



## Family Court Statistics Quarterly, England and Wales, April to June 2018

### Main points

<p><b>Increase in number of cases starting in Family courts</b></p>		<p>68,141 new cases started in family courts in April to June 2018, up 7% on April to June 2017, driven by an 18% rise in matrimonial cases starting.</p>
<p><b>On average, care proceedings took longer with fewer disposals within 26 weeks</b></p>		<p>The average time for a care or supervision case to reach first disposal was <b>30 weeks</b> in April to June 2017, two weeks up from the same quarter in 2017 and the highest average since early 2014.</p>
<p><b>On average, care proceedings took longer with fewer disposals within 26 weeks</b></p>		<p><b>48%</b> of cases were disposed of within 26 weeks – <b>down 8 percentage points</b> over the same period for 2017.</p>
<p><b>Increase in number of divorce petitions</b></p>		<p>32,230 divorce petitions were made during April to June 2018, up 18% on April to June 2017 – the highest quarterly figure since the start of 2013, following a long period of stability.</p>
<p><b>Increase in the number of domestic violence remedy applications and orders made</b></p>		<p>The number of <b>Domestic violence remedy order applications increased by 1%</b> compared to the equivalent quarter in 2017, whilst the number of <b>orders made increased by 4%</b> over the same period.</p>
<p><b>Number of adoption applications and orders continues downward trend</b></p>		<p>In April to June 2018, there were 1,255 <b>adoption applications, down 1%</b> on the equivalent quarter in 2017. Similarly, over the same period the number of adoption <b>orders issued decreased 9%</b> to 1,271.</p>
<p><b>Continued increase in applications made in relation to deprivation of liberty but orders down</b></p>		<p>There were 1,166 <b>applications</b> relating to deprivation of liberty in April to June 2018, <b>up 27%</b> on the equivalent quarter in 2017. Deprivation of liberty <b>orders</b> were <b>down 19%</b> 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 (April to June 2018). For further information and technical details please refer to the accompanying Guide to Family Court Statistics.

For feedback related to the content of this publication, please let us know at [Statistics.enquiries@justice.gsi.gov.uk](mailto:Statistics.enquiries@justice.gsi.gov.uk)

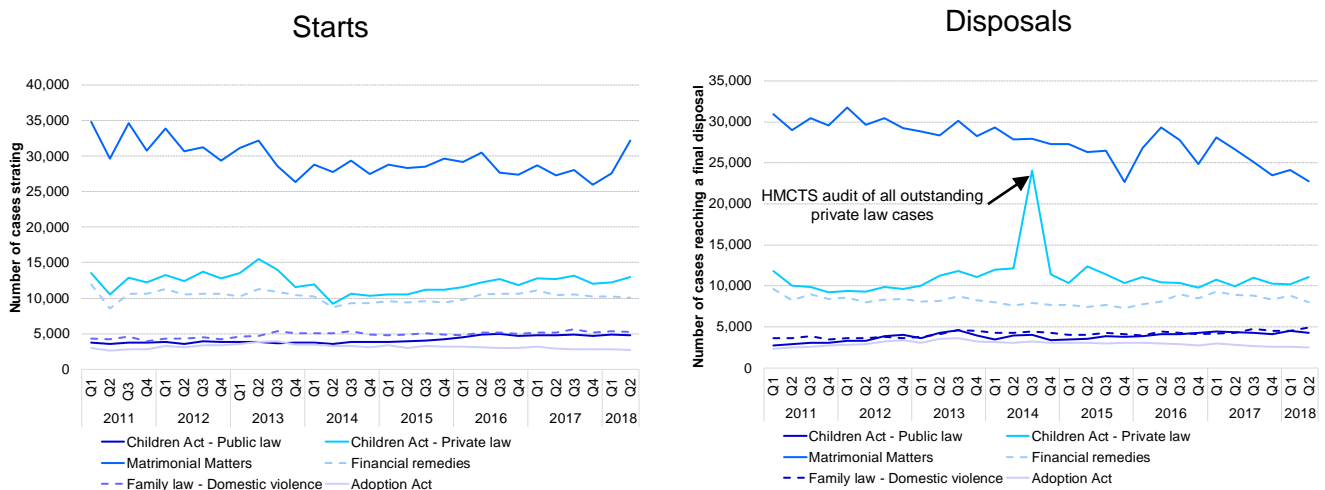
# 1. Overview of the Family Justice System

## Increase in the number of cases starting and decrease in number of cases disposed in Family Courts

In April to June 2018, 68,141 new cases started in family courts, up 7% on the equivalent quarter in 2017. This was driven by an 18% rise in matrimonial cases starting. However, there were decreases in new adoption and financial remedy cases starting (down 6% and 4% respectively).

There were 53,624 case disposals in April to June 2018, down 6% on the equivalent quarter of 2017. This was due to decreases in matrimonial, financial remedy and adoption cases reaching final a disposal (down 15%, 10% and 9% respectively). Over the same period, domestic violence and private law disposals were up 15% and 12% respectively.

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



In April to June 2018, 47% of new cases within family courts related to matrimonial matters, up from 43% in the equivalent quarter of 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 in 2017 to 27 weeks and for April to June 2018 the average was 29 weeks. The average time for financial remedy and divorce cases to reach first disposal were up 6 weeks and 5 weeks respectively compared to the equivalent quarter in 2017 (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 during April to June 2018 (Table 7).

## 2. Public Law

### Following an increasing trend over the last few years, the number of Public law case starts and disposals show little change

There were 4,820 Public law cases starting in April to June 2018, similar to the equivalent quarter in 2017, whilst case disposals were down 2% to 4,264.

### Timeliness for care proceedings continues upward trend

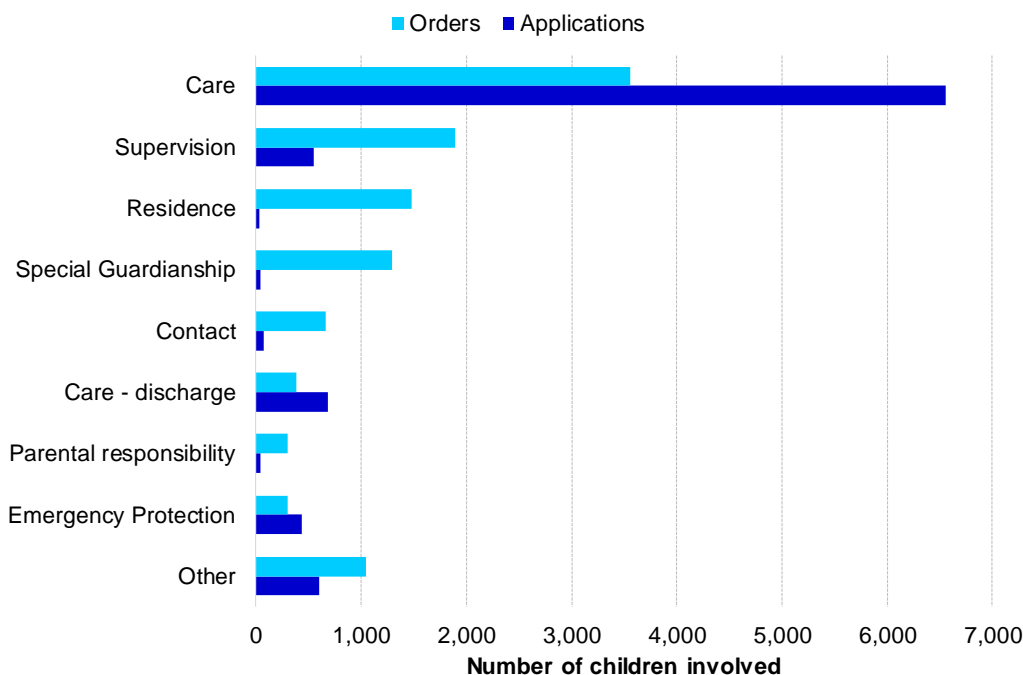
The average time for a care and supervision case to reach first disposal was 30 weeks in April to June 2018, 2 weeks up from the same quarter in 2017 and the highest average since early 2014. Almost half (48%) of these care proceedings were disposed of within the 26-week limit introduced in the Children and Families Act 2014.<sup>1</sup>

There were 5,075 new Public law applications in April to June 2018, similar to the equivalent quarter in 2017. There were 9,008 children involved in those applications in April to June 2018, meaning that on average, there were 1.77 children involved in each application.

In comparison, there were 10,852 children involved in Public law orders made in April to June 2018, down 5% on the same quarter in 2017, reflecting the fall in the number of case disposals.

Figure 2 shows the most common types of Public law orders applied for and made in April to June 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, April to June 2018 (Source: Tables 3-4)**



<sup>1</sup> See the accompanying technical guide for more information.

### 3. Private Law

#### Increase in the number of Private law case starts and disposals

The number of Private law **cases**<sup>2</sup> **started** increased by 3% in April to June 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 of** in April to June 2018 was up 12% on the equivalent quarter in 2017, with the number of **disposals** also up 2%.

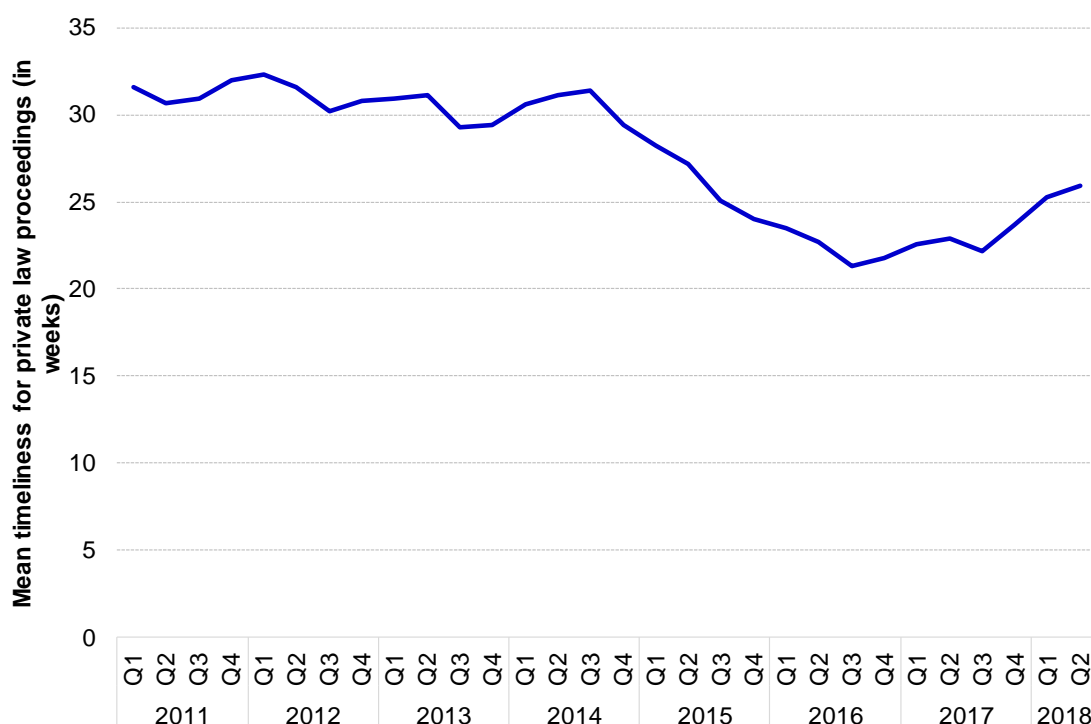
There were 13,437 new Private law applications in April to June 2018, up 3% on the equivalent quarter in 2017 – these applications involved 29,736 children; on average, there were 2.2 children involved in each application.

The number of Private law disposals in April to June 2018 was 19,067, up 2% on the equivalent quarter in 2017, whilst the number of children involved was also up 4% to 45,091 in April to June 2018. The average number of children involved in each disposal was 2.4 for April to June 2018, up from 2.3 in the equivalent quarter in 2017.

#### Timeliness of Private law cases

In April to June 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 continues the upward trend seen since the middle of 2016.

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



<sup>2</sup> 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

### Cases with legal representation take longer on average

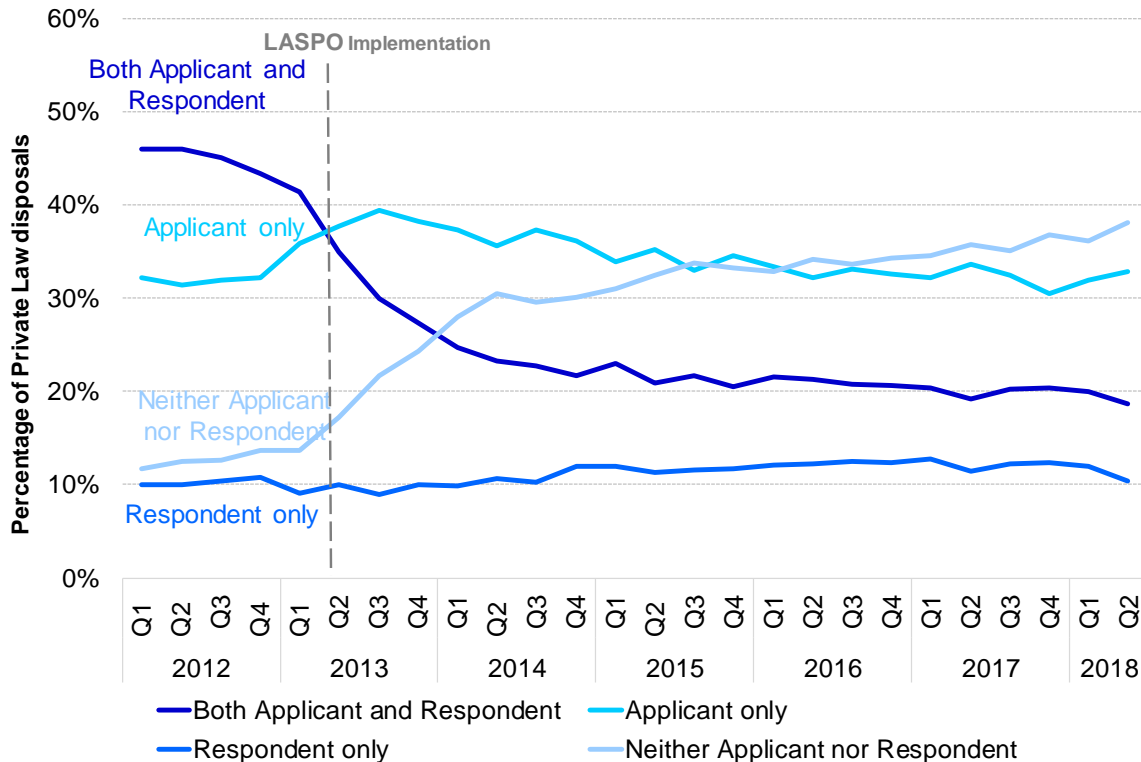
In general, cases where **either both parties** or the **respondent only had legal representation took longer** to be disposed than those cases where only the applicant was represented or where both parties were without legal representation (Table 10).

The proportion of parties with legal representation in **cases with at least one hearing varies** by case type range from around 77% for financial remedy to 3% 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 time<sup>3</sup>. In April to June 2018, the proportion of disposals where neither the applicant nor respondent had legal representation was 38%, an increase of 21 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 April to June 2018 (Source: Table 10)**



<sup>3</sup> Please see the accompanying guide for further details.

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 32% in April to June 2018.

## 5. Divorce

### Increase in the number of divorce petitions, alongside an increase in timeliness of proceedings

Divorce petitions were up by 18% in April to June 2018 compared to same period in the previous year.

Average time from petition to decree nisi increased to 28 weeks in April to June 2018, from 23 weeks in the same quarter of 2017.

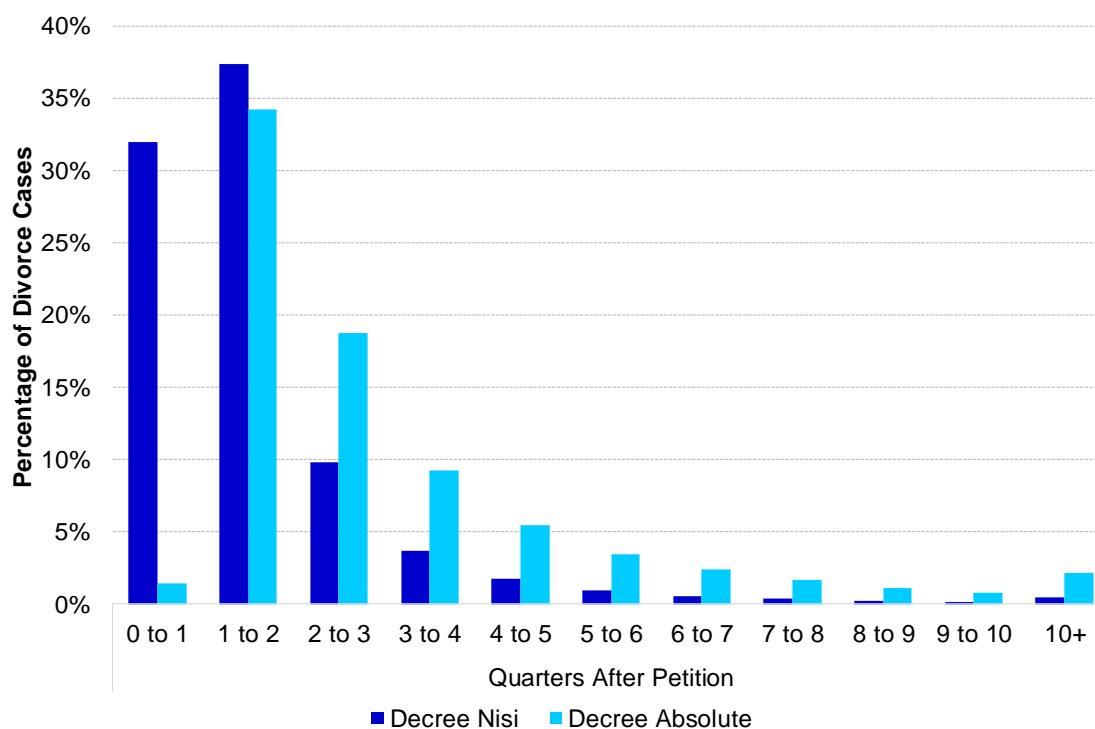
There were 32,230 divorce petitions made during April to June 2018, up 18% from the same quarter in 2017 – the highest quarterly figure since the start of 2013, following a long period of stability around 28,000 petitions per quarter. Future quarters will be monitored to assess whether this a sustained change in trend.

In contrast, there were fewer 22,637 decrees absolutes granted in April to June 2018, down 15% compared to the same quarter in 2017 (Table 12).

For those granted decree nisi in January to March 2018, the average time from the date of petition was 28.1 weeks, whilst the average time from petition to decree absolute was 54.4 weeks, the highest figures so far respectively for the periods covered by this bulletin.

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 Q2 2018 reaching decree nisi or decree absolute, by the number of quarters since petition (Source: Table 14)**



32% of divorce petitions made between 1 January 2011 and 31 June 2018 reached decree nisi in the first quarter after the petition was made, with a further 37% reaching this stage within the second quarter. Over half the petitions reached decree absolute within three



quarters after petition (1% in the first quarter, 34% within 1 to 2 quarters and 19% within 2 to 3 quarters).

## 6. Financial Remedy

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### Decrease seen in financial remedy applications and disposals

The number of financial remedy applications was down 6%, while disposals were also down, by 9% over the same period.

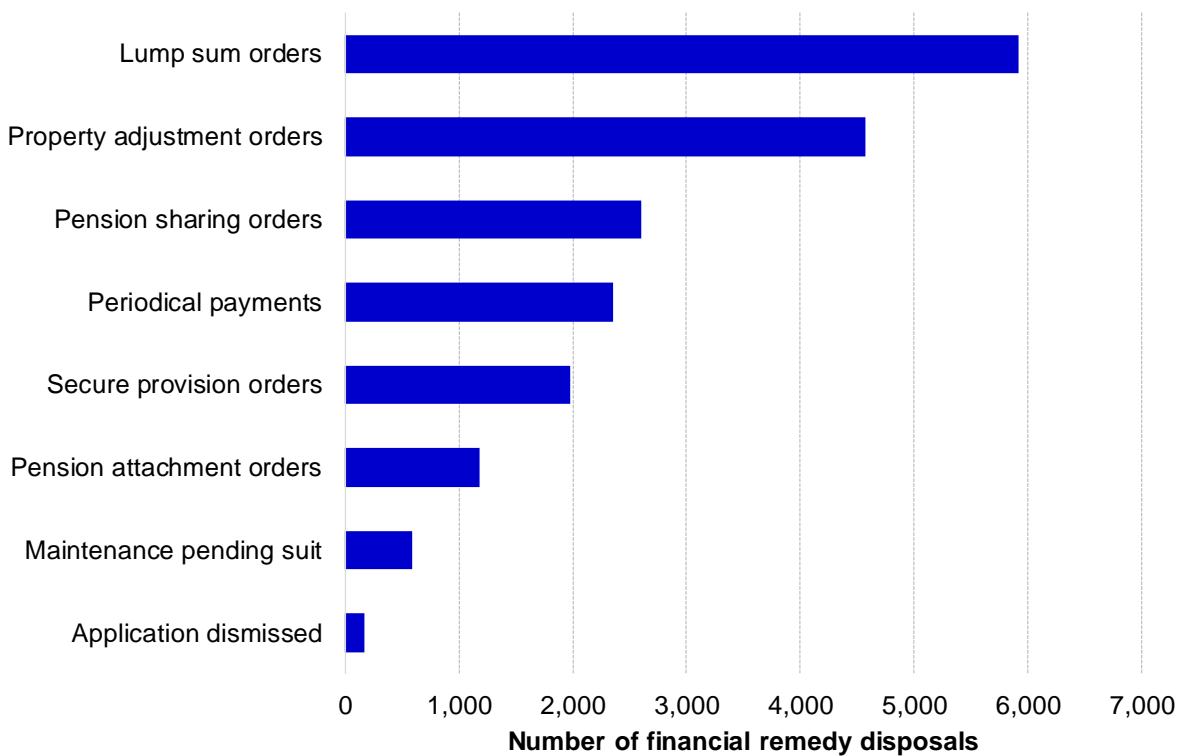
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There were 10,824 financial remedy applications in April to June 2018, down 6% on the equivalent quarter in 2017 (Table 15).

In April to June 2018, there were 9,609 financial remedy disposals, down 9% on the equivalent quarter in 2017. During this period, 67% of disposals were uncontested, 22% were initially contested and 10% were contested throughout.

In April to June 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, April to June 2018 (Source: Table 16)**



## 7. Domestic Violence Remedy Orders

### Number of domestic violence remedy orders increase

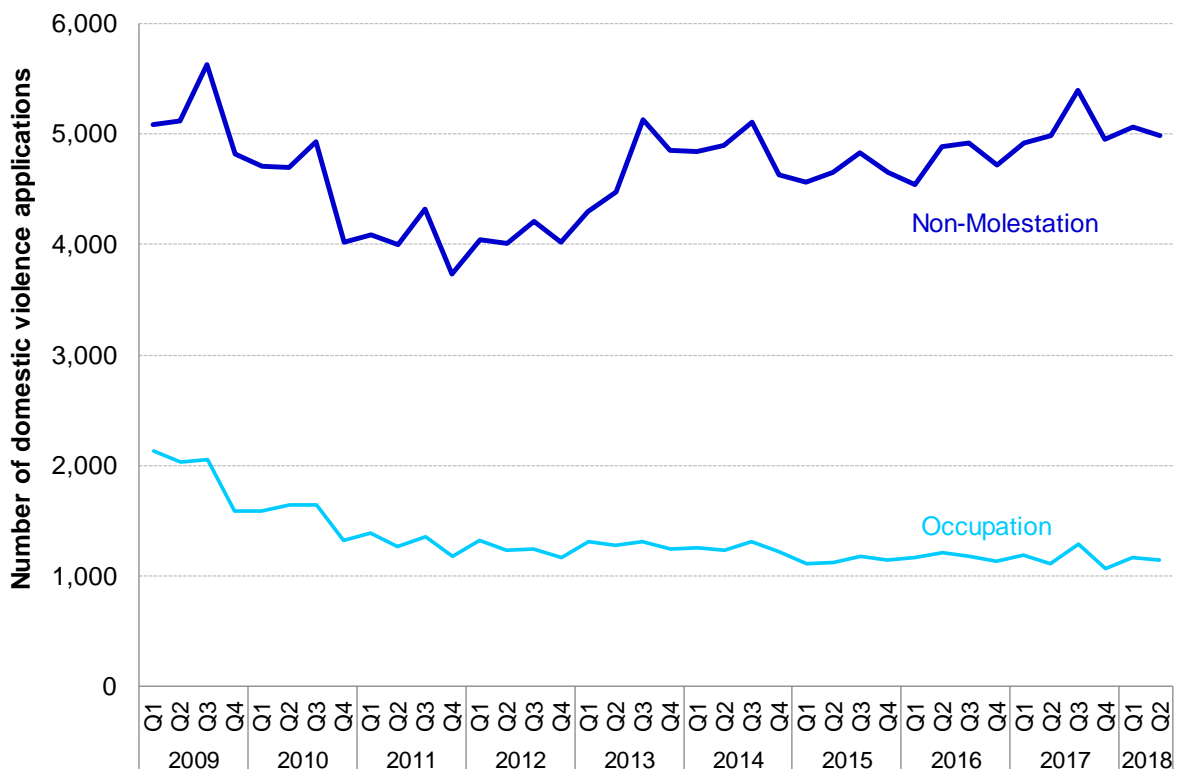
In April to June 2018, the number of applications was similar to the number in April to June 2017 (up 1%), whilst the number of orders made was up by 4% over the same period, driven by increase in non-molestation orders made.

In April to June 2018, there were 6,127 applications made for a domestic violence remedy order, up 1% on the same quarter in 2017 (Table 17). Most of the applications were for non-molestation orders (81%) compared to occupation orders (19%).

Similarly, of the 7,131 domestic violence orders made in April to June 2018, 93% were non-molestation orders and 7% were occupation orders. There has been a 5% increase in the number of non-molestation orders and a 12% decrease in the number of occupation orders compared to the equivalent quarter in 2017.

Figure 7 below shows that both non-molestation and occupation applications are maintaining a steady trend following fluctuations in previous recent quarters.

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

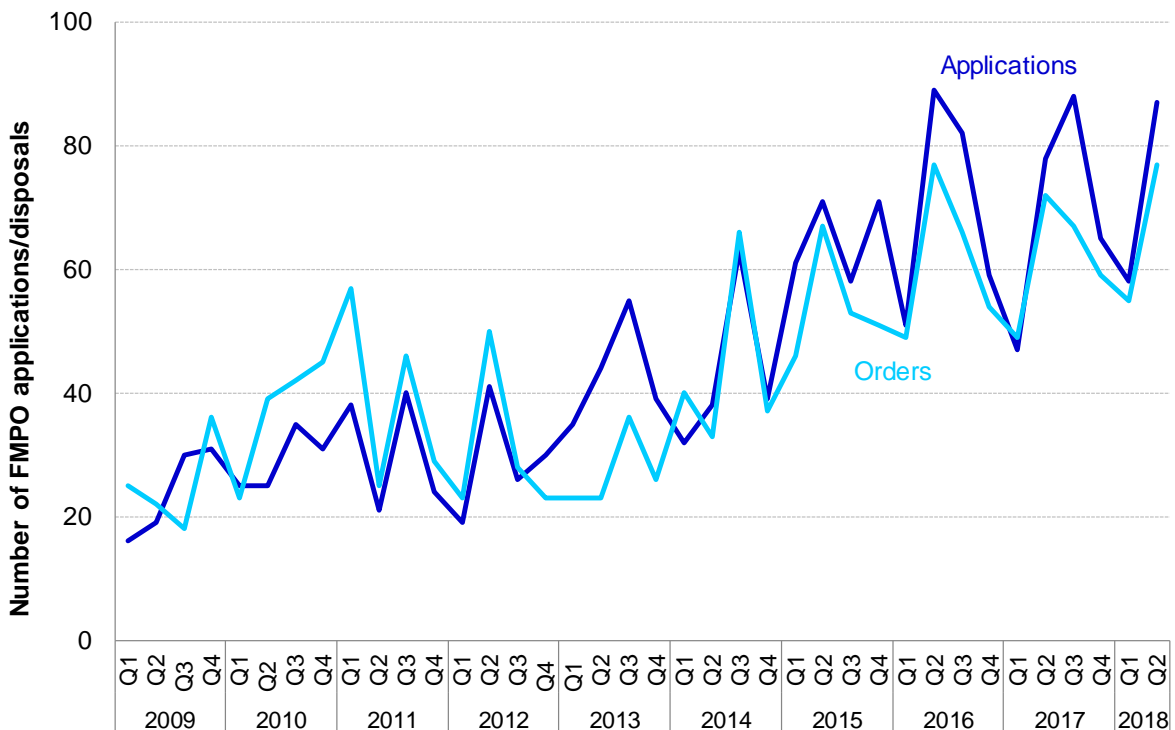


## 8. Forced Marriage Protection Orders and Female Genital Mutilation Protection Orders

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 April to June 2018, there were 87 applications and 77 orders made (Table 18). Of those applications, two-thirds (67%) of the applicants were aged 17 and under.

**Figure 8: Applications and orders made for Forced Marriage Protection Orders, January to March 2009 to April to June 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 23 and 28 made respectively in April to June 2018 (Table 19). In total, there have been 256 applications and 248 orders made up to the end of June 2018, since their introduction in July 2015.

## 9. Adoptions

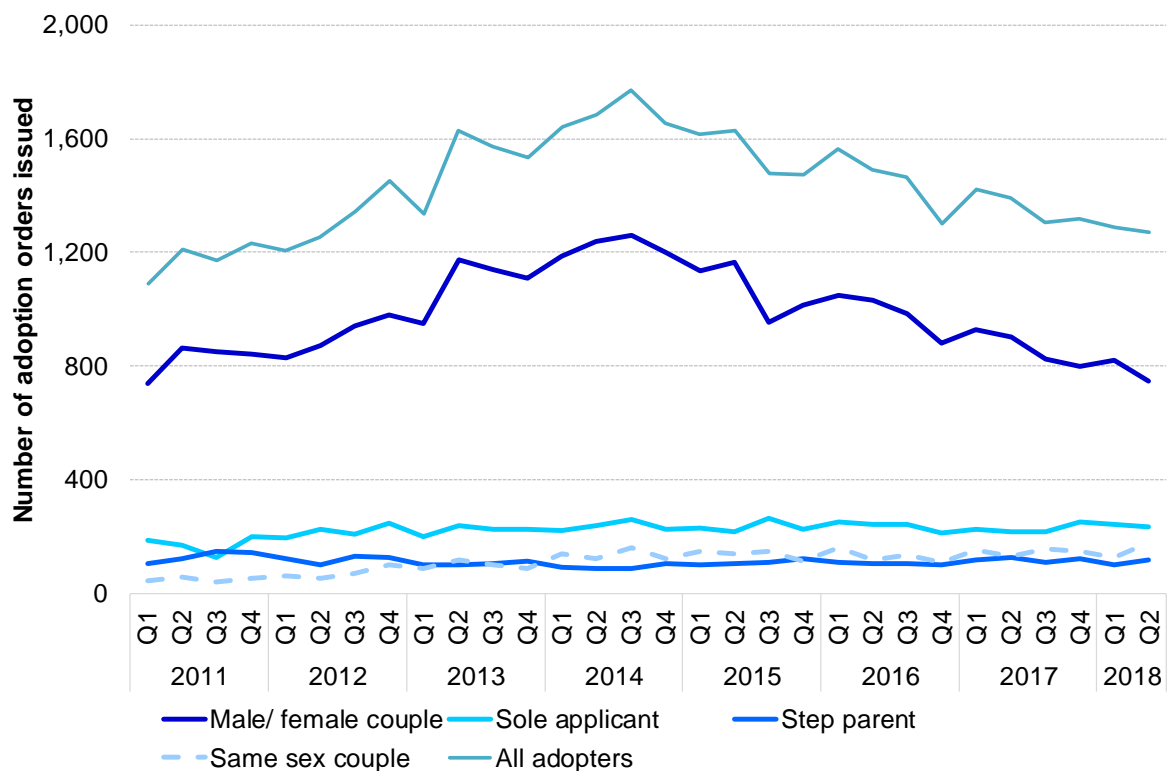
### Number of adoption applications and orders continues downward trend

During April to June 2018, there were 1,255 adoption order applications made, down 1% from the equivalent quarter in 2017. Over the same period the number of adoption orders issued decreased 9% to 1,271 (Tables 20 and 21).

There were 2,750 applications under the Adoption and Children Act 2002, including placement orders during April to June 2018, a 6% decrease on the same quarter in the previous year. Total disposals also dropped 10% to 2,532 over the same period.

Figure 9 below shows the trend of adoption orders by the type of adopter. This shows that during April to June 2018, 59% of all adoption orders were issued to male/female couples, 18% to sole applicants, 14% to same-sex couples and a further 9% to step-parents.

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

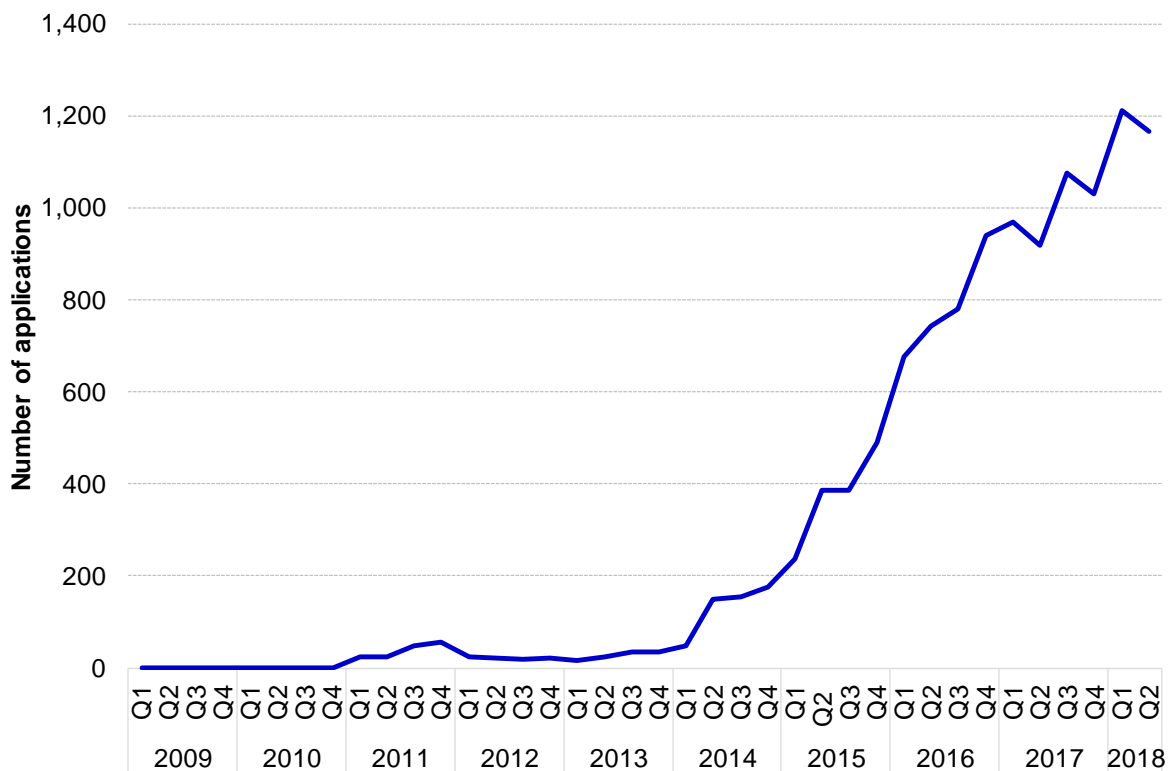


## 10 Mental Capacity Act - Court of Protection

### Continued increasing trend in applications made in relation to deprivation of liberty but a decrease in the number of orders made.

There were 1,166 applications relating to deprivation of liberty made in the most recent quarter, up 27% on the number made in April to June 2017. Orders made for deprivation of liberty decreased by 19% over the same period, from 689 to 558 respectively.

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



In April to June 2018, there were 7,414 applications made under the Mental Capacity Act 2005 (MCA), down 3% on the equivalent quarter in 2017 (7,623 applications). Just under half (48%) related to applications for appointment of a property and affairs deputy (Table 22).

In comparison, there were 9,050 orders made under the MCA, 11% less than the same quarter in 2017. Just over a third (34%) 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

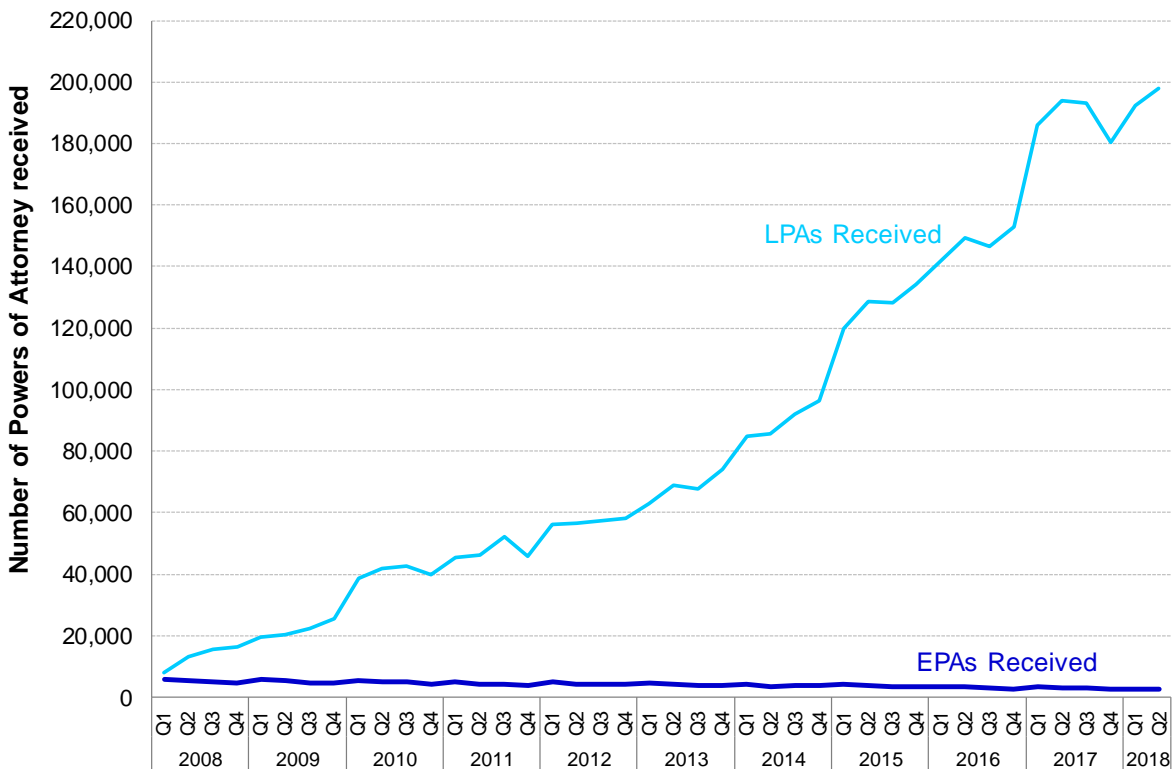
### Increasing trend in Lasting Powers of Attorney (LPAs) is slowing down

In April to June 2018, there were 197,836 LPAs received, up 2% from the equivalent quarter in 2017.

There were 197,836 Lasting Powers of Attorney (LPAs) received in April to June 2018, up 2% 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 2,423 Enduring Powers of Attorney (EPAs) in April to June 2018, down 18% on the equivalent quarter in 2017.

**Figure 11: Powers of attorney received, January to March 2008 to April to June 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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