



Ministry of
JUSTICE

Tribunals Statistics Quarterly

1 October to 31 December 2012

28 March 2013

Executive Summary

This report presents the latest statistics on type and volume of Tribunal cases that are received, disposed of or outstanding as of the third quarter of 2012/13 (October to December).

Receipts

- There were 216,252 receipts (or claims) accepted by Her Majesty's Court and Tribunal Service (HMCTS). This represents a 14 per cent increase over the same quarter of the previous year. The main reason for the increase was the large increase in appeals to the Social Security and Child Support (SSCS).
- Employment Tribunals (ET) received 42,603 claims in total a 24 per cent decrease on the same quarter of 2011/12.
- There was a decrease of seven per cent in the overall number of Immigration and Asylum (IA) receipts, to 26,096 – continuing the downward trend from the second quarter of 2008/09.
- For SSCS, there were 130,607 receipts – representing 60 per cent of all Tribunals. When compared with the same quarter for the previous year, the number of receipts went up by 48 per cent and this was mainly as a result of the increased number of Employment and Support Allowance (ESA) appeals¹ which has more than doubled from 41,009 to 85,116.

Disposals

- There were 186,428 disposals, this represents a four per cent increase on the same quarter of 2011/12.
- There were 25,305 disposals made by ET a ten per cent decrease on the number for the same quarter of 2011/12.

¹ Employment and Support Allowance appeals now include appeals against Employment and Support Allowance (Incapacity Benefit Reassessment). Reassessment commenced in DWP on the 11 October 2010 with two pilots, full national reassessment began in April 2011.

- There were 24,526 disposals made by IA, 20 per cent less than in the same quarter of 2011/12 and in line decrease in receipts for this Tribunal.
- There were 118,939 disposals made by SSCS, 14 per cent more than in same quarter of 2011. The number of ESA disposals rose by 38 per cent, from 50,713 to 69,803.

Caseload outstanding

- For all tribunals combined, the caseload outstanding at 31 December 2012 was 832,267 – two per cent higher than the figure recorded at 30 September 2012 and 10 per cent higher than the same quarter in the previous year.
- In the last year the caseload outstanding has increased for all of the largest Tribunals: by 14 per cent for IA; by 17 per cent for SSCS and by eight per cent for ET.

Tribunal Timeliness

The timeliness measures generally examine the process from receipt to the point at which the appellant is notified of the outcome of the hearing (or when they are notified of a settlement, withdrawal or strike out). Timeliness data is given for the main three Tribunals.

- For SSCS Tribunals and IA the average time taken from receipts to outcome was 19 weeks. For ET the average time from receipt to outcome is over a year (76 weeks).
- Timeliness differs by Tribunal jurisdiction, which may reflect the different processes and types cases. As such direct comparisons across different types of Tribunals are difficult and should be treated with caution.

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Introduction

Her Majesty's Courts and Tribunals Service (HMCTS) was created on 1 April 2011. It is an agency of the MoJ and is responsible for the administration of the criminal, civil and family courts and tribunals in England and Wales and non-devolved tribunals in Scotland and Northern Ireland.

Details of when the Tribunals covered in this report came into effect are covered in **Annex B** of this report. Further information can also be found in the **Glossary**.

This report presents information on Tribunals activity for the latest quarter (October to December 2012). Information for the same quarter in the previous year is also given.

This report focuses on information on appeal receipts (e.g. the acceptance of a case by HMCTS), the outcome of hearing by category (e.g. cases disposed of at hearing) and the caseload outstanding for the three largest Tribunals; Employment (ET), Immigration and Asylum (IA) and Social and Social Security and Child Support (SSCS). The three largest Tribunals account for over 95 per cent of Tribunal activity.

Details of the smaller tribunals can be found in the tables published alongside this report.

Historic publications in this series can be found at;

www.justice.gov.uk/statistics/tribunals/quarterly

Annual Official Statistics for Tribunals for 2011/12 have been published. The report for this and previous years is available at:

www.justice.gov.uk/statistics/tribunals/annual-stats

Statistics for Employment Tribunals and Employment Appeal Tribunal activity for 2011/12 were published on 20 September 2012 in "Employment Tribunal and EAT statistics 2011/12". This publication is available at: www.justice.gov.uk/statistics/tribunals/employment-tribunal-and-eat-statistics-gb

Statistics on the work of the civil, family, magistrates' and Crown Courts in England and Wales during the quarter October to December 2012 are also published by the MoJ at the same time as this report. These quarterly courts statistics, along with annual statistics, can be found in separate reports on the MoJ website, at:

www.justice.gov.uk/statistics/courts-and-sentencing/judicial-quarterly

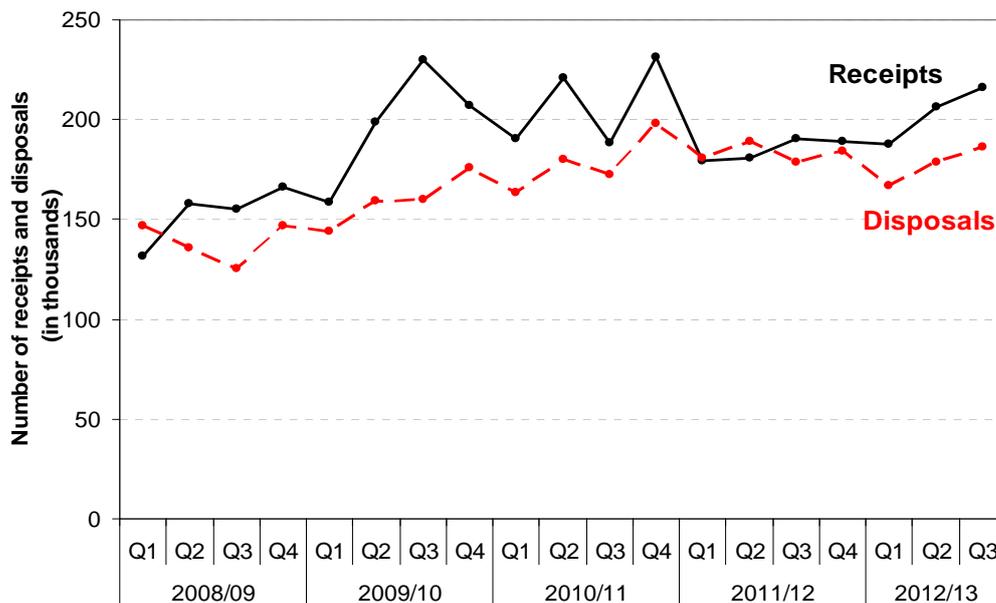
We are proposing some changes to these publications, in order to streamline the publications process and put all the information in one place. For further information please see Annex D.

We welcome feedback on these proposed changes. If you have any comments or questions please see the contact details provided at the back of this report.

Receipts

HMCTS Tribunals received 216,252 appeals in the quarter October to December 2012. This represents a 14 per cent increase in the number of receipts when compared with the same quarter of 2011. The majority (60 per cent) of these were in Social Security and Child Support (SSCS), a further 20 per cent were Employment Tribunals (ET) and 12 per cent Immigration and Asylum (IA). Figure 1 shows trends in both receipts and disposals since Q1 2008/09. Typically the number of receipts is greater than the number of disposals. For more information please see the section on the caseload outstanding.

Figure 1: Receipts and disposals for all Tribunals, Q1 2008/09 to Q3 2012/13



Receipts by Jurisdiction for main Tribunals

The increase in the overall number of receipts was mainly due to the 48 per cent increase in the number of appeals received in SSCS. This was driven by Employment and Support Allowance (ESA) benefit which more than doubled in the last year and accounted for 65 per cent of all SSCS receipts. However, there was a decrease of 24 per cent in ET receipts and a seven per cent decrease in the number of receipts for IA, continuing the downward trend seen since 2008/09.

Employment Tribunals (Table 1.2)

In Employment Tribunals (ET), the number of claims received in October to December 2012 was 42,603 – 24 per cent fewer than in the same quarter of 2011. This decrease was driven by a reduction in claims under Working Time Directive, which reduced 44 per cent over last year, and accounted for 25 per cent of claims.

For ET there were 73,918 separate different jurisdictional complaints² received in October to December 2012, a 20 per cent decrease on the number received in the same quarter of 2011. A claim (either single or multiple) can be brought under a number of different jurisdictions, for example under Age Discrimination and Equal Pay. Therefore the number of jurisdictional complaints is always greater than the total tribunal claims accepted. This means that on average in October to December 2012, there were 1.7 jurisdictional complaints per claim.

Of the 73,918 jurisdictional complaints received in October to December 2012, 25 per cent were for Working Time Directive, 17 per cent for Unfair Dismissal and 13 per cent for unauthorised deductions (formerly Wages Act).

Immigration and Asylum (Table 1.3)³

In the quarter October to December 2012, there were 26,096 receipts under Immigration and Asylum Tribunals, a decrease of seven per cent when compared with the same quarter of 2011. This continues the trend of decreasing receipts seen since 2008/09. Fee charging was introduced in the 3rd quarter of 2011/12.

In the last year a decrease has been seen in Family Visit Visas (down 43 per cent) and Asylum (down 18 per cent). Entry Clearance rose by 38 per cent and there was no change for Managed Migration. See Glossary for more information.

² A claim can contain a number of grounds, known as jurisdictional complaints. In any hearing, the tribunal has to decide upon the merits of the claim made under each jurisdiction.

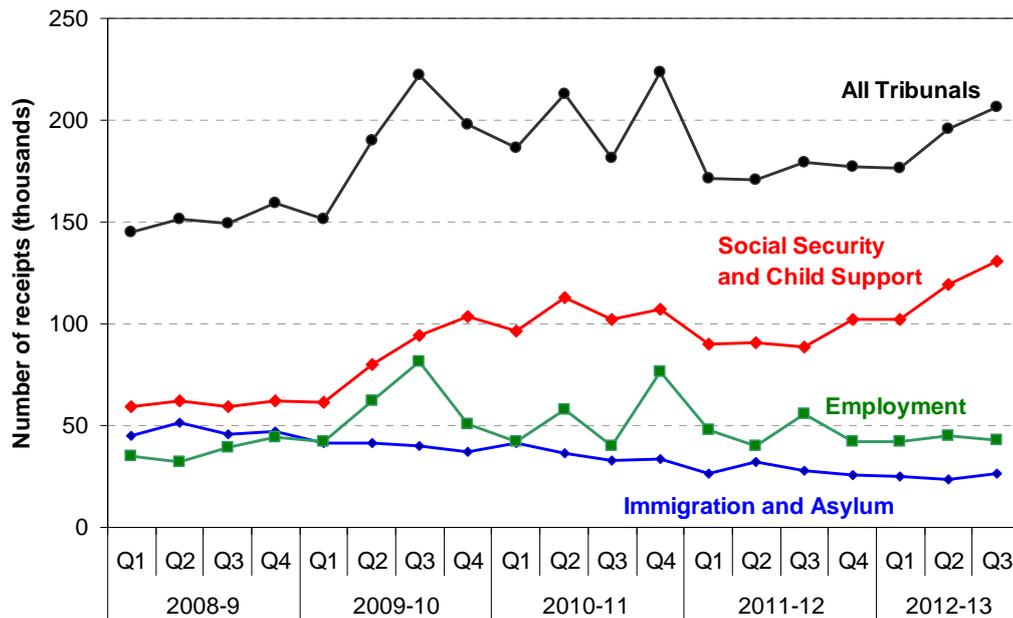
³ All references to Immigration and Asylum refer to the First-tier Tribunal (Immigration and Asylum Chamber). It is an independent Tribunal dealing with appeals against decisions made by the Home Secretary and Home Office officials in immigration, asylum and nationality matters

Social Security and Child Support (Table 1.4)

Of the 130,607 appeals received by SSCS, 65 per cent related to Employment and Support Allowance (ESA), the highest proportion to date. A further 16 per cent were for Attendance Allowance and Disability Living Allowance and ten per cent for Job Seeker's Allowance (JSA).

There was a 44 per cent decrease in the number of receipts associated with Incapacity Benefit (IB); this is due to the introduction of ESA in 2008. There were also decreases in the number of appeals received for Tax Credits of 53 per cent; Carer's allowance of 28 per cent and Disability Living Allowance of 12 per cent.

Figure 2: Tribunal receipts by jurisdiction, Q1 2008/09 to Q3 2012/13



Disposals

A disposal is the closure of a case when work has ceased to be done. This can be through a claim being withdrawn, settled, dismissed or being decided at a hearing (either orally or on paper).

There were a total of 186,428 cases or claims disposed of in October to December 2012. This represents an increase of four per cent on those cases disposed of in the same quarter in 2011.

Disposals by Jurisdiction

The increase in the overall number of disposals was seen predominantly driven by Social Security and Child Support (increase of 14 per cent in the last year and part of a rising trend from 2009/10) which accounted for 64 per cent of all disposals. There was a 10 per cent drop in disposals for ET claims; this was driven by a 16 per cent decrease in multiple employment cases.

There was also an increase of seven per cent for mental health claims and a 25 per cent decrease in the number of disposals for War Pensions and Armed Forces Compensation.

Employment Tribunals (Tables 2.2 and 2.3)

Employment Tribunals disposed of 25,305 claims during October to December 2012, a ten per cent decrease on the same quarter of 2011. The number of disposals for single claims decreased by four per cent and the number for multiples decrease by 16 per cent.

Between 1 October and 31 December 2012, 52,886 jurisdictional claims were disposed of, a six per cent decrease on the 56,303 disposed of in the same quarter of the previous year. This means that on average, 2.1 jurisdictions were disposed of per claim.

Of the 52,886 jurisdictional complaints that were disposed of:

- 20 per cent were for unfair dismissal;
- 16 per cent for unauthorised deductions;
- 13 per cent were for breach of contract;
- 14 per cent were associated with discrimination (age, race, sex, sexual orientation, religion or disability)

Immigration and Asylum (Tables 2.4 and 2.5)

Immigration and Asylum Tribunals disposed of 24,526 claims in October to December 2012, a reduction of 20 per cent on the same quarter in 2011. The most disposals (46 per cent) were for Family Visit Visas.

Of the 24,526 disposals, 63 per cent were determined (i.e. a decision was made by a judge) at hearing or on the papers; 21 per cent were withdrawn and 16 per cent were struck out. Struck out⁴ cases came into affect following the introduction of fee charging.

Of the 15,409 cases that were determined between 1 October and 31 December 2012:

- 8,534 (55 per cent) were dismissed;
- 6,875 (45 per cent) were allowed.

Social Security and Child Support (Tables 2.6 and 2.7)

Of the 118,939 SSCS cases disposed of in October to December 2012; 59 per cent were for ESA; 19 per cent for Attendance Allowance and Disability Living Allowance and 11 per cent for JSA.

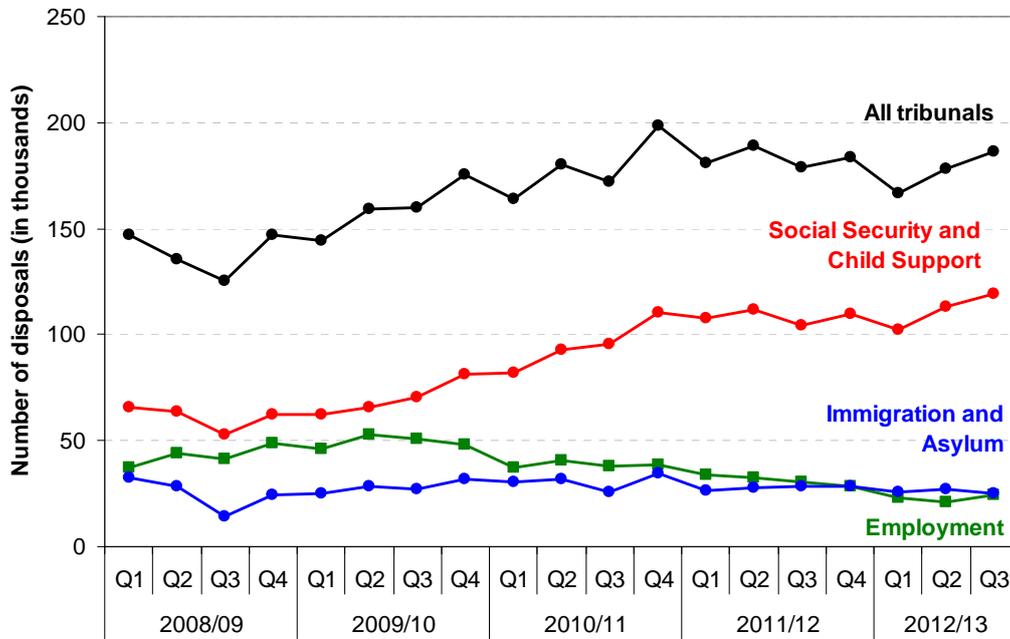
Whilst there have been decreases in the number of disposals for some benefit types (e.g. Tax Credits reduced by 32 per cent and Carer's Allowance of 17 per cent), there have also been some increases. The number of disposals for Job Seekers Allowance went up by 12 per cent and those for Child Benefit Lone Parent by 17 per cent.

Between October and December 2012, there were 95,595 cases cleared at a hearing (80 per cent of all disposals). This represents a 17 per cent increase on the number of cleared cases at hearing in the same quarter in 2011. Of the 95,595, 62 per cent were found to be a decision upheld. This means the original decision by the first tier agency is upheld.

This proportion varied by benefit type. The original decision was revised in favour of the customer in 83 per cent of JSA cases, 58 per cent of Disability Living Allowance cases and 57 per cent of ESA cases.

⁴ Appeal closed administratively where the fee has not been paid, remitted or exempted.

Figure 3: Disposals by Tribunal, Q1 2008/09 to Q3 2012/13

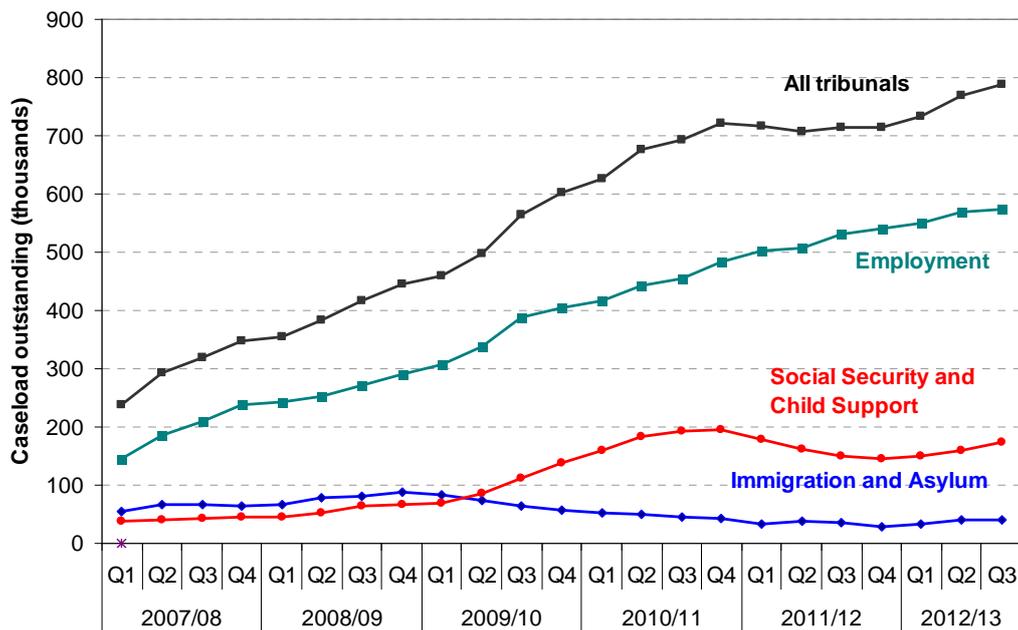


Caseload Outstanding

At 31 December 2012, the HMCTS Tribunal caseload outstanding was 832,267, an increase of ten per cent on the number at 31 December 2011.

Around two thirds (66 per cent) of the outstanding caseload related to 'multiple' claims in the Employment Tribunals. Multiple claims are often legally and factually complex and it is common for action on such claims to be deferred (or 'stayed'), for example pending the outcome of proceedings in appellate courts/tribunals on case management or other interim matters. This means that such claims are not yet ready to have a final Hearing in the employment tribunal, and so the claim cannot be progressed to disposal.

Figure 4: Caseload outstanding at 31 December 2012



Compared with 31 December 2011, the caseload outstanding rose overall and for a number of tribunals, specifically for:

- Social Security and Child Support (up by 17 per cent);
- Immigration and Asylum (up by 14 per cent);
- ET claims (increase of eight per cent);

Timeliness

This section provides information about the timeliness of the three largest tribunals (Social Security and Child Support, Employment Tribunals and Immigration and Asylum).

The timeliness measures generally examine the process from receipt to the point at which the appellant is notified of the outcome of the hearing (or when they are notified of a settlement, withdrawal or strike out).

When examining the measures, a number of points should be noted:

- The clearance times (expressed in weeks or years) are highly dependent upon the processes that take place within a Tribunal and the type and complexity of a case. In some cases, a judgement is awaited from another body (for example European Courts), stayed or may be legally complex.
- **The measures can not be directly compared between one Tribunal and another because of the different processes** and very diverse nature and requirements of individual jurisdictions. Thus, it is better to compare a specific Tribunal over time. Where available, information is given for two time quarters – cases cleared in October to December of 2011 and October to December of 2012, as well as cumulative year to date information from April to December 2012.

The information provided is based on the age (expressed in weeks or years) at which cases were cleared. There are differences by case or tribunal type, please see supplementary tables for more information.

Summary of Timeliness Measures

The measures examine the age of a case when it is cleared or disposed of and gives the point at which 25 per cent, 50 per cent (the median⁵), 75 per cent were cleared, along with the average. For example, in Immigration and Asylum, 75 per cent of cases that were cleared in the quarter 1 October to 31 December 2012 were aged 28 weeks or less.

⁵ The median is calculated by putting all the information in ascending order and taking the middle value.

Table 1: Cumulative percentage of clearances that took place in April to December of 2012, by age of case at clearance

Tribunal	25 per cent point	50 per cent point	75 per cent point	Average
Immigration and Asylum (all)				
1 Apr - 31 Dec. 2012	9 weeks or less	17 weeks or less	25 weeks or less	19 weeks
1 Apr - 31 Dec. 2011	7 weeks or less	13 weeks or less	23 weeks or less	18 weeks
Difference	2 weeks longer	4 weeks longer	2 weeks longer	
Employment Tribunals (all)				
1 Apr - 31 Dec. 2012	16 weeks or less	30 weeks or less	3 years or less	76 weeks
1 Apr - 30 Dec. 2011	16 weeks or less	31 weeks or less	2 years or less	n/a
Difference	No difference	1 week shorter	1 year longer	
SSCS (all)				
1 Apr - 31 Dec. 2012	8 weeks or less	13 weeks or less	24 weeks or less	19 weeks
1 Apr - 31 Dec. 2011	9 weeks or less	20 weeks or less	33 weeks or less	n/a
Difference	1 week shorter	7 weeks shorter	9 weeks shorter	

Employment Tribunals

For Employment Tribunals, the timescale recorded is from receipt to when details of the final judgement are given (excluding withdrawals and settlements). The distribution for all ET cases is heavily influenced by the age of multiple cases (which can be stayed or await decisions from Higher Courts). Of those cases disposed of (excluding withdrawals and settlements) by Employment Tribunals between April and December 2012:

- 25 per cent were aged 16 weeks or less (i.e. 25 per cent were cleared in 16 weeks or less);
- 50 per cent (the median) were aged 30 weeks or less;
- 75 per cent were aged 3 years or less;
- The average age of a case at disposal was 76 weeks.

Immigration and Asylum

For those cases disposed of between April and December 2012, the cumulative percentages of cases are shown by the age of the case. The time is recorded from receipt to the time that a decision was notified to the appellant.

Of those cases disposed of in Immigration and Asylum between April and December 2012:

- 25 per cent were aged nine weeks or less (i.e. 25 per cent were cleared in nine weeks or less);
- 50 per cent (the median) were aged 17 weeks or less;
- 75 per cent were aged 25 weeks or less;
- The average age of a case at disposal was 19 weeks.

Social Security and Child Support

For those cases disposed of in April to December 2012, the cumulative percentage of cases is shown by the age of the case. For SSCS the time is recorded from receipt to the time that a decision was notified to the appellant.

Of those cases disposed of by SSCS between April and December 2012:

- 25 per cent were aged 8 weeks or less (i.e. 25 per cent were cleared in 8 weeks or less);
- 50 per cent (the median) were aged 13 weeks or less;
- 75 per cent were aged 24 weeks or less;
- The average of a case at disposal was 19 weeks.

SSCS hears appeals against decisions made by DWP on a number of different benefits as well as against decisions made by other government departments (HMRC) and local authorities. The composition of the Tribunal panel varies for each benefit and there are some differences in length of clearance time for each type of appeal. Those appeals which can be heard by a Judge sitting alone (such as appeals against decisions on Job Seekers' Allowance) take less time to clear than appeals where a panel including specialist Medical, Financial or Disability panel members is required.

Annex A: Data quality and sources

Information presented in this report is management information drawn from a number of different administrative sources. Although care is taken when processing and analysing the data, the details are subject to inaccuracies inherent in any large-scale recording system and it is the best data that is available at the time of publication. HMCTS is examining the quality of management information. Thus, it is possible that some revisions may be issued.

The statistics are based on case management systems where a number of processes are recorded throughout the life of an appeal. In some instances, a case can re-enter the process or have a number of outcomes, meaning that there is not necessarily one receipt or one disposal per case. Thus, care should be taken when comparing receipts and disposals.

Revisions

All the statistics in this publication have been revised to show unit values rather than the rounded numbers shown previously. These values have been marked as 'r'.

Some historic information for Immigration and Asylum has been revised due to the changes in the case creation process.

For 2012/13 a new outcome category has been introduced for Immigration and Asylum disposals for "Struck Out for Non-Payment". This is as a result of the introduction of fees for certain Immigration and Asylum appeals introduced in 2011. Some of the historic disposal and outcome data has been revised following this.

Please note data from the third quarter of 2012/13 (1 October to 31 December 2012) onwards un-rounded figures have been provided. All previously rounded figures have been revised with the original un-rounded data.

Annex B: Change of Names of Tribunals

A number of Tribunals became part of the former Tribunals Service since it was formed, or have changed their name. Details of these changes are given in the table below and in the supplementary tables.

Tribunal or Jurisdictional Name	Formerly known as:	Details of Changes
Agricultural Lands Tribunals		Joined HMCTS on 31 October 2011
Alternative Business Structure		Created on 3 October 2011
Asylum Support (AS)	Asylum Support Tribunal	Transferred to HMCTS (former Tribunals Service) from the Home Office on 1 April 2007
Care Standards (CS)	Care Standards Tribunal	Transferred to HMCTS (former Tribunals Service) from the Department of Health on 1 April 2007
Charity	Charity Tribunal	Created March 2008
Community Right To Bid		Created 1 st October 2012
Consumer Credit	Consumer Credit Tribunal	Created April 2008
Environment		Came into force on 6 April 2010
Estate Agents	Estate Agent Appeals Tribunal	Transferred to HMCTS from the former Department for Business Enterprise and Regulatory Reform, now the Department for Business, Innovation and Skills (BIS), on 1 st April

		2008
Examination Board		Created in May 2012 as part of the General Regulatory Chamber.
First-tier Tribunal (Immigration and Asylum Chamber) & Upper Tribunal (Immigration and Asylum Chamber)	Asylum and Immigration Tribunal	The 'First-tier Tribunal (Immigration and Asylum Chamber)' and 'Upper Tribunal (Immigration and Asylum Chamber)' (FTTIAC and UTIAC), replaced the Asylum and Immigration Tribunal (AIT) on 15 February 2010.
Gangmasters Licensing Appeals		Created on 19 September 2011
Immigration Services	Immigration Services Tribunal	The Immigration Services Tribunal transferred into the General Regulatory Chamber of the First-tier Tribunal in January 2010
Local Government Standards in England	Adjudication Panel for England	Transferred to the HMCTS from the Standards Board for England (SBE) on 1st April 2009
Primary Health Lists	FHSAA	Family Health Services Appeal Authority transferred into HMCTS in April 2009
Reserve Forces Appeal Tribunals		Transferred to the HMCTS from the Ministry of Defence in April 2009
Residential Property Tribunal	Residential Property Tribunals Service	Joined HMCTS on 31 July 2011
First-tier Tax Chamber	Special Commissioners	Established on 1 April 2009 as part of Tribunals,

	(Income Tax) VAT & Duties Tribunal General Commissioners of Income Tax	Courts and Enforcement ACT 2007 (TCE). Now includes all appeals against tax decisions formerly heard by three separate tax tribunals.
Upper Tribunal (Administrative Appeals Chamber)	Office of Social Security and Child Support Commissioners	The Upper Tribunal (AAC) was established in November 2008 under the TCE Act 2007, replacing OSSCSC. Information presented for 2007-08 refers to OSSCSC, and for November 2008 onwards to the Upper Tribunal Admin Appeals Chamber
Upper Tribunal (Tax and Chancery)		Management information recorded from 1 April 2012 onwards and included in Official Statistics.
War Pensions and Armed Forces Compensation Chamber	Pensions Appeal Tribunal	PAT became the War Pensions and Armed Forces Chamber in November 2008

Annex C: Glossary

Adjournment – Where, on the day of the hearing, the Panel decides that, for whatever reason, the appeal/case cannot be finalised and has to put off making a final decision to another date, for example because further evidence is required.

ACAS Conciliated Settlement - After having been accepted by the Employment Tribunal a case must go to the Advisory, Conciliation and Arbitration Service (ACAS) for conciliation

Caseload outstanding – The number of cases outstanding at the end of the period and still waiting to be dealt with to completion.

Conceded (Special Educational Needs and Disability) – The local authority defending the appeal agrees to provide what is requested without the need for an oral hearing. This is only permitted on some appeal types. On others the parents have to formally withdraw their appeal.

Decision in favour (Social Security and Child Support) – Decision in favour of the appellant.

Decision upheld (Social Security and Child Support) – The decision made by the First Tier Agency is upheld by the Tribunal.

Determined (Immigration and Asylum) – Decided by a Judge at, or following, an oral hearing or on paper

Disposal – A disposal is the closure of a case when work has ceased to be done. This can be through a claim being withdrawn, settled, dismissed or being decided at a hearing.

Employment Tribunal Claim – A claim presented to an employment tribunal by a claimant. It may be brought under one or more jurisdictions or subsequently amended or clarified in the course of proceedings, but will be counted only once.

Employment Tribunal Jurisdiction – The employment tribunal powers to hear complaints are determined by legislation, with statutory provisions defining the ambit of the jurisdiction that can be covered by a claim to an employment tribunal.

Employment Tribunal Jurisdictional mix – A claim may contain a number of grounds, known as jurisdictional complaints. When deciding any claim, the tribunal has to make determinations under each jurisdiction,

e.g. unfair dismissal and sex discrimination. The number of jurisdictional complaints within a claim can affect the true workload represented by that claim: the higher the ratio of complaints to a claim, the more complicated the work will generally be. The jurisdictions covered by ET are wide ranging, from discrimination and unfair dismissals to issues around salary and working conditions.

Employment Tribunal Multiple Claim Cases - the number of combined groupings or actions formed by component multiple claims. This will essentially equate to the number of grouped collective actions being litigated before the employment tribunals.

Employment Tribunal Single and Multiple Claims – Claims to an employment tribunal may be classified into two broad categories – singles and multiples. Multiples are where two or more people bring claims, involving one or more jurisdiction(s) usually against a single employer but not necessarily so, for instance in TUPE cases, and always arising out of the same or very similar circumstances. As a multiple, the component claims are processed administratively, and managed and heard judicially together.

Hearing – The hearing is a meeting at which the tribunal panel considers evidence (either orally or paper based) and reaches a decision (where the decision may be to adjourn or to agree a final outcome). If the hearing is adjourned and restarted, it counts as one hearing.

Examples of hearings include:

- Paper hearings;
- Oral hearings;
- Case Management Discussions;
- Decision on Eligibility.

Hearing clearance (Social Security and Child Support) – these are cleared via a Tribunal (could be a panel or member of the Judiciary sitting alone) with a decision/outcome. The appellant may choose to attend or to have the case heard in their absence on the papers alone (paper hearing).

Non-hearing clearance (Social Security and Child Support) – these are cases withdrawn prior to a hearing, struck out or superseded. There is no Tribunal judgement.

Oral Hearing – A hearing where the party (ies) and/or their representative(s) attend (this can be by telephone or by video conference).

Outcome of hearing – The outcome of the hearing is the final determination of the proceedings or of a particular issue in those proceedings; it may include an award of compensation, a declaration or recommendation and it may also include orders for costs, preparation time or wasted costs either in favour or against an appellant. **Note:** Employment Tribunal records outcomes for each act (or jurisdiction), not for the hearing.

Paper Hearing – Consideration of the case using documents, and not requiring any physical appearance by the parties.

Postponement – Where a case is taken out of the list, **prior to** the commencement of the hearing – can be done by the applicant, or any other party.

Receipt – A term covering the acceptance of a case by a HMCTS Tribunal.

Settlement – Cases settled without the need for a hearing. A third party may have been involved in the process.

Struck Out (Immigration and Asylum) – Appeal closed administratively where the fee has not been paid, remitted or exempted.

Withdrawal – The applicant/claimant/appellant ceases action either before or at the hearing.

Withdrawn – The appeal is withdrawn either by the appellant (claimant) or the respondent.

Immigration and Asylum Case types:

Asylum – appeals against a refusal to grant asylum, including asylum claims which raise Human Rights grounds.

Deport Appeals – appeals against deportation orders made against people by the Home Secretary, introduced by section 32 of the UK Borders Act 2007. Other appeals with a deport element are included in the Asylum and Managed Migration case categories. From 1st October 2012 this case category was expanded to include all appeals with a deport element, including cases that would previously been registered as Asylum or Managed Migration.

Entry Clearance Officer (ECO) – appeals generated by people who are not already in the UK, but have been refused permission to enter or stay in the UK for a fixed period of time, or live here permanently.

Family Visit Visa (FVV) – appeals against decisions not to allow temporary visits to see family in the UK.

Human Rights Appeals – This appeal category is now defunct and appeals raising Human Rights grounds are recorded more accurately under different categories.

Managed Migration – appeals generated by people already in the UK who have been refused permission to extend their stay here (either permanently or temporarily). This appeal type will also cover occasions where an individual has their permission to be in the UK revoked.

Annex D: Upcoming changes to this publication

In order to make information more accessible to users, and reduce the burden on data suppliers MoJ's Justice Statistics Analytical Services (JSAS) is planning to changes to Tribunal Statistics Quarterly. We propose to incorporate the information from the Tribunal Annual publication and Employment and EAT Tribunals publications into the quarterly publications.

We welcome feedback on these planned changes. Please direct any comments to the contacts given at the back of this report.

All the information that was previously in Tribunal Annual publication and Employment and EAT Tribunals publications will be available and there will be no loss of information.

Annual Tribunal Statistics

www.justice.gov.uk/statistics/tribunals/annual-stats

From June 2013 (and subsequent June publications) the additional material that is usually presented in the annual publication on Adjournments and Postponements and Judicial Sitting Days will be provided as Annexes. Other information is already provided in the existing chapters

For June 2013, the Tribunals Quarterly publication has been pre announced for the 20th of June, and Annual Tribunals Statistics for the 27th. So the information would enter the pubic domain a week earlier. The new document will be published on the **20th of June 2013**.

Employment Tribunal and EAT Statistics

www.justice.gov.uk/statistics/tribunals/employment-tribunal-and-eat-statistics-gb

From September 2013 the Employment Tribunal and EAT Statistics publication will be incorporated into the September publication (covering April to June) of Tribunals Quarterly. This will mean the additional information usually found in this publication (see table below) will be provided as Annexes. Other information is already provided in the existing chapters.

For September 2013, the publications have been pre-announced for different days (5th for Employment and EAT Statistics and 26th for Tribunals Statistics). This means there will be a three week delay in the Employment and EAT Statistics information entering the public domain. The new document will be published on the **26th of September 2013**.

We plan to formally consult on this topic in the MoJ's Annual consultation on the Ministry of Justice and its Arms Length Bodies' statistical work-plan later in the year.

Tribunals Quarterly post September 2013

The Tribunals Quarterly publications going forward will contain additional information at certain points in the year. The table below shows the proposed inclusions in the quarterly cycle of publications.

Table 1: Proposed inclusions to Tribunals Quarterly

Time period covered for Tribunals Quarterly	Publication month	Additional material included
Q4 (January to March)	June (20 th in 2013)	<ul style="list-style-type: none"> • Adjournments and Postponements • Judicial Sitting Days
Q1 (April – June)	September (26 th in 2013)	<u>Employment Tribunals</u> <ul style="list-style-type: none"> • Unfair Dismissal • Jurisdictional Complaints • Representation of Claimants • Compensation awarded by Tribunals • Costs awarded • Cases dealt with at by type of hearing
Q2 (July – September)	January (17 th in 2013)	Special Educational Needs and Disability (already included)
Q3 (October – December)	March (28 th in 2013)	No planned changes

Explanatory Notes

Rounding

The figures in this publication are presented to the nearest unit value. Historic data has been revised to show data at the nearest unit value for consistency. Historically data have been rounded using the following conventions:

- Values less than 100 remain as unit values.
- Values from 100 to 999 are rounded to the nearest 10.
- Values of 1,000 and over are rounded to the nearest hundred.

For further information on the quality of the data please see the section on data quality and sources.

Notation

The following symbols have been used throughout the tables in this bulletin:

.	= Not applicable
..	= Not available
-	= Small Value
~	= No cases dealt with so rate could not be calculated
0	= Nil
(r)	= Revised data
(p)	= Provisional data

Spreadsheet files of the tables contained in this document are also available to download.

Contacts

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General information about the official statistics system of the UK is available from www.statistics.gov.uk