



Ministry of  
**JUSTICE**



# **Court Statistics Quarterly January to March 2011**

Ministry of Justice  
Statistics bulletin

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# Introduction

This report presents statistics on activity in the county, family, magistrates' and Crown courts of England and Wales. It gives provisional figures for the latest quarter (January to March 2011) with accompanying commentary and analysis.

The commentary includes for each type of court, a brief description of the function and jurisdiction of the courts concerned together with an explanation of some of the main procedures involved.

The figures themselves give a summary overview of the volume of cases dealt with by these courts over time, with statistics also broken down for the main types of case involved. The statistics are used to monitor court workloads, to assist in the development of policy, and their subsequent monitoring and evaluation.

Calendar year court statistics are also published by the Ministry of Justice (MoJ) in the statistics report *Judicial and Court Statistics*, which contains more detailed breakdowns of the figures, along with additional data on the activity of other types of court such as the Supreme Court and High Court.

These statistic bulletins are available from the MoJ website at:

[www.justice.gov.uk/publications/statistics-and-data/courts-and-sentencing/index.htm](http://www.justice.gov.uk/publications/statistics-and-data/courts-and-sentencing/index.htm)

**Annex A** provides summary information on data sources for the figures given in this report, along with a brief discussion on data quality. **Annex B** provides a table presenting Her Majesty's Courts and Tribunals Service Performance annual outturn figures for 2010-11. There is also a **Glossary** section which provides brief definitions for the terms used in this report.

Information about statistical revisions, forthcoming changes and the symbols and conventions used in the bulletin are given in the **Explanatory notes** section.

If you have any feedback, questions or requests for further information about this statistics bulletin, please direct them to the appropriate contact given at the end of this report.

## Background

The vast majority of criminal and civil cases in England and Wales are dealt with at the Crown, magistrates' and county courts.

The vast majority of civil cases which do not involve family matters or failure to pay council tax or child maintenance are handled in the county courts. These cases are typically related to debt, the repossession of property, personal injury and insolvency. Once a claim has been served, the usual options for the defendant are to do nothing, pay up, admit the claim and ask for more time to pay up, and/or dispute the claim. The vast majority of claims are either not defended, or they are settled or are withdrawn before a hearing or trial. Particularly important, complex or substantial cases are dealt with in the High Court.

All family matters are dealt with at Family Proceedings Courts (which are part of the magistrates' courts), at county courts or in the Family Division of the High Court. Family courts deal with matters such as: parental disputes, local authority intervention to protect children, matrimonial cases such as divorce petitions, the financial provisions for children after divorce or relationship breakdown, domestic violence remedies and adoption.

Virtually all criminal court cases start in a magistrates' court. The less serious offences are handled entirely in magistrates' courts. More serious offences are passed on to the Crown Court, either for sentencing after the defendant has been found guilty in a magistrates' court, or for a full trial with a judge and jury. The Crown Court also receives appeals against decisions of the magistrates' courts.

Cases in the magistrates' courts are heard by either two or three lay magistrates (local people who volunteer their services, who may not have formal legal qualifications but would have undertaken a training programme to develop the necessary skills) or by one District Judge (legally qualified, paid, full-time professionals, who are usually based in the larger cities and normally hear the more complex or sensitive cases). Crown Court cases may be heard by Circuit Judges, Recorders or a High Court Judge, depending on the seriousness of the offence.

## Main findings

These statistics are used to monitor the type and volume of cases that are received and processed through the court system of England and Wales. The analyses in this report are mainly comparisons made between the latest quarter and the equivalent quarter of previous years. Seasonal variations affecting the workload of the courts may impact on comparisons with other periods.

### County courts (non-family)

Civil (non family) cases in the county courts typically relate to debt, the repossession of property, personal injury and insolvency. Over the period Q1 (January to March) 2008 to Q1 (January to March) 2011 covered by the tables in this report, there has been a decline in claims issued, enforcement applications, and small claim hearings, while defences made (although rising up until the third quarter of 2009 and falling since then) and trials have remained relatively flat.

#### Key points

- There were **413,400 claims issued** during the first quarter of 2011, one per cent more than in the first quarter of 2010. Claims issued have generally declined since the first quarter of 2008. This is mainly due to decreases in specified 'money' (typically debt related) claims, repossession claims, return of goods claims and insolvency petitions and is despite an increase in unspecified 'money' (typically personal injury related) claims.
- The fall in repossession claims since the end of 2008 coincides with the introduction of the Mortgage Pre-Action Protocol (MPAP), which gives clear guidance on what the courts expect lenders and borrowers to have done prior to a claim being issued. It encourages more pre-action contact between lender and borrower and as such enables more efficient use of the court's time and resources.

Only a small proportion of claims are defended, with defended cases that are not settled or withdrawn generally resulting in a small claim hearing or trial.

- **69,800 defences were made** in the first quarter of 2011, a three per cent decrease on the first quarter of 2010 despite an increase of three per cent in 'money' claims, with the vast majority of defences being made to such claims.
- **9,800 small claim hearings** took place in the first quarter of 2011, a decrease of 19 per cent compared with the first quarter of 2010. On average, small claim hearings occurred 30 weeks after the claim was originally made, down from 31 weeks in the first quarter of 2010.
- **5,100 'fast track'** (generally for cases with claim amounts over £5,000 but not more than £25,000) and **'multi track'** (generally for cases for more than £25,000) **trials** were disposed of, a decrease of six per cent compared with the first quarter of 2010. On average, trials occurred 53 weeks after the claim was originally made, up from 49 weeks in the first quarter of 2010 and continuing the upward trend seen over the last year.

- **77,500 applications for enforcement of judgment amounts** were made (via warrants of execution, attachment of earnings orders, third party debt orders and charging orders) during the first quarter of 2011, a 12 per cent decrease on the same period of the year before.
- **34,300 warrants of possession were issued**, an increase of seven per cent on the equivalent quarter of 2010, with county court bailiffs making **15,100 repossessions of properties**, a one per cent increase on the first quarter of 2010. 6,500 of the properties were on behalf of mortgage lenders, five per cent fewer than in the first quarter of 2010.

### Family matters

Family cases deal with issues such as parental disputes, child protection cases, divorce and separation, and cases of domestic violence. Following a peak in 2009 in the number of applications made in relation to matters affecting children, there was a drop in 2010 which was continued into Q1 2011. Petitions for dissolution of marriage increased in Q1 2011, back to levels recorded later in 2009 and into 2010; after a fall in the number of petitions in Q4 2010. Other family cases have remained steady or shown small increases this quarter.

#### Key points

- There were **30,800 decrees absolute granted for the dissolution of marriage** in the first quarter of 2011, an increase of one and a half per cent compared to the first quarter of 2010.
- **5,400 domestic violence orders were made** in the first quarter of 2011, a drop of 11 per cent on the 6,000 in the same period in the previous year. **Domestic violence applications** decreased 12 per cent to 5,400 in the first quarter of 2011, compared with the corresponding quarter in 2010.
- On matters affecting children, there were **5,600 children involved in public law applications** made in the first quarter of 2011, a 13 per cent drop in the same period for 2010.
- There were **28,400 children involved in private law applications** made in the first quarter of 2011; a 13 per cent decrease. Although the overall long-term trend for private law applications has been upward, recent data have shown a decrease in the volume of cases, to levels similar to those seen in early 2008 after being notably higher throughout 2009.

## Magistrates' courts and the Crown Court

Nearly all criminal court cases start in a magistrates' court, with the more serious offences passed on to the Crown Court. In the last couple of years, the overall number of cases received by the Crown Court has been rising, although this has fallen in the most recent quarter. For magistrates' courts there have been decreases in the number of completed proceedings.

### Key points for the magistrates' courts

- There were **449,400 criminal proceedings completed in magistrates' courts** in the first quarter of 2011, around three per cent more than in the same period of 2010. The long-term trend has been a decreasing volume of completed criminal proceedings.
- **44,200 trials were recorded in magistrates' courts**, with 44 per cent recorded as effective. Rates of effective, cracked and ineffective trials in the magistrates' courts have remained relatively stable during the last two years.
- The total **value of fines paid in magistrates' courts was £68 million** in the first quarter of 2011, compared with £67 million in the corresponding quarter of the previous year.

### Key points for the Crown Court

- There was a total of **37,700 cases received** in the Crown Court in the first quarter of 2011, a two per cent decrease on the number received in the first quarter of 2010. This is compared to a three per cent increase in cases received between the first quarter of 2009 and 2010.
- There were around **11,500 trial listings** in the Crown Court in the first quarter of 2011, compared to 11,100 in the first quarter of 2010. Of these, 45 per cent were recorded as 'effective', with 41 per cent 'cracked' and 13 per cent 'ineffective'. The rates of effective, cracked and ineffective trials have remained consistent over the past two years.

The 'average waiting time' refers to the average time between the date of sending or committal to the Crown Court and the start of the substantive Crown Court hearing.

- In the first quarter of 2011, the 'average waiting time', for cases where a not guilty plea was entered, was **24.1 weeks**, compared to 12.2 weeks for cases where a guilty plea was entered.

# Commentary

## County courts (non-family) [Tables 1.1 – 1.6]

In the first quarter of 2011 there were around 216 county courts in England and Wales. The vast majority of civil cases (as opposed to criminal cases) which do not involve family matters or failure to pay council tax or child maintenance are dealt with by the county courts. These cases are typically related to debt (these generally being issued for a specified amount of money), the repossession of property, personal injury (these generally being issued for an unspecified amount of money), and insolvency. Particularly important, complex or substantial cases are instead dealt with in the High Court. All county courts are assigned at least one District Judge, and some at least one Circuit Judge.

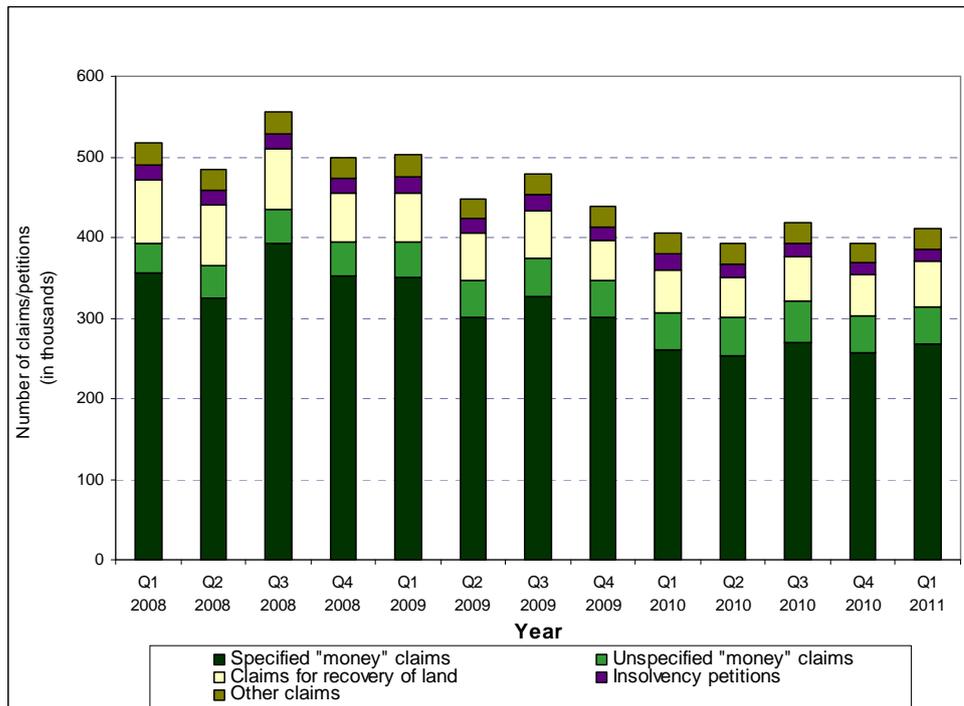
Information on the data sources used for the county court statistics can be found in **Annex A**. Explanations for some of the main terms used in this section can be found in the **Glossary**.

### Claims issued

Historically, the normal method of taking someone to court regarding a civil (non-family) matter, is for the person (the claimant) doing so to complete a claim form and take it in to a county court. However, the creation of electronic services has meant that claims for a specified amount of money (where the claim is for a set amount of money) or the repossession of property can be made via the internet ([www.moneyclaim.gov.uk](http://www.moneyclaim.gov.uk) and [www.possessionclaim.gov.uk](http://www.possessionclaim.gov.uk)). In addition, claimants who issue a large number of claims for a specified amount of money each year (e.g. banks, credit card and store card issuers, utility companies, debt recovery companies) can do so by filing them in computer readable form to the Claim Production Centre (CPC). Most of the work of the CPC is done at a central processing unit attached to Northampton county court.

In the first quarter of 2011 there were 413,400 claims (or petitions) issued, an increase of one per cent compared to the first quarter of 2010 after a general decline over the period since the first quarter of 2008. Compared with the same quarter in 2010, there was a 34 per cent fall in claims issued for return of goods, and a 23 per cent decrease in the number of petitions for insolvency. In contrast, there was a five per cent increase in claims issued for mortgage and landlord possession, and a three per cent increase in both claims for a specified and unspecified amount of money.

**Figure 1.1: Claims issued in the county courts, by type of case, England and Wales, Q1 2008 to Q1 2011**



### Case progression, hearings and judgments

Whether the claim is issued online or through the county courts, a copy of the claim form along with a response pack is sent to (served on) the defendant who has 14 days to respond to the claim. The defendant can: do nothing; pay up (either the full amount of the claim or in part); admit the claim and ask for more time to pay (in full or part); and/or dispute (defend) the claim (in full or part).

In the first quarter of 2011, 69,800 defences were made, a three per cent decrease compared with the first quarter of 2010. The decrease occurred despite a three per cent increase in 'money' claims over the same period, the vast majority of defences being to 'money' claims, whether for specified or unspecified amounts.

If the claim is defended, the usual procedure is for further information to be provided by the parties, following which the case is allocated by a judge to one of three case-management 'tracks'. In total, there were 44,100 allocations to one of these tracks in the first quarter of 2011, a five per cent increase compared with the same quarter in 2010. This was made-up of, in ascending order of case complexity and degree of judicial involvement:

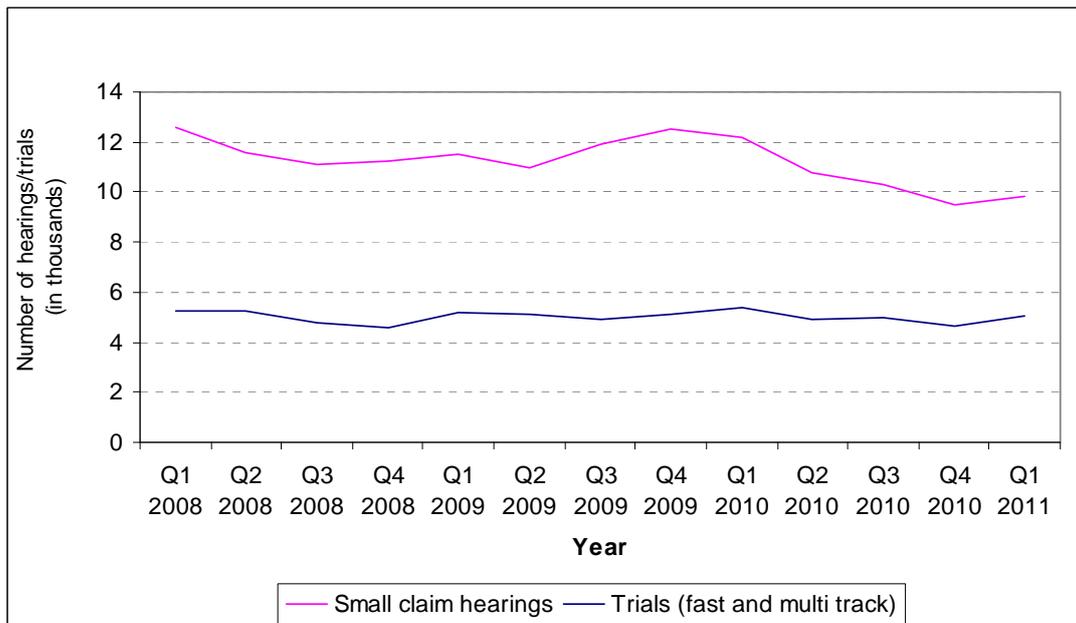
- 20,400 allocations to the 'small claim track', an increase of two per cent compared to the first quarter of 2010. This track is generally for cases with a claim value of up to £5,000 which do not require substantial preparation by the parties involved. The hearings are designed to be accessible to people who do not have representation by a solicitor or counsel, and are dealt with in about an hour.
- 17,700 allocations to the 'fast track', an increase of 10 per cent compared to the same quarter of 2010. This track is generally for cases with a claim value of between £5,000 and not more than £25,000, with issues not complex enough to merit more than a one day trial.

- 6,000 allocations to the 'multi track', an increase of one per cent compared to the first quarter of 2010. This track is generally for cases with a claim value exceeding £25,000 with issues complex enough to need preliminary hearings. They generally last more than one day at trial.

Defended cases which are not settled or withdrawn generally result in a hearing or trial. In total, there were 14,900 trials and small claim hearings in the first quarter of 2011, a decrease of 15 per cent compared to the first quarter of 2010. This comprised:

- 5,100 'fast track' and 'multi track' trials, a decrease of six per cent compared with the first quarter of 2010. Given cases typically take around six months to proceed from allocation to trial, this is against a background of a three per cent rise in allocations to the 'fast and multi tracks' between the third quarter of 2009 and the third quarter of 2010. It therefore seems to reflect a lower proportion of cases which were allocated to the 'fast and multi tracks' then being disposed of at trials. On average, trials occurred 53 weeks after the claim was originally made, up from 49 weeks in the first quarters of 2009 and 2010.
- 9,800 small claim hearings, a decrease of 19 per cent compared with the first quarter of 2010. Given cases typically take around three months to proceed from allocation to small claim hearing, this partly reflected the seven per cent fall in allocations to the small claim track between the fourth quarter of 2009 and the fourth quarter of 2010. On average, small claim hearings occurred 30 weeks after the claim was originally made, down from 31 weeks in the first quarter of 2010 but continuing the flat trend over the last two years.

**Figure 1.2: Hearings in the county courts, by type, England and Wales, Q1 2008 to Q1 2011**



## Enforcement

There are various methods of enforcing a monetary judgment amount through the county courts. The most common method is the warrant of execution against a debtor's goods, where unless the amount owed is paid, items owned by the debtor can be recovered by a bailiff acting on behalf of the court and sold. A judgment amount can also be enforced by an attachment of earnings order enabling payment through the debtor's employer, a third party debt order enabling payment by freezing and then seizing money owed by a third party to the debtor, and via a charging order which obtains security for the payment against the debtor's assets and may be followed by an order for sale which forces the sale of these assets.

There were 77,500 applications for enforcement of judgment amounts (via warrants of execution, attachment of earnings orders, third party debt orders and charging orders) during the first quarter of 2011, a 12 per cent decrease on the same period the year before and a 41 per cent fall on the first quarter of 2009. The vast majority of the decrease over the last two years followed large increases in court fees for these types of enforcement, these coming into effect on 13 July 2009. In particular, during the first quarter of 2011:

- 35,700 warrants of execution were issued, an 18 per cent decrease on the first quarter of 2010;
- 12,500 applications were made for attachment of earnings orders, an increase of six per cent on the first quarter of 2010;
- 1,200 applications were made for third party debt orders, a decrease of 11 per cent on the first quarter of 2010; and
- 28,100 applications were made for charging orders, a decrease of 10 per cent on the first quarter of 2010 but higher than during the previous three quarters after a downward trend lasting a few years. There were also 120 orders for sale.

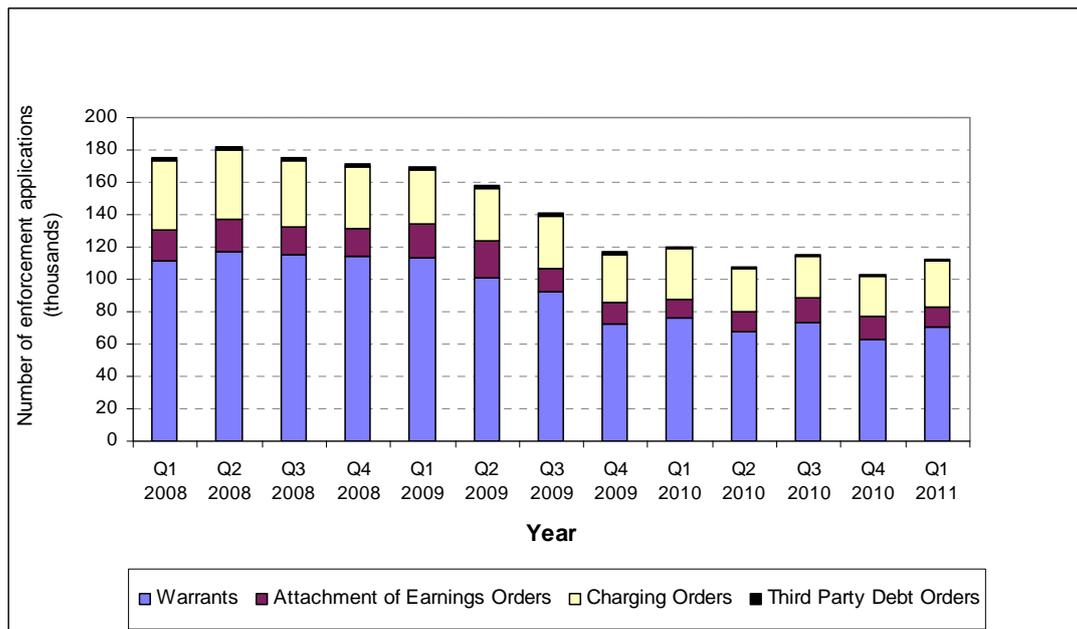
In certain circumstances a debtor may apply to a county court to combine debts with a total not exceeding £5,000 into a single administration order. Once the debts have been examined and found to be correctly calculated a District Judge can make an order for the debtor to make regular payments to the court. The court will then distribute the money to the creditors. There were 130 applications made for administration orders in the first quarter of 2011, down from 310 in the same quarter of 2010.

To assist in determining which of the above is the most appropriate method of enforcing a judgment, claimants can apply for an order to obtain information from the judgment debtors. This requires debtors to provide details of their means. There were 5,700 orders made to obtain information from debtors in the first quarter of 2011, a decrease of nine per cent compared with the first quarter of 2010.

To enforce non-monetary decisions made by the county courts, warrants can be issued for the repossession of property, the return of particular goods or items, and for committal, enforcing an order for which the penalty for failure to comply is imprisonment by authorising the bailiff to arrest and deliver the person to prison or the court. In particular, during the first quarter of 2011:

- 34,300 warrants of possession were issued, an increase of seven per cent on the equivalent quarter of 2010;
- County court bailiffs made 15,100 repossessions of properties, a one per cent increase on the first quarter of 2010 and more than in any quarter since the third quarter of 2009 after a downward trend since the third quarter of 2008. 6,500 of the properties were on behalf of mortgage lenders, five per cent fewer than in the first quarter of 2010 but higher than in each of the other quarters in 2010;
- 590 warrants of delivery were issued, an increase of two per cent on the first quarter of 2010; and
- 230 warrants of committal were issued, down from 280 in the first quarter of 2010.

**Figure 1.3: Enforcement applications in the county courts, by type, England and Wales, Q1 2008 to Q1 2011**



### Company winding up and bankruptcy petitions

From the next edition of this bulletin (to be published in September 2011 covering the second quarter, April to June 2011) additional breakdowns will be included of the statistics on company winding up and bankruptcy petitions issued in the High Court and county courts of England and Wales. These data were previously published in the company winding up and bankruptcy petition statistics bulletin ([www.justice.gov.uk/publications/statistics-and-data/civil-justice/company-winding-up.htm](http://www.justice.gov.uk/publications/statistics-and-data/civil-justice/company-winding-up.htm)). The edition presenting statistics for January to March 2011, published in May, was the last in the series.

## **Family matters** [Tables 2.1 – 2.6]

Family matters are dealt with in England and Wales under the Children Act 1989 at Family Proceedings Courts (which are part of the Magistrates' Courts), at County Courts or in the Family Division of the High Court. Family matters dealt with in the courts include: parental disputes, local authority intervention to protect children, matrimonial cases such as divorce petitions, the financial provisions for children after divorce or relationship breakdown, domestic violence remedies and adoption.

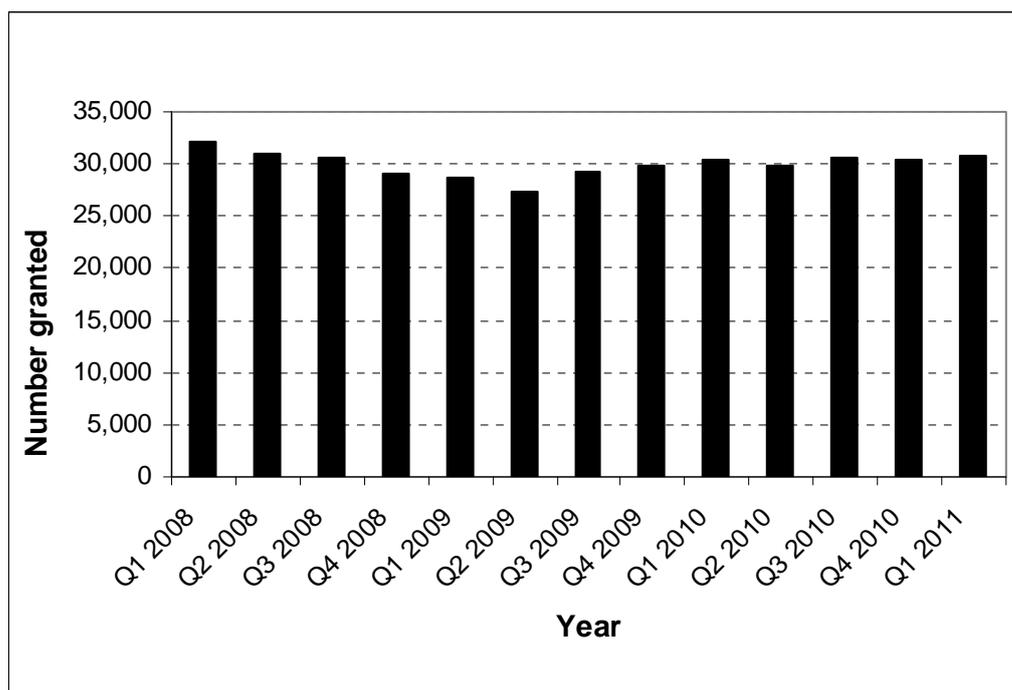
Information on the data sources used for family statistics can be found in **Annex A**. Explanations for some of the main terms used in this section can be found in the **Glossary**.

### **Matrimonial matters**

There are two ways to legally end a marriage. An individual can apply for a decree absolute of divorce, which ends a valid marriage; or a decree of nullity, which declares that the marriage itself is void. No application can be made for divorce within the first year of marriage. An alternative to divorce is a decree of judicial separation. This does not legally end the marriage but clears the parties from the obligation to live together.

There were 34,600 petitions filed for dissolution of marriage in the first quarter of 2011; the same number as the first quarter of 2010. The number of decrees absolute granted increased slightly to 30,800 in the first quarter of 2011 from the 30,400 in the equivalent quarter of 2010. Although there has been a long-term downward trend over the last few years in the numbers of divorces granted, the trend has reversed somewhat from the third quarter of 2009. This mirrors the change in trend seen in divorce petitions from the beginning of 2009.

**Figure 2.1: Dissolution of marriage—decrees absolute granted, Q1 2008 to Q1 2011**



### **Ancillary relief—financial disputes post-divorce/separation**

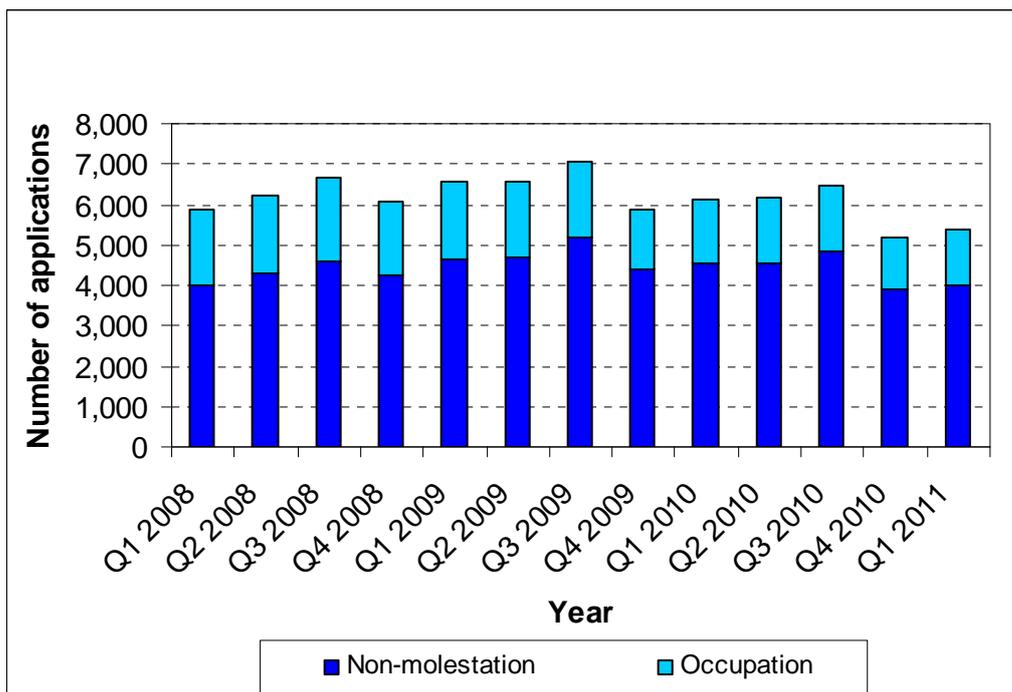
During or after a divorce, a marriage annulment, or a judicial separation, there may still be a need for the court to settle disputes over money or property. The court can make a financial order, known as ancillary relief. Ancillary relief orders may deal with the arrangements for example, the sale or transfer of property, maintenance payments, or the sharing of a pension.

Following a decline in late 2008, there has been little change in the number of orders (at around 20,000) made to settle financial disputes post-divorce or post-separation. In the first quarter of 2011, the total number of orders made to settle ancillary relief disputes was 21,200, compared with 20,200 in the corresponding quarter of 2010.

### **Domestic violence**

The Family Law Act 1996 provides domestic violence remedies in county courts and magistrates' courts, with the vast majority carried out in the former. Two types of order can be applied for: a non-molestation order – which prevents the applicant and/or any relevant children from being molested by someone who has previously been violent towards them; or an occupation order – which can define rights of the occupation of the home by the parties involved. Since July 2007, failing to obey the restrictions of a non-molestation order has been a criminal offence for which someone could be prosecuted. A power of arrest is therefore no longer required on these orders.

**Figure 2.2: Domestic Violence applications made in the county courts, Q1 2008 to Q1 2011**



There were 5,400 applications to county courts for domestic violence remedies, compared to 6,100 in the first quarter of 2010. Some 5,400 domestic violence orders were made in the first quarter of 2011, compared to 6,000 in the same quarter of the previous year. Overall, the number of both domestic violence applications and orders made was fairly level for most of 2008 to 2010 until the last two quarters, which have shown a sizeable drop. For the first quarter of 2011 the proportion of applications which were made for non-molestation orders was 74 per cent, whereas the proportion of all orders made which were for non-molestation was 85 per cent.

It needs to be noted that the statistics presented in this bulletin relate to applications for, and grants of, the above domestic violence order types by the family courts. They do not relate to prosecutions or convictions for criminal offences regarding matters of domestic violence, nor do they cover prosecutions or convictions for breaching a non-molestation order.

### **Forced Marriage Protection Orders**

A new table (Table 2.4) has been included in this bulletin for the first time, presenting statistics on the number of applications and orders made for Forced Marriage Protection Orders. The Forced Marriage (Civil Protection) Act 2007 came into force on 25 November 2008. The Act amended Part IV of the Family Law Act to enable 15 designated county courts (as well as the High Court) to make Forced Marriage Protection Orders to prevent forced marriages from occurring and to offer protection to victims who might have already been forced into a marriage.

Applications for Forced Marriage Protection Orders increased to 38 in the first quarter of 2011, compared with 25 in the same period in 2010. Orders increased substantially in the first quarter of 2011 with 57 orders made, up from 23 orders made in the corresponding first quarter of 2010.

## **Public Law**

Public law cases are those brought by local authorities or an authorised person (currently only the National Society for the Prevention of Cruelty to Children) to protect the child and ensure they get the care they need. They can apply for a range of different orders. Types of order include a care or supervision order which determines whether the child should be looked after or supervised by the local authority, or an emergency protection order which allows an individual or local authority to take a child away from a place where they are in immediate danger to a place of safety.

There was a 13 per cent drop in the total number of children involved in public law applications made in the first quarter of 2011 compared to the equivalent period in 2010, from 6,500 to 5,600.

## **Private Law**

Private law cases are those brought to court by two or more parties who are trying to resolve a private dispute. This is generally where parents have split up and there is a disagreement about contact with the children or with which parent they should live. A range of different types of court order can be applied for. For example, a residence order settles where the child should live, while a contact order specifies the conditions under which the divorced or separated parents may spend time with a child.

The number of children involved in private law applications made in the first quarter of 2011 decreased to 28,400 from 32,800 in the first quarter of 2010; a 13 per cent decrease.

## **Timeliness of care proceedings**

Statistics on the time taken to complete care and supervision cases in the family courts of England and Wales are given in Table 2.6. It presents summary statistics showing the time, in weeks, between the date an application for a care or supervision order was lodged and the date a care, supervision, or other substantive order was made in the case, for those cases disposed of during each quarter, starting from the second quarter of 2010. In the first quarter of 2011, 48 per cent of such disposals had occurred within 50 weeks for all courts.

Separate figures for the county courts and the High court, and family proceedings courts are also shown.

## Magistrates' courts [Tables 3.1 – 3.3]

In the first quarter of 2011 there were around 330 magistrates' courts across England and Wales. Virtually all criminal court cases start in a magistrates' court. The less serious offences are handled entirely in magistrates' courts. More serious offences are passed on to the Crown Court.

Information on the data sources used for the magistrates' courts statistics can be found in **Annex A**. Explanations for some of the main terms used in this section can be found in the **Glossary**.

### Caseload

There were around 449,400 criminal proceedings completed in magistrates' courts in the first quarter of 2011; compared with the first of 2010 the caseload increased by three per cent.

Summary proceedings, which cover the relatively minor offences and are dealt with entirely within the magistrates' courts, make up around two-thirds of cases. Some 146,900 of these cases are related to adult summary motoring proceedings. These include offences such as speeding, driving while disqualified and drunken driving. There were two per cent fewer summary motoring proceedings than in the first quarter of 2010.

Adult summary non-motoring proceedings comprised 33 per cent of cases (around 146,900 cases). These include offences such as failure to pay a television licence, and minor assault and criminal damage. The number of these cases has increased by around 18 per cent compared with the first quarter of 2010, where there were 124,000 cases.

Adult indictable/triable-either-way proceedings made up 22 per cent of cases (around 97,500 cases); this has decreased by less than one per cent compared with the first quarter of 2010. These cases relate to the more serious offences, including, for example, theft and handling of stolen goods, violence against the person and drug offences. These offences may be dealt with entirely by a magistrates' court, or may be transferred to the Crown Court, depending on the severity of the offence, or by the defendant, if they wish to have a trial by jury.

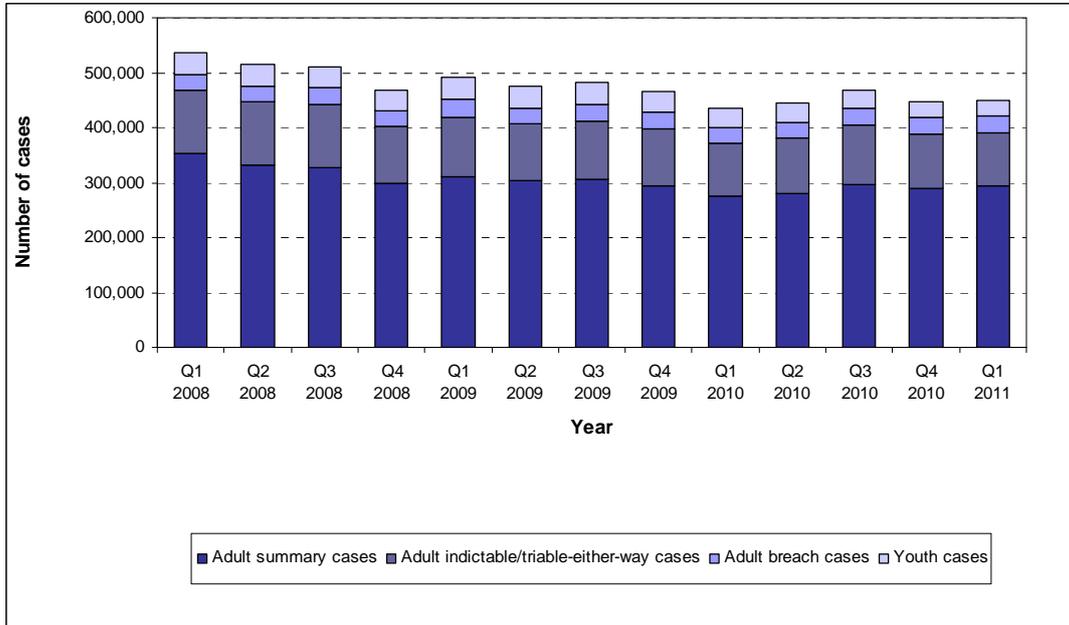
In the first quarter of 2011, there were 30,800 adult breach cases (seven per cent of all criminal proceedings). These are cases where the defendant breached the conditions of an order that was previously imposed by a court. The number of adult breaches increased by seven per cent compared with the first quarter of 2010.

Youth proceedings comprised six per cent of the criminal cases dealt with in the magistrates' courts (around 27,300 cases) in the first quarter of 2011. These comprise all offences where the defendant was aged between 10 and 17. The number of youth proceedings decreased by 21 per cent compared with the first quarter of 2010.

In arriving at these totals, every separate offence that is dealt with during the course of a case is counted. However, if two or more offences from a case are

dealt with on the same day, then only one is counted (generally the most serious offence is selected) for the case type statistics.

**Figure 3.1: Magistrates' court criminal workload, Q1 2008 to Q1 2011**



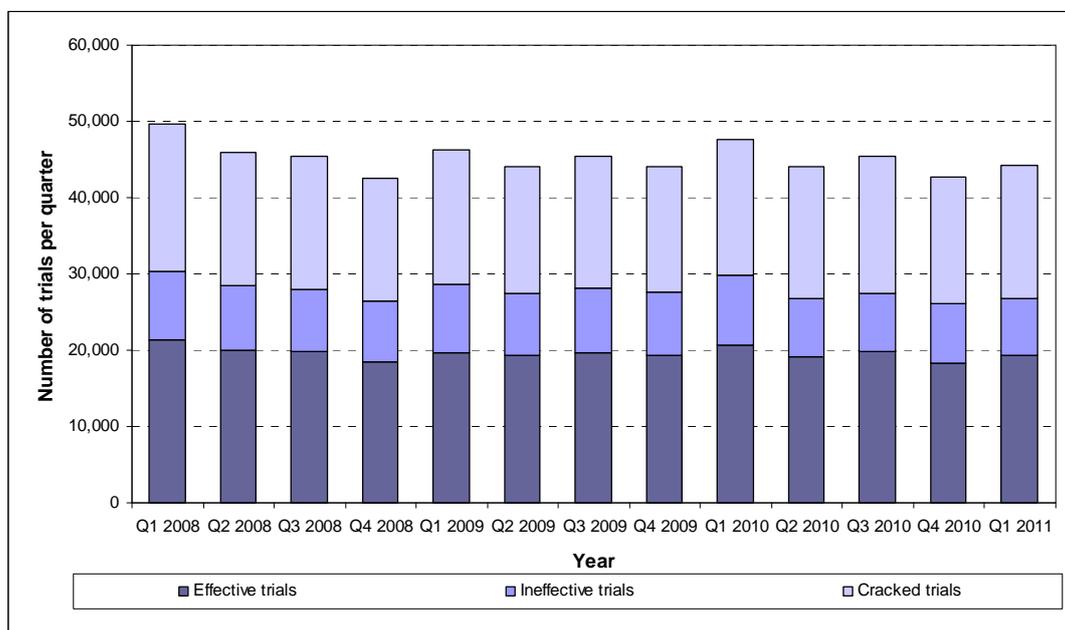
## Trials

A trial in the magistrates' court is a hearing at which the prosecution produces evidence to prove the case against the defendant. For a summary offence, if a defendant pleads not guilty, or does not give a plea, then a trial is required. Similarly, for either-way offences that are contested, a trial may occur in the magistrates' courts or in the Crown Court.

Magistrates' courts record the number and outcome of trials. A trial outcome which commences on a scheduled date and reaches a conclusion is recorded as an 'Effective' trial. An 'Ineffective' trial does not commence on the due date and requires re-listing. In contrast, a 'Cracked' trial does not commence on the day and the trial is not re-listed, as the case has reached a conclusion. Cracked trials are usually the result of an acceptable plea being entered by the defendant on the day, or where the prosecution offers no evidence against the defendant.

In the first quarter of 2011, around 44,200 trials were recorded in magistrates' courts. Of these trials, 44 per cent were recorded as effective, 17 per cent were ineffective and 39 per cent were recorded as cracked. Compared with the same quarter in the previous year, the proportion of ineffective trials fell by two percentage points, the proportion of cracked trials rose by two percentage points and the proportion of effective trials remained the same.

**Figure 3.2: Effectiveness of recorded trials in magistrates' courts, Q1 2008 to Q1 2011**



## Enforcement

Fines are the most commonly used sentence in magistrates' courts. The total value of fines paid has risen over the last two years. In the first quarter of 2011, the amount paid in England and Wales was £68 million, a two per cent increase compared with the first quarter of 2010.

## Timeliness

Detailed statistics on the length of time taken to process cases in the magistrates' courts' are published on a quarterly basis by the Ministry of Justice. This data comes from the Time Intervals Survey, reports on which can be found on the Ministry of Justice website at:

[www.justice.gov.uk/publications/statistics-and-data/courts-and-sentencing/magistrates-times.htm](http://www.justice.gov.uk/publications/statistics-and-data/courts-and-sentencing/magistrates-times.htm)

## The Crown Court [Tables 4.1 – 4.5]

The Crown Court deals with serious criminal cases; this consists of around five per cent of criminal cases<sup>1</sup> that filter beyond the magistrates' courts. It is formally a single court and sits in approximately 77 different locations across England and Wales.

Information on the data sources used for the Crown Court statistics can be found in **Annex A**. Explanations for some of the main terms used in this section can be found in the **Glossary**.

### Caseload

The Crown Court deals with four types of cases: committals for trial, cases sent for trial, committals for sentence, and appeals against magistrates' decisions. Figure 4.1 compares the Crown Court receipts by case type over the last 13 quarters.

#### Committal for Trial

Committal for trial cases are those which can be heard at either the magistrates' court or the Crown Court. A defendant can elect to be tried at the Crown Court or magistrates can decide that the circumstances of the case are sufficiently serious that it should be dealt with in the Crown Court.

In the first quarter of 2011, around 15,000 committed for trial cases were received, a decrease of eleven per cent compared to the same period last year. In this quarter, around 16,500 committed for trial cases were completed with in the Crown Court, similar to the first quarter of 2010. There were around 20,300 cases outstanding at the end of the first quarter, a 16 per cent decrease on the first quarter of 2010.

#### Sent for Trial

Cases are 'sent for trial' by a magistrates' court because they can only be heard by the Crown Court due to the seriousness of the offence.

In the first quarter of 2011, around 8,400 cases were sent for trial, an increase of one per cent on the same quarter in 2010. Around 9,300 cases were completed, a six per cent increase on the first quarter of 2010. In addition, around 15,000 cases were outstanding at the end of the first quarter, a six per cent decrease from the first quarter 2010.

#### Committed for Sentence

Cases 'committed for sentence' are those transferred to the Crown Court for sentencing after a defendant has been convicted (found guilty) in a magistrates' court. This would occur where a magistrate believes that their sentencing powers are insufficient to apply an appropriate sanction to the defendant.

In the first quarter of 2011, around 11,000 cases from the magistrates' courts were committed for sentence in the Crown Court and 11,100 cases were completed

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<sup>1</sup> Not taking into consideration cases dealt with in the magistrates' courts and committed for sentence to the crown court and appeals against decisions in the magistrates' courts.

during this period. Around 5,100 cases remained outstanding at the end of the first quarter.

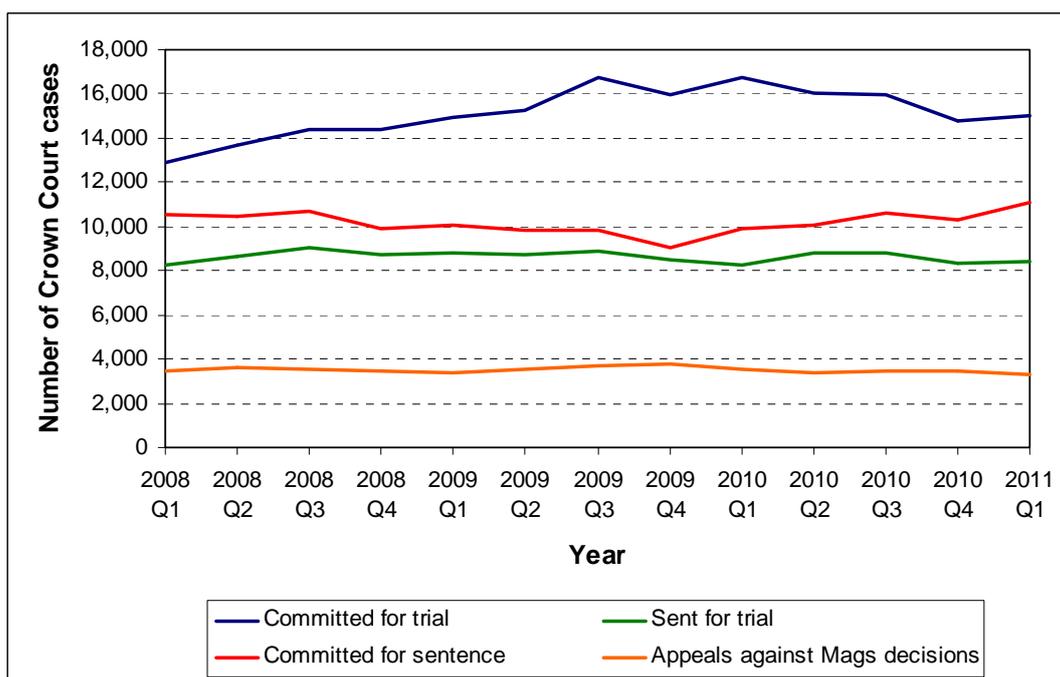
Compared to the same period in 2010, the number of committed for sentence cases received increased by 12 per cent, the number of cases completed increased by 19 per cent and the number of cases outstanding increased by one per cent.

### Appeals

The Crown Court also deals with appeals against a conviction or sentence given by a magistrates' court.

During the first quarter of 2011, the Crown Court received around 3,300 appeals against magistrates' courts' decisions and completed around 3,500 appeals cases, leaving around 2,900 appeals outstanding at the end of the quarter. Compared with the first quarter of 2010, the number of appeals received in the Crown Court decreased by five per cent and the number of cases outstanding decreased by 11 per cent.

**Figure 4.1: Crown Court receipts, by case type, Q1 2008 to Q1 2011**



### **Trials**

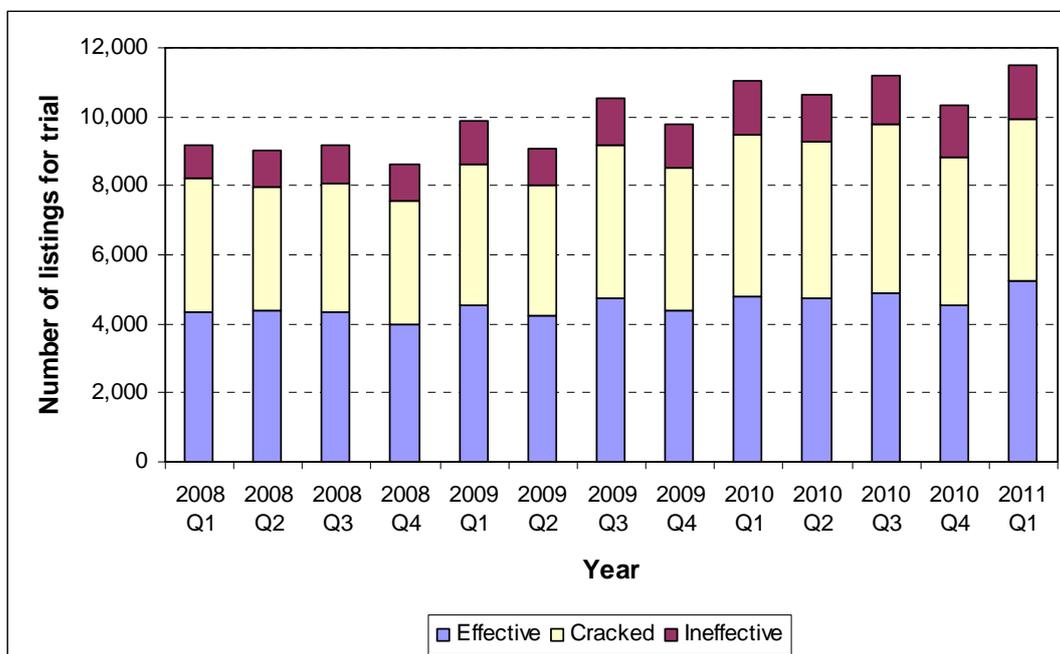
A trial in the Crown Court is a hearing at which the prosecution produces evidence to prove the case against the defendant, resulting in a verdict. The defendant has an opportunity to enter a plea against the charges they are to face in a preliminary hearing, before the start of any trial. If they decide to plead not guilty, then the case will be listed for full trial at a later date.

The Crown Court records the outcome of each main trial as 'effective', 'ineffective' or 'cracked'. Definitions of these terms can be found in the magistrates' courts commentary section and in the **Glossary** under magistrates' courts.

In the first quarter of 2011, around 11,500 trials were recorded in the Crown Court, an increase of four per cent compared with the same period in 2010.

Of these trials listed, 45 per cent were recorded as effective, 41 per cent were recorded as cracked and 13 per cent were recorded as ineffective. The rates of effective, cracked and ineffective trials have remained consistent over the last couple of years.

**Figure 4.2: Effectiveness of cases listed for trial, Q1 2008 to Q1 2011**



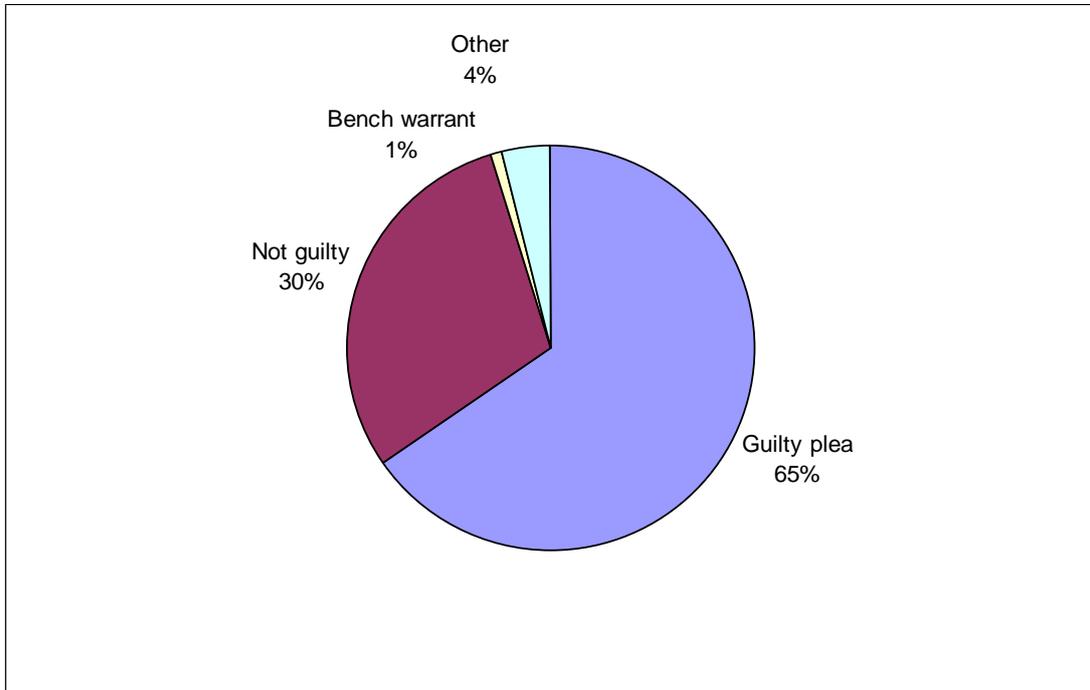
### Defendants

A guilty plea is recorded if a defendant either: (a) pleads guilty to all counts; (b) pleads guilty to some counts, not guilty to others and no jury is sworn in respect of the not guilty counts; or (c) pleads not guilty to some or all counts, but offers a guilty plea to alternatives which are accepted (providing no jury is sworn in respect of other counts). A case is treated as a guilty plea only if pleas of guilty are recorded in respect of all defendants.

In the first quarter of 2011, the Crown Court dealt with 28,700 defendants involved in committed or sent for trial cases, the same as for the first quarter of 2010.

Of these, 65 per cent pleaded guilty to all counts and 30 per cent pleaded not guilty to at least one count, and five per cent did not enter a plea. The guilty plea rate is the number of defendants pleading guilty to all counts as a proportion of all defendants with a plea. In the first quarter of 2011 the guilty plea remained at around 69 per cent, a two percentage point reduction compared to the same quarter in the previous year.

**Figure 4.3: Defendants in committed or sent for trial cases dealt with in the Crown Court, by plea, Q1 2011**



### **Timeliness**

'Average waiting time' refers to the average time between the date of sending or committal to the Crown Court and the start of the substantive Crown Court hearing. In the first quarter of 2011, the average waiting time for cases committed for trial was 13.9 weeks, similar to the first quarter of the previous year. The average waiting time was 19.6 weeks for cases sent for trial, a one per cent increase to the first quarter of the previous year. In those 'committed for trial' and 'sent for trial' cases where a not guilty plea was entered, the average waiting time was 24.1 weeks, a two per cent decrease on the same quarter of previous year. In contrast, the average waiting time was 12.2 weeks for those cases where a guilty plea was entered, remaining generally steady over the last four quarters.

The average waiting time was 5.7 weeks for cases which were committed to the Crown Court for sentence, a two per cent increase on the first quarter of 2010, and 9.0 weeks for appeals against magistrates' decisions.

The 'average hearing time' relates to the average duration of all hearings heard in the Crown Court, including preliminary hearings, main hearings, and hearings where a sentence is given to a defendant. In the first quarter of 2011 the average hearing time was 13.1 hours for cases where a not guilty plea was entered, an increase of seven per cent compared with the first quarter of the previous year. The average hearing time was 1.4 hours for cases where a guilty plea was entered, 0.5 hours for cases committed for sentence and 1.1 hour for appeals; these figures have generally remained steady over the last three years.

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**Table 1.1**  
**County courts (non-family)**

Summary statistics on claims issued<sup>1</sup>, England and Wales, Q1 2008 - Q1 2011

Year	Quarter	Specified 'money' claims <sup>2</sup>	Unspecified 'money' claims <sup>3</sup>	Total 'money' claims	Claims for recovery of land <sup>4</sup>	Claims for return of goods	Other non- 'money' claims <sup>5</sup>	Total non- 'money' claims	Number of claims/petitions	
									Total insolvency petitions <sup>6</sup>	Total proceedings started
2008		1,426,389	160,248	<b>1,586,637</b>	290,958	8,652	107,605	<b>407,215</b>	70,272	<b>2,064,124</b>
2009		1,281,105	178,969	<b>1,460,074</b>	230,125	10,269	102,726	<b>343,120</b>	76,211	<b>1,879,405</b>
2010		1,040,589	190,582	<b>1,231,171</b>	210,392	8,388	100,666	<b>319,446</b>	65,919 (r)	<b>1,616,536 (r)</b>
2008	Q1	355,464	36,874	<b>392,338</b>	80,006	2,324	27,628	<b>109,958</b>	16,772	<b>519,068</b>
	Q2	324,223	40,918	<b>365,141</b>	75,417	2,049	25,720	<b>103,186</b>	17,412	<b>485,739</b>
	Q3	393,574	41,427	<b>435,001</b>	75,524	2,056	27,327	<b>104,907</b>	17,304	<b>557,212</b>
	Q4	353,128	41,029	<b>394,157</b>	60,011	2,223	26,930	<b>89,164</b>	18,784	<b>502,105</b>
2009	Q1	350,634	43,201	<b>393,835</b>	61,275	2,440	27,328	<b>91,043</b>	20,424	<b>505,302</b>
	Q2	301,735	44,182	<b>345,917</b>	59,004	2,617	24,353	<b>85,974</b>	19,211	<b>451,102</b>
	Q3	327,144	47,215	<b>374,359</b>	59,117	2,606	26,397	<b>88,120</b>	19,686	<b>482,165</b>
	Q4	301,592	44,371	<b>345,963</b>	50,729	2,606	24,648	<b>77,983</b>	16,890	<b>440,836</b>
2010	Q1	260,186	45,567	<b>305,753</b>	54,123	2,615	25,390	<b>82,128</b>	19,508 (r)	<b>407,389 (r)</b>
	Q2	252,802	48,253	<b>301,055</b>	49,890	2,322	24,362	<b>76,574</b>	16,551	<b>394,180</b>
	Q3	269,955	51,254	<b>321,209</b>	54,986	1,756	26,392	<b>83,134</b>	15,732	<b>420,075</b>
	Q4	257,646	45,508	<b>303,154</b>	51,393	1,695	24,522	<b>77,610</b>	14,128	<b>394,892</b>
2011	Q1 (p)	267,154	46,842	<b>313,996</b>	56,619	1,725	26,051	<b>84,395</b>	14,993	<b>413,384</b>

**Source:**

HMCTS CaseMan system, Possession Claim Online and manual returns

**Notes:**

- 1 Excluding where claims are re-issued
- 2 Claims issued for a specified amount of money, including those made through the Claim Production Centre, County Court Bulk Centre and Money Claim Online
- 3 Claims issued for an unspecified amount of money
- 4 Includes claims made via Possession Claim Online. These National Statistics are also published in the Mortgage and landlord possession statistics: <http://www.justice.gov.uk/publications/statistics-and-data/civil-justice/mortgage-possession.htm>
- 5 Includes claims to evict trespassers, and for interim possession orders, landlord and tenancy applications (generally for a new tenancy agreement), injunctions (to make somebody do something or to stop them doing it), enforcement of Tribunal awards and of orders made in Magistrates' courts, pre-issue applications (to obtain an order for disclosure of information prior to issue of a claim), and orders for costs only
- 6 Includes petitions issued in the District Registries of the High Court but not in the Royal Courts of Justice (the headline quarterly National Statistics on insolvency proceedings issued include both, these being published in the Company winding up and bankruptcy petition statistics: <http://www.justice.gov.uk/publications/statistics-and-data/civil-justice/company-winding-up.htm>)

**Table 1.2**  
**County courts (non-family)**

Summary statistics on claims defended and allocations to track<sup>1</sup>, England and Wales, Q1 2008 - Q1 2011

Year	Quarter	Number of defences <sup>2</sup>	Number of allocations to track <sup>3</sup>			Total
			Small claim	Fast track <sup>4</sup>	Multi track <sup>4</sup>	
2008		<b>298,796</b>	83,928	53,255	26,722	<b>163,905</b>
2009		<b>315,934</b>	93,073	61,415	25,495	<b>179,983</b>
2010 (r)		<b>290,941</b>	79,924	65,665	23,104	<b>168,693</b>
2008	Q1	<b>70,545</b>	18,920	12,951	6,707	<b>38,578</b>
	Q2	<b>74,303</b>	19,955	12,805	6,656	<b>39,416</b>
	Q3	<b>77,780</b>	23,121	14,093	6,823	<b>44,037</b>
	Q4	<b>76,168</b>	21,932	13,406	6,536	<b>41,874</b>
2009	Q1	<b>77,355</b>	21,927	14,240	6,928	<b>43,095</b>
	Q2	<b>78,816</b>	23,094	14,573	6,258	<b>43,925</b>
	Q3	<b>82,659</b>	25,551	16,763	6,487	<b>48,801</b>
	Q4	<b>77,104</b>	22,501	15,839	5,822	<b>44,162</b>
2010	Q1	<b>72,140</b>	20,036	16,096	5,967	<b>42,099</b>
	Q2	<b>71,445</b>	19,746	15,342	5,376	<b>40,464</b>
	Q3	<b>75,433</b>	20,795	17,687	6,325	<b>44,807</b>
	Q4 (r)	<b>71,923</b>	19,347	16,540	5,436	<b>41,323</b>
2011	Q1 (p)	<b>69,831</b>	20,434	17,689	6,010	<b>44,133</b>

**Source:**

HMCTS CaseMan system and Possession Claim Online

**Notes:**

1 Where a claim is defended, further information is gathered before it is allocated to one of the three case management "tracks" shown depending on the value, complexity and importance of the case and the consequential level of judicial involvement required. There may be more than one defence or allocation to track in a case

2 The number of defences excludes those recorded on the grounds of the defendant having already paid the amount claimed. Despite some cases involving more than one defendant, it is much lower than the number of claims issued (see Table 1.1) because the vast majority of claims are not disputed

3 The number of allocations to track is lower than the number of defences primarily because defended cases are often settled/withdrawn before they are allocated to track

4 A new and higher claim value limit was introduced for fast track cases on 6 April 2009. Since 1999, claims have generally been allocated to the fast track which have a value exceeding the limit of the small claims track (£5,000 for most claim types) but not more than £15,000 (those with a value over £15,000 generally being allocated to the multi track). For all proceedings issued on or after 6 April 2009, the limit has been raised from £15,000 to £25,000

**Table 1.3**  
**County courts (non-family)**

Summary statistics on trials/hearings, England and Wales, Q1 2008 - Q1 2011

Year	Quarter	Small claim cases		Fast and Multi Track cases			
		Number of hearings <sup>1,2</sup>	Average time between issue & hearing (weeks) <sup>3</sup>	Number of trials <sup>1,2</sup>	Average time (weeks)		
				Between issue & allocation to track <sup>3</sup>	Between allocation to track & trial <sup>3</sup>	Between issue & trial <sup>3,4</sup>	
2008		46,519	29	19,916	21	32	48
2009		46,963	31	20,306	21	32	48
2010 (r)		42,786	31	19,915	21	33	50
2008		12,592	30	5,280	21	32	49
		11,544	29	5,263	21	31	48
		11,120	29	4,783	21	31	48
		11,263	29	4,590	20	32	49
2009	Q1	11,504	30	5,166	20	32	49
	Q2	11,001	31	5,097	21	32	47
	Q3	11,928	31	4,930	20	32	48
	Q4	12,530	30	5,113	21	32	48
2010	Q1	12,162	31	5,374	20	33	49
	Q2	10,769	31	4,927	21	34	51
	Q3	10,331	31	4,964	21	33	50
	Q4 (r)	9,524	30	4,650	21	34	52
2011	Q1 (p)	9,807	30	5,073	21	33	53

**Source:**

HMCTS CaseMan system

**Notes:**

1 The number of hearings are much lower than the number of allocations to track because most cases allocated to track are settled/withdrawn before a hearing

2 There may be more than one trial or small claim hearing in a case

3 Figures relate to cases whose trials or small claims hearings took place during the relevant quarter or year. For many cases the original date of issue and allocation date will have been in an earlier period

4 These figures are different to the sums of the average times between issue and allocation to track and between allocation to track and trial, as not all allocation to track details are known

**Table 1.4****County courts (non-family)**Number of warrants issued<sup>1,2</sup> by type, England and Wales, Q1 2008 - Q1 2011

Year	Quarter	Number of warrants			
		Execution <sup>3</sup>	Delivery <sup>4</sup>	Possession <sup>5</sup>	Committal <sup>6</sup>
2008		294,823	2,500	159,337	1,353
2009		236,293	2,307	139,131	1,103
2010 (r)		150,828	2,179	124,914	1,387
2008	Q1	69,307	575	40,798	375
	Q2	74,904	641	41,332	356
	Q3	73,191	653	40,969	336
	Q4	77,421	631	36,238	286
2009	Q1	74,382	685	38,099	289
	Q2	65,593	624	34,769	260
	Q3	55,495	533	35,739	268
	Q4	40,823	465	30,524	286
2010	Q1	43,371	576	32,020	280
	Q2	35,365	539	30,837	453
	Q3	39,477	627	32,674	388
	Q4 (r)	32,615	437	29,383	266
2011	Q1 (p)	35,702	586	34,341	230

**Source:**

HMCTS CaseMan system and Possession Claim Online

**Notes:**

- 1 Excludes the re-issuing of warrants
- 2 Includes warrants issued in the County Court Bulk Centre and via Money Claim Online and Possession Claim Online
- 3 Allows saleable items owned by the debtor to be sold unless the amount due under the warrant is paid
- 4 For the return of goods or items
- 5 For the repossession of property
- 6 For enforcing an order where the penalty for failing to comply is imprisonment. It authorises the bailiff to arrest and deliver the person to prison or the court

**Table 1.5**  
**County courts (non-family)**

Number of repossessions<sup>1</sup> of property by county court bailiffs<sup>2</sup> by type, England and Wales, Q1 2008 - Q1 2011

Year	Quarter	Type of case					Other	Total
		Mortgage repossession <sup>3</sup>	Social landlord repossession	Private landlord repossession	Accelerated repossession			
2008		35,823	20,249	4,445	7,575	2,074	70,166	
2009		32,468	18,309	4,623	5,079	2,077	62,556	
2010		23,622	16,864	5,291	5,763	2,190	53,730	
2008	Q1	7,982	5,393	1,100	2,020	527	17,022	
	Q2	9,161	4,815	1,055	2,008	486	17,525	
	Q3	10,076	5,294	1,207	1,957	539	19,073	
	Q4	8,604	4,747	1,083	1,590	522	16,546	
2009	Q1	9,289	5,258	1,254	1,422	531	17,754	
	Q2	8,042	4,384	1,012	1,223	474	15,135	
	Q3	8,159	4,657	1,244	1,293	530	15,883	
	Q4	6,978	4,010	1,113	1,141	542	13,784	
2010	Q1	6,892	4,862	1,344	1,300	575	14,973	
	Q2	5,928	4,020	1,329	1,262	510	13,049	
	Q3	5,902	4,250	1,374	1,682	572	13,780	
	Q4	4,900	3,732	1,244	1,519	533	11,928	
2011	Q1 (p)	6,545	4,717	1,448	1,761	604	15,075	

**Source:**

HMCTS CaseMan system and Possession Claim Online

**Notes:**

1 The vast majority of warrant of possession outcomes are repossession, the warrant being suspended by an order made by the court and the warrant being withdrawn

2 Includes warrants issued via Possession Claim Online

3 These figures differ from those provided by Council of Mortgage Lenders ([www.cml.org.uk](http://www.cml.org.uk)) for a number of reasons including the latter including 'voluntary' repossessions (where the property has been repossessed without the need for a bailiff), being shown on a UK basis but excluding repossessions by lenders who are not CML members

**Table 1.6**  
**County courts (non-family)**  
 Enforcement-related orders applied for and made, England and Wales, Q1 2008 - Q1 2011

Year	Quarter	Number of applications/orders									
		Attachment of earnings orders <sup>1,2</sup>		Third party debt orders <sup>3</sup>		Charging orders <sup>4</sup>		Orders for Sale <sup>5</sup>	Administration orders <sup>6</sup>		Orders to obtain information from judgment debtors <sup>8</sup>
		Applications	Orders made <sup>2</sup>	Applications	Orders made	Applications	Orders made		Applications	Orders made <sup>7</sup>	
2008		73,844	60,588	7,564	2,041	164,812	135,702	-	2,065	2,795	30,261
2009		72,316	61,336	7,137	2,176	127,179	111,311	-	1,948	2,019	29,672
2010		54,200	46,684	4,315	1,500	108,847	93,619	507 (r)	797	1,124	22,811
2008	Q1	19,763	15,870	1,602	458	42,464	31,627	-	673	802	6,944
	Q2	20,129	14,602	1,686	467	42,848	34,042	-	503	737	7,885
	Q3	16,845	15,717	2,119	545	41,600	36,758	-	472	606	7,768
	Q4	17,107	14,399	2,157	571	37,900	33,275	-	417	650	7,664
2009	Q1	20,943	15,614	2,128	604	33,465	28,612	-	556	628	8,454
	Q2	22,710	16,085	1,946	551	32,202	29,329	-	581	549	8,083
	Q3	15,095	16,439	1,615	558	31,899	27,503	113	515	480	7,451
	Q4	13,568	13,198	1,448	463	29,613	25,867	138 (r)	296	362	5,684
2010	Q1	11,800	12,759	1,347	448	31,069	25,381	141	310	367	6,258
	Q2	12,524	10,663	1,073	360	26,518	24,117	159 (r)	180	274	6,179
	Q3	15,304	11,467	928	386	26,185	23,018	121	165	261	5,792
	Q4	14,572	11,795	967	306	25,075	21,103	86	142	222	4,582
2011	Q1 (p)	12,452	13,696	1,196	355	28,106	24,006	122	133	185	5,695

**Source:**  
 HMCTS CaseMan system and manual returns

- Notes:**
- 1 Attachment of earnings' orders oblige the debtor's employer to deduct a set sum from the debtor's pay and forward it to the court
  - 2 Includes the making of varied orders and suspended orders enabling the debtor to make payments to the court directly but upon failure to do so will result in the debtor's employer being contacted
  - 3 Third party debt orders secure payment by freezing and then seizing money owed or payable by a third party to a debtor
  - 4 Charging orders obtain security for the payment against an asset owned by the debtor, typically property
  - 5 A court order forcing the debtor to sell an asset(s), typically a property, following a charging order. These data are only available from July 2009
  - 6 Administration orders enable a debtor to combine a judgement debt and at least one other debt (with total indebtedness not exceeding £5,000) into a single order for the making of regular payments into court to be distributed to the creditors in the appropriate proportions listed by the debtor
  - 7 Multiple orders may be made following an application e.g. where an original order is revoked and then re-instated
  - 8 Formerly known as the oral examination procedure which was changed on 26 March 2002, the process being streamlined and standardised to enable information to be obtained faster

**Table 2.1**  
**Family matters**

Summary statistics on matrimonial proceedings, England and Wales, Q1 2008 - Q1 2011 <sup>1,2</sup>

Year	Quarter	Dissolution of marriage			Nullity of marriage			Number of cases	
		Petition filed	Decrees nisi	Decrees absolute	Petition filed	Decrees nisi	Decrees absolute	Judicial separation Petition filed	Decrees granted
2008		128,837	120,868	122,661	331	214	200	421	214
2009		132,148	119,260	115,174	291	197	198	362	198
2010 (r)		133,499	125,345	121,265	298	166	156	300	171
2008	Q1	32,896	31,254	32,047	69	55	51	111	54
	Q2	33,456	29,702	30,964	81	52	46	108	49
	Q3	32,513	31,739	30,650	101	58	51	107	57
	Q4	29,972	28,173	29,000	80	49	52	95	54
2009	Q1	32,636	28,284	28,652	81	47	48	87	55
	Q2	32,560	28,011	27,393	73	45	54	104	41
	Q3	34,476	32,558	29,214	70	54	50	82	47
	Q4	32,476	30,407	29,915	67	51	46	89	55
2010	Q1 (r)	34,589	31,108	30,403	64	41	46	74	39
	Q2 (r)	33,414	29,962	29,854	82	30	33	77	44
	Q3 (r)	34,761	33,361	30,633	87	52	32	65	38
	Q4 (r)	30,735	30,914	30,375	65	43	45	84	50
2011	Q1 (p)	34,614	30,674	30,795	78	49	49	77	53

**Source:**  
HMCTS FamilyMan system

**Notes:**

1 More detailed statistics on divorces in England and Wales are available from the Office for National Statistics (ONS) at: <http://www.statistics.gov.uk/hub/population/families/marriages--cohabitations--civil-partnerships-and-divorces>. Data in ONS publications are based on marriage and adoption data provided by the General Register Office and divorce data provided by Her Majesty's Court Service

2 Statistics on the number of divorces occurring each year in England and Wales are also published by the ONS. The Ministry of Justice's (MoJ) divorce statistics are sourced directly from the FamilyMan system, while the ONS data are compiled from "D105" forms used by the courts to record decrees absolute, which are supplied to ONS for compiling the central index of decrees absolute. There are small differences between the number of divorces as recorded by the two sets of statistics: 1.2 per cent for 2009 data. There are believed to be some differences in the quality assurance and compilation processes currently used to produce the statistics. Statisticians at the MoJ and ONS are working together with HM Courts and Tribunals Service to reconcile these differences as closely as possible. However some of this difference will be accounted for by the fact that the two sets of figures do not count precisely the same cases: for example, the ONS statistics include annulments while the MoJ figures do not; conversely the MoJ data include dissolutions of civil partnerships which are excluded from the ONS counts

**Table 2.2****Family matters**

Disposal of applications for ancillary relief made in the county courts, England and Wales, Q1 2008 - Q1 2011

Year	Quarter	Disposal of applications			Disposal of contested or initially contested			
		Uncontested <sup>1</sup>	Initially contested, subsequently consented	Contested	Total	In respect of child(ren)	Not in respect of child(ren)	Total
2008		67,042	17,976	5,541	<b>90,559</b>	11,596	11,921	<b>23,517</b>
2009		58,311	16,839	4,733	<b>79,883</b>	11,011	10,561	<b>21,572</b>
2010 (r)		59,849	18,174	4,267	<b>82,290</b>	12,300	10,141	<b>22,441</b>
2008	Q1	17,141	4,833	1,446	<b>23,420</b>	3,052	3,227	<b>6,279</b>
	Q2	17,698	4,687	1,544	<b>23,929</b>	2,981	3,250	<b>6,231</b>
	Q3	16,763	4,456	1,376	<b>22,595</b>	2,919	2,913	<b>5,832</b>
	Q4	15,440	4,000	1,175	<b>20,615</b>	2,644	2,531	<b>5,175</b>
2009	Q1	14,443	4,142	1,246	<b>19,831</b>	2,788	2,600	<b>5,388</b>
	Q2	14,079	3,739	1,106	<b>18,924</b>	2,562	2,283	<b>4,845</b>
	Q3	15,028	4,423	1,235	<b>20,686</b>	2,744	2,914	<b>5,658</b>
	Q4	14,761	4,535	1,146	<b>20,442</b>	2,917	2,764	<b>5,681</b>
2010	Q1 (r)	14,327	4,854	1,053	<b>20,234</b>	3,136	2,771	<b>5,907</b>
	Q2 (r)	15,241	4,328	1,045	<b>20,614</b>	2,852	2,521	<b>5,373</b>
	Q3 (r)	15,397	4,524	1,039	<b>20,960</b>	3,120	2,443	<b>5,563</b>
	Q4 (r)	14,884	4,468	1,130	<b>20,482</b>	3,192	2,406	<b>5,598</b>
2011	Q1 (p)	14,635	5,254	1,265	<b>21,154</b>	3,786	2,733	<b>6,519</b>

**Source:**

HMCTS FamilyMan system

**Note:**

1 Uncontested applications do not have a court hearing

**Table 2.3**  
**Family matters**

Domestic Violence: applications and orders made in the county courts, England and Wales, Q1 2008 - Q1 2011 <sup>1</sup>

Year	Quarter	Applications made <sup>2</sup>			Orders made <sup>3</sup>		
		Non-molestation	Occupation	Total	Non-molestation	Occupation	Total
2008		17,141	7,738	<b>24,879</b>	19,367	5,099	<b>24,466</b>
2009		18,903	7,124	<b>26,027</b>	20,662	4,203	<b>24,865</b>
2010 (r)		17,843	6,106	<b>23,949</b>	20,444	3,643	<b>24,087</b>
2008	Q1	3,993	1,878	<b>5,871</b>	4,463	1,261	<b>5,724</b>
	Q2	4,303	1,942	<b>6,245</b>	4,887	1,315	<b>6,202</b>
	Q3	4,592	2,086	<b>6,678</b>	5,223	1,331	<b>6,554</b>
	Q4	4,253	1,832	<b>6,085</b>	4,794	1,192	<b>5,986</b>
2009	Q1	4,636	1,924	<b>6,560</b>	4,941	1,118	<b>6,059</b>
	Q2	4,710	1,837	<b>6,547</b>	5,055	1,120	<b>6,175</b>
	Q3	5,161	1,897	<b>7,058</b>	5,597	1,054	<b>6,651</b>
	Q4	4,396	1,466	<b>5,862</b>	5,069	911	<b>5,980</b>
2010	Q1 (r)	4,564	1,562	<b>6,126</b>	5,125	916	<b>6,041</b>
	Q2 (r)	4,551	1,622	<b>6,173</b>	5,172	932	<b>6,104</b>
	Q3 (r)	4,829	1,623	<b>6,452</b>	5,507	969	<b>6,476</b>
	Q4 (r)	3,899	1,299	<b>5,198</b>	4,640	826	<b>5,466</b>
2011	Q1 (p)	3,994	1,371	<b>5,365</b>	4,567	808	<b>5,375</b>

**Source:**

HMCTS FamilyMan system

**Notes:**

1 Does not include orders made in Family Proceedings Courts

2 Applications for arrest warrants not included

3 The Domestic Violence, Crime and Victims Act 2004 made breach of a non-molestation order a criminal and arrestable offence as of July 2007, making it no longer necessary for courts to attach a power of arrest to non-molestation orders

**Table 2.4****Family matters**

Forced Marriage Protection Orders: Applications and orders made in the High Court and county courts, England and Wales, Q4 2008 - Q1 2011

Year	Quarter	Applications made	Orders made <sup>1</sup>
2009		96	101
2010		116	149
2008	Q4 <sup>2</sup>	5	7
2009	Q1	16	25
	Q2	19	22
	Q3	30	18
	Q4	31	36
2010	Q1	25	23
	Q2	25	39
	Q3	35	42
	Q4	31	45
2011	Q1 (p)	38	57

**Source:**

HMCTS FamilyMan system

**Notes:**

1 The number of orders made generally exceed the number of applications as FMPOs are sometimes made during the course of applications for other family orders, and there is no differentiation between interim orders and final orders

2 Forced Marriage Protection Orders were introduced by the Forced Marriage (Civil Protection) Act on 25 November 2008

**Table 2.5****Family matters**

Matters affecting children: Number of children involved in Public and Private Law applications made in each tier of court, England and Wales, Q1 2008 - Q1 2011 <sup>1</sup>

Year	Quarter	Public Law				Private Law <sup>2</sup>			
		FPC <sup>3,4</sup>	CC	HC	Total	FPC <sup>3,4</sup>	CC	HC	Total
2008		14,200	5,180	380	<b>19,760</b>	18,040	101,440	1,020	<b>120,500</b>
2009		19,760	5,770	290	<b>25,810</b>	27,670	108,670	1,150	<b>137,480</b>
2010 (r)		18,000	5,890	370	<b>24,250</b>	21,680	100,470	670	<b>122,820</b>
2008	Q1	3,920	1,330	100	<b>5,350</b>	4,920	23,670	190	<b>28,790</b>
	Q2	2,710	1,320	90	<b>4,120</b>	4,250	25,900	240	<b>30,390</b>
	Q3	3,320	1,310	80	<b>4,720</b>	4,160	27,370	290	<b>31,820</b>
	Q4	4,260	1,220	100	<b>5,570</b>	4,700	24,500	300	<b>29,500</b>
2009	Q1	4,780	1,390	70	<b>6,230</b>	6,680	25,990	300	<b>32,970</b>
	Q2	5,070	1,530	60	<b>6,660</b>	6,990	27,250	260	<b>34,500</b>
	Q3	4,860	1,360	90	<b>6,300</b>	6,970	28,590	350	<b>35,910</b>
	Q4	5,050	1,490	70	<b>6,610</b>	7,020	26,840	240	<b>34,110</b>
2010	Q1 (r)	4,910	1,490	90	<b>6,490</b>	6,570	26,050	160	<b>32,780</b>
	Q2 (r)	4,530	1,420	110	<b>6,060</b>	6,140	25,000	190	<b>31,330</b>
	Q3 (r)	4,460	1,470	100	<b>6,020</b>	5,020	26,620	150	<b>31,780</b>
	Q4 (r)	4,100	1,510	70	<b>5,680</b>	3,950	22,800	170	<b>26,920</b>
2011	Q1 (p)	4,140	1,420	80	<b>5,640</b>	3,570	24,630	180	<b>28,370</b>

**Source:**

HMCTS FamilyMan system and summary returns

**Notes:**

Abbreviations: FPC=Family Proceedings Court, CC = County Court, HC = High Court

Figures have been rounded to the nearest ten. Totals may not add up due to rounding

1 Figures relate to the number of children subject to each application

2 Private Law applications exclude adoptions

3 There are known data quality problems with the figures for the Family Proceedings Courts. A new data collection method, introduced in April 2007, has made some improvements to the completeness of data

4 Special Guardianship Orders figures in the Family Proceedings Courts are only available for those courts which share premises and administrative systems with county courts. The total has therefore been estimated based on the proportion of the total public law and private law applications made in each tier of court

**Table 2.6**  
**Family matters**

Summary statistics on the timeliness of care proceedings in Family Proceedings Courts, County courts and the High Court in England and Wales, Q2 2010 - Q1 2011 <sup>1</sup>

Year	Quarter	Disposal of care and supervision applications <sup>2</sup>								Total Disposals	Average case duration (weeks)
		Disposals within 30 weeks	% disposed within 30 weeks	Disposals within 50 weeks	% disposed within 50 weeks	Disposals within 52 weeks	% disposed within 52 weeks	Disposals within 80 weeks	% disposed within 80 weeks		
All courts <sup>3</sup>											
2010	Q2	525	17%	1,630	51%	1,712	54%	2,773	88%	3,169	53
	Q3 (r)	644	18%	1,866	53%	1,974	56%	3,072	87%	3,521	51
	Q4 (r)	789	18%	2,006	47%	2,113	49%	3,618	84%	4,288	54
2011	Q1 (p)	632	16%	1,945	48%	2,089	51%	3,303	81%	4,060	56
County courts and the High Court only											
2010	Q2	232	13%	831	45%	886	48%	1,557	84%	1,847	59
	Q3 (r)	274	13%	954	47%	1,015	50%	1,701	84%	2,034	56
	Q4 (r)	366	14%	1,012	40%	1,088	43%	2,012	80%	2,530	59
2011	Q1 (p)	264	12%	888	39%	965	42%	1,750	76%	2,295	61
Family Proceedings Courts only <sup>3</sup>											
2010	Q2	293	22%	799	60%	826	62%	1,216	92%	1,322	45
	Q3 (r)	370	25%	912	61%	959	64%	1,371	92%	1,487	45
	Q4 (r)	423	24%	994	57%	1,025	58%	1,606	91%	1,758	47
2011	Q1 (p)	368	21%	1,057	60%	1,124	64%	1,553	88%	1,765	48

**Source:**

HMCTS FamilyMan system and summary returns

**Notes:**

- 1 Number of Disposals relate to the number of children subject to each order, where a care or supervision application was made
- 2 Types of disposals from the FamilyMan system include Care Orders, Supervision Orders, Residence Orders, Special Guardianship Orders, Orders Refused, Order of No Orders and Orders Withdrawn
- 3 The number of disposals from the summary returns can only distinguish Care Orders, Supervision Orders and Other Orders. Therefore there may be more orders included for some Family Proceedings Courts

**Table 3.1**  
**Magistrates' courts**  
 Completed proceedings, England and Wales, Q1 2008 - Q1 2011

Year	Quarter	Criminal					Total number of completed criminal proceedings	Civil & family applications	Other cases <sup>1</sup>
		Adult summary motoring proceedings	Adult summary non-motoring proceedings	Adult indictable/triable either way	Adult breach proceedings	Youth proceedings			
2008		696,279	613,430	449,894	116,167	155,370	<b>2,031,140</b>	130,000	846,634
2009		644,018	571,280	420,430	121,345	155,559	<b>1,912,632</b>	122,067	852,058
2010 (r)		591,128	546,656	410,529	117,777	131,269	<b>1,797,359</b>	135,377	855,045
2008	Q1	190,111	161,745	116,658	28,893	39,470	<b>536,877</b>	33,868	205,344
	Q2	178,705	153,942	114,280	28,663	39,433	<b>515,023</b>	33,019	212,714
	Q3	172,447	155,098	115,209	29,776	38,782	<b>511,312</b>	34,202	215,504
	Q4	155,016	142,645	103,747	28,835	37,685	<b>467,928</b>	28,911	213,072
2009	Q1	166,007	144,620	108,903	31,358	40,109	<b>490,997</b>	28,927	219,271
	Q2	160,497	141,957	103,434	29,105	39,138	<b>474,131</b>	30,168	211,624
	Q3	161,750	145,193	105,303	30,974	38,758	<b>481,978</b>	31,803	219,392
	Q4	155,764	139,510	102,790	29,908	37,554	<b>465,526</b>	31,169	201,771
2010	Q1 (r)	150,336	123,980	97,860	28,788	34,426	<b>435,390</b>	31,996	214,302
	Q2 (r)	147,287	131,567	103,395	28,177	35,251	<b>445,677</b>	33,496	213,087
	Q3 (r)	150,038	145,373	109,340	31,393	32,675	<b>468,819</b>	34,577	222,611
	Q4 (r)	143,467	145,736	99,934	29,419	28,917	<b>447,473</b>	35,308	205,045
2011	Q1 (p)	146,916	146,912	97,457	30,844	27,297	<b>449,426</b>	36,590	215,938

**Source:**  
 Completed Proceedings, HM Courts and Tribunals Service Performance Database (OPT)

**Note:**  
<sup>1</sup> Other cases include means enquiries, representation orders and special jurisdiction

**Table 3.2**  
**Magistrates' courts**

Effectiveness of recorded trials, England and Wales, Q1 2008 - Q1 2011

Year	Quarter	Total number of trials	Effective trials		Ineffective trials		Cracked trials	
			Number	Percentage of total trials	Number	Percentage of total trials	Number	Percentage of total trials
2008		<b>183,511</b>	79,722	43%	33,423	18%	70,366	38%
2009		<b>179,858</b>	78,169	43%	33,609	19%	68,080	38%
2010 (r)		<b>179,794</b>	77,973	43%	32,376	18%	69,445	39%
2008	Q1	<b>49,697</b>	21,282	43%	8,973	18%	19,442	39%
	Q2	<b>45,887</b>	19,996	44%	8,513	19%	17,378	38%
	Q3	<b>45,374</b>	19,908	44%	8,092	18%	17,374	38%
	Q4	<b>42,553</b>	18,536	44%	7,845	18%	16,172	38%
2009	Q1	<b>46,202</b>	19,722	43%	8,977	19%	17,503	38%
	Q2	<b>44,105</b>	19,328	44%	8,075	18%	16,702	38%
	Q3	<b>45,480</b>	19,737	43%	8,370	18%	17,373	38%
	Q4	<b>44,071</b>	19,382	44%	8,187	19%	16,502	37%
2010	Q1 (r)	<b>47,592</b>	20,757	44%	9,112	19%	17,723	37%
	Q2 (r)	<b>44,051</b>	19,071	43%	7,738	18%	17,242	39%
	Q3 (r)	<b>45,476</b>	19,818	44%	7,711	17%	17,947	39%
	Q4 (r)	<b>42,675</b>	18,327	43%	7,815	18%	16,533	39%
2011	Q1 (p)	<b>44,184</b>	19,323	44%	7,539	17%	17,322	39%

**Source:**

Trials, HM Courts and Tribunals Service Performance Database (OPT)

**Table 3.3****Magistrates' courts**

Enforcement of financial penalties in the magistrates' courts<sup>1,2</sup>, England and Wales, Q1 2008 - Q1 2011

Year	Quarter	Amount Paid (£ millions)
2008		251
2009		251
2010		281
2008	Q1	63
	Q2	64
	Q3	65
	Q4	60
2009	Q1	59
	Q2	60
	Q3	62
	Q4	70
2010	Q1	67
	Q2	70
	Q3	76
	Q4	68
2011	Q1 (p)	68

**Source:**

Debt Analysis Return (DAR), HM Courts and Tribunals Service  
f (O )

**Notes:**

1 Magistrates' courts submit information on the enforcement of financial penalties using the Debt Analysis Return

2 The amount paid represents the amount of financial penalties collected by the courts in the given quarter

**Table 4.1**  
**Crown Court**

Receipts<sup>1</sup>, Disposals<sup>2</sup> and Outstanding<sup>3</sup> cases by case type, England and Wales, Q1 2008 - Q1 2011

Year	Quarter	Total Receipts	Committed for trial			Sent for trial			Committed for sentence			Number of cases Appeals against Mags' decisions		
			Receipts	Disposals	Cases outstanding	Receipts	Disposals	Cases outstanding	Receipts	Disposals	Cases outstanding	Receipts	Disposals	Cases outstanding
2008		<b>145,715</b>	55,302	53,654	20,553	34,738	34,081	15,759	41,656	41,337	5,270	14,019	14,008	2,873
2009		<b>150,711</b>	62,838	59,840	23,655	34,869	34,471	16,243	38,663	38,868	4,592	14,341	13,982	3,223
2010 (r)		<b>152,336</b>	63,541	65,478	21,923	34,147	34,660	15,865	40,828	39,693	5,271	13,820	14,067	3,010
2008	Q1	<b>35,226</b>	12,913	13,008	18,803	8,264	8,394	14,994	10,562	10,179	5,756	3,487	3,486	2,873
	Q2	<b>36,392</b>	13,639	13,458	19,040	8,681	8,459	15,219	10,492	10,659	5,436	3,580	3,613	2,831
	Q3	<b>37,623</b>	14,345	13,566	19,835	9,069	8,587	15,709	10,709	10,571	5,496	3,500	3,546	2,785
	Q4	<b>36,474</b>	14,405	13,622	20,553	8,724	8,641	15,759	9,893	9,928	5,270	3,452	3,363	2,873
2009	Q1	<b>37,138</b>	14,922	14,353	21,244	8,795	8,852	15,795	10,029	10,156	5,047	3,392	3,349	2,916
	Q2	<b>37,311</b>	15,249	14,129	22,316	8,722	8,300	16,191	9,810	9,500	5,206	3,530	3,481	2,962
	Q3	<b>39,073</b>	16,738	15,622	23,454	8,873	8,605	16,465	9,794	9,917	4,978	3,668	3,602	3,025
	Q4	<b>37,189</b>	15,929	15,736	23,655	8,479	8,714	16,243	9,030	9,295	4,592	3,751	3,550	3,223
2010	Q1 (r)	<b>38,399</b>	16,752	16,477	24,125	8,261	8,767	15,887	9,885	9,395	5,004	3,501	3,514	3,252
	Q2 (r)	<b>38,237</b>	16,035	16,275	23,868	8,776	8,189	16,473	10,026	9,482	5,452	3,400	3,516	3,146
	Q3 (r)	<b>38,848</b>	15,952	16,864	23,010	8,800	8,900	16,384	10,614	10,447	5,481	3,482	3,546	3,072
	Q4 (r)	<b>36,852</b>	14,802	15,862	21,923	8,310	8,804	15,865	10,303	10,369	5,271	3,437	3,491	3,010
2011	Q1 (p)	<b>37,730</b>	14,975	16,531	20,349	8,373	9,269	14,957	11,049	11,136	5,058	3,333	3,459	2,889

**Source:**

HM Courts and Tribunals Service CREST system

**Notes:**

1 Receipts include committals direct from the magistrates' court, bench warrants executed (trial and sentence only) and cases transferred in, less cases transferred out

2 Disposals are total cases dealt with

3 Outstanding cases at end of the period

**Table 4.2**  
**Crown Court**

Summary statistics on effectiveness of cases listed for trial, England and Wales, Q1 2008 - Q1 2011

Year	Quarter	Number of listings for trial	Ineffective trials		Cracked trials		Effective trials	
			Number	Percentage	Number	Percentage	Number	Percentage
2008		<b>35,985</b>	4,169	12%	14,772	41%	17,044	47%
2009		<b>39,262</b>	4,926	13%	16,437	42%	17,899	46%
2010 (r)		<b>43,261</b>	5,921	14%	18,389	43%	18,951	44%
2008	Q1	<b>9,189</b>	990	11%	3,872	42%	4,327	47%
	Q2	<b>9,001</b>	1,036	12%	3,559	40%	4,406	49%
	Q3	<b>9,162</b>	1,079	12%	3,751	41%	4,332	47%
	Q4	<b>8,633</b>	1,064	12%	3,590	42%	3,979	46%
2009	Q1	<b>9,881</b>	1,260	13%	4,070	41%	4,551	46%
	Q2	<b>9,071</b>	1,064	12%	3,757	41%	4,250	47%
	Q3	<b>10,528</b>	1,331	13%	4,467	42%	4,730	45%
	Q4	<b>9,782</b>	1,271	13%	4,143	42%	4,368	45%
2010	Q1 (r)	<b>11,050</b>	1,579	14%	4,703	43%	4,768	43%
	Q2 (r)	<b>10,648</b>	1,372	13%	4,522	42%	4,754	45%
	Q3 (r)	<b>11,206</b>	1,449	13%	4,858	43%	4,899	44%
	Q4 (r)	<b>10,357</b>	1,521	15%	4,306	42%	4,530	44%
2011	Q1 (p)	<b>11,509</b>	1,553	13%	4,735	41%	5,221	45%

**Source:**

HM Courts and Tribunals Service CREST system

Percentages may not sum to 100% due to rounding

**Table 4.3**  
**Crown Court**

Defendants dealt with in cases committed or sent for trial<sup>1</sup>, by plea, England and Wales, Q1 2008 - Q1 2011

Year	Quarter	Total number of defendants	Plea entered				No plea entered				Guilty pleas as % of defendants with plea
			Guilty (to all counts)		Not Guilty <sup>2</sup>		Bench warrant		Other		
			Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	
2008		<b>96,027</b>	65,571	68%	27,923	29%	444	0.5%	2,089	2%	70%
2009		<b>104,418</b>	71,442	68%	29,835	29%	514	0.5%	2,627	3%	71%
2010 (r)		<b>112,702</b>	77,243	69%	32,711	29%	407	0.4%	2,341	2%	70%
2008	Q1	<b>23,626</b>	16,165	68%	6,874	29%	77	0.3%	510	2%	70%
	Q2	<b>24,154</b>	16,554	69%	7,016	29%	95	0.4%	489	2%	70%
	Q3	<b>24,083</b>	16,369	68%	7,076	29%	123	0.5%	515	2%	70%
	Q4	<b>24,164</b>	16,483	68%	6,957	29%	149	0.6%	575	2%	70%
2009	Q1	<b>25,657</b>	17,778	69%	7,336	29%	73	0.3%	470	2%	71%
	Q2	<b>24,799</b>	17,253	70%	6,929	28%	115	0.5%	502	2%	71%
	Q3	<b>26,805</b>	18,396	69%	7,681	29%	114	0.4%	614	2%	71%
	Q4	<b>27,157</b>	18,015	66%	7,889	29%	212	0.8%	1,041	4%	70%
2010	Q1 (r)	<b>28,729</b>	19,987	70%	8,144	28%	82	0.3%	516	2%	71%
	Q2 (r)	<b>27,457</b>	18,926	69%	7,895	29%	85	0.3%	551	2%	71%
	Q3 (r)	<b>28,968</b>	19,630	68%	8,607	30%	102	0.4%	629	2%	70%
	Q4 (r)	<b>27,548</b>	18,700	68%	8,065	29%	138	0.5%	645	2%	70%
2011	Q1 (p)	<b>28,711</b>	18,747	65%	8,595	30%	264	0.9%	1,105	4%	69%

**Source:**  
HM Courts and Tribunals Service CREST system

**Notes:**  
1 Includes cases where a bench warrant was issued, no plea recorded, indictment to lie on file, found unfit to plead, and other results  
2 Includes cases where defendants plead not guilty to all counts and also cases where defendants plead not guilty to some counts

Percentages may not sum to 100% due to rounding

**Table 4.4****Crown Court**

Summary statistics on average waiting times, England and Wales, Q1 2008 - Q1 2011

Year	Quarter	All defendants dealt with	Committed for trial <sup>1</sup>			Sent for trial <sup>1</sup>			Committed for sentence <sup>2</sup>			Appeal <sup>3</sup>		
			Number dealt with	Average waiting time (weeks)	% dealt with in 16 weeks	Number dealt with	Average waiting time (weeks)	% dealt with in 26 weeks	Number dealt with	Average waiting time (weeks)	% dealt with in 10 weeks	Number dealt with	Average waiting time (weeks)	% dealt with in 14 weeks
2008		<b>130,319</b>	57,653	13.5	73%	35,948	18.6	78%	24,611	5.7	92%	12,107	8.7	86%
2009		<b>136,224</b>	64,411	13.5	74%	36,866	18.6	78%	23,082	5.7	92%	11,865	8.9	86%
2010 (r)		<b>143,863</b>	71,512	14.2	71%	38,442	19.3	77%	21,972	5.9	93%	11,937	8.6	86%
2008	Q1	<b>31,970</b>	14,080	14.0	71%	8,965	19.0	77%	6,105	6.2	90%	2,820	8.7	86%
	Q2	<b>33,025</b>	14,558	13.6	73%	9,024	18.9	77%	6,308	5.7	91%	3,135	8.5	86%
	Q3	<b>32,882</b>	14,533	13.2	74%	8,936	18.2	79%	6,247	5.5	93%	3,166	8.5	86%
	Q4	<b>32,442</b>	14,482	13.0	74%	9,023	18.2	79%	5,951	5.4	92%	2,986	9.1	84%
2009	Q1	<b>33,968</b>	15,666	12.8	75%	9,448	18.2	79%	6,033	5.7	91%	2,821	9.3	84%
	Q2	<b>32,776</b>	15,253	13.5	74%	8,929	18.7	78%	5,598	6.0	92%	2,996	9.2	87%
	Q3	<b>34,964</b>	16,782	13.9	73%	9,295	18.5	79%	5,869	5.5	93%	3,018	8.4	86%
	Q4	<b>34,516</b>	16,710	13.7	73%	9,194	19.0	77%	5,582	5.5	92%	3,030	8.5	87%
2010	Q1 (r)	<b>36,309</b>	18,258	13.9	72%	9,873	19.5	77%	5,245	5.5	92%	2,933	8.9	85%
	Q2 (r)	<b>35,223</b>	17,736	14.2	71%	9,085	19.4	77%	5,418	5.8	93%	2,984	8.8	85%
	Q3 (r)	<b>36,969</b>	18,372	14.7	69%	9,865	19.0	77%	5,724	6.1	93%	3,008	8.3	87%
	Q4 (r)	<b>35,362</b>	17,146	13.9	72%	9,619	19.4	76%	5,585	6.0	94%	3,012	8.4	88%
2011	Q1 (p)	<b>35,952</b>	17,583	13.9	71%	9,759	19.6	76%	5,795	5.7	92%	2,815	9.0	86%

**Source:**

HM Courts and Tribunals Service CREST system

**Notes:**

1 Trial figures excludes cases where a bench warrant was issued, no plea recorded, indictment to lie on file, found unfit to plead, and other results

2 Committals for sentence exclude committals after breach, 'bring backs' and deferred sentences

3 Appeals exclude cases abandoned before appearance in court

**Table 4.5****Crown Court**

Summary statistics on average hearing times and average waiting times, England and Wales, Q1 2008 - Q1 2011

Year	Quarter	Average hearing time (hours)				Average waiting time (weeks)			
		Not Guilty plea trials <sup>1</sup>	Guilty plea trials <sup>1</sup>	Committal for sentence <sup>2</sup>	Appeal <sup>3</sup>	Not Guilty plea trials <sup>1</sup>	Guilty plea trials <sup>1</sup>	Committal for sentence <sup>2</sup>	Appeal <sup>3</sup>
2008		12.7	1.4	0.5	1.0	24.2	11.7	5.7	8.7
2009		13.0	1.3	0.5	1.0	24.1	11.7	5.7	8.9
2010 (r)		11.6	1.3	0.5	1.1	24.5	12.4	5.9	8.6
2008	Q1	12.6	1.5	0.6	1.0	24.4	12.4	6.2	8.7
	Q2	12.6	1.3	0.5	1.1	24.5	11.9	5.7	8.5
	Q3	11.9	1.3	0.5	1.0	24.0	11.3	5.5	8.5
	Q4	13.9	1.3	0.5	1.1	23.8	11.3	5.4	9.1
2009	Q1	12.9	1.3	0.5	1.1	23.4	11.3	5.7	9.3
	Q2	13.4	1.3	0.5	1.0	24.0	12.0	6.0	9.2
	Q3	12.3	1.2	0.5	1.0	24.5	11.8	5.5	8.4
	Q4	13.2	1.2	0.5	1.0	24.3	11.8	5.5	8.5
2010	Q1 (r)	12.2	1.2	0.5	1.0	24.5	12.3	5.5	8.9
	Q2 (r)	11.1	1.3	0.5	1.0	24.7	12.3	5.8	8.8
	Q3 (r)	11.7	1.2	0.5	1.0	24.7	12.5	6.1	8.3
	Q4 (r)	11.5	1.4	0.5	1.2	24.1	12.3	6.0	8.4
2011	Q1 (p)	13.1	1.4	0.5	1.1	24.1	12.2	5.7	9.0

**Source:**

HM Courts and Tribunals Service CREST system

**Notes:**

1 Trial figures excludes cases where a bench warrant was issued, no plea recorded, indictment to lie on file, found unfit to plead, and other results

2 Committals for sentence exclude committals after breach, 'bring backs' and deferred sentences

3 Appeals exclude cases abandoned before appearance in court

## Annex A: Data sources and data quality

This annex gives brief details of data sources for the figures given in this report, along with a brief discussion on data quality. Further information can be found in *Judicial and Court Statistics 2010* via the MoJ website at

[www.justice.gov.uk/publications/statistics-and-data/courts-and-sentencing/index.htm](http://www.justice.gov.uk/publications/statistics-and-data/courts-and-sentencing/index.htm)

### County courts (non-family)

This information has principally been produced using the Management Information System (MIS), a data warehousing facility drawing data directly from court-based administrative systems. Most data shown in the tables have been sourced from the county court administrative system CaseMan, used by court staff for case management purposes. This contains good quality information about the incidence and dates of major events in a case's progress through the court system. Statistical quality assurance procedures include the identification and removal of duplicate entries for the same event in a case, and checks that data have been collated for all courts to ensure completeness. The following data are considered to be of lower quality:

- The numbers of insolvency petitions, applications for administration orders, administration orders made and orders for sale are sourced from manual counts made by court staff. Since April 2009 these have been recorded in the One Performance Truth (OPT) database, a web-based data monitoring system allowing direct inputting of performance data by court staff. Prior to April 2009 they were inputted into the Business Management System, designed for the purpose of monitoring and assessing court workloads. Quality assurance measures are in place to ensure that data are of sufficient quality, including querying with courts where their counts look unusually high or low and obtaining corrected figures if errors are identified.
- The numbers of small claims hearings, trials and repossessions of property by county court bailiffs are sourced from CaseMan. The accuracy of the trial/small claim hearing counts is dependent on court staff entering the correct hearing types and outcome codes onto the system. The accuracy of the repossession figures is dependent on court staff entering the correct warrant outcome codes onto the system.

In addition, the following revisions have been made:

- Bankruptcy petitions in the first quarter of 2010 from 19,724 to 19,508 as already published in the first quarter of 2011 company windings up and bankruptcy petition statistics bulletin.
- Orders for sale in the fourth quarter of 2009 from 191 to 138 and in the second quarter of 2010 from 274 to 159 following further quality assurance checks.

### Family matters

The data on the family matters has principally been sourced from the county court administrative system FamilyMan, used by court staff for case management purposes and containing good quality information about a case's progress through the family courts. Some data are also sourced from the HMCTS Performance

database. Statistical quality assurance procedures include the identification and removal of duplicate entries for the same case on the administrative systems, and checks that data have been collated for all courts to ensure completeness.

Some points to note about counting rules in the statistics are as follows.

- A disposal which occurs in one quarter or year may relate to an application which was initially made in an earlier period.
- An application of one type may lead to an order of a different type being made.
- The statistics on matrimonial, ancillary relief and domestic violence proceedings are counted by case. The statistics on public law and private law proceedings relate to the number of children which are subject to applications: for example if two children are the subject of a single case then the children would be counted separately in the statistics. Different types of orders may be made in respect of different children involved in a case.

Figures on the number of matrimonial proceedings are given in Table 2.1. Statistics on the number of divorces occurring each year in England and Wales are also published by the Office for National Statistics (ONS). The MoJ's divorce statistics are sourced directly from the FamilyMan system, while the ONS data are compiled from 'D105' forms used by the courts to record decrees absolute, which are supplied to ONS for compiling the central index of decrees absolute. There are small differences between the number of divorces as recorded by the two sets of statistics: 1.2 per cent for 2009 data. There are believed to be some differences in the quality assurance and compilation processes currently used to produce the statistics. Statisticians at the MoJ and ONS are working together with HM Courts and Tribunals Service to reconcile these differences as closely as possible. However, some of this difference will be accounted for by the fact that the two sets of figures do not count precisely the same cases: for example, the ONS statistics include annulments while the MoJ figures do not; conversely the MoJ data include dissolutions of civil partnerships which are excluded from the ONS counts.

The information on Forced Marriage Protection Orders in Table 2.4 was taken from the HMCTS Performance database. This is a regularly updated, web-based performance system which enables aggregation to national level of returns from individual courts.

Public law and private law Children Act figures are given in Table 2.5. Data for the Family Proceedings Courts which share premises and administrative systems with county courts is sourced from FamilyMan. Data for other Family Proceedings Courts was provided on electronic summary returns submitted to HM Courts and Tribunals Service Business Information Division on a monthly basis.

### **Magistrates' courts**

The statistics on completed proceedings in Table 3.1 are sourced from the OPT database, which was rolled out across magistrates' courts during 2008 and is populated based on information contained on the Libra Management Information System. This contains good quality information about magistrates' courts' caseloads. Data provided by the courts must be checked and verified at case level by court staff before being submitted on OPT, and the centrally collated data are subject to further checks including the investigation of apparent anomalies in the data.

The MoJ's publication *Criminal Justice Statistics* also contains data on the criminal cases in the magistrates' courts. The figures are derived from the same core source as those presented in this report (the Libra system), but they are not directly comparable as there are known differences between them. These are due to a number of factors, including differences in the data collation methods and counting methodologies used, which reflect different underlying drivers of the analyses being performed. By way of broad illustration, *Criminal Justice Statistics* counts numbers of defendants and focuses on the final outcomes of criminal court proceedings, whilst *Court Statistics Quarterly* counts numbers of cases and focuses on flows through the court system. Work is currently under way to investigate and review the differences between the two sets of statistics and their compilation processes with a view to aligning them in the future.

The statistics on the effectiveness of recorded trials and the enforcement of financial penalties are also sourced from the OPT database.

Detailed information on magistrates' courts' timeliness is already published on a quarterly basis by the MoJ. This data comes from the *Time Intervals Survey*, reports on which can be found on the MoJ website at:

[www.justice.gov.uk/publications/statistics-and-data/courts-and-sentencing/magistrates-times.htm](http://www.justice.gov.uk/publications/statistics-and-data/courts-and-sentencing/magistrates-times.htm)

### **The Crown Court**

This information has been produced using the MIS, a data warehousing facility drawing data directly from court-based administrative systems. Most data shown in this bulletin have been sourced from the Crown Court administrative system CREST, used by court staff for case management purposes. This contains good quality information about the incidence and dates of major events as each case progresses in the Crown Court. Statistical quality assurance procedures include the identification and removal of duplicate entries, checks of apparent anomalies and checks for completeness.

The MoJ's publication *Criminal Justice Statistics* also contains data on the criminal cases in the Crown Court. The figures are derived from the same core source as those presented in this report (the CREST system), but they are not directly comparable as there are known differences between them. These are due to a number of factors, including differences in the data collation methods and counting methodologies used, which reflect different underlying drivers of the analyses being performed. By way of broad illustration, *Criminal Justice Statistics* counts numbers of defendants and focuses on the final outcomes of criminal court proceedings, whilst *Court Statistics Quarterly* counts numbers of cases and focuses on flows through the court system. Work is currently under way to investigate and review the differences between the two sets of statistics and their compilation processes with a view to aligning them in the future.

## Annex B: Her Majesty's Courts and Tribunals Service performance against targets 2010-11

Crown Court High level target Key Performance Indicator (KPI)	Other targets and measures Supporting Indicator (SI)	Performance 2008-09	Performance 2009-10	Target 2010-11	Performance 2010-11
KPI 1 - Crown Court - To commence at least 78% of cases within the following timescales in the Crown Court:		79.7%	78.4%	78%	77.0%
• cases that are sent for trial within 26 weeks of sending;		78.5%	77.7%	78%	76.5%
• cases that are committed for trial within 16 weeks of committal;		74.2%	72.8%	78%	70.7%
• appeals within 14 weeks of the appeal being lodged;		85.2%	86.2%	78%	86.9%
• cases that are committed for sentence within 10 weeks of committal.		91.9%	92.3%	78%	92.9%
Crown Court - Ineffective trial rate.		12.1%	13.0%	To maintain 09/10 performance	13.5%
Crown Court - Cracked trial rate.		40.8%	42.2%	No target set <sup>1</sup>	42.1%
Crown Court - Effective trial rate.		47.1%	44.8%		44.4%
Crown Court - Witnesses called within 2 hours.		59.4%(Jun08) 59.8%(Nov08)	57.6%(Jun09) 60.4%(Nov09)	60%	61.2% (Jun10) 56.5% (Nov10)
Crown Court - Average witness waiting time.		2h16m(Jun08) 2h06m(Nov08)	2h11m(Jun 09) 2h03(Nov 09)	2 hours and 30 minutes	2:01 (Jun10) 2:07 (Nov10)
Crown Court - Jury utilisation - Juror sitting days as a		62.8%	67.2%	70%	68.3%
Magistrates' courts High level target Key Performance Indicator (KPI)	Other targets and measures Supporting Indicator (SI)	Performance 2008-09	Performance 2009-10	Target 2010-11	Performance 2010-11
KPI 2 - Magistrates' courts - Average time from charge to disposal per adult charged case (excluding summons and cases committed or sent to Crown)		6.8 weeks <sup>2</sup>	6.9 weeks	<6 weeks	6.6 weeks
Magistrates' courts - Proportion of adult charged cases disposed of within 6 weeks (excluding summons and cases committed or sent to Crown)		66.9%	67.0%	No target set <sup>1</sup>	68.0%
Magistrates' courts - Average hearing per adult charged case (excluding summons and cases committed or sent to Crown)		2.33	2.26	2.25	2.17
Magistrates' courts - Ineffective trial rate		18.6%	18.6%	To maintain 09/10 performance	17.5%
Magistrates' courts - Cracked trial rate		38.0%	37.7%		39.1%
Magistrates' courts - Effective trial rate		43.4%	43.7%		43.4%
Magistrates' courts - Vacated trial rate		21.5%	21.9%	No target set <sup>1</sup>	22.7%
Magistrates' courts - Witnesses called within one hour		54.1%(Jun08) 51.9%(Nov08)	53.2%(Jun09) 49.2%(Nov09)	60%	51.8%(Jun10) 50.0%(Nov 10)
Magistrates' courts - Witnesses called within two hours		81.7%(Jun08) 79.9%(Nov08)	81.2%(Jun09) 79.8%(Nov09)	80%	80.9%(Jun10) 79.9%(Nov10)
Magistrates' courts - Average witness waiting time		1h35m(Jun08) 1h23m(Nov08)	1h20m(Jun09) 1h25m(Nov09)	1 hour and 30 minutes	1h22m(Jun10) 1h24m(Nov10)
KPI 3 - Magistrates' courts - Time taken to produce and send court results to police.		75.6%	83.9%	95% in 3 working days	86.5%
		88.8%	95.7%	100% in 6 working days	97.1%
Time taken from receipt of properly completed Rights to Representation applications to despatch of decision.		91.7%	N/A <sup>3</sup>	90% by COP 2nd working day 95% by COP 3rd working day 100% by COP 6th working day	79.6% <sup>4</sup>
		95.1%	N/A <sup>3</sup>		85.9% <sup>4</sup>
		97.7%	N/A <sup>3</sup>		92.7% <sup>4</sup>

Enforcement High level target Key Performance Indicator (KPI)	Other targets and measures Supporting Indicator (SI)	Performance 2008-09	Performance 2009-10	Target 2010-11	Performance 2010-11
KPI 4 - Payment Rate for Financial Penalties <sup>5</sup>		84.7%	85.8%	85%	93.2%
Payment Rate excluding administratively cancelled matters.		71.1%	74.0%	75% (Internal HMCTS target set)	79.8%
KPI 5 - Percentage of all breached Community Penalties to be resolved within 25 days of the relevant failure to comply.		61.8%	67.4%	60%	69.3%
Community Penalty Breach Warrants executed within 20 working days for adults and 10 working days for youths.		67.7%	68.9%	75%	71.0%
Community Penalty Breach Proceedings – average time from unacceptable failure to comply to resolution of the case.		41 days	39 days	35 working days	38 days
Reduce the number of unresolved Community Penalty Breach cases over 35 working days old.		66.6%	63.4%	Local targets	60.4%

Civil courts High level target Key Performance Indicator (KPI)	Other targets and measures Supporting Indicator (SI)	Performance 2008-09	Performance 2009-10	Target 2010-11	Performance 2010-11
KPI 6 - Increase the proportion of defended small claims that are completed otherwise than by a court hearing.		72%	74% (to achieve 65% by 31/03/10)	65%	71.6%
The proportion of defended fast and multi-track cases that are completed otherwise than by a hearing.		87%	87%	87%	84.7%
KPI 7 - Increase the proportion of defended small claims that are completed (from receipt to final hearing) within 30 weeks.		65%	68% (to achieve 70% or above by 31/03/10)	70%	71.6%
The proportion of defended fast track cases that are completed (from allocation to final hearing) within 30 weeks.		79%	78%	78%	74.4%
The proportion of defended multi track cases that are completed (from allocation to final hearing) within 50 weeks.		77%	77%	78%	71.1%

Family courts High level target Key Performance Indicator (KPI)	Other targets and measures Supporting Indicator (SI)	Performance 2008-09	Performance 2009-10	Target 2010-2011	Performance 2010-11
KPI 8 - Percentage of care and supervision cases that achieve a final outcome for the child within 30, 50 and 80 weeks.		New targets and published data introduced in 2010	New targets and published data introduced in 2010	26% within 30 weeks 66% within 50 weeks 92% within 80 weeks	17.3% within 30 weeks 49.6% within 50 weeks 84.9% within 80 weeks
To increase the proportion of Family Proceedings Court cases completed within 30, 50 and 80 weeks.		New targets and published data introduced in 2010	New targets and published data introduced in 2010	35% within 30 weeks 75% within 50 weeks 95% within 80 weeks 20% within 30 weeks	23.0% within 30 weeks 59.4% within 50 weeks 90.7% within 80 weeks 13.0% within 30 weeks
To increase the proportion of Care Centre cases completed within 30, 50 and 80 weeks.				60% within 50 weeks 90% within 80 weeks	42.3% within 50 weeks 80.6% within 80 weeks

Customer Service Targets and measures Supporting Indicator (SI)	Performance 2008-09	Performance 2009-10	Target 2010-11	Performance 2010-11
Complaint Handling and Enquiries Team - proportion of complaints responded to in 15 working days.	90% target introduced in 2009	92.5%	90%	90.7%
Area offices - proportion of complaints responded to in 10 working days <sup>6</sup> .	90% target introduced in 2009	91.7%	90%	88.8%
Courts - proportion of complaints responded to in 10 working days.	90% target introduced in 2009	91.8%	90%	88.6%

Court of Appeal and High Court	2009-10	2010-11
Number of cases heard by Court of Appeal (Criminal)	3,847	4,533
Number of cases heard by Court of Appeal (Civil)	3,801	4,038
Number of civil claims issued in the High Court	47,972	36,692
Number of cases issued in the Administrative Court	15,549 (London) 1,516 (Regional Centres)	9,894 (London) 2,092 (Regional Centres)
<b>Probate Service</b>		
Number of Grants of Probate issued 2009/10	252,617	255,520
<b>Court of Protection</b>		
Number of Protection Orders issued 2009/10	16,327	19,865

**Source:**

HM Courts and Tribunals Service

**Notes:**

- No target was set against a limited number of measures. The HMCTS Board were advised of performance against these measures in the same way as for targeted KPIs and SIs in order to provide a full understanding of business performance
- Revised from 6.9 weeks as published in *Court Statistics Quarterly January to March 2010, Annex B*
- Figures were not available in 2009-10
- Figures from November 2010 to March 2011 only. Figures from April to October 2010 excluded from the report due to data quality issues
- The payment rate is calculated by dividing the amount of fines collected in a year by the amount of fines imposed. The monies collected may relate to fines and other financial penalties imposed in that or earlier years
- From 1 April 2010, HMCTS reduced its complaint handling tiers (phased over next twelve months) from three tiers to two by removing the Area Directors Offices tier

## Glossary

This glossary provides a brief description of the main terms used in the **Commentary** section of this report. For further information, please contact the Justice Statistics Analytical Services division using the details provided in the **Contacts** section at the end of this bulletin.

### County courts (non-family)

Administration order: Combines a debtor's debts under certain conditions (see note 6 to Table 1.6), enabling the debtor to make regular payments to the court which are then distributed to the various creditors.

Attachment of earnings order: Obliges the debtor's employer to deduct a set sum from the debtor's pay and forward it to the court.

Charging order: Enables the creditor to obtain security for the payment against an asset(s), typically property, owned by the debtor.

Claims for recovery of land: These include claims for the repossession of property by a mortgage lender, social or private landlord e.g. where the mortgagee or tenant fails to keep up with mortgage or rental payments.

Orders for sale: A court order forcing the debtor to sell an asset(s), typically a property, following a charging order.

Other claims: These include, amongst others, claims for the return of goods, injunctions (to make somebody do something or to stop them doing it), and insolvency petitions (where a company or individual has debts that they are unable to pay).

Small claim/'fast track'/'multi track' cases: If a claim is defended, the next step is for further information to be provided by the parties following which a judge in the county court assigns the case to one of three case management tracks. The 'small claims track' is for less complex cases, which generally have claim values of up to £5,000. The 'fast track' is for more complicated cases, generally with a claim value of over £5,000 and up to £15,000 for proceedings issued before 6 April 2009, otherwise £25,000. The 'multi track' is for the most complex cases which are not allocated to the small claim or 'fast track'. Many defended cases are settled by the parties involved, or withdrawn, either before or after allocation to one of these tracks. Around half of cases allocated to the small claims track are resolved at small claims hearings while a lower proportion of cases allocated to the 'fast or multi track' are disposed of by trials.

Specified 'money' claims: Claims made by an individual, company or organisation for a specified amount of money.

Third party debt order: Enables the creditor to secure payment by freezing and then seizing money owed or payable by a third party to the debtor.

Unspecified 'money' claims: Claims made by an individual, company or organisation for an unspecified amount of money.

Warrant of committal: Enforces a judgment for which the penalty for failure to comply is imprisonment. It authorises the bailiff to arrest the person and deliver them to prison or court.

Warrant of delivery: Enforces a judgment for the return of particular goods or items.

Warrant of execution: To enforce a judgment made in a county court, where unless the amount due under the warrant is paid, saleable items owned by the debtor can be recovered by the court and sold.

Warrant of possession: To enforce a court order for the repossession of property.

## **Family matters**

Ancillary Relief: This refers to a number of different types of order used to settle financial disputes during divorce proceedings. Examples include: periodical payments, pension sharing, property adjustment and lump sums, and they can be made in favour of either the former spouse or the couple's children.

Application: The act of asking the court to make an order.

Decree Absolute: This is the final order made in divorce proceedings that can be applied for six weeks and one day after a decree nisi has been given. Once this is received, the couple are no longer legally married and are free to remarry.

Decree Nisi: This is the first order made in divorce proceedings and is given when the court is satisfied that there are reasonable grounds for granting the divorce. It is used to apply for a decree absolute.

Disposal: Completion of a case, where an outcome is determined by an order being made or refused or where the application is withdrawn.

Dissolution: The legal termination of a marriage by a decree of divorce, nullity or presumption of death or of a civil partnership by the granting of a dissolution order.

Divorce: This is the legal ending of a marriage.

Judicial Separation: This is a type of order that does not dissolve a marriage but absolves the parties from the obligation to live together. This procedure might, for instance, be used if religious beliefs forbid or discourage divorce.

Non-molestation Order: This is a type of civil injunction used in domestic violence cases. It prevents the applicant and/or any relevant children from being molested by someone who has previously been violent towards them. Since July 2007, failing to obey the restrictions of these orders has been a criminal offence for which someone could be arrested.

Nullity: This is where a marriage is ended by being declared not valid. This can either be because the marriage was void (not allowed by law) or because the marriage was voidable (the marriage was legal but there are circumstances that mean it can be treated as if it never took place).

Occupation Order: This is a type of civil injunction used in domestic violence cases. It restricts the right of a violent partner to enter or live in a shared home.

Order: The document bearing the seal of the court recording its decision in a case.

Petition: (for divorce): An application for a decree nisi or a judicial separation order.

Private Law: Refers to Children Act 1989 cases where two or more parties are trying to resolve a private dispute. This is commonly where parents have split up and there is a disagreement about contact with, or residence of, their children.

Public Law: Refers to Children Act 1989 cases where there are child welfare issues and a local authority, or an authorised person, is stepping in to protect the child and ensure they get the care they need.

### **Magistrates' courts**

Adult breach proceedings: Proceedings against an adult defendant (aged 18 or over) who has breached an order which was previously imposed against him/her.

Adult indictable cases: The most serious offences, such as murder and rape, which must be heard at the Crown Court. The involvement of the magistrates' court is generally brief: a decision is made on whether to grant bail, and other legal issues, such as reporting restrictions, are considered. The case is then passed to the Crown Court.

Adult summary proceedings: The less serious offences, where the defendant is an adult (aged 18 or over). The defendant is not usually entitled to trial by jury, so these cases are disposed of in the magistrates' courts. Summary offences are subdivided into Summary Motoring and Summary Non-Motoring cases:

- Adult summary motoring proceedings: Offences such as driving whilst disqualified, speeding and failure to stop.
- Adult summary non-motoring proceedings: Offences such as TV license evasion, minor assaults and criminal damage where less than £5000 worth of damage is caused.

Adult triable-either-way cases: These are more serious than summary offences, and can be dealt with either by magistrates or before a judge and jury at the Crown Court. Such offences include dangerous driving and theft and handling stolen goods. A defendant can invoke his/her right to trial in the Crown Court, or the magistrates can decide that a case is sufficiently serious that it should be dealt with in the Crown Court where tougher sentences can be imposed if the defendant is found guilty.

'Cracked' trial: A trial where, on the day, an acceptable plea is offered by the defendant or the prosecution offers no evidence against the defendant.

'Effective' trial: A trial which begins on the scheduled date and reaches a conclusion.

'Ineffective' trial: A trial that does not go ahead on the scheduled trial date due to action or inaction by one or more of the prosecution, the defence or the court and a further listing for trial is required.

Youth proceedings: These are proceedings of any type where the defendant is a youth, aged between 10 and 17.

## The Crown Court

The Crown Court is a unitary court which sits in approximately 77 different locations across England and Wales. It deals with serious criminal cases, which can be classified into the following four categories:

- (a) Sent for trial cases: Cases sent for trial by the magistrates' court because they can only be heard by the Crown Court.
- (b) Committed for trial cases: Cases which can be heard in either a magistrates' court or the Crown Court. A defendant can elect to be tried in the Crown Court or a magistrate can decide that a case is sufficiently serious that it should be dealt with in the Crown Court.
- (c) Committed for sentence cases: Cases transferred to the Crown Court for sentencing where defendants are found guilty in the magistrates' court. This happens if a magistrate is of the opinion that a greater punishment should be imposed than they are allowed to impose.
- (d) Appeals against the decisions of magistrates' courts.

Disposal: The completion of a case referred to the Crown Court.

Guilty plea: A guilty plea is recorded if a defendant either: (i) pleads guilty to all counts; (ii) pleads guilty to some counts and not guilty to others and no jury is sworn in respect of the not guilty counts; or (iii) pleads not guilty to some or all counts but offers a guilty plea to alternatives which are accepted (providing no jury is sworn in respect of other counts). A case is treated as a guilty plea only if pleas of guilty are recorded in respect of all defendants.

Hearing time: The total duration of all hearings heard in the Crown Court for each case including preliminary, main and sentence hearings.

Receipt: A case referred to the Crown Court.

Waiting time: The length of time between the date of sending or committal, and the start of the substantive Crown Court hearing.

*Definitions of 'effective', 'cracked' and 'ineffective' trials are under magistrates' courts in the glossary.*

## Explanatory notes

1. The United Kingdom Statistics Authority has designated these statistics as National Statistics, in accordance with the Statistics and Registration Service Act 2007 and signifying compliance with the Code of Practice for Official Statistics.

Designation can be broadly interpreted to mean that the statistics:

- meet identified user needs;
- are well explained and readily accessible;
- are produced according to sound methods, and
- are managed impartially and objectively in the public interest.

Once statistics have been designated as National Statistics it is a statutory requirement that the Code of Practice shall continue to be observed.

2. The statistics in this bulletin relate to cases in the county, family, Crown and magistrates' courts in England and Wales during the first quarter (January to March) of 2011. This is the ninth set of quarterly court statistics to be published by the MoJ. The first bulletin in this series was entitled *Provisional Court Statistics*. Calendar year statistics are published by the MoJ in the statistics report *Judicial and Court Statistics*.
3. Breakdowns of many of the summary figures presented in this bulletin, such as split by case type or by HM Courts and Tribunals Service area, are available on request. Please contact the Justice Statistics Analytical Services division using the details in the **Contacts** section.
4. **Revisions:** The statistics for the first quarter of 2011 are provisional, and are therefore liable to revision to take account of any late amendments to the administrative databases from which these statistics are sourced. The standard process for revising the published statistics to account for these late amendments is as follows. An initial revision to the statistics for the latest quarter may be made when the next edition of this bulletin is published. Final figures for this quarter, and for other quarters in the same calendar year, will be published in the bulletin presenting the statistics for the first of the following year.

### Symbols and conventions

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

- = Not applicable
- 0 = Nil
- (r) = Revised data
- (p) = Provisional data

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