



## **Some results on recidivism among released prisoners in Norway in 2015 – 2018**

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### **Persons released from a prison sentence served in prison in 2015 – 2018**

In this article, some results on recidivism are presented for persons released from a prison after serving a prison sentence or a sentence to preventive detention in the years 2015 to 2018. The data contain in total 25 825 releases from prison. Of these, 25 % (6 374) are foreign citizens, and the rest (19 451) are Norwegian citizens. 59 % (3 757) of the foreign citizens do not have a valid Norwegian personal identification number. They have been given a fictional personal identification number, which does not always follow the person with a possible new incarceration. Also 15 % of the foreign citizens without a personal identification number were deported on release, and more may have been deported at a later stage. For this reason, prisoners without a valid personal identification number have been excluded from the study. This results in a net research population of 22 086 releases, of which 2 671 are foreign citizens with a valid Norwegian personal identification number. These have been included in the research population. However, there may be reasons to assume that this group to a certain degree may have contributed to a reduction in the overall result on recidivism considering this is a relatively large group of individuals with somewhat varying connections to Norway and their country of birth, and it is unknown how many of them are still in Norway. When they are not, there is no possibility to reoffend.

### **Research population and definition of recidivism**

The research population consists of those released from a prison sentence with a valid Norwegian personal identification number. Those who have served all or part of their prison sentence on electronic monitoring, and those who have only been in prison on remand or fine defaulters, have been excluded from the data. However, those who have served all or part of their sentence in a treatment institution (n = 831) or at home without electronic monitoring (n = 177) are included. Recidivism is measured as the share that has been incarcerated again on a new prison sentence. Thus, other offences that are not a part of the new prison sentence have been excluded. Recidivism is calculated from the first date when a new offence that led to the prison sentence, was committed. Recidivism is measured up to 08/09/2020. A reservation must be made as to missing or faulty registration of offence dates in the new sentences. Incomplete or missing registration occurs. The source of all data is the registration system of the Correctional Service of Norway, KOMPIS-KIA. The measurements have also

been corrected for false recidivism, meaning that offences that occurred *before* the offender started to serve the latest prison sentence are excluded.

This definition of recidivism deviates somewhat from the one that was applied in the Nordic recidivism study published in 2010.<sup>1</sup> The Nordic study measured recidivism as the number of received sentences independent of the time when the execution actually started. Another condition for inclusion was that the new offence as well as the sentence had to occur during the measuring interval of two years after release. In that way, differences between the Nordic countries as to the times for processing criminal cases influenced the recidivism results. This is, however, less of a problem in this study because the decisive criterion in establishing recidivism is the date of the offence in the sentence, not the date of sentencing. In addition, the Nordic study included new sentences to be served outside prison as recidivism, for example community sentences. This implies that if the same procedure was followed here and new sentences to be served outside prison were included, the recidivism rates would turn out somewhat higher than presented here. Measuring all new sentences, including those to be served outside prison, shows that the share that gets a new prison sentence after release has been increasing in the years before 2015<sup>2</sup>. If the proportion of new sentences to be served outside prison is at roughly the same level as in 2014 – meaning probably around 15 % of the total recidivism, adding around 18 % to the number of reoffenders who were released from prison will give a probable estimate of the total recidivism rate within the correctional service, including new sentences to be served outside prison.

All together 6 432 new sentences have been registered, making for around 29 % of all those released in the years 2015-2018. Of these, however, 1 568 sentences do not constitute real recidivism. The number of real recidivism amounts to 4 864 sentences. This implies that every fourth entry to prison on a sentence in this period was false recidivism, meaning it occurred as a result of an offence committed *before* serving the last sentence. This information is probably little known. In working towards the prevention of new offences, it is naturally important to be aware of if the prisoner is a false or a real recidivist.

### **Total of new sentences to be served in prison among released persons up to 08/09/2020**

Table 1 below shows the summed up number and share of those registered with a new offence resulting in a prison sentence after release in 2015 – 2018, independent of when the release or the new offence occurred, distributed by gender and measured up to 8/9/2020<sup>3</sup>. 13 % of female and 23 % of male offenders have until then been registered with a new prison sentence. The numbers in table 1 have not been corrected for varying observation periods in terms of risk of reoffending. They do not differentiate between the various years of release either.

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<sup>1</sup> "Retur– en nordisk undersøgelse av recidiv blant klienter i kriminalforsorgen". KRUS, 2010: <https://krus.brage.unit.no/krus-xmlui/handle/11250/160672> An English presentation of the study can be found here: <https://krus.brage.unit.no/krus-xmlui/handle/11250/160435>

<sup>2</sup> Among those released in 2010 with a new sentence to be executed by the Correctional Service, an analysis shows that the group that received a new prison sentence represents 74 % of the total recidivism, the rest received a sentence to be served outside prison. In 2014, the share that received a new prison sentence had increased to 86 %.

<sup>3</sup> For simplicity, I use rounded numbers in my comments on the results. However, all tables, apart from Table 9, show exact percentages at one decimal.

1. Summed up recidivism per 08/09/2020 by gender for those re-released prisoners in 2015- 2018			N	%
Female	Valid	Yes, at least one offence after release	255	13,4
	Missing		1 654	86,6
	Total		1 909	100,0
Male	Valid	Yes, at least one offence after release	4 609	22,9
	Missing		15 550	77,1
	Total		20 159	100,0

### Total of new sentences to be served in prison among released persons up to 08/09/2020 broken down by year of release

Table 2 shows the summed up recidivism up to 08/09/2020 for those released in 2015 – 2018, distributed by year of release. On the given date, 31 % of those released in 2015 has been re-admitted to prison on a prison sentence, 27 % for releases from 2016, 16 % for releases from 2017 and 11 % of releases form 2018. The differences are primarily caused by different observation periods for the various years. Those released in 2015 have an observation period of over four years, against less than two years for part of those released in 2018.

2. Summed up recidivism per 08/09/2020 by year of release			N	%
2015	Valid	Yes, at least one offence after release	1 790	31,1
	Missing		3 959	68,9
	Total		5 749	100,0
2016	Valid	Yes, at least one offence after release	1 715	26,7
	Missing		4 713	73,3
	Total		6 428	100,0
2017	Valid	Yes, at least one offence after release	844	16,4
	Missing		4 298	83,6
	Total		5 142	100,0
2018	Valid	Yes, at least one offence after release	515	10,8
	Missing		4 234	89,2
	Total		4 749	100,0

### Recidivism per year of release for equal observation periods of two years

In order to be able to compare the development in recidivism, one needs to correct for differences in observation period due to different risk of reoffending. Table 3 shows recidivism for released persons per year of release, corrected for an equal observation period of two years. This implies that recidivism is measured as a new offence within two years after release that has resulted in a new entry on a prison sentence, where the released persons meet the criteria of having had at least two years of freedom after release. Thus, everyone has had the same opportunity to reoffend.

<b>3. New offence within two years after year of release</b>			<b>N</b>	<b>%</b>
2015	Valid	Yes	1 171	20,4
	Missing		4 578	79,6
	Total		5 749	5 749
2016	Valid	Yes	1 349	21,0
	Missing		5 079	79,0
	Total		6 428	6 428
2017	Valid	Yes	768	14,9
	Missing		4 374	85,1
	Total		5 142	5 142
2018	Valid	Yes	372	11,4
	Missing		2 888	88,6
	Total		3 260	100,0

Note that in the 2018-cohort there are 1 489 persons who still have not met the criteria of a two-year observation period, so that it consists of 3 260 released persons. This may have had an effect on the difference in result compared to previous years, where the cohorts are considerably larger. In addition, the timespan for being sentenced to prison again is considerably larger for the cohorts before 2018 as well, so that there is a lesser risk that criminal acts committed within two years have not been registered and included in a new prison sentence handed down later. The results show that the proportion of persons who reoffended within two years is 20 % in 2015 and 21 % in 2016. However, reoffending drops to 15 % in 2017, a remarkable reduction of six percentage points compared to the previous year.

In 2017, a police reform was gradually introduced in Norway, and there is reason to assume that this may largely explain the relatively sudden reduction in recidivism in the years 2017 and 2018, compared to previous years. During the time following the introduction of the police reform, an overall reduction can be observed in the number of charged persons, the number of remands and the number of sentences received from the courts. Taken together, this indicates that a decrease in the production of penal cases has influenced the conviction rate in all types of cases.<sup>4</sup> It is safe to assume that this will also influence the rate of registered reoffending among released persons. Measuring the time of a new sentence after release indicates that the total caseload has been reduced and/or that the case processing time has increased since 2016. Within two years, prisons registered 966 new sentences started by released persons in 2015, increasing to 1 352 among those released in 2016, followed by a steep decrease to respectively 812 and 820 in 2017 and 2018. Changes in police priorities as to what kind of

<sup>4</sup> According to Statistics Norway, 26 524 less charges against persons were registered in 2018 compared to 2016. In the same period, the number of charges against persons for sexual offences increased by 30 % (Statistics Norway table 09410: Siktelser mot personer etter lovbruddstype, alder, statistikkvariabel og år: <https://www.ssb.no/statbank/table/09410> ). The total number of prison sentences received and registered in the Correctional Service fell from 10 591 in 2016 to 8 899 in 2019. New commencements of prison sentences in prison fell from 6 726 in 2015 to 4 596 in 2019. A considerable part of this decrease in entries to prison on sentence is, however, due to conversion of a little less than 3 000 prison sentences annually to electronic monitoring. New remands fell from 3 713 in 2015 to 3 185 in 2018. (Source: Correctional service registration system Kompis Kia/ Booking and the Correctional service's annual statistics.)

crimes will be investigated have probably also influenced the differences in results in the period after 2016. In 2019, police reported 20 % less drug offences than in 2016.<sup>5</sup> At the same time, the Correctional Service has received a growing number of persons sentenced for sexual offences, cases that often take more time and resources to investigate, notably in cases of online abuse, which have been a prioritized area. The number of inmates sentenced for sexual offences has almost doubled over the last ten years, from a daily average of 300 to 600.<sup>6</sup>

It should also be mentioned that being on the "waiting list"<sup>7</sup> implies that the implementation of the prison sentence is postponed, and this may be expected to influence the composition of the population of released persons - and with it, recidivism. However, it is not very likely that the waiting list has substantially influenced the number or the composition of the population of released persons in 2017 or 2018 since it consisted of just 261 sentences on 01/01/2017 and fell to 141 on 01/01/2019.<sup>8</sup>

The following contingencies may also have influenced the differences in recidivism rates before and after 2017:

- The proportion of those with a previous prison sentence among released persons has decreased markedly during the years 2017 – 2018, compared to the two years before, cf. table 6. Their share fell from 39 % of released persons in 2015 to 24 % in 2018, a decrease in numbers by 54 % (n = 1 374) in the course of two years. This development has quite probably had an effect on the decrease in recidivism after 2016. Measurements have shown that released persons with an earlier prison sentence have a more than twice as high risk of reoffending than those without an earlier prison sentence.<sup>9</sup> Table 6 shows the number of released persons with a previous prison sentence five years back in time, and recidivism within two years in this group.
- Less persons under 25 years old were released in the period after 2016. These accounted for 18 % of released persons in the period 2017 – 2018, against 20 % in 2015 – 2016. Those under 25 years of age generally show higher reoffending rates than others do. See e.g. table 7.
- There are continually less persons sentenced for theft among those released, and theft tends to show higher reoffending rates than other offence categories. In 2015 – 2016, theft accounted for 12 % of released persons, against 8 % in 2017 – 2018.<sup>10</sup>

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<sup>5</sup> In 2016, police reported 36 184 drug offences. In 2019 this number fell to 28 793. See <https://www.ssb.no/statbank/table/08484>.

<sup>6</sup> Report "Eldre insatte i norske fengsler" (Older inmates in Norwegian prisons), Directorate of Correctional Services, 2020.

<sup>7</sup> Historically, a lack of sufficient capacity and a principle of no overcrowding has led to a varying number of people on a waiting list for serving their prison sentence until capacity is freed for them. One is considered to be on the waiting list when one has waited for over two months.

<sup>8</sup> 01/12/2020, 871 persons were on this list. The increase coincides largely with the development in the Covid-19 situation and the preventive measures taken in the correctional system.

<sup>9</sup> An unpublished logistic regression analysis of reoffending within three years among persons released in 2010 – 2014 showed that the odds of reoffending are 255 % higher for those who have been imprisoned before compared to those with no prior imprisonment. Exp(B) = 3,556. See also the report "Retur– en nordisk undersøgelse av recidiv blant klienter i kriminalforsorgen," table 6.2.1 and 6.2.2.

<sup>10</sup> See for example the report "Retur– en nordisk undersøgelse av recidiv blant klienter i kriminalforsorgen," table 6.4.1. This research showed that reoffending among those released from a theft sentence was three times as high as the average for all released persons.

## Recidivism by gender with an equal observation period of two years

Table 4 shows the results on reoffending within two years, distributed by gender for all those released in 2015 – 2018 who meet the requirement of an observation period of at least two years. In the Nordic study, the reoffending rate for Norwegian women in the course of two years was at 11 %. We find the same average result for all women released in 2015 – 2018.

4. New offence within two years after release by gender. Released 2015 – 2018.			N	%
Female	Valid	Yes	196	11,1
	Missing		1 575	88,9
	Total		1 771	100,0
Male	Valid	Yes	4 464	18,4
	Missing		13 966	81,6
	Total		18 808	100,0

Table 5 shows the gender distribution of persons with a new offence within two years of release for the various years. Recidivism increases somewhat among men up to and including 2016, but not among women. In the following years, it decreases among men, but not similarly among women. Here too, one needs to take into account that the number of released persons in 2018 is smaller than in the years before because fewer meet the requirement of a two-year observation period, and this may have influenced the result compared to earlier years.

5. New offence within two years by gender and year of release				N	%
Female	2015	Valid	Yes	61	13,5
		Missing		390	86,5
		Total		451	100,0
	2016	Valid	Yes	65	11,5
		Missing		502	88,5
		Total		567	100,0
	2017	Valid	Yes	38	8,4
		Missing		414	91,6
		Total		452	100,0
	2018	Valid	Yes	32	10,6
		Missing		269	89,4
		Total		301	100,0
Male	2015	Valid	Yes	1 110	21,0
		Missing		4 188	79,0
		Total		5 298	100,0

	2016	Valid	Yes	1 284	21,9
		Missing		4 577	78,1
		Total		5 861	100,0
	2017	Valid	Yes	730	15,6
		Missing		3 960	84,4
		Total		4 690	100,0
	2018	Valid	Yes	340	11,5
		Missing		2 619	88,5
		Total		2 959	100,0

Almost half (12 357 – 48 %) of all those released in 2015 – 2018 has served a prison sentence before. Of these, 8 433 did so less than five years ago, counting from the time of their previous release to the time of starting to serve their latest sentence. Table 6 shows reoffending among those with an earlier release from a prison sentence, measured five years back in time. Here too, the condition is that all will have to meet the requirement of an observation period of at least two years. 7 728 released persons do so.

<b>6. New offence within two years among those released with a previous prison sentence five years back in time</b>			N	%
2015	Valid	Yes	742	33,4
	Missing		1 477	66,6
	Total		2 219	100,0
2016	Valid	Yes	864	34,1
	Missing		1 672	65,9
	Total		2 536	100,0
2017	Valid	Yes	505	27,9
	Missing		1 306	72,1
	Total		1 811	100,0
2018	Valid	Yes	246	21,2
	Missing		916	78,8
	Total		1 162	100,0

The reoffending rates are lower than in the corresponding measurement for Norway in the Nordic recidivism study, which showed 41 % for those with a previous stay in prison five years back in time.<sup>11</sup> There were 410 released women in 2015 – 2018 with such an experience, and on average 25 % of these reoffended, against 31 % of the men in this category.

<sup>11</sup> Cf. table 6.2.1 page 27 in the report "Retur – en nordisk undersøgelse av recidiv blant klienter i kriminalfor-sorgen."

### Recidivism among young released persons within two years after release

Table 7 shows the share with a new offence within two years that has led to a new sentence to be served in prison for offences committed by persons under 20 years of age when released in 2015 – 2018. Here too, an observation period of at least two years is required. The same tendency shows. Recidivism increases to 38 % in 2016 and then decreases, with the exception of 2018, which again shows an increase. The populations, however, are small and differences between the various years may therefore be due to coincidences.

7. New offence within two years among persons under 20 years of age on release			N	%
2015	Valid	Yes	27	35,5
	Missing		49	64,5
	Total		76	100,0
2016	Valid	Yes	29	37,7
	Missing		48	62,3
	Total		77	100,0
2017	Valid	Yes	13	25,0
	Missing		39	75,0
	Total		52	100,0
2018	Valid	Yes	15	29,4
	Missing		36	70,6
	Total		51	100,0

Table 8 shows reoffending within two years among young adults under 25 years of age on release, with at least one previous release from a prison sentence measured five years back in time after the latest release. The share of re-admitted “persistent offenders” with a new offence within two years varies from 44 % in 2016 to 26 % in 2018. The year 2016 also shows the highest number of released persons in this category, over 300.

8. New offence within two years among released under 25 years with a former prison sentence up to five years back			N	%
2015	Valid	Yes	100	39,5
	Missing		153	60,5
	Total		253	100,0
2016	Valid	Yes	136	44,3
	Missing		171	55,7
	Total		307	100,0
2017	Valid	Yes	50	31,1
	Missing		111	68,9
	Total		161	100,0

2018	Valid	Yes	32	26,4
	Missing		89	73,6
	Total		121	100,0

Note that the number of observed released persons in 2018 has been reduced to almost a third compared to 2016, which may have influenced the differences in annual recidivism rates.

### Measuring recidivism over five years

Measuring recidivism over a period of two years obviously does not present a complete overview of the summed up recidivism for the total population of released persons. Data on persons released from prison and persons who started serving a sentence outside prison in 2010 – 2014 show that the summed up recidivism evens out after four to five years. Table 9 shows the development in the recidivism measured as a new offence in percentage for all who served a sentence in the correctional service in 2010 – 2014, measured gradually over five years. These data also include new sentences served outside prison, so that they are not fully comparable with the data presented in this article.

<b>9. Released or commenced sentences 2010-2014</b>	Released from prison	Community sentence	Electronic monitoring	Drug court	Program driving under influence
New offence within two years in %	21	21	9	46	14
New offence within three years in %	24	24	11	49	17
New offence within four years in %	25	26	14	59	20
New offence within five years in %	26	27	15	62	21

By way of comparison, I have carried out a corresponding measurement over five years for the population in this study released in the years after 2014. 3 853 persons released in 2015 meet the required observation period of five years. Among these, 32 % (n = 1 232) is registered with a new offence within five years that led to a prison sentence entry. It is hardly likely that the following year cohorts of released persons will show similar shares. However, reoffending varies much between those released from high-security prisons and lower security prisons. Within a five-year period, recidivism among persons released from high-security prisons is almost twice as high as among those released from lower security prisons, 44 % against 23 %. The difference probably reflects that security- and risk assessments by the Correctional Service are largely decisive for the type of security level under which the prison sentence will be served.