

**Data sources for outcome indicators
on Article 13:**

Right to access to justice



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ADVANCE VERSION

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13.17 Proportion of public attendees at court who rate services and court as highly accessible in their own language, including sign language (court survey)

Level 2: Indicator could be produced with straightforward additions or modifications to existing data collection efforts

Several countries include questions about general access to justice in surveys. Theoretically, they could include questions on accessibility, but at present, they do not. In any case, these surveys tend to be very small and they would be unlikely to randomly capture a large enough sample of court attendees who require accessibility measures and accommodations, such as the provision of sign language. Similarly, a national disability survey may not pick-up a sufficient number of people participating in court proceedings to reach good estimates. Therefore, the sample design of the court surveys may have to be tailored to oversample persons with disabilities.

Examples of surveys that could be expanded to address this issue include one from Pakistan, at <https://worldjusticeproject.org/our-work/publications/country-reports/rule-law-pakistan-0>, one from the European Commission for the Efficiency of Justice, at <https://www.coe.int/en/web/cepej/cepej-work/quality-of-justice/satisfaction-surveys-aimed-at-court-users>, and a population-based survey in Afghanistan that asks about the use of courts to resolve disputes, at https://asiafoundation.org/wp-content/uploads/2019/12/2019_Afghan_Survey_Full-Report.pdf.

Every year, the World Justice Project administers the General Population Poll to collect data from representative samples of the general public, which are used to calculate the scores and rankings for the World Justice Project's annual Rule of Law Index. The data presented in the report, available at <https://worldjusticeproject.org/our-work/research-and-data/global-insights-access-justice-2019>, are derived from the access to justice module of the General Population Poll, administered in 101 countries and jurisdictions, in 2017 and 2018, using a probability sample of 1,000 respondents in each country; 100,000 people in 101 countries. This survey does not include accessibility questions, nor does it identify respondents with disabilities, but it could.

In Serbia, the World Bank surveyed members of the general population, representatives of the business sector, private practice lawyers and employees in the judiciary, before and after implementation of the judicial reform of 2010. The survey, available at <https://openknowledge.worldbank.org/bitstream/handle/10986/21711/94519.pdf?sequence=2&isAllowed=y>, asked about accessibility, but it did not refer to accessibility for persons with disabilities. However, it did ask the following questions:

To general public and business sector: When you think about the last few years, to what extent was the judicial system in Serbia equally accessible to all citizens notwithstanding their age, education level, financial status, ethnicity, handicap, the language they use...?

To judges, prosecutors and lawyers: To what extent were the courts accessible to all citizens, notwithstanding their age, education level, financial status, ethnicity, disability... in the last 12 months?

13.18 Number of complaints submitted to the justice system by persons with disabilities, that have been investigated and adjudicated; proportion of those found in favour of the complainant; and proportion of the latter that have been complied with by the government and/or duty bearer; each disaggregated by kind of mechanism, area of law/type of procedure (civil, criminal, etc.), substantive rights involved and remedies granted.

Level 2: Indicator can be produced with existing data but has not been reported on

A disability focal point in the Ministry of Justice could be responsible for reporting on this indicator, based on administrative records. Many courts' e-justice systems include search engines to track content. Some tag "disability" in their databases and permit tracking of the number of cases considering the issue, their tendencies and decisions.

In addition, in countries whose citizens have an identity number, a registered claim can be cross-referenced with citizens who have been assessed as having a disability – although it should be noted that not all persons with disabilities have undergone such assessments, for a variety of reasons pertaining to eligibility requirements and the accessibility of the social protection system.

The Belgian Equality body, Unia (the Interfederal Centre for Equal Opportunities), available at https://equineteurope.org/author/belgium_ceoor/#:~:text=Overview%3A,and%20to%20fight%20against%20discrimination, has developed an online database of cases relating to the rights of persons with disabilities. Unia publishes the number of complaints received related to the rights of persons with disabilities in its [annual report](#), as well as in a [separate statistics report](#). The latter includes an analysis of cases opened by Unia based on the complaints received, per discrimination ground (including disability). It provides data on the number of new cases, evolution over time and areas to which the cases relate (employment, education, etc).

13.19 Proportion of crimes against persons with disabilities brought before judicial authorities out of total number of crimes, disaggregated by sex, age and disability of the victim.

Level 1: Indicator for which data are already being produced and reported on in at least some countries

In the United States of America, the National Crime Victimization Survey calculates estimates of nonfatal violent crime (rape or sexual assault, robbery, aggravated assault and simple

assault) committed against persons with disabilities aged 12 or older, which can be found at <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=5986>.

The National Crime Victimization Survey is a nationally representative survey of about 95,760 households and 163,880 individuals (in 2015). It includes six questions to classify the person with disability by their impairment, as detailed in table 1. Respondents are asked about the number and characteristics of victimizations they experienced during the prior 6 months. Tables 1 and 2 show estimates for the total population, based on these self-reports from the survey sample.

Table 1: Violent crime reported to police, by victim’s disability status and disability type

Disability Status	Reported violent crime (percentage)
Persons without disabilities	46%
Persons with disabilities	49%
Disability type	
Ambulatory	55%
Independent living	54%
Self-care	54%
Hearing	51%
Cognitive	47%
Vision	42%

Source: Erica Harrel, *Crime Against Persons With Disabilities, 2009-2015 – Statistical Tables* (2017)

Table 2: Rate of violent victimization (per 1,000 population) against persons with and without disabilities, by type of crime, 2011-2015

Type of Crime	Persons with disabilities	Persons without disabilities
Total (%)	32.3	12.7
Serious violent crime (%)	12.7	4
Rape/Sexual assault (%)	2.1	0.6
Robbery (%)	4.7	1.3
Aggravated assault (%)	5.9	2.1
Simple assault (%)	19.6	8.7

Source: Erica Harrel, *Crime Against Persons With Disabilities, 2009-2015 – Statistical Tables* (2017)

In a study focusing on Denmark, available at <https://www.sciencedirect.com/science/article/abs/pii/S0145213419303278>, researchers extracted violent crime data from Danish police records.

13.20 Number and proportion of persons with disabilities who access victim support services, as compared to others, disaggregated by sex, age, disability and kind of service.

Level 2: Indicator can be produced with existing data but has not been reported on

Canada conducts the General Social Survey on Canadians' Safety every five years, a national survey of self-reported victimization. The General Social Survey identifies persons with disabilities using the short Disability Screening Questions module, which classifies a respondent as having a disability if their daily activities are sometimes, often, or always limited by difficulties related to hearing, vision, pain, mobility, flexibility, dexterity, learning, developmental, memory, or mental or psychological health. Respondents are asked a minimum of 5 questions and an average of 8 questions. A study based on these data is available at https://www.dawncanada.net/media/uploads/news_data/news-237/violent_victimization_eng.pdf. This study found that, when looking at all incidents where victims contacted some form of services, 61 per cent involved a victim who reported a disability. Victims with a disability contacted or used a victim service in about one in five (22 per cent) incidents compared to only one in ten (9 per cent) incidents where the victim did not report a disability. Women with disabilities were twice as likely as their male counterparts to contact or use victim services, following an incident of violent victimization (27 per cent versus 13 per cent).

13.21 Unsented detainees as a proportion of overall prison population (SDG indicator 16.3.2), disaggregated by sex, age and disability.

Level 2: Indicator could be produced with straightforward additions or modifications to existing data collection efforts

[Link to the metadata related to this SDG indicator](#)

UNODC collects data on prisons through its annual data collection (UN-CTS). The data collection through the UN-CTS is facilitated by a network of over 130 national Focal Points appointed by responsible authorities. Data on unsentenced and total detainees from the UN-CTS are available for 114 countries. The country coverage can improve if other sources (research institutions and NGOs) are included (data for additional 60 countries are available, bringing the total for the period 2012-2014 to 174 countries). Data for two points in time (2003-2005 and 2012-2014 three year averages) are available for 144 countries.

There is a consolidated system of annual data collection on crime and criminal justice (UN- Crime Trends Survey, UN-CTS) which represents the basis of data on unsentenced detainees. The UN-CTS data collection is largely based on the network of national Focal

Points, which are institutions/officials appointed by countries and having the technical capacity and role to produce data on crime and criminal justice (around 130 appointed Focal Points as of 2016). In addition, these data are supplemented for countries with missing values with official data collected by the Institute for Criminal Policy Research (World Prison Brief), which collects data directly from national prison administrations or from the websites of Ministries of Justice or other official agencies. For future SDG reporting data will be sent to countries for consultation prior to publication.

The United Nations Survey of Crime Trends and Operations of Criminal Justice Systems, available at <https://www.unodc.org/unodc/en/data-and-analysis/statistics/crime/cts-data-collection.html>, collects data on unsentenced detainees by sex, but it does not collect data on disability status.

13.22 Number and proportion of persons with disabilities who hold positions as judges, prosecutors, etc., within the justice system and related institutions, disaggregated by sex, age, disability, position and sector of the judiciary/justice system.

Level 2: Indicator can be produced with existing data but has not been reported on

These statistics could be obtained from personnel records or through a survey of employees. For example, there are many instances of data on women judges – as in the Organization for Economic Cooperation and Development (OECD), reported at <https://www.oecd.org/gender/data/women-in-the-judiciary-working-towards-a-legal-system-reflective-of-society.htm>.

The United Kingdom of Great Britain and Northern Ireland publishes “judicial diversity statistics”, available at <https://www.judiciary.uk/publications/judicial-diversity-statistics-2019-2/>, every year, looking at gender, age and ethnicity, but not at disability.

As of 2019, disability information was not presented, as it was not possible to differentiate between those without a disability and non-respondents – disability information was collected on a non-mandatory basis, by self-declaration. Moreover, disability status may change over time and information relating to diversity was only taken at point of entry, unless the relevant human resources staff were contacted to update respondents’ information. However, the report mentions, in section 5d, that changes to their collection methods on diversity may yield more accurate data. This could include updates of personnel records and collection of data upon departure.

In 2013, the United Kingdom of Great Britain and Northern Ireland published information on magistrates with disabilities, available at <https://www.judiciary.uk/publications/magistrates-in-post/>, as well as statistics on judicial appointments looking at underrepresentation of those eligible to be appointed, available at <https://www.judicialappointments.gov.uk/sites/default/files/sync/news-documents/jac-diversity-update-april-2019.pdf>.

13.23 Number and proportion of persons with disabilities who participate in legal proceedings, within the justice system and related institutions as indirect participants (witnesses, expert witnesses, jurors, etc.) disaggregated by sex, age, disability, kind of role and sector of the judiciary/justice system.

Level 3: Indicator for which acquiring data is more complex or requires the development of data collection mechanisms which are currently not in place

There have been some population surveys that ask about political participation, but none were found on the participation in legal proceedings. In addition, no examples of administration data were found. This could be asked about in a national disability survey, but the sample size may limit the usefulness of any estimates, given the rate at which the average citizen participates in legal proceedings in any given year.

A better option, for countries with national identification numbers, would be to cross-check those with disability assessment records, as most people intervening in the justice system have to register their identification numbers when participating in formal procedures. Of course, not all persons with disabilities have been assessed, for a variety of reasons: eligibility criteria for disability programs, accessibility of the program and whether potential applicants feel it is worth being assessed. This varies significantly across countries. Still, such data would be indicative of the participation in legal proceedings and would be particularly useful for tracking changes over time. Of course, privacy safeguards must be put into place so that while the statistics are reported, people's individual disability status is not revealed without their knowledge and permission.