

# Statistical Bulletin

## Crime and Justice Series

A National Statistics Publication for Scotland

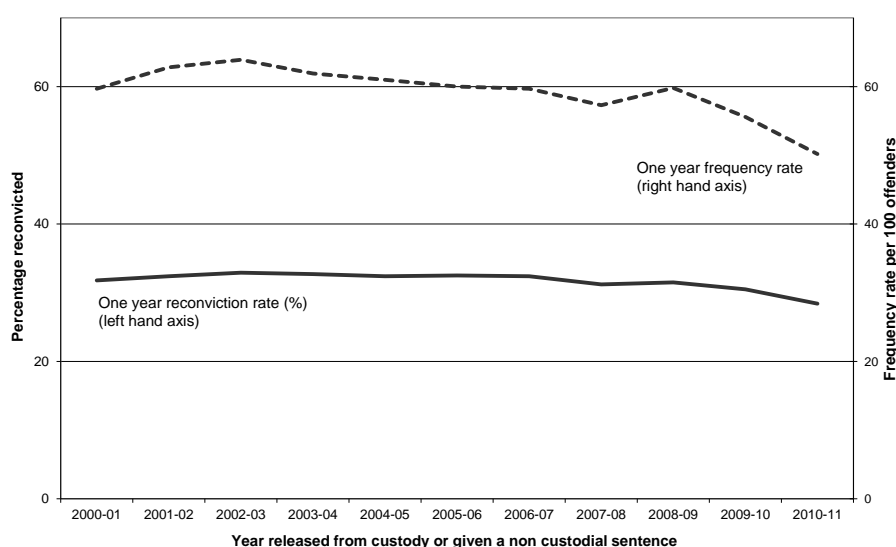


### RECONVICTION RATES IN SCOTLAND: 2010-11 OFFENDER COHORT 09 September 2013

#### 1 Introduction

1.1 This publication provides analyses of one year reconviction rates and one year reconviction frequency rates<sup>1</sup> for the cohort of offenders released from a custodial sentence or receiving a non-custodial disposal in 2010-11, including non-court disposals<sup>2</sup>.

**Chart 1**      **Reconviction frequency rates and reconviction rates: 2010-11**



1.2 The one year reconviction rate has fallen by 2.1 percentage points, from 30.5 for the 2009-10 cohort to 28.4 per cent for the 2010-11 cohort. The reconviction frequency rate has fallen by 10 per cent, from 55.6 for the 2009-10 cohort to 50.2 for the 2010-11 cohort<sup>3</sup> ([Chart 1](#) and [Table 1](#)).

<sup>1</sup> An explanation of reconviction rate, reconviction frequency rate and cohort are provided in [Section 3](#) and [Section 12.2](#)

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

<sup>3</sup> These figures have been revised since the previous publication (previously reported as 54.0) as data have been updated (see [Section 12.3.2](#) for more details).

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## 2 Key points

- Over the past nine years there has been an overall decline in the one year reconviction rate. In 2002-03 the one year reconviction rate was 32.9 per cent, whereas in 2010-11 it is 28.4 per cent; a reduction of 4.5 percentage points. Over the same time period there has been a reduction in reconviction frequency rate from 63.9 to 50.2; a 21 per cent reduction of nearly 14 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 2010-11 the reconviction frequency rate is 59.3; over fourteen years a 37 per cent fall of just over 34 reconvictions for every 100 young offenders ([Table 3](#)).
- There were 8,340 offenders given a community payback order (CPO) / legacy community sentence<sup>4</sup> in 2010-11. These offenders have a 31.6 per cent one year reconviction rate and have a reconviction frequency rate of 54.9 ([Table 6](#)).
- 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 nine years: in 2002-03 the one year reconviction frequency rate was 240.6 and in 2010-11 the rate is 146.9, representing a 39 per cent reduction of nearly 94 reconvictions for every 100 offenders.
- 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 2010-11, the reconviction frequency rate is 91.7 for offenders who committed crimes of dishonesty and 15.7 for offenders who committed a sexual crime ([Table 7](#)).
- For any given year, 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. In 2010-11, the reconviction frequency rate for those released from a sentence of 3 months or less is 126.0. This compares with a reconviction frequency rate of 63.7 for those released from a sentence of over 6 months to 2 years. Over time there is some evidence of a reduction in the reconviction frequency rate. In nine years, there has been a reduction of over 23 reconvictions for every 100 offenders who served a sentence of 3 months or less ([Table 8](#)).
- In 2010-11, 80.2 per cent of police disposals were anti social behaviour fixed penalty notices and 27.4 per cent of offenders who were given these disposals were given another non-court disposal within one year ([Table 14](#)).
- In 2010-11, 55.5 per cent of Crown Office and Procurator Fiscal Service disposals were fiscal fines and 22.9 per cent of offenders who were given these disposals were given another non-court disposal within one year ([Table 15](#)).

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<sup>4</sup> Legacy community sentences consist of community service orders and probation orders, which the CPO has replaced. See [Section 3.6](#) and [Section 4.14](#) for further details. There are a small number of supervised attendance orders that are not included in these figures.

### 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 offender's 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 illustrates that not all offences reported to the police result in a conviction, and reoffending (as 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 (see National Audit Office 2012 Report [Comparing International Criminal Justice Systems](#)).

3.3 This bulletin provides more detailed analysis of reconvictions by also reporting the complementary measure of frequency of reconviction. 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 completely desisting 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, for the 2010-11 cohort the one year reconviction frequency rate is 50.2 ([Table 1](#)) and this means that there was an average of 50.2 reconvictions for every 100 offenders in the year following their conviction or release from a custodial sentence in 2010-11.

3.5 The reconviction rate is presented here as 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 date of the index conviction. For example, the 2010-11 one year reconviction rate is 28.4 per cent ([Table 1](#)) and this means that just over a quarter of offenders were reconvicted in the year following their conviction or release from a custodial sentence in 2010-11. The definitions in [Section 12.2.1](#) provide more details about the terminology used in this publication.

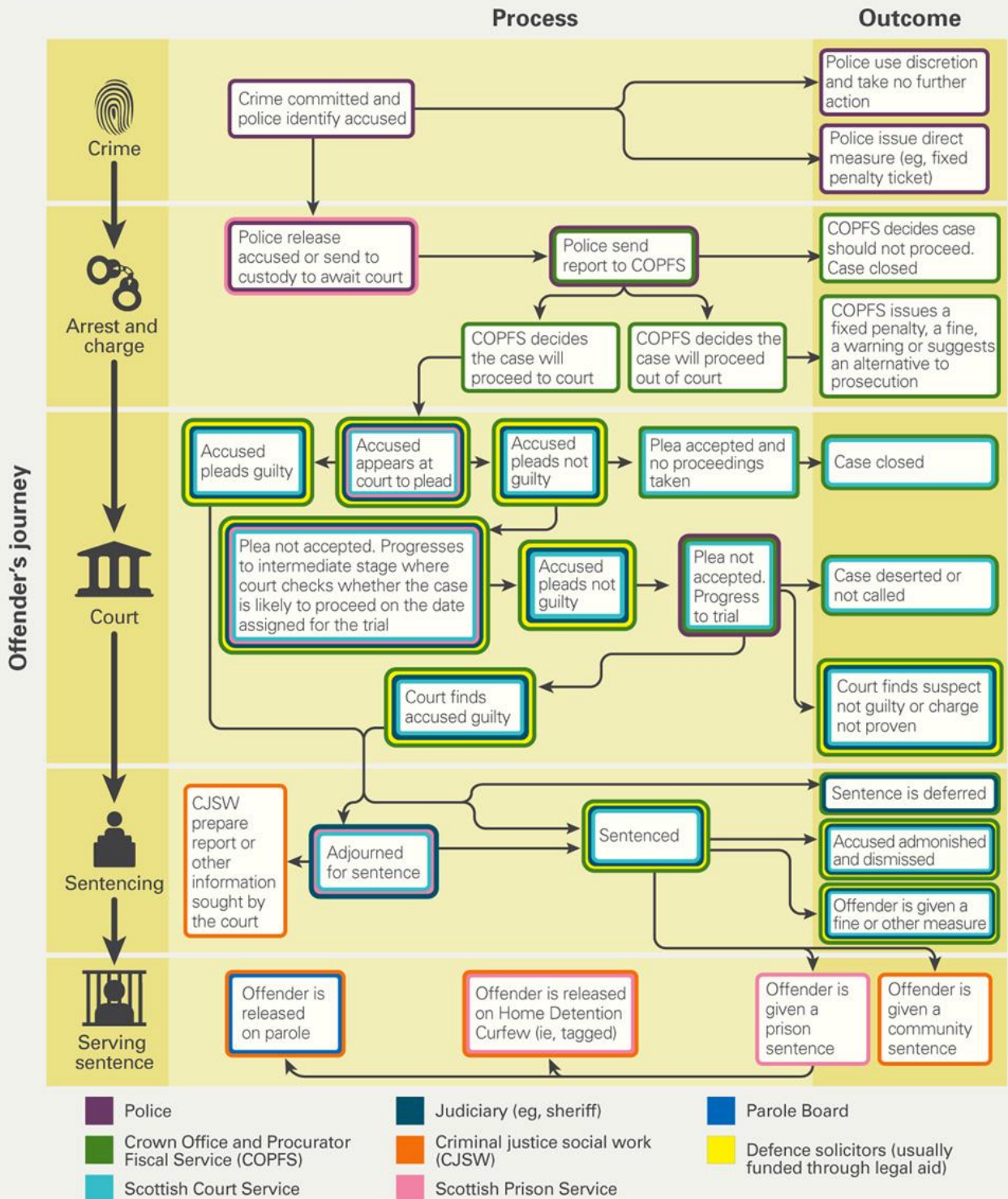
3.6 The Community Payback Order (CPO) was implemented during 2011. This order replaced provisions for Community Service, Probation and Supervised Attendance Orders for offences committed after 1 February 2011. The cohort of offenders released from a custodial sentence or receiving a non-custodial disposal in 2010-11 will therefore include a relatively small number of offenders with a CPO. In order to avoid potential bias due to differing offender characteristics between the two groups, results for this group will not be reported separately from offenders receiving legacy community sentences.

**Chart 2 An offender's journey through the 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.



(Source: Audit Scotland 2012 *An overview of Scotland's criminal justice system*)

## **4 Main findings: reconviction rates for court disposals**

### **[\(Tables 1 to 13\)](#)**

4.1 There were 44,126 offenders discharged from custody or given a non-custodial sentence in 2010-11 ([Table 1](#)). In the following year, there were 50.2 reconvictions for every 100 offenders, and the reconviction rate was 28.4 per cent.

4.2 Over the past nine years the number of offenders discharged from custody or given a non-custodial sentence increased from around 44,900 in 2002-03 to 53,300 in 2006-07 but has since declined to around 44,100 in 2010-11. During this period, there has been an overall decline in the one year reconviction frequency rate and one year reconviction rate ([Table 1](#) and [Chart 1](#)). One might also note that this reduction is set against the context of a falling number of crimes and offences recorded by the police since 2004-05 ([Recorded Crime in Scotland, 2012-13](#)). Crime and victimisation surveys also reveal a similar pattern of falling incidence of crime ([Scottish Crime and Justice Survey, 2010-11](#)).

4.3 For the 2002-03 cohort, the reconviction frequency rate was 63.9 and the reconviction rate was 32.9 per cent, this compares with a reconviction frequency rate of 50.2 and a reconviction rate of 28.4 per cent for the 2010-11 cohort. There has been a 21 per cent reduction of nearly 14 reconvictions for every 100 offenders between 2002-03 and 2010-11, and a 14 per cent decrease in the reconviction rate by 4.5 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 for the 2010-11 cohort is 52.1 and 41.2 for males and females respectively, the reconviction rates are 29.6 and 22.8 per cent.

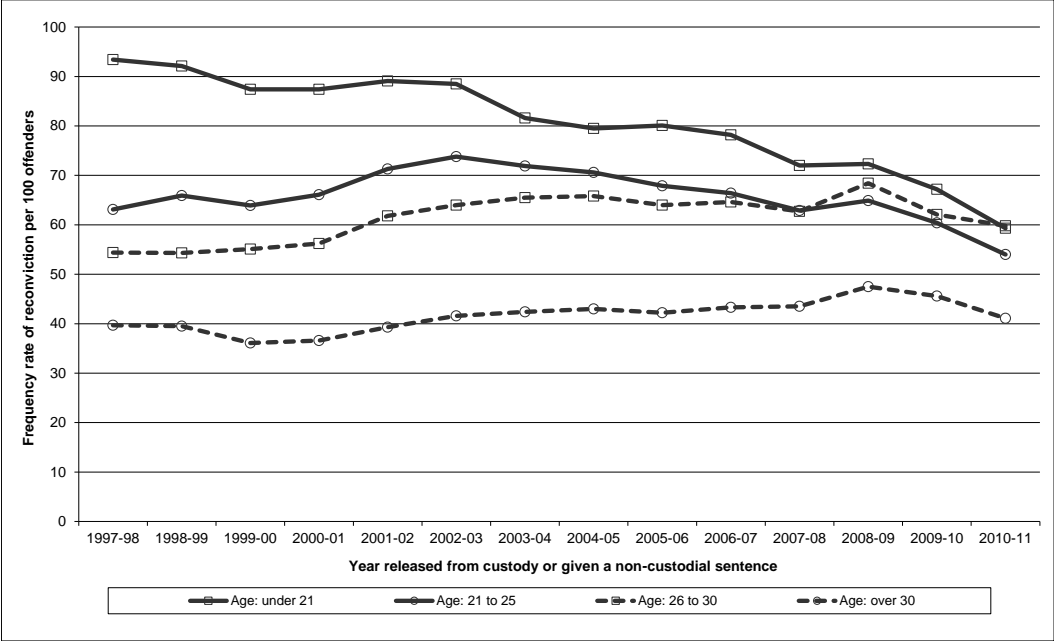
4.5 Those aged under 21 have the highest reconviction frequency rate and the highest reconviction rate ([Table 3](#) and [Chart 3](#)). For the 2010-11 cohort the reconviction frequency rate is 59.3, a fall of 7.9 reconvictions for every 100 offenders from the previous year. The reconviction rate for this age group is 34.1 per cent, a fall of 2.5 percentage points since 2009-10.

4.6 For the 1997-98 cohort there was a marked difference in the level of reconviction between those offenders aged under 21, compared to those aged 21 and over. However, for the 2010-11 cohort 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 2010-11 the reconviction frequency rate for the under 21 age group was 59.3 and for those aged over 21 it ranged from 41.1 to 59.8. It appears that this change over time has resulted from 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 2010-11 the reconviction frequency rate is 59.3; a fall of about 34 reconvictions for every 100 offenders over a fourteen year period.

4.7 Over the past nine 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 reconviction frequency rate was 73.8 and in 2010-11 it is 54.0. Overall, for those

aged between 21 and 25, this shows that there has been a reduction of nearly 20 reconvictions for every 100 of these offenders.

**Chart 3 One year reconviction frequency rates by age: 1997-98 to 2010-11 cohorts**



4.8 There has also been a decline in the one year reconviction rate between the 2002-03 and 2010-11 cohorts. 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 2010-11 were 34.1 and 31.1 per cent for the two age groups.

4.9 Males aged under 21 have the highest reconviction frequency rate and the highest reconviction rate (Table 4). The reconviction frequency rate is 62.0 for the 2010-11 cohort, and the reconviction rate for this age group is 35.9 per cent.

4.10 Between the cohorts of 2006-07 and 2010-11 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 43.0 and the 21 to 25 age group declined from 66.0 to 50.3.

**Index disposal<sup>5</sup>**

4.11 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 146.9 for the 2010-11 cohort, and the reconviction rate is 64.8 per cent.

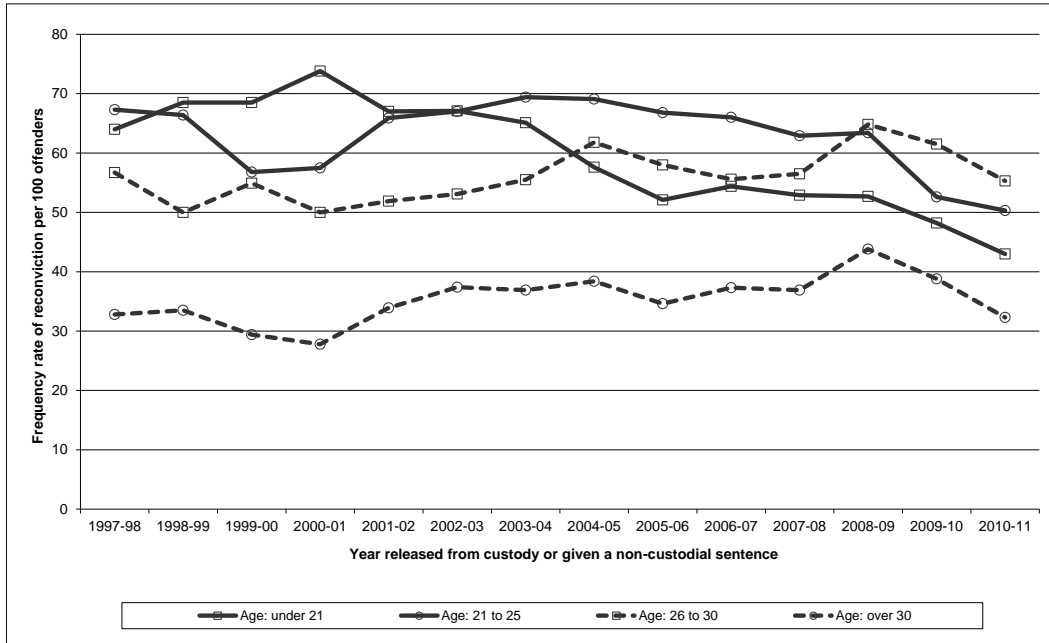
4.12 Over time there has been a decline in the reconviction frequency rate for those offenders who are given a DTTO. These orders were rolled out to Glasgow, Fife and Aberdeen between 1999 and 2002, and Edinburgh, Renfrewshire, Inverclyde and Tayside in 2002-03. For the 2002-03 cohort the one year reconviction frequency rate

<sup>5</sup> 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.

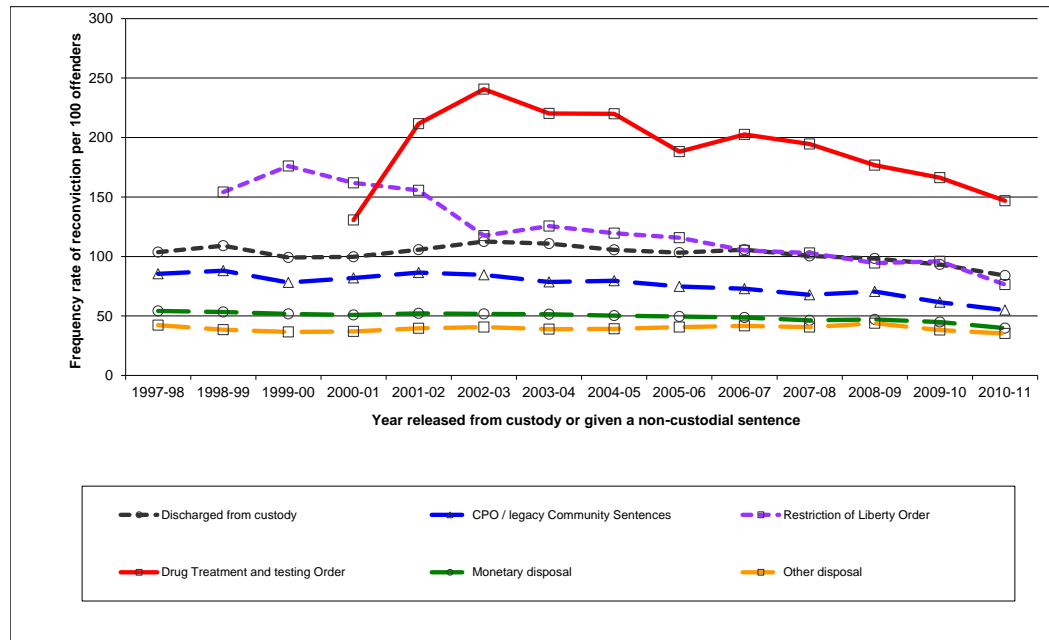


was 240.6 compared to 146.9 for the 2010-11 cohort. A reduction of nearly 94 reconvictions for every 100 offenders.

**Chart 4 One year reconviction frequency rates, females by age: 1997-98 to 2010-11 cohorts**



**Chart 5 One year reconviction frequency rates by disposal: 1997-98 to 2010-11 cohorts**



4.13 There has also been a decline in reconviction rates for those given DTTOs. The one year reconviction rate for 2002-03 was 75.5 per cent, and the reconviction rate for 2010-11 was 64.8 per cent.

4.14 Community Payback Orders (CPOs) were introduced by the Criminal Justice and Licensing (Scotland) Act 2010 and came into effect from 1 February 2011. The CPO replaces provisions for Community Service Orders (CSO), Probation Orders (PO) and Supervised Attendance Orders (SAO). The cohort of offenders receiving a non-custodial disposal in 2010-11 will therefore include a relatively small number of offenders with a CPO. In order to avoid potential bias due to differing offender

characteristics between the two groups, results for this group will not be reported separately from offenders receiving legacy community sentences.

4.15 There were 8,340 offenders given a CPO/legacy community sentence in 2010-11. This cohort has a 31.6 per cent one year reconviction rate and have a reconviction frequency rate of 54.9.

4.16 Those offenders with an index disposal of a custodial sentence in the 2010-11 cohort have a higher reconviction frequency rate than offenders who are given a CPO / legacy community sentence. The reconviction frequency rates for the 2010-11 cohort are 84.0 and 54.9, a difference of 53 per cent.

4.17 The reconviction frequency rate for all disposals show some evidence of a decline since 2002-03. While there is a gradual 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](#).

4.18 There was a substantial decrease in the number of individuals who were given a monetary disposal in a court in 2010-11 compared to 2007-08 (18,328 offenders compared to 27,492), and this may in part reflect the impact of summary justice reform which was designed to take less serious cases out of the court system (see [Section 5](#)). During this period the reconviction frequency rate fell from 46.3 to 39.8, a fall of 6.5 reconvictions for every 100 offenders.

## **Index crime**

4.19 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 reconviction rate compared to other crimes ([Table 7](#)). The reconviction frequency rate is 91.7 for offenders who were convicted of crimes of dishonesty in the 2010-11 cohort. The reconviction rate is 42.1 per cent.

4.20 Offenders who committed a sexual crime<sup>6</sup> have the lowest reconviction frequency rate and the lowest reconviction rate. The reconviction frequency rate is 15.7 for those who were convicted of a sexual crime in the 2010-11 cohort, and the reconviction rate is 10.7 per cent.

4.21 Offenders from the 2010-11 cohort who committed crimes other than sexual crimes or crimes of dishonesty have a reconviction frequency rate between around 35 and 48. The reconviction rates are between 23 and 29 per cent.

4.22 Reconviction rates by more detailed crime types are also available in [Table 13](#). Offenders in the 2010-11 cohort convicted of shoplifting and housebreaking had the highest one year reconviction rates. Offenders convicted of these crimes had one year reconviction rates of around 55 per cent. Most shoplifters who were reconvicted went onto be convicted of further crimes of dishonesty within a year (about 80 per cent).

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<sup>6</sup> The definition of sexual crime has been changed since last publication (See [Table 7](#): note 3 and [Table 13](#): notes 3, 4 and 5). Care should be taken when comparing with previous publications.

## Sentence length

4.23 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 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 126.0 for the 2010-11 cohort, and the reconviction rate is 59.8 per cent. On the other hand, those released from sentences of over 6 months to 2 years had a reconviction frequency rate of 63.7 in 2010-11.

4.24 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. For the 2003-04 cohort the reconviction frequency rate was 151.0 and for the 2010-11 cohort it has declined to 126.0. Over the eight year period a reduction of 25 reconvictions for every 100 offenders.

## Conviction history

4.25 Once the age, sex and particularly the number of previous convictions of offenders are taken into account, the differences observed in 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 9](#)<sup>7</sup> 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 is the most influential factor in terms of the likelihood of reconviction.

## Administrative area

4.26 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 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](#)).

4.27 [Table 10](#) shows the two highest reconviction frequency rates were for offenders whose index conviction was given at courts in the Dundee City area and the Clackmannanshire area, and the lowest rate was for offenders whose index conviction was received at a court in Eilean Siar. These are unadjusted figures which do not take account of underlying differences in population composition, such as offender mix.

4.28 [Table 10](#) also includes measures of the reconviction frequency rate and reconviction rate at the Community Justice Authority (CJA) level for the 2010-11

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<sup>7</sup> The information in [Table 9](#) is not comparable with figures in previous publications. Earlier cohorts will show fewer prior convictions as these represent cumulative convictions since 1989 (See [Section 12.3.1](#)).

cohort. It shows that the highest reconviction rate and highest reconviction frequency rate is in Tayside CJA (34.1 per cent and 66.0 respectively). The lowest reconviction frequency rate is in Lanarkshire CJA (44.3), and the lowest reconviction rate is for Lothian and Borders CJA (25.4 per cent).

4.29 [Table 11](#) includes measures of the reconviction frequency rate and reconviction rate at the police force level for the 2010-11 cohort. It shows that the highest reconviction frequency rate is in Tayside Police force (65.6), whereas the lowest is in Northern Police (36.2). The reconviction rate is also highest for Tayside Police (33.9 per cent) and lowest for Northern Police (23.4 per cent).

### **Two year rates**

4.30 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 12](#)). For the 2002-03 cohort the reconviction frequency rate was 118.3 and the reconviction rate was 45.3 per cent whereas for the 2009-10 cohort these were 97.9 and 40.5 per cent respectively. Overall, there has been a reduction of about 20 reconvictions for every 100 offenders between 2002-03 and 2009-10, and a decrease in the reconviction rate by 4.8 percentage points.

## **5 Main findings: non-court disposals**

### **([Tables 14](#) and [15](#))**

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 at an earlier stage, and to improve the efficiency of court processes.

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. Procurator Fiscals 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 used to deal with less serious offences.

5.5 In 2010-11, the majority of the Crown Office and Procurator Fiscal Service's (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 14](#) shows that 53,335 individuals were given a police disposal in 2010-11. Twenty five per cent of these were given another non-court disposal within one year. The majority of the police disposals in 2010-11 (80 per cent) were ASBFPNs. Twenty seven per cent of those with an index disposal of an ASBFPN in 2010-11 were given another non-court disposal within one year.

5.7 Formal adult warnings made up 13 per cent of all the police disposals. Thirteen per cent of those with an index disposal of a formal adult warning were given another non-court disposal within one year.

5.8 In 2010-11, the remaining police disposals, which consisted of 20 per cent of all the 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 15](#) shows that 50,678 individuals were given a COPFS disposal in 2010-11. Eighteen per cent of these were given another non-court disposal within one year. The majority of the COPFS disposals in 2010-11 (56 per cent) were fiscal fines. Twenty three per cent of those with an index disposal of a fiscal fine in 2010-11 were given another non-court disposal within one year.

5.10 In 2010-11, there were 19,018 individuals given a fiscal fixed penalty, 38 per cent of all the COPFS disposals. Ten per cent of those with an index disposal of a fiscal fixed penalty were given another non-court disposal within one year.

5.11 In 2010-11, the remaining COPFS disposals comprised either 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 on [Scotland Performs](#) 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 variability<sup>8</sup>. 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 cause<sup>9</sup>. 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.

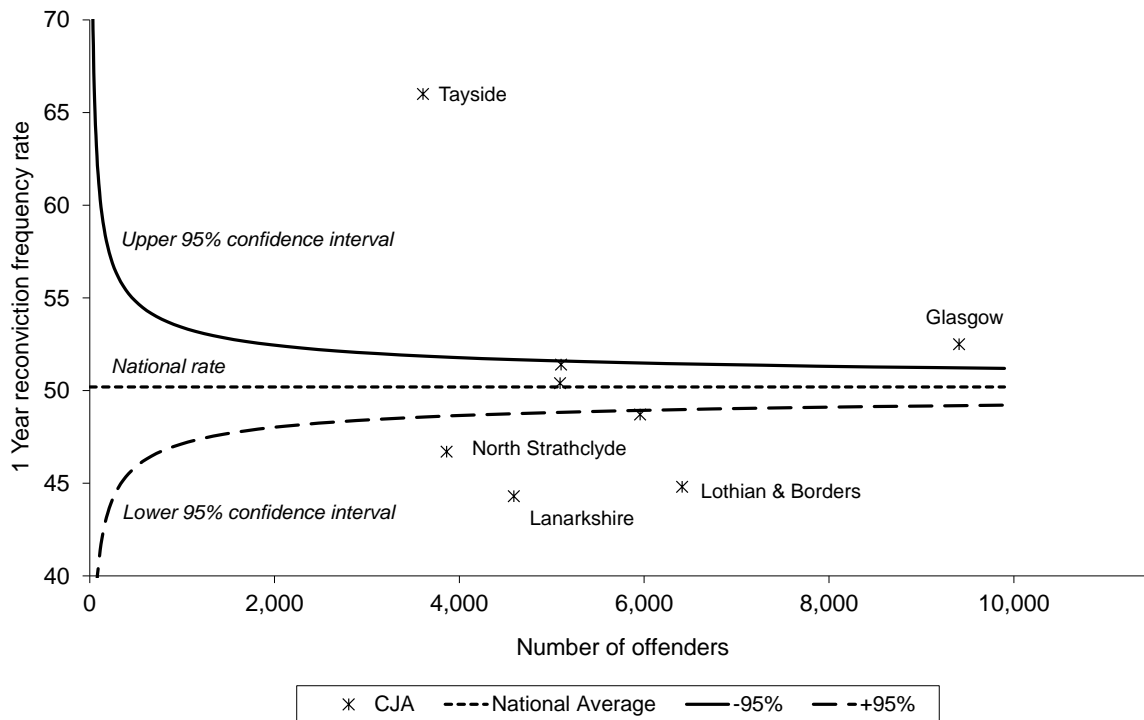
6.4 [Table 10](#) shows the unadjusted reconviction frequency rates and reconviction rates for each CJA area and [Chart 6](#) and [Chart 7](#) show these rates against the number of offenders. The plot takes into account the increased variability of the smaller authorities, where a small increase in 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 that which could reasonably be attributed to random variation, we would expect that 5 per cent of the authorities (i.e. only 1 of them) would lie outside the funnel.

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<sup>8</sup> 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](http://www.rss.org.uk/uploadedfiles/documentlibrary/739.pdf)

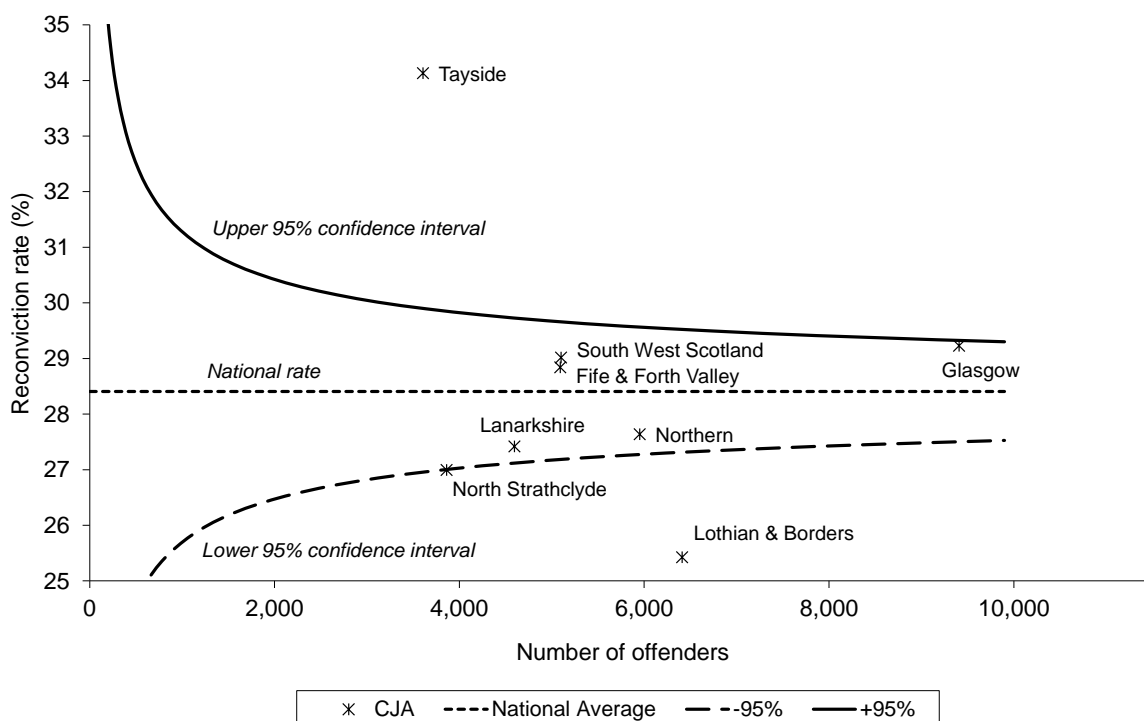
<sup>9</sup> Battersby, J. & Flowers, J. (2004) *Presenting performance indicators* Eastern Region Public Health Observatory. Obtained from <http://www.erpho.org.uk/viewResource.aspx?id=7518>

**Chart 6 One year reconviction frequency rate by CJA: 2010-11 cohort**



6.5 [Chart 6](#) shows that Tayside and Glasgow have higher reconviction frequency rates than one might expect, while North Strathclyde, Lanarkshire and Lothian & Borders have lower rates than expected. Whilst this is useful for highlighting that there are practical differences in reconviction frequency rates 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 7 One year reconviction rate by CJA: 2010-11 cohort**



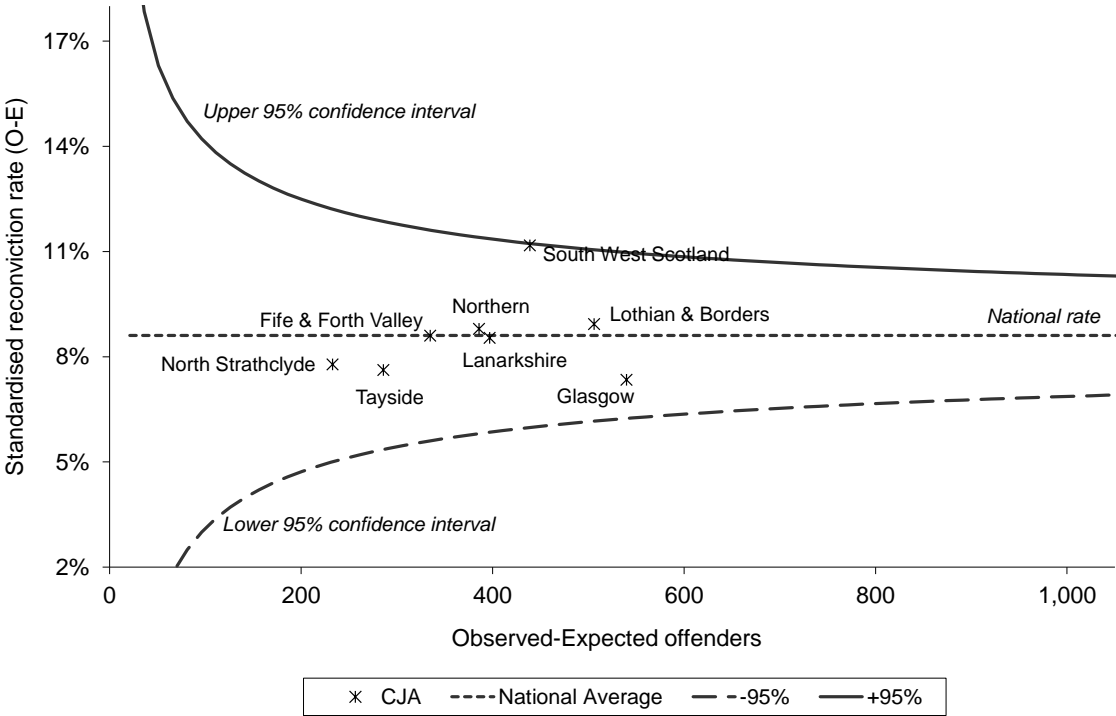


6.6 It is interesting to see that [Chart 7](#), which shows a funnel plot of reconviction rates, provides similar results to those in [Chart 6](#), which shows a funnel plot of reconviction frequency rates.

6.7 [Chart 8](#) provides the standardised reconviction rates<sup>10</sup> 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 either the variation in the characteristics of the offenders, the type of crime they committed, or the sentence they received, rather than differences in 'performance'. This overall conclusion for all authorities on the 2010-11 cohort is consistent with:

- (a) the findings provided in the [2011 reconvictions publication](#) (which provided funnel plots on the two year reconviction rates for the 2007-08 cohort); and
- (b) the findings provided in the [2012 reconvictions publication](#) (which provided funnel plots on the one year reconviction rates for the 2009-10 cohort).

**Chart 8 Standardised one year reconviction rate by CJA: 2010-11 cohort**



<sup>10</sup> Spiegelhalter, D. J. (2005) *Funnel plots for comparing institutional performance* Statistics in Medicine 24 1185-1202.

## 7 Number and type of previous convictions: 2002-03 to 2011-12 ([Table 16](#) and [Table 17](#))

7.1 This section presents information on previous convictions for the 40,992 individual offenders who were convicted on at least one occasion in 2011-12 ([Table 16](#) and [Table 17](#)). These two tables are compiled on a different basis to the remainder of this publication. They are constructed from [criminal proceedings](#) data rather than the Scottish Offenders Index (see [Section 12.2.1](#)).

7.2 Of the 40,992 individuals convicted at least once in 2011-12 for a crime or relevant offence, 67 per cent had accumulated at least one previous conviction, whilst 14 per cent had over 10 previous convictions.

7.3 Sentencing is influenced by offending history as well as the circumstances of a particular case. [Table 16](#) shows that:

- first time offenders tend to get fines (42 per cent) or caution/admonition (29 per cent). Community sentences<sup>11</sup> account for 22 per cent and custodial sentences for 7 per cent.
- sporadic offenders with one or two convictions in the past 10 years tend to get fines (43 per cent), community sentences (26 per cent) or caution/admonition (21 per cent). Custodial sentences account for 9 per cent.
- those with a more regular conviction history (between 3 and 10 convictions in the past 10 years) are somewhat more likely to get a custodial sentence (23 per cent), although most still get fines (32 per cent) and community sentences (26 per cent).
- those with more than 10 convictions in the past 10 years tend to get custodial sentences (46 per cent) or other sentences (about 18 per cent).

7.4 The number of prior convictions for serious offences is strongly linked to the likelihood of getting a custodial sentence: about 13 per cent of those with no prior solemn convictions get a custodial sentence, rising to about 40 per cent and 63 per cent for those with 1-2 and 3-10 solemn convictions respectively.

7.5 Over time there has been very little change in the number of prolific offenders ([Table 17](#)). Thirteen per cent of offenders in 2002-03 had over 10 previous convictions in the past 10-year period, and this has fluctuated between 12 and 14 per cent for subsequent years. Fourteen per cent of offenders had over 10 previous convictions in the latest 10-year period of 2002-03 to 2011-12.

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<sup>11</sup> In [Table 16](#), Community Sentence refers to Community Payback Orders, Community Service Orders, Probation Orders, Restriction of Liberty Orders and Drug Treatment and Testing Orders.

## 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

All percentages, and reconviction rates and reconviction frequency rates, are shown in italics.

These tables can also be found, with additional datasets that contain supplementary information, on the [datasets](#) page.

**Table 1 One year reconviction frequency rates and one year reconviction rates: 1997-98 to 2010-11 cohorts**

<b>Overall cohort</b>	<b>Number of offenders</b>	<b>Reconviction rate<sup>2</sup></b>	<b>Reconviction frequency rate<sup>2</sup></b>
1997-98	53,446	<i>31.8</i>	<i>61.5</i>
1998-99	49,144	<i>31.8</i>	<i>61.8</i>
1999-00	44,229	<i>31.3</i>	<i>58.9</i>
2000-01	41,568	<i>31.8</i>	<i>59.7</i>
2001-02	43,651	<i>32.4</i>	<i>62.8</i>
2002-03	44,863	<i>32.9</i>	<i>63.9</i>
2003-04	46,986	<i>32.7</i>	<i>61.9</i>
2004-05	49,368	<i>32.4</i>	<i>61.0</i>
2005-06	50,322	<i>32.5</i>	<i>60.0</i>
2006-07	53,300	<i>32.4</i>	<i>59.7</i>
2007-08	53,043	<i>31.2</i>	<i>57.3</i>
2008-09	49,652	<i>31.5</i>	<i>59.8</i>
2009-10	47,414	<i>30.5</i>	<i>55.6</i>
2010-11	44,126	<i>28.4</i>	<i>50.2</i>

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**

<b>Males</b>	<b>Number of offenders</b>	<b>Reconviction rate<sup>2</sup></b>	<b>Reconviction frequency rate<sup>2</sup></b>
1997-98	45,715	32.8	63.2
1998-99	41,848	32.8	63.5
1999-00	37,577	32.2	60.6
2000-01	35,273	32.7	61.7
2001-02	36,975	33.4	64.9
2002-03	37,784	33.9	66.0
2003-04	39,514	33.7	63.7
2004-05	41,523	33.2	62.6
2005-06	42,202	33.7	62.2
2006-07	44,760	33.4	61.7
2007-08	44,381	32.2	59.0
2008-09	41,424	32.5	61.1
2009-10	39,399	31.6	57.4
2010-11	36,458	29.6	52.1
<b>Females</b>			
1997-98	7,772	25.5	51.6
1998-99	7,331	25.8	51.7
1999-00	6,694	25.7	49.2
2000-01	6,321	26.5	48.4
2001-02	6,712	26.7	50.9
2002-03	7,100	27.3	52.3
2003-04	7,484	27.2	52.5
2004-05	7,856	27.9	52.4
2005-06	8,134	26.2	48.3
2006-07	8,556	27.1	49.2
2007-08	8,670	26.4	48.4
2008-09	8,228	26.5	52.8
2009-10	8,016	25.0	46.9
2010-11	7,668	22.8	41.2

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**

<b>Age: under 21</b>	<b>Number of offenders</b>	<b>Reconviction rate<sup>2</sup></b>	<b>Reconviction frequency rate<sup>2</sup></b>
1997-98	13,790	42.4	93.4
1998-99	12,984	42.1	92.1
1999-00	11,784	41.0	87.4
2000-01	11,005	41.5	87.4
2001-02	11,232	41.2	89.1
2002-03	11,059	41.3	88.5
2003-04	11,315	40.6	81.6
2004-05	11,647	39.4	79.5
2005-06	12,113	41.4	80.1
2006-07	12,686	40.6	78.2
2007-08	12,402	38.2	72.0
2008-09	10,754	37.9	72.3
2009-10	9,323	36.6	67.2
2010-11	8,172	34.1	59.3
<b>Age: 21 to 25</b>			
1997-98	12,184	34.1	63.1
1998-99	10,762	34.4	65.9
1999-00	9,455	34.5	63.9
2000-01	8,993	35.5	66.1
2001-02	9,477	36.5	71.3
2002-03	9,928	37.1	73.8
2003-04	10,338	36.4	71.9
2004-05	10,592	36.5	70.6
2005-06	10,583	35.2	67.9
2006-07	11,240	35.2	66.4
2007-08	11,138	34.3	62.9
2008-09	10,105	34.2	64.9
2009-10	9,808	33.6	60.4
2010-11	8,898	31.1	54.0
<b>Age: 26 to 30</b>			
1997-98	9,595	30.3	54.4
1998-99	8,674	30.4	54.3
1999-00	7,453	31.5	55.1
2000-01	6,942	31.2	56.2
2001-02	7,168	33.3	61.8
2002-03	7,129	34.5	64.0
2003-04	7,258	35.6	65.5
2004-05	7,527	34.5	65.8
2005-06	7,588	34.8	64.0
2006-07	8,009	34.7	64.6
2007-08	8,249	33.6	62.7
2008-09	7,988	34.9	68.4
2009-10	7,894	32.9	62.1
2010-11	7,402	31.9	59.8
<b>Age: over 30</b>			
1997-98	17,877	22.8	39.7
1998-99	16,724	22.9	39.5
1999-00	15,537	21.8	36.1
2000-01	14,628	22.4	36.6
2001-02	15,774	23.1	39.3
2002-03	16,747	24.1	41.6
2003-04	18,075	24.4	42.4
2004-05	19,602	25.2	43.0
2005-06	20,038	24.7	42.2
2006-07	21,365	25.2	43.3
2007-08	21,254	24.7	43.5
2008-09	20,805	25.6	47.5
2009-10	20,389	25.2	45.6
2010-11	19,654	23.5	41.1

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**

<b>Age: under 21</b>	<b>Number of offenders</b>	<b>Reconviction rate<sup>2</sup></b>	<b>Reconviction frequency rate<sup>2</sup></b>
1997-98	12,082	44.1	97.5
1998-99	11,287	43.9	95.6
1999-00	10,202	42.6	90.2
2000-01	9,600	42.6	89.3
2001-02	9,786	42.7	92.2
2002-03	9,621	42.9	91.7
2003-04	9,810	42.2	84.1
2004-05	10,160	41.0	82.6
2005-06	10,488	43.3	84.4
2006-07	10,992	42.3	81.8
2007-08	10,679	39.7	75.1
2008-09	9,230	39.6	75.5
2009-10	7,981	38.4	70.3
2010-11	6,991	35.9	62.0
<b>Age: 21 to 25</b>			
1997-98	10,560	34.8	62.4
1998-99	9,215	35.0	65.8
1999-00	8,041	35.1	65.1
2000-01	7,695	36.0	67.5
2001-02	8,093	37.2	72.2
2002-03	8,446	37.8	75.0
2003-04	8,786	37.0	72.3
2004-05	8,943	36.7	70.8
2005-06	9,002	35.9	68.0
2006-07	9,584	35.9	66.4
2007-08	9,427	34.9	62.9
2008-09	8,553	35.1	65.1
2009-10	8,318	34.6	61.8
2010-11	7,507	31.8	54.7
<b>Age: 26 to 30</b>			
1997-98	8,147	30.7	54.0
1998-99	7,350	30.8	55.0
1999-00	6,308	31.8	55.1
2000-01	5,818	31.8	57.3
2001-02	6,010	34.2	63.7
2002-03	5,972	35.4	66.1
2003-04	5,995	36.6	67.6
2004-05	6,259	34.8	66.6
2005-06	6,231	35.5	65.3
2006-07	6,641	35.2	66.5
2007-08	6,837	34.2	64.0
2008-09	6,569	35.4	69.2
2009-10	6,499	33.1	62.3
2010-11	6,099	32.5	60.7
<b>Age: over 30</b>			
1997-98	14,919	23.5	41.1
1998-99	13,989	23.6	40.7
1999-00	13,020	22.5	37.4
2000-01	12,156	23.2	38.5
2001-02	13,079	23.7	40.4
2002-03	13,741	24.5	42.6
2003-04	14,922	25.0	43.6
2004-05	16,158	25.8	44.0
2005-06	16,479	25.6	43.8
2006-07	17,537	25.8	44.6
2007-08	17,440	25.3	45.0
2008-09	17,073	26.2	48.3
2009-10	16,601	26.1	47.1
2010-11	15,861	24.6	43.2

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**

<b>Age: under 21</b>	<b>Number of offenders</b>	<b>Reconviction rate<sup>2</sup></b>	<b>Reconviction frequency rate<sup>2</sup></b>
1997-98	1,723	29.6	64.0
1998-99	1,706	29.9	68.5
1999-00	1,595	30.3	68.5
2000-01	1,409	33.9	73.8
2001-02	1,462	31.2	67.0
2002-03	1,442	30.2	67.1
2003-04	1,509	30.1	65.1
2004-05	1,489	28.5	57.6
2005-06	1,629	28.5	52.1
2006-07	1,696	29.5	54.4
2007-08	1,729	28.6	52.9
2008-09	1,525	27.5	52.7
2009-10	1,342	26.2	48.2
2010-11	1,181	23.7	43.0
<b>Age: 21 to 25</b>			
1997-98	1,637	29.6	67.3
1998-99	1,558	30.3	66.4
1999-00	1,426	30.5	56.8
2000-01	1,307	31.8	57.5
2001-02	1,390	32.4	65.9
2002-03	1,489	33.2	67.0
2003-04	1,555	33.1	69.4
2004-05	1,654	34.8	69.1
2005-06	1,584	31.1	66.8
2006-07	1,657	31.6	66.0
2007-08	1,713	30.5	62.9
2008-09	1,553	29.0	63.4
2009-10	1,490	27.7	52.6
2010-11	1,391	26.9	50.3
<b>Age: 26 to 30</b>			
1997-98	1,456	28.0	56.7
1998-99	1,331	27.7	50.0
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	1,163	29.9	53.1
2003-04	1,266	30.8	55.5
2004-05	1,270	33.1	61.8
2005-06	1,363	31.5	58.0
2006-07	1,375	32.1	55.6
2007-08	1,415	30.6	56.5
2008-09	1,419	32.4	64.8
2009-10	1,396	31.5	61.5
2010-11	1,303	28.9	55.3
<b>Age: over 30</b>			
1997-98	2,958	19.4	32.8
1998-99	2,736	19.4	33.5
1999-00	2,523	18.1	29.4
2000-01	2,474	18.4	27.8
2001-02	2,697	20.5	33.9
2002-03	3,007	21.8	37.4
2003-04	3,155	21.3	36.9
2004-05	3,445	22.4	38.4
2005-06	3,560	20.9	34.6
2006-07	3,828	22.3	37.3
2007-08	3,815	22.0	36.9
2008-09	3,732	22.7	43.8
2009-10	3,788	21.1	38.8
2010-11	3,793	19.0	32.3

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. 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**

<b>Discharged from custody</b>	<b>Number of offenders</b>	<b>Reconviction rate<sup>2</sup></b>	<b>Reconviction frequency rate<sup>2</sup></b>
1997-98	6,119	48.4	103.6
1998-99	5,821	49.1	109.0
1999-00	5,744	46.3	99.2
2000-01	5,573	47.4	99.7
2001-02	5,950	47.9	105.7
2002-03	6,011	49.9	112.5
2003-04	5,885	50.1	110.8
2004-05	6,127	47.9	105.6
2005-06	6,240	47.4	103.2
2006-07	6,909	48.5	105.7
2007-08	7,060	46.8	100.4
2008-09	7,403	47.0	98.3
2009-10	7,433	45.8	93.3
2010-11	7,273	43.5	84.0
<b>Community Sentence (CPO, CSO, PO)<sup>3</sup></b>			
1997-98	6,084	39.6	85.4
1998-99	5,950	40.3	88.0
1999-00	5,597	38.5	78.1
2000-01	5,651	39.0	82.0
2001-02	6,093	40.5	86.4
2002-03	6,570	40.7	84.6
2003-04	6,466	39.0	78.5
2004-05	7,119	39.8	79.6
2005-06	7,808	38.6	74.8
2006-07	7,643	38.2	72.8
2007-08	8,135	36.6	67.8
2008-09	8,878	37.1	70.6
2009-10	8,680	33.6	61.6
2010-11	8,340	31.6	54.9
<b>Restriction of Liberty Order<sup>4</sup></b>			
1997-98	0	-	-
1998-99	24	58.3	154.2
1999-00	50	66.0	176.0
2000-01	55	60.0	161.8
2001-02	54	70.4	155.6
2002-03	212	53.3	117.5
2003-04	353	57.8	125.5
2004-05	414	57.2	119.6
2005-06	486	52.1	115.8
2006-07	510	51.2	105.1
2007-08	533	50.7	103.0
2008-09	567	46.9	94.4
2009-10	489	49.3	95.9
2010-11	441	42.2	76.4

(continued on following page)



Table 6 (continued)

<b>Drug Treatment and testing Order<sup>5</sup></b>			
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	202	78.7	220.3
2004-05	231	78.4	219.9
2005-06	268	70.1	188.1
2006-07	303	75.2	202.6
2007-08	326	70.9	194.5
2008-09	361	67.6	176.7
2009-10	362	65.5	166.3
2010-11	375	64.8	146.9
<b>Monetary disposal</b>			
1997-98	32,895	29.5	54.2
1998-99	29,559	29.4	53.3
1999-00	25,603	28.9	51.7
2000-01	23,817	28.9	50.9
2001-02	24,863	29.0	52.1
2002-03	24,850	29.1	51.7
2003-04	26,688	29.5	51.4
2004-05	27,460	29.2	50.3
2005-06	27,034	29.3	49.5
2006-07	28,497	29.0	48.6
2007-08	27,492	27.6	46.3
2008-09	22,840	26.7	47.1
2009-10	20,961	26.5	44.9
2010-11	18,328	24.0	39.8
<b>Other disposal<sup>6</sup></b>			
1997-98	8,348	23.0	42.3
1998-99	7,790	21.5	38.5
1999-00	7,234	21.7	36.6
2000-01	6,436	22.2	37.0
2001-02	6,596	22.5	39.6
2002-03	7,077	23.0	40.7
2003-04	7,392	22.1	38.9
2004-05	8,017	22.3	39.2
2005-06	8,486	23.8	40.7
2006-07	9,438	23.6	41.7
2007-08	9,497	23.2	40.7
2008-09	9,603	23.5	43.8
2009-10	9,489	21.9	38.2
2010-11	9,369	20.4	35.2

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. Community Sentence refers to Community Service Orders, Probation Orders and Community Payback Orders (CPOs). CPOs were introduced by the Criminal Justice and Licensing (Scotland) Act 2010 and came into effect from 1 February 2011. The CPO replaces provisions for Community Service Orders, Probation Orders and Supervised Attendance Orders.

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

5. 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. In 2010-11 this includes 127 Supervised Attendance Orders

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

<b>Violent crime</b>	<b>Number of offenders</b>	<b>Reconviction rate<sup>2</sup></b>	<b>Reconviction frequency rate<sup>2</sup></b>
1997-98	11,433	25.5	42.6
1998-99	10,851	23.5	39.4
1999-00	10,278	22.9	36.7
2000-01	9,821	24.0	39.0
2001-02	10,459	24.1	40.0
2002-03	11,149	24.8	42.3
2003-04	11,852	25.3	42.8
2004-05	12,674	25.5	43.8
2005-06	13,567	25.3	42.2
2006-07	14,222	26.2	44.4
2007-08	14,593	25.4	42.7
2008-09	14,225	26.2	43.8
2009-10	13,805	24.5	40.0
2010-11	13,528	22.6	34.6
<b>Sexual crime<sup>3</sup></b>			
1997-98	286	13.6	23.1
1998-99	282	15.2	27.7
1999-00	392	9.7	14.3
2000-01	410	13.9	24.1
2001-02	419	11.9	18.4
2002-03	420	11.7	18.3
2003-04	459	9.8	14.2
2004-05	574	9.1	13.8
2005-06	515	10.1	14.8
2006-07	491	14.1	20.6
2007-08	474	12.9	19.4
2008-09	489	12.3	18.4
2009-10	492	9.8	14.0
2010-11	478	10.7	15.7
<b>Dishonesty</b>			
1997-98	15,225	40.3	89.3
1998-99	14,125	41.5	93.8
1999-00	12,695	43.1	95.3
2000-01	11,638	44.0	97.2
2001-02	11,717	45.9	106.5
2002-03	11,553	46.0	105.3
2003-04	10,846	45.8	103.2
2004-05	10,645	45.9	102.5
2005-06	9,895	46.4	102.2
2006-07	9,983	46.6	103.1
2007-08	9,789	44.7	99.5
2008-09	9,518	45.0	105.3
2009-10	9,166	44.1	97.4
2010-11	9,133	42.1	91.7
<b>Criminal damage</b>			
1997-98	3,591	28.8	52.5
1998-99	3,327	27.2	47.8
1999-00	2,981	28.5	50.6
2000-01	2,963	28.7	48.3
2001-02	2,984	30.7	53.8
2002-03	3,065	30.5	54.2
2003-04	3,534	29.6	54.8
2004-05	3,641	31.1	55.8
2005-06	3,619	33.0	58.2
2006-07	3,868	32.9	58.9
2007-08	3,892	31.8	55.1
2008-09	3,145	33.7	61.5
2009-10	2,828	32.5	57.5
2010-11	2,454	28.8	47.9

(continued on following page)

Table 7 (continued)

<b>Drug offences</b>			
1997-98	5,652	26.2	40.1
1998-99	5,321	27.5	42.5
1999-00	4,838	25.5	37.5
2000-01	4,180	26.1	40.2
2001-02	4,691	25.2	41.0
2002-03	4,670	28.0	45.7
2003-04	5,520	29.3	45.4
2004-05	5,768	28.8	45.3
2005-06	5,788	29.4	46.5
2006-07	6,807	28.0	45.0
2007-08	6,572	27.3	42.1
2008-09	5,690	27.0	44.1
2009-10	5,940	26.9	41.4
2010-11	5,939	25.0	37.4
<b>Breach of the peace</b>			
1997-98	13,722	31.4	58.5
1998-99	12,114	31.3	56.9
1999-00	10,315	29.7	52.1
2000-01	9,752	29.7	51.9
2001-02	10,330	30.3	52.8
2002-03	10,853	30.9	55.9
2003-04	11,446	31.0	55.4
2004-05	12,259	31.1	55.2
2005-06	12,905	31.4	55.3
2006-07	13,630	31.0	53.2
2007-08	13,339	30.2	52.1
2008-09	12,117	29.9	53.5
2009-10	11,250	29.2	51.2
2010-11	8,967	26.2	43.8
<b>Other crimes and offences<sup>4</sup></b>			
1997-98	3,537	30.4	61.8
1998-99	3,124	32.4	64.9
1999-00	2,730	29.7	52.2
2000-01	2,804	29.5	50.6
2001-02	3,051	31.1	55.3
2002-03	3,153	32.5	58.3
2003-04	3,329	33.8	59.3
2004-05	3,807	31.9	56.6
2005-06	4,033	32.5	58.2
2006-07	4,299	33.1	58.1
2007-08	4,384	31.2	55.8
2008-09	4,468	30.3	53.9
2009-10	3,933	29.9	51.3
2010-11	3,627	28.6	46.9

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. Sexual crime excludes offences associated with prostitution. The latter are included in Other crimes and offences. The definitions are aligned with the publications: Criminal Proceedings in Scotland 2011-12; and Recorded Crime in Scotland 2012-13.

4. Breach of sexual offender order and breach of sexual harm order are included in Other crimes and offences

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

3 months or less	Number of offenders	Reconviction rate <sup>2</sup>	Reconviction frequency rate <sup>2</sup>
1997-98	2,724	56.7	132.5
1998-99	2,555	59.3	142.4
1999-00	2,540	55.5	127.6
2000-01	2,393	58.0	130.6
2001-02	2,463	58.2	137.1
2002-03	2,639	61.4	149.4
2003-04	2,471	63.0	151.0
2004-05	2,563	61.5	144.2
2005-06	2,723	59.2	136.6
2006-07	3,063	60.8	140.5
2007-08	2,870	59.0	134.6
2008-09	2,359	59.6	138.4
2009-10	2,067	58.8	132.1
2010-11	1,810	59.8	126.0
<b>Over 3 months to 6 months</b>			
1997-98	1,459	58.0	122.3
1998-99	1,402	58.0	131.1
1999-00	1,330	56.7	123.2
2000-01	1,325	58.0	124.5
2001-02	1,431	57.2	133.3
2002-03	1,382	60.1	136.9
2003-04	1,346	59.8	133.2
2004-05	1,338	57.3	130.6
2005-06	1,371	56.9	130.6
2006-07	1,470	58.0	129.5
2007-08	1,453	57.9	133.7
2008-09	1,899	55.2	120.0
2009-10	1,935	54.1	114.3
2010-11	2,021	51.5	103.8
<b>Over 6 months to 2 years</b>			
1997-98	979	35.1	62.5
1998-99	857	34.8	60.8
1999-00	891	35.9	64.4
2000-01	821	35.3	63.6
2001-02	936	36.8	65.3
2002-03	863	33.7	60.5
2003-04	937	35.2	66.1
2004-05	992	34.2	65.3
2005-06	984	34.6	61.6
2006-07	1,092	35.3	64.6
2007-08	1,392	36.4	64.2
2008-09	1,746	41.5	72.6
2009-10	2,029	39.9	74.6
2010-11	2,024	36.5	63.7
<b>Over 2 years to less than 4 years</b>			
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	573	28.1	45.7
2002-03	557	27.8	49.9
2003-04	549	27.3	44.1
2004-05	625	24.5	41.6
2005-06	540	21.9	36.1
2006-07	663	25.2	44.2
2007-08	718	24.7	39.8
2008-09	844	26.4	42.9
2009-10	846	28.3	45.2
2010-11	948	25.8	39.1
<b>Over 4 years</b>			
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	582	18.2	23.0
2004-05	609	15.9	19.5
2005-06	622	17.5	21.1
2006-07	621	14.0	16.4
2007-08	627	13.7	16.3
2008-09	555	14.6	18.2
2009-10	556	16.7	18.0
2010-11	470	12.6	14.7

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

**Table 9 One year reconviction rates by offender characteristics: 2010-11 cohort**

Index disposal in 2010-11 by age	Percentage of Male offenders reconvicted				Percentage of Female offenders reconvicted			
	Number of previous convictions <sup>1</sup>				Number of previous convictions <sup>1</sup>			
	None	1 or 2	3 to 10	Over 10	None	1 or 2	3 to 10	Over 10
<b>All</b>	<b>12</b>	<b>20</b>	<b>32</b>	<b>55</b>	<b>9</b>	<b>20</b>	<b>33</b>	<b>53</b>
under 21	22	39	57	70	15	27	55	82
21 to 25	9	21	39	65	9	26	42	71
26 to 30	7	15	31	61	9	20	40	62
over 30	5	10	21	49	5	15	24	45
<b>Discharged from custody</b>	<b>10</b>	<b>20</b>	<b>36</b>	<b>61</b>	<b>**</b>	<b>17</b>	<b>36</b>	<b>62</b>
under 21	21	39	53	69	**	**	62	**
21 to 25	9	22	38	67	-	**	56	63
26 to 30	**	11	37	63	**	**	**	71
over 30	6	8	23	57	**	**	24	55
<b>CPO / legacy Community Sentences<sup>2</sup></b>	<b>18</b>	<b>26</b>	<b>36</b>	<b>54</b>	<b>11</b>	<b>26</b>	<b>39</b>	<b>60</b>
under 21	29	42	62	77	26	35	75	**
21 to 25	14	25	41	64	13	38	33	71
26 to 30	13	19	32	59	**	34	44	57
over 30	6	12	22	48	5	13	30	57
<b>Restriction of Liberty Order</b>	<b>36</b>	<b>39</b>	<b>42</b>	<b>51</b>	<b>**</b>	<b>**</b>	<b>**</b>	<b>77</b>
under 21	37	46	58	**	**	-	**	-
21 to 25	**	**	49	43	-	**	**	**
26 to 30	-	**	**	56	-	**	**	**
over 30	**	**	**	50	-	-	**	**
<b>Drug Treatment and Testing Order</b>	<b>**</b>	<b>60</b>	<b>57</b>	<b>71</b>	<b>**</b>	<b>**</b>	<b>59</b>	<b>75</b>
under 21	**	**	**	**	**	-	**	**
21 to 25	-	**	59	76	**	-	**	**
26 to 30	-	**	**	84	-	**	**	**
over 30	-	**	52	65	**	**	**	67
<b>Monetary</b>	<b>11</b>	<b>19</b>	<b>29</b>	<b>50</b>	<b>9</b>	<b>19</b>	<b>32</b>	<b>43</b>
under 21	20	38	55	67	12	24	45	**
21 to 25	9	19	38	62	10	26	47	70
26 to 30	7	15	29	61	10	15	40	52
over 30	6	10	21	44	7	16	26	37
<b>Other<sup>3</sup></b>	<b>9</b>	<b>17</b>	<b>27</b>	<b>47</b>	<b>7</b>	<b>17</b>	<b>26</b>	<b>48</b>
under 21	19	38	56	75	13	24	29	**
21 to 25	8	20	39	62	7	19	34	74
26 to 30	6	10	31	50	9	15	36	60
over 30	4	8	16	42	2	14	19	40

1. Convictions since the start of 1989. Caution should be exercised when comparing this table with similar tables in previous publications. There will be fewer previous convictions in earlier cohorts because convictions didn't start to be recorded in the SOI until 1989.

2. Community Sentence refers to Community Service Orders, Probation Orders and Community Payback Orders (CPOs). CPOs were introduced by the Criminal Justice and Licensing (Scotland) Act 2010 and came into effect from 1 February 2011. The CPO replaces provisions for Community Service Orders, Probation Orders and Supervised Attendance Orders.

3. Includes 127 Supervised Attendance Orders

**Table 10 One year reconviction frequency rates and one year reconviction rates, by CJA and LA: 2010-11 cohort**

Community Justice Authority	Local Authority <sup>(2)</sup>	Number of offenders	Reconviction rate <sup>(3)</sup>	Reconviction frequency rate <sup>(3)</sup>	
<b>Scotland<sup>(4)</sup></b>		<b>44,126</b>	<b>28.4</b>	<b>50.2</b>	
<b>Fife &amp; Forth Valley</b>	<b>All</b>	<b>5,094</b>	<b>28.8</b>	<b>50.4</b>	
	Clackmannanshire	434	34.1	70.5	
	Falkirk	1,219	26.7	46.4	
	Fife	2,708	27.1	44.6	
	Stirling	733	35.9	66.4	
<b>Glasgow</b>	<b>All</b>	<b>9,409</b>	<b>29.2</b>	<b>52.5</b>	
	Glasgow City <sup>(5)</sup>	9,409	29.2	52.5	
<b>Lanarkshire</b>	<b>All</b>	<b>4,596</b>	<b>27.4</b>	<b>44.3</b>	
<b>Lothian &amp; Borders</b>	North and South Lanarkshire <sup>(6)</sup>	4,596	27.4	44.3	
	<b>All</b>	<b>6,411</b>	<b>25.4</b>	<b>44.8</b>	
	East Lothian	593	23.1	35.6	
	Edinburgh and Midlothian <sup>(7)</sup>	4,260	26.1	47.8	
	Scottish Borders	651	25.7	44.5	
<b>Northern</b>	West Lothian	907	23.5	36.7	
	<b>All</b>	<b>5,952</b>	<b>27.6</b>	<b>48.7</b>	
	Aberdeen City and Aberdeenshire <sup>(8)</sup>	3,393	30.2	55.7	
	Eilean Siar	121	17.4	24.0	
	Highland	1,647	24.2	38.4	
	Moray	555	26.5	50.5	
	Orkney Islands	114	21.1	28.9	
	Shetland Islands	122	23.8	30.3	
	<b>North Strathclyde<sup>(9)</sup></b>	<b>All</b>	<b>3,864</b>	<b>27.0</b>	<b>46.7</b>
		Argyll & Bute	513	23.8	37.6
East and West Dunbartonshire <sup>(10)</sup>		1,165	30.4	55.2	
East Renfrewshire and Renfrewshire <sup>(11)</sup>		1,513	24.3	41.8	
Inverclyde		673	29.6	49.9	
<b>South West Scotland</b>	<b>All</b>	<b>5,101</b>	<b>29.0</b>	<b>51.4</b>	
	Dumfries & Galloway	1,202	28.5	49.7	
	East, North and South Ayrshire <sup>(12)</sup>	3,899	29.2	51.9	
<b>Tayside</b>	<b>All</b>	<b>3,607</b>	<b>34.1</b>	<b>66.0</b>	
	Angus	870	31.6	66.1	
	Dundee City	1,779	38.3	75.7	
	Perth & Kinross	958	28.6	47.9	
<b>Unknown</b>	<b>All</b>	<b>92</b>	<b>30.4</b>	<b>47.8</b>	
	Unknown <sup>(13)</sup>	92	30.4	47.8	

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. 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 2010-11, there were 92 offenders who were seen in the domestic abuse court. These offenders have not been assigned to an approximate area.

**Table 11 One year reconviction frequency rates and one year reconviction rates by police force: 2010-11 cohort**

<b>Police Force of Index Conviction</b>	<b>Number of offenders</b>	<b>Reconviction rate<sup>(2)</sup></b>	<b>Reconviction frequency rate<sup>(2)</sup></b>
<b>All</b>	<b>44,126</b>	<b>28.4</b>	<b>50.2</b>
Central	2,406	30.7	56.6
Dumfries & Galloway	1,222	28.2	48.9
Fife	2,828	26.9	44.3
Grampian	3,971	29.6	54.6
Lothian & Borders	6,207	26.0	45.9
Northern	2,027	23.4	36.2
Strathclyde	21,822	28.4	49.5
Tayside	3,636	33.9	65.6
Unknown <sup>(3)</sup>	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. The definition of reconviction frequency rate and reconviction rate is described in section 12.2.1

3. There were seven offenders for which the police force of the index conviction was unknown.

**Table 12 Two year reconviction frequency rates and two year reconviction rates: 1997-98 to 2009-10 cohorts**

<b>Overall cohort</b>	<b>Number of offenders</b>	<b>Reconviction rate<sup>(2)</sup></b>	<b>Reconviction frequency rate<sup>(2)</sup></b>
1997-98	53,446	42.6	110.0
1998-99	49,144	42.5	107.7
1999-00	44,229	42.9	108.1
2000-01	41,568	43.8	112.9
2001-02	43,651	44.2	115.9
2002-03	44,863	45.3	118.3
2003-04	46,986	44.6	114.9
2004-05	49,368	44.5	112.8
2005-06	50,322	44.8	112.7
2006-07	53,300	44.1	108.8
2007-08	53,043	42.5	105.8
2008-09	49,652	42.4	107.4
2009-10	47,414	40.5	97.9

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 13 One year reconviction rates by index crime: 2010-11 cohort**

Index crime 2010-11	Total number (=100%)	Percentage reconvicted within 1 year for:							
		Any crime	Violent Crime	Sexual Crime <sup>3</sup>	Crimes of dishonesty	Criminal damage	Other	Serious violent crime	Serious crime
<b>All offenders</b>	<b>44,126</b>	<b>30</b>	<b>11</b>	<b>*</b>	<b>11</b>	<b>3</b>	<b>19</b>	<b>2</b>	<b>4</b>
<b>Violent Crime</b>									
Serious assault and homicide	1,384	22	12	*	4	2	12	4	6
Robbery	366	42	19	*	15	3	23	6	10
Common Assault	11,408	24	12	*	5	3	14	2	3
Other Violence	370	33	16	*	10	2	23	2	5
<b>Crimes of indecency</b>									
Sexual Assault <sup>4</sup>	200	5	2	*	1	1	3	1	1
Other indecency <sup>4</sup>	278	15	5	1	5	*	9	1	3
Prostitution <sup>5</sup>	162	35	7	2	9	1	21	1	2
<b>Crimes of dishonesty</b>									
Housebreaking	859	55	13	*	37	5	27	4	12
Theft (opening lockfast place)	333	49	15	*	30	4	25	3	7
Theft of motor vehicle	387	40	13	*	21	3	22	2	6
Shoplifting	3,622	56	12	*	43	3	31	3	6
Other Theft	1,689	39	10	*	25	3	22	2	6
Fraud	882	17	4	*	10	2	10	1	2
Other Dishonesty	1,361	24	6	*	16	1	13	1	4
<b>Criminal damage</b>									
Fireraising	121	23	7	*	6	6	15	*	*
Malicious & reckless conduct	2,333	31	14	*	8	5	20	2	4
<b>Other</b>									
Handling offensive weapons <sup>6</sup>	2,087	30	11	*	9	3	20	3	6
Crimes against public justice <sup>7</sup>	1,208	32	9	1	10	2	23	1	5
Drugs	5,939	26	6	*	7	1	19	1	4
Breach of peace	8,967	28	12	*	6	3	20	2	3
Other crime	151	19	3	*	2	1	16	1	2
Other offences	19	21	21	*	5	*	5	*	*

1. All other tables in this bulletin are produced from the "persons proceeded against" datasource. This table has been constructed from a different datasource: the "offences relating to persons proceeded against" datasource. Some offenders are convicted for more than one offence and this information can only be obtained from the latter datasource. The row totals for the individual crimes will not necessarily equal the overall total in "Any crime".

2. 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.

3. Sexual Crime includes Sexual assault and Other indecency. Sexual Crime excludes offences associated with prostitution.

4. Sexual Assault includes: Rape; Attempted rape; Contact sexual assault (13-15 yr. old or adult 16+); Sexually coercive conduct (13-15 yr. old or adult 16+); Sexual offences against children under 13 years; and Lewd and libidinous practices. Other Indecency includes: Other sexually coercive conduct; Other sexual offences involving 13-15 year old children; Taking, distribution, possession etc. of indecent photos of children; Incest; Unnatural Crimes; Public indecency; Sexual exposure; and Other sexual offences. These are the notifiable crimes for an offender who has been placed on the sex offenders register. The definitions are aligned with the publications: Criminal Proceedings in Scotland 2011-12; and Recorded Crime in Scotland 2012-13.

5. Offences associated with prostitution including: Prostitution (excluding homosexual acts); Brothel keeping; Immoral traffic; Offences related to prostitution; Procurement of homosexual acts; Procurement of sexual services from children under 18; and Soliciting services of a person engaged in prostitution.

6. Handling offensive weapons includes: in possession of an offensive weapon; having in a public place an article with a blade or point, and restriction of weapons.

7. Breach of sexual offender order and breach of sexual harm order are included in Crimes against public justice.



**Table 14** Individuals given police disposals by disposal type, 2010-11

	Total number (=100%)	Percentage given a non-court <sup>2</sup> disposal within:	
		6 months	1 year
<b>Individuals</b>	53,335	16.9	24.5
ASBFPN	42,796	19.0	27.4
Formal Adult Warning	6,783	9.1	13.4
Restorative Justice Warning	1,613	3.8	6.8
Other Police Warnings	264	14.0	21.6
Warning Letter	1,879	10.3	14.6

1. The non-court disposals dataset is independent of the dataset on 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 15** Individuals given COPFS disposals by disposal type, 2010-11

	Total number (=100%)	Percentage given a non-court <sup>2</sup> disposal within:	
		6 months	1 year
<b>Individuals</b>	50,678	10.7	17.7
Fiscal Fine	28,149	13.7	22.9
Fiscal Fixed Penalty	19,018	5.8	9.6
Fiscal Combined Fine with Compensation	1,888	12.6	19.2
Fiscal Compensation	1,531	13.3	20.1
Fiscal Fixed Penalty (Pre-SJR)	92	12.0	19.6

1. The non-court disposals dataset is independent of the dataset on 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 16 Individuals convicted in 2011-12, by gender, age, and number and type of previous convictions in 2002-03 to 2011-12**

Number and type of previous convictions 2002-03 to 2011-12 <sup>1</sup>	Total (=100%)	Gender		Age <sup>2</sup>			(Last) sentence in 2011-12			
		Male	Female	under 21	21 to 30	over 30	Community sentence (CPO, CSO, PO, RLO, DTTO) <sup>3</sup>			
							Custody	Monetary	Other <sup>4</sup>	
<b>Number of persons with charge proved</b>	<b>40,992</b>	<b>33,817</b>	<b>7,175</b>	<b>6,908</b>	<b>15,401</b>	<b>18,683</b>	<b>7,289</b>	<b>9,637</b>	<b>14,753</b>	<b>9,313</b>
<b>All previous convictions<sup>5</sup></b>										
None	13,607	78	22	26	29	45	7	22	42	29
1 or 2	9,589	82	18	18	36	46	9	26	43	21
3 to 10	11,911	86	14	12	42	45	23	26	32	19
Over 10	5,885	87	13	4	50	46	46	18	18	19
<b>Previous custodial sentences</b>										
None	29,748	79	21	20	36	44	8	26	42	25
1 or 2	4,744	90	10	11	40	49	35	22	27	17
3 to 10	4,831	91	9	8	44	48	48	17	19	17
Over 10	1,669	93	7	1	47	52	64	12	11	14
<b>Previous community sentences</b>										
None	25,854	81	19	20	33	47	11	23	42	25
1 or 2	9,631	86	14	13	41	46	25	25	30	19
3 to 10	5,260	86	14	10	53	37	38	23	20	19
Over 10	247	70	30	4	65	32	43	20	13	25
<b>Previous solemn convictions<sup>6</sup></b>										
None	34,014	80	20	19	36	46	13	24	39	24
1 or 2	5,999	92	8	8	46	46	40	20	24	16
3 to 10	977	97	3	4	54	42	63	13	11	13
Over 10	2	**	-	-	**	**	**	**	-	-
<b>Crimes of violence</b>										
None	36,519	82	18	18	36	47	15	24	38	24
1 or 2	4,268	90	10	11	52	36	41	20	23	16
3 to 10	205	89	11	7	78	15	67	10	12	10
Over 10	0	-	-	-	-	-	-	-	-	-
<b>Crimes of dishonesty</b>										
None	28,147	82	18	20	34	45	11	24	40	24
1 or 2	6,359	84	16	13	46	41	23	25	33	19
3 to 10	4,520	83	17	6	44	50	36	19	24	21
Over 10	1,966	84	16	1	42	57	50	16	15	20
<b>Drug offences</b>										
None	32,237	81	19	20	36	43	15	24	37	24
1 or 2	7,011	86	14	4	44	52	28	22	32	18
3 to 10	1,729	89	11	1	38	61	33	20	29	18
Over 10	15	100	-	-	47	53	33	-	33	33

1. Since the last reconstructions publication, changes have been made to the way this table is reported. The number and type of previous convictions are now based upon a 10 year window between 2002-03 and 2011-12.

2. Age as at date of last conviction in 2011-12.

3. Community Sentence refers to Restriction of Liberty Orders, Drug Treatment and Testing Orders, Community Service Orders, Probation Orders and Community Payback Orders (CPOs). Community Payback Orders (CPOs) were introduced by the Criminal Justice and Licensing (Scotland) Act 2010 and came into effect from 1 February 2011. The CPO replaces provisions for Community Service Orders, Probation Orders and Supervised Attendance Orders.

4. The 'Other' category includes 61 Supervised Attendance Orders. It also includes: remit to children's hearing; community reparation order; caution; admonition; absolute discharge; insanity; guardianship; and hospital order.

5. 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.

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

**Table 17 Individuals convicted by number of convictions in past 10 years: 2002-03 to 2011-12**

Number and type of previous convictions <sup>1</sup>	1993-94 to 2002-03		1994-95 to 2003-04		1995-96 to 2004-05		1996-97 to 2005-06		1997-98 to 2006-07		1998-99 to 2007-08		1999-00 to 2008-09		2000-01 to 2009-10		2001-02 to 2010-11		2002-03 to 2011-12	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
<b>Number of persons with charge proved (=100%)</b>	<b>45,302</b>		<b>47,388</b>		<b>49,535</b>		<b>50,500</b>		<b>53,749</b>		<b>53,505</b>		<b>50,477</b>		<b>48,169</b>		<b>44,921</b>		<b>40,992</b>	
<b>All previous convictions<sup>2</sup></b>																				
None	15,077	33	16,382	35	17,142	35	17,810	35	18,939	35	18,695	35	17,304	34	16,350	34	15,053	34	13,607	33
1 or 2	11,228	25	11,869	25	12,418	25	12,938	26	13,653	25	13,638	25	12,296	24	11,857	25	10,774	24	9,589	23
3 to 10	12,884	28	13,036	28	13,707	28	13,647	27	14,820	28	14,894	28	14,324	28	13,578	28	12,812	29	11,911	29
Over 10	6,113	13	6,101	13	6,268	13	6,105	12	6,337	12	6,278	12	6,553	13	6,384	13	6,282	14	5,885	14

1. The number and type of previous convictions are based upon a 10 year window between 1993-94 and 2002-03 to 2002-03 and 2011-12.

2. 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.

## 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 way 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 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](#) on Scotland Performs.

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 Two year rates or one year rates ?**

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 previously 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 rates without pseudo reconvictions are shown in [previous publications](#) for the purposes of illustration. These can be found in the additional [datasets](#) which accompany this publication, 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 505,000 offenders and 1,800,000 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.

**Offence** – an action that constitutes a violation of what is judged to be right or natural.

**Conviction** - a formal declaration by the verdict of a jury or the decision of a judge in a court of law that someone is guilty of a criminal offence.

**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.

**Reoffending** – the action of committing a further offence.

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

**Recidivism** - a convicted criminal who reoffends, especially repeatedly.

**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.

**Reconviction rate versus reconviction frequency rate** – to further clarify the difference between these two measures. In the former, this is a binary measure which provides a *percentage* relating to how many *offenders* have been reconvicted. In the latter, this is a *count* of the number of reconvictions by these offenders.

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](http://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 Authority (SPA). 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, sexual crimes, 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
<b>Cohort</b>								
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	31.2	57.3
2008-09	31.0	57.9	31.5	59.6	31.5	59.8	-	-
2009-10	30.1	54.0	30.5	55.6	-	-	-	-
2010-11	28.4	50.2	-	-	-	-	-	-

\* These figures were not initially published, 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, SPA, and as supplied to the Scottish Government by the end of August 2012 to allow later convictions for 2011-12 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 on it).

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 minor statutory and common law offences (such as drunkenness), convictions in courts outwith Scotland, convictions prior to 1989, and any relevant convictions not recorded by SPA by the end of August 2012.

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 common 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.

<b>Crime category</b>	<b>Crimes and offences included</b>
Violent crime	Murder, culpable homicide, attempted murder, serious assault, robbery, common assault, other violence.
Sexual crime	Sexual Crime includes Sexual assault and Other indecency. <ul style="list-style-type: none"> <li>Sexual Assault includes: Rape; Attempted rape; Contact sexual assault (13-15 yr. old or adult 16+); Sexually coercive conduct (13-15 yr. old or adult 16+); Sexual offences against children under 13 years; and Lewd and libidinous practices.</li> <li>Other Indecency includes: Other sexually coercive conduct; Other sexual offences involving 13-15 year old children; Taking, distribution, possession etc. of indecent photos of children; Incest; Unnatural Crimes; Public indecency; Sexual exposure; and Other sexual offences.</li> </ul> <p>These are the notifiable crimes for an offender who has been placed on the sex offenders register. The definitions are aligned with the publications: Criminal Proceedings in Scotland 2011-12; and Recorded Crime in Scotland 2012-13. Sexual Crime excludes offences associated with prostitution.</p>
Prostitution	Procuration (excluding homosexual acts); Brothel keeping; Immoral traffic; Offences related to prostitution; Procuration of homosexual acts; Procuration of sexual services from children under 18; and Soliciting services of a person engaged in prostitution.
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, (Breach of sexual offender order and breach of sexual harm order are included in Crimes

	against public justice), handling offensive weapons (in possession of an offensive weapon; having in a public place an article with a blade or point, and restriction of weapons), miscellaneous firearm 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.

<b>Sentence category</b>	<b>Sentences included</b>
Custody	Custodial sentence to prison, young offender's institution or child detention, excluding life and indeterminate sentences.
CPO	Community Payback Order <sup>12</sup>
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](#).

<sup>12</sup> Community Payback Orders (CPOs) were introduced by the Criminal Justice and Licensing (Scotland) Act 2010 and came into effect from 1 February 2011. The CPO replaces provisions for Community Service Orders, Probation Orders and Supervised Attendance Orders.

## A NATIONAL STATISTICS PUBLICATION FOR SCOTLAND

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ISSN 0264-1178    ISBN 978-1-78256-855-1

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