

Statistical Bulletin

Crime and Justice Series

A National Statistics Publication for Scotland



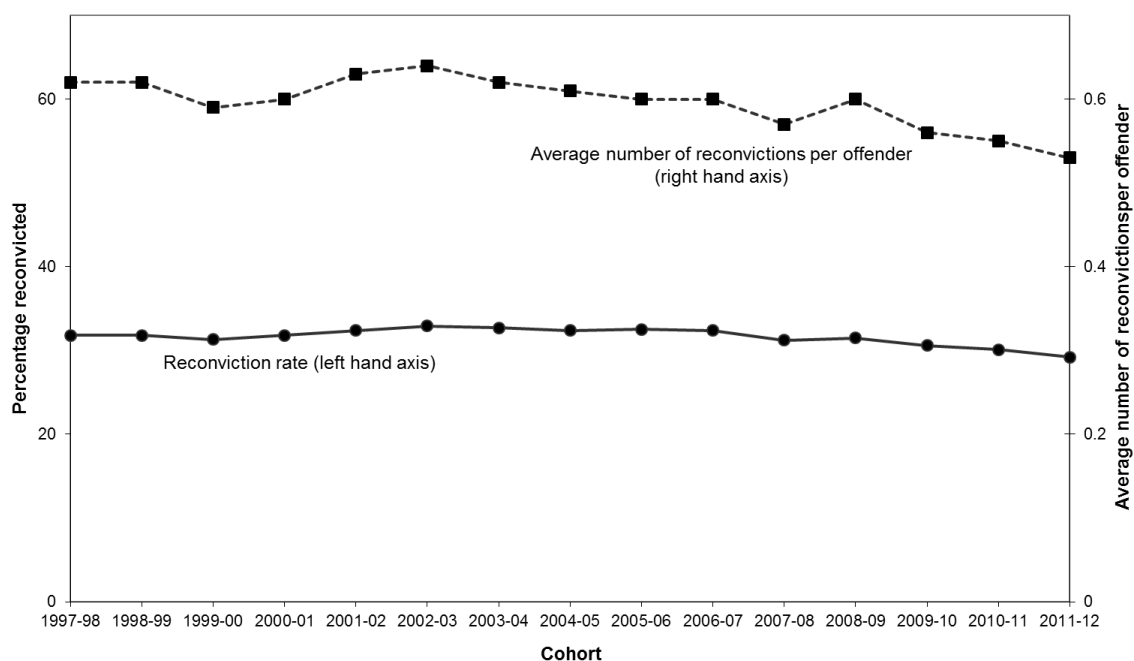
RECONVICTION RATES IN SCOTLAND: 2011-12 OFFENDER COHORT

10 June 2014

1 Introduction

- 1.1 This publication provides analyses of trends in reconviction figures up to the latest cohort of 2011-12.
- 1.2 The reconviction rate has fallen by 0.9 percentage points, from 30.1 for the 2010-11 cohort to 29.2 per cent for the 2011-12 cohort. ([Chart 1](#) and [Table 1](#)).
- 1.3 The average number of reconvictions per offender has fallen by 0.02 reconvictions, or nearly 4 per cent, from 0.55 for the 2010-11 cohort to 0.53 for the 2011-12 cohort ([Chart 1](#) and [Table 1](#)).

Chart 1 Reconviction rates and the average number of reconvictions per offender: 1997-98 to 2011-12



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2 Key points

- Over the past ten years there has been an overall decline in the reconviction rate. In 2002-03, the reconviction rate was 32.9 per cent, whereas in 2011-12 it was 29.2 per cent; a reduction of 3.7 percentage points. Over the same time period there has been a reduction in the average number of reconvictions per offender from 0.64 to 0.53; a 17 per cent reduction of 0.11 reconvictions per offender ([Table 1](#)).
- There has been a marked fall in the number of reconvictions for offenders aged under 25 over the past 10 years. In 2002-03 the average number of reconvictions per offender of the under 21 age group was 0.88 and it had decreased to a level of 0.61 in 2011-12: a 31 per cent drop of 0.27 reconvictions per offender. In the same period the average number of reconvictions per offender for the 21 to 25 age group decreased by 27 per cent from 0.74 to 0.54 ([Table 3](#)).
- Offenders who commit a crime of dishonesty have the highest average number of reconvictions per offender (0.92 in 2011-12), whereas offenders who commit a sexual crime have the lowest (0.25 in 2011-12), compared to offenders that committed other crimes ([Table 6](#)).
- There were 9,890 offenders given a community payback order (CPO) / legacy community sentence¹ in 2011-12. These offenders had a 32.5 per cent reconviction rate and the average number of reconvictions per offender was 0.58 ([Table 7](#)).
- Offenders given a Drug Treatment and Testing Order (DTTO) have the highest average number of reconvictions compared to other disposals. However, the number of reconvictions for offenders receiving this disposal has dropped considerably over the past ten years. In 2002-03 the average number of reconvictions per offender was 2.41 and in 2011-12 the rate was 1.45, representing a drop of 40 per cent, or nearly 1 reconviction per offender on average ([Table 7](#)).
- Offenders who were released from a custodial sentence of 3 months or less have a higher average number of reconvictions per offender than those who were released from longer custodial sentences. In 2011-12, the average number of reconvictions per offender for those released from a sentence of 3 months or less was 1.32, compared to 0.15 for those released from a sentence of over 4 years. However, over the last ten years, the average number of reconvictions for offenders who served a short custodial sentence has dropped by 0.17 ([Table 8](#)).
- In 2011-12, 53,903 individuals were given police disposals and 25.2 per cent of these individuals were given another non-court disposal within one year ([Table 13](#)).
- In 2011-12, 56,057 individuals were given Crown Office and Procurator Fiscal Service disposals and 19 per cent of these individuals were given another non-court disposal within one year ([Table 14](#)).

¹ Legacy community sentences consist of community service orders and probation orders, which the CPO has replaced. See [Section 4.26](#) for further details. There are a small number of supervised attendance orders that are not included in these figures.

3 Background

3.1 Recidivism is where someone who has received some form of criminal justice sanction (such as a community sentence or a fine) and goes on to commit another offence. Therefore determining recidivism is important as it illustrates the effectiveness of the criminal justice system on the punishment and rehabilitation of offenders. Reconviction rates are a proxy measure for recidivism, as not all offences recorded by the police will necessarily result in a conviction in court (see [Section 11.22](#)).

3.2 Scotland's criminal justice system has many different possible outcomes and interventions at each stage of the offender's journey. This system is summarised in the Audit Scotland report ([An Overview of Scotland's criminal justice system](#)) and is shown in [Chart 2](#). 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 For the majority of the analyses in this bulletin, we measure the reconvictions of a cohort of offenders within a follow-up period of one year after a conviction. A cohort is defined as all the offenders that have either estimated to have been released from a custodial sentence, or given a non-custodial sentence, in a specified financial year. For example, the 2011-12 cohort is the group of offenders with which were released from a custodial sentence, or were given a non-custodial sentence, between the 1st April 2011 and the 31st March 2012 (See [Section 11.2](#) and [Section 11.4.6](#) for definitions and more details).

3.4 The "index conviction" is the reference conviction which is determined by either: (a) the estimated release date for a custodial sentence imposed for the conviction, or (b) the sentence date for non-custodial sentences imposed for the conviction. Whichever conviction had the earliest of these dates in a given financial year is defined as the index conviction. The crime which resulted in the index conviction is the "index crime", and the sentence given for the index conviction is the "index disposal". (See [Section 11.2](#) and [Section 11.4.6](#) for definitions and more details).

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 most analyses in this bulletin the follow-up period is one year, except for [Table 11](#) where a two year follow up period is presented. For example, the 2011-12 reconviction rate is 29.2 per cent ([Table 1](#)), and this means that just over a quarter of offenders were reconvicted in the year following their non-custodial conviction or release from a custodial sentence in 2011-12. The definitions in [Section 11.2.1](#) provide more details about the terminology used in this publication.

3.6 This bulletin provides more detailed analysis of reconvictions by also reporting the complementary measure of average number of reconvictions per offender. The reconviction rate, which is the percentage of offenders in a cohort who receive a reconviction, provides an indication of progress in tackling overall offender recidivism. However, the reconviction rate may not be sensitive enough to detect individual-level

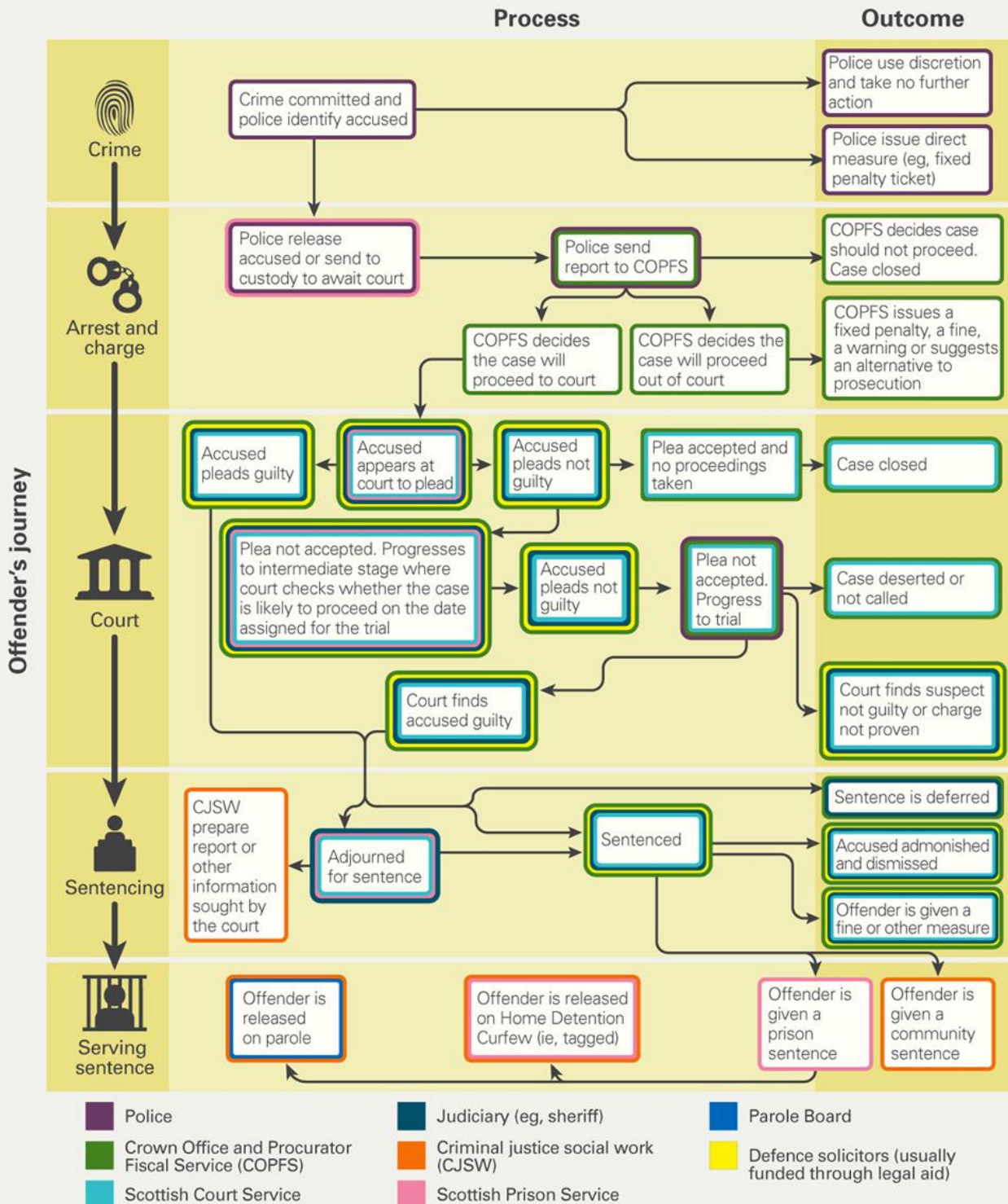
progress as a result of interventions and programmes in the criminal justice system. Such programmes may have been successful in reducing the number of reconvictions, but not complete desistance from crime, by an offender.

3.7 The average number of reconvictions per offender is a measure of the number of times that offenders in a cohort are reconvicted within the follow-up period. It is calculated as the total number of reconviction events within the specified follow up period of all the offenders in the cohort, divided by the total number of offenders in the cohort. For example, the average number of reconvictions per offender in one year for the 2011-12 cohort is 0.53 ([Table 1](#)), which means that, on average, offenders have about half a reconviction in a one year follow up period.

3.8 In this bulletin we also measure the proportion of persons who receive a non-court disposal and who go on to receive another non-court disposal within a year. The cohort for non-court convictions is defined as the group of persons who receive a non-court disposal from the police or Crown Office and Procurator Fiscal Service (COPFS), such as a fine or caution, in a given financial year.

Chart 2 An offender's journey through the criminal justice system.

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



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

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

4 Main findings: reconviction rates for court disposals

(Tables 1 to 12)

4.1 There were 43,826 offenders discharged from custody or given a non-custodial sentence in 2011-12 ([Table 1](#)), a number which has been declining every year from 53,301 in 2006-07.

4.2 In 2011-12, 29.2 per cent of offenders were reconvicted within a year and the average number of reconvictions per offender was 0.53. (Table 1 and Chart 1). Both of these measures have decreased every year since 2008-09. There has been a reduction in the reconviction rate by 2.3 percentage points from 31.5 per cent in 2008-09. The average number of reconvictions has decreased by 12 per cent from 0.60 in 2008-09.

4.3 The reconviction rate and average number of reconvictions per offender ([Table 1](#) and [Chart 1](#)) have been generally declining from a high of 32.9 per cent and 0.64 reconvictions, respectively, in 2002-03. These declines in the ten years between 2002-03 and 2011-12 represent a decrease in the reconviction rate by 3.7 percentage points, and a decrease in the average number of reconvictions by 17 per cent. These reductions are also 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, 2012-13](#)).

Age and gender

4.4 Males have higher reconviction rates and a higher average number of reconvictions per offender than females ([Table 2](#)). The average number of reconvictions per offender for the 2011-12 cohort was 0.55 for males, and 0.44 for females. The reconviction rates were 30.4 per cent for males and 23.6 per cent for females.

4.5 Offenders under the age of 21 have the highest reconviction rate of all the age groups, but for the first time this age group did not have the highest average number of reconvictions per offender ([Table 3](#)). For the 2011-12 cohort, the reconviction rate decreased for the under 21 age group by 1.5 percentage points, from 36 per cent in 2010-11 to 34.5 per cent in 2011-12. The average number of reconvictions per offender for this age group was 0.61, a fall of 0.04 reconvictions per offender, on average, from 0.65 in the 2010-11 cohort.

4.6 10 years ago, there was a large difference in the average number of reconvictions per offender, between offenders aged under 21 and those aged 21 and over, but the difference between these two age groups was less pronounced in the 2011-12 cohort ([Table 3](#), [Chart 3](#), and [Chart 4](#)). In 2002-03 the average number of reconvictions per offender for the under 21 age group was 0.88 and for those aged over 21 it ranged from 0.42 to 0.74. In 2011-12 the average number of reconvictions per offender of the under 21 age group was 0.61, which is substantially lower (31 per cent lower) than it was in 2002-03, and much closer to that for offenders aged over 21, which ranged from 0.47 to 0.62. In the same period, the reconviction rate of the under 21 age group decreased 6.8 percentage points from 41.3 per cent in 2002-03 to 34.5 per cent in 2011-12.

4.7 There has been a general decline in the reconviction rate and average number of reconvictions per offender in the 21 to 25 age group over the past ten years. In 2002-03, the reconviction rate was 37.1 per cent, and the average number of reconvictions per offender was 0.74. In 2011-12 the reconviction rate was 30.7 per cent, a reduction of 6.4 percentage points; and the average number of reconvictions per offender was 0.54, a 27 per cent reduction.

4.8 The older age groups haven't showed the same drops in reconviction rate and the average number of reconvictions as the younger age groups. The figures for the 26 to 30 year age group and the over 30 age group have been fluctuating over the past 10 years ([Table 3](#)). The reconviction rate for the 26 to 30 year olds has fluctuated between a high of 35.6 and a low of 32.4 per cent between 2002-03 and 2011-12, and between 25.6 and 24.1 per cent for the over 30s. In the same 10 year period, the average number of reconvictions per offender has fluctuated between a high of 0.68 and a low of 0.62 for the 26 to 30 age group, and between 0.47 and 0.42 for the over 30 age group.

4.9 In 2011-12 the 26 to 30 age group had the highest average number of reconvictions per offender of any of the age groups ([Table 3](#)), whereas the over 30s had the lowest. The average number of reconvictions per offender for offenders between 26 and 30 was 0.62, which is slightly higher than 0.61 for the under 21 age group, and is 32 per cent higher than 0.47 for the over 30 age group.

4.10 Males aged under 21 have the highest average number of reconvictions per offender and the highest reconviction rate of any age-gender combination ([Table 4](#) and [Chart 3](#)). The average number of reconvictions per offender was 0.64 for the 2011-12 cohort, and the reconviction rate for this age group was 36.3 per cent.

4.11 Between 2006-07 and 2011-12 there has been a decline in the average number of reconvictions per offender for female offenders aged 25 and under ([Table 5](#) and [Chart 4](#)). The under 21 age group decreased from 0.54 to 0.43 and the 21 to 25 age group decreased from 0.66 to 0.48.

4.12 The reconviction rate and average number of reconvictions per offender has been decreasing for females aged between 26 to 30 since 2008-09 ([Table 5](#) and [Chart 4](#)). The reconviction rate for females in 2008-09 was 32.4, and in 2011-12 it was 28.7 per cent, a decrease of 3.7 percentage points. The average number of reconvictions per offender has decreased from 0.65 to 0.58, a decrease of 11 per cent.

4.13 In contrast to females, the figures for males between age 26 and 30 haven't seen a decline in recent years, and have been fluctuating over the past 10 years ([Table 4](#) and [Chart 3](#)). The reconviction rate for males aged 26 to 30 between 2002-03 and 2011-12 has fluctuated from a high of 36.6 per cent and a low of 33.2 per cent, and the average number of reconvictions per offender between 0.69 and 0.63.

4.14 The reconviction rates and average number of reconvictions per offender for males and females over 30 have generally been fluctuating over the past ten years. Between 2002-03 and 2011-12, the reconviction rate for males over 30 has fluctuated between a high of 26.4 and a low of 24.5 per cent, and between 22.7 and 20.2 per cent for females over 30. The average number of reconvictions per offender has fluctuated between a high of 0.49 and a low of 0.43 for males over 30, and between 0.47 and 0.42 for females over 30.

Chart 3 Average number of reconvictions per offender, males by age: 1997-98 to 2011-12 cohorts

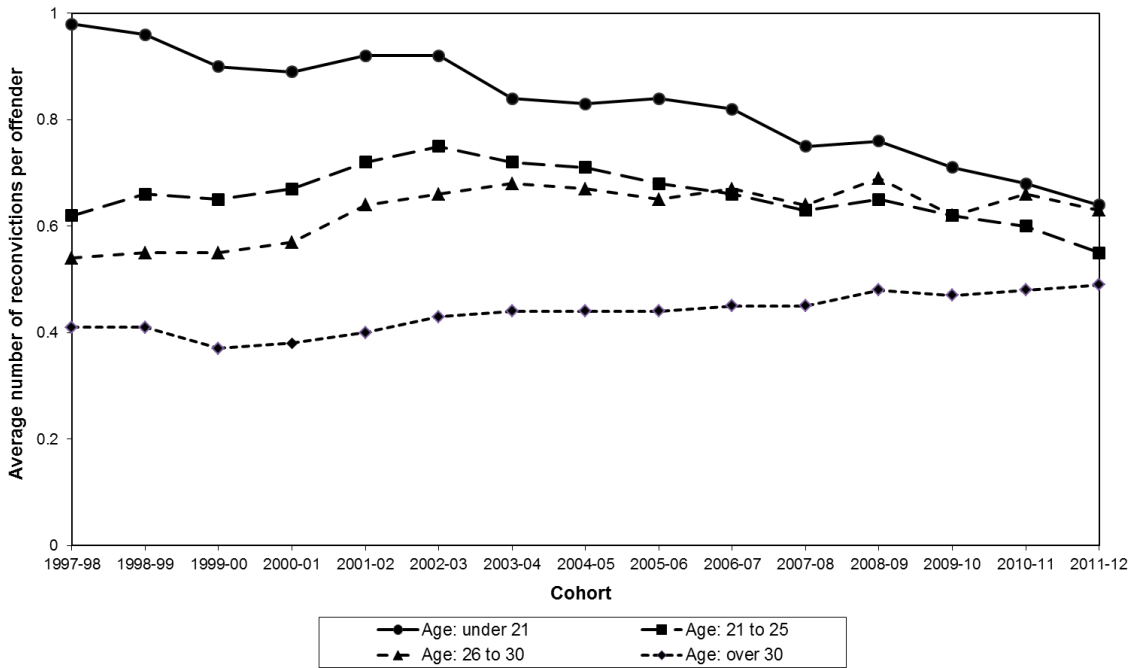
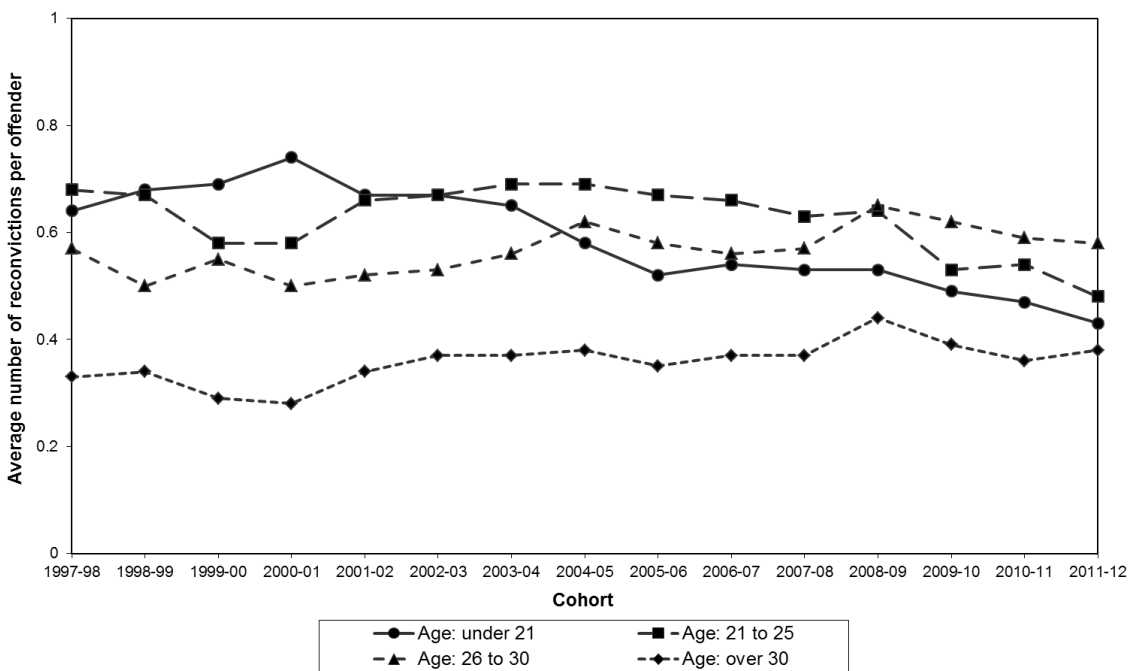


Chart 4 Average number of reconvictions per offender, females by age: 1997-98 to 2011-12 cohorts



Index crime

4.15 An “index crime” is the crime which resulted in an “index conviction”. The “index conviction” is the reference conviction which is determined by either: (a) the estimated release date for a custodial sentence imposed for the conviction, or (b) the sentence date for non-custodial sentences imposed for the conviction. Whichever conviction has the earliest of these dates in a given financial year is defined as the index conviction (see [Section 11.2.1](#) and [Section 11.4.6](#) for definitions).

4.16 Offenders who were convicted for lower level index crimes, which tend to be committed in higher volumes, are more likely to be reconvicted than those who commit more serious crimes. Offenders who were convicted of a crime of dishonesty, e.g. shoplifting (see [Section 11.4.9](#) for crime groupings), have the highest average number of reconvictions and reconviction rate compared to index convictions for other crimes ([Chart 5](#) and [Table 6](#)). For the 2011-12 cohort, the average number of reconvictions for offenders who were convicted of crimes of dishonesty was 0.92, and the reconviction rate was 41.9 per cent.

4.17 Offenders in the 2011-12 cohort who had an index crime of a sexual crime² had the lowest average number of reconvictions and the lowest reconviction rate of compared to index convictions for other crimes. The average number of reconvictions per offender was 0.25 and the reconviction rate was 12.6 per cent ([Chart 5](#) and [Table 6](#)). There has been a slight rise in the number of reconvictions per offender with an index crime of a sexual crime since 2009-10. These higher numbers may in part be explained by a widening of the definition of rape in the new Sexual Offences (Scotland) Act 2009, which came into force in December 2010, and by increased reporting in the wake of high-profile cases. Also, as these averages are based on small numbers of offenders, it is difficult to discern whether this reflects a real rise, or whether it is just a slight between-year fluctuation.

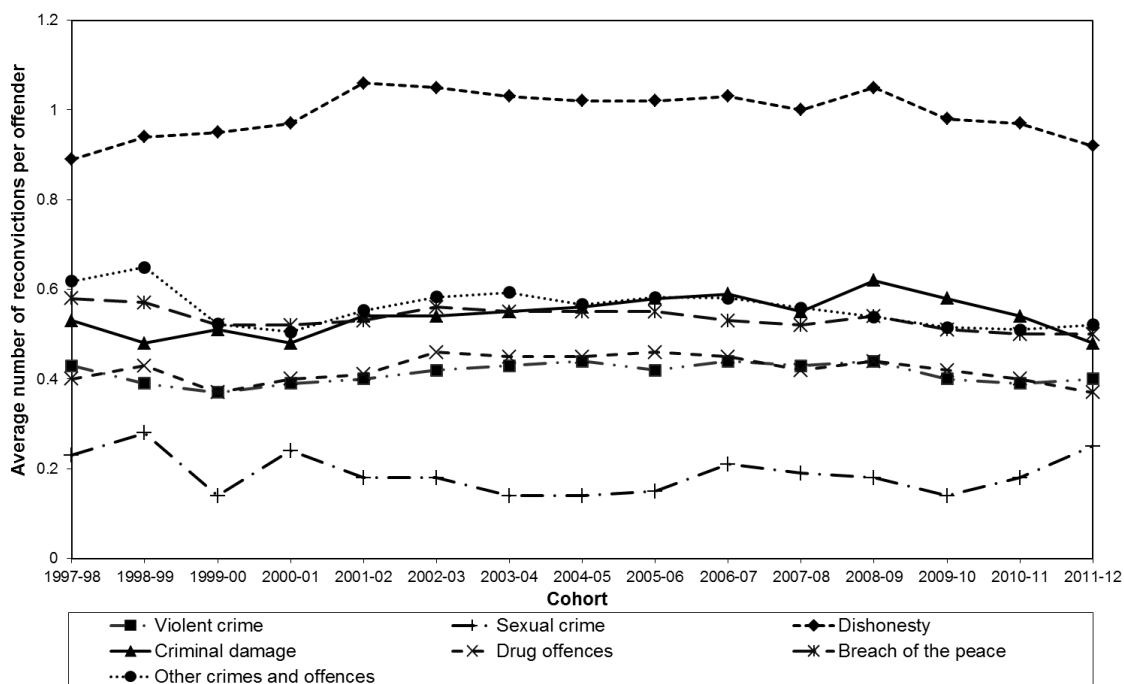
4.18 Offenders from the 2011-12 cohort who had index crimes other than sexual crimes or crimes of dishonesty had an average number of reconvictions between 0.37 and 0.52. The reconviction rates were between 23.5 and 30.3 per cent ([Chart 5](#) and [Table 6](#)).

4.19 Reconviction rates by more detailed crime types are also available in [Table 12](#)³. Offenders in the 2011-12 cohort who had an index crime of shoplifting and theft had the highest one year reconviction rates. Offenders convicted of these crimes had one year reconviction rates of 55 and 49 per cent, respectively. The majority of shoplifters who were reconvicted, were reconvicted for further crimes of dishonesty.

² The definition of sexual crime has been changed from the Reconvictions Rates in Scotland 2010-11 Cohort Bulletin onwards (see [Table 6](#): note 1 and [Table 12](#): notes 3, 4 and 5). Care should be taken when comparing with earlier publications.

³ The information in [Table 12](#) is not comparable with figures in previous publications. In this publication the table has been constructed from the "persons proceeded against" datasource whereas in previous publications the table has constructed from a different datasource: the "offences relating to persons proceeded against" datasource. Care should be taken when comparing with earlier publications.

Chart 5 Average number of reconvictions per offender, by index crime: 1997-98 to 2011-12 cohorts



Index disposal⁴

4.20 An index disposal is the sentence received for an index conviction (see [Section 11.2.1](#) and [Section 11.4.6](#) for definitions).

4.21 Offenders given a Drug Treatment or Testing Order (DTTO) have the highest average number of reconvictions and the highest reconviction rate compared to the other disposals ([Table 7](#) and [Chart 6](#)). The number of offenders who received a DTTO in the 2011-12 cohort was 280 and the average number of reconvictions per offender was 1.45 for this cohort, and the reconviction rate was 56.1 per cent.

4.22 Over time there has been a large decline in the average number of reconvictions per offender for 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 average number of reconvictions per offender rate was 2.41 compared to 1.45 for the 2011-12 cohort, which is an average reduction of nearly one offence (0.94) per offender.

4.23 There has also been a decline in reconviction rates for those given DTTOs. The reconviction rate for 2011-12 was 56.1 per cent, compared to 75.5 per cent for 2002-03.

4.24 Those offenders released from a custodial sentence in the 2011-12 cohort had a higher reconviction rate and average number of reconvictions than offenders given any other disposal except a DTTO. The reconviction rate for offenders released from

⁴ The reconviction rate and average number of reconvictions per offender 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.

custody in the 2011-12 cohort was 43.8 per cent and the average number of reconvictions per offender was 0.90.

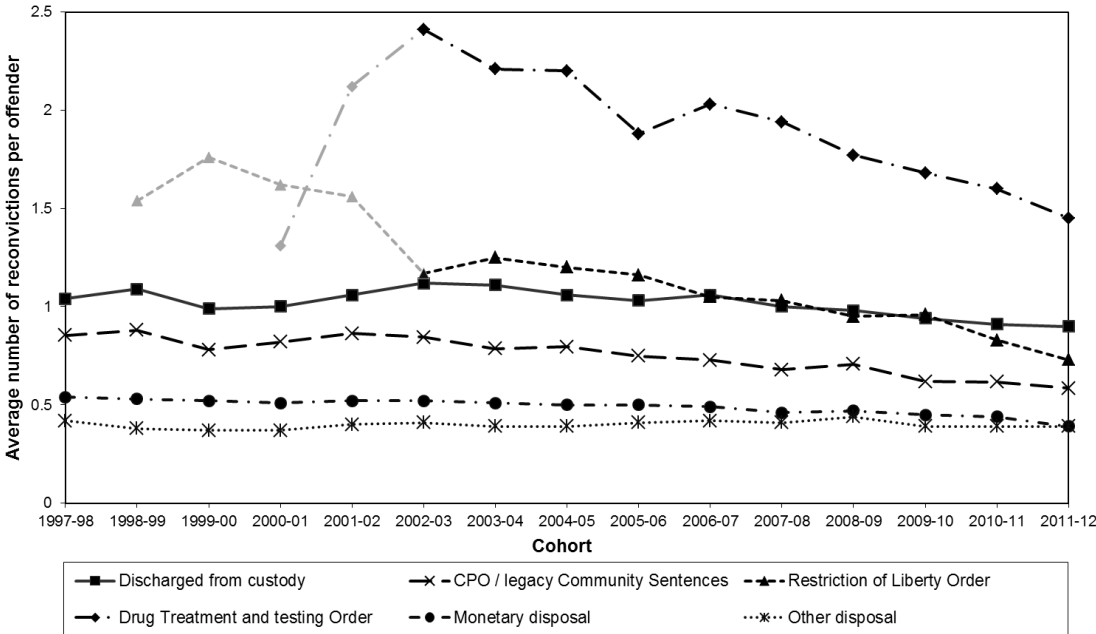
4.25 Community Payback Orders (CPOs) were introduced by the Criminal Justice and Licensing (Scotland) Act 2010 and came into effect from 1 February 2011. The CPO replaces provisions for Community Service Orders (CSO), Probation Orders (PO) and Supervised Attendance Orders (SAO) – the “legacy” orders - for any offences committed after this commencement date. As a result, the legacy orders are now mainly being used in cases which have taken longer to progress from the offence being committed to sentencing in court. This may bias comparisons with other types of sentence and so reconviction rates for the legacy orders have been grouped with those for the CPO. In line with previous bulletins, SAOs are still grouped under “other”, due to the small numbers issued.

4.26 There were 9,890 offenders given a CPO/legacy community sentence in 2011-12. This cohort had a 32.5 per cent one year reconviction rate and the average number of reconvictions per offender was 0.58.

4.27 The average number of reconvictions per offender for all disposals show some evidence of a decline over the past 10 years 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](#).

4.28 There was a substantial decrease in the number of individuals who were given a monetary disposal in a court in 2011-12 compared to 2007-08. There were 17,121 offenders with an index monetary disposal in 2011-12 compared to 27,492 in 2007-08. 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 average number of reconvictions fell from 0.46 to 0.39, a fall of 0.07 reconvictions per offender on average.

Chart 6 Average number of reconvictions per offender by index disposal: 1997-98 to 2011-12 cohorts



1. Grey markers and lines indicate where values are based on fewer than 100 offenders

Sentence length of index conviction

4.29 Offenders who were released from a custodial sentence of 3 months or less have a higher reconviction rate and average number of reconvictions compared to those released from longer custodial sentences ([Table 8](#)). As mentioned above, offenders committing relatively low level crimes but in high volumes are more likely to be reconvicted, and these offenders are more likely to get short prison sentences. For those released from short sentences of under 3 months, the average number of reconvictions per offender was 1.32 for the 2011-12 cohort, and the reconviction rate was 58.9 per cent. On the other hand, offenders released from sentences of over 4 years had an average number of reconvictions of 0.15 and a reconviction rate of 13.3 per cent in 2011-12

Conviction history prior to index conviction

4.30 Conviction history is a strong predictor for the likelihood of reconviction, as reconviction rates increase with increasing numbers of previous reconvictions. Offenders with more than 10 previous convictions in the past 10 years have the highest reconviction rates, whereas offenders with no previous convictions in the past 10 years have the lowest reconviction rates. This pattern holds true even when age, sex, or disposal (all of which have an association with the likelihood of reconviction) are taken into account ([Table 9](#)⁵)

Two year rates

4.31 Historically the reconviction rates in Scotland have been reported with a two year follow-up period. From the 2009-10 cohort bulletin, the focus has been mainly on a follow-up period of one year rather than two years as, in general, the one year rate tracks the two year rate and has the benefit of being more timely.

4.32 When reconvictions are measured using a two year follow up period there has been a decline in the reconviction rate and in the average number of reconvictions per offender since 2005-06 ([Table 11](#)). For the 2005-06 cohort, the average number of reconvictions per offender was 1.13 and the reconviction rate was 44.8 per cent, whereas for the most recent cohort of 2010-11, these were 1.00 and 41.0 per cent, respectively. Overall, there has been a reduction of about 0.13 reconvictions per offender between 2005-06 and 2009-10, and a decrease in the reconviction rate by 3.8 percentage points.

⁵ The information in [Table 9](#) is not comparable with figures prior to the Reconvictions Rates in Scotland 2010-11 Cohort Bulletin. Earlier publications will show fewer prior convictions as these represent cumulative convictions since 1989 (See [Section 11.3.1](#)).

5 Main findings: non-court disposals

(Tables [13](#) and [14](#))

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 new options became available to the police for dealing with minor offences. These 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 other, more minor offences.

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

5.4 As part of Summary Justice Reform, 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 used to deal with less serious offences.

Police disposals

5.5 [Table 13](#) shows that 53,903 individuals were given at least one police disposal in 2011-12, which is down 10 per cent from a high of 60,079 individuals in 2009-10, but up just over 400 individuals, or less than 1% from 53,497 in 2010-11. The percentage of individuals receiving another non-court disposal within one year of receiving a police disposal has stayed relatively constant since they were introduced after the Summary Justice Reform, and was 25.2 per cent for the 2011-12 cohort.

5.6 Individuals who were given an ASBFPN had the highest percentage of individuals who received another non-court disposal within one year (27.9 per cent) and individuals given a restorative disposal had the lowest (8.1 per cent).

Crown Office and Procurator Fiscal Service (COPFS) disposals

5.7 [Table 14](#) shows that 56,057 individuals were given a COPFS disposal in 2011-12, which is up 10 percent from 50,057 in 2010-12. The percentage of individuals receiving another non-court disposal within one year of receiving a COPFS disposal has stayed relatively constant since they were introduced after the Summary Justice Reform and was 19 per cent for all COPFS disposals for the 2011-12 cohort.

5.8 In 2011-12 individuals given a fiscal fine had the highest percentage of individuals who received another non-court disposal within one year (24.8 per cent) and individuals given a fiscal fixed penalty had the lowest (9.2 per cent).

5.9 At present, information is not collected on fiscal work orders in the Scottish Offenders Index and they are therefore not included in this publication.

6 Comparing reconviction rates across administrative areas

6.1 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 these factors into account should be employed (see below).

6.2 The areas that courts serve don't exactly match administrative areas for Local Authorities or Community Justice Authorities (CJAs). For example, Edinburgh Sheriff Court serves the Local Authority areas of the City of Edinburgh and Midlothian; and Glasgow Sheriff Court, which covers the Glasgow CJA, also covers parts of East Dunbartonshire which are in the North Strathclyde CJA. Therefore in [Table 10](#), [Chart 7](#), and [Chart 8](#) in this bulletin, CJAs and Local Authorities are based on approximate areas. Therefore, some Local Authorities are grouped together so that there are 25 groups of Local Authorities presented, rather than all 32 being displayed separately. See the footnote of [Table 10](#) for details of the approximations for each administrative area.

6.3 Table 10 shows that the highest reconviction rate in the 2011-12 cohort was for offenders whose index conviction was given at courts in the Dundee City area (35.8 per cent), and the highest average number of convictions per offender was in the Clackmannanshire area (0.70). The lowest reconviction rate (21.3 per cent), and lowest average number of reconvictions (0.32), was for offenders whose index conviction was given at a court in East Lothian. These are unadjusted figures which do not take account of underlying differences in population size and the characteristics of offenders in each area.

6.4 Table 10 also includes measures of the reconviction rate and average number of reconvictions per offender at the Community Justice Authority (CJA) level for the 2011-12 cohort. It shows that the highest average number of reconvictions per offender is in the Glasgow CJA (0.62) and highest reconviction rate is in the Tayside CJA (32.6 per cent). The lowest average number of reconvictions per offender (0.41) and the lowest reconviction rate (24.3 per cent) is for the Lothian and Borders CJA.

6.5 Reconviction rates are a Scottish Government National Indicator on [Scotland Performs](#). As such, they are commonly used to rank performance across different jurisdictions, such as Community Justice Authorities and Local Authorities. 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. In particular, outcomes in jurisdictions with smaller sized populations tend to vary more than those in jurisdictions with larger populations. The question we need to answer is therefore: Is the observed variation more or less than we would normally expect?

6.6 In this respect, it is better to use a method of comparison that takes account of inherent variability between jurisdictions⁶. The funnel plot is a simple statistical

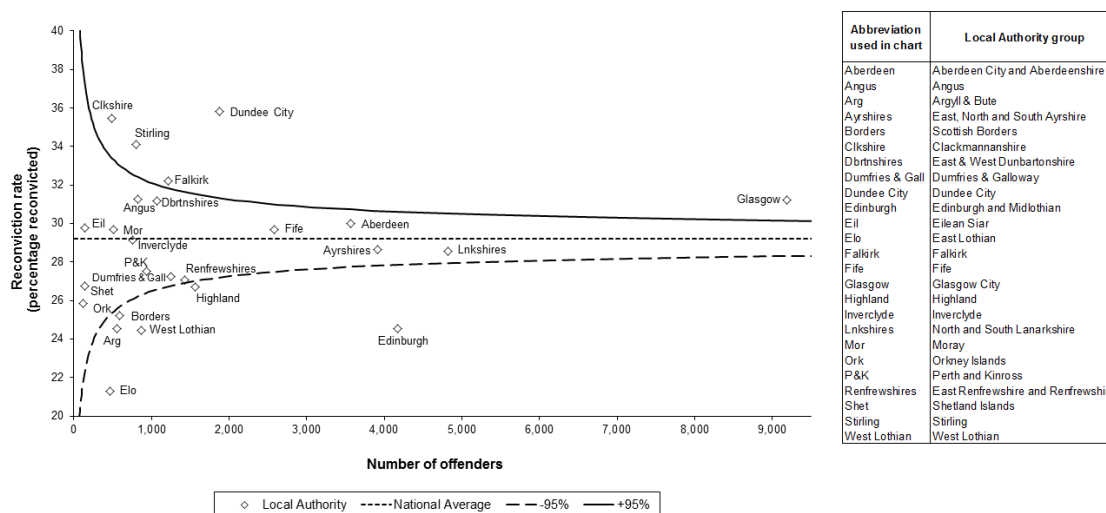
⁶ Royal Statistical Society (2003) *Performance Indicators: Good, Bad, and Ugly* Royal Statistical Society Working Party on Performance Monitoring in the Public Services. Obtained from www.rss.org.uk/uploadedfiles/documentlibrary/739.pdf

method that takes into account the variability of different sized populations and so highlights whether there are differences that may be attributed to some other special cause⁷.

6.7 [Table 10](#) shows the average number of reconvictions per offender and reconviction rates for each Local Authority group and [Chart 7](#) shows the reconviction rates against the number of offenders. The plot takes into account the increased variability of the Local Authorities with smaller populations, where a small increase in the number of reconvictions may lead to a large percentage change in the reconviction rate. Rates for Local Authorities 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 per cent (or two standard deviations from the mean): if there were no difference between Local Authorities 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.

6.8 [Chart 7](#) shows that five Local Authorities: Clackmannanshire, Dundee City, Falkirk, Glasgow City, and Stirling) lie above the funnel and so have higher reconviction rates than expected. Argyll & Bute, East Lothian, Edinburgh and Midlothian, Highland, Scottish Borders, and West Lothian lie below the funnel and so have lower rates than expected. Whilst this is useful for highlighting that there are practical differences in reconviction rates between each Local Authority, even after taking into account differences in population sizes, it does not allow us to identify if this disparity is due to variation in the characteristics of offenders in each area or a variation in practices between different Local Authorities. Different offender characteristics between Local Authorities could include: age, gender, crime, disposal, ethnicity, deprivation, etc.

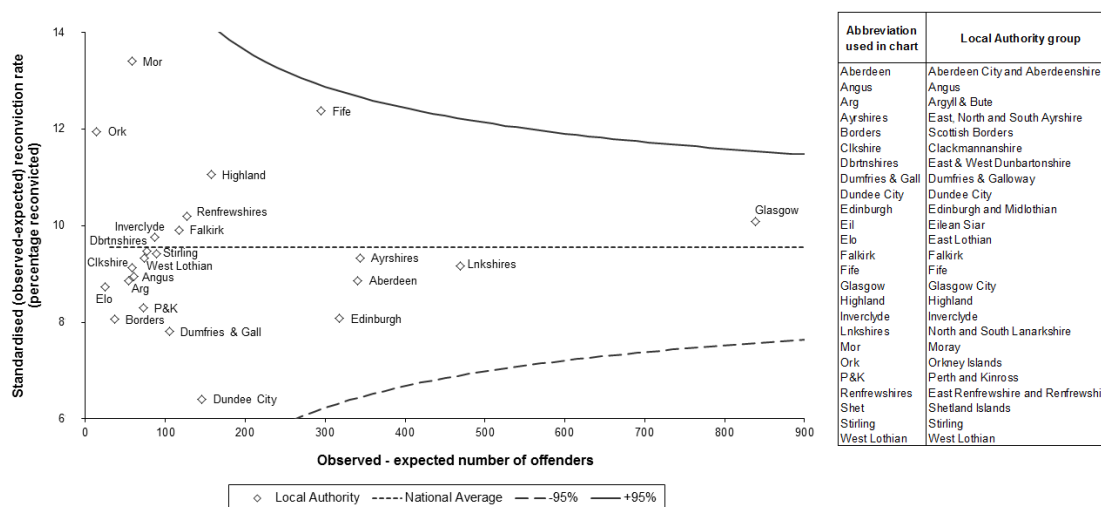
Chart 7 Reconviction rates by Local Authority group: 2011-12 cohort



⁷ Battersby, J. & Flowers, J. (2004) *Presenting performance indicators* Eastern Region Public Health Observatory. Obtained from <http://www.erpho.org.uk/viewResource.aspx?id=7518>

6.9 [Chart 8](#) is standardised to take into account of differences between Local Authorities attributable to the characteristics of offenders, such as the number of previous offences, sentence, gender, and age. It provides the standardised reconviction rates⁸ against the observed number of offenders minus expected number of offenders. Since all Local Authorities 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’ between the Local Authorities. This overall conclusion for all local authorities on the 2011-12 cohort is consistent with the findings provided in the [2011 reconvictions publication](#) (which provided funnel plots on the two year reconviction rates for the 2007-08 cohort); and the [2012 reconvictions publication](#) (which provided funnel plots on the one year reconviction rates for the 2009-10 cohort). Although these previous finding presented reconvictions at the CJA level, all CJAs were within the funnels.

Chart 8 Standardised reconviction rates by Local Authority group: 2011-12 cohort



⁸ Spiegelhalter, D. J. (2005) *Funnel plots for comparing institutional performance* Statistics in Medicine 24 1185-1202.

7 Number and type of previous convictions: 2003-04 to 2011-12 ([Table 15](#) and [Table 16](#))

7.1 This section presents information on previous convictions for the 42,508 individual offenders who were convicted on at least one occasion in 2012-13 ([Table 15](#) and [Table 16](#)). 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 11.2.1](#)).

7.2 Of the 42,508 individuals convicted at least once in 2012-13 for a crime or relevant offence, 67 per cent had at least one previous conviction in the previous ten years, 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 15](#) shows that:

- first time offenders tend to get fines (41 per cent of first time offenders) or caution/admonition (30 per cent). Community sentences⁹ 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 (28 per cent), or caution/admonition (20 per cent). Custodial sentences account for 9 per cent.
- those with a several convictions in the past 10 years (between 3 and 10 convictions) are somewhat more likely to get a custodial sentence (21 per cent), although most still get fines (31 per cent) or community sentences (30 per cent).
- those with more than 10 convictions in the past 10 years tend to get custodial sentences (45 per cent) or community sentences (about 20 per cent).

7.4 The number of prior convictions for serious offences is strongly linked to the likelihood of getting a custodial sentence: about 12 per cent of those with no prior solemn convictions get a custodial sentence, rising to about 39 per cent and 61 per cent for those with 1 or 2 and 3 to 10 solemn convictions respectively.

7.5 Over time there has been very little change in the number of prolific offenders ([Table 16](#)). Thirteen per cent of offenders in 2003-04 had over 10 previous convictions in the previous 10 years, and this has fluctuated between 12 and 14 per cent for subsequent years. Fourteen per cent of offenders in 2012-13 had over 10 previous convictions in the previous 10 years.

⁹ In Table 15, 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 fewer than 10 people and not suitable for publication

All percentages, and reconviction rates and average number of reconvictions per offender, are shown in italics.

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

In tables 1 to 8, 10, and 11, the number of offenders that are reconvicted, and the number of reconvictions, are omitted from the bulletin for clarity. They are also included in the additional [datasets](#) which accompany this bulletin.

The definitions of reconviction rate and the average number of reconvictions per offender are described in [section 11.2.1](#).

Table 1 Reconviction rates and average number of reconvictions per offender: 1997-98 to 2011-12 cohorts

Cohort	Number of offenders¹	Reconviction rate¹	Average number of reconvictions per offender¹
1997-98	53,444	<i>31.8</i>	<i>0.62</i>
1998-99	49,144	<i>31.8</i>	<i>0.62</i>
1999-00	44,229	<i>31.3</i>	<i>0.59</i>
2000-01	41,568	<i>31.8</i>	<i>0.60</i>
2001-02	43,651	<i>32.4</i>	<i>0.63</i>
2002-03	44,858	<i>32.9</i>	<i>0.64</i>
2003-04	46,984	<i>32.7</i>	<i>0.62</i>
2004-05	49,367	<i>32.4</i>	<i>0.61</i>
2005-06	50,325	<i>32.5</i>	<i>0.60</i>
2006-07	53,301	<i>32.4</i>	<i>0.60</i>
2007-08	53,042	<i>31.2</i>	<i>0.57</i>
2008-09	49,653	<i>31.5</i>	<i>0.60</i>
2009-10	47,413	<i>30.6</i>	<i>0.56</i>
2010-11	44,712	<i>30.1</i>	<i>0.55</i>
2011-12	43,826	<i>29.2</i>	<i>0.53</i>

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

Table 2 Reconviction rates and average number of reconvictions per offender, by gender

Males	Number of offenders	Reconviction rate	Average number of reconvictions per offender
1997-98	45,681	32.9	0.63
1998-99	41,818	32.9	0.64
1999-00	37,549	32.2	0.61
2000-01	35,248	32.7	0.62
2001-02	36,948	33.4	0.65
2002-03	37,762	33.9	0.66
2003-04	39,504	33.7	0.64
2004-05	41,512	33.2	0.63
2005-06	42,194	33.7	0.62
2006-07	44,746	33.4	0.62
2007-08	44,375	32.2	0.59
2008-09	41,425	32.5	0.61
2009-10	39,398	31.7	0.58
2010-11	36,993	31.4	0.57
2011-12	36,434	30.4	0.55
Females			
1997-98	7,763	25.5	0.52
1998-99	7,326	25.8	0.52
1999-00	6,680	25.8	0.49
2000-01	6,320	26.5	0.48
2001-02	6,703	26.7	0.51
2002-03	7,096	27.3	0.52
2003-04	7,480	27.2	0.53
2004-05	7,855	27.9	0.52
2005-06	8,131	26.2	0.48
2006-07	8,555	27.1	0.49
2007-08	8,667	26.4	0.48
2008-09	8,228	26.5	0.53
2009-10	8,015	25.0	0.47
2010-11	7,719	23.9	0.45
2011-12	7,392	23.6	0.44

Table 3 Reconviction rates and average number of reconvictions per offender, by age

Age: under 21	Number of offenders	Reconviction rate	Average number of reconvictions per offender
1997-98	13,790	42.4	0.93
1998-99	12,984	42.1	0.92
1999-00	11,784	41.0	0.87
2000-01	11,005	41.5	0.87
2001-02	11,232	41.2	0.89
2002-03	11,057	41.3	0.88
2003-04	11,316	40.6	0.82
2004-05	11,646	39.4	0.79
2005-06	12,114	41.4	0.80
2006-07	12,687	40.6	0.78
2007-08	12,402	38.2	0.72
2008-09	10,754	37.9	0.72
2009-10	9,323	36.8	0.68
2010-11	8,243	36.0	0.65
2011-12	7,432	34.5	0.61
Age: 21 to 25			
1997-98	12,183	34.1	0.63
1998-99	10,762	34.4	0.66
1999-00	9,455	34.5	0.64
2000-01	8,993	35.5	0.66
2001-02	9,477	36.5	0.71
2002-03	9,926	37.1	0.74
2003-04	10,336	36.4	0.72
2004-05	10,592	36.5	0.71
2005-06	10,584	35.2	0.68
2006-07	11,240	35.2	0.66
2007-08	11,137	34.3	0.63
2008-09	10,105	34.2	0.65
2009-10	9,807	33.7	0.61
2010-11	9,002	32.8	0.59
2011-12	8,885	30.7	0.54
Age: 26 to 30			
1997-98	9,595	30.3	0.54
1998-99	8,674	30.4	0.54
1999-00	7,453	31.5	0.55
2000-01	6,942	31.2	0.56
2001-02	7,168	33.3	0.62
2002-03	7,129	34.5	0.64
2003-04	7,258	35.6	0.66
2004-05	7,527	34.5	0.66
2005-06	7,588	34.8	0.64
2006-07	8,009	34.7	0.65
2007-08	8,249	33.6	0.63
2008-09	7,988	34.9	0.68
2009-10	7,894	32.9	0.62
2010-11	7,484	33.6	0.65
2011-12	7,434	32.4	0.62
Age: over 30			
1997-98	17,876	22.8	0.40
1998-99	16,724	22.9	0.40
1999-00	15,537	21.8	0.36
2000-01	14,628	22.4	0.37
2001-02	15,774	23.1	0.39
2002-03	16,746	24.1	0.42
2003-04	18,074	24.4	0.42
2004-05	19,602	25.2	0.43
2005-06	20,039	24.7	0.42
2006-07	21,365	25.2	0.43
2007-08	21,254	24.7	0.44
2008-09	20,806	25.6	0.47
2009-10	20,389	25.3	0.46
2010-11	19,983	25.2	0.45
2011-12	20,075	25.4	0.47

Table 4 Reconviction rates and average number of reconvictions per offender, males by age

Age: under 21	Number of offenders	Reconviction rate	Average number of reconvictions per offender
1997-98	12,073	44.2	0.98
1998-99	11,282	43.9	0.96
1999-00	10,196	42.6	0.90
2000-01	9,596	42.7	0.89
2001-02	9,775	42.7	0.92
2002-03	9,616	43.0	0.92
2003-04	9,807	42.2	0.84
2004-05	10,158	41.0	0.83
2005-06	10,486	43.4	0.84
2006-07	10,991	42.3	0.82
2007-08	10,675	39.7	0.75
2008-09	9,229	39.6	0.76
2009-10	7,981	38.5	0.71
2010-11	7,052	37.9	0.68
2011-12	6,347	36.3	0.64
Age: 21 to 25			
1997-98	10,549	34.8	0.62
1998-99	9,204	35.0	0.66
1999-00	8,032	35.1	0.65
2000-01	7,686	36.0	0.67
2001-02	8,090	37.2	0.72
2002-03	8,438	37.8	0.75
2003-04	8,783	37.0	0.72
2004-05	8,940	36.8	0.71
2005-06	9,001	35.9	0.68
2006-07	9,584	35.9	0.66
2007-08	9,426	34.9	0.63
2008-09	8,553	35.1	0.65
2009-10	8,318	34.7	0.62
2010-11	7,602	33.8	0.60
2011-12	7,618	31.6	0.55
Age: 26 to 30			
1997-98	8,142	30.7	0.54
1998-99	7,343	30.9	0.55
1999-00	6,301	31.8	0.55
2000-01	5,811	31.8	0.57
2001-02	6,005	34.2	0.64
2002-03	5,968	35.4	0.66
2003-04	5,992	36.6	0.68
2004-05	6,256	34.8	0.67
2005-06	6,227	35.5	0.65
2006-07	6,634	35.2	0.67
2007-08	6,835	34.2	0.64
2008-09	6,569	35.5	0.69
2009-10	6,498	33.2	0.62
2010-11	6,175	34.4	0.66
2011-12	6,125	33.2	0.63
Age: over 30			
1997-98	14,917	23.5	0.41
1998-99	13,989	23.6	0.41
1999-00	13,020	22.5	0.37
2000-01	12,155	23.2	0.38
2001-02	13,078	23.7	0.40
2002-03	13,740	24.5	0.43
2003-04	14,922	25.0	0.44
2004-05	16,158	25.8	0.44
2005-06	16,480	25.6	0.44
2006-07	17,537	25.8	0.45
2007-08	17,439	25.3	0.45
2008-09	17,074	26.3	0.48
2009-10	16,601	26.3	0.47
2010-11	16,164	26.4	0.48
2011-12	16,344	26.4	0.49

Table 5 Reconviction rates and average number of reconvictions per offender , females by age

Age: under 21	Number of offenders	Reconviction rate	Average number of reconvictions per offender
1997-98	1,717	29.6	0.64
1998-99	1,702	30.0	0.68
1999-00	1,588	30.5	0.69
2000-01	1,409	33.9	0.74
2001-02	1,457	31.3	0.67
2002-03	1,441	30.2	0.67
2003-04	1,509	30.1	0.65
2004-05	1,488	28.6	0.58
2005-06	1,628	28.6	0.52
2006-07	1,696	29.5	0.54
2007-08	1,727	28.6	0.53
2008-09	1,525	27.5	0.53
2009-10	1,342	26.4	0.49
2010-11	1,191	24.6	0.47
2011-12	1,085	23.5	0.43
Age: 21 to 25			
1997-98	1,634	29.9	0.68
1998-99	1,558	30.6	0.67
1999-00	1,423	30.9	0.58
2000-01	1,307	32.1	0.58
2001-02	1,387	32.4	0.66
2002-03	1,488	33.2	0.67
2003-04	1,553	33.1	0.69
2004-05	1,652	34.8	0.69
2005-06	1,583	31.0	0.67
2006-07	1,656	31.5	0.66
2007-08	1,711	30.5	0.63
2008-09	1,552	29.1	0.64
2009-10	1,489	27.7	0.53
2010-11	1,400	27.7	0.54
2011-12	1,267	25.5	0.48
Age: 26 to 30			
1997-98	1,453	28.1	0.57
1998-99	1,331	27.6	0.5
1999-00	1,152	29.7	0.55
2000-01	1,131	28.3	0.5
2001-02	1,163	28.8	0.52
2002-03	1,161	30.1	0.53
2003-04	1,266	31.0	0.56
2004-05	1,271	33.0	0.62
2005-06	1,361	31.7	0.58
2006-07	1,375	32.1	0.56
2007-08	1,414	30.6	0.57
2008-09	1,419	32.4	0.65
2009-10	1,396	31.5	0.62
2010-11	1,309	29.7	0.59
2011-12	1,309	28.7	0.58
Age: over 30			
1997-98	2,959	19.4	0.33
1998-99	2,735	19.5	0.34
1999-00	2,517	18.1	0.29
2000-01	2,473	18.4	0.28
2001-02	2,696	20.5	0.34
2002-03	3,006	21.9	0.37
2003-04	3,152	21.3	0.37
2004-05	3,444	22.4	0.38
2005-06	3,559	20.9	0.35
2006-07	3,828	22.3	0.37
2007-08	3,815	22.0	0.37
2008-09	3,732	22.7	0.44
2009-10	3,788	21.1	0.39
2010-11	3,819	20.2	0.36
2011-12	3,731	21.2	0.38

Table 6 Reconviction rates and average number of reconvictions per offender, by index crime

Violent crime	Number of offenders	Reconviction rate	Average number of reconvictions per offender
1997-98	11,429	25.5	0.43
1998-99	10,850	23.5	0.39
1999-00	10,277	22.9	0.37
2000-01	9,822	23.9	0.39
2001-02	10,459	24.1	0.40
2002-03	11,142	24.8	0.42
2003-04	11,849	25.2	0.43
2004-05	12,674	25.5	0.44
2005-06	13,568	25.3	0.42
2006-07	14,224	26.2	0.44
2007-08	14,590	25.4	0.43
2008-09	14,226	26.2	0.44
2009-10	13,810	24.6	0.40
2010-11	13,512	24.6	0.39
2011-12	13,530	24.2	0.40
Sexual crime¹			
1997-98	286	13.6	0.23
1998-99	282	15.2	0.28
1999-00	392	9.7	0.14
2000-01	410	13.9	0.24
2001-02	419	11.9	0.18
2002-03	420	11.7	0.18
2003-04	458	9.8	0.14
2004-05	574	9.1	0.14
2005-06	515	10.1	0.15
2006-07	491	14.1	0.21
2007-08	474	12.9	0.19
2008-09	489	12.3	0.18
2009-10	492	9.8	0.14
2010-11	478	11.9	0.18
2011-12	522	12.6	0.25
Dishonesty			
1997-98	15,225	40.3	0.89
1998-99	14,125	41.5	0.94
1999-00	12,696	43.1	0.95
2000-01	11,638	44.0	0.97
2001-02	11,717	45.9	1.06
2002-03	11,553	46.0	1.05
2003-04	10,846	45.8	1.03
2004-05	10,644	45.9	1.02
2005-06	9,894	46.4	1.02
2006-07	9,983	46.6	1.03
2007-08	9,790	44.7	1.00
2008-09	9,519	45.0	1.05
2009-10	9,166	44.2	0.98
2010-11	9,123	43.4	0.97
2011-12	8,742	41.9	0.92
Criminal damage			
1997-98	3,591	28.8	0.53
1998-99	3,328	27.3	0.48
1999-00	2,981	28.5	0.51
2000-01	2,964	28.7	0.48
2001-02	2,984	30.7	0.54
2002-03	3,066	30.5	0.54
2003-04	3,535	29.6	0.55
2004-05	3,642	31.2	0.56
2005-06	3,620	33.0	0.58
2006-07	3,869	32.9	0.59
2007-08	3,891	31.8	0.55
2008-09	3,145	33.7	0.62
2009-10	2,827	32.6	0.58
2010-11	2,452	30.7	0.54
2011-12	2,203	29.2	0.48

(continued on following page)

Table 6 (continued)

Drug offences			
1997-98	5,652	26.3	0.40
1998-99	5,320	27.5	0.43
1999-00	4,838	25.5	0.37
2000-01	4,181	26.1	0.40
2001-02	4,691	25.2	0.41
2002-03	4,669	28.0	0.46
2003-04	5,521	29.3	0.45
2004-05	5,767	28.9	0.45
2005-06	5,787	29.4	0.46
2006-07	6,807	28.0	0.45
2007-08	6,572	27.3	0.42
2008-09	5,691	27.0	0.44
2009-10	5,941	26.9	0.42
2010-11	5,937	25.9	0.40
2011-12	5,676	23.5	0.37
Breach of the peace²			
1997-98	13,724	31.4	0.58
1998-99	12,115	31.3	0.57
1999-00	10,315	29.7	0.52
2000-01	9,751	29.7	0.52
2001-02	10,330	30.3	0.53
2002-03	10,854	30.9	0.56
2003-04	11,446	31.0	0.55
2004-05	12,260	31.1	0.55
2005-06	12,907	31.4	0.55
2006-07	13,629	31.0	0.53
2007-08	13,343	30.2	0.52
2008-09	12,113	29.9	0.54
2009-10	11,248	29.3	0.51
2010-11	9,584	28.6	0.50
2011-12	9,849	28.6	0.50
Other crimes and offences³			
1997-98	3,537	30.4	0.62
1998-99	3,124	32.4	0.65
1999-00	2,730	29.7	0.52
2000-01	2,802	29.4	0.50
2001-02	3,051	31.1	0.55
2002-03	3,154	32.6	0.58
2003-04	3,329	33.8	0.59
2004-05	3,806	31.9	0.57
2005-06	4,034	32.5	0.58
2006-07	4,298	33.1	0.58
2007-08	4,382	31.2	0.56
2008-09	4,470	30.3	0.54
2009-10	3,929	30.0	0.52
2010-11	3,626	30.1	0.51
2011-12	3,304	30.3	0.52

1. Sexual crime excludes offences associated with prostitution. The latter are included in Other crimes and offences. The definitions are aligned with the Criminal Proceedings in Scotland 2012-13 publication.

2. Changes have been made since the Reconvictions Rates in Scotland 2010-11 Cohort Bulletin. Breach of the peace grouping, in line with the Criminal Proceedings in Scotland 2012-13 publication, now includes the new offences of "Threatening or abusive behaviour" and "Offence of stalking", which are part of the Criminal Justice and Licensing (Scotland) Act 2010; and "Offensive behaviour at football (under the Offensive behaviour at football and threatening communication Scotland Act 2012)", and "Threatening communications (under the Offensive behaviour at football and threatening communication Scotland Act 2012)".

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

Table 7 Reconviction rates and average number of reconvictions per offender, by index disposal

Discharged from custody	Number of offenders	Reconviction rate	Average number of reconvictions per offender
1997-98	6,118	48.4	1.04
1998-99	5,821	49.1	1.09
1999-00	5,744	46.3	0.99
2000-01	5,573	47.4	1.00
2001-02	5,950	47.9	1.06
2002-03	6,008	49.9	1.12
2003-04	5,885	50.1	1.11
2004-05	6,127	47.9	1.06
2005-06	6,240	47.4	1.03
2006-07	6,909	48.5	1.06
2007-08	7,060	46.8	1.00
2008-09	7,404	47.1	0.98
2009-10	7,432	45.9	0.94
2010-11	7,289	45.2	0.91
2011-12	7,314	43.8	0.90
Community Sentence (CPO, CSO, PO)¹			
1997-98	6,084	39.6	0.85
1998-99	5,950	40.3	0.88
1999-00	5,597	38.5	0.78
2000-01	5,651	39.0	0.82
2001-02	6,093	40.5	0.86
2002-03	6,568	40.7	0.84
2003-04	6,467	39.0	0.79
2004-05	7,119	39.8	0.80
2005-06	7,808	38.6	0.75
2006-07	7,643	38.2	0.73
2007-08	8,135	36.6	0.68
2008-09	8,878	37.1	0.71
2009-10	8,679	33.7	0.62
2010-11	8,443	34.2	0.62
2011-12	9,890	32.5	0.58
Restriction of Liberty Order²			
1997-98	-	-	-
1998-99	24	58.3	1.54
1999-00	50	66.0	1.76
2000-01	55	60.0	1.62
2001-02	54	70.4	1.56
2002-03	212	53.3	1.17
2003-04	353	57.8	1.25
2004-05	414	57.2	1.20
2005-06	486	52.1	1.16
2006-07	510	51.2	1.05
2007-08	533	50.7	1.03
2008-09	567	47.1	0.95
2009-10	489	49.3	0.96
2010-11	444	44.4	0.83
2011-12	485	39.2	0.73

(continued on following page)

Table 7 (continued)

Drug Treatment and Testing Order³			
1997-98	-	-	-
1998-99	-	-	-
1999-00	1	-	-
2000-01	36	58.3	1.31
2001-02	95	74.7	2.12
2002-03	143	75.5	2.41
2003-04	201	79.1	2.21
2004-05	231	78.4	2.20
2005-06	268	70.1	1.88
2006-07	303	75.2	2.03
2007-08	326	70.9	1.94
2008-09	361	67.6	1.77
2009-10	362	66.0	1.68
2010-11	373	66.5	1.60
2011-12	280	56.1	1.45
Monetary disposal			
1997-98	32,894	29.5	0.54
1998-99	29,559	29.4	0.53
1999-00	25,603	28.9	0.52
2000-01	23,817	28.9	0.51
2001-02	24,863	29.0	0.52
2002-03	24,850	29.1	0.52
2003-04	26,687	29.5	0.51
2004-05	27,459	29.2	0.50
2005-06	27,036	29.3	0.50
2006-07	28,497	29.0	0.49
2007-08	27,492	27.6	0.46
2008-09	22,840	26.7	0.47
2009-10	20,961	26.6	0.45
2010-11	18,679	25.5	0.44
2011-12	17,121	23.9	0.39
Other disposal			
1997-98	8,348	23.0	0.42
1998-99	7,790	21.5	0.38
1999-00	7,234	21.7	0.37
2000-01	6,436	22.2	0.37
2001-02	6,596	22.5	0.40
2002-03	7,077	23.0	0.41
2003-04	7,391	22.1	0.39
2004-05	8,017	22.3	0.39
2005-06	8,487	23.8	0.41
2006-07	9,439	23.6	0.42
2007-08	9,496	23.2	0.41
2008-09	9,603	23.5	0.44
2009-10	9,490	22.1	0.39
2010-11	9,484	21.9	0.39
2011-12	8,736	22.3	0.39

1. 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.
2. Restriction of Liberty Orders were not available nationally until 2002.
3. DTTOs were rolled out to Glasgow, Fife and Aberdeen between 1999 and 2002, Edinburgh, Renfrewshire, Inverclyde and Tayside in 2002-03 and has been available to almost every court in Scotland since 2005-06.

Table 8 Reconviction rates and average number of reconvictions per offender, by sentence length

3 months or less	Number of offenders	Reconviction rate	Average number of reconvictions per offender
1997-98	2,724	56.7	1.33
1998-99	2,555	59.3	1.42
1999-00	2,540	55.5	1.28
2000-01	2,393	58.0	1.31
2001-02	2,463	58.2	1.37
2002-03	2,636	61.4	1.49
2003-04	2,472	63.0	1.51
2004-05	2,563	61.5	1.44
2005-06	2,723	59.2	1.37
2006-07	3,063	60.8	1.40
2007-08	2,870	59.0	1.35
2008-09	2,360	59.6	1.38
2009-10	2,067	58.9	1.32
2010-11	1,822	61.7	1.35
2011-12	1,405	58.9	1.32
Over 3 months to 6 months			
1997-98	1,459	58.0	1.22
1998-99	1,403	57.9	1.31
1999-00	1,330	56.7	1.23
2000-01	1,325	58.0	1.24
2001-02	1,431	57.2	1.33
2002-03	1,382	60.1	1.37
2003-04	1,346	59.8	1.33
2004-05	1,338	57.3	1.31
2005-06	1,371	56.9	1.31
2006-07	1,470	58.0	1.29
2007-08	1,453	57.9	1.34
2008-09	1,899	55.2	1.20
2009-10	1,935	54.1	1.15
2010-11	2,024	53.1	1.11
2011-12	2,333	52.9	1.17
Over 6 months to 2 years			
1997-98	978	35.1	0.62
1998-99	856	34.8	0.61
1999-00	891	35.9	0.64
2000-01	821	35.3	0.64
2001-02	935	36.8	0.65
2002-03	863	33.7	0.60
2003-04	936	35.3	0.66
2004-05	992	34.2	0.65
2005-06	984	34.6	0.62
2006-07	1,092	35.3	0.65
2007-08	1,392	36.4	0.64
2008-09	1,746	41.5	0.73
2009-10	2,029	40.1	0.75
2010-11	2,024	38.2	0.70
2011-12	2,098	38.9	0.72
Over 2 years to less than 4 years			
1997-98	555	25.8	0.38
1998-99	525	25.1	0.42
1999-00	512	21.1	0.32
2000-01	533	21.8	0.32
2001-02	574	28.0	0.46
2002-03	557	27.8	0.50
2003-04	549	27.3	0.44
2004-05	625	24.5	0.42
2005-06	540	21.9	0.36
2006-07	663	25.2	0.44
2007-08	718	24.7	0.40
2008-09	844	26.4	0.43
2009-10	845	28.3	0.46
2010-11	950	27.2	0.43
2011-12	945	27.2	0.43
Over 4 years			
1997-98	402	21.6	0.31
1998-99	482	20.5	0.27
1999-00	471	14.4	0.17
2000-01	501	15.6	0.17
2001-02	547	17.4	0.23
2002-03	570	17.9	0.23
2003-04	582	18.2	0.23
2004-05	609	15.9	0.20
2005-06	622	17.5	0.21
2006-07	621	14.0	0.16
2007-08	627	13.7	0.16
2008-09	555	15.0	0.19
2009-10	556	16.7	0.18
2010-11	469	13.2	0.16
2011-12	533	13.3	0.15

Table 9 Reconviction rates by offender characteristics: 2011-12 cohort

Index disposal in 2011-12 by age	Percentage of Male offenders reconvicted				Percentage of Female offenders reconvicted			
	Number of previous convictions ¹				Number of previous convictions ¹			
	None	1 or 2	3 to 10	Over 10	None	1 or 2	3 to 10	Over 10
All	13	21	32	55	9	20	31	56
under 21	23	40	56	72	16	31	45	81
21 to 25	10	22	39	66	9	22	44	63
26 to 30	9	17	33	60	7	22	32	61
over 30	6	12	22	50	5	15	26	52
Discharged from custody	10	20	36	61	**	**	37	61
under 21	23	34	55	70	**	**	**	86
21 to 25	9	22	37	67	**	**	49	69
26 to 30	**	16	35	60	**	-	37	66
over 30	4	10	26	58	**	**	31	53
CPO / legacy Community Sentences²	19	28	36	53	10	25	40	61
under 21	33	48	62	71	23	38	56	**
21 to 25	11	28	43	66	10	32	52	76
26 to 30	13	19	33	56	**	28	45	62
over 30	6	14	23	49	5	17	30	58
Restriction of Liberty Order	29	26	36	61	**	**	42	77
under 21	33	42	55	**	**	**	**	-
21 to 25	**	**	36	80	**	**	**	**
26 to 30	**	-	36	60	-	-	**	**
over 30	-	**	**	51	-	**	**	**
Drug Treatment and Testing Order	**	**	54	62	-	**	**	64
under 21	-	-	**	-	-	-	**	-
21 to 25	-	-	**	77	-	-	**	**
26 to 30	**	**	65	88	-	-	**	**
over 30	-	-	**	49	-	**	**	67
Monetary	12	19	29	49	8	18	28	56
under 21	20	37	50	88	15	23	52	**
21 to 25	10	20	38	62	10	17	37	54
26 to 30	8	16	32	60	**	22	29	65
over 30	7	12	21	44	5	17	24	53
Other³	11	16	28	51	9	17	25	47
under 21	17	36	56	58	14	34	**	**
21 to 25	9	19	34	68	7	18	42	52
26 to 30	9	17	28	57	11	18	23	53
over 30	6	8	19	47	7	11	21	43

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 Supervised Attendance Orders.

Table 10 Reconviction rates and average number of reconvictions per offender, by CJA and Local Authority group: 2011-12 cohort

Community Justice Authority (CJA) ¹	Local Authority group ²	Number of offenders	Reconviction rate	Average number of reconvictions per offender
Scotland³		43,826	29.2	0.53
Fife & Forth Valley	All	5,084	31.5	0.57
	Clackmannanshire	488	35.5	0.70
	Falkirk	1,214	32.2	0.58
	Fife	2,584	29.7	0.51
	Stirling	798	34.1	0.66
Glasgow	All	9,184	31.2	0.62
	Glasgow City ⁴	9,184	31.2	0.62
Lanarkshire	All	4,818	28.6	0.50
	North and South Lanarkshire ⁵	4,818	28.6	0.50
Lothian & Borders	All	6,095	24.3	0.41
	East Lothian	465	21.3	0.32
	Edinburgh and Midlothian ⁶	4,172	24.5	0.43
	Scottish Borders	587	25.2	0.43
	West Lothian	871	24.5	0.39
Northern	All	6,038	28.9	0.50
	Aberdeen City and Aberdeenshire ⁷	3,564	30.0	0.53
	Eilean Siar	141	29.8	0.40
	Highland	1,566	26.7	0.45
	Moray	509	29.7	0.52
	Orkney Islands	116	25.9	0.39
	Shetland Islands	142	26.8	0.33
	North Strathclyde⁸	All	3,805	28.3
South West Scotland	Argyll & Bute	554	24.5	0.38
	East and West Dunbartonshire ⁹	1,074	31.2	0.59
	East Renfrewshire and Renfrewshire ¹⁰	1,425	27.1	0.49
	Inverclyde	752	29.1	0.55
Tayside	All	5,168	28.3	0.49
	Dumfries & Galloway	1,252	27.2	0.48
	East, North and South Ayrshire ¹¹	3,916	28.7	0.49
Unknown	All	4	**	**
	Angus	819	31.3	0.67
	Dundee City	1,873	35.8	0.67
	Perth & Kinross	938	27.5	0.46
	Unknown ¹²	4	**	**

1. Approximate areas are based on the court of the offenders index conviction. Some Sheriff Court boundaries cover more than one CJA, see relevant footnotes below.

2. Approximate areas are based on the court of the offenders index conviction. Some Sheriff Court boundaries include more than one Local Authority area and so some Local Authorities are grouped together so that there are 25 groups of Local Authorities rather than all 32 being displayed separately. See relevant footnotes below.

3. Includes High Court and Remit to High Court.

4. Includes the Stipendiary Magistrates court.

5. North and South Lanarkshire (Airdrie, Hamilton and Lanark Sheriff Courts).

6. City of Edinburgh and Midlothian (Edinburgh Sheriff Court).

7. Aberdeen City and Aberdeenshire (Aberdeen, Banff, Stonehaven and Peterhead Sheriff Courts).

8. Parts of East Dunbartonshire are also served by Glasgow Sheriff Court as well as the Sheriff Courts in North

9. East and West Dunbartonshire (Dumbarton Sheriff Court).

10. Renfrewshire and East Renfrewshire (Paisley Sheriff Court).

11. East, North and South Ayrshire (Kilmarnock and Ayr Sheriff Courts).

12. In 2011-12, there were 4 offenders who were seen in the domestic abuse court. These offenders have not been assigned to an approximate area.

Table 11 Two year reconviction rates and two average number of reconvictions per offender: 1997-98 to 2010-11 cohorts

Cohort	Number of offenders¹	Reconviction rate¹	Average number of reconvictions per offender¹
1997-98	53,444	42.6	1.10
1998-99	49,144	42.5	1.08
1999-00	44,229	42.9	1.08
2000-01	41,568	43.8	1.13
2001-02	43,651	44.2	1.16
2002-03	44,858	45.3	1.18
2003-04	46,984	44.7	1.15
2004-05	49,367	44.5	1.13
2005-06	50,325	44.8	1.13
2006-07	53,301	44.1	1.09
2007-08	53,042	42.5	1.06
2008-09	49,653	42.4	1.08
2009-10	47,413	41.5	1.02
2010-11	44,712	41.0	1.00

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

Table 12 Reconviction rates by index crime: 2011-12 cohort
(see note 1)

Index crime ² 2011-12	Total number (=100%)	Percentage reconvicted within 1 year for:							
		Any crime	Violent Crime	Sexual Crime ³	Crimes of dishonesty	Criminal damage	Other	Serious violent crime	Serious crime
All offenders	43,826	29	10	*	10	2	15	2	4
Violent Crime									
Serious assault and homicide	1,251	21	10	**	4	1	11	3	6
Robbery	390	44	19	**	17	4	19	9	15
Common Assault	11,585	24	11	*	4	2	13	2	3
Other Violence	304	23	12	**	4	**	14	**	3
Sexual Crime									
Sexual Assault ⁴	180	8	**	**	**	-	**	-	**
Other indecency ⁴	342	15	**	3	3	**	9	**	4
Prostitution ⁵	131	24	**	**	11	**	11	**	**
Crimes of dishonesty									
Housebreaking	863	48	11	**	33	2	16	3	11
Theft (opening lockfast place)	305	49	11	**	32	**	21	**	8
Theft of motor vehicle	379	41	12	-	20	4	19	4	7
Shoplifting	3,343	55	11	**	41	2	20	2	5
Other Theft	1,777	39	10	**	24	2	17	3	6
Fraud	662	18	3	**	10	2	8	**	3
Other Dishonesty	1,413	20	4	**	11	**	9	1	3
Criminal damage									
Fireraising	115	26	10	**	**	**	10	**	**
Malicious & reckless conduct	2,088	29	12	**	7	5	15	2	4
Other									
Handling offensive weapons ⁶	1,873	30	9	**	8	2	18	2	6
Crimes against public justice ⁷	1,158	31	8	**	9	2	19	2	6
Drugs	5,676	24	5	**	6	1	16	1	4
Breach of the peace ⁸	9,849	29	11	*	5	3	18	2	3
Other crime	129	28	16	-	**	**	16	**	**
Other offences	13	31	**	-	**	-	**	-	-

1. This table has been constructed differently from previous years' bulletins, so they cannot be directly compared. For consistency with tables 1-11, this table is now produced from the "persons proceeded against" datasource. In previous years this table has been constructed from a different datasource: the "offences relating to persons proceeded against" datasource. The row totals for the specific crime groups will not necessarily equal the overall total in "Any crime" as offenders may have multiple reconvictions in 1 year.

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 Criminal Proceedings in Scotland 2012-13 publication.

5. Offences associated with prostitution including: Procurement (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.

8. Changes have been made since the Reconvictions Rates in Scotland 2010-11 Cohort Bulletin. Breach of peace grouping, in line with the Criminal Proceedings in Scotland 2012-13 publication, now includes the new offences of "Threatening or abusive behaviour" and "Offence of stalking", which are part of the Criminal Justice and Licensing (Scotland) Act 2010; and "Offensive behaviour at football (under the Offensive behaviour at football and threatening communication Scotland Act 2012)", and "Threatening communications (under the Offensive behaviour at football and threatening communication Scotland Act 2012)".

Table 13 Individuals given police disposals and subsequent non-court disposals, by disposal type: 2008-09 to 2011-12 cohorts
(see note 1)

Total receiving any police disposal	Number of individuals	Individuals given a non-court disposal within a year after receiving a police disposal²
2008-09	50,753	25.3
2009-10	60,079	24.7
2010-11	53,497	24.5
2011-12	53,903	25.2
ASBFPN		
2008-09	39,042	28.5
2009-10	48,334	27.5
2010-11	42,971	27.4
2011-12	41,717	27.9
Formal Adult Warning		
2008-09	6,798	18.1
2009-10	7,466	14.8
2010-11	6,771	13.4
2011-12	7,548	14.6
Restorative Justice Warning		
2008-09	2,211	9.2
2009-10	2,099	7.0
2010-11	1,613	6.8
2011-12	931	8.1
Other police Warnings		
2008-09	253	23.3
2009-10	159	25.2
2010-11	264	21.6
2011-12	2,008	19.1
Warning Letter		
2008-09	2,449	9.2
2009-10	2,021	11.5
2010-11	1,878	14.6
2011-12	1,699	22.5

1. The non-court disposals dataset is independent of the dataset on court convictions.

2. Includes any non-court disposal within one year of receiving a police disposal, and therefore could include COPFS disposals as well as police disposals.

Table 14 Individuals given COPFS disposals and subsequent non-court disposals, by disposal type: 2008-09 to 2011-12 cohorts
(See note 1)

Total receiving any COPFS disposal	Number of individuals	Individuals given a non-court disposal within a year after receiving a COPFS disposal²
2008-09	52,454	19.9
2009-10	49,266	18.2
2010-11	50,665	17.7
2011-12	56,057	19.0
Fiscal Fine		
2008-09	30,041	25.7
2009-10	28,069	23.5
2010-11	28,146	22.9
2011-12	32,942	24.8
Fiscal Fixed Penalty		
2008-09	16,964	8.8
2009-10	17,424	9.4
2010-11	19,008	9.6
2011-12	19,691	9.2
Fiscal Combined Fine with Compensation		
2008-09	1,148	23.9
2009-10	1,736	19.0
2010-11	1,888	19.2
2011-12	2,266	19.0
Fiscal Compensation		
2008-09	1,643	25.8
2009-10	1,659	20.1
2010-11	1,531	20.1
2011-12	1,111	21.7
Fiscal Fixed Penalty (Pre-SJR)		
2008-09	2,658	20.5
2009-10	378	18.0
2010-11	92	19.6
2011-12	47	10.6

1. The non-court disposals dataset is independent of the dataset on court convictions.

2. Includes any non-court disposal within one year of receiving a COPFS disposal, and therefore could include police disposals as well as COPFS disposals.

Table 15 Individuals convicted in 2012-13, by gender, age, and number and type of previous convictions in 10 years from 2003-04 to 2012-13
(See notes 1 and 2)

Number and type of previous convictions from 2003-04 to 2012-13 ³	Total	Gender		Age ⁴			(Last) sentence in 2012-13			
		Male	Female	under 21	21 to 30	over 30	Custody	Community sentence (CPO, CSO, PO, RLO, DTTO) ⁵	Monetary	Other ⁶
Number of persons with charge proved	42,508	35,248	7,260	5,958	16,058	20,492	7,219	10,799	15,044	9,446
All previous convictions⁷										
None	13,870	10768	3102	2938	4178	6754	902	3082	5752	4134
1 or 2	10,094	8435	1659	1493	3688	4913	944	2793	4322	2035
3 to 10	12,399	10641	1758	1325	5214	5860	2632	3681	3840	2246
Over 10	6,145	5404	741	202	2978	2965	2741	1243	1130	1031
Previous custodial sentences										
None	30,903	24661	6242	5116	11204	14583	2236	8336	12635	7696
1 or 2	4,917	4473	444	472	1936	2509	1602	1222	1291	802
3 to 10	5,035	4575	460	353	2163	2519	2352	1013	948	722
Over 10	1,653	1539	114	17	755	881	1029	228	170	226
Previous community sentences										
None	25,622	20697	4925	4050	8589	12983	2556	5920	10722	6424
1 or 2	10,612	9180	1432	1376	4258	4978	2462	3187	3049	1914
3 to 10	6,001	5172	829	525	3043	2433	2081	1630	1238	1052
Over 10	273	199	74	7	168	98	120	62	35	56
Previous solemn convictions⁸										
None	35,401	28668	6733	5456	12793	17152	4227	9262	13501	8411
1 or 2	6,152	5667	485	475	2741	2936	2406	1386	1431	929
3 to 10	953	911	42	27	524	402	585	150	112	106
Over 10	2	2	0	0	0	2	1	1	0	0
Crimes of violence										
None	37,989	31175	6814	5538	13612	18839	5418	9734	14039	8798
1 or 2	4,332	3905	427	412	2307	1613	1700	1030	979	623
3 to 10	187	168	19	8	139	40	101	35	26	25
Over 10	0	0	0	0	0	0	0	0	0	0
Crimes of dishonesty										
None	29,803	24573	5230	4941	10601	14261	3317	7719	11716	7051
1 or 2	6,466	5471	995	780	2892	2794	1432	1787	2047	1200
3 to 10	4,425	3678	747	227	1894	2304	1579	996	1004	846
Over 10	1,814	1526	288	10	671	1133	891	297	277	349
Drug offences										
None	33,580	27495	6085	5694	12453	15433	4757	8660	12333	7830
1 or 2	7,236	6247	989	254	3001	3981	1915	1783	2252	1286
3 to 10	1,673	1488	185	10	599	1064	544	353	452	324
Over 10	19	18	1	0	5	14	3	3	7	6

1. This table is constructed from a different datasource to tables 1-12 in this bulletin. It is constructed from Criminal Proceedings data rather than the Scottish Offenders Index.

2. Changes have been made to how this table is reported in this year's bulletin. For improved clarity, and to allow comparisons between and down columns, as well as across rows, the absolute numbers of offenders are reported. Previously, the relative proportions of offenders across a single row in each column were reported as percentages.

3. From the Reconvictions Rates in Scotland 2010-11 Cohort Bulletin onwards, 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.

4. Age as at date of last conviction in 2012-13.

5. 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.

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

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

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

Table 16 Individuals convicted by number of previous convictions in 10 years from 2003-04 to 2012-13
(see note 1)

Number and type of previous convictions ²	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		2003-04 to 2012-13	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Number of persons with charge proved (=100%)	47,388		49,535		50,500		53,749		53,505		50,477		48,169		45,481		44,906		42,508	
All previous convictions³																				
None	16,382	35	17,142	35	17,810	35	18,939	35	18,695	35	17,304	34	16,350	34	15,251	34	14,826	33	13,870	33
1 or 2	11,869	25	12,418	25	12,938	26	13,653	25	13,638	25	12,296	24	11,857	25	10,902	24	10,691	24	10,094	24
3 to 10	13,036	28	13,707	28	13,647	27	14,820	28	14,894	28	14,324	28	13,578	28	12,986	29	13,077	29	12,399	29
Over 10	6,101	13	6,268	13	6,105	12	6,337	12	6,278	12	6,553	13	6,384	13	6,342	14	6,312	14	6,145	14

1. This table is constructed from a different datasource to tables 1-12 in this bulletin. It is constructed from criminal proceedings data rather than the Scottish Offenders Index.

2. The number and type of previous convictions in 10 year windows.

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

9 International comparisons of reconviction rates

9.1 Ministry of Justice, Scottish Government, and Dutch 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 made 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 rates and average number of reconvictions per offender

10.1 Reconviction rates are a helpful tool in supporting policy development, including the Scottish Government's Reducing Reoffending Programme, Phase 2 (RRP2). This is a collaborative programme with a broad range of stakeholder involvement looking to deliver better outcomes for persistent offenders. Clearly success here is likely to translate to a reduction in crime, victimisation, and the negative effects these can have on local communities and the economy.

10.2 The average number of reconvictions per offender 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 average number of reconvictions per offender has improved or declined compared to the baseline average number of reconvictions per offender (this was chosen as the number 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
- Police Scotland
- Scottish Court Service
- Risk Management Authority
- Parole Board for Scotland
- Crown Office and Procurator Fiscal Service
- Health Boards
- Victim Support
- Third Sector Partners
- Convention of Scottish Local Authorities (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 Annex

11.1 The effect of pseudo reconvictions

11.1.1 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 complicate comparisons between reconviction rates for different types of disposal as they will tend to be less common for offenders who are discharged from a long custodial sentence compared to those given non-custodial sentences.
- They will 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.

11.1.2 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 outside of 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 rates and average number of reconvictions without pseudo reconvictions were shown in [previous publications](#) for the purposes of illustration. For the 2011-12 cohort these can be found in the additional [datasets](#) which accompany this publication.

11.2 Background and methodology

11.2.1 The Scottish Offenders Index (SOI) currently contains data on 518,000 offenders and 1,881,000 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:

Average number of reconvictions per offender – in a cohort it is the total number of reconvictions from a court recorded within a specified follow up period from the date of index convictions, divided by the total number of offenders in the cohort with index convictions from a court. Unless otherwise stated, the average number of reconvictions that are quoted in this bulletin are for a follow-up period of one year.

Cohort - all offenders who either received a non-custodial conviction or were released from a custodial sentence in a given financial year from the 1st April to the 31st March the following year. In the analyses for non-court disposals, a cohort is all the individuals who either received a police or COPFS disposal in a given financial year.

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.

Crime or Offence – an action that is deemed to be illegal under common or statutory law. Contraventions of the law are divided, for statistical purposes only, into crimes and offences.

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

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

Date of the index non-court disposal – the date the non-court disposal was imposed.

Disposal – the sentence given for a court conviction, or the action taken in non-court cases.

Index conviction –is the reference conviction which is determined by either: (a) the estimated release date for a custodial sentence imposed for the conviction, or (b) the sentence date for non-custodial sentences imposed for the conviction. Whichever conviction has the earliest of these dates in a given financial year is the index conviction.

Index crime or offence – the main crime or offence of the index conviction.

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

Index non-court disposal – the reference police or COPFS disposal imposed (e.g. a fine), which is the first non-court disposal given to an individual in a given financial year.

Previous convictions – convictions preceding the index convictions.

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

Recidivism - repeated reoffending after being convicted.

Reconviction – conviction after the relevant date of the index conviction.

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

Reoffending – the action of committing a further offence after a conviction.

11.2.2 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.

11.2.3 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.

11.3 Sources of information

11.3.1 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 in the SOI currently covers all convictions where a sentence was imposed since the beginning 1989, and the main offence involved was either a crime in Groups 1-5 of the Scottish Government's classification of crimes; or some offences in Group 6 which are common assault, breach of the peace, threatening or abusive behaviour, offence of stalking, offensive behaviour at football, threatening communications (under the Offensive behaviour at football and threatening communication Scotland Act 2012), racially aggravated harassment or conduct, miscellaneous firearms offences, and social security offences. Groups 1-5 of the Scottish Government's classification covers crimes of violence, sexual crimes, crimes involving dishonesty, fire-raising and vandalism, and other crimes.

11.3.2 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](#) at the end of this section). 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.

11.3.3 The CHS is not designed for statistical purposes. It is dependent on receiving timely information from the courts, COPFS, and the police. It should also 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 the SPA, and as supplied to the Scottish Government by the end of July 2013 to allow later convictions for 2012-13 to be captured on the CHS.

11.3.4 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).

11.3.5 While virtually all convictions since 1989, for crimes listed in [section 11.3.1](#), 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 outside of Scotland, convictions prior to 1989, and any relevant convictions not recorded by the SPA by the end of July 2013.

11.3.6 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.

11.3.7 The method described in [section 11.4.11](#) cannot be used to accurately identify the release date for offenders serving life sentences or, in some instances, very lengthy determinate sentences. Therefore this category of offender will 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.

11.3.8 The calculations of index offences and reconvictions in this year’s bulletin include new offences, which weren’t included in calculations in previous bulletins. Therefore, the revised figures from 2010 onwards, when the acts relating to the offences came into effect, are slightly higher than the figures reported in the 2013 Reconvictions Bulletin (see the following Revisions to Reconviction Rates table). The new offences that have been included are “Threatening or abusive behaviour” and “Offence of stalking”, which are part of the Criminal Justice and Licensing (Scotland) Act 2010; and “Offensive behaviour at football (under the Offensive behaviour at football and threatening communication Scotland Act 2012)”, and “Threatening communications (under the Offensive behaviour at football and threatening communication Scotland Act 2012)”. These offences are grouped under “breach of peace” in tables 6 and 12, in line with Recorded Crime in Scotland 2012-13 publication.

Revisions to Reconviction Rates
(see note 1)

Cohort	Initial published figures		1st revision of published figures		2nd revision of published figures		3rd revision of published figures	
	Reconv. rate	Av. no. of reconv. per offender	Reconv. rate	Av. no. of reconv. per offender	Reconv. rate	Av. no. of reconv. per offender	Reconv. rate	Av. no. of reconv. per offender
2006-07	32.2	0.59 ^{*†}	32.4	0.60 ^{*†}	32.4	0.60 [†]	32.4	0.60 [†]
2007-08	30.9	0.56 ^{*†}	31.2	0.57 [†]	31.3	0.57 [†]	31.2	0.57 [†]
2008-09	31.0	0.58 [†]	31.5	0.60 [†]	31.5	0.60 [†]	31.5	0.60
2009-10	30.1	0.54 [†]	30.5	0.56 [†]	30.6	0.56	-	-
2010-11	28.4	0.50 [†]	30.1	0.55	-	-	-	-
2011-12	29.2	0.53	-	-	-	-	-	-

1. This year’s bulletin included some new offences in calculations for the reconviction rate and the average number of reconvictions. These offences weren’t included in the calculations in previous years’ bulletins, so the increase in the numbers after revision is slightly higher than it has been in previous years. See note in section 11.3.8.

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

† These figures have been previously reported as the reconviction frequency rate, which was the number of reconvictions per 100 offenders. Therefore these figures are the original figure divided by 100 to get the average number of reconvictions per offender.

11.4 Counting rules, data definitions, and notation

Counting rules

11.4.1 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.

11.4.2 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.

11.4.3 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.

11.4.4 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. The exception to this is where an offender was sentenced for a crime against public justice (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 crime against public justice had attracted the heaviest penalty).

11.4.5 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.

11.4.6 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 financial year in question when an individual was given a non-custodial sentence, (b) the first date when an individual was estimated to have been released from prison from a custodial sentence, whichever occurred first in the financial year. 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 year (or two years in [Table 11](#)) from the date of sentence or

the estimated prison release date, i.e. from the relevant date of the index conviction. Convictions for a Crime against public justice, 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 conviction which wasn't a Crime against public justice was taken instead. Where an individual had no further convictions in the year for crimes other than Crimes against public justice they are not included in the data set.

11.4.7 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.

11.4.8 The counting rules for non-court disposals are similar to those for analysing court reconvictions. When analysing non-court disposals, the first police or COPFS disposal in the financial year in question is counted as the index non-court disposal. Further non-court disposals from either the police or COPFS within one year of the index non-court disposal are counted, regardless whether the index non-court disposal was issued by the police or COPFS.

Data definitions

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

Crime category	Crimes and offences included
Violent crime	Murder, culpable homicide, attempted murder, serious assault, robbery, common assault, other violence.
Sexual crime	Sexual Crime includes Sexual assault and Other indecency. <ul style="list-style-type: none"> • 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 Criminal Proceedings in Scotland publication. Sexual Crime excludes offences associated with prostitution.
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.

Sentence category	Sentences included
Custody	Custodial sentence to prison, young offender's institution, or child detention, excluding life and indeterminate sentences.
CPO	Community Payback Order ¹⁰
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 and Procurator Fiscal Service disposals	Fiscal fines, fiscal fixed penalties.

11.4.10 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.

11.4.11 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

¹⁰ 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.

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 11.3.7](#).

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How to access background or source data

The data collected for this statistical bulletin:

- are available in more detail through Scottish Neighbourhood Statistics
- are available via an alternative route
- may be made available on request, subject to consideration of legal and ethical factors. Please contact JusticeAnalysts@scotland.gsi.gov.uk for further information.
- cannot be made available by Scottish Government for further analysis as Scottish Government is not the data controller.

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ISSN 0264 1178 ISBN 978-1-78412-551-6

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