

PRINCIPLES AND FRAMEWORK FOR AN INTERNATIONAL CLASSIFICATION OF CRIMES FOR STATISTICAL PURPOSES

REPORT OF THE
UNODC/UNECE TASK FORCE ON CRIME CLASSIFICATION

Report to the Conference of European Statisticians

September 2011



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Disclaimers

This report has not been formally edited.

The contents of this report do not necessarily reflect the views of policies of UNODC or UNECE or contributory organizations and neither do they imply any endorsement.

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EXECUTIVE SUMMARY AND RECOMMENDATIONS

The main objectives of the Task Force on Crime Classification were to develop a set of principles on international crime classification systems for statistical use, in particular to improve consistency and international comparability of crime statistics, and to undertake a case study of defining and classifying selected offences. In addition the Conference of European Statisticians requested the Task Force to collaborate with the European Commission on the development of an EU level classification.

The Task Force considers that the five principles of exhaustiveness, structure, mutual exclusiveness, description, and progressive implementation represent an appropriate basis on which to found an international classification of crimes for statistical purposes. The Task Force finds that an *act/event-based* classification is the required unit of classification and that in order to accurately describe crime acts/events, any international crime classification would need to examine attributes of the *target* of the act/event, the *seriousness* of the act/event, the *intent* of the perpetrator, the *modus operandi* of the act/event, the *degree of completion* of the act/event, the *degree of co-responsibility* of other persons involved in the act/event, the *sex and age* of victims and perpetrators, and the *policy area* of the act/event.

When these principles are tested through the construction of a *framework* for an international crime classification, the Task Force finds that an appropriate structure may consist of classification levels described by act/event elements, with accompanying horizontal attribute 'tags', i.e. attributes assigning additional labels to identify crimes according to their seriousness/policy relevance (such as intimate partner violence or organized crime). Guidance as to common legal crime definitions which may be included in each classification category may be required in the form of 'legal inclusions', which will assist countries in assigning crimes classified according to national penal codes to the international framework classification. An international crime classification built on the identified principles and in a manner similar to the framework presented in this report should be capable of classifying both data at the point of recording and existing statistical data, for both administrative and survey-based systems. In principle, such an international crime classification could be applied throughout the criminal justice system.

The Task Force considers that two case studies, concerning fuller international classification of acts leading to death, and the compatibility of an international crime classification system with the classification of robbery in one country, have further demonstrated the validity of the identified principles and framework approach.

The Task Force is pleased to report to the Conference of European Statisticians that it has coordinated its work closely with the European Commission (Directorate General-HOME) and Eurostat. These institutions have indicated their support for the work of the Task Force and commended it as highly relevant to the development of a crime classification at European Union level.

Electronic consultations on this report were held with representatives of national statistical offices and other relevant government ministries, including through the Eurostat Working Group on Crime and Criminal Justice Statistics and Member states of the United Nations Economic Commission for Europe. A total of 19 replies were received in response to the consultation, of which the majority expressed a positive appreciation of the report. All substantive comments were considered and incorporated into the Report of the Task Force where relevant. A summary of the comments provided and the responses of the Task Force are included in Annex II of this Report.

The Task Force recommends that:

- The Conference of European Statisticians endorse the principles for, and framework approach to, the international classification of crimes for statistical purposes presented in this Report;
- The Conference of European Statisticians encourage Member states to collaborate with the European Commission, Eurostat, UNECE and UNODC in the piloting of progressive implementation of an international classification of selected crimes;
- The Conference of European Statisticians request the Task Force on Crime Classification to continue its work by building on the principles and framework presented in this Report, with a view to developing, in consultation with the Member states of the Conference, a full international classification of crimes for statistical purposes.

I INTRODUCTION

Terms of reference of the Task Force

A joint United Nations Economic Commission for Europe (UNECE) and United Nations Office on Drugs and Crime (UNODC) meeting on crime statistics in October 2008 noted that work on crime classification at the EU level could be linked to wider global data collection. Participants proposed to establish a Task Force under the Conference of European Statisticians to work on a crime classification.¹ A meeting of the Bureau of the Conference of European Statisticians approved the terms of reference of the Task Force on 16 October 2009 and requested that it complete its work by the end of 2010 with results to be presented at a joint UNECE/UNODC meeting on crime statistics tentatively scheduled for Spring 2011.²

The main objectives of the Task Force were:

- Developing a set of principles on international crime classification systems for statistical use, in particular to improve consistency and international comparability of crime statistics;
- Undertaking a case study of defining and classifying selected offences;
- Collaborating with the European Commission (DG-JLS and Eurostat) on the development of an EU level classification.

In carrying out these objectives, the main outputs of the task were envisaged to be a set of principles on international crime classification systems for statistical use and a case study of selected offences.

The Task Force was comprised of representatives of Australia, Brazil, Canada, Germany, Italy, the Netherlands, Spain, the United Kingdom, and the United States of America, in addition to representatives from Eurostat, the European Commission/DG-HOME, the University of Lausanne/Council of Europe Penal Statistics, the European Institute for Crime Prevention and Control, and the European Sourcebook of Crime and Criminal Justice Statistics. Following an initial meeting in March 2010, the Task Force conducted its work through informal meetings and conference calls held in July, September and December 2010.

II BACKGROUND

The need for an international crime classification

As soon as crime statistics from any source are available, there is an interest in comparison with other available statistics. Comparison may be required across time, between sources within one country, with statistics from other countries, or with regional or global averages. Comparison is important for discerning whether changes in crime levels have occurred over time, for evaluating the effects of policy, and as a starting point for understanding the underlying factors that may be responsible for different crime rates in different contexts.

Meaningful and effective comparison of crime statistics is subject to a number of challenges however. One of the most important of these is the issue of crime *definition*. As set out below, crime statistics from different sources are typically generated using different definitions. As a result, simple comparison of the number of crimes in different countries that appear, on the face of it, to be recorded under similar headings, may in fact be highly misleading.

The *purpose* of a classification is to group and organize information meaningfully and systematically into a standard format that can be used to determine the similarity of ideas, events, objects or persons.³ A classification of 'crime' developed at the international level would have the potential to serve as a common *definitional framework* both for the

¹ United Nations Economic Commission for Europe. Report of the joint UNECE/UNODC Meeting on Crime Statistics. UN Doc. ECE/CES/2009/4/Add. 24 November 2008.

² United Nations Economic Commission for Europe. Terms of Reference of UNECE/UNODC Task Force on Crime Classification. UN Doc. ECE/CES/BUR/209/OCT/12. 16 October 2009.

³ *Ibid.*

initial *recording* and/or subsequent *reporting* of data. As discussed in Part V of this report, such a framework would have the potential to solve definitional problems of crime statistics comparability in a number of ways.

The idea of developing a standard classification of crimes for statistical purposes has been recognized by the international community for many years. In the 1950s, the Social Commission of the United Nations highlighted the importance of *'the preparation of a standard classification of offences'* in order that *'Governments might submit statistical returns on criminality, on standard schedules.'*⁴ It was noted at the time that a classification system alone would not solve all problems related to the international comparability of crime statistics. Rather, such a system should also be accompanied by the development and promotion of *'basic standards'* for the national *'collection and publication of criminal statistics.'*⁵

More recently, at the regional level, as part of the EU Action Plan on developing a comprehensive and coherent EU strategy to measure crime and criminal justice, a study on the development of an EU-level offence classification system (EULOCS) proposed a crime classification system for the purposes of exchanging comparable statistical information on offences throughout the EU.⁶ As noted in the terms of reference of the Task Force, work on EULOCS represented a fresh impetus for examination of the possibilities for crime classification at the global level.

The nature of crime and criminal justice statistics

From the legal perspective, an event is only a crime when defined as such by law. Although national legal systems vary and there are different sources of criminal law (common law, continental law, Islamic law), the range of actions considered to constitute crimes is most usually codified in the form of a national criminal law or penal code.⁷

National criminal laws are not homogeneous however. It is well known that different legal traditions deal with basically similar events in different ways or use similar terms for different events. Some actions may be a crime in one country but not another. The act of 'unauthorized entry to a house with intent to steal' for example, may be called 'burglary' under the law of one country but 'aggravated theft' in another. The crime named 'assault' in two different countries may require physical contact in one country, but not in the other.

Whilst differences exist between national criminal laws, a core set of actions that are universally considered to constitute crimes can nonetheless be identified. Aside from the technicalities of legal language, basic acts such as taking a person's property without consent, wounding or injuring, or killing a person, are defined as offences (in many different ways) in the law of every country.

These two conceptions of 'crime' – the technical legal definition and the 'common unacceptable action' – represent the foundation of two primary sources of crime statistics: police-recorded crime and victimization survey-based data. Both are considered in this paper with respect to the issue of crime classification.

The starting point for interpretation of *administrative* crime statistics is the recognition that aggregate statistics generated from police, prosecution, court and corrections records are, in the first place, administrative working statistics of the relevant authorities. Statistics on police-recorded crime, for example, do not 'measure crime' as such, but rather provide information about those crimes that have come to the attention of the police and have been recorded for operational purposes.

⁴ United Nations Economic and Social Council, Social Commission, Criminal Statistics: Recommendations of the Secretary-General. UN Doc. E/CN.5/233, 8 January 1951

⁵ *Ibid.* A Manual

⁶ Developing a comprehensive and coherent EU strategy to measure crime and criminal justice: An EU Action Plan 2006-2010. COM (2006) 437 final. Study on the development of an EU-level offence classification system and an assessment of its feasibility to support the implementation of the Action Plan to develop an EU strategy to measure crime and criminal justice. UNISYS/IRCP, 2009.

⁷ Differences in the source of criminal law vary depending upon national legal traditions and origins, whether roman or civil law, common law or Islamic law. Some jurisdictions do not have one single criminal or penal code, and certain offences may not even be codified. For an overview see *Legal Traditions and Systems: An International Handbook*. Katz, A.N. (Ed), Greenwood Press (1986).

Reporting rates to the police vary significantly between countries and as between crime types within a country. It is clear, however, that large numbers of crimes are not reported to the police. Average reporting rates across a number of crime types are typically found to average less than 50 percent.⁸

For those crimes that are reported, police systems for registering the reported event are not often designed primarily with statistical purposes in mind. Rather, police systems are more usually optimized for *operational* purposes, including the need to record evidence for use in identifying and charging a suspect or suspects, as well as ongoing criminal intelligence requirements. As such, the description of the crime event is frequently recorded using operational crime definitions, developed by the police for such purposes. That said, police recording systems nonetheless usually do have some link with the criminal code or equivalent legal definition of the crime. This makes sense, since any person suspected of having committed the act must eventually be charged with violation of a specific law. Whilst some police record systems simply reproduce all relevant articles of the criminal code, others have categories created from aggregation of particular criminal code articles.⁹ In other countries where not all offences are codified, the police record system may consist of broad categories (such as 'crime against religion') referring to a range of courses of conduct.¹⁰ Police 'crime statistics' are derived from the total number of reported offences recorded under each particular category used by the police.

Crime statistics from police records suffer from three main limitations on cross-national comparability: (a) differences between the definitions and classifications of crime events; (b) differences in recording practices and counting and coding rules; and (c) differences in reporting behaviours of crime victims and witnesses.

The development of a common classification for statistical purposes may go some way towards addressing (a) – comparability challenges arising from differences in definitions. However, a common classification alone would not solve comparability issues arising from differences in recording practices. For example, the exact point of time within the investigative procedure at which an event is recorded by the police as a criminal event will have a significant impact on the number of crimes recorded and the level of detail of the information available. Likewise, the application (or not) of a 'principle offence rule' (by which only the most serious offence is counted) can have a significant effect on police-recorded statistics reflecting 'multiple' crime events, such as a combined sexual assault and robbery. In the same way, the use of different counting units, such as 'victim' or 'offence' for intentional homicide, may result in different figures for the same number of violent deaths in different countries.

The effect of counting rules and recording practices on the comparability of police-recorded crime statistics is outside the scope of this report. In this respect, international standards and EU *acquis* on crime and criminal justice statistics are in a comparatively early stage of development and little exists in terms of binding cross-national rules.¹¹ Nonetheless, this report recognizes that in order for an international crime classification to increase the comparability of crime statistics, such a classification must be applied in a common manner in national contexts. This implies the development of further (cross-national) guidance and standards on data collection procedures and the way in which events are counted and recorded by national police institutions.

Comparability Challenges

Police statistics

- Differences between definitions of events in registration system
- Differences in recording practices and counting and coding rules
- Differences in reporting behaviour of victims and witnesses

Victimization survey statistics

- Differences in sample frame
- Differences in survey mode
- Differences in questionnaire wording
- Differences in interviewer training and quality
- Population and cultural differences in question

⁸ Reporting to the police for theft from a car, theft a bicycle, burglary, attempted burglary and theft of personal property. Criminal Victimization in International Perspective. Key findings from the 2004-2005 ICVS and EU ICS. van Dijk, J., van Kesteren, J., and Smit, P. WODC (2007).

⁹ In a sample of twenty two national crime classifications examined by the Task Force, around one third reproduced all articles of the criminal code.

¹⁰ In Islamic law, for example, codification of ta'azir offences which violate the public welfare or undermine the essential precepts of Islam may be seen as conflicting with principles related to the discretion of the Shari'a court. Badar, M.E. The concept of Mens Rea in International Criminal Law: The Case for a Unified Approach. Oxford (2011).

¹¹ See for example, United Nations Office on Drugs and Crime, *Developing standards in Justice and Home Affairs Statistics: International and EU acquis*. Vienna (2009).

In addition to police statistics, an international crime classification would also be relevant for statistics collected from population-based victimization surveys. When compared with police statistics, victimization surveys have two main advantages: (a) proximity to the crime event through direct contact with persons (who potentially have been) victims of crime, and (b) standardized wording for capture of crime events that do not rely on legal code definitions. Victimization survey data are nonetheless subject to their own limitations, including those of response rate and correct recall of events by respondents.¹² In addition, victimization surveys provide little information about the progress of reported crime events through the criminal justice system.

The approach of victimization surveys is often described as a 'behavioural' or 'event' based approach, as survey instrument questions aim to describe the crime event in straightforward language, focusing on the main 'attributes' of the offence. This of course is also true, to some extent, for criminal codes. National criminal legislation, whilst sometimes couched in complex legal language, nonetheless has the aim of describing the core elements of the action or activity to be criminalized.

Even so, a degree of disconnect frequently exists between the event described in the victimization survey question and criminal code articles. An event described by a victimization survey, such as '*being personally attacked or threatened in a really frightening way, with injury suffered*' may be split between a number of criminal code articles, depending on the degree of severity of the attack in terms of injury suffered, use of weapon and context of the attack. German criminal legislation for example, distinguishes between 'dangerous and serious' bodily injury and '(intentional) slight' bodily injury and '(negligent) bodily injury'. It also has a sub-category for dangerous and serious bodily injury in streets, lanes and public places.¹³ In other countries, the basis or terms used for such distinctions may be described differently.

As a result, it may often be far from straightforward to compare specific crime rates calculated from crime victimization surveys with those calculated from police records. The challenge is even greater when it comes to cross-national comparison. Crime statistics derived from victimization surveys using equivalent questionnaire wording in different countries may be comparable to some extent. However, this is heavily dependent upon factors such as the choice of sample frame, survey mode, and survey methodology.¹⁴

III DEVELOPING AN INTERNATIONAL CRIME CLASSIFICATION

Principles of classification

A statistical classification represents an "*exhaustive and structured set of mutually exclusive and well-described categories*"¹⁵. This definition makes reference to four distinct elements:

- **Exhaustiveness:** The classification should include every possible manifestation of the phenomenon under study;
- **Structure:** To create a structure, all possible values of the classification should be grouped in homogeneous categories, which will be eventually aggregated at different hierarchical levels. A classification is different from a list of values of the variable under examination;
- **Mutual exclusiveness:** Every elementary manifestation of the phenomenon under study should be assigned to one and only one category of the classification such that there are no overlaps;
- **Description:** Every unit of the classification needs to be described in objective and detailed terms so that observable occurrences can be unequivocally assigned to categories of the classification.

¹² See further UNODC/UNECE Manual on Victimization Surveys. United Nations (2009).

¹³ German Police Statistics crime classification system provided to the Task Force by Bundeskriminalamt.

¹⁴ See Note 12 at p. 82.

¹⁵ United Nations Statistical Commission, Standard Statistical Classifications: Basic Principles. Paper presented at Thirtieth session, New York, 1-5 March 1999.

In many senses, where national criminal laws are well drafted and codify the whole range of possible offences, something similar to a crime classification already exists at the national level. Criminal code articles frequently consist, for example, of a systematic breakdown of actions and their constituent elements including both the nature of the act itself and the mental element of the offence.

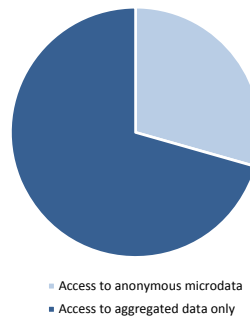
Criminal laws by themselves however cannot automatically be assumed to strictly correspond to a (national) crime classification. Offences may exist in multiple, sector-specific, laws, or as uncodified common law, such that the primary criminal code does not fulfill the principle of exhaustiveness. In addition, criminal code articles are unlikely to be organized hierarchically, but rather may be grouped in thematic chapters or sections.

Background research

In order to determine how these principles could be applied to the development of an international crime classification system, and to identify further applicable principles, the Task Force started by reviewing existing work, including the EULOCS and national crime classification schemes. A brief questionnaire was sent by the Task Force Secretariat to members of the Eurostat Working Group on Crime and Criminal Justice Statistics. The questionnaire was addressed to the institution responsible for national crime statistics and requested information on degree of access to microdata/aggregate records and variables collected. Some 27 responses were received, together with 20 complete national crime classification systems.¹⁶ In addition, the Task Force examined publicly available crime classification systems from Australia, Ireland and the United States of America. A summary of questionnaire responses is provided in the Annex to this report.

Of responses to the questionnaire received, 17 were from national statistical offices, 4 from ministries of justice, 3 from ministries of interior and 3 from national police. National police and ministries of interior can generally be expected (as primary data generators) to have access to microdata on crime and criminal justice. All police and interior respondents indicated that they did have access to such microdata. The situation varied, however, for ministries of justice and national statistical offices. Around 29 percent of national statistical offices indicated that they did have access to anonymous crime and criminal justice microdata (such as individual crime event or suspect records), whilst 71 percent reported that they received data from national police with some degree of prior aggregation.

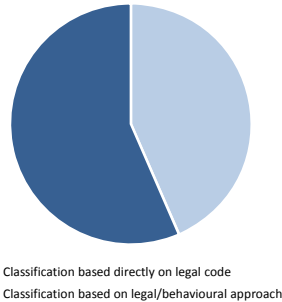
Receipt of crime and criminal justice data by national statistical offices (17 countries)



Whether anonymous microdata or aggregate data form the basis of crime and criminal justice statistics, two different approaches to classification at the national level were apparent: (a) an approach based on legal code definitions, whether reproducing all criminal code articles or aggregated categories of articles; and (b) a 'mixed approach' classification, based on both legal and behavioural criteria. Around 40 percent of national crime classifications examined were directly derived from legal code definitions, whilst the other 60 percent adopted a mixed legal/behavioural approach.

¹⁶ Responses were received from Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Italy, Latvia (National Statistical Office and Ministry of Interior), Lithuania, Malta, the Netherlands, Poland, Portugal, Romania, Serbia, Slovenia, Spain, Sweden, Turkey, and the United Kingdom (England and Wales).

Nature of national crime classification (23 countries)



It is possible that this distinction is partly reflective of the government entity that responded to the request. Within one country, it is possible, for example, that the national police force may use a crime registration system based on criminal code articles, whilst the national statistical office uses a legal/behavioural-based classification for collection of data from the police. The one regional example examined (that of EULOCS) appeared to show a primarily legal code based approach, in an attempt to achieve compatibility with national criminal codes.¹⁷

In addition to the main variable of the 'type' of offence (described by the national crime classification), countries also reported using descriptive variables, including whether the offence was completed or attempted, the date, time and location of the offence, the means (or *modus operandi*) by which the offence was committed, objects or weapons used in the offence, the nature and value of damage caused, as well as case/investigation progress variables. All countries also indicated that they collected basic suspect/offender data such as sex, age, nationality, residence status, employment and education. Some countries included influence of drugs/alcohol, motive, and relationship to the victim(s). Whilst most countries reported collecting some basic data on victims, not all did so, and the number of victim descriptive variables was typically lower than for suspects/offenders. Full variable lists and top-level crime classification structures for each country that responded to the questionnaire of the Task Force are provided in the Annex.

Unit of classification

In light of the different approaches seen in national crime classifications, the Task Force considered that it was first important to define the *unit of classification* of a possible international crime classification.

In spite of their many limitations, crime statistics – whether police-recorded or derived from victimization surveys – are often used as proxies for the true underlying number of crime events. The Task Force decided that the unit of classification should be the *act or event* that may constitute a crime. Depending upon the applicable criminal law, the same act or event may not necessarily be a crime in all countries, or may constitute different criminal, or even administrative, offences. However, for a crime classification at international level, under the principle of exhaustiveness, it would be necessary to cover, so far as possible, all possible acts or events that could carry criminal responsibility and sanctions anywhere in the world.

As such, an international crime classification system would be primarily *event-based*. That is, the range of entities classified would have behavioural and contextual attributes, rather than strictly legal attributes. This approach would also enable an international crime classification system to be used irrespective of the source of input data – whether crimes registered by the police, or incidents reported by respondents in a crime victimization survey.

Being event-based, an international crime classification system would be used to classify crime events for the purposes of reporting 'number of [particular type of] crimes'. It could *also* be used however to describe the crime event *for which* a *person* is suspected, arrested, or accused, or *of which* a *person* has been a victim. Indeed, it is important that crime and criminal justice information systems allow the possibility to *link crime events, perpetrators* and *victims*. As set out in this report in the section on a 'proposed framework for an international crime classification system', a 'vertical' crime event classification could be supplemented by 'horizontal' information on perpetrators and victims.

¹⁷ See Note 6, Study on the development of an EU-level offence classification system, p.31.

Application of the principles

Application of the basic classification principles to the development of an event-based crime classification system suggests the following:

Exhaustiveness

The principle of exhaustiveness must be balanced against the practicality and policy-relevance of an international crime classification. The range of events that may constitute offences under national and international criminal law is extensive, continuously changing (as new laws are developed), and unknown (subject to a complete survey of all in-force national and international criminal laws). Whilst aiming to capture all possible criminal events, the scope of the classification must necessarily be limited in practice to those events that are generally known to constitute offences.

It must also be borne in mind, however, that some countries may criminalize events that are not considered to be crimes by the majority of countries. These events may even be specifically *prohibited* from being defined as crimes by international law or standards. The question remains whether such events should be included in an international crime classification system. The international collection of data on such cases is important from a policy perspective. At the same time, however, the Task Force considers it important that an international crime classification system should not be perceived to legitimize the criminalization of conduct in a manner incompatible with international law and standards, including international human rights law.

Finally, the principle of exhaustiveness must be interpreted in light of a *de minimis* principle. Events that constitute crimes are often assigned different legal labels depending upon their seriousness. National legal systems may characterize serious crimes for example, as felonies or indictable offences. Less serious crimes may be characterized as misdemeanours, summary offences, or contraventions. Of these, some events may technically constitute a crime under criminal law but involve very small damage or loss (such as shoplifting of a 'one cent sweet'). In addition, other acts may be characterized as *administrative* offences, or *infractions*, in national law, rather than crimes *per se* (such as late payment of tax, public drunkenness or contravention of vehicle parking restrictions). Such events are typically not recorded or reported in police statistics, either because they are 'no-crimed' by the police (being deemed too small to deal with), or are dealt with and recorded by other systems, such as tax authority enforcement units or other local or municipal civil authorities. Under the principle of exhaustiveness, an international crime classification system should include all events punishable by criminal law, whether characterized as misdemeanours or felonies. Under the *de minimis* principle, however, an international crime classification would *not* include classification categories for events that generally constitute *administrative* offences. Neither would it include specific categories for *very* minor crimes that are typically 'no-crimed' or otherwise not recorded by police systems. Further, a *de minimis* restriction on an international classification may also be considered as a *counting rule* during *application* of the classification. For example, a classification category corresponding to 'shoplifting' may specify that only events involving goods of more than a certain value should be reported and counted in that category.

Structure

In order to ensure manageability, there should not be too many hierarchical levels in an international crime classification system. As many crimes contain multiple attributes – such as appropriation of property and injury or harm to a person – broad divisions such as 'crime against the person' may not be suitable as structural classes. Rather, the top-level class may itself already consist of a reasonably high number of divisions based on attributes of the act or event. Overall, the structure of an international crime classification should be designed in accordance with the principles of simplicity and clarity. If it is to be successfully used for enhancing cross-national comparability of crime statistics, an international crime classification would need to be understandable at the police station level in a very broad range of country and capacity contexts.

Mutual exclusiveness

One behaviour, or series of behaviours, can have the potential to breach a number of provisions of criminal law, with the result that several offences are committed. A person who uses a computer to access another person's credit card number which he then uses to purchase goods, for example, may be charged with an offence both of fraud, and misuse of computer systems under national criminal law.

In order to avoid ambiguity as to how this behaviour is classified, it is important that an international crime classification system is able to assign the *constituent acts/events* of this behaviour to discrete categories. Each constituent act or event must have a distinct start and end, and be identifiable (and therefore describable) by particular attributes. Possible

act/event attributes are discussed under the principle of 'description' below. With respect to the principle of mutual exclusiveness and the example at hand, however, an international crime classification must ensure that the *act/event* of unauthorized computer access is capable of being coded to one discrete category. The *act/event* of use of the credit card number must be capable of being coded to another category. It must also be clear whether the category to which use of the credit card number is coded falls hierarchically within the higher-level category corresponding to taking the property of another person (theft) or the higher-level category of obtaining money or benefit by deceit or dishonest conduct (fraud).

The classification may further provide a means to *link* the events, such that the dishonest use of the credit card number could be identified as enabled by computer misuse. This could be achieved, for example, by the use of a 'tag' for 'computer facilitated crime'. This proposal is discussed further in the next section of this report. Overall, however, the important point is that discrete acts/events can be successfully coded in a mutually exclusive way.

As long as an international crime classification system is able to make such distinctions clear, then the question as to whether (in this example) the behaviour results in *one or two* recorded *act/events* in practice is (at least *vis-à-vis* the design of the classification) almost immaterial. As discussed above, an international crime classification system alone is not able to solve all problems related to the comparability of crime statistics. For police-recorded statistics, the way in which this particular behaviour is recorded will depend primarily upon counting rules (such as the 'principal offence' rule). Indeed, the example highlights the fact that the *effectiveness in practice* of an international crime classification system will depend upon the way in which it is used. Part V of this report discusses this point further.

Description

This principle of classification requires that every unit of the classification must be described in objective and detailed terms. To describe *acts or events* that may constitute crimes, a number of *act/event attributes* may be defined that assist in the description of classification categories. The criteria underlying an attribute must be defined such that they give room to 'typify' the whole act/event. An attribute always predicates something of the act/event as a whole. For example, an object characterized by its color and its shape would require that attribute lists for *both* colours and shapes are needed to describe/typify the object¹⁸. Some attributes may be *composite*-attributes, in so far as several criteria are required to describe the attribute. Possible attributes for an event-based international crime classification may include:

- The 'target' of the act/event: The target of the act or event describes the main entity against which the act is directed or which the event primarily involves. This may be a person, a tangible object, an intangible object (such as financial holdings or computer data), an animal, a state institution, or a communal value or concept, such as public safety or morals.
- The 'seriousness' of the act/event: The seriousness of an act or event is determined by its harm and consequences for the victim(s) and the community. Indications of the seriousness of a particular event may be defined in law, in terms of concepts such as indictable/non-indictable offences or in the severity of sentences. However, for the purposes of an event-based classification, it is important that the attribute reflects the inherent damage caused by the act/event. At the top of this scale, the death of a person is almost certainly the most serious event, involving irreversible damage to human life. Events involving bodily injury may also be ranked according to seriousness using established medical scores to assess trauma severity (such as the injury severity score). Crimes may also have serious consequences however that do not involve death or bodily injury. Crimes involving restriction on freedom of movement, involving the use of weapons, and where significant monetary loss occurs also may rank highly under the seriousness attribute.
- The 'intent' of the perpetrator of the act/event: An act cannot be divorced from the perpetrator of the act. As such, the intent of the perpetrator is an important attribute of classification categories. This is because the mere facts of the act/event alone are not sufficient to fully describe the nature of the act/event. 'Death of a person' for example can occur under many different circumstances, ranging from the non-intentional (or negligent), to the intentional. 'Intent' also covers the *motivation* of the perpetrator. In this respect, the distinction between sexual motivation and non-sexual motivation is one important attribute criteria, as is the motivation of provoking a state of terror in the general public, a group of persons or particular persons.
- The 'modus operandi' of the act/event: An act may be enabled by the use of force, threats, deception or pretence, dishonesty, intimidation, or unauthorized access. These attributes are central to the nature of the event and represent an important element in describing and classifying the event.

¹⁸ Bayram, V., van der Hoeven, J., van Hooff, H., Kroese, B., Struijs, P., Willeboordse, A. A model-based approach to the design and application of classification systems. Statistics Netherlands: 2002.

- The 'degree of completion' of the act/event: A particular act can be planned, attempted or completed. As these different degrees of completeness result in different consequences of the act, it is important that they are included as an act/event attribute.
- The 'degree of co-responsibility' of other persons involved in the act/event: An act or event constituting a crime is not always carried out in isolation by one person. Where other persons are involved, their actions may include incitement to carry out a criminal act/event, aiding or abetting the criminal act/event, or acting as an accessory or accomplice to the act/event. The acts of these co-responsible persons are usually themselves criminal events which require classification.
- The 'sex and age' of victims and perpetrators of the act/event: These are important attributes of the act or event as they provide context to the full nature of the event. They often have implications with respect to the characterisation of the event under criminal law.
- The 'policy area' of the act/event: The promulgation of criminal laws is driven by policy needs, whether the maintenance of public welfare and safety, the protection of property rights, or the protection of the integrity of the state. As such, acts or events that constitute crimes cannot be divorced from the surrounding policy environment. Particular acts or events, such as those with sexual motivation or those involving the offering of undue incentives (bribes) in many countries have a particularly high policy relevance, necessitating reflection of this attribute in an international crime classification, especially in view of building categories of crimes at higher aggregation levels.

Progressive implementation

In addition to the four principles of classification identified in the work of the United Nations Statistical Commission, the Task Force considered that a fifth principle of 'progressive implementation' is required with respect to the development of an international crime classification system. The work of the Task Force, including the background research conducted, indicates that the development of an international crime classification system is challenging in light of significant differences between existing national crime classification systems. As such, the eventual development of a full international crime classification should be carefully piloted using a limited number of crimes in the first instance. As discussed in Part IV of this report, substantial work would be required to either 'parallel-code' recorded crime events using an international classification, or to 'cross-code' from existing national classifications to an international classification. In order to ensure that lessons-learned are integrated into this process, any international crime classification should be developed in a consultative manner and implemented progressively both within and across countries.

A proposed framework for an international crime classification system

In order to further develop and test the application of the above principles, the Task Force considered that it was integral to the objective of '*developing a set of principles on international crime classification systems for statistical use*' to construct a proposed 'framework' for a classification system, based on the principles outlined. Such a framework would allow stakeholders to more effectively assess the appropriateness and legitimacy of the principles through a working model.

As such, the framework presented in this report consists of:

- Three 'event-based' classification levels for the classification of crimes for statistical purposes;
- Horizontal attribute 'tags';
- Accompanying 'act/event *elements*'; and
- Accompanying 'legal inclusions'.

In addition to demonstrating the appropriateness and legitimacy of the principles, the framework model may also represent a starting point for further future work on the progressive development of a full international crime classification system.

The framework levels

Level one of the proposed framework consists of ten categories with descriptions based primarily on the *target*, *seriousness*, *modus operandi* and *policy relevance* attributes. On the basis of seriousness, the categories make a distinction, for example, between acts leading to death and acts causing harm to the person. They also recognize that an act/event may have multiple targets and distinguish between acts against property involving violence against a person and acts against property only. Acts against public order or authority are distinguished on the basis of the target attribute. On the basis of public policy relevance, level one also contains separate categories for acts linked to terrorism or organized crime, acts involving illicit drugs or other substances, injurious acts that are sexually motivated, and acts under universal jurisdiction. The category of acts for financial/personal gain is distinguished on the basis of the enabling *modus operandi* of deceit or dishonest conduct. Under the principle of exhaustiveness, level one is intended to cover the universe of known acts/events that commonly constitute crimes under national and universal jurisdictions.

The approach of a relatively broad level one with ten categories was taken to avoid the difficulties of highly aggregated act/event categories such as ‘acts against the person’ or ‘acts against property’. Should such aggregate values be required, the framework offers the flexibility for subsequent summing. ‘Acts against the property involving violence against a person’ for example, may be included in a subsequent sum of acts against the person, or acts against property, depending upon local needs.

Level two of the framework consists of sub-categories for each of the level one categories. The number of level two categories varies between one and ten sub-categories. The level two categories are based primarily on the attributes of *seriousness*, *modus operandi*, *intent*, *target* and *policy relevance*. Level two contains the distinction, for example, between intentional and non-intentional killing under ‘acts leading to death’, according to the attribute of intent. Level two also distinguishes between the act of sexual intercourse without consent (rape) and physical contact or harassment for sexual purposes (sexual assault) on the basis of seriousness, between unauthorized entry to a dwelling with intent to commit an offence (burglary) and taking of property without consent (theft) on the basis of *modus operandi*, between personal use and non-personal use of illicit drugs on the basis of public policy relevance, and between fraud and dishonest appropriation on the basis of *modus operandi*.

Whereas levels one and two of the framework are intended to be complete, level three of the framework is not complete but rather contains key categories that should be included at this level in any full international crime classification scheme. Again, similar principles apply at level three. Serious and minor bodily harm, for example, are distinguished under the attribute of seriousness. Unauthorized entry to business premises and residential/private premises with intent to commit an offence are distinguished on the basis of the target attribute. Other categories are distinguished according to the policy relevance attribute, including causing death of a child under one year of age (infanticide), converting or transferring proceeds of crime with intent to hide the illicit origin (money laundering), and publication of material or views controlled under religious laws or standards.

As the proposal consists of a framework and not a complete crime classification system further levels have not been added. Additional classification categories may be added both at level three and at putative levels four and five. Indeed, as discussed below, the ‘legal inclusions’ presented together with the framework represent a strong starting point for further disaggregation of the event categories.

Horizontal attribute ‘tags’

In addition to attributes that are inherent to the different classification categories, a number of attributes – such as the degree of completion of the act/event, the degree of co-responsibility of persons involved in the act/event, the location of the event (residential premises, business premises, or public area (urban/rural)), and the sex and age of victims and perpetrators of the act/event – can be considered to apply at the horizontal level, *across* all classification categories. In addition, three criteria for the seriousness/policy relevance attributes are coded horizontally: where the victim-offender relationship is that of current or former intimate partner (taken to include both boyfriend/girlfriend and husband/wife or living together), use of a firearm, and the involvement of the perpetrator in an organized criminal group. Development of the definition of ‘involvement of the perpetrator in an organized criminal group’ will require further work, but may be based upon the definition developed by Europol.¹⁹

¹⁹ The criteria set out by Europol (Doc. 6204/2/97 ENFOPOL 35 REV 2) specifies that at least six of the following characteristics must be present, four of which must be those numbered (1), (3), (5) and (11), for any crime or criminal group to be classified as organized crime: (1) collaboration of more than two people; (2) each with own appointed tasks; (3) for a prolonged or indefinite period of time; (4) using some form of discipline and control; (5) suspected of the commission of serious criminal offences; (6) operating on an international

These attributes are coded in the framework as 'tags' that can be added to (almost) any individual category. For example an act such as a member of an organized criminal group shooting at a female with intent to kill or seriously injure but missing, would be coded as "1.1.At.Fi.FV.OC" where 1.1 is the category for intentional homicide, 'At' represents the tag for attempted, 'Fi' for use of a firearm, 'FV' for female victim, and 'OC' for involvement of an organized criminal group.

The effective application of a future international crime classification will require further work to develop guidance on the links between recorded acts/events and the perpetrators and victims involved.²⁰ One act/event, for example, may involve more than one victim or perpetrator. Similarly, one perpetrator may be responsible for multiple acts/events. Being primarily event-based, an international classification should remain oriented around the *act*, rather than the numbers of persons involved. In principle, however, the horizontal tag system could take account of numbers of victims and perpetrators where guidance is also available on counting rules. An event where 3 men rob 2 women in the same 'course of action' for example, could either be coded as 1 x "4.1.(2FV).(3MP)" or 2 x "4.1.(FV).(3MP)", depending upon the application of counting rules (where 4.1 is the category for robbery and 'FV' and 'MP' are the horizontal tags for female victim and male perpetrator respectively).

As discussed earlier in this report, the development of an international classification alone is not sufficient to resolve all challenges of cross-national comparability of crime statistics. Rather, any future international crime classification would need to be accompanied by in-depth guidance (such as a manual) on its use with respect to different national counting and recording practices. It is also true that in many cases information indicated by attribute tags described here are not currently included in national crime recording systems (e.g. on offenders and victims). In other cases, the information (e.g. on the characteristics of victims) may be recorded but in a way that does not allow their linking to the recorded offences and perpetrators. Whether and when the required information, in a suitable format for linking events, perpetrators and victims, could be included in national recording systems is a matter for future discussions at national and international level.

At the same time, in so far as the framework represents a starting point for further development of a full international classification, the horizontal attribute tags are not exhaustive. Further tags that might be added could include tags concerning *modus operandi* such as CF for a 'computer facilitated' act/event, or tags relating to geographic location or time of day of the act/event. A computer facilitated tag, in particular, would serve to provide the link (in the example used previously) between use of a computer to access another person's credit card number which is then used to purchase goods. The act of obtaining money goods by deceit or dishonest conduct using a consumer finance produce could be coded as "7.1.1.CF", where 7.1.1 is the category for consumer finance fraud and CF indicates that this act was facilitated by the misuse of computer systems. If all 'computer facilitated' crimes are classified by a horizontal attribute tag indicating their relation to the use of computers or networks, the totality of what is often called 'cybercrime' can easily be identified within the current framework without adding a separate category for 'cybercrime' as a top-level category to the classification.

Accompanying act/event 'elements'

The framework is an event-based classification. That is, it classifies the universe of actions or events that are commonly criminalized under national and international law. In discussion to date, the act/event categories of the framework have almost always been referred to in full. For example, as 'the act of sexual intercourse without consent'. In reality, of course, a large number of acts/events are already recognized, defined and provided with a specific shorthand name in criminal legislation – in this case; 'rape'.

In the presentation of the framework in this report, level one, two and three categories are presented using such shorthand terminology. This has a number of advantages. Not only brevity of language, but also an *indication* of the typical legal category which most closely matches the act/event classified. As such, the naming of, (for instance) category 3.1 as rape, is both shorthand for the act of sexual intercourse without consent, and a 'flag' that crimes registered by the police under this heading *could* (and not without careful consideration of the national definition) be coded to this classification category.

level; (7) using violence or other means suitable for intimidation; (8) using commercial or businesslike structures; (9) engaged in money laundering; (10) exerting influence on politics, the media, public administration, judicial authorities or the economy; (11) determined by the pursuit of profit and/or power.

²⁰ In the currently proposed framework only the sex of the victim and the perpetrator is recorded in the tags 'FV', 'MV', 'FP', 'MP' for female/male victims/perpretrators, respectively, while age is distinguished only very roughly by the additional tags 'ChV' and 'ChP' for minor victims and perpetrators. A refinement of the recording system could include additional age categories and additional descriptive elements on the offender-victim relationship.

However, the use of such shorthand alone would be insufficient for an event-based classification scheme. Without an indication of the *attributes* of the act/event, the classification would rely solely on the meaning attributed to such shorthand terms by national legal systems. As discussed, this may vary between jurisdictions and is not a strong basis for classification.

The framework therefore has the crucial feature of '*Act/event Elements*'. These are not intended to be a strict definition of the act/event, but rather an indication of the attributes and elements that make up the act/event. This includes a description of the core nature of the action and attributes such as the intent of the perpetrator. For example, the act/event elements of the classification category of 'abduction, hijacking or kidnapping' are "*taking away or limiting movement of a person, against that person or his legal guardian's will*". In a real sense, it is the act/event elements that most accurately represent the different classification categories, whilst the shorthand category names allow for ease of use and reference. Any act or event that contains the elements may be legitimately coded to that category.

The act/event elements are a first attempt to capture the essence of each act/event and will require further development and fine-tuning in order to generate a full international crime classification system.

Legal inclusions

Whilst the framework adopts an event-based approach, one of the likely uses of a full international crime classification (discussed further in Part V below) would be the coding of crimes already registered by the police or criminal justice institutions into the international system.

Where registered crimes have been described by the police or prosecutor according to a national system based primarily on the criminal code, there is a need to provide guidance on the 'translation' of such records into the event-based international system.

The '*legal inclusions*' of the framework are designed to provide exactly this. For each category of the framework, the '*legal inclusions*' list typical criminal code offences that *may* fall into corresponding category of the framework. For example, the framework suggests that the crimes of wounding, inflicting grievous bodily harm, battery, poisoning, female genital mutilation, and child cruelty may be coded under 2.1.1, 'serious assault'. Of course, whether this is the case in practice will depend upon whether the definition of each crime in national law contains the act/event elements of serious assault, as set out in the framework. Nonetheless, the '*legal inclusions*' are intended to provide broad guidance on the *type* of criminal code offences that may fall within the event-based category. The legal inclusions are not intended to be exhaustive and will require careful review from the perspective of different national jurisdictions in order to be useful in a full international crime classification.

Interestingly, the approach of listing offence types from different countries that could be *included* (and indeed, excluded) in categories of an international crime classification was found to be a constructive approach in a working paper of the United Nations Secretariat as far back as 1957.²¹ More recently, the inclusion/exclusion approach of the 1957 work has been adopted by cross-national collections of crime statistics such as the European Sourcebook on Crime and Criminal Justice Statistics. The European Sourcebook questionnaire, for example, specifically asks respondents to indicate whether certain elements are included or excluded from each crime category for which data are requested.²² The legal inclusions suggested in this report represent a starting point for 'translation' of national statistics into an international event-based classification. However, it is clear from the experience of the European Sourcebook, and other cross-national data collections, that the development of a full international classification would require further mechanisms for clearly identifying the extent to which a suggested legal inclusion matched or deviated from the classification act/event elements.

Finally, the legal inclusions also represent a possible basis for the development of further levels (four, five, six..) of the framework. In particular, some level two categories (such as 'acts contrary to regulatory provisions') are very broad and will require disaggregation along the lines of the legal inclusions (such as betting and gambling offences, corporate or companies offences, and customs, taxation and revenue offences etc.) in order to provide a clear classification structure and description in these act/event areas.

²¹ United Nations, Social Defence Section, Bureau of Social Affairs. Criminal statistics: Standard Classification of Offences. Working Paper prepared by the Secretariat. July 1957. The Working Paper lists proposed inclusions and exclusions of national criminal code offences for the international classification categories of homicide, aggravated assault, robbery and burglary, for almost fifty jurisdictions.

²² WODC. European Sourcebook of Crime and Criminal Justice Statistics -2010. Fourth edition.

A proposed framework for an international crime classification system

Descriptive Tags		Victim Tags	Perpetrator Tags	
At - Attempted	In - Incitement to	MV - Male victim	MP - Male perpetrator	
Th - Threatened	Ac - Accessory/ Accomplice	FV - Female victim	FP - Female perpetrator	
AA - Aiding or abetting	Ag - Aggravated	ChV - Child victim	ChP - Child perpetrator	
CF - Computer facilitated	Fi - With firearm		IPP - Intimate partner perpetrator	
CP - Conspiring or planning	Lo - Location		OC - Perpetrator part of an organized criminal group	

Level 1	Level 2	Level 3	Act/Event Elements		Legal Inclusions
1 Acts leading to death	1.1 Murder/intentional homicide	1.1.1 Infanticide	Death of a person	Perpetrator intended death [or serious injury]	Felony murder; Assassination; Parricide ; Serious assault leading to death
			Death of a child under one year of age	Perpetrator intended death [or serious injury]	Infanticide
	1.2 Non-intentional homicide	1.3 Assisting suicide/euthanasia	Death of a person	Perpetrator was careless, reckless, negligent or dangerous	Loss of control or diminished responsibility or capacity; Voluntary manslaughter/non-negligent manslaughter; Excessive use of force in self-defence; Unlawful act manslaughter; Criminally negligent manslaughter; Involuntary/constructive manslaughter; Bodily injury leading to death where no serious harm intended; Corporate manslaughter; Allowing death/failure to offer aid leading to death; Causing death by dangerous driving; Vehicular manslaughter; Gross negligence manslaughter
			Death of a person	Perpetrator causes, aids or assists death of a person who wishes to die, or with the intent to relieve intractable suffering	Assisting suicide; Voluntary euthanasia; Non-voluntary euthanasia; Involuntary euthanasia
2 Acts causing harm to the person	2.1 Assault	2.1.1 Serious assault	Unwanted physical contact [or apprehension of harm]	Perpetrator intended to cause injury or harm to another person with no sexual or acquisitive element	Wounding; Inflicting grievous bodily harm; Battery; Poisoning; Child cruelty; maltreatment in the household
			Serious bodily harm	Perpetrator intended to cause injury or harm to another person with no sexual or acquisitive element	
	2.2 Abduction, hijacking, and kidnapping	2.1.2 Minor assault	No or minor bodily harm	Perpetrator intended to cause injury or harm to another person with no sexual or acquisitive element	Actual bodily harm; Apprehension of immediate harm
			Taking away or limiting movement of a person	Against that person's or his legal guardian's will	Taking of hostage in robbery/siege situation; False imprisonment; Hijacking of aircraft, vessel or other public transport (not amounting to an act linked to

					terrorism); [Abduction by legal guardian in child custody dispute]
	2.2.1	Kidnapping for ransom/gain	Taking away or limiting movement of a person against that person's or his legal guardian's will	For the purposes of demanding for their liberation an illicit gain or other economic or material benefit, or in order to oblige someone to carry out or not carry out a particular course of action (excluding child custody dispute)	'Express kidnapping'; Child abduction
2.3		Slavery and exploitation	Taking away or limiting movement of a person against that person's or his legal guardian's will	For the purposes of exploitation for financial or other gain	Slavery, Debt bondage, Bonded labour or servitude
	2.3.1	Trafficking of persons	Recruitment, transportation, transfer, harbouring or receipt of persons, through the threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits to a person in control of the victim	For the purpose of exploitation, sexual exploitation, forced labour, slavery or similar practices or removal of organs	Trafficking of persons for the purposes of exploitation into or out of the country; Trafficking of persons for the purpose of exploitation within the country
2.4		Dangerous/negligent acts	Bodily harm or potential for bodily harm	Perpetrator was careless, reckless, negligent or dangerous	Negligent bodily injury; Neglect of a person under care; Child neglect; Abandoning a child; Jaywalking and other pedestrian offences; Gross negligent conduct of medical procedures; Adulteration of food or medicines
	2.4.1	Dangerous/negligent driving/ drunken driving	Bodily harm or potential for bodily harm	Perpetrator was careless, reckless, negligent or dangerous whilst in control of a motor vehicle	Dangerous or negligent driving or operation of a vehicle; Driving or operating a vehicle under the influence of alcohol or drugs
2.5		Harassment/stalking	Unwanted following, watching, communication with or harassment of a person		Causing alarm or distress; Menacing phone calls; Private nuisance; Invasion of privacy; Stalking
2.6		Coercion	Demanding a particular course of action	By intimidation or threat of physical harm or violence or harm to reputation	Extortion; Blackmail
2.7		Defamation	Publication (spoken or otherwise) of a false statement	Causing harm to reputation	Libel; Slander; Insult; False accusation of crime
3		Injurious acts that are sexually motivated			
	3.1	Rape	Sexual intercourse	Without consent, with consent as a result of intimidation or fraud, or where incapable of consent by reason of fact or law	Statutory rape; Deception to procure sex; forced marriage
	3.2	Sexual assault	Physical contact or harassment of a sexual nature	Without consent, with consent as a result of intimidation or fraud, or where incapable of consent by reason of fact or law	
	3.2.1	Physical sexual assault	Physical contact of a sexual nature not amounting to sexual intercourse	Without consent, with consent as a result of intimidation or fraud, or where incapable of consent by reason of fact or law	Sexual assault of a child; Sexual abuse of a child for the purposes of producing child pornography; Sexual abuse of persons incapable of consenting/resisting; Female genital mutilation; sexual harassment (involving physical contact)

3.3	Sexual exploitation of children	3.2.2	Non-physical sexual assault	Following, watching, communication with or harassment of a person for sexual purposes	Without consent, with consent as a result of intimidation or fraud, or where incapable of consent by reason of fact or law	Sexual harassment (not involving physical contact); Voyeurism; Exposure		
				Exploitation of a child for sexual purposes	Not amounting to sexual assault or rape of a child	Procuring, arranging, facilitating or controlling a child for prostitution/pornography; Production, creation, distribution, dissemination, broadcast, transmission, exhibition, sale of child pornography; Possession of child pornography; Forcing a child to witness a sexual act or to view pornography; Sexual grooming of a child; Gross indecency with a child; Creating indecent images of a child; Paying for sexual services of a child		
4	Acts against property involving violence against a person	4.1	Robbery		Taking of property with intent to permanently deprive from immediate possession, control, custody or care of a person	By use, and/or threatened use of immediate force or violence		
				4.1.1	Robbery of business property	Taking of business property with intent to permanently deprive from immediate possession, control, custody or care of a person	By use, and/or threatened use of immediate force or violence	Robbery of an establishment or institutions; Bank robbery; Robbery of a post office; Robbery of a petrol/gas station; Robbery of cash or goods in transit
				4.1.2	Robbery of personal property	Taking of personal property with intent to permanently deprive from immediate possession, control, custody or care of a person	By use, and/or threatened use of immediate force or violence	Force of threat of force used to steal during course of a residential burglary; Street robbery; Car jacking (not involving kidnapping/abduction); Assault on motorists with intent to rob
5	Acts against property only	5.1	Burglary		Unauthorized entry of a structure, whether forced or unforced	With intent to commit an offence		
				5.1.1	Burglary of business premises	Unauthorized entry of a business structure, whether forced or unforced	With intent to commit an offence	Breaking and entering business premises; Ram raid/smash and grab; Unlawful entry with intent; Break, enter and steal (business premises)
				5.1.2	Burglary of residential/private premises	Unauthorized entry of a residential structure, whether forced or unforced	With intent to commit an offence	Breaking and entering residential premises; Residential burglary; Unlawful entry with intent; Break, enter and steal (residential premises)/theft by burglary of a dwelling; Burglary of a shed/garage with connecting door to a dwelling; Distraction/deception burglary
		5.2	Theft		Taking or obtaining of property with intent to permanently or temporarily deprive	Not involving the use of force against a person, threat of force or violence, coercion or deception	Shoplifting; Theft from shop/retail premises; Theft/unauthorized taking of bicycle; Theft of livestock; Theft of money from an automatic machine or meter; Theft of mail; Stealing from premises where authorized to be present not amounting to robbery or burglary; Theft of intellectual property; Larceny; Theft from garages, sheds and lock-ups with no connecting door to a dwelling; Keeping lost money or goods which could reasonably be returned; Theft of electric power; Theft of telephone pulses	
				5.2.1	Theft of a motor vehicle	Taking or obtaining a motor vehicle with intent to permanently or temporarily deprive	Not involving the use of force against a person, threat of force or violence, coercion or deception	Joyriding/unlawful vehicle taking; Larceny of motor vehicle; Theft of an aircraft or vessel;
		5.2.2	Theft from a motor vehicle	Taking or obtaining any property from a motor vehicle with intent to permanently or temporarily deprive	Not involving the use of force against a person, threat of force or violence, coercion or deception	Theft from a motor vehicle (not amounting to car jacking), including theft of parts		

5.3	Property damage	5.2.3	Theft from a person	Taking or obtaining any property that is not a motor vehicle with intent to permanently or temporarily deprive	Not involving the use of force against a person, threat of force or violence, coercion or deception	Theft from a person (without use of force, threat, violence, coercion or deception); Pick pocketing or bag snatching not amounting to robbery
				Wilful destruction, damage or defacement of public or private property		Arson; Property damage by fire or explosion; Criminal damage, including to a dwelling or vehicle; Graffiti; Vandalism; Sabotage (not amounting to a dangerous or negligent act)
6	Acts involving illicit drugs or other substances	6.1	Personal use	Possession or use of illicit drugs, psychotropic substances or precursors	For personal consumption	Drug possession
				6.2	Non-personal use	Cultivation, production, manufacture, extraction, preparation, offering for sale, distribution, purchase, sale, delivery, brokerage, dispatch, dispatch in transit, transport, importation, exportation and possession of illicit drugs, psychotropic substances or precursors
7	Acts for financial/personal gain	7.1	Fraud	Obtaining money or other benefit or evading a liability	By deceit or dishonest conduct	Making off without payment; Fare evasion; Avoiding payment for services; Fraudulent failure to supply consumer goods or obtaining goods by fraud; Dishonest use of electricity or utilities; False accounting; Insider trading; Fraud involving holdings and investments; Social welfare, tax and insurance fraud; Use of forged articles/possession of an article for use in fraud or deception; Unlicensed/unregistered practice in a trade or profession; Abuse of function/nepotism; Identity theft; Fraudulent pretence of marriage
				7.1.1	Consumer finance fraud	Obtaining money or other benefit or evading a liability by deceit or dishonest conduct
		7.2	Forgery/counterfeiting	Creating, manufacturing, passing, or possessing a false good or instrument		Counterfeit document offences; Counterfeit product offences (including bags, shoes and prescription goods); Possession of an article for creation of counterfeit goods or instruments
		7.2.1	Counterfeit means of payment	Creating, manufacturing, passing, or possessing counterfeit means of payment		Counterfeit means of payment offences other than cash; Counterfeit coins or notes; Possession of an article for the creation of counterfeit means of payment
		7.3	Bribery	Promising/offering/giving or solicitating/accepting an under advantage	In order that a person takes or refrains from taking a particular course of action	Active and passive bribery of a public official; Bribery in the public sector
		7.4	Dishonest appropriation	Dishonestly appropriating money or goods	Which are already in the control of the perpetrator without the use of deception or taking without consent	Embezzlement; Misappropriation; Illicit enrichment ;

8 Acts against public order or authority

7.5	Acts involving proceeds of crime		Receiving, handling or processing property	Derived from or obtained, directly or indirectly, though the commission of an offence	Possession of stolen goods or money
7.5.1		Money laundering	Converting, transferring, concealing or disguising proceeds of crime	With knowledge of illicit origin of property	
8.1	Acts against public order behavioural standards		Act contrary to accepted public order		Public drunkenness and other alcohol possession/use offences; Disorderly conduct; Riot; Violent Disorder; Affray; Public fight; Causing public nuisance; Offensive language or behaviour; Vagrancy; Begging; Litter offences; Public mischief; Criminal trespass; Forcible entry and occupation
8.2	Acts against public order sexual standards		Act of a sexual nature or with a sexual motivation	Contrary to accepted public order	Prostitution offences; Public indecency; Performing a sexual act in public; Unlawful sexual intercourse; Incest or familial sexual offences; Consensual acts between persons of the same sex; Sexual acts with an animal or corpse; Bigamy
8.3	Acts contrary to controls on freedom of expression		Publication, expression, production, possession, distribution, or display of prohibited or controlled views or material	Excluding child pornography	Promotion of ethnic, racial or religious hatred; Obscene material (excluding child pornography); Political views or material; Glorification of violence
8.3.1		Acts contrary to controls on religious belief/views	Publication, expression, production, possession, distribution, or display	Of prohibited or controlled religious beliefs/views or material	Blasphemy
8.4	Acts involving weapons and explosives		Possession, use, manufacture, import/export, acquisition, sale, delivery, movement or transfer of firearms, their parts and components and ammunition, other weapons or explosives		Possession of firearm; Possession of weapon; Possession of explosives; Possession of items to endanger life; Manufacturing and trafficking of firearms, parts, components and ammunition; Falsifying, obliterating, removing or altering markings on a firearm; Trafficking in firearms; Manufacture or production of explosives
8.5	Acts against the environment, and health and safety		Act with potential to cause harm to the environment or human health and safety	Not falling under a specific negligent/dangerous injurious act	
8.5.1		Acts against the environment	Act with potential to cause harm to the environment	Not falling under a specific negligent/dangerous injurious act	Pollution/acts against the environment; Offences against protected species; Dangerous, nuclear, and chemical and substance offences;
8.5.2		Acts against health and safety	Act with potential to cause harm to human health and safety	Not falling under a specific negligent/dangerous injurious act	Liquor and tobacco offences (not covered under acts against public order behavioural standards); Planning/building/housing offences including unlawful eviction; Health and safety at work offences; Road vehicle licensing, driving, registration, or road worthiness offences; Public transport safety offences; Abortion offences and concealing a death or birth; Public health offences/communicating infectious disease; Medical malpractice not amounting to gross negligence; Pharmaceutical offences
8.6	Acts contrary to regulatory provisions		Act involving behaviour that is regulated or prohibited on moral or ethical grounds	Not falling under specific fraud offences or specific negligent/dangerous injurious acts	Betting and gambling offences; Cultural and artistic property offences (other than theft or property damage); Corporate or companies offences including competition and insolvency offences; Trade, trade descriptions or import/export offences;

					Investment or stock/shares offences (not amounting to fraud); Usury; Customs, taxation and revenue offences; Employment law offences; Use of personal data offences; Intellectual property offences (not amounting to theft); Animal ownership or welfare offences; Acts against public administration
8.7	Acts against information systems		Unauthorized access, interception, interference, or misuse of computer data or computer systems	Excluding specific offences under fraud, theft or sexual exploitation of children	Access to a computer system without right; Interception of computer data without right; Damaging, deletion, alteration, suppression of computer data; Hindering of functioning of a computer system; Production, sale, procurement, import or distribution of devices for acts against information systems
8.8	Acts involving immigration and migration		Act related to entry to or exit from the country, right to remain or movement within the country		Smuggling of migrants; Unlawful entry/illegal border crossing; Harboring; Visa offences not involving theft or fraud or forgery/counterfeiting
8.9	Acts against the justice system		Act contrary to the operation of the law enforcement or justice system		Resisting arrest/assault of a police officer; Breach of bail conditions; Perverting the course of justice; Perjury; Escape from custody; Breach of court order; Failure to comply with jury summons; Contempt of court/insulting the court; Prison regulation offence; Feigning commission of a crime/fabricating evidence
8.10	Acts against the state		Act directed against the integrity of the state		Treason; Spying; Disclosure of official secrets; Election offences; Attack against the sovereign; Insult of the state, nation or state symbols; Offences against government security or operations; Military offences/military service offences
9	Acts linked to terrorism or organized crime	9.1	Terrorism	Acts, including supporting acts, intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons	Committing a terrorist act; Participation/membership in a terrorist group; Recruitment/training for terrorism; Financing terrorism; Incitement to terrorism
9.2		Organized crime	Participating in the activities of an organized criminal group	Participation in an organized criminal group (only). Note: other acts involving organized crime to be classified according to the act itself and 'tagged' using the OC horizontal tag.	
10	Acts under universal jurisdiction	10.1	Torture	Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him, intimidating him or coercing him, or for any reason based on discrimination of any kind	When such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity
10.2		Piracy	Violence, detention, rape or depredation committed for private ends by the crew or the passengers of a private ship or aircraft	Directed on the high seas against another ship, aircraft or against persons or property on board a ship or aircraft	
10.3		War crimes, genocide, crimes against humanity	Acts contrary to international criminal law as expressed in the Rome Statute		War crimes under international humanitarian law; Genocide; Crimes against humanity; rape in armed conflict

IV CLASSIFICATION CASE STUDIES

The framework presented in this report demonstrates that the set of principles of 'exhaustiveness', 'structure', 'mutual exclusiveness', 'description' (divided into target, seriousness, intent, *modus operandi*, degree of completion, degree of co-responsibility, sex and age, and policy area) and 'progressive implementation', are appropriate as a basis for the development of an international crime classification. In the framework model, application of the principles is able to provide a systematic basis for both vertical and horizontal classification of crime acts or events. In accordance with the objective of the Task Force, it is expected that development of an international crime classification system based on these principles could lead to improved consistency and cross-national comparability of crime statistics.

In addition to the objective of developing a set of principles, however, the Task Force on Crime Classification was also requested to undertake a 'case study of defining and classifying selected offences'.

Building on the identified principles and framework model, this section of the report presents two case studies. The first represents an attempt to further develop an international classification for acts/events leading to death (homicide). The second considers the compatibility of the national classification of robbery in one country (the United States of America) with the principles and framework presented in this report. One purpose of the case studies is to assess the validity of the principles and framework both with respect to their potential for future work and goodness of fit with national systems.

Case Study: Classification of acts leading to death

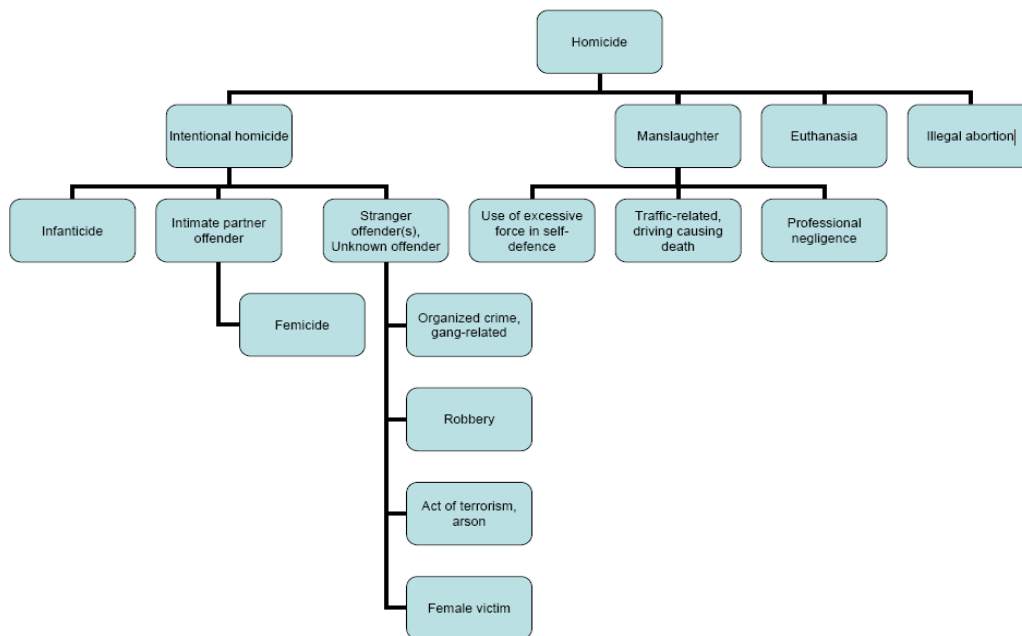
Application of the above principles, in particular the descriptive attribute of 'seriousness', suggests that 'acts leading to death' should be included as a top-level category in any international crime classification. The framework model presented also suggests a basic distinction between *intentional* homicide (or murder) and *non-intentional* homicide, by drawing on the descriptive attribute of the perpetrator's *intent*. The framework also distinguishes the act of assisting suicide or euthanasia at Level 2, and infanticide (causing death of a child under one year of age with intention to cause death or serious injury) at Level 3 based on the attribute of policy relevance. Finally, the framework model further indicates possible legal inclusions under intentional and non-intentional homicide. These include felony murder and assassination, under intentional homicide, and causing death by dangerous driving, gross negligence manslaughter, voluntary manslaughter, and bodily injury leading to death where no serious harm intended, under non-intentional homicide.

It is apparent that even a relatively cursory application of the principles nonetheless allows the drawing of a number of important distinctions for classification of 'acts leading to death'. The framework model does not however provide a full classification of acts leading to death. The framework model does not, at present, for example, allow the mutually exclusive assignment of each 'type' of act leading to death to a single discrete category. The purpose of the case study presented in this section of the report is to further develop the basic framework model distinctions towards a fuller classification for 'acts leading to death'.

The Task Force commenced the case study by reviewing approaches to classification of acts leading to death contained within the 23 national and one regional classification (EULOCS) available to the Task Force through its background research. In the first instance, the Task Force noted that national classifications were primarily concerned with acts leading to death regulated by basic *civilian criminal* law. As such, whilst some national classifications also included acts leading to death in the context of conflict or war, these were classified separately to the act of 'homicide'. The framework presented in this report does not include a category for acts/events covered by military laws. It does however include a (second level) category of 'war crimes, crimes against humanity and genocide'. It is of course possible that, in practice, some acts leading to death may have attributes that place them in these categories. Nonetheless, for the purposes of this case study, the classification exercise is limited to acts that occur outside of the conflict or war context.

The Task Force reviewed the available national approaches to classification of acts leading to death in light of the principles and framework model presented in this report. The figure below summarizes distinctions that are commonly drawn in national classifications. The figure does not represent a classification *per se*, but rather serves to show relationships between common categories used in national classifications.

Common classification categories for acts leading to death



The common categories presented above require some further analysis before they can be inserted into the event-based framework model presented in this report. In the same way as the line between conflict deaths and homicide may be drawn differently in different contexts, so common categories of homicide themselves may not be treated equivalently by different national systems. 'Illegal abortion' for example, is treated as an 'act leading to death' in some countries, but is classified separately in others. Similarly, no clear agreement exists over the nature of the act of 'femicide'; being variously defined as the intentional killing of a female (in any circumstances), intentional killing of a female by a current or former intimate partner, or the 'gender-based' intentional killing of a female. As with conflict-related deaths, acts related to terrorism that result in death, may, in some circumstances be classified as homicide, and in other cases classified separately as 'terrorist acts'.

Even the basic distinction of intentional/non-intentional killing may not be straightforward when it comes to cross-national comparability of existing classifications. 'Intention' may require full intent to cause death, or merely the intent to cause serious harm. With respect to 'non-intentional' homicide, the term 'manslaughter' may describe an unintentional killing through recklessness or negligence. It may also, however, describe a *de facto intentional* killing but under mitigating circumstances such as provocation or diminished responsibility, with the result that the killing is deemed 'unintentional' by operation of law. This is especially important when considering the need for the classification to be applicable at the international comparative level. For example, the German language term '*Totschlag*' is frequently translated 'manslaughter' when – at least under the German criminal code – the relevant article contains the necessary attributes for murder.²³ Attempted and *threatened* homicide can also present challenges in cross-national comparison of crime statistics, with some countries including these in figures for police-recorded intentional homicide, and other countries excluding them.

For the purposes of framework model, such nuances need to be integrated through the act/event elements, legal inclusions and horizontal tags, whilst maintaining an event-based focus. The attribute of 'intent' under the principle of description, for example, suggest that a key distinction in the 'essence' of the act is whether the perpetrator intended to 'really harm' the victim, or whether the harm that caused death rather occurred under mitigating circumstances or in a careless, reckless, or negligent manner. As such, the Level 2 category of 'intentional homicide' in an international classification of acts leading to death may contain the act/event elements of 'perpetrator intended death or serious injury'. In contrast, where the perpetrator intends an unlawful act that is likely to do some harm to the victim but death or serious injury is neither intended nor foreseeable, then the event should be classified as 'non-intentional homicide'. The figure below contains a proposal that aims towards the full classification of (non-conflict related) acts leading to death (homicide).

²³ Section 212 of the German *Strafgesetzbuch* (StGB) is entitled '*Totschlag*' in German language and is translated 'Murder' by Prof. Dr. Michael Bohlander in the English translation of the German Criminal Code published by the German Ministry of Justice.

Case study of classification of acts leading to death including all commonly occurring legal categories of acts leading to death

Level 1	Level 2	Level 3	Level 4	Act/Event Elements	Legal Inclusions	Horizontal Tags		
Acts leading to death (homicide)	1.1 Murder/intentional homicide			Death of a person	Perpetrator intended death or serious injury	Felony murder; Assassination; Parricide ; Assault leading to death (where serious harm intended)	At (Attempted) Th (Threatened)	
		1.1.1 Infanticide		Death of a child under one year of age	Perpetrator intended death or serious injury	Infanticide	Fi (With firearm)	
		1.1.2 Robbery/theft related		Death of a person	Perpetrator intended death or serious injury prior to, afterwards, or in the course of an act of robbery or theft	Robbery-related murder	FV (Female victim (Femicide)) MV (Male victim)	
	1.2 Non-intentional homicide				Death of a person	Perpetrator was careless, reckless, negligent or dangerous	Corporate manslaughter; Allowing death/failure to offer aid leading to death	ChV (Child victim)
		1.2.1 Non-negligent manslaughter			Death of a person	Perpetrator intended death or serious injury but under mitigating circumstances	Loss of control or diminished responsibility or capacity; Voluntary manslaughter/non-negligent manslaughter; Excessive use of force in self-defence	MP (Male perpetrator) FP (Female perpetrator) ChP (Child perpetrator) IPP(Intimate partner perpetrator)
		1.2.2 Negligent manslaughter			Death of a person	Perpetrator was careless, reckless, negligent or dangerous	Unlawful act manslaughter; Criminally negligent manslaughter; Involuntary/constructive manslaughter; Bodily injury leading to death where no serious harm intended	FP (Family perpetrator) Str (Stanger perpetrator)
			1.2.2.1 Causing death by dangerous driving		Death of a person	Perpetrator was careless, reckless, negligent or dangerous when in control of a motor vehicle	Causing death by dangerous driving; Vehicular manslaughter	LoR (Location residence) LoB (Location business) LoP (Location public)
		1.2.2.2 Professional negligence		Death of a person	Perpetrator was careless, reckless, negligent or dangerous during delivery of professional services	Gross negligence manslaughter	OC (Organized crime involvement) Ga (Gang involvement) Ter (Act of terrorism)	
		1.3 Assisting suicide/euthanasia				Death of a person	Perpetrator causes, aids or assists death of a person who wishes to die, or with the intent to relieve intractable suffering	Assisting suicide; Voluntary euthanasia; Non-voluntary euthanasia; Involuntary euthanasia;

In order to allow maximum flexibility, the case study proposal covers all of the commonly identified categories of homicide, with logical distinctions made on the basis of relevant principles, including the attributes of the event and policy relevance. In particular, horizontal tags are used to describe homicide events with particular attributes, rather than introducing further Level 2, 3, or 4 categories. For example, 'femicide' (which the case study takes to mean the intended killing of a female), is classified simply using the horizontal tag 'FV' for female victim attached to any event recorded under category 1.1 (intentional homicide). Additional tags such as 'IPP' for (former or current) intimate partner perpetrator, 'Fi' for use of a firearm, and location tags are proposed for additional contextual information. Indeed, the *context* in which a homicide occurs is important for crime prevention policy development. Typical contexts often referred to in criminological literature include intimate/family-related homicide, organized crime or gang related homicide, and homicide in the context of robbery or theft. In the proposal above, whilst robbery/theft-related homicide is assigned a Level 2 classification, other contexts (including intimate partner, organized crime and gang involvement) are coded using horizontal tags. By way of example, the intentional killing of a woman in a residential premises by her male intimate partner would be classified as; '1.1.FV.MP.IPP.LoR'. The intentional killing of a man in a business premises with a firearm by another man during an organized crime-related robbery would be classified as '1.1.2.Fi.MV.MP.OC.LoB'.

As with other crimes in the framework presented in this report, the homicide case study at hand includes the horizontal tags 'At' for 'attempted' and 'Th' for threatened. It should be noted, however, that 'attempted homicide' is a somewhat difficult concept within an international classification scheme. In the case study above, the act/event elements for homicide include '*death of a person*'. Attachment of the 'At' tag to this description because the victim is still living seems somehow contradictory to the essence of the act/event being classified. Indeed, from an event-based perspective, attempted homicide could be argued to be more akin to a serious assault, but with an additional intent element. Depending upon national criminal law and procedure, the identification of a serious assault as an 'attempted homicide' by investigators may either be a legal construct above a certain injury severity threshold, or may require demonstration of a real intent to kill that was somehow thwarted. There are no easy answers and an alternative approach may be to attach an 'attempted homicide' ('AH') tag to events coded into category 4.1 (serious assault), rather than to approach it as a category 1.1 (intentional homicide) issue. As long as such events are not double-coded, the question is more one of form rather than substance. Nonetheless, the correct classification of the concept of attempted homicide does highlight the complexities of developing a scheme that is exhaustive, well-structure, mutually exclusive, and able to describe all possible events.

With respect to counting rules for homicide, the experience of cross-national data collections such as the European Sourcebook initiative and the United Nations Survey of Crime Trends and Operations of Criminal Justice Systems, demonstrates that different countries apply different approaches. Some national systems generate statistics corresponding to the number of persons killed (a victim-based count), whilst others produce statistics reflecting separate 'courses of events' (an offence-based count). In principle (as discussed earlier in this report) the horizontal tag system could take account of this where guidance is also available on counting rules. An event where one man intentionally kills three men in the same 'course of action' for example, could either be coded as 1 x "1.1.(3MV).(1MP)" or 3 x "1.1.(1MV).(1MP)", depending upon the application of counting rules. As noted, the development of an international classification alone is not sufficient to resolve all challenges of cross-national comparability of crime statistics. Rather, any future international crime classification would need to be accompanied by in-depth guidance (such as a manual) on its use with respect to different national counting and recording practices.

Case Study: Classification of burglary

The case study on classification of acts leading to death attempted to further develop the framework presented in this report towards a tentative full international classification of homicide. In contrast, this case study examines the way in which one crime type – burglary – is classified and recorded in one country; the United States of America. This is with a view to understanding national practice that could be used to inform a fuller international classification of this crime type.

The United States Department of Justice administers two statistical programs to measure the magnitude, nature, and impact of crime: the Uniform Crime Reporting (UCR) Program and the National Crime Victimization Survey (NCVS).²⁴ The Federal Bureau of Investigation's (FBI) UCR program, which began in 1929, collects information on the following crimes reported to law enforcement authorities: homicide, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson. Arrests are reported for 21 additional crime categories. The UCR data are compiled from monthly law enforcement reports or individual crime incident records transmitted directly to the FBI or to centralized state agencies that then report to the FBI. In 1985, the UCR undertook a redesign effort to convert to a more comprehensive and detailed National Incident-Based Reporting System (NIBRS). NIBRS goes beyond the simple summary counts of eight offenses collected under the UCR and represents a more sophisticated system of incident-based data. NIBRS enables state and local law enforcement agencies to capture detailed

²⁴ See U.S. Department of Justice, *The Nation's two crime measures* (NCJ 122705), October 2004.

offense, offender, victim, property, and arrest data concerning each crime incident. In addition to changing the fundamental reporting structure underlying crime and arrest information, NIBRS expands the range of offenses for which data are identified to include 22 crime categories, spanning 46 offenses. To date, nationwide implementation of NIBRS is incomplete. NIBRS has been fully implemented in 12 States and partially implemented in 18 other States in which at least one law enforcement agency provided incident-based data. In recent years the NIBRS data collection has represented approximately 26% of crimes reported to the police during the year.

The Bureau of Justice Statistics' (BJS) NCVS program, which began in 1973, provides a detailed picture of crime incidents, victims, and trends. The survey collects detailed information on the frequency and nature of the crimes of rape, sexual assault, personal robbery, aggravated and simple assault, household burglary, theft, and motor vehicle theft. It does not measure homicide or commercial crimes (such as burglaries of stores). Two times a year, U.S. Census Bureau personnel interview household members in a nationally representative sample of more than 38,700 households (about 68,700 people). Approximately 137,300 interviews of persons age 12 or older are conducted annually. Households stay in the sample for three years. New households are rotated into the sample on an ongoing basis. The NCVS collects information on crimes suffered by individuals and households, whether or not those crimes were reported to law enforcement. It estimates the proportion of each crime type reported to law enforcement, and it summarizes the reasons that victims give for reporting or not reporting.

Although the UCR and the NCVS programs are conducted for different purposes, use different methods, and focus on somewhat different aspects of crime, they provide an important illustration of different classification schemes - one scheme based primarily on definitions consistent with the criminal codes of states and another scheme based on attributes of seriousness, the target attributes, and aspects of the crime incident as reported by victims. Nevertheless, the classification of burglary in the U.S. by the two national statistical systems provides common elements from which to derive comparable and complementary statistics in an international classification system.

Classification of burglary in the United States UCR

Burglary is defined in the UCR program as the “*unlawful entry of any fixed structure, vehicle or vessel used for regular residence, industry or business with or without force, with intent to commit a felony or larceny.*”²⁵ In the UCR definition, a *structure* is considered to include, but not limited to, an apartment, barn, cabin, church, condominium, dwelling house, factory, garage, house trailer or houseboat used as a permanent dwelling, mill, office, other building, outbuilding, public building, railroad car, room, school, stable, vessel or warehouse. In the UCR definition, burglary also includes offenses commonly known as housebreaking and safecracking, but does not include shoplifting, theft from automobiles (whether locked or not) and thefts from coin-operated machines (which are counted as larceny-theft.)

In UCR data reporting, burglary is subdivided as:

- *Forcible entry* – includes entry by use of tools; breaking windows; forcing windows, doors, transoms, or ventilators; cutting screens, walls, or roofs; and use of master keys, picks, unauthorized keys, or other devices (which leave no outward mark but used to force a lock). Also includes burglary by concealment inside a building followed by an exiting of the structure.
- *Unlawful entry – no force* – involves entry of unlocked structures, such as open garages, open warehouses, and open or unlocked dwellings, where entry is committed by persons who have other than lawful access. Excludes theft from open areas that do not involve unlawful trespass. (These are defined as larcenies.)
- *Attempted forcible entry* – involves incidents in which forcible entry burglary is attempted. Excludes incidents where no theft or felony occurs but where acts of vandalism or malicious mischief are committed.

A *hierarchy rule* is applied when multiple offenses are committed at the same time. In multiple-offense situations, the hierarchy rule requires the reporting of the highest on the list of the following crimes: (1) criminal homicide, (2) forcible rape, (3) robbery, (4) aggravated assault, (5) burglary, (6) larceny-theft, and (7) motor vehicle theft. As a general rule, the offense that is highest on the list is reported by law enforcement agencies to the UCR, while other offenses involved in the incident are ignored.

The extent to which the hierarchy rule affects the reporting of burglaries was unknown until the implementation of NIBRS. NIBRS uses the same definitions and crime classification as the traditional UCR but records each of the separate offenses per incident. Overall, based on detailed analysis of NIBRS data, it was possible to conclude that the hierarchy rule has only a minimum impact

²⁵ See U.S. Department of Justice, Federal Bureau of Investigation, *Uniform Crime Reporting Handbook*, U.S. Government Printing Office, Washington, DC, 1984.

on the number of burglaries reported to the police and the number of arrests reported for burglary. In 2007 (the most recent year for which data were available), a total of 557,896 burglaries in 2007 were reported to police by victims in NIBRS compliant jurisdictions.²⁶ Of these, approximately 1% (5,062) would not have been counted as burglaries as a result of the hierarchy rule in multiple-offense situations. More than half of these burglaries (2,983) would have been recorded as aggravated assault; a third (1,588) as robbery; a tenth (491) as murder or rape.

Classification of burglary in the United States NCVS

In September 2010, the Bureau of Justice Statistics issued a comprehensive report on burglary entitled *Victimization during Household Burglary* (NCJ 227379). The report provided household characteristics of burglaries of both occupied (household member present) and unoccupied (household member not present) residences; burglary characteristics, such as method of entry, type of damage, time of day, types of items taken, and economic loss; and characteristics of violent household burglaries, including victim-offender relationships, weapon use, and injury.²⁷

For the NCVS, household burglary is defined as the entry or attempted entry to a residence or adjacent structure when a person has no right to be there. This crime usually, but not always, involves theft. 'Forcible entry' is a completed burglary in which force, such as breaking a window or slashing a door screen, was used to gain entry to the residence. 'Unlawful entry' is a completed burglary committed by someone having no legal right to be on the premises even though no force was used to gain entry. 'Attempted forcible entry' is a burglary in which force was used in an unsuccessful attempt to gain entry.

Burglary in the NCVS is classified as a property crime except when someone is home during the burglary and a household member is attacked or threatened. When someone is home during a burglary and experiences violence, NCVS classification rules categorize the victimization as a personal crime (rape/sexual assault, robbery, and aggravated and simple assault) rather than a property crime (household burglary, theft, and motor vehicle theft).

Household burglary differs from the term 'home invasion'. Home invasion has been used broadly to describe any crime committed by an individual unlawfully entering a residence while someone is home. More narrowly, home invasion has been used to describe a situation where an offender forcibly enters an occupied residence with the specific intent of robbing or violently harming those inside. While criminal statutes in some states incorporate the term 'home invasion', they include the intent on the part of the offender in their definition. In part, these statutes have defined intent as:

- A person enters or remains unlawfully in a dwelling with the intent of committing a violent crime;
- A person knowingly enters the dwelling place of another with the knowledge or expectation that someone (one or more persons) is present; or
- The unauthorized entering of any inhabited dwelling or other structure belonging to another with the intent to use force or violence upon the person of another.

NCVS crime classifications do not include offender motivation or intent as a defining element. The NCVS provides estimates of nonfatal violent and property crime and the consequences to victims. If a victim suffers violence during a burglary, NCVS classification rules categorize the victimization as a personal rather than a property crime.

Translation of UCR and NCVS categories into an event-based international system

The principles and framework for an international crime classification are compatible with UCR and NCVS classifications of burglary. Levels 1, 2, and 3 of the proposed framework, for example, capture existing distinctions in the UCR and NCVS. At the highest level, burglary in the UCR and NCVS is an 'act against property only' in the same way as in the framework presented in this report. At Level 2 of the framework, burglary is defined based on attributes of seriousness and *modus operandi*. Burglary is distinguished from robbery (an act against property involving violence against a person) and from theft (an act against property only) based on the *modus operandi*. UCR and NCVS classifications of burglary also make these distinctions. Incidents in which someone is home during the burglary and a household member is attacked or threatened are categorized in both the UCR and NCVS as personal crimes. This is also the case in the proposed international framework, where 'force or threat of force used to steal during the course of a residential burglary' is listed as a legal inclusion under category 4.1.2, 'robbery of personal property'.

²⁶ From unpublished tabulations, by Allen J. Beck and Ramona Rantala, *2007 National Incident Based Reporting System*, September 2010

²⁷ For discussion of NCVS classification rules, see Shannan Catalano, *Victimization during Household Burglary* (NCJ 227379), Bureau of Justice Statistics Special Report, September 2010.

At Level 3 of the proposed international framework, categories of burglary are drawn based on the target attribute (e.g., burglary of business premises versus burglary of residential/private premises). Although aggregated national statistics on burglary in the United States do not make this distinction, the UCR does ask law enforcement agencies to provide supplemental data on burglary by type of structure and time of day. From these data, the UCR provides annual estimates for all agencies providing data on burglary. The NCVS is a survey of households, and as such, provides only estimates of incidents of household burglaries (including those reported to the police as well as those not reported to the police).

UCR and NCVS classifications offer only limited opportunity to further disaggregate the classification of burglary. While additional details related to intent, level of potential harm, presence of persons in the household/non-residence, and possession of weapons are often specified in state criminal statutes, the UCR is unable to collect these details and others consistently across law enforcement agencies. The NCVS provides detail on economic loss but other information is limited, unless the victim reports being at home during the burglary and is attacked or threatened (in which case the incident is considered a personal crime rather than a property crime). As a consequence, further delineation of levels in the proposed international classification system is not feasible for the crime of burglary, based on current national statistical systems in the United States.

Overall, the case study on classification of burglary in the United States demonstrates that the structure of national data from both administrative (UCR) and household survey (NCVS) systems could fit the emerging framework developed in this report. This in turn validates the applicability of the basic classification principles. The case study does however highlight the need for further work on identifying feasible levels of disaggregation in any international classification system and for careful mapping of national to international classification schemes.

V USE OF AN INTERNATIONAL CRIME CLASSIFICATION

The principles and case studies presented in this report represent a starting point for the development of a full international crime classification. Even at this early stage, however, it is important to be clear about the uses to which a full international classification may be put, since the design of a full classification must be informed by its end uses.

As noted at the beginning of this report, a major challenge to comparability of crime statistics is the issue of differing definitions. Whilst crime victimization surveys may use largely similar question wording, crime registration systems used in different national jurisdictions often rely on different underlying criminal codes and offence definitions.

An international crime classification system would offer three possible solutions to this challenge:

- As a common basis for (parallel) coding and recording of acts/events *at the point of reporting* to and registration by the police; or
- As a common basis for re-coding individual records, as registered according to national practices/classifications
- As a common basis for *translation* or *mapping* of existing statistical data into a standard, agreed format.

The first of these uses would offer the greatest potential in terms of gains in comparability. If an international crime classification system were to be *event-based* in the same way as the framework, then it could be used by police officers *at the point of act/event reporting* to classify the event in an equivalent manner in all contexts. Where national crime registration systems cannot easily be changed due to the need to reflect reported events according to criminal code articles, coding under the international classification system could be carried out in parallel.

Such event-based *parallel coding* need not be quite as onerous in terms of time and resources as it may seem. In the first instance, only a limited set of acts/events particularly relevant to crime prevention initiatives or where a strong cross-national interest exists – those leading to death or harm to a person for example – may be subject to parallel coding.

Where coding ‘at source’ is not possible, another option would be to *re-code* existing records of criminal acts and to map them into those provided for in the international crime classification. This process should be easier where an existing national crime classification system is already founded partly on event-based principles.

A third option is represented by the mapping of existing statistical data into the categories indicated by the international classification. This would involve comparison of the content of existing statistical categories in which data was stored with the international crime classification ‘act/event elements’ in order to assign – so far as possible – existing data to the relevant

international categories.

In so far as an international crime classification is proposed to be *event-based* this could be adopted for both police crime statistics and victimization survey data. Indeed, an international crime classification system may offer a standard format for comparison not only of police statistics across countries, but also for statistics derived from crime victimization surveys with police statistics. The table below shows an example of how this may work in practice.

Use of an International Crime Classification System for Standard Re-Coding of Existing Data

Crime Victimization Survey Question	International Crime Classification	Police-Recorded National Crime Classification (Irish example)
<p>Have you been personally attacked or threatened by someone in a way that really frightened you either at home or elsewhere, such as in a pub, in the street, at school, on public transport, or at your workplace? = yes (The last time) can you tell me what actually happened = force used.</p> <p>Did (any of) the offender(s) have a knife, a gun, another weapon or something used as a weapon? = yes</p> <p>Did you suffer injury as a result? = yes</p>	<p>2.1.1 Serious Assault</p>	<p>Assault causing harm (0321)</p>
<p>Have you been personally attacked or threatened ... (The last time) can you tell me what actually happened? = force used</p> <p>Did (any of) the offender(s) have a knife, a gun, another weapon or something used as a weapon? = no.</p> <p>Did you suffer an injury as a result? = no</p>	<p>2.1.2 Minor Assault</p>	<p>Minor assault (0324)</p>
<p>People sometimes grab, touch or assault others for sexual reasons in a really offensive way.... An incident of this sort might also have involved your partner, family member or a close friend. Has anyone done this to you? = yes</p> <p>How would you describe the incident? = a rape</p>	<p>3.1 Rape</p>	<p>Rape of a male or female (0211)</p>
<p>First, a rather personal question. People sometimes grab, touch or assault others for sexual reasons in a really offensive way...</p> <p>How would you describe the incident? = indecent assault</p> <p>Did any of the offender(s) have a knife, a gun, another weapon or something used as a weapon? = yes</p> <p>What was the weapon = gun</p>	<p>3.2.1 F Physical sexual assault with firearm</p>	<p>Aggravated Sexual Assault (0214)</p>
<p>Now I would like to ask you about hijacking of cars, vans or trucks. Theft of a vehicle by means of threat or force (e.g. firearm, knife, or other weapon, assault). Has anybody attempted to steal or actually stolen a car, van, truck by force, when you or other members of your present household were inside or just outside the vehicle? = yes</p> <p>Was the car actually stolen? = no</p> <p>Did any of the offender(s) have a knife, a gun, another weapon or something used as a weapon? = yes</p> <p>What was the weapon = gun</p>	<p>4.1.2.At.F Attempted robbery with firearm</p>	<p>Carjacking, highjacking/unlawful seizure of aircraft/vessel (0631)</p>
<p>Did anyone actually get into your house or flat without permission and steal or try to steal something? I am not including here thefts from garages, sheds or lock-ups. = yes</p> <p>Was any member of your household aware of the presence of the burglars the last time this happened? = no</p>	<p>5.1.2 Burglary</p>	<p>Burglary (not aggravated) (0712)</p>
<p>Did anyone actually get into your house or flat without permission...</p> <p>Were any members of your household intimidated</p>	<p>4.1.2 Robbery</p>	<p>Robbery from the person (0613)</p>

(threatened), assaulted, etc. In other words, would you describe the situation as a house robbery, i.e. you or your household were robbed in your own home? = yes		
Apart from theft involving force, there are many other types of theft of personal property, such as pick pocketing or the theft of a purse, wallet, clothing, jewellery, sports equipment at one's work, at school, in a pub, on public transport, or in the street. Have you PERSONALLY been the victim of any of these thefts? = yes (The last time) Were you holding or carrying what was stolen (eg, was it a case of pick-pocketing?) = yes	5.2.2 Theft from a person	Theft from person (0821)
Has any public official, for instance a customs officer, police officer, traffic officer, court official, pensions officer or building inspector, asked you or expected you to pay a bribe for his service? = yes	7.3 Bribery	Corruption (involving public office holder) (0941)
Were you the victim of a consumer fraud? In other words, has someone when selling something to you or delivering a service cheated you in terms of quantity or quality of the goods/service? = yes What type of fraud was it = a worthless cheque	7.1.1 Consumer finance fraud	Fraud, deception, false pretence offences (0911)

The tactic of translation or re-coding to the international crime classification would further offer a standard approach to reporting of crime statistics at the international level. It may be possible, for example, to produce a number of accompanying 'legal inclusions' to the classification, specialized for different legal heritages – such as roman, civil law, common law, and Islamic law. Where clear guidance can be given on the translation of common national criminal code articles to the international crime classification, the potential for error in re-coding may be significantly reduced.

Translation or re-coding of existing data is unlikely to produce the same levels of comparability as (parallel) coding at source or re-coding of individual data. There may always be some concept in national criminal law, or a national classification system, that 'splits across' categories of the international classification. Nonetheless, if an international classification is adopted by *all* global and regional data collections, the impetus to ensure as accurate a translation as possible is increase, as once the re-coding is complete, the same codes could be used for all international and cross-national data reporting and exchange.

An international crime classification system may also offer assistance at the level of prosecution, court and penal statistics. Whilst the discussion in this report has focused primarily on police and victimization survey statistics, an event-based international classification system would further be relevant for categorizing the acts/events for which an individual is prosecuted or convicted. In this respect, the classification system may offer a route to increased comparability *across* the criminal justice system.

Finally, the existence of an international crime classification, even in the form of a framework classification, will offer important reference and guidance to countries wishing to develop or review their national crime classification. An event-based classification of offences is extremely valuable also in a national context, because of increased comparability across time and space, lower dependence on legal definitions and their modifications, increased consistency with survey-based data and for easier communication of statistical data and analyses. The finalization and broad dissemination of an international classification of crime will be beneficial to a large number of countries and national agencies working on crime prevention and law enforcement.

Annex I – Responses received to questionnaire on crime and criminal justice data collection

	Responding Entity	Receive Microdata?	Variables recorded		Classification Top-level Categories
			Offence variables	Offender/victim variables	
Austria	NSO	N	<ul style="list-style-type: none"> • Offence classification • Completed/attempted • Date/time • Crime scene • Criminological facts • Reported/detected cases • Weapon • Loss/damage 	<ul style="list-style-type: none"> • Offender sex, age, nationality, residence status • Victim sex, age, nationality, residence status, relationship to offender 	<ul style="list-style-type: none"> • Offences against life and limb • Offences against liberty • Offences against property • Offences against morality • Offences against movement of funds • Other criminal offences • Offences under other laws
Belgium	Police	Y	<ul style="list-style-type: none"> • Fact code • Completed/attempted • Date/time • Location • <i>Modus Operandi</i> • Means of transport used • Objects used in the offence 	<ul style="list-style-type: none"> • Offender sex, age, nationality • No reliable information on victims 	<ul style="list-style-type: none"> • Offences against physical integrity • Offences against personal liberty • Offences against sexual morality • Offences against other moral values and feelings • Offences concerning status of the child • Offences against the family • Theft and extortion • Fraud • Violence against property • Offences involving information systems • Offences against the security of the state • Illegal exercise of public authority • Offences against public authority • Offences against public faith • Exploitation associated with begging • Trafficking in persons • Other offences
Bulgaria	NSO	Y	<ul style="list-style-type: none"> • Offence code • Level of completion • Date • Location • Description of facts 	<ul style="list-style-type: none"> • Offender sex, age, nationality, country of birth/residence, ethnicity • Level of suspect participation • Victim sex, age, nationality, country of residence, number of victims 	<ul style="list-style-type: none"> • Offences against the Republic • Offences against the person • Offences against the rights of citizens • Offences against marriage, family and youth • Offences against property • Offences against the economy • Offences against financial, tax and insurance systems

					<ul style="list-style-type: none"> • Offences against public bodies • Documentary offences • Computer-related offences • Offences against order and public peace • Generally dangerous offences • Offences against the integrity of the Republic • Military offences • Outrage on peace and humanity
Croatia	NSO	Y	<ul style="list-style-type: none"> • Offence code • Date and manner of discovery of offence • Location • <i>Modus Operandi</i> • Object of offence • Instruments used in the offence • Seized objects • Consequences of the offence 	<ul style="list-style-type: none"> • Offender sex, age, place of birth, place of residence, employment status, civil status, level of education, previous convictions, influence of alcohol/drugs, motive 	<ul style="list-style-type: none"> • Offences against life and limb • Offences against freedoms and rights of man and citizen • Offences against the Republic • Offences under international law • Offences against sexual freedom and morality • Offences against honour and reputation • Offences against marriage, family and youth • Offences against public property • Offences against private property • Offences against health • Offences against the environment • Offences against public safety • Offences against the judiciary • Offences involving documents • Offences against public order • Offences against official duty • Offences against the armed forces • Offences in secondary criminal legislation
Cyprus	NSO	N	<ul style="list-style-type: none"> • Offence type (based on penal code) • Date/time • Location • Number of offenders involved • (For property offences) Type of property stolen, owner of property and whether recovered • (For drug offences) Type and quantity of drug • Number of victims involved • Disposal of case 	<ul style="list-style-type: none"> • Offender sex, age, education, marital status, number of dependent children, living arrangement, place of residence, occupation, occupational status, citizenship, court appearances, legal representation, pre-trial detention status, plea, result of criminal proceedings, amount of fine imposed, duration of prison sentence, number of other cases taken into consideration 	<ul style="list-style-type: none"> • Offences against public order • Offences against administration of lawful authority • Offences injurious to public in general • Sexual offences • Offences against the person • Offences against property • Malicious damage to property • Forgery, counterfeiting, impersonation and similar offences • Motoring offences • Offences against other laws • Miscellaneous offences
Czech Republic	NSO	N	<ul style="list-style-type: none"> • Offence data (not specified) 	<ul style="list-style-type: none"> • Offender data (not specified) 	<ul style="list-style-type: none"> • Violent offences • Offences against morality • Offences against property • Fraud and embezzlement

					<ul style="list-style-type: none"> • Other property offences • Other criminal offences • Miscellaneous offences • Economic offences • Military offences • Offences against the constitution • War offences and offences against the peace
Denmark	NSO	Y	<ul style="list-style-type: none"> • Offence code • Reporting local police authority • Municipality of reported offence • Date/time • Suspect charged • Date of charge 	<ul style="list-style-type: none"> • Offender age 	<ul style="list-style-type: none"> • Sexual offences • Violent offences • Offences against property • Other offences • Traffic offences • Offences under other laws
Estonia	MOJ	Y	<ul style="list-style-type: none"> • Offence type • Location • Use of weapon/violence • Number of persons killed/harmed (For robbery) method of entry 	<ul style="list-style-type: none"> • Offender use of alcohol, relationship with victim, motive • Victim use of alcohol 	-
Finland	NSO	Y	<ul style="list-style-type: none"> • Offence code • Date/time of offence and registration • Mode of offence registration • Location (municipality) • Reporting to prosecutor • Offence clearance 	<ul style="list-style-type: none"> • Offender sex, age, native language, type of family, citizenship, country of birth, tax status, family status, education 	<ul style="list-style-type: none"> • Offences against property • Offences against life and health • Sexual offences • Offences against public authority and public peace • Traffic offences • Other offences
Germany	Police	Y	<ul style="list-style-type: none"> • Offence key (crime category) • Time of reporting • Attempt (Y/N) • Time of offence • Community ID • Size of community • Use of firearm • Loss (monetary value) • Accomplices (Y/N) 	<ul style="list-style-type: none"> • Offender sex, age, citizenship, person ID, time of registration, hard drug user (Y/N), previous criminal record, influence of alcohol, possession of firearms, place of residence, residence status • Victim sex, age and relationship to offender 	<ul style="list-style-type: none"> • Offences against life • Offences against sexual self-determination • Acts of brutality and offences against personal freedom • Theft without aggravating circumstances • Theft with aggravating circumstances • Fraud-type property offences and forgery • Other criminal offences • Offences under supplementary criminal legislation
Greece	NSO	N	<ul style="list-style-type: none"> • Offence category • Location and geographic region 	<ul style="list-style-type: none"> • Offender sex 	<ul style="list-style-type: none"> • High treason and offences against the State • Offences against political bodies • Offences against public authorities • Offences against public order • Offences against religious peace • Offences related to currency

					<ul style="list-style-type: none"> • Offences related to documents • Offences related to justice • Offences against transport security • Offences against life • Bodily injuries • Offences against morals and honesty • Offences related to marriage and family • Offences against property • Offences against the community • Offences under special penal laws • Offences under the military penal code
Hungary	Police	Y	<ul style="list-style-type: none"> • Offence classification • Completed/attempted/planned • Date/time • Crime scene • Location • Modus operandi • Instruments/ object of commission • Loss/damage/method of recovery 	<ul style="list-style-type: none"> • Offender: statistical identifying number, classification of the offender, coercive measures, marital status, educational level, profession, residence, past record • Victim: sex, age, contact between offender and victim, citizenship, profession 	<ul style="list-style-type: none"> • Offences against the state • Offences against humanity • Offences against the person • Offences against the order of medical research and the right of autonomy concerning medical procedures • Offences against freedom and human dignity • Traffic offences • Offences against connubiality, family and youth • Offences against sexual morality • Offences of corruption in the administrative and law enforcement sectors and other segments of society • Offences against law and order • Economic offences • Offences against property • Offences against military obligations • Military offences
Italy	NSO	N	<ul style="list-style-type: none"> • Offence type • Completed/attempted • Date • Location 	<ul style="list-style-type: none"> • Offender sex, age, place of birth 	<ul style="list-style-type: none"> • Offences against life • Offences against safety and individual liberty • Insults and defamation • Offences against the person • Offences against the family, public morality, behaviour and animals • Offences against estate • Offences against economy and public trust • Offences against the state, public order and social institutions • Miscellaneous offences
Latvia	NSO	N	<ul style="list-style-type: none"> • Offence type • Administrative-territorial region 	<ul style="list-style-type: none"> • Offender sex, age, influence of alcohol, membership of criminal group, previous criminal record 	-
Latvia	MOI	Y	<ul style="list-style-type: none"> • Offence category • Case number 	<ul style="list-style-type: none"> • Offender sex, age, ID number, date of birth, residence, marital status, education, 	-

			<ul style="list-style-type: none"> • Institution initiating proceedings • Date/time • Address/location • (For property offences) nature of target • <i>Modus Operandi</i> • Tools used • Material damage • Case progress 	<ul style="list-style-type: none"> • occupation, citizenship, use of alcohol or drugs, participation in an organized group or gang, motive • Victim sex, age, citizenship 	
Lithuania	MOI	Y	<ul style="list-style-type: none"> • Offence description • Date/time • Location • <i>Modus Operandi</i> • Tools used • Date of initiation of investigation • Suspect identified • Degree of material damage • Seized goods • Target protection 	<ul style="list-style-type: none"> • Offender sex, age, date of birth, citizenship, nationality, education, employment, drug or alcohol use • Victim sex, age, date of birth, citizenship, nationality, education, employment, family members 	<ul style="list-style-type: none"> • Offences against humanity and war crimes • Offences against the State • Offences against life • Offences against health • Offences endangering health and life • Offences against liberty • Offences sexual self-determination • Offences against dignity and honour • Offences against the child and family • Offences against private life • Offences against equality and freedom of conscience • Offences against voting rights • Offences against social rights • Offences against property • Offences against intellectual property • Offences against information systems • Offences against the economy • Offences against the financial system • Offences against the civil service and public interest • Offences against justice • Offences against public security • Offences involving drugs • Offences against the environment and health • Offences against traffic safety • Offences against public order • Offences against public administration and government order • Offences involving documents • Offences against morality and the deceased • Offences against national defence service
Malta	NSO	-	<ul style="list-style-type: none"> • Offence classification 	-	<ul style="list-style-type: none"> • Abortion • Abuse of public authority • Arson • Attempted offences • Bodily harm • Computer misuse

					<ul style="list-style-type: none"> • Crimes against public safety, peace and justice • Damage • Domestic violence • Drugs, forgery, fraud • Homicide • Immigration offences • Infanticide and abandonment • Perjury and false swearing • Pornography and prostitution • Safety of government • Sexual offences • Theft • Threats and private violence • Trafficking of persons • Violence against a public officer
Netherlands	NSO	N	<ul style="list-style-type: none"> • Offence classification • Completed/attempted • Police region • Registration number • Date of offence, reporting and recording • Type of report • Offence seriousness • Type of location • Postcode/municipality code • Injury • Case clearance/police dismissal 	<ul style="list-style-type: none"> • Offender sex, age, registration number, nationality, place of residence, postcode and municipality code, recidivism, administration number, date of arrest, date of interrogation date of taking into custody, date of discharge, date of youth measure, date of sending record to public prosecutor, date of reporting, date of birth, police region • Victim age, sex, date of birth, nationality, postcode and municipality code, date of victim aid, date of reporting, registration number, police region 	<ul style="list-style-type: none"> • Property offences • Vandalism and public order • Violent offences • Other offences • Offences against Traffic Act • Offences against Opium Act • Offences against Weapons and Ammunition Act • Offences against environmental hygiene laws • Offences against other acts
Poland	MOJ	N	<ul style="list-style-type: none"> • Offence type • Date • Location • Basis for registration and initiation of criminal proceedings • Target of offence and loss • Target protection • Number of perpetrators • Number of victims • Use of firearm 	<ul style="list-style-type: none"> • Offender sex, age, citizenship, employment, education, residence, occupation, recidivism, preventive detention status • Victim age 	<ul style="list-style-type: none"> • Offences against peace and humanity and war crimes • Offences against the Republic • Offences against defence • Offences against life and health • Offences against public safety • Offences against traffic safety • Offences against the environment • Offences against freedom • Offences against freedom of conscience and religion • Offences against sexual freedom and decency • Offences against family • Offences against personal integrity • Offences involving employment • Offences against public administration • Offences against justice • Offences involving elections • Offences against public order

					<ul style="list-style-type: none"> • Offences involving information • Offences involving documents • Offences against property • Offences against business, monies and securities
Portugal	MOJ	N	<ul style="list-style-type: none"> • Offence type • (For property offences) value 	<ul style="list-style-type: none"> • Offender sex, age, legal status, detention status • Victim sex, age, legal status, detention status 	<ul style="list-style-type: none"> • Offences against persons • Offences against property • Offences against cultural identity and personal integrity • Offences against life in society • Offences against the State • Offences contained in secondary legislation
Romania	NSO	N	<ul style="list-style-type: none"> • Offence classification • Completed/attempted • Date/time • Locality • <i>Modus Operandi</i> • Date of prosecution • Case outcome 	<ul style="list-style-type: none"> • Offender sex, age, nationality, domicile, education, occupation, detention status • Victim sex, age, citizenship, level of education, occupation, home environment, predisposing factors, relationship with offender 	-
Serbia	NSO	N	<ul style="list-style-type: none"> • Offence type (criminal code) • Time • Location 	<ul style="list-style-type: none"> • Offender sex, age • Victim sex, age 	-
Slovenia	NSO	Y	<ul style="list-style-type: none"> • Offence type • Court decision and sanction 	<ul style="list-style-type: none"> • Offender sex, age, permanent residence, education 	<ul style="list-style-type: none"> • Offences against life and body • Offences against human rights and liberties • Offences against voting rights and elections • Offences against honour • Offences against sexual inviolability • Offences against health • Offences against marriage, family and youth • Offences against employment and social security • Offences against property • Offences against economy • Offences against legal transactions • Offences against official obligation and public authority • Offences against military service • Offences against administration of justice • Offences against public order and peace • Offences against general safety • Offences against safety of public transport • Offences against environment and natural resources • Offences against state security • Offences against humanity and international

					law
Spain	NSO	N	<ul style="list-style-type: none"> Offence classification 	-	<ul style="list-style-type: none"> Murder Abortion Injuries Injury to the fetus Offences related to genetic manipulation Offences against liberty Torture and other offences against moral integrity Offences against sexual freedom Offences against privacy Offences against honour Offences against family relations Offences against economic order Offences against public finance Offences against the rights of workers Offences related to heritage protection and the environment Offences against collective security Offences involving falsehood Offences against public administration, justice, the constitution and public order Offences against peace and the international community
Sweden	MOJ	Y	<ul style="list-style-type: none"> Offence classification Date/day/time of offence Date of record Municipality/area code Case log number Recording police authority Date of decision Decision outcome 	<ul style="list-style-type: none"> Offender sex age 	<ul style="list-style-type: none"> Offences against the person Offences against property Offences against the public Offences against the state Offences against other penal legislation
Turkey	NSO	N	<ul style="list-style-type: none"> Offence type Month of offence Province Tools used 	<ul style="list-style-type: none"> Offender sex, age, citizenship Victim sex, age, citizenship 	<ul style="list-style-type: none"> Offences against the person Offences against property Offences against the society Offences against nation and state Offences against other penal legislation
United Kingdom (England and Wales)	MOI	Y (from Apr 2011)	<ul style="list-style-type: none"> Offence type Crime reference number Date Grid reference and location Clear-up method Aggravating factors Local police context 	<ul style="list-style-type: none"> Offender unique reference number, date of birth, ethnic origin, role played in offence, relationship with victim Victim unique reference number, date of birth, ethnic origin, relationship with offender 	[Very high number of top-level offences]

Annex II – Note on the consultation on the February 2011 draft report

COUNTRY COMMENTS AND RESPONSES FROM THE TASK FORCE

I. INTRODUCTION

1. The present note summarizes the comments on the draft report submitted by countries following the electronic consultation conducted by the secretariat in March/April 2011. The consultation concerned all Member States of the CES. This note will be submitted to the Bureau of the Conference of European Statisticians for consideration at its meeting planned on 2-3 November 2011, when the draft report will be reviewed.

II. SUMMARY

2. A total of 19 replies were received in response to the consultation, from the following countries: Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Denmark, Finland, Germany, Hungary, Ireland, Latvia, Lithuania, Mexico, Poland, Portugal, Slovakia, Spain, Sweden, and Turkey. Out of 19 countries, at least 10 countries expressed explicitly support for the report. Moreover, 12 countries submitted substantive comments, while three countries had no comments (Finland, Slovakia and Spain).

3. The substantive comments submitted by the countries are presented in this note. For some of them, the response from the Task Force or a proposal for amending the draft report are also presented.

III. COMMENTS SUBMITTED BY COUNTRIES

Country: Austria

4. Thank you very much for the interesting report. Relating to the pages 8 and 32 of the document I want to inform you that Statistics Austria has no access to microdata on police criminal statistics... In fact, the Austrian Ministry of the Interior has access to microdata and provided information for your questionnaire. Statistics Austria is responsible for compiling statistical data about legal convictions (judicial criminal statistics).

Proposal for amendment in the Framework Classification:

In the Annex table on page 32, the value of the column "Receive microdata?" for Austria was changed from Y to N and the values of the corresponding data on page 9 in the text and graph were amended.

Country: Belarus

5. The development of the international crime classification system is required for the coherent and comparable statistics in this area. The availability of such classification would stimulate the development and revision of the corresponding national classifications. Moreover, with the use of the international Crime Classifications, the national legal crime definitions would be used to a lesser extent, which would enhance the comparability of statistical information and would allow for its usage for the analysis and comparisons for a greater number of countries.

Country: Belgium

6. We agree that an act/event based classification, structured on different levels is a good start for an international crime classification. As for the "horizontal tags" (descriptive, victim and perpetrator), we believe that this will result in large differences within the comparison between different countries. In Belgium for example, at this moment, many of the tags described in the report are missing or not sufficiently registered because of the fact that the registration of this kind of information is not always obligatory.

Response by the Task Force:

The international crime classification system aims to improve the consistency and comparability of statistical information at the international level but cannot, by itself, solve all problems of data availability and comparability among countries. A note has been added to the text that in many cases information indicated by attribute tags are not currently included in national crime

recording systems (e.g. on offenders and victims). It is hoped that the international crime classification system will be widely adopted and catalyze the collection of important new data elements where these are missing or insufficient at the national level.

Country: Bosnia and Herzegovina

7. We have no comments on the draft report and the work of the Task Force. We are still in the initial stage of establishing crime statistics and the Agency for Statistics of Bosnia and Herzegovina. The national statistical institute in BiH does not yet collect data on crime statistics. However, we hope that the Report of the Task Force on Crime Classification and proposed 'framework' for an international crime classification system will be helpful in our further work on crime statistics.

Country: Bulgaria

8. The overall framework for an international crime classification system, presented in the Draft Report is in compliance with the principle of exhaustiveness and it covers to a great extent possible acts and events that could carry criminal responsibility and sanctions in the EU member-states and it allows the possibility to improve the classification through supplementary categories inclusion.

9. The presented Draft Report and Crime Classification framework are in line with the Penal Code which is currently in force in Bulgaria as with regard to the criminal acts separated in the Special Part's Chapters of the Penal Code. We consider that the definition of unit of classification of the proposed international crime classification is very important and adopt the approach followed in the Draft Report "act or event" to be consider as such unit.

10. We assess as positive the idea to develop for statistical purposes internationally applicable crime classification, which will affect on the statistical data quality to a considerable degree and will improve the possibilities for comparisons between countries. The development of such classification is very necessary and timely. At the same time we would like to emphasize on the fact that the Penal Code is not a statistical classification and changes, corrections and amendments could not to be done in it according to statistical indications and for statistical purposes.

11. Bulgarian institutions support presented by the UNODC/UNECE Task Force Draft Report and classification principles, international crime classification framework and unit of classification expressed in it.

Country: Denmark

12. In general, Statistics Denmark agrees with the overall principle of building the classification on the four distinct elements Exhaustiveness, Structure, Mutual exclusiveness and Description of the classification. We also agree with the principle of the unit of the classification being the act or the event that constitutes the crime.

13. We can see the advantages of the idea of adding horizontal attribute 'tags' across the classification categories to get a more precise description of the crime. However, in the case of Denmark, this will not be possible in all cases. E.g. the identity of the perpetrator is not always known at the time of reporting and recording of the criminal event. In any case, registration of attribute 'tags' will imply some extra work.

14. Regarding linking from national classification systems to an international crime classification parallel coding is clearly the best solution in order to obtain the highest level of comparability. However, the feasibility of this solution depends on the availability of the necessary resources. So indeed, it is a question of priorities at the level of recording the reported offences.

15. What could be possible for us, as a statistical institution, is a re-coding of individual records. We assess that it will be possible to meet quite a lot, but not all, the definitions outlined in the proposed framework. As we do not have an established link between the recorded criminal offences and the recorded victims it will not be possible for us to add horizontal tags about the victims of the criminal event. Also other of the mentioned tags could show up to be difficult to define.

16. Finally, we support the principle of progressive implementation of the classification, e.g. to start with crimes leading to death or harm to people.

Response by the Task Force:

The international crime classification system aims to improve the consistency and comparability of statistical information at the international level but cannot, by itself, solve all problems of data availability and comparability among countries. As in national crime recording systems, the identity of perpetrators of crime will not always be known and therefore will not be recorded.

Regarding the problem of linking from national classification systems to an international crime classification, the Report of the Task Force suggests three solutions: parallel coding, re-coding or mapping of existing statistical data into the categories indicated by the international classification. The principle of progressive implementation of the classification suggests that initially a limited set of acts/events particularly relevant to crime prevention initiatives or where a strong cross-national interest exists – such as homicide – could provide a starting point for further international work.

Country: Germany

17. The classification now proposed is a significant improvement on the version discussed before, which attempted to organize criminal code articles hierarchically by seriousness.

18. The one thing that should be noted is that the delineation of Level 3 of the proposed UNECE classification from the attributes is not always clear or comprehensible. For example, some distinctions are made at Level 3 which are otherwise based on "victim tags" (victim variables for acts against property: personal or business property) or "descriptive tags" (seriousness of acts causing harm to the person: serious or minor assault; modus operandi of theft: of/from a motor vehicle). This makes an internationally comparable systematic coding more difficult (though similar "inconsistencies" -- or a mixing of criminal code articles and criminological information -- can also be found in the classification of offences for the Police Crime Statistics in Germany).

Response by the Task Force:

As noted in the Report, whereas levels one and two of the framework are intended to be complete, level three of the framework is not intended to be complete but rather contains key categories that should be included at this level in any full international crime classification scheme. Additional classification categories may be added both at level three and at putative levels four and five. As indicated in the Report, the 'legal inclusions' presented together with the framework represent a strong starting point for further disaggregation of the event categories.

At level three, serious and minor bodily harm, for example, are distinguished under the attribute of seriousness. This is important for comparative purposes as a number of criminal codes do not classify incidents of minor bodily harm as 'crimes' but as 'misdemeanors' or lesser offences, which then do not enter crime statistics. In contrast, the horizontal attribute tag 'aggravated' may apply to a number of offence categories at different levels, referring to special circumstances of committing crimes (such as 'aggravated assault' for assaults under particularly dangerous circumstances, 'aggravated robbery', 'aggravated theft', etc.)

Unauthorized entry to business premises and residential/private premises with intent to commit an offence are distinguished on the basis of the target attribute, as such distinctions are often considered important as primary categories in crime statistics based on their policy relevance. However, the location of the event (residential premises, business premises, or public area (urban/rural)), as well as other attributes of the event (e.g. sex and age of victims and perpetrators)– can also be considered to apply at the horizontal level, *across* all classification categories (of course only where relevant). Similar to level three (and further levels) categories, attribute tags are not intended to be complete and should benefit from further elaborations (e.g. the 'location' tag may consist of a number of options such as 'street'/'home'/'business premises'/etc.).

Country: Hungary

19. The features of the Hungarian statistical system are missing from the document (UNODC/UNECE task force on crime classification). I send you the missing information (attached file).

20. Remarks related to the document:

- a. The following category exists in Hungary: minor offences with a criminal character. These acts do not figure in the criminal statistics. (For example: theft involves a petty offence value).
- b. Hungarian statistical data (criminal) are fixed at the time of the termination of investigation (the Hungarian

statistical data do not conform to the calendar year).

- c. The register unit is the act, which has criminal characteristics, independently the act is punishable in the given country.
- d. The data sources of the unified statistics:
 - police crime statistics (all revealed crimes)
 - victimization survey data (crimes against natural person)

21. The different characteristics of the two data sources demand strange attention at the time of the forming of the unified statistics.

Response by the Task Force:

The definition of crimes at the national level are based on national (criminal) law. Offences that are considered as 'minor offences', 'misdemeanors' or 'administrative offences' may not be included in criminal statistics and different thresholds for this categorization may apply across countries. Examples of offence categories with potentially large differences among countries include drug offences, minor/major assault, major/petty theft or acts against public order behavioural standards. In most cases such differences cannot be solved through a common crime classification in administrative crime statistics whereas a possible approximation can be achieved through legal harmonization only, which is beyond the scope of this report. On the other hand, a universal crime classification together with common definitions/wording of questions can provide largely comparable offence categories in victimization surveys.

Basing unified crime statistics on both police crime statistics and victimization survey data is recommendable. In this case it is essential to clearly label the nature and source of the data.

Proposal for amendment in the Framework Classification:

The data for Hungary have been added in the Annex and the total number of responding countries on page 9 in the text were amended.

Country: Ireland

22. Ireland welcomes the developments in this area and supports the continued work of this Task Force. In addition, if required the Ireland is willing to become an active participant in this Task Force.

Response by the Task Force:

The contribution of Ireland to the work of the Task Force is highly appreciated and the future participation of Ireland as an active participant in the Task Force is welcome.

Country: Latvia

23. The Central Statistical Bureau of Latvia (CSB) sent the Report of the UNODC/UNECE Task Force on crime classification to several institutions and asked to peruse it and give their opinion, but received comments only from the Ministry of Justice.

24. The Ministry of Justice in its statement pointed at the following problems in the proposed Crime Classification System:

1. It would be necessary to supplement the project with one more point, covering following crimes against the family:
 - Substitution of a Child;
 - Failure to Return a Minor and Separation of a Child from His or Her Mother, Father or Guardian;
 - Disclosure of Confidentiality of Adoption;
 - Unlawful Acts in Handling of Adoptions;
 - Avoiding of Maintenance;
 - Abuse of the Rights of a Guardian;
 - Involvement of a Minor in a Criminal Offence;
 - Causing Inebriation of Minors and Involving of Minors in Non-Medical Use of Therapeutic and Other Intoxicating Medicaments.

2. It is not clear how to attribute the following types of crimes:
 - 2.1. Crimes „Knowingly Providing False Information regarding Ownership of Resources” and „Avoidance of Declaring of Cash” of the Criminal Law of Latvia meet the point 7 of the system, but they can be included in none of the sub-points;
 - 2.2. In the proposed Crime Classification there is omitted such type of crime as the destruction of cultural and national heritage. Such type of crime in Point 10 of the project is not mentioned;
 - 2.3. It would be necessary to clarify whether the crime “Causing a Suicide to be Committed”, which is an active action, which may manifest as physical and psychical influence on victim, and the aim of it is to lead a person to suicide should be included in the sub-point of classification 1.3 „Assisting suicide”.
 - 2.4. It is necessary to clarify in which group should be included a threatening to commit murder and to inflict serious body injury;
 - 2.5. To none of sub-groups of point 7 of classification it is possible to attribute crimes „Knowingly Providing False Information regarding Ownership of Resources” and „Avoidance of Declaring of Cash”.
 3. Sub-point 8.9. „Acts against the criminal justice system” of the classification system should be specified and the word „criminal” should be crossed out in order to be able to include a wider range of crimes against the jurisdiction in this point. For example, crimes “Falsification of Evidence” and “Failure to Execute Court Judgement and Decision” regards not only to criminal cases but as well as to civil cases.
25. The Central Statistical Bureau concludes that the use of the proposed Crime Classification System could be useful in crime victimization sample survey statistics and compilation of event-based statistics. As regards the last one, it is necessary to come to an agreement with institutions compiling police statistics. As regards crime victimization sample surveys it would be necessary to agree upon the degree of detailed elaboration applicable for such classification. In our opinion it could be on a 2 digit level.
26. At the same time the practical use of this classification in justice statistics could be rather complicated wherewith its efficiency in regard to comparability could be limited. Initially it would be necessary to compare and evaluate to what extent differ national counting rules and recording practices concerning police-recorded crime statistics. In Latvia all crime statistics is based on the sections of the Criminal Law. Its re-coding to the proposed Crime Classification System could be rather complicated. It is not clear enough on which stage coding or recoding take place and who is responsible for it.
27. As regards a 'vertical' crime event classification could be supplemented by 'horizontal', information on perpetrators and victims. To our mind, it may cause problems in comparing because horizontal information depends on how detailed are described offences. The code cannot be too long for it can cause mistakes in the process of coding itself and make the process of comparing more complicated.
28. In the proposed framework for an international crime classification system (pages 20-21) in group 7. Acts for financial/personal gain there is missing sub-group 5 Money laundering. In the graph it is attribute to level 7.5.1 below the subgroup 7.6 Acts involving proceeds of crime (page 20) that seems to be only a technical mistake.

Response by the Task Force:

As noted in the Report, whereas levels one and two of the framework are intended to be complete, level three of the framework is not intended to be complete but rather contains key categories that should be included at this level in any full international crime classification scheme. The Framework Classification does not contain a level 1 or level 2 category 'Crimes against the Family'. In the current framework the crimes mentioned by the Ministry of Justice would fall mostly under 2. Acts causing harm to the person/ 2.2. Abduction, hijacking, and kidnapping. Some crimes mentioned may also fall under 2.4. Dangerous/ negligent acts or under one of the Level 2 categories under 8. Acts against public order or authority. Further level 3 categories corresponding to the crimes mentioned by the Ministry of Justice could be developed in future elaborations of the framework classification, if considered necessary.

The acts mentioned under 2.1. are likely to fall under 7. Acts for financial/personal gain and sublevels 7.1 Fraud or 7.4 Dishonest appropriation.

The acts mentioned under 2.2. are likely to fall under 5. Acts against property only/5.3 Property damage or under 8. Acts against public order or authority/8.6. Acts contrary to regulatory provisions.

With regard to point 2.3., the acts mentioned may be subsumed under 1.3. Assisting suicide and further putative subcategories at level 3, if these are considered necessary.

With regard to point 2.4., a threatening to commit murder and to inflict serious body injury may be subsumed under 1.1 and 2.1, respectively, with a horizontal tag 'Th' = Threatened.

The first act mentioned under 2.5. is likely to fall under 7. Acts for financial/personal gain and sublevels 7.1 Fraud or 7.4 Dishonest appropriation and the second act under 8.6. Acts contrary to regulatory provisions and further putative Level 3 categories.

The international crime classification system aims to improve the consistency and comparability of statistical information at the

international level but cannot, by itself, solve all problems of data availability and comparability among countries, including issues such as different national counting rules and recording practices. The report notes that “the development of an international classification alone is not sufficient to resolve all challenges of cross-national comparability of crime statistics. Rather, any future international crime classification would need to be accompanied by in-depth guidance (such as a manual) on its use with respect to different national counting and recording practices.”

Proposal for amendment in the Framework Classification:

Regarding comment 3. the word „criminal” has been crossed out in the category 8.9.

Subgroup 7.6 Acts involving proceeds of crime has been renumbered to 7.5. The Act/Event elements of 9.1. Terrorism have been broadened to include ‘acts supporting’ terrorism and ‘incitement to terrorism’.

Country: Lithuania

29. Lithuania fully supports the draft report of the Task Force on Crime Classification and hopes that this report will become a basic instrument for developing the national and EU level crime classification systems for statistical purposes and for improving the international comparability of crime and criminal justice statistics.

30. In order to achieve comparability of statistical data, the same understanding of the definitions of crimes is very important. It is important both for serious and minor crimes, which in some countries are considered as crimes, while in other countries – as administrative offences. One of such crimes, which in Lithuania would be considered as an administrative offence, is at page 20, item 8.1 of level 2, “Acts against public order behavioral standards”, part of legal inclusions “Public drunkenness and other alcohol possession/use offences”. Therefore, in the final version of the classification of crimes, it is important to emphasize the criteria for minor crimes, which should be classified in the same way in all countries.

Response by the Task Force:

The definition of crimes at the national level are based on national (criminal) law. Offences that are considered as ‘minor offences’, ‘misdemeanors’ or ‘administrative offences’ may not be included in criminal statistics and different thresholds for this categorization may apply across countries. Examples of offence categories with potentially large differences among countries include drug offences, minor/major assault, major/petty theft or acts against public order behavioural standards. In most cases such differences cannot be solved through a common crime classification in administrative crime statistics but a possible approximation can be achieved through legal harmonization only, which is beyond the scope of this report. On the other hand, a universal crime classification together with common definitions/wording of questions can provide largely comparable offence categories in victimization surveys.

Proposal for amendment in the Framework Classification:

‘Public drunkenness’ has been added in the text.

Country: Mexico

31. In general the five principles of crime classification are relevant and can provide certainty on the consistency of crime statistics and may provide more harmonized data that allows comparison between countries, by using the definitions and classification of the main categories of crime.

32. However, the *attributes* established to assist the description of classification categories, such as the seriousness of the act, the intent of the perpetrator of the act, the *modus operandi* of the act, the degree of completion of the act, the degree of co-responsibility of persons involved in the act, and the sex and age of victims and perpetrators will certainly prove very difficult to generate in Mexico. This is due to the fact that statistics currently available do not include such details and disaggregations and the administrative sources, which are the general district attorney offices in each one of the states of the republic and one at the federal level, have different criminal laws and rules to classify. The implications to introduce the attributes proposed by the UNODC/UNECE task force to harmonize crime statistics in Mexico are quite complex and would require long term efforts to accomplish such change.

Country: Poland

General Remarks

33. 1) The Report contains the proposal to elaborate such classification of crime that would enable comparisons of countries with dissimilar legal systems (common law, continental law, Islamic law) as to their crime levels, notwithstanding differences in understanding and thus defining behaviors regarded as criminal acts.

34. Although this initiative should be highly regarded, in our view the first step in its realization should be the elaboration of common definitions of criminal acts at regional level. Such regions might be either continents or other groups of countries, such as European Union or sub-groups within EU. The grouping may also be arranged according to types of legal systems, namely: a continental one, based on definitions of crimes contained in laws; or a common law system in the countries such as UK, the USA, etc. It seems that an Islamic legal system should be classified separately.

35. Furthermore, the experiences of European countries partaking in the works over the European Sourcebook show that crime definitions within just the EU countries are very diverse and hence they are treated dissimilarly in the statistics (courts, public prosecutors offices and the police ones). Thus, it is obvious that the difficulties within the present project would be much greater.

36. Such definitions or uniform classifications at regional level might then provide the basis for launching the works over elaboration of a worldwide ones. The assessment of individual regional exercises would enable the further choice of a sample of criminal acts to be included in international (cross world) comparisons.

37. 2) The presented Report, while very interesting, being the result of an advanced analytical work, does not provide the basis for further evaluations as to whether or not the classification proposals contained therein may be useful and practicable at the global level. The reason is that the presented categorization has been based on the analyzes provided by mostly EU countries, Russia and Ukraine, as well as Australia and the US. The lack of any response from Asian states (e.g. Japan), South American and African ones means that we know neither how crimes are defined in those regions, nor how - and if! - data concerning them are gathered.

38. This is an important obstacle. Due to it, our classification is heavily focused on Europe and may be totally mistuned as far as e.g. Koranic law is concerned, what is crucial in the case of justice systems in many Islamic states. Moreover, such important states as China or India have been passed by, whose data might be extremely interesting in the classification of crimes context. It seems that without at least minimum inclusion of information from those neglected so far countries and continents, further work would not produce the desired outcomes.

Specific Remarks

39. 1) Descriptive Tags of criminal deeds should be defined more precisely, since individual categories foreseen as discriminants allowing including specific acts into specific superior categories are not separable and may lead to double inclusions, e.g. "with firearm" and, "Aggravated".

40. 2) Victim Tags should be defined properly, especially those concerning Child Victim, since in individual legal systems age limits defining "child" (also within the broader category of a "juvenile") are different. It is to be mentioned in this context that even within the Polish law there are several terms, such as "minor", "juvenile", which may be misleading, and, to add to the disaster scene, person under 15 is treated as an exception to the general rule, as far as the offense of sexual intercourse with a child is concerned.

41. 3) Also the Perpetrator Tags are unclear – why "Perpetrator – part of an organized group" is distinguished, while other forms of involvement in crime are not?

42. 4) The group of criminal offenses of Level 1, "Acts causing harm to the person" is in our opinion too wide and contains many elements difficult to be statistically gathered. Perhaps this group should be divided into two groups: the first consisted in causing harm to the person directly (bodily injury), and the second connected with other types of harm (kidnapping, slavery, stalking). In this group, on Level 3, to the deed defined under 2.4.1 (Dangerous/negligent driving) also "drunken driving" should be added.

43. 5) Theft (Level 2, item 5.2) should be completed with its other forms, such as theft of electric power, of telephone pulses, theft of payment, credit cards, pick pocketing. Also, the division into "personal theft" and "other theft" should be introduced.

44. 6) Deeds connected with the controlled substances (Level 1, item 6) should be further developed (except "the private and other uses"), by the addition of "possession/use small amounts of substances for personal use", as well as separation of "dealing in drugs as criminal activity", and "selling drugs occasionally".

45. 7) Deeds connected with achieving "financial or personal gain" (Level 1, item 7) should be completed with the deeds

belonging to the group of economic crime; alternatively, the latter might be distinguished by adding them to item 9 – “deeds connected with terrorism or organized crime”.

46. 8) Moreover, the classification should include new worldwide types of crime, such as “Cyber/Internet crime”.

Response by the Task Force:

The international crime classification system aims to improve the consistency and comparability of statistical information at the international level but cannot, by itself, solve all problems of data availability and comparability among countries, which arise from different definitions of crimes at the national level based on different national (criminal) laws. A possible approximation can be achieved through legal harmonization only (as in many areas of criminal law within the EU), which is beyond the scope of this report. On the other hand, a universal crime classification together with common definitions/wording of questions can provide largely comparable offence categories in victimization surveys.

It is hoped that the international crime classification system will be widely adopted and catalyze the collection of important new data elements where these are missing or insufficient at the national level.

The principle of progressive implementation of the classification suggests that initially a limited set of acts/events particularly relevant to crime prevention initiatives or where a strong cross-national interest exists – such as homicide – could provide a starting point for further international work. The Task Force recommends in Chapter 5 of the Report a piloting of such a progressive implementation of an international classification of selected crimes. This piloting should initially include Member States of the Conference of European Statisticians and be extended to other interested States, including from other continents and legal traditions, with a view to developing a full international classification of crimes for statistical purposes.

Regarding Specific Remark 1), this is to be seen in the context of a progressive elaboration of the proposed classification framework at level 3 and at further putative levels 4 or 5. Whereas levels one and two of the framework are intended to be complete, level three of the framework is not intended to be complete but rather contains key categories that should be included at this level in any full international crime classification scheme. Similarly, the Report foresees the further development of the horizontal descriptive ‘tags’ to be used within the framework. Horizontal attribute tags are not intended to be mutually exclusive (e.g. both ‘aggravated’ and ‘with firearm’ may apply).

Regarding Specific Remark 2), common age limits are one of the elements that need to be defined in the further development of the horizontal descriptive ‘tags’ to be used within the framework, but must also allow a certain flexibility to reflect different legal definitions (there is thus a continued need for metadata).

Regarding Specific Remark 3), this is one of the elements that need to be defined in the further development of the horizontal descriptive ‘tags’ to be used within the framework. ‘Organized criminal group’ has been singled out for inclusion due to its perceived policy relevance but this may be supplemented with other, additional attribute tags.

Regarding Specific Remark 4), as the Report explains, in order to ensure manageability, there should not be too many hierarchical levels in an international crime classification system. Rather, the top-level class may itself already consist of a reasonably high number of divisions based on attributes of the act or event. The current framework classification includes 10 top level categories which is widely considered to represent the upper boundary.

Regarding Specific Remark 4), the division into “personal theft” and “other theft” could be introduced in the course of further development of Level 3 categories, if considered necessary.

Regarding Specific Remark 5), the division into “personal theft” and “other theft” could be introduced in the course of further elaboration of Level 3 categories, the same applies for possible categories ‘theft of (means of) payment’, ‘credit cards’, ‘pick pocketing’, etc... at Level 4 or 5.

Regarding Specific Remark 6), the addition of “possession/use small amounts of substances for personal use”, as well as a separation of “dealing in drugs as criminal activity”, and “selling drugs occasionally” could be introduced within the further elaboration of Level 3, 4 or 5 categories, if considered necessary.

Regarding Specific Remark 7), deeds connected with achieving “financial or personal gain” (Level 1, item 7) are already intended to incorporate all possible deeds belonging to the group of economic crimes and no further category of ‘economic crimes’ seems required. More specific economic crimes could be specified in the further elaboration of Level 3 categories or at Level 4 or 5.

Regarding Specific Remark 8), cybercrime/internet crime can be identified through horizontal attribute tags (see below) and no new category of cybercrime seems required.

Proposal for amendment in the Framework Classification:

Under 2.4.1 (Dangerous/negligent driving) the term “drunken driving” has been added.

Legal inclusions for theft (5.2) has been complemented with theft of electric power and telephone pulses.

The following sentence has been added in the text: "If all 'computer facilitated' crimes are classified by a horizontal attribute tag indicating their relation to the use of computers or networks, the totality of what is often called 'cybercrime' can easily be identified within the current framework without adding a separate category for 'cybercrime' as a top-level category to the classification."

The act/event elements of terrorism (9.1) have been expanded to include 'Acts, including supporting acts,' while the legal inclusion has been expanded to include 'incitement to terrorism' ('financing of terrorism' was already included).

Country: Portugal

47. The idea of developing a harmonized crime classification for statistical purposes suitable for implementation by all EU Member States as a fundamental tool to guarantee international comparisons of indicators, is welcome even though ambitious. Nevertheless, as mentioned in the report this essential step onwards should come with further guidance and standards on data collection; without harmonization of these procedures data comparison will still be limited.

48. In what concerns the proposed classification structure and according to our experience – which is based on the national procedures although they are certainly common to other Member States – it should be stressed out the importance of considering in different ways the elements "intention" and "result". In the cases where a classification is applied at the moment when the police authorities take knowledge of the crime it may happen there are not yet enough evidences to evaluate the perpetrator's intentions or its final result. For example, without these evidences it can become impossible to make a distinction among grievous bodily harm and an attempt to a voluntary manslaughter or a grievous bodily harm aggravated by the final result.

49. Having in mind, on one hand, the need for maintaining an internal classification corresponding to the present national needs and, on the other hand, the technological status of our platforms for registering occurrences, which are currently in our case partially done by mapping rather than by informatics micro data, we consider the third option to be the best suited for the implementation of an international crime classification. Therefore, a draft version of an international crime classification as well as data collection procedures will be very useful to be included in a guidance version tending to a progressively larger harmonization.

50. It would be important to include information about the age of victim and perpetrator as well as the relationship between them.

51. Finally, it is also relevant to allow for a proper distinction of the national legal frame of registered crimes in order to know if the criminal proceeding is only initiated upon complaint or not.

Response by the Task Force:

The distinction between intentional and non-intentional is a basic distinction in most police statistics on homicides to be able to distinguish suspected cases of murder from cases of carelessness leading to the death of another person, such as dangerous driving. Where such distinctions cannot be made in police statistics they will not be included in police statistics on (suspected) intentional homicides.

Regarding including information on the age of victim and perpetrator as well as the relationship between them, this is to be seen in the context of a progressive elaboration of the horizontal descriptive 'tags' to be used within the framework. At present only the most basic age group of victims and perpetrators are included (child victim and child perpetrator), but this could be changed in an elaborated version, if considered necessary at a later stage. Similarly, the relationship between victim and perpetrator is an important descriptive element of (inter-personal) crimes, while at present very few countries are able to produce such data.

Country: Sweden

52. The National Council for Crime Prevention (NCCP) recognizes the importance of developing a set of principles on international crime classification systems for statistical use and in particular the aim to improve consistency and international comparability of crime statistics and. Overall the NCCP is positive to the work of the Task Force on Crime Classification and the proposed system for an international crime classification and would like to leave following remarks.

53. The fact that the classification unit emerges from a more universal definition of crime events (instead of from a legislative definition) and that the first level in the structure consist of only ten categories would facilitate the compliance in many

countries and indicates that the as a classification system could work well on the international level.

54. The system is clearly building on relevant theoretical principles for classifications systems (such as hierarchical structure, exhaustiveness, mutual exclusiveness etc). If the Task Force wants to emphasize the structure the level two and three could be complemented with "other" events (for example the level three of Acts leading to death would besides 1.1.1 Infanticide consist of 1.1.0 Other acts). However this would only serve as to clarify the exhaustiveness of the structure, since it otherwise remains the same.

55. In Sweden a new classification system for crime classification is under development since several years. The system is based on the national legislation and will provide more detailed information on crime than the system currently in use. Considering the substantial work put into this project it is most likely that Sweden would choose to implement the proposed international classification system by means of cross-coding. It is the NCCP's belief that the legal inclusions of the framework provide this opportunity.

Response by the Task Force:

As noted in the Report, whereas levels one and two of the framework are intended to be complete, level three of the framework is not intended to be complete but rather contains key categories that should be included at this level in any full international crime classification scheme. The Framework Classification does not contain the categories 'other' on level 2 because in principle all crimes should fall under one of the categories listed at Level 2. If there are any specific known crimes that cannot be subsumed under any of the listed Level 2 categories, the Task Force would like to hear from them for consideration of their possible inclusion at this level.

Further level 3 categories corresponding to the most important sub-categories of crimes for each Level 2 category as well as any required Level 3 category 'other' could be inserted in the course of the further elaboration of the framework classification.

Country: Turkey

56. There is more than one criteria to constitute Level 1 in classification. This situation creates difficulties in identifying the group of crime in the classification. One incident may provide more than one criteria.

57. For example; the group of homicide occurred as a result of terrorism is not clear. This incident will be included whether in Acts leading to death (1) or in Terrorism (9.1). There is no any explanation oriented on this incident under the title of Legal inclusions belongs to Terrorism (9.1). A similar situation is seen also in organized crime. However, there is an explanation for this event under the title of Legal inclusions belongs to Organized crime (9.2) saying that other acts involving organized crime to be classified according to the acts itself.

58. The other example; the group of homicide occurred as a result of torture is not clear too. This incident will be included whether in Acts leading to death (1) or in acts under universal jurisdiction (10.1). Because homicide occurred as a result of torture can be included in both acts leading to death and acts under universal jurisdiction concerning seriousness and attribution.

59. If the draft crime classification were constituted in order to classify the crimes essentially at police stage, some kind of crimes such as genocide, war crimes, etc. which could be identified by international courts are not included under the responsibilities of police. Therefore, exclusion of such kind of crimes could be more suitable to this classification.

60. We added some information under "classification top- level categories" on page 39 for Turkey as follows:

- Offences against the person
- Offences against property
- Offences against the society
- Offences against nation and state
- Offences against other panel legislation

Response by the Task Force:

The approach of a relatively broad level one with ten categories was taken to avoid the difficulties of highly aggregated act/event categories such as 'acts against the person' or 'acts against property'. Should such aggregate values be required, the framework offers the flexibility for subsequent summing. 'Acts against the property involving violence against a person' for example, may be included in a subsequent sum of acts against the person, or acts against property, depending upon local needs.

Regarding homicide occurring as a result of terrorism, this should fall under homicide, while the definition and legal inclusions of terrorist acts are listed under 9.1. (At present, country practices with regard to the inclusion of deaths resulting from terrorist acts under 'homicide' differ as noted in the forthcoming UNODC Global Report on Homicide). Information on a situational context of homicide related to terrorism could be included in future elaborations of the framework classification through an additional horizontal attribute tag on perpetrators (e.g. TG = 'perpetrator part of a terrorist group'). This could be done in parallel to the

horizontal attribute tag on organized crime (OC = 'perpetrator part of a terrorist group').

The other example given, i.e. homicide as a result of torture, should also be recorded under homicide if the act resulted in the death of the person. In addition, the particular national crime counting rules (outside the scope of this report) will specify whether an act of torture that resulted in the death of a person will be recorded as one offence (homicide) or more offences (homicide, torture, serious assault, etc.), in which case both the homicide and the act of torture will be recorded.

Regarding the inclusion of crimes not falling under the responsibility of the national police, the framework classification should cover the universe of known acts/events that commonly constitute crimes under national and universal jurisdictions, irrespective of who is responsible to respond to these crimes in national criminal justice systems (e.g. federal or state police, special police, prosecutors, etc.).

Proposal for amendment in the Framework Classification:

The classification of top-level categories used by Turkey has been added in the annex.

The text has been slightly revised to expand the range of crime included in the framework classification to crimes under universal jurisdiction: "Under the principle of exhaustiveness, level one is intended to cover the universe of known acts/events that commonly constitute crimes under national *and universal* jurisdictions."

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