



Civil Justice Statistics Quarterly, England and Wales, April to June 2019 (provisional)

Main points

Decrease in County Court claims driven by specified money claims		In April to June 2019, County Court claims decreased by 6% to 465,000. Of these, 369,000 were specified money claims (down 6% on the same period in 2018).
Unspecified money claims were down 9% to 31,000		The decrease in unspecified money claims was driven by a decrease in Personal Injury claims (down 11% to 28,000).
The number of claims defended increased, whilst trials decreased.		There were 77,000 claims defended (up 5%) and 15,200 claims that went to trial in April to June 2019 (down 2%).
Mean time taken from claim to hearing has increased		The mean time taken for <u>small claims</u> and <u>multi/fast track claims</u> to go to trial was 36.6 and 59.1 weeks, up 2.7 weeks and 3.0 weeks respectively compared to the same period in 2018.
Both judgments and default judgments increased by 1%		Judgments increased by 1% in April to June 2019 to 304,000 when compared to the same period in 2018; the proportion that were default judgments remained the same, at 89%.
21,000 enforcement applications and 17,000 enforcement orders made		Enforcement applications decreased 36%, driven by a fall in attachment of earnings applications (down 47%), and orders decreased 16%.
93,000 warrants were issued		Warrants issued decreased by 14% compared with the same period in 2018, driven by a decrease in warrants of control (down 17% to 74,000).
Number of judicial review applications in first half of 2019 in line with previous year		There were 1,700 Judicial Reviews in the first half of 2019. Of the 1,000 cases in 2019 that reached the permission stage, 120 (12%) were found to be 'totally without merit'.

This publication gives civil county court statistics for the latest quarter (April to June 2019), compared to the same quarter of the previous year. The judicial review figures cover the period January to June 2019. For more details, please see the supporting document.

Statistics on the Business and Property Court for England and Wales have also been published alongside this quarterly bulletin as Official Statistics. For technical detail, please refer to the accompanying support document.

1. Claims Summary

County court claims decreased (down 6%) on the same quarter of 2018, with the decrease driven by money claims

There were 465,000 County Court claims lodged in April to June 2019. Of these, 400,000 were money claims (down 6% from April to June 2018).

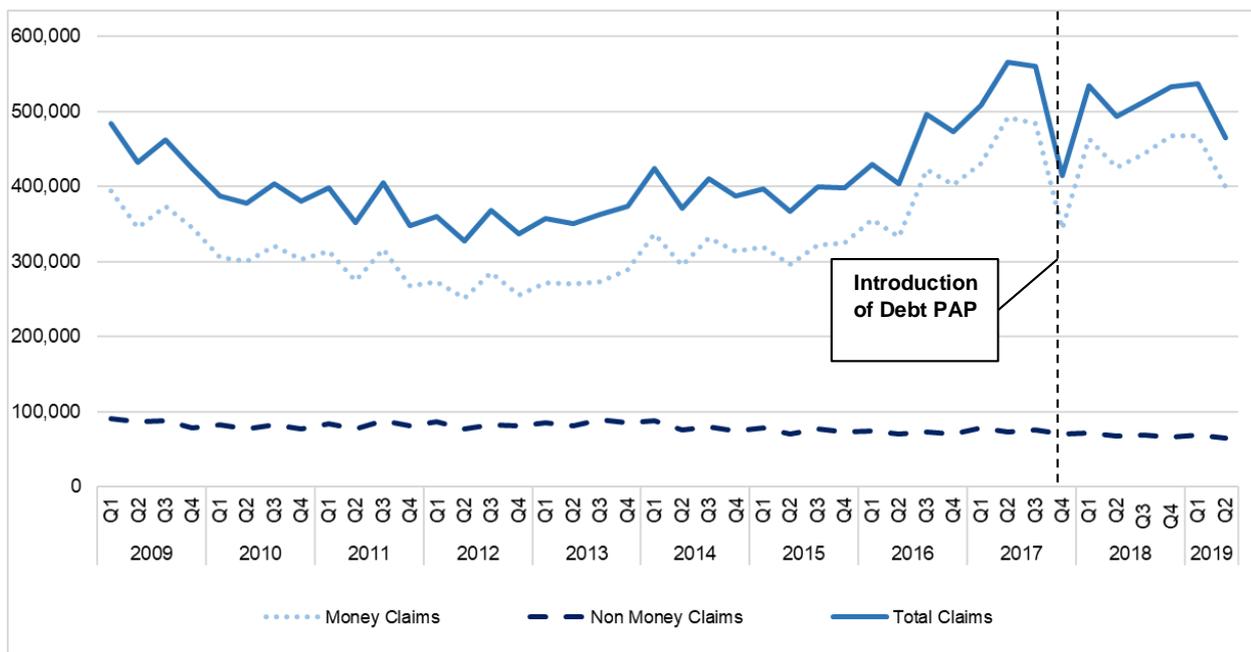


Non-money claim volumes were at 65,000, down 3% on the same quarter last year, driven by a fall in 'other non-money claims' (down 4%)

Mortgage and landlord possession claims decreased 3% over the same period to 33,000 whereas claims for return of goods increased by 4% to 3,000.



Figure 1: County Court claims by type, Q1 (January to March) 2009 to Q2 (April to June) 2019 (source: table 1.2)



County Court claims had been generally increasing since a low of 328,000 in April to June 2012, reaching a peak of 565,000 claims in April to June 2017. This increase was driven by a rise in money claims, which make up the majority of claims received. In this most recent quarter, claims have decreased by 6% to 465,000, compared to the same period in 2018. Of these, 400,000 were money claims (down 6% from April to June 2018). Historically, April to June is the quarter in a year with the lower amount of claim volumes. It is too early to establish if this decrease seen is a reversal of the upward trend or a fluctuation in the number of claims received. We will continue to monitor future quarterly data.

Non-money claims have been generally decreasing since the peak of 89,000 in July to September 2013, to a low of 65,000 in the current quarter (April to June 2019), a decrease of 3% when compared to the same period in 2018.

Within non-money claims, an overall increasing trend in 'other' non-money claims since a low of 26,000 in April to June 2014 has stabilised and in the most recent quarter, these fell by 4% to 29,000 when compared to the same period in 2018.

The overall trend in Mortgage and Landlord Possession claims has been decreasing since a peak of 60,000 in January to March 2014. There were 33,000 claims in April to June 2019 (down 3% when compared to the same quarter the previous year). The decrease has been

driven by a fall in landlord possession claims. Mortgage possessions over the same period have increased.

In contrast, claims for return of goods have been generally increasing since a low of 810 in April to June 2014, and increased to 3,000 (up 4%) in April to June 2019 compared to the same period in 2018.

2. Money Claims

Specified money claims have decreased by 6% to 369,000 claims in April to June 2019, driving the decrease seen in money claims.



Specified money claims up to (and including) £500 decreased 7% over this period, driving the overall decrease in specified money claims.

Unspecified claims have decreased by 9% to 31,000, driven by a fall in personal injury claims (down 11% to 28,000) when compared to the same quarter in 2018



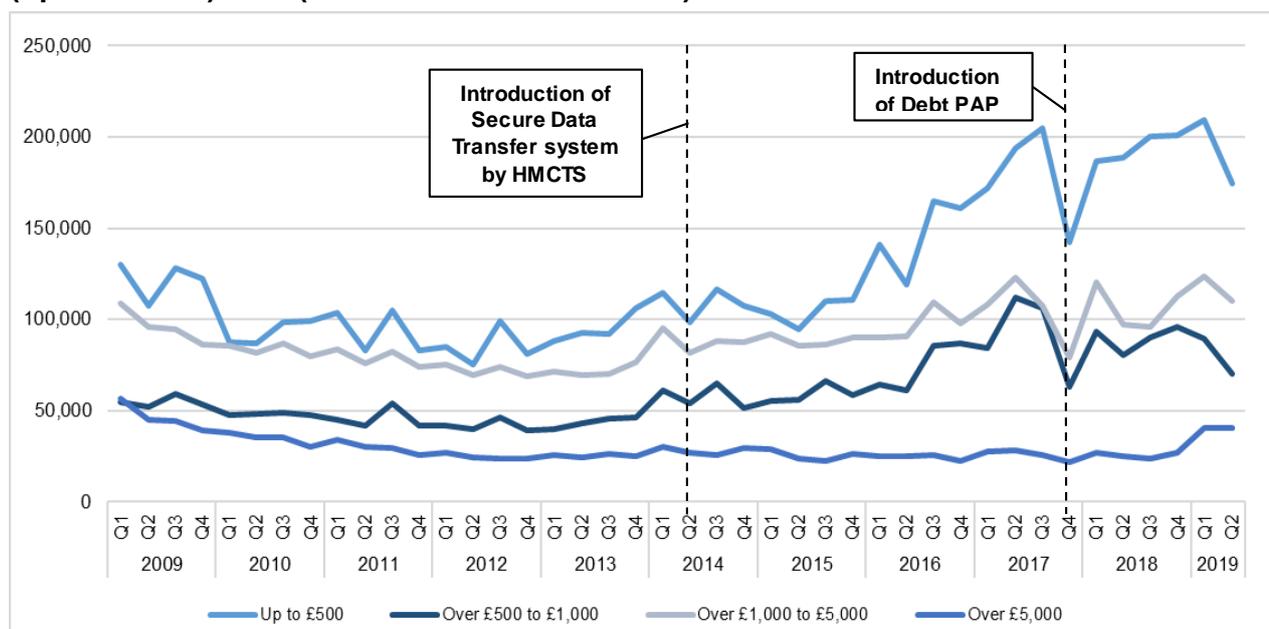
Personal Injury claims account for 91% of all unspecified money claims.

The majority (83%) of specified money claims are processed and issued at the County Court Business Centre (CCBC). There were 307,000 such claims at the CCBC in April to June 2019 (down 8% on the same quarter in the previous year).

Specified money claims had been following a generally increasing trend from a low in April to June 2012 (210,000 claims), until October to December 2017 where volumes dropped, following the implementation of the Pre-Action Protocol (PAP) for Debt¹ Claims in October 2017. The increasing trend resumed the following quarter, suggesting that the impact of the PAP on claim volumes was temporary. The main aim of the protocol is to encourage early engagement between parties to resolve disputes without needing to start court proceedings. In the most recent quarter (April to June 2019), there was a decrease of 6% to 369,000 claims.

The decrease in specified money claims is driven by the smallest claim size band (claims over £0 and up to and including £500). These decreased 7% in April to June 2019, compared to a year earlier, to 175,000 claims and account for 44% of total specified money claims in the most recent quarter. Higher value claims (above £500 to and including £15,000) increased over this period by 7% to 210,000 claims.

Figure 2: Specified money claims by monetary value, Q1 (January to March) 2009 to Q2 (April to June) 2019 (source: civil workload CSV)



¹ <http://www.justice.gov.uk/courts/procedure-rules/civil/pdf/protocols/pre-action-protocol-for-debt-claims.pdf>

Unspecified money claims have fluctuated between 31,000 and 40,000 claims each quarter over the last five years (since April to June 2014). More recently the volumes have been decreasing, falling 9% to 31,000 in April to June 2019 compared to the same period in 2018. The fall in unspecified money claims is driven by a decrease in personal injury, down 11% to 28,000, and can be attributed to a change in Civil Procedure rules on holiday package gastric illness claims, and whiplash reform.

Allocations (Table 1.3)

In April to June 2019, 42,000 money claims were allocated to track, down 1% on the same period in 2018, with increases seen in small claims and decreases seen across fast and multi-track claims. Compared to April to June 2018, of these allocations:

- 25,000 were allocated to small claims, an increase of 15%, accounting for 58% of all allocations;
- 15,000 were allocated to fast track, a decrease of 18%, accounting for 35% of all allocations;
- 3,100 were allocated to multi-track, a decrease of 14%, accounting for 7% of all allocations.

3. Defences (including legal representation) and Trials

The number of claims defended increased by 5% to 77,000

Of those claims defended, 55% had legal representation for both claimant and defendant, 24% had representation for claimant only, and 4% for defendant only.



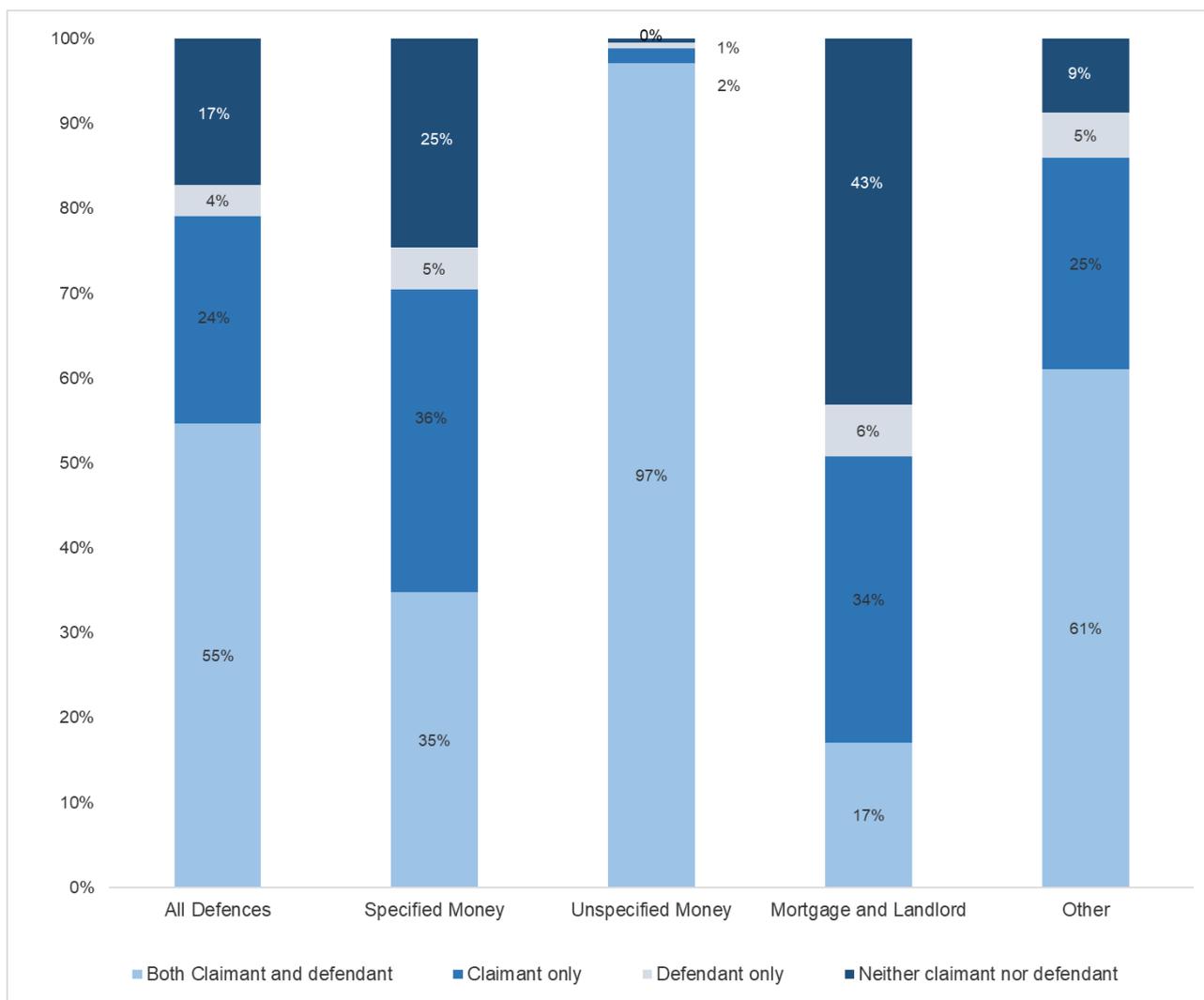
The number of trials has increased 2% to 11,000 and average time taken from claim to trial has increased.

Average time taken for small claims has increased to 36.6 weeks (up 8%) and for multi and fast track claims it has increased to 59.1 weeks (up 5%).



In April to June 2019, almost all (97%) unspecified money defences had legal representation for both the defendant and claimant, compared with around a third (33%) of specified money defences.

Figure 3: Proportion of civil defences and legal representation status, April to June 2019 (Source: table 1.6)

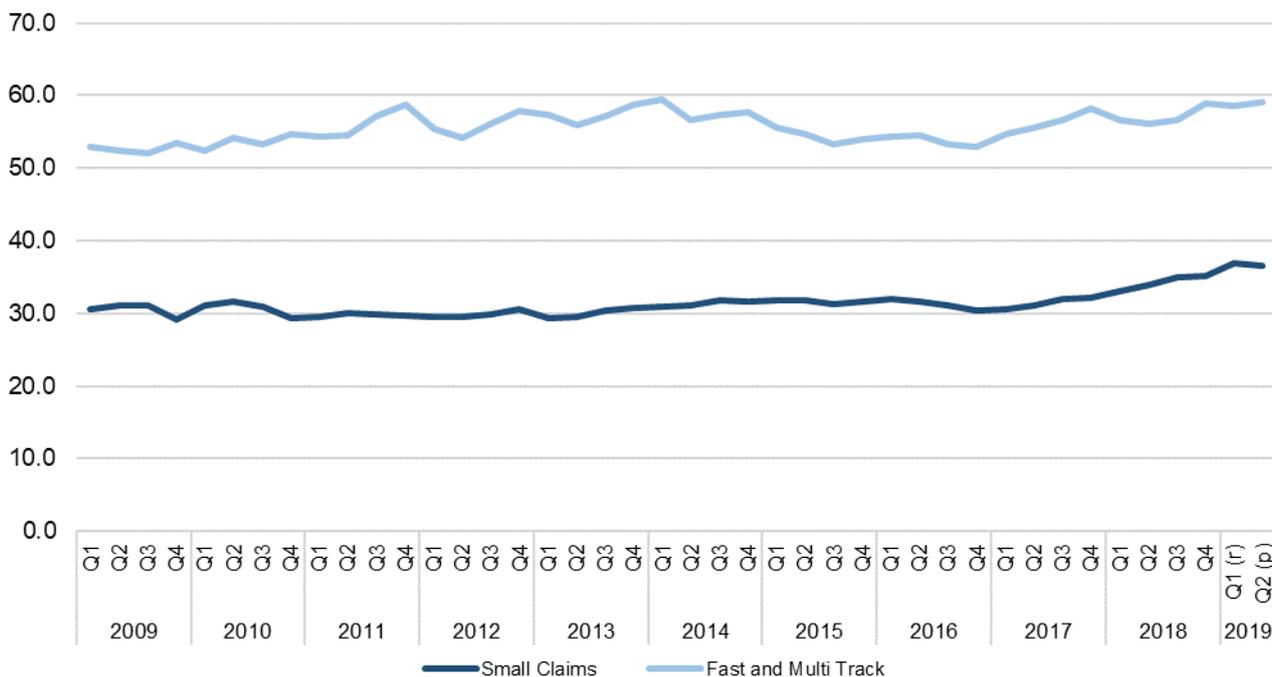


The total number of claims defended increased by 5% in April to June 2019, to 77,000 cases. This was driven by increases in specified money claims being defended, all other cases types defence figures decreased over the same period. The increase in defences can in part be attributed to the lag in time for a claim to reach the defence stage.

Trials and Time Taken to Reach Trial (Table 1.5)

Defended cases which are not settled or withdrawn generally result in a trial. In total, there were 15,000 trials in April to June 2019, a decrease of 2% when compared to the same period the previous year. Of the claims that went to trial, 11,000 (73%) were small claims trials (up 2% compared to the same quarter in 2018) and 4,000 (27%) were fast and multi-track trials (down 12% from 4,600 in the same quarter of 2018).

Figure 4: Average number of weeks from claim being issued to initial hearing date, Q1 (January to March) 2009 to Q2 (April to June) 2019 (Source: table 1.5)



In April to June 2019, it took an average of 36.6 weeks between a small claim being issued and the claim going to trial, 2.7 weeks longer than in the same period in the previous year. A sustained period of increasing receipts has increased the time taken to hear civil cases and caused delays to progress cases.

For multi/fast track claims, it took on average 59.1 weeks to reach a trial, 3 weeks longer than in April to June 2018 - this is near the upper limit of the long-term range (52-59 weeks).

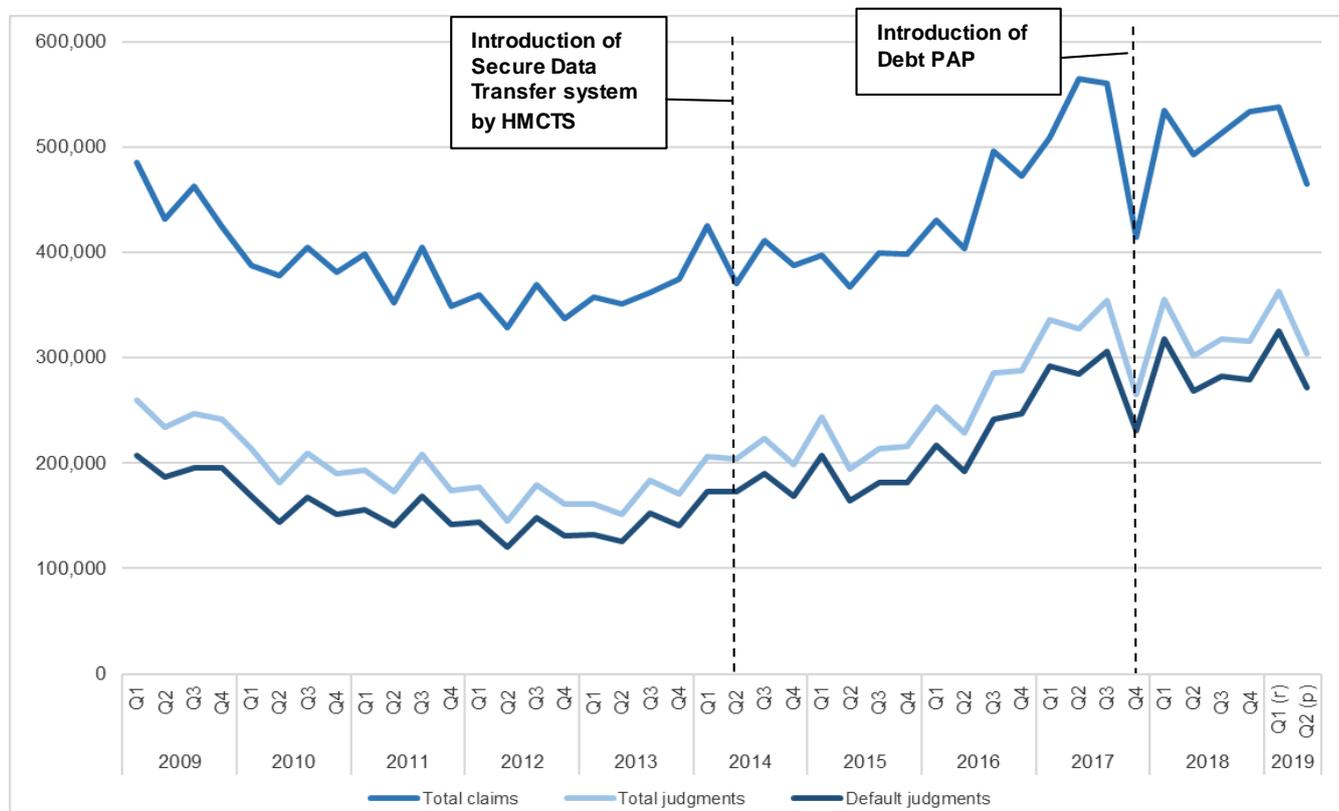
4. Judgments

Judgments increased by 1% compared to same quarter in 2018, with default judgments also up 1%

There were 304,000 judgments made in April to June 2019, of which 270,000 were default judgments. The proportion of default judgments (89%) has remained the same when compared to the same quarter in 2018.



Figure 5: All claims, judgments and default judgments, Q1 (January to March) 2009 to Q2 (April to June) 2019 (Source: table 1.2 and 1.4)



There were 304,000 judgments made in April to June 2019, an increase of 1% compared to the same quarter of the previous year. Of these, 89% were default judgments, remaining the same when compared against the same quarter of the previous year. The number of default judgments also increased by 1% from April to June 2018.

The second largest type of judgment was 'admissions', of which there were 19,000 in April to June 2019, up 4% on the same quarter in 2018. Admission judgments accounted for 6% of all judgments, remaining at a similar level to that seen in April to June 2018.

5. Warrants and Enforcements

Warrants issued decreased by 14%, when compared to same quarter in 2018 - driven by a decrease in warrants of control

In April to June 2019, 93,000 warrants were issued – more than three quarters (79%) were warrants of control, which decreased 17% compared to the same period of 2018.

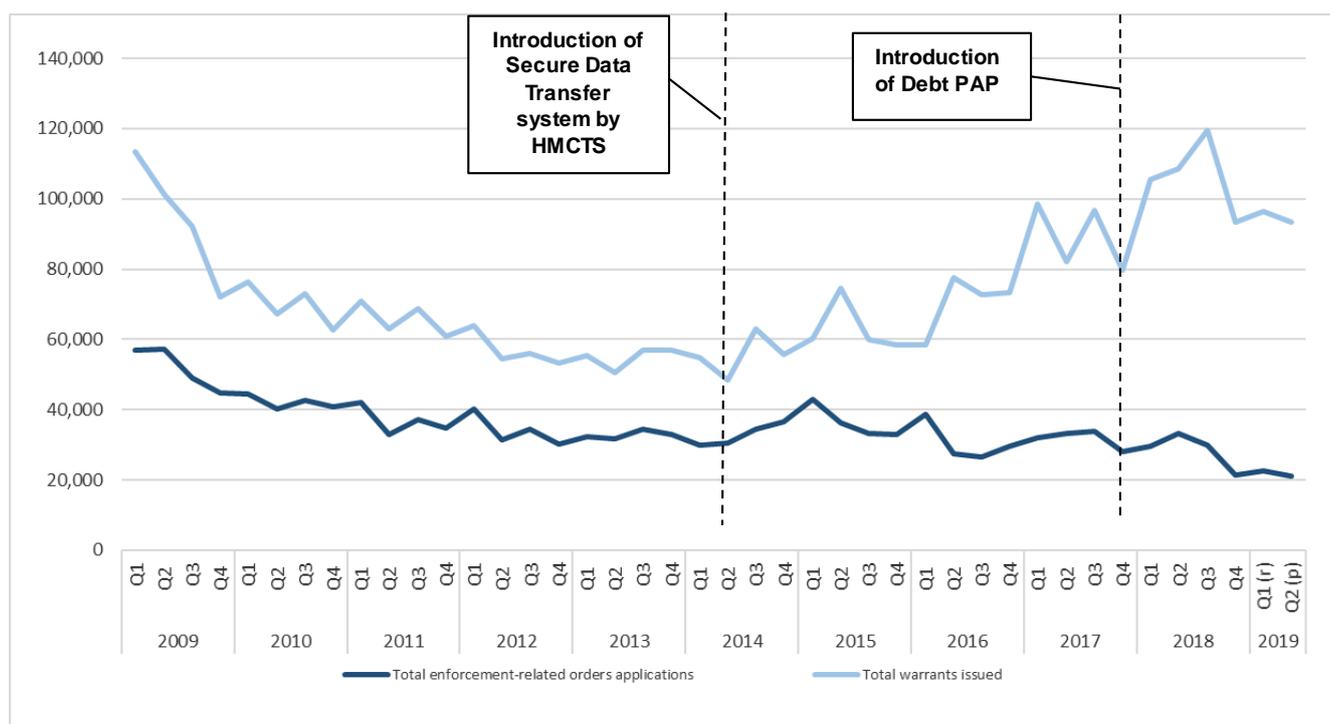


Enforcement applications and enforcement orders were down 36% and 16% respectively, when compared to same quarter in 2018

The fall in applications was driven by attachment of earnings (AoE) cases (down 47% to 14,000) The fall in orders was driven by the decrease in AoE orders and charging orders (down 21% and 6% to 7,800 and 6,900 respectively).



Figure 6: Warrants and enforcements issued – Q1 (January to March) 2009 to Q2 (April to June) 2019 (Source: tables 1.7 and 1.8)



Warrants (Table 1.7)

Historically, warrants issued initially fell between 2000 and April to June 2014, to a low of 48,000. Since April to June 2014 there has been an increasing trend, to a peak of 120,000 in July to September 2018.

This increasing trend is likely due to the introduction of the Secure Data Transfer system in July 2014 by HMCTS for the issue of warrants of control. This enables bulk customers to not only issue money claims digitally, but also the subsequent enforcement by a warrant; speeding up and simplifying the process, which has led to a customer preference for warrants over other types of enforcement.

In the latest quarter (April to June 2019) there were 93,000 warrants issued, down 14% on the same quarter in 2018. Despite the decreases seen in the two most recent quarters, the general trend is upward driven by warrants of control.

Enforcements (Table 1.8)

In April to June 2019, there were 21,000 enforcement-related order applications (which include attachment of earnings orders, charging orders, third party debt orders, administration orders, and orders to obtain information) and 17,000 enforcement related orders made, down 36% and 16% respectively when compared to the same period last year. The fall in applications has been driven by attachment of earnings cases (down 47%), and the fall in orders has been driven by a decrease in both attachment of earnings orders and charging orders (down 21% to 7,800 and 6% to 6,900 respectively).

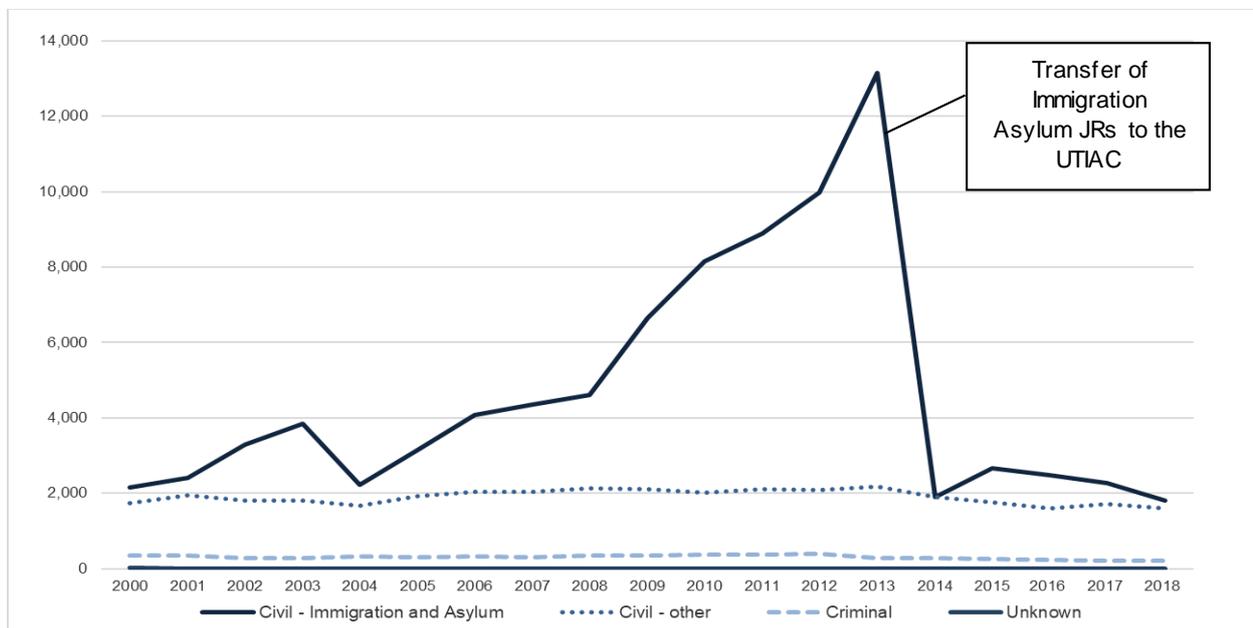
Over the longer term, as shown in figure 6, there has been a decreasing trend in enforcement related applications received and orders made since 2009, possibly due to claimants' preference for using warrants instead to retrieve money, property or goods.

6. Judicial Reviews²

Of the 1,700 applications received in the first half of 2019, 56% have already closed, and 120 were found to be 'Totally Without Merit' (12% of cases that reached the permission stage).

There were 1,700 judicial review applications received so far in 2019, a similar number to the same period in 2018. In 2018 there were 3,600 applications received in total, down 14% on 2017.

Figure 7: Annual Judicial Review Applications, by type; calendar year 2000-2018 (Source: table 2.1)



Of the 1,700 judicial review applications received in the first half of 2019, 890 were civil immigration and asylum applications, 790 were civil (other) and 72 were criminal, up 2%, up 2% and down 38% respectively on the same period of 2018. Eighteen of the civil immigration and asylum cases have since been transferred to the UTIAC.

In the first half of 2019, 56% of the applications that were made are now closed. Of the total applications, 1,000 reached the permission stage within the first half of 2019, and of these:

- 12% (120) were found to be totally without merit (TWM), a 25% decrease on the same period of the previous year.
- 200 cases were granted permission to proceed and 780 were refused at the permission stage. However, 30 of cases refused at permission stage went on to be granted permission at the renewal stage.
- 230 of the 2019 cases have been assessed to be eligible for a final hearing and of these, 24 have since been heard.
- For the 2019 cases, the mean time from a case being lodged to the permission decision was 60 days, down from 77 days across the same period of 2018.

Future quarterly bulletins will give more insight into the 2019 cases, as they work their way through the system.

² The judicial review data are Official Statistics

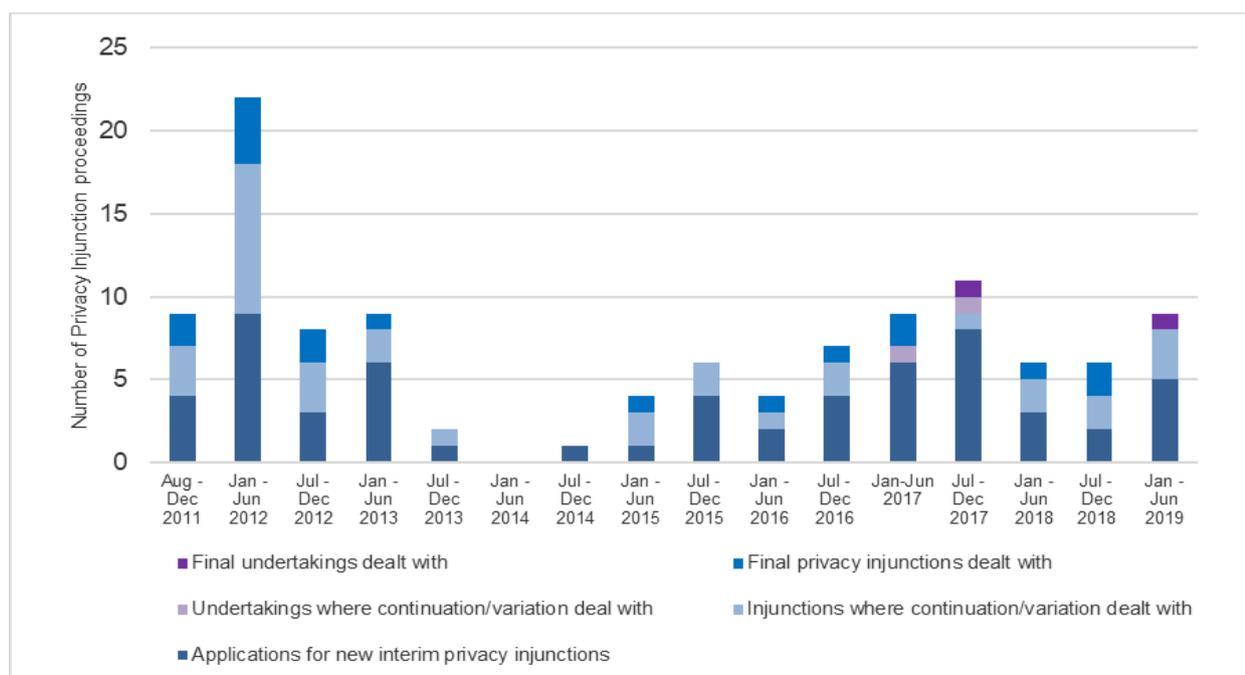
7. Privacy Injunctions³

In the first six months of 2019, there were 5 proceedings where the High Court considered an application for a new interim privacy injunction.

Three proceedings were considered at the High Court on whether to continue or amend an interim injunction, and no proceedings were considered to issue a final permanent injunction.

There were no proceedings considered at the High Court on whether to continue or amend an undertaking, and one proceeding considered a final undertaking⁴.

Figure 8: Revised number of privacy injunction proceedings, by type of proceeding, from Aug-Dec 2011 to Jan-Jun 2019 (Source: tables 3.1, 3.2 and 3.3)



New interim privacy injunctions (Table 3.1)

Four of the proceedings at the High Court that took place in January to June 2019 were granted. In the previous six months (July to December 2018) two new interim privacy injunction proceedings took place. Both of these were granted.

Continuation of existing interim injunctions (Table 3.2)

The continuation of three existing interim injunction proceedings that took place in January to June 2019 were all granted/varied. In July to December 2018, the continuation of two existing interim injunctions proceeding were granted/varied.

Final privacy injunctions (Table 3.3)

There were no final privacy injunctions dealt with in January to June 2019, and the final undertaking that was dealt with was accepted.

³ The privacy injunction data are Official Statistics

⁴ An undertaking is different from an injunction, in that it is a promise given by the defendants, rather than an injunction which is an order of the court.

Further information

Provisional data and revisions

The statistics in the latest quarter are provisional and revisions may be made when the next edition of this bulletin is published. If revisions are needed in subsequent quarters, these will be annotated in the tables.

The judge sitting days tables published in the previous quarter (on 6 June 2019) as part of the annual RCJ tables, have been temporarily withdrawn due to data discrepancies found in these tables. This does not affect any of the data in this quarters publication. For more information please see the landing page for the January to March 2019 publication:

<https://www.gov.uk/government/statistics/civil-justice-statistics-quarterly-january-to-march-2019>

Accompanying files

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

- A supporting document providing further information on how the data is collected and processed, as well as information on the revisions policy and legislation relevant to civil justice.
- A set of tables providing statistics on the Business and Property Courts of England and Wales.
- A set of overview tables and CSV files, covering each section of this bulletin.
- The Sankey case progression tool was updated with annual figures for 2018.

Rounding convention

Figures greater than 10,000 are rounded to the nearest 1,000, those between 1,000 and 10,000 are rounded to the nearest 100 and those between 100 to 1,000 are rounded to the nearest 10. Less than 100 are given as the actual number.

National Statistics status

National Statistics status means that official statistics meet the highest standards of trustworthiness, quality and public value.



All official statistics should comply with all aspects of the Code of Practice for Official Statistics. They are awarded National Statistics status following an assessment by the Authority's regulatory arm. The Authority considers whether the statistics meet the highest standards of Code compliance, including the value they add to public decisions and debate.

It is the Ministry of Justice's responsibility to maintain compliance with the standards expected for National Statistics. If we become concerned about whether these statistics are still meeting the appropriate standards, we will discuss any concerns with the Authority promptly. National Statistics status can be removed at any point when the highest standards are not maintained, and reinstated when standards are restored.

Future publications

Our statisticians regularly review the content of publications. Development of new and improved statistical outputs is usually dependent on reallocating existing resources. As part of our continual review and prioritisation, we welcome user feedback on existing outputs including content, breadth, frequency and methodology. Please send any comments you

have on this publication including suggestions for further developments or reductions in content.

Contacts

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For any feedback on the layout or content of this publication or requests for alternative formats, please contact ESD@justice.gov.uk