Ministry
of Justice

Response to consultation on changes to Criminal Justice Statistics

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Contents

Introduction

The [Criminal Justice Statistics quarterly](#) presents key statistics on activity in the Criminal Justice System for England and Wales, providing users with information about proven offending and its outcomes. From 18th February 2016 to 31st March 2016, the Ministry of Justice ran a [consultation](#) on proposed changes to the Criminal Justice Statistics quarterly release, which aimed to improve the way in which information is made available to users.

The consultation gathered feedback to consider how:
- the publication can better meet user needs and,
- the dissemination of information can be improved

The consultation outlined five proposed changes to the publication and invited users' views on them before changes are confirmed. We received five responses to the consultation. Of those responses, three were from police forces, one was from a charity and one was from a magistrates' court legal adviser.

This document provides feedback on the comments received and clarifies the changes made.

Summary of responses

In general, the five respondents supported the proposed changes, although were keen to ensure that they would still be able to access all the information they currently use. Below is a summary of the main comments received, against each of the questions posed in the original consultation:

1. Changes to the content of CJS Overview Tables

Respondents were content with the proposed changes, though one respondent noted the risk of distortion from outliers in only presenting mean fine amounts.

2. Publication of information on defendants failing to appear at magistrates' court

Respondents were interested in continued reporting of information on this topic from a police and/or court perspective, for monitoring performance and the impact of changes to the criminal justice system. Respondents did wish us to provide our proposed tables on Failure to Appear (FTA) based on court data if possible, though there was a desire for further detail if it were available. (As noted in the consultation document, data on FTA warrants is no longer part of the Home Office Annual Data Requirement and thus no longer centrally collated from police forces. As such, we are unable to produce tables on warrants received and executed by police forces.)

3. Publishing more detailed information on remand decision statistics

The proposed additional information was welcomed by respondents, particularly the inclusion of custodial sentence lengths and greater detail around offences.

4. Rationalising the interactive data tools

Respondents reported that they found the existing tools to be valuable, but were content with our proposed rationalisations.

5. Publishing outcome by offence information at the Home Office offence code level

The proposed publication of this information was welcomed by respondents. (One respondent had concerns that if we ceased to present the existing groups, replacing them with the low level data alone, this would make the statistics less accessible to general users; we agree and have no intention of doing this.)

Other comments

There was a desire to include common assault within 'Violence against the person', to give an overarching picture of violence. There were also requests for the inclusion of ethnicity data for all indictable offences, rather than only those at the Crown Court, for the inclusion of more detailed geographic breakdowns within tools, for a more widespread incorporation of out of court disposals and for a separation of police and non-police prosecutions (the latter not being possible from centrally held data).

Some responses included requests for information related to court processes, such as witness or victim care, Better Case Management and the timing of pleas; these comments have been passed on to the team responsible for the Criminal court statistics quarterly (CCSQ) statistical bulletin within MoJ, which presents statistics on topics relating to criminal court processes, caseload and timeliness.

Changes to Criminal Justice Statistics

Following feedback from users, the following changes have been introduced to the annual publication (published on 19 May 2016) and will continue in subsequent annual editions.

1. Changes to the content of CJS Overview Tables

To ensure we are including the most helpful and relevant summary statistics in the overview tables, with the bulk of the detail released on an annual basis in our data tools, we will stop producing the following overview tables (all previously published in the CJS annual edition only):

Overview Table	Alternative source	Availability
A5.1 Persons sentenced to custody by age group	'CJS outcomes by offence data tool' or 'Sentencing data tool'	Yes - in data tools
A5.2 Average fine amounts imposed	'CJS outcomes by offence data tool'	Yes – in data tools
A5.3 Median fine amounts imposed	No	No
A5.4 Offenders ordered to pay compensation by type of court and offence	No	Yes – this can be obtained from the Crown Court tool and Magistrates' court tool
A5.5 Persons sentenced for firearms offences liable for mandatory minimum custodial sentence	'CJS outcomes by offence data tool' or 'Sentencing data tool'	Yes – in data tools
A5.6 Offenders ordered to pay confiscation orders for drug trafficking offences by amount.	No	No

2. Publication of information on defendants failing to appear at magistrates' court

Given the interest from users, we investigated the feasibility of including the demo tables in our latest publication, but are unfortunately currently unable to provide these breakdowns due to concerns over their credibility. We will continue to investigate whether anything further can be done to demonstrate or improve their quality, and we will pre-announce and publish them if and when we are satisfied it is suitable.

3. Publishing more detailed information on remand decision statistics

In the light of the strong user interest in remand, we are now including (i) more detailed offence-level information, (ii) regional information and (iii) sentence length information for defendants given a custodial sentence after being held on remand in both the magistrates' courts and Crown Court remand sections of the Prosecutions, Convictions and Remand data tool and the underlying csv files.

4. Rationalising the interactive data tools

As users have indicated they found all the existing tools to be of value, except those identified in our specific proposals, we have retained them. In the 2015 edition, we are publishing the following data tools:

- Out of court disposals data tool
- Prosecutions, convictions and remands data tool
- Sentencing data tool
- Criminal justice statistics outcomes by offence data tool
- Magistrates' court data tool
- Crown Court data tool
- Motoring data tool: with criminal justice area
- Offending History Data Tool: First Time Entrants statistics
- Offending History Data Tool: Previous offence statistics
- Offending History Data Tool: Sanction statistics

On our specific proposals:

(i) Motoring data tools: There is now just one motoring tool, which includes Police Force Area.

(ii) Drug data tool: We have replaced the drug information tool with new content presenting 2015 data for each Home Office offence code, not just for drug offences.

5. Publishing outcome by offence information at the Home Office offence code level

For the first time, Home Office offence code level information has been presented in a new csv table: 'Experimental statistics – proceedings and outcomes by Home Office offence code'. This additional content allows users view prosecutions, convictions and sentencing information for 2015 by Home Office offence code.

Changes in response to other comments

We have added additional information into the technical guide to better explain the source of the offence groups used in the publication, with particular reference to common assault.

In previous editions of Criminal Justice Statistics, only ethnicity information on defendants tried at the Crown Court was provided. After some investigation on the data quality, we have decided to publish ethnicity information for indictable offences at all courts, from 2009 onwards – within our Prosecutions and convictions and Sentencing data tools.

Although it is not possible to include a police force area breakdown in the published data tools (due to technical limitations related to file size), we will give greater prominence to the 'Courts by CJA' csv file that users can generate their own tools from. We will also add police force area into the remand csv files, to give users the same capability for remand.

Pre-announced changes

As notified in the consultation document, we have also made a range of smaller improvements to the commentary and presentation of this bulletin, to enhance clarity and user understanding of trends in criminal justice statistics, including:

- the introduction of international context;
- information on persistent offenders;
- statistics on the use of new offences introduced during 2015.

Further, we have undertaken analytical work in recent months to establish the feasibility of amending the classification of offences in the Court Proceedings Database (CPD) – which underpins the CJS publication – to align better with the classification system used in the Her Majesty's Courts and Tribunals Services' (HMCTS) Performance Database, the caseload data from which underpins the team's other National Statistics publication, Criminal court statistics quarterly (CCSQ). An analysis of the impact of this work has been included in the technical guide accompanying the annual publication of CJS released on 19 May 2016, along with the back revisions of statistics required to meet the recommendations of that report, with regard to reclassifications of offence types.