



Civil Justice Statistics Quarterly, England and Wales, July to September 2019 (provisional)

Main points

Increase in County Court claims driven by specified money claims		In July to September 2019, County Court claims increased by 7% on the same period in 2018 to 550,000. Of these, 449,000 were specified money claims (up 9%).
Unspecified money claims were down 2% to 32,000		The decrease in unspecified money claims was driven by a decrease in Personal Injury claims (down 5% to 29,000).
The number of claims defended increased. Trials also increased		There were 80,000 claims defended (up 8%) and 17,000 claims that went to trial in July to September 2019 (up 14%).
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 38.1 and 59.4 weeks, up 3.2 weeks and 2.8 weeks respectively compared to the same period in 2018.
Both judgments and default judgments increased		Judgments increased by 7% in July to September 2019 to 341,000 when compared to the same period in 2018; the proportion that were default judgments remained the same, at 89%.
25,000 enforcement applications and 17,000 enforcement orders made		Enforcement applications decreased 15%, driven by a fall in attachment of earnings applications (down 23%). Enforcement orders decreased 12%.
110,000 warrants were issued		Warrants issued decreased by 8% compared with the same period in 2018, driven by a decrease in warrants of control (down 9% to 90,000).
Number of judicial review applications in first three quarters of 2019 down 3% on previous year		There were 2,600 Judicial Reviews in the first three quarters of 2019. Of the 1,700 cases in 2019 that reached the permission stage, 190 (11%) were found to be 'totally without merit'.

This publication gives civil county court statistics for the latest quarter (July to September 2019), compared to the same quarter of the previous year. The judicial review figures cover the period January to September 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 increased (up 7%) on the same quarter of 2018, with the increase driven by money claims

There were 550,000 County Court claims lodged in July to September 2019. Of these, 480,000 were money claims (up 8% from July to September 2018).

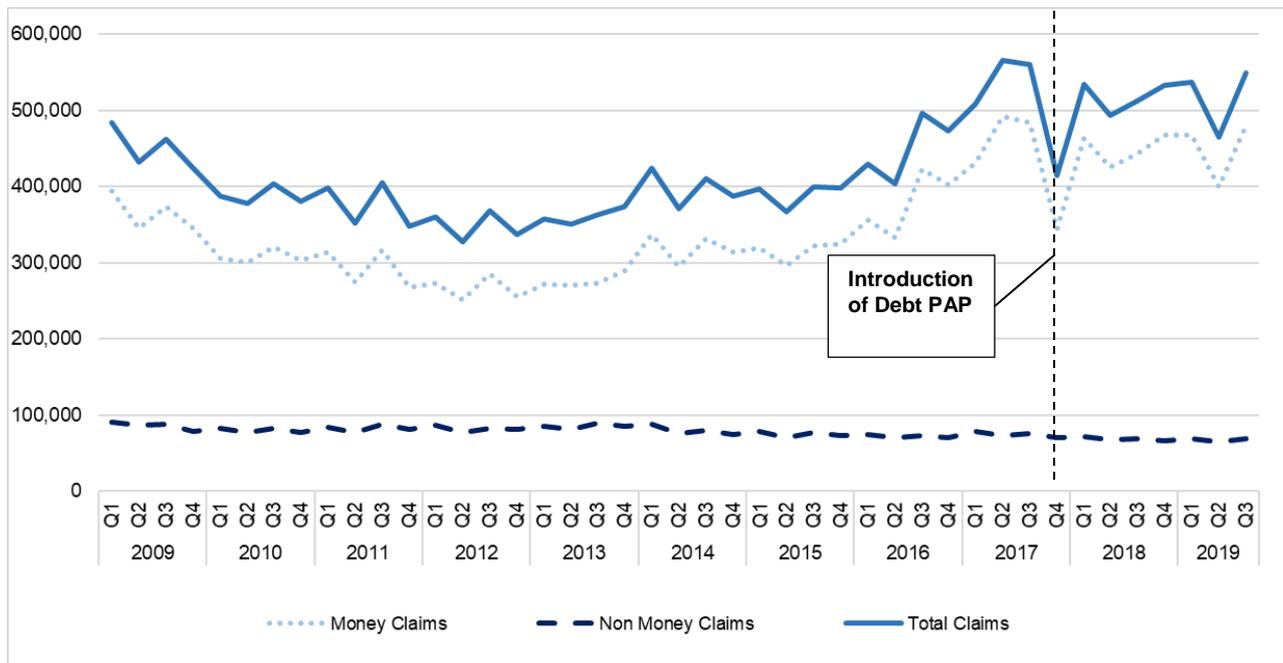


Non-money claim volumes were at 69,000, remaining at similar levels when compared to the same quarter last year, however 'other non-money claims' rose 6%.

Mortgage and landlord possession claims decreased 3% over the same period to 35,000 and claims for return of goods also decreased by 18% to 2,900.



Figure 1: County Court claims by type, Q1 (January to March) 2009 to Q3 (July to September) 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 increased by 7% to 550,000, compared to the same period in 2018. Of these, 480,000 were money claims (up 8% from July to September 2018). The decrease noted in the previous quarter (April to June 2019) has not continued into this quarter, so that quarter's drop does not appear to indicate a trend change.

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 April to June 2019. In the current quarter, non-money claims remained at similar levels (69,000) when compared to the same period in 2018.

Within non-money claims, 'other' non-money claims have generally increased from a low of 26,000 in April to June 2014 but started to fall in 2018. However, in the most recent quarter, 'other' non-money claims increased by 6% to 31,000 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 35,000 claims in July to September 2019, down 3% when compared to the same quarter the previous year. This 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. However, claims have decreased to 2,900 (down 18%) in July to September 2019 compared to the same period in 2018.

2. Money Claims

Specified money claims have increased by 9% to 449,000 claims in July to September 2019, driving the increase seen in money claims.



Specified money claims above £500 up to (and including) £15,000 increased 18% over this period to 243,000, driving the overall increase in specified money claims.

Unspecified claims have decreased by 2% to 32,000, driven by a fall in personal injury claims (down 5% to 29,000) when compared to the same quarter in 2018



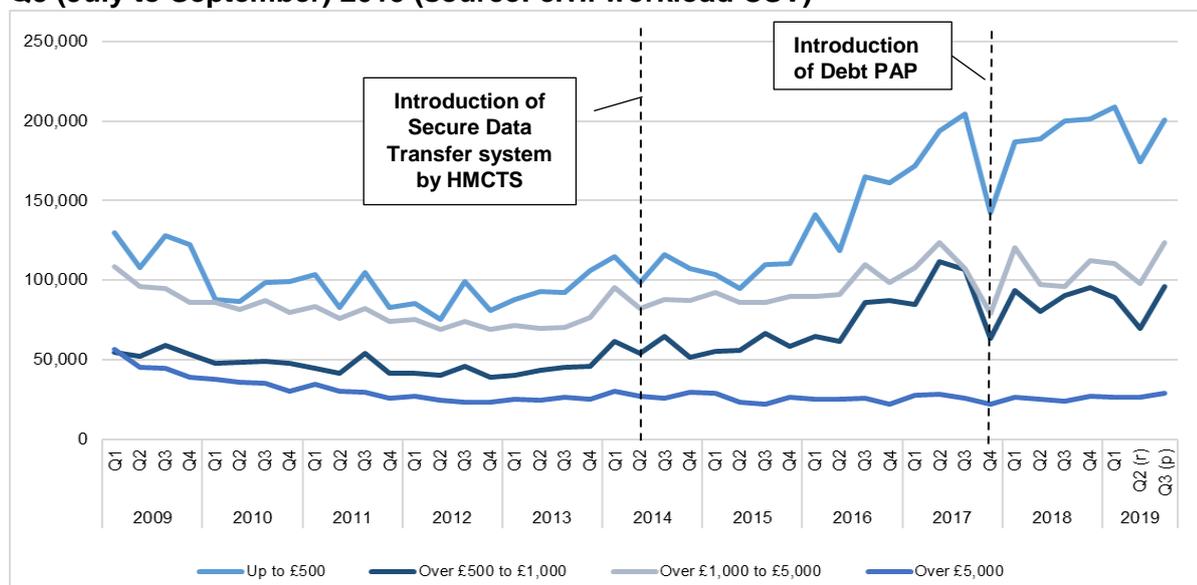
Personal Injury claims accounted for 91% of all unspecified money claims in the most recent quarter.

The majority (85%) of specified money claims are processed and issued at the County Court Business Centre (CCBC). There were 382,000 such claims at the CCBC in July to September 2019 (up 10% on the same quarter in the previous year).

Specified money claims increased from a low in April to June 2012 (210,000 claims), to 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 (July to September 2019), there was an increase of 9% to 449,000 claims.

The increase in specified money claims is driven by higher value claims (above £500 up to and including £15,000). These increased by 18% in the period July to September 2019, compared to a year earlier, to 243,000 claims and account for 54% of total specified money claims in the most recent quarter. When compared to the previous quarter, the smallest claim band (above £0 up to and including £500) has remained at around 200,000 claims.

Figure 2: Specified money claims by monetary value, Q1 (January to March) 2009 to Q3 (July to September) 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 July to September 2014). More recently, the volumes have decreased, falling by 2% to 32,000 in July to September 2019 compared to the same period in 2018. The fall in unspecified money claims is driven by a decrease in personal injury, down 5% to 29,000, and can be attributed to the impact of previous Government reform to tackle the costs of civil litigation through measures included in part 2 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (and other related reforms).

Allocations (table 1.3)

In July to September 2019, 50,000 money claims were allocated to track, up 14% on the same period in 2018 and the highest recorded quarterly figure. Increases were seen in small claims, but there were decreases in both fast and multi-track claims. Compared to July to September 2018, of these allocations:

- 31,000 were allocated to small claims, an increase of 30%, accounting for 62% of all allocations;
- 16,000 were allocated to fast track, a decrease of 5%, accounting for 32% of all allocations;
- 3,200 were allocated to multi-track, a decrease of 2%, accounting for 6% of all allocations.

3. Defences (including legal representation) and Trials

The number of claims defended increased by 8% to 80,000

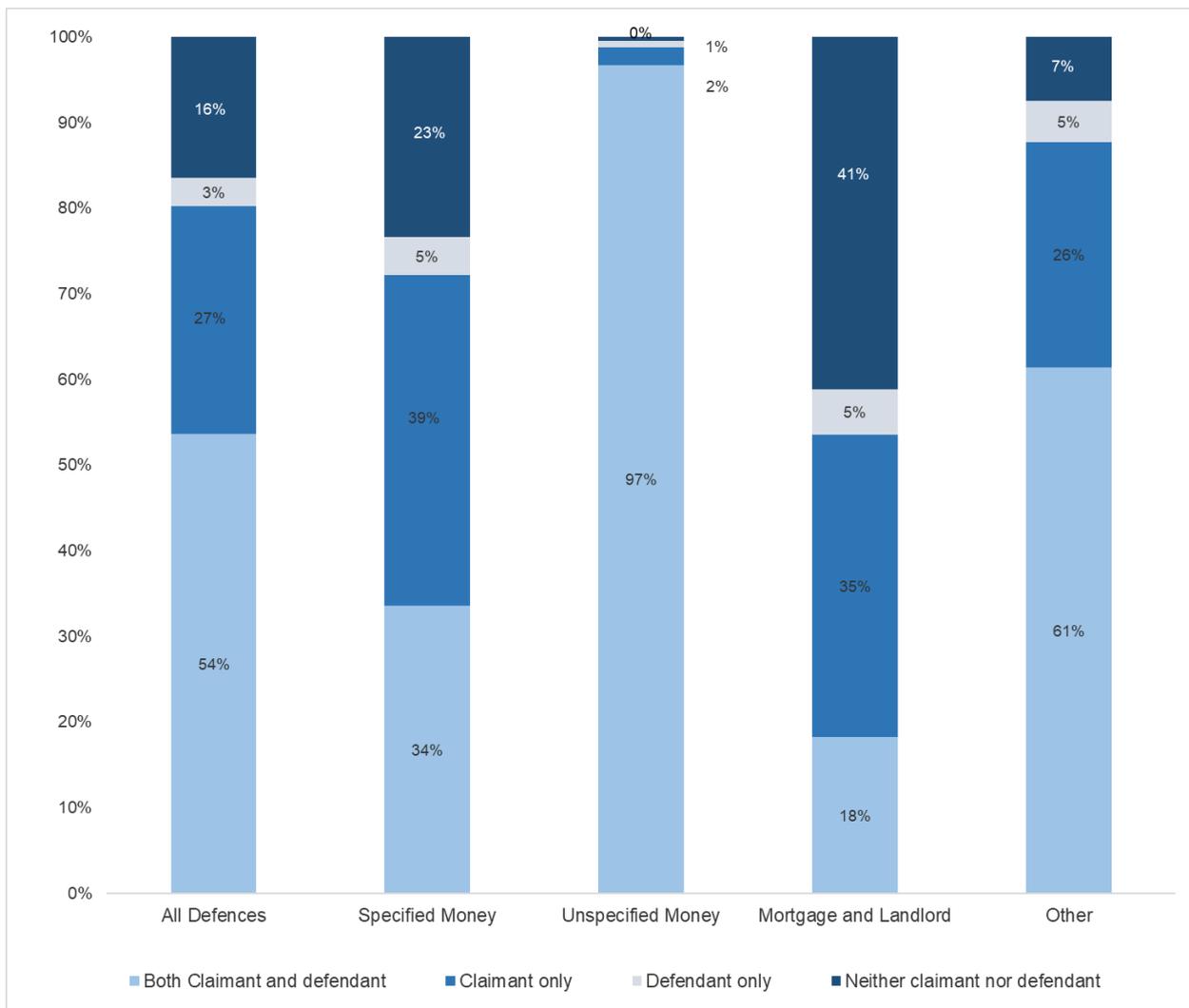
Of those claims defended, 54% had legal representation for both claimant and defendant, 27% had representation for claimant only, and 3% for defendant only. 

The number of trials has increased by 14% to 17,000 and average time taken from claim to trial has also increased.

Average time taken for small claims has increased to 38.1 weeks (up 3.2 weeks) and for multi and fast track claims it has increased to 59.4 weeks (up 2.8 weeks). 

In July to September 2019, almost all (97%) unspecified money defences had legal representation for both the defendant and claimant, compared with around a third (34%) of specified money defences.

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

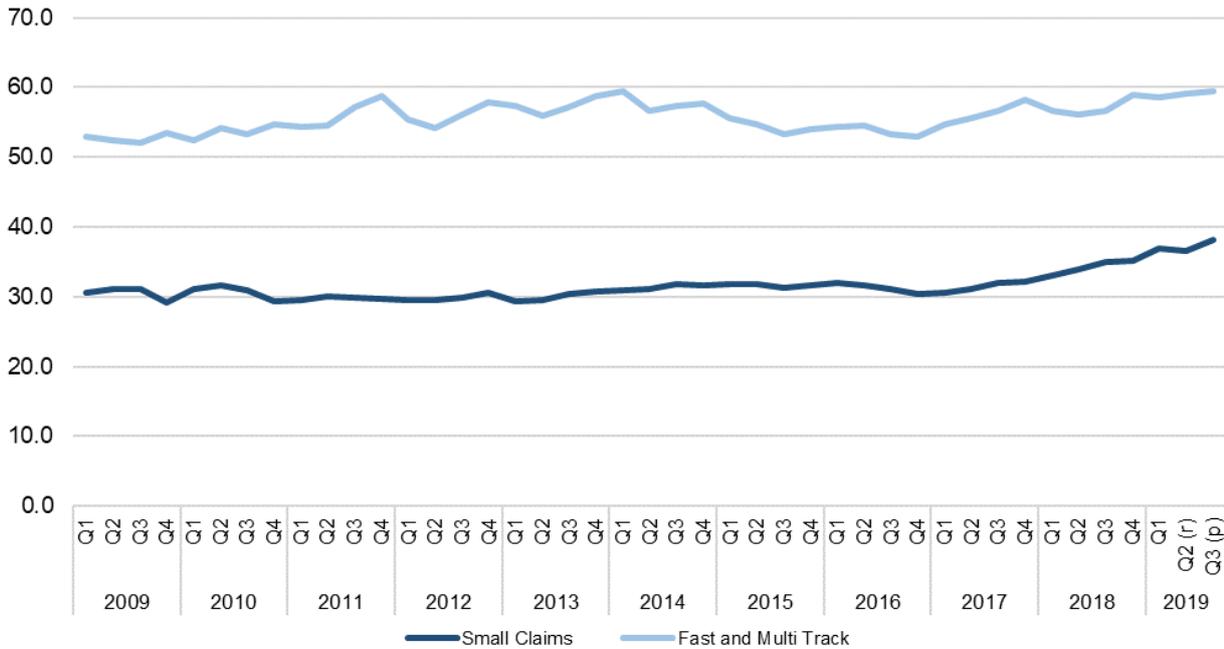


The total number of claims defended increased by 8% in July to September 2019, to 80,000 cases. This was driven by increases in specified money claims being defended (up 12% to 17,000); all other cases types defence figures decreased over the same period. The increase in defences can in part be attributed 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 17,000 trials in July to September 2019, an increase of 14% compared to the same period in the previous year. Of the claims that went to trial, 12,000 (72%) were small claims trials (up 19% compared to the same quarter in 2018) and 4,900 (28%) were fast and multi-track trials (up 2% from 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 Q3 (July to September) 2019 (Source: table 1.5)



In July to September 2019, it took an average of 38.1 weeks between a small claim being issued and the claim going to trial, 3.2 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 59.4 weeks to reach a trial, 2.8 weeks longer than in July to September 2018 - this has reached the upper limit of the long-term range (52-59 weeks).

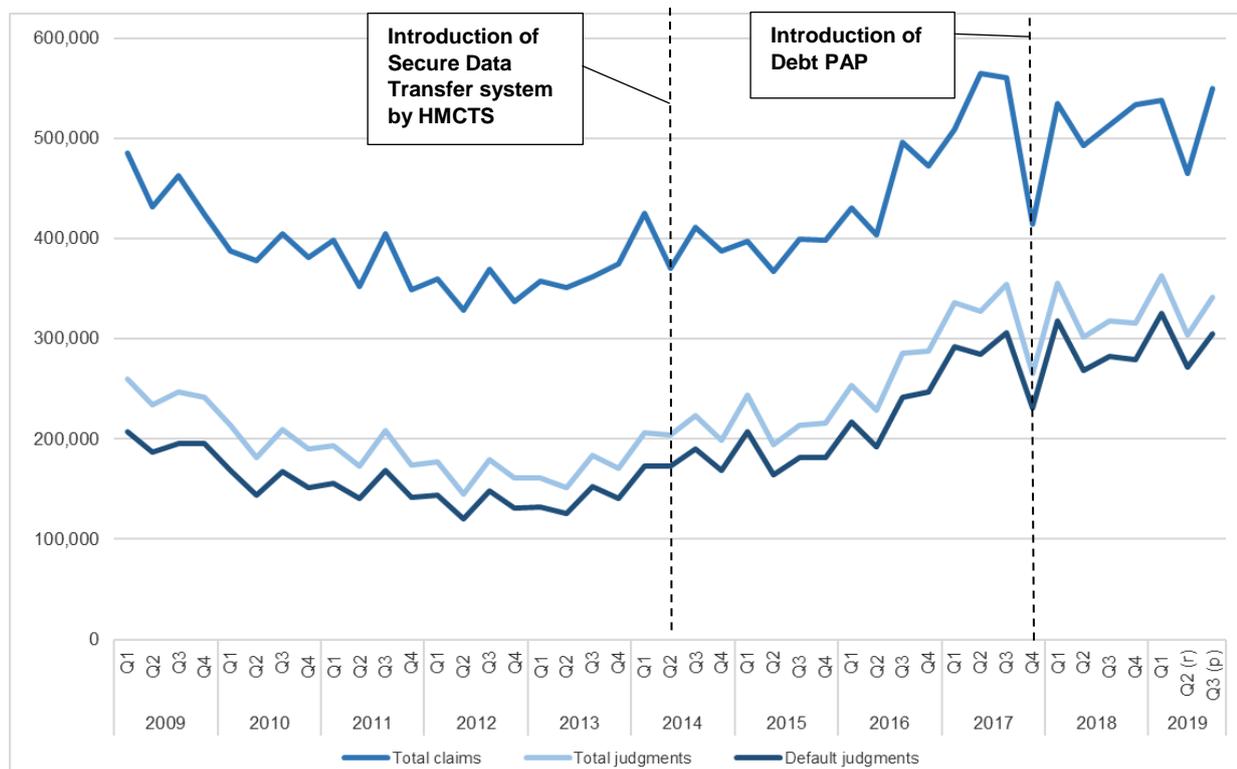
4. Judgments

Judgments increased by 7% compared to same quarter in 2018, with default judgments up 8%

There were 341,000 judgments made in July to September 2019, of which 305,000 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 Q3 (July to September) 2019 (Source: table 1.2 and 1.4)



There were 341,000 judgments made in July to September 2019, an increase of 7% 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 increased by 8% from July to September 2018.

The second largest type of judgment was 'admissions', of which there were 21,000 in July to September 2019, up 15% on the same quarter in 2018. Admission judgments accounted for 6% of all judgments, remaining at a similar level to that seen in July to September 2018.

5. Warrants and Enforcements

Warrants issued decreased by 8%, when compared to same quarter in 2018 - driven by a decrease in warrants of control

In July to September 2019, 110,000 warrants were issued – more than three quarters (82%) were warrants of control, which decreased 9% compared to the same period in 2018.

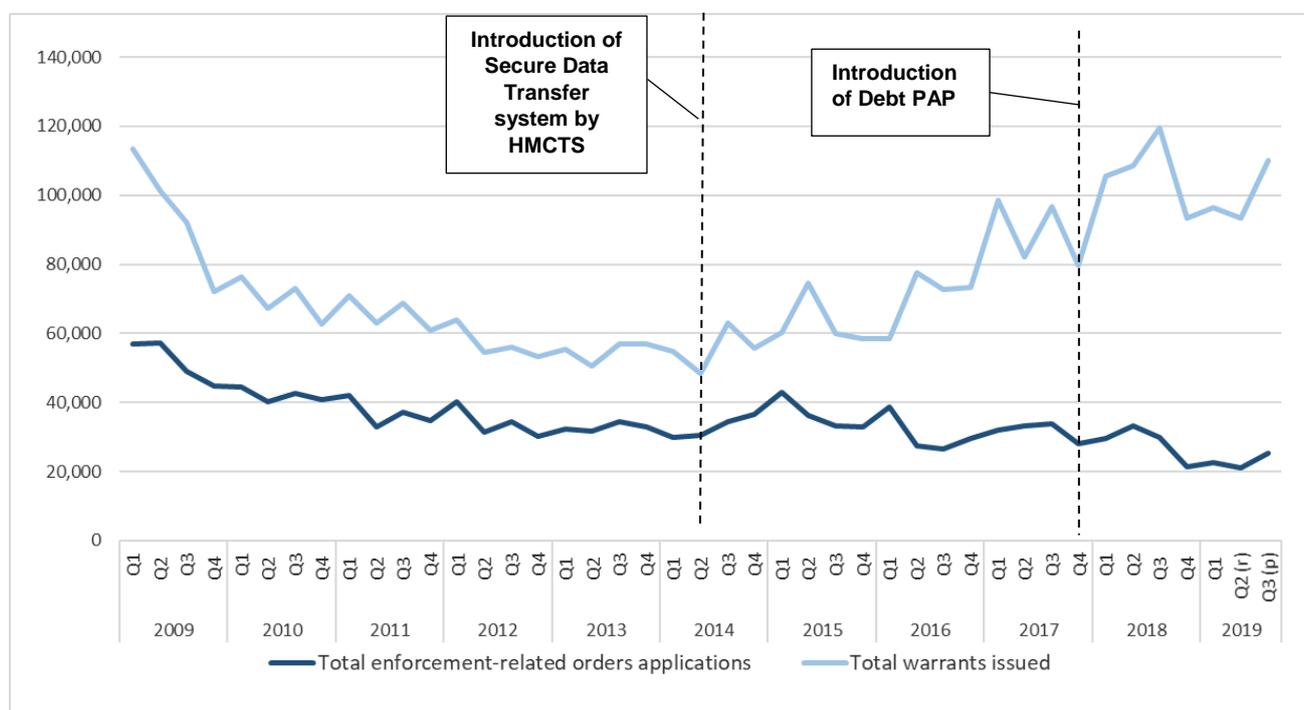


Enforcement applications and enforcement orders were down 15% and 12% respectively, when compared to same quarter in 2018

The fall in applications was driven by attachment of earnings (AoE) cases (down 23% to 17,000) The fall in orders was driven by the decrease in AoE orders and orders to obtain information (down 19% and 26% to 7,600 and 2,100 respectively).



Figure 6: Warrants and enforcements issued – Q1 (January to March) 2009 to Q3 (July to September) 2019 (Source: tables 1.7 and 1.8)



Warrants (table 1.7)

Historically, warrants issued 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. This has led to a customer preference for warrants over other types of enforcement.

In the latest quarter (July to September 2019) there were 110,000 warrants issued, down 8% on the same quarter in 2018. Despite the decreases seen in the three most recent quarters, the general trend is upward driven by warrants of control.

Enforcements (table 1.8)

In July to September 2019, there were 25,000 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 15% and 12% respectively when compared to the same period last year. The fall in applications has been driven by attachment of earnings cases (down 23%), and the fall in orders has been driven by a decrease in both attachment of earnings orders and orders to obtain information (down 19% and 26% to 7,600 and 2,100 respectively).

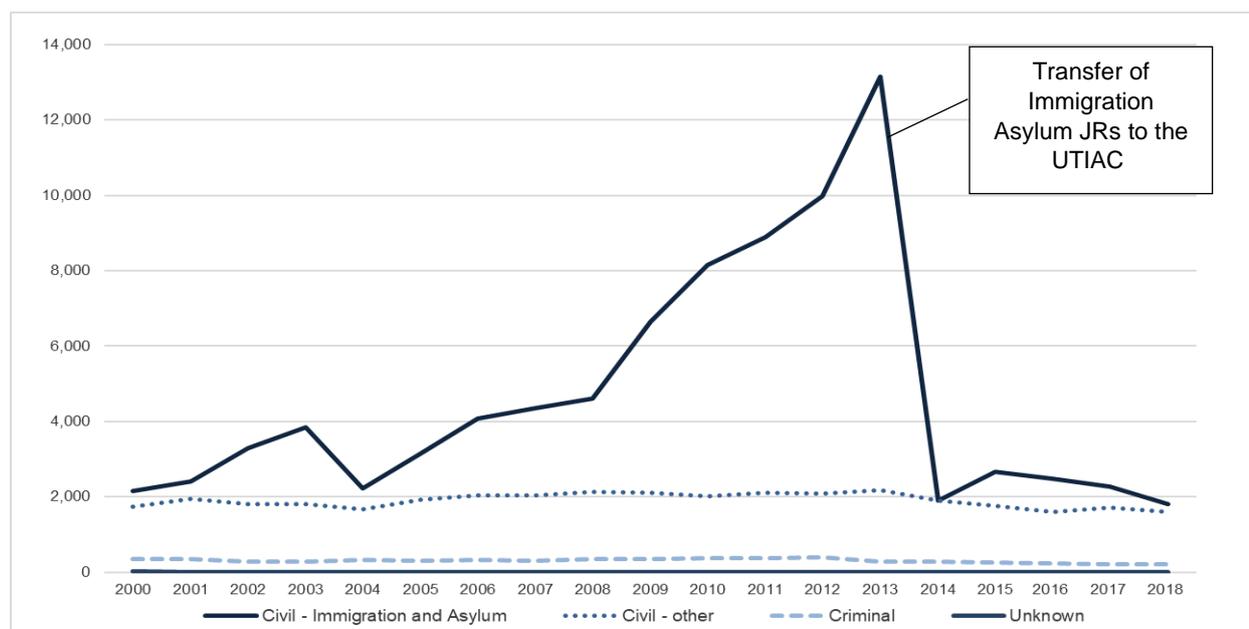
Over the longer term, as shown in figure 6, there has been a decreasing trend in enforcement related applications received and orders made since 2009, possibly due to claimants' preference for using warrants instead to retrieve money, property or goods.

6. Judicial Reviews²

Of the 2,600 applications received in the first three quarters of 2019, 66% have already closed, and 190 were found to be 'Totally Without Merit' (11% of cases that reached the permission stage).

There were 2,600 judicial review applications received so far in 2019, down 3% when compared 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 2,600 judicial review applications received in the three quarters of 2019, 1,300 were civil immigration and asylum applications, 1,200 were civil (other) and 120 were criminal, down 5%, 2% and 27% respectively on the same period of 2018. 31 of the civil immigration and asylum cases have since been transferred to the UTIAC. Judicial review applications for criminal cases peaked at 380 in 2012 and have decreased since then to 210 in 2018, and to 120 in the period January to September 2019. This trend will be monitored over the next quarter.

In the first three quarters of 2019, 66% of the applications that were made were closed. Of the total applications, 1,700 reached the permission stage within the first three quarters of 2019, and of these:

- 11% (190) were found to be totally without merit (TWM), a 26% decrease on the same period of the previous year.
- 360 cases were granted permission to proceed and 1,300 were refused at the permission stage. However, 65 of the cases refused at permission stage went on to be granted permission at the renewal stage.
- 430 of the 2019 cases have been assessed to be eligible for a final hearing and of these, 57 have since been heard.
- For the 2019 cases, the mean time from a case being lodged to the permission decision was 67 days, down from 77 days across the same period of 2018.

² The judicial review data are Official Statistics

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

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.

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, which has been 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.

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