

Standard documentation Meta information

(Definitions, comments, methods, quality)

on

Judicial Criminal Statistics

This documentation is valid from/for the reference period/due day:

From 2012 onwards

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STATISTICS AUSTRIA
Bundesanstalt Statistik Österreich
A-1110 Vienna, Guglgasse 13
Phone: +43 1 711 28-0
www.statistik.at

Directorate Social Statistics
Organizational unit Living Conditions, Social Protection

Contact person:
Lukas Sramek, MSc
Phone: +43 1 711 28-7251
E-mail: lukas.sramek@statistik.gv.at

Executive Summary

This documentation provides metadata on judicial criminal statistics, comprising statistics on convictions and reconvictions.

Judicial criminal statistics are based on the criminal records file maintained by the Federal Ministry of the Interior. Information on convictions that are legally binding is electronically submitted by the criminal courts to the criminal records office when a conviction becomes final. The Federal Register of Criminal Records (situated at "Landespolizeidirektion Wien" – police directorate of Vienna) documents final convictions by Austrian criminal courts until the deletion deadline expires. In addition to information on convictions, information on judicial decisions and notifications are recorded, such as the enforcement of a sentence, the release from prison, preventive measures and probation assistance. Statistics Austria's judicial criminal statistics are based on all convictions that became final in the respective reporting year. Furthermore, information on prison releases are used for the production of statistics on reconvictions.

Conviction statistics inform about the number of final convictions by Austrian criminal courts in a reporting year, with the longest time series dating back to 1947. For a long period of time, convictions were the authorities' principal reaction to crime. However, alternative extrajudicial measures ("Diversion") gained greatly in importance during the past decades. When, in 2000, diversion became a possible intervention for adults (previously only for juveniles), the number of convictions declined steeply. Nevertheless, convictions are still the primary response to the more severe offences.

Each conviction is classified according to the underlying offence that is decisive in terms of the punishment imposed ("principal offence"). Before 2012, the principal offence was not flagged in the data and therefore had to be determined at Statistics Austria by an algorithmic process, the result of which could slightly differ from the classification at court. Since reporting year 2012, courts have been providing information on the principal offence, which can now be used directly.

Another major enhancement of the conviction statistics resulted from the new possibility to statistically show data on all underlying offences. Starting with the reporting year 2012, all crimes in a proceeding were made available for statistical purposes to analyse the full scope of offences, not only the principal offence. Since then, it has also been possible to analyse the combinations of offences underlying the same conviction.

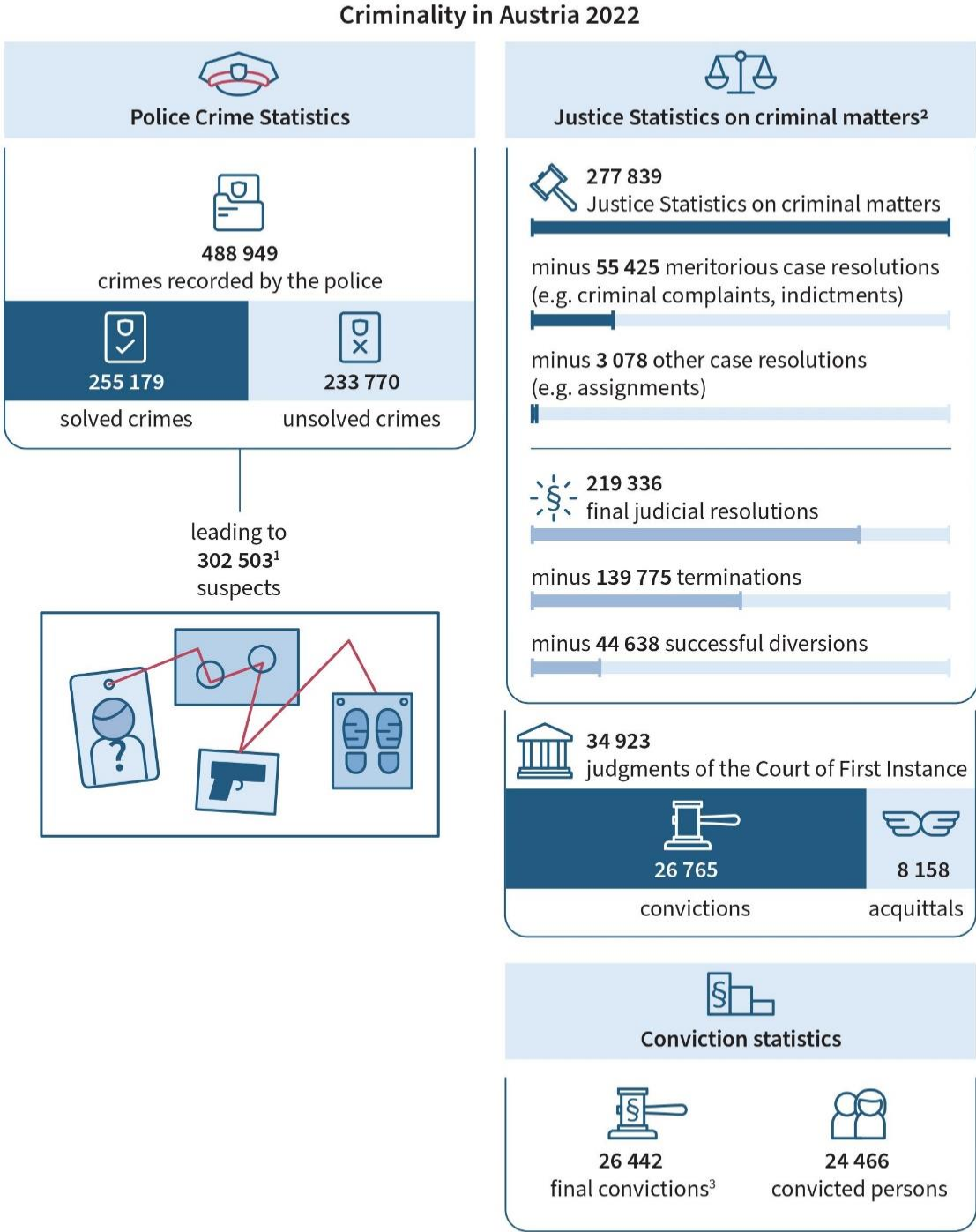
Starting from the reporting year 2012, the number of convicted persons (every convict counted only once per year) has been published. The advantage of these analyses is to show the number and socio-demographics of convicts and how many times they were convicted within a reporting year.

About fifteen years ago, a new concept on reconviction statistics was developed together with the Institute for the Sociology of Law and Criminology. Analyses were first published in 2008 (reporting year 2007). Statistics on reconvictions are based on persons being legally convicted (except for unconditional prison sentences) or released from prison during a base year. The statistics show how many of the peo-

ple concerned were convicted again during a given risk period (four years) after the base incident. Statistics on reconvictions therefore show the "careers" of convicted persons and identify risk groups – persons that are more likely to be convicted more than once.

Since reporting year 2014, a survival analysis has been conducted in addition to the general reconviction statistics. This method provides timely information on reconvictions for younger cohorts, i.e. people from later base years that haven't completed the full four-year observation period yet.

Figure 1: Model showing the different stages (police, prosecution, courts) of criminal proceedings



S: Statistics Austria, Judicial Criminal Statistics 2022; Ministry of the Interior, Police Crime Statistics 2022; Ministry of Justice, Justizstatistik Strafsachen (Justice Statistics on criminal matters) 2022. The three data sources are based on different concepts regarding data collection, recording and counting rules. Therefore, the figures cannot be referenced to each other 1) Including multiple counts when a person is suspected of multiple offenses. – 2) The numbers do not represent the procedural progression from the report to the final judicial resolution. – 3) Excluding convictions that did not gain legal force in the reporting year and legally effective convictions processed by the criminal record office after March 31, 2023; plus, first-instance convictions from previous years that became legally effective in 2022.

Judicial Criminal Statistics – Main Key Points

Subject matter	<p>Conviction statistics provide information on legal convictions by Austrian criminal courts in one reporting year.</p> <p>Reconviction statistics "track" convicted persons with regard to their criminal (conviction) careers.</p>
Population	<p>Statistics on convictions: Final convictions by Austrian criminal courts (approx. 26 000 convictions per year)</p> <p>Statistics on reconvictions: Convicted persons (exception: people sentenced to unconditional imprisonment) and persons released from prison in a base year (approx. 26 000 persons per year)</p>
Type of statistics	Secondary statistics (based on an extract from the criminal records file)
Data sources/Survey techniques	Extract from the criminal records file/full coverage
Reference period or due day	<p>Statistics on convictions: 1 calendar year</p> <p>Statistics on reconvictions until 2013: 5 calendar years; the follow-up period begins with the date of the conviction or release from prison in the base year and ends at the end of the reporting year.</p> <p>Statistics on reconvictions since 2014: 4 years; the follow-up period begins with the date of the conviction or release from prison in the base year and ends after 4 individual years.</p>
Periodicity	Annually
Survey participation (in case of a survey)	-
Main legal acts	<p>On the basis of § 4 (1) Federal Statistics Law (Bundesstatistikgesetz 2000)</p> <p>§ 13 of the Law on Criminal Records (Strafregistergesetz 1968) regulates the submission of data on convictions to Statistics Austria.</p>
Most detailed regional breakdown	Regional Court districts
Availability of results	<p>Final results:</p> <p>Provision of data for the "Sicherheitsbericht" ("Safety Report") by the Ministry of Justice: t + 4 months</p> <p>Publication of main results on the website of Statistics Austria: t + 5 months</p>
Other	<p>Before 2012, the principal offence was set by an algorithmic process at Statistics Austria. Since reporting year 2012, courts have been providing information on the principal offence. Since 2012, all crimes in a proceeding have been made available to analyse the full scope of offences. Regarding statistics on reconvictions, the information on offences is still limited to the principal offence.</p> <p>Since reporting year 2014, a survival analysis is conducted to provide timely information on reconvictions for younger cohorts.</p>