

Reoffending Following Sentence in Victoria

A Statistical Overview

The Sentencing Advisory Council bridges the gap between the community, the courts, and the government by informing, educating, and advising on sentencing issues.

The Sentencing Advisory Council is an independent statutory body established in 2004 under amendments to the *Sentencing Act 1991*. The functions of the Council are to:

- provide statistical information on sentencing, including information on current sentencing practices
- conduct research and disseminate information on sentencing matters
- gauge public opinion on sentencing
- consult on sentencing matters
- advise the Attorney-General on sentencing issues
- provide the Court of Appeal with the Council's written views on the giving, or review, of a guideline judgment.

Council members come from a broad spectrum of professional and community backgrounds. Under the *Sentencing Act 1991*, Council members must be appointed under eight profile areas:

- two people with broad experience in community issues affecting the courts
- one senior academic
- one highly experienced defence lawyer
- one highly experienced prosecution lawyer
- one member of a victim of crime support or advocacy group
- one person involved in the management of a victim of crime support or advocacy group who is a victim of crime or a representative of victims of crime
- one member of the police force of the rank of senior sergeant or below who is actively engaged in criminal law enforcement duties
- the remainder must have experience in the operation of the criminal justice system.

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A Statistical Overview

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Glossary

Adjourned undertaking	A sanction involving the adjournment of a criminal matter and the release of an offender, with or without conviction, for a specified period subject to the offender giving an undertaking with attached conditions.
Case	A collection of multiple charges against a person sentenced at the one hearing.
Charge	A single proven count of an offence.
Community-based order	Prior to 16 January 2012, an order with conditions made against an offender convicted of, or found guilty of, an offence punishable by imprisonment or a fine of more than 5 penalty units.
Community correction order	A sanction involving the release of an offender, with or without conviction, for a period of up to the length of the maximum term of imprisonment for the sentenced offence on an order with attached mandatory and program conditions.
Conviction and discharge	A sentence type involving the conviction of an offender and discharge without conditions.
Dismissal	A sanction involving the dismissal of a charge without conviction and without conditions.
Immediate custodial order	In this report, a sentence requiring an offender to serve time immediately in a custodial facility, including sentences of imprisonment and partially suspended sentences of imprisonment.
Imprisonment	In this report, a sentence of imprisonment served immediately, as distinct from a partially or wholly suspended sentence of imprisonment.
Index event	The event qualifying an offender for inclusion in a study of reoffending.
Intensive correction order	Prior to 16 January 2012, a sentence of imprisonment of not more than one year served by way of intensive correction in the community.
Fine	A sanction involving a court-ordered monetary penalty requiring an offender to pay a sum of money to the state.
Low-end order	A category of sentence type including adjourned undertaking, conviction and discharge, and dismissal.
Partially suspended sentence	Prior to 1 September 2013 in the higher courts and 1 September 2014 in the Magistrates' Court, a sentence of imprisonment suspended in part for a specified period subject to the condition to be of good behaviour.
Principal offence	The offence attached to the charge that received the most severe sentence in a case or the offence with the lowest ranking on the National Offence Index for offences with an equal sentence.
Sentencing event	An event defined by the date on which an offender is sentenced.
Wholly suspended sentence	Prior to 1 September 2013 in the higher courts and 1 September 2014 in the Magistrates' Court, a sentence of imprisonment suspended wholly for a specified period subject to the condition to be of good behaviour.

Reducing reoffending is an aim of sentencing

Reducing reoffending following the imposition of a sentence is one of the primary aims of sentencing and of the criminal justice system generally. However, widely used measures of reoffending in Victoria are of limited value in assessing the effectiveness of sentencing because they:

- focus on a group of people that represents a small proportion of all people sentenced;
- limit the type of event that counts as reoffending; and
- use a relatively short follow-up period.

This study proposes a measure of reoffending that overcomes some of these limitations. The measure used here focuses on offenders who receive any sentence type on multiple occasions over a nine-year period. Using this measure, the present study provides an overview of reoffending following sentence in Victoria.

Relevance of reoffending to sentencing

Minimising reoffending is an important aim of sentencing. Three of the five purposes of sentencing stated in the *Sentencing Act 1991* (Vic) relate to the future behaviour of the offender and, more specifically, to reducing the chances of reoffending. Section 5 of the *Sentencing Act 1991* (Vic) provides the purposes for which sentences may be imposed, including:

- deterring the offender or other persons from committing offences of the same or a similar character;
- establishing conditions within which it is considered by the court that the rehabilitation of the offender may be facilitated; and
- protecting the community from the offender.¹

The two remaining purposes of sentencing, namely to punish the offender and to denounce his or her conduct, relate to the past behaviour of the offender with no regard to future offending.

Outside the domain of individual sentencing decisions of the courts, reducing reoffending is arguably a universal goal of criminal justice systems that represent their communities. For example, one of the strategic priorities of Corrections Victoria is 'to reduce reoffending' (Corrections Victoria, 2015). Understanding reoffending rates in relation to sentencing can assist policy discussions regarding the desirability and methods of reducing reoffending through sentencing.

While a sentence represents a marker against which future behaviour may be measured, reoffending following sentence is likely to be affected by a large number of factors. These include offenders' social, psychological, and criminal backgrounds, their experiences while serving a sentence, and their circumstances following the completion of their sentence.

1. *Sentencing Act 1991* (Vic) s 5(1)(b)–(c), (e).

Existing measures of reoffending for Victoria

Currently, there is only one regularly published source of high-level reoffending data for Victoria: the *Report on Government Services* (ROGS) published by the Productivity Commission (Productivity Commission, 2015). This annual publication has contained inter-jurisdictional reoffending data since it was first published in 1995.

The definitions of reoffending used in ROGS (Volume C), however, do not align well with the notion of reoffending following sentence. The three measures of reoffending ROGS uses relate to return to police or return to corrective services (Productivity Commission, 2015, C.20):

- the proportion of offenders who were proceeded against more than once by police during [a twelve month period]
- the proportion of adults released from prison during [a given year] who returned to corrective services (either prison or community corrections) within two years
- the proportion of adults who were discharged from community correction orders during [a given year] who returned with a new correctional sanction within two years.

In relation to sentencing, the first measure of reoffending includes people who may or may not be sentenced. The measure focuses on police proceedings, which are a poor indicator of whether a person is eventually sentenced. Although there is likely to be significant overlap between people proceeded against and people sentenced, there is also likely to be a difference in the populations. Some police proceedings do not result in a sentence (for example, where police issue a caution or where the prosecution decides to withdraw charges). In addition, some sentences are imposed on charges that are not brought by police proceedings. Other agencies, such as VicRoads, the Environmental Protection Agency, and WorkSafe, can issue infringement notices or lay criminal charges that may result in a court-imposed sentence.

The second and third measures of reoffending used by ROGS can be grouped together as 'corrections measures'. While they do relate to reoffending following sentence, they have three major limitations. First, 'corrections measures' focus on a relatively small group of sentenced offenders. The group examined contains people released from prison or people discharged from community correction orders. Imprisonment and community correction orders represent a minority of sentences imposed by Victorian courts. Two widely used sentence types, fines (which are the most commonly imposed sentence) and adjourned undertakings, are excluded from the 'corrections measures' of reoffending. As the report itself states, 'there are no data currently available on return to courts' (Productivity Commission, 2015, C.19).

Second, the 'corrections measures' of reoffending define the reoffending event in a limited way. They use return to either prison or community corrections to define the reoffending event. Once again, they exclude the majority of sentences and therefore restrict the reoffending event to, most likely, a particularly serious offence. In order to more accurately assess reoffending following sentence, it is important to measure reoffending in a broad way.

Third, the 'corrections measures' of reoffending use a limited follow-up period of two years. A study of reoffending conducted by the NSW Bureau of Crime Statistics and Research (BOCSAR) found that, for adults, the reoffending rate after two years was only just over half the reoffending rate after 15 years of follow-up (Holmes, 2011, p. 2). Thus, increasing the follow-up period beyond two years more accurately reflects actual reoffending rates.

The Council's reoffending database

Developed in 2011 using Victorian sentencing data,² the Council's reoffending database allows broad measures of reoffending to be examined. The Council's database includes all sentences imposed by Victorian criminal courts, not just sentences managed by Corrections Victoria. Compared with ROGS, the Council's reoffending database expands both the pool of offenders and the indicator of a reoffending event.

The time period covered by the reoffending database is currently July 2004 to June 2014, and each year the Council adds an additional financial year of data. This means that the minimum follow-up period for offenders sentenced in the first year of sentencing data (July 2004 to June 2005) is nine years.

Thus, not only do the index and reoffending events cover a greater range of sentenced events than the corrections data in ROGS, but the potential follow-up period is also substantially greater (nine years for the range of sentenced events and two years for the potential follow-up period). For both of these reasons, the measures of reoffending offered by sentencing data are likely to be more complete than existing measures of reoffending.

The Council's previous research on reoffending

Reoffending has been the focus of two reports released by the Council in recent years. The first report examined the relationship between reoffending and the type of sentence imposed on an offender (Sentencing Advisory Council, 2013). Using a Cox regression technique on samples matched on the likelihood of receiving different sentence types, the report found sentence type was a very weak predictor of future offending compared with other factors (such as prior offending). However, there was a tendency for more severe sentence types to be associated with higher levels of reoffending than less severe sentence types.

The second report examined the relationship between community-based order conditions and subsequent offending (Sentencing Advisory Council, 2014). It found higher rates of reoffending for offenders who were given a supervision condition than for offenders who were not required to be supervised (these offenders received a treatment or a community work condition). However, the study interpreted the discrepancy as a function of the characteristics of offenders in each group rather than the conditions imposed.

Neither of these two reports presents an overview of reoffending in Victoria, a gap the present study seeks to fill.

Findings of other reoffending research

Reoffending has been extensively studied locally and internationally; however, an exhaustive examination of this literature is not presented here. Rather, this discussion focuses on two reports that are of particular relevance to the present study. The first is the ROGS report (Productivity Commission, 2015). Volume C of this report focuses on reoffending in terms of return to prison or return to corrective services within a two-year timeframe. Data are presented for all Australian states and territories. Using a two-year follow-up period for Victoria, figures published in 2015 indicate that, for discharged prisoners, the percentage of people who returned to prison was

2. The database links together sentencing records from the higher courts, the Magistrates' Court, and the Children's Court using name and date-of-birth information. To overcome alternative spellings or data-entry errors, a Soundex-based system developed by the NSW Bureau of Crime Statistics and Research was used to match names. Alternative versions of date of birth (such as inverting the month and year or the hundredth and thousandth integer for year of birth) were also used to match dates of birth and overcome data entry errors.

39.5% and the percentage of people who returned to corrective services was 48.7%. For offenders discharged from corrective services, the percentage that returned to community corrections was 15.2% and the percentage that returned to corrective services was 20.8%. The percentage of offenders proceeded against multiple times by police in 2012–13 was 20.1%.

The second report discussed here is a study by BOCSAR (Holmes, 2011), one of at least 30 studies BOCSAR has published on the subject. The report presents an analysis of reoffending among offenders sentenced in New South Wales over a fifteen-year period. The overall reoffending rate after 15 years was 60%. In terms of offender demographics, the report found that juvenile offenders had substantially higher rates of reoffending than adult offenders (79% and 58% respectively), and male offenders had higher rates of reoffending than females (62% and 47% respectively). In relation to offence types, the report concluded that there was greater versatility than specialisation among repeat offenders – that is, there was a tendency among reoffenders to engage in different types of offending.

Research questions

The present study aims to present an overview of reoffending in Victoria based on sentencing data. It examines reoffending rates over the long term and explores offending and sentencing trends for repeat offenders. Specifically, the study addresses five research questions:

1. What percentage of offenders reoffend following sentence over the long term?
2. What offences do repeat offenders commit when they reoffend and how do these offences compare with their index offence?
3. What sentences do repeat offenders receive when they reoffend and how do these sentences compare with their index sentence?
4. How many times are repeat offenders sentenced over the long term and how do their sentence and offence profiles change?
5. Are there differences in reoffending rates according to demographic characteristics of the offender?

Methodology for considering reoffending

The research questions posed in this study consider reoffending in terms of the following variables (all of which are available in the reoffending database):

- the time between the index event and the reoffending event;
- the number of reoffending events in a given period;
- the principal offence at the index event and the reoffending event;
- the sentence imposed at the index event and the reoffending event; and
- the age and gender of the offender.

These concepts are defined and operationalised in the remainder of this section.

Measure of reoffending

In order to study reoffending, information about two events for each offender need to be measurable: the index event and the reoffending event. The index event is the event that qualifies an offender for inclusion in a study of reoffending. In the present study, the index event is the first sentence imposed on each offender in the period from July 2004 to June 2005. As the database does not capture sentences that occurred prior to July 2004, the index event is not necessarily the first sentence an offender has received.

The reoffending event is the event that indicates that an offender has offended subsequent to his or her index event. In the present study, the reoffending event is the first sentence imposed following the index event for an offence committed following the index event.

Another important element of a reoffending study is the follow-up period, or the amount of time following the index event that offenders are given to reoffend. Generally speaking, the longer the follow-up period the greater the likelihood of reoffending. The follow-up period used in the present study is nine years for each offender.

Measure of sentence

The measure of sentence is the most severe sentence type imposed on an offender in a case, where a case represents a collection of one or more charges against an offender sentenced at the one hearing. Sentences have been grouped into five categories:

- immediate custody (imprisonment and partially suspended sentences);
- wholly suspended sentences;
- community orders (community-based orders, intensive correction orders, and community correction orders);
- fines;
- low-end orders (adjourned undertakings, convicted and discharged, and dismissals); and
- other.

Measure of offence type

The principal offence in a case has been used to represent offence type. The principal offence is the offence that received the most severe sentence (based on sentence type and sentence quantum) in a case. Where multiple offences received the most severe sentence in a case, the offence ranked as the most serious according to the National Offence Index (Australian Bureau of Statistics, 2009) is the principal offence.

Offences have been grouped into the following 11 categories:

- assaults and homicides (including causing injury offences, murder, and culpable and dangerous driving causing death);
- sexual offences (including rape, sexual penetration of a child offences, incest, and indecent assault);
- robbery and burglary;
- drug trafficking (including drug cultivation);
- drug possession or use;
- theft and deception;
- weapons offences;
- offences against justice procedures (including breach of an intervention order);
- arson and property damage;
- traffic (including road usage and licensing offences); and
- other.

Population

The population under analysis comprises 63,366 people and represents all people sentenced in all Victorian criminal courts (both adult and children's) between July 2004 and June 2005, regardless of the number of times people were sentenced in that period. Table 1 presents the distribution of the population under analysis according to key variables in the present study. There were 51,396 males (81.1%) and 11,970 females (18.9%). The average age was 31 years and 1 month. The majority of the population was aged 22 to 44 (59.5%) at the time of sentence, while one-quarter was aged 21 or under (25.8%). The most common offences were traffic (42.3%) and theft and deception (17.0%) while the most common sentences were fines (52.5%) and low-end orders (24.0%).

Table 1: Characteristics of offenders: offenders sentenced in Victoria in 2004–05 by demographic, offence, and sentence type

Variable	Number	Percentage
Gender		
Male	51,396	81.1
Female	11,970	18.9
Age group		
10–14	569	0.9
15–17	4,099	6.5
18–21	11,654	18.4
22–24	7,455	11.8
25–34	18,456	29.1
35–44	11,817	18.6
45–54	6,008	9.5
55 and over	3,308	5.2
Offence at index event		
Assaults and homicides	6,663	10.5
Sex offences	546	0.9
Robbery and burglary	2,644	4.2
Drug trafficking, etc.	2,210	3.5
Drug possess/use	1,348	2.1
Theft and deception	10,763	17.0
Weapons	1,616	2.6
Justice	1,719	2.7
Arson and property damage	2,059	3.2
Traffic	26,802	42.3
Other	6,996	11.0
Sentence type at index event		
Immediate custody	4,675	7.4
Wholly suspended sentences	4,596	7.3
Community orders	5,583	8.8
Fines	33,288	52.5
Low-end orders	15,203	24.0
Other	21	0.0
Total	63,366	100.0

Results arising from this study

This section presents data addressing the five research questions posed earlier in this report.

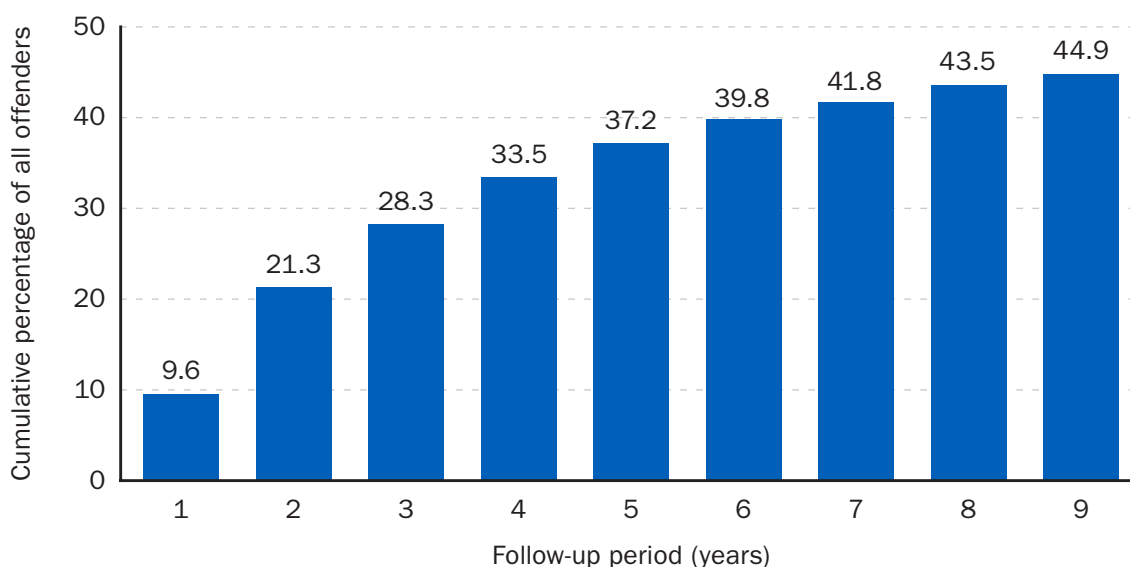
What percentage of offenders reoffend following sentence over the long term in Victoria?

The cumulative reoffending rate for each year following sentence is presented in Figure 1. After nine years, the reoffending rate for offenders sentenced in 2004–05 was 44.9% (28,460 of 63,366 offenders). In other words, just under half of offenders reoffended, while just over half did not reoffend.

Over time, the cumulative reoffending rate increased each year following sentence, but the increases became smaller as each year passed. After one year, the cumulative reoffending rate was 9.6%. This more than doubled after the second year to 21.3%. In contrast, between years eight and nine, the reoffending rate increased by just over one percentage point from 43.5% to 44.9%.

The increases in reoffending rates following the two-year mark suggest that two-year reoffending rates, such as those reported in ROGS, underestimate the true level of reoffending by a considerable amount. The reoffending rate at two years (21.3%) more than doubled by year eight (43.5%).

Figure 1: Cumulative reoffending rate by period (years) following the index sentence in 2004–05 (n = 63,366)



How does the two-year reoffending rate presented here compare with reoffending rates reported in ROGS?

As ROGS and the present study use different measures of reoffending for different groups of offenders, there is no reason to expect the rates to be similar, even when matched on the follow-up period.

Using return to corrective services as the measure of reoffending, the two-year reoffending rate reported in ROGS for discharged prisoners in 2004–05 was 43.4% (Productivity Commission, 2008), substantially higher than the two-year rate of 21.3% found in the present study. Such a large difference is likely due to characteristics of offenders. While the ROGS measure considers only

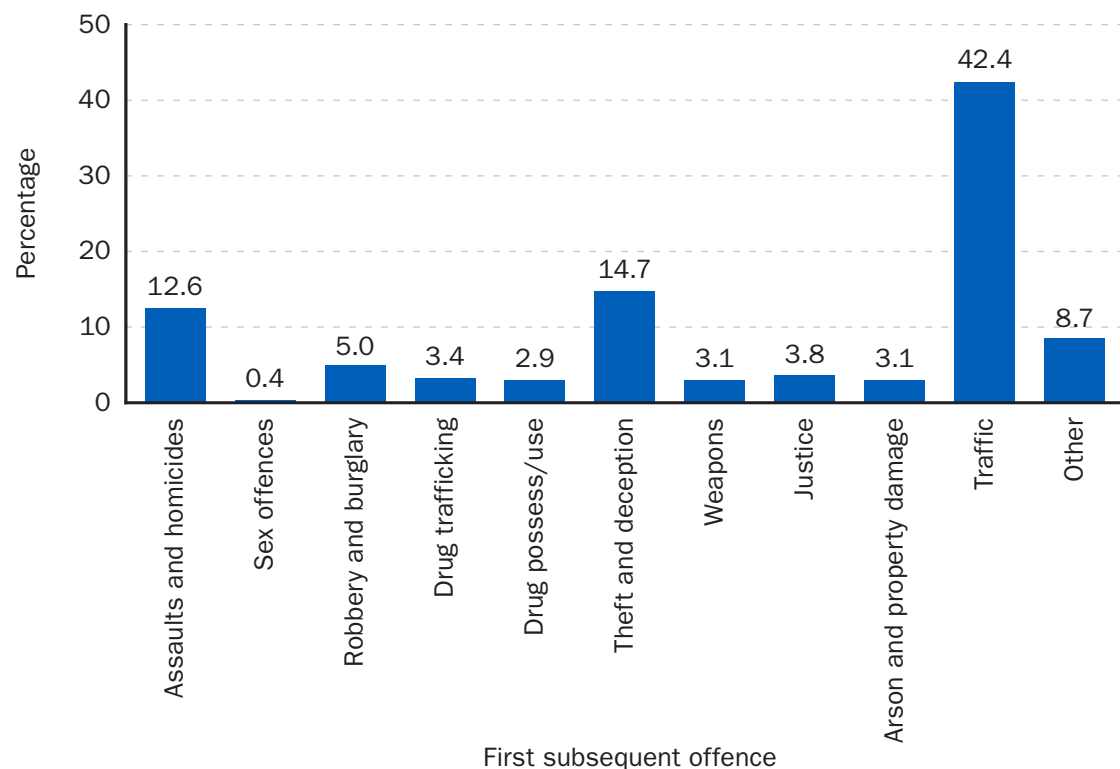
people who received a term of imprisonment, the measure in the present study includes people who received *any* sentence. Thus, it is likely that the propensity to reoffend among people who received imprisonment was higher than among people who received other sentences such as community orders or fines. This finding is consistent with previous research (for example, Sentencing Advisory Council, 2013, pp. 24–26).

What offences do repeat offenders commit when they reoffend and how do these offences compare with their index offence?

This section examines the nature of the offending in the reoffending event and explores how this changes as the time between the index offence and the first reoffending event increases. Figure 2 shows the distribution of principal offences in the first reoffending event for the 28,460 offenders who reoffended. Traffic offences, which include licensing and road usage offences, are prominent in this distribution, comprising 42.4% of offences. Theft and deception offences (14.7%) and assault and homicide offences (12.6%) were the next most common offences, while sex offences were the least common at 0.4%.

The prevalence of traffic offences, both in the reoffending and in the non-reoffending populations, is likely due to the increased chance of detection for these offences compared with many other offence types. If traffic offences are excluded from the measure of reoffending, the nine-year reoffending rate drops from 44.9% to 33.0%.

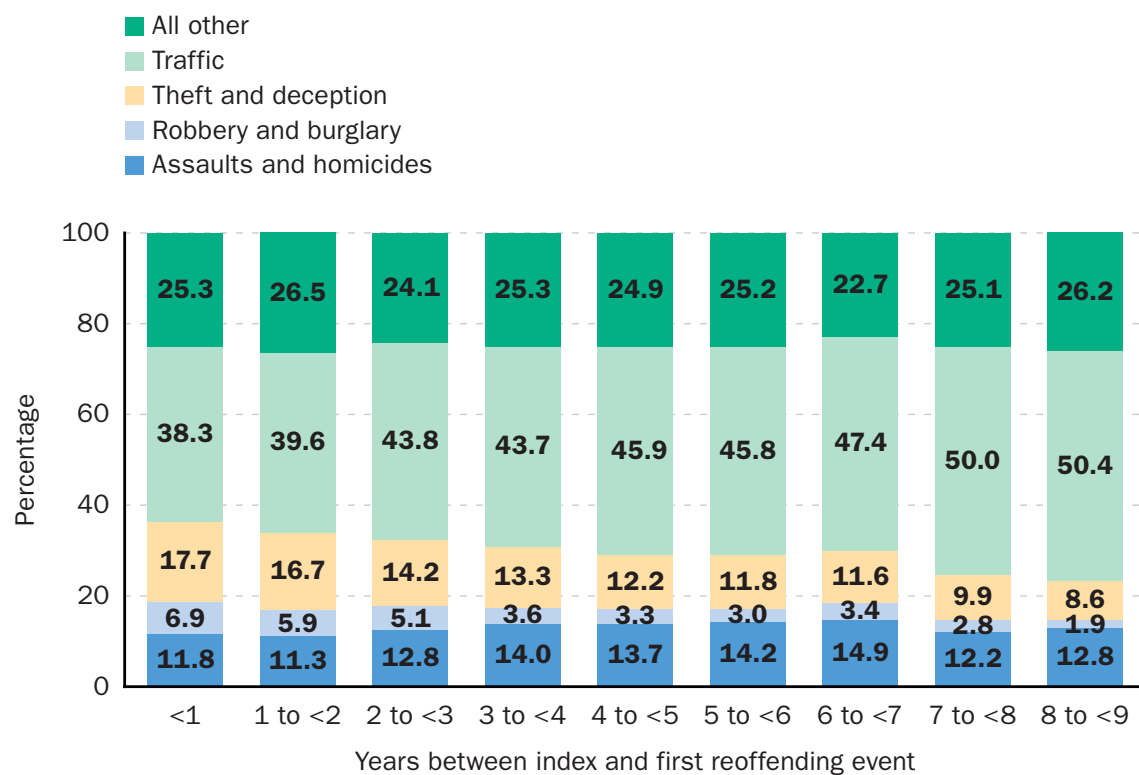
Figure 2: Percentage of reoffenders by category of principal offence in first reoffending event (n = 28,460)



New offence type and time between sentences

Figure 3 presents the offence distribution for selected offences of the first reoffending event according to the time between the index sentence date and the first reoffending event sentence date. Across the follow-up period, the proportion of traffic-related offences increased each year. The overall increase was from 38.3% to 50.4%. The main offence types to decrease were theft and deception (from 17.7% to 8.6%) and robbery (from 6.9% to 1.9%). This suggests that there is a change in the type of reoffending as the lag between the sentencing events increases.

Figure 3: Distribution of selected offence types for offences sentenced in first reoffending event by period (years) following the index sentence (n = 28,460)

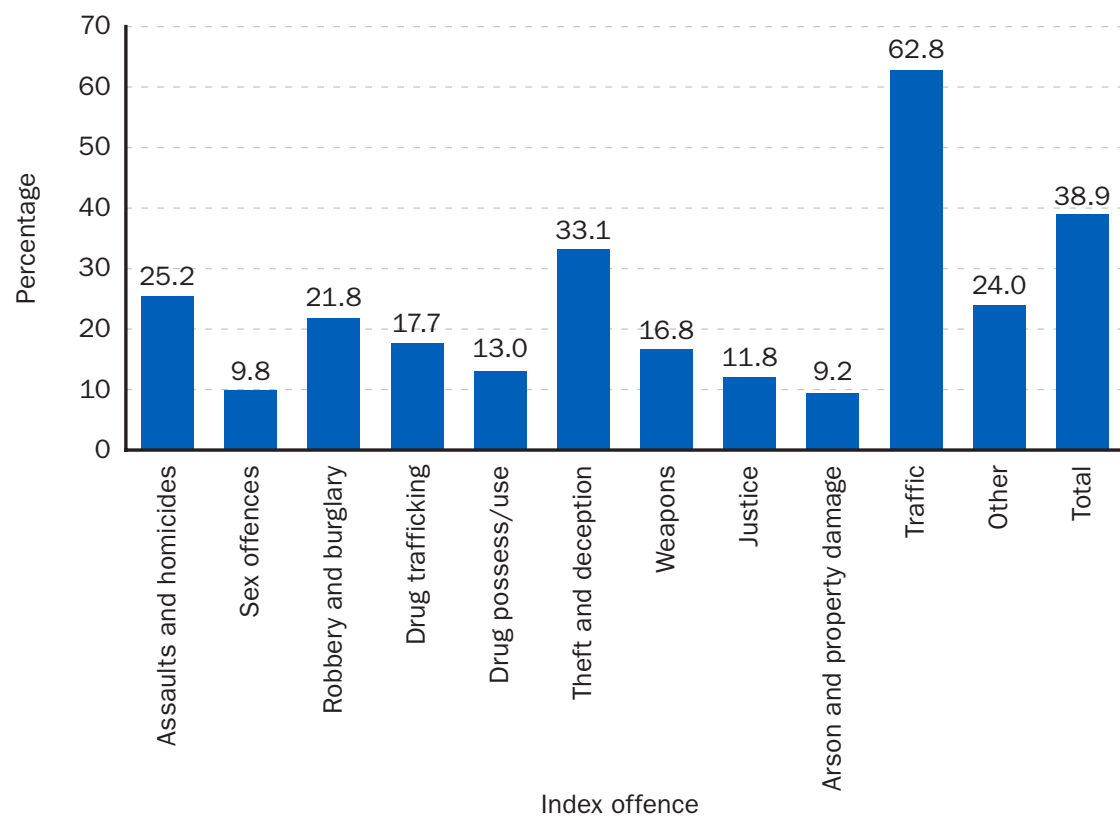


Offence comparisons

The analysis now turns to how the offence in the first reoffending event compares with the offence in the index event. Figure 4 presents the extent to which reoffenders had the same offence type in their index and first reoffending events. Overall, 38.9% of reoffenders were sentenced for the same offence. According to the offence type, traffic offences were most likely to be repeated (at a rate of 62.8%). Theft and deception offences (33.1%) and assaults and homicides (25.2%) had the next highest level of repeat offending. Arson and property offences (9.2%) and sexual offences (9.8%) were least likely to be repeated.

Overall, these results suggest that the level of offending specialisation (as measured here) is lower than the level of offending versatility. Based on two consecutive sentencing events only, the type of reoffending changed for the majority of reoffenders.

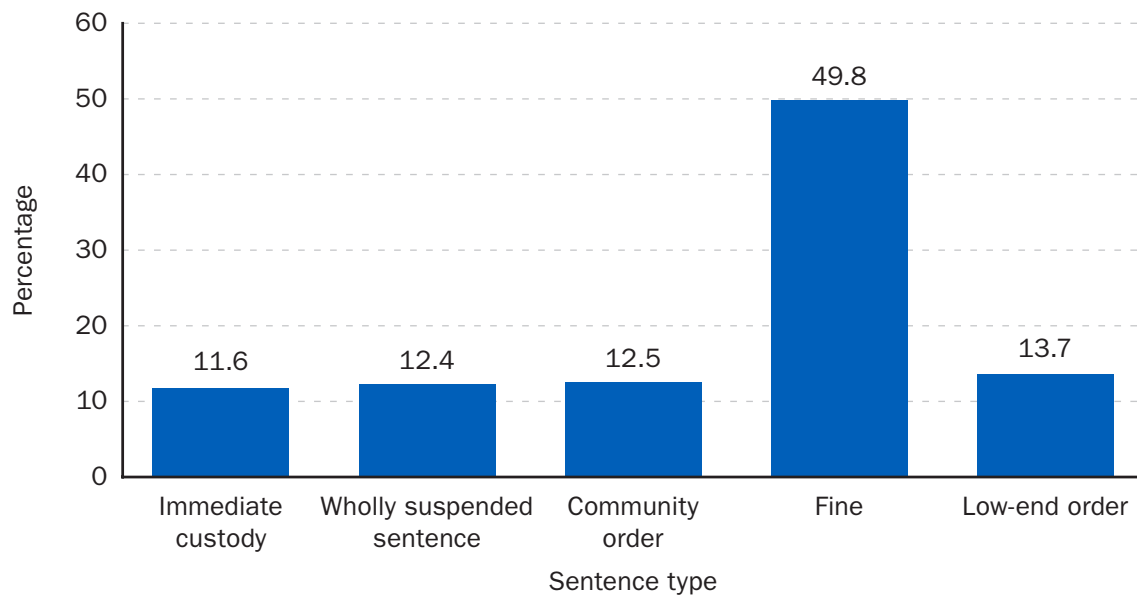
Figure 4: Percentage of reoffenders who committed the same offence category in the first reoffending event as the index event (n = 28,460)



What sentences do repeat offenders receive when they reoffend and how do these sentences compare with their index sentence?

This section examines the nature of the sentence imposed on offenders in their first event of reoffending and explores this relationship in terms of the time between the index sentence and the reoffending sentence. The severity of the response to reoffending is an indicator of the seriousness of the reoffending behaviour while also reflecting prior sentences. Figure 5 shows the distribution of sentences that repeat offenders received for their first reoffending event. Half of offenders received a fine (49.8%), while similar proportions (approximately 12%) received sentences of immediate custody (11.6%), wholly suspended sentences (12.4%), community orders (12.5%), and low-end orders (13.7%).

Figure 5: Percentage of reoffenders by category of sentence in the first reoffending event (n = 28,460)



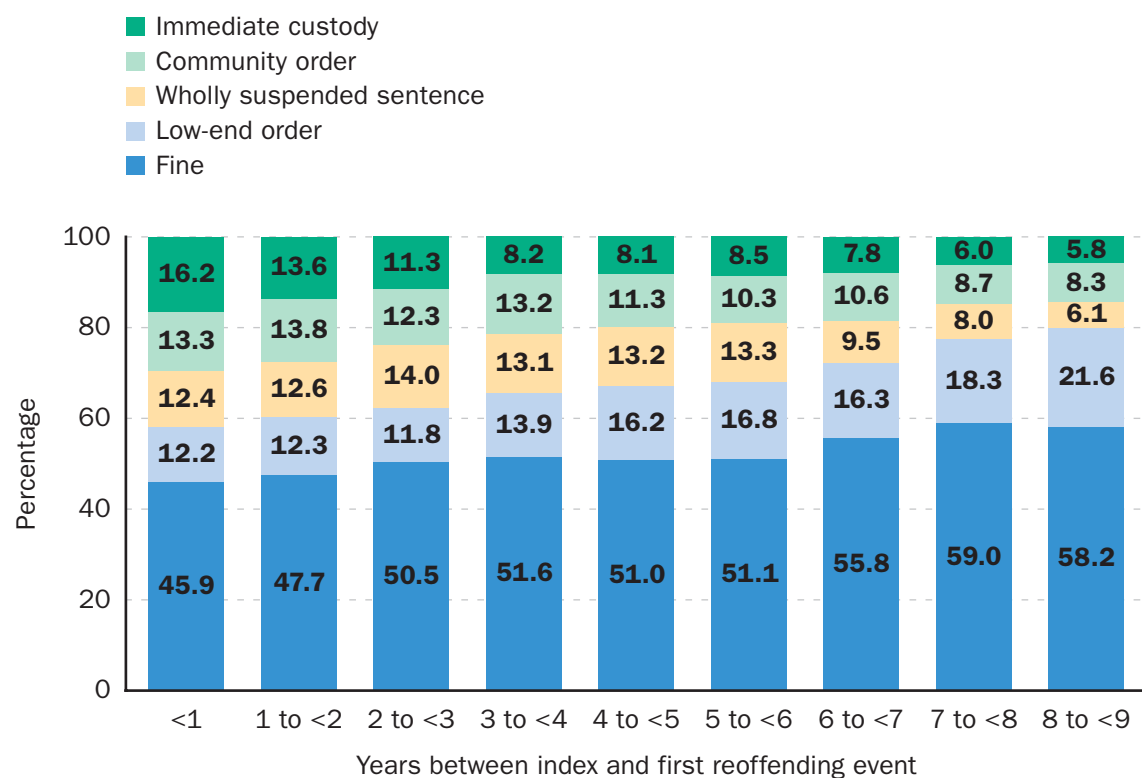
New sentence type and time between sentences

This section examines sentence patterns based on the time between the index sentencing event and the first subsequent sentencing event. Figure 6 presents the distribution of sentences for the first subsequent offence for each year in the follow-up period. Fines represented the most common sentence imposed in the first subsequent events each year in the follow-up period. However, the proportion of sentences that were fines gradually increased from 45.9% after one year to 58.2% after nine years. Low-end orders also increased over time as a proportion of sentences imposed.

In contrast, decreases over time were evident for immediate custodial sentences, wholly suspended sentences, and community orders. For example, use of immediate custodial orders declined from 16.2% of sentences after year one to 5.8% of sentences after year nine.

Thus, there is a clear shift away from more severe sentences as the time between the index event and the first subsequent event increases.

Figure 6: Distribution of sentence types for reoffenders by year in the follow-up period



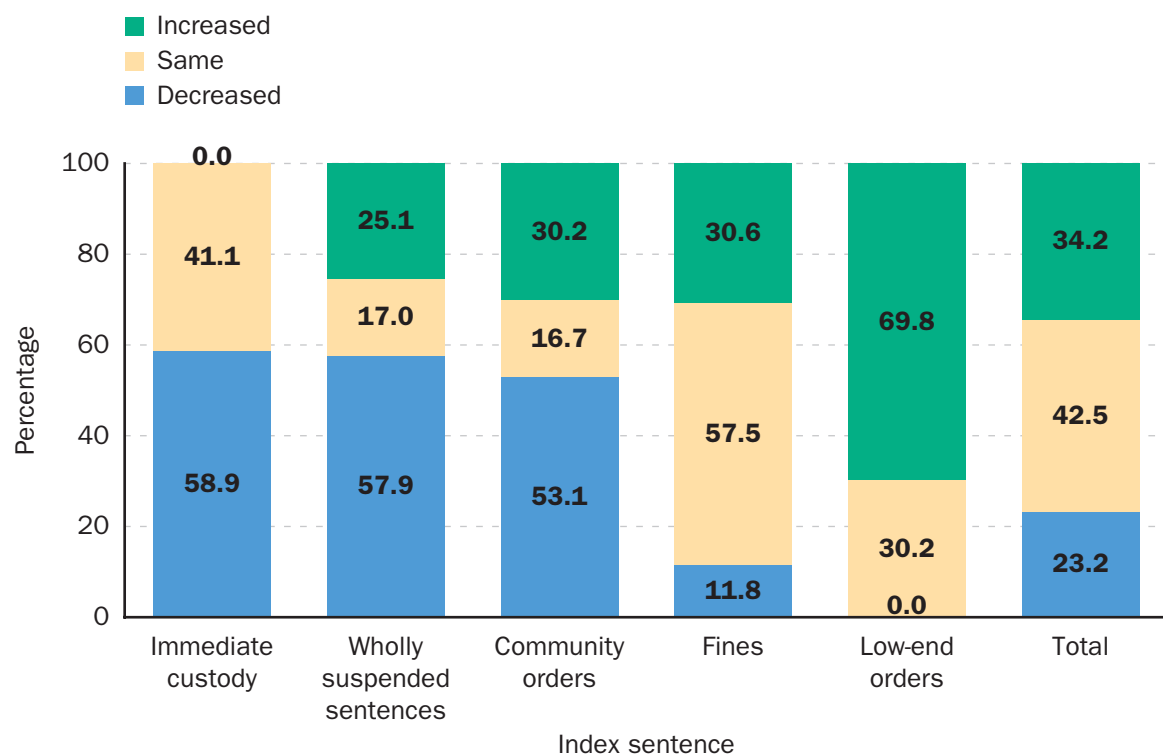
Sentence comparisons

Figure 7 shows the severity of the sentence type in repeat offenders' first reoffending event compared with their index sentence type. The general pattern is that the more severe the sentence imposed at the index sentence, the less likely it is that offenders receive a more severe sentence for their first reoffending sentence.

For low-end orders, 69.8% of first reoffending sentences were more severe than the index sentence. In contrast, for people who received a wholly suspended sentence on their index event, 25.1% were sentenced to a more severe sentence (immediate custody) on their reoffending event.

The same sentence type was most likely to be imposed when the index sentence type was a fine (57.5%), followed by imprisonment (41.1%). Community orders were least likely to be repeated in the first reoffending sentence (16.7%).

Figure 7: Percentage of reoffenders by the relationship between first reoffending sentence type and index sentence type (n = 28,460)

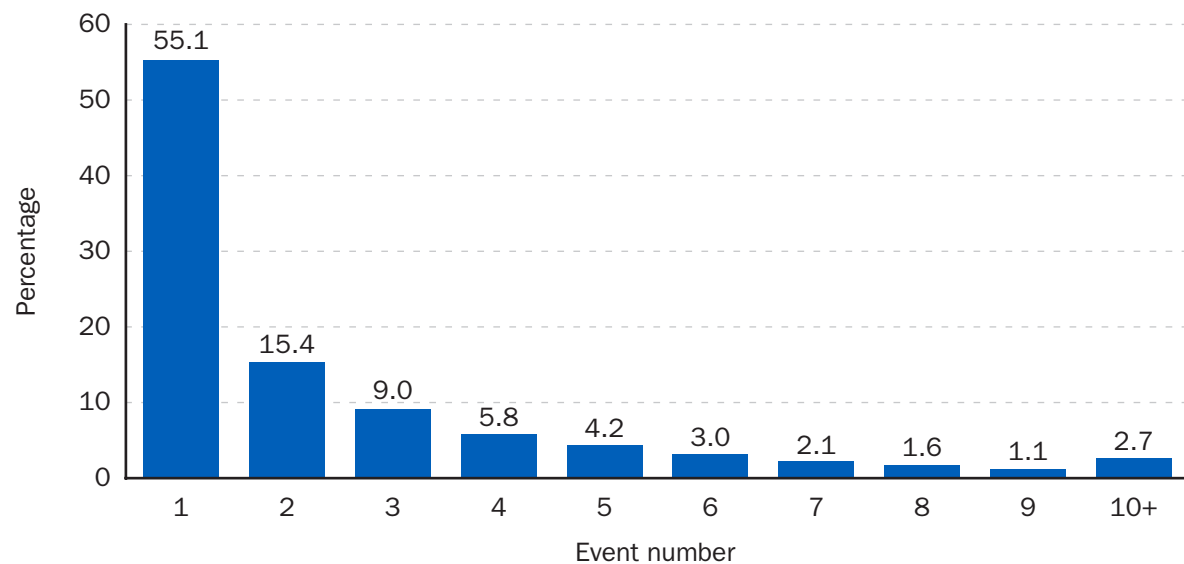


How many times are offenders sentenced over the long term and how do their sentence and offence profiles change?

The number of times offenders are sentenced over a given period provides an indication of both the frequency of offending and the amount of time courts spend on individual offenders. Figure 8 shows the percentage of offenders by the number of events over the nine-year period. While 55.1% of offenders had only one event, 15.4% had two events and 9.0% had three events. Just under 3% had 10 or more events (2.7%).

The mean number of sentencing events over the nine-year follow-up period was 2.0, and the median was one. The maximum number of events for any offender was 32.

Figure 8: Percentage of offenders by the number of offending events over nine years



Offending patterns over time are presented in Figure 9 in terms of the proportion of offenders at each event number sentenced for selected offence categories. The number of offenders within each event number declined from 63,366 in event one to 1,689 offenders in event 10, but the only offence category that declined steadily was traffic offences, which comprised 42.3% of offences in event one and 22.1% in event 10. This suggests that traffic offences were less common among highly prolific offenders, such as those with 10 events.

A number of offence types increased, including assaults and homicides (from 10.5% to 17.2%), robbery and burglary (from 4.2% to 10.9%), and theft and deception offences (from 17.0% to 21.2%). This shift away from traffic offences suggests that as offenders continue to offend, they tend to commit more serious crimes.

Figure 9: Offence distribution by event number

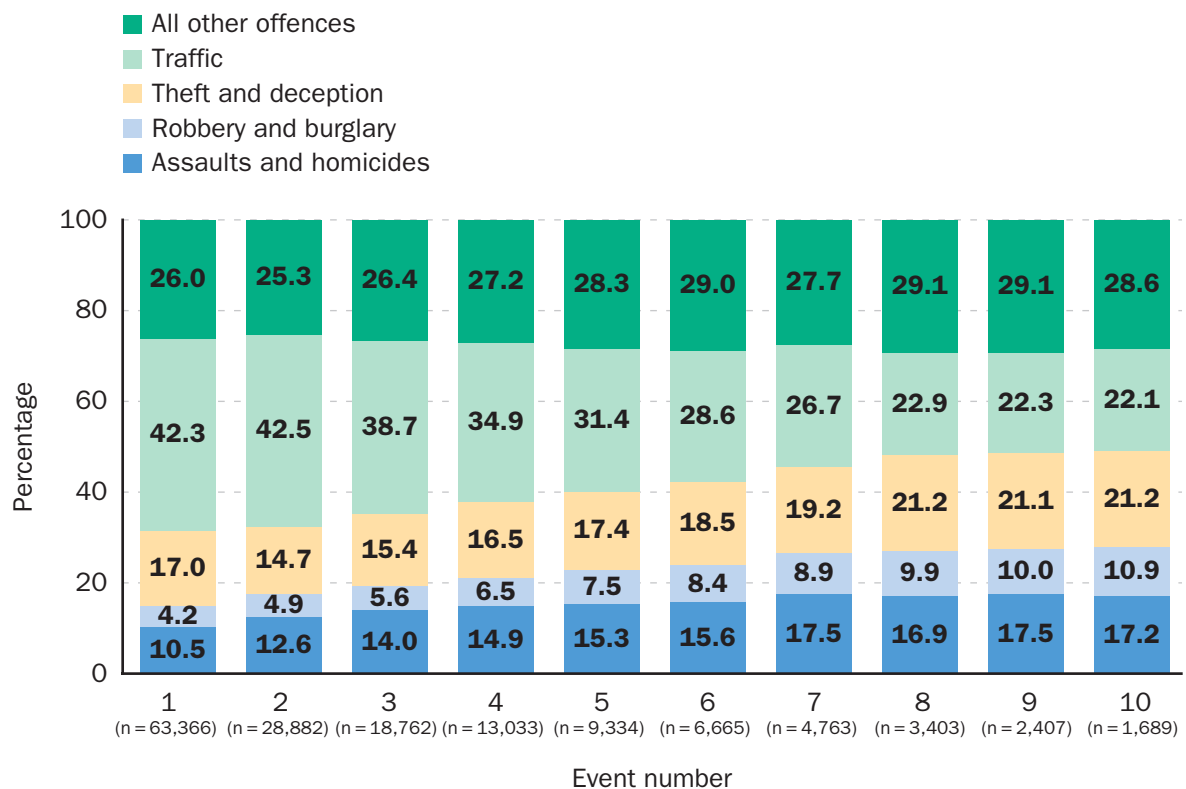
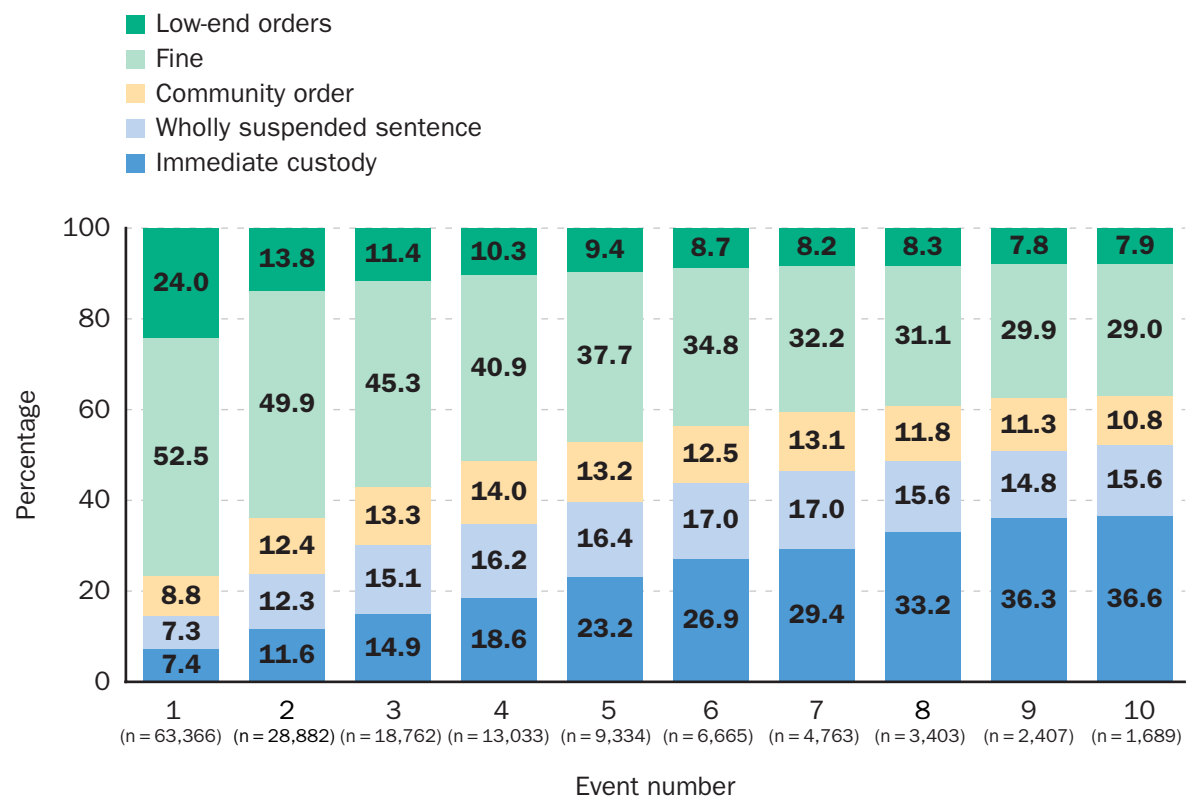


Figure 10 shows the change in sentence distribution across the first 10 sentencing events. Reflecting the shift towards more serious offending, sentencing tended to become more severe over time. The proportion of sentences that were fines and low-end orders decreased. For example, fines declined from 52.5% at event one to 29.0% at event 10. Conversely, the proportion of sentences that were immediate custodial sentences increased. At event one, 7.4% of sentences were immediate custodial sentences, while 36.6% were immediate custodial sentences at event 10. Wholly suspended sentences and community-based orders also tended to increase over time; however, both declined slightly after event eight.

Figure 10: Sentence distribution by event number

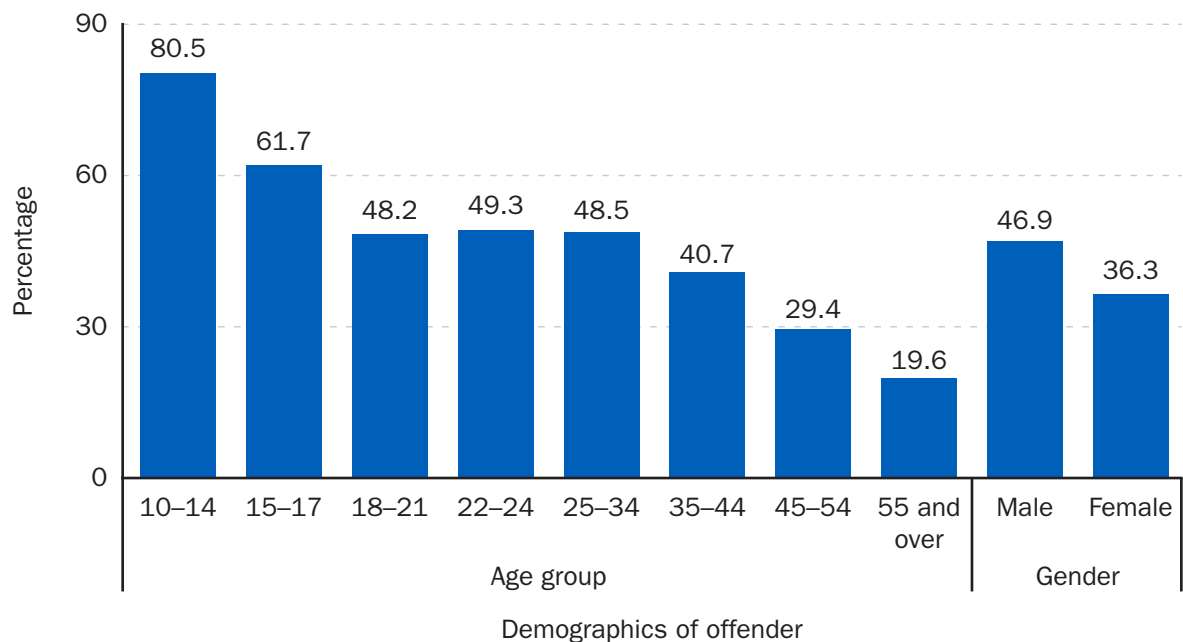


Are there differences in reoffending rates according to demographic characteristics of the offender?

Figure 11 shows the nine-year reoffending rate according to the offender's age group at the time of sentence and the offender's gender. Males had a higher reoffending rate (46.9%) than females (36.3%), while offenders aged under 18 had higher reoffending rates (64.0%) than older offenders (44.4%). Reoffending rates declined after the age of 34, reaching 19.6% of offenders aged 55 years and over.

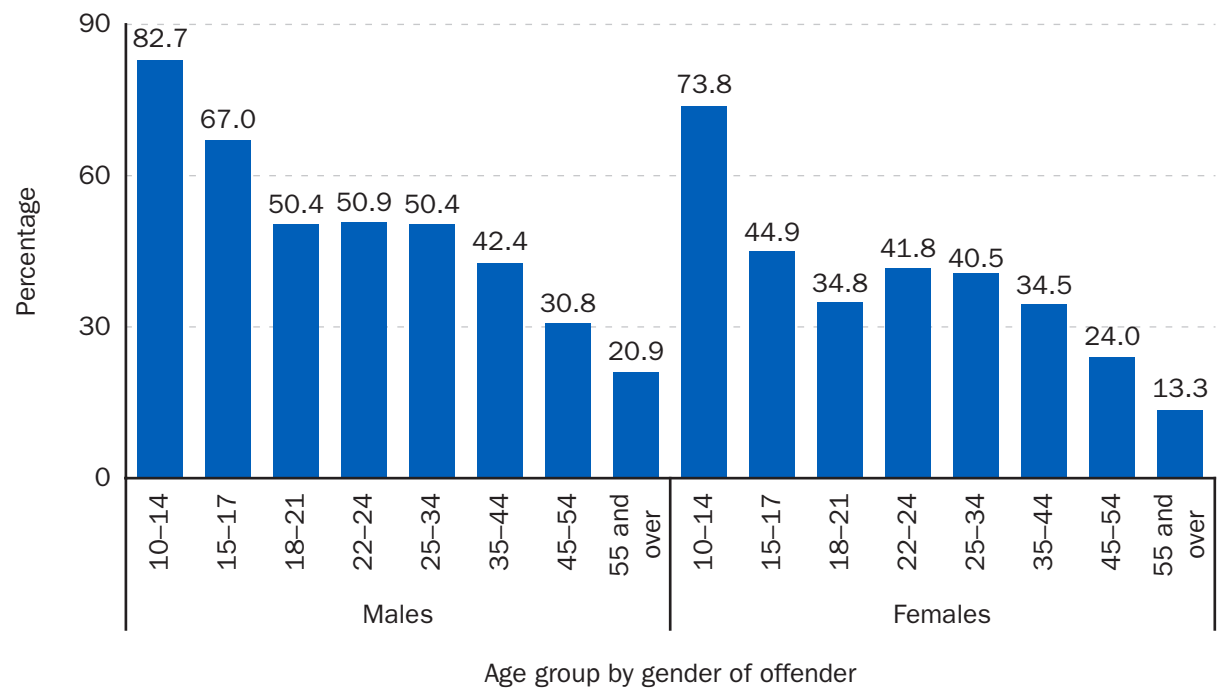
The nine-year reoffending rate of 44.4% for adult offenders sentenced in 2004–05 is substantially lower than the nine-year reoffending rate of 52% found for adult offenders sentenced in 1994–95 in New South Wales (Holmes, 2011, p. 2).

Figure 11: Nine-year reoffending rate by age group and gender of offender



When the relationship between reoffending rate and age is split between males and females, different patterns emerge according to gender. As Figure 12 shows, while the reoffending rate for males aged 18 to 21 was similar to the reoffending rates for males aged 22 to 34, females aged 18 to 21 had substantially lower reoffending rates than their older counterparts. Thus, there is a tendency for young adult females to reoffend substantially less than older offenders (and younger offenders), a tendency that is not apparent among males.

Figure 12: Nine-year reoffending rate by combination of age group and gender of the offender



Conclusion

This study has offered an alternative measure of reoffending to commonly quoted measures of reoffending for Victoria. Using sentencing data over a ten-year period, the Council's measure of reoffending is more comprehensive than other measures in terms of the people it examines, and it is generally more relevant to the goals of the criminal justice system and sentencing.

This study explores reoffending rates over time, offending and sentencing patterns over time, and differences in reoffending rates for different demographic groups. Due to the nature of the analysis, no conclusions about the causal effect of particular variables are made. The antecedents of reoffending were beyond the scope of this study; they are complex and require sophisticated forms of analysis.

The overall nine-year reoffending rate for people sentenced was 44.9%. In the first reoffending event, the most common offence category was 'traffic' (42.5%), while the most common sentence imposed was a fine (49.8%). When traffic offences were excluded, the reoffending rate was 33.0%.

The type of offending engaged in by repeat offenders tended to be different from the index offence, suggesting a high degree of versatility among offenders. This finding is consistent with reoffending research.

Across events one to 10, sentencing tended to move up the sentencing hierarchy, with immediate custodial sentences and wholly suspended sentences increasing as a percentage of all sentences, and fines and adjourned undertakings declining.

Offenders aged 10 to 17 had a higher reoffending rate than offenders aged 18 years and over (64.0% and 44.4% respectively). Male offenders had a higher reoffending rate than female offenders (46.9% and 36.3% respectively).

This study has raised a number of questions about reoffending following sentence. One such question is, why is the reoffending rate of female offenders aged 18 to 21 relatively low? Is there something about how this cohort is treated by the criminal justice system that limits their reoffending? In addition, there are other topics that should be explored; these include reoffending patterns for particular offender categories, for particular sentence outcomes, and for offenders sentenced in recent financial years.

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