

Population and Migration Statistics Committee (PAMS) (Scotland)

Proposed Changes in Arrangements for Publishing Divorce Statistics

1. This paper asks members of the Committee for their views on proposed changes to the arrangements for publishing statistics about divorces and dissolutions of civil partnerships in Scotland.
2. Members of the group will remember that, at the December 2009 PAMS meeting, it was agreed that the Criminal and Civil Justice Analytical Team within the Scottish Government (SG CCJ) would become the main publisher of statistics about divorces and dissolutions in Scotland, with National Records of Scotland (NRS) publishing a limited set of tables within their broader publications. Subsequent to this, the Scottish Government published a detailed [statistical bulletin](#) specifically on this topic in December 2010.
3. Over the intervening period, the SG CCJ has continued to develop and improve the range and presentation of civil justice statistics. Further detail can be found on the [Scottish Government](#) website. The outcome of this work is a proposal for a new 'Civil Law Statistics Scotland' (CLSS) bulletin which will provide a more thematic account of civil law issues in Scotland. It is also proposed that the 'Divorces and Dissolutions in Scotland' publication is merged into the CLSS bulletin, with trends included within a broader 'family' section. An outline of the structure for the new publication is attached at [Annex A](#). In addition, interactive supplementary datasets will be provided to facilitate detailed analysis of data that is not available from the publication itself.
4. During this continued development phase, it has become apparent that there is an element of overlap in the divorce and dissolution statistics being published by NRS and SG CCJ. Statistics for a similar reference period (on either a financial or calendar year basis) are currently published 3 times a year: by NRS in March ('provisional' figures, in the Vital Events Preliminary Annual Figures); by NRS in August ('final' figures, in 'Scotland's Population - the Registrar General's Annual Review of Demographic Trends' and in the Vital Events Reference Tables); and by SG in the Autumn. This can lead to some confusion for customers and is undoubtedly a duplication of work. There are also some differences in the way that the quality assurance procedures in SG CCJ and NRS are run, which could lead to minor discrepancies when comparing data for the same time period. There are differences between the types of detailed information about divorces and dissolutions that SG CCJ and NRS receive (due to the different purposes for which they need the data) and so their validation procedures differ (e.g. SG CCJ uses case type and child information, which NRS does not get) which could lead to the data for a particular divorce being accepted by (say) NRS and rejected by (say) SG.
5. It is therefore proposed that NRS cease publication of divorce and dissolution statistics entirely, with SG's new CJSS bulletin being the definitive source for these data. This would mean that, henceforth, divorce and dissolution statistics would not appear in 'Scotland's Population' or in the Vital Events publications:

Note: future statistics on divorces and dissolutions would only be published on a financial year basis, by SG, in the Autumn following the reference period. (However, the figures that NRS has already published would remain on its web site 'for the record'.) A list of the implications of the proposal, and notes on some points, appear in [Annex B](#).

6. Any enquiries about SG CCJ's plans should be directed to Jacqueline Robertson, the SG statistical lead on Civil Justice issues, whose contact details are:

Direct line: 0131 2444 6936;

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7. Members of the Committee are asked for their views on these proposed changes to the arrangements for publishing statistics on divorces and dissolutions.

SG Criminal & Civil Justice Analytical Team
and
NRS Vital Events branch

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Annex A

Proposed structure of the new Civil Law Statistics Scotland publication:

- **front page** to only feature title and Justice Analytical Services (JAS) banner (no narrative or chart) but also to be a more modernised look;
- **foreword** to explain the context of the bulletin and what is contained within.
- **contents page** to have an improved layout that uses different colours to distinguish between main themes/sections. These colours will then be applied throughout the bulletin to help users navigate around the publication;
- **background information** to appear after contents page to set the scene on the:
 - o court structures;
 - ensuring the lay reader can understand legal terminology
 - using diagrams / maps to act as visual aids
 - definitions
 - o explain how the civil justice system works:
 - different types of civil issues
 - different avenues to seek advice on civil issues
 - different routes of pursuing civil issues
 - o civil legislation;
 - o links between civil and criminal justice systems;
 - o perceptions of civil issues and
 - o surveys reporting on civil issues, i.e. Scottish Crime and Justice Survey (SCJS).
- **main points** to be reviewed for appropriate content;
- **themed sections** that double-up as factsheets and are colour coded to sign-post users to areas of particular interest. Themed sections to cover topics such as:
 - o general trends;
 - o family including divorce/dissolutions;
 - o debt and damages;
 - o personal injury; and
 - o SCJS and civil legal aid to feature in all sections where relevant.

For future publications, it is envisaged that each section will include more contextual information and information from other agencies /sources and that the ancillary crave dataset will be ready for inclusion here.

- **annual 'spotlight' / featured theme** which takes an in-depth look into a specific area or topic of civil (i.e. Citizens Advice Scotland or debt and repossessions) and changes every year.
 - o This would involve taking information from the SCJS, advice agencies, the civil courts, etc. to produce a 'fact-sheet' on civil issues relating to a specific topic.
 - o This does not mean that the thematic commentary would be removed; it would simply be a more detailed focus on a 'hot' topic.

- In the first year, due to the current economic situation, it has been suggested that this topic should centre on debt and repossession.
- **Tables** to appear within each themed section rather than being grouped together towards the end of the bulletin.
- The following changes are proposed to the tables in the current publication (as noted in annex):
 - retain tables 1, 5, 6, 8, 9, 17, 18 and 19 (with some expanded statistics if possible);
 - tables 20 -23 combined to give a high over-view of the appeal process;
 - expand legal aid tables with more descriptive statistics and better notes;
 - all remaining tables would be dropped in current format.
- **annex** to only include relevant statistical issues, such as the quality of the data and any caveats that need to be applied;
- **definitions** could remain at the end of the bulletin but would also appear as footnotes when the word is first mentioned.

New Tables:

- Thematic tables would replace deleted tables:
 - divorce specific tables including marriage statistics and population statistics (amended from the divorce publication);
 - personal injury time series table, combining Court of Session (CoS) and Sheriff Court (SC);
 - family time series table, combining CoS and SC;
- SCJS tables would be included to provide a time-series breakdown of civil issues;

Data from other sources:

- England and Wales comparisons will be incorporated into the bulletin, including international comparisons where possible.
- For publications beyond 2011-12, it is anticipated that the data mapping project will help to identify additional sources of civil data that can be used to expand the scope of the bulletin, i.e. characterising what happens from having a civil-related issue to resolving the problem.

Annex B

Implications of the proposed change in arrangements for publishing statistics of divorces and dissolutions

National Records of Scotland (NRS) will no longer update, or publish new versions of, the following outputs on their website (NB: some of the links below go directly to the latest version of the material, others to the web pages from which they are accessed):

- Preliminary Annual Table P1 - time-series numbers of divorces and dissolutions - available within the [2011 Births, Deaths and Other Vital Events - Preliminary Annual Figures](#) publication.
- in 'Scotland's Population - the Registrar General's Review of Demographic Trends':
 - the '[Divorces and Dissolutions](#)' chapter 7;
 - the [Important Points](#) - one comment on the numbers ;
 - [Appendix 1 Table 1](#) - time-series of number of divorces ; and
 - [Appendix 2](#) - a few 'notes and definitions' points.
- in the Vital Events Reference Tables 2011:
 - [Section 1: Summary](#). Tables 1(a) and 1(b) - time-series numbers of divorces and dissolutions; and
 - [Section 8](#) - divorces by sex, age at divorce and duration of marriage, and dissolutions by sex and year.
- [Divorces time-series table](#) (1855 to 2011)

However, NRS will leave on its web site, 'for the record', all the statistics of divorces and dissolutions that it has already published.

NRS will add, to the relevant pages of its web site, statements along the following lines:

With effect from the end of 2012, the Scottish Government is the only publisher of statistics of divorces and dissolutions for Scotland. NRS no longer publishes any new figures for divorces or dissolutions. Statistics for the 2012-13 financial year onwards will be made available from the [Crime and Justice](#) section of the SG website, along with any revisions to the figures which SG has published for the financial years back to 2000-01 (NB: no corresponding revisions would be made to the figures that NRS had published for the calendar years in the same period).

Some other points should be noted.

First, because SG will publish 'financial year' figures in the Autumn, the information available to users will sometimes be less up-to-date than has been the case so far (as NRS published preliminary 'calendar year' figures in March, and 'final' figures in August). On the other hand, there will be no danger of users being confused by the separate publication of 'calendar year' and 'financial year' figures for 2012 and later years.

Second, users requiring 'historical' divorce statistics (for the years up to 2011) will continue to be able to get them from the material that will remain on NRS website. However, users will have to take care, because there will be a very minor 'break' in the series if there is a change between NRS's 'calendar year' figures (for 2011 and earlier years) and SG's 'financial year' figures (for 2000-01 and later years). In theory, further breaks in users' series could arise if SG were to revise any of the figures that it has published for financial years, because (as indicated earlier) any figures for calendar years in the same period that NRS has published would not be revised. However, if it made any revisions, SG would, of course, highlight any breaks and the impact that they had on the figures.

Third, although not publishing any more statistics of divorces and dissolutions, NRS would continue to receive, from the Scottish Court Service (SCS), records of divorces and dissolutions because NRS will need them:

- for its register of divorces, so that members of the public can obtain information from the extract decrees of divorce via the ScotlandsPeople Centre – (further information available on the [ScotlandsPeople](#) website);
- from time to time, to update its estimates of the population broken down by marital status – Information available on the [Marital Status Population Estimates Scotland](#) page of the NRS website.

This work requires the numbers of divorces for '1 July to 30 June' periods, so NRS could not use SG's figures for financial years; and

- in due course, for inclusion in the Scottish Longitudinal Study database – information available on the [Longitudinal Studies Centre – Scotland](#) website under 'Vital Events'. This work requires the divorcees' names, which SG does not receive from SCS (because they are not needed to produce statistics) but which NRS gets for the register of divorces and also for this work.