

ANNEX F: Improving Statistics and Wider Evidence in Family Justice

The need for statistics and wider evidence in Family Justice.

Evidence around family justice, including statistics, is used within the Scottish Government to inform decisions and policy-making and to monitor the impact of policies following their implementation. It is also used for a variety of purposes outwith the Scottish Government, including supporting resource allocation decisions by the SCTS, supporting third sector activity, informing the public about the business of Scottish courts, and facilitating academic research.

Current Statistical publications

The Scottish Government currently publishes the annual Civil Justice Statistics Bulletin¹³⁴, based on detailed information from the SCTS. The primary focus of this bulletin is on civil law cases in Sheriff Courts and the Court of Session. Civil justice statistics from SLAB and the Scottish Crime and Justice Survey are also mentioned to provide further context.

On family cases, it includes information on divorces and dissolutions; applications relating to parental responsibilities and rights; interdicts preventing a party from making specific contact or coming within close proximity to another; and exclusion orders that suspend the rights of an individual to live in the family home. In addition, there are also Sheriff Courts statistics on summary applications relating to adoption and Children's Hearings.

However, there are a variety of family justice data needs which go beyond the information contained in this Bulletin. In addition, there are some improvements required to the way in which family justice statistics are collected and presented. For example, statistics presented in this Bulletin currently relate only to the principal crave of the case. This means that the statistics on certain case types, such as contact and residence, do not reflect the total number of actions brought to court as these issues are often ancillary craves in a case where the principal crave is for another matter, such as divorce.

Planned action to improve statistics and the wider evidence base

Working together with our key partners, the Scottish Government is committed, as part of the Family Justice Modernisation Strategy, to improve the quality of family law statistics and the wider evidence base in Scotland.

We will carry out a broad assessment of the way in which data on family justice is collected, analysed, and disseminated. This will include working with SCTS to explore the potential of the new Integrated Case Management

¹³⁴ <http://www.gov.scot/Publications/2017/03/5915>

System (e.g. around the scope to provide information on both primary and ancillary craves); identifying the potential of data sources from other agencies (e.g. the Scottish Legal Aid Board, advice agencies, and mediation bodies); and looking at options around publication and dissemination of family justice data.

After this consultation, the Scottish Government will publish the Family Justice Modernisation Strategy which will include proposals around the future provision of evidence on family justice in Scotland

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