



Data UNODC - Metadata Information



Access and Functioning of Justice

The tables on access and functioning of justice include national figures on persons suspected/arrested/cautioned, persons prosecuted, and persons convicted for all crimes and for selected crimes. They also include data on persons brought before criminal court by type of legal representation. National data are submitted by Member States to UNODC through the United Nations Survey of Crime Trends and Operations of Criminal Justice Systems (UN-CTS) or other means.

Dataset characteristics

Access link: <https://dataunodc.un.org/dp-cjs-persons-convicted>

Last update: 06/06/2022

Base period: Calendar Year

Data source(s): National data on the access and functioning of justice collected through the UN-CTS, Population data from the United Nations Department of Economic and Social Affairs, Population Division. Please see below for national data collection sources.

Contact

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Statistical concepts and definitions

The UN-CTS is the source of the definitions for the following variables disseminated in these tables.

Criminal justice process

Persons prosecuted: Alleged offenders against whom prosecution commenced in the reporting year. Persons may be prosecuted by the public prosecutor or the law enforcement agency responsible for prosecution. All persons for which prosecution starts are included, irrespective of the case-ending decision.

Persons brought before the criminal courts: Persons brought before any legal body authorized to pronounce a conviction under national criminal law, whether the person is finally acquitted or convicted, at the national level. Persons brought before court in a plea-bargaining procedure, or in an abbreviated procedure, are included.

Persons convicted: Persons found guilty by any legal body authorized to pronounce a conviction under national criminal law, whether or not the conviction was later upheld. Persons receiving a sentence after plea-bargaining, or in an abbreviated court procedure, are counted as persons convicted.

Legal representation: Representation by a lawyer before a prosecutor, court or tribunal.

Paid legal representation – At no cost for the beneficiary: Free of charge representation by a lawyer in court; potential providers include national/federal government (e.g. public defender's office), Civil-Society Organizations (CSOs), private lawyer schemes (e.g. pro bono), or any other private or public institution.

Selected crimes

The [International Classification of Crime for Statistical Purposes \(ICCS\)](#) is the source of the definitions for these categories. The classification includes more information on what is included and excluded for each of the acts defined below:

Bribery (ICCS 07031): Promising, offering, giving, soliciting, or accepting an undue advantage to or from a public official or a person who directs or works in a private sector entity, directly or indirectly, in order that the person act or refrain from acting in the exercise of his or her official duties.

Drug possession (ICCS 06011): Unlawful possession, purchase, use, cultivation or production of controlled drugs for personal consumption.

Drug trafficking (ICCS 06012): Unlawful offering, offering for sale, distribution, sale, delivery, brokerage, dispatch, dispatch in transit, transport, importation, exportation, cultivation, production, manufacture, extraction or preparation of controlled drugs or precursors not in connection with the use or possession of drugs for personal consumption.

Intentional homicide (ICCS 0101): Unlawful death inflicted upon a person with the intent to cause death or serious injury.

Rape (ICCS 03011): Sexual penetration without valid consent or with consent as a result of intimidation, force, fraud, coercion, threat, deception, use of drugs or alcohol, abuse of power or of a position of vulnerability, or the giving or receiving of benefits.

Indicator definitions, statistical and measurement units

Total, by citizenship and by type of legal representation: The counting unit is the individual person. The focus is on the total number of persons at a given stage of the criminal justice process. Each person is counted once, irrespective of the number of crimes committed.

By selected crimes: The counting unit is the person in reference to an offence. The focus is on the flow of persons through the criminal justice process in reference to selected crimes. Each person is counted separately in reference to crime occurrence.

Rates are calculated as follows:

$$Rate_{convicted} = 100,000 * \frac{Persons_{convicted}}{Population}$$

Use and interpretation of data

Multiple factors such as the functioning of the criminal justice system, whether the institutions are reporting data using the principal offence rule (if a person commits two or more offences, it is counted once) or not, the coverage of the data and the adoption of international statistical definition at the national level all have an impact on these data. However, they remain extremely useful to understand the functioning of the criminal justice systems of different countries.

Data sources and method of collection

The data come from administrative registers managed by different institutions of the criminal justice systems. The data on persons suspected, or arrested, or cautioned are usually collected by the police, the data on prosecution by the prosecutor's office, and the data on persons brought before the criminal courts and persons convicted by the courts.

These data are collected from national authorities with the annual United Nations Survey of Crime Trends and Operations of Criminal Justice Systems (UN-CTS). National focal points working in national agencies responsible for statistics on crime and the criminal justice system and nominated by the Permanent Mission to UNODC are responsible for compiling the data from the other relevant agencies before transmitting the UN-CTS to UNODC. Following the submission, UNODC checks for



consistency and coherence with other data sources. Member States which are also part of the European Union or the European Free Trade Association, or candidate or potential candidate to the European Union are sending their response to the UN-CTS to Eurostat for validation.

Data submitted by Member States through other means or taken from other sources are added to the dataset after review by Member States.

The population data is sourced from the World Population Prospect, Population Division, United Nations Department of Economic and Social Affairs.

Suggested citation

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