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PROFILES OF CRIMINAL JUSTICE SYSTEMS IN EUROPE AND NORTH AMERICA 1990–1994

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Foreword

This report and the companion volume "Crime and Criminal Justice Systems in Europe and North America 1990-1994" (HEUNI publication no. 32, Helsinki 1998) are the result of an analysis of European and North American national responses to the Fifth United Nations Survey of Crime Trends and Operation of Criminal Justice Systems (1990-1994). The working group has supplemented the responses with a large amount of other data, in particular the data emerging from the mammoth International Crime Victim Survey (ICVS).

The data and how the analysis was carried out are described in the companion volume. The present volume provides a national perspective on the data. It contains profiles of 51 criminal justice systems in Europe and North America. The "mini-states" of the Holy See, Monaco and San Marino, which to a large extent rely on the criminal justice system of a neighbouring country, are not included. Insufficient data were available on Bosnia-Herzegovina to prepare a profile.

Each basic profile contains three parts. Part one provides background information on the structure and development of the criminal justice system. Part two provides a basic set of data: selected data on victimisation, offences reported to the police, sanctions imposed by the courts, prison population, and personnel and resources. Part three is an attempt to see how various demographic, economic and social factors can help to explain some of the differences and patterns detected in crime trends and the operation of criminal justice.

The analysis relies on a set of indices developed expressly for this report. Six of the indices seek to describe various dimensions of crime (violent crimes, violence against women, burglaries, motor vehicle crimes, petty crimes, and corruption). The violent crime index, in turn, is a composite of a homicide index and a non-fatal violence index.

One index seeks to measure the opportunity for property crime, and another index seeks to measure the amount of "strain" in society. Three indices seek to describe various dimensions of the operation of criminal justice: the resources available to the criminal justice system; gender balance among criminal justice personnel; and public satisfaction with the performance of the police.

The use of the indices should not be understood to suggest that the crime situation or the operation of the criminal justice system in different countries can readily be compared with some "ideal model". Furthermore, it should

be noted that the analysis uses macro-level data, which ignore local differences in rates.

The profiles were prepared by an international expert group consisting of Dr Carolyn Block (the United States), Prof. Jan J.M. van Dijk (the Netherlands), Dr Matti Joutsen (HEUNI), Prof. André Kuhn (Switzerland) and Prof. Ineke Haen Marshall (the Netherlands/the United States). Mr John van Kesteren (the Netherlands) and Ms Lieke Bootsma (the Netherlands) have assisted with the statistical analysis.

In many cases, the profiles were based on those presented in the European and North American report on the results of the Fourth United Nations Survey (1985-1990) (HEUNI publication no. 26). All of the draft profiles have been sent for comment to the authorities and national experts in the countries in question, and valuable additional material has been received in this manner. HEUNI would like to express its sincere gratitude to all who have contributed.

Following the receipt of comments, we have unified the format of the profiles, and some of these comments and data have not been used here. Nonetheless, readers who are interested in fuller information regarding individual countries are invited to contact HEUNI.

Throughout the preparation of this report, we have had several occasions to note that new data are constantly emerging. We have sought to incorporate as much of these data as possible. However, we anticipate that new data will be made available, and that readers may detect errors in the present report. We have therefore decided to publish the report also in an electronic format at HEUNI's website, *http://www.vn.fi/om/heuni/* and keep the data updated at regular intervals.

Readers are therefore invited to submit their comments to us at *heuni@om.vn.fi*

To the reader

The data used in this report and in the companion volume are taken primarily from the responses submitted to the Fifth United Nations Survey of Crime Trends and Operations of Criminal Justice Systems and the International Crime Victim Survey by the countries in question. In many cases, supplemental data have been used, and the sources are cited.

In the process of the validation of the data, a number of presumable errors were noted. These often appeared to be errors in understanding the questions, or errors in transcription. In such cases, the respondents have been asked to comment on the matter. Replies were received from most, but not all, of such respondents.

Sections 1.3 and 1.4 of the companion volume note many of the difficulties in analysing official or research data on crime and criminal justice from different countries. The importance of bearing these cautions in mind when reading the present report cannot be stressed too highly.

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Introduction

This report consists of national profiles of 51 European and North American countries. The profiles are based on an analysis of the responses to the Fifth United Nations Survey of Crime Trends and Operation of Criminal Justice Systems (1990-1994). This was supplemented by other information available to the members of the expert group that performed the analysis. This expert group consisted of Dr Carolyn Block (United States), Prof. Jan J.M. van Dijk (the Netherlands), Dr Matti Joutsen (HEUNI), Ms Kristiina Kangaspunta (HEUNI), Prof. André Kuhn (Switzerland) and Prof. Ineke Haen Marshall (the Netherlands/United States). Ms Natalia Ollus (Finland) and Mr Sami Nevala (Finland) have overseen the compilation of the data and the editing. Mr Johan van Kesteren (the Netherlands) and Ms Lieke Bootsma (the Netherlands) have assisted with the statistical analysis.

Each profile seeks to provide background information on the criminal justice system, trends in crime, criminal justice resources and the performance of the criminal justice system. Where possible, additional sources of information have been utilised.

The profiles have been prepared by individual members of the expert group, and sent to the authorities and experts in the respective countries for review. We have sought to take into full account the many valuable comments and additional data that these authorities and experts have provided. We have, however, subsequently unified the format of the profiles, and some of these comments and data have not been used here. Nonetheless, readers who are interested in fuller information regarding individual countries are invited to contact HEUNI.

The pitfalls and shortcomings and perhaps even the impossibility of using macro-level indicators to make reasonable international comparisons of crime and criminal justice operations have been extensively documented elsewhere (Neapolitan 1997). There is no need to further elaborate on this point: there *are* enormous problems associated with macro-level comparative research in crime and criminal justice. That is the bad news. But there is also some good news.

The good news is that criminologists interested in cross-national surveys have made tremendous progress over the last several decades. Not only has international scholarly exchange become commonplace, there has also been an explosive growth in the quality and amount of macro-level data on crime and criminal justice available for analysis. One such example is the United Nations Surveys on Crime Trends and Operations of Criminal Justice Systems, which are now entering their sixth cycle. In response to the Fifth United Nations Survey, a larger number of countries than ever before participated and provided useful data – many more so than in the earlier surveys.

In addition to the United Nations Surveys, several other comparative data sources relevant to crime and criminal justice issues have been developed. The growing availability of international macro-level data now allows more creative solutions to the issue of international comparisons than ever before was possible.

Two problems in particular plague international research using official crime and criminal justice statistics: (l) missing data, and (2) incorrect or inconsistent data. We believe that sufficient research data and supplemental statistical data have become available to merit an exploration of the utility of *indicators* in making cross-national comparisons of trends in crime and criminal justice.[1] The use of indicators solves, to a certain degree, the key problems of missing data and data inconsistency. The goal of the research presented in the present report and in the companion volume was to identify robust, accurate and reliable cross-national indicators of crime and criminal justice operations that may be of relevance in policy development. It is our contention that – because this approach combines information from several sources, and takes data consistency into account – issues of data quality and data availability are less problematic than in many other cross-national comparisons. Also, these indices function as a data reduction technique, making data analysis more manageable and easier to interpret.

1 Crime and criminal justice system indices

In the preparation of the present project, a total of 13 indices were developed. Each of these indices reflects, to varying degrees, theoretical considerations, empirical considerations (i.e., the degree of interrelationship between the source variables), as well as pragmatic considerations (i.e. which data are available). (These considerations are discussed in greater detail in the companion volume.) The 13 indices are as follows:

A. Crime indices

– Burglary index
– Homicide index
– Non-fatal violence index
– Violence against women index
– Motor vehicle crime index
– Petty crime index
– Corruption index

[1] For a recent demonstration of this, see Maguire et al 1998.

B. Opportunity and motivation indices

– Opportunity for crime index
– Motivation for crime index

C. Operation of the criminal justice system indices

– Law enforcement resources index
– Criminal justice practitioner gender balance index
– Citizen evaluation of police performance index

2 Construction of the crime and criminal justice system indices

The construction of these thirteen indices is based on the fact that a number of data sources are available on a country's level of different types of crime and on different aspects of the operation of its criminal justice system, but no single data source provides information for all countries, and each source has some questionable data for individual countries. Instead of choosing a single data source, therefore, we combined information from all available data sources into individual indices. The purpose of each index is to produce a robust index of the dimension in question that uses all available information, is accurate and reliable, and is easy to interpret.

We had several goals and considerations in mind in building each index.

1. The most important goal was to use *all of the data available*, and to keep the number of countries with missing information as small as possible.
2. A second goal was to use, whenever possible, *more than one data source*. An index based on data consistent across several sources will be more reliable and robust than an index based on a single-source measurement.
3. A third goal is to include measurement of *different dimensions* of the phenomenon. For example, the Serious Violence Index recognises that violent crime includes more than lethal violence. Therefore, the Serious Violence Index measures different dimensions of violence by including also non-lethal violence (assault and robbery).
4. Recognising the lack of precision inherent in each individual indicator, a fourth goal was to avoid placing undue credence on the pin-point accuracy of a country's rate on a single data source. Instead, we used a country's *rank-ordering* on each data source. We employed countries' rankings in several part of our analysis, yet a central focus of the analysis was a country's *quartile* position on each source variable, as well as on the composite indices – whether the country ranked in the highest, second,

third, or lowest 25 percent relative to other countries. The purpose of this is to focus attention away from countries falling in the mid-range, and instead to emphasise examining the differences between those countries that consistently have rates of serious violence that are very high and those countries that consistently have very low rates.

The process involved the following steps:

Step 1: Identification of available international data (e.g. Fifth UN Survey; ICVS data; WHO data; Centers for Disease Control data).
There will inevitably be differences between data sets. These differences are due to several factors: change from year to year in the actual level of the dimension being measured (whether homicide, opportunity for crime, public satisfaction with the performance of the police or whatever), differences in the "mix" of high-rate versus low-rate countries reporting in a given data set, and some individual anomalies within each data set. For these reasons, it is more valid to combine all of the available information into a single overall index. This reduces the effects of a particular year, a particular mix of countries, or other situations unique to a single data set. The result is a more "robust" indicator of relative levels of the dimension being measured. (For a further discussion of this, including cautions regarding such an approach, see pp. 10-11 of the companion volume.)

In addition, each of the data sets contains some questionable data. Using multiple data sources reduces the potential effect of such anomalies.

Step 2: Determination of countries' rank order for each of the data sources.
For each of the constituting variables, a ranking for the countries is computed. The country with the lowest score is assigned a value of one. The highest rank number depends on the number of countries for which the data are available.

Since the number of countries for which data are available is not the same for the several source variables, we needed to standardise this ranking. This is done by dividing the rank by the number of countries for which that data are available and multiplying by 100. For example, if data are available for 20 countries, the initial rankings are 1 through 20. After standardisation, the lowest ranking is 5 (100*1/20). If data are available for 50 countries, the lowest ranking is 2 (100*1/50) followed by 4 and 6. In all instances, the highest standardised ranking is 100.

Step 3: Calculating the index by averaging the standardised rankings.
The next step consists of simply averaging the (standardised) rankings, adjusting for the availability (or lack thereof) of data by the size of the denominator (i.e., if there are data on two source variables, the total is divided by 2; if there are data on all 5 source variables, the total is divided by 5).

This rank-averaging method has one major drawback: countries which have only one or two data points base their rankings on fewer data points than countries with more complete information. Also, the relative ranking of each country on a particular source variable is determined by the (coincidental) mixture of countries on that variable. The advantage is that this method minimises the loss of cases, plus maximises the use of all pertinent data simultaneously (i.e., it is a summary measure).

Step 4: Concentrating on countries in the top and bottom quartile.
In the early stages of the project, initially the decision was made to focus exclusively on the countries which, on the basis of available data, could with a high degree of certainty be qualified as either low crime (i.e., homicide, burglary, corruption, and so on) or high crime countries. If a country had high scores on most source variables and no low scores on any others, it was classified as a high (homicide, burglary, corruption) country. In other words, countries were classified as high if their source variables consistently indicated high or at least moderately high levels of homicide. Countries that scored high on some variables and low on others were classified in an intermediate group (a group about which *inconsistent* information is available). Countries about which no information was available on most source variables were classified in a second intermediate group (a group about which *insufficient* data are available). The low crime category was constructed in a way comparable to the high crime category: countries consistently showing low or moderately low scores on all source variables were classified as low crime (homicide, burglary, corruption) countries. This procedure resulted in dichotomies between low crime and high crime countries for all eight types of crime. This procedure had the advantage that certain countries could be classified with a high degree of certainty as experiencing low or, alternatively, high levels of particular types of crime (e.g. homicide, burglary, corruption).

An important drawback appeared to be that almost half of the countries could not be classified as either high or low. They ended up in one of the two intermediate categories. As a consequence no useful information was available about the level of crime in half of the countries. A second drawback was that a dichotomous variable overlooks the differences *within* the high and low crime groups (no differentiation is made between countries with very high and those with moderately high levels of crime). The possibilities of multivariate analyses of the correlates of crime indices are severely restricted if the indices only differentiate between low and high crime countries.

After careful consideration, we decided to supplement the initial approach by using the “averaging ranking method” instead. This procedure results in rank numbers for all countries instead of the dichotomy between high and low crime countries with many countries in the intermediate categories. We did check how the “averaging ranking” method compared with the initial dichotomy of high crime and low crime countries. We found that the ranking

method correlated highly with the old dichotomous rankings.[2] Countries with higher rank numbers were almost without exception also classified as high crime countries according to the initial procedure. Thus, in the end we decided to actually use the countries with inconsistent data (by averaging the rankings on the source variables), abandoning the initial decision not to analyse the countries that were classified in the intermediate categories because of data inconsistency.

However, the main focus of each index remains on the differentiation between those countries with consistently high rates of whatever is being measured (homicide, burglary, corruption and so on) relative to other countries, and those countries with consistently low rates – as measured by the multiple data sources. Incidentally, we also believe that *theoretically*, it may be more productive to focus our analysis primarily on countries at the top or at the bottom with regard to the various crime and criminal justice indicators, rather than those in the intermediate ranges.

3 Are international crime and criminal justice comparisons possible on the basis of quantitative data?

We have already noted that each of the data sets used in preparing the present report have disadvantages, missing values, suspect values and so on. It is precisely these types of difficulties which have led many criminologists to conclude that comparisons of crime and criminal justice – using data such as those collected by the United Nations Surveys – should not be made internationally.

It is the view of the expert group, nonetheless, that sufficient data are emerging to attempt precisely such comparisons. Bundling different sets of data together as an index makes for more robust measures. If for example different indicators suggest that a country has an unusually large amount of violent crime, then there are reasonable grounds to assume that the indicators are correct, and that this country does indeed have an unusually large amount of violent crime. However, regardless of how painstakingly we try to create valid macro-level indicators, we should not overlook the fact that the source variables remain imprecise and open to systematic or random fluctuations.

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[2] The correlation coefficients between the dichotomy (with the first intermediate group – with inconsistent data – as an "in between" category) and the ranking method were as follows: for burglary .68 (n=35; p=0.000), for motor vehicle crime .81 (n=44; p=.01), for petty crime (n.a.), for homicide .87 (n=47; p=0.000), for serious violence .82 (n=48; p=0.000), for violence against women .83 (n=43; p=0.000), and for corruption .76 (n=41; p=.01). Since the "dichotomous" variable has three categories, the maximum correlation can never reach 1.00. The highest possible correlation is about 0.92.

It is, therefore, not advisable to stress individual country-differences too much, to place too much emphasis on individual variations. Instead, at this stage of development in methodology and data collection, the best we could strive for is to be able to categorise countries in very general ways. Indeed, the main purpose of our analysis is to place crime and criminal justice data in a given country against a background of comparable data for all European and North American countries as a whole. It is this that is the underlying idea of this report.

4 Other data used in the preparation of the profiles

In order to ensure that all members of the HEUNI expert group were using the same data in the preparation of the profiles, all the data, including the indices, were entered into a document that came to be known as the "HEUNI Crime Guide". This was in effect a database consisting of data from various sources. The primary sources of data are the Fifth United Nations Survey on Crime Trends and Operations of Criminal Justice Systems (1990-1994), and the International Crime Victim Surveys (ICVS) (collected in 1989, 1992, and 1996). Other sources include e.g. Transparency International, the World Competitiveness Survey, the World Health Organization, Interpol, the Centers for Disease Control, the World Bank, the Human Development Report, UNICEF, UNESCO, World Drink Trends, the World Values Study, and the Council of Europe. These sources have been used throughout, and are not separately cited in each of the profiles.

The data in the Crime Guide are divided into five separate spreadsheets: crime and attitudes, motivation and opportunity, policy indicators, the criminal justice system, and sanctions. In addition to these basic spreadsheets there are three sheets with the rank-based indices: crime indices, motivation and opportunity indices, and operation of the criminal justice system indices.

The basic data sources used in creating the five main spreadsheets are noted on pp. 145-148 in the companion volume.

5 ICVS data in the Crime Guide

Levels of aggregation

There are two types of surveys in the ICVS. In all the industrialised countries, the surveys were nation-wide. Based on the town size, information could also be extracted on urban and rural areas. For most of the countries in Central and Eastern Europe, the surveys were restricted to the capital cities. For some

of these countries, the surveys were extended to a rural area in the country, where about 200 interviews were done. Urban data is therefore available for every survey, while nation-wide and rural information is not always available.

Countries and sweeps

There were three sweeps of the ICVS: 1989, 1992 and 1996. However, some surveys were done in other years: Spain (the region of Malaga in 1993 and 1994) and Estonia 1995. Seven surveys were done in 1997 (Belarus, Bulgaria, Croatia, Lithuania, Malta, Slovakia, and Ukraine). Not all countries participated in all of the ICVS sweeps. The main reason for this was the availability of funding. For the industrialised countries we had to depend on the willingness of each country to finance their own fieldwork (table E2 of the companion volume (pp. 194-195) indicates which countries participated in the sweeps). To make comparison possible between countries we decided to compute the average over all available sweeps. This is justified if we assume that differences within a country over a period of seven years are smaller than the differences between countries.

Victimisation

The ICVS data of the profiles include data on total contact crimes, burglary, violence against women and theft of car. Contact crimes include robbery, sexual offences (women only) and assaults and threats. Burglary is here burglary with and without forced entry. Violence against women includes sexual and non-sexual assaults against women, threats and sexual offensive behaviour are excluded. Theft or car gives the percent victimisation for the total population. All the victimisation statistics are prevalence rates, that is, the percentage of respondents who have been victimised at least once in a period of one year. The victimisation rates for violence against women indicate the percentage of female respondents victimised once or more in a period of *five* years.

For further information on the ICVS and the use of the ICVS in this analysis, please see pp. 148-149 and 189-195 in the companion volume.

6 Preparation of the criminal justice profiles

This report covers European and North American countries. The “mini-states” of the Holy See, Monaco and San Marino, which to a large extent rely on the criminal justice system of a neighbouring country, are not included. Insufficient data were available on Bosnia-Herzegovina to prepare a profile. Tadjikistan, Turkmenistan and Uzbekistan were not included; however, data

were provided to HEUNI on Kazakhstan and Kyrgyzstan, and therefore profiles were prepared on these two countries.

In making rough international comparisons, we have computed the mean (in some cases, median) value for three regions: all European and North American countries, Central and Eastern European countries (using the UN grouping of "Eastern Europe") and the fifteen European Union countries. The use of the European Union countries instead of "Western Europe and North America" was due to the strong political interest more broadly throughout Europe (East and West) in comparing countries to the general "yardstick" of the European Union norm.

If data are indicated as missing in the present profiles this means that the data were either not provided in the original response to the Fifth United Nations Survey, or that the data could not be obtained any other way.

All of the profiles have been sent to the authorities and selected experts in the countries in question for validation. Most did indeed respond and provided many useful comments and amendments to the profiles, especially to the first part, concerning background information on the criminal justice system. All of the contributors are acknowledged at the beginning of each profile, and we are most grateful to them for their contribution.

Following the receipt of comments, we have unified the format of the profiles, and some of these comments and data have not been used here. Nonetheless, readers who are interested in fuller information regarding individual countries are invited to contact HEUNI.

In the short span of time between the publication of the companion volume and the preparation of the present report, we have received Fifth United Nations Survey responses and/or substantial other background material on Albania, Iceland, the Republic of Ireland, Israel and Poland. Since all or some data were missing for these countries during the preparation of the indices for the first publication, these countries lack any score on most of the indices used in part three of the present profiles.

Also otherwise, throughout the preparation of this report, we have had several occasions to note that new data are constantly emerging. We have sought to incorporate as much of these data as possible. However, we anticipate that new data will be made available. We are also aware that even the process of validation cannot rule out the possibility of errors.[3] We have therefore decided to publish the report also in an electronic format at HEUNI's website, *http://www.vn.fi/om/heuni/* and keep the data updated at regular intervals.

Readers are therefore invited to submit their comments to us at *heuni@om.vn.fi*

[3] In some cases, profiles have been revised on the basis of new data after having been reviewed by the authorities and experts, and so they cannot be held "responsible" for any errors included in the data.