



Ministry
of Justice



A Technical Guide to Statistics on Ethnicity and the Criminal Justice System, 2020

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Introduction

This document provides more detail on the statistics presented in the publication *Statistics on Ethnicity and the Criminal Justice System 2020* and is intended to be used as a guide to concepts and definitions.

The key areas covered are:

- An overview of *Statistics on Ethnicity and the Criminal Justice System* detailing the background and intention of this release, the frequency and timings of the bulletin, the data used and presented and the revisions policy.
- Details of the parent statistics publications that are referenced within the bulletin and brief details of the data sources.
- A high-level background to the Criminal Justice System (CJS) on the topics featured within the bulletin.
- A glossary of the main terms used within the publication.

Further information can be found in the [Guide to Criminal Justice Statistics](#) published alongside the 2020 annual bulletin.

Overview of Statistics on Ethnicity and the Criminal Justice System 2020

This section describes the background to the bulletin, the timing and frequency of the publication and the revisions policy relating to the statistics published.

Background to Statistics on Ethnicity and the Criminal Justice System 2020

Section 95 of the Criminal Justice Act 1991 states that:

“The Secretary of State shall in each year publish such information as he considers expedient for the purpose... of facilitating the performance of those engaged in the administration of justice to avoid discriminating against any persons on the ground of race or sex or any other improper ground.”

Documents fulfilling this requirement have been published since 1992, in the form of statistical information. This report, as with previous editions, brings together information on the representation of ethnic groups among victims, suspects, defendants and offenders within the Criminal Justice System. It also provides details of practitioners within the Criminal Justice System (CJS).

The publication aims to help practitioners, policy makers, academics and members of the public understand trends in the CJS in England and Wales, and how these vary between ethnic groups, and over time. The identification of differences should not be equated with discrimination, however, as there are many reasons why apparent disparities may exist.

Timeframe and publication frequency

Data are presented in terms of calendar and financial years, reflecting the reporting cycles and data collection of the agencies contributing information for this publication. For example, data on arrests are presented in financial years, while data from courts, prison and probation are presented in calendar years.

Five-year trends have been presented wherever possible, and where changes to data systems or data quality issues do not allow for this, trends have been presented for the longest periods possible.

The most recent data available during the compilation of this report has been included, though it is important to note that more recent data may have since been published – for example, updated figures on stops and searches and arrests. The publication is published on a biennial basis. The next publication is scheduled for release in 2023.

Data

Every effort is made to ensure that the figures presented are accurate and complete. However, these data have been extracted from large administrative data systems generated by the courts, police forces and other agencies. As a consequence, care should be taken to ensure the limitations of these data are taken into account.

Although we explore differences between ethnicities, it is important that inferences are not made about individuals from group-level data – since we consider averaged outcomes that do not take into consideration the unique sub-set of circumstances in each case. If we take, for example, defendants: there can be a number of points of contact with the CJS, which range from an out of court disposal to standing trial in front of a jury. The sentencing outcome that a person receives depends upon the crime committed, their offending history and a series of mitigating and aggravating factors unique to the person or crime. Because of this, the statistics presented in this report do not represent the expected experiences of an individual ethnic group throughout the Criminal Justice System, but they can highlight areas where further investigation or research may be warranted.

It is important to note that no controls have been applied for other characteristics of those in contact with the CJS, such as average income or age, so it is not possible to determine what proportion of any differences identified in this report are directly attributable to ethnicity. Much of the published annual Criminal Justice Statistics and some of the statistics published elsewhere can be cross tabulated with other protected characteristics, such as sex and age, however care must be taken when interpreting the results. It is also not possible to make any causal links between ethnicity and CJS outcomes.

All results relate to England and Wales unless explicitly stated otherwise.

Source data for bulletin charts and analysis is already in the public domain or being placed there as part of this release. This can be found in the accompanying tables for each chapter, with new breakdowns presented in tables and previously published data and supporting information accessible through links.

Large figures are generally presented rounded to the nearest thousand, and percentages to the nearest percentage point in the bulletin text, although all calculations have been conducted on unrounded figures (so totals may not sum). Unrounded figures are shown in the accompanying tables, except where data suppliers have asked us to suppress or round small numbers to protect individuals' privacy. Details of the suppression or rounding can be found alongside the tables in question.

All breakdowns of court data including offence are presented on a principal offence basis; that is, offenders are only reported against the most serious offence they were convicted for, where they have been convicted or more than one offence during their trial. Similarly, sentencing breakdowns are presented on a principal disposal basis; that is, offenders are only reported against the most serious sentence they received, where they were given multiple sentences during their trial. (For further detail, see the Glossary and Criminal Justice Statistics sections below.)

It is not generally possible to robustly track offenders between different databases or incidents, meaning that, for example, it is not possible to directly link the population arrested to those subsequently convicted, or those tried in one year and convicted in the next. This means that if an individual has two or more separate interactions with the CJS in a given year, they may be captured twice, and that it is not possible to track changes in offence between charge and conviction in court data.

Some breakdowns have been presented by police force area or by specific offences. However, it is important to bear in mind that the smaller the group being considered, the more susceptible it is to fluctuations caused by chance or by anomalies in the recording of administrative data.

Ethnicity has been reported using self-identification unless specified otherwise, based on the 5+1 summary grouping of the 16+1 2001 Census ethnicity categories (or 18+1 2011 Census

categories) – i.e. as White, Black, Mixed, Asian, Chinese or other, or unknown. See **Appendices I and II** of the accompanying bulletin for a discussion of the rationale and where each form is used.

In response to the restrictions put in place due to the COVID-19 pandemic, the Judiciary published guidance on the prioritisation of listings¹. During the reporting period, all offences likely to result in custody were prioritised which impacted outcomes such as custody rate and average custodial sentences. This should be taken into consideration when interpreting trends that incorporate affected figures (e.g. prosecutions, convictions, sentencing).

Relative Rate Index (RRI)

The Relative Rate Index (RRI) has been used in this publication, which is a statistical approach used for the comparison of the relative difference in rates between two fixed populations and was recommended for use in the Lammy Review, 2017. A rate is defined as the proportion of individuals who experienced an outcome out of the total number of people who could have experienced the outcome. The RRI is the outcome rate for one group (usually the group 'at risk') divided by the rate for another group (the 'baseline'), thus creating a single standardised ratio measure of relative difference in outcomes between those two groups. Throughout this publication, the White ethnic group have been used as the baseline.

An RRI value of 1 indicates no disparity, an RRI greater than 1 means the group of interest had a greater likelihood of experiencing the particular outcome and an RRI less than 1 indicates the group of interest was less likely than the baseline to experience said outcome. For example, when considering the rate at which Asian offenders were given a custodial sentence compared to White offenders, an RRI of 1.11 indicates that Asian offenders were 1.11 times as likely (or 11% more likely) to be given a custodial sentence than White offenders.

To further aid interpretation, using the '4/5ths rule of thumb for adverse impact'², RRI values that fall within a range of 0.8 to 1.25 (the zone of tolerance) are not likely to indicate a disparity in outcomes resulting in adverse impact. This does not imply that an RRI falling outside of this range is indicative of the presence of an adverse impact; it is important to also consider whether parity falls within the confidence intervals, particularly with smaller samples. It's important to note that this rule of thumb is a simplification and whilst it may be valid in most cases, with smaller samples the margin of error may be wider than the zone of tolerance. Establishing a difference as evidence of a disparity requires that the observed RRI value is significantly different to parity, i.e. 1 does not fall within the confident intervals of the observed RRI.

¹ https://www.judiciary.uk/wp-content/uploads/2020/07/07072020_-_Amended-Note-on-Listing-Magistrates-re-breaches_APPROVED-3.pdf

² <http://workpsychcentral.com/index.php/4-5ths-rule>

Revisions

In accordance with Principle 2 of the Code of Practice for Office Statistics, the Ministry of Justice is required to publish transparent guidance on its policy for revisions. A copy of this statement can be found at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/218490/statistics-revisions-policy.pdf

The three reasons specified for statistics needing to be revised are changes in sources of administrative systems or methodology changes, receipt of subsequent information, and errors in statistical systems and processes. Each of these points, and its specific relevance to this publication, are addressed as follows:

1. Changes in source of administrative systems/methodology changes

The data within this publication comes from a variety of administrative systems. This technical document will clearly present where there have been revisions to data accountable to switches in methodology or administrative systems. In addition, statistics affected within the publication will be appropriately footnoted.

2. Receipt of subsequent information

The nature of any administrative system is that data may be received late. For the purpose of this criminal justice statistics publication, the late data will be reviewed on a quarterly basis but, unless it is deemed to make significant changes to the statistics released; revisions will only be made as part of the final release containing the calendar year statistics. However, should the review show that the late data has major impact on the statistics then revisions will be released as part of the subsequent publication.

3. Errors in statistical systems and processes

Occasionally errors can occur in statistical processes; procedures are constantly reviewed to minimise this risk. Should a significant error be found, the publication on the website will be updated and an errata slip published documenting the revision.

Parent Statistical Publications and Data Sources

This section lists the primary statistical publications from which the data presented in this report are gathered. The basic statistical information in this document should be considered in conjunction with the parent statistical publications and research reports that are now available on related issues. Most of these reports are now published on websites such as the GOV.UK website (<https://www.gov.uk/government/statistics>) and the Office for National Statistics website (<http://www.ons.gov.uk/ons/taxonomy/index.html?nscl=Crime>). It also briefly describes the key data sources. For further technical data and quality statements see appendices in the parent publications.

Overview

Statistics on Ethnicity and the Criminal Justice System 2020 draws on data from a number of statistical publications, which in turn draw on various sources across the Criminal Justice System, including data collected by the police, the courts and prisons.

Key parent statistical publications include;

- Crime Survey of England and Wales (as reported in Crime in England and Wales)
- Police Powers and Procedures, England and Wales
- Criminal Justice Statistics
- Offender Management Statistics Quarterly
- Safety in Custody

The publication also draws on data from staff data from various agencies across the Criminal Justice System including: the Crown Prosecution Service, Magistrates, Parole Board, HM Inspectorate of Prisons and Judiciary. Table G.01 below outlines the main sources drawn upon in the report.

In addition to these published data sources, we have drawn on additional breakdowns of the underlying data in some cases. These additional breakdowns can be found in the accompanying data tables.

Table G.01: Overview of publications presented or associated with Statistics on Ethnicity and the Criminal Justice System 2020

Chapter	Topic	Parent publication/ source	Most recent reference period	Ethnic groups	Link to latest bulletin/source
3. Victims	Personal Crime	Crime in England and Wales	2019/20	5 (no unknowns)	https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingdecember2020
	Homicide	Homicide Index	2019/20	4+1	https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/homicideinenglandandwales/latest
4. Police Activity	Stops and Searches Arrests	Police Powers and Procedures	2020/21	5+1	https://www.gov.uk/government/statistics/police-powers-and-procedures-stop-and-search-and-arrests-england-and-wales-year-ending-31-march-2021
	PNDs	Criminal Justice Statistics	2020	5+1	https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2020
5. Defendants	Prosecutions Convictions Remands Sentences	Criminal Justice Statistics (Court Proceedings database)	2020	5+1	https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2020
	Pre-sentence reports	Offender Management Statistics (prison records and probation records)	2020	5+1	https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-october-to-december-2020
	Criminal Legal aid	Legal Aid Statistics (Contracted Work and Administration system)	2020	5+1	https://www.gov.uk/government/collections/legal-aid-statistics
	Criminal courts data	Criminal Courts Statistics (XHIBIT and LIBRA MIS)	2020	5+1	https://www.gov.uk/government/statistics/criminal-court-statistics-quarterly-october-to-december-2020
6. Offender management	Prison population Sentences served Probation / supervision	Offender Management Statistics (prison records and probation records)	2020	5+1 (except Chinese in Asian)	https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-january-to-march-2020--2
	Parole Board	Public Protection Unit Database	2020/21	5+1	https://www.gov.uk/government/publications/the-parole-board-for-england-wales-annual-report-and-accounts-202021
	HMI Prisons survey	HMI Prisons Annual Report	2020/21	5 (no unknowns)	https://www.justiceinspectorates.gov.uk/hmiprisoninspections/annual-report-2020-21/
7. Offender Characteristics	Offending Histories	Criminal Justice Statistics (police records)	2020	6+1	https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2020
	Gender	Criminal Justice Statistics (Courts)	2020	5+1	https://www.gov.uk/government/statistics/criminal-justice-

		Proceedings database)			system-statistics-quarterly-december-2020
	Age	Criminal Justice Statistics (Courts Proceedings database)	2020	5+1	https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2020
	Education	MoJ / Department for Education (DfE) Data Share	2016/17	5+1	Bespoke analysis: MoJ/DfE Data Share
	Reoffending	Proven reoffending	2018/19	4+1	https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/989735/Overview-data-tool-jan19-mar19.xlsx
8. Offence analysis	Possession of Weapon Offences	Criminal Justice Statistics (Courts Proceedings database)	2020	5+1	https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2020
	Drug Offences	Criminal Justice Statistics (Courts Proceedings database)	2020	5+1	https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2020
	Sexual Offences	Criminal Justice Statistics (Courts Proceedings database)	2020	5+1	https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2020
9. Practitioners	Crown Prosecution Service	Crown Prosecution Service Data – Equality and Diversity (CPS records)	2020	5+1	https://www.cps.gov.uk/workforce-diversity-data
	Ministry of Justice	MoJ HR records	2020	5+1	https://www.gov.uk/government/publications/ministry-of-justice-workforce-monitoring-report-2019-to-2020
	Her Majesty's Prison and Probation Service	HMPPS statistics (HR records)	2021	5+1	https://www.gov.uk/government/collections/national-offender-management-service-workforce-statistics
	Judiciary	Judicial Diversity Statistics (judiciary records)	2021	5+1 (except Chinese in Asian)	Judicial Diversity Statistics
	Magistracy	Judicial Diversity Statistics (magistrates records)	2021	5+1 (except Chinese in Asian)	Judicial Diversity Statistics
	Police	Police workforce England and Wales statistics (police records)	2021	5+1 (except Chinese in Asian for 2021)	https://www.gov.uk/government/collections/police-workforce-england-and-wales

Crime Survey of England and Wales (CSEW)

Findings from the *Crime Survey of England and Wales (CSEW)* are reported in [Crime in England and Wales](#). As not all crimes are reported to the police and the police recorded crime data held centrally does not include information about victim ethnicity, the CSEW, formerly known as the British Crime Survey (BCS), provides the main source of information on the incidence and risks of victimisation. The CSEW is a large nationally representative survey that asks people about their victimisation (including crimes not reported to the police) in the last 12 months.

For the crime types and population groups it covers, the CSEW provides a more reliable measure of trends in crime than police recorded crime statistics, as it has a consistent methodology and is unaffected by changes in levels of reporting to the police, recording practice or police activity. The CSEW is a face-to-face victimisation survey in which adults aged 16 and over resident in households in England and Wales are asked about their experiences of crime in the 12 months prior to interview. Since January 2009, the CSEW has also asked children aged 10 to 15 residing in households in England and Wales about their experience of crime in the previous 12 months.

The CSEW figures presented in this publication are based on interviews conducted between April 2019 and March 2020, and therefore cover a mix of crimes occurring in 2018, 2019 and 2020. The survey is weighted to adjust for possible non-response bias and to ensure that the sample reflects the profile of the general population. The primary purpose of the CSEW is to provide national-level estimates for the crime types it covers; it is not intended to provide a total count of crime.

Figures reported in some other publications are 12-month averages of the estimates from three survey years; this bulletin reports on single years only. The coverage of the CSEW is limited to crimes which involve a specific identifiable victim, for example where an individual has been assaulted, a household has had property stolen or vandalised. The survey excludes other crime where a specific victim is more difficult to identify, for example, public order offences without a specific targeted victim. Such crimes (if reported) will, however, be included in the police recorded crime data.

For further technical details about the CSEW please refer to the [User Guide to Crime Statistics for England and Wales](#).

Homicide Index

The term “homicide” covers the offences of murder, manslaughter and infanticide. Murder and manslaughter are common law offences that have never been defined by statute, although they have been modified by statute. The manslaughter category includes the offence of corporate manslaughter which was created by the *Corporate Manslaughter and Corporate Homicide Act 2007* which came into force on 6 April 2008. *The offence of infanticide was created by the Infanticide Act 1922 and refined by the Infanticide Act 1938 (section 1).*

The data presented in this report has been provided from the Home Office Homicide Index which contains detailed record-level information about each homicide recorded by police in England and Wales. These data are based on the year when the offence was recorded as a crime, not when the offence took place or when the case was heard in court. While in the vast majority of cases the offence will be recorded in the same year as it took place, this is not always the case. Caution is therefore needed when looking at longer-term homicide trends. For example

- the 173 homicides attributed to Dr Harold Shipman as a result of Dame Janet Smith’s inquiry took place over a long period of time but were all recorded by the police during the year ending March 2003
- the 96 deaths that occurred at Hillsborough in 1989 were recorded as manslaughters in the year ending March 2017 following the verdict of the Hillsborough Inquest in April 2016

Furthermore, where several people are killed by the same suspect, the number of homicides counted is the total number of victims killed rather than the number of incidents. For example, the 39 victims of human trafficking found in a lorry in Grays, Essex, in October 2019 are counted as 39 individual homicides.

The data in this article refer to the position as at 15 December 2020, when the Homicide Index database was “frozen” for the purpose of analysis. The data will change as subsequent court hearings take place or as further information is received.

Further information on the methodology of the Homicide Index can be found in the Office of National Statistics publication [Homicide in England and Wales: year ending March 2020](#).

Police Powers and Procedures, England and Wales

Statistics on Ethnicity and the Criminal Justice System 2020 presents data on stops and searches, and arrests as reported in [Police powers and procedures: Stop and search and arrests, England and Wales, year ending 31 March 2021](#).

Police Powers and Procedures data reflect police activity and should not be used to infer levels of crime committed by offenders, or their specific characteristics. The data presented are drawn from returns from the 43 local police forces in England and Wales, and cover trends in arrest rates, as well as breakdowns by offence group and sex. As with any data collection system, differences in recording practice can impact on the comparability of figures over time and across police force areas.

Figures on arrests for notifiable offences are not strictly comparable with cautions and court proceedings data. This is mainly because the aggregated offence categories for notifiable offences do not directly compare with indictable (including triable either way) offence groups. Additionally, court proceedings figures relate to the year of the final court decision, rather than the year of arrest, and may differ.

Furthermore, where a person has been arrested for more than one notifiable offence on the same occasion, the offence with the highest maximum penalty is recorded. A person will appear more than once in the tables if arrested on more than one occasion during the year.

To allow for consistency between overall totals for stops and searches and arrests, data from the British Transport Police (BTP) data has been excluded. This is because there is no population data suitable to contextualise the BTP results. Numbers on stops and searches and arrests conducted by BTP can be found in the supplementary tables.

Stop and search figures discussed in this publication include stops and searches under section 1 of the Police and Criminal Evidence Act and associated legislation³ as well as section 60 of the Criminal Justice and Public Order Act 1994. Up to the year ending 31 March 2017 there had been no stops and searches under section 47a of the Terrorism Act 2000 (TACT 2000).

On 30 April 2014, the Best Use of Stop and Search (BUSS) scheme was announced⁴ and as part of the scheme, forces are required to report on whether the outcome⁵ was linked to the initial reason for conducting the search. Data from the Metropolitan Police and City of London police force areas were combined to produce a London total.

Further information on these data can be found in the [User Guide to Police Powers and Procedures Statistics](#).

³ A list of other legislation included in figures for s1 stops and searches can be found in the guide to police powers and procedures

⁴ Further details on the BUSS scheme can be found in the [BUSS guidance](#).

⁵ For each stop and search, only the first outcome is recorded to avoid double counting. Where an outcome follows an arrest, only the arrest will be recorded. Therefore, outcomes that follow an arrest (such as cautions) will be under-recorded in the figures.

Criminal Justice Statistics quarterly: December 2020

Statistics on Ethnicity and the Criminal Justice System 2020 uses Penalty Notices for Disorder (PND), court proceedings, convictions, sentencing, remands and offender histories data from [Criminal Justice Statistics quarterly: December 2020](#) (and the underlying Court Proceedings database [CPD]).

The three main sources these statistics are compiled from are:

- Data extracts from individual police forces or Penalty Notice Processing (PentiP) system.
- Data extracts from court database administrative systems.
- Data extracts from the Police National Computer.

Principal Offence

Where proceedings involve more than one offence, the tables report the principal offence. The basis for the selection of the principal offence is as follows:

- Where a defendant is found guilty of one offence and acquitted of another, the offence selected is the one for which they are found guilty;
- Where a defendant is found guilty of two or more offences, the offence selected is the one for which the heaviest sentence is imposed;
- Where the same disposal is imposed for two or more offences, the offence selected is the one for which the statutory maximum penalty is the most severe.

The offence shown in the tables on court proceedings is the one for which the court took its final decision and is not necessarily the same as the offence for which the defendant was initially prosecuted, for example when the court accepts a guilty plea from the defendant on a lesser charge.

Unless otherwise stated, the sentence shown is the most severe sentence or order given for the principal offence (i.e. the principal sentence), secondary sentences given for the principal offence and sentences for non-principal offences are not counted in the tables.

Ethnicity and Offence Type

For court proceedings data, this report only analyses indictable offences. Summary offences do not have a sufficient coverage of known ethnicity to provide robust analysis. See Appendix I of the bulletin for ethnicity coverage for various data sources over time.

Historically the recording of ethnicity data for defendants at magistrates' courts has been poor, with high proportions of unknown ethnicity. The recording of ethnicity data for indictable offences has been more complete than summary offences because in charged cases the defendant will have been seen by the police and asked about their ethnicity. In cases where the defendant received a summons, they will not have been seen by the prosecutor, and may not have appeared in court. After a considerable programme of work, a substantial improvement in the data has been noted in the recording of ethnicity for indictable offences. However, we still do not report on ethnicity for summary offences due to the prevalence with which this is missing.

Offender Histories

The figures on First Time Offenders (FTO) and previous offending histories have been extracted from the MoJ's Police National Computer (PNC). Previous reports have focussed on First Time Entrant (FTE) statistics, but FTOs and FTEs are measured differently. A first time entrant to the criminal justice system is an offender residing in England and Wales at the time of the offence, who has been recorded on the PNC by an English or Welsh police force as having received their first conviction, caution or youth caution. Published figures for first time entrants exclude any offenders who, at the time of their first conviction or caution, were resident outside England or Wales. Offenders who had a conviction or caution outside England and Wales and who were arrested by a police force in England and Wales would be counted as a first time offender. The PNC data undercounts the true number of cautions and convictions, as some less serious summary offences such as TV licence evasion and many motoring offences, are not recorded on the PNC.

Further information on data sourced from the *Criminal Justice Statistics quarterly: December 2020* can be found in the [Guide to Criminal Justice Statistics](#).

Legal Aid

Statistics on Ethnicity and the Criminal Justice System 2020 source data on Legal aid from [Legal aid statistics](#).

The legal aid system dates from 1949. The scheme was administered by the Law Society until the Legal Aid Act 1988, which established the Legal Aid Board. Following substantial increases to the legal aid budget in the early 1990's a review of the system was carried out in 1997, leading to the Access to Justice Act 1999 and the creation of the Legal Services Commission (LSC). The LSC was a Non Departmental Public Body (NDPB) with statutory duties in relation to the Community Legal Service Fund (CLSF) and Criminal Defence Service (CDS), funding legal advice and representation in civil and criminal law. A subsequent review recommended that the LSC be aligned more closely with the Ministry of Justice (MoJ) and therefore on 1 April 2013 the LSC was abolished as a NDPB as a result of the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012. An executive agency of the MoJ was created to administer legal aid from 1 April 2013, called the Legal Aid Agency (LAA).

The legal aid data sources used for this report are Contracted Work and Administration (CWA) and Means Assessment Administration Tool (MAAT). Legal aid statistics are based entirely on administrative data. Their quality is managed and assured using the best practice guidance and tools published by the UK Statistics Authority.

The majority of data are held on the CWA system, where providers submit bulk electronic data generated through their own case management software. The information submitted contains information at an individual level for each claim for payment of legal aid. All claims must be entered onto CWA for the provider to receive payment. Hence the data are linked to an operational process, a good safeguard of accuracy.

The data held on MAAT for each application for criminal legal aid includes information on the court case in question and on the finances of the applicant. It is used to assess the legal aid application against the two main criteria for funding: the Interests of Justice test and the means test.

Data are extracted from the same administrative systems for each area of legal aid as the rest of the statistics they report on. For crime higher, all the diversity data is taken from MAAT as this is application based and the alternative of using both the Crown court Litigators fee scheme (CCLF) and Crown Court Remuneration (CCR) systems would double count some crime higher clients, and these are claims based systems. However, CWA is used for Crime Lower figures as MAAT only includes work in the magistrates' courts and not at the police station or prison law.

Further information on data sourced from *Legal aid statistics* can be found in the *User guide to legal aid statistics in England and Wales*.⁶

⁶ User guide for the most recent annual publication can be found here: [User guide to legal aid statistics in England and Wales - GOV.UK](#)

Comparing the educational background of young offenders in Key Stage 4; MoJ/DfE Data Share

A data sharing exercise between the MoJ and the Department for Education (DfE), with analysis on a matched cohort of those who were in Year 6 in either 2008/09 or 2009/10 and who were aged ten at the start of those academic years. To avoid inconsistency in the length of their offending histories, for those with an academic year of 2008/09 their offending data has been considered up to 31 August 2016 and for those with an academic year of 2009/10 it has been considered up to 31 August 2017.

The analysis compares the ethnicities in the matched young offender cohort, broken down by disposal, educational attainment, pupil characteristics, persistent absence and exclusion.

It is important to note that in the analysis there are many young people in the overall pupil population that have the characteristics described and do not go on to offend. Some of the proportions presented in the analysis are based on small sample sizes, so care should be taken when comparing results for different ethnicities.

Data sources

Data from several large datasets were brought together in this data share. A brief description of the two main datasets is included below:

- **National Pupil Database (NPD) – DfE.** A wide range of information about pupils and students which provides evidence on educational performance and context. The data includes detailed information about pupils' test and exam results, prior attainment, and progression between each key stage for all state schools in England. It also includes information about the characteristics of pupils in the state sector and non-maintained special schools, such as their ethnicities, ethnicity, first language, eligibility for Free School Meals, awarding of bursary funding for 16-19-year olds, information about Special Educational Needs, and detailed information about any absences and exclusions.
- **Police National Computer (PNC) – MoJ.** This dataset includes recordable offences committed, with separate entries for each offence committed by a person, although only some information (e.g. personal characteristics) will be available through the linked data. The data analysed in this report is a subset of the total number of individuals. This report is based on offenders from the PNC that were successfully matched to the NPD, covering the period 2000 – 2017.

How was the data matched?

The methodology used to match the data sources together was similar to that used in other MoJ data linking projects, such as the pilot data share between MoJ and DfE.⁷

The share used a deterministic approach, developing matching rules using common variables between the different sources. Matching rules included combinations of at least an exact match on three of the five variables available as well as applying 'fuzzy matching' techniques to names.

⁷https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/577542/understanding-educational-background-of-young-offenders-full-report.pdf

Match Rate

Not all offenders on the PNC were involved in the match to the National Pupil Database (NPD) as the NPD only began to record data from the 2001/02 academic year. Whilst attempting to match as many offenders on the PNC as possible, due to the limited time coverage of the NPD, it was only possible to match offenders between the ages of 10 and 32 as at December 2017. This meant the records of around 1.95 million offenders, aged between 10 and 32 years, from between 2000 and 2017 who were on the PNC were shared with DfE. Of those, around 1.51 million were matched and included in the final matched dataset after cleaning. A good match rate of around 77% was achieved. Figures in this publication are based on matched offenders only and, as a result, volumes will be lower than published statistics from individual data sources.

Caveats when using matched data

There are a number of caveats which should be considered when using the matched data:

- The matched data has been produced using administrative data sources whose main purposes are not solely statistical. Therefore, as with any large recording system, the data are subject to possible errors with data entry and processing. Quality assurance procedures, including cleaning of duplicated offender entries and checks for completeness and representativeness, have been applied to the matched data
- Comparisons on representativeness provide some assurances that the matched data is broadly reflective of the offender cohort, but it should be made clear that this is not the full offender population.
- The analysis in this report is based only on the final matched PNC dataset. Around 23% of offenders aged 32 and under were not uniquely matched to the NPD. Likely reasons for this include:
 - o They offended in England or Wales and were educated in Wales, Scotland, Northern Ireland or outside of the United Kingdom
 - o Different names were recorded (potentially due to the offender changing their name or reporting a different name) on the NPD and the PNC
 - o They have a common set of characteristics (i.e. the same name, date of birth and/or postcode) that make it difficult to determine a unique match across the datasets.

Offender Management Statistics quarterly

Statistics on Ethnicity and the Criminal Justice System 2020 source concordance levels for pre-sentence reports⁸, probation statistics and prison population, releases and adjudications data from the [Offender Management Statistics quarterly](#).

The total prison population includes offenders sentenced to immediate custody, those on remand, non-criminal prisoners and fine defaulters and does not include offenders under the age of 15 years accommodated in the Youth Justice Board (YJB) operated secure estate⁹. The populations presented are an annual series, recorded on the 30th June each year¹⁰.

Following the 2011 Census, the 18-point ethnicity classification was introduced into the prison IT system. As a result, the Chinese ethnicity is now included in the Asian ethnic group, and the Chinese and Other ethnic group is now the Other ethnic group.

Prison sentences

Prison sentences can be divided into two broad groups: determinate sentences which are for a fixed period, and indeterminate sentences, which include life sentences and indeterminate sentences for public protection (IPPs), that have a minimum fixed period, known as a tariff that must be served before release is considered by the parole board. The LASPO Act, which was passed on 3rd December 2012, abolished two types of indeterminate sentence: the Indeterminate sentences for Public Protection (IPPs) and Extended Sentence for Public protection (EPP) and replaced them with a determinate sentence, the Extended Determinate Sentences (EDS).

Community sentence or suspended sentence requirements

When a court imposes a community sentence or a suspended sentence with a requirement, the offender doesn't go to prison. But the court says there are specific things the offender can, can't and must do while serving their sentence. The magistrate or judge will decide which combination of these 'requirements' will most effectively punish the offender for their crime, while also reducing the risk of them offending again. The most common requirements are unpaid work and supervision. Unpaid work consists of offenders being required to work for up to 300 hours on local community projects under close supervision. This may include cleaning litter or public land, redecorating community centres and other public buildings or removing graffiti. Supervision consists of the offender attending appointments with a manager from the Probation Service. The frequency and content of the supervision is specified in the sentence, and can include monitoring and reviewing patterns of behaviour, helping to increase the offender's motivation, providing practical support to help the offender comply with the order, supporting and reinforcing learning and modelling of pro-social behaviour.

⁸ Pre-sentencing reports are specified in S. 158 of the Criminal Justice Act 2003.

⁹ YJB Statistics can be found at <http://www.gov.uk/government/collections/youth-justice-statistics>

¹⁰ Please see [Guide to Offender Management Statistics](#) for further details.

Pre-release and post-release supervision

All prisoners aged 21 or older given a custodial sentence of 12 months or more and all prisoners aged 18 to 21 are subject to pre-release and post-release supervision. Before a prisoner is released, home supervising officers along with probation staff in prison work jointly with prison staff on sentence planning and management, including consideration of post-release issues¹¹. The period covered by this report predates the changes to probation that took place as part of Transforming Rehabilitation; no impact will be seen from the extension to short custodial sentences or the introduction of the National Probation Service.

Offenders serving a sentence of 12 months and over are released from prison, in most cases automatically at the half way point of their sentence, under licensed supervision to the Probation Service. They are subject to a set of standard licence conditions, requiring them to report regularly to the Probation Service, live at an address approved by the Probation Service and to be of good behaviour.

Further information on data sourced from the *Offender Management Statistics quarterly* can be found in the [Guide to Offender Management Statistics](#).

¹¹ [Guide to Offender Management Statistics](#).

Other Statistical publications

Other statistical publications and data sources drawn upon in Statistics on *Ethnicity and the Criminal Justice System 2020* are briefly detailed below.

Proven Reoffending

Reoffending data are sourced from [Proven Reoffending Statistics](#). Information regarding the proven re-offending behaviour of offenders has been compiled using the Ministry of Justice's extract from the Police National Computer (PNC). The process involves matching offender details from the prison and probation data to the personal details recorded on the PNC.

After offenders are released from custody or receive a non-custodial conviction at court or who receive a caution, reprimand or warning, they may re-enter the Criminal Justice System if they are proven to re-offend. For the purpose of the statistics presented below, a proven re-offence is defined as any offence committed in a one year follow-up period that leads to a court conviction, caution, reprimand or warning in the one year follow-up or within a further six month waiting period to allow the offence to be proven in court. Published proven reoffending figures exclude those who are deported on release from prison, but include those who leave the country at a later date or after receiving a court order/caution etc.

The proven reoffending statistics in this chapter are based on the new methodology, as announced in 'Response to consultation on changes to proven reoffending statistics' in April 2016. A key change to the methodology is changing to a three month cohort from the previous twelve month cohort. The publication reports on offenders who are released from custody, received a non-custodial conviction at court, or received a caution within a three month period, for all measures of reoffending, including for juveniles. The data source used to compile the statistics has changed from October 2015 following probation services reforms¹². The data used in this analysis uses the January to March 2017 cohort which uses the new data source, therefore users should be cautious when making any comparison between the October to December 2015 cohort and earlier cohorts.

Ethnicity is assigned by the police officers processing the offence based on the offender appearance and therefore uses the 4+1 ethnicity classification

For a more detailed explanation of the data used in the *Proven Re-offending Statistics* series, please see the accompanying [Guide to proven reoffending Statistics](#).

Parole Board

This report uses Parole Board management information data to provide figures on Parole Board oral hearing results. The Parole Board is an independent body that carries out risk assessments on prisoners to determine whether they can be safely released into the community.

¹² For more information on the impact of these changes please see 'How the measure of proven reoffending has changed and the effect of these changes' in [Proven reoffending statistics: October 2015 to December 2015](#). It is important to note that data for the October-December 2015 is not comparable with previous cohorts, due to the change in data source.

Data source: Public Protection Unit Database (PPUD) for financial years 2019/20 to 2020/21. The Parole board considers an outcome to be a release, a recommendation regarding open conditions or a knockback (not released).

The detailed ethnicity figures are currently not published elsewhere, only the headline number of oral hearing are published via the [Parole Board annual report](#).

To ensure the published figures are of sufficient quality a data matching exercise took place matching conditions of the Parole Board data to releases from prison flows data. The same time period was taken from each dataset and matched on NOMS ID, a unique reference code for each offender. The match rate of this exercise was 70%.

Due to the nature of the different review types there is a variance in terms of the hearing results. Therefore, these have been grouped into three separate categories:

- Release: The Prisoner's release has been directed by the Parole Board and this should be actioned by the Secretary of State.
- Open Conditions: The Parole Board has made a recommendation for the prisoner to remain or be transferred into the open conditions. The outcome of open conditions could relate to a prisoner remaining in open conditions or being recommended for a move to the open prison estate. The purpose of transferring a prisoner to open conditions is to test the prisoner's suitability for release at a future date.
- Not Released: This is where a prisoner has been refused release within this review period.

HMIP Survey

Survey data on Her Majesty's Inspectorate of Prisons for England & Wales are available as part of the [HMIP annual report 2020/21](#). The data is drawn from surveys undertaken to inform adult prison inspections. This 2020/21 survey collected information based on 'race' rather than 'ethnicity' which is used throughout the rest of the report.

The data relating to filtered questions are clearly indented within the tables provided and preceded by an explanation of how the filters has been applied. Percentages for filtered questions refer to the number of respondents filtered to that question. For all other questions, percentages refer to the entire sample. All missing responses have been excluded from analyses.

Workforce publications

Staff and practitioner data from Criminal Justice System agencies are sourced from databases underlying various workforce publications. Figures are based on headcount for all agencies except the police, who provided full-time equivalent figures. Police data are therefore not directly comparable with data from other agencies.

Statistics in this publication draw upon published and previously unpublished extracts of human resources records for the police¹³, Ministry of Justice (MoJ)¹⁴, Crown Prosecution

¹³ Data used in the [Police workforce statistics](#) are self-declared from Home Office records, as at 31 March 2021.

¹⁴ Data are self-declared from HR records, as at 31 March 2021.

Service (CPS)¹⁵, Her Majesty's Prison and Probation Service (HMPPS)¹⁶, magistracy¹⁷ and judiciary¹⁸. To allow for variable changes in headcount in the period considered, breakdowns by ethnicity are best considered as proportions of staff than absolute numbers.

The workforce data presented may not align exactly with published data due to rounding, suppression and differences in counting rules associated with differences in the aims of the publications.

¹⁵ Data is self-declared from HR records, as at 31 December 2021. These data are based on ONS headcount specifications and may differ from other published figures.

¹⁶ Data used in the [HMPPS workforce quarterly statistics](#) are self-declared from HR records, as at 31 March 2021.

¹⁷ Self-declared from HR records for serving magistrates as at 1 April 2019. Reported in the [Judicial Diversity Statistics](#) 2021 publication.

¹⁸ Self-declared from HR records, as at 1 April 2021. Reported in the [Judicial Diversity Statistics](#) 2021 publication, the quoted figures cover all court judges, i.e. those who deal with civil, family law and criminal cases.

Glossary

Absolute discharge	When the court decides someone is guilty but decides not to punish them further at this time, they will be given a 'discharge'. Discharges are given for minor offences. An 'absolute discharge' means that no more action will be taken.
Accused	An individual charged with committing an offence.
Acquittal	The defendant is not found guilty for any offence.
Act	Law (as in an Act of Parliament).
Adjudications	The adjudication process allows prison governors and independent adjudicators to deal with breaches of prison discipline internally, although the most serious offences can be referred to the police and ultimately dealt with by the courts.
Adult	A person aged 18 and above.
Arrest	The power of a police officer to deprive a person of his or her liberty for the investigation and prevention of crime. Police officers have the power to arrest anyone who has committed an offence, is about to commit an offence, or is in the act of committing an offence. They also have the power of Arrest when a person is suspected of involvement in an offence.
Assailant	A prisoner involved in an assault incident whose role has been recorded on the NOMS incident reporting system as an 'assailant'. The system does not record details of non-prisoner assailants for example visitors. Where an assault in prison involves a clear aggressor and victim, participants are categorised as assailants or victims. Where an incident does not involve a clear aggressor or victim, participants are categorised as fighters.
Assaults	Assaults in prison custody cover a wide range of violent incidents including fights between prisoners. NOMS does not use the Home Office counting rule definitions of Actual Bodily Harm (ABH), Grievous Bodily Harm (GBH), affray etc. and figures cannot be compared directly.
Average Custodial Sentence Length (ACSL)	Average length of determinate custodial sentences given in months. This excludes indeterminate sentences (life or imprisonment for public protection sentences) as the length of these sentences is not recorded.
Bail	The release of a defendant or charged individual from custody, subject sometimes to security being given and/or compliance with certain conditions.
Burglary	When a person enters any building as a trespasser and with intent to commit an offence of theft, grievous bodily harm or unlawful damage.

Cannabis or Khat Warnings:	A verbal warning issued by a police officer when an offender has been caught with Cannabis (from 2004) or Khat (from 2014). If an offender is caught again, then they would usually receive a fixed penalty notice for disorder (PND).
Case	An action, suit or claim in a court of law.
Caution	<p><i>Simple caution</i> – a non-statutory warning given to adults (aged 18 and over) by the police following an admission of guilt. A simple caution is an alternative to prosecution, which, though not a conviction, forms part of a person’s criminal record.</p> <p><i>Conditional caution</i> – a warning with reparative and/or rehabilitative conditions attached, issued by the police to adults (aged 18 and over) under the Criminal Justice Act 2003. A conditional caution can be given following a CPS decision to issue and an offenders admission of guilt, and, although not a conviction, forms part of a person’s criminal record.</p>
Charge	A formal accusation of a criminal offence against a person.
Committal	<p><i>Committal for trial:</i> the referral of a case involving an either way offence to the Crown Court, following examination by magistrates.</p> <p><i>Committal for sentence:</i> the referral of a case to the Crown Court for sentencing, when magistrates consider an offence to justify a sentence greater than they are empowered to impose.</p> <p><i>Committal order:</i> an order of the Court committing someone to prison.</p>
Community sentence	When a court imposes a community sentence, the offender doesn't go to prison. But the court says there are specific things the offender can, can't and must do while serving their sentence. The magistrate or judge will decide which combination of these 'requirements' will most effectively punish the offender for their crime, while also reducing the risk of them offending again.
Compensation	Payment of damages to restore an injured party to his former position. Sometimes combined with 'otherwise dealt with'.
Conditional discharge	When the court decides someone is guilty, but decides not to punish them further at this time, they will be given a 'discharge'. Discharges are given for minor offences. A 'conditional discharge' means that the offender won't be punished unless they commit another offence within a set period of time (no longer than three years).
Conviction	A conviction occurs after a guilty verdict in the magistrates' or the Crown Court. A guilty verdict can be reached either through a trial or through the defendant pleading guilty.
Court (of law)	A judicial tribunal presided over by a judge, judges, or magistrates, and established to administer justice in civil and criminal cases.

Court Proceedings database (CPD)	The MoJ Court Proceedings database holds information on out of court disposals and court outcomes of defendants tried at a magistrates' or Crown Court in England and Wales. It also contains information on age, sex and ethnicity of defendants.
Conviction ratio	The conviction ratio is defined as the ratio of convictions to prosecutions for a principal offence over one year. As trials can span more than one year, offenders found guilty in a reporting year are not always the same defendants who were prosecuted in that year.
Court (of law)	A judicial tribunal presided over by a judge, judges, or magistrates, and established to administer justice in civil and criminal cases.
Crime Survey for England and Wales (CSEW)	The Crime Survey for England and Wales (formally known as the British Crime Survey) is a large, nationally representative survey that asks people in detail about their experiences of crime in the last twelve months. For further information on the CSEW, see section above.
Criminal	A person who is guilty of a criminal offence.
Criminal damage	Criminal damage results from any person who without lawful excuse destroys or damages any property belonging to another, while intending to destroy or damage any such property or being reckless as to whether any such property would be destroyed or damaged.
Criminal damage and arson	The criminal damage and arson offence group includes a range of offences such as Criminal damage endangering life, racially or religiously aggravated criminal damage and arson not-endangering/endangering life.
Criminal Justice System	The system of law enforcement directly involved in apprehending, prosecuting, defending, sentencing, and punishing those who are suspected or convicted of criminal offences.
Crown Court	The Crown Court deals with all crime committed or sent for trial by magistrates' courts. Cases for trial are heard before a judge and jury. The Crown Court also acts as an appeal court for cases heard and dealt with by magistrates.
Crown Prosecution Service (CPS)	As the principle prosecuting authority in England and Wales, the CPS advises the police on prosecution matters, determines charges in more complex cases, and prepares and presents cases at court.
Custodial sentence	A sentence where the offender is detained in a prison, young offender institution or secure training centre.
Custody	The state of being detained or held under guard by the police or in a prison.
Custody rate	The custody rate is the proportion of all offenders sentenced to immediate custody, out of all sentencing outcomes.

Dangerous instruments	Defined in the Criminal Justice and Public Order Act 1994 as instruments which have a blade or are sharply pointed.
Defendant	A person sued, standing trial or appearing for sentence.
Determinate and Indeterminate Sentences	Prison sentences can be divided into two broad groups: determinate sentences which are for a fixed period, and indeterminate sentences, which include life sentences and indeterminate sentences for public protection (IPPs), that have a minimum fixed period, known as a tariff that must be served before release is considered by the parole board. The LASPO Act, which was passed on 3rd December 2012, abolished two types of indeterminate sentence: the Indeterminate sentences for Public Protection (IPPs) and Extended Sentence for Public protection (EPP) and replaced them with a determinate sentence, the Extended Determinate Sentences (EDS).
Discharge (see absolute discharge, conditional discharge)	The offender is found guilty of the offence, and the conviction appears on his or her criminal record, but either no further action is taken at all (absolute discharge), or no further action is taken as long as the offender does not offend again in a certain period of time (conditional discharge).
Disposal	<p><i>Court disposal</i> - The end result of a trial at court. In this publication, the disposals of interest are sentences, but other disposals are possible, for example, where there is a not guilty verdict.</p> <p><i>Out of court disposal</i> - A disposal issued before a case gets to court, when a defendant admits to a minor offence. Out of court disposals include cautions, reprimands and warnings.</p>
Drug offences	Drug offences include a range of offences involving illegal drugs of class A (for example heroin and cocaine), B (for example cannabis) and C (for example tranquillisers and anabolic steroids), such as unlawful importation, possession, and production, supply and possession with intent to supply.
Fighter	A prisoner involved in an assault incident whose role has been recorded on the NOMS incident reporting system as a 'fighter'. The system does not record details of non-prisoners who may be involved in fights for example, visitors. Where an assault in prison involves a clear aggressor and victim, participants are categorised as assailants or victims. Where an incident does not involve a clear aggressor or victim, participants are categorised as fighters.
Final warning	A formal warning issued to juveniles by the police for a second offence (no matter how minor).
Fine	Fines are the most common criminal sentence overall (when looking at all sentences, for summary and indictable offences combined), given to punish an offender financially. They're usually given for less serious crimes that don't merit a community or prison sentence. They limit the amount of money offenders have to spend. How much someone is fined depends on how serious a crime is, and the offender's ability to pay.

First Time Offender (FTO) and First Time Entrant (FTE)	The definition of “first time offender” is different from “first time entrant”. A first-time entrant (FTE) to the criminal justice system is an offender residing in England and Wales at the time of the offence, who has been recorded on the Police National Computer (PNC) by an English or Welsh police force as having received their first conviction, caution or youth caution. Published figures for first time entrants exclude any offenders who, at the time of their first conviction or caution, were resident outside England or Wales. Offenders who had a conviction or caution outside England and Wales and who were arrested by a police force in England and Wales would be counted as a First Time Offenders (FTO).
Foreign national prisoner	The nationality data are obtained from self-reports of prisoners: this information is not checked by prison establishments before being entered on Prison-NOMIS (Prison National Offender Management Information System). A foreign national prisoner is any prisoner who does not report a nationality of British.
Fraud offences	Fraud offences include a range of offences such as false accounting, benefit fraud and bankruptcy offences.
Going equipped	An offence under section 25 of the Theft Act 1968, in which a person is in possession of an article for use in the course of, or in connection with, a burglary or theft.
Grievous Bodily Harm (GBH)	Refers to offences arising from sections 18 (with intent) and 20 of the Offences Against the Person Act 1861. This is a more serious offence than Actual Bodily Harm (ABH).
Hate crime	Hate crime is defined as ‘any criminal offence which is perceived, by the victim or any other person, to be motivated by hostility or prejudice towards someone based on a personal characteristic’, such as race or religion.
Her Majesty’s Courts and Tribunals Service (HMCTS)	A Ministry of Justice agency responsible for the administration of the criminal, civil and family courts and tribunals in England and Wales; and non-devolved tribunals in Scotland and Northern Ireland. It provides for a fair, efficient and effective justice system delivered by an independent judiciary.
Her Majesty’s Prison and Probation Service (HMPPS)	On 1 April 2017, Her Majesty’s Prison and Probation Service (HMPPS) replaced the National Offender Management Service (NOMS), an agency of the Ministry of Justice. HMPPS is focussed on supporting operational delivery and the effective running of prison and probation services across the public and private sectors. HMPPS works with a number of partners to carry out the sentences given by the courts, either in custody or the community. This publication covers the reporting period up to 31 March 2017 and therefore presents ethnicity of NOMS staff.

Higher- or lower-tier offences (in the context of fixed penalty notices)	Higher- and lower-tier offences are the types of offence where a fixed penalty notice is issued by the police, such as theft and trespassing on a railway. The higher offences tend to be more serious, attracting a fine of £90 from July 2013 (previously £80), while the lower cost £60 (previously £50).
Home Detention Curfew	On release from prison, offenders who are not subject to deportation procedures may go directly into the community unsupervised, into the community whilst being supervised by the probation service under license (discussed below) or into the community under Home Detention Curfew (HDC). HDC applies to prisoners who are serving sentences of between three months and under four year and allows prisoners to live outside of prison providing they do not breach the rules of their curfew and is designed to help prisoners prepare for life after their release.
Home Office	The government department responsible for counter-terrorism, police, drugs policy, and related science and research.
Homicide	The term 'homicide' covers the offences of murder, manslaughter and infanticide. Murder and manslaughter are common law offences that have never been defined by statute, although they have been modified by statute. The offence of infanticide was created by the Infanticide Act 1922 and refined by the Infanticide Act 1938 (s1).
Homicide Index	A database held by the Home Office, which is continually updated with revised information on homicides from the police and the courts.
Immediate custody	Prison sentences are given when an offence is so serious that it is the only suitable punishment. A prison sentence will also be given when the court believes the public must be protected from the offender. There are two types of immediate custodial sentences: determinate sentences (those having a fixed term) and indeterminate sentences (which have only a minimum term and include life sentences).
Independent Monitoring Boards (IMBs)	Independent boards that monitor day-to-day life in local prisons or removal centres and ensure that proper standards of care and decency are maintained.
Indeterminate sentence	See determinate sentence.
Indictable offence	Any offence triable at the Crown Court. Includes both indictable only and triable either way offences.
Indictable only offence	These offences are the most serious breaches of the criminal law and must be tried at the Crown Court before a judge and jury. These 'indictable-only' offences include murder, manslaughter, rape and robbery. Indictable only and triable either way offences are frequently amalgamated to form indictable offences.
Judge	An officer appointed to administer the law and who has the authority to hear and try cases in a court of law.

Judicial/Judiciary	Relating to the administration of justice or to the judgment of a court. Judges, magistrates, or other officers empowered to act as a judge.
Jury	A body of 12 people sworn to try a case and reach a verdict according to the evidence in a court.
Juvenile	A person under 18 years of age.
Law	The system made up of rules established by an Act of Parliament, custom or practice, enjoining or prohibiting certain action.
Lower-tier offences	See higher-tier offences above.
Magistrate	A person appointed to administer judicial business in a magistrates' court. A magistrate also sits in the Crown Court with a judge or recorder to hear appeals and committals for sentence.
Magistrates' Courts	Courts where criminal proceedings are commenced before magistrates, who examine the evidence/statements and either deal with the case themselves or commit it to the Crown Court for trial or sentence. All criminal cases are initially proceeded against here, with the majority of less serious offences being both tried and sentenced in magistrates' courts.
Ministry of Justice (MoJ)	The government department responsible for the various components of the justice system, including courts, prisons, probation services and attendance centres. The Ministry of Justice works to protect the public and reduce reoffending, and to provide a more effective, transparent and responsive criminal justice system for victims and the public.
Miscellaneous crimes against society	The miscellaneous crimes against society offence group is composed of a wide range of offences such as money laundering, forgery, handling stolen goods and revenue law offences.
National Probation Service	On 1 June 2014, the way that probation services were delivered changed. Prior to that date probation services were delivered by 35 Probation Trusts across England and Wales, which were responsible for their own staffing. On 1 June 2014, the National Probation Service (NPS), which is responsible for high-risk offenders in the community, was created and staff in the NPS joined HMPPS (formerly NOMS) as civil servants. The remainder of offenders are managed by Community Rehabilitation Companies (CRCs), which are now contracted out to the private and voluntary sectors and so not included in the NPS figures presented in this publication.
Notifiable offence	An offence deemed serious enough to be recorded by the police (also referred to as recorded crime), including most indictable and triable either way offences.
Offence	A breach of law or rule; an illegal act.
Offender	An individual convicted of a crime.

Offensive weapon	Defined in the Police and Criminal Evidence Act 1984 as any article made or adapted for use for causing injury to persons (or intended by the person having it with him for such use by him or by some other person).
Otherwise dealt with	Includes a number of low-volume orders, for example hospital orders and confiscation orders. Otherwise dealt with may also include compensation orders.
Out of court disposals	Out of court disposals can be used by the police to deal with low risk, low level and mostly first-time offenders outside the court system. They are not suitable for contested or more serious cases and would not normally be considered for those who repeatedly offend (subject to relevant guidance). The two out of court disposals discussed in this publication are Penalty Notices for Disorder (PND) and cautions, but they also include Cannabis/Khat warnings and Community Resolutions.
P14 income (median adjusted)	P14 income includes information on gross income derived from P14 forms sent to HMRC by employers. Income from self-employment, cash-in-hand work and some lower paid jobs is not included. P14 income includes income for part-year and part-time work, so does not only reflect full-time, annual income. P14 data in the report has been adjusted using Seasonally Adjusted Average Weekly Earnings data from the Office for National Statistics (ONS), using 2012/13 as the base year.
P45 employment	P45 employment excludes self employment, cash-in-hand work and some lower paid jobs.
PACE	Refers to the Police and Criminal Evidence Act 1984, which instituted a legislative framework for the powers of police officers in England and Wales to combat crime, as well as providing codes of practice for the exercise of those powers.
Parole Board	An independent body that works to protect the public by risk-assessing prisoners to decide whether they can be safely released into the community.
Penalty Notices for Disorder (PND)	Penalty Notices for Disorder (PNDs) are more commonly known as 'on the spot fines'. They are a fixed penalty of £50 or £80 designed to tackle low-level, anti-social and nuisance offending for offenders aged 16 or over and are issued for a range of minor offences.
Personal crime – CSEW	Personal crimes, as recorded in the CSEW, refer to all crimes against the individual (not that of other people in the household), for example, an assault. Published CSEW data for 'all personal crime' excludes sexual offences (except for 'wounding with a sexual motive') as the number of these types of offences picked up by the survey is too small to give reliable estimates. Full CSEW definitions can be found in the CSEW User Guide: https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/methodologies/crimeandjusticemethodology#user-guides

Plea	A defendant's reply to a charge put to him by a court; i.e. guilty or not guilty.
Penalty Notices for Disorder (PND)	PNDs were introduced in 2001 to tackle low-level, anti-social and nuisance offending. The police may issue a PND for one of twenty-five offences including three notifiable offences, following published guidance.
Police force area (PFA)	The geographic area of jurisdiction covered by a particular police force. There are 43 PFAs in England and Wales.
Possession of weapons	Possession of weapon offences include a range of offences covering unlawful knife and firearm possessions.
Pre- and Post-release supervision	All prisoners given a custodial sentence of 12 months or more serve a proportion of their sentence in custody and are then released on licence. They are supervised by probation staff before and after release from custody. In addition, offenders with sentences of less than 12 months who are aged under 22 receive a minimum of three months post-release supervision, provided this does not extend beyond their 22nd birthday. (This report does not reflect changes following Transforming Rehabilitation, as the period covered precedes the changes.) Home supervising officers along with probation staff in prisons work jointly with prison staff on sentence planning and management, including consideration of post-release issues.
Pre-sentence reports (PSRs)	A report submitted by an appropriate officer to assist the court in determining the most suitable method of dealing with an offender.
Principal disposal	A disposal is a particular penalty an offender receives through sentencing, with the principal disposal being the most severe punishment.
Principal offence	Where more than one offence is considered in a court case or cautioning occasion, the offence that would/did attract the most severe sentencing outcome is deemed to be the principal offence and other offences also dealt with in that case would be ignored. If two offences in the same case attract the same sentence the offence with the statutory maximum sentence is deemed the 'Principal offence'.
Principal suspect (Homicide Index)	For the purposes of the Homicide Index, a suspect is defined as (i) a person who has been arrested for an offence initially classified as homicide and charged with homicide or (ii) a person who is suspected by the police of having committed the offence but is known to have died or committed suicide prior to arrest/being charged.
	As more than one suspect may be tried for an offence and sometimes no suspect is ever brought to trial, the number of suspects is not the same as the number of offences.

Probation requirement	When a court imposes a community sentence or a suspended sentence with a requirement, the offender doesn't go to prison. The court specifies things the offender can, can't and must do while serving their sentence. The magistrate or judge selects 'requirements' will most effectively punish the offender for their crime, while also reducing the risk of reoffending. The most common requirements are unpaid work and supervision. Unpaid work consists of offenders being required to work for up to 300 hours on local community projects under close supervision. This may include cleaning litter or public land, redecorating community centres and other public buildings or removing graffiti. Supervision consists of the offender attending appointments with a manager from the Probation Service. The frequency and content of supervision is specified in the sentence and can include: monitoring and reviewing patterns of behaviour, helping to increase the offender's motivation, providing practical support to help the offender comply with the order, supporting and reinforcing learning and modelling of pro-social behaviour.
Prosecution	The institution or conduct of criminal proceedings against a person.
Public order offences	Public order offences include a range of offences such as rioting, violent disorder, affray and racially or religiously aggravated harassment and stalking.
Racially and religiously aggravated offences (from police records)	<p>An offence may be defined as racially or religiously aggravated if: 1) at the time of committing the offence, or immediately before or after doing so, the offender demonstrates toward the victim of the offence hostility based on the victim's membership (or presumed membership) of a racial or religious group; or 2) the offence is motivated (wholly or partly) by hostility towards members of a racial or religious group based on their membership of that group.</p> <p>The racially or religiously aggravated offences category currently comprises offences of assault (with and without injury), harassment, causing public fear, alarm or distress) and criminal damage.</p>
Racist incidents (from police records)	<p>A racist incident is any incident that is perceived to be racist by the victim or any other person. The scope of racist incidents is wider than that for racially aggravated offences and a religiously aggravated offence may not constitute a racist incident.</p> <p>Racist incidents include notifiable offences, non-notifiable offences (e.g. some types of anti-social behaviour) and incidents that were not subsequently recorded as crimes. Furthermore, certain race hate crimes may not have been initially recorded as racist incidents if the racial motivation was not immediately apparent. For these reasons, the racist incidents total does not match the race hate crimes total which is reported separately by the home office.</p>
Racially or religiously aggravated offences (from the CPD)	Racially or religiously aggravated offences are summary non-motoring and triable either way offences with a racial or religious aspect.

Recalls	Offenders released on licence are subject to recall to prison immediately by Public Protection Casework Section if the supervising probation trust reports the offender as having breached the conditions of their licence.
Recorded crime	Police recorded crime covers crimes which are recorded by the police and which are notified to the Home Office. All indictable and triable either way offences are included together with certain closely associated summary offences. Attempts are also included. The latest recorded crime (notifiable offence) list appears on the GOV.UK website at: https://www.gov.uk/government/publications/counting-rules-for-recorded-crime .
Restorative Justice	An approach to justice that emphasises reparation to the victim or the affected members of the community by the offender.
Resultant arrest rate	The proportion of stops and searches that resulted in an arrest.
Remand	To send a prisoner or accused person into custody or admit them to bail.
Reprimand	A warning issued to juveniles for a first minor offence.
Robbery	The robbery offence group includes robbery offences only. Robbery is defined as taking the property of another, by means of force or fear. While most forms of theft are triable either way offences, robbery is an indictable only offence (i.e. more severe).
Self-harm	Self-harm in prison custody is defined as, “any act where a prisoner deliberately harms themselves irrespective of the method, intent or severity of any injury.” In the community, self-harm is common but often covert. In prisons, such incidents are more likely to be detected and counted.
Self-inflicted death	Any death of a person who has apparently taken his or her own life irrespective of intent. This is one of the four main categories used in the HMPPS system for classifying deaths. It includes a wider range of deaths than just suicides.
Sentencing	If a defendant is found guilty (also called convicted) in a criminal prosecution, this will be followed by an event called sentencing. A sentence is the punishment ordered by the court.
Sexual offences	Sexual offences encompass a range of offences involving crime with a sexual motive, such as rape and sexual assault.
Statistical significance	A statistical term for a result that is unlikely to have occurred by chance.

Stops and searches	<p>Statistics on Ethnicity and the Criminal Justice System 2020 includes data on stops and searches conducted by police under:</p> <ul style="list-style-type: none"> • Section 1 of PACE and associated legislation (collectively referred to as section 1 of PACE); the other legislation includes stop and search powers under section 47 of the Firearms Act 1968, section 23 of the Misuse of Drugs Act 1971, section 43 of the Terrorism Act 2000 as well as other legislation • Section 60 of the Criminal Justice and Public Order Act 1994 in anticipation of violence
Summary offences	<p>Summary offences are usually heard only by a magistrates' court. This group includes motoring offences, for some of which fixed penalties can be issued, and non-motoring offences such as common assault and criminal damage up to £5,000. Ethnicity coverage for summary offences in the Court Proceedings database is relatively poor.</p>
Suspended sentence	<p>A court may give an offender a 'suspended' prison sentence if the time they would otherwise spend in prison is under 12 months. With a suspended sentence, the offender doesn't go directly to prison but they do have to meet conditions in the community, set by the court. These conditions can last for up to two years. If the offender breaks these conditions, or commits another offence, they will usually have to serve the original sentence in prison.</p>
Suspect	<p>A person being investigated in relation to a particular offence or offences.</p>
Terminations	<p>A period of supervision (e.g. a community order) which comes to an end, either because the order has been completed successfully, or because the order has been breached and terminated early for negative reasons (such as failing to comply with its requirements) or because of some other neutral reason, such as the order being quashed by the court or the person having died.</p>
Theft offences	<p>Theft offences include a range of offences where property is unlawfully taken, such as shoplifting and burglary.</p>
Triable only on indictment	<p>See indictable only.</p>
Triable either way	<p>These offences may be tried either at the Crown Court or at a magistrates' court. These offences include criminal damage where the value is £5,000 or greater, theft, burglary and drink driving. Triable only on indictment and triable either way are frequently amalgamated to form indictable offences.</p>
Victims	<p>A person who has suffered as a result of criminal conduct.</p>

Victims (in the context of offenders in custody)

A prisoner involved in an assault incident whose role has been recorded on the NOMS incident reporting system as an 'assailant'. The system does not record details of non-prisoner assailants for example visitors. Where an assault in prison involves a clear aggressor and victim, participants are categorised as assailants or victims. Where an incident does not involve a clear aggressor or victim, participants are categorised as fighters.

Victim Support

A national charity giving free and confidential help to victims of crime, witnesses, their family, friends and anyone else affected across England and Wales.

Violence against the person

A term that includes serious violence offences where the injury inflicted or intended is life threatening and offences resulting in death, regardless of intent. This offence group also includes offences involving less serious injury, certain offences that involve no physical injury and some involving serious intent. Violence against the person encompasses a range of offences involving violence, such as grievous bodily harm or common assault.

Violent crime – CSEW

Violent crime, as measured by the CSEW, covers a range of offence types from minor assaults, such as pushing that result in no physical harm, to (but not including) murder. This includes offences where the victim was threatened with violence, regardless of whether or not there was any injury. CSEW violent crime is categorised according to offence type (wounding, assault with minor injury, assault without injury and robbery), and offender-victim relationship (domestic violence, stranger violence, acquaintance violence).