



Ministry  
of Justice



# **Court Statistics Quarterly October to December 2013**

Ministry of Justice  
Statistics bulletin

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## Executive Summary

This report presents statistics on activity in the county, family, magistrates' Crown and other courts of England and Wales in the fourth quarter of 2013 (October to December). These statistics focus on four main categories: civil (excluding family), family cases, criminal cases and judicial reviews.

### Civil (excluding family) cases

- In October to December 2013, courts dealt with 374,000 new claims and 10,500 hearings or trials. These represent a reduction of around 12% and 37% respectively in workload figures since the same period in 2009.
- Historically, between 3.0% and 3.5% of all claims issued have gone to hearing or trial.
- There was an average of 60 weeks between a claim being issued and the claim going to trial. The time between issue and the claim going to trial rose between 2008 and 2012 but has stabilised during the last 12 months.

### Family cases

- The number of cases that started in family courts in England and Wales dropped to around 60,000 in October to December 2013, the lowest level in over two years.
- The average time for the disposal of a care or supervision application continued to drop to 33.4 weeks (down 26% from October to December 2012 and down 39% from October to December 2011).
- The average duration for private law disposals where both parties were represented was 25 weeks (up 36% from October to December 2012).

### Criminal cases

On 28<sup>th</sup> May 2013 committal hearings were abolished nationally as part of wider measures to speed up justice and improve efficiencies in the justice system<sup>1</sup>. As a result of the change, triable-either-way cases<sup>2</sup> can now be

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<sup>1</sup> <https://www.gov.uk/government/news/faster-justice-as-unnecessary-committal-hearings-are-abolished>

<sup>2</sup> These are more serious than summary cases and can be dealt with either in the magistrates' court or before a judge and jury at the Crown Court. These cases include offences such as dangerous driving, and theft and handling stolen goods. A defendant can invoke their right to trial in the Crown Court, or the magistrates can decide that a case is sufficiently serious that it should be dealt with in the Crown Court where tougher sentences can be imposed if the defendant is found guilty

sent straight to the Crown Court as soon as it is clear the matter is serious enough, rather than having to await a committal hearing. As a result of this change:

- In the first half of 2013 Crown Court receipts for triable-either-way cases increased by 36% between Q1 and Q3. This increase has since stabilised, however at a slightly higher level than previously.
- For cases which completed at the Crown Court in the fourth quarter of 2013, the average amount of time spent at the magistrates' courts (first listing to "committal") has halved compared to the second quarter of 2013 (22 days to 11 days).

### **Judicial Reviews**

- Between 2000 and 2013 the number of judicial review applications lodged has increased over three fold, 4,300 in 2000 to 15,700 in 2013. This growth was driven by Judicial Reviews on immigration and asylum.
- The proportion of cases eligible for a final hearing (granted permission to proceed at permission or oral renewal stage) has reduced over time, from 32% in 2000 to 11% in 2012 and so far only 8% in 2013.
- Of the 1,211 case that were eligible for a final hearing in 2013, only 87 reached a decision. Of these, 44 (51%) were found in favour of the appellant.
- From the 1st of October 2012 to 31st December 2013 there were around 19,000 cases lodged. Of these 9,100 (48%) had reached permission or oral renewal stage. Of those that had reached these stages 30% were found to be totally without merit.

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## Introduction

This report presents statistics on activity in the county, family, magistrates' Crown and other courts of England and Wales. There is also information on Judicial Reviews. It gives provisional figures for the latest quarter (October to December 2013) with accompanying commentary and analysis. The figures themselves give a summary overview of the volume of cases dealt with by these courts over time, with statistics also broken down for the main types of case involved. The statistics are used to monitor court workloads, to assist in the development of policy, and their subsequent monitoring and evaluation.

Information about the systems and data included in this publication can be found in the '**A Guide to Court and Administrative Justice Statistics**' which is published alongside this report.

[www.gov.uk/government/publications/guide-to-court-and-administrative-justice-statistics](http://www.gov.uk/government/publications/guide-to-court-and-administrative-justice-statistics)

There is also a separate **Glossary** published alongside this which provides brief definitions for the terms used in this report, along with information about statistical revisions and forthcoming changes. Information regarding the symbols and conventions used in the bulletin are given in the **Explanatory notes** section.

Information on the enforcement of financial impositions can be found in [Annex A](#).

The structure and content of this report is continually being reviewed to reflect user requirements. Planned upcoming changes to the publications covered in this report are listed in [Annex B](#)

If you have any feedback about these changes, or the report more generally, please contact the production team using the [contact details](#) at the back of this report.

Earlier editions of this publication can be found at:

[www.gov.uk/government/organisations/ministry-of-justice/series/courts-and-sentencing-statistics](http://www.gov.uk/government/organisations/ministry-of-justice/series/courts-and-sentencing-statistics)

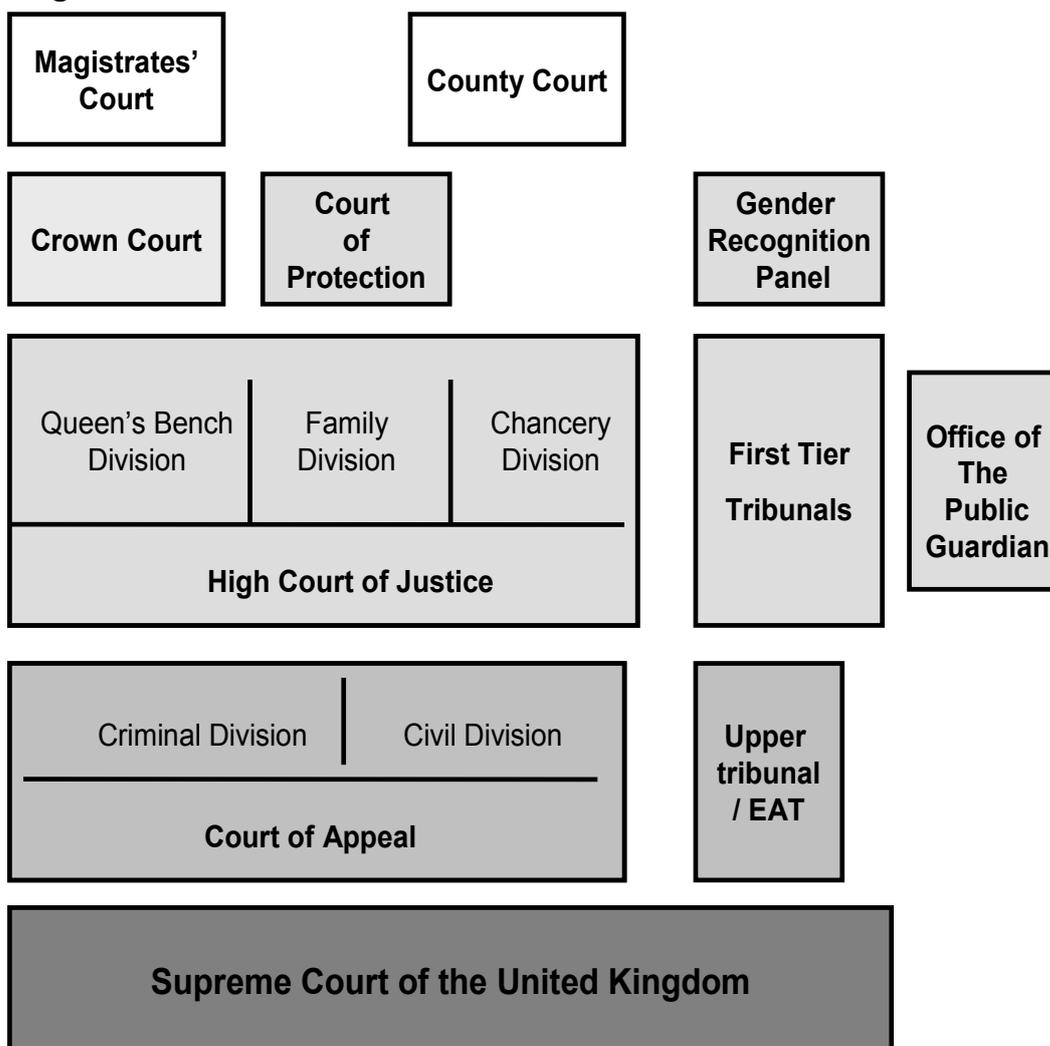
There are a number of csv files that support this publication, these include;

- Supporting information on Ancillary Relief and Judicial Reviews
- Court level data for civil, family and criminal cases

## The Justice System

The vast majority of criminal and civil cases in England and Wales are dealt with at the Crown, magistrates' and county courts (see Figure A for a simplified description of the Justice System in England and Wales).

**Figure A: Simplified view of court and administrative Systems in England and Wales<sup>3</sup>**



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

<sup>3</sup> Some Tribunal cases can relate to other parts of the UK.

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

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

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

## Chapter 1: Civil (excluding family) cases

This chapter contains statistics relating to civil cases at county courts in England and Wales. These typically include debt (claims for a specified amount of money), the repossession of property, personal injury (claims for an unspecified amount of money), the return of goods and insolvency.

The statistics do not include civil cases that are dealt with at magistrates' courts, such as the failure to pay council tax (see Chapter 3) or family cases such as divorce or parental disputes. Particularly important, complex or substantial cases are dealt with in the High Court.

### Background

A civil claim against a person or a company (the defendant) starts when a person or company (the claimant) completes and submits a claim form to the County Court. This can be done either in person or online. A claimant who issues a large number of claims each year (such as banks, credit and store card issuers, utility companies and debt recovery companies) can also submit a form directly to the Claim Production Centre (CPC).

Whether the claim is issued online or through the county courts, a copy of the claim form along with a response pack is sent to (served on) the defendant who has 14 days to respond to the claim. The defendant can:

- do nothing;
- pay the full amount of the claim (in full or part);
- admit the claim and ask for more time to pay (in full or part); and/or
- dispute (defend) the claim (in full or part).

If the claim is defended, further information is usually provided by each of the parties, after which the case is allocated by a judge to one of three case-management tracks (small claims track, fast track or multi track). Allocated cases which are not settled or withdrawn generally result in a small claim hearing or trial<sup>4</sup>. A judgment regarding the claim can be made at various stages of the process. There are various methods of enforcing a judgment through the county courts including warrants and orders.

**Estimating case progression:** In addition to providing results regarding the civil workload of the courts, this bulletin contains estimates of the percentage of claims issued in a specific quarter or year that will progress to a defence, allocation or hearing or trial when the full amount of time has been allowed to pass for those claims to progress through the County Court

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<sup>4</sup> For details of the way civil claims are processed please see **A Guide to Court and Administrative Justice Statistics**, Civil (excluding family).

system. These figures are different from the court workload figures which show the total number of defences, allocations or hearings or trials in that quarter, irrespective of when the claim was issued.

These estimates include upper and lower estimates around them (a confidence interval) reflecting the uncertainty inherent in any estimation of the future. Claims from more recent periods will inherently have had less time for the case to be processed so there is more uncertainty around the final estimate, resulting in a wider confidence interval (Please see **A Guide to Court and Administrative Justice Statistics** for more information on how this figure is calculated).

As supplementary information, we also provide the percentage of claims issued in a quarter or year that have already resulted in a defence, allocation or hearing or trial. Caution should be exercised when interpreting these figures for recent years. The information contained in the bulletin is based on the available data when the database was extracted; consequently a proportion of claims made in more recent quarters are still awaiting progression to the next stage of court action. Claims from earlier periods will have had longer for the case to be processed than those from more recent periods so a lower proportion of these earlier claims are likely to be still awaiting a defence, allocation or hearing or trial.

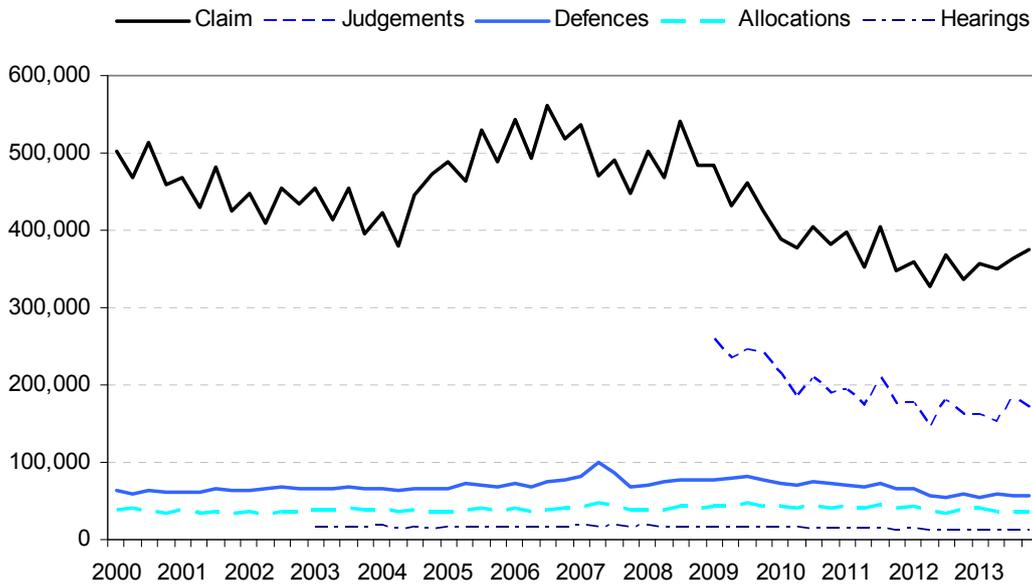
## Results

**Claims:** Between October and December 2013 a total of 374,124 claims were issued (Table 1.1 and Figure 1.1). This is an increase on the previous quarter but still down on the 2008 peak.

The fall in claims since 2008 has caused a corresponding decrease in the number of defences, allocations, hearings and trials and judgements over the same time-period.

**Petitions:** There were 6,631 insolvency petitions (excluding in the Royal Courts of Justice), continuing the downward trend seen since 2009, after more than tripling between 2001 and 2009 (Table 1.1). The large decrease since 2009 has been steepest among bankruptcy petitions made by debtors, then among bankruptcy petitions made by creditors, and least severe among petitions for company windings up.

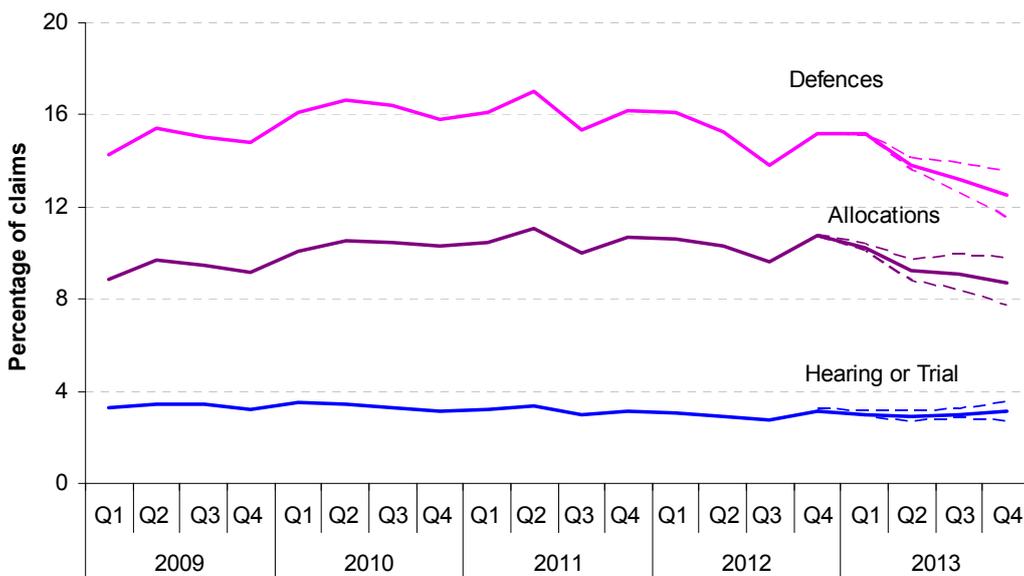
**Figure 1.1: Civil claims, defences, allocations and hearings and trials, January-March 2000 – October - December 2013**



**Defences:** Between October and December 2013 a total of 56,009 defences were made.

It is estimated that 12.5% of claims issued between October and December 2013 will be defended in time, with a range between 11.5% and 13.5% (Table 1.2 and Figure 1.2).

**Figure 1.2: Estimated case progression of civil claims by court action, January-March 2009 – October to December 2013**



**Allocations:** Between October and December 2013 a total of 36,726 allocations were made (Table 1.1).

It is estimated that 8.7% of claims issued between October and December 2013 will be allocated in time, (with a range between 7.7% and 9.8%).

**Hearings and trials:** Between October and December 2013 a total of 10,445 hearings or trials were carried out.

It is estimated that 3.1% of claims issued between October and December 2013 will go to hearing or trial in time, (with a range between 2.7% and 3.5%).

On average, small claim hearings occurred 31 weeks after the claim was originally made and the time between issue and hearing has been around this level since 2009. Trials occurred 60 weeks after the claim was originally made. The time between issue and the claim going to trial rose between 2008 and 2012 but has stabilised during the last 12 months (Table 1.3).

**Judgments:** Between October and December 2013 a total of 170,408 judgements were made.

**Warrants:** Between October and December 2013 a total of 56,792 warrants were issued. This figure has been generally falling since 2000.

**Orders:** Between October and December 2013 a total of 28,802 enforcement orders were issued. This figure has been generally falling since 2008.

## **Civil proceedings in the Magistrates' Courts**

Magistrates' courts deal with criminal and some civil cases, and cases are dealt with either by justices of the peace, who are unqualified and who are paid only expenses, or by District Judges who receive some payment. Magistrates can deal with a limited number of civil cases such as arrears of income tax, national insurance contributions, council tax or payments of child maintenance.

There were 16,453 completed civil proceedings in the Magistrates Court between October and December 2013, down nine percent on the previous quarter. It should be noted that a proceeding can either relate to a single case or multiple cases, so the numbers of cases completed is greater than the number of completed proceedings.

## Chapter 2: Family cases

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

This chapter includes references to Excel tables with summary figures and also CSV files which enable users to calculate their own data breakdowns. These can be found in the publication page for CSQ:

[www.gov.uk/government/publications/court-statistics-quarterly-tables](http://www.gov.uk/government/publications/court-statistics-quarterly-tables)

### Total family court case caseload

Family courts deal with around 270,000 new cases each year. In October - December 2013, there were 60,626 new cases started in family courts and 61,701 cases were concluded. Table 2.1, in the Excel tables, shows the total number of new cases starting and cases reaching a conclusion in family courts in each quarter. In October - December 2013 divorce made up 43% of new cases in family courts, with private law contributing 19% and financial remedy 17%. In total, relationship breakdown cases account for over four-fifths of the courts' caseload. A similar picture is also seen for the cases concluded.

- **Public law:** in October - December 2013 there were 3,712 new cases (fairly stable since 2011) which related to public law and 4,142 cases that reached a final disposal. The average time for the disposal of care and supervision cases was 33.4 weeks.
- **Private law:** there were 11,624 private law cases started (about 10 % lower than equivalent quarters in previous years) and 12,915 cases that reached a final disposal (continuing the slight upward trend), in October - December 2013.
- **Divorce:** there were 26,125 petitions filed for divorce and 28,201 decrees absolute made in October - December 2013.
- **Financial remedy (formerly 'ancillary relief'):** there were 10,447 cases started and 8,339 cases with a disposal in October - December 2013.
- **Domestic violence:** there were 5,069 cases started and 4,899 cases with a disposal in October - December 2013.
- **Forced marriage protection:** there were 27 new forced marriage protection order cases, and 22 cases concluded in October - December 2013.

- **Adoption:** there were 3,427 cases started and 3,075 cases disposed, under the Adoption and Children Act 2002 in October - December 2013.

**Table A: Total family court new cases, by case type, Oct-Dec 2013**

	<b>Number of new cases starting</b>	<b>Proportion change since 2012 Q4</b>
Public law	3,712	-4%
Private law	11,624	-10%
Divorce	26,125	-10%
Annulments & Judicial Separations	195	2%
Financial remedy	10,447	-1%
Family law - Domestic violence	5,069	19%
Forced marriage protection <sup>4</sup>	27	4%
Adoption Act	3,427	1%

## Public Law

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

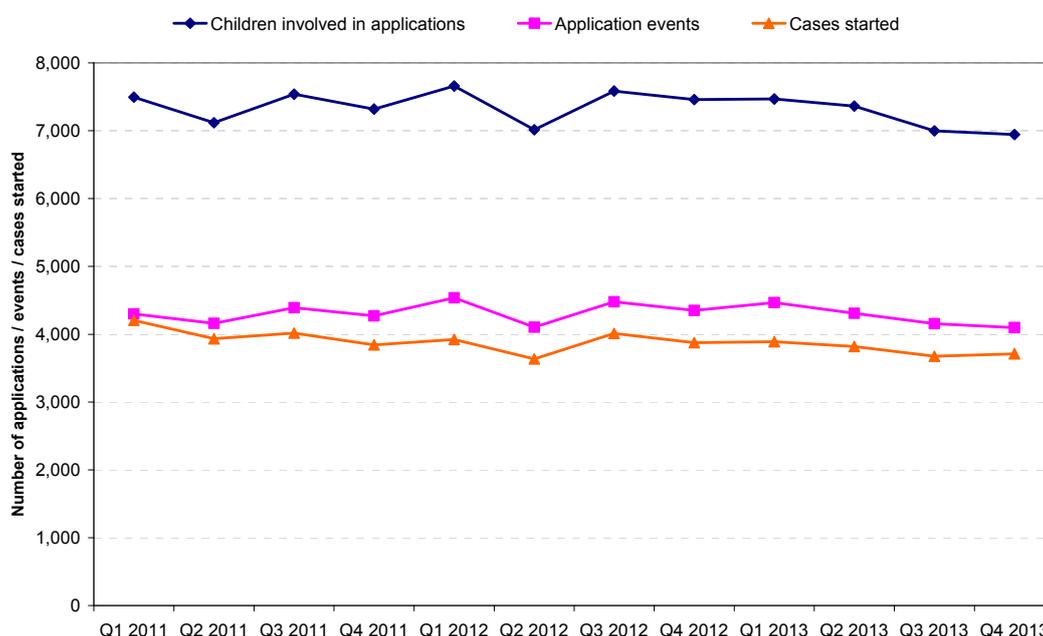
Following the publicity surrounding the Baby P case, the number of children involved in public law applications made by local authorities jumped in 2009 from around 20,000 to almost 26,000 per year. This had subsequently increased in the past three years to nearly 30,000 per year. Figures have remained fairly steady at around 7,500 per quarter, with the number for October - December 2013 slightly down at 6,943 (Figure 2.1).

The number of applications made, which can cover more than one child, has also been stable since Q1 2011, with between 4,000 and 4,500 applications per quarter. The trend in disposals tends to lag behind that for applications, due to the time taken for a decision to be reached in cases.

More than one application may be made during the life of a case. The numbers of cases starting in each quarter has also been fairly stable at just under 4,000 since 2011 (Table 2.2).

Please note that figures for the number of children involved in applications and disposals by type of order as published in previous bulletin tables are now given in the CSV file that accompanies this table.

**Figure 2.1: Public law applications, showing number of children involved, number of application events and number of cases starting, 2011 Q1 to 2013 Q4**



The number of children involved in Public law orders made jumped in 2011 and has continued to increase. There were 10,429 children involved in public law orders made in October - December 2013. The number of orders made is generally higher than the number of applications made, as some orders relate to applications made in an earlier time period, and an application for one type can result in an order or orders of a different type being made.

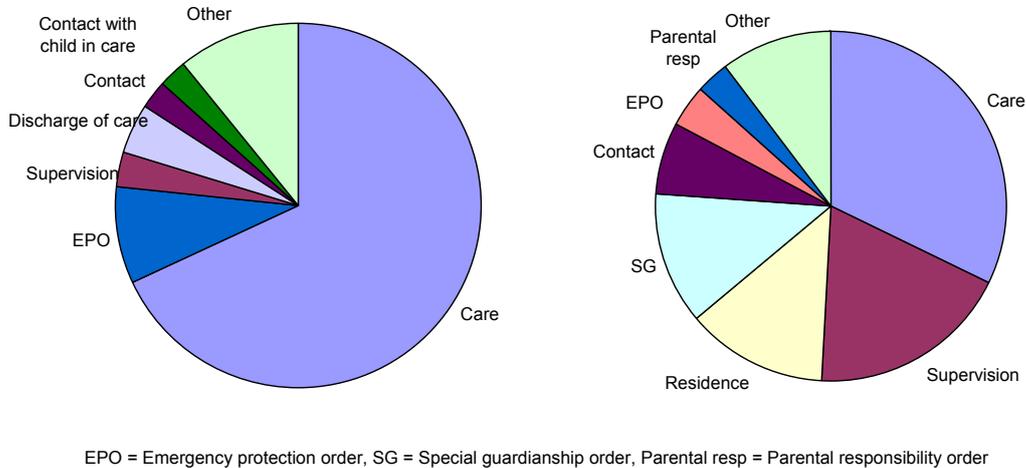
Figure 2.2 shows that the most common types of order applied for in October - December 2013 were care (68% of children involved in applications), followed by emergency protection (9%) and discharge of a care order (5%). The spread of the proportions for the type of orders made are normally different as an application for one type can result in an order of a different type being made. So for example, for supervision orders there were about 200 children involved in applications during Q4 2013, but around 2,000 children were involved in supervision orders made in that quarter.

The Children and Family Court Advisory and Support Service (Cafcass) also publishes data on the number of care applications, the latest edition of which can be found here:

[www.cafcass.gov.uk/news/2014/february/january-2014-care-demand-statistics.aspx](http://www.cafcass.gov.uk/news/2014/february/january-2014-care-demand-statistics.aspx)

Case level care order figures are currently not produced by the MoJ and so no comparisons between the two datasets can be made at this time.

**Figure 2.2: Public law applications and orders made, showing proportion of children involved in each order type, 2013 Q4**

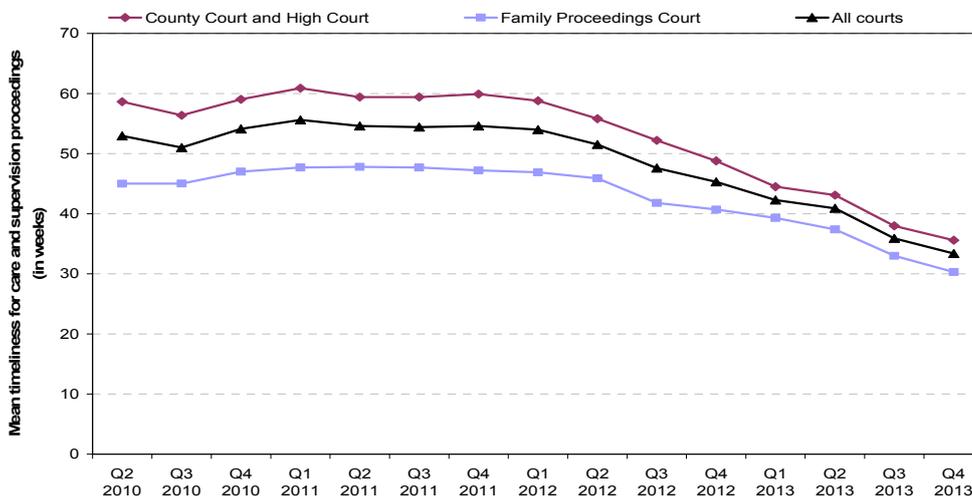


**Timeliness of care proceedings**

Statistics on the time taken to complete care and supervision cases in the family courts of England and Wales are given in Table 2.3. This table presents summary statistics showing the time, in weeks, between the date an application for a care or supervision order was lodged and the date the first care, supervision, or other substantive order was made in the case, for those cases disposed of during each quarter.

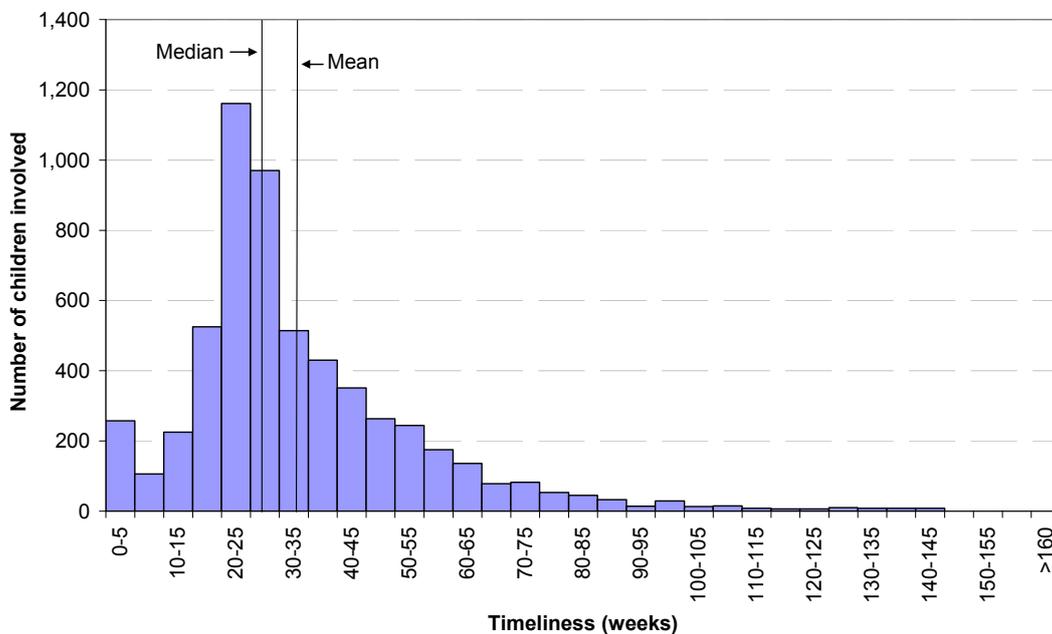
The average time for a disposal to be made in October - December 2013 was 33.4 weeks, continuing the drop seen since the beginning of 2012, after timeliness had remained at about 55 weeks for over a year. Separate figures for county courts and the High Court, and family proceedings courts are shown in Figure 2.3.

**Figure 2.3: Timeliness for Care and Supervision proceedings by tier of court, April – June 2010 to October - December 2013**



The average time for a disposal can be skewed by cases that take a long time, thus the median time is also calculated. The median time to make a disposal in a case was 27.1 weeks in October - December 2013. This means that for all children involved in care and supervision proceedings where a decision was reached during October - December 2013, half of the children (or 2886) 27.1 weeks or less from application to a substantive disposal, and the other half waited at least 27.1 weeks. This median value is different to the average (mean) quoted in the paragraph above as it is not influenced by the few very long case durations. Figure 2.4 shows how many children experienced each timeliness band in their case proceedings for cases disposed during October - December 2013.

**Figure 2.4: Timeliness for Care and Supervision proceedings showing number of children involved in each timeliness band, all court tiers, October - December 2013**



## Private Law

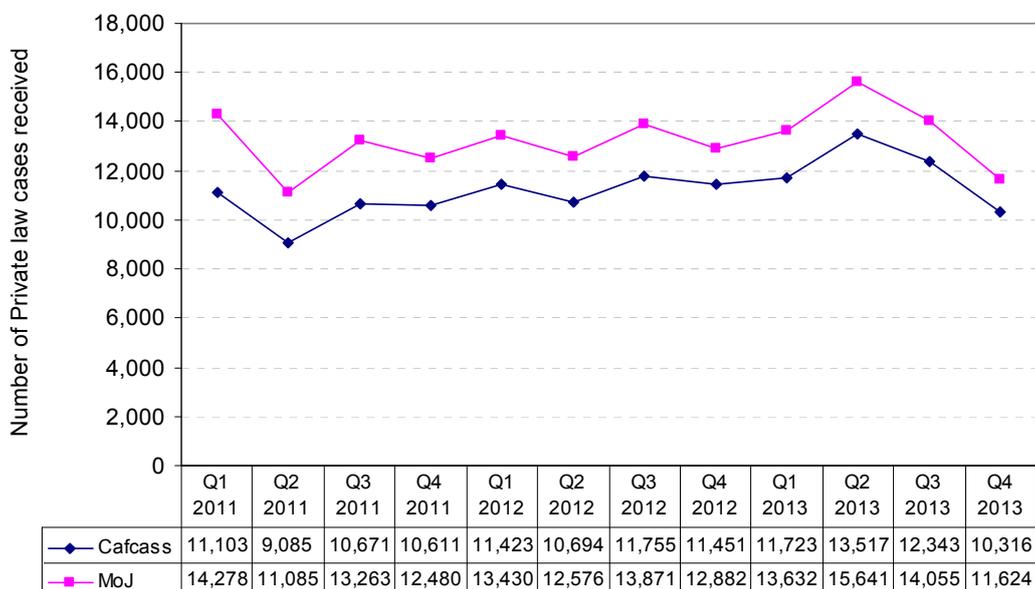
The number of Private law cases started in October - December 2013 dropped to 11,624 from the recent high seen in April - June 2013. This is the lowest figure since April – June 2011. The trend in cases disposed tends to lag behind that for cases started due to the time taken for a decision to be reached in cases, where there was an increase in Q4 2013 to 12,915 from the 12,317 for the previous quarter.

The Children and Family Court Advisory and Support Service (Cafcass) also publishes data on the number of Private law cases started, the latest edition of which can be found here:

[www.cafcass.gov.uk/news/2014/january/december-2013-private-law-demand-statistics.aspx](http://www.cafcass.gov.uk/news/2014/january/december-2013-private-law-demand-statistics.aspx)

These are compared against figures in this bulletin in figure 2.5, which shows that the patterns of the two trends are very similar.

**Figure 2.5: Comparison of the number of Private law cases received, as recorded by Cafcass and the MoJ, Q1 2011 to Q4 2013**



Most of the difference between the two sets of numbers is due to Cafcass generally only receiving section 8 cases<sup>5</sup> (contact, residence, prohibited steps and specific issue) from the courts. However, even looking at just section 8 cases, MoJ figures have still been between 3% and 9% higher than Cafcass figures over the last two years. Differences between the two data sets include the following:

- Section 8 cases where all of the issues are dealt with on the day (called 'urgent without notice' applications) should not be sent to Cafcass.
- Section 8 cases which are not listed within the Private Law Programme (PLP) and do not have a first hearing dispute resolution appointment (FHDRA) should also not be sent to Cafcass.
- Certain non-section 8 cases can be sent to Cafcass if the subject child is a party to on going proceedings (and a Cafcass officer has been appointed as the children's guardian) or the court is directed to do so by a judge or legal advisor.

This means that both figures cannot be accurately matched as it is impossible to identify the various situations described above from administrative data sources (particularly the 'urgent without notice' applications).

<sup>5</sup> Section 8 of the Children Act 1989.

Please note that figures for the number of children involved in Private law applications and disposals by type of order as published in previous bulletin tables are now given in the CSV file that accompanies this table.

## Legal representation

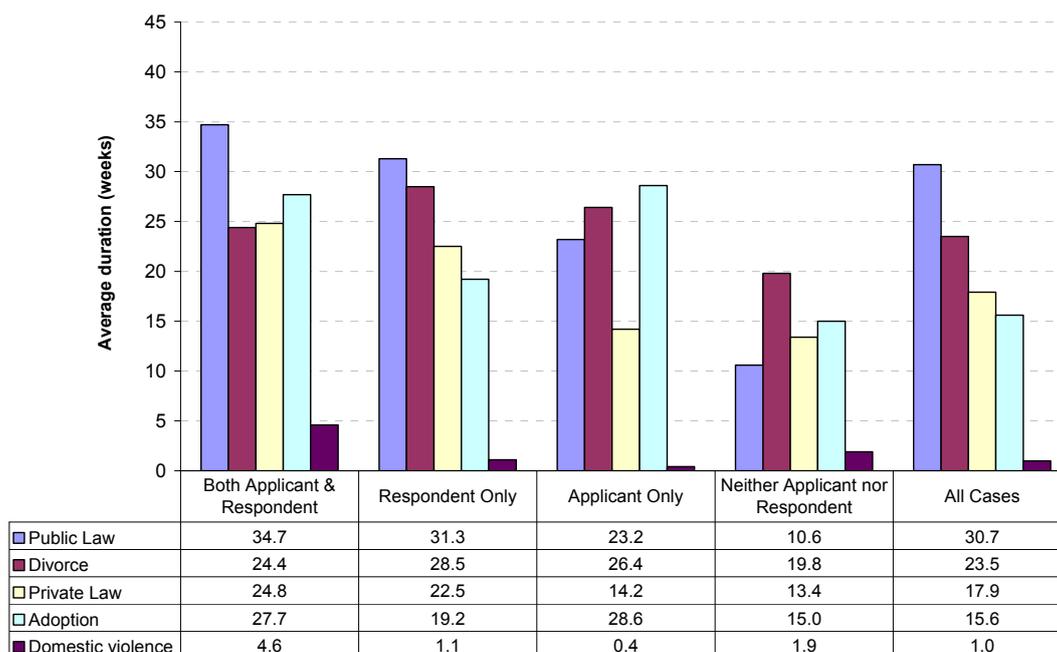
Figures on the legal representation of parties in family-related court cases are shown in Table 2.4. This gives the number of disposals made during each quarter and the average duration between application and first substantive disposal, for divorce, public law, private law, adoption and domestic violence cases, according to whether the applicant(s), respondent(s), both or neither had legal representation during the case.

The legal representation status reflects whether the applicant/respondent's legal representative has been recorded or left blank. Therefore, parties recorded as without legal representation are not necessarily self-representing litigants in person, for example in non-contested divorce cases.

In general, across all case types, cases where both parties or the respondent only had legal representation took longer than those cases where only the applicant was represented or where both parties were without legal representation. Figure 2.6 shows average duration for the various case types in England and Wales for October - December 2013.

Please note that a breakdown of Table 2.4 by region is now published for the first time in the CSV file that accompanies this table.

**Figure 2.6: Timeliness of cases according to legal representation of participants, by case type, October - December 2013**



The average case duration for divorce cases across all representation categories has remained fairly constant over recent years, while for public law average duration has fallen since the beginning of 2012. Changes to

legal aid came into effect as of April 2013, and figures show that in the quarters following, the number of disposals for private law cases where both parties were represented dropped but their average duration increased, while for those where neither party was represented, disposals increased and duration remained fairly steady. However, it should also be noted that for those cases where both parties were represented, a third (33%) commenced before 1 April 2013. As eligibility for legal aid funding has become more restricted it is likely that cases where both parties are represented now are more complex, perhaps involving allegation of harm although there is not yet enough data to support this hypothesis, contributing to the longer duration.

The Legal Aid Agency collects statistics on those applying for legal aid, and figures on the number of certificates issued for Private law Children Act proceedings up to Q4 2013 are published for the first time in the csv files accompanying this bulletin. The figures show a drop in the number of certificates issued after Q2 2013 due to the planned changes in legal aid provision explaining the fall in private law cases in the family courts.

The annual LAA report for 2012-13 can be found here:

[www.justice.gov.uk/publications/corporate-reports/legal-services-commission/](http://www.justice.gov.uk/publications/corporate-reports/legal-services-commission/)

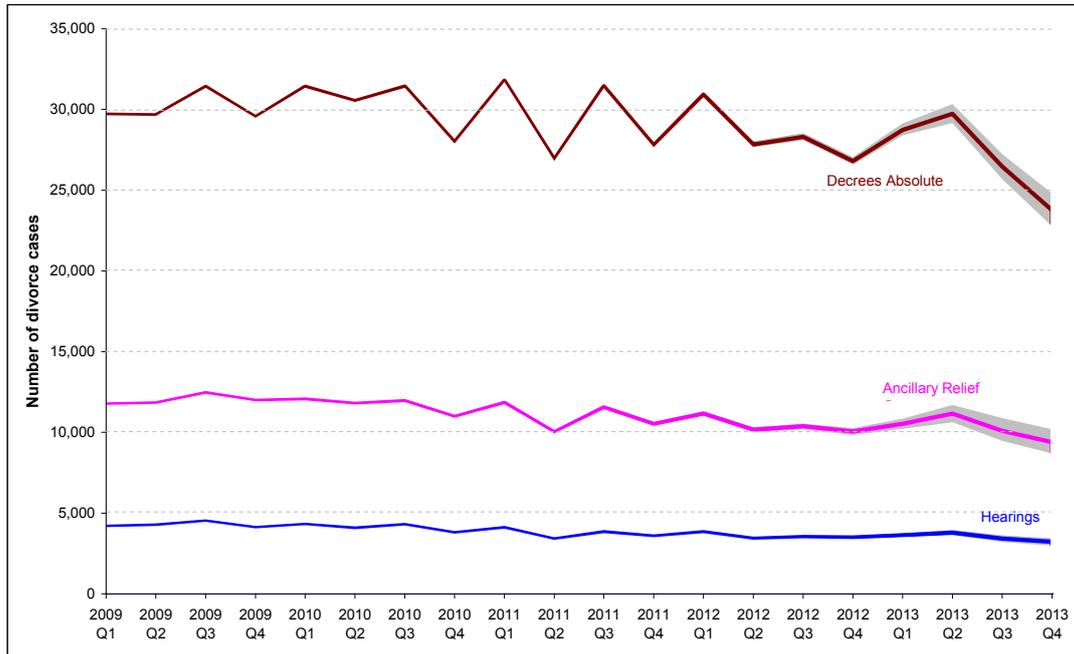
## **Matrimonial matters**

The new divorce CSV file accompanying this publication, which effectively replaces and expands on the summary table published in previous bulletins, provides the numbers of petitions and decrees for divorce, annulment and judicial separation. It also provides a breakdown of whether the petitioner in each case was male or female, whether children were involved in the divorce petition, and whether the divorce was contested or not.

In addition to caseload, divorce is the first family law area that has case progression incorporated in this publication. A summary of divorce case progression can be found in the companion Excel tables (table 2.5) and it shows the number and proportion of divorce cases commencing in each quarter since 2003 that had reached certain stages by the end of December 2013.

The table also includes an estimation based on the paper “Generalised estimation method for the number of cases that reach any stage in the court process in civil justice” published in the A Guide to Court and Administrative Justice Statistics. The estimation shows final numbers of cases that will reach each stage (decrees nisi, decrees absolute, financial remedy applications, financial remedy orders, hearings, injunction applications and injunction orders). Based on this estimation around 90% of divorce petitions eventually proceed to a decree absolute. Financial remedy applications and orders are eventually made in just over a third cases, and hearings take place in just over 10% of cases. Figure 2.8 illustrates these trends.

**Figure 2.8: Estimated case progression of divorce cases, 2009 Q1 to 2013 Q4**



### Forced Marriage Protection Orders

The Forced Marriage (Civil Protection) Act 2007 came into force on 25 November 2008. The Act amended Part IV of the Family Law Act to enable 15 designated county courts (as well as the High Court) to make Forced Marriage Protection Orders (FMPOs) to prevent forced marriages from occurring and to offer protection to victims who might have already been forced into a marriage.

The number of applications and orders made for FMPOs is small. For October - December 2013 there were 39 applications, down from last quarter's high of 55, and 25 orders made.

### Adoptions

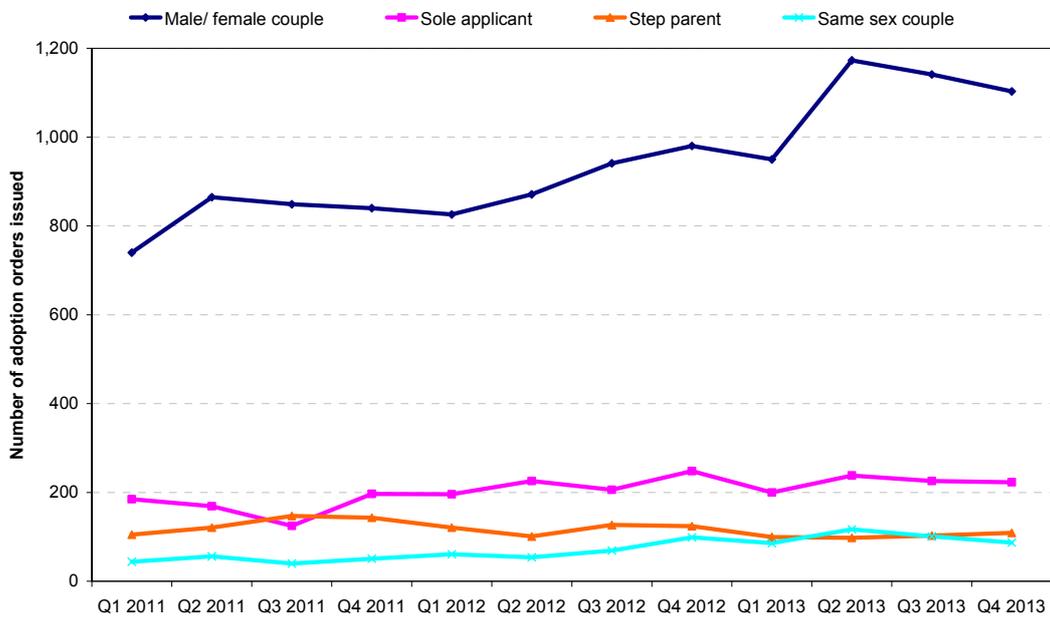
An adoption order made by a court extinguishes the rights, duties and obligations of the natural parents or guardian and vests them in the adopters. On adoption the child becomes for virtually all purposes in law the child of its adoptive parents and has the same rights of inheritance of property as any children born to the adoptive parents. Most adoptions in the UK are 'standard' adoptions. Data is also provided in the table on other adoptions, which include foreign adoptions, convention adoptions and standard adoptions that include a foreign element. An adoption order is preceded by a placement order which allows a local authority to place a child with prospective adopters, unless parental consent has been given for the placement.

In October - December 2013, there were 1,491 applications made for a placement order, the lowest number since October - December 2011. There

were 1,685 applications made for an adoption order, up 17% from the equivalent quarter of 2012.

During October - December 2013, there were 1,526 adoption orders issued, up 5% from the same quarter of the previous year. In almost three-quarters of these, the adopters were a male/female couple, while in 15% the adopter was a sole applicant. In a further 7% the adopter was a step-parent and in 6% the adopters were a same-sex couple (Figure 2.9). Figures on the sex and age band of adopted children can be found in Table 2.10 and timeliness figures can be found in Table 2.4. A wider range of breakdowns for adoption applications and orders, for example by type of order, can be produced from the accompanying CSV file.

**Figure 2.9: Adoption orders issued, by adopter, Q1 2011 to Q4 2013**



## Chapter 3: Criminal cases

This chapter presents statistics on criminal cases dealt with in the magistrates' courts and the Crown Court. At the end of the fourth quarter of 2013, there were around 240 magistrates' courts and 77 Crown Court locations across England and Wales.

### **Criminal cases in the magistrates' courts**

Virtually all criminal court cases start in the magistrates' courts. The less serious offences are handled entirely in magistrates' courts, with over 90% of all cases being dealt with in this way. The more serious offences are passed on to the Crown Court, either for sentencing after the defendant has been found guilty in the magistrates' court, or for trial with a judge and jury.

On 28<sup>th</sup> May 2013 committal hearings were abolished nationally as part of wider measures to speed up justice and improve efficiencies in the justice system<sup>6</sup>. The change was initially piloted in a small number of courts from June 2012. As a result of the change, cases are now sent straight to the Crown Court as soon as it is clear the matter is serious enough, rather than having to await a committal hearing.

### **Completed proceedings in the magistrates' courts**

Statistics on completed proceedings in the magistrates' courts count every separate offence that is dealt with during the course of a case. However, if two or more offences from a case are dealt with on the same day, then only one is counted (the most serious offence is selected) for statistics by case type.

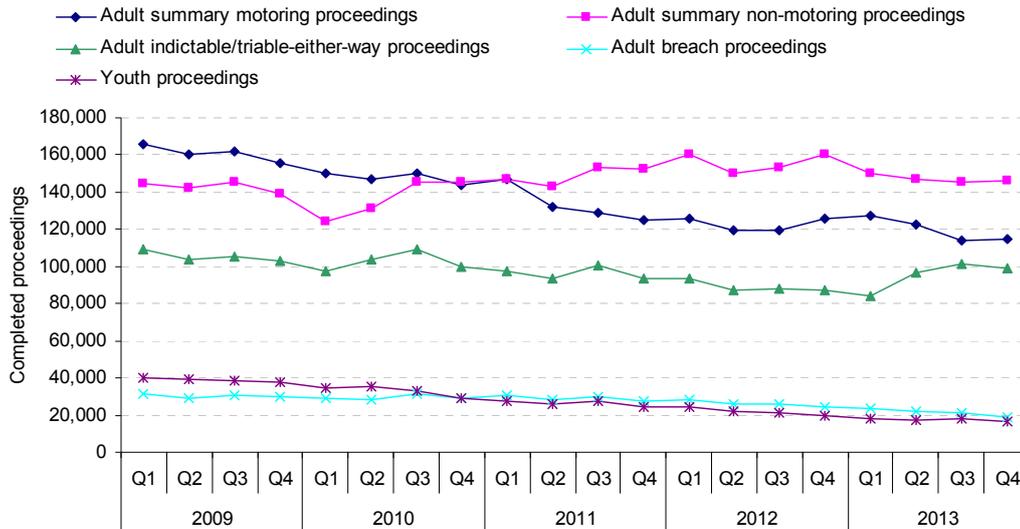
The total number of completed proceedings in the magistrates' courts has fallen in the fourth quarter of 2013 – a decrease of 5% compared to the same quarter of the previous year. This is the lowest quarterly level seen in the last five years and was driven by the decline of adult summary proceedings, a fall of 9% compared to the same quarter of 2012 (from 286,523 to 260,358).

These falls are in contrast to the recent trends in completed adult indictable/triable-either-way proceedings which have risen by 14% compared to the same period 12 months earlier.

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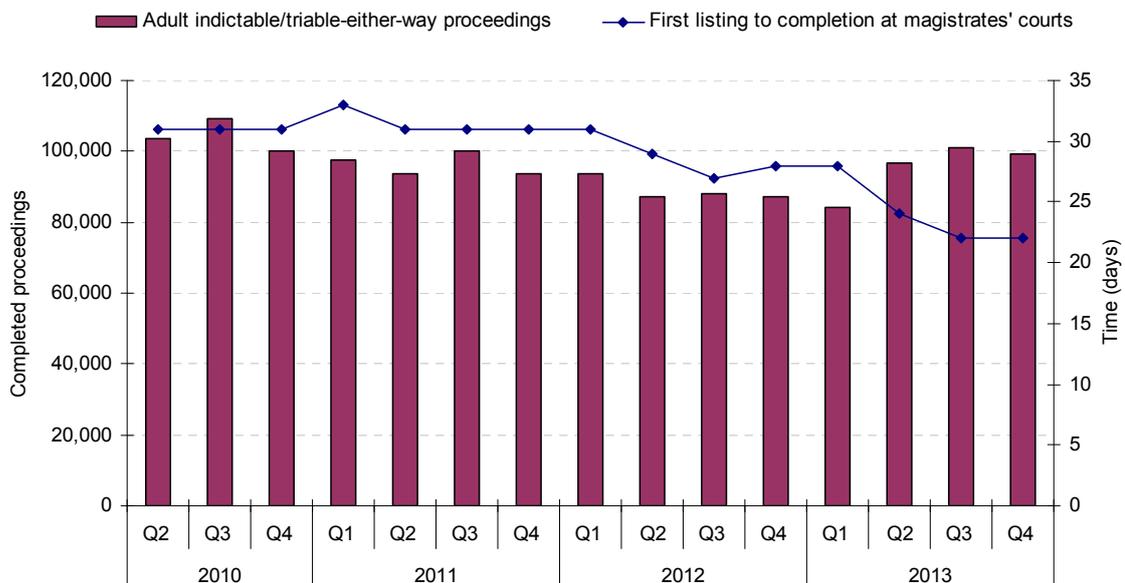
<sup>6</sup> <https://www.gov.uk/government/news/faster-justice-as-unnecessary-committal-hearings-are-abolished>

**Figure 3.1: Criminal proceedings completed in the magistrates' courts, Q1 2009 to Q4 2013**



The volume of completed indictable/triable-either-way proceedings had been falling from 2008 to early 2013 where the first quarter of 2013 saw the lowest quarterly figure recorded<sup>7</sup> (84,338). Since then, the volume of cases has increased by 20% to quarter three of 2013 (101,031) and has remained at similar levels in the fourth quarter of 2013 (99,137).

**Figure 3.2 Adult indictable/triable-either-way completed proceedings and timeliness in the magistrates' courts, Q2 2010 to Q4 2013**



<sup>7</sup> Comparable figures are only available from 2008 when the magistrates' courts migrated to the Libra data collection system.

Despite the increase of completed adult indictable/triable-either-way proceedings, the time taken between first listing and completion at the magistrates' courts for these cases fell by 6 days between the fourth quarter of 2012 and 2013. This is mainly the result of the national abolition of committal hearings for triable-either-way cases in May 2013. The magistrates' courts can send triable-either-way cases to the Crown Court for trial as soon as it is clear that the circumstances of the case are sufficiently serious; thus, reducing the time spent in the magistrates' courts.

### Criminal cases in the Crown Court

The Crown Court deal with cases received from the magistrates' courts for sentencing, trial or appeal against magistrates' courts' decision.

Triable-either-way cases can be sent to the Crown Court for trial if the magistrates' courts decide the matter is serious enough or if a defendant elects to be tried by judge and jury.

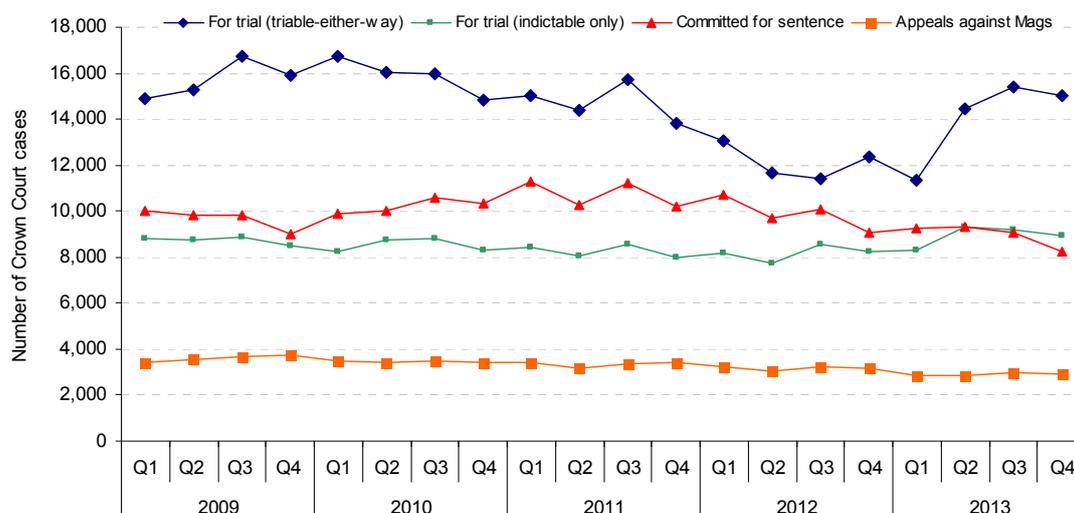
Indictable only cases can only be tried on indictment in the Crown Court as they cannot be heard summarily at the magistrates' courts.

### Caseload in the Crown Court

The second quarter of 2013 saw a 13% increase in receipts for all cases in the Crown Court compared to the previous quarter.

This increase was driven by a rise in triable-either-way case receipts which rose by 27% compared to the first quarter of 2013. This has subsequently stabilised and in the latest period triable-either-way receipts fell by 2% compared to the previous quarter.

**Figure 3.3: Crown Court receipts by case type, Q1 2009 to Q4 2013**

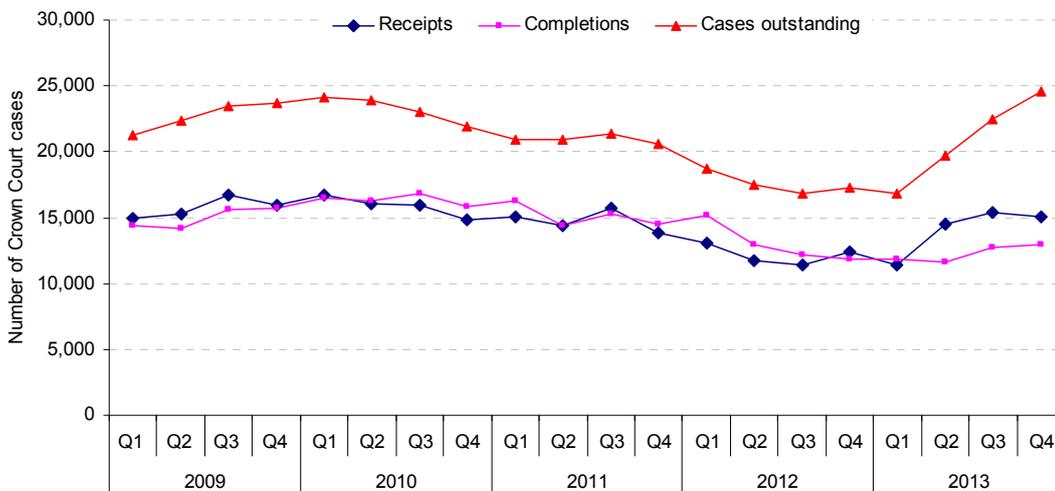


In the second quarter of 2013 the number of indictable only cases rose to 9,335 cases, the highest quarterly figure in the last five years. This has since fallen by 4% to 8,947 in the fourth quarter of 2013. These changes

may be an effect of the abolition of committal hearings for triable-either-way cases in the magistrates' courts.

Despite the steadying of receipts into the Crown Court the number of outstanding cases has continued to rise across 2013 – increasing by 46% and 13% for triable-either-way and indictable only cases respectively compared to the first quarter of 2013. This is the result of changes to the committal process for triable-either-way cases and the increased workload at the magistrates' courts.

**Figure 3.4: Receipts, completions and outstanding triable-either-way cases in the Crown Court, Q1 2009 to Q4 2013**



For completed Crown Court cases, the overall timeliness from offence and completion has decreased from 323 days in 2009 to 299 days in 2013.

Following the abolition of committal hearings the amount of time these cases spend at the magistrates' courts between first hearing and being sent to the Crown Court has halved - falling from 22 days to 11 days between the second and fourth quarter of 2013.

This decrease is in contrast to a 9 day increase seen in the average time spent at the Crown Court, from 134 days in the third quarter to 143 in the fourth quarter of 2013.

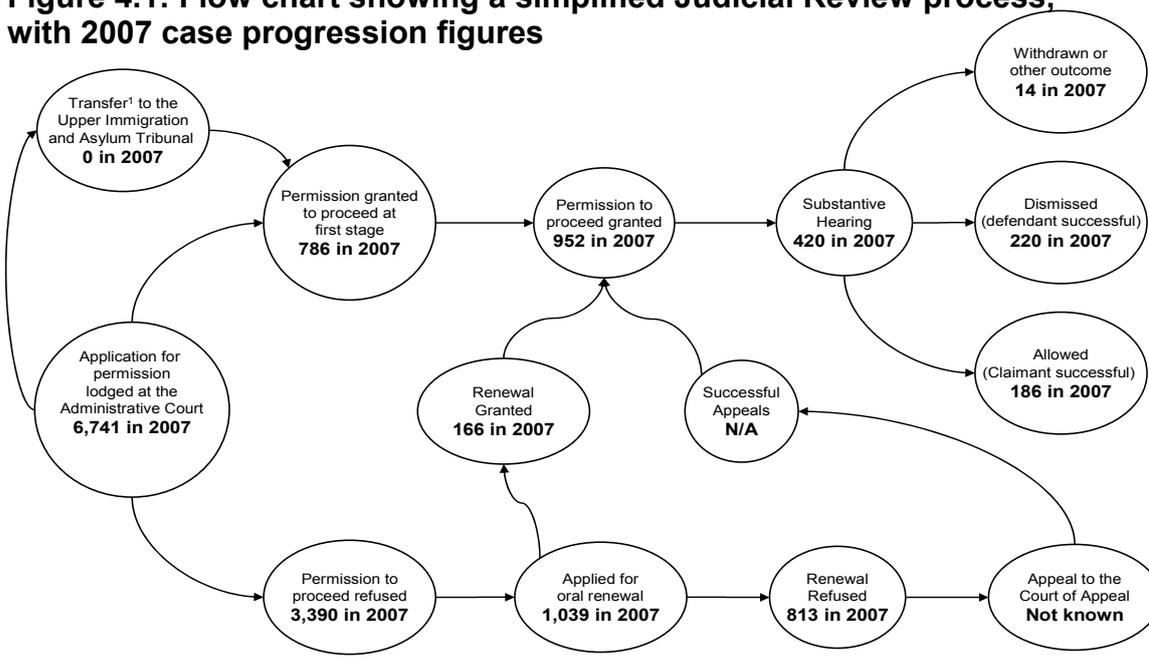
This increase is also seen in the average duration of hearings for trial cases at the Crown Court. In the fourth quarter of 2013, this increased 21% compared to the previous quarter. Steady increases can be seen from the third quarter of 2012 for the average duration of hearings for 'not guilty' trial cases, this is mainly driven by increases in the average duration of jury trial hearings.

## Chapter 4: Judicial Reviews

The data used in this chapter is taken from a system in the Administrative Court<sup>8</sup> (COINS) and it tracks the progress of Judicial Reviews (JRs) lodged between 1 January 2000 and 31 December 2013<sup>9</sup>. As this information has been extracted from a live database, there are minor revisions between the information presented here and earlier data<sup>10</sup>. For more information on the Judicial Review process, including how topics are allocated to Immigration/Asylum and Other, please see the **A Guide to Court and Administrative Justice Statistics**<sup>11</sup>

The analysis in this chapter covers JRs lodged between 1 January 2000 and 31 December 2013. Information for all years is provided in the supporting tables and csv that accompany this publication. Please note for later years cases may not have progressed to the end of the process, so the progression and timeliness figures for these cases should be treated with caution, in particular for receipts during the year 2013, where a very large proportion of cases will not have been concluded.

**Figure 4.1: Flow chart showing a simplified Judicial Review process, with 2007 case progression figures**



<sup>8</sup> The Administrative Court is part of the Queens Bench Division. The data presented here is for judicial reviews only. The Administrative Court also deals with other types of appeals and first stage applications; as such these figures are not reflective of the full workload of the Administrative Court.

<sup>9</sup> Data was extracted in February 2014. Data is from a live database and subject to continual revisions

<sup>10</sup> For more information please see [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/262036/revision-judicial-review-figures-stats.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/262036/revision-judicial-review-figures-stats.pdf)

<sup>11</sup> [www.gov.uk/government/publications/guide-to-court-and-administrative-justice-statistics](http://www.gov.uk/government/publications/guide-to-court-and-administrative-justice-statistics)

## Applications for permission to apply for Judicial Review

In 2000, there were 4,288 applications (Table 4.1) for permission to apply for a Judicial Review. By 2013 this had risen to an annual intake of 15,707 (over a three fold increase).

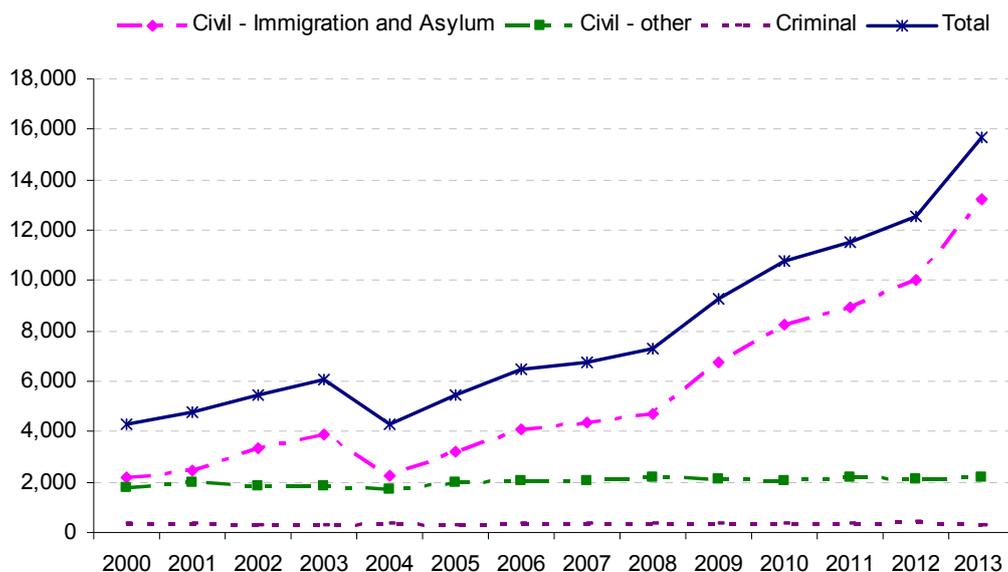
The overall trend in judicial review applications received has been steadily upwards, with the exception of a dip in 2004. This dip coincided with a new option to appeal immigration and asylum cases through a statutory review, rather than a judicial review. This process was introduced in 2003, peaked in 2004 and then fell out of use, it was removed in 2009.

JR Civil (Immigration and Asylum) cases have been driving this increase, from 2,173 in 2000 to 13,210 in 2013. This type of judicial review accounted for 51% of all JRs in 2000 and 84% of all JRs in 2012. Figure 4.2 shows these increases over time.

The trends in JR Civil (other) and JR Criminal cases has not been so marked. JR Criminal cases have reduced by 22% over the period, while JR Civil (other) cases rose by 27%.

Since November 2013 the vast majority of Immigration Judicial Reviews have been transferred to the Upper Tribunal of the Immigration and Asylum Chamber. As shown below, Immigration and Asylum Judicial Reviews make up the majority of cases lodged. The Administrative Court continues to work through Immigration Judicial Reviews lodged before September 2013. Once these have been dealt with the numbers of Judicial Reviews in the Administrative Court will be substantially reduced.

**Figure 4.2: Judicial Review Applications, by type<sup>12</sup> 2000-2013**



<sup>12</sup> This chart excludes a small number of cases that could not be allocated to a type

## Case progression

Once a judicial review has been lodged it then progresses through the process until it is concluded; this will be different for each case. See figure 4.1 for an illustrated example. Please note the case mix for judicial reviews has changed over time, for example the proportion of cases which are JR Civil (immigration and asylum) has risen, so trends in progression should be treated with caution. Also, data for 2013 was extracted in February 2014; these figures will change as more time allows for more cases to progress through the system.

### Permission stage

- In 2000, 28% of judicial reviews lodged reached the permission stage and were granted permission to proceed. By 2012 this had reduced to 11% and so far for 2013 it is 7%. This drop is partly explained by drop in the proportion of cases that had reached the permission stage, which fell from 84% in 2000 to 45% in 2013.

### Oral renewals

- For those cases that progressed to the oral renewal stage the trends are far more stable. In 2000, 4% of all cases lodged reached an oral renewal and were granted permission to proceed. This was 3% for 2012 and so far only 1% in 2013.

### Final hearing

- The proportion of cases eligible for a final hearing (granted permission to proceed at permission or oral renewal stage) has reduced over time, from 32% in 2000 to 11% in 2012 and so far only 8% in 2013.
- The proportion of cases that found in favour of the appellant at a final hearing has reduced from 12% in 2000 to 1% in 2012. Of the 1,211 case that were eligible for a final hearing in 2013, only 87 reached a decision. Of these, 44 (51%) were found in favour of the appellant.

## Timeliness<sup>13</sup>

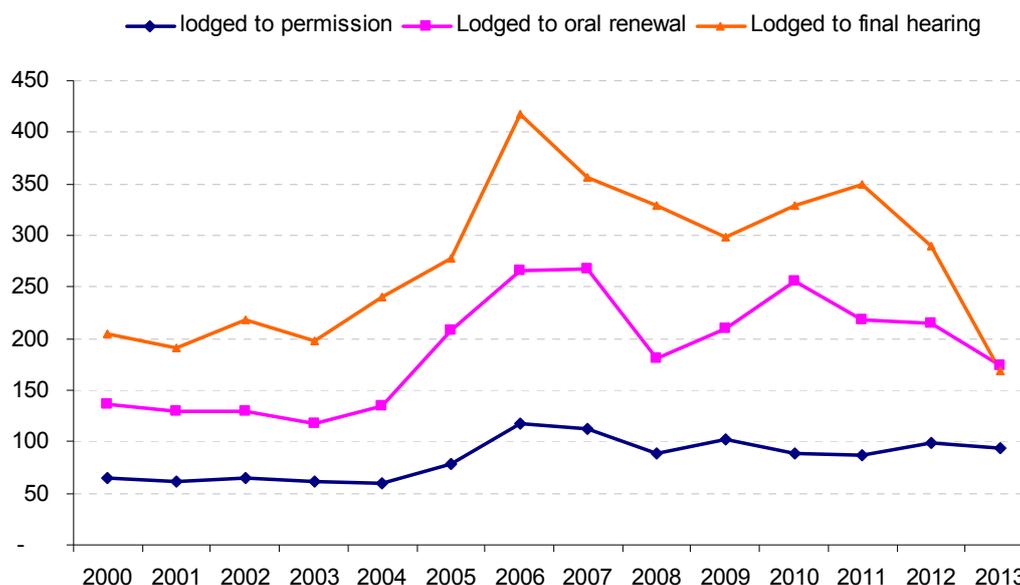
- The average time taken from lodging a case to first permission stage has risen over time. With cases taking an average of 65 days in 2000, and 94 days in 2013. This maybe due to the rise in cases lodged over this period.

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<sup>13</sup> Timeliness figures in this publication are based on the date the JR is lodged to the date of various stages of the process. This is not a measure of the time the Administrative Court takes to deal with a judicial review as it also includes time taken for parties to the JR to provide evidence and any adjournments or postponements requested.

- The average time taken from lodging a case to oral renewal has also risen over time, from 137 days in 2007 to 215 in 2012 and 174 for cases in 2013.
- The time taken from lodging to final hearing has increased over time from over 205 days in 2000 to 290 in 2012. Please note this is based on cases that have reached a final hearing and may change for later periods as cases progress through the system.

**Figure 4.4: Average time taken for each stage of the Judicial Review process, 2000 to 2013<sup>14</sup>**



Please note the timeliness analysis includes cases that were transferred to the Upper Tribunal of the Immigration and Asylum Chamber. These cases were effectively closed on the COINS database in November 2013.

### Totally without merit

In refusing permission for judicial review a judge can certify a case to be totally without merit (TWM). This has existed for some time in the context of the court's power to make civil restraint orders and in immigration cases where it could result in the judge determining that renewal be no bar to deportation, unless an injunction is obtained. As part of the Government's reforms to judicial review procedure, since 1st July 2013 a case refused permission and certified as totally without merit on the papers cannot be renewed at an oral hearing.

<sup>14</sup> The average time taken to reach each stage is calculated using only those cases that have reached the stage in question. Figures for later years may change in later periods, especially for 2013.

From the 1<sup>st</sup> of October 2012 to 31st December 2013 there were 18,970 cases lodged. Of these 9,138 (48%) had reached permission or oral renewal stage at the time the data was extracted in February 2014. Of those that had reached these stages 2,752 (30%) were found to be totally without merit.

The proportion of cases found to be totally without merit was higher for civil (immigration and asylum cases) at 35%, compared to only 15% of civil (other cases).

## Annex A: Enforcement of financial impositions

The following section provides updated management information on the collection of financial impositions through Her Majesty's Courts and Tribunals Service (HMCTS).

Financial impositions are ordered by the criminal courts for payment by offenders at sentencing and include financial penalties such as fines, prosecutors' costs, compensation orders and victim surcharge. Financial penalties are the most commonly used sentence and form a significant part of HMCTS' collection and enforcement business. Accounting centres also enforce penalty notices for disorder and fixed penalty notices transferred to HMCTS for enforcement as fines. The financial imposition statistics presented here do not include confiscation orders.

### Financial impositions and amounts paid

Financial penalties can be imposed by the magistrates' courts and the Crown Court; however they are all collected and enforced by the magistrates' courts. Table A.1 presents the amount of financial penalties collected by the courts in a given period.

In the fourth quarter of 2013, the total value of financial penalties paid, regardless of the age of the imposition, was £72 million; a 4% increase compared with the same quarter in 2012 but a 3% decrease on the previous quarter (Table A.1).

The total value of impositions in the fourth quarter of 2013 was around £102 million; a decrease of 1% compared to the same quarter in 2012 and a 4% decrease compared with the previous quarters' total impositions (Table A.2).

In the fourth quarter of 2013, 12% (£13 million) of financial impositions imposed by the criminal courts were paid within the imposition month.

Each year there are a number of financial penalties that are cancelled, either administratively or legally. Legal cancellations can be applied after the case has been reconsidered by a judge or a magistrate and may follow a change in circumstances. Administrative cancellations are only applied in accordance with a strict write off policy, e.g. where the defendant has not been traced; these can then be re-instated if the defendant is then traced.

The latest information shows that around 6% (£5.8 million) of the financial penalties imposed in the fourth quarter of 2013 had been cancelled – mainly consisting of legal cancellations following appeal and statutory declarations.

### Financial imposition accounts opened and closed

Table A.3 presents the number of financial penalty accounts opened and closed. An account is opened when a financial penalty is ordered in court and is closed when the imposition against the account has been paid or the

imposition is cancelled. Where a defendant has more than one financial penalty and/or account, these can be consolidated into one account.

There were 301,698 accounts opened in the fourth quarter of 2013, a 1% decrease compared to the same period in the previous year.

Of the accounts opened in the fourth quarter of 2013, 12% (37,593) were closed within the month of imposition

## **Outstanding financial impositions**

Table A.4 presents the total value of financial impositions outstanding. The amount outstanding is irrespective of the age of the imposition or the payment terms, and excludes all impositions already paid as well as both legal and administrative cancellations. Payment terms may include arrangements for offenders to pay amounts owed over a period of time.

In the fourth quarter of 2013, the total value of financial impositions outstanding in England and Wales was £556 million. This has consistently fallen and is down 2% on the previous quarter.

## Annex B: Planned upcoming changes to publications

We are planning to make changes to this bulletin, these are outlined below. If you would like to comment on any of these proposals or if you have any other feedback or questions about this statistical bulletin, or requests for further information, please direct them to the appropriate contact provided at the end of this report.

### Family

As time permits, we are planning to produce additional family CSV files to the files already published in order to make more data available than is possible in table format – in other words, breakdowns and variables that have not been published previously.

In addition, it is intended that more tables showing case progression, such as that for divorces will also gradually be introduced for various other types of cases, such as for financial remedy and domestic violence cases.

### Criminal

#### Crown Court data

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

In 2010/11 the Ministry of Justice, with the support of a methodologist from the Office for National Statistics, undertook work to better understand the differences between the two publications. Among the key differences between the two datasets are:

- Definition of final outcome: Court Statistics Quarterly includes cases ending as a result of all charges being quashed, discontinued by the prosecution, or where a bench warrant was issued or executed and other outcomes. These outcomes are not counted in Criminal Justice Statistics as the statistics focus on the final outcome of criminal cases and the sentences passed;

- Different validation rules;
- Timing of data extraction.

### **Magistrates' courts data**

For magistrates' courts data the number of proceedings reported in Court Statistics Quarterly exceeds those in Criminal Justice Statistics because the former counts issuance of a bench warrant as the end of a set of proceedings. This implies that a case may be counted once by Criminal Justice Statistics but twice, as two sets of proceedings, by Court Statistics Quarterly.

## Explanatory notes

The United Kingdom Statistics Authority has designated these statistics as National Statistics, in accordance with the Statistics and Registration Service Act 2007 and signifying compliance with the Code of Practice for Official Statistics. Designation can be broadly interpreted to mean that the statistics:

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

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

The statistics in this bulletin relate to cases in the county, family, Crown and magistrates' courts in England and Wales. Calendar year statistics are also provided.

Breakdowns of many of the summary figures presented in this bulletin, such as split by case type or by HMCTS area, are available in the Comma Separated Value (csv) files that accompany this publication.

### Revisions

The statistics in the latest quarter are provisional, and are therefore liable to revision to take account of any late amendments to the administrative databases from which these statistics are sourced. The standard process for revising the published statistics to account for these late amendments is as follows:

An initial revision to the statistics for the latest quarter may be made when the next edition of this bulletin is published. Further revisions may be made when the figures are reconciled at the end of the year. If revisions are needed in the subsequent year this will be clearly annotated in the tables.

For more information please see the **Guide to Court and Administrative Justice Statistics**.

### Symbols and conventions

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

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

## Contacts

Press enquiries on the contents of this bulletin should be directed to the MoJ or HMCTS press offices:

**Rob Smith**

Tel: 020 3334 3505

Email: [rob.smith@justice.gsi.gov.uk](mailto:rob.smith@justice.gsi.gov.uk)

**Mark Kram**

Tel: 020 3334 6697

Email: [mark.kram@hmcts.gsi.gov.uk](mailto:mark.kram@hmcts.gsi.gov.uk)

Other enquiries about these statistics should be directed to the Justice Statistics Analytical Services division of the MoJ:

**Katherine Williamson**

Ministry of Justice

102 Petty France

London

SW1H 9AJ

Tel: 020 3334 5404

Email: [statistics.enquiries@justice.gsi.gov.uk](mailto:statistics.enquiries@justice.gsi.gov.uk)

General enquiries about the statistics work of the MoJ can be emailed 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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