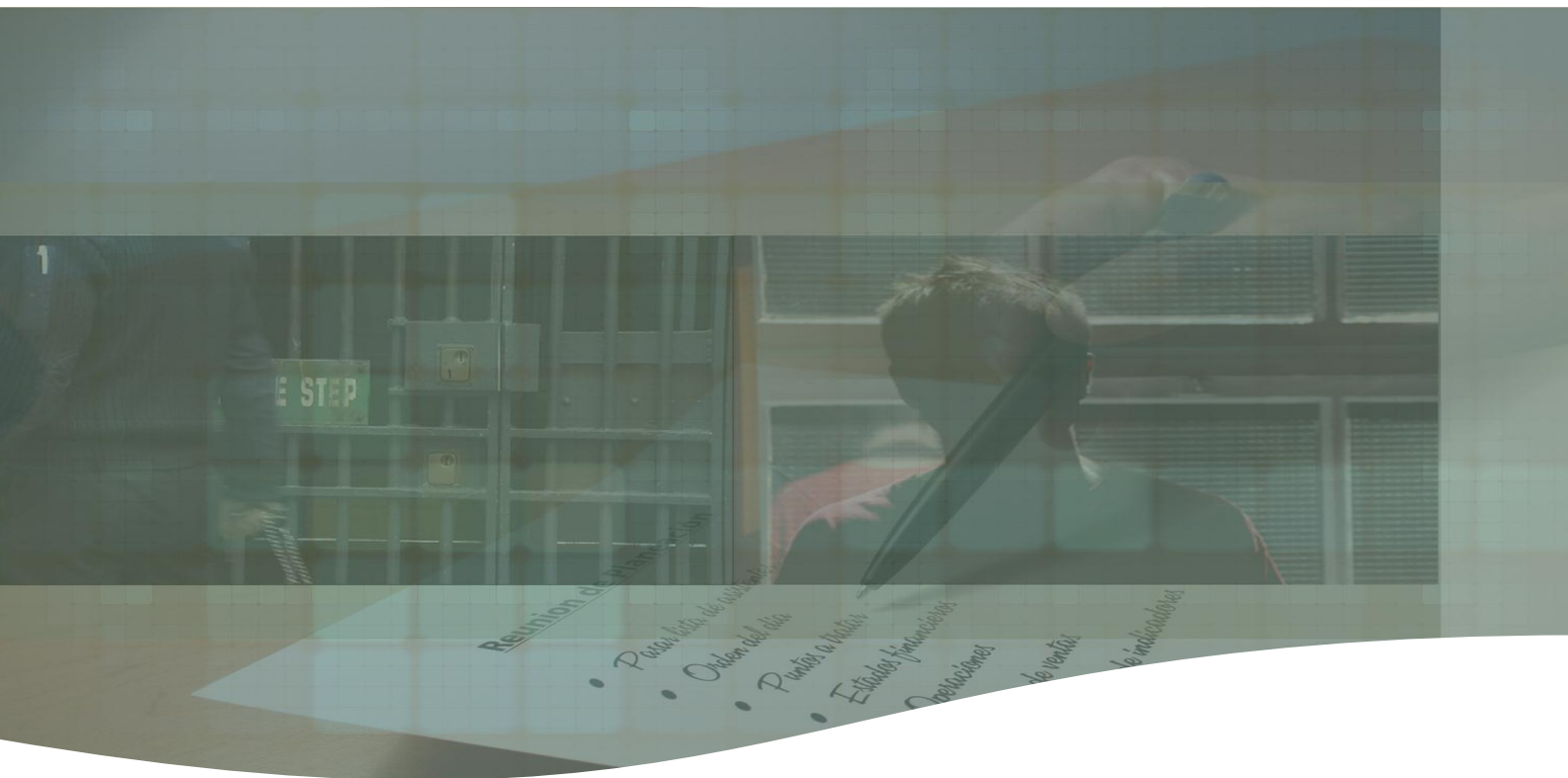




An tSeirbhís Phromhaidh  
The Probation Service

## PROBATION SERVICE RECIDIVISM STUDY 2007 - 2011



Probation Service Research Report 2 November 2012

## FOREWORD

The Government drive for more evidence-led approaches to policy development and service delivery sets the context for this Probation Service Recidivism Study. The Probation Service is committed (Strategy Statement, 2012 – 2014) to further build our data analysis and research capacity, to inform future development of Service practice and programmes. This report is a study of recidivism among offenders placed under Probation Service supervision in 2007, based on reoffending and reconviction data up to the end of 2011.

This research project was undertaken in partnership with the Central Statistics Office, specifically the Crime Statistics Section, who facilitated the linking of Probation Service data, Garda Síochána records and Courts Service records, upon which the study is based. This type of cross-agency data linkage has not been available in the past; this is the first study of its kind in the Republic of Ireland and will facilitate such data sharing and comparison into the future. It will also enable further recidivism studies and evaluation of supervised community sanctions in Ireland and comparison with other jurisdictions, as well as providing a benchmark for Probation Service work into the future. The findings mark an important contribution to criminological research in Ireland and highlight the positive impact of probation interventions on re-offending and rehabilitation.

I would like to thank the management and staff of the Central Statistics Office - Kevin McCormack and Tim Linehan, in particular - for their invaluable support and contribution to this study. The secondment of a Central Statistics Office statistician to the Probation Service since 2008 has been a most important step in enabling us to develop this type of research and data analysis in the Probation Service. It is to be hoped that the Probation Service and Central Statistics Office will continue this important partnership over the coming years to further develop our data analysis and research on community sanctions, particularly in the context of interagency responsibilities in the management of offenders.

Consultation with and advice from Professor Ian O'Donnell (UCD), Dr Mary Rogan (DIT) and Dr Deirdre Healy (UCD) helped significantly in the development of this project. The role played by former Probation Service Director, Michael Donnellan, in initiating this research, is also acknowledged.

I want to express my thanks and sincere appreciation to the Probation Service Research Group; Suzanne Vella, Deputy Director; Gerry McNally, Assistant Director; Aidan Gormley, Statistician; Brian Santry, Regional Manager and Ann Reade, Senior Probation Officer, for their commitment and hard work in the completion of this important and ground-breaking study.



Vivian Geiran,  
Director,  
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November 2012

## **Probation Service Recidivism Study 2011**

### **Summary**

The Probation Service and Central Statistics Office have established a partnership to conduct research on recidivism and related issues among offenders on supervision in the community. This first study report is based on anonymised offender and offence information on a 2007 cohort of offenders from the Probation Service supervision database. The study reports on recidivism within two years among that cohort using four years follow up of recorded crime and Court Service data held by the Central Statistics Office.

The study also examines variations in recidivism relating to type of original order, gender and age of the offender, category of original offence and of the subsequent offence.

This recidivism study, in partnership with the Central Statistics Office, provides a clear overview of community sanctions and their outcomes; informing the Service in the development and support of effective interventions in working to make our communities safer.

### **Findings**

- ❖ Almost 63% of offenders on Probation Service supervision had no conviction for a further offence committed within two years of the imposition of a Probation or Community Service order. The overall recidivism of offenders in the study was 37.2%.
- ❖ Reoffending was twice as likely to occur in the first rather than the second twelve months of the two year period.
- ❖ The recidivism rate decreased as the offender age increased.
- ❖ Male offenders represented 86% of the total population and had a higher recidivism rate than female offenders.
- ❖ Public Order was the most common original offence and these offenders had the highest recidivism rate.
- ❖ The three most common offences for which offenders were reconvicted were the same as the three most common original offences: Public Order, Theft and Drugs.

## **Introduction**

The Probation Service is an agency of the Department of Justice and Equality. The Probation Service is the lead agency in the assessment and management of offenders subject to community sanctions and supervision in the community.

The Probation Service provides probation supervision, community service, offending behaviour programmes and specialist support services, to both adult and young offenders. The Probation Service also works in prisons and places of detention to rehabilitate offenders, reduce re-offending and facilitate their resettlement and re-integration on discharge from custody.

The Probation Service makes an important contribution to reducing the level of crime by challenging offender behaviour and working with offenders to change their behaviour and make good the harm done by their offending. The Service works closely with the Courts Service, the Irish Prison Service, An Garda Síochána, the Irish Youth Justice Service and the Parole Board as well as partner bodies and organisations in the community for the effective management of offenders and reduction of re-offending.

In that context the measurement of recidivism and evaluation of what works in managing offenders in the community is a critical and important priority for the Probation Service. This study is the first step in the Probation Service research on recidivism. The Service plans to publish reliable data, consistent with best international standards, on recidivism and related issues among offenders subject to Probation Service supervision in Ireland. The research is intended to inform and enhance interventions and practice for greater effectiveness and better outcomes.

This study uses offender and offence information on a 2007 cohort of offenders (population 3,576) as the study group from the Probation Service database, with the recorded crime and Court Service data held by the Central Statistics Office, to build a picture of recidivism among offenders subject to supervision by the Probation Service.

## **Aims of the Study**

- To establish reliable recidivism data on the particular cohort of Probation Service offenders studied;
- To analyse the data and evaluate and report the findings;
- To develop greater knowledge to support effective interventions and Service actions to reduce re-offending.

## **Population Studied**

The Probation Service deals with offenders in the community through a number of different legal mechanisms, including:

- Supervision of adult and young offenders who have been placed by the Court on,
  - Probation Orders or
  - Community Service Orders.
  
- Preparation of pre-sanction assessment reports at the direction of the Courts,
  
- Supervision of young offenders under the various provisions of the Children Act 2001,
  
- Supervision of adult offenders,
  - On supervised temporary release from custody;
  - who are on post release supervision orders, under the Sex Offender Act 2001;
  - who are subject to partially or fully suspended sentences, with conditions of supervision;
  - whose sentences have been temporarily and conditionally deferred by the Court.

Adults and young people on Probation Orders and Community Service Orders make up the significant majority of offenders subject to Probation Service interventions and are the subject of this study.

The study examines the full population of offenders in these two categories who, at any point between January 1<sup>st</sup> 2007 and December 31<sup>st</sup> 2007, were made subject to either a Probation Order or a Community Service Order.

The study considers variations in recidivism as they relate to type of original Order, gender and age of the offender, the category of the original offence, (the offence for which the offender was made subject to the court order) and of the subsequent offence (the first offence of re-conviction).

Offenders in the other categories referred to above, are not included in this study. As a result the study includes only a small proportion of, in particular, the sex offenders and young people under 18 years of age, engaged with by the Service.

Community Service, in Irish legislation, is an alternative to prison and as such is seen as a punitive rather than primarily a rehabilitative measure. It is not expected to target the offenders' behavioural risk factors to reduce the risk of re-offending.

Where a community disposal is being considered by the Courts, a Probation Order may be regarded as the most appropriate means of addressing the multiple needs of higher risk offenders.

## **Development of Methodology**

To date there has been limited research on recidivism in Ireland due, in part, to a lack of comprehensive information on reoffending by individual offenders. Criminal records searches are, by their nature, time consuming and costly and substantial searches would be required in order to provide the numbers to make a study meaningful. With the development of information technology, records at most stages of the Criminal Justice cycle are now available in databases. However, there is no single identifier or shared database currently used across the different justice agencies.

In 2005, the reporting of crime statistics transferred from An Garda Síochána to the Central Statistics Office (CSO). Since then the CSO has maintained a database of records on all offenders and offences that were reported to the Gardaí and also of Court convictions during that period.

Discussions between the Probation Service and the CSO explored the possibility of utilising the parallel databases to improve information on outcomes and subsequent criminal history of offenders that were subject to Probation Service interventions. Without a unique identifier the linking of the databases was not straightforward.

A review of the databases highlighted common fields and a trial data matching project was commenced. That resulted in successful automatic matching in over 95% of cases. Manual matching of the remainder resulted in a 98% match. When the feasibility of matching the databases reliably was established, the Probation Service and CSO explored the potential to provide recidivism information.

Offenders, in this study, are matched across the two databases, i.e. Probation Service and CSO. Statistical and data mining methods are used to identify offenders who have offended within two years following the imposition of the relevant order. A further two years has been allowed for the conclusion of the Court process and the recording of the conviction for that offence.

This study gives information about offenders under Probation Supervision and Community Service in this jurisdiction and allows for some comparison with similar studies in other jurisdictions. However, there is a need for caution to ensure that like is being compared with like. Reference to other studies does not imply that recidivism is defined and measured in the same fashion.

## **Definition of Recidivism**

In considering recidivism amongst a population of offenders, the measure used to indicate recidivism must be defined. All measures of recidivism have their limitations and as political and social values change, rates of reporting, detection, prosecution, conviction and sentence for crimes vary. This in turn will impact on recidivism whatever indicators or measures are used (Thornton 2012).

Indicators of recidivism commonly used include: self-report by the offender of further crime; arrest or charge by a policing service; re-conviction for a further offence and re- incarceration.

While self-report may often be considered for internal studies of programme effectiveness and in assessing desistance (Hederman, Farrall 2002), it is not commonly used in national studies and was not used by any of the jurisdictions considered by Wartna and Nijssen (Wartna and Nijssen 2006).

Policing Service records of arrest and charge are disadvantaged in terms of objectivity, as the further offences included may, or may not, have been subject to due process of the criminal justice system. Re-imprisonment will only indicate more serious incidences and punishment of recidivism. Re-conviction on the other hand will include any further offence which has been through the criminal justice process, even those for which only a minor sanction was imposed (Nadesu 2008) and (O'Donnell, Baumer and Hughes 2008).

For this study of offenders supervised by the Probation Service in the community, re-conviction was chosen as the most appropriate and rigorous indicator of recidivism. It has the advantage of being the most commonly used indicator of recidivism within the European context and allows for comparison with similar jurisdictions. In 2006, Wartna and Nijssen documented that, while re-conviction itself was measured differently in different European countries, eleven out of the fourteen studied, used "the term reconviction to designate an event of recidivism".

### **Calculating Reconviction**

Having decided on re-conviction as the indicator of recidivism, the time period during which any re-conviction is counted needs to be decided. Recidivism studies vary in this regard, basing recidivism rates on reconvictions counted after periods of one, two, four and six years. (O'Donnell, Baumer and Hughes 2008 page 133)

In counting reconvictions in this study, two distinct and consecutive time periods are examined: a) the period allowed, following the imposition of the order, for a further offence to take place and b) the additional period allowed, after any further offence has occurred, for that offence to result in conviction, i.e. to progress through the criminal justice system from complaint to detect, arrest, charge and convict.

- a) Existing knowledge indicates that most re-offending takes place within the first year or two, within the community, after the original conviction. In this study, a two year follow-up period was allowed. Following the date of the imposition of the Probation or Community Service Order, any offence committed within 24 months for which a conviction is recorded within the following two years is counted as a reconviction.
- b) There are some cases where for various reasons offences do not progress through the criminal justice system for very many years (e.g. historical child abuse, where the offender absconds on bail, where there are prolonged judicial review procedures etc.) It is impractical to take account of these atypical situations in this study. At a more practical level, serious offences, prosecuted in the higher Courts in this jurisdiction, will typically take about a year to progress through the system from charge to conviction. For the purposes of this study therefore, a further two year period was allowed for any offence, committed within the first two years following the imposition of the Court Order, to result in conviction.

The current study examines recidivism defined and calculated as described above, amongst the population of offenders placed on Probation Supervision or Community Service Orders in 2007. The study considers variations in recidivism as they relate to type of original Order, gender and age of the offender, the category of the original offence (the offence for which the offender was made subject to the Court Order), and of the subsequent offence (the first offence of re-conviction).

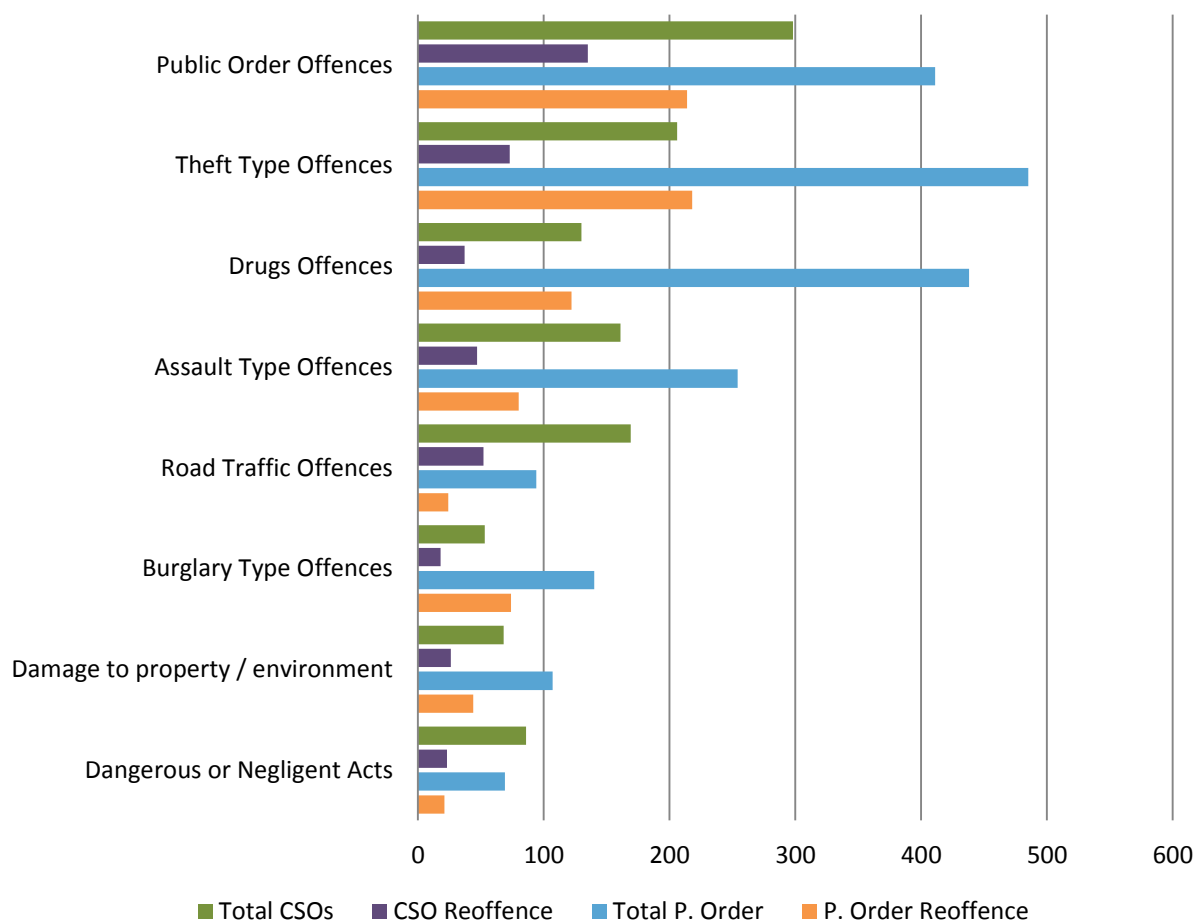
## **Findings**

### **1. Recidivism Rate: The overall recidivism of offenders in the study was 37.2%.**

The total population studied was 3,576, of which just under two thirds (64%) were subject to Probation Orders and just over one third (36%) were subject to Community Service Orders.

Offenders were most commonly subject to supervision orders for Theft, Drugs offences and Public Order offences. They were most commonly subject to Community Service Orders for Public Order, Theft and Road Traffic offences. See Figure 1 below.

**Figure 1: Numbers of original offenders and reoffending by Supervision Order Type and Offence**





Recidivism levels were higher for offenders on Probation Orders at 39.3% than for those on Community Service Orders at 33.5%, (See Table 1 below and Figure 1.1 on page 9).

This finding is consistent with research from other similar jurisdictions:

- Raynor and Miles (2007) found that in Jersey the rate of reconviction for Low/Medium risk offenders placed on community service was 21%, compared with 39% of those placed on supervision.
- In a recidivism study in New Zealand (Nadesu 2008) 43% of offenders on all community sentences had been re-convicted after 24 months. After 4 years, 61% of the offenders on supervision and 54% of the offenders on community work were re-convicted
- In a 2011 study of offenders in Northern Ireland, 30% of those on placed on Community Services and 35% of those placed on Probation were reconvicted after 2 years (NISRA 2011).
- The New Zealand study (Nadesu 2008) identified that those with a previous conviction were equally likely to re-offend (65% over 4 years) whether they were placed on supervision or community work, while “first timers” fared better on community work (35%) than on supervision (42%).

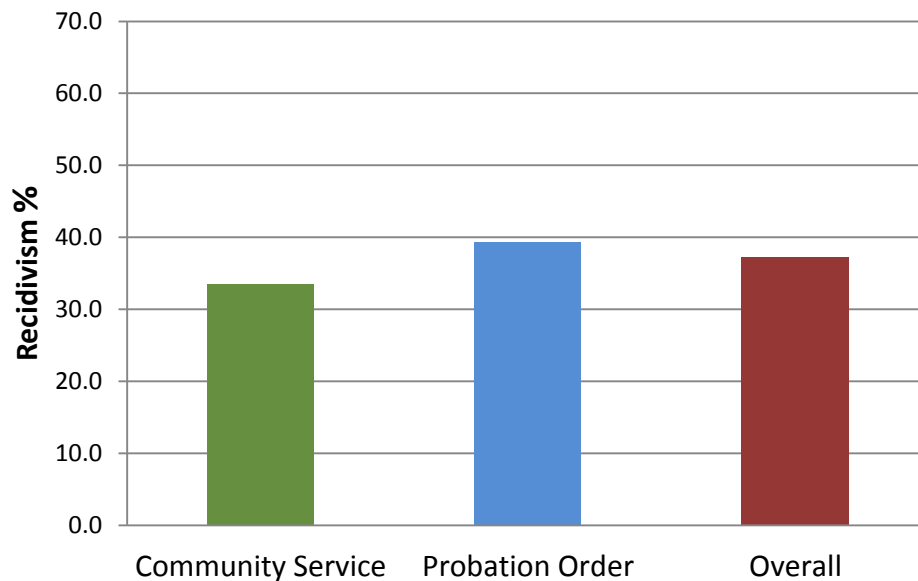
A number of possible explanations for the different level of recidivism between Community Service and Probation can be considered:

- In practice, Community Service Orders may be imposed in some cases where a custodial sentence is not intended. There is some evidence from previous studies (Walsh and Sexton 1999, Value for Money and Policy Review 2009) which suggests that Community Service Orders are imposed in some cases of offences where, if Community Service was not available, a custodial sentence would not be imposed. This may result in a disproportionate number of lower risk offenders being placed on community service *in comparison to probation*.
- Suitability for Community Service is assessed based on the capacity of the offender to complete work tasks in a relatively ordered manner. The presence of factors associated a high risk of re-offending, such as chronic homelessness, alcoholism and mental health difficulties may also result in exclusion of some offenders who are more likely to re-offend.
- A Probation Order may be regarded as the most appropriate means of addressing the multiple needs of higher risk offenders.

**Table 1: Recidivism by Type of Order**

Type of Order	Population	Number that Reoffended	Recidivism %
Probation Order	2,294 (64%)	902	39.3%
Community Service	1,282 (36%)	430	33.5%
<b>Total</b>	<b>3,576 (100%)</b>	<b>1,332</b>	<b>37.2%</b>

**Figure 1.1 Recidivism by Type of Order**



**2. Gender and Recidivism: Males represented 86% of the total population and had a higher recidivism rate than females.**

The population studied was predominantly male; females comprised approximately one in seven of the population (3078 males and 488 females). This distribution reflects the much lower rate of offending in the general population amongst females compared with males.

Males had a higher rate of recidivism than females. However, given the low rate of female offending, this difference was smaller than expected, at 38% for males compared with 32% for females (See Figure 2 and Table 2). These findings are to varying degrees consistent with studies from other jurisdictions.

- The Jersey study (Raynor and Miles 2007) found that earlier reports that female offenders had significantly lower recidivism rates than males were no longer supported by the data.
- In the New Zealand study (Nadesu 2008), 17% of the offenders were female and after 4 years they had a lower rate of reconviction (52%) than males (64%).
- Similarly in Scotland (The Scottish Government 2009) males were more likely to re-offend (46%) than females (36%).
- In Northern Ireland (NISRA 2011), while women were a very small proportion of the sample the difference in the respective rates of recidivism was greater than here: 21% males and 10% females in the non-custody group and 48% males and 33% for females in the custody group.
- The Irish study (O'Donnell, Baumer and Hughes 2008) also identified that once females enter the criminal justice system, they re-offend at a rate not significantly below that of males.

There are a number of important questions that arise from this finding:

- Are the execution and consequences of offending different for male and female offenders?

Becoming involved in crime in the first instance appears to result in a greater degree of social stigma and exclusion for women than for men (Carlen and Worrall 2004 p 123ff). As a minority within a minority women can find it even more difficult to secure supports and to move away from offending and the related lifestyle.

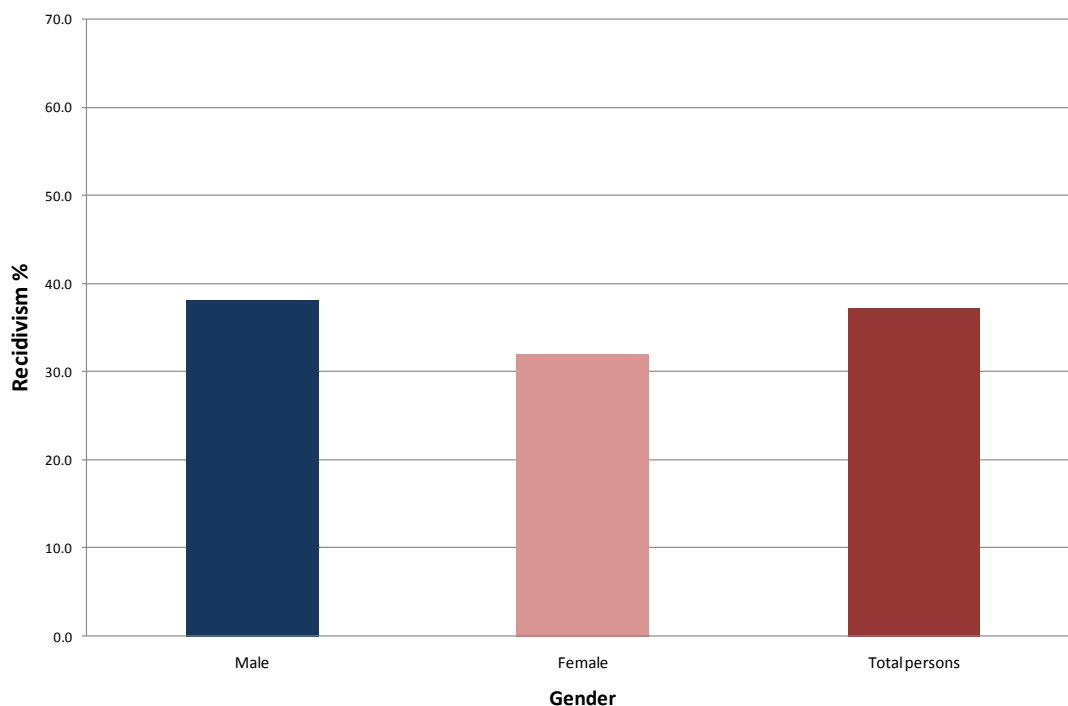
- Are the risk and need factors different for male and female offenders (Blanchette and Brown 2006)?

Specific dynamic female risk factors are not always readily identified and addressed. Risk assessment instruments, as currently used, may not be equally valid or reliable need indicators for the female sub-group. As a small portion of the population, the dynamic risk factors associated with female offending can mistakenly be assumed to be the same as for males.

**Table 2: Recidivism by Gender**

Gender	Population	Number that Reoffended	Recidivism %
Male	3,086 (86.4%)	1,175	38.1%
Female	490 (13.6%)	157	32.0%
Total	3,576 (100%)	1,332	37.2%

**Figure 2: Recidivism by Gender**



### 3. Age and Recidivism: The recidivism rate decreased as the offender age increased.

Almost 90% of the population in this study was aged between 18 and 45 years, with approximately 5% aged 17 years or younger and 5% aged 45 years and older. The greatest concentration of offenders (42%) was in the seven year age bracket from 18 to 25 years.

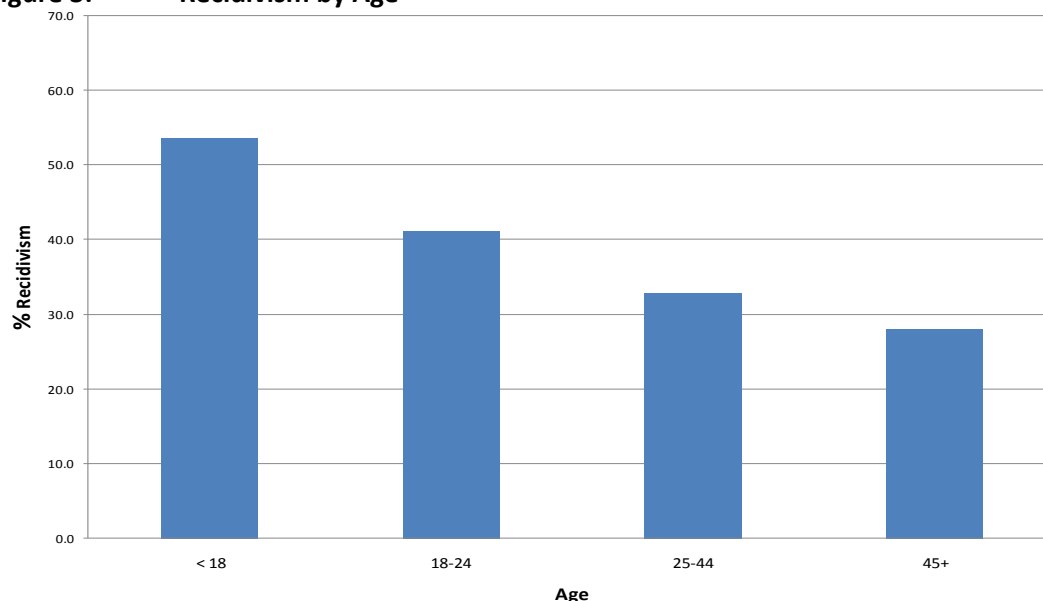
As would be expected, there was a progressive reduction in recidivism through the different age groups studied. The most significant reduction in recidivism was that between those aged 17 years and under and those aged between 18 and 24 years; the change was from 54.3% to 39.6%.

- Similarly, in the New Zealand study (Nadesu 2008), 81 % of the under 20 year olds were re-convicted after 4 years while 39% of those over 40 years were reconvicted. That study also notes that while there was a steady decline in recidivism with age, the most dramatic drop was between those under and over 20 years.
- In the Scottish study (The Scottish Government 2010), reconviction also decreased with age, from 58% for males under 21 reconvicted to 36% of males over 30.
- The Northern Ireland study (NISRA 2011) also found age to be a very significant factor in re-offending. For their non-custody group, 32% under 20 years and 13% for over 35 years were reconvicted after two years.

**Table 3: Recidivism by Age**

Gender	Population	Number that Reoffended	Recidivism %
<b>Under 18 years</b>	181 (5%)	97	53.6%
<b>18 to 24 years</b>	1,526 (42%)	629	41.2%
<b>25 to 44 years</b>	1,680 (47%)	553	32.9%
<b>45 years plus</b>	189 (6%)	53	28.0%
<b>Total</b>	3,576 (100%)	1,332	37.2%

**Figure 3: Recidivism by Age**



**4. Original Offence and Recidivism: Public Order was the most common original offence and these offenders had the highest recidivism rate.**

The original offences were divided into 16 sub-categories, (See Appendix 1). The smaller offence categories have been excluded. The frequency and recidivism rate for the eight largest subcategories of original offences are considered in Table 4 below.

The most common original offences were Public Order, Theft and Drugs offences. See Table 4 below. The original offences with the highest recidivism were Public Order, Burglary and Theft. Public Order offences represented the largest category of original offence and this group also had the highest rate of recidivism at nearly 50%. Theft offences were the second largest category and these offenders had above average recidivism (for this study) at 42%.

Controlled Drugs represented the third largest category of original offence type, but had below average and significantly lower than anticipated recidivism (for this study) at 28%. It could be argued that effective interventions through drug treatment programmes and greater co-operation between the criminal justice system and drug addiction services have contributed to this outcome.

Burglary offences, although a relatively small group within the population of this study, had the second highest recidivism at 47.7%.

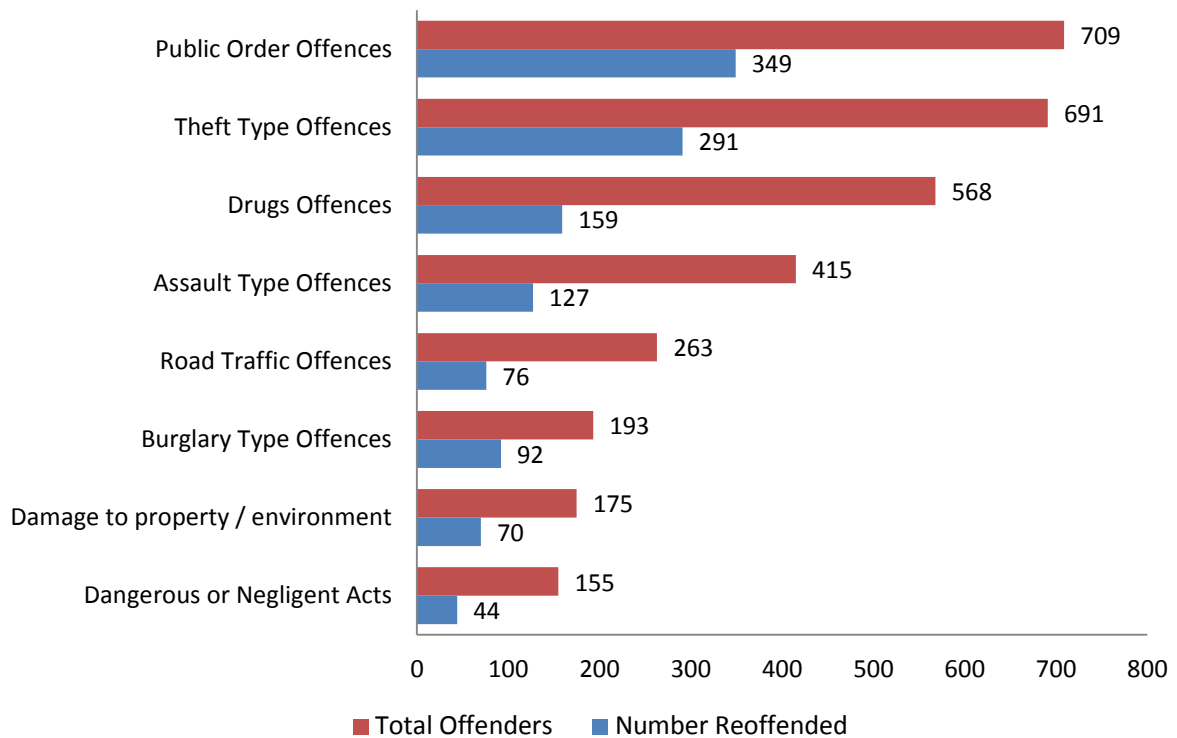
Other recidivism studies considered found that sexual offences had the lowest rate of recidivism. However as sexual offenders were only included in very small numbers in this study that comparison is not used for the purposes of this section.

- The New Zealand (Nadesu 2008) study found that those who committed dishonesty offences had the highest recidivism and those convicted of drugs offences had the lowest.
- In Scotland (The Scottish Government 2010), recidivism was highest where the index offence was dishonesty and lowest for other violent crimes.
- In Northern Ireland (NISRA 2011), burglary had the highest re-conviction rate for community cases at 39% with robbery next at 36%.

**Table 4: Recidivism rate by original offence**

	Original Offence	Number in Population	Recidivism %
1	Public Order Offences	709	49.2%
2	Burglary Type Offences	193	47.7%
3	Theft Type Offences	691	42.1%
4	Damage to property / environment	175	40.0%
5	Assault Type Offences	415	30.8%
6	Road Traffic Offences	263	28.9%
7	Dangerous or Negligent Acts	155	28.4%
8	Drugs Offences	568	28.0%

**Figure 4: Top eight original offence types and subsequent reoffending**



**5. Reconvicted offence: The three most common offences for which offenders were reconvicted were the same as the three most common original offences: Public Order, Theft and Drugs.**

Regardless of the original offence, the most common offence for which offenders were reconvicted was Public Order at 38%. As discussed in section 4 above, public order offenders had the highest rate of re-conviction; more than half being reconvicted for a further public order offence. To a lesser degree they were re-convicted for drugs or theft offences.

Burglary offenders, while a relatively small group within the study, had the second highest rate of reconviction at 47.6%. Of those who did re-offend, over one third was reconvicted for a public order offence. Of those who were reconvicted, less than one quarter were reconvicted for a further burglary offence.

Theft offenders were the second largest group of offenders within the study. Their re-conviction rate was third highest, at 43%. The re-offending by this group was primarily for a further theft offence and to a lesser degree for public order offences.

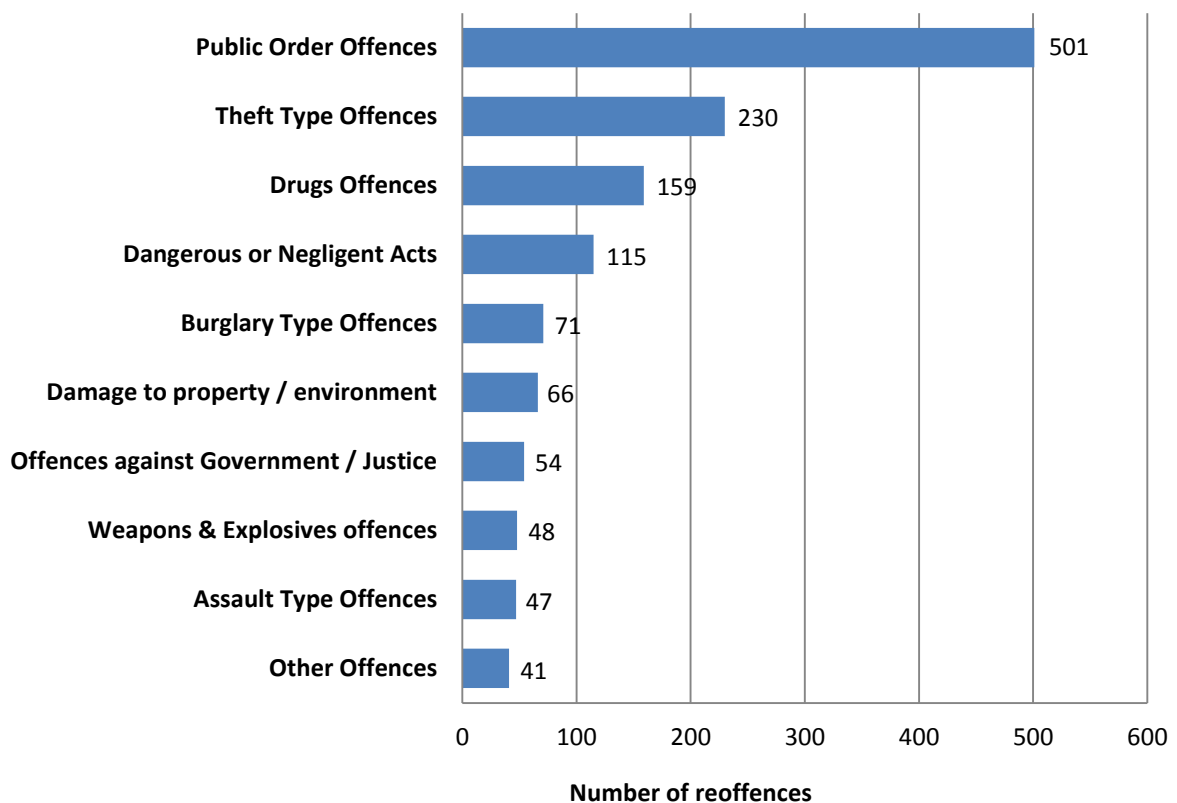
While drugs offenders were the third largest group within the study, their recidivism was relatively low at 28%.

Recidivism by offenders who had committed the more serious assaults, harassment and threats to murder offences was below average for this study, at under 31%. Of those who were reconvicted, less than 7% were reconvicted for the same crime with over 42% were reconvicted for public order offences.

Within the three most common offences (public order, drugs and theft), a pattern in recidivism was identifiable. Where the original offence was one of these three, the offence of reconviction was frequently another from the same set of three offences.

- More than 50% of reconvicted public order offenders committed a further public order offence.
- Of the reconvicted theft offenders approximately 25% committed a public order offence.
- Of the reconvicted drugs offenders approximately 25% committed a public order offence.
- More than 33% of reconvicted theft offenders committed a further theft offence.
- 28% of reconvicted drugs offenders committed a further drugs offence.

**Figure 5: Re-offence type by number of re-offences.**

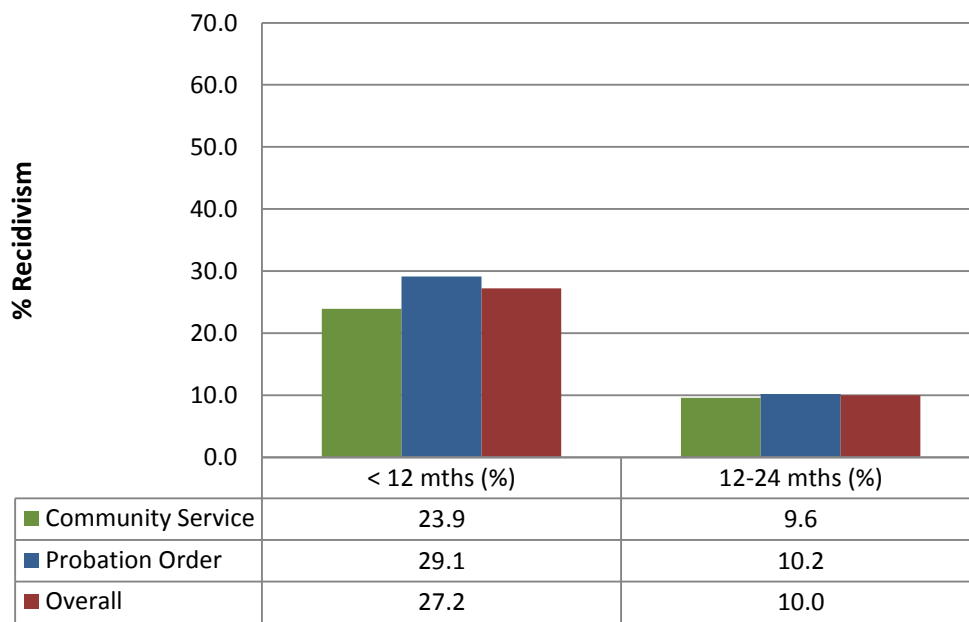


**6. Timeframe and recidivism. Reoffending was twice as likely to occur in the first rather than the second twelve months of the two year period.**

Just over 27% of the offenders included in this study were reconvicted of an offence which was committed within the first twelve months. A further 10% of offenders were reconvicted of an offence which was committed in the second twelve months. See figure 6 below.

- The New Zealand (Nadesu 2008) four year study referred to earlier, found that approximately 60% of those who were reconvicted did so within the first year, rising to 80% after the second twelve months.
- In the Northern Ireland study (NISRA 2011) 10% of offenders had been reconvicted after one year rising to 20% after 2 years. In the Scottish study, the recidivism rate was 32% after one year rising after two years to 45%.

**Figure 6: Distribution of recidivism over first and second year**





## **Discussion**

In criminology, measuring recidivism is an established method for examining the effects of penal interventions. The work of the Central Statistics Office, along with the co-operation of criminal justice agencies, has opened up opportunities to do significant recidivism research on community sanctions in Ireland.

This study is the first step in a Probation Service research and evaluation strategy and plan to establish and publish reliable data, consistent with best international standards, on recidivism and related issues among adult offenders subject to Probation Service supervision in Ireland.

The study has enabled, for the first time, the overall level of recidivism of offenders on Probation Supervision and Community Service in Ireland to be established. It has also provided data on variations in recidivism relating to type of original order, gender and age of the offender, category of original offence and of the subsequent offence.

Key findings include:

- ❖ The overall recidivism of offenders in the study was 37.2% meaning that almost 63% of offenders on Probation Service supervision had no further conviction within the study.
- ❖ Reoffending was twice as likely to occur in the first rather than the second twelve months of the two year period.
- ❖ The recidivism rate decreased as the offender age increased.
- ❖ Male offenders represented 86% of the total population and had a higher recidivism rate than female offenders.
- ❖ Public Order was the most common original offence and these offenders had the highest recidivism rate.
- ❖ The three most common offences for which offenders were reconvicted were the same as the three most common original offences: Public Order, Theft and Drugs.

While recidivism for Community Service is lower than for probation, how much this reflects on the characteristics of the offender groups placed on the different orders and how much on the impact of the orders themselves warrants further examination.

In this study, females represented one in seven of the total population. However the difference between male and female recidivism rates was quite small by international standards, with only Jersey identifying a similar trend.

Those aged under 18 years, while a very small group, had a significantly higher than average rate of recidivism at almost 55%, reducing to 39.6% for those aged eighteen years and over. The small number and fall off in recidivism rate may reflect on the focus and co-ordinated approach of youth justice strategies.

Public Order was identified as the most significant offence in this study. Whether that trend continues will need to be examined in future studies. Those engaged with by the Service for drugs offences had unexpectedly low recidivism.

In this study 75 % of re-offending was in the first year and 25% in the second. Similar findings have been replicated elsewhere.

Some important caveats should be noted regarding the issues and principles in recidivism research. Reconviction rates are only a proxy of re-offending and do not pick up on the quantity, nature or seriousness of such re-offending. As a measure of the effectiveness of sanctions, they do not consider what the re-conviction rate would be if the particular sanction was not applied (Raynor and Vanstone 1996).

Further, it is important to recognise that “reconviction and re-imprisonment rates are influenced by legislation, sentencing practice, resource levels of criminal justice agencies, as well as volumes of crimes committed and rates of detection and resolution” (Nadesu 2008).

Reference in this study to other studies does not imply that recidivism is defined and measured in the same way across all. It is more appropriate to compare the trends rather than the actual figures given the differences in how recidivism is measured across different countries and studies. Many of the trends found in this study are consistent with recidivism studies from other jurisdictions.

Furthermore, this study does not allow for comparison with similar offenders dealt with differently in this jurisdiction, including by fines and imprisonment. Recidivism of offenders subjected to different penalties can, at times, be ascribed as much to the characteristics of the offender and possibly other factors, as to the impact of the penalties. Once such characteristics are taken into account the difference in average reconviction rates for different types of disposals are often found to be less marked.

It is therefore important in comparing different disposals to take account of the static risk factors known to be consistently associated with higher rates of recidivism: “Age, age at first offence, nature and extent of previous offending and experience of previous sentences” (Hedderman 2009) are known to be such factors. By taking these into account the relative effectiveness of different sanctions for different offender groups can be more accurately assessed. Alternatively, considering the recidivism by reference to the assessed risk level of the offender, using an actuarial instrument such as LSI-R, can give valuable information.

Wartna and Nijssen, in their comparative study (Wartna and Nijssen 2006) of how different European Jurisdictions measured recidivism, identified that most countries used the type of data used here, taking account of Age, Gender, Type of offence and Type of sanction.

The findings of this study provide some grounds for optimism while also identifying issues and targets for intervention and attention. While it has produced valuable information from a policy and practice perspective we have to move further in developing our data and analysis and also addressing the issues raised.

## **Future Direction**

This study is the first of what is expected to be an annual publication conducting standardised measurements of recidivism amongst diverse groups of offenders. This project, in partnership with the Central Statistics Office, will provide a clearer overview of community sanctions and their outcomes. This in turn will inform the Service in developing interventions and enhancing practice for better outcomes.

Future studies will deal with cohorts of offenders:

- made subject to probation supervision and community service orders in subsequent years;
- who are subject to part suspended sentences;
- subject to orders under the Children Act;
- who have committed sexual offences;
- on supervised release from custody.

Information from other studies would indicate a strong link between recidivism and the number and history of previous convictions. Examination of these factors would need to be planned in advance for future studies as the data is not easily accessible.

It would also be useful to analyse the offence and re-offence information for the minority offender groups such as women, under 18 year olds, over 45 year olds and ethnic groups.

This study has shown that 75% of reoffending which resulted in conviction occurred in the first year. This may facilitate shorter term (1 year) information being extracted in future studies. This would give more timely information to support operational planning. This could be further enhanced by reference to current referral information and court decisions.

The Service will also explore the possibility of conducting a risk based study. This would include comparing the assessed risk level of the offender at the time of commencing and completing supervision. This coupled with reconviction data will allow for evidence based judgements about how likely offenders are to benefit from different probation interventions and what changes occur.

## **Appendix 1**

### **ICCS Offence Groups**

<b>01 Homicide offences</b>	<ul style="list-style-type: none"> <li>Murder</li> <li>Manslaughter</li> <li>Infanticide</li> <li>Manslaughter (traffic fatality)</li> <li>Dangerous driving causing death</li> </ul>
<b>02 Sexual offences</b>	<ul style="list-style-type: none"> <li>Rape of a male or female</li> <li>Rape Section 4</li> <li>Unlawful carnal knowledge / Criminal law (Sexual Offences Act) 2006</li> <li>Buggery</li> <li>Sexual offence involving mentally impaired person</li> <li>Aggravated sexual assault</li> <li>Sexual assault</li> <li>Incest</li> <li>Child pornography offences</li> <li>Child pornography – obstruction of warrant</li> <li>Gross indecency</li> </ul>
<b>03 Attempts or threats to murder, assaults, harassments and related offences</b>	<ul style="list-style-type: none"> <li>Murder-attempt</li> <li>Murder-threat</li> <li>Assault causing harm</li> <li>Poisoning</li> <li>Assault or obstruction of Garda/official, resisting arrest</li> <li>Minor assault</li> <li>Coercion</li> <li>Harassment, stalking, threats</li> <li>Demanding payment of debt causing alarm</li> <li>Housing Act</li> <li>Menacing phone calls</li> <li>Incitement to hatred offences</li> </ul>
<b>04 Dangerous or negligent acts</b>	<ul style="list-style-type: none"> <li>Dangerous driving causing serious bodily harm</li> <li>Driving/In charge of a vehicle while over legal alcohol limit</li> <li>Driving/In charge of a vehicle under the influence of drugs</li> <li>Endangerment with potential for serious harm or death</li> <li>Abandoning a child, child neglect and cruelty</li> <li>Unseaworthy/dangerous use of boat or ship</li> <li>False alarm/interference with aircraft or air transport facilities</li> <li>Endangering traffic offences</li> </ul>
<b>05 Kidnapping and related offences</b>	<ul style="list-style-type: none"> <li>False imprisonment</li> <li>Abduction of person under 16 years of age</li> <li>Human trafficking offences</li> </ul>
<b>06 Robbery, extortion and hijacking offences</b>	<ul style="list-style-type: none"> <li>Robbery of an establishment or institution</li> <li>Robbery of cash or goods in transit</li> <li>Robbery from the person</li> <li>Blackmail or extortion</li> <li>Carjacking, hijacking/unlawful seizure of aircraft/vessel</li> </ul>

<b>07 Burglary and related offences</b>	Aggravated burglary Burglary (not aggravated) Possession of an article (with intent to burgle, steal, demand)
<b>08 Theft and related offences</b>	Theft/Unauthorised taking of vehicle Interfering with vehicle (with intent to steal item or vehicle) Theft from person Theft from shop Theft from vehicle Theft/ Unauthorised taking of a pedal cycle Theft of, or interference with, mail Handling or possession of stolen property Theft of other property
<b>09 Fraud, deception and related offences</b>	Fraud, deception, false pretence offences Forging an instrument to defraud Possession of an article for use in fraud, deception or extortion Falsification of accounts Offences under the Companies Act Offences under the Investment Intermediaries Act Offences under the Stock Exchange Act Money laundering Embezzlement Fraud against the European Union Importation/Sale/Supply of tobacco Counterfeiting notes and coins Counterfeiting of goods Bad debts criminal (Debtors Ireland) Corruption (involving public office holder)
<b>10 Controlled drug offences</b>	Importation of drugs Cultivation or manufacture of drugs Possession of drugs for sale or supply Possession of drugs for personal use Forged or altered prescription offences Obstruction under the Drugs Act
<b>11 Weapons and explosives offences</b>	Causing an explosion Making of explosives Possession of explosives Chemical weapons offences Discharging a firearm Possession of a firearm Possession of offensive weapons (not firearms) Fireworks offences (for sale, igniting etc.)
<b>12 Damage to property and to the environment</b>	Arson Criminal damage (not arson) Litter offences
<b>13 Public order and other social code offences</b>	Affray/Riot/Violent disorder Public order offences Drunkenness offences

Air rage-disruptive or drunken behaviour on aircraft  
 Forcible entry and occupation (not burglary)  
 Trespass on lands or enclosed areas  
 Liquor licensing offences  
 Registered clubs offences  
 Special restaurant offences  
 Provision of intoxicating liquor to under 18 year olds  
 Purchase or consumption of alcohol by under 18 year olds  
 Sale of intoxicating liquor to under 18 year olds  
 Brothel keeping  
 Organisation of prostitution  
 Prostitution, including soliciting etc.  
 Offences under the Betting Acts  
 Collecting money without permit, unauthorised collection  
 Offences under Gaming and Lotteries Acts  
 Permit/License offences for casual/street trading  
 Allowing a child (under 16 years) to beg  
 Bigamy  
 Bestiality  
 Indecency  
 Begging

**15 Offences against  
 Government,  
 justice procedures  
 and organisation  
 of crime**

Treason  
 Breaches of Offences Against the State Acts  
 Breaches of Official Secrets Act  
 Impersonating member of An Garda Síochána  
 Electoral offences including personation  
 Public mischief-annoying phone calls, wasting police time  
 Criminal Assets Bureau offences  
 Non-compliance with Garda direction  
 Criminal organisation offences (organised crime)  
 Conspiracy to commit a crime  
 Perjury  
 Interfering with a jury (embracery)  
 Assisting offenders  
 Public mischief, pervert course of justice, conceal offence  
 Escape or help to escape from custody  
 Prison offences  
 Breach of Domestic Violence Order (protection, safety, barring)  
 Breach of order under Family Law Act  
 Breach of bail  
 Failure to comply under Sex Offenders Act  
 Other failure to comply with court order, jury summons, warrant etc.

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