



Ministry  
of Justice

# **A Guide to Court and Administrative Justice Statistics - Glossary**

Ministry of Justice

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# Contents

Contents	1
Introduction	2
County courts (civil cases non-family)	3
Family cases	5
Criminal cases	8
Enforcement of financial impositions	11
High Court, Court of Appeal and Specialised Courts	12
Tribunals	14
Language services in courts and tribunals	24
Gender Recognition Certificates	25
Coroners	26
Contacts	29

## Introduction

This document a glossary for terms used in the Court and Administrative system, focusing on concepts and definitions published in Ministry of Justice statistics. Ministry of Justice statistics currently covers:

- [Court Statistics Quarterly](#) (including information formally in Judicial and Court Statistics)
- [Gender Recognition Certificate Statistics](#)
- [Mortgage and Landlord Possession statistics](#)
- [Statistics on the use of language services in courts and tribunals](#)
- [Tribunals Statistics Quarterly](#) (including information formally in Annual Tribunals Statistics)
- [Coroners Statistics](#)

## County courts (civil cases non-family)

Actual repossessions: Includes repossessions carried out by county court bailiffs, but also includes other repossessions.

Administration order: Combines a debtor's debts under certain conditions, enabling the debtor to make regular payments to the court which are then distributed to the various creditors.

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

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

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

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

Claims that lead to possession orders: The court, following a judicial hearing may grant an order for outright possession of land. This entitles the claimant to apply for a warrant to have the defendant evicted, except in the case of suspended orders. Claims can be in relation to mortgages or landlords. Landlord claims are split into three types:

- Accelerated - Used when the tenant is near the end of their lease. It is not possible to split this into private and social landlords.
- Private Landlord - Standard claims that relate to private landlords (both individuals and private companies).
- Social Landlord - Standard claims that relate to social landlords, this includes local authorities and housing associations.

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

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

Repossessions by county court bailiffs: Once a warrant has been issued county court bailiffs can repossess the property on behalf of the claimant

Small claim / fast track / multi track cases: If a claim is defended, the next step is for further information to be provided by the parties following which a judge in the county court assigns the case to one of three case management tracks.

- The “small claims track” is for less complex cases, which have claim values of up to £5,000 (or £1,000 for personal injury and housing disrepair cases).
- The “fast track” is for more complicated cases with a claim value of over £5,000 (or £1,000 for personal injury and housing disrepair cases) and up to £15,000 for proceedings issued before 6 April 2009, otherwise £25,000.
- The “multi track” is for the most complex cases which are not allocated to the small claim or fast track. Many defended cases are settled by the parties involved, or withdrawn, either before or after allocation to one of these tracks.

Around half of cases allocated to the small claims track are resolved at small claims hearings while a much lesser proportion of cases allocated to the fast or multi track are disposed of by trials.

Specified money claims: Claims made by an individual, company or organisation for a specified amount of money, for example, £15,000.

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

Unspecified “money” claims: Claims made by an individual, company or organisation for an unspecified amount of money. For example, when claiming for damages/compensation for loss or injury, the amount claimed is limited to £10,000.

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

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

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

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

## Family cases

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

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

Convention Adoption: An adoption carried out under the terms of the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption. This is an international treaty designed to protect children from child trafficking, and requires signatory countries to establish safeguards to ensure that any inter-country adoption is in the child's best interests.

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

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

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

Divorce: This is the legal ending of a marriage.

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

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

Nullity: This is where a marriage is ended by being declared not valid. This can either be because the marriage was void (not allowed by law) or because the marriage was voidable (the marriage was legal but there are circumstances that mean it can be treated as if it never took place).

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

Order: The document bearing the seal of the court recording its decision in a case. Some examples of orders are below:

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 four ways in which an application 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
- full order made – the type of order made may not be the same as the type of application that was originally applied for. An order is made in

favour of one of the parties (Local Authority, parent or Other Guardian) however this is not recorded on the central Familyman database.

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

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

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

## Criminal cases

Adult proceedings: These are cases of any type where the defendant is aged 18 or over.

Appeals: where by the defendant appeals against the decisions of magistrates' courts.

Bench warrant: 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. Once a bench warrant has been issued, the case is considered disposed of. Following the apprehension of the person, the bench warrant is executed and the case is reopened.

Breach cases: Cases where the defendant has breached the conditions of an order which was previously imposed against them.

Charge or laying of information: This relates to when the defendant is first charged at a police station (specifically, where an individual is arrested and formally accused of a crime) or when the information is laid (specifically, where an individual receives a written summons advising that an action has begun against them, and that they are required either to appear in person, or to respond in writing, to the court regarding the alleged offence).

Circuit: A geographical area where a judge has the judicial authority to decide on cases. The jurisdiction can encompass a range of counties or districts.

Circuit Judge: A judge who normally sits in the county court and/or Crown Court.

Class: Offences are classified according to their seriousness. In the Crown Court, there are three classes of criminal offence; and the class of a case is based on the most serious offence. Class 1 offences are the most serious offences. They include treason and murder and are normally heard by a High Court Judge. Class 2 offences include rape and are usually heard by a Circuit Judge under the authority of the Presiding Judge. Class 3 includes all other offences such as kidnapping, grievous bodily harm and robbery, which are normally heard by a Circuit Judge or Recorder.

Committed for sentence cases: Cases transferred to the Crown Court for sentencing where defendants are found guilty in the magistrates' court. This happens if a magistrate is of the opinion that a greater punishment should be imposed than they are allowed to impose.

Committed for trial cases: Cases which can be heard in either a magistrates' court or the Crown Court. A defendant can elect to be tried in the Crown Court or a magistrate can decide that a case is sufficiently serious that it should be dealt with in the Crown Court.

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

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

Cracked trial: A trial that does not go ahead on the day as an outcome is reached and so does not need to be re-scheduled. This occurs when an acceptable plea is offered by the defendant or the prosecution offers no evidence against the defendant.

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

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

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.

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

Fixed trial: The trials which have been fixed to be heard during the specified period.

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

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

High Court Judge: A judge who sits in the High Court of Justice.

Indictable cases: The most serious cases, such as murder and rape, which must be heard at the Crown Court. The involvement of the magistrates' court in these cases is brief, and usually consists of a decision on whether to grant bail, and considers other legal issues, such as reporting restrictions. The case is then passed to the Crown Court.

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

Sent for trial cases: Cases sent for trial by the magistrates' court because they can only be heard by the Crown Court.

Recorder: A recorder's jurisdiction is broadly similar to that of a Circuit Judge, but handles less complex or serious matters coming before the court.

Summary cases: The less serious cases, such as motoring offences and minor assaults, where by the defendant is not usually entitled to trial by jury. These cases are therefore completed in the magistrates' courts. Summary offences are subdivided into Summary Motoring and Summary Non-Motoring cases.

Summary motoring cases: Includes offences such as driving whilst disqualified, speeding and failure to stop.

Summary non-motoring cases: Includes offences such as TV license evasion, minor assaults and criminal damage where less than £5,000 worth of damage is caused.

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

Vacated trial: A trial which has been removed from the list before the date of the trial.

Waiting time: The length of time between the date of sending or committal of cases from the magistrates' court and the start of the substantive Crown Court hearing.

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

## Enforcement of financial impositions

Confiscation Orders: Confiscation orders are imposed by the Crown Court under the Proceeds of Crime Act 2003 and are enforced by HMCTS, the Crown Prosecution Service and Serious Fraud Office (SFO). Confiscation order receipts are surrendered to the Home Office.

Financial Impositions: Monies owed by defendants, which include court fines, prosecutors' costs, compensation orders, penalty notices and victim surcharge. Excludes confiscation orders.

Fines, prosecutors' costs and compensation orders: These items are imposed by both the magistrates' courts and the Crown Court but are enforced by magistrates' courts. Fines monies collected by HMCTS are surrendered to the HM Treasury Consolidated Fund. Prosecutors' costs and compensation order monies are passed by HMCTS to either Crown or private prosecutors and the victims of the crimes committed.

Imposition month: The month in which the fine, costs, court orders, penalty notices, or victim surcharge was ordered by the court.

Penalty Notices: Penalty Notices are imposed by the police and other agencies and include both Fixed Penalty Notices (FPNs) for traffic rule violations and Anti-Social Behaviour Orders (ASBOs). Notices that remain unpaid after 28 days are converted into fines and enforced as detailed in Annex B. Receipts of Penalty Notices and the associated fines are surrendered to the HM Treasury Consolidated Fund.

Victims' Surcharge: An additional surcharge which is added to the fines that are imposed. The receipts obtained from the collection of these monies by HMCTS are passed to the Justice Policy Group of the MoJ to fund victims' services.

## High Court, Court of Appeal and Specialised Courts

Admiralty Court: Deals with shipping and maritime disputes, such as ship collisions and damage to cargo.

Allowed: Appeals given a final result of 'Allowed' or 'Allowed with consent'.

Appeal: A formal request to a higher court that the verdict or ruling of a court be overturned.

Bankruptcy: Insolvency (inability to pay debts) of individuals.

Bankruptcy and Companies Court: Deals with cases involving companies and company or individual insolvency / bankruptcy. It primarily deals with cases under the Insolvency Act 1986, the Company Directors Disqualification Act 1986, the Companies Act 1985 and the Financial Services and Markets Act 2000.

Chancery Division: One of the three divisions of the High Court (along with the Queen's Bench Division and Family Division), and considers cases in relation to trust law, the administration of estates, guardianship and charities.

Commercial Court: Deals with complex cases arising out of business disputes, both national and international, including in relation to international trade and banking.

Comptroller General of Patents: The head of the UK Patent Office.

Deputyships: The level of support and supervision the OPG allocates to a Deputy is decided after carrying out an assessment of the individual circumstances of the case.

Dismissed: Appeals given a final result of 'Refused'.

Dismissed by Consent: Appeals given a final result of 'Dismissed with consent'.

Family Division: One of the three divisions of the High Court (along with the Chancery Division and Queen's Bench Division), and is concerned with matrimonial cases and proceedings relating to children or adults who cannot make decisions for themselves.

Filed: Cases filed/set down within period.

Judicial sitting days: 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.

Habeas corpus: An order requiring a prisoner to be brought to court, to allow the court to determine if their detention is lawful.

Interlocutory proceedings: Court hearings that take place before the full trial.

Lasting Power of Attorney: The Property and Affairs LPA allows the Donor to appoint an Attorney to manage their finances and property whilst they still have capacity to make decisions for themselves. The Personal Welfare LPA allows the Donor to appoint an Attorney to make decisions on their behalf about their personal welfare. A Personal Welfare LPA can only be used when the Donor lacks the capacity to make these decisions for themselves.

Master: Judicial officer of the High Court who primarily deals with procedural matters.

Otherwise Disposed: Appeals given a final result of 'Not our Jurisdiction', 'Totally Without Merit', 'Varied with Consent', 'Other Result', and 'Remitted'.

Patents Court: Specialist court which deals with cases concerning intellectual property such as patents and registered designs.

Queen's Bench Division: One of the three divisions of the High Court (along with the Chancery Division and Family Division), and deals with civil disputes including those relating to breach of contract, personal injuries, commercial cases, libel and slander.

Royal Courts of Justice: Administratively part of Her Majesty's Courts and Tribunals Service, and is the building in London which houses the Court of Appeal, the High Court and the Probate Service.

Struck out for failure to provide documents: Appeals given a final result of 'Dismissal List' or 'Struck out'.

Technology and Construction Court: Deals with building and engineering disputes and computer litigation.

Tort: Any private or civil wrong for which private damages may be claimed, not including a breach of contract.

Writs of fieri facias (fi-fa): Orders an officer to take or sell property belonging to a debtor until the value of the property taken equals the amount of the debt. This is also called a writ of control.

## Tribunals

There are three main types of Tribunal, covering over 90 % of all Tribunal work. There are also smaller 'special' Tribunals covering other more detailed activities. The main types of Tribunal are listed below.

- Immigration and Asylum (IA)
- Employment Tribunals (ET)
- Social Security and Child Support (SSCS)
- Specials – other smaller Tribunals, including Mental Health

Adjournment: Where, on the day of the hearing, the Panel decides that, for whatever reason, the appeal/case cannot be finalised and has to put off making a final decision to another date, for example because further evidence is required.

Caseload outstanding: The number of cases outstanding at the end of the period and still waiting to be dealt with to completion.

Decision in favour (SSCS): Decision in favour of the appellant.

Decision upheld (SSCS): Decision made by the First Tier Agency and withheld by the Tribunal.

Disposal: A disposal is the closure of a case when work has ceased to be done. This can be through a claim being withdrawn, settled, dismissed or being decided at a hearing.

Employment Tribunal Claim: A claim may be brought under more than one jurisdiction or subsequently amended or clarified in the course of proceedings, but will be counted only once.

Employment Tribunal Jurisdiction: The Employment Tribunal powers to hear a claim are determined by legislation, with statutory provisions defining the ambit of the jurisdiction that can be covered by a claim to an Employment Tribunal.

Employment Tribunal Jurisdictional mix: A claim may contain a number of grounds, known as jurisdictional cases. In any hearing, the tribunal has to decide upon the merits of the claim made under each jurisdiction; for example, unfair dismissal and sex discrimination. The total number of jurisdictions covered by each case gives a truer measure of caseload than the number of claims. The jurisdictions covered by ET are wide ranging, from discrimination and unfair dismissals to issues around salary and working conditions.

Employment Tribunal single and multiple claims: Claims to the Employment Tribunal may be classified into two broad categories – singles and multiples. Multiple cases are where two or more people bring cases, involving one or

more jurisdiction(s) usually against a single employer but not necessarily so, for instance in TUPE cases, and always arising out of the same or very similar circumstances. As a multiple, the cases are processed together.

Hearing: The hearing is a meeting at which the tribunal panel considers evidence (either orally or paper based) and reaches a decision (where the decision may be to adjourn or to agree a final outcome). If the hearing is adjourned and restarted, it counts as one hearing.

Examples of hearings include: Paper hearings and Oral hearings;

Oral Hearing: A hearing where the party(ies) and/or their representative(s) attend (this can be by telephone or by video conference).

Paper Hearing: Consideration of the case using documents, and not requiring any physical appearance by the parties.

Hearing clearance (SSCS): These are cleared via a Tribunal (could be a panel or member of the Judiciary sitting alone) with a decision/outcome.

Outcome of hearing: The outcome of the hearing is the final determination of the proceedings or of a particular issue in those proceedings; it may include an award of compensation, a declaration or recommendation and it may also include orders for costs, preparation time or wasted costs either in favour or against an appellant. Note: ET records outcomes for each act (or jurisdiction), not for the hearing.

Non-hearing clearance (SSCS): these are cases withdrawn prior to a hearing, struck out or superseded. There is no Tribunal judgement.

Postponement: Where a case is taken out of the list, prior to the commencement of the hearing – can be done by the applicant, or any other party.

Receipt: Volumetric term covering the acceptance of a case by a HMCTS Tribunal. Also known as a 'case' for Employment Tribunals.

Settlement: Cases settled without the need for a hearing. A third party may have been involved in the process.

Withdrawal: The applicant/claimant/appellant ceases action either before or at the hearing.

## **Immigration and Asylum Cases**

Asylum: appeals against a refusal to grant asylum, including asylum claims which raise Human Rights grounds.

Deportation: appeals against deportation orders made against people by the Home Secretary.

Entry Clearance Officer (ECO): appeals generated by people who are not already in the UK, but have been refused permission to enter or stay in the UK for a fixed period of time, or live here permanently.

Family Visit Visa (FVV): appeals against decisions not to allow temporary visits to see family in the UK.

Human Rights Appeals: A separate Human Rights Appeal category was introduced in the Tribunal in 2001, following the implementation of the Human Rights Act 1998 to allow the consideration of Human Rights arguments for cases where those grounds were not considered at the original human rights appeal. Since then, a range of in-country case types raising Human Rights grounds have been recorded under this category when they would have been more appropriately recorded against another case type. The Tribunal has made a recent change to its administrative processes to record such cases more suitably, which will explain any drop in numbers in the Human Rights (Other) appeal category.

Managed Migration: appeals generated by people already in the UK who have been refused permission to extend their stay here (either permanently or temporarily). This appeal type will also cover occasions where an individual has their permission to be in the UK revoked.

## **Employment and Employment Appeal Cases**

Unfair dismissal: appeals on the grounds that an employer does not have a good reason for dismissing a person, or follow the company's formal disciplinary or dismissal process.

Unauthorised deductions (formerly Wages Act): One of three conditions has to be met for you to lawfully make deductions from wages or take payments from a worker. If this is not the case then the deduction is unauthorised. For the deduction or payment to be authorised it must be:

- required or authorised by legislation (for example, income tax or national insurance deductions;
- authorised by the worker's contract - provided the worker has been given a written copy of the relevant terms or a written explanation of them before it is made; or
- consented to by the worker in writing before it is made

Breach of contract: Breach of contract.

Sex discrimination: Discrimination or victimisation on grounds of sex, marriage or transgender

Working Time Directive:

- Appeal by a person who has been served with an improvement or prohibition notice under the Working Time Regulations 1998

- Complaint by a worker that employer has failed to allow them to take or to pay them for statutory annual leave entitlement
- Failure to limit weekly or night working time, or to ensure rest breaks

Redundancy pay: Failure of the Secretary of State to pay a redundancy payment following an application to the National Insurance fund

Disability discrimination: Suffered a detriment, discrimination and/or dismissal on grounds of disability or failure of employer to make reasonable adjustments

Redundancy – failure to inform and consult: Application by an employee, their representative or trade union for a protective award as a result of an employer's failure to consult over a redundancy situation

Equal pay: Failure to provide equal pay for equal value work

Race discrimination: Discrimination or victimisation on grounds of race or ethnic origin

Written statement of terms and conditions: Failure to provide a written statement of terms and conditions and any subsequent changes to those terms

Written statement of reasons for dismissal: Failure to provide a written statement of reasons for dismissal or the contents of the statement are disputed

Written pay statement: Failure to provide a written pay statement or an adequate pay statement

Transfer of an undertaking - failure to inform and consult: Failure of the employer to consult with an employee rep. or trade union about a proposed transfer

Suffer a detriment / unfair dismissal – pregnancy: Suffer a detriment and/or dismissal on grounds of pregnancy, child birth or maternity

Part Time Workers Regulations: Suffer less favourable treatment and/or dismissal as a result of being a part time employee by comparison to a full time employee

National minimum wage: Suffer a detriment and/or dismissal related to failure to pay the minimum wage or allow access to records

Discrimination on grounds of Religion or Belief: Discrimination or victimisation on grounds of religion or belief

Discrimination on grounds of Sexual Orientation: Discrimination or victimisation on grounds of sexual orientation

Age Discrimination: Discrimination or victimisation on grounds of age

## **Social Security and Child Support**

Attendance Allowance: Social Security benefit for people aged 65 or over who need help with personal care because of a mental or physical disability. There are two rates, a lower rate for attendance during day or night, and a higher rate for day and night.

Bereavement Benefit: Any or all of the range of Bereavement Benefits that were introduced on 9 April 2000. These replaced the old system of Widows' Pension and can be claimed by men and women whose spouse died on or after 9 April 2001. Widows whose husband died before this date receive transitional protection and would continue to receive Widows' Pension.

*Bereavement Payment*: Widows/widowers are eligible to receive Widow's/Bereavement Payments if their late spouse satisfied certain National Insurance contribution conditions. Widows are also eligible if their late husband died as the result of an industrial injury or disease and she was aged under 60 when her late husband died; or if she was aged over 60 and he was not entitled to a Category A Retirement Pension when he died. The payment is a tax free lump sum of £2,000. For the purposes of the Sources of Income tables in this publication, this is treated as covering a period of one year

*Bereavement Allowance*: A Social Security benefit paid for up to 52 weeks to widows and widowers who were aged 45 or over, but less than pension age, when their spouse died. Bereavement Allowance cannot be received at the same time as Widowed Parent's Allowance. The amount paid is on a sliding scale depending on the widow or widower's age.

*Widowed Parent's Allowance*: A widow or widower is eligible if his or her late husband or wife met certain National Insurance contribution conditions. Widowed Mother's Allowance or Widowed Parent's Allowance can be paid to a widow or widower as long as he or she is entitled to Child Benefit for at least one qualifying child, or she is pregnant by her late husband, or in certain cases of artificial insemination. Child dependency increases are paid for each child.

Carer's Allowance: A Social Security benefit for people who are:

- aged 16 or over
- not in full-time education with 21 hours or more a week of supervised study
- not earning more than the lower earnings limit for National Insurance after certain deductions have been made (such as Income Tax)
- spending at least 35 hours a week caring for someone who is ill or disabled.

The ill or disabled person must be getting either higher or middle rate Disability Living Allowance Care component or Attendance Allowance or a

Constant Attendance Allowance at the maximum rate under the War Pensions or Industrial Injuries Scheme.

Child Benefit: Social Security benefit paid for each child under 16 year or aged under 19 and still in full time non advanced education.

Council Tax Benefit: Social Security benefit administered by the local authority designed to help people on low incomes pay their Council Tax. There are two types of Council Tax Benefit, maximum Council Tax Benefit (Main Benefit) and Second Adult Rebate. Council Tax Benefit may be received for a further four weeks by people aged under 60 when they start working full time following a period of at least six months being unemployed, by people on a Government Training Scheme or on Income Support as a lone parent or carer (Extended Payment).

Disability Living Allowance: Social Security benefit for people who become disabled before the age of 65 and need help with personal care, getting around, or both. Consists of two components:

1. Care component covers personal care (for example, washing, dressing, using the toilet, cooking a main meal). This is paid at three rates.
- 2, Mobility component for those who cannot walk or have difficulty in walking. This is paid at two rates.

Housing Benefit: Social Security benefit administered by local authorities which is designed to help people who rent their homes and have difficulty meeting their housing costs. Council tenants on Housing Benefit get a rent rebate which means that their rent due is reduced by the amount of that rebate. Private and housing association tenants usually receive Housing Benefit (or rent allowance) personally, although sometimes it is paid direct to the landlord.

Housing Benefit may be received for a further four weeks by people aged under 60 when they start working full time following a period of at least six months being unemployed, by people on a Government Training Scheme or on Income Support as a lone parent or carer (Extended Payment).

Incapacity Benefit: Replaced Sickness Benefit and Invalidity Benefit from 13 April 1995. It is paid to people who are assessed as being incapable of work and who meet the contribution conditions.

Income Support: Social Security benefit for adults aged 18 or over who are working less than 16 hours a week, or have a partner working less than 24 hours a week and who have less money coming in than the law says they need to live on. In general, Income Support is now only available to people who are not required to be available for work such as pensioners, lone parents and sick and disabled people.

It is made up of personal allowances for each member of the benefit unit, premiums for any special needs and housing costs, principally for mortgage interest payments. It is often paid to top up other benefits or earnings from part time work.

Industrial Injuries Disablement Benefit: Social Security benefit provided for employees who are disabled because of an industrial accident or prescribed industrial disease. To get the basic benefit the person needs a medical assessment of the degree of their disability.

Jobseeker's Allowance: Replaced Unemployment Benefit and Income Support for unemployed people on 7 October 1996. It is payable to people under state pension age who are available for, and actively seeking, work of at least 40 hours per week. Certain groups of people, including carers and those with a physical or mental condition, are able to restrict their availability to less than 40 hours depending upon their personal circumstances.

There are contribution based and income based routes of entry to Jobseeker's Allowance. The different elements are separated in the 'any income related benefit' and 'any non-income related benefit' categories.

Severe Disablement Allowance: Social Security benefit provided for people who are incapable of work and do not satisfy the contributions conditions for Incapacity Benefit. Severe Disablement Allowance was abolished for new claimants on 6th April 2001. However, certain people entitled to SDA before that date can continue to receive it. Claimants needed to be aged between 16 and 65 when they made their claim and must have been incapable of work for at least 28 weeks.

Social Fund: Made up of regulated and discretionary payments. Maternity Funeral and Cold Weather Payments are governed by regulations. They are available to people who are on certain Social Security benefits and who meet various other conditions. The discretionary part of the Social Fund provides help in the form of non-repayable grants and interest-free loans. The discretionary payments are Community Care Grants, budgeting Loans and Crisis Loans.

## **Other special tribunals**

Agricultural Land: Settles disputes and other issues between agricultural tenants and landlords arising from tenancy agreements held under the Agricultural Holdings Act and certain drainage disputes between neighbours.

Asylum Support: The UK Border Agency (UKBA), consider whether an applicant and their dependants meet the test of destitution and to what extent support should be provided (for example, accommodation and cash for essential needs). If the UKBA refuse to provide support or, after they have been providing support, decide to stop or withdraw it, an asylum seeker can appeal to us against their decision.

Care Standards: Considers appeals against a decision made by the Secretary of State to restrict or bar an individual from working with children or vulnerable adults and decisions to cancel, vary or refuse registration of certain health, childcare and social care provision.

Charity: Hears appeals and reviews against the decision of the Charity Commissioner

Consumer Credit: Hears and decides appeals from licensing decisions made by the Office of Fair Trading. It also hears appeals against penalties issued under money laundering regulations.

Criminal Injuries Compensation: Considers appeals against decisions made by the Criminal Injuries Compensation Authority (CICA). They only deal with appeals on claims for compensation for criminal injuries made on or after 1 April 1996 under the Criminal Injuries Compensation Scheme.

Examination Boards: Regulated awarding organisations can appeal to the examination board tribunal if they disagree with a decision by Ofqual or the Welsh Government to impose a fine, the amount of the fine or recover the costs of taking enforcement action.

Estate Agents: The Tribunal hears appeals against decisions made by the Office of Fair Trading relating to: an order prohibiting a person from acting as an estate agent where for example a person has been convicted of an offence involving fraud or other dishonesty; an order warning a person where for example that person has not met their duties under the 1979 Act; a decision refusing to revoke or vary a prohibition order or warning order made under the 1979 Act.

Gangmasters Licensing Appeals: Hears cases against the GLA in the event of a decision to: revoke a license; refuse a license application; modify a license or; refuse consent to the transfer of a license.

Information Rights: Hears appeals from notices issued by the Information Commissioner under the Freedom of Information Act. Relates to mainstream citizen needs about making a freedom of information request.

Lands: Resolves disputes concerning land, such as compulsory purchase of land or property, claims for compensation for loss of value to land or property because of 'public works'.

Mental Health: Hears applications and references for people detained under the Mental Health Act 1983 (as amended by the Mental Health Act 2007) or living in the community following the making of a conditional discharge, or a community treatment or guardianship order.

Primary Health Lists: General Practitioners (GPs), Dentists, Optometrists and some Pharmacists need to be on a locally managed performers list before being able to provide NHS services within the area of a Primary Care Trust. The Primary Health Lists jurisdiction hears appeals / applications resulting from decisions made by Primary Care Trusts as part of the local management of such performers' lists.

Reserve Forces Appeal: Hears appeals against decisions of Ministry of Defence with regard to call up for military service and exemptions.

Special Educational Needs and Disability: Parents whose children have special educational needs can appeal to the First-tier Tribunal (Special Educational Needs and Disability - SEND) against decisions made by Local Education Authorities in England about their children's education.

First Tier Tax Chamber: Hears appeals against decisions relating to tax made by Her Majesty's Revenue and Customs (HMRC). Appeals can be made by individuals or organisations, single tax payers or large multi-national companies. Appeals range from the relatively simple to the complex across both direct and indirect tax

Transport: Hears and decides appeals against decisions of the Registrar of Approved Driving Instructors concern[ing] approved driving instructors, trainee driving instructors, and training provider appeals as well as other matters - for example, bus service permits.

War Disablement Pension: Social Security Benefit provided for people who were disabled in the Armed Forces between 1914 and 1921 or any time after 2 September 1939. Paid at a rate which varies according to the degree of disablement.

War Widow's Pension: Social Security Benefit provided for widows of servicemen who died as a result of service in HM Forces. The standard rate of pension may be paid if the widow has a dependant child or is over 40

or is incapable of self support. The lower rate is paid to childless widows under the age of 40.



## Language services in courts and tribunals

Cancelled by customer: The customer (in this case, the court or tribunal) no longer requires an interpreter and has cancelled the booking request.

### Categories of complaints

- **Interpreter did not attend**: The assigned interpreter did not go to the assignment and did not inform anyone.
- **Interpreter quality**: The quality of the interpreting skills is being questioned.
- **Interpreter was late**: The assigned interpreter was late getting to the assignment.
- **No interpreter available**: The supplier was unable to provide an interpreter.
- **Operational issue**: Operation issues include: incorrect tier assigned (the customer has requested a specific tier of assignment and an incorrectly tiered interpreter was assigned), issues with the web-based request portal, occasions when the customer has not been able to request one of the services that the supplier supplies and other occasions when the supplier has not supplied the service that is expected.
- **Time sheet error**: Either the customer or the interpreter has closed the assignment's time sheet entry down incorrectly.
- **Unknown**: This includes complaints where no category was recorded in the data.

Customer did not attend: The interpreter arrived at the requested location for the service but the customer (as specified by the court or tribunal) did not attend.

Fulfilled: The supplier (Applied Language Solutions) provided an interpreter or translator as requested by the court or tribunal.

Not fulfilled by supplier: The supplier (Applied Language Solutions) has been unable to fill the booking request.

Supplier did not attend: The interpreter was assigned and booked by the supplier (Applied Language Solutions), but failed to attend.

Success rate: This is calculated as the number of completed requests that count as successful supply of the service: specifically, 'Fulfilled' plus 'Customer did not attend', divided by the total relevant completed language service requests excluding those requests cancelled by the customer.

## Gender Recognition Certificates

Gender Recognition Certificate (GRC): Issued by the Gender Recognition Panel (GRP), shows that a person has satisfied the criteria for legal recognition in the acquired gender.

Gender Recognition Panel (GRP): The GRP was established under the Gender Recognition Act 2004. Its function is to assess applications from transsexual people seeking to obtain a Gender Recognition Certificate.

Interim GRC: Issued to a successful applicant if he or she is married or in a civil partnership at the time of the application

Tracks: There are two application processes for obtaining a GRC:

Standard track applications are those submitted under the standard application process, on the basis of living permanently in the acquired gender for two years or more.

Overseas track applications are those submitted under the overseas application process, on the basis of having changed gender under the law of an approved country or territory outside the United Kingdom.

## Coroners

The following brief definitions are intended as a guide to the meaning of terms in this bulletin concerning coroners and their work; more detailed definitions will be found in the Coroners Act 1988 and the Treasure Act 1996.

Deaths reported to Coroners: In England and Wales, all violent, unnatural or accidental deaths, deaths of unknown cause, deaths that might have been due to an industrial disease or related to the deceased's employment, and all deaths of persons in prison or police custody, are reported to coroners. Coroners are appointed by local authorities; they must be barristers, solicitors or registered medical practitioners and must have at least five years' standing in the relevant profession. The relevant legislation and guidance is contained within the Coroners Act 1988 and the Coroners Rules 1984 (S.I 1984/552 and subsequent amendments). A link to the Act is here:

[www.legislation.gov.uk/ukpga/1988/13/contents](http://www.legislation.gov.uk/ukpga/1988/13/contents)

The more recent amendments to the Coroners Rules may be found at:

[www.legislation.gov.uk/uksi?title=coroners%20rules](http://www.legislation.gov.uk/uksi?title=coroners%20rules)

Inquests: A coroner must hold an inquest if the body of a person ('the deceased') lies within his or her district and if he or she has reasonable cause to suspect that the deceased:

- (a) died a violent or unnatural death;
- (b) died a sudden death the cause of which is unknown; or
- (c) died in prison or in such place or in such circumstances as to require an inquest under any other Act.

The holding of an inquest requires the coroner to determine:

- (a) who the deceased was;
- (b) how, when and where the deceased came by his or her death, and any further particulars necessary to enable the death to be registered.

Non-inquest cases: The coroner's investigation is concluded most often without an inquest being held. The coroner will have satisfied himself or herself, by means of a post-mortem examination or other investigation, on the physical cause of death, and that the death was not one on which he or she is required by law to hold an inquest.

### Timeliness of inquests

For the purpose of determining the timeliness of inquests, the time taken to conduct an inquest is deemed to be from the day the death was reported to the coroner until either (a) the day the inquest is concluded by the delivery

of a verdict or (b) the day the coroner certifies that an adjourned inquest will not be resumed.

The average time for an inquest to be conducted is estimated in the following way: Coroners are asked in their annual return to state how many inquests were concluded within certain time periods. There are five time bands, which are: within one month; 1-3 months; 3-6 months; 6-12 months; and over 12 months. All the inquests falling within a time-band are then assumed to have been completed at or near the mid-point of the various time-bands for the purposes of calculating the average, although inquests within the "under one month" band are assumed to have taken 3 weeks for this purpose of this estimation, and those inquests taking over a year to conclude were deemed to have taken 18 months, although the time-band itself is open-ended. Numbers are then aggregated and the average figure (in weeks) calculated in the normal way.

Only deaths occurring within England and Wales are included in the calculation. Statistics are not collected on the time taken for inquests where the death occurred outside England and Wales. Deaths occurring abroad are often significantly delayed because of the difficulty, for example, of obtaining reports from other countries

Juries: Nearly all inquests are held by a coroner sitting alone, without a jury. A jury must be summoned where the death occurred:

(a) in prison, or in such a place or such circumstances as to require an inquest under another Act;

(b) in police custody, or resulted from an injury caused by a police officer in the purported execution of his or her duty;

(c) where there are certain statutory reporting obligations under the Health and Safety Act 1974 or any other Act, and in certain other circumstances, especially where there may be a continuing or recurring danger to the public.

Post mortem examinations: A coroner may request that a post-mortem examination be conducted, whether or not an inquest is held, particularly if the cause of death is not clear. In many cases a post-mortem examination is conducted in order to determine whether or not an inquest is necessary. Other post-mortem examinations are held which are not ordered by the coroner. Details of these are collected by the Office for National Statistics (ONS).

Out of England Orders: Every person wanting to remove a body of a deceased person out of England and Wales must give notice of such intention to the coroner within whose jurisdiction the body is lying. This notice allows the coroner to consider whether an inquest or post-mortem is necessary before the coroner gives permission for the removal of the body.

Treasure and treasure trove: In addition to inquiring into certain deaths, coroners also have jurisdiction to inquire into any treasure which is found in their districts and to establish who the finders were. With the

commencement of the Treasure Act 1996 on 24 September 1997 inquests into finds which previously might have been declared treasure trove are supplemented by those now conducted to determine whether finds made on or after that date are treasure.

Registered deaths: All deaths in England and Wales must be registered with the Registrar of Births and Deaths. The term 'registered deaths' in the Coroners Statistics bulletin refers to deaths registered within a specific time period (in this case, calendar years).

Statistics on registered deaths in England and Wales are published by the ONS in their series on mortality statistics. At the time of the Coroners Statistics 2012 publication, final figures had not been published for the number of registered deaths in 2012, but a provisional figure has been derived from the monthly registration figures which are published by ONS at regular intervals.

Verdicts: Verdicts are returned in nearly all coroners' inquests. The exceptions are those inquests adjourned by the coroner which he or she later decides not to resume, and are mainly inquests into deaths by unlawful killing and deaths by dangerous driving or careless driving when under the influence of alcohol or drugs, in which court proceedings have been instituted. This avoids the need for two tribunals to consider the same evidence. A "narrative verdict" is where the coroner makes a brief and factual statement at the conclusion of the inquest but does not return one of the suggested short-form verdicts.

## Contacts

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General information about the official statistics system of the UK is available from [www.statistics.gov.uk](http://www.statistics.gov.uk)

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