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Aid to understanding the differences between the DCSF statistics on First Time Entrants (FTE) to the criminal justice system (aged 10-17) in England and the Ministry of Justice Offences Brought to Justice (OBTJ) statistics.

Introduction

This release has been prepared following a letter from the UK Statistics Authority to the Permanent Secretary at the Ministry of Justice (MoJ), copied to the Department for Children, Schools and Families (DCSF) Permanent Secretary, regarding possible inconsistencies between the MoJ and DCSF definitions in their justice statistics in relation to young people. This correspondence can be found at: <http://www.statisticsauthority.gov.uk/reports---correspondence/correspondence/index.html>.

This is **not** a national statistics publication. The aim of this release is to aid user understanding of the purposes of these two sets of statistics and the differences between them.

Key Points

The two measures were developed to support different aims and objectives and have evolved in different ways. The main features and differences between the two sets of statistics are summarised below:

First Time Entrants

The First Time Entrants (FTE) measure is published by DCSF. It is a count of juveniles entering the Criminal Justice System for the first time. It forms part of the monitoring of Public Service Agreement (PSA) 14 which aims to: "Increase the number of children and young people on the path to success".

The FTE measure is constructed as follows:

- it is a count of young offenders living in England;
- it covers young people, aged 10 – 17, receiving their first criminal sanction which is defined to be either a conviction, a reprimand or a warning. It does not cover other out-of-court disposals and does not include any Penalty Notices for Disorder (PND);
- it is based on an extract of data held on the Police National Computer (PNC) and maintained by the Ministry of Justice;
- it covers those offences recorded by the police on the PNC – these are largely 'recordable' offences, defined as those that can attract a custodial sentence plus some additional non-custodial offences defined in legislation¹. In addition, some non-recordable offences are also included on the PNC when they accompany recordable offences in the same case;
- it is based largely on cases dealt with by English police forces; however some offences brought by other prosecuting authorities (such as HMRC, MoD, DWP, local authorities etc) are also included.

¹ Recordable offences include most notifiable offences and also a range of additional summary offences, such as being 'drunk and disorderly', see section 27(4) of PACE. 96% of the FTEs in 2007/08 had a primary offence that was notifiable.

Offences Brought to Justice

The Offences Brought to Justice (OBTJ) measure is published by the Office for Criminal Justice Reform (OCJR). It forms part of the monitoring of PSA 24: “Deliver a more effective, transparent and responsive Criminal Justice System for victims and the public”.

The OBTJ measure is constructed as follows:

- it is a count of notifiable offences (rather than offenders) brought to justice in England and Wales;
- it covers all offenders, including companies, of all ages;
- it covers offences dealt with as a result of a conviction, caution, reprimand, warning, **penalty notice for disorder (PND)** or formal warning for cannabis possession, as well as offences taken into consideration (TICs);
- the notifiable offences for which PNDs can be given are:
 - o Harassment, alarm or distress - Public Order Act 1986 s5;
 - o Destroying or damaging property (value of damage under £500) - Criminal Damage Act 1971 s1 (1);
 - o Retail theft (under £200 in value) - Theft Act 1968 s1;
 - o Possess a controlled drug of Class B - cannabis/cannabis resin (note that this offence was only introduced as a possible PND on 28th January 2009);
- it covers notifiable (recorded) offences, the same coverage used for the published recorded crime figures. Recorded crime covers all indictable and triable-either-way offences and some closely associated summary offences. (See Crime in England and Wales 2008/09 Volume 2, Appendix 2 for details);
- it is based on court outcome data recorded by the courts and compiled by OCJR combined with data on out-of-court disposals and TICs reported to OCJR and the Home Office by the police.

As can be seen, the two separate measures are looking to present different information, the main difference being that the OBTJ statistics are a count of **offences** and the FTE statistics are a count of **offenders** who have entered into this series for the first time. This means that the two sets of statistics (even for the same age group) will not be comparable. However, the issue of the different coverage of the two sets of statistics has been investigated further.

Further Action

We appreciate that the difference in the coverage of offences between these two measures could be difficult for the reader to understand. Therefore we are committed to considering how these measures can best be brought into line.

A major difference between the two measures is the exclusion of PNDs from the FTE statistics and inclusion in the OBTJ statistics. There is no simple way of producing a measure of PND's which could sit alongside the First Time Entrants statistics and give an easy to understand picture. Nor could PNDs be simply added to the published count of FTEs – to avoid double counting this would require the construction of a new dataset since a proportion of juveniles who received a PND later went on to receive a reprimand, warning or conviction and are therefore already included in the published figures.

However, by constructing such a new dataset it may be possible to publish a second measure of First-Time Entrants which includes PND's in the total. Before committing to this second measure, a good deal of work

is needed to establish data quality, presentation and usefulness as well as any necessary need to seek user views in line with the full requirements of the Code of Practice for Official Statistics.

Officials in MoJ, YJB and DCSF will therefore undertake the work to look at quality and other issues to determine fully whether a second measure of FTEs containing PND's, of sufficient quality and usefulness to users can be produced. If this work is successful, we are committed to releasing this information and will look to do so in line with the Code of Practice for Official Statistics.

It should be noted that all targets will remain based on the current measure of First Time Entrants and the second measure would be additional support to aid public understanding of the system. Please also note that the issuing of PNDs to 10 – 15 year olds has been piloted in 7 local authorities but in the main PNDs can only be issued to people aged 16 and over.

Also, on the publication of the next set of annual FTE statistics DCSF will consider changing the name of publication/statistics to make it clear at the outset which criminal sanctions are included. This will mean instead of using the term “entrants to the criminal justice system” being more descriptive about the criminal sanctions covered.

Key Figures and Charts

Table 1: Number and rate of 10-17 year olds receiving a reprimand, warning or conviction for the first time, England 2000-01 to 2007-08

Chart 1a: Number of 10-17 year olds receiving a reprimand, warning or conviction for the first time, England 2000-01 to 2007-08

Chart 1b: Number of 10-17 year olds receiving a reprimand, warning or conviction for the first time per 100,000 10-17 year olds, England 2000-01 to 2007-08

Table 2: Number of offences brought to justice in England and Wales by outcome and numbers of recorded crimes 2000/01 - 2007/08.

Chart 2: Number of offences brought to justice in England and Wales by outcome 2000/01 - 2007/08

Table 3: Number of Penalty Notices for Disorder issued to all persons aged 16 and over, by age group and year, England and Wales 2004-2007

Chart 3: Number of Penalty Notices for Disorder issued to all persons aged 16 and over, by age group and year, England and Wales 2004-2007

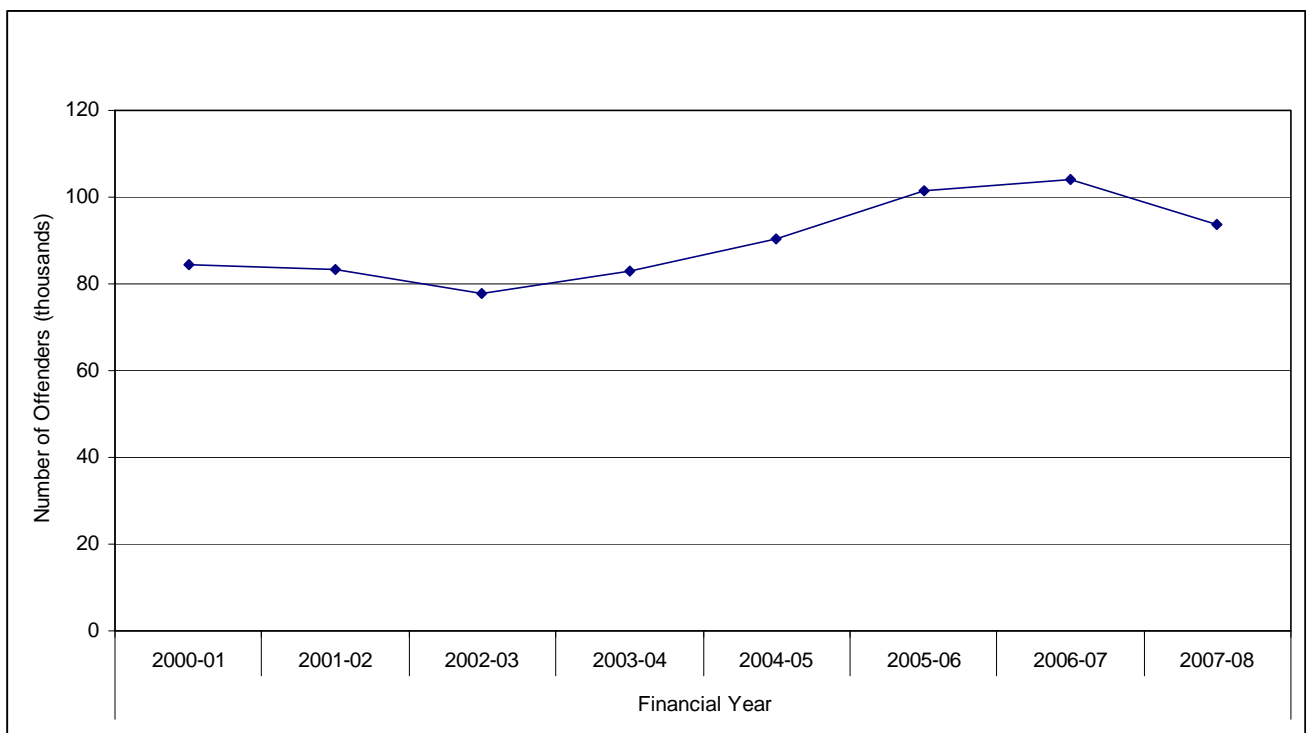
Table 1: Number and rate of 10-17 year olds receiving a reprimand, warning or conviction for the first time, England^{1,2} 2000-01 to 2007-08

	Financial Year							
	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08
Number ³	84,499	83,422	77,912	82,782	90,528	101,507	103,955	93,601
Rate per 100,000 10-17 year olds ⁴	1,683	1,635	1,509	1,597	1,746	1,965	2,031	1,840

These figures are taken from the statistical release, "DCSF: First-time Entrants Aged 10-17 to the Criminal Justice System in England, 2000-01 to 2007-08", 10 November 2008.

1. These are estimated figures. Juvenile first time entrants have been mapped to individual English Local Authorities using the home address or postcode recorded by the police on the PNC. For those with no address recorded, a model based on the patterns of offenders dealt with by police stations has been used to allocate offenders to Local Authorities – the English Local Authority figures are then aggregated to give the total for England. Therefore caution must be taken when using these figures.
2. Figures are provisional and subject to later revision as more information is recorded by the police.
3. The allocation model described in note 1 means that the number of 10-17 year old first-time entrants estimated to be in each Local Authority, and therefore the England total, may not be whole numbers.
4. Figures for the number of 10-17 year olds in the population are from mid-year population estimates produced by the Office for National Statistics.

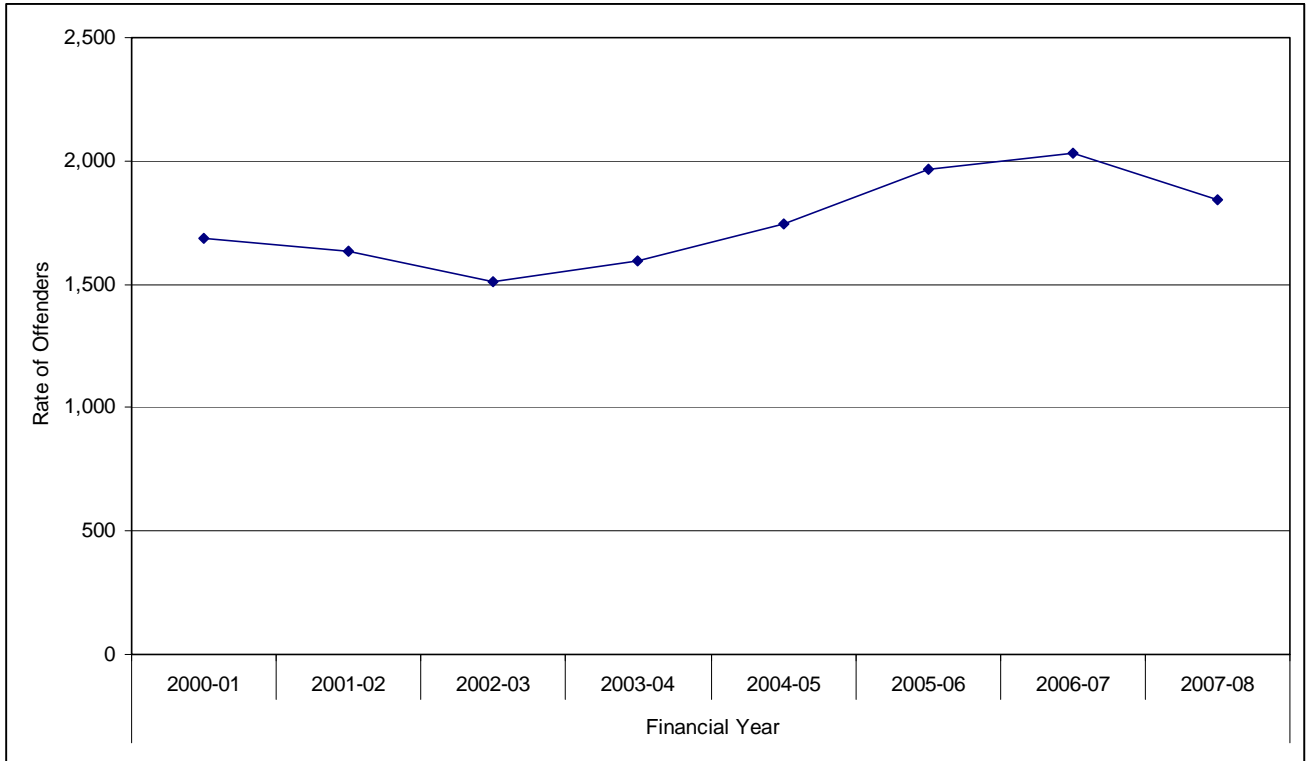
Chart 1a: Number of 10-17 year olds receiving a reprimand, warning or conviction for the first time, England 2000-01 to 2007-08



These figures are taken from the statistical release, "DCSF: First-time Entrants Aged 10-17 to the Criminal Justice System in England, 2000-01 to 2007-08", 10 November 2008.

See table 1 notes.

Chart 1b: Number of 10-17 year olds receiving a reprimand, warning or conviction for the first time per 100,000 10-17 year olds, England 2000-01 to 2007-08



These figures are taken from the statistical release, "DCSF: First-time Entrants Aged 10-17 to the Criminal Justice System in England, 2000-01 to 2007-08", 10 November 2008.

See table 1 notes.

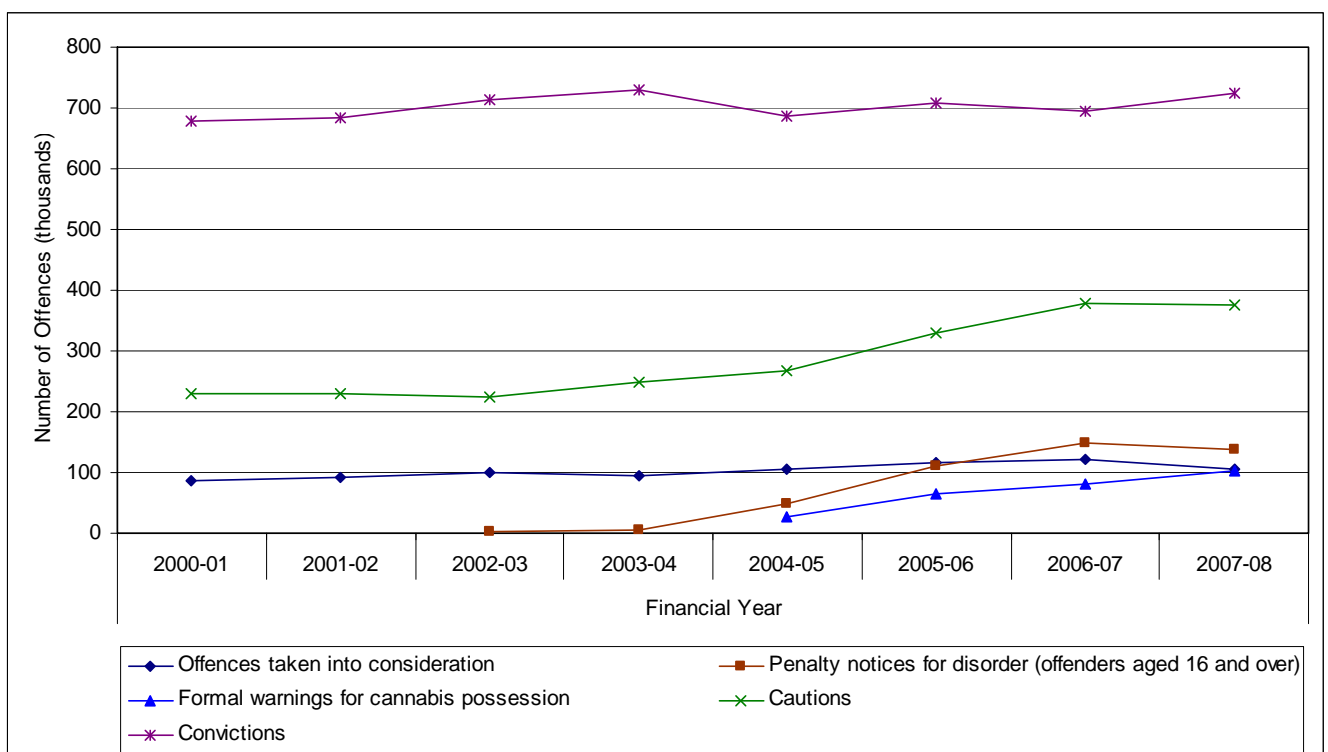
Table 2: Number of offences brought to justice in England and Wales by outcome and numbers of recorded crimes 2000/01 - 2007/08¹

	Financial Year							
	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08
Offences taken into consideration ²	87,458	91,555	99,267	95,261	105,889	117,123	120,516	106,692
Penalty notices for disorder ³	*	*	1,691	4,294	49,104	110,037	147,393	136,951
Formal warnings for cannabis possession ⁴	*	*	*	*	26,377	63,850	80,881	102,500
Cautions ⁵	228,814	228,397	224,649	248,288	268,199	328,686	379,685	375,390
Convictions	679,287	683,404	712,343	729,103	687,822	708,465	694,396	724,179
Total OBTJ	995,559	1,003,356	1,037,950	1,076,946	1,137,391	1,328,161	1,422,871	1,445,712
Recorded crimes ⁶	5,161,777	5,525,024	5,897,696	5,934,577	5,559,622	5,478,789	5,351,154	4,882,796

These figures are taken from the statistical release, "Criminal Statistics, England and Wales 2007", 27 November 2008.

1. Excludes British Transport Police. Includes offences committed by offenders of all ages.
2. Offences taken into consideration by the court and previously recorded by the police; figures for April 2004 onwards include offences not previously recorded.
3. Piloted in 2002 and introduced nationally in 2004.
4. Introduced in April 2004.
5. Includes reprimands and final warnings for juveniles.
6. The introduction of the National Crime Recording Standards (NCRS) in April 2002 resulted in significant increases in the number of crimes recorded.

Chart 2: Number of offences brought to justice in England and Wales by outcome 2000/01 - 2007/08¹



These figures are taken from the statistical release, "Criminal Statistics, England and Wales 2007", 27 November 2008.

See table 2 notes.

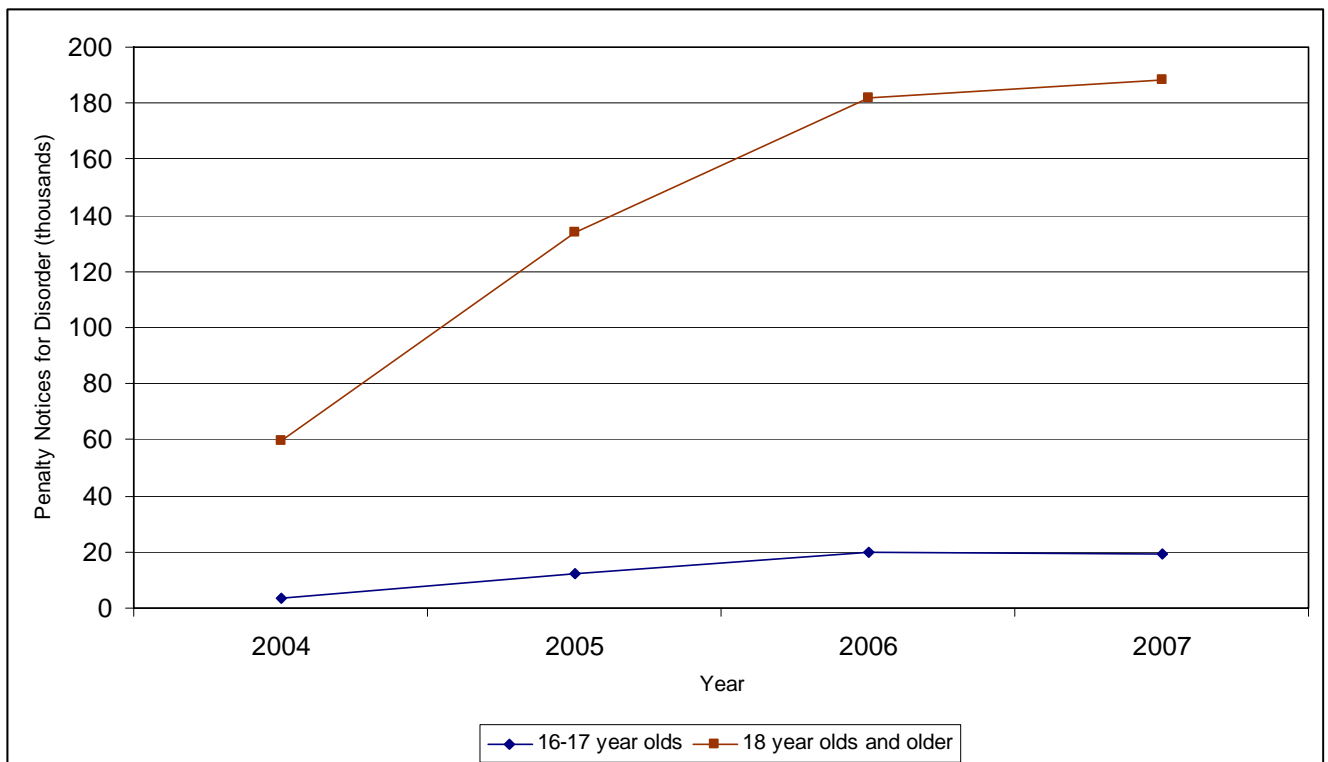
Table 3: Number of Penalty Notices for Disorder issued to all persons aged 16 and over, by age group and year, England and Wales 2004-2007

	Year			
	2004	2005	2006	2007
16-17 year olds	3793	12454	19598	19,246
18 and over	59846	134027	181599	188,298
All ages	63639	146481	201197	207,544

These figures are taken from the statistical release, "Criminal Statistics, England and Wales 2007", 27 November 2008.

1. PNDs were piloted in 2002 and introduced nationally in 2004.
2. These figures include all PNDs issued – i.e. not just those included in the OBTJ statistics.

Chart 3: Number of Penalty Notices for Disorder issued to all persons aged 16 and over, by age group and year, England and Wales 2004-2007



These figures are taken from the statistical release, "Criminal Statistics, England and Wales 2007", 27 November 2008.

See table 3 notes.

NOTES

Definitions

1. A first-time entrant to the criminal justice system in this release is defined as a young person receiving his or her first criminal sanction under the age of 18, where a criminal sanction is either a reprimand, a final warning (with or without intervention) or a conviction.
2. The rate of first-time entrants aged 10-17 to the criminal justice system per 100,000 10-17 year olds in the population is based on Office for National Statistics mid-year population estimates. For each financial year, the mid-year population estimate for the first year has been used. For example, the 2007 mid-year population estimate has been used to calculate the rate in 2007-08.
3. The offences brought to justice statistics covers offences dealt with as a result of a conviction, caution, reprimand, warning, penalty notice for disorder (PND) or formal warning for cannabis possession, as well as offences taken into consideration (TICs) from offenders of all ages, including companies.

Calculation of Local Authority Figures

4. Local Authority figures have been calculated by mapping individuals to Local Authorities using the home address or postcode recorded by police on the PNC – the figures for England are then found by aggregating all the English Local Authority figures. For those with no address recorded, the offence postcode has been used. For those with no address or offence postcode, a model based on the patterns of offenders dealt with by police stations has been used to allocate offenders to Local Authorities. In 2007-08, 89% of cases were mapped to Local Authorities using the home address or postcode, 4% were mapped using the offence postcode, and 7% were allocated to Local Authorities using the model.

Data Source, Coverage, Quality and Rounding of the FTE figures

5. The allocation model described in paragraph 4 means that the number of 10-17 year old first-time entrants to the criminal justice system estimated to be in each Local Authority (and therefore the England total) may not be whole numbers.
6. The figures presented in this release have been taken from the Ministry of Justice's extract from the PNC, the operational database used by all police forces in England and Wales. The PNC covers 'recordable' offences, which are defined as offences that can attract a custodial sentence plus some additional non-custodial offences defined in legislation. Some non-recordable offences are also included on the PNC, particularly when they accompany recordable offences in the same case. Like any other large scale administrative database the PNC is subject to delays and errors on data entry and processing. All the figures shown in this release may be subject to later revision as more information is recorded by the police.
7. The Youth Justice Board (YJB) has published the number of first-time entrants aged 10-17 to the criminal justice system in 2005-06, 2006-07 and 2007-08. The YJB figures are aggregated from data collected from Youth Offending Teams (YOTs). The discrepancies in the figures published by YJB and those in this release reflect a difference in coverage (the YJB statistics relate to England and Wales, whilst the figures in this publication relate to England only) as well as data leakage between police and YOTs and recording issues which may mean young people are allocated a different entry date etc.

Data Source, Coverage, Quality and Rounding of the OBTJ and PND figures

8. Every effort is made to ensure that the figures presented in this publication are accurate and complete. However, it is important to note that these data have been extracted by the courts and police forces from a variety of administrative data systems and the detail supplied to the Office for Criminal Justice Reform – Evidence and Analysis Unit is therefore subject to the inaccuracies inherent in any large-scale recording system. Although some figures in this volume are shown to the last digit, the figures are not necessarily accurate to the last digit shown. It is important that users of the data take these limitations

into account when using and interpreting the data presented in this release.

9. Where the statistics shown are rounded, the components may not add exactly to the rounded total because they have been rounded independently. Symbols and conventions used:

* = not applicable

General

10. Enquiries (non-media) about information contained in this Statistical Release should be addressed to Youth Research Team, 4th Floor Sanctuary Buildings, Great Smith Street, London, SW1P 3BT or email Richard.Lumley@dcf.gsi.gov.uk or alternatively to Office for Criminal Justice Reform – Evidence and Analysis Unit by email to cjea@cjs.gsi.gov.uk.
11. Media enquiries about information contained in this Statistical Release should be made to the Department's Press Office at DCSF, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT or telephone 020 7925 6789 or alternatively to Ministry of Justice (020 3334-3536).
12. Department for Children, Schools and Families statistical releases can be obtained from: <http://www.dcf.gov.uk/rsgateway>. Ministry of Justice statistical bulletins may be obtained from: www.justice.gov.uk/publications/statistics.htm.