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## Prisoners' criminal backgrounds and proven re-offending after release: results from the Surveying Prisoner Crime Reduction (SPCR) survey

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This paper complements the range of Surveying Prisoner Crime Reduction (SPCR) papers already published, based on a longitudinal cohort study of up to 3,849 prisoners sentenced in England and Wales in 2005 and 2006. Other papers focused on the SPCR prisoners' childhood circumstances and backgrounds prior to custody including education, employment and accommodation, and demonstrated how many of these factors were associated with re-offending on release from prison. This paper is important to set these findings in context as this research confirms previous studies which have shown that previous offending is the factor most strongly associated with further re-offending, when all factors are considered together.

The aims of this report were to:

- explore the relationship between previous offending and re-offending for the SPCR cohort
- validate these findings alongside published National Statistics
- explore the relationship between self-reported re-offending from the survey and proven re-offending from Police National Computer (PNC) records.

### Key points:

- The patterns of offending history in the SPCR sample showed that the majority of SPCR prisoners had not been sentenced to prison for their first offence but had committed large numbers of previous offences and had been given alternative disposals previously. Only 6% of prisoners were recorded as having no previous convictions before their SPCR offence.
- On average SPCR prisoners were recorded as having committed 41 offences each, before their SPCR offence. This figure was skewed by prisoners with large numbers of previous offences (prolific offenders). The median number of previous offences was 30. Self-reported median age of first arrest in the SPCR sample was around 15, first conviction or caution at 16, and first prison or probation sentence at 18 years old.
- Prisoners' criminal histories were associated with re-offending: 90% of the prolific offenders had re-offended within the two years after release from prison. Prisoners who reported being in prison at some point in the 12 months before custody reported more offending during this period, than those who had been free for the entire 12 months. Prisoners' criminal histories should therefore be taken into account alongside their problems and needs, to address re-offending.
- SPCR prisoners' one-year proven re-offending rate was 54%, which was higher than the national one-year proven re-offending rate for discharged prisoners (47% in 2005 and 48% in 2006). This was due to the shorter sentence lengths of SPCR prisoners compared with the overall sentenced prison population.
- Comparison of self-reported and PNC-recorded offending showed that neither approach is perfect in measuring re-offending for a range of reasons (see later). Users should be fully aware of the strengths and limitations of both approaches when using offending behaviour measures.

## Background

The predictability and persistence of offending is not fully understood (Smith, 2007). Understanding the development of prisoners' criminal careers from first arrest to re-offending on release from prison provides insight into how these cycles may be disrupted, improving the lives of these offenders and reducing the costs of offending and re-offending to the wider community.

The SPCR survey has already shown that prisoners' childhoods were chaotic, with many prisoners experiencing abuse, witnessing violence in the home, and being taken into care (Williams *et al.*, 2012a). In addition, SPCR prisoners were likely to be unemployed and/or on benefits before custody (Hopkins, 2012), and many had problems with accommodation (Williams *et al.*, 2012b). Each of these factors was separately associated with re-offending on release from prison. However, the contribution of criminal history, whether self-reported in the survey, or recorded on the PNC, has not yet been examined.

Each data source (surveys and official records) is likely to be a valid measure of criminality, although subject to different biases (Farrington, 1985). However, the completeness of each source cannot be verified independently, though together they provide a fuller picture of offending patterns.

Self-report offending may be closer to the real level of offending than criminal justice system records, and self-report surveys allow other factors (e.g., drug use) associated with offending to be identified (Budd *et al.*, 2005). Self-reported measures are, however, dependent on the willingness and ability of offenders to provide accurate information and therefore can not provide a 'true' measure of actual offending. PNC records, while not covering offences that do not result in conviction, are available for all convicted offenders, and contain a large amount of detail. The PNC, like all management information systems, suffers from data quality problems such as data entry and updating issues.

## Aim

The aim of this analysis was to:

- describe the criminal histories of the SPCR prisoner sample and any associations between criminal history and re-offending on release;
- compare the offending histories and re-offending of the SPCR sample with published National Statistics;
- compare self-reported offending with offending recorded on the PNC.

## Approach

The analysis used data from Surveying Prisoner Crime Reduction<sup>1</sup> (SPCR). SPCR is a large, general purpose longitudinal cohort study of adult prisoners (18 years and over), consisting of interviews on reception to prison (Wave 1), prior to release (Wave 2) and post-release (Waves 3 and 4). The prisoners were sentenced in 2005 and 2006 to sentences of one month to four years, and served their sentences in England and Wales. Sample 1<sup>2</sup> is representative of prison receptions with these sentence lengths.<sup>3</sup> Information was taken from Wave 1 interviews (on reception). Prisoners were asked about: previous contact with the criminal justice system; accommodation and relationships; physical and mental health; employment; qualifications; attitudes; and drug and alcohol use.<sup>4</sup> This forms the basis of the self-report data used in the analysis of criminal histories. Details of the sample methodology and questionnaires are available in the technical reports.<sup>5</sup>

Survey participants were matched to the Police National Computer (PNC). Of the 1,435 prisoners in Sample 1, 1,331 prisoners could be matched to the PNC, for the one-year proven re-offending

<sup>1</sup> Some of the results in this paper were published in the Compendium of re-offending statistics and analysis, (MoJ 2010d). This report provides more detail and additional findings.

<sup>2</sup> A second sample, Sample 2, is representative of longer-term (18 months to four years) sentenced prison receptions.

<sup>3</sup> More than 90% of prisoners entering prison in 2006 were sentenced to less than four years (Offender management caseload statistics).

<sup>4</sup> Available at: <http://www.justice.gov.uk/publications/research-and-analysis/moj/results-from-the-surveying-prisoner-crime-reduction-spcr-survey#precustody>

<sup>5</sup> See MoJ 2010d and the MoJ Research and Analysis webpages for results.

analysis,<sup>6</sup> and 1,330 prisoners for the two-year proven re-offending analysis.<sup>7</sup> Analysis of the matched sub-samples showed that they were not significantly different from Sample 1 in terms of key variables.<sup>8</sup> Both PNC and self-report information was used in the analysis of criminal histories and PNC data alone was used to measure proven re-offending.

MoJ statistical bulletins (e.g. MoJ, 2012) now report on 'proven re-offending' defined as any offence committed in a one year follow-up period and receiving a court conviction, caution, reprimand or warning in the one year follow up or a further six months waiting period, as recorded on the PNC.

## Results

### No previous convictions: PNC records

Eighty out of the 1,331 SPCR prisoners in the PNC-matched sample (6%) had never been convicted of an offence<sup>9</sup> before their current custodial offence, according to the PNC. Of these 80 prisoners, 21 had received at least one caution before (but no conviction) and the remaining 59 (4% of the sample) had never received a caution or conviction before.

The 80 prisoners whose first conviction resulted in their SPCR prison sentence were more likely<sup>10</sup> to have committed a severe<sup>11</sup> index offence than prisoners with convictions before their SPCR offence (20% compared with 3%). These 80 prisoners had longer<sup>12</sup> prison sentences on average, compared with prisoners with previous convictions (median 365 days compared with 153 days).

The average self-reported age at interview of prisoners with no previous convictions and of those with previous convictions was the same (30<sup>13</sup> years).

### Total number of offences, convictions and cautions before the SPCR conviction: PNC records

The 94% of prisoners who had a previous PNC-recorded conviction had received between one and 209 previous convictions. The sample overall (1,331 prisoners) was recorded as having committed a total of 55,026 previous proven offences which had been dealt with by 20,131 convictions and 1,358 cautions (more than one offence can be dealt with by a single caution or conviction). Thus, these prisoners had committed on average 41 offences each over their offending careers for which they received an average of 15<sup>14</sup> convictions and one caution. However, these figures were skewed by prisoners with large numbers of previous offences: the median value was 30 offences each.

Analysis of proven re-offending rates of all offenders shows that small groups of offenders tend to be responsible for disproportionately large numbers of offences (MoJ, 2012). In the SPCR matched PNC sample, a small group (115) of prisoners, defined as 'prolific offenders'<sup>15</sup> had more than 100 previous recorded offences each: an average of 141 offences per prisoner. None of these prolific offenders committed any of the 55 severe previous offences recorded. The offences which resulted in imprisonment this time, committed by these prolific offenders were also less serious crimes when compared to prisoners with 100 or fewer previous offences. Theft and motoring offences were overrepresented amongst the prolific offender group, and they also had shorter sentences on average.<sup>16</sup>

<sup>6</sup> This sample is used to provide analysis on criminal histories.

<sup>7</sup> The Police National Computer (PNC) is constantly updated, meaning that samples can change over time.

<sup>8</sup> Age, gender, sentence length, etc.

<sup>9</sup> Fifteen per cent of the sentenced prison population at 30 June 2006 aged 21 or over, and 10% of those aged 18 to 20 had no previous convictions or cautions before their custodial conviction (MoJ, 2010c). These proportions are not directly comparable with the SPCR 6% because they include previous cautions, but the prison population is skewed towards longer-term prisoners.

<sup>10</sup> Pearson's Chi-square (1) = 54.098, p < 0.01.

<sup>11</sup> Of the 3,000 PNC offence codes, 152 are described as severe – these include assault, rape and murder.

<sup>12</sup> Mann-Whitney U = 29161.5, p < 0.01.

<sup>13</sup> Arithmetic mean. Median (no previous convictions) = 25 years, previous convictions = 28 years. This difference was not significant at p < 0.05.

<sup>14</sup> Estimates of the conviction rate of all offenders, including those on community sentences, show that most offenders<sup>14</sup> have only one conviction before the age of 53 (MoJ, 2010b).

<sup>15</sup> This terminology is used in a general sense here. The term 'Prolific and Priority Offenders – PPO' is used to define at local level small groups of prolific offenders based on the nature and volume of crimes committed and harm done, including detrimental effects on their community (MoJ, 2012).

<sup>16</sup> Median = 126 days compared with 153 days. Mann-Whitney U = 58784.0, p < 0.01.

Prisoners with over 100 previous offences were older<sup>17</sup> than prisoners with 100 or fewer previous offences: an average<sup>18</sup> age of 36 compared with 29 years old.

The 55,026 previous offences recorded on the PNC that the SPCR sample had committed over their offending careers were categorised into 23 general types of offence using a standard PNC list. The most common previous offence,<sup>19</sup> both in terms of number of offenders committing the offence, and number of offences committed, was theft. Seventy-three per cent of the sample entered prison with at least one previous theft conviction. Thirty per cent of the sample (400 offenders) had a conviction for theft in the 12 months before custody.

Non-serious<sup>20</sup> violent offences were the second most common offence in terms of numbers of offenders committing the offence, with 72% of the sample having a previous conviction of this type. Although this was a similar proportion to offenders with a history of theft offences, fewer non-serious violence offences were committed than theft offences (3,725 non-serious violence offences compared with 11,474 theft offences).

### **Proven re-offending on release from prison**

Around half (54%) of the SPCR sample had committed at least one proven re-offence within one year after release from prison and 68% had committed at least one proven re-offence within two years of release.

The national one-year proven re-offending rate for discharged prisoners was 47% in 2005 and 48% in 2006 (the latest figure available, for 2009, was 47%). These figures differ from the survey figure of 54% because this SPCR sample does not include prisoners sentenced to more than four years. Long-sentenced prisoners have, on average, much lower proven re-offending rates than short-sentenced prisoners. MoJ (2012) reported that prisoners sentenced to less than 12 months made up 54% of all prisoners discharged

from April 2009 to March 2010, and they had a one-year proven re-offending rate of 57%.

Prisoners sentenced to less than 12 months made up 76% of the SPCR matched sample, however, and this explains some of the difference between the SPCR proven re-offending rates and the national re-offending rates.

Based on self-report, prisoners who committed a proven re-offence in the one<sup>21</sup> or two<sup>22</sup> years after release were younger on average when first arrested (15<sup>23</sup> years old) than those who did not commit a proven re-offence (16 years old). Age of first arrest may therefore be one of the indicators of a criminal career.

Prisoners who reported having been imprisoned previously were more likely to commit a proven re-offence within one year (65% compared with 24%) and two years (78% compared with 42%) of release, compared with prisoners who had not been imprisoned previously.

Prisoners who had committed 101 or more previous offences (before their SPCR offence) were more likely to re-offend within one year (78% compared with 51%) and within two years (90% compared with 66%) compared with those who had committed 100 or fewer offences. This concurs with statistics on the proven re-offending rates of all offenders: offenders with a large number of previous offences had a higher rate of proven re-offending (MoJ, 2012). Prisoners' criminal histories should therefore be taken into account when addressing re-offending: criminality is an important re-offending factor, alongside other problems and needs.

### **Self-report versus PNC records**

Key information on offenders, offending, and crime is collected by Criminal Justice System agencies, and most crime recorded is limited to offenders who are processed through the system (Budd *et al.*, 2005). Budd *et al.*, (2005) wrote:

“Police recorded crime statistics provide a measure of crime committed in England and Wales though are limited to those incidents that the police know about and record... It has long been recognised that administrative data

<sup>17</sup> Mann-Whitney U = 37545.5, p < 0.01.

<sup>18</sup> Arithmetic mean. Medians = 35 and 27 years respectively.

<sup>19</sup> The second most common offence in terms of number of offences was motoring offences, followed by miscellaneous offences, absconding or bail, violence, criminal or malicious damage, taking and driving away, other burglary, public order, drugs possession, fraud and forgery, domestic burglary, handling, theft from vehicles, other offences, drink driving, robbery, prostitution, drug dealing, sexual offences.

<sup>20</sup> E.g. common assault.

<sup>21</sup> Mann-Whitney U = 1555378.5, p < 0.01.

<sup>22</sup> Mann-Whitney U = 135351, p < 0.01.

<sup>23</sup> Median value.

sources alone are unable to answer key questions... Victimisation surveys and self-report offending surveys were developed to fill some of these key information gaps, although they too have certain limitations.”

Victimisation surveys, designed to give ‘truer’ estimates of the level of crime, include the British Crime Survey (BCS), which suggests that the true levels of crime are around three times higher than criminal justice records report (Budd *et al*, 2005). Victimisation surveys, however, do not include much information about offenders and their characteristics: this information is best obtained from self-report surveys such as SPCR, although they rely on the offenders’ willingness and ability to accurately recall their offending behaviour.

SPCR respondents were not asked about offending over their lifetimes. However, they were asked whether they committed any crimes or were arrested in the 12 months before their reception into prison. This self-reported offending and arrest information was compared with the information from the PNC.

When asked whether they had committed any of a list of offences<sup>24</sup> at least once in the 12 months prior to custody, other than the offence that led them to custody, 74% of the respondents said that they had.<sup>25</sup> This is similar to results from the 2000 Prisoner Criminality Survey, which reported that 72% of male prisoners interviewed said they had committed at least one offence from a list in the 12 months before interview (Budd *et al.*, 2005).

SPCR prisoners who said that they had committed at least one offence in the 12 months before custody were asked how many times they had committed any of these offences in the *four weeks* before custody. The median number of offences the prisoners said they had committed was three, and the mean was 44,<sup>26</sup> although the mean was skewed by some very high figures.

Around one-third (34%<sup>27</sup>) of SPCR prisoners reported having been in prison at some point in the year before custody. These prisoners were more likely<sup>28</sup> to say that they had committed a crime in the year before custody than those who had not spent time in prison in the year before custody (87% compared with 66%). SPCR prisoners’ incapacitation in the year before custody (and they reported being in prison for an average of 17 weeks each) was not therefore associated with reduced offending in the same period.

Seventy-six per cent of SPCR prisoners said that they had been arrested at least once<sup>29</sup> during the 12 months before custody. Prisoners who reported having been in prison at some point in the same period were more likely<sup>30</sup> to report having been arrested, compared with prisoners who reported that they were not in prison during the period (95% compared with 66%). This supports the argument above, that any incapacitation effect of imprisonment is undermined by the number of offences likely to have been committed when the prisoners are free.

Based on PNC records, 68%<sup>31</sup> of the sample were convicted or cautioned at least once for an offence committed in the 12 months before custody, which is similar to the proportion who said they had committed an offence (74%). It is slightly lower than the proportion reporting that they were arrested (76%), although this might be expected, as not all arrests lead to a conviction. However, those who said they had offended, and those who were recorded on the PNC as having offended, were not always the same people (**Table 1**).

<sup>24</sup> Theft, burglary, violent offences, criminal damage, shoplifting, fraud, selling stolen goods, drug dealing.

<sup>25</sup> 972 offenders out of 1,321 who answered the question.

<sup>26</sup> 41,711 offences reported by 950 offenders who answered the question. The mean is skewed by a few offenders who said they committed large numbers of offences, and by possible outliers. Eleven offenders accounted for more than half of all the crimes committed. Three offenders stated they had committed more than 2,800 crimes in the four weeks before custody.

<sup>27</sup> 453 out of 1,324 prisoners who answered the question.

<sup>28</sup> Pearson’s Chi square (1) = 65.462, p < 0.01.

<sup>29</sup> 1,005 offenders out of 1,324 offenders who answered the question about whether they had been arrested. Total number of arrests admitted to = 4,459, an average of 4.6 arrests per offender who answered the question about number of arrests (977 offenders).

<sup>30</sup> Pearson’s Chi square (1) = 131.912, p < 0.01.

<sup>31</sup> 900 out of 1,331 prisoners.

**Table 1: At least one offence self-reported by SPCR prisoners compared with at least one offence recorded on the PNC, in the 12 months before custody**

	No offence recorded on PNC	At least one offence recorded on PNC	Total
No offence self-reported	185	164	349
At least one offence self-reported	241	731	972
<b>Total</b>	<b>426</b>	<b>895</b>	<b>1,321</b>

10 respondents did not answer the question

Most (69%) of the self-reported offending (no offence/at least one offence committed in the 12 months before custody) was also recorded on the PNC. However, 241 of the 972 prisoners who said they had committed an offence from the list in the 12 months prior to custody were not recorded on the PNC as having been convicted or cautioned of an offence in the same time period, and 164 of the 895 prisoners who were convicted or cautioned,<sup>32</sup> according to the PNC, in the same time period, did not say that they had committed an offence.

When asked whether they had spent any time in prison or been sentenced to community service or supervision by a probation officer previously, 87% of the sample said that they had. Nearly three quarters of the sample (72%) said they had been in prison and 80% said they had been on probation (64% of the sample said that they had been in prison **and** sentenced to community service or supervision by a probation officer previously).

However, the self-report answers about previous prison sentences did not match exactly to PNC records (**Table 2**).

**Table 2: Prison sentences prior to the current custodial sentence: self-report compared with PNC records**

	No prison recorded on PNC	Prison recorded on PNC	Total
No prison self-reported	261	116	377
Prison self-reported	33	921	954
<b>Total</b>	<b>294</b>	<b>1,037</b>	<b>1,331</b>

Most (89%) of the self-reported previous prison sentence information was also recorded on the PNC. However, 116 prisoners said that they had not been in prison previously, whilst the PNC recorded that they had, and 33 prisoners said they had been in prison previously, whilst the PNC recorded that they had not.

The 116 SPCR prisoners who had a PNC-recorded previous prison sentence but said they had not, were compared with those who said they had been in prison, and were recorded on the PNC as having been in prison (921 prisoners). The groups were not significantly different when looking at their mix of gender or sentence length. However, the 116 prisoners were younger,<sup>33</sup> on average (median 25 years old compared with 29 years old), than the 921 prisoners whose self-report and PNC record agreed.

The difference in reporting previous prison sentences may be due to the question wording. The question asks: “before your current sentence, had you ever been sentenced to imprisonment?” For the younger respondents with previous spells in youth establishments, but no time at an adult prison, it is possible that they have discounted their time in youth custody as “imprisonment”.

The 33 prisoners who said they had been in prison, but who had no prison record on the PNC were compared with those self-report and PNC records agreed (921 prisoners). There was no difference of gender, sentence length, or age between the two groups.

<sup>32</sup> And who answered the question about offending in the period.

<sup>33</sup> Mann-Whitney U = 41271, p < 0.01.

Estimates of the conviction rate of offenders show that most offenders were first convicted of an offence between the age of 13 and 20 (MoJ, 2010b). The median age at which prisoners in the SPCR sample reported being first arrested was 15,<sup>34</sup> and received their first prison sentence, or were sentenced to community service or supervision by a probation officer at age 18.<sup>35</sup> Nearly one-fifth (18%) reported being arrested for the first time before their 13th birthday, and around two-thirds (66%) of the sample reported being arrested before the age of 18.

There was a small difference between the age (in years) that SPCR prisoners said they had first been sent to prison compared with the age of first prison sentence recorded in the PNC. For those prisoners who gave their age of first imprisonment and who had first prison age recorded on the PNC (946 prisoners in total) the PNC records showed ages that were approximately nine months older, on average, than prisoners reported. This could be due to recall error, particularly for those prisoners whose first prison sentence was a long time ago. It is also possible that prisoners recalled the age they were remanded in custody, instead of the date they were convicted and sentenced, which is what the PNC shows. Two thirds (68%) of the sample gave their age of first imprisonment to within one year of the age recorded on the PNC.

## Summary

Adult prisoners in the sample had long offending histories, stretching back to childhood in most cases (66% of the sample reported having been arrested before the age of 18). The majority of the prisoners had been in prison previously, and less than one in 20 (4%) had no previous recorded conviction or caution.

The patterns of offending history indicated an escalation of seriousness of offending and related disposals. It was unusual for the prisoners not to have had a previous conviction in court before being given a prison sentence. Two-thirds of prisoners in the sample had re-offended within two years of release from prison.

Prisoners self-reported their offending in the year before custody. Prisoners who had been in prison at some point during this period reported committing more offences than those who had not.

Prisoners' self-reported rate of offending in the year before custody was equal to or higher than lifetime offending recorded on the PNC, indicating that the PNC does not capture actual levels of offending. However, the numbers reporting having offended at least once in the 12 months before custody, having been imprisoned before, and age of first imprisonment were fairly similar to those recorded on the PNC. This suggests that prisoners are willing to report their offending behaviour in surveys, and that self-reported data on some aspects of criminal history may be as accurate as recorded data. However, it was sometimes difficult to attribute self-reports to events recorded on the PNC, and vice-versa. Overall, it is not possible to validate level of self-report offending against the PNC. These are different data sources with different aims, which together can provide a more complete picture of offending behaviour.

## Implications

These results show that prisoners tend to have long and complicated criminal histories, and that offenders reaching prison with no previous convictions are in the minority. In general, prisoners in the sample progressed from arrest at a young age, to probation, to prison, committing a large number of offences along the way.

SPCR prisoners were likely to re-offend once released from prison, and those with more serious criminal histories (e.g., previous imprisonment and more previous offences) were more likely to commit a proven re-offence following release than those without.

Previous SPCR research showed that prisoners' backgrounds were chaotic and disadvantaged, and that these factors were also associated with re-offending on release.

Interventions need to be directed to the early stages of offending, in order to prevent offenders from entering the "vicious circle" of criminality, where likelihood of future offending is driven by frequency and seriousness of past offending.

<sup>34</sup> 1,315 answered this question. Mean = 17 years.

<sup>35</sup> 947 answered the question about prison, 1,033 answered about probation. Median value. Mean = 20 years in each case.

The comparison between self-reported and PNC-recorded criminal histories shows that records of offending behaviour vary according to source, and that each source is likely to be subject to different biases. This should be considered when offending behaviour data is used in research and policy-making.

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