

# Summary

## Recidivism 1997

*A statistical overview of criminal recidivism of adult and juvenile offenders in the Netherlands*

This study explores recidivism of offenders following a broad range of sanctions imposed in the Netherlands. With the last large-scale study in this field dating back to the early nineteen eighties, there was no current clear picture of the outflow rates related to the sanctions imposed under Dutch criminal law. There has been some research carried out in more recent years, but this has been confined to smaller-scale areas. This study investigates recidivism rates amongst adult and juvenile offenders on whom a sentence or a non-punitive order was imposed in 1997. For each sanction the study investigated which part of the adults and which part of the 12-to-17 year olds have reoffended since their conviction in 1997.

### *Study groups*

The overall study groups comprised over 130,000 adult offenders and over 15,000 criminal minors (*Table a*). Juvenile and adult offenders were divided into a number of sanction categories. Fines were imposed most frequently on adult offenders (59 percent). Juvenile offenders were given a community sentence in almost half of all cases, usually in the form of a community service order. Eleven percent of minor offenders received a conditional or unconditional custodial sentence; for adult offenders this occurred twice as often.

**Table a** Size of various sanction groups; adult and juvenile offenders with at least one criminal case dealt with in 1997

	Adults		Juveniles	
	Number	Percentage	Number	Percentage
Prison term	15,050	11.5	688	4.5
Community service order	13,262	10.1	6,230	40.5
Training order	-	-	1,209	7.9
Probation order	11,083	8.5	921	6.0
Fine	76,463	58.5	2,824	18.3
Discretionary dismissal	11,545	8.8	2,925	19.0
Settlement (other than financial)	1,789	1.4	168	1.1
Custodial measure (entrustment order)	247	0.2	137	0.9
Other sanctions	1,260	1.0	298	1.9
Total	130,699	100	15,400	100

The offenders' backgrounds vary considerably. Unconditional custodial sanctions are imposed more often in the case of property offences and reoffenders. It is used less amongst women and offenders born in the Netherlands. Following traffic offences, adults often receive fines, while violent offences are dismissed relatively often. Violent or sex offences in juvenile offenders are often settled with a training order. These differences in inflow must be taken into account when interpreting the outcome. If the rate of recidivism in a particular sanction group is lower than average, this does not necessarily mean that the sanction is more effective. The difference may also be explained by the background characteristics or other factors which may or may not be under investigation.

### *Method*

The study is part of the *WODC Recidivism Monitor*, an ongoing project in which standardised measurements are being carried out amongst a wide range of offender groups. The measurements are based on data from the Justice Documentation research and policy database (OBJD). The OBJD is an anonymous version of the justice documentation system (JDS) and contains information about crimes prosecuted by the Public Prosecutors Office. The Recidivism Monitor applies fixed criteria to assess the rate of recidivism (*Table b*).

**Table b** Recidivism criteria within the WODC Recidivism Monitor

Criterion	Description
General recidivism	New criminal cases, regardless of the nature and seriousness of the crimes committed, with the exception of criminal cases that result in acquittal, dismissal by reason of likelihood of non-conviction, or another technical verdict or disposal
Serious recidivism	Reconviction* following a crime punishable by 4 years or more
Very serious recidivism	Reconviction* following a crime punishable by 8 years or more
Special recidivism	Reconviction* following a crime similar to the initial crime

\* Including discretionary dismissals and settlements by the Public Prosecutors Office.

These criteria are used to describe recidivism rates in the various study groups. The report offers no explanation as to the occurrence or absence of recidivism. It does *not* deal with backgrounds or causes of reoffending, but merely sets out the figures, addressing the following issues:

- the *prevalence* of recidivism; which part of the (sub)group has reoffended?
- the *speed* with which the person reoffended; when did he or she reoffend?
- the *frequency* of recidivism; how many times was the reoffender arrested or involved in a criminal case following the initial case?
- the *nature* and *seriousness* of the recidivism crimes; which type of crime was committed and how was the new criminal case dealt with?

- the *magnitude* of the recidivism; what are the overall recidivism rates in the (sub)group?

#### *Factors related to the prevalence of recidivism*

There is a clear correlation between the risk of reoffending and background characteristics like gender, age and criminal past. Female offenders reoffend less than male offenders. This applies to both adult and juvenile offenders. Generally speaking, juvenile offenders are more likely to be reconvicted than older offenders. The younger a person is at the time of the (first) criminal case, the greater the risk that they will be prosecuted for new cases later in life. Offenders born on the Netherlands Antilles or Aruba, in Morocco or Surinam present the highest recidivism rates.

The main indicator, however, is the number of previous convictions. People without previous convictions whose first offence was the 1997 initial case, have the lowest risk of reoffending. The risk of recidivism increases as the number of previous convictions grows. Of all adults with five to ten previous criminal cases more than 70 percent had reoffended after seven years. In the group of juvenile offenders with more than ten previous convictions the entire group had reoffended after four years. This is a small group (n=56).

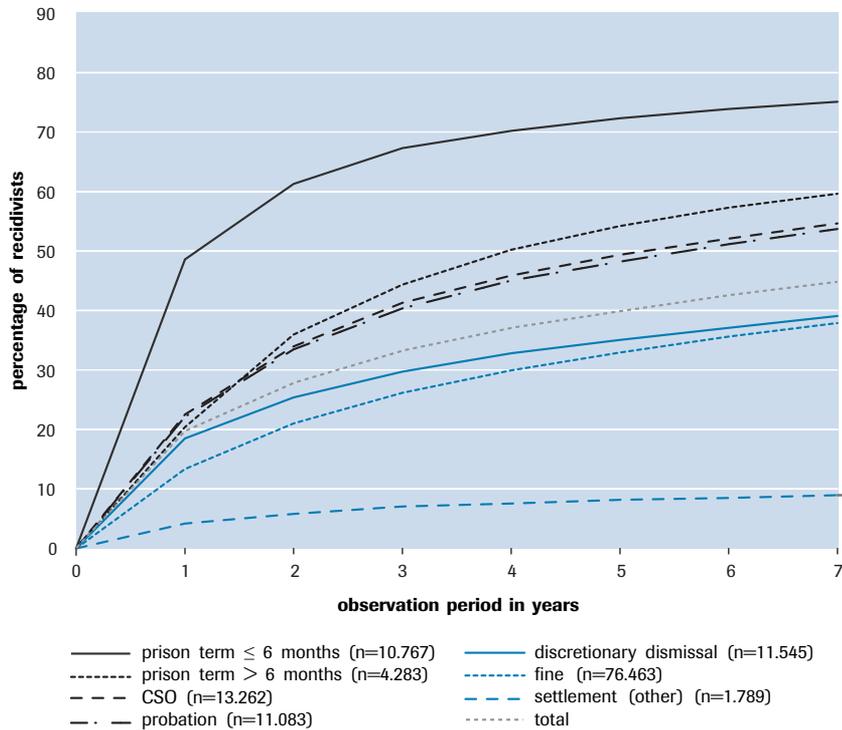
The risk of general recidivism varies per type of offence. The risk is greatest after a capital offence with violence and lowest following a sex, traffic, or drugs offence. The *special* recidivism, whereby the new offence committed is of the same type as the initial case, is greatest amongst offenders involved in non-violent property offences or violent offences, and among adult traffic offenders.

#### *Recidivism following sanctions for adults*

The percentage of adult offenders who are reconvicted varies in accordance with the sanction imposed. *Figure a* sets out the cumulative percentages for the various disposals. The rate of recidivism is greatest amongst offenders who were sentenced to a brief custodial sentence in 1997 (75 percent after seven years) and lowest amongst suspects who were offered an other kind of settlement than the payment of a sum of money (9 percent after seven years)<sup>27</sup>. The rate of recidivism that follows other sanctions lies somewhere in between. 45 Percent of all adults reoffend within seven years. Recidivism rates amongst offenders with a community sentence are in keeping with those for probation. Within the group with custodial sentences, it appears that the longer the custodial sanction, the lower the risk of recidivism. This is due to the fact that offenders with an extensive criminal past (the so-called 'frequent offenders') are often sentenced to brief custodial sentences.

27 Transactions in the form of payment of a sum of money have been grouped under 'fine' in this study.

**Figure a** Prevalence of general recidivism amongst adult offenders with a criminal case settled in 1997; divided as to type of sanction



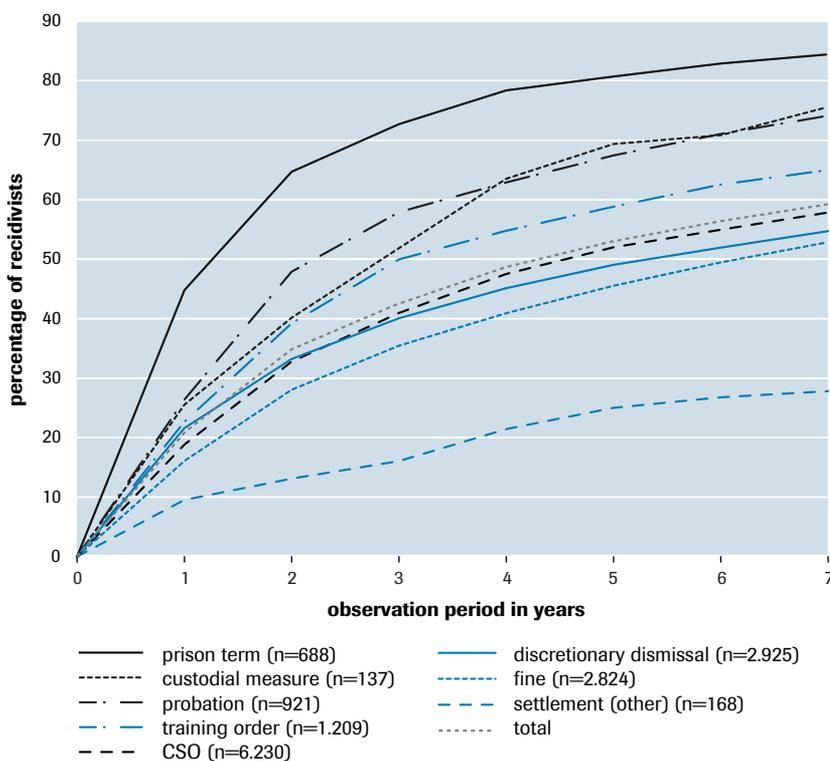
Recidivism frequency presents roughly the same image. As the percentage of reoffenders following a sanction increases, so does the average number of criminal cases per recidivist. The recidivism frequency is the highest amongst people who were sentenced to a short prison term. After six years, reoffenders in this group have accumulated 8.6 arrests or reconvictions on average, compared with an average of 4.1 for the overall adult offender population. More than half of all new criminal cases involve a non-violent property offence. A little less than half ends in a custodial sentence. About seven percent is disposed with a prison term of 6 months or more.

#### *Recidivism following sanctions for juvenile offenders*

Recidivism rates amongst juvenile offenders are generally higher than amongst adults. After seven years, 59 percent of all juvenile offenders has been reconvicted once or more. Recidivism rates are highest following a custodial sanction: 84 percent after seven years (see *Figure b*). Recidivism rates following a training order are higher than following a community service order. The number of juvenile offenders who reoffend following an probation order is remarkably high. While the outflow results of the

criminal measures (particularly the placement in a juvenile institution order, abbreviated to PIJ) end up at the same level, the initial percentages are lower. The latter is due to the ‘incapacitation’ effect of these measures. Juvenile offenders who have been admitted to a correctional institution for juvenile offenders are temporarily unable to commit offences, or are at least less able to do so. The recidivism rates in this study are calculated from the moment a case is registered with the Public Prosecutor’s Office. This is the reason why recidivism rates following detention sanctions are lower in the early period of observation.

**Figure b** Prevalence of general recidivism amongst juvenile offenders with a criminal case settled in 1997; set out as to type of sanction



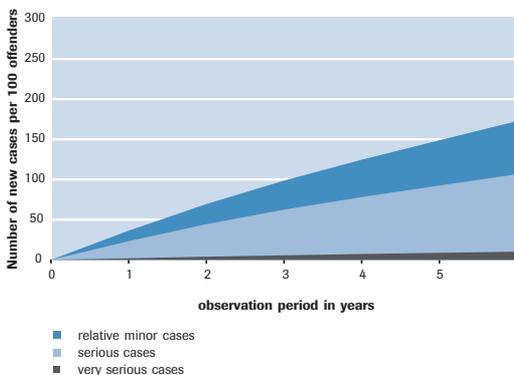
Recidivism frequency rates are highest amongst juvenile offenders following custodial sentences. After six years reoffenders in this sanction group have been arrested or reconvicted just under six times on average. The average number of criminal cases in the overall group of juvenile reoffenders is 3.5 after six years, a little lower than in adults. In comparison with adult offenders, the number of violent crimes amongst juvenile reoffenders is higher. Fines were imposed in one quarter of all recidivism cases, one quarter ended in community service orders and one quarter in custodial sentences.

### *The overall magnitude of recidivism*

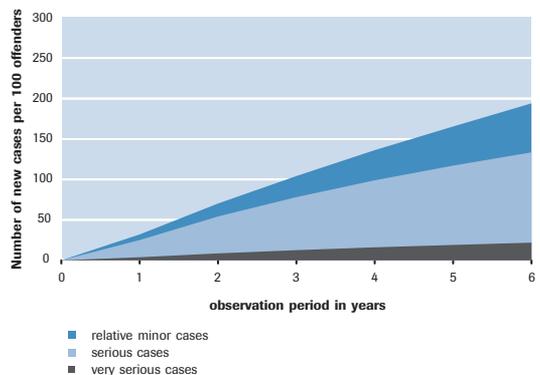
By combining the results as regards recidivism prevalence and frequency, we get an image of the magnitude of recidivism in the various sanction groups. *Figure c* sets out recidivism data for the overall group of adult offenders following their initial case in 1997. *Figure d* does the same for the overall group of juvenile offenders. The numbers are set out as to seriousness of the offences committed. We distinguish between relatively minor, serious and very serious offences.<sup>28</sup> The numbers are expressed per group of one hundred offenders.

The magnitude of recidivism amongst juvenile offenders is somewhat greater than amongst adult offenders. Each group of one hundred juvenile offenders had accumulated 194 new convictions six years after the initial case, compared with 173 amongst each group of one hundred adult offenders. Very serious recidivism – involving offences punishable by eight years or more, such as theft with violence and grievous bodily harm – makes up the difference. While this form of recidivism is not very common, it occurs twice as often amongst juvenile offenders compared with adult offenders. It underlines the fact that juveniles who are convicted at an early age need to be taken seriously as a group. Within this group it is the subgroup of juveniles who are sentenced to custodial sanctions who account for most recidivism cases. In adults these are more specifically the people who are imposed *brief* prison sentences.

**Figure c** Magnitude of recidivism amongst adult offenders with a criminal case settled in 1997; set out as to seriousness of offences prosecuted



**Figure d** Magnitude of recidivism amongst juvenile offenders with a criminal case settled in 1997; set out as to seriousness of offences prosecuted



28 This distinction is based on the maximum sentence applicable; see table 1.

*Which sanctions are effective?*

Recidivism rates are considerably lower after fines than after custodial sentences. This does not imply, however, that fines are necessarily more effective in reducing recidivism rates, since there are other factors to explain the difference. There are considerable differences between the offenders in the various sanction groups, for example. In order to be able to determine the effectiveness of a penal intervention, research needs to be carried out to compare respondents' recidivism rates with recidivism rates in a group that is comparable in all aspects.<sup>29</sup> This survey merely corrects the influence of the *measured* inflow differences by means of a prognosis model. This type of model can help predict, for each sanction group, the rate of recidivism that is to be expected when measured solely based on the offenders' background characteristics. If actual recidivism rates are lower than expected, the drop could be explained by the sanction imposed or by any other factor not measured in this research.<sup>30</sup>

In general, the differences found between the observed and the predicted recidivism rates were not very great, both for the sanctions imposed on adults and sanctions imposed on juvenile offenders. In the adult offender group the brief custodial sentences show a higher rate of recidivism than expected, while the longer prison terms show a lower rate. Settlements and discretionary dismissals by the Public Prosecutors Office prove have more favourable outcomes than expected. It remains unclear, however, what the exact reason is for these differences. It could be that brief custodial sentences are less effective in preventing recidivism, but most probably it is the result of non-measured differences between the offenders in the various sanction groups. In juvenile offenders the recidivism rates observed are higher than expected following custodial sanctions and probation. The community service order, the fine and the discretionary dismissals are performing better than expected.

*In conclusion*

This study does not provide clear-cut statements regarding the efficacy of criminal interventions. It does, however, provide an overview of recidivism that follows broad categories of imposed in the Netherlands. A study at this scale is possible only if use can be made of existing records of automated data. In addition to the offender groups that are the central features in this report, the WODC also carries out measurements amongst former inmates, former pupils of correctional institutions for juveniles and mentally disturbed offenders whose placement under a entrustment order has been terminated. The Recidivism Monitor provides the Ministry of Justice with an overview of the outflow results of all criminal interventions. Additional and more detailed studies should give a better insight into the effectiveness of the particular sanctions.

29 The best way to achieve this is by means of a random allocation of respondents in research and control groups.

30 This procedure is similar to the one followed by Lloyd, Mair and Hough (1994).