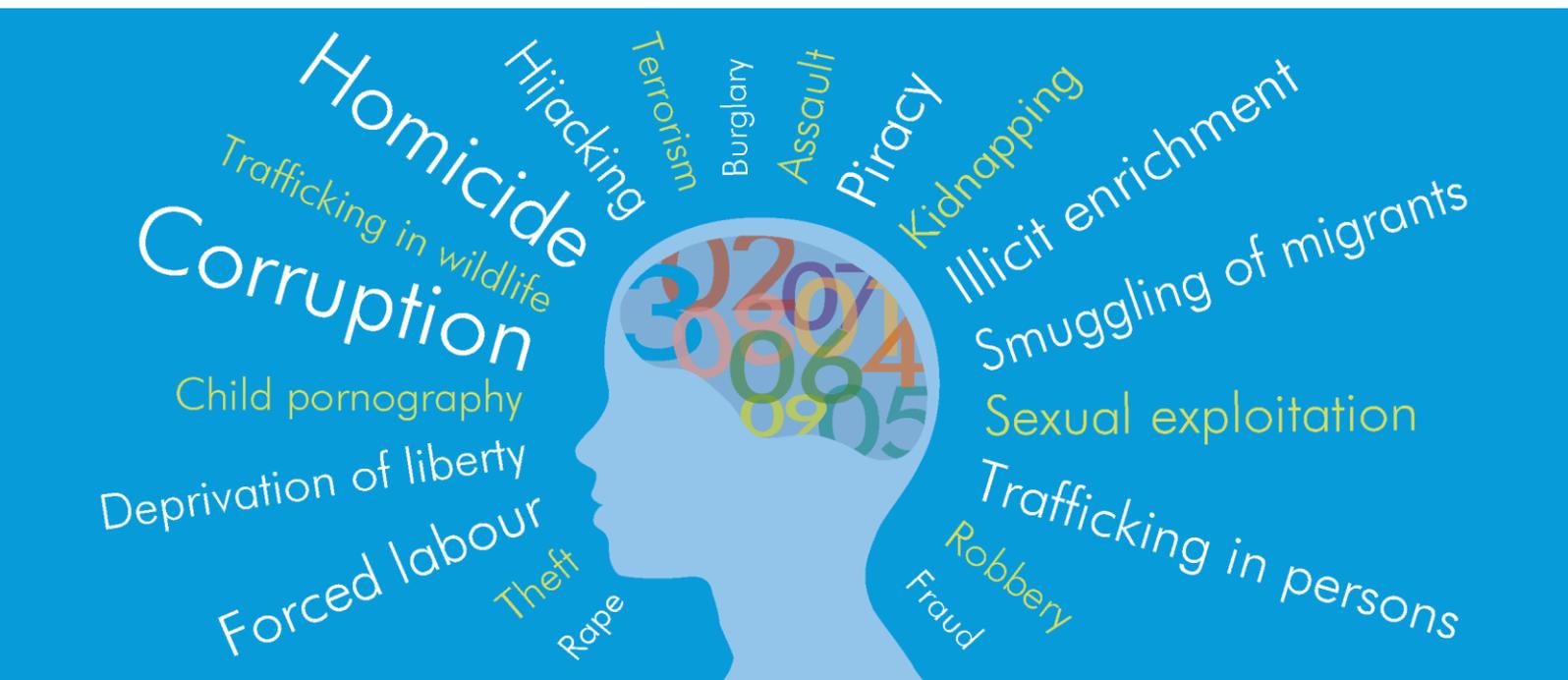


1 **ICCS**
Advocacy
Brief

Attrition of offences related to organized crime in the criminal justice system



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What is attrition and why does it matter?

Attrition refers to the loss of cases throughout the criminal justice system process. It occurs along the entire criminal justice chain, from detecting and registering crime, to identifying a suspect and prosecuting, convicting and sentencing this suspect. For example, a lack of physical evidence or witnesses can make it impossible to identify a suspect or proceed to prosecution. This is particularly harmful in the case of serious crimes¹ committed by organized criminal groups² considering their negative economic and social implications. Transnational organized crimes, such as drug trafficking, trade in protected species of fauna or flora, trafficking in persons or offences against cultural property, are especially consequential and should never go unpunished.

Attrition has many facets, such as the difference between levels of known crime and the response of the criminal justice system in terms of prosecutions, convictions and sentencing. In this brief, the focus is on the possible disconnect between the different institutions of various criminal justice systems and the statistical gaps this can create. For example, when law enforcement agencies classify crimes differently from public prosecutors, it becomes onerous to determine what percentage of detected

crimes result in prosecution and conviction. In this case, one is trying to draw a comparison between two things that are similar at first glance but are, in fact, distinct crime categories that are not directly comparable.

In many countries around the world, there is no uniform catalogue of criminal offences for statistical purposes or specifically developed crime classification. Moreover, national statistics on crime typically refer to criminal offences as defined by each country's criminal law system, which makes international comparison difficult given the level of legal heterogeneity across countries. Internationally, there is a lack of comparable and complete information on crime victims, perpetrators, and additional information to understand the context and drivers of organized crime. Without standardized concepts and definitions, it is difficult to respond to the demand for in-depth research and analysis of transnational organized crime.

What does the ICCS offer?

The International Classification of Crime for Statistical Purposes (ICCS)³ provides a comprehensive framework for producing high-quality statistics on crime and criminal justice. The ICCS was endorsed by the United Nations Statistical

¹ A "serious crime" refers to an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty (See Article 2 in Annex I of A/RES/55/25).

² An "organized criminal group" is a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences in order to obtain, directly or indirectly, a financial or other material benefit (See Article 2 in Annex I of A/RES/55/25).

³ *International Classification of Crime for Statistical Purposes*, version 1.0 (United Nations Office on Drugs and Crime, 2015). Available at <https://www.unodc.org/unodc/en/data-and-analysis/statistics/iccs.html>.

Commission at its 46th session in March 2015 as the international statistical standard for data collection. It offers a set of discrete, exhaustive, and mutually exclusive categories and, as such, reasonably covers every manifestation of crime. This includes crimes that are often organized and transnational in nature, such as trafficking in persons and drug trafficking (see Table 1).

In addition, the ICCS offers a disaggregating variable for the situational context of a crime. This variable includes an organized crime-related option that can be added to any of the crimes included in the classification where an organized criminal group was an integral part of the

modus operandi. In this way, it is possible to get an overview of the impact of organized crime across all categories, such as organized crime-related intentional homicide.

The ICCS is increasingly seen as the common vocabulary of crime and, as such, as an instrument that facilitates exchange of information between countries and, more broadly, as a common platform for international cooperation in the fight against organized crime. Activities suggested in article 27/1 of United Nations Convention against Transnational Organized Crime benefit from the use of the ICCS as a common platform to define crime.

Table 1
Examples of organized crime categories included in the ICCS

<i>ICCS category</i>	<i>Description</i>
0204	Trafficking in persons
06012	Unlawful trafficking, cultivation or production of controlled drugs or precursors not for personal consumption
0702	Forgery/counterfeiting
07041	Money laundering
07042	Illicit trafficking in cultural property
08051	Smuggling of migrants
09012	Trafficking of weapons and explosives
09051	Participation in an organized criminal group
10031	Trade or possession of protected species of wild fauna and flora

Source: *International Classification of Crime for Statistical Purposes*, version 1.0 (United Nations Office on Drugs and Crime, 2015).

What are the benefits of the ICCS?

The main benefit of utilizing the ICCS is thus the production of consistent and comparable high-quality statistics that allow for the monitoring of crime, including organized crime, throughout the criminal justice system – both nationally and internationally. While it does not resolve the issue of undetected crime that never comes to light, it does allow policymakers to identify trends, bottlenecks and points of improvement for organized crime-related offences that are detected and investigated. Clarifying how organized

crime is to be recorded and counted is the first step to understanding how it might be prevented.

When any classification is not consistently applied across institutions, data irregularities inevitably occur. As an example, data from the United Nations Illicit Arms Flows Questionnaire (UN-IAFQ) is highlighted here. The UN-IAFQ is distributed annually to all Member States to gather firearms related data in a uniform and standardized manner. There are three indicators related to the arrest, prosecution and conviction of individuals

for illicit trafficking in weapons. These three indicators offer insight into the attrition of this particular aspect of organized crime within the criminal justice system. The UN-IAFQ is a positive example, as it ensures data on the number of people arrested, prosecuted and convicted are available in the first place.

However, the data submitted by Member States are sometimes ambiguous. For example, there are cases where countries report the arrest of far fewer individuals for

illicit trafficking in weapons than are prosecuted and convicted. Additionally, there are large differences across countries in the ratio of the number of people prosecuted versus the number of people convicted (see Table 2). While these differences could technically occur due to differences in the efficiency of prosecutors and courts across countries, the contrasts are large enough to reasonably assume differences in data definitions play a role.

Table 2

Data example from the United Nations Illicit Arms Flows Questionnaire – Individuals prosecuted and convicted for illicit trafficking in weapons

<i>Country</i>	<i>Year</i>	<i>Individuals prosecuted</i>	<i>Individuals convicted</i>	<i>Ratio</i>
Armenia	2018	636	63	0.10
El Salvador	2018	179	179	1.00
Kazakhstan	2020	376	358	0.95
Türkiye	2019	3 756	393	0.10

Source: United Nations Office on Drugs and Crime, "Firearms trafficking", UNODC Data Portal. Available at <https://dataunodc.un.org/dp-firearms-cjs-response>.

By ensuring the ICCS is applied throughout the criminal justice system – from the police to prosecution and courts all the way to prisons – countries can ensure all institutions use the same definitions and report data consistently. This will facilitate comparability of data and provides a measure of the true rate of attrition in the system, rather than what is caused by applying different concepts and standards of classifying offences (see, for example,

the box on crime data from the Republic of Korea). Given its impact on society, this is particularly relevant for organized-crime related offences. Member States that are unable to account for how organized crime is handled in the criminal justice system will struggle to formulate effective policy and improve public safety.

Crime data from the Republic of Korea

Crime statistics in the Republic of Korea are primarily produced by three separate institutions. There are the analytical statistics on crime produced by the Supreme Prosecutor's Office, the police crime statistics by the Korean National Police and a crime victimization survey executed by the Korean Institute of Criminology. Both the Korean National Police and the Supreme Prosecutor's Office regularly publish data on crime trends in the Republic of Korea. Both institutions use the same definitions of crime but, crucially, use their own classification. Thus, offences are aggregated in different ways, resulting in categories that cannot be directly compared (see Table 3).

Table 3
Different classifications used by the Korean National Police and the Supreme Prosecutor's Office

<i>Korean National Police</i>	<i>Supreme Prosecutor's Office</i>
Violent crime (felony)	Property crime
Theft	Violent crime (brutality)
Violent crime	Violent crime (violence)
White collar crimes	Crime of forgery
Public moral crimes	Crime by public servant
Special economic crimes	Crimes against public morals
Narcotics crimes	Criminal negligence
Health crimes	Other crimes
Environmental crimes	
Traffic crimes	
Labor crimes	
National security crimes	
Election crimes	
Military service crimes	
Other crimes	

Source: Korean Institute of Criminology, The Crime Statistics Hub. Available at <https://www.crimestats.or.kr/portal/main/indexEngPage.do> (accessed on 30 August 2022).

Statistics Korea (KOSTAT) is currently leading the process of implementing the ICCS in the Republic of Korea. The statistical agency recognizes the need for harmonization in the interest of producing accurate and comparable statistics across institutions. This involves coordination with all relevant actors producing data for the criminal justice sector and translating legal articles into ICCS categories using correspondence tables. The process is ongoing and expected to be finalized in the near future. Once complete, it will allow consistent data to be reported across all stages of the criminal justice system.

Why is harmonising counting rules also needed?

The ICCS was designed to offer a consistent set of definitions to ensure that data on crime within a category refers to the same underlying phenomenon across criminal justice institutions and

internationally. However, another major factor in ensuring comparability of crime statistics is the way crimes are recorded and counted by different institutions. While counting rules are outside the scope of the ICCS, they are fundamental in understanding organized crime trends

within and across countries. The following elements will affect overall counts and thus affect measures of attrition:

- *Moment of collection.* Institutions can count at different stages of their respective process. For example, the police could count every reported offence (input) or only those that are investigated (output).
- *Counting unit.* Different counting units exist across and within institutions, such as suspects, charges, cases and convictions. For data to be comparable across institutions, the same counting unit must be used (such as persons suspected and persons convicted).
- *Counting multiple offences and/or offenders.* If a person commits multiple offences of the same category, they can be recorded as one or multiple suspects. If a person commits multiple offences from different categories, some countries record all crimes separately while others apply a principal offence rule.⁴ If multiple persons commit a single offence, this may involve a single case with multiple suspects.

Applying the ICCS is thus necessary for attrition to be measured accurately, but not sufficient. Criminal justice institutions within countries must also agree on common and consistent counting rules to get the most accurate measurement of attrition.

What is being done to further improve the measurement of attrition?

- The ICCS is currently being implemented in a growing number of countries with the aim to improve data on crime and criminal justice.
- UNODC closely monitors this implementation and collects feedback and suggestions on possible inconsistencies and gaps that may emerge at country level so that they can be addressed in future versions of the ICCS.
- UNODC welcomes proposals for the general improvement of the ICCS and in its use in monitoring attrition and transnational organized crime.

For more information and any ICCS related inquiries, please contact UNODC at:

iccs@unodc.org

or refer to the website:

<https://www.unodc.org/unodc/en/data-and-analysis/statistics/iccs.html>

⁴ Under a principal offence rule, when more than one offence is committed simultaneously, only the most serious offence is recorded. For example, when a homicide and robbery have been committed simultaneously, under a principal offence rule, only the most serious offence (homicide) would be recorded.