

# What do we know about ethnic diversity in the family justice system in Wales?

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# **This report uses a novel data linkage methodology to analyse ethnic diversity in the family justice system in Wales.**

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A summary of this report is available from the above link.

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# Executive summary

The objectives of this study by the Family Justice Data Partnership – a collaboration between Lancaster University and Swansea University – were to:

- produce an overview of the ethnic diversity of children and adults in public and private law cases in Wales
- consider, against the national picture, whether particular ethnic groups are under or over-represented in the family justice system in Wales
- set out recommendations regarding data collection and analysis.

## About the data

This study used anonymised individual-level, population-scale data on children and adults involved in public and private law cases in Wales between 1 April 2011 and 31 March 2020.

The Cafcass Cymru cohort included approximately 122,500 records:

- 14,000 children and 19,500 adults in public law cases
- 37,000 children and 52,000 adults in private law cases.

National ethnicity estimates are from the publicly available 2011 census and the Office for National Statistics (ONS) 2019 ethnicity experimental statistics (ONS 2021). The report uses the same 5 ('high-level') ethnic group categories as the ONS and 2011 census.<sup>1</sup>

The analyses in this report are descriptive and should be treated as preliminary.

## How complete is the ethnicity data?

- Work is ongoing to improve the quality of ethnicity information routinely collected by Cafcass Cymru – the organisation that independently advises the family courts in Wales about the best interests of children – as part of its case management data.
  - Maintaining and reviewing the quality of ethnicity and other individual characteristics (such as language, religion, disability, household vulnerabilities, sexuality and gender identity) are critical to better understanding the profiles and needs of those involved in the family justice system.

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<sup>1</sup> The five high-level ethnic groups are: Asian or Asian British; Black, African, Caribbean or Black British; Mixed or multiple ethnic groups; White; and Other ethnic group (ONS 2021).

- In the absence of comprehensive case management data on ethnicity over the time period (2011/12 to 2019/20), the research team used a novel data linkage methodology – linking multiple data sources that record ethnicity and are available within the SAIL Databank, such as hospital admissions, and 2011 census data – to analyse ethnicity within the system.
- When using the linked data method per fiscal year by law type and age, coverage of ethnicity remains above 90% for both public and private law cases for adults and children in Wales.

## **What is the ethnicity of people in the family justice system?**

- Overall, most adults and children in the family justice system in Wales – both public and private law – are White (around 95%). There is a slightly higher proportion of adults recorded as White than children.
- The second largest proportion of individuals are recorded as being in Mixed or multiple ethnic groups, with a slightly higher proportion of children in both public and private law cases than adults. Individuals in the Other, Asian or Asian British, and Black, African, Caribbean or Black British groups combined make up between 2% and 3% of children and adults in both public and private law cases.

## **How does the ethnic diversity of children and adults in the family justice system compare to the general population?**

- The largest proportion of individuals in both public and private law cases were White (95%), which is equivalent to the proportion in the general population.
- The Black, African, Caribbean or Black British, and Other ethnic groups in both public and private law cases reflected the proportion in the general population.
- Compared to the national profile, individuals in the Asian or Asian British group are under-represented in both public and private law cases (1.3% and 1.5% respectively compared to 2.4% in the general population).
- This contrasts with those in the Mixed or multiple ethnic groups, who are over-represented compared to the general population, where the proportion of individuals in public and private law cases was 1.5% and 1.9% respectively compared to 0.9% in the general population.

## Conclusion

- Our findings indicate that the family justice system works with a diverse population of families in Wales, in both public and private law proceedings. However, most adults and children involved in family justice proceedings are White, reflecting the ethnicity of the population across Wales.
- Given the limited literature and analyses to date, more needs to be done to confirm these findings, and to recognise, understand and respond to the needs of all ethnic groups in the family justice system.

# Key concepts

## Public and private family law

Family justice, which deals with public and private matters, concerns the law relating to children and families. Underpinned by the principles of the Children Act 1989, public and private family law cases are dealt with in the family court, which operates a common administrative framework for all family court cases. Cafcass Cymru independently advises the family courts in Wales about the best interests of children.

- Public law cases – primarily care proceedings – are brought by local authorities when children are considered at risk of actual or likely significant harm (for further details of public law cases in Wales, see Alrouh et al. 2019).
- Private law children cases relate to disagreements or disputes – usually between parents after relationship breakdown – about arrangements for a child’s upbringing, such as who they should live with and/or who they should see (for further details of private law cases in Wales, see Cusworth et al. 2020).

## Understanding ethnicity – conceptual and analytic challenges

Concepts of ethnicity are subjective, multifaceted and have a changing nature (ONS 2022, 21 April). Membership of an ethnic group is self-defined and subjective to the individual, linked to common ancestry and elements of nationality, history, culture, religion, language and physical appearance (Brown and Langer 2010; Connelly et al. 2016; Platt 2007).

It is important to keep in mind the complexity and potential bias in recording and interpreting data related to ethnicity. Although those devising and using information systems strive for objectivity through the development of standardised categories, there are variations in the way people record or self-report ethnicity data.

Moreover, the challenge of precisely defining an individual’s ethnicity can lead to problematic levels of missing data (Broadhurst et al. 2021). Such challenges are not particular to Cafcass Cymru, rather they are true of most reporting systems.

This report uses the same 5 high-level ethnic group categories used in the 2011 census in England and Wales – Asian or Asian British; Black, African, Caribbean or Black British; Mixed or multiple ethnic groups; White; and Other ethnic group.



# Introduction

Currently there is limited data relating to the ethnicity of children and families who appear in family justice court proceedings (Rehill and Roe 2022). As part of Nuffield Family Justice Observatory's focus on improving the well-being of children and families within the family justice system, there is a need to better understand the ethnic diversity and the strategies that may reduce inequalities. To do this, we need national data about the ethnicity of both children and adults. In England and Wales, the Children and Family Court Advisory and Support Service (known as Cafcass and Cafcass Cymru, respectively) represents children in public and private law children cases to ensure that decisions made by the courts are in the child's best interests. These organisations collect and maintain administrative data on all public and private family law proceedings. While Cafcass England has made significant efforts to improve the recording of ethnicity data since April 2016 (Alrouh et al. 2022), Cafcass Cymru has only recently started to collect such information and records are therefore currently limited.

Recent research by the Family Justice Data Partnership examined the quality and completeness of ethnicity data recorded by Cafcass England, the ethnic diversity of children and adults in the family justice system, and how this compares to the national picture (Alrouh et al. 2022). The analysis revealed that, while the recording of ethnicity has improved markedly in recent years, the proportion of individuals with missing ethnicity data is high. In 2018/19 ethnicity data remained missing for 14% and 20% of children and adults in private law cases involving children, and 6% and 11% of children and adults in public law cases. In addition, the research found that the majority of both adults and children involved in family justice proceedings in England were White, both in public and private law, and that there were regional variations in the ethnic diversity of both adults and children in family justice proceedings. Individuals in the Black, African, Caribbean or Black British, Mixed or multiple and Other ethnic groups were over-represented in both public and private law cases, and there were higher rates of private law cases among Asian families compared to public law cases.

This report builds on these findings. Due to the currently limited ethnicity data recorded by Cafcass Cymru, data linkage approaches are used to describe the ethnic diversity of children and adults in the family justice system in Wales. The objectives are to:

- provide an overview of the ethnic diversity of children and adults in public and private law cases in Wales
- consider, against the national picture, whether particular ethnic groups are under or over-represented in the family justice system in Wales
- to set out recommendations regarding data collection and analysis.

# Methodology

Administrative data collected and maintained by Cafcass Cymru is held in the privacy-protecting Secure Anonymised Information Linkage (SAIL) Databank (Ford et al. 2009; Lyons et al. 2009; Jones et al. 2014, 2019). This analysis used anonymised individual-level, population-scale data on children and adults involved in public and private law cases in Wales between 1 April 2011 and 31 March 2020 (see Johnson et al. 2020 for more information on Cafcass Cymru data).<sup>2</sup> As electronic records for public law research are not of sufficient quality before 2011, analysis for both law types has been restricted to the period 2011/12 to 2019/20.

The Cafcass Cymru cohort included approximately 122,500 records:

- 14,000 children and 19,500 adults in public law cases
- 37,000 children and 52,000 adults in private law cases.<sup>3</sup>

See Table A.1 in the appendix for further details.

A linked data method has been used to examine the ethnicity of individuals involved in the family justice system in Wales. An individual-level ethnicity variable was derived using multiple data sources that record ethnicity and are available within the SAIL Databank. The data sources used to create this variable for this analysis included a range of health records (such as hospital admissions and GP records) and 2011 census data.<sup>4</sup> These data sources were harmonised and transformed into an ethnicity variable, based on the latest date an ethnicity is declared in any data source, and linked to the Cafcass Cymru cohort.

National ethnicity estimates from the publicly available 2011 census and the Office for National Statistics (ONS) 2019 ethnicity experimental statistics were used for comparison to national ethnicity distributions (ONS 2021).<sup>5</sup> To facilitate comparability and replication (Connelly et al. 2016) the ONS 5-group ethnicity categories were used – Asian or Asian British; Black, African, Caribbean or Black British; Mixed or multiple ethnic groups; White; and Other ethnic group.

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<sup>2</sup> Involved as either an applicant, respondent, subject or other.

<sup>3</sup> Law type was defined at the case level.

<sup>4</sup> Data sources include: congenital anomaly register (CARS), critical care (CCDS), emergency department (EDDS), maternity indicators (MIDS), national community child health (NCCCH), hospital inpatients (PEDW), substance misuse (SMDS), primary care (WLGp) and ONS census 2011 (CENW) data.

<sup>5</sup> Both the 2011 census and 2019 ONS experimental statistics are used to show any differences between using older, underlying population data (i.e. 2011 census) or the more recent, but experimental population data (i.e. 2019 ONS experimental statistics).

Using the linked data method, we examined the proportion of children and adults involved with Cafcass Cymru who have an ethnicity recorded by law type in each fiscal year, using the date on which an individual's first case opened. Each child and adult contributed only once to their respective total for any year, regardless of involvement in additional cases in the same year.

We then explored the ethnicity of children and adults involved in public and private law cases by fiscal year. With an awareness that there may be potential bias in missing data towards certain ethnic groups (McGrath-Lone et al. 2021), those without an ethnicity recorded have been excluded from this analysis.

Finally, using ethnicity figures taken from the 2011 census and the 2019 ONS experimental statistics, we investigated the representation of different ethnic groups in public and private law cases for the three years 2017/20 to 2019/20 (the same period as the recently published sister report on ethnic diversity in England), comparing this against the national picture.<sup>6,7</sup>

Rates were calculated and expressed as the number of individuals from each ethnic group involved in family law cases per 10,000 in that group of the general population.

## Strength and limitations

This is the first time, to our knowledge, that the ethnicity of those involved with Cafcass Cymru has been investigated. With the limited availability of ethnicity information in Cafcass Cymru at present, we have used a linked data method to determine the ethnicity for a high proportion of children and adults involved in public and private family law cases in Wales. However, we acknowledge the following limitations.

- Studies based on administrative data are necessarily limited by the scope and quality of available data, which is collected primarily for non-research purposes.
- The recording of ethnicity using the linked data method is reliant on the individual appearing in at least one of the data sources that collects (and actively records) ethnicity. This may introduce bias in terms of missing data.
- Regional analysis was not possible in this analysis due to small numbers and disclosure risk in Wales.
- In terms of population estimates, we used the ONS 2019 experimental statistics. While more recent, this comes with limitations, including rounded base figures for the 18-group ethnic categories, from which the 5-group ethnic categories were calculated for the years in question (for further details see ONS 2021).

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<sup>6</sup> In the main body of the report, we only present comparisons using the 2019 ONS experimental statistics. For details of the 2011 census comparisons, see Table A.6 and Table A.7 in the appendix.

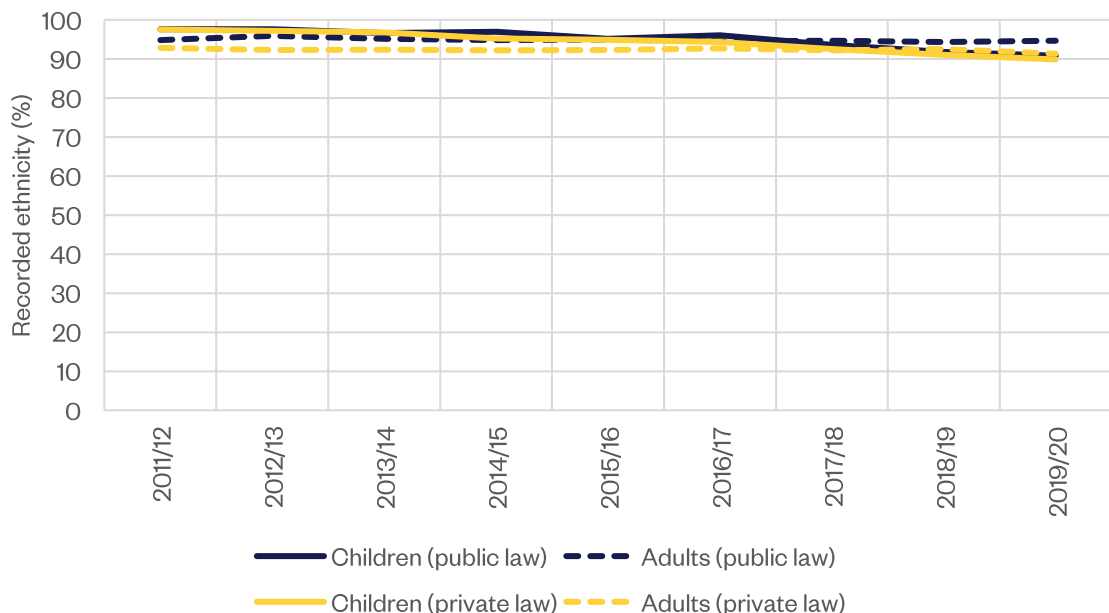
<sup>7</sup> To compare to the national ethnicity figures, which include both children and adults, we combined the Cafcass Cymru children and adult sub-cohorts. In this combined cohort, a child or adult involved in a case starting between 2017/18 and 2019/20 contributed only once to the total, regardless of involvement in additional cases within that period. Where an individual was involved in more than one case over the period, recorded ethnicity was taken from their first case.

- To gain a fuller understanding of the role of ethnicity in family justice it will be necessary to examine the data further, controlling for additional relevant factors including age, location, area-level deprivation and socio-economic factors.
- The analyses in this report are descriptive and should be treated as preliminary.

# How complete is the ethnicity data?

Using the linked data method we are able to capture the ethnicity of over 90% of adults and children in the family justice system (public and private law) in Wales (see Figure 1).

**Figure 1: Percentage of individuals involved in the family justice system that have an ethnicity recorded using the linked data method**



Ethnicity is recorded for 95% of adults over each of the last 10 years. However, there has been a slight decrease in data coverage for children over time (98% in 2011/12 down to 91% in 2019/20). This could be due to several factors, including a reduction of records available containing ethnicity for children if they were born after the 2011 census collection. Private law coverage of ethnicity follows a similar pattern to public law, with slightly less coverage for adults (closer to 90%) and children.

The coverage of ethnicity for public law cases in Wales is consistent with Cafcass England data (Alrouh et al. 2022). However, for private law cases, the coverage is higher for both adults (for example, in 2019/20, 91% in Wales compared to 79% in England) and children (90% in Wales compared to 84% in England).

The linked data method relies on a variety of data sources capturing and recording ethnicity for the population. Some sub-groups (for example gender and age groups) may be more prevalent in some of the data sources used to gather ethnicity data, which may influence the completeness of ethnicity data across these sub-groups.

Men, for example, have consistently higher proportions of missing ethnicity data. This is potentially due to women having more opportunities to have their ethnicity recorded across the data sources used in this analysis (for example, within the maternity indicators dataset).

A full breakdown of the demographic characteristics of adults and children by law type can be found in the appendix (Table A.2 to Table A.5).

# What is the ethnicity of individuals in the system?

Overall, most adults and children in the family justice system in Wales are White (around 95%), in both public and private law cases. There is a slightly higher proportion of adults recorded as White than children.

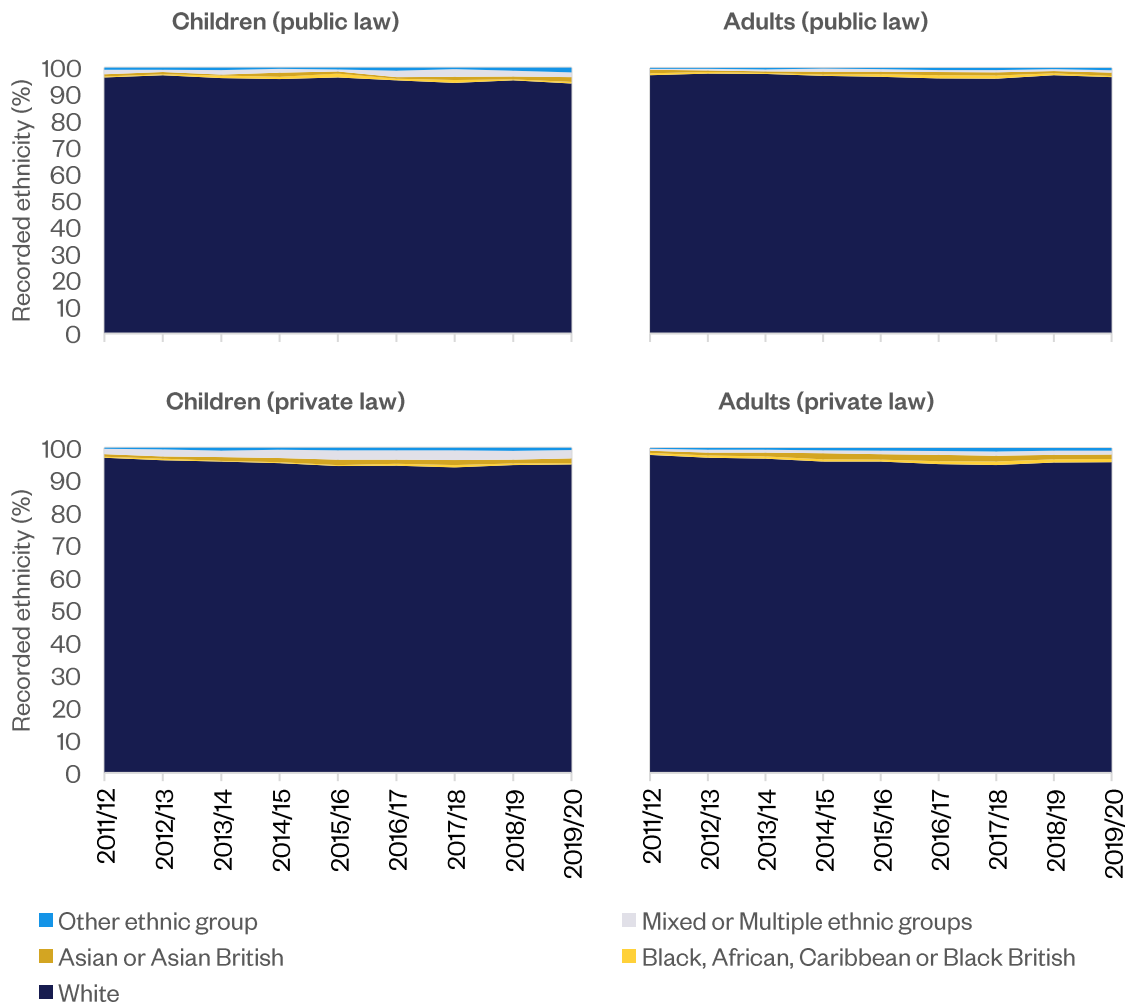
As shown in Figure 2, the proportion of adults and children in each of the five ethnic groups remained consistent between 2011/12 and 2019/20, in both public and private law proceedings. As seen in the previous section, the proportion of individuals with missing data is less than 10%.<sup>8</sup> The missing category has been excluded from the analysis in this section, and caution should be applied when interpreting the results.

The second largest proportion of individuals are recorded in Mixed or multiple ethnic groups, with a slightly higher proportion of children in both public and private law cases than adults. Individuals in the Other, Asian or Asian British, and Black, African, Caribbean or Black British groups combined make up between 2% and 3% of children and adults in both public and private law cases.

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<sup>8</sup> The proportion of missing data in 2011/12–2019/20 for children in both public and private law cases was 2.5%–10.0%, 5.0% for adults in public law cases and 7.0–8.5% for adults in private law cases.

**Figure 2: Percentage of individuals in each ethnic group, using the linked data method**





# How does the ethnic diversity of individuals in the family justice system compare to the general population?

In this analysis we consider both the proportion of individuals in each ethnic group in public and private law cases and the general population (Figure 3), and the rate of individuals in each ethnic group in a public or private law case per 10,000 general population (Figure 4) over the three-year period 2017/18 to 2019/20. This time period was chosen in order to align with the sister report on England (Alrouh et al. 2022).<sup>9</sup>

The largest proportion of individuals in both public and private law cases were White (95%) which was equivalent to the proportion in the general population (Figure 3). The Black, African, Caribbean or Black British, and Other ethnic groups in both public and private law cases reflected the proportion in the general population.

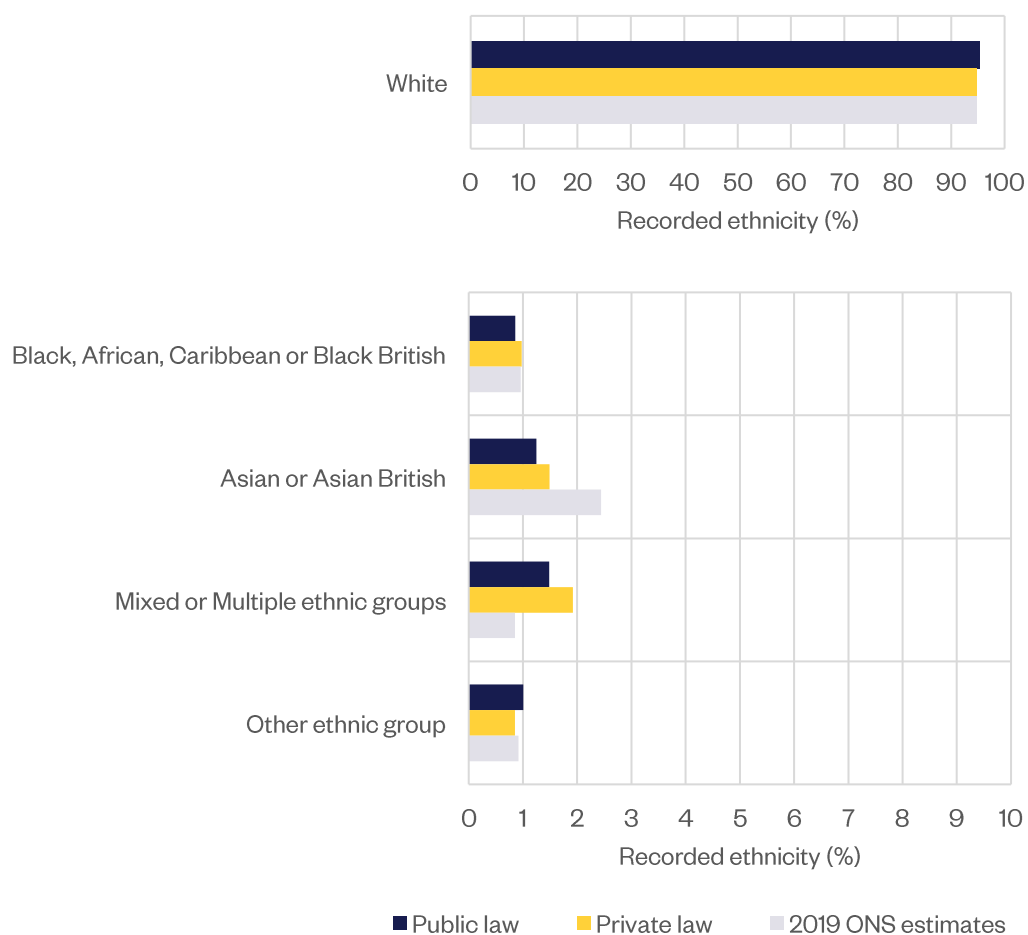
Compared to the national population, individuals in the Asian or Asian British group are under-represented in both public and private law cases (1.3% and 1.5% respectively compared to 2.4% in the general population).

This contrasts with those in Mixed or multiple ethnic groups, who are over-represented compared to the general population, where the proportion of individuals in public and private law cases was 1.5% and 1.9% respectively compared to 0.9% in the general population.

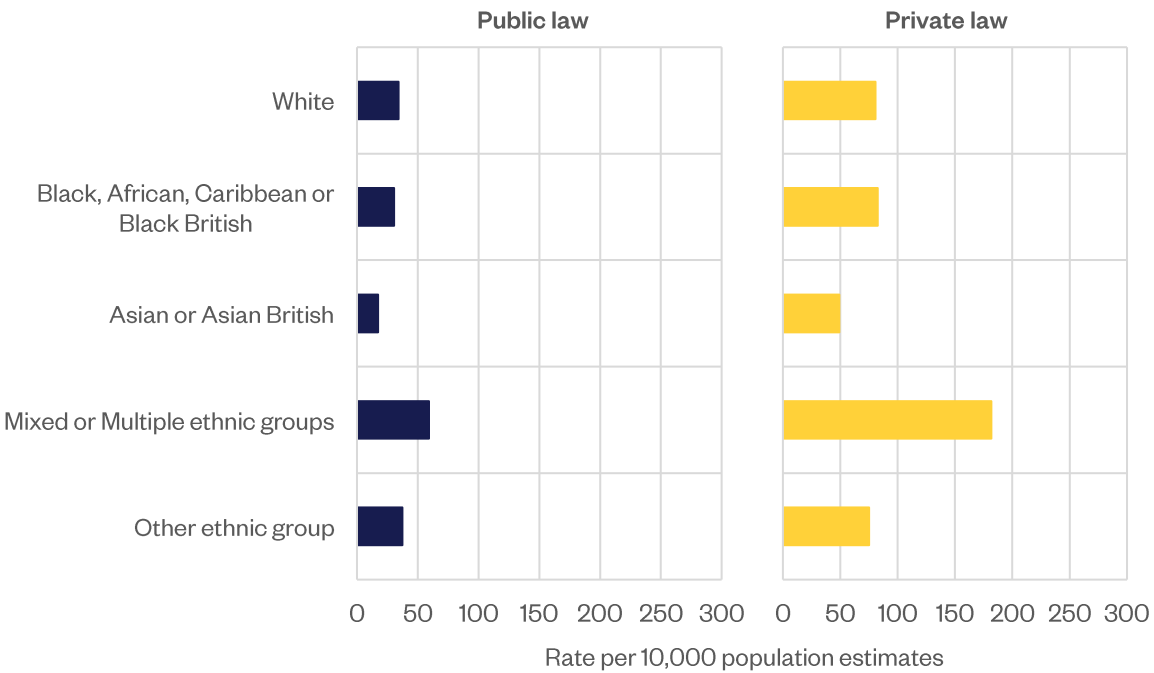
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<sup>9</sup> For methodological reasons, children and adults are not investigated separately. An adult or child involved in a case initiated between 2017/18 and 2019/20 was only included once during this period.

**Figure 3: Ethnicity of individuals in public and private law cases (2017/18 to 2019/20), and the general population (using 2019 ONS estimates)**



**Figure 4: Rate of adults and children in public and private law cases (2017/18 to 2019/20) per 10,000 general population (2019 ONS estimates), by ethnicity group**



# Conclusion

Our findings indicate that the family justice system works with a diverse population of families in Wales, in both public and private law proceedings. However, most adults and children involved in family justice proceedings are White (reflecting the ethnicity of the population across Wales), with a slightly higher proportion of adults recorded as White than children. The second largest proportion of individuals were recorded in Mixed or multiple ethnic groups, with this being slightly higher for children in both public and private law cases than adults.

It has been possible to produce some provisional analyses regarding questions of representativeness of different ethnic groups in family justice proceedings.

## Public law

We know from previous research that there is an over-representation of Black, African and Black Caribbean children in care, and an under-representation of Asian children in care, relative to their proportions in the wider population in England (Bywaters et al. 2017, 2019; Owen and Statham 2009). These findings were mirrored in the analysis of the ethnicity of adults and children in care proceedings in England (Alrouh et al. 2022): adults and children from Black, African, Caribbean or Black British, Mixed or multiple and Other ethnic groups were over-represented in public law proceedings, while adults and children from Asian or Asian British families were under-represented.

Our study found a slightly different picture for families in public law proceedings in Wales. Adults and children from Black, African, Caribbean or Black British and Other ethnic groups were not over-represented – the proportions of adults and children in these groups were similar to the proportions in the general population. However, adults and children from Mixed or multiple ethnic groups were over-represented in public law proceedings, while adults and children from Asian or Asian British ethnic groups were under-represented.

## Private law

In England, Alrouh et al. (2022) found that Black, African, Caribbean or Black British, Mixed or multiple and Other ethnic groups were also over-represented in private law cases. Our study found a different picture in Wales: the proportion of Black, African, Caribbean or Black British and Other ethnic groups in private law proceedings reflected the proportion in the general population. However, those from Mixed or multiple groups were over-represented in private law proceedings in Wales.

Alrouh et al. (2022) found that although Asian families were under-represented in public law proceedings in England, there were proportionally more Asian families in

private law proceedings than in public law proceedings. This study shows that the picture in Wales is similar: although Asian or Asian British families were under-represented in both public and private law proceedings in Wales, there were slightly higher proportions of Asian or Asian British families in private law proceedings compared to public law.

## Data

Given the limited literature and analyses to date, more needs to be done to confirm these findings, and to recognise and respond to the needs of all ethnic groups in the family justice system.

This work highlights a novel data linkage methodology, enabled via the rich collection of data sources held within the SAIL Databank. This is a major step forward in understanding an important dimension of diversity for the population of children and families involved within the family justice system.

Whilst ethnicity information is currently limited within the case management data routinely collected by Cafcass Cymru, work is ongoing to improve the quality of this highly valuable national data asset. Alongside this, a range of other information on diversity is also being captured, such as language, religion, disability, household vulnerabilities, sexuality and gender identity. Maintaining and reviewing the quality of new ethnicity and other individual characteristics will be critical if we are to have reliable estimates of the proportions and profiles of populations involved in the family justice system.

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# Appendix A

Table A.1: Cafcass Cymru data cohort

Sample	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	Total
Children (public law)	1,250	1,260	1,210	1,350	1,460	1,780	1,880	1,960	1,860	14,010
Adults (public law)	1,540	1,710	1,670	1,940	2,200	2,720	2,640	2,670	2,450	19,540
Children (private law)	3,680	4,280	4,380	3,370	3,770	4,090	4,300	4,580	4,770	37,220
Adults (private law)	5,050	6,110	6,280	4,740	5,170	5,640	6,010	6,310	6,590	51,900
Total	11,520	13,360	13,540	11,400	12,600	14,230	14,830	15,520	15,670	122,670



**Table A.2: Characteristics of children in public law cases**

	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
<b>N (100%)</b>	1,250	1,260	1,210	1,350	1,460	1,780	1,880	1,960	1,860
<b>Ethnicity – linked data method (%)</b>									
White	92.8	93.7	91.7	91.1	90.4	89.9	87.2	87.2	84.9
Black, African, Caribbean or Black British	c	c	0.8	0.7	1.4	0.6	1.1	c	0.5
Asian or Asian British	0.8	0.8	c	1.5	0.7	0.6	1.1	1.0	1.6
Mixed or multiple ethnic groups	1.6	0.8	1.7	1.5	0.7	2.2	2.7	2.0	1.6
Other ethnic group	0.8	0.8	0.8	c	0.7	1.1	0.5	1.0	1.6
Missing	2.4	2.4	3.3	3.0	4.8	3.9	6.4	8.2	9.1
<b>Gender (%)</b>									
Male	52.0	54.0	52.1	51.9	50.7	52.2	51.1	51.5	52.2
Female	48.0	45.2	47.1	48.1	49.3	47.8	48.4	48.0	47.3
Missing	0.0	0.0	0.0	0.0	0.0	0.0	0.0	c	0.5
<b>Age group (%)</b>									
<1 year old	20.0	17.5	16.5	15.6	14.4	16.3	17.6	19.4	19.4
1–4 years old	32.0	31.0	30.6	26.7	28.1	25.3	26.1	27.0	28.5
5–9 years old	22.4	29.4	27.3	31.9	29.5	29.2	27.7	25.5	27.4
10–15 years old	20.8	18.3	22.3	22.2	24.7	25.3	25.0	24.5	22.0
16–17 years old	0.8	1.6	2.5	2.2	1.4	2.8	2.1	2.0	2.2
Missing	0.8	c	c	c	c	c	c	c	c
<b>Role on application (%)</b>									
Subject	100	100	100	100	100	100	100	100	100

Note: c refers to censored data (where raw counts <10)

**Table A.3: Characteristics of adults in public law cases**

	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
<b>N (100%)</b>	1,540	1,710	1,670	1,940	2,200	2,720	2,640	2,670	2,450
<b>Ethnicity – linked data method (%)</b>									
White	92.2	93.6	92.2	91.2	91.4	90.1	90.2	90.6	90.6
Black, African, Caribbean or Black British	0.6	0.6	c	0.5	0.9	1.1	1.1	0.7	0.4
Asian or Asian British	1.3	0.6	0.6	1.0	0.9	1.1	1.1	0.7	1.2
Mixed or multiple ethnic groups	c	0.6	0.6	1.0	0.9	0.7	0.8	0.7	0.8
Other ethnic group	c	c	0.6	c	0.5	0.7	0.8	0.4	0.8
Missing	5.2	4.1	4.8	5.2	5.0	5.5	5.3	5.6	5.3
<b>Gender (%)</b>									
Male	46.1	46.2	46.1	46.4	45.0	44.9	44.7	45.7	45.3
Female	53.9	53.2	53.9	53.6	54.5	54.4	54.5	52.8	53.1
Missing	0.0	0.0	0.0	0.0	c	0.4	0.4	1.1	1.2
<b>Age group (%)</b>									
<20 years old	7.1	8.2	6.6	6.2	4.5	5.1	6.1	3.7	3.3
20–24 years old	20.1	19.9	17.4	16.5	15.0	15.4	15.2	15.7	15.1
25–29 years old	20.1	21.6	21.6	19.1	19.1	18.0	17.8	19.1	17.6
30–34 years old	16.9	17.0	18.0	19.6	20.0	18.0	19.3	19.5	20.8
35–39 years old	12.3	11.7	13.2	13.4	13.6	14.3	14.8	15.4	16.7
40–44 years old	9.7	8.2	9.0	9.8	9.1	9.2	9.5	8.6	8.6
45+ years old	10.4	10.5	10.8	12.4	14.5	14.7	13.6	14.6	14.3
Missing	1.3	1.8	1.2	1.0	2.7	3.7	2.7	2.2	2.4
<b>Role on application (%)</b>									
Applicant	11.7	10.5	9.6	8.8	9.5	8.5	8.7	10.5	13.5
Respondent	78.6	78.9	81.4	83.0	80.0	80.9	81.4	79.8	79.6
Other	9.1	9.9	9.0	7.7	10.0	10.3	9.1	9.4	6.1

Note: c refers to censored data (where raw counts <10)

**Table A.4: Characteristics of children in private law cases**

	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
<b>N (100%)</b>	3,680	4,280	4,380	3,370	3,770	4,090	4,300	4,580	4,770
<b>Ethnicity – linked data method (%)</b>									
White	93.8	93.2	92.2	89.6	88.9	88.5	86.5	85.8	84.5
Black, African, Caribbean or Black British	0.3	0.5	0.2	0.3	0.3	0.5	0.7	0.4	0.4
Asian or Asian British	0.8	0.7	1.1	1.2	1.6	1.2	1.4	1.1	1.3
Mixed or multiple ethnic groups	1.6	2.1	1.8	2.4	2.7	2.7	2.8	2.4	2.3
Other ethnic group	0.3	0.5	0.9	0.6	0.8	0.7	0.7	0.9	0.6
Missing	2.4	2.8	3.2	4.7	5.0	5.6	7.4	9.0	10.13
<b>Gender (%)</b>									
Male	51.1	50.5	50.2	50.1	50.7	51.3	50.2	50.9	48.6
Female	48.6	49.5	49.5	49.6	49.1	48.4	49.8	47.4	50.1
Missing	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.5	0.8
<b>Age group (%)</b>									
<1 year old	5.2	5.6	5.3	5.0	4.5	4.4	5.3	4.8	4.2
1–4 years old	36.1	37.4	34.7	33.8	33.2	32.5	30.5	30.1	28.9
5–9 years old	36.7	37.1	40.0	40.4	41.4	41.1	42.1	41.3	42.3
10–15 years old	20.9	18.5	18.7	19.6	20.4	20.5	20.9	22.5	23.3
16–17 years old	0.5	0.7	0.7	0.9	0.3	0.7	0.7	0.7	0.8
Missing	c	c	c	c	c	c	c	c	c
<b>Role on application (%)</b>									
Subject	100	100	100	100	100	100	100	100	100

Note: c refers to censored data (where raw counts <10)

**Table A.5: Characteristics of adults in private law cases**

	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
<b>N (100%)</b>	5,050	6,110	6,280	4,740	5,170	5,640	6,010	6,310	6,590
<b>Ethnicity – linked data method (%)</b>									
White	90.1	89.4	88.9	88.0	88.0	87.9	87.2	88.0	87.1
Black, African, Caribbean or Black British	0.6	0.7	0.6	0.6	0.6	0.9	1.0	1.0	0.9
Asian or Asian British	0.6	0.8	1.1	1.7	1.5	1.8	1.7	1.3	1.2
Mixed or multiple ethnic groups	0.6	0.8	0.8	0.8	1.0	1.1	1.2	1.1	1.1
Other ethnic group	0.2	0.5	0.5	0.6	0.8	0.9	1.0	0.8	0.8
Missing	7.1	7.7	7.6	7.8	7.7	7.3	7.8	7.4	8.6
<b>Gender (%)</b>									
Male	47.9	47.6	47.8	47.7	47.6	47.9	47.9	46.9	47.2
Female	51.9	52.4	52.1	52.1	52.2	52.0	51.6	51.7	51.4
Missing	c	c	0.0	0.0	c	c	0.3	1.3	1.2
<b>Age group (%)</b>									
<20 years old	2.8	2.8	2.2	1.5	1.4	0.9	0.8	0.8	0.5
20–24 years old	15.2	15.1	13.2	12.2	9.3	10.3	9.5	9.0	8.5
25–29 years old	18.4	20.3	21.0	20.5	20.5	20.9	21.0	20.3	19.0
30–34 years old	19.0	19.0	19.6	20.5	20.5	22.0	22.5	22.8	24.0
35–39 years old	17.2	15.7	14.8	16.7	18.0	17.2	18.6	19.2	19.7
40–44 years old	12.5	11.5	12.7	12.9	13.7	12.2	12.1	12.4	12.6
45+ years old	14.1	15.2	15.8	15.2	15.1	15.1	14.8	14.4	14.7
Missing	c	0.2	0.2	c	1.4	0.9	0.3	0.6	0.6
<b>Role on application (%)</b>									
Applicant	52.1	50.6	50.5	49.2	48.9	48.9	48.4	48.0	47.8
Respondent	47.1	48.1	47.9	48.5	48.7	48.4	49.1	49.4	49.3
Other	0.4	1.1	1.3	1.9	2.1	2.5	2.3	2.2	2.6

Note: c refers to censored data (where raw counts <10)

**Table A.6: Ethnicity of individuals in public and private law cases (2017/18 to 2019/20), 2011 census and 2019 estimates (Wales)**

<b>Ethnicity</b>	<b>Public law (%) [N = 10,719]</b>	<b>Private law (%) [N = 25,486]</b>	<b>2011 Census (%) [N = 3,063,456]</b>	<b>2019 estimates (%) [N = 3,152,900]</b>
White	95.4	94.8	95.6	94.8
Black, African, Caribbean or Black British	0.9	1.0	0.6	1.0
Asian or Asian British	1.3	1.5	2.3	2.4
Mixed or multiple ethnic groups	1.5	1.9	1.0	0.9
Other ethnic group	1.0	0.9	0.5	0.9

**Table A.7: Rate of individuals in public and private law cases (2017/18 to 2019/20) per 10,000 population (2011 census and 2019 estimates (Wales))**

<b>Ethnicity</b>	<b>Public law (per 10,000)</b>		<b>Private law (per 10,000)</b>	
	<b>2011 census</b>	<b>2019 estimates</b>	<b>2011 census</b>	<b>2019 estimates</b>
White	35	34	82	81
Black, African, Caribbean or Black British	50	31	136	83
Asian or Asian British	19	17	54	49
Mixed or multiple ethnic groups	50	59	155	182
Other ethnic group	71	37	143	75

# Nuffield Family Justice Observatory

Nuffield Family Justice Observatory (Nuffield FJO) aims to support the best possible decisions for children by improving the use of data and research evidence in the family justice system in England and Wales. Covering both public and private law, Nuffield FJO provides accessible analysis and research for professionals working in the family courts.

Nuffield FJO was established by the Nuffield Foundation, an independent charitable trust with a mission to advance social well-being. The Foundation funds research that informs social policy, primarily in education, welfare, and justice. It also funds student programmes for young people to develop skills and confidence in quantitative and scientific methods. The Nuffield Foundation is the founder and co-funder of the Ada Lovelace Institute and the Nuffield Council on Bioethics.

## Family Justice Data Partnership

The Family Justice Data Partnership is a collaboration between Lancaster University and Swansea University, with Cafcass and Cafcass Cymru as integral stakeholders. It is funded by Nuffield Family Justice Observatory.

## SAIL Databank

Cafcass Cymru data used in this study is available from the Secure Anonymised Information Linkage (SAIL) Databank at Swansea University, Swansea, UK, which is part of the national e-health records research infrastructure for Wales. All proposals to use this data are subject to review and approval by the SAIL Information Governance Review Panel (IGRP). When access has been granted, it is gained through a privacy-protecting safe-haven and remote access system, referred to as the SAIL Gateway. Anyone wishing to access data should follow the application process guidelines available at: [www.saildatabank.com/application-process](http://www.saildatabank.com/application-process)

Approval for the project was granted by the IGRP under SAIL project 0929.