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Reconviction rates of serious sex offenders and assessments of their risk

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This study examined reconviction rates of serious sex offenders four and six years after they were released from long determinate sentences of imprisonment. It shows how many of those identified as 'high risk' by members of the Parole Board were subsequently reconvicted of a sexual or serious violent crime. These 'clinical' predictions were compared with an 'actuarial' risk prediction instrument for sex offenders. The findings challenge some preconceptions about the risks posed by sex offenders and have implications for sentencing and parole policies.

Key points

- The proportion reconvicted of another sexual offence during both follow-up periods was relatively low: less than 10%, even amongst those who could be followed up for six years. However, those who were reconvicted committed very serious crimes.
- The proportion reconvicted varied according to the type of victim:
 - none of those imprisoned for an offence against children in their own family unit was reconvicted of a sexual or serious violent crime
 - just over a quarter of those imprisoned for a sexual crime against a child victim *not* in their family were reconvicted of another sexual offence, and nearly a third were imprisoned for a sexual or violent crime
 - of those imprisoned for an offence against an adult, one in 13 was reconvicted of a sexual offence, and one in seven was imprisoned for a sexual or violent offence within six years of release from prison.
- All those subsequently convicted of a further sexual offence within the four-year follow-up period (and all but one followed-up for six years) had been identified as 'dangerous' or 'high risk' by at least one member of the Parole Board panel.
- However, nine out of ten of those thought to pose a 'high risk' were *not* reconvicted of a sexual offence within four years of their release (three-quarters of those followed up for six years). They were 'false positives'. Particularly prominent amongst them were:
 - offenders against children within their own family
 - those who denied their offence: only one 'high-risk' 'denier' was reconvicted of a sexual crime.
- Where no member of the Parole Board panel identified a sex offender as a 'high risk', only one was reconvicted of a sexual offence even after six years – the sole 'false negative'.
- An actuarial risk assessment instrument (Static-99) produced fewer 'false positives' but more 'false negatives' than Parole Board members' assessments of 'high risk'.

The sample consisted of 192 male sex offenders, serving determinate sentences of four years or longer, considered for parole in 1992, 1993 and 1994. The Offenders Index was searched and reconviction data were obtained for 162

prisoners followed-up for four years, and 94 followed-up for six years. Their parole dossiers were available, as well as transcripts of discussions when the prisoners had been considered for parole.

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It was thus possible to identify cases where at least one member of the panel thought there was a 'high risk' that the prisoner would commit another serious offence. These 'clinical' risk assessments were related to the reconviction data and then compared with predictions based on risk scores obtained from an actuarial risk assessment instrument for sexual offenders, known as Static-99.

Characteristics of the prisoners studied

Types of offences for which imprisoned

- 60% of the prisoners had committed offences against *children* (under the age of 16), and in 67% of these cases the victim or victims were confined to the offender's own family unit (i.e. the offenders were parents, step parents, grandparents or other close relatives). 59% of them had been convicted of rape, attempted rape, buggery or attempted buggery; the remainder of a serious indecent assault or indecency with a child (26%), incest (10%), or unlawful sexual intercourse (4%). Almost a quarter (23%) had assaulted at least one male victim. Only 8% had victimised males alone.
- Almost nine out of ten of those who had committed sexual offences against *adults* had been convicted of rape or attempted rape; the rest of a very serious indecent assault. Half had committed their offences against strangers (defined as victims known by the offender for less than 24 hours before the offence), and none had been convicted for assaulting a male victim.

Previous criminal history

- 79% of those serving their sentence for an offence against a child and 75% whose victim had been an adult had no previous conviction for a sexual offence. Of those who had at least one prior sexual conviction, 42% of both groups had more than one. A third of those imprisoned for an offence against a child outside their own family had a history of known sexual offending, compared with only 14% of those who had victimised solely family members. Of those with a prior conviction for a sexual offence, only 16% had previously served a sentence of four years or more for it.

- Those imprisoned for offences against children, whether within or outside the family, were considerably older on average (45 years) than the offenders against adults (32 years) on release from prison.

Reconvictions

Distinctions were drawn between reconvictions for sexual, violent non-sexual and other offences. Tables 1 and 2 show that 4.3% were reconvicted of a sexual offence within four years of their release from prison; 8.5% within six years. All these convictions resulted in a further lengthy custodial sentence. When 'serious' violent offences (those resulting in imprisonment) were added, the proportion reconvicted rose to 9.3% within four years and 12.8% within six years. The total percentage imprisoned for any offence was 12.8% within four years and 18.1% within six years. Altogether, 23.5% and 30.9% were reconvicted of any offence (whether imprisoned or not) by the end of the four- and six-year follow-up periods.

Reconvictions according to victim type

- None of those originally imprisoned for an offence solely against children in their own family unit was reconvicted of a sexual or a serious violent crime, even when the follow-up period was extended to six years.
- In contrast, amongst those followed-up for six years, as many as 26.3% of those originally imprisoned for a sexual crime against a child victim outside the family were reconvicted of another sexual crime, and 31.6% were imprisoned for a sexual or violent crime.
- The reconviction rate for those originally imprisoned for an offence against an adult was lower: 7.5% were reconvicted of a sexual offence within six years, and 15% were imprisoned for a sexual or violent crime.

There was evidence of a degree of 'specialisation' in reoffending patterns amongst those who had been sentenced on more than one occasion for a sexual offence (37 of the 162 followed-up for four years). Nevertheless, a sizeable minority of recidivist sexual offenders switched between child and adult victims:

Table 1 Type of reconvictions of sex offenders by original offence type: four-year follow-up

Type of reconviction	Against children		Against adults		Total	
	Intra-familial %	Extra-familial %	Non-stranger %	Stranger %	n	%
Any sexual offence and imprisoned	0.0	9.1	9.7	2.9	7	4.3
Any sexual or violent offence and imprisoned	0.0	15.2	12.9	17.6	15	9.3
Other offence and imprisoned	1.6	3.0	6.5	5.9	6	3.7
Total imprisoned	1.5	18.2	19.4	23.5	21	12.8
Reconvicted but not imprisoned	6.3	3.0	19.4	17.6	17	10.5
Total reconvicted	7.8	21.2	38.7	41.2	38	23.5
Not reconvicted	92.2	78.8	61.3	58.8	124	76.5
Total	64	33	31	34	162	

Table 2 Type of reconvictions of sex offenders by original offence type: six-year follow-up

Type of reconviction	Against children		Against adults		Total	
	Intra-familial %	Extra-familial %	Non-stranger %	Stranger %	n	%
Any sexual offence and imprisoned	0.0	26.3	9.5	5.3	8	8.5
Any sexual or violent offence and imprisoned	0.0	31.6	14.3	15.8	12	12.8
Other offence and imprisoned	2.9	5.3	4.8	10.5	5	5.3
Total imprisoned	2.9	36.8	19.1	26.3	17	18.1
Reconvicted but not imprisoned	8.6	10.5	19.1	15.8	12	12.8
Total reconvicted	11.4	47.4	38.1	42.1	29	30.9
Not reconvicted	88.6	52.6	61.9	57.9	65	69.1
Total	35	19	21	19	94	

- Of 24 whose first sexual conviction was for an offence against a child, 71% repeated their sexual offences against children only. The rest changed to offending against an adult victim on at least one occasion.
- Of 13 whose first sexual conviction was for an offence against an adult, 62% repeated their sexual offences against adults only, but 38% switched to a child victim on at least one occasion.

Parole Board members' assessment of risk

Table 3 shows that all of those who were subsequently convicted of a further sexual offence within the four-year follow-up period had been identified as 'dangerous' or 'high risk' by at least one member of the panel that reviewed their parole application: they were 'true positives'. However, most of those identified as 'high risk' were not reconvicted of a

sexual offence. They were 'false positives'. Indeed, 92% of them were not reconvicted of a sexual offence by the end of the four-year follow-up period, and 87% were not reconvicted and imprisoned for a sexual or a violent crime.

As one would expect, the 'false positive' rate was lower amongst those who could be followed-up for six years. Even so, it was still 78% for a sexual reconviction, and 72% for a sexual or violent reconviction leading to imprisonment.

Particularly prominent among the 'false positives' were:

- offenders against children within their own family, none of whom was reconvicted of a sexual offence or imprisoned for a violent offence within either the four- or six-year follow-up period
- 'deniers', who are often assumed to be a particularly high risk because of their refusal of, or unsuitability

Table 3 Parole Board Panel members' assessment of risk and reconviction by type of offence: four-year and six-year follow-up

Follow-up period	Type of reconviction	Parole Board 'High risk'	Parole Board 'Not high risk'	Total
4 years	Reconvicted and imprisoned for a sexual offence	7	0	7
	Reconvicted and imprisoned for a violent offence	4	2	6
	Either not reconvicted OR convicted but not for sex or violence	71 ¹	60	131
	Total	82	62	144³
6 years	Reconvicted and imprisoned for a sexual offence	7	1	8
	Reconvicted and imprisoned for a violent offence	2	1	3
	Either not reconvicted OR convicted but not for sex or violence	23 ²	50	73
	Total	32	52	84⁴

Notes: ¹ 92% 'false positive' rate for sexual conviction; 87% for sexual or serious violent reconviction. ² 78% 'false positive' rate for sexual conviction; 72% for sexual or serious violent reconviction. ³ Excluding 18 other cases where the panel did not mention the degree of risk because the review had taken place very early in the sentence. None of these 18 prisoners was reconvicted for a sexual offence. ⁴ Similarly, excluding 10 cases where risk was not mentioned, none of whom was reconvicted of a sexual crime.

for, sex-offender treatment. They made up a third of those for whom an assessment of risk was made by Parole Board members and who could be followed-up for four years. Two-thirds of them were assessed as 'high risk'. Yet only one of these 'high risk deniers' was reconvicted of a sexual crime (as well as one whose risk had not been assessed). Thus, the reconviction rate for another sexual offence amongst deniers was only 4.3%. No other 'deniers' were reconvicted, even amongst those who could be followed-up for six years.

Where no member of the Parole Board panel had identified a sex offender as 'high risk', the prediction turned out to be correct in all but one case: they were the 'true negatives'.

Static-99 compared with Board members' assessment of risk

Parole Board members' assessments of 'high risk' were compared with scores obtained by applying a new actuarial risk assessment instrument for sexual offenders, known as Static-99, which gives 'weights' to a variety of risk factors. Static-99 proved to be a good predictor of reconviction for a sexual offence. Thus, in the four-year follow-up sample, only one of the 100 prisoners classified as 'low' or 'medium-low' risk by Static-99 was reconvicted of a sexual crime, while as many as 14% in the 'high' risk band were reconvicted of such an offence. However, if Static-99 had been used as the basis for predicting serious reconvictions it would have produced more 'false negatives' than the members of the Parole Board: of the seven reconvicted of a sexual offence within four years, only three had been classified as 'high' risk by Static-99, whereas all seven had been identified as 'high risk' by at least one member of the Parole Board panel.

Implications

The findings of this study have implications for policy developments in the risk assessment of sex offenders. The study confirms that the sexual reconviction rate amongst sex offenders released from long-term determinate sentences is generally lower than most people appear to believe. However, amongst the one-fifth of the sample who had committed offences against children *outside* the family, the

reconviction rate was not insubstantial (about one in four within six years). In addition, all those who were reconvicted of a sexual offence committed very serious crimes for which they received lengthy prison sentences.

On the other hand, the analysis also revealed that most of those judged to be 'dangerous' or 'high risks' were not reconvicted of a sexual offence or imprisoned for a violent crime, even after lengthy follow-up periods. Decision-makers at the time (there have been changes to the parole system since these judgements were made, see Hood and Shute, 2000) were particularly prone to over-estimate the risk (at least as measured by reconviction) posed by sex offenders who had victimised children in their own family unit and those who had denied their sexual offending. This raises the question whether sex offenders who deny their offences, and therefore do not accept their need for treatment, pose a particularly high risk of repeating their sexual crimes. It also, more generally, suggests caution in assuming that there will be a marked reduction in sexual reconvictions if all those identified as 'high risk' were to be subjected to very much longer indeterminate sentences of imprisonment.

It has been noted (Friendship and Thornton, 2001) that the proportion of sexual offenders reconvicted of a further sexual crime has declined in recent years (from around 12% to around 5% within a four-year follow-up period). A study of men released from sentences of four years or longer in 1980 found that only 25% had been imprisoned for an offence against a child, whether within or outside the family (Thornton and Travers, 1992). The sample drawn for this study, however, contained a high proportion (41%) of sex offenders who had offended against children within their own family. None of these offenders was reconvicted of a sexual or serious violent offence. This suggests there has been an increase in the proportion of 'intra-familial' offenders in the prison population which may provide a hitherto unrecognised explanation for the overall decline in reconviction rates.

An obvious limitation of any study that relies on official records of conviction is that it cannot measure the 'true' rate of reoffending, which is widely believed to be a lot higher than the reconviction rate. Much would be gained if it were possible to get better, more accurate, measures of reoffending rather than relying solely on reconviction.

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For a more detailed account, see Roger Hood, Stephen Shute, Martina Feilzer and Aidan Wilcox (2002). 'Sex Offenders Emerging from Long-Term Imprisonment: A Study of Their Long-term Reconviction Rates and of Parole Board Members' Judgements of Their Risk'. *British Journal of Criminology*, 42, 371-394.

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