

Competition Between Those Involved in Public Debate on Crime Statistics: Formalization and Case Studies Based on Direct Experience

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Abstract:

Competitive relationships in the public debate on crime statistics: Theoretical approach and case studies from self-experience

The creation in France in 2003 of the OND¹ was the opportunity for the public statistics system to extend its presence in the field of crime statistics, as previously, it was limited to judicial statistics only. At the end of 2004, it distributed figures relating to incidents recorded by police and gendarmes. According to new methodology and with the launch, alongside INSEE in 2007 of an annual initiative of national victimization studies, the ONDRP has become one of the “producers” of official statistics on crime.

We put ourselves forward to interpret the actions, interactions, and reactions that this process led to in a formal framework that we call “competition between those involved in public debate”. Two case studies are presented, one on competition within official statistics between the OND and institutional communication of the ministry of the interior, and on the other hand, competition between researchers among the first to introduce victimization studies in France in the 1980s.

KEY WORDS: *public debate, competition, official statistics, police recorded crime, victimization surveys*

Geographical index: France

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Since 2004, the date of the creation of the ONDRP, that is to say the national structure responsible for analysis and distribution of data on crime and criminality, debates were started in the scientific community regarding the relevance of the use of administrative statistics on crime in public debate. Some universities, but also some parliamentarians, were interested in how the ONDRP ensures the mission of analysis, production, and distribution of crime statistics.

Many articles have been written on the development of the ONDRP (Ocqueteau 2012), and its presence which is increasingly visible in the sphere of the media and politics, and in certain methodology studies (Mouhanna 2007; 2008).

The ONDRP has also sometimes been criticized for its status and in particular its position within the administration (initially associated as a public administrative establishment under the supervision of the prime minister) with the question of its independence regarding services producing data.

Up until 2004, the analysis of criminal statistics lay in the hands of a small community of scientists and the commentary and distribution was the sole responsibility of the ministry of the interior.

¹ The National supervisory body on crime.

It is in this context that the ONDRP had to deal with, or one might say, face up to, these two protagonists while also ensuring it carried out its role as distributor of statistical information and, therefore, ultimately as a contributor to public debate.

Nowadays, the ONDRP attracts attention, in particular from people who, logically, are outside of the process of designing, collecting, processing, analyzing, and producing data and are therefore not at the centre of interactions, struggles of influence or in more mundane terms, means of cooperation with data producing services. It therefore seemed useful to us, its main partners, to offer a theoretical framework capable of explaining certain episodes which have taken place since its creation.

Concerned about transparency, the ONDRP has always preferred to say that in statistics, it is important to realize that its work is subjective and that this is an inherent part of work on figures, rather than deluding oneself with the illusion of remaining objective.

Accepting that this work is subjective means that we make a distinction between the choices which can be made in a mathematical way and those which are partly, and necessarily, discretionary.

This margin for manoeuvre is not usually updated in publications on statistics: the ONDRP has taken on the duty of exposing it as clearly as possible. They explain their choices in a detailed way, by specifying the degree to which they are subjective. In particular, it is a question of reminding people that the options which are chosen are not always the only possibilities.

Following the same principle of transparency, we suggest a thorough re-reading of events which needs to be both well-structured in terms of argument, and documented, but which never is considered as the only possible interpretation. It is a question of trying to remain convincing, despite the handicap of the absence of distance from the object of analysis. Furthermore, it would not make sense that only those who are outside the process, and therefore also without practical knowledge of the work carried out, are the only ones able to express themselves.

In this particular case, this article does not intend to deal with issues raised by the mechanisms for producing knowledge of an organization such as the ONDRP. It does not focus on relations between the ONDRP and the media either. Instead, it aims for an approach where two partners use each other mutually or use, via the main administration, methodology advocated by the ONDRP.

It puts forward, with two concrete examples, a demonstration of difficulties for a new service of studies to impose itself in public debate. It is faced with two categories of different organizations: sociologists, from the centre of sociological research on law and institutions working on criminal issues (the CESDIP) at the heart of the first national victimization study which considers itself as having the monopoly over statistical interpretation, in this field, and the administration which took over almost all the institutional communication on the état 4001, tool for recording crimes and offences recorded by the police and national gendarmerie.

Statistics as part of public debate

All those who participate in public debate regarding statistics on criminality and crime can remark that there is strong competition between themselves and other participants in terms of production, access, interpretation, and use. This is what Jean Marie Delarue mentioned, at the debate evening organized by the French statistics society, when he discussed “development of the right to competition” (Delarue 2006).

When we hear the term “public debate” we think of places where exchanges take place, with a comparison of ideas or interaction between individuals during which each

one is encouraged to educate themselves, and give an opinion on information which is likely to have social, economic consequences, etc. Among these debate locations there are areas of the press, audio visual media, information sites online and more recently, blogs or even social network sites.

Statistical information made public does not necessarily become a debate subject. In order to be questioned in this manner, it must, at least, spark the interest of journalists so that they focus on it, and then transform it into a debate. We can therefore consider journalist as those who have a share of control in organizing public debate (Bardoel 1996).

A lack of comments does not always mean that a piece of statistical data is forgotten. Sometimes, one single report by a journalist can lead to significant media attention which places statistical information at the heart of numerous exchanges. However, a subject can be reported on a wide scale, without necessarily provoking veritable public debate. This happens when, for example, the article written is brief without comments.

Journalists thus play a role in regulating public debate by determining the degree to which they demonstrate statistical information which they receive from organisms “emitting/producing data” then they order the first sentence of the debate by choosing people they invite to take part in order to share their reactions. These guests may be political representatives, trade unions, association members, or experts in crime and in particular, in statistics.

When Gérard Mauger queries the participation of sociologists in public debate regarding insecurity, it thus accompanies his demonstration of reflection about the role of the media as “contributors to the construction of one of society’s problems, imposing above all a wide repertoire of interpretation” (Mauger 2011).

Apart from journalists, we can share out those involved in public debate about figures on crime according to their position: as those emitting data, commenting on it, or prescribing it.

A producer of statistics on criminality and crime is only involved in public debate when he/she intervenes for one of these three purposes. Furthermore, including within the state, the producer of data is not always in charge of distributing it. Thus, the status of the organism producing the data is important as “all studies, all reports, all reviews, that is to say any type of document, can contain useable data, so long as the researcher can understand the conditions for data production.” (Weil 2006). This does not only apply to individual researchers but also to all of those concerned by data.

If the model “producing/emitting” is the most common one in the administration, it may occur that the task of production and distribution of statistics can be attributed to distinctive organisms. This can relate to a case in which the service emitting data centralized statistical production of different entities.

Framework of distribution of official statistics: institutional communication or public statistics?

Statistics produced and distributed by the state can be described as “official” in that they constitute “an essential element of a system of information in democratic society, providing public administrations, the economic sector and the public with data relating to the economic, demographic, social and environmental situation” (UN 1992). In France, in the field of public statistics, the state played a central role in the production of statistics, since it is at the heart of it even, via INSEE in particular (Delarue 2006).

The fact that statistics are official is not just dependent on the conditions in which they are distributed, but also on the fact that this contest for official figures is one of the most significant sources of tension between political authorities and statisticians (Delarue

2006). There are therefore several statuses of official statistics according to which they are or are not inserted into public debate. Similarly, statistics which are considered “official” are not necessarily pieces of information which can be described as public statistics, that is to say which meet the criteria stated in the first article of the law no. 51-711 from the June 7, 1951 on the obligation, coordination, and secrets in the field of statistics.²

It is therefore possible that a public organization which produces statistics which does not call itself a public statistics body can distribute their information in a general framework that we will call “institutional communication”, which means communicating information in a way that aims to promote the image of an organism of a government agency or at least to underline the efficiency of a particular political act.

In the field of crime statistics, the institutional communication includes all figures distributed by the ministry of the interior, the head of the national police or national gendarmerie or at a local level, by a regional police chief, or a national head of the police, or gendarmerie.

The production of official statistics linked to the activity of police and gendarme services relating to crime is ensured by the head of the national police including the head of public security, and the national gendarmerie. Statistics on non-road related crimes and offences are centralized and consolidated by the head of the criminal police.

This source of data is called the “état 4001” from the name of the form which existed, before the computerized format of this recording tool. It was used for the collection and transmission of statistics regarding incidents recorded, cases resolved, and people accused by police and gendarmes for non-road related crimes and offences (Padieu et al 2002 143-148).

The division of the head of the criminal police which has managed the état 4001 since its creation at the beginning of the 1970s, currently named “division of studies and forecasting”,³ is not and has never been involved in the system of public statistics and is even less of a “ministerial statistical service”.

This expression relates to services of the government who train with INSEE, the public statistics service (the SSP) according to the article 1, paragraph 1, of the law from the June 7, 1951. In particular, it stipulates that “The public statistics service includes the national institute for statistics and economic studies and ministerial statistical services.”.

It also defines “public statistics” as the grouping of “the overall information from all statistics produced” from, on the one hand “statistics studies for which the list is ordered each year from an order from the ministry responsible for the economy” and on the other hand by the “use, for general information purposes, data collected by administrations, public or private organizations responsible for a public service mission”. It is also specified that “the design, production and distribution of public statistics are carried out in complete professional independence”.

Furthermore, in between the public statistics service (SSP) and public statistics, “there is no exact coincidence” (Le Gléau 2009, 59). However, this lack of coincidence above all affects “some services producing public statistics”, such as “The Bank of France or INED⁴” are not “part of the SSP, as they do not have the status of ministerial statistical services (SSM)”.

² http://www.autorite-statistique-publique.fr/pdf/Textes_fondateurs/Loi_51_modifiee_LME_aout_2008.pdf

³ Division of studies and forecasting.

⁴ National Institute of Demographic Studies.

According to the rules listed, the use of purposes of general information of data collected by police and gendarmeries on incidents recorded relating to public statistics. Within the ministry of the interior, the division which manages them does not have the status of SSM.

This situation was discussed on the May 31, 2006, during a conference dedicated to the code of good practice in European statistics organized by the French statistics society, during an exchange between Benoît Riandey from INED, and Jean-Michel Charpin, who was then the general director of INSEE. His remarks were published in the fourth edition of the “Journal de la société française de statistique”⁵ dated 2006⁶:

Benoît Riandey:

"You mentioned the ministerial statistics services. *What is most striking is that there is one ministry which does not abide by the 1951 law, given a lack of general statistics services. That is the ministry of the interior.* It is currently led by the former president of CNIS⁷,"

Mr. Sarkozy:

"This would be the opportunity to create a ministerial statistical service which does not exist. Furthermore, three ministerial statistical services led by executives from INSEE were students within the head of the central administration. Paradoxically, the status of statistics has been removed from it, but its independence has potentially been weakened given that the head of the service for ministerial statistics was appointed to the board of ministers and no longer by the general director of INSEE."

Jean-Michel Charpin:

"In response to the first point made, I share your feelings, but I find your remarks a little harsh. Strategically, after having examined the situation of French public statistics, I said to myself: there remains only one ministerial statistical service; all the other fields are covered, and perhaps one day, we will need to group them all together, but in any case, no extension, apart from on one area, which is *that of statistics on crime and domestic security*".

There are two fields which are not completely integrated into public statistics: for one of these, this can be justified, but not for the other one. It is understandable with health statistics, which are only very partially integrated into public statistics. [...]. *Then there are domestic security statistics: political and historic reasons have led to this kind of information being left out of the field of public statistics, but this is not at all justified.*

Therefore, in strategic terms, I'm doing everything I can to encourage the re-integration of such statistics. I find your remarks a little harsh when you fail to discuss developments which have been very encouraging indeed.

The ONDRP is not yet a ministerial statistics service but it has, however become increasingly independent from the supervision of the ministry of the interior.

Nowadays, there is no more political interference in the publication of statistics and that is very significant progress. Secondly, the fact that the heads of ministerial statistics services are appointed to the Council of ministers is not something to be ignored: it is

⁵ Journal of the French Statistics Society.

⁶ http://smf4.emath.fr/Publications/JSFdS/147_4/html/

⁷ The National Council For Statistical Information.

also the case for the general director of INSEE. Nobody denies this. However, it is important that the appointment to such positions is coherent with the necessary neutrality of those responsible for statistics (Charpin 2006, 18-19).

As we speak, the list of ministerial statistics services (SSM) was defined by the decree from the minister for economy and finance following suggestions from the general director of INSEE.

This process was modified during the revision of article 1 of the 1951 law on the August 4, 2008, which stipulated in particular which public statistics authority should be called upon for their opinion about draft decrees relating to the quality of ministerial statistics services. From now on, the list of ministerial statistics services is therefore established according to the authority of public statistics.

According to the former mode of appointment or the current system, the ministry of the interior never wanted the service producing statistics on non road related crimes and offences recorded by the police and gendarmes to become a “ministerial statistics service.”

When Benoit Riandey stated, in May 2006 that “the ministry of the interior was not applying the 1951 law, one might presume that he means that these statistics should be entrusted to a ministerial statistics service.”

It is in fact what Jean Michel Charpin replies to him.

As we speak, the list of ministerial statistics services (SSM) has been defined by the decree of the ministry for economy and finances after suggestions from the general director of INSEE. This process was modified during revision of article 1 of the 1952 law from the August 4, 2008, which stipulates in particular that the authority of public statistics “is called upon for opinions on orders relating to the recognition of the quality of ministerial statistics services”. Since then, the list of ministerial statistics services is therefore established according to the opinion of the public statistics authority.

According to the former mode of appointment or the current one, the ministry of the interior never wished for a service producing statistics in cases of non road-related crimes and incidents recorded by police and gendarmeries to become a “ministerial statistics services”.

According to terminology suggested previously, the lack of willingness from the ministry of the interior to create an SSM on crime statistics means in particular that the service of the head of criminal police managing the état 4001 recording tool cannot claim that it represents public statistics.

As a result, the distribution of statistics on incidents of non road related crimes and offences by the ministry of the interior carried out in the past and is still carried out today only in the framework of institutional communication. This situation is at the heart of public debate on figures relating to crime.

Organization comparable to that of other ministries would have consisted, alongside institutional communication, of distribution for which those producing data would be a ministerial statistics service.

Reflection about the creation of a new organization for producing statistics on crime in public debate

For a public statistician, the initial organizational response to willingness to improve conditions of production and distribution of statistics on crime would have been the creation of ministerial statistics services at the ministry of the interior. Once this objective has been reached, one could have envisaged the creation of a structure which is the type for a supervisory body associating INSEE and ministerial statistics services and justice on

the model, for example, of the observatoire national de la pauvreté de l'exclusion sociale.⁸

In the letter for the mission on the July 23, 2001, sent by the prime minister, Lionel Jospin to the members of parliaments Christophe Caresche and Robert Pandraud, they were asked to provide "work to define" a project for the clarification of "a new statistics tool" which "could lead to the implementation of a body to supervise crime".

The objectives to reach are described as the following: "It is a question of firstly using a statistical tool which takes into account real developments in crime, the activity of surveys and the follow up to data from legal institutions. [...] It would also be desirable to implement a tool that would allow, overall, to quantify the measure of the developments in feelings of insecurity. Finally, the government considers that conditions should be created for transparency in a subject as sensitive and close to the concerns of our co-citizens. This presumes that the ONDRP distributes in a periodic and regular manner, information on crime and responses which are brought by politicians involved in public security. This also presumes that the ONDRP ensures its mission in close liaison with the ministerial statistics services concerned."

The measure of "developing feelings of insecurity" carried out by studies within households which within the public statistics system, is carried out by INSEE. Thus, it appears that services producing data capable of providing information for the ONDRP are mainly, the "statistics services" of the ministry of the interior and the ministry of justice on the one hand, and INSEE on the other hand.

The expression of "statistics services of ministries concerned" when it is a question of the ministry of the interior and justice under the name of the SSM Justice (the sub directorate of statistics and studies) which is part of public statistics services and the division of the head of the criminal police in charge of the état 4001 which doesn't belong to it.

The report of members of parliament Christophe Caresche and Robert Pandraud submitted to the prime minister in January 2002 and relating to the "creation of an organization supervising crime" does not however discuss this particular point (Caresche and Pandraud, 2002).

It notes that "the statistical tradition is an ancient one for the ministry for justice: the first publication of the administration of criminal justice dates back to 1825. Furthermore, this ministry has since 1973 had a veritable statistics service led by a statistician," that is to say a ministerial statistics service.

The report never makes reference to the exact notion of "ministerial statistics services", and does not question the absence of SSM on crime within the ministry of the interior with a view to creating a supervisory body on crime. It envisages the eventual consequences of the creation of a supervisory body on crime on the services of the ministries in terms of means but not in terms of status: "[...] the dialogue with the supervisory body should necessarily lead to the reinforcement of technical teams of ministries by statisticians, [...] for the ministry of the interior, a reinforced statistical service should be created within the head of the criminal police".

In conclusion to the report, the members of parliament Christophe Caresche and Robert Pandraud wrote that "The creation of a supervisory body on crime is a necessity at the current stage of the debate on figures [...] In technical terms, there are many areas to be worked on: improvement; modernisation of the computer processing; progressive integration of overall statistics on crime; research of aggregates and relevant indicators; studies on series of phenomena which have not been explored in detail. [...] However, it

⁸ The national body for supervision of poverty and social exclusion, <http://www.onpes.gouv.fr/>

is in terms of communication that the most innovation is needed. In fact, if the ministries retain their data and can continue to carry out publications, it is up to the ONDRP to carry out annual and periodical communication on crime figures.”.

The report recommends the creation of a public organism having initiatives in terms of crime statistics which are extensive without envisaging the consequences in terms of coordination of public statistics and the lack of SSM on crime within the ministry of the interior.

The relations of the ONDRP with the courts of public statistics are tackled in a very general way: “It would carry out its mission in collaboration with organisms in charge of statistics at a national level, such as INSEE and in liaison with the CNIS (National council for statistics information created at the national institute of statistics and economic studies and in charge of coordinating statistical studies of public services [...]).”.

The role of producer of statistics which the national supervisory recommends in “annual and periodic communication on crime figures” is not explicitly associated with the notion of public statistics. However, in the absence of a ministerial statistics service on crime at the ministry of the interior, this leaves in suspense organizational questions that will need to be dealt with.

A new producer of official statistics which enters into competition with former institutional communication

The OND announced in January 2003. A year after the report of members of parliament Christophe Caresche and Robert Pandraud, created in November 2003 by the installation of its board of advisers. The decree which makes this creation official appeared in July 2004.⁹

Since its creation, and despite the weakness of lack of means given to it (just 4 positions), the ONDRP immediately committed itself to understanding and above all clarify the statistical tools which could exist in terms of crime and criminality. Above all, it leaned towards the état 4001 tool, tool for recording crimes, and offences by the police and national gendarmerie then carried out an assessment of other existing sources in private or public organisms before working with INSEE in designing a victimization study which had the vocation of being renewed each year.

In the past, during 2002, institutional communication from the ministry of the interior regarding incidents recorded by police and gendarmeries which became monthly.¹⁰

This new rhythm for publishing data fed public debate on figures relation to crime. It is therefore in this context that a “supervisory body on statistics which rises above suspicions” was created at the end of 2003 (AFP 2003).

While “in terms of security (protection of people and property) the collection of information regarding crime and the interpretation of quantitative data has always been an extremely sensitive historic issue, and in France perhaps more so than elsewhere.” (Ocqueteau 2008), political authorities decided to implement a structure which would have to use and interpret data for which the ministry of the interior could no longer have complete control over its use.

The first OND publications were distributed at the end of 2004 in the form of different articles mainly to be used mainly for methodology¹¹ aiming in particular, as the main fundamentals of official UN statistics remind us, aiming to “facilitate correct

⁹ <http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000442860>

¹⁰ http://www.interieur.gouv.fr/sections/a_votre_service/statistiques/criminalite/2002

¹¹ <http://www.inhesj.fr/?q=content/r%C3%A9sultats-et-m%C3%A9thodes>

interpretation of data” by providing “according to scientific rules, information on sources, methods and procedures” used by “organization responsible for statistics” (The UN 1992).

As a result of the lack of revival and perhaps complexity in relation to a field which was previously tackled in a very simplistic way, these articles did not immediately benefit from access to public debate.

In January 2005, during a press conference, the ministry of the interior proceeded to its institutional communication on incidents recorded in 2004. It was then the only producer of official statistics on crime to intervene in public debate.

A few days later, in February 2005, the daily newspaper *Liberation* chose to “reveal” the results of one of the articles distributed a few weeks earlier by the OND relating to people accused by the police or gendarmeries of violence or threats.¹² This article, which escaped the attention of journalists, was therefore picked up on by a daily newspaper which dedicated its front page and a dossier to it.

This initial access to public debate from the OND as a producer of official data was made possible by an internal initiative of promotion of publications which went unnoticed at the end of December 2004 and also made possible by the interest of a daily newspaper in statistics relating to those under 18 accused of violence or threats.

We can also observe, in the way that the newspaper dealt with this article, tension between the emphatic title “Violence growing significantly amongst those aged under 18” and “Violence growing significantly amongst those aged under 18” and the editorial¹³ which suggests taking “precautions” when interpreting the figures on this.

Another tension also exists in the original publication by the OND. There, it can be read that “The ONDRP considers that only one approach with the help of multiple statistics sources allows for the analysis of developments in crime and offences. This would be an initial approach and to carry this out, it relies on one single source; the état 4001 tool”.

In both cases, clear objectives are simultaneously pursued, which can lead to a certain contradiction. According to *Liberation*, an attempt is being made to tone down a striking title on violence of those under 18 which is not necessarily part of the ideological tradition of a daily newspaper by an editorial which is a lot less categorical. The OND is for its part, confronted with a dilemma. waiting to not be dependent on a single statistical source according to the methodology it recommends or publishes based on existing data by keeping the “multi source” approach for later.

Institutional communication of statistics extracted from the état 4001 every month¹⁴ influenced the choice of the ONDRP. Before having published its first study, the OND was thus confronted with the existence of monthly distribution competing within official statistics.

Before becoming “a producer of statistics”, the ONDRP carried out methodological work which is concluded by the definition of a general framework of analysis, for the particular case of the état 4001, and with a new working framework.

As Alain Desrosières, reminds us “statistics methodology” implies “a division of work between, on the one hand, ‘experts’ in the statistical tool as such, and on the other hand, the ‘users’ of it de, such as economists, sociologists, historians or psychologists” (Desrosières 2001).

¹² <http://www.liberation.fr/evenement/0101518411-violence-des-mineurs-une-croissance-majeure>

¹³ <http://www.liberation.fr/evenement/0101518407-precaution>

¹⁴ http://www.interieur.gouv.fr/sections/a_votre_service/statistiques/criminalite

The new methodological framework suggested by the OND was validated by its board of advisers at the end of 2004. The main characteristic of the working framework of the OND resides in particular in the replacement of the total incidents recorded also called “single figure”, by a series of non cumulative indicators, which constitute “an initial concrete rationalisation of aggregates of transgression in criminalisation by a differentiated division of crimes and offences according to two major methods of reactive and proactive practices which were still never translated clearly in ministerial documents” (Ocqueteau 2012).

The publication, as of December 2004, of articles which only include statistics extracted from the état 4001 was considered by the OND as acceptable subject to insisting on the impossible nature of interpreting them in terms of crime committed and this, within the work carried out in particular by Merton (1957). This choice, which demands retention within the strict parameters of crime recorded and it allowed the OND to disclose its working framework. By offering different contents of institutional communication of the ministry of the interior regarding incidents recorded, it has become a producer of statistics entering into competition with the OND. Given that “the difficulty is not limited to gathering information, it also affected the meaning of information given” (Foucart 2001).

Having had access to public debate, the OND which in 2010 became the ONDRP (RP being the French acronym meaning punishment responses) recommends methodology which is not compatible with the use and interpretation of institutional communication. Any reference based on statistics from the état 4001 to “general crime”, to “the overall rate of resolving crime cases ” and any interpretation relating to crimes committed which are in contradiction with methodological principles defined by the ONDRP.

If a ministerial statistics services relating to crime had existed in the ministry of the interior, the competition between the use and interpretation relating to institutional communication or public statistics would have existed within the ministry, without necessarily coming up in public debate.

With a lack of SSM and to respond to the mission which was attributed in terms of crime statistics, the OND decided to insert its action in the framework of public statistics, as Stefan Lollivier has already noted in 2008, when he remarked that “OND now has all the characteristics of a ministerial statistics services and could become so in the short term if its increasingly significant role in public statistics was confirmed” (Lollivier 2008).

And since 2004, in a project summarizing a future annual report of the ONDRP submitted to the board of advisers that it is specified that decisions for modification and validation of statistical work is necessarily based on “statistical considerations”. This expression is often quoted in the code of good practice of European statistics adopted on the February 24th,¹⁵ and in particular in its sixth principal:

“*Fairness and objectivity* – Statistical authorities have to produce and distribute European statistics with respect to scientific independence and in an objective, professional and transparent manner putting all users at the same level.

Indicators

– Statistics are established on an objective basis determined by *statistical considerations*

–The choice of sources and technical statistics is made according to *statistical considerations*

¹⁵ http://www.autorite-statistique-publique.fr/pdf/missions/Code_bonnes_pratiques_Europe.pdf

–Errors discovered in statistics which have already been published and corrected according to strict deadlines and those using them are informed of this.

– Information relating to methods and procedures monitored by statistical authorities are made available to the general public.

– The dates and time of the appearance of statistics are announced in advance

– All users have access to statistics publications at the same time and in the same conditions and all privileged access previous to the distribution attributed to the external user is limited, checked and then made public. Should there be a leak of data; methods and distribution were adapted to ensure equality of data processing.

–Announcements and declarations regarding statistics in the framework of press conferences are objective and neutral”

Claiming themselves as representatives of public statistics without necessarily being an SSM within the ministry of the interior, the OND “became independent from the supervision of the ministry of the interior” and publishes statistics relating to incidents recorded without “political interference” (Charpin 2006, 19).

The co-existence in official statistics in incidents recorded of institutional communication of the ministry of the interior and the distribution of “public statistics” from the ONDRP now has significant consequences on public debate on figures relating to crime.

It could be a source of confusion when two producers of statistics express themselves on the same day and sometime in the same place as was the case during the press conference on annual figures relating to crime which takes place around mid January.

Thus, elements from the speech of the ministry of the interior relating to a single figure on general crime or the rate of resolving crime cases and these are two elements missing from ONDRP publications whether quoted in public debate as emanating from public statistics by the ONDRP.

For more attentive journalists and in particular for those in the press or online (or even both of them for the newspaper *Libération*¹⁶), concentrated on the mission of checking figures used in public debate, publications from the ONDRP which allows them to put communications from the ministry of the interior into perspective or any people involved in politics which makes use of statistics on incidents recorded to in an incorrect way in terms of public statistics.

According to the way in which we access public debate, via the intermediary of a brief article in which the figures on crime recorded are associated with the ONDRP without referring back to adequate terms or based on a base article for which the journalist took note of the contents of the publication of the ONDRP and uses it in order to illustrate what in institutional communication is in contradiction with its methodology in a similar way to the ONDRP which will be very different.

Transition to the publication of monthly figures on incidents recorded in institutional communication towards a new organization producing data

Competition between those producing official data was at its most intense in 2005 when a monthly publication in the form of announcements on figures relating to incidents recorded from the ministry of the interior¹⁷ co-existed alongside OND publications offering a working framework including figures relating to “monthly figures recorded by police and gendarme services” from an article published in December 2004.¹⁸

¹⁶ <http://desintox.blogs.liberation.fr/>

¹⁷ http://www.interieur.gouv.fr/sections/a_votre_service/statistiques/criminalite/2005

¹⁸ http://www.inhesj.fr/fichiers/ondrp/resultats_et_methodes/lettreond3.pdf

In their board of advisers the general director of the national police, Michel Gaudin had reacted several times to ONDRP articles on the use of statistics of incidents recorded by asking when the ONDRP would stop just using the état 4001 and taking interest in other sources as well.

A range of circumstances was necessary so that the most intense phase of competition within official statistics terminates with a compromise on conditions of publication of figures on crime recorded and “leads to a change in previous traditional communication methods” (Ocqueteau 2012).

In May 2005, we can read in a monthly announcement¹⁹ from the ministry of the interior “A significant improvement in security since May 2002: with -10, 83% of crimes and offences recorded and crime in public decreasing sharply by -24, and 09%.

An increase of 6,42 % in crimes and offences recorded in May 2005 in comparison to May 2004, despite a clear increase in the activity of security services (+14,16% of offences revealed by the action of security services, +9,78% cases of custody +7,61% perpetrators accused as well as a rate of resolution of crime cases of 31,66%). Even a slight presence in prevention of crime by the police in urban areas due to the management of several street demonstrations which led to significant mobilisation of police presence. These police forces are usually hired for security purposes.”

The lack of statistical neutrality can be seen in the terminology selected “significant improvement”, of methods (assimilation of the total incidents recorded to a measure of security) and it can also be seen in the choice in the first paragraph, to have a period of a different kind of comparison of previous report where it is a question of the same month of the previous year. This was stated in the example of the first sentence of the announcement relating to March 2005.²⁰: “The decrease in cases of crime recorded in 2004 is followed in March 2005 by -4,12% decrease in crimes and offences recorded” or cases in April 2005 “The decrease of the crime recorded in 2004 followed by April 2005 with a decrease of -3,13% of crimes and offences recorded”.

The originality of the first paragraph of the monthly announcement relating to May 2005 can be explained by the willingness to avoid having to say at the beginning incidents recorded have increased by 6.4% compared with the same month of the previous year. As soon as this variation is quoted, it is followed by a series of statistics revealing “a significant increase in the activity of security services” which is presented as being in contradiction with the increase in incidents recorded (“despite”).

Then in a sentence in which it appears there is something missing, the announcement offers an explanation of the increase in incidents recorded between May 2004 and 2005 which apparently is due to “even a little police presence as a measure of prevention in urban areas” caused by “street demonstrations or events which required the mobilization of police forces which are usually looking after different kinds of security”.

This announcement from the ministry of the interior led to strong reactions from the OND as it had elements of interpretation of figures recorded in a very different way.

In December 2004, and in March 2005, the ONDRP wrote in an article and its first annual report (OND 2005a), that the collection of incidents recorded in May 2004 was incomplete due to a calendar including a weekend followed by a holiday day at the end of the month.

¹⁹ http://www.interieur.gouv.fr/sections/a_la_une/toute_l_actualite/securite-interieure/archives-actualites/archives-securite/delinquance-mai-2005

²⁰ http://www.interieur.gouv.fr/sections/a_la_une/toute_l_actualite/securite-interieure/archives-actualites/archives-securite/delinquance-mars-2005

The first consequence of this was on the comparison of statistics in May 2004 with those from May 2003 as the announcement [1] from the ministry underlined at the time Crime in France (including the total number of cases of non-road-related crimes and offences recorded by police and gendarmeries) decreased by -10, 25% compared with May 2003.

One year later, when the completeness of the collection of incidents recorded in May 2005 had not been damaged; their numbers experienced a rise that the OND presented in its exchanges with the ministry of the interior as the inevitable consequence of the shortened month of May in 2004.

As of June 2005, the ministry knew that its institutional communication, and, later on, its process of collection of incidents recorded was going to be questioned in public debate by the OND as statistics are often called upon to prove the merits of government actions, or its failure according to its opponents (Mucchielli 2012).

This perspective seemed even more inevitable than the OND considering that the announcement had been written up in complete indifference to the work carried out and that it was without doubt going to try to defend its position newly acquired by the organization producing official statistics and trying to impose its opinions in the framework of a thorough and well argued initiative. And all of this in an initiative not intended for connivance or negotiation (Ocqueteau 2012) but to affirm its independence.

The reaction of the OND took place in September 2005 in a new article²¹ dedicated to monthly statistics: it then took the decision to re-correct statistics regarding incidents recorded in May 2004 and in other months in 2004 for which it seemed to be relevant regarding the values observed.

The ONDRP then estimated that in 2004 “the months of January, May, July and October included 1 to 3 days of entering less data compared to the same months in 2003” and that the months of “March, June, August, November and December had a period of data entering which was longer in 2004 compared with 2003 (OND 2005b, 26.)” The ONDRP corrected monthly statistics according to the estimation of the number of days more or less of data collection.

By applying a statistical adjustment of data published without modification by the ministry of the interior, the OND pursued its initiative autonomous of the distribution of official statistics, which have been inaugurated by the creation of its non cumulative indicators.

The head of the national police also reacted in the same article observing that “the month of May 2004 was subject to a report for recording incidents recorded as that month was not concluded by a prolonged weekend of three holiday days. However, it is not possible to support the idea of systematic report as it would be contrary to the reality and to rules of recording data which were fixed. Furthermore, it is necessary to specify that the incidents are not deleted but reported for the following month. As a result, they are integrated into the total of the following month as well as in the total for the semester which is consolidated.” (OND 2005b, 25).

The disagreement over the generalization of the method for adjustment seems to be less of a crucial point in the relations between the OND and the head of the national police than the consensus which appears in public debate between two organizations producing official statistics for the month of May.

This means in particular that some affirmations from announcements by the ministry of the interior regarding May 2004 and May 2005 are in contradiction with the position expressed in September 2005 by the head of the national police itself.

²¹ http://www.inhesj.fr/fichiers/ondrp/resultats_et_methodes/lettreond5.pdf

It is just one of the consequences of severe judgement within the ministry of the interior itself on these announcements. The main consequence was the decision taken from summer 2005 to transmit to the OND the responsibility of the distribution of monthly statistics regarding incidents recorded.

Thus, by applying methodology of public statistics in a field in which, with a lack of SSM, the ONDRP was absent and became a producer of official statistics which from 2005 was faced with strong competition from institutional communication on incidents recorded to the extent to which they modified the means of presentation and interpretation.

The compromise found within official statistics in order to avoid the most direct confrontation between two organizations producing data is above all specified in the introduction of the first monthly report of the OND dated February 2006²²:

“In agreement with the ministry of the interior and the ministry for land development and given the work carried out by the ONDRP over the last two years, it is now up to the latter to publish and comment on the monthly developments in unlawful acts and criminal acts recorded by police and gendarme services.

The presentation of indicators of activity relating to police and gendarmerie services (cases resolved, periods in custody, those accused, records of prisoner arrivals and cases revealed by the action of security services) will be carried out by the ministry of the interior.

From now on, and according to methods adopted and validated by the board of advisers of the ONDRP, the development recorded by law enforcement services, measured based on provisional monthly data will be presented via three indicators: property crimes, deliberate physical violence and fraud and economic and financial violations.”

In practice, institutional communication of the ministry of the interior is not limited strictly to indicators of the activity of security services. Competition in the distribution of statistics on incidents recorded still exists but it is carried out in a well defined formal framework: the role of the main producer of statistics on incidents recorded by the ONDRP has even become an element of institutional communication nowadays.

In 2005, for the ONDRP, the distribution of a monthly report on crime recorded does not seem to be a priority of its project of developing public statistics in the field of crime. However, based on a methodological framework defined by the OND and perceived within the ministry of the interior as more thorough than that of institutional communication, the creation of a monthly report was an opportunity to organize competition more efficiently between official statistics, offering the ONDRP the possibility to distribute each month its own statistics methodology.

It is likely that in view of this process that the general director of INSEE describes in May 2006 “developments [...] which are very encouraging” relating to crime statistics. Since 2007, the context in which the OND emits statistics on crime develops thanks to annual studies such as “Cadre de vie et sécurité” by INSEE and the ONDRP.

Among all of these consequences linked to the role of the organization emitting official statistics on victimization by the ONDRP, this document will now concentrate more specifically on the way in which its action was received and commented on in public debate by the team of researchers which had in 1986 led to the first national victimization study in France (Zauberman and Robert 1995).

²² <http://www.inhesj.fr/fichiers/archives/ond-bulletinmensuel-fv06.pdf>

Concepts introduced by the current article could be used in other ways which will perhaps be explored later. In coherence with the previous example, we once again tackle the question of competition encountered by producers of statistics a new arrival claiming that it is representative of public statistics such as the ONDRP in public debate on crime but this time relating to victimization studies.

Victimization studies: nature of competition between those producing official statistics and the team of researchers of the CNRS ²³, a pioneer in this field in France

Jan Van Dijk, a Dutch criminologist, reminds us that “from a historical point of view, national victimization studies were launched in the United States in 1972 in order to inform people more about political debates taking place regarding criminality and violence”. However, he adds that “in Europe, the first victimization studies were carried out not by statisticians but by criminologists working either in research institutes financed by the government, as is the case in Holland, the United Kingdom, in Poland or in France [...]” (Van Dijk 2008).

For France, the sociologists Philippe Robert and Renée Zauberman from the centre of sociological research on law and institutions dealing with criminal issues (the CESDIP) have been at the heart of the first national victimization study.

The CESDIP presents itself as the following on its website²⁴: “The CESDIP is a mixed research unit from the CNRS (UMR²⁵ 8183), created by the n° 83-926 decree from the 20th October 1983. The CESDIP has a long history dating back 40 years, since it comes from the service for studies into crime related issues and criminology studies of the ministry for justice (the SEPC established in 1969. Since 2006, the CESDIP is a UMR with three supervisory bodies: the CNRS, the ministry for justice and the University of Versailles-Saint Quentin.”

Again on the CESDIP site, on the November 14, 2008, an announcement ²⁶ specifies regarding victimization studies that “Initiated at the CESDIP in the middle of the 1980s on a national scale, these studies were first of all perfected and made routine at a local level (regional plan in partnership with the AURIF²⁷ and a municipal plan in partnership with the French Forum for Urban security). After that, the CESDIP participated in the organisation of a national annual study by INSEE and now looks after the operations and systematic serialisation of it. The team of researchers which carry out these operations is composed of Emmanuel Didier, Philippe Robert, Renée Zauberman, Sophie Névanen et Lisa Miceli”.

The CESDIP is therefore an organization for producing statistics on crime participating in public debate via publications and in particular those on victimization studies. It does not distribute what we call here “official statistics” as its works do not involve any public administration and in particular, not the ministry of justice, one of its three supervisory bodies.

In 2003, during the creation of the OND one of its main missions, the development of victimization studies, created a new situation for the CESDIP team having invested in this field for several decades.

²³ National Centre for Scientific Research.

²⁴ <http://www.cesdip.fr/spip.php?rubrique1>

²⁵ Mixed research unit.

²⁶ <http://www.cesdip.fr/spip.php?article2>

²⁷ AURIF is the Association for users of computing networks in the Île de France region.

The ONDRP associated itself with INSEE to design an initiative of national victimization studies according to the mission which was attributed to it in the recommendations from the Caresche-Pandraud (2002, 39) parliamentary report which Frédéric Ocqueteau also calls “the most significant sales argument for the know how of the logistics unit of the OND” (Ocqueteau 2012). The fruit of the collaboration between statisticians from INSEE and those from the OND, as decision makers and consultation of a guidance committee made up of researchers such as Philippe Robert, terminated with the launch in 2007 of the first “Cadre de vie et sécurité” study.

This study, for which the collection takes place every year since 2007, from January to April, allowing the ONDRP to introduce itself as a producer of official statistics on crime offering a multisource approach (administrative data and data from studies) and multiangle approach (victimization suffered, feeling of insecurity, or observation of crime phenomena). It has also allowed for France to be put at the same level as other developed industrial nations in this field (Ocqueteau 2012).

The choice of the date of the publication of the annual report of the OND has, since 2007, been determined by the calendar of the study “Cadre de vie et sécurité”: its initial results being available as of autumn, the ONDRP set the end of November the date of the appearance of its report.

It is in this way that in 2010, the ONDRP published its annual report on the November 23 with, as its main contents, the first results of the fourth “Cadre de vie et sécurité” study. The next day, the centre for sociological research on law and institutions relating to criminal issues (the CESDIP) released an announcement²⁸ online on national victimization studies. Firstly, it says “The ONDRP has just distributed summary results of the annual victimisation study cadre de vie et sécurité (CVS) carried out by INSEE at the start of 2010

Regarding these figures, the scientific world cannot say anything for the moment: the official ONDRP organises a ban which ensures that INSEE can only communicate data from the 2010 study to the research centre only in 2011. Only access to data will allow their thoroughly scientific analysis.”

After that, the CESDIP reminds us that in the middle of the 1980s, with funding from the ministry for justice, the first national victimization study.”

The team of researchers from the CNRS having led the first victimization study “in the middle of the 1980s” therefore intervened in public debate on figures relating to crime the day following the publication of the 2010 annual report in order to affirm in an announcement that the only condition for “truly scientific analysis” the results from the “Cadre de vie et sécurité” study made available to research centres including the CESDIP.

We can consider that these arguments express, in particular, the point of view of Philippe Robert and Renee Zauberman, since they refer back to it in an article dated January 31, 2012, on the daily newspaper website *le Monde*. They declare on it that the measure of crime will not become credible unless a panel of real scientists, socialists in measuring crime internationally recognized by their peers in charge of establishing the state of crime by comparing all measures and observing their developments over a duration of time”.

They refer back to the arguments widely developed in an article which appeared in March 2009 and telling many details of their own vision of construction of the national victimization study that they consider as moving away from their area of expertise and that they consider in particular as “the fruit of interests in common with INSEE

²⁸ <http://www.cesdip.fr/spip.php?article534>

researchers and the ministry of the interior which with the OND, has gained an intermediary for its questions. ” (Didier, Névamen, Robert, and Zauberman, 2009). We will find this type of argument as saying in a concealed way that the study would have been designed by the ministry of the interior thanks to “an agency of the ministry of the interior” (Miceli, Névamen, Robert, and Zauberman 2009).

We can suggest an interpretation of these participants in public debate on crime statistics as a reaction of the CESDIP to what they perceive as competition in the field of victimization studies.

The competition of the ONDRP is presented implicitly as unfair since “the official ONDRP organizes a ban so that INSEE can only communicate data from the 2010 study to the research centres only in 2011. ”.

To take value away from this competition, the CESDIP positions itself on a field of “scientific” legitimacy. This argument is underlined by expressions such as “truly scientific” (2010) and “(real) scientists” ” 2012.

As Frederic Ocqueteau remarks, “this warning regarding the work of the ONDRP is characteristic of a completely Franco French tendency to believe that critical interpretation of quantified data on criminal phenomena should only be up to ‘scientists’ as if an impossible barrier opposed them to other interpretations which are less legitimate. This belief is founded on the need for putting a distance between other kinds of experts and scientists. In particular, given that renowned for being less forced epistemologically and a lot more listened to by politicians and the media. There was then a lot of tension between the different representatives of different kinds of expertise with their beliefs which seem sometimes to be a kind of a lecture to others” (Ocqueteau 2012).

Sent back in this way by the CESDIP outwith the “scientific world”, publications from the ONDRP on victimization are qualified as “summarising” and their credibility is strongly contested. Competition felt by the CESDIP is of a very different nature from that of the first cases studied.

In fact, between the ONDRP and the ministry of the interior, the competition taking place within official statistics between an initiative which claims it represents public statistics and institutional communication. The feeling of competition regarding the production of statistics collected by agents from the ministry of the interior was moreover mutual. After that when the “official” producers of statistics entered into competition in public debate, the cacophony involved was subject to regulation within the administration.

The ONDRP cannot consider in relation to victimization studies, the CESDIP as a competitor equivalent to what the ministry of the interior can be in terms of statistics on crime recorded. For this, it is necessary for the CESDIP to produce official statistics where, even better still, it wants to publish data recognized as coming from “public statistics. ”.

The existence of those producing statistics which were not official, a condition of pluralism of the use of statistics in public debate, is not necessary for competing directly with a producer of official statistics in its specific role, especially if it claims it is representative of public statistics.

It must be reminded that those producing statistics trying to insert their action in public statistics is held, according to the code of practice for European statistics:

to rely on the “scientific principles and methods”, and to publish studies “with respect for scientific independence” (principle 6) It is also invited “when it is possible to organise”, the co-operation with the scientific community [...] in order to improve methodology, efficiency of methods used and encouraging the development of better tools. (indicator 7.7).

The CESDIP, producing statistics positioning themselves outwith official statistics, did not react in public debate regarding contents of productions from the ONDRP, what would have been allowed, in particular, for questioning their appropriateness for principles of the code of good practice of European statistics. It chose to discredit the ONDRP, in theory as it does not belong to the “scientific world” However, such criticism appears off subject regarding producers of official statistics aiming, not as a scientific label, but as “public statistics”.

For every researcher, the most relevant means for expressing needs and eventually its grievances regarding public statistics consists of addressing the CNIS, the national council of statistical information. In doing so, it does not position itself in a situation of competition but as a user of statistics distributed by official producers.

Thus, on the June 15, 2011, before the commission “Public services and services to the public” of the CNIS²⁹, in a short speech, Philippe Robert provided comment which might appear as a first element of interpretation of the reaction of the CESDIP of what it perceived as competition in the field of victimization studies.

Philippe Robert criticized the ONDRP without specifically naming it, for having given in to the “temptation of constantly starting afresh, in order to have the satisfaction of showing that they are the experts.”

For the CESDIP, the date at which it is presented into public debate as the first national victimization study is a major issue as it determines the status and the eventual reputation of its team of researchers in this field.

The initiative of the annual victimization studies “Cadre de vie et sécurité” starting in 2007, this date seems to enter into competition in public debate with “the initial study in the middle of the 1980s” (Miceli, Névanen, Robert, and Zauberman 2009).

Forgetting to remind us that the CESDIP was a first in France in terms of victimization studies “to have the satisfaction of showing that they are the experts.” only exacerbates “tensions” with the ONDRP.

In its opinion, the CNIS a major part of public statistics demonstrates itself as being more positive regarding the study and the ONDRP in general: “the current tools for collection presenting technical weaknesses which limit the capacities of public powers to respond as precisely as possible to these different expectations (in terms of knowledge regarding criminality) despite important progress carried out since the creation of the ONDRP the positive collaboration which is involved between the head of police and gendarmeries and the ONDRO and significant support from the annual “Cadre de vie et sécurité” study.”

The CESDIP would undoubtedly have been less sensitive to the attention brought to its study in the 1980s if the development of “Cadre de vie et sécurité” studies led by INSEE and the ONDRP had not provoked a feeling of removal of the pioneer team.

In a country like France, the design of an annual national victimization study. This was something which could only be imagined within the public statistics system. From then on, the researchers could not have a role in the process of development as important as statisticians from INSEE in charge of the project, with little experience on the subject of victimization.

The project was started by an external request to the ministerial statistics service of the national education board via a recommendation from the board of adviser of the ONDRP renewed several times and insisted upon by its president at the ministry. It could

²⁹http://www.cnis.fr/files/content/sites/Cnis/files/Fichiers/commissions/services_publics_services_aux_publics/2011/compte_rendu/CR_2011_1re_COM_services_publics.PDF

only be started once the statisticians from the national education board were able to work on it. This movement of the ONDRP was a means of asking for time and in the end, it led to a certain amount of disengagement on the part of researchers.

For victimization studies in the school contexts, the ONDRP has been able to play the role of catalyst between statisticians from the SSM of the ministry for national education and the universe of research represented by Éric Debarbieux, university professor, member of the board of advisers of the ONDRP, and sociologist Cécile Carra.

In this critical phase, during the design of the “Cadre de vie et sécurité” study in 2005, Philippe Robert chose as an emblem to contest the legitimacy of the OND, a position that he regularly renewed during each of its interventions or publications whether it be in a direct way or more often indirect way to neglect to mention the OND as being at the origin of ideas associated with INSEE in the implementation of the “Cadre de vie et sécurité” study whether it be carrying out work and statistics studies carried out based on the use of results of PCV³⁰ studies or “Cadre de vie et sécurité” studies.

In the announcement in November 2010 from the CESDIP we see the sentence “it is in fact at this stage (in 2007) that the ministry of the interior obtained from INSEE the launch of studies such as ‘Cadre de vie et sécurité’” CVS studies. This is inspired by elements of rhetoric developed regularly regarding by the OND by its detractors and that it suggests that all requests coming from the OND have come from ministry of the interior which necessarily should discredit it.

Maintaining constructive participation during the process of designing a public statistics study can, of course, involve compromises from researchers, or even giving up on usual practice. However, removal or conflicts are choices which are less fruitful above all if one is led in order to use the study.

The conflict in which it was launched in 2005 Philippe Robert during the design of the “Cadre de vie et sécurité” study appeared seven years later as one of the main determining factors of the means of participation of the CESDIP in public debate relating to figures on crime. It explains, in particular, the willingness displayed by the CESDIP to compete with the ONDRP on victimization in public debate. While this position is not coherent with the status of two organizations between which on the contrary important synergies exist.

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³⁰ PSV: Permanent studies relating to living conditions.

³¹ Title translation: summary titles of the book titles in French.

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