

Statistical Bulletin

Crime and Justice Series

A National Statistics Publication for Scotland

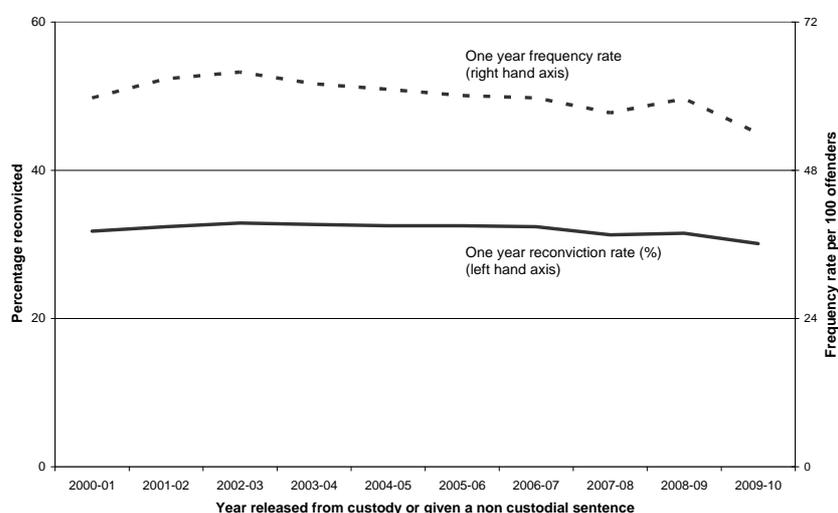


RECONVICTION RATES IN SCOTLAND: 2009-10 OFFENDER COHORT 25 September 2012

1 Introduction

1.1 This publication provides analyses of one year reconviction rates and one year reconviction frequency rates¹ for the cohort of offenders released from a custodial sentence or receiving a non-custodial disposal in 2009-10, including non-court disposals².

Chart 1 **Reconviction frequency rates and reconviction rates: 2009-10**



1.2 The one year reconviction rate has fallen by 1.4 percentage points, the most recent figure being 30.1 per cent in 2009-10. The one year reconviction frequency rate for the 2009-10 cohort is 54.0 reconvictions for every 100 offenders, a decrease on the 2008-09 reconviction frequency rate of 59.6³ ([Chart 1](#)).

¹ An explanation of reconviction rate, reconviction frequency rate and cohort are provided in [Section 3](#).

² Non-court disposals are discussed in [Section 5](#).

³ These figures have been revised since the previous publication (previously reported as 57.9) as data have been updated (see [Section 12.3.2](#) for more details).

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2 Key points

- Over the past eight years there has been a decline in the one year reconviction rate. In 2002-03 the one year reconviction rate was 32.9 per cent, whereas in 2009-10 it is 30.1 per cent; a reduction of 2.8 percentage points. Over the same time period there has been a reduction in reconviction frequency rate from 63.9 to 54.0; a reduction of nearly 10 reconvictions for every 100 offenders ([Table 1](#)).
- There has been a marked fall over time in the number of reconvictions for the under 21 age group. In 1997-98 this group had a reconviction frequency rate of 93.4 and in 2009-10 the reconviction frequency rate is 65.3; over twelve years a fall of just over 28 reconvictions for every 100 young offenders ([Table 3](#)).
- Offenders given a Drug Treatment and Testing Order (DTTO) have the highest reconviction frequency rate compared to other disposals. This has declined over the past seven years: in 2002-03 the one year reconviction frequency rate was 240.6 and in 2009-10 the rate is 149.6, representing a reduction of 91 reconvictions for every 100 offenders ([Table 6](#)).
- Offenders who commit a crime of dishonesty have the highest reconviction frequency rate compared to those who commit other crimes, and offenders who commit a sexual crime have the lowest reconviction frequency rate. In 2009-10, the reconviction frequency rate is 93.4 for offenders who committed crimes of dishonesty and 14.6 for offenders who committed a sexual crime ([Table 7](#)).
- Offenders who were released from a custodial sentence of 3 months or less have the highest reconviction frequency rate compared to those who were released from longer sentences. The reconviction frequency rate for those released from a sentence of 3 months or less is 129.1. This compares with a reconviction frequency rate of 74.2 for those released from a sentence of 6 months to 2 years. Over time there is some evidence of a reduction in the reconviction frequency rate. In seven years, there has been a reduction of nearly 22 reconvictions for every 100 offenders who served a sentence of less than 3 months ([Table 8](#)).
- In 2009-10, 80.5 per cent of police disposals were anti social behaviour fixed penalty notices and 27.5 per cent of offenders who were given these disposals were given another non-court disposal within one year ([Table 17](#)).
- In 2009-10, 56.8 per cent of Crown Office and Procurator Fiscal disposals were fiscal fines and 23.4 per cent of offenders who were given these disposals were given another non-court disposal within one year ([Table 18](#)).

3 Background

3.1 The underlying principle of measuring recidivism is that someone who has received some form of criminal justice sanction (such as a community sentence or a fine) goes on to commit another offence within a set time period. In this case, the cohort of interest consists of offenders who have been released from a custodial sentence or received a non-custodial sentence during the period (see [Section 12.2](#) for more details).

3.2 Scotland's criminal justice system is complex and many different outcomes and interventions are possible at each stage of the offenders journey. The complexity of this system is summarised in the Audit Scotland report ([An Overview of Scotland's criminal justice system](#)) and is shown in [Chart 2](#). It points out that not all offences reported to the police result in a conviction, and reoffending (measured at the start of the process) is not the same thing as reconviction (produced right at the end of the criminal justice process). The latter can be affected by many different variables that are not necessarily related to the incidence of crime ([National Audit Office 2012 Comparing International Criminal Justice Systems, Briefing for the House of Commons Justice Committee](#)).

3.3 This bulletin provides more detailed analysis of reconvictions by focussing on the complementary measure of frequency of reconviction, in addition to the reconviction rate. While the reconviction rate provides an indication of progress in tackling offender recidivism at a global level, it may not be sensitive enough to detect individual-level progress as a result of interventions and programmes in the criminal justice system; such programmes may have been successful in reducing the frequency of reconviction, but not in complete desistance from crime.

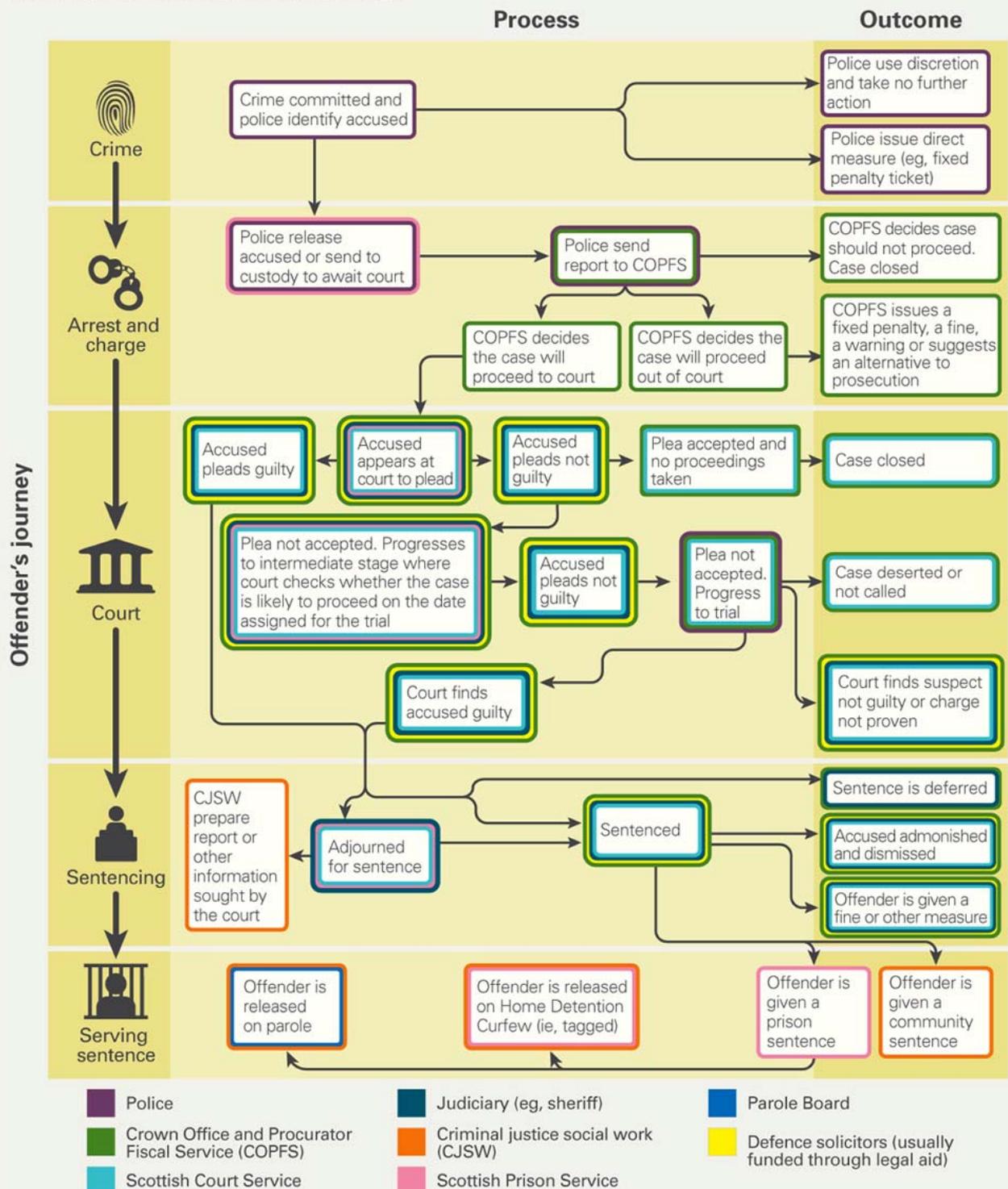
3.4 The reconviction frequency rate is presented here as the average number of reconvictions within a specified follow up period from the date of the index conviction per 100 offenders. For example, the 2009-10 one year reconviction frequency rate is 54.0 ([Table 1](#)) and this means that there were 54 reconvictions for every 100 offenders in the year following their index conviction in 2009-10.

Chart 2 Offenders journey through the criminal justice system.
 (Source: Audit Scotland 2012 *An overview of Scotland's criminal justice system*)

Exhibit 1

Overview of an offender's journey through the criminal justice system

Scotland's criminal justice system comprises many processes and is delivered by a range of bodies and individuals, with different possible outcomes at each stage.



Note: Coloured borders round the boxes signify the different bodies generally involved at that stage of the process.
 Source: Audit Scotland

4 Main findings: reconviction rates for court disposals⁴

[\(Tables 1 to 16\)](#)

4.1 There were 47,336 offenders discharged from custody or given a non-custodial sentence in 2009-10 ([Table 1](#)). In the following year, these 47,336 offenders had 54.0 reconvictions for every 100 offenders, and the reconviction rate was 30.1 per cent.

4.2 Over the past eight years the number of offenders discharged from custody or given a non-custodial sentence increased from 44,854 in 2002-03 to 53,248 in 2006-07 but has since declined to 47,336 in 2009-10. During this period, there has generally been a decline in the one year reconviction frequency rate and a corresponding decline in the one year reconviction rate ([Table 1](#) and [Chart 1](#)). This decrease is somewhat expected given a falling number of crimes and offences recorded by the police since 2004-05 ([Recorded Crime in Scotland, 2011-12](#)). Crime and victimisation surveys also reveal a similar pattern of falling incidence of crime ([Scottish Crime and Justice Survey, 2010-11](#)).

4.3 In 2002-03, the reconviction frequency rate was 63.9 and the reconviction rate was 32.9 per cent, whereas in 2009-10 they are 54.0 reconvictions per 100 offenders and 30.1 per cent respectively. Overall, this shows that there has been a reduction of nearly 10 reconvictions for every 100 offenders between 2002-03 and 2009-10, and a decrease in offender reconviction by 2.8 percentage points.

Age and gender

4.4 Males have higher reconviction frequency rates and higher reconviction rates than females ([Table 2](#)). The reconviction frequency rate in 2009-10 is 56.1 and 44.0 for males and females respectively, the reconviction rates are 31.3 and 24.3 per cent.

4.5 Those aged under 21 have the highest reconviction frequency rate and the highest reconviction rate ([Table 3](#) and [Chart 3](#)). The reconviction frequency rate is 65.3 in 2009-10, a fall of 6.7 reconvictions for every 100 offenders since 2008-09. The reconviction rate for this age group is 36.1 per cent in 2009-10, a fall of 1.8 percentage points since 2008-09.

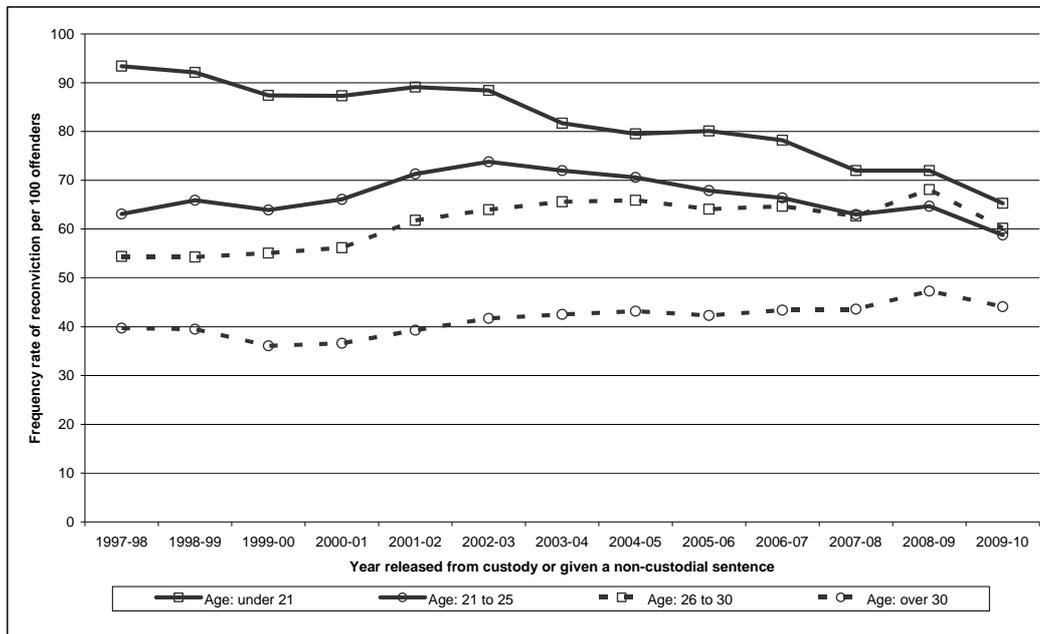
4.6 In 1997-98 there was a marked difference in the level of reconviction between those offenders aged under 21, against those aged 21 and over. However, in 2009-10 the difference in reconviction between these two age groups is not as pronounced. In 1997-98 the reconviction frequency rate for the under 21 age group was 93.4 and for those aged over 21 it ranged from 39.7 to 63.1. However, in 2009-10 the reconviction frequency rate for the under 21 age group was 65.3 and for those aged over 21 it ranged from 44.1 to 60.2. Therefore, this marked difference is largely because of a striking fall in the number of reconvictions for the under 21 age group. In 1997-98 this group had a reconviction frequency rate of 93.4 and in 2009-10 the reconviction frequency rate is 65.3; a fall of about 28 reconvictions for every 100 offenders over an 12 year period.

4.7 Over the past seven years there has also been a general decline in reconviction frequency rate for those offenders who are aged 21 to 25. In 2002-03 the one year

⁴ The reconviction frequency rate and reconviction rate applies to all offenders subject to an index disposal, irrespective of whether the offender successfully completed their sentence. Information is not available via the Scottish Offenders Index on completion rates for community sentences.

reconviction frequency rate was 73.8 and in 2009-10 it is 58.8. Overall, for those aged between 21 and 25, this shows that there has been a reduction of over 15 reconvictions for every 100 of these offenders.

Chart 3 One year reconviction frequency rates by age: 1997-98 to 2009-10 cohorts



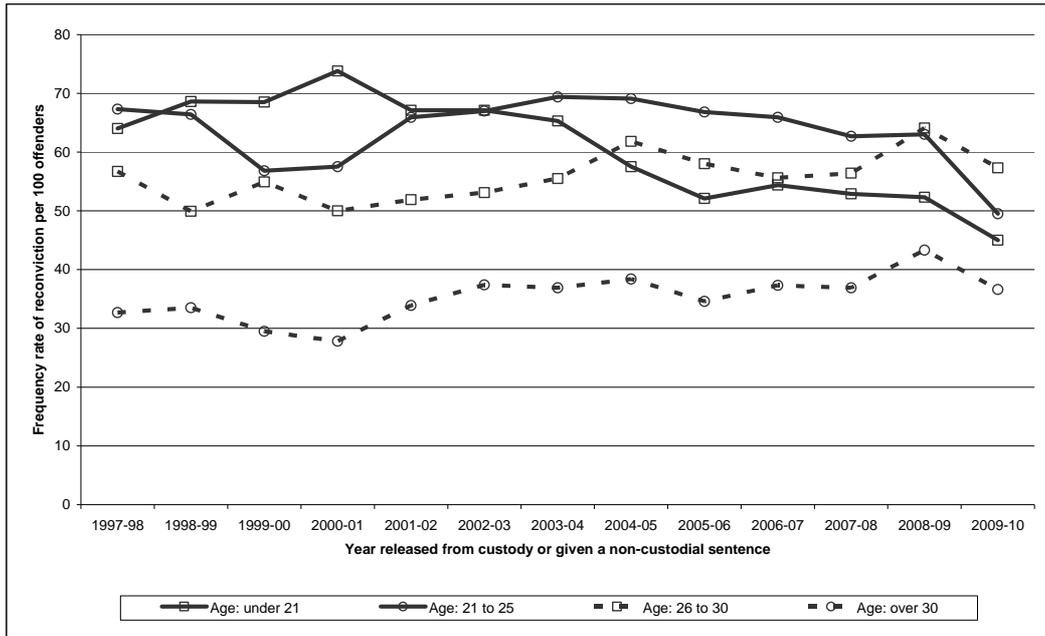
4.8 There has also been a decline in the one year reconviction rate between 2002-03 and 2009-10. The one year reconviction rates for 2002-03 were 41.3 and 37.1 per cent for the under 21 and 21 to 25 age groups respectively, and the reconviction rates for 2009-10 were 36.1 and 33.2 per cent for the two age groups.

4.9 Conversely, over the past seven years there has been a slight increase in reconviction frequency rate for those offenders aged over 30. In 2002-03, the one year reconviction frequency rate was 41.7, in 2008-09 it reached 47.3, but it has fallen back to 44.1 in 2009-10.

4.10 Males aged under 21 have the highest reconviction frequency rate and the highest reconviction rate ([Table 4](#)). The reconviction frequency rate is 68.7 in 2009-10, and the reconviction rate for this age group is 37.9 per cent.

4.11 Between 2006-07 and 2009-10 there has been a decline in the reconviction frequency rate for those female offenders who are aged 25 and under ([Table 5](#) and [Chart 4](#)). The under 21 age group declined from 54.4 to 45.0 and the 21 to 25 age group declined from 65.9 to 49.5.

Chart 4 One year reconviction frequency rates, females by age: 1997-98 to 2009-10 cohorts

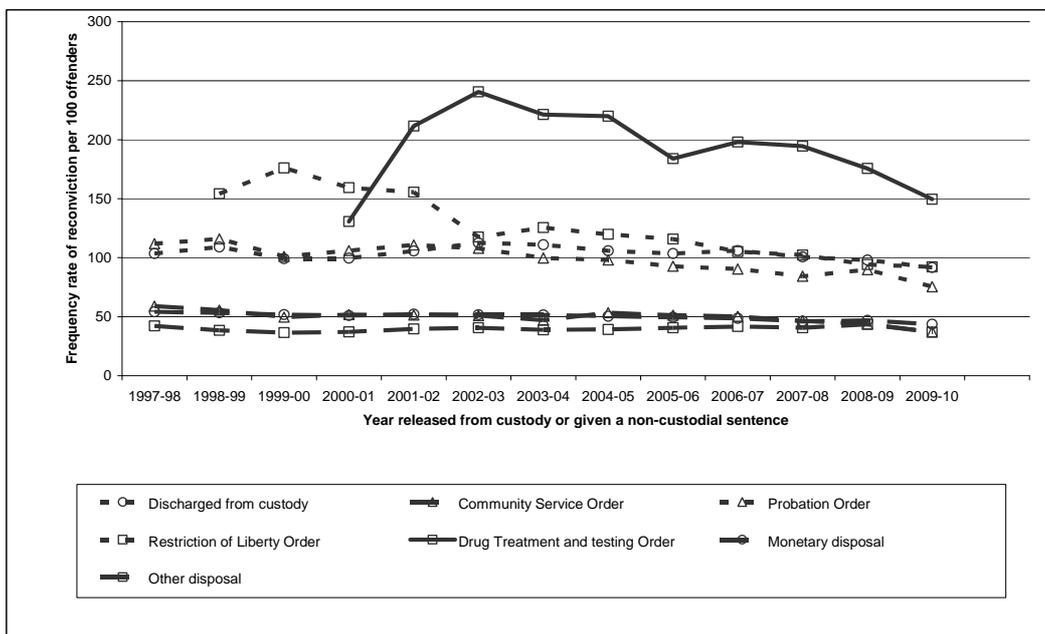


Index disposal

4.12 Offenders given a DTTO have the highest reconviction frequency rate and the highest reconviction rate compared to the other disposals (Table 6 and Chart 5). The reconviction frequency rate is 149.6 in 2009-10, and the reconviction rate is 62.8 per cent.

4.13 Over time there has been a decline in the reconviction frequency rate for those offenders who are given a DTTO. These orders were rolled out to Glasgow, Fife and Aberdeen between 1999 and 2002, and Edinburgh, Renfrewshire, Inverclyde and Tayside in 2002-03. In 2002-03 the one year reconviction frequency rate was 240.6 and in 2009-10 the rate is 149.6. Overall, for those given a DTTO, this shows that there has been a reduction of 91 reconvictions for every 100 of these offenders.

Chart 5 One year reconviction frequency rates by disposal: 1997-98 to 2009-10 cohorts



4.14 There has also been a decline in reconviction rates for those given DTTOs. The one year reconviction rate for 2003-04 was 79.1 per cent, and the reconviction rate for 2009-10 was 62.8 per cent.

4.15 The reconviction frequency rate for offenders given a custodial sentence or a probation order are of a similar magnitude. The reconviction frequency rates are 91.8 and 75.5 respectively for these disposals in 2009-10. On the other hand, the reconviction frequency rate for offenders given a community service order is 37.3 for every 100 offenders in 2009-10.

4.16 The reconviction frequency rate for all disposals show some evidence of a decline since 2002-03. While there is this general decline in reconviction rates for custodial sentences, this is set against a rising prison population during the same period. The complexity in relation to the drivers of the prison population is discussed in detail in the publication [Prison statistics and population projections Scotland: 2011-12](#).

4.17 There was a substantial decrease in the number of individuals who were given a monetary disposal in a court in 2009-10 compared to 2007-08 (20,961 offenders compared to 27,493), and this reflects the impact of summary justice reform which was designed to take less serious cases out of the court system (see [Section 5](#)).

Index crime

4.18 Not surprisingly, offenders who commit lower level high volume crimes are more likely to be reconvicted than those who commit more serious crimes. Offenders who committed a crime of dishonesty have the highest reconviction frequency rate and the highest reconviction rate compared to those who committed other crimes ([Table 7](#)). The reconviction frequency rate is 93.4 for offenders who committed crimes of dishonesty in 2009-10, and the reconviction rate is 43.4 per cent.

4.19 Offenders who committed a sexual crime have the lowest reconviction frequency rate and the lowest reconviction rate compared to those who committed other crimes. The reconviction frequency rate is 14.6 for those who committed a sexual crime in 2009-10, and the reconviction rate is 10.1 per cent.

4.20 Offenders who committed crimes other than sexual crimes or crimes of dishonesty in 2009-10 have a reconviction frequency rate between around 40 and 60. The reconviction rates are between 24 and 32 per cent.

4.21 Reconviction rates by crime type are also available at a more detailed level in [Table 16](#). Offenders in the 2009-10 cohort who were convicted of prostitution, shoplifting and housebreaking had the highest one year reconviction rates. Those convicted of these crimes had one year reconviction rates of 71, 58 and 53 per cent respectively. Forty four per cent of offenders who were convicted of shoplifting in 2009-10 were reconvicted of at least one other crime of dishonesty within a year.

Sentence length

4.22 Offenders who were released from a custodial sentence of 3 months or less have the highest reconviction frequency rate and the highest reconviction rate compared to those who were released from longer sentences ([Table 8](#)). As mentioned above, this is not surprising given that offenders committing relatively low

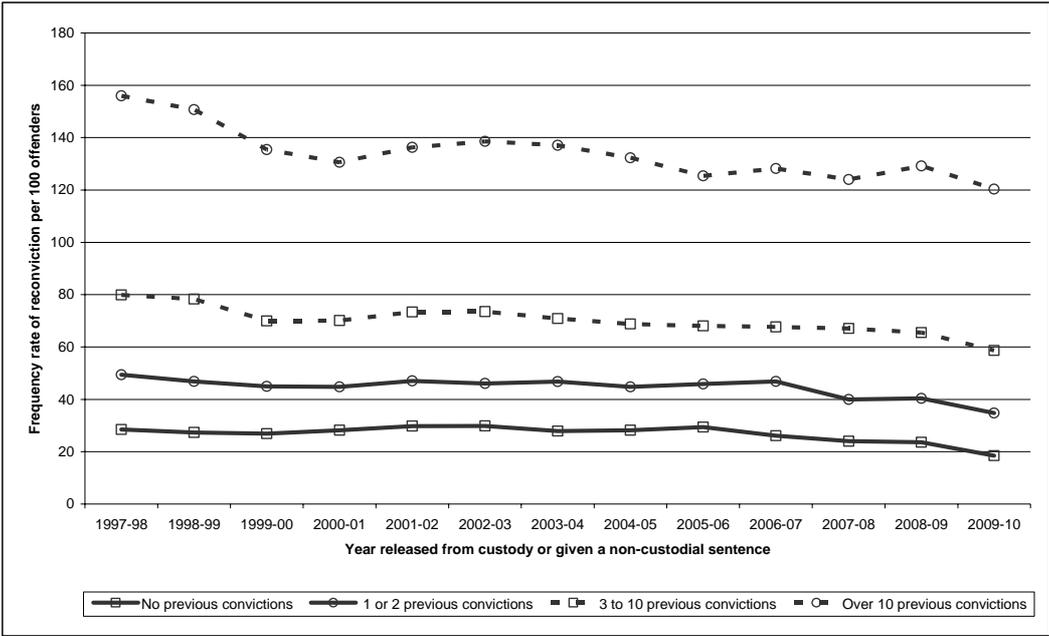
level but high volume crimes will be more likely to get short prison sentences. For those on these short sentences the reconviction frequency rate is 129.1 in 2009-10, and the reconviction rate is 58.4 per cent. On the other hand, those released from sentences of over 6 months to 2 years had a reconviction frequency rate of 74.2 in 2009-10.

4.23 In recent years there is some evidence of a reduction in the reconviction frequency rate for offenders who were released from a custodial sentence of 3 months or less. In 2003-04 the reconviction frequency rate was 151.2 and in 2009-10 it has declined to 129.1. In six years, a reduction of nearly 22 reconvictions for every 100 offenders.

Conviction history

4.24 Offenders with a history of convictions have the highest reconviction frequency rate and the highest reconviction rate (Tables 9 to 11, and Chart 6). Those offenders with over 10 previous convictions in 2009-10 had a reconviction frequency rate of 120.3. The reconviction rate is 56.8 per cent for this cohort in 2009-10.

Chart 6 One year reconviction frequency rates by previous convictions: 1997-98 to 2009-10 cohorts



4.25 Over time there is some evidence of a reduction in the reconviction frequency rate for offenders who had over 10 previous convictions. In 1997-98 the reconviction frequency rate was 156.0, and in 2009-10 this has declined to 120.3. In 12 years, a reduction of nearly 36 reconvictions for every 100 of these prolific offenders.

4.26 The reconviction frequency rate declines as the number of previous convictions decline. Offenders who had no previous convictions have the lowest reconviction frequency rate and the lowest reconviction rate. The reconviction frequency rate is 18.5 in 2009-10, and the reconviction rate was 12.7 per cent.

Administrative area

4.27 Reconviction rates vary across administrative areas (based on court location). However, it is important to note that an offender may not always be supervised in the

area in which they are convicted and, additionally, subsequent reconvictions may have occurred in different areas. The characteristics of offenders are also likely to vary across these areas, therefore such comparisons between areas should be treated with caution, and it is suggested that a method which takes this into account should be employed (see [Section 6](#)).

4.28 [Table 13](#) shows the two highest reconviction frequency rates and reconviction rates were for offenders whose index conviction was given at courts in the Dundee City area and the Angus area (both in Tayside CJA), and the lowest rates was for offenders whose index conviction was received at a court in Shetland and West Lothian. These are unadjusted figures which do not take account of underlying differences in population composition, such as offender mix.

4.29 [Table 13](#) also includes measures of the reconviction frequency rate and reconviction rate at the CJA level for the 2009-10 cohort. It shows that the highest reconviction frequency rate is in Tayside CJA (66.4), whereas the lowest is in Lothian and Borders CJA (48.7). The reconviction rate is also highest for Tayside CJA (33.7 per cent) and lowest for Lothian and Borders CJA (27.1 per cent).

4.30 [Table 14](#) includes measures of the reconviction frequency rate and reconviction rate at the police force level for the 2009-10 cohort. It shows that the highest reconviction frequency rate is in Tayside Police force (66.1), whereas the lowest is in Northern Police (43.3). The reconviction rate is also highest for Tayside Police (33.6 per cent) and lowest for Northern Police (26.7 per cent).

Two year rates

4.31 Historically reconviction rates in Scotland have been reported with a two year follow-up period. However, in future publications more focus will be provided on the one year reconviction frequency rates and one year reconviction rates (see [Section 11](#)). The reason for changing this is due to timeliness and a shorter lead time

4.32 Since 2002-03 there has been a decline in the two year reconviction rate and generally a corresponding decline in the two year reconviction frequency rate ([Table 15](#)). In 2002-03 the reconviction frequency rate was 118.4 and the reconviction rate was 45.3 per cent whereas in 2008-09 these were 105.9 and 42.2 per cent respectively. Overall, this shows that there has been a reduction of nearly 13 reconvictions for every 100 offenders between 2002-03 and 2008-09, and a decrease in offender reconviction by 3.1 percentage points.

5 Main findings: non-court disposals

([Tables 17](#) and [18](#))

5.1 Changes were introduced as a result of the [Criminal Proceedings Act 2007](#) and these were collectively known as [summary justice reform](#). They were designed to take less serious cases out of the justice system earlier, and to have a complementary outcome of reducing the time that other cases proceeded through the court.

5.2 In 2007-08 a range of options became available to the police for dealing with minor offences. This included [anti-social behaviour fixed penalty notices](#) (ASBFPNs) and formal adult warnings for crimes such as breach of the peace, urinating, consuming alcohol in a public place, and for minor driving offences.

5.3 Prosecution in court is only one of a range of options available for dealing with people who have been reported to the Procurator Fiscal. Procurators Fiscal have had long standing powers to issue fiscal fines as an alternative to court prosecution for a range of offences and to offer a conditional offer of a fixed penalty to offenders for speeding offences and other road traffic related offences.

5.4 In 2007-08, following a review of the summary criminal justice system, the Scottish Parliament provided prosecutors with powers to issue an enhanced range of fiscal fines and to award compensation to victims, through fiscal compensation orders. Collectively these non-court prosecution options are known as direct measures and are utilised for less serious offences.

5.5 In 2009-10, the majority of Crown Office Procurator Fiscal Service (COPFS) non-court disposals were fiscal fines, followed by fiscal road traffic fixed penalties. The remaining disposals were either fiscal fines which also had a compensation requirement, or fiscal compensation orders, or some pre-Summary Justice Reform (SJR) fiscal fines.

Police disposals

5.6 [Table 17](#) shows that 59,901 individuals were given a police disposal in 2009-10. Seventeen per cent of these were given another non-court disposal within 6 months and 25 per cent given another within one year. The majority of the police disposals in 2009-10 (80.5 per cent) were ASBFPNs. Nineteen per cent of those with an index crime of an ASBFPN in 2009-10 were given another non-court disposal within 6 months and 27 per cent given another within one year.

5.7 In 2009-10, there were 7,447 individuals given a formal adult warning, 12.4 per cent of all the police disposals. Ten per cent of those with an index crime of a formal adult warning were given another non-court disposal within 6 months, 15 per cent were given another within one year.

5.8 In 2009-10, the remaining police disposals were composed of either restorative justice warnings, warning letters, or a small number of other police warnings.

Crown Office Procurator Fiscal Service (COPFS) disposals

5.9 [Table 18](#) shows that 48,912 individuals were given a COPFS disposal in 2009-10. Eleven per cent of these were given another non-court disposal within 6 months and 18 per cent within 1 year. The majority of the COPFS disposals in 2009-10 (56.8 per cent) were fiscal fines. Fifteen per cent of those with an index crime of a fiscal fine in 2009-10 were given another non-court disposal within 6 months, 23 per cent within one year.

5.10 In 2009-10, there were 17,384 individuals given a fiscal fixed penalty, 35.5 per cent of all the COPFS disposals. Six per cent of those with an index crime of a fiscal fixed penalty were given another non-court disposal within 6 months, 9 per cent within one year.

5.11 In 2009-10, the remaining COPFS disposals were either composed of fines with a compensation requirement, or a compensation requirement excluding a fine, or a small number of pre-Summary Justice Reform (SJR) fixed penalties.

5.12 At present information is not collected on fiscal work orders in the Scottish Offenders Index and they are therefore not included in this publication. We are currently assessing the feasibility of including this information in future publications.

6 Comparing reconviction rates across administrative areas

6.1 Reconviction rates have historically been used as a Scottish Government National Indicator and they are also included in the Scottish Policing Performance Framework. As such, they are commonly used to rank performance across different jurisdictions, such as Community Justice Authorities (CJAs), local authorities or police force areas. However, there is an inherent problem in using this approach since it implicitly assumes that a difference in reconviction rates reflects a 'real' difference between organisations. In reality, all systems within which these organisations operate, no matter how stable, will produce variable outcomes in the normal run of events. The questions we need to answer are therefore: Is the observed variation more or less than we would normally expect? What are the possible explanations for outcomes which show significant deviations from the norm?

6.2 In this respect, it is better to use a method of comparison that takes account of inherent variability⁵. The funnel plot is a technique used in statistical process control and provides a simple way of determining whether differences are likely to be due to spurious or common-cause variation, rather than some special cause⁶. Common-cause variation is the variation inherent within any system, for instance, variations in healthcare outcomes due to differences in case-mix and client characteristics, and can never be completely eliminated. Special-cause variation cannot be attributed to the inherent variability within a system and requires further explanation to identify its cause.

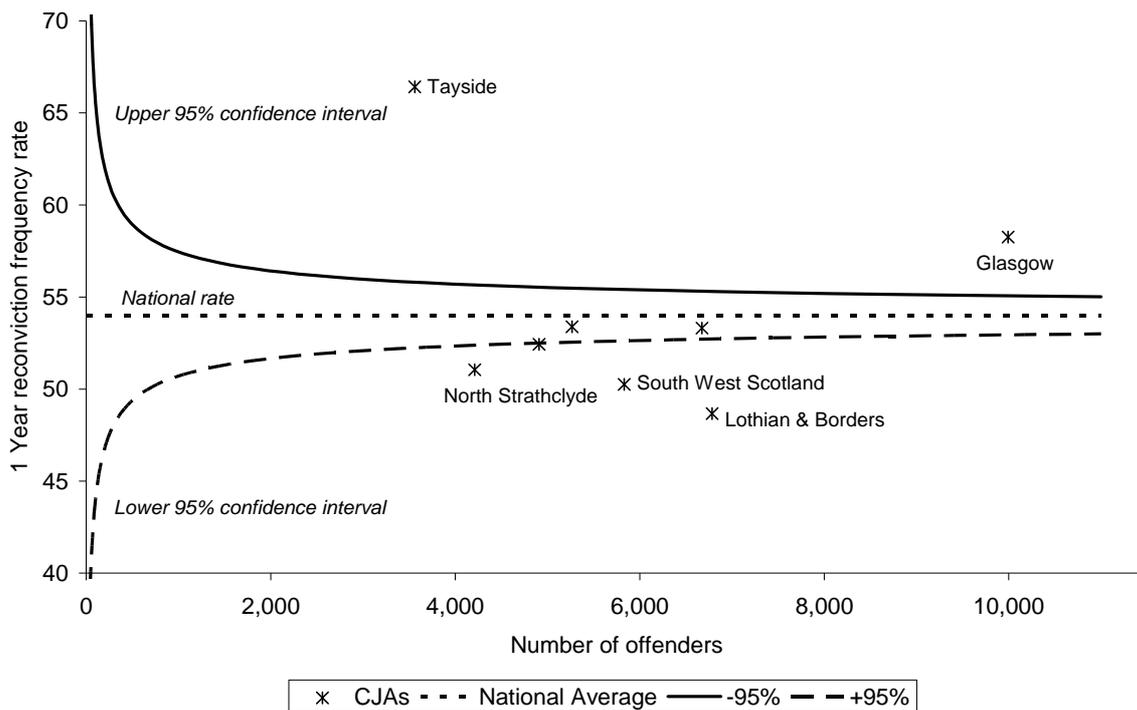
6.3 In effect, a process control chart allows organisations to be split into three groups: those with outcomes which are as expected (the majority of organisations in a stable system), and those with outcomes which are significantly higher or lower compared to the norm. Such differences can provide a useful start in terms of thinking about potential differences in the context within which these organisations operate, such as population composition or differences in practice, which may explain some of the difference in outcomes.

6.4 [Table 13](#) provides the reconviction frequency rates and reconviction rates for each CJA area and [Chart 7](#) and [Chart 8](#) shows these rates against the number of offenders. The plot takes into account the increased variability of the smaller authorities, where a small increase in the number of reconvictions may lead to a large percentage change in the reconviction rates. Rates for CJAs which lie inside the funnel are not significantly different from the national rate, and we can then usefully focus on possible explanations for rates which deviate significantly from the national figure. In this case, the cut-off level for statistical significance is 95% (or two standard deviations from the mean): if there were no difference between CJAs apart from what could reasonably attribute to random variation, we would expect that 5 per cent of the authorities would lie outside the funnel.

⁵ Royal Statistical Society (2003) *Performance Indicators: Good, Bad, and Ugly* Royal Statistical Society Working Party on Performance Monitoring in the Public Services. Obtained from www.rss.org.uk/uploadedfiles/documentlibrary/739.pdf

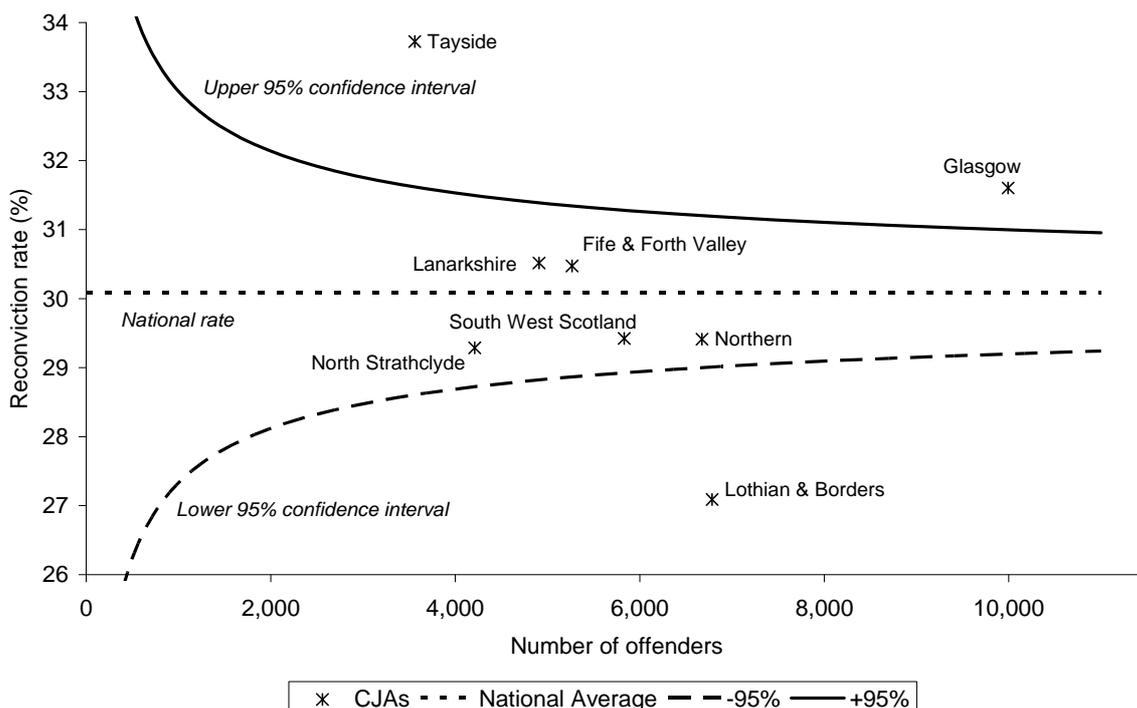
⁶ Battersby, J. & Flowers, J. (2004) *Presenting performance indicators* Eastern Region Public Health Observatory. Obtained from <http://www.erpho.org.uk/viewResource.aspx?id=7518>

Chart 7 One year reconviction frequency rate by CJA: 2009-10 cohort



6.5 [Chart 7](#) shows that Tayside and Glasgow have higher reconviction frequency rates than one might expect, while North Strathclyde, South West Scotland and Lothian & Borders have lower rates than expected. Whilst this is useful for highlighting that there are practical differences in reconviction frequency rate between each CJA, it does not allow us to identify if this disparity is due to a variation in case-mix or a variation in practice. Case-mix in this scenario refers to the differences in offender characteristics (e.g. age, gender, crime, disposal, ethnicity, deprivation, etc).

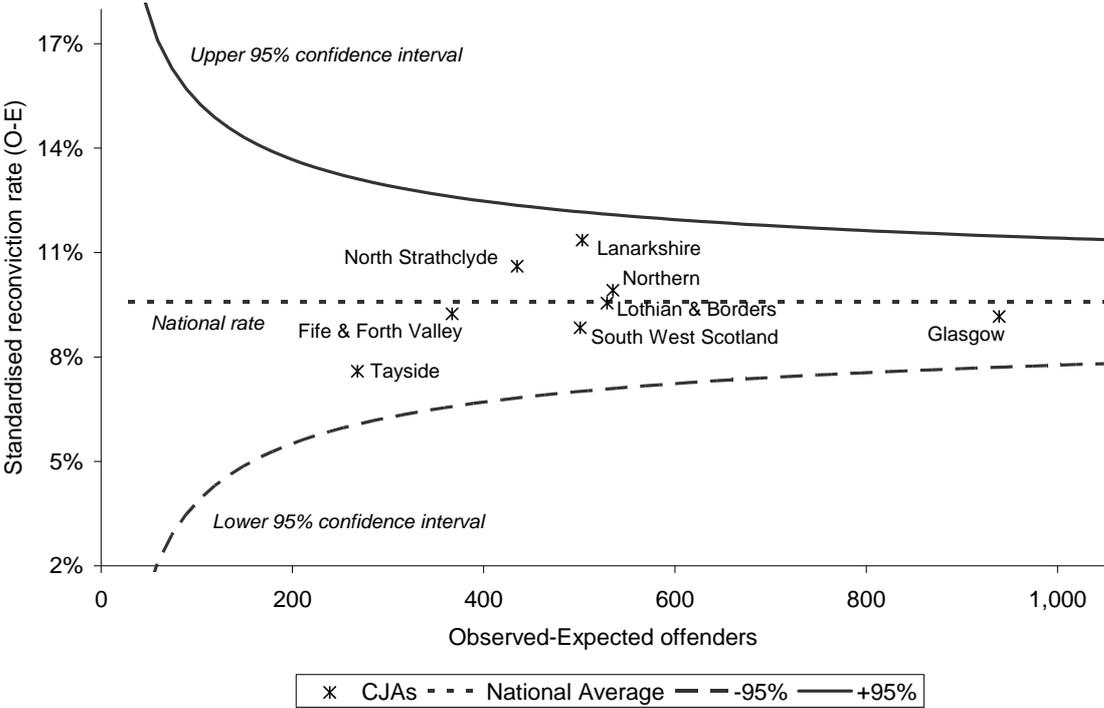
Chart 8 One year reconviction rate by CJA: 2009-10 cohort



6.6 It is interesting to see that [Chart 8](#), which shows a funnel plot of reconviction rates, provides similar results to those in [Chart 7](#). Tayside and Fife & Forth Valley have higher reconviction rates and higher reconviction frequency rates than one might expect. However, in comparing the two charts it can be seen that only Lothian & Borders has lower reconviction rates than expected, whereas North Strathclyde, South West Scotland and Lothian & Borders have lower reconviction frequency rates than expected.

6.7 [Chart 9](#) provides the standardised reconviction rates⁷ against the observed number of offenders minus expected number of offenders. This plot takes account of differences attributable to the case-mix. Since all CJAs are within the funnel it suggests that the apparent differences in reconviction rates in Chart 7 are primarily attributable to variation in the characteristics of the offenders between authorities, rather than differences in practice or performance. This conclusion on the 2009-10 cohort is consistent with the findings provided in the [2011 reconvictions publication](#) which provided funnel plots on the 2007-08 cohort.

Chart 9 Standardised one year reconviction rate by CJA: 2009-10 cohort



⁷ Spiegelhalter, D. J. (2005) *Funnel plots for comparing institutional performance* Statistics in Medicine 24 1185-1202.

7 Previous convictions: 2010-11 cohort

[\(Table 19\)](#)

7.1 This section presents information on previous convictions for the 44,000 individual offenders who were convicted on at least one occasion in 2010-11 ([Table 19](#)). This table was previously published in the [criminal proceedings statistics bulletins](#).

7.2 Of the 44,000 individuals convicted at least once in 2010-11 for a crime or relevant offence, 71 per cent had accumulated at least one previous conviction, including 22 per cent with over 10 previous convictions. Sixty per cent of individuals who had over 10 previous convictions were over the age of 30.

7.3 Sentencing is influenced by offending history as well as the circumstances of a particular case. Court proceedings data for 2010-11 show that:

- first time offenders tend to get fines (45 per cent) or caution/admonition (31 per cent). Community sentences account for 17 per cent and custodial sentences for 6 per cent.
- sporadic offenders with a couple of convictions in past 10 years tend to get fines (about 49 per cent), community sentences or caution/admonition (about 20 per cent for both). Custodial sentences account for 8 per cent.
- those with a more regular conviction history (between 3 and 10 in the past 10 years) are somewhat more likely to get a custodial sentence (17 per cent), although most still get fines (about 40 per cent) and community sentences (about a quarter).
- those with more than 10 convictions in the past 10 years tend to get custodial sentences (37 per cent) or fines (about 30 per cent), the remainder split between almost equally between community sentences and other disposals (primarily caution/admonition).

7.4 The number of prior convictions for serious offences is strongly linked to the likelihood of getting a custodial sentence: about 10 per cent of those with no prior solemn convictions get a custodial sentence, rising to about a third and a half for those with 1-2 and 3-10 solemn convictions respectively.

8 Tables

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

Table 1 One year reconviction frequency rates and one year reconviction rates: 1997-98 to 2009-10 cohorts

Overall cohort	Number of offenders	Reconviction rate²	Reconviction frequency rate²
1997-98	53,451	31.8	61.5
1998-99	49,133	31.8	61.8
1999-00	44,202	31.3	58.9
2000-01	41,569	31.8	59.7
2001-02	43,645	32.4	62.8
2002-03	44,854	32.9	63.9
2003-04	46,929	32.7	62.0
2004-05	49,285	32.5	61.1
2005-06	50,245	32.5	60.1
2006-07	53,248	32.4	59.7
2007-08	52,984	31.3	57.3
2008-09	49,612	31.5	59.6
2009-10	47,336	30.1	54.0

1. The number of offenders that are reconvicted, and the number of reconvictions, are omitted from the bulletin for clarity. They are included in the additional datasets which accompany this bulletin.
2. The definition of reconviction frequency rate and reconviction rate is described in section 12.2.1
3. Figures for previous cohorts may differ from previously published figures as updated information is fed into the Scottish Offenders Index.

Table 2 One year reconviction frequency rates and one year reconviction rates, by gender

Males	Number of offenders	Reconviction rate²	Reconviction frequency rate²
1997-98	45,718	32.8	63.2
1998-99	41,837	32.8	63.5
1999-00	37,555	32.2	60.6
2000-01	35,275	32.7	61.7
2001-02	36,969	33.4	64.9
2002-03	37,775	33.9	66.0
2003-04	39,458	33.7	63.8
2004-05	41,435	33.3	62.8
2005-06	42,124	33.7	62.3
2006-07	44,708	33.4	61.7
2007-08	44,324	32.2	59.0
2008-09	41,383	32.5	61.0
2009-10	39,323	31.3	56.1
Females			
1997-98	7,774	25.5	51.5
1998-99	7,330	25.8	51.7
1999-00	6,689	25.7	49.3
2000-01	6,320	26.5	48.4
2001-02	6,710	26.7	50.8
2002-03	7,097	27.3	52.3
2003-04	7,481	27.2	52.6
2004-05	7,860	27.9	52.4
2005-06	8,134	26.2	48.3
2006-07	8,554	27.1	49.2
2007-08	8,666	26.4	48.3
2008-09	8,229	26.4	52.3
2009-10	8,013	24.3	44.0

1. The number of offenders that are reconvicted, and the number of reconvictions, are omitted from the bulletin for clarity. They are included in the additional datasets which accompany this bulletin.

2. The definition of reconviction frequency rate and reconviction rate is described in section 12.2.1

Table 3 One year reconviction frequency rates and one year reconviction rates, by age

Age: under 21	Number of offenders	Reconviction rate²	Reconviction frequency rate²
1997-98	13,791	42.4	93.4
1998-99	12,983	42.1	92.1
1999-00	11,783	41.0	87.4
2000-01	11,007	41.5	87.3
2001-02	11,230	41.2	89.1
2002-03	11,059	41.3	88.4
2003-04	11,318	40.6	81.7
2004-05	11,656	39.4	79.5
2005-06	12,111	41.4	80.1
2006-07	12,681	40.6	78.2
2007-08	12,396	38.2	72.0
2008-09	10,754	37.9	72.0
2009-10	9,322	36.1	65.3
Age: 21 to 25			
1997-98	12,185	34.1	63.1
1998-99	10,762	34.4	65.9
1999-00	9,449	34.5	63.9
2000-01	8,992	35.5	66.1
2001-02	9,476	36.5	71.3
2002-03	9,929	37.1	73.8
2003-04	10,330	36.5	72.0
2004-05	10,587	36.5	70.6
2005-06	10,578	35.2	67.9
2006-07	11,235	35.3	66.4
2007-08	11,123	34.3	63.0
2008-09	10,098	34.2	64.7
2009-10	9,798	33.2	58.8
Age: 26 to 30			
1997-98	9,596	30.3	54.4
1998-99	8,670	30.4	54.3
1999-00	7,450	31.5	55.1
2000-01	6,943	31.2	56.2
2001-02	7,168	33.3	61.8
2002-03	7,126	34.5	64.0
2003-04	7,252	35.6	65.6
2004-05	7,522	34.6	65.9
2005-06	7,579	34.8	64.1
2006-07	8,005	34.7	64.7
2007-08	8,244	33.6	62.7
2008-09	7,983	34.8	68.1
2009-10	7,889	32.5	60.2
Age: over 30			
1997-98	17,879	22.8	39.7
1998-99	16,718	22.9	39.5
1999-00	15,520	21.8	36.1
2000-01	14,627	22.4	36.6
2001-02	15,771	23.1	39.3
2002-03	16,740	24.1	41.7
2003-04	18,029	24.4	42.5
2004-05	19,520	25.3	43.2
2005-06	19,977	24.8	42.3
2006-07	21,327	25.2	43.4
2007-08	21,221	24.7	43.6
2008-09	20,777	25.6	47.3
2009-10	20,327	24.9	44.1

1. The number of offenders that are reconvicted, and the number of reconvictions, are omitted from the bulletin for clarity. They are included in the additional datasets which accompany this bulletin.

2. The definition of reconviction frequency rate and reconviction rate is described in section 12.2.1

Table 4 One year reconviction frequency rates and one year reconviction rates, males by age

Age: under 21	Number of offenders	Reconviction rate²	Reconviction frequency rate²
1997-98	12,082	44.1	97.5
1998-99	11,286	43.9	95.6
1999-00	10,202	42.6	90.2
2000-01	9,602	42.6	89.3
2001-02	9,784	42.7	92.2
2002-03	9,621	42.9	91.5
2003-04	9,812	42.2	84.2
2004-05	10,165	41.1	82.8
2005-06	10,486	43.3	84.4
2006-07	10,986	42.3	81.8
2007-08	10,673	39.7	75.0
2008-09	9,230	39.6	75.3
2009-10	7,980	37.9	68.7
Age: 21 to 25			
1997-98	10,561	34.8	62.4
1998-99	9,214	35.0	65.8
1999-00	8,036	35.2	65.1
2000-01	7,694	36.1	67.5
2001-02	8,092	37.2	72.2
2002-03	8,447	37.8	75.0
2003-04	8,779	37.0	72.4
2004-05	8,938	36.8	70.8
2005-06	8,997	35.9	68.1
2006-07	9,580	35.9	66.5
2007-08	9,413	35.0	63.0
2008-09	8,546	35.1	65.0
2009-10	8,308	34.3	60.5
Age: 26 to 30			
1997-98	8,148	30.7	54.0
1998-99	7,346	30.8	55.0
1999-00	6,305	31.8	55.1
2000-01	5,819	31.8	57.3
2001-02	6,010	34.1	63.7
2002-03	5,969	35.4	66.1
2003-04	5,989	36.6	67.7
2004-05	6,252	34.8	66.7
2005-06	6,221	35.5	65.4
2006-07	6,637	35.2	66.5
2007-08	6,832	34.2	64.0
2008-09	6,564	35.4	69.0
2009-10	6,494	32.9	60.9
Age: over 30			
1997-98	14,928	23.5	41.1
1998-99	13,991	23.6	40.7
1999-00	13,013	22.5	37.4
2000-01	12,161	23.2	38.4
2001-02	13,083	23.7	40.4
2002-03	13,742	24.6	42.6
2003-04	14,879	25.0	43.6
2004-05	16,082	25.9	44.2
2005-06	16,422	25.7	44.0
2006-07	17,505	25.8	44.7
2007-08	17,408	25.3	45.0
2008-09	17,044	26.2	48.1
2009-10	16,541	25.9	45.9

1. The number of offenders that are reconvicted, and the number of reconvictions, are omitted from the bulletin for clarity. They are included in the additional datasets which accompany this bulletin.

2. The definition of reconviction frequency rate and reconviction rate is described in section 12.2.1

Table 5 One year reconviction frequency rates and one year reconviction rates, females by age

Age: under 21	Number of offenders	Reconviction rate²	Reconviction frequency rate²
1997-98	1,724	29.6	64.0
1998-99	1,705	29.9	68.6
1999-00	1,594	30.3	68.5
2000-01	1,409	33.9	73.8
2001-02	1,461	31.2	67.1
2002-03	1,442	30.2	67.1
2003-04	1,509	30.2	65.3
2004-05	1,492	28.4	57.5
2005-06	1,629	28.5	52.1
2006-07	1,697	29.5	54.4
2007-08	1,728	28.6	52.9
2008-09	1,525	27.5	52.3
2009-10	1,342	25.5	45.0
Age: 21 to 25			
1997-98	1,637	29.6	67.3
1998-99	1,559	30.3	66.4
1999-00	1,425	30.5	56.8
2000-01	1,307	31.8	57.5
2001-02	1,389	32.3	65.9
2002-03	1,488	33.2	67.0
2003-04	1,554	33.1	69.4
2004-05	1,654	34.8	69.1
2005-06	1,584	31.1	66.8
2006-07	1,656	31.5	65.9
2007-08	1,712	30.5	62.7
2008-09	1,553	28.9	63.0
2009-10	1,490	26.9	49.5
Age: 26 to 30			
1997-98	1,456	28.0	56.7
1998-99	1,331	27.6	49.9
1999-00	1,152	29.6	54.9
2000-01	1,131	28.0	50.0
2001-02	1,163	28.8	51.9
2002-03	1,162	29.9	53.1
2003-04	1,265	30.8	55.5
2004-05	1,271	33.1	61.8
2005-06	1,363	31.5	58.0
2006-07	1,375	32.1	55.6
2007-08	1,414	30.6	56.4
2008-09	1,419	32.2	64.1
2009-10	1,395	30.5	57.3
Age: over 30			
1997-98	2,959	19.4	32.7
1998-99	2,735	19.5	33.5
1999-00	2,520	18.1	29.5
2000-01	2,473	18.4	27.8
2001-02	2,697	20.5	33.9
2002-03	3,006	21.8	37.4
2003-04	3,154	21.3	36.9
2004-05	3,445	22.4	38.4
2005-06	3,560	20.9	34.6
2006-07	3,826	22.3	37.3
2007-08	3,814	22.0	36.9
2008-09	3,733	22.6	43.3
2009-10	3,786	20.5	36.6

1. The number of offenders that are reconvicted, and the number of reconvictions, are omitted from the bulletin for clarity. They are included in the additional datasets which accompany this bulletin.

2. The definition of reconviction frequency rate and reconviction rate is described in section 12.2.1

Table 6 One year reconviction frequency rates and one year reconviction rates, by disposal

Discharged from custody	Number of offenders	Reconviction rate²	Reconviction frequency rate²
1997-98	6,123	48.4	103.6
1998-99	5,817	49.1	109.1
1999-00	5,741	46.3	99.2
2000-01	5,576	47.4	99.6
2001-02	5,942	48.0	105.7
2002-03	6,011	49.9	112.6
2003-04	5,873	50.2	111.0
2004-05	6,109	48.0	105.9
2005-06	6,218	47.5	103.6
2006-07	6,889	48.7	106.0
2007-08	7,033	47.0	100.7
2008-09	7,395	47.0	98.0
2009-10	7,403	45.7	91.8
Community Service Order			
1997-98	3,043	32.0	59.0
1998-99	2,752	31.1	55.7
1999-00	2,494	28.8	49.6
2000-01	2,510	29.4	51.9
2001-02	2,505	29.2	51.4
2002-03	2,700	29.0	51.0
2003-04	2,513	27.7	47.0
2004-05	2,795	30.4	53.4
2005-06	3,271	29.8	51.2
2006-07	3,296	30.0	50.2
2007-08	3,500	28.1	46.5
2008-09	3,727	26.9	43.7
2009-10	3,624	23.9	37.3
Probation Order			
1997-98	3,041	47.2	111.8
1998-99	3,198	48.2	115.9
1999-00	3,101	46.3	101.0
2000-01	3,140	46.7	106.0
2001-02	3,589	48.4	110.8
2002-03	3,864	49.0	107.9
2003-04	3,910	46.7	99.7
2004-05	4,256	46.5	98.1
2005-06	4,488	45.3	92.8
2006-07	4,314	44.7	90.5
2007-08	4,602	43.2	84.3
2008-09	5,123	44.5	89.8
2009-10	5,009	39.7	75.5
Restriction of Liberty Order³			
1997-98	0	-	-
1998-99	24	58.3	154.2
1999-00	50	66.0	176.0
2000-01	54	59.3	159.3
2001-02	54	70.4	155.6
2002-03	212	53.3	117.5
2003-04	353	57.8	125.5
2004-05	413	57.4	119.9
2005-06	486	52.1	115.8
2006-07	510	51.2	105.1
2007-08	533	50.7	102.3
2008-09	567	46.7	94.2
2009-10	488	48.8	92.2

(continued on following page)

Table 6 (continued)

Drug Treatment and testing Order⁴			
1997-98	0	-	-
1998-99	0	-	-
1999-00	1	-	-
2000-01	36	58.3	130.6
2001-02	95	74.7	211.6
2002-03	143	75.5	240.6
2003-04	201	79.1	221.4
2004-05	231	78.4	219.9
2005-06	275	69.1	184.0
2006-07	314	73.9	198.1
2007-08	326	70.9	194.5
2008-09	361	67.6	175.6
2009-10	363	62.8	149.6
Monetary disposal			
1997-98	32,896	29.5	54.2
1998-99	29,553	29.4	53.3
1999-00	25,584	28.9	51.8
2000-01	23,816	28.9	50.9
2001-02	24,864	29.0	52.1
2002-03	24,846	29.1	51.7
2003-04	26,685	29.5	51.5
2004-05	27,458	29.2	50.4
2005-06	27,030	29.3	49.5
2006-07	28,496	29.0	48.6
2007-08	27,493	27.6	46.2
2008-09	22,837	26.7	46.9
2009-10	20,961	26.2	43.7
Other disposal			
1997-98	8,348	23.0	42.3
1998-99	7,789	21.5	38.5
1999-00	7,231	21.7	36.6
2000-01	6,437	22.2	37.1
2001-02	6,596	22.5	39.6
2002-03	7,078	23.0	40.7
2003-04	7,394	22.1	38.9
2004-05	8,023	22.3	39.2
2005-06	8,477	23.7	40.7
2006-07	9,429	23.6	41.7
2007-08	9,497	23.2	40.7
2008-09	9,602	23.5	43.5
2009-10	9,488	21.4	36.8

1. The number of offenders that are reconvicted, and the number of reconvictions, are omitted from the bulletin for clarity. They are included in the additional datasets which accompany this bulletin.

2. The definition of reconviction frequency rate and reconviction rate is described in section 12.2.1

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.

Table 7 One year reconviction frequency rates and one year reconviction rates, by crime type

Violent crime	Number of offenders	Reconviction rate²	Reconviction frequency rate²
1997-98	11,438	25.4	42.5
1998-99	10,859	23.6	39.6
1999-00	10,278	23.0	36.8
2000-01	9,821	23.9	38.9
2001-02	10,453	24.1	40.0
2002-03	11,122	24.8	42.4
2003-04	11,817	25.4	43.0
2004-05	12,656	25.6	44.1
2005-06	13,483	25.4	42.3
2006-07	14,156	26.2	44.4
2007-08	14,467	25.5	42.8
2008-09	14,131	26.3	43.7
2009-10	13,702	24.3	39.3
Sexual crime			
1997-98	546	10.3	17.0
1998-99	493	13.8	23.5
1999-00	461	9.1	13.0
2000-01	428	13.3	23.1
2001-02	435	11.5	17.7
2002-03	459	12.0	18.5
2003-04	459	9.8	14.8
2004-05	539	10.8	16.3
2005-06	516	11.0	16.3
2006-07	508	15.6	22.2
2007-08	542	13.3	20.3
2008-09	638	12.2	18.3
2009-10	594	10.1	14.6
Dishonesty			
1997-98	15,229	40.3	89.3
1998-99	14,115	41.5	93.8
1999-00	12,679	43.2	95.5
2000-01	11,640	44.0	97.2
2001-02	11,724	45.9	106.4
2002-03	11,551	46.0	105.4
2003-04	10,855	45.8	103.3
2004-05	10,670	45.9	102.5
2005-06	9,897	46.3	102.1
2006-07	9,993	46.6	103.1
2007-08	9,796	44.7	99.3
2008-09	9,540	44.9	104.6
2009-10	9,176	43.4	93.4
Criminal damage			
1997-98	3,590	28.7	52.4
1998-99	3,329	27.3	48.1
1999-00	2,980	28.5	50.5
2000-01	2,959	28.7	48.2
2001-02	2,984	30.7	53.8
2002-03	3,066	30.5	54.2
2003-04	3,529	29.6	54.9
2004-05	3,641	31.2	56.0
2005-06	3,618	33.0	58.2
2006-07	3,867	32.9	58.9
2007-08	3,891	31.8	55.1
2008-09	3,149	33.7	61.5
2009-10	2,827	32.2	56.4

(continued on following page)

Table 7 (continued)

Drug offences			
1997-98	5,654	26.2	40.1
1998-99	5,319	27.5	42.5
1999-00	4,835	25.5	37.4
2000-01	4,186	26.1	40.3
2001-02	4,692	25.2	40.9
2002-03	4,671	28.0	45.7
2003-04	5,523	29.3	45.3
2004-05	5,770	28.9	45.3
2005-06	5,788	29.4	46.5
2006-07	6,807	28.0	45.0
2007-08	6,572	27.2	42.1
2008-09	5,689	27.0	43.9
2009-10	5,942	26.5	40.0
Breach of the peace			
1997-98	13,714	31.5	58.6
1998-99	12,107	31.2	56.7
1999-00	10,313	29.7	52.0
2000-01	9,752	29.8	51.9
2001-02	10,336	30.3	52.9
2002-03	10,845	30.9	55.6
2003-04	11,430	30.9	55.4
2004-05	12,206	31.0	55.0
2005-06	12,925	31.4	55.4
2006-07	13,636	31.0	53.4
2007-08	13,371	30.2	52.1
2008-09	12,122	29.8	53.3
2009-10	11,259	28.8	49.9
Other crimes and offences			
1997-98	3,280	32.3	65.8
1998-99	2,911	33.8	68.3
1999-00	2,656	30.4	53.5
2000-01	2,783	29.6	50.9
2001-02	3,021	31.2	55.2
2002-03	3,140	32.6	58.5
2003-04	3,316	33.9	59.5
2004-05	3,803	32.0	56.7
2005-06	4,018	32.6	58.3
2006-07	4,281	33.0	58.0
2007-08	4,345	31.4	56.2
2008-09	4,343	30.7	54.7
2009-10	3,836	29.7	50.8

1. The number of offenders that are reconvicted, and the number of reconvictions, are omitted from the bulletin for clarity. They are included in the additional datasets which accompany this bulletin.

2. The definition of reconviction frequency rate and reconviction rate is described in section 12.2.1

Table 8 One year reconviction frequency rates and one year reconviction rates, by sentence length

3 months or less	Number of offenders	Reconviction rate ²	Reconviction frequency rate ²
1997-98	2,728	56.6	132.4
1998-99	2,551	59.4	142.8
1999-00	2,536	55.5	127.5
2000-01	2,398	58.0	130.4
2001-02	2,456	58.3	137.5
2002-03	2,641	61.4	149.4
2003-04	2,469	63.1	151.2
2004-05	2,561	61.5	144.2
2005-06	2,722	59.1	136.6
2006-07	3,063	60.8	140.5
2007-08	2,869	59.0	134.6
2008-09	2,360	59.6	138.1
2009-10	2,067	58.4	129.1
Over 3 months to 6 months			
1997-98	1,459	58.0	122.3
1998-99	1,403	57.9	130.9
1999-00	1,332	56.8	123.3
2000-01	1,324	58.0	124.4
2001-02	1,431	57.2	133.2
2002-03	1,379	60.2	137.2
2003-04	1,340	60.0	133.7
2004-05	1,335	57.5	130.9
2005-06	1,365	57.1	131.1
2006-07	1,467	58.1	129.7
2007-08	1,448	58.1	134.1
2008-09	1,894	55.2	119.6
2009-10	1,935	53.7	111.4
Over 6 months to 2 years			
1997-98	979	35.1	62.5
1998-99	856	34.8	60.9
1999-00	890	35.8	64.4
2000-01	820	35.1	63.3
2001-02	934	36.8	65.4
2002-03	863	33.7	60.5
2003-04	936	35.3	66.2
2004-05	983	34.5	65.9
2005-06	969	35.1	62.5
2006-07	1,083	35.6	65.1
2007-08	1,384	36.5	64.5
2008-09	1,745	41.4	72.3
2009-10	2,011	39.9	74.2
Over 2 years to less than 4 years			
1997-98	555	25.8	37.8
1998-99	525	25.1	41.7
1999-00	512	21.1	32.4
2000-01	533	21.8	32.3
2001-02	574	28.0	45.6
2002-03	558	27.8	49.8
2003-04	547	27.4	44.2
2004-05	621	24.6	41.9
2005-06	539	21.9	36.2
2006-07	655	25.5	44.7
2007-08	706	25.1	40.5
2008-09	841	26.5	42.9
2009-10	838	28.8	45.0
Over 4 years			
1997-98	402	21.6	31.3
1998-99	482	20.5	27.0
1999-00	471	14.4	17.0
2000-01	501	15.6	17.2
2001-02	547	17.4	23.4
2002-03	570	17.9	22.6
2003-04	581	18.1	22.9
2004-05	609	16.1	19.7
2005-06	623	17.5	21.0
2006-07	621	14.0	16.4
2007-08	626	13.7	16.3
2008-09	555	14.6	18.2
2009-10	552	16.8	18.1

1. The number of offenders that are reconvicted, and the number of reconvictions, are omitted from the bulletin for clarity. They are included in the additional datasets which accompany this bulletin.

2. The definition of reconviction frequency rate and reconviction rate is described in section 12.2.1

Table 9 One year reconviction frequency rates and one year reconviction rates, by previous convictions

No previous convictions	Number of offenders	Reconviction rate ³	Reconviction frequency rate ³
1997-98	19,464	16.6	28.5
1998-99	16,950	16.0	27.4
1999-00	14,738	16.3	26.9
2000-01	13,543	17.1	28.2
2001-02	14,512	17.3	29.8
2002-03	14,543	17.4	29.9
2003-04	15,588	17.4	27.9
2004-05	16,083	17.0	28.2
2005-06	16,683	18.5	29.4
2006-07	17,270	16.8	26.1
2007-08	16,853	15.3	24.0
2008-09	15,240	15.0	23.6
2009-10	14,202	12.7	18.5
1 or 2 previous convictions			
1997-98	13,740	27.6	49.4
1998-99	12,341	27.0	46.9
1999-00	10,577	25.7	45.0
2000-01	9,941	26.1	44.8
2001-02	10,077	26.8	47.1
2002-03	10,344	26.9	46.1
2003-04	10,785	27.3	46.8
2004-05	11,179	26.8	44.8
2005-06	11,488	27.1	45.9
2006-07	12,459	28.2	46.9
2007-08	12,139	25.4	40.0
2008-09	10,830	24.5	40.4
2009-10	10,177	22.7	34.8
3 to 10 previous convictions			
1997-98	14,501	42.6	79.9
1998-99	13,771	41.7	78.3
1999-00	12,619	38.7	70.0
2000-01	11,696	38.8	70.1
2001-02	12,162	39.1	73.4
2002-03	12,517	39.3	73.5
2003-04	12,792	38.8	70.9
2004-05	13,459	38.8	68.8
2005-06	13,387	38.2	68.1
2006-07	14,394	38.4	67.7
2007-08	14,606	38.1	67.1
2008-09	13,880	36.7	65.5
2009-10	13,320	35.0	58.7
Over 10 previous convictions			
1997-98	5,746	65.8	156.0
1998-99	6,071	63.3	150.7
1999-00	6,268	60.9	135.4
2000-01	6,389	58.9	130.6
2001-02	6,894	60.2	136.3
2002-03	7,450	60.6	138.6
2003-04	7,764	60.7	137.1
2004-05	8,564	58.9	132.3
2005-06	8,687	57.8	125.4
2006-07	9,125	58.3	128.2
2007-08	9,386	56.7	124.0
2008-09	9,662	57.8	129.2
2009-10	9,637	56.8	120.3

1. The number of offenders that are reconvicted, and the number of reconvictions, are omitted from the bulletin for clarity. They are included in the additional datasets which accompany this bulletin.

2. Convictions since start of 1989.

3. The definition of reconviction frequency rate and reconviction rate is described in section 12.2.1

Table 10 One year reconviction frequency rates and one year reconviction rates, by previous custodial convictions

No previous convictions	Number of offenders	Reconviction rate ³	Reconviction frequency rate ³
1997-98	43,279	26.0	46.4
1998-99	38,997	25.5	45.2
1999-00	34,336	24.9	43.1
2000-01	32,021	25.6	44.4
2001-02	33,587	26.0	46.2
2002-03	34,181	26.1	45.7
2003-04	35,812	25.9	44.3
2004-05	37,355	25.7	43.8
2005-06	38,461	26.2	44.2
2006-07	40,723	26.0	43.4
2007-08	40,086	24.5	40.2
2008-09	36,513	23.8	40.1
2009-10	34,206	22.0	34.4
1 or 2 previous convictions			
1997-98	4,717	46.6	96.2
1998-99	4,499	47.2	94.8
1999-00	4,329	44.2	87.4
2000-01	4,051	41.7	80.4
2001-02	4,153	43.3	87.9
2002-03	4,438	45.0	90.0
2003-04	4,566	43.2	85.1
2004-05	4,815	43.4	82.9
2005-06	4,834	43.3	80.8
2006-07	5,065	42.3	80.5
2007-08	5,272	42.0	77.2
2008-09	5,200	42.3	81.6
2009-10	5,159	40.3	72.0
3 to 10 previous convictions			
1997-98	4,157	60.7	133.8
1998-99	4,208	58.4	133.0
1999-00	3,993	57.2	119.5
2000-01	3,976	56.6	118.7
2001-02	4,131	56.5	121.4
2002-03	4,337	57.0	125.9
2003-04	4,486	58.1	124.6
2004-05	4,841	56.4	118.4
2005-06	4,595	55.6	113.6
2006-07	4,997	55.8	114.5
2007-08	5,005	55.8	115.8
2008-09	5,181	55.1	114.2
2009-10	5,227	53.6	108.3
Over 10 previous convictions			
1997-98	1,298	77.0	207.5
1998-99	1,429	75.9	201.9
1999-00	1,544	69.8	173.8
2000-01	1,521	69.4	171.9
2001-02	1,774	70.4	180.1
2002-03	1,898	71.9	187.0
2003-04	2,065	71.4	182.1
2004-05	2,274	68.8	178.0
2005-06	2,355	68.1	171.7
2006-07	2,463	70.2	176.0
2007-08	2,621	66.6	166.6
2008-09	2,718	68.7	175.3
2009-10	2,744	67.6	161.6

1. The number of offenders that are reconvicted, and the number of reconvictions, are omitted from the bulletin for clarity. They are included in the additional datasets which accompany this bulletin.

2. Convictions since start of 1989.

3. The definition of reconviction frequency rate and reconviction rate is described in section 12.2.1

Table 11 One year reconviction frequency rates and one year reconviction rates, by previous community convictions

No previous convictions	Number of offenders	Reconviction rate ⁴	Reconviction frequency rate ⁴
1997-98	40,408	25.0	44.9
1998-99	35,981	24.4	43.1
1999-00	31,209	23.4	39.9
2000-01	28,826	23.8	40.7
2001-02	29,961	24.1	41.8
2002-03	30,412	24.1	41.8
2003-04	31,742	23.8	39.9
2004-05	32,620	23.6	39.4
2005-06	33,313	23.9	39.2
2006-07	34,917	23.4	38.0
2007-08	34,093	21.7	34.7
2008-09	30,680	20.9	34.1
2009-10	28,255	18.9	29.2
1 or 2 previous convictions			
1997-98	9,473	48.6	100.6
1998-99	9,405	48.2	99.0
1999-00	8,924	45.3	90.1
2000-01	8,539	45.4	88.6
2001-02	9,069	44.8	90.9
2002-03	9,208	45.2	90.4
2003-04	9,430	45.4	89.7
2004-05	10,296	43.6	84.6
2005-06	10,215	43.0	82.3
2006-07	11,045	43.3	81.5
2007-08	11,286	41.7	76.8
2008-09	11,023	41.3	77.9
2009-10	10,834	38.8	67.7
3 to 10 previous convictions			
1997-98	3,495	63.5	144.6
1998-99	3,655	61.3	145.3
1999-00	3,966	60.2	135.3
2000-01	4,065	57.8	128.0
2001-02	4,426	61.0	140.0
2002-03	5,016	61.7	142.3
2003-04	5,492	60.3	135.1
2004-05	6,027	59.5	132.2
2005-06	6,316	58.9	128.1
2006-07	6,816	58.0	128.1
2007-08	7,128	57.8	125.8
2008-09	7,331	58.1	129.3
2009-10	7,642	56.4	118.0
Over 10 previous convictions			
1997-98	75	73.3	233.3
1998-99	92	82.6	247.8
1999-00	103	73.8	196.1
2000-01	139	79.1	233.8
2001-02	189	73.0	220.1
2002-03	218	70.6	214.7
2003-04	265	73.6	209.8
2004-05	342	67.8	174.0
2005-06	401	66.8	158.6
2006-07	470	71.9	169.6
2007-08	477	69.4	182.2
2008-09	578	68.0	172.8
2009-10	605	66.3	157.7

1. The number of offenders that are reconvicted, and the number of reconvictions, are omitted from the bulletin for clarity. They are included in the additional datasets which accompany this bulletin.

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. The definition of reconviction frequency rate and reconviction rate is described in section 12.2.1

Table 12 One year reconviction rates by offender characteristics: 2009-10 cohort

Index disposal in 2009-10 by age	Percentage of Male offenders reconvicted				Percentage of Female offenders reconvicted			
	Number of previous convictions				Number of previous convictions			
	None	1 or 2	3 to 10	Over 10	None	1 or 2	3 to 10	Over 10
All	14	23	35	57	10	21	35	56
under 21	24	42	58	76	16	34	53	58
21 to 25	12	24	43	69	10	24	46	64
26 to 30	7	17	33	60	10	23	37	60
over 30	6	12	23	51	6	15	27	52
Discharged from custody	10	24	41	63	**	28	41	68
under 21	23	39	57	76	**	**	55	**
21 to 25	7	26	46	71	**	**	60	78
26 to 30	**	11	37	61	**	**	33	72
over 30	7	15	27	58	**	**	28	61
Community Service Order	15	22	32	52	3	13	31	49
under 21	23	38	54	74	**	**	**	-
21 to 25	11	25	38	57	**	**	**	**
26 to 30	10	12	29	63	**	**	**	**
over 30	6	8	19	43	**	**	28	**
Probation Order	29	36	40	56	28	30	44	57
under 21	46	60	67	82	41	34	63	**
21 to 25	18	31	48	68	**	32	52	67
26 to 30	**	24	36	60	**	36	38	50
over 30	9	16	25	50	18	24	38	59
Restriction of Liberty Order	42	57	45	57	-	**	**	**
under 21	44	77	78	**	-	**	**	**
21 to 25	**	**	51	73	-	**	**	**
26 to 30	**	**	45	77	-	-	**	**
over 30	**	**	**	39	-	-	-	**
Drug Treatment and Testing Order	-	**	51	70	**	**	60	59
under 21	-	**	**	**	**	**	-	-
21 to 25	-	**	74	96	**	**	**	**
26 to 30	-	-	**	62	**	**	**	**
over 30	-	-	41	68	**	**	**	59
Monetary	13	21	33	53	10	21	33	55
under 21	21	36	58	76	13	33	47	**
21 to 25	13	23	40	66	11	24	47	52
26 to 30	7	18	32	59	12	26	37	66
over 30	6	12	23	48	6	16	25	52
Other	10	18	30	50	9	18	29	49
under 21	18	38	52	71	13	30	48	**
21 to 25	9	21	41	64	10	18	36	58
26 to 30	6	16	29	52	9	16	32	53
over 30	5	10	20	45	5	14	22	45

1. Convictions since the start of 1989.

Table 13 One year reconviction frequency rates and one year reconviction rates, by CJA and LA: 2009-10 cohort

Community Justice Authority	Local Authority ⁽²⁾	Number of offenders	Reconviction rate ⁽³⁾	Reconviction frequency rate ⁽³⁾
Scotland⁽⁴⁾		47,336	30.1	54.0
Fife & Forth Valley	All	5,267	30.5	53.4
	Clackmannanshire	562	33.3	62.8
	Falkirk	1,337	30.5	50.8
	Fife	2,607	30.6	52.1
	Stirling	761	27.7	55.6
Glasgow	All	9,994	31.6	58.2
	Glasgow City ⁽⁵⁾	9,994	31.6	58.2
Lanarkshire	All	4,909	30.5	52.4
	North and South Lanarkshire ⁽⁶⁾	4,909	30.5	52.4
Lothian & Borders	All	6,785	27.1	48.7
	East Lothian	593	28.7	46.4
	Edinburgh and Midlothian ⁽⁷⁾	4,362	27.9	52.2
	Scottish Borders	802	26.2	46.6
	West Lothian	1,028	23.4	36.5
Northern	All	6,674	29.4	53.3
	Aberdeen City and Aberdeenshire ⁽⁸⁾	3,753	31.1	59.3
	Eilean Siar	123	23.6	43.9
	Highland	1,938	26.9	42.9
	Moray	597	29.1	53.9
	Orkney Islands	102	33.3	61.8
	Shetland Islands	161	22.4	37.9
	All	4,210	29.3	51.0
North Strathclyde⁽⁹⁾	Argyll & Bute	538	29.0	44.1
	East and West Dunbartonshire ⁽¹⁰⁾	1,274	32.3	61.1
	East Renfrewshire and Renfrewshire ⁽¹¹⁾	1,680	28.6	49.7
	Inverclyde	718	25.8	41.5
	All	5,832	29.4	50.3
South West Scotland	Dumfries & Galloway	1,382	27.8	48.8
	East, North and South Ayrshire ⁽¹²⁾	4,450	29.9	50.7
	All	3,561	33.7	66.4
Tayside	Angus	884	33.4	68.4
	Dundee City	1,766	36.6	74.6
	Perth & Kinross	911	28.5	48.6
	All	104	31.7	56.7
Unknown	Unknown ⁽¹³⁾	104	31.7	56.7

1. The number of offenders that are reconvicted, and the number of reconvictions, are omitted from the bulletin for clarity. They are included in the additional datasets which accompany this bulletin.
2. Approximate areas are based on the court of the offenders index conviction. Some Sheriff Court boundaries include more than one local authority area.
3. The definition of reconviction frequency rate and reconviction rate is described in section 12.2.1
4. Includes High Court and Remit to High Court.
5. Includes the Stipendiary Magistrates court.
6. North and South Lanarkshire (Airdrie, Hamilton and Lanark Sheriff Courts).
7. City of Edinburgh and Midlothian (Edinburgh Sheriff Court).
8. Aberdeen City and Aberdeenshire (Aberdeen, Banff, Stonehaven and Peterhead Sheriff Courts).
9. 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.
10. East and West Dunbartonshire (Dumbarton Sheriff Court).
11. Renfrewshire and East Renfrewshire (Paisley Sheriff Court).
12. East, North and South Ayrshire (Kilmarnock and Ayr Sheriff Courts).
13. In 2009-10, there were 104 offenders who were seen in the domestic abuse court. These have not been assigned to an approximate area.

Table 14 One year reconviction frequency rates and one year reconviction rates by police force: 2009-10 cohort

Police Force of Index Conviction	Number of offenders	Reconviction rate⁽²⁾	Reconviction frequency rate⁽²⁾
All	47,336	30.1	54.0
Central	2,695	30.2	54.3
Dumfries & Galloway	1,411	27.6	48.2
Fife	2,735	30.5	52.0
Grampian	4,381	30.7	58.2
Lothian & Borders	6,575	27.5	49.7
Northern	2,339	26.7	43.3
Strathclyde	23,601	30.6	54.2
Tayside	3,591	33.6	66.1
Unknown ⁽³⁾	8	**	**

1. The number of offenders that are reconvicted, and the number of reconvictions, are omitted from the bulletin for clarity. They are included in the additional datasets which accompany this bulletin.
2. The definition of reconviction frequency rate and reconviction rate is described in section 12.2.1
3. There were eight offenders for which the police force of the index conviction was unknown.

Table 15 Two year reconviction frequency rates and two year reconviction rates: 1997-98 to 2008-09 cohorts

Overall cohort	Number of offenders	Reconviction rate⁽²⁾	Reconviction frequency rate⁽²⁾
1997-98	53,451	42.6	110.0
1998-99	49,133	42.5	107.7
1999-00	44,202	42.9	108.1
2000-01	41,569	43.8	112.9
2001-02	43,645	44.2	115.9
2002-03	44,854	45.3	118.4
2003-04	46,929	44.7	115.1
2004-05	49,285	44.6	113.1
2005-06	50,245	44.9	112.9
2006-07	53,248	44.1	108.8
2007-08	52,984	42.5	105.7
2008-09	49,612	42.2	105.9

1. The number of offenders that are reconvicted, and the number of reconvictions, are omitted from the bulletin for clarity. They are included in the additional datasets which accompany this bulletin.
2. The definition of reconviction frequency rate and reconviction rate is described in section 12.2.1
3. Figures for previous cohorts may differ from previously published figures as updated information is fed into the Scottish Offenders Index.

Table 16 One year reconviction rates by index crime: 2009-10 cohort

Index crime 2009-10	Total number (=100%)	Percentage reconvicted within 1 year for:							
		Any crime	Violent Crime	Crimes of indecency	Crimes of dishonesty	Criminal damage	Other	Serious violent crime	Serious crime
All offenders	47,336	31	10	*	11	3	21	2	4
Violent Crime									
Serious assault and homicide	1,434	24	10	*	4	2	15	3	6
Robbery	400	48	17	1	22	4	30	6	13
Common Assault	11,656	25	12	*	5	3	17	2	3
Other Violence	212	28	11	*	9	2	18	2	6
Crimes of indecency									
Sexual Assault	159	8	2	1	3	*	4	*	3
Other indecency	462	13	2	4	2	2	8	1	2
Prostitution	79	71	13	47	15	3	37	1	5
Crimes of dishonesty									
Housebreaking	925	53	12	*	35	6	31	3	11
Theft OLP	429	50	11	*	34	3	29	3	9
Theft of motor vehicle	453	41	15	*	19	6	29	4	8
Shoplifting	3,664	58	11	*	44	3	33	2	5
Other Theft	1,601	39	9	*	24	3	23	1	5
Fraud	826	14	2	*	8	*	8	*	1
Other Dishonesty	1,278	24	6	*	14	1	15	1	4
Criminal damage									
Fireraising	154	34	13	*	14	6	24	3	5
Malicious & reckless conduct	2,673	33	15	*	8	6	23	2	4
Other									
Handling offensive weapons	2,386	29	9	*	9	3	21	3	6
Crimes against public justice	1,200	32	10	*	9	2	24	2	4
Drugs	5,942	27	5	*	7	1	21	1	4
Breach of peace	11,259	30	12	*	6	3	23	2	3
Other crime	129	29	14	1	5	4	24	1	2
Other offences	15	27	7	*	7	7	13	*	*

1. A more detailed breakdown of the crimes for which the cohort are reconvicted are omitted from the bulletin for clarity. They are included in the additional datasets which accompany this bulletin.

Table 17 Individuals given police disposals by disposal type, 2009-10

	Total number (=100%)	Percentage given a non-court ² disposal within:	
		6 months	1 year
Individuals	59,901	17.1	24.6
ASBFPN	48,217	19.3	27.5
Formal Adult Warning	7,447	9.7	14.8
Restorative Justice Warning	2,057	4.2	6.6
Other Police Warnings	158	20.9	25.9
Warning Letter	2,022	6.2	11.2

1. These figures are derived from a dataset which is independent of the dataset on court convictions and therefore do not include court convictions. In future we will investigate ways of incorporating the non-court disposals with the court convictions.
2. Includes any non-court disposal, and therefore could include COPFS disposals as well as police disposals.

Table 18 Individuals given COPFS disposals by disposal type, 2009-10

	Total number (=100%)	Percentage given a non-court ² disposal within:	
		6 months	1 year
Individuals	48,912	11.4	18.1
Fiscal Fine	27,785	14.8	23.4
Fiscal Fixed Penalty	17,384	5.7	9.4
Fiscal Combined Fine with Compensation	1,731	12.0	18.8
Fiscal Compensation	1,656	13.0	20.1
Fiscal Fixed Penalty (Pre-SJR)	356	13.8	18.3

1. These figures are derived from a dataset which is independent of the dataset on court convictions and therefore do not include court convictions. In future we will investigate ways of incorporating the non-court disposals with the court convictions.
2. Includes any non-court disposal, and therefore could include police disposals as well as COPFS disposals.

Table 19 Previous convictions: 2010-11 cohort

Number and type of previous convictions to 2010-11	Total	Gender		Age ³				(Last) sentence in 2010-11			
		Male	Female	under 21	21 to 25	26 to 30	over 30	Custody	Community sentence	Monetary	Other
Number of persons with charge proved (=100%)	43,974	36,327	7,647	8,153	8,868	7,377	19,576	7,229	8,925	18,322	9,498
All previous convictions¹											
None	12,955	76	24	32	19	13	36	6	17	45	31
1 or 2	9,170	82	18	23	23	16	39	8	22	49	21
3 to 10	12,349	86	14	13	23	18	46	17	24	42	17
Over 10	9,500	89	11	3	15	22	60	37	18	29	16
Previous custodial sentences											
None	31,192	79	21	23	21	15	41	7	21	47	25
1 or 2	4,909	90	10	12	20	19	49	28	20	37	15
3 to 10	5,099	92	8	9	20	20	50	42	17	28	14
Over 10	2,774	94	6	1	11	24	64	51	14	20	15
Previous community sentences											
None	25,606	80	20	23	20	14	42	8	19	48	25
1 or 2	10,158	87	13	16	21	18	45	22	23	38	17
3 to 10	7,588	87	13	9	20	22	50	35	21	28	17
Over 10	622	82	18	2	15	32	51	38	20	26	16
Previous solemn convictions²											
None	35,046	80	20	21	21	16	42	11	21	45	23
1 or 2	7,048	91	9	9	20	21	50	33	19	33	15
3 to 10	1,863	97	3	3	12	20	65	53	13	21	13
Over 10	17	100	-	-	-	18	82	71	6	6	18
Crimes of violence											
None	23,491	78	22	25	20	15	40	9	19	45	26
1 or 2	11,595	86	14	14	22	18	46	18	23	42	18
3 to 10	8,030	89	11	8	20	21	52	33	20	33	15
Over 10	858	87	13	2	12	17	69	46	15	23	16
Crimes of dishonesty											
None	26,847	81	19	26	22	15	37	10	21	45	24
1 or 2	7,116	86	14	12	21	18	48	19	22	42	17
3 to 10	5,812	84	16	6	17	19	58	28	19	35	17
Over 10	4,199	85	15	1	9	25	65	39	17	27	18
Drug offences											
None	32,241	81	19	24	22	15	40	13	21	43	24
1 or 2	7,810	86	14	5	20	23	52	25	20	39	16
3 to 10	3,773	90	10	1	9	22	68	31	17	36	16
Over 10	150	93	7	1	3	13	83	38	11	37	13

1. Convictions for crimes or common assault, breach of the peace, racially aggravated conduct or harassment, firearms offences or social security offences. Excludes convictions outwith Scotland.

2. Convictions in the High Court or in a sheriff and jury court.

3. Age as at date of last conviction in 2010-11.

9 International comparisons of reconviction rates

9.1 Ministry of Justice and Scottish Government analysts participated in an exercise to compare reoffending rates for England and Wales, Scotland and the Netherlands. The results were published in the Ministry of Justice [Compendium of reoffending statistics and analysis](#) in November 2010. The main findings were that differences in methodology, terminology and criminal justice systems between the three countries make it difficult to meaningfully compare reconviction rates across the different jurisdictions. When these differences were stripped out of the analysis, the patterns of reconviction became more similar.

9.2 The National Audit Office summarised these problems in the report [Comparing International Criminal Justice Systems](#) and concluded that comparability is impaired because of differences in the ways crimes are counted and offences categorised, changes in measurement rules and definitions, and wide variation in the timeliness of data. Differing patterns across jurisdictions will be driven by differences between legal systems and policy structures, as well as public confidence in the justice system.

10 Uses and users of reconviction frequency rates and reconviction rates

10.1 Reconviction rates help to inform progress on the Scottish Government's [Reducing Reoffending Programme](#). This works with partners across Scotland's justice system, working with persistent offenders to reduce crime, victimisation, and the negative effects these can have on society and the economy. To carry this out, eight Community Justice Authorities (CJAs) are tasked with working in partnership with local key agencies, including local authorities, Scottish Prison Service, health boards, police and third sector bodies.

10.2 The one year reconviction frequency rate is also used to inform the national indicator to [reduce reconviction rates](#) on Scotland Performs, the Scottish Government National Performance Framework. Scotland Performs measures and reports on progress of government in Scotland in creating a more successful country. It was put into place in 2007 by the new incoming government at that time.

10.3 Progress in terms of the reconviction indicator on Scotland Performs is assessed annually by considering whether or not the latest reconviction frequency rate has improved or declined compared to the baseline reconviction frequency rate (this was chosen as the rate in 2006-07 because that relates to the financial year coinciding with the end of the previous government). The methodology for determining progress is discussed in a [technical note](#).

10.4 Users of information on reconviction rates include:

- Community Justice Authorities
- Local authorities
- Scottish Prison Service
- Scottish Police Forces
- Scottish Court Service
- Risk Management Authority
- Parole Board for Scotland
- Crown Office and Procurator Fiscal Service
- Health Boards

- Victim Support
- Third Sector Partners
- COSLA
- Association of Directors of Social Work

10.5 We are made aware of new users, and their uses of this data, on an ongoing basis and we will continue to include their contributions to the development of reconviction statistics in Scotland.

10.6 CJAs use the data for strategic planning so that resources can be targeted effectively. Local authorities find it useful for identifying local issues and to inform feedback on performance to partners. These data are useful in terms of providing contextual information to help assess the effectiveness of justice programmes, and for gaining understanding about structural patterns in offending, such as the age-crime curve. The data are also used to answer ad-hoc Parliamentary Questions and Freedom of Information requests.

11 Developments

11.1 This bulletin focuses on a follow-up period of one year rather than two years as the one year rate tracks the two year rate and is more timely. This is supported by findings made by the Ministry of Justice in England and Wales in [Public Service Agreement 23: 'Make communities safer'](#). In a [briefing for the House of Commons Justice committee](#), the National Audit Office say that "The decision to measure the level of re-offending in only the first year following an individual's release from prison or commencement of a community sentence is a valid one. The Department has conducted analysis, which shows that 80 per cent of re-offending that takes place in the first two years is committed during the first year. The loss of completeness must be balanced against the need for timely performance information in an indicator that already requires a long lead time." In Scotland, there is also evidence from published material that the criminal justice system is processing cases faster, and this is particularly apparent in the Scottish Government publication of the [26 week target of Summary Court cases](#). It is also supported by information published by the Crown Office and Procurator Fiscal Service, that more [summary criminal cases](#) are being dealt with within 26 weeks in 2011-12 compared to 2006-07.

11.2 This improvement in processing time suggests that a shorter follow-up period (of one year) is most appropriate for assessing the government's aims of reducing reoffending.

12 Annex

12.1 The effect of pseudo reconvictions

12.1.1 Pseudo reconvictions are convictions which occur after the index conviction, but relate to offences committed prior to the index conviction. They can arise in cases where there are several sets of proceedings in train against an individual for offences committed on a range of dates. They could potentially have the following effects:

- In theory they may 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 compared to those given non-custodial sentences; and
- They 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 acquisitive crime.

12.1.2 However, excluding pseudo reconvictions will not necessarily result in an improved estimate of the reconviction rate, unless one also addresses the issue of offences committed during the follow-up period, but which have a conviction date outwith this period and are therefore currently excluded from the calculation. Excluding both cases is likely to result in a downward bias of the estimate, and we are currently assessing the feasibility of moving to a reconviction indicator based on proven reoffending, similar to the approach adopted by the Ministry of Justice (see Appendix C in [Adult re-convictions: results from the 2009 cohort \(England and Wales\)](#) for further details of this methodology). One year and two year reconviction frequency rates and reconviction without pseudo reconvictions are shown in [previous publications](#) for the purposes of illustration, although these figures should be treated with caution.

12.2 Background and methodology

12.2.1 The Scottish Offenders Index (SOI) currently contains data on 450,000 offenders and 1,700,000 convictions since SOI records began in 1989. According to earlier analyses of this dataset, 84 per cent of offenders were male. Fifty-seven per cent of convictions recorded on the SOI are accounted for by 15 per cent of offenders who each had 6 or more convictions. Only 17 per cent of male offenders and 6 per cent of female offenders present on the SOI had received one or more custodial convictions since 1989, whereas 80 per cent of males and 66 per cent of females had received more than one fine or other monetary penalty.

Definitions

The following terminology is applied throughout the bulletin:

Cohort - all offenders in any one year who received a caution / non-custodial conviction / non-court disposal, or were released from a custodial sentence.

Index conviction – in the case of a court disposal, the conviction that resulted in a non-custodial sentence being imposed or the one which had originally led to a custodial sentence being served. In the case of a non-court disposal, the police or COPFS disposal imposed.

Relevant date of the index conviction – in the case of a court disposal, the sentence date for non-custodial sentences or the estimated date of discharge from custody for custodial convictions.

Pseudo reconviction – convictions which occur after the index conviction, but relate to offences committed prior to the index conviction.

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

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

Previous convictions – convictions preceding the index convictions.

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

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

Reconviction frequency rate – the average number of reconvictions within a specified follow up period from the date of the index conviction per 100 offenders. Unless stated otherwise the reconviction frequency rates that are quoted in this bulletin are for a follow-up period of one year.

Reconviction rate – in the case of a court disposal, the percentage of offenders with index convictions in the cohort who were reconvicted one or more times within a specified follow up period from the relevant date of the index conviction. Unless stated otherwise the reconviction rates that are quoted in this bulletin are for a follow-up period of one year. Note: In the case of a non-court disposal, this is the percentage of individuals who received a further non-court disposal within a specified follow up period from the relevant date of the index conviction.

12.2.2 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. witnesses fail to turn up, or accused is acquitted. Convictions and reconvictions are therefore a subset of actual offending and reoffending, and reconviction rates only a proxy measure of reoffending rates.

12.2.3 The Scottish Prison Service has previously published 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.

12.3 Sources of information

12.3.1 Information presented in this bulletin is based on data held in the SOI, which is in turn derived from information held on the Criminal History System (CHS) at the Scottish Police Services Authority (SPSA). It currently contains a record of criminal proceedings against individuals (excluding companies) in Scottish courts as well as information on non-court disposals. 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 common assault, breach of the peace, racially aggravated harassment or conduct, miscellaneous firearms offences and social security offences. Groups 1-5 of the Scottish Government's classification covers non-sexual crimes of violence, crimes of indecency, crimes involving dishonesty, fire-raising and vandalism, and other crimes.

12.3.2 The figures in the bulletin 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. The CHS is regularly updated so that further analysis at a later date will generate revised figures (as shown in the table below). The extent of error or omitted records on the CHS 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.

Revisions to Reconviction Rates

	Initial published figures		1st revision of published figures		2nd revision of published figures		3rd revision of published figures	
	Recon rate	Recon freq. rate	Recon rate	Recon freq. rate	Recon rate	Recon freq. rate	Recon rate	Recon freq. rate
Cohort								
2006-07	32.2	58.6*	32.4	59.6*	32.4	59.7	32.4	59.7
2007-08	30.9	55.9*	31.2	57.1	31.3	57.3	-	-
2008-09	31.0	57.9	31.5	59.6	-	-	-	-
2009-10	30.1	54.0	-	-	-	-	-	-

* These figures were not initially published, however it is possible to determine their magnitude retrospectively.

12.3.3 The CHS is not designed for statistical purposes. It is dependent on receiving timely information from the courts and police force records offices and it should be noted that some types of outcome, such as acquittals, are removed from the system 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 provided in this bulletin reflect the details of court proceedings as made available to and recorded at SPSA, and as supplied to the Scottish Government by the end of August 2011 to allow later convictions for 2010-11 to be captured on the CHS.

12.3.4 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 (The SOI is a statistical database and personal information on offenders is not held).

12.3.5 While virtually all convictions since 1989, for crimes listed in [section 12.3.1](#), 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, and any relevant convictions not recorded by SPSA by the end of August 2011.

12.3.6 All but the most serious 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.

12.3.7 The method described in [section 12.4.10](#) cannot be used to accurately identify the release date for offenders 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.

12.4 Counting rules, data definitions and notation

Counting rules

12.4.1 All but the most serious 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.

12.4.2 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 collection of reconvictions.

12.4.3 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.

12.4.4 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 to be the most serious based on the Scottish Government's classification of crimes and offences. In the analysis of reconvictions presented in this bulletin, where an offender was sentenced for a bail-related offence (such as "failure to appear") and other offences on the same day, then the most serious of the latter is taken as being the main offence (even where the bail offence had attracted the heaviest penalty).

12.4.5 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 common 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.

12.4.6 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: (a) the first occasion in the year in question on which an individual was given a non-custodial sentence, (b) the first date at which an individual was estimated to have been released from prison from a custodial sentence, or (c) the first occasion in the year in question on which an individual was given a non-court disposal, 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 one and two 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, such as committing an offence while on bail, 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.

12.4.7 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

12.4.8 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, sexual assault, 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.
Police disposals	Anti-social behaviour fixed penalty notices (ASBFPNs), formal adult warnings, other police warnings.
Crown Office Procurator Fiscal Service disposals	Fiscal fines, fiscal fixed penalties.

12.4.9 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.

12.4.10 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 not always tie in with the actual release date because the offender may be serving other custodial sentences, for example. However, this is not judged to be significant for the purposes of the current analysis. The main exception to this relates to offenders discharged from life sentences or, for some cohorts, very long determinate custodial sentences - see [Section 12.3.7](#).

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Correspondence and enquiries

Enquiries on this publication should be addressed to:

Ian Morton
Scottish Government Justice Analytical Services
2WR, St Andrew's House
EDINBURGH EH1 3DG
Telephone: (0131) 244 2752
e-mail:
JusticeAnalysts@scotland.gsi.gov.uk

General enquiries on Scottish Government statistics can be addressed to:

Office of the Chief Statistician and Performance
Scottish Government
4N.06, St Andrews House
EDINBURGH EH1 3DG
Telephone: (0131) 244 0442
e-mail:
statistics.enquiries@scotland.gsi.gov.uk

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