

Executive summary

The need for improving the evidence base of public policies on security and justice

Ensuring basic security and maintaining public order are core responsibilities of the state. These indeed concern protecting citizens' rights and administering justice for victims of crime or abuse but, above all, security, justice and the rule of law are also ultimate public goods whose benefits are shared by society as a whole. Security and justice are the foundation of healthy democracies and an essential component of public governance. A high prevalence of crime is often interpreted as a sign of failure on the part of governments, and is also reflected in the public's appreciation of political leaders and in their trust on key institutions, like the judiciary and the police.

Security and justice are not only important for good governance, they are also precursors of economic health. Threats to the integrity of property and the security of executives and employees increase the risk of investment and get in the way of carrying out daily business functions. Exposure to crime changes consumption patterns and businesses' tolerance to risk, which can have a direct impact on economic growth and competitiveness. Corrupt or unnecessarily prolonged justice proceedings reduce investors' confidence in the ability of institutions to intervene when needed to uphold the rule of law. This creates additional costs in the form of insurance premiums, security systems and compensation to employees. This may either entirely drive investors and projects away from certain territories or reduce the competitiveness of certain countries or regions in markets due to larger overhead costs.

While an increase in the costs of "doing business" can have a direct impact on firms' competitiveness, from a macroeconomic perspective, crime can further reduce competitiveness by detrimentally affecting the pool of human capital (*e.g.* undermining potential growth by promoting "brain drain" of qualified labour to more secure regions). Moreover, excessive government expenditures on preventing or fighting crime divert public resources from more productive investments in education and/or infrastructure, which could in turn improve the economic appeal of a region to investors and entrepreneurs.

It is necessary then that policy makers exercise strong leadership in fighting crime effectively and guaranteeing security to their citizens and businesses. As underscored in this report, however, this is a complex undertaking for several reasons: crime is multi-dimensional with several co-existing causes; it is a territorial phenomenon with different types of crimes being concentrated geographically and – at times – displaying different drivers depending on location; government action engulfs an entire "eco-system" of stakeholders from national and sub-national governments to local police and even non-governmental actors such as community or neighbours groups; law enforcement and justice administrations should aim at preventing, solving and punishing crime while respecting basic human rights. Finally, crime is dynamic, evolving in type and severity over time, and often highly reactive to law enforcement interventions.

Successful initiatives on security and justice therefore need to respond to the rationale of public policy making and implementation and require good governance. These policies must address the different roots of crime, and be tailored to the specificities of illegal activities and their locations as well as the complexity of the law enforcement system responsible for delivering due process in guaranteeing justice administration to citizens. Policies must also be adaptable and responsive. Implementing them requires a shared strategy and vision; capable police and justice institutions that are free of corruption; and effective co-ordination and co-operation, both horizontally (across policy silos) and vertically (between levels of government).

Evidence is at the heart of these success factors, necessary not only for guiding the execution of policies so that resources are concentrated where they are most needed, but also for assessing the performance of the multiple actors of the process. Sound evidence is also especially needed in policy formulation and in assessing progress and the attitudes of citizens and politicians towards crime. More importantly, evidence and evidence gathering should reflect the territorial nature of crime and acknowledge the shared competencies across institutions. This requires the collection of data at the regional and local levels, and a good understanding of the institutional architecture governing security, including administrative delineations and the distribution of roles and responsibilities.

But despite its importance, the generation of evidence to support policy design and implementation in this sector is, in some countries, considerably less developed relative to other sectors such as education or health. When a student sits for a standardised national or international test, or a patient undergoes a medical procedure, these activities are surely recorded. However, crime is by nature clandestine, making it difficult to capture statistically. Under-reporting is a common problem. Researchers and policy makers have to depend on perception data and surveys that, although improving over time with better sampling and questionnaire methods, have the chief limitation of relying on subjective accounts – sometimes not even of the victims themselves – and accurate recall of past events.

Justice procedures, designed to rightfully protect victims but also the rights of the accused, create additional measurement hurdles: crimes must first be identified and brought forward to law enforcement agencies; the police and prosecution, with the support of forensic services, must be capable of gathering accurate information before bringing a case before a judge; the courts must examine evidence and correctly apply the law before a resolution is reached. Data must be gathered at each step in the process in order to accurately capture reality. To make comparisons across jurisdictions, records should be comparable despite differences in legal codes and agencies.

Towards evidence-based policy making

Evidence-based policy making in security and justice is, therefore, far from straightforward and should be developed on the basis of a coherent and systematic effort. To this end, the following steps should be considered:

- **Generating and gathering basic data:** The first step in the evidence-building process is the generation of basic data; emphasising the collection and harmonisation of metrics that allow for comparability across units and/or time. Data can (and should) be both quantitative and qualitative; as well as gathered through various means including surveys of citizens, firms and policy makers. Administrative records held by public bodies, like the police, prosecutors and

courts, are especially important given the highly procedural nature of law enforcement and justice administration. As the first building block, the quality of data is of utmost importance, and capabilities and systems should be developed to ensure relevance, representativeness, timeliness and reliability.

- **Transforming data into actionable evidence:** While data is a necessary precursor for evidence, it is often insufficient. In isolation, it may not reveal conclusive findings to policy makers on issues of relevance: the causes and impacts of crime, the capacities (and shortcomings) of the police and courts, areas for efficiency gains, the effectiveness of policies, and the costs and benefits of implementing certain policies over others, etc. Data therefore need to be transformed into actionable evidence that can be used in decision making. Towards that end, conceptual frameworks for measurement and evaluation need to be built on tested theories, relationships between variables need to be tested and proven, the indicators that need to be developed for benchmarking across regions or countries need to be identified, and *ex ante* and *ex post* evaluations of policies should be conducted.
- **Using evidence in key decision-making processes:** Once a strong evidence base has been built, mechanisms need to be developed or reinforced to allow for systematic use of that evidence in the process of creating policies aimed at fighting crime and ensuring due process in justice administration for citizens. This can be done through the formulation of specific strategies, the implementation of formal or informal consultation, on-the-ground implementation, monitoring and/or the allocation of resources. Policy makers, authorities and organisational units should be open to incorporating such evidence, which may be a challenge for officials formed under a different tradition. This may require a cultural shift for some actors and also a substantial redesign of processes so that evidence is generated and analysed systematically. To be useful, evidence should be reliable, timely and easy to understand by the actors involved in order to contribute effectively to better policy decisions.
- **Disseminating evidence and involving stakeholders to sustain reform implementation:** Evidence must be shared, not only to justify decisions, but to mobilise society against crime and confront entrenched interests amongst stakeholders. To begin with, this requires not only that adequate opportunities exist for participation in the policy-making process itself, but also the release of authoritative reports, supported by active communication strategies and tools to guide expectations and disseminate results.

This series of steps can provide the basis for improving security and justice policies in Mexico involving actors at all levels. Such an agenda should be seen not as a substitute, but as a necessary complement, to structural reforms in the administration of justice and strategies to fight the most immediate threats to the rule of law, like organised crime.

Main assessments: Efforts made at generating and analysing data on security and justice in Mexico

The high incidence of crime and the sharp rise in violent crime in recent years in Mexico has had a distinct effect on the generation and analysis of data on security and justice. Many professionals and institutions have set out to investigate this issue.

Diverse Mexican institutions have devoted a great amount of effort at improving the reliability and comparability of crime-related data, the same way most advanced countries did some three decades ago. Facing a dramatic scenario of violence and organised crime, Mexico has stepped up the means to measure crime and disseminate knowledge about it, addressing many past weaknesses and inconsistencies in crime data. This has led to concrete progress on a number of dimensions, including: *i*) an institutional arrangement to recognise the national Institute of Statistics and Geography (INEGI) as the top instance in a national system of crime data collection; *ii*) a progressive improvement in the quality and comparability of administrative registries at the local and state levels, which have been targeted as priority in domestic technical discussions between INEGI and the network of producers and users of that data, particularly police and prosecution units; *iii*) a high-quality Security Census, collecting increasingly complete information about the sector's resources at all levels of government, ranging from federal to state and local governments, and from police to prosecutors and all public offices related to this public service; *iv*) one of the most advanced and complete victimisation surveys in the world, in terms of the accuracy of the questionnaire, sample size and timeliness; and *v*) the engagement of Mexico as key contributor to the main regional and international projects and institutions aimed at improving the quality and comparability of crime-related data.

Crime is a distinctly territorial phenomenon in nearly all OECD member countries, but this is particularly true in Mexico. Beyond national averages, regional differences in crime activities within countries are often important and tend to be concentrated around the same geographic area. This trend is particularly evident in the case of Mexico. Among OECD countries, it is not only the one with the highest national murder rate, but also the one with the widest regional disparities in murders. According to the *OECD Regional Database*, in 2009, the state of Chihuahua's murder rate was 56 times higher than that of the state of Yucatán, whose rate was conversely close to, or even less than that of many European regions. In terms of property crime, Mexico is second only to Canada in terms of regional differences. The northern state of Baja California had a rate of crime against property almost three times higher than the national value, while the southern state of Campeche had a rate five times less than the Mexican national average. In contrast to some of the other OECD member countries analysed, the concentration of homicides in Mexico has been increasing over time, whereas in the case of property crimes, there is a trend towards spatial dispersion, *e.g.* regions with high property crime rates tend to be more scattered across the country.

Crime has several root causes among which poverty, inequality, unemployment, demographics and the lack of social cohesion are common culprits. Analysis in Chapter 2 reveals that there is an additional territorial dimension at work as well, with the underlying causes of crime differing across regions in some cases. In Mexico, youth unemployment seems to be a key driver of homicides, similar to countries such as Canada, France and Turkey. This variable is also shown to be a key driver of property crimes in Mexico.

These findings underscore the need for crime policies that are horizontal – addressing the multiple root causes – while also “local”, *e.g.* related to the specificities of the territory. The same applies to policy implementation: the multi-level governance issue is particularly important, not only because states have vast powers in the organisation of police and courts of law, but because, given the strong local dimension of crime, the alignment of policy objectives across levels of government is essential to increase the effectiveness of prevention and security policies.

While crime statistics and victimisation surveys continue to improve in Mexico, some gaps in the evidence on security and justice remain. In the preparation of this report, the OECD Secretariat conducted a scoping exercise of available data at the state level. Data were gathered in accordance with: *i*) availability for a critical number of states; *ii*) alignment, to the extent possible, with existing international indicators as featured in Chapter 1; *iii*) the quality/reliability of the data as judged by subject-matter experts; and *iv*) comparability across regions. In addition, the relevance as well as the strengths and weaknesses of each variable included in the study were also assessed (see Chapter 3) in the context of their potential relevance for evidence-based decision making (e.g. how data could be interpreted for policy making).

Results show Mexico is increasingly adept in the generation of statistics for measuring the incidence of crime. INEGI and the National Public Safety System (SESNP), reporting to the Secretariat of Public Safety (SSP), produce internationally harmonised crime statistics disaggregated to the state level (e.g. property crimes such as car theft and violent crimes including homicides). Furthermore, as a means to complementing this data and overcoming the issue of under-reporting, INEGI conducts the National Survey of Victimization and Perception of Public Security (ENVIPE), with data disaggregated to the sub-national level, and whose main objective is to collect information on: reported and unreported crimes, the perception of public safety and of the perceived performance of and interaction with institutions in charge of public safety and law enforcement. The conceptual framework of the ENVIPE follows the guidelines provided in the *Manual on Victimization Survey of the United Nations*. Thanks to its sample design, the ENVIPE provides representative information on the incidence of crime at the national and state level, as well as for 17 urban areas in Mexico. Finally, the Government Census has, since 2011, collected information from the justice sector and is available at the regional level. The Census collects information on personnel, available ICT infrastructure, crimes processed and centres for alternative justice proceedings.

These sources ensure that data is gathered uniformly for all states following the same methodology and definitions. Nonetheless, the same issues that exist for other OECD countries apply to such data as well, namely issues of comparability arising from different classification systems across institutions (e.g. for crimes and/or cases).

Finally, a strong dataset exists in Mexico on perceptions of safety and levels of public trust in the police and justice institutions. Such information is collected not only by INEGI (as a component of victimisation surveys), but also by additional opinion polls which lend themselves to international comparison. These are key outcome indicators, used ultimately to examine whether changes in levels of crime impact in turn perceptions of safety.

However, following the proposed framework set out in Chapter 1, some additional data gaps remain which could hinder the measurement of the performance of the key institutions over the longer term (e.g. police, courts and penitentiary institutions):

- **Data gathering and recording capabilities:** The strongly procedural nature of law enforcement and justice administration should make it easier to capture and analyse administrative records. This, however, depends on the data management capabilities of the different actors. The police are a major concern in this respect, as limited capacities and motivation at the local level to enter data into information systems may compromise data quality and timeliness, with other actors – like local prosecutors – trying to fill the gaps.

- **Financial data:** Standardised expenditure data for the police, courts and penitentiary systems are unavailable in Mexico at the regional level. This issue is further complicated by the inability to distinguish between civil justice and criminal justice expenditures, creating ambiguity in relationships between inputs and outcomes. Calculating unit costs, for instance (*e.g.* “cost per case”), is not possible at this stage. As a proxy for expenditures, budget appropriations can be used and are presented in this study for indicative purposes. Nonetheless, given the limitations of such information (*e.g.* the degree of flexibility that agencies have in how and when appropriations are spent), the study proposes further data collection initiatives for this area. Line-items in state budgets differ, making compilations of appropriations subject to some subjectivity or over-/under-estimation.
- **Administrative data for police and judicial (court) institutions:** This study has found little comparable performance data at the sub-national level on the functioning of the police and courts; that is, on the average length of time taken to process a case, the amount of case back-log, the quality of the judicial decisions taken (measured, for instance, by the percentage of cases appealed, overturned or dismissed due to inadmissible evidence, errors or other reasons). Nor is much state-level evidence available on procedures or the status of ongoing reforms, such as those on the use of alternative dispute resolution or new ICT policies aimed at increasing efficiency and allowing information sharing. One source of this problem could be the lack of alignment in administrative data collection among jurisdictions, which presents challenges for standardised data collection. In Mexico, prosecution and judicial jurisdiction are divided between crimes of the local charter and those of the federal charter. Each state has an autonomous judicial branch that administrates and implements justice for the local charter crimes committed within its jurisdiction. However, in addition, the judicial branch of the federation divides the national territory into 31 judicial circuits that roughly, but not exactly, correspond to the states.
- **Information on public management practices for police, public prosecutors and judges:** There is a need for harmonised data collection efforts from states in key areas of public management including human resources practices such as: recruitment and selection, training requirements and opportunities, performance evaluations and integrity (anti-corruption policies such as requirements for the disclosure of potential conflicts of interest, the monitoring and follow-up of this information, and opportunities for whistleblowers, etc.). These practices influence the functioning of law enforcement and judicial institutions, helping to identify additional “policy levers” with which to improve their performance. Indeed, trust in police, for instance, could be improved if mechanisms for preventing corruption were strengthened.
- **Degree of inter-institutional co-ordination:** Greater inter-institutional co-ordination is necessary for overcoming issues of overlap or fragmented competencies across agencies and territories. It is also a key driver of positive performance, but little, if any, data exists for example on the degree of information or intelligence sharing among law enforcement agencies, the existing formal or informal co-ordination mechanisms, the amount of joint financing in place to overcome unfunded mandates, or the use of joint initiatives (such as training) to better exploit economies of scale and avoid wasting funds.

Formal monitoring mechanisms could be strengthened. Formal mechanisms for monitoring and evaluation of results could be strengthened in this sector in Mexico. Currently, the Law of the National Public Safety System creates some reporting obligations for state governments. Other than the possibility to withhold some funds from federal transfers, however, there are no clear sanctions for failing to comply. Although federal oversight agencies (such as the Ministry of Public Administration – the *Secretaría de la Función Pública* – or the Supreme Audit Institution – *Auditoría Superior de la Federación*) are legally entitled to audit programmes and projects funded with federal transfers, these recourses could be further exploited. Moreover, there are no formal audits of the quality and/or reliability of the information provided by state governments to these and other monitoring bodies. At the state level, there is great heterogeneity in monitoring/oversight mechanisms: some states have made efforts, for instance, to work with crime observatories and other civil society organisations (CSOs) to improve the quality of their data, but this is not a universal practice to date.

Further efforts are needed to transform existing indicators into “actionable” evidence. Availability of data is key, but sound evidence may not be enough to provide guidance to policy making in the design and implementation of a concrete strategy. This could be because the comparative analysis may rely on indicators that are far away from the planned policy intervention; and/or the institutional conditions are not known or very difficult to ascertain; the information on the policy objectives is not shared or agreed upon among the different stakeholders (national, local policy makers, citizens and business); and/or the causality and correlation links are difficult to establish. The variables collected through the data scoping exercise in Chapter 3, for instance, exemplify these challenges demonstrating, for each indicator, the considerations that should be taken in their interpretation. Clearance rates, for instance, must be analysed with care, failing to represent how many reported crimes culminate in indictments. Likewise, all indicators based on reported crime can be skewed due to under-reporting. While the inclusion of public safety and justice indicators in the National Catalogue provided by INEGI is a first important step, further efforts could be made therefore to develop indicators that are complementary to each other in order to compensate for “gaps” and that provide more powerful information to aid in policy making, providing insights into the key concerns of politicians and the public, including information on access to justice, existing and missing capacities, the responsiveness of the police, the reliability and quality of judicial decisions and the effectiveness of the penitentiary system, to name the most important ones. Formulating a strategy for more systematic and meaningful evaluation would require leadership and some degree of centralisation (*e.g.* by the federal government) to ensure consistency and comparability.

Recommendations: Strengthening evidence-based policy making on security and justice in Mexico

In response to the aforementioned findings, the government of Mexico could consider adopting some or all of the following proposals. Following the logic of the present study, these suggested proposals provide a “road map” of how authorities could: *i)* increase both the quantity and quality of data at the sub-national level; *ii)* transform this data into “actionable” evidence which addresses the key concerns of policy makers; *iii)* ensure evidence is “taken up” and utilised by key decision makers; and *iv)* help disseminate evidence with a view to maximise the impact of reforms and ensure sustainability over the longer term.

Addressing existing data gaps

The study has identified gaps in data at the sub-national level, particularly with regards to inputs (expenditure) data, public management practices and inter-institutional co-ordination. In addition, many sector institutions at all levels (federal, state, municipal) collect only limited information on their own performance.

- **Basic administrative data: Develop capabilities for data management and use by the police.** In the shadow of judicial reform under way, special efforts should be made at building capacity in the police to manage data through the criminal chain. This support could include technical assistance to clarify concepts, as well as ensuring that a sound system of crude data collection is available; to subsequently organise data correctly and to produce basic statistics for analysis. Eventually, balanced parameters on security could be obtained and combined in an indicator basket for several purposes: to increase transparency, improve management, allow performance evaluation, etc.
- **Expenditure data: Adopt the Classification of Functions of Government (COFOG) both at second level and sub-national levels.** Currently, Mexico does not provide expenditures according to the COFOG classification in the System of National Accounts, neither for federal nor sub-national expenditures. In the absence of harmonised expenditure data at the sub-national level, the present study utilised state appropriations (e.g. annual state budgets as approved by the legislature) as a proxy for sub-national spending in this sector. However, as noted in Chapter 3, appropriations represent government intentions (*ex ante*), not actions (*ex post*) and are not as accurate as expenditures given the flexibility of how and when allotted resources are actually spent. This ambiguity creates complications for researchers looking to link inputs with outputs for measuring productivity or efficiency. Indeed, without detailed expenditure data, calculating the unit costs of “processing” different types of cases or rehabilitating offenders is not possible. Ideally, for international comparability, data could be collected on expenditures via the COFOG system. COFOG classifies government expenditure data from the National Accounts statistics by the purpose for which the funds are used. First-level COFOG splits expenditures into ten categories, one of which, of interest for our purposes, is public order and safety. Second-level COFOG further splits this category into the following expenditure groups: police services, fire-protection services, law courts, prisons, R&D public order and safety, and public order and safety expenditures not elsewhere classified. Attaining this data would require a commitment by the Mexican National Statistics Office and the states, and implementation of this initiative may require the formulation of central guidelines as well as capacity building in the form of training or support. Nevertheless, it would be a worthy effort; useful not only for analysis in the area of public order and safety, but for other policy areas (education, health) as well. Even after acquired, however, one limitation of such data would be the disaggregation of civil vs. criminal law expenditures, which is not distinguishable under the COFOG classification. This is a concern for the “law courts” component, but which may be addressed by the following proposal for additional data-gathering exercises. Recent efforts to increase the coverage of financial reporting and budgeting in the 2013 Government Census go in the right direction also to increase international comparability.

- Processes.** Generate standardised and comparable information on judicial systems and public management practices through participation in the CEPEJ survey. Perhaps the largest gap in available data is in the area of justice institutions' processes and public management practices. The Council of Europe's European Commission for the Efficiency of Justice (CEPEJ) executes a survey every two years and is currently in its fifth wave of evaluation, offering its over 40 participating countries time-series data through one of the most comprehensive data collection efforts on the justice sector. The questionnaire collects data on the whole production chain of the justice sector (inputs, practices, outputs and outcomes), of which great interest for Mexico may initially be the use of alternative dispute resolution practices and current clearance rates. Mexico, through co-operation between INEGI and the UNODOC, is improving the availability of security and justice information according to international standards and the methodology of CEPEJ. Chapter 1 offers a detailed description of the content of the database and the CEPEJ methodology, which distinguishes between civil and criminal systems. Each state could participate in this survey, permitting both regional and international comparison and allowing for a more accurate reply to be submitted for Mexico at the national level. The exercise could be incremental, with an initial selection of questions made based on the priorities identified in the present study, then gradually incorporating into the comprehensive evaluation cycle over time. The Mexican authorities could draw from the experiences of other federal countries – such as Germany – in completing the questionnaire in order to follow similar harmonisation approaches. The exercise in and of itself could be considered as a joint initiative as well in order to build/promote inter-institutional co-ordination amongst security and justice authorities across the country.

As Chapter 1 shows, the CEPEJ survey covers various elements of institutional information and case management processes. The area of public management practices, however, is less extensively covered in the survey, but includes questions related to certain HRM policies for judges and prosecutors, as well as back-office e-government practices in the justice sector. Additional gaps remain in corruption prevention practices and opportunities for whistle blowing, as well as transparency of operations and decisions. These areas are key for building greater trust in institutions and could be further substantiated. The OECD has existing survey instruments which could be adapted to the justice sector. These include, in particular, surveys on: *i*) recruitment and performance assessments for justice sector employees; *ii*) compensation practices for judges and police; *iii*) requirements for disclosing potential conflict of interest and monitoring/follow-up mechanisms for the same; and *iv*) proactive disclosure of judicial information and decisions and the accessibility of this information by citizens. Ultimately, such instruments could be used beyond the justice sector to also include the police and prison system.

- Inter-institutional co-ordination: Diagnostic on multi-level governance in security and justice.** The OECD analyses common challenges in multi-level governance in various sectors, including water governance, ICT and innovation strategies, as well as regulatory governance. It has developed and successfully tested a framework for identifying impediments to horizontal and vertical co-ordination between government institutions. Once identified (usually through a

survey of national stakeholders complemented by interviews with key leaders), best practices in the sector are highlighted as potential solutions. Namely, the framework examines the following dimensions:

- **Policy gaps:** Evaluators would assess whether sufficient (formal and informal) mechanisms exist between policy sectors (horizontally) as well as levels of government (vertically) for particular crime policies (*e.g.* those targeting organised crime, for instance, or the implementation of case management reforms, etc.). They would assess for duplication, fragmentation or even contradictions which may lead to ineffective or inefficient strategies. These policies would be chosen in consultation with the government of Mexico and would be complemented by benchmarking and identification of good practices in policy co-ordination for similar initiatives in other member countries (*e.g.* organised crime strategies from Italy, Spain or the United States, for instance).
- **Administrative gaps:** Administrative gaps occur when there is a mismatch between the “policy problem” at hand and the administrative delineation of responsibilities for addressing such problems. It could be the case that “mergers” of sub-national units should occur in particular policy areas, or that – alternatively – there should be further division of responsibilities to improve responsiveness to local specificities. For the chosen policy areas, the diagnostic would assess what could be the appropriate scale for more effective policies.
- **Fiscal and capacity gaps:** To overcome issues of insufficient funding (“unfunded mandates”), the diagnostic would assess, for instance, whether sub-national units may need to consider shared financing mechanisms or joint human resources initiatives (*e.g.* joint training) in order to meet responsibilities, and provide examples of successful mechanisms from other member countries (*e.g.* United Kingdom).
- **Information gaps:** In the sector of crime, information gaps are key impediments to success. Indeed, criminal activities often exploit these gaps and intelligence sharing between law enforcement agencies has proven, on several occasions, to be necessary. The diagnostic would identify information asymmetries between and across levels of government and law enforcement agencies in order to suggest mechanisms for improvement. Adoption of ICTs and integrated back-office systems can be exploited to facilitate the flow of information; leaders in the OECD in this regard (United States) could be brought in to share experiences and lessons learnt.
- **Accountability gaps:** Better performance on the part of the police and justice institutions can be incentivised if the appropriate accountability mechanisms are in place. Policies from national level governments, for instance, may be vague about monitoring or follow-up mechanisms. Additionally, sufficient information should be made publicly available and opportunities for the participation of civil society in the policy-making process. Indeed, along with audit institutions, civil society organisations can actively monitor performance and improve policy design. The second recommendation, posed in the next section, towards the construction of a suite of indicators, could be one step to

help diffuse this common problem of multi-level governance, making key information available to all stakeholders.

- **Improve international comparison by standardising regional crime statistics across Latin American countries.** This initiative is very relevant for strengthening the Mexican crime data system as a whole and gaining stronger engagement in the LAC region to improve and harmonise those statistics, like the IDB-funded Regional System of Standardized Indicators on Peaceful Coexistence and Citizen Security (SES), as well as the new group on citizen security recently created by the Statistical Conference of the Americas (CEA – *Conferencia Estadística de las Americas*). As a member country, Mexico can benefit from the exchange of experiences, particularly, but not exclusively, in the field of administrative registries. It could also play a greater role by sharing its developments with less-advanced countries. Although Mexico has improved its victimisation surveys and improved its administrative registries over recent years, the abundant information collected could be better exploited for the design, monitoring and evaluation of public policies. Other SES member countries with more experience (Chile and Colombia, for instance) could help Mexico better use that data in terms of more efficient and accountable citizen security and justice policies. Efforts made by INEGI together with the Oslo Governance Centre to strengthen this point are also welcome in view of a strategic partnership with other OECD countries.

Transforming data into “actionable” evidence on which to base sound policies and reforms

In addition to data availability, the study has assessed the strengths and limitations of existing variables with a view to building more powerful “toolkits” for policy makers.

- **Conduct a sectoral study on economic competitiveness and efficiency in the justice sector.** By ensuring the security of property rights, efficient judicial systems contribute to the smooth functioning of markets, helping to increase overall economic efficiency, thereby enhancing growth. Timely resolution of disputes and predictability of court decisions reduce the chances that firms suffer undue costs that hamper their competitiveness and help to guarantee the certainty of transactions and return on investment. The government of Mexico may wish, jointly with other member countries, drawing upon the existing frameworks and newly collected data from the CEPEJ survey, to participate in a sectoral efficiency study of criminal justice systems with a view to assessing its impact on economic competitiveness. The international benchmarking element is key, as these studies identify potential efficiency gains through comparison (*e.g.* assessing which countries achieve better results with fewer resources, and subsequent price comparisons). The study could also serve a dual purpose, providing an “*ex ante*” evaluation on which to later measure the success of states’ ongoing reforms.
- **Facilitate, in consultation with national authorities and state governments, the creation of a set of standard indicators for benchmarking security and justice across time and regions.** The collection of quality data is a necessary first step in building an evidence base. However, data must be codified so as to allow proper interpretation and evaluation. In this regard, indicators are more useful than raw data as they provide insights into issues of interest to policy makers. The

development of a suite of indicators on security and justice in Mexico would require a two-fold approach, the first of which is building a conceptual framework for selecting indicators. Chapter 1 proposes a working performance measurement framework used by the OECD's Government at a Glance programme. This framework could be used as a starting point for additional performance elements which could be decided at joint working sessions or workshops and in consultation with civil society. In addition, the conceptual framework could be sustained with evidence from crime theory – *e.g.* analysis of the roots of crime, so as to include socio-economic and institutional indicators in the framework (GDP *per capita*, inequality, unemployment, etc.) – as well as situational factors that may produce crime opportunities. The framework would also incorporate (into the processes dimension) evidence on good practices for institutional co-ordination and effective crime-fighting policies, to ensure that performance indicators are aligned with successful approaches. Although the conceptual framework is key, further statistical analysis is necessary to justify the selection of indicators that are indicative of the most important dimensions of performance in the criminal justice system according to authorities (*e.g.* establish statistically significant relationships to desired outputs and outcomes, and between quantitative and perception data).

Promoting the use of evidence in the policy-making process

This study has concluded that formal monitoring and evaluation mechanisms could be strengthened as a means of promoting the incorporation of evidence in decisions.

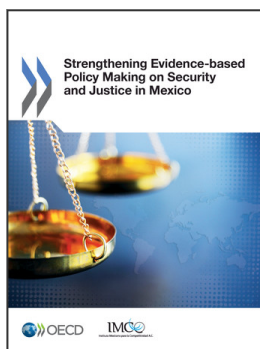
- **Investigate the use of evidence in policy decision making at different levels.** While the general perception in Mexico is that the use of evidence for policy design and implementation in security and justice is very limited, this issue should be investigated further. In particular, surveys and case studies could be developed to assess not only the extent to which data and evidence is under-utilised, but to identify good practices as well that could be disseminated across the system.
- **Strengthen institutional oversight and accountability to incentivise the use of evidence.**
 - **Clearly designating leadership.** Several institutional actors in Mexico must be involved in efforts to improve evidence and its use: law enforcement agencies, courts and penitentiary systems, state governments, the national statistics office, the Supreme Audit Institution and numerous ministries. Clear and strong leadership will be required to co-ordinate these different entities to achieve common objectives; some extent of centralisation is needed in order to harmonise methodologies and efforts across the states. The SESNSP, an autonomous agency located within the Ministry of the Interior, is already responsible for some data collection initiatives and could conceivably play such a role.
 - **Enlist independent auditors and civil society.** Mexico's Supreme Audit Institution may consider taking ownership of the scorecard evaluations (proposed below). Likewise, the government may want to commission universities and independent think tanks to “take up” studies based on the indicators produced to develop benchmarks and evaluations.

- **Incentivise the use of evidence.** Performance evaluations of senior policy makers and leaders could include criteria for demonstrating the use of evidence; new policy proposals or initiatives could be required to demonstrate cost-effectiveness prior to allocating funds; federal transfers to states could be made partly contingent on demonstrated improvements.

Disseminating evidence and involving stakeholders to sustain reform implementation

Gathering and interpreting evidence is a first stepping stone for improving results, but the impact and sustainability of these efforts may be limited without buy-in from stakeholders. The proposals suggested here are only possible with a sufficient evidence base and once the other steps have been completed.

- **Creation of “scorecards” on security and justice.** Once core performance indicators have been identified, the government of Mexico could consider using them as the basis for creating “scorecards” for states to monitor the performance of the police and the courts over time. Though “scorecards” traditionally oversimplify the complexities of performance, they have nonetheless been useful tools for communicating to the public the policies being undertaken and promoting a more informed dialogue on the causes and impacts of crime. They also offer an alternative to composite indicators which often obscure results as they do not clearly present the underlying data. The government of Mexico has one of the most comprehensive open government portals in the OECD (<http://portaltransparencia.gob.mx/pot>). Scorecard ratings and the results of independent evaluations should be proactively disclosed and made publically available on this and other (*e.g.* regional/ministerial portals’) mediums.
- **Reducing transition costs.** Changes to data collection and monitoring methodologies incur costs to all involved. Certainly, at the national level this may imply further leadership and steering costs on behalf of the National Statistics Office and Ministry of the Interior. But it is perhaps the states and local institutions, however, that may face the greatest challenges: for instance, as a result of new monitoring mechanisms, police reporting classifications may need to change over time to ensure comparability; law enforcement and court systems may need to invest in new, or change existing, ICT tools to monitor and measure how cases are processed, at what speed, etc. It is necessary to recognise and measure these costs. Towards that end, the government of Mexico may wish to conduct a cost-benefit analysis of the adoption of standard indicators and offer financial and technical assistance to states and agencies during the transition.



From:

Strengthening Evidence-based Policy Making on Security and Justice in Mexico

Access the complete publication at:

<https://doi.org/10.1787/9789264190450-en>

Please cite this chapter as:

OECD/The Mexican Institute for Competitiveness (2013), "Executive summary", in *Strengthening Evidence-based Policy Making on Security and Justice in Mexico*, OECD Publishing, Paris.

DOI: <https://doi.org/10.1787/9789264190450-2-en>

This work is published under the responsibility of the Secretary-General of the OECD. The opinions expressed and arguments employed herein do not necessarily reflect the official views of OECD member countries.

This document and any map included herein are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.

You can copy, download or print OECD content for your own use, and you can include excerpts from OECD publications, databases and multimedia products in your own documents, presentations, blogs, websites and teaching materials, provided that suitable acknowledgment of OECD as source and copyright owner is given. All requests for public or commercial use and translation rights should be submitted to rights@oecd.org. Requests for permission to photocopy portions of this material for public or commercial use shall be addressed directly to the Copyright Clearance Center (CCC) at info@copyright.com or the Centre français d'exploitation du droit de copie (CFC) at contact@cfcopies.com.