

<u>RECOMMENDATION</u>	<u>RESPONSE</u>
<p>REC 01: We recommend that the future responsibilities for the governance of BME statistics within the criminal justice system should be clearly set down and should follow the structure set out in Figure 1</p>	<p>We agree with the thrust of this recommendation on clarity of ownership and responsibility for statistics. However, for the reasons set out in the strategic response, we do not agree with the significantly enhanced role for Local Criminal Justice Boards (LCJBs) and propose to implement a national programme of work to improve the collection, dissemination and use of these statistics at the local level.</p>
<p>REC 02: OCJR should make it clear which statistical series need to be sent to central government departments and with what frequency. These should be confined to statistical series essential for national needs. The priority series marked ‘High’ in Figures 1 to 6 of Chapter 5 of this report should be a starting point for OCJR to draw up the minimum data set of statistics to be reported.</p>	<p>This will be incorporated in the development of the minimum data set.</p>
<p>REC 03: Central guidelines should be issued by OCJR, with the assistance of RDS (OCJR) specifying the minimum data set of statistical series that should be collected: the quality and completeness that should be aimed for, the timeliness for publication, and the use that should be made of such statistics by local agencies.</p>	<p>Agreed.</p>

REC 04:

The Home Secretary should continue to produce an annual volume to satisfy the requirements of S95 of the 1991 Act. This volume should:

- **Collate some of the data produced in local BME publications by LCJBs**
- **Contain only the more important data collected locally, as specified in Chapter 5**
- **Be user friendly and contain good examples of current data collection and use**
- **Include context on the lines of that included in *Race and the Criminal Justice System: An overview to the complete statistics 2002–2003* (Hearnden and Hough, 2004)**
- **Include a small amount of comparative data on local variation and links to all relevant web sites where these data can be obtained.**
- **Benefit from comments and advice of an external specialist group**

The OCJR, with the assistance of RDS, ONS and central government departments should co-ordinate the production of this volume. This would need some dedicated resources.

OCJR will continue to publish an annual volume of statistics and seek to make it more relevant to and accessible to users. We will continue to produce detailed tables on the web with data quality and timeliness improved as well as an overview document providing more analysis and context.

REC 05: Consideration should be given to setting up a new OCJR/RDS/ONS web site to become a comprehensive source of data and information on BME communities and the CJS, for use by all CJ agencies. It should include data in EXCEL spreadsheets to be used directly by stakeholders. It would thus need some dedicated resources to ensure value for money.

We will work with existing and proposed developments within OCJR and RDS to improve the dissemination of the S95 statistics, rather than seeking to develop a new website.

REC 06: All agencies and authorities designing criminal justice IT systems should give much more priority to obtaining statistics and management information from these systems, both generally, and, specifically, for statistics on BME communities. This would need dedicated resources.

We recognise that sufficient priority is not given to identifying management information (MI) requirements as part of the user requirement prior to designing and building IT systems. We therefore welcome this recommendation and will seek to build upon IT initiatives being undertaken across departments to ensure race-related management information is given more priority. However, this recommendation needs to be supported by the work to improve quality, completeness and timeliness of the statistics, so that their collection is built into the business process.

REC 07: Central departments rolling out the national IT systems for the CPS, magistrates' courts and the Crown Court should give priority to local staff being trained so that they can obtain data from their systems in a user friendly manner. They should examine the needs for data identified in this report and make sure that software is available for local use so that such data can be produced quarterly. Guidelines for the use of such software should be produced.

This will be addressed as part of the work on developing management information

REC 08: The OCJR (CJS Race Unit) should produce an early Business Case for the User Requirement for BME data to be provided via the CJS MIS system. This should be a spur to the more general case that CJIT is making for funding for the development of the management information system and for JPIT. This Business Case should also include the need for all Tracking initiatives to include a BME classification so that the progress of BME offenders through the CJS can be investigated.

We are working with the Criminal Justice Management Information System Business Design Authority to ensure that BME management information forms an integral part of its agenda.

REC 09: Central government departments, including OCJR, should continue to sponsor a research programme to supplement the statistics collected on BME communities and the CJS. They should also keep close to BME research being commissioned by other foundations and organisations. They should bring together relevant research and highlight the main conclusions from it in their annual S95 report.

Agreed. Criminal Justice Departments, including OCJR, are committed to research that will help explain or supplement statistics on Race and the CJS. OCJR will be taking forward a programme of research to complement our work to improve the statistics collected under S95. The programme will include the following:

- an evaluation of the impact of policing initiatives (Neighbourhood Policing Programme, National Reassurance Policing Programme) on BME people's confidence in the CJS;
- good practice in improving the recruitment and retention of BME employees in the CJS;
- national level information on levels of BME confidence in the CJS.

REC 10: To carry out their strategic role in statistics, LCJBs need to be resourced to collect, use and publish their own local BME Statistics. This is likely to require at least one member of staff with statistical skills working for each LCJB although this will vary across different areas.

See recommendation 1. We do not propose to give LCJBs the enhanced role recommended by the review at this stage in their development.

REC 11: Each LCJB should circulate detailed BME data to senior officers within their local CJ agencies on a regular basis, ideally quarterly. The LCJB should also encourage member agencies to take seriously, own and use this information routinely for ongoing operational purposes to ensure that agencies are fulfilling their legislative responsibilities.

See recommendation 1. In November 2005 OCJR circulated an initial pack of ethnicity data to LCJBs, tailored to individual areas.

REC 12: Firm arrangements are needed for each LCJB to make public BME data for their area on an annual basis. This should be published at about the same time each year, so that communities' expectations are met and to facilitate confidence. These data should not be subject to any national or local political control.

See recommendation 1. We do not currently propose to give LCJBs the enhanced role recommended by the review. However, we will provide guidance to LCJBs and agencies on how they could use ethnicity statistics and will encourage them to publish, in association with their annual reports and Race Equality Schemes, their mechanism for using statistics to improve services to local communities.

REC 13: The annual local statistical publication produced by the LCJB should consist of a short readable summary of headline points, associated with a clear story about the main developments in policy and practice brought out from the statistics. At the same time a more detailed set of the local statistics from which the national volume is derived should be placed on the LCJB web site, making data available, probably in EXCEL spreadsheet form, so that external analysts can make direct use of the figures. A reference to the more detailed statistics should be included in the short summary publication and every effort should be made to ensure that these references hold good over time.

See response to recommendations 1 and 12.

REC 14: The LCJB should collect regular information, from household surveys, on public confidence in criminal justice services in the local area, covering both the White and BME populations. The results of such surveys should be used by the LCJB and by local CJ agencies to monitor their policies towards BME populations. Headline data should also be published and will complement the national measures of the BME confidence target that forms part of PSA Target 2 to *Reassure the public, reducing the fear of crime and anti-social behaviour, and building confidence in the CJS without compromising fairness.*

There are significant resource and methodological issues, where BME populations are small. Although all LCJBs need to work towards achieving the PSA target we do not believe it would be cost effective for all LCJBs to conduct surveys of their BME population. Instead we will prioritise the provision of information to LCJBs and criminal justice agencies for performance management of the target and work towards developing local-level proxy measures of performance on race issues. We will also build upon the work of the LCJBs covering the areas with the largest BME populations on developing baseline measures of confidence.

REC 15: LCJBs and local criminal justice agencies together need to ensure that statistics collected locally are taken seriously, owned and used by those who collect them. This will require the commitment in each agency of senior management (including membership of appropriate LCJB subcommittees) to the improvement of quality and coverage and to ensuring the data is used appropriately.

We will be providing guidance to enable local CJS agencies to better use and understand the ethnicity statistics they collect. The development of a minimum data set will establish requirements around frequency, completeness and quality and this will be further emphasised by including the completion of ethnicity data in performance management information.

REC 16: Local criminal justice agencies need to be more aware of data collected by their colleagues in other (non-CJS) local agencies, and to ensure that it is brought within their own mechanisms for using data on BME communities.

Agreed.

REC 17: Local criminal justice agencies should publish, in association with their annual reports on their Race Equality Schemes (RESS), their mechanisms for using BME statistics to improve their services to the local communities.

We will work with CJS agencies on developing this through guidance.

REC 18: BME criminal justice statistics issued by central government departments, such as the annual publication of S95 statistics under the 1991 CJA should not be re-badged as National Statistics for the time being. However, those publishing statistics on a national basis should apply National Statistics procedures and protocols to BME criminal justice statistics as much as possible, in line with recent developments in statistical policy generally. Possible re-badging as National Statistics should be reconsidered at the next review in 5 years time.

Agreed. Following this detailed review of the race and criminal justice statistics the Home Office has initiated a further review examining statistical collections more generally within the Home Office that are not National Statistics. Our response to the recommendations of the Root and Branch review will also take account of this work to improve statistical collections more generally.

REC 19: Once the recommendations of this report have been implemented, Ministers should be asked to consider a new statutory basis for collecting and publishing BME statistics, to include bringing together all existing statutory arrangements.

Agreed.

REC 20: The OCJR should, as a matter of routine, collect examples of good practice in the collection and use of ethnic minority statistics in criminal justice from local areas. The following parameters could be followed:

- A full initial audit of good practices should be conducted: eg LCJBs could be encouraged to submit good examples to the OCJR; examples could be found from local publications and visits could be made by OCJR.
- LCJBs should be encouraged to include good practice in their annual publications.
- LCJBs should be encouraged to develop mechanisms for sharing good practice, both between equivalent agencies and across agencies.
- A list of good examples should be published each year, at the same time as national statistics.

The best example(s) each year could be highlighted, perhaps by the award of a prize.

Agreed. As part of our work to deliver the Public Service Agreement we will be collecting and promulgating examples of good practice to enable LCJBs and local and national agencies to improve their use of ethnicity statistics.

REC 21: OCJR should take a leading role in getting good practice in the collection, analysis and use of BME statistics adopted at both national and local level: examples could be:

- To encourage central government departments and local agencies to adopt good practice in improving data quality and completeness.
- To look for good examples in other social areas, such as education.
- To encourage use of common software, both nationally and locally where relevant.

See recommendations 14 and 15.

REC 22: Quality thresholds for completion rates should be set for the police, as the collecting agency:

- To encourage more complete recording of BME classifications.
- To encourage the police to pass more complete data to other agencies.

These thresholds will need to be negotiated with police authorities and ACPO. We suggest that they should resemble the quality thresholds already set for the Probation Service in a recent probation circular. For the police this might mean that, eg, records of those arrested and those charged should be at least 95% complete before the data are passed on to the CPS and the courts. Such indicators should be extended as soon as possible to include all relevant police statistics, including complaints. This quality threshold should also apply to data held on CPS and courts data systems.

We will work to formalise our requirement for expected levels of data quality by issuing a minimum data quality and timeliness. This will be the subject of guidance.

REC 23: OCJR and RDS (OCJR) should continue to make clear, in the annual publication, which CJ areas and agencies are falling short in their data quality for BME statistics, in particular falling short of centrally set quality thresholds. They should continue to develop a training role to advise local statistical staff of how to improve their data quality. This role should be developed in a flexible and cost-effective way, but will need some extra resources: eg in more training staff or in contracts with external training agencies.

We will provide guidance and good practice examples to CJS agencies to improve the robustness and completeness of their data. We will provide further incentives to improve completion rates by including the completion of ethnicity returns in management information to LCJBs. This will enable LCJBs to consider why there are gaps in data, and where this relates to interagency flows, consider what remedial action is needed.

REC 24: ONS should make plans, with OCJR, RDS, local authorities and LCJBs to make better estimates of BME populations on an annual basis for those local authorities where the minority ethnic population is over 10 per cent or where there are known to have been large changes to BME populations. These estimates will enable criminal justice agencies to have access to population data that is much more accurate than current estimates, and enable them to target their services appropriately. The methodology should be based on that used by the GLA, and make use of data from all valid sources.

At present the GLA is developing its methodology for making estimates of BME populations. In the light of that work, ONS will determine the most appropriate methodology for making estimates in consultation with OCJR and RDS.

REC 25: Once the results of the University of Birmingham study of jury empanelment are complete, the DCA should look into whether there is a need for routine collection of data on the ethnic composition of juries.

The preliminary findings of the study will be available in early spring next year. The DCA will then consider this recommendation in the light of the study's findings.

REC 26: Local criminal justice agencies should continue to collect and use the current 16+1 classification, wherever this is practicable. Areas that wish to collect more detailed information should do so as long as this can be grouped into the 16+1 classification. Whenever less detailed information is published, reference should be made to where more detailed information can be obtained from.

Agreed, we will ensure that agencies are aware of ONS guidance on this issue and include it in the guidance issued to LCJBs on data collection more generally.

REC 27: Notwithstanding the variation between police-defined and self-defined ethnicity, the Police National Computer should change its BME classification system to a classification compatible with the 16+1 system, to improve the quality of BME data.

The Association of Chief Police Officers who are the owners of the data held on the Police National Computer (PNC) have agreed that the 16+1 BME classification should be considered as part of the work to be incorporated in PNC modernisation.

REC 28: RDS should liaise closely with ONS about developments in ethnic classifications, ensure the latest thinking is carried over into CJ data capture, and that lessons learned in CJ data capture are passed to ONS.

Accepted – RDS will continue to liaise closely with ONS about developments in ethnic classification.

REC 29: RDS (NOMS) should make full use of the potential it has for using PNC ethnic classifications to produce BME reconviction rates as a matter of routine, and should enhance the possibility of doing this at local level as an aid to local management. This would be even more useful were the classification used by PNC to come into line with the classifications used for BME statistics generally.

RDS-NOMS is exploring the production of BME reconviction rates with an aim of making these available in its annual reports on reconviction rates. Work on the production of local reconviction rates is also currently in progress, and this incorporates the possibility of making reliable BME reconviction rates available. (See recommendation 27 about PNC classification.)

REC 30: When taking forward work on BME statistics CJS Race Unit and RDS should liaise with the work of the Steering Group on the Review of Statistics on the Administration of Criminal Justice, to ensure both that work is not duplicated and that needs for BME statistics are incorporated by that steering group into their ongoing work. Articulation of BME needs would add to the requests of the steering group for greater funding and resources.

Accepted – we will work with the Steering Group on the Review of Statistics on the Administration of Criminal Justice to take forward work to improve ethnicity statistics. Furthermore we will take into account the findings of the Chief Scientist’s Review examining all statistical collections in the Home Office that are not National Statistics.

REC 31: In taking forward the recommendations of this review, it will be important to consult widely and to allow all stakeholders to input to the change process. This means that a consultative group will be very useful to OCJR in taking forward the recommendations. Such a group could have many of the characteristics of the TAG for this review (see Annex A) but may need a different membership, and may need sub-groups to take forward specific work. The group should also have enough strength to lobby for more resources where this review recommends that these are necessary.

We will be undertaking a programme of consultation on our implementation of the recommendations prior to commencing the development of the minimum data set. Furthermore we will be establishing a Development Advisory Group made up of internal and external stakeholders, to oversee the programme of work.

REC 32: In taking forward the recommendations of this review, it will be necessary to take into account available resources. It would be possible to pilot the recommendations in a small number of LCJB areas and there could be advantages in doing so, as this could iron out snags before countrywide implementation.

See recommendation 1. This recommendation will not be pursued.