



Ministry of  
**JUSTICE**

# **Provisional Court Statistics Q1 2008 to Q1 2009**

Ministry of Justice  
Statistics bulletin

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Also available on the Ministry of Justice website at  
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## Introduction

This bulletin presents statistics on activity in the county, family, Crown and magistrates' courts in England and Wales from the first quarter of 2008 to the first quarter of 2009. Annual statistics for 2007 and earlier years were published by the Ministry of Justice in September 2008 in the report 'Judicial and Court Statistics 2007'.

It is proposed that, subject to users' views, this bulletin will be published on a regular, quarterly basis in future. Future editions of the annual Judicial and Court Statistics will take the same form as previously, providing a more detailed annual overview of court activity, along with further statistics on the High Court, the Appellate Courts and the judiciary which are not included in this quarterly bulletin. Please direct any feedback on this bulletin to the contact point in the Explanatory Notes section.

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 an overview of HM Courts Service's performance in the financial year 2008/09 against its key indicators and targets.

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# Commentary

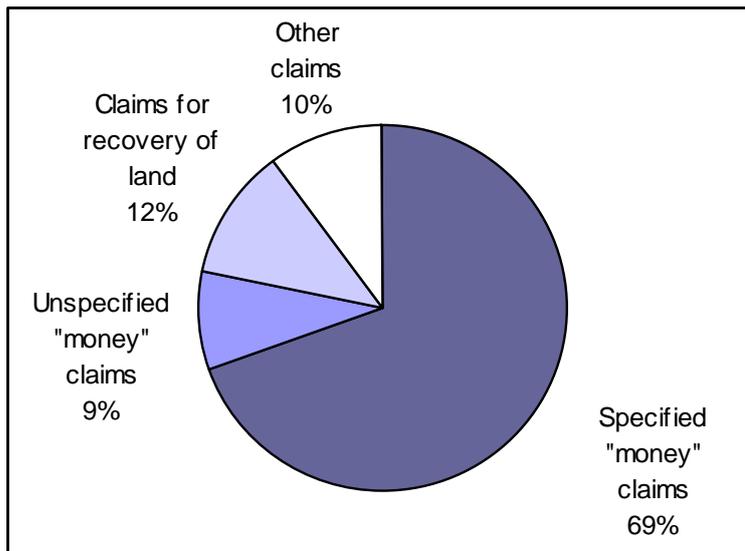
## County courts (non-family) [Tables 1.1 – 1.5]

### Claims issued

Historically, the normal method of taking someone to court is for the person doing so (the claimant) 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 or repossession of property can be completed via the internet (via [www.moneyclaim.gov.uk](http://www.moneyclaim.gov.uk) and [www.possessionclaim.gov.uk](http://www.possessionclaim.gov.uk)) while claimants issuing a large number of claims each year (e.g. banks and utilities) can do so through the Claim Production Centre.

In the first quarter of 2009, 505,300 claims were issued, a 3 per cent decrease compared with the first quarter of 2008. There was considerable variation by type of case, with the number of insolvency petitions increasing by 22 per cent while the number of mortgage and landlord possession claims decreased by 23 per cent. Most of the decrease in the latter followed the introduction of the Mortgage Pre-Action Protocol on 19 November 2008. This gives clear guidance on what the courts expect lenders and borrowers to have done prior to a claim being issued (for more details see [www.justice.gov.uk/civil/procrules\\_fin/contents/protocols/prot\\_mha.htm](http://www.justice.gov.uk/civil/procrules_fin/contents/protocols/prot_mha.htm)).

**Figure 1: Claims issued in the counts courts, by type of case, Q1 2009**



## **Case progression, hearings and judgments**

On receipt of the claim, the claim form and a response pack is sent to (served on) the defendant who has a specific time limit to reply. The options given to the defendant are to pay up, dispute the claim, or admit the claim and ask for more time to pay up. In the first quarter of 2009, 77,150 defences were made, a 9 per cent increase compared with the first quarter of 2008. If the claim is defended, the usual procedure is for it to be allocated by a judge to one of three case management tracks according to the complexity of the case and the degree of judicial involvement. In total, there were 43,000 allocations to track in the first quarter of 2009, a 12 per cent increase compared with the same quarter in 2008. Most of this rise occurred in allocations to the small claim track (generally for cases with a claim value of up to £5,000) and fast track (generally for cases with a value over £5,000 and up to £15,000).

Although most cases settle or are withdrawn, there were 5,200 trials and 11,500 small claim hearings in the first quarter of 2009, decreases of 2 per cent and 9 per cent respectively compared with the corresponding quarter in 2008. On average, trials occurred 49 weeks following issue, the same as in the first quarter of 2008, while small claim hearings occurred 31 weeks following issue, up from 30 weeks in the same quarter of 2008.

## **Enforcement**

There are various methods of enforcing judgments in the county courts. The most common method is the warrant of execution against a debtor's goods, where unless the amount due under the warrant is paid, saleable items owned by a defendant can be recovered by the court and sold. Other warrant types are for the repossession of property, the return of particular goods or items, and to enforce an order for which the penalty for failure to comply is imprisonment, the warrant of committal which authorises the bailiff to arrest and deliver the person to prison or the Court. In the first quarter of 2009:

- 74,400 warrants of execution were issued, a 7 per cent increase on the first quarter of 2008.
- 38,100 warrants of possession were issued, a decrease of 7 per cent on the same quarter in 2008.
- 700 warrants of delivery were issued, an increase of 19 per cent on the same quarter of 2008.
- 300 warrants of committal were issued, a 23 per cent decrease on the same quarter of 2008.

A judgment amount can also be enforced through the claimant applying for:

- An attachment of earnings order obliging the debtor's employer to deduct a set sum from the debtor's pay and forward it to the court. There were 20,900 applications made for attachment of earnings orders in the first quarter of 2009, an increase of 6 per cent on the same quarter of 2008.

- A charging order enabling the creditor to obtain security for the payment against a property owned by the debtor. There were 33,500 applications made for charging orders in the first quarter of 2009, a decrease of 21 per cent on the same quarter of 2008.
- A third party debt order enabling the creditor to secure payment by freezing and then seizing money owed or payable by a third party to a debtor. There were 2,100 applications made for third party debt orders in the first quarter of 2009, an increase of 33 per cent on the same quarter of 2008.

In certain circumstances a debtor may apply to a county court to combine debts into an administration order. The debtor must have a judgment debt and at least one other that he is unable to pay with the total indebtedness not exceeding £5,000. 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 in the appropriate proportions to the creditors listed by the debtor. There were 550 applications for administration orders in the first quarter of 2009, a decrease of 17 per cent on the same quarter of 2008.

To assist in determining the most appropriate method of enforcing a judgment, the claimant can apply for an order to obtain information from the judgment debtors. This involves debtors being ordered to attend court to provide details of their means. There were 8,500 orders made to obtain information from debtors, an increase of 22 per cent compared with the first quarter of 2008.

## **Family matters [Tables 2.1 – 2.3]**

Family matters are dealt with in the Family Division of the High Court, in county courts and, with the exception of divorce proceedings, in family proceedings courts (those magistrates' courts that hear family cases). Most matters affecting children are dealt with under the Children Act 1989 in all three levels of courts.

### **Matrimonial matters**

There are two ways to dissolve a marriage – a decree absolute of divorce, which ends a valid marriage; or a decree of nullity, which declares that the marriage itself is void. No petition may be made for divorce within the first year of marriage. There were 32,900 petitions filed for divorce in the first quarter of 2009, a similar number to that in the first quarter of 2008. The number of decrees absolute granted fell to 28,800 in the first quarter of 2009 from the 32,200 in the first quarter of 2008.

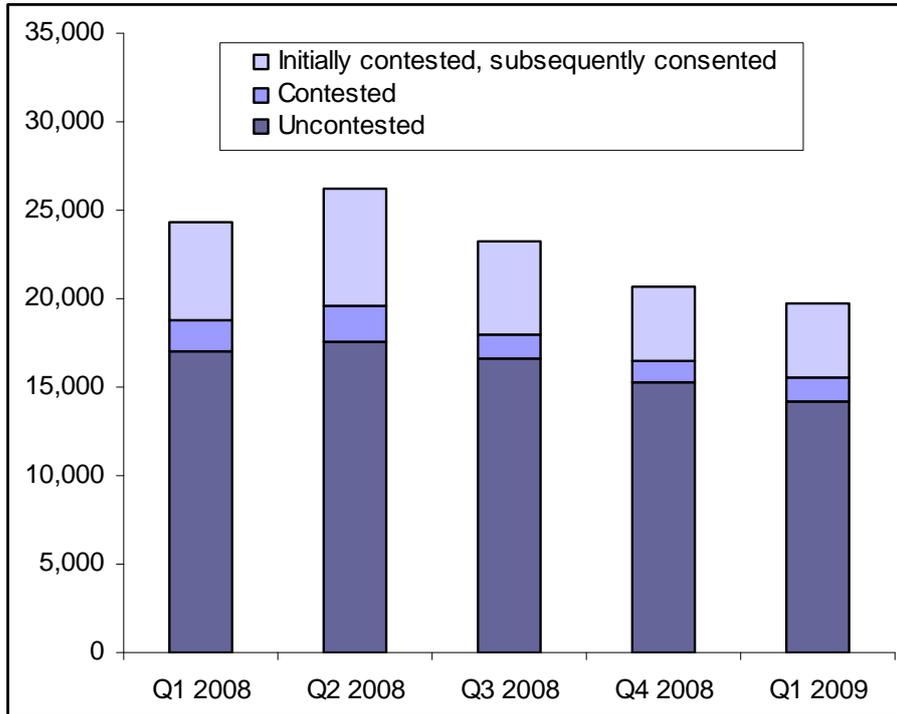
An alternative to divorce is a decree of judicial separation. This does not dissolve the marriage but absolves the parties from the obligation to live together. During the period the number of petitions filed for judicial separation dropped to 86 in the first quarter of 2009 from 113 in the first quarter of the previous year.

### **Ancillary relief**

During or after a divorce, the annulment of a marriage or 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 and may deal with the sale or transfer of property, maintenance payments, a lump sum payment and/or a pension sharing or attachment order.

In the first quarter of 2009, the total number of applications disposed of was 19,700, down from the 24,400 in the corresponding quarter of 2008. In addition, the proportion of cases that were uncontested in the first quarter of 2009 was slightly higher (72 per cent) than in the first quarter of 2008 (70 per cent).

**Figure 2: Disposal of applications for ancillary relief made in the county courts, Q1 2008 to Q1 2009**



### **Domestic violence**

Part IV of the Family Law Act 1996 provides single and unified domestic violence remedies in the magistrates' courts and the county courts. Two types of order can be granted: a non-molestation order (which can either prohibit particular behaviour or general molestation); or an occupation order (which can define or regulate rights of occupation of the home).

The number of applications to the county courts for domestic violence remedies increased from 5,900 in the first quarter of 2008 to 6,600 in the first quarter of 2009. The proportion of applications made for non-molestation orders also increased from 68 per cent to 71 per cent in that period.

## **Crown Court [Tables 3.1 – 3.4]**

### **Caseload**

There were 23,600 trial cases received in the Crown Court in the first quarter of 2009. During the same period there were 23,400 trial cases completed. This left an outstanding case balance of 36,100 trials cases at the end of March 2009. Compared with the first quarter of last year, trial caseload has increased by more than 11 per cent.

There were 9,900 cases committed for sentence from the magistrates' court received in the Crown Court in the first quarter of 2009. During the same period there were 10,100 cases completed. Compared with the first quarter of last year, sentence caseload has decreased by 6 per cent.

There were 3,356 appeals against magistrates' court decisions received in the Crown Court in the first quarter of 2009. During the same period there were 3,363 cases completed. Compared with the first quarter of 2008, appeal caseload has decreased by almost 4 per cent.

### **Trials**

A trial in the Crown Court is a hearing at which the prosecution produces evidence to prove the case against the defendant. The defendant has had a previous opportunity in an earlier preliminary hearing to plead on the charges they are facing. If they decide to plead not guilty then the case will be adjourned for full trial at a later date.

The Crown Court records the number and outcome of the main trial. Trial outcomes are listed as 'Effective' (commences on scheduled date and reaches a conclusion), 'Ineffective' (does not commence on due date and requires re-listing) or 'Cracked' (on the day, an acceptable plea is offered or prosecution offers no evidence).

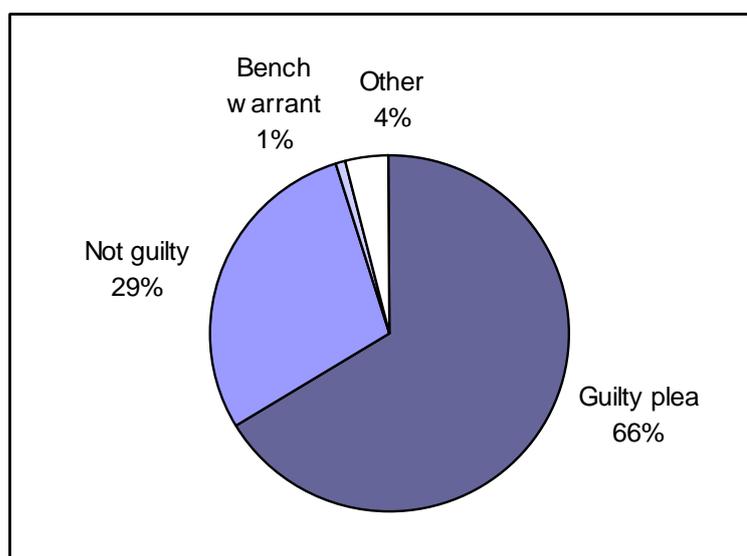
In the first quarter of 2009, 9,900 trials were recorded, an 8 per cent increase compared with the first quarter of 2008. Of these trials, 46 per cent were recorded as effective, 13 per cent were recorded as ineffective and 41 per cent were recorded as cracked.

### **Defendants**

A guilty plea is recorded if a defendant either (a) pleads guilty to all counts, (b) pleads guilty to some counts and 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 2009, 25,700 defendants were dealt with, a 9 per cent increase compared with the first quarter of 2008. Of these defendants, 66 per cent were recorded as pleading guilty to all charges, 29 per cent were recorded as pleading not guilty to at least one charge, and 5 per cent were recorded as having no plea entered. The guilty plea rate, as a proportion of those defendants with a plea, has remained constant at 70 per cent.

**Figure 3: Defendants dealt with in the Crown Court, by plea, Q1 2009**



### **Timeliness**

Following the introduction of policies in 2008 to improve the efficiency and effectiveness of Crown Courts, performance measures were established in all cases to reduce the average number of preliminary hearings.

The average hearing time measures the duration of all hearings heard in court including preliminary, main and sentence hearings. In the first quarter of 2009 (compared to the equivalent quarter in 2008), the average hearing time was 12.9 hours for a not guilty trial case (2 per cent increase), 1.3 hours for a guilty plea case (8 per cent decrease), 30 minutes for a committal for sentence (1 per cent decrease), and 1.1 hours for an appeal (3 per cent increase).

In the first quarter of 2009, the average waiting time from the date of sending or committal in the magistrates' court to the start of the substantive Crown Court hearing was 23.2 weeks for a not guilty trial case (5 per cent decrease on the equivalent quarter in 2008), 11.2 weeks for a guilty plea case (10 per cent decrease), 5.7 weeks for a committal for sentence (8 per cent decrease) and 9.6 weeks for an appeal (11 per cent increase).

## Magistrates' courts [Tables 4.1 – 4.3]

### Caseload

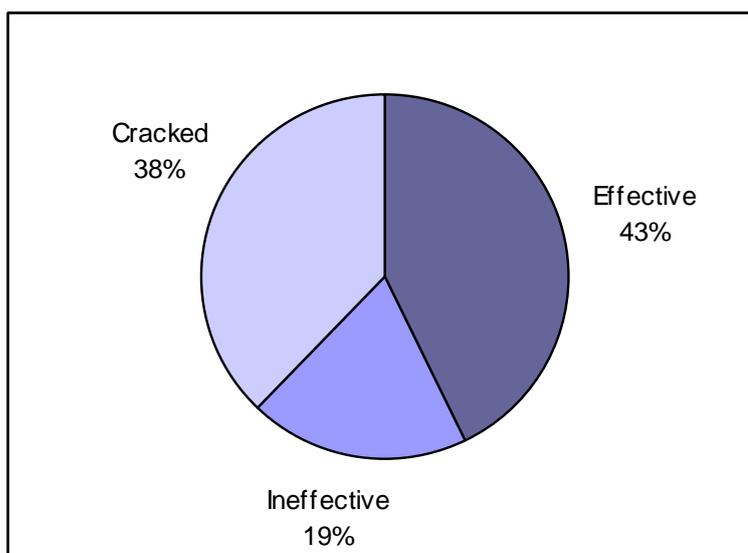
There were 491,000 criminal proceedings completed in Magistrates' Courts in the first quarter of 2009. One-third of this volume was due to adult summary motoring proceedings. Adult summary non-motoring proceedings comprised 29 per cent and adult indictable/triable-either-way proceedings made up 22 per cent. Youth proceedings and adult breach proceedings each comprised less than 10 per cent. Compared with the first quarter of last year, criminal caseload has decreased by 9 per cent.

The volume figures presented here represent the total number of completed offences rather than the number of cases. Every completed offence that is session validated during each quarter is counted, unless it completes on the same day as another offence from the same case. Where a case has more than one offence completing on a particular day, then only one is counted (generally the most serious offence is selected).

### Trials

A trial in the Magistrates' Court is a hearing at which the prosecution produces evidence to prove the case against the defendant. If a defendant pleads not guilty, or does not give a plea for a summary offence, then there is a trial. Similarly, for either-way offences, a trial may occur in the Magistrates' Courts following a decision from either the defendant or the bench.

**Figure 4: Effectiveness of recorded trials in Magistrates' courts, Q1 2009**



Magistrates' Courts record the number and outcome of trials. Trial outcomes are listed as 'Effective' (commences on scheduled date and reaches a conclusion), 'Ineffective' (does not commence on due date and requires re-listing) or 'Cracked' (on the day, an acceptable plea is offered or prosecution offers no evidence).

In the first quarter of 2009, 46,200 trials were recorded, a 7 per cent decrease compared with the first quarter of 2008. Of these trials, 43 per cent were recorded as effective, 19 per cent were recorded as ineffective and 38 per cent were recorded as cracked.

### **Enforcement**

Fines are the most commonly used sentence in Magistrates' Courts, and the enforcement of financial penalties is a Key Performance Indicator for HM Courts Service.

The total value of fines paid fell in the fourth quarter of 2008 and the first quarter of 2009. In the first quarter of 2009, the amount paid in England and Wales was £59 million, a 7 per cent fall compared with the first quarter of last year.

The amount paid in the first quarter of 2009 represents 68% of the value of the fines imposed during the same period, compared with 80% of the value imposed in the first quarter of 2008.

### **Timeliness**

Detailed information on Magistrates' Courts' timeliness is already 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/timeintervals.htm](http://www.justice.gov.uk/publications/timeintervals.htm).

The Time Intervals Survey data show that in the first quarter of 2009, the estimated average time from charge to completion for adult charged cases, excluding cases sent or committed to the Crown Court for trial, was 6.9 weeks, an 11 per cent decrease from the same quarter last year. The estimated average number of hearing per defendant was 2.31 in the first quarter of 2009, an 8 per cent decrease from the same quarter last year.

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

Summary statistics on claims issued in England and Wales, Q1 2008 - Q1 2009

Year	Quarter	Number of claims / petitions							
		Specified "money" claims <sup>1</sup>	Unspecified "money" claims <sup>2</sup>	<b>Total "money" claims</b>	Claims for recovery of land <sup>3</sup>	Other non- "money" claims <sup>4</sup>	<b>Total non- "money" claims</b>	Total insolvency petitions <sup>5</sup>	<b>Total proceedings started</b>
2008		1,426,389	160,248	<b>1,586,637</b>	290,957	116,257	<b>407,214</b>	70,272	<b>2,064,123</b>
2008	Q1	355,464	36,874	<b>392,338</b>	80,007	29,952	<b>109,959</b>	16,772	<b>519,069</b>
	Q2	324,223	40,918	<b>365,141</b>	75,417	27,769	<b>103,186</b>	17,412	<b>485,739</b>
	Q3	393,574	41,427	<b>435,001</b>	75,524	29,383	<b>104,907</b>	17,304	<b>557,212</b>
	Q4	353,128	41,029	<b>394,157</b>	60,009	29,153	<b>89,162</b>	18,784	<b>502,103</b>
2009	Q1	350,605	43,191	<b>393,796</b>	61,275	29,758	<b>91,033</b>	20,424	<b>505,253</b>

**Source:**

HM Courts Service CaseMan system, Claim Production Centre, Money Claim Online, Possession Claim Online and manual returns.

**Notes:**

1 - Claims issued for a specified amount of money, including those made through the Claim Production Centre, County Court Bulk Centre and Money Claim Online.

2 - Claims issued for an unspecified amount of money.

3 - Includes claims made via Possession Claim Online. Please note that these figures have already been published in the Mortgage and Landlord Statistics Bulletin.

4 - Includes claims for return of goods, 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 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.

5 - Includes petitions issued in the District Registries of the High Court but not at the Royal Courts of Justice (note - the headline quarterly National Statistics figures on insolvency proceedings issued include both).

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

Summary statistics on claims defended and allocations to track<sup>1</sup> in England and Wales, Q1 2008 - Q1 2009

Year	Quarter	Number of defences <sup>2</sup>	Number of allocations to track <sup>3</sup>			
			Small claim	Fast track	Multi track	Total
2008		<b>298,796</b>	83,928	53,255	26,722	<b>163,905</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>77,150</b>	21,842	14,260	6,921	<b>43,023</b>

**Source:**

HM Courts Service CaseMan system, Claim Production Centre, Money Claim Online 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) 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.

**Table 1.3**  
**County courts (non-family work)**  
 Summary statistics on trials/hearings in England and Wales, Q1 2008 - Q1 2009

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>1,2,3</sup>	Average time (weeks)		
				Between issue & allocation to track <sup>4</sup>	Between allocation to track & trial <sup>4</sup>	Between issue & trial <sup>4,5</sup>	
2008		46,519	29	19,916	21	32	48
2008	Q1	12,592	30	5,280	21	32	49
	Q2	11,544	29	5,263	21	31	48
	Q3	11,120	29	4,783	21	31	48
	Q4	11,263	29	4,590	20	32	49
2009	Q1	11,482	31	5,152	20	33	49

**Source:**

HM Courts Service CaseMan system.

**Notes:**

1 - The number of hearings are much lower than the number of allocations to track because most cases are settled/withdrawn between allocation to track and a hearing.

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

3 - Includes both fast track and multi track trials.

4 - Figures only for cases that reach trials / small claim hearings in the relevant year.

5 - 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 work)**Number of warrants issued<sup>1</sup> in England and Wales, by type, Q1 2008 - Q1 2009

Year	Quarter	Number of warrants			
		Execution <sup>2</sup>	Delivery <sup>3</sup>	Possession <sup>4</sup>	Committal <sup>5</sup>
2008		294,832	2,500	159,337	1,353
2008	Q1	69,307	575	40,798	375
	Q2	74,904	641	41,332	356
	Q3	73,191	653	40,969	336
	Q4	77,430	631	36,238	286
2009	Q1	74,382	685	38,098	289

**Source:**

HM Courts Service CaseMan system, Claim Production Centre, Money Claim Online and Possession Claim Online.

**Notes:**

1 - Includes warrants issued in the County Court Bulk Centre, and via Money Claim Online and Possession Claim Online.

2 - Allows saleable items owned by the debtor to be sold unless the amount due under the warrant is paid.

3 - For the return of goods or items.

4 - For the repossession of property.

5 - 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 work)**

Enforcement-related orders applied for and made in England and Wales, Q1 2008 - Q1 2009

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>		Administration orders <sup>5</sup>		Orders to obtain information from judgment debtors <sup>5</sup>
		Applications	Orders made <sup>2</sup>	Applications	Orders made	Applications	Orders made	Applications	Orders made <sup>6</sup>	
2008		73,844	60,588	7,564	2,041	164,812	135,702	2,065	2,795	30,261
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	15,604	2,129	603	33,463	28,594	556	628	8,452

**Source:**

HM Courts Service 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 into 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 a property owned by the debtor.
- 5 - 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.
- 6 - Multiple orders may be made following an application e.g. where an original order is revoked and then re-instated.
- 7 - Formerly known as the 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 courts**

Summary statistics on matrimonial proceedings, England and Wales, Q1 2008 - Q1 2009

		Number of cases								
Year	Quarter	Dissolution of marriage			Nullity of marriage			Judicial separation		
		Petition filed	Decrees nisi	Decrees absolute	Petition filed	Decrees nisi	Decrees absolute	Petition filed	Decrees granted	
2008		130,135	130,677	123,031	349	216	201	432	231	
2008	Q1	33,237	33,881	32,154	75	55	51	113	60	
	Q2	33,777	32,132	31,063	86	53	46	111	52	
	Q3	32,848	34,200	30,729	103	59	52	109	61	
	Q4	30,273	30,464	29,085	85	49	52	99	58	
2009	Q1	32,864	30,269	28,757	88	48	48	86	62	

**Source:**

HM Courts Service FamilyMan system.

**Notes:**

1 - More detailed statistics on divorces in England and Wales are available from the Office for National Statistics annual publication "Marriage, Divorce and Adoption Statistics". This publication is based on statistics compiled by the General Register Office.

**Table 2.2**  
**Family courts**

Disposal of applications for ancillary relief made in the county courts, England and Wales, Q1 2008 - Q1 2009

Year	Quarter	Disposal of applications				Disposal of contested or initially contested cases		
		Uncontested <sup>1</sup>	Initially contested, subsequently consented	Contested	Total	In respect of child(ren)	Not in respect of child(ren)	Total
2008		66,561	21,516	6,329	<b>94,406</b>	13,082	14,763	<b>27,845</b>
2008	Q1	17,073	5,652	1,653	<b>24,378</b>	3,309	3,996	<b>7,305</b>
	Q2	17,600	6,530	2,049	<b>26,179</b>	3,939	4,640	<b>8,579</b>
	Q3	16,556	5,240	1,407	<b>23,203</b>	3,083	3,564	<b>6,647</b>
	Q4	15,332	4,094	1,220	<b>20,646</b>	2,751	2,563	<b>5,314</b>
2009	Q1	14,198	4,247	1,299	<b>19,744</b>	2,900	2,646	<b>5,546</b>

**Source:**

HM Courts Service FamilyMan system.

**Notes:**

1 - Uncontested applications do not have a court hearing.

**Table 2.3**  
**Family courts**

Domestic Violence: applications and orders made in the county courts, England and Wales, Q1 2008 - Q1 2009

Year	Quarter	Applications made <sup>1</sup>			Orders made <sup>2</sup>		
		Non-molestation	Occupation	Total	Non-molestation	Occupation	Total
2008		17,349	7,823	<b>25,172</b>	19,486	5,135	<b>24,621</b>
2008	Q1	4,027	1,893	<b>5,920</b>	4,493	1,265	<b>5,758</b>
	Q2	4,358	1,963	<b>6,321</b>	4,930	1,334	<b>6,264</b>
	Q3	4,640	2,106	<b>6,746</b>	5,246	1,338	<b>6,584</b>
	Q4	4,324	1,861	<b>6,185</b>	4,817	1,198	<b>6,015</b>
2009	Q1	4,649	1,914	<b>6,563</b>	4,964	1,131	<b>6,095</b>

**Source:**

HM Courts Service FamilyMan system.

**Notes:**

1 - Applications for arrest warrants not included.

2 - The Domestic Violence, Crime and Victims Act 2004 made breach of a non-molestation order a criminal and arrestable offence as of July 2007.

**Table 3.1**  
**Crown Court**

Receipts<sup>1</sup>, Disposals<sup>2</sup> and Outstanding<sup>3</sup> cases in England and Wales, by case type, Q1 2008 - Q1 2009

		Number of cases								
Year	Quarter	Committed / Sent for trial			Committed for sentence			Appeals against Mags decisions		
		Receipts	Disposals	Cases outstanding	Receipts	Disposals	Cases outstanding	Receipts	Disposals	Cases outstanding
2008		90,014	87,748	36,185	41,629	41,323	5,267	14,016	14,010	2,867
2008	Q1	21,176	21,403	33,773	10,560	10,179	5,756	3,487	3,486	2,873
	Q2	22,320	21,916	34,227	10,487	10,657	5,438	3,579	3,615	2,827
	Q3	23,406	22,157	35,492	10,702	10,566	5,497	3,499	3,545	2,781
	Q4	23,112	22,272	36,185	9,880	9,921	5,267	3,451	3,364	2,867
2009	Q1	23,575	23,366	36,149	9,887	10,141	4,843	3,356	3,363	2,857

**Source:**

HM Courts 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 3.2**  
**Crown Court**

Summary statistics on effectiveness of cases listed for trial, England and Wales, Q1 2008 - Q1 2009

Year	Quarter	Number of cases listed 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%
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>9,882</b>	1,260	13%	4,071	41%	4,551	46%

**Source:**

HM Courts Service CREST system.

**Table 3.3**  
**Crown Court**

Defendants dealt with in cases committed or sent for trial<sup>1</sup>, by plea, England and Wales, Q1 2008 - Q1 2009

Year	Quarter	Total number of defendants disposed of	Plea entered				No plea entered				Guilty pleas as % cases 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%
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>25,699</b>	16,996	66%	7,454	29%	229	0.9%	1,020	4%	70%

**Source:**

HM Courts 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.

**Table 3.4**  
**Crown Court**

Summary statistics on average hearing times and average waiting times, England and Wales, Q1 2008 - Q1 2009

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
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	23.2	11.2	5.7	9.6

**Source:**

HM Courts 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 4.1****Magistrates' Courts**

Completed proceedings, England and Wales, Q1 2008 - Q1 2009

Year	Quarter	Criminal					Total number of completed criminal offences	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>	129,338	847,624
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>	32,872	213,044
	Q3	172,447	155,098	115,209	29,776	38,782	<b>511,312</b>	33,965	215,829
	Q4	155,016	142,645	103,747	28,835	37,685	<b>467,928</b>	28,633	213,407
2009	Q1	166,007	144,620	108,903	31,358	40,109	<b>490,997</b>	28,645	219,635

**Source:**

Completed Proceedings, HM Courts Service Performance Database ('OPT').

**Notes:**

1 - Other includes means enquiries and representation orders.

2 - Magistrates' Courts changed their data collection systems from legacy systems to Libra during this time.

**Table 4.2****Magistrates' Courts**

Effectiveness of recorded trials, England and Wales, Q1 2008 - Q1 2009

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%
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%

**Source:**

HM Courts Service Performance Database ('OPT').

**Table 4.3****Magistrates' Courts**

Enforcement of financial penalties in the Magistrates' Courts, England and Wales, Q1 2008  
- Q1 2009

<b>Year</b>	<b>Quarter</b>	<b>Amount Paid (£ millions)</b>
2008		251
2008	Q1	63
	Q2	64
	Q3	65
	Q4	60
2009	Q1	59

**Source:**

Debt Analysis Return (DAR), HM Courts Service Performance Database ('OPT').

**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.

3 - The collection of enforcement information (DAR) was revised in April 2003 so that it no longer contained confiscation or civil amounts. Collection of data via OPT commenced in 2007.

## 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 2007' via the Ministry of Justice website at [www.justice.gov.uk/publications/judicialandcourtstatistics.htm](http://www.justice.gov.uk/publications/judicialandcourtstatistics.htm).

### County courts

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 generally contains good quality information about the incidence and dates of major events in a case's progress through the court system. The following data are of lower quality:

- The numbers of insolvency petitions, applications for administration orders and administration orders made are manually generated counts.
- The numbers of small claims hearings and trials were sourced from CaseMan, but their accuracy is dependent on Court staff entering a correct hearing outcome code which is not essential for their administrative purposes.

### Family courts

The information in the tables of data on the family courts was sourced from the county court administrative system FamilyMan, used by court staff for case management purposes.

Some points to note:

- Disposals made one year may relate to applications made in earlier years.
- An application of one type may lead to an order of a different type being made.

### Crown Court

This information has been produced using the Management Information System (MIS), a data warehousing facility drawing data directly from court-based administrative systems. Most data shown in these tables have been sourced from the Crown Court administrative system CREST, again used by court staff for case management purposes. This generally contains good quality information about the incidence and dates of major events in a case's progress.

The Ministry of Justice's "Criminal Statistics" publication also contains data on the number of proceedings heard in the Crown Court. However, while both sets of figures are produced from the same core source (the CREST system), 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 mechanics and the counting and validation rules used,

and they reflect different underlying drivers of the analyses being performed. By way of broad illustration, Criminal Statistics counts numbers of defendants and is focused on the final outcomes of criminal court proceedings, while the court statistics presented here count numbers of cases and is focused on flows through the court system. Since the creation of the Ministry of Justice, work has commenced to investigate the differences between the two publications with a view to aligning the two sets of figures in future.

### **Magistrates' courts**

The statistics on completed proceedings in Table 4.1 are sourced from the One Performance Truth (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 generally contains good quality information about magistrates' courts' caseloads. The Ministry of Justice's Criminal Statistics publication also contained data on criminal cases in the magistrates' courts. While both sets of figures are produced from the same core source (Libra), as for the statistics on proceedings in the Crown Court, they are not directly comparable as there are known differences between them, for similar reasons. Criminal Statistics counts numbers of defendants, while the court statistics presented here count numbers of completed proceedings.

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 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/timeintervals.htm](http://www.justice.gov.uk/publications/timeintervals.htm).

## Annex B: HM Courts Service (HMCS) performance against targets, 2008/09

Target measure	Target	2008/09
<b>Crown Court</b>		
Percentage of cases commenced within target	78%	79.7%
'Sent for trial' within 26 weeks of sending	78%	74.0%
'Committed for trial' within 16 weeks of committal	78%	78.5%
'Appeals' within 14 weeks	78%	87.3%
'Committals for sentence' within 10 weeks	78%	91.9%
<b>Magistrates' Courts</b>		
Charged cases, average time from charge to disposal	<6 weeks	6.9 weeks
Most guilty plea cases are dealt with at first hearing	50%	69%
Proportion of contested cases have no more than two hearings	>=50%	38%
Time taken to produce and send to Police Court Registers	95% in 3 working days	79.1%
	100% in 6 working days	91.3%
Time taken from receipt of properly completed Rights to Representation applications to despatch of decision	90% by end of 2 <sup>nd</sup> working day	92.0%
	95% by end of 3 <sup>rd</sup> working day	96.1%
	100% by end of 6 <sup>th</sup> working day	98.3%
<b>Other crime and enforcement</b>		
Payment Rate for Financial Penalties	85%	85%
Value of enforcement of confiscation orders, including compensation total of £12m	£132m	£95.8m

<b>Target measure</b>	<b>Target</b>	<b>2008/09</b>
Percentage of all Community Penalties to be resolved within 25 days of the relevant failure to comply	60%	62%
Community Penalty Breach Warrants executed within 20 working days for adults and 10 working days for youths	75%	68%
Community Penalty Breach Proceedings - average time from unacceptable failure to comply to resolution of the case	35 working days	41 working days
Crown Court – witnesses called within 2 hours	60%	59.3% J, 59.4% N
Crown Court – average waiting time	2 hours 30 mins	2 hours 10 mins J, 2 hours 8 mins N
Magistrates' courts – witnesses called in 1 hour or less	60%	54.0% J, 52.1% N
Magistrates' courts – witnesses called within 2 hours	80%	81.5% J, 80% N
Magistrates' courts – average waiting time	1 hour 30 mins	1 hour 21 mins J, 1 hour 24 mins N
<b>Civil</b>		
Increase the proportion of defended small claims that are completed otherwise than by a hearing	To achieve a 65% settlement rate by 31 March 2009	72%
Supporting Indicator: The proportion of defended fast and multi track cases that are completed otherwise than by a hearing	-	86.5%
Increase the proportion of defended small claims that are completed (from issue to final hearing) within 30 weeks	70% or above by 31 March 2009	65.2%
Supporting Indicator: The proportion of defended fast track cases that are completed (from allocation to final hearing) within 30 weeks	-	78.8%
Supporting Indicator: The proportion of defended multi-track cases that are completed (from allocation to final hearing) within 50 weeks	-	77%
Increase the amount of civil work initiated online - % of eligible possession claims through PCOL and % of specified money claims online through MCOL	PCOL – 55% MCOL – 70%	PCOL – 73% MCOL – 67%

<b>Target measure</b>	<b>Target</b>	<b>2008/09</b>
<b>Family</b>		
To increase the proportion of care and supervision orders completed within 40 weeks by 10 percentage points in the County Courts and FPCs by 2009/2010	County – 48% FPCs – 56%	County – 34.1% FPCs – 48%
To increase the proportion of residence and contact orders made by consent in the County Courts (excluding cases involving allegations of harm).	(A) Areas with levels of consent orders at or above 37% to maintain or improve performance. (B) Areas with levels of consent orders below 37% to improve performance to at least 37%	Area average 43.3%, 4 Areas below target
<b>Customer service</b>		
Very Satisfied element of the HMCS Court User Survey* be improved from the Y2 survey baseline of 40%	>41%	42%
Complaint handling speed / percentage targets: Court – 5 days, Area – 10 days	85%	84.5%

\* A full report of the 2008/09 results from the HMCS Court User Survey will be published on the Ministry of Justice website later this year.

## Explanatory notes

1. The statistics in this bulletin relate to cases in the county, family, Crown and magistrates' courts in England and Wales from the first quarter (January to March) of 2008 to the first quarter of 2009. Annual statistics for 2007 and earlier years were published by the Ministry of Justice in September 2008 in the report "Judicial and Court Statistics 2007".
2. It is proposed that this bulletin will be published on a regular, quarterly basis in future, with the next edition presenting statistics for the second quarter (April to June) of 2009. The Ministry of Justice would welcome users' views and feedback on this bulletin, and the proposed plans to repeat publication every quarter.

### **Please provide any comments to:**

Constitution and Access to Justice Analytical Services  
Ministry of Justice  
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102 Petty France  
London  
SW1H 9AJ  
Tel: 020 3334 3080  
Email: [statistics.enquiries@justice.gsi.gov.uk](mailto:statistics.enquiries@justice.gsi.gov.uk)

Responses are requested by 7 August 2009.

3. Breakdowns of many of the summary figures presented in this bulletin, such as split by case type or by HM Courts Service area, are available on request. Please contact the Constitution and Access to Justice Analytical Services division using the details above.

### **Symbols and conventions**

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

- = Not applicable  
0 = Nil

### **Contact points for further information**

Press enquiries on the contents of this bulletin should be directed to the Ministry of Justice or HM Courts Service press offices:

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Other enquiries about these statistics should be directed to the Constitution and Access to Justice Analytical Services division of the Ministry of Justice via the contact details under paragraph 2 above.

General enquiries about the statistical work of the Ministry of Justice can be e-mailed to: [statistics.enquiries@justice.gsi.gov.uk](mailto:statistics.enquiries@justice.gsi.gov.uk)

General information about the official statistics system of the UK is available from [www.statistics.gov.uk](http://www.statistics.gov.uk)

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