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Informational and Statistical Support of Judicial Statistics in the Field of Public-Legal Relations

The problem of forming of information and statistical support of judicial statistics in the field of public-legal relations is reviewed. The existing form of reporting on the review of cases on administrative offenses and persons brought to administrative responsibility, as well as the reporting form on the administration of justice by local courts of appeal and the Supreme Court, was analyzed. The content, completeness and structure of the existing informational and statistical support of the administrative judicial statistics of Ukraine have been clarified. As a result of the research, it was established that currently such judicial statistics in the field of public-legal relations is formed exclusively on the basis of departmental statistics. The process of producing statistical information in Ukraine remains quite long, and the use of outdated systems and methods significantly complicates data processing and access to it. Requests are processed for quite a long time, and information is provided in various formats. At the same time, individual positions (indicators) of various forms of reporting regarding the implementation of administrative proceedings are duplicated.

In view of what was stated in the research, the importance of establishing permanent feedback with users and producers of statistical information, respondents of state statistical observations, as well as bodies whose activities are related to the collection and use of administrative data is justified. The need to ensure a balance between the degree of satisfaction of the information needs of users of statistical information (which involves the use of the cutting-edge information technologies during its distribution) and the level of optimization of the statistical production process is emphasized. The necessity of organizing mutual exchange of data between state and judicial bodies instead of duplicating information flows, as well as introducing selective methods of statistical observations instead of continuous ones has been proved.

The solution to the problem of improving the informational and statistical support of administrative proceedings is proposed by implementing administrative data into official statistics.

Key words: *administrative data, administrative proceedings, court reporting forms, judicial statistics, official statistics, departmental statistics.*

Introduction. Legal proceedings – the procedure and form of judicial actions established by law or custom within the tasks of courts in the administration of justice [1].

The Code of Administrative Proceedings [2] defines that a public legal dispute is one in which:

– at least one party performs public-authority management functions, including the performance of delegated powers, and the dispute arose in connection with the performance or non-performance by such party of the specified functions;

– or at least one party provides administrative services on the basis of legislation that authorizes or obligates to provide such services exclusively to a subject of authority, and the dispute arose in connection with the provision or non-provision of said services by such party;

– or at least one party is the subject of the election process or the referendum process and the dispute arose

in connection with the violation of its rights in such a process by a subject of authority or another person.

Timely, objective and complete information about the state of judicial proceedings, in particular administrative, allows the relevant individuals and legal entities, state authorities to take necessary and urgent measures to eliminate negative consequences. Therefore, it is important for the country to have a reliable scientifically based and effectively operating system of information and statistical support regarding the state of judicial proceedings with a powerful database. The basis of such an information system should be judicial statistics, which is a section of legal statistics and a component of the state statistical system of Ukraine. It should promptly and objectively reflect changes in law enforcement trends in the country, demand consolidation of efforts of all participants in such a process with the aim of summarizing information resources into a single national database.

Analysis of research and publications. In Ukraine, the study of the problems of the use of administrative data, the improvement of state statistical observations, as well as the development of methodological principles for the implementation of such observations were carried out by O. Osaulenko [3], I. Serova, I. Aksionova and others.

The tasks of judicial statistics were highlighted in publications by A. Dzhurynskyi [4], O. Serdiuk, V. Bryntsev and others. The influence of judicial statistics on managerial decision-making was studied by Yu. Batyr [5], L. Moskvich, O. Ovsianikova and others.

Research has established that today the process of forming statistical information in the field of public-legal relations uses outdated methods and systems, which complicates the processing of such administrative data and limits access to them. And the analysis of the system of reporting indicators based on the results of administration of justice by administrative courts showed that some indicators of various forms of statistical reporting are duplicated. At the same time, producers of statistical information in the field of public-legal relations do not take into account the interests of its main consumers.

L. Hinchuk in her scientific study [6] concludes that it is necessary to return the state statistical observation “Report on the review of cases of administrative offenses and persons brought to administrative responsibility”, improving it in view of the standards of the European statistical system.

L. Tkachenko in her publication [7] notes the positive changes associated with the adoption of the Law of Ukraine “On Official Statistics” (coming into force on January 1, 2023), which, in particular, provides for the right of producers of official statistics to free access to all administrative data and the possibility of obtaining both generalized and individual data [8].

At the same time, the issue of implementation of administrative data of administrative proceedings in official statistics remains unresolved. The proposed article aims to investigate the possibilities of improving the informational and statistical support of administrative proceedings by implementing administrative data into official statistics.

Presentation of the main research material. The path of evolutionary development of judicial practice at each stage is directly related to the state system, economy, legal culture, legal awareness in society. Regulation of social relations is achieved mostly due to legal customs, regulatory agreements, court precedents, regulatory acts and other sources of law. However, the resolution of conflict situations is entrusted to the courts, which, based on the results of consideration of a specific dispute, make an appropriate decision [9]. So, judicial power is one of the displays of state power in general, and the country's judicial system is one of the important institutions of state regulation and control.

According to the classification of the legal proceedings of Ukraine, five types of legal proceedings are distinguished, fig. 1 (summarized by the author).

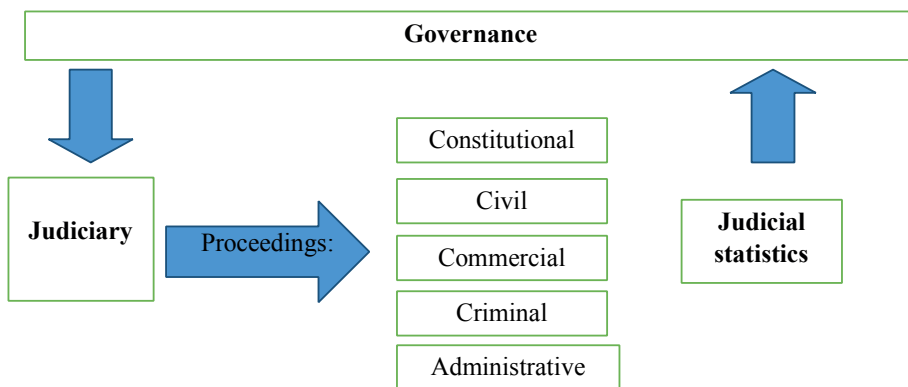


Fig. 1. Types of legal proceedings and the relationship between the judiciary, judicial statistics and the state

Administrative proceedings – the activity of administrative courts regarding consideration and resolution of administrative cases in the manner established by the Code of Administrative Proceedings of Ukraine. The content of administrative proceedings is the administration of justice in administrative cases through the resolution of public legal disputes.

Conducting judicial statistics is a practical activity, which is a complex of works based on the normative regulation of primary statistical accounting in court records, the order and terms of forming statistical reporting in courts, its transfer to the State

Judicial Administration of Ukraine for consolidation. This activity, covering various stages of statistical work, involves ensuring the quality of statistical data and access to it [10].

Informational and statistical support of judicial statistics is provided by data from official and departmental statistics. Official statistics is collected and regulated by the State Statistics Service of Ukraine on the basis of approved forms of statistical reporting, which are reviewed and approved every year. Departmental statistics is administrative data of individual departments, such as the State Judicial

Administration of Ukraine, the General Prosecutor's Office of Ukraine, the Ministry of Justice of Ukraine, etc.

Until 2019, the State Statistics Service of Ukraine collected data on administrative offenses according to the form of statistical reporting No. 1-AP "Report on consideration of cases on administrative offenses and

persons brought to administrative responsibility", Table 1 (summarized by the author). In this form, the grouped indicators are presented according to the following sections: by types of offenses; by regions of Ukraine; by administrative bodies.

Table 1

Indicators of the reporting form No. 1-AP "Report on consideration of cases of administrative offenses and persons brought to administrative responsibility" (annual)

A group of indicators	Indicators
The number of pending cases and persons brought to administrative responsibility	Number of cases pending at the beginning of the reporting period
	The number of cases received during the reporting period
	Number of returned cases
	The number of considered cases on which resolutions (decisions) were issued
	The number of persons in respect of whom cases have been considered
	The number of persons in respect of whom cases with the imposition of an administrative fine have been considered
	The number of persons in respect of whom cases were reviewed and a decision was made to close the case
The number of persons brought to administrative responsibility by types of administrative fines	The number of persons on whom administrative penalties have been imposed, by types of penalties separately: warning, fine, confiscation, deprivation of a special right, community service, administrative arrest, arrest with detention, etc.
The amount of the fine and material damage caused	The amount of the fine, UAH: imposed and paid voluntarily
	Amount of property damage, UAH: established and compensated

According to the album of forms of state statistical observations, this form of reporting has been canceled since 2019. In her research, L. Hinchuk came to the conclusion about the need to return the state statistical monitoring to the improved form No. 1-AP, taking into account quality measurements according to the standards of the European Statistical System and determining the factors that influence the quality of information about administrative offenses [6].

In practice, the transmission of administrative data is reduced at best to the submission of regulated aggregated data that cannot be used for in-depth analysis. This impoverishes the informational value of administrative data and makes it impossible to feel their instrumental advantages. The Law of Ukraine "On Official Statistics" [8] provides for the right of producers of official statistics to free access to all administrative data and the possibility of obtaining both aggregated and individual data [7].

So, currently, judicial statistics is formed exclusively on administrative data. The forms of administrative statistical reporting and the periodicity of their submission are approved by the orders of the State Judicial Administration of Ukraine (for local courts and courts of appeal) in accordance with the procedure established by the gatherings of the relevant court (for higher specialized courts and the Supreme Court).

In accordance with the orders of the State Judicial Administration of Ukraine dated March 9, 2017 No. 311 "On approval of forms of reports on the administration of justice by local and appellate courts" [11] and dated June 23, 2018 No. 325 "On approval of annual forms of reports on the administration of justice by local and appellate courts" [12], with the aim of improving of reporting on the state of administration of justice by local and appellate courts in accordance with the Law of Ukraine "On the judicial system and the status of judges" [13] approved reporting forms, Table 2 (summarized by the author based on sources [11–12]). The above-mentioned forms of reporting characterize the judicial proceedings of the first and appellate instances. Informational and statistical support of the court of cassation is carried out on the basis of report No. 3-SC "Report on the administration of justice by the Administrative Court of Cassation as part of the Supreme Court", approved by the order of the head of the staff of the Supreme Court dated 25.06.2018 No. 91-OD [14].

Today, the process of producing statistical information in Ukraine is quite long and uses outdated systems, which complicates data processing and access to them. At the same time, requests are processed for a long time, and information is provided in various formats.

Forms of administrative reporting on the administration of justice by local and appellate courts

Type of proceedings	Form index	The name of the form	Periodicity
Criminal, administrative, civil, judicial proceedings in cases of administrative offenses	1-lgc	Report of local general courts on consideration of court cases	Quarterly
Criminal, civil, judicial proceedings in cases of administrative offenses	2-agc	Report of appellate courts on consideration of court cases	Quarterly
Administrative	1-a	Report of courts of first instance on consideration of cases in the order of administrative proceedings	Annual
	2-a	Report of appellate courts on consideration of appeals in the procedure of administrative proceedings	Annual
	1-dac	Report of the district administrative courts on the consideration of court cases	Quarterly
	2-aac	Report of appellate administrative courts on consideration of court cases	Quarterly
Judicial proceedings in cases of administrative offenses	1-f	Report of the courts of first instance regarding consideration of cases on administrative offenses	Annual
	2-o	Report of appellate courts regarding consideration of appeals in cases of administrative offenses	Annual
Civil	1-c	Report of courts of first instance on consideration of cases in civil proceedings	Annual
	2-c	Report of appellate courts on consideration of appeals in civil proceedings	Annual
Commercial	1-c	Report of courts of first instance on consideration of cases in the order of commercial proceedings	Annual
	2-c	Report of courts of appellate instance on consideration of appeals in the order of commercial proceedings	Annual
	1-lcc	Report of local commercial courts on consideration of court cases	Quarterly
	2-acc	Report of appellate commercial courts on consideration of court cases	Quarterly
Criminal	1-c	Report of courts of first instance on consideration of criminal proceedings	Annual
	6	Report on the number of persons brought to criminal liability and types of criminal punishment	Annual
	2-c	Report of appellate courts on consideration of appeals in criminal proceedings	Annual
	7	Report on the breakdown of the convicts	Annual
	8	Report on juvenile convicts	Annual
	1-l	Report of the courts on the state of consideration of cases on crimes related to the legalization (laundering) of proceeds obtained through crime and the financing of terrorism	Annual

Ensuring the systematic development of official statistics involves statistical planning covering not only direct producers of statistical products based on statistical surveys and censuses, but also producers of administrative data that can be used to produce final statistical information with unconditional consideration of the interests of its main consumers.

Currently, there is a need to assess on a permanent basis the degree of compliance of judicial statistics indicators with the main quality criteria of statistical products. With this in mind, the author analyzed the content, completeness and structure of the available information and statistical support of the administrative judicial statistics of Ukraine. In the course of a detailed analysis of the system of indicators of the existing reporting on administrative

proceedings, the author established that certain positions (indicators) of different forms of reporting are duplicated (Tables 3, 4, compiled by the author).

Based on the above, there is a need to establish permanent feedback with users and producers of statistical information, respondents of state statistical observations, as well as bodies whose activities are

related to the collection and use of administrative data. An important condition for the further strengthening of interaction and the development of cooperation is to ensure a balance between the degree of satisfaction of the information needs of users of statistical information (which involves the use of the latest information technologies during its dissemination)

Table 3

Matrix of absolute statistical indicators of reporting forms of the first instance of administrative proceedings

Reporting forms Indicator groups	1-a	1-dac			1-lgc		
	Results of consideration of lawsuits and cases in the order of administrative proceedings	General indicators of the administration of justice	Consideration of court cases and materials	Promptness of consideration of cases	General indicators of the administration of justice	Consideration of court cases and materials	Promptness of consideration of cases
1-a	Results of consideration of lawsuits and cases in the order of administrative proceedings	1					
1-dac	General indicators of the administration of justice	duplicated	1				
	Consideration of court cases and materials	partially duplicated	x	1			
	Promptness of consideration of cases	partially duplicated	x	x	1		
1-lgc	General indicators of the administration of justice	duplicated	duplicated	x	x	1	
	Consideration of court cases and materials	partially duplicated	x	duplicated	x	x	1
	Promptness of consideration of cases	partially duplicated	x	x	duplicated	x	x

Table 4

Matrix of absolute statistical indicators of reporting forms of the second instance of administrative proceedings

Reporting forms Indicator groups		2-a	2-aac	
		Proceedings in cases regarding review of court decisions on appeals	General indicators of the administration of justice	Consideration of court cases
2-a	Proceedings in cases regarding review of court decisions on appeals	1	duplicated	partially duplicated
2-aac	General indicators of the administration of justice	duplicated	1	x
	Consideration of court cases	partially duplicated	x	1

and the level of optimization of the process of statistical production. This process should be carried out, in particular, on the basis of the rationalization of the choice of sources for the compilation of statistical information with preference given to administrative data, organization of data exchange between state bodies instead of duplication of information flows, as

well as by introducing selective methods of statistical observations instead of continuous ones, etc. [15].

Conclusions and the direction of further research. Appropriate account of the organization of judicial statistics, an objective analysis of the movement of court cases and court decisions, determining the workload of judges, providing a

general statistical assessment of the judiciary of all instances in Ukraine, etc., should become the basis for eliminating mistakes made by authorities, evaluating the effectiveness of the judicial apparatus, etc.

The analyzed information and statistical support of judicial statistics in the field of public-legal relations allows us to formulate the conclusion that currently such statistics are covered exclusively by departmental statistics. At the same time official statistics can produce final statistical information not

only from direct producers of statistical product but also from producers of administrative data. In view of this, there is a need to improve the information and statistical support of administrative proceedings by implementing administrative data in official statistics.

Further research of the author will be aimed at developing a system of statistical indicators and determining the criteria for their quality in the field of public and legal relations.

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Інформаційно-статистичне забезпечення судової статистики у сфері публічно-правових відносин

Розглянуто проблему формування інформаційно-статистичного забезпечення судової статистики у сфері публічно-правових відносин. Проаналізовано наявну форму звітності про розгляд справ про адміністративні правопорушення та осіб, які притягнуті до адміністративної відповідальності, а також форми звітності щодо здійснення правосуддя місцевими, апеляційними судами та Верховним Судом. З'ясовано зміст, наповненість та структуру наявного інформаційно-статистичного забезпечення адміністративної судової статистики України.

У результаті дослідження встановлено, що наразі така судова статистика у сфері публічно-правових відносин формується виключно на основі відомчої статистики. Процес виробництва статистичної інформації в Україні залишається доволі тривалим, а використання застарілих систем і методів значно ускладнює опрацювання даних і доступ до них. Запити опрацьовуються досить довго, а інформація подається в різних форматах. При цьому окремі позиції (показники) різних форм звітності щодо здійснення адміністративного судочинства дублюються.

З огляду на зазначене у дослідженні обґрунтована важливість встановлення постійно діючого зв'язку з користувачами та виробниками статистичної інформації, респондентами державних статистичних спостережень, а також органами, діяльність яких пов'язана зі збиранням та використанням адміністративних даних. Підкреслено необхідність забезпечення балансу між ступенем задоволення інформаційних потреб користувачів статистичної інформації (що передбачає застосування у ході її поширення новітніх інформаційних технологій) та рівнем оптимізації процесу статистичного виробництва. Доведено необхідність організації взаємообміну даними між державними та судовими органами замість дублювання інформаційних потоків, а також упровадження вибіркового методу статистичних спостережень замість суцільних.

Запропоновано розв'язання проблеми вдосконалення інформаційно-статистичного супроводу адміністративного судочинства шляхом імплементації адміністративних даних в офіційну статистику.

Ключові слова: адміністративні дані, адміністративне судочинство, форми судової звітності, судова статистика, офіційна статистика, відомча статистика.

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