



Ministry
of Justice



Legal Aid
Agency

Statistics Release Legal Aid Statistics

Legal Aid Agency

Ministry of Justice
Statistics Release

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Introduction

This report presents the key statistics on activity in the legal aid system for England and Wales.

It disseminates further figures not previously published or not published at this level of detail in the latest Legal Aid Statistics bulletin. The annual statistics report was published on the 25th June 2013 and can be found on the MOJ website at www.justice.gov.uk/publications/corporate-reports/legal-services-commission

The contents of this statistics release will be of interest to government policy makers in the development of policy and their subsequent monitoring and evaluation. Others will be interested in the way different categories of law are dealt with and their usage within the system.

Further information on the terminology used within the statistics release can be found in 'Annex A – Glossary of key terms'

Guidance on the symbols and conventions used in the statistics release is provided in 'Annex B - Explanatory notes' section.

If you have any feedback, questions or requests for further information about this statistical statistics release, please direct them to the appropriate contact given at the end of this report 'Annex C – Contact points for further information'.

Scope

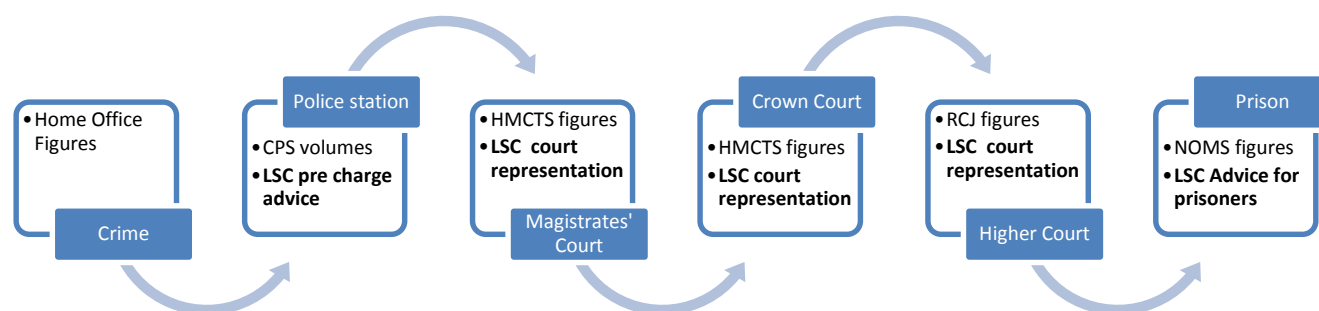
The LAA administers the legal aid system for England and Wales only. Scotland and Northern Ireland have their own legal aid systems, administered by the Scottish Legal Aid Board and Northern Ireland Legal Services Commission respectively.

Analysis

This analysis presents the information collected on the legal aid schemes administered by the LAA.

Crime – Criminal Defence Service

The availability of legal aid flows throughout the Criminal Justice System (CJS) with legal services touching on the system from start to finish.



Figures for the LAA reflect each of the areas above with information from pre-charge, the early court system and prison assistance covering Crime Lower and the more serious Crown Court, Higher Courts and high cost case information covered by Crime Higher.

Table 1: Barrister payment from Legal Aid fund for Crown Court and Very High Cost Cases, 2012-2013

The table provided shows the overall payment and the amount paid for both very high cost cases dealt with and Crown Court cases. The figures exclude solicitor advocates and where identifiers were available in VHCC but did not have a corresponding record within the AGFS data.

Payment Band	Number barristers	Spend ¹ (£000's)		
		Total	Crown Court	High Cost Cases
0-50k	2,487	45,125	44,671	454
50-100k	854	61,170	59,619	1,551
100-200k	544	74,568	69,130	5,438
200-300k	80	18,949	16,457	2,492
300-400k	17	5,815	4,439	1,375
400k+	4	1,850	973	877
Total	3,986	207,477	195,289	12,188

Source: Advocates graduated fee scheme, AGFS and Crime High Cost Case, CHCC

¹ Figures include barrister who received no payment in 2012/13 or who were subject to a payment to LAA and all figures include valuation added tax where appropriate.

The chart below represents the payment in £10k increments for the same dataset as the table above.

Figure 1: Histogram showing barrister income for 2012-13

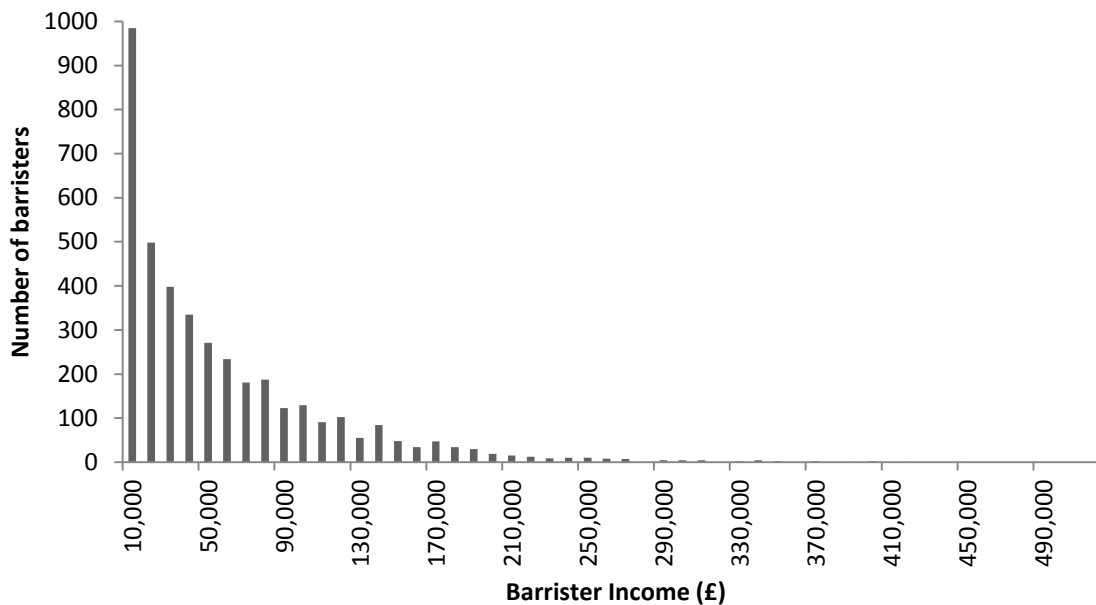


Table 2: Representation provided at Police Stations by area, 2012-2013

The following table provides the area expected in the future and the workload in each. This is broken down by those using the duty solicitor and for those who received telephone advice versus those who had a solicitor in attendance.

Where no police station code existed the current CJS region code was used to ascertain location and where this region was to be subdivided in the future the figures were split according to the proportional split given by the parent population.

Area	Private Solicitor			Duty Solicitor			All
	Telephone Advice	In Attendance	Total	Telephone Advice	In Attendance	Total	
Avon & Somerset 1	184	2,933	3,117	154	2,686	2,840	5,957
Avon & Somerset 2	324	6,158	6,482	205	3,423	3,628	10,110
Bedfordshire	166	4,343	4,509	89	2,303	2,392	6,901
BTP	9	238	247	0	100	100	347
Cambridgeshire	107	3,939	4,046	76	3,059	3,135	7,181
Central London	591	9,231	9,822	698	11,230	11,928	21,750
Cheshire	227	6,604	6,831	118	3,900	4,018	10,849
Cleveland	285	7,296	7,581	52	1,563	1,615	9,196
Cumbria 1	34	1,410	1,444	46	1,024	1,070	2,514
Cumbria 2	59	732	791	53	1,156	1,209	2,000
Derbyshire	131	6,775	6,906	61	3,094	3,155	10,061
Devon & Cornwall 1	125	6,289	6,414	107	4,677	4,784	11,198
Devon & Cornwall 2	27	1,987	2,014	59	2,017	2,076	4,090
Dorset	260	2,534	2,794	179	2,787	2,966	5,760
Durham	181	4,415	4,596	69	1,571	1,640	6,236
Dyfed-Powys 1	14	1,164	1,178	14	594	608	1,786

Area	Private Solicitor			Duty Solicitor			All
	Telephone Advice	In Attendance	Total	Telephone Advice	In Attendance	Total	
Dyfed-Powys 2	42	1,738	1,780	41	1,111	1,152	2,932
East London	334	6,193	6,527	292	6,222	6,514	13,041
Essex	340	8,901	9,241	292	6,506	6,798	16,039
Gloucestershire	45	2,598	2,643	38	1,771	1,809	4,452
Greater Manchester	578	22,268	22,846	199	8,546	8,745	31,591
Gwent	23	2,542	2,565	5	1,040	1,045	3,610
Hampshire 1	402	9,990	10,392	296	7,301	7,597	17,989
Hampshire 2	14	576	590	13	635	648	1,238
Hertfordshire	227	7,032	7,259	144	4,000	4,144	11,403
HMRC	4	58	62	1	96	97	159
Humberside	683	7,311	7,994	230	3,040	3,270	11,264
Kent	286	8,383	8,669	176	5,994	6,170	14,839
Lancashire	460	14,962	15,422	134	5,552	5,686	21,108
Leicestershire	356	6,482	6,838	149	2,743	2,892	9,730
Lincolnshire	84	3,411	3,495	73	3,272	3,345	6,840
Merseyside	380	11,637	12,017	81	3,679	3,760	15,777
MOD	2	89	91	3	169	172	263
Norfolk 1	134	3,135	3,269	105	3,035	3,140	6,409
Norfolk 2	24	1,090	1,114	22	1,296	1,318	2,432
North East London	379	7,121	7,500	389	6,573	6,962	14,462
North London	510	9,374	9,884	345	7,533	7,878	17,762
North Wales 1	51	3,420	3,471	42	1,538	1,580	5,051
North Wales 2	12	718	730	10	703	713	1,443
North West London	181	4,988	5,169	241	4,489	4,730	9,899
North Yorkshire 1	74	1,242	1,316	65	770	835	2,151
North Yorkshire 2	257	3,171	3,428	205	1,313	1,518	4,946
Northamptonshire	87	3,937	4,024	57	2,700	2,757	6,781
Northumbria 1	129	6,827	6,956	18	1,189	1,207	8,163
Northumbria 2	133	7,929	8,062	43	2,268	2,311	10,373
Nottinghamshire	87	9,323	9,410	38	2,855	2,893	12,303
South East London	361	8,001	8,362	324	5,868	6,192	14,554
South London	349	7,923	8,272	304	6,982	7,286	15,558
South Wales	117	14,163	14,280	28	3,980	4,008	18,288
South West London	178	3,490	3,668	278	3,675	3,953	7,621
South Yorkshire	304	8,771	9,075	140	3,739	3,879	12,954
Staffordshire	145	7,641	7,786	40	2,393	2,433	10,219
Suffolk 1	49	989	1,038	37	1,081	1,118	2,156
Suffolk 2	116	1,341	1,457	51	1,449	1,500	2,957
Surrey	117	3,709	3,826	72	2,757	2,829	6,655
Sussex 1	176	4,899	5,075	144	4,888	5,032	10,107
Sussex 2	185	4,623	4,808	138	4,630	4,768	9,576
Thames Valley	709	13,911	14,620	415	7,305	7,720	22,340
Warwickshire	40	1,591	1,631	54	1,757	1,811	3,442
West London	319	6,354	6,673	350	6,404	6,754	13,427
West Mercia 1	148	4,062	4,210	99	2,575	2,674	6,884

Area	Private Solicitor			Duty Solicitor			All
	Telephone Advice	In Attendance	Total	Telephone Advice	In Attendance	Total	
West Mercia 2	30	2,438	2,468	23	1,502	1,525	3,993
West Midlands	467	22,102	22,569	194	9,275	9,469	32,038
West Yorkshire	717	23,407	24,124	207	6,003	6,210	30,334
Wiltshire	164	3,254	3,418	102	2,820	2,922	6,340
Unknown	44	1,099	1,143	21	902	923	2,066
Total	13,777	386,262	400,039	8,748	223,108	231,856	631,895

Source: CWA MI

Table 3: Representation type at Crown Court, 2012-2013

The figures presented show the work completed by both solicitor advocates and barristers in the Crown Court and the proportion finalised by each type of case classification.

Type	Cracked Trial	Guilty Plea	Trial	Total	% of total
Barrister	21,259	25,220	19,919	66,398	68%
Solicitor Advocate	7,861	16,620	6,172	30,653	32%

Source: Advocates graduated fee scheme, AGFS

Table 4: Number of suspects in each Police Station attendance, 2012-2013

The following table shows the number of suspects within each attendance at the police station

Number of suspects	Telephone Advice	In attendance	Total
1	22,524	592,232	614,756
2	1	11,754	11,755
3		3,384	3,384
4		1,197	1,197
5		405	405
6		161	161
7		81	81
8		33	33
9		17	17
10		21	21
11		27	27
12		14	14
13		3	3
14		11	11
15+		30	30
Total	22,525	609,370	631,895

Source: CWA MI

Table 5: Number of defendants in each Crown Court case, 2012-2013

The table below shows the number of defendants for a subset of all Crown Court cases created using the same proportion of suspects who had used a **duty solicitor** and then randomly selecting from all cases and analysing the number of defendants within each case and their final classification.

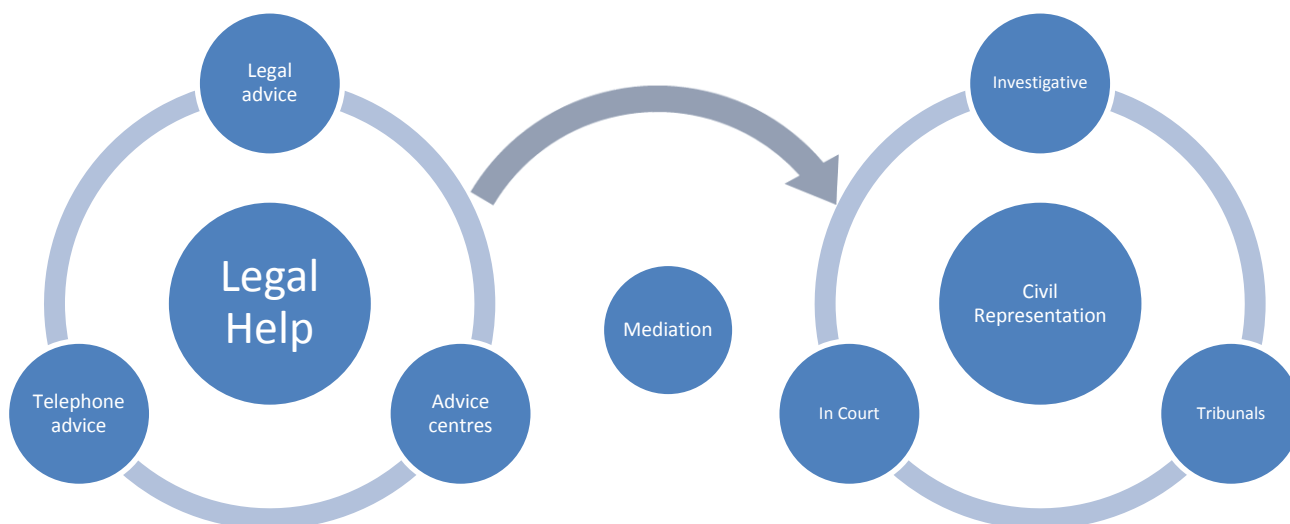
Number of defendants	Case Classification				Elected Case Not Proceeded	Total
	Trial	Guilty Plea	Cracked Trial			
1	8,012	15,031	9,928		1,092	34,063
2	453	716	549		36	1,754
3	89	66	80		3	238
4	14	10	14		1	39
5	3	0	3		0	6
6	1	1	0		0	2
Total	8,572	15,824	10,574		1,132	36,102

Source: Litigator Graduated Fee Scheme, LGFS

Civil & Family – Community Legal Service

Many events and issues in people’s lives require legal assistance, these can be simple phone calls to a not for profit advice centre or a long drawn out divorce with attempted mediation and further court appearances.

Legal help is usually the first point of civil legal advice and covers help via telephone, face-to-face and not-for profit centres. Many of these will then extend into Civil Representation with full investigations undertaken or in court representation given although it is possible enter straight into civil representation.



A wide range of categories of civil law are covered within the legal aid provisions including debt, immigration and divorce.

Judicial Reviews

Judicial reviews require civil representation and can cover all categories of civil law and are brought by those requiring assistance in challenging a government decision

From the 140,000 civil representation and a small proportion of these (around 4,000) relate to Judicial review. Figures for workload volumes in Civil Representation are released each June in the Legal Aid Statistics publication,

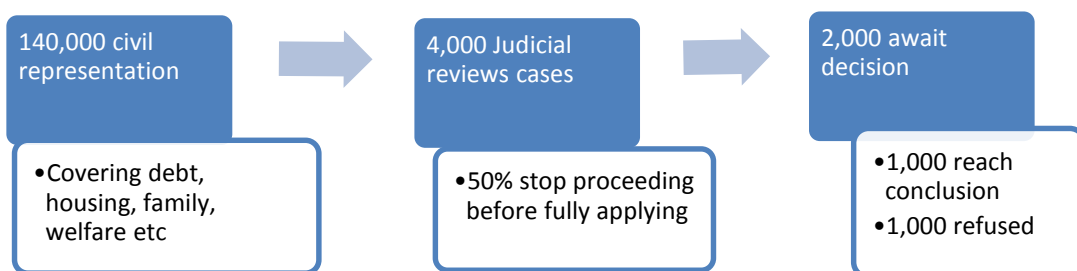


Table 6: LAA Judicial Review end-point code data, 2011-2012 and 2012-2013

End Point	Explanation	2011/12	2012/13
A	No proceedings issued	618	597
B	Proceedings issued, no final hearing	291	315
C	Determined at final hearing	181	148
D	Determined on appeal	9	8
E	Concluded before permission applied for and considered by court	1,657	1,424
F	Permission not granted, concluded at first application stage (usually papers)	652	538
G	Permission not granted, concluded after renewed application	193	216
H	Permission granted, no final hearing took place	332	282
I	Permission granted, determined at final hearing	109	74
J	Permission granted, determined on appeal	32	31
N/K	No endpoint code submitted	111	232
Total		4,185	3,865

Source: LAA closed case data, CIS

The full description of end-point E is cases where "no proceedings have been issued or where a case is withdrawn or settled before the court makes an initial decision whether or not to grant permission".

Tables

Guidance on tables and supplementary information.

In addition to the supplementary excel tables, and in line with the MoJ commitment to provide information in a reusable format there are accompanying csv files published containing historical data for further manipulation by users. All these workbooks and CSV files can be accessed at:

www.justice.gov.uk/

Symbols and conventions

The following symbols have been used throughout the tables in this statistics release:

0 = Nil

- = Not applicable

.. = Not available

(R) = Revised data

Annex A - Glossary of key terms

Terms used in the report and tables are explained below.

Act of assistance: Volumes of work dealt with are usually called an act of assistance and this is a measure of when a case starts (also see new matter starts). Although used as a proxy to show the number of people helped, they do not equate exactly as some clients may have received more than one act of assistance during the year and some acts of assistance may help more than one person.

Advocates' Graduated Fee Scheme (AGFS): The fee scheme which governs fees paid to advocates (barristers or solicitor advocates) who represent clients in criminal proceedings in the Crown Court, other than in cases which have been classified as very high cost (Criminal) cases. Payment is determined by proxy measures, the seniority of the advocate, offence type, pages of prosecution evidence, prosecution witnesses and days that the advocate spends at court at trial.

Category and areas of law: The LAA defines areas of law (education, housing etc) thematically and contracts for the provision of advice and representation based on the categories below (see below for Crime Higher, Crime Lower, Civil Family, Civil Social Welfare law, Civil Non-Family Low volume and Civil Tribunals)

Civil: The area of law that concerns the rights and relations of private citizens – for example, disputes relating to unpaid debts or the enforcement/breach of contracts. Covers civil and family law but excludes criminal matters.

Civil Family categories:

Family controlled work both private and public law (Civil Family)

Children act - private (Civil Family): covers disputes about divorce, children issues (contact and residence), the separate representation of children where the court appoints it, and child abduction.

Domestic Abuse (Civil Family): injunctions, committal orders, or other orders for protection of a person from harm or forced marriages. Unlike other applications there is no upper limit to a victim's income or capital (they may have to pay a contribution).

Financial provision (Civil Family): ancillary relief i.e. money & property. There is a funding test for representation.

Other (Civil Family): This area covers proceedings relating to defended divorce, nullity, civil partnership rights or applications under the Human Embryology Act.

Children act – public (Civil Family): for children or parents in disputes with the state, particularly local authorities, on matters such as care

proceedings and adoption. In care proceedings there is no means or merits test.

Family Mediation (Civil Family): enables separating or divorcing couples to reach decisions about their arrangements together, using an independent third party mediator. 67% of mediations result in an agreement for the clients. If one client is eligible half the cost of the mediation is funded.

Civil Low Volume: These differ from other Civil and family categories as need is thinly distributed within the population, and demand is greatly influenced by the location and advice provided by low volume providers.

Actions against the Police (Civil Low Volume): help with claims against the police such as assault, entering the home, false imprisonment, wrongful arrest, interference with property, malicious prosecution or other abuses of police authority.

Clinical Negligence (Civil Low Volume): help with claims for damages against all types of public and private medical practitioners, including doctors, nurses and dentists.

Consumer and general contract (Civil Low Volume): enables clients to obtain advice and bring civil law actions regarding contracts and their enforcement (except where this falls into another category).

Education (Civil Low Volume): legal help on problems to do with the education service, including failing to provide education e.g. special educational needs, exclusions, bullying and admissions.

Personal Injury (Civil Low Volume): enables clients to take action for compensation if they have suffered an injury due to someone's negligence or deliberate action. Most personal injury cases have now been excluded from the scope of legal aid. Most new cases involve applications to the Criminal Injuries Compensation Board.

Public Law (Civil Low Volume): civil liberties or human rights advice including advice on data protection, freedom of information issues and how to challenge the decisions of public bodies.

Miscellaneous (Civil Low Volume): aimed at ensuring that meritorious cases can be brought and advice given for issues that do not fall within the scope.

Civil Social Welfare Law categories:

Community Care (Civil Social Welfare): help for people who are unable to look after themselves because of age, illness or disability. May include obtaining or challenging an assessment for adequate services, challenging care home closures or contesting involuntary removal from home, by a local authority if deemed incapable of looking after yourself.

Debt (Civil Social Welfare): personal debts, both priority (e.g. council tax, rent arrears) and non-priority (credit cards), rescheduling debts (e.g. negotiating payment plans with creditors), challenging the validity of debts (e.g. due to dormancy) and personal insolvency/bankruptcy/Individual Voluntary Arrangements (IVAs).

Employment (Civil Social Welfare): unfair and wrongful dismissal, redundancy, employment contract, discrimination, strike action, data protection and employee confidentiality, terms and conditions and wages issues. Legal aid is available for assistance prior to an Employment Tribunal (not for representation at the Tribunal). It is available for representation at an Employment Appeal Tribunal.

Housing (Civil Social Welfare): help with issues arising out of where people live e.g. possession and eviction, disrepair, homelessness, allocation of housing, and other landlord and tenant issues. It also includes anti-social behaviour work (e.g. a local authority taking action against a tenant).

Welfare Benefits (Civil Social Welfare): covers receipt of and entitlement to benefits. Work in this category includes: challenging benefit decisions (e.g. where a benefit has been refused), gaining benefits a client is entitled to, benefit fraud and overpayments.

Civil - Tribunals

Mental Health (Civil Tribunals): covers all work where the primary legal issue relates to mental health, particularly where this is covered by the Mental Health Acts of 1983 and 2007, and the Mental Capacity Act 2005.

Immigration & Asylum (Civil Tribunals): covers legal help on anything to do with immigration into the UK, for example, questions relating to nationality or right to stay in this country or deportations. Also covers issues relating to asylum including representation before the Asylum and Immigration Tribunal and advice to appeal to higher courts.

Civil Representation: Representation by solicitors and barristers for civil cases, which could go to court (also see Licensed work).

Community Legal Service: The LAA provides publicly funded civil legal and advice services as part of the CLS network.

Contracted Providers: The LAA contracts with solicitor firms and not for profit organisations to deliver face to face advice and assistance in both crime and civil, and to deliver advice over the telephone via Community Legal Advice (CLA) contracts. This includes contracted mediators who undertake mediation on behalf of legally aided clients.

Controlled Work: Work under the civil contract that covers legal advice and assistance (Legal Help), help at court and legal representation in front of Mental Health Review Tribunals and the Asylum and Immigration Tribunal.

Court of Appeal and Supreme Court (Crime Higher): The appeal and higher courts deal with smaller volumes of caseload but are generally more complex with points of law and other unusual case work.

Cracked Trial: A case in which proceedings are stopped due to the defendant(s) pleading guilty or the prosecution offering no evidence after the accused is indicted but before the trial begins.

Criminal Defence Service(CDS): The CDS ensures access for individuals involved in criminal investigations or proceedings to such advice, assistance and representation as the interests of justice require.

Criminal Higher: Legal representation in the Crown Court and above.

Crown Court (Crime Higher): typically solicitor prepares case for trial and barrister or solicitor advocate provides representation.

Very High Cost Cases (Crime Higher): extensive evidence reviewed and case prepared by solicitor. Senior counsel (QC) often presents.

Court of Appeal and Supreme Court (Crime Higher): The appeal and higher courts deal with smaller volumes of caseload but are generally more complex with points of law and other unusual case work.

Criminal Lower: Work carried out by legal aid providers at police stations and in magistrates' courts in relation to people accused of or charged with criminal offences. Prison law is also included within this category.

Magistrates' Court (Crime Lower): solicitor preparation for appearance or trial. Representation within the magistrates' court, often by a solicitor advocate or junior barrister.

Police Station (Crime Lower): advice on rights and options pre-charge, in the station, in person by solicitor or outside the police station relating to pre-charge; or applications to extend detention.

Prison Law (Crime Lower): advice for prisoners relating to their treatment or discipline in prison (e.g. parole hearings) and their progression through the prison system.

Disbursements: Costs incurred by the provider that relate to expenses such as the cost of a travel, paying fees. For example, the payment of court fees, or paying other parties to undertake a service using experts' opinions.

Either way offence: An offence which can be tried either before the magistrates' court or the Crown Court. The appropriate venue is determined at a Mode of Trial hearing at the magistrates' court. If the magistrates determine that the matter is too serious or complex for summary trial, they can commit it to the Crown Court. If the magistrates determine that the case is suitable for summary trial, the defendant can elect for trial by jury.

Help at Court: Enables a solicitor or advisor to speak at a court or tribunal on an informal basis e.g. to argue that an order should not be enforced immediately.

Indictable offence: A criminal offence that can only be tried in the Crown Court.

Interests of justice test: The test is applied to criminal cases as part of the process to determine whether a client receives criminal legal aid. The provision of publicly funded representation is usually deemed to be in the interests of justice when the case is so serious that if the defendant is found guilty they are likely to face imprisonment, loss of livelihood or loss of reputation, where there are substantial questions of law to be argued, or the defendant is a minor, mentally handicapped, cannot speak English, or is otherwise incapable of following proceedings.

Legal Help: A form of civil legal services which includes advice and assistance about a legal problem, but does not include representation or advocacy in proceedings (also see Controlled work).

Licensed Work: Work under the civil contract that covers all legal representation (representation by solicitors and barristers for civil cases which could go to court) except work covered by Controlled Work or VHCC, which are managed under separate contracts.

Litigators' Graduated Fee Scheme (LGFS): The fee scheme which governs fees paid to solicitors who represent clients in criminal proceedings in the Crown Court, other than in cases which have been classified as Very High Cost (Criminal) Cases. Payment is determined by proxy measures, the type of offence, pages of prosecution evidence, and number of days of trial.

Means test: The process by which an assessment of clients' financial eligibility for public funding is made.

Merits test: The aim of the merits test is to ensure that only cases with reasonable prospects of success receive legal aid. The test does this by seeking to replicate the decision making process that somebody who pays privately would make when deciding whether to bring, defend or continue to pursue proceedings.

New matter starts: A matter refers to an instance of help given by a service provider to a legal aid client under Controlled Work and does not cover representation at court.

Provider: A single or multiple office organisation or NfP delivering publicly funded legal advice.

Very High Cost Cases (VHCC): extensive evidence reviewed and case prepared by solicitor. Senior counsel (QC) often presents.

Annex B - Explanatory notes

The statistics in this statistics release relate to work by the LAA in England and Wales during

Data Sources in LAA and Data Quality

This section outlines the different data sources used to compile the statistics presented in the statistics release with discussion on data quality where relevant. The main sources of the statistics are compiled from administrative systems designed for the accurate management of the legal aid system.

There are many administrative systems used to create the statistics covering each of the main areas of legal aid:

Within Crime Higher figures are drawn from two systems, one for LGFS (Crown Court Legal Fund – CCLF) and another for AGFS (Crown Court Remuneration – CCR) they respectively provide the spend and work provided information for much of the Crime Higher data. High cost case information is drawn from the Crime High Cost Case (CHCC) administrative system.

For Crime Lower data is taken from the Contracted Work and Admin system and supported with information from the Means Assessment Admin Tool (MAAT) giving information on the granting of legal aid.

For Civil Representation the figures are obtained from the Corporate Information Store (CIS) and its associated supporting systems.

For Legal Help, information is provided by the CWA system and its management information.

While the majority of information is held within source administrative systems some information is provided from other non-database sources.

Revisions

In accordance with Principle 2 of the Code of Practice for Office Statistics, the MoJ is required to publish transparent guidance on its policy for revisions. A copy of this statement can be found at:

www.justice.gov.uk/downloads/statistics/mojstats/statistics-revisions-policy.pdf

The three reasons specified for statistics needing to be revised are changes in sources of administrative systems or methodology changes, receipt of subsequent information, and errors in statistical systems and processes. Each of these points, and its specific relevance to the legal aid statistics publication, are addressed below:

Changes in source of administrative systems or methodology changes

The data within this publication comes from a variety of administrative systems. The document will present where there have been revisions to data accountable to switches in methodology or administrative systems with statistics affected within the publication appropriately footnoted.

Receipt of subsequent information

The nature of any administrative system is that data may be received late. For the purpose of this criminal justice statistics publication, the late data will be reviewed on a quarterly basis but, unless it is deemed to make significant changes to the statistics released, revisions will only be made as part of the final release containing the year's statistics. Should the review show that the late data has had a major impact on the statistics then revisions will be released as part of the subsequent publication.

Errors in statistical systems and processes

Occasionally errors can occur in statistical processes; procedures are constantly reviewed to minimise this risk. Should a significant error be found the publication on the website will be updated and an errata slip published documenting the revision.

Annex C - Contact points for further information

Press enquiries on the contents of this statistics release should be directed to the Ministry of Justice press office:

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Other enquiries about these statistics should be directed to:

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