



Ministry  
of Justice



Legal Aid  
Agency

# Response to consultation on the publication of Legal Aid Statistics in England and Wales

**Ministry of Justice**

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# Introduction

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The Legal Aid Statistics team recently held a consultation for users of the Official Statistics on legal aid in England and Wales. The aim of this exercise was to understand better who uses these statistics, how they use them and what changes might help the team to meet their needs better. This would help the Ministry of Justice (MoJ) and the Legal Aid Agency (LAA) to comply with the Code of Practice for Official Statistics and to meet their commitment to transparency and continuous improvement.

The consultation was launched on 18 December 2014, with a consultation document published alongside the statistical release covering the July to September quarter of 2014. This can be found at the link below. The closing date was 19<sup>th</sup> February 2015.

<https://www.gov.uk/government/statistics/legal-aid-statistics-july-2014-to-september-2014>

This note summarises the response to that consultation and how the team intends to develop the Legal Aid Statistics in light of this response.

We would like to thank all those who took the time to submit a response to the consultation.

Although the closing date for this consultation has now passed, user engagement is a continuous process, and users are invited to submit their comments and suggestions to the team at any time, using the contact details below.

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You can also let us know what you think by completing this short user survey  
<http://www.smartsurvey.co.uk/s/6U58M>

# Summary of responses

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We received 12 written responses to the consultation, of which 8 were submitted by groups representing legal practitioners and 4 by teams from within MoJ.

Responses touched on a wide range of issues and aspects of the statistics. Most commented on some or all of the specific questions set out in the consultation document, but many also commented more generally with suggestions for changes.

## **Format**

Commenting on the frequency of the statistics, several respondents acknowledged the recent introduction of quarterly statistical releases and said that this had been a welcome improvement. Most supported the ambition to release monthly data where possible.

Two external respondents disagreed with the proposal to change the way the crime lower category of legal aid is broken down into constituent parts. Internal respondents requested improvements to the format of the Main Tables to make it easier to reuse the figures for further analysis.

On accessibility, several external respondents said they would like to see further or clearer explanation of the statistics and the terminology used, as well as more precise terminology in some areas. Some felt that the statistics could be difficult to find via gov.uk, but found them easy to locate via Google.

## **Scope and detail**

In publishing official statistics we aim to meet the needs of as many users as possible by providing comprehensive coverage of the legal aid system. However, with such a complex topic area there is always potential for users to want to analyse the system in a new way, and across the responses there were a range of requests for additions to the scope of the published statistics.

The most popular requests were for breakdowns by geographic area and legal aid provider. Also requested were more coverage of clients or recipients of legal aid, appeals against decisions on the award of legal aid funding, the Public Defender Service, payments to barristers for civil and family work, the Central Funds category of legal aid awards, the Exceptional Case Funding scheme and more extensive historical time series.

The largest number of suggestions came from users wanting additional detail for areas already covered in the published statistics. Many agreed with our suggestions for more detail on legal aid providers, crime lower, family mediation, legal help telephone advice, and none disagreed.

Respondents also requested further breakdowns of the immigration category of civil legal aid, reasons for refusal of applications for legal aid in some categories, and more explanation regarding the payment of barrister fees.

Some respondents made suggestions for more extensive, in-depth research or analysis into specific areas of legal aid.

Finally, some respondents were keen to see further, ongoing opportunities to provide their views on legal aid statistics.

# Next steps

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## Imminent planned changes

As a result of the responses to this consultation we have introduced several changes in the Legal Aid Statistics bulletin for October to December 2014. These include:

- including the number of sessions in each publicly-funded family mediation
- increasing the detail and length of time series provided in the tables on civil representation closed cases
- introducing a new Guide to Legal Aid Statistics, published on the main legal aid statistics webpage. This makes space for more comprehensive background and explanatory information to help users to understand the statistics themselves, without making the main bulletin excessively long. This document will continue to be developed in the coming months.
- overhauling the formatting of the entire suite of Main Tables to improve the clarity, detail, readability and make it easier to re-use the data contained in the tables.

We are also planning to introduce further changes over the next two bulletins, which are due for publication in June and September. These will include:

- expanding and improving the sections on legal aid providers, clients or recipients of legal aid and appeals against decisions on the awarding of legal aid funding that are included in the larger bulletin that is published annually following the final quarter of each financial year
- including figures on the Central Funds category of legal aid awards
- increasing the detail on legal help telephone advice service determinations
- in light of the responses, we will not proceed with our proposal to change the way the crime lower category of legal aid is broken down into constituent parts.

## Areas for investigation

Several of the other changes and improvements that users have indicated they would value will need further investigation before we are able to confirm plans, for a variety of reasons. For example:

- Some of the suggestions to release further detailed breakdowns of figures will require us to assess the risk that data may enable users to identify individual cases or people, either from the legal aid data alone or by combining it with other publicly-available data sources, in line with the Code of Practice for Official Statistics. This includes our own proposal to include a monthly breakdown of figures within each quarterly publication, and the suggested inclusion of geographic detail of clients and providers.
- Data which is collected to meet operational and administrative needs does not always provide appropriate data for all aspects of statistical reporting, so some expansions to the scope and detail, such as geographic information, category of law and reasons for refusal of legal aid funding, will depend on the quality and consistency of the available data.

# Ongoing user engagement

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User engagement should be an ongoing process, enabling users to comment at any time and helping the producers to make continuous improvements to the published statistics. This consultation was intended to prompt a wider range of users than usual to participate, but we welcome comments and suggestions to the team at any time, using the contact details below.

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