



EUROPEAN COMMISSION

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Proposal for a

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**on European statistics on safety from crime**

**(Text with EEA relevance)**

## EXPLANATORY MEMORANDUM

### 1. CONTEXT OF THE PROPOSAL

- **Aims and objectives of the proposal**

The aim of this proposal is to implement a household/personal survey in the European Union, covering safety from crime. It would make available information on the prevalence of specific types of crime (victimisation rates) and on other aspects relating to citizens' feelings of security. This would provide a valuable addition to crime figures from administrative sources (such as police reports), which are known to be difficult to compare between Member States.

- **General context**

The European Council highlighted the lack of comparable information at EU level on crime in the Hague Programme in 2005. In response, the Commission drew up an Action Plan 2006-2010 on improving methods to measure crime, which included developing an EU household survey on crime victimisation. The Stockholm Programme (2009) underlined the need to follow up this work with practical implementation. It is therefore proposed to conduct in 2013 an EU-level survey based on the methodology which has now been agreed with the stakeholders.

- **Existing provisions on the issue targeted by the proposal**

There are no existing provisions on the issue targeted by the proposal.

- **Consistency with other EU policies and objectives**

The proposal aims to simplify the current situation whereby a number of national surveys have been developed, each aiming to measure crime and safety at national level. There is a high probability that other such surveys will be developed by Member States unless they are given the opportunity to adopt a common model. The model developed in close cooperation with the Member States will ensure the availability of comparable data and will remove the potential risk of wasting resources by Member States undertaking parallel development work. It offers the advantage of simplifying European statistics, as outlined in the Communication from the Commission to the European Parliament and the Council on the production method of EU statistics: a vision for the next decade. It enshrines the principles of the European Statistics Code of Practice relating to quality commitment, sound methodology, cost-effectiveness, relevance, accuracy and reliability, coherence and comparability.

Decision No 1578/2007/EC of the European Parliament and of the Council of 11 December 2007 on the Community Statistical Programme 2008 to 2012<sup>1</sup> provides for the development of European statistics on crime and victimisation. The annual statistical work programme for 2011 specifically refers to implementation of a household/personal survey on crime victimisation.

Until now, there is no survey data on crime and safety of individuals and households covering the whole EU. Administrative data on crime (based on police reports etc.) have been

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<sup>1</sup> OJ L 344, 28.12.2007, p. 15.

collected on an informal basis and published since 2006. It is generally acknowledged that such data have restricted comparability due to the differing legal systems and recording methods in the Member States, and that the potential for overcoming these difficulties is limited. A survey makes it possible to collect comparable information based on a common questionnaire and methodology.

The primary value of the information to be collected through this statistical instrument lies in the domain of justice and home affairs. It responds directly to the political imperatives voiced in the Hague and Stockholm Programmes.

It is increasingly becoming recognised that freedom from crime and from feelings of personal insecurity is an important aspect of citizens' well-being. The Report by the Commission on the Measurement of Economic Performance and Social Progress (the 'Stiglitz Report', 2009) argued that new social well-being indicators should be developed to balance the more traditional measurements of economic progress such as GDP. In proposing 'quality-of-life' indicators, the report dealt with such issues as feelings of personal security and experiences of crime victimisation, and discussed specifically the role of existing household surveys in measuring such phenomena. Having an EU survey will make it possible to explore this dimension for Europe as a whole, in a coherent and comparable way.

## **2. RESULTS OF CONSULTATIONS WITH INTERESTED PARTIES AND IMPACT ASSESSMENTS**

- **Internal exchanges/discussions between Commission services**

The main services concerned during the development process were the then DG Justice Freedom and Security (JLS) and Eurostat. Recently DG HOME has taken on the role of DG JLS. Communication has been frequent and regular throughout the development process, including both bilateral discussions and mutual attendance at all the meetings with stakeholders listed below.

- **Consultation of interested parties**

An Expert Group was set up within the context of the Commission's 2006-2010 Action Plan on measuring crime and criminal justice. This comprised national experts from all Member States in the field of justice and home affairs, as well as international experts from academia, international organisations, etc. At each of the Expert Group's annual meetings, the requirements of the survey and the indicators to be produced were discussed. Information was exchanged through a dedicated CIRCA website. Detailed issues were explored through written consultations of the group.

Based upon a questionnaire circulated to Expert Group members, a list of key indicators was compiled, including the frequency of references and their relative importance. These indicators included a number of 'traditional' concerns (burglary, theft, physical violence, etc.) as well as concern for more recent developments, such as computer crimes and various types of fraud. Other concerns involved public perceptions of security issues and feelings of safety. These indicators formed a central part of the development process and were updated as needed through a regular consultation process.

- **Collection and use of expertise**

Expertise was obtained from a number of international experts under call for tender procedures. These included the UN agency HEUNI, who drafted an initial questionnaire, and the founders of the International Crime Victims Survey (ICVS), which is the only previous attempt to establish an international crime survey. Close collaboration was also maintained with the United Nations Office for Drugs and Crime (UNODC) and the United Nations Economic Commission for Europe (UNECE), who have spearheaded a similar process at international level.

The methodological concept was overseen by the Eurostat working group on crime statistics, and detailed development was entrusted to a task force of Member States. This made available the experience already acquired by those countries (about ten) which already conduct national surveys.

In addition to regular meetings, information was circulated through a dedicated CIRCA website. The European Directors of Social Statistics and European Statistical System Committee were regularly informed of the state of progress.

The methodology adopted was closely based on that set out in the United Nations manual, to which Eurostat and a number of EU Member States also contributed. The proposed model for the survey was piloted in 2008-2009 in sixteen Member States, supported by Commission action grants.

The results of the pilot exercises were evaluated by the international experts and made available to the working group and task force. The proposed model was fine tuned in the light of these experiences at a series of meetings and consultations during 2010.

- **Analysis of effects and implications**

The proposed survey on crime and safety will for the first time make available information from every Member State on a topic which is of central importance to EU policy concerns. The use of common methodologies and reporting formats will make data available which will be coherent, comparable and thus relevant for users at both European and national level. The Member States will play a key role in this exercise through the involvement of national statistical authorities, which have well-established procedures for collecting and processing survey data.

### **3. LEGAL ASPECTS OF THE PROPOSAL**

- **Summary of the proposed action**

The objective of this Regulation is to establish a common framework for producing European statistics on safety from crime, via the collection, compilation, processing and transmission by the Member States of harmonised European data on crime and safety based upon a household/personal survey.

- **Legal basis**

Article 338 of the Treaty on the Functioning of the European Union provides the legal basis for European statistics. Acting in accordance with the ordinary legislative procedure, the

European Parliament and the Council adopt measures for the production of statistics, where necessary, for the performance of the activities of the Union. It sets out the requirements relating to the production of European statistics, stating that it must conform to standards of impartiality, reliability, objectivity, scientific independence, cost-effectiveness and statistical confidentiality. It must not entail excessive burdens on economic operators.

- **Subsidiarity principle**

The subsidiarity principle applies insofar as the proposal does not fall within the exclusive competence of the European Union.

The objectives of the proposal cannot be sufficiently achieved by the Member States for the following reason.

One of the main quality concerns with any statistical data is coherence and comparability. Member States cannot achieve this sufficiently without a clear European framework, i.e. EU legislation laying down common statistical concepts, reporting formats and quality requirements. To this end, a model is proposed for a survey on crime and safety. This will include a list of variables to be included, and a model questionnaire.

Action by Member States alone would adversely affect the Member States' interests for the following reason.

Most of the countries that do not already possess national surveys on crime and safety wish to develop such instruments for policy purposes. If they were all to develop their own surveys, the result would be different methodologies and different questionnaires. This would mean that the results could not be compared at EU level. The Member States are themselves anxious to be in a position to make comparisons between themselves and other EU countries. The lack of a common European framework using common concepts and reporting formats would jeopardise or completely rule out the possibility of exchanging comparable statistics.

Action at European Union level will better achieve the objectives of the proposal for the following reasons.

The objectives of the proposal can be better achieved at European Union level on the basis of a European legal act because only the Commission can coordinate the harmonisation of statistical information at EU level. However, the collection of data and compilation of comparable statistics on safety from crime can be organised by the Member States by using the most appropriate sources and methods to provide the required information. The EU may therefore take action to this end in accordance with the principle of subsidiarity, as set out in Article 5 of the Treaty.

The aim of the proposal is to harmonise concepts, subjects covered and characteristics of the required information, coverage, quality criteria and reporting deadlines and results, to achieve relevant, timely, comparable and coherent European statistics.

Member States will collect the data using their own national sampling frames, and will also select the interview mode (face-to-face interviews, telephone, postal, web-based, etc.) in line with established national practices.

The proposal therefore complies with the subsidiarity principle.

- **Proportionality principle**

The proposal complies with the proportionality principle for the following reasons.

The Regulation is limited to the minimum required to achieve its objective and does not go beyond what is necessary for that purpose.

It proposes introducing a new survey where necessary, but allows Member States to fulfil requirements by changing existing national surveys.

- **Choice of instruments**

Proposed instrument: Regulation of the European Parliament and of the Council.

Other means would not be adequate for the following reason.

Selection of the instrument depends on the legislative goal. Given the information needs at European level, the trend with European statistics has been to use regulations rather than directives as the basic acts. A Regulation is preferable because it lays down the same law throughout the European Union, ensuring that the Member States apply it in a complete and coherent way. It is directly applicable, which means that it does not need to be transposed into national law. In contrast, directives, which aim to harmonise national laws, are binding on Member States as regards their objectives, but leave it up to the national authorities to choose the form used to achieve these objectives. They also have to be transposed into national law. The use of a regulation is in line with other European statistical legal acts adopted since 1997.

#### **4. BUDGETARY IMPLICATION**

The proposal implies expenditure of €12 million in 2012 from the EU budget.

The proposal requires the Member States to develop new surveys (or in some cases, adapt existing surveys). The methodological development involved is extremely expensive, and in addition social surveys are always costly due to the need to pay interviewers' salaries, travelling expenses, etc. The political priority ascribed to the area of freedom, security and justice in the Stockholm Programme makes it appropriate for up to 90% of the Member States' eligible costs to be covered from the EU budget.

#### **5. ADDITIONAL INFORMATION**

- **Repeal of existing legislation**

The adoption of the proposal will not lead to the repeal of existing legislation.

- **European Economic Area**

The proposed act concerns an EEA matter and should therefore be extended to the European Economic Area.

Proposal for a

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THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 338(1) thereof,

Having regard to the proposal from the Commission,

After transmission of the draft legislative act to the national Parliaments,

Having regard to the opinion of the European Data Protection Supervisor,<sup>2</sup>

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) The European Council confirms in the Hague Programme<sup>3</sup> the priority it attaches to developing an area of freedom, security and justice, responding to a central concern of the peoples of the States brought together in the Union, and in that Programme welcomes the Commission's initiative to establish European instruments for collecting, analysing and comparing information on crime and safety issues in the Member States. It tasks the Commission (Eurostat) with defining and collecting the data from Member States.
- (2) Developing a statistical instrument to measure safety concerns is one of the primary objectives of the Union Action Plan 2006-2010 on developing a comprehensive and coherent Union strategy to measure crime and criminal justice proposed by the Commission to achieve the goals set out in the Hague Programme.
- (3) The Stockholm Programme<sup>4</sup> underlines the commitment of the European Council to an open and secure Europe serving and protecting the citizens, and invites the Commission to continue developing statistical tools to measure crime and criminal activities and to further develop the actions outlined and partly implemented in the Union Action Plan 2006-2010, in view of the increased need for such statistics in a

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<sup>2</sup> OJ C [...], [...], p. [...].

<sup>3</sup> OJ C 53, 3.3.2005, p. 1.

<sup>4</sup> OJ C 115, 4.5.2010, p. 1.

number of areas concerning freedom, security and justice. Moreover, under the Sixth Framework Programme adopted by Decision No 1513/2002/EC of the European Parliament and of the Council of 27 June 2002 concerning the sixth framework programme of the European Community for research, technological development and demonstration activities, contributing to the creation of the European Research Area and to innovation (2002 to 2006)<sup>5</sup> and the Seventh Framework Programme adopted by Decision No 1982/2006/EC of the European Parliament and of the Council of 18 December 2006 concerning the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007-2013)<sup>6</sup>, the Commission has funded a number of research projects dealing with perceptions of safety and with trust in the police and justice systems, which should be taken into account.

- (4) The effort involved for the Member States to develop the necessary statistical tools for measuring crime and criminal justice, and the expense entailed in this process, are such that a financial contribution from the Union budget of up to 90% of the eligible costs is appropriate.
- (5) Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics<sup>7</sup> provides a reference framework for the production of European statistics, including the procedure for awarding grants to national authorities in Article 5. In particular, it requires compliance with principles of professional independence, impartiality, objectivity, reliability, statistical confidentiality and cost effectiveness.
- (6) This Regulation ensures the right to respect for private and family life and to the protection of personal data, as set out in Articles 7 and 8 of the Charter of Fundamental Rights of the European Union.<sup>8</sup>
- (7) Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data<sup>9</sup> and Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data<sup>10</sup> apply in the context of this Regulation.
- (8) When producing and disseminating European statistics under this Regulation, national statistical authorities and the Commission (Eurostat) should take account of the principles set out in the European Statistics Code of Practice endorsed by the Commission in its Recommendation of 25 May 2005 on the independence, integrity and accountability of national and Community statistical authorities.

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<sup>5</sup> OJ L 232, 29.8.2002, p. 1.

<sup>6</sup> OJ L 412, 30.12.2006, p. 1.

<sup>7</sup> OJ L 87, 31.3.2009, p. 164.

<sup>8</sup> OJ C 303, 14.12.2007, p. 1.

<sup>9</sup> OJ L 281, 23.11.1995, p. 31.

<sup>10</sup> OJ L 8, 12.1.2001, p. 1.

- (9) Since the objective of this Regulation, namely to establish a common legal framework for the production of European statistics on the safety from crime by collecting information based on a sample of persons, cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, this Regulation does not go beyond what is necessary in order to achieve that objective.
- (10) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards the practical arrangements for exchanging micro-data, the modalities and detailed structure of the quality reports as well as the data coding scheme. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers<sup>11</sup>.
- (11) The European Data Protection Supervisor and European Statistical System Committee have been consulted.

HAVE ADOPTED THIS REGULATION

#### *Article 1*

#### **Subject matter**

This Regulation establishes a framework for the development, production and dissemination of comparable European statistics on safety from crime based on a survey of households or persons.

#### *Article 2*

#### **Definitions**

For the purpose of this Regulation, the following definitions shall apply:

(a) 'household' means a person living alone or a group of people who live together in the same private dwelling and share expenditure, including the joint provision of the essentials of living; this definition does not cover collective households such as hospitals, care or residential homes, prisons, military barracks, religious institutions, boarding houses or hostels;

(b) 'usual residence' means the place where a person normally spends the daily period of rest, regardless of temporary absences for purposes of recreation, holidays, visits to friends and relatives, business, medical treatment or religious pilgrimage or in default, the place of legal or registered residence,

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<sup>11</sup> OJ L 55, 28.2.2011, p. 13.

The following persons alone shall be considered to be usual residents of the geographical area in question:

(i) those who have lived in their place of usual residence for a continuous period of at least 12 months before the reference date; or

(ii) those who arrived in their place of usual residence in the 12 months before the reference date with the intention of staying there for at least one year.

Where the circumstances described in point (i) or (ii) cannot be established, 'usual residence' shall mean the place of legal or registered residence.

(c) 'safety' means citizens' feelings of security from threats to their person, household or possessions arising from criminal causes;

(d) 'proxy answer' means information about a person provided by another member of that person's household;

(e) 'micro-data' means individual statistical records;

(f) 'metadata on quality' means any information provided by data suppliers which is considered useful for the interpretation of those data.

### *Article 3*

#### **Scope**

1. Each Member State shall submit to the Commission (Eurostat) data set out in Annex I.
2. Questions on sexual violence shall be asked separately on an optional basis.
3. By the way of exception, France and Ireland shall not be required to collect data on violence between members of the same household.

### *Article 4*

#### **Data characteristics and time reference**

1. Data shall be collected on the basis of a sample of households or persons as set out in Article 5.
2. Data shall be collected in 2013.
3. The observation period shall cover the twelve months preceding data collection.

### *Article 5*

#### **Sampling and sample size**

1. The data shall be based on nationally representative probability samples.

2. The sample size to be achieved, calculated on the assumption of simple random sampling shall be a minimum of:
  - (a) 8 000 persons in Member States with a population aged 16 and over which is higher than 10 million;
  - (b) 7 000 persons in Member States with a population aged 16 and over which is higher than 5 million and lower than 10 million;
  - (c) 6 000 persons in Member States with a population aged 16 and over which is higher than 1.5 million and lower than 5 million;
  - (d) 5 000 persons in Member States with a population aged 16 and over which is higher than 0.5 million and lower than 1.5 million;
  - (e) 3 000 persons in Member States with a population aged 16 and over which is lower than 0.5 million.

#### *Article 6*

#### **Collection unit**

1. The reference population shall be all persons living in households with their usual residence in the territory of the Member State at the time of data collection.
2. Small parts of the national territory in which no more than 2 % of the national population has its usual residence, as well as the national territories listed in Annex II, may be excluded from the survey.
3. The data shall pertain to persons aged 16 and over.
4. Proxy answers shall not be permitted.

#### *Article 7*

#### **Transmission and handling of data**

1. Member States shall transmit confidential micro-data to the Commission (Eurostat) in accordance with the provisions on the transmission of data subject to confidentiality set out in Regulation (EC) No 223/2009. Member States shall ensure that the transmitted data do not permit the direct identification of households or persons.
2. Member States shall transmit the micro-data by 31 July 2014 at the latest. The micro-data shall be accompanied by a set of defined tables consisting of indicators on prevalence rates in the last 12 months, by types of crime and the safety feelings.

## *Article 8*

### **Provision of data and metadata**

1. Member States shall provide the micro-data and associated metadata on quality in accordance with an exchange standard specified by the Commission (Eurostat). Micro-data and metadata on quality shall be made available to the Commission (Eurostat) through electronic means, by using the single entry point.
2. The Commission shall lay down, by means of implementing acts, practical arrangements for exchanging micro-data. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 12(2).

## *Article 9*

### **Data dissemination and access to confidential data for scientific purposes**

1. The Commission (Eurostat) shall disseminate the statistics on safety from crime by 31 December 2014 at the latest.
2. The Commission (Eurostat) may grant access to confidential data transmitted in accordance with this Regulation, under the conditions laid down in Regulation (EC) No 831/2002.

## *Article 10*

### **Quality assessment**

1. Member States shall ensure the quality of the micro-data transmitted.
2. For the purposes of this Regulation, the quality criteria as referred to in Article 12(1) of Regulation (EC) 223/2009 shall apply to the data to be transmitted.
3. Member States shall provide the Commission (Eurostat) with a report of the quality of the micro-data. The report shall be provided not later than one month after transmission of the data.
4. In applying the quality criteria referred to in paragraph 2 to the data covered by this Regulation, the Commission shall define, by means of implementing acts, the modalities and detailed structure of the metadata files on quality as well as the data coding scheme. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 12(2).
5. On the basis of the reports referred to in paragraph 3, the Commission (Eurostat) shall assess the quality of the data transmitted with particular regard to ensuring the comparability of data between Member States.

## *Article 11*

### **Financing**

1. To implement the survey, the Commission shall make a financial contribution to the Member States in the form of a grant to help cover the costs of collecting, processing and transmitting the data, including the salary costs of personnel in national administrations, subject to the conditions set out in the grant agreement. The grant shall be awarded to the national statistical institutes and other national authorities referred to in Article 5(2) of Regulation (EC) No 223/2009.
2. The maximum amount of the Union's co-financing may not exceed 90% of the total eligible costs of the project.
3. The financial contribution shall depend on the availability of appropriations entered in the budget of the Union.
4. Actions financed under this Regulation shall not receive assistance from other Union financial instruments. The beneficiaries shall provide the Commission with information about any other funding received and of ongoing applications for funding.
5. The Commission shall ensure that, when actions financed under this Regulation are implemented, the financial interests of the Union are protected by the application of preventive measures against fraud, corruption and any other illegal activities, by effective checks and by the recovery of the amounts unduly paid and, if irregularities are detected, by effective, proportional and dissuasive penalties, in accordance with Council Regulations (EC, Euratom) No 2988/95<sup>12</sup> and (Euratom, EC) No 2185/96<sup>13</sup> and with Regulation (EC) No 1073/1999 of the European Parliament and of the Council<sup>14</sup>.
6. For actions financed under this Regulation, the notion of irregularity referred to in Article 1(2) of Regulation (EC, Euratom) No 2988/95 shall mean any infringement or breach of a contractual obligation resulting from an act or omission by an economic operator, which has, or would have, the effect of prejudicing the general budget of the Union or budgets managed by it, by an unjustified item of expenditure.
7. Contracts and agreements resulting from this Regulation shall provide, in particular, for supervision and financial control by the Commission (or any representative authorised by it) and audits by the Court of Auditors, if necessary, on the spot.

## *Article 12*

### **Committee procedure**

1. The Commission shall be assisted by the European Statistical System Committee established by Regulation (EC) No 223/2009. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

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<sup>12</sup> OJ L 312, 23.12.1995, p. 1.

<sup>13</sup> OJ L 292, 15.11.1996, p. 2.

<sup>14</sup> OJ L 136, 31.5.1999, p. 1.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

*Article 13*

**Entry into force and applicability**

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall cease to apply on 30 June 2015.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the European Parliament*  
*The President*

*For the Council*  
*The President*

## ANNEX I

### **DATA TO BE SUBMITTED TO THE COMMISSION (EUROSTAT)**

1. Experience of crime by types of crime:
  - 1.1. Vehicle related crimes:
    - (1) car theft,
    - (2) theft from cars,
    - (3) motorcycle theft,
    - (4) bicycle theft;
  - 1.2. Household related crime: burglary in main home;
  - 1.3. Personal crimes:
    - (1) robbery,
    - (2) theft of personal property;
  - 1.4. Non-conventional crimes:
    - (1) consumer fraud,
    - (2) card / on-line banking abuse,
    - (3) bribery (backhanders);
2. Crime details:
  - 2.1. For every type of crime listed under 1.1-1.4, the following details are to be collected:
    - whether the event/s happened in the last 5 years (optional),
    - whether the event/s happened in the last 12 months,
    - how often it happened in the last 12 months,
    - whether the last event was reported to the police (or other authority in case of consumer fraud, card/ on-line banking abuse and bribery),
    - whether the police response to the last event reported was satisfactory;
  - 2.2. In addition to the details mentioned in 2.1, the following information on the last event for each crime are also to be collected as follows:
    - (1) for all vehicle-related crimes, personal crimes, non-conventional crimes:

- where the last event happened;
  - (2) for car theft:
    - whether the car was returned;
  - (3) for the burglary of main home, robbery:
    - why the police were not informed,
    - why the respondent was not satisfied with police response,
    - whether the respondent contacted victim support,
    - whether victim support would have been useful;
  - (4) for robbery:
    - whether anything was stolen,
    - whether the offender was using a weapon,
    - what kind of weapon was used by the offender,
    - whether the respondent was injured,
    - whether the injury was medically treated,
    - what was the emotional impact of the event on respondent;
  - (5) for theft of personal property:
    - whether the respondent was holding / carrying the stolen articles;
  - (6) for consumer fraud:
    - whether the fraud involved buying goods or services,
    - whether the fraud involved internet or email;
  - (7) for card / on-line banking abuse:
    - whether it was card or on-line banking abuse;
  - (8) for bribery:
    - who was involved;
3. Respondent attitudes to law enforcement and security precautions:
- whether the respondent was exposed to drugs problems,
  - whether the respondent owns a burglar alarm,

- whether the respondent owns a special door or locks,
  - whether the respondent avoids certain places after dark,
  - whether the respondent owns a gun,
  - reason for owning a gun,
  - respondent's opinion of police performance,
  - respondent's opinion of courts performance,
  - respondent's opinion of an appropriate sentences for a burglary;
4. Respondent's feelings of safety and worries about crime:
- feelings of safety out alone at night,
  - worries about being physically attacked,
  - worries about terrorism,
  - likelihood of burglary;
5. Socio-demographic background of respondent:
- sex,
  - age,
  - country of birth,
  - country of birth of mother,
  - country of birth of father,
  - citizenship,
  - marital status,
  - de facto marital status,
  - past relationships,
  - employment status,
  - full or part-time work,
  - professional status,
  - occupation in employment,
  - economic activity of the local unit,

- highest level of education or training successfully completed,
  - household income level;
6. Technical variables:
- country of residence,
  - region of residence,
  - degree of urbanisation of the area where the household lives,
  - reference year of survey,
  - month of survey,
  - identification of respondent,
  - weighting factor for household,
  - weighting factor for individuals,
  - data collection method used,
  - method of checking for telescoping effect used during interview,
  - language used for interview,
  - number of persons living in household, including the respondent;
7. Violence crimes (to be asked in a separate module at the end of interview):
- (1) non-partner physical violence:
- whether anyone, for example someone at school or at work, a friend or a neighbour or a stranger, ever slapped or thrown something or pushed or pulled hair,
  - whether anyone from the persons mentioned above hit with fist or something else, or kicked, dragged or beaten up,
  - whether anyone from the persons mentioned above choked or burnt, threatened or used gun, knife or other weapon;
- (2) non-partner sexual violence (optional):
- whether anyone, for example someone at school or work, a friend or a neighbour or a stranger, ever forced into unwanted sexual intercourse for example by threatening, holding down or putting in a situation where refusal was impossible,

- whether anyone from the persons mentioned above attempted to force into unwanted sexual act or sexual intercourse or done anything else sexually that was unwanted;
- (3) partner physical violence:
- whether present partner or a partner in the past, for example an ex-husband, an ex-boyfriend or an ex-wife, ex-girlfriend slapped or threw something that could hurt or pushed or shoved or pulled hair,
  - whether anyone from the persons mentioned above hit with fist or something else, or kicked, dragged or beaten up,
  - whether anyone from the persons mentioned above choked or burnt, threatened or used gun, knife or other weapon;
- (4) partner sexual violence (optional):
- whether respondent had unwanted sexual activity because was afraid of what present partner or a partner in the past, for example an ex-husband, an ex-boyfriend or an ex-wife, ex-girlfriend might do,
  - whether any of the persons mentioned above forced respondent into unwanted sexual activity;

7.1. For non-partner physical and partner physical violence the following details are to be collected:

- whether the event/s happened in the last 5 years (optional),
- whether the event/s happened in the last 12 months,
- how often it happened in last 12 months,
- where the last event happened,
- whether weapon a was used,
- what kind of weapon was used,
- whether the respondent was injured,
- whether the injury was medically treated,
- what was the emotional impact of the event on the respondent,
- who did it,
- whether the last incident was reported to the police,
- why it was not reported,
- whether the police response to the last event reported was satisfactory,

- why the respondent was not satisfied with the police response,
  - whether the respondent contacted victim support,
  - whether victim support would have been useful;
- 7.2. The details listed in 7.1 are optional for non-partner sexual and partner sexual violence crimes.
8. Countries not asking screening questions for the crime events in the last 5 years from the date of the interview are to avoid over reporting ("telescoping" effect) either by asking screening questions covering a minimum of two years or by checking the exact date of the event reported by the respondent.

## ANNEX II

### **NATIONAL TERRITORIES THAT MAY BE EXCLUDED FROM THE SURVEY**

Country	National territories
France	French Overseas Departments and territories
Netherlands	Caribbean Islands (Bonaire, St. Eustatius and Saba), the West Frisian Islands with the exception of Texel
Ireland	All offshore islands with the exception of Achill, Bull, Cruit, Gorumna, Inishnee, Lettermore, Lettermullan and Valentia
United Kingdom	Scotland north of the Caledonian Canal, the Scilly Islands

## **LEGISLATIVE FINANCIAL STATEMENT FOR PROPOSALS**

### **1. FRAMEWORK OF THE PROPOSAL/INITIATIVE**

- 1.1. Title of the proposal/initiative
- 1.2. Policy area(s) concerned in the ABM/ABB structure
- 1.3. Nature of the proposal/initiative
- 1.4. Objective(s)
- 1.5. Grounds for the proposal/initiative
- 1.6. Duration and financial impact
- 1.7. Management method(s) envisaged

### **2. MANAGEMENT MEASURES**

- 2.1. Monitoring and reporting rules
- 2.2. Management and control system
- 2.3. Measures to prevent fraud and irregularities

### **3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE**

- 3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected
- 3.2. Estimated impact on expenditure
  - 3.2.1. *Summary of estimated impact on expenditure*
  - 3.2.2. *Estimated impact on operational appropriations*
  - 3.2.3. *Estimated impact on appropriations of an administrative nature*
  - 3.2.4. *Compatibility with the current multiannual financial framework*
  - 3.2.5. *Third-party participation in financing*
- 3.3. Estimated impact on revenue

# LEGISLATIVE FINANCIAL STATEMENT FOR PROPOSALS

## 1. FRAMEWORK OF THE PROPOSAL/INITIATIVE

### 1.1. Title of the proposal/initiative

REGULATION (EU) OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on European statistics on safety from crime.

### 1.2. Policy area(s) concerned in the ABM/ABB structure<sup>15</sup>

3403- Production of statistical information.

### 1.3. Nature of the proposal/initiative

The proposal/initiative relates to **a new action**

The proposal/initiative relates to **a new action following a pilot project/preparatory action**<sup>16</sup>

The proposal/initiative relates to **the extension of an existing action**

The proposal/initiative relates to **an action redirected towards a new action**

### 1.4. Objectives

#### 1.4.1. The Commission's multiannual strategic objective(s) targeted by the proposal/initiative

Community Statistical Programme 2008 to 2012, TITLE IV. Visas, asylum, immigration and other policies related to free movement of persons.

**The European Council the Stockholm Programme** (*An open and secure Europe serving and protecting citizens*), OJ C 115, 4.5.2010, p.1

**The Commission Action Plan 2006-2010** on measuring crime and criminal justice, COM (2006) 0437

#### 1.4.2. Specific objective(s) and ABM/ABB activity(ies) concerned

Specific objective No..

Specific objective 1-data production

ABM/ABB activity(ies) concerned

3403- Production of statistical information.

<sup>15</sup> ABM: Activity-Based Management – ABB: Activity-Based Budgeting.

<sup>16</sup> As referred to in Article 49(6)(a) or (b) of the Financial Regulation.

1.4.3. *Expected result(s) and impact*

*Specify the effects which the proposal/initiative should have on the beneficiaries/groups targeted.*

More comparable information on crime and safety in the EU.  
Statistics to underpin the formulation of policies to promote safety and prevent crime.

1.4.4. *Indicators of results and impact*

*Specify the indicators for monitoring implementation of the proposal/initiative.*

Availability of EU comparable indicators on safety and microdata for all 27 Member States and EEA countries.

**1.5. Grounds for the proposal/initiative**

1.5.1. *Requirement(s) to be met in the short or long term*

-Comparable EU indicators on feelings of personal safety and experience of being victims of crime available for all EU Members States and EEA countries.  
- Microdata released to research community.

1.5.2. *Added value of EU involvement*

Comparability of the results on safety from crime at EU level which will contribute to evidence based policy making.

1.5.3. *Lessons learned from similar experiences in the past*

Not applicable.

1.5.4. *Coherence and possible synergy with other relevant instruments*

The data provided by this survey will make it possible to properly evaluate information on crime from other sources such as police records.

## 1.6. Duration and financial impact

X Proposal/initiative of **limited duration**

- Proposal/initiative in effect from [DD/MM]2011 to [DD/MM]2015
- Financial impact from 2012 to 2015

Proposal/initiative of **unlimited duration**

(1) Implementation with a start-up period from YYYY to YYYY,

(2) followed by full-scale operation.

## 1.7. Management mode(s) envisaged<sup>17</sup>

X **Centralised direct management** by the Commission

**Centralised indirect management** with the delegation of implementation tasks to:

(3)  executive agencies

(4)  bodies set up by the Communities<sup>18</sup>

(5)  national public-sector bodies/bodies with public-service mission

–  persons entrusted with the implementation of specific actions pursuant to Title V of the Treaty on European Union and identified in the relevant basic act within the meaning of Article 49 of the Financial Regulation

**Shared management** with the Member States

**Decentralised management** with third countries

**Joint management** with international organisations (*to be specified*)

*If more than one management mode is indicated, please provide details in the "Comments" section.*

Comments

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<sup>17</sup> Details of management modes and references to the Financial Regulation may be found on the BudgWeb site: [http://www.cc.cec/budg/man/budgmanag/budgmanag\\_en.html](http://www.cc.cec/budg/man/budgmanag/budgmanag_en.html)

<sup>18</sup> As referred to in Article 185 of the Financial Regulation.

## **2. MANAGEMENT MEASURES**

### **2.1. Monitoring and reporting rules**

*Specify frequency and conditions.*

During the process of survey implementation, regular Task Force meetings with the Member States will be held to monitor the survey and share experience.

The process will be monitored on the basis of survey quality reporting according to specific Eurostat rules.

### **2.2. Management and control system**

#### *2.2.1 Risk(s) identified*

Unavailability of financial resources at national level to meet the Member States' contribution to the cost of the survey.

#### *2.2.2 Control method(s) envisaged*

Co-financing implementation of the survey by the European Commission, subject to the availability of appropriations in the European Union budget.

### **2.3. Measures to prevent fraud and irregularities**

*Specify existing or envisaged prevention and protection measures.*

Controls put in place, applying standard action grant procedures.

### 3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

#### 3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected

- Existing expenditure budget lines

In order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
	Number [Heading.....]	DA/NDA <sup>(19)</sup>	from EFTA <sup>20</sup> countries	from candidate countries <sup>21</sup>	from third countries	within the meaning of Article 18(1)(aa) of the Financial Regulation
[1a]	29.02.03 Community Statistical Programme 2008 to 2012.	DA	Yes	No	No	No
[3a]	18.05.09 - Prevention of and fight against crime or its successor	DA	No	Yes (only as a partner)	No	Yes (only MS's and their public bodies)

- New budget lines requested

In order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
	Number [Heading.....]	Diff./non-diff.	from EFTA countries	from candidate countries	from third countries	within the meaning of Article 18(1)(aa) of the Financial Regulation
	[XX.YY.YY.YY		YES/N O	YES/N O	YES/N O	YES/NO

<sup>19</sup> DA= Differentiated appropriations / DNA= Non-Differentiated Appropriations

<sup>20</sup> EFTA: European Free Trade Association.

<sup>21</sup> Candidate countries and, where applicable, potential candidate countries from the Western Balkans.

### 3.2. ESTIMATED IMPACT ON EXPENDITURE

#### 3.2.1 Summary of estimated impact on expenditure

EUR million (to 3 decimal places)

<b>Heading of multiannual financial framework:</b>	Number	1a Competitiveness for growth
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DG: ESTAT			Year N <sup>22</sup>	Year N+1	Year N+2	Year N+3	... enter as many years as necessary to show the duration of the impact (see point 1.6)			TOTAL
• Operational appropriations			2012	2013	2014	2015				
29.02.03 Community Statistical Programme 2008 to 2012.	Commitments	(1)	6							6
	Payments	(2)	2.4		3.6					6
Number of budget line	Commitments	(1a)								
	Payments	(2a)								
Appropriations of an administrative nature financed from the envelop of specific programs <sup>23</sup>										
Number of budget line		(3)								
<b>TOTAL appropriations for DG ESTAT</b>	Commitments	=1+1a +3	6							6
	Payments	=2+2a +3	2.4		3.6					6

<sup>22</sup> Year N is the year in which implementation of the proposal/initiative starts.

<sup>23</sup> Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former "BA" lines), indirect research, direct research.

<b>Heading of multiannual financial framework:</b>	Number	3a Freedom, Security and Justice
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DG: HOME			Year N <sup>24</sup>	Year N+1	Year N+2	Year N+3	... enter as many years as necessary to show the duration of the impact (see point 1.6)			TOTAL
• Operational appropriations			2012	2013	2014	2015				
18 05 09 - Prevention of and fight against crime or its successor	Commitments	(1)	6							6
	Payments	(2)	2.4		3.6					6
Number of budget line	Commitments	(1a)								
	Payments	(2a)								
Appropriations of an administrative nature financed from the envelop of specific programs <sup>25</sup>										
Number of budget line		(3)								
<b>TOTAL appropriations for DG HOME</b>		Commitments	=1+1a+3	6						6
		Payments	=2+2a+3	2.4		3.6				6

• TOTAL operational appropriations	Commitments	(4)								
	Payments	(5)								

<sup>24</sup> Year N is the year in which implementation of the proposal/initiative starts.

<sup>25</sup> Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former "BA" lines), indirect research, direct research.

• TOTAL appropriations of an administrative nature financed from the envelop of specific programs	(6)								
<b>TOTAL appropriations under HEADING &lt;....&gt;</b> of the multiannual financial framework	Commitments	=4+ 6							
	Payments	=5+ 6							

**If more than one heading is affected by the proposal / initiative:**

• TOTAL operational appropriations	Commitments	(4)	12						<b>12</b>
	Payments	(5)	4.8		7.2				<b>12</b>
• TOTAL appropriations of an administrative nature financed from the envelop of specific programs	(6)								
<b>TOTAL appropriations under HEADINGS 1 to 4</b> of the multiannual financial framework (Reference amount)	Commitments	=4+ 6	12						<b>12</b>
	Payments	=5+ 6	4.8		7.2				<b>12</b>

<b>Heading of multiannual financial framework:</b>	<b>5</b>	" Administrative expenditure "
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EUR million (to 3 decimal places)

	Year N 2012	Year N+1 2013	Year N+2 2014	Year N+3 2015	... enter as many years as necessary to show the duration of the impact (see point 1.6)			<b>TOTAL</b>
DG: ESTAT								
• Human resources	0.254	0.254	0.254	0.254				<b>1.016</b>
• Other administrative expenditure	0.027	0.027	0.027	0.040				<b>0.119</b>
<b>TOTAL DG ESTAT</b>	<b>0.281</b>	<b>0.281</b>	<b>0.281</b>	<b>0.294</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1.135</b>

<b>TOTAL appropriations under HEADING 5 of the multiannual financial framework</b>	(Total commitments = Total payments)	0.281	0.281	0.281	0.294	0	0	0	<b>1.135</b>
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EUR million (to 3 decimal places)

		Year N <sup>26</sup>	Year N+1	Year N+2	Year N+3	... enter as many years as necessary to show the duration of the impact (see point 1.6)			<b>TOTAL</b>
<b>TOTAL appropriations under HEADINGS 1 to 5 of the multiannual financial framework</b>	Commitments	12.281	0.281	0.281	0.294				<b>13.135</b>
	Payments	5.081	0.281	7.481	0.294				<b>13.135</b>

<sup>26</sup> Year N is the year in which implementation of the proposal/initiative starts.

3.2.2. *Estimated impact on operational appropriations*

(6)  The proposal/initiative does not require the use of operational appropriations

(7)  The proposal/initiative requires the use of operational appropriations, as explained below:

Commitment appropriations in EUR million (to 3 decimal places)

Indicate objectives and outputs	... enter as many years as necessary to show the duration of the impact (see point 1.6)																TOTAL	
	OUTPUTS																	
↓	Type of output <sup>27</sup>	Average cost of the output	Number of outputs	Cost	Number of outputs	Cost	Number of outputs	Cost	Number of outputs	Cost	Total number of outputs	Total cost						
SPECIFIC OBJECTIVE No 1 <sup>28</sup> ...																		
- Output	Data								Data	12.000							1	12.000
- Output																		
- Output																		
Sub-total for specific objective N°1																		
SPECIFIC OBJECTIVE No 2...																		
- Output																		
Sub-total for specific objective N°2																		

<sup>27</sup> Outputs are products and services to be supplied (e.g.: number of student exchanges financed, number of km of roads built, etc.).

<sup>28</sup> As described in Section 1.4.2. "Specific objective(s)..."

TOTAL COST							Data	12.000							1	12.000
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### 3.2.3. Estimated impact on appropriations of an administrative nature

#### (8)3.2.3.1. Summary

(9)  The proposal/initiative does not require the use of administrative appropriations

(10)  The proposal/initiative requires the use of administrative appropriations, as explained below:

EUR million (to 3 decimal places)

	Year N <sup>29</sup>	Year N+1	Year N+2	Year N+3	... enter as many years as necessary to show the duration of the impact (see point 1.6)			TOTAL
--	-------------------------	-------------	-------------	-------------	---	--	--	-------

<b>HEADING 5 of the multiannual financial framework</b>	2012	2013	2014	2015				
Human resources	0.254	0.254	0.254	0.254				<b>1.016</b>
Other administrative expenditure	0.027	0.027	0.027	0.040				<b>0.119</b>
<b>Subtotal HEADING 5 of the multiannual financial framework</b>	<b>0.281</b>	<b>0.281</b>	<b>0.281</b>	<b>0.294</b>				<b>1.135</b>

<b>Outside HEADING 5<sup>30</sup> of the multiannual financial framework</b>								
Human resources								
Other expenditure of an administrative nature								
<b>Subtotal outside HEADING 5 of the multiannual financial framework</b>								

<b>TOTAL</b>	<b>0.281</b>	<b>0.281</b>	<b>0.281</b>	<b>0.294</b>				<b>1.135</b>
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<sup>29</sup> Year N is the year in which implementation of the proposal/initiative starts.

<sup>30</sup> Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former "BA" lines), indirect research, direct research.

### 3.2.3.2. Estimated requirements of human resources

- (11)  The proposal/initiative does not require the use of human resources
- (12)  The proposal/initiative requires the use of human resources, as explained below:

*Estimate to be expressed in full amounts (or at most to one decimal place)*

	Year N	Year N+1	Year N+2	Year N+3	... enter as many years as necessary to show the duration of the impact (see point 1.6)		
<b>• Establishment plan posts (officials and temporary agents)</b>							
29 01 01 01 (Headquarters and Commission's Representation Offices)	2	2	2	2			
XX 01 01 02 (Delegations)							
XX 01 05 01 (Indirect research)							
10 01 05 01 (Direct research)							
<b>• External personnel (in Full Time Equivalent unit: FTE)<sup>31</sup></b>							
XX 01 02 01 (CA, INT, SNE from the "global envelope")							
XX 01 02 02 (CA, INT, JED, LA and SNE in the delegations)							
XX 01 04 yy <sup>32</sup>	- at Headquarters <sup>33</sup>						
	- in delegations						
XX 01 05 02 (CA, INT, SNE - Indirect research)							
10 01 05 02 (CA, INT, SNE - Direct research)							
Other budget lines (specify)							
<b>TOTAL</b>	2	2	2	2			

**XX** is the policy area or budget title concerned.

The human resources required will be met by staff from the DG who are already assigned to management of the action and/or have been redeployed within the DG, together if necessary with any additional allocation which may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints.

Description of tasks to be carried out:

Officials and temporary agents	• Making available the necessary information to Member States for
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<sup>31</sup> CA= Contract Agent; INT= agency staff ("*Intérimaire*"); JED= "*Jeune Expert en Délégation*" (Young Experts in Delegations); LA= Local Agent; SNE= Seconded National Expert;

<sup>32</sup> Under the ceiling for external personnel from operational appropriations (former "BA" lines).

<sup>33</sup> Essentially for Structural Funds, European Agricultural Fund for Rural Development (EAFRD) and European Fisheries Fund (EFF).

	<p>conducting the survey</p> <ul style="list-style-type: none"> <li>• Preparation of informatics tools for receiving, validating and processing the data</li> <li>• Preparation of the data for publication.</li> </ul>
External personnel	Not applicable

3.2.4. *Compatibility with the current multiannual financial framework*

(13)  Proposal/initiative is compatible the current multiannual financial framework.

(14)  Proposal/initiative will entail reprogramming of the relevant heading in the multiannual financial framework.

The total budget will be entirely covered through redeployment.

(15)  Proposal/initiative requires application of the flexibility instrument or revision of the multiannual financial framework<sup>34</sup>.

3.2.5. *Third-party contributions*

(16) The proposal/initiative does not provide for co-financing by third parties

3.3. Estimated impact on revenue

(17)  Proposal/initiative has no financial impact on revenue.

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<sup>34</sup> See points 19 and 24 of the Interinstitutional Agreement.