

Statistical Bulletin

Crime and Justice Series

A National Statistics Publication for Scotland



RECONVICTIONS OF OFFENDERS DISCHARGED FROM CUSTODY OR GIVEN NON-CUSTODIAL SENTENCES IN 2004-05 AND 2005-06, SCOTLAND

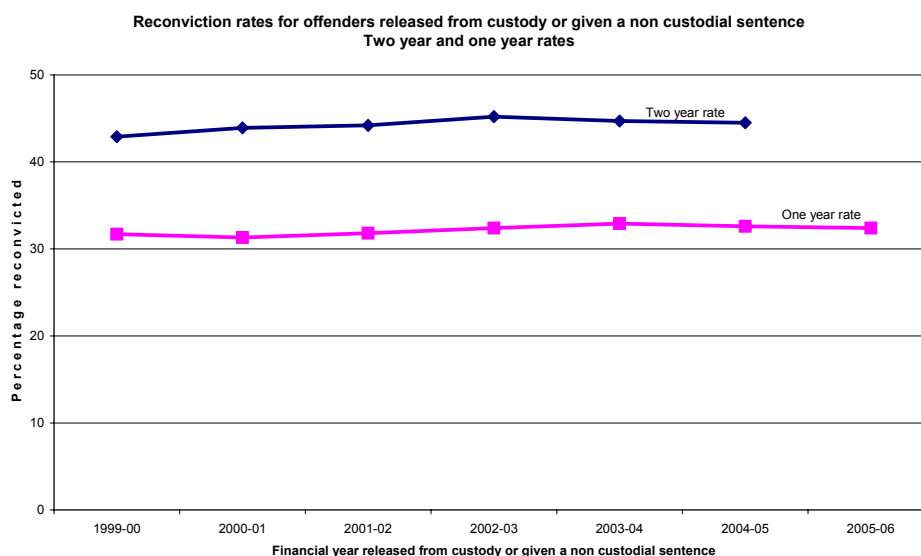
24 June 2008

1. Introduction

1.1 This bulletin presents information on the reconviction rates of offenders in Scotland and provides an update to the statistics published in October 2007. Two year reconviction rates for the 2004-05 cohort are presented as well as, for the first time, one year reconviction rates for the most recent cohort available, the 2005-06 cohort.

1.2 The reconviction rates presented include “pseudo reconvictions” which are convictions which take place after the index conviction but which relate to offences committed prior to that date. Estimates of the impact of pseudo reconvictions are given in Section 6.2.

1.3 The two year reconviction rate for the 49,267 offenders released from custody or given non-custodial sentences in 2004-05 was 44.5 per cent, a 0.2 percentage point decrease on the rate for the previous cohort of 44.7 per cent. The chart below shows the time series of the two year and one year reconviction rates for cohorts dating back to 1999-00.



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2. Key Points¹

- The two year reconviction rate for the 49,267 offenders discharged from a custodial sentence or given a non-custodial sentence in 2004-05 was 44.5 per cent. This represents a decrease of 0.2 percentage points on the two year reconviction rate for the 2003-04 cohort of 44.7 per cent (Table 5).
- The overall reconviction rate was largely unchanged from the rate for the 1996-97 cohort (44.4 per cent) although the rate did fluctuate in the intervening years. The two year reconviction rate was at its lowest point in 1998-99 at 42.5 per cent (Table 5).
- Males were more likely to be reconvicted than females for all age groups: 46 per cent of males and 38 per cent of females were reconvicted within two years. Males (16 per cent) were more than twice as likely than females (7 per cent) to receive a custodial reconviction within two years. However, for those persons who were reconvicted at least once within two years, there was little difference between the sexes in the average number of convictions they acquired (2.5 for males and 2.4 for females) (Tables 1 & 2).
- Reconviction rates for males decreased by age: 55 per cent of male offenders aged under 21 were reconvicted within two years compared with 36 per cent of those aged over 30. However for females, those aged 21-25 were more likely to be reconvicted than any other female age group with 46 per cent being reconvicted within 2 years. Females aged over 30 (32 per cent) were much less likely to be reconvicted than younger females (Table 1).
- Those sentenced to a Drug Treatment and Testing Order (88 per cent) or a Restriction of Liberty Order (71 per cent) were on average more likely to be reconvicted within two years than those given a Community Service Order (42 per cent) or a monetary penalty (41 per cent). Sixty-two per cent of those discharged from custody and 59 per cent of those given a Probation Order were reconvicted within 2 years (Table 1). These rates for non-custodial disposals relate to all offenders who were sentenced to the disposal as their main penalty, irrespective of whether the offender completed the order or not.
- The likelihood of reconviction increased markedly with the number of previous convictions: 26 per cent of offenders with no previous convictions were reconvicted within two years compared with 75 per cent of offenders with over 10 previous convictions. Of those with over 10 previous custodial convictions, 61 per cent received a further custodial reconviction within two years (Table 1).
- Those offenders whose index conviction was for a crime of dishonesty had the highest two year reconviction rate (58 per cent) whilst the lowest was for sexual crime (18 per cent) (Table 1).
- The one year reconviction rate for the 50,237 offenders in the 2005-06 cohort was 32.2 per cent. This was a 0.2 percentage point decrease on the previous one year reconviction rate for the 2004-05 cohort of 32.4 per cent (Table 8).

¹ Please note that the reconviction rates shown include "pseudo reconvictions". Section 6.2 includes an analysis of the effect of pseudo reconvictions.

3. Commentary on two year reconviction rates for 2004-05 cohort (Tables 1 to 7)

3.1 The reconviction rates presented here apply to all offenders who were sentenced to the index disposal as their main penalty, irrespective of whether the offender was compliant (for non-custodial sentences). Information is not available via the Scottish Offenders Index on completion rates of orders.

3.2 Overall reconviction rates

Of the 49,267 offenders discharged from custody or given a non-custodial sentence in 2004-05, Table 1 shows that 23 per cent were reconvicted within 6 months, 32 per cent within one year and 44 per cent within two years. The proportion of offenders who received a custodial reconviction was 6 per cent within 6 months rising to 15 per cent after 2 years.

3.3 Reconviction rates by sex and age

Male offenders were more likely to be reconvicted than females, 46 per cent of males were reconvicted within two years compared to 38 per cent of females. This pattern applied across all age groups. However, for those persons who were reconvicted within two years, there was little difference between the sexes in the average number of reconvictions acquired.

3.4 For male offenders, the overall reconviction rate decreased with age. Fifty-five per cent of those males aged under 21 were reconvicted within 2 years compared with 36 per cent of those aged over 30. Females aged 21-25 were more likely to be reconvicted than any other female age group, with 46 per cent being reconvicted within 2 years. Females over 30 were the group least likely overall to be reconvicted within 2 years (32 per cent). For custodial reconvictions, offenders aged in their twenties were more likely to receive a custodial reconviction compared with younger and older offender age groups.

3.5 Reconviction rates by number and type of previous convictions

Table 1 shows that the likelihood of reconviction increased markedly with the number of previous convictions held by the offender at the time of their index conviction. Three quarters (75 per cent) of those offenders with over 10 previous convictions were reconvicted within two years compared to around a quarter (26 per cent) of offenders with no previous convictions. Similarly, 61 per cent of those offenders with over 10 previous custodial convictions were given a further custodial conviction within two years compared to 7 per cent of those with no previous custodial convictions.

3.6 The length of time to reconviction was also shorter for those offenders with higher numbers of previous convictions. Fifty-nine per cent of offenders with over 10 previous convictions were reconvicted within 1 year compared to 39 per cent for offenders with 3 to 10 previous convictions, 27 per cent with 1 or 2 previous convictions and 17 per cent of those with no previous convictions.

3.7 For those offenders who had at least one reconviction within two years, the average number of reconvictions rose from 2.0 for those with no previous convictions to 3.3 for those with over 10 previous convictions.

3.8 Reconviction rates by index disposal and index crime

Offenders given a Drug Treatment and Testing Order (88 per cent) or a Restriction of Liberty Order (71 per cent) were on average more likely to be reconvicted within two years than those given a Community Service Order (42 per cent) or a monetary

penalty (41 per cent). Offenders given a Drug Treatment and Testing Order were much more likely to acquire a custodial reconviction: 55 per cent were given a custodial sentence within two years compared to 15 per cent of those given an alternative disposal. Of those offenders with at least one reconviction within two years, those who were given a Drug Treatment and Testing Order (3.9) or discharged from custody (3.2) have a greater number of reconvictions on average than those given a Community Service Order (2.3), a monetary penalty (2.2) or another form of disposal (2.3).

3.9 The comparison of reconviction rates across disposals is complicated by a number of issues. Pseudo reconviction rates can have a differential effect across different types of disposal and this is discussed further in Section 6.2. In addition, the characteristics of offenders receiving different disposals are likely to be different. Indeed, the risk of re-offending is often taken into account at the time of sentence.

3.10 Once the age, sex and particularly the number of previous convictions of offenders are taken into account, the differences observed in average reconviction rates for different types of index disposal are found to be less significant. These factors are all strongly associated with the likelihood of reconviction. Table 3 shows that for all types of disposal, and for all sex and age groups, the groups of offenders with the highest reconviction rates were those with over 10 previous convictions. In other words, the number of previous convictions held by an offender appeared to be the dominant factor in terms of the likelihood of reconviction.

3.11 Reconviction rates also vary according to the index crime. Table 1 shows that those offenders with a sexual crime (excluding prostitution offences) as their index crime had the lowest reconviction rate on average (18 per cent within two years), although this is based on a particularly small number of offenders (536). Those with a crime of dishonesty as their index crime had the highest reconviction rate (58 per cent reconvicted within two years).

3.12 Charts 2a and 2b (over) illustrate the two year reconviction and custodial reconviction rates for more detailed crime groups. Chart 2a shows that the crimes within the dishonesty category which had the highest two year reconviction rates were shoplifting (69 per cent); housebreaking (68 per cent) and theft by opening a lock-fast place (63 per cent). Chart 2b shows that the violent crime of robbery (36 per cent) and housebreaking (40 per cent) were the two index crimes with the highest two year custodial reconviction rates.

Chart 2a: Two year reconviction rates of offenders discharged from custody or given non-custodial sentences in 2004-05 by index crime

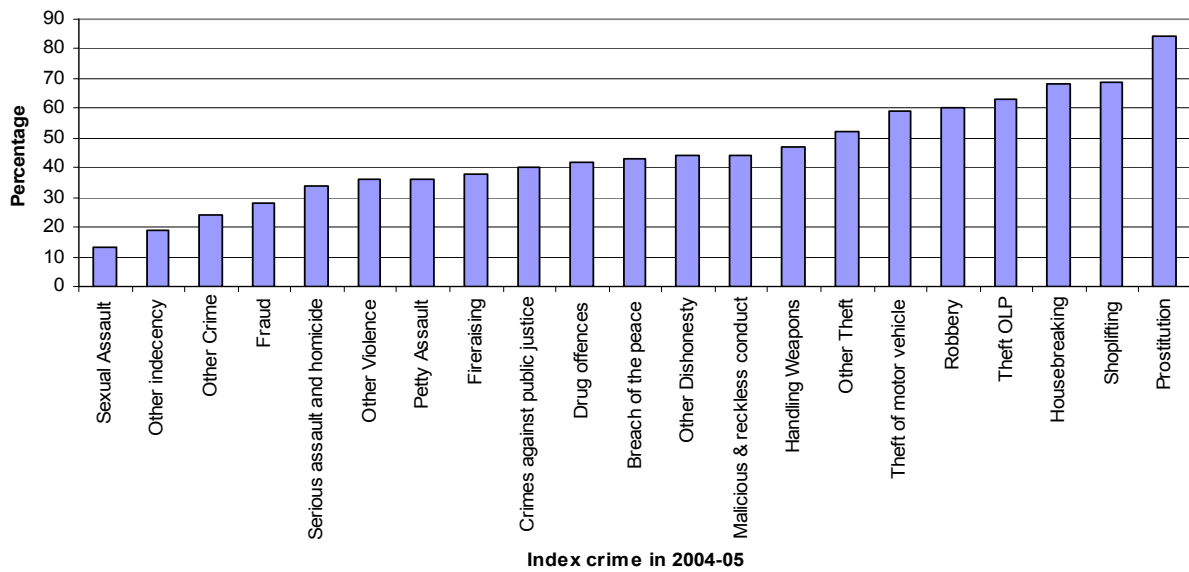
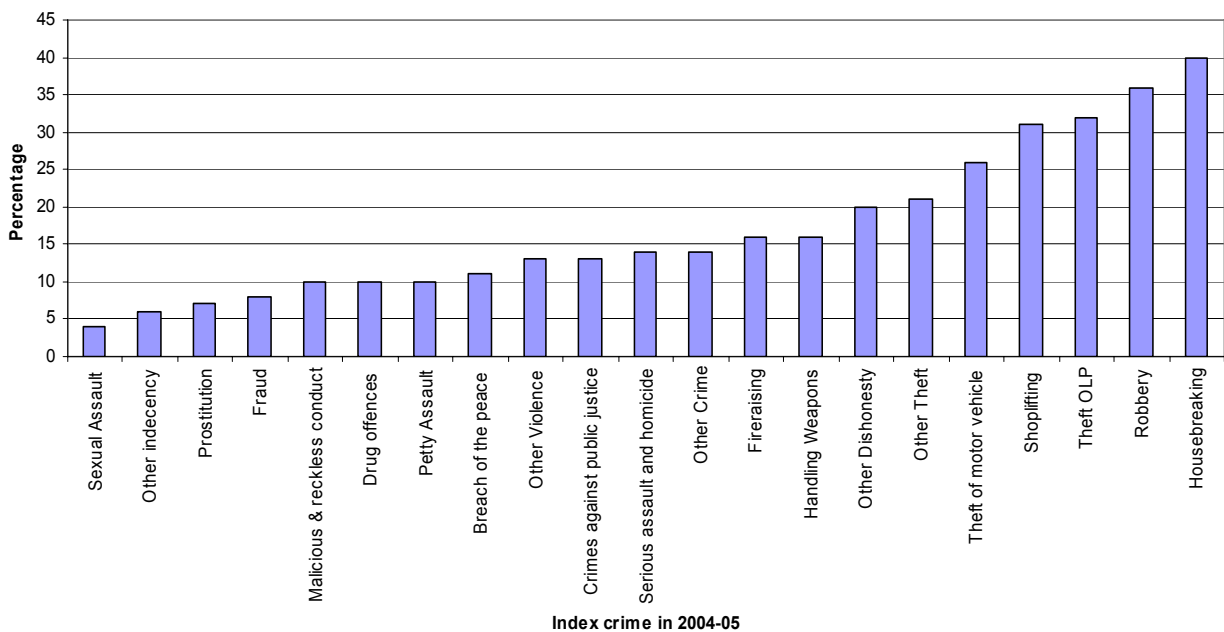


Chart 2b: Two year custodial reconviction rates of offenders discharged from custody or given non-custodial sentences in 2004-05 by index crime



3.13 Many offenders acquire convictions for a variety of crimes. For example, Table 4 shows that, with the exception of those convicted of fraud, between 18 and 28 per cent of offenders with an index conviction in 2004-05 in the dishonesty crime categories were reconvicted for a violent crime within two years. Conversely, offenders convicted for certain categories of crime are more likely to be reconvicted for the same type of crime: the percentage reconvicted within two years for the same type of crime as the index crime was highest for prostitution offences (69 per cent); shoplifting (46 per cent); breach of the peace (29 per cent) and housebreaking (29 per cent).

3.14 *Reconviction rates over time*

The analysis in this section compares two-year reconviction rates for the 2004-05 cohort of offenders with those for the corresponding cohorts from 1996-97 onwards.

When considering trends over time in reconviction rates, it should be borne in mind that these will be affected by changes in criminal justice policy and practice. For example, the increased use of alternatives to prosecution such as fiscal fines in the last 10-15 years will, other things being equal, tend to reduce reconviction rates; while increases in police clear up rates may act to increase reconviction rates. In addition, this analysis is based on unadjusted reconviction rates. It is important to note that reconviction rates may also be affected by the characteristics of each cohort group (e.g. age, sex, index crime, index disposal etc).

3.15 Table 5 shows that the overall reconviction rate was relatively stable between 1996-97 and 2004-05 with the exception of a slight fall between 1997-98 and 1999-00. From 1996-97 to 2004-05, the rates ranged between 42.5 per cent and 45.2 per cent.

3.16 A slight decrease in the reconviction rate for offenders aged under 21 was generally offset by slight increases in the rates for older offenders. The reconviction rate for males in previous cohorts were broadly similar to the 46 per cent recorded for the 2004-05 cohort. The reconviction rate for females increased from the 34 per cent recorded for the 1996-97 cohort to 38 per cent for the 2004-05 cohort, mainly reflecting increases in the rates for offenders ages between 21 and 25.

3.17 For those sentenced to a Community Service Order, the reconviction rate fell from 47 per cent for the 1996-97 cohort to 42 per cent for the 2004-05 cohort. The corresponding rates for custodial index disposals dropped slightly from 64 to 62 per cent as did the rate for Probation Orders from 60 to 59 per cent.

3.18 Table 5 also shows that the two year reconviction rate for those offenders with an index crime of violence remained largely similar with a rate of 38 in the 1996-97 cohort and 37 for the 2004-05 cohort. There was a dip in the series of reconviction rates for violent offenders between these two cohorts where the rate was 34 at its lowest points in 1998-99 and 1999-00. The corresponding rates for breach of the peace fell by 2 percentage points from 45 per cent in 1996-97 to 43 per cent in 2004-05, whilst the rate for drug offences increased slightly from 39 to 42 per cent across the period. The rate for those offenders with an index crime of dishonesty increased from 51 per cent in the 1996-97 cohort to 58 per cent in the 2004-05 cohort.

3.19 *Reconviction rates by local geographic breakdown*

The analysis in this section compares two year reconviction rates for the 2004-05 cohort of offenders across approximate Local Authority areas, Community Justice Authorities and Police Forces, based on the location of the court where the index conviction was heard. Whilst this approach provides a useful estimate for these areas, it is important to note that an offender may not always be supervised in the area in which they are convicted and, additionally, that subsequent reconvictions may have occurred in different areas. The characteristics of offenders are also likely to vary across these areas.

3.20 The 2004-05 cohort can be grouped into approximate local authority areas based on the court of their index conviction, as in Table 6. This shows that the highest reconviction rate was for offenders whose index conviction was heard at a court in the Dundee City area: forty-nine per cent of such offenders were reconvicted within two years. The lowest reconviction rate was for offenders whose index conviction was received at a court in the Orkney Islands, 22 per cent of such offenders were reconvicted within two years. (It should be noted, however, that the

number of offenders in this area is relatively small and as such the rates are subject to fluctuations from year to year).

3.21 These approximate Local Authority areas can also be grouped into Community Justice Authority areas. Table 6 shows that the highest two year reconviction rate is for offenders whose index conviction was heard at a court either in South West Scotland or Glasgow areas (47 per cent). The area with the lowest reconviction rate for offenders convicted in court in this area was Lothian & Borders (41 per cent).

3.22 Table 7 illustrates the variation in reconviction rates by police force area. These rates are also based on the court where the index conviction occurred. The two year reconviction rates for Dumfries & Galloway (47 per cent), Tayside and Central (both 46 per cent) were the highest when presented by force area. In contrast, the rates for Lothian & Borders (41 per cent) and Northern (42 per cent) were the lowest.

4 Commentary on one year reconviction rates for 2005-06 cohort (Table 8)

4.1 For the first time, one year reconviction rates are presented for the most recent cohort available, the 2005-06 cohort. These statistics give an earlier suggestion of the trend of reconviction rates. It should be borne in mind that, due to their earlier publication, the 2005-06 one year reconviction rates are based on conviction data as recorded on the SOI one and a half years after the end of the cohort year. One year rates for previous cohorts are based on conviction data updated on the SOI two and a half years after the end of the cohort year, which will present a more complete picture. As such, the rates are not directly comparable. The 2005-06 one year rates will be updated with more complete conviction data in the next bulletin in this series.

4.2 Overall reconviction rates

Table 8 shows that 32.2 per cent of the 2005-06 cohort were reconvicted within 1 year of release from a custodial sentence or receiving a non-custodial disposal. The 1 year reconviction rates have remained broadly stable between 1996-97 and 2005-06, ranging between 31.3 per cent in 1999-00 and 33.1 per cent in 1996-97.

4.3 Reconviction rates by sex and age

Male offenders were more likely to be reconvicted within a year than females, 33 per cent of males were reconvicted within the first year compared to 26 per cent of females. This difference applied across all age groups but was particularly significant in the under 21 age group, where there was a difference of 15 percentage points.

4.4 For male offenders, the overall one year reconviction rate was highest for the under 21 age group at 43 per cent. This was markedly different from the rate for the over 30 age band which was 25 per cent. The intervening rates for the 21 to 25 and 26 to 30 age groups were closer to the overall rate for males at 36 and 35 per cent respectively.

4.5 Females aged 21 to 30 were more likely to be reconvicted than any other female age group, with 31 per cent being reconvicted within 1 year. Females over 30 were the group least likely overall to be reconvicted within 1 year with 20 per cent receiving at least one reconviction within one year.

4.6 Reconviction rates by index disposal and index crime

Across index disposals, those sentenced to a Drug Treatment and Testing Order (68 per cent reconvicted) or a Restriction of Liberty Order (51 per cent reconvicted) were on average more likely to be reconvicted within one year than those given a Community Service Order (30 per cent) or a monetary penalty (29 per cent). Forty-seven per cent of offenders discharged from a custodial sentence were reconvicted within one year.

4.7 Offenders with a sexual crime as their index crime had the lowest one year reconviction rate on average (11 per cent reconvicted). Those with a crime of dishonesty as their index crime had the highest reconviction rate (46 per cent reconvicted).

4.8 The one year reconviction rate for offenders with an index crime of dishonesty increased six percentage points from 40 per cent in 1996-97 to 46 per cent in 2005-06. Conversely, one year rates for breach of the peace index crimes decreased from 33 per cent to 31 per cent over the same period.

5 Appendix of tables

- Table 1: Persons released from a custodial sentence or given a non-custodial sentence in 2004-05: percentage reconvicted by sex, age, number of previous convictions, index disposal and index crime.
- Table 2: Persons released from a custodial sentence or given a non-custodial sentence in 2004-05: percentage reconvicted within 2 years by sex, age, number of previous convictions, index disposal, index crime and number of reconvictions.
- Table 3: Persons released from a custodial sentence or given a non-custodial sentence in 2004-05: percentage reconvicted within 2 years, by index disposal in 2004-05 age, sex and number of previous convictions.
- Table 4: Persons released from a custodial sentence or given a non-custodial sentence in 2004-05: percentage reconvicted within 2 years for selected crimes, by index crime.
- Table 5: Persons released from a custodial sentence or given a non-custodial sentence, 1996-97 to 2004-05: percentage reconvicted within 2 years by sex, age, index disposal and index crime.
- Table 6: Persons released from a custodial sentence or given a non-custodial sentence, 2004-05: percentage reconvicted by approximate Community Justice Authority and Local Authority Areas.
- Table 7: Persons released from a custodial sentence or given a non-custodial sentence in 2004-05: percentage reconvicted by police force of index conviction.
- Table 8: Persons released from a custodial sentence or given a non-custodial sentence, 1996-97 to 2005-06: percentage reconvicted within 1 year by sex, age, index disposal and index crime.

Persons released from a custodial sentence or given a non-custodial sentence in 2004-05
 Percentage reconvicted by sex, age, number of previous convictions, index disposal and index crime

Table 1

	Total number (=100%)	Percentage reconvicted within:			Percentage with a custodial reconviction within:		
		6 months	1 year	2 years	6 months	1 year	2 years
Sex by age							
Persons	49,267	23	32	44	6	10	15
under 21	11,650	28	39	53	6	10	15
21 to 25	10,575	26	36	49	8	12	18
26 to 30	7,515	24	35	48	8	11	17
over 30	19,527	17	25	36	5	8	11
Male Persons							
under 21	10,157	29	41	55	7	11	16
21 to 25	8,926	26	37	50	9	13	19
26 to 30	6,241	24	35	49	8	13	19
over 30	16,088	17	26	36	5	8	12
Female Persons							
under 21	1,493	20	28	39	4	5	7
21 to 25	1,649	24	35	46	6	8	11
26 to 30	1,274	23	33	43	4	5	8
over 30	3,439	15	22	32	2	4	6
Number and type of previous convictions⁽¹⁾							
Number of previous convictions							
None	16,090	11	17	26	1	2	4
1 or 2	11,169	18	27	38	2	4	7
3 to 10	13,444	27	39	53	6	10	16
Over 10	8,564	44	59	75	21	30	42
Number of previous custodial convictions							
None	37,365	17	26	37	2	4	7
1 or 2	4,794	30	43	58	11	17	25
3 to 10	4,831	41	56	73	21	30	42
Over 10	2,277	54	69	82	34	47	61
Number of previous community convictions⁽²⁾							
None	32,616	16	24	34	2	4	7
1 or 2	10,280	30	44	58	10	15	23
3 to 10	6,028	45	59	75	21	29	41
Over 10	343	54	68	84	28	38	53
Index disposal and crime in 2004-05							
Index disposal							
Discharged from custody	6,087	35	48	62	22	31	42
Community Service Order	2,792	20	30	42	5	8	14
Probation Order	4,262	34	47	59	11	16	23
Restriction of Liberty Order	414	42	57	71	16	27	37
Drug Treatment and Testing Order	235	67	78	88	37	43	55
Monetary	27,454	20	29	41	3	5	8
Other	8,023	15	22	34	3	5	8
Index crime							
Violent crime	12,678	17	26	37	5	7	11
Sexual crime	536	8	11	18	1	3	5
Dishonesty	10,648	34	46	58	13	19	26
Criminal damage	3,644	21	31	44	4	6	10
Drug offences	5,774	19	29	42	3	6	10
Breach of Peace	12,188	21	31	43	4	7	11
Other crimes and offences	3,799	22	32	46	6	10	15
Index disposal by sex							
Male Persons							
Discharged from custody	5,664	35	48	62	22	31	43
Community Service Order	2,369	22	32	45	6	9	15
Probation Order	3,415	34	47	60	11	17	25
Restriction of Liberty Order	372	42	57	72	15	27	37
Drug Treatment and Testing Order	192	66	77	86	35	43	56
Monetary	23,515	20	30	42	3	5	9
Other	5,885	16	23	35	3	5	9
Female Persons							
Discharged from custody	423	34	48	60	18	25	32
Community Service Order	423	12	18	24	1	3	4
Probation Order	847	34	46	57	8	11	15
Restriction of Liberty Order	42	43	57	69	24	29	40
Drug Treatment and Testing Order	43	74	86	93	42	44	51
Monetary	3,939	18	27	36	2	3	5
Other	2,138	13	19	30	1	2	4

1. Convictions since start of 1989.

2. Convictions resulting in a Community Service Order, Probation Order, Restriction of Liberty Order or Drug Treatment and Testing Order.

Persons released from a custodial sentence or given a non-custodial sentence in 2004-05 Table 2
 Percentage reconvicted within 2 years by sex, age, number of previous convictions, index disposal, index crime and number of reconvictions

	Total number (=100%)	Persons with following number of reconvictions within 2 years:				Average number of reconvictions ⁽¹⁾
		None	1 or 2	3 to 10	Over 10	
Sex by age						
Persons	49,267	56	29	14	*	2.5
under 21	11,650	47	33	20	1	2.7
21 to 25	10,575	51	31	17	1	2.7
26 to 30	7,515	52	31	16	*	2.5
over 30	19,527	64	26	9	*	2.2
Male Persons						
under 21	41,412	54	30	15	*	2.5
21 to 25	10,157	45	34	21	1	2.8
26 to 30	8,926	50	31	18	1	2.7
26 to 30	6,241	51	31	17	*	2.5
over 30	16,088	64	27	9	*	2.2
Female Persons						
under 21	7,855	62	26	11	1	2.4
21 to 25	1,493	61	26	13	1	2.5
21 to 25	1,649	54	29	16	1	2.7
26 to 30	1,274	57	29	14	*	2.5
over 30	3,439	68	24	8	*	2.2
Number and type of previous convictions⁽²⁾						
Number of previous convictions						
None	16,090	74	20	6	*	2.0
1 or 2	11,169	62	28	9	*	2.1
3 to 10	13,444	47	37	16	*	2.4
Over 10	8,564	25	38	35	2	3.3
Number of previous custodial convictions						
None	37,365	63	27	9	*	2.2
1 or 2	4,794	42	37	21	1	2.6
3 to 10	4,831	27	39	32	1	3.0
Over 10	2,277	18	33	46	3	3.9
Number of previous community convictions⁽³⁾						
None	32,616	66	26	8	*	2.1
1 or 2	10,280	42	37	21	1	2.6
3 to 10	6,028	25	38	35	2	3.3
Over 10	343	16	35	47	3	3.7
Index disposal and crime in 2004-05						
Index disposal						
Discharged from custody	6,087	38	32	28	2	3.2
Community Service Order	2,792	58	29	13	*	2.3
Probation Order	4,262	41	34	24	1	2.9
Restriction of Liberty Order	414	29	38	33	*	3.1
Drug Treatment and Testing Order	235	12	34	50	3	3.9
Monetary	27,454	59	29	11	*	2.2
Other	8,023	66	25	9	*	2.3
Index crime						
Violent crime	12,678	63	27	10	*	2.2
Sexual crime	536	82	15	3	-	1.9
Dishonesty	10,648	42	31	26	1	3.2
Criminal damage	3,644	56	30	13	*	2.4
Drug offences	5,774	58	32	10	*	2.0
Breach of Peace	12,188	57	30	13	*	2.3
Other crimes and offences	3,799	54	32	13	*	2.3
Index disposal by sex						
Male Persons						
Discharged from custody	5,664	38	33	28	2	3.3
Community Service Order	2,369	55	31	14	*	2.3
Probation Order	3,415	40	34	25	1	2.9
Restriction of Liberty Order	372	28	40	32	1	3.1
Drug Treatment and Testing Order	192	14	32	51	4	4.0
Monetary	23,515	58	30	11	*	2.2
Other	5,885	65	25	10	*	2.3
Female Persons						
Discharged from custody	423	40	29	30	1	3.2
Community Service Order	423	76	17	8	-	2.4
Probation Order	847	43	34	22	1	2.9
Restriction of Liberty Order	42	31	26	43	-	3.7
Drug Treatment and Testing Order	43	7	44	47	2	3.4
Monetary	3,939	64	27	9	*	2.2
Other	2,138	70	23	7	*	2.2

1. Average for offenders who had at least one reconviction within 2 years.

2. Convictions since start of 1989.

3. Convictions resulting in a Community Service Order, Probation Order, Restriction of Liberty Order or Drug Treatment and Testing Order.

4. See Section 6.5.11 for definitions of the notation used in this table.

Persons released from a custodial sentence or given a non-custodial sentence in 2004-05
 Percentage reconvicted within 2 years, by index disposal, age, sex and number of previous convictions⁽¹⁾

Table 3

Index disposal in 2004-05 by age	Males					Females				
	Total number (=100%)	Number of previous convictions				Total number (=100%)	Number of previous convictions			
		None	1 or 2	3 to 10	Over 10		None	1 or 2	3 to 10	Over 10
All	41,412	27	38	53	75	7,855	20	37	55	73
under 21	10,157	43	62	77	93	1,493	28	56	72	91
21 to 25	8,926	20	38	61	84	1,649	23	46	66	81
26 to 30	6,241	17	29	48	75	1,274	18	35	56	77
over 30	16,088	12	23	42	69	3,439	12	26	47	67
Discharged from custody	5,664	22	34	57	79	423	18	42	61	79
under 21	851	46	59	75	91	52	**	**	75	**
21 to 25	1,463	16	30	63	85	111	**	**	70	87
26 to 30	1,132	**	17	51	78	95	**	**	54	78
over 30	2,218	11	23	44	74	165	**	**	51	74
Community Service Order	2,369	31	37	53	75	423	12	22	41	77
under 21	681	45	59	82	94	65	**	**	**	**
21 to 25	566	23	33	55	88	73	**	**	**	**
26 to 30	337	23	26	46	67	81	**	**	**	**
over 30	785	12	22	41	71	204	**	**	38	71
Probation Order	3,415	43	55	63	77	847	35	57	62	81
under 21	945	63	79	85	98	181	49	75	76	**
21 to 25	638	35	53	71	86	190	39	58	62	94
26 to 30	533	24	46	59	77	164	**	63	53	77
over 30	1,299	15	32	50	71	312	16	41	65	73
Restriction of Liberty Order	372	61	60	72	84	42	**	**	**	82
under 21	154	67	73	77	100	11	**	**	**	**
21 to 25	84	**	**	67	94	12	**	**	**	**
26 to 30	51	**	**	64	72	8	**	**	**	**
over 30	83	**	**	74	79	11	**	**	**	**
Drug Treatment and Testing Order	192	**	**	79	89	43	**	**	95	88
under 21	9	**	**	**	**	4	**	**	**	**
21 to 25	52	**	**	87	94	21	**	**	**	**
26 to 30	67	**	**	**	90	8	**	**	**	**
over 30	64	**	**	**	84	10	**	**	**	**
Monetary	23,515	27	37	50	71	3,939	19	37	54	69
under 21	5,889	41	60	76	94	730	25	53	72	**
21 to 25	5,260	20	38	59	82	829	21	43	71	71
26 to 30	3,451	17	28	47	73	616	20	32	55	75
over 30	8,915	12	23	41	66	1,764	13	29	46	66
Other	5,885	23	33	48	64	2,138	19	31	48	66
under 21	1,628	39	59	76	83	450	26	49	69	**
21 to 25	863	16	34	58	74	413	22	47	57	69
26 to 30	670	15	32	42	64	302	15	32	57	77
over 30	2,724	10	19	39	60	973	14	17	38	59

1. Convictions since the start of 1989.

2. See Section 6.5.11 for definitions of the notation used in this table.

Persons released from a custodial sentence or given a non-custodial sentence in 2004-05
Percentage reconvicted within 2 years for selected crimes, by index crime, in 2004-05

Table 4

Index crime 2004-05	Total number (=100%)	Percentage with a reconviction within 2 years for:											Serious violent crime ⁽²⁾	Serious crime ⁽²⁾
		Any crime	Same crime category	Violent crime	Sexual crime	Prostitution	House breaking	Dishonesty ⁽¹⁾	Criminal damage	Drug offences	Breach of the peace			
All offenders	49,267	45	21	21	*	*	4	16	6	10	22	3	7	
Violent Crime					*	*								
Serious assault and homicide	1,290	35	4	20	*	*	2	8	5	6	18	5	7	
Robbery	554	62	7	31	*	1	8	29	8	15	25	12	18	
Simple Assault	10,626	37	17	23	*	*	2	7	6	6	21	3	5	
Other Violence	248	38	3	20	*	*	3	13	5	6	18	4	5	
Crimes of indecency					*	*								
Sexual Assault	141	13	*	11	*	*	*	2	2	3	5	1	1	
Other indecency	395	19	4	6	4	*	1	5	2	3	8	1	3	
Prostitution	94	84	69	18	3	69	2	24	3	20	27	2	3	
Crimes of dishonesty					*	*								
Housebreaking	1,221	68	29	24	*	*	29	43	9	16	23	6	20	
Theft OLP	625	63	16	23	*	*	14	40	10	16	22	5	15	
Theft of motor vehicle	642	60	16	28	1	*	10	32	13	12	24	6	14	
Shoplifting	3,830	69	46	23	*	1	7	53	6	18	23	4	9	
Other Theft	2,067	53	17	19	*	*	7	34	6	11	19	4	9	
Fraud	1,066	29	6	9	*	*	2	16	3	7	9	1	4	
Other Dishonesty	1,197	45	9	18	*	*	8	26	5	13	16	3	10	
Criminal damage					*	1	5	10	13	6	20	4	6	
Fireraising	145	39	2	20	*	*	3	11	12	7	26	3	6	
Malicious & reckless conduct	3,499	45	12	24	*	*	3	11	12	7	26	3	6	
Other					*	*	3	13	5	13	24	5	9	
Handling offensive weapons	2,473	48	11	23	*	*	3	13	5	13	24	5	9	
Crimes against public justice	1,211	42	13	17	1	*	3	15	4	11	16	3	7	
Drugs	5,774	43	21	14	*	*	2	12	4	21	15	2	6	
Breach of peace	12,188	44	29	24	*	*	2	9	6	7	29	3	5	
Other crime	21	24	*	19	*	*	5	5	5	*	14	5	5	

1. Excluding housebreaking.

2. See Annex - Data Definitions for more information

3. See Section 6.5.11 for definitions of the notation used in this table.

Persons released from a custodial sentence or given a non-custodial sentence, 1996-97 to 2004-05
Percentage reconvicted within 2 years by sex, age, index disposal and index crime

Table 5

Sex by age	Persons reconvicted within 2 years									
	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05	
Persons	44.4	42.6	42.5	42.9	43.9	44.2	45.2	44.7	44.5	
under 21	56	54	54	54	55	54	54	54	53	
21 to 25	47	46	46	48	48	49	51	49	49	
26 to 30	44	42	42	44	44	46	47	48	48	
over 30	33	32	32	31	33	33	35	35	36	
Male persons	46	44	44	44	45	46	47	46	46	
under 21	59	56	56	56	56	56	57	56	55	
21 to 25	48	47	47	49	49	50	52	50	50	
26 to 30	45	43	42	44	45	47	48	49	49	
over 30	34	33	33	32	34	34	36	36	36	
Female persons	34	34	34	35	37	36	38	38	38	
under 21	38	39	40	40	44	41	39	40	39	
21 to 25	37	40	40	41	44	43	45	45	46	
26 to 30	38	37	37	40	39	40	42	44	43	
over 30	27	27	27	26	28	29	31	30	32	
Index disposal and crime	Percentage reconvicted within 2 years:									
	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05	
Index disposal										
Discharged from custody	64	62	61	61	62	63	64	64	62	
Community Service Order	47	43	42	41	43	42	42	40	42	
Probation Order	60	59	59	59	60	61	62	59	59	
Restriction of Liberty Order ²	n/a	n/a	n/a	n/a	n/a	n/a	67	71	71	
Drug Treatment and Testing Order ³	n/a	n/a	n/a	n/a	86	83	88	89	88	
Monetary	42	40	40	40	41	40	41	41	41	
Other	34	33	31	32	33	33	33	33	34	
Index crime										
Violent crime	38	36	34	34	36	35	37	37	37	
Sexual crime	15	15	19	17	19	17	17	16	18	
Dishonesty	51	51	52	54	56	57	58	57	58	
Criminal damage	43	39	37	40	40	43	43	42	44	
Drug offences	39	39	39	39	39	39	42	42	42	
Breach of Peace	45	43	43	42	42	42	43	44	43	
Other crimes and offences	45	43	44	43	43	44	46	47	46	

1. Figures for previous cohorts may differ from previously published figures as updated information is fed into the Scottish Offenders Index.

2. Restriction of Liberty Orders were not available nationally until 2002.

3. DTTOs were rolled out to Glasgow, Fife and Aberdeen between 1999 and 2002, Edinburgh, Renfrewshire, Inverclyde and Tayside in 2002-03 and has been available to almost every court in Scotland since 2005-06.

Persons released from a custodial sentence or given a non-custodial sentence, 2004-05
 Percentage reconvicted by approximate Community Justice Authority and Local Authority Areas⁽¹⁾

Table 6

Community Justice Authority by approximate Local Authority Area ⁽¹⁾	Total number (=100%)	Percent reconvicted within:			Percentage with a custodial reconviction within:		
		6 months	1 year	2 years	6 months	1 year	2 years
Northern	6,401	22	32	43	5	8	12
Aberdeen City and Aberdeenshire ⁽²⁾	3,049	24	33	45	7	9	14
Eilean Siar	156	17	26	38	4	6	8
Highland	2,216	22	31	43	5	7	11
Moray	772	21	30	42	3	6	11
Orkney Islands	95	9	13	22	1	2	2
Shetland Islands	113	17	33	46	2	4	8
Tayside	4,316	23	34	46	6	10	16
Angus	1,009	19	29	40	4	6	11
Dundee City	2,202	26	37	49	8	13	19
Perth and Kinross	1,105	23	33	44	6	9	15
Fife & Forth Valley	5,673	23	33	45	6	8	13
Clackmannanshire	636	22	34	48	5	7	11
Falkirk	1,512	25	35	46	5	8	12
Fife	2,473	22	32	43	6	9	14
Stirling	1,052	24	33	46	6	9	14
Lothian & Borders	7,057	20	29	41	6	9	14
East Lothian	400	18	25	37	6	8	11
Edinburgh and Midlothian ⁽³⁾	4,524	20	29	40	6	10	15
Scottish Borders	1,019	23	33	47	5	8	12
West Lothian	1,114	19	27	39	5	8	11
North Strathclyde⁽⁴⁾	4,365	23	32	44	7	10	15
Argyll & Bute	631	18	28	40	4	5	8
East & West Dunbartonshire	1,188	24	35	46	7	10	15
East Renfrewshire and Renfrewshire ⁽⁵⁾	1,631	22	31	43	6	10	15
Inverclyde	915	26	36	46	9	13	19
Lanarkshire	5,831	21	30	42	6	8	12
North and South Lanarkshire ⁽⁶⁾	5,831	21	30	42	6	8	12
South West Scotland	5,381	24	34	47	8	12	18
Dumfries & Galloway	1,412	26	36	47	8	12	17
East, North and South Ayrshire ⁽⁷⁾	3,969	23	33	47	8	12	18
Glasgow⁽⁴⁾	10,237	24	35	47	7	11	16
Glasgow City ⁽⁸⁾	10,237	24	35	47	7	11	16
Unknown ⁽⁹⁾	6	**	**	**	**	**	**
Scotland⁽¹⁰⁾	49,267	23	32	44	6	10	15

1. Approximate areas are based on the court of the offenders index conviction. Some Sheriff Court boundaries include more than one local authority area.
2. Aberdeen City and Aberdeenshire (Aberdeen, Banff, Stonehaven and Peterhead Sheriff Courts).
3. City of Edinburgh and Midlothian (Edinburgh Sheriff Court).
4. Parts of East Dunbartonshire and Argyll & Bute are also served by Glasgow Sheriff Court as well as the Sheriff Courts in North Strathclyde. However, since this analysis is based on an approximation of court areas, East Dunbartonshire and Argyll & Bute have been included with North Strathclyde whilst Glasgow Sheriff Court is included with Glasgow CJA area.
5. Renfrewshire and East Renfrewshire (Paisley Sheriff Court).
6. North and South Lanarkshire (Airdrie, Hamilton and Lanark Sheriff Courts).
7. East, North and South Ayrshire (Kilmarnock and Ayr Sheriff Courts).
8. Includes the Stipendiary Magistrates court.
9. There were six offenders for which the court of the index conviction was unknown.
10. Includes High Court and Remit to High Court.
11. See Section 6.5.11 for definitions of the notation used in this table.

Persons released from a custodial sentence or given a non-custodial sentence in 2004-05
 Percentage reconvicted by police force of index conviction

Table 7

Police Force of Index Conviction	Total number (=100%)	Percentage reconvicted within:			Percentage with a custodial reconviction within:		
		6 months	1 year	2 years	6 months	1 year	2 years
All	49,267	23	32	44	6	10	15
Central	3,200	24	34	46	5	8	13
Dumfries & Galloway	1,412	26	36	47	8	12	17
Fife	2,473	22	32	43	6	9	14
Grampian	3,821	23	33	44	6	9	13
Lothian & Borders	7,057	20	29	41	6	9	14
Northern	2,580	21	30	42	4	7	11
Strathclyde	24,402	23	33	45	7	10	15
Tayside	4,316	23	34	46	6	10	16
Unknown ⁽¹⁾	6	**	**	**	**	**	**

1. There were six offenders for which the court of the index conviction was unknown.
2. See Section 6.5.11 for definitions of the notation used in this table.

Persons released from a custodial sentence or given a non-custodial sentence, 1996-97 to 2005-06
Percentage reconvicted within 1 year by sex, age, index disposal and index crime

Table 8

Sex by age	Persons reconvicted within 1 year									
	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06
Persons	33.1	31.8	31.7	31.3	31.8	32.4	32.9	32.6	32.4	32.2
under 21	44	42	42	41	42	41	41	41	39	41
21 to 25	35	34	34	35	35	36	37	36	36	35
26 to 30	32	30	30	32	31	33	35	36	35	34
over 30	24	23	23	22	22	23	24	24	25	25
Male persons	34	33	33	32	33	33	34	34	33	33
under 21	46	44	44	43	43	43	43	42	41	43
21 to 25	36	35	35	35	36	37	38	37	37	36
26 to 30	32	31	31	32	32	34	35	37	35	35
over 30	25	24	24	22	23	24	25	25	26	25
Female persons	25	26	26	26	26	27	27	27	28	26
under 21	30	30	30	31	34	31	30	30	28	28
21 to 25	28	30	30	31	32	32	33	33	35	31
26 to 30	28	28	28	30	28	29	30	31	33	31
over 30	20	19	19	18	18	21	22	21	22	20
Index disposal										
Discharged from custody	50	48	49	46	47	48	50	50	48	47
Community Service Order	35	32	31	29	29	29	29	28	30	30
Probation Order	49	47	48	46	47	49	49	47	47	44
Restriction of Liberty Order ²	n/a	n/a	n/a	n/a	n/a	n/a	54	58	57	51
Drug Treatment and Testing Order ³	n/a	n/a	n/a	n/a	60	75	77	79	78	68
Monetary	31	30	29	29	29	29	29	30	29	29
Other	24	23	22	22	22	23	23	22	22	23
Index crime										
Violent crime	26	25	24	23	24	24	25	25	26	25
Sexual crime	9	10	13	9	13	12	12	10	11	11
Dishonesty	40	40	41	43	44	46	46	46	46	46
Criminal damage	31	29	27	29	29	31	31	30	31	32
Drug offences	28	26	27	26	26	25	28	29	29	29
Breach of Peace	33	31	31	30	30	30	31	31	31	31
Other crimes and offences	33	32	34	30	30	31	33	34	32	32

1. Figures for previous cohorts may differ from previously published figures as updated information is fed into the Scottish Offenders Index.

2. Restriction of Liberty Orders were not available nationally until 2002.

3. DTTOs were rolled out to Glasgow, Fife and Aberdeen between 1999 and 2002, Edinburgh, Renfrewshire, Inverclyde and Tayside in 2002-03 and has been available to almost every court in Scotland since 2005-06.

6 Notes on Statistics Used in this Bulletin

6.1 Characteristics of the 2004-05 and 2005-06 cohorts

6.1.1 Table A below provides some background information on the 2004-05 and 2005-06 cohorts of offenders. Both cohorts had the same proportion of male and female offenders (84 and 16 per cent respectively). The distribution of offenders across the age bands was also the same: 24 per cent aged under 21; 21 per cent aged 21-25; 15 per cent aged 26-30; and 40 per cent aged over 30. Twenty-six per cent of the 2004-05 cohort and 27 per cent of the 2005-06 cohort had a violent crime as their index crime. The same proportion of offenders had no previous convictions (33 per cent) and no previous community convictions (66 per cent) in each cohort. Five per cent of each cohort had over 10 previous custodial convictions.

Persons released from a custodial sentence or given a non-custodial sentence in 2004-05 and 2005-06
Numbers and percentage by age, sex, index disposal, index crime and number of previous convictions⁽¹⁾

Table A

	2004-05 cohort		2005-06 cohort	
	Total number	Percentage	Total number	Percentage
Persons (=100%)	49,267	100	50,237	100
Age				
under 21	11,650	24	12,121	24
21 to 25	10,575	21	10,581	21
26 to 30	7,515	15	7,572	15
over 30	19,527	40	19,963	40
Sex				
Males	41,412	84	42,116	84
Females	7,855	16	8,121	16
Index disposal				
Discharged from custody	6,087	12	6,205	12
Community Service Order	2,792	6	3,271	7
Probation Order	4,262	9	4,487	9
Restriction of Liberty Order	414	1	488	1
Drug Treatment and Testing Order	235	*	275	1
Monetary	27,454	56	27,030	54
Other	8,023	16	8,481	17
Index crime				
Violent crime	12,678	26	13,464	27
Sexual crime	536	1	520	1
Dishonesty	10,648	22	9,914	20
Criminal damage	3,644	7	3,613	7
Drug offences	5,774	12	5,801	12
Breach of Peace	12,188	25	12,931	26
Other crimes and offences	3,799	8	3,994	8
Number of previous convictions				
None	16,090	33	16,672	33
1 or 2	11,169	23	11,491	23
3 to 10	13,444	27	13,396	27
Over 10	8,564	17	8,678	17
Number of previous custodial convictions				
None	37,365	76	38,448	77
1 or 2	4,794	10	4,832	10
3 to 10	4,831	10	4,604	9
Over 10	2,277	5	2,353	5
Number of previous community convictions⁽²⁾				
None	32,616	66	33,300	66
1 or 2	10,280	21	10,224	20
3 to 10	6,028	12	6,310	13
Over 10	343	1	403	1

1. Convictions since start of 1989

2. Convictions resulting in a Community Service Order, Probation Order, Restriction of Liberty Order or Drug Treatment and Testing Order.

3. See Section 6.5.11 for definitions of the notation used in this table.

6.2 The effect of “pseudo reconvictions”

6.2.1 As noted in Section 1, pseudo reconvictions are defined to be convictions which occur after the relevant date of the index conviction but which relate to offence(s) committed prior to that date. For example, this can arise in cases where there may be several sets of proceedings in train against an individual for offences committed on a range of dates. Pseudo reconvictions will therefore exaggerate the rate of “real” reconvictions to some extent. They will also complicate comparisons between reconviction rates for different types of disposal as they will tend to have less impact on the reconviction rates for offenders who are discharged from a long custodial sentence relative to those given non-custodial sentences. Pseudo reconvictions will also tend to be more significant when considering reconviction rates for groups of offenders with a relatively high frequency of offending, such as younger offenders or those engaged in particular kinds of crime. Unless otherwise specified, all of the reconviction rates quoted in this bulletin include pseudo reconvictions. This should therefore be borne in mind when making comparisons between the reconviction rates for different types of disposal and offender.

6.2.2 Since the Scottish Offenders Index does not generally contain information on offence dates, the precise extent of pseudo reconvictions remains unknown. However, it is possible to estimate their impact by making use of the fact that the police case reference numbers associated with most convictions recorded in the Strathclyde Police Force Area, and increasingly in other police force areas, contain the month and year that the offence was recorded. (More recently it has also been possible to obtain actual offence date). This information can be used to derive a proxy for the date of offence (on the assumption that in the majority of such cases it will be close to the date the actual offence was committed). This proxy (or where available, actual) offence date for a reconviction can then be compared with the relevant date of the index conviction to determine whether or not it is a pseudo reconviction.

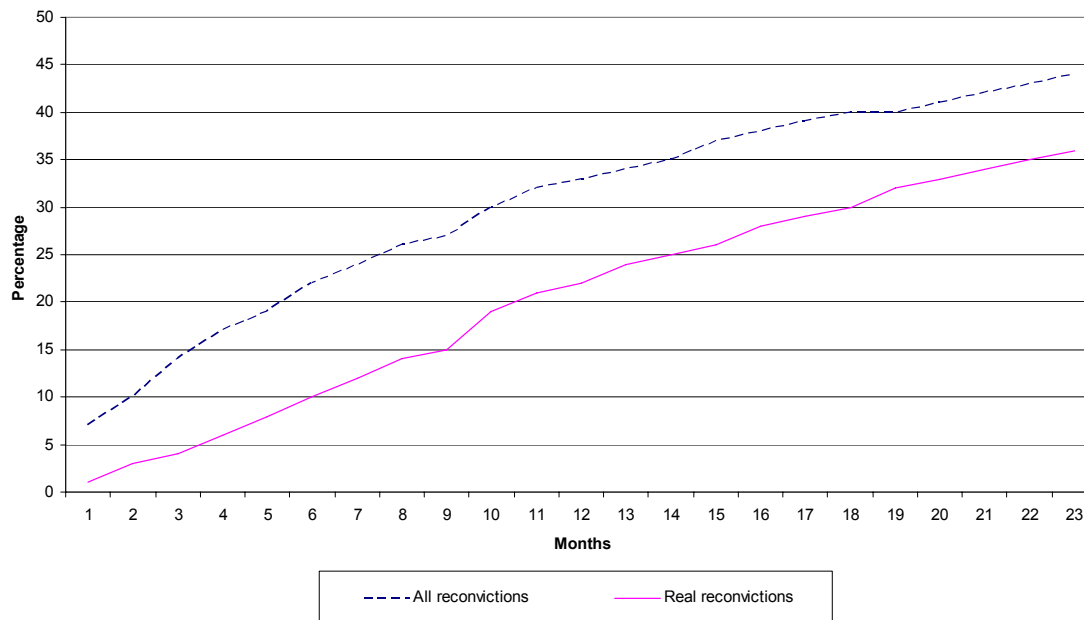
6.2.3 For 45,118 (92 per cent) of the cohort of offenders with an index conviction in 2004-05, offence dates for their convictions can be derived in the way described above. The profile of this subset of offenders, by sex, age, index disposal, index crime and number of previous convictions, is very similar to that of the cohort as a whole. It features the same gender split; the same proportion who were discharged from a custodial sentence, received a community sentence or probation; who had 1 or 2 previous convictions; and who had violent crime, sexual crime, dishonesty and drugs offences as their index crime. Therefore the fact that this is based on a subset of the 2004-05 is not judged to bias significantly this approach to estimating the effect of pseudo reconvictions.

6.2.4 A fifth of this subset of the 2004-05 cohort of offenders were reconvicted within two years for offences committed prior to the relevant date of their index conviction, i.e. had at least one pseudo reconviction within this period. However, 60 per cent of these offenders also had “real” reconvictions, i.e. in respect of offences committed after the relevant date of their index conviction. The overall two-year reconviction rate for this subset of the cohort was 43 per cent (slightly lower than the 44 per cent for the cohort as a whole). However, excluding pseudo reconvictions gives a “real” reconviction rate of 35 per cent. The average estimated effect of pseudo reconvictions is therefore 8 percentage points. Chart 3 (over) illustrates the effect of excluding pseudo reconvictions over a 2-year follow-up period.

Age, sex, index disposal and index crime in 2004-05	Total cohort		Cohort subset ⁽¹⁾		
	Overall rate of reconviction	Overall rate of reconviction	"Real" rate of reconviction	Estimated effect of pseudo reconvictions	Rate of pseudo reconvictions
All offenders	44	43	35	8	20
Age					
under 21	53	52	42	10	26
21 to 25	49	47	39	8	22
26 to 30	48	46	38	8	21
over 30	36	35	28	7	15
Sex					
Males	46	44	36	8	20
Females	38	37	29	8	18
Index disposal					
Discharged from custody	62	67	59	8	31
Community Service Order	42	40	33	7	17
Probation Order	59	56	46	10	28
Restriction of Liberty Order	71	66	55	11	33
Drug Treatment and Testing Order	88	84	73	11	51
Monetary	41	40	31	9	19
Other	34	33	27	6	13
Index crime					
Violent crime	37	35	29	6	14
Sexual crime	18	19	16	3	8
Dishonesty	58	56	47	9	29
Criminal damage	44	42	35	7	18
Drug offences	42	41	32	9	20
Breach of Peace	43	42	34	8	19
Other crimes and offences	46	45	35	10	22

1. Offenders for whom the month and year of the offence(s) they are convicted for can be proxied by information embedded within the associated police case reference number.

Chart 3: Reconviction rates of offenders discharged from custody or given non-custodial sentences in 2004-05 (subset of data)



6.2.5 As reconviction rates vary with type of crime, age and other factors, so might the effect of pseudo reconvictions. This is explored further in Table B. In general, those groups of offenders who tend to have higher reconviction rates also have higher rates of pseudo reconvictions, though the effect of these is generally offset by higher rates of “real” reconvictions.

6.2.6 The estimated overall effect of pseudo reconvictions on the reconviction rates for those discharged from a custodial sentence in 2004-05 was 8 percentage points. For offenders whose index conviction was a Drug Treatment and Testing Order or a Restriction of Liberty Order the effect was 11 percentage points for each. This will partly reflect the fact that the follow up time for reconvictions for the former group is taken from their estimated date of release from custody rather than the date they were originally sentenced to custody. Offenders released from custody, particularly those who have served relatively long sentences, might be expected to have fewer subsequent pseudo reconvictions.

6.2.7 The estimated effect of pseudo reconvictions ranged from 3 percentage points for those whose index crime was a sexual crime to 10 percentage points for other crimes and offences.

6.2.8 A comparison of the estimated effect of pseudo reconvictions on the two-year reconviction rates for each of the 1996-97 to 2004-05 cohorts of offenders is given in Table C. The difference between the cohorts ranges from 8 per cent to 11 per cent.

Persons released from a custodial sentence or given a non-custodial sentence in 1996-07 to 2004-05
Estimated impact of pseudo reconvictions on percentage reconvicted within 2 years⁽¹⁾

Table C

Age, sex, index disposal and index crime	Offender cohort								
	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05
All offenders	9	8	10	11	9	10	10	9	8
Age									
Under 21	11	10	11	12	12	11	11	11	10
21-25	10	9	10	12	11	10	10	9	8
26-30	10	9	10	11	10	10	10	10	8
Over 30	8	7	7	7	7	8	7	7	7
Sex									
Males	10	8	10	11	9	9	10	9	8
Females	8	9	9	10	9	9	9	11	8
Index disposal									
Discharged from custody	8	8	10	10	10	9	9	8	8
Community Service Order	10	11	9	10	10	10	10	10	7
Probation Order	12	11	12	13	12	12	12	12	10
Restriction of Liberty Order ³	n/a	n/a	n/a	n/a	n/a	n/a	11	11	11
Drug Treatment and Testing Order ⁴	n/a	n/a	n/a	n/a	18	21	12	11	11
Monetary	10	9	10	10	9	10	9	9	9
Other	8	6	7	8	8	8	7	6	6
Index crime									
Violent crime	7	6	6	6	7	8	8	7	6
Sexual crime	3	3	5	4	3	2	2	5	3
Dishonesty	10	10	11	13	12	11	11	10	9
Criminal damage	9	7	9	10	8	9	9	7	7
Drug offences	11	10	10	12	10	10	11	11	9
Breach of the peace	9	9	9	10	9	10	9	9	8
Other crimes and offences	10	10	11	11	11	12	12	12	10

1. Based on the subsets of offenders for whom the month and year of the offence(s) they are convicted for can be proxied by information embedded within the police case reference number.
2. Figures for previous cohorts may differ from previously published figures as updated information is fed into the Scottish Offenders Index.
3. Restriction of Liberty Orders were not available nationally until 2002.
4. DTTOs were rolled out to Glasgow, Fife and Aberdeen between 1999 and 2002, Edinburgh, Renfrewshire, Inverclyde and Tayside in 2002-03 and has been available to almost every court in Scotland since 2005-06.

6.3 Background and Methodology

6.3.1 The SOI currently contains data on around 430,000 offenders and approaching 1,500,000 convictions since SOI records began in 1989. Of these offenders, 82 per cent were male. Over half (57 per cent) of the convictions recorded on the SOI are accounted for by the 15 per cent of offenders who each had 6 or more convictions. Only 16 per cent of male offenders and 6 per cent of female offenders present on the SOI had received one or more custodial convictions in the period since 1989, whereas 80 per cent of males and 66 per cent of females had received more than one fine or other monetary penalty.

6.3.2 Definitions

The following terminology is applied throughout the bulletin:

Index conviction – for each offender in the cohort, this is the conviction which resulted in a non-custodial sentence being imposed or the one which had originally led to a custodial sentence being served.

Relevant date of the index conviction – the sentence date for non-custodial sentences or the estimated date of discharge from custody for custodial convictions.

Index disposal – the type of sentence imposed in the index conviction.

Index crime – the main offence for which the offender was convicted.

Previous convictions – all convictions preceding the relevant date of the index conviction.

Reconvictions – all subsequent convictions after the relevant date of the index conviction.

Custodial reconviction – a reconviction which results in a custodial sentence being imposed.

Rates of reconviction – the percentage of offenders with index convictions in the cohort who were reconvicted one or more times within a specified follow up period, for example two years, from the relevant date of the index conviction.

6.3.3 It is important to note that information on **convictions** and **reconvictions** is not the same thing as information on **offending** and **reoffending**, or **recidivism**. Not all offences which are committed are reported to the police, while some of those that are reported and recorded do not result in an offender being identified, charged and a report being sent to the Procurator Fiscal. For cases which are reported to the Procurator Fiscal, it may be decided to take no proceedings or to employ some alternative to prosecution such as a warning letter or a fiscal fine. Where persons are prosecuted, the proceedings may end up being dropped, e.g. where witnesses fail to turn up, or the accused may be acquitted. Convictions and reconvictions can therefore only ever be a subset of actual offending and reoffending, and reconviction rates only a proxy measure of reoffending rates.

6.3.4 The Scottish Prison Service also publishes annual return to custody information by gender, type of offender, age of offender, type of offence, length of time in prison prior to release and the time between release and subsequent return for those offenders who return to prison within the follow up period. This information can be accessed via their website at www.sps.gov.uk.

6.4 Data sources

6.4.1 The information presented in this bulletin is based on data held in the Scottish Offenders Index (SOI). This database, which is in turn derived from information held on the Criminal History System (CHS) at the Scottish Police Service Authority (SPSA), currently contains a record for each set of criminal proceedings against individuals (excluding companies) in Scottish courts. The data currently covers all convictions where sentence was imposed in the period beginning 1989 and the main offence involved was a crime in Groups 1-5 of the Scottish Government's classification of crimes and offences or the offences of simple assault, breach of the peace, racially aggravated harassment or conduct, miscellaneous firearms offences and social security offences.

6.4.2 It should be noted that the Criminal History System is not designed for statistical purposes. It is dependent on receiving timely information from the courts and police force records offices, while some types of outcome, e.g. acquittals, are weeded after a prescribed length of time. A pending case on the CHS is updated in a timely manner but there are occasions when a slight delay may happen. Recording delays of this sort generally affect High Court disposals relatively more than those for other types of court. The figures given in this bulletin reflect the details of court proceedings as made available to and recorded at SPSA, and as provided to the Scottish Government at 22 October 2007.

6.4.3 Each record on the SOI database includes information on the sex and age of the offender, the dates of conviction and sentence, the main offence involved and details of the sentence imposed. Information is also available on any offences which were additional to the main offence involved. Each offender has a unique reference number, which allows individual convictions for that offender to be linked together. (It should be noted that the SOI is a purely statistical database; names and other personal information of offenders are not held).

6.4.4 While virtually all convictions since 1989 for all crimes, simple assault, breach of the peace, racially aggravated harassment and conduct, miscellaneous firearm offences and social security offences are covered by the SOI, other types of conviction are not. These include:

- convictions for motor vehicle and most minor statutory and common law offences
- convictions in courts outwith Scotland
- convictions prior to 1989
- any relevant convictions not recorded by SPSA by 22nd October 2007

6.4.5 All but the most serious of offences alleged to have been committed by children under the age of 16 are generally dealt with by the children's hearings system. The SOI does not currently hold information on offenders' juvenile offending history.

6.4.6 It is not possible using the method described at note 6.5.9 to identify from the data those offenders released in 2004-05 from serving life sentences or, in some instances, very lengthy determinate sentences. This category of offender will therefore not have been available for possible selection for the set of index convictions in each cohort year. However, the number of offenders involved is relatively small (only around 50 offenders receive such sentences each year) and so will not affect the analysis presented in this bulletin significantly. Separate research evidence (*Life Sentence Prisoners in Scotland, Scottish Office, Machin et al, 1999*) shows that just over a quarter of the 491 life sentence prisoners released on licence were reconvicted.

6.5 Counting rules, data definitions and notation

Counting rules

6.5.1 If more than one set of court proceedings against an offender is disposed of on the same day, then each occasion will be counted as a separate conviction record in the SOI.

6.5.2 Generally only the initial court sentence is included in the statistics on convictions, so that, for example, a person fined is regarded as fined even if he or she subsequently goes to prison in default of payment. Similarly, the offenders released from prison who are included in the analysis in this bulletin will only include those directly sentenced to prison, i.e. persons released after imprisonment for fine default are excluded. Also, no account is taken of the outcome of appeals, or of interim decisions such as deferral of sentence.

6.5.3 Where a person is convicted for more than one charge, then it is the main offence which is recorded in the SOI. The main offence is taken to be the charge receiving the severest penalty. If more than one charge receives the same (or a combined) penalty, then the main offence is the one judged by the police (who provide the information) to be the most serious. In the analysis of reconvictions presented in this bulletin, where an offender was sentenced for a court or bail-related offence and other offences on the same day, then the most serious of the latter is taken as being the main offence (even where the court or bail offence had attracted the heaviest penalty).

6.5.4 The police record very detailed information on statutory offences but this does not always correspond exactly to the Scottish Government classification of crimes and offences. The most important example in numerical terms is an offence under Section 41(1)(a) of the Police (Scotland) Act 1967. This offence relates to "any person who assaults, resists, obstructs, molests or hinders a constable..". Scottish Government classification divides this into 3 categories - resisting arrest, serious assault and simple assault, but this distinction is not made by the courts. The majority of such cases are thought to have been classed as simple assault, and all the offences under this subsection have been so classified from 1988 onwards. Only a minimal number of cases are affected by other instances of this type of problem.

6.5.5 In order to analyse reconvictions, a decision has to be made as to which of an individual's convictions in a series is to be taken as a reference point, or index conviction. That is, the conviction before which all convictions are counted as previous convictions, and after which are counted as reconvictions. In this bulletin, the rule for choosing the index conviction is the first occasion in the year in question on which an individual was given a non-custodial sentence, or the first date at which an individual was estimated to have been released from prison from a custodial sentence,

whichever occurred first. This is defined to be the offender's index conviction. The crime and sentence involved in this index conviction are referred to throughout this bulletin as the index crime and index disposal respectively. The analysis then considers the proportion of these individuals who are reconvicted within 1 and 2 years from the date of sentence or the estimated prison release date, i.e. from the relevant date of the index conviction. Convictions for a court or bail related offence, are not considered as index convictions. If the first conviction in the year for a particular offender was for such an offence, their next non-court related conviction was taken instead. Where an individual had no further convictions in the year for non-court related crimes they are not included in the data set.

6.5.6 Where there is a choice of more than one index conviction for an individual, i.e. where they received more than one sentence disposal on the same day, then the one selected is by reference to a) the most severe form of sentence, and then b) the most serious main offence.

Data definitions

6.5.7 Crimes and offences and sentence type have been grouped in this bulletin as follows.

Crime category	Crimes and offences included
Violent crime	Murder, culpable homicide, attempted murder, serious assault, robbery, common assault, other violence.
Sexual crime	Rape, attempted rape, indecent assault, lewd and libidinous practices, other indecency, breach of a sex offender order. Excludes prostitution offences.
Dishonesty	Housebreaking, theft by opening lockfast places, theft of motor vehicle, other theft, fraud, other crimes of dishonesty and social security offences.
Criminal damage	Fire-raising, vandalism.
Drug offences	Illegal importation, supply or possession of drugs, other drug offences
Breach of the peace	Breach of the peace, racially aggravated harassment, racially aggravated conduct.
Other crimes and offences	Crimes against public justice, handling offensive weapons, miscellaneous firearm offences, prostitution offences, other crimes and offences (not elsewhere specified).
Serious violent crime	As per violent crime, but including only those convictions which took place in the High Court or a Sheriff solemn court.
Serious crime	All convictions which took place in the High Court or in a sheriff solemn court, and any other convictions for serious assault, robbery, possession of a firearm with intent to endanger life etc., abduction, attempted rape and indecent assault.

Sentence category	Sentences included
Custody	Custodial sentence to prison, young offender's institution or child detention, excluding life and indeterminate sentences.
CSO	Community Service Order
PO	Probation Order (with or without CSO or RLO)
DTTO	Drug Treatment and Testing Order
RLO	Restriction of Liberty Order
Monetary	Fine, compensation order, caution.

Other	Supervised Attendance Orders, absolute discharge, remit to children's hearing, admonishment, hospital order, guardianship order, finding of insanity, hospital order & restricted order, supervision and treatment order and disposals not elsewhere specified.
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6.5.8 The age of each person relates to their age at the time that sentence was passed. This also applies to offenders discharged from a custodial sentence, i.e. their age at the date of sentence rather than estimated release date is taken.

6.5.9 Information on actual dates of release for prisoners is not currently available for matching with the conviction data held on the Scottish Offenders Index. For the purposes of the analysis in this bulletin, the date of release for offenders given a custodial sentence has therefore been estimated from their date of sentence, the length of sentence imposed, assumptions about time spent on remand and release on parole, and information about whether the offender had been granted bail. The release date estimated by this approach will inevitably not always tie in with the (unknown) actual release date because the offender may be serving other custodial sentences for example, or because the sentence may have been backdated. However, this is not judged to be significant for the analysis purposes here. The main exception to this relates to offenders discharged from life sentences or, for some cohorts, very long determinate custodial sentences - see Section 6.4.6.

Notation

6.5.10 Please note that headline figures in Table 5 and Table 8 have been produced to one decimal place. All other rates are presented to the nearest whole number.

6.5.11 The following symbols are used throughout the tables in this bulletin:

- Nil
- * Less than 0.5
- n/a Not available
- ** rates based on less than 10 people and not suitable for publication

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