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Court Statistics Quarterly April to June 2011

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Introduction

This report presents statistics on activity in the county, family, magistrates' and Crown courts of England and Wales. It gives provisional figures for the latest quarter (April to June 2011) with accompanying commentary and analysis.

The commentary includes for each type of court, a brief description of the function and jurisdiction of the courts concerned together with an explanation of some of the main procedures involved.

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.

Calendar year court statistics are also published by the Ministry of Justice (MoJ) in the statistics report *Judicial and Court Statistics (JCS)*, which contains more detailed breakdowns of the figures, along with additional data on the activity of other types of court such as the Supreme Court and High Court.

These statistic bulletins, along with the Excel tables and the comma-separated values (CSV) file formats for each chapter, are available from the MoJ website. Following the merger of the *Court Statistics Quarterly (CSQ)* and *Company Winding Up and Bankruptcy Petition Statistics* publications announced on 12 May 2011, a separate CSV file is included with this bulletin covering insolvency actions from 1999 onwards by Her Majesty's Courts and Tribunals Service (HMCTS) region, Government Office Region and county courts.

www.justice.gov.uk/publications/statistics-and-data/courts-and-sentencing/index.htm

New experimental statistics on the timeliness of criminal proceedings in the magistrates' courts sourced from court administrative datasets are included in this bulletin for the first time. Previously, statistics on the duration of criminal proceedings in the magistrates' courts were taken from the quarterly *Time Intervals Survey (TIS)*, which was based on a sample of cases and has now been discontinued.

Statistics on the work of the tribunals in England and Wales and non-devolved tribunals in Scotland and Northern Ireland during the period April to June 2011 are also published by the MoJ at the same time as this report. These quarterly tribunals statistics, along with annual statistics, can be found in separate reports on the MoJ website, at:

www.justice.gov.uk/publications/statistics-and-data/tribunals/index.htm

Annex A provides summary information on data sources for the figures given in this report, along with a brief discussion on data quality. **Annex B** provides summary information on new data sources and experimental timeliness statistics. **Annex C** provides high-level findings for the courts and tribunals which are administered by HMCTS.

There is also a **Glossary** section which provides brief definitions for the terms used in this report.

Information about statistical revisions, forthcoming changes and the symbols and conventions used in the bulletin are given in the **Explanatory notes** section.

If you have any feedback, questions or requests for further information about this statistics bulletin, please direct them to the appropriate contact given at the end of this report.

Background

The vast majority of criminal and civil cases in England and Wales are dealt with at the Crown, magistrates' and county courts.

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

All family matters 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 matters 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.

Main findings

These statistics are used to monitor the type and volume of cases that are received and processed through the court system of England and Wales. The analyses in this report are mainly comparisons made between the latest quarter and the equivalent quarter of previous years. Seasonal variations affecting the workload of the courts may impact on comparisons with other periods.

County courts (non-family)

Civil (non family) cases in the county courts typically relate to debt, the repossession of property, personal injury and insolvency. Over the period Q1 (January to March) 2008 to Q2 (April to June) 2011 covered by the tables in this report, there have been notable declines in claims issued, enforcement applications and small claim hearings, while defences made and trials have remained relatively flat.

Key points

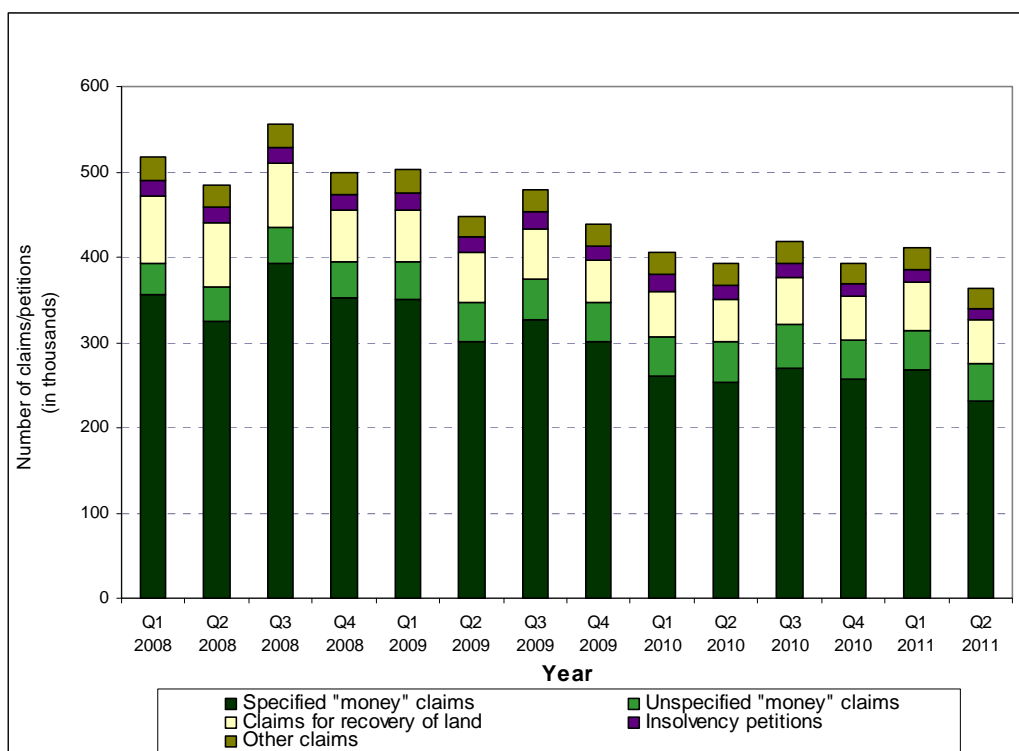
- There were **365,000 claims issued** during the second quarter of 2011, a seven per cent decrease compared with the second quarter of 2010. Claims issued have generally declined since the first quarter of 2008. This is mainly due to decreases in specified 'money' (typically debt related) claims, repossession claims, return of goods claims and insolvency petitions and is despite an increase in unspecified 'money' (typically personal injury related) claims.
- The fall in repossession claims since the end of 2008 coincides with the introduction of the Mortgage Pre-Action Protocol (MPAP), which gives clear guidance on what the courts expect lenders and borrowers to have done prior to a claim being issued. It encourages more pre-action contact between lender and borrower and as such enables more efficient use of the court's time and resources.

Only a small proportion of claims are defended, with defended cases that are not settled or withdrawn generally resulting in a small claim hearing or trial.

- **67,200 defences were made** in the second quarter of 2011, six per cent less than the second quarter of 2010. This reflects a nine per cent fall in 'money' claims, with the vast majority of defences being made to such claims.
- **8,900 small claim hearings** took place in the second quarter of 2011, a decrease of 17 per cent compared with the second quarter of 2010. On average, small claim hearings occurred 30 weeks after the claim was originally made, down from 31 weeks in the second quarter of 2010.
- **3,900 'fast track'** (generally for cases with claim amounts over £5,000 but not more than £25,000) **and 'multi track'** (generally for cases for more than £25,000) **trials** were disposed of, a decrease of eight per cent compared with the second quarter of 2010. On average, trials occurred 55 weeks after the claim was originally made, the same as in the second quarter of 2010 and following a general upwards trend between 2008 and 2010.

- **63,500 applications for enforcement of judgment amounts** were made (via warrants of execution, attachment of earnings orders, third party debt orders and charging orders) during the second quarter of 2011, a 16 per cent decrease on the same period of the year before.
- **31,500 warrants of possession were issued**, an increase of two per cent on the equivalent quarter of 2010, with county court bailiffs making **13,800 repossessions of properties**, a six per cent increase on the second quarter of 2010. 6,200 of the properties were on behalf of mortgage lenders, four per cent more than in the second quarter of 2010.

Figure 1: Claims issued in the county courts, by type of case, England and Wales, Q1 2008 to Q2 2011



Family matters

Family cases deal with issues such as parental disputes, child protection cases, divorce and separation, and cases of domestic violence. Following a fairly steady trend over recent years, there were falls of varying degrees in the number of applications and disposals for most of the family related court cases in the April-June quarter of 2011.

Key points

- There were **29,000 decrees absolute granted for the dissolution of marriage** in the second quarter of 2011; a decrease of three per cent compared to the second quarter of 2010.
- **5,300 domestic violence orders were made** in the second quarter of 2011; a drop of 14 per cent on the 6,100 in the same period in the previous year.

- On matters affecting children, there were **7,400 children involved in public law applications** made in the second quarter of 2011, a 22 per cent increase on the same period for 2010.¹
- There were **24,500 children involved in private law applications** made in the second quarter of 2011; a 22 per cent decrease. The downward trend in the number of children involved in private law applications, which began at the end of 2009, continued into the second quarter of 2010, reaching the lowest level seen in the last three years.¹

Magistrates' courts and the Crown Court

Nearly all criminal court cases start in a magistrates' court, with the more serious offences passed on to the Crown Court. In the last couple of years, the overall number of cases received by the Crown Court has been rising, although this has fallen in the most recent quarters. For magistrates' courts there have been decreases in the number of completed proceedings.

Key points for the magistrates' courts

- There were **422,700 criminal proceedings completed in magistrates' courts** in the second quarter of 2011, around five per cent less than in the same period of 2010. The long-term trend in recent years has been a decreasing volume of completed criminal proceedings.
- **40,600 trials were recorded in magistrates' courts**, with 44 per cent recorded as effective. Rates of effective, cracked and ineffective trials in the magistrates' courts have remained relatively stable during the last three years.
- The total **value of fines paid in magistrates' courts was £69 million** in the second quarter of 2011, compared with £70 million in the corresponding quarter of the previous year.

Key points for the Crown Court

- There were a total of **35,700 cases received** in the Crown Court in the second quarter of 2011, a seven per cent decrease on the number received in the second quarter of 2010. This is compared to a two per cent increase in cases received between the second quarter of 2009 and 2010.
- There were around **10,000 trial listings** in the Crown Court in the second quarter of 2011, compared to 10,700 in the second quarter of 2010. Of these, 45 per cent were recorded as 'effective', with 40 per cent 'cracked'

¹ The data compilation methodology for the public and private law application figures is under review. Therefore, the figures for 2010 and 2011 may be subject to revision. Please refer to Annex A for further details.

and 15 per cent 'ineffective'. The rates of effective, cracked and ineffective trials have remained consistent over the past two years.

Timeliness of criminal proceedings

This report also contains for the first time experimental statistics on the timeliness of criminal proceedings across both magistrates' and Crown tiers of court.

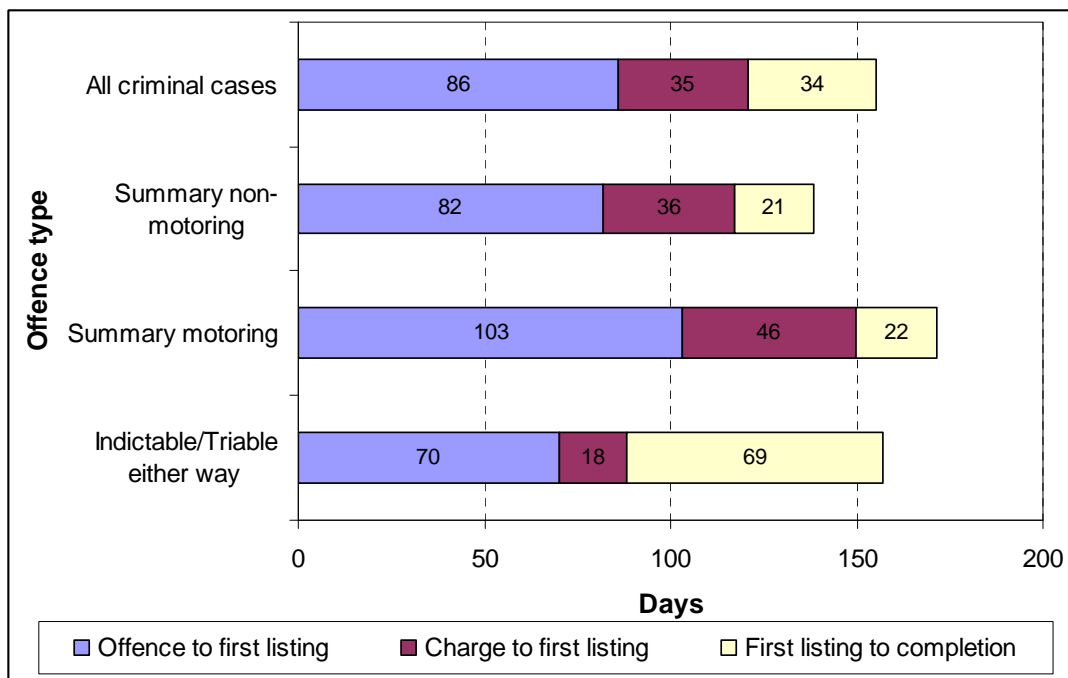
Key points

- For defendants whose cases finally completed in either a magistrates' court or Crown Court during the second quarter of 2011, the average time taken between the dates an offence was committed and the completion for all criminal cases was **155 days**. This is a one per cent increase compared to the same period in 2010.
- The average offence to completion time for indictable/ triable either-way cases was **157 days**, compared to **138 days** for summary non-motoring cases and **172 days** for summary motoring cases.

The 'average waiting time' refers to the average time between the date of sending or committal to the Crown Court and the start of the substantive Crown Court hearing.

- In the second quarter of 2011, the 'average waiting time', for cases where a not guilty plea was entered, was **24 weeks (168 days)**, compared to 11.9 weeks (83 days) for cases where a guilty plea was entered.

Figure 2: Average time taken from offence to completion, for all defendants in completed criminal proceedings by offence type, England and Wales, Q2 2011



Commentary

County courts (non-family) [Tables 1.1 – 1.7]

In the second quarter of 2011 there were around 210 county courts in England and Wales. The vast majority of civil cases (as opposed to criminal cases) which do not involve family matters or failure to pay council tax or child maintenance are dealt with by the county courts. These cases are typically related to debt (these generally being issued for a specified amount of money), the repossession of property, personal injury (these generally being issued for an unspecified amount of money), and insolvency. Particularly important, complex or substantial cases are instead dealt with in the High Court. All county courts are assigned at least one District Judge, and some at least one Circuit Judge.

Information on the data sources used for the county court statistics can be found in **Annex A**. Explanations for some of the main terms used in this section can be found in the **Glossary**.

Claims issued

Historically, the normal method of taking someone to court regarding a civil (non-family) matter, is for the person (the claimant) doing so to complete a claim form and take it in to a county court. However, the creation of electronic services has meant that claims for a specified amount of money (where the claim is for a set amount of money) or the repossession of property can be made via the internet (www.moneyclaim.gov.uk and www.possessionclaim.gov.uk). In addition, claimants who issue a large number of claims for a specified amount of money each year (e.g. banks, credit card and store card issuers, utility companies, debt recovery companies) can do so by filing them in computer readable form to the Claim Production Centre (CPC). Most of the work of the CPC is done at a central processing unit attached to Northampton county court.

In the second quarter of 2011 there were 365,000 claims (or petitions) issued, a decrease of seven per cent compared to the second quarter of 2010, and continuing the decline over the period since the first quarter of 2008. Compared with the same quarter in 2010, there was a 29 per cent fall in claims issued for return of goods, a 22 per cent decrease in insolvency petitions, a ten per cent decrease in claims for an unspecified amount of money and a nine per cent decrease in claims for a specified amount of money. In contrast, there was a three per cent increase in claims issued for mortgage and landlord possession.

Following the merger of the *CSQ* and *Company Winding Up and Bankruptcy Petition Statistics* publications announced on 12 May 2011, this edition of *CSQ* includes a more detailed breakdown of insolvency petitions (see Table 1.2). In the second quarter of 2011:

- 3,300 company winding up petitions (to dissolve a company that cannot pay its debts) were issued, an increase of 26 per cent compared with the same quarter of 2010, and the highest volume since the first quarter of 2009.

- 4,100 bankruptcy petitions presented by creditors were issued, a decrease of nine per cent on the second quarter of 2010, and continuing the decline over the last few years.
- 9,500 bankruptcy petitions presented by debtors were issued, a decrease of 27 per cent on the same quarter of 2010, and continuing the decline seen since the 2009 peak.

Breakdowns by court, HMCTS region and county previously published each quarter will continue to be available in a CSV file and Excel tables which accompany this report and on request (see **Contacts** at the end of this report).

Case progression, hearings and judgments

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 up (either the full amount of the claim or in 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).

In the second quarter of 2011, 67,200 defences were made, a six per cent decrease compared with the second quarter of 2010. The decrease corresponds with a nine per cent decrease in 'money' claims over the same period, the vast majority of defences being to 'money' claims, whether for specified or unspecified amounts.

If the claim is defended, the usual procedure is for further information to be provided by the parties, following which the case is allocated by a judge to one of three case-management 'tracks'. In total, there were 40,100 allocations to one of these tracks in the second quarter of 2010, a one per cent decrease compared with the same quarter in 2010. This was made-up of, in ascending order of case complexity and degree of judicial involvement:

- 19,200 allocations to the 'small claim track', a decrease of three per cent compared to the second quarter of 2010. This track is generally for cases with a claim value of up to £5,000 which do not require substantial preparation by the parties involved. The hearings 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.
- 15,500 allocations to the 'fast track', an increase of one per cent compared to the same quarter of 2010. This track is generally for cases with a claim value of between £5,000 and not more than £25,000, with issues not complex enough to merit more than a one day trial.
- 5,400 allocations to the 'multi track', an increase of one per cent compared to the second quarter of 2010. This track is generally for cases with a claim value exceeding £25,000 with issues complex enough to need preliminary hearings. They generally last more than one day at trial.

Defended cases which are not settled or withdrawn generally result in a hearing or trial. In total, there were 12,800 trials and small claim hearings in the second quarter of 2011, a decrease of 15 per cent compared to the second quarter of 2010. This comprised:

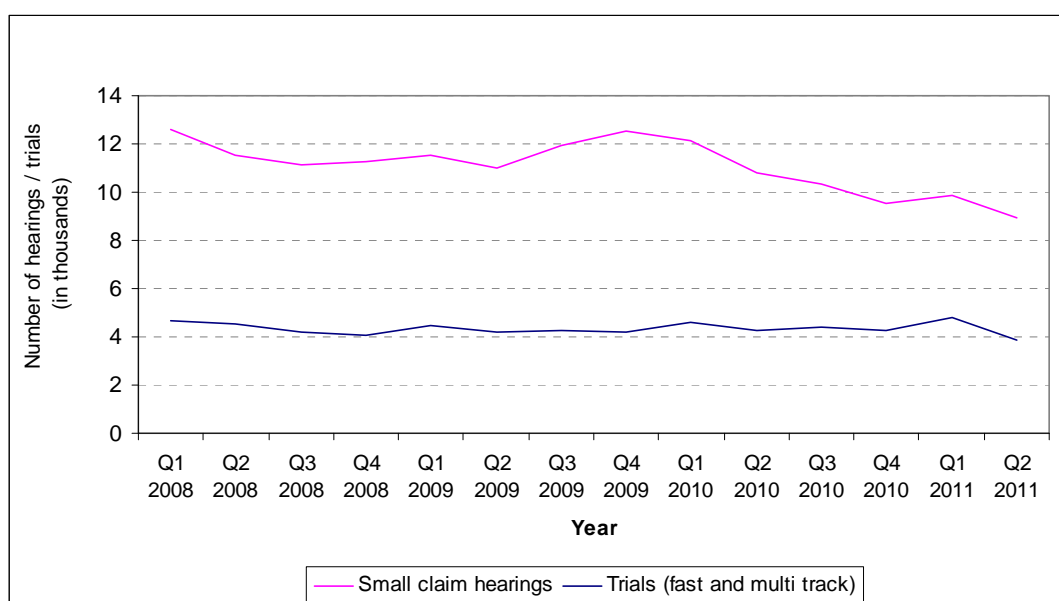
- 3,900 'fast track' and 'multi track' trials, a decrease of eight per cent compared with the second quarter of 2010. Given cases typically take around six months

to proceed from allocation to trial, this is against a background of a one per cent rise in allocations to the 'fast and multi tracks' between the fourth quarter of 2009 and the fourth quarter of 2010. It therefore seems to reflect a lower proportion of cases which were allocated to the 'fast and multi tracks' then being disposed of at trials. On average, trials occurred 55 weeks after the claim was originally made, the same as in the second quarter of 2010, but up from 53 weeks in the second quarters of 2008 and 2009.

- 8,900 small claim hearings, a decrease of 17 per cent compared with the second quarter of 2010. Given cases typically take around three months to proceed from allocation to small claim hearing, this fall occurred despite the two per cent increase in allocations to the small claim track between the first quarter of 2010 and the first quarter of 2011. On average, small claim hearings occurred 30 weeks after the claim was originally made, down from 31 weeks in the same quarters of 2010 and 2009.

Since the last edition of this bulletin further analysis on 'fast track' and 'multi track' trial data has indicated that some hearings previously counted as trials were in fact disposal hearings where the court decides the amount to be paid following a judgment in favour of the claimant. Figures shown in Table 1.4 representing the number of trials have consequently been revised downwards by 13 per cent overall over the period Q1 2008 to Q2 2011, with 1,400 disposal hearings being logged as completed by court staff on average each quarter. The average times from issue to trial have consequently been revised to account for this, with figures being revised upwards by an average of eight per cent over the same period. Please see **Annex A** for more details.

Figure 1.1: Hearings in the county courts, by type, England and Wales, Q1 2008 to Q2 2011



Enforcement

There are various methods of enforcing a monetary judgment amount through the county courts. The most common method is the warrant of execution against a

debtor's goods, 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. A judgment amount can also be enforced by an attachment of earnings order enabling payment through the debtor's employer, a third party debt order enabling payment by freezing and then seizing money owed by a third party to the debtor, and via a charging order which obtains security for the payment against the debtor's assets and may be followed by an order for sale which forces the sale of these assets.

There were 63,500 applications for enforcement of judgment amounts (via warrants of execution, attachment of earnings orders, third party debt orders and charging orders) during the second quarter of 2011, a 16 per cent decrease on the same period the year before and reflecting the nine per cent fall in claims issued for a specified amount of money, the vast majority of these applications being made in such claims. In particular during the second quarter of 2011:

- 30,800 warrants of execution were issued, a 13 per cent decrease on the second quarter of 2010.
- 20,600 applications were made for charging orders, a fall of 22 per cent on the second quarter of 2010 and continuing the decline over the last few years. There were also 100 orders for sale, down from 160 in the same quarter of 2010.
- 11,100 applications were made for attachment of earnings orders, a decrease of 11 per cent on the same quarter of 2010.
- 1,000 applications were made for third party debt orders, seven per cent lower than in the second quarter of 2010.

In certain circumstances a debtor may apply to a county court to combine debts with a total not exceeding £5,000 into a single administration order. Once the debts have been examined and found to be correctly calculated a District Judge can make an order for the debtor to make regular payments to the court. The court will then distribute the money to the creditors. There were 110 applications made for administration orders in the second quarter of 2011, down from 180 in the same quarter of 2010.

To assist in determining which of the above is the most appropriate method of enforcing a judgment, claimants can apply for an order to obtain information from the judgment debtors. This requires debtors to provide details of their means. There were 5,500 orders made to obtain information from debtors in the second quarter of 2011, a decrease of ten per cent compared with the second quarter of 2010.

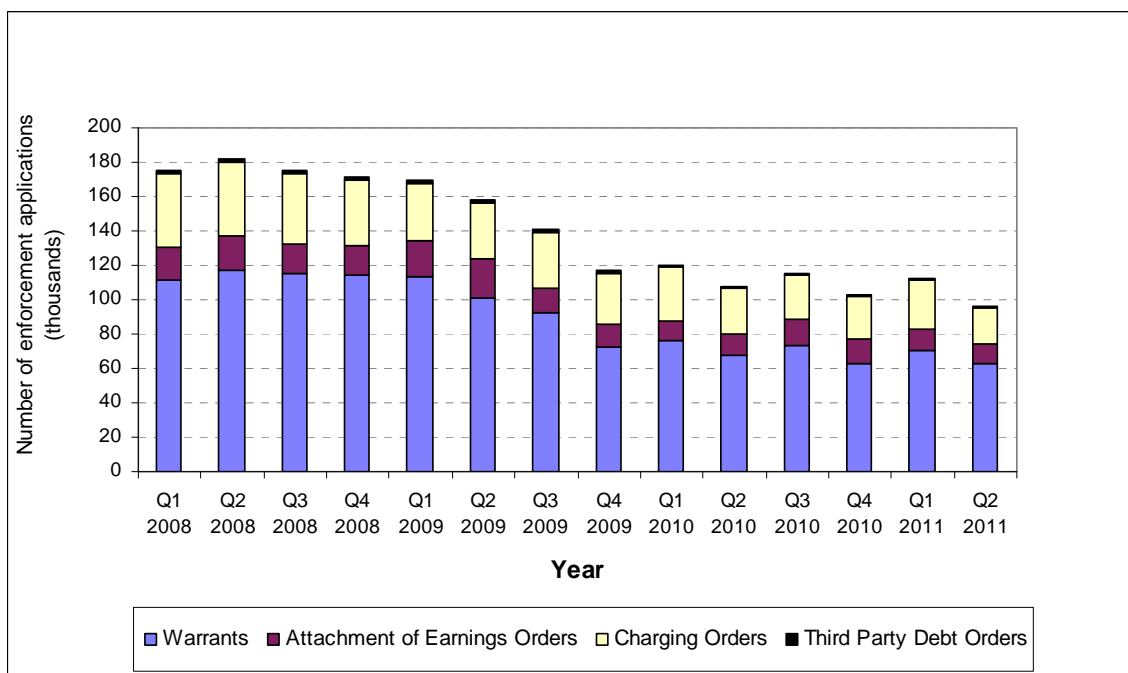
To enforce non-monetary decisions made by the county courts, warrants can be issued for the repossession of property, the return of particular goods or items, and for committal, enforcing an order for which the penalty for failure to comply is imprisonment by authorising the bailiff to arrest and deliver the person to prison or the court. In particular during the second quarter of 2011:

- 31,500 warrants of possession were issued, two per cent more than in the equivalent quarter of 2010;
- 13,800 repossessions of properties were made by county court bailiffs, a six per cent increase on the second quarter of 2010 after a downtrend trend

between 2008 and 2010. 6,200 of the properties were on behalf of mortgage lenders, four per cent more than in the second quarter of 2010 after a 34 per cent decline between 2008 and 2010;

- 650 warrants of delivery were issued, an increase of 21 per cent on the second quarter of 2010; and
- 190 warrants of committal were issued, down from 450 in the second quarter of 2010.

Figure 1.2: Enforcement applications in the county courts, by type, England and Wales, Q1 2008 to Q2 2011



Family matters [Tables 2.1 – 2.6]

Family matters 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: 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.

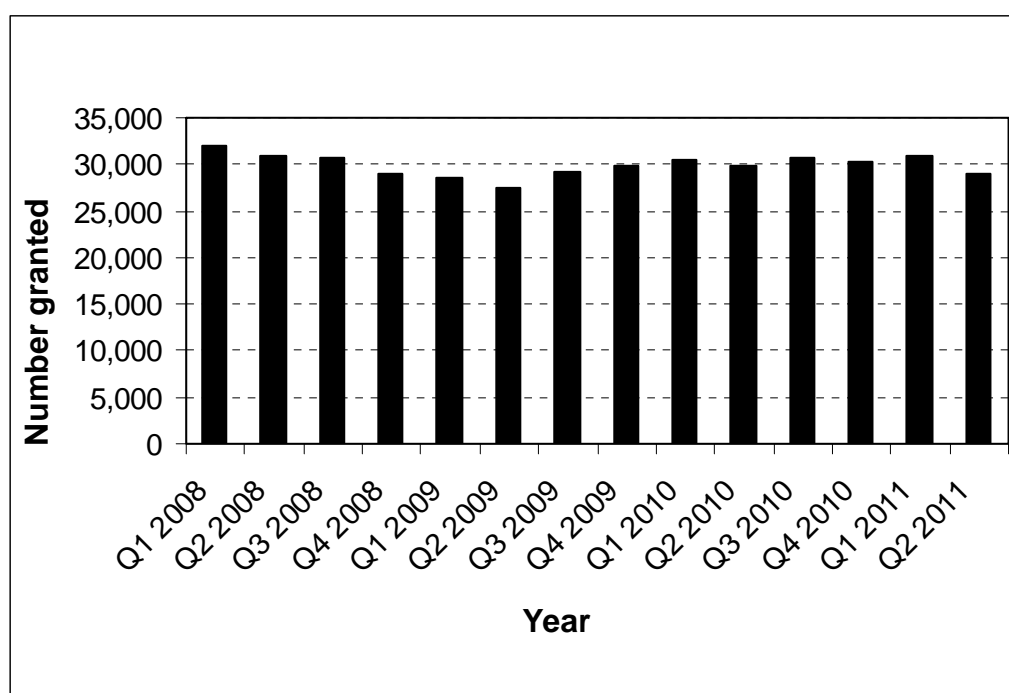
Information on the data sources used for family statistics can be found in **Annex A**. Explanations for some of the main terms used in this section can be found in the **Glossary**.

Matrimonial matters

There are two ways to legally end a marriage. An individual can apply for a decree absolute of divorce, which ends a valid marriage; or a decree of nullity, which declares that the marriage itself is void. No application can be made for divorce within the first year of marriage. An alternative to divorce is a decree of judicial separation. This does not legally end the marriage but clears the parties from the obligation to live together.

There were 29,500 petitions filed for dissolution of marriage in the second quarter of 2011; a decrease of 12 per cent compared with the second quarter of 2010. The number of decrees absolute granted decreased to 29,000 in the second quarter of 2011 from the 29,900 in the equivalent quarter of 2010. The trend for decrees absolute granted has slightly decreased and is similar to levels recorded in the fourth quarter of 2008. For petitions filed for dissolution, the current quarter's data is also at a similar level to that observed in the fourth quarter of 2008, although the trend has been more variable.

Figure 2.1: Dissolution of marriage - decrees absolute granted, Q1 2008 to Q2 2011



Ancillary relief – financial disputes post-divorce/separation

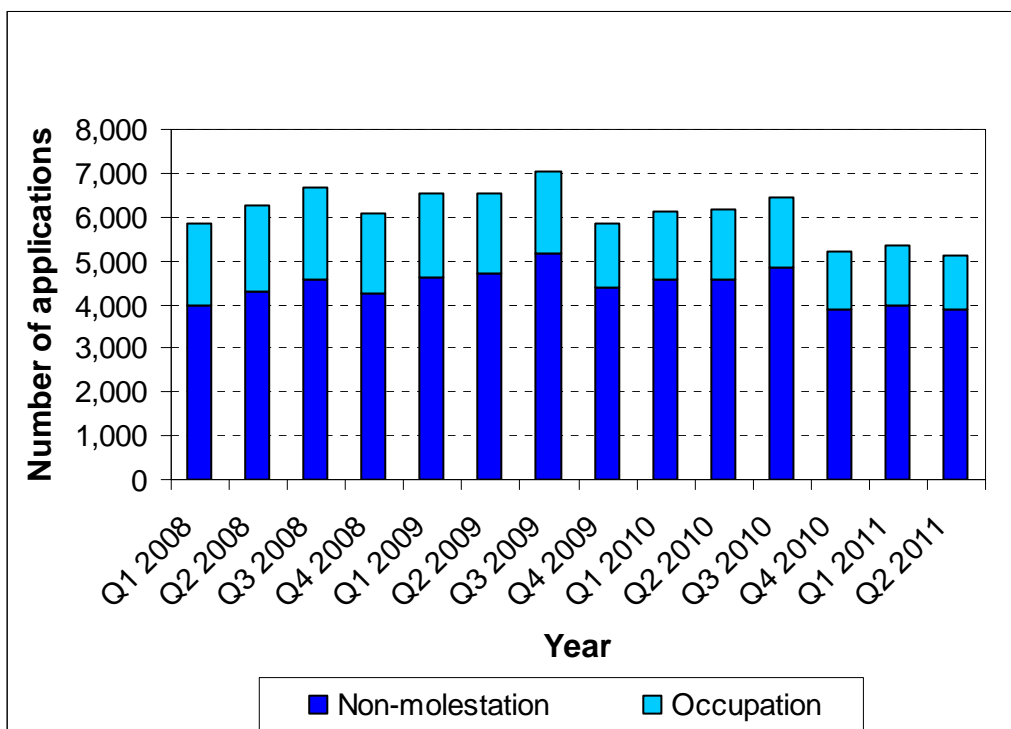
During or after a divorce, a marriage annulment, or a judicial separation, there may still be a need for the court to settle disputes over money or property. The court can make a financial order, known as ancillary relief. Ancillary relief orders may deal with the arrangements for, for example, the sale or transfer of property, maintenance payments, or the sharing of a pension.

Following a decline in late 2008, there had been little change in the number of orders (at around 20,000) made to settle financial disputes post-divorce or post-separation. However, in the second quarter of 2011, the total number of orders made to settle ancillary relief disputes fell to 18,400, compared with 20,600 in the corresponding quarter of 2010, an 11 per cent decrease.

Domestic violence

The Family Law Act 1996 provides domestic violence remedies in county courts and magistrates' courts, with the vast majority carried out in the former. Two types of order can be applied for: a non-molestation order – which prevents the applicant and/or any relevant children from being molested by someone who has previously been violent towards them; or an occupation order – which can define rights of the occupation of the home by the parties involved. Since July 2007, failing to obey the restrictions of a non-molestation order has been a criminal offence for which someone could be prosecuted. A power of arrest is therefore no longer required on these orders.

Figure 2.2: Domestic Violence applications made in the county courts, Q1 2008 to Q2 2011



There were 5,100 applications to county courts for domestic violence remedies, compared to 6,200 in the second quarter of 2010, a 17 per cent decrease. Some 5,300 domestic violence orders were made in the second quarter of 2011, compared to 6,100 in the same quarter of the previous year. Overall, the number of both domestic violence applications and orders made was fairly level from 2008 to Q3 2010, until the latest three quarters which have shown a sizeable drop. For the second quarter of 2011 the proportion of applications which were made for non-molestation orders was 76 per cent, compared to 74 per cent in the second quarter of 2010, whereas the proportion of all orders made which were for non-molestation remained unchanged at 85 per cent.

It needs to be noted that the statistics presented in this bulletin relate to applications for, and grants of, the above domestic violence order types by the family courts. They do not relate to prosecutions or convictions for criminal offences regarding matters of domestic violence, nor do they cover prosecutions or convictions for breaching a non-molestation order.

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 to prevent forced marriages from occurring and to offer protection to victims who might have already been forced into a marriage.

Applications for Forced Marriage Protection Orders decreased to 21 in the second quarter of 2011, compared with 25 in the same period in 2010. Orders made decreased in the second quarter of 2011 to 25, down from 39 in the corresponding second quarter of 2010.

Public Law

Starting at the end of 2009, an upgrade to the administrative system in all county courts and Family Proceedings Courts was rolled out nationally. This upgrade was completed in December 2010 following a staggered rollout. During the compilation of the latest figures for public and private law applications, issues were identified concerning the way in which cases that are transferred between courts are being counted. This issue resulted from the system upgrade which now records transfers between courts differently to ensure that no duplicate records of these transfers are held in the system. Therefore, the methodology to count public and private law applications will be reviewed and updated to ensure that transfers are counted accurately and, as such, previously published data for 2010 and 2011 may be subject to revision.

Public law cases are those brought by local authorities or an authorised person (currently only the National Society for the Prevention of Cruelty to Children) 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.

There was a 22 per cent increase in the total number of children involved in public law applications made in the second quarter of 2011 compared to the equivalent period in 2010, from 6,100 to 7,400.

Private Law

Private law cases are those brought to court by two or more parties who are trying to resolve a private dispute. This is generally where parents have split up and there is a disagreement about contact with the children or with which parent they should live. A range of different types of court order can be applied for. For example, a residence order settles where the child should live, while a contact order specifies the conditions under which the divorced or separated parents may spend time with a child.

The number children involved in private law applications made in the second quarter of 2011 decreased to 24,500 from 31,300 in the second quarter of 2010; a 22 per cent decrease.

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 2.6. 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 a care, supervision, or other substantive order was made in the case, for those cases disposed of during each quarter, starting from the second quarter of 2010. In the second quarter of 2011, 49 per cent of such disposals had occurred within 50 weeks for all courts.

Separate figures for the county courts and the High Court, and family proceedings courts are also shown.

Magistrates' courts [Tables 3.1 – 3.3]

In the second quarter of 2011 there were around 276 magistrates' courts across England and Wales. 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.

Information on the data sources used for the magistrates' courts statistics can be found in **Annex A**. This bulletin contains new experimental statistics on the timeliness of criminal proceedings in the magistrates' courts sourced from court administrative datasets; **Annex B** provides summary information on how these new statistics have been derived and an analysis against previous data sources.

Explanations for some of the main terms used in this section can be found in the Glossary.

Caseload

There were around 422,700 criminal proceedings completed in magistrates' courts in the second quarter of 2011, a decrease of five per cent compared with the second quarter of 2010.

Summary proceedings, which cover the relatively minor offences and are dealt with entirely within the magistrates' courts, make up around two-thirds of cases. Some 131,800 of these cases are related to adult summary motoring proceedings. These include offences such as speeding, driving while disqualified and drunken driving. There were eleven per cent fewer summary motoring proceedings than in the second quarter of 2010.

Adult summary non-motoring proceedings comprised 34 per cent of cases (around 143,100 cases). These include offences such as failure to pay a television licence and, minor assault and criminal damage. The number of these cases has increased by around nine per cent compared with the second quarter of 2010, where there were 131,600 cases.

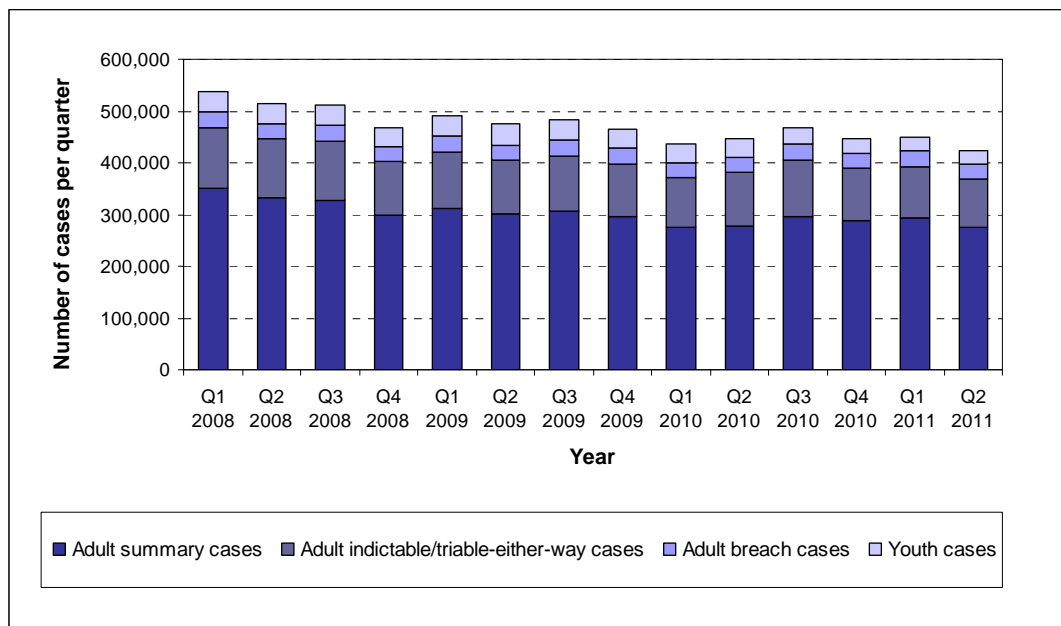
Adult indictable/ triable-either-way proceedings made up 22 per cent of all cases. In the second quarter of 2011, there were around 93,800 adult indictable/ triable-either-way proceedings, a decrease of nine per cent compared with the second quarter of 2010. These cases relate to the more serious offences, including, for example, theft and handling of stolen goods, violence against the person and drug offences. These offences may be dealt with entirely by a magistrates' court, or may be transferred to the Crown Court, depending on the severity of the offence, or by the defendant, if they elect to have a trial by jury.

In the second quarter of 2011, there were 28,100 adult breach cases (seven per cent of all criminal proceedings), no change compared with the second quarter of 2010. These are cases where the defendant breached the conditions of an order that was previously imposed by a court.

Youth proceedings comprised six per cent of the criminal cases dealt with in the magistrates' courts (around 25,900 cases) in the second quarter of 2011. These comprise all offences where the defendant was aged between 10 and 17. The number of youth proceedings decreased by 27 per cent compared with the second quarter of 2010.

In arriving at these totals, every separate offence that is dealt with during the course of a case is counted. However, if two or more offences from a case are dealt with on the same day, then only one is counted (generally the most serious offence is selected) for the case type statistics.

Figure 3.1: Magistrates' court criminal workload, Q1 2008 to Q2 2011



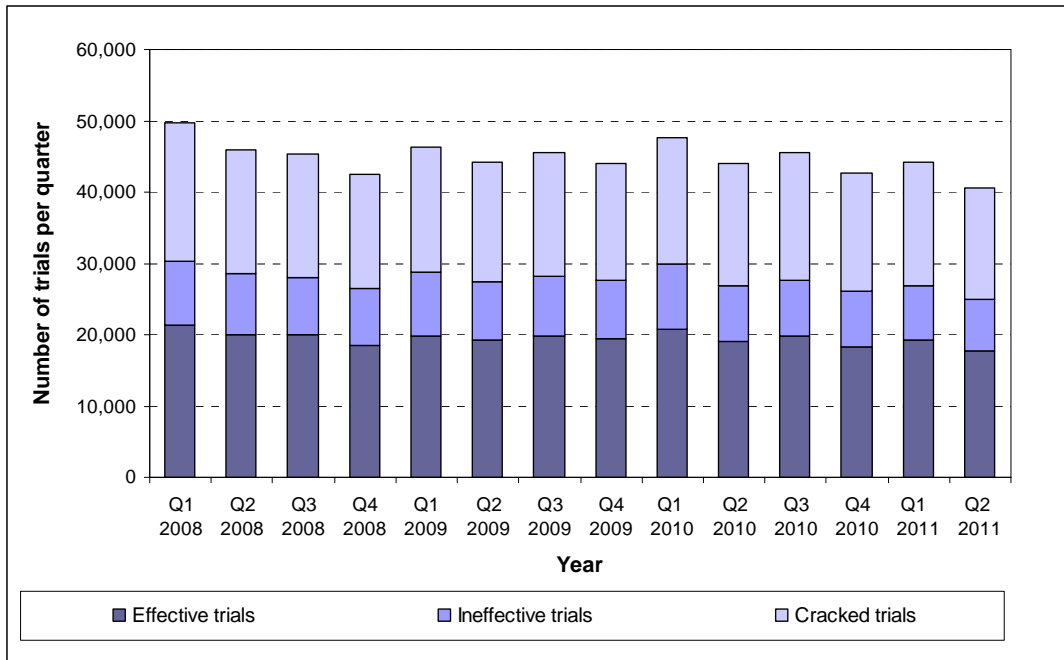
Trials

A trial in the magistrates' court is a hearing at which the prosecution produces evidence to prove the case against the defendant. For a summary offence, if a defendant pleads not guilty, or does not give a plea, then a trial is required. Similarly, for either-way offences that are contested, a trial may occur in the magistrates' courts or in the Crown Court.

Magistrates' courts record the number and outcome of trials. A trial outcome which commences on a scheduled date and reaches a conclusion is recorded as an 'Effective' trial. An 'Ineffective' trial does not commence on the due date and requires re-listing. In contrast, a 'Cracked' trial does not commence on the day and the trial is not re-listed, as the case has reached a conclusion. Cracked trials are usually the result of an acceptable plea being entered by the defendant on the day, or where the prosecution offers no evidence against the defendant.

In the second quarter of 2011, around 40,600 trials were recorded in magistrates' courts. Of these trials, 44 per cent were recorded as effective, 18 per cent were ineffective and 39 per cent were recorded as cracked. Rates of effective, cracked and ineffective trials in the magistrates' courts have remained relatively stable during the last three years.

Figure 3.2: Effectiveness of recorded trials in magistrates' courts, Q1 2008 to Q2 2011



Enforcement

Fines are the most commonly used sentence in magistrates' courts. Between 2009 and 2010 the total value of fines paid increased. In the second quarter of 2011, the amount paid in England and Wales was £69 million, a one per cent decrease compared with the same quarter of 2010.

The Crown Court [Tables 4.1 – 4.3]

The Crown Court deals with serious criminal cases; this consists of around five per cent of criminal cases² that filter beyond the magistrates' courts. It is formally a single court and sits in approximately 77 different locations across England and Wales.

Information on the data sources used for the Crown Court statistics can be found in **Annex A**. This bulletin contains new experimental statistics on the timeliness of criminal cases across both magistrates' and Crown tiers of court, sourced from court administrative datasets; **Annex B** provides summary information on how these new statistics have been derived.

Explanations for some of the main terms used in this section can be found in the **Glossary**.

Caseload

The Crown Court deals with four types of cases: committals for trial, cases sent for trial, committals for sentence, and appeals against magistrates' decisions. Figure 4.1 compares the Crown Court receipts by case type over the last 14 quarters.

Committal for Trial

Committal for trial cases are those which can be heard at either the magistrates' court or the Crown Court. A defendant can elect to be tried at the Crown Court or magistrates can decide that the circumstances of the case are sufficiently serious that it should be dealt with in the Crown Court.

In the second quarter of 2011, around 14,400 committed for trial cases were received, a decrease of ten per cent compared to the same period last year. In this quarter, around 14,500 committed for trial cases were completed within the Crown Court, a decrease of 11 per cent to the second quarter of 2010. There were around 20,500 cases outstanding at the end of the second quarter, a 14 per cent decrease on the second quarter of 2010.

Sent for Trial

Cases are 'sent for trial' by a magistrates' court because they can only be heard by the Crown Court due to the seriousness of the offence.

In the second quarter of 2011, around 8,000 cases were sent for trial, a decrease of nine per cent on the same quarter in 2010. Around 8,100 cases were completed, the same level as in the second quarter of 2010. In addition, around 15,200 cases were outstanding at the end of the second quarter, an eight per cent decrease from the second quarter 2010.

Committed for Sentence

Cases 'committed for sentence' are those transferred to the Crown Court for sentencing after a defendant has been convicted (found guilty) in a magistrates'

² Not taking into consideration cases dealt with in the magistrates' courts and committed for sentence to the Crown Court and appeals against decisions in the magistrates' courts.

court. This would occur where a magistrate believes that their sentencing powers are insufficient to apply an appropriate sanction to the defendant.

In the second quarter of 2011, around 10,100 cases were committed for sentence in the Crown Court and 10,200 cases were completed during this period. Around 5,200 cases remained outstanding at the end of the second quarter.

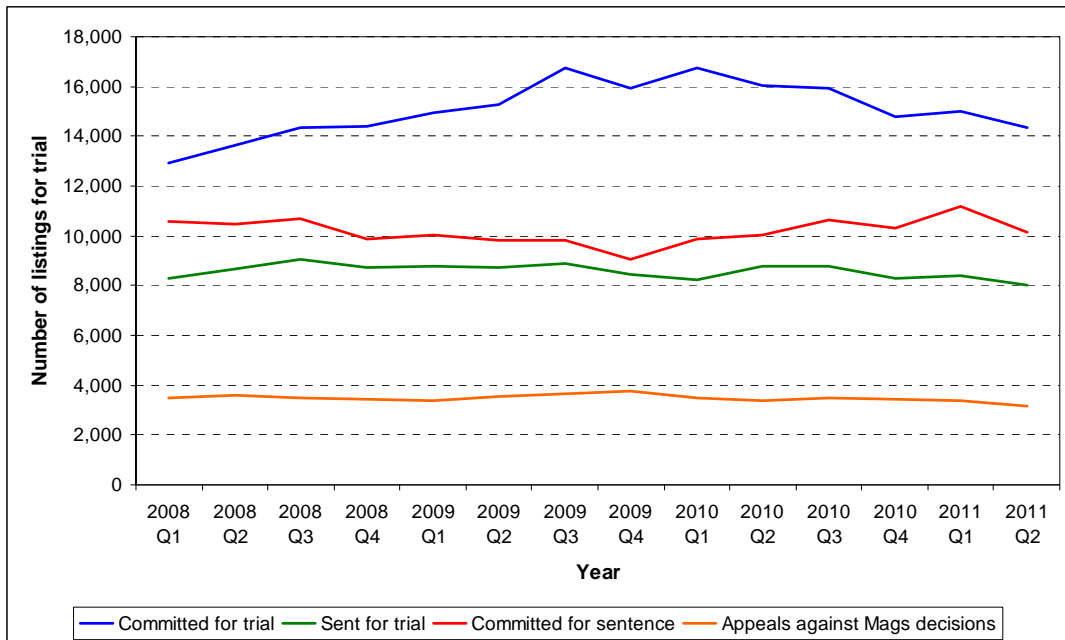
Compared to the same period in 2010, the number of committed for sentence cases received increased by one per cent, the number of cases completed increased by eight per cent and the number of cases outstanding decreased by four per cent.

Appeals

The Crown Court also deals with appeals against a conviction or sentence given by a magistrates' court.

During the second quarter of 2011, the Crown Court received around 3,200 appeals against magistrates' courts' decisions and completed around 3,400 appeals cases, leaving around 2,800 appeals outstanding at the end of the quarter. Compared with the second quarter of 2010, the number of appeals received in the Crown Court decreased by seven per cent and the number of cases outstanding decreased by 11 per cent.

Figure 4.1: Crown Court receipts, by case type, Q1 2008 to Q2 2011



Trials

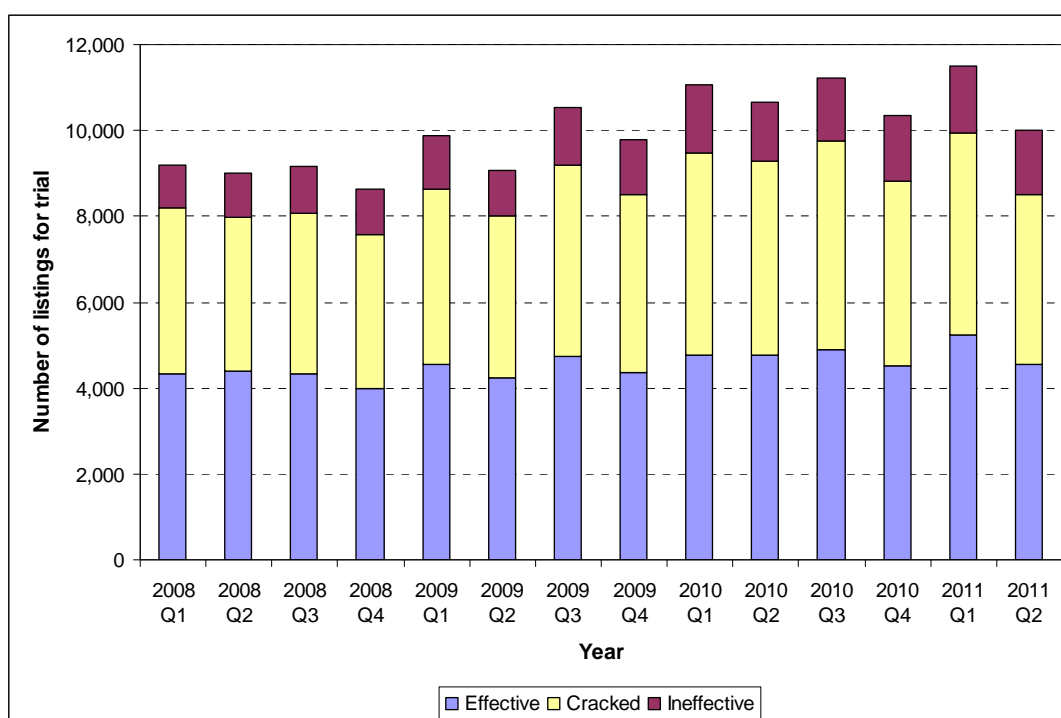
A trial in the Crown Court is a hearing at which the prosecution produces evidence to prove the case against the defendant, resulting in a verdict. The defendant has an opportunity to enter a plea against the charges they are to face in a preliminary hearing, before the start of any trial. If they decide to plead not guilty, then the case will be listed for full trial at a later date.

The Crown Court records the outcome of each main trial as 'effective', 'ineffective' or 'cracked'. Definitions of these terms can be found in the magistrates' courts commentary section and in the **Glossary** under magistrates' courts.

In the second quarter of 2011, around 10,000 trials were recorded in the Crown Court, a decrease of six per cent compared with the same period in 2010.

Of these trials listed, 45 per cent were recorded as effective, 40 per cent were recorded as cracked and 15 per cent were recorded as ineffective. The rates of effective, cracked and ineffective trials have remained consistent over the last couple of years.

Figure 4.2: Effectiveness of cases listed for trial, Q1 2008 to Q2 2011



Defendants

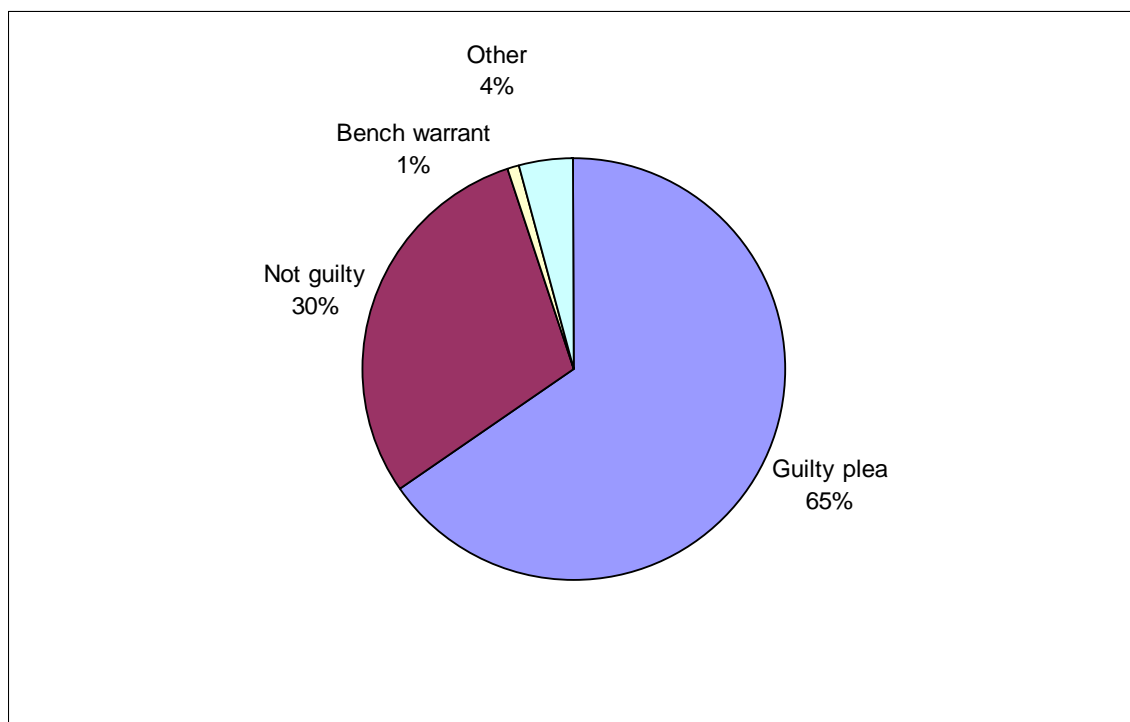
A guilty plea is recorded if a defendant either: (a) pleads guilty to all counts; (b) pleads guilty to some counts, not guilty to others and no jury is sworn in respect of the not guilty counts; or (c) pleads not guilty to some or all counts, but offers a guilty plea to alternatives which are accepted (providing no jury is sworn in respect of other counts). A case is treated as a guilty plea only if pleas of guilty are recorded in respect of all defendants.

In the second quarter of 2011, the Crown Court dealt with 25,300 defendants involved in committed or sent for trial cases, a decrease of eight per cent compared with the second quarter of 2010.

Of these, 65 per cent pleaded guilty to all counts and 30 per cent pleaded not guilty to at least one count, and four per cent did not enter a plea. The guilty plea rate is the number of defendants pleading guilty to all counts as a proportion of all defendants with a plea. In the second quarter of 2011 the guilty plea remained at

around 69 per cent, a two percentage point reduction compared to the same quarter in the previous year.

Figure 4.3: Defendants in committed or sent for trial cases dealt with in the Crown Court, by plea, Q2 2011



Timeliness of criminal proceedings [Tables 5.1 – 5.5]

Overall timeliness of criminal proceedings in the criminal courts

This report contains, for the first time, new statistics on the end-to-end timeliness of criminal proceedings across both magistrates' and Crown tiers of criminal court (see Tables 5.1 and 5.2). These statistics are sourced from the administrative data systems used in the magistrates' courts and Crown Court, and have been produced by linking together records held on the two datasets. **Annex B** of this report provides more information about the data sources used and how records have been matched.

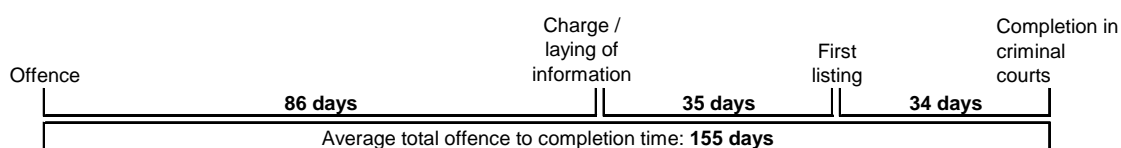
The statistics measure the overall offence to completion time in the criminal courts, including intermediate stages in that process. "Offence to completion time" refers to the time taken between the date an offence is committed and date of the final outcome (completion) of the defendant's case, in either the magistrates' courts or the Crown Court. For defendants whose case is sent or committed to the Crown Court, these statistics measure the entire duration from offence to completion in the Crown Court, including the time the case was initially dealt with in the magistrates' courts before being passed to the Crown Court.

For criminal proceedings, the time between the date of an offence and the date of charge/laying of information involves gathering evidence and charging or laying information against the defendant. The time between the date of the first hearing in the magistrates' court, also known as the first listing, and the date a case was completed in the magistrates' courts, relates to the time taken to conclude the case in court.

For defendants whose case completed during the second quarter of 2011, the average offence to completion time for all criminal cases was 155 days, a one per cent increase compared to the second quarter of the previous year. Of those 155 days, there were, on average:

- 86 days between the date of the offence and the date the defendant was charged or summonsed to court;
- 35 days between the date the defendant was charged or summonsed to court and the first listing of the case in a magistrates' court;
- 34 days between the first listing of the case in a magistrates' court and the final completion of the case in either a magistrates' court or the Crown Court.

Figure 5.1: Average offence to completion time, all criminal proceedings, Q2 2011

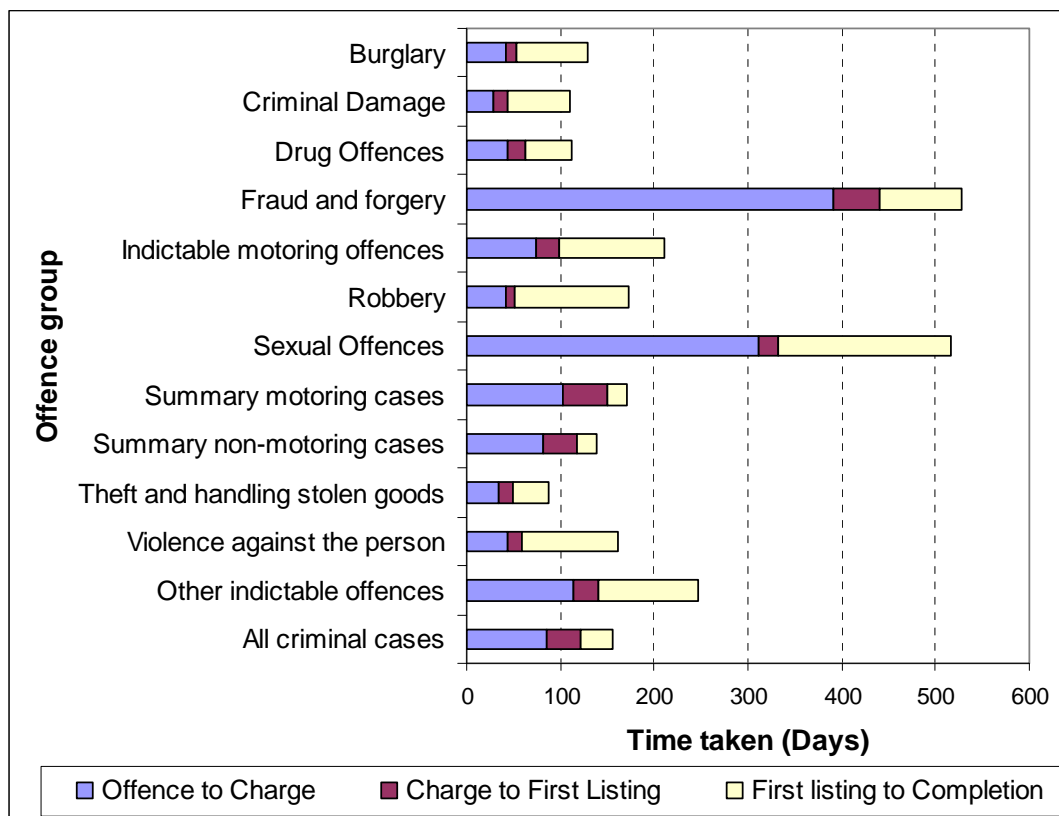


Indictable/ triable either-way proceedings took an average 157 days from offence to the date the defendant's case was completed at either the magistrates' courts or Crown Court, a decrease of three per cent compared to the second quarter of the previous year.

Summary motoring proceedings took an average of 172 days from the date an offence was committed to the date the defendant's case was completed in either the magistrates' courts or the Crown Court, compared with 138 days for summary non-motoring offences cases.

Statistics are also available broken down by broad offence group. For criminal cases which completed during the second quarter of 2011, those which related to the theft and handling of stolen goods took the shortest length of time generally, concluding on average within 86 days of the offence being committed. On average, criminal proceedings involving fraud and forgery offences, and criminal proceedings involving sexual offences took the longest time to conclude, at 527 days and 516 days respectively. However, for both sexual offences and fraud and forgery, there is a long time between offence and charge. This is likely to be due to these offences often being reported to the police some time after the actual offence took place.

Figure 5.2: Timeliness of criminal proceedings in criminal courts, by offence group, Q2 2011



Timeliness of criminal proceedings in the magistrates' courts

This bulletin also contains, for the first time, new experimental statistics on the timeliness of criminal proceedings in the magistrates' courts specifically, sourced

from court administrative datasets (see Table 5.3). Previously, statistics on the duration of criminal proceedings in the magistrates' courts have been taken from the quarterly *Time Intervals Survey (TIS)*, which was based on a sample of cases, namely those which completed during a specified week each quarter. Reports of the results of the *TIS* can be found on the MoJ website at:

www.justice.gov.uk/publications/statistics-and-data/courts-and-sentencing/magistrates-times.htm

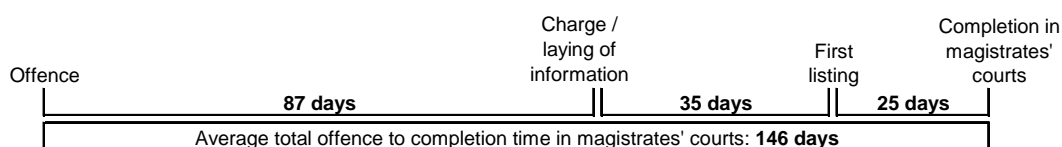
The *TIS* was discontinued from June 2011. This was due to recent improvements in the quality of timeliness data held on the magistrates' courts' administrative system. The statistics, sourced from the administrative system, will henceforth be published in future editions of *CSQ*. This improvement was announced on the MoJ website.

Timeliness of criminal proceeding in magistrates' courts refers to the time taken between the date an offence was committed and the completion of a defendant's case in the magistrates' courts' (i.e. either a final decision is reached in the magistrates' court, or the case is passed to the Crown Court for trial or sentence).

In the second quarter of 2011, the average time taken from offence to completion in the magistrates' courts for all criminal proceedings was 146 days, a one per cent increase compared with the second quarter of the previous year. Of these 146 days, there were, on average:

- 87 days between the date of the offence and the date the defendant was charged or summonsed to court;
- 35 days between the date the defendant was charged or summonsed to court and the first listing of the case in a magistrates' court;
- 25 days between the first listing of the case and the completion of the defendant's case in a magistrates' court.

Figure 5.3: Average offence to completion time in magistrates' courts, Q2 2011



Indictable/triable either way criminal proceedings took an average of 123 days from the date an offence was committed to the date the defendant's case was completed in the magistrates' courts, compared with an average of 138 days for summary non-motoring cases and 172 days for summary motoring cases.

Annex B of this report presents an analysis comparing these statistics sourced from the magistrates' courts' administrative systems and the previous figures collated via the *TIS*.

Timeliness of criminal proceedings in the Crown Court

Previous editions of this bulletin also contained statistics giving information about the timeliness of proceedings when dealt with in the Crown Court specifically. These relate to the average waiting time and the average hearing time, which are explained below. For criminal proceedings dealt with in the Crown Court, these stages are included within the overall offence to completion time statistics presented in the first subsection of this chapter.

Average waiting time

'Average waiting time' refers to the average time between the date of sending or committal to the Crown Court and the start of the substantive Crown Court hearing. In the second quarter of 2011, the average waiting time for cases committed for trial was 13.8 weeks, compared to 14.2 weeks in the second quarter of the previous year. The average waiting time was 19.1 weeks for cases sent for trial, compared to 19.4 weeks in the second quarter of the previous year. In those 'committed for trial' and 'sent for trial' cases where a not guilty plea was entered, the average waiting time was 24.0 weeks, a three per cent decrease on the same quarter of the previous year. The average waiting time was 11.9 weeks for those cases where a guilty plea was entered, a three per cent decrease on the second quarter of 2010.

The average waiting time was 5.5 weeks for cases which were committed to the Crown Court for sentence, a six per cent decrease on the second quarter of 2010, and 8.9 weeks for appeals against magistrates' decisions.

Average hearing time

The 'average hearing time' relates to the average duration of all hearings heard in the Crown Court, including preliminary hearings, main hearings, and hearings where a sentence is given to a defendant. In the second quarter of 2011 the average hearing time was 12.8 hours for cases where a not guilty plea was entered, an increase of 15 per cent compared with the second quarter of the previous year. The average hearing time was 1.4 hours for cases where a guilty plea was entered, 0.5 hours for cases committed for sentence and one hour for appeals; these figures have generally remained steady over the last three years.

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County courts (non-family)
 Summary statistics on claims issued¹, England and Wales, Q1 2008 - Q2 2011

Year	Quarter	Specified 'money' claims ²	Unspecified 'money' claims ³	Total 'money' claims	Claims for recovery of land ⁴	Claims for return of goods	Other non- 'money' claims ⁵	Total non- 'money' claims	Number of claims/petitions	
									Total insolvency petitions ⁶	Total proceedings started
2008		1,426,389	160,248	1,586,637	290,958	8,652	107,605	407,215	70,272	2,064,124
2009		1,281,105	178,969	1,460,074	230,125	10,269	102,726	343,120	76,211	1,879,405
2010		1,040,589	190,582	1,231,171	210,392	8,388	100,666	319,446	65,919	1,616,536
2008	Q1	355,464	36,874	392,338	80,006	2,324	27,628	109,958	16,772	519,068
	Q2	324,223	40,918	365,141	75,417	2,049	25,720	103,186	17,412	485,739
	Q3	393,574	41,427	435,001	75,524	2,056	27,327	104,907	17,304	557,212
	Q4	353,128	41,029	394,157	60,011	2,223	26,930	89,164	18,784	502,105
2009	Q1	350,634	43,201	393,835	61,275	2,440	27,328	91,043	20,424	505,302
	Q2	301,735	44,182	345,917	59,004	2,617	24,353	85,974	19,211	451,102
	Q3	327,144	47,215	374,359	59,117	2,606	26,397	88,120	19,686	482,165
	Q4	301,592	44,371	345,963	50,729	2,606	24,648	77,983	16,890	440,836
2010	Q1	260,186	45,567	305,753	54,123	2,615	25,390	82,128	19,508	407,389
	Q2	252,802	48,253	301,055	49,890	2,322	24,362	76,574	16,551	394,180
	Q3	269,955	51,254	321,209	54,986	1,756	26,392	83,134	15,732	420,075
	Q4	257,646	45,508	303,154	51,393	1,695	24,522	77,610	14,128	394,892
2011	Q1	267,154	46,842	313,996	56,619	1,725	26,051	84,395	14,993	413,384
	Q2 (p)	231,265	43,360	274,625	51,447	1,642	24,434	77,523	12,916	365,064

Source:
 HM Courts and Tribunals Service CaseMan system, Possession Claim Online and manual returns

- Notes:**
- 1 Excluding where claims are re-issued
 - 2 Claims issued for a specified amount of money, including those made through the Claim Production Centre, County Court Bulk Centre and Money Claim Online <https://www.moneyclaim.gov.uk/web/mcol/welcome>
 - 3 Claims issued for an unspecified amount of money
 - 4 Includes claims made via Possession Claim Online <https://www.possessionclaim.gov.uk/pcol/>. These National Statistics are also published in the Mortgage and landlord possession statistics: <http://www.justice.gov.uk/publications/statistics-and-data/civil-justice/mortgage-possession.htm>
 - 5 Includes claims to evict trespassers, and for interim possession orders, landlord and tenancy applications (generally for a new tenancy agreement), injunctions (to make somebody do something or to stop them doing it), enforcement of Tribunal awards and of orders made in Magistrates' courts, pre-issue applications (to obtain an order for disclosure of information prior to issue of a claim), and orders for costs only
 - 6 Includes petitions issued in the District Registries of the High Court but not in the Royal Courts of Justice - the figures in Table 1.2 (Company windings-up and bankruptcy petitions issued, England and Wales) include both

Table 1.2
County courts (non-family)

Company windings up and bankruptcy petitions issued (including in the Royal Courts of Justice)¹, England and Wales, Q1 2008 - Q2 2011

Year	Quarter	Company windings up ²	Individual bankruptcy ³		Total (including RCJ) ¹
			Creditor's petitions	Debtor's petitions	
2008		12,559	20,678	55,663	88,900
2009		12,419	18,852	62,864	94,135
2010		10,723	17,548	51,957	80,228
2008	Q1	3,054	4,771	12,985	20,810
	Q2	2,927	5,655	13,565	22,147
	Q3	3,196	5,539	13,749	22,484
	Q4	3,382	4,713	15,364	23,459
2009	Q1	3,461	4,535	16,775	24,771
	Q2	3,187	4,955	16,145	24,287
	Q3	3,101	5,214	16,266	24,581
	Q4	2,670	4,148	13,678	20,496
2010	Q1	2,777	4,329	16,348	23,454
	Q2	2,635	4,494	13,004	20,133
	Q3	2,801	4,455	11,959	19,215
	Q4	2,510	4,270	10,646	17,426
2011	Q1	2,765	4,274	11,508	18,547
	Q2 (p)	3,316	4,100	9,519	16,935

Source:

HM Courts and Tribunals Service manual returns

Notes:

1 Includes petitions issued in the Royal Courts of Justice (RCJ) of the High Court as well as in the District Registries of the High Court and the county courts - the figures excluding the RCJ are shown in Table 1.1

2 'Winding up' is the process by which a company's existence is terminated, whether due to insolvency or for another reason

3 Where an individual has debts that s/he is unable to pay

Table 1.3
County courts (non-family)

Summary statistics on claims defended and allocations to track¹, England and Wales, Q1 2008 - Q2 2011

Year	Quarter	Number of defences ²	Number of allocations to track ³			Total
			Small claim	Fast track ⁴	Multi track ⁴	
2008		298,796	83,928	53,255	26,722	163,905
2009		315,934	93,073	61,415	25,495	179,983
2010		290,941	79,924	65,665	23,104	168,693
2008	Q1	70,545	18,920	12,951	6,707	38,578
	Q2	74,303	19,955	12,805	6,656	39,416
	Q3	77,780	23,121	14,093	6,823	44,037
	Q4	76,168	21,932	13,406	6,536	41,874
2009	Q1	77,355	21,927	14,240	6,928	43,095
	Q2	78,816	23,094	14,573	6,258	43,925
	Q3	82,659	25,551	16,763	6,487	48,801
	Q4	77,104	22,501	15,839	5,822	44,162
2010	Q1	72,140	20,036	16,096	5,967	42,099
	Q2	71,445	19,746	15,342	5,376	40,464
	Q3	75,433	20,795	17,687	6,325	44,807
	Q4	71,923	19,347	16,540	5,436	41,323
2011	Q1 (r)	69,831	20,467	17,698	6,040	44,205
	Q2 (p)	67,248	19,161	15,530	5,409	40,100

Source:

HM Courts and Tribunals Service CaseMan system and Possession Claim Online

Notes:

1 Where a claim is defended, further information is gathered before it is allocated to one of the three case management "tracks" shown depending on the value, complexity and importance of the case and the consequential level of judicial involvement required. There may be more than one defence or allocation to track in a case

2 The number of defences excludes those recorded on the grounds of the defendant having already paid the amount claimed. Despite some cases involving more than one defendant, it is much lower than the number of claims issued (see Table 1.1) because the vast majority of claims are not disputed

3 The number of allocations to track is lower than the number of defences primarily because defended cases are often settled/withdrawn before they are allocated to track

4 A new and higher claim value limit was introduced for fast track cases on 6 April 2009. Since 1999, claims have generally been allocated to the fast track which have a value exceeding the limit of the small claims track (£5,000 for most claim types) but not more than £15,000 (those with a value over £15,000 generally being allocated to the multi track). For all proceedings issued on or after 6 April 2009, the limit has been raised from £15,000 to £25,000

Table 1.4
County courts (non-family)
 Summary statistics on trials/hearings, England and Wales, Q1 2008 - Q2 2011

Year	Quarter	Small claim cases		Fast and Multi Track cases				Number of disposal hearings ⁵ logged as completed ⁶
		Number of hearings ^{1,2}	Average time between issue & hearing (weeks) ³	Number of trials ^{1,2}	Average time (weeks)			
					Between issue & allocation to track ³	Between allocation to track & trial ³	Between issue & trial ^{3,4}	
2008		46,519	29	17,462 (r)	21	32	52 (r)	5,225
2009		46,963	31	17,115 (r)	21	32	53 (r)	5,944
2010		42,786	31	17,517 (r)	20 (r)	33	54 (r)	6,149
2008	Q1	12,592	30	4,687 (r)	21	32	53 (r)	1,324
	Q2	11,544	29	4,524 (r)	21	31	53 (r)	1,465
	Q3	11,120	29	4,180 (r)	21	31	52 (r)	1,299
	Q4	11,263	29	4,071 (r)	20	32	52 (r)	1,137
2009	Q1	11,504	30	4,442 (r)	20	32	53 (r)	1,396
	Q2	11,001	31	4,221 (r)	21	32	53 (r)	1,584
	Q3	11,928	31	4,263 (r)	20	32	52 (r)	1,367
	Q4	12,530	30	4,189 (r)	21	32	54 (r)	1,597
2010	Q1	12,162	31	4,609 (r)	20	33	53 (r)	1,446
	Q2	10,769	31	4,249 (r)	20 (r)	34	55 (r)	1,196
	Q3	10,331	31	4,369 (r)	20 (r)	33	54 (r)	1,855
	Q4	9,524	30	4,290 (r)	21	34	55 (r)	1,652
2011	Q1 (r)	9,897	30	4,782	21	33	54	1,212
	Q2 (p)	8,918	30	3,888	21	34	55	401

Source:
 HM Courts and Tribunals Service CaseMan system

Notes:

- 1 The number of hearings are much lower than the number of allocations to track because most cases allocated to track are settled/withdrawn before a hearing
 - 2 There may be more than one trial or small claim hearing in a case
 - 3 Figures relate to cases whose trials or small claims hearings took place during the relevant quarter or year. For many cases the original date of issue and allocation date will have been in an earlier period
 - 4 These figures are different to the sums of the average times between issue and allocation to track and between allocation to track and trial, as not all allocation to track details are known
 - 5 To decide the amount to be paid following an interlocutory (or interim) judgment being made for the claimant (this judgment typically being made either where the defendant has not responded to the claim within the allotted time period or where s/he admits liability but does not offer to pay a specified amount of money in satisfaction of the claim)
 - 6 Unlike for small claim hearings and trials, court staff are not required to record the outcomes of disposal hearings into CaseMan, the main administrative system in the county courts. These figures are therefore lower than the actual number of disposal hearings, with the extent of the undercounting varying over time
- (r) An explanation of the revisions for the Number of trials and Average time between issue and trial can be found in Annex A

Table 1.5**County courts (non-family)**Summary statistics on warrants issued^{1,2} by type, England and Wales, Q1 2008 - Q2 2011

Year	Quarter	Number of warrants			
		Execution ³	Delivery ⁴	Possession ⁵	Committal ⁶
2008		294,823	2,500	159,337	1,353
2009		236,293	2,307	139,131	1,103
2010		150,828	2,179	124,914	1,387
2008	Q1	69,307	575	40,798	375
	Q2	74,904	641	41,332	356
	Q3	73,191	653	40,969	336
	Q4	77,421	631	36,238	286
2009	Q1	74,382	685	38,099	289
	Q2	65,593	624	34,769	260
	Q3	55,495	533	35,739	268
	Q4	40,823	465	30,524	286
2010	Q1	43,371	576	32,020	280
	Q2	35,365	539	30,837	453
	Q3	39,477	627	32,674	388
	Q4	32,615	437	29,383	266
2011	Q1 (r)	35,705	587	34,341	238
	Q2 (p)	30,756	652	31,477	193

Source:

HM Courts and Tribunals Service CaseMan system and Possession Claim Online

Notes:

1 Excludes the re-issuing of warrants

2 Includes warrants issued in the County Court Bulk Centre and via Money Claim Online

<https://www.moneyclaim.gov.uk/web/mcol/welcome> and Possession Claim Online<https://www.possessionclaim.gov.uk/pcol/>

3 Allows saleable items owned by the debtor to be sold unless the amount due under the warrant is paid

4 For the return of goods or items

5 For the repossession of property

6 For enforcing an order where the penalty for failing to comply is imprisonment. It authorises the bailiff to arrest and deliver the person to prison or the court

Table 1.6
County courts (non-family)

Repossessions¹ of property by county court bailiffs², by type, England and Wales, Q1 2008 - Q2 2011

Year	Quarter	Type of case					Other	Total
		Mortgage repossession ³	Social landlord repossession	Private landlord repossession	Accelerated repossession			
2008		35,823	20,249	4,445	7,575	2,074	70,166	
2009		32,468	18,309	4,623	5,079	2,077	62,556	
2010		23,622	16,864	5,291	5,763	2,190	53,730	
2008	Q1	7,982	5,393	1,100	2,020	527	17,022	
	Q2	9,161	4,815	1,055	2,008	486	17,525	
	Q3	10,076	5,294	1,207	1,957	539	19,073	
	Q4	8,604	4,747	1,083	1,590	522	16,546	
2009	Q1	9,289	5,258	1,254	1,422	531	17,754	
	Q2	8,042	4,384	1,012	1,223	474	15,135	
	Q3	8,159	4,657	1,244	1,293	530	15,883	
	Q4	6,978	4,010	1,113	1,141	542	13,784	
2010	Q1	6,892	4,862	1,344	1,300	575	14,973	
	Q2	5,928	4,020	1,329	1,262	510	13,049	
	Q3	5,902	4,250	1,374	1,682	572	13,780	
	Q4	4,900	3,732	1,244	1,519	533	11,928	
2011	Q1	6,545	4,717	1,448	1,761	604	15,075	
	Q2(p)	6,174	3,833	1,392	1,860	537	13,796	

Source:

HM Courts and Tribunals Service CaseMan system and Possession Claim Online

Notes:

1 The vast majority of warrant of possession outcomes are repossession, the warrant being suspended by an order made by the court and the warrant being withdrawn

2 Includes warrants issued via Possession Claim Online <https://www.possessionclaim.gov.uk/pcol/>

3 These figures differ from those provided by Council of Mortgage Lenders www.cml.org.uk for a number of reasons with the latter including 'voluntary' repossessions (where the property has been repossessed without the need for a bailiff), covering the UK rather than England and Wales only, and excluding repossessions by lenders who are not CML members

Table 1.7
County courts (non-family)

Summary statistics on enforcement-related orders applied for and made, England and Wales, Q1 2008 - Q2 2011

Year	Quarter	Number of applications/orders									
		Attachment of earnings orders ^{1,2}		Third party debt orders ³		Charging orders ⁴		Orders for Sale ⁵	Administration orders ⁶		Orders to obtain information from judgment debtors ⁸
		Applications	Orders made ²	Applications	Orders made	Applications	Orders made		Applications	Orders made ⁷	
2008		73,844	60,588	7,564	2,041	164,812	135,702	-	2,065	2,795	30,261
2009		72,316	61,336	7,137	2,176	127,179	111,311	-	1,948	2,019	29,672
2010		54,200	46,684	4,315	1,500	108,847	93,619	507	797	1,124	22,811
2008	Q1	19,763	15,870	1,602	458	42,464	31,627	-	673	802	6,944
	Q2	20,129	14,602	1,686	467	42,848	34,042	-	503	737	7,885
	Q3	16,845	15,717	2,119	545	41,600	36,758	-	472	606	7,768
	Q4	17,107	14,399	2,157	571	37,900	33,275	-	417	650	7,664
2009	Q1	20,943	15,614	2,128	604	33,465	28,612	-	556	628	8,454
	Q2	22,710	16,085	1,946	551	32,202	29,329	-	581	549	8,083
	Q3	15,095	16,439	1,615	558	31,899	27,503	113	515	480	7,451
	Q4	13,568	13,198	1,448	463	29,613	25,867	138	296	362	5,684
2010	Q1	11,800	12,759	1,347	448	31,069	25,381	141	310	367	6,258
	Q2	12,524	10,663	1,073	360	26,518	24,117	159	180	274	6,179
	Q3	15,304	11,467	928	386	26,185	23,018	121	165	261	5,792
	Q4	14,572	11,795	967	306	25,075	21,103	86	142	222	4,582
2011	Q1 (r)	12,451	13,726	1,197	354	28,103	24,032	122	133	185	5,702
	Q2 (p)	11,124	11,103	1,000	378	20,598	20,462	97	107	180	5,548

Source:

HM Courts and Tribunals Service CaseMan system and manual returns

Notes:

- 1 Attachment of earnings' orders oblige the debtor's employer to deduct a set sum from the debtor's pay and forward it to the court
- 2 Includes the making of varied orders and suspended orders enabling the debtor to make payments to the court directly but upon failure to do so will result in the debtor's employer being contacted
- 3 Third party debt orders secure payment by freezing and then seizing money owed or payable by a third party to a debtor
- 4 Charging orders obtain security for the payment against an asset owned by the debtor, typically property
- 5 A court order forcing the debtor to sell an asset(s), typically a property, following a charging order. These data are only available from July 2009
- 6 Administration orders enable a debtor to combine a judgement debt and at least one other debt (with total indebtedness not exceeding £5,000) into a single order for the making of regular payments into court to be distributed to the creditors in the appropriate proportions listed by the debtor
- 7 Multiple orders may be made following an application e.g. where an original order is revoked and then re-instated
- 8 Formerly known as the oral examination procedure which was changed on 26 March 2002, the process being streamlined and standardised to enable information to be obtained faster

Table 2.1
Family matters

Summary statistics on matrimonial proceedings, England and Wales, Q1 2008 - Q2 2011 ^{1,2}

Year	Quarter	Number of cases							
		Dissolution of marriage			Nullity of marriage			Judicial separation	
		Petition filed	Decrees nisi	Decrees absolute	Petition filed	Decrees nisi	Decrees absolute	Petition filed	Decrees granted
2008		128,837	120,868	122,661	331	214	200	421	214
2009		132,148	119,260	115,174	291	197	198	362	198
2010		133,499	125,345	121,265	298	166	156	300	171
2008	Q1	32,896	31,254	32,047	69	55	51	111	54
	Q2	33,456	29,702	30,964	81	52	46	108	49
	Q3	32,513	31,739	30,650	101	58	51	107	57
	Q4	29,972	28,173	29,000	80	49	52	95	54
2009	Q1	32,636	28,284	28,652	81	47	48	87	55
	Q2	32,560	28,011	27,393	73	45	54	104	41
	Q3	34,476	32,558	29,214	70	54	50	82	47
	Q4	32,476	30,407	29,915	67	51	46	89	55
2010	Q1	34,589	31,108	30,403	64	41	46	74	39
	Q2	33,414	29,962	29,854	82	30	33	77	44
	Q3	34,761	33,361	30,633	87	52	32	65	38
	Q4	30,735	30,914	30,375	65	43	45	84	50
2011	Q1 (r)	34,735	30,707	30,875	79	49	50	79	53
	Q2 (p)	29,515	29,022	28,957	71	43	42	59	47

Source:

HM Courts and Tribunals Service FamilyMan system

Notes:

1 More detailed statistics on divorces in England and Wales are available from the Office for National Statistics (ONS) at: <http://www.statistics.gov.uk/hub/population/families/marriages-cohabitations-civil-partnerships-and-divorces>. Data in ONS publications are based on marriage and adoption data provided by the General Register Office and divorce data provided by the HM Courts and Tribunals Service

2 Statistics on the number of divorces occurring each year in England and Wales are also published by the ONS. The Ministry of Justice's (MoJ) divorce statistics are sourced directly from the FamilyMan system, while the ONS data are compiled from "D105" forms used by the courts to record decrees absolute, which are supplied to ONS for compiling the central index of decrees absolute. There are small differences between the number of divorces as recorded by the two sets of statistics: 1.2 per cent for 2009 data. There are believed to be some differences in the quality assurance and compilation processes currently used to produce the statistics. Statisticians at the MoJ and ONS are working together with the HM Courts and Tribunals Service to reconcile these differences as closely as possible. However, some of this difference will be accounted for by the fact that the two sets of figures do not count precisely the same cases: for example, the ONS statistics include annulments while the MoJ figures do not; conversely the MoJ data include dissolutions of civil partnerships which are excluded from the ONS counts

Table 2.2**Family matters**

Disposal of applications for ancillary relief made in the county courts, England and Wales, Q1 2008 - Q2 2011

Year	Quarter	Disposal of applications				Disposal of contested or initially contested cases		
		Uncontested ¹	Initially contested, subsequently consented	Contested	Total	In respect of child(ren)	Not in respect of child(ren)	Total
2008		67,042	17,976	5,541	90,559	11,596	11,921	23,517
2009		58,311	16,839	4,733	79,883	11,011	10,561	21,572
2010		59,849	18,174	4,267	82,290	12,300	10,141	22,441
2008	Q1	17,141	4,833	1,446	23,420	3,052	3,227	6,279
	Q2	17,698	4,687	1,544	23,929	2,981	3,250	6,231
	Q3	16,763	4,456	1,376	22,595	2,919	2,913	5,832
	Q4	15,440	4,000	1,175	20,615	2,644	2,531	5,175
2009	Q1	14,443	4,142	1,246	19,831	2,788	2,600	5,388
	Q2	14,079	3,739	1,106	18,924	2,562	2,283	4,845
	Q3	15,028	4,423	1,235	20,686	2,744	2,914	5,658
	Q4	14,761	4,535	1,146	20,442	2,917	2,764	5,681
2010	Q1	14,327	4,854	1,053	20,234	3,136	2,771	5,907
	Q2	15,241	4,328	1,045	20,614	2,852	2,521	5,373
	Q3	15,397	4,524	1,039	20,960	3,120	2,443	5,563
	Q4	14,884	4,468	1,130	20,482	3,192	2,406	5,598
2011	Q1 (r)	14,718	5,301	1,282	21,301	3,827	2,756	6,583
	Q2 (p)	12,644	4,520	1,189	18,353	3,426	2,283	5,709

Source:

HM Courts and Tribunals Service FamilyMan system

Note:

1 Uncontested applications do not have a court hearing

Table 2.3
Family matters

Domestic Violence: Applications and orders made in the county courts, England and Wales, Q1 2008 - Q2 2011 ¹

Year	Quarter	Applications made ²			Orders made ³		
		Non-molestation	Occupation	Total	Non-molestation	Occupation	Total
2008		17,141	7,738	24,879	19,367	5,099	24,466
2009		18,903	7,124	26,027	20,662	4,203	24,865
2010		17,843	6,106	23,949	20,444	3,643	24,087
2008	Q1	3,993	1,878	5,871	4,463	1,261	5,724
	Q2	4,303	1,942	6,245	4,887	1,315	6,202
	Q3	4,592	2,086	6,678	5,223	1,331	6,554
	Q4	4,253	1,832	6,085	4,794	1,192	5,986
2009	Q1	4,636	1,924	6,560	4,941	1,118	6,059
	Q2	4,710	1,837	6,547	5,055	1,120	6,175
	Q3	5,161	1,897	7,058	5,597	1,054	6,651
	Q4	4,396	1,466	5,862	5,069	911	5,980
2010	Q1	4,564	1,562	6,126	5,125	916	6,041
	Q2	4,551	1,622	6,173	5,172	932	6,104
	Q3	4,829	1,623	6,452	5,507	969	6,476
	Q4	3,899	1,299	5,198	4,640	826	5,466
2011	Q1 (r)	3,962	1,366	5,328	4,560	787	5,347
	Q2 (p)	3,865	1,248	5,113	4,486	784	5,270

Source:

HM Courts and Tribunals Service FamilyMan system

Notes:

¹ Does not include orders made in Family Proceedings Courts

² Applications for arrest warrants are not included

³ The Domestic Violence, Crime and Victims Act 2004 made breach of a non-molestation order a criminal and arrestable offence as of July 2007, making it no longer necessary for courts to attach a power of arrest to non-molestation orders

Table 2.4
Family matters

Forced Marriage Protection Orders: Applications and orders made in the High Court and county courts, England and Wales, Q4 2008 - Q2 2011 ¹

Year	Quarter	Applications made	Orders made ²
2009		96	101
2010		116	149
2008	Q4 ¹	5	7
2009	Q1	16	25
	Q2	19	22
	Q3	30	18
	Q4	31	36
2010	Q1	25	23
	Q2	25	39
	Q3	35	42
	Q4	31	45
2011	Q1	38	57
	Q2 (p)	21	25

Source:

HM Courts and Tribunals Service summary returns

Notes:

1 Forced Marriage Protection Orders (FMPOs) were introduced by the Forced Marriage (Civil Protection) Act on 25 November 2008

2 The number of orders made generally exceed the number of applications as FMPOs are sometimes made during the course of applications for other family orders, and there is no differentiation between interim orders and final orders

Table 2.5**Family matters**

Matters affecting children: Number of children involved in Public and Private Law applications made in each tier of court, England and Wales, Q1 2008 - Q2 2011 ^{1,2}

Year	Quarter	Public Law				Private Law ³			
		FPC ⁴	CC	HC	Total	FPC ⁴	CC	HC	Total
2008		14,200	5,180	380	19,760	18,040	101,440	1,020	120,500
2009		19,760	5,770	290	25,810	27,670	108,670	1,150	137,480
2010		18,000	5,890	370	24,250	21,680	100,470	670	122,820
2008	Q1	3,920	1,330	100	5,350	4,920	23,670	190	28,790
	Q2	2,710	1,320	90	4,120	4,250	25,900	240	30,390
	Q3	3,320	1,310	80	4,720	4,160	27,370	290	31,820
	Q4	4,260	1,220	100	5,570	4,700	24,500	300	29,500
2009	Q1	4,780	1,390	70	6,230	6,680	25,990	300	32,970
	Q2	5,070	1,530	60	6,660	6,990	27,250	260	34,500
	Q3	4,860	1,360	90	6,300	6,970	28,590	350	35,910
	Q4	5,050	1,490	70	6,610	7,020	26,840	240	34,110
2010	Q1	4,910	1,490	90	6,490	6,570	26,050	160	32,780
	Q2	4,530	1,420	110	6,060	6,140	25,000	190	31,330
	Q3	4,460	1,470	100	6,020	5,020	26,620	150	31,780
	Q4	4,100	1,510	70	5,680	3,950	22,800	170	26,920
2011	Q1 (p)	5,660	1,460	100	7,220	5,500	24,750	240	30,490
	Q2 (p)	5,600	1,690	80	7,370	4,130	20,220	180	24,540

Source:

HM Courts and Tribunals Service FamilyMan system and summary returns

Notes:

Abbreviations: FPC=Family Proceedings Court, CC = County Court, HC = High Court

Figures have been rounded to the nearest ten. Totals may not add up due to rounding

1 Figures relate to the number of children subject to each application

2 The data compilation methodology for the public and private law application figures is under review. Therefore, the figures for 2010 and 2011 may be subject to revision. Please refer to Annex A for further details

3 Private Law applications exclude adoptions

4 Prior to the second quarter of 2011, figures for Special Guardianship Orders in the Family Proceedings Courts were only available for those courts which shared premises and administrative systems with county courts. The total has, therefore, been estimated based on the proportion of the total public law and private law applications made in each tier of court

Table 2.6
Family matters

Summary statistics on the timeliness of care proceedings in Family Proceedings Courts, county courts and the High Court, England and Wales, Q2 2010 - Q2 2011 ¹

Year	Quarter	Disposal of care and supervision applications ²								Total disposals	Average case duration (weeks)
		Disposals within 30 weeks	% disposed within 30 weeks	Disposals within 50 weeks	% disposed within 50 weeks	Disposals within 52 weeks	% disposed within 52 weeks	Disposals within 80 weeks	% disposed within 80 weeks		
All courts ³											
2010	Q2	525	17%	1,630	51%	1,712	54%	2,773	88%	3,169	53
	Q3	644	18%	1,866	53%	1,974	56%	3,072	87%	3,521	51
	Q4	789	18%	2,006	47%	2,113	49%	3,618	84%	4,288	54
2011	Q1 (r)	624	15%	1,957	48%	2,101	51%	3,334	81%	4,118	56
	Q2 (p)	706	17%	2,016	49%	2,112	51%	3,427	83%	4,119	55
County courts and the High Court											
2010	Q2	232	13%	831	45%	886	48%	1,557	84%	1,847	59
	Q3	274	13%	954	47%	1,015	50%	1,701	84%	2,034	56
	Q4	366	14%	1,012	40%	1,088	43%	2,012	80%	2,530	59
2011	Q1 (r)	260	11%	903	38%	980	42%	1,777	76%	2,346	62
	Q2 (p)	363	15%	950	41%	1,010	43%	1,829	78%	2,345	61
Family Proceedings Courts ³											
2010	Q2	293	22%	799	60%	826	62%	1,216	92%	1,322	45
	Q3	370	25%	912	61%	959	64%	1,371	92%	1,487	45
	Q4	423	24%	994	57%	1,025	58%	1,606	91%	1,758	47
2011	Q1 (r)	364	21%	1,054	59%	1,121	63%	1,557	88%	1,772	48
	Q2 (p)	343	19%	1,066	60%	1,102	62%	1,598	90%	1,774	48

Source:
HM Courts and Tribunals Service FamilyMan system and summary returns

Notes:
¹ The number of disposals relate to the number of children subject to each order, where a care or supervision application was made

² Types of disposals from the FamilyMan system include Care Orders, Supervision Orders, Residence Orders, Special Guardianship Orders, Orders Refused, Order of No Orders and Orders Withdrawn

³ The number of disposals from the summary returns can only distinguish between Care Orders, Supervision Orders and Other Orders. Therefore, more orders may be included for some Family Proceedings Courts

Table 3.1
Magistrates' courts
 Completed proceedings, England and Wales, Q1 2008 - Q2 2011

Year	Quarter	Criminal					Total number of completed criminal proceedings	Civil & family applications	Other cases ¹
		Adult summary motoring proceedings	Adult summary non-motoring proceedings	Adult indictable/triable either way	Adult breach proceedings	Youth proceedings			
2008		696,279	613,430	449,894	116,167	155,370	2,031,140	130,000	846,634
2009		644,018	571,280	420,430	121,345	155,559	1,912,632	122,067	852,058
2010		591,128	546,656	410,529	117,777	131,269	1,797,359	135,377	855,045
2008	Q1	190,111	161,745	116,658	28,893	39,470	536,877	33,868	205,344
	Q2	178,705	153,942	114,280	28,663	39,433	515,023	33,019	212,714
	Q3	172,447	155,098	115,209	29,776	38,782	511,312	34,202	215,504
	Q4	155,016	142,645	103,747	28,835	37,685	467,928	28,911	213,072
2009	Q1	166,007	144,620	108,903	31,358	40,109	490,997	28,927	219,271
	Q2	160,497	141,957	103,434	29,105	39,138	474,131	30,168	211,624
	Q3	161,750	145,193	105,303	30,974	38,758	481,978	31,803	219,392
	Q4	155,764	139,510	102,790	29,908	37,554	465,526	31,169	201,771
2010	Q1	150,336	123,980	97,860	28,788	34,426	435,390	31,996	214,302
	Q2	147,287	131,567	103,395	28,177	35,251	445,677	33,496	213,087
	Q3	150,038	145,373	109,340	31,393	32,675	468,819	34,577	222,611
	Q4	143,467	145,736	99,934	29,419	28,917	447,473	35,308	205,045
2011	Q1 (r)	146,916	146,912	97,457	30,844	27,297	449,426	36,590	214,835
	Q2 (p)	131,780	143,073	93,808	28,101	25,894	422,656	31,921	205,405

Source:
 Completed Proceedings, HM Courts and Tribunals Service Performance Database (OPT)

Note:
 1 Other cases include means enquiries, representation orders and special jurisdiction

Table 3.2
Magistrates' courts

Effectiveness of recorded trials, England and Wales, Q1 2008 - Q2 2011

Year	Quarter	Total number of trials	Effective trials		Ineffective trials		Cracked trials	
			Number	Percentage of total trials	Number	Percentage of total trials	Number	Percentage of total trials
2008		183,511	79,722	43%	33,423	18%	70,366	38%
2009		179,858	78,169	43%	33,609	19%	68,080	38%
2010		179,794	77,973	43%	32,376	18%	69,445	39%
2008	Q1	49,697	21,282	43%	8,973	18%	19,442	39%
	Q2	45,887	19,996	44%	8,513	19%	17,378	38%
	Q3	45,374	19,908	44%	8,092	18%	17,374	38%
	Q4	42,553	18,536	44%	7,845	18%	16,172	38%
2009	Q1	46,202	19,722	43%	8,977	19%	17,503	38%
	Q2	44,105	19,328	44%	8,075	18%	16,702	38%
	Q3	45,480	19,737	43%	8,370	18%	17,373	38%
	Q4	44,071	19,382	44%	8,187	19%	16,502	37%
2010	Q1	47,592	20,757	44%	9,112	19%	17,723	37%
	Q2	44,051	19,071	43%	7,738	18%	17,242	39%
	Q3	45,476	19,818	44%	7,711	17%	17,947	39%
	Q4	42,675	18,327	43%	7,815	18%	16,533	39%
2011	Q1	44,184	19,323	44%	7,539	17%	17,322	39%
	Q2 (p)	40,640	17,718	44%	7,201	18%	15,721	39%

Source:

Trials, HM Courts and Tribunals Service Performance Database (OPT)

Table 3.3**Magistrates' courts**

Enforcement of financial penalties in the magistrates' courts,^{1,2} England and Wales, Q1 2008 - Q2 2011

Year	Quarter	Amount Paid (£ millions)
2008		251
2009		251
2010		281
2008	Q1	63
	Q2	64
	Q3	65
	Q4	60
2009	Q1	59
	Q2	60
	Q3	62
	Q4	70
2010	Q1	67
	Q2	70
	Q3	76
	Q4	68
2011	Q1	68
	Q2 (p)	69

Source:

Debt Analysis Return (DAR), HM Courts and Tribunals Service Performance Database (OPT)

Notes:

1 Magistrates' courts submit information on the enforcement of financial penalties using the Debt Analysis Return

2 The amount paid represents the amount of financial penalties collected by the courts in the given quarter

Table 4.1**The Crown Court**Receipts¹, Disposals² and Outstanding³ cases by case type, England and Wales, Q1 2008 - Q2 2011

Year	Quarter	Total Receipts	Committed for trial			Sent for trial			Committed for sentence			Number of cases Appeals against Mags' decisions		
			Receipts	Disposals	Cases outstanding	Receipts	Disposals	Cases outstanding	Receipts	Disposals	Cases outstanding	Receipts	Disposals	Cases outstanding
2008		145,715	55,302	53,654	20,553	34,738	34,081	15,759	41,656	41,337	5,270	14,019	14,008	2,873
2009		150,711	62,838	59,840	23,655	34,869	34,471	16,243	38,663	38,868	4,592	14,341	13,982	3,223
2010		152,336	63,541	65,478	21,923	34,147	34,660	15,865	40,828	39,693	5,271	13,820	14,067	3,010
2008	Q1	35,226	12,913	13,008	18,803	8,264	8,394	14,994	10,562	10,179	5,756	3,487	3,486	2,873
	Q2	36,392	13,639	13,458	19,040	8,681	8,459	15,219	10,492	10,659	5,436	3,580	3,613	2,831
	Q3	37,623	14,345	13,566	19,835	9,069	8,587	15,709	10,709	10,571	5,496	3,500	3,546	2,785
	Q4	36,474	14,405	13,622	20,553	8,724	8,641	15,759	9,893	9,928	5,270	3,452	3,363	2,873
2009	Q1	37,138	14,922	14,353	21,244	8,795	8,852	15,795	10,029	10,156	5,047	3,392	3,349	2,916
	Q2	37,311	15,249	14,129	22,316	8,722	8,300	16,191	9,810	9,500	5,206	3,530	3,481	2,962
	Q3	39,073	16,738	15,622	23,454	8,873	8,605	16,465	9,794	9,917	4,978	3,668	3,602	3,025
	Q4	37,189	15,929	15,736	23,655	8,479	8,714	16,243	9,030	9,295	4,592	3,751	3,550	3,223
2010	Q1	38,399	16,752	16,477	24,125	8,261	8,767	15,887	9,885	9,395	5,004	3,501	3,514	3,252
	Q2	38,237	16,035	16,275	23,868	8,776	8,189	16,473	10,026	9,482	5,452	3,400	3,516	3,146
	Q3	38,848	15,952	16,864	23,010	8,800	8,900	16,384	10,614	10,447	5,481	3,482	3,546	3,072
	Q4	36,852	14,802	15,862	21,923	8,310	8,804	15,865	10,303	10,369	5,271	3,437	3,491	3,010
2011	Q1 (r)	37,963	14,998	16,319	20,707	8,392	9,132	15,220	11,185	11,107	5,372	3,388	3,429	2,997
	Q2 (p)	35,692	14,354	14,510	20,546	8,024	8,081	15,168	10,146	10,212	5,212	3,168	3,350	2,810

Source:

HM Courts and Tribunals Service CREST system

Notes:

- 1 Receipts include committals direct from the magistrates' court, bench warrants executed (trial and sentence only) and cases transferred in, less cases transferred out
- 2 Disposals are total cases dealt with
- 3 Outstanding cases at end of the period

Table 4.2**The Crown Court**

Summary statistics on effectiveness of cases listed for trial, England and Wales, Q1 2008 - Q2 2011

Year	Quarter	Number of listings for trial	Ineffective trials		Cracked trials		Effective trials	
			Number	Percentage	Number	Percentage	Number	Percentage
2008		35,985	4,169	12%	14,772	41%	17,044	47%
2009		39,262	4,926	13%	16,437	42%	17,899	46%
2010 (r)		43,261	5,921	14%	18,389	43%	18,951	44%
2008	Q1	9,189	990	11%	3,872	42%	4,327	47%
	Q2	9,001	1,036	12%	3,559	40%	4,406	49%
	Q3	9,162	1,079	12%	3,751	41%	4,332	47%
	Q4	8,633	1,064	12%	3,590	42%	3,979	46%
2009	Q1	9,881	1,260	13%	4,070	41%	4,551	46%
	Q2	9,071	1,064	12%	3,757	41%	4,250	47%
	Q3	10,528	1,331	13%	4,467	42%	4,730	45%
	Q4	9,782	1,271	13%	4,143	42%	4,368	45%
2010	Q1	11,050	1,579	14%	4,703	43%	4,768	43%
	Q2	10,648	1,372	13%	4,522	42%	4,754	45%
	Q3	11,206	1,449	13%	4,858	43%	4,899	44%
	Q4	10,357	1,521	15%	4,306	42%	4,530	44%
2011	Q1	11,509	1,553	13%	4,735	41%	5,221	45%
	Q2 (p)	10,006	1,508	15%	3,956	40%	4,542	45%

Source:

HM Courts and Tribunals Service CREST system

Percentages may not sum to 100% due to rounding

Table 4.3
The Crown Court

Defendants dealt with in cases committed or sent for trial,¹ by plea, England and Wales, Q1 2008 - Q2 2011

Year	Quarter	Total number of defendants	Plea entered				No plea entered				Guilty pleas as % of defendants with plea
			Guilty (to all counts)		Not Guilty ²		Bench warrant		Other		
			Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	
2008		96,027	65,571	68%	27,923	29%	444	0.5%	2,089	2%	70%
2009		104,418	71,442	68%	29,835	29%	514	0.5%	2,627	3%	71%
2010 (r)		112,702	77,243	69%	32,711	29%	407	0.4%	2,341	2%	70%
2008	Q1	23,626	16,165	68%	6,874	29%	77	0.3%	510	2%	70%
	Q2	24,154	16,554	69%	7,016	29%	95	0.4%	489	2%	70%
	Q3	24,083	16,369	68%	7,076	29%	123	0.5%	515	2%	70%
	Q4	24,164	16,483	68%	6,957	29%	149	0.6%	575	2%	70%
2009	Q1	25,657	17,778	69%	7,336	29%	73	0.3%	470	2%	71%
	Q2	24,799	17,253	70%	6,929	28%	115	0.5%	502	2%	71%
	Q3	26,805	18,396	69%	7,681	29%	114	0.4%	614	2%	71%
	Q4	27,157	18,015	66%	7,889	29%	212	0.8%	1,041	4%	70%
2010	Q1	28,729	19,987	70%	8,144	28%	82	0.3%	516	2%	71%
	Q2	27,457	18,926	69%	7,895	29%	85	0.3%	551	2%	71%
	Q3	28,968	19,630	68%	8,607	30%	102	0.4%	629	2%	70%
	Q4	27,548	18,700	68%	8,065	29%	138	0.5%	645	2%	70%
2011	Q1 (r)	28,665	19,432	68%	8,474	30%	103	0.4%	656	2%	70%
	Q2 (p)	25,328	16,561	65%	7,518	30%	207	0.8%	1,042	4%	69%

Source:

HM Courts and Tribunals Service CREST system

Notes:

1 Includes cases where a bench warrant was issued, no plea recorded, indictment to lie on file, found unfit to plead, and other results

2 Includes cases where defendants plead not guilty to all counts and also cases where defendants plead not guilty to some counts

Percentages may not sum to 100% due to rounding

Table 5.1
Magistrates' courts and Crown Court

Experimental statistics: Timeliness measures for all defendants in criminal cases^{1,2,4} completed in the magistrates' and Crown courts, by offence type,³ England and Wales, Q2 2010 - Q2 2011

Year	Quarter	Criminal cases															
		All criminal cases				Indictable/Triable either way				Summary motoring				Summary non-motoring			
		Offence to first listing - Mean (days)	Charge to first listing - Mean (days)	First listing to completion - Mean (days)	Offence to completion - Mean (days)	Offence to first listing - Mean (days)	Charge to first listing - Mean (days)	First listing to completion - Mean (days)	Offence to completion - Mean (days)	Offence to first listing - Mean (days)	Charge to first listing - Mean (days)	First listing to completion - Mean (days)	Offence to completion - Mean (days)	Offence to first listing - Mean (days)	Charge to first listing - Mean (days)	First listing to completion - Mean (days)	Offence to completion - Mean (days)
2010	Q2 (p)	88	33	33	153	79	17	65	161	105	45	21	170	76	32	22	130
	Q3 (p)	85	32	33	150	76	17	67	159	101	44	21	166	76	31	21	128
	Q4 (p)	87	31	33	150	75	16	68	159	103	41	19	164	79	31	21	131
2011	Q1 (p)	89	33	37	159	76	18	74	169	106	44	23	173	81	33	23	137
	Q2 (p)	86	35	34	155	70	18	69	157	103	46	22	172	82	36	21	138

Source:

Libra Management Information System Timeliness Analysis Report (TAR) and CREST linked court data, HM Courts and Tribunals Service

Notes:

- 1 Includes all cases concluded in either the magistrates' courts or Crown Court during the specified time period and excludes cases completed in the magistrates' courts but not completed in the Crown Court
- 2 Excludes breaches and cases with an offence to completion time greater than ten years
- 3 Only one offence is counted for each defendant in the case. If two or more cases complete on the same day, the case with the longest duration is included
- 4 These are experimental statistics sourced from the CREST linked court data and includes around 95% of completed proceedings. TAR figures are only available from April 2010

Table 5.2
Magistrates' courts and Crown Court

Experimental statistics: Timeliness measures for all defendants in criminal cases^{1,2,4} completed in the magistrates' and Crown courts, by offence grouping,^{3,5} England and Wales, Q2 2011

Offence group	Average time taken (days)			
	Offence to charge	Charge to first listing	First listing to completion	Offence to completion
<u>All indictable/triable-either-way cases</u>				
Burglary	42	11	75	128
Criminal Damage	28	16	66	110
Drug Offences	45	19	48	111
Fraud and forgery	390	51	86	527
Indictable motoring offences	74	26	112	211
Robbery	42	9	123	174
Sexual Offences	311	20	184	516
Theft and handling stolen goods	35	15	37	86
Violence against the person	43	15	104	162
Other indictable offences	115	26	107	247
<u>Summary motoring cases</u>	103	46	22	172
<u>Summary non-motoring cases</u>	82	36	21	138
All criminal cases	86	35	34	155

Source:

Libra Management Information System Timeliness Analysis Report (TAR) and CREST linked court data, HM Courts and

Notes:

- 1 Includes all cases concluded in either the magistrates' courts or Crown Court during the specified time period and excludes cases completed in the magistrates' courts but not completed in the Crown Court
- 2 Excludes breaches, appeals and cases with an offence to completion time greater than ten years
- 3 Only one offence is counted for each defendant in the case. If two or more cases complete on the same day, the case with the longest duration is included
- 4 These are experimental statistics sourced from the CREST linked court data and includes around 95% of completed proceedings. TAR figures are only available from April 2010
- 5 Cases have been classified according to the Home Office offence classification

Table 5.3
Magistrates' courts

Experimental statistics: Timeliness measures for all defendants in criminal cases^{1,2,4} completed in the magistrates' courts, by offence type,³ England and Wales, Q2 2010 - Q2 2011⁵

Year	Quarter	Criminal cases															
		All criminal cases				Indictable/Triable either way				Summary motoring				Summary non-motoring			
		Offence to charge - Mean (days)	Charge to first listing - Mean (days)	First listing to completion - Mean (days)	Offence to completion - Mean (days)	Offence to first listing - Mean (days)	Charge to first listing - Mean (days)	First listing to completion - Mean (days)	Offence to completion - Mean (days)	Offence to first listing - Mean (days)	Charge to first listing - Mean (days)	First listing to completion - Mean (days)	Offence to completion - Mean (days)	Offence to first listing - Mean (days)	Charge to first listing - Mean (days)	First listing to completion - Mean (days)	Offence to completion - Mean (days)
2010	Q2 (p)	88	33	24	144	79	16	31	126	105	45	21	170	76	32	21	129
	Q3 (p)	84	32	24	139	71	17	32	119	101	44	21	166	76	31	21	128
	Q4 (p)	86	31	23	140	74	16	31	121	103	41	19	164	79	31	21	131
2011	Q1 (p)	89	33	27	148	76	18	36	130	106	44	23	173	80	33	23	137
	Q2 (p)	87	35	25	146	72	18	33	123	103	46	22	172	82	36	21	138

Source:

Libra Management Information System Timeliness Analysis Report (TAR), HM Courts and Tribunals Service

Notes:

- 1 Includes cases completed in magistrates' courts during the specified time period
- 2 Excludes breaches and cases with an offence to completion time greater than ten years
- 3 Only one offence is counted for each defendant in the case. If two or more cases complete on the same day, the case with the longest duration is included
- 4 Include all cases completed in the magistrates' courts, including those sent for trial or committed for trial which were not yet completed at the Crown Court in the quarter specified
- 5 TAR figures are only available from April 2010

Table 5.4**The Crown Court**

Summary statistics on average waiting times in the Crown Court, England and Wales, Q1 2008 - Q2 2011

Year	Quarter	All defendants dealt with	Committed for trial ¹			Sent for trial ¹			Committed for sentence ²			Appeal ³		
			Number dealt with	Average waiting time (weeks)	% dealt with in 16 weeks	Number dealt with	Average waiting time (weeks)	% dealt with in 26 weeks	Number dealt with	Average waiting time (weeks)	% dealt with in 10 weeks	Number dealt with	Average waiting time (weeks)	% dealt with in 14 weeks
2008		130,319	57,653	13.5	73%	35,948	18.6	78%	24,611	5.7	92%	12,107	8.7	86%
2009		136,224	64,411	13.5	74%	36,866	18.6	78%	23,082	5.7	92%	11,865	8.9	86%
2010 (r)		143,863	71,512	14.2	71%	38,442	19.3	77%	21,972	5.9	93%	11,937	8.6	86%
2008	Q1	31,970	14,080	14.0	71%	8,965	19.0	77%	6,105	6.2	90%	2,820	8.7	86%
	Q2	33,025	14,558	13.6	73%	9,024	18.9	77%	6,308	5.7	91%	3,135	8.5	86%
	Q3	32,882	14,533	13.2	74%	8,936	18.2	79%	6,247	5.5	93%	3,166	8.5	86%
	Q4	32,442	14,482	13.0	74%	9,023	18.2	79%	5,951	5.4	92%	2,986	9.1	84%
2009	Q1	33,968	15,666	12.8	75%	9,448	18.2	79%	6,033	5.7	91%	2,821	9.3	84%
	Q2	32,776	15,253	13.5	74%	8,929	18.7	78%	5,598	6.0	92%	2,996	9.2	87%
	Q3	34,964	16,782	13.9	73%	9,295	18.5	79%	5,869	5.5	93%	3,018	8.4	86%
	Q4	34,516	16,710	13.7	73%	9,194	19.0	77%	5,582	5.5	92%	3,030	8.5	87%
2010	Q1	36,309	18,258	13.9	72%	9,873	19.5	77%	5,245	5.5	92%	2,933	8.9	85%
	Q2	35,223	17,736	14.2	71%	9,085	19.4	77%	5,418	5.8	93%	2,984	8.8	85%
	Q3	36,969	18,372	14.7	69%	9,865	19.0	77%	5,724	6.1	93%	3,008	8.3	87%
	Q4	35,362	17,146	13.9	72%	9,619	19.4	76%	5,585	6.0	94%	3,012	8.4	88%
2011	Q1 (r)	36,499	17,883	13.9	71%	10,023	19.6	76%	5,793	5.6	92%	2,800	9.0	86%
	Q2 (p)	32,357	15,477	13.8	71%	8,602	19.1	78%	5,456	5.5	93%	2,822	8.9	86%

Source:

HM Courts and Tribunals Service CREST system

Notes:

- 1 Trial figures excludes cases where a bench warrant was issued, no plea recorded, indictment to lie on file, found unfit to plead, and other results
- 2 Committals for sentence exclude committals after breach, 'bring backs' and deferred sentences
- 3 Appeals exclude cases abandoned before appearance in court

Table 5.5**The Crown Court**

Summary statistics on average hearing times and average waiting times in the Crown Court, England and Wales, Q2 2008 - Q2 2011

Year	Quarter	Average hearing time (hours)				Average waiting time (weeks)			
		Not Guilty plea trials ¹	Guilty plea trials ¹	Committal for sentence ²	Appeal ³	Not Guilty plea trials ¹	Guilty plea trials ¹	Committal for sentence ²	Appeal ³
2008		12.7	1.4	0.5	1.0	24.2	11.7	5.7	8.7
2009		13.0	1.3	0.5	1.0	24.1	11.7	5.7	8.9
2010 (r)		11.6	1.3	0.5	1.1	24.5	12.4	5.9	8.6
2008	Q1	12.6	1.5	0.6	1.0	24.4	12.4	6.2	8.7
	Q2	12.6	1.3	0.5	1.1	24.5	11.9	5.7	8.5
	Q3	11.9	1.3	0.5	1.0	24.0	11.3	5.5	8.5
	Q4	13.9	1.3	0.5	1.1	23.8	11.3	5.4	9.1
2009	Q1	12.9	1.3	0.5	1.1	23.4	11.3	5.7	9.3
	Q2	13.4	1.3	0.5	1.0	24.0	12.0	6.0	9.2
	Q3	12.3	1.2	0.5	1.0	24.5	11.8	5.5	8.4
	Q4	13.2	1.2	0.5	1.0	24.3	11.8	5.5	8.5
2010	Q1	12.2	1.2	0.5	1.0	24.5	12.3	5.5	8.9
	Q2	11.1	1.3	0.5	1.0	24.7	12.3	5.8	8.8
	Q3	11.7	1.2	0.5	1.0	24.7	12.5	6.1	8.3
	Q4	11.5	1.4	0.5	1.2	24.1	12.3	6.0	8.4
2011	Q1	13.1	1.4	0.5	1.1	24.1	12.2	5.7	9.0
	Q2 (p)	12.8	1.4	0.5	1.0	24.0	11.9	5.5	8.9

Source:

HM Courts and Tribunals Service CREST system

Notes:

1 Trial figures excludes cases where a bench warrant was issued, no plea recorded, indictment to lie on file, found unfit to plead, and other results

2 Committals for sentence exclude committals after breach, 'bring backs' and deferred sentences

3 Appeals exclude cases abandoned before appearance in court

Annex A: Data sources and data quality

This annex gives brief details of data sources for the figures given in this report, along with a brief discussion on data quality. Further information can be found in *Judicial and Court Statistics 2010* via the MoJ website at

www.justice.gov.uk/publications/statistics-and-data/courts-and-sentencing/index.htm

County courts (non-family)

This information has principally been produced using the Management Information System (MIS), a data warehousing facility drawing data directly from court-based administrative systems. Most data shown in the tables have been sourced from the county court administrative system CaseMan, used by court staff for case management purposes. This contains good quality information about the incidence and dates of major events in a case's progress through the court system. Statistical quality assurance procedures include the identification and removal of duplicate entries for the same event in a case, and checks that data have been collated for all courts to ensure completeness. The following data are considered to be of lower quality:

- The numbers of insolvency petitions, applications for administration orders, administration orders made and orders for sale are sourced from manual counts made by court staff. Since April 2009 these have been recorded in the One Performance Truth (OPT) database, a web-based data monitoring system allowing direct inputting of performance data by court staff. Prior to April 2009 they were inputted into the Business Management System, designed for the purpose of monitoring and assessing court workloads. Quality assurance measures are in place to ensure that data are of sufficient quality, including querying with courts where their counts look unusually high or low and obtaining corrected figures if errors are identified.
- The numbers of small claims hearings, trials and repossessions of property by county court bailiffs are sourced from CaseMan. The accuracy of the trial/small claim hearing counts is dependent on court staff entering the correct hearing types and outcome codes onto the system. The accuracy of the repossession figures is dependent on court staff entering the correct warrant outcome codes onto the system.

In this edition, revisions have been made to 'fast' and 'multi' track trial figures shown in Table 1.4. Further analysis on trial data since the last edition of this bulletin has indicated that some hearings previously counted as trials were actually disposal hearings where the court decides the amount to be paid following a judgment in favour of the claimant. Figures have been revised back to 2003 as a consequence. Figures for the average time from issue to trial have also been revised, since these disposal hearings were also previously counted as trials for the purposes of calculating these timeliness statistics. A comparison of the old and new figures for each year since 2003 and each quarter since Q1 2008 is provided in Table A1. This shows that over the period from Q1 2008 to Q1 2011:

- The numbers of trials occurring have been revised downwards by 13 per cent overall.

- The average times between issue and trial have been revised upwards by an average of eight per cent per quarter. The figures for the two component time periods – namely between issue and allocation to track, and between allocation to track and trial – are subject to much less revision. This is because many of the trials which have now established as actually being disposal hearings had no allocation to track date recorded, and had therefore been excluded from the calculation of these two component time periods.

In addition, a new count of disposal hearings reveals that there were 1,400 logged as completed by court staff on average in each quarter between Q1 2008 to Q1 2011. Unlike for small claim hearings and trials, court staff are not required to record the outcomes of disposal hearings into CaseMan. These figures are therefore an undercount of the actual number of disposal hearings which take place in the civil courts, with the extent of this undercounting varying over time and between courts.

Table A1: Changes to summary statistics on trials, England and Wales, 2003 - Q1 2011

Year	Quarter	Number of Fast and Multi track trials ¹			Average time (weeks)								
					Between issue & trial ^{2,3}			Between issue & allocation to track ²			Between allocation to track and trial ²		
		Old	New	% change	Old	New	% change ⁴	Old	New	% change ⁴	Old	New	% change ⁴
2003		15,643	15,643	0%	52	54	4%	22	22	0%	32	32	0%
2004		16,668	15,597	-6%	52	55	6%	21	21	0%	33	33	0%
2005		16,766	15,700	-6%	52	54	4%	22	22	0%	32	32	0%
2006		17,675	16,108	-9%	50	53	6%	21	21	0%	32	32	0%
2007		18,353	16,000	-13%	49	53	8%	21	21	0%	32	32	0%
2008		19,916	17,462	-12%	48	52	8%	21	21	0%	32	32	0%
2009		20,306	17,115	-16%	48	53	10%	21	21	0%	32	32	0%
2010		19,915	17,517	-12%	50	54	8%	21	20	-5%	33	33	0%
2008	Q1	5,280	4,687	-11%	49	53	8%	21	21	0%	32	32	0%
	Q2	5,263	4,524	-14%	48	53	10%	21	21	0%	31	31	0%
	Q3	4,783	4,180	-13%	48	52	8%	21	21	0%	31	31	0%
	Q4	4,590	4,071	-11%	49	52	6%	20	20	0%	32	32	0%
2009	Q1	5,166	4,442	-14%	49	53	8%	20	20	0%	32	32	0%
	Q2	5,097	4,221	-17%	47	53	13%	21	21	0%	32	32	0%
	Q3	4,930	4,263	-14%	48	52	8%	20	20	0%	32	32	0%
	Q4	5,113	4,189	-18%	48	54	13%	21	21	0%	32	32	0%
2010	Q1	5,374	4,609	-14%	49	53	8%	20	20	0%	33	33	0%
	Q2	4,927	4,249	-14%	51	55	8%	21	20	-5%	34	34	0%
	Q3	4,964	4,369	-12%	50	54	8%	21	20	-5%	33	33	0%
	Q4	4,650	4,290	-8%	52	55	6%	21	21	0%	34	34	0%
2011	Q1	5,073	4,782	-6%	53	54	2%	21	21	0%	33	33	0%

Source:

HM Courts and Tribunals Service CaseMan system

Notes:

1 There may be more than one trial or small claim hearing in a case

2 Figures relate to cases whose trials or small claims hearings took place during the relevant quarter or year. For many cases the original date of issue and allocation date will have been in an earlier period

3 These figures are different to the sums of the average times between issue and allocation to track and between allocation to track and trial, as not all allocation to track details are known

4 The '% change' figures are based on average times rounded to the nearest week

Family matters

The data on the family matters has been sourced from the family court administrative system FamilyMan, used by court staff for case management purposes and containing good quality information about a case's progress through the family courts. Some data for 2010 and earlier years are also sourced from the HMCTS Performance database. Statistical quality assurance procedures include the identification and removal of duplicate entries for the same case on the administrative systems, and checks that data have been collated for all courts to ensure completeness.

Some points to note about counting rules in the statistics are as follows.

- A disposal which occurs in one quarter or year may relate to an application which was initially made in an earlier period.
- An application of one type may lead to an order of a different type being made.
- The statistics on matrimonial, ancillary relief and domestic violence proceedings are counted by case. The statistics on public law and private law proceedings relate to the number of children which are subject to applications: for example if two children are the subject of a single case then the children would be counted separately in the statistics. Different types of orders may be made in respect of different children involved in a case.

Figures on the number of matrimonial proceedings are given in Table 2.1. Statistics on the number of divorces occurring each year in England and Wales are also published by the Office for National Statistics (ONS). The MoJ's divorce statistics are sourced directly from the FamilyMan system, while the ONS data are compiled from 'D105' forms used by the courts to record decrees absolute, which are supplied to ONS for compiling the central index of decrees absolute. There are small differences between the number of divorces as recorded by the two sets of statistics: 1.2 per cent for 2009 data. There are believed to be some differences in the quality assurance and compilation processes currently used to produce the statistics. Statisticians at the MoJ and ONS are working together with HMCTS to reconcile these differences as closely as possible. However, some of this difference will be accounted for by the fact that the two sets of figures do not count precisely the same cases: for example, the ONS statistics include annulments while the MoJ figures do not; conversely the MoJ data include dissolutions of civil partnerships which are excluded from the ONS counts.

The information on Forced Marriage Protection Orders in Table 2.4 was taken from the HMCTS Performance database. This is a regularly updated, web-based performance system which enables aggregation to national level of returns from individual courts.

Public law and private law Children Act figures are given in Table 2.5. Starting at the end of 2009, an upgrade to the administrative system in all county courts and Family Proceedings Courts was rolled out nationally. This upgrade was completed in December 2010 following a staggered rollout. During the compilation of the latest figures for public and private law applications, issues were identified concerning the way in which cases that are transferred between courts are being counted. This issue resulted from the system upgrade which now records transfers between courts differently to ensure that no duplicate records of these transfers are held in the system. Therefore, the methodology to count public and private law applications will be reviewed and updated to ensure that transfers are counted

accurately and, as such, previously published data for 2010 and 2011 may be subject to revision.

Magistrates' courts

The statistics on completed proceedings in Table 3.1 are sourced from the OPT database, which was rolled out across magistrates' courts during 2008 and is populated based on information contained on the Libra MIS. This contains good quality information about magistrates' courts' caseloads. Data provided by the courts must be checked and verified at case level by court staff before being submitted on OPT, and the centrally collated data are subject to further checks including the investigation of apparent anomalies in the data.

The MoJ's publication *Criminal Justice Statistics (CJS)* also contains data on the criminal cases in the magistrates' courts. The figures are derived from the same core source as those presented in this report (the Libra system), but they are not directly comparable as there are known differences between them. These are due to a number of factors, including differences in the data collation methods and counting methodologies used, which reflect different underlying drivers of the analyses being performed. By way of broad illustration, *CJS* counts numbers of defendants and focuses on the final outcomes of criminal court proceedings, whilst *CSQ* counts numbers of cases and focuses on flows through the court system. Work is currently under way to investigate and review the differences between the two sets of statistics and their compilation processes with a view to aligning them in the future.

The statistics on the effectiveness of recorded trials and the enforcement of financial penalties are also sourced from the OPT database.

The experimental statistics on the timeliness of criminal proceedings completed in the magistrates' courts in Table 5.3 are sourced from an extract taken from the Libra MIS. A detailed description of data sources and data quality is available in **Annex B**.

The Crown Court

This information has been produced using the MIS, a data warehousing facility drawing data directly from court-based administrative systems. Most data shown in this bulletin have been sourced from the Crown Court administrative system CREST, used by court staff for case management purposes. This contains good quality information about the incidence and dates of major events as each case progress in the Crown Court. Statistical quality assurance procedures include the identification and removal of duplicate entries, checks of apparent anomalies and checks for completeness.

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

Experimental statistics on the timeliness of criminal proceedings completed in the criminal courts in Tables 5.1 and 5.2 are sourced from linking together extracts taken from CREST and the Libra MIS. Further details are available in **Annex B**.

Annex B: New experimental statistics on the timeliness of criminal proceedings

This annex provides more information about the experimental statistics on the timeliness of criminal proceedings in the magistrates' courts and Crown Court which are being published in this edition of CSQ for the first time. These statistics are given in Tables 5.1, 5.2 and 5.3. This annex also provides a comparison of the experimental statistics for the timeliness of proceedings in the magistrates' courts, with the previous statistics sourced from the quarterly *TIS*.

Statistics on timeliness of criminal proceedings in the magistrates' courts

Previously, statistics on the duration of criminal proceedings in the magistrates' courts have been taken from the quarterly *TIS*, which was based on a sample of cases; those which completed during a specified week each quarter. Due to recent improvements in the quality of data held on magistrates' courts administrative systems, with effect from June 2011 the *TIS* has been discontinued, and replaced by these new administratively sourced statistics. These statistics will henceforth be published in future editions of CSQ.

The new statistics are sourced from an extract taken from Libra MIS, the administrative database used in the magistrates' courts. This extract provides good quality information on the timeliness of all criminal cases which complete in magistrates' courts, whether they are finally dealt with or passed on to the Crown Court for trial. As a result, the statistics will now be based on all criminal proceedings dealt with in the magistrates' courts and not a sample as previously provided in the *TIS*. Validation has been carried out on the extract to ensure that dates are complete and follow in sequential order.

Detailed information on previous magistrates' courts' timeliness sourced from the *TIS* can be found on the MoJ website at:

www.justice.gov.uk/publications/statistics-and-data/courts-and-sentencing/magistrates-times.htm

Comparison of new experimental statistics on the timeliness of criminal proceedings in the magistrates' courts with data previous sourced from the Time Intervals Survey

As noted above, the new statistics on magistrates' courts timeliness are a complete count sourced from the administrative data system, replacing previous statistics sourced from survey data (the *TIS*). As a result of this change in data source, there will inevitably be differences between the two sets of statistics. The principal change is that whereas previously the statistics were sourced from a subset of criminal proceedings completing in the magistrates' courts (namely those which completed during the designated survey week each quarter), the new statistics are based on *all* criminal proceedings completing in all magistrates' courts.

This subsection provides a brief analysis comparing the results of the two data sources, where it is possible. The new statistics for calendar quarters are compared with the results from the *TIS* wave which occurred during the corresponding three month period. For example, the new statistics for the quarter October to December 2010 are compared with the results from the December 2010 wave of the *TIS*. Specifically, this analysis looks at the quarterly statistics for the

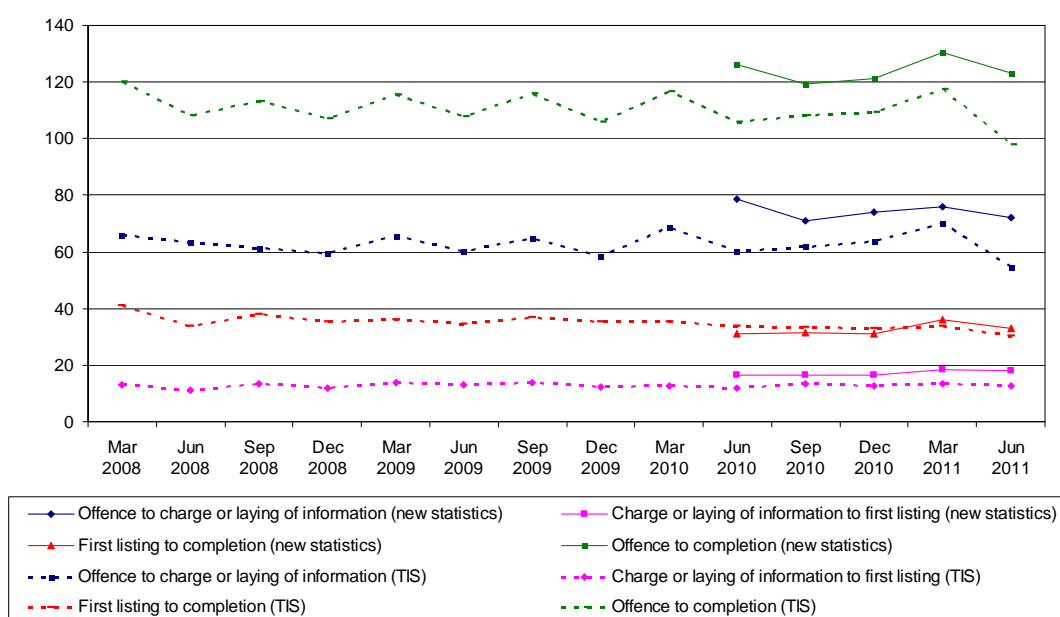
timeliness of indictable cases, since figures for other types of case (i.e. summary cases) were not collected in every wave of the *TIS*.

Figure B1 shows the average timeliness from offence to completion for indictable cases taken from the *TIS* between March 2008 and June 2011, plus the average durations of the intermediate stages (dotted lines). Also plotted are the new average timeliness statistics sourced from the extract of the Libra MIS for the corresponding quarters back to April to June 2010, the earliest quarter for which these new statistics are available (solid lines).

Figure B1 indicates that, for the period April 2010 onwards:

- Overall, the new timeliness statistics for indictable offence cases show a similar pattern to those given by the *TIS*.
- The average offence to completion time is about ten to 15 per cent higher according to the new statistics than indicated by the *TIS* data.
- The average durations for the component stages from charge / laying of information to the first hearing in a magistrates' court, and from the first hearing in the magistrates' court until the completion of the case (in the magistrates' courts) are very similar from both sources.

Figure B1. Comparison of timeliness of indictable cases, sourced from the new experimental statistics and the Time Intervals Survey, March 2008 to June 2011



Analysis also indicates that the timeliness statistics for summary offence cases are also similar in both the new statistics and the *TIS*. For Q1 (January to March) 2011:

- The average offence to completion time was nine per cent higher for summary motoring cases in the new statistics compared to the *TIS*.
- The average offence to completion time was three per cent higher for summary non-motoring cases in the *TIS* compared to the new statistics measure.

Statistics on the overall timeliness of proceedings in the criminal courts

The new experimental statistics on the overall timeliness of proceedings in the criminal courts presented in Table 5.1 and 5.2 are sourced from existing court administrative databases, by linking magistrates' courts data held on an extract of the Libra MIS with Crown Court records held on CREST.

The datasets are produced by firstly collecting all Crown Court cases disposed of in the specified quarter and looking for a match for the defendant with the same offence in the magistrates' court data. Records are linked based on a combination of variables including given name, middle name, family name, date of birth, sex, postcode, a committal date, and two identifiers: the Arrest/Summons Number (ASN) and Pre-Trials Issue Unique Reference Number (PTIURN). Where the case is fully disposed in the magistrates' courts during the specified time period, the timeliness data for such cases is collected from the Libra MIS extract and added to the dataset.

A range of quality assurance measures have been carried out on the data. These include ensuring the data are complete, case events follow a logical date sequence with recorded offence information, and all breach cases are excluded. Times are analysed for anomalies or error, including the removal of cases with recorded durations of over ten years to ensure the average times reported are not distorted by incorrect data. Data cleaning is also carried out prior to matching the magistrates' and Crown Court datasets to ensure that minor differences between the recording of similar entries on the two systems do not materially affect the ability to match records.

The CREST system and Libra MIS reports provide good quality data and a high rate of data linking, with typically around 95 per cents of Crown Court records on CREST being successfully linked to a defendant recorded at a magistrates' court case on the Libra MIS extract.

Annex C – HM Courts and Tribunals Service

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

This executive summary page provides high-level findings for the courts and tribunals which are administered by HMCTS during the quarter April to June 2011.

- There were **365,000 civil (non-family) claims issued in the county courts** during the quarter April to June of 2011, a seven per cent decrease than in the corresponding period of 2010. Civil claims issued have generally declined since the first quarter of 2008.
- In the family courts, there were **7,400 children involved in public law applications** made in the quarter April to June of 2011, a 22 per cent increase on the same period of the previous year, and **24,500 children involved in private law applications**, a 22 per cent decrease. The downward trend in the number of children involved in private law applications, which began at the end of 2009, continued into the second quarter of 2010, reaching the lowest level seen in the last three years.¹
- There were **422,700 criminal proceedings completed in magistrates' courts** during April to June of 2011, around five per cent less than in the same period of 2010. The long-term trend has been a decreasing volume of completed criminal proceedings. Some 44 per cent of trials in the magistrates' courts during the quarter were effective, continuing a flat trend over the last two years.
- A total of **35,700 cases were received in the Crown Court** in the quarter April to June of 2011, a seven per cent decrease on the number received in the corresponding quarter of 2010. Some 45 per cent of listed trials were effective, continuing a flat trend over the last two years. The 'average waiting time' – the average time between the date of sending or committal to the Crown Court and the start of the substantive Crown Court hearing – was 24.0 weeks for cases where a not guilty plea was entered, compared to 11.9 weeks for cases where a guilty plea was entered.
- There were around **10,000 trial listings** in the Crown Court in the second quarter of 2011, compared to 10,700 in the second quarter of 2010. Of these, 45 per cent were recorded as 'effective', with 40 per cent 'cracked' and 15 per cent 'ineffective'. The rates of effective, cracked and ineffective trials have remained consistent over the past two years.
- During April to June 2011, there were **179,300 cases received by all tribunals**, a six per cent decrease over the same quarter of the previous year. This included 90,000 cases to the Social Security and Child Support

¹ The data compilation methodology for the public and private law application figures is under review. Therefore, the figures for 2010 and 2011 may be subject to revision. Please refer to Annex A of *Court Statistics Quarterly* for further details.

Tribunal, 47,800 cases to the Employment Tribunals and 26,700 cases to the First-Tier Immigration and Asylum Tribunal.

- There were **180,200 cases disposed of by all tribunals** during the quarter April to June 2011, an increase of ten per cent on April to June 2010. The caseload outstanding at 30 June 2011 was 750,000. Sixty three per cent of the caseload outstanding was for multiple Employment Tribunals claims.

Glossary

This glossary provides a brief description of the main terms used in the **Commentary** section of this report. For further information, please contact the Justice Statistics Analytical Services division using the details provided in the **Contacts** section at the end of this bulletin.

County courts (non-family)

Administration order: Combines a debtor's debts under certain conditions (see note 6 to Table 1.7), enabling the debtor to make regular payments to the court which are then distributed to the various creditors.

Attachment of earnings order: Obliges the debtor's employer to deduct a set sum from the debtor's pay and forward it to the court.

Bankruptcy petitions: Petitions made by a debtor (who owes the debt) or one or more creditors where an individual is unable to pay his or her debt(s).

Charging order: Enables the creditor to obtain security for the payment against an asset(s), typically property, owned by the debtor.

Claims for recovery of land: These include claims for the repossession of property by a mortgage lender, social or private landlord e.g. where the mortgagee or tenant fails to keep up with mortgage or rental payments.

Company windings up petitions: Petitions made by a creditor, shareholder or director to wind up (or dissolve) a company which cannot pay its creditor(s), to whom debt is owed.

Orders for sale: A court order forcing the debtor to sell an asset(s), typically a property, following a charging order.

Other claims: These include, amongst others, claims for the return of goods, injunctions (to make somebody do something or to stop them doing it), and insolvency petitions (where a company or individual has debts that they are unable to pay).

Small claim/'fast track'/'multi track' cases: If a claim is defended, the next step is for further information to be provided by the parties following which a judge in the county court assigns the case to one of three case management tracks. The 'small claims track' is for less complex cases, which generally have claim values of up to £5,000. The 'fast track' is for more complicated cases, generally with a claim value of over £5,000 and up to £15,000 for proceedings issued before 6 April 2009, otherwise £25,000. The 'multi track' is for the most complex cases which are not allocated to the small claim or 'fast track'. Many defended cases are settled by the parties involved, or withdrawn, either before or after allocation to one of these tracks. Around half of cases allocated to the small claims track are resolved at small claims hearings while a lower proportion of cases allocated to the 'fast or multi track' are disposed of by trials.

Specified 'money' claims: Claims made by an individual, company or organisation for a specified amount of money.

Third party debt order: Enables the creditor to secure payment by freezing and then seizing money owed or payable by a third party to the debtor.

Unspecified 'money' claims: Claims made by an individual, company or organisation for an unspecified amount of money.

Warrant of committal: Enforces a judgment for which the penalty for failure to comply is imprisonment. It authorises the bailiff to arrest the person and deliver them to prison or court.

Warrant of delivery: Enforces a judgment for the return of particular goods or items.

Warrant of execution: To enforce a judgment made in a county court, where unless the amount due under the warrant is paid, saleable items owned by the debtor can be recovered by the court and sold.

Warrant of possession: To enforce a court order for the repossession of property.

Family matters

Ancillary Relief: This refers to a number of different types of order used to settle financial disputes during divorce proceedings. Examples include: periodical payments, pension sharing, property adjustment and lump sums, and they can be made in favour of either the former spouse or the couple's children.

Application: The act of asking the court to make an order.

Decree Absolute: This is the final order made in divorce proceedings that can be applied for six weeks and one day after a decree nisi has been given. Once this is received, the couple are no longer legally married and are free to remarry.

Decree Nisi: This is the first order made in divorce proceedings and is given when the court is satisfied that there are reasonable grounds for granting the divorce. It is used to apply for a decree absolute.

Disposal: Completion of a case, where an outcome is determined by an order being made or refused or where the application is withdrawn.

Dissolution: The legal termination of a marriage by a decree of divorce, nullity or presumption of death or of a civil partnership by the granting of a dissolution order.

Divorce: This is the legal ending of a marriage.

Judicial Separation: This is a type of order that does not dissolve a marriage but absolves the parties from the obligation to live together. This procedure might, for instance, be used if religious beliefs forbid or discourage divorce.

Non-molestation Order: This is a type of civil injunction used in domestic violence cases. It prevents the applicant and/or any relevant children from being molested by someone who has previously been violent towards them. Since July 2007, failing to obey the restrictions of these orders has been a criminal offence for which someone could be arrested.

Nullity: This is where a marriage is ended by being declared not valid. This can either be because the marriage was void (not allowed by law) or because the

marriage was voidable (the marriage was legal but there are circumstances that mean it can be treated as if it never took place).

Occupation Order: This is a type of civil injunction used in domestic violence cases. It restricts the right of a violent partner to enter or live in a shared home.

Order: The document bearing the seal of the court recording its decision in a case.

Petition: (for divorce): An application for a decree nisi or a judicial separation order.

Private Law: Refers to Children Act 1989 cases where two or more parties are trying to resolve a private dispute. This is commonly where parents have split up and there is a disagreement about contact with, or residence of, their children.

Public Law: Refers to Children Act 1989 cases where there are child welfare issues and a local authority, or an authorised person, is stepping in to protect the child and ensure they get the care they need.

Magistrates' courts

Adult breach proceedings: Proceedings against an adult defendant (aged 18 or over) who has breached an order which was previously imposed against him/her.

Adult indictable cases: The most serious offences, such as murder and rape, which must be heard at the Crown Court. The involvement of the magistrates' court is generally brief: a decision is made on whether to grant bail, and other legal issues, such as reporting restrictions, are considered. The case is then passed to the Crown Court.

Adult summary proceedings: The less serious offences, where the defendant is an adult (aged 18 or over). The defendant is not usually entitled to trial by jury, so these cases are disposed of in the magistrates' courts. Summary offences are subdivided into Summary Motoring and Summary Non-Motoring cases:

- Adult summary motoring proceedings: Offences such as driving whilst disqualified, speeding and failure to stop.
- Adult summary non-motoring proceedings: Offences such as TV license evasion, minor assaults and criminal damage where less than £5000 worth of damage is caused.

Adult triable-either-way cases: These are more serious than summary offences, and can be dealt with either by magistrates or before a judge and jury at the Crown Court. Such offences include dangerous driving and theft and handling stolen goods. A defendant can invoke his/her right to trial in the Crown Court, or the magistrates can decide that a case is sufficiently serious that it should be dealt with in the Crown Court where tougher sentences can be imposed if the defendant is found guilty.

'Cracked' trial: A trial where, on the day, an acceptable plea is offered by the defendant or the prosecution offers no evidence against the defendant.

Criminal proceeding: The administration of justice in cases involving an individual who has been accused of a crime, beginning with the initial investigation of the crime and concluding either with an acquittal or conviction.

'Effective' trial: A trial which begins on the scheduled date and reaches a conclusion.

'Ineffective' trial: A trial that does not go ahead on the scheduled trial date due to action or inaction by one or more of the prosecution, the defence or the court and a further listing for trial is required.

Youth proceedings: These are proceedings of any type where the defendant is a youth, aged between 10 and 17.

The Crown Court

The Crown Court is a unitary court which sits in approximately 77 different locations across England and Wales. It deals with serious criminal cases, which can be classified into the following four categories:

- (a) Sent for trial cases: Cases sent for trial by the magistrates' court because they can only be heard by the Crown Court.
- (b) Committed for trial cases: Cases which can be heard in either a magistrates' court or the Crown Court. A defendant can elect to be tried in the Crown Court or a magistrate can decide that a case is sufficiently serious that it should be dealt with in the Crown Court.
- (c) Committed for sentence cases: Cases transferred to the Crown Court for sentencing where defendants are found guilty in the magistrates' court. This happens if a magistrate is of the opinion that a greater punishment should be imposed than they are allowed to impose.
- (d) Appeals against the decisions of magistrates' courts.

Disposal: The completion of a case referred to the Crown Court.

Guilty plea: A guilty plea is recorded if a defendant either: (i) pleads guilty to all counts; (ii) pleads guilty to some counts and not guilty to others and no jury is sworn in respect of the not guilty counts; or (iii) pleads not guilty to some or all counts but offers a guilty plea to alternatives which are accepted (providing no jury is sworn in respect of other counts). A case is treated as a guilty plea only if pleas of guilty are recorded in respect of all defendants.

Hearing time: The total duration of all hearings heard in the Crown Court for each case including preliminary, main and sentence hearings.

Receipt: A case referred to the Crown Court.

Waiting time: The length of time between the date of sending or committal, and the start of the substantive Crown Court hearing.

Definitions of 'effective', 'cracked' and 'ineffective' trials are under the magistrates' courts section.

Timeliness of criminal proceedings

Charge or laying of information: This relates to when the defendant is first charged at a police station (for charged cases, where an individual is arrested and formally accused of a crime at a police station) or when the information is laid (for

summonsed cases, where an individual receives a written summons advising that an action has been begun against them, and that they are required either to appear in person, or to respond in writing, to the court regarding the alleged offence).

Completion in magistrates' courts: When a defendant's case is completed in the magistrates' courts, either when a final decision is reached or the case is passed to the Crown Court.

Completion: When a defendant's case is completed and a final decision is reached in either the magistrates' courts or the Crown Court.

Date of offence: This relates to the date the alleged offence was committed.

First listing: The first hearing of the case in a magistrates' court, whether or not the defendant is present.

Explanatory notes

1. 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.

2. The statistics in this bulletin relate to cases in the county, family, Crown and magistrates' courts in England and Wales during the second quarter (April to June) of 2011. This is the tenth set of quarterly court statistics to be published by the MoJ. The first bulletin in this series was entitled *Provisional Court Statistics*. Calendar year statistics are published by the MoJ in the statistics report *JCS*.
3. Breakdowns of many of the summary figures presented in this bulletin, such as split by case type or by HMCTS area, are available on request. Please contact the Justice Statistics Analytical Services division using the details in the **Contacts** section.
4. **Revisions:** The statistics for the second quarter of 2011 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. Final figures for this quarter, and for other quarters in the same calendar year, will be published in the bulletin presenting the statistics for the first of the following year.

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

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