

THE CASE OF NORWAY: A RELAPSE STUDY OF THE NORDIC CORRECTIONAL SERVICES

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Introduction

Recidivism is defined and measured differently, and this obviously creates a problem when comparing national reoffending rates between nations. A lot of the reported national variation in reoffending rates can be explained by differences in the way recidivism is defined and measured (SCCJR 2012). I will briefly present and discuss some key results from a relapse study in the correctional services of the Nordic countries. More detailed findings from the study can be found in Graunbøl (2010), and a more elaborate discussion of the results can be found in Kristoffersen (2013a). Here, I will comment on the case of Norway and some consequences for policy making when it comes to national expectations on general reductions in recidivism. Generally, the most important finding is how the relapse study demonstrates that national differences in reoffending rates among different offender groups reflect national differences in the criminal sanction systems and the proportion of risk groups serving in prison compared to those serving in the probation. The two most significant variables explaining differences in the national reoffending rates are previous prison sentence and different size and distribution of principal crime types among the clients in prison and probation. However, data from Norway also draw attention to the need for moderation in policy making regarding expectations as to what is achievable on a national level when it comes to reductions in recidivism, especially in an era of continuously expanding the use of prison alternatives at the expense of increasingly troubled prisons.

Methods

National computer registers are the sources for this study. Equally long observation periods of two years and a shared classification of approximately similar offender groups are applied. The correctional clients in the Nordic countries are divided into five offender groups: Prisoners, community service, conditional sentence with supervision, conditional sentence with treatment (including programmes) and electronic monitoring. The latter four groups are for simplistic reasons lumped into one category labelled “community sanctions (CS)” or “probationers”. Relapse is defined as a new prison sentence or community sanction that became legally binding within two years of release from prison or from commencement of the community sanction in 2005. Put differently, the relapse definition excludes

suspended sentences and fines. Secondly, at least one act of reoffending must have taken place *after* release from prison or after starting a community sanction in 2005. The latter criterion is important in order to avoid counting false recidivists and consequently reporting overstated reoffending rates. The survey comprises almost 60000 offenders in the Nordic countries. Table 1 shows the number of offenders included in this study divided by type of sentence.¹

	Denmark	Finland	Iceland	Norway	Sweden
Released sentenced prisoners	9 572	4 507	185	8 788	9 805
Community service	4 211	3 169	73	2 547	4 212
Conditional sentence with supervision	1 895	800	-	19	4 141
Conditional sentence with treatment	1 171	28	.	497	1 223
Electronic monitoring	55	.	.	.	2 828
Total	16 904	8 504	258	11 851	22 209

National differences in the various measures delivered to offenders while serving their sentence may have contributed to the overall reoffending rates, as well as other external factors, such as clear up rates for criminal cases and the capacity to deal with them in the police and the courts. Finally, lack of sufficiently important changes in the individual lives of the offenders is important to explain reoffending.

Key results and discussion

Table 2 shows the main results of the survey, i.e. percentages of new sentences for released sentenced prisoners versus CS, as well as the national total percentages for all clients added together. The table shows that Norway has the lowest overall reoffending rate among offenders in the Nordic countries. Within two years, a fifth of all those released from prison and those who started serving a community sanction in Norway incurred a new conviction that had to be served in the correctional services. In the other Nordic countries, the overall reoffending rate varies from 24 % to 31 %.

¹ A comment on notation in this and forthcoming tables: A hyphen (-) means “zero”. A dot (.) means “not applicable”. A zero (0) means “less than 0.5”. Electronic monitoring was not an option in Finland, Iceland and Norway in 2005.

Table 2. Percentages of new sentences within two years to be served in the correctional services after serving either a prison sentence or community sanction in 2005.

	Denmark	Finland	Iceland	Norway	Sweden
Released from prison in 2005	29	36	27	20	43
Commenced a CS in 2005	22	25	16	21	20
Total percentages	26	31	24	20	30

Table 3 specifies the national reoffending rates for the different categories of probationers. Except for Iceland, in which community service was the only option in 2005, there are relatively small differences within the Nordic countries in the overall reoffending rate among probationers.

Table 3. Percentages of new correctional sentences within two years after started serving a sentence in the probation service in 2005.

Type of sentence commenced in 2005	Denmark	Finland	Iceland	Norway	Sweden
Community service	19	26	16	23	9
Conditional sentence with supervision	27	22	-	21	33
Conditional sentence with treatment	22	39	.	12	29
Electronic monitoring	20	.	.	.	12
Total	22	25	16	21	20

Nevertheless, there is a large variation in risk of committing new offences among the groups of offenders in the probation services, among which the reoffending rate also varies correspondingly. If we for instance compare the Norwegian and the Swedish offenders sentenced to community service, the Norwegian offenders show the second highest reoffending rate compared to those who serve other forms of community service in the other Nordic countries. This is primarily explained by the fact that in Norway this offender group has a significantly higher proportion of clients with a previous prison sentence than those serving community orders in the other countries. The percentage of offenders with a previous prison sentence among the Norwegian offenders serving a community sentence is practically the same as for released prisoners, approximately one fourth measured five years back in time prior to the commencement of the sanction in 2005. This shows that previous prison sentence is not a crucial obstacle when the courts decide whether an offender in Norway should be given a community sentence. In other words, the Norwegian courts' willingness to impose a noncustodial sentence in cases where the offender is an ex-prisoner, is higher than the other countries, hence

contributing to higher reoffending rates than would otherwise be the case. In contrast, only four per cent of the Swedish offenders serving community service have previously served a prison sentence. Not surprisingly, this Swedish offender group shows the lowest reoffending rate of all offender groups in the Nordic countries, i.e. nine per cent. However, only one third of all offenders serving traffic crimes in Sweden will serve their sentence in prison, while two-thirds – a large group of low risk traffic offenders – will serve a probation order, mainly electronic monitoring or community service. Such differences in the distribution of principal crime types among correctional clients contribute to national differences in reoffending rates for prisons versus probation. Table 4 add up all offenders in the Nordic countries by principal crime type and their corresponding reoffending rates.

Table 4. Total number of offenders and percentages of reoffending per principal crime type for all correctional clients in the Nordic countries in 2005.

	N	Per cent reoffending	Per cent same principal crime	Per cent other principal crime
Violence	12 927	23	10	13
Drugs	6 948	32	13	18
Thefts	9 191	45	20	25
Robbery	1 755	35	6	29
Sex	1 065	8	2	6
Economic	4 193	20	3	17
Traffic	17 679	22	12	10
Other	5 972	24	4	20
Total	59 730	27	11	16

On average, almost half of all offenders sentenced for theft in the Nordic countries reoffended, but the national proportion of them differs both in prison and in probation. For example, released offenders sentenced for theft constituted 18 % of all released prisoners in Sweden in 2005. In contrast, Norway had the smallest population of released offenders sentenced for thefts, 12 %, thus contributing to the generally low reoffending rate for prisoners in Norway. In Sweden actually 61 % of released prisoners sentenced for thefts reoffended. On the other hand, Norway had the biggest proportion of low risk traffic offenders released from prison – 30 % (n = 2617) of all released sentenced prisoners (n = 8788), of which roughly ninety per cent had no previous prison conviction. One third of released prisoners for traffic crimes in Norway were sentenced for speeding only. Hence, the reoffending rate for released prisoners for traffic crimes in Norway was not quite unexpectedly only eight per cent, compared to Finland's and Sweden's rates of 42 per cent. Interestingly, table 4 also discloses an unexpected

observation about the proportion of offenders who did not reoffended to the same principal crime type. Except for traffic crimes, where a little more than half of all reoffenders reoffended to the same primary crime type, in total all other groups reoffended more often to a different primary crime type than the original offence. Surprisingly this is even the case with sex- and economic crimes, where three quarters or more of the reoffenders actually reoffended to a different primary crime type. This strongly indicates that most reoffenders seem to have comprehensive crime problems that have to be addressed and the worthwhileness of targeting special categories of offence such as drugs or sex seems questionable. For example, many cognitive behavioural programmes target specific crime problems in which case sentenced crime type is an important criterion of recruitment to the programme.

	Denmark	Finland	Iceland	Norway	Sweden
Released prisoners in 2005	42	45	40	43	68
Started serving a CS in 2005	38	33	14	37	49
Total	42	43	38	41	63

The proportion of offenders formerly sentenced to prison is anyway the most significant contributor to national differences in reoffending rates. Previously, one fourth of released prisoners in Norway in 2005 have been sentenced to prison. In the other countries, the proportion varies between 34 % in Iceland to 59 % in Finland. Table 5 demonstrates that an earlier prison sentence tends to double or – in the case of Sweden – even triple the risk of reoffending. The differences in overall reoffending rates are relatively small when comparing national reoffending rates for those formerly sentenced to at least one prison sentence prior to the prison sentence that was served in 2005. In all countries except Sweden, the total reoffending rates as well as the reoffending rate for prisoners vary around approximately 40 per cent.

The case of Norway

The political and empirical conditions for increased use of alternatives to imprisonment seem advantageous in Norway, especially for low risk offenders, such as first-timers sentenced to prison for traffic offences. However, if all released traffic offenders in Norwegian prisons in 2005 alternatively served their prison sentence in probation, leaving the rest of the prison population as it was, the overall percentage of reoffending among released prisoners in Norway in 2005 would increase with five percentage points. Currently this category of prisoners is gradually being diverted from prison to alternative sanctions in Norway, primarily electronic monitoring. In 2012 1490 electronic monitoring cases started serving in Norway (Kristoffersen 2013b), compared to none in 2005, and the majority of those serving electronic monitoring are traffic offenders. An unexpected but likely consequence of

this politically desired development would be a general higher reoffending rate for prisoners and most likely a higher share of more troubled prisoners. However, I do not wish to imply that this consequence is unacceptable. The alternative is the unnecessary imprisoning of a large group of sentenced people with a low risk of reoffending. In the case of Norway, the ten most dominant risk groups for reoffending are all previously sentenced to prison. Young and middle-aged persons sentenced for thefts, serving either short prison sentences or community service, were among the most dominant groups in Norway. Their reoffending rate was from 50 % up to 75 %. Sixty four per cent of middle-aged prisoners sentenced for violence also reoffended. The ten most dominant risk groups where at least one third reoffended amounted to 1307 individuals in Norway. Altogether, they constituted more than half of a total recidivist population of 2392 people. Targeting these high-risk groups would seem a sensible national goal in reducing recidivism. Generally it seems widely acknowledged that all forms of treatment would be quite successful if reconviction rates can be reduced by up to e.g. 20 %. For example meta analyses of programmes based on cognitive behavioural therapy (CBT) show that properly designed programmes can reduce reconviction rates up to fifteen or perhaps twenty per cent (Lösel 1995; Lipton 2002; MacKenzie 2006). Though not very likely, if all the members of the dominant risk groups in Norway participated in any kind of effective treatment, whether that is programme or anything else, a twenty per cent reduction would result in 261 fewer recidivists. 261 fewer recidivists would, on a national level, reduce the overall reoffending rate in Norway with merely two percentage points from 20 % to 18 %. This calls for moderation when formulating goals or expectations as to what can be achieved on a national level when it comes to reducing recidivism even with effective measures targeting proper target groups. This example illustrates that changes in the general characteristics of the correctional population due to changes in criminal policy or practice are potentially much more important than treatment when it comes to explaining national reoffending figures in prison or probation.

References:

Graunbøl, H.M. et al. (2010) *Retur: en nordisk undersøgelse av recidiv blant klienter i kriminalforsorgen*. Oslo: KRUS

Kristoffersen, R. (2013a) "Relapse studies in the correctional services of the Nordic countries: key results and perspectives". *EuroVista* 2 (3), pp. 168 – 176.

Kristoffersen, R. (2013b) *Correctional Statistics of Denmark, Finland, Iceland, Norway and Sweden: 2008– 2012*. KRUS, Oslo

Lipton, D., Pearson, F., Cleland, C. and Yee, D. (2002) "The Effectiveness of Cognitive-Behavioural Treatment Methods on Offender Recidivism". In J. McGuire (ed.) *Offender Rehabilitation and Treatment* (pp. 79-97). Chichester: Wiley.

Lösel, F. (1995) "Increasing Consensus in the Evaluation of Offender Rehabilitation? Lessons from Research Syntheses". *Psychology, Crime and Law* 2(1), pp. 19 – 39.

MacKenzie, D.L. (2006) *What Works in Corrections*. Cambridge: Cambridge University Press.

SCCJR (2012) *Reducing Reoffending: Review of Selected Countries, final report*. The Scottish Centre for Crime and Justice Research. Hentet fra:

[http://www.sccjr.ac.uk/wpcontent/uploads/2012/12/Reducing Reoffending-FINAL-Dec-2012.pdf](http://www.sccjr.ac.uk/wpcontent/uploads/2012/12/Reducing_Reoffending-FINAL-Dec-2012.pdf)