



Prolific Offenders

Criminal Pathway: Prison Events & Offender Needs

Main points

- Just over two-fifths (42%) of the prison population at 31st March 2019 were a prolific offender.
- Over three-quarters (79%) of adult prolific offenders received their first caution or conviction as a juvenile (i.e. aged between 10 and 17); the remaining 21% received their first caution or conviction as an adult (i.e. aged 18 or over).
- Prolific offenders in this analysis typically have lower levels of educational attainment than non-prolific offenders, at both Key Stage 2 and Key Stage 4.

A prolific offender is someone who has committed a disproportionately large number of offences relative to their age group (4 or more offences for juvenile prolific offenders, 8 or more offences for young adult prolific offenders and 16 or more offences for adult prolific offenders).

More information about the relevant prolific offender criteria with regards to their interaction with the Criminal Justice System between 2000 and 2016 can be found here https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/681553/prolific-offenders-15-feb-2017.pdf.

As reported in a previous prolific offender analytical paper, there were around 492,000 offenders that meet the relevant criteria of a prolific offender during 2000 to 2016¹. These offenders were responsible for around 9.5 million crimes during their criminal pathway, an average of 19 offences per prolific offender.

This is the fourth in a series of analytical papers looking at prolific offenders, which will focus on their prison events along with their socio-economic and educational backgrounds. A series of future analyses are planned which will provide greater insight into prolific offenders, with the potential to explore amongst other things, the effectiveness of different sentence types and their needs as offenders.

1. Prolific Offenders Prison Events

This section looks at the prolific offender cohort split by those who were in prison on 31st March 2019 and those who were not, and compares these two groups with all non prolific offenders.

Just over two-fifths (42%) of the prison population on the 31st March 2019 were a prolific offender.

For offenders who had only received short custodial sentences (less than 12 months) during their criminal pathway, the average number of immediate custodial sentences received in 2016 was 1.31 by prolific offenders in prison on the 31st March 2019, 0.61 by prolific offenders excluding those in prison on the 31st March 2019 and 0.56 by non prolific offenders. Similarly, for offenders who had received both short and long custodial sentences, the average number of immediate custodial sentences received in 2016 was 1.22 by prolific offenders in prison on the 31st March 2019, 0.73 by prolific offenders excluding those in prison on the 31st March 2019 and 0.66 by non prolific offenders.

Across 2006 to 2016, prolific offenders typically received more immediate custodial sentences per year than non prolific offenders. Prolific offenders in prison on the 31st March 2019 had typically received more custodial sentences per year than those not in prison (Table 1).

Table 1: Maximum and average number of immediate custodial sentences by year, offender group and sentence length

| Offender group | Year | Short sentences only | | | Short sentences and sentences of more than 12 months | | |
|---|------|----------------------|---|----------------------|--|---|----------------------|
| | | Number of offenders | Maximum number of Immediate custody received by an offender in the year | Average per offender | Number of offenders | Maximum number of Immediate custody received by an offender in the year | Average per offender |
| Prolific offenders excluding those in prison at 31st March 2019 | 2006 | 23,466 | 16 | 0.36 | 45,877 | 16 | 0.58 |
| | 2007 | 24,556 | 10 | 0.37 | 45,210 | 16 | 0.58 |
| | 2008 | 26,649 | 13 | 0.41 | 46,942 | 15 | 0.61 |
| | 2009 | 25,121 | 13 | 0.41 | 43,662 | 15 | 0.60 |
| | 2010 | 26,469 | 13 | 0.45 | 43,998 | 17 | 0.64 |
| | 2011 | 27,977 | 11 | 0.50 | 45,504 | 13 | 0.69 |
| | 2012 | 27,254 | 14 | 0.53 | 43,277 | 13 | 0.71 |
| | 2013 | 25,134 | 14 | 0.53 | 40,411 | 14 | 0.72 |
| | 2014 | 24,521 | 18 | 0.56 | 37,820 | 14 | 0.73 |
| | 2015 | 22,653 | 12 | 0.58 | 33,804 | 17 | 0.72 |
| | 2016 | 20,803 | 16 | 0.61 | 30,796 | 16 | 0.73 |
| Prolific offender in prison at 31st March 2019 | 2006 | 981 | 6 | 0.42 | 10,240 | 14 | 0.76 |
| | 2007 | 1,160 | 8 | 0.45 | 10,406 | 10 | 0.76 |
| | 2008 | 1,491 | 10 | 0.55 | 11,562 | 9 | 0.83 |
| | 2009 | 1,545 | 13 | 0.55 | 11,211 | 10 | 0.82 |
| | 2010 | 1,868 | 9 | 0.64 | 12,099 | 11 | 0.89 |
| | 2011 | 2,309 | 11 | 0.75 | 13,243 | 12 | 0.99 |
| | 2012 | 2,548 | 12 | 0.83 | 13,208 | 12 | 1.04 |
| | 2013 | 2,982 | 12 | 0.94 | 12,927 | 13 | 1.06 |
| | 2014 | 3,421 | 11 | 1.05 | 13,111 | 12 | 1.12 |
| | 2015 | 3,958 | 11 | 1.20 | 12,661 | 16 | 1.14 |
| | 2016 | 4,297 | 12 | 1.31 | 13,475 | 14 | 1.22 |
| All non prolific offenders | 2006 | 19,032 | 6 | 0.32 | 18,241 | 6 | 0.40 |
| | 2007 | 20,018 | 9 | 0.33 | 18,403 | 5 | 0.40 |
| | 2008 | 21,646 | 7 | 0.36 | 20,002 | 6 | 0.43 |
| | 2009 | 21,054 | 11 | 0.38 | 20,608 | 5 | 0.46 |
| | 2010 | 19,909 | 9 | 0.38 | 20,514 | 6 | 0.48 |
| | 2011 | 19,865 | 7 | 0.40 | 21,405 | 8 | 0.51 |
| | 2012 | 19,153 | 9 | 0.43 | 21,479 | 7 | 0.54 |
| | 2013 | 18,093 | 8 | 0.43 | 20,028 | 8 | 0.55 |
| | 2014 | 17,777 | 9 | 0.45 | 19,771 | 8 | 0.57 |
| | 2015 | 18,142 | 8 | 0.50 | 20,105 | 7 | 0.61 |
| | 2016 | 17,638 | 8 | 0.56 | 20,239 | 9 | 0.66 |

Only 3% of all prolific offenders, irrespective of whether or not they were in prison on the 31st March 2019, had no previous convictions or cautions before their first prison event, compared with just under a third (32%) of non prolific offenders (Table 2).

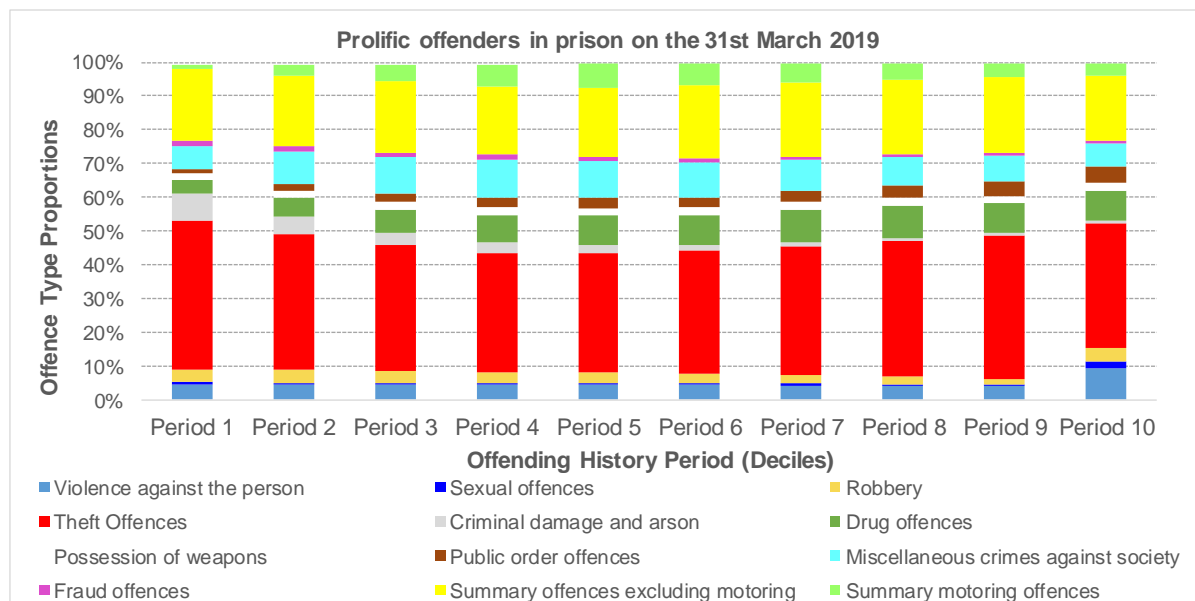
Table 2: Previous convictions/cautions before first prison event by offender group and criminal history

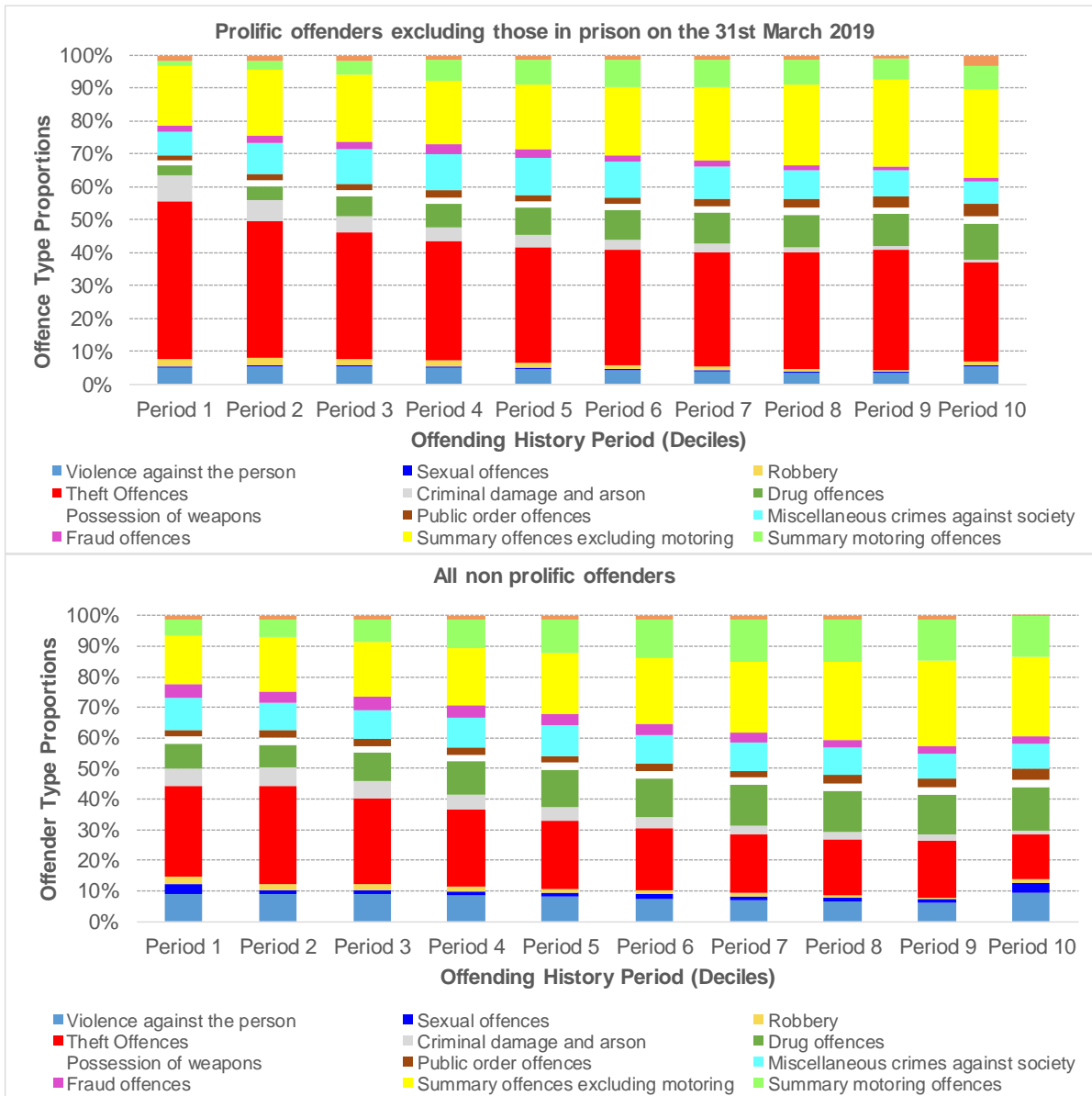
| Number of Previous Convictions/Cautions before first prison event | Prolific offenders in prison on the 31st March 2019 | Prolific offenders excluding those in prison on the 31st March 2019 | All non prolific offenders |
|---|---|---|----------------------------|
| 0 | 2.6% | 3.3% | 32.3% |
| 1-3 | 12.8% | 17.1% | 33.7% |
| 4-6 | 41.8% | 44.1% | 27.7% |
| 7-10 | 26.1% | 22.3% | 5.4% |
| 11-14 | 10.6% | 8.4% | 0.9% |
| 15-25 | 5.7% | 4.4% | 0.0% |
| 26-35 | 0.3% | 0.3% | 0.0% |
| >35 | 0.0% | 0.1% | 0.0% |

As shown in previous prolific offender analysis, theft and summary non-motoring offences are the offences most likely to have been committed by both prolific and non prolific offenders.

These two offence types continue to dominate the criminal pathways of the prolific offender groups examined here – prolific offenders in prison on the 31st March 2019 and prolific offenders excluding those in prison on the 31st March 2019. However, for non prolific offenders these two offence types do not dominate the criminal pathways and there is a broadly consistent spread across a greater range of offence types (Figure 1).

Figure 1: Prolific offending criminal pathway by offender group (Prolific offenders in prison on the 31st March 2019, Prolific offenders excluding those in prison on the 31st March 2019 and All non prolific offenders) and offence type

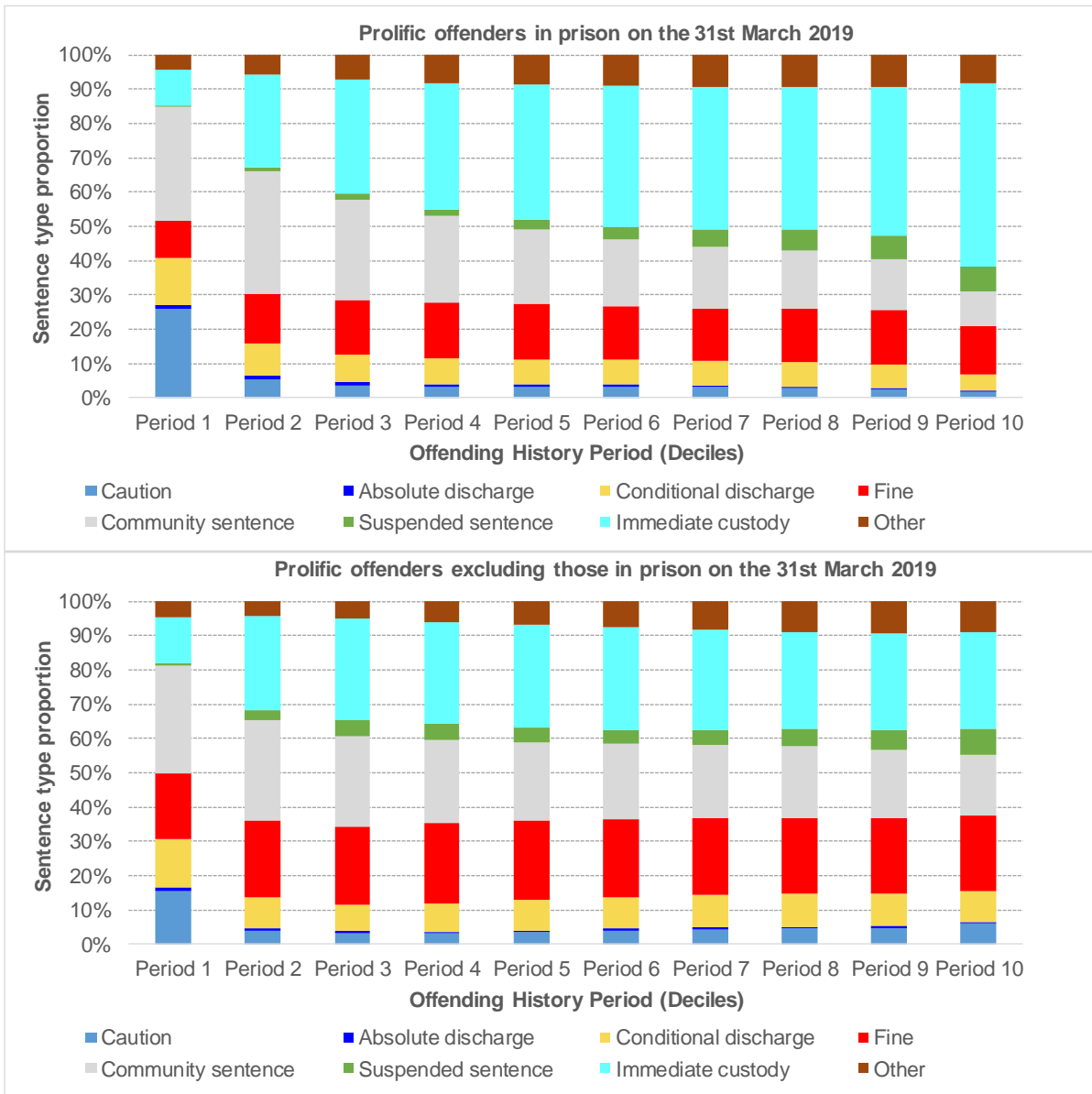


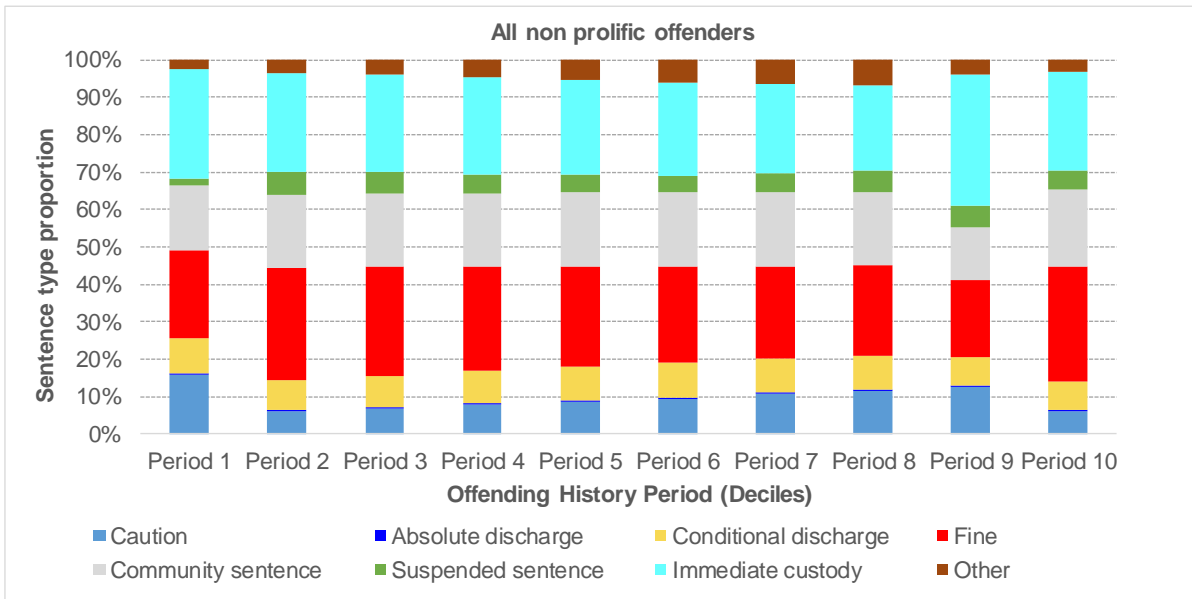


Previous prolific offender analysis highlighted that this offender group were more likely to receive a caution early in their criminal careers, after which the disposals received remained fairly consistent throughout the remainder of their criminal careers.

Prolific offenders in prison on the 31st March 2019 were more likely to receive a community sentence or caution early in their criminal career, after which an immediate custodial sentence increasingly dominated the disposals received. Community sentences were also the disposal most likely to be received by prolific offenders excluding those in prison on the 31st March 2019 early in their criminal pathway, after which the disposals received remained fairly consistent. The disposals received by non prolific offenders remained fairly consistent throughout their criminal pathway.

Figure 2: Prolific offending criminal pathway by offender group (Prolific offenders in prison on the 31st March 2019, Prolific offenders excluding those in prison on the 31st March 2019 and All non prolific offenders) and disposal type



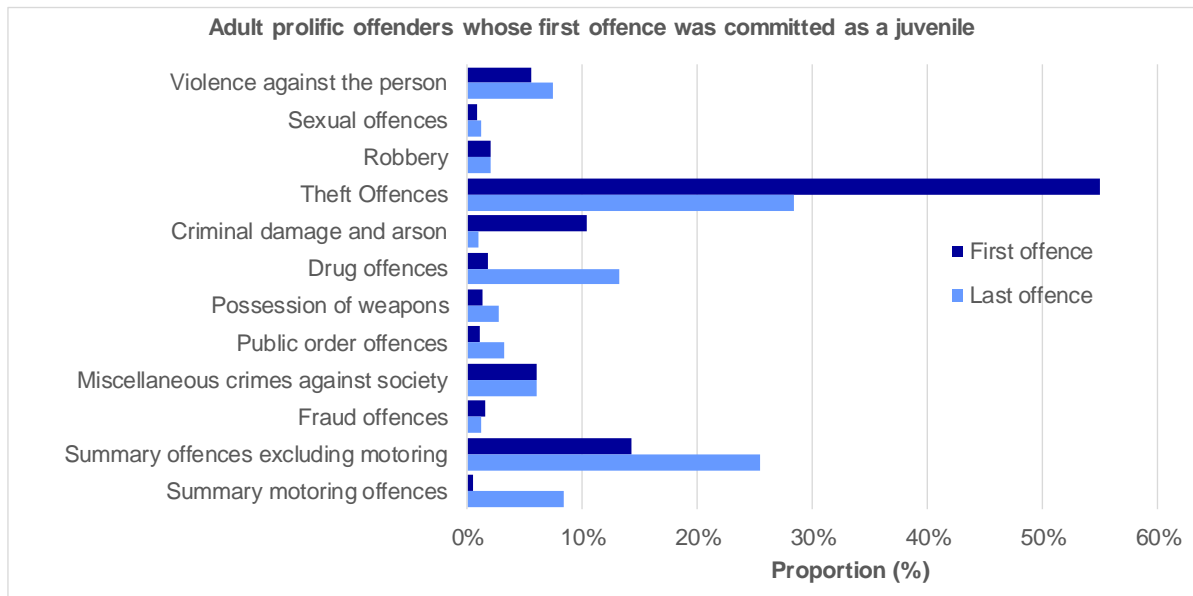


2. Adult Prolific Offenders whose first conviction or caution was received as a juvenile

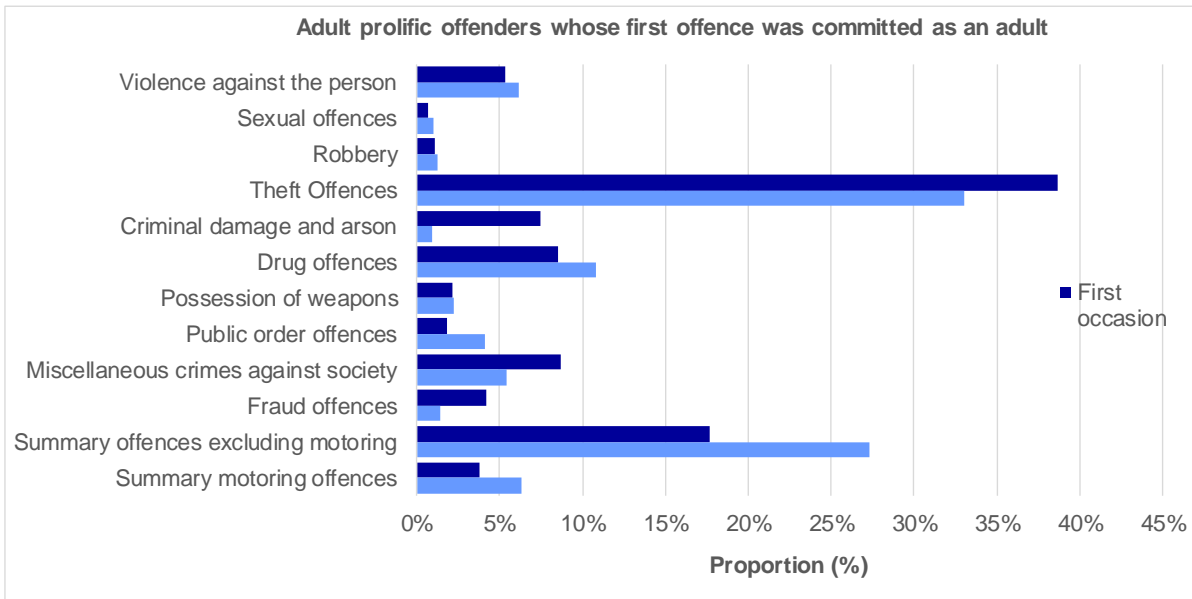
Previous analysis¹ showed that 43% of prolific offenders were adults (aged 21 or older) at the time of their last appearance in the criminal justice system. Over three-quarters (79%) of these offenders received their first caution or conviction as a juvenile (i.e. aged between 10 and 17); the remaining 21% received their first caution or conviction as an adult (i.e. aged 18 or over).

For the offenders whose first caution or conviction was received as a juvenile, over half (55%) committed a theft offence as their first offence. Just 28% of these offenders received a caution or conviction for this offence type at their last appearance in the criminal justice system. However, whilst a similar trend was seen for offenders whose first caution or conviction was received as an adult, the change between first and last offence was not as great; 39% received their first caution or conviction for a theft offence compared with 33% at their last appearance (Figure 3).

Figure 3: Offence Type Comparison by first and last offence and offender type



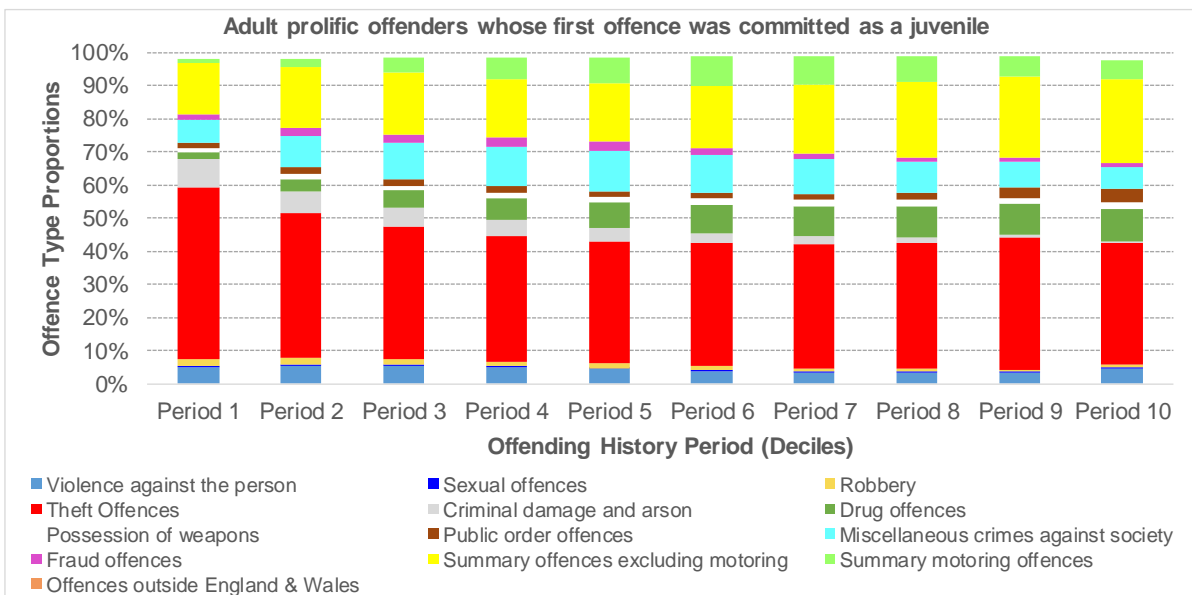
¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/681553/prolific-offenders-15-feb-2017.pdf

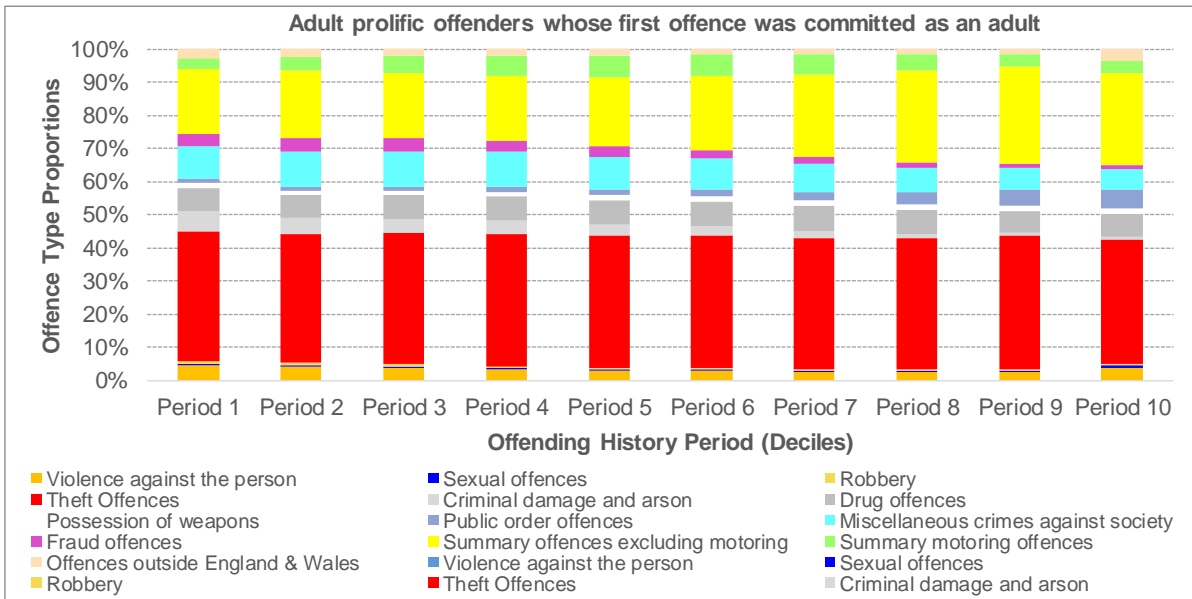


As shown in figure 3, theft and summary non-motoring offences are the offences most likely to have been committed by adult prolific offenders, for both those whose first offence is committed as a juvenile and for those whose first offence is committed as an adult.

These two offence types continue to dominate as these adult prolific offenders' criminal pathways progress from offending as a juvenile or an adult (decile 1) to their last sentencing occasion as an adult (decile 10) (Figure 4).

Figure 4: Prolific offending criminal pathway by offender group (Adult prolific offenders whose first offence was committed as a juvenile and Adult prolific offenders whose first offence was committed as an adult) and offence type

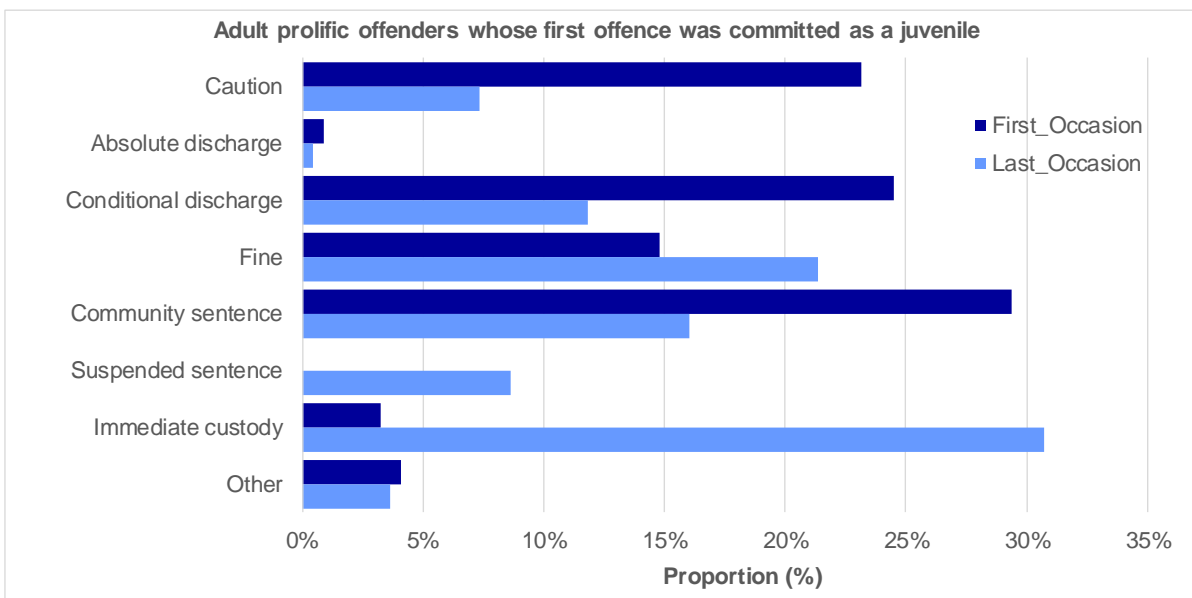


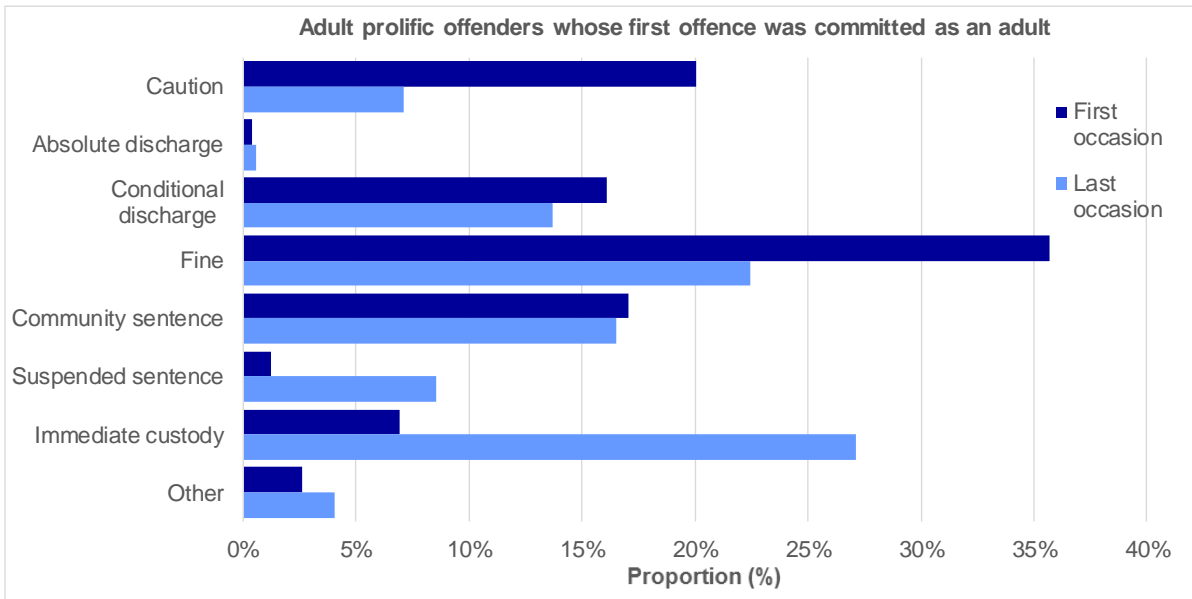


A community sentence was the most common disposal given to adult prolific offenders for their first offence as a juvenile (29%), followed by a conditional discharge (25%) and a caution (23%). However, at their last sentencing occasion as an adult they were more likely to receive an immediate custodial sentence (31%), or a fine (21%).

For adult prolific offenders whose first offence was committed as an adult a different trend was seen for the first sentence received. The most common first disposal given to this group of offenders was a fine (36%), followed by a caution (20%) and a community sentence (17%). At their last sentencing occasion this group of offenders were also more likely to receive an immediate custodial sentence (27%) or a fine (22%) (Figure 5).

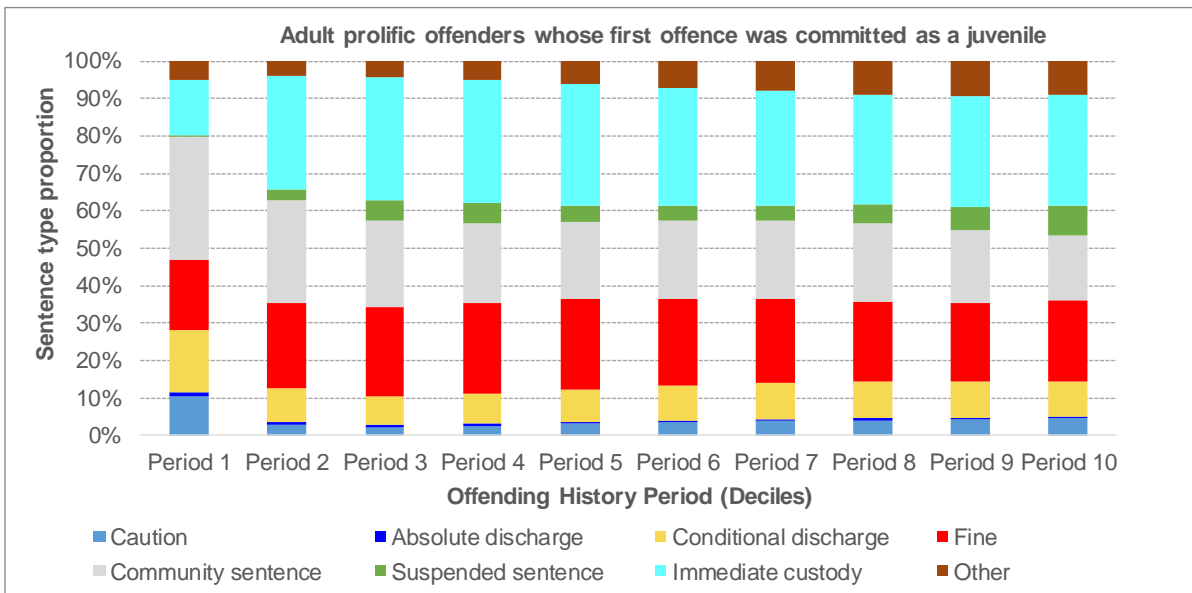
Figure 5: Disposal Type Comparison by first and last offence and offender type

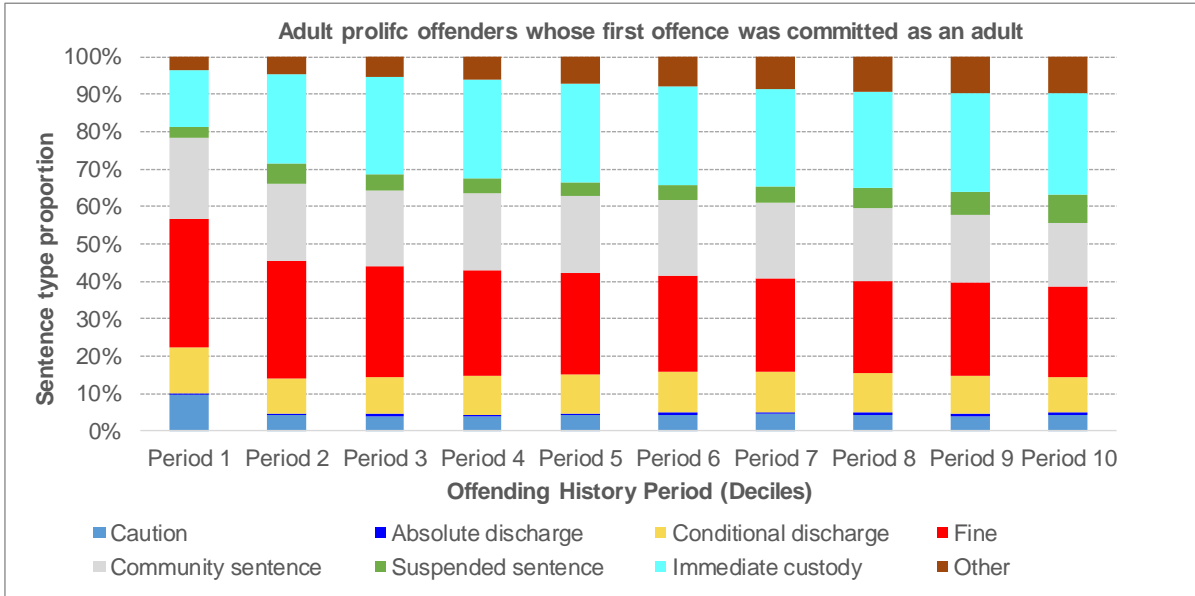




As highlighted previously, the most common disposal given to adult prolific offenders for their first offence as a juvenile was a community sentence, after which the disposals received remained fairly consistent during the rest of their criminal careers. For adult prolific offenders whose first offence was committed as an adult, the most common disposal for this first offence is a fine, after which again the disposals received remained consistent (Figure 6).

Figure 6: Prolific offending criminal pathway by offender group (Adult prolific offenders whose first offence was committed as a juvenile and Adult prolific offenders whose first offence was committed as an adult) and disposal type





3. Prolific Offender Needs – P45 employment, Out-of-Work Benefits and Education

This analysis looks at the educational background of prolific offenders who reached the end of Key Stage 4 in 2012/13, based on MoJ/DfE linked data². It grants a valuable insight into how attainment and characteristics tend to differ between groups of prolific and non-prolific offenders. Nevertheless, it is important to note that it does not imply causality between educational outcomes or characteristics and offending: their offending may have occurred before or after their Key Stage 4 year. Prolific offenders in this analysis³ represent a small, atypical group of young people; their results should not be assumed to be representative of young offenders or young people more generally.

Educational attainment

Prolific offenders in this analysis typically have lower levels of educational attainment than non-prolific offenders, at both Key Stage 2 (KS2, ending at age 11) and Key Stage 4 (KS4, ending at age 16). Prolific and non-prolific offenders both have considerably lower levels of attainment than the wider pupil population.

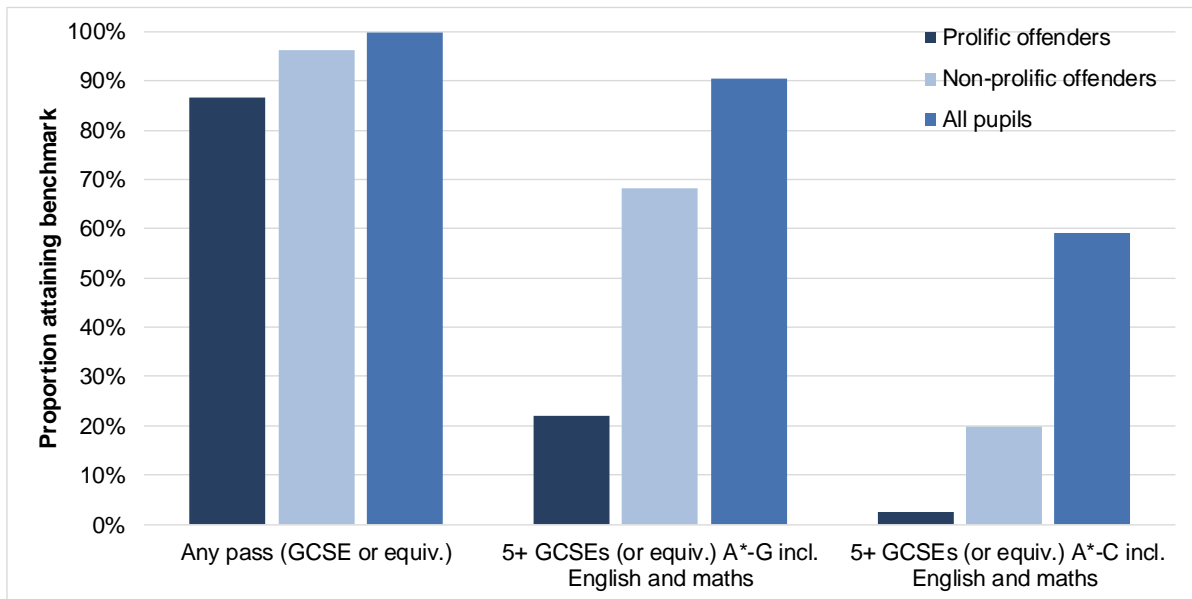
At KS2, prolific offenders have lower levels of educational attainment than non-prolific offenders across mathematics, reading and writing (Source: Table 3.1). For example, 52% of prolific offenders had achieved the expected level in mathematics, compared with 64% of non-prolific offenders and 79% of all pupils.

At KS4, this pattern applies most clearly for higher levels of attainment. Only 3% of prolific offenders achieved 5 or more GCSE (or equivalent) passes at A* - C including English and Maths, compared with 20% of non-prolific offenders and 59% of all pupils.

² The offenders considered in this analysis are all those who received at least one caution or conviction for an offence recorded in England or Wales on the Police National Computer (PNC) between 2000 and mid-2015, who were successfully matched to the National Pupil Database as part of the 2015 MoJ/DfE data share and who have a Key Stage 4 academic year (the year they reach 16) of 2012/13. Further details of the data share and methodology can be found in https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/577542/under-standing-educational-background-of-young-offenders-full-report.pdf

³ Offending up to the end of 2016 has been used to identify prolific offenders. At this point, the offenders considered in this analysis will be aged 19 or 20 – those identified as prolific must have been prolific offenders as juveniles and/or young adults. Insufficient time has elapsed to assess the educational background of those becoming prolific offenders as adults, who may have different characteristics.

Figure 7: Key Stage 4 Attainment for pupil population and offender cohorts with KS4 academic year of 2012/13 (Source: Table 3.2)

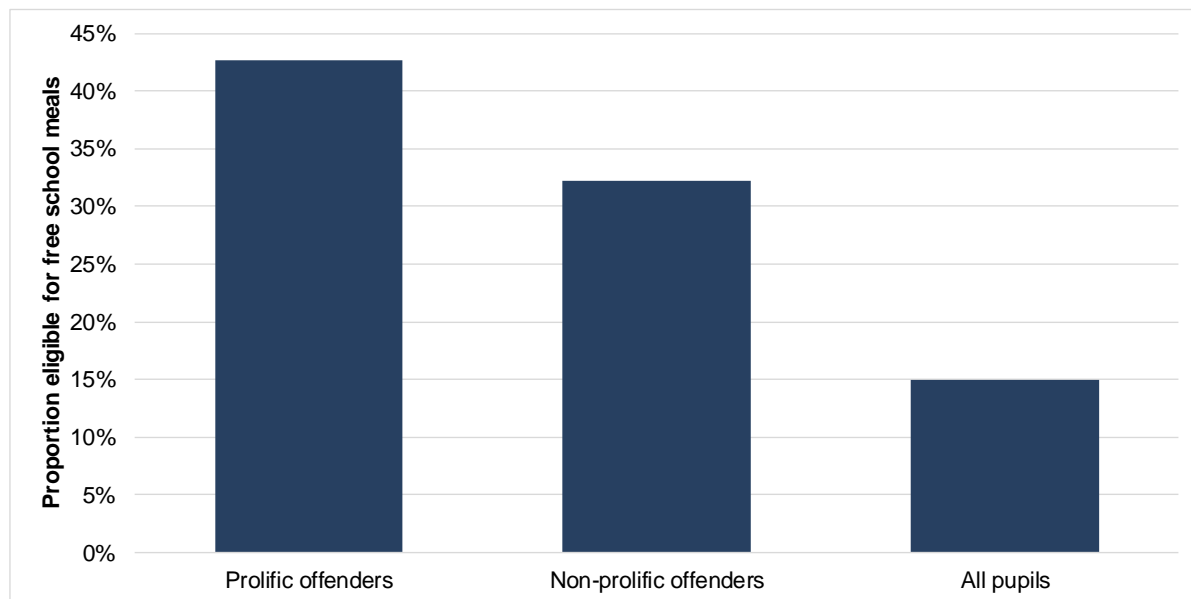


Characteristics

Higher proportions of prolific offenders than non-prolific offenders had special educational needs (SEN, Source: Table 3.3). This applied both in their KS4 year and across the previous five years, and for SEN with and without a statement. For example, 44% of prolific offenders had SEN without a statement in 2012/13, compared with 38% of non-prolific offenders and 17% of all pupils.

A similar pattern was observed for free school meal (FSM) eligibility; prolific offenders were more likely than non-prolific offenders to be eligible, both in their KS4 year and across the previous 5 years.

Figure 8: Free school meal eligibility in 2012/13 for pupil population and offender cohorts with KS4 academic year of 2012/13 (Source: Table 3.4)



Absence and exclusions

Prolific offenders had considerably higher rates of absence and exclusion than non-prolific offenders.

65% of prolific offenders were persistently absent⁴ in their KS4 year, and 92% in at least one of the previous five years, compared with 50% and 76% of non-prolific offenders respectively (Source: Table 3.5).

The difference between these groups is even greater for exclusions, with 91% of prolific offenders having ever been excluded for a fixed period, compared with 66% of non-prolific offenders (Source: Table 3.6). 23% of prolific offenders have been permanently excluded, compared with 7% of non-prolific offenders.

As mentioned above, it is important to note that this analysis does not imply causality as offending may have taken place before or after these characteristics were held.

Prolific offenders' sentencing and characteristics

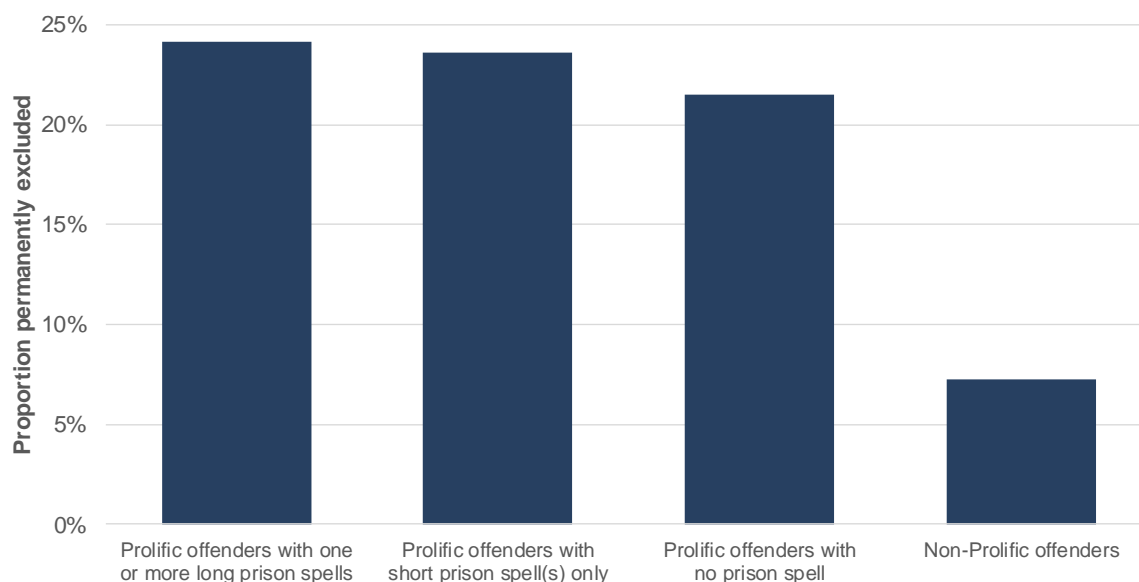
In line with previous chapters of this report, the differences between prolific offenders that have and have not received a prison sentence are much smaller than the differences between prolific and non-prolific offenders.

⁴ A young offender has been classified as being persistently absent from school when they have taken absences (both unauthorised and authorised) during the school year that account for more than 10% of the total number of school sessions available.

Prolific offenders that have not received a prison sentence tend to have higher levels of educational attainment than those that have received a prison sentence. For example, 84% of prolific offenders that have received one or more long prison sentence and 86% of those that have received shorter prison sentences achieved any passes at GCSE or equivalent at KS4. This compares with 88% of prolific offenders that have never been sentenced to prison, and 96% of non-prolific offenders.

Prolific offenders that have not received a prison sentence were less likely than those that have received a prison sentence to have SEN in their KS4 year. 79% of prolific offenders that have received shorter prison sentences and 76% of those that have received one or more long prison sentence had SEN, compared with 74% of prolific offenders that have not received a prison sentence and 46% of non-prolific offenders. A similar pattern can also be seen in relation to permanent exclusion.

Figure 9: Permanent exclusion for offender cohorts with KS4 academic year of 2012/13 (Source: Table 3.6)



A similar result has been observed for employment and benefits outcomes⁵, with larger differences between prolific and non-prolific offenders than between prolific offenders that have and have not been sentenced to prison.

Prolific offenders that have received one or more long prison sentence averaged 47% of their working age period claiming out-of-work benefits, and prolific offenders that have

⁵ The offenders considered in this analysis comprise all those who received at least one caution or conviction for an offence recorded in England or Wales on the Police National Computer (PNC) between 2000 and mid-2015, and who were successfully matched to at least one (National Benefits Database) benefit and/or P45 employment record, as part of the 2014/15 MoJ/DWP/HMRC data share. They must also have been of working age at some point during the period analysed. Further details of the data share and methodology, including what is counted as an out-of-work benefit, 'P45 employment' or 'working age period' can be found in https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/780477/prolific-offenders-experimental-statistics-2018-q3.pdf.

received shorter prison sentences averaged 50% (Source: table 3.7). This compares with 39% of their working age period for prolific offenders that have never been sentenced to prison, and 23% for non-prolific offenders. Conversely, prolific offenders that have received one or more long prison sentence averaged 16% of their working age period in P45 employment, and prolific offenders that have received shorter prison sentences averaged 22%. This compares with 26% of their working age period for prolific offenders that have never been sentenced to prison, and 44% for non-prolific offenders.

Further information

The data presented in this publication are experimental.

Experimental Statistics status

Experimental statistics are produced under the remit of the Code of Practice for Official Statistics. They are produced impartially and are free from political influence. More information can be found on the UK Statistics Authority website, accessible via the link below.

<https://www.statisticsauthority.gov.uk/monitoring-and-assessment/code-of-practice/>

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