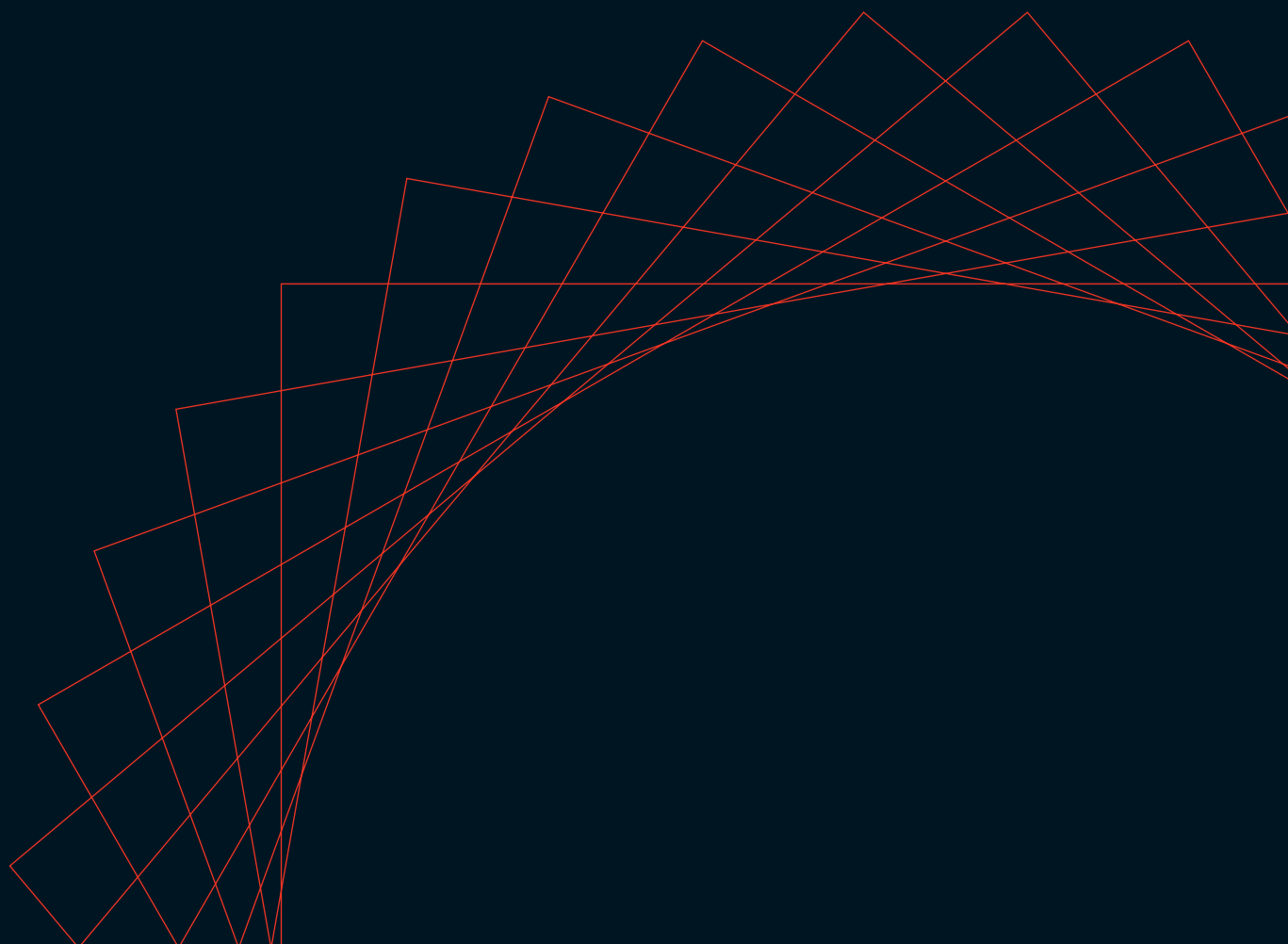




Ministry of
JUSTICE

Judicial and Court Statistics 2007





Judicial and Court Statistics 2007

Presented to Parliament

by the Secretary of State for Justice and Lord Chancellor

by Command of Her Majesty The Queen

September 2008

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Introductory Note

This Ministry of Justice report "Judicial and Court Statistics 2007", presents a comprehensive set of statistics on judicial and court activity in England and Wales during 2007. This report was formerly entitled "Judicial Statistics" (for the 2005 edition and earlier years) and was published by the Department for Constitutional Affairs and its predecessors.

Please direct any feedback or questions you may have about "Judicial and Court Statistics 2007" to the contact point given at the start of Annex A.

Statistics on the work of the Tribunals Service and the Tribunals judiciary are not included in this report. Detailed information can be found separately in Tribunals Service annual report, available at the following website: <http://www.tribunals.gov.uk/publications.htm>. If you have a specific query regarding statistics for the Tribunals Service, please contact: TSSstats@tribunals.gsi.gov.uk

Appellate Courts

Key findings for 2007

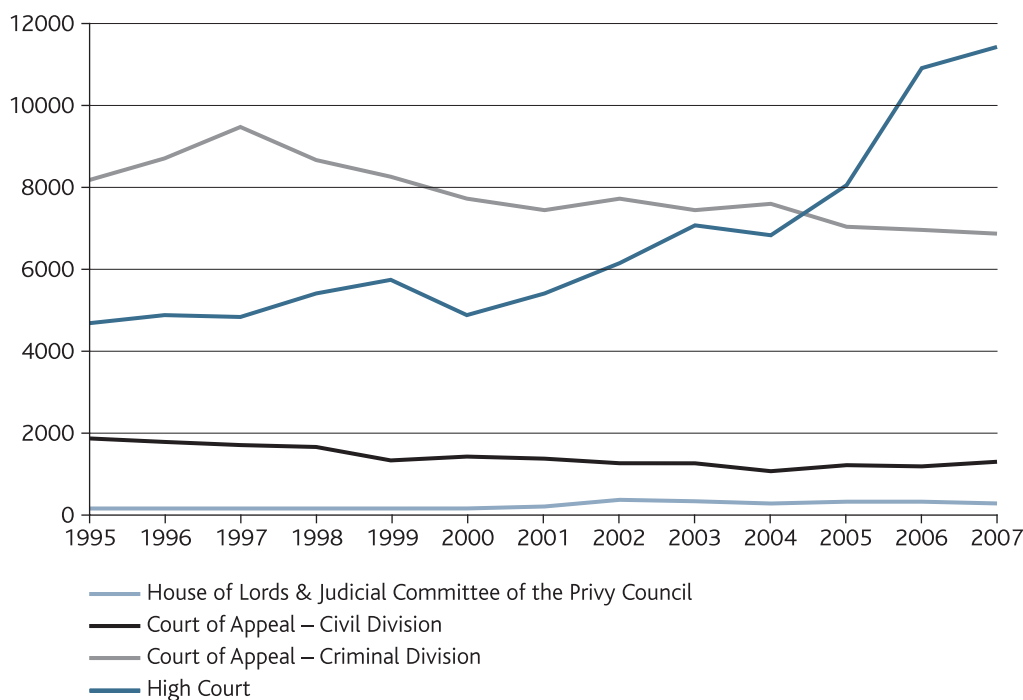
- A total of 97 appeals were entered, and 71 disposed of by the Judicial Committee of the Privy Council during the year. Trinidad & Tobago was the largest source of appeals in 2007, with 27 entered (Table 1.1).
- 72 appeals were presented to, and 82 disposed of by the House of Lords (Table 1.4).
- Of the appeals heard by the Court of Appeal Criminal Division, 37% against conviction and 73% against sentence were allowed (Table 1.7).
- In the Civil Division of the Court of Appeal 1,114 final appeals were disposed of, 42% of which were allowed (Table 1.8).
- In the High Court Queen's Bench Division, of the 336 substantive applications for judicial review disposed of in 2007, 48% (162) were allowed (Table 1.12).
- In the High Court Family Division, of the 55 appeals disposed of in 2007, 35% (19) were allowed (Table 1.15).

Chapter 1: Appellate Courts

The various appellate courts are:

- **The Judicial Committee of the Privy Council** – the final Court of Appeal for 23 Commonwealth territories and 4 independent Republics within the Commonwealth
- **The House of Lords** – the supreme Court of Appeal in the United Kingdom
- **The Court of Appeal** – divided into the *Criminal Division* hearing appeals from the Crown Court and Courts Martial, and the *Civil Division* hearing appeals mainly against decisions in the High Court and county courts
- **The High Court** – has three Divisions, Chancery Division (Chapter 2), Queen’s Bench Division (Chapter 3) and Family Division (Chapter 5), each of which handles different types of civil work. It exercises an appellate jurisdiction through its three Divisions in such matters as bankruptcy, judicial review, ‘case stated’ (ruling whether a court or tribunal was wrong in law or in excess of its jurisdiction) and appeals from magistrates’ courts in domestic matters including orders involving children.

Appellate Courts: Appeals entered, 1995-2007



The Judicial Committee of the Privy Council

The Judicial Committee of the Privy Council was given its name and established on its present statutory footing by the Judicial Committee Act 1833. However, the origins of its overseas jurisdiction go back to medieval times when the Sovereign sought his Privy Council's advice on disputes arising in the Channel Islands. Today, the Judicial Committee of the Privy Council has both a Commonwealth and a domestic jurisdiction.

In its Commonwealth jurisdiction, which is by far the largest part of its work, the Judicial Committee hears appeals from those independent Commonwealth countries which have retained the appeal to Her Majesty in Council or, in the case of Republics, to the Judicial Committee itself. It also hears appeals from the United Kingdom overseas territories. By agreement with the Sultan of Brunei, the Committee can hear appeals from the Brunei Court of Appeal, but in civil matters only, and gives its advice to the Sultan.

The Judicial Committee's domestic jurisdiction has four main elements:

- (a) appeals and references under the devolution statutes of 1998, which give the Judicial Committee jurisdiction to hear and determine "devolution issues", i.e. issues as to the functions and powers of the devolved legislative and executive authorities established in Scotland, Northern Ireland and Wales;
- (b) appeals from the Channel Islands and Isle of Man, which are analogous to Commonwealth appeals and are dealt with under the same rules;
- (c) appeals under the Veterinary Surgeons Act 1966 from decisions of the Disciplinary Committee of the Royal College of Veterinary Surgeons; until April 2003, appeals also lay from the professional conduct and other committees of the bodies governing the medical, dental and other health-care professions as well, but these now lie to the High Court;
- (d) appeals against pastoral schemes under the Pastoral Measure 1983.

Leave to appeal to the Judicial Committee of the Privy Council is usually required. For Commonwealth civil appeals, leave can in many cases be granted by the Court of Appeal of the country or territory concerned. For Commonwealth criminal appeals, leave to appeal cannot be given by the Court of Appeal except where a question of constitutional interpretation arises. Leave to appeal is not required for devolution appeals from the Inner House of the Scottish Court of Session or appeals under the Veterinary Surgeons Act 1966. Where leave to appeal is required and cannot be given or has been refused by the Court of Appeal, the would-be appellant may apply by way of petition to the Judicial Committee for special leave to appeal. All such petitions in Commonwealth cases are dealt with at an oral hearing unless the respondent consents – but in devolution and Pastoral Measure cases they are dealt with on the papers unless they are referred for an oral hearing.

Commonwealth appeals and devolution appeals and references are normally heard by a board of five members of the Judicial Committee; other appeals and petitions are normally dealt with by a Board of three, which is the quorum.

More information about the Judicial Committee and its work, including the full text of recent judgments and statistics for 1996-2007, can be found on the Privy Council Office website, at www.privycouncil.org.uk.

There may be an eventual decline in the Judicial Committee's volume of work. New Zealand, one of the largest single sources of appeals, legislated in 2003 to abolish appeals to the Privy Council. The Caribbean Court of Justice, which has now been established will take over the Judicial Committee's appellate jurisdiction in respect of some of the Commonwealth countries in the Caribbean. Finally, under the Government's proposals for a new Supreme Court for the United Kingdom, the devolution jurisdiction of the Judicial Committee will be transferred to the Supreme Court, although the Judicial Committee and its jurisdiction will otherwise be unaffected. However, the Judicial Committee still receives a substantial number of appeals from its constituent jurisdictions and sits nearly every day during term-time.

Summary caseload statistics on the work of the Judicial Committee of the Privy Council are shown in [Tables 1.1 and 1.2](#).

The House of Lords

The House of Lords is the final court of appeal in the United Kingdom. The judicial function of the House is exercised by twelve Lords of Appeal in Ordinary ("law lords"), together with other Lords of Appeal as required. The law lords are full time professional judges who alone carry out the House's judicial function, and their work must be distinguished from that of the House in its legislative capacity.

The House hears appeals on arguable points of law of general public importance which ought to be considered by the House at that time, bearing in mind that the causes will have already been the subject of judicial decision.

Practice directions and Standing Orders governing the procedures applicable to civil and criminal appeals in the House of Lords are set out in the Red and Blue Books, which are published by the House of Lords and provided free of charge by the Judicial Office. They can also be found on the website of the United Kingdom Parliament at www.parliament.uk.

The judicial business of the House is administered by the Judicial Office, which is part of the House of Lords administration. Judgments of the House can be found on the internet at www.parliament.uk. Further information about the role and work of the law lords can also be found on this site.

On 12 June 2003, the Government announced its intention to transfer the judicial function of the House of Lords to a new Supreme Court. Statutory provision for this change, which is due to come into effect in autumn 2009, was made by the Constitutional Reform Act 2005.

Civil appeals

An appeal lies to the House of Lords:

- (1) from any order or judgment of the Court of Appeal in England and Wales, with the permission of that court or, if refused, by leave of the House of Lords, subject to restrictions in respect of specific matters;
- (2) subject to statutory restrictions, direct from a decision of the High Court of Justice in England and Wales by leave of the House of Lords;
- (3) from any order or judgment of the Court of Appeal in Northern Ireland, with the permission of that court or, if refused, by leave of the House of Lords, subject to restrictions in respect of specific matters;
- (4) subject to statutory restrictions, direct from a decision of the High Court of Justice in Northern Ireland by leave of the House of Lords,
- (5) from the Inner House of the Court of Session in Scotland against a judgment on the whole merits of a cause. No leave required;
- (6) from the Inner House of the Court of Session against an interlocutory judgment where there is a difference of opinion among the judges. No leave required;
- (7) from the Inner House of the Court of Session where the interlocutory judgment is one sustaining a dilatory defence and dismissing the action. No leave required;
- (8) from the Inner House of the Court of Session against any other interlocutory judgments (excluding those listed in (6) and (7) above) with the leave of the Inner House of the Court of Session;
- (9) from an interlocutor of the Court of Session granting or refusing a new trial. No leave required;
- (10) from an interlocutor of a Lord Ordinary after review by the Inner House of the Court of Session;
- (11) from judgments of the Court of Session under section 27 of the Court of Session Act 1988 relating to special cases (subject to certain restrictions); and
- (12) from any order or judgment of any court in Scotland from which error or appeal lay on or immediately before 1 November 1876 by common law or by statute.

Criminal appeals

An appeal lies, with leave, to the House of Lords at the instance of the defendant or the prosecutor:

- (1) from any decision of the Court of Appeal Criminal Division in England and Wales or the Court of Appeal in Northern Ireland on an appeal to that court;
- (2) from any decision of the Courts-Martial Appeal Court on an appeal to that court; and
- (3) from any decision of the High Court of Justice in England and Wales or of the High Court of Justice in Northern Ireland in a criminal cause or matter.

Leave may be granted by the court below or, if refused, by the House of Lords. Leave to appeal in a criminal cause or matter may only be granted if it is certified by the court below that a point of law of general public importance is involved in the decision of that court – and if it appears to that court or to the House that the point is one that ought to be considered by the House. A certificate is not required for an appeal from a decision of the High Court in England and Wales or in Northern Ireland on a criminal application for habeas corpus, an appeal under s 5(4) of the Human Rights Act 1998, or in contempt of court cases where the decision of the court below was not a decision on appeal.

No appeal lies to the House of Lords from the High Court of Justiciary in Scotland.

Petitions for leave to appeal

Petitions for leave to appeal (i.e. applications for permission to appeal) are referred to an Appeal Committee of three Lords of Appeal in Ordinary. Leave to appeal is usually determined on the basis of written submissions by the parties, but the Committee may decide to hold a hearing so that counsel can make oral submissions, also before the Appeal Committee makes a final decision on the application for leave.

During 2007, 200 petitions for leave to appeal were presented, and 199 were disposed of, of which 53 were allowed outright. See [Table 1.3](#) for more information.

Petitions of appeal

Appeals are heard by Appellate Committees, usually consisting of five Lords of Appeal sitting in a committee room of the House. Appeals can be heard in the House itself but this happens very rarely. Hearings typically last two days. After the hearing, each member of the Committee writes his or her opinion, and the Committee reports these to the House at a sitting for judicial business, with counsel attending at the bar.

During 2007, 72 appeals were presented, of which 44 were from the Civil Division of the Court of Appeal of England and Wales. A total of 82 appeals were disposed of, of which 75 received judgment. See [Tables 1.4 and 1.5](#) for more information.

Court of Justice of the European Communities

During 2007, one case was referred to the Court of Justice of the European Communities for a ruling and no determinations were received. By the end of the year, there were five references pending.

Days sat

The total number of days sat for judicial business was 122 in 2007 (compared to 107 in 2006). 122 days were sat to hear appeals, and 3 days were sat to hear petitions for leave. (Note: More than one judicial Committee may sit at the same time. This means that on a single sitting day the House may hear more than one petition for leave to appeal, may hear two appeals concurrently, or may hear an appeal as well as petitions for leave to appeal.)

No peerage claim was heard this year, and the Committee for Privileges Sub-Committee on Lords' Interests (which is chaired by a retired law lord) did not have to hear any allegation of non-compliance with the Code of Conduct for Members of the House of Lords.

The Court of Appeal

The Court of Appeal is divided into two Divisions, criminal and civil. Its courtrooms and offices are situated in the Royal Courts of Justice in London. The judges of the Court of Appeal are the Lord Chief Justice, the Master of the Rolls and 37 Lords Justices. The President of the Family Division and the Vice-Chancellor of the Chancery Division also sit there for part of their time.

The Criminal Division, presided over by the Lord Chief Justice and the Vice-President of the Criminal Division, hears appeals in criminal matters from the Crown Court. Courts are constituted from the Lord Chief Justice, Vice-President and Lords Justices, assisted by High Court judges as required.

The Civil Division, presided over by the Master of the Rolls, hears appeals mainly against decisions of the High Court and county courts and also of tribunals and certain other courts, such as the Patents Court. In the Civil Division, courts of two or three judges are normally constituted from the Master of the Rolls and the Lords Justices.

Criminal Division

During 2007, a total of 6,900 applications for leave to appeal were received, of which 1,508 were against conviction in the Crown Court and 5,087 against the sentence imposed. There were 305 other receipts. Of the applications for leave to appeal which were considered by a single judge, 25% (288) of those seeking to appeal against conviction were granted as were 33% (1,363) against sentence (26% and 34% respectively in 2006). 520 conviction applications and 845 sentence applications were renewed to the full Court. See [Table 1.6](#) for more information.

Of the appeals heard by the full Court during 2007, 37% (196) appeals against conviction were allowed and 72% (1,632) appeals against sentence were allowed. See [Table 1.7](#) for more information.

Civil Division

In the area of substantive (final and interlocutory) appeals the Court has seen a continuing increase in appeals from Tribunals, issuing 450 in 2007 compared to 404 in 2006. Appeals from the Queens Bench Division increased slightly from 288 in 2006 to 300 in 2007, while appeals from the Chancery Division decreased from 111 to 100. See [Tables 1.8 and 1.9](#) for more information.

Applications for permission to appeal rose to 2,574 from the 2,397 set down in 2006. See [Table 1.10](#) for more information.

The High Court

The three Divisions of the High Court exercise appellate jurisdiction in the following manner:

- (a) the Divisional Court of the Chancery Division hears appeals in revenue matters from the Commissioners of Taxes. All bankruptcy appeals from the county courts and from the High Court Registrars under the Insolvency Act 1986 are heard by a single judge of the Chancery Division.
- (b) the Divisional Court of the Queen's Bench Division and the Administrative Court nominated judges, exercise jurisdiction in respect of:
 - (i) Judicial Review
 - (ii) appeals by way of 'case stated'
 - (iii) habeas corpus
 - (iv) committal for contempt committed in an inferior court or elsewhere (but not in connection with proceedings in the High Court)
 - (v) appeals and applications under various statutory provisions including those on planning matters under the Town and Country Planning Acts
 - (vi) appeals and applications in disciplinary matters concerning healthcare professionals and others.

- (c) the Divisional Court of the Family Division hears appeals from magistrates' courts in a wide variety of domestic matters including orders involving children. The appeals are entered at the Principal Registry in London.

In the Administrative Court, supervisory jurisdiction, by way of judicial review, is exercised over the Crown Court (for matters not relating to trial on indictment), inferior courts and tribunals, and the actions and decisions of public bodies, Government ministers or other persons charged with the performance of public acts and duties. The remedy of judicial review is concerned with the legality and propriety of the decision-making process, as distinct from the merits of the decision in question. It is only appropriate when all other avenues of appeal have been exhausted. The Court exercises control when deemed appropriate by making what are known as 'prerogative orders'. These may for example command a person or body to perform a duty, prohibit an inferior court or tribunal from exceeding its jurisdiction, or quash the decision under challenge.

Appeals by way of case stated arise when a person is dissatisfied on a point of law with a decision of the Crown Court (for matters not relating to trial on indictment), a magistrates' court or other tribunal. The court or tribunal concerned is required to 'state a case' by preparing a statement for the opinion of the High Court, giving the facts and the reason for the decision and setting out the question for the High Court.

An application for a writ of habeas corpus is usually made to the Divisional Court, but if no court is sitting a single judge may hear the matter. This procedure provides for a person detained in custody (e.g. in prison, police cell or elsewhere) to challenge the legality of his detention. If the imprisonment is found to be unlawful the court will order release, but otherwise the person concerned is returned to custody.

In 2005 a new jurisdiction was added by s103A of the Nationality Immigration and Asylum Act 2002 – power to order the Asylum and Immigration Tribunal to reconsider an appeal against a decision refusing asylum or other decision of the UK Borders Agency (known as the Border and Immigration Agency prior to April 2008).

Chancery Division

There was a large drop in the overall number of bankruptcy appeals in 2007 compared to 2006 because, with effect from October 2006 all bankruptcy cases now require permission to appeal. The number of bankruptcy appeals from county courts (16) accounted for 67% of disposals in 2007, compared to 53% in 2006. See [Table 1.11](#) for more information – this table now includes figures for appeals heard from other inferior tribunals.

Administrative Court

A total of 6,690 applications for permission to apply for judicial review were received in the Administrative Court in 2007. 21% (847) of the total applications for permission to apply for judicial review considered in 2007 were granted. Of the 336 substantive applications for judicial review disposed of in 2007, 48% (162) were allowed, 49% (164) were dismissed and 3% (10) were withdrawn (see [Table 1.12](#)).

A total of 107 appeals by way of case stated were received in 2007, a decrease of 21% on the number received in 2006 (137). The vast majority of these, 81% (87) were appeals from magistrates' courts. Of the total number of 87 cases disposed of in 2007, 52% (45) were allowed and 46% (40) were dismissed (see [Table 1.13](#)).

A total of 4,496 appeals and applications other than by way of judicial review and case stated were received in the Administrative Court during 2007, an increase of 9.5% on the total number received in 2006. 83% (3,730) of these were Reconsideration appeals under section 103a of the Nationality, Immigration and Asylum Act 2002 (see [Table 1.14](#)).

Family Division

In the Family Division, 10 appeals against orders made on domestic matters were disposed of in 2007. Of these, three were allowed, four were dismissed and three were withdrawn or struck out – see [Table 1.15](#). There were 61 appeals made under section 94 of the Children Act 1989, and 45 were disposed of. Of those disposed, 16 were allowed, 23 were dismissed and 6 were withdrawn or struck out.

Cases 'pending' for more than one year can be dismissed at the discretion of the President of the Family Division.

Table 1.1
Judicial Committee of the Privy Council
 Appeals entered and disposed of, showing results, 2007

Courts from which appeals were brought	Number of appeals entered	Appeals disposed of, by result				Total	Appeals pending at end of year
		Dismissed after hearing	Varied after hearing	Allowed after hearing	Disposed without a hearing ¹		
<u>Overseas:</u>							
Anquilla	-	-	-	-	-	-	2
Antigua and Barbuda	2	1	-	1	-	2	5
The Bahamas	9	5	-	3	-	8	7
Barbados	-	2	-	-	-	2	-
Belize	-	1	-	-	-	1	2
Bermuda	5	1	-	1	-	2	1
British Virgin Islands	7	-	-	1	-	1	3
Brunei	-	1	-	-	-	1	-
Cayman Islands	2	1	-	4	-	5	2
Dominica	-	-	-	-	-	-	1
Gibraltar	1	-	-	1	-	1	1
Guernsey	1	-	-	1	-	1	-
Grenada	1	-	-	-	-	-	-
Isle of Man	3	-	-	1	-	1	-
Jamaica	8	9	-	5	-	14	4
Jersey	2	-	-	1	-	1	-
Mauritius	13	7	-	3	-	10	10
New Zealand	-	-	-	1	-	1	-
St Christopher & Nevis	2	-	-	-	-	-	2
St Lucia	7	3	-	1	-	4	5
St Vincent and the Grenadines	2	-	-	2	-	2	2
Trinidad and Tobago	27	6	-	5	-	11	19
Turks & Caicos	1	-	-	-	-	-	2
<u>United Kingdom:</u>							
Appeals under the Scotland Act 1998	2	1	-	1	-	2	-
Appeals under the Veterinary Surgeons Act 1966	2	-	-	1	-	1	1
Total	97	38	-	33	-	71	69

Source:

Judicial Committee of the Privy Council

Notes:

1 Dismissed for non-prosecution or withdrawn

Table 1.2
Judicial committee of the Privy Council
 Petitions for special leave to appeal heard, granted and refused, 2007

Country or jurisdiction of origin	Number of petitions		Total number heard
	Granted	Refused	
The Bahamas	2	1	3
Belize	1	-	1
Bermuda	1	2	3
British Virgin Islands	2	2	4
Cayman Islands	1	1	2
Grenada	-	1	1
Isle of Man	-	1	1
Jamaica	-	1	1
Jersey	-	2	2
Mauritius	2	3	5
St Lucia	1	2	3
St Vincent and the Grenadines	1	-	1
Trinidad and Tobago	3	3	6
Total	14	19	33

Source:
 Judicial Committee of the Privy Council

Table 1.3
House of Lords
 Petitions for leave to appeal presented and disposed of, showing results, 2007

Courts from which appeals were brought	Number of petitions presented	Appeals disposed of, by result					Total disposals of
		Withdrawn	Allowed	Allowed on terms	Refused	Dismissed	
England and Wales							
<u>Court of Appeal</u>							
Civil	155	2	38	-	91	26	157
Criminal	15	-	3	-	10	-	13
<u>High Court</u>							
Civil	4	-	3	-	1	-	4
Criminal	13	-	4	-	8	-	12
Scotland							
Court of Session	-	-	-	-	-	-	-
Northern Ireland							
<u>Court of Appeal</u>							
Civil	13	-	5	-	8	-	13
Criminal	-	-	-	-	-	-	-
<u>High Court</u>							
Civil	-	-	-	-	-	-	-
Criminal	-	-	-	-	-	-	-
Other							
Courts Martial Appeal Court	-	-	-	-	-	-	-
Attorney General's reference	-	-	-	-	-	-	-
Total	200	2	53	-	118	26	199

Source:
House of Lords

Table 1.4
House of Lords
 Appeals presented and disposed of, showing results, 2007

Courts from which appeals were brought	Number of petitions				
	Appeals presented	Appeals disposed of, by result			Total disposals
		Disposed without a judgment	Allowed	Dismissed	
England and Wales					
<u>Court of Appeal</u>					
Civil	44	6	15	30	51
Criminal	4	1	2	4	7
<u>High Court</u>					
Civil	3	-	3	1	4
Criminal	6	-	-	1	1
Scotland					
Court of Session	10	-	4	10	14
Northern Ireland					
<u>Court of Appeal</u>					
Civil	5	-	2	2	4
Criminal	-	-	-	-	-
<u>High Court</u>					
Civil	-	-	-	1	1
Criminal	-	-	-	-	-
Other					
Courts Martial Appeal Court	-	-	-	-	-
Attorney General's reference	-	-	-	-	-
Total	72	7	26	49	82

Source:
House of Lords

Table 1.5**House of Lords**

Civil appeals (England and Wales) presented from the Court of Appeal, disposed of by judgment, by subject matter in 2003-2007

Subject matter	Number of appeals determined				
	2003	2004	2005	2006	2007
Administrative	15	6	10	3	1
Arbitration	-	-	-	-	1
Asylum/Immigration	-	-	-	-	4
Commercial	4	2	2	1	3
Company	-	2	1	-	1
Contract	1	-	2	-	3
Crime	-	-	3	-	2
Discrimination	2	-	3	1	3
Employment	6	4	-	7	-
European Law	-	-	-	1	1
Family	2	1	4	6	-
Finance & Credit	-	-	-	-	1
Human Rights	8	13	19	14	9
Intellectual Property	4	4	1	-	1
International	1	-	3	5	-
Land	1	1	2	3	1
Landlord and Tenant					1
Planning	1	2	-	1	1
Practice & Procedure	1	1	2	3	2
Revenue	8	4	10	5	2
Sale of Goods	-	-	-	-	-
Tort	8	5	4	9	8
Trusts		-	2	-	-
Total	62	45	68	59	45

Source:
House of Lords

Table 1.6
Court of Appeal (Criminal Division)
 Applications for leave to appeal, by type and result 1995-2007

	Number of applications												
	1995	1996	1997 ¹	1998	1999	2000	2001	2002	2003	2004	2005 ²	2006	2007
Applications received													
Conviction	2,393	2,288	2,318	2,099	2,104	2,068	1,943	1,914	1,787	1,782	1,661	1,596	1,508
Sentence	5,794	6,436	7,160	6,550	6,170	5,672	5,497	5,804	5,664	5,809	5,178	5,082	5,087
Other Receipts ²	-	-	-	-	-	-	-	-	-	-	184	259	305
Total	8,187	8,724	9,478	8,649	8,274	7,740	7,440	7,718	7,451	7,591	7,023	6,937	6,900
Applications considered by single judge													
<u>Conviction</u>													
Granted	472	419	589	542	480	508	438	405	472	348	360	291	288
Refused	1,444	1,429	1,530	1,407	1,402	1,351	1,145	1,334	1,213	1,187	1,111	843	881
<u>Sentence</u>													
Granted	1,263	1,544	1,801	1,909	1,743	1,597	1,551	1,695	1,736	1,740	1,541	1,261	1,363
Refused	3,846	4,629	4,810	4,613	4,095	3,892	3,475	3,876	3,582	3,634	3,092	2,503	2,763
Total	7,025	8,021	8,730	8,471	7,720	7,348	6,609	7,310	7,003	6,909	6,104	4,898	5,295
Applications renewed													
Conviction	579	474	665	668	637	551	422	457	561	545	557	481	520
Sentence	635	823	1,105	1,147	1,072	932	759	825	878	890	824	831	845
Total	1,214	1,297	1,770	1,815	1,709	1,483	1,181	1,282	1,439	1,435	1,381	1,312	1,365
Applications to renew granted by Full Court													
Conviction	123	155	131	172	123	144	150	140	138	144	141	137	125
Sentence	151	146	391	377	306	291	240	252	338	283	326	425	519
Total	274	301	522	549	429	435	390	392	476	427	467	562	644

Source

Court of Appeal (Criminal Division)

Notes

- Figures relate to appellants for 1995 and 1996, and to applications from 1997 onwards.
- Other Receipts, reported from 2005 onwards, include the following applications:
 - Applications under s159 Criminal Justice Act 1988
 - Interlocutory Appeals under s6 Criminal Justice Act 1987
 - Appeals against Minimum Terms for mandatory life sentences set by the High Court under schedule 22 Criminal Justice Act 2003
 - References from the Attorney General under s 36 Criminal Justice Act 1988
 - Prosecution Rights of Appeal
 - Confiscation and Restraint Order appeals under Proceeds of Crime Act 2002
 - Appeals against Wasted Costs Orders under section 3(c) of the Costs in Criminal Cases (General) (Amendment) Regulations 1991"

Table 1.7
Court of Appeal (Criminal Division)
 Results of appeals heard by Full Court, 1995-2007¹

	Number of appeals												
	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Conviction:													
Allowed	253	250	236	290	171	150	135	166	178	240	228	181	196
Dismissed	521	469	367	403	380	333	313	319	364	384	386	391	327
Sentence:													
Allowed	1,222	1,379	1,468	1,589	1,564	1,284	1,101	1,302	1,685	1,348	1,534	1,391	1,632
Dismissed	538	603	602	609	614	522	561	500	679	589	619	575	619
Number of retrials ordered²	52	53	33	73	70	72	58	50	45	66	77	58	83

Source:

Court of Appeal (Criminal Division)

Notes:

- 1 Figures relate to appellants for 1995 and 1996, and to applications from 1997 onwards
- 2 The number of conviction appeals allowed includes the number of re-trials ordered

Table 1.8
Court of Appeal (Civil Division)
 Final appeals filed and disposed of, showing court appealed from and results, 2007

Court or tribunal appealed from	Total appeals filed	Appeals disposed of, by result					Total disposals
		Allowed	Dismissed	Dismissed by consent	Struck out ¹	Otherwise disposed of	
Chancery	100	19	44	19	-	7	89
Revenue	11	6	10	1	-	-	17
Bankruptcy	16	4	4	1	1	3	13
Family Division	11	1	7	-	-	1	9
Queen's Bench	85	32	32	18	-	6	88
Queen's Bench Administrative Court	108	37	59	12	-	14	122
Queen's Bench Commercial	74	17	33	8	-	4	62
Queen's Bench Admiralty	3	-	-	-	-	-	-
County Court	235	65	97	58	5	22	247
County Court Family	30	13	11	-	1	2	27
County Court Admiralty	-	-	-	-	-	-	-
Lands Tribunal	9	3	9	1	-	-	13
Employment Appeal Tribunal	46	9	20	5	-	1	35
Asylum & Immigration Tribunal	378	250	79	29	-	-	358
Immigration Appeal Tribunal	2	2	-	1	-	-	3
Patents Court	23	4	9	6	-	2	21
Social Security Commissioner	7	3	5	-	-	-	8
Other Tribunals	7	2	-	-	-	-	2
Total	1,145	467	419	159	7	62	1,114

Source:

Court of Appeal (Civil Division)

Notes:

1 For failure to provide documents

Table 1.9**Court of Appeal (Civil Division)**

Interlocutory appeals filed and disposed of, showing court appealed from and results, 2007

Number of appeals

Court or tribunal appealed from	Total appeals filed	Appeals disposed of, by result					Total disposals
		Allowed	Dismissed	Dismissed by consent	Struck out ¹	Otherwise disposed of	
Chancery	-	-	1	-	-	-	1
Revenue	-	-	-	-	-	-	-
Bankruptcy	1	-	-	-	-	-	-
Family Division	20	14	9	-	-	5	28
Queen's Bench	25	11	6	6	1	1	25
Queen's Bench Administrative Court	4	1	1	-	-	-	2
Queen's Bench Commercial	1	6	4	1	-	-	11
Queen's Bench Admiralty	-	-	-	-	-	-	-
County Court	1	-	-	1	-	-	1
County Court Family	50	31	20	2	-	-	53
County Court Admiralty	-	-	-	-	-	-	-
Lands Tribunal	-	-	-	-	-	-	-
Employment Appeal Tribunal	-	1	1	-	-	-	2
Asylum & Immigration Tribunal	1	1	-	-	-	-	1
Immigration Appeal Tribunal	-	-	-	-	-	-	-
Patents Court	-	-	-	-	-	-	-
Social Security Commissioner	-	-	-	-	-	-	-
Other Tribunals	-	-	-	-	-	-	-
Total	103	65	42	10	1	6	124

Source:

Court of Appeal (Civil Division)

Notes:

1 For failure to provide documents

Table 1.10
Court of Appeal (Civil Division)
 Applications set down and disposed of, 1995-2007

	Number of applications												
	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Full Court¹													
Filed	1,756	655	622	715	584	437	288	314	230	225	291	230	201
Disposed	1,779	593	661	715	611	566	313	329	247	251	264	245	215
Single Judge													
Set down	687	80	71	165	1,326	304	320	274	275	260	286	251	152
Disposed	486	67	69	144	1,150	262	335	267	259	261	274	247	150
Permission to Appeal													
Set down	-	1,930	1,844	1,897	2,382	2,411	2,415	2,434	2,448	2,430	2,579	2,397	2,574
Disposed	-	1,790	2,031	1,934	2,134	2,604	2,388	2,391	2,514	2,402	2,495	2,530	2,416
Registrar/Master													
Set down	215	240	201	68	43	68	72	70	72	97	122	87	79
Disposed	239	210	212	128	52	62	80	74	71	92	121	87	83
Total													
Filed / Set down	2,658	2,905	2,738	2,845	3,183	3,210	3,095	3,092	3,025	3,159	3,278	2,965	3,006
Disposed	2,504	2,660	2,973	2,921	2,967	3,494	3,116	3,061	3,091	3,116	3,154	3,109	2,864

Source:

Court of Appeal (Civil Division)

Notes:

1 Includes new 'leave to appeal' cases

Table 1.11**High Court – Chancery Division**

Appeals and special cases from inferior courts and tribunals set down and determined, showing subject matter and results, 2007

Subject matter	Number of appeals				
	Total set down for hearing	Appeals disposed of, by result			Total disposals
		Allowed after hearing	Dismissed after hearing	Withdrawn or struck out	
Bankruptcy					
County courts	20	6	8	2	16
High Court Registrars	9	2	4	2	8
Total	29	8	12	4	24
Tribunals					
County courts & Chancery Masters	14	2	2	2	6
Total	172	33	46	25	104

Source:

High Court – Chancery Division

Table 1.12**High Court – Administrative Court**

Summary statistics on Judicial Review applications 2007

Nature of Review	Number of applications								
	Applications for permission to apply for Judicial Review			Applications for Judicial Review disposed of, by result				Withdrawn	Total
	Received	Granted	Refused	Determined by a Single Judge		Determined by the Divisional Court			
				Allowed	Dismissed	Allowed	Dismissed		
Immigration / Asylum	4,344	310	2,306	20	38	-	-	4	62
Criminal	287	80	165	-	-	28	30	1	59
Others	2,059	457	798	110	89	4	7	5	215
Total	6,690	847	3,269	130	127	32	37	10	336

Source:

High Court – Administrative Court

Table 1.13
High Court – Administrative Court
 Summary statistics on appeals by way of case stated 2007

	Number of appeals						
	Total Received	Appeals disposed of, by result				Withdrawn	Total
		Determined by a Single Judge		Determined by the Divisional Court			
	Allowed	Dismissed	Allowed	Dismissed			
<u>Court or Tribunal appealed from</u>							
Crown Court	18	-	2	10	6	-	18
Magistrates Court	87	6	-	29	31	2	68
Other	2	-	-	-	1	-	1
Total	107	6	2	39	38	2	87

Source:
 High Court – Administrative Court

Table 1.14
High Court – Administrative Court
 Summary statistics on applications and appeals other than for Judicial Review or by way of case stated, 2007

	Number of appeals / applications						
	Total Received	Appeals / applications disposed of, by result				Withdrawn	Total
		Determined by a Single Judge		Determined by the Divisional Court			
	Allowed	Dismissed	Allowed	Dismissed			
<u>Nature of appeal / application</u>							
<u>Statutory</u>							
Planning and related	203	15	46	-	-	-	61
Others	532	129	46	11	51	4	241
Habeas Corpus	27	-	-	1	-	-	1
Committal for contempt	-	-	-	-	-	-	-
Statutory Review under s101 NIAA 2002*	4	1	5	-	-	-	6
Reconsideration under s103a NIAA 2002*	3,730	320	3,250	-	-	-	3,570
Total	4,496	465	3,347	12	51	4	3,879

Source:
 High Court – Administrative Court

Notes:

* NIAA 2002 refers to the Nationality, Immigration and Asylum Act of that year

Table 1.15
High Court – Family Division
 Appeals set down and disposed of showing subject matter and results, 2007

Number of appeals

Appeals to Divisional Court from orders made by magistrates' courts	Total set down for hearing	Appeals disposed of, by result			Total disposals
		Allowed after hearing	Dismissed after hearing	Withdrawn or struck out	
Domestic matters					
Maintenance Order (reciprocal Enforcement) Act 1972 Part 1	1	-	1	-	1
Matrimonial Proceedings and Magistrates' Court	1	-	1		1
Maintenance Orders Act 1958 and Matrimonial Cause Act 1973	4	1	1	2	4
Domestic Proceedings & Magistrates' Court Act 1978	4	1	1	1	3
Case stated	1	1	-	-	1
Appeals under Section 94 of the Children Act 1989	61	16	23	6	45
Total	72	19	27	9	55

Source:
 High Court – Family Division

Table 1.16
Appellate courts
 Summary statistics on overall caseload since 2000

Court	Number of cases							
	2000	2001	2002	2003	2004	2005	2006	2007
Judicial Committee of the Privy Council	90	102	103	73	71	71	105	97
House of Lords								
from Courts in England & Wales	63	80	97	81	102	73	61	57
from elsewhere	16	4	10	8	9	14	12	15
Court of Appeal								
Civil Division	1,420	1,358	1,251	1,276	1,077	1,239	1,184	1,248
Criminal Division ¹	7,740	7,440	7,718	7,451	7,591	7,023	6,937	6,900
High Court								
Chancery Division	147	107	145	120	152	137	148	29
Administrative Court ²	4,734	5,293	5,947	6,899	6,619	7,872	10,700	11,293
Family Division ³	12	13	62	60	50	33	59	72
Total	14,222	14,397	15,333	15,968	15,671	16,462	19,206	19,711

Sources:

Individual appellate courts as shown

Notes:

- 1 Court of Appeal (Criminal Division) figures include applications for leave to appeal
- 2 Administrative Court figures include applications for permission to apply for Judicial Review, appeals by way of case stated and statutory appeals; and in addition:
 - from 2003, statutory Reviews under s101 of the Nationality, Immigration and Asylum Act (NIAA) 2002
 - from 2006, Reconsideration under s103a of the NIAA 2002
- 3 Family Division figures include appeals under s94 of the Children Act 1989 from 2002 onwards

High Court – Chancery Division

Key findings for 2007

- the total number of proceedings started increased by 2% to 45,541 from 44,663 in 2006 (Table 2.1).
- applications filed at the Bankruptcy court increased by 3% to 20,740 from 20,109 in 2006 (Table 2.5).
- the number of originating proceedings started in the Companies Court in London decreased by 6% to 9,099 from 9,696 in 2006 (Table 2.6).

Chapter 2: High Court – Chancery Division

In England and Wales civil justice is administered mainly by the High Court and county courts (Chapter 4), the former handling the more substantial and complex cases.

Although there is some overlap with the Queen's Bench Division, certain matters are specifically assigned to the Chancery Division. The core business of the Chancery Division is the resolution of disputes involving property in all its forms, ranging from commercial, business, intellectual property and competition disputes, through taxation of all sorts to its traditional work relating to companies, partnerships, mortgages, insolvency, land and trusts.

The Chancery Division of the High Court comprises the Chancellor of the High Court (the Head of Division since October 2005) and 18 High Court judges. Most Chancery business is dealt with in the Royal Courts of Justice in London and in eight provincial High Court centres which have Chancery jurisdiction.

Please note that some of the tables in this chapter have been revised in response to user comments. These changes are as follows:

- Tables 2.1 and 2.5: 'other originating applications' have been included for the Bankruptcy court.
- Table 2.1: London (RCJ) Companies court figures are for winding-up and other originating petitions only.
- Table 2.6: A further breakdown of 'other petitions, applications and summonses' has been given to show other originating applications filed in the Companies Court.

Chancery

Most actions begin with the issue of a claim or originating proceedings by the claimant against the defendant and some are disposed of without a trial. Before an action comes to trial there may be a number of interlocutory hearings which are heard by judges and masters (in London) and district judges (outside London). Both masters and district judges are appointed by the Lord Chancellor and are solicitors or barristers of at least seven years standing. Trials come before High Court judges or deputy High Court judges (i.e. approved practitioners, retired High Court judges or circuit judges).

In 2007 there was an increase of 2% in the total number of proceedings started, from 44,663 in 2006 to 45,541 in 2007. See [Table 2.1](#) for more information.

Information on the work by masters in London is given in [Table 2.2](#), whilst [Tables 2.3](#) and [2.4](#) give breakdowns on the proceedings issued, and the cases disposed of, in London during 2007.

Bankruptcy

Bankruptcy is a term applied to insolvency (inability to pay debts) of individuals. Proceedings are started with a petition for bankruptcy. Although a debtor may issue his own petition it is more usual for a creditor to do so. Bankruptcy work is carried out in the High Court at the Royal Courts of Justice and in those county courts with bankruptcy jurisdiction (see chapter 4 for more information).

The number of bankruptcy petitions issued in the High Court in London during 2007 decreased by 8% to 12,479 from 13,559 in the previous year, although there were 700 additional petitions awaiting issue not accounted for in the 2007 figure. The number of other originating applications increased by 26% from 6,550 to 8,261 in 2007

See [Table 2.5](#) for more information.

Companies Court

The Companies Court in London deals predominantly with the compulsory liquidation of companies and other matters under the Insolvency Act 1986 and Companies Acts. Unlike an individual, a company cannot be made bankrupt but may, because of insolvency or if there is some other reason it should cease to exist, be wound up instead. In addition to winding up proceedings, the Court exercises other powers in relation to registered companies. For example, a company can only reduce its capital with the approval of the Court.

The Court also deals with an increasing number of claims to prevent individuals from being a director, liquidator, administrator, receiver or manager of a company or to take part in the running of a company under the Company Directors Disqualification Act 1986. Most proceedings in the Companies Court are dealt with by registrars but certain applications are heard by judges. The Birmingham, Bristol, Cardiff, Leeds, Liverpool, Manchester, Newcastle-upon-Tyne and Preston District Registries have concurrent jurisdiction with the Companies Court in London.

The number of originating proceedings started in the Companies Court in London decreased 6% from 9,696 in 2006 to 9,099 in 2007. Of the latter 58% (5,313) were company winding up petitions compared to 53% in 2006. The total number of orders made dropped by 12% to 14,560 from 16,478 the previous year.

See [Table 2.6](#) for more information.

Patents Court

The Patents Court deals only with matters concerning patents, registered designs and appeals against the decision of the Comptroller General of Patents. Cases suitable to be heard by a county court are dealt with at the Central London County Court.

The Patents Court diary and judgment, together with a list of all trials and applications set down for hearing, can be found at: www.hmcourts-service.gov.uk/cms/courthearings.htm

During 2007:

- 55 actions, which included trials and appeals, were listed. Of these 21 were withdrawn due to settlement or by order resulting from an interlocutory hearing. The hearings took 186 court days, not taking into account judgment writing time.
- 52 interlocutories, which included case management conferences, applications for directions, summary judgment, applications to strike out etc, were listed and 16 withdrawn by consent. In the majority of cases of those withdrawn the terms of the order sought were agreed by the parties. The average time for this type of hearing is 1 hour and the total time taken throughout the year is about 36 court days.
- 3 appeals against the decision of the Comptroller General of Patents were listed. The total time taken in court was 4 court days.

Table 2.1
Chancery Division
 Summary of proceedings started, 2006-2007

Nature of originating proceedings	Number of cases	
	2006	2007
<u>Claims, originating and non-originating proceedings issued</u>		
London	4,528	3,534
Outside London ¹	2,025	3,762
<u>Bankruptcy Court proceedings²</u>		
Bankruptcy petitions	13,559	12,479
Other Originating applications	6,550	8,261
<u>Companies Court proceedings²</u>		
London	9,696	9,099
Outside London	8,303	8,403
Patents Court appeals received	2	3
Total	44,663	45,541

Source:

Chancery Division (multiple data sources)

Notes:

1 Contains estimated originating summonses as follows: 185 in 2006, and 349 in 2007

2 Excluding transfers from the Chancery Division

Table 2.2
Chancery Division
 Matters dealt with in chambers by masters in London, 2002-2007

	Number of cases					
	2002	2003	2004	2005	2006	2007
<u>Orders made by masters¹</u>						
Drawn up by drafting section	5,583	5,458	7,356	7,560	6,927	7,040
Not drawn up	3,173	1,703	1,872	1,982	2,556	2,555
Drawn up by solicitors	24	52	11	33	15	2
Transfers Out	193	256	252	301	261	355
<u>Enforcement Issues</u>						
Possession	141	29	41	39	15	23
Writs of fi-fa ²	101	50	72	53	35	49
<u>Appointments before the masters</u>						
On notice	3,156	3,168	4,499	5,438	5,945	6,303
Without Notice	1,213	868	807	920	1,102	1,034

Notes:

- 1 Includes final and interlocutory orders
- 2 Writ of fieri facias, to enforce a judgement obtained for debt or damages. Renamed a "writ of control" by the Tribunals, Courts and Enforcement Act 2007

Table 2.3**Chancery Division**

Claims and originating proceedings issued in London by nature of proceedings, 2002-2007

Nature of proceedings	Number of cases					
	2002	2003	2004	2005	2006	2007
<u>Land</u>						
Contracts of sale and purchase	153	176	31	31	10	10
Landlord and Tenant	432	474	197	2	3	5
Mortgages and charges	47	33	26	12	-	-
Squatters and trespassers	29	46	5	-	1	2
Restrictive covenants	57	74	-	1	1	1
Other Proceedings	309	502	1,324	788	1,114	924
<u>Business and industry</u>						
Partnership	103	167	54	41	28	82
Business fraud claims	97	86	5	1	-	3
Contracts of sale & purchase of shares & business	137	120	59	28	14	1
Other Disputes	227	256	620	716	301	246
<u>Intellectual property</u>						
Confidential information	93	81	5	11	3	21
Passing off and trade marks	181	212	66	105	50	118
Patents and registered designs ¹	187	238	153	54	57	111
Copyright and design right ¹	207	306	195	148	120	172
<u>Professional negligence</u>						
Claims against solicitors	75	43	12	52	30	31
Claims against accountants	37	24	1	1	2	-
Claims against surveyors and estate agents	47	57	-	-	-	-
Claims against members of other professions	115	102	8	13	10	31
<u>Trusts, wills and probate</u>						
Contentious probate actions	117	117	80	115	73	185
Disputes relating to Trust property	81	96	20	27	10	3
Variation of Trusts	63	74	4	8	2	-
Inheritance (provision for dependants)	73	82	8	15	10	43
Guardianship of minors' estate	51	32	-	-	-	8
Charities	35	42	2	-	1	-
Other applications concerning wills and trusts	183	240	175	318	214	237
<u>Other</u>						
Other debts, damages and accounts	355	360	995	1,701	1,102	343
Revenue appeals	37	54	4	16	-	12
Solicitors	37	49	-	15	10	9
Originating process not otherwise classified	359	390	-	-	1,362	936
Total	3,924	4,533	4,049	4,219	4,528	3,534

Source:

Chancery chambers, bespoke contribution for this publication

Notes:

1 These matters are dealt with in the Patents Court

Table 2.4
Chancery Division
 Cases listed in London disposed of, by listing type, 2007

	Number of cases			
	Total cases	Number disposed of		Total
		After trial of hearing	Otherwise ¹	
Trial list	694	196	311	507
General list	862	1,130	96	1,226
Interim hearing list ²	2,300	2,670	157	2,827
Total	3,856	3,996	564	4,560

Source:

High Court combined workload return

Notes:

1 Settled out of court

2 These figures comprise the number of cases which are set down in the Interim Hearings List (which come from previous hearings before a Master or a Judge) and applications which are issued directly to the Interim Applications Judge. The figures relate to all applications before a Judge, and do not include hearings before a Master. They now also include the Interim Applications List

Table 2.5
Chancery Division
 Originating proceedings in Bankruptcy court, 2004-2007

Applications filed	Number of cases			
	2004	2005	2006	2007
<u>Bankruptcy petitions¹</u>				
By creditors	9,567	10,339	9,846	8,730
By debtors and legal representatives of deceased debtors	1,966	2,810	3,713	3,749
Other Originating applications	890	2,256	6,550	8,261
Total	12,423	15,405	20,109	20,740

Source:

Chancery Division business returns

Notes:

1 Figures are for the Royal Courts of Justice only. See chapter 4 for details of bankruptcy petitions issued in the county courts

Table 2.6
Chancery Division
 Summary of Companies Court proceedings¹, London, 2004-2007

	Number of cases			
	2004	2005	2006	2007
Applications filed:				
Winding-up petitions	4,429	4,749	5,152	5,313
Other petitions, applications and summonses				
Originating	3,086	3,326	4,544	3,786
Non-originating	4,191	3,026	4,708	4,732
Claims transferred in	244	470	469	510
Orders made:				
On winding-up petitions:				
Winding-up orders made	1,995	1,924	2,371	2,136
Dismissed/Withdrawn	2,416	2,387	2,555	2,270
On other petitions, applications and summonses	10,495	10,171	11,552	10,154
Transfers to county courts	1,433	1,228	1,858	1,437
Applications before registrar:				
Listed	12,221	12,395	13,455	12,724
Unlisted	494	435	558	513

Source:

Chancery Division business returns

Notes:

1 Figures are for the Royal Courts of Justice only

High Court – Queen's Bench Division

Key findings for 2007

- 18,505 claims and originating proceedings were issued, less than 1% more than in 2006 (18,364).
- In London (Royal Courts of Justice) 53% of claims were for an unliquidated amount of money and 29% were for amounts in excess of £50,000. Of all claims, 16% were for debt and a further 24% were for personal injury.
- In London (RCJ) the number of judgments given either in default of a response by the defendant or as summary judgments during 2007 totalled 599, an increase of 5% from 2006 (569).
- the number of enforcement proceedings issued in London decreased by 25% to 9,254 from 12,385 in 2006. Writs of fi-fa formed 98% of proceedings. Outside London, enforcement proceedings increased by 14% to 39,652, with writs of fi-fa accounting for almost all proceedings.
- there were 89 Admiralty actions started in the Royal Courts of Justice. Of the claims issued in London, 19 (21%) related to damaged cargo.
- 613 (73%) of the 839 Commercial Court claims were unspecified. The majority (65%) of claims issued (545) was for breach of contract.
- the number of claims received by the Technology and Construction Court increased by 5%, from 390 in 2006 to 409.

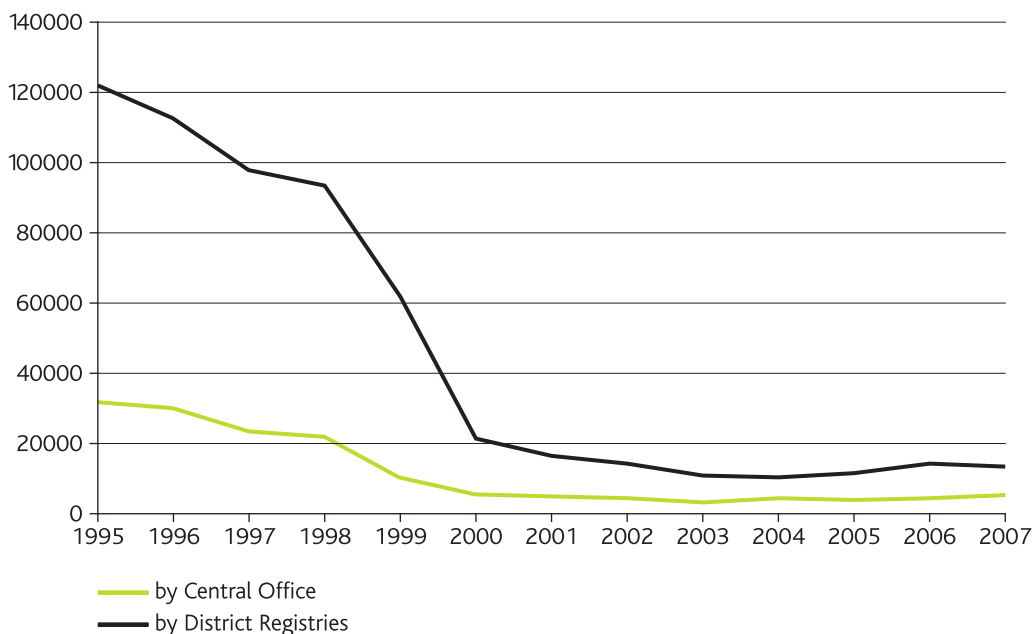
Chapter 3: High Court – Queen’s Bench Division

The Queen’s Bench Division deals mainly with civil actions in contract and tort (civil wrongs) and also hears more specialist matters, such as applications for judicial review.

It contains within it the Commercial Court and the Admiralty Court (dealing with shipping matters such as damage to cargo and collision of ships) and administers the Technology and Construction Court (formerly the Official Referees Court) which hears cases involving prolonged examination of technical issues, such as construction disputes.

At the end of 2007, the Queen’s Bench Division comprised the President of Queen’s Bench Division and 69 High Court judges. Judges of the Queen’s Bench Division also hear the most important criminal cases in the Crown Court (Chapter 6) and they also sit on the Employment Appeals Tribunal (Chapter 8).

Queen’s Bench Division: Writs & Originating Proceedings issued, 1995-2007



The above graph illustrates the sharp decline in the number of proceedings issued in the Queen’s Bench Division in the late 1990s. This was a consequence of the High Court and County Courts Jurisdiction (Amendment) Order 1999,

introduced in April 1999 as part of a major package of reforms to civil justice. This imposed a minimum value of £15,000 on claims issued in the High Court.

Queen's Bench Division work is dealt with at the Royal Courts of Justice in London and at district registries of the High Court, located at many of the county courts throughout England and Wales. Each registry covers a defined district consisting of one or more county court districts.

Queen's Bench

The Queen's Bench Division deals with common law business: that is, actions relating to contract (except those specifically allocated to the Chancery Division – see Chapter 2) and tort. Examples of contract cases dealt with in the Queen's Bench Division are failure to pay for goods and services and breach of contract.

There are several types of tort (civil wrongs) including wrongs against the person only (e.g. defamation of character, libel) wrongs against property only (e.g. trespass) and wrongs which may be against people or property (e.g. negligence or nuisance). Some matters may involve both contract and tort, e.g. personal injury cases which show negligence and breach of a contractual duty of care. Others may be crimes as well as torts (e.g. assault).

Actions are normally started by way of a claim or an originating summons. A claim is the most common method and is used, for example, when a claim is based on an allegation of fraud or tort; it informs defendants what is claimed against them. An originating summons is used in certain cases, such as applications under specific Acts; it outlines the nature of the case. The hearing of an originating summons is usually before a master or district judge (for descriptions of masters and district judges see Chapter 2).

If a defendant fails to respond to a claim, a claimant may be entitled to a judgment in default. If a defendant responds any of the following may result:

- (a) the claimant discontinues the action
- (b) the parties settle (i.e. reach agreement)
- (c) the court decides that the defendant has no real defence to the action and gives summary judgment under order 14 of the Rules of the Supreme Court
- (d) a trial

There is a right of trial by jury for fraud, libel, slander, and malicious prosecution or false imprisonment cases. In all other cases the judge has discretion to allow trial by jury but it is only used exceptionally. A trial may result in an award of damages or a non-pecuniary remedy such as an injunction (an order to do or not do something). In jury trials the jury decides the amount of damages to be awarded.

Judgments may be enforced in many ways, the following being the most frequently used:

- (a) a writ of fieri facias (fi-fa) directing the sheriff (the equivalent of the bailiff in the county courts) by his officers to seize and if necessary sell the debtor's goods to raise money to pay off the debt
- (b) a writ of possession of land (eviction takes place if necessary to ensure that possession of property or land is recovered)
- (c) a writ of delivery of goods which is an order to hand over specific goods
- (d) a charging order on land, securities or funds in court (usually on land – this has the same effect as a mortgage, so that if the property is sold the amount of the charge (debt) must be paid out of the proceeds of the sale)
- (e) a third party debt (formerly garnishee) order, which orders that a third party, normally a bank, holding money for the judgment debtor pay it to the judgment creditor direct
- (f) appointment of a receiver who will manage the judgment debtor's property or part of it in such a way as to protect the judgment creditor's interest in it

An order to attend court for questioning (formerly an oral examination) is a procedure used in connection with enforcement. The debtor is required to attend court to give details of his earnings, expenses, savings, etc., so that the creditor can decide how best to enforce the judgment. Often the debtor will pay before he can be questioned. Alternatively, a High Court judgment for money may be enforced in a county court as if it were a judgment of that court.

Although Queen's Bench Division cases are only tried at the Royal Courts of Justice and first tier centres outside London, interlocutory proceedings (applications preparatory or incidental to the main proceedings) are dealt with at all district registries and at the Royal Courts of Justice. This area of work, having decreased in 2006, rose back in 2007 – applications to masters in London increased by 15% to 8,794 (table 3.4). The court determines what, if anything, must be done before a case can be set down for trial, gives directions as to when this is to be done and where the trial is to take place. If either party is dissatisfied with an order of a master, an appeal may be made to a judge in chambers (a private hearing). Summary caseload statistics are shown in Tables 3.1 to 3.5.

Admiralty Court

The Admiralty Court deals with shipping matters. The two most common matters dealt with are damage to cargo and collision of ships. Most cases are dealt with at the Royal Courts of Justice in London but some are disposed of in district registries upon transfer from London. There is one Admiralty Judge who hears all admiralty cases and a number of interlocutory matters. The Judge is supported by the Admiralty Registrar who hears interlocutory matters and post judgment applications. The Admiralty Marshal is responsible for the detention and sale of ships which are the subject of proceedings in the Admiralty Court. Summary caseload statistics are shown in [Tables 3.6 to 3.8](#).

Commercial Court

The Commercial Court also deals with shipping matters but is largely concerned with matters regarding contracts related to ships, insurance, carriage of cargo and the construction and performance of mercantile contracts. Other matters dealt with involve banking, international credit, contracts relating to aircraft, the purchase and sale of commodities and the practice of arbitration and questions arising from arbitrations. There are fifteen Commercial Judges who hear all commercial cases and interlocutory applications. Summary caseload statistics are shown in [Table 3.9](#).

Technology and Construction Court

The Technology and Construction Court deals with building and engineering disputes and computer litigation. Other matters dealt with include professional negligence, sale of goods, valuation disputes, landlord and tenant (especially dilapidations), torts relating to the occupation of land and questions arising from arbitrations and adjudications in building and engineering disputes.

The business of the court also includes any cases in the Chancery or the Queen's Bench Divisions which involve issues or questions which are technically complex or for which trial by TCC judges is for any reason desirable.

During 2006 there were five full-time senior circuit judges and two High Court judges based in London assigned to the TCC. Other High Court judges sit in the London TCC as necessary. Outside London, nominated circuit judges deal with TCC business on each of the circuits, with further full-time designated TCC judges at Birmingham, Manchester and Liverpool. Summary caseload statistics are shown in [Table 3.10](#).

Table 3.1
Queen's Bench Division
 Summary statistics on proceedings started, 2002-2007

Nature of proceedings	Number of cases					
	2002	2003	2004	2005	2006	2007
<u>Claims and originating summonses</u>						
Issued by Royal Courts of Justice	4,394	3,514	4,292	3,841	4,246	4,794
Issued by district registries ¹	14,230	10,677	10,538	11,476	14,118	13,711
Total	18,624	14,191	14,830	15,317	18,364	18,505

Source:

Queen's Bench Division (compilation from multiple sources)

Notes:

- 1 Figures for district registries contain annual estimates of the numbers of originating summonses as follows: 1,006 in 2002; 1,170 in 2003; 1,115 in 2004; 1,195 in 2005; 1,288 in 2006; and 1,619 in 2007

Table 3.2
Queen's Bench Division
 Proceedings started¹, by nature and value of claim, 2007

Nature of claim	Value of claim			Number of claims
	£15,000 – £50,000	Over £50,000	Unspecified	Total
	Debt (goods sold & delivered, work carried out etc)	172	339		272	783
Breach of contract	100	214	362	676
Clinical Negligence	71	154	353	578
Personal Injury Actions	66	359	732	1,157
Other Negligence (inc. professional negligence)	21	61	123	205
Defamation (libel, slander)	43	45	145	233
Tort (eg. nuisance, trespass, assault, wrongful arrest, etc.)	4	11	31	46
Recovery of land / property	-	-	10	10
Miscellaneous	375	223	508	1,106
Total	852	1,406	2,536	4,794

Source:

High Court combined workload return

Notes:

1 Figures given are for the Royal Courts of Justice only

Table 3.3
Queen's Bench Division¹
 Judgment without trial, by type² and value of judgment, 2007

Type of judgment	Value of judgement			Total
	£15,000 – £50,000	Over £50,000	Unspecified	
	By default	162	266		170	598
Order by summary judgment (including order 14)	-	-	1	1
Total	162	266	171	599

Source:

High Court combined workload return

Notes:

- 1 Figures given are for the Royal Courts of Justice only
- 2 Judgments without trial can be by default (i.e. with no response from the defendant) or by summary judgment (under Order 14 of the Rules of the High Court)

Table 3.4
Queen's Bench Division¹
 Interlocutory applications² for masters in London, 2002-2007

Year	Number of applications
2002	7,097
2003	6,485
2004	9,446
2005	9,335
2006	7,626
2007	8,794

Source:

High Court combined workload return

Notes:

- 1 Figures given are for the Royal Courts of Justice only
- 2 Excludes applications for directions or for summary judgment under Order 14 of the rules of the High Court

Table 3.5
Queen's Bench Division¹
 Enforcement proceedings issued, 2007

Nature of Enforcement	Number of cases		
	London	Outside London	Total
Writs of fi-fa ²	9,035	39,647	48,682
Writs of possession	42	-	42
Writs of Delivery	-	-	-
Charging orders	137	-	137
Third party debt orders	40	-	40
Application for orders to attend court for questioning	-	2	2
Total	9,254	39,652	48,906

Source:

High Court combined workload return

Notes:

- 1 Figures given are for the Royal Courts of Justice only
- 2 Writ of fieri facias, to enforce a judgement obtained for debt or damages. Renamed a "writ of control" by the Tribunals, Courts and Enforcement Act 2007

Table 3.6
Admiralty Court¹
 Summary statistics on admiralty proceedings, 2002-2007

Nature of proceedings	Number of cases					
	2002	2003	2004	2005	2006	2007
Claims issued	133	170	158	102	105	89
Summonses issued:						
Judges	86	155	52	37	43	33
Registrars	19	2	16	47	99	96
Applications heard	67	105	82	84	142	60
References to registrar	4	2	2	2	1	1
Warrants of arrest executed ²	33	43	36	22	50	34
Sales by the Court	3	3	8	1	4	2

Source:

Admiralty Court

Notes:

- 1 Figures are for the Royal Courts of Justice only
- 2 Vessels or property arrested

Table 3.7**Admiralty Court¹**

Admiralty claims issued by nature of action, 2002-2007

Nature of action	Number of cases					
	2002	2003	2004	2005	2006	2007
Collision	33	24	29	19	25	13
Damage to cargo	40	25	13	27	21	19
Personal injury (including fatal)	6	7	11	5	4	2
Mortgage	6	1	1	2	1	1
Limitation of liability	4	6	23	1	-	1
Others	44	107	81	48	54	53
Total	133	170	158	102	105	89

Source:

Admiralty Court

Notes:

1 Figures are for the Royal Courts of Justice only

Table 3.8**Admiralty Court¹**

Admiralty actions for trial in the High Court set down, tried or otherwise disposed of, 2002-2007

Actions for trial	Number of claims					
	2002	2003	2004	2005	2006	2007
Total set down	50	24	18	25	10	12
Tried during year	9	18	3	3	4	3
Otherwise disposed of	43	18	19	19	11	10
Total tried	52	36	22	22	15	13

Source:

Admiralty Court

Notes:

1 Figures are for the Royal Courts of Justice only

Table 3.9
Commercial Court¹
 Claims issued showing nature and value of claim, 2007

Nature of claim	Number of claims			
	Value of claim			Total
	£15,000 – £50,000	Over £50,000	Unspecified	
Debt ²	-	1	1	2
Breach of contract	7	211	327	545
Miscellaneous	-	7	285	292
Total	7	219	613	839

Source:

Admiralty Court

Notes:

1 Figures are for the Royal Courts of Justice only

2 Goods sold & delivered, work carried out, etc.

Table 3.10
Technology and Construction Court¹
 Summary caseload statistics, 2002-2007

	Number of actions					
	2002	2003	2004	2005	2006	2007
Received						
Claims and originating summonses issued in Registry	392	314	265	274	337	376
By transfer	108	67	76	66	53	33
Total	500	381	341	340	390	409
Disposed of						
Tried	49	41	7	3	32	33
Struck out, settled or discontinued	321	297	71	23	153	160
Transferred	5	9	25	18	2	7
Default judgments entered	-	16	12	7	5	16
Total	375	363	115	51	192	216
Number of Interlocutory Applications heard²	1,391	1,403	668	496	454	397

Source:

Technology and Construction Court

Notes:

1 Figures are for the Royal Courts of Justice only

2 Many other Interlocutory Applications were disposed of before hearing, or on the basis of written submissions

County courts (non family)

Key findings for 2007

- The total number of civil (non-family) cases started in 2007 was 2,015,000, a decrease of 8% from 2006.
- The total number of mortgage repossession claims issued in 2007 was 138,000, an increase of 5% from 2006. The number of landlord possession claims decreased by 8% compared with 2006.
- The number of "money" claims with specified claim amounts in 2007 was 1,411,000, a decrease of 10% from 2006. 41% of these claims had a claim value of not more than £500, down from 49% in 2006.
- The number of defences was 16% greater and the number of allocations to track 12% more than in 2006.
- There were 18,400 trials, a 4% rise on 2006, and 53,200 small claim hearings, a 14% increase on 2006.
- Trials took place on average 49 weeks following issue, down from 50 weeks in 2006, while small claim hearings took place 28 weeks following issue, up from 27 weeks in 2006.
- The total number of properties repossessed by bailiffs was 54,000, a decrease of 7% from 2006. 21,000 properties related to mortgage repossession cases approximately equal to 2006.
- The number of charging orders to obtain security for a payment against a property owned by a debtor increased by 45% compared with 2006, 901% higher than in 2000.

Chapter 4: County courts (non family)

The vast majority of civil (non family) proceedings take place in the county courts, all of which have jurisdiction to deal with contract and tort cases and recovery of land actions. In addition, some county courts deal with bankruptcy and insolvency matters, equity and contested probate actions (where the value of the trust, fund or estate does not exceed £30,000), matters under the Race Relations Act 1976, and actions which all parties agree to have heard in a County Court (e.g. defamation cases). Generally, only the most complex, substantial or important cases are dealt with by the High Court.

Most county courts are assigned at least one Circuit Judge and one District Judge. Circuit Judges generally hear cases worth over £15,000 or involving greater importance or complexity. They also hear many of the cases worth over £5,000 but not over £15,000. In addition to hearing other cases, District Judges generally case manage proceedings, deal with repossession matters, and make uncontested assessments of damages.

A new table has been added showing the number of repossessions of property by bailiffs, by type of case (Table 4.21)

Commencing a case

Historically, the normal method of taking someone to court is for the person doing so (the claimant) 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 or repossession of property can be completed via the internet. Money Claim Online (www.moneyclaim.gov.uk) was launched in February 2002 and issues claims in the name of Northampton County Court. Possession Claim Online (www.possessionclaim.gov.uk) was launched in October 2006 and issues claims in the name of the court relating to the postcode of the property. With both, the claimant can pay the court fee by credit or debit card. In addition, for Possession Claim Online large issuers can pay by Direct Debit.

These services remove time consuming and repetitive administrative work from the court, reducing the cost of litigation and freeing up resources to do other work.

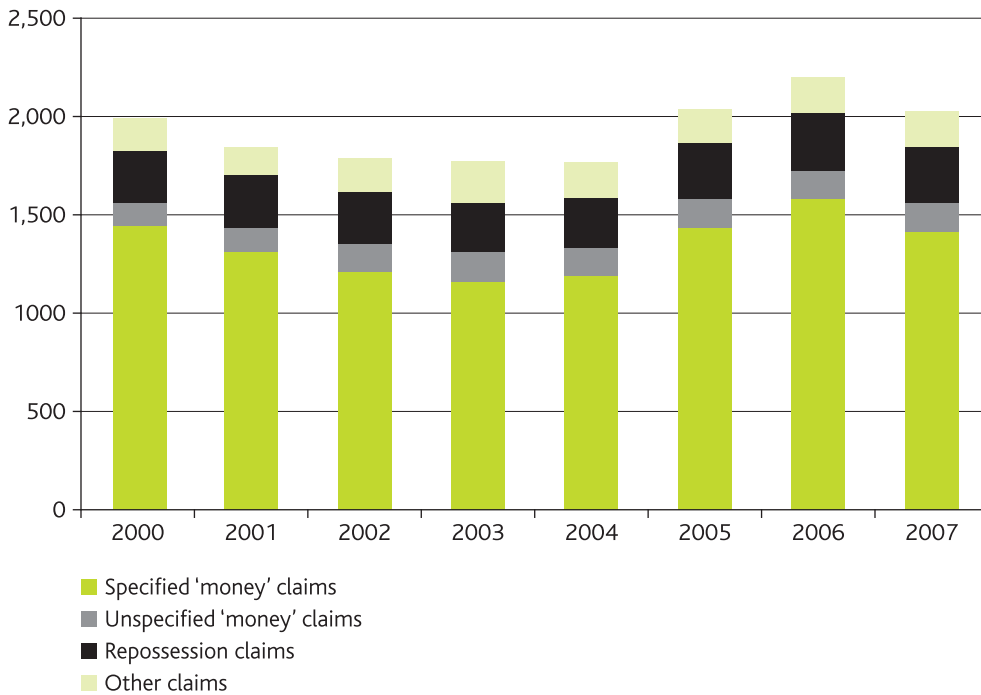
For those claimants that issue a large number of claims each year (e.g. banks, credit card and storecard issuers, utilities and solicitors specialising in debt recovery), this can be done through the Claim Production Centre (CPC). The CPC, set up in January 1990, guarantees issue and dispatch of claims within 24-48 hours. Most of the work of the CPC is done by the County Court Bulk Centre (CCBC), a central processing unit attached to Northampton County Court which was set up in March 1992.

In total, there were 2,015,000 civil (non family) proceedings started in 2007, a decrease of 8% from 2006. This comprised the following types of cases:

- 1,411,000 "money" claims with specified claim amounts, a decrease of 10% compared with 2006 and of 1% compared with 2005. In particular, this fall reflects a much lower number of claims issued on behalf of the Driver and Vehicle Licensing Agency and HM Revenue and Customs which had large numbers issued in 2005 and 2006. Overall, 64% of these claims were issued through the County Court Bulk Centre or Money Claim Online with 41% having a value of up to £500 and just 15% a value over £5,000.
- 145,000 "money" claims with unspecified claim amounts, a decrease of 1% compared with 2006 although 26% higher than in 2000. 48% of these had a value of over £1,000 and up to £5,000, 30% a value over £5,000 and up to £15,000, and 15% a value of over £15,000.
- 138,000 mortgage repossession claims, an increase of 5% compared with 2006 and 118% compared with 2002.
- 103,000 social landlord repossession claims, a decrease of 11% compared with 2006 and 35% less than in 2002. The latest fall may in part have been due to the rent arrears pre-action protocol introduced on 2nd October 2006, the main aim of which was to encourage more contact between parties before the issuing of a claim.
- 44,000 private landlord repossession claims (including accelerated procedure claims), 4% more than in 2006 and 10-20% higher than in each year from 2000-2005.
- 67,000 insolvency petitions, similar to 2006 and 167% higher than in 2000 largely due to a 305% rise in the number of individual bankruptcy petitions made by debtors.
- 108,000 non-"money" claims excluding those for mortgage and landlord repossession, 2% lower than in 2006 and 38% less than in 2003. In June 2004 amendments were made to the Landlord and Tenant Act which resulted in a large reduction in the number of housing claims (excluding mortgage or landlord repossession) from 62,000 in 2003 to 6,000 in 2007.

Number of claims issued, by type of case, 2000-2007

Number of claims
(in thousands)



Claim issue statistics are shown in [Tables 4.1 to 4.9](#)

Case Progression

On receipt of the claim, the claim form and a response pack is sent to (served on) the defendant who has a specific time limit to reply. The options given to the defendant are to pay up, dispute the claim, or admit the claim and ask for more time to pay up. In 2007, 342,000 defences were made, 16% higher than in 2006 and 37% more than in 2000. If the claim is defended, the usual procedure is for it to be allocated by a judge to one of three case management tracks. In total, there were 176,000 allocations to track in 2007, 12% more than in 2006 and 14% higher than in 2000. This was made up of, in ascending order of case complexity and degree of judicial involvement:

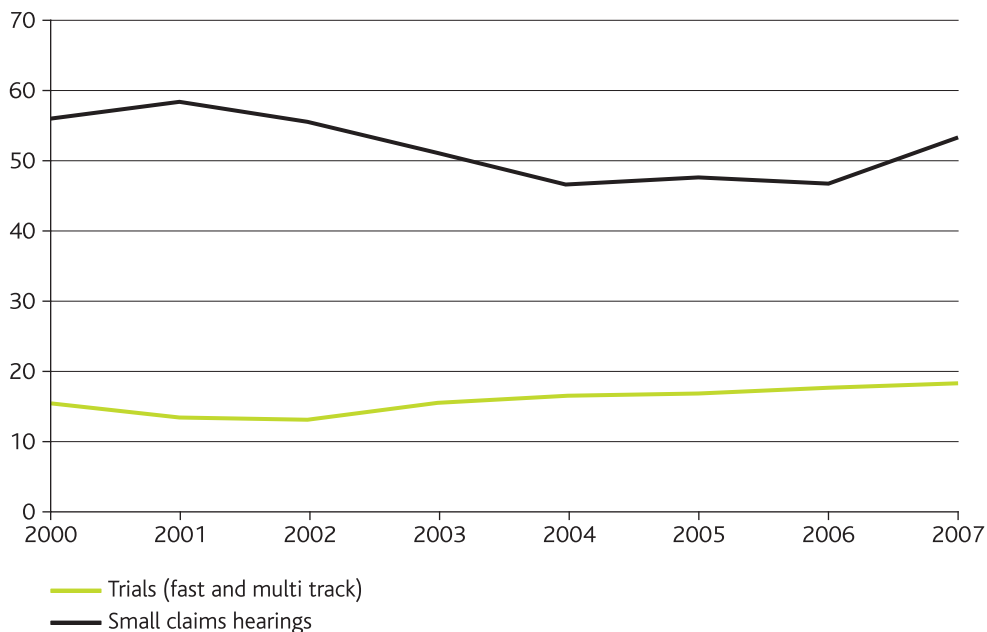
- 98,000 allocations to the small claims track (generally for cases with a value up to £5,000), up 26% from 2006 and 5% from 2000.
- 52,000 allocations to the fast track (generally for cases with a value over £5,000 and up to £15,000), 1% more than in each year from 2003 to 2006 and 56% higher than in 2000.
- 27,000 allocations to the multi track (generally for cases with a value over £15,000), down 4% from 2006.

Around 41% of cases allocated to track reached a trial or small claim hearing in 2007, with most settling or being withdrawn. In total, there were 72,000 trials and small claim hearings, 11% higher than in 2006 and approximately the same as in 2000. This comprised:

- 18,000 fast and multi track trials, 4% more than in 2006. More than two thirds (69%) of these related to unspecified “money” cases. On average, trials occurred 48 weeks following issue, a reduction from 49 weeks in 2006. They lasted 3 hours and 42 minutes on average, a decrease from 4 hours and 37 minutes in 2006.
- 53,000 small claim hearings, 14% higher than in 2006. The vast majority (95%) of these related to specified “money” cases. On average, small claim hearings occurred 28 weeks following issue, up from 27 weeks in 2006. They lasted 83 minutes on average, down from 84 minutes in 2006.

Number of hearings, by type, 2000-2007

Number of hearings
(in thousands)



Case progression statistics are shown in [Tables 4.10 to 4.14](#).

Judgments

There are many types of County Court Judgments. In specified "money" cases the majority follow either no response from the defendant within the allotted time period (a default judgment) or the claimant accepting the defendant's offer to pay all or part of the amount owed (a judgment by acceptance or determination). These judgments are entered as an administrative function and generally don't involve a judge. Overall, 1,002,000 judgments by default, acceptance and determination were made in 2007, almost all relating to specified "money" claims. In total, they accounted for around 71% of specified "money" claims issued in 2007.

In possession cases, the usual procedure is for the claim being issued to be given a hearing date before a District Judge. Overall, 202,000 possession orders were made in 2007, 95,000 of which were mortgage related. 57% of all orders were not suspended (possession given immediately or by a given date), up from 52% in 2006 and 39% in 2000. 54% of mortgage possession orders were not suspended, up from 51% in 2006 and 39% in 2000.

Registry Trust Limited (a private non-profit making company limited by guarantee) administers the statutory public register of Judgments, Orders and Fines. Overall, 982,000 county court judgments were registered with Registry Trust (excluding those made for the non-payment of road tax) in 2007 with 81% relating to consumers, down from 83% in 2006. During the year, 128,000 entries were satisfied, the judgments having been paid in full after one month of the date of judgment. A further 85,000 entries were cancelled, the judgment having been made in error, set aside, reversed, or paid in full within one month of the date of judgment. All entries are automatically removed at the end of the sixth calendar year after the date of judgment. The Register is open for public inspection on payment of a statutory fee, and is used in particular by credit reference agencies to assist lenders in making responsible credit granting decisions, for the benefit of both consumers and businesses.

37,000 searches of the Registry were performed in 2007, mainly by individuals searching for themselves or others or by agents acting for law firms. This was 1% higher than in 2006 and 36% higher than in 2005, with internet search requests rising from 6,000 in 2005 to 22,000 in 2007.

Judgment statistics are shown in [Tables 4.15 to 4.18](#)

Enforcement

There are various methods of enforcing judgments in the county courts. The most common method is the warrant of execution against a debtors goods, where unless the amount due under the warrant is paid, saleable items owned by a defendant can be recovered by the court and sold. During 2007, 310,000 warrants of execution were issued, 9% lower than in 2006 and 34% lower than in 2000. Overall 21 pence in the pound was recovered, with 90 pence in the pound being recovered from warrants of execution where the creditor had provided a correct address for the debtor.

Where repossession of property or the return of particular goods or items is sought, the claimant can apply for a warrant of possession or warrant of delivery. In 2007, there were 135,000 warrants of possession issued, 7% lower than in 2006 and 3% more than in 2005. In total, bailiffs repossessed 53,700 properties, with 21,300 of these on behalf of mortgage lenders. There were 2,400 warrants of delivery issued, 11% higher than in 2006 although 70% less than in 2000.

To enforce an order for which the penalty for failure to comply is imprisonment, it is possible to apply for a warrant of committal which authorises the bailiff to arrest and deliver the person to prison or the Court. There were 1,600 warrants of committal issued in 2007, 6% lower than in 2006 and 75% lower than in 2000.

A judgment amount can also be enforced through the claimant applying for:

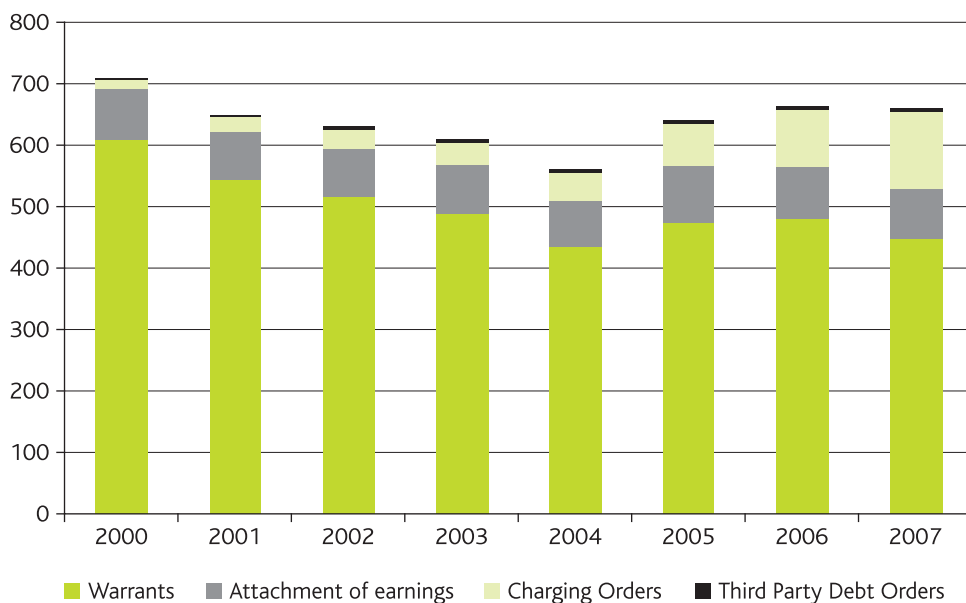
- An attachment of earnings order obliging the debtor's employer to deduct a set sum from the debtor's pay and forward it to the court. 82,000 applications were made for attachment of earnings orders in 2007, 4% less than in 2006 with around 76% of these resulting in orders being made.
- A charging order enabling the creditor to obtain security for the payment against a property owned by the debtor. 132,000 applications were made for charging orders in 2007, 42% higher than in 2006 and 722% more than in 2000 with around 74% resulting in orders being made.
- A third party debt order enabling the creditor to secure payment by freezing and then seizing money owed or payable by a third party to a debtor. 6,000 applications were made for third party debt orders in 2007, 1% lower than in 2006, although 124% more than in 2000 with around 28% resulting in orders being made.

In certain circumstances a debtor may apply to county court to combine debts into an administration order. The debtor must have a judgment debt and at least one other that he is unable to pay with the total indebtedness not exceeding £5,000. 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 in the appropriate proportions to the creditors listed by the debtor. There were 4,000 administration orders made in 2007, 18% less than in 2006 and 51% less than in 2000. Provisions in Chapter 1 of Part 5 of the Tribunals, Courts and Enforcement Act 2007 significantly amend the administration order, amongst other matters, removing the need for a judgment. It is expected that these new provisions will be commenced in 2010.

To assist in determining the most appropriate method of enforcing a judgment, the claimant can apply for an order to obtain information from the judgment debtors. This involves debtors being ordered to attend court to provide details of their means. There were 27,000 orders made to obtain information from debtors, 5% lower than in 2006 and a 56% decline from in 2000.

Number of enforcement applications, by type, 2000-2007

Number of enforcement applications (in thousands)



Enforcement statistics are shown in [Tables 4.19 to 4.22](#)

Table 4.1
County courts (non-family work)
 Summary statistics on claims issued in England and Wales, 2000-2007

Year	Number of claims / petitions								
	Specified "money" claims ¹	Unspecified "money" claims ²	Total "money" claims	Claims for recovery of land ³	Claims for return of goods	Other non-"money" claims	Total non-"money" claims	Total insolvency petitions ⁴	Total proceedings started
2000	1,443,494r	114,693	1,558,187r	263,213	14,305	116,099	393,617	25,076	1,976,880r
2001	1,307,071r	131,153	1,438,224r	259,281	14,806	103,402	377,489	26,477	1,842,190r
2002	1,207,497r	145,236	1,352,733r	258,676	11,734	131,760	402,170	29,556	1,784,459r
2003	1,160,221r	153,827	1,314,048r	243,962	9,929	164,375	418,266	30,733	1,763,047r
2004	1,188,385r	144,236	1,332,621r	251,865	8,880	135,591	396,336	38,279	1,767,236r
2005	1,431,486	147,674	1,579,160	280,478	9,127	103,419	393,024	51,875	2,024,059
2006	1,574,293r	146,004r	1,720,297r	289,278r	9,908r	100,777r	399,963r	66,966r	2,187,226r
2007	1,410,581	144,905	1,555,486	284,381	8,470	99,636	392,531	66,945	2,014,962

Source:

HMCS CaseMan system, Claim Production Centre, Money Claim Online, Possession Claim Online and manual returns

Notes:

- 1 Claims issued for a specified amount of money, including those made through the Claim Production Centre, County Court Bulk Centre and Money Claim Online
- 2 Claims issued for an unspecified amount of money
- 3 Includes claims made via Possession Claim Online
- 4 Includes petitions heard in the District Registries of the High Court

Table 4.2
County courts (non-family work)
 Summary statistics on claims issued¹ by HMCS area, 2007

Area	Number of claims / petitions								
	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	Total non-"money" claims	Total insolvency petitions ⁵	Total proceedings started
Avon and Somerset	12,710	3,465	16,175	5,299	192	2,413	7,904	5,156	29,235
Bedfordshire, Essex and Herts	27,550	4,613	32,163	7,667	588	4,413	12,668	4,165	48,996
Birmingham, Coventry, Solihull and Warwickshire	16,648	6,006	22,654	9,552	373	4,005	13,930	3,601	40,185
Black Country, Staffordshire & West Mercia	34,310	4,394	38,704	2,841	488	4,739	8,068	4,013	50,785
Cambridgeshire, Norfolk and Suffolk	19,123	2,293	21,416	9,584	324	2,214	12,122	3,251	36,789
Cheshire and Merseyside	25,583	28,724	54,307	12,469	455	9,320	22,244	3,109	79,660
Cleveland, Durham and Northumbria	25,585	6,091	31,676	8,676	476	5,040	14,192	3,814	49,682
Cumbria and Lancashire	13,942	4,631	18,573	18,408	218	2,850	21,476	2,207	42,256
Derbyshire and Nottinghamshire	19,548	5,158	24,706	9,048	209	3,569	12,826	1,955	39,487
Devon and Cornwall	10,574	2,535	13,109	15,684	195	2,167	18,046	3,062	34,217
Dorset, Gloucestershire and Wiltshire	17,634	1,973	19,607	57,999	199	2,336	60,534	2,381	82,522
Greater Manchester	30,824	22,434	53,258	14,624	435	10,837	25,896	3,682	82,836
Hampshire and Isle of Wight	19,572	4,704	24,276	16,364	281	3,591	20,236	1,681	46,193
Humber and South Yorkshire	26,899	6,205	33,104	6,491	326	4,803	11,620	3,231	47,955
Kent	16,785	1,729	18,514	8,774	342	1,694	10,810	2,176	31,500
Lincolnshire, Leicestershire & Rutland and Northamptonshire	16,052	2,575	18,627	9,652	309	2,713	12,674	2,672	33,973
London	68,661	16,951	85,612	5,330	1,390	16,792	23,512	3,104	112,228
Mid and West Wales	6,034	1,204	7,238	9,942	174	882	10,998	935	19,171
North and West Yorkshire	36,195	9,784	45,979	4,164	464	5,767	10,395	4,574	60,948
North Wales	4,966	1,173	6,139	14,618	91	1,201	15,910	782	22,831
South East Wales	14,151	3,442	17,593	8,220	263	3,050	11,533	1,625	30,751
Surrey and Sussex	23,963	2,617	26,580	12,903	346	3,068	16,317	2,977	45,874
Thames Valley	25,227	2,204	27,431	16,072	332	2,172	18,576	2,792	48,799
County Court Bulk Centre ⁶	736,478	0	736,478	0	0	0	0	0	736,478
Money Claim Online ⁶	161,567	0	161,567	0	0	0	0	0	161,567
TOTAL¹	1,410,581	144,905	1,555,486	284,381	8,470	99,636	392,487	66,945	2,014,918

Source:

HMCS CaseMan system, Claim Production Centre, Money Claim Online, Possession Claim Online and manual returns

Notes:

- 1 From April 2007, HMCS underwent a restructuring from 42 to 25 geographic areas. This table uses the new structure that was in place during the period it covers.
- 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
- 3 Claims issued for an unspecified amount of money
- 4 Includes claims made via Possession Claim Online
- 5 Includes petitions issued in the District Registries of the High Court
- 6 These claims are issued in the name of Northampton County Court

Table 4.3
County courts (non-family work)
 Summary statistics on recovery of land actions in England and Wales, 2000-2007

Year	Mortgage repossessions			Social landlord repossessions ¹			Private landlord repossessions ²			Accelerated Possessions ³			Total		
	Claims issued	Suspended orders made	Orders made	Claims issued	Suspended orders made	Orders made	Claims issued	Suspended orders made	Orders made	Claims Issued	Orders Made	Orders Made	Claims Issued	Suspended Orders	Orders Made
2000	70,430	31,053	19,865	156,399	74,434	28,047	19,724	3,982	7,858	16,660	13,254	263,213	109,469	69,024	
2001	65,862	29,415	18,582	155,573	74,096	30,922	20,328	3,920	8,746	17,518	13,558	259,281	107,431	71,808	
2002	63,203	25,072	16,687	158,305	73,744	32,997	19,072	3,352	8,505	18,096	13,557	258,676	102,168	71,746	
2003	65,886	24,506	16,532	141,455	64,921	30,767	18,269	2,948	8,575	18,352	13,483	243,962	92,375	69,357	
2004	77,250	26,589	20,094	137,098	61,908	30,208	17,088	1,987	8,527	20,429	15,156	251,865	90,484	73,985	
2005	114,764	38,146	32,818	126,332	56,477	28,626	18,304	2,192	9,682	21,078	15,892	280,478	96,815	87,018	
2006	131,219r	44,641r	46,039r	116,088r	48,485r	29,416r	18,960r	1,815r	9,915r	23,011r	17,322r	289,278r	94,941r	102,692r	
2007	137,591	44,033	51,400	103,079	41,089	33,476	19,171	1,599	11,336	24,540	18,959	284,381	86,721	115,171	

Source:

HMCS CaseMan system and Possession Claim Online

Notes:

- 1 Actions by local authorities and housing associations
- 2 Actions by all landlords except local authorities and housing associations
- 3 Landlord actions via the accelerated procedure enabling orders to be made solely on the basis of written evidence for assured shorthold tenancies, when the fixed period of the tenancy has come to an end

Table 4.4
County courts (non-family work)
 Summary statistics on recovery of land actions by HMCS¹ area and region, 2007

Area / region	Number of claims / orders														
	Mortgage repossessions			Social landlord repossessions ²			Private landlord repossessions ³			Accelerated Possession ⁴			Total		
	Claims Issued	Suspended orders ⁵	Orders made ⁶	Claims Issued	Suspended orders ⁵	Orders made ⁶	Claims Issued	Suspended orders ⁵	Orders made ⁶	Claims Issued	Orders Made ⁶	Claims Issued	Suspended orders ⁵	Orders made ⁶	
London county court group	20,098	..	..	22,179	..	..	5,311	..	..	10,411	..	57,999	..	..
London	20,098	6,129	7,945	22,179	5,680	7,068	5,311	214	3,052	10,411	8,216	57,999	12,023	26,281	
Birmingham, Coventry, Solihull and Warwickshire	7,295	..	..	5,856	..	..	738	..	..	735	..	14,624	..	..
Black Country, Staffordshire and West Mercia	8,874	..	..	5,971	..	..	719	..	..	800	..	16,364	..	..
Derbyshire and Nottinghamshire	5,261	..	..	3,813	..	..	458	..	..	410	..	9,942	..	..
Lincolnshire, Leicestershire & Rutland and Northamptonshire	5,473	..	..	3,000	..	..	627	..	..	552	..	9,652	..	..
Midlands	26,903	8,968	10,069	18,640	8,617	6,025	2,542	259	1,535	2,497	1,861	50,582	17,844	19,490	
Cleveland, Durham and Northumbria	8,057	..	..	6,769	..	..	610	..	..	636	..	16,072	..	..
Humber and South Yorkshire	6,299	..	..	4,709	..	..	792	..	..	669	..	12,469	..	..
North and West Yorkshire	7,453	..	..	3,877	..	..	839	..	..	734	..	12,903	..	..
North East	21,809	7,009	8,043	15,355	7,232	5,194	2,241	219	1,332	2,039	1,625	41,444	14,460	16,194	
Cheshire and Merseyside	7,607	..	..	5,679	..	..	672	..	..	660	..	14,618	..	..
Cumbria and Lancashire	4,827	..	..	2,430	..	..	385	..	..	578	..	8,220	..	..
Greater Manchester	9,218	..	..	6,816	..	..	1,384	..	..	990	..	18,408	..	..
North West	21,652	7,179	7,890	14,925	6,184	4,873	2,441	525	1,345	2,228	1,608	41,246	13,888	15,716	
Bedfordshire, Essex and Herts	8,182	..	..	5,261	..	..	1,124	..	..	1,117	..	15,684	..	..

Cambridgeshire, Norfolk and Suffolk	4,224	..	..	3,344	..	..	551	..	..	655	..	8,774	..
Kent	5,133	..	..	2,644	..	..	937	..	..	838	..	9,552	..
Surrey and Sussex	4,176	..	..	2,749	..	..	956	..	..	1,167	..	9,048	..
Thames Valley	3,963	..	..	3,447	..	..	641	..	..	625	..	8,676	..
South East	25,678	8,000	9,824	17,445	7,210	5,589	4,209	266	2,554	4,402	3,366	51,734	21,333
Avon and Somerset	2,576	..	..	2,007	..	..	267	..	..	449	..	5,299	..
Devon and Cornwall	2,691	..	..	1,592	..	..	408	..	..	639	..	5,330	..
Dorset, Gloucestershire and Wiltshire	3,328	..	..	2,062	..	..	508	..	..	593	..	6,491	..
Hampshire and Isle of Wight	3,669	..	..	2,835	..	..	584	..	..	579	..	7,667	..
South West	12,264	3,757	4,421	8,496	3,718	2,382	1,767	91	1,101	2,260	1,768	24,787	9,672
Mid and West Wales	2,230	..	..	1,627	..	..	157	..	..	150	..	4,164	..
North Wales	1,680	..	..	862	..	..	105	..	..	194	..	2,841	..
South East Wales	5,277	..	..	3,550	..	..	398	..	..	359	..	9,584	..
Wales	9,187	2,991	3,208	6,039	2,448	2,345	660	25	417	703	515	16,589	6,485
TOTAL¹	137,591	44,033	51,400	103,079	41,089	33,476	19,171	1,599	11,336	24,540	18,959	284,381	115,171

Source:
HMCS CaseMan system and Possession Claim Online

Notes:

- 1 From April 2007, HMCS underwent a restructuring from 42 to 25 geographic areas while the number of regions remained at 7. This table uses the new structure
- 2 Actions by local authorities and housing associations
- 3 Actions by all landlords except local authorities and housing associations
- 4 Landlord actions via the accelerated procedure enabling orders to be made solely on the basis of written evidence for assured shorthold tenancies, when the fixed period of the tenancy has come to an end
- 5 Claims made via Possession Claim Online are issued in the name of the local court relating to the postcode of the property
- 6 The rollout of the Possession Claim On-Line (PCOL) system in late 2006 has affected the availability of mortgage and landlord possession orders data for courts which do not have on site access to the PCOL system. To account for this missing information, upward adjustments have been made at HMCS regional level. The overall effect of these adjustments has been to increase the recorded number of mortgage possession orders by an average of 7% and the recorded number of landlord possession orders (excluding accelerated procedure actions) by an average of 5% in 2007

Table 4.5**County courts (non-family work)**

Summary statistics on other non-"money" claims issued in England & Wales, 2000-2007

Number of claims						
Year	Housing (not Landlord or Mortgage possession) ¹	Injunctions ²	Enforcement ³	Pre action disclosure applications ⁴	Other ⁵	Total
2000	62,002	3,975	28,768	774	20,580	116,099
2001	51,294	4,248	17,253	2,023	28,584	103,402
2002	56,961	4,429	21,918	6,502	41,950	131,760
2003	62,180	5,117	25,897	15,349	55,832	164,375
2004	30,640	6,072	31,609	15,869	51,401	135,591
2005	6,921	7,605	30,141	14,991	43,761	103,419
2006	6,570r	8,466	29,433	14,142	42,166r	100,777r
2007	6,295	9,760	24,486	15,611	43,484	99,636

Source:

HMCS CaseMan system

Notes:

- 1 Includes landlord and tenancy applications generally for a new tenancy agreement, claims to evict trespassers and claims for interim possession orders
- 2 To make somebody do something or to stop them doing it
- 3 Enforcement of Tribunal awards and orders made in Magistrates' courts
- 4 To obtain an order for disclosure of information prior to issue of a claim
- 5 Includes orders for costs only

Table 4.6
County courts (non-family work)
 Summary statistics on other non-“money” claims issued by HMCS area¹, 2007

Area	Number of claims					Total
	Housing (not Landlord or Mortgage possession) ²	Injunctions ³	Enforcement ⁴	Pre action disclosure applications ⁵	Other ⁶	
Avon and Somerset	206	168	307	442	1,290	2,413
Bedfordshire, Essex and Herts	185	256	1,803	392	1,777	4,413
Birmingham, Coventry, Solihull and Warwickshire	240	334	942	884	1,605	4,005
Black Country, Staffordshire and West Mercia	285	196	2,034	580	1,644	4,739
Cambridgeshire, Norfolk and Suffolk	263	174	642	228	907	2,214
Cheshire and Merseyside	238	914	1,077	2,403	4,688	9,320
Cleveland, Durham and Northumbria	121	341	1,904	716	1,958	5,040
Cumbria and Lancashire	123	241	483	453	1,550	2,850
Derbyshire and Nottinghamshire	140	200	1,912	422	895	3,569
Devon and Cornwall	131	166	367	543	960	2,167
Dorset, Gloucestershire and Wiltshire	143	139	951	140	963	2,336
Greater Manchester	228	1,820	1,409	2,913	4,467	10,837
Hampshire and Isle of Wight	221	251	970	397	1,752	3,591
Humber and South Yorkshire	141	575	987	1,195	1,905	4,803
Kent	116	186	582	33	777	1,694
Lincolnshire, Leicestershire & Rutland and Northamptonshire	100	135	880	462	1,136	2,713
London	2,404	2,249	3,054	931	8,154	16,792
Mid and West Wales	57	56	307	71	391	882
North and West Yorkshire	329	678	1,079	1,172	2,509	5,767
North Wales	69	20	252	321	539	1,201
South East Wales	66	220	744	697	1,323	3,050
Surrey and Sussex	242	303	941	180	1,402	3,068
Thames Valley	247	138	859	36	892	2,172
TOTAL	6,295	9,760	24,486	15,611	43,484	99,636

Source:

HMCS CaseMan system

Notes:

- 1 From April 2007, HMCS underwent a restructuring from 42 to 25 geographic areas. This table uses the new structure
- 2 Includes landlord and tenancy applications generally for a new tenancy agreement, claims to evict trespassers and claims for interim possession orders
- 3 To make somebody do something or to stop them doing it
- 4 Enforcement of Tribunal awards and orders made in Magistrates' courts
- 5 To obtain an order for disclosure of information prior to issue of a claim
- 6 Includes orders for costs only

Table 4.7**County courts (non-family work)**Summary statistics on insolvency petitions¹ issued in England and Wales, 2000-2007

Year	Number of petitions			
	Company windings-up ²	Individual bankruptcy ³		Total
		Creditor's petition	Debtor's petition	
2000	5,610	7,296	12,170	25,076
2001	5,245	6,947	14,285	26,477
2002	6,874	7,082	15,600	29,556
2003	5,002	7,579	18,152	30,733
2004	5,577	7,892	24,810	38,279
2005	7,350	10,438	34,087	51,875
2006	6,956r	11,045r	48,965r	66,966r
2007	6,296	11,327	49,322	66,945

Source:

HMCS manual returns

Note:

1 Includes petitions issued in the District Registries of the High Court

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 he/she is unable to pay

Table 4.8**County courts (non-family work)**"Money" claims issued for a specified amount in England and Wales, with percentage breakdown by claim value, 2002-2007¹

Year	Total number of claims issued	Value of claim							Percentage
		Lower bound (>)	£0	£500	£1,000	£5,000	£15,000	£50,000	Other ²
		Upper bound (<=)	£500	£1,000	£5,000	£15,000	£50,000	n/a	
2002	1,207,497r	51.4%r	15.3%	23.3%	7.0%	2.1%	0.4%	0.4%	
2003	1,160,221r	48.9%	16.4%	24.3%	7.4%	2.2%	0.4%	0.4%	
2004	1,188,385r	50.4%	15.3%	23.5%r	7.7%	2.4%	0.4%	0.4%	
2005	1,431,486	53.2%	14.3%	21.6%	7.7%	2.5%	0.4%	0.4%	
2006	1,574,293r	48.6%r	15.6%	23.7%r	8.6%	2.9%	0.4%	0.3%	
2007	1,410,581	40.7%	15.4%	28.3%	10.9%	3.9%	0.5%	0.3%	

Source:

HMCS CaseMan system, Claim Production Centre, Money Claim Online

Notes:

1 Figures for 2000 and 2001 have been excluded due to incomplete claim value breakdown data for these years

2 Includes claims with no recorded claim values

Table 4.9**County courts (non-family work)**

“Money” claims issued for an unspecified amount in England and Wales, with percentage breakdown by claim value, 2000-2007¹

		Value of claim							Percentage
Year	Total number of claims issued	Lower bound (>)	£0	£500	£1,000	£5,000	£15,000	£50,000	Other ²
		Upper bound (<=)	£500	£1,000	£5,000	£15,000	£50,000	n/a	
2000	114,693		3.1% _r	4.3%	33.3%	33.3%	15.4%	6.9%	3.8% _r
2001	131,153		2.3% _r	3.1%	35.4%	34.7%	14.9%	6.6%	3.0% _r
2002	145,236		1.7% _r	2.0%	38.6%	35.5%	13.6%	6.1%	2.5% _r
2003	153,827		1.8% _r	1.8%	40.3%	34.0%	12.7%	5.3%	4.2% _r
2004	144,236		1.6% _r	1.6%	42.9%	32.3%	11.9%	5.6%	4.1% _r
2005	147,674		1.4% _r	1.2%	46.5%	30.9%	11.2%	4.3%	4.6% _r
2006	146,004 _r		1.2% _r	1.0%	47.9%	30.3%	10.8%	4.5%	4.5% _r
2007	144,905		1.3%	1.1%	48.0%	30.2%	10.9%	4.3%	4.3%

Source:

HMCS CaseMan system

Notes:

1 The claim value breakdown is derived from the claim issue fee paid

2 Includes claims with either no recorded issue fee paid or with a recorded issue fee paid that doesn't correspond to one of the claim value ranges shown

Table 4.10**County courts (non-family work)**

Summary statistics on claims defended and allocated to track in England and Wales, 2000-2007

Year	Number of defences ²	Number of defences / allocations			
		Number of allocations to track ³			Total
		Small claims	Fast track	Multi track	
2000	250,442r	92,863	33,163	29,182	155,208
2001	255,035r	92,199	31,038	22,544	145,781
2002	266,625r	80,707	38,249	24,075	143,031
2003	268,042r	77,288	51,176	28,711	157,175
2004	261,666r	73,497	51,215	29,201	153,913
2005	278,019r	75,740	51,405	28,396r	155,541r
2006	295,372r	77,933r	51,351r	27,908r	157,192r
2007	341,956	97,832	51,666	26,712	176,210

Source:

HMCS CaseMan system

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 4.1) 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

Table 4.11
County courts (non-family work)
 Number of trials and small claim hearings¹ in England and Wales, as a percentage of allocations made to the relevant track, 2000-2007²

Year	Trials (fast and multi track)		Small claim hearings		Total hearings	
	Number	as % of allocations made to these "tracks" ³	Number	as % of allocations made to this "track" ³	Number	as % of total allocations
2000	15,397	25%	55,836	60%	71,233	46%
2001	13,430	25%	58,333	63%	71,763	49%
2002	13,182	21%	55,719	69%	68,901	48%
2003	15,643r	20%	51,044	66%	66,687r	42%
2004	16,668r	21%	46,617	63%	63,285r	41%
2005	16,766r	21%	47,680	63%	64,446r	41%
2006	17,675r	22%	46,872r	60%	64,547r	41%
2007	18,353	23%	53,232	54%	71,585	41%

Source:

HMCS CaseMan system and manual returns

Notes:

- 1 There may be more than one trial or small claim hearing in a case
- 2 All figures prior to 2003 are derived from manual returns
- 3 The numbers of trials and small claim hearings are much lower than the respective numbers of allocations to track in each year (see Table 4.10) because a large proportion of cases are settled/withdrawn between allocation to track and a small claim hearing or trial

Table 4.12**County courts (non-family work)**Small claim hearings in England and Wales, by claim type, 2003-2007¹

Year	Number of hearings			
	Type of case			Total
	Specified "money" ²	Unspecified "money" ³	Other	
2003	46,835	3,739	470	51,044
2004	42,962	3,267	388	46,617
2005	44,594	2,718	368	47,680
2006	44,202r	2,328r	342r	46,872r
2007	50,725	2,179	328	53,232

Source:

HMCS CaseMan system

Notes:

- Figures for 2000-2002 have been excluded due to the unreliability of the casetype breakdown data for these years
- Cases which were issued for a specified amount of money
- Cases which were issued for an unspecified amount of money

Table 4.13**County courts (non-family work)**Fast and Multi-Track trials in England and Wales, by claim type, 2003-2007¹

Year	Number of hearings			
	Type of case			Total
	Specified "money" ²	Unspecified "money" ³	Other	
2003	2,666r	11,011r	1,966r	15,643r
2004	2,754r	11,609r	2,305r	16,668r
2005	2,922r	11,337r	2,507r	16,766r
2006	3,164r	12,203r	2,308r	17,675r
2007	3,353	12,750	2,250	18,353

Source:

HMCS CaseMan system

Notes:

- Figures for 2000-2002 have been excluded due to the unreliability of the casetype breakdown data for these years
- Cases which were issued for a specified amount of money
- Cases which were issued for an unspecified amount of money

Table 4.14
County courts (non-family work)
 Average time taken to reach trials / small claim hearings, and estimates of their duration, England and Wales, 2000-2007^{1,2}

Year	Small Claim cases			Fast and Multi Track cases				
	Time between issue & start of small claim (weeks) ³	Duration of Small claim hearings	Sample size	Time between issue & allocation to track (weeks) ³	Time between allocation to track & trial (weeks) ³	Time between issue & trial (weeks) ^{3,4}	Duration of Trials	Sample size
2000	29	66 Mins	1,390	48	26	74	3 Hours 58 Mins	890
2001	28	71 Mins	1,460	39	35	73	4 Hours 06 Mins	1,500
2002	31	76 Mins	1,380	28	31	58	3 Hours 59 Mins	1,450
2003	27r	83 Mins	1,060	22r	32r	52r	3 hours 30 Mins	730
2004	27r	76 Mins	940	21r	33r	52r	3 Hours 52 Mins	1,030
2005	27r	76 Mins	960	22r	32r	52r	3 Hours 40 Mins	880
2006	27r	84 Mins	840	21r	32r	50r	4 Hours 37 Mins	980
2007	28	83 Mins	592	21	32	49	3 Hours 42 Mins	492

Source:

HMCS CaseMan system and case "samplers" for small claims hearings and trials

Notes:

- 1 All figures for hearing durations, and figures for times between major case milestones prior to 2003, are derived from case samplers
- 2 Figures for time intervals between major case milestones (issue, allocation and hearing) from 2003 onwards are taken from full population data
- 3 Figures only for cases that reach trials / small claim hearings in the relevant year
- 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

Table 4.15**County courts (non-family work)**

Number of judgments by default¹, acceptance and determination^{2,3}
in England and Wales by case type, 2000-2007

Year	Type of case			Number of judgments
	Specified "money" ⁴	Unspecified "money" ⁵	Other	Total
2000	1,024,255r	1,137r	1,431r	1,026,823r
2001	912,654r	1,055r	908r	914,617r
2002	802,610r	886r	935r	804,431r
2003	796,777r	1,163r	810r	798,750r
2004	760,175r	964r	682r	761,821r
2005	1,022,402r	973r	574r	1,023,949r
2006	1,105,974r	890r	659r	1,107,523r
2007	1,000,434	914	599	1,001,947

Source:

HMCS CaseMan system, Claim Production Centre and Money Claim Online

Notes:

- 1 Following no response from the defendant within the allotted time period
- 2 Judgments by acceptance and determination which follow the claimant accepting the defendant's offer to pay all or part of the amount owed
- 3 Includes judgments by default, acceptance and determination made in the County Court Bulk Centre and via Money Claim Online
- 4 Cases which were issued for a specified amount of money
- 5 Cases which were issued for an unspecified amount of money

Table 4.16**County courts (non-family work)**Number of judgments by default¹, acceptance and determination² by HMCS area³, 2007

Number of judgments

Area	Type of case			Total
	Specified "money" ⁴	Unspecified "money" ⁵	Other	
Avon and Somerset	7,650	28	11	7,689
Bedfordshire, Essex & Herts	18,743	80	69	18,892
Birmingham, Coventry, Solihull and Warwickshire	11,126	27	8	11,161
Black Country, Staffordshire and West Mercia	24,512	35	21	24,568
Cambridgeshire, Norfolk and Suffolk	11,089	14	13	11,116
Cheshire and Merseyside	14,863	111	17	14,991
Cleveland, Durham and Northumbria	20,205	29	23	20,257
Cumbria and Lancashire	8,688	34	18	8,740
Derbyshire and Nottinghamshire	12,526	24	11	12,561
Devon and Cornwall	6,758	18	10	6,786
Dorset, Gloucestershire and Wiltshire	11,617	19	15	11,651
Greater Manchester	19,501	107	59	19,667
Hampshire and Isle of Wight	12,716	20	24	12,760
Humber and South Yorkshire	15,912	41	8	15,961
Kent	10,398	11	62	10,471
Lincolnshire, Leicestershire & Rutland and Northamptonshire	10,897	13	15	10,925
London	42,670	144	132	42,946
Mid and West Wales	3,796	15	2	3,813
North and West Yorkshire	22,790	42	12	22,844
North Wales	3,663	9	4	3,676
South East Wales	10,803	27	19	10,849
Surrey and Sussex	15,255	16	14	15,285
Thames Valley	17,283	50	32	17,365
County Court Bulk Centre ⁶	617,467	0	0	617,467
Money Claim Online ⁶	49,506	0	0	49,506
TOTAL	1,000,434	914	599	1,001,947

Source:

HMCS CaseMan system, Claim Production Centre and Money Claim Online

Note:

- 1 Following no response from the defendant within the allotted time period
- 2 Judgments by acceptance and determination which follow the claimant accepting the defendant's offer to pay all or part of the amount owed
- 3 From April 2007, HMCS underwent a restructuring from 42 to 25 geographic areas. This table uses the new structure
- 4 Cases which were issued for a specified amount of money
- 5 Cases which were issued for an unspecified amount of money
- 6 These judgments by default, acceptance and determination are made in the name of Northampton County Court

Table 4.17
Registry of County Court Judgments in England and Wales
 Number of judgments registered, satisfied and cancelled, by type, 2000-2007¹

Year	Number of judgments								
	Consumer judgments (i.e. individuals)			Commercial judgments (i.e. businesses)			Total		
	Registered	Satisfied ²	Cancelled ³	Registered	Satisfied ²	Cancelled ³	Registered	Satisfied ²	Cancelled ³
2000							1,013,044	104,534	69,777
2001	697,038	120,485	41,071	190,011	12,429	30,197	887,049	132,914	71,268
2002	632,568	131,429	43,177	182,256	14,869	32,035	814,824	146,298	75,212
2003	631,368	96,581	43,379	170,689	14,554	30,751	802,057	111,135	74,130
2004	538,383	98,967	44,538	161,882	14,287	31,102	700,265	113,254	75,640
2005	635,222	93,443	54,277	167,664	15,476	32,011	802,886	108,919	86,288
2006	843,853	108,079	55,626	178,313	20,586	33,994	1,022,166	128,665	89,620
2007	796,528	106,151	49,905	185,395	22,195	35,523	981,923	128,346	85,428

Source:

Registry Trust Ltd

Notes:

- 1 Excludes judgments made for the non-payment of road tax from September 2004 onwards (these amounting to 72k in 2004, 216k in 2005, 83k in 2006 and 6k in 2007)
- 2 The judgment debt has been paid in full
- 3 A judgment registration can be cancelled when it is made in error, set aside, reversed, paid before the court date in full within one month

Table 4.18
Registry of County Court Judgments in England and Wales
 Number of register searches made¹, by search method, 2000-2007

Year	Number of searches			
	Postal	Personal	Internet ²	Total
2000	24,807	2,529		27,336
2001	21,662	2,794		24,456
2002	21,609	2,950		24,559
2003	19,976	3,135		23,111
2004	18,710	3,613		22,323
2005	17,368	3,570	6,252	27,190
2006	16,228	4,376	16,205	36,809
2007	11,097	3,784	22,220	37,101

Source:

Registry Trust Ltd

Notes:

- 1 These searches were mainly carried out by individuals searching for themselves or others or by agents acting for law firms
- 2 Internet searches were not available until 2005

Table 4.19**County Court (enforcement work)**Number of warrants issued¹ in England and Wales, by type, 2000-2007

Year	Number of warrants			
	Execution ²	Delivery ³	Possession ⁴	Committal ⁵
2000	467,995r	7,860	133,648	6,621
2001	400,055r	7,667	132,874	5,917
2002	374,440r	6,511	131,635	4,448
2003	362,641r	4,224	121,339r	2,431
2004	311,151r	3,384	118,788	2,198
2005	341,097	2,382	131,510r	1,844
2006	340,078r	2,121	144,990r	1,757
2007	310,178	2,359	135,243	1,647

Source:

HMCS CaseMan system, Claim Production Centre, Money Claim Online and Possession Claim Online

Note:

- 1 Includes warrants issued in the County Court Bulk Centre and via Money Claim Online and Possession Claim Online
- 2 Allows saleable items owned by the debtor to be sold unless the amount due under the warrant is paid
- 3 For the return of goods or items
- 4 For the repossession of property
- 5 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 4.20**County Court (enforcement work)**Amounts issued and recovered from warrants of execution¹ in England and Wales, 2000-2007

Year	Amount issued in correctly directed ² warrants (£)	Amount received in correctly directed ² warrants (£)	Amount issued in all warrants (£)	Amount received in all warrants (£)	Pence-per-pound recovered on correctly directed ² warrants	Pence-per-pound recovered on all warrants
2000	65,861,665	46,633,595	181,682,532	49,549,112	70.8	27.3
2001	59,410,408	44,994,886	168,291,967	47,832,846	75.7	28.4
2002	53,643,552	45,556,724	170,676,955	48,491,376	84.9	28.4
2003	52,121,413	46,740,391	186,294,217	49,819,049	89.7	26.7
2004	50,145,502	45,237,677	195,831,506	48,550,116	90.2	24.8
2005	47,730,253	44,301,929	200,347,628	47,417,447	92.8	23.7
2006	47,151,671	42,905,286	211,262,049	46,173,497	91.0	21.9
2007	44,191,558	39,570,109	204,649,725	42,592,414	89.5	20.8

Source:

HMCS CaseMan system

Note:

- 1 Allows saleable items owned by the debtor to be sold unless the amount due under the warrant is paid
- 2 Warrants for which the creditor has specified the correct address

Table 4.21**County Court (enforcement work)**

Number of repossessions of property by bailiffs in England and Wales, by type of case, 2000-2007

Year	Type of case					Number of repossessions	
	Mortgage repossession	Social landlord repossession	Private landlord repossession	Accelerated repossession	Other	Total	
	2000	15,020	24,476	3,682	4,961	2,899	51,038
2001	12,891	26,338	4,300	5,719	2,433	51,681	
2002	9,175	28,917	4,295	5,953	2,169	50,509	
2003	6,848	27,078	4,012	5,487	2,134	45,559	
2004	7,172	26,089	3,681	5,205	2,035	44,182	
2005	13,032	24,575	3,984	5,980	2,303	49,874	
2006	21,321	23,374	4,127	6,827	2,247	57,896	
2007	21,315	18,975	3,879	7,523	2,057	53,749	

Source:

HMCS CaseMan system and Possession Claim Online

Note:

- 1 Includes warrants issued in the County Court Bulk Centre and via Money Claim Online and Possession Claim Online
- 2 The vast majority of warrant of repossession outcomes are repossession, the warrant being suspended by an order made by the court and the warrant being withdrawn

Table 4.22
County Court (enforcement work)
 Enforcement-related orders applied for and made in England and Wales, 2000-2007

Year	Attachment of earnings orders ^{1,2}						Number of applications / orders					
	Orders made ²		Third party debt orders ³		Charging orders ⁴		Administration orders ⁵		Orders to obtain information from judgment debtors ⁷			
	Applications	Orders made ²	Applications	Orders made	Applications	Orders made	Applications	Orders made ⁶	Applications	Orders made ⁶		
2000	80,276	62,451	2,885	1,033	16,014	9,689	6,508	7,472	61,247			
2001	77,991	71,228	4,065	1,396	21,870	15,487	6,148	7,578	68,148			
2002	79,602	68,484	5,362	1,540	30,781	21,408	5,517	6,347	58,173			
2003	79,942	68,721r	6,073	1,754	35,052r	25,217r	3,725	4,421	43,323			
2004	76,051	70,106r	6,385	1,836	45,516r	33,235	2,952	3,925	34,758r			
2005	92,559r	71,089r	6,597	1,826	65,780r	49,218	3,177	3,700	31,512r			
2006	85,328	66,477r	6,554r	1,828	92,933	67,090r	3,181r	4,480r	28,462			
2007	82,019	62,125	6,474	1,813	131,637	97,026	2,385	3,658	27,148			

Source:

HMCS CaseMan system and manual returns

Note:

- 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 into 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 a property owned by the debtor
- 5 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
- 6 Multiple orders may be made following an application e.g. where an original order is revoked and then re-instated
- 7 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

Family Matters

Key findings

- Total public law applications decreased by one per cent in 2007 compared with 2006. Within this, applications for care orders increased by three per cent and applications for supervision orders increased by fifteen per cent.
- Total private law applications have increased by three per cent in 2007 compared with 2006. Within this, applications for parental responsibility have decreased by seven per cent, applications for residence have increased by four per cent and applications for contact have increased by three per cent.
- There were 138,000 petitions filed for divorce in 2007, a decrease of eight per cent compared with the previous year. The number of decrees absolute granted fell by three per cent.
- The number of applications for domestic violence remedies decreased by seven per cent in 2007 compared with 2006. Compared with 2003 they have fallen by 19 per cent.

Chapter 5 – Family Matters

This chapter refers to family proceedings across all tiers of court

Family law is the area of law that deals with:

- parental disputes concerning the upbringing of children
- local authority intervention to protect children
- decrees relating to marriage
- financial provisions for children after divorce or relationship breakdown
- domestic violence remedies
- adoption

Family matters are dealt with in the Family Division of the High Court, in county courts and, with the exception of divorce proceedings, in family proceedings courts (those magistrates' courts that hear family cases). Magistrates undergo specialist training before they sit in Family Proceedings Courts where procedures are very different from the criminal courts. Most matters affecting children are dealt with under the Children Act 1989 in all three levels of courts.

Matters affecting children: Public Law

Public law cases are those brought by local authorities or an authorised person (currently only the NSPCC) and include matters such as care, supervision and emergency protection orders.

Care orders

A care order brings the child into the care of the applicant local authority and cannot be made in favour of any other party. The care order gives the local authority parental responsibility for the child and gives the local authority the power to determine the extent to which the child's parents and others with parental responsibility (who do not lose their parental responsibility on the making of the order) may meet their responsibility. The making of a care order with respect to a child who is the subject of any section 8 order discharges that order.

Supervision orders

A supervision order places the child under the supervision of the local authority or probation officer. While a supervision order is in force, it is the duty of the supervisor to advise, assist and befriend the child and take the necessary action to give effect to the order including whether or not to apply for its variation or discharge.

Emergency Protection Orders

An emergency protection order is used to secure the immediate safety of a child by removing the child to a place of safety, or by preventing the child's removal from a place of safety. Anyone, including a local authority, can apply for an emergency protection order if, for example, they believe that access to the child is being unreasonably refused.

Under the relevant allocation of proceedings rules for family law, public law cases must start in the Family Proceedings Courts but may be transferred to the county courts in the following circumstances:

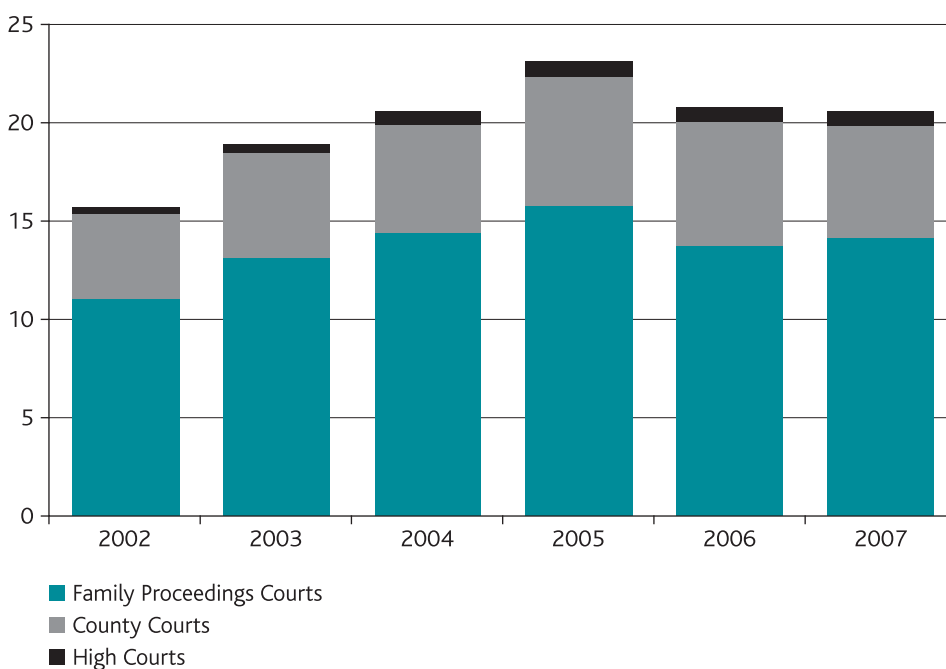
- to minimise delay
- to consolidate with other family proceedings
- where the matter is exceptionally grave, complex or important

There are known data quality issues with figures provided by Family Proceedings Courts thus they should be used with caution. A new method of data collection was introduced to Family Proceedings Courts in April 2007 which is likely to have improved the quality and level of recording on previous years.

In 2007 public law applications decreased by one per cent compared with 2006, following an upward trend in previous years. Within this, applications for care orders increased by three per cent and applications for supervision orders increased by fifteen per cent.

Public Law Applications, by tier of court, 2002-2007

Number of applications
(in thousands)



Public law caseload statistics are shown in [Tables 5.1 to 5.4](#).

Matters affecting children: Private Law

Private law cases are those brought by private individuals, generally in connection with divorce or the parents' separation. Order types include parental responsibility, "Section 8" orders (referring to the relevant section of the Children Act 1989), financial applications and special guardianship orders.

Section 8 orders include:

- residence – settles where the child should live and can be made in favour of anyone except a local authority. A residence order also gives the person named in the order parental responsibility for the child.
- contact – this order requires the person with whom the child lives to allow the child to have contact with the person named on the order. It can be granted to anyone except a local authority.
- prohibited steps – this order can be used to direct someone not to take specific action in relation to the child without the consent of the court. It could be used, for example, to stop a parent from moving the child to another country.
- specific issue – this order determines specific aspects as to the child's upbringing, for example, which religion s/he should be brought up in.

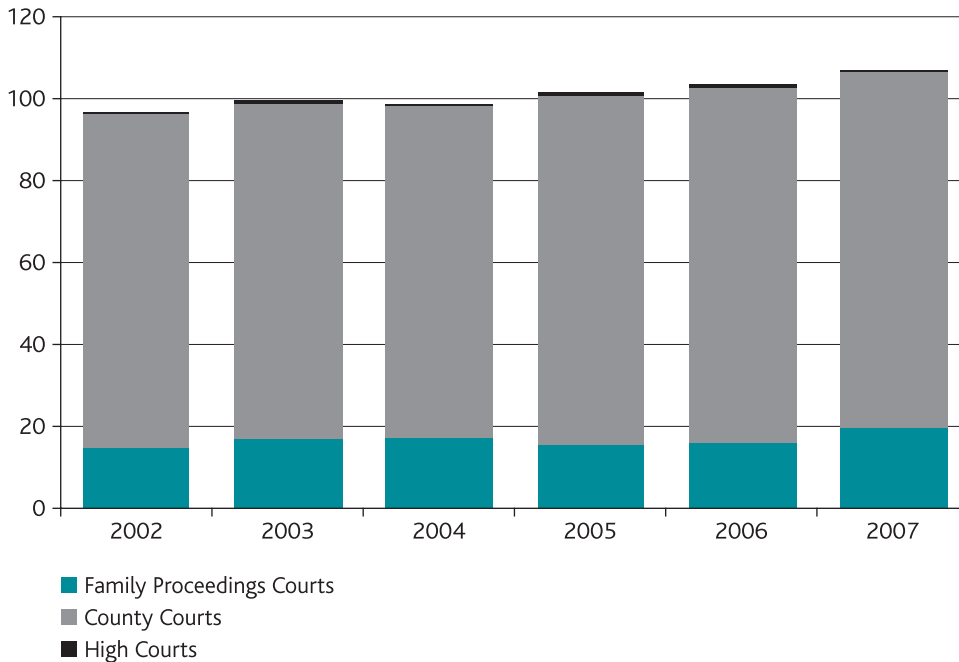
Special Guardianship

The Adoption and Children Act 2002 introduced special guardianship orders, which give the special guardian legal parental responsibility for the child without taking away parental responsibility from the birth parents. This means that the child is no longer the responsibility of the local authority. The special guardian takes responsibility for all the day to day decisions and only needs to consult with the birth parents in exceptional circumstances.

As mentioned above, in 2007 total private law applications increased by three per cent compared with 2006. Within this, applications for parental responsibility have decreased by seven per cent, applications for residence have increased by four per cent and applications for contact have increased by three per cent. There has been a small gradual increase in the number of private law applications between 2002 and 2007.

Private Law Applications, by tier of court, 2002-2007

Number of applications
(in thousands)



Private law caseload statistics are shown in [Tables 5.1 to 5.4](#).

Disposal of applications

There are four ways in which an order can be disposed of:

- withdrawn applications – applications can only be withdrawn by order of the court
- order refused – in public law proceedings an order is refused if the grounds are not proved and the court has dismissed the application. In private law proceedings the court may refuse to make an order or make an order of no order
- order of no order – this is made if the court has applied the principle of non-intervention under section 1(5) of the Act. This provides that the court shall not make an order unless it considers that doing so would be better for the child than not making an order at all
- order made.

In 2007 there were 24,600 disposals in public law cases, an increase of one per cent since 2006. In private law cases there were 123,800 disposals. This was one per cent lower than the 2006 figure.

Adoption

An adoption order made by a court extinguishes the rights, duties and obligations of the natural parents or guardian and vests them in the adopters. On adoption the child becomes, for virtually all purposes in law, the child of its adoptive parents and has the same rights of inheritance of property as any children born to the adoptive parents.

The Adoption and Children Act 2002 was implemented on 30 December 2005, replacing the Adoption Act 1976. The key changes resulting from the new act are:

- alignment of adoption law with the Children Act 1989 to ensure that the child's welfare is the most important consideration when making decisions
- provision for adoption orders to be made in favour of unmarried couples
- the introduction of Special Guardianship Orders, intended to provide permanence for children for whom adoption is not appropriate

The Office for National Statistics will publish adoption figures for 2007 in November 2008.

Matrimonial matters

There are two ways to dissolve a marriage. The most usual is a decree absolute of divorce, which ends a valid marriage. The other is a decree of nullity, which declares that the marriage itself is void, i.e. no valid marriage ever existed, or voidable, i.e. the marriage was valid unless annulled. No petition may be made for divorce within the first year of marriage.

Divorce

To obtain a decree of divorce the marriage must be proved to have broken down irretrievably. This must be done on proof of one or more of the following facts:

- (a) adultery
- (b) behaviour with which the petitioner cannot reasonably be expected to live
- (c) desertion of at least two years
- (d) two years separation where the respondent consents
- (e) five years separation without consent

Nullity

A void marriage is one that is legally invalid because, for example:

- (a) either party was under the age of sixteen at the time of the marriage
- (b) either party was already married
- (c) the parties are prohibited from marrying, for example father and daughter

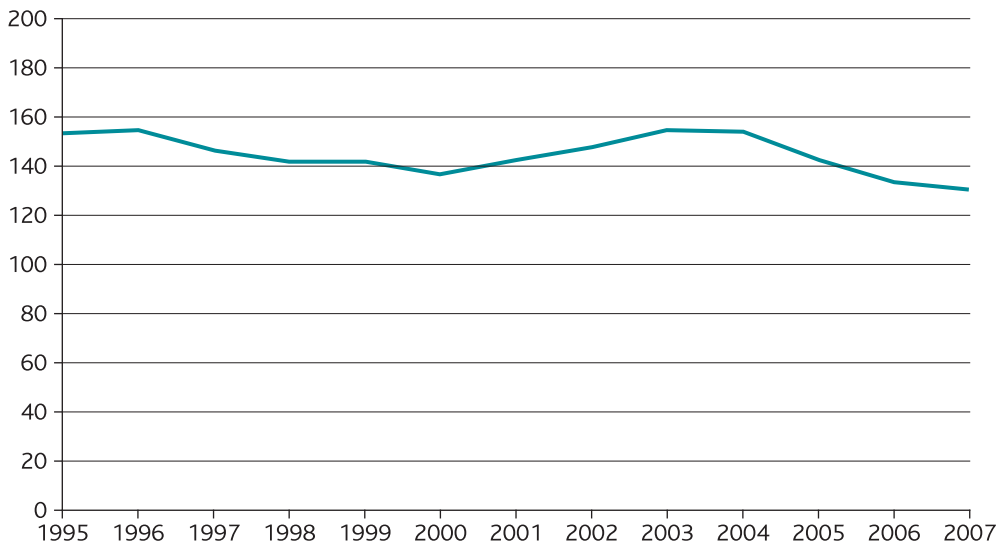
Examples of voidable marriages are those:

- (a) not consummated due to incapacity or wilful refusal (most nullities are on these grounds)
- (b) where one party was suffering from a venereal disease in a communicable form, or was pregnant by someone else at the time of marriage

There were 138,000 petitions filed for divorce in 2007, a decrease of eight per cent. The number of decrees absolute granted fell by three per cent.

Dissolution of Marriage: Decrees Absolute Granted, 1995-2007

Number of cases
(in thousands)



Judicial Separation

An alternative to divorce is a decree of judicial separation. This does not dissolve the 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.

In 2007 there were just over 500 petitions filed for judicial separation, a decrease of 18 per cent compared with the previous year.

[Table 5.5](#) shows the number of matrimonial suits each year from 2003 to 2007.

Ancillary relief

During or after a divorce, the annulment of a marriage (nullity) or 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. This is known as ancillary relief and may deal with the sale or transfer of property, maintenance payments (e.g. weekly or monthly maintenance), a lump sum payment and/or a pension sharing or attachment order.

In 2007 there were almost 34,000 property adjustment orders and 34,000 lump sum orders. The majority of orders (73%) were not contested. A further 20 per cent of orders were made by consent after initially being contested.

The numbers of disposals for ancillary relief applications are shown in [Table 5.6](#) and [Table 5.7](#).

Other financial orders in family matters

Other orders for financial provision are not dependent upon divorce proceedings and may be made for children.

Child Support Agency

The Child Support Agency (CSA) currently handles a large part of the child maintenance workload, operating its own collection and enforcement service for child maintenance assessments. The Child Maintenance and Other Payments Act 2008 led to the creation of the Child Maintenance Enforcement Commission (CMEC) which will replace the CSA, although the CSA will retain its existing caseload. The Act also removed the requirement for all parents in receipt of benefit to go through the CSA (or in the future CMEC) even if they could reach agreement. Parents who were not on benefit were previously allowed to come to courts for consent orders. This change is likely to increase the number of parties that come to court for maintenance consent orders.

Domestic violence

Part IV of the Family Law Act 1996 provides single and unified domestic violence remedies in the magistrates' courts and the county courts. Two types of order can be granted:

- a non-molestation order, which can either prohibit particular behaviour or general molestation;
- an occupation order, which can define or regulate rights of occupation of the home.

A range of people can apply to the court: spouses, cohabitants, ex-cohabitants, those who live or have lived in the same household (other than by reason of one of them being the other's employee, tenant, lodger or boarder), certain relatives (e.g. parents, grandparents, in-laws, brothers, sisters), and those who have agreed to marry one another.

Where the court makes an order and it appears to the court that the respondent has used or threatened violence against the applicant or child, then the court must attach a power of arrest unless it is satisfied that the applicant or child will be adequately protected without such a power. In July 2007 the Domestic Violence, Crime and Victims Act 2004 came in to force and this made breaching a non-molestation order a criminal offence.

The court may also add an exclusion requirement to an emergency protection order or interim care order made under the Children Act 1989. This means a suspected abuser may be removed from the home, rather than the child.

The number of applications to the county courts for domestic violence remedies decreased by seven per cent in 2007 compared with 2006. Compared with 2003 they have fallen by 19 per cent.

Two-thirds of applications were for non-molestation orders and three-quarters were ex-parte (in the absence of the respondent).

Statistics on the number of domestic violence orders are shown in [Table 5.8](#) and [Table 5.9](#).

Probate

The Probate Service forms part of the Family Division of the High Court. It deals with 'non-contentious' probate business (i.e. where there is no dispute about the validity of a will or entitlement to take a grant), and issues grants of representation – either probate (when the deceased person left a valid will) or letters of administration (usually when there is no valid will). These grants appoint people – known as personal representatives – to administer the deceased person's estate.

The Probate Service is currently made up of the Principal Registry in London, 11 District Probate Registries and 17 Probate Sub-Registries throughout England and Wales. There are also 71 Probate offices which are opened between once a week and once every two months to provide a local service for personal applicants.

In 2007, 286,175 grants of representation were issued (311,127 in 2006). Of these, 84,645 were personal applications and 201,530 were made by solicitors. In 209,482 of these cases the deceased left a will.

Table 5.1
Family Courts
 Matters affecting children: Public and Private Law applications
 made in each tier of court, 2003 to 2007¹

Year	Public law				Private law ²			
	FPC ^{3,4}	CC ⁵	HC	Total	FPC ^{3,4}	CC ⁵	HC	Total
2003	13,200	5,380r	456r	19,036r	17,500	81,521r	760r	99,781r
2004	14,500	5,469r	703r	20,672r	17,500	80,748r	788r	99,036r
2005	15,800	6,705r	814r	23,319r	15,800	85,081r	906r	101,787r
2006	13,700	6,286r	729r	20,715r	16,400	86,099r	1,004r	103,503r
2007	14,100	5,704	785	20,589	19,600	86,771	704	107,075

Source:

HMCS FamilyMan system and manual returns

Notes:

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

- 1 Figures relate to the number of children subject to each application
- 2 Private Law applications exclude adoptions
- 3 Figures for Family Proceedings Courts pre April 2007 are weighted estimates based on data from a subset of courts, and are not available below national level for earlier years. There are known data quality problems with these figures for the Family Proceedings Courts, which are likely to be an undercount. As a result, the FPC figures have been rounded
- 4 Special Guardianship Orders figures in the Family Proceedings Courts are only available for those courts which share 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
- 5 Research undertaken on behalf of Ministry of Justice has identified that some cases that have transferred from the Family Proceedings Court to the county court have been incorrectly recorded as new applications in the county court, thus inflating the number of new applications (see Masson et al, 2008). Work is in train to improve the accuracy of county court records

Table 5.2**Family Courts**Matters affecting children: Public and Private Law applications made in each tier of court, by HMCS region, 2007¹

Region	Number of applications							
	Public law				Private law ²			
	FPC ^{3,4}	CC ⁵	HC	Total	FPC ^{3,4}	CC ⁵	HC	Total
London	2,440	1,136	278	3,854	1,950	15,196	349	17,495
Midlands	2,450	400	18	2,868	5,220	13,187	37	18,444
North East	2,470	1,413	157	4,040	2,280	14,123	102	16,505
North West	1,710	601	144	2,455	3,840	11,110	77	15,027
South East	2,620	1,021	28	3,669	2,500	19,003	46	21,549
South West	1,550	418	97	2,065	2,300	9,440	90	11,830
Wales	860	715	63	1,638	1,500	4,712	3	6,215
England & Wales	14,100	5,704	785	20,589	19,600	86,771	704	107,075

Source:

HMCS FamilyMan system, and manual returns

Notes:

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

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

2 Private Law applications exclude adoptions

3 Figures for Family Proceedings Courts pre April 2007 are weighted estimates based on data from a subset of courts. There are known data quality problems with these figures for the Family Proceedings Courts, which are likely to be an undercount. As a result, the FPC figures have been rounded

4 Special Guardianship Orders figures in the Family Proceedings Courts are only available for those courts which share 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

5 Research undertaken on behalf of Ministry of Justice has identified that some cases that have transferred from the Family Proceedings Court to the county court have been incorrectly recorded as new applications in the county court, thus inflating the number of new applications (see Masson et al 2008). Work is in train to improve the accuracy of county court records

Table 5.3**Family Courts**Matters affecting children: Applications made, by whether Private or Public law, type and tier of court, 2007¹

Application type	Number of Applications									
	Public Law					Private Law				
	FPC ²	CC ⁵	HC	Total	% Change ³	FPC ²	CC ⁵	HC	Total	% Change ³
Secure accommodation	330	21	8	360	-2%	-	-	-	-	-
Care	9,700	3,596	422	13,717	+3%	-	-	-	-	-
Discharge of care	390	434	35	859	-17%	-	-	-	-	-
Substitute Supervision Order for a Care Order	50	0	0	50	+59%	-	-	-	-	-
Supervision order	750	301	19	1,069	+15%	-	-	-	-	-
Supervision order – discharge	21	3	0	24	-	-	-	-	-	-
Contact with a child in care	220	146	23	389	-30%	-	-	-	-	-
Authority to refuse Contact with a child in care	150	187	63	400	-9%	-	-	-	-	-
Education Supervision	220	0	0	220	+10%	-	-	-	-	-
Child assessment orders	15	17	1	34	-25%	-	-	-	-	-
Emergency protection order	1,400	55	4	1,459	-13%	-	-	-	-	-
Extension of emergency protection order	97	0	0	97	-31%	-	-	-	-	-
Discharge of emergency protection order	0	0	0	0	-	-	-	-	-	-
Recovery orders	180	39	20	239	+32%	-	-	-	-	-
Parental responsibility	51	87	4	143	+30%	3,500	6,774	21	10,295	-7%
Section 8										
Residence	250	291	88	629	-4%	5,100	29,514	210	34,824	+4%
Contact	230	427	76	734	+4%	9,300	29,888	192	39,380	+3%
Prohibited steps	17	17	2	36	+47%	670	11,353	100	12,123	+5%
Specific issue	42	72	13	127	-8%	750	7,575	164	8,489	+10%
Financial applications	-	-	-	-	-	200	1,025	10	1,235	+1%
Special Guardianship Orders ⁴	27	11	5	43	-	133	642	8	783	+82%
Total	14,100	5,704	785	20,589	-1%	19,600	86,771	704	107,075	+3%

Source:

HMCS FamilyMan system and manual returns

Notes:

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

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

2 Figures include data for Family Proceedings Courts, pre April 2007, that are weighted estimates based on data from a subset of courts. There are known data quality problems with the figures for the Family Proceedings Courts, which are likely to be an undercount. Work is in train to address these problems. As a result, the FPC figures have been rounded and the sum of application types may not equal the total

3 Compared with 2006. Percentage changes are not provided where there are less than 20 observations in the past period

4 Special Guardianship Orders figures in the Family Proceedings Courts are only available for those courts which share 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

5 Research undertaken on behalf of Ministry of Justice has identified that some cases that have transferred from the Family Proceedings Court to the county court have been incorrectly recorded as new applications in the county court, thus inflating the number of new applications (see Masson et al 2008). Work is in train to improve the accuracy of county court records

Table 5.4
Family Courts
Matters affecting children: Disposals in all tiers of court, by type of disposal and whether Private or Public law, 2007¹

Order type	Public Law										Private Law				Year-on-year % change in total disposals ⁴
	Type of disposal					Total disposals ^{2,3}	Year-on-year % change in total disposals ⁴	Type of disposal				Total disposals ^{2,3}			
	Applications withdrawn	Orders refused	Orders no orders	Orders made	Orders made			Applications withdrawn	Orders refused	Orders no orders	Orders made				
Secure accommodation	41	0	4	634	679	-1%	-	-	-	-	-	-	-	-	
Care	336	23	290	7,624	8,273	7%	-	-	-	-	-	-	-	-	
Discharge of care	214	21	28	936	1,199	5%	-	-	-	-	-	-	-	-	
Substitute Supervision Order for a Care Order	5	0	0	115	120	5%	-	-	-	-	-	-	-	-	
Supervision order	96	1	35	3,095	3,227	-2%	-	-	-	-	-	-	-	-	
Supervision order – discharge	0	2	0	5	7	-91%	-	-	-	-	-	-	-	-	
Contact with a child in care	124	18	47	341	530	-9%	-	-	-	-	-	-	-	-	
Authority to refuse Contact with a child in care	28	4	3	791	826	-28%	-	-	-	-	-	-	-	-	
Education Supervision	3	0	1	202	206	19%	-	-	-	-	-	-	-	-	
Child assessment orders	3	0	3	14	20	-7%	-	-	-	-	-	-	-	-	
Emergency protection order	227	33	18	983	1,261	-23%	-	-	-	-	-	-	-	-	
Extension of emergency protection order	3	0	0	105	108	-26%	-	-	-	-	-	-	-	-	
Discharge of emergency protection order	0	0	0	0	0	-	-	-	-	-	-	-	-	-	
Recovery orders	8	1	1	297	307	2%	-	-	-	-	-	-	-	-	
Parental responsibility	6	0	0	939	945	13%	564	149	115	7,570	8,398	-14%			

Section 8	111	14	10	2,529	2,664	-6%	1,227	118	426	23,703	25,474	3%
Residence	123	25	39	2,471	2,658	9%	2,210	402	942	69,713	73,267	-1%
Contact	4	0	0	347	351	-2%	353	18	97	10,594	11,062	-2%
Prohibited steps	7	1	0	162	170	36%	266	26	68	4,229	4,589	14%
Specific issue	-	-	-	-	-	-	35	10	10	500	555	-6%
Financial applications	0	0	0	1,096	1,096	50%	46	0	0	451	498	177%
Special Guardianship Orders ⁵	1,339	143	479	22,686	24,647	1%	4,701	723	1,658	116,760	123,843	-1%
Total												

Source:

HMCS FamilyMan system and manual returns

Notes:

- Figures relate to the number of children subject to each application
- The number of disposals shown in the table above are not equal to the corresponding number of applications made during the year, because:
 - disposals in 2007 may relate to applications made in earlier years, and
 - an application of one type may lead to an order of a different type being made
- There are known data quality problems with the figures for the Family Proceedings Courts. A new data collection method, introduced in April 2007, has made some improvements to the completeness of data. As such, any increases in counts may be a reflection of improved data recording rather than 'real' increases
- Compared with 2006, Percentage changes are not provided where there are less than 20 observations in the past period. Significant revisions have been made to the published 2006 disposal figures, and an updated version of table 5.4 for 2006 has been placed on the Ministry of Justice website. The revisions mainly affect the reported numbers of section 8 residence and contact orders. The revision to the overall total disposal figures are relatively small. Work is being carried out to investigate the changes further, and if necessary, an updated version of this table will be placed on the Ministry of Justice website.
- Special Guardianship Orders figures in the Family Proceedings Courts are only available for those courts which share 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 5.5
Family Courts
 Summary statistics on matrimonial proceedings, 2003 to 2007¹

Application	2003	2004	2005	2006	Number of cases	
					2007 ³	% Change ² in 2007
Dissolution of marriage						
Petition filed	173,265	167,342r	151,844r	148,659r	137,465	-8%
Decrees nisi	168,029r	166,330r	150,959r	145,415r	143,153	-2%
Decrees absolute	154,290r	153,787	142,519r	133,199r	129,350	-3%
Nullity of marriage						
Petition filed	463	495	441r	406	352	-13%
Decrees nisi	204	308	261r	240	190	-21%
Decrees absolute	193	244	251	244r	193	-21%
Judicial separation						
Petition filed	826	745	700r	615r	502	-18%
Decrees granted	467	419	385	353	329	-7%

Source:

HMCS FamilyMan system

Notes:

1 More detailed statistics on divorces in England and Wales are available from the Office for National Statistics annual publication "Marriage, Divorce and Adoption Statistics". This publication is based on statistics compiled by the General Register Office

2 Compared with 2006

3 The 2007 figure includes dissolutions of civil partnerships

Table 5.6**Family Courts**

Disposal of applications for ancillary relief made in county courts, by type and whether contested or uncontested, 2007

Disposal type	Number of disposals			
	Uncontested ¹	Initially contested, subsequently consented	Contested	Total
Periodical payments	11,791	3,126	1,112	16,029
Lump sum orders	25,755	6,713	1,438	33,906
Property adjustment orders	24,591	7,407	1,786	33,784
Pension sharing or attachment orders	8,998	1,898	668	11,564
Secure Provision Order	4,408	1,027	522	5,957
Maintenance pending suit	1,813	299	765	2,877
Application dismissed	0	1,198	441	1,639
Total Disposals²	77,356	21,668	6,732	105,756

Source:

HMCS FamilyMan system

Notes:

1 Uncontested applications do not have a court hearing

2 Figures relate to the number of disposals for each type of ancillary relief order. One case may include more than one type of ancillary relief

Table 5.7**Family Courts**

Disposal of ancillary relief applications made in county courts, by whether or not application made in respect of a child, 2007¹

Disposal	Number of cases		
	In respect of child(ren)	Not in respect of child(ren)	Total
Periodical payments	2,941	1,297	4,238
Lump sum orders	3,727	4,424	8,151
Property adjustment orders	4,655	4,538	9,193
Pension sharing or attachment orders	996	1,570	2,566
Secure Provision Order	561	988	1,549
Maintenance pending suit	359	705	1,064
Application dismissed	664	975	1,639
Total Disposals²	13,903	14,497	28,400

Source:

HMCS FamilyMan system

Notes:

1 Figures include contested and initially contested cases only

2 Figures relate to the number of disposals for each type of ancillary relief order. One case may include more than one type of ancillary relief

Table 5.8**Family Courts**Domestic violence: Applications made in the county courts, 2003 to 2007¹

Number of applications

Year	Non-molestation Applications			Occupation Applications			Total Applications		
	Ex-parte	On notice	Total	Ex-parte	On notice	Total	Ex-parte	On notice	Total
2003	13,428r	5,267r	18,695r	7,799r	3,802	11,601r	21,227r	9,069r	30,296r
2004	12,808r	4,767r	17,575r	6,921r	3,319r	10,240r	19,729r	8,086r	27,815r
2005	13,028r	4,299r	17,327r	6,873r	3,161r	10,034r	19,901r	7,460r	27,361r
2006	13,061r	3,869r	16,930r	6,565	2,840r	9,405r	19,626r	6,709r	26,335r
2007	12,496	3,548	16,044	5,886	2,551	8,437	18,382	6,099	24,481

Source:

HMCS FamilyMan system

Notes:

1 Applications for arrest warrants not included

Table 5.9**Family Courts**Domestic violence: Orders made in the county courts, 2003 to 2007¹

Number of orders

Year	Non-molestation Orders			Occupation Orders			Total Orders ¹		
	With power of arrest attached	Without power of arrest attached	Total	With power of arrest attached	Without power of arrest attached	Total	With power of arrest attached	Without power of arrest attached	Total
2003	23,914r	1,514r	25,428r	9,870r	965r	10,835	33,784r	2,479r	36,263r
2004	22,313r	1,428r	23,741r	8,249r	916r	9,165r	30,562r	2,344r	32,906r
2005	21,640r	1,203r	22,843r	8,073r	808r	8,881r	29,713r	2,011r	31,724r
2006	20,876r	1,162r	22,038r	7,281r	697r	7,978r	28,157r	1,859r	30,016r
2007 ¹	13,386	6,531	19,917	5,670	1,314	6,984	19,056	7,845	26,901

Source:

HMCS FamilyMan system

Notes:

1 The Domestic Violence, Crime and Victims Act 2004 made breach of a non-molestation order a criminal and arrestable offence as of July 2007

Table 5.10**The Probate Service**

Grants of representation in non-contentious probate proceedings issued, re-sealed and revoked, by type of application and type of registry, 2007

	Number of cases		
	On personal Application	On Application by Solicitors	Total
Grants issued¹			
<u>Probates:</u>			
Principal Registry	9,224	3,492	12,716
District Probate Registries	53,118	129,250	182,368
<u>Letters of Administration with will annexed</u>			
Principal Registry	785	363	1,148
District Probate Registries	3,776	9,474	13,250
<u>Letters of Administration</u>			
Principal Registry	2,691	4,533	7,224
District Probate Registries	15,051	54,418	69,469
Total grants issued	84,645	201,530	286,175
Grants Revoked	–	–	657
Grants re-sealed	55	472	527
Standing Searches²	–	–	10,492

Source:

The Probate Service

Notes:

1 Grants are awarded in the following circumstances

Probate – when the deceased person left a valid will and an executor is acting

Letters of administration with will annexed – when a person has left a valid will but no executor is acting

Letters of administration – usually when there is no valid will

2 The 2007 figure on standing searches is not comparable to the 2006 figure due to improved recording in 2007

Table 5.11**The Probate Service**

Summary statistics on grants of representation issued, and contentious probate case, England and Wales, 2000 to 2007

	Number of cases							
	2000	2001	2002	2003	2004	2005	2006	2007
Grants of representation¹								
<u>Numbers</u>								
Probate	197,999	192,643	193,192	195,855	196,707	198,363	196,748	195,084
Letter of administration with will annexed	12,288	12,247	12,403	12,827	13,115	13,683	14,172	14,398
Letter of Administration	54,110	55,588	62,092	63,646	84,196	87,169	100,207	76,693
<u>Percentages (of all grants)</u>								
Probate	74.9%	74.0%	72.2%	71.9%	66.9%	66.3%	63.2%	68.2%
Letter of administration with will annexed	4.6%	4.7%	4.6%	4.7%	4.5%	4.6%	4.6%	5.0%
Letter of Administration	20.5%	21.3%	23.2%	23.4%	28.6%	29.1%	32.2%	26.8%
Total grants of representation	264,397	260,478	267,687	272,328	294,018	299,215	311,127	286,175
Contested probate cases²	67	75	117	117	80	115	73	185

Source:

The Probate Service

Notes:

1 Grants are awarded in the following circumstances

Probate – when the deceased person left a valid will and an executor is acting

Letters of administration with will annexed – when a person has left a valid will but no executor is acting Letters of administration – usually when there is no valid will

2 Where a probate case is contested, the Chancery Division of the High Court deals with the matter

The Crown Court

Findings for 2007

- Total receipts for all trials received increased by almost 7% to 82,721 and disposals similarly increased by almost 7% to 82,886. Receipts of committals for sentence increased by 12% to 40,081 while appeals decreased by 2% to 13,227 (Table 6.1)
- The guilty plea rate has risen 3% to 68% as a proportion of all cases with a plea entered when compared with 2006. (Table 6.6)
- The ineffective trial rate fell by less than 1% to 12.1% compared to 2006 and the cracked trial rate increased by just over 2% to 41.6% (Tables 6.11 and 6.12)
- The average waiting time for defendants committed for trial on bail was 16.1 weeks and 9.5 weeks for those held in custody (16.2 and 9.8 weeks respectively in 2006) (Table 6.14)
- The average waiting time for defendants sent for trial on bail was 23.2 weeks and 15.3 weeks for those held in custody (23.6 and 17.4 weeks respectively in 2006) (Table 6.15)
- The average hearing time for defendants pleading not guilty has fallen to just under 18 hours for sent for trial cases and just over 8 hours for committal for trial cases (Table 6.18)

Chapter 6 – The Crown Court

The Crown Court, which sits at 92 locations in England and Wales, deals with criminal matters including:

- cases sent for trial by magistrates' courts in respect of 'indictable only' offences (i.e. those which can only be heard by the Crown Court)
- 'either way' offences committed for trial (i.e. those which can be heard in either a magistrates' court or the Crown Court)
- defendants committed from magistrates' courts for sentence
- appeals against decisions of magistrates' courts

*The information contained in chapter six has been produced using the Management Information System (MIS), a data warehousing facility drawing data directly from court-based information systems. The warehouse enables the Ministry access to more complete data than was previously possible. In some instances this has meant that **previously published figures will have changed**, since this facility has also enabled the Ministry to include late submitted data and also to revise erroneous data included in previous publications.*

The Crown Court is the only court which has jurisdiction to hear criminal trials on indictment and it also exercises the appellate and other jurisdictions which had been exercised, prior to its establishment in 1972, by Quarter Sessions. It is a unitary court but currently sits at 92 centres throughout England and Wales. Court centres are of three kinds. First-tier centres are those visited by High Court judges for Crown Court work, and also for High Court civil business. Second-tier centres are those visited by High Court judges for Crown Court business, but not for civil business. Third-tier centres are those not normally visited by High Court judges at all. Circuit judges and recorders may sit at all three classes of centre to deal with Crown Court cases.

Seriousness of offences

For the purpose of trial in the Crown Court, offences are divided into three classes of seriousness according to directions given by the Lord Chief Justice, with the concurrence of the Lord Chancellor. From 6th June 2005, the method of classifying offences was amended such that class 4 was omitted and all former class 4 offences now fall into class 3 category.

Class 1 – These are the most serious offences and include treason and murder. Generally heard by a High Court Judge.

Class 2 – These offences are usually heard by Circuit Judge under authority of the Presiding judge. Offences include rape.

Class 3 – These offences include all other offences and normally tried by circuit judge or recorder. Examples include kidnapping, burglary, grievous bodily harm and robbery.

Sent for Trial – “Indictable Only” Offences

Since 15th January 2001 all indictable only cases have been 'sent for trial' to the Crown Court after they have had their first appearance in the magistrates' court. This procedure under Section 51 of the Crime and Disorder Act 1998 replaced committal proceedings and reduces the number of hearings these cases have at the magistrates' court. While the time that indictable only cases spend in the Crown Court has increased, the overall time spent in the Criminal Justice System from arrest to sentence will decrease.

Committals for Trial – “Either Way” Offences

Either way offences may be committed by the magistrates' courts to the Crown Court for trial. The magistrates are required to ask defendants to indicate their plea to the charge. Where a guilty plea is indicated, the summary trial procedure is deemed to have been complied with and the defendant is deemed to have pleaded guilty under it and the defendant can then be sentenced or committed to the Crown Court for sentence.

Where a defendant indicates a not guilty plea or gives no indication on his plea, the court, having had regard to various factors, including representations by the prosecution and the defence, indicates whether it considers the offence more suitable for summary trial than on indictment. However, a court may only proceed to summary trial with the consent of the defendant who may choose to elect to be tried by a jury in the Crown Court.

Committals for Sentence

Provisions in the Magistrates' Courts Act 1980 allow magistrates to commit defendants who have been summarily convicted of an either way offence to the Crown Court for sentence. The magistrates must be of the opinion that the offence or the combination of the offence and one or more offences associated with it is so serious that a greater punishment should be inflicted than they have power to impose or, in the case of a violent or sexual offence, that a sentence of imprisonment for a longer term than they have power to impose is necessary to protect the public from serious harm. Committals may also arise from breaches of the terms of, for example, Community Order or suspended sentences of imprisonment where the Crown Court Judge did not reserve any breach to the Crown Court.

Appeals

In its appellate jurisdiction the Crown Court deals mainly with appeals against conviction and/or sentence in respect of criminal offences, including consequential orders such as disqualification from driving, and against the making of certain stand alone orders such as Anti-Social Behaviour Orders. The Crown Court may dismiss or allow the appeal and vary all or any part of the sentence. Appeals are usually heard by a circuit judge sitting with no more than four lay magistrates (normally two).

Plea and Case Management

The Criminal Procedure Rules 2005 introduced new principles of case management for cases sent or committed for trial. On receipt at the Crown Court, such cases have a Plea and Case Management Hearing (PCMH) at which directions may be given for the future conduct of the case including, if appropriate, the fixing of the date for trial or the warned period for its listing. The first hearing in a sent for trial case may be a preliminary hearing which is then followed by a PCMH.

Bench Warrants

A bench warrant is issued for a person deemed to be in contempt of court – usually as a result of that person’s failure to appear at their court appearance. For reporting purposes once a bench warrant is issued the case is considered disposed of. A bench warrant can also be issued in the magistrates’ court for breaches of police bail.

A person is not held under the warrant but has to be produced before the court within 24 hours of arrest. At this point they may be remanded in custody or re-bailed by the court once the bench warrant is executed and the defendant brought before the court for the original offence. Often, if a person is arrested on a bench warrant, that person is held without bail until he or she can appear in court for whatever incident it was that he or she failed to appear to address originally.

Receipts, Disposals and Outstanding Workload

Over the last 10 years there have been many changes that moved workload between the magistrates’ court and the Crown Court.

- Plea before venue in 1997 for ‘either way’ offences substantially reduced the number of trials received in the Crown Court. Cases committed for sentence doubled during the same period however these require much less resources.

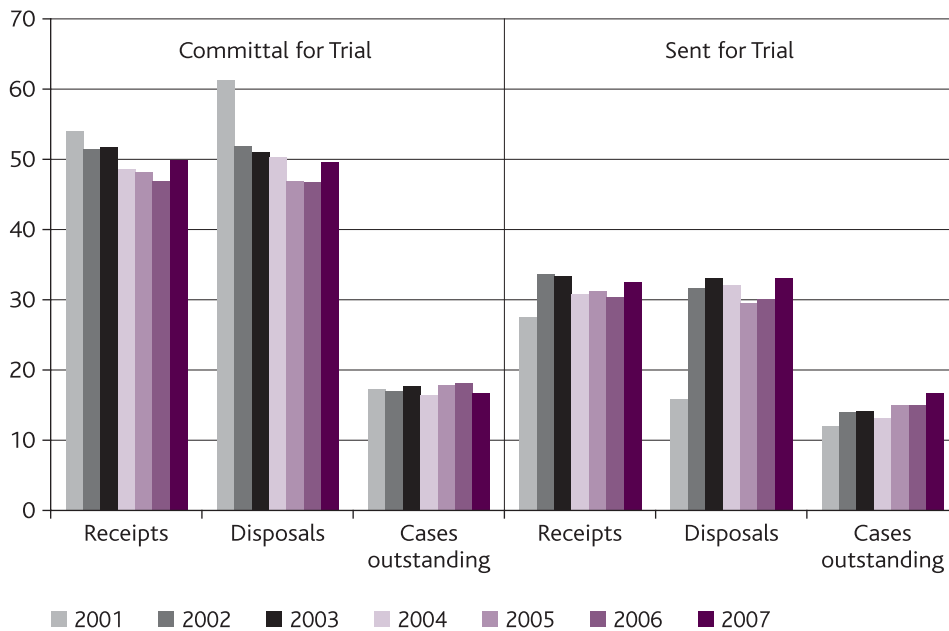
- The number of trial receipts increased upon the introduction of Sent for Trial due to cases following the original procedures in the magistrates' court and those immediately sent under the new procedure arriving at the Crown Court at the same time.

During 2007, 82,721 cases were received for trial at the Crown Court, an increase of almost 7% on the 2006 total. The numbers of committal for trial and sent for trial disposed of during 2007 totalled 82,886, an increase of almost 7%. As disposals exceeded receipts the number of cases outstanding decreased by 1% to 33,489.

Summary statistics showing receipts, disposals and outstanding cases are shown in [Table 6.1](#).

Crown Court trial workload, 2001-2007

(in thousands)



In 2007 the number of committals for sentence received at the Crown Court increased by almost 12% to 40,081, whilst disposals increased by 9% to 39,271. The number outstanding at the end of 2007 increased by 7% to 5,385.

This large increase is attributable to the escalation in the number of breaches from 6,643 to 11,546, which is an increase of 74%. This is due to the Criminal Justice Act 2003 that allowed the Crown Court to deal with their own breaches without going through the magistrates' court first. This increase has masked the underlying trend which is a 4% fall in the number of Committals for Sentence received from the magistrates' courts.

Appeals received in 2007 decreased by almost 2% to 13,227, whilst disposals increased by just under 1% to 13,230. The number of appeals outstanding also decreased slightly to finish at 2,834 at the end of 2007.

Summary regional and area level figures for 2007 are provided in [Table 6.2](#).

Judge Caseload

High court judges sit a much larger proportion of Class 1 cases, with 27% of Class 1 cases heard by a High Court judge. This is in contrast to the overall cases heard by a high court judge, with 2% of all cases having been heard by the most experienced of judges.

88% of committal for trial and sent for trial cases were heard by circuit judges, with recorders accounting for a further 10%.

Pleas and Convictions

The number of defendants involved in Crown Court cases has remained constant over the last two years, with an average 1.22 defendants per trial, 1.01 defendants per committal for sentence and 1 appellant per appeal.

Including bench warrants, cases with no plea recorded and defendants unfit to plead, there were more than 153,500 defendants dealt with by the Crown Court in 2007. This is an increase of almost 7% when compared to 2006.

Guilty Pleas

[Tables 6.6 to 6.9](#) show how cases and defendants committed for trial are dealt with, according to plea. A guilty plea is recorded if a defendant:

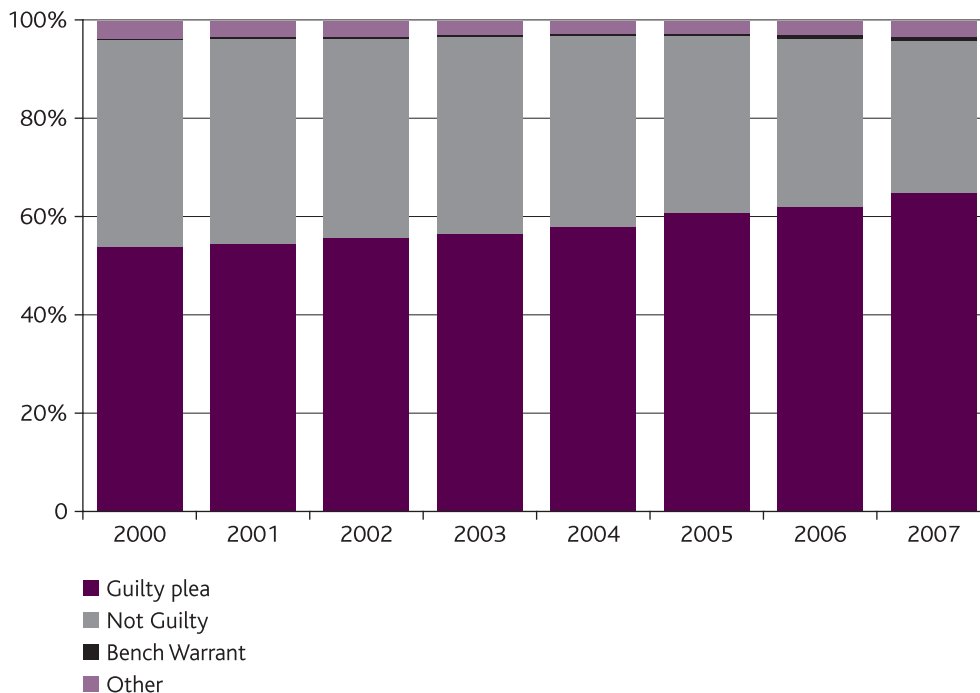
- pleads guilty to all counts
- pleads guilty to some counts and not guilty to others and no jury is sworn in respect of the not guilty counts
- pleads not guilty to some or all counts but offers a guilty plea to alternatives which are accepted (providing no jury is sworn in respect of other counts)

A case is treated as a guilty plea only if pleas of guilty are recorded in respect of all defendants.

In 2007 the number of not guilty plea cases was 1.3% lower than in 2006 for cases including those where a plea was not entered. The guilty plea rate has risen 3% to 68% as a proportion of all cases where a plea was entered when compared with 2006. Since 2001 the plea rate has steadily risen from 56% to the current figure.

Recent initiatives in the Crown Court and other agencies have helped to increase the guilty plea rate by offering an early plea discount and early charging advice by the CPS in Police Stations. Most recently the Criminal Justice 'Simple Speedy Summary' (CJSSS) policies which have both reduced the number of extraneous hearings and promoted early guilty plea decisions.

Defendants dealt with by plea, 2000-2007



Acquitted

During 2007, 61% (17,184) of the defendants who pleaded not guilty (28,391) were acquitted, representing 20% of the total 87,553 dealt with who recorded a plea. Of those 17,184, 60% were discharged by the judge, 10% were acquitted on the direction of the judge, 1% were otherwise acquitted and 29% were acquitted by a jury.

Convicted

Of the defendants convicted in 2007 after a plea of not guilty to some or all counts, 18% were convicted on a majority verdict by a jury, the remainder being convicted unanimously.

Appeal Results

Table 6.10 shows the results of appeals against magistrates court decisions within the Crown Court. Of the appellants dealt with in 2007, 5,083 (41%) had their appeals allowed or their sentence varied. Of the remainder, 3,756 (30%) were dismissed and 3,565 (29%) were abandoned or otherwise disposed.

Listing of Cases

The listing of cases is done, in many cases, months in advance. However, good listing practice, inter-agency communication and efficient case progression will lead to higher numbers of effective trials. Where a case does not proceed on the day the case will either 'crack' or be ineffective:

- Cracked Trial – on the trial date, the defendant offers acceptable pleas or the prosecution offers no evidence. A cracked trial requires no further trial time, but as a consequence the time allocated has been wasted, and witnesses have been unnecessarily inconvenienced thus impacting confidence in the system.
- Ineffective Trial – on the trial date, the trial does not go ahead 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.

Cracked Trials

The largest percentage of cracked trials occurs when the defendant pleads guilty on the trial date (63% in 2007).

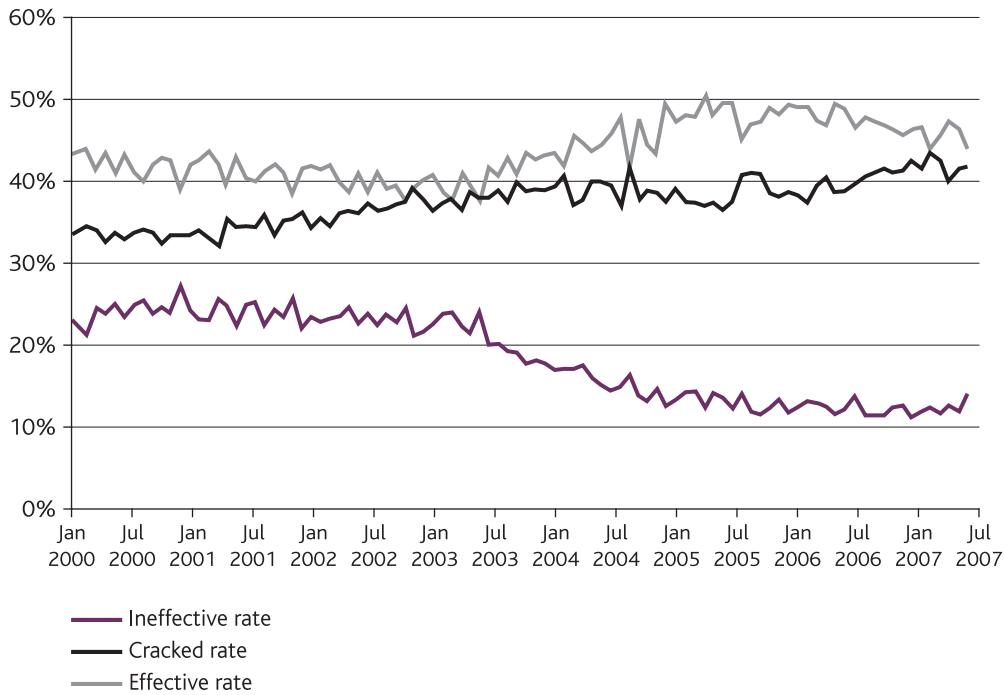
Other main reasons for cracking include when the prosecution accepts a plea of guilty to an alternative charge (18%), and when the prosecution offers no evidence (17%). The percentage of cracked trials as a proportion of all trials disposed of decreased 0.2% to 18.6% when compared to 2006.

Ineffective Trials

The largest percentage of ineffective trials occurs when the defendant is absent or unfit to stand (27% in 2007).

Other main reasons for a trial being ineffective include when the prosecution witness is absent (20%), the defence is not ready (19%) and the prosecution is not ready (18%).

Effective, Ineffective and Cracked Trial Rates, 2000-2007



In 2002, ineffective trial monitoring was introduced to reduce the incidence of over listing within the courts. The effective trial management programme introduced the role of case progression officers in courts, prosecution and defence teams and sought to increase the usage of fixed listing for all trial hearings, so improving witness and professional availability.

Other initiatives such as the certificate of readiness have also been introduced and since 2002 the ineffective trial rate has fallen from over 24% to less than 13% in 2007. The Criminal Procedure Rules 2005 and Criminal Case Management Framework set out this procedure to be followed and since 2000 the percentage of ineffective trials due to court administrative problems has fallen from almost 21% to less than 14%.

Summary statistics showing region and area level figures can be found in [Table 6.13](#).

Waiting Times

Details of waiting times are given in [Tables 6.14 to 6.17](#). They show the waiting times between committal or lodging of an appeal, and start of the substantive Crown Court hearing for defendants and appellants whose cases were heard during 2007. For reporting purposes a bench warrant execution is considered a new trial receipt and any subsequent waiting time is then taken from the date of execution.

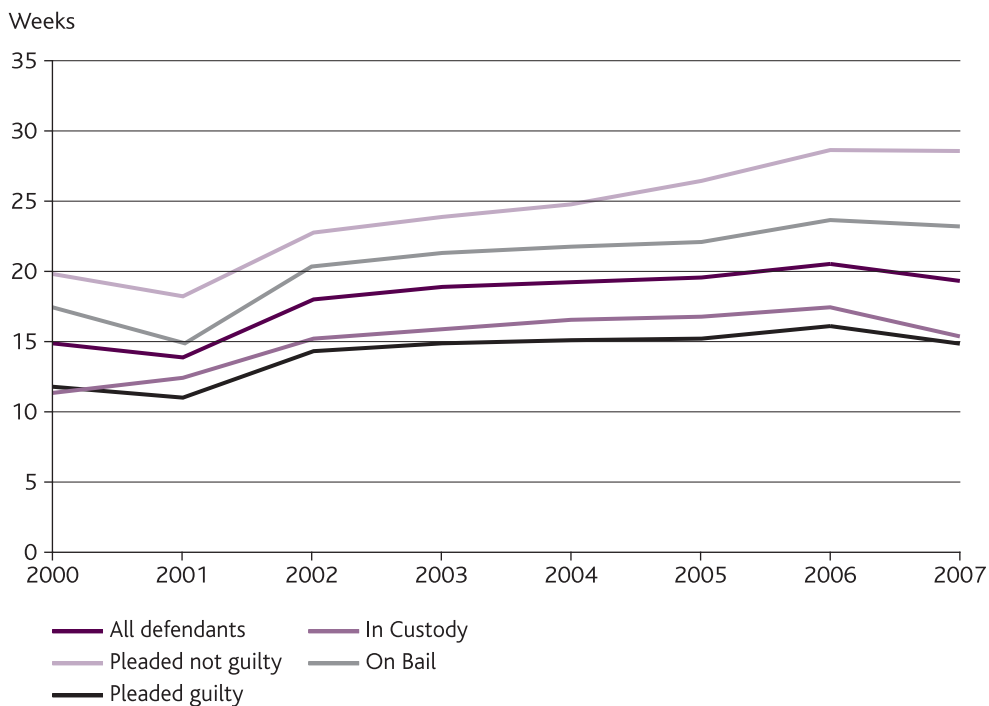
Waiting times of defendants committed or sent for trial tend to vary according to the plea entered and whether the defendant is on bail or in custody.

Sent for Trial

For cases sent for trial on average, defendants who pleaded guilty during 2007 waited 15 weeks, a decrease of more than 1 week when compared to 2006. Whilst those who pleaded not guilty waited nearly 29 weeks which is stable compared to the 2006 figure.

Defendants committed on bail waited an average of just over 23 weeks in 2007 (24 weeks in 2006) and for those committed in custody the average was 15 weeks (17 weeks in 2006).

Sent for Trial Average Waiting Time, 2000-2007



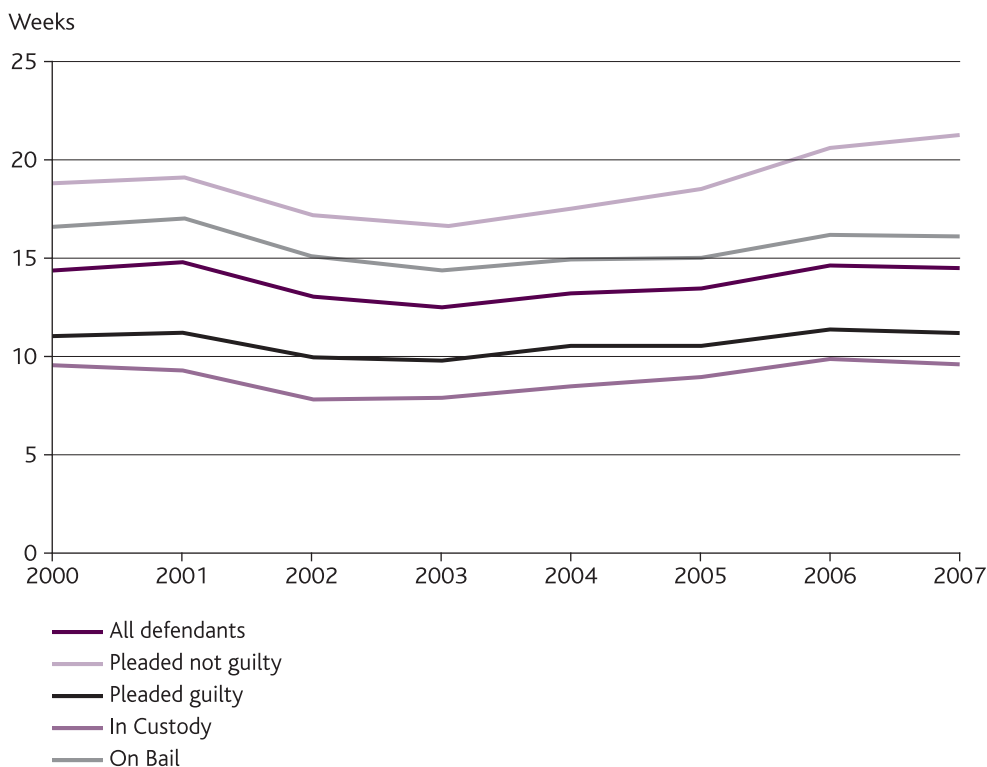
Since 2002 the average waiting time had increased steadily with almost 3 weeks being added to the time taken to reach main hearing. However in 2007 the waiting time was reduced by over 1 week and back to the same level of 2004 (19.2 weeks). For those defendants pleading guilty the length of time has decreased by over 1 week. For those who elected for jury trial they wait on average 13 more weeks before trial commencement. This increase in waiting time is due to the extra time taken to proceed, prepare and manage the case, which since 2001 has taken place in the Crown Court, whereas previously upwards of 8 weeks was typically spent within the magistrates' court.

Committal for Trial

For cases committed for trial on average, defendants who pleaded guilty during 2007 waited over 11 weeks, a slight decrease compared to 2006. Whilst those who pleaded not guilty waited just over 21 weeks an increase of just under 1 week on the 2006 figure.

Defendants committed on bail waited an average of 16 weeks in 2007 (16 weeks in 2006) and for those committed in custody the average was 10 weeks (10 weeks in 2006).

Committal for Trial Average Waiting Time, 2000-2007



Since 2002 the average waiting time before the main hearing has increased by almost 2 weeks. However, in the last year there was a small reduction giving a waiting time in 2007 of 15 weeks. For those defendants pleading guilty the length of time has slightly decreased to 11 weeks. For those who elected for jury trial they wait on average 10 more weeks before trial commencement. These increases can be partly explained by the introduction of sent for trial cases with those more serious offences taking longer to process and taking more court time to be heard.

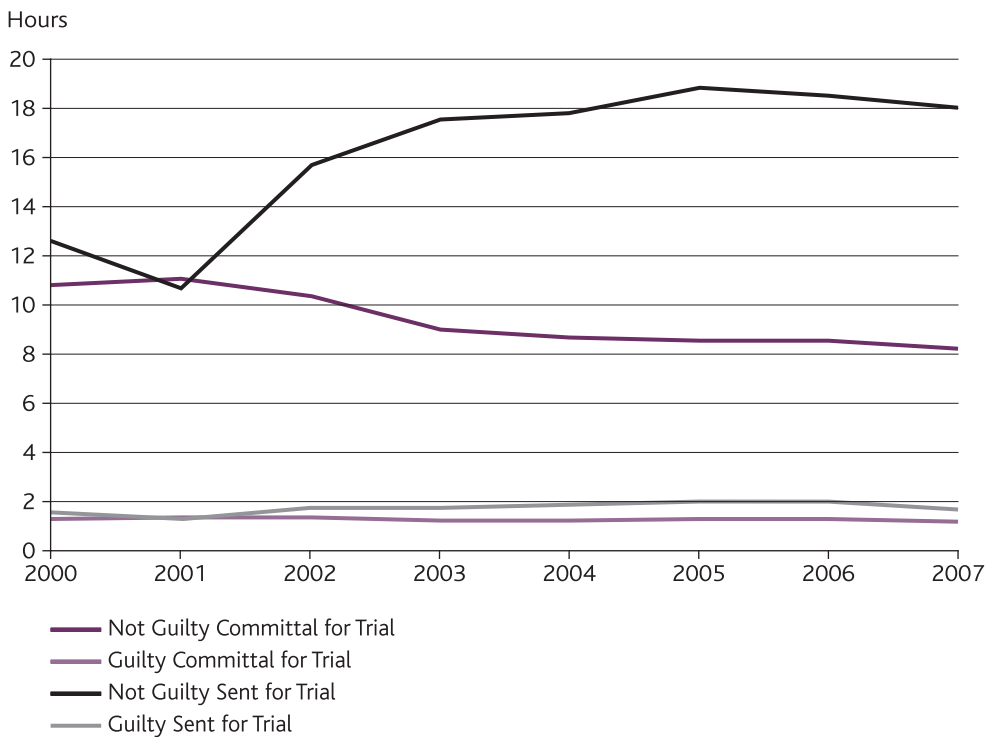
Sentences and Appeals

The average waiting time for those defendants committed for sentence was 6 weeks in 2007. Since 2000 the time spent has reduced by 1 week from almost 7 weeks to the current waiting time.

The average waiting time for those defendants having appealed the decision of the magistrates court was 9 weeks in 2007. Since 2000 the time spent has remained fairly constant between 7 and 8 weeks until 2007 where the waiting time increased by almost 1 week.

Hearing Times

Average Hearing Time for Trials by type of plea, 2000-2007



Sent for Trial

The average hearing time for not guilty trial cases has fallen by half an hour compared to 2006 with an average hearing time of just under 18 hours. The average hearing time for a guilty plea has also fallen slightly to be almost 1.5 hours. The average hearing time had increased by almost 4 hours since 2002 when the introduction of sent for trial cases had settled through the courts. This is one reason why although fewer cases are received compared to 2002, a similar amount of cases to those received are disposed because, on average more court time is needed to hear each case.

The average hearing time has been reduced due to the CJSSS policies that have reduced the number of hearings. As our average hearing time is calculated based on all hearings related to the case any reduction in the number of hearings will ultimately lower the average hearing time.

Committal for Trial

The average hearing time for not guilty trial cases has also fallen slightly to be just over 8 hours. The average hearing time for a guilty plea has also remained steady with a small reduction compared to recent years at 1.2 hours. Since 2002 the average hearing time for a trial hearing has reduced for these types of cases due to the introduction of 'sent for trial' leaving less court sitting time for other hearings. This alongside the new CJSSS has reduced the Committal for Trial average hearing times.

Sentences and Appeals

The average hearing time for a committal for sentence was 0.6 hours and for an appeal was around 1 hour.

Juror Statistics

In 2007 there were over 410,000 juror summons issued an increase of almost 6% compared to 2006. Of these more than 107,000 were excused due to either having served within the last two years (4%) or other reasons (96%) including childcare, work commitments, medical, language difficulty, student, moved from area, travel difficulties, financial hardship (see [Table 6.19](#)).

Since 2003 the number who either fail to reply to their summons or are returned undelivered has fallen from almost 73,000 to just under 59,000. As a proportion of total summons issued this has meant a reduction from almost 16% to just over 14% for 2007.

The juror utilisation rate has increased by 0.2% to 59.2% when compared to 2006. Over time the rate has fallen since 2002 although the utilisation rate is currently at its highest level over the last four years.

Other Efficiency Statistics

Information concerning waiting times for cases involving persistent young offenders (PYO) can be found in the magistrates court section in chapter 7.

Summary data for regional and area figures are shown in Table 6.21, giving the average hearing time, guilty plea rate, average waiting time and juror utilisation rate.

Table 6.1
Crown Court
 Receipts¹, Disposals² and Outstanding³ cases in England and Wales, by case type, 1990-2007

Year	Number of cases											
	Committed for trial			Sent for trial			Committed for sentence			Appeals against Mags' decisions		
	Receipts	Disposals	Cases outstanding	Receipts	Disposals	Cases outstanding	Receipts	Disposals	Cases outstanding	Receipts	Disposals	Cases outstanding
1990	103,011	100,005	26,715	-	-	-	15,270	14,988	2,464	17,801	17,557	3,233
1991	104,754	101,999	29,420	-	-	-	16,554	15,995	3,014	19,150	18,433	3,902
1992	100,994	100,742	29,186	-	-	-	14,883	15,546	2,347	20,783	19,765	4,616
1993	86,849	85,566	30,423	-	-	-	11,088	10,956	2,185	24,531	23,722	5,168
1994	89,301	86,980	32,799	-	-	-	11,485	11,226	2,108	25,262	25,644	4,624
1995	81,186	88,985	24,993	-	-	-	11,718	11,726	1,923	25,240	26,062	3,815
1996	83,328	83,274	25,048	-	-	-	12,002	11,762	2,132	18,981	20,304	2,466
1997	91,110	90,096	25,916	-	-	-	14,871	13,378	3,411	16,269	16,196	2,511
1998	75,815	77,794	23,853	-	-	-	29,774	28,224	4,699	16,278	16,473	2,296
1999	74,232	73,539	24,624	-	-	-	31,928	30,641	4,837	15,413	15,381	2,313
2000 ⁴	70,699	73,027	24,381	1,721	1,609	717	26,385	27,663	3,827	13,699	14,193	2,258
2001 ⁵	54,310	61,562	17,402	27,658	16,097	12,284	25,500	25,132	4,079	12,555	12,612	2,177
2002	51,361	52,013	17,274	33,691	31,886	14,221	28,309	27,402	4,515	11,697	11,747	2,093
2003	51,492	51,277	17,866	33,452	33,455	14,413	29,810	29,237	4,546	11,617	11,551	2,164
2004	48,656	50,616	16,433	30,803	32,288	13,282	29,947	29,583	4,373	12,622	12,368	2,429
2005	47,939	47,033	17,956	31,226	29,645	15,148	32,418	31,475	5,223	12,647	12,629	2,446
2006	47,023	47,046	16,802	30,439	30,551	16,907	35,896	35,943	5,055	13,467	13,133	2,838
2007	50,027	49,775	16,799	32,694	33,111	16,690	40,081	39,271	5,385	13,227	13,230	2,834

Source:

HM Courts 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
- 4 Figures before 2000 were obtained from CREST via our historical database
- 5 Sent for Trial cases under s51 Crime and Disorder Act 1998 were introduced nationally on the 15th January 2001 before this figures are from the pilot programme

Table 6.2
Crown Court
 Receipts¹, Disposals² and Outstanding³ cases, by case type, region and HMCS area, 2007

Year	Committed for trial			Sent for trial			Committed for sentence			Appeals against Mags' decisions			Number of cases	
	Receipts	Disposals	Cases outstanding	Receipts	Disposals	Cases outstanding	Receipts	Disposals	Cases outstanding	Receipts	Disposals	Cases outstanding	Disposals	Cases outstanding
England and Wales	49,988	49,775	16,799	32,679	33,111	16,690	40,033	39,259	29,097	13,220	13,229	14,804		
<u>HMCS Region</u>														
London	10,178	9,816	4,604	7,567	7,481	4,338	5,550	5,537	5,493	1,896	1,914	2,671		
Midlands	8,272	8,317	2,641	5,662	5,712	2,521	8,772	8,484	5,631	2,404	2,353	2,345		
North East	7,970	7,698	1,893	4,925	4,989	2,275	6,039	5,852	4,654	2,029	2,033	1,950		
North West	8,539	8,855	2,626	5,078	5,402	2,452	7,179	7,097	4,443	2,195	2,188	2,331		
South East	8,334	8,582	2,828	5,052	5,251	3,150	6,073	5,957	4,702	2,554	2,644	3,252		
Wales	2,424	2,389	612	1,698	1,670	587	2,434	2,409	1,149	667	686	609		
Western	4,271	4,118	1,595	2,697	2,606	1,367	3,986	3,923	3,025	1,475	1,411	1,646		
<u>HMCS Area</u>														
Avon and Somerset	950	885	398	760	734	397	906	873	914	404	372	424		
Bedfordshire, Essex & Hertfordshire	2,307	2,457	817	1,504	1,557	790	2,040	1,955	1,333	825	843	960		
Birmingham, Coventry, Solihull & Warwickshire	2,457	2,534	842	1,971	2,026	824	2,879	2,741	1,461	549	538	625		
Black Country, Staffordshire & West Mercia	2,460	2,425	854	1,554	1,618	694	2,372	2,258	1,694	863	858	810		
Cambridgeshire, Norfolk & Suffolk	1,697	1,771	463	771	846	290	1,261	1,220	868	468	464	418		

Cheshire & Merseyside	2,937	2,904	793	1,591	1,630	678	2,114	2,087	1,176	729	706	605
Cleveland, Durham & Northumbria	3,203	3,139	648	1,732	1,806	976	1,700	1,689	1,483	862	909	878
Cumbria & Lancashire	2,334	2,328	743	1,266	1,406	717	1,768	1,709	1,098	647	649	632
Devon and Cornwall	949	901	391	464	446	242	800	798	495	312	303	384
Dorset, Gloucestershire & Wiltshire	846	918	234	613	639	301	981	972	901	359	361	397
Greater Manchester	3,268	3,623	1,090	2,221	2,366	1,057	3,297	3,301	2,169	819	833	1,094
Hampshire and Isle of Wight	1,526	1,414	572	860	787	427	1,299	1,280	715	400	375	441
Humber & South Yorkshire	2,330	2,248	573	1,582	1,557	539	2,625	2,550	1,488	445	444	331
Kent	1,337	1,364	353	817	898	603	576	606	602	316	340	548
Leicestershire, Lincoln & Northamptonshire	1,481	1,505	462	980	997	507	1,477	1,478	924	489	474	422
London Central & South	4,440	4,550	1,779	3,570	3,577	2,147	2,460	2,582	3,003	920	942	1,493
London North & West	5,738	5,266	2,825	3,997	3,904	2,191	3,090	2,955	2,490	976	972	1,178
Mid & West Wales	595	592	116	326	316	115	513	517	234	163	176	193
North & West Yorkshire	2,437	2,311	672	1,611	1,626	760	1,714	1,613	1,683	722	680	741
North Wales	500	532	67	213	246	108	394	401	111	139	151	42
Nottingham & Derbyshire	1,874	1,853	483	1,157	1,071	496	2,044	2,007	1,552	503	483	488
South East Wales	1,329	1,265	429	1,159	1,108	364	1,527	1,491	804	365	359	374
Surrey & Sussex	1,695	1,790	606	1,084	1,081	870	1,193	1,184	999	512	487	711
Thames Valley	1,298	1,200	589	876	869	597	1,003	992	900	433	510	615

Source:

HM Courts 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 6.3**Crown Court**

Number of cases¹ dealt with², and proportion heard by High Court³ judges, by class and HMCS region, 2007

	Class 1				Class 2				Class 3			
	Number of cases	As % of all cases heard	Number heard by a High Court judge	% heard by High Court judge	Number of cases	As % of all cases heard	Number heard by a High Court judge	% heard by High Court judge	Number of cases	As % of all cases heard	Number heard by a High Court judge	% heard by High Court judge
<u>HMCS Region</u>												
London	291	1.7%	15	5.15%	482	2.7%	6	1.24%	16,819	95.6%	185	1.10%
Midlands	188	1.3%	70	37.23%	679	4.7%	32	4.71%	13,606	94.0%	335	2.46%
North East	177	1.4%	57	32.20%	522	4.0%	14	2.68%	12,249	94.6%	173	1.41%
North West	185	1.2%	62	33.51%	466	3.1%	20	4.29%	14,296	95.6%	208	1.45%
South East	131	0.9%	23	17.56%	474	3.3%	5	1.05%	13,607	95.7%	93	0.68%
Wales	56	1.4%	33	58.93%	169	4.1%	13	7.69%	3,891	94.5%	110	2.83%
Western	82	1.2%	40	48.78%	364	5.3%	14	3.85%	6,392	93.5%	80	1.25%
England & Wales	1,110	1.3%	300	27.03%	3,156	3.7%	104	3.30%	80,860	95.0%	1,184	1.46%

Source:

HM Courts 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 a small number of cases heard by judges in the relevant deputy grade

Table 6.4
Crown Court
 Number of cases¹ dealt with², by type of judge³ and HMCS region, 2007

Region	High Court judge		Circuit judge		Recorder	
	Number	Percentage	Number	Percentage	Number	Percentage
<u>HMCS Region</u>						
London	206	1%	15,463	88%	1,923	11%
Midlands	437	3%	12,074	83%	1,962	14%
North East	244	2%	11,344	88%	1,360	11%
North West	290	2%	13,721	92%	936	6%
South East	121	1%	12,556	88%	1,535	11%
Wales	156	4%	3,562	87%	398	10%
Western	134	2%	6,119	89%	585	9%
England & Wales	1,588	2%	74,839	88%	8,699	10%

Source:

HM Courts 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 a small number of cases heard by judges in the relevant deputy grade

Table 6.5
Crown Court
 Number of cases disposed¹ of in England and Wales, by case type and number of defendants involved, 2000-2007

Year	Committed / Sent for trial				Committed for sentence				Appeals			
	Disposals	Number of defendants involved	Cases with > 1 defendant	Average number of defendants per case	Disposals	Number of defendants involved	Cases with > 1 defendant	Average number of defendants per case	Disposals	Number of defendants involved	Cases with > 1 defendant	Average number of defendants per case
2000	74,636	96,825	13,834	1.30	27,647	27,840	165	1.01	14,193	14,193	0	1.00
2001	77,659	99,010	13,440	1.27	25,132	25,286	149	1.01	12,612	12,612	0	1.00
2002	83,899	104,862	13,160	1.25	27,402	27,855	176	1.02	11,747	11,747	0	1.00
2003	84,732	104,363	12,638	1.23	29,237	29,787	210	1.02	11,551	11,551	0	1.00
2004	82,904	101,862	12,005	1.23	29,583	30,164	203	1.02	12,368	12,368	0	1.00
2005	76,678	94,234	10,790	1.23	31,475	31,806	222	1.01	12,629	12,629	0	1.00
2006	77,597	94,845	11,073	1.22	35,943	36,229	316	1.01	13,133	13,133	0	1.00
2007	82,886	100,885	11,814	1.22	39,271	39,468	268	1.01	13,230	13,230	0	1.00

Source:

HM Courts 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

Table 6.6**Crown Court**Defendants dealt with in cases committed or sent for trial¹, by plea, England and Wales, 2000-2007

Year	Total number of defendants disposed of	Plea entered				No plea entered				Guilty pleas as % cases with plea
		Guilty (to all counts)		Not Guilty ²		Bench warrant		Other ²		
		Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	
2000	81,978	44,196	54%	34,579	42%	223	0.3%	2,980	4%	56%
2001	80,689	43,903	54%	33,954	42%	221	0.3%	2,611	3%	56%
2002	84,839	47,307	56%	34,618	41%	243	0.3%	2,671	3%	58%
2003	84,679	48,124	57%	33,755	40%	285	0.3%	2,515	3%	59%
2004	84,183	48,408	58%	32,934	39%	301	0.4%	2,540	3%	60%
2005	80,847	49,260	61%	29,334	36%	285	0.4%	1,968	2%	63%
2006	84,026	52,988	63%	28,754	34%	308	0.4%	1,976	2%	65%
2007	90,943	59,162	65%	28,391	31%	644	0.7%	2,746	3%	68%

Source:

HM Courts 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

Table 6.7**Crown Court**

Defendants dealt with in cases committed or sent for trial¹ showing result according to plea, England and Wales, 2000-2007

Year	Total number of defendants entering plea	Plea entered					Percentage Acquitted
		Guilty to all counts Total	Not Guilty ²				
			Total	Acquitted ³	Convicted ³		
2000	78,775	44,196	34,579	17,551	17,028	51%	
2001	77,857	43,903	33,954	17,356	16,598	51%	
2002	81,925	47,307	34,618	17,174	17,444	50%	
2003	81,879	48,124	33,755	17,124	16,631	51%	
2004	81,342	48,408	32,934	16,379	16,555	50%	
2005	78,594	49,260	29,334	15,588	13,746	53%	
2006	81,742	52,988	28,754	17,044	11,710	59%	
2007	87,553	59,162	28,391	17,184	11,207	61%	

Source:

HM Courts 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
- 3 Acquitted or convicted on those counts to which defendant pleaded not guilty

Table 6.8**Crown Court**

Defendants¹ acquitted after a not guilty plea, by manner of acquittal, England and Wales, 2000-2007

Year	Manner of acquittal ²				Total	% of acquittals by jury verdict
	Discharged by judge	Acquittal directed by judge	Jury verdict	Other Acquittal ³		
2000	9,034	1,974	5,064	1,479	17,551	29%
2001	8,699	1,768	5,108	1,781	17,356	29%
2002	9,096	1,614	4,731	1,733	17,174	28%
2003	9,341	1,615	4,669	1,499	17,124	27%
2004	9,036	1,536	4,487	1,320	16,379	27%
2005	8,600	1,638	4,575	775	15,588	29%
2006	9,919	1,697	5,177	251	17,044	30%
2007	10,322	1,661	5,013	188	17,184	29%

Source:

HM Courts Service CREST system

Notes:

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

2 Other acquittals include where no plea is recorded, autrefois acquit and autrefois convict

Table 6.9**Crown Court**

Defendants convicted¹ after a not guilty plea in cases committed or sent for trial, by number of jurors dissenting to the verdict, England and Wales, 2000-2007

Year	Total convicted after a not guilty plea	Percentage of convictions by unanimous verdict			
		Unanimous verdict	1 dissenting juror (11-1 majority)	2 dissenting jurors (10-2 majority)	
2000	17,028	14,919	772	1,337	88%
2001	16,598	14,334	872	1,392	86%
2002	17,444	15,301	803	1,340	88%
2003	16,631	14,472	823	1,336	87%
2004	16,555	14,344	873	1,338	87%
2005	13,746	11,738	766	1,242	85%
2006	11,710	9,600	854	1,256	82%
2007	11,207	9,201	820	1,186	82%

Source:

HM Courts Service CREST system

Notes:

1 Convicted on at least one count to which the defendant pleaded not guilty

Table 6.10
Crown Court
 Appeals (against decisions of Magistrates' Courts) dealt with, by appeal type and result, England and Wales, 2000-2007

Year	Total appellants dealt with	Appeals against verdict					Appeals against sentence					Total other appeals ³
		Total	Allowed	Dismissed	Abandoned ¹ or otherwise disposed ²	% allowed	Total	Allowed	Dismissed	Abandoned ¹ or otherwise disposed ²	% allowed	
2000	14,193	5,569	2,426	1,724	1,419	44%	7,758	3,581	2,384	1,793	46%	866
2001	12,612	4,919	2,036	1,572	1,311	41%	6,960	3,278	2,140	1,542	47%	733
2002	11,837	4,590	1,848	1,451	1,291	40%	6,482	2,913	2,021	1,548	45%	765
2003	11,632	4,480	1,759	1,390	1,331	39%	6,444	2,918	1,957	1,569	45%	708
2004	12,484	4,982	2,021	1,507	1,454	41%	6,748	3,025	2,007	1,716	45%	754
2005	12,748	5,355	2,113	1,634	1,608	39%	6,604	3,086	1,839	1,679	47%	789
2006	13,174	5,584	2,049	1,788	1,747	37%	6,900	3,238	1,944	1,718	47%	690
2007	13,046	5,821	2,140	1,840	1,841	37%	6,583	2,943	1,916	1,724	45%	642

Source:

HM Courts Service CREST system

Notes:

- 1 Includes both abandoned in court and abandoned before court appearance
- 2 Includes those remitted back to magistrates court
- 3 Includes those for non-Criminal matters including licensing or care proceedings in juvenile cases

Table 6.11
Crown Court
 Proportion of listed trials which "cracked", by reason for the crack, England and Wales, 2000-2007

Year	Total cases listed for trial	Total cracked trials	Cracked trial rate	Reasons for crack ¹									
				Defendant enters late guilty plea		Defendant pleads guilty to alternative charge, accepted by prosecution		Defendant bound over		Prosecution end case		Other reason	
				Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
2000	51,209	17,224	33.6%	10,483	60.9%	2,630	15.3%	527	3.1%	3,558	20.7%	26	0.2%
2001	52,041	17,877	34.4%	10,794	60.4%	2,766	15.5%	560	3.1%	3,725	20.8%	32	0.2%
2002	53,766	19,505	36.3%	12,327	63.2%	2,977	15.3%	511	2.6%	3,669	18.8%	21	0.1%
2003	52,066	19,820	38.1%	12,198	61.5%	3,340	16.9%	477	2.4%	3,770	19.0%	35	0.2%
2004	46,856	18,305	39.1%	11,051	60.4%	3,461	18.9%	357	2.0%	3,413	18.6%	23	0.1%
2005	38,244	14,575	38.1%	9,105	62.5%	2,648	18.2%	333	2.3%	2,430	16.7%	59	0.4%
2006	37,031	14,533	39.2%	9,254	63.7%	2,565	17.6%	345	2.4%	2,311	15.9%	58	0.4%
2007	37,007	15,380	41.6%	9,613	62.5%	2,737	17.8%	317	2.1%	2,642	17.2%	71	0.5%

Source:

HM Courts Service CREST system

Notes:

- 1 From Sept 2005 the reasons for Cracked trials were aligned with the magistrates court. The previous six reasons were replaced with twelve and these have been categorised as above

Table 6.12
Crown Court
 Proportion of listed trials which were “ineffective”, by reason, England and Wales, 2000-2007

Year	Total cases listed for trial	Reasons for ineffective trial ¹													
		Total ineffective trials		Prosecution not ready		Prosecution witness absent		Defence not ready		Defence witness absent		Defendant absent / unfit to stand		Court administrative problems	
		Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
2000	51,209	12,407	24.2%	1,772	14.3%	2,691	21.7%	2,399	19.3%	433	3.5%	2,551	20.6%	2,561	20.6%
2001	52,041	12,556	24.1%	1,903	15.2%	2,764	22.0%	2,527	20.1%	466	3.7%	2,738	21.8%	2,158	17.2%
2002	53,766	12,559	23.4%	2,151	17.1%	2,804	22.3%	2,615	20.8%	385	3.1%	2,674	21.3%	1,930	15.4%
2003	52,066	11,311	21.7%	1,818	16.1%	2,700	23.9%	2,464	21.8%	383	3.4%	2,426	21.4%	1,520	13.4%
2004	46,856	7,859	16.8%	1,351	17.2%	1,868	23.8%	1,562	19.9%	228	2.9%	1,903	24.2%	947	12.0%
2005	38,244	5,216	13.6%	990	19.0%	1,141	21.9%	1,110	21.3%	116	2.2%	1,269	24.3%	590	11.3%
2006	37,031	4,628	12.5%	731	15.8%	1,036	22.4%	963	20.8%	119	2.6%	1,156	25.0%	623	13.5%
2007	37,007	4,484	12.1%	815	18.2%	913	20.4%	850	19.0%	98	2.2%	1,197	26.7%	611	13.6%

Source:

HM Courts Service CREST system

Notes:

1 From Sept 2005 the reasons for Cracked trials were aligned with the magistrates court. The previous twenty four reasons were replaced with twenty eight and these have been categorised as above

Table 6.13**Crown Court**

Summary statistics on effectiveness of cases listed for trial, by HMCS area and region, 2007

	Total number cases for trial	Number of cases listed for trial	Ineffective trials		Cracked trials		Effective trials	
			Number	Percentage	Number	Percentage	Number	Percentage
England and Wales	23,033	37,007	4,484	12.1%	15,380	41.6%	17,143	46.3%
<u>HMCS Region</u>								
London	6,575	9,393	1,308	13.9%	2,962	31.5%	5,123	54.5%
Midlands	3,300	5,177	526	10.2%	2,352	45.4%	2,299	44.4%
North East	2,587	5,845	734	12.6%	3,358	57.5%	1,753	30.0%
North West	3,254	5,878	662	11.3%	2,998	51.0%	2,218	37.7%
South East	4,198	6,310	833	13.2%	2,191	34.7%	3,286	52.1%
Wales	1,070	1,639	125	7.6%	628	38.3%	886	54.1%
Western	2,049	2,765	296	10.7%	891	32.2%	1,578	57.1%
<u>HMCS Area</u>								
Avon and Somerset	478	658	98	14.9%	203	30.9%	357	54.3%
Bedfordshire, Essex & Hertfordshire	1,237	1,915	242	12.6%	734	38.3%	939	49.0%
Birmingham, Coventry, Solihull & Warwickshire	1,160	1,761	157	8.9%	821	46.6%	783	44.5%
Black Country, Staffordshire & West Mercia	868	1,474	129	8.8%	668	45.3%	677	45.9%
Cambridgeshire, Norfolk & Suffolk	701	1,015	88	8.7%	344	33.9%	583	57.4%
Cheshire & Merseyside	1,156	1,863	183	9.8%	907	48.7%	773	41.5%
Cleveland, Durham & Northumbria	1,057	2,516	332	13.2%	1,527	60.7%	657	26.1%
Cumbria & Lancashire	800	1,459	191	13.1%	765	52.4%	503	34.5%
Devon and Cornwall	360	458	32	7.0%	143	31.2%	283	61.8%
Dorset, Gloucestershire & Wiltshire	431	615	51	8.3%	216	35.1%	348	56.6%
Greater Manchester	1,298	2,556	288	11.3%	1,326	51.9%	942	36.9%
Hampshire and Isle of Wight	780	1,034	115	11.1%	329	31.8%	590	57.1%
Humber & South Yorkshire	678	1,569	147	9.4%	965	61.5%	457	29.1%
Kent	672	1,045	162	15.5%	325	31.1%	558	53.4%
Leicestershire, Lincoln & Northamptonshire	580	966	119	12.3%	415	43.0%	432	44.7%
London Central & South	3,360	4,718	667	14.1%	1,381	29.3%	2,670	56.6%
London North & West	3,215	4,675	641	13.7%	1,581	33.8%	2,453	52.5%
Mid & West Wales	278	397	28	7.1%	115	29.0%	254	64.0%
North & West Yorkshire	852	1,760	255	14.5%	866	49.2%	639	36.3%
North Wales	178	303	20	6.6%	114	37.6%	169	55.8%
Nottingham & Derbyshire	692	976	121	12.4%	448	45.9%	407	41.7%
South East Wales	614	939	77	8.2%	399	42.5%	463	49.3%
Surrey & Sussex	906	1,367	218	15.9%	485	35.5%	664	48.6%
Thames Valley	682	968	123	12.7%	303	31.3%	542	56.0%

Source:

HM Courts Service CREST system

Table 6.14
Crown Court
 Average waiting times for defendants dealt with¹ having been committed for trial, by plea and remand type, England and Wales, 2000-2007

Year	By Plea												By Remand Status					
	All defendants dealt with				Defendants pleading not guilty ²				Defendants pleading guilty (to all counts)				Defendants remanded in custody			Defendants remanded on bail		
	Number dealt with	Waiting time (weeks)	% dealt with in 16 weeks	Number dealt with	Waiting time (weeks)	% dealt with in 16 weeks	Number dealt with	Waiting time (weeks)	% dealt with in 16 weeks	Number dealt with	Waiting time (weeks)	% dealt with in 16 weeks	Number dealt with	Waiting time (weeks)	% dealt with in 16 weeks	Number dealt with	Waiting time (weeks)	% dealt with in 16 weeks
2000	77,231	14.3	69%	33,950	18.6	55%	43,281	11.0	80%	24,405	9.5	85%	52,826	16.6	61%			
2001 ²	63,850	14.7	67%	28,507	19.0	53%	35,343	11.3	79%	18,432	9.2	85%	45,418	17.0	60%			
2002	52,300	13.0	74%	21,569	17.1	61%	30,731	10.1	83%	14,880	7.8	90%	37,420	15.1	67%			
2003	50,493	12.5	74%	19,878	16.5	62%	30,615	9.9	83%	14,178	7.8	90%	36,315	14.4	69%			
2004	50,410	13.2	72%	19,482	17.5	57%	30,928	10.5	81%	13,375	8.4	88%	37,035	14.9	66%			
2005	48,257	13.4	71%	17,485	18.4	54%	30,772	10.5	81%	12,609	8.9	88%	35,648	15.0	65%			
2006	49,754	14.6	68%	17,375	20.6	46%	32,379	11.3	79%	12,573	9.8	85%	37,181	16.2	62%			
2007	53,228	14.5	69%	17,358	21.3	47%	35,870	11.2	80%	13,010	9.5	87%	40,218	16.1	63%			

Source:

HM Courts Service CREST system

Notes:

- 1 Excludes 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
- 3 Sent for Trial cases under s51 CDA 1998 were introduced nationally on the 15th January 2001 before this all cases were classed as committed for trial

Table 6.15
Crown Court
 Average waiting times for defendants dealt with¹ having been sent for trial, by plea and remand type, England and Wales, 2000-2007

Year	By Plea										By Remand Status					
	Defendants pleading not guilty ²					Defendants pleading guilty (to all counts)					Defendants remanded in custody			Defendants remanded on bail		
	Number dealt with	Waiting time (weeks)	% in 26 weeks	Number dealt with	Waiting time (weeks)	% in 26 weeks	Number dealt with	Waiting time (weeks)	% in 26 weeks	Number dealt with	Waiting time (weeks)	% in 26 weeks	Number dealt with	Waiting time (weeks)	% in 26 weeks	
2000 ³	1,547	14.9	89%	630	19.7	83%	917	11.6	93%	653	11.4	105%	894	17.4	77%	
2001 ⁴	14,026	13.8	92%	5,464	18.2	89%	8,562	11.0	93%	6,587	12.4	98%	7,439	15.0	87%	
2002	29,643	18.0	79%	13,058	22.7	72%	16,585	14.3	84%	13,513	15.2	86%	16,130	20.3	72%	
2003	31,399	18.8	77%	13,886	23.8	68%	17,513	14.9	84%	14,409	15.9	84%	16,990	21.3	71%	
2004	31,330	19.2	73%	13,485	24.7	63%	17,845	15.1	81%	14,859	16.5	77%	16,471	21.7	70%	
2005	30,335	19.5	73%	11,849	26.4	65%	18,486	15.2	78%	14,565	16.8	76%	15,770	22.1	70%	
2006	31,735	20.5	66%	11,299	28.6	57%	20,436	16.1	72%	15,537	17.4	68%	16,198	23.6	65%	
2007	34,262	19.2	65%	11,016	28.5	59%	23,246	14.8	68%	17,402	15.3	64%	16,860	23.2	66%	

Source:
 HM Courts Service CREST system

Notes:

- 1 Excludes 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
- 3 In 2000 there were six pilot courts with sent for trial cases
- 4 Sent for Trial cases under s51 CDA 1998 were introduced nationally on the 15th January 2001 before this all cases were classed as committed for trial

Table 6.16**Crown Court**

Average waiting times for defendants dealt with¹ having been committed for sentence, England and Wales, 2000-2007

Year	Total number of defendants dealt with	Waiting time (weeks)	% within 10 weeks
2000	24,275	6.8	86%
2001	21,039	6.3	88%
2002	22,641	6.3	88%
2003	23,221	6.3	87%
2004	22,999	6.0	89%
2005	24,506	6.1	89%
2006	26,159	6.0	89%
2007	24,076	5.8	91%

Source:

HM Courts Service CREST system.

Notes:

¹ Excludes committals after breach, 'bring backs' and deferred sentences.

Table 6.17**Crown Court**

Average waiting times for appellants dealt with¹ having appealed the decision of a Magistrates' Court, England and Wales, 2000-2007

Year	Total number of appellants dealt with	Waiting time (weeks)	% within 14 weeks
2000	12,216	7.5	88%
2001	11,089	7.1	90%
2002	10,160	7.2	90%
2003	10,265	7.7	89%
2004	10,710	7.7	87%
2005	10,810	7.5	88%
2006	11,156	7.9	87%
2007	10,772	8.6	86%

Source:

HM Courts Service CREST system

Notes:

¹ Excludes cases abandoned before appearance in court

Table 6.18**Crown Court**Average hearing times in cases dealt with¹, by case type and plea, England and Wales, 2000-2007

Year	Committed for trial				Sent for trial ²				Committed for sentence		Appeals against Mags' decision	
	Not guilty plea		Guilty plea		Not guilty plea		Guilty plea		Number of cases dealt with	Average hearing time (hours)	Number of cases dealt with	Average hearing time (hours)
	Number of cases dealt with	Average hearing time (hours)	Number of cases dealt with	Average hearing time (hours)	Number of cases dealt with	Average hearing time (hours)	Number of cases dealt with	Average hearing time (hours)				
2000	22,227	10.8	40,272	1.3	379	12.6	876	1.5	25,285	0.6	12,322	0.9
2001	19,867	11.1	32,655	1.3	3,143	10.6	7,988	1.2	22,444	0.6	11,059	0.9
2002	15,394	10.3	28,570	1.3	8,059	15.7	15,864	1.7	24,512	0.6	10,200	1.0
2003	14,738	9.1	29,583	1.2	8,868	17.5	17,019	1.8	26,747	0.6	10,168	1.0
2004	14,749	8.7	29,284	1.2	8,604	17.7	17,134	1.9	26,954	0.6	10,823	1.0
2005	14,252	8.4	28,699	1.3	8,228	18.9	16,674	1.9	29,384	0.6	11,098	1.0
2006	14,633	8.5	28,349	1.3	8,786	18.4	17,736	1.9	33,562	0.6	11,576	1.1
2007	14,495	8.2	31,203	1.2	8,868	17.9	20,281	1.6	36,385	0.5	11,309	1.1

Source:

HM Courts Service CREST system

Notes:

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

2 Sent for Trial cases under s51 CDA 1998 were introduced nationally on the 15th January 2001 before this figures are from the pilot programme

Table 6.19
Crown Court
 Jury Central Summoning Bureau figures, 2003-2007

	Number of cases				
	2003	2004	2005	2006	2007
Total number of summons issues	461,980	431,432	388,154	390,671	412,666
Total number of jurors supplied to the court	184,833	187,114	185,193	181,966	182,661
Deferred to serve at a later date	59,528	65,754	63,741	61,254	66,174
Number refused deferral	340	288	286	172	122
Excused by right having served in past 2 years	28,247	14,887	4,333	4,277	4,518
Excused for other reasons ¹	114,929	102,301	93,141	95,559	103,064
All excused	143,176	117,188	97,474	99,836	107,582
Number refused excusal	3,453	4,344	3,585	2,053	1,641
Disqualified – residency, mental disorders, criminality	98,045	89,112	77,364	85,061	94,171
Disqualified – on selection	58,830	55,410	49,765	53,031	58,900
Disqualified – failed Police National Computer (PNC) check	139	148	193	185	207
Failed to reply to summons	51,353	45,318	38,322	39,223	40,635
Summons undelivered	21,642	19,417	15,911	18,394	18,325
Postponed by Jury Central Summoning Bureau	9,172	11,613	10,691	6,379	7,274

Source:

Jury Central Summoning Bureau

Notes:

- 1 Including childcare, work commitments, medical, language difficulty, student, moved from area, travel difficulties, financial hardship.
- 2 Numbers do not add up to the overall total within a given year as the data reflect rolling 12 month periods with 'carry-over' rules applied to certain columns in the table (e.g. deferrals)

Table 6.20
Crown Court
 Juror sitting days and juror utilisation, England and Wales, 2000-2007

Year	Juror sitting days	Juror non-sitting days	Juror non-attendance days	Juror utilisation rate
2000	826,573	258,287	213,791	63.6%
2001	859,822	291,635	203,525	63.5%
2002	867,536	291,321	201,150	63.8%
2003	849,722	301,678	249,401	60.7%
2004	862,244	301,727	321,422	58.0%
2005	841,143	292,908	366,676	56.0%
2006	833,911	281,031	298,113	59.0%
2007	815,664	307,369	255,163	59.2%

Source:

HM Courts Service CREST system

Notes:

- 1 Juror utilisation rate is the number of sitting days divided by the sum of sitting, non-sitting and non-attendance days

Table 6.21**Crown Court**

Summary statistics on hearing times, waiting time, plea rates and juror utilisation, by HMCS area and region, 2007

	Average Hearing Time (hours)					Average Waiting Time (weeks)				
	Not Guilty plea Trials	Guilty plea Trials	Committal for Sentence	Appeal	Guilty Plea Rate	Not Guilty plea Trials	Guilty plea Trials	Committal for Sentence	Appeal	Juror Usage
England and Wales	11.9	1.4	0.5	1.1	69%	24.1	12.6	5.8	8.6	59%
<u>HMCS Region</u>										
London	14.5	1.8	0.8	1.4	57%	27.2	14.5	7.1	11.2	69%
Midlands	10.7	1.2	0.5	1.0	74%	21.7	11.9	5.0	7.3	52%
North East	8.7	1.1	0.5	0.8	77%	17.6	10.4	5.2	7.3	53%
North West	9.6	1.4	0.6	0.9	74%	22.3	13.2	5.6	6.9	55%
South East	12.8	1.5	0.7	1.2	66%	29.4	14.4	7.1	10.4	60%
Wales	10.4	1.3	0.5	1.0	70%	14.4	8.4	4.9	7.2	61%
Western	11.9	1.4	0.6	1.2	66%	23.4	13.2	5.5	9.2	51%
<u>HMCS Area</u>										
Avon and Somerset	11.1	1.7	0.6	1.0	66%	25.4	15.4	5.4	7.3	56%
Bedfordshire, Essex & Hertfordshire	11.9	1.8	0.8	1.6	65%	27.3	14.4	6.0	6.9	60%
Birmingham, Coventry, Solihull & Warwickshire	11.2	1.3	0.4	0.8	71%	20.6	12.0	4.7	7.8	56%
Black Country, Staffordshire & West Mercia	11.0	1.2	0.5	0.8	76%	25.4	12.4	5.6	7.7	55%
Cambridgeshire, Norfolk & Suffolk	13.8	1.4	0.5	1.0	70%	21.8	10.5	5.8	7.4	56%
Cheshire & Merseyside	9.3	1.5	0.6	1.0	70%	19.4	11.6	5.9	4.9	55%
Cleveland, Durham & Northumbria	6.8	1.1	0.5	0.9	76%	17.5	11.7	5.0	8.1	50%
Cumbria & Lancashire	9.5	1.4	0.6	1.1	76%	22.7	13.7	5.2	8.4	55%
Devon and Cornwall	10.9	1.0	0.5	1.2	70%	29.2	14.6	6.6	9.9	51%
Dorset, Gloucestershire & Wiltshire	10.4	1.3	0.6	1.3	69%	21.4	11.5	5.2	10.3	49%
Greater Manchester	9.8	1.3	0.5	0.9	75%	24.5	13.9	5.6	7.0	54%
Hampshire and Isle of Wight	13.7	1.5	0.6	1.1	62%	20.5	12.0	5.1	9.2	49%
Humber & South Yorkshire	8.8	0.9	0.3	0.6	80%	16.1	8.3	4.0	5.6	47%
Kent	14.3	1.4	0.7	1.4	67%	31.2	14.7	7.2	10.2	65%
Leicestershire, Lincoln & Northamptonshire	11.0	1.2	0.5	1.0	74%	23.4	12.4	5.0	6.1	41%
London Central & South	16.7	1.8	0.7	1.3	54%	28.4	14.8	8.7	13.0	70%
London North & West	12.3	1.7	0.7	1.8	60%	26.0	14.2	5.6	9.3	69%
Mid & West Wales	11.3	1.2	0.6	1.3	66%	14.6	8.2	5.9	7.5	67%
North & West Yorkshire	11.0	1.2	0.5	1.0	76%	18.9	10.8	6.7	7.2	60%
North Wales	7.9	1.0	0.5	1.0	75%	13.6	8.1	4.8	8.0	46%
Nottingham & Derbyshire	9.0	1.0	0.4	0.7	74%	17.1	10.6	5.1	7.1	55%
South East Wales	10.7	1.4	0.5	1.0	71%	14.6	8.6	4.4	6.8	65%
Surrey & Sussex	10.8	1.2	0.5	1.0	66%	34.2	17.5	9.7	14.9	60%
Thames Valley	14.4	1.5	0.6	1.0	63%	33.1	15.1	8.2	15.1	60%

Source:

HM Courts Service CREST system

Magistrates' Courts

Findings for 2007

- An estimated 1.74 million defendants were proceeded against in criminal cases in the Magistrates' Courts in 2007 (down from 1.78 million in 2006).
- 190,000 trials were recorded in the Magistrates' Courts in 2007 (up from 181,000 in 2006). Of those trials, 38 per cent were recorded as cracked (up from 37 per cent in 2006), with 19 per cent recorded as ineffective (unchanged from 2006).
- The average time taken from offence to completion in 2007 was 147 days for defendants in completed Magistrates' Courts criminal cases (down from 148 days in 2006).
- The average time from arrest to sentence in 2007 for Persistent Young Offenders in Magistrates' and Crown Court cases was 65 days (down from 72 days in 2006); this meets the PYO Pledge target of 71 days.
- Enforcement of financial penalties: the amount paid in England and Wales in 2007 was £255 million (up from £242 million in 2006).

Chapter 7: Magistrates' Courts

This chapter refers to criminal proceedings in the Magistrates' Courts. Information on family proceedings can be found in Chapter 5.

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

Magistrates deal with three kinds of cases:

- Summary offences. These are less serious cases, such as motoring offences and minor assaults, where the defendant is not usually entitled to trial by jury. They are generally disposed of in the Magistrates' Courts.
- Either-way offences. As the name implies, these can be dealt with either by the Magistrates or before a judge and jury at the Crown Court. Such offences include theft and handling stolen goods. A defendant can insist on their right to trial in the Crown Court. Similarly, Magistrates can decide that a case is sufficiently serious that it should be dealt with in the Crown Court – which can impose tougher sentences if the defendant is found guilty.
- Indictable-only offences, such as murder, manslaughter, rape and robbery. These must be heard at a Crown Court.

If the case is an indictable-only offence, the involvement of the Magistrates' Court is generally brief. A decision will be made on whether to grant bail, and other legal issues such as reporting restrictions will be considered. The case will then be passed to the Crown Court.

If the case is to be dealt with in the Magistrates' Court, the defendant(s) are asked to enter a plea. If they plead guilty or are later found to be guilty, the Magistrates can impose a sentence, generally of up to 6 months' imprisonment, or a fine, generally of up to £5,000. If found not guilty ('acquitted'), defendants are judged innocent in the eyes of the law and will be free to go – provided there are no other cases against them outstanding.

Cases are either heard by two or three Lay Magistrates or by one District Judge. The Lay Magistrates, or 'Justices of the Peace', as they are also known, are local people who volunteer their services. They do not require formal legal qualifications, but will have undertaken a training programme, including court and prison visits, to develop the necessary skills. They are given legal and procedural advice by qualified clerks. On the other hand, District Judges are legally qualified, paid, full-time professionals and are usually based in the larger cities. They normally hear the more complex or sensitive cases.

There are approximately 30,000 Magistrates, 140 District Judges and 170 Deputy District Judges operating in the roughly 330 Magistrates' Courts throughout England & Wales.

Defendants Proceeded Against

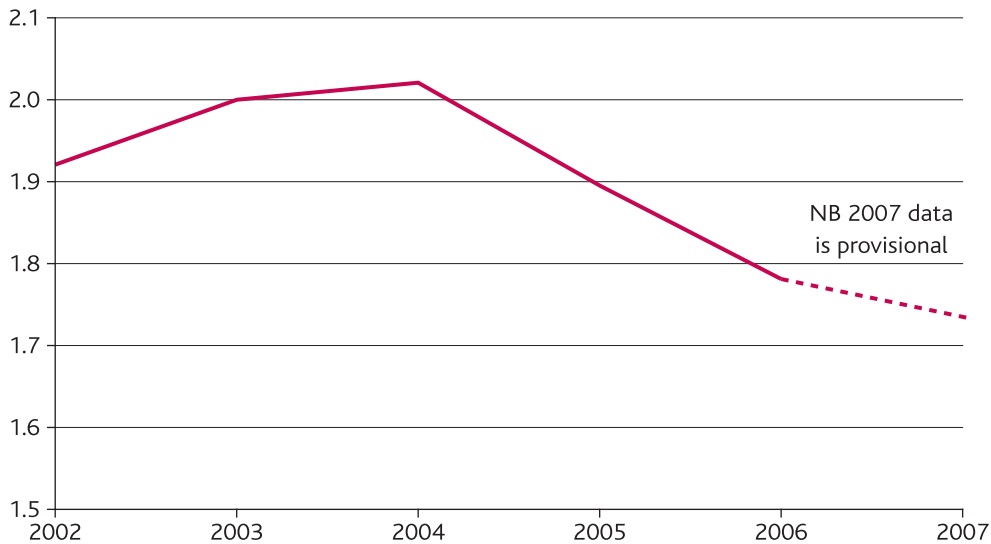
NB all 2007 figures for defendants proceeded against are provisional; the final, authoritative figures will be available in the forthcoming Ministry of Justice publication, 'Criminal Statistics 2007'.

An estimated 1.74 million defendants in criminal cases were proceeded against in Magistrates' Courts during 2007, a 2.4 per cent decrease from 2006. The 2007 figure extends the year-on-year trend in the declining number of defendants proceeded against in Magistrates' Courts. However, in recent years the decrease in the number of defendants proceeded against at Magistrates' Courts has been offset by an increase in the use of out-of-court disposals, such as cautions and penalty notices for disorder. 2007 figures for these measures will be published in the forthcoming 'Criminal Statistics 2007'.

The decrease in the number of defendants proceeded against was not uniform across offence categories. The number of defendants in indictable / triable-either-way cases remained stable at 406,000; the number in summary non-motoring cases dropped 1.9 per cent to 600,000; and the number in summary motoring cases dropped 4.1 per cent to 730,000.

Defendants proceeded against in Magistrates' Courts, 2002-2007

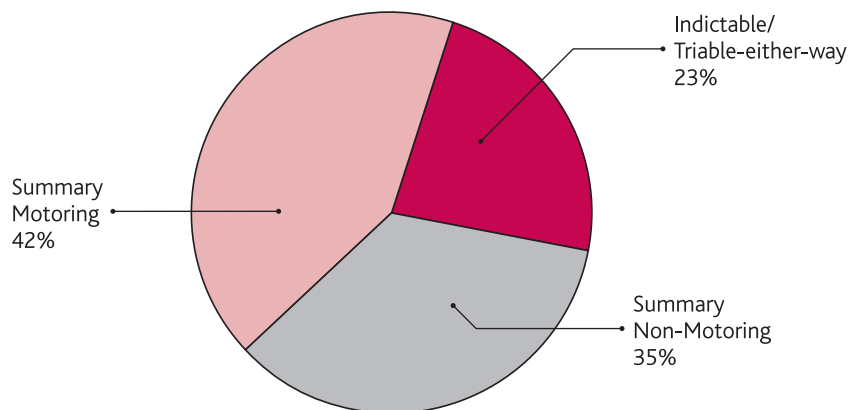
Number of defendants
(in millions)



A more detailed breakdown of indictable/triable-either-way offences reveals that Theft & Handling of Stolen Goods, Fraud and Forgery, Burglary, Robbery and Drug Offence categories have seen a rise in the number of defendants appearing in Magistrates' Courts. The other categories of offence saw a fall in defendant numbers compared to 2006 (see [Table 7.1](#) for details).

Just under a quarter (23 per cent) of the 1.74 million defendants appeared at Magistrates' Courts for indictable / triable-either-way offences. 35 per cent of defendants appeared for summary non-motoring offences whilst 43 per cent appeared for summary motoring offences.

Defendants proceeded against in Magistrates' Courts, by offence type, 2007



The 2007 figures presented here are based on provisional data, the final and authoritative version of which will be published in the Ministry of Justice publication, 'Criminal Statistics 2007'. This will cover criminal cases in Magistrates' Courts as presented here, as well as details of criminal cases in higher tiers of court and other statistics on the Criminal Justice System. The data are collected from a variety of administrative databases held by courts and police forces, and are therefore subject to the inaccuracies inherent in any large-scale data recording system.

The statistics relate to information at the conclusion of the case at the Magistrates' Court and are on a "principal offence" basis. In cases where a defendant appears at court in a case with more than one offence, only the offence which has the heaviest penalty imposed is counted. Where the same penalty is imposed for two or more offences, the offence counted is the one that attracts the highest statutory maximum penalty (that is, a conviction is not required for the case to be counted). In instances where the same individual appears in multiple cases, these are recorded as multiple defendants.

Statistics on the number of defendants proceeded against in Magistrates' Courts are shown in [Tables 7.1 and 7.2](#).

Trials

A trial in the Magistrates' Court is a hearing at which the prosecution produces evidence to prove the case against the defendant. If a defendant pleads not guilty, or does not give a plea for a summary offence, then there is a trial. Similarly, for either-way offences, a trial may occur in the Magistrates' Courts following a decision from either the defendant or the bench.

Magistrates' Courts record the number and outcome of trials. Trial outcomes are listed as 'Effective', 'Ineffective' or 'Cracked', according to the following definitions:

Effective Trial – a trial that commences on the day it is scheduled, and has an outcome in that a verdict is reached or the case is concluded.

Cracked Trial – On the trial date, the defendant offers acceptable pleas or the prosecution offers no evidence. A cracked trial requires no further trial time.

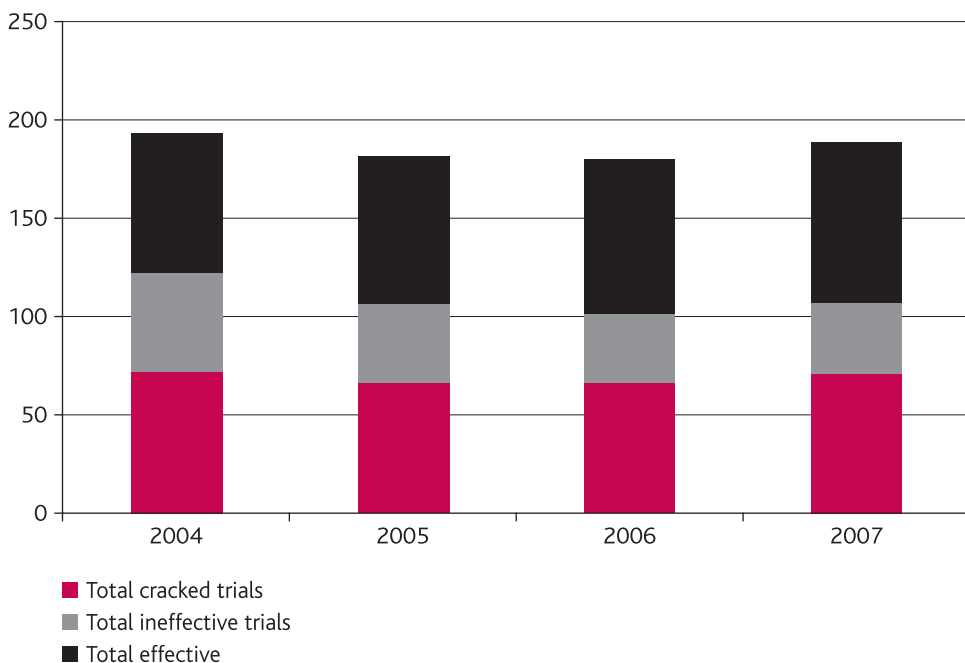
Ineffective Trial – On the trial date, the trial does not go ahead due to action or inaction by one or more of the prosecution, the defence or the court and a further listing for trial is required.

If a trial was recorded as either ineffective or cracked, the main reason why the trial did not take place is also recorded. Efficient case progression and good inter-agency communication will lead to higher numbers of effective trials and lower numbers of ineffective and cracked trials. Ineffective and cracked trials waste court time, create additional costs to the justice system and cause inconvenience and delay to witnesses and other court users; therefore this is an important measure for court management.

In 2007, 190,000 trials were recorded in the Magistrates' Courts, compared to 181,000 in 2006 (a 5 per cent increase). Of those trials, 43 per cent were recorded as effective, 38 per cent were recorded as cracked, with 19 per cent recorded as ineffective.

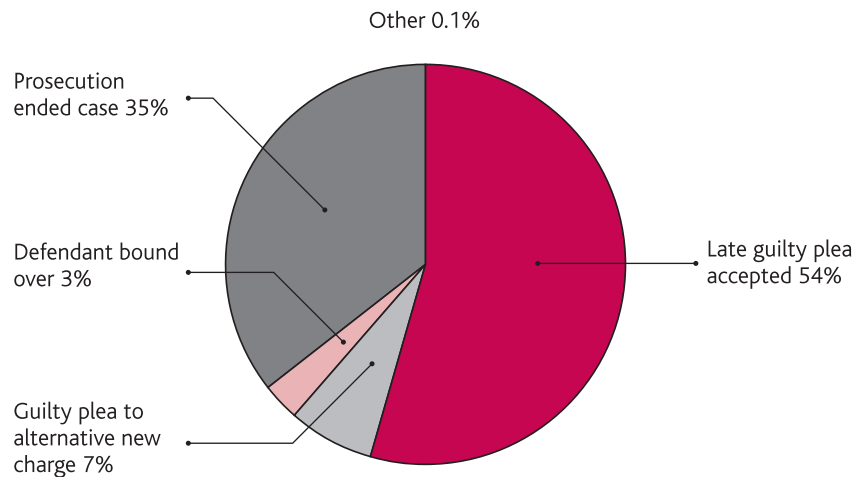
Number of trials in Magistrates' Courts by outcome, 2004-2007

Number of Trials
(in thousands)



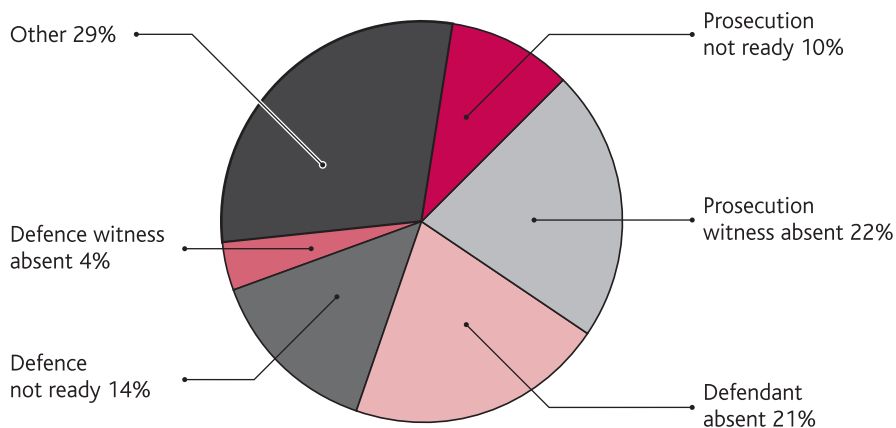
The proportion of cracked trials has remained fairly constant over the last 4 years. In 2007, 21 per cent of all trials (54 per cent of cracked trials) were cracked due to a late guilty plea being accepted, and 14 per cent of all trials (35 per cent of cracked trials) were cracked due to the prosecution ending the case.

Cracked trials: reasons for cracked trials in 2007



The proportion of ineffective trials has reduced in recent years. The main reasons for ineffective trials in 2007 included absence of prosecution witness (4 per cent of all trials, 22 per cent of all ineffective trials) and absence of defendant (4 per cent of all trials, 21 per cent of all ineffective trials).

Ineffective trials: reasons for ineffective trials in 2007



Statistics on trials in Magistrates' Courts are shown in [Tables 7.3, 7.4 and 7.5](#). It should be noted that the groupings of reasons for ineffective trials in 2006 has been amended from that shown in last year's publication, 'Judicial and Court Statistics 2006'; see [Table 7.4](#).

Timeliness

One way in which the efficiency of the Magistrates' Courts can be measured is through the timeliness of cases proceeded against in the Magistrates' Courts. Information on the average time taken between stages of proceedings for defendants in completed criminal cases in Magistrates' Courts is available from the Time Intervals Survey.

Information on adult indictable/triable-either-way cases and charged summary cases is collected in one week in the final month of each calendar quarter. Information on adult summonsed summary offences is additionally collected in March and September surveys. Information on youth defendants in both indictable / triable-either-way and summary cases is collected in four weeks of each quarter.

For further information on the Time Intervals Survey please see;

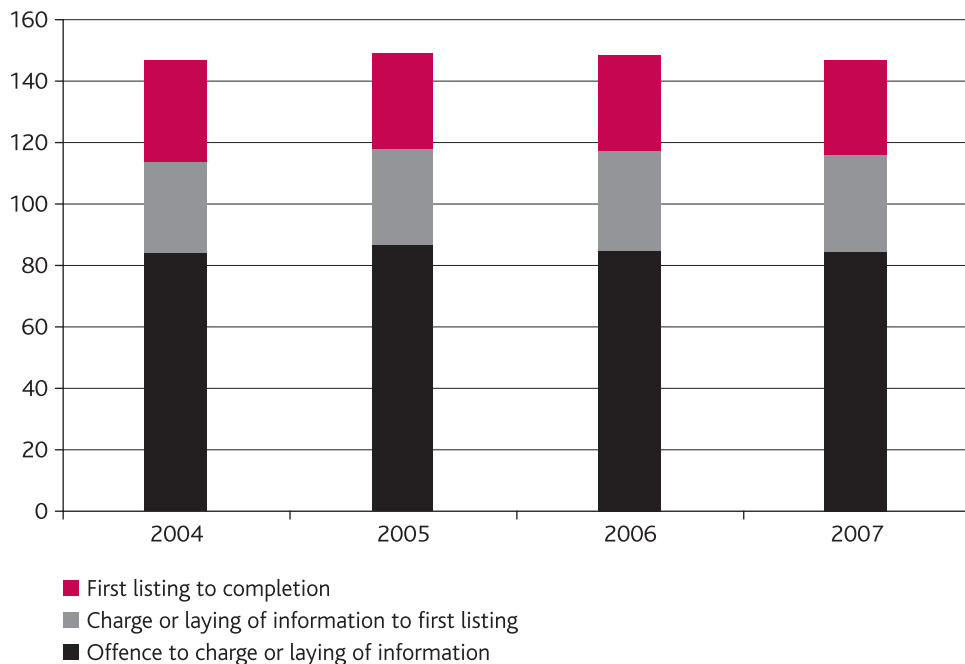
<http://www.justice.gov.uk/publications/timeintervals.htm>

In 2007, the average time taken from offence to completion in the Magistrates' Courts was 147 days for all criminal cases. This compares to 148 days in 2006.

The average time from offence to charge or laying of information was 84 days in 2007, a decrease from 85 days in 2006. The average time from charge/laying of information to first listing was 32 days in 2007, unchanged from 2006. The average time from first listing to completion in the Magistrates' Courts in 2007 was 31 days, the same as in 2006.

Average number of days for all criminal cases proceeded against in Magistrates' Courts, by stage of proceedings, 2004-2007

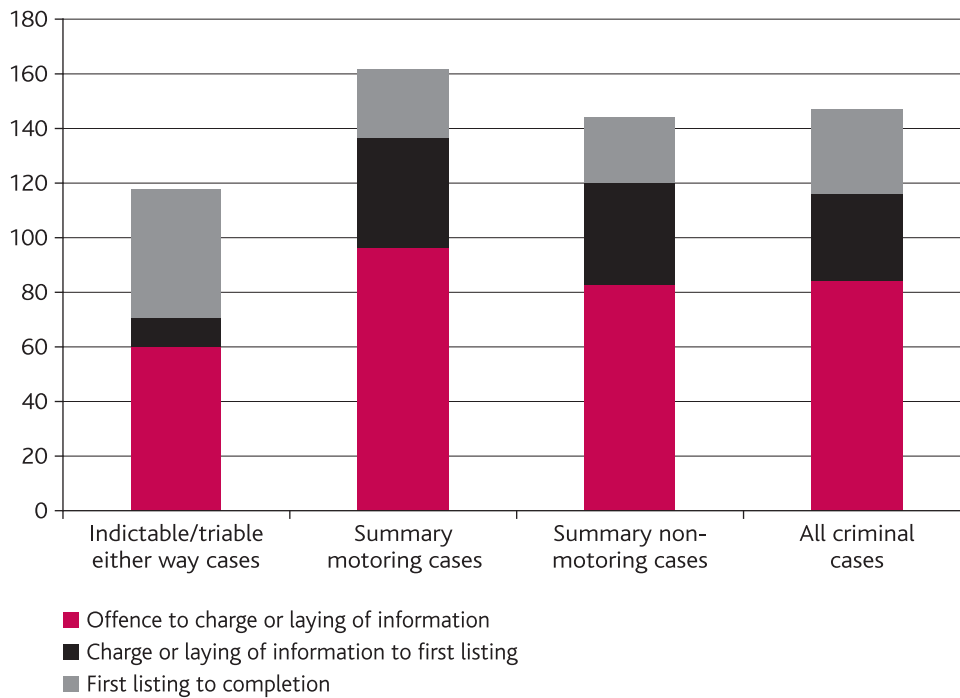
Average number of days



The average time between offence and completion for indictable / triable-either-way cases was 118 days in 2007, a decrease from 123 days in 2006. For summary motoring cases the average time taken between offence and completion increased from 160 days in 2006 to 162 days in 2007. In 2007, there was an average of 144 days between offence and completion for summary non-motoring cases compared to 146 days in 2006.

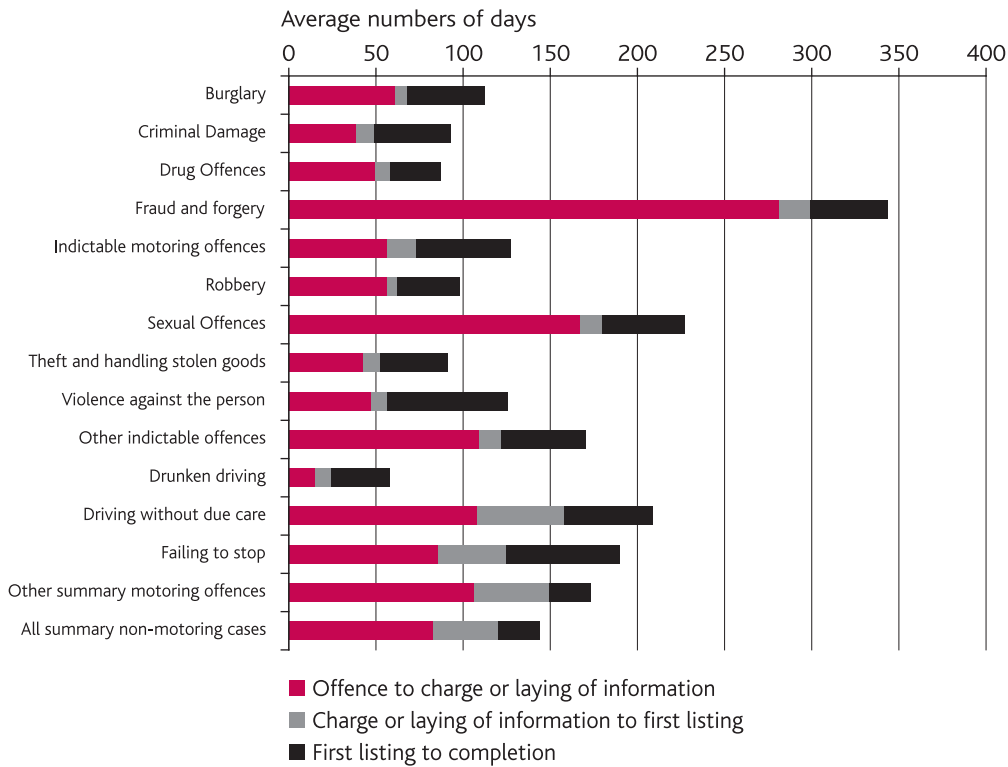
Average time by stage of proceedings – defendants in all criminal cases, 2007

Average number of days



The average time between offence and charge / laying of information was the stage that showed the greatest variation between offence groups. This is likely due to the nature of certain offences, and how they are reported and detected. In 2007 the longest average time taken from offence to charge / laying of information occurred in Fraud and Forgery cases, which took on average 281 days. Sexual Offence cases took the second longest time on average between offence and charge/laying of information at 168 days. Drunken Driving offences took, on average, the shortest time from offence to charge / laying of information at 14 days.

Average time taken by offence group and stage of proceedings for defendants in all criminal cases, 2007



Statistics on the timeliness of cases in Magistrates' Courts are shown in [Tables 7.6, 7.7 and 7.8](#).

Persistent Young Offenders (Timeliness)

The category of Persistent Young Offenders was defined in the inter-Departmental circular 'Tackling Delays in the Youth Justice System', issued on 15 October 1997:

"A Persistent Young Offender is a young person aged 10-17 who has been sentenced by any criminal court in the UK on three or more separate occasions for one or more recordable offences, and within three years of the last sentencing occasion is subsequently sentenced for a further recordable offence."

There is a target to maintain the average time from arrest to sentence for Persistent Young Offenders at or below 71 days at national level. Responsibility for the delivery of this PYO Pledge was devolved to Local Criminal Justice Boards (LCJBs) in 2002. Performance against this target is assessed using data from the Police National Computer (PNC). The PNC holds the police's own operational data, derived from forces' management information systems, covering all or most of the time from arrest to sentence for recorded cases.

The overall level of performance – that for Persistent Young Offender cases heard in either Magistrates' or Crown Courts – decreased from 146 days in January 1997 to 69 days in January 2002. Thereafter, it has remained at or below 75 days in every calendar month.

Persistent Young Offender cases: performance against the timelines target (71 days), all courts, 1997-2007

Average number of days from arrest to sentence



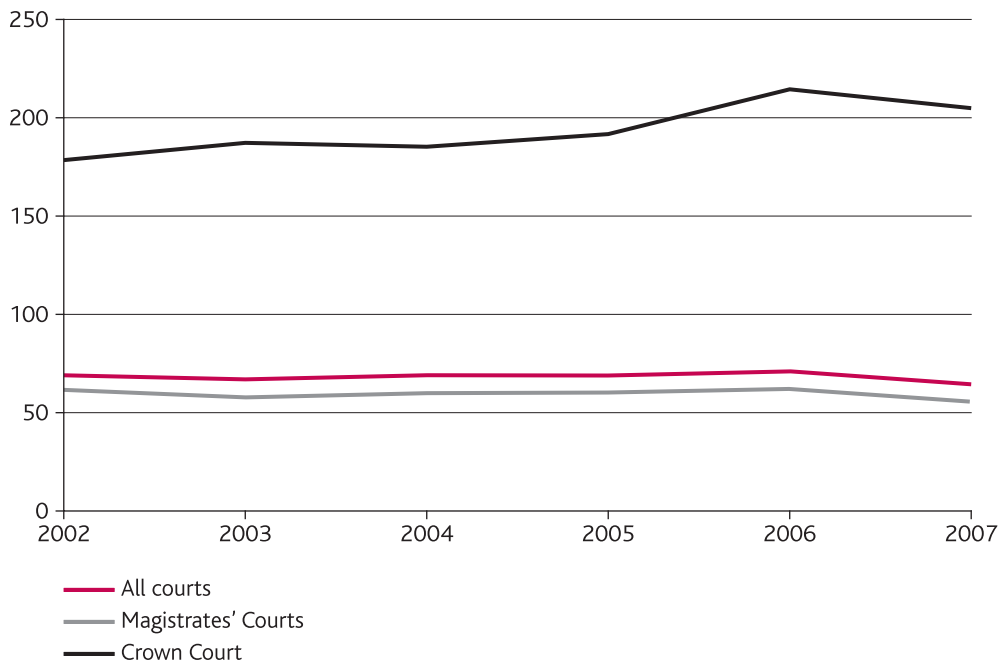
The Pledge, which is measured on a calendar year basis, was met first in 2002 and, apart from in 2006, each year thereafter until 2007, when performance was 65 days. This was a decrease of 7 days on 2006. The Pledge was met by 35 of the 42 police force areas in 2007, up from 21 areas the previous year. For further information on performance, please refer to the primary publication:

<http://www.justice.gov.uk/publications/averagetimearresttosentencepyo.htm>

Overall performance is mainly determined by timeliness in the Magistrates' Courts, where at least nine tenths of all of the cases are heard. The average time from arrest to sentence in Magistrates' Courts decreased from 2006 to 2007. The corresponding time for Crown Court PYO cases decreased in 2007, after four years of rising; this has had less impact on the headline figure, owing to the smaller number of cases involved.

Persistent Young Offender cases: performance in Magistrates' and Crown Courts, 2002-2007

Average number of days from arrest to sentence



Statistics on the timeliness of Persistent Young Offender cases are shown in [Table 7.9](#).

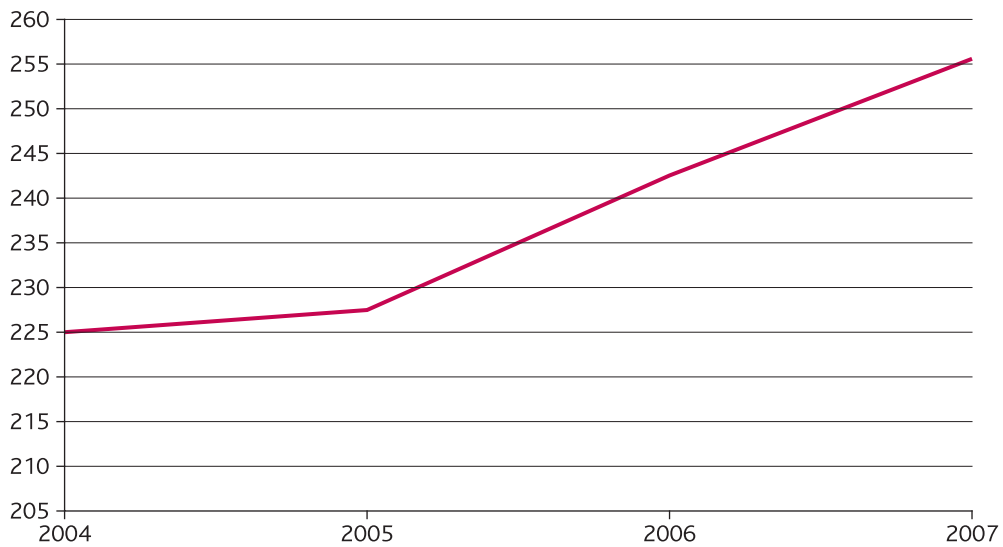
Enforcement

Fines are the most commonly used sentence in Magistrates' Courts, and the enforcement of financial penalties is a Key Performance Indicator for HMCS. The Courts Act 2003 provided a number of new enforcement sanctions (e.g. clamping, registration) which have since been subject to national rollout by HMCS, and which have contributed to the increases in the total value of fines paid in recent years.

The amount paid in England and Wales in 2007 was £255 million, a 5.5 per cent rise from the previous year.

Enforcement of financial penalties in the Magistrates' Courts in England and Wales, 2004-2007

Amount paid
(£ millions)



Statistics on enforcement of financial penalties in the Magistrates' Courts are shown in [Table 7.10](#).

Table 7.1
Magistrates' Courts
 Number of defendants proceeded against for criminal offences, by offence type, England and Wales 2002-2007

Year	Indictable/triable either way offences, by type														Summary		Total number of defendants
	Total indictable offences	Violence Against the Person	Sexual Offences	Burglary	Robbery	Theft and Handling of Stolen Goods			Fraud and Forgery	Criminal Damage	Drug Offences	Other Indictable Offences	Indictable Motoring Offences	Non-Motoring offences	Summary Motoring offences		
						Sexual Offences	Burglary	Robbery								Handing of Stolen Goods		Robbery	Other Indictable Offences
2002	517	78	9	44	16	164	25	19	57	95	11	622	786	1,925			
2003	509	80	9	41	14	152	25	19	59	100	12	634	858	2,001			
2004	453	72	10	35	12	135	24	18	44	94	11	665	904	2,023			
2005	423	68	10	32	13	123	23	17	43	87	8	637	835	1,895			
2006	406	65	9	31	13	117	23	17	44	80	7	612	761	1,779			
2007	406	61	9	31	14	122	25	17	49	72	6	600	730	1,736			

Source:

Court Proceedings Database (used for 'Criminal Statistics' publication), Evidence and Analysis Unit, Office for Criminal Justice Reform

Notes:

- 1 The 2007 figures presented here are based on provisional data, the final and authoritative version of which will be published in the Ministry of Justice publication, 'Criminal Statistics 2007'. This is an annual publication covering criminal cases in Magistrates' Courts as presented here, as well as details of criminal cases in higher tiers of court and other statistics on the Criminal Justice System
- 2 The data are collected from a variety of administrative databases held by courts and police forces, and are therefore subject to the inaccuracies inherent in any large-scale data recording system
- 3 Defendants include Adults, Youths and Persistent Young Offenders. In cases where a defendant appears at court in a case with more than one offence, only the offence which has the heaviest penalty imposed is counted. Where the same penalty is imposed for two or more offences, the offence counted is the one that attracts the statutory maximum penalty. In instances where the same individual appears in multiple cases, these are recorded here as multiple defendants
- 4 Number of defendants are presented in thousands (000s) in the table. For example, 1,736 thousand defendants in 2007 is equivalent to 1.74 million defendants.

Table 7.2**Magistrates' Courts**

Number of defendants proceeded against for criminal offences (provisional data¹), by offence type and HMCS area, England and Wales, 2007

Police Force Area	Number of defendants (thousands)			
	Indictable / triable either way offences	Summary non-motoring offences	Summary motoring offences	Total defendants proceeded against
Avon and Somerset	10.3	23.3	14.2	47.8
Bedfordshire, Essex and Hertfordshire	18.4	48.7	35.9	103.0
Birmingham, Coventry, Solihull and Warwickshire	19.6	33.5	24.8	77.9
Black Country, Staffordshire and West Mercia	23.2	49.8	27.7	100.7
Cambridgeshire, Norfolk and Suffolk	12.4	30.9	15.8	59.0
Cheshire and Merseyside	22.1	31.6	29.5	83.3
Cleveland, Durham and Northumbria	25.8	36.6	41.2	103.7
Cumbria and Lancashire	19.1	36.3	24.5	79.9
Derbyshire and Nottinghamshire	16.1	27.2	20.5	63.8
Devon and Cornwall	8.3	17.4	11.0	36.7
Dorset, Gloucestershire and Wiltshire	10.1	27.4	15.0	52.4
Greater Manchester	27.7	40.9	34.9	103.5
Hampshire and IoW	11.8	17.7	17.2	46.7
Humber and South Yorkshire	17.4	25.3	23.8	66.5
Kent	8.8	20.0	11.3	40.1
Lincolnshire, Leicestershire, Rutland and Northamptonshire	13.2	33.0	18.4	64.7
London (Central and South)	19.0	32.1	33.4	84.5
London (North and West)	50.7	52.8	95.2	198.7
Mid and West Wales	5.6	12.0	9.6	27.2
North and West Yorkshire	23.0	44.2	26.0	93.2
North Wales	4.4	12.8	6.4	23.6
South East Wales	12.7	22.5	25.1	60.2
Surrey and Sussex	13.7	27.1	23.6	64.5
Thames Valley	12.6	26.5	15.3	54.3
England and Wales	406.0	729.9	600.2	1,736.1

Source:

Court Proceedings Database (used for 'Criminal Statistics' publication), Evidence and Analysis Unit, Office for Criminal Justice Reform.

Notes:

- 1 The figures presented here are based on provisional data, the final and authoritative version of which will be published in the Ministry of Justice publication, 'Criminal Statistics 2007'. The data are collected from a variety of administrative databases held by courts and police forces, and are therefore subject to the inaccuracies inherent in any large-scale data recording system. The publication covers criminal cases in Magistrates' Courts as presented here, as well as details of criminal cases in higher tiers of court and other statistics on the Criminal Justice System
- 2 Defendants include Adults, Youths and Persistent Young Offenders. In cases where a defendant appears at court in a case with more than one offence, only the offence which has the heaviest penalty imposed is counted. Where the same penalty is imposed for two or more offences, the offence counted is the one that attracts the statutory maximum penalty. In instances where the same individual appears in multiple cases, these are recorded here as multiple defendants
- 3 Number of defendants are presented in thousands (000s) in the table. For example, 1,736.1 thousand defendants is equivalent to 1.74 million defendants

Table 7.3**Magistrates' Courts**

Numbers of trials which were "cracked", by reason grouping, England and Wales 2004-2007

	Number of trials				Percentage of total trials			
	2004	2005	2006	2007	2004	2005	2006	2007
Total trials	193,608	182,500	180,950	189,830	100%	100%	100%	100%
Total cracked trials	72,070	67,193	66,858	72,565	37%	37%	37%	38%
<u>Main reasons for cracked trials</u>								
Late guilty plea accepted	34,260	34,114	35,368	39,490	18%	19%	20%	21%
Guilty plea to alternative new charge	5,926	5,010	4,737	5,134	3%	3%	3%	3%
Defendant bound over	4,344	3,435	2,802	2,220	2%	2%	2%	1%
Prosecution end case	25,215	23,545	23,889	25,669	13%	13%	13%	14%
Other	2,325	1,089	62	52	1%	1%	0%	0%

Source:

Cracked and ineffective trial monitoring form, Business Information Division, HM Court Service; HM Court Service Performance Database ('OPT').

Notes:

- 1 The main reason for each cracked trial is recorded, and grouped into the summary reasons as shown; the list of reasons available to recorders was modified in 2006. See Annex A for details and groupings.
- 2 If further details of reasons/groupings are required, please direct any queries via the contact details given in Annex A.

Table 7.4**Magistrates' Courts**

Numbers of trials which were "ineffective", by reason grouping, England and Wales 2004-2007

	Number of trials				Percentage of total trials			
	2004	2005	2006	2007	2004	2005	2006	2007
Total trials	193,608	182,500	180,950	189,830	100%	100%	100%	100%
Total ineffective trials	50,386	39,634	35,044	35,150	26%	22%	19%	19%
<u>Main reasons for ineffective trial</u>								
Prosecution not ready	4,543	3,984	3,907	3,684	2%	2%	2%	2%
Prosecution witness absent	12,865	10,222	8,550	7,774	7%	6%	5%	4%
Defendant absent	12,574	8,802	7,223	7,407	6%	5%	4%	4%
Defence not ready	6,037	5,289	4,129	4,855	3%	3%	2%	3%
Defence witness absent	2,215	1,879	1,696	1,500	1%	1%	1%	1%
Other	12,152	9,458	9,539	9,930	6%	5%	5%	5%

Source:

Cracked and ineffective trial monitoring form, Business Information Division, HM Court Service; HM Court Service Performance Database ('OPT')

Notes:

- 1 The main reason for each ineffective trial is recorded, and grouped into the summary reasons as shown; the list of reasons available to recorders was modified in 2006. See Annex A for details and groupings
- 2 Groupings for 'prosecution not ready', 'defence not ready' and 'other' for 2006 data have been corrected from those in 'Judicial and Court Statistics 2006'
- 3 If further details of reasons/groupings are required, please direct any queries via the contact details given in Annex A

Table 7.5
Magistrates' Courts
 Effectiveness of recorded trials, by HMCS area, England and Wales, 2007

Area	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
Avon and Somerset	3,126	1,692	54%	438	14%	996	32%
Bedfordshire, Essex and Hertfordshire	11,506	5,391	47%	2,448	21%	3,667	32%
Birmingham, Coventry, Solihull and Warwickshire	8,759	3,428	39%	1,614	18%	3,717	42%
Black Country, Staffordshire and West Mercia	12,915	5,402	42%	2,525	20%	4,988	39%
Cambridgeshire, Norfolk and Suffolk	4,809	2,592	54%	617	13%	1,600	33%
Cheshire and Merseyside	9,541	3,684	39%	1,326	14%	4,531	47%
Cleveland, Durham and Northumbria	11,284	3,966	35%	2,295	20%	5,023	45%
Cumbria and Lancashire	9,053	3,318	37%	1,622	18%	4,113	45%
Derbyshire and Nottinghamshire	9,438	3,801	40%	2,274	24%	3,363	36%
Devon and Cornwall	2,660	1,295	49%	436	16%	929	35%
Dorset, Gloucestershire and Wiltshire	6,106	2,513	41%	1,511	25%	2,082	34%
Greater Manchester	11,705	4,984	43%	1,772	15%	4,949	42%
Hampshire and IoW	5,590	2,644	47%	998	18%	1,948	35%
Humber and South Yorkshire	5,989	2,499	42%	1,025	17%	2,465	41%
Kent	5,218	2,372	45%	1,047	20%	1,799	34%
Lincolnshire, Leicestershire, Rutland and Northamptonshire	8,034	3,435	43%	1,503	19%	3,096	39%
London (Central and South)	10,577	4,897	46%	1,972	19%	3,708	35%
London (North and West)	21,655	9,790	45%	3,909	18%	7,956	37%
Mid and West Wales	2,121	1,276	60%	242	11%	603	28%
North and West Yorkshire	8,097	3,178	39%	1,666	21%	3,253	40%
North Wales	2,046	985	48%	294	14%	767	37%
South East Wales	5,651	2,226	39%	960	17%	2,465	44%
Surrey and Sussex	7,322	3,499	48%	1,406	19%	2,417	33%
Thames Valley	6,628	3,248	49%	1,250	19%	2,130	32%
England & Wales	189,830	82,115	43%	35,150	19%	72,565	38%

Source:

Cracked and ineffective trial monitoring form, Business Information Division, HM Court Service; HM Court Service Performance Database ('OPT')

Notes:

1 Figures are shown for 24 of the 25 HMCS areas constituted in April 2007; there is no criminal data for the London (Civil and Family) area. Figures at LCJB level are available on request via the contact details given in Annex A

Table 7.6
Magistrates' Courts
 Average time taken by stage of proceedings and percentage of proceedings dealt with on first listing for defendants in criminal cases in the Magistrates' Courts, by offence type, England and Wales, 2002-2007

Year	Average number of days from:								Percentage completed at first listing (i.e. no adjournments)	Sample size (number of defendants)
	Offence to charge or laying of information	Margin of error (+/- days)	Charge or laying of information to first listing	Margin of error (+/- days)	First listing to completion	Margin of error (+/- days)	Offence to completion	Margin of error (+/- days)		
<u>Indictable/triable either way cases</u>										
2002	48	2	8	0	54	1	110	2	29%	32,485
2003	47	2	8	0	56	1	111	2	30%	33,084
2004	54	2	9	0	55	1	118	2	30%	28,493
2005	59	2	10	0	54	1	122	2	31%	28,127
2006	61	2	10	0	52	1	123	2	30%	27,730
2007	61	2	10	0	47	1	118	2	32%	28,756
<u>Summary motoring cases</u>										
2002	94	1	39	0	29	1	162	1	60%	27,802
2003	97	1	39	0	26	1	162	1	61%	31,101
2004	101	1	39	0	26	1	166	1	62%	32,145
2005	99	1	39	0	24	1	162	1	63%	29,530
2006	94	1	41	0	25	1	160	1	63%	26,707
2007	96	1	41	0	25	1	162	1	65%	26,396
<u>Summary non-motoring cases</u>										
2002	90	1	32	1	20	1	142	2	71%	18,483
2003	88	1	33	0	21	1	142	2	72%	18,524
2004	82	1	33	0	26	1	140	2	69%	17,473
2005	90	1	34	0	24	1	148	2	70%	18,825
2006	85	1	37	0	24	1	146	2	71%	18,976
2007	83	1	37	1	24	1	144	2	70%	18,231
<u>All criminal cases</u>										
2002	81	1	29	0	33	1	142	1	55%	63,008
2003	82	1	29	0	32	1	144	1	56%	66,835
2004	84	1	30	0	33	1	147	1	56%	65,578
2005	87	1	31	0	31	1	149	1	58%	63,153
2006	85	1	32	0	31	1	148	1	58%	60,200
2007	84	1	32	0	31	1	147	1	58%	59,353

Source:

Time Intervals Survey, Ministry of Justice

Notes:

- Results are based on proceedings in one sample week in March, June, September and December for indictable/triable-either-way offences, and the March and September surveys only for summary offences and all criminal cases. Hence, the sum of the number of defendants by offence type does not equal the total number of defendants
- The margin of error is a measure of the precision of a result based on a survey. The true value is likely to fall within the range of the sample result plus or minus the margin of error.
- Both adult and youth defendant data from the quarterly TIS one-week survey periods are included
- More detailed results and notes from the Time Intervals Survey are published in a National Statistics Bulletin, available at: <http://www.justice.gov.uk/publications/timeintervals.htm>

Table 7.7
Magistrates' Courts
 Average time taken by stage of proceedings and percentage of proceedings completed at first listing for defendants in criminal cases in the Magistrates' Courts, by offence group, England and Wales, 2007

Offence group	Average number of days from:							Percentage completed at first listing (i.e. no adjournments)	Sample size (number of defendants)	
	Offence to charge or laying of information	Margin of error (+/- days)	Charge or laying of information to first listing	Margin of error (+/- days)	First listing to completion	Margin of error (+/- days)	Offence to completion			Margin of error (+/- days)
All indictable/triable either way cases										
Burglary	61	6	7	1	44	3	112	7	24%	1,895
Criminal Damage	38	3	9	0	45	3	92	4	38%	2,415
Drug Offences	48	3	9	1	29	2	87	4	46%	3,268
Fraud and forgery	281	32	18	2	44	5	343	34	34%	805
Indictable motoring offences	56	8	16	2	54	8	127	12	30%	505
Robbery	56	10	6	1	35	3	97	11	48%	850
Sexual Offences	168	29	13	3	47	5	227	29	38%	756
Theft and handling stolen goods	43	2	9	0	39	1	91	3	34%	9,397
Violence against the person	46	2	10	0	70	2	125	3	19%	6,555
Other indictable offences	108	10	13	1	48	4	169	10	35%	2,310
All summary motoring cases										
Drunken driving	14	1	10	0	33	3	57	4	59%	2,671
Driving without due care	107	5	50	3	52	7	209	10	46%	589
Failing to stop	86	12	38	7	65	14	189	23	28%	116
Other summary motoring offences	105	1	44	0	23	1	173	1	66%	23,020
All summary non-motoring cases										
	83	1	37	1	24	1	144	2	70%	18,231
All criminal cases	84	1	32	0	31	1	147	1	58%	59,353

Source:

Time Intervals Survey, Ministry of Justice.

Notes:

- 1 Results are based on proceedings in one sample week in March, June, September and December for indictable/triable-either-way offences, and the March and September surveys only for summary offences and all criminal cases. Hence, the sum of the number of defendants by offence type does not equal the total number of defendants
- 2 The margin of error is a measure of the precision of a result based on a survey. The true value is likely to fall within the range of the sample result plus or minus the margin of error
- 3 Both adult and youth defendant data from the quarterly TIS one-week survey periods are included
- 4 More detailed results and notes from the Time Intervals Survey are published in a National Statistics Bulletin, available at: <http://www.justice.gov.uk/publications/timeintervals.htm>

Table 7.8
Magistrates' Courts
 Average time taken from offence to completion for defendants in all criminal cases in the Magistrates' Courts,
 by offence type and HMCS area,, by HMCS area, England and Wales, 2007

Area	Average number of days from offence to completion:						Number of defendants				
	Indictable/ triable either way cases	Margin of error (+/- days)	Summary motoring cases	Margin of error (+/- days)	Summary non-motoring cases	Margin of error (+/- days)	All cases	Indictable/ triable either way cases	Summary motoring cases	Summary non-motoring cases	All cases
Avon and Somerset	120	12	169	5	151	9	156	756	1,046	432	1,851
Bedfordshire, Essex and Hertfordshire	117	10	168	4	160	5	157	1,454	1,714	1,041	3,561
Birmingham, Coventry, Solihull and Warwickshire	103	9	150	6	137	9	135	1,433	1,193	756	2,680
Black Country, Staffordshire and West Mercia	119	8	175	8	132	6	151	1,646	1,738	1,169	3,736
Cambridgeshire, Norfolk and Suffolk	106	11	176	8	125	11	150	1,050	1,010	473	1,985
Cheshire and Merseyside	112	9	180	8	129	5	147	1,427	1,149	894	2,790
Cleveland, Durham and Northumbria	124	8	160	6	123	5	135	2,205	1,151	1,761	4,074
Cumbria and Lancashire	117	11	158	5	136	10	144	1,293	1,343	927	2,904
Devon and Cornwall	118	13	151	7	116	14	135	549	526	218	1,045
Dorset, Gloucestershire and Wiltshire	130	11	180	6	137	13	166	848	1,227	300	1,966
Greater Manchester	126	10	154	6	123	8	138	1,826	1,490	1,192	3,673
Hampshire and Isle of Wight	117	14	141	6	161	16	142	791	769	541	1,705
Humber and South Yorkshire	104	11	141	5	127	6	130	1,094	1,035	798	2,476
Kent	133	14	161	6	143	16	150	602	843	313	1,461
Leicestershire, Lincolnshire and Northamptonshire	128	11	153	5	158	9	152	1,003	1,468	563	2,579
London (Central and South)	122	10	157	13	155	9	146	1,803	840	1,253	3,039

London (North and West)	113	7	172	6	177	5	161	4	2,997	1,529	2,497	5,420
Mid and West Wales	134	24	154	9	124	12	139	8	419	478	237	918
North Wales	106	12	155	6	107	24	140	7	394	406	64	638
North and West Yorkshire	105	8	125	4	108	7	115	4	1,662	1,445	683	2,918
Nottingham and Derbyshire	122	11	173	5	154	8	158	5	1,003	1,153	684	2,392
South East Wales	139	14	163	7	161	10	162	7	766	911	544	1,856
Surrey and Sussex	121	10	167	6	147	10	153	6	1,056	997	503	2,012
Thames Valley	112	11	182	10	168	12	165	7	679	935	388	1,674
England and Wales	1118	2	162	1	144	2	147	1	28,756	26,396	18,231	59,353

Source:

Time Intervals Survey, Ministry of Justice

Notes:

- 1 Results are based on proceedings in one sample week in March, June, September and December for indictable/triable-either-way offences and March and September surveys only for summary offences and all criminal cases. Hence, the sum of the number of defendants by offence type does not equal the total number of defendants
- 2 The margin of error is a measure of the precision of a result based on a survey. The true value is likely to fall within the range of the sample result plus or minus the margin of error.
- 3 The figures presented here are based on the 25 HMCS areas, as per the 2007 restructuring of administrative arrangements. The area not shown is London (Civil and Family), which covers non-criminal caseload
- 4 Both adult and youth defendant data from the quarterly TIS one-week survey periods are included
- 5 More detailed results and notes from the Time Intervals Survey are published in a National Statistics Bulletin, available at: <http://www.justice.gov.uk/publications/timeintervals.htm>

Table 7.9
Magistrates' and Crown Courts
 Average time from arrest to sentence for Persistent Young Offenders (PYOs), by court type, England and Wales, 2002-2007

Year	All Courts		Magistrates' Courts		Crown Courts	
	Number of cases	Average number of days from arrest to sentence	Number of cases	Average number of days from arrest to sentence	Number of cases	Average number of days from arrest to sentence
2002	26,116	68	24,280	63	1,829	178
2003	26,086	66	24,481	58	1,590	188
2004	26,363	69	24,698	61	1,653	186
2005	27,037	68	25,498	61	1,526	192
2006	28,252	72	26,529	63	1,704	214
2007	30,683	65	28,904	56	1,769	206

Source:

Police National Computer; Arrest to Charge Survey data, Ministry of Justice

Notes:

- 1 All figures are based on the amended PYO accounting rules of June 2007 applied retrospectively. The methodology removes the double-counting of all time from arrest to charge. The figures are consistent with those in the monthly National Statistics bulletin on the MoJ website: www.justice.gov.uk/publications/averagetimearresttosentencepyo.htm

Table 7.10
Magistrates' Courts
 Enforcement of financial penalties in the Magistrates' Courts,
 England and Wales, 2004-2007

Year	Amount Paid (£ millions)
2004	225
2005	228
2006	242
2007	255

Source:

Debt Analysis Return (DAR), Business Information Division, HM Court Service

Notes:

- 1 Magistrates' Courts submit information on the enforcement of financial penalties using the Debt Analysis Return. National figures are collated by the Business Information Division in HMCS
- 2 The amount paid represents the amount of financial penalties collected by the courts in the given year
- 3 Information prior to 2004 has not been provided. The collection of enforcement information (DAR) was revised in April 2003 so that it no longer contained confiscation or civil amounts, and is therefore not available prior to that date in a similar format

Offices of the Supreme Court

Key Findings for 2007

- There was a continuation of the upward trend seen in the number of new referrals to the Official Solicitor for child abduction and Court of Protection cases.
- The total number of executed warrants by the Tipstaff was 386, up 8% from the 358 for 2006.
- Due to the statutory change in the Court of Protection and Public Guardianship Office during 2007, the year was mainly one of transition, for which therefore statistics are only partially available.

Chapter 8: Offices of the Supreme Court

During 2007, the Offices of the Supreme Court included:

1. **The Court Funds Office** and the **Office of the Official Solicitor and Public Trustee** came together as an arms length body of the Ministry of Justice on 1 April 2007. The Accountant General of the Supreme Court, Official Solicitor of the Supreme Court and Public Trustee have separate statutory and other functions but, for economies of scale, share some corporate services.
2. **The Tipstaff** – whose main responsibility is the enforcement of warrants and orders issued by Judges throughout all divisions of the High Court. Much of the Tipstaff's work relates to children who either, have been or are at risk of being, abducted.
3. **The Court of Protection** – which until the end of September 2007 carried out legal functions under the Mental Health Act 1983 and the Enduring Powers of Attorney Act 1985, concerning the property and affairs of people who lacked the mental capacity to perform these tasks for themselves.

From October 2007 a new Court of Protection was created by the Mental Capacity Act 2005, with the jurisdiction to deal with decision-making for adults who lack capacity. The new Court has responsibility for making decisions concerning the healthcare and welfare and financial well-being of persons who lack capacity, including the appointment of deputies. The Court has the power to make declarations as to whether or not a person has capacity to make a particular decision or in relation to a particular matter.

4. **The Public Guardianship Office (PGO)** was, until the end of September 2007, the administrative arm of the Court of Protection. On 1 October 2007, the Public Guardianship Office ceased to exist and, under the Mental Capacity Act 2005, the **Office of the Public Guardian** was created to supervise Court appointed Deputies, offering guidance and support on decision making as well as overseeing the registration of Lasting Powers of Attorney and Enduring Powers of Attorney.

The Court Funds Office

The Court Funds Office supports the Accountant General and provides a banking service for the civil courts throughout England and Wales. It accounts for money being paid into and out of court, and where necessary administers any investments made with that money.

It administers approximately £4.7 billion of client assets. These assets can be broken down into a mixture of cash held on Special or Basic Interest bearing accounts or investments in the Equity Index Tracker Fund, an investment vehicle managed by Legal & General.

The Office of the Official Solicitor and Public Trustee

The Office of the Official Solicitor and Public Trustee supports both the Official Solicitor and the Public Trustee.

The Official Solicitor is a statutory office holder appointed by the Lord Chancellor under section 90 of the Supreme Court Act 1981. He

- acts as last resort litigation friend, and in some cases solicitor, for adults who lack litigation capacity and children (other than those who are the subject of child welfare proceedings) in court proceedings because they lack decision making capacity in relation to the proceedings;
- acts as advocate to the court providing advice and assistance to the court;
- acts as last resort administrator of estates and trustee;
- acts as financial deputy of last resort in relation to Court of Protection clients;
- administers for the Lord Chancellor the International Child Abduction and Contact Unit in England and Wales (the Central Authority under the Hague and European Conventions on Child Abduction);
- administers for the Lord Chancellor the Reciprocal Enforcement Maintenance Orders Unit which acts as the Central Authority for England & Wales for international maintenance claims;
- is appointed, in place of a parent, to act as the registered contact in the administration of the Government's Child Trust Fund scheme for those children in care in England and Wales when there is no other suitable person to do so.

The Public Trustee (appointed under section 8 of the Public Trustee Act 1906) acts as executor or administrator of estates and as the appointed trustee of settlements. His aim is to provide an effective executor and trustee service of last resort on a non-profit-making basis; in so doing, his objective is to secure the best value for the beneficiaries.

Summary caseload statistics on the work of the Office of the Official Solicitor and Public Trustee are shown in [Table 8.1](#)

Tipstaff

The duties of the Tipstaff are many and varied but, in broad practical terms, the Tipstaff is the enforcement officer for the High Court. The principal areas of specific duties emanate from the Queen's Bench, Chancery and Family Divisions and involve issues of bankruptcy, insolvency, wardship, child abduction, contempt of court and many other miscellaneous orders which involve taking action to enforce, or prevent breach of, orders of the court. At present there is one Tipstaff and two Assistant Tipstaff to cover England & Wales, and they are based at the Royal Courts of Justice in London.

The single biggest area of work for the Tipstaff relates to Family Division cases involving missing or abducted children. The Tipstaff is responsible for executing warrants on a range of possible Orders in these circumstances, including a Collection Order (for the return of a child), a Location Order (for the whereabouts of a child to be discovered), a Passport Order (for the seizure of passports or other travel documents) and Port Alerts (to prevent a child being wrongfully removed from the UK). Orders of these types accounted for 89% of all warrants executed by the Tipstaff in 2007.

In 2007, the Tipstaff carried forward a total of 250 cases from the previous year, and a total of 553 new orders / warrants were issued, giving a total of 803 cases which were 'live' at some point in the year.

During the course of 2007, 386 warrants were executed (358 in 2006), and 179 were discharged or suspended (152 in 2006). The remaining 235 outstanding cases have been carried forward into 2008.

In the course of their duties, the Tipstaff and his assistants conveyed 15 persons to prison (29 in 2006).

Summary caseload statistics on the work of the Tipstaff are shown in [Table 8.2](#).

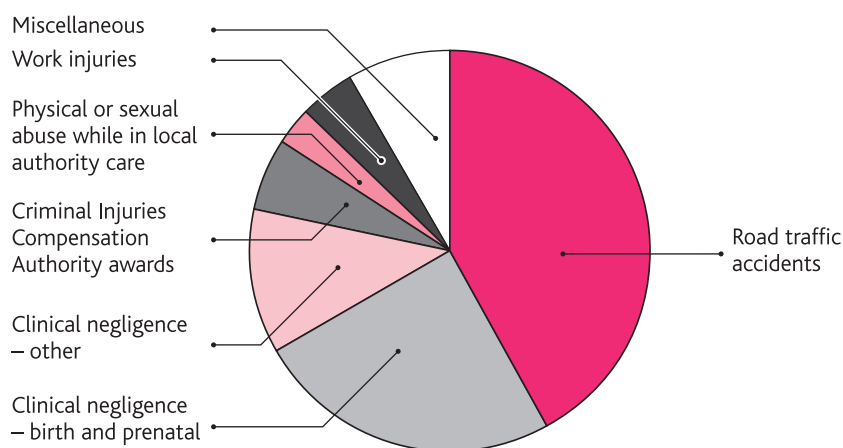
Court of Protection

Up until the end of September 2007 the Court's powers were exercisable by nominated judges (the judges of the Chancery Division and the Family Division of the High Court), the Master, Assistant Masters and other nominated officers of the Court of Protection. Certain orders could only be made by a nominated judge but, subject to these rare exceptions, the jurisdiction was in practice exercised by the other people mentioned.

The Mental Capacity Act 2005, implemented in full on 1st October 2007, has provided a new statutory framework for the Court's work; significantly all decisions are now made by a nominated judge. The range and number of judges has increased significantly and cases can be heard by nominated High Court, Circuit and District Judges. The central registry of the new Court is based in Archway, London but the court also has regional hearing venues in various locations including Preston, Birmingham and Cardiff.

In each of the last 3 years, the number of damages awards approved by Court of Protection has remained broadly stable at around 400. The annual totals were 415, 384 and 408 in the years 2004, 2005 and 2006 respectively, records for 2007 are only available up to the end of September but these show a slight decline to 181 for that 6 month period to September 2007. The breakdown of approved damages awards by cause during the period 2004 to September 2007 is shown in the chart below.

Breakdown of damages awards approved by the Court of Protection, by cause 2004/05-2007-08*



* Up to September 2007 only

There has been a significant decrease in the number of Orders made under the Mental Health Act 1983, down to 201 for the 6 month period to September 2007, after having previously been on a strong upward trend, peaking in 2005/06 at 7,444. However, the number of Orders made on applications relating the Enduring Powers of Attorney has actually risen – 257 for the same 6 month period, against an annual figure of 412 for the whole of 2006. Also in the 6 months up to September 2007 the Court of Protection made 9,136 transition orders to allow existing receivers to continue to undertake their duties as deputies under the MCA without repeated referrals to the Court.

A number of the figures included in this report in previous years were collected by teams of nominated officers that, from the late spring of 2007 were re-organised to focus on the transitional work for implementation of the Mental Capacity Act 2005. This has meant that over this period it became increasingly difficult to maintain accurate statistics for these functions, and therefore, regrettably, the figures reflected in Table 8.3 are incomplete. Available statistics on the work of the Court of Protection are shown in [Table 8.3](#) and [Table 8.4](#).

Public Guardianship Office

The following section reflects the position that existed during 2007, prior to the implementation of the Mental Capacity Act in October 2007.

The Public Guardianship Office (PGO) was the administrative arm of the Court of Protection. Its major function was to protect and promote the interest of its clients – people who lack mental capability – by overseeing and supporting the activities of Receivers appointed by the Court of Protection to manage their financial affairs. Where the Court of Protection adjudged a person mentally incapable of managing their own financial affairs, and there was no one else willing or suitable to act as Receiver, the PGO appointed one of the professionals from the panel of Receivers to act on behalf of that person. The PGO was responsible for approximately £2.5 billion held in clients' funds (excluding securities).

In addition, the PGO carried out the administrative functions arising from the Court of Protection's jurisdiction under the Enduring Powers of Attorney Act 1985. Through the creation of an Enduring Power of Attorney (EPA), a person can nominate someone they trust (often a spouse or close family member) to manage their finances, should they themselves lose the mental capacity to do so in the future.

During 2007 the number of new EPA applications made to the Public Guardianship Office continued to increase. There were over 20,000 such applications made in the 9 month period to September 2007, double the equivalent figure for 2002. More than 15,000 EPAs were registered in the same period, contributing to a total of over 123,000 EPAs that remained registered at the end of September 2007, prior to the implementation of the Mental Capacity Act.

Much of the PGO's work in 2007 was in preparation for the new statutory framework provided by the Mental Capacity Act 2005, which came fully into force on 1 October 2007. One consequence of this has been the transfer of the final cases where the PGO was acting as Receiver of Last Resort. The reason for this is that the 2005 Act makes no provision for the Public Guardian to be the Receiver of Last Resort.

As mentioned above regarding the Court of Protection statistics, some of the figures previously reflected here are unavailable due to the re-organisation, and shadow-running undertaken prior to implementation of the MCA and therefore the figures reflected in Table 8.5 are incomplete. Available statistics on the work of the Public Guardianship Office up to the end of September 2007 are shown in [Table 8.5](#).

Table 8.1
Office of the Official Solicitor and Public Trustee
 Summary casework statistics, 2002-2007

Case type	Number of cases					
	2002	2003	2004	2005	2006	2007
<u>New referrals</u>						
Family Litigation, Medical, Welfare and Divorce	829	949	973	1,087	1,235	1,163
Child Abduction	329	376	404	402	432	461
Reciprocal Enforcement Maintenance Orders (REMO) ¹	-	-	-	777	922	704
Civil Litigation (including Contempts)	905	987	956	999	955	988
Court of Protection	427	537	511	618	580	646
Child Trust Funds ²	-	-	-	341	4,128	1,508
Estates, Trusts, Executorships, Pension & Institutional Funds	96	89	42	13	37	17
Total (excluding REMOs and Child Trust Funds)	2,586	2,938	2,886	3,119	3,239	3,275
Total	2,586	2,938	2,886	4,237	8,289	5,487
<u>Average number of active cases³</u>						
Family Litigation, Medical, Welfare and Divorce	995	1,109	1,258	1,359	1,494	1,499
Child Abduction	320	268	330	311	332	311
Reciprocal Enforcement Maintenance Orders (REMO) ¹	-	-	-	n/a	n/a	n/a
Civil Litigation (including Contempts)	1,201	1,099	1,154	1,183	1,294	1,266
Court of Protection	486	489	459	565	760	692
Child Trust Funds ²	-	-	-	n/a	1,202	3,714
Estates, Trusts, Executorships, Pension & Institutional Funds	2,670	2,544	2,133	2,004	1,759	1,058
Total (excluding REMOs and Child Trust Funds)	5,672	5,509	5,334	5,422	5,639	4,826
Total	5,672	5,509	5,334	5,422	6,841	8,540

Source:

Office of the Official Solicitor and Public Trustee

Notes:

- 1 Applies from 1 April 2005 only. Relates to international maintenance claims, where one of the parties lives outside the UK in a country or territory with which the UK has reciprocal arrangements for the enforcement of maintenance
- 2 Applies from 1 April 2005 only. The Official Solicitor can be appointed to act as the registered contact in the administration of the Child Trust Fund scheme for children in care in England and Wales, where there is no parent able to do so
- 3 Based on the average number of active cases month-by-month within each year shown

Table 8.2
Tipstaff
 Summary casework statistics, 2002-2007

Type of warrant	Number of warrants					
	2002	2003	2004	2005	2006	2007
<u>Executed</u>						
Bankruptcy	8	3	5	5	21	11
Insolvency	4	8	0	0	8	12
Chancery Division	3	10	6	6	6	6
Queen's Bench Division	8	3	10	8	12	8
Family Division						
Child Abduction cases ¹	182	278	298	333	291	343
Other cases	53	54	15	28	20	6
Total	258	356	334	380	358	386
<u>Discharged or suspended</u>						
Bankruptcy	17	9	10	10	13	17
Insolvency	12	12	19	11	4	15
Chancery Division	0	0	0	0	26	-
Queen's Bench Division	2	1	2	1	26	-
Family Division						
Child Abduction cases ¹	1	9	2	19	65	133
Other cases	33	44	9	5	18	14
Total	65	75	42	46	152	179

Source:

Tipstaff

Notes:

1 Child Abduction work includes Collection Orders, Location Orders, Passport Orders and Port Alert Orders. These are all normally associated with cases where a child either has been, or is at risk of being, abducted and taken outside the UK

Table 8.3
Court of Protection
 Summary casework statistics, 2002/03 – 2007/08 (financial years)

Type of proceedings	Number of cases					
	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08 ³
Orders made under the Mental Health Act 1983	4,760	5,264	6,194	7,444	5,762	201
of which, number made by a nominated judge ¹	2	3	4	1	1	0
Orders for sale and purchase of property	946	833	2,493	1,934	2,019	-
Wills executed for clients and orders for settlement and gifts, excluding those made on applications relating to Enduring Powers of Attorney	259	284	341	329	238	189
Orders made on applications relating to Enduring Powers of Attorney dealt with by the Judicial Support Unit department	286	322	358	394	412	257
Applications for orders appointing new trustees ²	475	546	473	523	625	-
Orders determining proceedings on a patient's recovery	11	47	114	68	91	-
Visits carried out by the Lord Chancellor's medical visitors	86	104	84	105	153	-
Transition Orders	-	-	-	-	-	9,136

Source:

Court of Protection

Notes:

- 1 In practice, jurisdiction is exercised by the Master, Assistant Masters and other nominated officers of the Court of Protection. However, certain orders can only be made by the Lord Chancellor or a nominated judge (a judge of the Chancery or Family Divisions of the High Court)
- 2 Applications made under sections 36(9), 54 and 96(1)(k) of the Trustee Act 1925, and section 20(2)(c) of the Trusts of Land and Appointment of Trustees Act 1996
- 3 2007/08 figures only cover the period from April 2007 to September 2007 preceeding the implementation of the Mental Capacity Act 2005. Statistics covering this period are only partially available

Table 8.4
Court of Protection
 Damages awards approved, by type, 2004/05 – 2007/08 (financial years)

Type of award	Number of awards							
	2004/05		2005/06		2006/07		2007/08 ¹	
	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
Road traffic accidents	174	42%	162	42%	171	42%	85	47%
Clinical negligence								
Birth or prenatal injuries	101	24%	93	24%	107	26%	36	20%
Other	52	13%	47	12%	39	10%	23	13%
Criminal Injuries Compensation Authority awards	27	7%	16	4%	27	7%	16	9%
Physical or sexual abuse while in local authority care	20	5%	9	2%	11	3%	4	2%
Work injuries	16	4%	15	4%	20	5%	5	3%
Miscellaneous	25	6%	42	11%	33	8%	12	7%
Total	415		384		408		181	

Source:

Court of Protection

Notes:

- 1 2007/08 figures only cover the period from April 2007 to September 2007, preceeding the implementation of the Mental Capacity Act 2005. Statistics covering this period are only partially available

Table 8.5
Public Guardianship Office (PGO)
 Summary casework statistics, 2002-2007

Nature of work	Number of cases					
	2002	2003	2004	2005	2006	2007 ⁶
<u>Protection Work</u>						
Applications brought in during year	7,542	8,117	9,529	9,242	10,060	-
Number of estates under administration at year end	24,007	28,309	30,471	31,140	26,709	30,604
Annual accounts and enquiries passed ¹	14,213	15,240	12,875	13,664	19,259	13,234
Short Orders issued ²	1,509	1,080	1,596	2,044	2,828	-
Schedules (other than orders) for dealing with funds ³	13,384	20,898	29,210	26,746	30,331	-
Lodgement schedules (other than orders) for payment into Court	8,276	3,100	4,307	4,750	6,322	-
<u>Enduring Powers of Attorney⁴</u>						
EPA applications received during year	13,748	14,621	16,314	19,776	21,751	20,030
Number registered during year	11,965	11,393	14,340	20,003	19,368	15,969
Total remaining registered during year	70,181	82,115	87,653	100,221	114,130	123,034
<u>Receivership Work⁵</u>						
Number of estates under administration at year end	632	521	239	145	2	0

Source:

Public Guardianship Office (PGO)

Notes:

- 1 Relates to the PGO's work in monitoring Receivers, through a review of annual accounts and other enquiries, to ensure that they have been operating the finances in the client's best interest
- 2 Short Orders give an appointed person access to a client's finances in cases where there are not sufficient assets to warrant the appointment of a Receiver. Currently, this applies to estates with a capital value of less than £16,000 and where there is no property to be sold
- 3 Such schedules provide for the non-urgent release of a client's funds to the appointed Receiver for use in the client's best interests
- 4 An Enduring Power of Attorney allows the person creating it to nominate someone they trust (often a spouse or close family member) to manage their finances, should they themselves lose the mental capacity to do so in the future
- 5 In exceptional cases, where no Receiver can be appointed to manage a client's finances, the PGO can act as the Receiver itself. The sharp decline in casework is in preparation for the coming-into-force of the Mental Capacity Act 2005 in October 2007, from which point this power will no longer apply
- 6 2007 figures cover the period from January 2007 to September 2007, preceeding the implementation of the Mental Capacity Act 2005. Statistics covering this period are only partially available

The Judiciary

Key findings

- At 1 April 2008, there were 110 High Court judges in office. 18 were assigned to the Chancery Division, 73 to the Queen's Bench Division and 19 to the Family Division.
- At 1 April 2008, there were 653 circuit judges in England and Wales, up from the 639 as at 1 April 2007. The number of recorders also increased – by 9% (104) in the same period.
- As with previous years, over 40% of circuit judges and recorders were assigned to the South Eastern circuit.
- At 1 April 2008 there was a total of 29,419 justices of the peace in England and Wales, down slightly from the previous year (29,816). Of the total, 14,672 were men and 14,747 were women.
- During 2007, a total of 247,946 days were sat by judges on all types of work (excluding tribunals and other official functions).
- Days sat in the Crown Court accounted for 40% of this total, whilst for the county courts and the High Court, the proportions were 52% and 6% respectively.
- Circuit judges sat 42% of all days during 2007, with District Judges sitting 30% and Deputy district judges 8%.
- At 27%, London (including the Royal Courts of Justice) accounted for the highest proportion of days sat by all judges in England and Wales (66,448).

Chapter 9: The Judiciary

The Judiciary of England and Wales can be separated into the following types of judge:

- Heads of Division
- Lords Justices of Appeal
- High Court Judges
- Circuit Judges
- Recorders
- District and Deputy District Judges
- District and Deputy District Judges (Magistrates' Courts)
- Justices of the Peace (or Magistrates)

Figures on the number of days sat in court by judges, broken down by region and type of judge are also included in this chapter.

Divisional Heads

The Lord Chief Justice is the Head of the Judiciary for England and Wales. The other Heads of Division are:

- the Master of the Rolls, who heads the civil branch of the Court of Appeal and is Head of Civil Justice
- the President of the Queen's Bench Division, who is also Head of Criminal Justice
- the President of the Family Division
- the Chancellor of the High Court, who heads the Chancery Division which handles cases involving large sums of money and nationally important legal financial issues.

Lords Justices

Together with the Lord Chief Justice and the Master of the Rolls, the Lords Justices are judges of the Court of Appeal. As at 1 April 2008 there were 37 Lords Justices in office.

In the Court of Appeal a bench of two or three judges sits on each case. In the Criminal Division the bench consists of the Lord Chief Justice or a Lord Justice and one or more, usually two, High Court judges. In the Civil Division the majority of cases are heard by a bench solely composed of Lords Justices.

High Court judges

The 110 High Court judges currently appointed in England and Wales deal with the more complex and difficult cases.

High Court judges usually sit in London but they also travel to major court centres around the country. They try serious criminal cases, important civil cases and assist the Lords Justices to hear criminal appeals.

High Court judges are assigned to one of the three divisions of the High Court – the Chancery Division, the Queen’s Bench Division and the Family Division.

The Chancery Division deals with company law, partnership claims, conveyancing, land law, probate, patent and taxation cases, and consists of 18 High Court judges, headed by the Chancellor of the High Court. The Division includes three specialist courts: the Companies Court, the Patents Court and the Bankruptcy Court. Chancery Division judges normally sit in London, but also hear cases in Cardiff, Bristol, Birmingham, Manchester, Liverpool, Leeds and Newcastle (see Chapter 2).

The Queen’s Bench Division deals with contract and tort (civil wrongs), judicial reviews and libel, and includes three specialist courts: the Commercial Court, the Admiralty Court and the Administrative Court. The Queen’s Bench Division consists of 73 judges, headed by the President of the Queen’s Bench Division (see Chapter 3).

The Family Division, which deals with family law and probate cases, consists of 19 judges headed by the President of the Family Division (see Chapter 5).

High Court judges are appointed by The Queen on the recommendation of the Lord Chancellor, after a fair and open competition administered by the Judicial Appointments Commission. High Court judges must have had a right of audience – the right of a lawyer to appear and speak as an advocate in a court case – for all proceedings in the High Court for at least ten years, or have been a circuit judge for at least two years.

Circuit Judges, Recorders and District Judges

The bulk of Crown Court work is undertaken by Circuit Judges and Recorders. In the county courts most of the work is undertaken by Circuit Judges, District Judges and deputy District Judges.

Circuit Judges are assigned to a particular circuit and may sit at any of the Crown and county courts on that circuit. Normally Circuit Judges can hear both criminal and civil cases, although some exercise specialist civil jurisdictions or deal wholly or mainly with criminal cases.

Recorders may sit in both the Crown Court and county courts. Most Recorders start by sitting in the Crown Court, although after about two years they might be authorised to sit in the county courts after a period of training. Some Recorders are appointed solely to deal with civil or family work

District Judges are assigned on appointment to a particular circuit and may sit at any of the county courts or District Registries of the High Court in that circuit. A District Registry is part of the High Court situated in various districts of England and Wales dealing with High Court family and civil business.

The numbers of Circuit and District Judges, and Recorders sitting as at given dates between 2003 and 2008 are shown in [Table 9.1](#).

District Judges (Magistrates' Courts)

Unification of the Stipendiary Bench took place following the implementation on 31 August 2000 of Section 78 of the Access to Justice Act 1999. The unification of the bench created a national jurisdiction throughout England and Wales and a change of title from stipendiary magistrates to District Judges (Magistrates' Courts). There is a single judicial head, the Senior District Judge (Chief Magistrate), who is responsible for the administration of the unified bench.

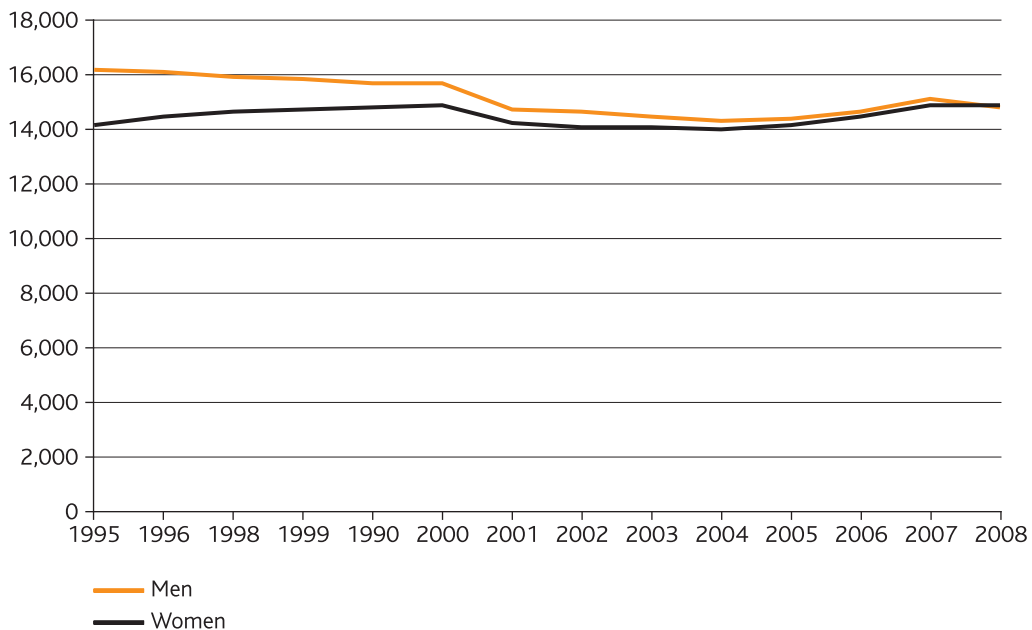
There were 136 full-time District Judges (Magistrates' Courts) in post at 1 April 2008. They are salaried members of the judiciary appointed by the Queen on the recommendation of the Lord Chancellor. Generally sitting alone in the magistrates' court, they are responsible for deciding matters of law and fact and for imposing sentences.

Their jurisdiction is wide, and covers criminal matters in the adult and youth courts and civil matters, particularly in relation to family matters in the family court, as well as prison adjudication, extradition and terrorism cases. With exactly the same jurisdiction as the magistracy, the caseload of the district judge is generally slanted towards the heavier business, with clerks often allocating the more serious, lengthy and complex cases to them.

The Magistracy (Justices of the Peace)

Justices of the Peace (magistrates) are appointed by the Lord Chancellor on behalf of the Sovereign. In the magistrates' court the Justices usually sit as a bench of three; when sitting as a Youth Court or Family Proceedings Court there must be at least one male and one female Justice on the bench. Magistrates do not need to be legally qualified, but a qualified legal adviser is available to the bench at all times. Magistrates do not require legal training. However, all magistrates must undertake a compulsory programme of practical training which prepares them to sit in court. In the Crown Court, Justices sit with a Judge to hear appeals from magistrates' courts.

Justices of the Peace, 1995-2008*



*As at 1st April of each year. From 2000 onwards figures compiled on a financial year basis.

Most criminal cases are dealt with by magistrates. The bulk of these are purely summary offences which are relatively less serious and which can only be tried in a magistrates' court. These include many motoring offences. The remainder are 'either way' offences which may be tried either in the magistrates' court or in the Crown Court before a judge and jury.

Criminal cases involving children and young persons up to and including the age of 17 are normally dealt with in the Youth Court. Justices sitting in the Family Proceedings Court deal with the court's family business, such as cases concerning children and young persons who are believed to be in need of care, matters concerning residence and contact with children and maintenance (see chapter 5).

Unlike District Judges (Magistrates' Court), magistrates are unpaid but receive allowances to cover travelling expenses, subsistence and financial loss occasioned by the performance of their duties.

The number of magistrates in England and Wales by gender, as at given dates from 1990 are shown in [Table 9.5](#). This shows that, for the first time the number of female magistrates was higher than that for men in April 2008. [Table 9.6](#) shows a similar time series of appointments of new magistrates.

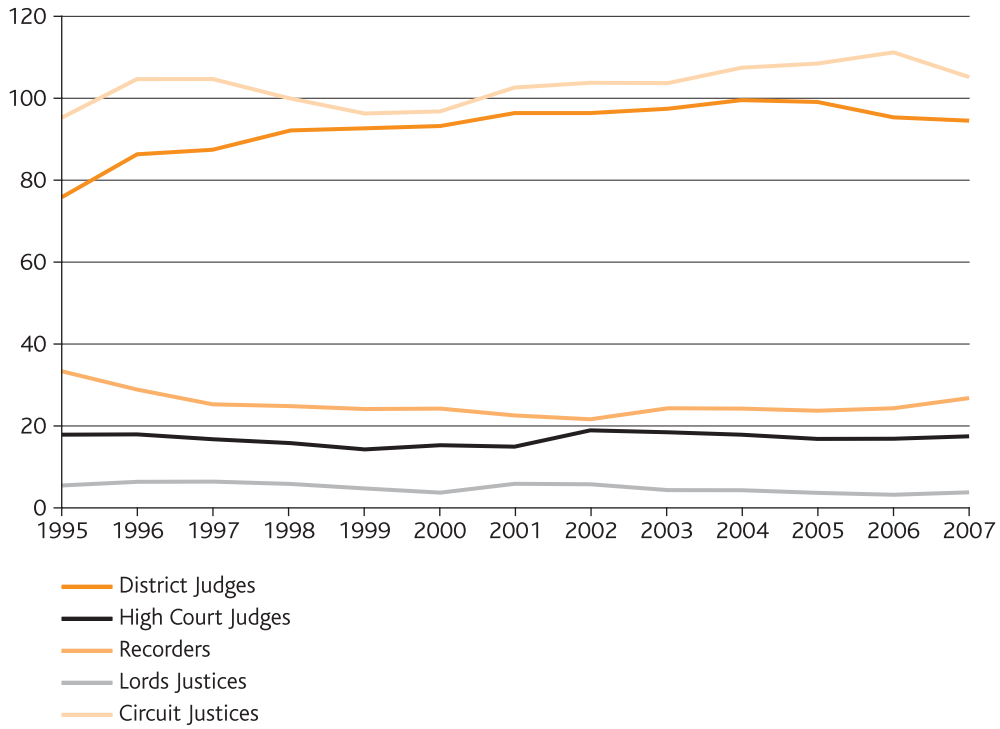
Judicial sitting days

Figures of the number of days sat in court and chambers by judges (except magistrates) are given in [Tables 9.2, 9.3 and 9.4](#). [Table 9.2](#) gives the time series from 2002 to 2007 of the number of sitting days by judge type. [Table 9.3](#) shows the number of days sat by each category of judge according to the type of work undertaken, and [Table 9.4](#) shows the distribution of days sat by Region.

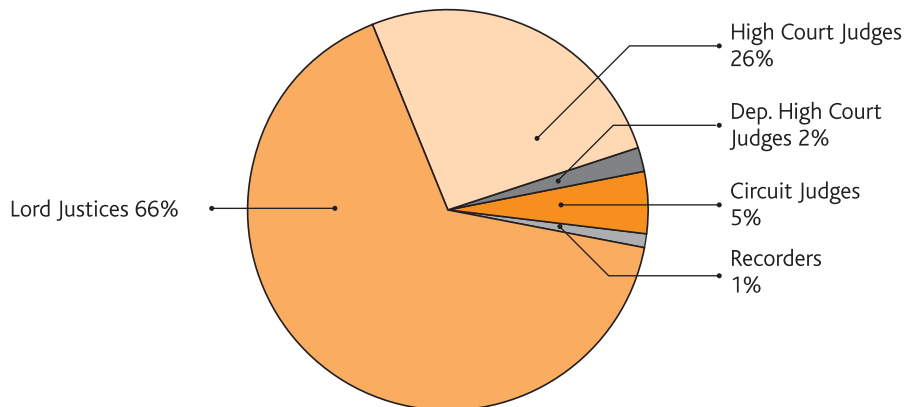
Sittings by deputy High Court judges include retired Lords Justices, retired High Court judges and Circuit Judges sitting as High Court judges under section 9(1) of the Supreme Court Act 1981 and practitioners sitting as deputy High Court judges under section 9(4) of the Act. Deputy Circuit Judge sittings refer only to sittings by retired Circuit Judges.

Judges Sitting Days (All Courts) by judge type, 1995-2007

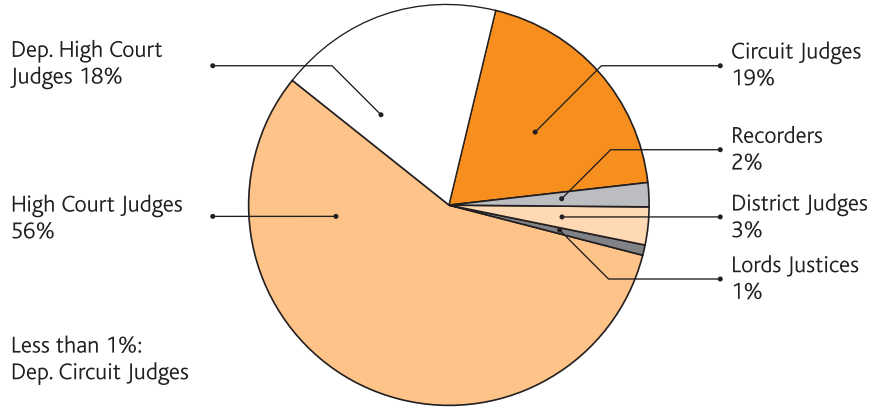
Days Sat (Court & Chambers)
(in thousands)



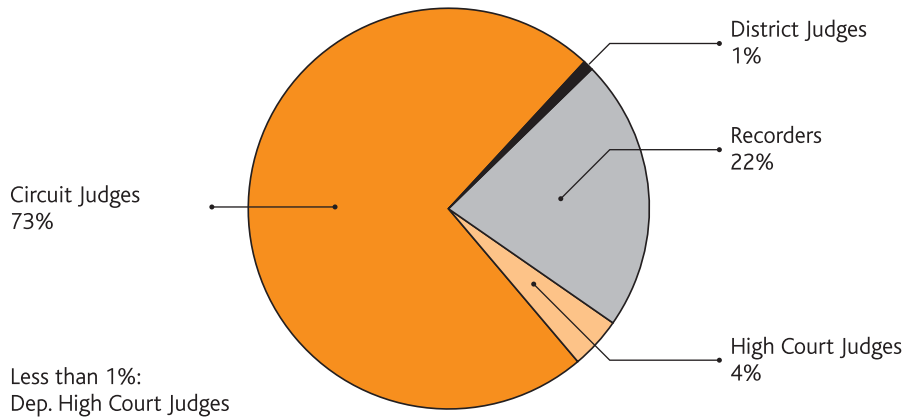
Court of Appeal: Days sat by type of judge, 2007



High Court: Days sat by type of judge, 2007



Crown Court: Days sat by type of judge, 2007



County court: Days sat by type of judge, 2007

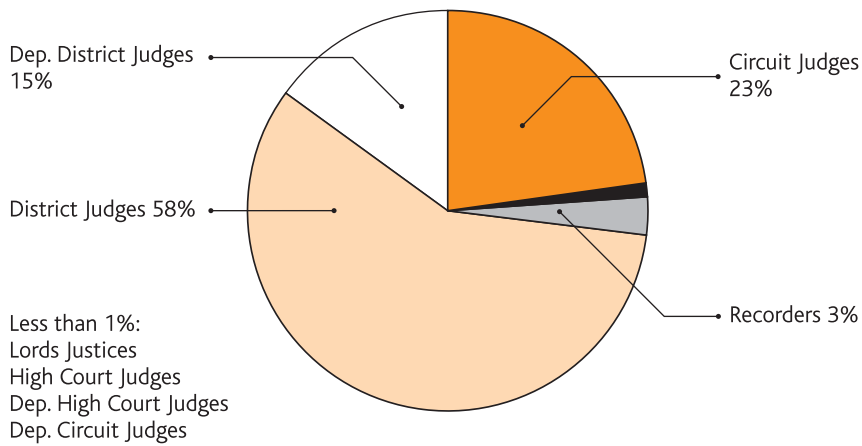


Table 9.1**The Judiciary**Circuit judges, Recorders and District judges in post in each circuit, as at given dates, 2003-2008¹

Type of Judge	2003	2004	2005	2006	2007	2008
<u>Circuit Judges</u>						
Midland	81	76	89	87	88	87
North Eastern	78	75	75	76	75	78
Northern	90	87	94	88	89	104
South Eastern	276	273	285	269	262	288
Wales & Chester	39	39	41	38	36	32
Western	58	57	59	61	62	64
Other		2			27	
Total	622	609	643	619	639	653
<u>Recorders</u>						
Midland	191	211	204	225	176	204
North Eastern	144	148	135	144	102	127
Northern	170	178	177	176	140	166
South Eastern	591	616	596	580	523	569
Wales & Chester	82	89	83	89	69	69
Western	160	161	155	180	166	170
Other	4	2			25	
Total	1,342	1,405	1,350	1,394	1,201	1,305
<u>District Judges</u>						
Midland	62	63	64	62	57	67
North Eastern	61	62	61	61	62	62
Northern	65	65	63	64	67	77
South Eastern	160	159	167	151	147	160
Wales & Chester	34	33	32	32	34	24
Western	46	47	46	49	46	48
Other		7			18	
Total	428	436	433	419	431	438

Source:

Judicial Communications Office

Notes:

¹ Figures are at 1 April in 2007, and at 1 January in earlier years

Table 9.2
The Judiciary
 Days sat¹ by judge type, 2002-2007

Type of Judge	2002	2003	2004	2005	2006	2007
Lords Justices	6,014	4,280	4,086	3,766	3,365	3,894
High Court judges	15,280	15,384	14,755	13,563	13,452	14,257
Deputy High Court judges	3,434	3,060	3,234	3,311	3,416	3,197
Circuit judges	101,977	102,085	105,706	106,190	108,932	105,058
Deputy circuit judges	1,530	1,594	1,885	2,094	1,922	870
Recorders	21,433	24,016	23,979	23,487	24,291	26,191
District judges	78,440	76,333	78,424	77,362	77,737	75,362
Deputy district judges	17,706	21,157	20,842	21,798	17,430	19,118
Total²	245,814	247,909	252,911	251,571	250,544	247,946

Source:

HM Courts Service, CREST system and STATS 10 statistical return

Notes:

- 1 Days sat in court and chambers
- 2 These figures represent only the days sat in court or in chambers in the jurisdictions shown. Judges sit in other areas, and also undertake a range of other functions outside the courtroom that are not shown here

Table 9.3
The Judiciary
 Days sat¹ by judges showing type of work dealt with, 2007

Type of judge	Court of Appeal		High Court				Crown Court	County court			Total
	Criminal	Civil	Chancery Division	Queen's Bench Division ²	Family Division	T&C court ³		General List	Family Law		
								Public	Private		
Lords Justices	694	2,813	-	193	-	-	-	90	35	69	3,894
High Court judges	1,279	90	2,130	3,511	2,532	529	3,694	260	175	57	14,257
Deputy High Court judges	104	-	1,103	1,030	380	263	84	115	81	38	3,197
Circuit judges	252	-	861	628	857	603	72,962	10,456	12,628	5,812	105,058
Deputy circuit judges	-	-	59	24	-	6	-	267	357	157	870
Recorders	-	48	63	10	159	-	21,436	2,661	698	1,116	26,191
District judges	-	-	403	58	28	-	1,150	49,305	3,298	21,120	75,362
Deputy district judges	-	-	1	-	-	-	-	16,559	129	2,429	19,118
Total⁴	2,329	2,951	4,619	5,454	3,955	1,401	99,326	79,713	17,400	30,799	247,946

Source:

HM Courts Service, CREST system and STATS 10 statistical return

Notes:

- 1 Days sat in court and chambers
- 2 Admiralty Court and Administrative Court sittings are included in the Queen's Bench Division figures
- 3 T&C court = Technology and Construction Court
- 4 These figures represent only the days sat in court or in chambers in the jurisdictions shown. Judges sit in other areas, and also undertake a range of other functions outside the courtroom that are not shown here

Table 9.4
The Judiciary
 Days sat¹ by judges, by type of judge and HMCS region, 2007

Type of judge	London	Midlands	North East	North West	South East	South West	Royal Courts of Justice	Wales	Total
Lords Justices	39	0	0	3	119	0	3,725	8	3,894
High Court judges	559	1,123	679	1,288	427	427	9,323	432	14,257
Deputy High Court judges	78	827	95	580	5	73	1,269	271	3,197
Circuit judges	25,840	14,241	10,892	16,481	19,822	10,701	2,015	5,068	105,058
Deputy circuit judges	42	63	175	253	158	51	0	129	870
Recorders	6,685	4,052	2,861	3,151	5,475	2,152	196	1,620	26,191
District judges	13,023	9,607	10,436	13,319	14,868	8,964	763	4,383	75,362
Deputy district judges	2,731	3,348	3,314	2,979	3,115	2,590	161	881	19,118
Total²	48,997	33,260	28,450	38,053	43,987	24,956	17,452	12,792	247,946

Source:

HM Courts Service, CREST system and STATS 10 statistical return

Notes:

1 Days sat in court and chambers

2 These figures represent only the days sat in court or in chambers in the jurisdictions shown. Judges sit in other areas, and also undertake a range of other functions outside the courtroom that are not shown here

Table 9.5
The Magistracy
 Justices of the Peace (JPs) in England and Wales¹, by gender, 1990-2008

Year	Number of JPs		
	Men	Women	Total
1990	16,090	12,577	28,667
1991	16,098	12,964	29,062
1992	16,105	13,336	29,441
1993	16,087	13,599	29,686
1994	16,151	13,903	30,054
1995	16,045	14,043	30,088
1996	15,951	14,375	30,326
1997	15,858	14,516	30,374
1998	15,713	14,648	30,361
1999	15,561	14,699	30,260
2000	15,544	14,764	30,308
2001 ²	14,639	14,096	28,735
2002 ²	14,498	13,981	28,479
2003 ²	14,392	13,952	28,344
2004 ²	14,183	13,846	28,029
2005 ²	14,273	14,027	28,300
2006 ²	14,519	14,346	28,865
2007 ²	15,007	14,809	29,816
2008 ²	14,672	14,747	29,419

Source:

Ministry of Justice – Magistrates Recruitment and Appointments Branch

Notes:

- 1 Including the areas in North-West England where Magistrates were appointed by the Chancellor of the Duchy of Lancaster, rather than by the Lord Chancellor, prior to April 2005
- 2 Figures since 2001 are as at 1 April in the years shown. For 2000 and earlier years, figures are as at 1 January

Table 9.6**The Magistracy**Justices of the Peace appointed in England and Wales¹, by gender, 1990-2008

Year	Number of JPs		
	Men	Women	Total
1990	996	1,063	2,059
1991	1,008	1,009	2,017
1992	1,080	990	2,070
1993	1,045	1,017	2,062
1994	810	783	1,593
1995	907	936	1,843
1996	830	852	1,682
1997	764	809	1,573
1998	816	793	1,609
1999	884	859	1,743
2000/01 ²	703	633	1,366
2001/02 ²	763	711	1,474
2002/03 ²	714	696	1,410
2003/04 ²	777	701	1,478
2004/05 ²	909	857	1,766
2005/06 ²	1,132	1,080	2,212
2006/07 ²	1,225	1,187	2,412
2007/08 ²	927	972	1,899

Source:

Ministry of Justice – Magistrates Recruitment and Appointments Branch

Notes:

- 1 Including the areas in North-West England where Magistrates were appointed by the Chancellor of the Duchy of Lancaster, rather than by the Lord Chancellor, prior to April 2005
- 2 Figures since 2000-01 are compiled on a financial year basis. For 1999 and earlier years, figures are on a calendar year basis

Assessment of litigation costs, and publicly funded legal services

Key findings

- The number of “between parties” costs bills that were subject to detailed assessment by the Supreme Courts Cost Office fell by 10 per cent in 2007, compared to 2006.
- Gross expenditure on legal aid during the 2007/08 financial year was £2,242 million, an increase of 1.3 per cent in cash terms compared to 2006/07.
- Around 91% of defendants in Crown Court trials receive publicly-funded legal representation.

Chapter 10: Assessment of litigation costs, and publicly funded legal services

This chapter deals with the funding of litigation work, whether through an award of costs to a successful litigant on the completion of court proceedings, or through public Legal Aid schemes.

- The detailed **assessment of litigation costs** is the process of examining, and if necessary reducing, the bill of costs of a Solicitor or Litigant-in-Person upon the conclusion of litigation proceedings. Costs include not only the solicitor's own professional fees, but also disbursements incurred including barristers' and experts' fees. The purpose of detailed assessment is to determine:
 - a) how much costs a successful party in litigation is entitled to recover from his unsuccessful opponent
 - b) the amount which a solicitor or barrister is to be paid out of public funds (in publicly funded cases)
 - c) how much a client should have to pay his solicitor (under the Solicitors Act).
- The **Supreme Court Costs Office** is responsible for the detailed assessment of costs in many civil jurisdictions, including the Court of Appeal (Civil), all three Divisions of the High Court, a number of Tribunals, the Court of Protection, and London-based county courts. It also deals with appeals against determinations of costs in the Crown Court.
- **Publicly-funded legal services** in England and Wales are administered by the **Legal Services Commission**. Access to legal assistance is provided predominantly through two well-established Legal Aid schemes.
 - a) The **Community Legal Service (CLS)** which provides civil and family legal services
 - b) The **Criminal Defence Service (CDS)** which provides legal services to those arrested, charged or prosecuted in connection with a criminal offence

Assessment of litigation costs

The office responsible for assessing litigation costs depends on the type of case, and whether or not the litigation was publicly funded. The Supreme Court Costs Office (SCCO) deals with costs assessments in the more complex and significant areas of civil litigation. It is responsible for cost assessments relating to all proceedings in the Chancery, Family and Queen's Bench Divisions of the High Court, the Court of Appeal (Civil Division) and the London county court Group. It also deals with costs in matters involving the Court of Protection, various tribunals and assessments transferred from other county courts and district registries. It also deals with appeals against the determination of costs in the Crown Court.

However, the Judicial Committee of the Privy Council, the House of Lords, the Lands Tribunal, and (except as above) county courts are responsible for the detailed assessment of costs in their respective courts.

As noted above, the purpose of detailed assessment is to determine:

- a) how much costs a successful party in litigation is entitled to recover from his unsuccessful opponent
- b) the amount which a solicitor or barrister is to be paid out of public funds (in publicly funded cases)
- c) how much a client should have to pay his solicitor (under the Solicitors Act).

In 2007, the SCCO assessed 13,017 costs bills, 2 per cent fewer than the 13,222 it assessed in 2006. The number of "between parties" assessments of bills of costs in civil cases dropped 10 per cent from the level for 2006.

A random sample over five years (2002-2006) of completed "between parties" assessments shows that the process led to an average reduction of 23.3% in the value of these costs bills.

Summary caseload statistics on the work of the Supreme Court Costs Office is shown in [Tables 10.1 and 10.2](#).

Separate statistics on costs assessments carried out by the Judicial Committee of the Privy Council and the House of Lords are shown in [Table 10.3](#).

Publicly-funded legal services

The Legal Services Commission (LSC) operates the two Legal Aid schemes in England and Wales, through which nearly all publicly-funded legal services are commissioned from independent suppliers. These schemes are described below.

The Community Legal Service (CLS) provides civil and family legal services. Work commissioned via the CLS is divided into two types:

- Legal advice and assistance (known as “Legal Help”), help at Court, and legal representation in front of the Asylum and Immigration or Mental Health Review Tribunals. This is known as “Controlled work” for contracting purposes.
- Legal representation by solicitors and barristers in civil or family cases which could go to court (other than in Very High Cost Cases which are managed individually under separate contracts). This is known as “Licensed work” for contracting purposes.

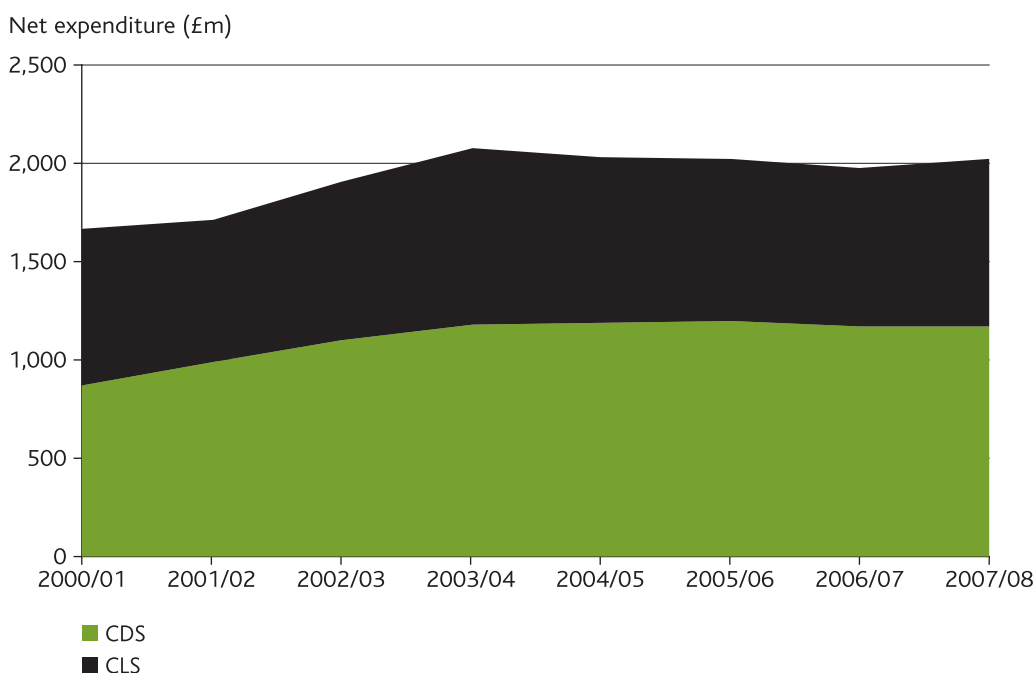
The Criminal Defence Service (CDS) which provides legal services to those arrested, charged or prosecuted in connection with a criminal offence. Work commissioned via the CDS is similarly divided into two broad types:

- Advice and / or representation in Police stations and magistrates’ courts
- Representation in the Crown Court and higher courts

Gross annual legal aid expenditure during the 2007/08 financial year was £1,062 million in the CLS, and £1,180 million in the CDS. The corresponding net figures were £844 million (CLS) and £1,179 million (CDS). It should be noted that the scope, design and operation of both legal aid schemes are subject to periodic changes. More detail on these issues is available from the website of Legal Services Commission at: www.legalservices.gov.uk.

Summary statistics on the monies spent and work commissioned by the CLS and CDS are shown in Table 10.4. Trends in the total net expenditure of the two schemes from 2000/01 to 2007/08 are shown in the graph below.

Net annual expenditure of the Community Legal Service (CLS) and Criminal Defence Service (CDS): 2000/01-2007/08



Under the Access to Justice Act 1999, legal representation is available to anyone facing criminal proceedings before any Court where it is in the interests of justice that public funding be granted. The "Interests of Justice test" is set out in Schedule 5 of the Act, and guidance on its application is available from the Legal Services Commission website.

An accused person can be granted publicly funded representation (by means of a Representation Order) where the court decides that it is in the interests of justice to do so. In making this decision, the court will take into account, among other factors, whether the charge is so serious that the defendant may be imprisoned or lose his job if convicted, or suffer serious damage to his reputation.

A Representation Order covers all criminal proceedings, including preliminary or incidental hearings and any related bail proceedings. Where a defendant has a Representation Order in a magistrates' court or the Crown Court, the representation order covers obtaining advice on appeal and the preparation of any application for leave to appeal or giving notice of appeal against conviction or sentence. However, it does not cover the costs of an appeal itself, although an application for a further representation order can be made directly to the Court of Appeal to cover those proceedings.

Since 2 October 2006, defendants appearing before the magistrates' court have been required to pass an additional test of financial eligibility to qualify for publicly funded representation. This 'means test' takes account of a defendant's personal circumstances (e.g. size of family) as well as their basic income. As of 2 April 2007, applicants can therefore have a gross annual income of up to £21,487 and still qualify for legal aid. During the first twelve months of this scheme, just over 90% of all 'means test' applications were granted.

In 2007, around 100,000 applications were made in magistrates' courts for representation in the Crown Court (either for trial on indictment or sentencing proceedings) – [Table 10.7](#), and of these, 8 were refused. It is very rare for an application of this sort to be turned down – the previous time such cases were refused was in 2001.

Overall, around 91 per cent of Crown Court defendants facing trial on indictment were in receipt of publicly-funded legal representation, with the remainder either receiving privately-funded representation or going unrepresented. The corresponding figure for defendants committed to the Crown Court for sentence after a summary trial was 69 per cent, and for those appealing against the decisions of magistrates' courts, 53 per cent.

Statistics on the funding of Crown Court representation are given in [Tables 10.5 to 10.7](#).

Table 10.1
Supreme Court Costs Office
 Number of costs bills assessed, by type of case giving rise to the bill: 2004-2007

Type of case	Number of bills			
	2004	2005	2006	2007
"Between parties" assessments	3,320	3,062	2,459	2,205
Civil legal aid assessments	6,400	5,939	6,315	5,756
Receivers' costs in the Court of Protection	3,247	4,438	4,082	4,528
Appeals against determination of costs in the Crown Court	430	333	366	528
Total assessments	13,397	13,772	13,222	13,017

Source:
 Supreme Court Costs Office

Table 10.2
Supreme Court Costs Office
Number of costs bills assessed and their estimated total and average values, by jurisdiction of original case: 2003-2007

Original case jurisdiction	2003			2004			2005			2006			2007		
	Cost bills assessed	Estimated total value ²	Estimated average value	Cost bills assessed	Estimated total value ²	Estimated average value	Cost bills assessed	Estimated total value ²	Estimated average value	Cost bills assessed	Estimated total value ²	Estimated average value	Cost bills assessed	Estimated total value ²	Estimated average value
Court of Appeal (Civil)	480	£11,113,779	£23,154	475	£12,419,364	£26,146	458	£8,198,200	£17,900	522	£11,751,850	£22,513	537	£16,791,556	£31,269
High Court															
Queen's Bench Division	2,249	£103,071,632	£45,830	1,625	£78,737,533	£48,454	1,430	£98,670,000	£69,000	1,550	£81,637,483	£52,669	1,394	£69,882,968	£50,131
Chancery Division	540	£36,406,672	£67,420	408	£25,857,912	£63,377	349	£19,195,000	£55,000	237	£25,454,000	£107,401	203	£17,117,986	£84,325
Family Division	4,500	£38,657,954	£8,591	4,144	£47,719,328	£11,515	3,870	£46,440,000	£12,000	4,150	£60,735,123	£14,635	4,248	£73,217,952	£17,236
Administrative Court	1,037	£8,661,144	£8,352	607	£8,103,393	£13,350	390	£8,580,000	£22,000	325	£5,414,200	£16,659	332	£3,910,931	£11,780
Court of Protection	2,340	£10,530,000	£4,500	3,247	£15,423,250	£4,750	4,438	£21,746,200	£4,900	4,082	£20,410,000	£5,000	4,528	£26,906,688	£5,942
Tribunals	162	£4,107,336	£25,354	174	£6,379,927	£36,666	114	£5,415,000	£47,500	135	£4,996,764	£37,013	62	£2,105,645	£33,962
County Courts ¹	1,514	£30,869,449	£20,389	2,287	£55,701,676	£24,356	2,390	£59,750,000	£25,000	1,855	£60,803,875	£32,778	1,185	£30,494,538	£25,734
Crown Court (Appeals against initial cost determinations)	373	-	-	430	-	-	333	-	-	366	-	-	528	-	-
Total	13,195			13,397			13,772			13,222			13,017		

Source:
Supreme Court Costs Office

Notes:

- 1 County Court figures include assessments of bills in 60 bankruptcy cases for 2006, and 21 cases for 2007
- 2 Estimated values are for "brought-in" bills (i.e. before the process of detailed assessment). A random sample over five years (2003-2006) of completed "between parties" assessments shows that this process led to an average reduction of 23.3% in the value of these bills

Table 10.3
Judicial Committee of the Privy Council and House of Lords
Number of costs bills assessed and their total and average allowed values: 2003-2007

	2003			2004			2005			2006			2007		
	Cost bills assessed	Estimated total value	Estimated average value	Cost bills assessed	Estimated total value	Estimated average value	Cost bills assessed	Estimated total value	Estimated average value	Cost bills assessed	Estimated total value	Estimated average value	Cost bills assessed	Estimated total value	Estimated average value
<u>Judicial Committee of the Privy Council</u>															
Petitions for special leave to appeal	5	£28,714	-	2	£8,255	-	5	£33,237	-	0	-	-	4	£18,006	-
Appeals	25	£664,726	£26,589	19	£774,240	-	10	£342,526	-	10	£737,033	-	8	£442,428	-
<u>House of Lords</u>															
Petitions for leave to appeal	32	£109,684	£3,428	32	£110,000	£3,438	25	£108,263	£4,331	25	£108,497	£4,339	30	£95,374	£3,179
Appeals	29	£2,244,629	£77,401	33	£1,668,752	£50,568	24	£1,235,405	£51,475	14	£1,433,752	£102,410	24	£1,652,138	£68,839

Source:

Judicial Committee of the Privy Council and Judicial Office, House of Lords

Note

Averages are not shown where there are fewer than 20 cases in a given year

Table 10.4
Publicly-funded legal services
 Summary statistics on activity and expenditure, 2000/01 – 2007/08

	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
Community Legal Service (CLS)								
<u>Civil and Family: Representation</u>								
Cash payments (£m)	£957.2	£871.2	£820.4	£811.2	£763.6	£806.8	£774.2	£801.9
Acts of Assistance (thousands)	275.5	225.4	204.5	215.3	201.9	194.8	179.5	165.8
<u>Civil and Family: Advice and Assistance ("Legal help")</u>								
Cash payments (£m)	£231.7	£258.3	£329.5	£383.8	£355.6	£284.1	£261.4	£260.4
Acts of Assistance (thousands)	862.0	779.6	812.9	709.8	654.3	801.4	884.6	834.6
CLS total								
Total cash payments (£m)	£1,188.9	£1,129.5	£1,149.9	£1,195.0	£1,119.2	£1,090.9	£1,035.6	£1,062.3
Operating receipts (£m)	£397.0	£395.0	£337.1	£297.1	£273.3	£259.8	£226.7	£218.2
Total net expenditure (£m)	£791.9	£734.5	£812.8	£897.9	£845.9	£831.1	£808.9	£844.1
Total Acts of Assistance (thousands)	1,137.5	1,005.0	1,017.4	925.1	856.2	996.2	1,064.1	1000.4
Criminal Defence Service (CDS)								
<u>Criminal: Police stations and magistrates' courts</u>								
Cash payments (£m)	£453.6	£509.1	£526.7	£534.2	£510.9	£501.9	£529.4	£486.7
Acts of Assistance (thousands)	2,172.5	1,697.2	1,516.7	1,583.8	1,463.7	1,488.9	1,473.8	1378.5
<u>Criminal: Crown Court and higher courts</u>								
Cash payments (£m)	£422.0	£474.1	£569.3	£645.0	£682.4	£695.5	£647.9	£693.4
Acts of Assistance (thousands)	116.0	115.0	123.7	124.0	115.6	121.5	120.7	123.5
CDS total								
Total cash payments (£m)	£875.6	£983.2	£1,096.0	£1,179.2	£1,193.3	£1,197.4	£1,177.3	£1,180.1
Operating receipts (£m) ¹	£3.2	£0.8	£0.3	£0.7	£1.2	£0.6	£5.9	£1.1
Total net expenditure (£m)	£872.4	£982.4	£1,095.7	£1,178.5	£1,192.1	£1,196.8	£1,171.4	£1,179.0
Total Acts of Assistance (thousands)	2,288.5	1,812.2	1,640.4	1,707.8	1,579.3	1,610.4	1,594.5	1502.0
All publicly funded legal services²								
Total cash payments (£m)	£2,064.5	£2,112.7	£2,245.9	£2,374.2	£2,312.5	£2,288.3	£2,212.9	£2,242.4
Operating receipts (£m)	£400.2	£395.8	£337.4	£297.8	£274.5	£260.4	£232.6	£219.3
Total net expenditure (£m)	£1,664.3	£1,716.9	£1,908.5	£2,076.4	£2,038.0	£2,027.9	£1,980.3	£2,023.1
Total Acts of Assistance (thousands)	3,426.0	2,817.2	2,657.8	2,632.9	2,435.5	2,606.6	2,658.6	2502.4

Source:

Legal Services Commission's Annual Reports for years shown

Notes:

- 1 All "cash payments" figures represent gross expenditure, except for Criminal Higher payments up to 2004/05, which represent net expenditure. This is because Criminal Higher legal aid was funded directly, rather than via the Legal Services Commission, prior to April 2005. CDS operating receipts up to 2004/05 therefore exclude any income relating to Criminal Higher work
- 2 The scope of legal work covered by both the CDS and the CLS has changed during the period covered by this table. For details of these scope changes, please see the Legal Services Commission's annual reports and other related documents

Table 10.5**Funding of Crown Court representation**Applications¹ for public funding filed in the Crown Court, by type of proceeding and result, 2000-2007

Type of proceeding	Number of applications							
	2000	2001	2002	2003	2004	2005	2006	2007
<u>Trial on indictment</u>								
Applications	6,685	6,627	5,310	4,809	4,838	4,768	4,279	6,082
Granted	6,476	6,485	5,152	4,644	4,670	4,582	4,127	5,905
Refused	208	162	158	165	168	186	152	177
<u>For sentence or to be dealt with</u>								
Applications	3,521	2,583	2,907	3,767	4,554	4,868	6,805	10,175
Granted	3,486	2,561	2,897	3,740	4,532	4,841	6,761	10,142
Refused	35	22	10	27	22	27	44	33
<u>Appeals against Magistrates court decision</u>								
Convictions and sentence:								
Applications	1,340	1,228	1,273	1,267	1,328	1,380	1,439	2,034
Granted	1,330	1,210	1,256	1,245	1,307	1,359	1,427	2,017
Refused	10	18	17	22	21	21	12	17
Sentence only:								
Applications	1,948	1,655	1,590	1,662	1,656	1,623	1,780	2,684
Granted	1,937	..	..	1,656	..	..	1,772	2,677
Refused ²	11	..	..	6	..	..	8	7

Source:

CREST system, HM Courts Service

Notes:

1 Applications granted include a small number granted in the magistrates' court and extended by the Crown Court

2 Numbers marked with ".." are withheld to protect the confidentiality of individuals

Table 10.6**Funding of Crown Court representation**

Defendants and appellants in the Crown Court, by type of proceeding and type of representation, 2007

Type of proceeding	Defendants		
	Represented under criminal public funding	Privately / not represented	Total
Trial on indictment	87,370	8,245	95,615
For sentence or to be dealt with	26,059	11,622	37,681
Appeals against magistrates' court decisions:			
Conviction and sentence	2,869	2,980	5,849
Sentence only	3,781	2,901	6,682

Source:

CREST system, HM Courts Service

Table 10.7**Funding of Crown Court representation**Number of applications¹ filed in the magistrates' courts for representation in the Crown Court, by type of proceeding, 2000-2007

Type of proceeding	Number of applications							
	2000	2001	2002	2003	2004	2005	2006	2007
Trial on indictment	79,887	81,864	89,501	89,718	88,277	83,223	83,019	83,200
For sentence or to be dealt with	19,110	17,562	19,639	19,511	18,986	20,407	20,117	16,646
Appeals against Magistrates court decision								
Convictions and sentence	1,264	1,240	1,347	1,357	1,397	1,525	1,668	873
Sentence only	2,557	2,407	2,512	2,484	2,541	2,509	2,431	1,116

Source:

CREST system, HM Courts Service

Data Quality and Sources

Annex A: Data Quality and Sources

This annex gives details of the sources of the figure given in this report, along with discussion of known quality limitations or metadata issues. Please note that all data in this edition of Judicial and Court Statistics relates to the calendar year 2007, unless otherwise noted.

This annex also contains contact details if you require further information. In certain cases, where 'bespoke' information has been provided specifically for this publication, the telephone number of the originating office is provided as readers may wish to contact the relevant source directly.

Where no such source is given, enquiries should be directed in the first instance to:

Wincen Lowe
Economics and Statistics Division
Room 5.03
Selborne House
54-60 Victoria Street
London
SW1E 6QW

Tel: 020 7 210 1387
Email: statistics.enquiries@justice.gsi.gov.uk

Note:

The symbol 'r' is used in the tables of this report to indicate where a figure has been updated or revised from a previously published version.

Chapter 1: Appellate Courts

All information within this chapter is provided specifically for this publication.

For individual queries regarding the data published within this chapter please contact the relevant office as given below.

Tables	Data Source	Contact Number
1.1 – 1.2	Judicial Committee of the Privy Council	020 7276 0486
1.3 – 1.5	House of Lords	020 7219 3111
1.6 – 1.7	Criminal Appeal Office	020 7947 6908
1.8 – 1.10	Civil Appeal Office	020 7073 4827
1.11	Bankruptcy appeals	020 7947 6841
1.12 – 1.14	Administrative Office	020 7947 6908
1.15	Family Proceedings Dept, PRFD	020 7947 7001

PRFD – Principal Registry of the Family Division (a division of the High Court).

Chapter 2: High Court – Chancery

All information within this chapter is provided specifically for this publication.

For individual queries regarding the data published within this chapter please contact the High Court on 0207 947 6870.

Chapter 3: High Court – Queen’s Bench

All information within this chapter is provided specifically for this publication.

For individual queries regarding the data published within this chapter please contact the relevant office as given below.

Tables	Data Source	Contact Number
3.2 – 3.5	High Court	020 7947 6783
3.6 – 3.9	Admiralty and Commercial Courts, RCJ	020 7947 6111
3.10	Technology & Construction Court	020 7947 7156

Chapter 4: County courts (non family)

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 generally contains good quality information about the incidence and dates of major events in a case's progress through the Court system. However, there remain the following data quality issues:

- Tables 4.1, 4.2, 4.7 show the number of insolvency petitions and Table 4.22 shows the number of applications for administration orders and orders made. These statistics were sourced from the Business Management System (BMS), designed for the purpose of monitoring and assessing Court workloads. They are manually generated and generally less robust than the numbers of main case events generated from CaseMan.
- Table 4.9 shows a breakdown of unspecified money claims by value of claim. The value of claim was derived from the issue fee which was either not present or didn't correspond to any of the claim value ranges (sometimes due to exemption or remission) in around 4% of claims.
- Tables 4.11-13 show the numbers of small claims hearings and trials. Those for 2003-2006 were sourced from CaseMan, but are of lesser quality than the numbers of most main case events generated from CaseMan as their accuracy is dependent on Court staff entering a correct hearing outcome code which is not essential for their administrative purposes. Because a large number of hearing outcomes for 2000-2002 were not entered into CaseMan, figures for these years are provided from Stats Module, a less robust source involving a requirement for all county courts to complete a manual form each month.
- Table 4.14 shows the average times between issue, allocation to track and trial/hearing for cases with hearings/trials, and the average durations of these. All but the average times between issue, allocation to track and trial/small claim hearing for cases with trials/small claim hearings in 2003-2007 are sample estimates sourced either from the small claims sampler or the trial sampler. The small claims sampler is a manual form which 29 county courts (from a total of around 220) are required to complete for three months during the year. The trial sampler is a manual form which all county courts are required to complete for two months during the year.

Chapter 5: Family Courts

The majority of information in this chapter was sourced from the county court administrative system FamilyMan, used by court staff for case management purposes.

Children Act data for the Family Proceedings Courts was provided on electronic summary returns submitted to HMCS Business Information Division on a monthly basis. The figures shown for Family Proceedings Courts pre 2007 are weighted estimates based on data from a subset of courts. There are known data quality problems with these, which are likely to be an undercount. Research undertaken on behalf of Ministry of Justice has identified that some cases that have transferred from the Family Proceedings Court to the county court have been incorrectly recorded as new applications in the county court, thus inflating the number of new applications at the county court (see Masson et al 2008). Work is in train to improve the accuracy of county court records.

Figures in Tables 5.1 to 5.4 relate to the number of children subject to each application or order, meaning the volume counts each child separately even when more than one child is included in the same application or order.

Figures for Table 5.10 and 5.11 were provided by the Principal Registry of the Family Division, a division of the High Court.

Other points to note:

- Figures in Table 5.1, 5.5, 5.8 and 5.9 for previous years differ to those previously published as they are sourced from FamilyMan, a live case management system that is continually updated with new information.
- Disposals made one year may relate to applications made in earlier years.
- An application of one type may lead to an order of a different type being made.
- Table 5.4 does not include interim orders.
- Figures in Table 5.6 relate to the number of disposals for each type of ancillary relief order. One case may include more than one type of ancillary relief.

Chapter 6: Crown Court

The information contained in chapter six has been produced using the Management Information System (MIS), a data warehousing facility drawing data directly from court-based information systems. The warehouse enables the Ministry access to more complete data than was previously possible. In some instances this has meant that previously published figures will have changed, since this facility has also enabled the Ministry to include late submitted data and also to revise erroneous data included in previous publications.

Most data shown in the tables have been sourced from the Crown Court administrative system CREST, used by court staff for case management purposes. This generally contains good quality information about the incidence and dates of major events in a case's progress through the court system.

During 2006 there were changes made to the Crown Court centres. A new Crown Court centre was created, Mold, which was a satellite court became independent and Warrington, which was independent, became a satellite of Chester. Welsh courts that were satellites of Chester (Caernarfon and Dolgellau) became satellites of Mold. These changes were made in preparation for the change in the regions which made Cheshire a part of the North West and Wales a region on its own. When Mold became independent, the information about the existing cases being dealt with was copied to the new system from Chester. This meant that some cases existed on both systems and data have been adjusted accordingly to avoid duplication in the figures.

Important note on Crown Court statistics for 2007

The Ministry of Justice publications "Criminal Statistics 2007" (CS) and "Judicial and Court Statistics 2007" (JCS) both contain data on the number of proceedings heard in the Crown Court. However, while both sets of figures are produced from the same core source (the CREST system used to administer Crown Court cases), 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 mechanics and the counting and validation rules used, and they reflect the different underlying drivers of the analyses being performed. By way of broad illustration, CS counts numbers of defendants and is focused on the final outcomes of criminal court proceedings, while JCS counts numbers of cases and is focused on flows through the court system.

Since the creation of the Ministry of Justice, work has commenced to investigate both collation and counting rule differences between the two publications with a view to aligning the two sets of figures in the future.

Chapter 7: Magistrates' courts

The Magistrates' Courts did not have a single common case management system in place during 2007 therefore information on Magistrates' Courts has been sourced from a number of manual data collections. The data sources used within this chapter are briefly discussed below.

Defendants Proceeded Against

The figures presented here are based on provisional data collated for the Ministry of Justice publication, 'Criminal Statistics'. This covers completed criminal cases in Magistrates' Courts as presented here, as well as details of criminal cases in higher tiers of court and other statistics on the Criminal Justice System. Final and authoritative 2007 figures will be published in 'Criminal Statistics 2007'.

The figures are from the Court Proceedings Database, where data are collected from a variety of administrative databases held by courts and police forces. They are therefore subject to the inaccuracies inherent in any large-scale data recording system.

Although these data include offences where there has been no police involvement, such as those prosecutions instigated by government departments and private organisations and individuals, the reporting of these types of offences is known to be incomplete. The extent of under-reporting may vary from year to year, and this could be responsible in part for the annual variations in the published statistics.

As this data is defendant-based, in cases where a defendant appears at court in a case with more than one offence, only the offence which has the heaviest penalty imposed is counted. Where the same penalty is imposed for two or more offences, the offence counted is the one that attracts the highest statutory maximum penalty. In instances where the same individual appears in multiple cases, these are recorded as multiple defendants.

Further details on 'Criminal Statistics' are available at:
<http://www.justice.gov.uk/publications/criminalannual.htm>

Timeliness

Information on timeliness of cases proceeded against in the Magistrates' Courts is taken from a sample survey, the Time Intervals Survey (TIS). TIS reports on the average (mean) time taken between stages of proceedings for defendants in completed criminal cases in Magistrates' Courts. Information on adult indictable/triable-either-way cases and adult charged summary cases are collected in one week of each quarter. Information on adult summonsed summary offences is additionally collected in the first and third quarters. Information on youth defendants in both indictable and summary cases is collected in four weeks of each quarter.

Each sample provides one estimate of the average time taken – different samples would produce different average times. Therefore the margin of error associated with each sample is provided to estimate the likely range within which the 'true' average time falls. This 95 per cent confidence interval lies between the sample average +/- the margin of error. The size of the margin of error and width of the confidence interval is dependent on the sample size.

The figures on timeliness are based on defendants: where a case involved more than one defendant, each defendant is considered individually.

Timeliness results are 'snapshot' estimates rather than exact measures. They are vulnerable to external factors such as sampling, human error and case-mix changes, as any such survey would be. The data undergo various levels of checking: manual verification at input stage by court managers; electronic validation by database software; and manual validation and verification by central HMCS and MoJ staff.

Further details on TIS are available at:

<http://www.justice.gov.uk/publications/timeintervals.htm>

Trials

The figures presented on trials are collected and processed by the Business Information Division in HMCS, via two sources: the cracked and ineffective trial monitoring forms; and the online HMCS Performance Database. The latter was introduced in April 2007, at the same time as HMCS reconstituted its administrative areas from the previous 42 to the current 25 areas. The figures are vulnerable to external factors such as human error and missing data due to non-returns.

The numbers of effective, cracked and ineffective trials are monitored, as well as the reasons for cracked and ineffective trials. These individual reasons were then grouped as per overleaf (the available choice of reasons for recorders changed in 2006 as shown).

Information on ineffective trials is published on the following web page:
<http://lcjb.cjsonline.gov.uk/ncjb/perfStats/ineffectiveT.html>

Groupings of Recordable Reasons for Cracked Trials

Grouping	Individual reasons – up to 2005	Individual reasons – 2006 onwards
Late guilty plea accepted	<ul style="list-style-type: none"> Late guilty plea, first time offered by defendant Late guilty plea, previously rejected by prosecution 	<ul style="list-style-type: none"> Acceptable guilty plea(s) entered late [...], offered for the first time by the defence Acceptable guilty plea(s) entered late [...], previously rejected by the prosecution
Guilty plea to alternative new charge	<ul style="list-style-type: none"> Guilty plea to alternative new charge – first time offered by defence Guilty plea to alternative new charge, previously rejected by prosecution 	<ul style="list-style-type: none"> Acceptable guilty plea(s) to alternative new charge [...], first time offered by defence Acceptable guilty plea(s) to alternative new charge [...], previously rejected by the prosecution
Defendant bound over	<ul style="list-style-type: none"> Defendant bound over – first time offered by defence Defendant bound over – previously rejected by prosecution 	<ul style="list-style-type: none"> Defendant bound over, [...], offered for the first time by the defence Defendant bound over, [...], previously rejected by the prosecution
Prosecution end case	<ul style="list-style-type: none"> Prosecution end case – insufficient evidence Prosecution end case – witness absent/withdrawn Prosecution end case – other 	<ul style="list-style-type: none"> Prosecution end case: insufficient evidence Prosecution end case: witness absent / withdrawn Prosecution end case: public interest grounds Prosecution end case: adjournment refused
Other	<ul style="list-style-type: none"> Other – specify in comments box 	<ul style="list-style-type: none"> Unable to proceed with trial because defendant incapable through alcohol / drugs Defendant deceased

Groupings of Recordable Reasons for Ineffective Trials

Grouping	Individual reasons – up to 2005	Individual reasons – 2006 onwards
Prosecution not ready	<ul style="list-style-type: none"> • Prosecution not ready • Prosecution not ready (disclosure problems) 	<ul style="list-style-type: none"> • Prosecution not ready: served late notice of additional evidence on defence • Prosecution not ready: specify in comments • Prosecution failed to disclose unused material
Prosecution witness absent	<ul style="list-style-type: none"> • Prosecution witness absent – police • Prosecution witness absent – other 	<ul style="list-style-type: none"> • Prosecution witness absent: police • Prosecution witness absent: professional / expert • Prosecution witness absent: other
Defendant absent	<ul style="list-style-type: none"> • Defendant absent – did not attend • Defendant absent – ill • Defendant absent not produced from custody 	<ul style="list-style-type: none"> • Defendant absent – did not proceed in absence (judicial discretion) • Defendant ill or otherwise unfit to proceed • Defendant not produced by PECS
Defendant not ready	<ul style="list-style-type: none"> • Defence not ready • Defence not ready (disclosure problems) 	<ul style="list-style-type: none"> • Defence not ready: specify in comments (inc. no instructions) • Defence not ready: disclosure problems
Defence witness absent	<ul style="list-style-type: none"> • Defence witness absent 	<ul style="list-style-type: none"> • Defence witness absent

Other	<ul style="list-style-type: none"> • Lack of court time / magistrate availability • Overlisting • Other – specify in comments box 	<ul style="list-style-type: none"> • Another case over-ran • Judge / magistrate availability • Case not reached / insufficient cases drop out / floater not reached • Equipment / accommodation failure • No interpreter available • Prosecution advocate engaged in another trial • Prosecution advocate failed to attend • Prosecution increased time estimate – insufficient time for trial to start • Defence asked for additional prosecution witness to attend • Defence increased time estimate, insufficient time for trial to start • Defence advocate engaged in other trial • Defence advocate failed to attend • Defendant dismissed advocate
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Persistent Young Offenders

Performance on timeliness of Persistent Young Offenders (PYOs) is assessed using data from the Police National Computer (PNC) and the annual Arrest to Charge Survey. The former source is the police's own operational data, derived from forces' management information systems, covering all or most of the time from arrest to sentence for recorded cases. Where there is insufficient data, this is added from the aforementioned survey.

Further details on information on PYOs are available at:

<http://www.justice.gov.uk/publications/averagetimearresttosentencepyo.htm>

Enforcement

The figures presented on fine enforcement are from the debt analysis return (DAR) collected and processed by the Business Information Division in HMCS. The information is collated to provide national figures.

Information prior to 2004 has not been provided. The collection of enforcement information (DAR) was revised in April 2003 so that it no longer contained confiscation or civil amounts, and is therefore not available prior to that date in a similar format.

Further information is available at:
<http://lcjb.cjsonline.gov.uk/ncjb/42.html>

Chapter 8: Offices of the Supreme Court

All information within this chapter is provided directly from the sources given below specifically for this publication. For individual queries regarding the data published within this chapter please contact the relevant office as given below.

Tables	Data Source	Contact Number
8.1	The Office of the Official Solicitor and Public Trustee	020 7911 7206
8.2	Tipstaff	020 7947 6713
8.3 – 8.5	Office of the Public Guardian (OPG)	020 7664 7367

Chapter 9: Judiciary

Data on judicial sitting days (tables 9.2 to 9.4) are obtained from the CREST system in the Crown Courts, and from manual statistical returns (the STATS 10A form, compiled by HM Court Service headquarters) in other courts.

Data on judicial and magistrates appointments are provided directly from the sources given, specifically for this publication. For individual queries regarding these data, please refer to the relevant contact as given below.

Tables	Data Source	Contact Number
9.1	Judicial Communications Office	020 7073 4745 or www.judiciary.gov.uk
9.5 – 9.6	Ministry of Justice – Magistrates Recruitment and Appointments Branch	0207 210 8390

Chapter 10: Assessment of litigation costs, and publicly funded legal services

Data on cost assessments, and on overall Legal Aid expenditure are taken directly from the sources given, specifically for this publication. For individual queries regarding these data, please refer to the relevant contact as given below.

Statistics on decisions made in the Crown Court about the funding of representation (tables 10.5 – 10.7) are taken from the CREST system.

Tables	Data Source	Contact Number
10.1 – 10.2	Supreme Courts Cost Office	020 7947 7312
10.3	Judicial Committee of the Privy Council and House of Lords	020 7276 0486 020 7219 3105
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