



Ministry  
of Justice



# **Court Statistics Quarterly April to June 2014**

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 second quarter of 2014 (April to June). These statistics focus on four main categories: civil cases (excluding family), family cases, criminal cases and judicial reviews.

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

- In April to June 2014, courts dealt with 370,700 new claims (13% lower than last quarter) and 11,100 hearings or trials (6% lower than last quarter).
- Historically, between 3.0% and 3.5% of all claims issued have gone to hearing or trial.
- There was an average of 54 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 and has fluctuated between 54 and 61 weeks over the last two years.

### **Family cases**

- The number of cases that started in family courts in England and Wales in April to June 2014 dropped 19% to 57,720 compared to the equivalent quarter of 2013.
- The average time for the disposal of a care or supervision application continued to drop to just under 30 weeks (down 28% from April to June 2013 and down 43% from April to June 2012).
- The number of private law disposals where both parties were represented fell by nearly 40% in April to June 2014 compared to the same quarter the previous year.

### **Criminal cases**

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

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

- Crown Court receipts for triable-either-way cases increased by 27% between Q1 and Q2 2013. This increase was driven in part by the abolition of committal hearings. However, the increase in receipts was also affected by the increase in the magistrates' courts workload, which saw a rise of 18% in triable-either-way receipts over the same period.

Increases seen in both the magistrates' courts and Crown Court have since stabilised at a slightly higher level than previously.

- For cases completing at the Crown Court during Q2 2014, the number of days from offence to completion increased from 306 to 317 days when compared with the same quarter in the previous year. However, over the same period time spent in the magistrates' courts decreased. When comparing Q2 2014 with Q2 2013, the time spent at the magistrates' courts between first hearing and being sent to the Crown Court fell from 22 to 7 days, whereas the time spent at the Crown Court increased from 141 to 164 days.

## **Judicial Reviews**

- Between 2000 and 2013 the number of judicial review applications lodged has increased over three fold, from around 4,200 in 2000 to over 15,600 in 2013. This growth was driven by Judicial Reviews on immigration and asylum.
- Of the 1,577 cases that were eligible for a final hearing in 2013, so far only 317 reached a decision. Of these, 113 (36%) were found in favour of the appellant.
- From the 1st of October 2012 to 30th June 2014 there were around 21,000 cases lodged. Of these around 12,000 (57%) had reached permission or oral renewal stage. Of those that had reached these stages 28% 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. It gives provisional figures for the latest quarter (April to June 2014) 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.

Following the recent consultation on a variety of publications produced by the Ministry of Justice; this publication will be split into separate Civil, Family and Criminal publications from next quarter. There will be no loss of information resulting from this separation. For further information on the consultation please see Annex B. **This edition is therefore the final publication of Court Statistics Quarterly.**

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)

Information on the enforcement of financial impositions can be found in [Annex A](#). An analysis of legal aid in family cases can be found in [Annex C](#).

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. Information regarding the symbols and conventions used in the bulletin are given in the Explanatory notes section.

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;

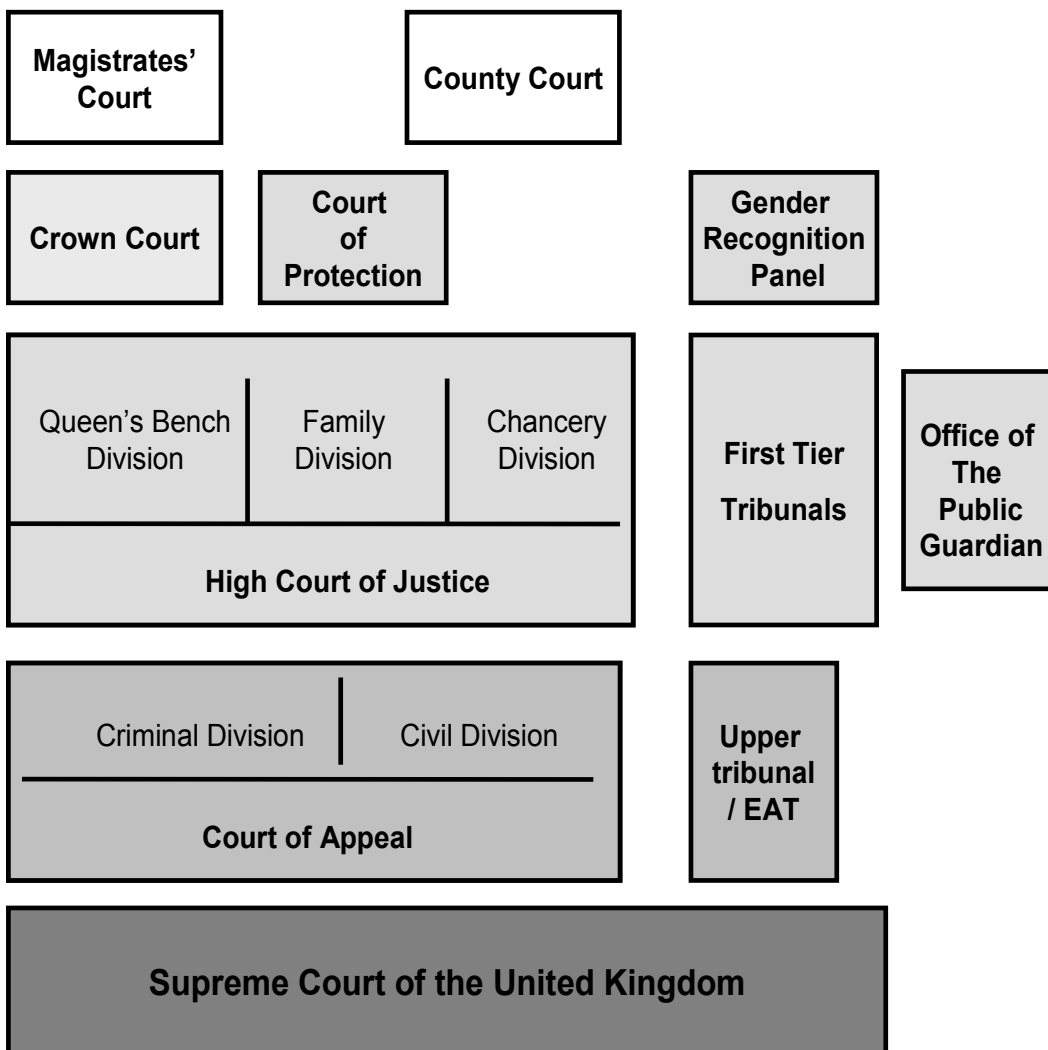
- Supporting information on Ancillary Relief and Judicial Reviews

- 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>2</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

<sup>2</sup> Some Tribunal cases can relate to other parts of the UK.

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.

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>3</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>3</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.

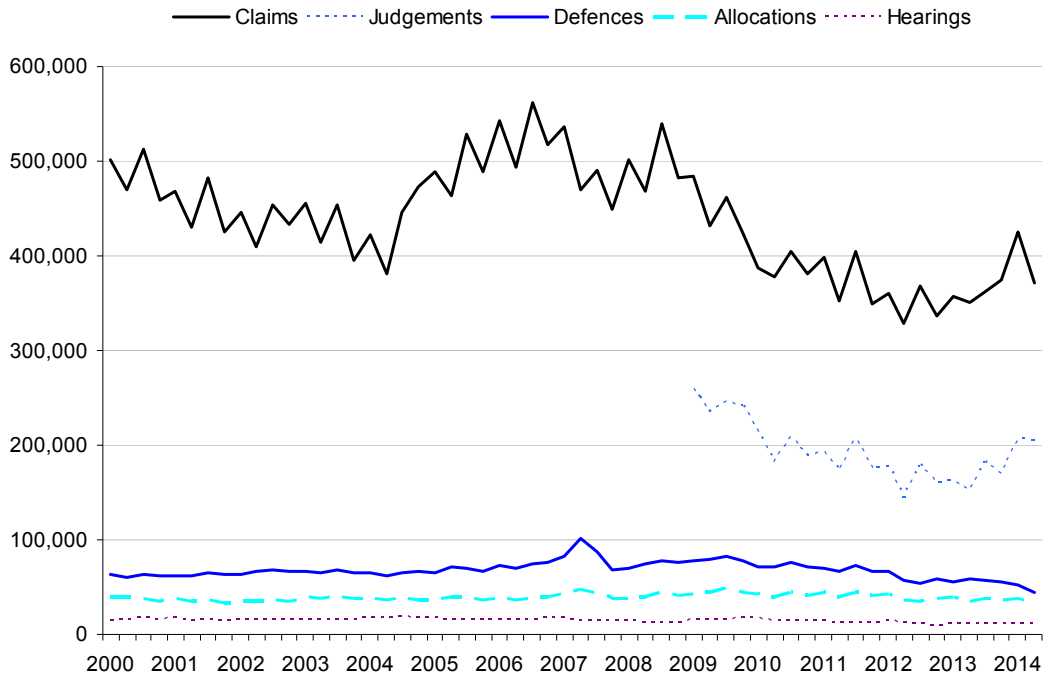
## Results

**Claims:** Between April and June 2014 a total of 370,744 claims were issued (Table 1.1 and Figure 1.1). This is a decrease on the previous quarter which had the highest number of claims since 2009.

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

**Petitions:** There were 6,483 insolvency petitions (excluding in the Royal Courts of Justice). This shows a decrease on the previous quarter and remains within the general downward trend seen since 2009. Figures for insolvency petitions more than tripled 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.

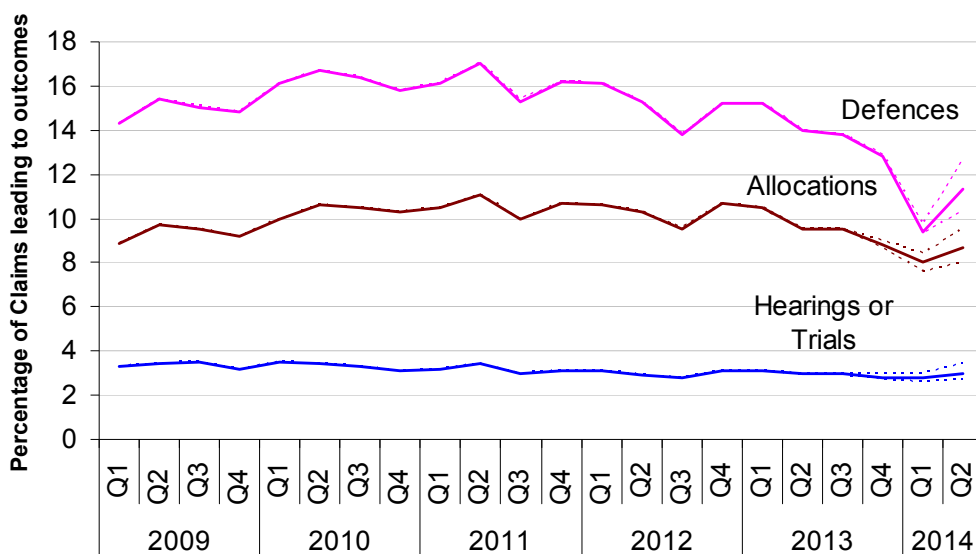
**Figure 1.1: Civil claims, defences, allocations and hearings and trials, January-March 2000 – April - June 2014**



**Defences:** Between April and June 2014 a total of 44,570 defences were made.

It is estimated that 11.3% of claims issued between April and June 2014 will be defended in time, with a range between 10.3% and 12.6% (Table 1.2 and Figure 1.2).

**Figure 1.2: Estimated case progression of civil claims by court action, January-March 2009 – April to June 2014**



**Allocations:** Between April and June 2014 a total of 33,903 allocations were made (Table 1.1).

It is estimated that 8.7% of claims issued between April and June 2014 will be allocated in time, (with a range between 8.0% and 9.5%).

**Hearings and trials:** Between April and June 2014 a total of 11,122 hearings or trials were carried out.

It is estimated that 3.0% of claims issued between April and June 2014 will go to hearing or trial in time, (with a range between 2.7% and 3.4%).

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. Fast and multi-track trials occurred on average 54 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 (Table 1.3).

**Judgments:** Between April and June 2014 a total of 204,701 judgements were made.

**Warrants:** Between April and June 2014 a total of 48,379 warrants were issued. This figure has been generally falling since 2000.

**Orders:** Between April and June 2014 a total of 30,623 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 14,721 completed civil proceedings in the Magistrates Court between April and June 2014, down six 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. As of April 2014, the three former tiers of the family courts (High Court, county court and magistrates' courts) were merged to form a single family court.

This chapter includes references to 10 MS 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 April to June 2014, 57,720 new cases started in family courts and 60,287 cases were concluded. Table 2.1 shows the total number of new cases starting and cases reaching a conclusion in family courts in each quarter. In April to June 2014, divorce made up 48% of new cases in family courts, with private law contributing 16% and financial remedy 15%. In total, relationship breakdown cases account for four-fifths of the courts' caseload. A similar picture is also seen for the cases concluded.

- **Public law:** in April to June 2014 there were 3,519 new cases (fairly stable since 2011) which related to public law and 4,027 cases that reached a final disposal. The average time for the disposal of care and supervision cases was 29.6 weeks.
- **Private law:** in April to June 2014, there were 9,291 private law cases started (about 41 % lower than the equivalent quarter in 2013) and 13,028 cases that reached a final disposal (continuing the upward trend).
- **Divorce:** there were 27,550 petitions filed for divorce and 27,726 decrees absolute made in April to June 2014.
- **Financial remedy (formerly 'ancillary relief'):** there were 8,775 cases started and 7,677 cases with a disposal in April to June 2014.
- **Domestic violence:** there were 5,105 cases started and 4,675 cases with a disposal in April to June 2014.
- **Forced marriage protection:** there were 30 new forced marriage protection order cases, and 26 cases concluded in April to June 2014.

- **Adoption:** there were 3,294 cases started and 2,978 cases disposed, under the Adoption and Children Act 2002 in April to June 2014.

**Table A: Total family court new cases, by case type, April to June 2014**

	Number of new cases starting	Proportion of new cases starting
Divorce	27,550	48%
Annulments and judicial separations	156	<1%
Ancillary relief	8,775	15%
Domestic violence	5,105	9%
Private law	9,291	16%
Public law	3,519	6%
Adoption Act	3,294	6%
Forced marriage protection	30	<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.

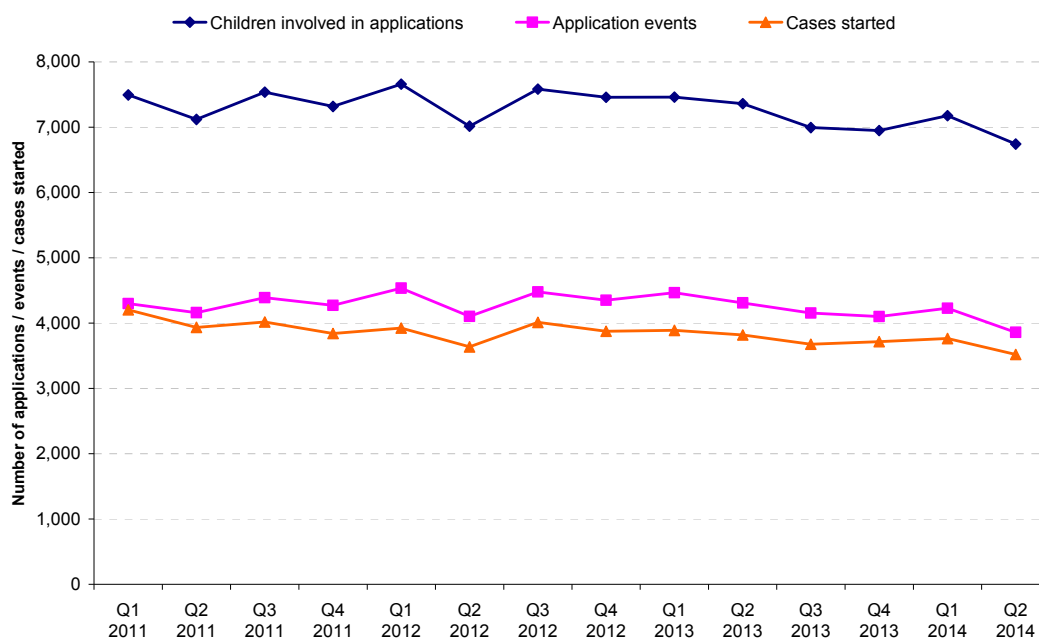
Following the publicity surrounding the Baby P case, the number of children involved in public law applications made by local authorities jumped in 2009 from around 20,000 to almost 26,000 per year. This had subsequently increased in the past three years to nearly 30,000 per year. Figures have remained fairly steady at around 7,000 per quarter, with the number for April to June 2014 however dropping slightly to 6,742 (Figure 2.1).

The number of applications made, which can cover more than one child, has also slightly dropped to 3,860 in quarter 2 2014. 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 started in April to June 2014 was 3,519 (Table 2.2).

Please note that figures for the number of children involved in applications and disposals by type of order 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, January to March 2011 to April to June 2014**



The number of children involved in public law orders made jumped in 2011 and continued to increase until mid 2013. There were 8,775 children involved in public law orders made in April to June 2014. 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 April to June 2014 were care (69% of children involved in applications), followed by emergency protection (7%) and discharge of a care order (6%). 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 339 children involved in applications during April to June 2014, but 1,622 children were involved in supervision orders made in that quarter.

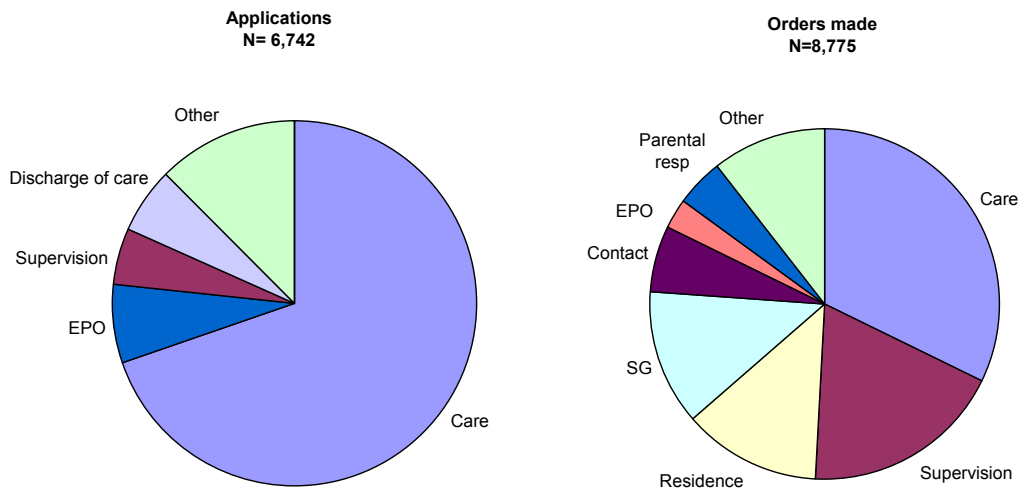
The Children and Family Court Advisory and Support Service (Cafcass) also publishes data on the number of care applications, the latest edition of which can be found here:

[www.cafcass.gov.uk/news/2014/august/july-2014-care-demand-statistics.aspx](http://www.cafcass.gov.uk/news/2014/august/july-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, April to June 2014**



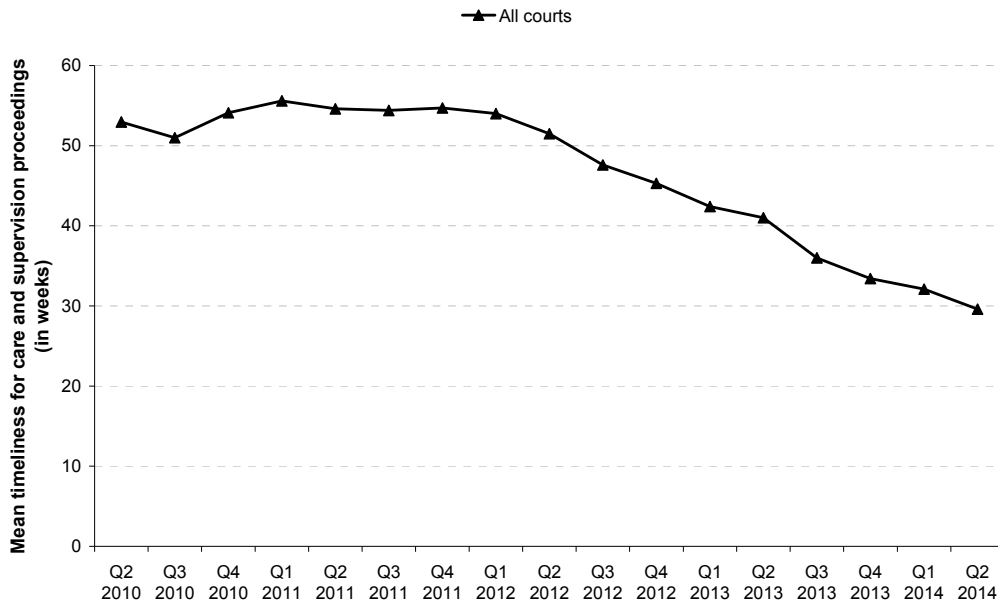
EPO = Emergency protection order, SG = Special guardianship order, Parental resp = Parental responsibility order

### 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.

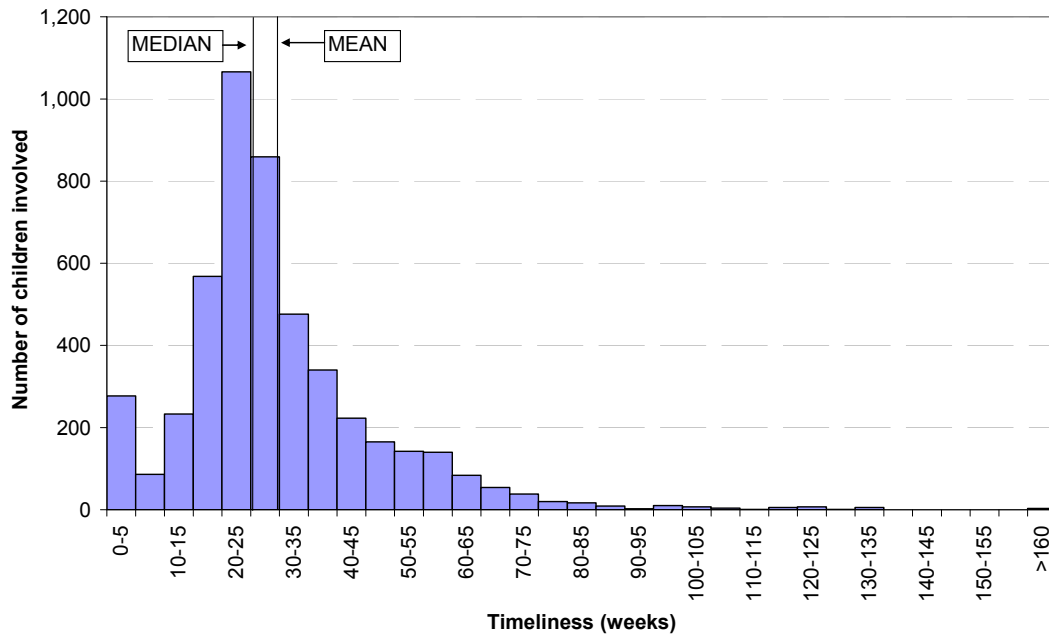
The average time for a disposal to be made in April to June 2014 was 30 weeks, continuing the drop seen since the beginning of 2012, after timeliness had remained at about 55 weeks for over a year (see figure 2.3).

**Figure 2.3: Timeliness for Care and Supervision proceedings in the Family Court, April to June 2010 to April to June 2014**



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 25.4 weeks in April to June 2014. This means that for all children involved in care and supervision proceedings where a decision was reached during April to June 2014, half of the children (or 2,421) waited 25.4 weeks or less from application to a substantive disposal, and the other half waited at least 25.4 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 April to June 2014.

**Figure 2.4: Timeliness for Care and Supervision proceedings showing number of children involved in each timeliness band, all court tiers, April to June 2014**



## Private Law

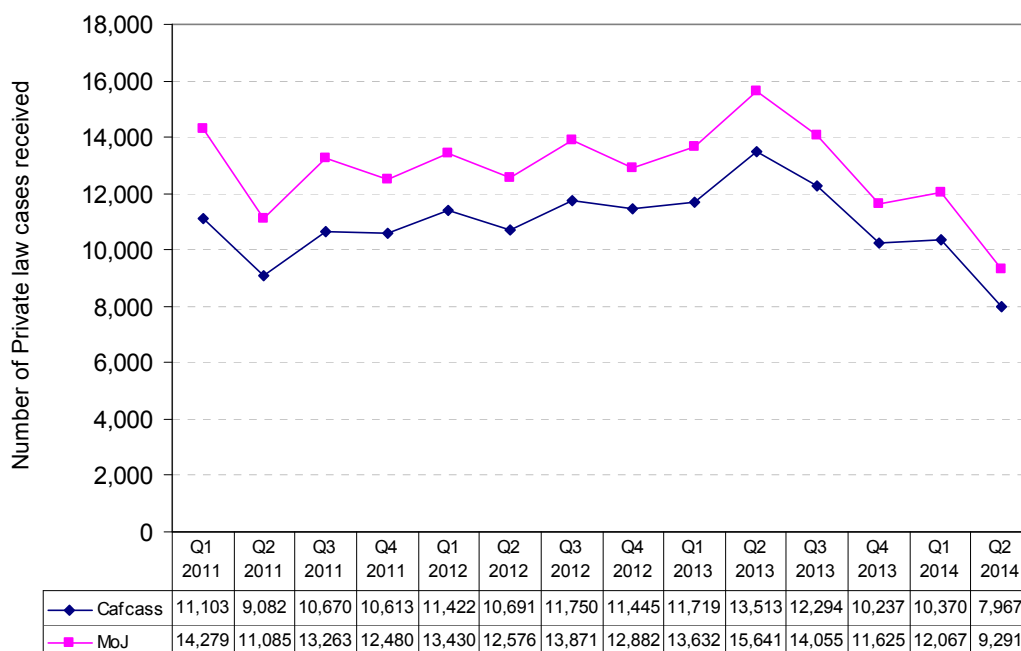
The number of Private law cases started in April to June 2014 was 9,291 a drop of over 40% compared to the equivalent quarter in 2013. The trend in cases disposed tends to lag behind that for cases started due to the time taken for a decision to be reached in cases. There were 13,028 cases disposed in April to June 2014, continuing the slight upward trend seen in recent quarters.

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/august/july-2014-private-law-demand-statistics.aspx](http://www.cafcass.gov.uk/news/2014/august/july-2014-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, January to March 2011 to April to June 2014**



Most of the difference between the two sets of numbers is due to Cafcass generally only receiving section 8 cases (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 the two sets of 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).

Please note that figures for the number of children involved in private law applications and disposals by type of order are now given in the CSV file that accompanies this table.

## Legal representation

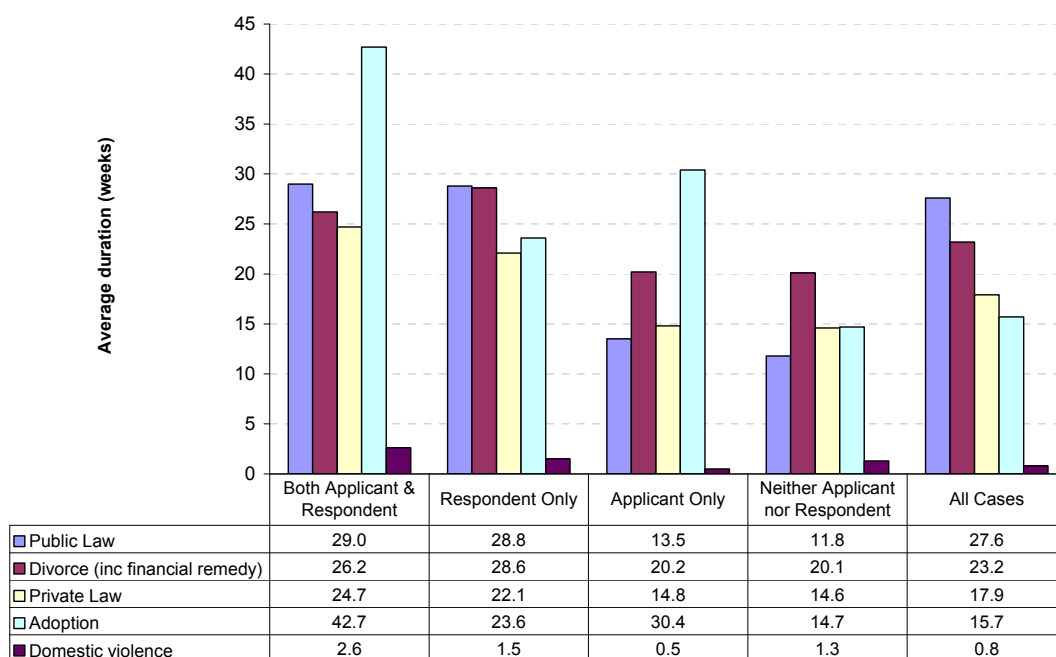
Figures on the legal representation of parties in family-related court cases are shown in Table 2.4. This gives the number of disposals made during each quarter and the average duration between application and first substantive disposal, for divorce, public law, private law, adoption and domestic violence 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 April to June 2014.

A breakdown of Table 2.4 by region is published in the CSV file that accompanies this table.

**Figure 2.6: Timeliness of cases according to legal representation of participants, by case type, April to June 2014**



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 middle 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 by 41% in April to June 2014 compared to April to June 2013, whilst the average duration has increased. In contrast, over the same period for those where neither party was represented, disposals have nearly doubled and the average duration has remained the same.

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 Family categories 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)

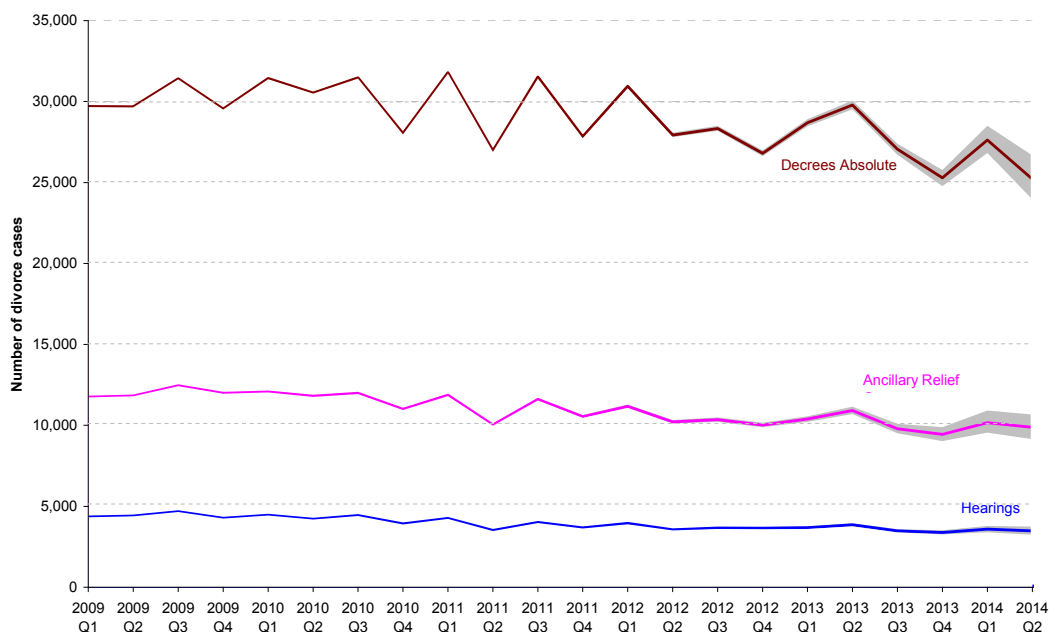
## **Matrimonial matters**

The divorce CSV file that accompanies this publication replaces and expands on the summary table published in previous bulletins, providing 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, there are also divorce case progression figures presented in this publication. A summary of divorce case progression can be found in Table 2.5 – it shows the number and proportion of divorce cases commencing in each quarter since 2003 that had reached certain stages by the end of June 2014.

The table also includes an estimation of the 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 2.7 illustrates these trends. This estimation has been 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.

**Figure 2.7: Estimated case progression of divorce cases, January to March 2009 to April to June 2014**



## 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 very small. For April to June 2014 there were 38 applications and 33 orders made.

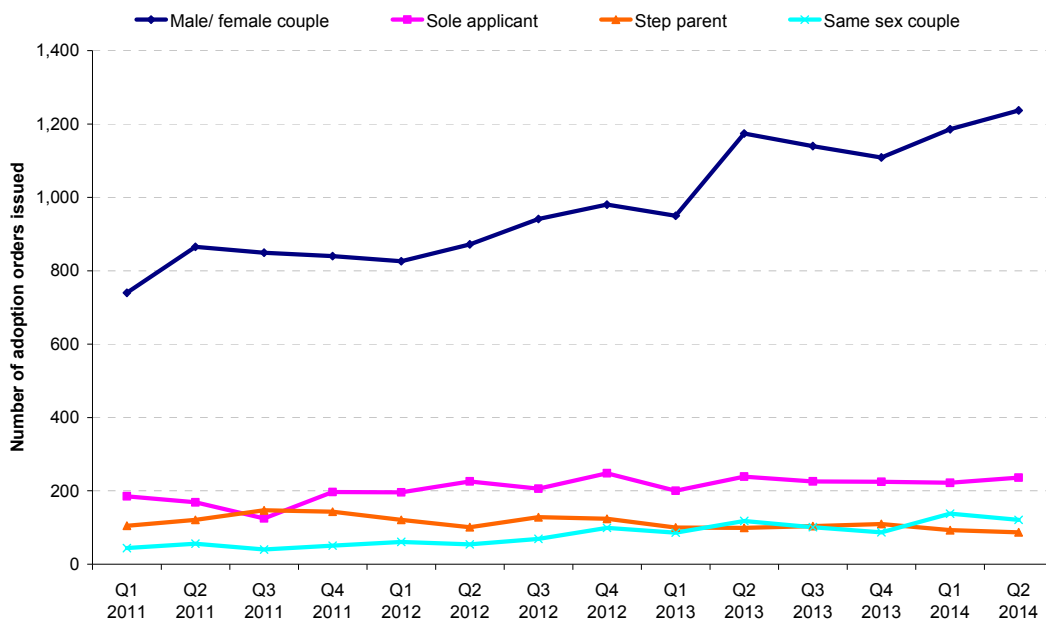
## Adoptions

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 April to June 2014, there were 1,202 applications made for a placement order, continuing the drop seen in the previous quarter, and 1,738 applications made for an adoption order.

During April to June 2014, there were 1,682 adoption orders issued, the highest number since the beginning of 2011. In 74% of these, the adopters were a male/female couple, while in 14% the adopter was a sole applicant. In a further 5% the adopter was a step-parent and in 7% the adopters were a same-sex couple (Figure 2.8). 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 2.8: Adoption orders issued, by adopter, January to March 2011 to April to June 2014**





## 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 second quarter of 2014, there were around 240 magistrates' courts and approximately 76 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.

As part of wider measures to speed up justice and improve efficiencies in the justice system, committal hearings were abolished nationally<sup>4</sup> at the end of May 2013. As a result of the change, triable-either-way cases can now be 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.

The second quarter of 2013 saw a 17% increase in the receipt of "for trial" cases in the magistrates' courts compared to the previous quarter. This increase was driven by a rise in triable-either-way case receipts, which rose by 18% compared to the first quarter of 2013. Receipt of "for trial" cases has since stabilised, but at a higher level. This may in part be driven by the increase reported in the Police Reported Crime data for particular crime types including Shoplifting and Violence against the Person<sup>5</sup>.

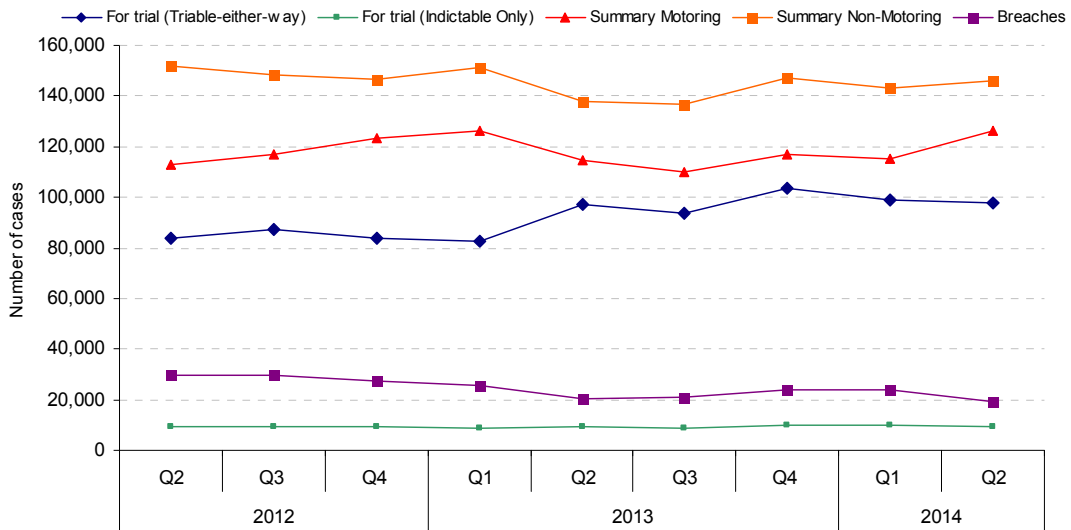
In the latest quarter (Q2 2014) triable-either-way receipts fell by 1% compared to the previous quarter.

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<sup>4</sup> <https://www.gov.uk/government/news/faster-justice-as-unnecessary-committal-hearings-are-abolished>

<sup>5</sup> <http://www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/period-ending-march-2014/stb-crime-stats.html>

**Figure 3.1: Magistrates' courts receipts by case type, Q2 2012 to Q2 2014**



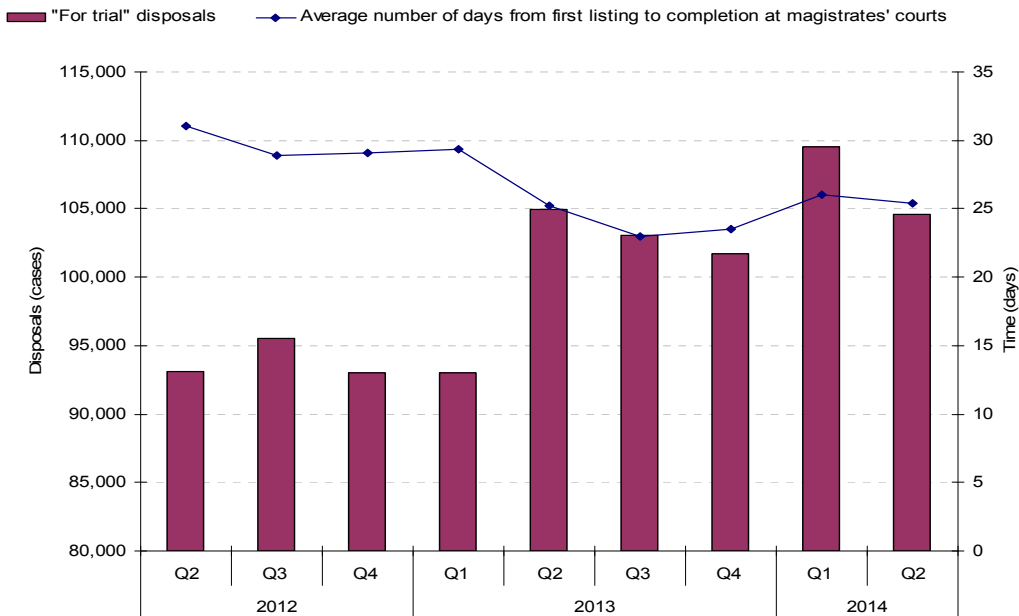
Despite the steadying of receipts into the magistrates' courts the number of outstanding cases has continued to rise across 2013 and 2014 – increasing by 14% and 12% in Q2 2014 for summary motoring and summary non-motoring cases respectively compared to the second quarter of 2013.

Completed proceedings counts the most serious offence to complete on any day. On occasions a case may have one or more offences that complete on different dates. Disposals counts the number of cases only when all the offences in the case have been completed in the reporting period.

Both disposals and completed proceedings in the magistrates' courts have remained relatively stable since Q2 2013. This may explain why the outstanding caseload has continued to increase following the rise in receipts.

The total number of disposals in the magistrates' courts remained relatively stable in the second quarter of 2014 when compared with the same quarter of the previous year.

**Figure 3.2 “For trial” disposals and timeliness in the magistrates’ courts, Q2 2012 to Q2 2014**



Between Q1 and Q2 2013 “for trial” disposals increased by 13%, where as the time taken between first listing and completion at the magistrates’ courts for these cases fell by 4 days. This was mainly the result of the national abolition of committal hearings for triable-either-way cases.

In Q2 2014, the number of disposals remained relatively stable when compared to Q1 2014 (decreased by 5%), and the time taken also remained stable, decreasing by one day from the previous quarter.

### **Criminal cases in the Crown Court**

The Crown Court deals 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.

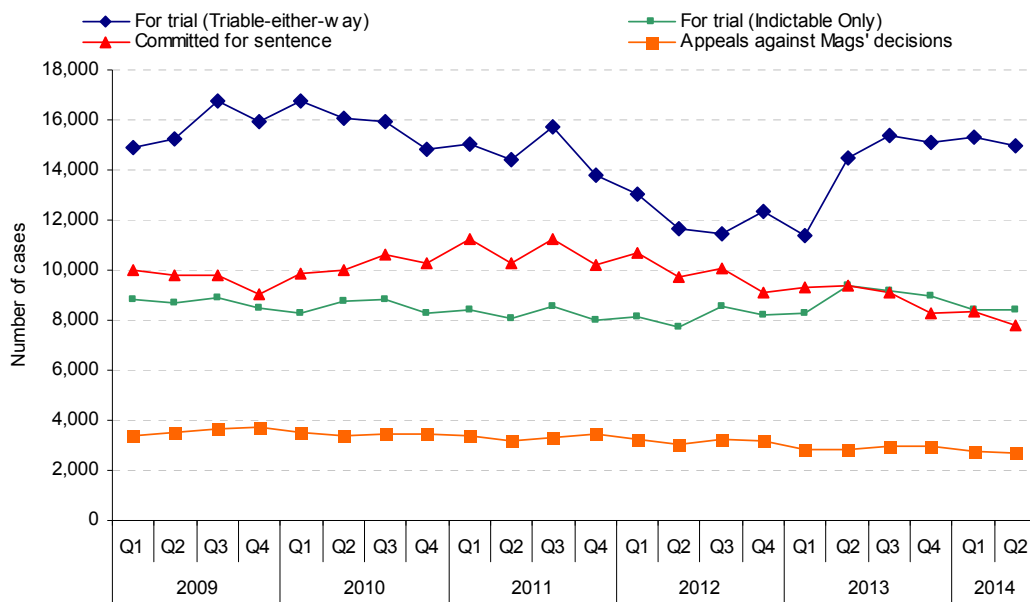
Committed for sentence cases are transferred to the Crown Court for sentencing only after a defendant has been convicted in a magistrates’ court. This would occur where a magistrate believes that their sentencing powers are insufficient to apply an appropriate sanction to the defendant.

### 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 was, in part, the result of the increase in the magistrates' courts workload. The increase in receipts was also driven by a rise in triable-either-way cases, which rose by 27% over the same period. This was mainly the result of national abolition of committal hearings for triable-either-way cases.

The increase seen in recent quarters has since stabilised and in the latest period (Q2 2014) triable-either-way receipts fell by 2% compared to the previous quarter.

**Figure 3.3: Crown Court receipts by case type, Q1 2009 to Q2 2014**

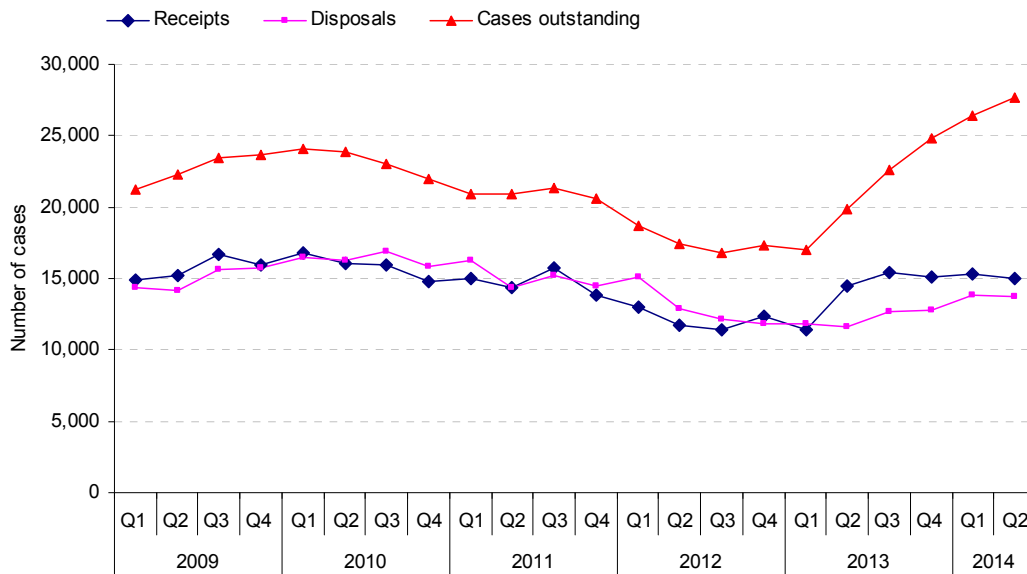


In the second quarter of 2013 the number of indictable only cases rose to 9,346 cases, the highest quarterly figure in the last five years. This has fallen quarter on quarter until the first quarter of 2014 where there were 10% fewer indictable only cases received by the Crown Court, when compared with the second quarter of 2013. In Q2 2014 indictable only cases remained stable when compared to the previous quarter.

Despite the steadying of receipts, the number of outstanding cases continued to rise quarter on quarter across 2013 and 2014 – increasing by 63% and 16% in Q2 2014 for triable-either-way and indictable only cases respectively compared to the first quarter of 2013.

Between the second quarter of 2013 and the fourth quarter of 2013 the number of triable-either-way cases completed (disposals) remained relatively stable. In Q1 2014 disposals increased by 8% when compared with the previous quarter, however since then disposals remained stable. Over the same period all other cases in the Crown Court saw a 3% fall in disposals.

**Figure 3.4: Receipts, disposals and outstanding triable-either-way cases in the Crown Court, Q1 2009 to Q2 2014**



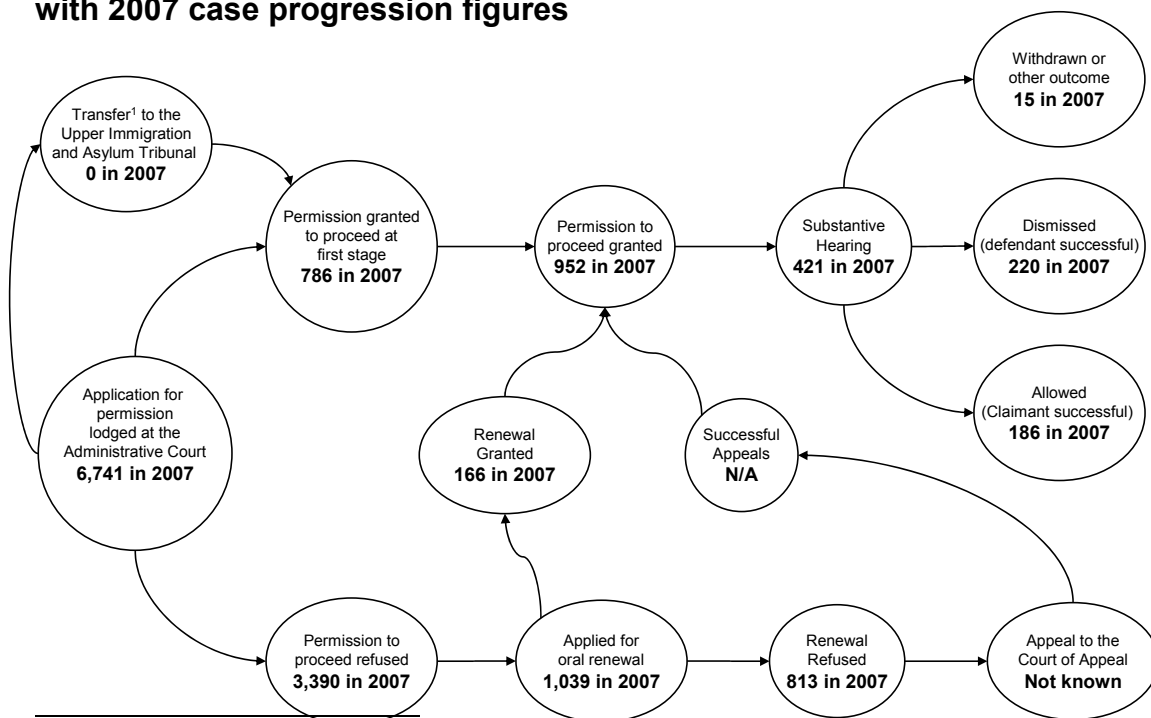
For cases completing at the Crown Court during Q2 2014, the number of days from offence to completion increased from 306 to 317 days when compared with the same quarter in the previous year. However, over the same period time spent in the magistrates' courts decreased. When comparing Q2 2014 with the Q2 2013, the time spent at the magistrates' courts between first hearing and being sent to the Crown Court fell from 22 to 7 days, whereas the time spent at the Crown Court increased from 141 to 164 days. This was mainly the result of the national abolition of committal hearings for triable-either-way cases.

## Chapter 4: Judicial Reviews

The data used in this chapter is taken from a system in the Administrative Court<sup>6</sup> (COINS) and it tracks the progress of Judicial Reviews (JRs) lodged between 1 January 2000 and 31 March 2014<sup>7</sup>. As this information has been extracted from a live database, there are minor revisions between the information presented here and earlier data<sup>8</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**.

The analysis in this chapter covers JRs lodged between 1 January 2000 and 31 March 2014. 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 2014, 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>6</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>7</sup> Data was extracted in May 2014. Data is from a live database and subject to continual revisions.

<sup>8</sup> For more information please see [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/262036/revisi-on-judicial-review-figures-stats.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/262036/revisi-on-judicial-review-figures-stats.pdf)

## Applications for permission to apply for Judicial Review

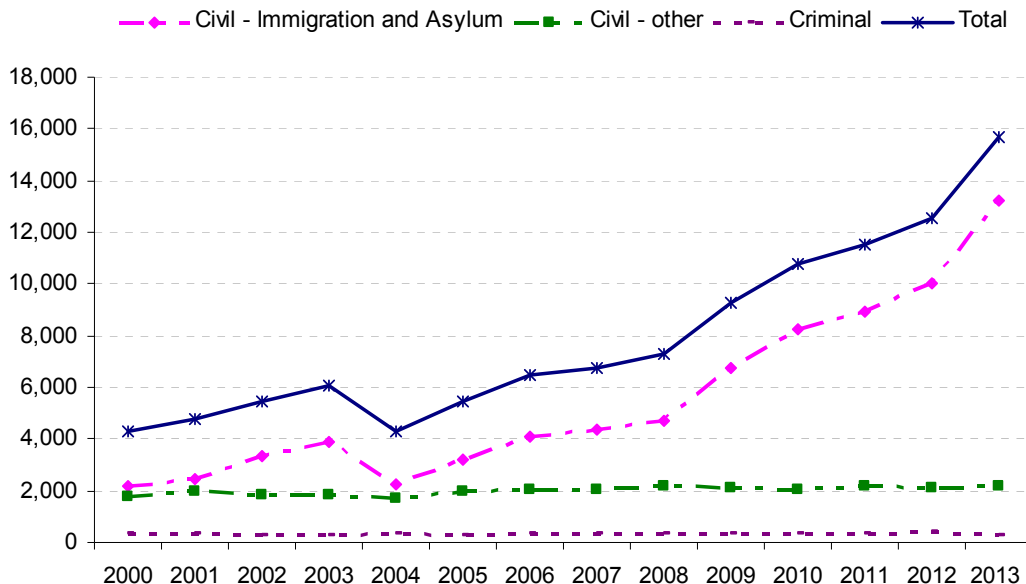
In 2000, there were 4,288 applications (Table 4.1) for permission to apply for a Judicial Review. By 2013 this had risen to an annual intake of 15,707 (over a three fold increase). In January to March 2014, there were 987 applications, compared to 3,398 in January to March 2013. This is due to the transfer of the majority of Civil (Immigration and Asylum) cases to the Upper Tribunal in November 2013. The Administrative Court continues to work through Immigration Judicial Reviews lodged before September 2013.

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 and 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%.

**Figure 4.2: Judicial Review Applications, by type<sup>9</sup> 2000-2013**



<sup>9</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, that latest information (cases lodged up to 31<sup>st</sup> March 2014) was extracted in May 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 2010 this had reduced to 10% and so far for 2013 it is 8%. 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 52% 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 12% in 2012 and so far 10% 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 1,513 case that were eligible for a final hearing in 2013, only 232 reached a decision. Of these, 154 (66%) were found in favour of the appellant.

## Timeliness<sup>10</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 so far 110 days in 2013. This may be due to the rise in cases lodged over this period.

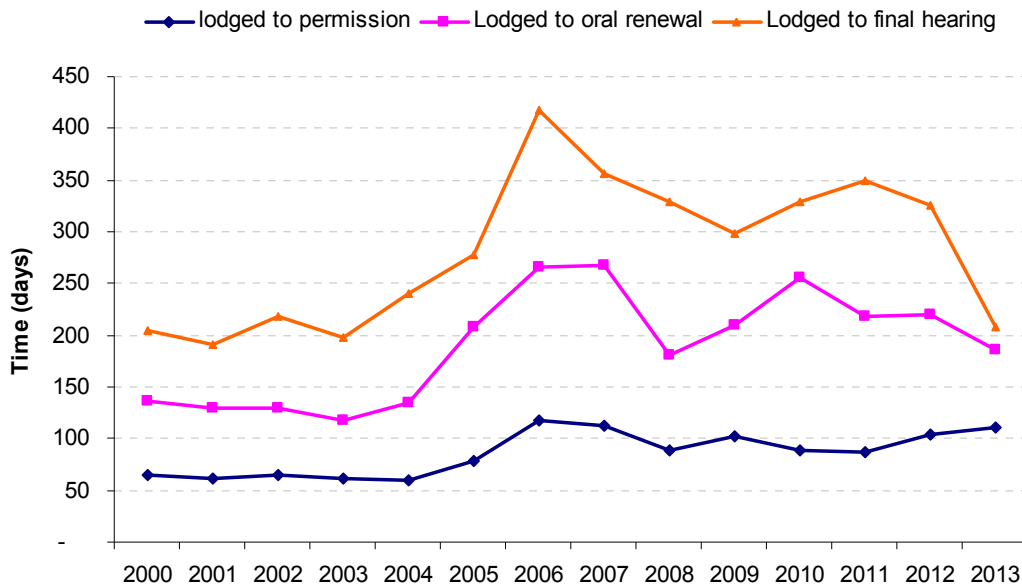
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<sup>10</sup> Timeliness figures in this publication are based on the date the JR is lodged to the date of various stages of the process. This is not a measure of the time the Administrative Court takes to deal with a judicial review as it also includes 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 2000 to 220 in 2012 and 186 for cases in 2013.
- The time taken from lodging to final hearing has increased over time from over 205 days in 2000 to 326 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>11</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>11</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 October 2012 to 31 March 2014 there were 19,957 cases lodged. Of these 10,820 (54%) had reached permission or oral renewal stage at the time the data was extracted in May 2014. Of those that had reached these stages 3,135 (29%) 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 33%, compared to only 17% 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 registered as fines for enforcement. The financial imposition statistics presented here do not include confiscation orders.

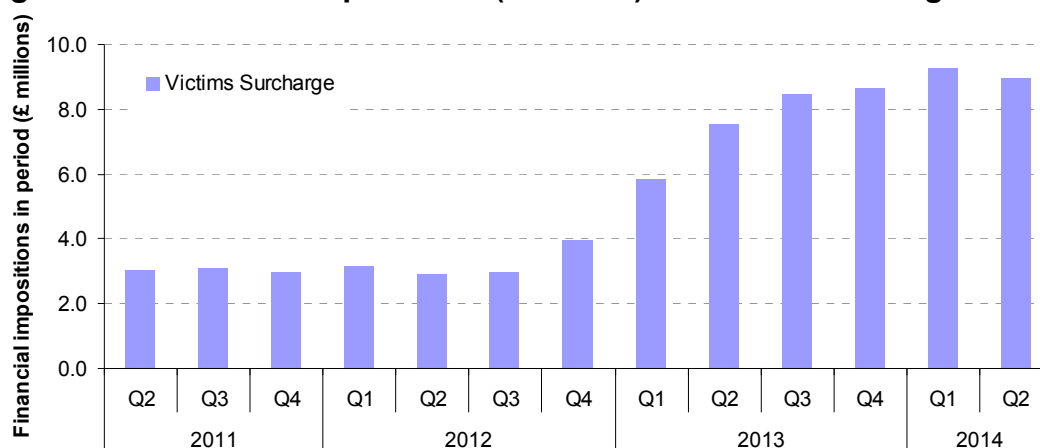
### Financial impositions and amounts paid

Financial penalties can be imposed by the magistrates' courts and the Crown Court; however they are all collected and enforced by the HMCTS National Compliance and Enforcement Service.

In the second quarter of 2014, the total value of financial penalties paid, regardless of the age of the imposition, was £70 million; stable when compared with the same quarter in 2013 and a 7% decrease on the previous quarter (Table A.1).

The total value of impositions in the second quarter of 2014 (£106 million) was stable when compared to the same quarter in 2013 and fell (2%) compared with the previous quarter (Table A.2).

**Figure A.1: Financial impositions (£ million) for victim surcharge**



The amount imposed for victim surcharge has been increasing since its scope and amounts payable were extended in October 2012<sup>12</sup>. The increases seen have slowed and stabilised in 2014.

<sup>12</sup> <https://www.gov.uk/government/publications/victim-surcharge-circular-october-2012>

In the first quarter of 2014, 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% (£6.3 million) of the financial penalties imposed in the second quarter of 2014 had been cancelled – mainly consisting of legal cancellations following appeal and statutory declarations.

### **Financial imposition 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 301,969 accounts opened in the second quarter of 2014, a 2% decrease compared to the same period in the previous year (Table A.3). Of the accounts opened in the second quarter of 2014, 11% (34,665) were closed within the month of imposition.

### **Outstanding financial impositions**

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 second quarter of 2014, the total value of financial impositions outstanding in England and Wales was £551 million. This has tended to fall since April 2011 and is down 4% on the same quarter of the previous year (Table A.4).

## Annex B: Planned upcoming changes to publications

From the 24 April until the 5 June, the MoJ ran a consultation on changes to this publication. The consultation can be found at:

<https://consult.justice.gov.uk/digital-communications/consultation-on-changes-to-moj-statistics>

There were two proposals in the consultation:

1. Separate the CSQ publication into separate policy facing publications (covering civil, family, criminal and administrative justice)
2. Merge the Gender Recognition Certificates publication into Tribunal Statistics Quarterly

There were five respondents to the consultation, of which four (80%) were classed as internal customers.

All respondents agreed with both proposals.

Based on this a number of steps will now be taken by the MoJ, these will be:

- Merge the Gender Recognition Certificates into Tribunals Statistics Quarterly for December 2014
- To design a new civil publication (incorporating the civil chapter of CSQ and the Mortgage and Landlord bulletin) for November 2014.
- To design a new Family Justice publication. The first edition of which will be in December 2014.
- To design a new criminal court workload publication for December 2014.

## 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**.

### Revision to the criminal timeliness data – June 2014

Following the identification of improvements to the existing methodology, all historic criminal timeliness tables from Q2 2010 have been revised. As a result the number of defendants included in the average timeliness calculations has increased for all previous periods, whereas the average durations are identical.

Similarly updates to Home Office offence classifications have resulted in changes in the average timeliness of some offence level breakdowns. As such these data are not comparable with previous published tables.

An additional table has been added to this publication which provides data on receipts, disposals and outstanding cases in the magistrates' court, providing a more comprehensive data set. It is intended that this new data set will, over time, replace the completed proceedings data set. We will run both data sets in parallel for the remainder of 2014. In a separate publication, Criminal Justice Statistics (CJS) which also provides data on the volumes of court disposals.

### **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

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