

# Crime and Criminal Justice Statistics - Methodological guide for users

2016 Version (updated 25 May 2016)

## CONTENTS

1.	EU Statistics on crime and criminal justice .....	3
1.1.	Types of data in EU Statistics on crime and criminal justice.....	4
1.1.1.	Police.....	4
1.1.2.	Prosecution.....	5
1.1.3.	Court.....	6
1.1.4.	Prison .....	7
1.1.5.	Occupational data.....	9
1.1.6.	Historical data.....	9
1.2.	The different ways of collecting data .....	9
1.2.1.	Administrative sources of crime data .....	9
1.2.2.	Victimization surveys and self-reporting of data .....	12
1.3.	International Classification of Crime for Statistical Purposes (ICCS) .....	13
2.	Statistical processing.....	17
2.1.	Data collection .....	17
2.2.	Data validation .....	19
2.3.	Data quality.....	19
2.4.	Limitations .....	20
2.4.1.	Limitations due to the type of data .....	20
2.4.2.	Limitations due to the collection of data .....	20
2.4.3.	Limitations due to the level data are collected on.....	21
2.4.4.	Limitations due to inconsistencies in aggregation .....	21
2.5.	Indicators.....	21
2.5.1.	Crime rates.....	21
2.5.2.	Trend indices.....	22
2.5.3.	Attrition rates .....	23
2.5.4.	Occupancy rates.....	24
3.	Comparability .....	25
3.1.	Definitions.....	25
3.2.	Legal systems.....	26
3.2.1.	Civil law / inquisitorial system.....	26
3.2.1.	Common law / adversarial system .....	27
3.2.2.	Pre-trial phase .....	27

3.2.3.	The trial phase.....	28
3.3.	Geographical coverage.....	30
3.4.	Institutional coverage.....	31
3.5.	Stage of data collection.....	31
3.6.	Reference Period.....	31
3.7.	Counting unit .....	32
3.7.1.	Offences .....	32
3.7.2.	Persons .....	32
3.7.3.	Cases .....	32
3.7.4.	Prison capacity .....	33
3.8.	Counting rules.....	33
3.8.1.	Principal offence rule (offence counting rule) .....	34
3.8.2.	Multiple (serial) offences of the same type (offence counting rule).....	34
3.8.3.	Offences committed by multiple persons (offence counting rule) .....	35
3.8.4.	Multiple (serial) offences by the same person (person counting rule).....	35
3.8.5.	Counting the same person multiple times (person counting rule).....	36
3.9.	Methods of comparison.....	36
3.9.1.	Crime levels.....	36
3.9.2.	Trend analysis .....	37
4.	Eurostat website.....	39
4.1.	Data.....	39
4.2.	Metadata.....	43
4.3.	Statistics Explained.....	43
4.4.	Statistics in focus .....	43
4.5.	Statistical working papers .....	43

This methodological guide will present how EU Statistics on crime and criminal justice are collected, which types of data are included and how they are classified in an international context. Furthermore, it will explain how data are processed and validated by Eurostat, how indicators are calculated and which limitations exist. A significant part of this methodological guide is dedicated to the comparability of data. Which comparisons can be made and which should be avoided, how different national definitions, legal systems and coverage impact comparability and why counting units and counting rules matter for comparisons. In short, this methodological guide will inform users of EU Statistics on crime and criminal justice how crime data can be interpreted and of the limitations in using administrative data when attempting to compare criminal activity between jurisdictions. Last but not least it will present which products are available and where to find them on the Eurostat website.

## **1. EU Statistics on crime and criminal justice**

The treaties supporting the development of the European Union (EU) have progressively extended its role in securing police, customs and judicial cooperation and in developing a coordinated policy with regard to asylum, immigration and external border controls. They have built the foundations of a common legal framework in the field of justice and home affairs, and the integration of this policy area with other policy areas of the Union.

The Hague programme adopted in 2004 is the first multi-annual programme in this area. In 2004, the European Council stressed the lack of comparable data on crime at EU level. It explicitly gave a mandate to Eurostat to “establish European instruments for collecting, analysing and comparing information on crime and victimisation and their respective trends in Member States, using national statistics and other sources of information as agreed indicators”. The Commission established the Action Plan 2006-2010 to develop a comprehensive and coherent EU strategy to measure crime and criminal justice.

The 2009 Stockholm Programme reiterated the need for “adequate, reliable and comparable statistics” on crime and criminal activities. It welcomed “the initiative of the Commission to establish European instruments for collecting, analysing and comparing information on crime and victimisation” and in 2012, a new Action Plan covering the 2011-2015 period underlined the strategies to be adopted in order to improve the collection of crime statistics.

Data about criminal activities - by definition - are not easy to collect and the actual extent of crime in a society is hard to measure and difficult to estimate. Various methods can be applied to try to achieve this. One possible approach, even though it might not be the most accurate one, is recording administrative data on criminal acts brought to the attention of law enforcement and criminal justice procedures. A first data collection thereof, with the reference year 2005, was organised in 2007 and since then, figures on crime and criminal justice are yearly published by Eurostat in “Statistics in Focus”.

Coordination was set-up with the UN Office on Drug and Crime (UNDOC) to collect data through the United Nations Surveys on Crime Trends and the Operations of Criminal Justice Systems (UN-CTS). The year 2014 is an important milestone for this cooperation with the organisation of the first joint Eurostat/UNODC statistical data collection on crime and criminal justice from EU Member States, Candidate Countries, potential Candidate Countries and EFTA countries. In addition to the information required by UNDOC, some data are also collected for specific areas of interest to the European Commission (see Chapter 1.2.1 Administrative sources of crime data).

The UN-CTS collection and consequently also the Eurostat data collection are updated and revised constantly, ensuring consistency of the data over time. Future revisions will bring some changes in the definition and inclusion of offences in the questionnaire due to the alignment of the data collections with the International Classification of Crime for Statistical Purposes (see Chapter 1.3 International Classification of Crime for Statistical Purposes (ICCS)).

## **1.1. Types of data in EU Statistics on crime and criminal justice**

EU Statistics on crime and criminal justice include administrative data at four different stages of the criminal justice system. The first stage of administrative statistics about crime and criminal justice is typically data recorded by law enforcement authorities.

### **1.1.1. Police**

Police recorded data are usually based on information collected when the police receive details about a crime, like the type of offence and victims' and perpetrators' characteristics. In EU Statistics on crime and criminal justice, police statistics provide the number of crimes recorded by law enforcement authorities and the number of suspects and offenders brought into formal contact with police. They are usually a count of all criminal offences reported to or detected by the police. However, not all criminal events are reported to the police, resulting in an under-coverage of crime or the so-called dark figure of crime. For a crime to be reflected in crime statistics a chain of decisions by victim and police need to be successfully taken. These decisions include the recognition by the victim that a criminal offence has occurred, the decision to notify the relevant authorities and the recording of the event in official police records. If at any of these stages a victim is not aware that a crime has occurred, chooses not to report it to the police or is failed by the police in recording it, that crime event will not be reflected in official crime statistics as recorded by the police.

The first two decisions are highly based on the victim's assessment and awareness of the seriousness of the crime and potential benefits of reporting it to the relevant authorities. Injuries sustained in a criminal event, the use of weapons, material loss or insurance reasons are well known factors leading to higher reporting rates.

The latter stage of the decision chain is highly dependent on the functioning of the criminal justice system. The police have some discretion in recording crimes leading to criticism in the resulting data quality. The lack of interest in pursuing minor infractions and petty offences and thus not collecting accurate information on criminal events and the persons involved are a potential weakness of police recorded crime data. The capacity of criminal justice information systems to register and record crimes with a sufficient degree of completeness are a second potential shortcoming which can lead to a lack of accuracy in police recorded crime. For all of these shortcomings, administrative data on recorded crime should not be confused with the actual extent of crime.

- *Offences*

Eurostat publishes data on the number of offences of 13 distinct criminal acts as defined by the International Classification of Crime for Statistical Purposes (see Chapter 1.3). With an offence count, in principle, each contravention of an article of criminal law may be recorded separately. When counting offences, data cannot be further disaggregated.

- *Victims*

On the level of police-recorded data a second counting unit is heavily used. The person, or more specifically the victim of a criminal offence, is a counting unit (see Chapter 3.7) that can be further disaggregated, depending on the information recorded by the police. Eurostat publishes data on the number of male and female victims of intentional homicide, sexual violence, rape and sexual assault. In addition, for intentional homicide, Eurostat publishes disaggregations of victim data on victim-offender-relationship, victims by sex and age bands and victims in largest cities.

- *Suspects*

Another application of using the person as a counting unit by police is data on suspects. Eurostat publishes data on the number of male and female suspects for intentional homicide, sexual violence, rape and sexual assault. In addition, Eurostat publishes disaggregations of the total number of suspects by citizenship, sex and age bands.

### **1.1.2. Prosecution**

After a crime is reported to or recorded by the police an investigation is opened and a decision is taken to pass the case on for prosecution. Again, there are a couple of choices that directly influence the data collected at the prosecution stage, which are limited to the number of persons prosecuted.

Criminal offences recorded at the police level may be redefined or completely disappear at the prosecution stage, e.g. if a certain crime is recorded by the police but the investigation shows that, for example, charges can only be brought against the perpetrator for a different offence or the result of the investigation is that no charges can be brought at all. This process of gradual

reduction of number of cases or persons can be observed on all stages of the criminal justice process and is referred to as attrition. So called attrition rates can be calculated for the reduction of cases or persons between two stages of the criminal justice system (see Chapter 2.5.3 Attrition rates).

The prosecution as the intermediate stage between police and court level plays a decisive role in the attrition process and the prosecution service's workload depends on the input from the police level. If a large proportion of reported cases are already dropped by the police, the prosecution service will deal with more serious offences or cases that are deemed more successful in court. On the other hand, if the police are obliged to hand all offences over to the prosecution service, the criminal justice system will have to allow considerable discretion at prosecution level to decide which cases go to court.<sup>1</sup>

Also, the year in which a person is recorded as suspect by police and in which that same person is recorded as prosecuted by the prosecutor might not be identical. Finally, with the collected data it is not possible to follow individual cases through the system. All data collected and presented in EU Statistics on crime and criminal justice are aggregated data and not individual cases that can be tracked at any stage of the criminal justice system.

### **1.1.3. Court**

Court statistics provide important information on the number of legal cases processed in first instance courts. The categories of legal cases include any cases processed under criminal law, civil/commercial law, administrative law and other national law. When dealing with cases, the performance of the courts can be distinguished by cases brought to court, which is the number of proceedings newly initiated in court during a year, cases resolved, which is the number of proceedings finalised or disposed of by a court decision during a year, and cases pending, which is the number of proceedings that are not finalized or disposed of as of 31 December of a given year. While cases resolved and cases pending are mutually exclusive and total the workload of courts, cases brought to court can only be fraction of the sum of cases resolved and cases pending. Since the time it takes a case to pass through the court system - even if data are only recorded in first instance courts - can vary greatly depending on the jurisdiction and the charges, comparisons of levels in a single year might not deliver reliable results.

Courts also generate data on persons convicted or acquitted of criminal offences. These data are suitable for analysing the performance of the whole criminal justice system as a continuation of attrition of cases even though the time it takes for a person to pass through the court system - even if data are only recorded in first instance courts - can vary greatly depending on the country and the charges. This variation in length to come to a court decision needs to be taken into account.

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<sup>1</sup> Jörg-Martin Jehle, Attrition and Conviction Rates of Sexual Offences in Europe: Definitions and Criminal Justice Responses, in: European Journal of Criminal Policy and Research, 2012, Volume 18, Issue 1, 151f

Court statistics are in general considered a more robust indicator of criminal justice, especially if conviction figures can be broken down by different offence categories, than any other administrative data on the previous levels of the criminal justice system. Conviction statistics are seen as the better indicator for levels of crime than police data, as convictions stand at the end of the decision chain in the criminal justice system.

#### **1.1.4. Prison**

Prison statistics provide important information on the number of prisoners and prison capacity. While data collected at the previous stages of the criminal justice system sum up offences, cases or persons recorded over the course of a year, prison data are stock data that give the number of prisoners incarcerated at a certain day of the year, usually the 31st of December (see Chapter 3.6 Reference Period). Some jurisdictions however use differing reference dates, while others report an average daily prison population. In addition, amnesties can have a sudden effect and drastically change counts of persons held.

Apart from these differences, prison data are considered a robust indicator, taking into account that some variations in the definition of persons held exist. Data reported to Eurostat should exclude non-criminal prisoners held for administrative purposes, for example, persons held pending investigation into their immigration status or foreign citizens without a legal right to stay. But in practice some differences exist. Some jurisdictions report only on prisoners in institutions under justice administration which means they exclude persons in psychiatric facilities or in institutions for disciplinary detention for young offenders while others include persons in supervised probationary freedom.

Put together, data from these levels of the criminal justice system can give indication of the criminal justice system's response to crime, even though with the data collected in EU Statistics on crime and criminal justice it is not possible to follow cases through the system. They all have their specific characteristics (Table 1).

**Table 1. Comparison of types of data published in EU Statistics on crime and criminal justice**

	Stage of the criminal justice process				
	Offences (police-recorded)	Victims (police-recorded)	Prosecution	Court	Prison
Covers	Law enforcement activity	Victim characteristics for police-recorded crime	Activity of the prosecution service	Activity of the courts  Conviction and acquittal rates	Stock of persons in prison system and prison capacity
Use	Measure of police workload, shows the types of offence that are recorded by the police and how these change over time.  Offences of intentional homicide are generally well captured by the official statistics	Quantifies the number of victims for specific offences, can help to identify relationships between different types of offence and victim characteristics.	Measure of prosecution workload, proportion of people prosecuted for particular offences, trends in prosecutions	Measure of the workload of the courts, proportion of people convicted for particular offences, trends in convictions	Measure of the proportion of people imprisoned for particular offences, indicator of overcrowding, prisoner characteristics, number of pre-trial prisoners, trends over time
Limitations	Not all offences committed are reported to the police or detected by the police. Police procedures for recording offences can vary across Member States.  The number of offences recorded can increase as a result of special law enforcement initiatives targeted at particular offences	Not all victims come to the attention of the police.  The number of victims recorded can increase as a result of special law enforcement initiatives.  Detailed characteristics of victims are not always available from police records	Procedures for deciding to prosecute vary across Member States, depending on the legal system.  Prosecution data may be recorded in a different year to that in the police records	Data are only recorded in first instance courts and convictions may be overturned on appeal  Conviction data may be recorded in a different year to that in the police or prosecutions records	The stock of prisoners relates to a reference date which may not be the same in each Member State.  As the number of prisoners on a single day can vary throughout the year, the reference date does not necessarily reflect the typical stock level through the year

### **1.1.5. Occupational data**

From three levels of the criminal justice system - police, courts and prisons - data on personnel according to the International Standard Classification of Occupations 2008 (ISCO-08) are included in EU Statistics on crime and criminal justice.

Most jurisdictions comply with the definition<sup>2</sup> of police personnel by excluding civilian staff, customs officers, tax, military, court and secret service police, while some jurisdictions include other law enforcement personnel in customs and prison administration in their figure or are not able to exclude support staff.

Until now, the headcount of police officers requested by Eurostat does not discriminate between full-time and part-time officers. As a result, all part-time officers should be included and counted as one person. Some jurisdictions, however, provide figures in full-time equivalents (FTE) instead of a simple headcount. This means a part-time officer, who works half-time, is counted as 0.5 FTE. These different counting methods lead to some distortions when comparing counts of personnel between jurisdictions and should be taken into account.

### **1.1.6. Historical data**

EU Statistics on crime and criminal justice also include historical data on police recorded offences, police officers and prison population collected up to the year 2007. These data are based on different definitions and cannot be directly compared with the data published at a national level from 2008.

## **1.2. The different ways of collecting data**

### **1.2.1. Administrative sources of crime data**

All the types of data featured in EU Statistics on crime and criminal justice and described in detail in Chapter 1.1 are administrative data. They are produced by the various agencies at each stage of the criminal justice system in each legislation. By that definition, they are inherently a national domain. Some international data collections that collect data from the national level exist though:

- *Eurostat data collection (see Chapter 1)*

In 2014, Eurostat and UNODC launched a joined annual data collection on crime and criminal justice statistics by using the UN crime questionnaire and an ad-hoc Eurostat questionnaire. The data and metadata are collected from national statistical institutes or other relevant

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<sup>2</sup> Personnel in public agencies as at 31 December whose principal functions are the prevention, detection and investigation of crime and the apprehension of alleged offenders. Data concerning support staff (secretaries, clerks, etc.) should be excluded.

authorities (Police and Justice Department mainly) in each EU Member State, Candidate Country, potential Candidate Country and EFTA country. In total, the Eurostat data collection covers 41 jurisdictions.

This joint data collection allows to gather information on:

- offences, victims, suspects, persons prosecuted and persons convicted, with demographic breakdowns where possible;
- the number of police, judges and other staff employed by criminal justice institutions; and
- the number of people detained in prison and prison capacity.

- *UN data collection* (<https://data.unodc.org/>)

The Economic and Social Council, in its resolution 1984/48 of 25 May 1984, requested "the Secretary-General to maintain and develop the United Nations crime-related data base by continuing to conduct quinquennial surveys of crime trends, operations of criminal justice systems and crime prevention strategies, and to report periodically to the Committee on Crime Prevention and Control on the progress made".<sup>3</sup> The United Nations Surveys on Crime Trends and the Operations of Criminal Justice Systems (UN-CTS) has since evolved into a biennial and since 2009 into an annual survey of criminal justice data. Since 2010 UNODC also includes a module on crime victimization survey data in UN-CTS (see Chapter 1.2.2 Victimization surveys and self-reporting of data). UNODC partners with regional organisations to implement the data collection. In 2011 the Organization of American States (OAS) managed the collection in the Americas and since 2014 Eurostat is collecting data for UNODC in Europe. Every year the UN-CTS is sent to 194 UN Member States plus 2 observer and 1 territory. About 50% of the questionnaires are received back, not all of them with complete data.

- *other European data collection initiatives: European Sourcebook Group* (<http://wp.unil.ch/europeansourcebook/>)

The European Sourcebook Group is a group of mostly academic experts that produces on a regular basis the European Sourcebook of Crime and Criminal Justice Statistics, an endeavour started in 1996. The Council of Europe established a committee to prepare a compendium of crime and criminal justice statistics resulting in the publication of the first European Sourcebook. Later editions of the Sourcebook were funded by national governments. The fifth and latest edition of the Sourcebook covers the years 2007 to 2011 and has been published in September 2014. Similar to EU Statistics on crime and criminal justice it covers police, prosecution, conviction and correctional statistics, as well as victimization surveys.<sup>4</sup>

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<sup>3</sup> United Nations Economic and Social Council. E/1984/48

<sup>4</sup> <http://wp.unil.ch/europeansourcebook/>

- *other European data collection initiatives: Council of Europe SPACE I statistics (<http://wp.unil.ch/space> )*

SPACE I is the Council of Europe Annual Penal Statistics (Statistiques Pénales Annuelles du Conseil de l'Europe) of the populations held in custody and/or in other types of penal institutions across Europe, compiled by researchers at the University of Lausanne in Switzerland. The SPACE project produces annual overview on main indicators of custodial and non-custodial activities in all Member States of the Council of Europe. Apart from prison population SPACE data include additional information about the conditions of detention like prison capacity and prison staff, as well as about the custodial movement (e.g. entries, releases, deaths, escapes).

- *Sub-national data*

Limited data on domestic burglary, homicide, robbery and theft of a motor vehicle are available on a regional level for 2008, 2009 and 2010 only. The data are available for the European Union member States, EFTA countries, EU Candidate countries and EU potential Candidate Countries. These data were collected with the previous Eurostat definitions of offences which are no longer in line with definitions used since the start of the joint data collection with UNODC. Therefore comparison of sub-national data with national data from the recent data collection should be avoided (see Chapter 3.1 Definitions). The territorial classification of regional data is broken down according to the NUTS classification<sup>5</sup>. The regional data is available at NUTS level 3.

- *City level data*

City level data on crime are asked from each jurisdiction for the largest city and are in general provided for two different aggregations:

- (a) the **city proper**, within the official boundary of the city, equivalent to a municipality or another locality with legally fixed boundaries and an administratively recognized urban status that is usually characterized by some form of local government, or
- (b) the **wider urban agglomeration**, which comprises the city or town proper and also the suburban fringe or densely settled territory lying outside of, but adjacent to, the city boundaries, like metropolitan areas or urban areas<sup>6</sup>

For the definition of largest city, data providers are advised to use the OECD greater city definition<sup>7</sup>, where applicable and to provide information if a different definition is used. Ideally, derived indicators like crime rates are calculated on population data matching the same concept

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<sup>5</sup>

[http://ec.europa.eu/eurostat/ramon/nomenclatures/index.cfm?TargetUrl=LST\\_CLS\\_DLD&StrNom=NUTS\\_33&StrLanguageCode=EN](http://ec.europa.eu/eurostat/ramon/nomenclatures/index.cfm?TargetUrl=LST_CLS_DLD&StrNom=NUTS_33&StrLanguageCode=EN)

<sup>6</sup> "United Nations Statistics Division – Demographic and Social Statistics". Millenniumindicators.un.org. Retrieved 2010-07-26.

<sup>7</sup> [http://ec.europa.eu/regional\\_policy/sources/docgener/focus/2012\\_01\\_city.pdf](http://ec.europa.eu/regional_policy/sources/docgener/focus/2012_01_city.pdf)

of city definition as the crime data. Eurostat uses the city population on 1st January from Eurostat's Urban Audit<sup>8</sup> for the calculation of city level crime rates (see Chapter 2.5.1 Crime rates).

### 1.2.2. Victimization surveys and self-reporting of data

Contrary to police statistics or administrative criminal justice data in general, victimization surveys capture both criminal incidents reported to the police and criminal incidents not reported to the police. Therefore, they have the potential of uncovering crimes that are less well reported to or recorded by the police. These surveys use randomly selected samples of a population and can deepen the understanding of crime events and victim characteristics that might not be captured in police recorded data by asking respondents directly about their victimization experiences.<sup>9</sup>

These surveys give a better estimation of the prevalence of crimes but the advantage is less important for crimes which rarely occur, as either sample sizes would have to increase significantly or other survey techniques and methodologies would have to be applied to come up with reliable estimates.

This kind of survey is conducted in several EU Member States but the differences of methodologies and definitions used so far limit their use for international comparisons. Eurostat does not publish data based on victimization surveys, although there have been other European initiatives for gathering comparable victimization data on a European level.

In 2005, a European Crime and Safety Survey (EU ICS)<sup>10</sup> was carried out in 18 EU Member States, following the four previous round (1989, 1992, 1996, and 2000) of the International Crime Victim Survey (ICVS) coordinated by the United Nations Interregional Criminal Justice Research Institute (UNICRI). The survey included questions on the feeling of safety and security and the crimes experienced by citizens of each Member State. Until now, there is no victimization survey on crime and safety covering the whole EU.

There are however some other survey instruments on the European level that focus on crime and victimization or at least include modules or questions on relevant topics touching the issue. In the EU-Statistics on Income and Living Conditions ([EU-SILC](#)) one variable in the basic household questionnaire refers to crime, violence or vandalism as a problem in the respondent's area. In the EU-SILC 2013 ad-hoc module on well-being an additional variable, referring to the respondent's opinion or feeling about the level of security he or she experiences in the area close to the place of residence, was introduced.

The Standard Eurobarometer survey questionnaire includes some questions that list crime as a possible answer regarding the most important issues facing each country at the moment. This

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<sup>8</sup> <http://ec.europa.eu/eurostat/web/cities/data/database>

<sup>9</sup> UNECE/UNODC 2010, Manual on Victimization Surveys, page 7f

<sup>10</sup> Jan van Dijk, John van Kesteren, Paul Smit, Criminal Victimization in International Perspective Key findings from the 2004-2005 ICVS and EU ICS, WODC, 2007.

question is purely about the perception of crime in comparison with other issues and does not ask about actual experience of criminal acts. Regarding the extent of crime and victimization in Europe, some Special Eurobarometer and Flash Eurobarometer surveys were conducted in the last 20 years and dedicated towards a specific issues such as [perceptions of security](#), [corruption](#) and [cyber security](#).

The European Union Agency for Fundamental Rights ([FRA](#)) has developed specialised surveys on violence against women, anti-Semitism, Roma and LGBT. Eurostat is currently developing a future survey on gender-based violence.

### **1.3. International Classification of Crime for Statistical Purposes (ICCS)**

The data on criminal offences published by Eurostat are classified according to the crime categories defined in the International Classification of Crime for Statistical purposes (ICCS). The ICCS is a classification of criminal offences which is based on internationally agreed concepts, definitions and principles in order to enhance the consistency and international comparability of crime statistics, and to improve analytical capabilities at both the national and international levels. The ICCS is applicable to all forms of crime data at all stages of the criminal justice process as well as to data collected in crime victimization surveys. Its goal is to improve the comparability of crime data between jurisdictions.<sup>11</sup>

The ICCS adheres to three principles of statistical classifications: Mutual exclusivity, exhaustiveness and statistical feasibility. In addition, four criteria, which are particularly relevant from a policy perspective, have guided the creation and structuring of the ICCS:

- policy area of the act/event (protection of property rights, protection of health, etc.)
- target of the act/event (e.g. person, object, natural environment, State, etc.)
- seriousness of the act/event (e.g. acts leading to death, acts causing harm, etc.)
- means by which the act/event is perpetrated (e.g. by violence, threat of violence, etc.).

Based on these four criteria, criminal offences can be grouped into homogenous categories, which can be aggregated at different hierarchical levels, according to the details of the act/event known. At the top level, there are 11 categories which cover all acts/events that constitute a crime within the scope of the ICCS.

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<sup>11</sup> UNODC, International Classification of Crime for Statistical Purposes, Version 1.0, March 2015, page 7

Table 2. Level 1 categories of the ICCS

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<b>1</b>	<b>Acts leading to death or intending to cause death</b>
<b>2</b>	<b>Acts leading to harm or intending to cause harm to the person</b>
<b>3</b>	<b>Injurious acts of a sexual nature</b>
<b>4</b>	<b>Acts against property involving violence or threat against a person</b>
<b>5</b>	<b>Acts against property only</b>
<b>6</b>	<b>Acts involving controlled psycho-active substances or other drugs</b>
<b>7</b>	<b>Acts involving fraud, deception or corruption</b>
<b>8</b>	<b>Acts against public order, authority, and provisions of the State</b>
<b>9</b>	<b>Acts against public safety and state security</b>
<b>10</b>	<b>Acts against the natural environment</b>
<b>11</b>	<b>Other criminal acts not elsewhere classified</b>

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These level 1 categories are quite broad and numbers presented on that level would most likely be aggregates of observations in lower level categories. The numerical coding of the categories is in accordance with their level in the classification.<sup>12</sup> Level 1 categories are the broadest categories and have a two-digit code, for example:

#### **05 Acts against property only**

This category is disaggregated into 5 Level 2 categories which have a four digit code, for example:

##### **0501 Burglary**

##### **0502 Theft**

For both offence categories, offences are recorded in EU Statistics on crime and criminal justice. These categories could still be subdivided into more precise categories of criminal acts. Thus, level 3 categories have a five-digit code, for example:

##### **05011 Burglary of business premises**

##### **05012 Burglary of private residential premises**

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<sup>12</sup> UNODC, International Classification of Crime for Statistical Purposes, Version 1.0, March 2015, page 12f

### **05013 Burglary of public premises**

Most jurisdictions can separate 0501 Burglary and 05012 Burglary of private residential premises from each other and are collecting data for both offence categories separately. Every recorded burglary of private residential premises under the code 05012 should also be included in the figures of burglaries under code 0501, which, in addition, also includes burglaries of business premises, public premises and other acts of burglary. For the latter level 3 categories, disaggregated data are not yet collected in EU Statistics on crime and criminal justice.

Also for 0502 Theft, 7 level 3 categories exist in the ICCS, including 05021 Theft of a motorized vehicle or parts thereof. Aggregated data on this category are not published in EU Statistics on crime and criminal justice but aggregated data at level 4 with a six-digit code as a unique identifier are included:

#### **050211 Theft of a motorized land vehicle**

Offence categories at level 4 are the lowest level implemented in the ICCS and will also be the most narrowly defined criminal event data published in EU Statistics on crime and criminal justice. Every recorded theft of a motorized land vehicle under the code 050211 should also be included in figures of theft of a motorized vehicle or parts thereof under code 05021, which itself should be included in figures of theft under code 0502.

Both second level offence categories 0501 Burglary and 0502 Theft can be aggregated with all other level 2 acts against property only to form the level 1 category 05 Acts against property only.

With this tool, every type of criminal offence can be identified at the level of detail that is of interest. All the categories in levels 1, 2 and 3 are considered to be exhaustive and to cover all criminal acts. However, not all categories on levels 2 and 3 are subdivided into lower level categories.<sup>13</sup> Examples in EU Statistics on crime and criminal justice are for example 0101 Intentional homicide and 0102 Attempted intentional homicide.

In the future, additional ICCS offence categories will be introduced to the questionnaire to extend the coverage of criminal offences in the EU.

### **Development of the ICCS**

The ICCS has a long history of development, principally starting in 1951.<sup>14</sup> Endeavours to develop such an international crime classification were not fruitful until the Joint UN Economic Commission for Europe (UNECE)/UN Office on Drugs and Crime (UNODC) Meeting on Crime Statistics in 2008 made a proposal to carry out work under the framework of the Conference of European Statisticians (CES) within the field of crime classifications to be used for statistical purposes at the international level. The Meeting noted that the UNECE is developing a

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<sup>13</sup> UNODC, International Classification of Crime for Statistical Purposes, Version 1.0, March 2015, page 14

<sup>14</sup> United Nations Economic and Social Council. Social Commission. Criminal Statistics: Recommendations of the Secretary-General (8 January 1951). E/CN.5/233.

European crime classification system for statistical purposes. Furthermore, an expert group organized by the United Nations Statistical Division in September 2008 discussed possible development of a crime classification system at a global level. The Meeting observed that any classification system at EU level and other cross-national initiatives should link to the wider global data collection.<sup>15</sup>

In 2009, the CES established a Task Force, led by UNODC and UNECE, to develop a crime classification framework based on behavioural descriptions rather than legal codes.<sup>16</sup> The framework of the first international crime classification was developed by this Task Force and approved by the CES in 2012.<sup>17</sup> The proposal to develop a full international crime classification was discussed at the 43rd session of the United Nations Statistical Commission (UNSC) and the 21st session of the United Nations Commission on Crime Prevention and Criminal Justice (CCPCJ).<sup>18</sup> At the next UNSC and CCPCJ sessions, both Commissions approved the plan to develop an international classification of crime for statistical purposes, in close consultation with relevant stakeholders.<sup>19</sup> A final draft of the ICCS was sent to Member States by UNODC and the United Nations Statistical Division in 2014. In March 2015, the UNSC confirmed UNODC as the custodian of the ICCS and agreed with the creation of a technical advisory group to provide substantive advice to and support the maintenance of the International Classification. It further endorsed the implementation plan for the classification at the national, regional and international levels.<sup>20</sup>

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<sup>15</sup> ECE/CES/BUR/2009/OCT/12

<sup>16</sup> UNODC, International Classification of Crime for Statistical Purposes, Version 1.0, March 2015, page 9

<sup>17</sup> United Nations Economic Commission for Europe. Conference of European Statisticians. Report of the UNODC/UNECE Task Force on Crime Classification to the Conference of European Statisticians. 2011. session (6-8 June 2012). ECE/CES/83.

<sup>18</sup> United Nations Economic and Social Council. Statistical Commission. Report of the forty-third session (28 February-2 March 2012). E/2012/24, E/CN.3/2012/34.

<sup>19</sup> United Nations Economic and Social Council. Commission on Crime Prevention and Criminal Justice. Report of the twenty-first session (13 December 2011 and 23-27 April 2012). E/2012/30, E/CN.15/2012/24.

<sup>20</sup> E/2015/24, E/CN.3/2015/40

## 2. Statistical processing

Crime statistics data are derived mainly from administrative sources (four different stages of the criminal justice system: Police, Prosecution, Courts and Prison statistics) and, when applicable, from victimisation surveys.

### 2.1. Data collection

Eurostat annually collects data on crime and criminal justice jointly with UNODC. Eurostat is responsible for the collection of data from 41 European jurisdictions. Two separate questionnaires are sent to the contact point of each jurisdiction. The UNODC questionnaire includes 15 sheets to be filled and is completed of the Eurostat questionnaire. The Eurostat questionnaire comprises 7 sheets including complementary questions required by the European Commission for its specific policy areas. So far, the data has been jointly collected for the reference years 2013 and 2014. Each year, the questionnaire is updated to include the new data requested. These are the core data collected and published by Eurostat:

**Table 3. EU Statistics on crime and criminal justice core data; number of offences**

0101	Intentional homicide	✓
0102	Attempted intentional homicide	✓
02011	Assault	✓
020221	Kidnapping	✓
0301	Sexual violence	✓
03011	Rape	✓
03012	Sexual assault	✓
0401	Robbery	✓
0501	Burglary	✓
05012	Burglary of private residential premises	✓
0502	Theft	✓
050211	Theft of a motorized land vehicle	✓
0601	Unlawful acts involving controlled drugs or precursors	✓

Additional data are collected for intentional homicide victims, including a breakdown of victims by age and sex and victims in the largest city. A breakdown of victims of sexual violence, rape and sexual assault by sex is also published by Eurostat.

**Table 4. EU Statistics on crime and criminal justice core data; victims, suspects and offenders by sex for specific offences**

	Number of offences	Victims	persons brought into formal contact	persons prosecuted	persons convicted	persons in prison
		Male/female	Male/female	Male/female	Male/female	Male/female
0101 Intentional homicide	✓	✓	✓	✓	✓	✓
0301 Sexual violence	✓	✓	✓	✓	✓	✓
03011 Rape	✓	✓	✓	✓	✓	✓
03012 Sexual assault	✓	✓	✓	✓	✓	✓

A second set of questions included in the annual collection asks for data on the judicial system dealing with these crimes. These data give information on the different levels and institutions related to the investigation, prosecution and adjudication of criminal offences and persons suspected of these offences.

**Table 5. EU Statistics on crime and criminal justice core data; total number of suspects and offenders**

	persons brought into formal contact	persons prosecuted	persons convicted	persons in prison
Male/female	✓	✓	✓	✓
Adult/minor	✓	✓	✓	✓
Citizenship	✓	✓	✓	✓
Pre-trial/sentenced	-	-	-	✓

Data from the criminal justice system include resource data, most notably personnel data for police officers, professional judges and prison personnel, as well as prison capacity, and court cases. The latter are available for criminal, civil and/or commercial, administrative and other courts and include figures per year for cases brought to court, resolved and pending.

Because of the diversity of the collected data, various actors are usually involved in the collection of data for each jurisdiction. In each jurisdiction asked to provide data, at least four different actors are involved as data producers at the national level. In some jurisdictions, some level of centralisation of the data, for example in the National Statistical Institute, is already achieved. Some level of coordination is needed to make sure the most appropriate people in the right institutions get the correct part of the questionnaire to fill in. This expertise at the national level is provided by Eurostat's national contact points. They receive the UN-CTS questionnaire and the additional Eurostat questionnaire and distribute the different parts of the questionnaires to authorities responsible for providing different types of data. The national contact point is then responsible for returning a completed and consolidated response to Eurostat.

## **2.2. Data validation**

As soon as survey questionnaires are received through Eurostat's electronic Data files Administration and Management Information System (eDAMIS), the data provided are checked through a set of validation rules. The validation rules consist of the check for completeness of data, internal consistency of the data, and consistency over time and coherence with other relevant data sources.

As regards to the consistency of the data, Eurostat systematically checks if the following basic rules are respected:

- The sum of the subtotals (men and women, adults and juveniles, nationals and foreigners) should be equal to the total.
- The correction of data should not be significantly high
- The variation from one year to the next one should not be significantly high

The contact points are contacted to resolve or comment any issues revealed by the data checking and/or to add any missing data or metadata. The data are deemed validated when all the issues addressed by Eurostat have been resolved or explained by the contact points.

After the collection of the data and the standardization of the metadata received, the data can be published by Eurostat.

## **2.3. Data quality**

Eurostat only publish data that have been sent and approved by the national statistical authorities and that passed Eurostat's data validation. After validation checks are applied to the data, the countries are consulted again to revise the inconsistencies or to provide additional

metadata. Special attention is paid to changes in the recording system within a country. The comparability of the data over time is checked before dissemination. Countries are asked to indicate any change in the methodology used, definition applied or counting rules used. Any change specified or identified is reported as causing a break in series. Any data still considered inconsistent are not published by Eurostat.

Usually, some data are missing for some jurisdictions. The missing information is summarized in the annual quality report. The national dates of data deliveries can also be found in the annual quality report. Specific differences in coverage and methodological rules can be found in the Eurostat document [Crime and Criminal Justice Reference Metadata at Country Level](#), accessible from the Eurostat database.

## **2.4. Limitations**

EU Statistics on crime and criminal justice come with some limitations for their use in analysis and in comparisons.

### **2.4.1. Limitations due to the type of data**

All data featured in EU Statistics on crime and criminal justice are administrative data. Therefore the first important limitation of the data is that administrative data on recorded crime should not be confused with the actual extent of crime. Administrative data are based on information collected when law enforcement authorities receive information about a criminal act and thus can only provide the number of crimes recorded by law enforcement and the number of suspects and offenders brought into formal contact. However, not all criminal acts are reported to the police and not all perpetrators are identified by the police, resulting in an under-coverage of crime in administrative data.

### **2.4.2. Limitations due to the collection of data**

Limitations exist due to the quality and completeness of the administrative data reported to Eurostat. In each jurisdiction covered in EU Statistics on crime and criminal justice at least three different data producers are involved on the national level, with the possibility of police and prosecution data coming from the same data producer as well as the same producer being in charge of prosecution and court statistics. Some level of centralisation of the data is achieved in some jurisdictions but for other jurisdictions the data request needs to be distributed to the original data provider at all levels of the criminal justice system. Even though high quality standards are applied, this process makes the data prone to inconsistencies and incomparabilities. Even in the same jurisdiction data might not be consistent or comparable from one level to another.

### **2.4.3. Limitations due to the level data are collected on**

It is important to understand that all data collected and presented in EU Statistics on crime and criminal justice are aggregate data and not individual cases that can be followed through all the stages of the criminal justice system until a final outcome of the case is reached. Different limitations exist on each level in the criminal justice system (see Chapter 1.1 Types of data in EU Statistics on crime and criminal justice). Not all criminal events are reported to the police, resulting in an under-coverage of crime in official police statistics; jurisdictions using input statistics for police recorded crime might produce higher attrition rates than jurisdictions in which police data are recorded as output statistics; the time lag of cases in the court system makes comparisons of crime levels in a single year less reliable; and some difficulties exist in the counting of shared or converted cells in prison statistics (see Chapter 2.5.4 Occupancy rates).

### **2.4.4. Limitations due to inconsistencies in aggregation**

A limitation not yet addressed is the possible inconsistency between an aggregation of socio-demographic breakdowns with regards to the figures provided as a total. These categories apply to all variables with person as the counting unit: prisoners, suspects as well as to all personnel data. Although the data published in EU Statistics on crime and criminal justice are checked for consistency between all aggregate categories, some inconsistencies might prevail. Ideally, the sum of subtotals for men and women and adults and juveniles is equal to the total figures provided. Sometimes this consistency is not achieved, due to the lack of a "other" or "unknown" category in socio-demographic breakdowns.

Data on suspects and prisoners are also broken down by citizenship categories of citizenship of responding country and citizenship of foreign country. Again, these two categories do not foresee and include of stateless persons, which therefore are not aggregated in any of the categories. This means, that total values might be higher than the sum of its disaggregated categories.

## **2.5. Indicators**

With the data collected in EU Statistics on crime and criminal justice some indicators can be derived for analysis. These indicators can't solve the problems described in the previous chapter but through normalization they can make comparisons between jurisdictions more meaningful.

### **2.5.1. Crime rates**

For police recorded crime - be it offences, cases or investigations - figures are reported as counts. These counts can hardly ever be compared, as they highly depend on the size of the population. To achieve the comparison of crime levels between jurisdictions these counts have to be normalized by the population, thus calculating a crime rate. These rates are normally

presented as the number of crimes per 100,000 population. In order to calculate a crime rate for any given type of crime the formula would be:

$$\textit{Crime rate per 100,000 population} = \frac{\textit{Count of crimes}}{\textit{Population size}} \times 100,000$$

With a normalized crime indicator calculated like the rate in the example above, the levels of crime in different jurisdictions can be compared with each other, given that all the other parameters for comparison (see Chapter 3 Comparability) don't indicate that comparisons should not be made. Also the source of the population data can have an influence on the value of the crime rate and thus the comparability of the indicator. In EU Statistics on crime and criminal justice the resident population from [Eurostat population updates](#) are used as population figures.

### 2.5.2. Trend indices

While crime rates are indicators for the comparison of crime levels between jurisdictions at a certain point in time, trend indices are indicators for the analysis of the development of crime over time in one jurisdiction or for the comparison of developments in crime over time in two different jurisdictions. In general, comparisons are best made on trends rather than levels - especially when the same trends are observed - on the assumption that the characteristics of the recording system within a jurisdiction remain fairly constant over time. However, there are many exceptions as methods change over time and this can cause breaks in the series.

In order to identify the trends Eurostat calculates indices for all national data series. For a trend index a base year is set to 100 and all the subsequent years in the time series are expressed as a percentage of the base year.

$$\textit{Index } I_i = \textit{index number for year } i = \left( \frac{C_i}{C_{base}} \right) * 100$$

$$C_i = \textit{number recorded for year } i$$

$$C_{base} = \textit{number recorded in the base year}$$

Whenever a trend is calculated for the whole European Union by Eurostat, the trend index is calculated based only on jurisdictions with data available for all the years in the trend series. Therefore, EU figures might not include all 28 Member States. By changing the base year or the number of years included in a time series, users could increase the number of jurisdictions covered in a trend for the whole EU.

### 2.5.3. Attrition rates

Attrition rate describes the percentage rate at which the number of criminal cases is decreased, or the number of persons within the criminal justice system is reduced during the process, especially from the first contact with police to the level of convictions. Attrition of cases or persons within the criminal justice system is an integral part of the way the system works. Chapter 1.1 already highlighted that for a crime to be reflected in crime statistics a chain of decisions by victim and criminal justice system institutions need to be successfully taken. These decisions include but are not limited to the result of an investigation by the police and if the case is passed on for prosecution, if the case is settled outside of court and if the court finds a conviction. Persons or cases can follow different paths within the criminal justice system and this process of gradual reduction of number of cases or persons can be observed on all stages of the criminal justice process.

Attrition rates can be calculated for the reduction of cases or persons between two stages of the criminal justice system. However, caution should be taken when calculating attrition rates as the result is highly dependent on procedural rules (see Chapter 3.8 Counting rules) and the stage of the process in which data are recorded (see Chapter 3.5 Stage of data collection). For police data and prosecution data it is particularly relevant to be fully aware of the stage of police investigation in which data are collected. Some jurisdictions report police data at the time the offence is initially reported to the police (input statistics) while other jurisdictions record data after an offence has been investigated by the police (output statistics). Output statistics after the investigation tend to be lower than input statistics. Therefore, jurisdictions with input statistics might have a higher attrition in the first stage of the criminal justice process than jurisdictions with output statistics.

The distinction of the counting unit is, again, very important for the correct calculation of attrition rates and their comparison between offences and between jurisdictions. For measuring the attrition in the criminal justice system, persons are the ideal counting unit, as they are recorded on every level. The actual calculation is done as the number of convicted persons over the number of persons suspected or arrested by police.

$$\text{Suspect attrition rate} = \frac{\text{Number of convicted persons}}{\text{Number of suspected persons}}$$

The resulting ratio can be used as a measure of attrition from police to convictions. The phenomenon of attrition is a well-known fact and can be observed in every criminal justice system, for every offence type and at every level.<sup>21</sup>

In EU Statistics on crime and criminal justice data on suspected persons, prosecuted persons, convicted persons and prisoners are available. With these data attrition between every level of the criminal justice system can be calculated.

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<sup>21</sup> Jörg-Martin Jehle, Attrition and Conviction Rates of Sexual Offences in Europe: Definitions and Criminal Justice Responses, in: European Journal of Criminal Policy and Research, 2012, Volume 18, Issue 1, 151f

When calculating attrition rates with data provided in EU Statistics on crime and criminal justice, different cohorts of individuals at the different stages in the criminal justice system will be compared with each other. These data from the different stages of the criminal justice system should be comparable, even within the same jurisdiction. If these data allow for the calculation of attrition rates, it should be checked that the same procedural rules are followed for other jurisdictions or other offences with which the attrition rate is being compared.

#### **2.5.4. Occupancy rates**

EU Statistics on crime and criminal justice include figures for the official prison capacity given in persons and also data for the actual number of persons held in prison. With these variables, an indicator for the occupancy rate of a prison can be calculated:

$$\text{Occupancy rate} = \frac{\text{Number of persons held in prison}}{\text{Official prison capacity}}$$

There are some limitations in the use of these data for comparing prison occupancy rates between jurisdictions, as different national standards of official capacity exist.

## 3. Comparability

European countries differ widely in the way they organise their criminal justice systems, the way they define their legal concepts, and the way they collect and present their statistics on crime and criminal justice. The lack of uniform definitions, of standardized instruments and of common methodology makes comparisons of crime data between jurisdictions difficult.<sup>22</sup> This chapter will present an overview of the main tools that make comparisons possible and which factors need to be taken into account when making comparisons. It will also explain which comparisons should be avoided and provide essential information to know why there are certain limitations for data comparison between jurisdictions.

EU Statistics on crime and criminal justice are collected from data providers on the national levels, based on different legal concepts, procedures and counting rules. It is therefore not advisable to compare crime statistics directly between jurisdictions as they are affected by many factors. To illustrate this in more detail, each section below will give concrete examples of possible comparisons that can be made and of comparisons that should not be made.

### 3.1. Definitions

Comparative criminology has to face the problem of national offence definitions that are often incompatible.<sup>23</sup> For intentional homicide, for example, there is broad agreement on a basic definition of a murder but perfect comparability between jurisdictions is not achieved. Intentionality to provoke death can be defined quite differently from jurisdiction to jurisdiction. In some jurisdictions there must be an intention to cause death to be counted as intentional homicide, thus, manslaughter and serious assault leading to death are not included in the definition of intentional homicide. In other jurisdictions the intention to provoke serious harm is sufficient and manslaughter and serious assault leading to death are included in intentional homicide.

It is not only the definition of offences that vary from jurisdiction to jurisdiction. Also the definition of disaggregating variables, like 'Juveniles' and 'Adults' in the prison system, need to be checked for comparability.

The Council of Europe SPACE indicators for pre-trial detention developed a continuum of various legal states detainees in prisons can be in. When comparing jurisdictions with each other this classification can be helpful in explaining differences between jurisdictions.

- (a) Untried detainees (no court decision has been reached yet);
- (b) Detainees found guilty but who have not yet received a sentence;

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<sup>22</sup> European Sourcebook of Crime and Criminal Justice Statistics, 2014, Fifth edition, page 20

<sup>23</sup> European Sourcebook of Crime and Criminal Justice Statistics, 2014, Fifth edition, page 17

- (c) Sentenced prisoners who have appealed or who are within the statutory limit for doing so;
- (d) Detainees who have not received a final sentence yet, but who started serving a prison sentence in advance;
- (e) Sentenced prisoners (final sentence)
- (f) other cases<sup>24</sup>

In the joint Eurostat-UNODC data collections, only untried detainees should be included in the definition of pre-trial or unsentenced prisoners.

For an overview of metadata on definitions for all offence and personnel categories and for persons held consult the Eurostat document [Crime and Criminal Justice Metadata at Country Level](#).

## **3.2. Legal systems**

In the adjudication of disputes and the delivery of justice, there are two accepted systems in Europe, the common law system, also called adversarial system and the civil law system, also called the inquisitorial system. The inquisitorial system is generally described as a system that aims to get to the truth of a matter through extensive investigation and examination of all evidence. The adversarial system aims to get to the truth of a matter through the presentation of evidence and argument between the prosecution and the defence.<sup>25</sup> In the common law system whomsoever makes the most compelling argument based on the evidence (facts which have been accepted by the trier of fact) and the law will be successful.

### **3.2.1. Civil law / inquisitorial system**

The civil law system is derived from the Code of Justinian, heavily overlaid by Napoleonic, Germanic, canonical, feudal, and local practices.<sup>26</sup> In the civil law system the central source of law is codifications in a constitution or statute passed by a legislature. This can be done by passing new statutes or amending existing statutes. In theory civil law today is interpreted, rather than developed or made by judges. Only legislative enactments (rather than legal precedents, as in the common law system) are considered legally binding. This can be country dependant. For example, in Germany precedents may also be binding on the court.

In Europe the civil law system is found in the majority of jurisdictions and can be categorized into three distinct groups:

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<sup>24</sup> Council of Europe Annual Penal Statistics SPACE I - Prison Populations Survey 2013, page 95

<sup>25</sup> Ministry of Justice, Issues Papers, Alternative pre-trial and trial processes for child witnesses in New Zealand's criminal justice system, Appendix B: a comparison of the inquisitorial and adversarial systems, 2011

<sup>26</sup> Charles Arnold Baker, The Companion to British History, 2001, London, Routledge, page 308

- **French civil law**: in Belgium, Spain, France, Italy, Lithuania, Luxembourg, Romania, the Netherlands, and Albania;
- **German civil law**: in the Czech Republic, Germany, Estonia, Greece, Croatia, Latvia, Hungary, Austria, Portugal, Slovenia, Slovakia, Switzerland, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia, and Turkey;
- **Scandinavian civil law**: in Denmark, Finland, Sweden, Iceland and Norway.

Some of these legal systems were influenced from other civil law groups and some jurisdictions could only be classified as mixed systems. In Europe, also mixed systems incorporating elements of civil and common law exist.

### **3.2.1. Common law / adversarial system**

The common law developed in England and was influenced by Anglo-Saxon law. In Europe the common law system is only found in England and Wales, Northern Ireland and Ireland. The main difference between the common law system in these jurisdictions and the codified civil law systems in the rest of Europe is the doctrine of *case law*, or *precedent by courts*. This distinction between “case law” and “codified law” systems has an impact on the different phases of criminal proceedings. The typical criminal proceeding in a civil law system is divided into 3 phases: the investigate phase, the examining phase and the trial. In the common law system it is divided into the investigative phase and the trial phase.

### **3.2.2. Pre-trial phase**

- *Common law system*

As stated above, the adversarial system is party driven. However, this does not mean that both parties (prosecution and defence) have the same ability to control the process. The process is driven by the investigation phase which is conducted by the police. The police on determining that there is sufficient evidence, in their opinion, to lay criminal charges will either lay the charge(s) they consider most appropriate or will consult with the prosecution on which charges should be laid.

After the charge is laid, carriage of the prosecution rests in the hands of the prosecutor. There are three categories of offences: summary offences, hybrid offences and indictable offences. Criminal proceedings move forward in accordance with the relevant criminal procedure rules.

Generally, when the matter is a summary conviction offence (a criminal offence which is considered less serious in nature) the trial is conducted in a lower court by judge alone. When the charge is indictable (more serious in nature) it is tried in a higher court by either a judge or by a judge sitting with a jury of 12 people. If the charge is a hybrid offence the prosecutor can elect whether to proceed by summary conviction or by indictment. By doing so the prosecutor can control which level of court will hear the case and what sentence is ultimately available to a judge on a finding of guilt.

The defence is free to conduct their own investigation. However, practically speaking they seldom have the resources to match those of the State and for this reason are frequently unable to engage in meaningful investigations.

There is no examination phase, so an independent evaluation of the evidence collected during investigation is left to the trial.

- *Civil law system*

In the investigative phase, in the civil law system, a government official (generally the public prosecutor) collects evidence and decides whether to press charges. Prosecutors carry out investigations themselves or request the police to do so. The prosecution can give general instructions to the police regarding how particular cases are to be handled and can set areas of priority for investigations. In some civil law systems, a judge may carry out or oversee the investigative phase.

The examining phase is usually conducted in writing. An examining/investigating judge completes and reviews the written record and decides whether the case should proceed to trial.

The examining/investigating judge plays an active role in the collection of evidence and interrogation of witnesses. In some inquisitorial systems, the “legality principle” dictates that prosecution must take place in all cases in which sufficient evidence exists (e.g. the prosecutor or judge has limited discretion as to whether or not charges will be brought).<sup>27</sup>

### **3.2.3. The trial phase**

- *Common law system*

An adversarial system requires the prosecutor, acting on behalf of the State, and the defence lawyer, acting on behalf of the accused, to offer their version of events and argue their case before an impartial adjudicator (a judge and/or jury). Each witness gives their evidence-in-chief (orally) and may be cross-examined by opposing counsel and re-examined by the counsel who called them as a witness. The trial judge controls the process. It is the trial judge’s function to ensure that the court case is conducted in a manner that observes due process and that the rules of evidence are complied with. This is the same whether the judge sits alone or whether the judge sits with a jury. The trier of fact (judge alone or jury, whichever is applicable) decides whether the defendant is guilty beyond a reasonable doubt. The judge always determines the sentence.

The prosecution must make full disclosure to the defence prior to the trial phase beginning. The defence is not required to disclose their defence. They are not required to produce a witness list

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<sup>27</sup> Ministry of Justice, Issues Papers, Alternative pre-trial and trial processes for child witnesses in New Zealand’s criminal justice system, Appendix B: a comparison of the inquisitorial and adversarial systems, 2011

or will state statements of witnesses. The burden remains on the prosecution throughout to prove their case beyond a reasonable doubt, either to the satisfaction of the judge or a jury, depending on who is the trier of fact.

Prosecutors represent the interests of the people. They are not supposed to concern themselves with the result of the case but are ethically bound to put the best available evidence before the judge or jury, for the trier of fact to determine whether they have proven guilt beyond a reasonable doubt.

In contrast to the civil law system, the judge or jury does not know the case before it is presented to them in court. The judge has no information, other than the charging document before him or her. The rules of evidence and case law dictate what evidence is admissible at trial. Different considerations sometimes apply when the case is being tried by a jury. In recognition of the fact that jury members have no legal training certain categories of evidence, such as hearsay evidence, will be withheld from juries unless an exception to the rule applies.

Broadly speaking hearsay evidence can be defined as “a statement that was made by a person other than a witness and is offered in evidence at the proceedings to prove the truth of its contents”. There are a number of exceptions to the hearsay rule which may apply given the particular circumstances of each case and the purpose of introduction for the hearsay evidence.

At the heart of the hearsay rule is the idea that, if the court is to discover the truth, it is essential that parties have the opportunity to verify the information provided by the witnesses, which is difficult to do if the court receives evidence in writing or via a third party and the evidence is not subject to cross examination.

- *Civil law system*

As a result of the thoroughness of the examining phase, a record of evidence has already been made and is equally available to the prosecution and defence well in advance of the trial.

In an inquisitorial system the conduct of the trial is in the hands of the court. The trial judge determines what witnesses to call and order in which they are to be heard. While there is no cross- and re-examination of witnesses, witnesses are still questioned and challenged.

In some civil law systems, there is a preference for narrative testimony, in which the witness gives their version of events without shaping by questions from the prosecution or defence. After the witness has given the evidence the prosecutor and the defence are allowed to question.

Judges are required to direct the courtroom debate and to come to a final decision. The judge assumes the role of principal interrogator of witnesses and the defendant, and is under an obligation to take evidence until he or she ascertains the truth.

It is the judge that carries out most of the examination of witnesses, arising from their obligation to inquire into the charges and to evaluate all relevant evidence in reaching their decision. However, the defence and the prosecutor have the right to confront each witness during the proceedings.

The rules around admissibility of evidence are significantly more lenient. The absence of juries in many cases alleviates the need for many formal rules of evidence. More evidence is likely to

be admitted, regardless of its reliability or prejudicial effect. Evidence is admitted if the judge decides it is relevant.

In many inquisitorial systems, there is no hearsay rule. It is up to the judge to decide the value of such testimony.<sup>28</sup>

In both systems the accused is protected from self-incrimination and guaranteed the right to a fair trial.

One significant difference in the two systems would appear to be the length of time between the investigation phase and the conclusion of the trial phase. In the common law system the process is often longer than in the civil law system. This may be due to the following factors: the use of juries for serious offences; challenges to the admissibility of evidence during trials and the need for *voir dire*s; the latitude afforded defence counsel during cross-examination of witnesses.

### **3.3. Geographical coverage**

If a country consists of a federation of states, data could cover the entire geographical territory of a country and thus include both, federal and state-level, or could only refer to the federal level. Also, the question, if overseas territories are included in the figures is crucial for comparisons. And last but not least, especially in a situation of conflicts or disputed borders, knowledge of the government's control over the entire geographical area is important to assess what is included in the data.

Also, as already shown in Chapter 1.2.1, city level data on crime can refer to at least two different concepts of city: (a) the city proper, within the official boundary of the city, equivalent to a municipality or another locality with legally fixed boundaries and an administratively recognized urban status that is usually characterized by some form of local government, and (b) the wider urban agglomeration, which comprises the city or town proper and also the suburban fringe or densely settled territory lying outside of, but adjacent to, the city boundaries, like metropolitan areas or urban areas. When comparing city level crime data among different cities or in comparison to the rest of the country it is important to keep in mind that these cities might be defined through different concepts.

For an overview of metadata on geographical coverage consult the Eurostat document [Crime and Criminal Justice Metadata at Country Level](#).

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<sup>28</sup> Ministry of Justice, Issues Papers, Alternative pre-trial and trial processes for child witnesses in New Zealand's criminal justice system, Appendix B: a comparison of the inquisitorial and adversarial systems, 2011

### **3.4. Institutional coverage**

The organizational setting of the criminal justice system can have a decisive impact on the number of incidents captured in the data. If, for example, more than one police force exists in a jurisdiction, police data could include offences and suspects recorded by all police forces in that jurisdiction or by only selected police forces.

In some jurisdictions, criminal legal proceedings may be initiated by other institutions (such as military or tax authorities). For comparisons among jurisdictions, it is important to know whether such additional prosecutions are included in the figures.

### **3.5. Stage of data collection**

Jurisdictions differ widely in which point in time they use when the offence is recorded by the police. Data can be recorded at the time the offence is initially reported to the police (input statistics), after the offence is first reported but before a full investigation is finished (process statistics) or after the offence has been investigated (output statistics). Input statistics are likely to produce a higher number, as, during investigations, events might be reclassified as different offences or investigations show that no criminal offence occurred. Therefore, a crime may be dropped or reclassified at any point.

Jurisdictions also differ widely in which point in time cases are recorded for court statistics, as cases can be counted before an appeal or after a case is appealed.

Depending on the stage of data collection significant differences might exist between jurisdictions. In a jurisdiction in which court statistics are collected before appeals, figures might be significantly higher than in a country which collects court statistics after cases were appealed and their number might thus have been significantly reduced. For an overview of metadata on the stage of data collection consult the Eurostat document [Crime and Criminal Justice Metadata at Country Level](#).

### **3.6. Reference Period**

When data are collected for periods of time this period can for example either refer to the calendar year or the fiscal year. For stock data, like personnel data as well as prison data, values for each year refer to a single day (often the 31st of December) on which a count of staff employed and persons held is reported.

## **3.7. Counting unit**

As crime statistics are produced by many different actors at four stages of the criminal justice system, a variety of counting units is used, even in data coming from the same jurisdiction. This chapter highlights the existing differences that have to be taken into account when comparing data within and across jurisdictions.

For an overview of metadata on the counting unit consult the Eurostat document [Crime and Criminal Justice Metadata at Country Level](#).

### **3.7.1. Offences**

The counting unit used by the police for offence statistics is for most jurisdictions the offence, for which each contravention of an article of criminal law - even when happening in the same criminal event - may be recorded and counted separately. The case, which may subsume more than one contravention of criminal law during the same event is the counting unit in a couple of jurisdictions. Even the investigation, which may include a series of cases, can be chosen as the counting unit on police level.

### **3.7.2. Persons**

On the level of police recorded data a second counting unit is heavily used - for example for the number of suspects and offenders brought into formal contact with police but also for counting police personnel - the person. While there is hardly any dispute regarding the definition of a person per se, there are however differences of what is included in e.g. police personnel. For a discussion of inclusions and exclusions and full-time and part-time officers see Chapter 1.1.5

A special case of person as a counting unit is counting victims, as it is the case with intentional homicide. Ideally, the number of homicide victims can be provided by every jurisdiction to make comparisons easier. In a victim-based recording system for homicide the number of homicide victims and the number of homicide offences will be identical. If these figures are not identical, the jurisdiction is using two different counting units for homicide victims and homicide offences. For example, if in one incident two persons are killed, an incident-based recording system may report a double murder as one offence but as two victims.

### **3.7.3. Cases**

At later stages in the criminal justice system, like in prosecution, the counting unit is not universal and the choice of counting unit differs from jurisdiction to jurisdiction. Most jurisdictions use person-charges, but in some jurisdictions, the counting unit for prosecution are the criminal proceedings (against one or more persons).

In court statistics, in addition to persons brought before criminal courts, Eurostat publishes data relating to cases in criminal, civil and/or commercial, administrative and other courts. The

counting unit is the legal case processed in first instance court broken down by legal status of the court process. This includes cases brought to court in a given year, cases resolved in a given year and cases still pending.

#### **3.7.4. Prison capacity**

A special case of counting unit, which is only used once, is prison capacity. Official capacity means the intended number of places available without overcrowding, excluding places/capacity used for the detention of persons on the basis of immigration status. Prison capacity is in general given in persons but some difficulties exist in the context of shared cells and the conversion of single cells to hold two or more prisoners.

The Council of Europe's European Prison Rules specify under article 18 that prison accommodation shall meet the requirements of health and hygiene, especially with regard to floor space and cubic content of air. However, in paragraph 3 and 4 under article 18, it is stated that specific minimum requirements are to be set in national law and those national laws need to ensure that these minimum standards are not breached by overcrowding.<sup>29</sup>

As different national standards of holding and of counting exist, in some jurisdictions shared or converted cells would be counted in the official prison capacity while in other jurisdictions shared or converted cells would not be captured in the official capacity.

### **3.8. Counting rules**

Apart from different counting units used, also counting rules vary from jurisdiction to jurisdiction. These differences in the counting rules mean that even if the definition of a criminal event is the same, different jurisdictions may still produce different statistical counts for the same actual number of incidents. As no consolidated standard exists on counting rules such differences between jurisdictions make cross-national comparison challenging.<sup>30</sup>

In the following section, more counting rules defining how offences (offence counting rules) or persons (person counting rules) are counted for statistical purposes are presented. This chapter highlights the existing differences that have to be taken into account when comparing data across jurisdictions.

For an overview of metadata on counting rules consult the Eurostat [Crime and criminal justice metadata at country level](#).

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<sup>29</sup> Council of Europe, CM/Rec(2006)2, Article 18, Paragraphs 1-4, [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805d8d25](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d8d25)

<sup>30</sup> UNECE/UNODC 2010, Manual on Victimization Surveys, page 8

### **3.8.1. Principal offence rule (offence counting rule)**

A "Principal Offence Rule" means that where more than one offence is committed at the same time by the same perpetrator(s), only the most serious offence is recorded. For example, where it appears that a homicide and robbery have been committed simultaneously, under a principal offence rule, only the most serious offence -the homicide - would be recorded in crime statistics. For police recorded crimes, in 16 jurisdictions only the most serious offence is counted for statistical purposes, while 22 jurisdictions record and count each and every offence separately. 2 jurisdictions were not able to answer this question. For the prosecution, in 19 jurisdictions only the most serious offence is counted for statistical purposes, while 11 jurisdictions record and count each and every offence separately. 10 jurisdictions were not able to answer this question. And for court statistics, in 26 jurisdictions only the most serious offence is counted for statistical purposes, while 6 jurisdictions record and count each and every offence separately and 4 jurisdictions were not able to answer this question<sup>31</sup>.

Figures for jurisdictions counting every offence would generally be higher than jurisdictions applying a serious offence rule.

### **3.8.2. Multiple (serial) offences of the same type (offence counting rule)**

Different jurisdictions have different rules regarding how multiple (or serial) offences of the same type are counted and recorded in national statistics submitted to Eurostat. For example, if a series of assaults is brought to the attention of the police on one occasion, it is important to understand whether this would be recorded by the police as one assault, two or more assaults, or any other form of recording.

In the metadata, few jurisdictions don't provide information, for some jurisdictions information on how serial offences are recorded is uncertain but the majority of jurisdictions counts multiple or serial offences of the same type as two or more offences. In some jurisdictions, multiple serial offences are recorded as one offence. Some hybrid rules for counting multiple (serial) offences of the same type exist. Multiple offences might only be counted as one if the same person is suspected to have committed all crimes against the same victim or the same person is suspected of all crimes and there is no natural person as a victim. In another instance, if multiple offences of the same type are committed simultaneously they are counted as one offence. If they are committed in different time periods they are counted as two or more offences.

Figures for jurisdictions counting every offence separately might be higher than jurisdictions counting multiple serial offences as one offence for statistical purposes.

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<sup>31</sup> Figures refer to data collected for the year 2014.

### **3.8.3. Offences committed by multiple persons (offence counting rule)**

An offence can also be counted and recorded differently in different jurisdictions if more than one person commits the offence. For example, if a homicide has been committed by two people acting together, some jurisdictions count one offence, while others count one offence for each offender. It is important to understand whether that homicide would be recorded by the police as one homicide offence, two homicide offences, or any other form. In the metadata, few jurisdictions don't provide information and only in some jurisdictions an offence committed by multiple offenders would be counted as two or more offences, depending on the number of offenders. For the majority of jurisdictions included in EU Statistics on crime and criminal justice, an offence which is committed by multiple persons is counted as one offence.

Figures for jurisdictions counting offences separately for every offender might be higher than jurisdictions counting offences committed by multiple offenders as one offence for statistical purposes.

### **3.8.4. Multiple (serial) offences by the same person (person counting rule)**

While the previous three counting rules focused on the counting of offences, there are also differences in the counting and recording of persons. The question for this counting rule is, how is a person who is brought into formal contact/prosecuted/convicted for multiple (serial) offences of the same type counted? For example, if one person is suspected of a series of homicides, it is important to understand whether this would be recorded by the police as one homicide suspect or multiple homicide suspects.

The way one offender who has committed several offences of the same type (serial offences) is recorded can again differ by jurisdiction. As the counting unit person is used throughout all stages of the criminal justice system, this counting rule may even vary between the different criminal justice system stages within one jurisdiction.

In some jurisdictions one offender who has committed several offences of the same type is recorded as multiple offenders throughout all levels of the criminal justice system. Most jurisdictions count one offender committing serial offences as one person only throughout the criminal justice system. For some jurisdictions, the available data suggest they are counting one offender as one person but data are incomplete because information from one level of the criminal justice system is missing.

In other jurisdictions mixed recording rules are in place. Either at the police level, one offender who has committed several offences of the same type is recorded as two or more persons while at later stages that same offender is only counted as one person, or an offender committing multiple offences is recorded as one person by the police and as two or more persons by prosecution and courts.

Another rule to keep in mind is that if multiple offences of the same type are committed simultaneously or on the same occasion they are counted as one offence in some jurisdictions but if they are committed on different occasions or over a period of time they are counted as two or more. Figures for jurisdictions counting one person who is brought into formal contact/prosecuted/convicted for multiple (serial) offences of the same type for every offence

separately might be higher than jurisdictions counting one offender as one person only for statistical purposes.

### **3.8.5. Counting the same person multiple times (person counting rule)**

This counting rule refers to the question of how an offender, who is brought into formal contact/prosecuted/convicted more than once (on separate occasions) in one year, is counted for statistical purposes. For example, if a person has committed the offence of assault at the beginning of a year, is arrested, prosecuted and convicted during that same year and is then arrested, prosecuted and convicted for a drug offence in the same year. It is important to know whether the offender is counted as one person or as two persons. As the counting unit person is used throughout all stages of the criminal justice system, this counting rule may again even vary between the different criminal justice system stages within one jurisdiction.

The majority of jurisdictions count the same person multiple times at all stages of the criminal justice system. In some jurisdictions the same person that is brought into formal contact/prosecuted/convicted multiple times in the same year is counted as one person only for statistical purposes. In other jurisdictions a mix of both counting rules is used, with most jurisdictions counting as one person at the police level and as multiple persons at later stages. Some jurisdictions might use other counting rules at any stage of the criminal justice system.

Figures for jurisdictions counting one person who is brought into formal contact/prosecuted/convicted multiple times in the same year for every offence separately might be higher than jurisdictions counting one offender as one person only for statistical purposes.

## **3.9. Methods of comparison**

Once all the previous points are taken into consideration and it is assured that definitions, coverage, stage of data collection, reference period, counting unit and counting rules make comparisons between jurisdictions or between data possible, the actual method of comparison needs to be chosen.

### **3.9.1. Crime levels**

Since comparisons of counts of police-recorded crime between jurisdictions can be very misleading, comparisons should be made using crime rates. Crime rates - counts normalised by the population and normally presented as the number of crimes per 100,000 population - are calculated to achieve the comparison of crime levels between jurisdictions independent of their population size (see Chapter 2.5.1 Crime rates).

Special care should be taken when comparing offence categories with low counts. Homicide counts, for example, may vary considerably between years in jurisdictions with small

populations. In a setting like this, a small increase or decrease in homicides can lead to a large percentage change in homicide rates between two years.

Also, the source of the population data can have an influence on the value of the crime rate and thus the comparability of the indicator. In EU Statistics on crime and criminal justice, the resident population from [Eurostat population updates](#) are used as population figures. Special care should be taken when looking at intentional homicide offences and victims in largest cities [crim\_hom\_ocit] since city level data can refer to at least two different concepts of city: the city proper, within the official boundary of the city, and the wider urban agglomeration, like metropolitan areas, as already discussed in Chapter 1.2.1.

In general, comparisons are best made on trends rather than levels, on the assumption that the characteristics of the recording system within a jurisdiction remain fairly constant over time.

### 3.9.2. Trend analysis

When analysing crime indices over time, attention should be paid to the many factors that have been associated with changes in the share of crimes reported to the police.

- Cultural changes, for example, the reduction of sexual taboos, as well as a change in the public's tolerance for certain acts, such as domestic violence, can have an important impact on reporting rates and subsequent crime statistics. Also procedural and methodological changes, like the introduction of a new offence or a modification to an existing offence impact crime data over time. Changes in definitions, coverage, the stage of data collection, reference period, counting unit and counting rules can result in a break in series and might hamper trend analysis. Changes in enforcement practices or special targeted operations will impact the figures for certain offence categories, for example, drug crimes, prostitution and impaired driving<sup>32</sup> and might lead to spikes in police recorded data.
- Changes in all the parameters of comparability listed in Chapters 3.1 to 3.8 can have a severe impact on crime trends. Therefore, when analysing trends, the analysis of reference metadata that describe the data in more detail is crucial.
- The points mentioned above are valid for the analysis of trend indices (see Chapter 2.5.2), crime rates (see Chapter 2.5.1) and counts over time. When analysing crime rates over time, additional points need to be taken into consideration before making comparisons.
- Special care should be taken when comparing offence categories with low counts. For example, homicide rates may vary considerably between years in jurisdictions with a small population. Population data, specifically population changes and data revisions in population data, for example, based on new census data or on estimations between censuses, need to be treated with care. In EU Statistics on crime and criminal justice, the resident population from Eurostat population updates are used as population figures.

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<sup>32</sup> UNECE/UNODC 2010, Manual on Victimization Surveys, page 7

All the points mentioned in this chapter should be taken into account when comparing data between jurisdictions, as differences in definitions, coverage, stage of data collection, reference period, counting unit and counting rules can all lead to misleading results.

## 4. Eurostat website

Eurostat publishes EU statistics on crime and criminal justice on its website. In addition to the data tables, explanations and metadata, Eurostat makes available a series of publications analysing and interpreting the data.

### 4.1. Data

All the data available on the Eurostat website go through validation checks and have been approved by the national statistical authorities. Any data considered to be “inconsistent” are not published. The following data tables with absolute counts and rates per hundred thousand inhabitants are available at <http://ec.europa.eu/eurostat/web/crime/overview> for all 41 jurisdictions for the time period 2008 to 2014. These data are updated on an annual basis:

#### **Recorded offences by offence category (source: police data)**

Table:	crim_off_cat	
Offences (ICCS codes):	ICCS0101	Intentional homicide
	ICCS0102	Attempted intentional homicide
	ICCS02011	Assault
	ICCS020221	Kidnapping
	ICCS0301	Sexual violence
	ICCS03011	Rape
	ICCS03012	Sexual assault
	ICCS0401	Robbery
	ICCS0501	Burglary
	ICCS05012	Burglary of private residential premises
	ICCS0502	Theft
	ICCS050211	Theft of a motorized land vehicle
	ICCS0601	Unlawful acts involving controlled drugs or precursors

## **Recorded Intentional homicide and sexual offences (crim\_hom)**

Intentional homicide and sexual offences by legal status and sex of the person involved - number and rate for the relevant sex group

Table:	crim_hom_soff	
Offences:	ICCS0101	Intentional homicide
	ICCS03011	Rape
	ICCS03012	Sexual assault
Legal Status:	PER_SUSP	Suspected person
	PER_PRSC	Prosecuted person
	PER_CNV	Convicted person
	PER_VICT	Victim
Sex:	T	Total
	M	Males
	F	Females

Intentional homicide victims in largest cities by sex

Table:	crim_hom_vcit	
Cities:	Largest city for each jurisdiction	
Sex:	T	Total
	M	Males
	F	Females

Intentional homicide offences in largest cities

Table:	crim_hom_ocit	
Cities:	Largest city for each jurisdiction	

Intentional homicide victims by victim-offender relationship and sex - number and rate for the relevant sex group

Table:	crim_hom_vrel	
Victim-offender relationship:	FAM	Family and relatives
	PRT_INT	Intimate partner
Sex:	T	Total
	M	Males
	F	Females

Intentional homicide victims by age and sex - number and rate for the relevant sex and age groups

Table:	crim_hom_vage	
Age:	TOTAL	Total
	Y_LT15	Less than 15 years
	Y15-29	From 15 to 29 years
	Y30-44	From 30 to 44 years
	Y45-59	From 45 to 59 years
	Y_GE60	60 years or over
Sex:	T	Total
	M	Males
	F	Females

## **Persons in the criminal justice system (crim\_just)**

Suspects and offenders by sex - number and rate for the relevant sex group

Table:	crim_just_sex	
Legal Status:	PER_SUSP	Suspected person
	PER_PRSC	Prosecuted person
	PER_CNV	Convicted person
Sex:	T	Total
	M	Males
	F	Females

Table:	crim_just_ctz	
Legal Status:	PER_SUSP	Suspected person
	PER_PRSC	Prosecuted person
	PER_CNV	Convicted person
Citizen:	FOR	Foreign country
	NAT	Reporting country
	TOTAL	Total

Suspects and offenders by age - number and rate for the relevant age group

Table:	crim_just_age	
Legal Status:	PER_SUSP	Suspected person
	PER_PRSC	Prosecuted person
	PER_CNV	Convicted person
Age:	TOTAL	Total
	JUVENILE	Juvenile
	ADULT	Adult

Personnel in the criminal justice system by sex - number and rate for the relevant sex group

Table:	crim_just_job	
ISCO08:	OC2612A	Professional judges
	OC5412	Police officers
	PRISA	Personnel in adult prison
	PRISJ	Personnel in juvenile prison
Sex:	T	Total
	M	Males
	F	Females

Suspects and offenders by citizenship

## **Court processes (crim\_crt)**

Legal cases processed in first instance courts by legal status of the court process

Table:	crim_crt_case	
Legal Status:	CRT_BGHT	Brought to court
	CRT_RESL	Resolved
	CRT_PEN	Pending
Legal cases:	CRIM	Criminal
	CIV_COM	Civil and/or commercial
	ADM	Administrative
	OTH	Other

Persons brought before criminal courts by legal status of the court process

Table:	crim_crt_per	
Legal Status:	PER_CNV	Convicted person
	CRT_ACQT	Acquitted

## Prison and prisoner characteristics (crim\_pris)

Prisoners by offence category and sex - number and rate for the relevant sex group

Table:	crim_pris_off	
Offences (ICCS codes):	ICCS0101	Intentional homicide
	ICCS03011	Rape
	ICCS03012	Sexual assault
Sex:	T	Total
	M	Males
	F	Females

Prison capacity and number of persons held

Table:	crim_pris_cap	
Indicator:	PRIS_OFF_CAP	Official prison capacity - persons
	PRIS_ACT_CAP	Actual number of persons held in prison

Prisoners by age and sex - number and rate for the relevant sex and age groups

Table:	crim_pris_age	
Sex:	T	Total
	M	Males
	F	Females
Age:	TOTAL	Total
	JUVENILE	Juvenile
	ADULT	Adult

Prisoners by citizenship

Table:	crim_pris_ctz	
Citizen:	FOR	Foreign country
	NAT	Reporting country
	TOTAL	Total

Prisoners by legal status of the trial process

Table:	crim_pris_tri	
Legal Status:	TRI_PRE	Pre-trial
	TRI_SPD	Sentence passed

## 4.2. Metadata

Reference Metadata in Euro SDMX Metadata Structure (ESMS) can be found here: [http://ec.europa.eu/eurostat/cache/metadata/en/crim\\_esms.htm](http://ec.europa.eu/eurostat/cache/metadata/en/crim_esms.htm), and the Annex to this document ([Crime and Criminal Justice Reference Metadata at Country Level](#)) includes reference metadata at a national level.

## 4.3. Statistics Explained

The Statistics Explained article for EU Statistics on crime and criminal justice on the Eurostat website gives information on general trends in crime and criminal justice. Statistics Explained presents various statistical topics in an easily understandable way, with links to the latest data, metadata and further information. The Statistics Explained article for crime and criminal justice statistics can be found here:

[http://ec.europa.eu/eurostat/statistics-explained/index.php/Crime\\_and\\_criminal\\_justice\\_statistics](http://ec.europa.eu/eurostat/statistics-explained/index.php/Crime_and_criminal_justice_statistics)

## 4.4. Statistics in focus

Statistics in focus publications present the main results of statistical analyses on data collections from European countries and previous topics have covered different aspects of crime and criminal justice. The publications can be found here:

[http://ec.europa.eu/eurostat/statistics-explained/index.php/Statistics\\_in\\_focus](http://ec.europa.eu/eurostat/statistics-explained/index.php/Statistics_in_focus)

## 4.5. Statistical working papers

Statistical working papers are related to on-going statistical methodological developments and applied statistical studies, including significant strategic analyses written by Eurostat staff. The topics covered in statistical working papers on EU Statistics on crime and criminal justice include special topics not covered in the annual data collections, namely trafficking in human beings and money laundering. Both reports have been updated in recent years and are available free-of-charge from the Eurostat website as downloadable PDF files.

The [Trafficking in human beings – revised 2015 edition](#) presents the second report at the EU level on statistics on trafficking in human beings, covering the period 2010-2012. The data have been collected from different authorities working in the field of trafficking in human beings and are disaggregated by gender, age, citizenship and form of exploitation. The report also provides important information on different national methodologies, which should be taken into account when interpreting the results.

The [Money laundering in Europe - 2013 edition](#) is the second report on the collection of information on money laundering in Europe carried out by Eurostat and Directorate-General Home Affairs. The report builds on the earlier work published in 2010 and presents a series of indicators for the different stages of the anti-money laundering chain, from the filing of a suspicious transaction report through to conviction. In general, caution should be exercised in interpreting the figures due to the different administrative and operational practices in Member States.

All Statistical working papers on crime and criminal justice can be found here:

<http://ec.europa.eu/eurostat/web/crime/publications>