



Ministry
of Justice



Quality statement - Tribunal and Gender Recognition Statistics

Ministry of Justice

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Introduction

Tribunal and Gender Recognition Statistics (TGRS) 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 this is 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.

Tribunals are specialist judicial bodies which decide disputes in a two-tier structure divided into chambers which deal with particular areas of work, or jurisdictions.

1. The First-Tier tribunal hears first instance appeals, primarily (but not exclusively) against certain decisions made by Government departments or other public bodies.
2. The Upper Tribunal generally hears appeals from decisions of the First-Tier tribunal although it also deals with certain matters at first instance.

(Detailed information about the areas of work covered by the Tribunals can be found in the accompanying Guide to Tribunals Statistics Quarterly³.)

The TGRS Bulletin covers information on Receipts (i.e. cases received by Her Majesty's Courts and Tribunals Service [HMCTS]), Outcome of cases by category (e.g. cases disposed of at hearing) and the outstanding caseload at a point in time. The bulletin also covers statistics on the Gender Recognition Certificate applied for and granted by HMCTS Gender Recognition Panel.

The publication goes into more detail on the three largest tribunals; Employment, Immigration and Asylum, and Social Security and Child Support (SSCS) which accounted for over 80% of all tribunal receipts in 2018/19. The publication provides more detail on these three including statistics on the outcome of appeals and the mean and median time to clear appeals to these tribunals.

The Tribunal statistics can help to understand the volumes of all these different types of tribunals and changes in volumes of receipts, postponements and adjournments over time. This gives a sense of the workload of various tribunals as well as allowing us to 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.

Also included in the publication is data covering figures on Gender Recognition Certificates that are applied for and granted by HMCTS's Gender Recognition Panel (GRP). This panel is not a Tribunal but is presided over by a Tribunal Judge.

These statistics strive to be relevant across a range of users, and the Tribunals 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

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/871933/Tribunal_and_GRC_statistics_supporting_document_Q3_201920.pdf

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.

Principle 2: Accuracy and Reliability

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

The statistics presented in the publications are derived from several different live case management systems owned and managed by HMCTS, 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 Tribunals management information systems are:

- i. **ARIA** - Immigration and Asylum: The database used by HMCTS to record Tribunal information with respect to Immigration and Asylum.
- ii. **ETHOS** - Employment: The database used by HMCTS to hold information with respect to Employment (single and multiple) Tribunals.
- iii. **Flymsys** - Employment Appeal Tribunal: The database used by HMCTS to store and process information with respect to Employment Appeal Tribunals
- iv. **Liberata** - Employment Tribunal Fee Refunds: The data on fee refund payments is taken from the Liberata payment system, used by HMCTS to process refund applications.
- v. **GAPS2** - Social Security and Child Support: The database used by HMCTS to hold Tribunal information with respect to the Social Security and Child Support is called.
- vi. **MARTHA** - Mental Health – The database used by HMCTS to record Tribunal information with respect to Mental Health Tribunals.
- vii. **GLiMR** – Gender recognition certificates: The data are taken from a central database in the Ministry of Justice.

There are also a range of smaller systems that hold information on the special tribunals. Some of this data is in the progress of being migrated onto the new GAPS2 system. This includes information on Special Educational Needs.

We work with HMCTS colleagues who own 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 all data has been double checked by HMCTS expert users of the system as well as other members of the Tribunals 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 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 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 Tribunals 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 necessary 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 (March, June, September and December). However, some additional chapters are included in the bulletin for certain quarters in the year, as summarised below:

- June publication: includes revised annual summaries of all tribunals and additional chapters relating to Adjournments, Postponements, Judicial

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

Salaried and Fee-paid sittings. Also includes the rate of appeal to the SEND Tribunal for the prior calendar year.

- September publication: includes an additional chapter and supporting tables relating to more detailed annual Employment and Employment Appeal Tribunal statistics.
- December publication: this provides a more detailed breakdown of the Special Educational Needs and Disability (SEND) tribunals by academic year.

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>

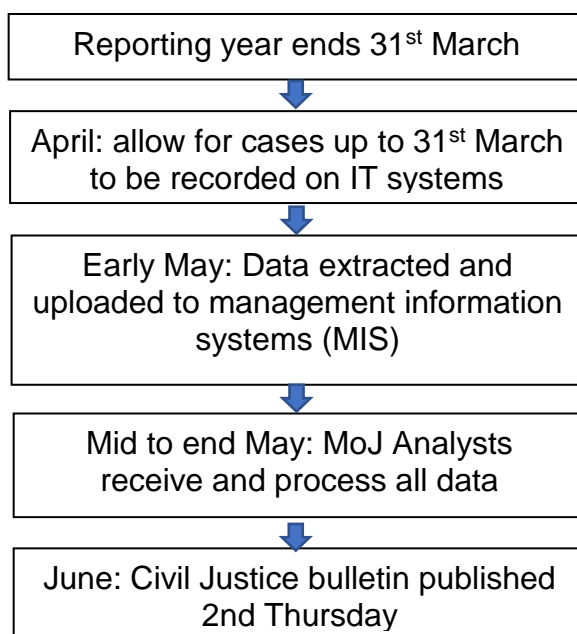
Principle 3: Timeliness and Punctuality

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

Each TGRS 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 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 TGRS release ensures that statistics on Tribunals and Gender recognition in England and Wales are published together for National Statistical releases, available on the gov.uk official statistics calendar and accessible to all. The TGRS 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 receipts, disposals, and cases outstanding that take place in a given quarter, regardless of when the claim was issued, are available in ODS format as standard alongside the publication.

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.

We provide further background information by publishing CSV tables every quarter along the statistics. These CSV files include up to venue level data in the First Tier (Immigration and Asylum Chamber) as well as the Social Security and Child Support Tribunal.

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.

Asylum Appeals data is also published by the Home Office Migration Statistics. However, this is sourced from the Home Office Case Information Database (CID) and relate to main asylum applicants at the First-tier Tribunal Immigration and Asylum Chamber.

Records on the database are updated from record-level data provided by HMCTS, who produce similar statistics for main appellants. This procedure provides consistent data across all datasets relating to asylum published in the release Immigration Statistics, but it is different from those published by the Ministry of Justice.

The Ministry of Justice statistics presented in this publication provide counts of principal appellants sourced from the HMCTS database. Within these statistics there tends to be higher numbers of principal appellants than main asylum applicant appeals because:

- a. HMCTS has a wider definition of asylum appeals, including some human rights cases and appeals on extensions of asylum, humanitarian protection and discretionary leave; and
- b. Principal appellants include some individuals classed as dependants by the Home Office.

The Home Office statistics on immigration and asylum appeals at First-tier Tribunal and subsequent stages are available from:

www.gov.uk/government/collections/immigration-statistics-quarterly-release

The statistics for SSCS tribunals provided in the publication is also compared to the Department for Work and Pensions (DWP) published benefit appeals data for Employment and Support Allowance (ESA)⁵ and Personal Independence Payment (PIP)⁶. This is an extra check to ensure the data is in line with expected trends.

A variety of time series is 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.

⁵ <https://www.gov.uk/government/collections/employment-and-support-allowance-outcomes-of-work-capability-assessment>

⁶ <https://www.gov.uk/government/collections/personal-independence-payment-statistics>

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 information⁷ on the hearings for 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.

⁷ <https://www.gov.uk/government/collections/hmcts-management-information>