



Family Court Statistics Quarterly, England and Wales, January to March 2018

Main points

<p>Decrease in number of cases starting in Family courts</p>		<p>63,100 new cases started in family courts in January to March 2018, down 4% on January to March 2017, due to falls in adoption, financial remedy, Private law and matrimonial cases (down 10%, 7%, 5% and 4% respectively).</p>
<p>On average, care proceedings took longer with fewer disposals within 26 weeks</p>		<p>The average time for a care or supervision case to reach first disposal was 30 weeks in January to March 2018, up two weeks from the same quarter in 2017 and the highest average since early 2014</p>
<p>Private law applications and disposals down</p>		<p>The number of private law applications and disposals were down 5% and 7% respectively in January to March 2018 compared with the same period of 2017.</p>
<p>Divorce petitions down but timeliness increasing</p>		<p>There were 27,401 divorce petitions made during January to March 2018, down 4% on the previous year. Average time to Decree Nisi and Decree Absolute was up 3 weeks (to 27 weeks) and 2 weeks (to 51 weeks) respectively over the same period.</p>
<p>Increase in the number of domestic violence remedy applications and orders made</p>		<p>The number of domestic violence remedy order applications increased by 2% compared to the equivalent quarter in 2017, whilst the number of orders made increased by 7% over the same period.</p>
<p>Number of adoption applications and orders continues downward trend</p>		<p>In January to March 2018, there were 1,301 adoption applications, down 11% on the equivalent quarter in 2017. Similarly, over the same period the number of adoption orders issued decreased 10% to 1,281.</p>
<p>Continued increase in applications and orders made in relation to deprivation of liberty</p>		<p>There were 1,213 applications relating to deprivation of liberty in January to March 2018, up 25% on the equivalent quarter in 2017. Deprivation of liberty orders were up 17% over the same period.</p>

This publication presents statistics on activity in the family courts of England and Wales and provides figures for the latest quarter (January to March 2018). For further information and technical details please refer to the accompanying Guide to Family Court Statistics.

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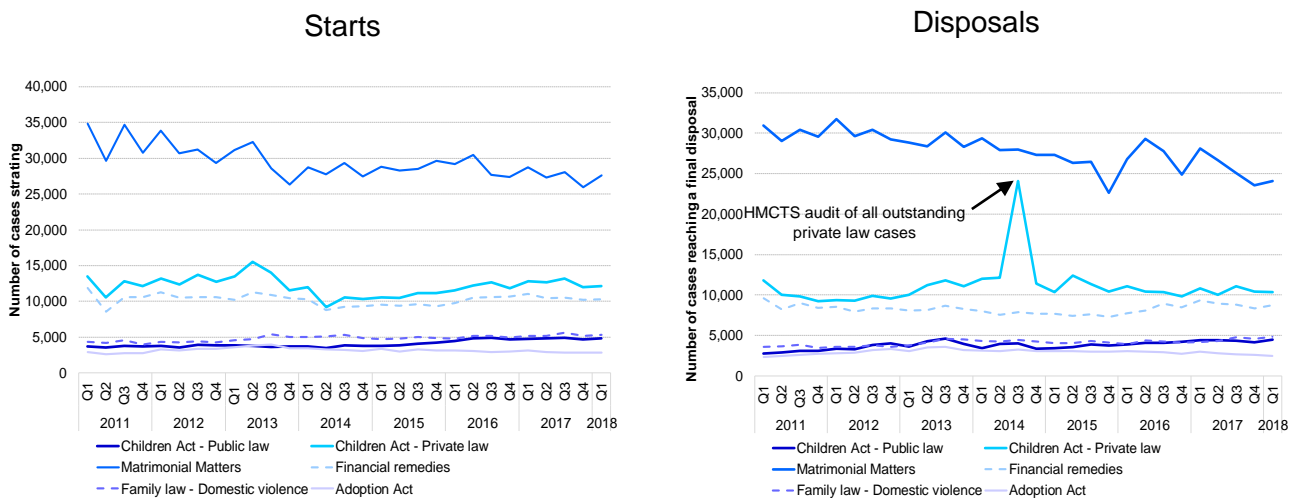
1. Overview of the Family Justice System

Decrease in the number of cases starting and disposed in Family Courts

In January to March 2018, 63,100 new cases started in family courts, down 4% on the equivalent quarter in 2017, due to falls in adoption, financial remedy, Private law and matrimonial cases (down 10%, 7%, 5% and 4% over the same period respectively).

There were 55,023 cases disposed in January to March 2018, down 8% on the equivalent quarter of 2017, due to decreases in adoption, matrimonial, financial remedy and Private law cases (down 18%, 14%, 7% and 5% respectively).

Figure 1: Cases starting and concluding, by case type, January to March 2011 to January to March 2018 (Source: Table 1)



In January to March 2018, 44% of new cases within family courts related to matrimonial matters – unchanged from the same period in 2017.

Timeliness by Case Type

Average time to first disposal varies by case type – Public law cases generally take the longest and in 2011 on average, they took nearly a year to reach a first disposal (50 weeks). From 2011 the average fell steadily and by 2016, almost halved to reach 26 weeks. However, it increased to 27 weeks in 2017 and in January to March 2018, the average was 29 weeks. The average time for other case types remained comparatively stable over the same time period although all case types have seen slight increases in the last two quarters (Table 10).

Public and Private law cases – number of parties, and High Court cases

The vast majority of Private law cases involve one applicant and one respondent only (Table 6). However, for Public law cases whilst 99% have only one applicant, three quarters involve two or more respondents.

For Public and Private law cases about 1% of cases of each were indicated as being a High Court case in January to March 2018 (Table 7).

2. Public Law

Following increasing trend in 2015 and 2016, a steady trend in Public law cases started and disposed during 2017 and first quarter of 2018

The number of Public law cases starting in January to March 2018 was up 2% to 4,879 compared to the equivalent quarter in 2017, whilst case disposals were also up 2% to 4,503.

Timeliness for care proceedings continues upward trend

The average time for a care and supervision case to reach first disposal was 30 weeks in January to March 2018, up two weeks from the same quarter in 2017 and the highest average since early 2014. 49% of these care proceedings were disposed of within the 26-week limit introduced in the Children and Families Act 2014, down 7 percentage points from same period last year.¹

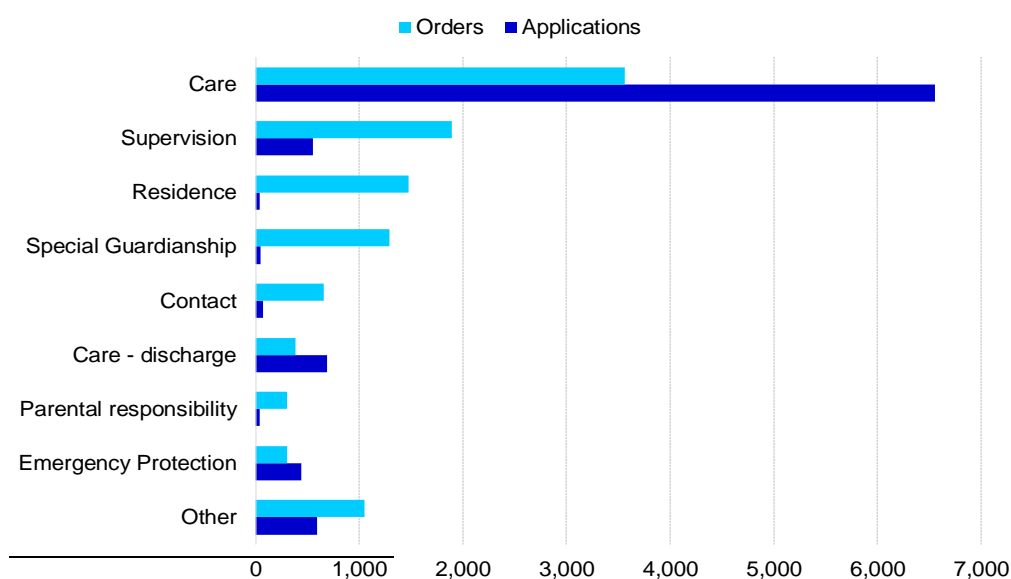
Following the increasing trend seen during 2015 and 2016, the number of Public law cases starting, whilst subject to fluctuation quarter on quarter, has stabilised between 4,700 and 4,900 since early 2017.

There were 5,154 new Public law applications in January to March 2018, up 2% on the equivalent quarter in 2017 although in line with volumes seen each quarter since early 2017 (between 4,900 and 5,200). There were 9,024 children involved in those applications in January to March 2018, meaning that on average, there were 1.75 children involved in each application.

In comparison, there were 10,929 children involved in Public law orders made in January to March 2018, down 9% on the same quarter in 2017.

Figure 2 shows the most common types of Public law orders applied for and made in January to March 2018, illustrating the different pattern between the types of orders applied for and the orders that are given, i.e. an application for one type can result in an order of a different type being made.

Figure 2: Public law applications and orders made, showing the number of children involved in each order type, January to March 2018 (Source: Tables 3-4)



¹ See the accompanying technical guide for more information.

3. Private Law

Decrease in the number of Private law case starts and disposals

The number of Private law **cases² started** fell by 5% in January to March 2018 compared to the equivalent quarter in 2017, as did the number of **applications** over the same period.

Similarly, the number of Private law **cases disposed** in January to March 2018 was down 5% on the equivalent quarter in 2017, with the number of **disposals** also down 7%.

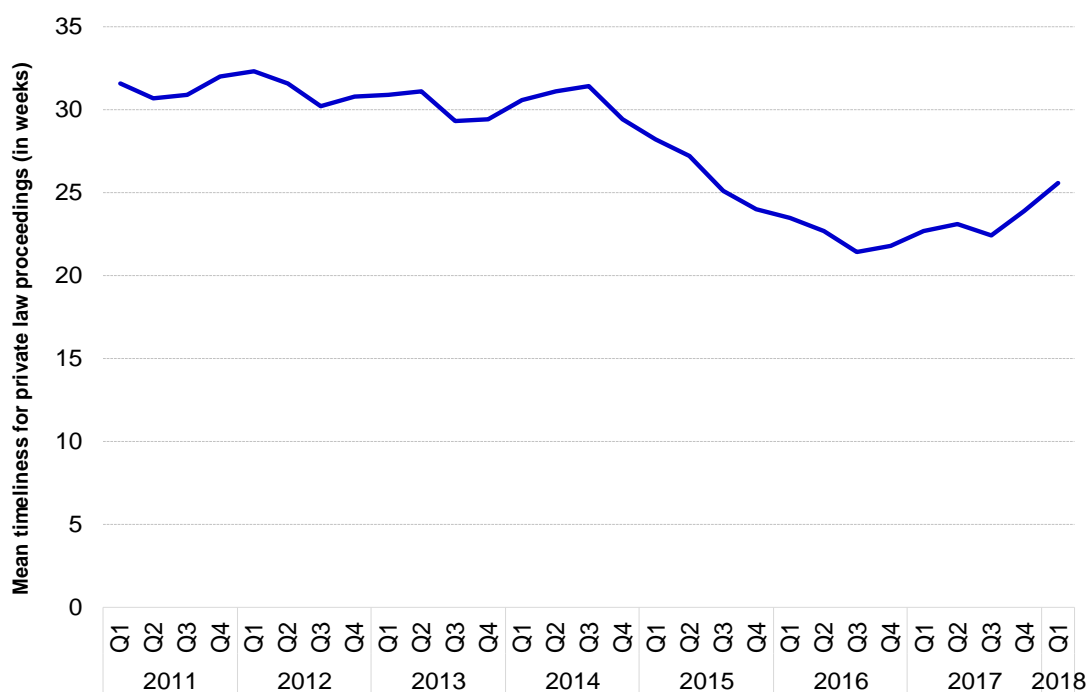
There were 12,613 new Private law applications in January to March 2018, down 5% on the equivalent quarter in 2017 – these applications involved 27,679 children; on average, there were 2.2 children involved in each application.

The number of Private law disposals in January to March 2018 was 17,885, down 7% on the equivalent quarter in 2017, whilst the number of children involved was also down 4% to 41,986 in January to March 2018. The average number of children involved in each disposal was 2.3 for January to March 2018, the same as for the equivalent quarter in 2017.

Timeliness of Private law cases

In January to March 2018, it took on average 26 weeks for Private law cases to reach a final order, i.e. case closure, up 3 weeks on the same period in 2017. This recent upward trend seen over the last 18 months follows the drop from 31 weeks in the middle of 2014 to 21 weeks in quarter three of 2016.

Figure 3: Private law timeliness from case start date to final order in the family court, January to March 2011 to January to March 2018 (Source: Table 9)



² The Children and Family Court Advisory and Support Service (Cafcass) also publishes (England only) data on the number of private law cases. A comparison of Cafcass and MoJ data and further information can be found in the accompanying guide.

4. Legal representation

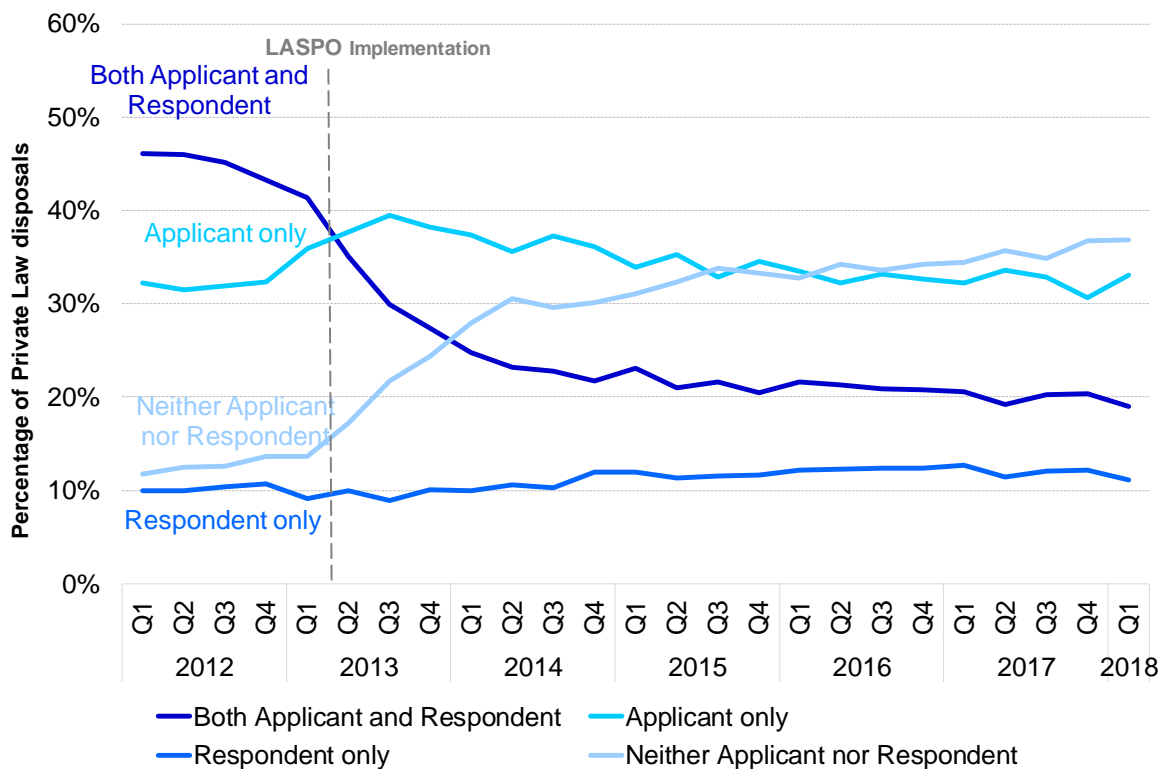
In general, across all family case types, cases where either both parties or the respondent only had legal representation took longer to be disposed than those cases where only the applicant was represented or where both parties were without legal representation (Table 10).

The proportion of parties with legal representation in cases with at least one hearing varies by case type range from around 75% for Public law to 2% for adoption cases (Table 11).

Legal representation in Private law cases

The removal of legal aid for many Private law cases in April 2013 resulted in a change in the pattern of legal representation over time³. In January to March 2018, the proportion of disposals where neither the applicant nor respondent had legal representation was 37%, an increase of 20 percentage points since April to June 2013. Correspondingly, the proportion of cases where both parties had legal representation dropped by 16 percentage points to 19% over the same period (Figure 4).

Figure 4: Proportion of private law disposals by type of legal representation of the parties, January to March 2012 to January to March 2018 (Source: Table 10)



The change seen in the pattern of legal representation is also demonstrated in Private law cases with at least one hearing where the proportion of parties with legal representation dropped from 59% in 2012 to 34% in January to March 2018.

³ Please see the accompanying guide for further details.

5. Divorce

The number of divorce petitions was down slightly, with an increase in timeliness of proceedings

Divorce petitions were down by 4% in January to March 2018 compared to the same period in the previous year.

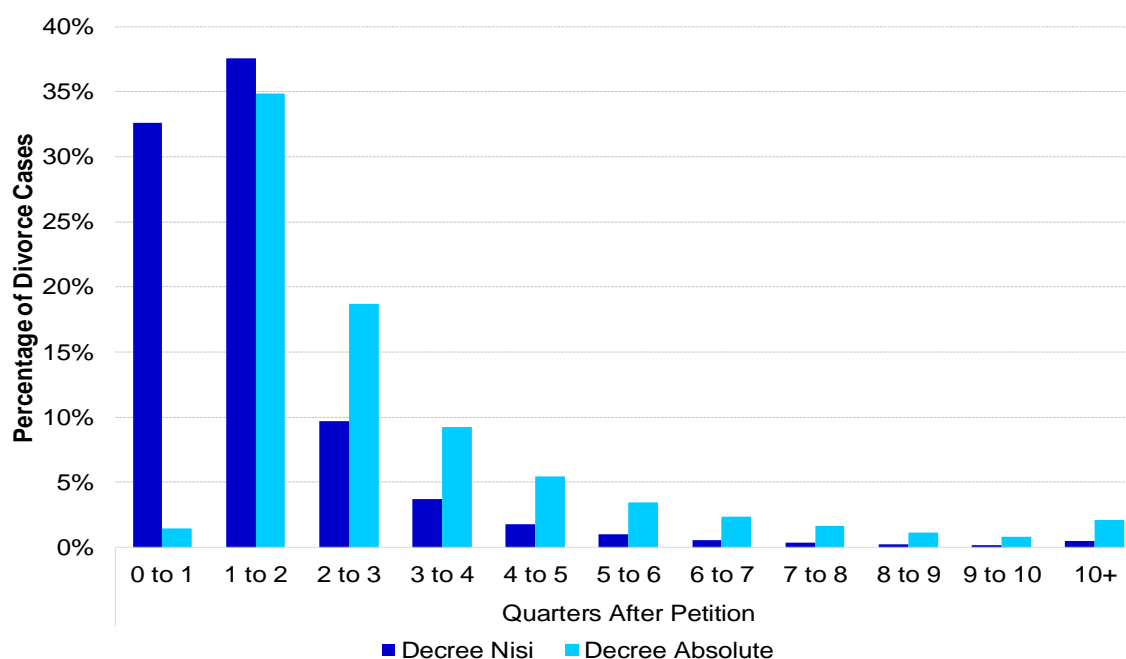
Average time from petition to decree nisi increased to 27 weeks in January to March 2018, from 24 weeks in the same quarter of 2017.

There were 27,401 divorce petitions made during January to March 2018, down 1% from the same quarter in 2017, whilst there were 24,000 Decrees Absolutes granted, down 14% over the same period (Table 12).

For those granted Decree Nisi in January to March 2018, the average time from the date of petition was 26.7 weeks, whilst the average time from petition to Decree Absolute was 51.3 weeks, the highest figures seen since the series began.

Table 14 and Figure 5 shows how long it takes, on average, for petitions to reach certain stages in the process, counted by the number of quarters elapsed.

Figure 5: Percentage of divorce cases started between Q1 2011 to Q1 2018 reaching Decree Nisi or Decree Absolute, by the number of quarters since petition (Source: Table 14)



One-third (33%) of divorce petitions made between 1 January 2011 and 31 March 2018 reached Decree Nisi in the first quarter after the petition was made, with just over a further third (38%) reaching this stage within the second quarter. Over half the petitions reached Decree Absolute within three quarters after petition (1% in the first quarter, 35% within 1 to 2 quarters and 19% within 2 to 3 quarters).

6. Financial remedy

Decrease seen in financial remedy applications and disposals

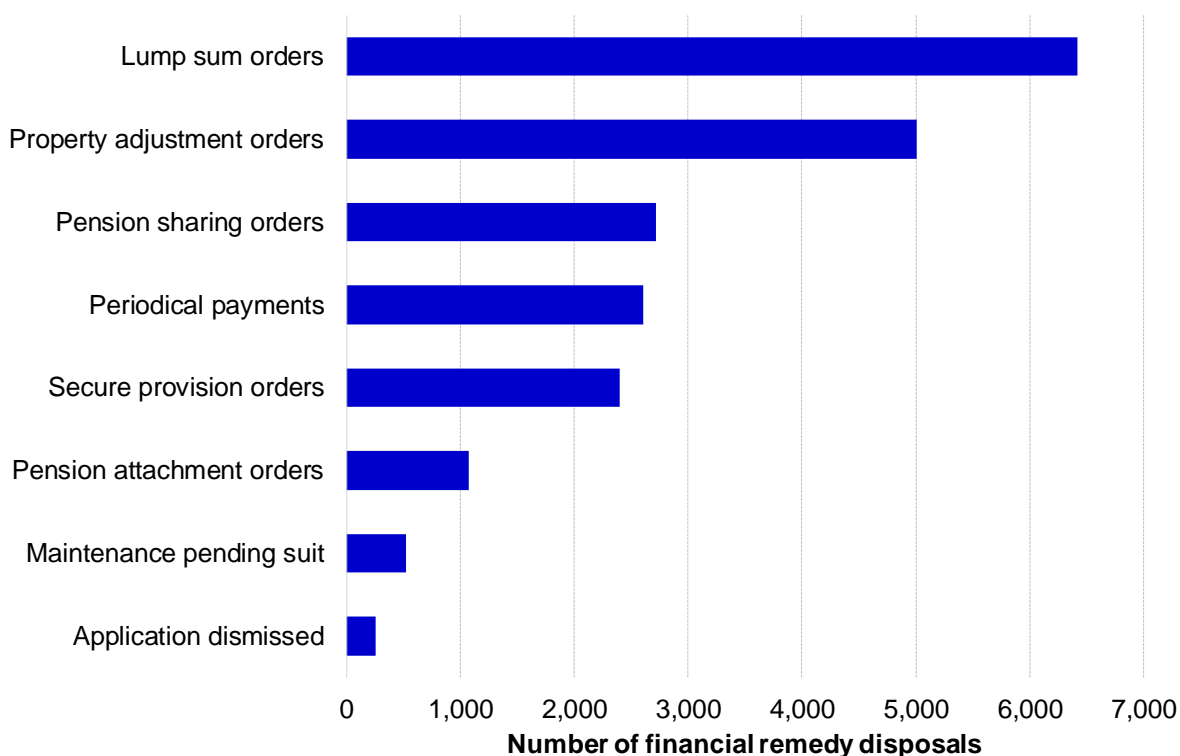
Number of financial remedy applications was down 9% to 11,107, while disposals were also down, by 6% over the same period.

There were 11,107 financial remedy applications in January to March 2018, down 9% on the equivalent quarter in 2017 (Table 15).

In January to March 2018, there were 10,468 financial remedy disposals, down 6% on the equivalent quarter in 2017. During this period, 68% of disposals were uncontested, 22% were initially contested and 10% were contested throughout.

In January to March 2018, lump sum and property adjustment orders were the most common types of order given, accounting for over half (54%) of all financial remedy disposal types (Table 16 and Figure 6).

Figure 6: Financial remedy disposal types, January to March 2018 (Source: Table 16)



7. Domestic violence remedy orders

Number of domestic violence remedy order applications and orders increase

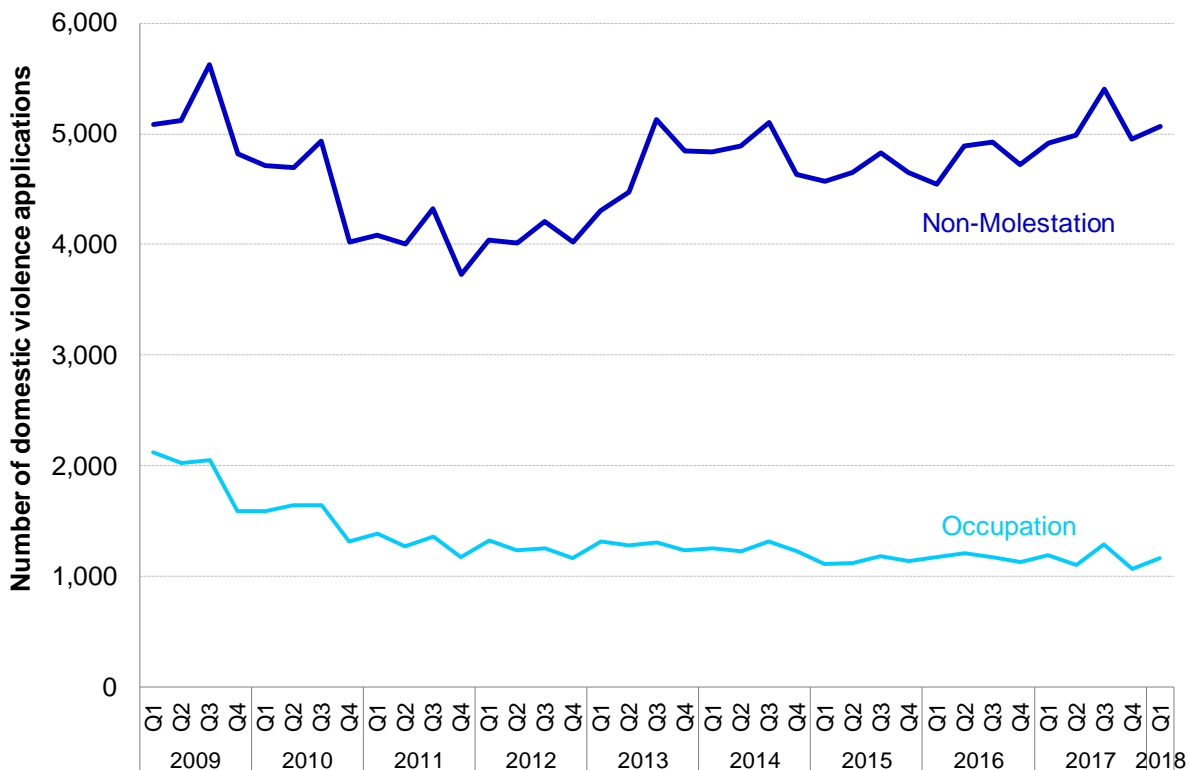
In January to March 2018, the number of applications was up 2% compared to January to March 2017, whilst the number of orders made was also up, by 7% over the same period.

In January to March 2018, there were 6,234 applications made for a domestic violence remedy order, up 2% on the same quarter in 2017 (Table 17), driven by an increase in applications for non-molestation orders (up 3%) whilst occupation order applications fell (down 2%). The majority of applications were for non-molestation orders (81%) compared to occupation orders (19%).

Similarly, of the 7,201 domestic violence orders made in January to March 2018, 93% were non-molestation orders and 7% were occupation orders. The 7% increase in the number of orders made was driven by non-molestation orders (up 9%) – in contrast, occupation orders fell by 7%.

Figure 7 below shows that applications for occupation orders have been following a steady trend over time (between 1,100 and 1,200 each quarter), whilst the recent trend in applications for non-molestation orders, although fluctuating, has been slowly upward.

Figure 7: Applications for domestic violence remedy orders, January to March 2009 to January to March 2018 (Source: Table 17)

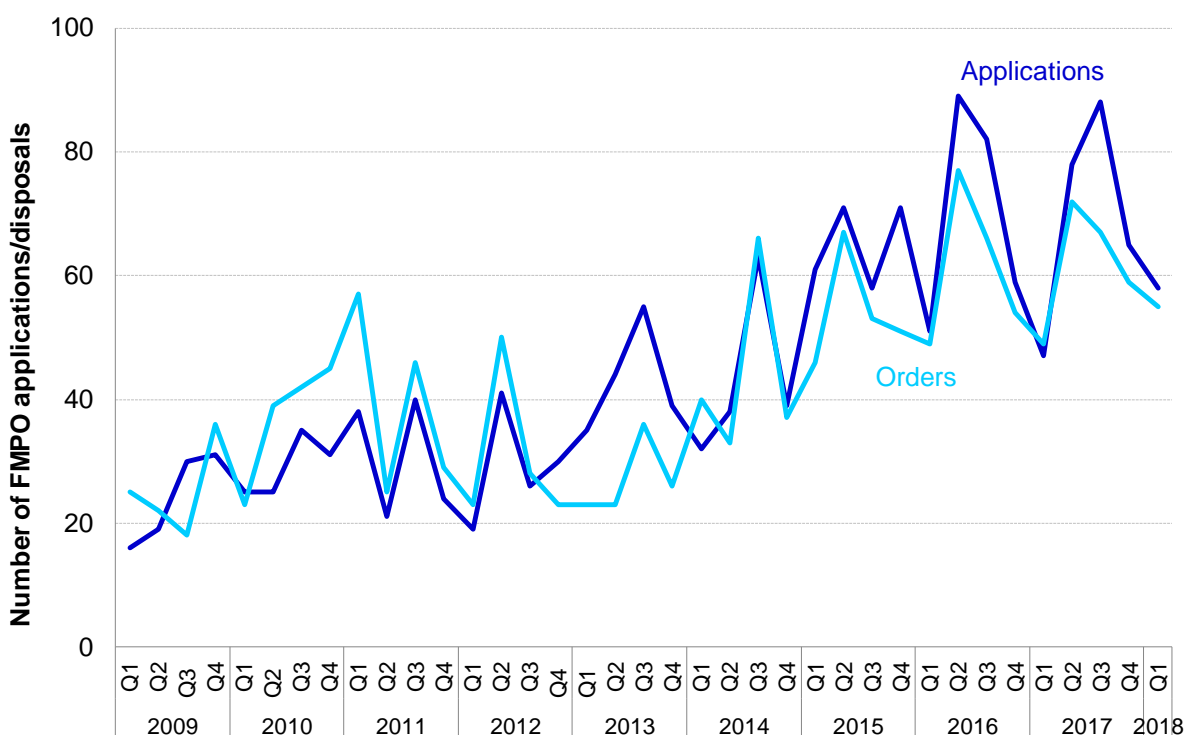


8. Forced Marriage Protection Orders and Female Genital Mutilation Protection Orders

General upward trend in the number of forced marriage protection orders and female genital mutilation protection orders.

The number of applications and orders made for Forced Marriage Protection Orders (FMPOs) is very small. Consequently, as Figure 8 shows, numbers fluctuate each quarter but overall there has been a general upward trend since their introduction in November 2008. In January to March 2018, there were 58 applications and 55 orders made (Table 18). Of those applications, nearly three-quarters (71%) of the applicants were aged 17 and under.

Figure 8: Applications and orders made for Forced Marriage Protection Orders, January to March 2009 to January to March 2018 (Source: Table 18)



As with FMPOs, the number of applications and orders made for Female Genital Mutilation Protection Orders (FGMPOs) is very small with only 9 and 15 made respectively in January to March 2018 (Table 19). In total, there have been 233 applications and 220 orders made up to the end of March 2018, since their introduction in July 2015.

9. Adoptions

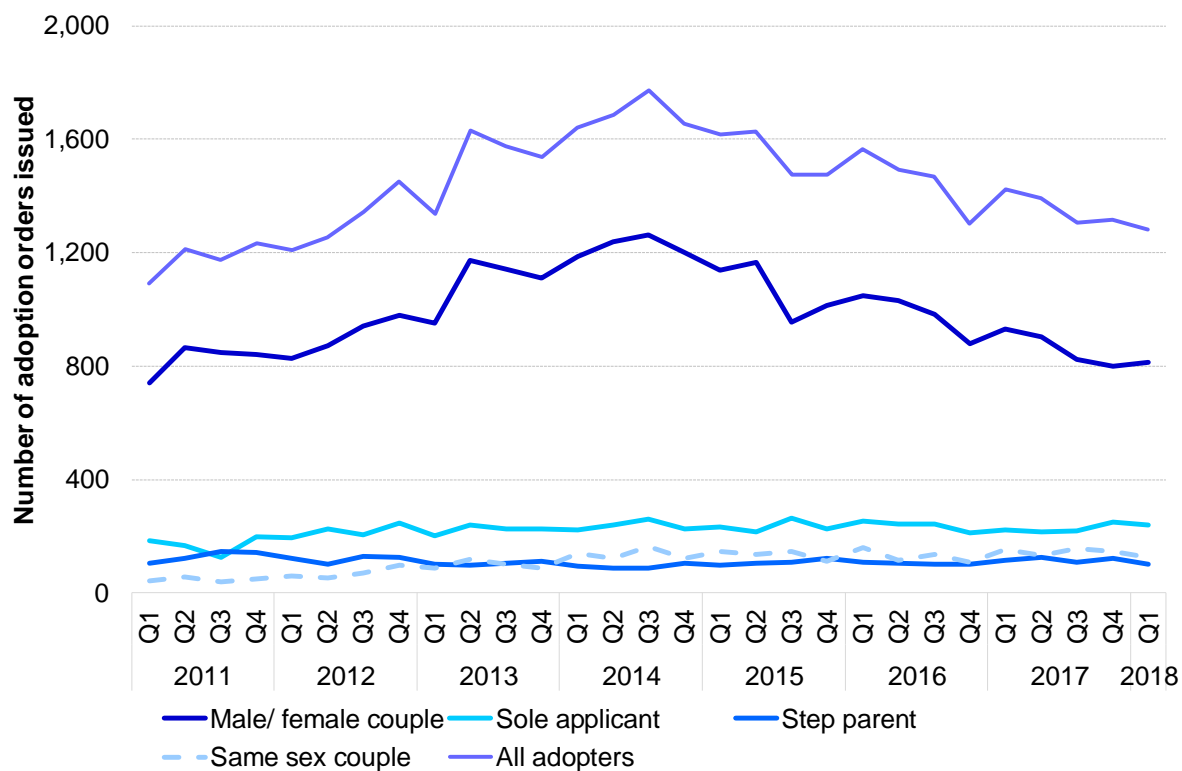
Number of adoption applications and orders continues downward trend

During January to March 2018, there were 1,301 adoption order applications made, down 11% from the equivalent quarter in 2017. Similarly, over the same period the number of adoption orders issued decreased 10% to 1,281 (Tables 20 and 21).

There were 2,858 applications under the Adoption and Children Act 2002, including placement orders during January to March 2018, down 10% on the same quarter in the previous year. Total disposals also dropped 18% to 2,478 over the same period.

Figure 9 below shows the trend of adoption orders by the type of adopter. This shows that during January to March 2018, almost two-thirds (64%) of all adoption orders were issued to male/female couples, 19% to sole applicants, 10% to same-sex couples and a further 8% to step-parents.

Figure 9: Adoption orders issued, by adopter, January to March 2011 to January to March 2018 (Source: Table 21)



10 Mental Capacity Act - Court of Protection

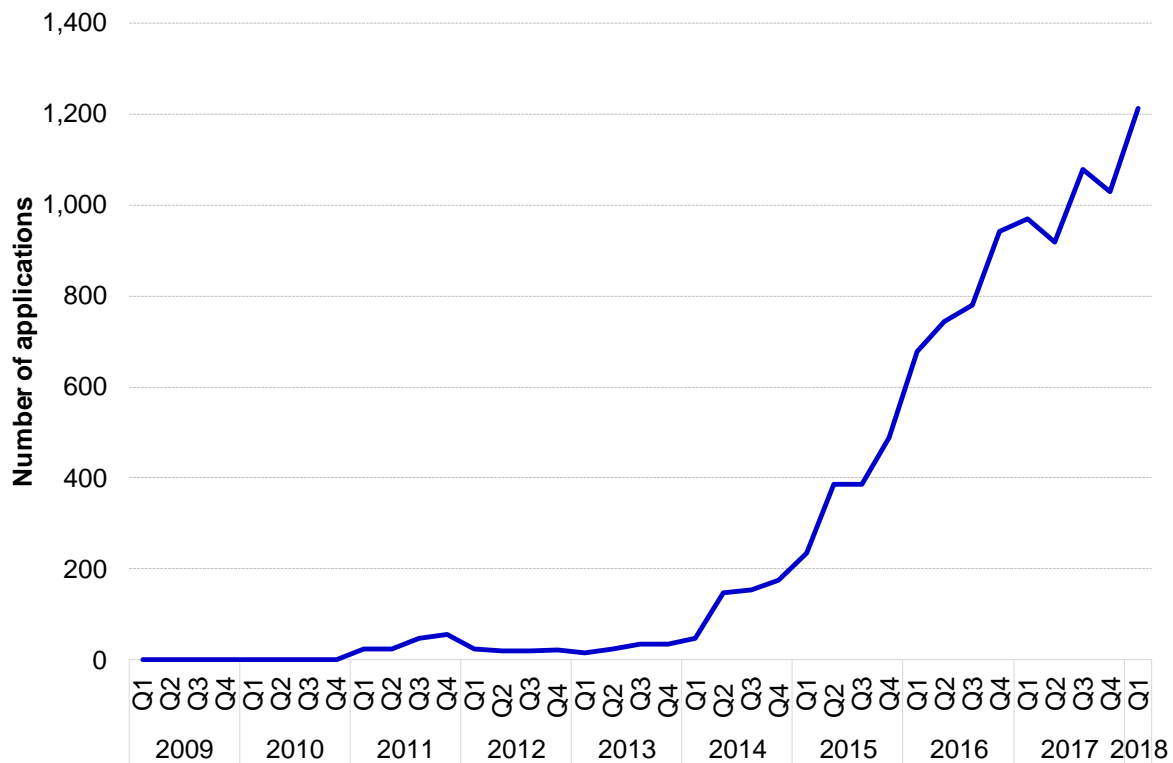
Continued increasing trend in applications and orders made in relation to deprivation of liberty

There were 1,213 applications relating to deprivation of liberty made in the most recent quarter, up 25% on the number made in January to March 2017. Similarly, orders made for deprivation of liberty increased by 17% over the same period, from 547 to 639 respectively.

Record numbers of applications and orders made under the Mental Capacity Act 2005 (MCA)

There were 8,089 applications and 10,262 orders made in January to March 2018, up 3% and 15% respectively – the highest quarterly volumes seen since the start of the series.

Figure 10: Deprivation of Liberty applications, January to March 2008 to January to March 2018 (Source: Table 22)



In January to March 2018, there were 8,089 applications made under the Mental Capacity Act 2005 (MCA), up 3% on the equivalent quarter in 2017 (7,820 applications). Just under half (48%) related to applications for appointment of a property and affairs deputy (Table 22).

In comparison, there were 10,262 orders made under the MCA, up 15% on the same quarter in 2017. A third (33%) of the orders related to the appointment of a deputy for property and affairs (Table 23).

11 Mental Capacity Act - Office of the Public Guardian

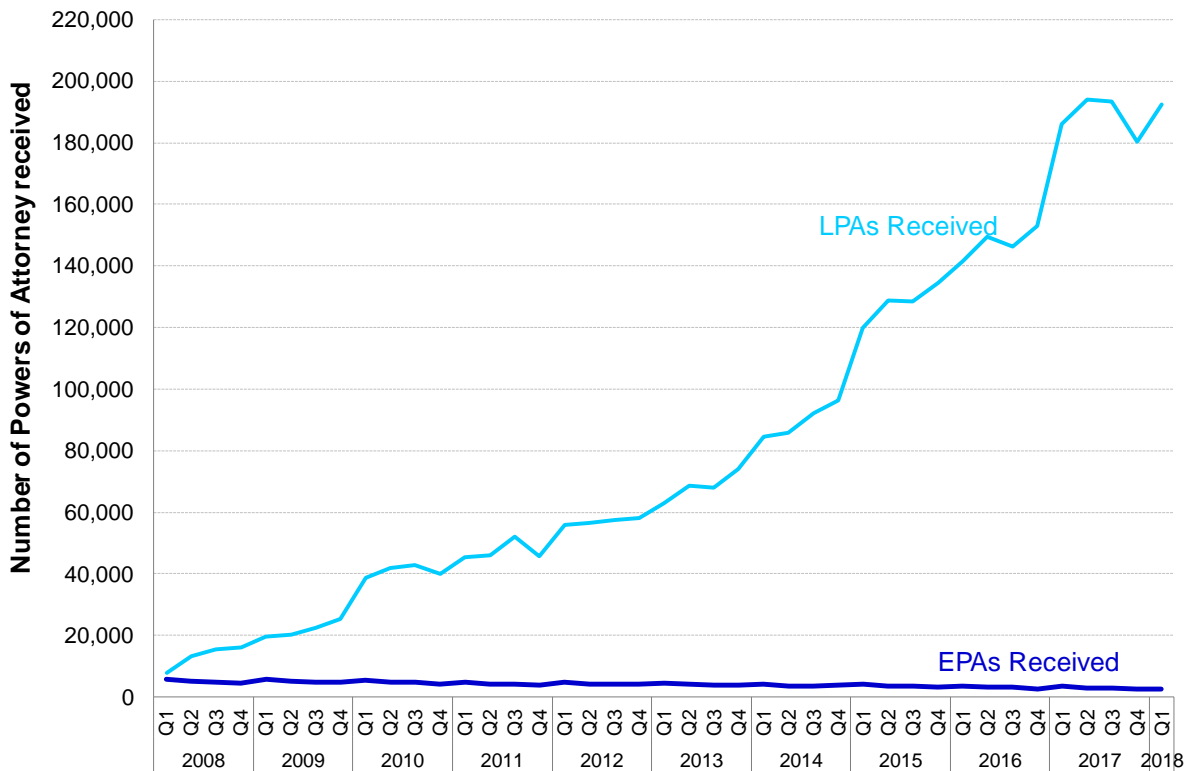
Increasing trend in Lasting Powers of Attorney (LPAs) is slowing down

In January to March 2018, there were 192,469 LPAs received, up 3% from the equivalent quarter in 2017.

There were 192,469 Lasting Powers of Attorney (LPAs) received in January to March 2018, up 3% on the same quarter for 2017 (Table 24). The sharp increase seen during 2015 and 2016 was largely due to increased publicity and the new online forms introduced in July 2015 making it simpler and faster to apply for LPAs. However, the upward trend has slowed down over the past 12 months (Figure 11).

There were 2,540 Enduring Powers of Attorney (EPAs) in January to March 2018, down 25% on the equivalent quarter in 2017.

Figure 11: Powers of attorney received, January to March 2008 to January to March 2018 (Source: Table 24)



Further information

The data presented in this publication are from live administrative databases. Therefore, previously published data is liable to be updated in the latest bulletin, following any further data cleaning or the incorporation of additional cases not available in the extracts used to produce previous bulletins.

Accompanying files

As well as this bulletin, the following products are published as part of this release:

- A technical guide providing further information on how the data is collected and processed, as well as information on the revisions policy and legislation relevant to family court and background on the functioning of the family justice system
- A set of overview tables and CSV files, covering each section of this bulletin
- A family court statistics visualisation tool available at <https://public.tableau.com/profile/moj.analysis#!/vizhome/FamilyCourtsStatisticstool2017Q2/Frontpage>.



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