

Assessment of compliance with the Code of Practice for Official Statistics

Statistics on the Operation of Police Powers under the Terrorism Act 2000 and Subsequent Legislation

(produced by the Home Office)

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About the UK Statistics Authority

The UK Statistics Authority is an independent body operating at arm's length from government as a non-ministerial department, directly accountable to Parliament. It was established on 1 April 2008 by the *Statistics and Registration Service Act 2007*.

The Authority's overall objective is to promote and safeguard the production and publication of official statistics that serve the public good. It is also required to promote and safeguard the quality and comprehensiveness of official statistics, and good practice in relation to official statistics.

The Statistics Authority has two main functions:

1. oversight of the Office for National Statistics (ONS) – the executive office of the Authority;
2. independent scrutiny (monitoring and assessment) of all official statistics produced in the UK.

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ASSESSMENT AND DESIGNATION

The *Statistics and Registration Service Act 2007* gives the UK Statistics Authority a statutory power to assess sets of statistics against the *Code of Practice for Official Statistics*. Assessment will determine whether it is appropriate for the statistics to be designated as National Statistics.

Designation as National Statistics means that the statistics comply with the *Code of Practice*. The *Code* is wide-ranging. Designation can be interpreted to mean that the statistics: meet identified user needs; are produced, managed and disseminated to high standards; and are explained well.

Designation as National Statistics should not be interpreted to mean that the statistics are always correct. For example, whilst the *Code* requires statistics to be produced to a level of accuracy that meets users' needs, it also recognises that errors can occur – in which case it requires them to be corrected and publicised.

Assessment reports will not normally comment further on a set of statistics, for example on their validity as social or economic measures. However, reports may point to such questions if the Authority believes that further research would be desirable.

Assessment reports typically provide an overview of any noteworthy features of the methods used to produce the statistics, and will highlight substantial concerns about quality. Assessment reports also describe aspects of the ways in which the producer addresses the 'sound methods and assured quality' principle of the *Code*, but do not themselves constitute a review of the methods used to produce the statistics. However the *Code* requires producers to "seek to achieve continuous improvement in statistical processes by, for example, undertaking regular reviews".

The Authority may grant designation on condition that the producer body takes steps, within a stated timeframe, to fully meet the *Code's* requirements. This is to avoid public confusion and does not reduce the obligation to comply with the *Code*.

The Authority grants designation on the basis of three main sources of information:

- i. factual evidence and assurances by senior statisticians in the producer body;
- ii. the views of users who we contact, or who contact us, and;
- iii. our own review activity.

Should further information come to light subsequently which changes the Authority's analysis, it may withdraw the Assessment report and revise it as necessary.

It is a statutory requirement on the producer body to ensure that it continues to produce the set of statistics designated as National Statistics in compliance with the *Code of Practice*.

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1 Summary of findings

1.1 Introduction

- 1.1.1 This is one of a series of reports¹ prepared under the provisions of the *Statistics and Registration Service Act 2007*². The Act allows an appropriate authority³ to request an assessment of official statistics against the *Code of Practice for Official Statistics*⁴ in order for them to gain National Statistics status. This report is in response to such a request. The report covers the set of statistics reported in *Operation of police powers under the Terrorism Act 2000 and subsequent legislation: arrests, outcomes and stops and searches, for Great Britain*⁵ (*Terrorism Statistics*) produced by the Home Office.
- 1.1.2 Section 3 of this report adopts an ‘exception reporting’ approach – it includes text only to support the Requirements made to strengthen compliance with the *Code* and Suggestions made to improve confidence in the production, management and dissemination of these statistics. This abbreviated style of report reflects the Head of Assessment’s consideration of aspects of risk and materiality⁶. The Assessment team nonetheless assessed compliance with all parts of the *Code of Practice* and has commented on all those in respect of which some remedial action is recommended.
- 1.1.3 This report was prepared by the Authority’s Assessment team, and approved by the Assessment Committee on behalf of the Board of the Statistics Authority, based on the advice of the Head of Assessment.

1.2 Decision concerning designation as National Statistics

- 1.2.1 The Statistics Authority judges that the statistics covered by this report are readily accessible, produced according to sound methods and managed impartially and objectively in the public interest, subject to any points for action in this report. The Statistics Authority confirms that the statistics published in *Terrorism Statistics* can be designated as new National Statistics products, subject to the Home Office implementing the Requirements listed in section 1.5 and reporting them to the Authority by January 2015.
- 1.2.2 The Home Office has informed the Assessment team that it has started to implement the Requirements listed in section 1.5. The Statistics Authority welcomes the constructive approach taken by the Home Office during the assessment and its positive response to the feedback from the Assessment team.

¹ <http://www.statisticsauthority.gov.uk/assessment/assessment-reports/index.html>

² http://www.opsi.gov.uk/Acts/acts2007/pdf/ukpga_20070018_en.pdf

³ Subsection 12(7) of the Act defines ‘appropriate authority’ as Ministers of the Crown, Scottish Ministers, Welsh Ministers, Northern Ireland departments or the National Statistician

⁴ <http://www.statisticsauthority.gov.uk/assessment/code-of-practice/index.html>

⁵ <https://www.gov.uk/government/collections/operation-of-police-powers-under-the-terrorism-act-2000>

⁶ <http://www.statisticsauthority.gov.uk/assessment/assessment/guidance-about-assessment/criteria-for-deciding-upon-the-format-of-an-assessment-report.pdf>

1.3 Summary of strengths and weaknesses

- 1.3.1 The Home Office has established good relationships with users and data suppliers inside government, with police forces and the Independent Reviewer of Terrorism Legislation⁷. However it is unable to meet some of the specific recommendations of the Independent Reviewer particularly in relation to publishing statistics on an ‘all offence’ basis⁸. It also has less effective engagement with other users of the *Terrorism Statistics*.
- 1.3.2 *Terrorism Statistics* provides supporting information about some of the limitations of the data. The Home Office has also published a user guide, giving clear definitions of the main terms and an outline of the data sources. However, this information does not make clear the nature of the data collection or provide sufficient information about the reliability of the statistics, and the arrangements for the quality assurance of the underpinning administrative data. It receives insufficient information from the data suppliers about the accuracy of the administrative data to be able to offer appropriate reassurance to users of their suitability for use.
- 1.3.3 *Terrorism Statistics* is clearly structured and provides supporting commentary about the main findings, illustrated with charts and summary tables. However, the Home Office could provide further contextual information to support users’ interpretation of the statistics. Also, *Terrorism Statistics* is only available in HTML format and its tables on GOV.UK lose their formatting when printed.

1.4 Detailed recommendations

- 1.4.1 The Assessment team identified some areas where it felt that the Home Office should improve the production and presentation of *Terrorism Statistics*. Those which are essential for the Home Office to address in order to strengthen its compliance with the *Code* and to enable designation as National Statistics are listed – as Requirements – in section 1.5, alongside a short summary of the key findings that led to each Requirement being made. Other recommended changes, which the Assessment team considers would improve the statistics and the service provided to users but which are not formally required for their designation as National Statistics, are listed – as Suggestions – in section 1.6.

1.5 Requirements for designation as National Statistics

- 1.5.1 This section includes those improvements that the Home Office is required to make in respect of its statistics in *Terrorism Statistics* in order to fully comply with the *Code of Practice for Official Statistics*, and to enable designation as National Statistics.

⁷ <https://terrorismlegislationreviewer.independent.gov.uk/>

⁸ A method of counting where a person has been charged or prosecuted with multiple offences at the same time

Finding	Requirement	
<p>The Home Office has a good understanding of the uses and needs of the main users of <i>Terrorism Statistics</i> but has less engagement with users outside government. The Home Office should:</p>	<p>1</p>	<p>a) Investigate and document the needs of non-government users (such as in civil liberties groups and think tanks)</p> <p>b) obtain summary information about the nature of queries received by the Office of Security and Counter Terrorism and the Association of Chief Police Officers' Counter Terrorism Co-ordination Centre</p> <p>c) publish information about users' experiences of the statistics</p> <p>(para 3.5).</p>
<p>The Home Office provides some indication of annual revisions to statistics on terrorism-related arrests and outcomes but does not provide sufficient information about quarterly revisions. The Home Office should:</p>	<p>2</p>	<p>Improve the information about revisions to the quarterly statistics and make clear the extent and nature of revisions in <i>Terrorism Statistics</i> (para 3.8).</p>
<p>The Home Office provides supporting quality information for some terrorism statistics but this does not cover all data sources and aspects of quality. The Home Office should:</p>	<p>3</p>	<p>a) Provide supporting information about the quality of the statistics on stops and searches and police cordons in <i>Terrorism Statistics</i></p> <p>b) extend the quality information for all terrorism statistics to outline the data collection processes and give an indication of the reliability of the statistics</p> <p>c) publish the steps taken to ensure that the terrorism data are sufficiently robust</p> <p>d) update and publish the quality guidelines to cover all aspects of quality referred to in the European Statistical System framework</p> <p>(para 3.14).</p>

<p>The Independent Reviewer of Terrorism Legislation has requested that Home Office's <i>Terrorism Statistics</i> be produced in a form that is coherent with those from PSNI. The Home Office should:</p>	<p>4</p>	<p>Review the feasibility with the Association of Chief Police Officers' Counter Terrorism Co-ordination Centre of producing arrests and outcome data on an 'all offence' basis and publish the outcome (para 3.16).</p>
<p>The commentary in <i>Terrorism Statistics</i> does not describe the longer-term trends or relate the statistics to the wider context. The Home Office should:</p>	<p>5</p>	<p>Enhance the commentary and presentation of <i>Terrorism Statistics</i> so that it aids user interpretation of the statistics, by providing contextual information about changes in terrorism policy, legislation or policing operations that are known to influence the statistics (para 3.21).</p> <p>As part of meeting this Requirement, the Home Office should consider the points detailed in annex 1 and annex 2.</p>
<p>Both quarterly and annual reports are available in HTML format while the supporting tables are provided in non-proprietary Open Data Spreadsheet (ODS) format. The statistical reports are not available in PDF. The Home Office should:</p>	<p>6</p>	<p>Improve the way in which it publishes <i>Terrorism Statistics</i> by adopting formats for presentation that enhance the clarity of the statistics and by making the statistics available in forms that are accessible to a range of different users (para 3.23).</p>
<p>The Home Office does not give any contact details in <i>Terrorism Statistics</i>. The Home Office should:</p>	<p>7</p>	<p>Publish the name and contact details of the responsible statistician in <i>Terrorism Statistics</i> (para 3.24).</p>

The Home Office's Statement of Administrative Sources is not complete. The Home Office should:	8	Extend its Statement of Administrative Sources to provide details about the arrangements for auditing the quality of the administrative data used for statistical purposes (para 3.27).
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1.6 Suggestions for extracting maximum value from the statistics

1.6.1 This section includes some suggestions for improvement to the Home Office's *Terrorism Statistics*, in the interest of the public good. These are not formally required for designation, but the Assessment team considers that their implementation will improve public confidence in the production, management and dissemination of official statistics.

We suggest that the Home Office:

1	Refer to the types of use put forward in the Statistics Authority's Monitoring Brief, <i>The Use Made of Official Statistics</i> when documenting use (para 3.5).
2	Review the information it provides alongside the terrorism statistics to make clear that the table design appropriately protects private information (para 3.18).
3	Review the presentation of the statistics in charts for <i>Terrorism Statistics</i> (para 3.22).

2 Subject of the assessment

Background and scope and key statistics

- 2.1 The Home Office's *Operation of police powers under the Terrorism Act 2000 and subsequent legislation: arrests, outcomes and stops and searches, for Great Britain (Terrorism Statistics)* brings together statistical material relating to the *Terrorism Act 2000*⁹ (TACT), including arrests and their criminal justice outcomes. The statistics are used by the Home Office to monitor levels of police activity, as well as terrorism-related offending. Figures are also used to assess the effectiveness of measures designed to combat terrorism, such as stop and search procedures and extended detention powers under TACT.
- 2.2 The Home Office publishes the statistics quarterly around March, June, September and December each year. The September edition presents the annual statistics for the previous financial year. It includes the same information as is given in the quarterly report plus statistics on conviction appeals and police cordons. Supplementary tables are published for each of the five main topics (see paragraph 2.9), as well as a guidance document which advises users on interpretation and on coherence with other related statistics.

Summary of key statistics from the last quarterly update (to December 31st, 2013)¹⁰

- There were 222 persons arrested for terrorism-related offences, down from 258 in the previous year. In total, there have been 2,586 terrorism arrests since 11 September 2001
- 51 per cent of terrorism arrests in the 12 months to 31 December 2013 resulted in a charge
- In the 12 months to 31 December 2013, no stops and searches were made under s47A of TACT
- A total of 46,184 persons were stopped at ports in Great Britain under Schedule 7 of TACT in the year ending 31 December 2013, a fall of 23 per cent on the previous year
- The most frequent principal offences for persons convicted since 11 September 2001 under terrorism legislation were i) preparation for terrorist acts (25 per cent) ii) collection of information useful for an act of terrorism (15 per cent) iii) failing to comply with duty at a port or border controls (13 per cent)
- Of the 2,586 persons arrested for terrorism-related offences since 11 September 2001, 93 per cent were male
- 30 of the 31 defendants convicted under terrorism legislation in the year ending 31 December 2013 received custodial sentences

⁹ <http://www.legislation.gov.uk/ukpga/2000/11/contents>

¹⁰ <https://www.gov.uk/government/publications/operation-of-police-powers-under-the-terrorism-act-2000-quarterly-update-to-december-2013/operation-of-police-powers-under-the-terrorism-act-2000-and-subsequent-legislation-arrests-outcomes-and-stops-and-searches-quarterly-update-to-31-d-2>

- The nationalities of the 147 terrorist / extremist prisoners in Great Britain were spread over 17 countries, with the majority (121) recorded as being UK nationals

Security Implications

- 2.3 The Authority notes that there are security issues affecting the production of *Terrorism Statistics* as official statistics. In this case, the sensitive nature of some of the underpinning data inhibits the statistical team's compliance with several practices in the *Code of Practice* in a number of key areas:
- Assured quality¹¹
 - lack of appropriate understanding of the measures taken to ensure the quality of the administrative data at source
 - restrictions to the availability of data from the Association of Chief Police Officers' Counter Terrorism Co-ordination Centre (ACTCC)
 - restrictions to the security access given to Home Office personnel to the underlying case level terrorism data, most of whom are not involved in the production of *Terrorism Statistics*
 - Users' needs and experience¹²
 - lack of access given to user queries or summaries of user requests
 - provision of detailed contact information for users
- 2.4 The Authority accepts that these various factors are understandable in this context and the Assessment team has taken account of these issues in producing this report. That said, the Assessment team also considers that the statistics do not warrant exemption from some practices and protocols of the *Code* due to the prevalent security issues and that the Home Office can do more to strengthen compliance with the *Code* in some areas.

History of the *Terrorism Statistics*

- 2.5 The Home Office has published statistics on the operation of terrorism legislation since the 1970s. The initial legislation was the *Prevention of Terrorism (Temporary Provisions) Act 1974*¹³, which gave the police new arrest and detention powers to deal with terrorism suspects. By 1979, the Home Office was publishing quarterly statistical bulletins containing commentary and tables on applications made to extend the period of detention; persons charged under the Acts; person charged with other offences following detention; and persons detained but not charged or excluded from the country.
- 2.6 The Home Office made a series of modifications to the presentation of the statistics during the 1980s and 1990s to reflect legislative changes and the availability of new data. In 1992, the quarterly statistical report was discontinued and replaced with an annual report, which itself ceased after the 2001 publication but resumed in 2009, following a request for reinstatement by the then Home Secretary. The 2009 annual statistical report covered the

¹¹ Principle 4, Practice 2 of the *Code of Practice*

¹² Principle 1, Practices 2 and 5 of the *Code of Practice*

¹³ <http://www.legislation.gov.uk/ukpga/1974/56/contents/enacted>

intervening period and was entitled: *Statistics on Terrorism Arrests and Outcomes Great Britain, 11 September 2001 to 31 March 2008*¹⁴.

- 2.7 The main change over this period was the implementation of *TACT* which included a wider scope of offences connected with terrorism and enhanced police powers: the extension of the allowed period of detention (further extended by the *Terrorism Act 2006*¹⁵), searches at ports (under schedule 7 of *TACT*) and cordons set up by the police (under section 33 of *TACT*). After a further bulletin for 2008/09, the series broadly adopted its current quarterly format and content.
- 2.8 *TACT* brought about a changed definition of the term 'terrorism' in domestic law, including violence motivated by 'political, religious or ideological' causes. It enabled additional police and investigatory powers to be employed beyond those which had already existed for serious violent crime. These enhanced powers have been controversial, leading to legal challenges in British and European courts and cases of alleged abuse. As a result, some aspects of *TACT* have changed since 2000¹⁶, including the repeal¹⁷ of Section 44 of *TACT* in 2011 with respect to the stop and search power. This was replaced by Section 47a, which retained stop and search but on the basis of reasonable suspicion that an act of terrorism had taken place. The Home Office has told us that, to date, no individual or group has been stopped under Section 47a in Great Britain.

Sources and Providers

- 2.9 The statistics in *Terrorism Statistics* are derived from a number of administrative data sources (see Figure 2.1) and represent part of a wider portfolio of official statistics about policing and crime. The statistics provide composite information from five different sources of administrative data:

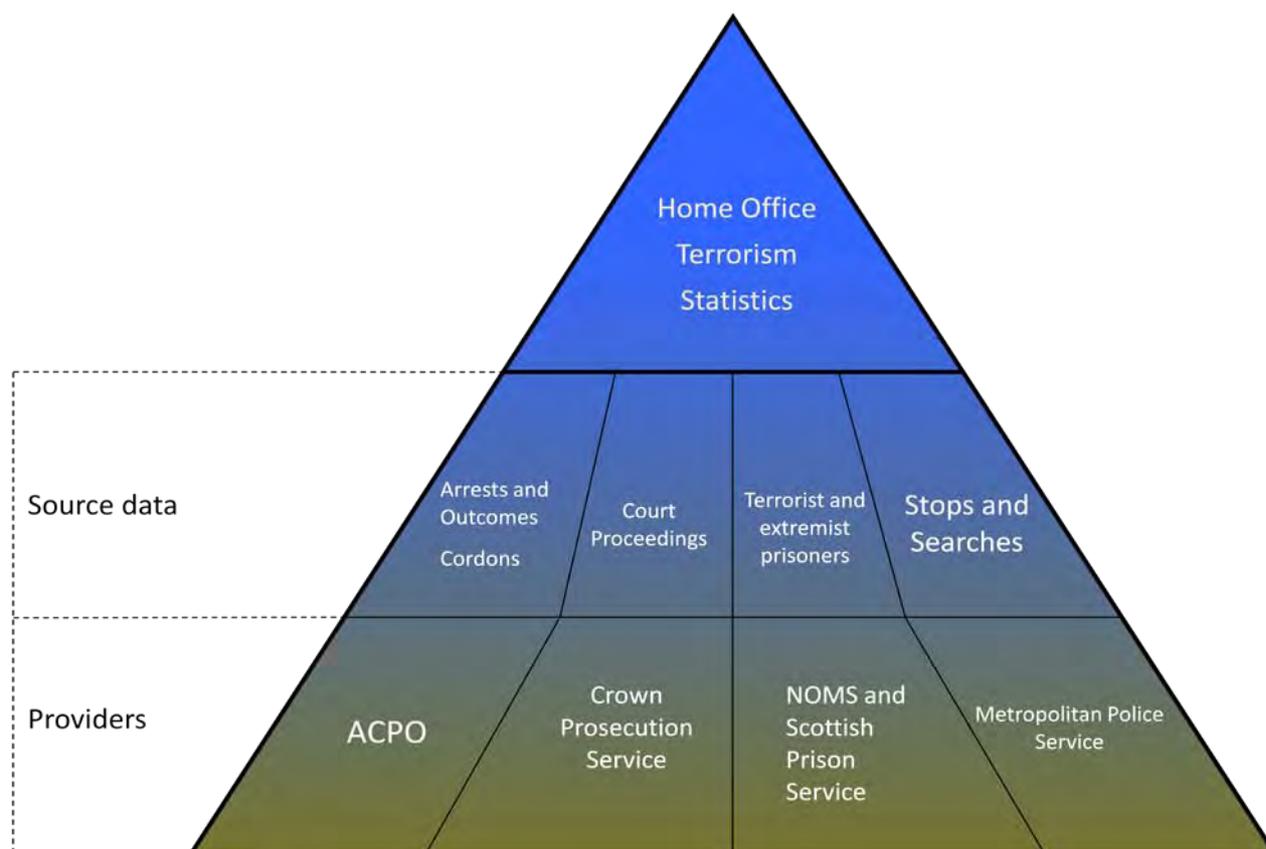
¹⁴ <http://webarchive.nationalarchives.gov.uk/20110218135832/http://rds.homeoffice.gov.uk/rds/pdfs/09/hosb0409.pdf>

¹⁵ <http://www.legislation.gov.uk/ukpga/2006/11/contents>

¹⁶ The main change over this period associated with the implementation of *TACT* included: a wider scope of offences connected with terrorism; the extension of the allowed period of detention (further extended by the *Terrorism Act 2006*); and searches at ports (under schedule 7 of *TACT*) and cordons set up by the police (under section 33 of *TACT*)

¹⁷ <http://www.legislation.gov.uk/uksi/2011/631/made>

Figure 2.1: Sources and Providers for *Terrorism Statistics*



- **Arrests and outcomes** for persons arrested for terrorism-related offences, up to the point of prosecution, release, or other action taken, based on year of arrest. These data are provided by ACTCC
- **Court proceedings** brought by the Crown Prosecution’s Service Counter Terrorism Division, for terrorism-related offences, based on year of trial outcome. These are presented on the principal, or most serious, offence basis. Results of partially completed trials are not included. Appeals data are published only in the September edition of the series, covering the 12 months ending March
- **Terrorism/domestic extremist prisoners** in Great Britain, and releases from custody. The data are provided by the National Offender Management Service and Scottish Prison Service, and show the number of persons who were in prison custody for terrorism-related offences and the number of terrorism/domestic extremist prisoners in Great Britain as at 31 March of each year. Statistics on prisoners released in the reference year are also included
- **Stops and searches** undertaken by police under sections 43¹⁸, 47A (previously 44) and Schedule 7¹⁹ of *TACT*. Data on searches under Section 43 are provided by the Metropolitan Police Service (MPS) and consequently cover the MPS area only

¹⁸ <http://www.legislation.gov.uk/ukpga/2000/11/section/43>

¹⁹ <http://www.legislation.gov.uk/ukpga/2000/11/schedule/7>

- **Cordons** under section 33²⁰ of *TACT*. Cordons data are supplied to the Home Office by ACTCC on an annual basis only. These statistics are included only in the September edition of the series

Known uses

- 2.10 The statistics are used by a variety of users, for example the Home Office internal policy teams, the security services, human rights and social welfare groups, think tanks and the media, to inform their monitoring and review of police activity and policies such as on stop and search:
- Human rights and social welfare groups, for example, the Institute of Race Relations²¹ and the Equality and Human Rights Commission²², use the statistics as they reflect their concerns that the counter-terrorism legislation restricts civil liberty and security
 - A number of think tanks and professional bodies, such as the Royal United Services Institute²³ and the Police Foundation²⁴, use the statistics in order to consider the impact of the terrorism legislation and to explore ways of improving policing

Independent Review of the Terrorism Act 2000 and related statistics

- 2.11 *Terrorism Statistics* are reviewed annually by David Anderson QC, Independent Reviewer of Terrorism Legislation²⁵, as part of his broader evaluation of the efficacy of *TACT* and *Part 1 of the Terrorism Act 2006*²⁶. The Independent Reviewer reports to Parliament about his findings and has made recommendations to the Home Office about improvements to the statistics, for example improvements in the collection and presentation of the terrorism statistics; the lack of comparability between the statistics for Great Britain and for Northern Ireland; and on gaps in available figures, such as, statistics on the number of convictions and acquittals on terrorism charges.

Other sources of statistics on terrorism

- 2.12 Other statistics on terrorism are published by the Northern Ireland Office in *Northern Ireland Terrorism Legislation: Annual Statistics*²⁷ and by the Police Service of Northern Ireland (PSNI) in *Police Recorded Security Situation Statistics*²⁸.
- 2.13 The Northern Ireland Office annual statistics detail the use in Northern Ireland of powers contained within the *TACT*, the *Terrorism Act (Northern Ireland) Act*

²⁰ <http://www.legislation.gov.uk/ukpga/2000/11/section/33>

²¹ <http://www.irr.org.uk/research/statistics/anti-terror/>

²² http://www.equalityhumanrights.com/sites/default/files/documents/humanrights/hrr_article_5.pdf

²³ <https://www.rusi.org/downloads/assets/UKTA1.pdf>

²⁴ http://www.police-foundation.org.uk/uploads/catalogerfiles/stop-and-search/stop_and_search_briefing.pdf

²⁵ See footnote 7

²⁶ https://terrorismlegislationreviewer.independent.gov.uk/wp-content/uploads/2013/07/Report-on-the-Terrorism-Acts-in-2012-FINAL_WEB1.pdf

²⁷ <https://www.gov.uk/government/publications/northern-ireland-terrorism-legislation-annual-statistics-201213>

²⁸ http://www.psni.police.uk/index/updates/updates_statistics/updates_security_situation_statistics.htm

2006, the *Counter Terrorism Act 2008* and the *Justice and Security (Northern Ireland) Act 2007*.

- 2.14 PSNI security situation statistics²⁹ relate to terrorist and public order type incidents that occur within Northern Ireland and which are recorded on the PSNI's IT systems. The statistics include security related deaths, bombings, incendiary and shooting incidents and assaults and findings of ammunition and explosives. The statistics also include persons arrested under *TACT*. Statistics are presented on an all offence basis – charges brought relate to any offence and not necessarily offences listed under *TACT*.

Production costs and accessibility

- 2.15 The Home Office told us that the cost to manage the production of *Terrorism Statistics* is approximately 0.02 of a Grade 7 manager (£1,400), 0.15 of a Higher Executive Officer (£6,000) and 0.30 of an Executive Officer time (£7,200): total £14,600.
- 2.16 The Home Office publishes *Terrorism Statistics* via non-proprietary HTML and Open Data Spreadsheet (ODS) format. This equates to a level of 3 stars under the Five Star Scheme that forms part of the Open Standards Principles proposed in the *Open Data White Paper: Unleashing the Potential*³⁰ and adopted as UK government policy in November 2012³¹. Five stars represents the highest star rating within the Scheme.

²⁹ Designated as National Statistics following <http://www.statisticsauthority.gov.uk/assessment/assessment-reports/assessment-report-214---crime--road-traffic-collisions-and-the-security-situation-in-northern-ireland.pdf>

³⁰ http://data.gov.uk/sites/default/files/Open_data_White_Paper.pdf

³¹ <https://www.gov.uk/government/publications/open-standards-principles/open-standards-principles>

3 Assessment findings

User engagement and meeting user needs

- 3.1 The Home Office statistical team has a good understanding of the use made of *Terrorism Statistics* within the Home Office and by key stakeholders, particularly within its directorate – the Office of Security and Counter Terrorism (OSCT), as well as police forces, and those internal users of the Home Office secure access data system. It has also established constructive engagement with the Independent Reviewer (see paragraph 2.11). The statistical team also has some understanding of the needs of other government users through the Crime and Justice Working Theme Group³² (a partnership between the statistics Heads of Professions at the Home Office and the Ministry of Justice, and the crime statistics producers from the devolved administrations of Scotland and Northern Ireland), although the focus of this tends to be more on police recorded crime.
- 3.2 The statistical team has less understanding of the needs of other groups of users or about the use they make of the statistics. The statistical team has had contact with other users such as the media and civil liberties groups in responding to direct data requests but does not proactively engage with such users. The statistical team has not documented the range of uses. The statistical team informed us that it routinely reviews media and other commentators' coverage of the statistics but did not say how this affects its decisions about the production of the statistics. The Home Office has published a separate statement of compliance with the *Code of Practice*³³, which makes commitments to user consultation and engagement but states this engagement is exclusive to its National Statistics outputs.
- 3.3 The statistical team told us that all written user queries about the statistics are channelled directly through the Home Office OSCT policy team and the Association of Chief Police Officers' Counter Terrorism Co-ordination Centre (ACTCC), due to the security implications associated with the terrorism cases. The statistical team never sees these and is not given any sense of numbers or types of queries. Similarly, we were told that other requests, including those under the *Freedom of Information Act 2000*³⁴ were refused by ACTCC as part of the exemptions in Part II of the legislation.
- 3.4 The Authority accepts that the sensitive nature of some of the underlying information presents a barrier for the statistical team in attempting to comply with Principle 1 of the *Code*; however, this lack of engagement and awareness of the broader audience hampers the statistical team's ability to deliver continuous improvement. The Authority considers that more should be done to enable the statistical team to understand and document user needs.
- 3.5 As part of the designation as National Statistics, the Home Office should:
- (a) investigate and document the needs of non-government users (such as civil liberties groups and think tanks)

³² <http://www.statistics.gov.uk/hub/crime-justice/index.html>

³³ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/116152/ho-compliance-state-11.pdf

³⁴ Sections 23 and 24 <http://www.legislation.gov.uk/ukpga/2000/36/contents>

(b) obtain summary information about the nature of queries received by OSCT and ACTCC

(c) publish information about users' experiences of the statistics³⁵

(Requirement 1).

We suggest that in meeting this Requirement, the Home Office should refer to the types of use put forward in the Statistics Authority's Monitoring Brief, *The Use Made of Official Statistics*³⁶.

Data revisions

3.6 The accompanying statistical user guide³⁷ to *Terrorism Statistics* provides an explanation of the reasons for revisions to the statistics, as cases progress through the criminal justice system. It also states that the ACTCC regularly reviews its system to ensure that records are up-to-date, which can result in records being added, removed or reclassified. A link to the Home Office corporate revisions policy is included in the guide.

3.7 *Terrorism Statistics* also provides some of the reasons for revisions (in the 'data quality and interpreting the figures' sections) to the statistics on arrests, outcomes, and court proceedings. However it is not clear whether other terrorism statistics on terrorist and extremist prisoners, stops and searches, or police cordons are subject to scheduled revisions.

3.8 A summary of revisions to the annual statistics is presented in the concluding section of the *Terrorism Statistics*, explaining the policy adopted by the Home Office in dealing with cases as they progress through the legal system. The analysis includes a table comparing the statistics on arrests and outcome in the latest reference year with those for the previous year, showing the scale of revisions. The report presents these statistics by quarter; however, it is not clear which quarterly figures were revised. For example, the chart of charges resulting from terrorism-related arrests in section 2.4 (in the March 2014 quarterly edition) includes revised figures for the quarters in 2012; the report does not indicate which figures were revised or give the scale of change. As part of the designation as National Statistics, the Home Office should improve the information about revisions to the quarterly statistics and make clear the extent and nature of revisions in *Terrorism Statistics*³⁸ (Requirement 2).

Quality

3.9 The Home Office provides some information about the quality of the statistics in *Terrorism Statistics* in its user guide. *Terrorism Statistics* has sections entitled 'data quality and interpreting the figures' for arrests and outcomes, court proceedings and terrorists and extremist outcomes, but does not have supporting information for statistics on stops and searches or police cordons. *Terrorism Statistics* also includes some information about the limitations of the

³⁵ In relation to Principle 1, Practices 2 and 5 of the *Code of Practice*

³⁶ <http://www.statisticsauthority.gov.uk/assessment/monitoring/monitoring-reviews/monitoring-brief-6-2010---the-use-made-of-official-statistics.pdf>

³⁷ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/286225/user-guide-police-powers-terror.pdf

³⁸ In relation to Principle 2, Practice 6 of the *Code of Practice*

arrests data – for example, where small numbers lead to large fluctuations and the effect on the statistics of police operations or cases with multiple suspects. Additionally, the report warns of differences between self-reported nationality and actual nationality but it does not report on the likely scale and impact of this issue.

- 3.10 The user guide provides concise information about the *TACT* legislation including the repeal of Section 44. The user guide also includes a glossary of terms, a list of data providers and an explanation of the coherence with other UK statistics. It explains the reasons for employing the principal offence rule³⁹ in order to be consistent with other Ministry of Justice statistics and to prevent double counting.
- 3.11 While the user guide outlines who supplies the data for the terrorism statistics, it provides little information about the data collection processes. Neither *Terrorism Statistics* nor the user guide provides users with an indication of the steps that are taken to assure the quality of the underpinning data from the various data sources. They do not give users an indication of the reliability of the statistics, such as data completeness, or outline the steps taken by the data suppliers to ensure the accuracy of the data, such as identifying how recording inconsistencies are overcome or whether the data are audited.
- 3.12 The Home Office told us that the nature of the data it receives on terrorism-related offences from ACTCC is limited to aggregated counts due to security sensitivities surrounding the underlying information. OSCT has requested access to record-level data but this was refused by ACTCC, despite these Home Office officials having a higher level of security clearance. Given the limitations on the Home Office in accessing the underlying data, it is not possible for it to sufficiently evaluate the quality of the terrorism-related arrests and outcomes data and instead relies on feedback from ACTCC.
- 3.13 The Home Office has sought to minimise the risks attached to the quality of the data by providing advice and training to ACTCC. It has developed a quality checklist for the ACTCC team; however, it is not clear how the checklist is implemented and managed in an area which we were told has a high turnover of staff.
- 3.14 The Home Office has published a corporate statement of compliance with the *Code of Practice*⁴⁰ that includes a brief outline of its approach to assuring the quality of official statistics. Neither the corporate statement nor the supporting information in *Terrorism Statistics* provides guidance about the quality of the statistics in relation to the six dimensions of the European Statistical System (ESS) Quality Framework⁴¹. The Home Office does not provide sufficient information about the steps that it takes to assure the quality of *Terrorism statistics*. As part of the designation as National Statistics, the Home Office should:

³⁹ Where multiple offences have been committed by the same individual, this counting method counts only the most serious offence

⁴⁰ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/116152/ho-compliance-state-11.pdf

⁴¹ The European Statistical System Quality Framework has six dimensions: relevance, accuracy, timeliness and punctuality, accessibility and clarity, comparability and coherence: http://epp.eurostat.ec.europa.eu/cache/ITY_PUBLIC/QAF_2012/EN/QAF_2012-EN.PDF

- (a) provide supporting information about the quality of the statistics on stops and searches and police cordons in *Terrorism Statistics*
 - (b) extend the quality information for all terrorism statistics to explain data collection processes and give an indication of the reliability of the statistics
 - (c) publish the steps taken to ensure that the terrorism data are sufficiently robust
 - (d) update and publish the quality guidelines to cover all aspects of quality referred to in the ESS framework⁴²
- (Requirement 3).

Consistency and coherence

- 3.15 The Independent Reviewer has publically expressed frustration that the Home Office's *Terrorism Statistics* are not coherent with those from PSNI in one key respect. The terrorism statistics for Northern Ireland are provided on an 'all offence' basis (for example, counts all offences rather than just the most serious one). In contrast, the statistics for Great Britain are compiled on a 'principal offence' basis which mirrors the approach used by the Ministry of Justice for its other criminal justice statistics. The Independent Reviewer noted⁴³ that the use of the principal offence basis meant that he was unable to assess the utility of each criminal offence, which was one of his primary functions.
- 3.16 The Home Office told us that the alternative of presenting statistics on an 'all offence' basis would mean a divergence from Ministry of Justice classifications and be problematic to deliver, given the nature of the data collection system and the resource constraints within ACTCC. In response to the Independent Reviewer's initial concerns, the annual release for 2011/12 did contain a comparison with Northern Ireland on a 'principal offence' basis. The Northern Ireland Office and PSNI made it clear to the Home Office that because of their very different systems it had been a laborious exercise to produce these data and that resource was not available to repeat the exercise in 2012/13. As part of the designation as National Statistics, the Home Office should review the feasibility with ACTCC of producing arrests and outcome data on an 'all offence' basis and publish the outcome⁴⁴ (Requirement 4).

Confidentiality

- 3.17 The Home Office told us that they obtain individual record-level data from suppliers, but that only a limited number of statisticians involved with the production process are allowed access to these data. Data owners are consulted before access is given and all those given access to the record-level data are required to sign an appropriate declaration.
- 3.18 The supplementary tables of *Terrorism Statistics* include counts of the numbers of people arrested for terrorism-related offences, for example, by ethnicity or

⁴² In relation to Principle 4, Practices 2, 3 and 4 of the *Code of Practice*

⁴³ https://terrorismlegislationreviewer.independent.gov.uk/wp-content/uploads/2013/07/Report-on-the-Terrorism-Acts-in-2012-FINAL_WEB1.pdf

⁴⁴ In relation to Principle 4, Practice 2 of the *Code of Practice*

nationality. These tables include results for small categories with numbers less than five. While information about offenders charged and prosecuted for terrorism-related offences is released through the criminal justice system, this is not the case for those arrested but not charged. The tables about stops and searches also contain some small numbers (of people classified by ethnicity). The Home Office confirmed that it has not checked whether *Terrorism Statistics* are disclosive and, in any case, does not follow Home Office confidentiality policy⁴⁵ on the grounds that the majority of the statistics are already in the public domain. We suggest that the Home Office review the information it provides alongside the terrorism statistics to make clear that the table design appropriately protects private information.

Commentary and accessibility

- 3.19 *Terrorism Statistics* is clearly structured with commentary describing the latest changes in data supported by charts and tables and using language that is impartial and mostly straightforward. The main findings are summarised in key points, with more detailed commentary provided for each topic. The summary about terrorism-related arrests and subsequent charges does not provide sufficient explanation of the differences between arrests and charges for terrorism-related offences and those under other legislation.
- 3.20 The commentary does not describe the longer-term trends within the statistics and the charts are restricted to a presentation of statistics for the last two years. Cumulative figures since 2001 are given for arrests and charges; these do not aid users in developing an understanding of the variations in terrorism-related offending by types of offender over time. The commentary also does not relate the statistics to the wider context, such as the effect of changes in terrorism policies, legislation and police operational activities. This view was endorsed by a number of respondents to our survey (see annex 2), some of whom expressed concern that the commentary lacked depth. The report provides time series dating back to 11 September 2001, but it does not explicitly state why this particular year was chosen – it is presumably related to the terrorist attacks on New York City and Washington DC in 2001. There is also no mention of the London bombings of 2005 and *Terrorism Statistics* does not identify any affect on the trends.
- 3.21 *Terrorism Statistics* does not explain how the statistics compare with other crime statistics. For example, it is not clear whether the terrorist statistics are a subset of all police recorded crime or, if not, what differences exist. While the user guide provides a glossary, *Terrorism Statistics* uses different terms interchangeably, to reflect types of terrorist related violence, for example, the terms ‘terrorists’, ‘separatists’ and ‘extremists’ are used to describe statistics without explaining the differences between them. As part of the designation as National Statistics, the Home Office should enhance the commentary and presentation of *Terrorism Statistics* so that it aids user interpretation of the statistics, by providing contextual information about changes in terrorism policy, legislation or policing operations that are known to influence the statistics⁴⁶ (Requirement 5).

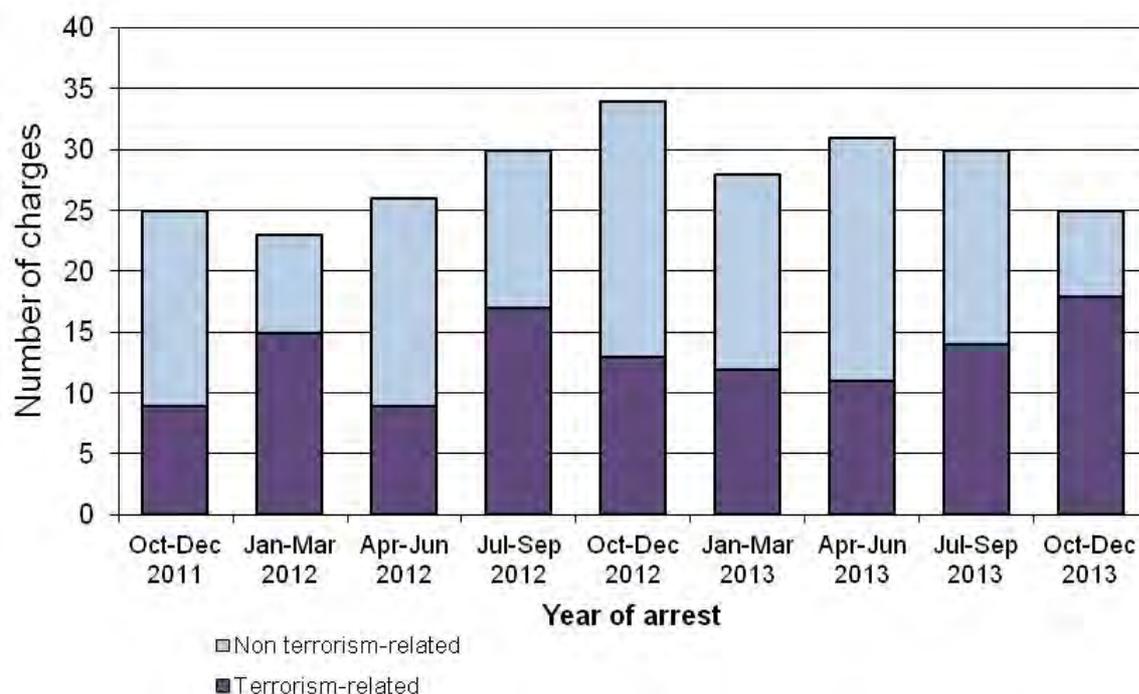
⁴⁵ Part of the statement of compliance with the *Code of Practice*, see paragraph 3.2

⁴⁶ In relation to Principle 8, Practice 2 of the *Code of Practice*

As part of meeting this Requirement, the Home Office should consider the points detailed in annex 1 and annex 2.

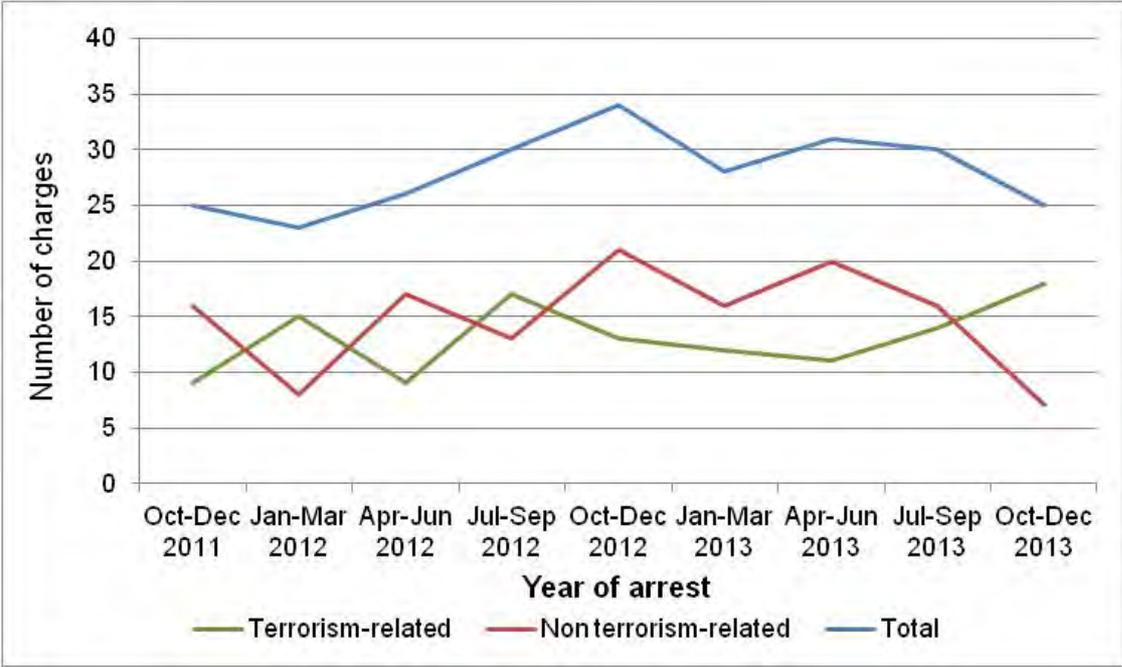
3.22 The chart, 'Persons charged following terrorism-related arrests, by type of charge' in section 2.4 of *Terrorism Statistics* presents non terrorism-related and terrorism-related arrests in a stacked bar chart (see Figure 3.1 below), which makes it difficult for the user to see the trends in the arrests by the two types of charge and the relationship over time. Producing this as a line chart, with a line for each type of charge, and a separate line representing total charges (as illustrated in Figure 3.2) would enhance the usefulness of this chart. We suggest that the Home Office review the presentation of the statistics in charts for *Terrorism Statistics*.

Figure 3.1: Persons charged following terrorism-related arrests, by type of charge
Stacked bar chart



Source: Home Office (Quarterly Update to 31 December 2013)

Figure 3.2: Persons charged following terrorism-related arrests, by type of charge
Line chart



Source: Home Office

3.23 *Terrorism Statistics* is available in HTML format, while the supporting tables are provided in non-proprietary Open Data Spreadsheet (ODS) format. *Terrorism Statistics* is not available in PDF. The Home Office told us that this was in line with the Department’s dissemination policy. However, when *Terrorism Statistics* is printed from the GOV.UK webpage, some of the tables and charts lose formatting and alignment (for example, see Figure 3.3 below). This has the effect of making the tables unnecessarily confusing and increases the risk of them being misinterpreted. As part of the designation as National Statistics, the Home Office should improve the way in which it publishes *Terrorism Statistics* by adopting formats for presentation that enhance the clarity of the statistics and by making the statistics available in forms that are accessible to a range of different users⁴⁷ (Requirement 6).

⁴⁷ In relation to Principle 8, Practices 2 and 5 of the *Code of Practice*

Figure 3.3: Example of loss of alignment to revisions table when printed

Table 1 Persons arrested for terrorism-related offences and outcomes for terrorism-related charges

Number and persons	Great Britain	
	2011/12	2012/13
Arrests and charging outcome	Published Sep 2012	Published Sep 2013
Arrested	205	206
Charged	39	42
Not proceeded against	3	3
Awaiting prosecution	17	2
Other outcome	-	1
Prosecuted	19	36
Convicted	16	29
TACT offences	8	23
Other legislation (non TACT)	8	8
Found not guilty	3	7

Source: Home Office March 2014 edition of *Terrorism Statistics*

3.24 The user guide provides the name of the Head of Profession for Statistics at the Home Office and a generic email address for feedback and enquiries, however, this information is not provided in *Terrorism Statistics*. As part of the designation as National Statistics, the Home Office should publish the name and contact details of the responsible statistician in *Terrorism Statistics*⁴⁸ (Requirement 7).

The use of administrative data

3.25 The Home Office updated its Statement of Administrative Sources (SoAS) in April 2014⁴⁹ in light of the de-designation of police recorded crime statistics in January 2014, in Assessment report 268⁵⁰ and emerging advice from the Statistics Authority on the approach that statistical teams should take in relation to the use of administrative data for statistical purposes. As a result, the Home Office is currently developing its guidance about the risks to statistics that are based on administrative data. The latest SoAS says that routine checks are made, including comparisons with previous years and checks with other similar data; however, further information is required to make clear the assurance and audit arrangements of the administrative data carried out by data suppliers.

3.26 As identified in Assessment report 268, terrorism-related arrests and outcomes data collated by ACTCC from police forces are unlikely to be subject to the same degree of risk of poor decision making that has affected the recording of offences by police forces, since the information is extracted from forces' crime intelligence systems and submitted to the ACPO Counter-Terrorism Coordination Centre. ACTCC carries out further investigations that provide

⁴⁸ In relation to Protocol 2, Practice 6 of the *Code of Practice*

⁴⁹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/309019/ho-state-admin-sources-14.pdf

⁵⁰ <http://www.statisticsauthority.gov.uk/assessment/assessment-reports/assessment-report-268---statistics-on-crime-in-england-and-wales.pdf>

some reassurance about the accuracy of the data as they lead to amendments and revisions when errors or updates to records are identified. The Home Office notes in its user guide that ACTCC conducts further investigations but does not sufficiently explain the implications for the quality of the data.

- 3.27 As part of the designation as National Statistics, the Home Office should extend its SOAS to provide details about the arrangements for auditing the quality of the administrative data used for statistical purposes⁵¹ (Requirement 8).

⁵¹ In relation to Protocol 3, Practice 5 of the *Code of Practice*

Annex 1: Compliance with Standards for Statistical Reports

- A1.1 In November 2012, the Statistics Authority issued a statement on *Standards for Statistical Reports*⁵². While this is not part of the *Code of Practice for Official Statistics*, the Authority regards it as advice that will promote both understanding and compliance with the *Code*. In relation to the statistical reports associated with Home Office's terrorism statistics, this annex comments on compliance with the statement on standards. The comments included in this annex are based on a review of the quarterly and annual statistics presented in the Home Office's *Operation of police powers under the Terrorism Act 2000 and subsequent legislation: arrests, outcomes and stops and searches, for Great Britain*.
- A1.2 In implementing any Requirements of this report (at paragraph 1.5) which relate to the content of statistical reports, we encourage the producer body to apply the standards as fully as possible.

Include an impartial narrative in plain English that draws out the main messages from the statistics

- A1.3 *Terrorism Statistics*' main report includes a summary section at the outset proportionate to the overall size of the report. However, the summary excludes some very important findings from the body of the main report, such as those associated with age, gender and ethnicity. Equally, there is an over-reliance on commentary focusing on the latest point in time in the second part of the report without an explanation of trends over time.
- A1.4 There are trends in the statistics that might be augmented and reasonably explained, but the key findings are not placed in their longer term context nor do they consider how the statistics relate to the economy and society more generally. It is therefore difficult to interpret the changes reported.
- A1.5 The report is accompanied by a Statistical News Release, in PDF, which is impartial, in plain English and extracts some of the main points from the statistics. However, it does not cover some important topics included in *Terrorism Statistics*.
- A1.6 While *Terrorism Statistics* acknowledges the small numbers presented throughout it, it is not consistent in displaying raw values with percentages in tandem.
- A1.7 The report explains the legislative change resulting in the replacement of Section 44 of *TACT* with Section 47a, and explains the differences between these powers and those under Section 43. However, it does not provide sufficient detail regarding the genesis of Section 47a nor does it explore reasons for the lack of reporting under Section 47a since 2011/12.
- A1.8 *Terrorism Statistics* itself does not provide links to relevant publications on terrorism, although links are provided in the guidance document.
- A1.9 Where depicted, graphs and tables in *Terrorism Statistics* illustrate the main points in the statistics. However, they are not numbered and some references to the supplementary tables need correction. For example, it was noted in the

⁵² <http://www.statisticsauthority.gov.uk/news/standards-for-statistical-reports.html>

2012 to 2013 annual report that references to supplementary tables on charges and convictions by nationality were inaccurate. Graphs do not include a 'total' series to aid interpretation.

A1.10 The user guide includes a glossary of terms, although some are used interchangeably and acronyms are not clearly explained when first used in the report.

Include information about the context and likely uses of the statistics

A1.11 *Terrorism Statistics* includes information about what is being measured but does not provide a rationale for why the data are collected and how they are used by the Home Office. *Terrorism Statistics* does not include information about users and uses made of the statistics.

A1.12 The separate statement of compliance with the *Code of Practice* (see paragraph 3.2) makes commitments to user consultation and engagement for the National Statistics products, but it is evident that this practice has not been applied to this set of statistics. The report does not make clear the importance of the statistics, or the likely uses made of the statistics and the decisions that might be made based on the statistics.

A1.13 *Terrorism Statistics* are not accompanied by sufficient contextual commentary or commentary to aid interpretation. For example, no reference is made to key policy, operational and legislative changes known to impact on the statistics over time. However the Home Office does explain the effect of Section 44 being repealed for stops and searches.

Include information about the strengths and limitations of the statistics in relation to their potential use

A1.14 *Terrorism Statistics* includes some statements which point to limitations in the statistics in order to improve interpretation. However, they do not include descriptions of likely errors, for example in recorded ethnicity, which may affect the published statistics.

Be professionally sound

A1.15 Charts and tables in the HTML version of the report and supplementary tables are straightforward and easy to interpret. However, appropriate footnotes – for example, explaining changes in legislation – are not present in the report. The HTML tables also lose important formatting and indexing when printed.

Include, or link to, appropriate metadata

A1.16 The title for *Terrorism Statistics* includes the coverage of the statistics and the period to which the statistics relate but the report does not include information about when the next update is due or the frequency with which the data are compiled and updated.

A1.17 The user guide provides the name of the Head of Profession for Statistics but not the responsible statistician. The statistical reports themselves include no contact details.

A1.18 Revisions analysis is presented in the annual *Terrorism Statistics*. This gives a sense of the fluid nature of the terrorism cases passing through the Crown

Prosecution Service, although the analysis does not give details of the frequency and dates for revisions. The user guide links to the Home Office corporate revisions and corrections policy.

A1.19 The user guide provides details of definitions, data sources and conventions used in terrorism statistics. References are also made to issues of coherence with other countries in the UK in the guidance, including a link to the PSNI statistics.

Annex 2: Summary of assessment process and users' views

- A2.1 This assessment was conducted from February to July 2014.
- A2.2 The Assessment team – Penny Babb and Gary Gant – agreed the scope of and timetable for this assessment with representatives of the Home Office team in January 2014. The Written Evidence for Assessment was provided on 3 April. The Assessment team subsequently met the Policing statistics team during April to review compliance with the *Code of Practice*, taking account of the written evidence provided and other relevant sources of evidence.

Summary of users contacted, and issues raised

A2.3 Part of the assessment process involves our consideration of the views of users. We approach some known and potential users of the set of statistics, and we invite comments via an open note on the Authority's website. This process is not a statistical survey, but it enables us to gain some insights about the extent to which the statistics meet users' needs and the extent to which users feel that the producers of those statistics engage with them. We are aware that responses from users may not be representative of wider views, and we take account of this in the way that we prepare Assessment reports.

A2.4 The Assessment team received 3 responses from the user consultation and undertook 4 detailed interviews. The respondents were grouped as follows:

Independent Reviewer of Terrorism Legislation	1
Central government	3
Devolved administrations	1
Interest groups	1
Media	1

A2.5 Users said that they found the statistical team helpful. The users were generally satisfied with the quality of the publications. However, there were mixed responses regarding the commentary. Two users felt the commentary lacked enough depth to explain context of changes and trends.

A2.6 One user was specifically concerned about the lack of information relating to strengths and weaknesses, while another raised a concern regarding the coherence of the statistics with those reported elsewhere that used a different method of presentation.

A2.7 Migration of the statistical products to the GOV.UK website had been frustrating for some users, as well as the lack of another format, other than HTML, to view and print *Terrorism Statistics*.

Key documents/links provided

Written Evidence for Assessment document

