



Ministry
of Justice

Civil court users survey

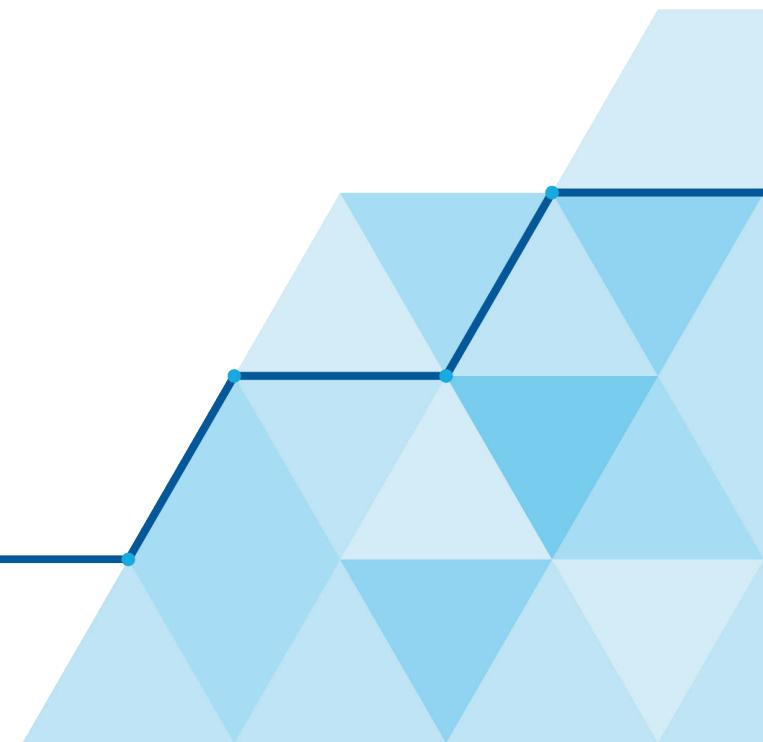
Feasibility study report

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1. Executive summary

This report presents the findings of a feasibility study commissioned by the Ministry of Justice (MoJ) to assess the viability of conducting a large-scale survey of individuals and businesses who have interacted with the civil county courts in England and Wales. The primary focus of this study was to inform the potential design and implementation of a potential mainstage survey, exploring key considerations around sampling, questionnaire design, data collection, and ethical implications.

Context

This feasibility study addresses a critical data gap identified in the previous MoJ-commissioned “Towards quantifying the costs of civil, family, and tribunal (CFT) legal disputes,” discussion paper which highlighted limitations in existing data for economic modelling. This study assesses the viability of gathering reliable survey-based data on a diverse range of costs and impacts (including financial, social and psychological), while also covering the role of Alternative Dispute Resolution (ADR) across various claim types and case categories. Unlike broader legal needs surveys, this study focuses specifically on costs related to legal disputes. This novel approach necessitates a thorough feasibility assessment.

Methodology

This feasibility study employed a mixed-methods approach, encompassing a rapid review of relevant research studies, stakeholder workshops, cognitive testing with court users with a focus on the collection of cost data, and a mixed-mode pilot survey. The pilot survey tested three routes to completing the survey: email invitation with a link to the survey, letter invitation with a link to the survey and follow-up telephone call, and letter invitation with a link to the survey (no follow-up telephone call).

Key Findings

Sampling

The HM Courts and Tribunals Service (HMCTS) county court case management system (Caseman) provided a suitable sampling frame for the pilot, demonstrating feasibility for a mainstage survey. Exploring additional data sources such as Possession Claims Online (PCOL) could further enhance sample representativeness.

Availability of contact information varied significantly. Near-universal postal addresses offer a strong base for mainstage recruitment, though the availability of phone/email contact information was significantly more limited (around 10%).

Analysis revealed variations in contact information based on case type (e.g., Possession cases had higher contact details availability), representation status (represented parties had significantly more email/phone details, potentially belonging to representatives), and claim amount (smaller claims had more contact details). These variations highlight the risks of relying solely on email or telephone contact details if seeking to achieve a fully representative sample.

A relatively small minority (9%) of those who had a recorded claim value of greater than £0 said the amount was inaccurate. However, findings from the cognitive interviews illustrated how variations may occur where participants may have been involved in multiple cases (and might struggle to differentiate which case was which) and how some may conceptualise details differently than would be recorded in case records. For example, those responding on behalf of their own business were more likely to say that the recorded claim was inaccurate (17% compared with 9% overall). Whilst only affecting a small minority on this measure, it reiterates the importance of clear instructions around cost measures in the survey to ensure consistent understanding.

Similarly, it is not currently possible to identify businesses within the sample, so all comments about businesses for this survey reference those who said they were responding on behalf of a business within the survey. This includes both those responding on behalf of their own business, and those responding on behalf of a business that they do

not own. Previous surveys have identified businesses by comparing the sample addresses to the ONS business register, but that was not possible within the feasibility study.

The potential resource requirements on MoJ staff for Caseman data extraction and sample management are significant, and should be factored into resource planning for a mainstage survey.

Questionnaire Design

Cognitive testing and pilot survey feedback confirmed that the questionnaire was broadly relevant and understandable. However, the length (average completion time of 28 minutes online and 44 minutes by telephone) necessitates streamlining and prioritisation of key content areas, specifically around costs and impacts of legal action and experiences with ADR.

Complex cases presented challenges in capturing nuances. Specifically, respondents involved in cases with multiple hearings, counterclaims, or intersections with other legal proceedings (e.g., property sales, concurrent claims/counterclaims) found it more difficult to isolate costs and impacts related solely to the selected case. This difficulty highlights the need for careful question design in the mainstage survey, potentially using branching logic or follow-up probes to disentangle these complex scenarios, or incorporating qualitative methods to explore these nuances in greater depth. This is also important when considering surveying businesses, where the scale and scope of the business has a huge impact on how they interact with the court system.

Questions related to cost estimation and non-monetary impacts were welcomed and have the potential to provide valuable insights and evidence from any mainstage. Observed challenges in attributing costs specifically to legal action suggest exploring alternative question framing (e.g., focusing on the overall legal problem and the litigation process) or additional probing in the mainstage survey to further improve data accuracy.

Feedback on ADR-related questions indicates the benefits in some further refinement in a mainstage survey, including simplifying options, improving clarity, and ensuring relevance across diverse case types. Consideration of informal dispute resolution attempts could enhance data capture.

The length and perceived intrusiveness of the demographics section suggests streamlining for the main stage, focusing on essential variables and balancing detail with respondent burden.

Respondent feedback highlighted a desire for more open-ended feedback opportunities, particularly for businesses and those with multiple cases. Incorporating such opportunities in a mainstage survey, while balancing questionnaire length, could enrich data and provide valuable qualitative insights. It would also need to be clear in any open text question whether verbatim responses would be shared with MoJ attached to data, but this could enhance the depth of possible analysis.

Data Collection Modes

The pilot explored three core modes: telephone, online, and push-to-web (postal), though there was not the time within the pilot to utilise a full range of reminders which would have boosted response rates. Response rates vary widely by survey, and are heavily impacted by a variety of factors, including the population being measured, topic, use of incentives, and reminders. Notably, the study achieved participation from a relatively large number of unrepresented litigants, which is valuable given the limited data sources currently available on the experiences of litigants in person.

Email invitations with a link to the online survey proved the most cost-effective approach (3.2% response rate). This method offers scalability and cost advantages, suggesting its prioritisation in future data collection efforts. Postal mailouts with telephone follow-up yielded a higher response rate (6.4%), indicating the effectiveness of personal contact in engaging court users, particularly those without readily available email addresses. While more resource-intensive, this approach offers a valuable strategy for reaching a broader audience in a mainstage survey. Postal mailouts alone resulted in a comparatively low response rate (0.3%), though no reminder letters or paper questionnaires were sent and no incentive was included. As the numbers of those responding in the postal mailout samples were small, it is not possible to robustly assess how representative this responding sample was, but in order to deliver a successful push-to-web survey, it would be vital to send reminder mailings and a paper questionnaire. It would also be important to review other options to boost response rates such as including incentives or review

whether it is appropriate to exclude populations who did not engage with the court process (e.g. defendants in undefended cases), who may be less likely to respond. However, with these changes, it should be possible to achieve a higher response rate.

Each mode offers distinct advantages and limitations for a mainstage survey. Telephone, while resource-intensive, allows for clarification and support, mitigating recall issues and potentially capturing more nuanced data. Online offers cost-effectiveness and scalability. Push-to-web, while inclusive due to high postal address availability, will likely require further optimisation (e.g., incentives, paper questionnaires) to improve cost-effectiveness.

Combining modes in a mainstage survey could leverage the strengths of each approach. For example, prioritising email invitations for those with email addresses, supplementing with postal mailouts and telephone follow-up for others, could optimise resource allocation while maximising reach and response rates. Although mode effects would need to be considered, if multiple modes were to be combined.

Ethics

Robust ethical protocols, including informed consent, confidentiality, and sensitivity towards vulnerable participants, were successfully implemented throughout the feasibility study. Specific attention was given to potentially sensitive questions regarding financial and non-monetary impacts, with safeguards like “prefer not to say” options and signposting to support services. This approach should be maintained and potentially expanded in the mainstage survey, particularly given the personal nature of cost and impact data.

While most respondents were comfortable with the survey questions, a minority expressed discomfort, particularly regarding questions about their own personal financial situation. This highlights the need for careful consideration of question wording and framing in the mainstage survey, balancing the need for detailed data with respondent wellbeing.

Recommendations

This feasibility study has determined that conducting a survey to assess the experiences and needs of individuals and businesses using the civil county courts in England and Wales is feasible. However given the issues described, most notably with sampling and

response rates, there are limitations to how reliable the results would be, and therefore changes would be needed to the contact strategy to ensure the survey's success and maximise its value in informing relevant policy development.

Refining research scope and objectives

- The survey's scope should be carefully refined to balance comprehensiveness with respondent burden. While the pilot focused on the financial and non-financial impacts of legal disputes and engagement with ADR, the survey also covered a range of other aspects, resulting in a relatively long questionnaire. Further prioritisation will help to streamline the questionnaire and maintain respondent engagement.
- To inform this prioritisation, there should be a clear analytical plan before the survey is finalised to identify how the study's objectives will be met through the analysis of survey questions, and for which policy teams they are of relevance. This should include an assessment of the likely strength of evidence and potential risks (informed by the findings of this feasibility study).

Target audience and methodology

- The study highlights the potential benefits of a multi-faceted approach to data collection. While a survey can effectively capture quantitative data from a broad range of court users, targeted qualitative research, particularly for businesses with multiple interactions with HMCTS, will likely provide additional valuable insights and reliable cost information. Any follow-up qualitative work would need to be designed to meet the policy need, but the testing conducted through this feasibility study identified that there are specific nuances of complex situations that may not be able to be captured in the survey alone, and that businesses were often dealing with multiple cases simultaneously, so could often provide better feedback about cases in general, than individual specific cases.
- The lack of email addresses for many HMCTS court users presents a logistical challenge. The feasibility study provides indicative outcomes from an alternative contact method of postal mailouts with and without telephone follow-ups.
- The pilot survey indicates there is likely to be an over-representation of claimants amongst respondents to any potential mainstage. This was also found in the

previous iteration of the survey, that, as a result, only sampled claimants. The overrepresentation indicates potential non-response bias, which can be addressed by weighting the findings to ensure a representative sample, and potentially including targeted messaging in materials to encourage participation. However, oversampling defendants in the initial sample is advisable to minimise the impact of weighting factors on the data's robustness and increase sample sizes within key subgroups.

- Given the focus on estimating costs and impacts of the litigation process, it will be advisable to review the types of cases and user groups and consider excluding those where questions will be less relevant – e.g. uncontested cases.
- While previous surveys have excluded businesses, as long as email addresses and/or telephone numbers are available, it seems feasible to include them within the survey.

Questionnaire design and testing

- The feasibility study results suggest there could be a large benefit from streamlining the questionnaire to reduce completion time and respondent burden. This will require prioritising key questions, simplifying language and terminology, and optimising question formats for relevant modes of administration (online and telephone).
- Further cognitive testing and piloting will be highly beneficial to ensure the questionnaire's relevance and comprehensibility across all target audiences. This includes refining questions related to costs and impacts, ensuring applicability to both claimants and defendants, and addressing potential recall challenges.
- The findings of the study emphasise the importance of incorporating opportunities for respondent feedback within any mainstage research – for example, by including free-text questions, or ensuring that any participant contact with the survey team is reviewed alongside the survey responses. This will allow court users to share their perspectives and experiences in their own words, enriching the data and providing valuable insights beyond quantitative measures.
- Ahead of the finalisation of questions to measure costs and impacts, there should be careful consideration of the economic analysis that will be conducted and how

sequencing and wording of questions can elicit the most robust information to identify costs aligned to the impacts of legal disputes (as per the recommendations from the Towards quantifying the costs of civil, family and tribunal (CFT) legal disputes discussion paper).

- It will also be important to consider how the questions work for large-scale businesses that are likely to be involved in multiple civil court cases. This may also impact the economic analysis, as these organisations represent a large proportion of cases going through the court system.

Ethical considerations

- Robust ethical protocols must be embedded throughout the research process, with a particular focus on data sensitivity, potential disclosures, and participant confidentiality. The feasibility study recommends enhancements to ensuring clear and accessible information about data protection measures, signposting to relevant support services, and ensuring sensitivity towards vulnerable groups.

Several key considerations influence the mainstage survey's design, each impacting the research costs and timelines. The following table presents three potential options, outlining how these considerations vary across each. The 'Lower Risk' option, while requiring a longer timeframe and higher costs, is anticipated to deliver the most comprehensive and impactful results. In contrast, the 'Higher risk' option would be quicker and cheaper to implement, though there would be greater risks around the robustness of the data and any subsequent conclusions or recommendations based on the findings. A mainstage design that draws upon elements of the 'Medium' and 'Lower' Risk options would be the suggested option, depending on time and budget.

	Risk	“Higher risk”	“Medium risk”	“Lower risk”
Study objectives and focus	Not all study objectives are met in the final research	Refine the study objectives with accompanying prioritised key research questions that the survey should address.	Refine the study objectives with accompanying prioritised key research questions that the survey should address, as well as complementary questions that should be covered in separate qualitative research.	Refine the study objectives with accompanying prioritised key research questions that the survey should address, as well as complementary questions that should be covered in separate qualitative research.
Study methodology	Not all types of court user experience are captured for analysis	Continue with survey only approach.	Combine a survey approach with complementary small-scale qualitative discussions/semi-structured interviews to target specific audiences, notably businesses/other users who have ongoing contact with civil courts via multiple cases.	Combine a survey approach with complementary programme of qualitative discussions/semi-structured interviews to target relevant audiences and provide scope for the robust collation of cost data from these users. Ipsos would firmly recommend this option to ensure cost estimates are fully informed and contextualised.
Survey sample	Survey sample is not representative of civil court users	Continue with parameters used for feasibility study with no further stratification. Only include court users with email address contact information to minimise costs. Whilst this would be the lowest cost	Adapt parameters used for feasibility study following insights from feasibility study: considering stratifying by case details and boosting defendants. Include court users with email address and/or telephone numbers within their contact information.	Adapt parameters used for feasibility study following insights from feasibility study: considering stratifying by case details and boosting defendants; also potentially adapt rules around the time periods of cases for inclusion. Include court users with email address and/or telephone numbers and/or postal address only within their contact information (to maximise coverage and ensure full representation).

	Risk	“Higher risk”	“Medium risk”	“Lower risk”
		option, Ipsos would not recommend this option since indications from the feasibility study show this would be highly unrepresentative of all users and subsequent cost estimates may lack credibility.		
Survey modes	Survey respondents are not representative of civil court users	Focus on the mode that delivers highest number of responses for lowest unit cost: Email invitation with link to survey. No postal mailings or telephone follow-ups.	Include: 1. Email invitations with link to survey (for those with email addresses); and 2. Letter invitation with link to survey and follow-up telephone call. No coverage of users who only have postal address within contact details.	Use full range of survey modes included within the feasibility study; 1. Email invitation with link to survey; 2. Letter invitation with link to survey and follow-up telephone call; 3. Letter invitation with link to survey (No follow-up telephone call). Also potentially consider a hard copy paper survey if the questionnaire routing can be simplified accordingly within the streamlining process. This ensures coverage of all users, as long as have either email, telephone number or postal address.
Invitation materials / approach	Response rate is too low or non-response bias	Implement recommendations from feasibility study: stronger	Implement recommendations from feasibility study and test different subject lines and	Implement recommendations from feasibility study and test different subject lines and wording within further cognitive testing and full-scale pilot.

	Risk	“Higher risk”	“Medium risk”	“Lower risk”
	too high for robust responses	emphasis on MoJ having commissioned the study to increase legitimacy, more prominent highlighting of potential benefits to participants, and simplification of technical terms.	wording within small-scale user testing.	Whilst potentially beneficial, Ipsos would not recommend a full pilot is required for the purposes of testing the invitation materials (though could be more useful and cost-effective if aspects of the questionnaire needed to be tested (see below)).
Questionnaire development	Questionnaire does not meet the study objectives	Take on board recommendations from the feasibility study (covered within this report): increased focus and reduced length (potentially focussing on costs of legal action, and/or experiences with ADR); mapped against full range of court user journeys to optimise relevance; ensuring opportunities for user feedback; further simplification of language and	Taking on board recommendations from the feasibility study and developing separate topic guide for qualitative interviews. Also further refinement of questionnaire to take into account mixed-mode for survey (online and telephone).	Taking on board recommendations from the feasibility study and conducting further cognitive testing and piloting to fully optimise measures against refined objectives and align with revised audience focus, whilst providing important measures of survey length. Develop separate topic guide for qualitative interviews, with further consideration of cost-focussed measures to include within overall cost analysis.

	Risk	“Higher risk”	“Medium risk”	“Lower risk”
		terms; adaptation of cost-focussed measures.		
Further testing and piloting	Mainstage survey does not deliver the study objectives	No further cognitive testing or piloting; proceed to mainstage survey.	Some limited small-scale cognitive testing of the revised questionnaire with range of users.	Cognitive testing of the revised questionnaire to inform a pilot of the survey across all modes of invitation/data collection. Also limited testing of qualitative semi-structured interview guide to test cost-focussed questions.
Use of incentives	Response rate is too low or non-response bias too high for robust responses	No incentives for participation.	Incentives for those engaged in qualitative discussions/semi-structured interviews.	Incentives for those engaged in qualitative discussions/semi-structured interviews and also trial the use of incentives for survey completion via a controlled test within the pilot to assess the impact of offering incentive payments to complete the survey. A test on incentives would be instructive to assess the impact on response rates, though would have significant ethical considerations (which, when traded-off against the likely value gained in terms of a slightly higher response rate, may not be worth the potential risk).
Timings implications of each approach		Quickest to implement as involves least adaptation from feasibility study,	Timings would be somewhere between the ‘Higher’ and ‘Lower’ risk options.	Longest to implement as involves greater consideration, adaptation and further testing/piloting.

	Risk	“Higher risk”	“Medium risk”	“Lower risk”
		with only one survey mode and no further testing/piloting.		
Cost implications of each approach		Lowest cost option as utilises the cheapest method of survey collection, with no costs incurred through further testing/piloting, nor through additional qualitative research or incentive payments.	Some increased costs through the inclusion of limited cognitive testing, additional survey mode and complementary qualitative research.	Highest overall cost, with the enhanced testing/piloting, coverage of all data collection modes, inclusion of qualitative research, as well as further incentive payments.

2. Introduction

2.1 Context

This feasibility study was commissioned to assess the viability of a comprehensive survey of civil court users encompassing both individuals and businesses in England and Wales. The primary purpose of the proposed survey would be to address the critical need for robust cost and impact data related to civil justice processes. This evidence gap was identified in previous work commissioned by the Ministry of Justice and conducted by PA Consulting, “Towards quantifying the costs of civil, family, and tribunal (CFT) legal disputes”,¹ which highlighted that existing data does not currently allow for comprehensive economic modelling of the costs and impacts of legal disputes, such as the identification of the impact on personal or business income due to the time costs associated with a case. This data is crucial for informing policy decisions, particularly regarding the integration of Alternative Dispute Resolution (ADR) into civil justice pathways, and for assessing how government intervention can most cost-effectively ensure access to justice.

Understanding these costs and impacts is particularly important in the context of ongoing reforms to the civil justice system, including the HMCTS Reform Programme’s digitisation efforts, and the increasing emphasis on ADR mechanisms to alleviate court backlogs and promote more efficient dispute resolution.

As detailed in the PA Consulting discussion paper referenced above,² a comprehensive understanding of the costs of civil justice requires consideration of not only the direct expenses associated with legal processes, but also the broader social, economic, and psychological ramifications for individuals and businesses. These can include financial strain, lost productivity, negative impacts on mental and physical health, and decreased trust in the justice system. Furthermore, as noted in other previous research, including the

¹ <https://d3tecgj53zm4r7.cloudfront.net/assets/uploads/Towards-quantifying-the-costs-of-legal-disputes-Report.pdf>

² Ibid

2015 Civil Court User Survey,³ while there is often a preference for ADR among court users, significant barriers remain, including a lack of awareness and understanding of available options.

There is, therefore, a requirement to investigate the feasibility of gathering comprehensive data on these diverse impacts, including the role and effectiveness of ADR in mitigating negative consequences and promoting more efficient resolutions. This covers the experiences of court users across different claim types (small claims, fast track, multi-track) and case categories (e.g., specified money claims, damages, possession), whilst recognising the varying complexities and potential impacts associated with different legal disputes.

Other previous surveys have included measures which have sought to quantify aspects of costs that have been incurred as a result of individuals experiencing legal problems – for example the Cost of Justice project in Canada,⁴ the LSB Legal Needs of Small Business survey⁵ and the Legal Problem and Resolution Survey in the UK.⁶ However, the data from these studies have been drawn from general public surveys and costs have been framed from the perspective of impacts from experiencing a problem, rather than specifically focussing on costs regarding legal disputes (as is the focus in the ‘Towards quantifying the costs of civil, family, and tribunal (CFT) legal disputes’ discussion paper). This mainstage survey is therefore a novel approach and requires careful consideration and an assessment of feasibility.

The feasibility study will provide important insights into practical resource implications – such as survey length, response rates and the impact of different modes of data collection and reminders – even if detailed costs are not within scope at this stage.

Where using the civil court system as a sample frame, previous surveys have excluded business users and defendants. However, with the increasing proportion of email addresses and telephone numbers available for those accessing the civil court system, it

³ <https://www.gov.uk/government/publications/civil-court-user-survey-2014-to-2015>

⁴ <https://cfcj-fcjc.org/cost-of-justice/>

⁵ <https://legalservicesboard.org.uk/research/reports/small-business-legal-needs-survey>

⁶ <https://www.gov.uk/government/publications/legal-problem-and-resolution-survey-2023>

was important to consider whether these populations could be feasibly included in this version of the survey.

2.2 Feasibility study objectives

This feasibility study was commissioned to assess the viability of conducting a comprehensive survey of individuals and businesses who have interacted with the civil county courts in England and Wales. The objectives of the feasibility study were to:

1. **Assess the Feasibility of a Court User Survey:** Evaluate the practical and methodological considerations associated with conducting a large-scale survey of civil court users, focusing on: Identifying and assessing a suitable sampling frame and technique using HMCTS data; Evaluating the availability and suitability of contact information within HMCTS records for potential respondents; Exploring the effectiveness of different survey administration modes (e.g., online, telephone) and their implications for response rates.
2. **Develop and Test a Survey Instrument:** Create and refine a questionnaire that effectively captures data on key aspects of court user experiences, including: Court users' understanding of their legal case and the legal processes; Costs incurred throughout the legal case, including legal fees, court fees, and other associated expenses; Social, physical, and psychological impacts of legal disputes on individuals and businesses; Awareness, usage, and perceptions of Alternative Dispute Resolution (ADR) methods.
3. **Identify and Address Potential Challenges:** Analyse potential challenges and risks associated with conducting the survey, specifically: Respondent recall of case details and associated costs; Questionnaire length and respondent burden; Ensuring relevance and comprehensibility of the questionnaire across diverse court user groups (e.g., claimants, defendants, individuals, businesses); Ethical considerations related to data privacy, confidentiality, and potential vulnerabilities of participants.

4. **Provide Evidence-Based Recommendations:** Deliver clear and actionable recommendations to inform the design and implementation of a full-scale Court User Survey, focusing on: Refining the survey scope and objectives; Optimising the questionnaire design and content; Selecting appropriate data collection modes and recruitment strategies; Addressing ethical considerations and ensuring participant wellbeing.

By achieving these objectives, this feasibility study aims to provide the Ministry of Justice with the necessary information and guidance to make informed decisions about developing and implementing a comprehensive and impactful Court User Survey.

2.3 Methodology

This feasibility study employed a mixed-methods approach to assess the viability of conducting a large-scale survey of civil county court users in England and Wales. The research design was guided by the objectives outlined in Section 2.2. The methodology encompassed the following key phases.

Project inception and questionnaire development

Following a kick-off meeting in November 2024, a rapid review of relevant research studies was conducted to identify existing methodologies and questionnaires that could be relevant to this study. Table 2.1 outlines the sources that were identified as having specific relevance and learnings for this feasibility study and which were used to inform the approach and questionnaire development.

Table 2.1: Relevance of other key studies to this research

Source	Overview	Relevance and implications for this feasibility study
A. Civil Court User Survey (MoJ, 2015)⁷	Wide-ranging survey of c. 2,200 civil court claimants (individuals, not businesses) covering pathways and experiences.	Sample was sourced via court records and so similar to proposed survey, though systems have since evolved and scope for the proposed court user survey is broader (ideally including businesses and a wider range of cases). Questionnaire includes relevant measures around attitudes and experiences that will be relevant to proposed survey, though does not include required cost/impact measures, nor the likely required detail around ADR.
B. Legal Problem and Resolution Survey (MoJ, 2023)⁸	Major survey of the general public in England and Wales (10,000+ interviews) to measure experiences of legal problems, with a focus on how people had resolved their problems.	Sample/approach is different to the proposed survey since it focuses on a general public sample. Questionnaire includes relevant measures on experience and resolution of problems, with some elements of ADR. It also includes some questions on cost/impact, though these are typically framed around the problem in its entirety, rather than costs/impacts of the litigation process.
C. The Everyday Legal Problems and the Cost of Justice in Canada Report 2016⁹	Similar to LPRS re. major survey of the general public (in Canada) to measure experiences of legal problems, with additional analysis to estimate the costs and impacts of legal problems.	As per LPRS, sample/approach is different to the proposed court user survey since it focuses on a general public sample. Questionnaire includes relevant measures regarding the costs and other (wider) impacts of experiencing legal problems that can be directly applicable to this proposed survey. However, these are framed from a broad perspective of problems experienced, rather than the litigation process.

⁷ [Civil court user survey | Ministry of Justice](#)⁸ [Legal problem resolution survey 2023 | Ministry of Justice](#)⁹ [Everyday problems and the cost of Justice | Canadian Forum on Civil Justice](#)

Source	Overview	Relevance and implications for this feasibility study
D. Public Understanding of Law Survey¹⁰	Recurring survey conducted in Victoria, Australia aimed at gauging public understanding of the law and the justice system.	The study shares aspects of other legal needs surveys, including LPRS, with the sampling based on the general population (and so not comparable to this proposed survey). The questionnaire includes some further pointers from a recent legal needs survey about framing questions to inform policy development and improve access to justice (though with more of a focus around enhancing public legal education, which is not a priority for the proposed survey).
E. Towards Quantifying the Costs of Civil, Family and Tribunal (CFT) Legal Disputes (2022)¹¹	Economic analysis which aimed to quantify costs and impacts of civil, family and administrative legal problems.	Did not include primary data collection and so no sampling or questionnaire specifics. However, does provide steer on the types of cost and impact measures that will be required around experience of the litigation process.

Following this review and close liaison with MoJ regarding the study objectives and likely availability of sample, it was agreed to proceed with the feasibility design that had originally been proposed, which included a pilot survey in which different modes of data collection would be tested. This covered both online surveys and telephone interviews. A paper-based questionnaire option was discounted at this stage due to the relative complexities of the routing required, coupled with the likely high costs involved in printing and postage for a large-scale mainstage survey. The significant routing that would be required reflects the range of audiences and varying experiences that different individuals will have had, and the subsequent need for the questionnaire to appropriately reflect these in the questions asked and the wording used. The questionnaire therefore needed to be appropriate for use in both an online survey and in telephone interviews.

The sources outlined in Table 2.1 were used as the basis for developing an initial draft questionnaire, which was also informed by the project specification developed by MoJ, and

¹⁰ [Public understanding of law survey | Victoria Law Foundation](#)

¹¹ [Towards quantifying the wider costs of legal disputes | PA Consulting](#)

discussions between the MoJ and Ipsos project teams. The questionnaire was also reviewed by Ipsos' partners Professor Pablo Cortés and Associate Professor Masood Ahmed from the University of Leicester. The questionnaire development was iterative and after initial input from the MoJ core team, a stakeholder workshop was conducted in December 2024 with key MoJ and HMCTS policy and research colleagues to ensure alignment between the questionnaire content and relevant requirements from the study. Further amendments were made to the questionnaire ahead of the cognitive testing with court users (see below).

Further detail on the questionnaire development is included in Chapter 4 – 'Questionnaire'.

Sample review and selection

Following confirmation from MoJ that samples of courts users could be sourced, the Ipsos project team liaised closely with the MoJ team to agree parameters and details for the samples that would be required for the relevant phases of the feasibility study: cognitive testing and pilot survey fieldwork. Given the modes of data collection that were to be tested, then a key aspect of the initial case file review was contact information and the inclusion of email addresses and telephone numbers.

MoJ provided details of the variables that were available and relevant profiles of cases. Ipsos provided specifications for required samples for both the cognitive testing and the pilot survey. The samples provided by MoJ were checked and duplicate¹² users identified.

Following liaison with MoJ and investigation of availability of data, the variables used for the selection of cases for cognitive testing was refined to the following:

- Type of claim – segmented into "Specified Claim" (a claim for a particular sum of money which is set out on the claim form), "Unspecified Claim" (where the exact amount of damages or remedy sought is not specified upfront, but is instead left to be determined by the court), "Part 8 Claim" (an alternative legal procedure under the Civil Procedure Rules (CPR) used for simpler claims where there's no

¹² Duplicates refers to instances where the same individual or business appeared more than once in the sample frame (e.g. because they were associated with multiple cases, or due to administrative duplication within court records).

substantial dispute of fact), “Personal Injury”, “Injunction”, “Possession” and “Other claim type”.

- Party role – segmented into “Claimant” and “Defendant”.
- Representation – segmented into “Represented” and “Unrepresented”.

The data from December 2022 was initially stratified by claim type, to ensure there was coverage of a range of different claim types in the final sample. A similar process was used for the drawing of sample records for the pilot survey (selected from cases received from January – June 2023).

Ipsos and MoJ teams agreed on this date on the basis that an appropriate period of time would have passed since this point for the majority of cases to have closed. A judgement needed to be made since the available data did not include any markers to signify whether cases are closed or remain open

Further details of the sampling approach can be found in Chapter 3 – ‘Sampling’.

3. Sampling

As part of the study, it was vital to conduct a review of the potential sampling data. This encompassed reviewing the available data, developing processes for selecting a sample for the pilot, and assessing the representativeness of the data. For the feasibility study, the data was provided from Caseman, the County Court Case management system. Caseman was chosen as the sole source of data for the extract due to the time constraints and relative availability of most of the case characteristics of interest. However, for the mainstage, other case management systems with additional information (such as Possession Claims Online (PCOL)) may be feasible to use as an additional data source.

3.1 Sampling process and eligibility

The sample was supplied in two stages. Initially, an anonymised population was provided, with pseudonymised individual level contact details. The contact details were then provided for the sample selected by Ipsos. This allowed for analysis of the initial sample, and for processes to robustly select and quality assure the sample selection process, while minimising the sharing of identifiable data.

The initial approach was to keep eligibility broad, and include claimants and defendants, all types of claims, and not attempt to exclude businesses. The sample was selected from cases received from January – June 2023, to increase the likelihood of cases being complete. There was no requirement for cases to have been defended in order to be eligible, although individuals responding to the survey were excluded if they were unaware of the case (for example, if the case was taken out by an insurance company on their behalf), or if they were a representative for the individual (and in these cases, they were encouraged to forward the invitation to the person they had represented).

The feasibility study also included businesses, with recognition that in the previous MoJ Civil Court User Survey (2015), businesses were excluded as it was not feasible at that point to include within the main survey. Business status is not included within the sample, so these were previously identified by matching addresses within the sample to business

addresses recorded in administrative data, and then matching in relevant data for analysis. For this feasibility study, it was important to test that the survey worked for businesses as it would be useful to collect additional data, particularly around the financial impact on businesses.

Those listed whose cases were raised through “bulk” processes (i.e. cases submitted by organisations that submit a large number of cases, so are processed in a more streamlined way) were removed from the sample, as these cases make up the majority of cases in the system but represent only a small number of claimants, whose feedback is collected in other ways. However, this did leave some contact details in the data who appeared repeatedly (for example, credit card and insurance companies). Therefore, it was necessary to deduplicate the contact details as part of the sampling process. Additionally, some cleaning was conducted on the sample to ensure the data was appropriate for fieldwork (such as standardising phone number formatting and reviewing names to ensure they were relevant and appropriate to include in invitations).

3.2 Sample data categories

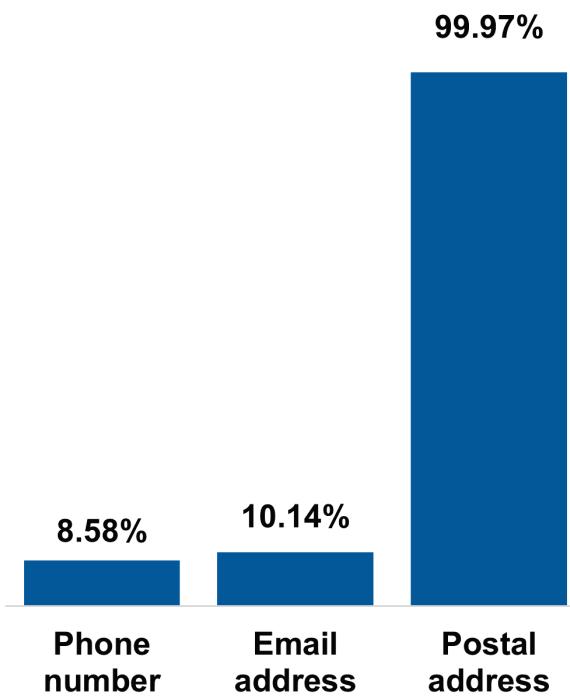
Sample data was provided covering type of claim (segmented into “Specified claim”, “Unspecified claim”, “Part 8 claim”, “Personal injury”, “Injunction”, and “Other claim type”), party role (segmented into “Claimant” and “Defendant”), representation (segmented into “Represented” and “Unrepresented”), track, party type, mediation, and amount claimed.

Some of these variables (such as party type, which covered whether a sample case related to an individual or a business) were incomplete and therefore were limited in their use for sampling and quality assurance processes. Similarly, although there was some availability of information on whether or not cases had completed (such as where information on hearing or mediation outcome was recorded), this information was not comprehensive in all cases and therefore could not be used to confirm the status of all cases.

3.3 Availability of contact details

There was variation in the level of valid contact details available for different potential participants. Almost everyone in the sample (99.97%) had a usable postal address available. This likely reflects the use of postal addresses within court processes, and their well-established collection over time. However, phone numbers and email addresses were much less likely to be available. Around one in ten sample members had an available phone number (8.6%) and a similar proportion (10.1%) had an email address. There was also a high level of crossover; 84.0% of cases with a phone number also had an email address and 71.1% of cases with an email address also had a phone number.

Figure 3.1: Availability of contact details



Those who had an available email address and/or phone number did not reflect the overall population of users within HMCTS data, with certain groups more likely to have these details recorded than others (as outlined in the sections below). In contrast, as there was nearly universal coverage by postal address, the postal address sample was more representative of the overall population of users within the files. Therefore, if any decision was made for a mainstage to only include those with an email address and/or telephone number available, then adjustments would need to be made to account for their sample

skew. A table of the proportion of different cases that had details available is included in Appendix 9.2.

It's also worth being aware that there is likely to be crossover between some of these groups. For example, high value cases are more likely to involve legal representation.

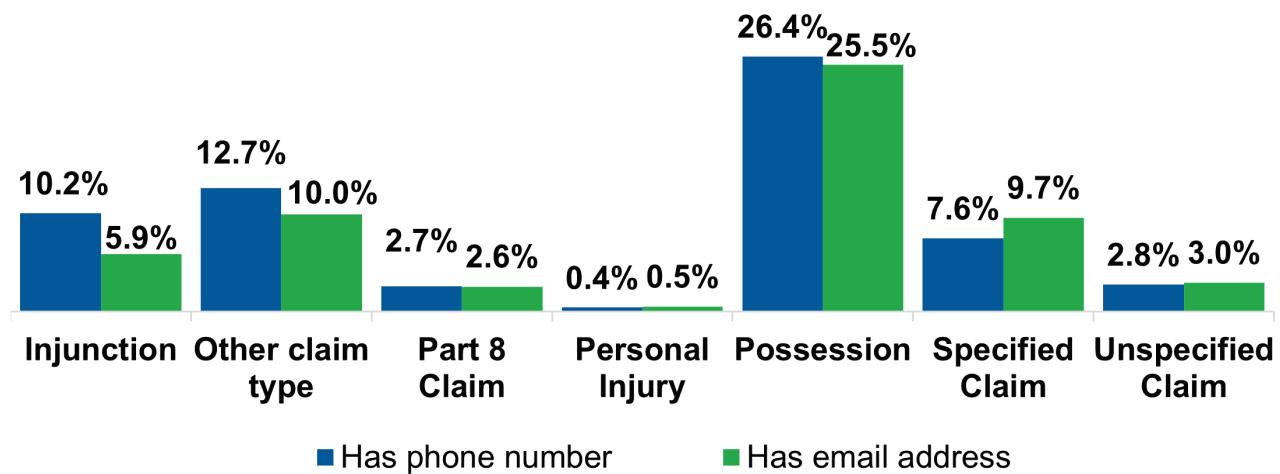
Case type

There was significant variation in likelihood to have an available email address or phone number by case type recorded in the sample.

Those with a Possession case were more likely than the overall population to have provided their email address and phone number. Around a quarter of these cases have a phone number (26.4%) or an email address (25.5%).

In contrast, those with a Personal Injury claim, Part 8 claim, or Unspecified claim were less likely to have provided these details. For Personal Injury claims, 0.4% had a phone number and 0.5% had an email address. For Part 8 claims, 2.7% had a phone number and 2.6% had an email address. For Unspecified claims, 2.8% had a phone number and 3.0% had an email address.

Figure 3.2: Availability of contact details – by claim type

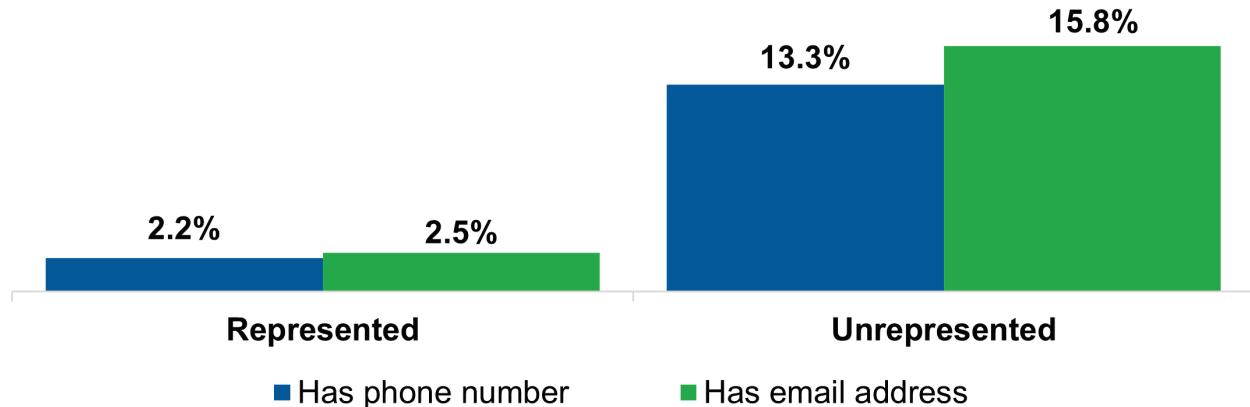


Representation

Those who were recorded as being unrepresented were significantly more likely to have an available email address and phone number on record. Of those who were represented,

2.2% provided a phone number and 2.5% provided an email address. Of those who were unrepresented, 13.3% provided a phone number and 15.8% provided an email address.

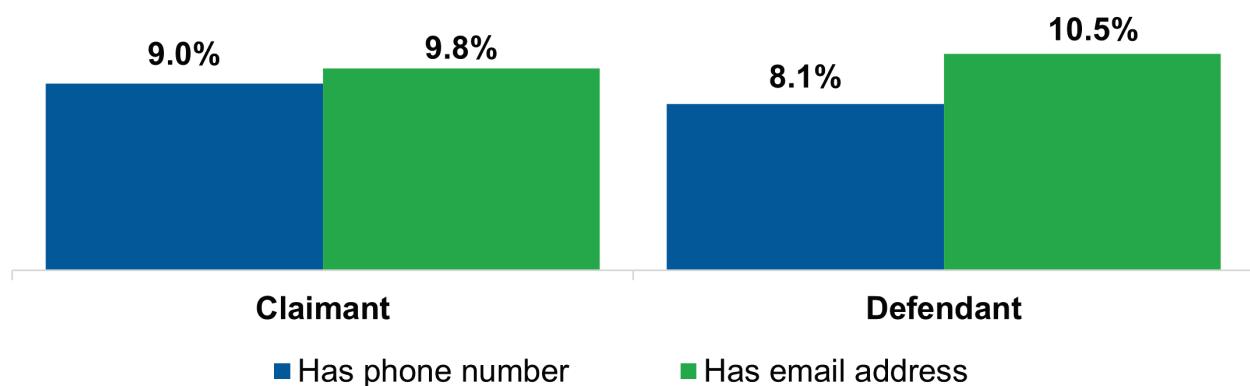
Figure 3.3: Availability of contact details – by representation



Role

The differences by role within the case were much smaller and differed more marginally by the contact details available. Overall, 9.0% of claimants and 8.1% of defendants had provided a phone number and 9.8% of claimants and 10.5% of defendants provided an email address.

Figure 3.4: Availability of contact details – by role

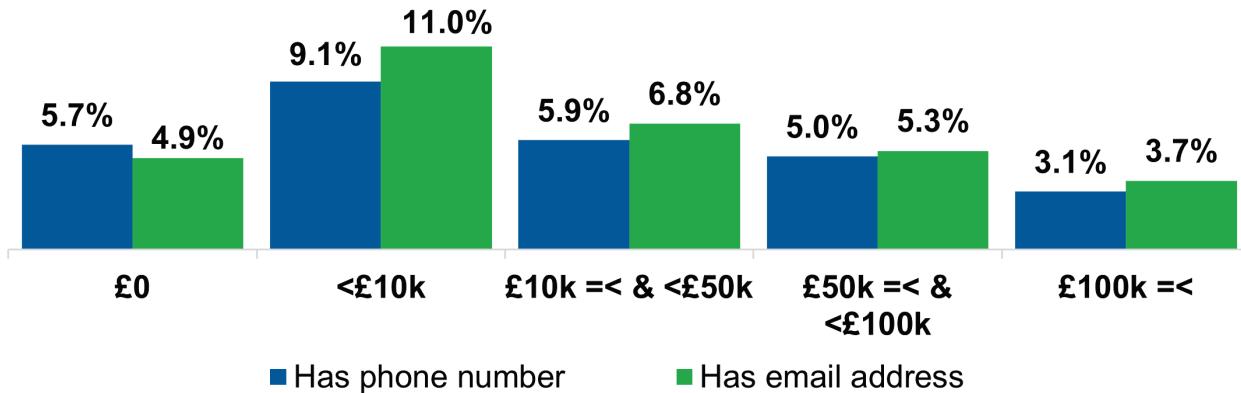


Amount claimed

Sample records that related to a case where an amount less than £10k was claimed were more likely to provide contact details (9.1% provided a phone number and 11.0% provided an email address). These cases also made up the largest proportion of the overall sample (84.5%). By contrast, sample records related to a case that claimed an amount more than

or equal to £100k were least likely to provide contact details (3.1% provided a phone number and 3.7% provided an email address).

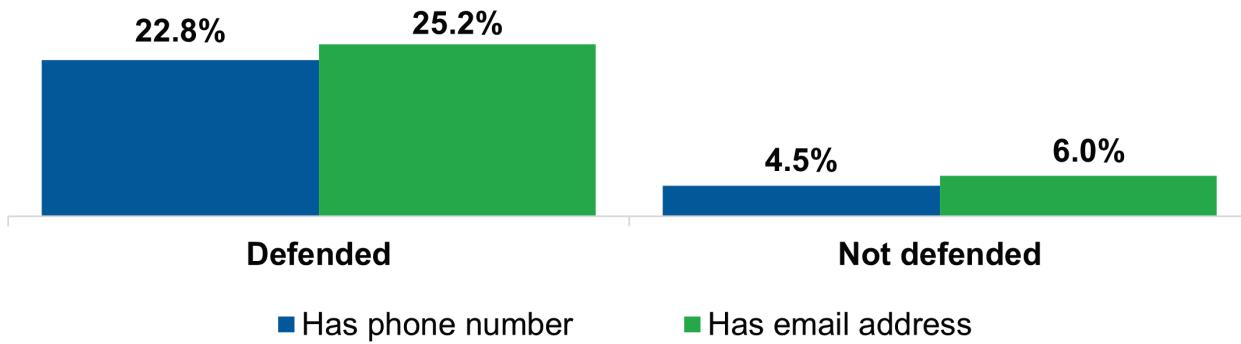
Figure 3.5: Availability of contact details – by amount claimed



Case defended

Cases that were recorded as defended were more likely to provide contact details than those recorded as not defended. Around a quarter of defended cases had contact details in addition to postal addresses (22.8% had phone numbers and 25.2% had email addresses). By contrast, around one in twenty of undefended cases had contact details in addition to postal addresses (4.5% had phone numbers and 6.0% had email addresses). Undefended cases make up the majority of cases. Overall, 82.3% of cases were listed as undefended, while 14.3% were listed as defended (3.4% of cases were listed as N/A).

Figure 3.6: Availability of contact details – by whether or not the case was defended



This was consistent for both defendants and claimants. For example, for claimants, 15.6% had a listed phone number and 17.9% had a listed email address in defended cases, while this was only 5.8% for each in the undefended cases. For defendants, 29.7% had a listed

phone number and 32.1% an email address in defended cases, while for undefended cases, only 3.1% had provided a phone number and 6.0% an email address.

3.4 Sample data accuracy

Where sample data was checked against users' understanding within the pilot survey, there was some variation, though only in a minority of cases. For example, of respondents with a recorded claim value greater than £0, 9% said the amount was inaccurate, and 14% either didn't know or weren't sure. Of those who did not have a recorded monetary claim value, although the base size was small (38), 37% said their case did involve a monetary claim, and 16% didn't know or weren't sure. However, from the cognitive interviews, it was clear that participants who had been involved in multiple cases might struggle to differentiate which case was which, and that participants may conceptualise cases differently than records would expect. Therefore, it is hard to determine whether there were errors in the recorded case file data, and where this may reflect a participant referring to a different case or thinking of the case in a different way. For example, where two individuals were involved in multiple claims and counterclaims simultaneously, there may be confusion about whether people think of themselves as the claimant or defendant across those cases.

Either way, this reiterates the importance of asking participants to confirm details where these are being considered for analysis. For example, the survey currently includes the amount claimed recorded against the case and asks the participant to confirm if this is correct, and if not, provide the amount, or an estimate of the amount. It is also important to review which data points are considered to be more accurate within the sample data, such as where there may be complex definitions that a lay person may not be able to accurately identify.

3.5 Capacity for extracting samples and obtaining data

Throughout the feasibility study, significant time was required from a very limited number of staff within MoJ to manage the access to the Caseman case management systems, deliver the sample, and fully understand and communicate how the sample was produced. Whilst this did not present issues for the feasibility study, it does potentially represent

some risks to the mainstage survey, which may require further iterations to sample specifications and additional checking of samples, the running of far larger samples, and potentially requiring multiple sampling runs.

4. Questionnaire

This Chapter outlines how the pilot survey questionnaire was developed throughout the feasibility study, including details of input from court users via cognitive testing.

Suggestions are included for further refinement to the scope and design of the questionnaire based on findings from the pilot survey and further cognitive testing with court users.

4.1 Questionnaire development

One of the key objectives of this feasibility study was to assess the suitability of using a single questionnaire to gather data on a broad range of civil court user experiences. As outlined in Chapter 3, the audience included users on both sides of the claim (claimants and defendants), both litigants in person and represented parties, individuals and businesses (including sole traders), and a diverse mix of different case types (e.g. both specified and unspecified money claims, as well as possession, damages, personal injury, enforcement and insolvency cases). This represented an expansion on the audience scope from the previous Civil Court User Survey, conducted in 2015, which focused on individual claimants (and did not include businesses nor defendants), as well as a change in content, with greater focus on costs and impacts, and on awareness, understanding and use of ADR.

To inform the initial questionnaire drafting, Ipsos conducted a rapid review of relevant previous studies. The key inputs and their relevance to the questionnaire design process are outlined in Table 2.1 in Chapter 2; The Civil Court User Survey (MoJ, 2015), Legal Problem and Resolution Survey (MoJ, 2023), The Everyday Legal Problems and the Cost of Justice in Canada Report (2016), Public Understanding of Law Survey (2024), Towards Quantifying the Costs of Civil, Family and Tribunal (CFT) Legal Disputes (2022).

An initial draft questionnaire was developed, mapping questions to study objectives and aligning to/drawing on measures from previous studies where applicable. Following the initial round of drafting, Ipsos facilitated a 90-minute stakeholder workshop to review the

preliminary questionnaire content and structure to ensure relevancy and alignment with policy priorities. This workshop included representatives from MoJ and HMCTS, covering policy and research teams. The session also provided opportunity to collectively discuss and agree priorities and parameters around audiences and implications for sample design and data collection modes.

Questionnaire content

Following the workshop, the core Ipsos and MoJ teams, with input from academic partners, continued to develop a pilot questionnaire using an iterative process, weighing policy priorities with practical survey limitations such as length and complexity. Whilst different sources were utilised in the development of the questionnaire, the focus and specific wording of questions were tailored to the objectives of this study, meaning that findings from this survey would not be directly comparable to these other sources (variations in sample and approach would also mean that findings could not be compared on a like-for-like basis). The final pilot survey questionnaire comprised the sections detailed in Table 4.1 below.

Table 4.1: Questionnaire content

Section	Topics covered	Sources utilised
A. Details of the case	<ul style="list-style-type: none"> • Type of case • Respondent's involvement/role in case • Details of claims for money • Status of case and duration • Outcome of case 	Previous MoJ Court User Survey, though broadened to reflect potential respondent audience and updated to ensure aligned with current categorisations.
B. Expectations, contact and post-case perceptions	<ul style="list-style-type: none"> • Process of making claim • Contact with court staff • Expectations and perceptions of court staff • Experience of court fees 	Some aspects from previous Civil Court User Survey, though expanded and drawing directly on other sources including LPRS 2023.
C. Experiences and costs of legal input to this case	<ul style="list-style-type: none"> • Extent to which legal advice was sought/gained during case • Details of legal input received (and drivers) • Use of No win/No fee (and barriers) • Cost of legal fees and court fees 	Previous Civil Court User Survey, LPRS 2023, and reference to the Canadian Cost of Justice Survey.

Section	Topics covered	Sources utilised
	<ul style="list-style-type: none"> Extent to which legal input is perceived to have helped (or hindered) 	
D. Costs and impacts of legal action	<ul style="list-style-type: none"> Costs incurred during legal case Other social, physical, psychological impacts 	LPRS 2023, Canadian Cost of Justice Survey.
E. Consideration and attitudes towards alternative routes	<ul style="list-style-type: none"> Awareness of alternative methods of dispute resolution Use of ADR and reasons Time and money spent on ADR Attitudes towards ADR and whether could have been a (preferable) option 	Previous MoJ Civil Court User Survey, LPRS 2023, reference to other sources including Canadian Cost of Justice Survey, Australian Public Understanding of Law Survey
F. Demographics and or/ details of business	<ul style="list-style-type: none"> Individuals: Sex; Age; Qualifications; Household composition; Work status; Benefits received; Income; Health conditions; Ethnicity; Digital capabilities Businesses: Size; Type of business 	LPRS 2023, previous MoJ Civil Court User Survey, ONS questionnaire guidance

Cognitive testing with court users

Cognitive testing of the questionnaire with court users was conducted to ensure questions were optimised and sense-checked before launching the survey.

A total of 22 cognitive interviews were conducted between 3rd and 28th February 2025 (see Appendix 9.3 for the full breakdown of the sample). The sample was selected from Caseman data of those with phone numbers, aiming to get a spread of different case types, roles in the case (i.e. claimants and defendants), and representation (i.e. represented and unrepresented). Some challenges were experienced during recruitment, with some potential participants concerned about the legitimacy of the research, lacking awareness of the case, or unwilling to take part due to traumatic memories of the case. Incentives of £40 were provided to participants on completion of the cognitive interview.

The Ipsos and MoJ teams identified particular sections of the questionnaire that were a priority for testing, based on policy priorities, and also the extent to which the questions had been previously tested in other studies, and the range of different court users who

would be asked each question (with some questions filtered to only be asked of particular audiences and others being asked of broader groups of users). These priorities included sections A, C, D and E from Table 4.1 above.

Interviews were conducted over the phone and via video call and lasted around 45 minutes. These explored whether respondents were eligible for the survey, whether questions felt relevant, clear and answerable, the range of different responses given, and reasons behind these, as well as providing opportunity to identify any questions or concepts that were challenging to answer, and anything important that respondents felt was missing from the survey.

Due to timing constraints on the feasibility study and in order to maximise efficiency and effectiveness of testing, some of the cognitive testing was conducted ahead of the launch of the pilot survey, whilst some further testing took place in parallel to the pilot fieldwork. This meant that not all findings from the cognitive testing interviews were taken into account within the questionnaire drafting and finalisation before launching the pilot survey.

Table 4.2 outlines amendments that were made to the questionnaire based on findings from the cognitive testing. The full questionnaire used in the pilot fieldwork is available in Appendix 9.4.

Table 4.2: Changes to questionnaire informed by cognitive testing

Type of change	Description
Addition of signposting information and inclusion of further reassurances and sensitivity checks	Cognitive testing interviews demonstrated that many court users had been severely affected or traumatised by their experiences. Given that the survey asks them to recall the personal costs and impacts of the case on their finances, health and wellbeing, it was pertinent that signposting information was added to the introduction, end page, and survey invite materials. Additional reassurances were included and further checks on sensitivity undertaken across the questionnaire.
Changes to sequencing of questions	Several questions about the court user's involvement with the case were moved to enhance the flow of the questionnaire. This included question A2 (regarding the type of party) and A4 (whether the user was a claimant or defendant), as feedback from interviews found it more beneficial to have these as opening questions.

Type of change	Description
Additional answer formats for questions measuring (estimated) costs	Feedback from cognitive interviews demonstrated that it could be difficult for respondents to accurately estimate a financial cost for the amount of time taken off work to deal with their legal dispute. Therefore, if respondents were unable to estimate a value at the initial cost question or the banded follow-up question, they were asked to estimate the number of days they took off. The cost could then be back-coded based on their answer at an income question later in the survey.
Additions and changes to questions to make them applicable to business respondents	Cognitive testing identified that the questionnaire would benefit from several adaptations to make it more clearly relevant to the types of cases more aligned to business respondents' experiences. These included: <ul style="list-style-type: none"> • Addition of NHS Resolution as an example of 'Schemes provided by other bodies' in question E1. • Addition of a 'Neither side had to pay option' in the case details section, as it was mentioned in cognitive interviews that this is often the outcome when a case is dismissed or withdrawn. • Rewording and adding additional questions to Section C specifically for businesses (asking if they had in-house or external representation at C1b). • Added "loss of capacity/resources" answer code in impacts question D5.
Clarifications to language and terminology	Several amendments were made based on feedback from cognitive testing interviews to improve clarity of language used, for example: <ul style="list-style-type: none"> • Further clarification to question D1 code D regarding breakdown of a relationship ('including a temporary breakdown, such as a separation') to confirm it covers both a temporary and permanent breakdown. • Several clarifications to wording on the court hearings questions – adding an additional definition of court hearing: 'By court hearing we mean that a judge was asked to consider the case with one or more of the parties/any representatives present'.
Adding questions	An additional question about enforcement measures was added (A25) since this was identified as an important area to cover with users that had not yet received payment following completion of a case.

4.2 Key findings from cognitive testing and the survey pilot

Overall findings and feedback from the pilot survey and cognitive testing confirmed that the questionnaire was broadly felt to be applicable and relevant to most respondents, and that questions were generally well understood and could typically be answered accurately.

However, in order to enhance the value of a mainstage court user survey and to ensure it fully meets MoJ objectives, then there would need to be further refinement of the questionnaire. This reflects the current breadth of issues covered by the questionnaire, which will require some prioritisation given current questionnaire length, as well as further consideration of how different audiences, particularly businesses, interact with the survey, and how data from the survey (notably cost data) will be utilised. This section provides suggested considerations and implications for any mainstage survey, drawing on the findings from the pilot survey and further cognitive testing that was conducted post-survey launch.

Survey length

While the initial survey was intended to be 15 minutes in length, the average completion time in the pilot was **28 minutes** for online completes and **44 minutes** for telephone completes.¹³ This indicates that the questionnaire will require adaptations to reduce completion times, with further prioritisation of scope/objectives for any mainstage.

Whilst online surveys will typically have a shorter completion time compared to other modes, the significant length of the telephone pilot interviews demonstrates that the questionnaire is not currently optimised for telephone interviews. If a telephone survey option is to be included in any mainstage, then questions including long lists of answer options and lengthy definitions should be amongst the priorities for review. Further feedback on telephone completion is detailed in Chapter 5.

Verbatim responses to questions asking for respondents' feedback on the pilot survey also show that many felt the survey took too long to complete.

Relevance

Whilst efforts to make the questionnaire applicable to a wide range of experiences meant that most types of court user within the sample felt able to complete the survey, there were

¹³ For reference, although this was the average completion time, there were a small number of outliers. For web interviews, this is likely to reflect a small proportion of participants who left the survey open in a web browser while doing other activities, and then returned to the survey and completed it at a later time. Not including these outliers, the range for web interviews was between 10 and 52 minutes (80% of participants), and for telephone between 24 and 50 minutes (95% of participants). The median completion time was 19 minutes for the online survey and 40 minutes for the telephone survey.

some persisting issues with relevance to some users or cases. A number of respondents mentioned in the survey feedback question that they felt questions did not align with their experiences of the case and/or the available options made incorrect assumptions about their case. Some respondents felt that they were forced to answer “don’t know” or “prefer not to say” for questions where there was no “other” or “not applicable” option. There were also mentions that the survey questions felt more applicable to claimants, rather than defendants or counter-claimants.

This was also reflected in the cognitive interviews, which demonstrated that civil court cases can be highly complex and nuanced. For example, some cases were multi-faceted and had involved, for example, multiple hearings, counterclaims, or intersectionality with other legal proceedings (such as property sales) throughout the duration of the case. In these instances, some questions felt more confusing or difficult to answer via the existing response options. These circumstances need to be considered within the planning of any mainstage, with acceptance that the nuances of some cases will be challenging to fully capture within a survey format.

Additionally, cognitive interviews with businesses and individuals who have multiple contacts with civil courts due to their role/situation demonstrated that the survey format focusing on a single case felt constrictive; it did not allow them to provide holistic feedback around their experiences across multiple cases. As well as potential implications in their likelihood to participate in a survey around a single case, there are also impacts on the value of responses. We recommend that any mainstage considers covering these businesses via alternative methods such as in-depth interviews that focus on capturing experiences and cost estimates that are based on ongoing contact with civil courts and estimates across cases/timeframes (for example, what costs and impacts are incurred overall within a month/year, rather than around a specific case; and how the use of ADR could be increased across cases, rather than focusing on an individual case).

Recall

Pilot survey respondents and cognitive interview participants were generally able to recall the specific cases asked about in the questionnaire and remember relevant case details, particularly individuals (rather than businesses). However, not all respondents could

accurately recall the full details of the case, particularly those dealing with multiple cases, and any survey findings will require some degree of caveats around the limitations of accuracy in recall.

Interview participants sometimes had to retrieve files or paperwork to remember specific information, such as the case number, claim amount, or costs. Involvement in multiple cases, which was often the case for business or sole trader participants, meant that specific details often could not be recalled.

Within the telephone pilot fieldwork, interviewers highlighted some difficulties in respondent recall of the case, highlighting that the information presented in the introduction of the interview (case number, case type, and date of receipt) was sometimes not enough to jog the memory of respondents. They also suggested that the language currently used in case type (e.g. “CLAIM – SPEC ONLY”) was not understandable and needed to be translated into something more suitable for a lay-person, and would require detailed discussion with policy teams to ensure the definition met analysis needs. This highlights the need for further consideration of how respondents to any mainstage may require further prompting within a telephone survey format.

Questions focussed on cost estimates

As the cost estimates were identified as key data gaps that the survey would need to fill was related to cost estimates, this was a particularly key area of concern. Some of the pilot survey questions asked respondents to recall details about the claim value and the various costs they incurred throughout the legal case, such as legal fees, court fees, and other potential costs incurred, such as parking or taking time off work to attend court.

Respondents were asked to estimate any legal fees or court fees they paid throughout their legal case by typing in a numeric response into a text box.¹⁴ Respectively, 12% and 32% of respondents answered “don’t know” to these initial questions, though most were subsequently able to provide an estimate when prompted with cost ranges.

¹⁴ Survey questions C8 and C13

The majority of respondents were able to provide at least an estimation for the additional costs (beyond legal and court fees) incurred that related to the legal action,¹⁵ as shown in Table 4.3 below. Of the respondents that selected “don’t know”, most were able to provide an estimate when prompted with cost ranges.

Table 4.3: Responses to cost question D1a

Cost incurred	% yes, experienced	% providing estimated cost without prompted range	% providing a response once prompted with range	% don't know to both questions
Transport or parking (e.g. petrol, public transport, parking charges)	39%	81%	15%	5%
Purchasing materials and/or photocopies	42%	78%	16%	6%
Advice relating to the legal action but separate from legal fees	14%	70%	19%	11%
Childcare	6%	79%	16%	5%
Costs related to time spent on the case (e.g. having to take time off work)	43%	75%	16%	9%
Other	15%	73%	18%	8%

Survey feedback demonstrated that some court users struggled to answer these questions given how much time had passed between their case and the survey. This was especially the case where the case had finished months or years prior. Therefore, it will be important to consider when agreeing the mainstage sampling time frame, as while there needs to be enough time for cases to finish, having a long delay has a significant impact on recall.

“It was difficult to answer questions about the amount the claim has settled, court fees etc. I had to look for information as the case was over a year ago, I was not able to remember those details, not even approximate amounts.” – Survey participant

¹⁵ Survey questions D1a, D1b, D2, D3, D3a

Some of the cognitive interview participants highlighted how some of the items relating to costs incurred during their case were not factors they had previously thought about and so required some further consideration and/or clarification. For example, when asked about costs related to ‘transport and parking’, some participants found it challenging to disentangle how much they spent on public transport (which they might pay monthly) and/or vehicle-related costs.

Similarly, costs related to ‘time spent on the case’ was difficult for some participants to answer when they were self-employed or did not have an easily estimated hourly or daily rate. To tackle this, a follow-up question was added to the questionnaire after initial cognitive testing feedback which asked about how many days off from work respondents had to take. However, survey results demonstrated that some respondents were still unable to provide an estimate, suggesting that further consideration and reworking of these questions would be beneficial. For example, it may be appropriate to have a separate question that asks about how someone spent time on the case (for example, did they take holiday from work, did they spend evenings and weekends, did it take time out of their business day that could have been spent acquiring or completing paid work), and then including appropriate follow-up questions to attempt to provide a monetary value, where this was appropriate.

There are also considerations around attribution of costs that are pertinent to the inclusion of similar questions within any mainstage survey. Within the pilot questionnaire, respondents were instructed to only consider costs relating to the legal action/dispute and not to include other costs that they may have incurred due to any other aspects of the issue(s) that led to the legal action. However, participants in the cognitive interviews struggled to attribute costs specifically to the legal action or proceedings, and instead tended to base their estimate on broader consideration of their legal problem. It is not possible to ascertain on what basis responses to the pilot survey were framed, though we would recommend considering adapting the framing within any mainstage questionnaire to cover costs relating to all aspects of the legal action. This would likely lead to less misattribution and more reliable estimates, though would need further analysis (or potentially further subsequent questions within the survey) in order to identify a proportion of these costs which related specifically to legal action.

Questions on broader impacts

Cognitive interviews highlighted how some civil court users had been deeply affected, or at times, traumatised by their legal cases. Therefore, questions that asked respondents about how the legal proceedings affected their physical and mental health, financial situation and overall emotional wellbeing¹⁶ were welcomed as providing an important opportunity to provide feedback on important aspects of their overall experience.

As with the questions on monetary costs covered above, despite being instructed to only consider the legal dispute, some participants within the cognitive interviews referred to other aspects relating to the issues that led to legal action when considering physical, emotional and financial impacts. Again, this raises considerations for the framing of these questions within any mainstage survey.

Several other suggestions emerged from cognitive interviews for improvements to the non-monetary impact questions, including:

- Rewording “stress-related illness” to broaden it to include general stress (not just that which caused illness) as many participants reiterated how the case had caused them major stress, but not to the point of mental illness.
- Considering how to further disentangle ‘financial strain’ and ‘loss of income’ from the previous cost-related questions (with some respondents feeling they covered the same costs).

ADR questions

The pilot survey questionnaire attempted to cover court user awareness and usage of a broad range of ADR options within a single question (E1). Feedback from telephone interviewers indicated that the format of this question was challenging to administer over the phone with a very extensive grid asking respondents to consider four different response options based on whether they had used each ADR approach, and if not, whether they had considered it, or were even aware of it. The options list was often difficult for respondents to remember, particularly when having to consider a range of types of ADR with accompanying descriptions.

¹⁶ Survey questions D4, D4a, D4b, D5, D5a

Cognitive testing and pilot survey responses also highlighted that many of the eleven ADR options listed were not felt to be applicable to certain cases. Therefore, questions asking whether they used each option or considered using them were felt to be confusing. It was suggested that further simplification of options, or introducing routing to this question would help alleviate confusion.

In discussing their responses to the ADR options, cognitive interview participants often wanted to consider other, more informal means of dispute resolution that they had conducted prior to engaging in legal action – such as sending letters or attempting to converse with the other party through their solicitor. These actions were easily conflated with the more formal types of dispute resolution covered within the survey options. Allowing participants to first reflect on other informal attempts and then asking about more structured ADR options could help to create a distinction and give respondents full opportunity to cover their experiences.

Interview participants also reflected on the wording included in the ADR section, noting that it was very jargon-laden and perhaps not easily understandable for a lay-person or someone without a legal background.

Pilot survey feedback highlighted how some respondents felt the ADR questions were posed from the claimant perspective and would benefit from further refinement to ensure they fully align with a defendant perspective.

User satisfaction questions

Cognitive interviews highlighted how court users' experiences could be rated quite differently across different stages and facets, so while they might have been satisfied with some aspects of their outcome of the case, there may have been others around which they were not satisfied. The limited number of questions relating to satisfaction with court outcomes, court staff, and ADR outcomes¹⁷ were therefore not felt to provide sufficient opportunity to capture the nuances of users' experiences.

¹⁷ Survey questions B3a, B6, and E5, respectively

For example, one participant mentioned they were satisfied that the court case went in their favour, however they had not yet received the money back from the defendant and were having to chase them up to receive it, so therefore were very unhappy with this aspect. This made choosing a single option on the satisfaction scale difficult.

Given the need to reduce questionnaire length and prioritise some aspects of the questionnaire over others, our recommendation would be to remove these questions from any mainstage, in line with current policy requirements from the survey.

Demographic questions

Feedback from survey responses and telephone interviewers highlighted that the demographics/ firmographics section of the questionnaire was extremely lengthy and prone to respondent scrutiny. For example, some respondents found the section to be “invasive” and struggled to understand why such detailed questions about their personal finances, digital skills, and health could be relevant to a survey about court experiences.

Telephone interviewers underlined how there was a high risk of respondent drop-out at these questions due to the length and perceived irrelevance.

We strongly recommend a significant streamlining of demographic questions within any mainstage survey, with an onus on retaining only those which align to relevant protected characteristics and other variables that are relevant within analysis for relevant MoJ policy/ HMCTS operations. A further consideration would be likely numbers of responses that will be obtained within sub-groups and the extent to which this will provide the basis for meaningful analysis within smaller sub-groups.

Respondent suggestions for questionnaire coverage

Survey respondents and cognitive interview participants were generally keen to feedback about their experiences, with some suggesting the survey captures more detail on certain steps of the legal process and court proceedings. Some survey feedback highlighted respondents wanting further opportunities to expand on answers qualitatively. This was especially the case for businesses or where respondents had more than one case. Some were frustrated that the survey had only asked them about one specific case when they felt they had extensive feedback to share from working across multiple cases.

Topics that survey respondents and cognitive interview participants mentioned wanting to share more about were typically focussed on procedural factors, though did also include some suggestions around impacts:

- The positive outcomes and impacts through the experiences of going through the court case. For example, in one case, a cognitive interview participant mentioned that they felt very empowered by being able to navigate the civil justice system on their own.
- The challenges of navigating legal systems as a lay person, without any legal representation. This was mentioned in relation to having a counterparty with legal representation, and how intimidating that experience could be.
- Court users' experience of the judges on their case, with an opportunity to feedback on fairness of procedures.
- More questions about how specific court services could be improved, such as application and court e-filing systems, phone lines, and other court procedures and protocols.

4.3 Recommendations for further questionnaire refinement

Overall feedback from the cognitive testing and pilot survey indicated that the questionnaire was working reasonably well. However, due to the long length and evidence of several cognition issues, further refinement of the questionnaire is recommended. The following summarises the suggested amendments to the questionnaire for the mainstage, grouped thematically, based on the findings outlined above.

- **Survey length and focus:** Given the issues with survey length, which is normally associated with lower response rates and increased drop-outs, we recommend that the questionnaire is streamlined and reshaped with a sharper focus on key issues of priority and interest (costs and impacts of legal action, and experiences with ADR) to cut the survey length significantly.
 - **ADR section:** This section could be enhanced through prioritisation of the eleven types of ADR explored in E1, and/or additional routing which presents respondents only the types of ADR applicable to their case. If ADR is deemed a priority focus for the survey, then this section could also be

expanded (in lieu of other questionnaire sections being removed or reduced).

- **Demographics section:** Given the large number of questions and information currently being captured in this section, we suggest that a full review of the demographics section is undertaken to prioritise on a ‘need to know’ basis.
- **Relevance:** Given the breadth of different types of cases covered by the HMCTS court user sample, and issues raised with the survey routing making incorrect assumptions, the questionnaire will require further refinement to ensure it is relevant for all potential respondents. This should include ensuring question framing and wording is applicable and understandable for defendants. We would suggest that prior to launching mainstage fieldwork, a further review of the questionnaire, mapped against a full range of court user journeys.
- **Opportunities for feedback:** Court users were eager to feedback about their experiences with court and legal proceedings. Indeed, providing respondents with an opportunity to share the views that are most pertinent to them is an important aspect of this survey. However, this needs to be balanced with the gathering of sufficient contextual information and key priority questions for MoJ. We would suggest that the questionnaire adds several additional opportunities (within reason) for respondents to give feedback. This can also aid in the cognition and understanding of certain questions, particularly for the costs/impacts and ADR sections. We would therefore suggest that additional introductory questions or open-text fields be added for costs and impacts questions due to issues with misattribution and the amount of nuance. As further discussed in Chapter 6, there is also an opportunity to consider more qualitative data collection modes to understand the nuance around these questions and given that it is difficult to monitor respondent wellbeing and deliver on ethical requirements in survey format.
- **Recall and clarity:** We would suggest that consideration be given to further simplifying questionnaire language to remove jargon and ensure it is understandable and accessible for a variety of audiences. Furthermore, to aid

with respondent recall, the following changes are suggested to streamline and reduce complexity:

- Translating case information (particularly case type) into respondent-friendly language that can allow respondents to more easily recall what case the survey is referring to.
- Consider adding a prompt within the invitation to the survey suggesting that the survey will focus on an individual case, so it might be helpful for respondents to have case files or information handy while completing (although this may disincentivise some people from participating, so would ideally be tested prior to roll-out).
- Utilisation of additional prompts throughout the questionnaire to aid recall.
- Prompting all respondents with ranges when estimating costs (instead of open text boxes) and clear framing of cost estimates (this would simplify both the questionnaire and reporting).
- **Specific question refinements:** We would also recommend making several additional tweaks to specific questions, as summarised in Appendix 9.1.

5. Pilot fieldwork

5.1 Overview

The pilot survey sought to assess the effectiveness of different recruitment methods and survey modes, test the questionnaire's relevance across respondent types, gauge response rates, identify potential non-response biases, and collect pilot data on court user experiences that could be used to inform potential future questionnaire development.

The pilot ran from 25th February to 14th March 2025. A mixed-method approach was implemented, with an emphasis on a push-to-web (P2W) approach, in which sampled court users were encouraged to access and complete the online survey.

Three approaches were used to invite and encourage sampled court users to complete the survey. These approaches ensured comprehensive testing of routes that would be available to contacting sampled users with varying contact information available within HMCTS records:

- Email invitations with links to the online survey were sent to 10,744 recipients (this is a feasible approach for court users with email addresses available)
- Advance letters with a link to the survey ahead of attempted telephone contacts were sent to 1,133 individuals (a feasible approach for those with postal address and telephone contact information)
- A further 775 sampled users were sent an invitation letter with the survey link, but with no possibility of a follow-up telephone interview (the only feasible approach for court users with no telephone or email contact details). If this were rolled out with a longer fieldwork period, we would ideally recommend including a paper questionnaire in at least one of the reminder mailings. However, within the timescale of the feasibility study and the significant amount of routing included within the questionnaire to ensure a range of topics were relevant to a broad spread of audiences, this was not possible. For reference, defendants in possession cases were removed from this sample, due to the likelihood that postal addresses would have changed in these cases.

This diverse approach allowed for a thorough comparison of recruitment methods and their varying effectiveness in reaching different court user groups.

5.2 Pilot Material Design

The pilot materials were informed by insights and evidence from the cognitive testing. These materials included email invitations and reminders, advance letters for telephone and P2W approaches, the online questionnaire and the telephone interview script.

To ensure continuous improvement, feedback from court users on the pilot materials was collected through multiple channels. This included cognitive testing feedback, inviting responses in the pilot invitation inbox, open-text box comments within the pilot survey itself, and debriefings with telephone interviewers. By using a multifaceted approach to collecting feedback, we were able to gather valuable insights to shape recommendations for any potential mainstage survey.

5.3 Pilot Invites and Reminders

The pilot was initiated with email invitations (see Appendix 9.6), followed by two reminder emails. These communications were structured to explain the study's purpose and importance, provide clear participation instructions, set a response deadline, and offer contact information for queries. An information sheet covering study scope, participant selection, and privacy assurances was also included for further detail.

Overall, around 70 individuals contacted the project team about the survey, with a range of queries. These related to:

- **Questions or comments about the survey:** covering technical queries like how to access the survey, feedback about the survey length, and requests to participate after the pilot survey closed
- **Data protection concerns:** covering questions about how we obtained their details, concerns about the legitimacy of the survey, and people asking to be opted out

- **Broader concerns about the justice system or their case:** covering general complaints about the justice system, individuals seeking help with their own cases or clarification about whether they had an outstanding court case

Feedback on the invitations highlighted both strengths and areas for improvement. While the professional tone improved trust in the research and instructions were generally clear, respondents suggested several enhancements. These included stronger emphasis on MoJ having commissioned the study to increase legitimacy, more prominent highlighting of potential benefits to participants, and simplification of technical terms. Some respondents also suggested including alternative formats to improve accessibility, such as BSL or Makaton translations, whilst others recommended clarifying that individual case information had not been disclosed to Ipsos. To support this, it may be helpful to review use of GOV.UK Notify services, as this would allow MoJ to be listed as the sender, although this would need to be weighed against the potential ethical concerns about the study coming directly from MoJ, rather than an independent third party.

5.4 Response rates

Response rates are often used as a proxy measure for the potential for surveys to be affected by nonresponse bias, as well as having potentially significant cost implications, as surveys with lower response rates need a larger initial sample size to achieve the same number of responses. Survey response rates have also been declining over time¹⁸ and can vary widely by mode. However, a high response rate to a survey doesn't guarantee low nonresponse bias, and vice-versa. Bias arises when the likelihood of responding is related to the topic being studied. Therefore, a low response rate does not necessarily mean that the survey is unrepresentative but might make the survey unfeasible if the cost of inviting enough participants to justify the survey is prohibitive.

Response rates from the pilot study provide some indications of the levels of response that might be expected from any potential mainstage. However, there are various factors which mean that response rates to the pilot are likely to have been restricted to some extent:

¹⁸ <https://surveyfutures.net/publications/response-rates-position-statement/>

- Due to the timeframes for the study, there was no opportunity to send any reminder letters (or any potential hard copy versions of the questionnaire, which is a method used in some P2W surveys)
- It was agreed that for the feasibility study, no financial incentives would be offered for completing the survey
- As noted previously, the scope of survey coverage meant that the questionnaire length was longer than originally envisaged

The overall click rate – the proportion of those invited who accessed the online survey – was 10.6%. Of those who accessed the link, the completion rate to the survey was 30.7%, which translates to an overall response rate of 3.2% across the total sample. The majority of those who accessed into the survey but did not complete it (the ‘Abandons’) did not proceed any further than the survey landing page, suggesting that this is not due to them choosing to drop-out due to any particular questions. A summary of the overall survey response rates can be seen in Table 5.1.

Table 5.1: Overall engagement and response rates

	#	% of total sample	% of total clicks
Total sample	12,781	-	-
Total clicks	1,350	10.6%	-
Abandons	561	4.4%	41.6%
Completes	414	3.2%	30.7%
Screen-outs	166	1.3%	12.3%
Unsubscribed	150	1.2%	11.1%

Engagement and response rates by mode

The click rate and response rate varied across differing modes of contact, as shown in Table 5.2. This provides insights into response to different modes, though findings are not fully comparable across the different options for reasons outlined below.

Table 5.2: Overall response rates by mode

	A: Email invitation with link to survey	B: Letter invitation with link to survey and follow-up telephone call	C: Letter invitation with link to survey (No follow-up telephone call)
Total sample recruited	10,744	1,133	775
Total clicks/answered	1,129	190	31
Completes	340	72 (50 via telephone, 22 online)	2
Overall response rate	3.2%	6.4%	0.3%
% of clicks or answered	30.1%	37.9%	6.5%

The overall (unadjusted) completion rate amongst the sample who were sent an email invitation including a link to the survey was 3.2% (Sample A in Table 5.2). There was a relatively high level of completion amongst those who clicked the survey link, at 30.1%. The relative cost and scalability of the email invitation approach means it can be a cost-effective route to engaging court users in any mainstage survey, though does require the availability of an email address and would benefit from further adaptations to boost engagement with the survey link.

Utilising telephone interviewers to follow-up those who did not respond to an initial postal mailout helped to boost response rates within this sub-sample for whom telephone numbers were available (Sample B in Table 5.2). The overall response rate was 6.4%. This could have been boosted further with additional telephone resource being factored into the design for further follow-up attempt calls with non-responders. However, this mode of interviewing is significantly more expensive than the email invitation/online survey route, and so whilst the inclusion of a telephone interview mode can help boost response and encompass court users for whom an email address is not available, it would have budgetary considerations within any potential mainstage.

Within the sample who received a letter including an opt-out, but without the possibility of a telephone follow-up (as no telephone number or email address was available within contact information), the overall response rate was comparatively low at 0.3%.

No reminder letters were possible within the timeframes of the pilot, though it is likely that this would only have had a limited impact on the overall response rate. In order to boost the level of response further within any mainstage, then it is likely that financial incentives to respondents, and/or paper versions of the questionnaires would be required.

Screen-outs

Around half of those who were screened out were filtered out at the consent page, indicating potential issues with the participant's willingness to proceed. The remaining screen-outs occurred at later stages of the questionnaire, primarily at the question about involvement in the case or due to respondents being solicitors or individuals acting on behalf of others, suggesting that the survey's targeting criteria may need refinement to better capture the intended audience while not excluding potential respondents.

Email Reminders

The email reminders helped to boost response within the sample with email addresses, with a slightly diminishing impact following each email. The initial invite, sent to 10,744 recipients on 25th February, resulted in a 1.2% completion rate (125 completes). The first reminder, sent on 5th March to 10,585 recipients (excluding those who had already completed the survey or opted out), led to a 1.0% completion rate (111 completes). The final reminder, sent a week later on 12th March to 10,362 recipients, resulted in a 1.0% completion rate (104 responses). Across all three mailouts, a large proportion of the responses to the survey (46%–64%) were on the same day as the mailout.

Analysis of the responses to each email invitation provide insights that can inform a mainstage email strategy:

1. Across all waves of email invitations, a high proportion of the responses were received on the day of the email being sent, highlighting how early indications can be drawn around the likely response that will be achieved in each wave.
2. While each reminder email led to more completions, the response rate decreased slightly with each wave, highlighting some diminishing returns. Whilst further reminders would elicit additional responses, this would need to be balanced with ethical considerations around the burden being placed on sampled court users.

3. Across all the mailouts, significantly more people engaged with the survey link than went on to complete the survey, highlighting the importance of further evolving the introduction and survey content to maximise relevance to all types of users.

5.5 Respondent profile and engagement across subgroups

The pilot study provided insights into the characteristics of likely respondents that can inform the sampling strategy and survey design for any mainstage study. A full table of these questions is included in Appendix 9.4.

In terms of user type and case characteristics, there was an overrepresentation of claimants, who made up 75% of survey respondents, compared to 40% in the sample of those invited to participate. Defendants were correspondingly underrepresented at 22%. Only a small proportion, 1%, described themselves as a counter-claimant, which was not possible to identify from the sample. The majority of respondents (67%) described themselves in the survey as individuals acting for themselves. Businesses were also represented, with 14% of respondents being individuals acting on behalf of their own business and 15% representing businesses they don't own.

The types of claims captured in the survey were diverse, though typically covered money claims for a fixed amount (which accounted for 91% of cases). Unspecified money claims made up 16%, while rent arrears and/or possession cases constituted 7%. The remaining 12% which did not select any of these categories were classified as other types of claims. Respondents could select multiple categories (and so the total sums to more than 100%), and responses here may reflect nuanced cases, and/or answers potentially covering multiple cases.

Regarding case status and outcomes, 74% of respondents reported their case as having completed. The remaining 26% of respondents highlighted their cases as being ongoing or were unsure of the status. Cases were selected for inclusion in the sample on the basis that sufficient time had passed for the case to have completed at the time of the interview (two years after submission). Specified money claims were most likely to be classified as complete (73%), while unspecified money claims were least likely (65%). The significant

proportion who indicated that the case was still ongoing or were unsure may reflect some lack of alignment differences between respondents' understanding of a completed case, and the way the court service would consider this closed. For example, a participant might think a case was still open if money was still being paid, rather than relying on a settlement being confirmed. This may also reflect some respondents focussing on a more recent case than the one which was identified in the sample and on which the interview attempted to focus.

Two-thirds (67%) of claimants within the sample say they achieved their desired outcome, though only 30% expressed satisfaction with the court process overall.

Overall, two-fifths (42%) reported using at least one form of dispute resolution. A quarter (25%) of all the pilot survey respondents reported using HMCTS ADR mediation services. The survey also successfully reached 97 individuals and businesses that used a solicitor, 29% of all respondents. These levels within the sample indicate that significant numbers of users of these services can be engaged through a mainstage survey using similar methods, providing robust sub-samples of relevant users for analysis.

6. Data collection modes

Through the feasibility study, three potential approaches were tested: telephone, online, and push-to-web. For the mainstage, it would be possible to roll out any of these methods, or any combination of these modes, taking into account the relative strengths and considerations. This chapter covers the benefits and limitations of each of the methods used, as well as any implications for the mainstage roll-out identified.

The different survey approaches resulted in different levels of response within the pilot. Due to the low responses for the telephone and push-to-web approaches, it is not possible to analyse demographic variation in response. However, differences in those eligible to participate using each approach, as detailed in the sampling section, will limit the potential representativeness of the telephone and online approaches.

6.1 Telephone

Methodology

Initially all sample points in this category with a postal address were sent a letter, letting them know that the survey was taking place, in order to help to legitimise the survey and maximise cooperation rates within the latter telephone contacts. This letter also included a link to the online survey, in case they preferred to take part online, but also to allow them to opt-out of the research prior to telephone calls commencing. A gap of several days was allowed for letters to arrive with potential participants before calls began. The interviewers then called potential participants to encourage them to participate over the phone, using a version of the online script adjusted for telephone interviews.

Benefits

The telephone survey invitation letters prompted a higher number of responses to the online link than the push-to-web only approach, suggesting that the indication that they may receive a call to conduct the survey via phone may have been an incentive for some to complete it online. When called over the phone, interviewers were able to provide

additional support to participants, provide clarification around which case to focus on and direct them to support organisations if safeguarding concerns were raised.

Limitations

Many of the phone numbers were those of representatives, who were not eligible to participate in the survey, and who were often unable or unwilling to encourage their clients to participate. In addition, the survey took far longer to administer over the phone than when completed online, due to some relatively lengthy question wording/explanations and long lists of response options.

As detailed in Chapter 2, those with phone numbers listed were not representative of the whole eligible population, and this therefore has implications for the robustness of any survey completed using only this mode.

In addition, by introducing an interviewer, there are increased risks of social desirability bias, where respondents are more likely to give answers that they believe will show them in a positive light when asked by an interviewer, compared with more anonymous self-complete approaches. However, this needs to be balanced with the additional support identified as a benefit of involving interviewers.

Practical considerations for mainstage

As the resource for telephone interviews is comparatively expensive compared to other potential modes, then consideration must be given to the cost-benefits of utilising telephone interviews within the overall methodology. It may be most cost-beneficial to focus telephone interviews on key sub-groups who may be under-represented or who are a particular policy priority. Having a telephone interview option available also provides opportunity to include those who are digitally excluded or lack confidence/ capability in completing surveys online.

6.2 Online

Methodology

Up to three email reminders were sent to participants over three weeks, encouraging them to participate. Each included a direct unique link to the online survey, and a link to allow them to opt-out.

Benefits

Using email to encourage participation is the cheapest of the methods tested and will have the lowest cost per survey completed. In addition, as everyone included has provided an email address as a contact detail and so is online, there is no need for an additional mode for the mainstage, reducing the complexity of survey design, fieldwork, and analysis, and the risk of mode effects (where participants respond differently because of the mode in which the questions are asked). As with all surveys, we would recommend offering alternative modes where participants get in touch and ask to take part another way (e.g. via a telephone helpline on request for those with a visual impairment), but with this approach, we would expect this to cover only a small number of participants.

Limitations

As detailed in Chapter 2, those with email addresses listed were not representative of the whole eligible population, and this therefore has implications for the robustness of a survey completed using only this mode. In addition, by only using an online mode, this would exclude participants who are digitally excluded or who lack confidence/ capability in completing surveys online, so raising potential considerations and concerns around inclusiveness.

Practical considerations for mainstage

For the mainstage, it would be important to regularly review the email inbox, and have a robust, standardised procedure for dealing with safeguarding concerns.

6.3 Push-to-web

Methodology

For the pilot, a single letter was sent to participants. This included a short link and a QR code that participants could follow to access the online survey, or to opt-out.

Benefits

This approach covered the broadest range of participants, as nearly every sample point had an available postal address.

Limitations

The response rate for this approach was the lowest – although some of this will reflect that, due to time constraints, no additional reminders were sent, no offline approach was offered, and no incentive was included. Due to the cost of postage and printing, using the current approach would mean comparatively high costs per survey received and would not be cost effective.

While a push-to-web mode could be used, it would need the most adaptation in order to be successfully rolled out, so if this approach is used for the mainstage, it would be particularly important to include a robust pilot to ensure the final approach was deemed cost-effective.

Practical considerations for mainstage

Due to the low response rate in the pilot, if this approach were used for the mainstage, it would be important to review, and ideally test, alternative contact materials to improve participation. In addition, while this test only used a single invitation letter due to time constraints, reminder letters would have an important role in encouraging participation over a longer fieldwork period (though would also incur greater cost).

In order to ensure responses are representative, push-to-web surveys normally include an offline mode, to allow those unable or unwilling to participate online to take part. While some surveys use a push-to-telephone approach, where potential participants are encouraged to call up and take part over the phone, uptake of this approach is normally very low, reducing its ability to reduce survey non-response bias. A hard-copy, paper

version of the questionnaire is also utilised in some surveys, though is not a viable option here due to the likely complexity within survey routing and the high costs of printing/postage attached.

It would be important to review the use of incentives, which were not used in this feasibility study, but which are regularly used in push-to-web surveys to encourage participation. For example, many surveys use a £5 (e.g. Active Lives Survey) or £10 (e.g. Food and You 2) conditional voucher to encourage participation. However, this would need to be considered from an ethical perspective, and the acceptability of incentives for this purpose and this population assessed with potential participants.

6.4 Combining modes

While none of the approaches is perfect, a combination could deliver more than each mode alone. For example, combining the push-to-web and telephone approaches would allow for more participants to be eligible for the survey, while the inclusion of the telephone option seems to encourage online participation. In addition, as the email invitations are cheaper than the other modes and successfully encourage participation, using these as part of the contact strategy seems an effective method to increase response rates, allowing more of the budget to be focussed on participants without an email address, who are likely to be different than those with an email address provided.

6.5 Additional options for data collection

Through the feasibility study, it was identified that some complementary data collection approaches could be used alongside the main survey to provide greater depth to the data available.

Qualitative research

The cognitive interviews highlighted that there were large variations in case experiences, and some of this nuance was impossible to capture in a standardised survey. Therefore, including a qualitative element to the study, to collect a deeper understanding of the impact of the quantitative findings would have the potential to greatly enrich the survey, and the findings.

In addition, some of the information about potential costs, and willingness to accept trade-offs, could be captured using qualitative approaches, via a qualitative depth interview, and potentially utilising pre- or post-interview instructions/exercises. It would be beneficial to target this in-depth qualitative research at particular populations of interest, notably high-volume civil court users.

Alternative approaches for businesses

Cognitive interviews and free-text responses from businesses (or other organisations or public sector bodies) identified that they are often more comfortable talking about cases in general, as they often have standard processes for dealing with civil court cases. This means that the individual case details may be less relevant or easy to identify, compared with their overall experiences of the court system.

This could be addressed by either adjusting the questions in the survey to account for this, or by contacting businesses using alternative methods, such as asking questions via a business survey panel or conducting qualitative research with relevant staff in businesses.

7. Ethics

This chapter covers the ethical approaches that were utilised throughout the feasibility study, including the cognitive testing and the pilot survey. It includes suggested further ethical considerations for any potential mainstage research.

7.1 Ethical protocols employed during the feasibility study

The research design for this feasibility study underwent a full review from Ipsos' internal Ethics Board. This helped guide what practices needed to be implemented to ensure ethical requirements were upheld. Given that this research required us to engage with potentially vulnerable participants, we were particularly mindful of procedures related to gaining full informed consent and avoidance of harm. Following the review, these ethical protocols were adhered to, to ensure the safety and wellbeing of both cognitive interview participants and pilot survey respondents:

- **Use of experienced interviewers:** All cognitive interviews were carried out by researchers trained in handling sensitive conversations with vulnerable audiences. Similarly, experienced telephone interviewers were employed for the telephone survey and were fully briefed on specific questions which should be handled sensitively.
- **Reiterating the voluntary basis of the research:** We ensured participants were not unduly pressured into taking part by ensuring the purpose of the research was clearly explained, that participation was voluntary, and that participation would not affect dealings with HMCTS.
- **Gaining informed consent:** Our approach to gaining informed consent was in line with Government Social Research guidelines, and we respected the right of any respondent to stop the interview, refuse to answer specific questions in interviews, select “prefer not to say” on sensitive questions, or opt-out of the interview or survey at any point.
- **Confidentiality:** Respondents were reassured verbally (for cognitive and telephone interviews) and in writing (via the Privacy Policy and introduction pages

for the online survey) about how the information they provided would be used and our commitment to confidentiality.

- **Clarity of research materials:** We ensured that we did not cause confusion or distress to participants by using survey invitation materials that were drafted in plain English, and clearly explained how their contact details were obtained.
- **Signposting:** Signposting information to relevant support organisations for mental health, wellbeing and legal help or advice was provided to cognitive interview participants post-interview, and at the beginning and end of the pilot survey.
- **Reducing the risk of disclosures:** We ensured that the information included in mailouts was kept to a minimum, in case the letter was picked up by anyone other than the intended recipient.
- **Sensitivity towards certain case types:** We exercised caution when considering where mailouts may not be appropriate, for example, in possession cases where a respondent may have been removed from their address in HMCTS records. As these respondents may not have currently been residing at that address, and to ensure sensitivity towards their situation, we did not send any mailouts to respondents aligned to possession cases.
- **Monitoring for and responding to potential disclosures:** Given that the research required engaging with potentially vulnerable individuals, we were prepared for potential disclosures of risk of harm to themselves or others. We provided a clear approach to dealing with incidents where a breach of confidence may be required via our Disclosure Policy. We also regularly monitored survey responses to ensure that any potential disclosures were immediately logged and dealt with.
- **Handling of queries or requests:** Ipsos and MoJ each established email inboxes to monitor any queries about the research or case-specific requests. This included signposting to www.gov.uk/find-legal-advice for those seeking legal advice and www.gov.uk/find-court-tribunal for case-specific queries.

7.2 Ethics of survey questions

As highlighted in Chapter 4, cognitive interviewing demonstrated how civil court users could be highly affected by their cases; financially, physically, mentally, and emotionally. Questions around non-monetary costs/impacts and respondents' financial situation in question D4, D4a and D4b were identified as potentially the most sensitive questions. Respondents generally welcomed these questions as they provided an opportunity to feedback on how the case had affected them personally. Additional ethical considerations were utilised to reassure around confidentiality and the ability to select a "prefer not to say" option within the survey.

The "prefer not to say" option was selected by varying proportions of respondents throughout the survey, most often for questions which covered their financial situation. For example, question D4b asked respondents who had reported loss of income or financial strain what situations, in particular, they had experienced as a result. About one in ten respondents (9%) answered "prefer not to say" and a further 9% selected "don't know". Furthermore, 13% selected "prefer not to say" at the household income question (F12), 24% at the household savings, shares or investments question (F15) and 11% at the business turnover question (F23).

To obtain feedback on how respondents felt about the survey, questions were included at the end to provide a chance for respondents to highlight whether they found the questions comfortable or uncomfortable, easy or difficult. Whilst around three in five (59%) said they were very/fairly comfortable answering the questions, about one in five (19%) said they were very/fairly uncomfortable. The majority – 69% – found the survey questions to be very/fairly easy, while only 8% found them very/fairly difficult.

7.3 Additional ethical considerations for potential mainstage

Given the vulnerabilities of potential participants, we recommend retaining all the ethical protocols employed in the feasibility study for the mainstage research, along with further considerations, as summarised below:

- Minimising burden on respondents by reducing questionnaire length (ideally to 15–20 minutes).

- Providing additional reassurances throughout the questionnaire about confidentiality, particularly around sensitive financial or non-monetary impact questions.
- As detailed questions about an individual's/ household's/ organisation's financial situation(s) are critical for analysis purposes, it will be important to further review these questions to ensure they provide the robust data needed
- Including additional clarification within the survey invite materials explaining why they might not be aware of a court case taken out in their name, noting that it could have been taken out on their behalf by a credit card or insurance company.
- Further enhancing survey accessibility by reducing question lists and grids.

8. Recommendations and mainstage options

8.1 Recommendations

This feasibility study has determined that conducting a survey to assess the experiences and needs of individuals and businesses using the civil county courts in England and Wales is feasible. The pilot survey showed it would be possible to collect data to meet policy analysis needs and fill data gaps within the larger scale mainstage survey. However, to ensure the survey's success and maximise its value in informing relevant policy development, and provide further statistical confidence in the results, several key considerations should be addressed:

Refining research scope and objectives

- The survey's scope should be carefully refined to balance comprehensiveness with respondent burden. While the pilot focused on the financial and non-financial impacts of legal disputes and engagement with ADR, the survey also covered a range of other aspects, resulting in a relatively long questionnaire. Further prioritisation will help to streamline the questionnaire and maintain respondent engagement.
- To inform this prioritisation, there should be a clear analytical plan before the survey is finalised to identify how the study's objectives will be met through the analysis of survey questions. This should include an assessment of the likely strength of evidence and potential risks (informed by the findings of this feasibility study).

Target audience and methodology

- The study highlights the potential benefits of a multi-faceted approach to data collection. While a survey can effectively capture quantitative data from a broad range of court users, targeted qualitative research, particularly for businesses with multiple interactions with HMCTS, will likely provide additional valuable insights and reliable cost information.

- The lack of email addresses for many HMCTS court users presents a logistical challenge. The feasibility study provides indicative outcomes from an alternative contact method of postal mailouts with and without telephone follow-ups.
- The pilot survey indicates there is likely to be an over-representation of claimants amongst respondents to any potential mainstage. This indicates potential non-response bias, which can be addressed by weighting the findings to ensure a representative sample. However, oversampling defendants in the initial sample is advisable to minimise the impact of weighting factors on the data's robustness and increase sample sizes within key subgroups.
- Given the focus on estimating costs and impacts of the litigation process, it will be advisable to review the types of cases and user groups and consider excluding those where questions will be less relevant – e.g. uncontested cases.

Questionnaire design and testing

- The feasibility study strongly recommends streamlining the questionnaire to reduce completion time and respondent burden. This will require prioritising key questions, simplifying language and terminology, and optimising question formats for relevant modes of administration (online and telephone).
- Further cognitive testing and piloting will be highly beneficial to ensure the questionnaire's relevance and comprehensibility across all target audiences. This includes refining questions related to costs and impacts, ensuring applicability to both claimants and defendants, and addressing potential recall challenges.
- The study emphasises the importance of incorporating opportunities for respondent feedback within any mainstage research. This will allow court users to share their perspectives and experiences in their own words, enriching the data and providing valuable insights beyond quantitative measures.
- Ahead of the finalisation of questions to measure costs and impacts, there should be careful consideration of the economic analysis that will be conducted and how sequencing and wording of questions can elicit the most robust information to identify costs aligned to the impacts of legal disputes (as per the recommendations from the Towards quantifying the costs of civil, family and tribunal (CFT) legal disputes discussion paper).

Ethical considerations

- Robust ethical protocols must be embedded throughout the research process, with a particular focus on data sensitivity, potential disclosures, and participant confidentiality. The feasibility study recommends enhancements to ensuring clear and accessible information about data protection measures, signposting to relevant support services, and ensuring sensitivity towards vulnerable groups.

By addressing these considerations, the proposed mainstage survey can provide valuable insights into the experiences and needs of civil court users, informing policy development and contributing to a more accessible, efficient, and equitable civil justice system.

8.2 Mainstage options

This feasibility study provides valuable evidence and insights to guide the design of a potential full-scale survey (referred to as the 'mainstage survey'). Several key considerations influence the mainstage survey's design, each impacting the research costs and timelines. The following table presents three potential options, outlining how these considerations vary across each. These options are categorised as 'Higher,' 'Medium,' and 'Lower' Risk. This categorisation reflects the likelihood of each option yielding robust and valuable data. The 'Lower Risk' option, while requiring a longer timeframe and higher costs, is anticipated to deliver the most comprehensive and impactful results. In contrast, the 'Higher risk' option would be quicker and cheaper to implement, though there would be greater risks around the robustness of the data and any subsequent conclusions or recommendations based on the findings. It is important to note that these options are presented as a framework, not rigid categories. The specific features of each option can be adapted to meet the project's unique needs and constraints. Therefore, rather than recommending a single approach, we suggest a mainstage design that draws upon elements of the 'Medium' and 'Lower' Risk options, if time and budget allow.

Table 8.1: Key considerations for mainstage survey design

	“Higher risk”	“Medium risk”	“Lower risk”
Study objectives and focus	Refine the study objectives with accompanying prioritised key research questions that the survey should address.	Refine the study objectives with accompanying prioritised key research questions that the survey should address, as well as complementary questions that should be covered in separate qualitative research.	Refine the study objectives with accompanying prioritised key research questions that the survey should address, as well as complementary questions that should be covered in separate qualitative research.
Study methodology	Continue with survey only approach.	Combine a survey approach with complementary small-scale qualitative discussions/semi-structured interviews to target specific audiences, notably businesses/other users who have ongoing contact with civil courts via multiple cases.	Combine a survey approach with complementary programme of qualitative discussions/semi-structured interviews to target relevant audiences and provide scope for the robust collation of cost data from these users. Ipsos would firmly recommend this option to ensure cost estimates are fully informed.
Survey sample	Continue with parameters used for feasibility study with no further stratification. Only include court users with email address contact information to minimise costs. Whilst this would be the lowest cost option, Ipsos would not recommend this option since indications from the feasibility study show this would be highly unrepresentative of all users and subsequent cost estimates may lack credibility.	Adapt parameters used for feasibility study following insights from feasibility study: considering stratifying by type and boosting defendants. Include court users with email address and/or telephone numbers within their contact information.	Adapt parameters used for feasibility study following insights from feasibility study: considering stratifying by type and boosting defendants; also potentially adapt rules around the time periods of cases for inclusion. Include court users with email address and/or telephone numbers and/or postal address only within their contact information (to maximise coverage and ensure full representation).

	“Higher risk”	“Medium risk”	“Lower risk”
Survey modes	Focus on the mode that delivers highest number of responses for lowest unit cost: Email invitation with link to survey. No postal mailings or telephone follow-ups.	<p>Include:</p> <ol style="list-style-type: none"> 1. Email invitations with link to survey (for those with email addresses); and 2. Letter invitation with link to survey and follow-up telephone call. No coverage of users who only have postal address within contact details. 	<p>Use full range of survey modes included within the feasibility study;</p> <ol style="list-style-type: none"> 1. Email invitation with link to survey; 2. Letter invitation with link to survey and follow-up telephone call; 3. Letter invitation with link to survey (No follow-up telephone call). Also potentially consider a hard copy paper survey if the questionnaire routing can be simplified accordingly within the streamlining process. <p>This ensures coverage of all users, as long as have either email, telephone number or postal address.</p>
Invitation materials / approach	Implement recommendations from feasibility study: stronger emphasis on MoJ having commissioned the study to increase legitimacy, more prominent highlighting of potential benefits to participants, and simplification of technical terms.	Implement recommendations from feasibility study and test different subject lines and wording within small-scale user testing.	Implement recommendations from feasibility study and test different subject lines and wording within further cognitive testing and full-scale pilot. Whilst potentially beneficial, Ipsos would not recommend a full pilot is required for the purposes of testing the invitation materials (though could be more useful and cost-effective if aspects of the questionnaire needed to be tested (see below)).

	“Higher risk”	“Medium risk”	“Lower risk”
Questionnaire development	Take on board recommendations from the feasibility study (covered within this report): increased focus and reduced length (potentially focussing on costs of legal action, and/or experiences with ADR); mapped against full range of court user journeys to optimise relevance; ensuring opportunities for user feedback; further simplification of language and terms; adaptation of cost-focussed measures.	Taking on board recommendations from the feasibility study and developing separate topic guide for qualitative interviews. Also, further refinement of questionnaire to take into account mixed-mode for survey (online and telephone).	Taking on board recommendations from the feasibility study and conducting further cognitive testing and piloting to fully optimise measures against refined objectives and align with revised audience focus, whilst providing important measures of survey length. Develop separate topic guide for qualitative interviews, with further consideration of cost-focussed measures to include within overall cost analysis.
Further testing and piloting	No further cognitive testing or piloting; proceed to mainstage survey.	Some limited small-scale cognitive testing of the revised questionnaire with range of users.	Cognitive testing of the revised questionnaire to inform a pilot of the survey across all modes of invitation/data collection. Also limited testing of qualitative semi-structured interview guide to test cost-focussed questions.

	“Higher risk”	“Medium risk”	“Lower risk”
Use of incentives	No incentives for participation.	Incentives for those engaged in qualitative discussions/semi-structured interviews.	Incentives for those engaged in qualitative discussions/semi-structured interviews and also trial the use of incentives for survey completion via a controlled test within the pilot to assess the impact of offering incentive payments to complete the survey. A test on incentives would be instructive to assess the impact on response rates, though would have significant ethical considerations (which, when traded-off against the likely value gained in terms of a slightly higher response rate, may not be worth the potential risk).
Timings implications	Quickest to implement as involves least adaptation from feasibility study, with only one survey mode and no further testing/piloting.	Timings would be somewhere between the ‘Higher’ and ‘Lower’ risk options.	Longest to implement as involves greater consideration, adaptation and further testing/piloting.
Cost implications	Lowest cost option as utilises the cheapest method of survey collection, with no costs incurred through further testing/piloting, nor through additional qualitative research or incentive payments.	Some increased costs through the inclusion of limited cognitive testing, additional survey mode and complementary qualitative research.	Highest overall cost, with the enhanced testing/piloting, coverage of all data collection modes, inclusion of qualitative research, as well as further incentive payments.

9. Appendix

9.1 Summary of specific question refinements

Question number	Description of change
INTRO1	Translate “case type” into language more understandable for respondents and telephone interviewers.
A12, C8, C13, D2, E10, E13	Remove numeric open-ended text boxes, replace with questions utilising cost ranges.
D4	<ul style="list-style-type: none"> Consider reframing option A to incorporate more general stress, not just stress which has caused illness or a mental health problem, or add an additional option. Rework “loss of income” and “financial strain” to ensure they are mutually exclusive
D4b	Add a “none of these” option.
E1	Reconsider and amend question format – potentially breaking down grid into multiple questions to improve cognition.
F8	Amend options to ensure that respondents who have been married before, but aren’t currently married, can be included.
F12, F13 and F14	Income question currently asks about household income. If this question is going to be used to estimate costs related to taking time off work (D1a and D3a) then this needs to be amended to ask about the particular individual’s income.
F25	Consider the timeframe (last 5 years or last 12 months) and align with F27.
F27	Align timeframe with F25 and ensure respondents are able to input 0.

9.2 Summary of details provided

	Has phone number	Has email address	Has physical address	Number of cases
Claim type				
Injunction	10.2%	5.9%	100.0%	11,388
Other claim type	12.7%	10.0%	99.3%	43,271
Part 8 Claim	2.7%	2.6%	100.0%	42,024
Personal Injury	0.4%	0.5%	100.0%	68,560
Possession	26.4%	25.5%	100.0%	128,986
Specified Claim	7.6%	9.7%	100.0%	1,488,371
Unspecified Claim	2.8%	3.0%	100.0%	37,136
Representation				
Represented	2.2%	2.5%	100.0%	775,703
Unrepresented	13.3%	15.8%	100.0%	1,044,033
Amount claimed				
£0/No amount claimed specified	5.7%	4.9%	100.0%	185,132
Less than £10k	9.1%	11.0%	100.0%	1,537,979
More than or equal to £10k, but less than £50k	5.9%	6.8%	99.8%	85,723
More than or equal to £50k, but less than £100k	5.0%	5.3%	99.9%	6,944
More than or equal to £100k	3.1%	3.7%	99.7%	3,958
Case defended category				
Defended	22.8%	25.2%	99.9%	260,324
Not defended	4.5%	6.0%	100.0%	1,497,642
N/A	48.1%	48.0%	100.0%	61,770
Role				
Claimant	9.0%	9.8%	99.9%	890,074
Defendant	8.1%	10.5%	100.0%	923,184
Other	18.6%	13.3%	99.7%	65

9.3 Cognitive testing – interview profile

Variable	Overall quota (and per wave)	Achieved
Type of case	Specified Claim	11
	Personal Injury	0
	Part 8 Claim (damages)	2
	Unspecified Claim	1
	Possession	2
	Injunction	1
	Other	5
Role	Claimant	17
	Defendant	5
Representation	Yes	5
	No	17
Type of party	Individuals	13
	Sole Traders	2
	Business/organisation	6
	Other	1

9.4 Questionnaire

INTERVIEWER INSTRUCTIONS IN CAPS

[GREEN] ROUTING/SCRIPTING/TEXT SUBSTITUTION INSTRUCTIONS (I.E. EVERYTHING THAT WILL NOT APPEAR ON THE INTERVIEWER SCREEN) IN RED CAPS

QUESTION/NEW SCREEN LABELS IN BOLD CAPS

[BLUE] Anything that is CATI only in blue

[BROWN] Anything that is web only in brown

INTRODUCTION

[GREEN] INTRO SCREEN IF WEB (MODETYPE = WEB/ONLINE)

[BROWN] Ipsos is conducting a survey on behalf of the Ministry of Justice. The survey is about the experiences of court users, the challenges they may have faced, and their views on different dispute resolution options. Your feedback will help inform improvements to the civil justice system and ensure it meets the needs of those who use it.

The questions should take around 15 minutes to get through, though this can sometimes be a little less or more.

Participation in this survey is voluntary. Continuing with the survey means you consent for your data to be processed in line with the Privacy Policy, which can be found here:

[INSERT PRIVACY POLICY URL]

Please be assured that all responses are confidential, and findings will be reported anonymously.

Taking part will not affect any ongoing, current or future legal proceedings.

If you find that talking about any of the questions upsets you, we recommend that you reach out to one of the organisations below:

- **Samaritans:** A charity offering listening and support services for anyone struggling to cope. They offer a 24-hour helpline run by trained volunteers if you need to talk, or you can write to them. You can get in touch by calling the helpline 116 123 (24 hours a day, 365 days a year), or the Welsh language helpline 0808 164 0123 (7pm to 11pm, everyday) or visiting their website www.samaritans.org.
- **Mind:** Advice, support and information around mental health issues including self-harm. Mind also have a legal advice line in England and Wales. Call 0300 123 3393 (telephone line) or 0300 466 6463 (legal advice line) or go to www.mind.org.uk.

If you have an ongoing legal dispute which you need advice about, we recommend that you use the information on the charity-run **AdviceNow** website www.advicenow.org.uk/get-help/legal-advice-and-helplines. Alternatively, you could contact **Support Through Court**, a charity which provides free independent help for people without legal representation in England and Wales. You can use the national

hotline 0300 081 0006 (9.30am to 12.30pm and 1.30 to 4.30 weekdays) or visit www.supportthroughcourt.org/contact-us/.

By clicking 'continue', you are confirming that you have read and understood the information provided and that you agree to take part. If you'd rather opt-out of this research, please select the 'opt-out' option on the next screen.

[GREEN] INTRO SCREEN IF TELEPHONE (MODETYPE = CATI)

[BLUE] Good morning / afternoon / evening. My name is ... I work for Ipsos who are carrying out a survey on behalf of the Ministry of Justice. We are conducting a survey about the experiences of court users, the challenges they may have faced, and their views on different dispute resolution options.

You have been selected at random as part of a representative sample of individuals and organisations who have recently used County Court services. You should have previously received a letter or email about the research.

Your feedback will help inform improvements to the civil justice system and ensure it meets the needs of those who use it.

The questions should take around 15 minutes to get through, though this can sometimes be a little less or more.

If you find that talking about any of the questions upsets you, we recommend that you reach out to one of the organisations below:

- **Samaritans** is a charity offering listening and support services for anyone struggling to cope. They offer a 24-hour helpline run by trained volunteers if you need to talk, or you can write to them. You can get in touch by calling the helpline 116 123 (24 hours a day, 365 days a year), or the Welsh language helpline 0808 164 0123 (7pm to 11pm, everyday) or visiting their website www.samaritans.org.
- **Mind** offers advice, support and information around mental health issues including self-harm. Mind also have a legal advice line in England and Wales. Call 0300 123 3393 (telephone line) or 0300 466 6463 (legal advice line) or go to www.mind.org.uk.

If you have an ongoing legal dispute which you need advice about, we recommend that you use the information on the charity-run **AdviceNow** website www.advisenow.org.uk/get-help/legal-advice-and-helplines. Alternatively, you could contact **Support Through Court**, a charity which provides free independent help for people without legal representation in England and Wales. You can use the national hotline 0300 081 0006 (9.30am to 12.30pm and 1.30 to 4.30 weekdays) or visit www.supportthroughcourt.org/contact-us/.

[GREEN] FOR INTERVIEWER IF NECESSARY, ADD:

- [BLUE] It is very important that we speak to a wide range of people on this survey, and your opinions and experiences are very important to us. There are no right or wrong answers.
- [BROWN] Taking part will not affect any ongoing, current or future legal proceedings.
- [BLUE] This is a study for the Ministry of Justice, the part of government at the heart of the justice system which is responsible for services upholding fairness in society, and helping people access the advice and services they need to deal with a range of problems.

[GREEN] REASURANCES IF NECESSARY:

- [BLUE] I'd like to inform you that Ipsos is a member of the Market Research Society. All information that you give us will be treated in the strictest confidence and your identity will not be passed on to a third party without your explicit consent or connected to your answers in any way.
- If you would like to read our Privacy Policy, you can access it at [LINK](#). Alternatively, I can take down your details and this can be emailed to you. (This explains the purposes for processing your personal data as well as your rights under data protection regulations to access your personal data, withdraw consent, object to processing of your personal data and other required information.)

[GREEN] IF RESPONDENT WISHES FOR PRIVACY POLICY TO BE EMAILED TO THEM, PLEASE TAKE THEIR FULL NAME AND EMAIL

[BLUE] Before we begin, please be assured that all responses are confidential, and findings will be reported anonymously. Taking part is voluntary and you can change your mind at any time.

[GREEN] ASK ALL

A0. Are you happy to proceed with the survey?

[GREEN] SINGLE CODE ONLY

1. Yes, continue
2. No, opt-out

[GREEN] IF 1 CONTINUE

[GREEN] IF 2 THEN END

SECTION A: DETAILS OF THE CASE

[GREEN] INTRO1

In this first section, we would like to find out a little about your recent case. If you have been involved in more than one claim, please ensure that you answer in respect of the following claim:

[GREEN] [INSERT DETAILS OF CASE FROM SAMPLE – INCLUDING:

- Case number: [GREEN] CASE NUMBER
- Case type: [GREEN] CASE TYPE
- Date of receipt of claim: [GREEN] DATE OF RECEIPT OF CLAIM]

Please answer these questions even if someone else (e.g. a solicitor or insurance company) dealt with the case on your behalf – you can answer “don’t know” if you do not know the details yourself. There is also the option to say you would “prefer not to answer” on some questions.

[GREEN] ASK ALL

A0. What is your age?

[GREEN] INSERT OPEN-ENDED BOX [SCREEN OUT IF UNDER 18]

999. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK ALL

A1. Firstly, could you please confirm that you had some involvement in this case?

[GREEN] SINGLE CODE ONLY

[BLUE] READ OUT

[BROWN] Please select one answer

1. Yes, I have
2. No, I am aware of the case but I have not had any involvement
3. No, I am not aware of this case

[GREEN] IF 1 CONTINUE

[GREEN] IF 3 THEN END

[GREEN] ASK ALL

A2. Are/Were you involved in the case as...

[GREEN] SINGLE CODE ONLY

[BLUE] READ OUT

[BROWN] Please select one answer

1. An individual acting for yourself
2. An individual acting on behalf of your own business (e.g. sole trader/partnership/company that you own)
3. A paid representative acting on behalf of an individual (for example a solicitor, or representative from an insurance or credit card company)
4. A representative of an organisation, business or company that you do not own
5. An individual acting on behalf of someone unable to conduct the case themselves (for example for a child/someone with a mental incapacity)
6. Other (please specify) [GREEN] [TEXT OPEN END]
7. [BLUE] DO NOT READ OUT: Don't know / not sure

[GREEN] IF 1–2 OR 4–6 CONTINUE

IF 3 THEN ASK FOR ALTERNATIVE CONTACT ([BLUE] CATI ONLY) AND END

IF 7 THEN END

IF INTERVIEWMODE IS CATI AND CODE 3 SELECTED AT A2, SHOW THE FOLLOWING

[BLUE] We'd like to speak to the person that you were acting on behalf of. Would you please be able to provide their details or pass on an invitation if sent to you?

[GREEN] ASK ALL

A3. What is/was this particular case about?

[GREEN] MULTICODE

[BLUE] PROMPT TO CODE

[BROWN] Please select the answers that best apply

Money claim (where the case involved a fixed or exact amount of money):

1. An unpaid bill or recovery of debt
2. Faulty goods or services
3. Another breach of contract
4. Other money claim for a fixed or exact amount

Money claim for compensation or damages (where the exact amount is undecided and the claim is seeking to recover compensation for loss or injury):

5. Compensation for personal injury relating to a road traffic accident
6. Compensation for personal injury relating to employment
7. Compensation for personal injury (other than road traffic accident or employment)
8. Compensation for clinical or medical negligence
9. Compensation for professional negligence
10. Compensation for housing disrepair
11. Other compensation/damages.

Rent arrears and/or possession:

12. Possession of land
13. Possession of a property based on rent arrears

14. Possession of a property (not involving arrears)

Other type of claim, including mixed claims, not covered by the options above

15. Return of goods claim
16. Other (please specify) [GREEN] [TEXT OPEN END]
17. [BLUE] DO NOT READ OUT: Don't know what the case was about

[GREEN] ASK ALL

A4. Within this particular case were you the claimant (the side bringing the claim), or were you the defendant (on the side receiving the claim)?

[GREEN] SINGLE CODE ONLY

[BLUE] READ OUT

[BROWN] Please select one answer

1. Claimant (bringing the claim)
2. Defendant (receiving the claim)
3. It was a counter claim (I am a defendant bringing a claim against a claimant)
4. Neither (please specify) [GREEN] [TEXT OPEN END]
5. [BLUE] DO NOT READ OUT: Don't know / not sure

[GREEN] ASK ALL

A5. Is this case still going (i.e. still in the court) or has it now completed? By completed, we mean that the claim has been decided in favour of either you or the other side, it has been resolved in another way, or it has been dropped. This is regardless of whether or not any payments to be made have actually been made.

[GREEN] SINGLE CODE ONLY

[BLUE] READ OUT

[BROWN] Please select one answer

1. Case is ongoing and not yet completed
2. Case is now completed
3. [BLUE] DO NOT READ OUT: Don't know / not sure

[GREEN] ASK IF CASE HAS COMPLETED (CODE 2 AT A5)

A6. Which of the following best describes how the case finished?

[GREEN] SINGLE CODE ONLY

[BLUE] READ OUT

[BROWN] Please select one answer

1. A judge decided the outcome of the case at a court hearing
2. The parties involved in the case reached a negotiated settlement
3. The parties involved in the case reached a negotiated settlement after a Part 36 offer was issued (**[BLUE] ADD IF NECESSARY/ [BROWN] INSERT**
MOUSEOVER WITH DEFINITION: A Part 36 offer is a formal settlement offer made in a civil dispute which encourages parties to settle before trial)
4. A settlement was reached after using alternative dispute resolution such as mediation chosen by the parties
5. The case was decided by non-court arbitration or adjudication
6. A settlement was reached after the court or the process required the parties to use alternative dispute resolution (such as the Small Claims Mediation Service)
7. The claim was dropped or withdrawn without it being settled
8. There was a default judgment because there was no response to the claim
9. A judgment has been made but has been/is being challenged
10. The case finished in another way (please specify) **[GREEN] [TEXT OPEN END]**
11. **[BLUE] DO NOT READ OUT:** Don't know / not sure

[GREEN] ASK IF CODE 2,3,4,5,6,7 and 10 AT A6)

A7. You noted that the case finished without a judge deciding the outcome at a court hearing. At what stage was it settled?

[GREEN] SINGLE CODE ONLY

[BLUE] READ OUT

[BROWN] Please select one answer

1. Before a claim was issued
2. After the claim was issued, before a trial date was set
3. Shortly after a trial date was set

4. Shortly before a trial was due to take place
5. When the hearing fee for the trial was due
6. At another point (please specify) [GREEN] [TEXT OPEN END]
7. [BLUE] DO NOT READ OUT: Don't know / not sure

[GREEN] ASK IF CASE HAS NOT YET COMPLETED (CODE 1 AT A5)

A8. As far as you know, has there been a court hearing, or has a date been set for a court hearing (even if you have not or will not be attending)? By court hearing we mean that a judge is asked to consider the case with one or more of the parties/any representatives present.

[GREEN] MULTICODE

[BLUE] READ OUT

[BROWN] Please select all that apply

1. Court hearing has already happened
2. Court hearing has been set and I am aware of the date
3. Court hearing has been set but I don't know the date
4. Court hearing is not required
5. [GREEN] IF CLAIMANT (CODE 1 OR 3 AT A4): Claim has been submitted but no response yet
6. [GREEN] IF DEFENDANT (CODE 2 AT A4): Claim has been submitted and I plan to submit a defence
7. No court hearing date has been set
8. Don't know whether any court hearings have been set

[GREEN] ASK IF CASE HAS COMPLETED (CODE 2 AT A5)

A9. Just to confirm, as far as you know, was there a court hearing as part of this case (even if you did not attend)? By court hearing we mean that a judge was asked to consider the case with one or more of the parties/any representatives present.

[GREEN] SINGLE CODE ONLY

[BLUE] READ OUT

[BROWN] Please select one answer

1. Yes, there was
2. No, there was not
3. **[BLUE] DO NOT READ OUT:** Don't know / not sure

[GREEN] ASK IF COURT HEARING HAPPENED (CODE 1 AT A8 OR A9)

A10. Was the court hearing in-person or virtual?

[GREEN] SINGLE CODE ONLY

[BLUE] READ OUT

[BROWN] Please select one answer

1. In person
2. Virtual (e.g. video conferencing or telephone)
3. Hybrid (some attendees in person, others virtual/over telephone)
4. Settled on paper
5. **[BLUE] DO NOT READ OUT:** Don't know / not sure

[GREEN] ASK IF CLAIM AMOUNT FROM SAMPLE > £0

A11. Our records indicate that your case involved a claim value of [[GREEN] INSERT CLAIM AMOUNT FROM SAMPLE]. This might have been a claim made by either side in the case, for example, compensation for an injury. Can you confirm if this value is correct?

[GREEN] SINGLE CODE ONLY

[BLUE] READ OUT

[BROWN] Please select one answer

1. Yes
2. No
3. **[BLUE] DO NOT READ OUT:** Don't know / not sure
4. **[BLUE] DO NOT READ OUT:** Prefer not to say

[GREEN] ASK IF CLAIM AMOUNT FROM SAMPLE = £0 OR NOT AVAILABLE

A12. Our records indicate that your case did not involve a monetary claim value. Can you confirm if this value is correct?

[GREEN] SINGLE CODE ONLY

[BLUE] READ OUT

[BROWN] Please select one answer

1. Yes
2. No, it did involve a monetary claim value (please specify) [[GREEN] NUMERIC OPEN END]
3. [BLUE] DO NOT READ OUT: Don't know /not sure
4. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK ALL

A13. Were you hoping for or expecting any of the following non-monetary outcomes from this case?

[GREEN] MULTICODE, RANDOMISE 1–7

[BLUE] READ OUT

[BROWN] Please select all that apply

1. An apology
2. A promise to change business practices
3. A promise to undertake training
4. Reinstatement of employment
5. A change in policy
6. A confidentiality agreement
7. An agreement to provide necessary repairs
8. Other (please specify) [GREEN] [TEXT OPEN END]
9. [BLUE] DO NOT READ OUT: No / not applicable [GREEN] [EXCLUSIVE]
10. [BLUE] DO NOT READ OUT: Prefer not to say [GREEN] [EXCLUSIVE]

[GREEN] ASK IF INCORRECT OR UNKNOWN CLAIM VALUE, A11 IS CODE 2 OR 3

A14. Approximately what was the amount being claimed through the court? Please note that we do not need to know specific amounts but knowing the scale of the claim will be useful for the overall analysis.

[GREEN] SINGLE CODE

[BLUE] PROMPT TO CODE

[BROWN] Please select one answer

1. Up to £1,000
2. Over £1,000 up to £5,000
3. Over £5,000 up to £10,000
4. Over £10,000 up to £15,000
5. Over £15,000 up to £20,000
6. Over £20,000 up to £25,000
7. Over £25,000 up to £50,000
8. Over £50,000 up to £100,000
9. Over £100,000 up to £200,000
10. Over £200,000
11. [BLUE] DO NOT READ OUT: Don't know the amount
12. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF CLAIMANT (CODE 1 OR 3 AT A4)

A15. Did you make the initial claim yourself or did someone else deal with it all for you?

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Myself
2. Friend/family member
3. Solicitor/barrister/lawyer
4. Citizens Advice/free legal advice service
5. Insurance company
6. Other person/organisation (please specify) [[GREEN]TEXT OPEN END]
7. [BLUE] DO NOT READ OUT: Don't know / can't remember

[GREEN] ASK IF CLAIMANT (CODE 1 OR 3 AT A4)

A16. How did you (or someone on your behalf) start the claim?

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Used an online service
2. Completed a version of the form downloaded from the internet
3. Completed a paper version of the form obtained via my solicitor/another source
4. [BLUE] DO NOT READ OUT: Don't know / not sure

[GREEN] ASK IF CASE HAS COMPLETED (CODE 2 AT A5)

A17. In what month and year did the case finish?

By finished, we mean there was a hearing outcome or the case was dismissed.

Please select the month and year using the drop down below. Please enter a best guess if you cannot recall the exact month.

[GREEN] [MONTH]

[YEAR, STARTING FROM 2023]

[BLUE] DO NOT READ OUT: Don't know

[GREEN] ASK IF CASE HAS NOT COMPLETED (CODE 1 AT A5)

A18. And approximately how long has the case been going on to date? Please consider the time since the claim was made (i.e. issued in court). Please estimate to the nearest number of months.

[GREEN] [WRITE IN NUMBER OF MONTHS]

[BLUE] DO NOT READ OUT: Don't know

[GREEN] ASK IF CASE HAS COMPLETED (CODE 2 AT A5)

A19. And did the case go in your favour, or in favour of the other side? Please indicate which of the following best describes the outcome.

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. All or mostly in your favour
2. Evenly split: partly in your favour, partly in favour of the other side
3. All or mostly in favour of the other side
4. [BLUE] DO NOT READ OUT: Don't know

[GREEN] ASK IF OUTCOME KNOWN (CODE 1–3 AT A19)

A20. Which of the following outcomes have happened as a result of the case?

[GREEN] MULTICODE, RANDOMISE 10–16 WITHIN BRACKETS

[BLUE] READ OUT

[BROWN] Please select all that apply

Financial outcomes

1. The other side was ordered to pay the monetary claim/damages in full
2. The other side was ordered to pay for my legal costs
3. The other side was ordered to pay a disbursement
4. The other side was ordered to pay other costs (e.g. interest, indemnity)
5. I was ordered to pay the monetary claim/damages in full
6. I was ordered to pay for the other side's legal costs
7. I ordered to pay a disbursement
8. I was ordered to pay other costs (e.g. interest, indemnity)
9. Neither side had to pay [[GREEN] EXCLUSIVE WITH 1–8]

Non-financial outcomes

10. An apology
11. A promise to change business practices
12. A promise to undertake training
13. Reinstatement of employment
14. A change in policy
15. A confidentiality agreement
16. An agreement to provide necessary repairs
17. Other (please specify) [[GREEN] TEXT OPEN END]
18. None of the above [[GREEN] EXCLUSIVE]
19. [BLUE] DO NOT READ OUT: Don't know [[GREEN] EXCLUSIVE]

[GREEN] ASK IF PAYMENTS MADE, CODES 1–8 SELECTED IN A20)

A21. Which of the following payments were made as a result of the case?

[GREEN] MULTICODE

[BLUE] READ OUT

[BROWN] Please select all that apply

1. The other side was ordered to pay in full by a certain date [[GREEN] EXCLUSIVE WITH CODE 2]
2. The other side was ordered to pay in instalments [[GREEN] EXCLUSIVE WITH CODE 1]
3. I was ordered to pay in full by a certain date [[GREEN] EXCLUSIVE WITH CODE 4]
4. I was ordered to pay in instalments [[GREEN] EXCLUSIVE WITH CODE 3]
5. [BLUE] DO NOT READ OUT: Don't know

[GREEN] ASK IF WAS ORDERED TO PAY OTHER SIDE'S LEGAL COSTS

(A20 CODE 6)

A22. Have you now paid for the other side's legal costs?

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Yes
2. No
3. [BLUE] DO NOT READ OUT: Don't know / not sure

[GREEN] ASK IF OUTCOME KNOWN (CODE 1–3 AT A19)

A23. Have you appealed the outcome of this case or do you intend to appeal?

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Yes – I have appealed the outcome of this case
2. Yes – I intend to appeal the outcome of this case
3. No
4. [BLUE] DO NOT READ OUT: Don't know / not sure

[GREEN] ASK IF OTHER SIDE ORDERED TO PAY (CODES 1–4 AT A20)

A24. Have they paid in accordance with the terms of the court order or the settlement? Please indicate which of the following best describes what has happened so far. [GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. To date, all payments have been in accordance with court order or settlement
2. Payments have been made, but either not the full amount or not all on time
3. No payment has been made, and the time for payment or a first instalment has passed
4. No payment has been made, but the time for payment or a first instalment has not yet passed
5. Other situation (please specify) [[GREEN] TEXT OPEN END]
6. [BLUE] DO NOT READ OUT: Don't know

[GREEN] ASK IF PAYMENTS HAVE BEEN MADE, BUT EITHER NOT THE FULL AMOUNT OR NOT ALL ON TIME OR NO PAYMENT HAS BEEN MADE, AND THE TIME FOR PAYMENT OR A FIRST INSTALMENT HAS PASSED (CODES 2 OR 3 AT A24)

A25. Have you taken any action to pursue the payment which was not received fully or on time? Please indicate which of the following best describes what has happened so far.

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. I have applied to the court to take enforcement action
2. I am still pursuing the matter but have not applied to take enforcement action
3. I am considering next steps such as discussion/negotiation with the other side
4. I am not pursuing the matter
5. Other (please specify) [[GREEN] TEXT OPEN END]
6. [BLUE] DO NOT READ OUT: Don't know

SECTION B: EXPECTATIONS, CONTACT WITH COURT STAFF AND POST-CASE PERCEPTIONS

[GREEN] ASK IF CLAIMANT (CODE 1 OR 3 AT A4)

B1a. Please now think back to before you put in the claim.

Before you started this case, did you obtain information or advice from any of the following about whether or not to make a claim?

[GREEN] MULTICODE, RANDOMISE 1–17

[BLUE] READ OUT

[BROWN] Please select all that apply

1. Solicitor/barrister/lawyer
2. Insurance company
3. Friend/family member
4. Citizens Advice/ other independent adviser, charity, or representative (e.g. trade union, Shelter, Money Advice Service, Support Through Court)
5. The UK Government website, GOV.UK
6. Social media
7. Other internet websites (including AI, such as ChatGPT)
8. A leaflet, book or self-help guide
9. A law centre
10. Civil Legal Advice (phone and online service)
11. Courts and Tribunals Service Centre (helpline / email / webchat)
12. National Digital Support Service in partnership with 'We are Group'
13. Police
14. Credit Card Company / Bank
15. Housing Association / Landlord
16. Local Council / Council department
17. Alternative dispute resolution, such as Ombudsmen
18. Other (please specify) **[[GREEN] TEXT OPEN END]**
19. None of the above **[[GREEN] EXCLUSIVE]**
20. **[BLUE] DO NOT READ OUT:** Don't know **[[GREEN] EXCLUSIVE]**

[GREEN] ASK IF DEFENDANT (CODE 2 AT A4)

B1b. Please now think back to when you first became aware of the claim.

Did you obtain information or advice from any of the following about how to respond to the claim?

[GREEN] MULTICODE, RANDOMISE 1–17

[BLUE] READ OUT

[BROWN] Please select all that apply

1. Solicitor/barrister/lawyer
2. Insurance company
3. Friend/family member
4. Citizens Advice/ other independent adviser, charity, or representative (e.g. trade union, Shelter, Money Advice Service, Support Through Court)
5. The UK Government website, GOV.UK
6. Social media
7. Other internet websites (including AI, such as ChatGPT)
8. A leaflet, book or self-help guide
9. A law centre
10. Civil Legal Advice (phone and online service)
11. Courts and Tribunals Service Centre (helpline / email / webchat)
12. National Digital Support Service in partnership with 'We are Group'
13. Police
14. Credit Card Company / Bank
15. Housing Association / Landlord
16. Local Council / Council department
17. Alternative dispute resolution, such as Ombudsmen
18. Other (please specify) [[GREEN] TEXT OPEN END]
19. None of the above [[GREEN] EXCLUSIVE]
20. [BLUE] DO NOT READ OUT: Don't know [[GREEN] EXCLUSIVE]

[GREEN] ASK IF CLAIMANT (CODE 1 OR 3 AT A4)

B2. Thinking back to when you submitted the claim. At that stage, what did you think the final outcome would be? Did you expect the case to go in your favour, in favour of the other side, or did you think you had an even chance?

Please think about the overall direction of the outcome, rather than whether or not you expected to get everything you were aiming for.

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Expected case would go in my favour
2. Thought I had an even (50/50) chance
3. Expected case would go in other side's favour
4. [BLUE] DO NOT READ OUT: Don't know

[GREEN] ASK IF CASE HAS COMPLETED (CODE 2 AT A5)

B3a. And how satisfied or dissatisfied were you with the outcome of the case?

[GREEN] SINGLE CODE, ROTATE 1–5

[BLUE] READ OUT

[BROWN] Please select one answer

1. Very satisfied
2. Fairly satisfied
3. Neither satisfied nor dissatisfied
4. Fairly dissatisfied
5. Very dissatisfied
6. [BLUE] DO NOT READ OUT: Don't know
7. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF CASE HAS COMPLETED (CODE 2 AT A5)

B3b. Thinking about the time it took from [IF CLAIMANT (CODE 1 AT A4)] 'submitting' / [IF DEFENDANT (CODE 2 AT A4)] 'receiving' a claim to the case outcome, to what extent was the duration of the case as you expected?

[GREEN] SINGLE CODE, ROTATE 1–5

[BLUE] READ OUT

[BROWN] Please select one answer

1. It was much longer than I expected
2. It was a little longer than I expected
3. It was as I expected
4. It was a little shorter than I expected
5. It was much shorter than I expected
6. [BLUE] DO NOT READ OUT: Don't know
7. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] INTRO2, SHOW ALL

The next few questions are about any contact you may have had with court services throughout the process of the case.

[GREEN] ASK ALL

B4. At any stage throughout the process of the claim, have you had any contact with the court services for information or advice in any of the following ways?

[GREEN] MULTICODE, RANDOMISE 1–4

[BLUE] READ OUT

[BROWN] Please select all that apply

1. Yes, in person, at the court
2. Yes, by email/via website
3. Yes, by telephone/helpline
4. Yes, by post
5. Yes, by another means (please specify) [[GREEN] TEXT OPEN END]
6. No contact with court staff [[GREEN] EXCLUSIVE]
7. [BLUE] DO NOT READ OUT: Don't know / can't remember [[GREEN] EXCLUSIVE]

[GREEN] ASK IF HAD CONTACT WITH COURT SERVICES (CODES 1–5 AT B4)

B5. Overall, how helpful did you find the information or advice you received from court services?

[GREEN] SINGLE CODE, ROTATE 1–4

[BLUE] READ OUT

[BROWN] Please select one answer

1. Very helpful
2. Quite helpful
3. Not very helpful
4. Not at all helpful
5. [BLUE] DO NOT READ OUT: Don't know / can't remember
6. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF HAD CONTACT WITH COURT STAFF SERVICES (CODES 1–5 AT B4)

B6. Regardless of the outcome of the case, how satisfied or dissatisfied were you with your experience of court services?

[GREEN] SINGLE CODE, ROTATE 1–5

[BLUE] READ OUT

[BROWN] Please select one answer

1. Very satisfied
2. Fairly satisfied
3. Neither satisfied nor dissatisfied
4. Fairly dissatisfied
5. Very dissatisfied
6. [BLUE] DO NOT READ OUT: Don't know
7. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF HAD CONTACT WITH COURT STAFF SERVICES (CODES 1–5 AT B4)

B7. Please can you [WEB INSERT “write in”][[BLUE] CATI INSERT “elaborate on”] any reasons why you were [[GREEN] INSERT ANSWER FROM B6] with your experience of the court services.

[GREEN] [TEXT OPEN END]

NOTE: Please note that the comments you provide will be looked at in full by the Ministry of Justice and researchers analysing the data. We will remove any information that could identify you before publishing any of your feedback.

[BLUE] DO NOT READ OUT: Don't know [[GREEN] EXCLUSIVE]

[BLUE] DO NOT READ OUT: Prefer not to say [[GREEN] EXCLUSIVE]

SECTION C: EXPERIENCES AND COSTS OF LEGAL INPUT TO THIS CASE

[GREEN] ASK IF INDIVIDUAL (CODE 1, 2, 5 OR 6 AT A2)

C1a. Have you received any advice, guidance or other input from a solicitor, barrister or some other kind of lawyer in relation to this particular case?

NOTE: Please answer yes even if this was informal advice e.g. from a personal friend/ relative/ colleague who was a lawyer.

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Yes
2. No
3. [BLUE] DO NOT READ OUT: Don't know / can't remember
4. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF BUSINESS (CODE 4 AT A2)

C1b. Have you received any legal advice, guidance or other input from a solicitor, barrister or some other kind of lawyer in relation to this particular case?

[GREEN] MULTICODE AND RANDOMISE 1 AND 2

[BLUE] READ OUT

[BROWN] Please select all that apply

1. Yes – from in-house legal advice or representation
2. Yes – from external legal advice or representation
3. No [[GREEN] EXCLUSIVE]
4. [BLUE] DO NOT READ OUT: Don't know / can't remember
5. [BLUE] DO NOT READ OUT: Prefer not to say

**[GREEN] ASK IF INDIVIDUAL USED A SOLICITOR/BARRISTER/OTHER LAWYER
(CODE 1 AT C1a)**

**C2. Which of the following best describes what a solicitor, barrister or other lawyer
has done for you on the case? Have they ...**

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Conducted the case for you all the way through
2. Helped you part-way through or only at certain stages of the case
(e.g. attending hearings)
3. Provided you with advice only to help you deal with the case yourself
4. Other (please specify) [[GREEN] TEXT OPEN END]
5. [BLUE] DO NOT READ OUT: Don't know / can't remember
6. [BLUE] DO NOT READ OUT: Prefer not to say

**[GREEN] ASK IF INDIVIDUAL USED A SOLICITOR/BARRISTER/OTHER LAWYER
(CODE 1 AT C1a)**

C3. Why did you decide to use a solicitor, barrister or other lawyer?

[GREEN] MULTICODE, RANDOMISE 1–8

[BLUE] READ OUT

[BROWN] Please select all that apply

1. I needed the expertise/ knowledge
2. I did not have time to conduct the case myself
3. Because the other side had legal representation
4. I thought my case would be taken more seriously
5. To speed up the case
6. To help make sure I got the outcome I wanted
7. I was advised to use a legal representative
8. Representation or advice was free/I wouldn't have to pay if I didn't win
9. Other (please specify) [[GREEN] TEXT OPEN END]
10. [BLUE] DO NOT READ OUT: Don't know / can't remember [[GREEN] EXCLUSIVE]
11. [BLUE] DO NOT READ OUT: Prefer not to say [[GREEN] EXCLUSIVE]

[GREEN] ASK IF INDIVIDUAL USED A SOLICITOR/BARRISTER/OTHER LAWYER (CODE 1 AT C1a)

C4. To what extent, if at all, were you satisfied with the information, advice or help you received from the adviser?

[GREEN] SINGLE CODE, ROTATE 1–4

[BLUE] READ OUT

[BROWN] Please select one answer

1. Very satisfied
2. Quite satisfied
3. Not very satisfied
4. Not at all satisfied
5. [BLUE] DO NOT READ OUT: Don't know
6. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF INDIVIDUAL DID NOT USE A SOLICITOR/BARRISTER/OTHER LAWYER (CODE 2 AT C1a)

C5. Why did you decide not to use a solicitor, barrister or other lawyer?

[GREEN] MULTICODE, RANDOMISE 1–4

[BLUE] READ OUT

[BROWN] Please select all that apply

1. I had the expertise/knowledge to handle the case myself
2. I had time to conduct the case myself
3. I thought it would be too costly
4. I was advised not to use a legal representative
5. Other (please specify) [[GREEN] TEXT OPEN END]
6. [BLUE] DO NOT READ OUT: Don't know / can't remember [[GREEN] EXCLUSIVE]
7. [BLUE] DO NOT READ OUT: Prefer not to say [[GREEN] EXCLUSIVE]

[GREEN] ASK IF INDIVIDUAL USED A SOLICITOR/BARRISTER/OTHER LAWYER
(CODE 1 AT C1a)

C6. Did you have a no win/no fee arrangement or a damages based agreement with your solicitor, barrister or other lawyer?

By no win/no fee agreement, we mean an arrangement where you don't have to pay the lawyer if you lose the case.

By damages based agreement, we mean an arrangement where your solicitor takes a share of the damages as their cost.

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Yes, I had a no win/no fee arrangement
2. Yes, I had a damages based agreement
3. No, I did not have either of these
4. [BLUE] DO NOT READ OUT: Don't know / not sure
5. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF DID NOT HAVE A NO WIN/NO FEE OR DAMAGES BASED ARRANGEMENT (CODE 3AT C6)

C7. Have you had to pay any legal fees for your solicitor, barrister or other lawyer, or will you have to?

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Yes, have paid or will pay legal fees
2. No, have not paid nor will have to pay legal fees
3. [BLUE] DO NOT READ OUT: Don't know / not sure
4. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF HAVE PAID LEGAL FEES (CODE 1 AT C7)

C8. What was the total cost of the legal fees for your solicitor, barrister or other lawyer (including VAT)? If you don't know the total cost yet, please say what you think the total might be. An estimate is fine.

Please consider only the legal fees you paid to a solicitor, barrister or other lawyer. Do not include other costs such as court fees, disbursements, or expert costs.

Please write the amount to the nearest Pound (£)

£					
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[BLUE] DO NOT READ OUT: Don't know

[BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF UNABLE TO PROVIDE ESTIMATE (DON'T KNOW AT C8)

C9. Can you estimate the cost of the legal fees for your solicitor, barrister or other lawyer (including VAT) using the range below?

[GREEN] SINGLE CODE, DROP DOWN

[BLUE] READ OUT

[BROWN] Please select one answer

1. Up to £500
2. £501–£1,000
3. £1,001–£1,500
4. £1,501–£2000
5. £2,001–£2,500
6. £2,501–£3,000
7. £3,001–£5,000
8. £5,001–£10,000
9. £10,001–£20,000
10. £20,001–£50,000
11. Over £50,000
12. [BLUE] DO NOT READ OUT: Don't know
13. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF PAID LEGAL FEES (CODE 1 AT C7 AND IS AN INDIVIDUAL (CODE 1, 2, 5 OR 6))

C10. Thinking about the money you personally had to pay for the cost of the legal fees for your solicitor, barrister or other lawyer, which, if any, apply?

[GREEN] MULTICODE, RANDOMISE 1–4

[BLUE] READ OUT

[BROWN] Please select all that apply

1. I was able to cover the cost from my regular income
2. I had to access savings that I had available
3. I had to borrow money from a business / organisation to cover the cost
4. I had to borrow money from friends and / or family to cover the cost
5. I covered the cost through other means (please specify) [[GREEN] TEXT OPEN END]
6. [BLUE] DO NOT READ OUT: Don't know / can't remember [[GREEN] EXCLUSIVE]
7. [BLUE] DO NOT READ OUT: Prefer not to say [[GREEN] EXCLUSIVE]

[GREEN] ASK IF CLAIMANT (CODE 1 OR 3 AT A4)

C11. Have you had to pay any court fees to start the claim or at any other point during the case?

By court fees, we mean amounts paid to the court. Please do not include legal fees paid to a solicitor, barrister or other lawyer, disbursements, or expert costs.

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Yes, I paid a court fee
2. No, somebody else paid
3. The court fee was waived in full or was reduced because I was granted a fee remission (e.g. through the Help with Fees scheme)
4. [BLUE] DO NOT READ OUT: Don't know / can't remember
5. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF DEFENDANT (CODE 2 AT A4)

C12. Have you had to pay any court fees to file a response to the claim or at any other point during the case?

By court fees, we mean amounts paid to the court. Please do not include legal fees paid to a solicitor, barrister or other lawyer.

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Yes, I paid a court fee
2. No, somebody else paid
3. The court fee was waived in full or was reduced because I was granted a fee remission (e.g. through the Help with Fees scheme)
4. [BLUE] DO NOT READ OUT: Don't know / can't remember
5. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF HAVE PAID COURT FEES (CODE 1 AT C11 or C12)

C13. What was the total cost of the court fees you have paid? If you don't know the total cost yet, please say what you think the total might be.

Please write the amount to the nearest Pound (£)

£					
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[BLUE] DO NOT READ OUT: Don't know

[BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF UNABLE TO PROVIDE ESTIMATE (DON'T KNOW AT C13)

C14. Can you estimate the cost of the court fees using the range below?

[GREEN] SINGLE CODE, DROP DOWN

[BLUE] READ OUT

[BROWN] Please select one answer

1. Up to £50
2. £50–£100
3. £101–£200
4. £201–£300
5. £301–£500
6. £501–£1,000
7. £1,001–£2,000
8. £2,001–£3,000
9. £3,001–£5,000
10. £5,001–£10,000
11. Over £10,000
12. [BLUE] DO NOT READ OUT: Don't know
13. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF PAID COURT FEES (CODE 1 AT C11 OR C12 AND IS AN INDIVIDUAL (CODE 1, 2, 5 OR 6 AT A2))

C15. Thinking about the fees to the court or tribunal that you personally have had to pay, which, if any, apply?

[GREEN] MULTICODE, RANDOMISE 1–4

[BLUE] READ OUT

[BROWN] *Please select all that apply*

1. I was able to cover the cost from my regular income
2. I had to access savings that I had available
3. I had to borrow money from a business / organisation to cover the cost
4. I had to borrow money from friends and / or family to cover the cost
5. I covered the cost through other means (please specify) [[GREEN] TEXT OPEN
END]
6. [BLUE] DO NOT READ OUT: Don't know / can't remember [[GREEN]
EXCLUSIVE]
7. [BLUE] DO NOT READ OUT: Prefer not to say [[GREEN] EXCLUSIVE]

SECTION D: COSTS AND IMPACTS OF LEGAL ACTION

[GREEN] INTRO3, SHOW ALL

This next section will ask you a bit about some of the costs and impacts you may have experienced as a result of the legal action. Remember, if there are any questions you can't remember the answer to or don't feel comfortable answering, you can answer "don't know" or "prefer not to say".

[GREEN] ASK IF ACTING AS AN INDIVIDUAL (CODE 1, 2, 5 OR 6 AT A2)

D1a. Thinking now about the money you may have spent regarding the legal action relating to your case. Other than legal fees and/or court fees, have you spent anything on the following in relation to the legal action around this case?

Please only consider costs relating to the legal action/dispute. Do not include other costs that you may have incurred due to any other aspects of the issue(s) that led to the legal action.

[GREEN] SINGLE CODE PER OPTION A–F, RANDOMISE A–E

[BLUE] READ OUT

[BROWN] Please select one answer

- a. Transport or parking (e.g. petrol, public transport, parking charges)
- b. Purchasing materials and/or photocopies
- c. Advice relating to the legal action but separate from legal fees
- d. Childcare
- e. Costs related to time spent on the case (e.g. having to take time off work)
- f. Other

- 1. Yes
- 2. No
- 3. **[BLUE] DO NOT READ OUT:** Don't know / not sure
- 4. **[BLUE] DO NOT READ OUT:** Prefer not to say

ASK IF 'OTHER' (OPTION F) WAS CODE 1 AT D1a

D1b. You selected "Other" in the previous question. Please specify below what else you have spent money on regarding the legal action relating to your case, other legal fees and/or court fees.

[GREEN] [TEXT OPEN END]

[BLUE] DO NOT READ OUT: Don't know

[BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK FOR EACH OPTION A–F 'YES' (CODE 1) AT D1

D2. What was the total amount you have paid for **[[GREEN] INSERT RELEVANT CATEGORY FROM D1] during this case (including VAT)? If you don't know the total cost yet, please say what you think the total might be. An estimate is fine.**

[BROWN] Please write the amount to the nearest Pound (£)

£					
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[BLUE] DO NOT READ OUT: Don't know

[BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF UNABLE TO PROVIDE ESTIMATE (DON'T KNOW AT D2)

D3. Can you estimate the cost of [[GREEN] INSERT RELEVANT CATEGORY FROM D1] using the range below?

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Up to £50
2. £50–£100
3. £101–£200
4. £201–£300
5. £301–£500
6. £501–£1,000
7. £1,001–£2,000
8. Over £2,000
9. [BLUE] DO NOT READ OUT: Don't know
10. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF UNABLE TO PROVIDE ESTIMATE IN D2 OR D3 (D2 = DON'T KNOW AND D3 = DON'T KNOW) FOR D1 CODE E (TIME TAKEN OFF WORK)

D3a. Are you able instead to provide an estimate of how many days you had to take off of work?

[BROWN] Please insert your best estimate of the number of days below.

[NUMERIC OPEN END]

[BLUE] DO NOT READ OUT: Don't know

[BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF ACTING AS AN INDIVIDUAL (CODE 1, 2, 5 OR 6 AT A2)

D4. And to what extent, if at all, did the experience of this legal dispute cause or contribute to each of the following? Again, please only consider the legal dispute and no other aspects around the issues leading to the legal action.

[GREEN] SINGLE CODE PER OPTION A–F, RANDOMISE a–k, ROTATE 1–3

[BLUE] READ OUT

[BROWN] Please select one answer

- a. Stress-related illness or other mental health problem
- b. Physical illness
- c. A breakdown or break-up with a spouse or partner (including a temporary breakdown, such as separation)
- d. A breakdown of other relationships such as with family or friends
- e. Having to move home
- f. Homelessness
- g. Loss of income
- h. Financial strain
- i. Unemployment
- j. Harassment, abuse, assault or being threatened
- k. Loss of confidence
- l. Other

- 1. A major extent
- 2. A minor extent
- 3. Not at all
- 4. [BLUE] DO NOT READ OUT: Don't know / not sure
- 5. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF 'OTHER' (OPTION l) WAS CODE 1 OR 2 AT D4

D4a. You selected “Other” in the previous question. Please specify below what other impacts the legal dispute caused or contributed to.

[GREEN] [TEXT OPEN END]

[BLUE] DO NOT READ OUT: Don't know

[BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF EXPERIENCED LOSS OF INCOME OR FINANCIAL STRAIN TO MAJOR/MINOR EXTENT – CODE 1–2 AT OPTION H OR G AT D4

D4b. You mentioned experiencing loss of income or financial strain as a result of this legal dispute. Which of the following, if any, have you experienced as a result?

Again, please only consider the legal dispute and no other aspects around the issues leading to the legal action.

[GREEN] MULTICODE, RANDOMISE 1–6

[BLUE] READ OUT

[BROWN] *Please select all that apply*

1. Having trouble paying bills
2. Having to cut back on essentials or struggling to meet basic needs
3. Taking on additional debt
4. Depleting savings to pay for costs or fees
5. Selling assets to pay for costs or fees
6. Missing a family holiday/event
7. [BLUE] DO NOT READ OUT: Don't know
8. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF SOLE TRADER OR ACTING ON BEHALF OF A BUSINESS OR ORGANISATION (CODE 2 OR 4 AT A2)

D5. Thinking now about the impacts that the legal action relating to this case may have had on your business. To what extent, if at all, has dealing with the legal action around this case caused or contributed to each of the following.

Please only consider impacts relating to the legal dispute and no other aspects around the issues leading to the legal action.

[GREEN] SINGLE CODE PER OPTION A–F, RANDOMISE a–f, ROTATE 1–3

[BLUE] READ OUT

[BROWN] *Please select one answer*

- a. Funds tied up in this legal dispute that would have been used in other ways
- b. Reduced levels of productivity
- c. Wellbeing of staff
- d. Effects on business operations
- e. Loss of management time/supervision/training of staff
- f. Loss of capacity/resources
- g. Other

1. A major extent
2. A minor extent
3. Not at all
4. [BLUE] DO NOT READ OUT: Don't know / not sure
5. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF 'OTHER' (OPTION G) WAS CODE 1 OR 2 AT D5

D5a. You selected "Other" in the previous question. Please specify below what other impacts the legal action had on your business.

[GREEN] [TEXT OPEN END]

[BLUE] DO NOT READ OUT: Don't know

[BLUE] DO NOT READ OUT: Prefer not to say

SECTION E: CONSIDERATIONS AND ATTITUDES TOWARDS ALTERNATIVE ROUTES

[GREEN] INTRO4

This next section includes questions that relate to potential alternatives to disputes going to court.

[GREEN] ASK ALL

E1. Did you use any of the following, or think about using any of the following during the course of your case?

[GREEN] SINGLE CODE PER OPTION A–F, RANDOMISE a–i (with b always immediately following a); j, k and l always at end, ROTATE 1–4

[BLUE] READ OUT

[BROWN] Please select one answer

- a. **Mediation provided by HM Courts and Tribunals Service (HMCTS) such as through the Small Claims Mediation Service** [[BLUE] ADD IF NECESSARY/[BROWN] INSERT MOUSEOVER WITH DEFINITION: [BLUE] READ OUT IF NECESSARY: this is a service provided by HMCTS where an

independent third party called a mediator helps that both sides to reach a solution and avoid going to court. The parties have the final say on whether and on what terms the dispute should settle.]

b. **Mediation provided by another formal provider** [[BLUE] ADD IF NECESSARY/[BROWN] INSERT MOUSEOVER WITH DEFINITION: [BLUE] READ OUT IF NECESSARY: this is a service provided through another formal provider (not HMCTS) where an independent third party called a mediator helps both sides to reach a solution and avoid going to court. The parties have the final say on whether and on what terms the dispute should settle.]

c. **Conciliation** [[BLUE] ADD IF NECESSARY/[BROWN] INSERT MOUSEOVER WITH DEFINITION: [BLUE] READ OUT IF NECESSARY: this involves an independent third party called a conciliator who focuses on what each side wants and tries to find a way of solving the problem that both sides are happy with. The conciliator puts forward options in trying to resolve the dispute. The parties have the final say on whether and on what terms the dispute should settle.]

d. **Arbitration** [[BLUE] ADD IF NECESSARY/[BROWN] INSERT MOUSEOVER WITH DEFINITION: [BLUE] READ OUT IF NECESSARY: this is where an independent arbitrator is used to make an independent decision about a complaint. The decision of the arbitrator is legally binding.]

e. **Adjudication** [[BLUE] ADD IF NECESSARY/[BROWN] INSERT MOUSEOVER WITH DEFINITION: [BLUE] READ OUT IF NECESSARY: this is where an independent adjudicator is used to make a quick and impartial decision about a dispute. The decision of the adjudicator is usually temporarily binding, allowing the decision to be reviewed later through arbitration or litigation.]

f. **Ombudsmen** [[BLUE] ADD IF NECESSARY/[BROWN] INSERT MOUSEOVER WITH DEFINITION: [BLUE] READ OUT IF NECESSARY: Ombudsmen look into how a decision was made and also assess if there has been any injustice. They review evidence and then make a recommendation or ruling which can be legally binding.]

g. **Early Neutral Evaluation** [[BLUE] ADD IF NECESSARY/[BROWN] INSERT MOUSEOVER WITH DEFINITION: [BLUE] READ OUT IF NECESSARY:

non-binding evaluations by a judge or an independent legal professional who advises the parties on the strengths and weaknesses of their respective cases.]

- h. **A pre-action meeting** [[BLUE] ADD IF NECESSARY/[BROWN] INSERT MOUSEOVER WITH DEFINITION: [BLUE] READ OUT IF NECESSARY: A meeting between the parties, either virtually, in person, or by telephone, to discuss the scope of their dispute, its root causes, and ways it might be resolved or narrowed.]
- i. **A joint settlement meeting** [[BLUE] ADD IF NECESSARY/[BROWN] INSERT MOUSEOVER WITH DEFINITION: [BLUE] READ OUT IF NECESSARY: A structured negotiation session where both parties involved in a legal dispute, along with their legal representatives, come together to discuss and potentially resolve their case without going to trial.]
- j. **Schemes provided by trade associations** [[BLUE] ADD IF NECESSARY/[BROWN] INSERT MOUSEOVER WITH DEFINITION: [BLUE] READ OUT IF NECESSARY: Many traders have their own recognised alternative dispute resolution (ADR) schemes.]
- k. **Schemes provided by other bodies** [[BLUE] ADD IF NECESSARY/[BROWN] INSERT MOUSEOVER WITH DEFINITION: [BLUE] READ OUT IF NECESSARY: Such as an ADR service provided through NHS Resolution.]
- l. Some other form of dispute resolution to try to resolve the problem
 - 1. Yes, I did this
 - 2. No, but I considered it
 - 3. No, I was aware of this but did not consider it
 - 4. No, I was not aware of this
 - 5. [BLUE] DO NOT READ OUT: Don't know
 - 6. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF 'OTHER' (OPTION I) WAS CODE 1 AT E1

E1a. You selected "Other" in the previous question. Please specify below what other form of dispute resolution you used to try and resolve the problem.

[GREEN] [TEXT OPEN END]

[BLUE] DO NOT READ OUT: Don't know

[BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF SOUGHT ADVICE DURING CASE (ANY CODES 1–18 SELECTED AT B1a OR B1b)

E2. You mentioned seeking advice during your case. Did they recommend any actions to avoid the dispute going to court?

[GREEN] MULTICODE 1 AND 2

[BLUE] READ OUT

[BROWN] Please select all that apply

1. Yes – recommended formal mediation with the other side
2. Yes – recommended another course of action to avoid going to court (please specify) [[GREEN] TEXT OPEN END]
3. No, they did not recommend any course of action to avoid going to court
[[GREEN] EXCLUSIVE]
4. [BLUE] DO NOT READ OUT: Don't know / can't remember
5. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK FOR EACH OF a–I CODED 1 AT E1

E3. You said that you used [[GREEN] INSERT OPTION a–I FROM E1] during the course of the case. At what stage of the case did you have contact with them?

[GREEN] MULTICODE 1–5

[BLUE] READ OUT

[BROWN] Please select one answer

1. Pre-action stage (before issuing the claim)
2. After issuing the claim, but before the trial or hearing
3. After the trial or hearing
4. As part of an appeal / enforcement stage
5. Other (please specify) [[GREEN] TEXT OPEN END]
6. [BLUE] DO NOT READ OUT: Don't know / can't remember
7. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK FOR EACH OF a–I CODED 1 AT E1

E4. What effect, if any, did [[GREEN] INSERT OPTION a–I FROM E1] have in this particular case? Would you say it ...

[GREEN] SINGLE CODE, RANDOMISE 1–3

[BLUE] READ OUT

[BROWN] Please select one answer

1. Resolved the dispute
2. Helped to narrow the dispute/ provided an opening for further negotiations
3. Had no effect
4. Other (please specify) [[GREEN] TEXT OPEN END]
5. [BLUE] DO NOT READ OUT: Don't know / can't remember
6. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK FOR EACH OF a–I CODED 1 AT E1

E5. Overall, how satisfied were you with your experience of using [[GREEN] INSERT OPTION a–I FROM E1] in this particular case?

[GREEN] SINGLE CODE, ROTATE 1–5

[BLUE] READ OUT

[BROWN] Please select one answer

1. Very satisfied
2. Fairly satisfied
3. Neither satisfied nor dissatisfied
4. Fairly dissatisfied
5. Very dissatisfied
6. [BLUE] DO NOT READ OUT: Don't know / can't remember
7. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK FOR EACH OF a–I CODED 1 AT E1

E6. How likely, if at all, would you be to recommend others involved in a similar case use [[GREEN] INSERT OPTION a–I FROM E1]?

[GREEN] SINGLE CODE, ROTATE 1–4

[BLUE] READ OUT

[BROWN] Please select one answer

1. Very likely
2. Fairly likely
3. Not very likely
4. Not at all likely
5. [BLUE] DO NOT READ OUT: Don't know / can't remember
6. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK FOR EACH OF a–I CODED 1 AT E1

E7. Do you feel you benefited from using [[GREEN] INSERT OPTION a–I FROM E1] in any of the following ways?

[GREEN] MULTICODE, RANDOMISE 1–5

[BLUE] READ OUT

[BROWN] Please select all that apply

1. Saved money
2. Saved time
3. Reduced stress
4. Avoided court
5. Delivered a better outcome
6. Other (please specify) [[GREEN] TEXT OPEN END]
7. [BLUE] DO NOT READ OUT: Don't know [[GREEN] EXCLUSIVE]
8. [BLUE] DO NOT READ OUT: Prefer not to say [[GREEN] EXCLUSIVE]

[GREEN] ASK FOR EACH OF a–I CODED 1 AT E1

E8. Which of the following, if any, would have improved your experience of using [[GREEN] INSERT OPTION a–I FROM E1]?

[GREEN] MULTICODE, RANDOMISE 1–3

[BLUE] READ OUT

[BROWN] Please select all that apply

1. If it were cheaper/more affordable
2. If it were faster
3. If it were more neutral

4. Other (please specify) [[GREEN] TEXT OPEN END]
5. [BLUE] DO NOT READ OUT: Don't know [[GREEN] EXCLUSIVE]
6. [BLUE] DO NOT READ OUT: Prefer not to say [[GREEN] EXCLUSIVE]

[GREEN] ASK FOR EACH OF a–I CODED 1 AT E1

E9. Did you pay anything for the services used as part of the [[GREEN] INSERT OPTION a–I FROM E1] to resolve your dispute?

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Yes
2. No
3. [BLUE] DO NOT READ OUT: Don't know / can't remember
4. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK FOR EACH OF a–I CODED 1 AT E1 WHERE ALSO YES AT E9 (CODE 1)

E10. What was the total amount you paid for [[GREEN] INSERT OPTION a–I FROM E1] during this case (including VAT)? If you don't know the total cost yet, please say what you think the total might be. An estimate is fine.

[BROWN] Please write the amount to the nearest Pound (£)

£						
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[BLUE] DO NOT READ OUT: Don't know

[BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF UNABLE TO PROVIDE ESTIMATE (DON'T KNOW AT E10)

E11. Can you estimate the cost of the formal mediation services you used during this case using the range below?

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Up to £100
2. £101–£200
3. £201–£300
4. £301–£500
5. £501–£1,000
6. £1,001–£2,000
7. Over £2,000
8. [BLUE] DO NOT READ OUT: Don't know
9. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF ANY a–l CODED 1 AT E1 WHERE ALSO YES AT E9 (CODE 1)

E12. Thinking about this amount you paid for formal mediation services during this case, did any of this total amount include solicitor/lawyer fees to support the mediation or was this amount all spent on mediation fees?

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. The total amount included solicitor fees as well as mediation fees
2. The total amount only included mediation fees
3. [BLUE] DO NOT READ OUT: Don't know / not sure
4. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF E12 IS CODE 1 (ALSO INCLUDED SOLICITOR FEES)

E13. Within the amount you paid for mediation services during this case (including VAT), how much do you think you paid in solicitor/lawyer fees? An estimate is fine.

[BROWN] Please write the amount to the nearest Pound (£)

£					
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[BLUE] DO NOT READ OUT: Don't know

[BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ERROR MESSAGE IF AMOUNT HIGHER THAN THE TOTAL SPENT ON MEDIATION FEES FROM E10 AND E11

[GREEN] ASK IF UNABLE TO PROVIDE ESTIMATE (DON'T KNOW AT E13)

E14. Can you estimate the cost of the solicitor/lawyer fees from within the total amount you paid for mediation using the range below?

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Up to £100
2. £101–£200
3. £201–£300
4. £301–£500
5. £501–£1,000
6. £1,001–£2,000
7. Over £2,000
8. [BLUE] DO NOT READ OUT: Don't know
9. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF CLAIMANT (CODE 1 OR 3 AT A4)

E15. If you had found a way to resolve this dispute without making a court claim, would you have preferred this, or would you still have chosen to make a claim?

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Would have preferred to have used another way and avoided making a court claim
2. Would still have chosen to make a claim
3. Don't have a preference
4. [BLUE] DO NOT READ OUT: Don't know
5. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF ANSWERED THAT THEY DIDN'T CONSIDER SOME FORM OF ADR
(CODE 3 FOR AT LEAST ONE OPTION AT E1)

E16. You said that you were aware of the following types of dispute resolution but did not consider them during the case. What were the main reasons why you did not consider this course of action?

[GREEN] {LIST THOSE ADR OPTONS CODED 3 AT E1}

[GREEN] MULTICODE 1–12, RANDOMISE 1–11

[BLUE] READ OUT

[BROWN] Please select all that apply

1. Didn't know enough about it
2. Didn't know how to
3. The other party refused
4. No need to/problem resolved
5. Not appropriate
6. No suitable options available
7. Cost / too expensive
8. Time it would take/ didn't have time
9. Didn't think it would help
10. Didn't think the other person / people would engage
11. Problem still ongoing / may do in the future
12. Other reason (please specify) [[GREEN] TEXT OPEN END]
13. [BLUE] DO NOT READ OUT: Don't know [[GREEN] EXCLUSIVE]
14. [BLUE] DO NOT READ OUT: Prefer not to say [[GREEN] EXCLUSIVE]

SECTION F: DEMOGRAPHICS/ DETAILS OF BUSINESS

[GREEN] SHOW ALL EXCEPT THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF
(CODE 4 AT A2)

[GREEN] INTRO_DEMO

We would like to ask a few details about you and your circumstances, so that we can understand how people's experiences vary by different groups in the population.

[GREEN] ASK ALL EXCEPT THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 4AT A2)

F1. What is your sex?

[BLUE] ADD [INTERVIEWER READ OUT] FOR TELEPHONE: *A question about gender identity will follow. If you are considering how to answer, use the sex recorded on one of your legal documents such as a birth certificate, or Gender Recognition Certificate.*

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Male
2. Female

[BLUE] DO NOT READ OUT: 999. Prefer not to say

[GREEN] ASK ALL EXCEPT THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 4 AT A2)

[BLUE] SINGLE CODE

F2. Is the gender you identify with the same as your sex registered at birth?

1. Yes
2. No [[GREEN] INSERT OE BOX: Enter gender identity]

999. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF DO NOT GIVE THEIR AGE CODE 998 (DON'T KNOW OR CODE 999 (PREFER NOT TO SAY) AT F3. BACK CODE ANSWERS FROM F3 (AGE NUMERIC) INTO RANGES BELOW

F3. Which of the following age groups would you place yourself in?

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Under 18
2. 18–20
3. 21–24
4. 25–34
5. 35–44
6. 45–54
7. 55–64
8. 65–74
9. 75+
10. **[BLUE]** DO NOT READ OUT: Prefer not to say

[GREEN] ASK ALL EXCEPT THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 4 AT A2)

F4. What is your highest qualification?

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Doctorate or equivalent (e.g. PhD, Dphil)
2. Master's Degree or equivalent (e.g. MA, MBA, MSc)
3. A degree or equivalent (e.g. NVQ / SVQ level 4 or 5)
4. A-level / AS-levels or equivalent (e.g. NVQ / SVQ / GSVQ level 3, SCE Higher, International Baccalaureate)
5. O level / GCSE or equivalent (e.g. NVQ / SVQ / GSVQ level 2, BTEC, General Certificate City and Guilds Craft)
6. Trade Apprenticeships or equivalent
7. Other form of qualification
8. No formal qualifications
998. **[BLUE]** DO NOT READ OUT: Don't know
999. **[BLUE]** DO NOT READ OUT: Prefer not to say

[GREEN] ASK ALL EXCEPT THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 4 AT A2)

F5. Do you have any children aged 15 or under who live with you in your household?

Please include biological, foster, step and adopted children.

[GREEN] SINGLE CODE

[BROWN] Please select one answer

1. Yes
2. No

998. [BLUE] DO NOT READ OUT: Don't know
999. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK ALL EXCEPT THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 4 AT A2)

F6. And do you have any children aged 16 to 18 who are still in full time education and live with you in your household?

Please include biological, foster, step and adopted children.

[GREEN] SINGLE CODE

[BROWN] Please select one answer

1. Yes
2. No

998. [BLUE] DO NOT READ OUT: Don't know
999. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF THEY HAVE CHILDREN IN HH (CODE 1 AT F5 OR F6)

F7. Is / are your child(ren) eligible for Free School Meals or free meals at college?

[GREEN] SINGLE CODE

[BROWN] Please select one answer

1. Yes
2. No

998. [BLUE] DO NOT READ OUT: Don't know

999. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK ALL EXCEPT THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 4 AT A2)

F8. What is your legal marital or registered civil partnership status?

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Never married and never registered in a civil partnership
2. Married
3. In a registered civil partnership
4. Separated, but still legally married
5. Separated, but still legally in a civil partnership
6. Divorced
7. Formerly in a civil partnership which is now legally dissolved
8. Widowed
9. Surviving partner from a registered civil partnership

998. [BLUE] DO NOT READ OUT: Don't know

999. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK ALL EXCEPT THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 4 AT A2)

F9. Are you living with someone in the same household as a couple?

[GREEN] SINGLE CODE

[BROWN] Please select one answer

1. Yes
2. No

998. [BLUE] DO NOT READ OUT: Don't know

999. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK ALL EXCEPT THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 4 AT A2)

F10. What is your current working status?

If you have two different jobs, please select which you receive your main income from.

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Working for an employer full-time (that is for 30 or more hours per week)
2. Working for an employer part-time (that is for less than 30 hours per week)
3. Self-employed (with or without workers)
4. Not working – on maternity / paternity leave
5. Not working – retired
6. Not working – looking after house / children / relatives
7. Not working – permanently sick / disabled
8. Unemployed – less than 12 months
9. Unemployed – 12 months or more
10. Student – in full-time education studying for a recognised qualification
11. Student – in part-time education studying for a recognised qualification
12. Doing something else

998. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK ALL EXCEPT THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 4 AT A2)

F11. Are you at present receiving any of these state benefits in your own right: that is, where you are the named recipient?

[GREEN] MULTICODE, RANDOMISE 1–8

[BLUE] READ OUT

[BROWN] Please select one answer

1. Universal Credit
2. Housing Benefit
3. Working Tax Credit (excluding any childcare element of Working Tax Credit)
4. Child Tax Credit (including any childcare element of Working Tax Credit)
5. Income Support
6. Jobseeker's Allowance
7. Employment and Support Allowance
8. Carer's Allowance
9. One of these/more than one of these, but I don't know which [FIX]
10. Any other state benefit (please specify) [TEXT OPEN END]
11. No, not in receipt of any state benefits [EXCLUSIVE]
999. [BLUE] DO NOT READ OUT: Prefer not to say [EXCLUSIVE]

[GREEN] ASK ALL EXCEPT THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 4 AT A2)

F12. Is your household pre-tax annual income from all sources more than £32,000?

Include income from employment, self-employment, benefits, pensions and from other sources such as interest from savings, before any deductions such as income tax or National Insurance

£32,000 is equivalent to a pre-tax monthly income of £2,666 per month or a pre-tax weekly income of £615.

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Yes, more than £32,000
2. No, £32,000 or less
3. Not receiving income from work / benefits or other sources
998. [BLUE] DO NOT READ OUT: Don't know
999. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF CODE 2 AT F12 (INCOME LESS THAN £32,000)

F13. Which of the following categories best describes your household pre-tax annual income?

This is your income before income tax or national insurance. Your best estimate is fine.

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Less than £14,000
2. £14,000 – £16,000
3. £16,001 – £19,000
4. £19,001 – £22,000
5. £22,001 – £32,000

998. [BLUE] DO NOT READ OUT: Don't know
999. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK IF CODE 1 AT F12 (INCOME MORE THAN £32,000)

F14. Which of the following categories best describes your household pre-tax annual income?

This is your income before income tax or national insurance. Your best estimate is fine.

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. £32,000–£40,000
2. £40,001–£60,000
3. £60,001–£80,000
4. £80,001 or above

998. [BLUE] DO NOT READ OUT: Don't know
999. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK ALL EXCEPT THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 4 AT A2)

F15. Which of the following categories describes the amount your household have in savings, shares or investments?

Your best estimate is fine.

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Less than £3,000
2. £3,000–£8,000
3. More than £8,000

998. [BLUE] DO NOT READ OUT: Don't know
999. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] SHOW ALL EXCEPT THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 4 AT A2)

[GREEN] HEALTH_INTRO

I would now like to ask you a few questions about your health. There is a prefer not to answer option throughout.

[GREEN] ASK ALL EXCEPT THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 4 AT A2)

F16. Do you have any physical or mental health conditions or illnesses lasting or expected to last for 12 months or more?

Consider conditions that always affect you and those that flare up from time to time. These may include, for example, sensory conditions, developmental conditions or learning impairments.

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Yes – physical condition
2. Yes – mental health condition
3. Yes – both physical and mental health condition
4. No

999. Prefer not to say

[GREEN] ASK IF HAVE A CONDITION CODE 1–3 AT F16

F17. Does your condition or illness reduce your ability to carry-out day-to-day activities?

Please select one option only

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

1. Yes, a lot
2. Yes, a little
3. Not at all

99. Prefer not to say [BLUE] FIX

[GREEN] ASK ALL EXCEPT THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 4 AT A2)

F18. To which of the following groups do you consider you belong?

Please choose one option that best describes your ethnic group or background

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

WHITE

1. WHITE – British
2. WHITE – Irish
3. WHITE – Gypsy or Irish Traveller
4. WHITE – Any other white background

ASIAN

5. ASIAN OR ASIAN BRITISH – Indian
6. ASIAN OR ASIAN BRITISH – Pakistani
7. ASIAN OR ASIAN BRITISH – Bangladeshi
8. ASIAN OR ASIAN BRITISH – Chinese
9. ASIAN OR ASIAN BRITISH – Any other Asian background

BLACK

10. BLACK OR BLACK BRITISH – Caribbean
11. BLACK OR BLACK BRITISH – African
12. BLACK OR BLACK BRITISH – Any other black background

MIXED

13. MIXED – White and Black Caribbean
14. MIXED – White and Black African
15. MIXED – White and Asian
16. MIXED – Any other mixed background

OTHER

17. OTHER – Arab
18. OTHER – Any other ethnic group
999. **[BLUE] DO NOT READ OUT:** Prefer not to say

DIGITAL CAPABILITIES

[GREEN] SHOW ALL EXCEPT THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 4 AT A2)

[GREEN] DIGITAL_INTRO

The next questions are about your use of the Internet.

[GREEN] ASK ALL EXCEPT THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 4 AT A2)

F19. How many hours in a typical week would you say you spend online?

This could be at home, your workplace or place of education, or on the move when you are out and about. This may be going online for any reason, for example, social media, the news, online video apps or email.

[GREEN] SINGLE CODE, ROTATE 1–6

[BLUE] READ OUT

[BROWN] Please select one answer

1. None – I am never online
2. None – I am online less often than once a week
3. Up to 8 hours per week
4. 9–15 hours per week
5. 16–22 hours per week
6. Over 22 hours per week
7. [BLUE] DO NOT READ OUT: Don't know / not sure

[GREEN] ASK ALL EXCEPT THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 4 AT A2)

F20. And have you personally ever done the following online?

[GREEN] SINGLE CODE PER STATEMENT, RANDOMISE a–g

[BLUE] READ OUT

[BROWN] Please select one answer

- a. Pay bills or check bills online
- b. Online banking (e.g. transferring money between accounts, managing mortgage or other payments)
- c. Send / receive emails
- d. Make a video call using FaceTime, WhatsApp, Skype, Zoom, Microsoft Teams or something similar
- e. Set up 2-step ID verification (also known as two-factor authentication)
- f. Look online for public services information on government websites (e.g. The UK Government website, GOV.UK)
- g. Complete government processes online – such as completing a tax return, renewing a driving license or passport, etc

- 1. Yes, I have done this
- 2. No, I have not but I am confident that I would be able to
- 3. No, I have not and I don't feel confident that I would be able to
- 4. **[BLUE] DO NOT READ OUT:** Don't know what this is

[GREEN] ASK ALL EXCEPT THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 4 AT A2)

F21. How confident are you that you can tell whether the information you find on the internet is accurate and reliable?

[GREEN] SINGLE CODE

[BLUE] READ OUT

[BROWN] Please select one answer

- 1. Very confident
- 2. Fairly confident
- 3. Not very confident
- 4. Not at all confident
- 5. Not applicable – never on internet

998. **[BLUE] DO NOT READ OUT:** Don't know

BUSINESS/ORGANISATION PROFILE

[GREEN] SHOW ALL SOLE TRADERS AND THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 2 OR 4 AT A2)

[GREEN] INTRO_BUS_PROFILE

We would now like to ask a few details about your business or organisation.

[GREEN] ASK ALL SOLE TRADERS AND THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 2 OR 4 AT A2)

F22. Approximately how many people are working at or from the company where you work. Please consider the entire business (i.e. across all sites/locations)?

Please include yourself in the count.

[GREEN] SINGLE CODE PER STATEMENT

[BLUE] READ OUT

[BROWN] Please select one answer

1. 1–9
2. 10–19
3. 20–29
4. 30–49
5. 50–99
6. 100–249
7. 250+
8. [BLUE] DO NOT READ OUT: Don't know

[GREEN] ASK ALL SOLE TRADERS AND THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 2 OR 4 AT A2)

F23. Which of the following best represents the total turnover of your UK business in your last financial year?

[GREEN] SINGLE CODE

[BLUE] PROMPT TO CODE

[BROWN] Please select one answer

1. Under £85,000
2. £85,000 to under £250,000
3. £250,000 to under £500,000
4. £500,000 to under £1 million
5. £1 million to under £5 million
6. £5 million to under £10 million
7. £10 million to under £25 million
8. £25 million or more
9. **[BLUE] DO NOT READ OUT:** Started trading less than 12 months ago
10. **[BLUE] DO NOT READ OUT:** Don't know
11. **[BLUE] DO NOT READ OUT:** Prefer not to say

[GREEN] ASK ALL SOLE TRADERS AND THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 2 OR 4 AT A2)

F24. And which of the following best describes your business sector?

[GREEN] SINGLE CODE

[BLUE] PROMPT TO CODE

[BROWN] Please select one answer

1. Agriculture, forestry & fishing
2. Production
3. Mining, quarrying & utilities
4. Manufacturing
5. Construction
6. Wholesale and retail; repair of motor vehicles
7. Motor trades
8. Wholesale
9. Retail
10. Transport & storage (including postal)
11. Accommodation & food services
12. Information & communication

13. Finance & insurance
14. Property
15. Professional, scientific & technical
16. Business administration and support services
17. Public administration & defence
18. Education
19. Health
20. Arts, entertainment, recreation and other services
21. Other
22. **[BLUE] DO NOT READ OUT:** Don't know / not sure

EXPERIENCE WITH LEGAL CASES

[GREEN] ASK ALL EXCEPT THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 4 AT A2)

F25. Excluding the case which this questionnaire relates to, have you been involved in any of the following in the last five years, including previous and current cases?

[GREEN] MULTICODE, RANDOMISE 1-4

[BLUE] READ OUT

[BROWN] Please select all that apply

1. Another county court claim or dispute (not including this one) as either a claimant or a defendant
2. A family court case as either an applicant or a respondent
3. A criminal court case where you were either the victim or the accused
4. A tribunal case where you were either an appellant or defendant
5. None of the above **[[GREEN] EXCLUSIVE]**
6. **[BLUE] DO NOT READ OUT:** Don't know **[[GREEN] EXCLUSIVE]**
7. **[BLUE] DO NOT READ OUT:** Would prefer not to say **[[GREEN] EXCLUSIVE]**

[GREEN] ASK ALL SOLE TRADERS AND THOSE ACTING AS A REPRESENTATIVE OF A BUSINESS, ORGANISATION OR COMPANY THAT YOU DO NOT OWN YOURSELF (CODE 2 OR 4 AT A2)

F26. Excluding the case which this questionnaire relates to, have you personally been involved in any other county court claim or dispute on behalf of your business?

Please include previous and current cases. Please exclude any other cases which you have had no personal involvement in.

[GREEN] SINGLE CODE

[BLUE] PROMPT TO CODE

[BROWN] Please select one answer

1. Yes
2. No
3. [BLUE] DO NOT READ OUT: Don't know
4. [BLUE] DO NOT READ OUT: Would prefer not to say

[GREEN] ASK IF YES AT F25 OR F26

F27. How many county court claims or disputes have you personally been involved in on behalf of your business over the past 12 months?

[GREEN] [NUMERIC OPEN END]

[BLUE] DO NOT READ OUT: Don't know / not sure

[GREEN] ASK ALL

Finally we would like to ask you a few questions regarding your experience of completing this survey.

[GREEN] ASK ALL

G1. How comfortable or uncomfortable did you feel completing this survey?

[GREEN] SINGLE CODE, FORWARD/REVERSE 1-5

[BLUE] READ OUT

[BROWN] Please select one answer

1. Very comfortable
2. Fairly comfortable
3. Neither comfortable nor uncomfortable
4. Fairly uncomfortable
5. Very uncomfortable
6. [BLUE] DO NOT READ OUT: Don't know
7. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK ALL

G2. How easy or difficult did it feel to answer the questions in this survey?

[GREEN] SINGLE CODE, FORWARD/REVERSE 1–5

[BLUE] READ OUT

[BROWN] Please select one answer

1. Very easy
2. Fairly easy
3. Neither easy nor difficult
4. Fairly difficult
5. Very difficult
6. [BLUE] DO NOT READ OUT: Don't know
7. [BLUE] DO NOT READ OUT: Prefer not to say

[GREEN] ASK ALL

G3. Were there any questions that you found difficult to answer or any questions that you felt were missing from the survey?

[BROWN] Please provide any suggestions/feedback.

[GREEN] [TEXT OPEN END]

1. No feedback

NOTE: Please note that the comments you provide will be looked at in full by the Ministry of Justice and researchers analysing the data. We will remove any information that could identify you before publishing any of your feedback.

[GREEN] SHOW ALL

[GREEN] OUTRO

Thank you very much for your responses to this important survey, you have now reached the end.

[BLUE] ADD IF NECESSARY

As a reminder, if you found that talking about any of the questions upset you, we recommend that you reach out to one of the organisations below:

- **Samaritans:** A charity offering listening and support services for anyone struggling to cope. They offer a 24-hour helpline run by trained volunteers if you need to talk, or you can write to them. You can get in touch by calling the helpline 116 123 (24 hours a day, 365 days a year), or the Welsh language helpline 0808 164 0123 (7pm to 11pm, everyday) or visiting their website www.samaritans.org.
- **Mind:** Advice, support and information around mental health issues including self-harm. Mind also have a legal advice line in England and Wales. Call 0300 123 3393 (telephone line) or 0300 466 6463 (legal advice line) or go to www.mind.org.uk.

If you have an ongoing legal dispute which you need advice about, we recommend that you use the information on the charity-run **AdviceNow** website www.advicenow.org.uk/get-help/legal-advice-and-helplines. Alternatively, you could contact **Support Through Court**, a charity which provides free independent help for people without legal representation in England and Wales. You can use the national hotline 0300 081 0006 (9.30am to 12.30pm and 1.30 to 4.30 weekdays) or visit www.supportthroughcourt.org/contact-us/.

9.5 Response rate by case type (email sample only)

Claim type	Total number in sample	Number of completes	Response rate
Claim type			
Injunction	54	1	2%
Other claim type	221	3	1%
Part 8 Claim	113	2	2%

	Total number in sample	Number of completes	Response rate
Personal Injury	60	1	2%
Possession	1486	24	2%
Specified Claim	10761	308	3%
Unspecified Claim	86	1	1%
Representation			
Represented	1085	30	3%
Unrepresented	11696	310	3%
Amount claimed			
£0/No amount claimed specified	657	13	2%
Less than £10k	11642	303	3%
More than or equal to £10k, but less than £50k	435	21	5%
More than or equal to £50k, but less than £100k	29	2	7%
More than or equal to £100k	18	1	6%
Case defended category			
Defended	4770	167	4%
Not defended	6746	155	2%
N/A	1265	18	1%
Role			
Claimant	5145	251	5%
Defendant	7585	88	1%
Other	51	1	2%

9.6 Survey invitations

Email invitation

Dear {TITLE} {SURNAME},

We are writing to invite you to take part in an important research study about experiences of the civil justice system. The Ministry of Justice (MoJ) has commissioned Ipsos, an independent research organisation, to conduct a survey of individuals and businesses who have used County Court services.

It is easy to take part



You can take part immediately by visiting {SURVEY URL}{PIN CODE} by 14th March 2025.

The survey aims to understand the experiences of court users, the challenges they may have faced, and their views on different dispute resolution options, including court proceedings and alternative dispute resolution (ADR). Your feedback will help inform improvements to the civil justice system and ensure it meets the needs of those who use it.

If you would prefer not to participate, you can visit {SURVEY URL}{PIN CODE} or to opt-out.

Participation is voluntary, but your views are invaluable in shaping future improvements to the civil justice system.

For further details about the survey please see our information sheet attached and our Privacy Policy here: <https://ipsos.uk/CourtUserPP>. You can also ask us any questions by emailing or calling Ipsos at UK-PA-CourtUserSurvey@ipsosresearch.com or **0800 151 0192** (freephone number), or contact MoJ at DisputeResolution.enquiries.evidence@justice.gov.uk.

We hope that you will be able to take part in this important study. Thank you in advance for your help.

Yours sincerely,

Principal Research Officer
Ministry of Justice

Project Directors
Ipsos

Advance letter – respondents with phone numbers

{TITLE} {FIRSTNAME} {SURNAME}
{ADDRESS1}
{ADDRESS2}
{ADDRESS3}
{ADDRESS4}
{POSTCODE}

Reference number: [REDACTED]

February 2025

Court Users Survey

Dear {TITLE} {SURNAME}

We are writing to invite you to take part in an important research study about experiences of the civil justice system. The Ministry of Justice (MoJ) has commissioned Ipsos, an independent research organisation, to conduct a survey of individuals and organisations who have used County Court services.

The survey aims to understand the experiences of court users, the challenges they may have faced, and their views on different dispute resolution options, including court proceedings and alternative dispute resolution (ADR). Your feedback will help inform improvements to the civil justice system and ensure it meets the needs of those who use it.

It is easy to take part

	<p>Option 1. You can take part immediately by visiting {SURVEY URL} {PIN CODE} or scanning the QR code by 14th March 2025.</p>	
	<p>Option 2. If you haven't responded or opted out online, an Ipsos interviewer may be in touch with you to arrange an interview over the phone.</p>	

If you would prefer not to be contacted, visit [\[SURVEY URL\]{PIN CODE}](#) or use the QR code at the top of this letter to opt-out.

Participation is voluntary, but your views are invaluable in shaping future improvements to the civil justice system.

For more information about the survey please see our Privacy Policy at <https://ipsos.uk/CourtUserPP>. You can also ask us any questions by emailing or calling Ipsos at UK-PA-CourtUserSurvey@ipsosresearch.com or **0800 151 0192** (freephone number), or contact MoJ at DisputeResolution.enquiries.evidence@justice.gov.uk.

We hope that you will be able to take part in this important study. Thank you in advance for your help.

Yours sincerely,

Principal Research Officer
Ministry of Justice

Project Directors
Ipsos

Additional information



Who is carrying out the study?

Ipsos, an independent research organisation, is carrying out the study on behalf of the Ministry of Justice. To find out more about Ipsos visit www.ipsos.com.



How was I chosen for the survey?

A sample of individuals and organisations who have recently used County Court services was selected from HM Courts & Tribunals Service (HMCTS) records to ensure a range of perspectives. This includes cases that were submitted between January and July 2023.



Why should I take part?

Your views will help improve the civil justice system and provide insights into court processes, access to justice, and dispute resolution options.



What is the survey about?

The survey covers your experiences with County Court proceedings, the impact of legal disputes, and your awareness and views on different ways of resolving disputes, including court hearings and alternative dispute resolution.



How do I take part in the survey or opt-out?

To take part in the survey or to opt out, visit **{SURVEY URL}{PIN CODE}** or scan the QR code.

For any questions, please email

UK-PA-CourtUserSurvey@ipsosresearch.com or

DisputeResolution.enquiries.evidence@justice.gov.uk. You can also call us on our freephone number at 0800 151 0192.



Is confidentiality guaranteed?

Yes. Data will be used for research purposes only and in accordance with the General Data Protection Regulation (GDPR). Ipsos will store your information securely and keep it confidential. Your name, address and/or email will be kept separate from your answers and will not be passed on to any other organisation. Ipsos will securely remove your personal data from its systems by September 2025. Only anonymous data will be reported. A full Privacy Policy, setting out your rights and covering accessing, amending and deleting your data, is available at: <https://ipsos.uk/CourtUserPP>.



Who can I speak with if I am struggling with the topics covered in this survey?

If your mental health or emotional wellbeing has been affected, we recommend that you reach out to one of the organisations below:

- Samaritans: A charity offering listening and support services for anyone struggling to cope. They offer a 24-hour helpline run by trained volunteers if you need to talk, or you can write to them. You can get in touch by calling the helpline 116 123 (24 hours a day, 365 days a year), or the Welsh language helpline 0808 164 0123 (7pm to 11pm, everyday) or visiting their website www.samaritans.org.
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If you have an ongoing legal dispute which you need advice about, we recommend that you use the information on the charity-run AdviceNow website www.advisenow.org.uk/get-help/legal-advice-and-helplines.

Alternatively, you could contact Support Through Court, a charity which provides free independent help for people without legal representation in England and Wales. You can use the national hotline 0300 081 0006 (9.30am to 12.30pm and 1.30 to 4.30 weekdays) or visit www.supportthroughcourt.org/contact-us/.

Advance letter – respondents without phone numbers

{TITLE} {FIRSTNAME} {SURNAME}
{ADDRESS1}
{ADDRESS2}
{ADDRESS3}
{ADDRESS4}
{POSTCODE}

Reference number: {Ref_no}

February 2025

Court Users Survey

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The survey aims to understand the experiences of court users, the challenges they may have faced, and their views on different dispute resolution options, including court proceedings and alternative dispute resolution (ADR). Your feedback will help inform improvements to the civil justice system and ensure it meets the needs of those who use it.

It is easy to take part

	You can take part immediately by visiting {SURVEY URL} {PIN CODE} or scanning the QR code by 14th March 2025.	{QRCode}
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If you would prefer not to participate, you can visit [{SURVEY URL}](#){PIN CODE} or use the QR code at the top of this letter to opt-out.

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Project Directors
Ipsos

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[CourtUserSurvey@ipsosresearch.com](mailto:DisputeResolution.enquiries.evidence@justice.gov.uk) or

DisputeResolution.enquiries.evidence@justice.gov.uk. You can also call us on our freephone number at 0800 151 0192.



Is confidentiality guaranteed?

Yes. Data will be used for research purposes only and in accordance with the General Data Protection Regulation (GDPR). Ipsos will store your information securely and keep it confidential. Your name, address and/or email will be kept separate from your answers and will not be passed on to any other organisation. Ipsos will securely remove your personal data from its systems by September 2025. Only anonymous data will be reported. A full Privacy Policy, setting out your rights and covering accessing, amending and deleting your data, is available at:

<https://ipsos.uk/CourtUserPP>.



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- Mind: Advice, support and information around mental health issues including self-harm. Mind also have a legal advice line in England and Wales. Call 0300 123 3393 (telephone line) or 0300 466 6463 (legal advice line) or go to www.mind.org.uk.

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