

Consultation on Probate statistics - Summary

Overview

The following consultation was launched alongside the 'Family Court Statistics Quarterly (FCSQ): July to September 2019' publication on Friday 13th December¹:

Currently data on grants of representation issued at published in Tables 25 and 26, including a split by registry type (Principal and District registries). To make sure that our statistics are responding to user needs, we are consulting on the following points and would welcome your views:

1. With the introduction of new Courts and Tribunals Service Centres, would changing the split by registry type to be CTSC/non CTSC registries be useful, or would you suggest removing this split entirely? Would any other splits be useful?
2. To fully understand the case flow of The Probate Service, we are interested in introducing a measure relating to timeliness:
 - a) Would the average number of weeks from application submission to grant issue be useful?
 - b) Do you have any other suggestions for a timeliness measure for us to consider?

To participate in this consultation, please send your comments to familycourt.statistics@justice.gov.uk by Friday 17th January 2020.

Responses

Three responses to this consultation were submitted – one internal to the Ministry of Justice and two external organisations. Looking at each question in turns:

1. With the introduction of new Courts and Tribunals Service Centres, would changing the split by registry type to be CTSC/non CTSC registries be useful, or would you suggest removing this split entirely? Would any other splits be useful?

One response stated that a split to look at how many grants are handled by CTSCs or handled elsewhere would be interesting.

Another response noted the move to have probate cases dealt with centrally in CTSCs². This suggests that a CTSC/non CTSC split is unlikely to prove useful and the focus should be on the Probate Service, rather than CTSCs. An alternative of looking at a split between paper and digital applications was suggested, although this split would diminish with time. This chimed with the third response, which suggest that any split would not last beyond the HMCTS Reform programme³.

2. To fully understand the case flow of The Probate Service, we are interested in introducing a measure relating to timeliness:

a) Would the average number of weeks from application submission to grant issue be useful?

Two responses commented on this question and said that the suggested measure would be useful, with it being clearly defined as to what constitutes a 'submission' (e.g. when payment has been taken or when the application had been received).

¹ <https://www.gov.uk/government/statistics/family-court-statistics-quarterly-july-to-september-2019>

² <https://www.gov.uk/government/news/probate-work-moves-to-courts-and-tribunals-service-centre>

³ <https://www.gov.uk/guidance/the-hmcts-reform-programme>

b) Do you have any other suggestions for a timeliness measure for us to consider?

A general comment that something more granular would be welcome as well, without specifics, whereas another response outlined two measures that looked at the number of days from the date of the will to date of death/date of grant (issued), and from the date of death to date of issue.

Additional feedback: Whilst there were no further specific questions, the Family Court Statistics team welcomes feedback and highlights this in every quarterly publication. One response provided additional comments and suggestions for new measures to include in future publications, covering 9 areas with several subcategories in most of these areas.

Conclusion

To focus on the work of the Probate Service as a whole, FCSQ will seek to develop a split that looks at **paper grants compared to digital grants issued** (bearing in mind that this split would become less useful in time and would likely be removed, but feel this information would prove useful in the short term). The **number of applications** will also be added to provide a fuller picture of the work of the Probate Service, as suggested as a useful additional measure by one respondent.

On timeliness, FCSQ will provide the **average (mean and median) number of weeks from application submission to grant issue** as proposed in the consultation. Colleagues have been investigating whether any more-granular timeliness measures might also be feasible and valuable, and if so we will consider incorporating them in future bulletins..

On the wider feedback, the Family Court Statistics team will engage with data owners and operational colleagues from HMCTS to explore what is feasible with the data collected centrally, and then assess what is possible to incorporate into future publications with the resource available.

For feedback related to the content of this report or the Family Courts Statistics Quarterly publications, please let us know at familycourt.statistics@justice.gov.uk