

Data documentation for: Lay Judge Data used in Identity in Court Decision-Making

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This document outlines the data collection and compilation process, and describes the restricted-access data set. The companion document contains the full variable list.

1 Description

The data set *ANP_lay_judge_data* consists of compiled information from sentencing protocols pertaining to 15,456 criminal court hearings. These are all criminal court trials in Stockholms Tingsrätt (the Stockholm district court) in years 2000 to 2004. The information was collected by the authors in order to obtain the personal identification numbers of the defendant and the lay judges to link it to SCB register data. For this reason, the main analysis of the paper *Identity in Court Decision-Making* can not be replicated using this data.

Important notes about this data:

1. All ID variables are pseudonymized.
2. This is the raw data file, not subject to any cleaning or dropping of incorrect or incomplete information.
3. All text variables (strings) are in Swedish, including sentencing outcomes.

The data set contains the following information:

- Date and time of trial and date of sentencing (if different from trial).
- Court section (avdelning) and room (rotel).

- Pseudonymized ID variables of the defendant, judge, the three lay judges (*nämndemän*) and the prosecutor.
- Gender and year of birth of the defendant and the lay judges (derived from the personal identification numbers).
- The political party affiliation of the lay judges.
- Whether the defendant, prosecutors, attorneys and victims were present at the hearing.
- The criminal charges (in free-form writing and in laws applied), and whether these were dismissed.
- The sentencing outcome: conviction/acquittal and sanction(s) applied.¹
- Any additional terms of the sentence and/or financial penalties applied.
- Additional case information: pre-trial detention, use of interlocutor, whether defendant is a foreign citizen.²

Political party symbol legend:

- v = Vänsterpartiet (left-wing)
- s = Socialdemokraterna (social democrats)
- mp = Miljöpartiet (green party)
- c = Centerpartiet (liberal-green)
- fp = Folkpartiet (liberal)
- m = Moderaterna (right-wing)
- kd = Kristdemokraterna (christian)

¹Sanctions are reported in the raw text (in Swedish) as found on the protocols, with no additional processing by the authors.

²N.B. These variables are likely reported with less accuracy both in the original documents and in the process of transcribing them. They should therefore be used with additional precaution.

- sp = Stockholmspartiet (local Stockholm party)
- opol = non-political appointed

2 Data access

2.1 Data source

The raw data collected from the archives of the Stockholm court consists of photocopies pertaining to about 15,000 criminal cases in more than 50,000 individual jpeg-files. We have transcribed these into a data set by extracting the relevant information manually. This produced a data file with personal identifiers of the defendants, judges and jurors in each criminal case, along with some additional information (courtroom, time of day, etc.), criminal charges and the sentencing outcome. Records kept by the Stockholm court allowed us to add the personal identification number and political party affiliation of the lay judges. As this process was not automated, we are not able to provide programs for the creation of this data set.

Data on criminal prosecution is considered sensitive information and can not be published with open access even if we remove all information about names and personal identifiers. While the court records are in themselves public information under Swedish legislation (Offentlighets- och sekretesslag (2009:400)), the collection and keeping of this information for research purposes is subject to strict confidentiality under GDPR.

2.2 Data access:

Stockholm court data

The trial protocols, which consist of non-digitized paper files, are publicly available on-site at the archive of the Stockholm District Court (BRÅ, 1999-2007). Access to the archive is free and open to the public during regular working hours, see <https://www.domstol.se/stockholms-tingsratt/om-tingsratten/ta-del-av-allman-handling-och-arkivinformation/information-om-tingsrattens->

arkiv/ for information about access (in Swedish only). The records can **only be viewed on-site**, but may be photocopied by the visitor. The archive staff can also assist in making copies of records subject to a fee of 50 SEK (4.5 USD in 2023) + 2 SEK per page. The data set compiled for this project consists of information from both the hearing protocol (“protocol”) and sentencing protocol (“dom”) of each criminal case.

Researchers interested in using the dataset that we have constructed from these court documents can gain access via the Swedish National Data Service (<https://snd.gu.se/en>), where we have made available a pseudonymized version. Access to the data requires a project description and approval from an ethics review board.

References

BRÅ. 1999-2007. “Lagforda personer och lagforingsbeslut.” Brottsförebyggande rådet (BRÅ), accessed 2021-02-01.