A User Guide to Ethnicity and the Criminal Justice System, 2022

Published 25 January 2024

Contents

Accredited Official Statistics Publication: Ethnicity and the Criminal Justice System (ECJS), 2022

This publication compiles statistics from data sources across the Criminal Justice System (CJS), to provide a combined perspective on the typical experiences of different ethnic groups who come into contact with it. It considers how these experiences have changed over time and how they contrast between ethnic groups. This publication is published on a biennial basis and the next publication is scheduled for release in 2025.

The production team owns the data covering the following areas, disaggregated by *Chapters* in the report:
- *Police activity* – Out of court disposals (PNDs and cautions)
- *Defendants* – prosecutions, convictions, remand decisions and sentencing outcomes
- *Offender characteristics* – breakdowns of the aforementioned, by ethnicity, sex and age
- *Offence analysis* – all analysis conducted in the chapter

All other data included in the ECJS publication is collated from a range of data sources, please see the technical guide to find details of respective data owners.

The Offender characteristics Chapter of the publication includes a data share between Ministry of Justice and Department for Education. The Offence Analysis chapter analyses the association between an offender's ethnicity and receiving a custodial sentence for indictable offences - the focus throughout is firstly, to investigate whether trends have changed over time (2018-2022) and secondly, whether trends vary across offence groups (violence against the person, sexual offences, and drug offences). Initially, it uses Relative Rate Index (RRI) and then a logistic regression is conducted to control for various offender and case characteristics. These analyses are labelled *Official Statistics* and are not a permanent addition to the ECJS publication. If these statistics are beneficial to you**, please get in touch** to ensure they continue to be collected in future editions of the ECJS.

The most recent data available during the compilation of this report has been included (usually the 2022 calendar year or 2022/23 financial year), referred to as the 'latest year', though it is important to note that more recent data may have since been published. Please see the accompanying technical guide for links to the latest publications from each data source, where data may have been revised or updated since this release.

Products published as part of the ECJS publication

The statistical bulletin
The bulletin compiles statistics across the CJS to draw out and expand upon key findings; these findings are supplemented by graphs where appropriate. The bulletin contains links to relevant statistics already in the public domain that may not have been extracted within the main text.

Overview tables
Supplementary Excel tables (in an open-source spreadsheet [.ods] format) accompany the chapters, providing additional data where the figures have not previously been published (or not published in that form). Where figures have been published, links are provided as part of the text and tables.

Technical Guide
A technical document titled A Technical Guide to Statistics on Ethnicity and the Criminal Justice System is available alongside this report, which provides users with information on the concepts and terminology used within the report, as well as information about data sources, data quality and references. This includes information on how ethnicity is recorded across data sources.

Infographic
The publication includes an infographic in PDF format, showing visualisations of key messages from the publication.

Dashboard

The ECJS 2022 provides an accompanying dashboard for the first time. This product should be used alongside the bulletin, Overview Tables and Technical Guide in order to enhance understanding of the contained statistics. There may be data presented in the other ECJS products which is absent in the dashboard; data has only been included where data owners were able to provide data in the appropriate format within the timescale. This is a first prototype for ECJS and the production team welcome feedback on the dashboard's value and usability. It was also produced for the Women and Criminal Justice System (WCJS) report 2021 last year. The dashboard is not a permanent addition to the report and therefore we ask you to get in touch if you find it beneficial as wish for its production to be continued.

The production team is looking to focus more on the dashboard and reduce commentary within the ECJS bulletin in the future in order to maximise the experience of our users and flexibility of analysis. Feedback on this proposal is welcomed. **Please complete the survey [here](#) to contact the team.**

Users should consult relevant data owners with regards to feedback on specific topics within the dashboard. Please see the technical guide for details on data sources.

User Engagement Strategy

In the production of the ECJS 2022 publication, the team invested significant time and effort in building its user engagement capability and setting up user engagement activities. As a result, it developed a good understanding of the use of the statistics and established effective partnerships with a range of key users. This not only supported the development of the ECJS report, but also provided a strong foundation for user engagement activities for future publications. The analytical team employs a range of approaches to tell users about the statistics, to understand use of the statistics and to listen to users, some of which are summarised below.

The team conducted user engagement sessions with a wide range of both internal and external users, including policy, analysts, academics, charities, and other organisations. This activity sought to identify the use of the ECJS, what data was especially useful and what additions could be made. Feedback was collated and addressed to ascertain where changes and improvements could be made to the publication in order to best suit user needs. Suggestions primarily involved greater intersectionality between ethnicity and other offender characteristics, leading to the production of a dashboard published alongside the ECJS 2022. This dashboard was also produced for the WCJS 2021 report, where we received positive feedback on its inclusion. Details on requested data that has not been included can be found in the following section of this user guide – the most common reasons being data is unreliable, data is not centrally recorded, data is already in the public domain.

There was also a need to provide further insight into the court outcomes of different ethnic groups, beyond descriptive statistics. As a result, we have included a regression analysis in ECJS 2022 to investigate the association between an offender's ethnicity and receiving a custodial sentence for indictable offences between 2018 and 2022.

The user engagement sessions served as constructive for both the production team and users, as many were unaware of the scope of the publication prior to this session. It was apparent that many users were not informed on the data sources from which the data included in the report was derived. Whilst informing users has benefited those within the user engagement session, the team has addressed this knowledge gap by more thoroughly citing data sources throughout the bulletin and new dashboard. In cases where data is already published, signposts within the bulletin, dashboard and technical guide have been inserted.

This user guide has been developed in order to enhance the accessibility and transparency of the content within the ECJS. It endeavours to explain the report overall, and its products, functioning alongside the technical guide to provide support to our users. Users should refer to this guide for information on the products of the report, including rationale behind data inclusion and getting in touch with the team. Otherwise, users should refer to the technical guide to find details of data owners, recording methodology, data quality and validation, and explanations of technical terms throughout the report.

The continual improvement of the ECJS publication demonstrates the benefits of investing resources in user engagement activities and making it a central, ongoing part of producing statistics. By engaging with users in different ways, the team was able to capture a range of feedback, which ensures that the statistics meet the needs of all types of users.

Get in touch
If your team would benefit from getting involved in future engagement activities regarding the next ECJS, please get in touch with the team to express an interest. CJS_Statistics@justice.gov.uk

Data not included in the report

Despite our aim to meet as many needs of our users as possible, some data is not able to be included to the publication. This includes data that is not recorded centrally, not sufficiently reliable, and therefore inaccessible to the production team. Examples of these instances are detailed below:

- Offender characteristics such as religion, faith, nationality and mental health are not reliably recorded across data systems related to the criminal justice system,
- Some data sources do not include records of demographics, such as sex and ethnicity.

This may also include data otherwise already published in the public domain. Under these circumstances, duplication of work is avoided in order to minimise time spent on presenting already-accessible information. Examples of related publications are detailed below:

- Police powers and procedures: Other PACE powers,
- Stop and search and arrests (including disparity rates),
- Safety in Custody statistics,
- Offender management statistics, including:
    - Discipline in Prison Establishments (Adjudications),
    - Restricted Patients,
    - Home Detention Curfew (Releases),
    - Release on Temporary License,
    - Licence Recalls.
- Death of offenders in the community statistics,
- Community performance statistics, including:
- Accommodation and employment statistics.
- HMPPS Offender Equalities Annual Report, including:
    - Mother and Baby units,
    - Sexual Orientation in the Prison Population,
    - Accredited Programmes,
    - Incentives and,
    - Transgender prisoners.
- Electronic monitoring statistics,
- Domestic abuse and the criminal justice system,
- CPS Quarterly Data Summaries – Quarter 1 2022/23[1],
- Nature of Violent Crime in England and Wales: year ending March 2020,
- Substance Misuse Treatment Programmes,
- Offender Learning,
- Deaths in or following police contact.

The production team welcome feedback on inclusion of data sources, including suggestions for new potential data sources. Please get in touch and we will pass on information to relevant data owners.

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[1] In 2019/20, the CPS moved from annual reporting, in the Violence Against Women and Girls annual report, to quarterly data. Data mentioned can be found on the page linked.

Accredited official statistics status

National Statistics are [accredited official statistics](#) that meet the highest standards of trustworthiness, quality, and public value. These accredited official statistics were independently reviewed by the Office for Statistics Regulation in October 2022[2]. They comply with the standards of trustworthiness, quality and value in the Code of Practice for Statistics and should be labelled as accredited official statistics. All official statistics should comply with all aspects of the Code of Practice for Statistics. It is the Ministry of Justice's responsibility to maintain compliance with the standards expected for National Statistics. If we become concerned about whether these statistics are still meeting the appropriate standards, we will discuss any concerns with the Authority promptly. Accredited official statistics status can be removed at any point when the highest standards are not maintained and reinstated when standards are restored.

> For feedback or questions related to the content of this publication, please contact us at
> CJS_Statistics@justice.gov.uk

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[2] https://osr.statisticsauthority.gov.uk/correspondence/mark-pont-to-abigail-self-statistics-on-women-and-the-criminal-justice-system-for-england-and-wales/