



Changes to MoJ Statistics

- **Mortgage and Landlord Possession Statistics Quarterly**
- **Civil Justice Statistics Quarterly**
- **Family Court Statistics Quarterly**

2015

Ministry of Justice

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Introduction

This document sets out proposed changes to the calculation and presentation of case progression estimates in three Ministry of Justice Statistical Releases: Mortgage and Landlord Possession Statistics, Civil Justice Statistics Quarterly and Family Court Statistics Quarterly.

It is proposed that the current methodology of producing case progression estimates, which uses a statistical model, should be replaced – alternatives for measuring and presenting timeliness have been put forward as a means of improving the quality and reliability of the published statistics.

Case progression looks at the number of claims or petitions received in a quarter and predicts, statistically, how many of these will proceed to each stage in the process in the future. It is proposed that these measures are replaced with two different timeliness measures:

- Timeliness: how long it has taken (in weeks) to get to each stage in the relevant court process from the date when the claim or petition was received
- Average elapsed time: how long it takes, on average, for claims to reach each stage in the process (number of quarters elapsed) alongside the proportion of claims that actually reach each stage.

Key areas we are seeking feedback on are set out in [Annex A](#).

Illustrative tables showing the proposed measures are included in the accompanying Excel file and are listed in [Annex B](#).

Users are invited to respond to these proposed changes using the contact details below by **14 July 2015**.

Enquiries and responses in relation to the proposed changes should be directed to the address below. Please put 'Case progression methodology feedback' in the title of any emails:

Justice Statistics Analytical Services

Ministry of Justice
7th Floor
102 Petty France
London SW1H 9AJ

Email: case.progression@justice.gsi.gov.uk

We will publish a summary of the feedback received on our proposals and the decisions taken in light of that feedback **by the end of September 2015**.

Background

Case progression estimates are published in the Civil Justice Statistics, Family Court Statistics and Mortgage and Landlord Possession Statistics Quarterly publications – they estimate how many claims (or divorce petitions in Family Court Statistics) in a particular quarter will reach each stage in the court process. Although the broad methodology used is the same across all publications, each uses the statistical model to predict slightly different outcomes:

- In Mortgage and Landlord Possession Statistics, it predicts how many claims will eventually lead to orders, warrants and repossessions by county court bailiffs
- In Civil Justice Statistics, it predicts how many claims submitted will eventually lead to a defence, allocation and hearing
- In Family Court Statistics, case progression estimates are only calculated for divorce cases – the model predicts the number of divorce petitions which lead to decrees nisi, decrees absolute, financial remedy (FR) applications, FR orders and hearings.

The number of cases from a cohort reaching each of the stages listed above is estimated using historical data on the number of case ‘starts’ at each quarter as the starting point. It then estimates how many of these continue through to the different stages of court processes. The estimation methodology uses an iterative process where historical data is used to predict future data points. To reflect the uncertainty inherent in such estimates, confidence intervals are also shown.

As part of ongoing work to review the relevance and quality of our publications and following user feedback, the case progression model has been subject to a detailed evaluation. This focused on the robustness of the model, its fitness for purpose and whether alternative measures of timeliness would provide a more robust picture of case progression.

There is policy interest in case progression figures because of the clear trends in them over time. However, the current methodology is purely statistical (utilising past trends and the variation in them), therefore future estimates don’t take full account of either economic or policy changes. The methodology also doesn’t presently take account of the correlations between the percentages of claims/petitions reaching the milestones in different quarters, with the result being that the confidence intervals are too narrow. It is our view that the estimates as currently published could potentially be seen as misleading.

Proposed changes

We are proposing changes to case progression statistics in the Mortgage and Landlord Possession Statistics, Civil Justice Statistics Quarterly and Family Court Statistics Quarterly publications. We are also gathering wider feedback on how these statistics are used and if they are fit for purpose. Specific feedback questions are set out at the end of this document (see [Annex A](#)).

Alternative measures

Due to the limitations of the existing case progression statistical methodology, we are proposing to replace the existing statistics with two alternative measures:

- *Timeliness data* – for each stage, looking back at the average time taken in weeks from claim/petition being submitted
- *Time elapsed since claim/petition submitted* – over time, on average, how many quarters have passed since each claim/petition submitted

Illustrative examples of our proposed presentation are given below - we propose adding a graph and associated commentary to each publication alongside tables providing underlying data.

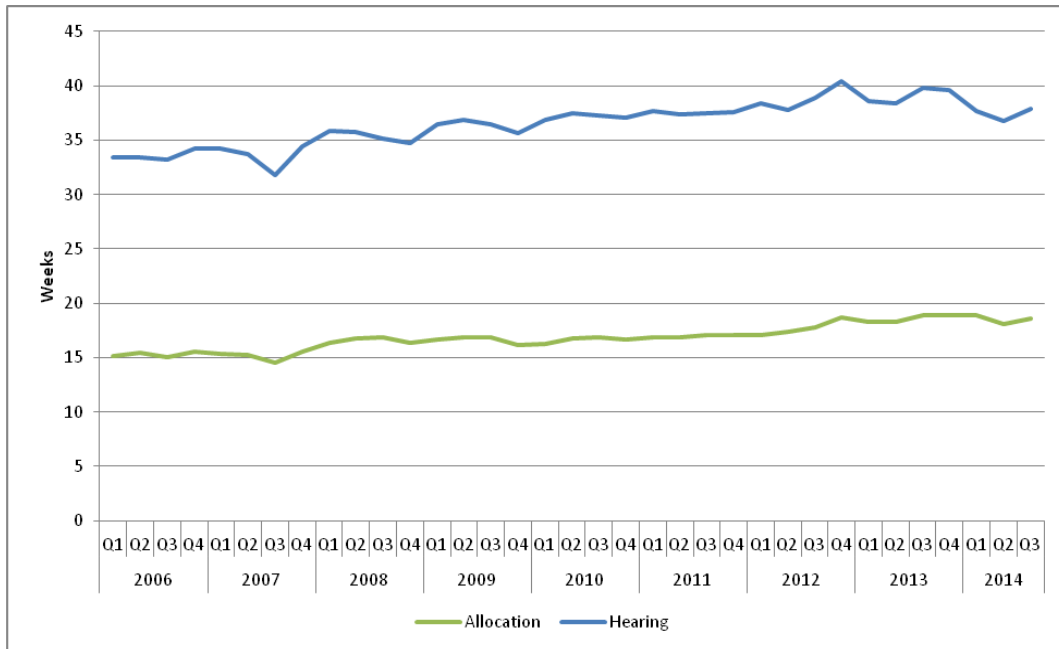
Timeliness data

The case progression model uses the number of claims submitted in a quarter and predicts how many of those will reach each different stage in the future. As an alternative, we could look at the number of claims/petitions that reach each stage in a particular quarter and look back at how long it has taken to reach that point (in weeks) from the date that the claim/petition was submitted. This methodology is already used within the Family Court Statistics publication and is briefly mentioned in Civil Justice Statistics Quarterly - the proposal is to expand its use within these publications and add it to Mortgage and Landlord Possessions Statistics.

Illustrative charts, tables and commentary

Civil Justice Statistics Quarterly

Figure 1: average (mean) time in weeks for civil claims to reach each stage Q1 2006 to Q3 2014



Please note, the graph above is based on a subset of the data. If this proposal is accepted, the full dataset will be used and a “claim to defences” stage will also be added.

Figure 1 shows the time it takes for claims to reach the allocation and hearing stage has increased slightly since Q1 2006. In Q3 2014, it took on average 19 weeks for claims to reach the allocation stage and 38 weeks to reach a hearing compared with 15 and 34 weeks respectively in Q1 2006.

Family Court Statistics Quarterly

Figure 2: average (mean) time in weeks for divorce petitions to reach each stage Q1 2008 to Q4 2014

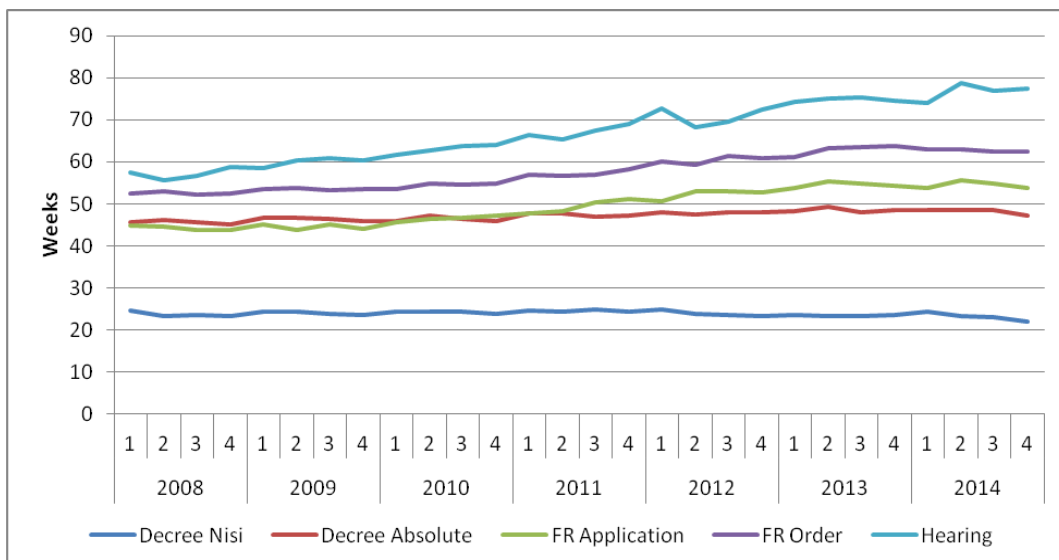


Figure 2 shows that the average time it takes for petitions to reach the decree nisi and the decree absolute stage has stayed relatively stable since Q1 2008. In Q1 2014, this stood at 22 and 47 weeks respectively. Financial remedy (FR) applications and FR Orders have shown a small increase since Q1 2008 and currently stand at 54 and 62 weeks. The average amount of time it took for petitions to reach the hearing stage has shown the biggest overall increase and in Q4 2014, it took 77 weeks.

Mortgage and Landlord Possession Statistics

Figure 3: average (mean) time in weeks for mortgage claims to reach each stage Q1 2004 to Q4 2014

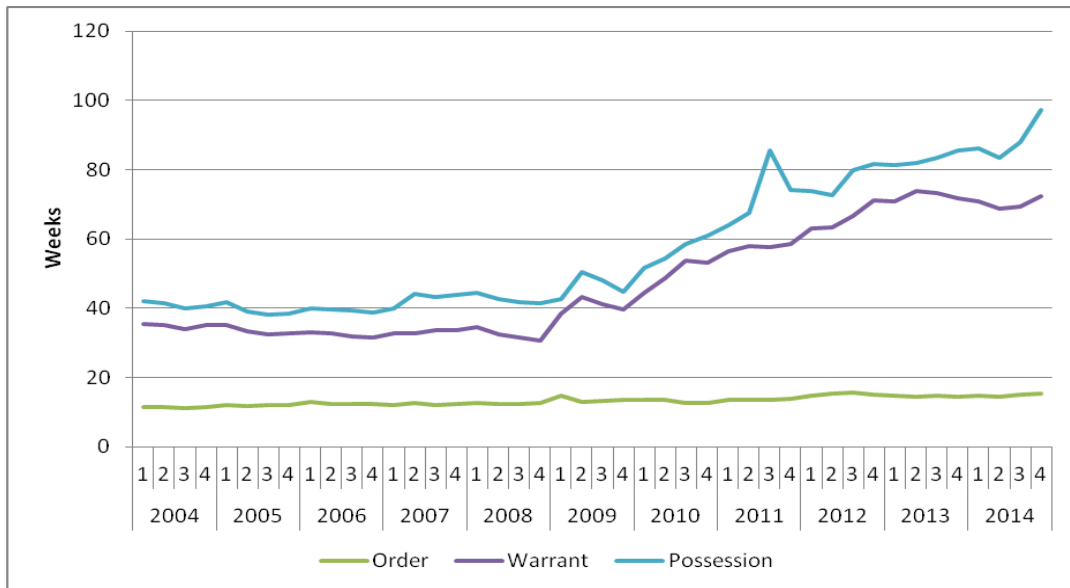


Figure 3 shows that the average time it takes for mortgage claims to reach the order stage has increased slightly since Q1 2004 with it currently standing at 15 weeks. For warrants and possessions however, the average time it took to get to these stages has more than doubled to 72 and 97 respectively in Q4 2014.

Figure 4: average (mean) time in weeks for landlord claims to reach each stage Q1 2004 to Q4 2014

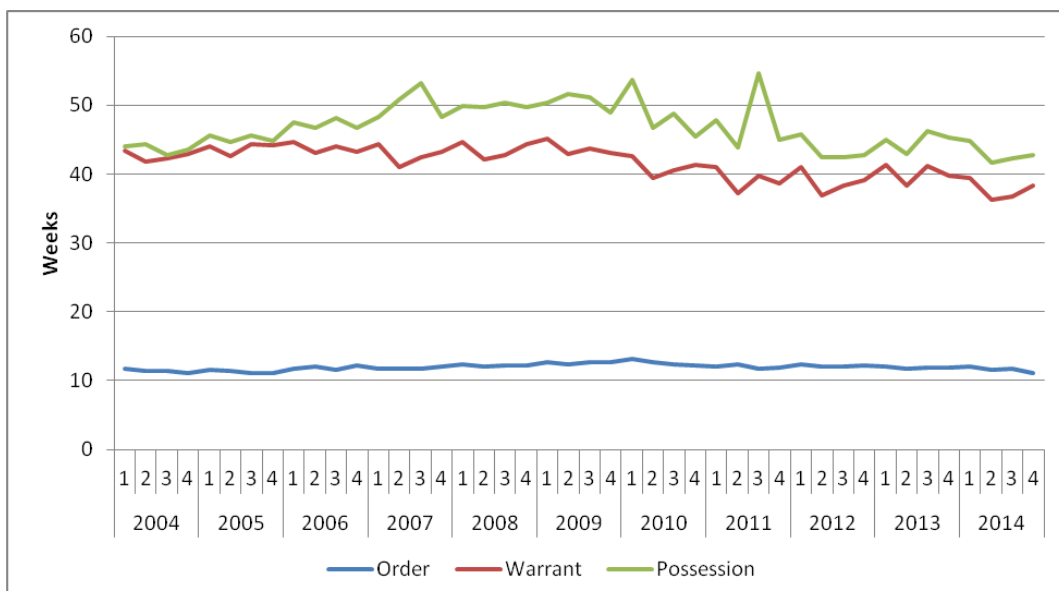


Figure 4 shows that the average time it takes for landlord claims to reach the order stage has stayed relatively stable since Q1 2004 with it currently standing at 11 weeks. Warrants and possessions have shown a lot more variability since Q1 2004 with the time currently standing at 38 and 43 in Q4 2014.

Time elapsed since claim/petition submitted

The second proposal is an alternative way of showing how long it takes for claims/petitions to reach each stage in the process alongside the proportion of claims/petitions that actually reach each stage. The graphs and table below show an illustrative example of the average over time *using all data available* but it is also possible to do this using a shorter time period (for example the most recent 5 years). We would particularly like to hear your views on the coverage of the data in addition to its frequency of publication, e.g. quarterly updates or on an annual basis only. In addition, the dataset will be released alongside the publication in a csv format so users can carry out additional analysis if required.

Illustrative charts, tables and commentary

Civil Justice Statistics Quarterly

Figure 5: Percentage of civil claims that reach the each stage by the number of quarters since the claim was submitted

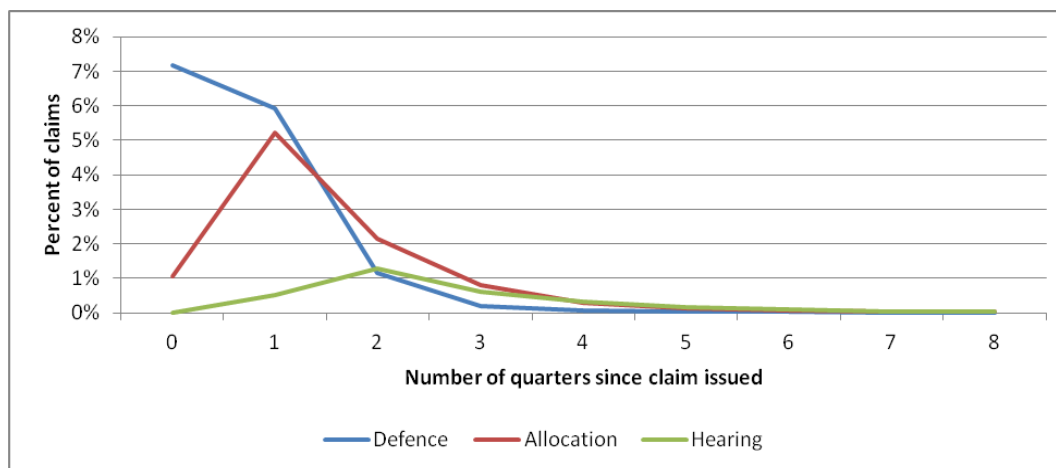


Table 1: Percentage of civil claims that reach the each stage by the number of quarters since the claim was submitted

| | Number of quarters since claim was submitted | | | | | | | | | | |
|------------|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| | 0 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9+ | Total |
| Defence | 7.2 | 5.9 | 1.2 | 0.2 | 0.1 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 14.7 |
| Allocation | 1.1 | 5.2 | 2.2 | 0.8 | 0.3 | 0.1 | 0.1 | 0.0 | 0.0 | 0.0 | 9.9% |
| Hearing | 0.0 | 0.5 | 1.3 | 0.6 | 0.3 | 0.2 | 0.1 | 0.1 | 0.0 | 0.1 | 3.1% |

On average, 14.7% of claims have proceeded to the defence stage with 7.2% of those happening in the same quarter that the claim was submitted (Q0). For allocations, of the 9.9% of claims that reached this stage, over half of these (5.2%) did so the quarter after the claim was submitted (Q1). Only 3.1% of claims led to a hearing with the peak of these occurring two quarters after the claim was submitted.

Family Court Statistics Quarterly

Figure 6: Percentage of divorce petitions that reach the each stage by the number of quarters since the petition was submitted

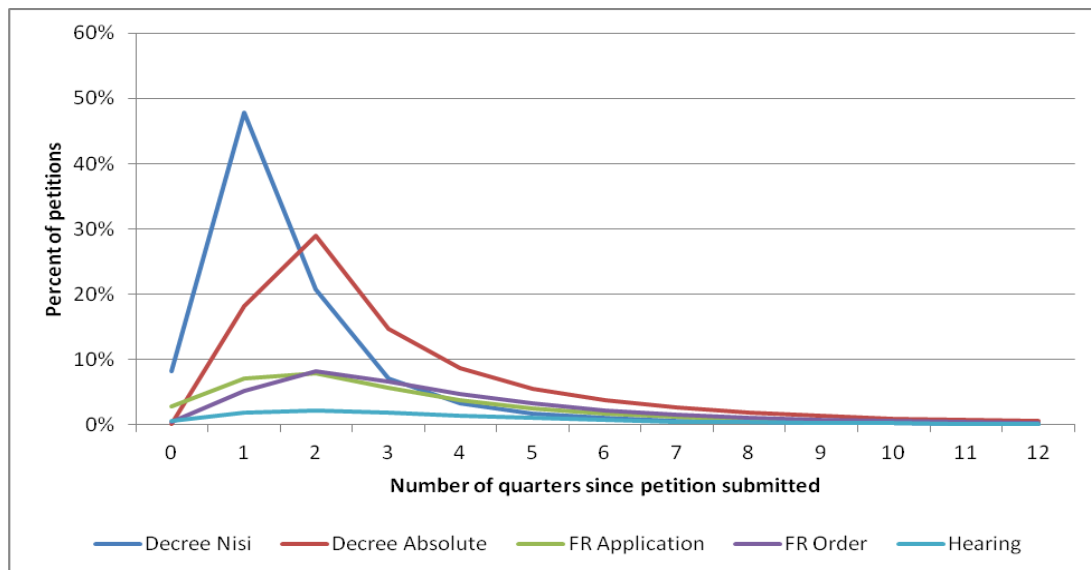


Table 2: Percentage of divorce petitions that reach the each stage by quarter since the petition was submitted

| | Quarter since petition submitted | | | | | | | | | | | | | Total |
|-----------------|----------------------------------|-------|-------|-------|------|------|------|------|------|------|------|------|------|-------|
| | 0 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12+ | |
| Decree Nisi | 8.3% | 47.8% | 20.8% | 7.1% | 3.2% | 1.8% | 1.1% | 0.7% | 0.5% | 0.3% | 0.2% | 0.2% | 0.9% | 92.7% |
| Decree Absolute | 0.2% | 18.2% | 28.9% | 14.7% | 8.7% | 5.6% | 3.7% | 2.6% | 1.9% | 1.4% | 1.0% | 0.7% | 3.2% | 90.8% |
| FR Application | 2.8% | 7.1% | 7.9% | 5.7% | 3.8% | 2.6% | 1.7% | 1.2% | 0.8% | 0.6% | 0.4% | 0.3% | 1.5% | 36.6% |
| FR Order | 0.4% | 5.2% | 8.2% | 6.7% | 4.8% | 3.3% | 2.2% | 1.5% | 1.1% | 0.8% | 0.6% | 0.4% | 1.8% | 37.1% |
| Hearing | 0.7% | 1.9% | 2.2% | 1.9% | 1.4% | 1.0% | 0.8% | 0.5% | 0.4% | 0.3% | 0.2% | 0.2% | 1.1% | 12.6% |

The percentage of petitions that reach each stage varies from 92.7% for decrees nisi to 12.6% for hearings. The highest proportion of decrees nisi occurred the quarter after the petition was submitted whilst for decrees absolute, the peak occurred two quarters after the petition was submitted. FR applications and orders also peaked two quarters after the petition was submitted although these peaks are not as pronounced. Hearings can take place at any time throughout divorce proceedings which results in a smoother trend.

Mortgage and Landlord Possession Statistics

Figure 7: Percentage of mortgage and landlord claims that reach the each stage by the number of quarters the claim was submitted

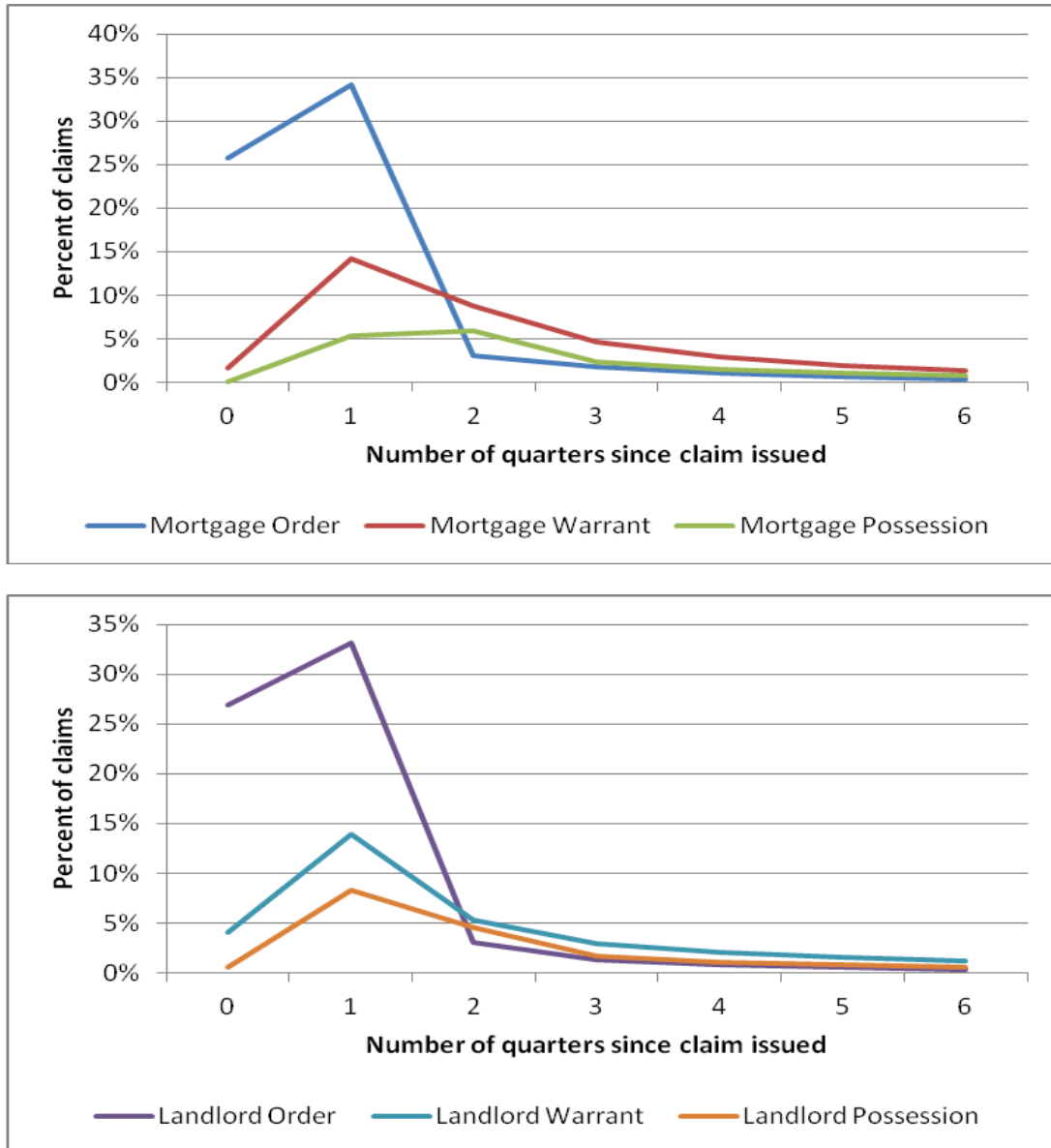


Table 3: Percentage of mortgage and landlord claims that reach the each stage by the number of quarters since the claim was submitted

| | | Quarters since claim was submitted | | | | | | | | Total |
|----------|------------|------------------------------------|-------|------|------|------|------|------|------|-------|
| | | 0 | 1 | 2 | 3 | 4 | 5 | 6 | 7+ | |
| Mortgage | Order | 25.8% | 34.2% | 3.0% | 1.7% | 1.1% | 0.7% | 0.4% | 1.0% | 68.0% |
| | Warrant | 1.6% | 14.2% | 8.8% | 4.7% | 2.9% | 2.0% | 1.4% | 5.0% | 40.7% |
| | Possession | 0.1% | 5.3% | 5.9% | 2.4% | 1.5% | 1.0% | 0.8% | 3.5% | 20.4% |
| Landlord | Order | 26.9% | 33.1% | 3.1% | 1.3% | 0.8% | 0.5% | 0.3% | 1.0% | 67.0% |
| | Warrant | 4.1% | 13.9% | 5.3% | 3.0% | 2.1% | 1.5% | 1.1% | 5.1% | 36.1% |
| | Possession | 0.6% | 8.3% | 4.6% | 1.7% | 1.0% | 0.7% | 0.6% | 3.1% | 20.6% |

Mortgage and landlord claims show a similar trend with regards to the proportion of claims that get to each stage and how long it takes to get there. On average 68% of mortgage claims and 67% of landlord claims progressed to the order stage - in comparison, 20.4% of mortgage claims and 20.6% landlord claims secured a possession. For all stages except mortgage possessions, the peak occurred in the quarter after the claim was submitted. The largest proportion of mortgage possessions occurred two quarters after the claim was submitted.

Annex A: Specific feedback questions

Do you agree with the proposal to remove the case progression model and replace it with the two alternatives provided?

If you do not agree with going forward with both alternatives, which one do you not agree with and why?

Are there any alternative methods for presenting case progression that has not been covered within this document?

General feedback on statistics

1. Do you use the information currently published within:
 - a. Mortgage and Landlord Possession Statistics Quarterly
 - b. Civil Justice Statistics Quarterly
 - c. Family Court Statistics Quarterly?
2. How useful and relevant do you consider the information currently published to be?
3. Do you use the 'CSV' files that accompany the publications?
4. Do you find the information you want easily on the Gov.uk website?
5. Is there any new information that you would like to see included in the publication(s). If so, please provide details.

Please provide your feedback and any other comments on the content or structure of these publications to: case.progression@justice.gsi.gov.uk.

Please entitle your email 'Case progression methodology feedback'.

Responses will be accepted until 14 July 2015.

Annex B: List of Accompanying Tables

Tables accompanying Timeliness alternative

Table A1 - Average (mean) time in weeks for civil claims to reach the defence, allocation and hearing stage

Table A2 - Average (mean) time in weeks for divorce petitions to reach the decrees nisi, decrees absolute, financial remedy applications, financial remedy orders,

Table A3a - Average (mean) time in weeks for mortgage possession claims to reach the order, warrant and hearing stage

Table A3b - Average (mean) time in weeks for landlord possession claims to reach the order, warrant and hearing stage

Tables accompanying time elapsed since claim/petition submitted alternative

Table A4 - Percentage of claims that reach the each stage by the number of quarters since the claim was submitted

Table A5 - Percentage of divorce petitions that reach the each stage by quarter since the petition was submitted

Table A6 - Percentage of claims that reach the each stage by the number of quarters since the claim was submitted

Revised case progression tables that will stay in the publication

Table R1 - Case progression in the county courts, England and Wales, annually 2009 - 2014, quarterly Q1 2009 - Q4 2014

Table R2 - Divorce case progression table for England and Wales, annually 2003 - 2014 and quarterly Q1 2009 - Q4 2014

Table R3a - Mortgage possession claims that lead to orders, warrants, and repossessions in the county courts of England and Wales, 1999 - 2014 Q4

Table R3b - Landlord possession claims that lead to orders, warrants, and repossessions in the county courts of England and Wales, 1999 - 2014 Q4

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