Data sources guidance for outcome indicators on article 13:

Access to justice

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13.19: Proportion of public attendees at court who rate courts and services as highly accessible in their own language, including sign language (according to court surveys)

Level 2: Indicator can 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. Moreover, these surveys tend to be small and 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 individuals participating in court proceedings to obtain good estimates. Therefore, the sample design of court surveys may have to be tailored to oversample persons with disabilities.

Examples of surveys that could be expanded to address this issue include a survey from Pakistan on the rule of law, one from the European Commission for the Efficiency of Justice and a population-based survey in Afghanistan in which respondents are asked about the use of courts to resolve disputes.

Every year, the World Justice Project administers a general population poll to collect data from representative samples of the general public that are used to calculate scores and rankings for its annual Rule of Law Index. The data presented in the index are derived from the access to justice module for 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. Such information could, however, be ascertained through the survey.

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 the implementation of judicial reform in 2010. In the survey, respondents were asked about accessibility, but it did not refer to accessibility for persons with disabilities. However, it did ask the following questions:

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

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

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

Canada conducts the General Social Survey – Canadians' Safety every five years, a national survey of self-reported victimization. In the General Social Survey, persons with disabilities are identified 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, development, memory, or mental or psychological health. Respondents are asked a minimum of five questions and an average of eight questions. A study based on these data found that, when looking at all incidents where victims had contacted some form of services, 61 per cent had involved a victim who had 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 1 in 10 (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: Unsentenced detainees as a proportion of overall prison population (Sustainable Development Goal indicator 16.3.2), disaggregated by sex, age and disability

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

According to the metadata:

> The United Nations Office on Drugs and Crime collects data on prisons through its annual United Nations Survey of Crime Trends and Operations of Criminal Justice Systems. Data collection through the survey is facilitated by a network of over 130 national focal points (as of 2016) appointed by the responsible authorities. Data on unsentenced and total detainees are available for 114 countries. Country coverage can improve if other sources (such as research institutions and non-governmental organizations) are included (data for an additional 60 countries are available, bringing the total for the period 2012–2014 to 174 countries). Data for two points in time (three-year averages for 2003–2005 and 2012–2014) are available for 144 countries when including data from civil society.

These data are supplemented for countries with missing values with official data collected by the Institute for Crime and Justice Policy Research (for its World Prison Brief database), which gathers data directly from national prison administrations or from the websites of ministries of justice or official agencies. For future Sustainable Development Goal reporting, data will be sent to countries for consultation prior to publication.

In the United Nations Survey of Crime Trends and Operations of Criminal Justice Systems, data are collected on unsentenced detainees by sex, but not on disability status.

13.22: Number and proportion of persons with disabilities who hold positions as judges, prosecutors or other roles within the justice system and related institutions, disaggregated by sex, age, disability, position and sector of the judiciary or 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 examples of data on women judges, including as reported by the Organization for Economic Cooperation and Development.

The United Kingdom of Great Britain and Northern Ireland publishes judicial diversity statistics every year by gender, age and ethnicity, but not by disability.

As of 2019, disability information was not presented because it was not possible to differentiate between respondents 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, changes to their collection methods relating to diversity may yield more accurate data. These could include updates of personnel records and collection of data upon departure.

Since 2013, the United Kingdom has published information on magistrates with disabilities, as well as statistics on judicial appointments, looking at underrepresentation of those eligible to be appointed.

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

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

There have been some population surveys in which respondents are asked about political participation, but none was found on participation in legal proceedings. In addition, no examples of administrative data were found. Respondents in a national disability survey could be asked about these subjects, but the sample size may limit the usefulness of any estimates, given how infrequently the average citizen will participate in legal proceedings in any given year.

A better option for countries with national identification numbers would be to cross-check them with disability assessment records, as most people intervening in the justice system are required to register their identification numbers when participating in formal procedures. Not all persons with disabilities have been assessed, for a variety of reasons, owing to the eligibility criteria for disability programmes, for instance, or because of the accessibility of the programme or whether a potential applicant feels it is worth being assessed. This varies significantly across countries. However, such data would be indicative of the rate of participation in legal proceedings and would be particularly useful for tracking changes over time. Clearly, privacy safeguards must be put into place so that, while the statistics are reported, a person's individual disability status is not revealed without their knowledge and permission.