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Re-offending by offenders on Community Orders: Preliminary findings from the Offender Management Community Cohort Study

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This report summarises preliminary findings from the Offender Management Community Cohort Study (OMCCS) on levels of re-offending among offenders who received Community Orders. It looks at the factors associated with re-offending including offenders' needs, attitudes and their relationship with their Offender Manager. The findings presented here are provisional and are based on incomplete re-offending data. The figures may change once the analysis is finalised.

Key findings

Emerging findings from the OMCCS suggest that:

- 35% of offenders on Community Orders (on Tiers 2–4) re-offended within 12 months. The rate of re-offending varied by offender and sentence characteristics, for example, men and younger offenders were more likely to re-offend, and there was variation by offence type, previous offending history and sentence length.
- Offenders with pro-criminal attitudes and more negative attitudes towards their sentence were more likely to re-offend. 59% of offenders with pro-criminal attitudes (that made them susceptible to offending) re-offended compared with 21% of those with the least pro-criminal attitudes.
- Many offenders had a wide range of needs related to their offending behaviour and those with needs were more likely to re-offend. Offenders with a drug use need had the highest rate of re-offending, 56% of those with an OASys identified drug misuse need re-offended.
- Re-offending varied by the way the Community Order was implemented. Re-offending was higher among those having frequent and shorter meetings with their Offender Manager. Offenders in higher tiers and those with more needs had more frequent meetings.
- Offenders who said they had a positive relationship with their Offender Manager were less likely to re-offend. 30% of offenders who said they had an 'excellent' relationship with their Offender Manager re-offended, compared with 40% who said their relationship was 'not very good' or 'bad'.
- Initial analysis suggests that some offender and sentence characteristics were more strongly associated with re-offending, such as crime type, attitudes to offending and offender needs. Once the effects of other factors were controlled for some of the apparent relationships were no longer significant, for example sentence length. Further analysis will be carried out to finalise the analysis and investigate in more depth which characteristics are most important.

Background

The Ministry of Justice publication “Transforming Rehabilitation: A Strategy for Reform”¹ sets out the Government’s plans for changing the way offenders are managed in the community, including offenders on Community Orders,² to reduce re-offending.

Under this approach a new, public sector, National Probation Service will be created; this will carry out risk assessments of all offenders and will be responsible for directly managing offenders who pose the highest risk of harm to the public.³ Lower risk offenders will be managed by other providers.

This report presents emerging findings on the levels of re-offending among offenders on Community Orders and the factors associated with re-offending, providing initial evidence to help inform policy makers and providers about the key characteristics of this group of offenders.

The findings in this report are preliminary and are based on incomplete re-offending data. The findings may change once the analysis is finalised. Further analysis, including finalised figures and implications, will be published in a full report in due course.

Approach

This report uses data from the Offender Management Community Cohort Study (OMCCS), a longitudinal cohort study of adult offenders who started Community Orders between October 2009 and December 2010.

The analysis in this report focuses on offenders who responded to the first and a subsequent OMCCS survey, who gave permission for their survey responses to be linked to administrative data, and who were matched to data from the Police National Computer (PNC) (1,496 offenders). This covers offenders on National Offender Management Service (NOMS) management Tiers 2–4;⁴

Tier 1 (the lowest tier) offenders were excluded from the survey as they had minimal levels of interventions in their sentence.⁵

Data from the PNC was linked to the OMCCS to provide a measure of proven re-offending. For adult offenders, proven re-offending was defined as any offence committed and receiving a court conviction, or caution in a 12-month follow-up period.⁶

The PNC data used here does not cover the full 12-month follow-up period for all offenders in the sample. The full report will include finalised results using revised data covering the complete follow-up period; this is likely to lead to a slight change in the level of re-offending.

The results presented here are largely based on bivariate analysis; findings from initial hazard modelling looking at which factors are independently associated with re-offending are also included.

More information on the methodology used for the study is provided at the end of this report.

Results

Preliminary findings from the OMCCS showed that 35% of the cohort of Tier 2–4 offenders on Community Orders re-offended within 12 months. The risk of re-offending was highest in the early months of the sentence, sometimes at a point when sentence requirements and interventions are not yet fully in place.

The rate of re-offending varied by:

- Gender – 36% of men re-offended, compared with 28% of women.
- Age – younger offenders were more likely to re-offend; 36% of 18–39 year olds re-offended, compared with 28% of those aged 40 and over.

¹ Ministry of Justice (2013) *Transforming Rehabilitation – a strategy for reform*. Response to Consultation CP16/2013.

² Community Orders are non-custodial sentences for offenders aged 18 and over which impose requirements on offenders such as drug rehabilitation, unpaid work and supervision.

³ The National Probation Service will also have responsibility for advising the courts and Parole Boards, handling most breach cases, and directly managing offenders who are subject to Multi-Agency Public Protection Arrangements (MAPPA).

⁴ Offenders are assigned to one of four ‘tiers’ during their management by NOMS, based on a number of factors

including their risk of re-offending and risk of serious harm, to identify the level of resource to direct to an offender. Tier 1 is the lowest tier. As the tier increases there is an increase in risk, the needs of the offender, demands of the sentence and the level of resource needed to manage them.

⁵ Tier 1 offenders were included in the administrative data collected for the OMCCS and accounted for 39% of those on Community Orders. 24% of Tier 1 offenders re-offended within 12 months. Under the new approach the majority of these offenders will be managed by providers outside the National Probation Service.

⁶ Breaches were not included in this measure.

- Index offence type – 56% of offenders convicted of theft, burglary or fraud re-offended, compared with 26% of offenders convicted of violence against the person, 16% of those convicted of motoring offences and 11% of those convicted of a sexual offence.
- Previous offending history – 51% of offenders with more than 16 previous offences re-offended compared with 21% of those with 1–5 previous offences and 4% of those with no previous offences.
- Tier – 40% of Tier 4 offenders and 37% of those on Tier 3 re-offended compared with 31% of Tier 2 offenders.
- Risk of re-offending⁷ – 67% of offenders at ‘very high’ risk of re-offending re-offended, compared with 13% of those at ‘very low’ risk of re-offending.
- Risk of serious harm⁸ – 40% of offenders at ‘low’ risk of serious harm re-offended compared with 26% of offenders at ‘high’ or ‘very high’ risk.
- Sentence length – 43% of offenders with a sentence of 6 months or less re-offended compared with 9% of those with the longest sentences (25–36 months).⁹
- Probation Trust – rates of re-offending varied from 52% to 17% in the 10 Trusts covered by the survey.¹⁰
- Type of requirement – 56% of offenders who had started a Drug Rehabilitation Requirement as part of their sentence re-offended, compared

with 27% of offenders who had undertaken an unpaid work requirement.¹¹

Attitudes of offenders

Emerging findings suggest that offenders with more with pro-criminal attitudes and more negative attitudes towards their sentence were more likely to re-offend.

- More than half (59%) of offenders who had the most pro-criminal attitudes (those that made them susceptible to offending) re-offended compared with 21% of those with the least pro-criminal attitudes.¹²
- 44% of offenders who ‘disagreed’ or ‘strongly disagreed’ that their sentence was mainly a punishment re-offended compared with 27% of those who ‘strongly agreed’.

Needs of offenders

Offenders had a wide range of needs related to their offending behaviour. For example, looking at needs identified by OASys,¹³ 66% had an Education, Training and Employment (ETE) need, 46% had an alcohol use need, 42% had an accommodation need and 36% had a drug misuse need.

Initial findings suggest that offenders with needs were more likely to re-offend:

- 38% of offenders with at least one OASys identified need re-offended, compared with 21% of those with no needs identified.
- 56% of offenders with an OASys identified drug misuse need re-offended, while 47% of those with an accommodation need, 46% with a

⁷ Measured by the Offender Group Reconviction Scale (OGRS3), this uses static factors (e.g. age at sentence, gender, offence committed) to predict the likelihood of proven re-offending.

⁸ The risk of serious harm is assessed as the relative likelihood that an offence or harmful act will occur and the relative impact or harm of the offence.

⁹ The 12-month proven re-offending period begins at the date of the commencement of the Community Order, therefore offenders with sentences of 12 months or longer would still be serving their sentences during the re-offending period.

¹⁰ The mix of offenders being dealt with in different areas may vary, so different rates of re-offending by Probation Trust would be expected. These figures are not comparable with published MoJ local adult re-offending statistics due to differences in time periods and the types of offenders included.

¹¹ Offenders could have more than 1 requirement in their sentence; therefore these groups are not mutually exclusive.

¹² Measured using CRIME-PICS II, a questionnaire that examines offenders’ attitudes to offending using responses to attitudinal statements such as ‘Crime has now become a way of life to me’. Offenders’ ‘general attitudes’ to offending were scored on a scale of 0–9, those with the most pro-criminal attitudes, that made them susceptible to involvement in crime, had a score of 8–9.

¹³ The Offender Assessment System (OASys), a risk assessment and management system used by Offender Managers. It uses static factors (e.g. criminal history, demographics), dynamic factors (e.g. accommodation, drug use), risk of serious harm, sentence and risk management planning and an offender questionnaire to ensure that resources are allocated effectively. The full OASys assessment scores 8 ‘criminogenic needs’. An offender has an OASys identified need if their score for that need exceeds a designated cut-off point.

lifestyle need, 45% with an attitude need and 45% with an ETE need re-offended.¹⁴

- As the number of needs offenders had increased, so did the level of re-offending; 78% of offenders with 8 OASys identified needs re-offended, compared with 43% of those with 4–7 OASys identified needs and 24% with 1–3 OASys identified needs.

Some offenders' needs were not addressed during their sentence; this seemed to be a particular issue for ETE and accommodation needs. Levels of re-offending were higher among offenders who did not have their ETE and accommodation needs addressed.

Implementation of Community Orders

Emerging findings suggest that re-offending varied by the way the Community Order was implemented:

- For offenders starting an unpaid work requirement, 23% of those who said they were listened to 'a lot' by their Offender Manager when the timing of unpaid work was decided re-offended, compared with 34% who said they were listened to 'a little' or 'not at all'.
- Re-offending was higher among offenders who said they had frequent meetings with their Offender Manager. 59% of offenders who met their Offender Manager more than once a week re-offended, compared with 27% of offenders who met them once a month or less. Higher tier offenders and those with more needs met more frequently with their Offender Manager.¹⁵

Relationships with Offender Managers and compliance

Preliminary findings indicate that the relationship between an offender and their Offender Manager may provide important indications for re-offending. Offenders with a positive relationship with their Offender Manager were less likely to re-offend:

- 30% of offenders who said they had an 'excellent' relationship with their Offender Manager re-offended, compared with 40% of those who described their relationship as 'not very good' or 'bad'.

Re-offending was higher among offenders with more negative attitudes towards their Offender Manager:

- 39% of those who 'strongly disagreed' or 'disagreed' that their Offender Manager understood their needs re-offended, compared with 29% of those who 'strongly agreed'.
- 43% of those who 'strongly disagreed' or 'disagreed' that they would let their Offender Manager down by re-offending re-offended, compared with 30% of those who 'strongly agreed'.

Re-offending also varied by the level of compliance with the sentence:

- 41% of offenders who missed 2 or more appointments with their Offender Manager in the first month of their sentence re-offended, compared with 24% of those who did not miss any appointments.
- Offenders who said they had received warnings or breached their Community Order were more likely to re-offend. More than half (55%) of those who said they had breached their sentence before the first OMCCS survey re-offended, compared with 35% who said they had not breached.

Factors independently associated with re-offending

Initial modelling suggests some offender and sentence characteristics were more strongly associated with re-offending. Hazard modelling was carried out to explore which factors were independently associated with re-offending, controlling for the effect of other factors on risk of re-offending, such as previous offending history, offence type, and age.

Early indications from a preliminary model suggest that there was a greater risk of re-offending among:

- Men.

¹⁴ A 'lifestyle' need included being influenced by criminal associates and risk-taking behaviour. Offenders with an 'attitude' need had problems being motivated to address their offending behaviour.

¹⁵ Lord, C., Kenny, T. and Wood, M. (forthcoming) The Role of Offender Managers in Community Orders: Analysis from the Offender Management Community Cohort Study.

- Offenders identified by OGRS¹⁶ as being at higher risk of re-offending.
- Offenders whose index offence was acquisitive (theft, burglary or fraud).
- Those with a drug use problem.
- Offenders starting a Drug, Alcohol or Mental Health Treatment Requirement.
- Offenders who had pro-criminal attitudes.
- Offenders who had short meetings with their Offender Manager.¹⁷

Once the effects of other factors on risk of re-offending were controlled for, some of the apparent relationships found in the bivariate analysis were no longer significant, for example sentence length. Further analysis will be carried out to refine and finalise the model and investigate in more depth which characteristics are most important. It is likely that these findings will change as the model develops.

Conclusion

This report presents emerging findings on re-offending among offenders on Community Orders providing initial evidence on what factors may be linked to re-offending to help inform policy development.

While static factors, such as gender and the index offence, can be used to predict future offending, dynamic factors help to explain why someone re-offends and addressing these may reduce re-offending. These initial findings suggest that addressing offenders' attitudes, their needs and the nature of their relationship with their Offender Manager are important in reducing re-offending.

The findings in this report are preliminary. There are important policy and practice implications which will be discussed more fully in the final report, to be published in due course.

¹⁶ The Offender Group Reconviction Scale which uses static factors (e.g. age at sentence, gender, offence committed) to predict the likelihood of proven re-offending.

¹⁷ Short meetings were defined as lasting an average of 10–19 minutes. Offenders who had very short meetings (under 10 minutes) were less likely to re-offend. Offender Managers may have identified this group were at low risk of re-offending.

Methodology

The OMCCS uses a dataset based on a cohort of offenders, aged 18 and over, given Community Orders between October 2009 and December 2010, drawing on three sources:

- A longitudinal survey of a representative sample of 2,919 offenders, on NOMS management Tiers 2–4, drawn from 10 Probation Trusts, that provides information on offenders' perceptions and experiences of Community Orders. Surveys were carried out around three months and again seven months after the start of the offender's Community Order, with a third survey following the expected end of the sentence. The third survey was not completed for all offenders. Tier 1 offenders were excluded from the survey.¹⁸ The survey data are weighted to reflect the population of Tier 2–4 offenders starting Community Orders during the sampling period.
- Central administrative records for all offenders starting a Community Order (144,407 offenders) describing the sentence received, offences and the risks and needs of offenders as assessed by practitioners. This included OASys data on needs and risks.
- Local administrative records for all offenders starting a Community Order from the 10 Probation Trusts selected for the survey (covering 48,943 offenders), which describe how offender management operates and how offenders completed or breached their sentences.

Data from the PNC was linked to the OMCCS to provide a measure of proven re-offending.¹⁹ Overall, 90% of offenders in the OMCCS cohort could be matched to the PNC. A comparison of the matched OMCCS sub-sample showed that they were not significantly different from the whole OMCCS cohort on age, gender, OGRS score, or index offence type.²⁰ For offenders on Community Orders the 12-month follow-up period for the proven re-offending measure used began at the date of the commencement of the Community Order, not the date of sentence completion.

The PNC data used here does not cover the full 12-month follow up period for a small number of offenders in the OMCCS cohort (36 offenders) due to a disparity between the PNC and OMCCS survey data in the commencement date of the Community Order. The full report will use revised data covering the complete follow-up period; this is likely to lead to a slight change in the level of re-offending.

The findings discussed in this report are statistically significant at the 95% level unless stated otherwise.

Further details of the OMCCS methodology are published in Cattell *et al* (2013),²¹ Wood *et al* (2013)²² and Wood and Hussey (forthcoming).²³

¹⁸ Tier 1 offenders were included in the administrative data collected for the study and findings for this group are included in other OMCCS reports where relevant.

¹⁹ The latest MoJ extract of the PNC available at the time of writing was used (extract dated 3 May 2013).

²⁰ The matched cohort included slightly more offenders who had committed a violent index offence, but there were no differences for other offence types.

²¹ Cattell, J., Mackie, A., Prestage, Y. and Wood, M (2013) *Results from the Offender Management Community Cohort Study (OMCCS): Assessment and sentence planning*.

²² Wood, M., Hussey, D. and Cattell, J. (2013) *Offender Management Community Cohort Study (OMCCS) Baseline Technical Report*.

²³ Wood, M. and Hussey, D. (2013) *Offender Management Community Cohort Study: Waves 2 and 3 Technical Report*.