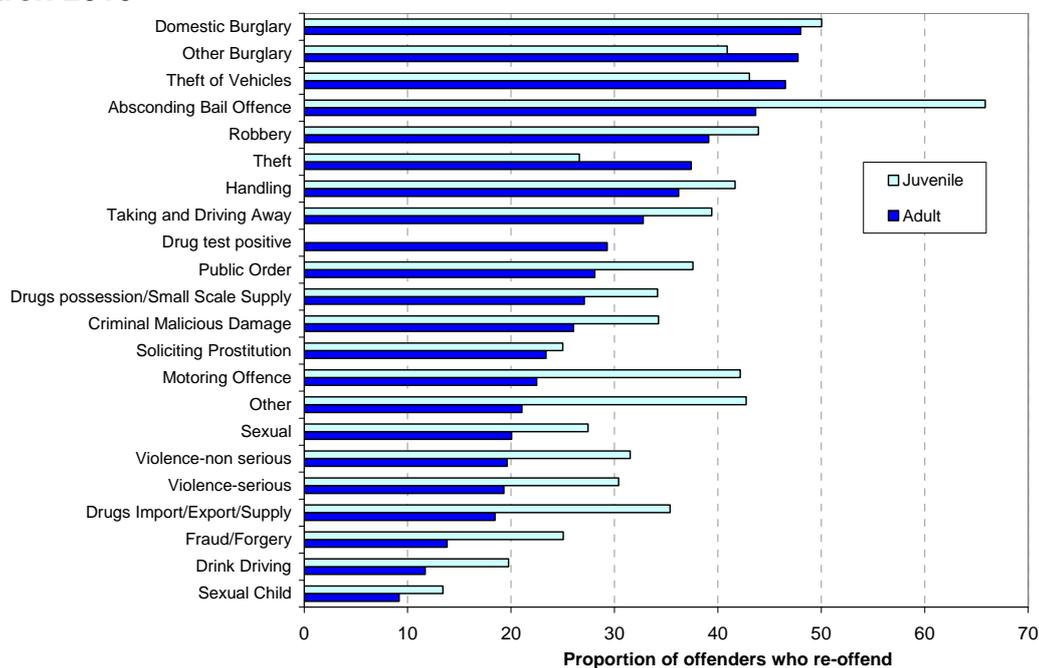
Offenders with a large number of previous offences have a higher rate of proven re-offending and this is true for both adults and juveniles. Compared to 2000 the largest decrease in the proven re-offending rate was among offenders who had 1 to 2 previous offences (-3.9 percentage points):

- Adult offenders with 11 or more previous offences represented 27.9 per cent of adult offenders in April 2009 to March 2010 but committed 62.6 per cent of all adult proven re-offences.
- For juveniles, there were 5,600 offenders with 11 or more previous offences and they had a proven re-offending rate of 77.5 per cent. This group make up only 5.0 per cent of juvenile offenders but committed almost a fifth (18.3 per cent) of all juvenile proven re-offences.

### Re-offending by Index offence

The offence that leads to an offender being included in the relevant year is called the index offence. In April 2009 to March 2010, as in most previous years, domestic burglary had the highest proven re-offending rate at 48.6 per cent (Table 5c) with sexual (child) offences the lowest at 9.8 per cent. The largest decrease between 2000 and April 2009 to March 2010 in the proven re-offending rate was for soliciting and prostitution, a decrease of 19.3 percentage points while motoring offences had the second largest decrease of 10.3 percentage points.

**Figure E3: Proportion of adult and juvenile proven offenders who commit a proven re-offence, by index offence type, 12 months ending March 2010**



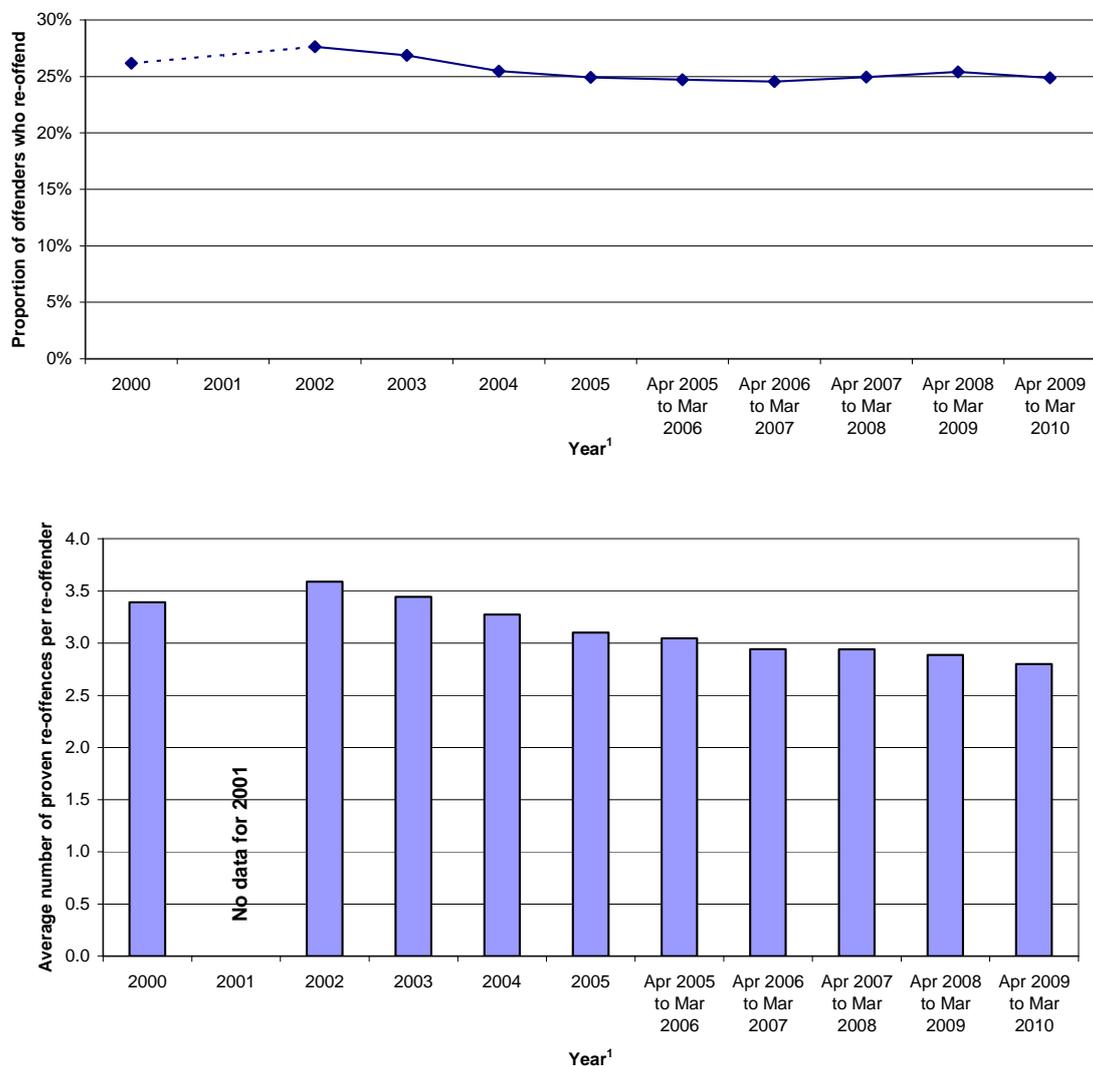
### Adult proven re-offending

In April 2009 to March 2010, there were around 570,000 adult offenders<sup>3</sup>. Just over 140,000 of these offenders were proven to have committed a re-offence within a year. This gives a one year proven re-offending rate of 24.9 per cent. The average number of proven re-offences committed by these re-offenders was 2.80.

Compared to the previous twelve months, there has been a decrease in the proven re-offending rate of 0.5 percentage points from 25.4 per cent.

Overall there has been a 1.3 percentage point decrease in the proven re-offending rate since 2000 (from 26.2 to 24.9 per cent). However, compared to 2000 the offenders in April 2009 to March 2010 had characteristics which meant they were more likely to re-offend. This means that after controlling for offender characteristics the decrease was larger at 3.4 percentage points.

**Figure E4: Proportion of adult proven offenders who commit a proven re-offence and average number of proven re-offences, 2000 to 12 months ending March 2010**



1 Quarterly data only available from April 2005 onwards

### **Proven re-offending rates for offenders discharged from prison or commencing a court order**

Between April 2009 and March 2010, there were 197,000 adult offenders<sup>3</sup> who were discharged from prison or commenced a court order. Just under 71,000 of these offenders were proven to have committed a re-offence within a year. This gives a one year proven re-offending rate of 36.0 per cent. The average number of proven re-offences committed by these re-offenders was 3.27.

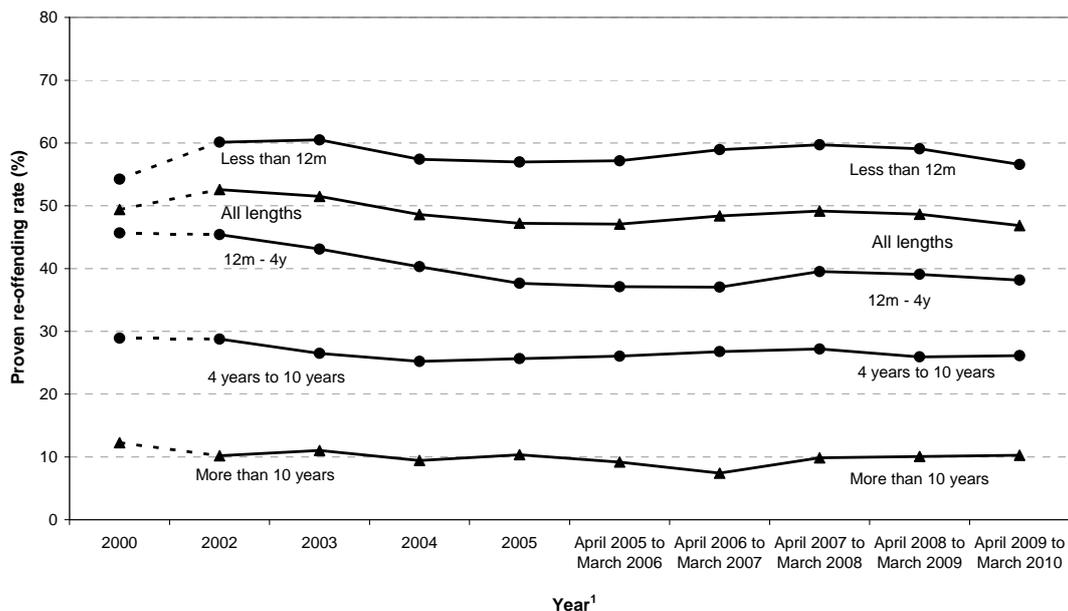
Overall there was a 4.9 percentage point decrease (from 40.9 to 36.0) in the proven re-offending rate between 2000 and the twelve months ending March 2010 and a 20.9 per cent decrease (from 4.13 to 3.27) in the average number of proven re-offences per re-offender.

### Prisoner's proven re-offending

Between April 2009 and March 2010, around 61,000 adult offenders<sup>3</sup> were discharged from custody. Just under 29,000 of these (46.9 per cent) were proven to have committed a re-offence within a year. These offenders committed around 115,000 proven re-offences, an average of 4.03 each.

54.3 per cent of adult offenders discharged from custody were released from sentences of less than 12 months. These offenders had a one year proven re-offending rate of 56.6 per cent, an increase of 2.3 percentage points from 2000 (54.3 per cent).

**Figure E5: Proportion of adult proven offenders who commit a proven re-offence, by index disposal custodial sentence length, 2000, 2002 – 12 months ending March 2010**



<sup>1</sup> Quarterly data only available from April 2005 onwards

### Adult proven re-offending rates by individual prison

Among prisons which discharged thirty or more offenders between April 2009 and March 2010, re-offending rates varied considerably from 5.7 per cent to 87.5 per cent for offenders with a sentence of less than twelve months and from 5.8 per cent to 68.2 per cent for offenders with a sentence of twelve months or more. A large part of this variability reflects the mix of offenders who are held in different prisons and, therefore, comparisons between prisons should not be made using these raw re-offending rates.

Among prisons discharging prisoners serving sentences of less than 12 months only three had re-offending rates that were significantly different from the expected rate. Sudbury and Askham Grange had lower than expected re-offending rates while re-offending rates for Hindley were higher.

Among prisons discharging offenders serving sentences of 12 months or more only, one prison had significantly lower re-offending rates (Usk/Prescoed) than expected and one (Warren Hill) had higher.

### **Proven re-offending of adults starting court orders**

Between April 2009 and March 2010, around 110,000 adult offenders<sup>3</sup> started a community order. Around 38,000 of these (35.4 per cent) committed a proven re-offence within a year. These proven re-offenders committed just under 120,000 proven re-offences, an average of 3.16 proven re-offences each. Similarly, of the 38,000 adult offenders starting a suspended sentence order, 30.6 per cent committed a proven re-offence within a year, committing an average of 2.86 proven re-offences each.

### **Proven re-offending rates by probation trust**

Offenders given a Court Order are managed by the probation service which comprises 35 Probation Trusts. Proven re-offending rates of these offenders are presented by Probation Trust in Table 24. This takes the first court order commencement from within each probation trust as the start point for measuring re-offending and subsequent events as proven re-offences.

Re-offending rates varied considerably between probation trusts from 28.5 per cent to 43.5 per cent. A large part of this variability reflects the mix of offenders who are given a Court Order and therefore comparisons between probation trusts should not be made using these raw re-offending rates.

For probation trusts an adjusted proven re-offending rate to control for differences in the composition of the offender group in each trust has been developed from the national model. Seven probation trusts showed significantly lower re-offending rates than expected. These were Cumbria, Gloucestershire, London, Staffordshire and West Midlands, Thames Valley, Warwickshire and West Yorkshire. None showed higher re-offending rates than expected.

Re-offending rates by disposal (sentence type) should not be compared to assess the effectiveness of sentences, as there is no control for known differences in offender characteristics and the type of sentence given. The Compendium of Re-offending Statistics and Analysis 2011 compares like for

like offenders which enables a more reliable comparison of proven re-offending rates between offenders receiving different sentences.

The key results from the Compendium were:

- 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 was 4.4 percentage points in 2008
- custodial sentences of less than 12 months were less effective at reducing re-offending than both community orders and suspended sentence orders – between 5 and 9 percentage points in 2008.

[www.justice.gov.uk/publications/statistics-and-data/reoffending/compendium-of-reoffending-statistics-and-analysis.htm](http://www.justice.gov.uk/publications/statistics-and-data/reoffending/compendium-of-reoffending-statistics-and-analysis.htm)

### **Juvenile proven re-offending**

Between April 2009 and March 2010, there were around 110,000 juvenile offenders. Just under 38,000 of these offenders were proven to have committed a re-offence within a year. This gives a one year proven re-offending rate of 33.3 per cent. The average number of proven re-offences committed by these re-offenders was 2.79.

Compared to the previous twelve months, there was an increase in the proven re-offending rate of 0.4 percentage points from 32.8 per cent.

However, the number of juvenile proven offenders has decreased by 18.5 per cent since 2000. This is in line with the pattern of first time entrants to the criminal justice system where the number of young people receiving their first reprimand, warning or conviction has also decreased. More information on first time entrants for both adults and juveniles can be found in the Criminal Justice System Statistics Quarterly at:

[www.justice.gov.uk/publications/statistics-and-data/criminal-justice/index.htm](http://www.justice.gov.uk/publications/statistics-and-data/criminal-justice/index.htm)

Overall there was a 0.4 percentage point decrease in the proven re-offending rate of juveniles since 2000 (from 33.7 to 33.3 per cent). However, compared to 2000 the characteristics of juvenile offenders in the year ending March 2010 meant that they were more likely to re-offend. Therefore, after controlling for offender characteristics the decrease was 2.3 percentage points.

Among Youth Offending Teams (YOTs) re-offending rates varied considerably from 21.8 per cent to 48.7 per cent. A large part of this variability reflects the mix of offenders who are managed by different YOTs and therefore comparisons between YOTS should not be made using these raw re-offending rates.

More information on youth criminal statistics is available at:

[www.justice.gov.uk/publications/statistics-and-data/youth-justice/statistics.htm](http://www.justice.gov.uk/publications/statistics-and-data/youth-justice/statistics.htm)

## **Trends in proven re-offending across the country**

Map 1 shows proven re-offending rates by Upper Tier Local Authority. This chart is not controlled for the characteristics of offenders and is designed for users to gain an understanding of what the level of proven re-offending is in their area and how it is changing over time.

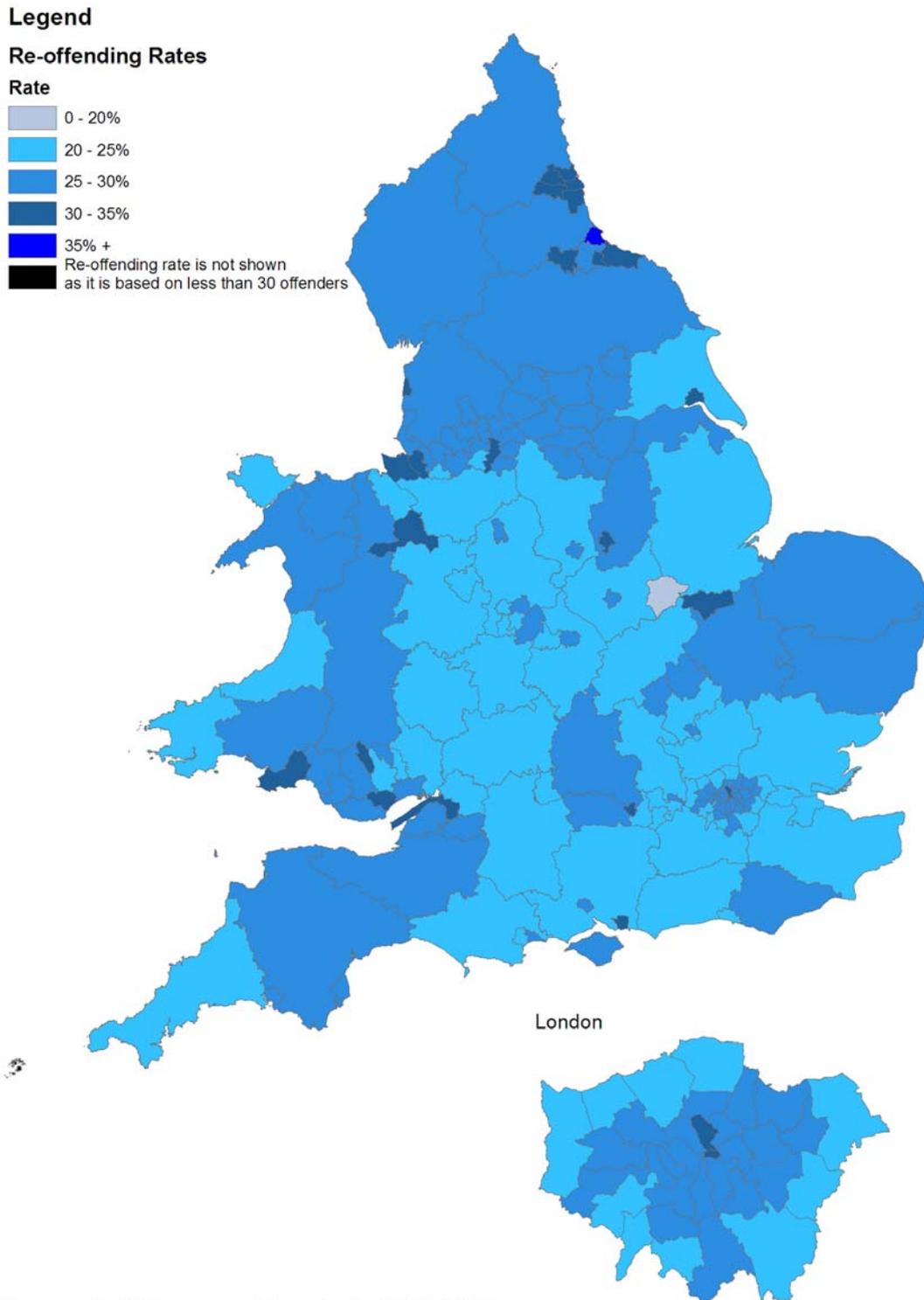
When comparing between Local Authorities, the differences may be due to:

- different types of offenders; areas where the offenders have high numbers of previous offences are likely to have higher proven re-offending rates
- police activity; areas with high police detection rates are likely to have higher proven re-offending rates
- age profile of offenders in the area; areas with a younger population are likely to have higher proven re-offending rates.

When comparing proven re-offending over time within Local Authorities, any significant changes in these factors may affect the comparison.

Very few local authorities have shown substantial change compared to the same period last year. For local authorities with more than 100 offenders, the largest decrease was seen in Flintshire (3.2 percentage points) and the largest increase was in Monmouthshire (2.9 percentage points). (Table 13c)

**Map 1: Overall proven re-offending rates by upper tier local authority for adults and juveniles, 12 months ending March 2010**



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## **Prolific and Priority Offenders (PPO)**

The Prolific and other Priority Offender Programme (PPO) aims to use a multi-agency approach to focus on a very small but hard-core group of prolific/persistent offenders who commit a disproportionate amount of crime. Please refer to the Definitions and Measurement document for more detail: [www.justice.gov.uk/publications/statistics-and-data/reoffending/proven-reoffending-quarterly.htm](http://www.justice.gov.uk/publications/statistics-and-data/reoffending/proven-reoffending-quarterly.htm)

Around 8,000 offenders (adult and juvenile) were on the PPO scheme at some point between April 2009 and March 2010<sup>3</sup>. Of these just under 6,000 committed a proven re-offence within a year (74.9 per cent). These offenders represented 1.2 per cent of all offenders but were responsible for 5.6 per cent of all proven re-offences committed.

Compared to the previous twelve months, the proportion of PPO offenders who committed a proven re-offence has decreased by 2.3 percentage points. This compares to an overall decrease of 2.1 percentage points since the scheme began in 2005.

## **Drug Misusing Offenders (DMO)**

The Drug Interventions Programme (DIP) was introduced in April 2003 with the aim of developing and integrating measures for directing adult drug-misusing offenders into drug treatment and reducing offending behaviour. There are a number of ways offenders can be identified as drug misusers. Please refer to the Definitions and Measurement document for more detail: [www.justice.gov.uk/publications/statistics-and-data/reoffending/proven-reoffending-quarterly.htm](http://www.justice.gov.uk/publications/statistics-and-data/reoffending/proven-reoffending-quarterly.htm)

Around 49,000 adult offenders were identified as drug misusers at some point between April 2009 and March 2010. Of these just over 27,000 committed a proven re-offence within a year (55.1 per cent). These offenders represented 8.7 per cent of all adult offenders but were responsible for 26.8 per cent of all proven re-offences committed by adult offenders.

Compared to the previous twelve months, the proportion of drug-misusing offenders who committed a proven re-offence fell slightly (0.5 percentage points). Looking longer term there has been a decrease of 10.2 percentage points since 2005, although most of this change occurred between 2005 and 2006 when there was a large expansion in the drug intervention programme.

**Iain Bell**  
**Chief Statistician**

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## Annex A

### PAYMENT BY RESULTS

#### Background

The “Breaking the Cycle” Green Paper<sup>7</sup> outlined the Ministry of Justice’s commitment to commission at least six ‘payment by results’ (PbR) projects covering a significant proportion of the offender population.

The MOJ intends to test the principle that PbR can result in service improvements, delivering better outcomes for the public at the same or less cost. In order to achieve this, the MOJ will pilot ‘payment by results’ at a number of prisons and local areas to test the concept and measure the results.

The statistical “outcome” that MOJ is interested in is whether the PbR pilots can drive a real reduction in the proportion of offenders who are reconvicted (the re-conviction rate) in the 12 months following release from prison or from commencing a Court Order.

#### Prison Results

The re-conviction rate used for the PbR pilot prisons presented below differs from the National Statistics measure. It measures the proportion of offenders who are convicted at court in the 12 months following release from prison with a further six months to allow for cases to progress through the courts. This is because, for PbR purposes, we want to measure a change in the proportion of offenders who are convicted at court (whilst excluding those who receive an out-of-court disposal only) as court convictions are more closely associated with costs to the Criminal Justice System. Offenders are counted in the cohort if they are discharged from the prison at any time during the cohort year. The measure excludes those who serve the whole of their custodial sentence on remand as well as the usual National Statistics exclusions as explained in the definitions and measurement document<sup>8</sup>.

Table A1 below will be included in the Proven Re-offending quarterly bulletin each quarter and will include, for each pilot prison or area that uses the re-conviction rate as its outcome measure, the baseline re-conviction rate, the target re-conviction rate<sup>9</sup> and the outcome re-conviction rate. The only prison pilot included in Table A1 at present is HMP Doncaster, but this will be updated on an ongoing basis as new pilots begin and outturn results become available.

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<sup>7</sup> [www.justice.gov.uk/downloads/consultations/breaking-the-cycle.pdf](http://www.justice.gov.uk/downloads/consultations/breaking-the-cycle.pdf)

<sup>8</sup> [www.justice.gov.uk/publications/statistics-and-data/reoffending/proven-reoffending-quarterly.htm](http://www.justice.gov.uk/publications/statistics-and-data/reoffending/proven-reoffending-quarterly.htm)

<sup>9</sup> The rate at which the PbR outcome payment is first triggered at any given pilot site.

**Table A1: Payment by Results pilot prisons, baseline and target reconviction rates**

| <b>Prison / Area</b> | <b>Start Date of pilot</b>   | <b>Baseline Re-conviction Rate (Jan-Dec 2009)</b> | <b>Target Re-conviction Rate (Oct 2011-Sept 2012)</b> | <b>Outcome Re-conviction Rate (Oct 2011-Sept 2012)</b> |
|----------------------|------------------------------|---|---|--|
| HMP Doncaster        | 1 <sup>st</sup> October 2011 | 58.2%   | 53.2%   | To be published in 2014                                |

Notes:

1. There is a PbR pilot ongoing at HMP Peterborough (the Peterborough 'Social Impact Bond'). This pilot uses a different outcome measure (the frequency of re-conviction events) and its success is measured against a control group. The results will be published separately.
2. There is a Justice Reinvestment PbR pilot across five London boroughs and Greater Manchester, which use a different outcome measure, namely a reduction in demand on the CJS. The results will be published separately.
3. PbR pilots for offenders managed by the Probation Service are likely to begin in early 2013. When these are underway Table A1 will be updated to reflect these new PbR areas.

## Annex B

### HOW THE MEASURE OF PROVEN RE-OFFENDING HAS CHANGED AND THE EFFECT OF THESE CHANGES

#### Background

The Ministry of Justice launched a statistical consultation on improvements to the transparency and accessibility of our information in 2010 and a response to the consultation was published in March 2011<sup>10</sup>. One aspect of the consultation was the measurement of proven re-offending.

Prior to the consultation there were six different measures of proven re-offending:

- national adult proven re-offending;
- local adult proven re-offending;
- national youth proven re-offending;
- local youth proven re-offending;
- Prolific and other Priority Offending (PPO); and
- drug-misusing proven offending.

The new approach to measuring proven re-offending integrates these approaches into a single framework. This allows users to:

- form a clear picture of proven re-offending at national and local levels;
- compare adult and youth results, and enable other work on transition between the youth and adult criminal justice systems;
- understand how results for different offender groups (such as those managed by the prison and probation services, those under the PPO schemes, drug-misusing offenders, first time entrants, etc) fit in to the overall picture on proven re-offending; and
- continue to be able to analyse proven re-offending behaviour of particular types of offender.

#### Comparing trends in re-offending

Table B1 shows the proportion of offenders with a proven re-offence/re-conviction using the new measure of re-offending and the previous measures of adult re-conviction and juvenile re-offending. Comparisons we make use cohorts up to 2009.

Re-offending rates are lower using the new measure than using the previous measure. The differences are as follows:

- For adult and juvenile offenders the new measure is based on all offenders released from custody, receiving a non-custodial conviction

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<sup>10</sup> The response to the consultation is available here [www.justice.gov.uk/downloads/consultations/improvements-moj-statistics-consultation-response.pdf](http://www.justice.gov.uk/downloads/consultations/improvements-moj-statistics-consultation-response.pdf)

at court, a caution, reprimand, warning or tested positive for opiates or cocaine over a 12 month period, but the previous measures only included offenders released from custody or commencing a court order in the first three months of the year. Using a 3 month sample over-represents prolific offenders in comparison to a full year's worth of data.

- For adults the new measure counts all offenders including those who received a caution, fine or discharge, where the previous adult measure only included those who commenced a court order or were discharged from custody.
- For adult offenders, the new measure is a measure of proven re-offending (which counts offences proven through a court conviction or a caution) whereas the previous measure is a measure of re-conviction (which only counts offences proven through a court conviction).

As a result, re-offending rates are 14.4 percentage points lower for adults and rates for juveniles are 4.1 percentage points lower using the new measure.

However, the re-offending rates are similar for adults given a court order or who received a custodial sentence, including those given a sentence of less than 12 months. Rates are between 1.0 and 2.6 percentage points lower using the new measure.

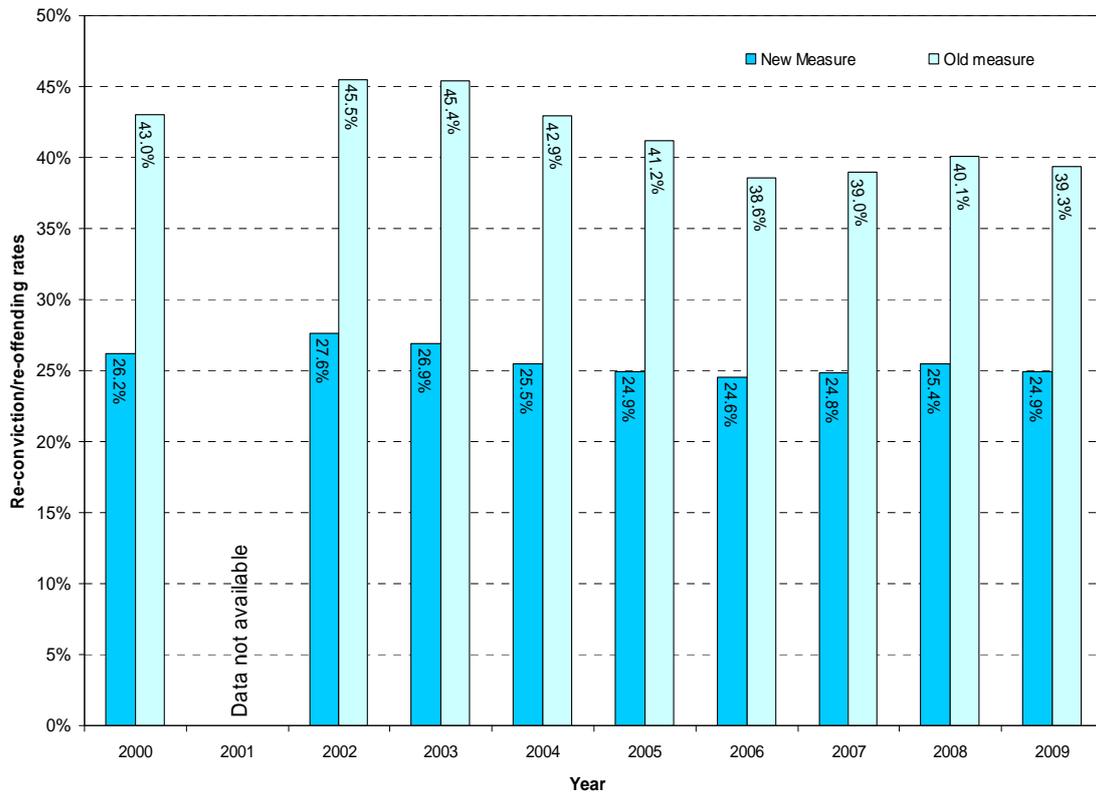
**Table B1: Re-offending using the new and previous measures, 2009**

|  | New measure | Previous measure(s) |
|--|-------------|---------------------|
| Adults   | 24.9        | 39.3                |
| Juveniles  | 32.8        | 36.9                |
| Adults given a court order                         | 34.5        | 35.5                |
| Adults given a custodial sentence                  | 46.8        | 48.5                |
| Adults given a custodial sentence of less than 12m | 56.8        | 59.4                |

Figure B1 shows re-offending rates for adult offenders between 2000 and 2009 using the new and previous measure.

In 2009 24.9 per cent of adult offenders have a proven re-offence within twelve months using the new measure compared to 39.3 per cent re-convicted using the previous measure. However, trends for adult offenders are similar using the two measures. The proportion of offenders with a proven re-offence/re-conviction rose between 2000 and 2002, fell between 2002 and 2006, rose between 2006 and 2008, and fell between 2008 and 2009 using both measures.

**Figure B1: Adult re-conviction/re-offending by re-offending measure, 2000-2009**

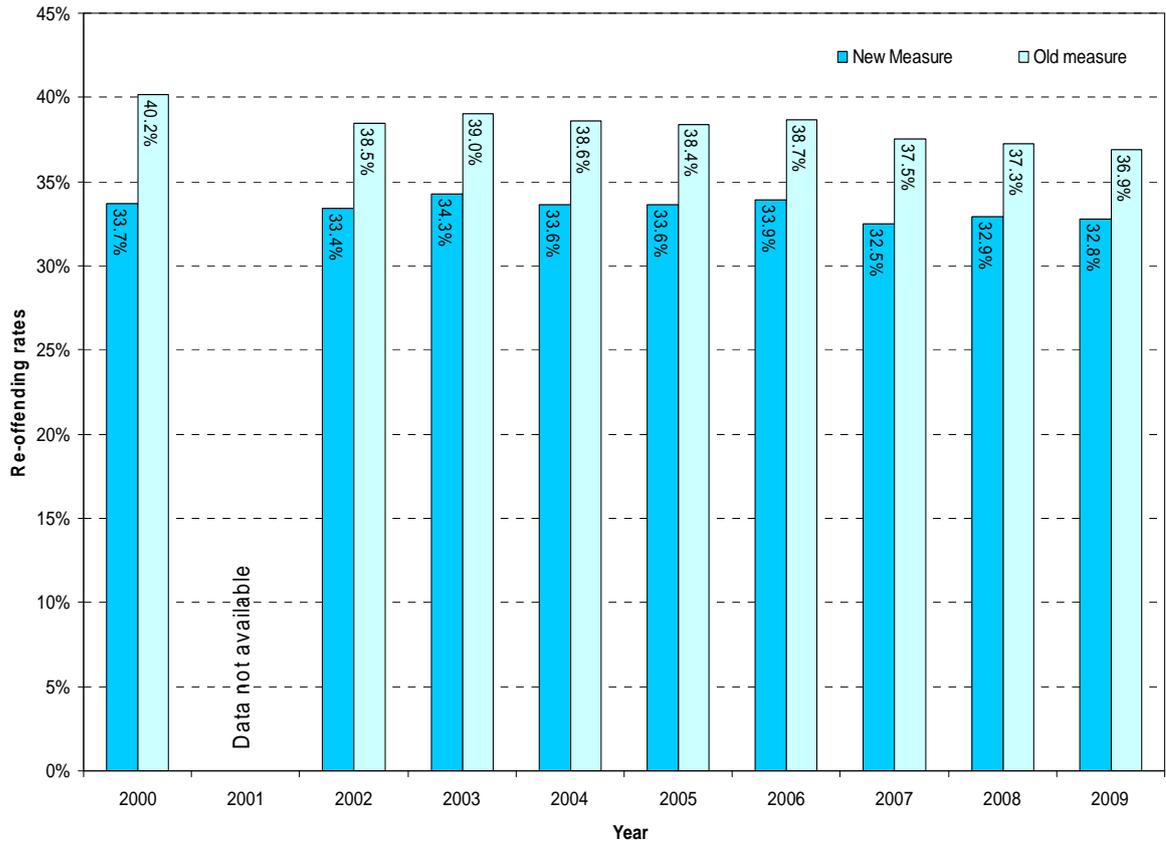


The overall reduction in re-offending is smaller using the new measure (1.2 percentage points between 2000 and 2009 and 0.5 percentage points between 2008 and 2009) than using the previous measure (3.7 percentage points between 2000 and 2009 and 0.8 percentage points between 2008 and 2009).

Figure B2 shows re-offending rates for juvenile offenders between 2000 and 2009 using the new and previous measure.

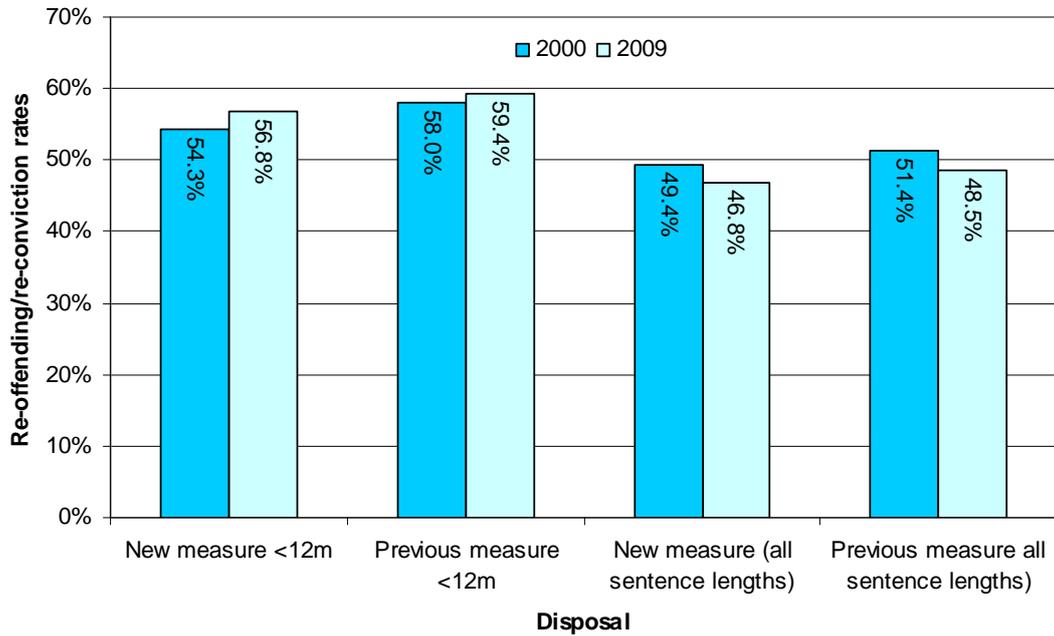
In 2009, 32.8 per cent of young offenders re-offended within twelve months using the new measure compared to 36.9 per cent using the previous measure. The reduction in re-offending is smaller using the new measure (0.9 percentage points between 2000 and 2009 and 0.1 percentage points between 2008 and 2009) than using the previous measure (3.3 percentage points between 2000 and 2009 and 0.4 percentage points between 2008 and 2009). Overall, the trends are broadly similar.

**Figure B2: Juvenile re-offending by re-offending measure, 2000-2009**



Trends in proven re-offending/re-conviction rates for adult custodial offenders are similar using the new and previous measures. The proportion of offenders given a custodial sentence of less than 12 months who re-offended rose between 2000 and 2009 using both measures (by 2.6 percentage points using the new measure and 1.4 percentage points using the previous measure). The proportion of offenders given any custodial sentence who re-offended fell between 2000 and 2009 using both measures (by 2.6 percentage points using the new measure and 2.9 percentage points using the previous measure).

**Figure B3: Adult re-conviction/re-offending of custodial offenders by re-offending measure and sentence, 2000-2009**



### The change in methodology

The following sections provide a detail regarding the change in methodology between the methods in measuring re-offending and how those changes impact on the data.

The table below provides a comparison of the previous methodologies with the new approach.

**Table B2: Re-offending using the new and previous measures**

**Comparison of previous and new measures of proven re-offending**

|   | Previous measures of re-offending  |  |  |  |  |   | New measure of re-offending  |
|---|--|--|--|--|--|---|--|
|   | National adult re-conviction   | Local adult re-offending   | National youth re-offending  | Local youth re-offending   | Prolific and other Priority Offending (PPO)                                      | Drug misusing offending   |  |
| <b>The cohort</b>                                   | Offenders aged 18+ discharged from custody or commencing court orders under probation supervision between January to March | Offenders aged 18+ on the probation caseload at the end of each calendar quarter | Offenders aged 10-17 discharged from custody, receiving a court conviction or receiving a caution/reprimand or final warning between January and March | Offenders aged 10-17 discharged from custody, receiving a court conviction or receiving a caution/reprimand or final warning between January and March | All offenders identified as being on the PPO scheme as at 1 April                | All Class A drug offenders identified through positive drug tests on arrest, OASyS or drug requirement as part of a court order, CJIT identification, or identification on prison release between January and March | All offenders who received a caution/reprimand or warning, were convicted at court (other than custody), were discharged from custody, or tested positive for cocaine or opiates on arrest over a 12 month period. |
| <b>The follow up period to measure re-offending</b> | 12 months for offences to occur and a further 6 months for offences to be proved   | 3 months for offences to occur and a further 3 months for offences to be proved  | 12 months for offences to occur and a further 6 months for offences to be proved   | 12 months for offences to occur and a further 3 months for offences to be proved   | 12 months for offences to occur and a further 3 months for offences to be proved | 12 months for offences to occur and a further 3 months for offences to be proved  | 12 months for offences to occur and a further 6 months for offences to be proved   |

|   |  |   |  |  |   |  |  |
|---|--|---|--|--|---|--|--|
| <b>The headline measure</b>               | Frequency of re-offending (the number of proven re-offences per 100 offenders)   | Proportion of offenders re-offending, compared to the rate that would be expected based on the offender characteristics   | Frequency of re-offending (the number of proven re-offences per 100 offenders)   | Frequency of re-offending (the number of proven re-offences per 100 offenders)   | Number of further offences compared to number in previous year, against the reduction that would be expected given time on the PPO scheme   | Number of further offences compared to what would be expected based on their previous offending history  | Proportion of offenders re-offending<br>We also include information on the frequency of re-offending and information on the predicted rate based on offender characteristics         |
| <b>What counts as a proven re-offence</b> | Offences committed within the follow up period which were proved by a court conviction either within the follow up period or in a further six months | Offences committed within the follow up period which were proved by a court conviction or caution either within the follow up period or in a further three months | Offences committed within the follow up period which were proved by a court conviction or reprimand or final warning either within the follow up period or in a further six months | Offences committed within the follow up period which were proved by a court conviction or reprimand or final warning either within the follow up period or in a further three months | Offences committed within the follow up period which were proved by a court conviction or caution either within the follow up period or in a further three months. Breach offences that lead to substantive recorded convictions are included | Offences committed within the follow up period which were proved by a court conviction either within the follow up period or in a further three months | Offences committed within the follow up period which were proved by a court conviction or caution/reprimand or warning either within the follow up period or in a further six months |

|                                |  |  |  |                            |   |   |  |
|--------------------------------|--|--|--|----------------------------|---|---|--|
| <b>Use of a predicted rate</b> | A predicted rate of re-offending was included for the proportion of offenders expected to re-offend based on their characteristics<br><br>Logistic regression was used | A predicted rate of re-offending was included for the proportion of offenders expected to re-offend based on their characteristics<br><br>Logistic regression was used | A predicted rate of re-offending was included for the proportion of offenders expected to re-offend based on their characteristics<br><br>Logistic regression was used | No predicted rate          | Evidence on the link between time on the PPO scheme and expected reductions in further offending were used to assess reductions in number of offences compared to the previous year | A predicted rate of re-offending was included for the proportion of offenders expected to re-offend based on their previous criminal history<br>Response surface methodology was used | A predicted rate of re-offending is included for the proportion of offenders expected to re-offend based on their characteristics<br>Logistic regression is used |
| <b>Data source</b>             | Police National Computer   | Police National Computer   | Police National Computer   | Youth Offending Teams data | Police National Computer  | Police National Computer  | Police National Computer   |
| <b>Geographic breakdown</b>    | None   | Region, Probation area, Local Authority  | None   | Youth Offending Team level | Police Force and Local Authority level  | Drug Action team and Local Authority level  | Upper and lower tier local authority areas for all offenders. Other breakdowns for specific categories of offender.  |

## The effect of the changes

### Adults

Differences in methodology are reflected in different results. Table B3 shows the impact on reported rates of adult re-conviction/re-offending. The table breaks down the changes between the previous measure and the new measure to identify the different effects of the changes in methodology.

**Table B3: Re-offending/re-convictions data for adult offenders**

|      | Previous <sup>1</sup> measure: re-convictions (prison and probation offenders only), first quarter of the year | Previous measure: re-convictions (prison and probation offenders only), whole year | New measure: re-offending (prison and probation offenders only), whole year | New measure: proven re-offending (all offenders), whole year |
|------|--|--|---|--|
|      | <b>Proportion</b>  |  |   |  |
| 2000 | 43.0   | 40.0   | 40.9  | 26.2   |
| 2002 | 45.5   | 42.0   | 43.0  | 27.6   |
| 2003 | 45.4   | 41.5   | 42.4  | 26.9   |
| 2004 | 42.9   | 38.6   | 39.8  | 25.5   |
| 2005 | 41.2   | 36.6   | 38.4  | 24.9   |
| 2006 | 38.6   | 35.6   | 37.6  | 24.6   |
| 2007 | 39.0   | 35.9   | 37.9  | 24.8   |
| 2008 | 40.1   | 36.1   | 37.9  | 25.4   |
| 2009 | 39.3   | 34.7   | 36.2  | 24.9   |
|      | <b>Frequency (average per offender)</b>  |  |   |  |
| 2000 | 1.85   | 1.66   | 1.69  | 0.89   |
| 2002 | 2.13   | 1.84   | 1.87  | 0.99   |
| 2003 | 2.05   | 1.73   | 1.76  | 0.93   |
| 2004 | 1.81   | 1.51   | 1.54  | 0.83   |
| 2005 | 1.66   | 1.36   | 1.40  | 0.77   |
| 2006 | 1.44   | 1.26   | 1.31  | 0.73   |
| 2007 | 1.47   | 1.27   | 1.32  | 0.73   |
| 2008 | 1.55   | 1.27   | 1.31  | 0.75   |
| 2009 | 1.41   | 1.15   | 1.18  | 0.70   |
|      | <b>Frequency of re-offenders (average per re-offender)</b>   |  |   |  |
| 2000 | 4.30   | 4.15   | 4.13  | 3.39   |
| 2002 | 4.68   | 4.39   | 4.36  | 3.59   |
| 2003 | 4.52   | 4.18   | 4.15  | 3.44   |
| 2004 | 4.23   | 3.91   | 3.87  | 3.27   |
| 2005 | 4.03   | 3.70   | 3.65  | 3.10   |
| 2006 | 3.73   | 3.54   | 3.48  | 2.95   |
| 2007 | 3.78   | 3.53   | 3.48  | 2.94   |
| 2008 | 3.88   | 3.51   | 3.46  | 2.93   |
| 2009 | 3.57   | 3.31   | 3.27  | 2.80   |
|      | <b>Number of offenders</b>   |  |   |  |
| 2000 | 42,734   | 148,052  | 148,052   | 477,698  |
| 2002 | 43,247   | 157,243  | 157,243   | 495,664  |
| 2003 | 44,095   | 159,686  | 159,686   | 520,660  |
| 2004 | 46,532   | 163,775  | 163,775   | 512,600  |
| 2005 | 43,429   | 170,021  | 170,021   | 532,045  |
| 2006 | 50,281   | 181,726  | 181,726   | 571,458  |
| 2007 | 50,085   | 190,418  | 190,418   | 595,020  |
| 2008 | 53,718   | 197,035  | 197,035   | 589,948  |
| 2009 | 56,616   | 200,077  | 200,077   | 576,255  |

1. Based on the national adult re-convictions publication (March 2011)

Among adult offenders in 2009, the previous national measure (the first column) shows that 39.3 per cent of adult offenders were re-convicted within a year based on a sample of 56,616 offenders.

The second column shows the re-conviction rates from the previous measure looking at offenders who were released from custody or commenced a court order but at any point during the year. The inclusion of offenders from a full twelve month period means the results are calculated using the full proven offender population rather than a sample – this

ensures we do not over-represent prolific offenders in the cohort, which is a problem in using a January to March sample as in the previous adult re-conviction measure.

This leads to a lower proportion of re-convicted offenders (between three and five percentage points, eg 34.7 per cent compared to 39.3 per cent in 2009). The change to a full year also increases the number of offenders, to 200,077 in 2009<sup>11</sup>.

The third column shows the proven re-offending rates from the new measure but still based only on those offenders who were released from custody or commenced a court order at any point during the year. Proven re-offending includes offences which result in a caution in addition to those resulting in a conviction at court. The proportion of offenders who were proven to re-offend is between 1 and 2 percentage points higher than for those who were re-convicted (36.2 per cent compared to 34.7 per cent in 2009). There is little difference at this stage because we are still only considering offenders who already have a prison or a court order.

The fourth column shows the re-offending rates from the new measure looking at all adult offenders who received a caution, a conviction at court, discharged from custody, or tested positive for cocaine or opiates. The inclusion of these offenders increases the numbers considerably. In 2009, the previous adult measure tracks the re-offending behaviour of 56,616 offenders; the new measure tracks 576,255 offenders. The inclusion of offenders who received less severe disposals and are generally less prolific in nature reduces the proportion who re-offend by around 11 to 16 percentage points (36.2 per cent compared to 24.9 per cent in 2009).

### **Change over time**

Compared to the previous measure, the reduction over time in the proportion of offenders who re-offend is much lower using the new measure. Using the previous measure, between 2000 and 2009 the proportion of offenders who were re-convicted fell 3.7 percentage points (from 43.0 per cent to 39.3 per cent). Using the new measure, the proportion of offenders who committed a proven re-offence fell 1.2 percentage points (from 26.2 per cent to 24.9 per cent).

### **Juveniles**

The only change between the previous measure and the new measure of re-offending among young people is the move from a one quarter sample to including all young offenders over the period of a year.

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<sup>11</sup> The previous measure includes offenders released from custody or who commenced a court order in the first three months of the year, shown in column 1. Column 2 includes offenders released from custody or who commenced a court order in the twelve month period. The number of offenders shown in column 2 is less than 4 times as many as in column 1. This is because some offenders commence a court order or are discharged from custody more than once in a year. These calculations only count each offender once e.g. offender Y is discharged from custody in the first quarter of the year, and discharged again in the second quarter but he is only counted as a single offender.

**Table B4: Re-offending data for juvenile offenders**

|  | Previous measure <sup>1</sup><br>proven re-offending | New measure proven re-<br>offending |
|--|--|-------------------------------------|
| <b>Proportion</b>  |  |                                     |
| 2000   | 40.2   | 33.7                                |
| 2002   | 38.5   | 33.4                                |
| 2003   | 39.0   | 34.3                                |
| 2004   | 38.6   | 33.6                                |
| 2005   | 38.4   | 33.6                                |
| 2006   | 38.7   | 33.9                                |
| 2007   | 37.5   | 32.5                                |
| 2008   | 37.3   | 32.9                                |
| 2009   | 36.9   | 32.8                                |
| <b>Frequency (average per offender)</b>                    |  |                                     |
| 2000   | 1.51   | 1.12                                |
| 2002   | 1.42   | 1.10                                |
| 2003   | 1.42   | 1.09                                |
| 2004   | 1.32   | 1.03                                |
| 2005   | 1.25   | 0.98                                |
| 2006   | 1.23   | 0.97                                |
| 2007   | 1.16   | 0.90                                |
| 2008   | 1.14   | 0.91                                |
| 2009   | 1.10   | 0.90                                |
| <b>Frequency of re-offenders (average per re-offender)</b> |  |                                     |
| 2000   | 3.77   | 3.32                                |
| 2002   | 3.69   | 3.29                                |
| 2003   | 3.63   | 3.19                                |
| 2004   | 3.43   | 3.06                                |
| 2005   | 3.26   | 2.91                                |
| 2006   | 3.18   | 2.86                                |
| 2007   | 3.08   | 2.77                                |
| 2008   | 3.06   | 2.75                                |
| 2009   | 2.99   | 2.75                                |
| <b>Number of offenders</b>                                 |  |                                     |
| 2000   | 41,176   | 139,326                             |
| 2002   | 40,753   | 136,401                             |
| 2003   | 40,297   | 138,379                             |
| 2004   | 44,153   | 149,452                             |
| 2005   | 45,337   | 163,545                             |
| 2006   | 48,938   | 171,061                             |
| 2007   | 52,544   | 171,454                             |
| 2008   | 44,837   | 145,579                             |
| 2009   | 37,472   | 121,107                             |

1. Based on the national juvenile re-offending publication (March 2011) publication

As for adults, using the whole year reduces the proportion of offenders who re-offended because we do not over-represent prolific offenders in the cohort, which is a problem in using a January to March sample. Table B4 shows the reduction is between four and seven percentage points. For 2009 with the previous measure, 36.9 per cent commit a proven re-offence within one year; with the new measure, 32.8 per cent do so. The new measure, which is based on offenders from a 12 month period, includes over three times as many offenders as the existing measure.

### Change over time

Compared to the previous measure, the reduction in the proportion of offenders who re-offend between 2000 and 2009 is much lower using the new measure.

Using the previous measure, between 2000 and 2009, the proportion of offenders who were proven to re-offend fell 3.3 percentage points (from 40.2 per cent to 36.9 per cent).

Using the new measure, the proportion of offenders who committed a proven re-offence fell 0.9 percentage points (from 33.7 per cent to 32.8 per cent).

### Drug-misusing offenders

Published results for drug-misusing offenders on the previous measure covered 2008 and 2009; results using the new measure cover from 2004 onwards.

The previous measure:

- Includes offenders who have been identified in the first quarter of the year, whereas the new measure includes offenders from any point during the year,
- Includes all drug-misusing offenders irrespective of the date of proven offence, whereas the new measure includes identified drug-misusing offenders who have received a caution, been convicted at court, been discharged from custody, or tested positive for cocaine or opiates on arrest during a twelve month period.
- Counts re-offences that were proven through a court conviction, whereas the new measure counts re-offences that were proven by a court conviction or caution.

As for adult and juvenile offenders, using the whole year to identify offenders reduces the proportion of offenders who re-offend, because we do not over-represent prolific offenders in the cohort, which is a problem in using a January to March sample. Table B5 shows the impact on reported rates of re-offending/re-conviction by drug-misusing offenders.

**Table B5: Re-offending data for drug-misusing offenders**

|  | Previous measure <sup>1</sup> proven re-conviction | New measure of proven re-offending |
|--|--|------------------------------------|
| <b>Proportion</b>  |  |                                    |
| 2004   |  | 67.3                               |
| 2005   |  | 65.3                               |
| 2006   |  | 58.6                               |
| 2007   |  | 57.2                               |
| 2008   | 61.0   | 56.4                               |
| 2009   | 57.0   | 54.7                               |
| <b>Frequency (average per offender)</b>                    |  |                                    |
| 2004   |  | 3.20                               |
| 2005   |  | 2.94                               |
| 2006   |  | 2.37                               |
| 2007   |  | 2.34                               |
| 2008   | 2.6  | 2.29                               |
| 2009   | 2.2  | 2.10                               |
| <b>Frequency of re-offenders (average per re-offender)</b> |  |                                    |
| 2004   |  | 4.75                               |
| 2005   |  | 4.51                               |
| 2006   |  | 4.03                               |
| 2007   |  | 4.09                               |
| 2008   | 4.3  | 4.06                               |
| 2009   | 3.9  | 3.84                               |
| <b>Number of offenders</b>                                 |  |                                    |
| 2004   |  | 20,652                             |
| 2005   |  | 29,112                             |
| 2006   |  | 44,597                             |
| 2007   |  | 54,474                             |
| 2008   | 20,934   | 59,039                             |
| 2009   | 20,109   | 53,109                             |

1. Based on the national drug-misusing offenders publication (December 2010)

Table B5 shows that the proportion of offenders who commit a proven re-offence is between two and five percentage points lower using the new measure (57.0 per cent using the previous measure compared to 54.7 per cent using the new measure). The new measure, which follows offenders over a 12 month period, includes between two and three times as many offenders as the existing measure.

### **Prolific and other Priority Offenders (PPO)**

Published results for PPOs on the previous measure presented the frequency of proven re-offending for all PPOs; results using the new measure cover the proportion of offenders proven to re-offend, and the frequency of proven re-offending for all offenders and for re-offenders from 2005 onwards.

The previous measure:

- Includes offenders who have been identified in the first quarter of the year, whereas the new measure includes offenders from any point during the year. However, PPOs are generally on the PPO programme for a sustained period of time so this only has a moderate impact on numbers of offenders included.
- Includes all identified PPOs, whereas the new measure includes identified PPOs who have tested positive for cocaine or opiates, received a caution, been convicted at court, or been discharged from custody during a twelve-month period.
- Counts re-offences that are proven through a court conviction or caution and also includes breach offences that lead to substantive recorded convictions. The new measure only includes re-offences proven through a court conviction or caution.

Table B6 shows the impact on reported rates of proven re-offending by Prolific and other Priority Offenders and on numbers of offenders included in the measure.

**Table B6: Re-offending data for Prolific and other Priority Offenders**

|  | Previous measure of proven re-offending | New measure of proven re-offending |
|--|---|------------------------------------|
| <b>Proportion</b>  |   |                                    |
| 2005   |   | 77.0                               |
| 2006   |   | 75.7                               |
| 2007   |   | 75.8                               |
| 2008   |   | 77.2                               |
| 2009   | 56.0                                    | 75.1                               |
| <b>Frequency (average per offender)</b>                    |   |                                    |
| 2005   |   | 4.01                               |
| 2006   |   | 3.83                               |
| 2007   |   | 3.80                               |
| 2008   | 2.6                                     | 3.80                               |
| 2009   | 2.4                                     | 3.49                               |
| <b>Frequency of re-offenders (average per re-offender)</b> |   |                                    |
| 2005   |   | 5.21                               |
| 2006   |   | 5.06                               |
| 2007   |   | 5.01                               |
| 2008   |   | 4.93                               |
| 2009   | 4.3                                     | 4.65                               |
| <b>Number of offenders</b>                                 |   |                                    |
| 2005   |   | 8,555                              |
| 2006   |   | 8,239                              |
| 2007   |   | 8,309                              |
| 2008   | 10,771                                  | 8,607                              |
| 2009   | 10,635                                  | 8,156                              |

1. Based on the national Prolific and other Priority Offenders publication (March 2010)

The average number of proven re-offences committed by PPOs in 2009 is lower for the previous measure than for the new measure in 2008 (2.4 re-offences per offender using the previous measure, but 3.49 using the new).

The previous measure includes PPOs who have not been proven guilty of an offence or been discharged from custody in the twelve month period when the re-offending cohort is formed. This type of offender is likely to have a lower level of re-offending.

These differences may help to explain

- why the frequency of re-offending is lower for the previous measure than for the new measure in 2009 (2.4 re-offences per offender using the previous measure, but 3.49 using the new), and
- why the previous measure includes nearly 2,500 more PPOs in 2009 than does the new measure.

### Local adult re-offending

The most similar results for the new measure of re-offending and the existing local measure of adult re-offending are the early estimates of re-offending of offenders given a court order. Like the existing measure of local adult re-offending, the early estimates of offenders given a court order:

- measure re-offending over three months,
- only measures offenders under probation supervision,
- provides results by probation trust,

- compares actual re-offending rates with an predicted re-offending rate.

There remain significant differences between the early estimates and the existing local adult measure of re-offending, including

- The existing local adult measure includes offenders on license – the early estimates include offenders commencing court orders only.
- The existing local adult measure uses a 'snapshot' approach. This means offenders are counted if they are on the caseload at certain times in the year. Offenders who are on the caseload for a short period of time may not get counted with the existing measure. The early estimates count every offender who commences a court order.
- Because the existing local adult measure uses a 'snapshot' approach some offenders may get counted up to four times if they are on the caseload for over twelve months. The early estimates count every offender once.
- The existing local adult measure measures the re-offending of offenders at any point during the court order – the early estimates measure re-offending in the first three months after an offender commenced a court order.
- The predicted score for the existing local adult measure was derived from analysis of 2007 re-offending data - the prediction for the early estimates was derived from analysis of 2008 re-offending data.

These differences explain why the re-offending rate is higher with the early estimates of re-offending by offenders commencing a court order than with the existing measure of local adult re-offending:

- offenders on license have lower rates of re-offending than those commencing a court order, and
- offenders serving a court order have lower rates of re-offending the longer they are on that court order.

However, the prediction for the early estimates has been tailored specifically to the relevant group of offenders.

### **Local youth re-offending**

The previous measure of youth re-offending used data that Youth Offending Teams (YOT) collected themselves from their local police and courts. The measure was used as management information and was never published or put into the public domain. The new measure uses data from the Police National Computer (PNC). Internal analysis and discussion with stakeholders has highlighted a number of differences between the two data-sources:

- The PNC includes a number of offenders who have received a reprimand or final warning which do not always appear on the YOT systems. As a result, there are more youth offenders and a higher overall youth re-offending rate using the new measure than using the previous local youth re-offending measure.
- The PNC includes more comprehensive data on re-offending as adults by offenders who originally offended as youths.
- Using PNC data reduces the data-collection burden on YOT and local police forces.
- PNC data measures re-offending on recordable offences and YOT data measures re-offending on all offences. Offences which are not recordable include speeding offences, parking offences and other minor motoring offences. As a result, YOT data is more comprehensive for motoring re-offences.

- The new measure allocates offenders to a locality using their home address data from the PNC; the previous local youth measure allocated offenders using offender management data. As a result, Looked After Children (LAC) who are in foster care, or in a children's home, or in a boarding school or live with another adult known to children's services, maybe allocated to a different YOT under the previous youth measure than the new measure.
- For their re-offending to be included in the new measure, administrative data on young people in custody and secure accommodation has to be matched to the PNC. Some cases are not successfully matched. This process was not required for these offenders to be included in the previous local youth measure. As a result, YOT data can be more comprehensive regarding custodial offenders or those in secure accommodation.
- Using PNC data provides an external measure of youth re-offending, which makes it an appropriate data-source to support any future policies which tie local funding to re-offending performance.
- Using PNC data allows local youth re-offending to be measured on the same basis as national youth re-offending and adult re-offending, permitting adult and youth re-offending to be measured on a like-for-like basis and a more comprehensive picture of re-offending to be formed.

Work is underway to fully quantify the extent of these differences.

## Annex C: Glossary of terms

### Re-offending terms

**Cohort** - this is the group of individuals whose re-offending is measured.

**Index offence** - the index offence is the proven offence that leads to an offender being included in the cohort.

**Index disposal** - the index disposal of the offender is the type of sentence the offender received for their index offence.

**Start point (also known as the index date)** - this is the set point in time from when re-offences are measured.

**Follow up period** - this is the length of time proven re-offending is measured over.

**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, caution, reprimand or final warning.

**Adjusted baseline** - proven re-offending is related to the characteristics of offenders which means that any overall rate of proven re-offending will depend, in part, on the characteristics of offenders coming into the system (just as the examination pass rate of a school will be related to the characteristics of its pupils). We use a modelling technique to produce a baseline figure adjusted to match the characteristics of the cohort we are comparing. For more details see the chapter on Statistical modelling and coefficients (p x)

**Reconviction** – where an offender is convicted at court for an offence committed within a set follow up period and convicted within either the follow up period or waiting period

**Proven re-offence** – where an offender is convicted at court or receives some other form of criminal justice sanction for an offence committed within a set follow up period and disposed of within either the follow up period or waiting period.

### **Cohort defined used in the Proven Re-offending statistic quarterly bulletin in England and Wales publication**

The proven re-offending cohort consists of all offenders discharged from custody, otherwise sanctioned at court, receiving a caution, reprimand or warning or tested positive for opiates or cocaine in 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 out-of-court disposal (either in the one-year period, or in a further six months waiting period) counts as a proven re-offence.

The latest available publication is the [Proven Re-offending statistic quarterly bulletin in England and Wales: results from the 2009 cohort](#); Ministry of Justice, October 2011.

[www.justice.gov.uk/publications/statistics-and-data/reoffending/proven-reoffending-quarterly.htm](http://www.justice.gov.uk/publications/statistics-and-data/reoffending/proven-reoffending-quarterly.htm)

### **Cohort defined used in the Local Measure of Re-offending quarterly bulletin publication**

The local adult re-offending measure takes a snapshot of all offenders, aged 18 or over, who are under probation supervision at the end of a quarter, and combines four such snapshots together.

This cohort's criminal history is collated and criminal behaviour is tracked over the following three months. Any offence committed in this three month period which is proven by a court conviction or out-of-court disposal (either in the three month period, or in a further three months waiting period) counts as a proven re-offence.

The latest available publication is the Local Adult Re-offending: 1 April 2010 – 31 March 2011 England and Wales; Ministry of Justice, August 2011.

[www.justice.gov.uk/publications/statistics-and-data/reoffending/local-adult-reoffending.htm](http://www.justice.gov.uk/publications/statistics-and-data/reoffending/local-adult-reoffending.htm)

### **Cohort defined used in the Adult re-convictions in England and Wales publication**

The adult re-conviction 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 reconviction.

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

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

### **Cohort definition used in the Reoffending of juveniles in England and Wales publication**

The juvenile reoffending cohort is formed of juvenile 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 out-of-court disposal (either in the one-year period, or in a further six months waiting period) counts as proven reoffending.

The latest available publication is the Reoffending of juveniles: results from the 2009 cohort; Ministry of Justice, March 2011.

[www.justice.gov.uk/publications/statistics-and-data/reoffending/juveniles.htm](http://www.justice.gov.uk/publications/statistics-and-data/reoffending/juveniles.htm)

## **Disposals (Sentences)**

### **Fine**

A financial penalty imposed following conviction.

### **Court orders**

Court orders include community sentences, community orders and suspended sentence orders supervised by the Probation Service. They do not include any pre or post release supervision.

### **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 also introduced a new suspended sentence order for offences which pass the custody threshold. It also changed the release

arrangements for prisoners. See Appendix A of Offender Management Caseload Statistics96 for more information.

### **Community order**

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. This term refers to all court orders except suspended sentence orders and deferred sentences which may have a custodial component to the sentence. The court must add at least one (but could potentially comprise of all 12) requirements depending on the offences and the offender. The requirements are:

- unpaid work (formerly community service/community punishment) – a requirement to complete between 40 and 300 hours' unpaid work;
- activity – for example, to attend basic skills classes;
- programme – there are several designed to reduce the prospects of reoffending;
- prohibited activity – a requirement not do so something that is likely to lead to further offender or nuisance;
- curfew – which is electronically monitored;
- exclusion – this is not used frequently as there is no reliable electronic monitoring yet available;
- residence – requirement to reside only where approved by probation officer;
- mental health treatment (requires offender's consent);
- drug rehabilitation (requires offender's consent);
- alcohol treatment (requires offender's consent);
- supervision – meetings with probation officer to address needs/offending behaviour; and,
- attendance centre – three hours of activity, between a minimum of 12 hours and a maximum of 36 in total.

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

### **Suspended Sentence Order (SSO)**

The Criminal Justice Act 2003 introduced a new suspended sentence order which is made up of the same requirements as a community order and, in the absence of breach is served wholly in the community supervised by the Probation Service. It 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 almost certainly result in a custodial sentence.

### **Pre CJA03 Court Orders - Community sentences:**

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

**Community rehabilitation order (CRO):** a community sentence which may have additional requirements such as residence, probation centre attendance or treatment for drug, alcohol or mental health problems.

**Community punishment and rehabilitation order (CPRO):** a community sentence consisting of probation supervision alongside community punishment, with additional conditions like those of a community rehabilitation order.

**Drug treatment and testing order (DTTO):** a community sentence targeted at offenders with drug misuse problems.

**Custody** - the offender is awarded a sentence to be served in prison or YOI (Youth Offenders Institute). 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. It is important to note that the sentence length awarded will be longer than the time served. For more information please refer to Appendix A of the Offender Management Caseload Statistics.

### **Prison categories**

**Category B and Category C** prisons hold sentenced prisoners of their respective categories, including life sentenced prisoners. The regime focuses on programmes that address offending behaviour and provide education, vocational training and purposeful work for prisoners who will normally spend several years in one prison.

**High Security Prisons hold Category A and B prisoners.** Category A prisoners are managed by a process of dispersal, and these prisons also hold a proportion of Category B prisoners for whom they provide a similar regime to a Category B prison. The Category B prisoners held in a High Security Prison are not necessarily any more dangerous or difficult to manage than those in category B prisons.

**Female prisons.** As the name implies, they hold women prisoners. Because of the smaller numbers, they are not divided into the same number of categories although there are variations in security levels.

**Local prisons** serve the courts in the area. Historically their main function was to hold unconvicted and unsentenced prisoners and, once a prisoner had been sentenced, to allocate them on to a Category B, C or D prison as appropriate to serve their sentence. However, pressure on places means that many shorter term prisoners serve their entire sentence in a local prison, while longer term prisoners also complete some offending behaviour and training programmes there before moving on to lower security conditions. All local prisons operate to category B security standards.

**Open prisons** have much lower levels of physical security and only hold Category D prisoners. Many prisoners in open prisons will be allowed to go out of the prison on a daily basis to take part in voluntary or paid work in the community in preparation for their approaching release.

### **Prisoner Categories**

These categories are based on a combination of the type of crime committed, the length of sentence, the likelihood of escape, and the danger to the public if they did escape. The four categories are:

**Category A** prisoners are those whose escape would be highly dangerous to the public or national security

**Category B** prisoners are those who do not require maximum security, but for whom escape needs to be made very difficult

**Category C** prisoners are those who cannot be trusted in open conditions but who are unlikely to try to escape

**Category D** prisoners are those who can be reasonably trusted not to try to escape, and are given the privilege of an open prison.

### **Short sentences – under twelve months**

Those sentenced to **under twelve 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.

### **Sentences of 12 months or over**

The Criminal Justice Act 2003 created a distinction between **standard determinate sentences** 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.

### **Reprimand or warnings**

A reprimand is a formal verbal warning given by a police officer to a juvenile offender who admits they are guilty for a minor first offence. A final warning is similar to a reprimand, but can be used for either the first or second offence, and includes an assessment of the juvenile to determine the causes of their offending behaviour and a programme of activities is designed to address them.

### **First-tier penalties**

**Discharge** – a juvenile offender is given an absolute discharge when they admit guilt, or are found guilty, with no further action taken. An offender given a conditional discharge

also receives no immediate punishment, but is given a set period, during which if they commit a further offence, they can be brought back to court and re-sentenced.

**Fine** – the size of the fine depends on the offence committed and the offender's financial circumstances. In the case of juveniles under 16, the fine is the responsibility of the offender's parent or carer.

**Referral order** – this is given to juveniles pleading guilty and for whom it is their first time at court (unless the offence is so serious it merits a custodial sentence or it is of a relatively minor nature). The offender is required to attend a Youth Offender Panel to agree a contract, aimed to repair the harm caused by the offence and address the causes of the offending behaviour.

**Reparation order** – the offender is required to repair the harm caused by their offence either directly to the victim or indirectly to the community.

## **Miscellaneous terms**

### **Drug-misusing offenders**

There are four ways a drug-misusing offender can be identified:

- Individuals who have tested positive for heroin or crack/cocaine following an arrest or charge for 'trigger' offences (largely acquisitive crime offences) as part of the Drug Interventions Programme (DIP) are included as adult proven offenders.
- Any offender that received an OASys assessment whilst on licence or on a community sentence and are either recorded as being subject to a current Drug Treatment and Testing Order (DTTO) or Drug Rehabilitation Requirement (DRR), or are assessed as having a criminogenic drug need.
- Any offender identified as requiring further drug interventions by Counselling, Assessment, Referral, Advice, Throughcare (CARAT) teams in prison, and now being released into the community.
- Any offender identified by local Criminal Justice Integrated Teams (CJITs) as requiring further intervention for their drug use and offending as part of DIP.

### **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.

### **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. 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 reoffending 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.

### **Prolific and other Priority offenders**

The Prolific and other Priority Offenders Programme (PPO) aims to use a multi-agency approach to focus on a very small but hard core group of prolific/persistent offenders who commit disproportionate amounts of crime and cause disproportionate harm to their local communities. The identification of a PPO is undertaken at a local level involving police, local authorities, prison and probation services and youth offending teams. The factors that influence the decision of whether an offender is included in the PPO programme are:

- the nature and volume of crimes they commit;
- the nature and volume of other harm they cause; and
- the detrimental impact they have on their community.

## **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.

**Indictable and summary offences** - Summary offences are triable only by a magistrates' court. This group includes 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).

**Offence Group** - A split of offences into twelve separate groups. A more detailed split of the 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).

## Explanatory notes

The United Kingdom Statistics Authority has designated these statistics as National Statistics, in accordance with the Statistics and Registration Service Act 2007 and signifying compliance with the Code of Practice for Official Statistics.

Designation can be broadly interpreted to mean that the statistics:

- meet identified user needs;
- are well explained and readily accessible;
- are produced according to sound methods, and
- are managed impartially and objectively in the public interest.

Once statistics have been designated as National Statistics it is a statutory requirement that the Code of Practice shall continue to be observed.

The statistics in this bulletin relate to re-offending data in England and Wales. This is the first set of quarterly re-offending statistics to be published by the Ministry of Justice, subsuming a number of previous publications including: Adult re-convictions, juvenile re-offending, drug misusing offenders and prolific and priority offenders.

### Symbols used

|     |  |
|-----|--|
| ..  | not available  |
| 0   | nil or less than half the final digit shown            |
| -   | not applicable   |
| *   | One or both of the comparison figures are less than 50 |
| (p) | Provisional data                                       |

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