



Ministry  
of Justice



# **Civil Justice Statistics Quarterly, England and Wales, April to June 2016**

**(incorporating Privacy  
Injunction Statistics, January  
to June 2016)**

Ministry of Justice  
Statistics bulletin

Published 1 September 2016

## Contents

Contents	2
Introduction	3
Changes in reporting	4
Users of the statistics	4
Next publication	4
Key Findings	5
1: Civil (excluding family) cases	6
2: Judicial Reviews at the Administrative Court	13
3: Privacy Injunctions	19
Annex A: Planned upcoming changes to publication	22
Annex B: List of Accompanying Tables and CSV	23
Annex C: Timeline of changes to civil procedures	24
Annex D: Explanatory notes	25
Further information	27

## Introduction

This statistical bulletin presents statistics on three key areas of civil and administrative justice:

- County court civil (non-family) cases that took place in England and Wales in April to June 2016;
- Judicial review cases processed by the administrative court in England and Wales up to June 2016;
- Privacy Injunction cases, dealt with by the High Court or Court of Appeal, for the six month period, January to June 2016.

The figures give an overview of the volume of cases dealt with by these courts over time and are used to monitor court workloads, assist in the development of policy and their subsequent monitoring and evaluation.

**Civil cases** covered by this publication are those that do not involve family matters or failure to pay council tax. These cases are mainly dealt with by county courts and typically relate to debt, the repossession of property, personal injury, the return of goods and insolvency. Particularly important, complex or substantial cases are instead dealt with in the High Court.

**Judicial reviews (JRs)** are a process by which individuals, businesses and other affected parties can challenge the lawfulness of decisions or actions of the executive, including those of ministers, local authorities, other public bodies and those exercising public functions. It is a largely judge-developed procedure and can be characterised as the rule of law in action, providing a key mechanism for individuals to hold the executive to account. It is, however, intended to operate quickly and proportionately. Certain protections are in principle provided against spurious claims: only those with sufficient interest are able to bring a case and they must first obtain permission for their case to be heard.

**Privacy injunctions** are used when a person or organisation who wishes to prevent the publication or dissemination of private or confidential information applies to the High Court for an injunction to stop this from occurring. Prior to March 2015, these statistics were previously published as a separate publication entitled 'Statistics on Privacy Injunctions'.

Information about the systems and data included in this publication can be found in '**A Guide to Civil Court and Administrative Justice Statistics**' which is published alongside this report.

[www.gov.uk/government/statistics/guide-to-civil-and-administrative-justice-statistics](http://www.gov.uk/government/statistics/guide-to-civil-and-administrative-justice-statistics)

There is also a separate **glossary** published alongside this which provides brief definitions for the terms used in this report. Information regarding the

symbols and conventions used in the bulletin are given in the explanatory notes section.

Previous editions of Civil Justice Statistics Quarterly can be found here: [www.gov.uk/government/collections/civil-justice-statistics-quarterly](http://www.gov.uk/government/collections/civil-justice-statistics-quarterly)

## Changes in reporting

From 6 April 2016, debtor petitions (whereby an individual files for bankruptcy) moved from the courts to an online system, and as a result are no longer recorded in these statistics. For numbers of debtor petitions and a more detailed breakdown of insolvency petitions in general, please see [www.gov.uk/government/collections/insolvency-service-official-statistics](http://www.gov.uk/government/collections/insolvency-service-official-statistics).

This bulletin includes for the first time an annual breakdown of the number of Judicial Reviews classed as 'Totally Without Merit' since 1 October 2012 (Table 2.4). Previous publications provided a cumulative figure from 1 October 2012.

Due to data quality concerns, the **judges sitting days statistics** (judiciary chapter) for 2015 were not available at the time of the last publication (2 June 2016) - these are now available and have been included in the previous quarter's report within the Royal Courts of Justice tables, at the following link: [www.gov.uk/government/statistics/civil-justice-statistics-quarterly-january-to-march-2016-and-the-royal-courts-of-justice-2015](http://www.gov.uk/government/statistics/civil-justice-statistics-quarterly-january-to-march-2016-and-the-royal-courts-of-justice-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 civil and administrative justice. Other users include lawyers and academics, other central government departments such as the Department for Communities and Local Government, and non-governmental bodies, including various voluntary organisations with an interest in civil and administrative justice.

## Next publication

The next publication of Civil Justice Statistics Quarterly is scheduled to be published on **1 December 2016**, covering the period **July to September 2016**.

## Key Findings

### Civil cases

- In April to June 2016, courts dealt with around 397,500 claims, up 8% on the same quarter in the previous year, driven by an increase in specified money claims (up 12% over the same period).
- During the same quarter there were around 227,000 judgments, a 17% increase on the same quarter in 2015. This is driven by the increase in specified money claims, which have the greatest likelihood of reaching the judgment stage of any claim type (usually default judgments).
- Non-money claims are at their lowest quarterly level since January to March 2000, when the quarterly breakdowns began. This has been driven by a continued drop in mortgage and landlord possession claims, which stood at around 38,500 in April to June 2016 (down 6% on the same quarter last year).
- In April to June 2016, both the claimant and defendant had legal representation in 56% of all defences and neither had representation in 18% of defences (both down one percentage point on the same quarter last year). Defences where only the claimant had representation accounted for 22% (an increase by two percentage over the same period).
- There were 1,940 insolvency petitions in April to June 2016. This shows a 62% decrease on the same quarter last year, which has been caused by debtor petitions moving to an online system on 6 April 2016, and are no longer heard in court

### Judicial reviews at the Administrative Court

- During the first half of 2016, there were around 2,220 applications lodged in the administrative court, a 4% increase on the same period of 2015.
- In the first half of 2016, around 1,000 cases (45% of all cases lodged) reached the permission or oral renewal stage. Of those that reached these stages, 20% were found to be totally without merit. This is level with the proportion seen annually in 2015 (where 78% of all cases lodged reached the permission or oral renewal stage)

### Privacy Injunctions

- During January to June 2016, there were two applications for new interim privacy injunctions and no applications for continuation of an injunction or applications for a final privacy injunction.
- Two appeals were heard in the Court of Appeal against a grant or refusal of an interim or final injunction and one appeal was heard by the Supreme Court. All three appeals relate to the same interim privacy injunction case, which took place in the same period (January to June 2016).

## 1: Civil (excluding family) cases

A civil claim against a person or a company (the defendant) starts when a person or company (the claimant) completes and submits a claim form to the county court. This can be done either in person or online (for money and possession claims only). A copy of the claim form along with a response pack is sent to (served on) the defendant who has 14 days to respond to the claim. For money claims, if the defendant disputes (defends) the claim (in full or part) and mediation fails, the case is allocated by a judge to one of three case-management tracks (small claims track (for claims with a value less than £10K), fast track or multi track). Allocated cases which are not settled or withdrawn generally result in a small claim hearing or trial. A judgment regarding the claim can be made at various stages of the process. There are various methods of enforcing a judgment through the county courts including warrants and charging orders.

As supplementary information, we also provide the percentage of claims issued in a quarter or year that have already resulted in a defence, allocation or hearing or trial. Caution should be exercised when interpreting these figures for recent years. The information contained in the bulletin is based on the available data when the database was extracted; consequently a proportion of claims made in more recent quarters are still awaiting progression to the next stage of court action. Claims from earlier periods will have had longer for the case to be processed than those from more recent periods so a lower proportion of these earlier claims are likely to be still awaiting a defence, allocation or hearing or trial.

### **Number of claims issued**

In April to June 2016, a total of 397,504 claims were issued, an 8% increase on the same quarter last year (see Table 1.1 and Figure 1.1). This is the highest second quarter total since 2006. Looking at the longer term annually, there was a general downward trend in the total number of claims between 2006 and 2012, which has since reversed (albeit with a slight decrease of 2% in 2015 compared to 2014). Figures for the first half of 2016 suggest a continuation of the increasing trend.

In April to June 2016, 83% of all claims were money claims, an increase of two percentage points on the same quarter in 2015. Of these money claims, 90% (294,181) related to claims for specified amounts of money (two percentage points higher than the same quarter last year). The sharp increase in the number of specified money claims (up 12% from the same quarter last year) has driven the increase seen in total claims this quarter. The remaining 10% of money claims related to unspecified money claims, down two percentage points from the same quarter last year (Table 1.2).

Unspecified money claims include personal injury, which make up the overwhelming majority of these claims. In April to June 2016, 94% of unspecified money claims were for personal injury, around the same level

seen in April to June 2015. This proportion has been consistent since the second quarter of 2012, when the County Court Money Claims Centre (CCMCC) took over the processing of the money claims and more accurately recorded personal injury claims (Table 1.2). Personal injury claims were down 5% on the same quarter of 2015.

In April to June 2016, there were 69,071 non-money claims, down 2% on the same quarter in 2015, and at its lowest quarterly total since 2000. Annually, this figure dropped from an average of just under 400,000 between 2000 and 2008 to an average of just under 329,000 between 2009 and 2014. In 2015, the number of non-money claims fell further to 299,104. This decrease can be partially explained by the fall in mortgage and landlord possession claims; there were 38,438 such claims in the most recent quarter, also the lowest quarterly total since 2000, and a 6% decrease on the same quarter in 2015. This coincided with lower interest rates, a proactive approach from mortgage lenders in managing consumers in financial difficulties, and various interventions, such as introduction of the Mortgage Pre-Action Protocol<sup>1</sup> that encouraged more pre-action contact between lender and borrower (Table 1.2).

There were 1,941 insolvency petitions<sup>2</sup> (excluding in the Royal Courts of Justice) in April to June 2016. This shows a 62% decrease on the same quarter last year, which has been caused by debtor petitions moving to an online system on 6 April 2016, and are no longer heard in court<sup>3</sup>.

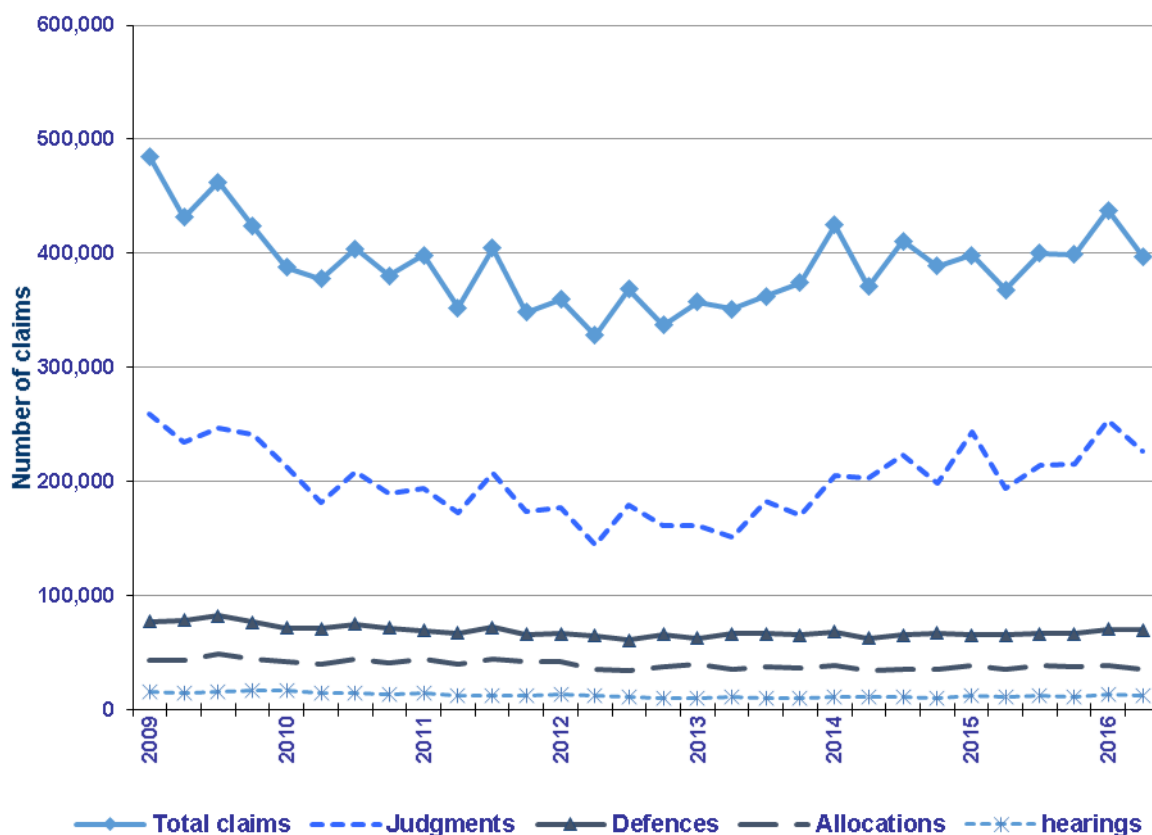
---

<sup>1</sup> For more information on mortgage and landlord possession statistics trends and the Mortgage Pre-Action Protocol please see [Annex B](#) of the [Mortgage and landlord possession statistics publication](#).

<sup>2</sup> Insolvency petitions relate to bankruptcy or companies “winding up”

<sup>3</sup> For numbers of debtor petitions and a more detailed breakdown of insolvency petitions in general, please see [www.gov.uk/government/collections/insolvency-service-official-statistics](http://www.gov.uk/government/collections/insolvency-service-official-statistics)

**Figure 1.1: Civil claims, defences, allocations and trials, January 2009 to June 2016 (quarterly)**



### Number of defences, allocations, trials and judgments

In April to June 2016, there were 69,968 defences made, 7% more than during the same quarter in 2015. Looking at the longer term, there has been a general downward annual trend since the peak of just under 340,000 in 2007, with the 2014 figure being 264,701. Since 2014, the annual number of defences has remained stable, with 264,545 defences in 2015.

For money claims, if the claim is defended, further information is usually provided by each of the parties, after which the case is allocated by a judge to one of three case-management tracks. In April to June 2016, a total of 35,873 allocations were made, only 132 more than the same period last year (Table 1.3). Of the allocations made;

- Just under half (16,511, or 46%) were to the small claims track, three percentage points less than in the same quarter of 2015. This track is generally for cases with a claim value of up to £10,000<sup>4</sup> which require less preparation by the parties involved than the more complex cases allocated to the fast or multi track. The trials are designed to be

<sup>4</sup> On 1 April 2013 due to a policy change, the maximum claim value for cases allocated to the small claims track increased from £5,000 to £10,000.



accessible to people who do not have representation by a solicitor or counsel, and are dealt with in about an hour.

- 45% (16,051) of claims were allocated to the fast track, an increase of five percentage points from the same quarter in 2015. This track is generally for cases with a claim value of between £10,000 and not more than £25,000, with issues not complex enough to merit more than a one day trial.
- 9% (3,311) of claims were allocated to the multi-track, compared with 12% on the same quarter of 2015. This track is generally for cases with a claim value exceeding £25,000 with more complex issues. They generally last more than one day at trial.

In April to June 2016, a total of 227,205 judgments were made, up 17% on the same period last year. This is primarily driven by the increase seen in specified money claims, which have the greatest likelihood of reaching the judgment stage of any claim type (usually default judgments). Annually, the number of judgments fell between 2009 and 2012, but this has since begun to show an increase. In 2015, there were 867,665 judgments made, an increase of 4% compared to 2014 (Table 1.4).

Defended cases which are not settled or withdrawn generally result in a trial (Table 1.5). In total, there were 12,109 trials (of all types) in April to June 2016, up 5% on the same quarter in 2015.

In April to June 2016, 8,367 small claims trials took place, level with the same quarter in 2015. On average, these trials occurred 31.7 weeks after the claim was originally made. This is similar to the average time taken in April to June 2015 (31.8 weeks).

Fast and multi-track trials (of which there were 3,742 in April to June 2016, an increase of 20% on April to June 2015) occurred on average 54.3 weeks after the claim was originally made (Table 1.5).

## **Enforcement**

There are various methods of enforcing a judgment through the county courts. The most common method of enforcing a monetary judgment is the warrant of execution against a debtor's goods. This is where, unless the amount owed is paid, items owned by the debtor can be recovered by a bailiff acting on behalf of the court and sold.

The number of warrants issued has followed a generally decreasing trend since 2000, until mid-2014 to mid-2015 when numbers increased. Since Q3 2015, the number of warrants issued per quarter has remained relatively stable until this quarter. During April to June 2016, there were 77,422 warrants issued, representing a 4% increase on the same quarter last year (Table 1.4).

Alternatively, various types of court orders can be obtained:

- Attachment of earnings orders enable payment through the debtor’s employer.
- Third party debt orders enable payment by freezing and then seizing money owed by a third party to the debtor.
- Charging orders obtain security for the payment against the debtor’s assets. This may be followed by an order for sale which forces the sale of these assets.

In April to June 2016, 24,687 enforcement orders were made, a decrease of 24% compared to the same period last year. This figure has been generally falling since 2008.

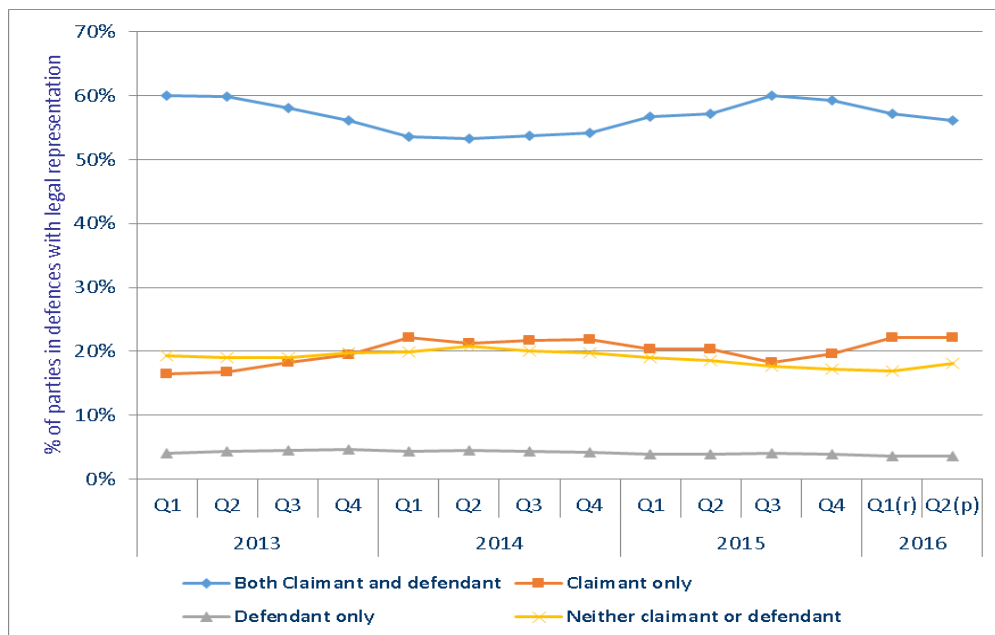
### Legal representation

Figures on the legal representation of parties in civil (non-family) related court cases are shown in Table 1.6. This gives the number of claims defended during each quarter, for specified money claims, unspecified money claims, mortgage and landlord possession and other non-money claims, and, according to whether the applicant(s), respondent(s), both, or neither had legal representation during the case.

In April to June 2016, both the claimant and defendant had legal representation in 56% of defences, whilst neither the respondent nor the claimant had representation in 18% of defences (compared with 57% and 19% respectively compared to the same quarter in 2015). Defences with either the claimant or defendant only represented were 20% and 4% of all defences respectively in this most recent quarter, compared to 22% and 4% respectively in the same period last year.

Figure 1.2 shows the proportion of defences broken down by representation status in England and Wales.

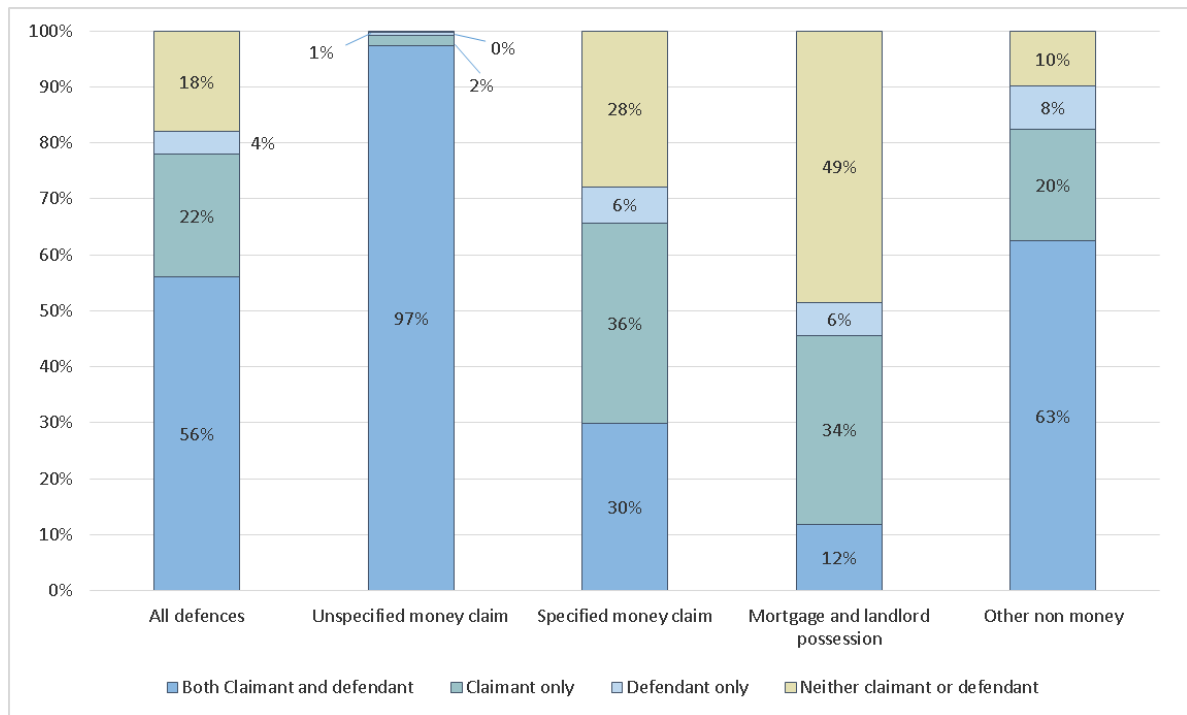
**Figure 1.2: Proportion of civil defences and legal representation status, January 2013 to June 2016 (quarterly)**



Changes to legal aid came into effect as of April 2013, and removed legal aid eligibility for some civil cases. Figures show that the proportion of defences with legal representation for both parties initially fell during 2013, but had recovered back to levels seen prior to the legal aid eligibility changes by July to September 2014. Since then a downward trend can be seen, corresponding with an increase in proportion claimant only representation defences.

The Legal Aid Agency (LAA - formerly the Legal Services Commission) collects statistics on those applying for legal aid, and figures on the number of applications received and certificates granted by various civil categories. These are published in their quarterly statistical report which can be found here: <https://www.gov.uk/government/collections/legal-aid-statistics>

**Figure 1.3: Proportion of civil defences, by type of case and legal representation status, England and Wales, April to June 2016**



The proportion of legal representation for defences is dependent on the type of claim. For example, in almost all unspecified money claim defences (97%) both the respondent and claimant had legal representation. For the other types of defences, legal representation status was more evenly distributed, although mortgage and landlord possession defences were more likely to have no legal representation for either the respondent or the claimant.

### **Civil proceedings in the Magistrates' Courts**

Magistrates' courts deal with criminal and some civil cases, and cases are dealt with either by justices of the peace, who are unqualified and who are paid only expenses, or by District Judges who receive some payment. Magistrates can deal with a limited number of civil cases such as arrears of income tax, national insurance contributions, council tax or payments of child maintenance.

There were 15,375 completed civil proceedings in the Magistrates' Court in April to June 2016, a 4% increase on the same period last year (Table 1.2). It should be noted that a proceeding can either relate to a single case or multiple cases, so the numbers of cases completed is greater than the number of completed proceedings.

## 2: Judicial Reviews at the Administrative Court

Judicial reviews (JRs) are a process by which individuals, businesses and other affected parties can challenge the lawfulness of decisions or actions of the Executive, including those of ministers, local authorities, other public bodies and those exercising public functions. It is a largely judge-developed procedure and can be characterised as the rule of law in action, providing a key mechanism for individuals to hold the Executive to account.

This chapter tracks the progress of JRs lodged at the Administrative Court between 1 January 2000 and 30 June 2016. The figures presented in this chapter exclude Judicial Reviews that are dealt with by the Upper Tribunal Immigration and Asylum Chamber (UTIAC), unless otherwise stated; however they are publicly available in a separate publication<sup>5</sup>.

As the information included in this chapter has been extracted from a live database, all figures are refreshed each quarter and therefore there are minor revisions between the information presented here and in previous publications.

Information for all years is provided in the supporting tables and CSV that accompany this publication. Please note for later years, cases may not have progressed to the end of the process, so the progression and timeliness figures for these cases should be treated with caution, in particular for applications lodged during the year 2015 and also 2016 to date, where a larger proportion of cases will not have been concluded.

For more information on the Judicial Review process, including how topics are allocated to Immigration/Asylum and Other, please see the **A Guide to Civil and Administrative Justice Statistics**<sup>6</sup>.

### Applications for permission to apply for Judicial Review

During the first six months of 2016, there were 2,222 applications for judicial review, a 4% increase on the same period of 2015.

The overall annual trend (to 2013) in judicial review applications received had been steadily increasing, with the exception of a dip in 2004. In 2000, there were 4,238 applications for permission to apply for a JR and by 2013, this had risen to an annual intake of 15,594 (over a threefold increase) (Table 2.1). JR Civil (Immigration and Asylum) cases had been driving this increase, up from 2,151 in 2000 to 13,141 in 2013. However, in 2014 there was a trend change and a sharp decrease to 4,063 JR cases being lodged (down 74%). This was due to a change implemented<sup>7</sup> in November 2013, in

---

<sup>5</sup> Tribunal and Gender Recognition Certificate Statistics Quarterly:  
[www.gov.uk/government/collections/tribunals-statistics](http://www.gov.uk/government/collections/tribunals-statistics)

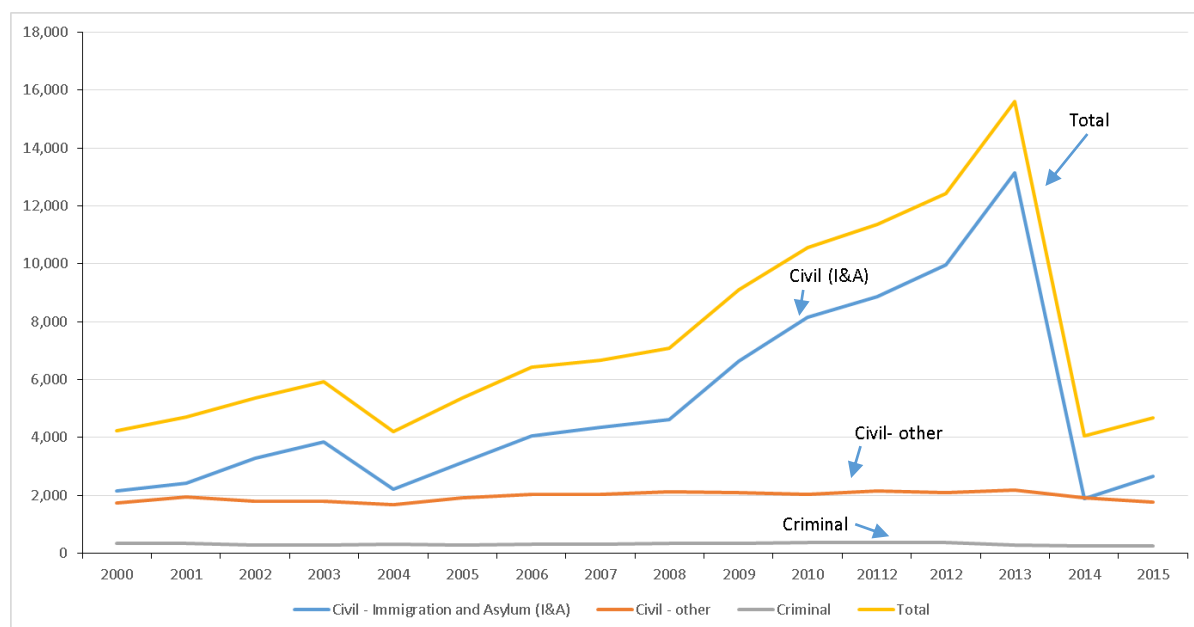
<sup>6</sup>[www.gov.uk/government/statistics/guide-to-civil-and-administrative-justice-statistics](http://www.gov.uk/government/statistics/guide-to-civil-and-administrative-justice-statistics)

<sup>7</sup> [www.justice.gov.uk/courts/rcj-rolls-building/administrative-court/applying-for-judicial-review](http://www.justice.gov.uk/courts/rcj-rolls-building/administrative-court/applying-for-judicial-review)

which the Upper Tribunal for Immigration and Asylum Chamber (UTIAC) took over responsibility for the majority of Civil Immigration and Asylum Judicial Review cases. The reduction in Immigration and Asylum JR cases has resulted in a subsequent increase in Immigration and Asylum tribunal cases. In 2014/15, there were 15,179 JR receipts at the UTIAC, giving a total number of JRs across the Administrative Court and UTIAC of around 20,000. More detailed figures on the number of JRs taking place in the UTIAC are published in the [Tribunal and Gender Recognition Statistics Quarterly Publication](#).

In the first half of 2016, 1,269 cases (57% of all JRs) were Civil Immigration and Asylum cases and 15 cases have been subsequently transferred to the UTIAC.

**Figure 2.1: Annual Judicial Review Applications, by type<sup>8</sup> calendar year 2000-2015**



JR civil (other) cases have remained stable at around 2,000 cases annually, from 2005 to 2014. In 2015 there were 1,749 civil (other cases). JR criminal cases remained fairly stable from 2000 to 2011, fluctuating between 280-370 cases each year. In 2012 it reached a peak of 384 cases and has since fallen to an all-time low of 261 cases in 2015. In April to June 2016, there have been 108 new cases for JR criminal and 845 for JR (civil) other.

<sup>8</sup> This chart excludes a small number of cases that could not be allocated to a type.

## Case progression (Table 2.2)

Once a judicial review has been lodged, it then progresses through the process until it is concluded; the time this process will take will be different for each case<sup>9</sup>.

The three main stages of the Judicial Review process once a case has been lodged are:

- Permission stage - where the Court's permission is required for a JR claim to proceed. This can be in the form of an oral or paper hearing.
- Oral renewal stage - In cases where the Court refuses permission to proceed on the papers (either in full or in part); this is where the claimant requests that the decision be reconsidered at a hearing.
- Final hearing – Where permission is granted for a case to proceed at either the permission or oral renewal stage, this is the point where cases are heard and a judgment is made.

Please note, case progression figures can be affected by the case mix, which has changed over time and thus any previously observed trends should be viewed with caution. As an example different case types can have different mean lengths of timeliness. Civil judicial reviews for immigration and asylum rose from 51% of all cases in 2000 to 84% of all cases in 2013, and stood at 57% in 2015 - this type of case takes longer to complete, therefore overall mean timeliness will increase the greater proportion of these cases within the case mix.

Also, the case progression figures will change each quarter as time allows for more cases to progress through the system.

### Permission stage

- In 2000, 85% of judicial reviews lodged reached the permission stage and 29% were granted permission to proceed. These proportions decreased gradually over time to an all-time low in 2013 of 54% JRs reaching permission stage and 9% being granted permission to proceed.
- Since the transfer of IA cases to the UTIAC (from November 2013) the proportion reaching the permission stage has increased, to 79% in 2014 and 78% in 2015. Those granted permission to proceed were 16% and 13% of cases lodged in 2014 and 2015 respectively.
- In January to June 2016, the proportion reaching the permission stage stood at 45%, with 7% being granted permission to proceed to date.

---

<sup>9</sup> For more information see the following guide:

[www.gov.uk/government/statistics/guide-to-civil-and-administrative-justice-statistics](http://www.gov.uk/government/statistics/guide-to-civil-and-administrative-justice-statistics)

## Oral renewals

- In 2000, 18% of all cases lodged were granted an oral renewal. This rose to 26% in 2001 and has fallen steadily to 10% in 2015, with the exception of 2012 where there was an increase to 17%.
- A fee to renew the claim for an oral renewal was introduced in April 2014 – this may be a contributing factor to the continuing downward trend in the number of claims progressing to the oral renewal stage.
- Not all claims in which permission to apply for judicial review is refused are eligible for renewal. Where a claim is considered by a judge to be totally without merit, the application for permission cannot be renewed to an oral hearing. Similarly, where permission to apply for judicial review is refused in a case brought to challenge a decision of the Upper Tribunal to refuse permission to appeal, the application for permission cannot be renewed to an oral hearing.
- In terms of those granted an oral renewal in 2000, 4% of all cases lodged received an oral renewal and were granted permission to proceed. This proportion has remained essentially stable ever since, and has been at 3% every year from 2008 to 2015, with the exception of 2013 (when the proportion was 2%). In January to June 2016, 83 cases to date have reached the oral renewal stage, of which 27 have been granted permission to proceed.

## Final hearing

- The proportion of cases eligible for a final hearing (granted permission to proceed at permission stage or oral renewal) has steadily reduced over time, from 33% in 2000 to 10% in 2013. The rate stood at 16% in 2015. To date 9% of cases have been eligible for final hearing in the first half of 2016.
- The proportion of all cases lodged found in favour of the claimant at a final hearing has reduced from 12% in 2000 to a low of 1% in 2013. In 2014 it stood at 4% and then decreased again to 2% in 2015. In the first half of 2016, only 18 cases to date have reached the final hearing phase, and 7 of these were found in favour of the claimant.

## Timeliness (figure 2.2 and table 2.3)

Timeliness figures are based on the date the judicial review is lodged to the date of various stages of the process. It is not a measure of the time the Administrative Court takes to deal with a judicial review as it also includes time taken for parties to the JR to provide evidence and any adjournments or postponements requested. Caution must be taken when interpreting the most recent data, particularly that for 2015 and 2016 to date, as not enough time has passed for all cases to reach each stage and those that have will be cases that are shorter in length - the average will therefore be lower than the true figure (97% of cases lodged in 2014 are classed as 'Closed',



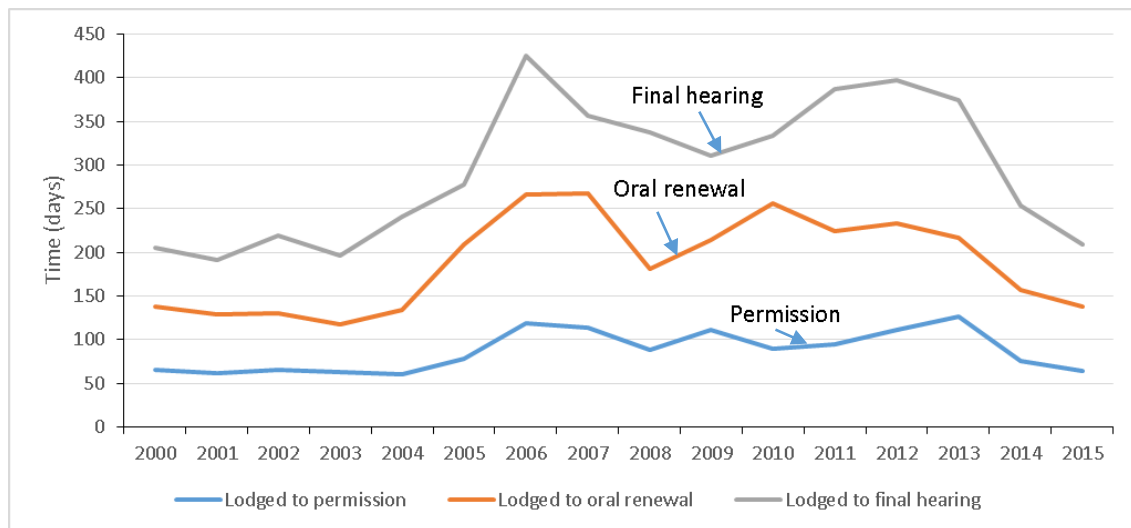
compared with 88% of cases lodged in 2015, and only 42% of those lodged so far in the first half of 2016).

The mean time taken from lodging a case to the permission decision stage has remained relatively stable between 2006 and 2013 where the number was 118 and 126 days respectively (reaching a low of 89 in 2008 and 2010); prior to this, the number was stable at approximately 65 days. For those cases lodged in 2015 classed as closed (88% of cases lodged), the mean time taken has reduced back to pre-2006 levels, at 65 days. This may be driven by the reduced caseload, due to most of the Immigration and Asylum cases moving to the UTIAC.

The mean time taken from lodging a case to the oral renewal stage decision has fluctuated over the years. From 2000-2004, the average time was 130 days. This increased rapidly, up to a peak of 267 days in 2007. The figure then fell sharply to 180 days in 2008 before rising to an average of 229 days from 2009 to 2013. For those cases lodged in 2015 classed as closed (88% of cases lodged), the number has fallen to 138 days.

The mean time taken from lodging a case to the final hearing decision showed a similar pattern; 205 days in 2000 peaking to 425 days in 2006 and fluctuating since then. The 2013 figure stood at 374, while the 2014 figure fell considerably to 254 days. For the 88% of cases lodged in 2015 classed as closed, the mean timeliness has fallen to 209 days.

**Figure 2.2: Average time taken for each stage of the Judicial Review process, 2000 to 2015**



<sup>1</sup> The average time taken to reach each stage is calculated using only those cases that have reached the stage in question. Figures for later years will change in future publications as cases progress through the system, especially for cases lodged in 2015.

Please note that prior to 2014, the timeliness analysis includes cases that were transferred to the Upper Tribunal of the Immigration and Asylum Chamber. These cases were effectively closed on the COINS database in November 2013.

## **Totally without merit (Table 2.4)**

In refusing permission for judicial review, a judge can certify a case to be totally without merit (TWM). As part of the Government's reforms to judicial review procedures, for cases issued on or after 1st July 2013, a case refused permission and certified as totally without merit cannot be renewed at the oral renewal hearing stage. A claimant can however appeal against this decision, which would be dealt with at the Appeals Court (in criminal JRs, there is no appeal route from a refusal of permission if TWM). The outcomes of such cases are not recorded in these figures.

Of the 2,222 cases lodged in the first half of 2016, 999 have so far reached the permission or oral renewal stage at the time the data was extracted in July 2016. Of these cases, 20% were found to be TWM.

Annually, the proportion of cases reaching the permission or oral renewal stage that are classed as TWM has seen a slight decline, from 28% in 2013 to 22% in 2014 and then to 20% in both 2015 and the first half of 2016 (note that the 2013 figure involves cases that would now be transferred to the Upper Tribunal of the Immigration and Asylum Chamber).

### 3: Privacy Injunctions

This chapter presents statistics on privacy injunctions dealt with at hearings at the High Court or Court of Appeal at the Royal Courts of Justice (RCJ) in London up to January to June 2016.

In general terms, the injunctions covered by these statistics are those dealt with in any civil proceedings in the High Court or Court of Appeal where the court considers either:

- an application for an injunction prohibiting the publication of private or confidential information;
- the continuation of such an injunction; or
- an appeal against the grant or refusal of such an injunction.

The injunctions covered by these statistics will be termed “**privacy injunctions**” throughout this report. **They include, but do not exclusively relate to, super-injunctions.**

Specifically, the statistics relate to applications concerned with data protection and rights to respect for private and family life protected by Article 8 of the European Convention on Human Rights (ECHR), whether the injunction is sought by an individual, a public authority, or a company. When an injunction is sought, section 12 of the Human Rights Act is engaged, meaning that the injunction might, if granted, affect the exercise of the right to freedom of expression contained in Article 10 of the ECHR.

The ECHR can be found on the following website:

[human-rights-convention.org/](http://human-rights-convention.org/)

The statistics do not cover injunctions arising from proceedings dealing with family issues, immigration or asylum issues, those which raise issues of national security, or most proceedings dealing with intellectual property and employment issues. The statistics also relate only to those injunctions dealt with at the RCJ in London. They exclude, for example, cases dealt with at District Registries of the High Court. In practice, however, the vast majority of, if not all applications for such injunctions will be dealt with at the RCJ.

Data have been collected via statistical returns completed by the hearing judge and forwarded to the Ministry of Justice statistics team. The judge in the case therefore determines whether an injunction has met the criteria for inclusion in these statistics. See the [Guide to Civil and Administrative Justice Statistics](#) for more details.

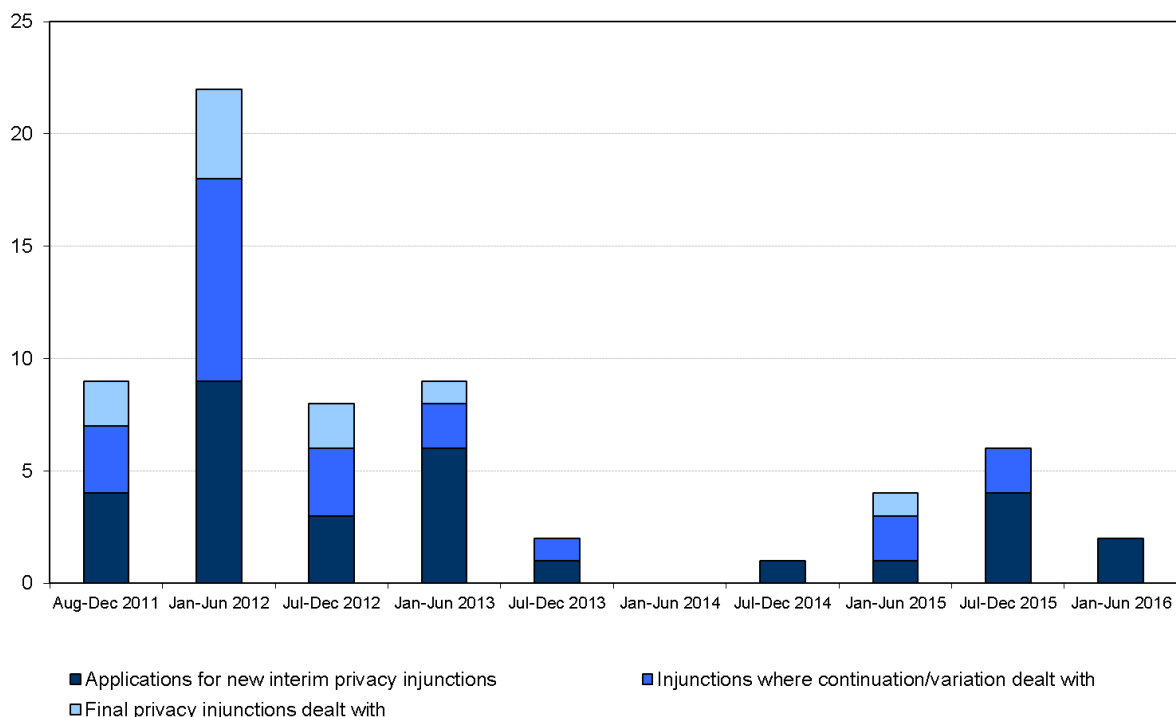
### Proceedings where applications for privacy injunctions were considered

In January to June 2016, there were **two** proceedings where the High Court in London considered an application for a **new** interim injunction prohibiting the publication of private or confidential information. No proceedings were considered at the High Court on whether to **continue** or **amend** an interim injunction or to issue a **final** permanent injunction.

**Two** appeals were heard in the **Court of Appeal** against a grant or refusal of an interim or final injunction and **one** appeal has been heard by the **Supreme Court**. All three of these appeals relate to the same interim privacy injunction proceeding, one of the two new cases reported in January to June 2016.

Figures for July to December 2015 published in March 2016 have been revised as additional forms were received for this period after publication. Figure 3.1 below includes the revised figures for July to December 2015.

**Figure 3.1: Number of privacy injunction proceedings, by type of proceeding, from Aug-Dec 2011 to Jan-Jun 2016**



### New interim privacy injunctions (Table 3.1)

- Of the two proceedings at the High Court that took place in January to June 2016, one case was granted and the other was refused, compared with four proceedings that took place during July to December 2015, in which three were granted and one was refused.

### **Continuation of existing interim injunctions (Table 3.2)**

- There were no proceedings during January to June 2016 at the High Court in which the court considered whether to continue or vary an existing interim injunction from previous periods compared with two proceedings that took place during July to December 2015.

### **Final privacy injunctions (Table 3.3)**

- There were no proceedings at the High Court in which the court considered an application for a final privacy injunction in January to June 2016, as was the case during July to December 2015.

### **Appeals against privacy injunctions**

In addition to the published figures, two appeals relating to one privacy injunction case were heard at the Court of Appeal in January to June 2016. The first appeal by the appellant against the original refusal of the interim privacy injunction, resulted in the interim injunction being granted. The second appeal was made by the respondent and led to the interim injunction being discharged. However, this decision was immediately appealed to the Supreme Court, which upheld the decision for the interim injunction to be continued until trial or further order.

## Annex A: Planned upcoming changes to publication

There are currently no planned changes to the publication.

## Annex B: List of Accompanying Tables and CSV

Accompanying this publication are the following tables:

### **Chapter 1 - Civil Courts:**

- 1.1 County court activity, England and Wales, annually 2000 - 2015, quarterly Q1 2009 – Q2 2016
- 1.2 Number of claims issued in the county and magistrates' courts, by type of claim, England and Wales, annually 2000 - 2015, quarterly Q1 2009 – Q2 2016
- 1.3 Claims defended and allocations to track, England and Wales, annually 2000 – 2015, quarterly Q1 2009 – Q2 2016
- 1.4 Case progression in the county courts, England and Wales, annually 2009 - 2015, quarterly Q1 2009 – Q2 2016
- 1.5 Number of trials and small claim hearings and the average time to reach trial/hearing, England and Wales, annually 2000 - 2015, quarterly Q1 2009 – Q2 2016
- 1.6 Number of defended claims by case type and details of legal representation, England and Wales, annually 2013 - 2015, quarterly Q1 2013 – Q2 2016

### **Chapter 2 - Judicial Reviews in the Administrative Court:**

- 2.1 Number of case applications for permission to apply for Judicial Review by topic, at the Administrative Court, 2000 – Q2 2016
- 2.2 Case Progression: number of Judicial Review cases that reach permission stage, oral renewal stage and final hearing by cases lodged, at the Administrative Court, 2000 – Q2 2016
- 2.3 Timeliness (in days) of Judicial Review cases started at the Administrative Court, by staged reached, 2000 – Q2 2016
- 2.4 Number of Judicial Reviews at the Administrative Court classed as 'Totally Without Merit' annually, October 2012 – Q2 June 2016

### **Chapter 3 – Privacy Injunctions**

- 3.1 Applications at the High Court in London for new interim privacy injunctions, August 2011 to June 2016
- 3.2 Proceedings dealing with the continuation or variation of interim injunctions at the High Court in London, August 2011 to June 2016
- 3.3 Final privacy injunctions dealt with at the High Court in London, August 2011 to June 2016

## Annex C: Timeline of changes to civil procedures

- Brooke reforms – April 2013, changed the value limits for money claims allocated to each track.
- Jackson reforms – April 2013, changed the process for managing multi track claims.
- Implementation of the tribunals, courts and enforcement act – April 2014, various changes to the procedures for enforcement of judgments.
- Single county court – April 2014, changed the way in which claims are issued.
- Introduction of secure data transfer (SDT) – November 2014, allowed customers issuing bulk claims to do so more easily.
- Fee enhancements, March 2015 – increased the fee required to issue money claims.
- Debtor petitions (whereby an individual files for bankruptcy), from 6 April 2015 - moved from the courts to an online system and therefore no longer recorded in these statistics.



## Annex D: Explanatory notes

The United Kingdom Statistics Authority has designated these statistics as National Statistics, in accordance with the Statistics and Registration Service Act 2007 and signifying compliance with the Code of Practice for Official Statistics. Designation can be broadly interpreted to mean that the statistics:

- meet identified user needs;
- are well explained and readily accessible;
- are produced according to sound methods, and
- are managed impartially and objectively in the public interest.

Once statistics have been designated as National Statistics, it is a statutory requirement that the Code of Practice shall continue to be observed.

Breakdowns of many of the summary figures presented in this bulletin, e.g. split by case type or by HMCTS area, are available in the comma separated value (csv) files that accompany this publication.

In the civil section of the publication the terminology ‘hearings or trials’ had previously been used to describe civil claims reaching this stage. We now use the term ‘trials’, as this is a more accurate reflection of what the figures represent. This does not change the historical or current figures reported.

### **Data Quality and Revisions**

Revisions to the statistics for the latest quarter may be made when the next edition of this bulletin is published. Further revisions may be made when the figures are reconciled at the end of the year. If revisions are needed in the subsequent year, these will be clearly annotated in the tables.

The Judicial Review figures are taken from the Administrative Court Office COINS database. As the Judicial Review figures are extracted from this live database, all figures are refreshed each quarter – as a result, there may be minor revisions between the new information presented in the latest bulletin and data published previously.

From September 2015, a small number of cases from the Technology and Construction Court and the Mercantile Court (a sub-division of the Chancery Division of the Royal Courts of Justice) were logged as cases within the County Court Case Management System and therefore were being included in the civil county court caseload figures. This has now been corrected and caseload figures for the relevant quarters in 2015 and 2016 in the accompanying tables have been revised accordingly.

Following a review of data processing methodology, the average time figures (in Table 1.5) from Q1 2012 onwards have been revised. The average timeliness calculation now include claims originating in the

Northampton County Court Business Centre, which had been excluded in previous publications.

### **Symbols and conventions**

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

- .. = Not applicable
- (r) = Revised data
- (p) = Provisional data

## Further information

Earlier editions of this publication can be found at:

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

For information on Court judgements (including Privacy Injunctions) please see:

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

Statistics on Tribunals (including Judicial Reviews dealt with by the UTIAC) can be found at:

[www.gov.uk/government/collections/tribunals-statistics](http://www.gov.uk/government/collections/tribunals-statistics)

Statistics on the use of interpreters and translation services in courts and tribunals can be found at:

[www.gov.uk/government/collections/statistics-on-the-use-of-language-services-in-courts-and-tribunals](http://www.gov.uk/government/collections/statistics-on-the-use-of-language-services-in-courts-and-tribunals)

Information on Civil County Court Mortgage and Landlord Possession Statistics can be found at:

[www.gov.uk/government/collections/mortgage-and-landlord-possession-statistics](http://www.gov.uk/government/collections/mortgage-and-landlord-possession-statistics)

Information on publicly funded legal services is now published by the Legal Aid Agency and can be found here:

[www.gov.uk/government/collections/legal-aid-statistics](http://www.gov.uk/government/collections/legal-aid-statistics)

Information on civil justice in Scotland can be found here

[www.gov.scot/Topics/Statistics/Browse/Crime-Justice/civil-judicial-statistics/](http://www.gov.scot/Topics/Statistics/Browse/Crime-Justice/civil-judicial-statistics/)

Information on civil justice in Northern Ireland can be found here

A detailed analysis of county court judgments by region produced by Registry Trust Ltd can be found at the link below. This data gives aggregated detail on judgments that have been made by the county courts and recorded on the judgments register.

[www.data.gov.uk/publisher/registry-trust-limited](http://www.data.gov.uk/publisher/registry-trust-limited)

The total number of CCJs differs from that published in Civil Court Statistics Quarterly, because Registry Trust manually checks the details of each judgment. More detail on Registry Trust can be found at:

[www.registry-trust.org.uk/](http://www.registry-trust.org.uk/)

## Contacts

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

### **Sebastian Walters (MOJ)**

Tel: 020 3334 3529

Email: [Sebastian.walters@justice.gsi.gov.uk](mailto:Sebastian.walters@justice.gsi.gov.uk)

### **Camilla Marshall (HMCTS)**

Tel: 020 3334 3531

Email: [camilla.marshall@justice.gsi.gov.uk](mailto:camilla.marshall@justice.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 emailed 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 [statisticsauthority.gov.uk/about-the-authority/uk-statistical-system](http://statisticsauthority.gov.uk/about-the-authority/uk-statistical-system)

© Crown copyright

Produced by the Ministry of Justice

Alternative formats are available on request from [statistics.enquiries@justice.gsi.gov.uk](mailto:statistics.enquiries@justice.gsi.gov.uk)