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| Ministry of Justice | January 2017 |

**Freedom of Information Act (FOIA) Request –** 109605

You asked for the following information from the Ministry of Justice (MoJ):

**I am trying to locate crime statistics specifically for arson; however, I appear to be having a bit of difficulty. Please can you point me in the right direction to obtain the following information?**

**·      The number of arson/fire related offences for juveniles between 2013-2016**

**·      Over that same period (2013-2016) how many adults and juveniles (combined) were arrested for arson?**

**o  I am looking to answer the question: Of the overall amount how many of these fire related offence were committed by juveniles?.**

Your request has been handled under the FOIA.

I can confirm that the MoJ holds some of the information that you have requested. However, some of the information held is exempt from disclosure under section 21 of the FOIA, because it is reasonably accessible to you. The information for those offenders (including juveniles) found guilty of arson at all courts, in England and Wales, for the period 2013 to 2015 can be accessed via the following link:-

<https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2015>

Please select the below offences from the drop down list in the CJS outcomes by offence data tool, where you will also find an age filter:-

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| 56A Arson endangering life |
| 56B Arson not endangering life |

Some of the information, which covers 2016, is exempt from disclosure under section 44(1)(a) of the FOIA, which refers to prohibitions on disclosure ‘by or under any enactment’ of the FOIA. In this case, the information you are seeking is prohibited by the Statistics and Registration Services (SRS) Act 2007 and the Pre-release Access to Official Statistics Order 2008.

The information you have requested is a subset of the Criminal Justice Statistics data held in its final form which we routinely publish. It is intended for publication in May 2017. As such we are required to consider your request in a manner compliant with the Pre-release Access to Official Statistics Order 2008 further to sections 11 and 13 of the (SRS Act 2007.

The MoJ is obliged under section 13 of the SRS Act to continue to comply with the Code of Practice for Official Statistics (the Code) for statistics designated as National Statistics. Section 11(3) of the SRS Act regards the Pre-Release Access to Official Statistics Order as being included in the Code. Protocol 2 of the Code reflects the requirements of the Pre-Release Access to Statistics Order. Specifically, it requires producers of official statistics to ensure that no indication of the substance of a statistical report is made public, or given to the media or any other party not recorded as eligible for access prior to publication. I can confirm that the MoJ does publish information on findings of guilt for arson, for 2016, as part of National Statistics. Therefore, to now disclose as part of your FOI request, will violate the provisions of section 13 of the SRS Act and the Pre-Release Access Order to Official Statistics 2008 and as such engages the exemption under section 44(1)(a) of the FOIA.

Please also be aware that Section 44 is an absolute exemption and does not require a public interest test.

The information for 2016 is also exempt from disclosure under section 22(1) of the FOIA, because it is intended for future publication. Please note that whilst quarterly court proceedings and convictions headline data are published and are currently available up to end June 2016, these data are subject to revision as later quarters are published, and are finalised only when the annual publication is made publicly available. To ensure consistency of data released to users, further breakdowns (in this case by specific offences under certain legislation) of 2016 Quarters 1 & 2 (January to June) data are not available until the annual criminal statistics publication is published in May 2017.

This is a qualified exemption which means that the decision to disclose the information is subject to the public interest test. When assessing whether or not it was in the public interest to disclose the information to you, we took into account the following factors:

**Public interest considerations favouring disclosure**

* Disclosure would improve transparency in the operations of Government, and of the justice system in particular.

**Public interest considerations favouring withholding the information**

* It is in the public interest to adhere to the existing publication process for official statistics, which includes time for the data to be collated and properly verified.
* It is in the public interest to ensure that data used in the compilation of official statistics comply with the Code of Practice for Official Statistics and that resulting outputs are produced to the highest quality. Statistics of high quality are produced to sound methods, with all users having easy and equal access that is fair and open, and are managed impartially and objectively in the public interest. Premature publication could undermine the principle of making the information available to all at the same time through the official publication process.

We reached the view that, on balance, the public interest is better served by withholding this information under section 22 of the FOIA at this time.

Finally, please be informed the MoJ does not hold any information within the scope of your request concerning arrest data, as the 43 police forces in England and Wales are the appropriate authorities to contact with regard to this. They will all have their own FoI contact procedures. Also, MoJ does not hold information on recorded crime; the Home Office is the appropriate authority to contact here. Their contact details are linked below:-

crimestats@homeoffice.gsi.gov.uk