



Ministry
of Justice



Quality statement - Civil Justice statistics

Ministry of Justice

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Introduction

Civil Justice statistics (CJS) are published in compliance with the Ministry of Justice (MoJ) quality strategy for statistics, which states that information should be provided as to how the bulletin meets user needs:

<https://www.gov.uk/government/statistics/ministry-of-justice-statistics-policy-and-procedures>

The MoJ aims to provide a high quality and transparent statistical service covering the whole of the justice system to promote understanding and trust. This statement sets out our policies for producing quality statistical outputs and the information we will provide to maintain our users' understanding and trust.

Core Objectives

We aim to deliver a service in line with our four core objectives:

- Provision of data which are accessible, consistent and fully documented.
- Production of statistics which clearly communicate the story and meet users' needs.
- Provision of analysis which is timely and based on robust methodology.
- Building capacity, capability and engagement.

Trust in statistics is important as statistics are fundamental to good government, to the delivery of public services and to decision-making in all sectors of society. Statistics provide the parliament and the public with a window on society and the economy, and on the work and performance of government.

Assessing the quality of statistics is not a one-off exercise. It must be done on a continuous basis. This document explains by what measures we will assess the quality of our statistics, what users can expect us to do, and the information we will provide to users to aid them in making their own assessment of the quality of the statistics we produce.

As required by the Code of Practice for Statistics¹ and in line with the Government Statistics Services' Quality Strategy² and associated guidance, we will measure and report on our quality in accordance with internationally agreed statistical guidance and standards".

Statistical quality in the MoJ is defined as meeting users' needs with reference to the **relevance, accuracy, timeliness, accessibility, comparability and coherence** of the statistics collected, analysed and reported.

¹ <https://gss.civilservice.gov.uk/policy-store/government-statistical-service-gss-quality-strategy/>

² <https://www.statisticsauthority.gov.uk/code-of-practice/>

Principle 1: Relevance

Relevance is the degree to which the statistics meets the current and potential needs of users.

The civil justice system enables citizens to resolve a vast array of disputes fairly, proportionately and affordably – from small personal debt to high-value commercial litigation which contributes significantly to the UK economy.

The Civil Justice Statistical bulletin covers three key areas of civil and administrative justice:

1. County court civil (non-family) cases that took place in England and Wales:

These typically relate to, the repossession of property, personal injury, the return of goods and insolvency. Particularly important, complex or substantial cases are instead dealt with in the High Court.

2. Judicial review cases processed by the administrative court in the Queen's Bench Division of the High Court:

Judicial reviews (JRs) are a process by which individuals, businesses and other affected parties can challenge the lawfulness of decisions or actions of the executive, including those of ministers, local authorities, other public bodies and those exercising public functions. It is a largely judge-developed procedure and can be characterised as the rule of law in action, providing a key mechanism for individuals to hold the executive to account.

3. Privacy Injunctions:

This is when a person or organisation who wishes to prevent the publication or dissemination of private or confidential information applies to the High Court to stop this from occurring. A privacy injunction may be, but is not always, anonymised.

Reporting on privacy injunctions started in August 2011 after a committee chaired by the Master of the Rolls was formed to examine legal and procedural issues, in the light of concerns raised following several high-profile court cases.

In the committee's published report, "Super-Injunctions, Anonymised Injunctions and Open Justice"³ it noted that no statistics on anonymised injunctions and super-injunctions were collected at that time. Therefore, one of its recommendations was that the Ministry of Justice, with the assistance of HM Courts and Tribunals Service, should collect data about injunctions containing publicity restrictions, including super-injunctions, which are applied for and granted.

³ <https://www.judiciary.uk/wp-content/uploads/JCO/Documents/Reports/super-injunction-report-20052011.pdf>

Civil justice statistics can help to understand the volumes of all these different types of court activity and changes in volumes over time (e.g. the number of claims starting by claim type, the number of legal representation, default judgments and trials etc.), to give a sense of the workload faced by various courts as well as ensure the principle of open justice in the justice system. Information on how long different cases take to progress through the court system is provided, and can be used to inform the public as to how long a case is likely to take to trial or whether case progression is improving or declining.

These statistics strive to be relevant across a range of users, and the civil court statistics team routinely seeks out feedback from both internal and external users to enhance what is published. When a change is requested, we work with analytical colleagues and data providers to explore what is possible and whether the data available is fit for this purpose before any change is made.

We continuously review the publication and introduce new series where user needs are known and evidence gaps can be reliably filled. For example, the Mortgage and Landlord Possessions Statistics (a part of the Civil publication) for January to March 2020 included an annex to highlight the effects of Covid-19 on repossessions.

The annex was published for the first time to address user needs and meet public demand for quantitative evidence on this topic in a timely manner. This filled gaps as potential users expressed demand for these figures through direct requests under the Freedom of Information Act, Parliamentary Questions, public discourse and our own engagement with users.

Principle 2: Accuracy and Reliability

Accuracy is the closeness between an estimated result and the (unknown) true value.

Civil justice statistics presented in the publications are derived from different live case management systems, and so statistics are based on a snapshot of a moment in time. Validation of the data and derived statistics has been undertaken, however there may be a degree of inherent inaccuracy as the data comes from an administrative database.

The different data sources used to compile the statistics include:

- i. Civil Court - CaseMan: Used by court staff for case management purposes. The civil county court figures are produced using data drawn directly from this county court-based administrative system. CaseMan combines data from electronic services and from the court-based administrative systems.
- ii. Judicial Review - COINS: The Judicial Review figures are extracted from this Administrative Court Office database (COINS). This is a live database refreshed each quarter. As a result, there may be minor revisions between the new information presented in the latest bulletin.
- iii. Privacy Injunction – Data Returns: These are collected via statistical returns filled out at court hearings and returned securely to the Ministry of Justice

statistics team. The forms are completed by judges, who with their full understanding of the circumstances of the case, determine whether an injunction has met the criteria for inclusion in the statistics.

The information collected by the Ministry of Justice on the statistical returns filled out by judges, gives only the broad details about each injunction presented in this report. No information is collected by the Ministry of Justice statistics team which provides any further indication about the circumstances or nature of the case or allows any party to be identified. The statistics are, by necessity, based on the completed data collection forms returned to the Ministry of Justice by judges, their clerks or court associates at the Royal Courts of Justice in London.

It is possible that the figures presented constitute an undercount, if any relevant statistical returns have not yet been completed by a judge or forwarded to the statistics team. Validation is carried out on the returns received to resolve any apparent inconsistencies in the information provided on a form.

We work with the owners of these datasets to understand how the systems operate, how data is collected in these systems and how data is validated upon entry. We seek to understand how the data is used in an operational environment and how this may impact the statistics produced from these systems.

As data is extracted from these administrative systems and analysed to produce the published statistics, guidance from The Aqua Book⁴ is used to ensure thorough quality assurance procedures are adhered to during the Civil Justice production process.

Despite carrying out validation within the statistical processes following extraction, the data is subject to some inaccuracies inherent in any large-scale data recording system (e.g. mistyped data entries). However, the validation procedures are deemed to be proportionate in reliably minimising the impact that any errors may have on the published estimates.

Quality assurance checks:

- Code used to extract and analyse data from CaseMan has been double checked by an expert user of the system as well as other members of the Civil Justice Statistics team.
- Summary data provided from external sources is sense checked against previous returns to ensure that the information provided is logical
- We verify our data with timeseries available from unpublished management information held by Her Majesty's' Courts and Tribunal Service (HMCTS) where feasible and quality assurance checks are done within the team as the bulletin is developed.
- Changes in system and procedures can lead to reporting discrepancies as courts may need time to adjust to new ways of working. When new practices are implemented, work is conducted alongside HMCTS to ensure

⁴ <https://www.gov.uk/government/publications/the-aqua-book-guidance-on-producing-quality-analysis-for-government>

that the data being received from each court is consistent and of acceptable quality before it is published.

- At least once per year, once all publication products are ready, an analyst external to the Civil Justice Statistics team conducts a full set of quality assurance checks as set out in an established QA log, noting down any issues found to feed back to the team. Any new information would undergo this external QA the first time it is published.
- Any subsequent corrections required prior to publication are actioned and if required any amendments required following publication are made – fully adhering to the Department’s revisions policy (see [‘Revisions’](#)).

Reliability is the closeness of early estimates to subsequent estimated values.

This publication and most of the tables within it are published quarterly, some biannually (e.g. Privacy Injunctions) while others are annual series (e.g. The Royal Court of Justice statistics and JR cases by defendant department or Public Body).

As most of the data is extracted from live management information systems, data extracted is correct at the time of extraction. Each quarter, full timeseries for tables reliant on this system are refreshed to account for any updates made after the point of extraction. As such, minor changes to more recent quarters are not unusual.

Further information concerning the way in which scheduled and unscheduled revisions are treated in the civil justice statistics publications can be found in the supporting guidance documentation available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/806893/Civil-supporting-document-Q119.pdf

In accordance with 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: <https://www.gov.uk/government/statistics/ministry-of-justice-statistics-policy-and-procedures>

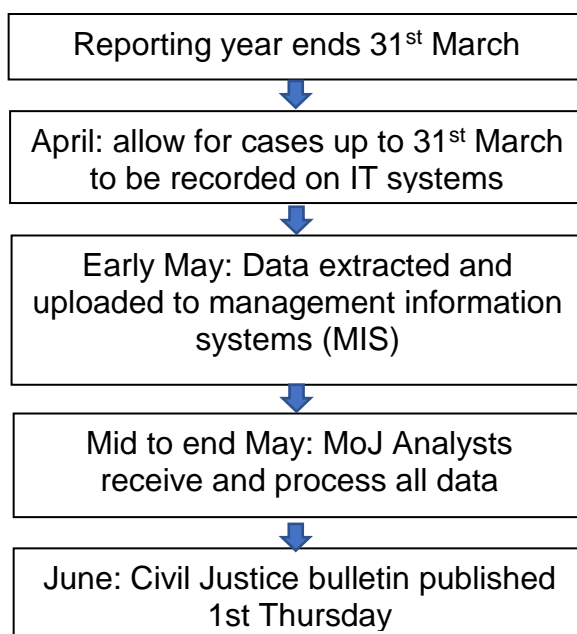
Principle 3: Timeliness and Punctuality

Timeliness refers to the time gap between the publication date and the reference period for the statistics.

Each Civil Justice statistics release is published with a 'time gap' of around three months after the reference period. For example, statistics for January to March 2020 were published on 4 June 2020.

This 'time gap' is felt to be timely and allows us to strike a balance between the need to minimise the delay in releasing statistics and ensuring a robust and high-quality product. For example, the three-month gap allows for any late data returns to be included. It also provides time to amend any initial monthly source data following validation, time for the analysis to be carried out, and a short period for the bulletin to be produced.

Process timeline (e.g. January to March bulletin):



Punctuality is the time lag between the actual and planned dates of publication for statistics.

Civil Justice statistics are published at quarterly intervals at 9:30am on a date which has been pre-announced 12-months in advance, in line with the GSS Code of Practice: <https://www.gov.uk/government/statistics/announcements>

Any change to the pre-announced release date(s) would follow the approval of the Chief Statistician for the MoJ and we would explain clearly the reasons for the changes to users at the earliest opportunity.

Principle 4: Accessibility and Clarity

Accessibility is the ease with which users can access the statistics and data.

Courts in the UK have long operated under a fundamental principle of “open justice”. This means, in general terms, that all aspects of court proceedings should be open to the press and the public. Exceptions are only permitted in limited circumstances, where the law requires it (for example dealing with the care of children in the family courts).

The Civil Justice Statistics Quarterly (CJSQ) release ensures that statistics on County Court Civil (non-family), Judicial Review and Privacy Injunctions in England and Wales are published together for National Statistical releases, available on the gov.uk official statistics calendar and accessible to all. The CJSQ bulletin is published in an accessible PDF format in compliance with the public sector’s legal obligations to meet accessibility standards by September 2020.

Data tables which show the number of defences, allocations, and hearings that take place in a given quarter, regardless of when the claim was issued, are available in ODS format as standard alongside the publication.

As part of our wider work on improving data visualisation and accessibility, a Sankey tool which visualises annual statistics on civil County Court claims as they progress through the County Court system in England and Wales is available to users. The figures in the tool show the number of claims reaching each stage (claim, defence, allocation, hearing and judgment) out of all claims issued in the corresponding year.

Both the accompanying user guide and each release includes contact details for the lead statistician and a team inbox for users to direct any concerns. This inbox is routinely monitored and any queries are actioned as quickly as possible.

Clarity refers to the quality and sufficiency of the commentary, illustrations, accompanying advice and technical details.

The commentary is written by professional statisticians and aims to be impartial, helping users put the figures into meaningful context. The bulletin is produced independently and figures are subject to strict pre-release access for essential individuals – no other access to statistics in their final form is made available prior to publication.

All technical terms, acronyms and definitions are explained in the bulletin itself (where appropriate), supporting footnotes in the published data tables and in the supporting guidance documentation.

All published data tools are supported by definitional and practical guidance to support users in making accurate and reliable use of the tool functionality.

Principle 5: Comparability and Coherence

Comparability is the degree to which data can be compared over time, by region or another domain.

The administrative systems that underpin most of the civil courts data are in operation across all courts in England and Wales. The development and improvement of the underlying systems by HMCTS over time, has and continues to cause some discontinuities in series across the publication.

A variety of time series are used in the publication and largely relate to the availability of reliable source data – where possible the longest time series is supplied. These changes in source data are flagged and caveated in '[Data sources](#)' in the accompanying guide, as well as in the associated tables, charts and text where practicable, including notes of any variation in source and key events (e.g. policy changes) that may have affected a period.

Coherence is the degree to which the statistical processes that generate two or more outputs use the same concepts and harmonised methods.

From May 2019, HMCTS have published the latest management information⁵ on the workload and timeliness for criminal, civil and family courts, and tribunals. This includes receipts, disposals, outstanding cases as well as estimates of timeliness.

These figures reflect the data held on the case management system, and hence have some definitional and timing differences from the official statistics. They are subject to the data quality issues associated with large administrative systems, including the late reporting of cases and regular updating of case details, which can lead to the figures for previous months' being revised each publication. Revisions may also occur if data is received late from the court, or if an error is identified. These revisions are generally small and do not usually change the overall picture of performance. Where a revision has been made, the revised figure is accompanied by the (r) symbol in the appropriate table.

The official statistics provide a more comprehensive view of a range of statistics related to court systems, including HMCTS performance, putting the figures in context and analysing the key aspects. Users are advised to use the official statistics for most purposes and to use the published management information only to understand the very latest high-level position.

⁵ <https://www.gov.uk/government/collections/hmcts-management-information>