



Andy Slaughter MP
Chair, Justice Select Committee
House of Commons
London
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24 September 2024

Dear Andy,

AN UPDATE ON THE PUBLICATION OF CRIMINAL COURT STATISTICS

Many congratulations on your election as Chair of the Justice Select Committee. I am very much looking forward to working with you.

I am writing to let you know about the work that officials in the Ministry of Justice are undertaking to quality-assure data relating to the open caseloads in the magistrates' and Crown courts, and the impact this will have on the timetable for publishing data.

The Ministry of Justice publishes accredited official statistics relating to the operation of the justice system, including courts and tribunals, on a quarterly basis. HM Courts and Tribunals Service (HMCTS) also publishes monthly management information – data used by HMCTS to understand workload volumes and timeliness at a national level. Both datasets are drawn from HMCTS' operational systems and undergo different levels of assurance, which affects the frequency and timeliness of their publication.

In June 2024 (during the pre-election period) officials identified an issue that meant the Department could no longer be confident that the open caseload data for the Crown Court was accurate. Separately, they had already been undertaking a planned data cleanse of the open caseload in the magistrates' courts and had intended to give advanced notice of a future amendment to the magistrates' dataset alongside the June statistics release.

As a result of these findings, the Department suspended the publication of data relating to the criminal courts. This decision was in keeping with the UK Statistics Authority Code of Practice for Statistics, and a short statement was published online explaining the position. The next publication of official statistics (the Criminal Court Statistics quarterly) would be due on 26 September 2024. This publication will not go ahead either.

Publishing accurate statistics for our criminal courts is vital for public confidence in the justice system. I recognise that the prolonged absence of timely and accurate data is an unsatisfactory position, but until these figures meet the standards set by the UK Statistics Authority Code of Practice, my department should not publish.

First and foremost, I want to be very clear that none of the issues that have been identified have a material impact on day-to-day operational management of cases in the criminal courts – they are purely an issue for data reporting. And where data is used for any planning or modelling purposes, including criminal justice system modelling, mitigations are in place.

The Lord Chancellor has asked officials to urgently address the underlying causes of the problems that have been identified and to provide accurate data. While the fixes being implemented will lead to some changes in headline measures of the Criminal Court Statistics, they are unlikely to have a material impact on trends of the key series, for example Crown Court receipts, disposals and outstanding caseloads. The remedial work will affect the back series, and the largest impacts are likely to be seen since 2021. For magistrates' caseload data, we expect to see a cohort of historic cases, that are no longer live, removed from the caseload which will reduce this headline figure. My expectation is that the Department will be able to publish accurate datasets by the end of the calendar year.

Through their investigations officials have identified a number of issues that have compromised the accuracy of data. These include the treatment of historic cases that have been included in HMCTS management information in error, and more recent human and technical errors. We are also taking the opportunity to align methodologies in the production of the different datasets published by the Ministry of Justice and HMCTS. This will provide greater transparency and coherence in court data. Any proposed changes to the official statistics series will be communicated and consulted on in the normal way.

Looking forward, HMCTS has been undertaking a transformation programme to modernise operational systems as well as the transparency of our data, including the introduction of a new data platform and new, more detailed, management information from reformed systems. This is already allowing us to spot trends in data, to understand the underlying reasons, and to act quickly when needed.

I would like to take this opportunity to underline that the ministerial team, and all the dedicated staff working in our criminal courts, remain absolutely committed to reducing the outstanding caseload in the Crown Court. Justice delayed is all too often justice denied, and together we will do what it takes to ensure that the system delivers for everyone who needs to use it.

I will write again once we have published the corrected data. If you would like any further information in the meantime, please do not hesitate to contact my office.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Heidi Alexander', written in a cursive style.

HEIDI ALEXANDER MP
Minister Of State