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PROBATIONERS  
AND THEIR  
REOFFENDING

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## FOREWORD

This study is published contemporaneously with a study of residential and non-residential periodic detention. In both studies reoffending was the principle variable used in the analysis.

The concept of probation in New Zealand has a long history. It was not the objective of this study to define or discuss the functioning of the probation system. The study is simply an analysis of persons released on probation who reoffend as against those who do not. Nevertheless, the conclusions which may be drawn from a study such as this inevitably raise other fundamental questions relating to the administration of the sentence and its inter-relationship with the total criminal justice system.

The apparently high rate of reoffending should not, however, be interpreted as a failure of probation as a concept. There are other values attaching to a community based programme that may not be reflected in a simple success/failure dichotomy. What it does indicate is the need to now re-examine the shape of the probation system as it has developed. The aims and objectives can then be re-defined in the context of the concept of probation and of total penal policy and in the light of current social conditions. As the report points out, evaluative research to determine the qualitative value of a probation sentence has been neglected in New Zealand. Operating as it does in New Zealand's own unique social environment overseas studies of probation methods may be of limited value. Any such study however, must be designed as part of a comprehensive analysis of all penal sanctions so that they can be effectively meshed into a planned criminal justice policy.

Turning to the study itself, the profile of a reoffender in terms of education, employment factors and criminal history tends to support the belief of many that much deviant behaviour has its genesis in social conditions.

We find in this study, as we did in the periodic detention one, that a substantial proportion of further offending occurs within a few months of the original conviction. Identification of this "at risk" period may be of particular relevance in any general review of penal policy and assist in determining the nature of penal sanctions, their style and their content.

Too often studies of criminal offending ignore females. This study examines the male/female dichotomy by a number of variables. The differential in reoffending between the sexes is marked. This too may be a factor of significance in considering appropriate sanctions and facilities for female offenders.

The data collection for this study was undertaken by Ms S.E. Back, formerly an Assistant Research Officer in the Department. The report was prepared by Ms P.C. Oxley, a Senior Research Officer. Our thanks to Mr G. Dickinson of the Applied Mathematics Division of the D.S.I.R. for his assistance in the analysis of the data.

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## 1. INTRODUCTION

The last major exercise assessing probation in terms of reoffending was undertaken in 1967,<sup>1</sup> 1964 probation sentences being the basis of the study. Ten years later it was considered time to update this study, re-establish the reconviction rate and investigate the reoffending of probationers in more depth.

The success or failure of a probation sentence is by no means just a matter of whether the probationer reoffends or not. The prevention of reoffending is, however, a critical objective of any penal measure and it is on this aspect of probation that this study concentrates.

A qualified measure of reoffending is relatively easy to obtain. The major qualification is that we are in fact measuring only apprehended reoffending as evidenced by convictions. A reconviction was defined as any conviction committed within 30 months of the original probation sentence and which was recorded in the Police Gazette. Traffic offences and some very minor offences are not recorded in the Gazette. The Wanganui Computer Centre will in time provide us with a more comprehensive record of prosecutions but at the time of data collection for this study the Police Gazette was the only available record.

The two main questions which guided the analyses were firstly, what distinguishes the reoffender from the non-reoffender, and secondly, does the persistent offender's criminal activity become progressively more serious or does it gradually become less of a problem.

The 1967 study thoroughly investigated reoffending in relation to offence, sex and age. As well as these factors, the present study introduces other factors in order to give a more comprehensive picture as outlined in the objectives above. Previous offending is one factor that is considered to be particularly relevant. The personal and social information given in the probation report is also incorporated into the analysis.

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<sup>1</sup> Department of Justice, Probation Study. A Study of People Released on Probation in 1964, 1967.

## 2. THE SAMPLE

The sample consists of 500 persons randomly selected from all persons sentenced to probation between July and December 1974. Persons sentenced to prison or periodic detention as well were not included. There are 405 males (81%) and 95 females (19%) in the sample. This male-female ratio is consistent with that of all persons sentenced to probation in 1974 - 79.3% and 20.7% respectively.<sup>1</sup>

As one would expect in a sample derived from the criminal justice system, it is a relatively young group. Over 70% were 20 years or less (Table 1).

TABLE 1            AGE OF PROBATIONERS

<u>Age</u>	<u>No.</u>	<u>%</u>
15 - 20	353	70.6
21 - 25	85	17.0
26 - 30	28	5.6
31+	34	6.8
<hr/>		
Total	500	100.0

TABLE 2            TYPE OF OFFENCE

<u>Offence</u>	<u>No.</u>	<u>%</u>
against the person	74	14.9
sexual	17	3.4
serious property	75	15.1
other property	197	39.6
fraud, false pretences, etc.	26	5.2
property damage	20	4.0
drug misuse	22	4.4
against public order or morality	47	9.4
against legal processes	8	1.6
miscellaneous	12	2.4
<hr/>		
Total	498	100.0

1 Department of Statistics, Justice Statistics 1974.

Table 2 shows the type of offence for which the probationer was sentenced. Most of the offences (64%) involved property of one kind or another. Offences against the person accounted for another 18% of the offences.

Shorter terms of probation were more usual than longer ones. As Table 3 shows almost half the sentences were for one year or less. There were no differences of any significance between male and female in this respect.

TABLE 3            LENGTH OF PROBATION SENTENCE

<u>Length</u>	<u>Male</u>		<u>Female</u>		<u>Total</u>	
		<u>%</u>		<u>%</u>		<u>%</u>
12 months or less	182	44.9	44	46.3	226	45.2
over 12 months to 18 months	132	32.6	34	35.8	166	33.2
over 18 months to 3 years	91	22.5	17	17.9	108	21.6
	<hr/>		<hr/>		<hr/>	
Total	405	100.0	95	100.0	500	100.0

TABLE 4            NUMBER OF FINES, DRIVING DISQUALIFICATIONS AND CONDITIONS ATTACHED TO PROBATION SENTENCE

<u>Conditions</u>	<u>No.</u>	<u>%</u>
none	142	28.4
1	171	34.2
2	110	22.0
3	53	10.6
4	19	3.8
5	5	1.0
	<hr/>	
Total	500	100.0

Table 4 shows the number of additional conditions attached to probation sentences. Fines and disqualifications from driving are included as a condition. The table shows that probationers who were sentenced to probation only were a minority. It was more usual to have one or two special conditions attached to the sentence. 15% of probationers had three or more special conditions to observe.

Just over half (254) of the probation sentences were accompanied by a fine and 57 (11.4%) of the offenders were disqualified from driving. Table 5 shows the incidence of special conditions attached to the probation sentence. Nearly one-third of the probationers were ordered to reside and/or work where directed by the probation officer, a common condition with considerable scope for supervision and direction. 11.6% were ordered to perform community work and 11% had their wages and/or finances placed under the control of the probation office. The remaining conditions were of a more specific nature, e.g., to take out a prohibition order or to abstain from liquor or drugs, to undergo medical, psychiatric or psychological treatment, not to own or have a financial interest in a motor vehicle.

TABLE 5            INCIDENCE OF THE DIFFERENT CONDITIONS ATTACHED TO PROBATION

<u>Condition</u>	<u>No.</u>	<u>%</u>
reside and/or work where directed	147	29.4
community work	58	11.6
wages and/or finances under control of probation officer	55	11.0
prohibition order, abstain from liquor or drugs	35	7.0
medical, psychiatric, psychological treatment	32	6.4
not to own or have financial interest in motor vehicle	8	1.6
other	13	2.6

### 3. REOFFENDING

A period of 30 months from the day of sentence was allowed for canvassing the reoffending of each probationer.

59% (295) of the probationers had been reconvicted of an offence within 30 months of their original (for purposes of this study) probation offence. This is taken as the basic reoffending rate. The number of reconvictions per person incurred within this period is shown in Table 6. Of those who did reoffend, over half (57.2%) had three reconvictions or fewer. As the number of reconvictions increased, the incidence of cases decreased. The average number of reconvictions per reoffender was 4.4. In this context the number of reconvictions refers to each offence and not court appearances. In other words, if more than one conviction arose from one incident, each offence was counted.

85.4% (252) of the reoffenders were convicted while still on probation. The remaining 16.6% were reconvicted for the first time once probation had terminated.

The time period within which the probationer first reoffended is shown in Table 7. Most probationers who reoffended, did so for the first time within six months of their sentence. As time passed, the incidence of first reconvictions decreased.

Distinct from the probationer's first reconviction is his most serious reconviction within the 30 months following his sentence. Table 7 shows that the first reconviction was not always the most serious. Whereas 68.7% of first reoffences were within 9 months, 51% of the most serious reconvictions were. Here again, the chances of committing one's most serious reoffence decreased as time passed.



TABLE 6                      NUMBER OF RECONVICTIONS WITHIN 30 MONTHS

<u>No. of Reconviictions Per Probationer</u>	<u>No.</u>	<u>as % of all Probationers</u>	<u>as % of Reoffenders</u>
0	205	42.4	excluded
1	75	15.5	27.0
2	47	9.7	16.9
3	37	7.7	13.3
4	22	4.6	7.9
5	21	4.3	7.6
6	20	4.1	7.2
7	14	2.9	5.0
8	9	1.9	3.2
9	10	2.1	3.6
10	7	1.4	2.5
11	4	0.8	1.4
12	6	1.3	2.2
13	3	0.6	1.1
14	1	0.3	0.4
15	2	0.4	0.7
dk	17	excluded	excluded
Total	500	100.0	100.0

TABLE 7                      TIME BETWEEN PROBATION SENTENCE AND  
(i) FIRST RECONVICTION  
(ii) MOST SERIOUS RECONVICTION

<u>Time Lapse</u>	<u>First Reconviction</u>		<u>Most Serious Reconviction</u>	
	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>
3 months or less	92	31.3	62	21.1
over 3 months to 6	75	25.5	57	19.4
over 6 months to 9	35	11.9	31	10.5
over 9 months to 12	21	7.1	22	7.5
over 12 months to 15	21	7.1	28	9.5
over 15 months to 18	15	5.1	20	6.8
over 18 months to 21	13	4.4	23	7.8
over 21 months to 24	15	5.1	24	8.2
over 24 months to 27	4	1.4	13	4.4
over 27 months to 30	3	1.0	14	4.8
Total	294	100.0	294	100.0

TABLE 8

TYPE OF ORIGINAL OFFENCE OF REOFFENDERS AND NON-REOFFENDERS;  
TYPE OF FIRST AND MOST SERIOUS REOFFENCE

<u>Offence</u>	<u>Original Offence</u>			<u>Reoffence</u>	
	(i)	(ii)	(iii)	(iv)	(v)
	<u>Non-Reoffenders</u>	<u>Reoffenders</u>	<u>Total Sample</u>	<u>First Reoffence</u>	<u>Most Serious Reoffence</u>
	<u>%</u>	<u>%</u>	<u>%</u>	<u>%</u>	<u>%</u>
against the person	14.2	15.3	14.9	13.9	28.9
sexual	4.9	2.4	3.4	1.4	2.4
serious property	9.8	18.7	15.1	12.2	19.4
other property	38.2	40.5	39.6	29.3	25.2
fraud, etc.	6.9	4.1	5.2	4.4	3.1
damage to property	7.4	4.4	4.0	5.8	4.4
drugs misuse	3.4	2.4	4.4	3.1	2.7
against public order					
or morality	12.7	7.1	9.4	18.0	8.2
against legal processes	1.0	2.0	1.6	10.5	5.4
miscellaneous	1.5	3.1	2.4	1.4	0.3
Total	100.0	100.0	100.0	100.0	100.0
number	(204)	(294)	(498)	(294)	(294)

The type of offence involved in the probationer's first and his most serious reconviction is shown in Table 8. For purposes of comparison the table incorporates the type of original offence for those who reoffended and those who did not.

Columns (i) and (ii) show that the original probation offence of reoffenders was slightly more serious than that of non-reoffenders in that the reoffenders were responsible for twice as much serious property offending, and for fewer offences against public order or morality.

Comparing the reoffender's first reconviction with his original offence (column (iv) with (ii)), the overall impression is that it was less serious than the earlier offence - less property offending and more against public order, morality and legal processes. Included in the 32 instances of offences against legal processes are 31 breaches of probation.

The most serious reoffence (column (v)) is another story. On the whole it was more serious than the original probation offence. There was still a good proportion of serious property offending but a considerably smaller incidence of lesser property offences. This was compensated by a large increase in offending against the person. It is interesting to note that in 16 cases (i.e. the 5.4% against legal processes), breach of probation was the reoffender's most serious offence.

Table 9 shows the most serious penalty the reoffender received against his most serious reoffence. Almost 10% had probation again as their severest penalty, mostly for offences against property and the person. One quarter had fines as the heaviest penalty. The use of fines spread across all types of offences but tended not to be used so much for offences against the person or the worst property offences. Almost 60% received penalties that can be considered more serious than probation, i.e. periodic detention or some form of custodial sentence. As we might expect, these penalties were mostly used for the more serious offence types - against the person and the more serious property offences.

TABLE 9

MOST SERIOUS PENALTY FOR REOFFENCE BY MOST SERIOUS REOFFENCE

<u>Most Serious Reoffence</u>	<u>Fine ≤ \$100</u>		<u>Fine \$101+</u>		<u>Probation</u>		<u>Periodic Detention</u>		<u>Imprisonment</u>			<u>Miscellaneous</u>		<u>Total</u>				
									<u>≤ 3 months, Det Centre</u>	<u>3 ≤ 6 months, Borstal</u>	<u>Over 6 months</u>							
		<u>%</u>		<u>%</u>		<u>%</u>		<u>%</u>	<u>%</u>	<u>%</u>	<u>%</u>		<u>%</u>		<u>%</u>			
against the person	13	20.6	2	16.7	8	28.6	10	38.5	13	28.3	24	35.3	14	38.9	1	6.7	85	28.9
sexual	-		1	8.3	1	3.6			2	4.3	2	2.9			1	6.7	7	2.4
serious property	1	1.6	1	8.3	4	14.3	4	15.4	9	19.6	26	38.2	12	33.3	-		57	19.4
other property	16	25.4	3	25.0	8	28.6	8	30.8	14	30.4	15	22.1	6	16.7	4	26.7	74	25.2
fraud, etc.	2	3.2	-		1	3.6			1	2.2	-	-	2	5.6	3	20.0	9	3.1
damage to property	9	14.3	1	8.3	1	3.6	1	3.8	-		-	-	1	2.8	-		13	4.4
drugs misuse	2	3.2	2	16.7	1	3.6	1	3.8	1	2.2	-	-	1	2.8	-		8	2.7
against public																		
order or morality	14	22.2	1	8.3	4	14.3			2	4.3	1	1.5	-		2	13.3	24	8.2
against legal																		
processes	6	9.5	-		-		2	7.7	4	8.7	-	-	-		4	26.7	16	5.4
miscellaneous	-		1	8.3	-		-		-		-	-	-		-		1	0.3
<b>Total</b>	<b>63</b>	<b>100.0</b>	<b>12</b>	<b>100.0</b>	<b>28</b>	<b>100.0</b>	<b>26</b>	<b>100.0</b>	<b>46</b>	<b>100.0</b>	<b>68</b>	<b>100.0</b>	<b>36</b>	<b>100.0</b>	<b>15</b>	<b>100.0</b>	<b>294</b>	<b>100.0</b>
<b>%</b>		<b>21.4</b>		<b>4.1</b>		<b>9.5</b>		<b>8.8</b>		<b>15.6</b>		<b>23.1</b>		<b>12.2</b>		<b>5.1</b>		<b>100.0</b>

TABLE 10      REOFFENDING BY LENGTH OF PROBATION

<u>Reoffend</u>	<u>Probation Length</u>					
	<u>≤ 1 yr</u>		<u>1 yr ≤ 18 mths</u>		<u>18 mths ≤ 3 yrs</u>	
		<u>%</u>		<u>%</u>		<u>%</u>
yes	125	55.6	102	61.1	68	63.0
no	100	44.4	65	38.9	40	37.0
Total	225	100.0	167	100.0	108	100.0

TABLE 11      SERIOUSNESS OF REOFFENCE BY LENGTH OF PROBATION

<u>Reoffence Seriousness</u>	<u>Probation Length</u>					
	<u>≤ 1 yr</u>		<u>1 yr ≤ 18 mths</u>		<u>18 mths ≤ 3 yrs</u>	
		<u>%</u>		<u>%</u>		<u>%</u>
minor	20	15.9	11	11.0	10	14.7
moderate	46	36.5	36	36.0	22	32.4
major	60	47.6	53	53.0	36	52.9
Total	126	100.0	100	100.0	68	100.0

Tables 10 and 11 investigate the length of the original probation sentence in relation to reoffending.

There was a slight tendency for probationers with shorter terms not to reoffend as much as others, but on the whole the differences in reoffending rates according to length of probation were not substantial (Table 10).

And again, for those who did reoffend, length of probation was not particularly related to the seriousness of the reoffence (Table 11).<sup>1</sup> A not very notable exception to this was persons with medium length terms who had fewer minor and more major reoffences.

<sup>1</sup> See Appendix 1 for these redefinitions of offence seriousness.

In a similar vein, Table 12 looks at the relationship between the number of special conditions attached to probation and the reoffending rate. Non-reoffenders and reoffenders were not differentiated by the number of conditions attached to their probation sentence (Table 12).

TABLE 12                    NUMBER OF CONDITIONS ATTACHED TO PROBATION BY REOFFENDING

<u>Conditions</u>	<u>Non-Reoffenders</u>		<u>Reoffenders</u>	
	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>
0	61	29.8	81	27.5
1	71	34.5	100	33.9
2	43	21.0	67	22.7
3	20	9.8	33	11.2
4	7	3.4	12	4.1
5	3	1.5	2	0.7
Total	205	100.0	295	100.0

The implicit hypothesis examined in tables 10, 11 and 12 is that the length of probation and the attaching of special conditions will act as deterrents to reoffending. We can make no such general conclusion from these results. We do not know the rationale applied by the judicial officer when deciding the appropriate period of probation nor do we know his objective when fixing special conditions. The assumption of deterrence implied in the above hypothesis is only one possibility. The "treatment" potential of probation, and of conditions in particular, and other social objectives such as "stiffening up" the overall penalty are others.

#### 4. BREACH OF PROBATION

Of the 294 probationers who reoffended, 64 were convicted for breaching their probation, i.e. 21.8% of reoffenders and 12.8% of the total sample.

TABLE 13      PERIOD AFTER SENTENCE WHEN BREACHED

<u>Period</u>	<u>Probationers Breached</u>	
	<u>No.</u>	<u>%</u>
3 months or less	7	10.9
over 3 months to 6	15	23.4
over 6 months to 9	14	21.8
over 9 months to 12	11	17.2
over 12 months to 18	7	11.0
over 18 months to 24	8	12.5
over 24 months to 30	2	3.2
Total	64	100.0

Table 13 shows the period after the probation sentence when the person was convicted of a breach. The three to nine months period after probation was ordered appears to be the time when probationers are most at risk for breaching - over half the breaches had occurred within nine months.

In 31 of the 64 cases the breach was the probationer's first reoffence, and in 16 it was the most serious reoffence.

TABLE 14      TYPE OF ORIGINAL PROBATION OFFENCE BY BREACH OF PROBATION

<u>Offence</u>	<u>Breach</u>		<u>No Breach</u>	
	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>
against the person	9	14.1	65	15.0
sexual	2	3.1	15	3.5
serious property	11	17.2	64	14.7
other property	25	39.1	172	39.6
fraud, etc.	4	6.3	22	5.1
property damage	2	3.1	18	4.1
drug misuse	3	4.7	19	4.4
against public order or morality	3	4.7	44	10.1
against legal processes	5	7.8	3	0.7
miscellaneous	0	-	12	2.8
Total	64	100.0	434	100.0

Most offences had no particular association with breaching probation. There were two exceptions to this: there was a relatively high proportion of probationers who breached who originally were convicted of offences against legal processes (though there were few cases of this in all), and there were relatively few who were originally sentenced for offences against public order or morality.

TABLE 15      NUMBER OF PREVIOUS CONVICTIONS BY BREACH OF PROBATION

<u>No. of Previous Convictions</u>	<u>Breach</u>		<u>No Breach</u>		<u>Total</u>
0	6	4.0%	143	96.0%	100%
1	5	7.6%	61	92.4%	100%
2	9	17.0%	44	83.0%	100%
3	3	9.7%	28	90.3%	100%
4 - 6	14	22.6%	48	77.4%	100%
7 - 10	13	24.5%	40	75.5%	100%
11+	13	16.0%	68	84.0%	100%
not known	1	20.0%	4	80.0%	100%
<b>Total</b>	<b>64</b>	<b>12.8%</b>	<b>436</b>	<b>87.2%</b>	<b>100%</b>

It appears from Table 15 that first offenders breached probation significantly less than those with a previous offending history. Indeed in a generalized way, it shows that the more previous convictions one had, the greater the chance of breaching probation.

The following three tables shift from factors connected with offending and explore breaching of probation in relation to personal and social factors of the probationer.

TABLE 16      BREACH OF PROBATION BY AGE

<u>Breach</u>	<u>15-20</u>		<u>21-25</u>		<u>26-30</u>		<u>31+</u>	
		<u>%</u>		<u>%</u>		<u>%</u>		<u>%</u>
yes	52	14.7	7	8.2	4	14.3	1	2.9
no	301	85.3	78	91.8	24	85.7	33	97.1
	<b>353</b>	<b>100.0</b>	<b>85</b>	<b>100.0</b>	<b>28</b>	<b>100.0</b>	<b>34</b>	<b>100.0</b>



If the sample of probationers is divided into two age groups, 20 years and under and those over 20, it can be concluded that the members of the younger group tended to breach probation more than the older group (chi-square = 3.4438, 1 d.f.).

TABLE 17      BREACH OF PROBATION BY RACE

<u>Breach</u>	<u>Non-Maori NZ</u>		<u>Maori</u>		<u>Pacific Islander</u>		<u>Others</u>	
		<u>%</u>		<u>%</u>		<u>%</u>		<u>%</u>
yes	30	9.6	29	19.7	4	36.4	1	3.6
no	284	90.4	118	80.3	7	63.6	27	96.4
Total	314	100.0	147	100.0	11	100.0	28	100.0

The incidence of breaching according to race is shown in Table 17. The Pacific Islanders and "others" are too small to comment on, but the results show that Maoris breached probation significantly more than non-Maori New Zealanders (chi-square = 8.3968, 1 d.f.).

TABLE 18      BREACH OF PROBATION BY EMPLOYED OR NOT

<u>Breach</u>	<u>Employed</u>		<u>Unemployed</u>	
		<u>%</u>		<u>%</u>
yes	36	9.3	28	24.8
no	351	90.7	85	75.2
Total	387	100.0	113	100.0

chi-square = 17.4078, 1 d.f.

The information contained in Table 18 shows that probationers unemployed at the time of their probation report breached probation more than those who were employed to a very significant extent. Caution must be used in interpreting and extending this result because of the nature of the data. The employment information refers to the time of the probation officer's report and not to the time of the breach. The later time would be a more useful relationship to investigate but unfortunately the data are not available. It cannot be assumed without further study that the former is indicative of the latter.

5. PREVIOUS OFFENDING OF PROBATIONERS IN RELATION TO REOFFENDING

The previous offending histories of male and female probationers differed distinctly. For two reasons it can be claimed that the women did not have the previous offending experience that men did. Firstly, at the time of their probation offence, women were twice as likely to be first offenders as the men - 53.7% of females had no previous convictions compared with 24.5% of the male probationers. Secondly, of those who had previous histories, men tended to have long lists of previous convictions while women mostly had one or two previous convictions.

TABLE 19      NUMBER OF PREVIOUS CONVICTIONS

<u>Previous Convictions</u>	<u>Males</u>			<u>Females</u>		
	<u>No.</u>	<u>%</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>%</u>
0	98	24.5	excluded	51	53.7	excluded
1	56	14.0	18.5	10	10.5	22.7
2	42	10.5	13.9	11	11.6	25.0
3	25	6.3	8.3	6	6.3	13.6
4-6	55	13.8	18.2	7	7.4	15.9
7-10	48	12.0	15.9	5	5.3	11.4
11+	76	19.0	25.2	5	5.3	11.4
Total	400	100.0	100.0	95	100.0	100.0

Table 20 shows that for both male and female probationers, first offenders reoffended significantly less than those who had previous convictions and that in both cases females reoffended less than males. As the detail in Table 21 shows, male reoffenders had longer offending histories than non-reoffenders. This differentiation was not evident amongst females.

TABLE 20      REOFFENDING BY PREVIOUS OFFENDING

<u>Reoffend</u>	<u>Males</u>				<u>Females</u>			
	<u>First Offenders</u>		<u>Previously Offended</u>		<u>First Offenders</u>		<u>Previously Offended</u>	
		<u>%</u>		<u>%</u>		<u>%</u>		<u>%</u>
yes	39	39.8	211	69.9	13	25.5	27	61.4
no	59	60.2	91	30.1	38	74.5	17	38.6
Total	98	100.0	302	100.0	51	100.0	44	100.0

chi-square = 27.2794, 1 d.f.

chi-square = 11.0419, 1 d.f.

TABLE 21      NUMBER OF PREVIOUS CONVICTIONS BY REOFFENDING

<u>Previous Convictions</u>	<u>Males</u>				<u>Females</u>			
	<u>Reoffenders</u>		<u>Non-Reoffenders</u>		<u>Reoffenders</u>		<u>Non-Reoffenders</u>	
		<u>%</u>		<u>%</u>		<u>%</u>		<u>%</u>
0	39	excl.	59	excl.	13	excl.	38	excl.
1	30	14.2	26	28.5	6	22.2	4	23.5
2	22	10.4	20	22.0	8	29.6	3	17.7
3	16	7.6	9	10.0	3	11.1	2	11.7
4	39	18.5	16	17.6	5	18.6	2	11.7
7-10	37	17.5	11	12.0	3	11.1	3	17.7
11+	67	31.8	9	10.0	2	7.4	3	17.7
Total	250	100.0	150	100.0	40	100.0	55	100.0

Table 22 attempts to establish whether the continuing offending of probationers becomes progressively more or less serious. For ease of comparison, summarized categories of seriousness have been used<sup>1</sup>. The previous offence recorded is the most serious one in the preceding five years and the reoffence refers to the most serious one in the 30 month follow-up period.

<sup>1</sup> Appendix 1 lists how the more detailed offences groups are allocated to these seriousness categories.

TABLE 22

SERIOUSNESS OF MOST SERIOUS PREVIOUS OFFENCE; OF PROBATION  
OFFENCE OF FIRST OFFENDERS AND PREVIOUS OFFENDERS; OF MOST  
SERIOUS REOFFENCE OF FIRST OFFENDERS AND PREVIOUS OFFENDERS

<u>Offence Seriousness</u>	(i)	(ii)			(vi)			(vii)
	<u>Previous Offence</u>	<u>Probation Offence</u>			<u>Reoffence</u>			
		<u>First Offenders</u>	<u>Previous Offenders</u>	<u>Total</u>	<u>First Offenders</u>	<u>Previous Offenders</u>	<u>Total</u>	
	<u>%</u>	<u>%</u>	<u>%</u>	<u>%</u>	<u>%</u>	<u>%</u>	<u>%</u>	
major	50.6	29.7	34.5	33.3	26.0	55.9	50.7	
moderate	35.7	59.3	51.0	53.4	54.0	31.9	35.4	
minor	13.7	11.0	14.5	13.3	20.0	12.2	13.9	
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	
number	(345)	(145)	(345)	(498)	(49)	(238)	(294)	

Column (i) shows that the previous offending of the probationers who qualify was of quite a serious nature - half of this was of the most serious nature, with moderate offences accounting for another third, and least serious offences being only 14% of the total.

TABLE 23      MOST SERIOUS PREVIOUS PENALTY

<u>Penalty</u>	<u>No.</u>	<u>%</u>
Custody:		
over 6 months	14	4.1
3-6 months, Borstal	42	12.2
3 months, D.C.	41	11.9
Periodic Detention	17	4.9
Probation	58	16.9
Fine	119	34.6
Child Welfare	40	11.6
Miscellaneous	13	3.8
not known	7	excluded
not applicable	149	excluded
	<hr/>	<hr/>
Total	500	100.0

Another factor which helps describe the seriousness of previous offending is the penalty received for past convictions. The most serious penalty received prior to the present probation sentence is set out in Table 23. One-third of the probationers who had previously offended had received a sentence which is considered more severe than probation, i.e. a custodial sentence or periodic detention. For another third, the most serious previous penalty was a fine and most of these were for \$50 or less. Taken with the data in Table 22, the indications are that there has been a fairly high level of serious offending in the past of probationers.

Returning to Table 22, columns (ii) - (iv) give the seriousness of the present probation offence in relation to previous offending. The probation offence of those with previous offences was more serious than that of first offenders. However, for both groups the majority were convicted of offences that fell into the moderately serious category. The offending of previous offenders was on the whole less serious than their most serious previous offence - the emphasis had shifted from major offences to moderate ones.

Columns (v) - (vii) refer to the seriousness of reoffending in relation to previous offending. The reoffending of persons who had a conviction prior to their probation offence was of a different order than first offender's reoffending. Whereas the old hands were mostly reconvicted of major offences, the first offender's reoffences were mostly of moderate seriousness. The seriousness of the first offender's reoffending was similar to their probation offence though, if anything, it was slightly less serious with an increase in minor offences and few major and moderate offences.

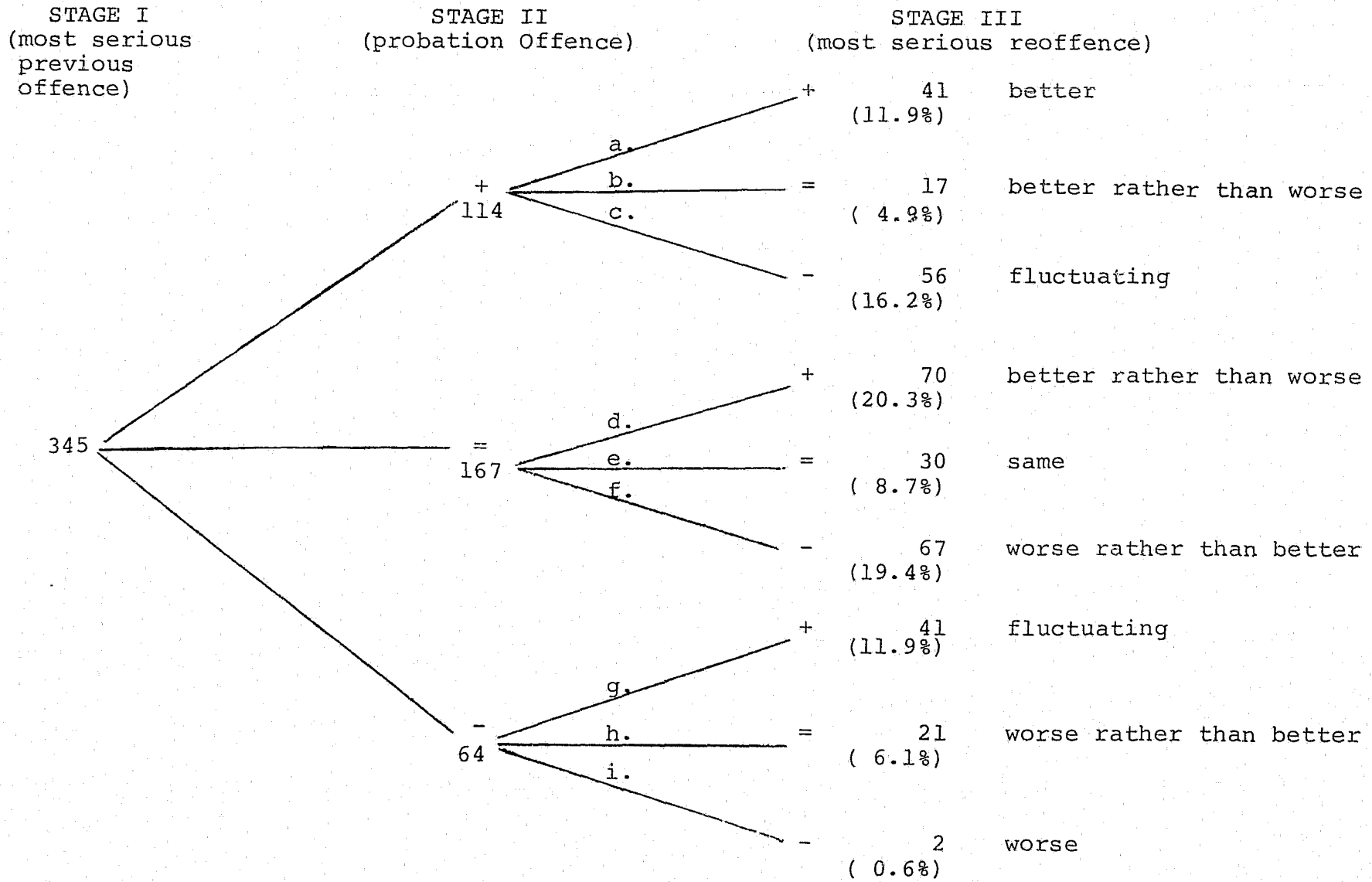
Probationers with a past record reoffended considerably more seriously than their probation offence. The more serious the offence, the greater the incidence. Their reoffence pattern was similar to their most serious previous offence. The slight difference that existed tended towards increased seriousness.

From the data presented in Table 22 it can be concluded that probationers who were new to the system did not reoffend as much as probationers with a history, and those who did reoffend did so in a less serious way. The reoffending was also less serious than that which incurred their introduction to the system. Probationers with previous convictions reoffended more seriously than their probation offence, which in turn tended to be less serious than their most serious previous offence. Thus their reconviction was on the whole of the same seriousness as their most serious previous offence. Obviously probationers are not a homogeneous group when it comes to assessing the efficacy of probation in preventing reoffending.

It seems appropriate from the preceding analysis to divide probationers into two groups: those with and those without an offence prior to probation. Taking the former group only, Diagram 1 is another way of illustrating patterns of offending in terms of change in seriousness of offence. Although probationers with no previous convictions are excluded at Stage I, those with no reconvictions are included at stage III as having improved. The diagram traces through the offence seriousness from the most serious previous offence (Stage I) to the probation offence (Stage II) to the most serious reoffence (Stage III). There are 9 possible paths. Taking one stage at a time, '+' indicates that the more recent offence is less serious than the former, '-' indicates that the more recent offence is more serious than the former, and '=' indicates that both offences are classified as equally seriousness. There is

DIAGRAM I

PATHS OF OFFENCE SERIOUSNESS FROM PREVIOUS  
OFFENCE TO PROBATION OFFENCE TO REOFFENCE



one path, (a), which represents a continuing improvement, one, (i), shows a progressive worsening in seriousness, and one, (e), shows a career of offending at a steady level of seriousness. The remaining 6 routes represent inconsistent careers, however 2 have been labelled as better rather than worse (b, d), 2 as worse rather than better (f, h), and 2 fluctuate without giving an indication in favour of one direction more than the other (c, g).

The percentages noted at stage III on the table show how the probationers in this sample progressed through their offending history. The 9 outcomes are summarized into 3 categories of general direction: 37.1% were generally offending less seriously than previously or not reoffending at all (a + b + d); the offences of 36.8% were of a constant or fluctuating seriousness (c + e + g); and 26.1% were on the whole offending more seriously (f + h + i). Although the probationers were fairly evenly distributed among these 3 possibilities, the percentages do favour either improvement or a steady course in offence seriousness. A similar exercise from stage II (probation offence) to stage III (reoffence) for 145 persons with no previous offence shows 78.6% offended less seriously or not at all, 15.9% reoffended at the same level and 5.5% committed more serious offences. The difference between the two groups of probationers is re-established.

Once the two groups are added together, the proportions, of course, alter unfavourably but they still present a healthy picture: 49.4% of all probationers improved, 30.6% stayed much the same and 20% were offending at a more serious level.

The impression given here differs from the less optimistic one associated with table 22. This is because this later analysis includes people who did not reoffend at Stage III, whereas the previous analysis excludes them, looking only at those who were convicted of a reoffence.

This diagram has been given as an aid only and it has its limitations, two of which are mentioned here. Firstly, although it purports to trace the seriousness of offending over a career, it in fact highlights the most serious offences at three stages. It is not known whether intervening offences, if any, emphasize or counteract the patterns traced here. Secondly, the analysis lacks the refinement which takes into account the seriousness of the stage I offence and therefore the subsequent movements in relation to this. The analysis associated with the diagram indicates something of the dynamics in a career of offending.



6. PERSONAL AND SOCIAL CHARACTERISTICS OF REOFFENDERS AND NON-REOFFENDERS

Table 24 shows very different tendencies for reoffending according to sex. Male probationers reoffended more than females to a very significant extent. Indeed, whereas more men reoffended than did not, the reverse was true of the women - the majority did not reoffend. Because of this substantial difference between the sexes, many of the analyses that follow will be treated separately for males and females.

TABLE 24      REOFFENDING BY SEX

<u>Reoffend</u>	<u>Male</u>		<u>Female</u>	
	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>
yes	255	63.0	40	42.1
no	150	37.0	55	57.9
Total	405	100.0	95	100.0

(chi-square - 12.9902, 1 d.f.)

TABLE 25      REOFFENDING BY AGE

<u>Age</u>	<u>Males</u>				<u>Females</u>			
	<u>Reoffenders</u>		<u>Non-Reoffenders</u>		<u>Reoffenders</u>		<u>Non-Reoffenders</u>	
	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>
15	9	3.5	0	-	2	5.0	0	-
16	43	16.9	12	8.0	11	27.5	2	3.6
17	60	23.5	23	15.3	6	15.0	8	14.5
18	47	18.4	21	14.0	8	20.0	9	16.4
19	21	8.2	17	11.3	2	5.0	10	18.2
20	26	10.2	9	6.0	3	7.5	4	7.3
21-25	34	13.3	30	20.0	6	15.0	15	27.3
26-30	6	2.4	16	10.7	1	2.5	5	9.1
31-35	4	1.6	9	6.0	0	-	-	-
36+	5	2.0	13	8.7	1	2.5	2	3.6
Total	255	100.0	150	100.0	40	100.0	55	100.0

TABLE 26                    SERIOUSNESS OF REOFFENDING BY AGE

<u>Reoffence Seriousness</u>	<u>15-20</u>		<u>21-25</u>		<u>26-30</u>		<u>31+</u>		<u>Total</u>	
		<u>%</u>		<u>%</u>		<u>%</u>		<u>%</u>		<u>%</u>
major	122	51.3	19	48.7	4	57.1	4	40.0	149	50.7
moderate	87	36.6	11	28.2	3	42.9	3	30.0	104	35.4
minor	29	12.2	9	23.1	0	-	3	30.0	41	13.9
<b>Total</b>	<b>238</b>	<b>100.0</b>	<b>39</b>	<b>100.0</b>	<b>7</b>	<b>100.0</b>	<b>10</b>	<b>100.0</b>	<b>294</b>	<b>100.0</b>

Table 25 shows that reoffending is primarily an activity of the younger probationer. Reoffenders, whether male or female, were a much younger group than non-reoffenders. The seriousness of the reoffending by the young was not, however, markedly different from the older reoffenders' (Table 26).

TABLE 27                    REOFFENDING BY RACE, MALES

<u>Reoffend</u>	<u>Male</u>							
	<u>Non-Maori NZ</u>		<u>Maori</u>		<u>Pacific Islander</u>		<u>Other</u>	
		<u>%</u>		<u>%</u>		<u>%</u>		<u>%</u>
yes	168	63.4	76	69.1	7	70.0	4	20.0
no	97	36.6	34	30.9	3	30.0	16	80.0
<b>Total</b>	<b>265</b>	<b>100.0</b>	<b>110</b>	<b>100.0</b>	<b>10</b>	<b>100.0</b>	<b>20</b>	<b>100.0</b>

TABLE 28                    REOFFENDING BY RACE, FEMALES

<u>Reoffend</u>	<u>Female</u>							
	<u>Non-Maori NZ</u>		<u>Maori</u>		<u>Pacific Islander</u>		<u>Other</u>	
		<u>%</u>		<u>%</u>		<u>%</u>		<u>%</u>
yes	19	38.8	19	51.4	1	100.0	1	12.5
no	30	61.2	18	48.6	0	-	7	87.5
<b>Total</b>	<b>49</b>	<b>100.0</b>	<b>37</b>	<b>100.0</b>	<b>1</b>	<b>100.0</b>	<b>8</b>	<b>100.0</b>

Pacific Islanders and "others" are excluded from the analysis and following remarks because their numbers are too small to be meaningful. For male probationers the difference in reoffending rates between non-Maori New Zealanders and Maoris is small and insignificant (chi-square = 0.8727, 1 d.f.). Race does not appear to be a discriminating factor in reoffending. Nor is it for female probationers. Although on the face of it appears that Maori women reoffended more than non-Maori women this is not borne out when tested statistically (chi-square = 0.8901, 1 d.f.).

TABLE 29      SERIOUSNESS OF REOFFENDING BY RACE

<u>Reoffence</u>	<u>Non-Maori NZ</u>		<u>Maori</u>		<u>Pacific Islander</u>		<u>Other</u>	
		<u>%</u>		<u>%</u>		<u>%</u>		<u>%</u>
major	96	51.6	48	50.5	3	37.5	2	40.0
moderate	70	37.6	28	29.5	4	50.0	2	40.0
minor	20	10.8	19	20.0	1	12.5	1	20.0
Total	186	100.0	95	100.0	8	100.0	5	100.0

Table 29 (males and females together) shows that race is not a discriminating factor in the seriousness of the reoffence either. This is particularly so for major offences, though Maoris did have relatively more minor and fewer moderate reoffences.

TABLE 30      REOFFENDING BY MARITAL STATUS, MALES

<u>Reoffend</u>	<u>Male</u>							
	<u>Never Married</u>		<u>Married</u>		<u>De Facto</u>		<u>Separated, Divorced, Widowed</u>	
		<u>%</u>		<u>%</u>		<u>%</u>		<u>%</u>
yes	210	67.5	23	46.0	12	57.1	9	40.9
no	101	32.5	27	54.0	9	42.9	13	59.1
Total	311	100.0	50	100.0	21	100.0	22	100.0

**TABLE 31**      **REOFFENDING BY MARITAL STATUS, FEMALES**

<u>Reoffend</u>	<u>Female</u>							
	<u>Never Married</u>		<u>Married</u>		<u>De Facto'</u>		<u>Separated, Divorced, Widowed</u>	
		<u>%</u>		<u>%</u>		<u>%</u>		<u>%</u>
yes	30	48.4	3	25.0	1	10.0	6	54.5
no	32	51.6	9	75.0	9	90.0	5	45.5
<b>Total</b>	<b>62</b>	<b>100.0</b>	<b>12</b>	<b>100.0</b>	<b>10</b>	<b>100.0</b>	<b>11</b>	<b>100.0</b>

Tables 30 and 31 set out the marital status of probationers in relation to reoffending. Marital status refers to the situation at the time of the probation offence which may not necessarily be the same at the time of reoffending. However it is safe to assume that not many would have changed their status before reoffending. In this context it is worth repeating that 70% of probationers were 20 years old or less and that 57% of reoffending was within six months of the probation offence and almost 70% within nine months.

Most probationers, male and female, were not married and never had been. This unmarried group reoffended more than other probationers (for males, chi-square = 11.6785, 1 d.f.). The exception to this generally applicable conclusion is women who were separated, divorced or widowed. The number of women who fell into this category was however unreliaibly small for definitive statements. Women who were married or in a de facto relationship had a very low rate of reoffending, considerably less than married men.

In Table 32 the categories given as 1, 2, 3 or 4 years secondary education refer to persons who did not attain any formal qualification. The table shows that amongst males, reoffenders had a lower level of education as a group than those who did not reoffend. This is indicated by the proportions with and without formal qualifications - only 8.6% of reoffenders had a qualification compared with 24.3% of non-reoffenders. In comparison with this is the 1971 New Zealand census figure which shows that 38% of males aged 15-24 had some formal educational qualification. Differences in educational attainment were not evident between female reoffenders and non-reoffenders.

TABLE 32 EDUCATION BY REOFFENDING

Education	Males				Females			
	Non-Reoffenders		Reoffenders		Non-Reoffenders		Reoffenders	
		%		%		%		%
no secondary education	6	4.7	19	8.2	3	6.0	0	-
1 year secondary	11	8.7	36	15.5	5	10.0	4	12.5
2 years secondary	50	39.4	103	44.4	21	42.0	15	46.9
3 years secondary	25	19.7	50	21.6	9	18.0	7	21.9
4 years secondary	4	3.2	4	1.7	1	2.0	1	3.1
school cert.	25	19.7	13	5.6	8	16.0	4	12.5
university entrance	5	3.8	3	1.3	2	4.0	1	3.1
tertiary	1	0.8	4	1.7	1	2.0	0	-
Total	127	100.0	232	100.0	50	100.0	32	100.0

Occupation was recorded at the time of the probation offence. Most probationers probably had not shifted from one occupational status to another by the time of reoffending. The more likely candidates for changes, students and unemployed are excluded from tables 33 and 34 anyway. These people plus apprentices and housewives are not included because they are not easily amenable to status classification. There were 34 male apprentices, five male students, seven housewives, and 76 male and 37 female unemployed. Unemployment in relation to reoffending is discussed following Table 35. Occupational status was classified according to the Elley and Irving scale.<sup>1</sup>

1 Elley, W.B. and Irving, J.C., "Revised Socio-Economic Index for New Zealand" in N.Z. Journal of Educational Studies, Vol 11, No. 1, May 1976

**TABLE 33**      **REOFFENDING BY OCCUPATIONAL STATUS, MALES**

<u>Reoffend</u>	<u>Male</u>							
	<u>Professional, Clerical, etc.*</u>		<u>Skilled</u>		<u>Semi-skilled</u>		<u>Unskilled</u>	
		<u>%</u>		<u>%</u>		<u>%</u>		<u>%</u>
yes	6	40.0	13	44.8	32	48.5	121	70.3
no	9	60.0	16	55.2	34	51.5	51	29.7
<b>Total</b>	<b>15</b>	<b>100.0</b>	<b>29</b>	<b>100.0</b>	<b>66</b>	<b>100.0</b>	<b>172</b>	<b>100.0</b>

\* includes professional, managerial, clerical and technical occupations.

**TABLE 34**      **REOFFENDING BY OCCUPATIONAL STATUS, FEMALES**

<u>Reoffend</u>	<u>Female</u>							
	<u>Professional, Clerical, etc.*</u>		<u>Skilled</u>		<u>Semi-skilled</u>		<u>Unskilled</u>	
		<u>%</u>		<u>%</u>		<u>%</u>		<u>%</u>
yes	2	40.0	4	23.5	4	44.4	5	26.3
no	3	60.0	13	76.5	5	55.6	14	73.7
<b>Total</b>	<b>5</b>	<b>100.0</b>	<b>17</b>	<b>100.0</b>	<b>9</b>	<b>100.0</b>	<b>19</b>	<b>100.0</b>

\* includes professional, managerial, clerical and technical occupations.

Table 33 shows that the lower the occupational status, the more reoffending, though the differences between professional, etc., skilled, and semi-skilled are not great. It was probationers classified as unskilled who reoffended substantially more than others (chi-square = 15.2307, 1 d.f.). No assertive comment can be made about the occupational status of women and reoffending (Table 34) because of the small numbers involved.

The probationer's employment status refers to the time of the offence that resulted in the probation sentence. The employment status could well be different by the time of reoffending. If a person was not noted as being unemployed, he was assumed to be employed. The proportion of unemployed is extremely high compared with the 1976 census figures for 15-24 year olds - 19.1% males compared with New Zealand's 2.7%, and 39.4% females compared with 3.3%.

TABLE 35      REOFFENDING BY EMPLOYMENT

<u>Reoffend</u>	<u>Males</u>				<u>Females</u>			
	<u>Employed</u>		<u>Unemployed</u>		<u>Employed</u>		<u>Unemployed</u>	
		<u>%</u>		<u>%</u>		<u>%</u>		<u>%</u>
yes	195	60.7	54	71.1	16	28.1	24	64.9
no	126	39.3	22	28.9	41	71.9	13	35.1
<b>Total</b>	<b>321</b>	<b>100.0</b>	<b>76</b>	<b>100.0</b>	<b>57</b>	<b>100.0</b>	<b>37</b>	<b>100.0</b>

chi-square = 2.3676, 1 d.f.

chi-square = 10.9661, 1 d.f.

The above table shows that unemployed male probationers reoffended more than employed men but not to a statistically significant extent. For women the difference was very exaggerated, with those unemployed reoffending very much more than the employed. The suggestion here that unemployment is an influential factor in reoffending cannot be ignored but the conclusion must be qualified by repeating that the unemployment recorded referred to the time of the original offence and not the reoffence. The results certainly support the inclusion of unemployment as a factor in evaluating the effectiveness of penalties and the dynamics of offending behaviour.

## 7. THE LIKELIHOOD OF REOFFENDING

It is evident that there are distinct differences between probationers who reoffended and those who do not. Firstly in respect of factors related to the criminal justice system, the reoffenders tended to be sentenced to probation for slightly more serious offences than non-reoffenders and they were much more likely to have some previous offending history. Secondly, personal and social characteristics that distinguished reoffenders from non-reoffenders to varying degrees were sex, age, marital status for men, educational attainment, occupational status and employment.

In order to account for interrelationships and to eliminate the possibility of an intervening effect of one factor on another, a series of multiway contingency analyses were applied to the data.<sup>1</sup> This analysis is a means of isolating the factors which have an influential effect on the incidence of reoffending. The independent variables included in the analysis were seriousness of probation offence, whether the probationer had previously offended or not, sex, age, marital status, occupation and race.<sup>2</sup> The dependent variable was simply whether the probationer reoffended or not.

It became evident from these further analyses that seriousness of offence, marital status and race had no significant effect on the likelihood of a probationer reoffending. A conclusion compatible with our previous analysis which showed that all three of these factors displayed only slight variations and equivocal results. The fact that the seriousness of the probation offence itself is inconsequential is in some ways reassuring, for this is a factor which is very closely related to our controlling variable - the probation sentence.

The final model found sex, age, previous offending and occupation to be the factors that influence the possibility of reoffending. Each of these has a separate and independent effect on reoffending but there was also evidence of an interaction between the effects of sex and occupation on reoffending. The nature of these effects is described in the following statements.

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<sup>1</sup> The results of these analyses are held in the Research Unit, Department of Justice.

<sup>2</sup> Some of the categories within these variables were redefined for this analysis. The definitions are given in Appendix II.



1. For both males and females and irrespective of previous offending and occupational status, probationers aged 20 years or less were 3.24 times more likely to reoffend than probationers aged 21 years or more. <sup>1</sup>
2. Irrespective of their sex, age or occupational status, probationers with a previous conviction were 3.63 times more likely to reoffend than those who had no convictions prior to their probation. <sup>2</sup>

The effects of these two factors as shown in the above statements are substantial, indeed once their confidence limits are acknowledged it can be asserted even more strongly that they are influential factors to be reckoned with.

3. For males, irrespective of their age and previous offending history, unskilled men were 1.90 times <sup>3</sup> more likely to reoffend than men in professional, skilled or semi-skilled occupations. Unemployed men (which includes a few students) were 1.94 times <sup>4</sup> more likely to reoffend than professional, skilled or semi-skilled men. As the odds' ratios show, these are not very compelling differences, a response reinforced by the lower confidence limits which are very close to 1.00 which denotes no increased or decreased chances of reoffending.
4. The number of women in the sample was too small to achieve reliable results in a similar analysis.

In summary, the chances of reoffending are increased for younger probationers aged 20 years or less, for probationers with a previous offending history, and for males, particularly if unskilled or unemployed.

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1 There is a 95% confidence interval of 2.08 - 5.08.

2 There is a 95% confidence interval of 2.29 - 5.74.

3 There is a 95% confidence interval of 1.15 - 3.13.

4 There is a 95% confidence interval of 1.02 - 3.70.

## 8. CONCLUSION

59% of the probationers in this sample reoffended within 30 months of their probation sentence. This is the basic reoffending rate but, as the preceding analyses show, probationers cannot be considered as one homogeneous group when examining their reoffending behaviour. It was discovered that probationers aged 20 years or less, male probationers who had an unskilled job or no job at all, and probationers with a previous offending history were significantly more likely to reoffend than their opposing numbers.

The incidence of reoffending is by no means the only measure of success or failure of a probation sentence. However as indicated in the introduction, this exercise is a relatively unsophisticated one and its main task has been to describe the probationer who reoffends as opposed to the one who does not. Reoffending is not however an absolute concept and we have attempted to refine it by posing the question of continued offending - does it become progressively more or less serious? Reoffending of a less serious nature is some measure of improvement when compared with continuing serious offending.

It is in this respect that probationers in this sample broke down into two distinct groups: those who had an offence prior to their probation offence and those who did not. It transpired that the latter were significantly less likely to reoffend than the former. Moreover, if the first offenders did reoffend, it tended to be a less serious offence than their probation offence. It also tended to be less serious than the reoffending of those with a history of offending. In contrast to this, the reoffence of those with previous convictions was usually more serious than their probation offence and of equal seriousness, if not slightly more serious, to their most serious offence ever. One can cynically suggest that the probation offence was but a hiatus in their offending career.

Once probationers who did not reoffend at all are included in the analysis, a more optimistic picture evolves. Half the probationers were improving, either by not offending at all, or by offending to a less serious degree. Another third were continuing their offending at much the same level of seriousness, and only one-fifth were following a worsening path of offending.

One of the small but interesting results that emerged was the period within which the first reoffence occurs. Most reoffending was perpetrated within 6 months of the sentence and the risk of offending decreased as time passed. Although Probation Officers will be aware of this vulnerable period, it is a fact that should be explicitly recognised in a report such as this.

The task of this study has been to describe probationers who reoffend as opposed to those who do not. Having isolated these two groups in terms of offending history and personal characteristics, the next stage is to define these two groups in terms of probation activities. There is plenty of scope for research in determining the effective content of a probation sentence, a neglected area in New Zealand penal research.

APPENDIX 1OFFENCE CLASSIFICATIONS

The following offence seriousness classifications were used for previous offending, the probation offence and for reoffending.

Most Serious

Offences against the person

Sexual offences

Burglary (= serious property)

Moderate Seriousness

Theft, receiving

Taking, getting into motor vehicle

Fraud, false pretences, etc.

Property damage

Other property offences

Drug misuse

Minor Seriousness

Offences against public order or morality

Offences against legal processes

Miscellaneous

APPENDIX 2VARIABLE DEFINITIONS USED IN THE  
MULTIWAY CONTINGENCY ANALYSIS

- |    |                     |  |                          |
|----|---------------------|--|--------------------------|
| 1. | Reoffend            | (i) yes<br>(ii) no   |                          |
| 2. | Sex                 | (i) male<br>(ii) female  |                          |
| 3. | Age                 | (i) 20 years or less<br>(ii) 21 years or more  |                          |
| 4. | Previously offended | (i) no<br>(ii) yes   |                          |
| 5. | Offence seriousness | (i) most<br>(ii) moderate<br>(iii) minor   | Defined as in Appendix I |
| 6. | Marital status      | (i) married, de facto<br>(ii) single, separated, divorced, widowed   |                          |
| 7. | Occupational status | (i) professional etc, skilled, semi-skilled,<br>apprentice<br>(ii) unskilled<br>(iii) unemployed, student, housewife |                          |
| 8. | Race                | (i) Maori<br>(ii) Non-Maori New Zealander  |                          |

Pacific Islanders and other races were omitted.

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