

## The Public Value of Justice Statistics

### What did we do?

This was our second systemic review of statistics on crime and justice. Its purpose was to investigate what questions users are asking of justice statistics, what questions can and cannot currently be answered, and to consider other ways in which the public value of these statistics might be improved. The review encompassed criminal and civil justice. It covered statistics on prosecutions, courts and sentencing, including access to justice, offender management and outcomes.

In our review, we spoke to people in more than 20 organisations with an interest in the justice system and in justice statistics across the UK. We gathered views from academics, third sector bodies, think tanks, lobby groups, and inspectorates. We reviewed written materials, such as submissions to parliamentary inquiries and inspectorate reports. We also talked to suppliers of data such as courts and prosecution services and to statistics producers.

### What did we find?

The statistics published by the UK's justice systems make them more transparent than in many other countries beyond the UK. Statistics users recognise this and are positive about available resources, for example the Scottish Government's [civil justice statistics compendium](#), and about recent innovations, for example the Ministry of Justice's [online data visualisation tools](#) and the [Justice Data Lab](#). We also heard from producers with strong aspirations to continue developing their statistics to add more value, for example to legal aid statistics and a range of civil justice statistics in England and Wales. Nevertheless, our work demonstrated several opportunities to increase value, for example through greater innovation, by highlighting exclusion and fairness, and by increasing coherence.

#### Increasing value through innovation

Parts of the justice system have the same people encountering them, for example as they progress from contact with the police to prosecution, court case, sentence and subsequent imprisonment. Yet the existing statistics do not tell a coherent story about those journeys. Often, the breadth of questions that others want the statistics to answer go beyond the data for which the system has responsibility. For example, statistics from within the justice system cannot tell us about prisoners' experiences prior to imprisonment or what happens when they leave. Nor can they tell us about prisoners' health, which needs a more rounded view from health organisations.

Our conversations with statistics producers highlighted the challenges of working with disparate and, what can be, outdated management information systems as they undergo technological transformation. The fact that large parts of the justice system across the UK are currently being digitised could help to address the limitations imposed by the current data systems, if successful. Her Majesty's Courts and Tribunal Services recognises the statistical value that could be added. We encourage them to think creatively about how to extract statistics about people's contact with the justice system, rather than solely counting cases progressing through each separate element of the system as at present. In addition, the National Audit Office's report: [Early progress in transforming courts and tribunals](#), concluded that digitisation in England and Wales is beset with difficulties and success is not guaranteed. We also heard concerns that there is a risk that statistical gains might not be

realised fully because of the way the systems are being designed and the need to balance statistical needs and burden to users accessing digital justice services.

Producing statistics that move from counting people as they interact with specific parts of the system to telling stories about the journeys people take, needs ingenuity and determination to overcome obstacles and manage the privacy risks that arise when bringing data together from different sources. The prize of overcoming these obstacles will be increased public value of statistics which can help the system to deliver justice more effectively. A positive example of this is the work being done by statistics producers in England and Wales to support new ways of analysing the impact of family court decisions on children's longer-term outcomes. Another is MoJ's work examining the educational background of young knife possession offenders. We share users' and producers' aspirations for more resources like this to be available – both for government analysts and accredited external researchers – providing appropriate and robust data safeguarding procedures are in place. We would be concerned at the waste of public resources – and the potential for missed opportunities to intervene to improve outcomes – if the system failed to pursue more opportunities to bring together data to provide insights about children's lives in the coming months and years. This is especially relevant in the family justice field where the Nuffield Foundation's investment in a new [Family Justice Observatory](#) will deliver important new insights about how to improve outcomes for families and children using data about health, education and justice in Wales.

#### *Increasing value by highlighting exclusion and fairness*

Technological transformation also presents opportunities for the statistics to answer questions about the effectiveness of the reform process. Yet we heard concerns that these opportunities might not be realised, especially for digitally excluded groups.

Our discussions identified demand to improve the availability of statistics on children and older people within the criminal justice system. The final report of the [Lammy Review](#) about the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the criminal justice system shone a helpful light on data gaps and made recommendations for improvements. For example, it identified the need for ethnicity data to be added to proposed new published datasets for prisons set-out in the recent Prisons white paper and for ethnicity data to be published by the parole board. We welcome the steps that have already been taken to improve the availability of statistics about disparities between ethnic groups in the justice system and will follow progress on the Review's recommendations.

#### *Increasing value through filling gaps and improving coherence*

Existing justice statistics are not always coherent across the UK and this is not always a result of differences between the justice systems. For prison statistics, one cause can be a lack of consistency in definitions or time periods, but often it arises because of gaps in statistics in one or more jurisdiction. For example, ongoing problems with IT systems means that, at present, no official statistics are published about the prison population in Scotland and the management information that the Scottish Prison Service publishes currently includes limited detail about the characteristics of prisoners. England and Wales share the same jurisdiction, but increasing divergence between how some aspects of justice are delivered, and following a further devolution of powers to the Welsh Assembly, there is now a growing appetite for separate justice statistics for Wales. We recognise that complete coherence across the different systems' statistics is not feasible (or desired), but we encourage producers to engage with each other more effectively to ensure that opportunities to add value are not missed.

## Next Steps

We will continue engagement with statistics producers and stakeholders across the UK to support improvements to these statistics. Based on what we heard in the review, we will act in three areas by:

- following-up with producers to identify how we might help them realise the statistical opportunities presented by the technological transformation of justice delivery.
- exploring options for reintroducing routine production of statistics about Scottish prisons.
- exploring options for introducing statistical collections about the health of people in prison in the UK.

We will publish updates as this work develops and which may include a statement on the changes we want to see, the people responsible for making them, and the timeframe in which we expect to see them delivered. In addition to this we will also share more specific feedback we received on particular statistics where we think this will be useful for producers.

Work being undertaken by the Office for Statistics Regulation on data sharing and linkage looks to address the UK statistical system's ability to answer pertinent questions by using linked data from different sources and different data providers. We expect to publish a report of our findings and proposed actions in August. Our work in this review has informed that project.

We are always happy to hear your views about anything we have discussed here or about any other aspect of justice statistics.