



Ministry  
of Justice

# **Tribunals and Gender Recognition Certificate Statistics Quarterly**

October to December 2014

Ministry of Justice  
Statistics bulletin

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## Introduction

Tribunals are specialist judicial bodies which decide disputes in particular areas of law. Appeals to tribunals are generally against a decision made by a Government department or agency. The exception to this is the Employment Tribunal where cases are on a party v party basis (specifically, employee versus employer). There are tribunals in England, Wales, Scotland and Northern Ireland covering a wide range of areas affecting day-to-day life. HM Courts & Tribunals (HMCTS) administers many of them although some are the responsibility of the devolved governments in Scotland, Wales and Northern Ireland.

This report focuses on information on receipts (e.g. the acceptance of a case by HMCTS), the outcome of cases by category (e.g. cases disposed of at hearing) and the caseload outstanding for the three largest tribunals (Employment (ET), Immigration and Asylum (IA) and Social Security and Child Support (SSCS)). These three largest tribunals account for over 90% of tribunal receipts in 2013/14. Annex C provides monthly and regional breakdowns of Receipts for Employment Tribunals. Annex D, published for the first time this quarter, provides experimental statistics on Employment Tribunal Fees.

This report also contains statistics relating to Gender Recognition Certificates, which were previously in a separate publication.

Excel tables that accompany this report contain details of the smaller volume tribunals which are not covered in the text presented here. A full list of all tribunals covered by HMCTS can be found in Table B.1 of the accompanying tables. Note that this publication does not include data on tribunals not covered by HMCTS. We also have accompanying CSV files containing the same data as in the Excel tables, but in a machine readable format. This allows users to conduct their own analysis, and is part of the Ministry of Justice's commitment to open data.

Further information on Civil and Administrative Justice statistics, including information on the data sources and terminology used in this report, can be found in the **Guide to Civil and Administrative Justice Statistics**. <https://www.gov.uk/government/collections/civil-justice-statistics-quarterly>

The next publication of Tribunal and Gender Recognition Certificate Statistics Quarterly is scheduled to be published on 11 June 2015, covering the period January to March 2015.

### **Users of the statistics**

The main users of these statistics are Ministers and officials in central government responsible for developing policy with regards to tribunals. Other users include lawyers and academics, other central government departments such as BIS and DWP, and non-governmental bodies, including various voluntary organisations, with an interest in administrative justice.

## **Key Findings**

This report presents the latest statistics on type and volume of Tribunal cases that are received, disposed of or outstanding as of the third quarter of the financial year 2014/15 (October to December 2014). There is also a chapter presenting the latest trends in Gender Recognition Certificates awarded.

### **Receipts**

HMCTS tribunals recorded 96,000 receipts, which is down 31% compared to October to December 2013. This fall was driven by a drop in Social Security and Child Support (SSCS) Tribunal receipts, down 65% to 28,100.

### **Disposals**

There were 340,400 disposals in the period October to December 2014, which is up 40% from the same period of 2013. The overall increase seen in disposals was due to a particularly large multiple claim Employment Tribunal case ending, accounting for a 409% increase in Employment Tribunal disposals.

### **Caseload outstanding**

For all tribunals combined, the caseload outstanding at the end of December 2014 was 356,400, down 58% on last year, which can be attributed to the reduction in number of receipts overall, the large number of Employment Tribunal multiple claims disposals in the case referred to above and a review of outstanding Employment Tribunal cases which closed around 10% of existing single cases from the outstanding caseload.

### **Timeliness**

In October to December 2014, the mean age of a Social Security and Child Support Tribunal case at disposal was 23 weeks, which is up 2 weeks on the previous year.

For First Tier Immigration and Asylum cases, the mean clearance time was 28 weeks (up from 26 weeks the previous year).

For Employment Tribunals, the mean clearance time of a multiple claim case was 205 weeks in October to December 2014, up from 179 weeks on the previous year. The significant change in the timeliness is due to the closure of a large multiple claim relating to airline cases with a jurisdictional complaint working time directive.

### **Gender Recognition Panel**

In October to December 2014, 94 applications were received by the Gender Recognition Panel, the highest number of applications recorded in a quarter since the beginning of the series in 2009/10. Of the applications

received, 84 were processed and 83% of these were granted a full Gender Recognition Certificate.

**Employment Tribunal Fees – Experimental Statistics**

The decrease in Employment Tribunal receipts between Q2 and Q3 2013/14, where total claims accepted fell by 73% coincided with the introduction of Employment Tribunal fees on 29 July 2013.

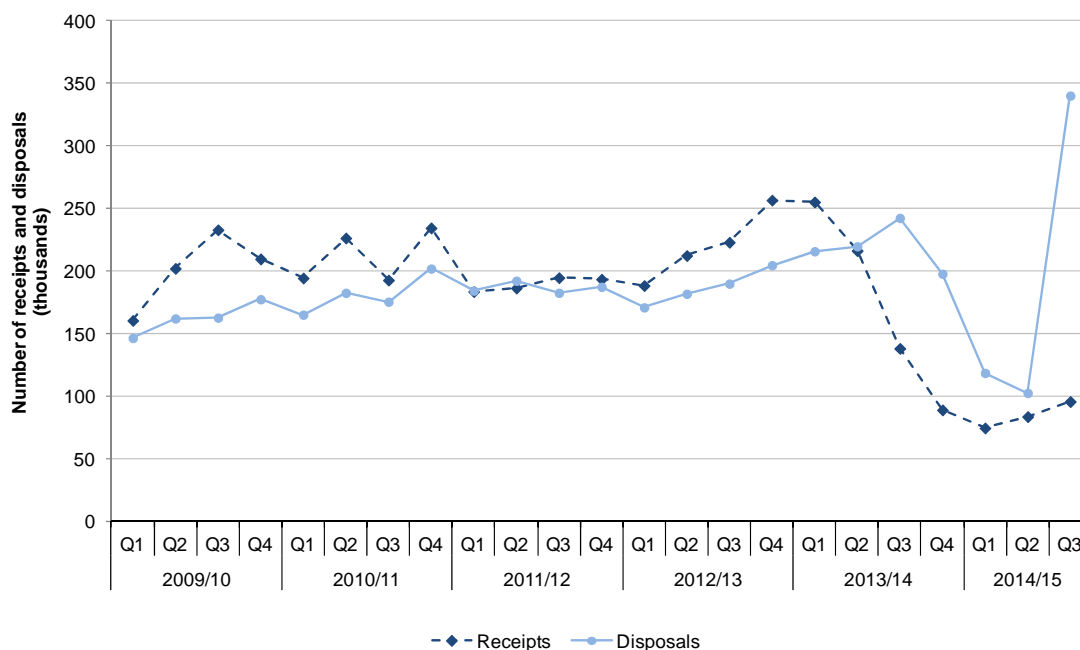
There were 24,400 Employment Tribunal issue fees requested in the 12 months up to 30 September 2014, of which 69% paid the full fee and 16% were granted a full or partial remission. 11,300 remission applications were received at the issue fee stage and of these just over a third (3,900) were granted remission.

# 1. Receipts

HMCTS Tribunals recorded 96,009 receipts in the period October to December 2014, which is down 31% when compared with the same period of 2013. Social Security and Child Support (SSCS) accounts for 29% of these receipts, a further 27% were First Tier Immigration and Asylum (IA), and 20% were in Employment Tribunals (ET).

Figure 1 shows trends in both receipts and disposals since Q1 2008/09. Typically the number of receipts has been greater than the number of disposals. However, since Q2 2013/14, HMCTS has disposed of more tribunal claims than it received. Note that these figures are receipts and disposals in the quarter being reported, and receipts in one period are likely to be dealt with in subsequent periods.

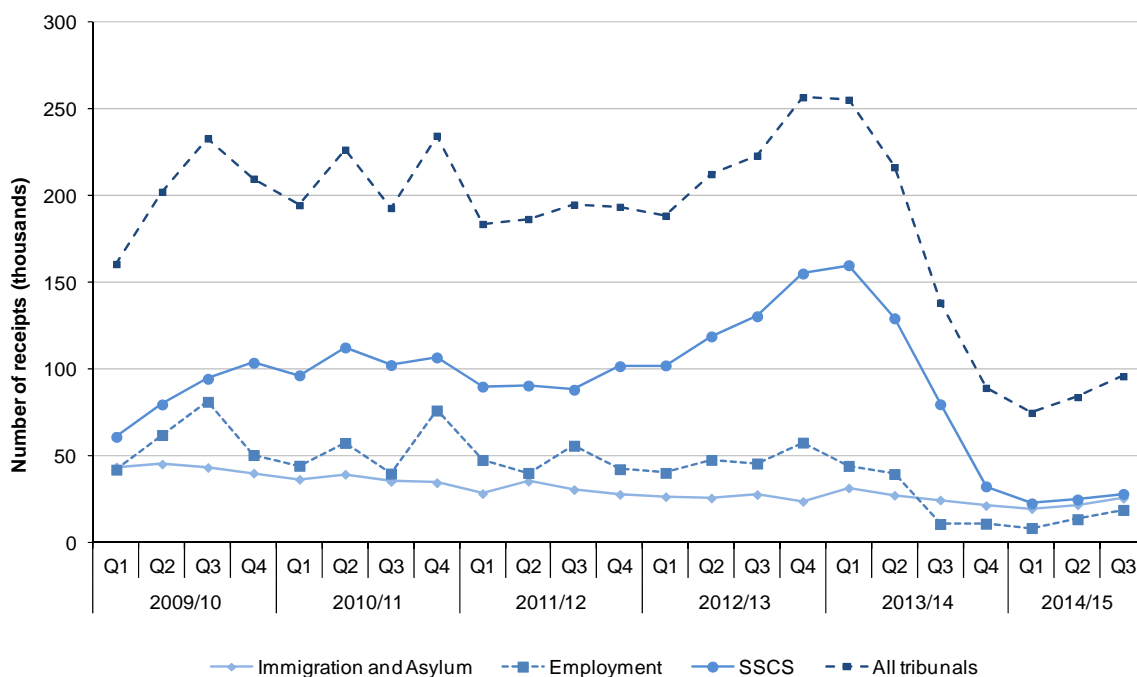
**Figure 1: Receipts and disposals for all tribunals, 2009/10 to Q3 2014/15**



## What has driven this?

Figure 2 illustrates the receipts by the largest jurisdictions. As SSCS is the largest jurisdiction, this drives the overall trend. Fewer appeals against decisions made by the DWP were received by the tribunal in October to December 2014 (65% lower than the same period last year). This could be due to a number of reasons including the introduction of mandatory reconsideration across DWP benefits - where a DWP decision-maker looks again at individual cases before it goes to a tribunal - alongside wider reforms to streamline the system, explained in the SSCS section below.



**Figure 2: Tribunal receipts by jurisdiction, 2009/10 to Q3 2014/15****Employment Tribunals (Table 1.2)**

Claims in employment tribunals can be classified into either single<sup>1</sup> or multiple<sup>2</sup> claims. Single claims are made by a sole employee/worker, relating to alleged breaches of employment rights. Multiple claims are where two or more people bring proceedings arising out of the same facts, usually against a common employer. Both single and multiple claims can involve one or more jurisdictional complaints. Where claims are grouped as multiples, they are processed administratively and managed judicially together. We call these groups of claims ‘multiple claims cases’.

A claim (either single or multiple) can be brought under one or more of different jurisdictions, for example under Age Discrimination or Equal Pay. Therefore the number of jurisdictional complaints is always greater than the total tribunal claims accepted. On average in October to December 2014, there were 2.2 jurisdictional complaints per claim accepted.

<sup>1</sup> A claim may be brought under more than one jurisdiction or subsequently amended or clarified in the course of proceedings, but will be counted as a claim only once.

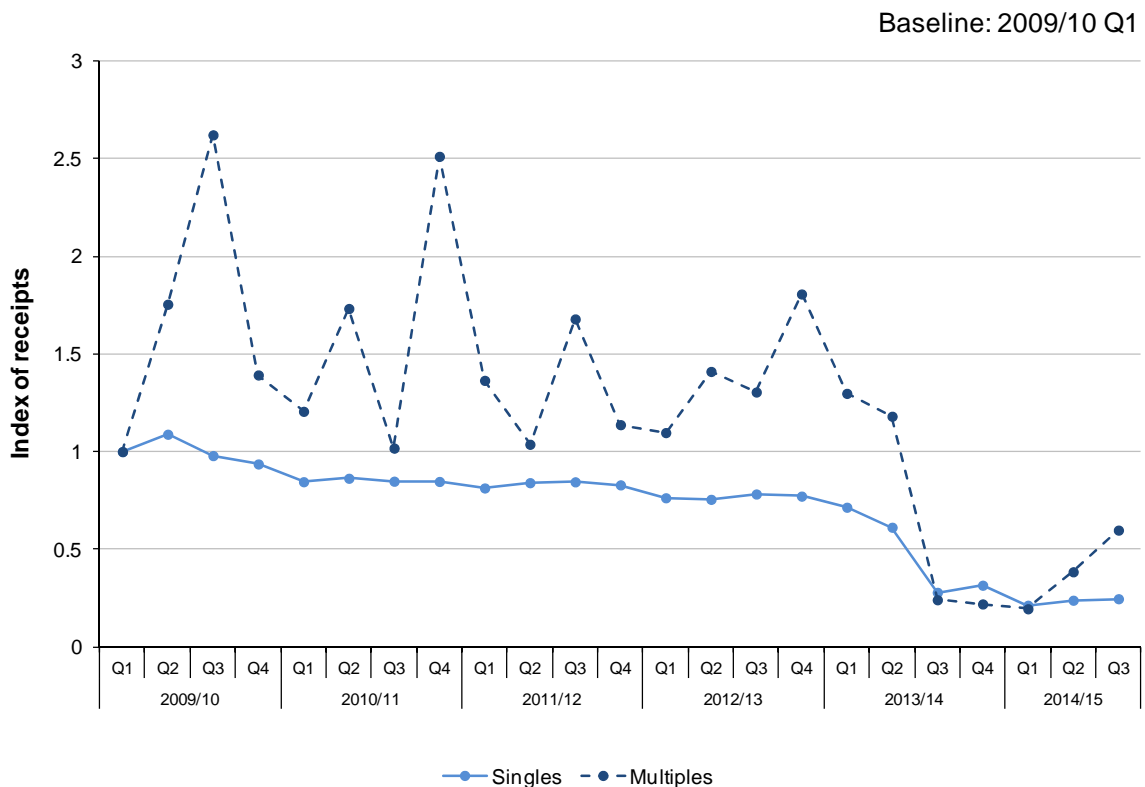
<sup>2</sup> Multiple cases are where two or more people bring claims, involving one or more jurisdiction(s) usually against a single employer but not necessarily so, for instance in Transfer of Undertakings (Protection of Employment) Regulations (TUPE) cases, and always arising out of the same or very similar circumstances. As a multiple, the cases are processed together.

In employment tribunals, the number of single claims received in October to December 2014 was 4,386 – 12% fewer than in the same period of 2013. The trend in single claims had been gradually declining for the last five years, but the rate of decline increased in October to December 2013. The fall in receipts for Employment Tribunals seen from October to December 2013 coincides with the introduction of employment tribunal fees in July 2013. Further information on this Policy can be found in Policy Changes section, page 41.

The number of multiple claims in October to December 2014 was 14,557, which related to 622 multiple claim cases. Prior to this quarter, the number of multiple claims cases had been falling, from around 1,000 in July to September 2013 to around 400 in July to September 2014.

The trend in multiple claims is more volatile than single claims due to large numbers of claims against a single employer which can skew the national figures and have to be resubmitted each quarter (such as the airline industry cases over the last few years which are now mainly disposed). This is illustrated in Figure 3 below. As the number of single and multiple claims are on such different scales, they have been indexed with a baseline of Q1 2009/10 = 1.

**Figure 3: Index of ET multiple and single claim receipts<sup>3</sup>**



<sup>3</sup> The index compares the number of receipts with the baseline quarter. It shows the trend in single and multiple receipts but does not enable comparisons of the *numbers* of each.

### **Immigration and Asylum<sup>4</sup> (Table 1.3)**

In the period October to December 2014, there were 25,711 First Tier Tribunal Immigration and Asylum (FTTIAC) receipts; an increase of 4% when compared with the same period in 2013. In the Upper Tribunal Immigration and Asylum Tribunal (UTIAC) there were 2,071 receipts, an increase of 19% (325 receipts) when compared with the same period in 2013.

Managed Migration appeals are generated by people already in the UK who have been refused permission to extend their stay. This type of case was down 10% compared with the previous year, comprising just over half (54%) of all FTTIAC receipts in October to December 2014. Managed Migration was also the highest proportion of cases in the Upper Tribunal Immigration and Asylum Chamber (UTIAC), accounting for 60% of all such appeals and saw a 41% increase compared to the same period in the previous year, to 1,251 receipts.

The number of Asylum FTTIAC receipts in October to December 2014 was just over double the amount received in the same quarter in 2013. For the UTIAC however, the number of Asylum claims had reduced by 9% over the same period.

Entry Clearance appeals were up 18% on October to December 2013 in the FTTIAC and down by 8% in the UTIAC. Family Visit Visas decreased by only 1% in the FTTIAC and 22% in the UTIAC. There have been two changes to Family Visit Visa appeal rights in the last two years. Firstly, the Immigration Appeals (Family Visitor) Regulations 2012 which came into force on 9 July 2012, which restricted the right of appeal to a narrower definition of family visitor<sup>5</sup>. Secondly, the Crime and Courts Act 2013 removed the full right of appeal for family visitors and this change came into effect for new visa applicants on 25 June 2013. A limited right of appeal still remains on Human Rights or Race Discrimination grounds.

Since November 2013, the management of the majority of Immigration and Asylum Judicial Review (JR) cases have been transferred from the Administrative Court (part of the High Court) to the UTIAC. In the most recent quarter there were 4,068 Immigration and Asylum JR receipts at the UTIAC. The number of Immigration and Asylum JR cases that are dealt with by the Administrative court, can be found in the Civil Justice Statistics Quarterly publication<sup>6</sup>.

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<sup>4</sup> An independent Tribunal dealing with appeals against decisions made by the Home Secretary and Home Office officials in immigration, asylum and nationality matters

<sup>5</sup> [www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/2012/june/25-family-visit-visa-appeal](http://www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/2012/june/25-family-visit-visa-appeal)

<sup>6</sup> <https://www.gov.uk/government/collections/civil-justice-statistics-quarterly>

### **Social Security and Child Support (Table 1.4)**

In October to December 2014, there were 28,142 SSCS receipts; a decrease of 65% when compared with the same period in 2013. In particular, there were 21,243 (64%) fewer receipts of appeals made against decisions about claims for Employment Support Allowance (ESA) - this comprises 42% of all claims to the tribunal in the most recent quarter. Job Seekers Allowance (JSA) appeals also fell by 93% in October to December 2014 compared with the previous year – these account for 4% of all SSCS tribunal cases. Personal Independence Payment accounted for 19% of SSCS Tribunal Claims in the most recent quarter; this benefit replaced Disability Living Allowance (DLA) in April 2013.

The large decline in Social Security and Child Support Tribunal claims may be attributed to the policy changes implemented by the Department of Work and Pensions (DWP) and Her Majesty's Court and Tribunal Service (HMCTS) in April 2013. These changes included DWP reconsidering all decisions before an appeal can be lodged direct with the Tribunal. Further information on this Policy can be found in the Policy changes section of the publication, page 38.

## 2. Disposals

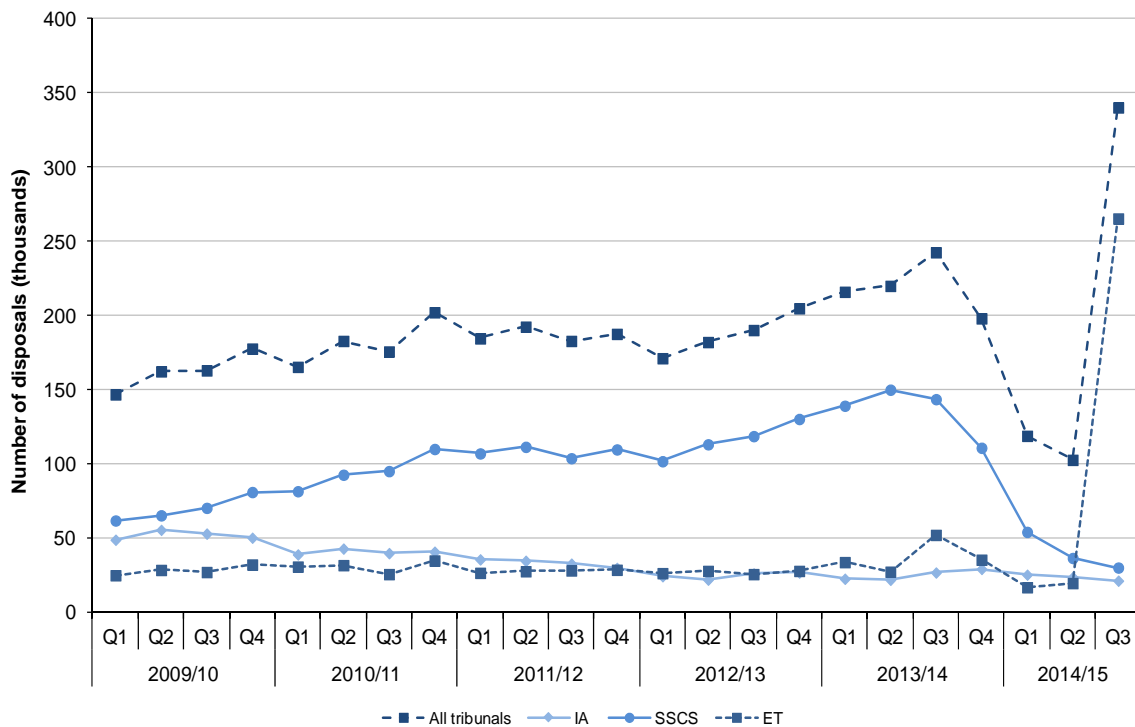
A disposal is the closure of a case when work is complete. This can be through a claim being withdrawn, settled, dismissed, transferred or being decided at a hearing (either orally or on paper).

There were a total of 340,374 cases or claims disposed of in October to December 2014. This represents an increase of 40% on those cases disposed of in the same period in 2013. This is the highest number of quarterly disposals since this statistical series began in 2008/09.

### What has driven this?

Figure 4 shows disposals by the main tribunals. The increase in overall disposals has been driven entirely by the large number of Employment tribunal disposals – these accounted for more than three quarters of the total disposals in this quarter. This was mainly due to a very large multiple claim case being disposed of. In contrast, SSCS disposals in October to December 2014 were 79% lower than in October to December 2013 and accounted for 9% of the total disposals in this quarter. This is likely to be related to the reduction in receipts seen in previous quarters.

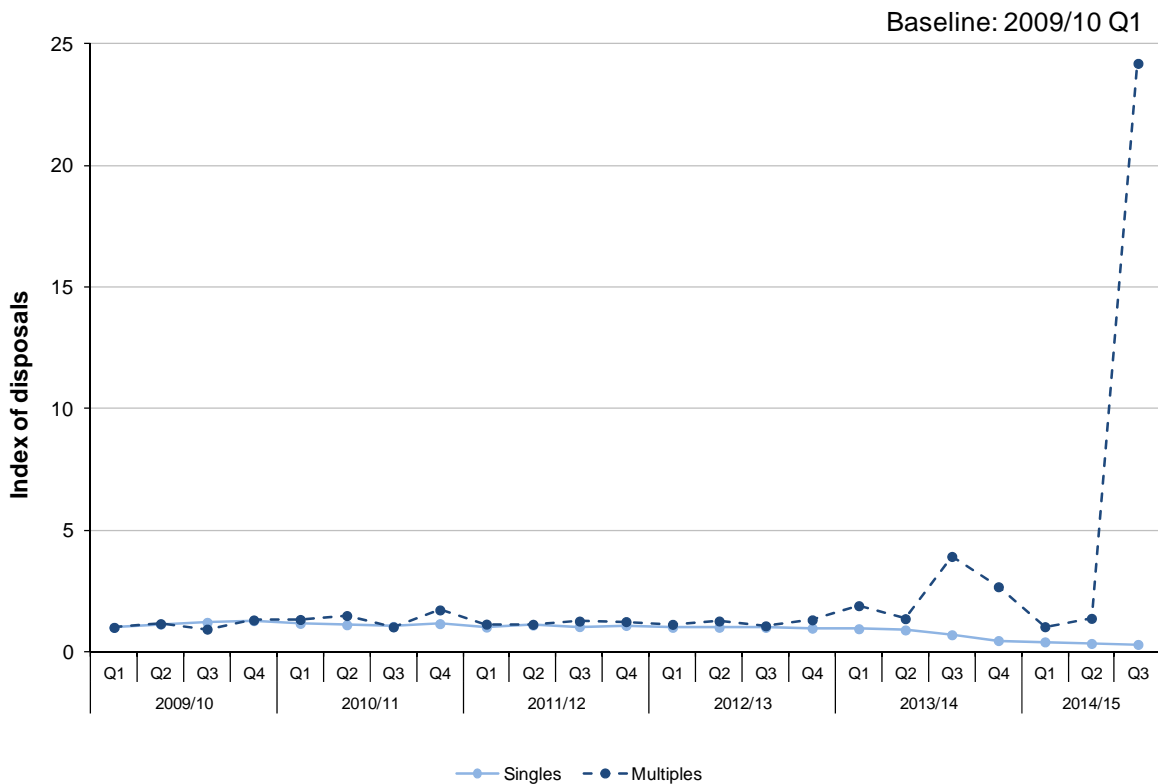
**Figure 4: Disposals by Tribunal, 2009/10 to Q3 2014/15**



### Employment Tribunals (Tables 2.1, 2.2 and 2.3)

Employment tribunals disposed of 265,444 claims during October to December 2014, a large increase compared to those disposed of during the same period in 2013 (52,101). Multiple claims accounted for almost all (98%) of Employment tribunals disposals and the number of single claims was down 57% on October to December 2013. The disposal rates for multiple cases tend to be more volatile, and have been affected by disposals of a few large cases. The 261,211 multiple claims disposed of in October to December 2014 actually related to 1,077 multiple claim cases, but 243,501 were in one multiple airlines case. This gives an average of 242.5 claims per case, although in reality there were a large number of smaller multiple cases and one very large case relating to the Working Time Directive.

**Figure 5: Index of ET single and multiple disposals**



In October to December 2014, 286,420 jurisdictional claims were disposed of, just over 3 times as many from same period of the previous year, for the reasons set out above. On average, 1.1 jurisdictions were disposed of per claim, slightly lower than previous quarters.

Of the jurisdictional complaints that were disposed of 89% were for working time, many due to the large multiple claim mentioned above, and 4% were for unauthorised deductions (Formerly Wages Act).

Apart from the large increase in disposals of working time cases, the largest changes in jurisdictional complaints in comparison to October to

December 2013 were seen in unfair dismissals disposals, which were up 80%, and written pay statement disposals and redundancy (failure to inform and consult) disposals, both of which were down 72%.

Three new outcome types came into effect in the second quarter of 2013/14, as a result of the Underhill Review of Employment Tribunal Rules (see Introduction). These were:

- Dismissed Rule 27 – complaints dismissed by an Employment Judge after initial consideration of claim and response. An Employment Judge can dismiss a claim, or any part of a claim, if s/he considers that it has no reasonable prospect of success, or that the tribunal has no jurisdiction to hear the claim (or part therefor). This is a new provision introduced on 29<sup>th</sup> July 2013.
- Dismissed upon withdrawal – under new rule 52, an employment tribunal shall issue a judgment dismissing a claim where the claimant withdraws it, unless certain criteria are satisfied. The operation and impact of this new provision is being monitored through these statistics.
- Case discontinued – this records complaints dismissed under rule 40(1) where a party has not satisfied requirements in respect of paying a tribunal fee or demonstrating a case for remission<sup>7</sup>.

Dismissed upon withdrawal' accounted for 1% of all disposals in October to December 2014. 'Dismissed Rule 27' and 'Case discontinued' combined accounted for less than 1%. The majority (86%) of claims were struck out (not at hearing), 96% of which were under the Working Time Directive jurisdiction (due to the closure of the large multiple claim). Therefore, comparisons with previous quarters' figures for disposals by outcome should be treated with caution as figures for this quarter (October to December 2014) are skewed by the closure of this one case.

### **Immigration and Asylum (Tables 2.4 and 2.5)**

The First-tier Tribunal Immigration and Asylum Chamber (FTTIAC) disposed of 21,167 appeals, down 21% on October to December 2013. The Upper Tribunal Immigration and Asylum Chamber (UTIAC) disposed of 2,194 appeals in October to December 2014, an increase of 5% on the same quarter last year.

Managed Migration accounted for 55% of the First-tier disposals in October to December 2014, with Entry Clearance Officer and Family Visit Visa appeals accounting for 20% and 10% respectively. Of the 21,167

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<sup>7</sup> See footnote [9].

disposals, 72% were determined i.e. a decision was made by a judge at a hearing or on the papers; 14% were withdrawn; 11% were invalid or out of time, and 2% were struck out. Rules to allow cases to be struck out<sup>8</sup> were introduced following the introduction of fee charging.

Managed Migration accounted for 56% of the Upper Tribunal disposals in October to December 2014, with Entry Clearance Officer and Asylum appeals accounting for 15% and 18% respectively. Of the 2,194 disposals, 77% were determined i.e. a decision was made by a judge at a hearing or on the papers; 4% were withdrawn and 19% were remitted.

Of the 15,304 cases that were determined in the First-tier Tribunal in October to December 2014, 61% were dismissed and 39% allowed. For the Upper Tribunal, of the 1,693 cases determined during the same period, 70% were dismissed and 30% allowed.

There were 3,674 Immigration and Asylum JRs disposed of in October to December 2014, of which 69% were determined and 2% were transferred to the Administrative Court.

### **Social Security and Child Support (Tables 2.6 and 2.7)**

Of the 30,031 SSCS cases disposed of in October to December 2014: 39% were for ESA; 14% for Tax Credits and 12% for Housing/Council Tax Benefit.

80% of all SSCS cases were cleared at a hearing. Of these the overturn rate<sup>9</sup> was 49%, i.e. 49% had the initial decision revised in favour of the claimant. This has increased from 40% in the same quarter last year.

The overturn rate varies by benefit type with 58% of ESA cases, 48% for both Disability Living Allowance and JSA cases and 23% of housing/council tax benefit that were cleared at hearing having the original decision revised in favour of the claimant.

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<sup>8</sup> Appeal closed administratively where the fee has not been paid, remitted or exempted.

<sup>9</sup> The overturn rate is the rate of decisions by the original body that are reversed.

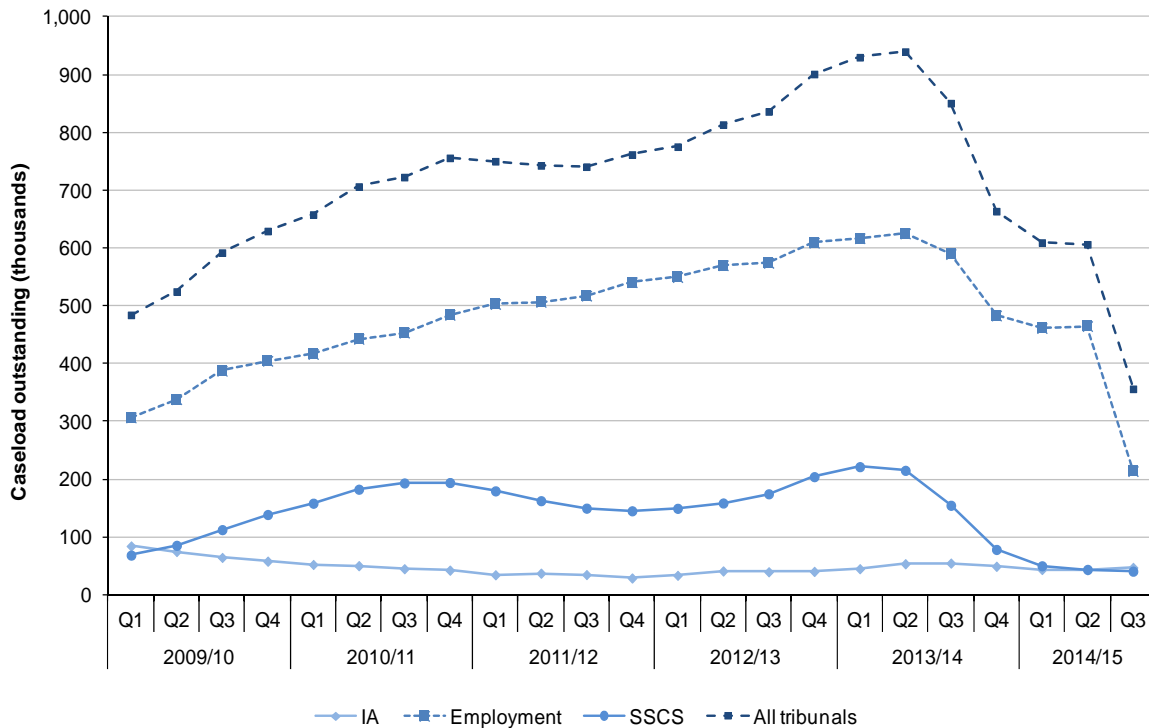


### 3. Caseload Outstanding

At the end of December 2014, the caseload outstanding was 356,368. This is 58% lower than the same period last year (see Figure 6). This is driven by falls in the number of outstanding cases in the employment and SSCS jurisdictions.

The published statistics cover receipts, disposals and caseload outstanding in the tribunal service over a specific period of time. Tribunals cover a range of different jurisdictions and work with a number of different live case management databases. The live caseload (caseload outstanding) is based on a snapshot of live cases at a specific point in time, once taken it cannot be revised or revisited. Because of this approach the caseload outstanding is currently based on a snapshot of the caseload on a specific day, and the change is not simply calculated by subtracting receipts and disposals.

**Figure 6: Caseload outstanding at end of December 2014**

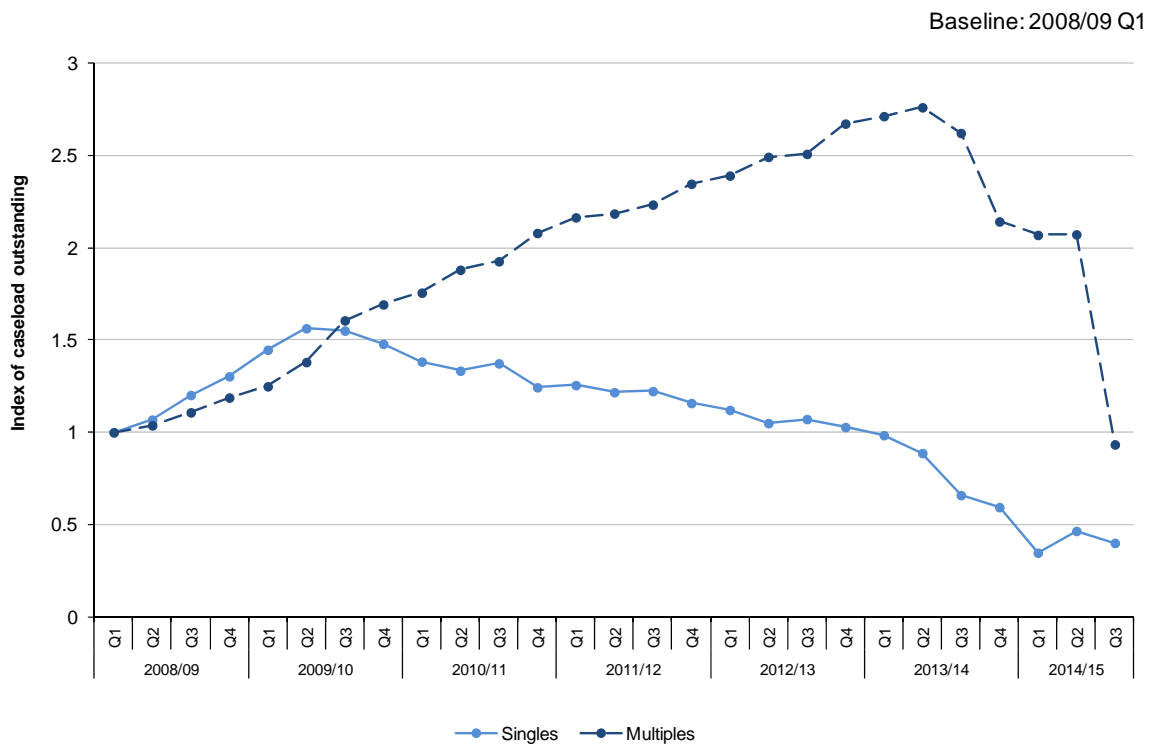


#### Caseload Outstanding (Table 3.1)

The majority (57%) of the outstanding caseload at the end of the quarter related to 'multiple' claims in Employment Tribunals. Multiple claims are often legally and factually complex and it is common for action on such claims to be deferred ('stayed', or 'sisted' in Scotland), for example pending the outcome of proceedings in appellate courts/tribunals on case management or other interim matters. This means that such claims are not yet ready to have a final hearing in the employment tribunal, and so the claim cannot be progressed to disposal. Resubmitting some large multiple

claims on a quarterly basis also skews the data. Figure 7 clearly shows the increase of multiples since 2008/09; with many cases being ‘stayed’ and remaining outstanding in contrast to the disposal of single claims. The decrease seen from Q2 2013/14 is mainly due to the disposal of a large number of multiple claims relating to a multiple working time regulation airline case, and those claims no longer being resubmitted as new receipts. In addition, during this current quarter the employment tribunals undertook a review of all cases which closed around 10% of existing cases and removed them from the outstanding caseload.

**Figure 7: Index of ET single and multiple claims outstanding**



The caseload outstanding in the First-tier Immigration and Asylum tribunal saw an increase of 10% compared to last quarter and a drop of 14% compared to the same quarter in 2013.

For SSCS, there were 40,734 cases outstanding, a reduction of 7% on last quarter and 74% when compared to the same period in 2013.

## 4. Timeliness

This section provides information about the operation of tribunals to assist users to assess the efficiency and effectiveness of public services. The timeliness measures generally examine the process from receipt to the point at which the appellant is notified of the outcome of the hearing (or when a case settles, is withdrawn or struck out). When examining the measures, a number of points should be noted:

- The clearance times (expressed in weeks or years) are highly dependent upon the processes that take place within a tribunal and the type and complexity of a case. In some instances, appeals can be stayed because a judgement is awaited from another body (for example European Courts), or may be legally complex.
- The measures cannot be directly compared between one Tribunal and another because of the different processes and very diverse nature and requirements of individual jurisdictions. Thus, it is better to compare a specific Tribunal over time.

The information provided is based on the age at which cases were cleared.

### Summary of Timeliness Measures (Tables 4.1 – 4.3)

The measures examine the age of a case when it is cleared or disposed of and gives the point at which 25%, 50% (the median), and 75% of cases were cleared, along with the average (mean). For example, for the SSCS tribunal, 75% of cases that were cleared in October to December 2014 were aged 24 weeks or less.

**Figure 8: Cumulative percentage of clearances in October to December 2014, by age of case at clearance**

Tribunal	25% point	50% point	75% point	Average (mean)
First Tier Immigration and Asylum	12 weeks or less	27 weeks or less	37 weeks or less	28 weeks
Employment (single)	16 weeks or less	27 weeks or less	45 weeks or less	53 weeks
Employment (multiple)	2-3 years or less	3-4 years or less	5 years and over	205 weeks
SSCS (all)	10 weeks or less	15 weeks or less	24 weeks or less	23 weeks

## **Employment Tribunals**

For Employment Tribunals, the timescale recorded is from the date the claim was received by the tribunal to when details of the final judgement are given.

The distribution for all Employment Tribunal cases is heavily influenced by the age of multiple cases (which can be stayed or await decisions from Higher Courts).

The mean age of a single claim at disposal in October to December 2014 was 53 weeks which is 22 weeks longer than the same period in 2013. The median is 27 weeks, reflecting a more modest increase of 5 weeks on October to December 2013, suggesting the mean has been influenced by a small number of cases which may have taken a longer period of time to clear. During this quarter a review of outstanding cases by the employment tribunals closed around 10% of existing, mainly old, cases and removed them from the outstanding caseload. The timeliness figures reported in this section exclude these cases where it was possible to identify them. However, it was not possible to identify all such cases and therefore the timeliness mean has been artificially increased - this explains the large difference between the mean and median for single claims mentioned above. Comparisons with previous quarters' figures for single case timeliness should be treated with caution.

The mean age of a multiple claim case at disposal was 205 weeks, which is just under 4 years, up from 179 weeks in the same period in 2013. The multiple working time regulation airline case that was disposed received additional cases over a number of years; most of the claims contained in it were many years old. This accounts for the significant change in the timeliness figure as many of these cases had been outstanding for lengthy periods of time.

Clearances for Employment Tribunals were also examined by broad jurisdictional group. The results for October to December 2014 showed that Equal Pay cases had the longest mean clearance time of just over five years (272 weeks), while Sexual Orientation cases had the shortest average time of 39 weeks.

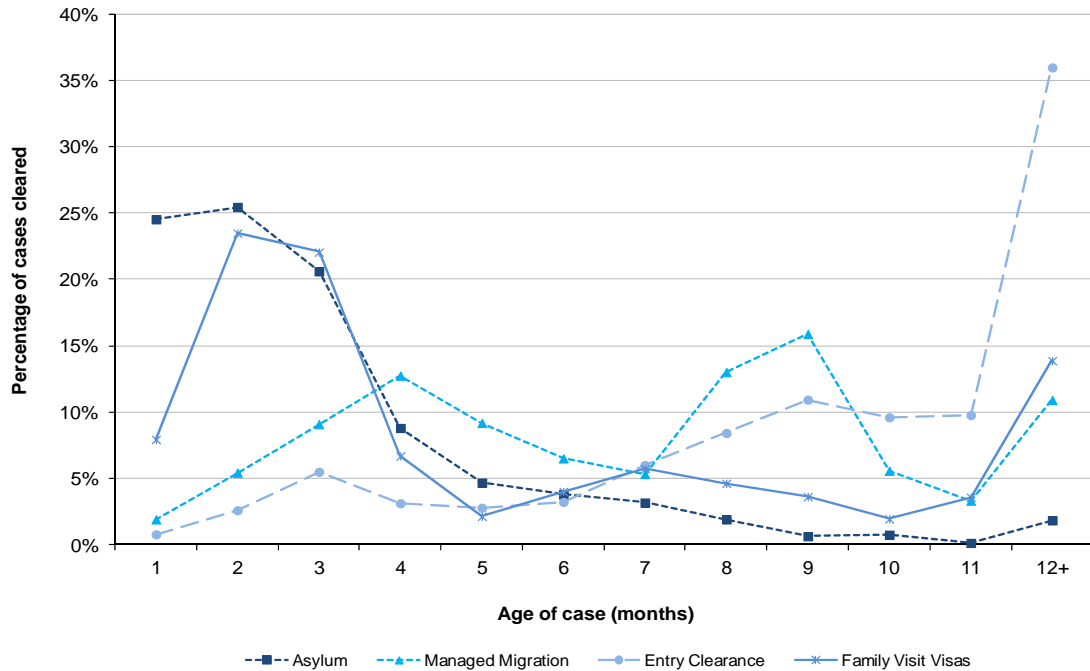
## **First Tier Immigration and Asylum**

The time is recorded from receipt by the tribunal to the time that a decision was notified to the appellant. The mean age of a case at disposal was 28 weeks in October to December 2014, 2 weeks longer than the same period last year.

Variations in clearance times between case types are due to different processing timescales which apply to each of the Immigration and Asylum jurisdictions. For example in October to December 2014, three quarters of Asylum cases were completed in 14 weeks or less, whereas three quarters of Entry Clearance Officer appeals were completed in 51 weeks

or less. Figure 9 shows the distribution of timeliness by jurisdiction. Timeliness will also vary according to disposal method e.g. an appeal struck-out for non-payment will be disposed far quicker than a case determined at hearing.

**Figure 9: Timeliness of First Tier Immigration and Asylum Tribunals, October to December 2014**



### Social Security and Child Support

For SSCS, the time is recorded from receipt by the tribunal to the time that a final decision was notified to the appellant.

Of those cases disposed of by SSCS in October to December 2014, the mean age of a case at disposal was 23 weeks, 2 weeks longer than October to December 2013. There was however a reduction of 4 weeks in case age at disposal at both the median and 75% points in October to December 2014 when compared to the same period in the previous year.

From April 2013, changes to the appeal process through the Welfare Reform Act 2012 began to be introduced. There were three changes:

- DWP will reconsider all decisions before an appeal (known as mandatory reconsideration);
- appeals must be sent directly to HMCTS (known as direct lodgement);
- there are time limits for DWP to return responses to HMCTS<sup>10</sup>.

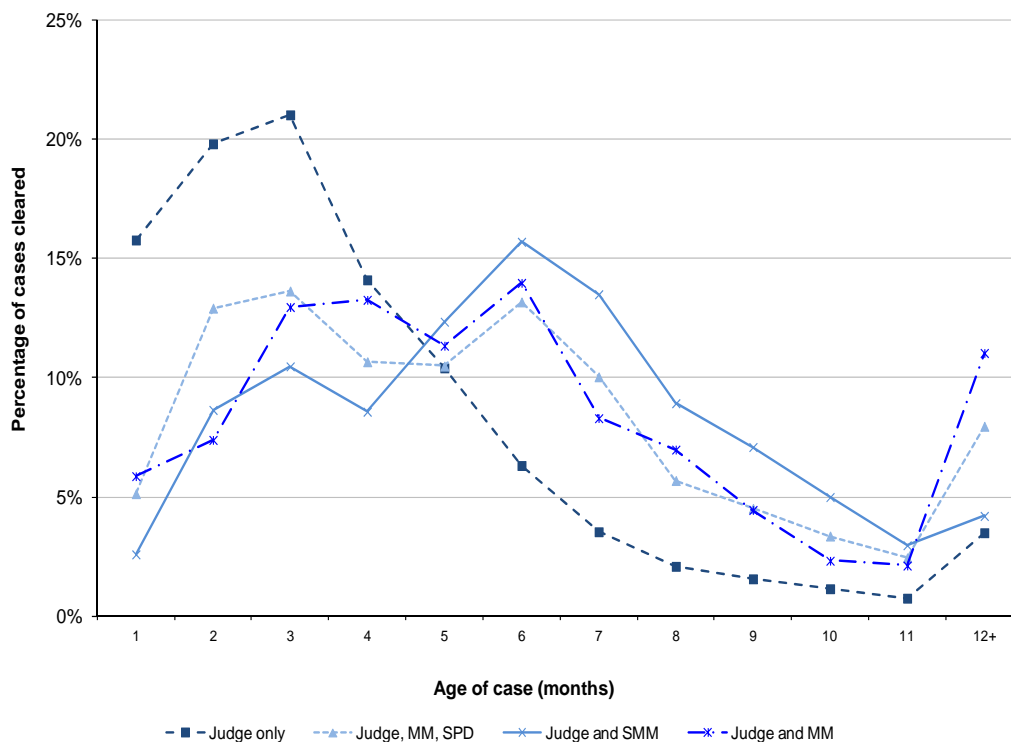
<sup>10</sup> Introduced October 2014

Mandatory reconsideration and direct lodgement were introduced for Personal Independence Payment and Universal Credit appeals in April 2013. On 28 October 2013, they were introduced for all other DWP-administered benefits and child maintenance cases, and for appeals against decisions made by HMRC on 1 April 2014.

Direct lodgement means that up to 28 days (42 days in child maintenance cases) is now **included in** the HMCTS processing time, as appeal responses now need to be requested from the DWP and HMRC, rather than timeliness being counted from receipt of the response. Therefore current timeliness measures are not directly comparable with timeliness before the changes were implemented.

There are several factors that can affect how long it takes for cases to be cleared including the complexity of the case, the evidence required and requests for adjournment. The composition of the Tribunal panel also varies between appeal type and there are some differences in length of clearance time for each type of appeal. Those appeals which can be heard by a Judge sitting alone (such as appeals against decisions on Job Seekers' Allowance) take less time to clear than appeals where a panel including Medical Member (MM), Senior Medical Member (SMM) or Specialist Disability Member (SPD) is required (see Figure 10).

**Figure 10: Timeliness of Social Security Tribunals, October to December 2014**



## 5. Gender Recognition Certificate Statistics

The Gender Recognition Panel (GRP) was established under the Gender Recognition Act 2004 (GRA), which enables transsexual people to change their gender legally and gain the rights and responsibilities of their acquired gender. All applications are determined by the Panel and applicants who meet the GRA's requirements are granted a Gender Recognition Certificate.

The GRP is part of Her Majesty's Courts and Tribunals Service (HMCTS) and comprises of legal and medical members, supported by an administrative team. The panel sit in private and consider the documentary evidence supplied by the applicant in support of their application to have their gender recognised.

For background information on the Gender Recognition process please refer to 'A Guide to Civil and Administrative Justice Statistics', which is available at:

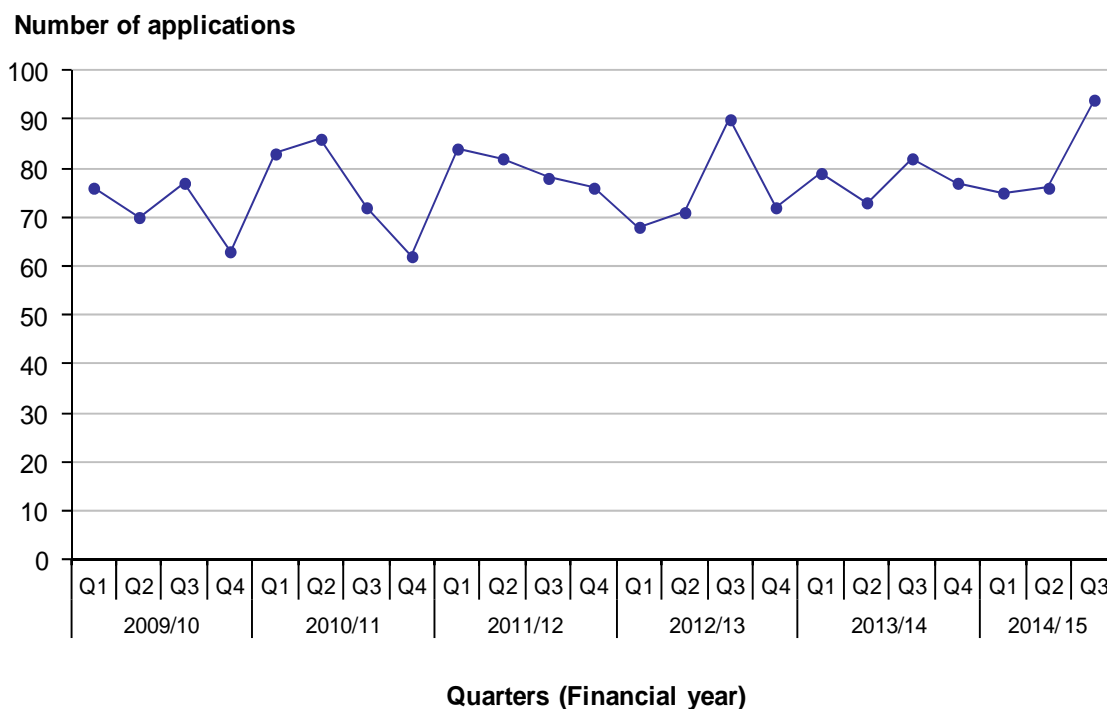
<https://www.gov.uk/government/collections/civil-justice-statistics-quarterly>

### Applications for Gender Recognition Certificates

A total of 94 applications were received by the Gender Recognition Panel (GRP) in October to December 2014 (see Tables 5.1 and 5.2). This is the highest number of applications recorded in a quarter since the beginning of the series in 2009/10. Overall, the number of applications has followed a broadly flat trend over the past five years (see Figure 11).

There are 3 types of application process; standard, alternative and overseas. The standard application is completed by individuals who are living permanently in the acquired gender for 2 years or more, have or have had gender dysphoria, intend to live permanently in the acquired gender until death and are ordinarily residents in England, Wales or Scotland. Of the total applications in October to December 2014, 82 were standard track. The alternative application track commenced on 10 December 2014 and is completed by individuals who have lived permanently in the acquired gender for 6 years or more prior to this date and intend to continue to do so until death, have or have had gender dysphoria or have undergone surgical to modify sexual characteristics and were in a protected marriage or protected civil partnership on or before the date of application. As with the standard track, the alternative track is for individuals who are ordinarily resident in England, Wales and Scotland. In October to December 2014, there were 5 alternative track applications. Finally, the overseas application process is completed by individuals having changed gender under the law of an approved country or territory outside the United Kingdom; 7 of the total applications were overseas track.

**Figure 11: Applications received by the Gender Recognition Panel, April 2009 to December 2014**



At the end of December 2014, a total of 94 applications were in progress awaiting final resolution, some of which are from earlier periods. This was an increase of 15% compared to the same period last year.

### Initial outcome of applications (Table 5.1)

A total of 84 applications were disposed of by the GRP during the period October to December 2014, whereby a decision had been taken to grant either a full or interim Gender Recognition Certificate (GRC), the applicant was refused or withdrew their application, the applicant didn't pay the fee, or there was an error in the application process.

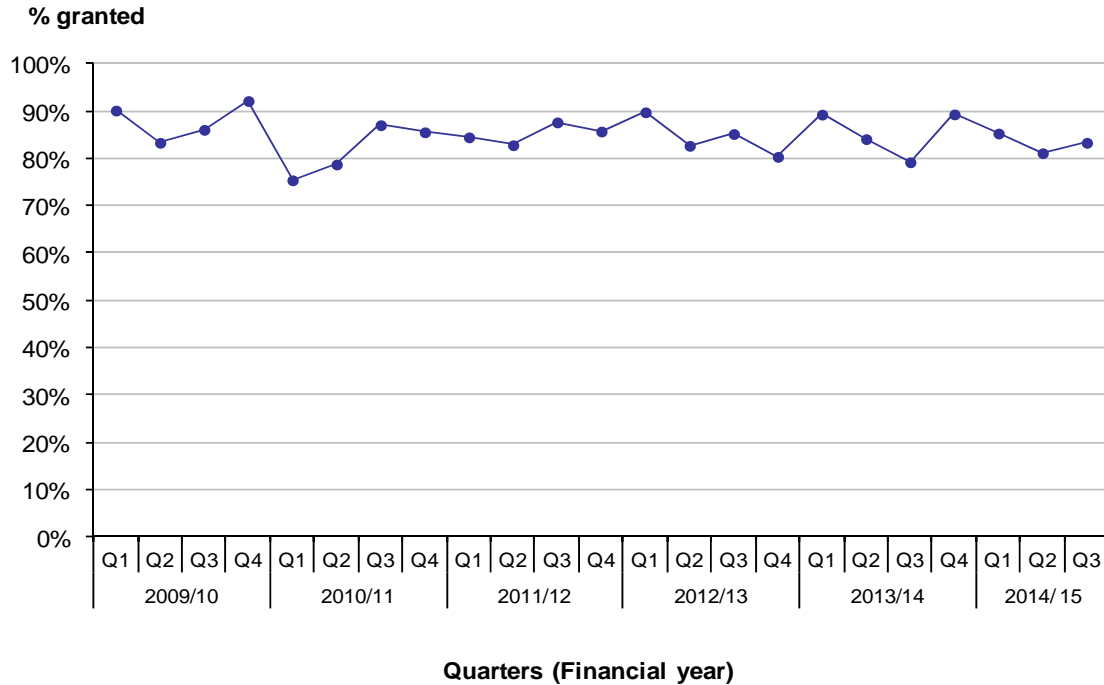
Of the applications disposed of in October to December 2014, a full GRC was granted in 70 cases (83% of the total, see Figure 12), reflecting a 15% increase on October to December 2013. In these cases the person was judged by the GRP to have satisfied the criteria for legal recognition in their acquired gender. The proportion of cases where a full GRC was granted has been largely stable over the last five years.

There were 3 cases where an interim GRC was granted in October to December 2014, which meant that the application was successful but the applicant was married or in a civil partnership at the time. Once the successful applicant has ended their marriage, they can then be issued a full GRC.



A further 3 applications were withdrawn during October to December 2014, while 8 applications were refused, no fee was paid or were in error.

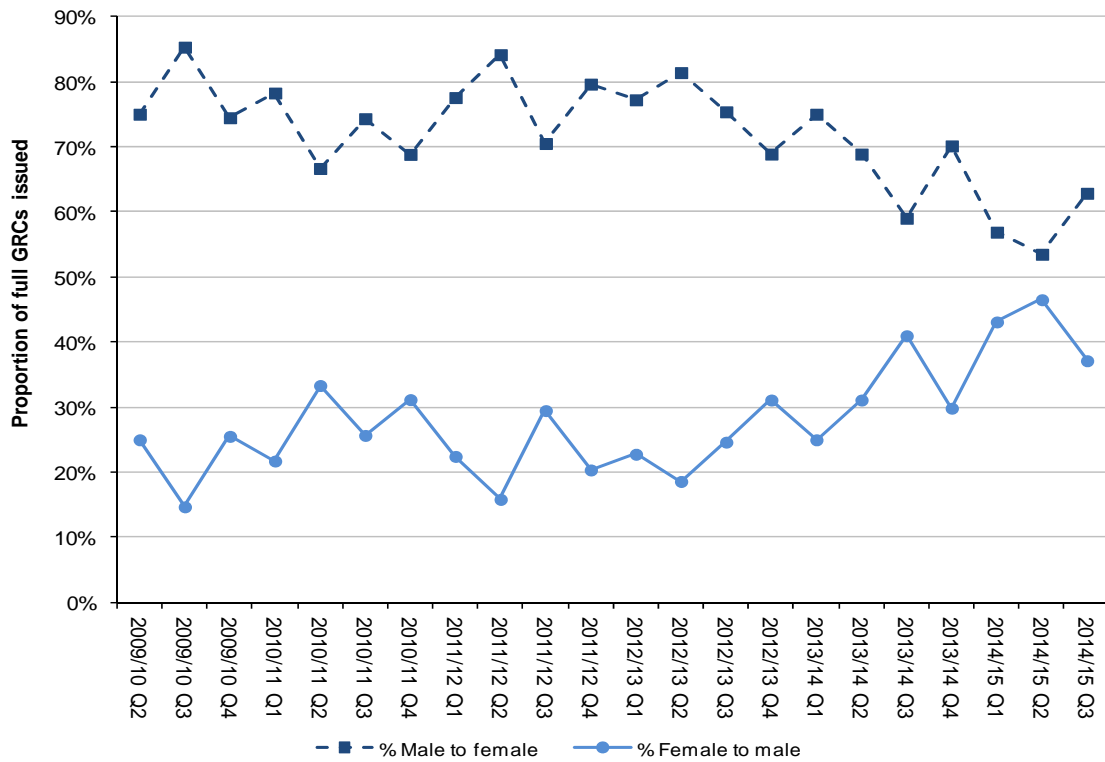
**Figure 12: Proportion of applications dealt with where a full Gender Recognition Certificate was granted, April 2009 to December 2014**



**Gender Recognition Certificates granted – demographic statistics (Table 5.4)**

Of the 70 full Gender Recognition Certificates granted in October to December 2014, 44 (63%) were granted to individuals who were registered male at birth (who thus became legally female as a result). The remaining 26 (37%) were granted to individuals who were registered female at birth.

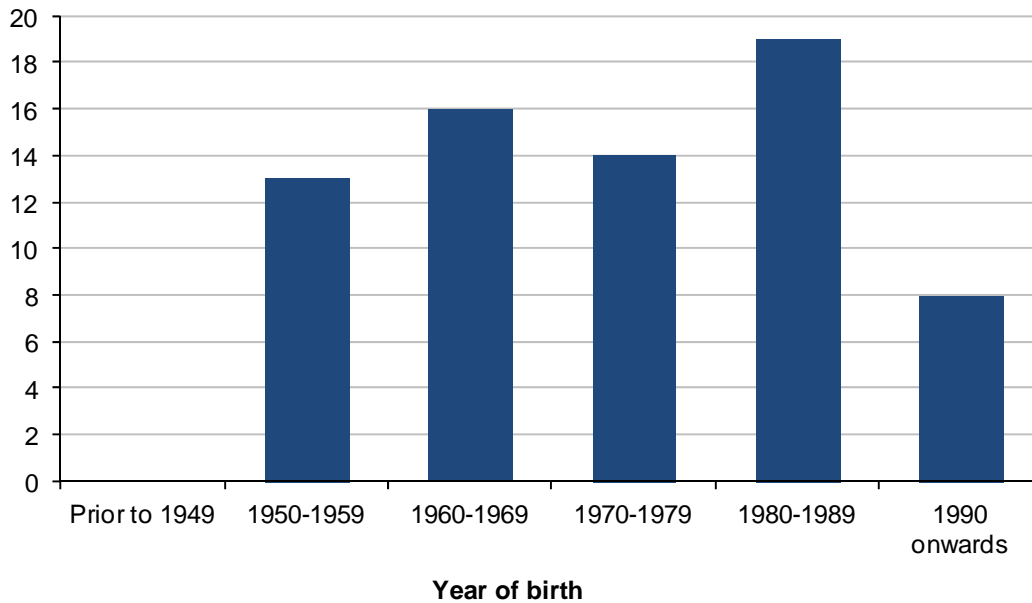
**Figure 13: Full Gender Recognition Certificates granted, July 2009 to December 2014, by gender**



Full Gender Recognition Certificates were granted to applicants of a range of ages. The highest number of certificates was granted to applicants born between the years 1980-1989 (see Figure 14).

**Figure 14: Full Gender Recognition Certificates granted in October to December 2014, by year of birth**

Number of certificates granted



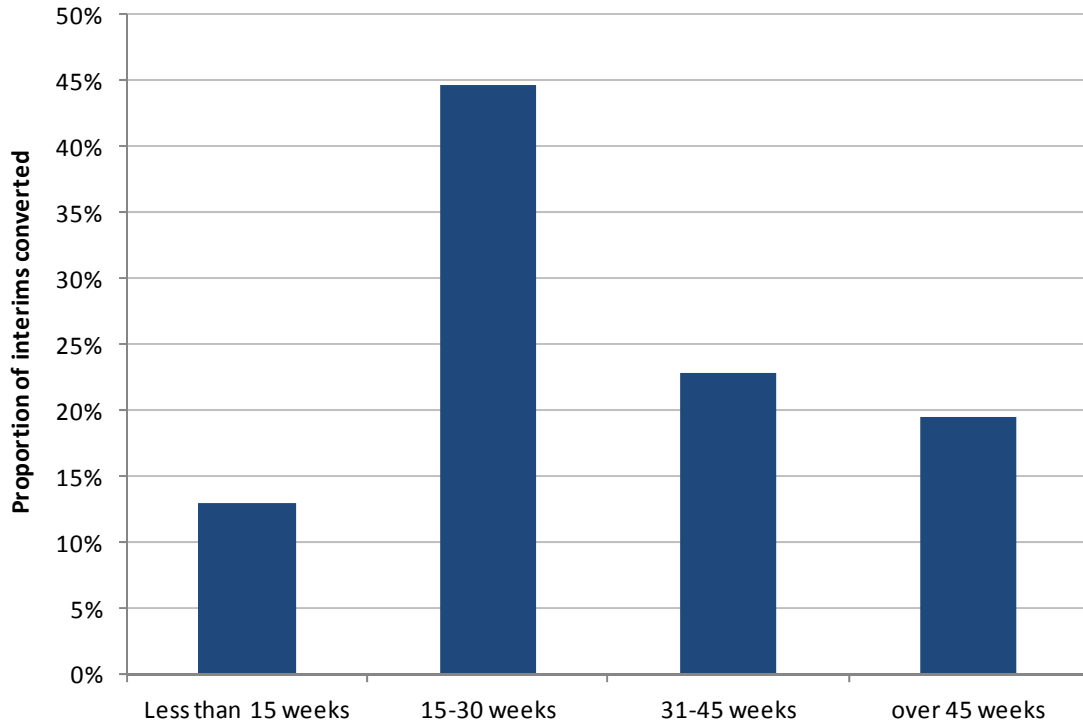
### **Conversion of Interim to Full Gender Recognition Certificates**

This analysis looks at the conversion of interim Gender Recognition Certificates to full Gender Recognition Certificates. The timeliness figures are based on cases where full details of the dates are available.

Between 1 April 2005 and 31 December 2014 there were 175 interim certificates issued by the Gender Recognition Panel (see Table 5.5). As of 31 December 2014, 70% of these had been converted to a full Gender Recognition Certificate. Please note this proportion may change in subsequent periods as more data become available.

For those people who converted interim certificates to full certificates, the majority (58%) of people converted within 30 weeks.

**Figure 15: Time for conversion from interim to full Gender Recognition Certificates between April 2005 and 31 December 2014**



## Annex A: Data quality and sources

Information presented in this report is management information drawn from a number of different administrative sources. Although care is taken when processing and analysing the data, the details are subject to inaccuracies inherent in any large-scale recording system and it is the best data that is available at the time of publication. HMCTS is examining the quality of management information. Thus, it is possible that some revisions may be issued in future publications.

The statistics are based on case management systems where a number of processes are recorded throughout the life of an appeal. In some instances, a case can re-enter the process or have a number of outcomes, meaning that there is not necessarily one receipt or one disposal per case. Thus, care should be taken when comparing receipts and disposals.

Further information on HMCTS and other court statistics, including information on the data sources and terminology used in this report can be found in **A Guide to Civil and Administrative Justice Statistics**:

<https://www.gov.uk/government/collections/civil-justice-statistics-quarterly>

### Differences with Home Office statistics

Asylum appeals data published by Home Office Migration Statistics are sourced from the Home Office Case Information Database (CID) and relate to main asylum applicants at the First-tier Tribunal Immigration and Asylum Chamber. Records on the database are updated from record-level data provided by HMCTS, who produce similar statistics for main appellants. This procedure provides consistent data across all datasets relating to asylum published in the release Immigration Statistics, but it is different from those published by The Ministry of Justice.

The Ministry of Justice published statistics provide counts of principal appellants sourced from the HMCTS database. Within these statistics there tend to be higher numbers of principal appellants than main asylum applicant appeals because:

- 1) HMCTS has a wider definition of asylum appeals, including some human rights cases and appeals on extensions of asylum, humanitarian protection and discretionary leave; and
- 2) Principal appellants include some individuals classed as dependants by the Home Office.

The Home Office statistics on immigration and asylum appeals at First-tier Tribunal and subsequent stages are available from:

[www.gov.uk/government/collections/immigration-statistics-quarterly-release](http://www.gov.uk/government/collections/immigration-statistics-quarterly-release)

## Revisions

Historical disposal figures for Social Security and Child Benefit have been revised (Tables S.1, 2.1, 2.6 and 2.7). Investigations into the methodology used within the Social Security and Child Benefit Database established that there were some cases that had been double counted - cases that had been Withdrawn or Struck Out prior to hearing but subsequently reinstated and cleared at hearing. This has now been corrected and the disposal numbers revised.

All Upper Tribunal Immigration and Asylum Chamber Judicial Review figures have been revised; historical figures previously only included cases which took place in London and excluded cases which took place in regional courts.

From 2014, new information has been included on the Upper Tribunal Immigration and Asylum Chamber; all relevant totals have been revised accordingly. This is usually around 2,000 receipts and disposals per quarter, or one per cent of the total tribunals' workload. Totals have been revised back to 2010/11 when the UTIAC was created.

Historical receipt and disposal information for First Tier Immigration and Asylum has been revised to include appeals dismissed or withdrawn at the Preliminary Issue stage. This is where an appeal has been submitted outside the prescribed time limit or may be otherwise invalid. Such cases will only proceed to the appeal stage if decided by a Judge. A new disposal category of "Invalid/Out of Time" has been introduced to show appeals dismissed at the Preliminary Issue stage. Cases withdrawn at this stage are included in the "Withdrawn" category.

In 2012/13, a new outcome category was introduced for Immigration and Asylum disposals of "Struck Out for Non-Payment". This is as a result of the introduction of fees for certain Immigration and Asylum appeals introduced in 2011. Some of the historical disposal and outcome data has been revised following this.

## Explanatory Notes

### Notation

The following symbols have been used throughout the tables in this bulletin:

: = Not available

~ = Figures too small to give meaningful calculations

0 = Nil

(r) = Revised data

Spreadsheet files of the tables contained in this document are also available to download along with csv files of historical information.

## Annex B: Tribunal and Jurisdiction List

In the accompany tables a full list of Tribunals and Jurisdictions is given (Table B.1), alongside the date they were created or, if applicable, what they were formally known as and the date in which they changed.

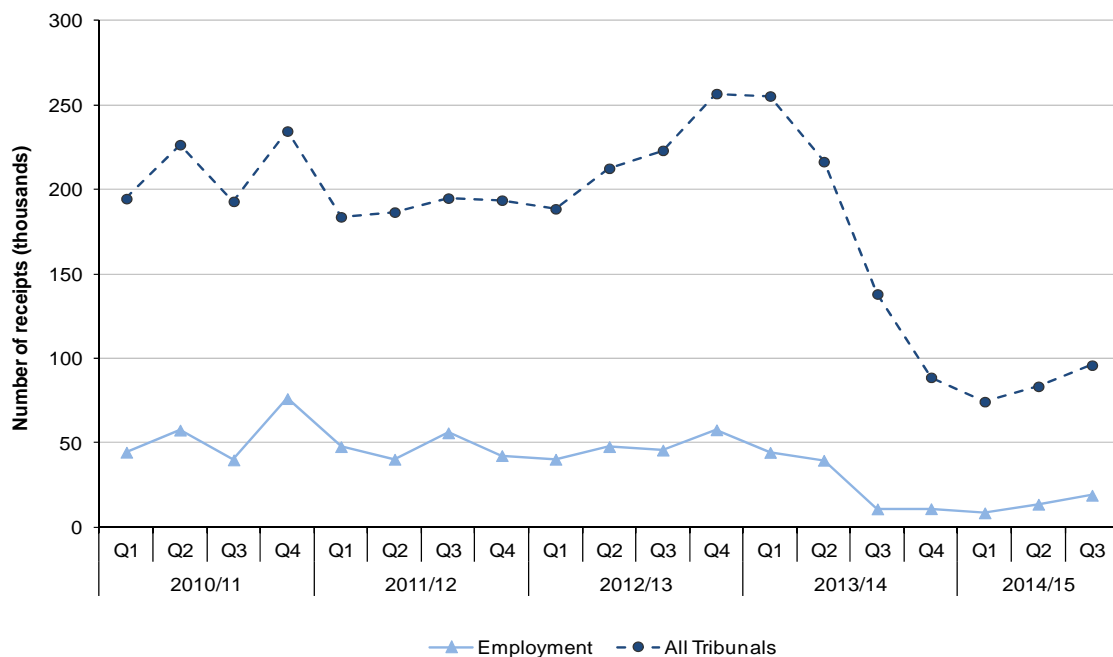
## Annex C: Monthly and Regional Employment Tribunal Receipts

This information is additional management information that has been drawn from a live administrative system managed by HMCTS. The data presented in this report include historical information at the regional level, with a monthly breakdown. This information was a bespoke extraction for the purpose of this report.

### Trend in Employment Tribunal Receipts

In 2012/13, the Employment Tribunal received on average 48,000 new claims per quarter. Figures for October to December 2014 show there were 18,943 new claims.

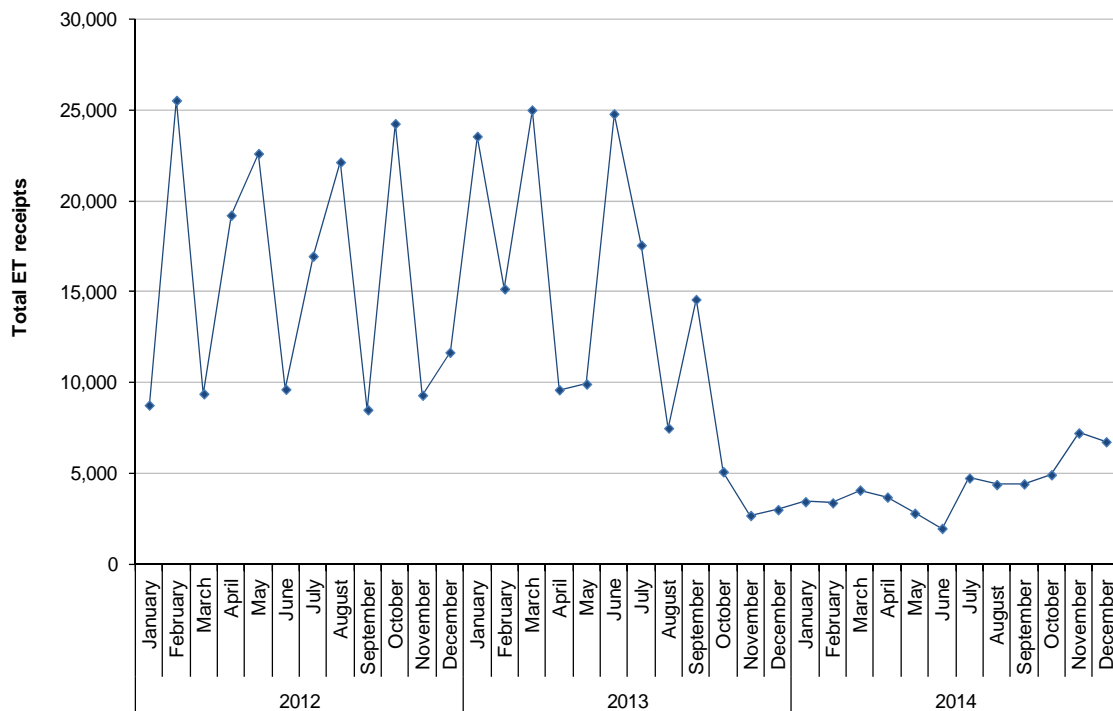
**Figure 1: Employment Tribunal Receipts (quarterly), April 2010 to December 2014**



This Annex also includes a monthly breakdown from January 2012 to December 2014 (Figure 2). This shows that the data are volatile and can change dramatically from month to month. Please note these data include both single and multiple claims.

Following the introduction of fees on 29 July 2013, there are 16 months of data available post fees (August 2013 to December 2014). Users are advised that a claim is not considered as accepted until the fee is paid, or remission granted, which may increase the time it takes to enter cases onto the system.



**Figure 2: Employment Tribunal Receipts (monthly, January 2012 to December 2014)**

### Single and multiple claims

Employment Tribunal receipts can be broken down into single and multiple claims. Figure 2 above shows the total number of receipts, but this is not the same as the number of cases (where a number of multiple receipts can be counted as one case as they are bought against one employer<sup>11</sup> by a number of people).

#### 1. Single cases

A single case and single claim is the same thing, they involve one individual bringing a claim against an employer. In effect the alignment of case to claims is 1:1. Data shows that the number of single cases was volatile from April to October 2012, after October 2012 they began to gradually decrease from nearly 5,000 in October 2012 to just under 4,000 in June 2013. The number rose to just over 6,500 in July 2013, possibly as more claims were submitted prior to the introduction of fees. The number of single cases then fell sharply to 1,000 cases in September 2013, and averaged around 1,500 cases between October 2013 and December 2014.

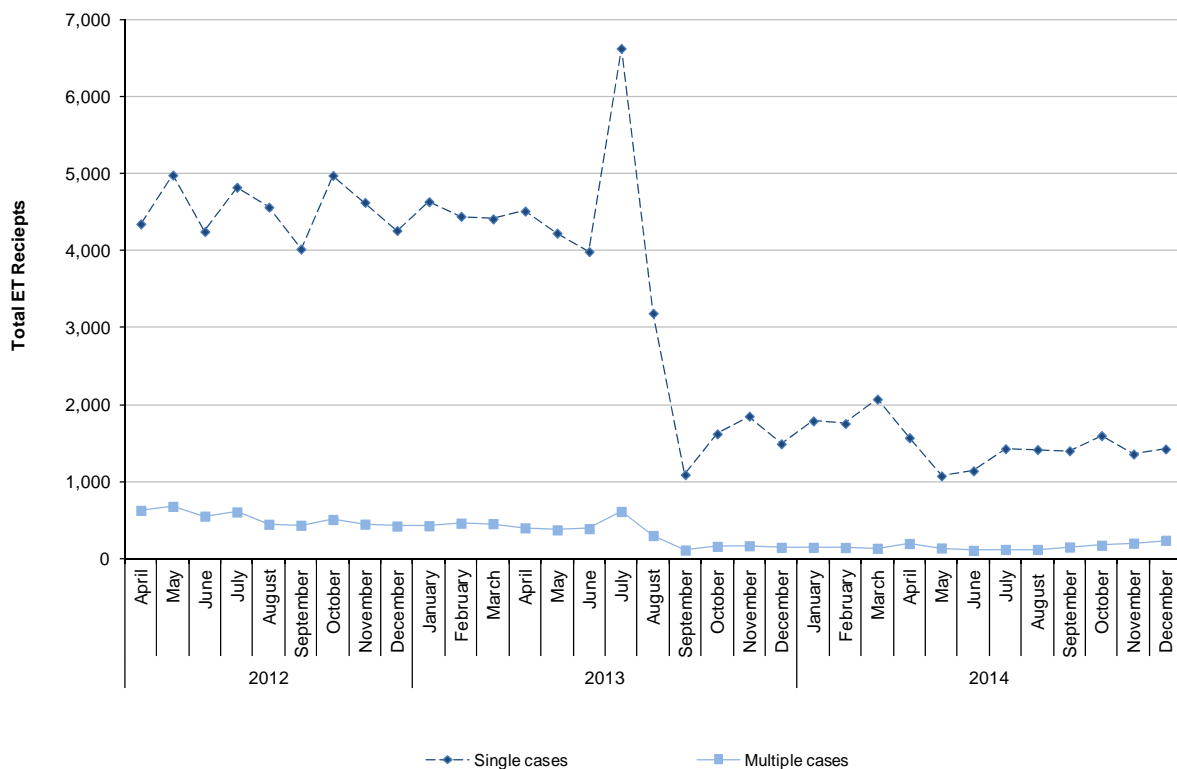
<sup>11</sup> Occasionally, more than one employer can be involved. See footnote 1, above.

## 2. Multiple claims cases

Multiple claims that are grouped, processed and managed together are called, collectively, a multiple claims case. Within a multiple claims case there will be two or more claims presented by individuals against a common employer (or, in some circumstances, employers). The alignment of case to claims is one to many, where a multiple claims case could range from two individual claims to over 100, or even 1,000. Typically employment receipts show the number of individual *claims*, not *cases*, which can result in a lot of volatility (see Figure 2).

When looking at the number of multiple claims cases, regardless of the number of individuals involved, there is a broadly flat trend from April 2012 to June 2013. There is an increase in multiple claims cases for July 2013, up 57% compared to June 2013, again possibly due to people wishing to submit cases before the introduction of fees. There is then a decline in cases in August and September 2013 and an average of 160 cases per month since then (see Figure 3).

**Figure 3: Single and multiple claims cases (April 2012 to December 2014)**



As the number of multiple claims cases has been broadly flat for a number of months the volatility seen in the monthly data must be due to the number of people (or claims) involved in each multiple claims case. The volatility seen in the monthly data is due to the variation in the number of individuals involved in multiple claims cases.

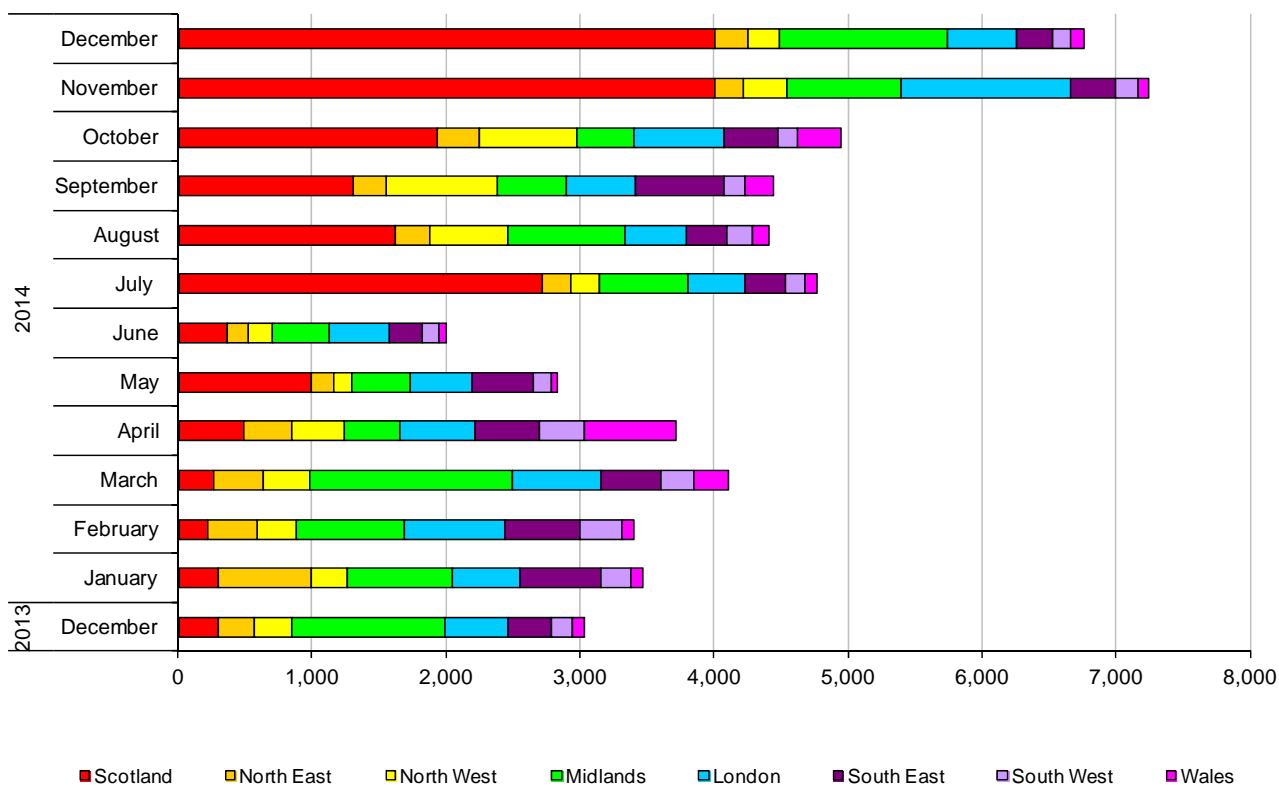
Users are advised that these figures need to be treated with extreme caution for two reasons:

1. All figures after January 2012 have been re-extracted from the administrative data system for this publication. As such these figures have not been through the same Quality Assurance process as the Official Tribunals Statistics publication.
2. Under the business processes to facilitate fee-charging, a claim is not entered onto the internal case management system from which statistical data are extracted until the relevant fee is paid or remission application granted. This means there may be a number of claims presented post July 2013, but formally accepted at a later stage (for example after a remission application is granted). Please see annex D for more information and figures on employment tribunal fees.

### Employment Tribunals claims by region

Claims can be submitted online or to an Employment Tribunal Office. Once a claim is received and acknowledged by HMCTS, it is recorded on the case management system and case managed through, ultimately, to disposal (for example, by listing for a hearing before the tribunal). The geographical data below relates to where the case was submitted and heard by the Tribunal panel, in most cases this will be the same location as the employer or the party that bought the claim.

**Figure 4: Claims by region (December 2013 to December 2014)**



## Data Quality and Limitations

There are a number of issues for users to be aware of when considering these data.

- The monthly data for employment tribunal receipts shows a great deal of volatility. As such the figures should be treated with caution. Early analysis suggests this volatility is driven by the number of individual people involved in multiple claims cases.
- The monthly and regional data have been extracted specifically to produce Annex C; as such it is provisional and subject to revisions.
- The data have been extracted from a live administrative database in November 2014, and as such historical monthly data may aggregate to different figures to those already published. This will be reconciled at a later date.
- The introduction of fees may have resulted in a longer time lag for claims to be entered onto HMCTS' case management system, ETHOS. This is because claims are now not entered onto ETHOS until the fee has been paid or a remission has been granted. This means that data are likely to be revised upward in subsequent months.
- Figures may vary from previously published figures for a number of reasons, including:
  - revision to the administrative system, including claims being entered onto the system outside of the month they were lodged;
  - submission or re-submission of large numbers of multiple claims;
  - multiple claims disbanding and being re-submitted as single claims or vice-versa;
  - claims being re-submitted with a different jurisdictional breakdown and,
  - Additional information received from the tribunals that had not been entered onto the ICT system at the time of extraction.
- The monthly and regional breakdowns in this report are not routine and have been produced specifically for this publication.

## Annex D: Experimental statistics

### Employment Tribunal Fees

#### Introduction

Fees were introduced for claims submitted to an Employment Tribunal on or after 29 July 2013. Claimants pay two separate fees: the first to issue the claim and the second to have it heard. The fee levels vary according to the nature of the claim. Respondents may also pay fees for a number of applications they may make although these are far less common.

Claims can be separated into two distinct types, each attracting a different fee. 'Type A' claims tend to be more straightforward, and so have a lower fee. These include claims about unpaid wages, payment in lieu of notice and redundancy payments. 'Type B' claims involve more complicated issues, and therefore attract a higher fee. These types of claim tend to be those involving unfair dismissal or discrimination complaints.

Single claim cases have standard fees associated with them, whereas multiple claim cases have different fees depending on the number of claimants they contain. The fee levels for different case types are outlined in Figure 1.

**Figure 1: Fee levels in single and multiple cases**

<b>Single cases</b>	Type A	Type B	
Issue fee	£160	£250	
Hearing fee	£230	£950	

<b>Multiple cases</b>	<b>Number of claimants</b>		
	2-10	11-200	Over 200
<b>Type A</b>			
Issue fee	£320	£640	£960
Hearing fee	£460	£920	£1,380
<b>Type B</b>			
Issue fee	£500	£1,000	£1,500
Hearing fee	£1,900	£3,800	£5,700

Claimants for both single and multiple claims may qualify for a fee remission depending on their circumstances, and this may cover whole or part of the fee. Separate remission applications must be submitted for the issue and hearing fees. Claimants in receipt of certain benefits (including income support and income-based jobseeker's allowance) are entitled to full remission. Full or partial remissions may also be granted depending on the claimant's gross monthly income. Remission applications may be unsuccessful for a number of reasons, such as if they do not meet the remission award criteria or if insufficient evidence is provided.

## **Data sources and key caveats**

The statistics in this annex are classified as experimental because the data and analyses are in a developmental stage. Additional analyses will be carried out to assess their quality and that of the administrative system the data are extracted from. The statistics are still subject to testing in terms of their volatility and ability to meet customer needs and they do not yet meet the rigorous quality standards of National Statistics.

However, it is our view that the experimental statistics have considerable immediate value to users. Since the introduction of fees for Employment Tribunals, there has been a significant user demand for related statistics - the Ministry of Justice has received a high number of both parliamentary questions and requests under the Freedom of Information Act on this subject. This annex has also been included to invite feedback from the public about what information regarding Employment Tribunal fees is of specific interest. For feedback on the Employment Tribunal Fees chapter, please email [statistics.enquiries@justice.gsi.gov.uk](mailto:statistics.enquiries@justice.gsi.gov.uk).

The data on fees and remissions is sourced from the Employment Tribunal Fees administrative system, which is used for case management and the processing of remission applications and fee payments.

It is not currently possible to identify when single claims are subsequently grouped into multiple claim cases. These cases have associated single issue fee requests but will appear not to progress past the issue fee stage, even though it is possible they have had a multiple case hearing. This may partially account for difference between the number of fees paid/remissions granted and the numbers of hearing fees requested for single cases.

## Results

The following results are based on initial analysis of the workload relating to Employment Tribunal fees, for each quarter since the introduction of the fees on 29 July 2013 up to September 2014. This is the first publication of this data, with plans to make this a regular quarterly addition. For future publications the quarters published for the fee section will align to the figures in the main report.

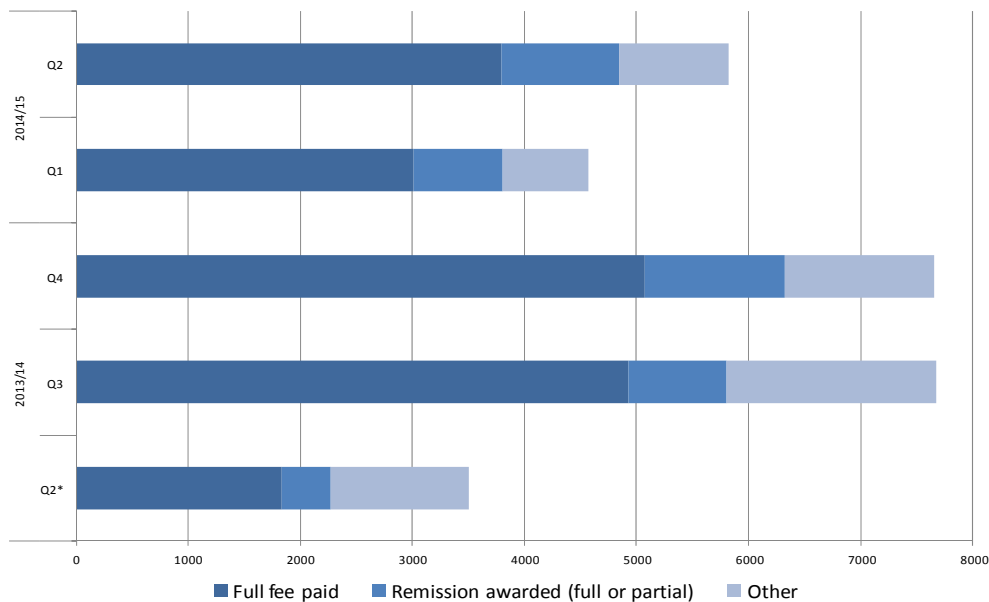
### *Initial findings*

### **Issue fee (Table D.1)**

Before a claim will be considered, the relevant issue fee must be paid. Figure 2 shows the total number of cases submitted to the Employment Tribunal website since 29 July 2013. It shows the number of cases where a full issue fee was paid or a full or partial remission was awarded. The 'other' category includes cases where an issue fee was expected<sup>12</sup> but there is no record of a subsequent payment or remission. These figures include both single and multiple claim cases, and cover type A and type B claims.

**Figure 2: Number of issue fees by outcome (workload);**

**29 July 2013 to 30 September 2014**



\* The figures for Q2 2013/14 (which cover July, August and September 2013) do not include any pre-fee claims – those submitted before 29<sup>th</sup> July 2013.

<sup>12</sup> An issue fee is required when applicant submits a completed claim unless a remission application is made.

In the twelve months ending 30 September 2014, there were 24,419 cases on which an issue fee was expected - 16,816 cases had the full issue fee paid outright whilst 3,947 cases were awarded either a full or partial issue fee remission. For the remaining 3,656 cases, it appears that the claim was not taken further; however, additional analyses are required to confirm the specific outcomes of these issue fee requests.

For single claims, the vast majority of issue fee remissions awarded were full remissions - partial fee remission accounted for only around 5% of all remissions awarded during the twelve months ending 30 September 2014. Due to data limitations, it is not currently possible to identify the proportion of partially remitted issues fees for multiple claim cases.

In the twelve months ending 30 September 2014, the quarterly proportion of issue fees that were fully paid outright remained fairly constant around 69%. The proportion of issue fees which were fully or partially remitted increased from 12% at the start of the period, to 19% in the second quarter of 2014/15.

Table D.1 (in the accompanying tables) gives a breakdown of the issue fees by type. Over the twelve months ending 30 September 2014, more than three quarters (78%) of those claimants who paid the issue fee in full, had Type B claims. A similar proportion, 91%, of issue fees awarded either a full or partial remission were for Type B claims. Single cases account for the majority of claims with either full issue fee payment or those awarded a remission (94% and 98% respectively).

## **Hearing fee (Table D.2)**

Figure 3 shows the total number of hearing fees that were fully paid and where a full or partial remission was awarded. The 'other' category includes cases where a hearing fee was requested<sup>13</sup> but there is no record of a subsequent payment or remission. There are a number of reasons why cases may not progress to a hearing, including strike-outs (where a case is dismissed at a preliminary hearing), settlements and withdrawals, and these may occur either before or after the hearing fee is requested. Figure 3 covers requests for hearing fees for both single and multiple claim cases of both Type A and Type B.

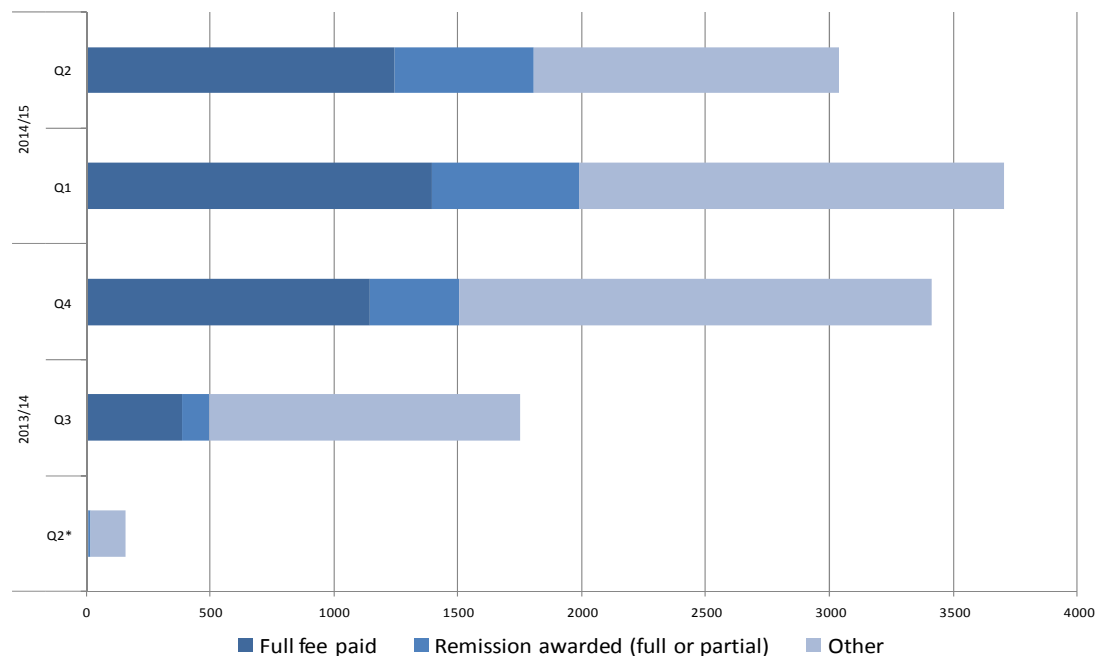
In the twelve months ending 30 September 2014, there were 11,905 hearing fees requested - 4,175 requests had the full hearing fee paid outright and 1,625 were awarded either a full or partial remission. The remaining 6,105 requests had no record of a subsequent payment or remission, which is likely due to strike-outs, settlements or withdrawals.

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<sup>13</sup> A hearing fee is payable only if the case is listed for hearing.



**Figure 3: Number of hearing fees requested by outcome (workload);  
29 July 2013 to 30 September 2014**



\* The figures for Q2 2013/14 (which cover July, August and September 2013) do not include any pre-fee claims – those submitted before 29<sup>th</sup> July 2013.

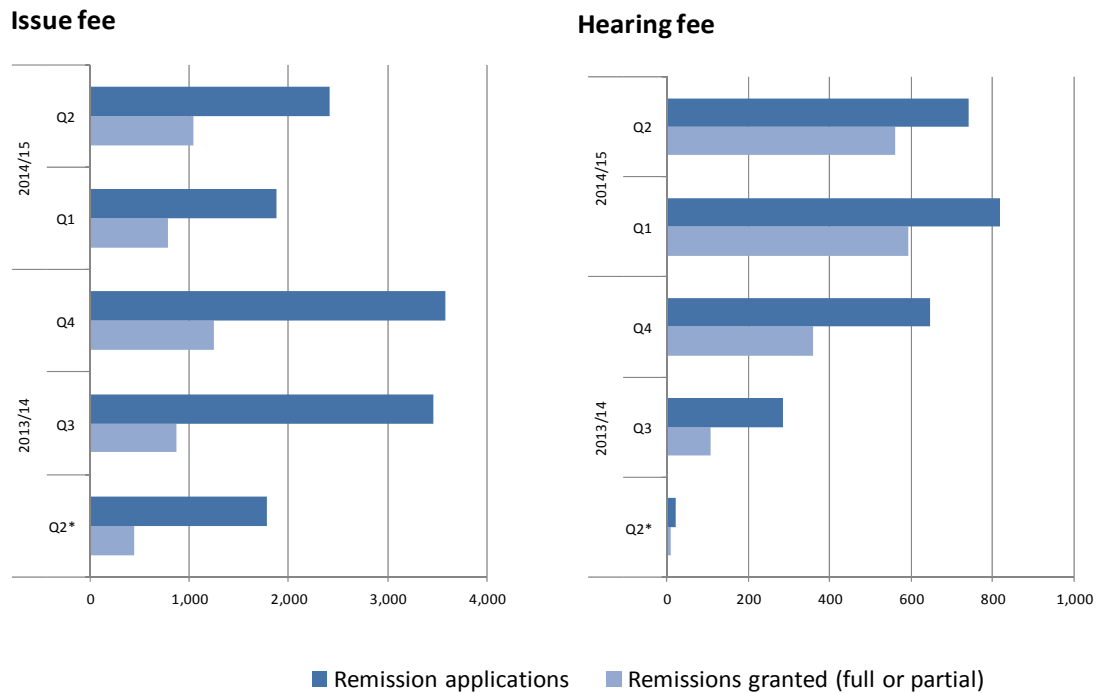
Table D.2 gives a breakdown of the hearing fee requests by type. In the twelve months ending 30 September 2014, 70% of cases where the full hearing fee was paid were for Type B. Type B cases also accounted for the majority (93%) of requests for hearing fees awarded a remission (either full or partial). Over the same period, as with issue fees, single claim cases accounted for the majority of cases with either full hearing fee payment or those awarded a remission (95% and 99% respectively).

For single claims, the majority of hearing fee remissions awarded were full remissions - partial fee remission accounted for only around 15% of all remissions awarded during the twelve months ending 30 September 2014

### Remission applications (Tables D.3 and D.4)

Figure 4 gives the quarterly volumes of remission applications, as well as the numbers granted, for both issue and hearing fees. These figures cover both single and multiple cases and are limited to one remission application per case. In the twelve months ending 30 September 2014, 11,338 remission applications were submitted for the issue fee and 2,494 for the hearing fee. During this period, around a third of remission applications for the issue fee were either fully or partially successful compared with almost two thirds of hearing fee remission applications.

**Figure 4: Remission applications and numbers granted (workload)**



## Limitations of the analyses and future work

The statistics in this annex are based on initial analyses of data extracted from the Employment Tribunal Fees administrative system and are classified as experimental. Further work is required to quality assure and verify these statistics.

Future work may enable identification of the specific outcomes of cases – whether they were withdrawn, settled or struck-out. There may also be further work possible in the following areas:

- Employment Appeal Tribunal (EAT) - analysis of the number of claims, hearings and the associated fees and remission applications
- Characteristics of claimants and remission applicants
- Number of fees paid by the respondent
- Breakdown of remission applications by grounds for remission (salary, benefits or net disposable income)
- Reasons for remission applications being unsuccessful
- Case progression and timeliness

## **Annex E: Accompanying Tables and files**

The following supplementary tables and CSV datasets are available alongside this publication, allowing users to analyse the data themselves.

### **Main Tables**

#### **Summary**

- S.1 Annual total number of receipts, disposals and caseload outstanding by jurisdiction, 2007/08 to 2013/14

#### **Receipts**

- 1.1 Annual and quarterly total number of tribunal receipts by jurisdiction, 2007/08 to Q3 2014/15
- 1.2 Employment Tribunal - Total number of receipts by jurisdiction, 2007/08 to Q3 2014/15
- 1.3 Immigration and Asylum First Tier Tribunal - Total number of receipts by case type, 2007/08 to Q3 2014/15
- 1.4 Social Security and Child Support - Total number of receipts by benefit type, 2009/10 to Q3 2014/15

#### **Disposals**

- 2.1 Annual and quarterly total number of tribunals disposals by jurisdiction, 2007/08 to Q3 2014/15
- 2.2 Employment Tribunal - Total number of disposals by jurisdiction, 2007/08 to Q3 2014/15
- 2.3 Employment Tribunal - Percentage of disposals by outcome and jurisdiction, 2007/08 to Q3 2014/15
- 2.4 Immigration and Asylum First Tier Tribunal - Number of appeals disposed by category and by case type, 2007/08 to Q3 2014/15
- 2.5 Immigration and Asylum First Tier Tribunal - Number of appeals determined at hearing or on paper, by outcome category and case type, 2007/08 to Q3 2014/15
- 2.6 Social Security and Child Support - Number of disposals by category and by benefit type, 2009/10 to Q3 2014/15

- 2.7 Social Security and Child Support - Number of disposals cleared at hearing by outcomes and benefit type, 2007/08 to Q3 2014/15

### **Caseload outstanding**

- 3.1 Annual and quarterly total number of tribunals' caseload outstanding by jurisdiction, 2007/08 to Q3 2014/15

### **Timeliness**

- 4.1 Cumulative percentage of clearances that took place in 2012/13 and 2013/14, by age of case at clearance
- 4.2 Percentage of clearances that took place in October to December 2014, by age of case at clearance
- 4.3 Percentage of clearances that took place in October to December 2014, by age of case at clearance by Jurisdiction

### **Gender Recognition**

- 5.1 Applications received and dealt with by the Gender Recognition Panel, by outcome, since inception
- 5.2 Applications received by the Gender Recognition Panel, by type of Track, Q1 2009/10 to Q3 2014/15
- 5.3 Applications dealt with by the Gender Recognition Panel, by type of track and outcome, Q1 2009/10 to Q3 2014/15
- 5.4 Gender at birth and year of birth for full Gender Recognition Certificates granted, Q2 2009/10 to Q3 2014/15
- 5.5 Interim certificates converted to full certificates, by time taken, Q1 2005/06 to Q3 2014/15

### **Annex B**

- B.1 Change of Names of Tribunals

### **Management Information on Employment Tribunal Receipts (Annex C) Tables**

- Table C.1 Monthly Total Number of Employment Tribunal Receipts by Single and Multiple cases, January 2012 to December 2014
- Table C.2 Monthly Total Number of Employment Tribunal Receipts by Jurisdiction, January 2012 to December 2014

Table C.3 Monthly Total Number of Employment Tribunal Receipts by Region, January 2012 to December 2014

Table C.4 Monthly Total Number of Employment Tribunal Receipts by Jurisdiction and by Region, January 2013 to December 2014

**Experimental Statistics: Employment Tribunal Fees (Annex D) Tables**

Table D.1 Employment Tribunal Fees - Issue fees requested, fees paid in full and remissions awarded, Q2 2013/14 to Q2 2014/15

Table D.2 Employment Tribunal Fees - Hearing fees requested, fees paid in full and remissions awarded, Q2 2013/14 to Q2 2014/15

Table D.3 Employment Tribunal Fees - Issue and hearing fee remission applications, Q2 2013/14 to Q2 2014/15

Table D.4 Employment Tribunal Fees - Fully or partially granted remissions on single cases, Q2 2013/14 to Q2 2014/15

## Annex F: Policy Changes

### Employment Tribunals

Fees for Employment Tribunals and the Employment Appeals Tribunal were introduced for claims received on or after 29 July 2013, alongside wider reform of procedural rules (following the Underhill Review of Employment Tribunal Rules).

For background information on the reforms please see:

[www.justice.gov.uk/tribunals/employment](http://www.justice.gov.uk/tribunals/employment)

[www.gov.uk/government/publications/employment-tribunal-receipt-statistics-management-information-july-to-september-2013](http://www.gov.uk/government/publications/employment-tribunal-receipt-statistics-management-information-july-to-september-2013)

[www.gov.uk/government/consultations/employment-tribunal-rules-review-by-mr-justice-underhill](http://www.gov.uk/government/consultations/employment-tribunal-rules-review-by-mr-justice-underhill)

On 6 April 2014, the Advisory, Conciliation and Arbitration Service (ACAS) introduced Early Conciliation<sup>14</sup>. This means that anybody wishing to make an Employment Tribunal Claim must notify ACAS first and be offered the chance to settle their dispute without going to court. A report on the first quarter of the service can be found here:

<http://www.acas.org.uk/index.aspx?articleid=4960>

### Social Security and Child Support

From April 2013, changes to the appeal process through the Welfare Reform Act 2012 began to be introduced. There were three changes:

- DWP will reconsider all decisions before an appeal can be lodged (known as mandatory reconsideration);
- appeals must be sent directly to HMCTS (known as direct lodgement);
- there are time limits for DWP to return its responses to HMCTS<sup>15</sup>.

Mandatory reconsideration and direct lodgement were introduced for Personal Independence Payment and Universal Credit appeals in April 2013. On 28 October 2013, they were introduced for all other DWP-administered benefits and child maintenance cases, and for appeals

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<sup>14</sup> <http://www.acas.org.uk/index.aspx?articleid=4028>

<sup>15</sup> Introduced October 2014

against decisions made by HMRC on 1 April 2014. Robust data is not yet available to assess the impact of these changes on tribunal receipts. DWP are looking to publish Mandatory Reconsiderations data when they judge it is of suitable quality to be published as Official Statistics.

For further information, see:

[www.gov.uk/government/publications/appeals-process-changes-for-dwp-benefits-and-child-maintenance](http://www.gov.uk/government/publications/appeals-process-changes-for-dwp-benefits-and-child-maintenance)

## **Annex G: Useful Publications**

For historical publications of all Tribunals Statistics please see:

[www.gov.uk/government/organisations/ministry-of-justice/series/tribunals-statistics](http://www.gov.uk/government/organisations/ministry-of-justice/series/tribunals-statistics)

For more information on the context for this publication please see:

[www.justice.gov.uk/about/hmcts/tribunals](http://www.justice.gov.uk/about/hmcts/tribunals)

A diagram showing the structure of the tribunal system can be found here:

<http://www.judiciary.gov.uk/about-the-judiciary/the-justice-system/court-structure/>

For information on Tribunal judgements please see:

[www.bailii.org/databases.html#uk](http://www.bailii.org/databases.html#uk)

### **Non-MoJ Scotland Tribunals**

For information on non-MoJ Mental Health Tribunals Scotland please see:

[www.mhtscotland.gov.uk/mhts/Annual\\_Reports/Annual\\_Reports\\_main](http://www.mhtscotland.gov.uk/mhts/Annual_Reports/Annual_Reports_main)

For Additional Support Needs Tribunals in Scotland please see:

[www.asntscotland.gov.uk/asnts/181.25.141.html](http://www.asntscotland.gov.uk/asnts/181.25.141.html)

Information on the Private Rented Housing Panel (prhp), which help Scottish tenants and landlords resolve their differences can be found at the following link:

[www.prhpscotland.gov.uk/prhp/128.html](http://www.prhpscotland.gov.uk/prhp/128.html)

### **Non-MoJ Northern Ireland Tribunals**

For information on Tribunals in Northern Ireland not covered by this report please see the following publications:

[www.courtsni.gov.uk/en-GB/Services/Statistics%20and%20Research/Pages/default.aspx](http://www.courtsni.gov.uk/en-GB/Services/Statistics%20and%20Research/Pages/default.aspx)

### **Employment Tribunals**

The Department for Business, Innovation and Skills (BIS) have recently published a study on claimants who had been successful at the employment tribunal and were awarded money:

[www.gov.uk/government/publications/payment-of-employment-tribunal-awards](http://www.gov.uk/government/publications/payment-of-employment-tribunal-awards)



The sixth BIS Survey of Employment Tribunal Applicants can be found here:

<https://www.gov.uk/government/statistics/employment-tribunal-applications-2013-survey-findings>

## **Social Security and Child Support**

The Department for Work and Pensions (DWP) have carried out analysis on the overturn rates for Employment and Support Allowance (ESA) by region and health condition, for further information see:

[www.gov.uk/government/publications/employment-and-support-allowance-6](http://www.gov.uk/government/publications/employment-and-support-allowance-6)

## Contacts

Press enquiries on the contents of this bulletin should be directed to the MoJ or HMCTS press offices:

**Hugo Biggs**

Tel: 020 3334 3514

Email: [hugo.biggs@justice.gsi.gov.uk](mailto:hugo.biggs@justice.gsi.gov.uk)

**Mark Kram**

Tel: 020 3334 6697

Email: [mark.kram@hmcts.gsi.gov.uk](mailto:mark.kram@hmcts.gsi.gov.uk)

Queries regarding the work of the Gender Recognition Panel should be directed to:

**Gender Recognition Panel**

PO Box 9300

Leicester

LE1 8DJ

Tel: 0845 355 5155

Email: [grpenquiries@hmcts.gsi.gov.uk](mailto:grpenquiries@hmcts.gsi.gov.uk)

Other enquiries about these statistics should be directed to the Justice Statistics Analytical Services division of the MoJ:

**Tara Rose**

Ministry of Justice

102 Petty France

London

SW1H 9AJ

Email: [statistics.enquiries@justice.gsi.gov.uk](mailto:statistics.enquiries@justice.gsi.gov.uk)

General enquiries about the statistics work of the MoJ can be e-mailed to [statistics.enquiries@justice.gsi.gov.uk](mailto:statistics.enquiries@justice.gsi.gov.uk)

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