



Ministry  
of Justice

# **Guide to Proven Reoffending Statistics**

Published July 2017

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# Introduction

This guide supplements the quarterly Proven Reoffending Statistics bulletin by providing a comprehensive guide to the statistics. This document covers:

- The concepts and definitions published in the Ministry of Justice statistics and the counting procedures used to produce them.
- A comparison of the effectiveness of different sentence types.
- An explanation of the data sources and quality.
- The users of the Proven Reoffending quarterly bulletin.

This bulletin is published alongside two inter-related bulletins:

**[Offender Management Statistics Quarterly](#)**: provides key statistics relating to offenders who are in prison or under Probation Service supervision.

**[Safety in Custody Statistics Quarterly](#)**: provides statistics on death, self-harm and assault incidents whilst in prison custody.

The publication, in its current form, is a result of a statistical consultation on improvements to the transparency and accessibility of our information launched in 2010 and a [response to the consultation](#) was published in March 2011. One aspect of the consultation was the measurement of proven reoffending. Responses supported the proposals to move to a single framework for measuring reoffending where adult and youth data can be provided at national and local levels on a consistent basis.

From 30 July 2015 to 30 October 2015, a more recent consultation on changes to the proven reoffending statistical publication was launched. The key change that was proposed was to align the existing reoffending measure with those measures necessary for assessing progress against the rehabilitation reforms.

This [consultation outcome](#) summarises the responses received to that consultation. Having considered the responses to the consultation, details of the post consultation position are:

- Proven reoffending measures will be published using the proposed three month cohorts.
- The new publication will contain a chapter on Community Rehabilitation Companies (CRC) Payment by Results and National Probation Service (NPS) division proven reoffending performance measure.
- To assess the likelihood of reoffending the Offender Group Reconviction Scale (OGRS), version 4/G will be used for adult

cohorts; and, if feasible, for juvenile cohorts the Youth Offender Group Reconviction Scale (YOGRS) will be used<sup>1</sup>.

- From October 2016, we will provide interim Payment by Results.

The existing adult and juvenile reoffending statistics will continue in their current form until the reoffending outcomes for the first Payment by Results cohort become available in October 2017.

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<sup>1</sup> Currently YOGRS only provides a two-year prediction of reoffending. Until a **one-year** model has been developed, we will not be able to adjust the **one-year** proven reoffending rate by YOGRS for juvenile offenders.

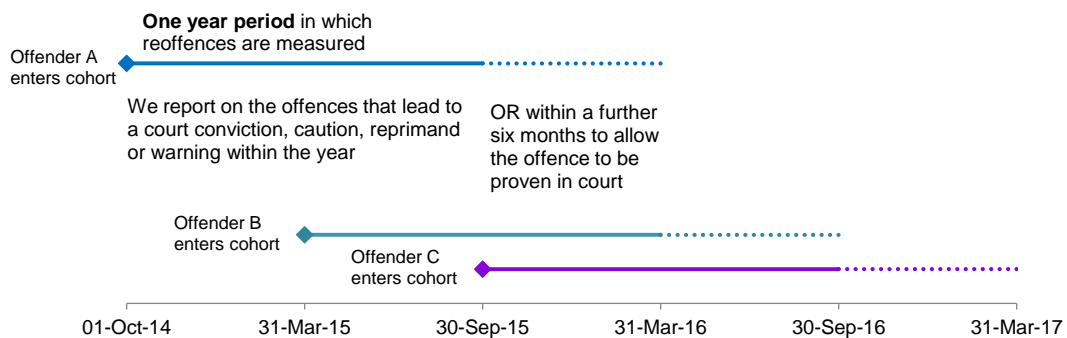
# Measurement

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

Measuring true reoffending is difficult. Official records are taken from either the police or courts, but they will underestimate the true level of reoffending because only a proportion of crime is detected and sanctioned and not all crimes and sanctions are recorded on one central system. Other methods of measuring reoffending, such as self-report studies, are likely to also underestimate the rate.

Following the Ministry of Justice *Consultation on Improvements to Ministry of Justice Statistics*, a **proven reoffence** is defined as any offence committed in a one year follow-up period that resulted in a court conviction, or caution in the one year follow-up or a further six month waiting period (to allow time for cases to progress through the courts), as shown in the diagram below. The data source is an extract of the Police National Computer (PNC) held by the Ministry of Justice.

For example, an offender enters the cohort if they are released from custody, received a non-custodial conviction at court or received a caution in the period October 2014 to September 2015.



## Definitions for the measurement of proven reoffending

### Cohort

This is the group of offenders for whom reoffending is measured. For the *Proven Reoffending Statistics Quarterly Bulletin*, this is defined as all offenders in any one year who received a caution, a final warning or reprimand (for juveniles prior to April 2013), a non-custodial conviction or who were released from custody.

Offenders who were released from custody or secure accommodation (juveniles only) or commenced a court order are matched to the PNC database. A proportion of cases are lost in this process because they cannot be matched (see the section below titled “Matching offender records” for further details). Additionally, offenders who appear multiple times in the cohort are only included once (see the section below titled “Multiple offender entries” for further details).

The group of offenders whose offending behaviour is proven are likely to be a sub-group of all active offenders. The *Offending, Crime and Justice Survey (2003)*<sup>2</sup> estimated that around one in ten people in England and Wales aged between ten and 65 had committed an offence in the previous 12 months, which translates into approximately 3.8 million people. This compares to around 632,000 offenders in the 2002 cohort used to measure proven reoffending, underlining that the offenders whose proven reoffending behaviour is presented in the *Proven Reoffending Statistics Quarterly Bulletin* are a small and probably unrepresentative sample of the population of all active offenders.

### Index disposal (sentence type)

The index disposal of the offender is the type of sentence the offender received for their index offence. For the *Proven Reoffending Statistics Quarterly Bulletin*, this is defined as custody, court order, other disposal resulting from a conviction at court, such as a fine or discharge, caution, reprimand or final warning (young offenders).

### Index offence

The index offence is the proven offence that leads to an offender being included in the cohort. An offence is only counted as an index offence if it is:

- recordable (see below);
- committed in England and Wales;
- prosecuted by the police; and
- not a breach offence.

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<sup>2</sup> The Offending, Crime and Justice Survey (2003) was a random probability survey of 10,079 people aged from ten to 65 and asked people about their offending history. Like any such survey, its accuracy is dependent upon the level of honesty with which respondents completed the survey.

### Start point (index date)

This is the set point in time from when proven reoffences are measured. For the *Proven Reoffending Statistics Quarterly Bulletin*, this is defined as the date of prison release, the date of court conviction for non-custodial sentences, or the date of receipt for a caution, reprimand or final warning.

### Follow-up period

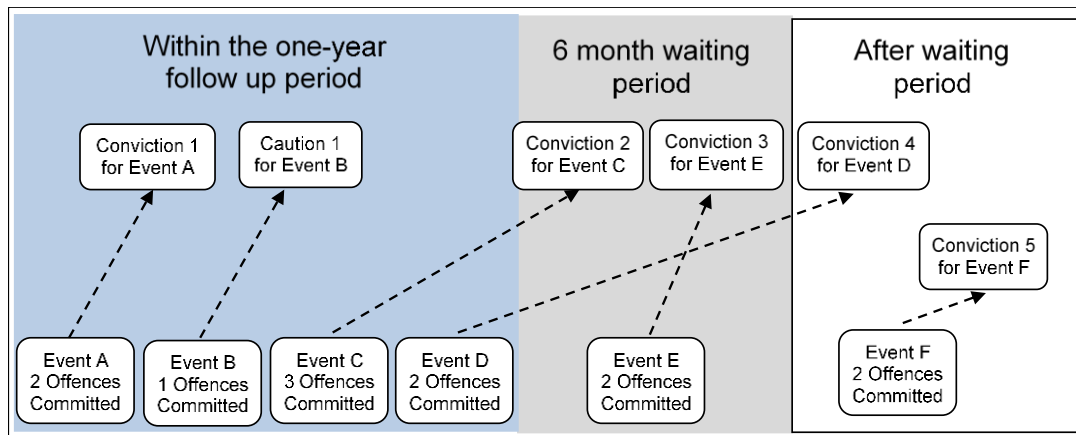
This is the length of time over which proven reoffending is measured. For the *Proven Reoffending Statistics Quarterly Bulletin*, this is defined as 12 months from the start point.

### Waiting period

This is the additional time beyond the follow-up period to allow for offences which are committed towards the end of the follow-up period to be proven by a court, resulting in a conviction, caution, reprimand or final warning. For the *Proven Reoffending Statistics Quarterly Bulletin*, this is six months.

Figure 1 below illustrates why different offences for an example offender are included or excluded in the proven reoffending measure.

**Figure 1: How events of reoffending are included in the measure?**



Events A to D all occur in the one year follow-up period, but events E and F are outside this period, so would not be counted. Events A to C are all counted because they were all proven within the one year follow-up period or the further six month waiting period. Event D would not be counted as the conviction happened outside of the one year follow-up, or the six month waiting period. Event F would not be counted, as the event took place outside of the one year follow-up period and conviction did not occur within either the one year follow-up period, or the further six month waiting period. The offender has, therefore, committed six proven offences during the one year follow-up period (two for event A, one for event B and, three for event C).

## Proven reoffence

Offences are counted as proven reoffences if they meet all of the following criteria:

- They are recordable. Not all offences are on the PNC and more recordable offences are entered than non-recordable offences. Analysis comparing offences proven at court with offences recorded on the PNC suggests the most common offences that are not recorded relates to motor vehicles, e.g. using a motor vehicle whilst uninsured against third party risks, speeding offences, keeping a vehicle on the highway without a driving licence or television licence evasion.
- They were committed in England or Wales.
- They are offences that were prosecuted by the police. PNC data are collected and input by the police and offences prosecuted by the police are likely to be recorded more comprehensively on the PNC than offences that are prosecuted by other organisations. For example, benefit fraud is prosecuted by the Department for Work and Pensions. Therefore, benefit fraud offences may be poorly represented on the PNC.
- Offences are only counted if they are proven through caution, reprimands or final warnings (for juveniles) and court convictions. Offences that are not proven, or which meet with other responses from the Criminal Justice System, are not counted. The *Offending, Crime and Justice Survey (2003)* estimated that 6% of all offences resulted in any contact with the Criminal Justice System.
- The offence is not a breach offence, i.e. breach of a court order, since we are only interested in new offences.

If an offender commits multiple offences on the same day, each offence will be counted separately. For example, if an offender commits three offences on the same day, this will count as three reoffences.

## Measures of proven reoffending

Proven reoffending data are presented in the following ways:

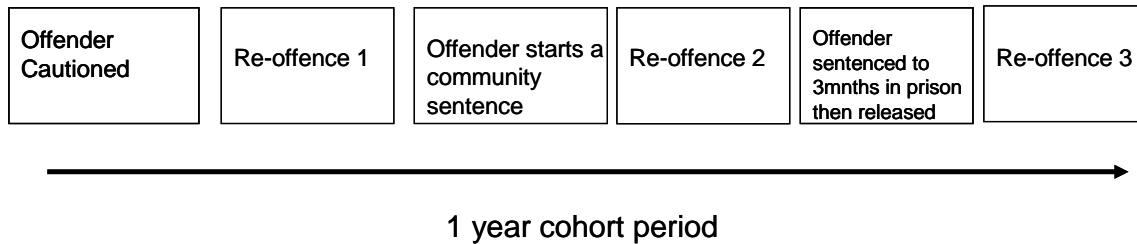
- The number of offenders.
- The proportion of offenders who are proven reoffenders.
- The average number of proven reoffences among **reoffenders**.
- The proportion of proven offenders who committed a proven indictable reoffence.



### Multiple offender entries

Each offender is tracked over a fixed period of time and any proven offence committed in this period is counted as a proven reoffence. A multiple offender entry refers to an offender who, after entering the cohort in a given year, commits a reoffence and is either cautioned, discharged from prison or gets a non-custodial conviction in the same cohort year. This reoffence could also be included as a second entry for this offender into the cohort.

**Figure 2: Example of an offender with multiple offender entries**



To date, publications have avoided the double counting of these multiple offender entries (MOE) by only counting an individual once based on their first proven offence in the relevant time period. In the illustration above, the caution would be counted as the index disposal and the further two proven offences would be counted as reoffences. This avoids double counting of proven offenders.

In this publication the main tables (tables A1 to A6 and B1 to B4) in the report have been produced on the basis of the 'first proven offence in the relevant time period', which led to an offender being included. This provides a picture of proven reoffending which is consistent with previous publications and tracks an offender, irrespective of the disposal they receive, to when they commit a proven reoffence.

The measure of proven reoffending covers all offenders in any one year instead of the first quarter of a calendar year as in previous proven reoffending publications. The result is many more offenders with multiple offender entries.

In addition, including cautions to identify a proven offence means many offenders' first offence will be associated with a caution, since cautions accounted for just under a third of adult offenders from October 2014 to September 2015. Table 1 shows the number of offenders in each cohort period by their number of entries.

**Table 1: Number of offenders and their respective number of entries for 2000, 2002 to 2012 cohorts<sup>3</sup>**

<b>Multiple Offender Entries</b>	<b>2000</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
1	512,551	522,376	544,031	549,545	580,709	615,775	630,748	602,251	572,068	528,466	498,364	459,250
2x	75,311	77,813	81,651	78,827	80,968	86,866	90,870	87,427	83,235	78,430	74,314	66,028
3x	19,565	21,208	22,073	20,840	20,908	21,823	23,590	23,499	22,005	21,332	20,479	17,892
4x	6,195	6,689	7,074	6,833	6,720	6,768	7,605	7,882	7,319	7,396	7,115	6,289
5x	1,998	2,314	2,392	2,355	2,355	2,411	2,774	2,894	2,927	2,902	2,963	2,592
6 to 10x	1,240	1,510	1,689	1,641	1,505	1,509	1,964	2,332	2,303	2,361	2,500	2,292
Greater than 10x	164	155	129	131	119	115	114	160	202	193	190	178
<b>Total MOEs</b>	<b>104,473</b>	<b>109,689</b>	<b>115,008</b>	<b>110,627</b>	<b>112,575</b>	<b>119,492</b>	<b>126,917</b>	<b>124,194</b>	<b>117,991</b>	<b>112,614</b>	<b>107,561</b>	<b>95,271</b>
<b>% of total cohort</b>	<b>16.9%</b>	<b>17.4%</b>	<b>17.5%</b>	<b>16.8%</b>	<b>16.2%</b>	<b>16.3%</b>	<b>16.8%</b>	<b>17.1%</b>	<b>17.1%</b>	<b>17.6%</b>	<b>17.8%</b>	<b>17.2%</b>
<b>Cohort</b>	<b>617,024</b>	<b>632,065</b>	<b>659,039</b>	<b>660,172</b>	<b>693,284</b>	<b>735,267</b>	<b>757,665</b>	<b>726,445</b>	<b>690,059</b>	<b>641,080</b>	<b>605,925</b>	<b>554,521</b>

<sup>3</sup> Data are not available for 2001 due to a problem with archived data on Court Orders.

The number of offenders with multiple entries has remained fairly constant over time - the proportion of the total that had multiple offender entries has remained at about 16 to 18% between 2000 and 2012.

### **Proven reoffending by index disposal, probation trust and prison**

In order to measure proven reoffending on a consistent and representative basis by offender management groups, it is necessary to distinguish between the disposal (sentence) types that led to an offender being included. Doing this allows the cohort to be defined according to the relative start point of an offender's interaction with the prison (released from custody) or probation services (court order commencement).

Tables C1-C3 provide reoffending data by disposal (sentence) types. These are produced on the basis of an individual's first disposal (sentence) in that category. In figure 2 above, the individual would appear once in the caution category, once in the community order category and once in the custody category. These tables will include an overall prison and probation proven reoffending rate which will be the figures we quote publicly.

However, these figures should not be used when comparing proven reoffending rates across different disposals to compare effectiveness of sentences. Instead the [Compendium of Reoffending Statistics and Analysis 2013](#) publication should be referred to as this analysis controls for offender characteristics in order to give a more reliable estimate of the relative effectiveness of different disposals (also see below section: "Comparing the effectiveness of sentences").

The prison/youth secure accommodation/probation trust data tool provides reoffending rates by individual prison and former probation trust, and National Probation Service Division (NPS). These are produced on the basis of an individual's first disposal from each specified prison or probation trust. If the individual offender is discharged from two different prisons in the year they will appear in both of the prison's reoffending rates. The same applies for offenders commencing court orders in more than one probation trust within the year. This is to allow prisons and probation services to track their caseload of offenders.

### **Definitions for the measurement of interim proven reoffending for Community Rehabilitation Companies and the National Probation Service**

The Transforming Rehabilitation reforms included opening up the probation service to a diverse range of rehabilitation providers from the private, voluntary and social sectors through 21 Community Rehabilitation Companies (CRCs) and creating a new public sector National Probation Service (NPS), to manage high risk offenders.

A Payment by Results (PbR) approach was adopted for the 21 CRCs to develop and implement effective ways of rehabilitating offenders and reward

providers that devise and deliver the most effective rehabilitation programmes.

Final reoffending results for the CRC PbR offender cohorts will be based on a **one year proven reoffending measure**. One year proven reoffending statistics for PbR will be published in October 2017. To address this interim gap in knowledge, the Ministry of Justice will publish **interim reoffending results** from October 2016. The interim reoffending results are based on a **reoffending-to-date measure**. This will allow CRCs' progress to be assessed at the earliest opportunity. Equivalent interim figures for the NPS divisions will also be produced. These estimates will only give a broad indication of progress and, therefore, care should be taken when interpreting them.

The following two reoffending measures will be used to assess CRC and NPS performance:

- the **binary** rate (proportion of offenders who reoffend); and
- the **frequency** rate (the average number of reoffences per reoffender).

The performance of each CRC in reducing reoffending, on both the binary and frequency measures, will be assessed against a baseline year of 2011<sup>4</sup>. Furthermore, the binary rate for each CRC will be adjusted for changes in the case mix of offenders being supervised, using the Offender Group Reconviction Scale (OGRS), version 4/G, before performance is assessed against the baseline.

### **Cohort**

This is the group of offenders for whom reoffending is measured. For the *Interim Proven Reoffending Statistics for CRCs and NPS Quarterly Bulletin* this is defined as all adult offenders in any one quarter (April to June, July to September, October to December, January to March) who begin a community order, a suspended sentence order or who were released from custody. For CRC proven reoffending, this group represents the **eligible cohort**.

Offenders who were released from custody or commenced a court order are matched to the PNC database. A proportion of cases are lost in this process because they cannot be matched. The process uses automated matching routines that look at offenders' unique PNC ID numbers, surnames, initials, dates of birth and gender, using direct name matching along with a variety of 'sounds like' algorithms. The matching algorithm also searches through PNC held information on alias names and dates of birth for offenders (see the section below titled "Matching to the PNC" for further details).

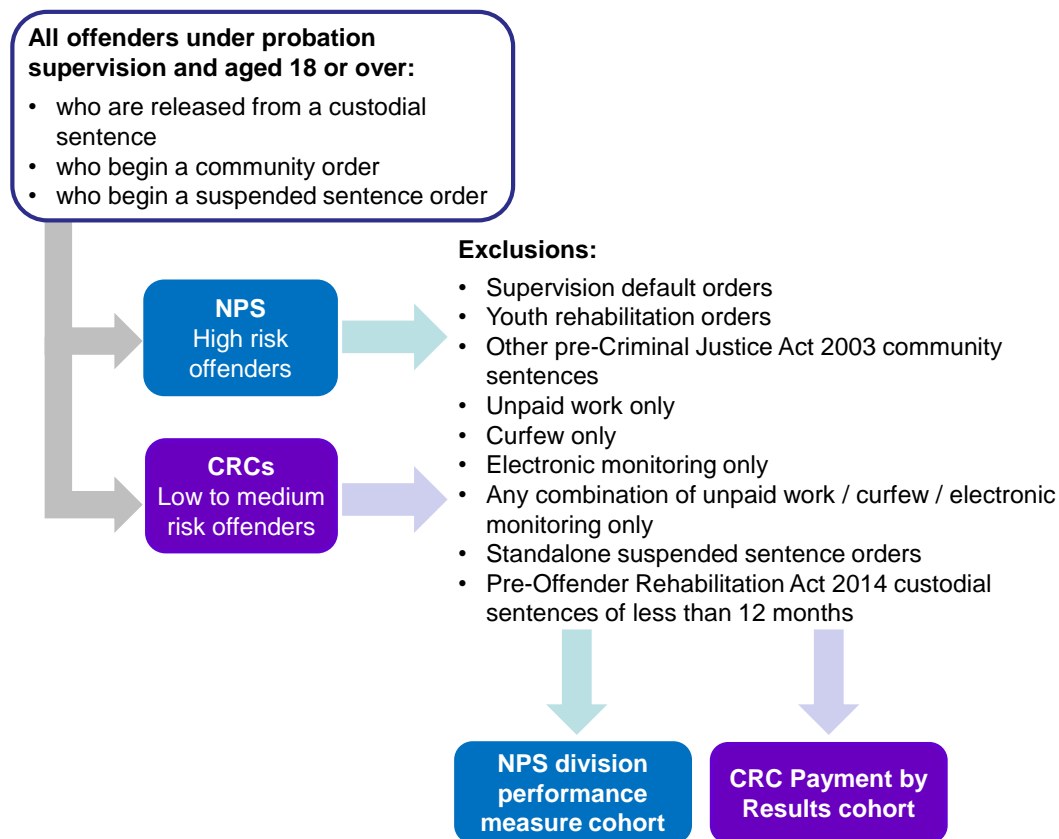
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<sup>4</sup> The 2011 PbR baselines and associated methodology documents are available at: [www.gov.uk/government/collections/transforming-rehabilitation](http://www.gov.uk/government/collections/transforming-rehabilitation)

Additionally, offenders who appear multiple times in the cohort are only included once (see the section below titled “Multiple offender entries” for further details). For CRC proven reoffending, **eligible** offenders that can be matched to the PNC database represent the **measurable cohort**. This is the group for whom reoffending can be measured.

Offenders are only included in a CRC’s PbR cohort the first time they commence an eligible sentence (see below for exclusions) in the three month period. The same methodology will be used for each NPS division’s proven reoffending performance measure.

**Figure 3: Which offenders are included/excluded from the PbR cohort?**



The cohort is extracted from the nDelius case management system (for further information on nDelius, please see the section below on “Probation data” under “Data quality”) on the 20<sup>th</sup> day of the end month of the following quarter. For example, the January to March 2017 cohort was extracted on the 20 June 2017. A schedule of extraction dates is provided in the table below:

**Table 2: Quarterly cohort nDelius extraction dates**

<b>Quarterly cohort</b>	<b>Planned nDelius extraction date<sup>5</sup></b>
January to March 2017	20 June 2017
April to June 2017	20 September 2017
July to September 2017	20 December 2017
October to December 2017	20 March 2018

### **Matching to the PNC**

#### **Matching to an offender record on the PNC database**

As explained in the section about the cohort above, various combinations of the following variables (matching options) are used to match an offender from the cohort to an offender on the PNC.

- PNCID
- CRO Number
- Surname
- First Forename
- Second Forename
- Gender
- Date of Birth

There are 13 matching options which are applied sequentially. At each step, unmatched records are passed to the next matching option. All 13 matching options are first compared to the **person** PNC table and those that are unmatched are then compared to the **alias** and **aliasdateofbirth** PNC tables. Any offender who cannot be matched to an offender record on the PNC or who has multiple matches will be excluded from the measurement of PbR reoffending outcomes.

The matching code uses exact name matching along with a variety of 'sounds like' algorithms on the surname variable, and exact/initial name matching on the forename variables.

#### **Matching to an index offence record on the PNC**

Offenders who are successfully matched to the PNC then proceed to the next stage of the matching process, which involves identifying the offence record on the PNC that is associated with the index offence. The index offence is the offence for which the custodial sentence or court order was given and resulted in the offender entering the cohort.

The index offence matching code uses the conviction and sentence date variables from the nDelius case management system (for further information

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<sup>5</sup> Subject to change if factors (e.g. technical or resource issues) outside our control prevent extraction on these dates.

on nDelius, please see the section below on “Probation data” under “Data quality”) and compares them to the court-caution and subsequent appearance date variables on the PNC. Note that the subsequent appearance date variable is only used if it relates to a sentencing event. As with the PNC matching, various combinations of the conviction and sentence date variables are used in the index offence matching code. In all, four matching options are applied sequentially.

Two dates are deemed to be equal if and only if their absolute difference is not more than seven days. If two or more offences from the PNC are considered equal to the index offence from the cohort, the one for which the absolute difference is smaller is selected. If at this point there is still more than one PNC offence matched to the index offence from the cohort, the most serious one is selected.

If an index offence cannot be matched to a PNC offence record, then its associated offender start will be excluded from the measurement of PbR reoffending outcomes.

The PNC snapshot is extracted on the following dates<sup>6</sup>:

**Table 3: Quarterly cohort PNC snapshot extraction dates**

<b>Quarterly bulletin</b>	<b>Interim results</b>	<b>Final results</b>	<b>PNC snapshot</b>
October 2016	Oct15-Dec15	-	Includes data up to 4 August 2016
January 2017	Oct15-Dec15 Jan16-Mar16	-	Includes data up to 3 November 2016
April 2017	Oct15-Dec15 Jan16-Mar16 Apr16-Jun16	-	Includes data up to 3 February 2017
July 2017	Oct15-Dec15 Jan16-Mar16 Apr16-Jun16 Jul16-Sep16	-	Includes data up to 5 May 2017
October 2017	Jan16-Mar16 Apr16-Jun16 Jul16-Sep16 Oct16-Dec16	Oct15-Dec15	Includes data up to 4 August 2017

Note that if a CRC is trying to replicate the reoffending results, they would need to take an extract of PNC data as close to these dates as possible.

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<sup>6</sup> Subject to change if factors (e.g. technical or resource issues) outside our control prevent extraction on these dates.

### **Index offence**

The index offence is the proven offence that leads to an offender being included in the cohort. An offence is only counted as an index offence if it is:

- recordable (see below);
- committed in England and Wales;
- prosecuted by the police; and
- not a breach offence.

### **Start point (index date)**

This is the set point in time from when proven reoffences are measured. For the *Interim Proven Reoffending Statistics for CRCs and NPS Quarterly Bulletin* this is defined as the date of prison release or the date of sentence for court orders.

### **Follow-up period for interim results**

This is the length of time over which proven reoffending is measured. For the *Interim Proven Reoffending Statistics for CRCs and NPS Quarterly Bulletin*, instead of measuring reoffending with a defined follow-up and waiting period, this interim estimate will count any proven reoffending to date as recorded on the MoJ's PNC data extract (see diagrams below). As such, some offenders in the three month cohort will have a longer follow-up period in which to reoffend.

Interim statistics for the **April to June 2016** offender cohort will, therefore, include any proven reoffences committed between 1 April 2016 and the 5 May 2017. This will mean that some offenders in the three month cohort will have had a longer follow-up period in which to reoffend, e.g. an 'offender start' on the 1 April 2016 will have had up to 12 months to reoffend, whereas an 'offender start' on the 31 June 2016 will have had up to 10 months to reoffend as shown in the diagram below. Note that the reoffending and waiting periods will be limited to 12 and six months, respectively.

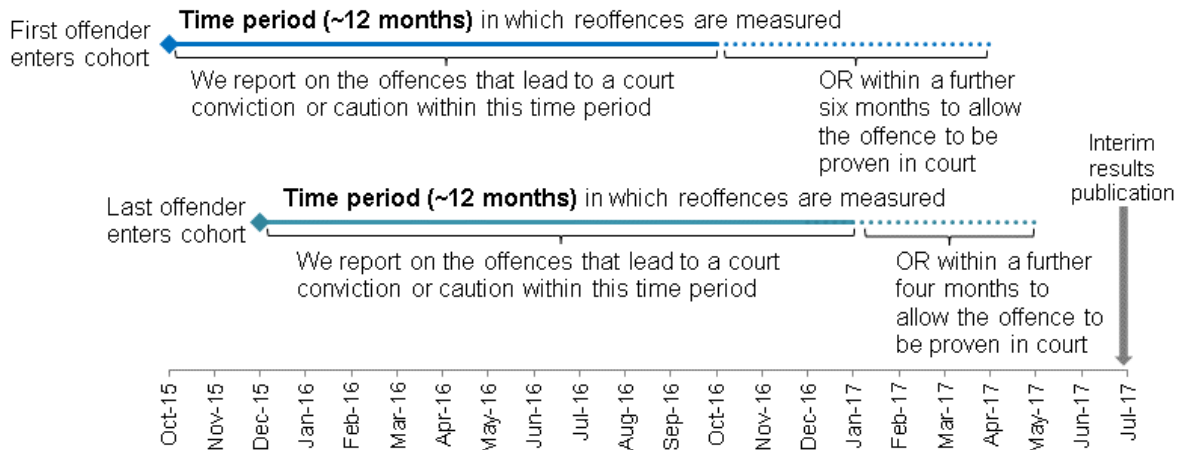
Interim statistics for the **July to September 2016** offender cohort will include any proven reoffences committed between 1 July 2016 and the 5 May 2017.

All offenders in the **January to March 2016** cohort will have had their full 12 month reoffending period elapse. None of them, however, will have their entire six month waiting period.

All offenders in the **October to December 2015** cohort will have had their full 12 month reoffending period elapse; the full six month waiting period, however, will have elapsed for some, but not all offenders.

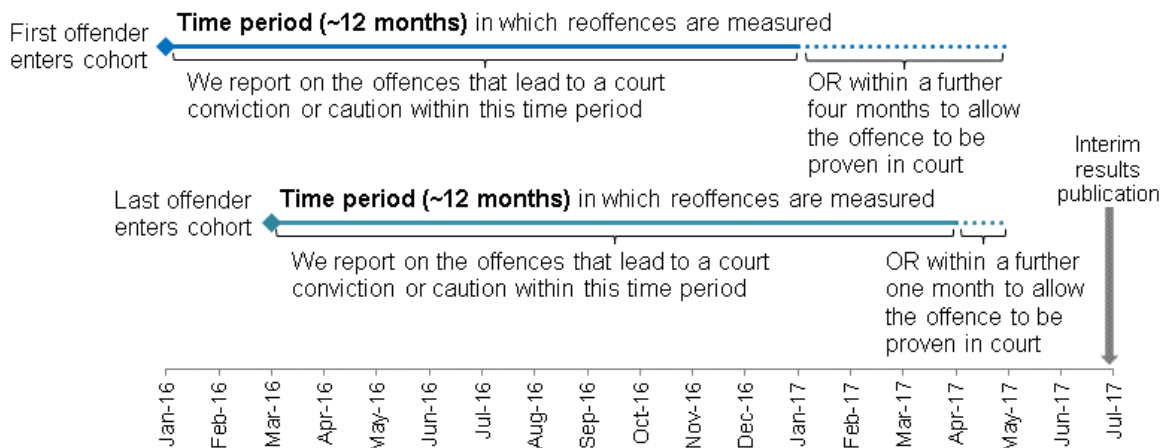


## October to December 2015 cohort



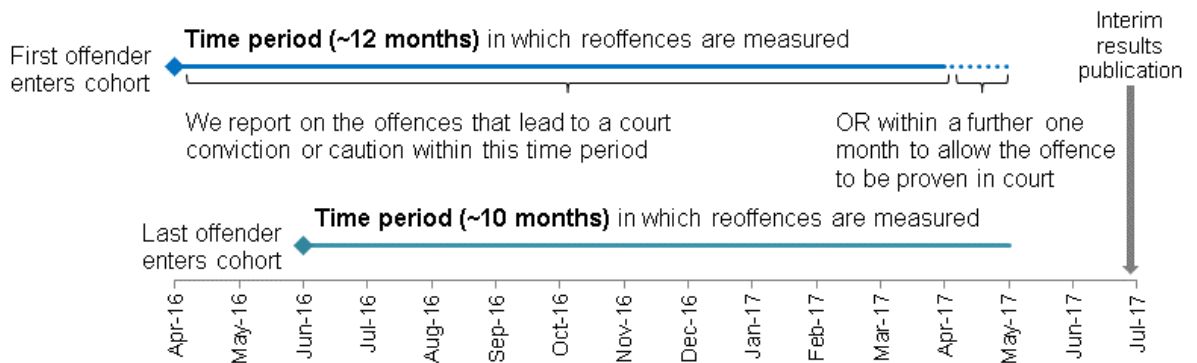
An offender enters the cohort if they are released from custody or are sentenced to a community order or a suspended sentence order in the period October to December 2015.

## January to March 2016 cohort



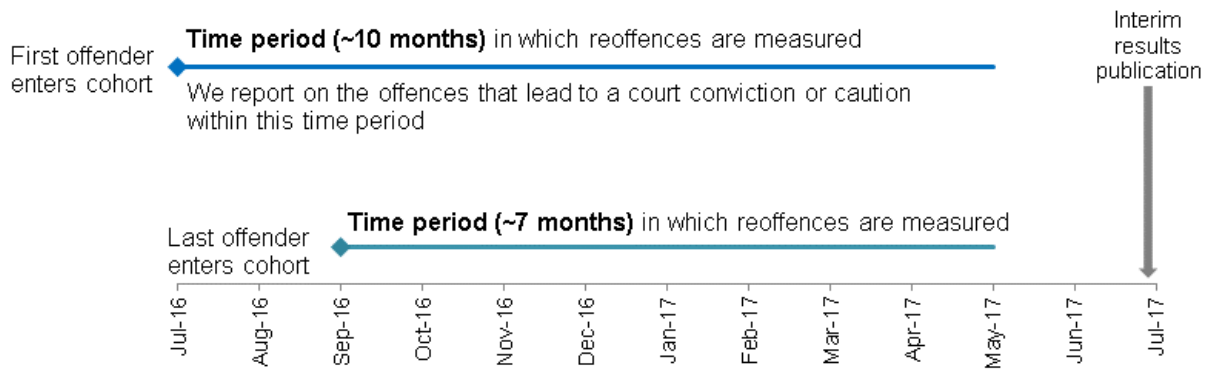
An offender enters the cohort if they are released from custody or are sentenced to a community order or a suspended sentence order in the period January to March 2016.

## April to June 2016 cohort



An offender enters the cohort if they are released from custody or are sentenced to a community order or a suspended sentence order in the period April to June 2016.

## July to September 2016 cohort

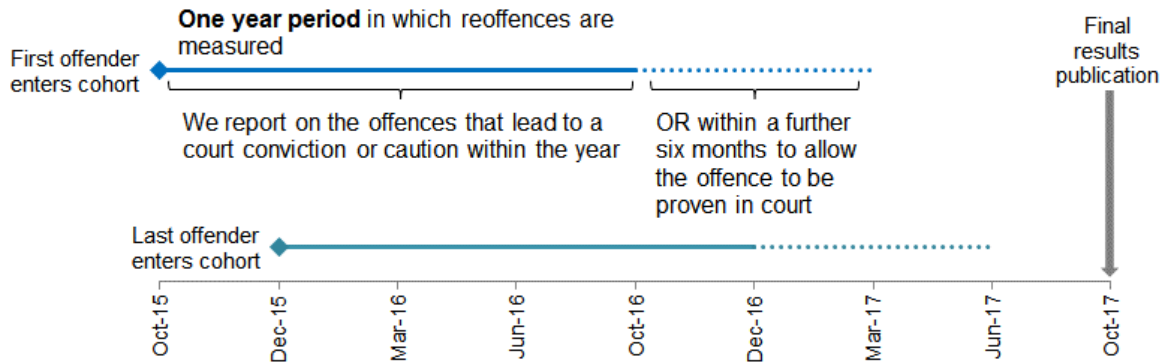


An offender enters the cohort if they are released from custody or are sentenced to a community order or a suspended sentence order in the period July to September 2016.

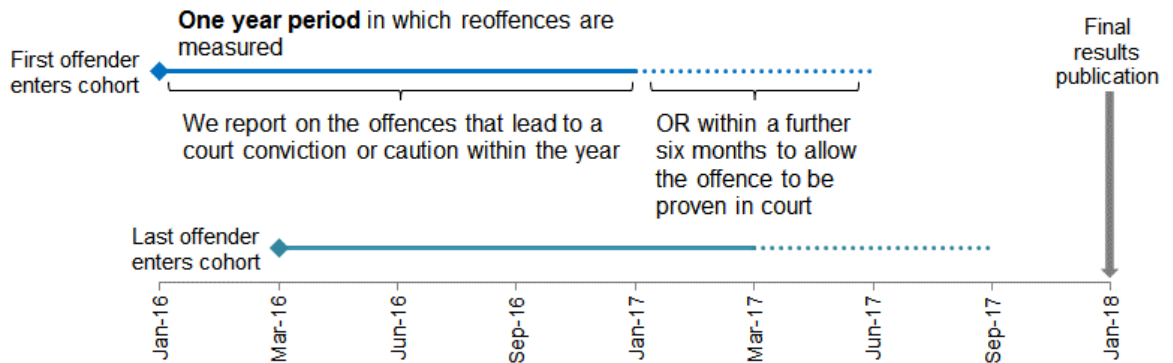
### Follow-up period for final results

The final reoffending results for the CRC and NPS offender cohorts will be based on a **one year proven reoffending measure**. One year proven reoffending is defined as any offence committed in a one year follow-up period that leads to a court conviction or caution in the one year follow-up period or within a further six month waiting period to allow the offence to be proven in court as shown in the diagrams below.

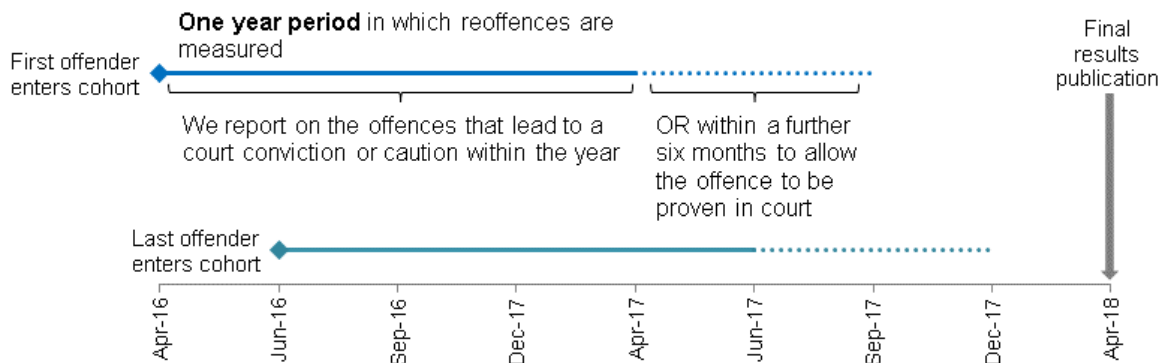
#### October to December 2015 cohort



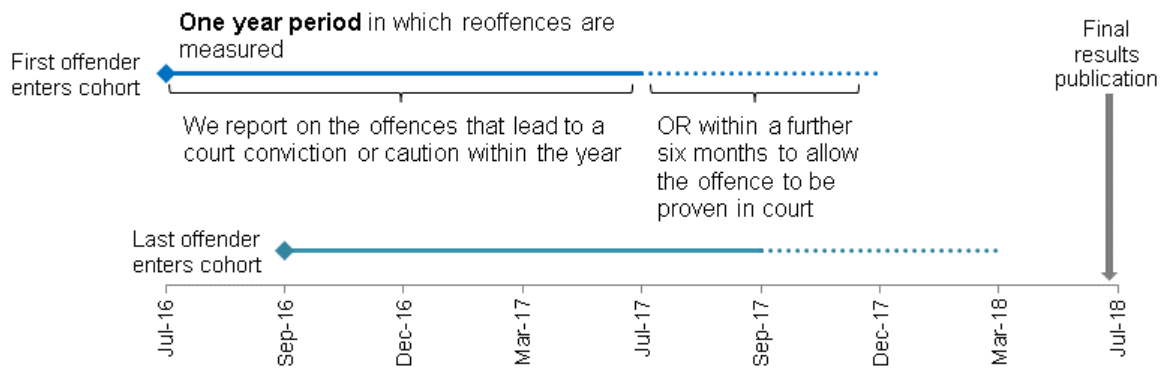
#### January to March 2016 cohort



#### April to June 2016 cohort



## July to September 2016 cohort



## Proven reoffence

The same as for the headline proven re-offending figures presented in the *Proven Re-offending Statistics Quarterly Bulletin*.

Offences are counted as proven reoffences if they meet all of the following criteria:

- They are recordable. Not all offences are on the PNC and more recordable offences are entered than non-recordable offences. Analysis comparing offences proven at court with offences recorded on the PNC suggests the most common offences that are not recorded relates to motor vehicles, e.g. using a motor vehicle whilst uninsured against third party risks, speeding offences, keeping a vehicle on the highway without a driving licence or television licence evasion.
- They were committed in England or Wales.
- They are offences that were prosecuted by the police. PNC data are collected and input by the police and offences prosecuted by the police are likely to be recorded more comprehensively on the PNC than offences that are prosecuted by other organisations. For example, benefit fraud is prosecuted by the Department for Work and Pensions. Therefore, benefit fraud offences may be poorly represented on the PNC.
- Offences are only counted if they are proven through caution and court convictions. Offences that are not proven, or which meet with other responses from the Criminal Justice System, are not counted. The *Offending, Crime and Justice Survey (2003)* estimated that 6% of all offences resulted in any contact with the Criminal Justice System.
- The offence is not a breach offence, i.e. breach of a court order, since we are only interested in new offences.

If an offender commits multiple offences on the same day, each offence will be counted separately. For example, if an offender commits three offences on the same day, this will count as three reoffences.

## Measures of interim proven reoffending

Interim proven reoffending data are presented in the following ways:

- The number of eligible offenders.
- The number of measurable offenders.
- The proportion of measurable offenders who are proven reoffenders.
- The average number of proven reoffences among **reoffenders**.

- The Offender Group Reconviction Scale average score.

### **Multiple offender entries**

Each individual offender is allocated to a quarterly cohort only once, based on their first eligible entry in a given quarter. For the final results, annual cohorts will be formed by combining the four quarterly cohorts of the relevant year. An individual offender can, therefore, appear up to four times within a single annual cohort (one from each quarter).

### **Interim proven reoffending by CRCs and NPS divisions**

An offender can move within the three month cohort period and supervision can be transferred to another CRC provider. An offender can also be transferred from being supervised by a CRC to being supervised by an NPS division if a high risk offence is committed within the three months. If an offender is managed by more than one different CRC or NPS division within the same three month cohort period, reoffending is measured against the first CRC or NPS division the offender is allocated to.

### **Offender Group Reconviction Scale**

For the final reoffending results, CRCs' performance in reducing reoffending will be assessed against the baseline year of 2011. As proven reoffending is related to the characteristics of offenders, the actual rate of proven reoffending 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 reoffending is and how it is changing over time.

In addition to the actual rate, the Offender Group Reconviction Scale, version (OGRS) 4/G<sup>7</sup> is used to control for some differences in offender characteristics across different offender groups. OGRS4/G is based on a well-established, peer-reviewed methodology for assessing and representing reoffending risk<sup>8</sup>.

OGRS4/G uses age, gender and criminal history to assess the reoffending risk of a given group of offenders by producing a score between 0 and 1. These scores can be used to compare the relative likelihood of reoffending either over time or between different groups of offenders, with a higher score meaning a group of offenders who are more likely to reoffend.

For the final reoffending results, the reoffending rate for each CRC will be adjusted by using OGRS4/G, to take account of the influence that differences in offender mix can have on binary rates. OGRS4/G adjusted rates will be used to determine final PbR outcomes. The frequency rate will not be adjusted.

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<sup>7</sup> For further details on OGRS4 see Chapter 8 of the publication at: [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/449357/research-analysis-offender-assessment-system.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/449357/research-analysis-offender-assessment-system.pdf)

<sup>8</sup> For further details on how to access the OGRS4 methodology, please contact the Crown Copyright and Licences team within the HM Prison and Probation Service at [crowncopyright@noms.gsi.gov.uk](mailto:crowncopyright@noms.gsi.gov.uk)

The OGRS4/G adjusted reoffending rate for a given CRC cohort will be calculated as the observed reoffending rate for that cohort plus any difference between the OGRS4/G score in that cohort and the 2011 CRC baseline cohort. This calculation standardises the mix of offenders in each cohort of a given CRC to the 2011 mix for that same CRC.

It will not be possible to adjust the reoffending rate for interim results because OGRS4/G only offers a one and two year prediction of reoffending and interim results are based upon a reoffending-to-date measure.

**Table 4: Publication timetable**

The table below provides a timetable for the publication of interim and final results for CRCs and NPS divisions.

Publication date	Interim reoffending results	One year reoffending results
	Quarterly cohort	Quarterly cohort
October 2016	Oct15 to Dec15	-
January 2017	Jan16 to Mar16	-
April 2017	Apr16 to Jun16	-
July 2017	Jul16 to Sep16	-
October 2017	Oct16 to Dec16	Oct15 to Dec15
January 2018	Jan17 to Mar17	Jan16 to Mar16
April 2018	Apr17 to Jun17	Apr16 to Jun16
July 2018	Jul17 to Sep17	Jul16 to Sep16
October 2018	Oct17 to Dec17	Oct16 to Dec16

## Comparing the effectiveness of sentences

Proven reoffending rates by index 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 report '[The impact of short custodial sentences, Community Orders and Suspended Sentence Orders on reoffending](#)' compares like for like offenders which enables a more reliable comparison of proven reoffending rates between offenders receiving different sentences.

Short-term custody (less than 12 months in prison, without supervision on release) for the 2008 to 2011 cohorts was consistently associated with higher rates of proven reoffending than community orders and suspended sentence orders ('court orders').

Over a one year follow-up period, a higher proportion of people reoffended having been sentenced to short term custody than other, similar people given:

- a community order, of 3 percentage points higher;
- a suspended sentence order, of 7 percentage points higher.

Short term custody was associated with up to one more reoffence per person on average than both community and suspended sentence orders.

In the '[2013 Compendium of Re-offending Statistics and Analysis](#)', suspended sentence orders had a lower reoffending rate than matched offenders given community orders (3.2 percentage points for 2010);

Other non-custodial sentences are compared in Annex D of the [Proven reoffending statistics quarterly bulletin, January to December 2014, England and Wales](#).



## Data quality

The data required for measuring proven reoffending are based on a range of data sources (prison data, probation data, young offenders in secure accommodation, and criminal records from the Police National Computer) from a range of agencies (Her Majesty's Prison and Probation Service<sup>9</sup>, the Youth Justice Board, local authorities and the National Police Improvement Agency). These figures have been derived from administrative IT systems which, as with any large scale recording system, are subject to possible errors with data entry and processing.

### Police National Computer data

Information regarding the proven reoffending behaviour of offenders has been compiled using the Ministry of Justice's extract from the Police National Computer (PNC). The process involves matching offender details from the prison and probation data to the personal details recorded on the PNC. A proportion of cases cannot be matched and the figures presented in Table 5 below are expressed as a percentage of the offenders that are matched. Like any large scale recording system, the PNC is subject to errors with data entry and recording. The PNC is regularly updated so that further analysis at a later date will generate revised figures.

The quality of the information recorded on the PNC is generally assumed to be relatively high as it is an operational system on which the police depend, but analysis can reveal errors that are typical when handling administrative datasets of this scale. The extent of error or omitted records on the PNC is difficult to estimate because it is a unique data source. As a result, there is not always an obvious source of data to provide a baseline from which to assess data quality. For some types of results, however, comparisons can be made. For example, the trend in receptions into prison in each month is very similar using the PNC and prisons data (see below for details). Although the number of receptions recorded on the PNC is consistently slightly lower because prisons data include cases on remand whereas the PNC does not. Another example is the number of cases that are given a custodial sentence, broken down by offence type, which is similar using the PNC and the Court Proceedings Database with a match rate of 97%.

A number of improvements are routinely carried out:

- Updates to the coding and classification of offences and court disposals, including the reduction of uncoded offences, the reduction

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<sup>9</sup> Formerly known as the National Offender Management Service (NOMS).

in the use of miscellaneous offence codes and the clarification of the coding of breach offences.

- Updates to the methods used to identify the primary offence, where several offences are dealt with on the same occasion, and the methods used to identify the primary disposal, where an offence attracts more than one court disposal.
- Removal of some duplication of records within the database resulting in improvements to the efficiency and reliability of the matching process.

## **Prison data**

Prison establishments record details for individual inmates on the prison IT system (Prison-NOMIS or LIDS). The information recorded includes details such as date of birth, gender, religion, nationality, ethnic origin, custody type, offence, reception and discharge dates and, for sentenced prisoners, sentence length. The data from individual prison establishments then feeds through to a central computer database, called the Inmate Information System (IIS).

In May 2009, Her Majesty's Prison and Probation Service (HMPPS) began the roll-out of a new case management system for prisons (Prison-NOMIS). During the phased roll-out, data collection issues emerged that affected the supply of data for statistical purposes from July 2009 to February 2010. Specifically, statistical information on sentence length and offence group is not available on any of our prison datasets for this period.

In order to ensure the fullest possible set of data from July 2009 to February 2010, sentence lengths were estimated for those prisoners received or discharged before the problems were resolved. At the point when the problems were resolved, a small number of prison establishments were still using the old LIDS case management system; data for prisoners received or discharged from these prisons were assumed to be unaffected.

For those prisoners received or discharged from prisons operating Prison-NOMIS, efforts were made to populate their record with the correct sentence length using other data extracts. For example, many prisoners discharged in January 2010 were originally received into prison prior to July 2009, so their sentence length was taken from unaffected datasets before the problems began. Similarly, the majority of those received in early 2010 were still in prison in March 2010 when the problems were resolved, so the sentence length from the corrected prison population data was used.

Where it was not possible to populate a sentence length using other datasets, prisoners were allocated a sentence length band based on the number of days they spent in custody (taking account of early release schemes where relevant).

As a check on the methodology, an alternative estimation process was designed and the number of discharges in each sentence length band for the second half of 2009 was compared using the two methods.

A number of estimation methods were considered and tested on the 2008 data (prior to the data problems) to see which yielded estimates closest to the actual 2008 data. The following method was identified:

1. Calculate data for the first half of the year as a proportion of the full calendar year, for each year from 2001 to 2008; separately for each sentence length band or offence group (the two key breakdowns to be estimated).
2. Apply the average of these proportions to the January to June 2009 data to estimate the 2009 annual totals; separately for each sentence length band or offence group.
3. Scale the estimated numbers in each sentence length band or offence group to sum to the annual total recorded in the raw data (where the totals are known to be correct).

The maximum difference between the two approaches was 2.6% in the band '12 months to less than 4 years'; for all other bands the difference was less than 1%.

### **Indeterminate sentence prisoners**

Data on the discharge of prisoners on indeterminate sentences, i.e. prisoners given a life sentence or an Indeterminate sentence for Public Protection (IPP), is provided from the Public Protection Unit Database (PPUD). This holds data jointly owned by the Offender Management and Public Protection Group (OMPPG) in HMPPS and the Parole Board.

PPUD records details of all indeterminate sentence prisoners at the point of conviction, those engaged in the Generic Parole Process and prisoners (determinate and indeterminate) who have been recalled from licence. It also covers those who have received a restricted hospital order/direction from a Crown Court, and those remand and convicted prisoners who have been transferred from prison/detention centres to psychiatric hospital under the relevant sections of mental health legislation.

All decisions taken by the HMPPS casework sections and the Parole Board are recorded on the system.

Personal information recorded includes (but is not limited to) name, date of birth, gender, identifying numbers, ethnicity, last known address, probation area and sentencing information.

OMPPG and the Parole Board run monthly and ad hoc reports to cleanse data that are not otherwise identified by data validation routines built into the system.

For the interim proven reoffending statistics, prison discharge data are sourced from the nDelius case management system (for further information about nDelius, please see the section on “Probation data” below).

## **Probation data**

Since 2005, detailed information on the supervision of offenders (at the individual offender level) had been submitted by probation trusts on a monthly basis. These monthly 'probation listings' included information on offenders starting probation supervision. Between 2002 and 2005, this information was submitted quarterly, and prior to 2002 a different data collection system was in place, which meant that information on caseload had to be calculated based on the number of people starting supervision and the number of terminations.

From June 2014, the Transforming Rehabilitation programme was launched, which changed the way offenders are managed in the community. Management of offenders serving their sentence in the community has been split into two groups, one consisting of high risk offenders who are managed by the National Probation Service (NPS) and another group consisting of low to medium risk offenders who are now managed by Community Rehabilitation Companies (CRCs).

The quality of the information recorded on the probation data is generally assumed to be relatively high as it is a direct extract from an operational system upon which the probation service depends for managing offenders locally. The extract consists of a small number of key fields for which completion is mandatory. Data is received centrally via the nDelius case management system and is subject to another set of data validation processes. Trends from the data are consistent with comparable time series from the Courts Proceeding Database. Any large scale recording systems are subject to possible errors with data entry and processing, but there are no known issues regarding the probation commencements data.

## **Young offenders in secure accommodation**

Information about secure training centres (STCs) and secure children's homes (SCHs) comes from the Youth Justice Board's (YJB) eAsset database. Information about young people aged 17 and under and held in Young Offender Institutes (YOIs) is supplied by the Prison Service and private YOIs.

The YJB monthly custody report has traditionally used data from the Secure Accommodation Clearing House System (SACHS), this was the system used by the YJB to book young people into custody. To meet information management challenges of a growing department and whilst improving our processes, the YJB has migrated to the use of the new eAsset system since March 2012.

As part of the work to implement the new system both SACHS and eAsset were run in parallel from 5th March to 1st July 2012. The YJB now has the ability to produce some reports from eAsset and has done work to quality

assure the outputs against SACHS. While this work is ongoing and further reports are being developed we now believe the quality of data from this system is of a suitable level to publish as management information.

The quality of the information recorded on the eAsset database is generally assumed to be relatively high as it is a direct extract from an operational system which is used to place young people in custody. The extract uses a number of key fields for which completion is mandatory when booking a young person into custody.

## **Data processing and analysis**

The data underpinning the results are considered by Ministry of Justice to be broadly robust. Considerable work has been carried out ensuring data quality, and the data have been used for research publications. Scrutiny of the data source continues in order to ensure the data remains reliable.

The National Audit Office (NAO) identified risk factors in its review of the reporting of PSA targets (NAO, 2005). The remainder of this section addresses these.

## **Matching offender records for proven reoffending<sup>10</sup>**

This process involves matching data on prison discharges and court order commencements to the PNC database. The process uses automated matching routines that look at offenders' surnames, initials, and dates of birth, using direct name matching along with a variety of 'sounds like' algorithms. The matching algorithm also searches through PNC held information on alias names and dates of birth for offenders. However, not all offenders are matched and a thorough analysis of bias in the matching system has yet to be undertaken. Table 5 below shows that the overall matching rates between 2000 and 2012 have remained high.

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<sup>10</sup> For more on matching for CRCs and the NPS see "Matching to the PNC" in the "Definitions for the measurement of interim proven reoffending for Community Rehabilitation Companies and the National Probation Service" section above.

**Table 5: Matching rates for the different data sources for 2000, 2002 to 2012 cohorts<sup>1</sup>**

	2000	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
<b>Prison</b>												
Prison discharges	87,083	87,338	85,920	86,970	84,897	83,725	87,340	95,824	94,114	93,137	89,773	91,009
Automatically matched to the PNC	80,572	81,211	80,121	81,125	79,398	78,285	81,874	90,021	88,745	87,845	84,950	86,333
Matched to an index date	73,810	75,121	73,327	73,390	71,246	68,185	69,741	76,668	74,189	65,278	67,512	71,059
Percentage matched to the PNC	92.5%	93.0%	93.3%	93.3%	93.5%	93.5%	93.7%	93.9%	94.3%	94.3%	94.6%	94.9%
Percentage matched to the PNC and index offences (not breach etc.)	84.8%	86.0%	85.3%	84.4%	83.9%	81.4%	79.9%	80.0%	78.8%	70.1%	75.2%	78.1%
<b>Court Orders</b>												
Court order starts	136,023	154,621	158,750	164,831	163,681	176,346	187,386	189,643	191,784	186,417	179,206	165,959
Automatically matched to the PNC	123,540	142,838	148,257	154,075	158,416	172,906	184,740	187,253	190,128	185,112	178,026	164,937
Matched to an index date	105,685	115,108	119,446	122,927	130,307	148,072	159,279	163,519	167,378	164,579	159,533	147,681
Percentage matched to the PNC	90.8%	92.4%	93.4%	93.5%	96.8%	98.0%	98.6%	98.7%	99.1%	99.3%	99.3%	99.4%
Percentage matched to the PNC and index offences (not breach etc.)	77.7%	74.4%	75.2%	74.6%	79.6%	84.0%	85.0%	86.2%	87.3%	88.3%	89.0%	89.0%
<b>YJB<sup>2</sup></b>												
YJB discharges	-	1,337	1,612	1,521	1,551	1,564	1,553	1,647	1,626	1,770	891	836
Automatically matched to the PNC	-	1,226	1,502	1,425	1,448	1,464	1,463	1,537	1,564	1,682	852	801
Matched to an index date	-	680	818	785	800	769	780	845	817	916	647	607
Percentage matched to the PNC	-	91.7%	93.2%	93.7%	93.4%	93.6%	94.2%	93.3%	96.2%	95.0%	95.6%	95.8%
Percentage matched to the PNC and index offences (not breach etc.)	-	50.9%	50.7%	51.6%	51.6%	49.2%	50.2%	51.3%	50.2%	51.8%	72.6%	72.6%

1. Data are not available for 2001 due to a problem with archived data on Court Orders.
2. A new data collection method began in March 2012.

The total number of offenders matched to the PNC is substantially higher than the final figure for the cohorts – for example, in 2012 there were 252,071 matched offenders, but a final cohort size of 219,347. The main reasons for these discrepancies are:

- Conviction dates for the beginning of the community, suspended or custodial sentence do not match the conviction date within seven days of the criminal records from the PNC database.
- The index offence was not dealt with by a Home Office police force – this ensures that only offences in England and Wales are counted.
- Exclusion of all offenders where the index offence is a breach, since we are only interested in new offences.
- Exclusion of multiple offender entries (see section above titled “Multiple offender entries” for further details).

## **Counting rules**

The counting rules for choosing which prison discharges to include offer a variety of choices. For instance, it makes little sense to include offenders deported on release or who have died. These counting rules were enumerated and discussed to ensure a more accurate and consistent count and are reviewed on an annual basis to ensure a consistent approach.

Note that an offender is counted more than once when the offender was initially in the juvenile cohort, then in the adult cohort in the same cohort period.

## **Complexity of data processing and analysis**

The data processing involved for measuring reoffending is complex. To analyse reoffending behaviour by previous offending or disposal history requires the extraction of criminal histories that can span a number of decades, and the subsequent matching of these histories against the probation caseload files and prison discharges in order to generate a dataset.

## **The extraction of the criminal histories**

To quality assure the extraction of criminal histories, a small set of random samples of offenders was taken after the analysis to check, via a basic validation, that outputs of the SQL (Structured Query Language) program



were accurate. The Ministry of Justice is confident that this process has been successful.

## **Level of subjectivity**

There is relatively little subjectivity in the system. Occasional judgements are required (e.g. where to classify an offence), but these will not significantly influence the results.

## **Maturity and stability of the data system**

The system is well established having been used a number of times to produce reoffending statistics for publication. Nonetheless, vigilance continues to be exercised to ensure the validity of the results.

## **Expertise of those who operate the system**

Prison and court order data-feeds are continually monitored and improvement work is regularly undertaken to improve the reliability and the accuracy of datasets. The internal processing of the results within the Ministry of Justice has been subject to dip sampling of criminal histories and the statistical model has been extensively tested.

## **Interpreting trends in the proportion of offenders who commit a reoffence against the person**

Care should be taken when interpreting the proven reoffending rate for the following reasons:

- **Time through the Criminal Justice System** – more serious offences are likely to take a longer time to progress through the Criminal Justice System than less serious offences. The proven reoffending statistics track proven reoffending behaviour for a year upon offenders entering the cohort, plus an additional six months for convictions to be updated on the system. There is a risk that this time scale is not long enough to capture the most serious offences. Analysis suggests that the number of serious proven reoffences picked up by the measure remains comparatively stable year on year, ensuring performance is comparable over time.

- **Reporting variation** – variation in reporting time between police force areas and courts may also have an impact on how many serious offences are captured during the one year follow-up period.

## Data on historical trends

The data used to measure proven reoffending is from the PNC. Police forces started to enter criminal records locally in 1995. In order to allow time for good practice among police forces in entering data onto the PNC to become embedded, PNC data was used to measure proven reoffending for the first time in 2000. Prior to 2012, headline bulletin results were compared to 2000 to highlight long-term trends. From 2012, results are compared to 2002, and in the future the year of comparison will move forward by one year for each calendar year publication. Results prior to 2000 cannot be compared to results from 2000 onwards for two main reasons:

- Change in data source – reoffences are measured using data from the PNC (which covers recordable offences), whereas data from years before 2000 were measured using the offenders index (which covered a narrower range of offences).
- Change in measurement – the concept being measured from 2000 onwards in these reports is that of using the offence date to measure reoffences (a period of time is allowed for offences to be committed, and a further period allowed for these offences to be proved by caution, reprimand, final warning or court conviction). The concept being measured prior to 2000 was that of using the conviction date to measure reconvictions (any conviction occurring in a set period of time, whether or not the offence occurred in that time period).

However, the *Compendium of Reoffending Statistics and Analysis 2010*, published in November 2010, provides the most consistent statistical series possible between 1971 and 2006, adjusting for known methodological changes. For more information, please refer to Chapter 4.4 at the following [link](#).

Results for 2001 cannot be calculated for offenders on court orders because of a problem with archived data on court orders.

### Locality of offenders

Local breakdowns of the headline proven reoffending rates are available from 2005 onwards. Proven reoffending data are broken down by locality using the address and post-code information of the offender. Where this information is missing, the location of the processing police force is used instead. This is not a completely reliable indicator of the offender's home address as offenders may offend in a different locality than where they reside. The completeness of this information has improved over time. In 2000, this information was omitted for 29% of cases, which was considered

too high to produce reliable results. By 2005, this was reduced to 16.5%, and there has been a continuing downward trend since then.

## Transforming Rehabilitation reforms

In “*Transforming Rehabilitation: A Strategy for Reform*”<sup>11</sup>, published in 2013, the Secretary of State for Justice set out plans to introduce a new system for the management and rehabilitation of offenders in the community across England and Wales.

The programme, which was fully implemented in February 2015, aims to bring down reoffending rates while continuing to protect the public. The reforms included:

- Opening up the market to a diverse range of rehabilitation providers from the private, voluntary and social sectors (including public service mutuals) through 21 CRCs.
- Using a ‘payment by results’ approach to develop and implement effective ways of rehabilitating offenders and rewarding providers that devise and deliver the most effective rehabilitation programmes.
- Extending statutory rehabilitation to around 45,000 short sentenced offenders released from prison every year, who have the highest reoffending rates and yet previously received no supervision after release.
- Reorganising our prisons to resettle offenders ‘through the gate’, with continuous support from custody to community. This means the majority of prisoners will be moved to a resettlement prison close to their community at least three months before release.
- Creating a new public sector NPS to manage high risk offenders.

Until the implementation of these reforms, most of the probation services were delivered by 35 Probation Trusts under contract to Her Majesty’s Prison and Probation Service (HMPPS) on behalf of the Secretary of State.

Through these reforms, 21 CRCs are now providing services in their Contract Package Areas (CPAs). The CRCs are owned and run by

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<sup>11</sup> The Ministry of Justice paper “*Transforming Rehabilitation: A Strategy for Reform*” is available at: [www.gov.uk/government/publications/transforming-rehabilitation-a-strategy-for-reform](http://www.gov.uk/government/publications/transforming-rehabilitation-a-strategy-for-reform)

successful bidders<sup>12</sup> from the 2014 competition and now deliver services under contract to HMPPS.

The NPS is a delivery arm of HMPPS and delivers services under a service level agreement (SLA) within seven NPS divisions.

CRCs manage the majority of offenders in the community sentenced to Community Orders (COs), Suspended Sentence Orders (SSOs) and those subject to licence conditions or supervision requirements, and deliver rehabilitative support to offenders. The NPS directly manage offenders who pose a high risk of serious harm to the public (including those whose risk has escalated to high during the course of their sentence) or those released from custody who have committed the most serious offences. It has a key role at certain stages of the process for all offenders, for example in advising the courts on sentencing, determining the allocation of offenders and dealing with enforcement action, working closely with CRCs.

## Confidentiality

This statement sets out the arrangements in place for protecting persons' confidential data when statistics are published or otherwise released into the public domain. Principle 5 of the Code of Practice for Official Statistics states that:

*“Private information about individual persons (including bodies corporate) compiled in the production of official statistics is confidential and should be used for statistical purposes only“*

It also states that arrangements for confidentiality protection should be:

*“sufficient to protect the privacy of individual information, but not so restrictive as to limit unduly the practical utility of official statistics.”*

To comply with this and with the Data Protection Act of 1998, and to maintain the trust and co-operation of those who use reoffending statistics, the following provisions have been put in place.

Private information collected by the Ministry of Justice (MoJ) is stored in line with MoJ data security policies. Electronic data are held on password protected networks. All new staff undergo MoJ security vetting before receiving access to data systems, and all staff undertake mandatory training on information responsibility annually.

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<sup>12</sup> A list of the successful bidders is available at: [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/389727/table-of-new-owners-of-crcs.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/389727/table-of-new-owners-of-crcs.pdf)

Three types of disclosure risk are considered in relation to reoffending statistics: general attribution, identification (including self-identification) and residual through combination of sources.

Assessment of the risk of disclosure considers the following:

- Level of aggregation (including geographic level) of the data.
- Size of the population.
- The likelihood of an attempt to identify.
- Consequences of disclosure.

As a result the number of offenders, reoffenders, reoffences and previous offences based on five or fewer offenders are suppressed for individual prisons, probation areas and the following geographical areas; County, Upper Tier Local Authority, Lower Tier Local Authority and Youth Offending Team. This is to prevent the disclosure of individual information.

## **Users**

The contents of this 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 reoffending.

In particular there are two MoJ impact indicators which will be monitored using results from this bulletin:

- Adult and juvenile reoffending – the percentage of adult and juvenile offenders who reoffend.
- The percentage of adults released from custody who reoffend.

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 and sentencing guidelines. 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: Her Majesty's Prison and Probation Service, the Youth Justice Board, private and voluntary sector providers of prison and probation services and local authorities.

# Appendix A: Glossary of terms

## Reoffending terms

**Cohort** – this is the group of individuals whose reoffending 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 (index date)** – this is the set point in time from when reoffences are measured.

**Follow-up period** – this is the length of time proven reoffending 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.

**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 reoffence** – 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 definition used in the Proven Reoffending Statistics Quarterly Bulletin** – the proven reoffending cohort consists of all offenders discharged from custody, otherwise sanctioned at court, receiving a caution, reprimand or warning 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 reoffence.

**Cohort definition used in the Interim Proven Reoffending Statistics for CRCs and NPS Quarterly Bulletin** – the payment by results proven reoffending cohort consists of all adult offenders in any one quarter (January to March, April to June, July to September, October to December) who begin a community order, a suspended sentence order or who were released from custody. This cohort's criminal behaviour to date is tracked and collated. Any offence committed in this period which is proven by a court conviction or out-of-court disposal counts as a proven reoffence.

### ***Disposal (sentence type)***

**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 Statistics 2009 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 add 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 to do something that is likely to lead to further offence 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 – between a minimum of 12 hours and a maximum of 36 in total which includes three hours of activity.

Typically, the more serious the offence and the more extensive the offender's needs, the more requirements there will be. Most orders will comprise of 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 CJA 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.

**Custody** – the offender is awarded a sentence to be served in prison or a Young Offenders Institute (YOI). If the offender is given a sentence of 12 months or over, or is aged under 22 on release, the offender is supervised by the Probation Service on release. It is important to note that the sentence lengths and youth disposals awarded will be longer than the time served in custody. For more information please refer to Appendix A of Offender Management Caseload Statistics 2009.

**Short sentences (under 12 months)** – those sentenced to under 12 months (made under the Criminal Justice Act 1991) spend the first half of their sentence in prison and are then released and considered 'at risk' for the remaining period. This means they are under no positive obligations and do not report to the Probation Service, but if they commit a further imprisonable offence during the 'at risk' period, they can be made to serve the remainder of the sentence in addition to the punishment for the new offence. The exception to this is those aged 18 to 20 who have a minimum of three month's supervision on release.



**Sentences of 12 months or over** – the CJA03 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.

### ***Youth disposal (sentence type)***

**Reprimand or warning** – 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. Reprimands and warnings for youths were abolished under Legal Aid Sentencing and Punishment of Offenders Act 2012 with effect from 8 April 2013 and replaced with youth cautions.

**Youth cautions** – a formal out-of-court disposal that can be used as an alternative to prosecution for young offenders (aged 10 to 17) in certain circumstances. A Youth Cautions may be given for any offence where the young offender admits an offence, there is sufficient evidence for a realistic prospect of conviction but it is not in the public interest to prosecute.

### ***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.

**Youth Rehabilitation Order** – a community sentence for juvenile offenders, which came into effect on 30 November 2009 as part of the Criminal Justice and Immigration Act 2008. It combines a number of sentences into one generic sentence and is the standard community sentence used for the majority of children and young people who offend. The following requirements can be attached to a Youth Rehabilitation Order (YRO):

- activity requirement;
- curfew requirement;
- exclusion requirement;
- local authority residence requirement;
- education requirement;
- mental health treatment requirement;
- unpaid work requirement;
- drug testing requirement;
- intoxicating substance misuse requirement;
- supervision requirement;
- electronic monitoring requirement;
- prohibited activity requirement;
- drug treatment requirement;
- residence requirement;
- programme requirement;
- attendance centre requirement;
- intensive supervision and surveillance; and
- intensive fostering.

The YRO is only available for those that committed an offence on or after the 30 November 2009. The following community sentences are replaced by the YRO, but will continue to exist for those that committed an offence before 30 November 2009.

- action plan order;
- curfew order;
- supervision order;
- supervision order and conditions;
- community punishment order;
- community punishment and rehabilitation order;
- attendance centre order;
- drug treatment and testing order;
- exclusion order; and
- community rehabilitation order.

### ***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, hold female prisoners. They are not divided into the same number of categories due to the smaller numbers, although there are variations in security levels.

**Local prisons** serve the courts in the area. Historically their main function was to hold un-convicted and un-sentenced 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.

### ***Miscellaneous terms***

**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.

**Recordable offences** – recordable offences are those that the police are required to record on the PNC. 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.

**Offence group (based on ONS crime classifications)** – offences classified into 13 separate offence categories using the Office for National Statistics (ONS) crime classifications.

**Indictable and summary offences** – Proven reoffending statistics quarterly (published 28 July 2016) included a table (B1.1) on serious sexual/violent proven reoffences and serious acquisitive proven reoffences. Another way to classify the seriousness of an offence is to classify the offence as 'summary', 'triable-either-way' or 'indictable-only'. Indictable-only offences cover the most serious offences that must be tried at the Crown Court; these 'indictable-only' offences include murder, manslaughter, rape and robbery. These are reported in table B1. Note that summary offences are triable only by a magistrates' court. This group includes motoring offences, common assault and criminal damage up to £5,000. Triable-either-way offences are more serious offences; 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. Summary and triable-either-way are not reported.

**Youth Offending Teams (YOTs)**

YOTs work with young people that come into contact with the criminal justice system and each one covers a certain number of local authorities. The YOTs were updated in the proven reoffending publication published on the 28<sup>th</sup> July 2016.

## 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.
- 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.

### 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 30
(p)	Provisional data

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