



Ministry  
of Justice



# **Civil Justice Statistics Quarterly, England and Wales (Incorporating Privacy Injunction Statistics January to June 2015)**

April to June 2015

Ministry of Justice  
Statistics bulletin

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## Introduction

This statistical bulletin presents statistics on three key areas of civil and administrative justice:

- County court civil (non-family) cases that took place in England and Wales in April to June 2015;
- Judicial review cases processed by the administrative court in England and Wales up to June 2015;
- Privacy Injunction cases, dealt with by the High Court or Court of Appeal, for the six month period, January to June 2015 (previously a separate publication).

The figures give a summary overview of the volume of cases dealt with by these courts over time and are used to monitor court workloads, to assist in the development of policy and their subsequent monitoring and evaluation.

**Civil cases** are those that do not involve family matters or failure to pay council tax. These cases are mainly dealt with by county courts and typically relate to debt, the repossession of property, personal injury, the return of goods and insolvency. Particularly important, complex or substantial cases are instead dealt with in the High Court.

In addition to the usual revisions policy (see Annex C), our defence figures have been revised back to Q1 2012, the figures have been revised following an operational change in the way defence cases are processed. For consistency it was necessary to change these figures back to this date, periodic figures are therefore comparable. The trend remains largely unchanged until Q4 2014, while the total number of defences have increased.

**Judicial reviews (JRs)** are a process by which individuals, businesses and other affected parties can challenge the lawfulness of decisions or actions of the executive, including those of ministers, local authorities, other public bodies and those exercising public functions. It is a largely judge-developed procedure and can be characterised as the rule of law in action, providing a key mechanism for individuals to hold the executive to account. It is, however, intended to operate quickly and proportionately. Certain protections are in principle provided against spurious claims: only those with sufficient interest are able to bring a case and they must first obtain permission for their case to be heard.

**Privacy injunctions** are used when a person or organisation who wishes to prevent the publication or dissemination of private or confidential information applies to the High Court for an injunction to stop this from occurring. These statistics were previously published as a separate publication entitled 'Statistics on Privacy Injunctions' - following a recent consultation, these figures have been incorporated into Civil Justice Statistics Quarterly, and will be published every six months.

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

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

There is also a separate **Glossary** published alongside this which provides brief definitions for the terms used in this report. Information regarding the symbols and conventions used in the bulletin are given in the explanatory notes section.

Previous editions of Civil Justice Statistics Quarterly can be found here:

[www.gov.uk/government/collections/civil-justice-statistics-quarterly](http://www.gov.uk/government/collections/civil-justice-statistics-quarterly)

The next publication of Civil Justice Statistics is scheduled to be published on 3 December 2015, covering the period July to September 2015.

### **Users of the statistics**

The main users of these statistics are Ministers and officials in central government responsible for developing policy with regards to civil and administrative justice. Other users include lawyers and academics, other central government departments such as the Department for Communities and Local Government, and non-governmental bodies, including various voluntary organisations with an interest in civil and administrative justice.

## Key Findings

This report presents statistics on three areas of justice: civil (excluding family cases) and judicial reviews in England and Wales up to June 2015; and on Privacy Injunctions for January to June 2015.

### **Civil (excluding family) cases**

- In April to June 2015, courts dealt with around 366,000 claims, 34,000 allocations, 66,000 defences and around 194,000 judgments. The number of claims courts dealt with decreased 1% on the same quarter last year, defences were up 4%, with allocations down 1% and judgments decreasing by 5%.
- Although the quarterly judgment figures are volatile; the long term trend is in line with the number of claims. Annually, both claims and judgments fell between 2009 and 2012 and have since shown increases in the last two years (figure 1.1).
- In 2014, both the claimant and defendant had legal representation in 52% of all defences (compared to 56% in 2013) whilst neither the respondent nor the claimant had representation in 27% of defences (compared to 21% in 2013). This is driven by defences of unspecified money claims, which account for 51% of all defences and in almost all such defences (97%) both sides were legally represented.
- There was an average of 53.4 weeks between a fast or multi-track claim being issued and the claim going to trial in the second quarter this year, compared with 54.2 weeks in the same period last year.

### **Judicial Reviews at the Administrative Court**

- In the first half (January to June) of this year there were 2,128 applications lodged at the Administrative Court, level with the same period last year.
- 90% of the applications lodged in 2014 have now closed. A lower proportion of cases became eligible for a final hearing, 10% compared with 19% of cases in 2013. Of the 790 cases in 2014 that were eligible for a final hearing to date, 273 have reached a decision. Of these, 142 (3% of all cases lodged) were found in favour of the appellant.
- From the 1 October 2012 to 30 June 2015, around 25,000 cases were lodged and 15,000 (59%) had reached permission or oral renewal stage. Of those that had reached these stages, 27% were found to be totally without merit.

## **Privacy Injunctions**

- During the period January to June 2015, there four proceedings for privacy injunctions, one for a new interim injunction, two for to continue or amend an existing interim injunction and one to issue a final permanent injunction. There were no proceedings in the Court of Appeal for an appeal against a grant or refusal of an interim or final injunction.

## 1: Civil (excluding family) cases

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 (for money and possession claims only). 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. For money claims, if the defendant disputes (defends) the claim (in full or part) and mediation fails, the case is allocated by a judge to one of three case-management tracks (small claims track (for claims with a value less than £10K), fast track or multi track). Allocated cases which are not settled or withdrawn generally result in a small claim hearing or trial. 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 charging 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, in time, progress to a defence, allocation or hearing or trial in County Courts. 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.

The case progression 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, by definition, 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 Civil and Administrative Justice Statistics**<sup>1</sup> 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.

Following last quarter's publication of the paper requesting user feedback on our proposed changes to how case progression is measured and presented, we are now collating the responses and will publish the results in September.

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<sup>1</sup>[www.gov.uk/government/statistics/guide-to-civil-and-administrative-justice-statistics](http://www.gov.uk/government/statistics/guide-to-civil-and-administrative-justice-statistics)

## Number of claims issued

Between April and June 2015, a total of 365,776 claims were issued, a slight decrease of 1% compared to the same quarter in 2014 (Table 1.1 and Figure 1.1). Mortgage and landlord possession claims continue to decrease, down 8,214 (17%) on Q2 2014. Annually, there was a general downward trend in the total number of claims issued between 2006 and 2012 from 2.1 million to a low of 1.4 million – since then, the trend has reversed, with a slight increase in 2013 and a further increase to 1.6 million claims being made in 2014.

In the most recent quarter, 81% of all claims were money claims level with the same quarter in 2014. In the current quarter, 88% of money claims (260,805) related to claims for specified amounts of money (the number of money claims are level with the same quarter last year). The remaining money claims related to unspecified money claims, up 6% from last year (Table 1.2).

Between April and June 2015, there were 70,076 non-money claims (down 8% on the same point in 2014). Annually, this figure dropped from an average of just under 400,000 between 2000 and 2008 to an average of just over 330,000 between 2009 and 2013. In 2014 the number of non-money claims has reduced further to 317,530. This decrease can be partially explained by the fall in mortgage possession claims. This coincided with lower interest rates, a proactive approach from mortgage lenders in managing consumers in financial difficulties, and various interventions, such as introduction of the Mortgage Pre-Action Protocol<sup>2</sup> that encouraged more pre-action contact between lender and borrower (Table 1.2).

There were 5,080 insolvency petitions<sup>3</sup> (excluding in the Royal Courts of Justice) in April to June 2015. This shows a 22% decrease on the same quarter last year and remains within the general downward trend seen since 2009 (Table 1.2). The large decrease since 2009 has been steepest amongst bankruptcy petitions made by debtors, then among bankruptcy petitions made by creditors, and least severe among petitions for company windings up<sup>4</sup>.

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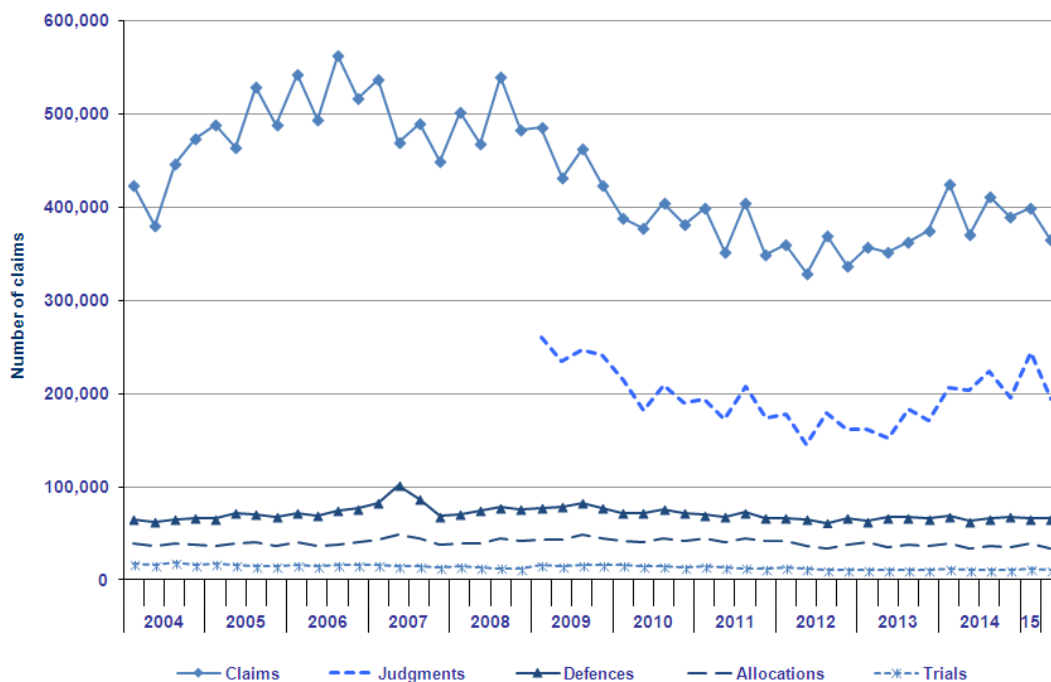
<sup>2</sup> For more information on the Mortgage Pre-Action Protocol please see [Annex B of the Mortgage and landlord possession statistics publication](#).

<sup>3</sup> Insolvency petitions relate to bankruptcy or companies “winding up”

<sup>4</sup> See the accompanying csv files for more information



**Figure 1.1: Civil claims, defences, allocations and trials, January to March 2004 – April to June 2015**



### Number of defences, allocations, trials and judgments

Between April and June 2015 provisional figures show 65,753 defences were made, 4% more than at the same quarter in the previous year. Looking over the longer term, there had been a general downward annual trend since the peak of just under 340,000 in 2007, with the 2013 figure being 227,942. Since 2013 the annual number of defences has increased very slightly to 264,701 (1% increase on 2013). It is estimated that 14.7% of claims issued in April to June 2015 will be defended, although this may fall within a range of 13.2% and 16.4% (Table 1.5 and Figure 1.2).

For money claims, 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. In April to June 2015, a total of 33,608 allocations were made, a small 1% decrease on the same period last year. (Table 1.3).

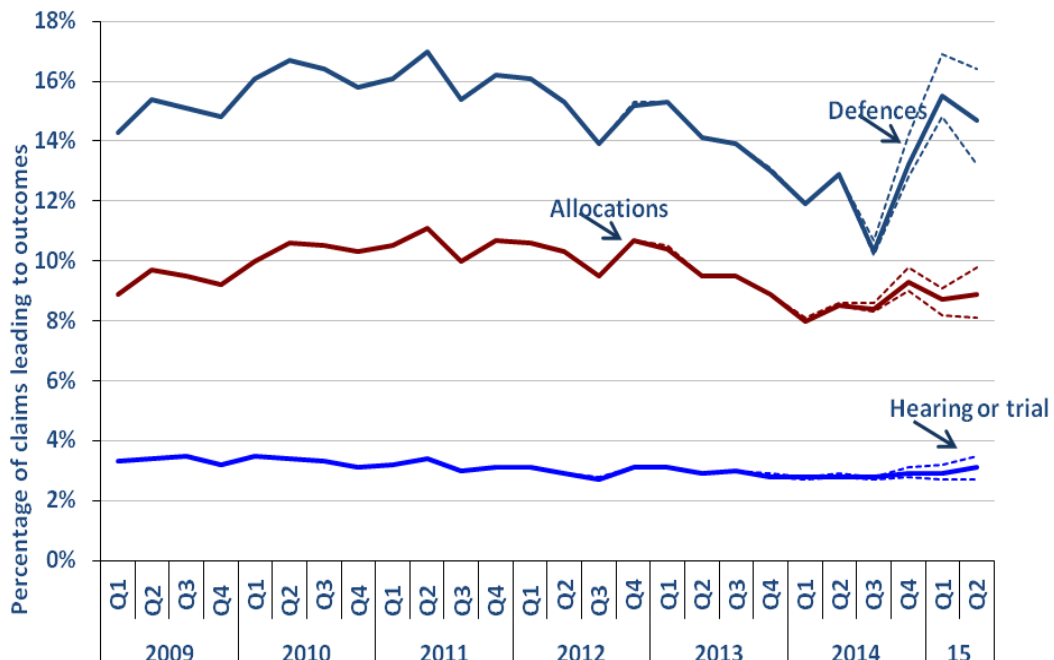
- In the most recent quarter almost half of all allocations (16,388) were to the small claims track, level with the same quarter of 2014. This track is generally for cases with a claim value of up to £10,000<sup>5</sup> which require less preparation by the parties involved than the more complex cases allocated to the fast or multi track. These trials are designed to be accessible to people who do not have representation by a solicitor or counsel, and are dealt with in about an hour.

<sup>5</sup> On 1 April 2013 due to a policy change, the maximum claim value for cases allocated to the small claims track increased from £5,000 to £10,000.

- 40% (13,390) were allocated to the fast track, no change from the same quarter in 2014. This track is generally for cases with a claim value of between £10,000 and not more than £25,000, with issues not complex enough to merit more than a one day trial.
- 11% (3,830) were allocated to the multi track, 10% less than the second quarter of 2014. This track is generally for cases with a claim value exceeding £25,000 with more complex issues. They generally last more than one day at trial.

It is estimated that 8.9% of claims issued between April to June 2015 will be allocated (with a range between 8.1% and 9.8%).

**Figure 1.2: Estimated case progression of civil claims by court action, Q1(January to March) 2009 – Q2(April to June) 2015**



Dotted lines depict upper and lower limits of the estimates

In the second of quarter of this year, 194,261 judgments were made, 5% less than in the same period last year. Annually, the number of judgments fell between 2009 and 2012, but has begun to show an increase in the last two years. Last year there were 828,007 judgments made, an increase of 24% compared to 2013 (Table 1.4).

Defended cases which are not settled or withdrawn generally result in a small claim trial (Table 1.6). In total, there were 11,294 trials in the second quarter of this year, which is slightly up (2%) on the same quarter in last year. It is estimated that 3.1% of claims issued in the first quarter of this year will go to trial (with a range between 2.7% and 3.5%).

In April to June 2015, 8,223 small claims trials took place. On average, these occurred 32.3 weeks after the claim was originally made. This is the same average time as the previous quarter and is the longest average time to trial since data were collected in 2000 - it steadily increased over time to a peak of 30.5 weeks in 2009 and then stabilised at 30 weeks between 2010 and 2013. In 2014, the annual average time increased to 31.5 weeks. Fast and multi-track trials (of which there were 3,071 in the most recent quarter) occurred on average 53.4 weeks after the claim was originally made. The time between issue and the claim going to trial rose between 2008 and 2013 but has fallen in 2014, to an annual average of 56.8 weeks (Table 1.6).

### **Enforcement**

There are various methods of enforcing a judgment through the county courts. The most common method of enforcing a monetary judgment is the warrant of execution against a debtor's goods. This is where, unless the amount owed is paid, items owned by the debtor can be recovered by a bailiff acting on behalf of the court and sold.

The number of warrants issued has been steadily falling since 2000, until the July to September quarter of last year, where it increased by 11% compared to the same period the previous year. There was a decrease in the following quarter, with a total of 55,726 warrants issued, down 2% from the same period in 2013. The data is again showing a spike in the first (60,311) and second quarters of this year (74,599), a 54% increase on the same quarter of last year.

Alternatively, various types of court orders can be obtained:

- attachment of earnings orders enable payment through the debtor's employer.
- third party debt orders enable payment by freezing and then seizing money owed by a third party to the debtor.
- charging orders obtain security for the payment against the debtor's assets. This may be followed by an order for sale which forces the sale of these assets.

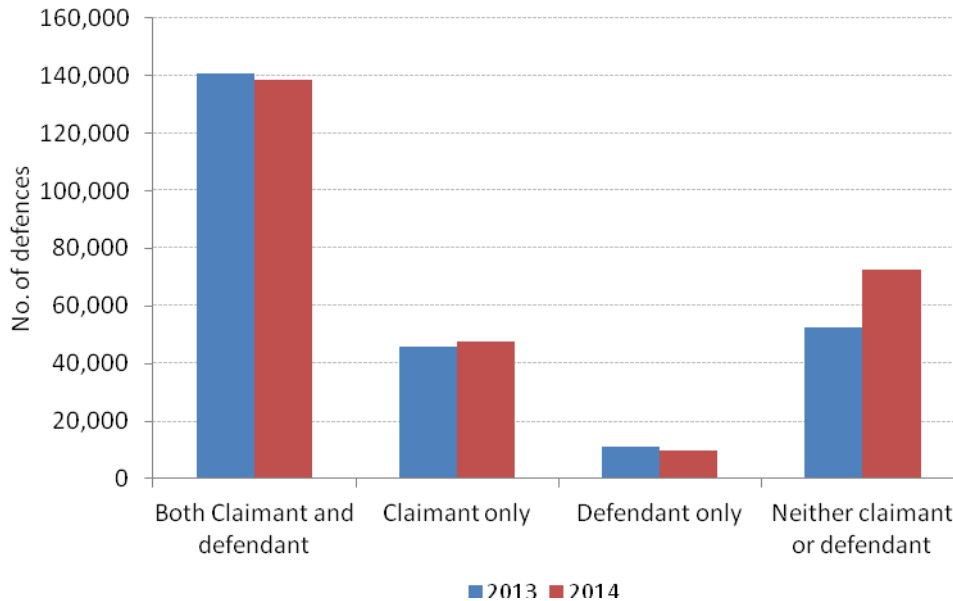
In the most recent quarter of this year, 31,403 enforcement orders were made, an increase of 3% compared to the same period last year. This figure has been generally falling since 2008.

### **Legal representation**

Figures on the legal representation of parties in civil (non family) related court cases are shown in Table 1.7. This gives the number of claims defended during each quarter, for mortgage and landlord possession, other non money claims, specified money claims and unspecified money claims, according to whether the applicant(s), respondent(s), both or neither had legal representation during the case.

Figure 1.3 shows the number of defences broken down by representation status for 2013 and 2014 in England and Wales.

**Figure 1.3: Number of civil defences by type of civil claim and legal representation status, 2013 and 2014**

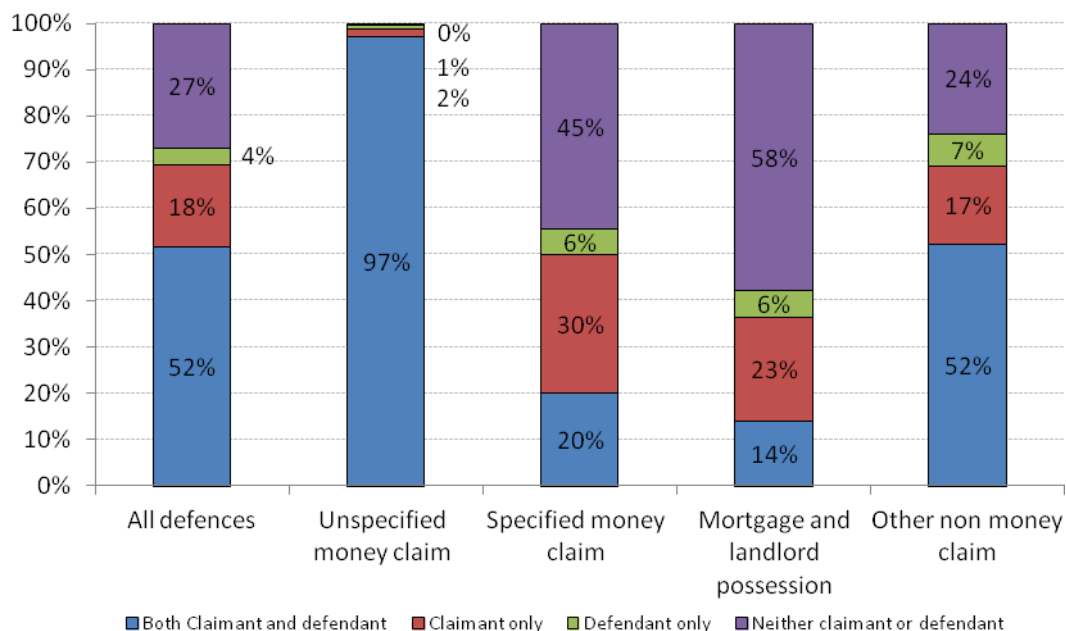


Defences in 2014 were slightly lower than 2013, with just over half of cases still having representation for both the claimant and defendant. In the first half of this year, this continues to be the case for the provisional figures.

Provisional figures for last year show both the claimant and defendant had legal representation in 52% of defences (compared to 56% in 2013) whilst neither the respondent nor the claimant had representation in 27% of defences (compared with 21% in 2013). Defences with either the claimant or defendant only represented were 18% and 4% of all defences respectively, the same as the previous year.

Figure 1.4 shows the number of defences in 2014 broken down by representation status and case type in England and Wales.

**Figure 1.4: Proportion of civil defences, by type of case and legal representation status, England and Wales, 2014**



**Figure 1.4b Number and proportion of defences by type of defence claim, England and Wales, 2014**

	All defences	Specified money claims	Unspecified money claims	Mortgage and Landlord Possessions	Other non-money claims
Number of defences	268,868	137,808	109,844	16,992	4,224
Proportion of defences	100%	41%	51%	6%	2%

The most common type of claim with a defence is unspecified money claims, 51% of all claims. The second most common type is specified money claims, accounting for less than half of all defences (41%) and in almost all defences of this type (97%), both the respondent and claimant had legal representation. For the other types of claim, legal representation status was more evenly distributed, although mortgage and landlord possession defences were more likely to have no legal representation for either the respondent or the claimant. Provisional figures for Q2 this year are similar to previous quarters in 2014, with both parties legally represented in 56% of defended cases.

Changes to legal aid came into effect as of April 2013, and removed legal aid eligibility for some civil cases. Figures show that the proportion of defences with legal representation for both parties has decreased slightly between 2013 and 2014. We will be carrying out further work to investigate the emerging trends within these data.

The Legal Aid Agency (LAA - formerly the Legal Services Commission) collects statistics on those applying for legal aid, and figures on the number applications received and certificates granted by various civil categories, including debt have been published in their annual statistical report which can be found here:

[www.gov.uk/government/statistics/legal-aid-statistics-april-2013-to-march-2014](http://www.gov.uk/government/statistics/legal-aid-statistics-april-2013-to-march-2014)

### **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 14,843 completed civil proceedings in the Magistrates Court in the second quarter of this year, level on the same period in last year (Table 1.2). 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.

## 2: Judicial Reviews at the Administrative Court

Judicial Reviews (JRs) are a process by which individuals, businesses and other affected parties can challenge the lawfulness of decisions or actions of the Executive, including those of Ministers, local authorities, other public bodies and those exercising public functions. It is a largely judge-developed procedure and can be characterised as the rule of law in action, providing a key mechanism for individuals to hold the Executive to account.

This chapter tracks the progress of JRs lodged at the Administrative Court between 1 January 2000 and 30 June 2015. The figures presented in **this chapter exclude Judicial Reviews that are dealt with by the Upper Tribunal Immigration and Asylum Chamber (UTIAC), unless otherwise stated**; however they are publicly available in a separate publication<sup>6</sup>.

As the information included in this chapter has been extracted from a live database, all figures are refreshed each quarter and therefore there are minor revisions between the information presented here and earlier data.

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 applications lodged during the year 2014 and the 2<sup>nd</sup> quarter of 2015, where a larger proportion of cases will not have been concluded.

For more information on the Judicial Review process, including how topics are allocated to Immigration/Asylum and Other, please see the **A Guide to Civil and Administrative Justice Statistics**<sup>7</sup>.

### Applications for permission to apply for Judicial Review

So far this year (January to June 2015), there have been 2,128 applications for Judicial Review, this indicates a similar trend to 2014 (where applications lodged totalled 4,064).

The overall annual trend in judicial review applications received had been steadily increasing, with the exception of a dip in 2004. In 2000, there were 4,238 applications for permission to apply for a JR and by 2013, this had risen to an annual intake of 15,594 (over a threefold increase) (Table 2.1). This has since decreased back to the levels seen at the beginning of the time series.

JR Civil (Immigration and Asylum) cases had been driving this increase, from 2,151 in 2000 to 13,130 in 2013. This type of judicial review accounted for half of all JRs in 2000 and 84% of all JRs in 2013. In 2014 this reduced

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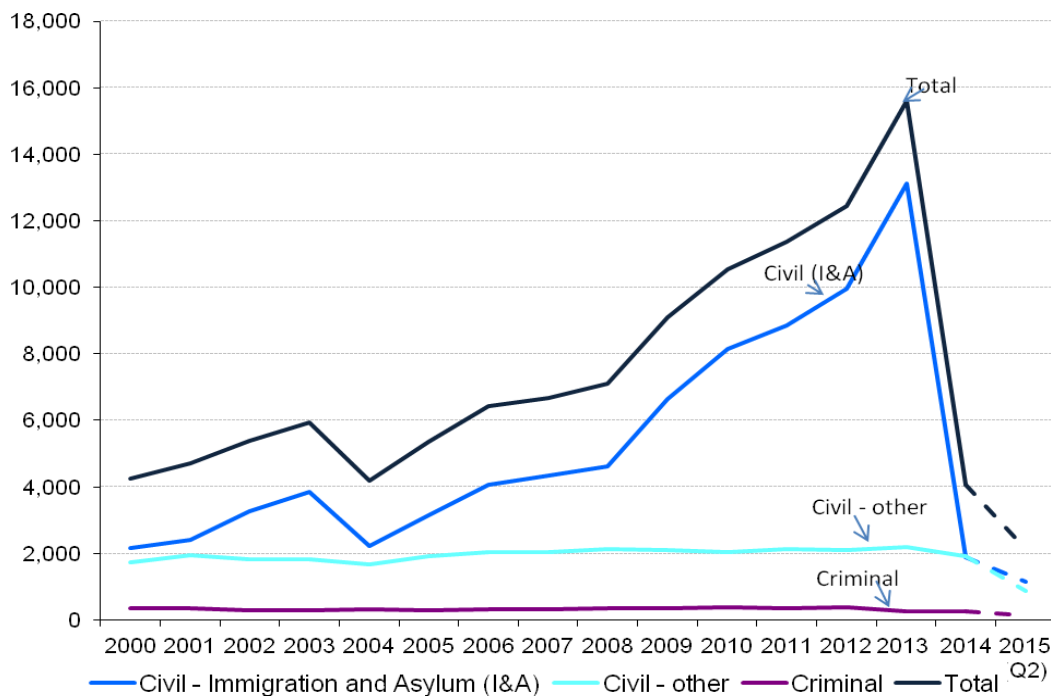
<sup>6</sup> Tribunal and Gender Recognition Certificate Statistics Quarterly:  
[www.gov.uk/government/collections/tribunals-statistics](http://www.gov.uk/government/collections/tribunals-statistics)

<sup>7</sup>[www.gov.uk/government/statistics/guide-to-civil-and-administrative-justice-statistics](http://www.gov.uk/government/statistics/guide-to-civil-and-administrative-justice-statistics)

back down to the proportions seen at the beginning of the time series, to 47%. The recent decline seen is due to a change implemented<sup>8</sup> in November 2013, in which the Upper Tribunal for Immigration and Asylum Chamber (UTIAC) took over responsibility for the majority of Civil Immigration and Asylum Judicial Review cases. Therefore the reduction in Immigration and Asylum JR cases seen above means a subsequent increase has been seen in Immigration and Asylum tribunals. In 2014 there were 16,001 JR receipts at the UTIAC, giving a total number of JRs across the Administrative court and UTIAC of around 20,000. More detailed figures on the number of JRs taking place in the UTIAC are published in the [Tribunal and Gender Recognition Statistics Quarterly Publication](#).

There were 1,137 Civil-Immigration and Asylum cases which were dealt with by the Administrative court in 2015 (January to June), of which 23 were subsequently transferred to the UTIAC

**Figure 2.1: Annual Judicial Review Applications, by type<sup>9</sup> calendar year 2000-2015**



The trends in JR Civil (other) and JR Criminal cases are less prominent than Civil (Immigration and Asylum). JR Civil (Other) cases steadily rose from 1,727 in 2000 to 2,191 in 2013. In 2014 the figure has fallen to 1,904 a 13% decrease on last year. JR Criminal cases have remained fairly stable from 2000 to 2011, fluctuating between 280-370 cases each year. In 2012 it reached a peak of 384 cases and has since fallen to 273 in 2013 and an all

<sup>8</sup> [www.justice.gov.uk/courts/rcj-rolls-building/administrative-court/applying-for-judicial-review](http://www.justice.gov.uk/courts/rcj-rolls-building/administrative-court/applying-for-judicial-review)

<sup>9</sup> This chart excludes a small number of cases that could not be allocated to a type



time low of 268 cases in 2014. The 2015 period to June shows 122 new cases for JR Criminal and 869 for JR (Civil) other.

## Case progression (Table 2.2)

Once a judicial review has been lodged, it then progresses through the process until it is concluded; the time this process will take will be different for each case<sup>10</sup>.

The three main stages of the Judicial Review process once a case has been lodged are:

- Permission stage - where the Court's permission is required for a claim for JR to proceed. This can be in the form of an oral or paper hearing.
- Oral renewal stage - In cases where the Court refuses permission to proceed on the papers (either in full or in part); this is where the claimant requests that the decision be reconsidered at a hearing.
- Final hearing – Where permission is granted for a case to proceed at either the permission or oral renewal stage, this is the point where cases are heard and a judgment is made.

Please note, case progression figures can be affected by the case mix, which has changed over time and thus any previously observed trends should be viewed with caution. Different case types can have different mean lengths of timeliness. For example, Civil Judicial Reviews for Immigration and Asylum rose from 51% of all cases in 2000 to 84% of all cases in 2013, 47% in 2014 and stands at 53% in 2015 (January to June), these types of cases overall had a longer mean number of days, therefore overall mean timeliness will be longer the greater the proportion of these cases.

Also, the case progression figures will change as time allows for more cases to progress through the system.

### Permission stage

- In 2000, 85% of judicial reviews lodged reached the permission stage and 29% were granted permission to proceed. These proportions decreased gradually over time to an all time low in 2013 of 54% JR reaching permission stage and 9% being granted permission to proceed.
- In 2014 the number granted permission to proceed at this stage stood at 16% of all cases lodged. This increase compared to 2013 is likely in part to be due to an increase in the number of cases reaching the permission stage; 78% of cases lodged in 2014 compared with 54% of all lodged

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<sup>10</sup> For more information see the following guide:

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

cases in 2013. Although there is a higher proportion of cases reaching the permission stage the volumes in 2014 decreased, 3,155 in 2014 compared to 8,477 in 2013.

- In 2015 (January to June) the number reaching the permission stage was 52%, with 9% so far being given permission to proceed.

### **Oral renewals**

- In 2000, 18% of all cases lodged were heard at the oral renewal stage. This rose to 26% in 2001 and steadily fell to 14% in 2009. There was a slight increase to 17% in 2012, before falling to 8% in 2013 and increasing to 11% in 2014.
- A fee to renew the claim to an oral renewal (where previously there was no fee) was introduced in April 2014 which may have reduced the numbers. There are also a number of JRs that are not eligible for renewal if refused, or have permission granted – challenging decisions of the Upper Tribunal. These claims end in this court if refused or are remitted back to the Upper Tribunal if permission granted.
- For those cases heard at the oral renewal stage in 2000, 4% were granted permission to proceed . This fell to 2% for 2013 and 3% in 2014. So far in 2015 only 67 cases have reached the oral renewal stage, of which 18 have been granted permission to proceed.

### **Final hearing**

- The proportion of cases eligible for a final hearing (granted permission to proceed at permission stage or oral renewal) has steadily reduced over time, from 33% in 2000 to 10% in 2013. The rate then increased to 19% in 2014. In the first half of 2015 this has dropped back down to 10%.
- The proportion of all cases lodged found in favour of the claimant at a final hearing has reduced from 12% in 2000 to 1% in 2013 and 3% in 2014. Of the applications lodged in 2015 there were 14 to reach the final hearing stage and 9 found in favour of the claimant.

### **Timeliness (Figure 2.2 and Table 2.3)**

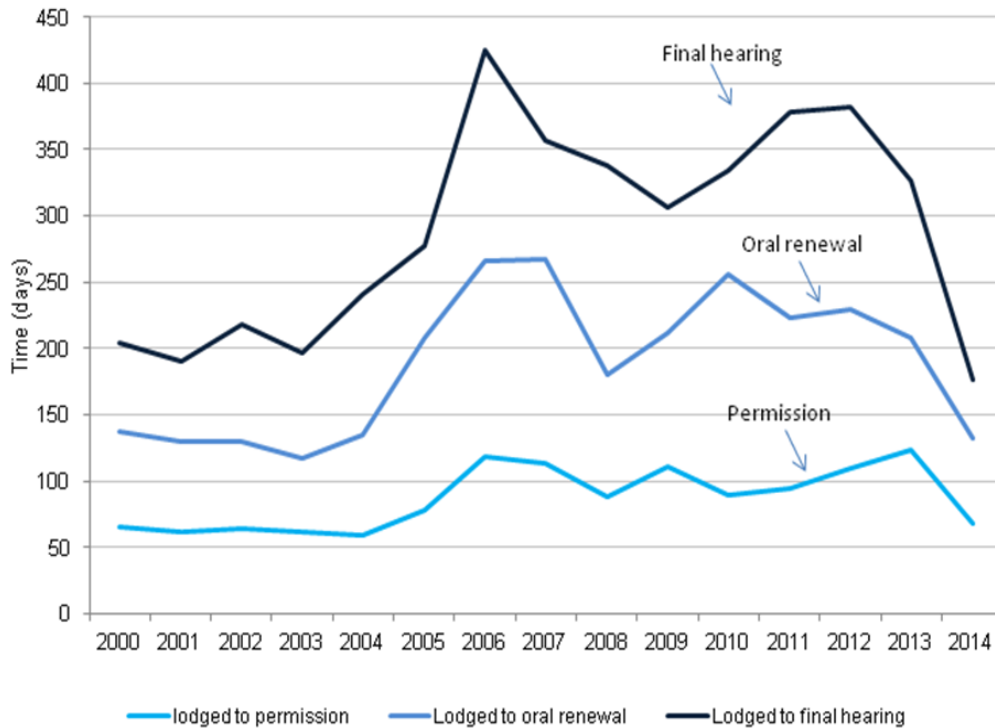
Timeliness figures are based on the date the Judicial Review is lodged to the date of various stages of the process. It is not a measure of the time the Administrative Court takes to deal with a judicial review as it also includes time taken for parties to the JR to provide evidence and any adjournments or postponements requested. Caution must be taken when interpreting the most recent data, particularly that for 2014 and 2015, as not enough time has passed for all cases to reach each stage and those that have will be the ones that are shorter in length so the average will be lower than the true figure (90% of cases that were lodged in 2014 were classed as 'Closed', and only 46% of those lodged so far in 2015).

The mean time taken from lodging a case to the permission stage decision has remained relatively stable between 2006 and 2013 where the number was 118 and 120 days respectively; prior to this, the number was stable at approximately 65 days (from 2000-2005). For the 90% of the cases lodged in 2014 classed as closed, the figure is significantly lower at 72 days. This may be driven by the reduced caseload, due to most of the Immigration and Asylum cases moving to the UTIAC.

The mean time taken from lodging a case to the oral renewal stage decision has fluctuated over the years. From 2000-2004, the average time was 130 days. This increased rapidly to 209 days in 2005 and to a peak of 267 days in 2007. The figure then fell sharply to 180 days in 2008 before rising to an average of 226 days from 2009 to 2013. For the 90% of cases lodged in 2014 classed as closed, the number has fallen to 139 days.

The mean time taken from lodging a case to the final hearing decision showed a similar pattern; 205 days in 2000 peaking to 425 days in 2006 and fluctuating since then. The 2013 figure stood at 340. For 2014 to date, this figure has fallen considerably to 195 days, though this is subject to change as unclosed cases progress through the system and only 90% of cases in 2014 have so far closed.

**Figure 2.2: Average time taken for each stage of the Judicial Review process, 2000 to 2014<sup>1</sup>**



<sup>1</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 will change in future publications as cases progress through the system, especially for cases lodged in 2014.

Please note that 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). As part of the Government's reforms to judicial review procedures, for cases issued on or after 1st July 2013; a case refused permission and certified as totally without merit cannot be renewed at the oral renewal hearing stage. A claimant can however appeal against this decision, which would be dealt with at the Appeals Court (In Criminal JR's there is no appeal route from a refusal of permission if TWM). The outcomes of such cases are not recorded in these figures.

From 1 October 2012 to 30 June 2015, there were 24,999 cases lodged. Of these 14,828 (59%) had reached permission or oral renewal stage at the time the data was extracted in June 2015. Of those that had reached these stages, 3,981 (27%) were found to be totally without merit.

### 3: Privacy Injunctions

This chapter presents statistics on privacy injunctions dealt with at hearings at the High Court or Court of Appeal at the Royal Courts of Justice (RCJ) in London during July to December 2014.

In general terms, the injunctions covered by these statistics are those dealt with in any civil proceedings in the High Court or Court of Appeal where the court considers either:

- an application for an injunction prohibiting the publication of private or confidential information;
- the continuation of such an injunction; or
- an appeal against the grant or refusal of such an injunction.

The injunctions covered by these statistics will be termed “**privacy injunctions**” throughout this report. **They include, but do not exclusively relate to, super-injunctions.**

Specifically, the statistics relate to applications concerned with data protection and rights to respect for private and family life protected by Article 8 of the European Convention on Human Rights (ECHR), whether the injunction is sought by an individual, a public authority, or a company. When an injunction is sought, section 12 of the Human Rights Act is engaged, meaning that the injunction might, if granted, affect the exercise of the right to freedom of expression contained in Article 10 of the ECHR.

The ECHR can be found on the following website:

[human-rights-convention.org/](http://human-rights-convention.org/)

The statistics do not cover injunctions arising from proceedings dealing with family issues, immigration or asylum issues, those which raise issues of national security, or most proceedings dealing with intellectual property and employment issues. The statistics also relate only to those injunctions dealt with at the RCJ in London. They exclude, for example, cases dealt with at District Registries of the High Court. In practice, however, the vast majority, if not all applications for such injunctions will be dealt with at the RCJ.

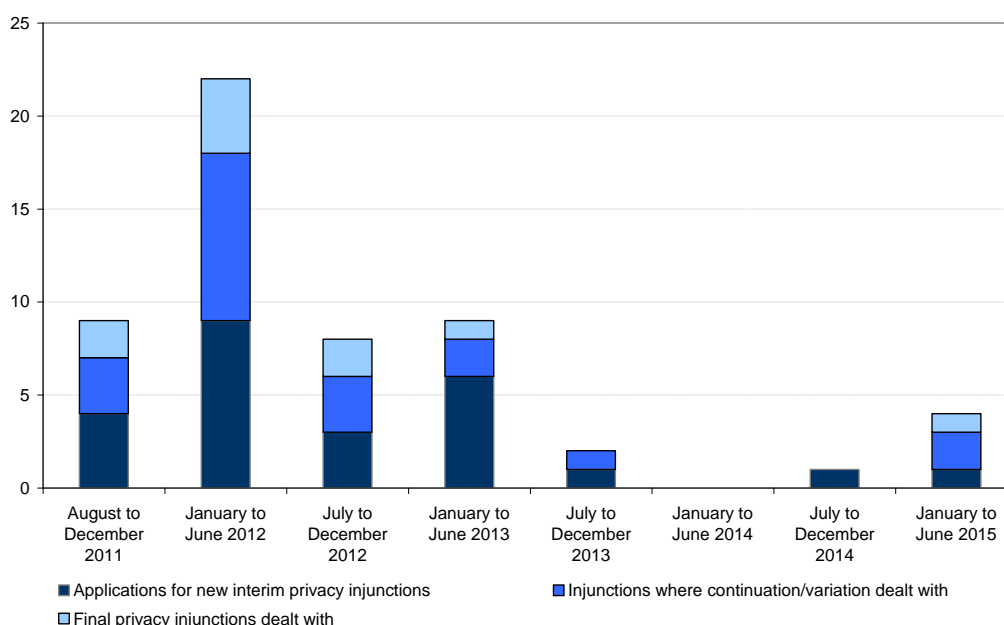
Data have been collected via statistical returns completed by the hearing judge and forwarded to the Ministry of Justice statistics team. The judge in the case therefore determines whether an injunction has met the criteria for inclusion in these statistics. See Explanatory Notes for more details.

## Proceedings where applications for privacy injunctions were considered

During the period January to June 2015, there was one proceeding in which the High Court in London considered an application for a **new** interim injunction prohibiting the publication of private or confidential information. Two proceedings were considered at the High court on whether to continue or amend an existing interim injunction and one to issue a final permanent injunction.

Also no proceedings in the Court of Appeal were heard for an **appeal** against a grant or refusal of an interim or final injunction. The Court of Appeal has heard one such proceeding since these statistics began to be collected – this was during August to December 2011.

**Figure 3.1: Number of privacy injunction proceedings**



### New interim privacy injunctions (Table 3.1)

As noted above, there was one proceeding at the High Court during January to June 2015 in which the court considered an application for a new interim injunction.

This compares with four proceedings in which the court considered an application for a new interim injunction during August to December 2011; nine in January to June 2012; three in July to December 2012; six in January to June 2013; one in July to December 2013; none in January to June 2014 and one in July to December 2014.

### **Continuation of existing interim injunctions (Table 3.2)**

As noted above, there was two proceedings at the High Court in which the court considered whether to continue or vary an existing interim injunction from previous periods during January to December 2015.

This compares with the two proceedings granted out of three proceedings sought for continuing or amending an interim injunction between August and December 2011; eight out of nine in January to June 2012; none out of three between July and December 2012; two out of two for January to June 2013; none out of one in July to December 2013 and none in January to June 2014 or July to December 2015.

### **Final privacy injunctions (Table 3.3)**

As noted above, there was one proceeding at the High Court in which the court considered an application for a final privacy injunction in January to June 2015.

This compares with two proceedings to issue a final injunction between August and December 2011; four in January to June 2012; two in July to December 2012; one in January to June 2013; and none for both July to December 2013 and January to June 2014 and July to December 2015.

## Annex A: Planned upcoming changes to publication

Following last quarter's publication of the paper requesting user feedback on our proposed changes to how case progression is measured and presented, we are now collating the responses and will publish the results in September.

The case progression paper can be found at the following URL;

[www.gov.uk/government/statistics/changes-to-moj-statistics-case-progression](http://www.gov.uk/government/statistics/changes-to-moj-statistics-case-progression)

There has been an operational change in the way defence cases are processed, as a result our defences figures have been revised back to Q1 2012. For consistency it was necessary to change these figures back to this date, periodic figures are therefore comparable.



## Annex B: List of Accompanying Tables and CSV

Accompanying this publication are the following tables:

### **Chapter 1 - Civil Courts:**

- 1.1 County court activity, England and Wales, annually 2000 - 2014, quarterly Q1 2009 – Q1 2015
- 1.2 Number of claims issued in the county and magistrates' courts, by type of claim, England and Wales, annually 2000 - 2014, quarterly Q1 2009 – Q1 2015
- 1.3 Claims defended and allocations to track, England and Wales, annually 2000 – 2014, quarterly Q1 2009 – Q1 2015
- 1.4 Case progression in the county courts, England and Wales, annually 2009 - 2014, quarterly Q1 2009 – Q1 2015
- 1.5 Trials/small claim hearings, England and Wales, annually 2000 - 2014, quarterly Q1 2009 – Q1 2015
- 1.6 Number of trials and small claim hearings and the average time to reach trial/hearing, England and Wales, annually 2000 - 2014, quarterly Q1 2009 – Q1 2015
- 1.7 Number of defended claims by case type and details of legal representation, England and Wales, annually 2013 - 2014, quarterly Q1 2013 – Q1 2015

### **Chapter 2 - Judicial Reviews in the Administrative Court:**

- 2.1 Number of case applications for permission to apply for Judicial Review by topic, at the Administrative Court, 2000 - Q1 2015
- 2.2 Case Progression: number of Judicial Review cases that reach permission stage, oral renewal stage and final hearing by cases lodged, at the Administrative Court, 2000 - Q1 2015
- 2.3 Timeliness (in days) of Judicial Review cases started at the Administrative Court, by staged reached, 2000 - Q1 2015
- 2.4 Number of Judicial Reviews at the Administrative Court classed as 'Totally Without Merit' between 1 October 2012 to 31 March 2015
- 2.5 Number of Judicial Review applications lodged, granted permission to proceed to final hearing and found in favour of the claimant at final hearing, by defendant department or public body, 2007 to 2014

### **Chapter 3 – Privacy Injunctions**

- 3.1 Applications at the High Court in London for new interim privacy injunctions, August 2011 to June 2015
- 3.2 Proceedings dealing with the continuation or variation of interim injunctions at the High Court in London, August 2011 to June 2015
- 3.3 Final privacy injunctions dealt with at the High Court in London, August 2011 to June 2015

## Annex C: Explanatory notes

The United Kingdom Statistics Authority has designated these statistics (excluding the Privacy Injunctions) 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.

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.

In the civil section of the publication the terminology 'hearings or trials' had previously been used to describe civil claims reaching this stage. From this publication onwards we will be using the term 'trials', as this is a more accurate reflection of what the figures are representing. This does not change the historical or current figures reported.

### **Data Quality and Revisions**

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, these will be clearly annotated in the tables.

Additional revisions have been made in this publication to the quarterly claims and defences figures for 2014. The claims figures have been revised to omit a small number of family cases, recently collected via the Civil Court Case Management system. These figures will be incorporated into the Family Justice Statistics Quarterly publication.

The Judicial Review figures are taken from the Administrative Court Office COINS database. As the Judicial Review figures are extracted from this live database, all figures are refreshed each quarter and therefore there are minor revisions between the information presented here and earlier data. The 'defendant type' variable is derived from the free text field 'defendant name' and is therefore open to inputting/human error and subject to correction by a Judge when determining the claim. The defendant name was then grouped into department/public body where possible to identify and this was down to the interpretation of the analysts. Although we have checked and cleansed the data for publication, the quality of the information in this section is limited and should be used with caution.

## **Update on defences to be added**

### **Symbols and conventions**

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

- .. = Not applicable
- = Between zero and two. Low numbers are suppressed to stop individuals being identified
- (r) = Revised data
- (p) = Provisional data

### **Further information**

Earlier editions of this publication can be found at:

[www.gov.uk/government/collections/civil-justice-statistics-quarterly](http://www.gov.uk/government/collections/civil-justice-statistics-quarterly)

Statistics on Tribunals (including Judicial Reviews dealt with by the UTIAC) can be found at:

[www.gov.uk/government/collections/tribunals-statistics](http://www.gov.uk/government/collections/tribunals-statistics)

Information on Civil County Court Mortgage and Landlord Possession Statistics can be found at:

[www.gov.uk/government/collections/mortgage-and-landlord-possession-statistics](http://www.gov.uk/government/collections/mortgage-and-landlord-possession-statistics)

Information on publicly funding legal services is now published by the Legal Aid Agency and can be found here:

[www.gov.uk/government/collections/legal-aid-statistics](http://www.gov.uk/government/collections/legal-aid-statistics)

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General information about the official statistics system of the UK is available from

[statisticsauthority.gov.uk/about-the-authority/uk-statistical-system](http://statisticsauthority.gov.uk/about-the-authority/uk-statistical-system)

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