



Ministry  
of Justice



# **Quality statement - Criminal court statistics**

Ministry of Justice

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## Introduction

Criminal court statistics 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 Official Statistics<sup>1</sup> and in line with the Government Statistics Services Quality Strategy and associated guidance<sup>2</sup>, we will measure and report on our quality using a framework based around European Statistical Systems (ESS) Dimensions of Quality<sup>3</sup>.

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

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

<sup>2</sup> <https://gss.civilservice.gov.uk/policy-store/government-statistical-service-gss-quality-strategy/>

<sup>3</sup> <https://ec.europa.eu/eurostat/web/products-catalogues/-/KS-02-18-142>

## Principle 1: Relevance

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

The published criminal court statistics help users to understand the volumes of different types of legal proceedings through the criminal courts in England and Wales (e.g. the number of cases starting by case type, the number of children involved in orders given etc). The figures broadly capture the 'workload' of the criminal courts, the efficiency of trials and estimates of timeliness throughout the system. The published data are the only source of coherent case flows through the criminal court system, however they do not include figures regarding the 'higher' courts, e.g. Royal Courts of Justice or Supreme Court.

These statistics strive to be relevant across a range of users, and the criminal 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 have introduced new series where user needs are known and evidence gaps can be reliably filled, for example a new published series outlining Failure to Appear warrants. These figures were published for the first time, initially as experimental statistics, to address user needs and meet public demand for quantitative evidence on this topic. Potential users have 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.

Criminal court statistics are based on administrative data systems which have been established to facilitate the operational passage of a case through the court system.

We work closely with the owners of these data systems to understand how their processes work, how data is collected and how data is validated upon entry. We continually seek to better understand how the data is used operationally (e.g. at the court) and how this may affect the statistics produced.

As data is extracted from these administrative systems and analysed to produce the published statistics, guidance from The Aqua Book<sup>4</sup> is used to ensure thorough quality assurance procedures are adhered to during the Criminal Court Statistics Quarterly (CCSQ) production process.

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

### Quality assurance checks include:

- On receipt of the data a further series of checks are carried out, including simple sum checks, trend analysis to flag up areas of considerable change and assessing data consistency (e.g. monitoring volumes of 'Unknown' or 'Other' groupings where applicable).
- Monitoring of error rates in key areas such as offence classification is conducted to identify and interrogate any systematic errors which could distort trends. Information on defendants and cases is also matched between multiple sources from within administrative systems to minimise the risk of erroneous inputs, with any duplicated records being identified and removed.
- 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 Her Majesty's Courts and Tribunal Service (HMCTS) to ensure that the data being received from each court is consistent and of acceptable quality before it is published.
- Data cleaning is carried out on the raw timeliness extracts prior to matching the magistrates' and Crown Court datasets to ensure that minor differences between the recording of similar entries on the two systems do not materially affect the ability to match records.

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

- The raw timeliness extracts from magistrates' courts and Crown Court systems typically achieve a match rate of around 95 per cent, e.g. 95% of Crown Court records are linked to a defendant recorded at a magistrates' court case. Where match rates fall markedly below this data will re-run and checks on source data carried out to ensure the data is as complete and accurate as it can be.
- Code used to extract and analyse data from the underlying administrative systems is routinely checked by expert users of the system as well as other members of the Criminal Court Statistics team.
- We verify our data with timeseries available from unpublished management information held by HMCTS where feasible and quality assurance checks are carried out within the team as the bulletin is developed.
- Once all publication products are complete, an analyst external to the Criminal Court Statistics team conducts a full set of quality assurance checks as set out in an established 'Quality Assurance log', raising issues to the team.
- Any subsequent corrections required prior to publication are actioned and if required any amendments required following publication are made – fully adhering to the departments revisions policy (see '[Revisions](#)').
- Additionally, comparisons are carried out against trends observed in associated alternative published data sources, e.g. the publication Criminal Justice Statistics (CJS)<sup>5</sup> and HMCTS management information<sup>6</sup> contains data on the trends in criminal court.

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

This publication and the data within it are published quarterly, with a more detailed annual publication released in June.

The latest quarterly data presented in this publication are provisional. Final data for each calendar year is published in June each year, following further data cleaning and the incorporation of additional cases not available in our original extracts.

Quarterly information is routinely revised in the subsequent quarter and then a subsequent revision is made to 'finalise' the estimates in the annual June release.

Any routine variations in estimates beyond the annual 'finalised' data are not believed to unduly impact on the accuracy of the published totals and the resource required to re-extract and re-produce the statistics would currently be disproportionate to any benefits.

<sup>5</sup> <https://www.gov.uk/government/collections/criminal-justice-statistics>

<sup>6</sup> <https://www.gov.uk/government/collections/hmcts-management-information>

Improvements to the data processing of Crown Court estimates has enabled more routine revisions to be made as part of each publication. As such it is possible to revise all published Crown Court measures to ensure that these accurately reflect the underlying administrative systems.

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

<https://www.gov.uk/government/publications/a-guide-to-criminal-court-statistics>

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 CCSQ release is published with a 'time gap' of around three months after the reference period. For example, statistics for October to December 2018 were published on 28 March 2019.

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, provides time for any amendments to initial monthly source data following validation and time for the analysis to be carried out, and a short period for the bulletin to be produced.

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

Criminal Court 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.

The Criminal Court Statistics Quarterly release ensures that statistics regarding criminal court caseloads are published together in a single quarterly series of National Statistical releases, available on the gov.uk official statistics calendar.

It comprises of both summary information, detailed data tables and 'open data' files to seek to address a range of users need alongside this technical guide document to aid users understanding.

Both this guide and each release includes contact details for the lead statistician or respective mailboxes within Justice Statistics Analytical Services for users to address any concerns. These inboxes are routinely monitored and any queries are actioned as quickly as possible.

Published data tables are available in ODS format as standard and low-level data which underpin all published data tools are available in csv format.

Justice Statistics Analytical Services is working towards ensuring compliance with the public sectors legal obligations to meet accessibility standards by 2020.

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 produce independently and figures are subject to strict pre-release access for essential individuals – no other access to statistics in their final form are 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 criminal courts data are in operation across all criminal courts in England and Wales. The development and improvement of the underlying systems by HMCTS over time has and continues caused some discontinuities in series across the publication.

It is not possible to directly compare criminal court statistics to other jurisdictions and other countries criminal court systems. The statistics sourced from underlying administrative data reflect the criminal justice system processes and procedures that underpin it, as such any attempts to make comparison will not be on the same basis.

Similarly, it is not possible to compare criminal court statistics against published any 'pre-court' criminal statistics, e.g. crime data published by the Office for National Statistics, Home Office or the Crown Prosecution Service. Although the systems are related, it is not possible to directly compare aggregate statistics across the agencies involved – each is using different definitions to count different things at different points in time.

A variety of time series are used in the publication and largely related 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](#)' as well as in the associated tables, charts and text where practicable, this includes notes of any variation in source and key events (e.g. policy changes) that may have affected a period.

Reforms to the underlying criminal court administrative systems and related procedures have caused discontinuities over the published series, these include:

- Changes to the way that high-volume summary offences are dealt with at the magistrates' courts as part of the Transforming Summary Justice initiative has seen changes in the way that data is sourced. The introduction of the Automated Track Case Management (ATCM) system during 2017 has seen selected summary offences (e.g. Transport for London fines and TV licence evasion) move to more automated procedures which do not require a hearing and supporting administrative tasks at the court (e.g. the preparation and transfer of papers).
- A change in the Crown Court administrative systems (from CREST to Xhibit) during 2019 have resulted in methodological variations for Crown Court data and published estimates of court timeliness. Where the accuracy of estimates has been uncertain work has been undertaken to develop measures, series were temporarily suspended to ensure only robust statistics were released for users. Subsequently all measures have been reintroduced and where variations existed these were detailed transparently and sought to be put into context.

- A proposed change to the way in which we process and publish our Crown Court data was put forward alongside the Q1 2020 edition of this release<sup>7</sup>. Users' views were invited on these changes. We can confirm that no concerns were raised and that the changes proposed have been carried forward into this edition. These introduced changes reflect the development and implementation of more streamlined data flows within the MoJ, the removal of duplication across analytical teams and opportunities to move to a more consistent and coherent approach to how we publish Crown Court data.
- 'Common Platform' is a new digital case management system for the magistrates' and Crown Courts. The system seeks to streamline data collection, data accessibility and improve the way criminal cases are processed across the Criminal Justice System. It will eventually replace the existing 'legacy' criminal court systems Libra (magistrates') and XHIBIT (Crown), with a single, streamlined system. Early adopter courts across England and Wales will test the system before the subsequent rollout to all criminal courts. Derbyshire magistrates' and Crown Court began this process in September 2020 and the roll out has continued across England and Wales<sup>8</sup>. Common Platform has been rolled out (as at 1<sup>st</sup> January 2022) in 101 courts and is live in 32 Crown Courts and 69 magistrates' courts.
  - The majority of measures relating to magistrates' courts and Crown Court cases include both 'legacy' and Common Platform estimates on a 'best equivalent' basis for the first time. This includes all key breakdowns in published tables and associated data tools such as offence group, case type and remand status for example. It has not been possible to include data relating to trial efficiency at the Crown Court (Table C2) – we estimate this omission accounts for less than 1% of the total trials listed and will not impact trends presented.
  - Methodologies are as similar as possible however there are areas of known difference. The 'legacy' and 'new' data systems are fundamentally different, they do not record information in the same way and as such it is not possible to exactly replicate the existing published methodologies – change will be required to present a robust and coherent picture of activity.
  - Areas of known difference that impact this release include: the allocation of case type (such as triable-either-way, indictable only, committed for sentence and appeal), the inability to account for

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<sup>7</sup> <https://www.gov.uk/government/statistics/criminal-court-statistics-quarterly-january-to-march-2020>

<sup>8</sup> <https://www.gov.uk/guidance/hmcts-common-platform-participating-criminal-courts>

case transfers, main hearing allocation and changes to case ownership.

- We will continue to develop data processes from the new system in collaboration with HMCTS and partner agencies as the Common Platform roll out continues. As we continue to develop these solutions, we expect some series may be disrupted, with an increased likelihood of revisions to data in future. We are committed to ensuring that published statistics remain accurate, robust and coherent for users during the operational transition of data systems at the criminal courts.

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

The MoJ publication Criminal Justice Statistics (CJS)<sup>9</sup> also contains data on trends in criminal case outcomes. The figures are derived from the same source as those presented in this report (the Libra and Xhibit systems), but they are not directly comparable as there are known differences between them. These are due to many factors, including differences in the data collation methods and counting methodologies used. These typically reflect the different underlying drivers of the analyses, e.g. CJS tends to count numbers of defendants and focuses on the final outcomes of criminal court cases, whilst Criminal Court Statistics (CCS) counts numbers of cases and focuses on flows through the court system.

From May 2019 HMCTS have published the latest management information<sup>10</sup> 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. These revisions are generally small and do not usually change the overall picture of performance.

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.

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<sup>9</sup> <https://www.gov.uk/government/collections/criminal-justice-statistics>

<sup>10</sup> <https://www.gov.uk/government/collections/hmcts-management-information>

We have made changes to the methodology used to calculate the outstanding caseload at the Crown Court. These changes have resulted from close collaborative working with analytical and operational teams in HMCTS to ensure that we are improving the accuracy, coherence and consistency of this high profile measure across both the published National Statistics and management information. The updated methodology is still different to that used by HMCTS in the current publication of its management information, so the two sets of estimates are not directly comparable. The changes in methodology have been made to our entire back series, so the figures in this release should not be compared to previous editions.