



# Civil Justice Statistics Quarterly, England and Wales, July to September 2017 (provisional)

## Main points

In July to September 2017, increases can be seen across most stages of county court activity (claims, defences, trials and judgments made). Although the increase in claims is driven by specified money claims, increases have also been seen in unspecified money and non-money claims.

**County court claims up 13% compared to same quarter last year, driven by specified money claims**



In July to September 2017, the second highest quarterly number of County Court claims were lodged since 2006, at 560,000. Of these, 445,000 were specified money claims (up 15% on July to September 2016).

**Unspecified money claims were up 10% to 40,000**



Unspecified money claims have increased for both Personal Injury (up 10% to 38,000) and other unspecified money claims (up 9% to 2,000)

**Claims defended and claims to trial up 2% and 11% respectively**



There were 76,000 claims defended and 14,000 claims that had gone to trial in July to September 2017

**Average time taken from claim to hearing has increased**



Average time taken for small claims has increased to 31.9 weeks and for multi and fast track claims to 56.5 weeks, 0.7 and 3.3 weeks longer than the same period in 2016 respectively.

**Judgments up 24%, compared to same quarter in 2016**



There were 353,000 judgments made in July to September 2017, of which 87% were default judgments (with 306,000, up 27% on the same quarter of 2016).

**Judicial Reviews for the three quarters of 2017 down 5% on same period of 2016**



There were 3,100 Judicial Reviews up to September 2017. Of the 2,100 cases that reached the permission stage, 378 (18%) were found to be 'totally without merit'.

This publication gives civil county court statistics for the latest quarter (July to September 2017), compared to the same quarter the previous year. The judicial review figures cover the period January to September 2017. For more details, please see the supporting document.

Following a review of the timeliness data, two discrepancies relating to the derivation of data were identified in the previous edition of Civil Justice Statistics Quarterly, covering April to June 2017. As a result, timeliness figures within Table 1.5 have been revised in this edition, with Q3 2017 figures remaining provisional at this release. See 'Revisions to Timeliness' for more information.

# 1. Claims summary

## County court claims up 13% on the same quarter of 2016, driven by an increase in money claims

The number of County Court claims lodged in July to September 2017 were at 560,000. Of these, 485,000 were money claims (up 14% from July to September 2016).

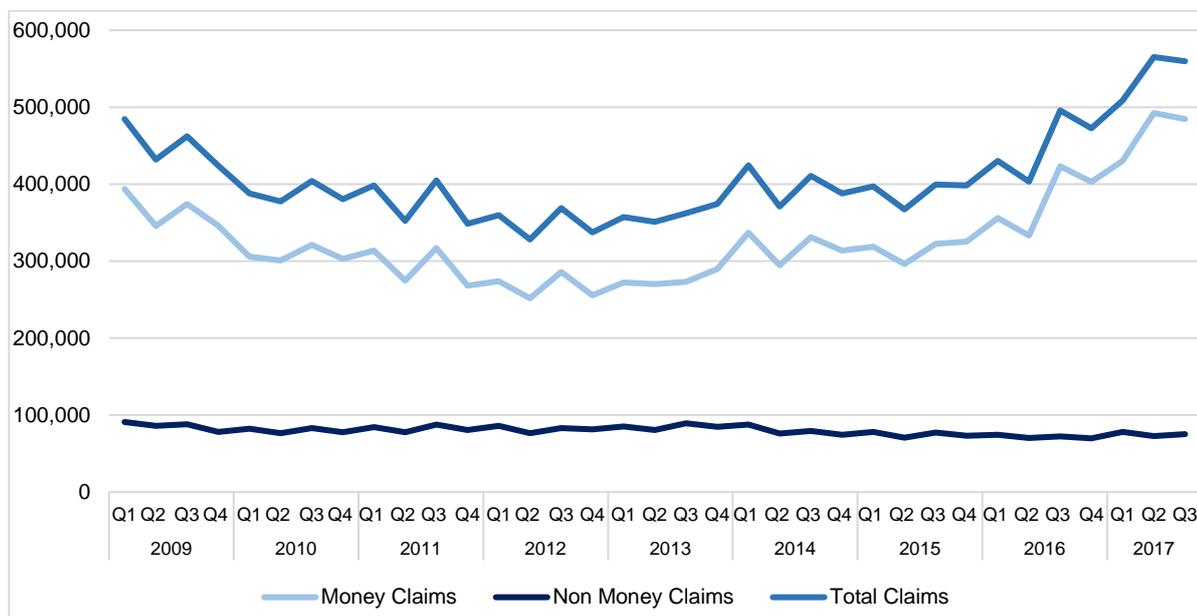


## Non-money claims at 75,000, up 4% on the same quarter last year

'Other non-money' claims and return of goods increased by 7% and 39%, to 34,000 and 2,400 respectively. Mortgage and Landlord Possession claims over the same period had no significant increase at 39,000.



**Figure 1: County Court Claims by type, Q2 (April to June) 2009 to Q3 (July to September) 2017 (source: table 1.2)**



County Court claims have been generally increasing since a low of 328,000 in April to June 2012, reaching the second highest figure of 560,000 claims in July to September 2017. This increase is driven by a rise in money claims (up 14% since July to September 2016), which make up the majority of claims received. Specified money claims have increased by 15% to 445,000, and unspecified money claims have increased by 10% to 40,000 in the most recent quarter.

Non-money claims had been generally decreasing since the peak of 89,000 claims in July to September 2013. However, in the most recent quarter they increased compared to the same period in 2016, by 4% to 75,000.

Within non-money claims, return of goods have been generally increasing quarter on quarter since July to September 2015. Since July to September 2016, these have increased by 39% to 2,400 at July to September 2017. Other non-money claims increased by 7% across the same period to 34,000 and have generally been increasing since a low of 26,000 in April to June 2014.

The overall trend in Mortgage and Landlord Possession claims has been decreasing since a peak of 60,000 in January to March 2014. It was the only non-money claim group which saw no significant change in a quarter by quarter basis compared to last year, remaining at 39,000 claims.

## 2. Money Claims

The increase in civil claims was driven by specified money claims. There were 445,000 specified money claims in July to September 2017, up 15% on the same period of 2016.

Low value specified monetary claims (£1000 or less) made up 70% of all specified money claims received in this quarter and have been driving the increase in specified money claims, (up 24% against the previous year to 311,000 claims in July to September 2017).



Unspecified claims have increased by 10% to 40,000 when compared to the same quarter in 2016

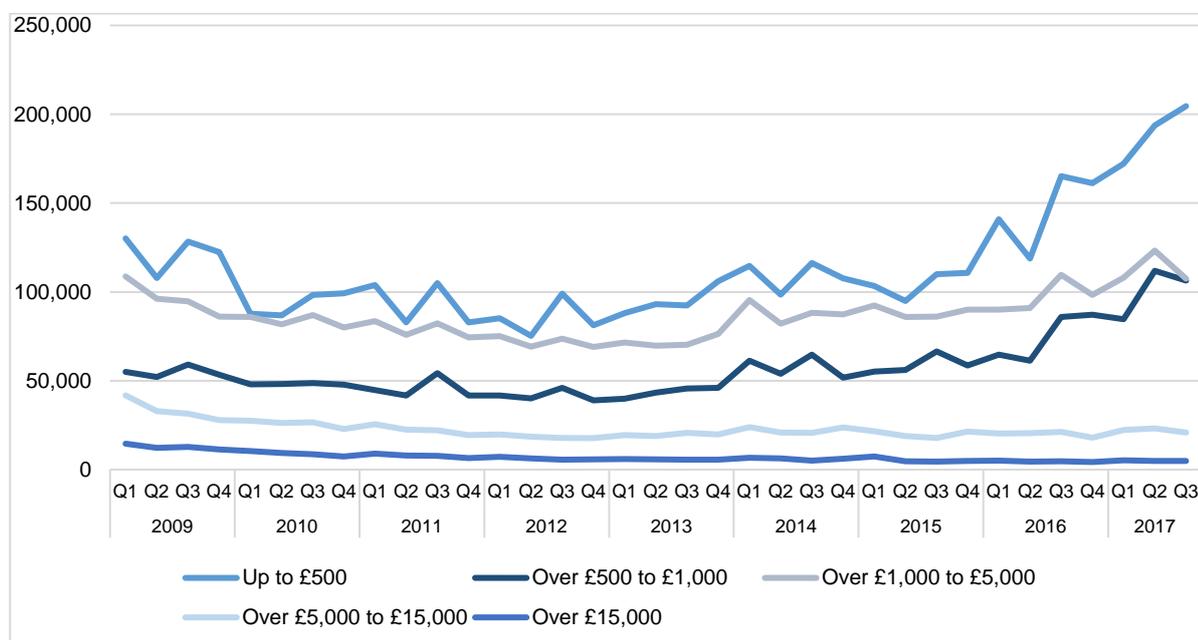


Unspecified money claims have increased for both Personal Injury (up 10% to 38,000) and other unspecified money claims (up 9% to 2,000)

The majority (89%) of specified money claims are processed and issued at the County Court Business Centre (CCBC). There were 396,000 such claims at the CCBC in July to September 2017 (up 16% on the same quarter in the previous year).

After reaching their lowest point at April to June 2012 (210,000 claims), the total number of specified money claims has continuously increased (more than doubling over this period). This total has been driven by an increase in lower value monetary claims (£1,000 and under), with the greatest increases in the lowest claim group (up to and including £500, up by 172%) – these make up almost half (46%) of the total specified money claims in the most recent quarter. However, higher value claims (>£15,000) have decreased when compared the same period (April to June 2012), as shown in Figure 2.

**Figure 2: Specified money claims by monetary value, Jan-Mar 2009 to Jul-Sep 2017 (source: civil workload CSV)**



Unspecified money claims have generally been decreasing since a peak of 47,000 in January to March 2013. In the most recent quarter, they increased by 10% compared to July to September 2016, to 40,000. Personal injury claims account for almost all (95%) of unspecified money claims.

## **Allocations**

In July to September 2017, 39,000 money claims were allocated to track, 3% less than the same period in 2016. Of these allocations;

- 21,000 were allocated to small claims, an increase of 7% on the same quarter in 2016, accounting for 53% of all allocations;
- 15,000 were allocated to fast track, a decrease of 12% on the same quarter in 2016, accounting for 39% of all allocations;
- 3,000 were allocated to multi-track, a decrease of 14% on the same quarter of 2016, accounting for 8% of all allocations.

## 2. Defences (including legal representation) and Trials

### The number of claims defended increased by 5% to 76,000

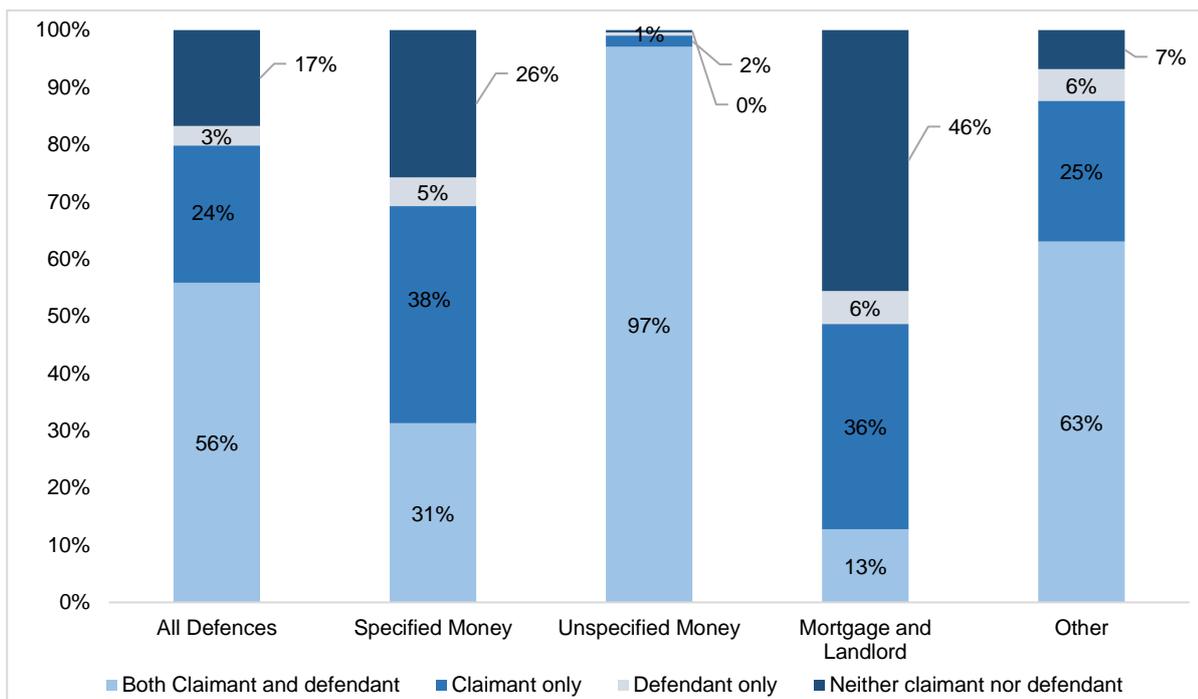
Of those claims defended, 56% had legal representation for both claimant and defendant (down one percentage point from July to September 2016), 24% had representation for claimant only (up one percentage point over the same period), and 3% for defendant only. 

### The number of trials and average time taken from claim to trial have increased

Average time taken for small claims has increased to 31.9 weeks and for multi and fast track claims to 56.5 weeks.

The shift in proportion from claimant and defendant representation to claimant only is driven in part by the larger increase in specified money defences, as the proportion of legal representation differs depending on the type of claim (as figure 3 shows). In July to September 2017, almost all (97%) unspecified money defences had legal representation for both the respondent and claimant, compared with less than a third (31%) of specified money defences.

**Figure 3: Proportion of civil defences and legal representation status, July to September 2017 (Source: table 1.6)**



### Trials and Time Taken to Reach Trial

Defended cases which are not settled or withdrawn generally result in a trial. In total, there were 14,000 trials in July to September 2017, up 11% on the same quarter in 2016. Of the claims that went to trial, 10,000 (72%) were small claims trials (up 19% on the same quarter in 2016) and 4,000 were fast and multi-track trials (down 6% on the same quarter in 2016).

There was an average of 31.9 weeks between a small claim being issued and the claim going to trial in July to September 2017, just less than a week longer than the same period in the previous year. For multi/fast track claims the average was 56.5 weeks over the same period, three weeks longer than in July to September 2016.

### 3. Judgments, Enforcements and Warrants

#### Judgments increased by 24%, compared to same quarter in 2016

There were 353,000 judgments made in July to September 2017, of which 87% were default judgments (with 306,000 in July to September 2017, up 27%).

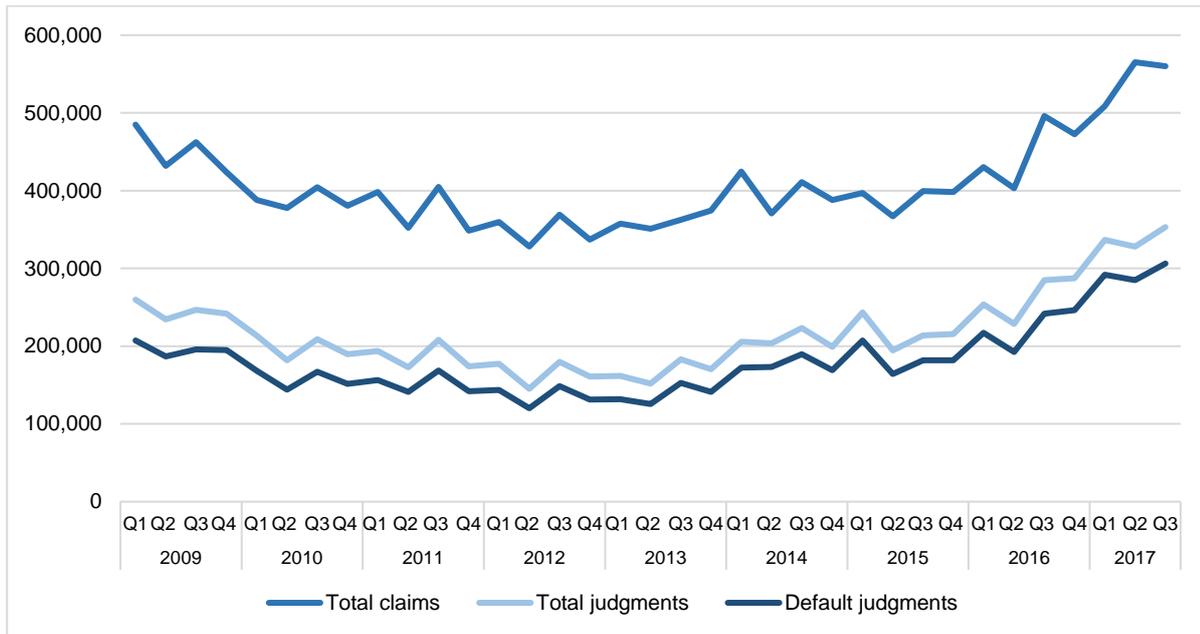


#### Warrants issued increased by 33%, driven by warrants of execution

In July to September 2017, 96,000 warrants were issued, almost three quarters (77%) of which were warrants of execution, which have increased 53% on the same quarter in 2016



**Figure 4: All claims, judgments and default judgments, Jan-Mar 2009 to Jul-Sep 2017 (Source: table 1.2 and 1.4)**



There were 353,000 judgments made in July to September 2017, an increase of 24% against the same quarter of the previous year. Of these, 87% were default judgments (306,000, up 27%). The proportion of default judgments increased to 87% in the first quarter of 2017, after remaining stable at around 85% between 2014 and 2016, and has remained at this level since. There has been a gradual increase in the proportion of default judgments since 2009, from 80% to 87%.

The second largest type of judgment were ‘admissions’, of which there were 29,000 in July to September 2017, up 5% on the same quarter in 2016. However, the proportion of the total admissions accounted for decreased by two percentage points to 8% of all judgments.

#### Enforcements and Warrants

There were 96,000 warrants issued in July to September 2017, an increase of 33% on the same quarter in 2016. Over the longer term, issued warrants fell between 2000 and Q2 2014, to 48,000. They have since gradually increased, driven by warrants of control (which made up 77% of all warrants in July to September 2017). This increase is likely due to the introduction of the Secure Data Transfer system by HMCTS for the issue of warrants of control. This enables bulk customers to not only issue money claims digitally but also the subsequent enforcement by a warrant; speeding up and simplifying the process, which has led to a customer preference for warrants over other types of enforcement.

There were 34,000 enforcement-related order applications (which include attachment of earnings orders, charging orders, third party orders, and orders to obtain information) in July

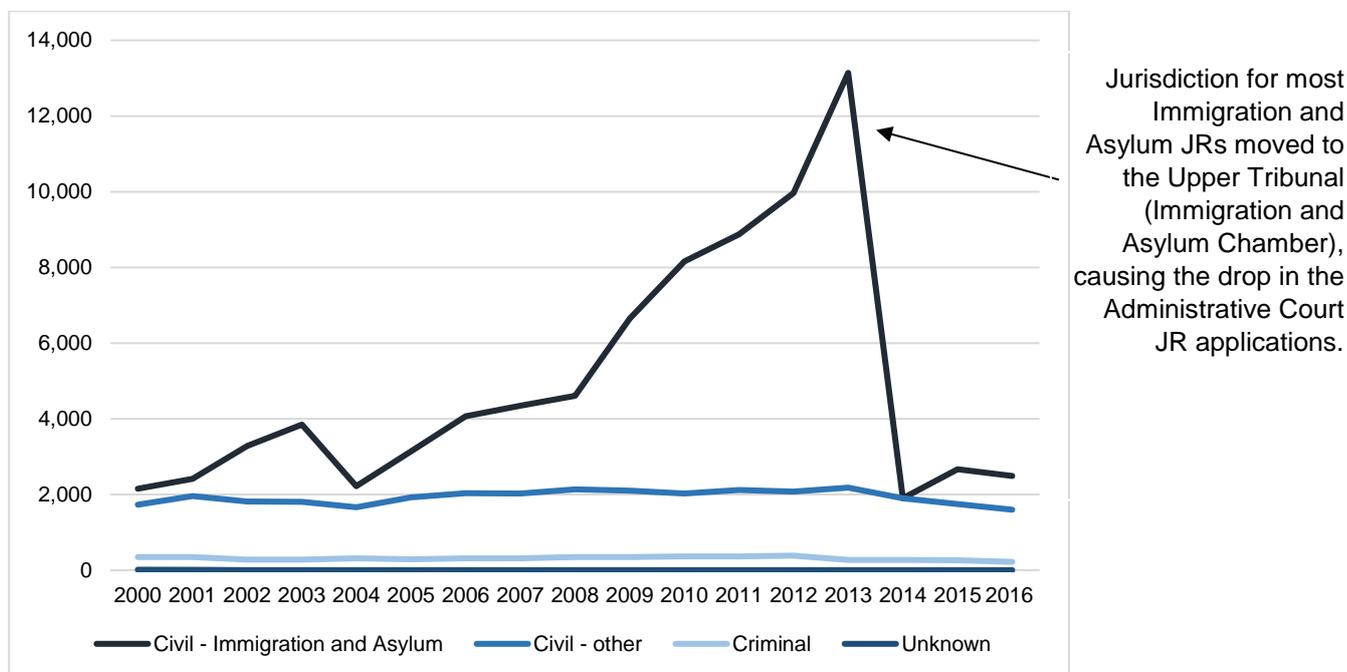
to September 2017 and 22,000 actual enforcement related orders made (up 26% and 7% respectively compared to the same period last year). Despite increases against the previous year however, there has been an overall decreasing trend in enforcement related orders made since 2008, possibly due to claimants' preference for using warrants to retrieve money, property or goods instead (as warrants increased over this same time period).

## 4. Judicial Reviews<sup>1</sup>

**Of the applications received in 2017 to date, 66% have already closed, and 380 were found to be 'Totally Without Merit' (18% of cases that reached the permission stage).**

There were 3,100 judicial review applications received in the first three quarters of 2017, down 5% from the same period in 2016.

**Figure 5: Annual Judicial Review Application, by type calendar year 2000-2016**  
(Source: table 2.1)



Of the 3,100 judicial review applications received in the first three quarters of 2017, 1,700 were Civil Immigration and Asylum applications, 1,300 were civil (other) and 160 were criminal, down 13%, up 9% and down 7% respectively on the same period in 2016. Forty of the civil Immigration and Asylum cases have since been transferred to the UTIAC.

In the first three quarters of 2017, 66% of the applications made have progressed and are now closed. Of the total applications, 2,100 reached the permission stage, and of these:

- 18% (380) were found to be totally without merit (TWM), a three percentage point decrease against the proportion over the same period in the previous year.
- 390 cases were granted permission to proceed and 1,700 were refused at the permission stage. However, 80 of cases refused at permission stage went on to be granted permission at the renewal stage.
- So far in 2017, 470 cases have been assessed to be eligible for a final hearing and of these, 60 have since been heard.
- For the 2017 cases, the mean time from a case being lodged to the permission decision was 61 days, up from 58 days and 52 days across the same periods of 2016 and 2015, respectively.

The next quarterly bulletin will give more insight into the 2017 cases, as they work their way through the system.

<sup>1</sup> The judicial review data are Official Statistics

## Further information

The statistics in the latest quarter are provisional and revisions 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.

## Revisions to timeliness

Following a review of the timeliness data, two discrepancies relating to the derivation of data were identified in the previous edition of Civil Justice Statistics Quarterly, covering April to June 2017. The discrepancies were as follows:

- 1) Substantial increases in the small claim trial timeliness figures at Q1 2017 and Q2 2017 compared to previous trends (increase of 9% between Q4 2016 and Q1 2017; increase of 26% between Q4 2016 and Q2 2017).
- 2) Incorrect historic figures dating between 2003 to Q4 2016, resulting in revisions of up to 12%, with greater impact seen on fast and multi-track trials. This issue dated back to the January to March 2017 statistical release.

The issues were rectified by reviewing and resolving errors in the methodology of the data transformation process, and implementing enhanced quality assurance checks. At this release, the correct figures have been published in Table 1.5, and are marked as revised. The figures for Q3 2017 remain provisional. Table i and Table ii show the previously published and now revised figures respectively between Q4 2016 and Q2 2017. Figure iii visually shows the impact of the revisions on small claim trials and fast and multi-track trials.

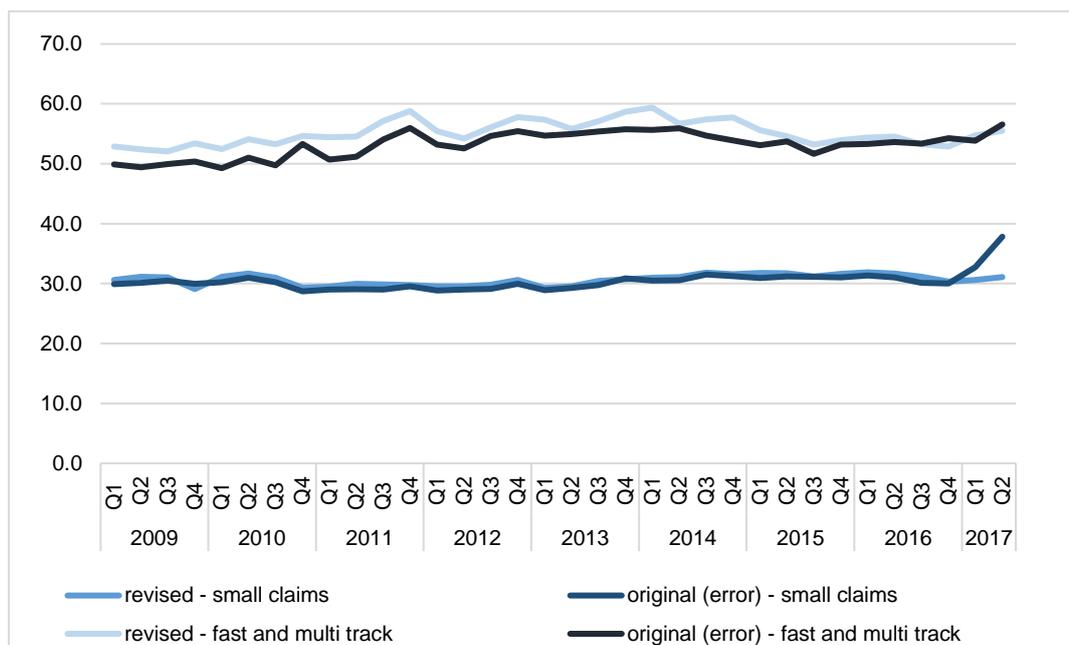
**Table i: Original timeliness figures (published in CJSQ April to June 2017) for Q1 2017 and Q2 2017.**

	Small claims	Fast track/multi track		
	Average time taken between issue and trial (weeks)	Average time taken (weeks)		
		Between issue & allocation to track	Between allocation to track & trial	Between issue & trial
Q4 2016	30.0	22.1	32.1	54.2
Q1 2017	32.7	21.7	32.2	53.9
Q2 2017	37.8	23.1	33.5	56.6

**Table ii: Revised timeliness figures (published in CJSQ July to September 2017) for Q1 2017 and Q2 2017.**

	Small claims	Fast track/multi track		
	Average time taken between issue and trial (weeks)	Average time taken (weeks)		
		Between issue & allocation to track	Between allocation to track & trial	Between issue & trial
Q4 2016	30.4	21.1	31.8	52.9
Q1 2017	30.6	22.1	32.7	54.8
Q2 2017	31.1	22.6	32.9	55.5

**Figure iii: Average time taken between issue and trial (weeks) for small claim trials, and fast and multi-track trials. Showing original and revised figures**



### Rounding convention

Figures greater than 10,000 are rounded to the nearest 1,000 and those between 1,000 and 10,000 are rounded to the nearest 100.

### Accompanying files

As well as this bulletin, the following products are published as part of this release:

- A supporting document providing further information on how the data is collected and processed, as well as information on the revisions policy and legislation relevant to civil justice.
- A set of overview tables and CSV files, covering each section of this bulletin.

### National Statistics status

National Statistics status means that official statistics meet the highest standards of trustworthiness, quality and public value.



All official statistics should comply with all aspects of the Code of Practice for Official Statistics. They are awarded National Statistics status following an assessment by the Authority's regulatory arm. The Authority considers whether the statistics meet the highest standards of Code compliance, including the value they add to public decisions and debate.

It is the Ministry of Justice's responsibility to maintain compliance with the standards expected for National Statistics. If we become concerned about whether these statistics are still meeting the appropriate standards, we will discuss any concerns with the Authority promptly. National Statistics status can be removed at any point when the highest standards are not maintained, and reinstated when standards are restored.

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