Contravention of Community Correction Orders (CCOs)

**Factsheet**

The Sentencing Advisory Council studied **7,645 offenders** sentenced to a CCO between July 2012 and June 2013. Offenders were tracked until their CCO was finished or until 30 June 2016, whichever came first.

# Who received a CCO and why?

## Magistrates’ Court

7,340 offenders were sentenced to their CCO in the Magistrates’ Court:

* Their average age was 32 years
* 29% were aged under 25 years
* 86% were men
* 69% had prior convictions.

Percentage of offenders who received a CCO in the Magistrates’ Court, by age group

|  |  |
| --- | --- |
| Age group of offenders | Percentage sentenced to a CCO in the Magistrates’ Court |
| Under 25 | 29% |
| 25–34 | 35% |
| 35–44 | 23% |
| 45+ | 13% |
| **Total number of offenders** | **7,340** |

## Higher courts

305 offenders were sentenced to their CCO in the higher courts:

* Their average age was 30 years
* 46% were aged under 25 years
* 82% were men
* 50% had prior convictions.

Percentage of offenders who received a CCO in the higher courts, by age group

|  |  |
| --- | --- |
| Age group of offenders | Percentage sentenced to a CCO in the higher courts |
| Under 25 | 46% |
| 25–34 | 29% |
| 35–44 | 14% |
| 45+ | 11% |
| **Total number of offenders** | **305** |

# How many offenders obeyed their CCO? How many committed new offences?

* Of the 7,340 offenders on a CCO imposed in the Magistrates’ Court, 2,620 (36%) committed new offences while on their CCO
* They committed 15,460 new offences, averaging 5.9 offences for each offender
* Most new offences were relatively low level and were heard in the Magistrates’ Court
* The most common new offence was theft (32%).

Percentage of offenders who contravened their CCO and the type of contravention, CCOs imposed in the Magistrates’ Court

|  |  |
| --- | --- |
| Contravention category | Percentage of offenders |
| No contravention | 49% |
| Contravention by non-compliance | 15% |
| Contravention by further offending | 36% |

* Of the 305 offenders on a CCO imposed in the higher courts, 85 (28%) committed new offences while on their CCO
* They committed 481 new offences, averaging 5.7 offences for each offender
* Most new offences were relatively low level and were heard in the Magistrates’ Court
* The most common new offence was theft (31%).

Percentage of offenders who contravened their CCO and the type of contravention, CCOs imposed in the higher courts

|  |  |
| --- | --- |
| Contravention category | Percentage of offenders |
| No contravention | 59% |
| Contravention by non-compliance | 13% |
| Contravention by further offending | 28% |

# When did offenders commit their first new offence?

Of the offenders who committed a new offence while on a CCO:

* 4% reoffended in the first week
* 18% reoffended in the first month
* 44% reoffended in the first three months
* 68% reoffended in the first six months.

‘The findings show that early intervention is critical. To be effective, support services and programs need to start as soon as possible after offenders receive their CCO, because reoffending is most likely to start within the first few months.’

Arie Freiberg, Chair, Sentencing Advisory Council

## What factors make an offender more likely to commit an offence on their CCO?

## Magistrates’ Court

### Prior convictions

During the study period, offenders with prior convictions were nearly three times more likely to contravene their CCO by further offending than offenders without prior convictions.

### Age

Offenders aged under 25 years were nearly twice as likely to contravene their CCO by further offending than older offenders.

### Other factors

Offenders were more likely to contravene their CCO if it was:

* longer than 12 months
* combined with a sentenced of imprisonment.

## Higher courts

### Prior convictions

During the study period, offenders with prior convictions were five times more likely to contravene their CCO by further offending than offenders without prior convictions.

### Age

Offenders aged under 25 years were nearly twice as likely to contravene by further offending than older offenders.

### Other factors

Offenders were more likely to contravene their CCO if it:

* had conditions other than community work (e.g. supervision and treatment) or
* was longer than 2 years.

## How many offenders who committed new offences went to prison?

Of the 2,620 offenders who contravened by further offending on a CCO imposed in the Magistrates’ Court:

* 35% went to prison
* 27% stayed on a CCO, either as it was or with changes (e.g. stricter conditions).

Most severe sentence given to offenders who committed new offences on a CCO imposed in the Magistrates’ Court

|  |  |
| --- | --- |
| Most severe sentence | Percentage of offenders |
| Imprisonment | 35% |
| Community correction order | 27% |
| Wholly suspended sentence | 20% |
| Fine | 12% |
| Partially suspended sentence | 3% |
| Adjourned undertaking | 2% |
| Proven and dismissed | 0% |
| **Total number of offenders (further offending)** | **2,620** |

Of the 85 offenders who contravened by further offending on a CCO imposed in the higher courts:

* 49% went to prison
* 40% stayed on a CCO, either as it was or with changes (e.g. stricter conditions).

Most severe sentence given to offenders who committed new offences on a CCO imposed in the higher courts

|  |  |
| --- | --- |
| Most severe sentence | Percentage of offenders |
| Imprisonment | 49% |
| Community correction order | 40% |
| Wholly suspended sentence | 7% |
| Other | 3% |
| Proven and dismissed | 0% |
| **Total number of offenders (further offending)** | **85** |

## What happened to offenders who contravened their CCO by non-compliance?

Of the 1,122 offenders who contravened a CCO imposed in the Magistrates’ Court by non-compliance with another condition (e.g. unpaid community work or reporting) 46% stayed on a CCO, either as it was or with changes (e.g. stricter conditions).

Most severe sentence given to offenders who contravened by non-compliance on a CCO imposed in the Magistrates’ Court

|  |  |
| --- | --- |
| Most severe sentence | Percentage of offenders |
| Community correction order | 46% |
| Fine | 19% |
| Wholly suspended sentence | 18% |
| Imprisonment | 7% |
| Proven and dismissed | 7% |
| Adjourned undertaking | 2% |
| Partially suspended sentence | 0% |
| **Total number of offenders (non-compliance)** | **1,122** |

Of the 39 offenders who contravened a CCO imposed in the higher courts by non-compliance with another condition (e.g. unpaid community work or reporting) 63% stayed on a CCO, either as it was or with changes (e.g. stricter conditions).

Most severe sentence given to offenders who contravened by non-compliance on a CCO imposed in the higher courts

|  |  |
| --- | --- |
| Most severe sentence | Percentage of offenders |
| Community correction order | 63% |
| Proven and dismissed | 23% |
| Imprisonment | 10% |
| Wholly suspended sentence | 5% |
| Other | 0% |
| **Total number of offenders (non-compliance)** | **39** |