

## Summary

### **Recidivism after domestic violence**

#### **Recidivism of perpetrators of domestic violence who were convicted between 2008 and 2013**

For the last 20 years, domestic violence (abbreviated DV) has been recognized as a major social problem and is high on the political agenda in the Netherlands. Various health programs have tried to address this health and safety problem. The main goal of these programs is to reduce the extent and severity of domestic violence. The programs consist of a wide range of measures aimed primarily at raising awareness, by making the magnitude of the problem visible, setting out normative guidelines, by making it clear that domestic violence is not tolerated, improving collaboration between stakeholders, improving care and assistance for victims, and the development of screening instruments and offender interventions.

In this report, we examine the recidivism of DV-perpetrators who were convicted between 2008 and 2013. This research is part of a five-year research program into recidivism among perpetrators of domestic violence and child abuse. In the present study, the research questions were:

- 1 How many individuals are convicted annually for domestic violence?
- 2 What are the characteristics (personal and criminal case characteristics) of domestic violence perpetrators and how do the characteristics of this group compare to the characteristics of the total group of convicted perpetrators?
- 3 What is the recidivism rate for perpetrators of domestic violence: what percentage of domestic violence perpetrators came back into contact with the criminal justice system within two years of their DV criminal case? How does the prevalence of recidivism for this group compare to the prevalence of recidivism for the total group of convicted offenders? Three forms of recidivism are examined: general, violent, and domestic violence recidivism.
- 4 Which personal characteristics are related to whether or not domestic violence perpetrators recidivate and how do these compare to those for the total group of convicted perpetrators?
- 5 How do recidivism rates among domestic violence perpetrators develop over time, taking into account shifts in the background characteristics of perpetrators?

### **Method**

The research was carried out according to the WODC recidivism monitor procedures and data from the Research and Policy Database for Judicial Information (OBJD) was used to measure recidivism. The OBJD is a pseudonymous version of the Justice Documentation System (JDS), the Dutch legal registration system for criminal cases. The use of the OBJD implies that only crime that comes to the Public Prosecution Service's attention is included in this research. Therefore, offences and offenders that are not detected by the police and are not prosecuted by the Public Prosecution Service are not taken into consideration.

The group examined in the current study includes perpetrators of domestic violence who were prosecuted by the Public Prosecution Service between 2008 and 2013 and where a domestic violence offence was proven. More specifically, these are perpe-

trators for whom the domestic violence offence has irrevocably ended in a court order or has been settled by the Public Prosecution Service (including discretionary dismissals, but excluding acquittals, technical dismissals and other technical decisions).

To put the background characteristics and recidivism percentages of the convicted DV-perpetrators in perspective, these data are compared to the characteristics and recidivism rates of a reference group of all convicted offenders in the Netherlands. This reference group includes all perpetrators of a criminal offence in which the criminal case was terminated irrevocably in a court order or was settled by the Public Prosecution Service.

This study was carried out following the WODC recidivism monitor procedures. According to the recidivism monitor, recidivism is defined as the registration of a punishable offence (by an ex-offender) in the Judicial Documentation. There are a number of criteria for the measurement of recidivism. In this study three criteria are examined: general recidivism, violent recidivism, and special recidivism. General recidivism refers to when a person is reconvicted for any new offence. Violent recidivism refers to when a person is reconvicted for a violent offence. In this study, special recidivism refers to when a person is reconvicted for the same kind of offence as the original offence, that is, a domestic violence offence. Recidivism rates have been calculated using survival analysis. This is adjusted for incapacitation time, in other words, the time that offenders were in detention and reoffending was not possible.

To see how the two-year recidivism prevalence among the DV-perpetrators developed between 2008 and 2013, adjusted recidivism rates have been calculated, in addition to the actual recidivism rates. Actual recidivism percentages are adjusted using a statistical prediction model. The reason for this correction is that fluctuations in the level of recidivism may be the result of shifts in the composition of a group over time. Indeed, as well as the background of the perpetrators, the risk profile of perpetrators can also change.

## Key findings

The most important findings of the study are described below.

### Total annual convictions

- The results do not show a clear trend in the number of convicted perpetrators of domestic violence. The number of convicted DV-perpetrators between the years 2008 and 2013 fluctuates between 6,500 and 8,000 per year.

### Background characteristics

- The vast majority of convicted DV-perpetrators in 2013 were male, namely 91%. The percentage of males in the total group of convicted offenders for this year was 82%.
- At the time of their domestic violence offence the convicted DV-perpetrators were, on average, slightly older than the total group of convicted perpetrators: 36 versus 34 years. This difference is also reflected in the distribution of the age categories: only 15% of the domestic violence perpetrators was younger than 23 at the time of their criminal case, while this percentage was 25% for all perpetrators.
- Looking at criminal history, we see that DV-perpetrators convicted in 2013 have come into contact with the law frequently and for a range of different offences.

Of the DV-perpetrators, 70% has one or more previous criminal cases, 40% has previous criminal cases relating to a violent crime, and 4% has previous criminal cases relating to a domestic violence offence.

- In 82% of the cases in 2013, domestic violence consisted of physical violence. The majority of the DV-cases was simple assault (78%); more severe physical violence such as aggravated assault and fatal violence occurred considerably less often (respectively 3% and 1%).
- The DV-perpetrators convicted in 2013 were mostly punished with community service (36%) or a discretionary dismissal (33%). Despite the fact that community service was the most common settlement in 2013, the share of community service orders has declined over time, from 52% in 2009 to 36% in 2013. At the same time, the share of discretionary dismissals has increased significantly over time, from approximately 10% between 2008 and 2010 to 33% in 2013.
- The results show that the Rotterdam district was overrepresented in domestic violence criminal cases: 16% of all DV-cases was settled in this district, while the district accommodates just 10% of the Dutch population.

### **Recidivism**

- The recidivism analysis shows that 32% of domestic violence perpetrators from 2013 received a reconviction for any offence within two years of their DV case (general recidivism), 16% had a new criminal case due to a violent crime (violent recidivism), and 8% of the group was reconvicted for a domestic violence offence (special recidivism). Recidivism among all convicted perpetrators from 2013 was slightly lower: 28% was reconvicted within two years for any crime and 9% for a violent crime. Although these percentages relate exclusively to the first case of recidivism, they seem to support the earlier conclusion that convicted DV-perpetrators do not limit their offending to domestic violence, but commit various crimes and, in particular, violent crimes.

### **Correlation between personal characteristics and recidivism**

- Approximately 41% of the convicted domestic violence perpetrators aged 18 to 30-years-old was reconvicted within two years for any offence (general recidivism), while this percentage for the 18 to 30-year-olds in the total group of convicted perpetrators was 31%. It also appears that these young adult DV-perpetrators were more likely to reoffend with a domestic violence offence than younger and older DV-perpetrators.

### **Recidivism over time**

- Looking at the development of recidivism, it appears that two-year general recidivism, when adjusted for shifts in the background characteristics of the perpetrators over time, is fairly stable among DV-perpetrators in the period 2008 to 2013. Recidivism prevalence during this period varies from 30% to 33%.

### **Limitations and future research**

The current study has some limitations, which also offer starting points for follow-up research. A first limitation is that the present study uses data from the judicial documentation system. This means that only offences and offenders that are detected by the police and are prosecuted by the Public Prosecution Service are included in the current study. This is particularly troublesome, as it is well known that domestic violence often remains hidden from the police and judiciary.

This limitation leads to two suggestions for future research. First, in order to fully explore the extent and development of domestic violence over time, we recommend including questions relating to domestic violence the Safety Monitor ('Veiligheidsmonitor'), the Dutch annual population survey on crime and safety. Second, we recommend using police records to measure recidivism. Not all domestic violence incidents reported to the police are forwarded to the Public Prosecution Service for prosecution and therefore this would be a useful source of data.

A second limitation is that, whilst the current study took a first step in examining the development of recidivism over time, the picture is not yet complete. The initial aim of this study was solely to provide a description of the recidivism development of domestic violence perpetrators. However, by correcting for shifts in the background characteristics of the DV-perpetrators we went beyond this. What we did not take in account were registration effects and general developments in crime and crime control, which have an influence on the development of recidivism. This second limitation gives rise to two suggestions for future research. First, we recommend that interventions used in recent years to reduce reoffending among domestic violence perpetrators should be individually assessed and evaluated in terms of recidivism. These interventions may include BORG, a behavioral intervention by the probation service, several treatments for DV-perpetrators, community service, and discretionary dismissals. Another suggestion for follow-up research is to include additional background characteristics of the perpetrators in the study, so that the precise development of recidivism becomes better visible and more insight can be gained into the background and causes of recidivism among domestic violence perpetrators.