



Ministry of
JUSTICE

Quarterly Tribunals Statistics

1 January to 31 March 2012

28 June 2012

Alternative format versions of this report are available on request from the Ministry of Justice by emailing statistics.enquiries@justice.gsi.gov.uk

© Crown copyright
Produced by the Ministry of Justice

Contents

Introduction	2
Key Findings	3
Commentary	6
Annex 1 – HM Courts and Tribunals Service	19
Explanatory Notes	21
Data quality and sources	22
Definitions	25
Table conventions	28

Tables

Table 1.1 Tribunals receipts by Jurisdiction

Table 1.1a Employment Tribunals receipts by Jurisdiction

Table 1.1b First Tier Tribunal (Immigration and Asylum Chamber) Receipts by Case Type

Table 1.1c Social Security and Child Support Receipts by Benefit Type

Table 1.2 Tribunals Disposals by Jurisdiction

Table 1.2a Employment Tribunals Disposals by Jurisdiction

Table 1.2b First Tier Tribunal (Immigration and Asylum Chamber) Disposals by Case Type

Table 1.2c Social Security and Child Support Disposals by Benefit Type

Table 1.2d Social Security and Child Support Outcomes by Benefit Type

Table 1.2e First Tier Tribunal (Immigration and Asylum Chamber) Outcomes by Case Type

Table 1.3 Tribunals Caseload Outstanding by Jurisdiction

Table 1.4 Tribunals Timeliness Measures by Jurisdiction

Introduction

This report presents information on Tribunals activity for 1 January to 31 March 2012. Information for the same quarter of earlier years is also presented. Data for all four quarters of 2011-12 has been reconciled to sum to the yearly total and may vary from previously published information.

Quarterly Official Statistics for Tribunals, for all four quarters of 2010-11 (April 2010 to March 2011) and 2011-12 have been published and are available at www.justice.gov.uk/statistics/tribunals/quarterly.

Annual Official Statistics for Tribunals for 2011-12 have been published. The report for this and previous years is available at : www.justice.gov.uk/statistics/tribunals/annual-stats

Statistics for Employment Tribunals and Employment Appeal Tribunal activity for 2010-11 were published on 3 September 2011 in "Employment Tribunal and EAT statistics 2010-11". This publication is available at : www.justice.gov.uk/statistics/tribunals/employment-tribunal-and-eat-statistics-gb

Statistics on the work of the civil, family, magistrates' and Crown Courts in England and Wales during the period January to March 2012 are also published by the MoJ at the same time as this report. These quarterly courts statistics, along with annual statistics, can be found in separate reports on the MoJ website, at: www.justice.gov.uk/statistics/courts-and-sentencing/judicial-quarterly

Key Findings

All Tribunals Combined

The statistics for the quarter 1 January to 31 March 2012, include details for new Tribunals which joined HMCTS in 2011-12¹ and claims which were not input onto Employment Tribunals IT systems². In this report, changes compared to earlier periods are made excluding figures for new Tribunals, so that comparisons are on a like-for-like basis.

- Between January and March 2012 (quarter 4), there were 189,100 receipts or claims. Excluding receipts for those Tribunals that joined HMCTS in 2011-12, this represents a 19% decrease over the same quarter of the previous year. If multiple claims to Employment Tribunals (which can vary substantially) are excluded, the number of cases received in the last quarter of 2011-12 was 7% fewer than at the same point in the previous year.
- There were 183,900 disposals in January to March 2012. Excluding details for the new tribunals, this was a decrease of 9% on the same quarter of 2010-11, reversing the past upward trend.
- For all tribunals combined, the caseload outstanding as at 31 March 2012 was 756,100 – less than 1% higher than the 751,300 figure recorded at the same point in 2011. Although this is a continuation of an upward trend, the rate of increase appears to have slowed. The caseload outstanding has risen overall, but there have been falls for many Tribunals - by 32% for Immigration and Asylum (continuing the downward trend); by 25% for Social Security and Child Support; by 7% for single ET claims.

Social Security and Child Support

Social Security and Child Support (SSCS) appeals jurisdiction, part of the Social Entitlement Chamber of the First Tier Tribunal, arranges and carries out independent hearings for appeals on decisions made by the Department for Work and Pensions (including Jobcentre Plus, Child Support Agency and Disability and Carers Service), as well as other government departments (HM Revenue and Customs) and local authorities.

- For SSCS, there were 101,800 receipts between January and March 2012 – representing 54% of cases received by all Tribunals. When compared with the same quarter for the previous year, the number of receipts was 5% fewer than in 2010-11, reversing the previous upward trend.

¹ Details of these and of other Tribunals that have joined HMCTS since 2006-7 are in the Data Quality and Sources section of this report.

² Further details are within the Explanatory Notes section of this report.

- There were 110,000 disposals made by SSCS, a similar number to that in the January to March quarter of 2010-11.
- Between January to March 2011 and the same period in 2012, there was an 84% fall in the number of disposals for Incapacity Benefit (IB), reflecting the decreasing number of people receiving IB as these claimants are reassessed and moved onto Employment and Support Allowance or Jobseekers Allowance. There was a smaller 3% drop in disposals for Employment and Support Allowance. There were increases in disposals for: Carer's Allowance (of 73%); Social Fund (of 68%); Tax Credits (of 50%) and AA/DLA (of 47%).
- There were 88,400 SSCS hearing clearances (those cases disposed of at hearing) during January to March 2012, a 10% increase on the number in the same quarter of 2010-11.

Employment Tribunals

The Employment Tribunals are independent judicial bodies who determine disputes between employers and employees over employment rights.

- Between January and March 2012, Employment Tribunals received 42,500 claims in total³ – 44 per cent fewer than in the same quarter of 2010-11. The fall was due to the higher number of multiple receipts (including resubmitted airline cases) received in the January to March quarter of 2011. The number of receipts of multiple claims fell by 55 per cent and the number of single claims went down by 2 per cent.
- In January to March 2012, there were 28,600 disposals made by Employment Tribunals - an 18% decrease on the number for the same quarter of 2010-11⁴. The number of single disposed cases fell by 6% and those for multiple cases went down by 28%.

Immigration and Asylum

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

- Compared with the same quarter of 2010-11, there was a fall of 24% in the overall number of Immigration and Asylum receipts, to 25,500 during January to March of 2012. The overall fall in receipts was reflected in all

³ Including some cases not yet placed on the IT system

⁴ There may be a small undercount in ET disposals during 2010-11 because of changes to computer systems during the year.

case types: with receipts falling for Entry Clearance by 37%; Managed Migration by 32%; Asylum by 25%; and Family Visit Visa by 1%.

- The number of Immigration and Asylum disposals was 28,400 between January and March 2012, 27% fewer than in the same quarter of 2010-11.

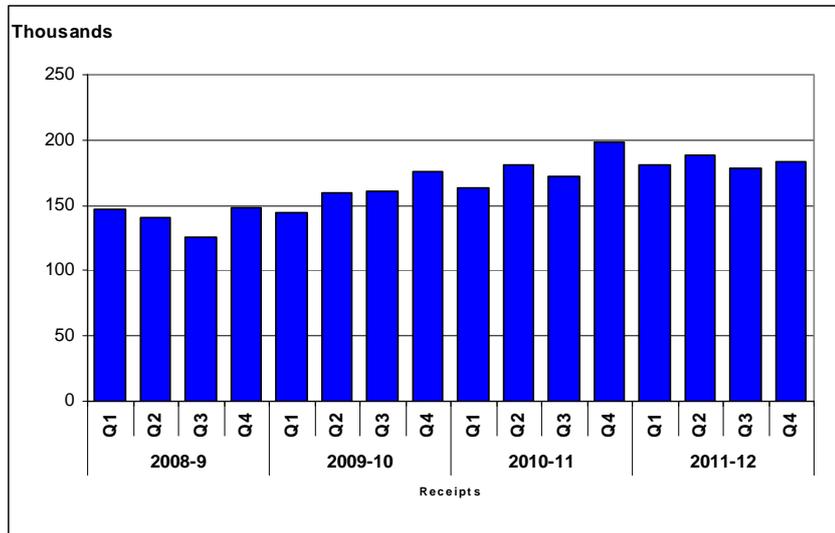
Commentary

Receipts (Table 1.1)

1. During the period 1 January to 31 March 2012, Tribunals had 189,100 receipts. Excluding figures for the new tribunals, receipts went down by 19% on the number received in the same quarter of last year. The fall in the number of receipts was mainly attributed to the large number of receipts to Employment Tribunals in January to March 2011, which included a large number of resubmitted airline multiple cases⁵. The number of receipts to Employment Tribunals went down by 44% overall.
2. When compared with the same quarter of 2010-11, there were also decreases in receipts for Immigration and Asylum of 24% (continuing a downward trend seen since 2008-09) and Social Security and Child Support of 5% (following past increases in the number of receipts).
3. Comparing January to March of 2011 with the same period of 2012, there were some rises in the number of receipts for: Tax First Tier (up by 47%); Upper Tribunal (Administrative Appeals Chamber) up by 29%; Criminal Injuries Compensation (up by 24%); Mental Health (up by 13% and continuing an upward trend).
4. Further, excluding multiple claims to Employment Tribunals (which vary from year to year and can distort the picture on workload), there was a 7% fall in the number of receipts in January to March 2012, as compared with the same period of 2011.

⁵ Multiple claims are where two or more people bring cases, involving one or more jurisdiction(s) usually against a single employer but not necessarily so, for instance in Transfer of Undertakings (Protection of Employment) Regulations (TUPE) cases, and always arising out of the same or very similar circumstances. As a multiple, the cases are processed together.

Figure 1: Receipts for all Tribunals, 2008-09 to 2011-12

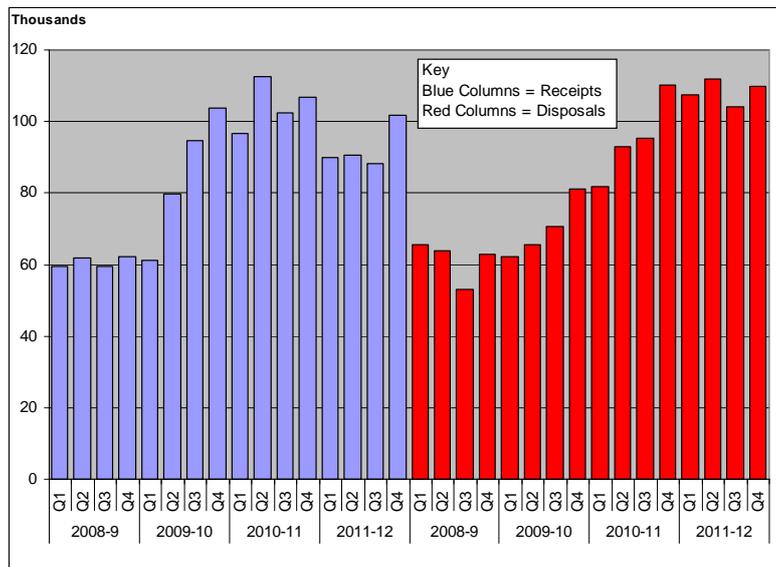


Source: Tribunals quarterly returns

Receipts by Jurisdiction

5. For SSCS, there were 101,800 receipts between January and March 2012 – representing 54% of cases received by all Tribunals. When compared with the same quarter in previous years, the number of receipts was 5% fewer than in 2010-11, reversing the upward trend.

Figure 2: Social Security and Child Support Receipts and Disposals, 2008-09 to 2011-12



Source: Tribunals quarterly returns

6. Of the 101,800 cases received by SSCS during January to March 2012, 53% were for Employment and Support Allowance (ESA) and Incapacity Benefit (IB); 23% for Disability Living Allowance (DLA)/Attendance Allowance (AA); and 11% for Job Seeker's Allowance (JSA). The number of receipts of ESA/IB cases fell by 8% to 54,000 compared with the same quarter last year. There was a result of a significant fall in the number of Incapacity Benefit appeals (from 7,700 in January to March 2011 to 230 in January to March 2012). This is because no new claims to Incapacity Benefit have been accepted since February 2011 as it has been replaced by ESA. The number of ESA receipts, increased from 50,800 in January to March of 2011, to 53,800 for the same period of 2012.

7. Examining receipts in the fourth quarter, between 2010-11 and 2011-12, there was a decrease for Child Benefit Lone Parent of 46%. There have been increases for a number of benefits: for Pensions Credit of 34%; Social Fund of 28%; Disability Living Allowance/Attendance Allowance of 12%.

8. In Employment Tribunals (ET), the number of receipts (claims) between 1 January and 31 March 2012 was 42,500 in total⁶ – 44% fewer than in the same quarter of 2010-11. The higher number of multiple receipts (including resubmitted airline cases) received in the January to March quarter of 2011 was the reason for the fall of 55% to 27,700 of multiple receipts in January to March of 2012. The total number of ET claims is dependent upon multiple receipts, which are highly variable in nature. The number of single claims also fell, but by just 2% between the last quarter of 2010-11 and that of 2011-12.

9. For ET, when the jurisdictional⁷ mix of claims is considered (Table 1.1a), there were 74,000 jurisdictional complaints received from 1 January – 31 March 2012. This was a drop of 36% on the same quarter in 2010-11, with the numbers affected by the large number of resubmitted multiple claims made in 2010-11. Of the total number of jurisdictional complaints received, 32% were for unfair dismissal, redundancy and breach of contract; 30% were for Working Time Regulations, 16% were for unauthorised deductions (formerly the Wages Act); and 7% were for Equal Pay.

10. When comparing the January to March quarter of 2010-11 with that of 2011-12, the number of jurisdictional complaints received that were associated with Working Time Regulations (including resubmitted airline cases) went down by 59%, with a 43% fall for unauthorised deductions (formerly the Wages Act). In the same period, there were substantial increases in jurisdictional complaints received for Part-Time Workers Regulations (from 90 to 250); and Transfer of an Undertaking – failure to inform and consent (receipts more than doubled).

⁶ Including some cases not yet placed on the IT system

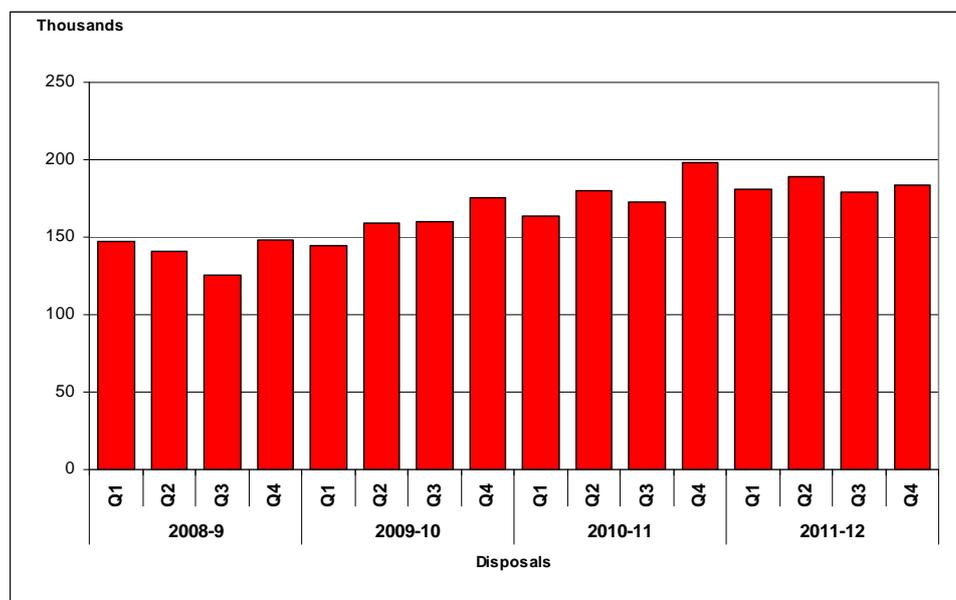
⁷ A claim can contain a number of grounds, known as jurisdictional complaints. In any hearing, the tribunal has to decide upon the merits of the claim made under each jurisdiction

11. There were 25,500 Immigration and Asylum receipts in January to March 2012 – a 24% fall when compared with the same quarter of 2011-12. This continues the downward trend. The overall fall in receipts was reflected in all case types, with receipts falling for Entry Clearance by 37%; Managed Migration by 32%; Asylum by 25%; and Family Visit Visa by 1%.

Disposals (Table 1.2)

12. From January to March 2012, there were a total of 183,900 cases or claims that were disposed of. Excluding data for the new tribunals, this is a decrease of 9% when compared with the same quarter of 2010-11, reversing the past upward trend.

Figure 3: Disposals for all Tribunals, 2008-09 to 2011-12



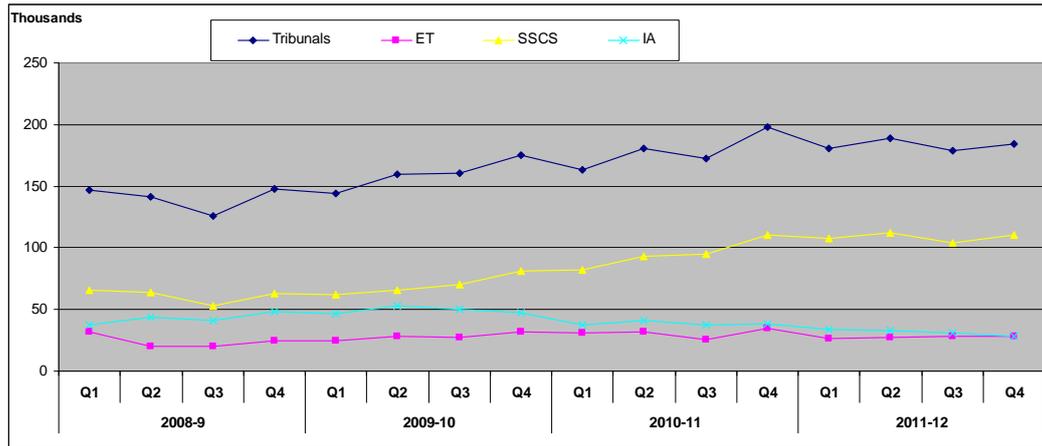
Source: Tribunals quarterly returns

13. The fall in the number of disposals was seen in Employment Tribunals (down by 18%) and Immigration and Asylum (down by 27%). The number of disposals also decreased for Lands (down by 70%); Asylum Support (down by 36%); and Criminal Injuries Compensation (down by 25%). The number of disposals for Social Security and Child Support Appeals remained at a similar level to that in the last quarter of 2010-11.

14. There were also some rises in the number of disposals for other tribunals such as Employment Appeal (up by 43%) and Special Educational Needs and Disability (up by 21%); Upper Tribunal (Administrative Appeals) – up by 14% and Tax First Tier (up by 13%). The increase in SEND was a result of this year's introduction of a fast-track system in Special Educational Needs and Disability for all appeals involving secondary school transfers, and, in Mental Health, an increase in receipts including Section 2 receipts which are heard within seven days.

Disposals by Jurisdiction

Figure 4: Disposals by jurisdiction, 2008-09 to 2011-12



Source: Tribunals quarterly returns

15. SSCS disposed of a total of 110,000 cases in January to March of 2012 – a similar level to that in the same quarter of the previous year. The number of disposals by SSCS has generally been increasing since the first quarter of 2009-10.

16. Of the 110,000 cases disposed of: 52,500 (48%) were for Employment and Support Allowance (ESA)/Incapacity Benefit (IB); 28,300 (26%) were related to Disability Living Allowance (DLA)/Attendance Allowance (AA) and 12,600 (11%) were for Job Seeker's Allowance (JSA).

17. The rise in SSCS receipts over recent years has generally been in response to the introduction, in October 2008, of the Employment and Support Allowance to replace Incapacity Benefit. The number of disposals for ESA/IB exceeded the number of receipts at the end of 2011⁸. However, if we consider the two benefits separately, between January to March 2011 and the same period in 2012, there was an 84% fall in the number of disposals for Incapacity Benefit, and a smaller 3% drop in disposals for Employment Support Allowance. The fall in IB claims reflects the fact that no new claims to Incapacity Benefit have been accepted since February 2011 as it has been replaced by ESA.

18. Although there were falls in the number of disposals for some benefits, when compared with January to March of 2011, there were increases in numbers of disposals for: Carer's Allowance (up 73%); Social Fund (up 68%); Tax Credits (up 50%) and AA/DLA (up 47%) .

⁸ See Data Quality and Sources section regarding comparison of receipts and disposals

19. Table 1.2d provides some information on the outcome of Social Security and Child Support cases that were cleared at hearing⁹ and whether the decision was found in favour of the appellant, or if the original decision made by DWP was upheld. Between 1 January and 31 March 2012, there were 88,400 cases cleared at a hearing – a 10% rise on the number in the same quarter of 2010-11. Of these, 36% were found in favour of the appellant. This proportion varied by benefit type with 45% of Compensation Recovery Unit; 42% of ESA/IB; 41% of DLA/AA; and 13% of Maternity Benefit Allowances hearing clearances being found in favour of the appellant.

20. During January to March 2012, Employment Tribunals disposed of 28,600 claims – an 18% decrease on the number for the same quarter of 2010-11¹⁰. The number of single disposed cases fell by 6% and those for multiple cases went down by 28%.

21. Table 1.2a gives details of ET Jurisdictional complaints disposed of by type of jurisdiction and outcome. Between 1 January and 31 March 2012, 57,700 jurisdictional claims were disposed of (a 17% fall on the 69,300 disposed of in the same period of the previous year). There were falls in the number of disposals for all Jurisdictional Complaints, most notably: National Minimum Wage (down by 42%) and Age Discrimination (down by 41%) and Sex Discrimination (down by 41%). Of the 57,700 jurisdictional complaints that were disposed of:

- 41% were unfair dismissal, breach of contract or redundancy;
- 16% were associated with unauthorised deductions (Wages Act).

22. Of the total jurisdictions disposed of during January to March 2012:

- 37% were Acas Conciliated; 25% were withdrawn; 13% were successful at Tribunal and 11% were struck out (not at a hearing).

23. Overall, in Immigration and Asylum, there were 28,400 disposals in January to March 2012 – 27% fewer than in the same quarter of 2010-11.

24. Comparing January to March of 2011 with the same period of 2012, and examining case type (Table 1.2b), there was falls in the number of disposals of: 43% for Managed Migration; 22% for Asylum; 21% for Entry Clearance Officer and 19% for Family Visit Visa.

⁹ These were cleared via a Tribunal (could be a panel or a member of the Judiciary sitting alone) with a decision/outcome.

¹⁰ There may be a small undercount in ET disposals during 2010-11 because of changes to computer systems during the year.

25. Table 1.2e gives outcomes for those Immigration and Asylum cases that were disposed of. Of the 28,400 cases that were disposed of between 1 January and 31 March 2012:

- 13,100 (46%) were dismissed;
- 10,100 (35%) were allowed;
- 5,200 (18%) were withdrawn.

Caseload Outstanding (Table 1.3)

26. At 31 March 2012, the caseload outstanding was 756,100, an increase of around 1% on the number at 31 March 2011. Although this is a continuation of an upward trend, the rate of increase appears to have slowed.

27. 68% of the outstanding caseload at the end of the quarter related to 'multiple' claims in Employment Tribunals. Collections of two or more of these cases are grouped and managed together. They are often legally and factually complex and at any point in time it is common for such cases to be 'stayed', meaning that they are not ready to have a final hearing at that time for some reason, for example due to awaiting the decision of an appellate court on case management or other interim matters.

28. Although the caseload outstanding has risen overall and for some Tribunals, specifically for ET multiple claims (increase of 13% when compared with that at 31 March 2011) and First Tier Tax¹¹ (increase of 38%), there have been falls for many Tribunals. Compared with last year, the caseload outstanding at 31 March 2012, has fallen: by 32% for Immigration and Asylum (continuing the downward trend); by 25% for Social Security and Child Support; by 7% for single ET claims and by 32% for War Pensions and Armed Forces Compensation.

¹¹ Includes an estimated 16,500 cases that cannot be heard pending a decision of a higher authority.

Performance (Table 1.4)

29. The MoJ's Corporate Strategy for 2011-2015 set out how it intended to transform itself and the justice system over the next four years. A commitment was made in the HMCTS Business Plan for 2011-2015 to publish information about the operation of courts and tribunals to assist users to assess the efficiency and effectiveness of public services. Impact indicators were suggested for the four largest tribunals – Social Security and Child Support, Employment Tribunals, Immigration and Asylum and Mental Health.

30. The new clearance time measures examine the process from receipt to the point at which the appellant is notified of the outcome of the hearing (or when they are notified of a settlement, withdrawal or strike out) and are thus on a different basis to the former Primary Performance Indicators.

31. HMCTS previously had a set of Primary Performance Indicators for each jurisdiction, which were largely based upon waiting times from receipt to disposal. From April 2011, these are no longer termed performance indicators but statistics continue to be published in Table 1.4. of this report so that users are able to compare these particular aspects of timeliness over time.

32. When examining the new clearance time measures, a number of points should be noted:

- The clearance times (expressed in weeks or years) are highly dependent upon the processes that take place within a Tribunal and the type and complexity of a case. In some cases, a judgement is awaited from another body (for example European Courts), may be stayed or may be legally complex.
- The measures cannot be directly compared between one Tribunal and another because of the different processes. Thus, it is better to compare a specific Tribunal over time.

33. The tables and charts show the age at which cases were cleared. There are differences by case or tribunal type, thus, clearances have been presented for a number of tribunals by case type. The new measures examine the age of a case when it is cleared or disposed of and gives the point at which 25%, 50% (the median) and 75% were cleared. For example, in SSCS, 75% of cases that were cleared in the period 1 April 2011 to 31 March 2012 were aged 33 weeks or less.

Immigration and Asylum

34. For those cases disposed of between April 2011 and March 2012, the cumulative percentages of cases are shown by the age of the case. The time is recorded from receipt to the time that a decision was notified to the appellant.

35. Of those cases disposed of in Immigration and Asylum between April 2011 and March 2012:

- 25% were aged 7 weeks or less (i.e. 25% were cleared in 7 weeks or less).
- 50% (the median) were aged 14 weeks or less.
- 75% were aged 23 weeks or less.

36. There are some differences in the length of clearance time the type of case is examined, with Asylum and Managed Migration taking less time to clear than the other types of case. This reflects the different processing times which apply to each of the Immigration and Asylum jurisdictions.

Table 1: Cumulative percentage of Immigration and Asylum clearances that took place in April 2011 to March 2012, by age of case at clearance

Tribunal	25% point	50% point	75% point
Immigration and Asylum (all)	7 weeks or less	14 weeks or less	23 weeks or less
Asylum	5 weeks or less	6 weeks or less	9 weeks or less
Managed Migration	6 weeks or less	7 weeks or less	9 weeks or less
Entry Clearance Officer	18 weeks or less	24 weeks or less	31 weeks or less
Family Visit Visa	11 weeks or less	19 weeks or less	23 weeks or less

Employment Tribunals

37. For Employment Tribunals, the timescale recorded is from receipt to when details of the final judgement are given or the case is otherwise disposed of. The distribution for all ET cases is heavily influenced by the age of multiple cases (which can be stayed or await decisions from Higher Courts).

Table 2: Cumulative percentage of Employment Tribunals clearances that took place in April 2011 to March 2012, by age of case at clearance

Tribunal	25% point	50% point	75% point
Employment Tribunals (all)	16 weeks or less	32 weeks or less	1-2 years
Single	11 weeks or less	19 weeks or less	32 weeks or less
Multiple	35 weeks or less	1-2 years	3-4 years

38. Clearances for Employment Tribunals were also examined by broad jurisdictional group. The results showed that groupings such as Working Time Directive; National Minimum Wage; Unfair Dismissal/Breach of Contract had shorter waiting times than other categories.

Table 3: Cumulative percentage of ET clearances (for jurisdictional groups) that took place in April 2011 to March 2012, by age of case at clearance

ET Jurisdictional Group	25% point	50% point	75% point
Equal Pay	1-2 years	3-4 years	4-5 years
Disability Discrimination	19 weeks or less	31 weeks or less	51 weeks or less
Race or Sexual Discrimination	28 weeks or less	1-2 years	3-4 years
Religious Belief, Sexual Preference	18 weeks or less	30 weeks or less	1-2 years
Age Discrimination	21 weeks or less	43 weeks or less	1-2 years
Working Time Regulations	11 weeks or less	20 weeks or less	37 weeks or less
Unfair dismissal, redundancy, insolvency	15 weeks or less	23 weeks or less	43 weeks or less
National Minimum Wage	13 weeks or	23 weeks or	46 weeks or

	less	less	less
Unauthorised Deductions (Wages Act)	13 weeks or less	27 weeks or less	1-2 years
Other	17 weeks or less	31 weeks or less	1-2 years

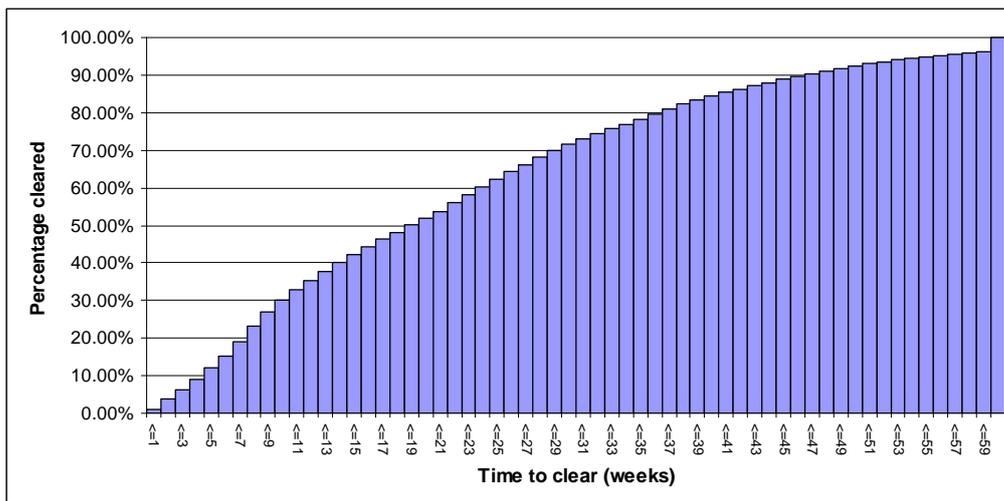
Social Security and Child Support

39. For those cases disposed of in April 2011 to March 2012, the cumulative percentage of cases is shown by the age of the case. For SSCS the time is recorded from receipt to the time that a decision was notified to the appellant.

Of those cases disposed of by SSCS between April 2011 and March 2012:

- 25% were aged 9 weeks or less (i.e. 25% were cleared in 9 weeks or less).
- 50% (the median) were aged 19 weeks or less.
- 75% were aged 33 weeks or less.

Figure 5: Cumulative Percentage of Clearance Times from April 2011 to March 2012, by age of case, SSCS



Source: Tribunals quarterly returns

40. SSCS hears appeals against decisions made by DWP on a number of different benefits. The composition of the Tribunal panel varies for each benefit and there are some differences in length of clearance time for each type of appeal. Those appeals which can be heard by a Judge sitting alone, such as appeals against decisions on Job Seekers' Allowance, Housing Benefit or Council Tax Relief take less time to clear than appeals where a

panel including specialist Medical, Financial or Disability panel members is required.

Table 4: Cumulative percentage of SSCS clearances that took place in April 2011 to March 2012, by age of case at clearance

Tribunal Type	25% point	50% point	75% point
SSCS (all)	9 weeks or less	19 weeks or less	33 weeks or less
Judge (Job Seekers' Allowance, Housing Benefit, Council Tax Relief, Child Support, ESA/IB cases with no medical element)	6 weeks or less	11 weeks or less	24 weeks or less
Judge, Medical Member and/or Specialist Disability Member (Disability Living Allowance/ Attendance Allowance)	10 weeks or less	23 weeks or less	37 weeks or less
Judge and Medical Member (ESA/IB)	11 weeks or less	22 weeks or less	32 weeks or less
Judge and Senior Medical Member (Industrial Injury/Disablement Benefit, Vaccine Damage)	12 weeks or less	26 weeks or less	41 weeks or less

Mental Health

41. For the Mental Health jurisdiction, the time from receipt to disposal has been examined for the three main case types. Unfortunately, the reporting system is not able to produce analysis by single week of age, thus there is some inaccuracy regarding the median and lower and upper quartiles.

42. Given the statutory requirement for Section 2 cases to be listed within 7 days of receipt, it is not surprising that this type of case has the shortest clearance times. The waiting times have reduced when compared with previous periods due to improvements made in administrative processes.

Table 5: Cumulative percentage of Mental Health clearances that took place in April 2011 to March 2012, by age of case at clearance

Tribunal	25% point	50% point	75% point
Mental Health - Section 2	Less than a week	Between 1 and 2 weeks	Between 1 and 2 weeks
Mental Health – Restricted Patients	More than 9 but less than 15 weeks	More than 9 but less than 15 weeks	Between 15 and 16 weeks
Mental Health – Non Restricted Patients	Between 4 and 7 weeks	Between 8 and 9 weeks	Between 10 and 12 weeks

Annex 1 – HM Courts and Tribunals Service

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

This executive summary page provides high-level findings for the courts and tribunals which are administered by HMCTS during the quarter January to March 2012.

- There were **370,200 civil (non family) claims issued in the county courts** during the first quarter of 2012, ten per cent fewer than in the first quarter of 2011. This continues the general downward trend from the peak in 2006 (545,900 claims on average per quarter) which is mainly due to decreases among specified money (typically debt related) claims, claims for the recovery of land, and insolvency petitions.
- In the family courts, there were **7,350 children involved in public law applications** made in the January to March quarter of 2012, a two per cent increase on the number in the same period for 2011. There were **28,600 children involved in private law applications**, a five per cent decrease.
- There were **432,300 criminal proceedings completed in magistrates' courts** in the first quarter of 2012, around four per cent fewer than in the same period of 2011. This continues the general downward trend observed since 2008, which is mainly due to decreasing volumes in summary motoring, indictable and youth proceedings.
- There were a total of **34,700 cases received** in the Crown Court a decrease of nine per cent compared to the same period last year, continuing the downward trend since 2010.
- **Offence to completion time:** For cases completed in either a magistrates' court or Crown Court during the first quarter of 2012, the average time taken between when an offence was committed and the criminal case was completed was **159 days**. This is a two per cent increase compared to the same period in the previous year; the bulk of the increase comes from the longer time taken from offence to first listing for summary cases heard in the magistrates' court.
- **Offence to completion time by type of case:** The time between offence to charge and from charge to first listing was longest for summary motoring cases, less for summary non-motoring cases and least for indictable/trieable

either-way cases. The opposite pattern is visible for time taken from first listing to completion with indictable/triable either way cases taking the longest time, probably reflecting the greater complexity of these cases. Overall, the average offence to completion time for indictable/triable either-way cases was **156 days**, compared to **144 days** for summary non-motoring cases and **179 days** for summary motoring cases.

- Between January and March 2012 (quarter 4), there were 189,100 receipts or claims. Excluding receipts for those Tribunals that joined HMCTS in 2011-12, this represents a 19% decrease over the same quarter of the previous year. If multiple claims to Employment Tribunals (which can vary substantially) are excluded, the number of cases received in the last quarter of 2011-12 was 7% fewer than at the same point in the previous year.
- There were 183,900 disposals in January to March 2012. Excluding details for the new tribunals, this was a decrease of 9% on the same quarter of 2010-11, reversing the past upward trend.
- For all tribunals combined, the caseload outstanding as at 31 March 2012 was 756,100 – less than 1% higher than the 751,600 figure recorded at the same point in 2011. Although this is a continuation of an upward trend, the rate of increase appears to have slowed.

Explanatory Notes

ET Information in Nottingham and Leicester

Historically, Employment Tribunals statistics have been extracted from the ETHOS case management system. However, a pilot replacement system was developed (Caseflow). The pilot of the Caseflow system commenced in Nottingham in November 2009, and whilst steps were taken to protect the data through to the end of the 2009-10 reporting year (i.e. to 31 March 2010), the resource required to maintain duplicated entry onto the old ETHOS system was simply not sustainable. There was every expectation that the new system would be in a position to provide the data very early in the new reporting year. The pilot of Caseflow was extended to Leicester with effect from 24 May 2010. Data for Leicester was available from ETHOS up until that point.

The Caseflow system has now ceased and a reversion has taken place to the former ETHOS system. In some cases complete data has not been available for Nottingham and Leicester. Whilst there is robust data on receipts of claims, disposals and caseload outstanding, with regard to Nottingham and Leicester, jurisdictional claims and performance data is incomplete. Thus we have removed data for these two areas when making comparisons with previous years.

Cases not on Employment Tribunals IT System

Multiple Airline cases for the Employment Tribunals jurisdiction of Working Time Directive (Annual Leave) are resubmitted every three months and are included in the counts of receipts and caseload outstanding. During 2011-12, 27,269 claims (12,915 for Quarter 3 and 14,354 for Quarter 4) for this jurisdiction were not input to the Employment Tribunals IT system, but have been recorded within the overall number of receipts, received jurisdictional complaints and caseload outstanding figures for 2011-12.

Data quality and sources

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

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

Revisions

Some statistics were correct at the time of publication but have been revised following data quality checks or reconciliation. These values have been marked as 'r'.

Change of Names of Tribunals

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

Tribunal or Jurisdictional Name	Formerly known as:	Details of Changes
Agricultural Lands Tribunals		Joined HMCTS on 31 October 2011
Alternative Business Structure		Created on 3 October 2011
Asylum Support (AS)	Asylum Support Tribunal	Transferred to HMCTS (former Tribunals Service) from the Home Office on 1 April 2007
Care Standards (CS)	Care Standards Tribunal	Transferred to HMCTS (former Tribunals Service) from the Department of Health on 1 April 2007

Charity	Charity Tribunal	Created March 2008
Consumer Credit	Consumer Credit Tribunal	Created April 2008
Environment		Came into force on 6 April 2010
Estate Agents	Estate Agent Appeals Tribunal	Transferred to HMCTS from the former Department for Business Enterprise and Regulatory Reform, now the Department for Business, Innovation and Skills (BIS), on 1 st April 2008
Immigration Services	Immigration Services Tribunal	The Immigration Services Tribunal transferred into the General Regulatory Chamber of the First-tier Tribunal in January 2010
Gangmasters Licensing Appeals		Created on 19 September 2011
First-tier Immigration and Asylum Chamber & Upper Tribunal Immigration and Asylum Chamber	Asylum and Immigration Tribunal	The 'First Tier Tribunal, Immigration and Asylum Chamber' and 'Upper Tribunal, Immigration and Asylum Chamber' (FTTIAC and UTIAC), replaced the Asylum and Immigration Tribunal (AIT) on 15 February 2010.
Local Government Standards in England	Adjudication Panel for England	Transferred to the HMCTS from the Standards Board for England (SBE) on 1st April 2009
Primary Health Lists	FHSAA	Family Health Services Appeal Authority transferred into HMCTS in April 2009
Reserve Forces Appeal Tribunals		Transferred to the HMCTS from the Ministry of Defence in April 2009

Residential Property Tribunal	Residential Property Tribunals Service	Joined HMCTS on 31 July 2011
First-tier Tax Chamber	Special Commissioners (Income Tax) VAT & Duties Tribunal General Commissioners of Income Tax	Established on 1 April 2009 as part of Tribunals, Courts and Enforcement ACT 2007 (TCE). Now includes all appeals against tax decisions formerly heard by three separate tax tribunals.
Upper Tribunal (Administrative Appeals Chamber)	Office of Social Security and Child Support Commissioners	The Upper Tribunal (AAC) was established in November 2008 under the TCE Act 2007, replacing OSSCSC. Information presented for 2007-08 refers to OSSCSC, and for November 2008 onwards to the Upper Tribunal Admin Appeals Chamber
War Pensions and Armed Forces Compensation Chamber	Pensions Appeal Tribunal	PAT became the War Pensions and Armed Forces Chamber in Nov 2008

Definitions

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

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

Hearing clearance (SSCS) – these are cleared via a Tribunal (could be a panel or member of the Judiciary sitting alone) with a decision/outcome.

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

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

ET Claim – A claim may be brought under more than one jurisdiction or subsequently amended or clarified in the course of proceedings, but will be counted only once.

ET single and multiple claims – Claims to the Employment Tribunal may be classified into two broad categories – singles and multiples. Multiple cases are where two or more people bring cases, involving one or more jurisdiction(s) usually against a single employer but not necessarily so, for instance in Transfer of Undertakings (Protection of Employment) Regulations (TUPE) cases, and always arising out of the same or very similar circumstances. As a multiple, the cases are processed together.

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

ET Jurisdictional mix – A claim may contain a number of grounds, known as jurisdictional cases. In any hearing, the tribunal has to decide upon the merits of the claim made under each jurisdiction e.g. unfair dismissal and sex discrimination. The total number of jurisdictions covered by each case gives a truer measure of workload than the number of claims. The jurisdictions covered by ET are wide ranging, from discrimination and unfair dismissals to issues around salary and working conditions.

IA Case types:

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

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

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

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

Deport Appeals – appeals against deportation orders made against people by the Home Secretary, introduced by section 32 of the UK Borders Act 2007. Other appeals with a deport element are included in the Asylum and Managed Migration case categories.

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

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

Examples of hearings include:

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

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

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

Decision in favour (SSCS) – Decision in favour of the appellant.

Decision upheld (SSCS) – Decision made by the First Tier Agency and withheld by the Tribunal.

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

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

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

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

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

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

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

Table conventions

Rounding

Figures in the tables are rounded independently and thus may not add to figures because of rounding. The following conventions have been used throughout:

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

Notation

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

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

Contact points for further information

Spreadsheet files of the tables and graphs contained in this document are also available for download from this address.

Press enquiries should be directed to the Ministry of Justice press office:

Email: press.office@justice.gsi.gov.uk

Other enquiries about these statistics should be directed to:

Ministry of Justice

Judicial Statistics Analytical Services

7th Floor

102 Petty France

London SW1H 9AJ

Email: statistics.enquiries@justice.gsi.gov.uk.

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

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