Mark Pont, Assessment Programme Lead

Abbie Self
Head of Profession for Statistics
Ministry of Justice
(By email)

26 October 2022

Dear Abbie

Statistics on Women and the Criminal Justice System for England and Wales

We recently reviewed the Ministry of Justice's (MoJ) statistics on Women and the Criminal Justice System.

This publication brings together statistics produced by MoJ and other government bodies to provide a clear and coherent picture on women's experiences of the criminal justice system (CJS). This is a sensitive and high-profile topic that has received increased public and policy attention in recent years; for instance, through new legislation on domestic abuse (the Domestic Abuse Act 2021); the End-to-End Rape Review; and the 2018 Female Offender Strategy. The publication fulfils a statutory requirement to publish information about female (and male) representation in the CJS. It contributes to the evidence base for developing and monitoring policy and helps users understand how trends in the CJS vary between the sexes.

We found a range of positive features that demonstrate the value, quality and trustworthiness of the statistics:

- The publication covering the period up to 2019 includes analysis on the educational attainment and educational background of offenders, from a project linking MoJ and Department for Education data. This adds insight on an important topic and demonstrates the value of linked data. To maximise insight, we encourage the team to include, where possible, additional analysis of linked data from the Data First or Better Outcomes through Linked Data (BOLD) programmes. These MoJ programmes aim to use data linkage to improve the connectedness and value of justice administrative data.
- The statistics are explained in a clear and accessible way, for instance, via a simple high level executive summary and a one-page infographic which neatly summarises the main points from the publication.
- It is good that the team has recently engaged with a range of users, including policy colleagues and analysts in MoJ, charities and academics. This has

given the team a better understanding of the uses of the statistics and ideas for further developments to the publication, to better meet these users' needs.

- The publication and associated technical guide clearly explain the nature and limitations of the different data sources, including changes to systems and data sources. The technical guide sets out the terminology around sex and gender and highlights the variation in recording practices across the CJS. MoJ uses sex rather than gender throughout the report but acknowledges that "it is likely that most recording includes a mixture of physiological and personal identity". This transparency provides helpful context to the statistics.

- We welcome the team's progress in reducing the pre-release access (PRA) list, following a [departmental review of PRA arrangements for all MoJ publications](). We recognise that there are particular challenges to reducing the PRA list for this publication due to the breadth of areas covered.

We also identified several ways in which value and quality could be enhanced:

- To facilitate further engagement and improvements to the publication, the team should be transparent about its existing and planned user engagement activities, and how these are supporting development of the publication.

- To aid user understanding of data quality the information about limitations could be expanded. In particular, it would be helpful to provide more details on how sex, as reported in this publication, is recorded across different sources – giving an indication of the possible extent to which physiological and personal identity are mixed – and any uncertainty in the sources, along with the reasoning why MoJ's approach is appropriate. Given the change in understanding of sex and gender in society, it is important to be clear about what is recorded and reported, to help users interpret trends in the CJS.

- While the data are mostly sourced from other published National Statistics, it is also important that the team has its own assurances around quality, and we recommend using our [Quality Assurance of Administrative Data (QAAD) framework]() to guide this. This would ensure that these data sources are still of appropriate quality for the purposes that MoJ is using them and provide further reassurances to users.

Thank you to your team for their positive engagement during this review. We look forward to continuing to engage with your team. Please get in touch if you would like to discuss any aspects of this letter further or if we can offer further assistance as these statistics continue to develop.

I am copying this letter to Damon Wingfield, Criminal Justice Statistics Senior Statistician at MoJ; and Kristina Gray, Head of Criminal Justice Outcomes and Sentencing Statistics at MoJ.

Yours sincerely

Mark Pont
Assessment Programme Lead