



Ministry of  
**JUSTICE**



# **Court Statistics Quarterly July to September 2010**

Ministry of Justice  
Statistics bulletin

Published 14 December 2010

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# Introduction

This report presents statistics on activity in the county, family, magistrates' and Crown courts of England and Wales. It gives provisional figures for the latest quarter (July to September 2010) with accompanying commentary and analysis.

The commentary includes for each type of court, a brief description of the function and jurisdiction of the courts concerned together with an explanation of some of the main procedures involved.

The figures themselves give a summary overview of the volume of cases dealt with by these courts over time, with statistics also broken down for the main types of case involved. The statistics are used to monitor court workloads, to assist in the development of policy, and their subsequent monitoring and evaluation.

Calendar year court statistics are also published by the Ministry of Justice (MoJ) in the statistical report "Judicial and Court Statistics", which contains more detailed breakdowns of the figures, along with additional data on the activity of other types of court such as the Supreme Court and High Court.

These statistical bulletins are available from the MoJ website at:

[www.justice.gov.uk/publications/judicialandcourtstatistics.htm](http://www.justice.gov.uk/publications/judicialandcourtstatistics.htm)

[www.justice.gov.uk/publications/courtstatisticsquarterly.htm](http://www.justice.gov.uk/publications/courtstatisticsquarterly.htm)

**Annex A** provides summary information on data sources for the figures given in this report, along with a brief discussion on data quality. There is also a **Glossary** section which provides brief definitions for the terms used in this report.

Information about statistical revisions, forthcoming changes and the symbols and conventions used in the bulletin are given in the **Explanatory notes** section.

If you have any feedback, questions or requests for further information about this statistical bulletin, please direct them to the appropriate contact given at the end of this report.

## Background

The vast majority of criminal and civil cases in England and Wales are dealt with at the Crown, magistrates' and county courts.

The vast majority of civil cases which do not involve family matters or failure to pay council tax or child maintenance are handled in the county courts. These cases are typically related to debt, the repossession of property, personal injury and insolvency. Once a claim has been served, the usual options for the defendant are to do nothing, pay up, admit the claim and ask for more time to pay up, and/or dispute the claim. The vast majority of claims are either not defended, or they are settled or are withdrawn before a hearing or trial. Particularly important, complex or substantial cases are dealt with in the High Court.

All family matters are dealt with at Family Proceedings Courts (which are part of the magistrates' courts), at county courts or in the Family Division of the High Court. Family courts deal with matters such as: parental disputes, local authority intervention to protect children, matrimonial cases such as divorce petitions, the financial provisions for children after divorce or relationship breakdown, domestic violence remedies and adoption.

Virtually all criminal court cases start in a magistrates' court. The less serious offences are handled entirely in magistrates' courts. More serious offences are passed on to the Crown Court, either for sentencing after the defendant has been found guilty in a magistrates' court, or for a full trial with a judge and jury. The Crown Court also receives appeals against decisions of the magistrates' courts.

Cases in the magistrates' courts are heard by either two or three lay magistrates (local people who volunteer their services, who may not have formal legal qualifications but will have undertaken a training programme to develop the necessary skills) or by one District Judge (legally qualified, paid, full-time professionals, who are usually based in the larger cities and normally hear the more complex or sensitive cases). Crown Court cases may be heard by Circuit Judges, Recorders or a High Court Judge, depending on the seriousness of the offence.

## Main findings

These statistics are used to monitor the type and volume of cases that are received and processed through the court system of England and Wales. The analyses in this report are mainly comparisons made between the latest quarter and the equivalent quarter of previous years. Seasonal variations affecting the workload of the courts may impact on comparisons with other periods.

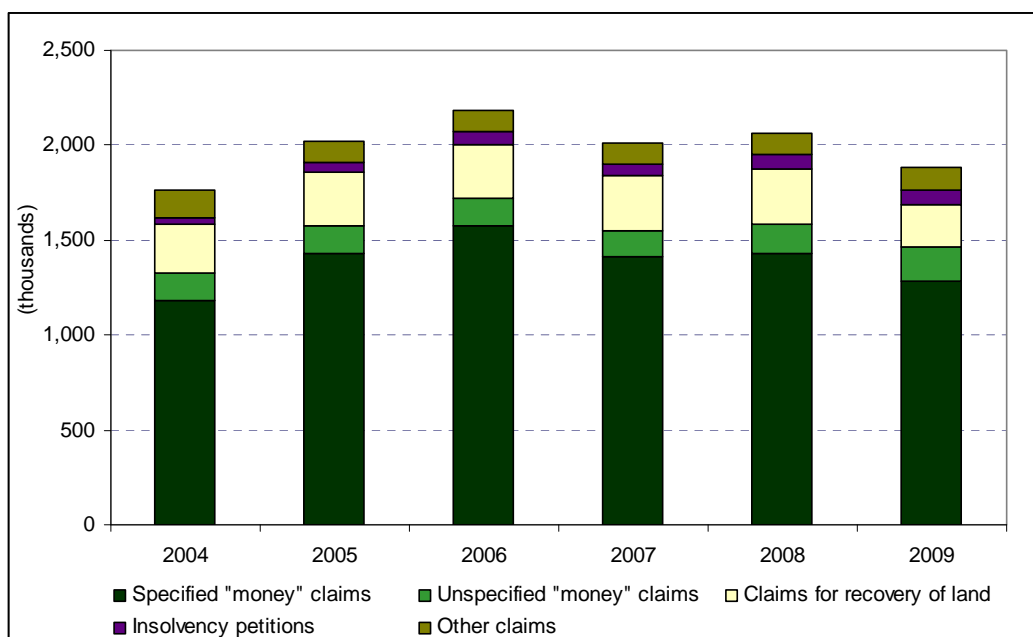
### County courts (non-family)

Civil (non family) cases in the county courts typically relate to debt, the repossession of property, personal injury and insolvency. Over the period Q1 (January to March) 2008 to Q3 (July to September) 2010 covered by the tables in this report, there has generally been a downward trend in claims issued while defences made, small claim hearings and trials have remained relatively flat.

#### Key points

- There were **420,000 claims issued** during the third quarter of 2010, 13 per cent lower than in Q3 2009. Claims issued have generally been on a downward trend since the 2006 peak (see **Chart A**). This is mainly due to decreases in specified “money” (typically debt related) claims and repossession claims and was despite an increase in unspecified “money” (typically personal injury related) claims and insolvency petitions.
- The fall in repossession claims since the end of 2008 coincides with the introduction of the Mortgage Pre-Action Protocol (MPAP), which gives clear guidance on what the courts expect lenders and borrowers to have done prior to a claim being issued. It encourages more pre-action contact between lender and borrower and as such enables more efficient use of the court’s time and resources.

**Chart A: Claims issued in county courts, England and Wales 2004 to 2009**



Only a small proportion of claims are defended, with defended cases that are not settled or withdrawn generally resulting in a small claim hearing or trial.

- **75,400 defences were made** in the third quarter of 2010, a nine per cent decrease on the third quarter of 2009. This reflects a 14 per cent fall in “money” claims, with the vast majority of defences being made to such claims.
- **10,300 small claim hearings** took place, a decrease of 14 per cent compared with the third quarter of 2009. On average, small claim hearings occurred 31 weeks after the claim was originally made, the same as in the third quarter of 2009, and maintaining the increase seen over the last one to two years.
- **5,000 “fast track”** (generally for cases with claim amounts over £5,000 but not more than £25,000) **and “multi track”** (generally for cases for more than £25,000) **trials** were disposed of, an increase of one per cent compared with the third quarter of 2009. On average, trials occurred 49 weeks after the claim was originally made, up from 48 weeks in the third quarter of 2009, and maintaining the increase seen so far in 2010.
- There were **82,200 applications for enforcement of judgment amounts** (via warrants of execution, attachment of earnings orders, third party debt orders and charging orders) during the third quarter of 2010, a 21 per cent decrease on the same period of the year before. This reflects the 18 per cent fall in claims issued for a specified amount of money, the vast majority of these applications being made in such claims.

### Family related court matters

Family cases deal with issues such as parental disputes, child protection cases, divorce and separation, and cases of domestic violence. During 2008 and 2009, there was an overall increase in the number of applications made in relation to matters affecting children, although they have fallen slightly during 2010. Other family cases have showed a steady trend.

#### Key points

- There were **30,600 decrees absolute granted for the dissolution of marriage** in the third quarter of 2010 (an increase of four per cent compared to the third quarter of 2009).
- **6,000 domestic violence orders were made** in the third quarter of 2010, a drop of 10 per cent on the 6,700 in the same period of last year. The number of domestic violence orders fell between 2004 and 2008, followed by a slight rise in 2009, and then a slight decline to Q3 2010.
- On matters affecting children, there were **5,900 children involved in public law applications** made in the third quarter of 2010, a six per cent drop from the 6,300 involved in the equivalent period for 2009. However, overall it maintains the higher level seen in the volume of public law applications since late 2008. At around this time there was also significant media coverage of local authority child protection practice.

- There were **31,100 children involved in private law applications** made in the third quarter of 2010, down from the 35,900 made in the third quarter of 2009, a 13% decrease. Although the overall long-term trend for private law applications has been upward, the last three quarters' data have shown a decrease in the volume of cases, to levels similar to those seen in 2008 after being notably higher throughout 2009.

### **Magistrates' courts and The Crown Court**

Nearly all criminal court cases start in a magistrates' court, with the more serious offences passed on to the Crown Court. In the last couple of years, the overall number of cases received by the Crown Court has been rising, while for magistrates' courts there have been decreases in the number of completed proceedings.

#### Key points magistrates' courts

- There were **468,800 criminal proceedings completed in magistrates' courts** in the third quarter of 2010, some three per cent fewer than in the same period of 2009. The long-term trend in recent years has been a decreasing volume of completed criminal proceedings.
- **45,500 trials were recorded in magistrates' courts**, with 44 per cent recorded as effective. Rates of effective, cracked and ineffective trials in the magistrates' courts have remained relatively stable during the last two years.
- The total **value of fines paid in magistrates' courts was £76 million** in the third quarter of 2010, compared with £62 million in the corresponding quarter of the previous year.

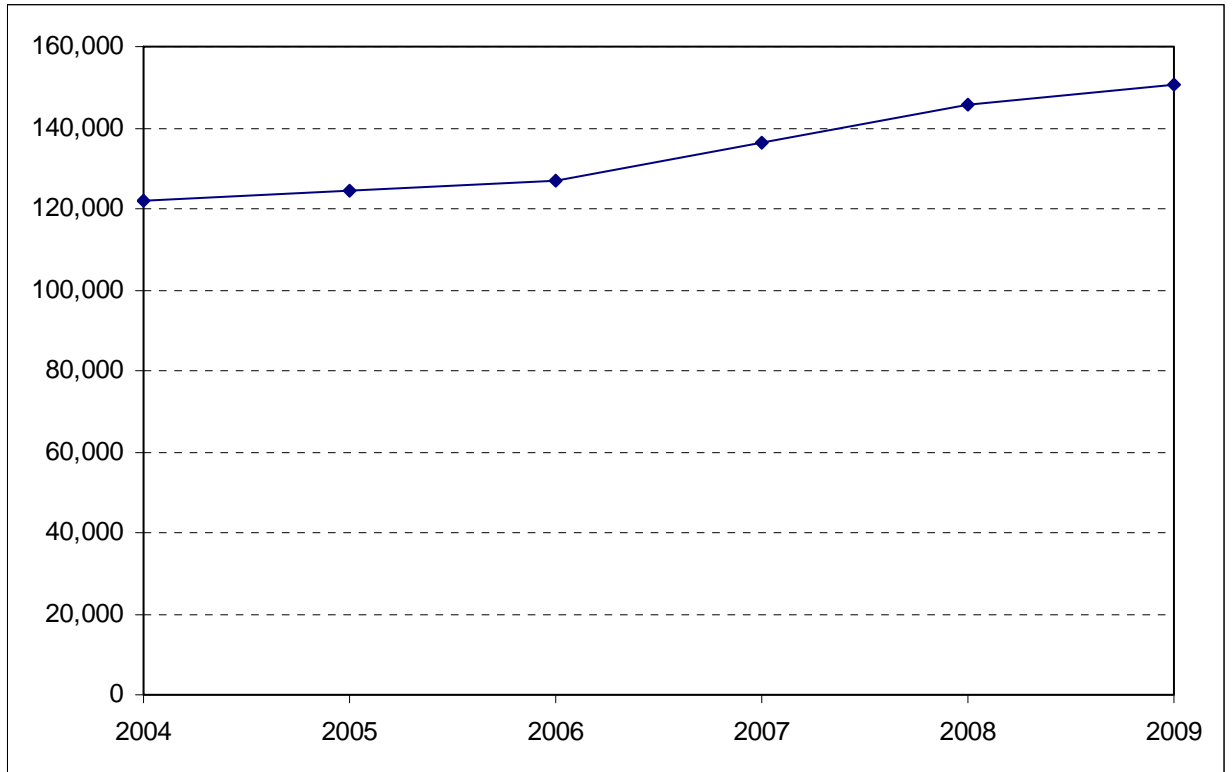
#### Key points The Crown Court

- There were a total of **38,500 cases received** in the Crown Court in the third quarter of 2010, a one per cent decrease on the number received in the third quarter of 2009. However, the long-term trend is an overall increasing volume of Crown Court cases in recent years (see **Chart B**), principally due to an increasing number of committed for trial cases.
- There were around **11,200 trial listings** in the Crown Court in the third quarter of 2010, compared to 10,500 in the third quarter of 2009. Of these, 44 per cent were recorded as 'effective', with 43 per cent 'cracked' and 13 per cent 'ineffective'. Effective trials are those which commence on the scheduled date and reach a conclusion. Ineffective trials are those which do not commence as scheduled and require re-listing, while cracked trials are those where an acceptable plea is offered by the defendant or the prosecution offers no evidence. The rates of effective, cracked and ineffective trials have remained consistent over the last couple of years.
- In the third quarter of 2010, the Crown Court dealt with **28,900 defendants** in cases which were committed or sent for trial. Of these, 65 per cent pleaded guilty to all counts; this was a decrease compared to the 69 per cent in the third quarter in 2009, although the long-term trend is that this rate has remained fairly steady over the last few years.

The "average waiting time" refers to the average time between the date of sending or committal to the Crown Court and the start of the substantive Crown Court hearing.

- In the third quarter of 2010, the average waiting time for cases where a not guilty plea was entered was 24.5 weeks, compared to 12.3 weeks for cases where a guilty plea was entered.
- In comparison to the same period a year ago, the average waiting time remained constant for cases where a not guilty plea was entered and an increase of five per cent for cases where a guilty plea was entered.

**Chart B: Total number of Crown Court receipts, England and Wales  
2004 to 2009**





# Commentary

## County courts (non-family) [Tables 1.1 – 1.5]

There are currently 216 county courts in England and Wales. The vast majority of civil cases (as opposed to criminal cases) which do not involve family matters or failure to pay council tax or child maintenance are dealt with by the county courts. These cases are typically related to debt (these generally being issued for a specified amount of money), the repossession of property, personal injury (these generally being issued for an unspecified amount of money), and insolvency. Particularly important, complex or substantial cases are instead dealt with in the High Court. All county courts are assigned at least one District Judge, and some at least one Circuit Judge.

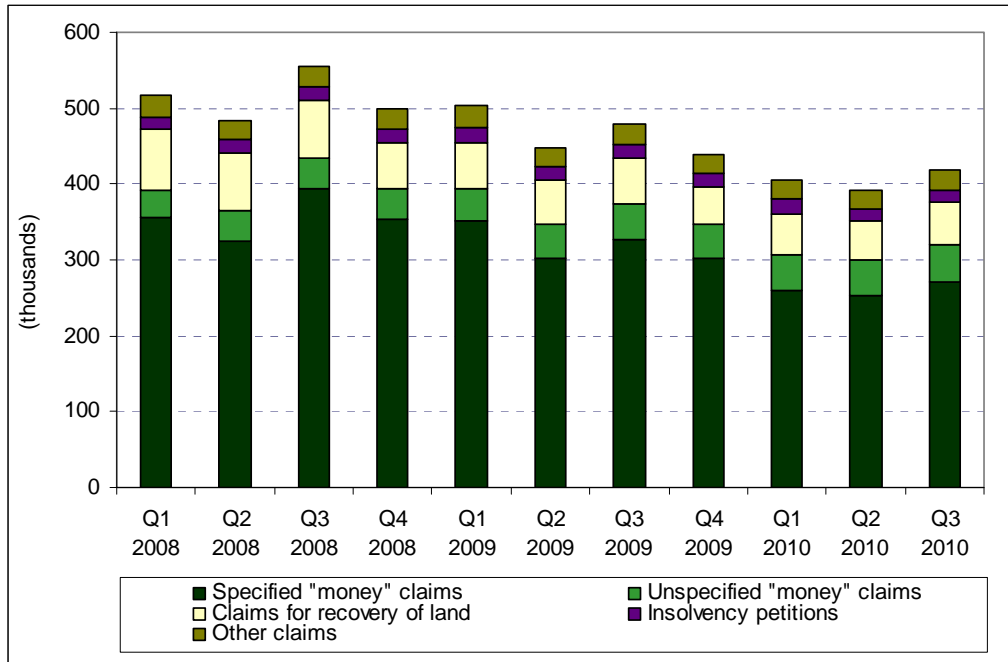
Information on the data sources used for the county court statistics can be found in **Annex A**. Explanations for some of the main terms used in this section can be found in the **Glossary**.

### Claims issued

Historically, the normal method of taking someone to court regarding a civil matter, is for the person (the claimant) doing so to complete a claim form and take it in to a county court. However, the creation of electronic services has meant that claims for a specified amount of money (where the claim is for a set amount of money) or the repossession of property can be completed via the internet (via [www.moneyclaim.gov.uk](http://www.moneyclaim.gov.uk) and [www.possessionclaim.gov.uk](http://www.possessionclaim.gov.uk)). In addition, claimants who issue a large number of claims for a specified amount of money each year (e.g. banks, credit card and storecard issuers, utility companies, debt recovery companies) can do so by filing them in computer readable form to the Claim Production Centre (CPC). Most of the work of the CPC is done at a central processing unit attached to Northampton county court.

In the third quarter of 2010 there were 420,000 claims (or petitions) issued, 13 per cent fewer than in the third quarter of 2009 and having generally declined since a peak in 2006. Compared with the same quarter in 2009, there was a 33 per cent fall in claims issued for return of goods, a 20 per cent decrease in the number of petitions for insolvency, an 18 per cent reduction in claims issued for a specified amount of money, and a seven per cent decrease in claims issued for mortgage and landlord possession. In contrast, there was a nine per cent increase in claims issued for an unspecified amount of money, while a similar amount of non-“money” applications (excluding those for repossession of property and return of goods) were made.

**Figure 1.1: Claims issued in the county courts, by type of case, Q1 2008 to Q3 2010**



### Case progression, hearings and judgments

Whether the claim is issued online or through the county courts, 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. The defendant can do nothing, pay up (either the full amount of the claim or in part), admit the claim and ask for more time to pay (in full or part), and/or dispute (defend) the claim (in full or part).

In the third quarter of 2010, 75,400 defences were made, a nine per cent decrease compared with the third quarter of 2009. This reflected the 14 per cent fall in "money" claims over the same period, the vast majority of defences being to "money" claims, whether for specified or unspecified amounts.

If the claim is defended, the usual procedure is for further information to be provided by the parties, following which the case is allocated by a judge to one of three case-management "tracks". In total, there were 44,700 allocations to one of these tracks in the third quarter of 2010, an eight per cent decrease compared with the same quarter in 2009. This reflected the nine per cent decrease in defences over the same period and was made-up of, in ascending order of case complexity and degree of judicial involvement:

- 20,700 allocations to the "small claim track", a decrease of 19 per cent compared to the third quarter of 2009. This track is generally for cases with a claim value of up to £5,000 which do not require substantial preparation by the parties involved. The hearings are designed to be accessible to people who do not have representation by a solicitor or counsel, and are dealt with in about an hour.

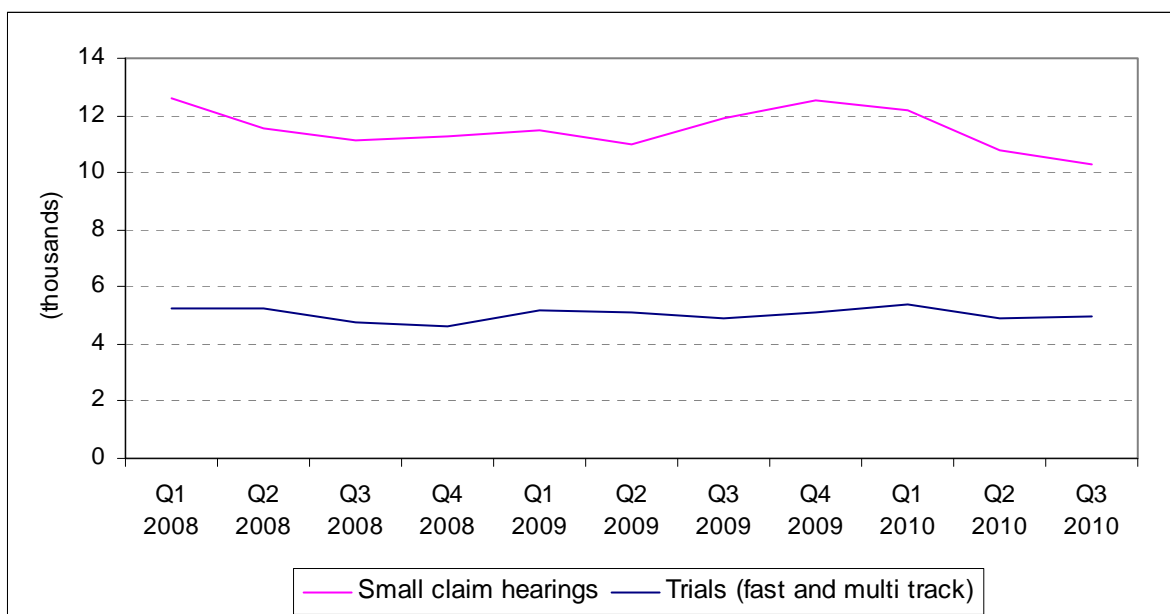
- 17,700 allocations to the “fast track”, an increase of five per cent compared to the same quarter of 2009. This track is generally for cases with a claim value of between £5,000 and not more than £25,000, with issues not complex enough to merit more than a one day trial.
- 6,300 allocations to the “multi track”, a decrease of three per cent compared to the third quarter of 2009. This track is generally for cases with a claim value exceeding £25,000 with issues complex enough to need preliminary hearings. They generally last more than one day at trial.

The increase and decrease in allocations made to the “fast track” and “multi track” respectively reflects the rise in the “fast track” (claim value) limit from £15,000 to £25,000 for all proceedings issued (rather than allocated, which happens later in the process) on or after 6 April 2009. Consequently, a large number of cases with claim amounts over £15,000 but not more than £25,000 were allocated to the “fast track” rather than the “multi track”.

Defended cases which are not settled or withdrawn generally result in a hearing or trial. In total, there were 15,300 trials and small claim hearings, a decrease of nine per cent compared to the third quarter of 2009. This comprised:

- 5,000 “fast track” and “multi track” trials, an increase of one per cent compared with the third quarter of 2009. Given cases typically take around six months to proceed from allocation to trial; this reflected the four per cent rise in allocations to the “fast and multi tracks” between the first quarter of 2009 and the first quarter of 2010. On average, trials occurred 49 weeks after the claim was originally made, up from 48 weeks in the third quarter of 2009.
- 10,300 small claim hearings, a decrease of 14 per cent compared with the third quarter of 2009. Given cases typically take around three months to proceed from allocation to small claim hearing, this reflected the 14 per cent fall in allocations to the small claim track between the second quarter of 2009 and the second quarter of 2010. On average, small claim hearings occurred 31 weeks after the claim was originally made, the same as in the third quarter of 2009.

**Figure 1.2: Hearings in the county courts, by type, Q1 2008 to Q3 2010**



## Enforcement

There are various methods of enforcing a monetary judgment amount through the county courts. The most common method is the warrant of execution against a debtor's goods, 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. A judgment amount can also be enforced by an attachment of earnings order enabling payment through the debtor's employer, a third party debt order enabling payment by freezing and then seizing money owed by a third party to the debtor, and via a charging order which obtains security for the payment against assets and may be followed by an order for sale which forces the sale of the debtor's assets.

There were 82,200 applications for enforcement of judgment amounts (via warrants of execution, attachment of earnings orders, third party debt orders and charging orders) during the third quarter of 2010, a 21 per cent decrease on the same period the year before. This reflects the 18 per cent fall in claims issued for a specified amount of money, the vast majority of these applications being made in such claims. In particular:

- 39,500 warrants of execution were issued, a 29 per cent decrease on the third quarter of 2009.
- 15,300 applications were made for attachment of earnings orders in the third quarter of 2010, an increase of two per cent on the same quarter of 2009.
- 900 applications were made for third party debt orders in the third quarter of 2010, a decrease of 42 per cent on the same quarter of 2009.
- 26,400 applications were made for charging orders in the third quarter of 2010, a decrease of 17 per cent on the same quarter of 2009. There were also 120 orders for sale, a similar level as in the equivalent quarter of 2009.

In certain circumstances a debtor may apply to a county court to combine debts with a total not exceeding £5,000 into a single administration order. Once the debts have been examined and found to be correctly calculated a District Judge can make an order for the debtor to make regular payments to the court. The court will then distribute the money to the creditors. There were 165 applications made for administration orders in the third quarter of 2010, down from 515 in the same quarter of 2009.

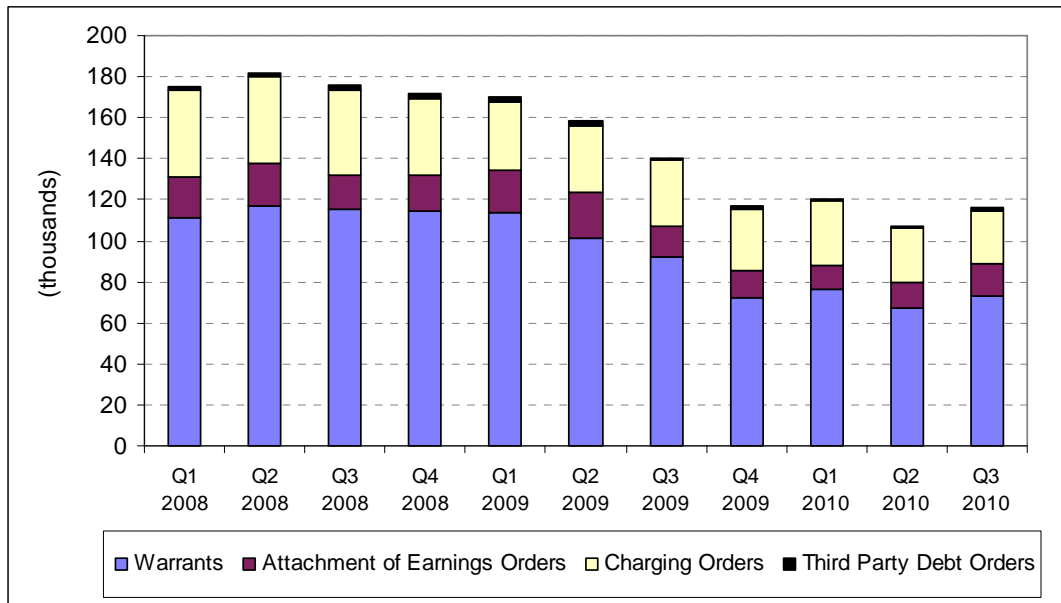
To assist in determining which of the above is the most appropriate method of enforcing a judgment, the claimant can apply for an order to obtain information from the judgment debtors. This requires debtors to provide details of their means. There were 5,900 orders made to obtain information from debtors in the third quarter of 2010, a decrease of 21 per cent compared with the third quarter of 2009.

To enforce non-monetary decisions made by the county courts, warrants can be issued for the repossession of property, the return of particular goods or items, and for committal, enforcing an order for which the penalty for failure to comply is imprisonment by authorising the bailiff to arrest and deliver the person to prison or the court.

- 32,700 warrants of possession were issued, a decrease of nine per cent on the equivalent quarter of 2009. This reflected the seven per cent drop in claims issued for the recovery of land.

- 630 warrants of delivery were issued, an increase of 18 per cent on the third quarter of 2009.
- 370 warrants of committal were issued, up from 270 in the third quarter of 2009.

**Figure 1.3: Enforcement applications in the county courts, by type, Q1 2008 to Q3 2010**



## Family related court matters [Tables 2.1 – 2.5]

Family matters are dealt with in England and Wales under the Children Act 1989 at Family Proceedings Courts (which are part of the Magistrates' Courts), at County Courts or in the Family Division of the High Court. Family courts deal with matters such as: parental disputes, local authority intervention to protect children, matrimonial cases such as divorce petitions, the financial provisions for children after divorce or relationship breakdown, domestic violence remedies and adoption.

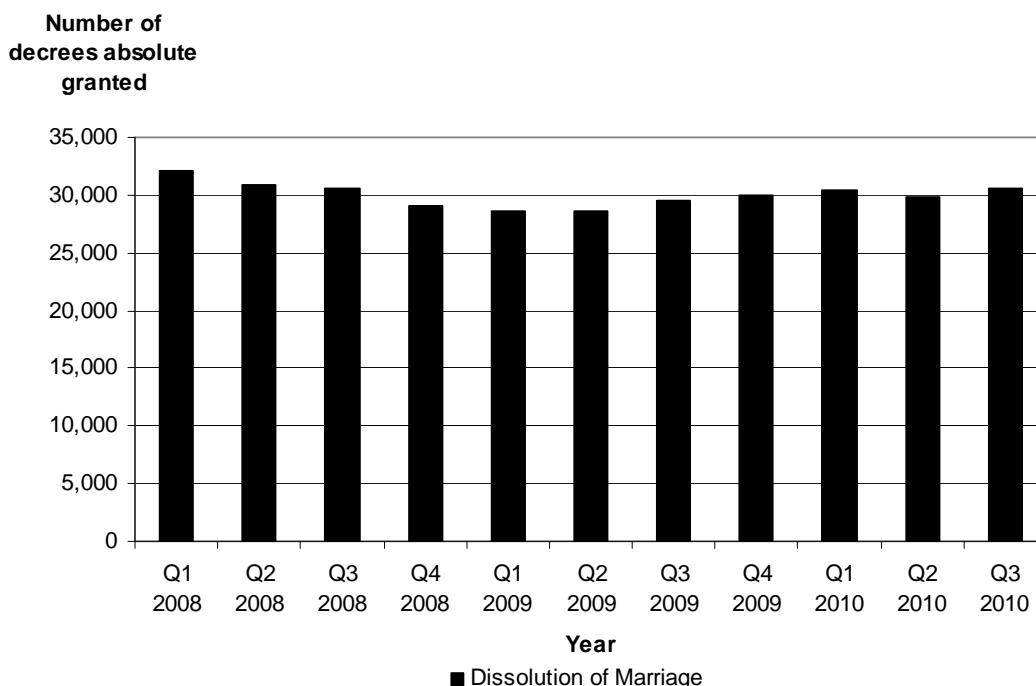
Information on the data sources used for family statistics can be found in **Annex A**. Explanations for some of the main terms used in this section can be found in the **glossary**.

### Matrimonial matters

There are two ways to legally end a marriage. An individual can apply for a decree absolute of divorce, which ends a valid marriage; or a decree of nullity, which declares that the marriage itself is void. No application can be made for divorce within the first year of marriage. An alternative to divorce is a decree of judicial separation. This does not legally end the marriage but clears the parties from the obligation to live together.

There were 34,700 petitions filed for dissolution of marriage in the third quarter of 2010, compared with 34,500 in the third quarter of 2009. Similarly, the number of decrees absolute granted increased to 30,600 in the third quarter of 2010 from the 29,500 in the second quarter of 2009, although the long-term trend over the last few years has been an overall decrease in the numbers of divorces granted.

**Figure 2.1: Dissolution of marriage - decrees absolute granted, Q1 2008 to Q3 2010**



## Ancillary relief – financial disputes post-divorce/separation

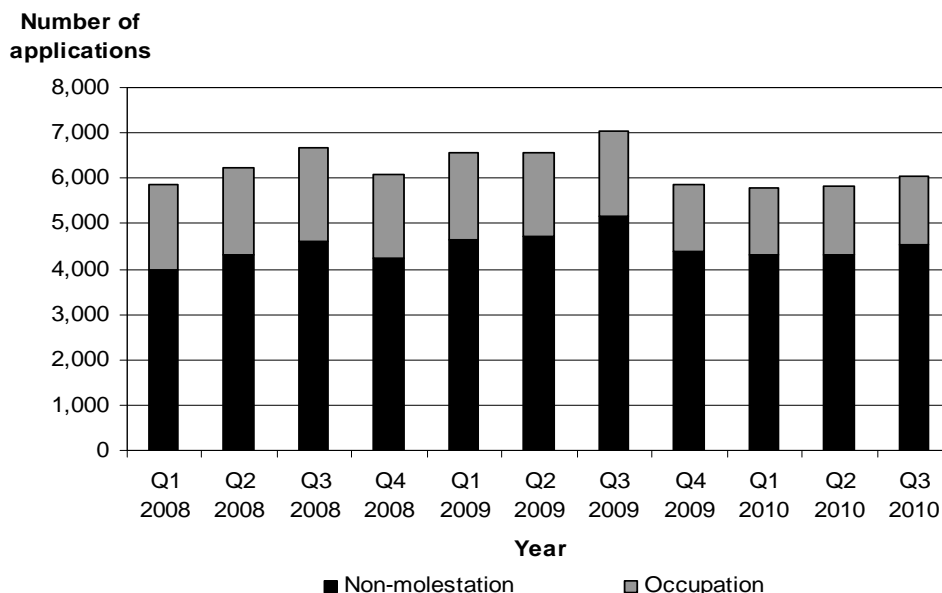
During or after a divorce, a marriage annulment, or a judicial separation, there may still be a need for the court to settle disputes over money or property. The court can make a financial order, known as ancillary relief. Ancillary relief orders may deal with the arrangements for, for example, the sale or transfer of property, maintenance payments, or the sharing of a pension.

Following a decline in late 2008, there has been little change in the number of orders made to settle financial disputes post-divorce or post-separation since the fourth quarter of 2008. In the third quarter of 2010, the total number of orders made to settle ancillary relief disputes was 19,600, compared with 20,700 in the corresponding quarter of 2009.

## Domestic violence

The Family Law Act 1996 provides domestic violence remedies in county courts and magistrates' courts, with the vast majority carried out in the former. Two types of order can be applied for: a non-molestation order – which prevents the applicant and/or any relevant children from being molested by someone who has previously been violent towards them; or an occupation order – which can define rights of the occupation of the home by the parties involved. Since July 2007, failing to obey the restrictions of a non-molestation order has been a criminal offence for which someone could be prosecuted. A power of arrest is therefore no longer required on these orders.

**Figure 2.2: Domestic Violence applications made in the county courts, Q1 2008 to Q3 2010**



There were 6,100 applications to county courts in for domestic violence remedies, compared to 7,100 in the third quarter of 2009. Some 6,000 domestic violence orders were made in the third quarter of 2010, compared to 6,700 in the same quarter of the previous year. Overall, the number of domestic violence orders made fell between 2004 and 2008, followed by a slight rise in 2009, and then a slight decline so far in 2010. For the third quarter of 2010 the proportion of applications which were made for non-molestation orders was 75 per cent, whereas the proportion of all orders made which were for non-molestation was 85 per cent.

It needs to be noted that the statistics presented in this bulletin relate to applications for, and grants of, the above domestic violence order types by the family courts. They do not relate to prosecutions or convictions for criminal offences regarding matters of domestic violence, nor do they cover prosecutions or convictions for breaching a non-molestation order.

### **Public Law**

Public law cases are those brought by local authorities or an authorised person (currently only the National Society for the Prevention of Cruelty to Children) to protect the child and ensure they get the care they need. They can apply for a range of different orders. Types of order include a care or supervision order which determines whether the child should be looked after or supervised by the local authority, or an emergency protection order which allows an individual or local authority to take a child away from a place where they are in immediate danger to a place of safety.

There was a slight drop in the total number of children involved in public law applications made in the third quarter of 2010 compared to the equivalent period in 2009 (5,940 and 6,300 respectively). However, overall it maintains the higher level seen in the volume of public law applications since 2009.

### **Private Law**

Private law cases are those brought to court by two or more parties who are trying to resolve a private dispute. This is generally where parents have split up and there is a disagreement about contact with the children or with which parent they should live. A range of different types of court order can be applied for. For example, a residence order settles where the child should live, while a contact order specifies the conditions under which the divorced or separated parents may spend time with a child.

The number children involved in private law applications made in the third quarter of 2010 decreased to 31,140 from 35,910 in the third quarter of 2009. Although the overall long-term trend for private law applications has been upward, the last two quarters' data have shown a decrease in the volume of cases, to a level similar to that seen in 2008 after being significantly higher throughout 2009.

### **Timeliness of care proceedings**

A new table (Table 2.5) has been included, as of this bulletin, with statistics on the time taken to complete care and supervision cases in the family courts of England and Wales. It presents summary statistics showing the time, in weeks, between the date an application for a care or supervision order was lodged and the date a care, supervision, or other substantive order was made in the case, for those cases disposed of during each quarter, starting from the second quarter of 2010. In the third quarter of 2010, 53% of such disposals had occurred within 50 weeks.



## Magistrates' courts [Tables 3.1 – 3.3]

There are currently around 310 magistrates' courts across England and Wales. Virtually all criminal court cases start in a magistrates' court. The less serious offences are handled entirely in magistrates' courts. More serious offences are passed on to the Crown Court.

Information on the data sources used for the magistrates' courts statistics can be found in **Annex A**. Explanations for some of the main terms used in this section can be found in the **Glossary**.

### Caseload

There were around 468,800 criminal proceedings completed in magistrates' courts in the third quarter of 2010; compared with the third quarter of 2009 the caseload decreased by three per cent.

Summary proceedings, which cover the relatively minor offences and are dealt with entirely within the magistrates' courts, make up around two-thirds of cases. Some 150,000 of these cases related to adult summary motoring proceedings. These include offences such as speeding, driving while disqualified and drunken driving. There were seven per cent fewer summary motoring proceedings than in the third quarter of 2009.

Adult summary non-motoring proceedings comprised 31 per cent of cases (around 145,400 cases). These include offences such as failure to pay a television licence, and minor assault and criminal damage. The number of these cases has remained relatively stable compared with the third quarter of 2009, where there were 145,200 cases.

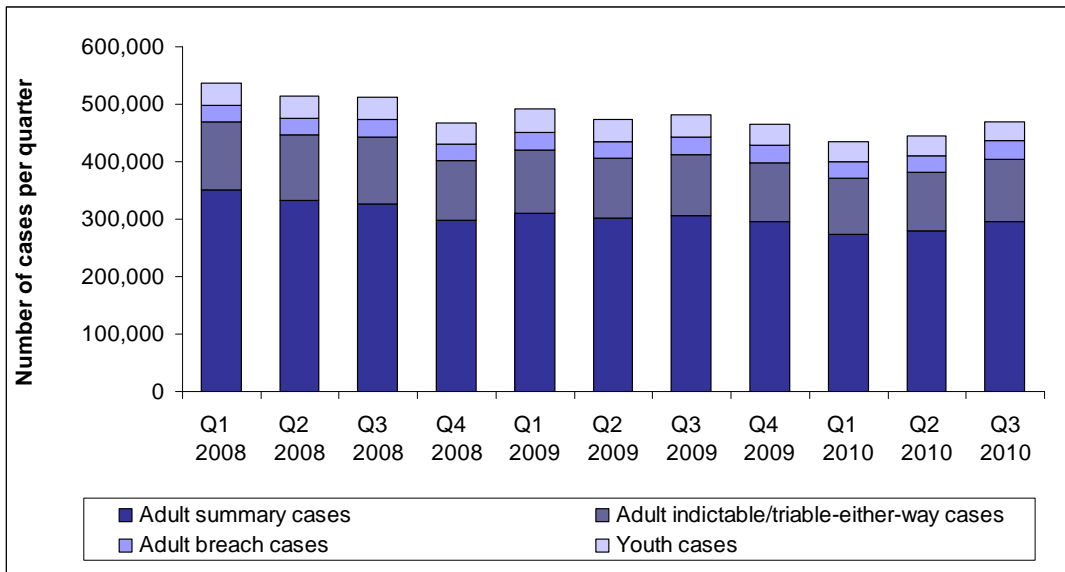
Adult indictable/ triable-either-way proceedings made up 23 per cent of cases (around 109,300 cases); this has increased by four per cent compared with the third quarter of 2009. These are the more serious offences, including, for example, theft and handling of stolen goods, violence against the person and drug offences. These offences may be dealt with entirely by a magistrates' court, or may be transferred to the Crown Court, depending on the severity of the offence, or by the defendant, if they wish to have a trial by jury.

In the third quarter of 2010, there were 31,400 adult breach cases (seven per cent of all criminal proceedings). These are cases where the defendant breached the conditions of an order that was previously imposed by a court. The number of adult breaches increased by one per cent compared with the third quarter of 2009.

Youth proceedings comprised seven per cent of the criminal cases dealt with in the magistrates' courts (around 32,700 cases) in the third quarter of 2010. These comprise all offences where the defendant was aged between 10 and 17. The number of youth proceedings decreased by 16 per cent compared with the third quarter of 2009.

In arriving at these totals, every separate offence that is dealt with during the course of a case is counted. However, if two or more offences from a case are dealt with on the same day, then only one is counted (generally the most serious offence is selected) for the case type statistics.

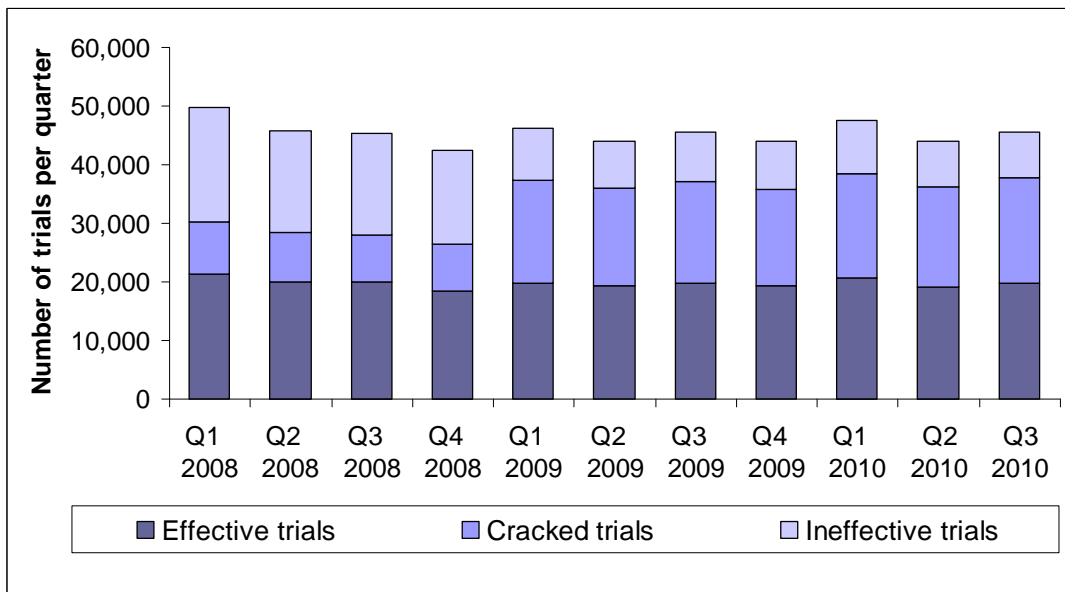
**Figure 3.1: Magistrates' court criminal workload, Q1 2008 to Q3 2010**



### Trials

A trial in the magistrates' court is a hearing at which the prosecution produces evidence to prove the case against the defendant. For a summary offence, if a defendant pleads not guilty, or does not give a plea, then there is a trial. Similarly, for either-way offences that are contested, a trial may occur in the magistrates' courts or in the Crown Court.

**Figure 3.2: Effectiveness of recorded trials in magistrates' courts, Q1 2008 to Q3 2010**



Magistrates' courts record the number and outcome of trials. A trial outcome which commences on a scheduled date and reaches a conclusion is recorded as an 'effective' trial. An 'ineffective' trial does not commence on due date and requires re-listing. In contrast, a 'cracked' trial does not commence on the day and the trial is not re-listed. Cracked trials are usually the result of an acceptable plea being entered by the defendant on the day, or where the prosecution offers no evidence against the defendant.

In the third quarter of 2010, around 45,500 trials were recorded in magistrates' courts. Of these trials, 44 per cent were recorded as effective, 17 per cent were ineffective and 39 per cent were recorded as cracked. Rates of effective, cracked and ineffective trials in the magistrates' courts have remained relatively stable during the last two years.

### **Enforcement**

Fines are the most commonly used sentence in magistrates' courts. The total value of fines paid has risen over the last year. In the third quarter of 2010, the amount paid in England and Wales was £76 million, a 22 per cent increase compared with the same quarter of 2009.

### **Timeliness**

Detailed statistics on the length of time taken to process cases in the magistrates' courts' are published on a quarterly basis by the MoJ. This data comes from the Time Intervals Survey, reports on which can be found on the MoJ website at: [www.justice.gov.uk/publications/timeintervals.htm](http://www.justice.gov.uk/publications/timeintervals.htm).

## The Crown Court [Tables 4.1 – 4.5]

The Crown Court deals with serious criminal cases; this consists of around five per cent of criminal cases that filter beyond the magistrates' courts. It is formally a single court and sits in approximately 77 different locations across England and Wales.

Information on the data sources used for the Crown Court statistics can be found in **Annex A**. Explanations for some of the main terms used in this section can be found in the **Glossary**.

### **Caseload**

The Crown Court deals with four types of cases: committals for trial, cases sent for trial, committals for sentence, and appeals against magistrates' decisions.

#### Committal for Trial

Committal for trial cases are those which could be heard at either the magistrates' court or the Crown Court, but where either magistrates have decided that the circumstances of the case are sufficiently serious that it should be heard in the higher Crown Court, or because the defendant has elected to be tried at the Crown Court instead of the magistrates' court.

In the third quarter of 2010, around 15,900 committed for trial cases were received, a decrease of five per cent compared to the same period last year. In this quarter, around 17,100 committed for trial cases were completed with in the Crown Court, an increase of nine per cent compared to the third quarter in 2009, and around 22,600 cases were outstanding at the end of the quarter. The overall number of cases received by the Crown Court has been increasing over the last few years, principally due to an increasing number of committed for trial cases being received.

#### Sent for Trial

Cases are "sent for trial" by a magistrates' court because they can only be heard by the Crown Court due to the seriousness of the offence. In the third quarter of 2010, around 8,700 cases were sent for trial, around 9,100 cases were completed and around 16,000 cases were outstanding at the end of the quarter.

Compared with the same period in 2009, the number of sent for trial cases received by the Crown Court had a decrease of two per cent and the number of cases completed increased by five per cent.

#### Committed for Sentence

Cases "committed for sentence" are those transferred to the Crown Court for sentencing after a defendant has been convicted (found guilty) in a magistrates' court. This would occur where a magistrate believes that their sentencing powers are insufficient to apply an appropriate sanction to the defendant.

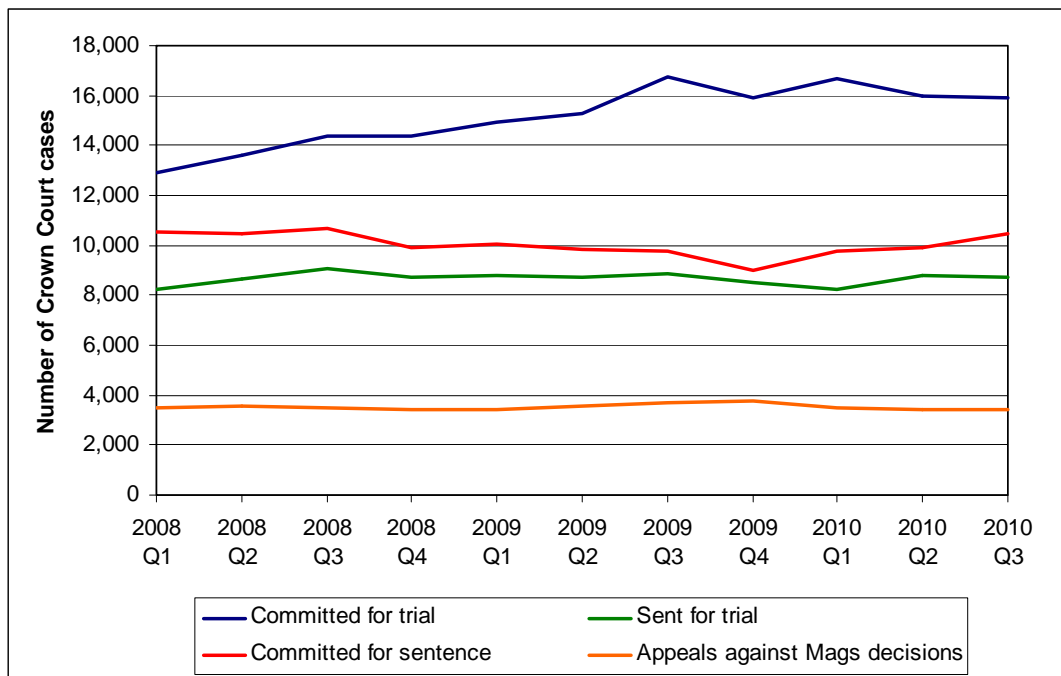
In the third quarter of 2010, around 10,500 cases from the magistrates' courts were committed for sentence in the Crown Court and the same number of cases were completed during this period. Around 5,100 cases remained outstanding at the end of quarter.

Compared to the same period in 2009, the number of committed for sentence cases received increased by seven per cent and the number of cases completed increased by six per cent

### Appeals

The Crown Court also deals with appeals against a conviction or sentence given by a magistrates' court. During the third quarter of 2010, the Crown Court received around 3,400 appeals against magistrates' courts' decisions and completed around 3,600 appeals cases, leaving around 2,900 appeals outstanding at the end of the quarter. Compared with the third quarter of last year, the number of appeals received in the Crown Court decreased by six per cent.

**Figure 4.1: The Crown Court receipts, by case type, Q1 2008 to Q3 2010**



### **Trials**

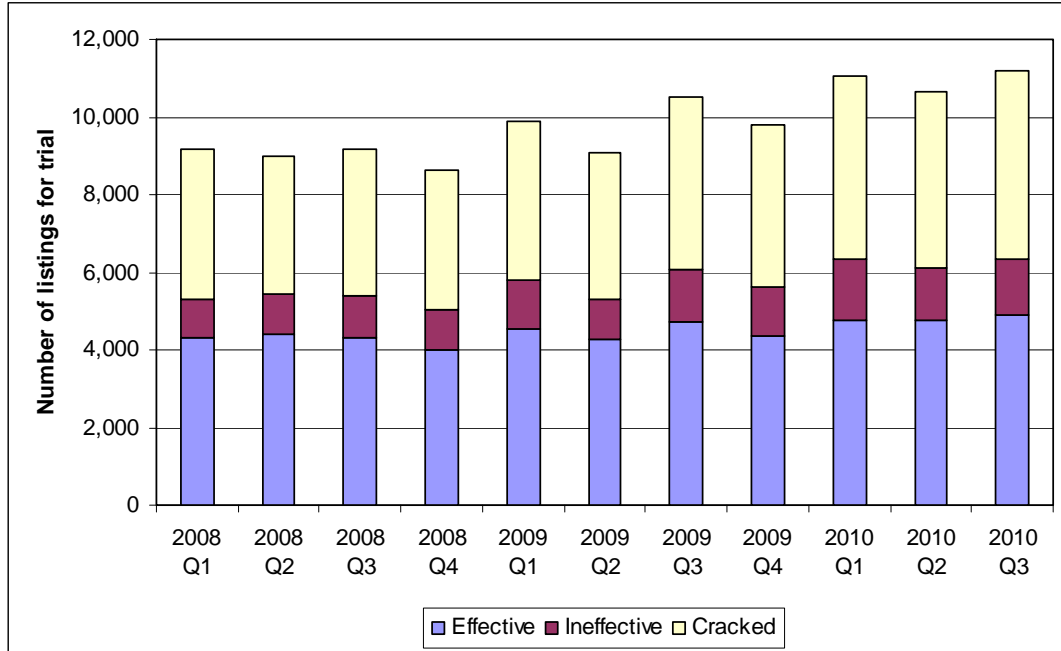
A trial in the Crown Court is a hearing at which the prosecution produces evidence to prove the case against the defendant, resulting in a verdict. The defendant has an opportunity to enter a plea against the charges they are to face in a preliminary hearing, before the start of any trial. If they decide to plead not guilty, then the case will be listed for full trial at a later date.

The Crown Court records the outcome of each main trial as 'effective', 'ineffective' or 'cracked'. Trial outcomes are listed as effective, ineffective or cracked following the same definitions for these terms as explained in the magistrates' courts section.

In the third quarter of 2010, around 11,200 trials were recorded in the Crown Court, an increase of six per cent compared with the same period last year.

Of these trials listed, 44 per cent were recorded as effective, 13 per cent were recorded as ineffective and 43 per cent were recorded as cracked. The rates of effective, cracked and ineffective trials have remained consistent over the last couple of years.

**Figure 4.2: Effectiveness of cases listed for trial, Q1 2008 to Q3 2010**



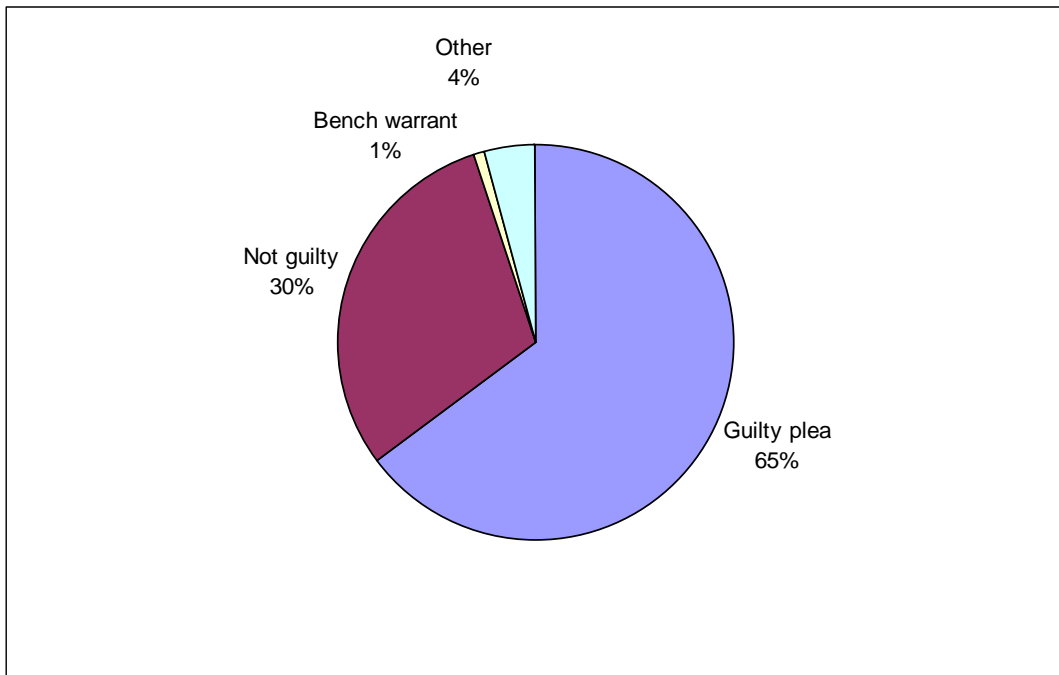
### Defendants

A guilty plea is recorded if a defendant either: (a) pleads guilty to all counts; (b) pleads guilty to some counts, not guilty to others and no jury is sworn in respect of the not guilty counts; or (c) pleads not guilty to some or all counts, but offers a guilty plea to alternatives which are accepted (providing no jury is sworn in respect of other counts). A case is treated as a guilty plea only if pleas of guilty are recorded in respect of all defendants.

In the third quarter of 2010, the Crown Court dealt with 28,900 defendants, an increase of eight per cent compared to the third quarter of last year.

Of these, 65 per cent pleaded guilty to all counts, 30 per cent pleaded not guilty to at least one count, and five per cent did not enter a plea. The guilty plea rate is the number of defendants pleading guilty to all counts as a proportion of all defendants with a plea. In this quarter the guilty plea remained at around 68 per cent.

**Figure 4.3: Defendants dealt with in the Crown Court, by plea, Q3 2010**



### **Timeliness**

In this section, the “average waiting time” refers to the average time between the date of sending or committal to the Crown Court and the start of the substantive Crown Court hearing. In the third quarter of 2010, the average waiting time for cases committed for trial was 14.7 weeks, an increase of six per cent compared with the third quarter of the previous year, while the average waiting time was 18.9 weeks for cases sent for trial. In those 'committed for trial' and 'sent for trial' cases where a not guilty plea was entered, the average waiting time was 24.5 weeks. In contrast, the average waiting time was 12.3 weeks for those cases where a guilty plea was entered.

The average waiting time was 6.1 weeks for cases which were committed to the Crown Court for sentence, and 8.3 weeks for appeals against magistrates' decisions.

The “average hearing time” relates to the average duration of all hearings heard in the Crown Court, including preliminary hearings, main hearings, and hearings where a sentence is given to a defendant. In the third quarter of 2010 the average hearing time was 12.9 hours for cases where a not guilty plea was entered, an increase of five per cent compared with the third quarter of the previous year. The average hearing time was 1.3 hours for cases where a guilty plea was entered, 0.5 hours for cases committed for sentence, and 1.0 hour for appeals.

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**Table 1.1****County courts (non-family)**

Summary statistics on claims issued in England and Wales, Q1 2008 - Q3 2010

Year	Quarter	Specified "money" claims <sup>1</sup>	Unspecified "money" claims <sup>2</sup>	Total "money" claims	Claims for recovery of land <sup>3</sup>	Claims for return of goods	Other non- "money" claims <sup>4</sup>	Total non- "money" claims	Number of claims / petitions	
									Total insolvency petitions <sup>5</sup>	Total proceedings started
2008		1,426,389	160,248	<b>1,586,637</b>	290,958	8,652	107,605	<b>407,215</b>	70,272	<b>2,064,124</b>
2009		1,281,105	178,969	<b>1,460,074</b>	230,125	10,269	102,726	<b>343,120</b>	76,211	<b>1,879,405</b>
2008	Q1	355,464	36,874	<b>392,338</b>	80,006	2,324	27,628	<b>109,958</b>	16,772	<b>519,068</b>
	Q2	324,223	40,918	<b>365,141</b>	75,417	2,049	25,720	<b>103,186</b>	17,412	<b>485,739</b>
	Q3	393,574	41,427	<b>435,001</b>	75,524	2,056	27,327	<b>104,907</b>	17,304	<b>557,212</b>
	Q4	353,128	41,029	<b>394,157</b>	60,011	2,223	26,930	<b>89,164</b>	18,784	<b>502,105</b>
2009	Q1	350,634	43,201	<b>393,835</b>	61,275	2,440	27,328	<b>91,043</b>	20,424	<b>505,302</b>
	Q2	301,735	44,182	<b>345,917</b>	59,004	2,617	24,353	<b>85,974</b>	19,211	<b>451,102</b>
	Q3	327,144	47,215	<b>374,359</b>	59,117	2,606	26,397	<b>88,120</b>	19,686	<b>482,165</b>
	Q4	301,592	44,371	<b>345,963</b>	50,729	2,606	24,648	<b>77,983</b>	16,890	<b>440,836</b>
2010	Q1	260,186	45,567	<b>305,753</b>	54,123	2,615	25,390	<b>82,128</b>	19,724	<b>407,605</b>
	Q2 (r)	252,802	48,253	<b>301,055</b>	49,890	2,322	24,362	<b>76,574</b>	16,551	<b>394,180</b>
	Q3 (p)	269,881	51,233	<b>321,114</b>	54,986	1,747	26,363	<b>83,096</b>	15,732	<b>419,942</b>

**Source:**

HM Courts Service CaseMan system, Claim Production Centre, Money Claim Online, Possession Claim Online and manual returns

**Notes:**

- 1 Claims issued for a specified amount of money, including those made through the Claim Production Centre, County Court Bulk Centre and Money Claim Online
- 2 Claims issued for an unspecified amount of money
- 3 Includes claims made via Possession Claim Online. These figures are also published in the Mortgage and landlord possession statistics: <http://www.justice.gov.uk/publications/mortgatelandlordpossession.htm>
- 4 Includes claims to evict trespassers, and for interim possession orders, landlord and tenancy applications (generally for a new tenancy agreement), injunctions (to make somebody do something or to stop them doing it), enforcement of Tribunal awards and of orders made in Magistrates' courts, pre-issue applications (to obtain an order for disclosure of information prior to issue of a claim), and orders for costs only
- 5 Includes petitions issued in the District Registries of the High Court but not in the Royal Courts of Justice (note - the headline quarterly National Statistics figures on insolvency proceedings issued include both)

**Table 1.2**  
**County courts (non-family)**

Summary statistics on claims defended and allocations to track<sup>1</sup> in England and Wales, Q1 2008 - Q3 2010

Year	Quarter	Number of defences <sup>2</sup>	Number of allocations to track <sup>3</sup>			Total
			Small claim	Fast track <sup>4</sup>	Multi track <sup>4</sup>	
2008		<b>298,796</b>	83,928	53,255	26,722	<b>163,905</b>
2009		<b>315,934</b>	93,073	61,415	25,495	<b>179,983</b>
2008	Q1	<b>70,545</b>	18,920	12,951	6,707	<b>38,578</b>
	Q2	<b>74,303</b>	19,955	12,805	6,656	<b>39,416</b>
	Q3	<b>77,780</b>	23,121	14,093	6,823	<b>44,037</b>
	Q4	<b>76,168</b>	21,932	13,406	6,536	<b>41,874</b>
2009	Q1	<b>77,355</b>	21,927	14,240	6,928	<b>43,095</b>
	Q2	<b>78,816</b>	23,094	14,573	6,258	<b>43,925</b>
	Q3	<b>82,659</b>	25,551	16,763	6,487	<b>48,801</b>
	Q4	<b>77,104</b>	22,501	15,839	5,822	<b>44,162</b>
2010	Q1	<b>72,140</b>	20,036	16,096	5,967	<b>42,099</b>
	Q2 (r)	<b>71,445</b>	19,746	15,342	5,376	<b>40,464</b>
	Q3 (p)	<b>75,367</b>	20,722	17,657	6,314	<b>44,693</b>

**Source:**

HM Courts Service CaseMan system, Claim Production Centre, Money Claim Online and Possession Claim Online

**Notes:**

1 Where a claim is defended, further information is gathered before it is allocated to one of the three case management "tracks" shown depending on the value, complexity and importance of the case and the consequential level of judicial involvement required. There may be more than one defence or allocation to track in a case

2 The number of defences excludes those recorded on the grounds of the defendant having already paid the amount claimed. Despite some cases involving more than one defendant, it is much lower than the number of claims issued (see Table 1) because the vast majority of claims are not disputed

3 The number of allocations to track is lower than the number of defences primarily because defended cases are often settled/withdrawn before they are allocated to track

4 A new and higher claim value limit was introduced for fast track cases on 6th April 2009. Since 1999, claims have generally been allocated to the fast track which have a value exceeding the limit of the small claims track (£5,000 for most claim types) but not more than £15,000 (those with a value over £15,000 generally being allocated to the multi track). For all proceedings issued on or after 6th April 2009, the limit has been raised from £15,000 to £25,000

**Table 1.3****County courts (non-family)**

Summary statistics on trials/hearings in England and Wales, Q1 2008 - Q3 2010

Year	Quarter	Small claim cases		Fast and Multi Track cases			
		Number of hearings <sup>1,2</sup>	Average time between issue & hearing (weeks) <sup>3</sup>	Number of trials <sup>1,2</sup>	Average time (weeks)		
					Between issue & allocation to track <sup>3</sup>	Between allocation to track & trial <sup>3</sup>	Between issue & trial <sup>3,4</sup>
2008		46,519	29	19,916	21	32	48
2009		46,963	31	20,306	21	32	48
2008	Q1	12,592	30	5,280	21	32	49
	Q2	11,544	29	5,263	21	31	48
	Q3	11,120	29	4,783	21	31	48
	Q4	11,263	29	4,590	20	32	49
2009	Q1	11,504	30	5,166	20	32	49
	Q2	11,001	31	5,097	21	32	47
	Q3	11,928	31	4,930	20	32	48
	Q4	12,530	30	5,113	21	32	48
2010	Q1	12,162	31	5,374	20	33	49
	Q2 (r)	10,769	31	4,927	21	34	51
	Q3 (p)	10,286	31	5,000	21	33	49

**Source:**

HM Courts Service CaseMan system

**Notes:**

1 The number of hearings are much lower than the number of allocations to track because most cases allocated to track are settled/withdrawn before a hearing

2 There may be more than one trial or small claim hearing in a case

3 Figures relate to cases whose trials or small claims hearings took place during the relevant quarter or year. For many cases the original date of issue and allocation date would have been in an earlier period

4 These figures are different to the sums of the average times between issue and allocation to track and between allocation to track and trial as not all allocation to track details are known

**Table 1.4**  
**County courts (non-family)**

Number of warrants issued<sup>1</sup> in England and Wales, by type, Q1 2008 - Q3 2010

Year	Quarter	Number of warrants			
		Execution <sup>2</sup>	Delivery <sup>3</sup>	Possession <sup>4</sup>	Committal <sup>5</sup>
2008		294,832	2,500	159,337	1,353
2009		236,293	2,307	139,131	1,103
2008	Q1	69,307	575	40,798	375
	Q2	74,904	641	41,332	356
	Q3	73,191	653	40,969	336
	Q4	77,421	631	36,238	286
2009	Q1	74,382	685	38,099	289
	Q2	65,593	624	34,769	260
	Q3	55,495	533	35,739	268
	Q4	40,823	465	30,524	286
2010	Q1	43,371	576	32,020	280
	Q2 (r)	35,365	539	30,837	453
	Q3 (p)	39,499	628	32,682	372

**Source:**

HM Courts Service CaseMan system, Claim Production Centre, Money Claim Online and Possession Claim Online

**Notes:**

- 1 Includes warrants issued in the County Court Bulk Centre and via Money Claim Online and Possession Claim Online
- 2 Allows saleable items owned by the debtor to be sold unless the amount due under the warrant is paid
- 3 For the return of goods or items
- 4 For the repossession of property
- 5 For enforcing an order where the penalty for failing to comply is imprisonment. It authorises the bailiff to arrest and deliver the person to prison or the court

**Table 1.5****County courts (non-family)**

Enforcement-related orders applied for and made in England and Wales, Q1 2008 - Q3 2010

Year	Quarter	Number of applications / orders									
		Attachment of earnings orders <sup>1,2</sup>		Third party debt orders <sup>3</sup>		Charging orders <sup>4</sup>		Orders for Sale <sup>5</sup>	Administration orders <sup>6</sup>		Orders to obtain information from judgment debtors <sup>8</sup>
		Applications	Orders made <sup>2</sup>	Applications	Orders made	Applications	Orders made		Applications	Orders made <sup>7</sup>	
2008		73,844	60,588	7,564	2,041	164,812	135,702	-	2,065	2,795	30,261
2009		72,316	61,336	7,137	2,176	127,179	111,311	-	1,948	2,019	29,672
2008	Q1	19,763	15,870	1,602	458	42,464	31,627	-	673	802	6,944
	Q2	20,129	14,602	1,686	467	42,848	34,042	-	503	737	7,885
	Q3	16,845	15,717	2,119	545	41,600	36,758	-	472	606	7,768
	Q4	17,107	14,399	2,157	571	37,900	33,275	-	417	650	7,664
2009	Q1	20,943	15,614	2,128	604	33,465	28,612	-	556	628	8,454
	Q2	22,710	16,085	1,946	551	32,202	29,329	-	581	549	8,083
	Q3	15,095	16,439	1,615	558	31,899	27,503	113	515	480	7,451
	Q4	13,568	13,198	1,448	463	29,613	25,867	191	296	362	5,684
2010	Q1	11,800	12,759	1,347	448	31,069	25,381	141	310	367	6,258
	Q2 (r)	12,524	10,663	1,073	360	26,518	24,117	274	180	274	6,179
	Q3 (p)	15,339	11,439	930	387	26,402	23,126	121	165	261	5,908

**Source:**

HM Courts Service CaseMan system and manual returns

**Notes:**

- 1 Attachment of earnings' orders oblige the debtor's employer to deduct a set sum from the debtor's pay and forward it to the court
- 2 Includes the making of varied orders and suspended orders enabling the debtor to make payments to the court directly but upon failure to do so will result in the debtor's employer being contacted
- 3 Third party debt orders secure payment by freezing and then seizing money owed or payable by a third party to a debtor
- 4 Charging orders obtain security for the payment against an asset owned by the debtor, typically property
- 5 A court order forcing the debtor to sell an asset(s), typically a property, following a charging order. These data are only available from July 2009
- 6 Administration orders enable a debtor to combine a judgement debt and at least one other debt (with total indebtedness not exceeding £5,000) into a single order for the making of regular payments into court to be distributed to the creditors in the appropriate proportions listed by the debtor
- 7 Multiple orders may be made following an application e.g. where an original order is revoked and then re-instated
- 8 Formerly known as the oral examination procedure which was changed on 26 March 2002, the process being streamlined and standardised to enable information to be obtained faster

**Table 2.1**  
**Family related court matters**

Summary statistics on matrimonial proceedings, England and Wales, Q1 2008 - Q3 2010 <sup>1,2</sup>

Year	Quarter	Number of cases							
		Dissolution of marriage			Nullity of marriage			Judicial separation	
		Petition filed	Decrees nisi	Decrees absolute	Petition filed	Decrees nisi	Decrees absolute	Petition filed	Decrees granted
2008		128,837	120,868	122,661	331	214	200	421	214
2009		132,144	119,244	116,576	290	197	199	360	198
2008	Q1	32,896	31,254	32,047	69	55	51	111	54
	Q2	33,456	29,702	30,964	81	52	46	108	49
	Q3	32,513	31,739	30,650	101	58	51	107	57
	Q4	29,972	28,173	29,000	80	49	52	95	54
2009	Q1	32,635	28,278	28,652	81	47	48	87	55
	Q2	32,560	28,001	28,533	72	45	55	103	41
	Q3	34,475	32,561	29,477	70	54	50	82	47
	Q4	32,474	30,404	29,914	67	51	46	88	55
2010	Q1	34,560	31,108	30,400	64	42	46	72	39
	Q2 (r)	33,404	29,958	29,849	82	30	33	77	44
	Q3 (p)	34,721	33,382	30,603	85	50	32	63	40

**Source:**

HM Courts Service FamilyMan system

**Notes:**

1 More detailed statistics on divorces in England and Wales are available from the Office for National Statistics (ONS) at: <http://www.statistics.gov.uk/hub/population/families/marriages--cohabitations--civil-partnerships-and-divorces>. Data in ONS publications are based on marriage and adoption data provided by the General Register Office and divorce data provided by HM Court Service

2 Statistics on the number of divorces occurring each year in England and Wales are also published by the ONS. The Ministry of Justice's (MoJ) divorce statistics are sourced directly from the FamilyMan system, while the ONS data are compiled from "D105" forms used by the courts to record decrees absolute, which are supplied to ONS for compiling the central index of decrees absolute. There are small differences between the number of divorces as recorded by the two sets of statistics: 0.7 per cent for 2008 data. There are believed to be some differences in the quality assurance and compilation processes currently used to produce the statistics. Statisticians at the MoJ and ONS are working together with HM Courts Service to reconcile these differences as closely as possible. However some of this difference will be accounted for by the fact that the two sets of figures do not count precisely the same cases: for example, the ONS statistics include annulments while the MoJ figures do not; conversely the MoJ data include dissolutions of civil partnerships which are excluded from the ONS counts

**Table 2.2****Family related court matters**

Disposal of applications for ancillary relief made in the county courts, England and Wales, Q1 2008 - Q3 2010

Year	Quarter	Disposal of applications			Disposal of contested or initially contested			
		Uncontested <sup>1</sup>	Initially contested, subsequently consented	Contested	Total	In respect of child(ren)	Not in respect of child(ren)	Total
2008	(r)	67,042	17,976	5,541	<b>90,559</b>	11,596	11,921	<b>23,517</b>
2009	(r)	58,311	16,839	4,733	<b>79,883</b>	11,011	10,561	<b>21,572</b>
2008	Q1	17,141	4,833	1,446	<b>23,420</b>	3,052	3,227	<b>6,279</b>
	Q2	17,698	4,687	1,544	<b>23,929</b>	2,981	3,250	<b>6,231</b>
	Q3	16,763	4,456	1,376	<b>22,595</b>	2,919	2,913	<b>5,832</b>
	Q4	15,440	4,000	1,175	<b>20,615</b>	2,644	2,531	<b>5,175</b>
2009	Q1	14,443	4,142	1,246	<b>19,831</b>	2,788	2,600	<b>5,388</b>
	Q2	14,079	3,739	1,106	<b>18,924</b>	2,562	2,283	<b>4,845</b>
	Q3	15,028	4,423	1,235	<b>20,686</b>	2,744	2,914	<b>5,658</b>
	Q4	14,761	4,535	1,146	<b>20,442</b>	2,917	2,764	<b>5,681</b>
2010	Q1	14,306	4,824	1,043	<b>20,173</b>	3,118	2,749	<b>5,867</b>
	Q2 (r)	14,621	4,187	1,020	<b>19,828</b>	2,785	2,422	<b>5,207</b>
	Q3 (p)	14,350	4,282	978	<b>19,610</b>	2,944	2,316	<b>5,260</b>

**Source:**

HM Courts Service FamilyMan system

**Note:**

1 Uncontested applications do not have a court hearing



**Table 2.3**  
**Family related court matters**

Domestic Violence: applications and orders made in the county courts, England and Wales, Q1 2008 - Q3 2010<sup>1</sup>

Year	Quarter	Applications made <sup>2</sup>			Orders made <sup>3</sup>		
		Non-molestation	Occupation	Total	Non-molestation	Occupation	Total
2008		17,141	7,738	<b>24,879</b>	19,367	5,099	<b>24,466</b>
2009		18,903	7,124	<b>26,027</b>	20,662	4,203	<b>24,865</b>
2008	Q1	3,993	1,878	<b>5,871</b>	4,463	1,261	<b>5,724</b>
	Q2	4,303	1,942	<b>6,245</b>	4,887	1,315	<b>6,202</b>
	Q3	4,592	2,086	<b>6,678</b>	5,223	1,331	<b>6,554</b>
	Q4	4,253	1,832	<b>6,085</b>	4,794	1,192	<b>5,986</b>
2009	Q1	4,636	1,924	<b>6,560</b>	4,941	1,118	<b>6,059</b>
	Q2	4,710	1,837	<b>6,547</b>	5,055	1,120	<b>6,175</b>
	Q3	5,161	1,897	<b>7,058</b>	5,597	1,054	<b>6,651</b>
	Q4	4,396	1,466	<b>5,862</b>	5,069	911	<b>5,980</b>
2010	Q1	4,323	1,469	<b>5,792</b>	4,808	836	<b>5,644</b>
	Q2 (r)	4,305	1,538	<b>5,843</b>	4,888	853	<b>5,741</b>
	Q3 (p)	4,538	1,522	<b>6,060</b>	5,128	878	<b>6,006</b>

**Source:**

HM Courts Service FamilyMan system

**Notes:**

1 Does not include orders made in Family Proceedings Courts

2 Applications for arrest warrants not included

3 The Domestic Violence, Crime and Victims Act 2004 made breach of a non-molestation order a criminal and arrestable offence as of July 2007, making it no longer necessary for courts to attach a power of arrest to non-molestation orders

**Table 2.4****Family related court matters**

Matters affecting children: Number of children involved in Public and Private Law applications made in each tier of court, England and Wales, Q1 2008 - Q3 2010<sup>1</sup>

Year	Quarter	Public Law <sup>2</sup>				Private Law <sup>2</sup>			
		FPC <sup>3,4</sup>	CC	HC	Total <sup>5</sup>	FPC <sup>3,4</sup>	CC	HC	Total <sup>5</sup>
2008 (r)		14,200	5,180	380	<b>19,760</b>	18,040	101,440	1,020	<b>120,500</b>
2009 (r)		19,760	5,770	290	<b>25,810</b>	27,670	108,670	1,150	<b>137,480</b>
2008	Q1	3,920	1,330	100	<b>5,350</b>	4,920	23,670	190	<b>28,790</b>
	Q2	2,710	1,320	90	<b>4,120</b>	4,250	25,900	240	<b>30,390</b>
	Q3	3,320	1,310	80	<b>4,720</b>	4,160	27,370	290	<b>31,820</b>
	Q4	4,260	1,220	100	<b>5,570</b>	4,700	24,500	300	<b>29,500</b>
2009	Q1	4,780	1,390	70	<b>6,230</b>	6,680	25,990	300	<b>32,970</b>
	Q2	5,070	1,530	60	<b>6,660</b>	6,990	27,250	260	<b>34,500</b>
	Q3	4,860	1,360	90	<b>6,300</b>	6,970	28,590	350	<b>35,910</b>
	Q4	5,050	1,490	70	<b>6,610</b>	7,020	26,840	240	<b>34,110</b>
2010	Q1	4,690	1,480	90	<b>6,260</b>	6,670	26,160	190	<b>33,020</b>
	Q2 (r)	4,590	1,420	100	<b>6,110</b>	5,150	25,150	220	<b>30,510</b>
	Q3 (p)	4,370	1,470	100	<b>5,940</b>	4,080	26,870	190	<b>31,140</b>

**Source:**

HMCS FamilyMan system and summary returns

**Notes:**

Abbreviations: FPC=Family Proceedings Court, CC = County Court, HC = High Court

1 Figures relate to the number of children subject to each application

2 Private Law applications exclude adoptions

3 There are known data quality problems with the figures for the Family Proceedings Courts. A new data collection method, introduced in April 2007, has made some improvements to the completeness of data

4 Special Guardianship Orders figures in the Family Proceedings Courts are only available for those courts which share premises and administrative systems with county courts. The total has therefore been estimated based on the proportion of the total public law and private law applications made in each tier of court

5 Figures have been rounded to the nearest ten. Totals may not add up due to rounding

**Table 2.5****Family related court matters**

Summary statistics on the timeliness of care proceedings in Family Proceedings Courts, County courts and the High Court in England and Wales, Q2 2010 - Q3 2010

Year	Quarter	Disposal of care and supervision applications <sup>1,2,3</sup>						Average case duration (weeks)	
		Disposals <sup>4</sup>	% disposed within 30 weeks	Disposals <sup>4</sup>	% disposed within 50 weeks	Disposals <sup>4</sup>	% disposed within 80 weeks		Total Disposals <sup>4</sup>
2010	Q2	523	17%	1,616	52%	2,752	88%	3,133	53
	Q3 (p)	598	18%	1,793	53%	2,951	87%	3,376	51

**Source:**

HMCS FamilyMan system and summary returns

**Notes:**

1 There are known data quality problems with the figures for the Family Proceedings Courts. A new data collection method, introduced in April 2007, has made some improvements to the completeness of data

2 Types of disposals from the FamilyMan system include Care Orders, Supervision Orders, Residence Orders, Special Guardianship Orders, Orders Refused, Order of No Orders and Orders Withdrawn

3 The number of disposals from the summary returns can only distinguish Care Orders, Supervision Orders and Other Orders. Therefore there may be more orders included for some Family Proceedings Courts

4 Number of Disposals relate to the number of children subject to each order, where a care or supervision application was made

**Table 3.1**  
**Magistrates' courts**

Completed proceedings, England and Wales, Q1 2008 - Q3 2010

Year	Quarter	Criminal					Total number of completed criminal proceedings	Civil & family applications	Other cases <sup>1</sup>
		Adult summary motoring proceedings	Adult summary non-motoring proceedings	Adult indictable/triable either way	Adult breach proceedings	Youth proceedings			
2008 <sup>2</sup>		696,279	613,430	449,894	116,167	155,370	<b>2,031,140</b>	130,000	846,634
2009		644,018	571,280	420,430	121,345	155,559	<b>1,912,632</b>	122,067	852,058
2008	Q1	190,111	161,745	116,658	28,893	39,470	<b>536,877</b>	33,868	205,344
	Q2	178,705	153,942	114,280	28,663	39,433	<b>515,023</b>	33,019	212,714
	Q3	172,447	155,098	115,209	29,776	38,782	<b>511,312</b>	34,202	215,504
	Q4	155,016	142,645	103,747	28,835	37,685	<b>467,928</b>	28,911	213,072
2009	Q1	166,007	144,620	108,903	31,358	40,109	<b>490,997</b>	28,927	219,271
	Q2	160,497	141,957	103,434	29,105	39,138	<b>474,131</b>	30,168	211,624
	Q3	161,750	145,193	105,303	30,974	38,758	<b>481,978</b>	31,803	219,392
	Q4	155,764	139,510	102,790	29,908	37,554	<b>465,526</b>	31,169	201,771
2010 <sup>3</sup>	Q1 (r)	150,333	123,976	97,857	28,787	34,426	<b>435,379</b>	31,996	214,014
2010	Q2 (r)	147,287	131,567	103,395	28,177	35,251	<b>445,677</b>	33,148	209,794
2010	Q3 (p)	150,038	145,373	109,340	31,393	32,675	<b>468,819</b>	34,370	220,455

**Source:**

Completed Proceedings, HM Courts Service Performance Database ('OPT')

**Notes:**

- 1 Other cases include means enquiries, representation orders and special jurisdiction
- 2 Magistrates' courts changed their data collection systems from legacy systems to Libra during this time
- 3 Revisions made to Q1 and Q2 2010 due to late receipt of representation orders data

**Table 3.2****Magistrates' courts**

Effectiveness of recorded trials, England and Wales, Q1 2008 - Q3 2010

Year	Quarter	Total number of trials	Effective trials		Ineffective trials		Cracked trials	
			Number	Percentage of total trials	Number	Percentage of total trials	Number	Percentage of total trials
2008		<b>183,511</b>	79,722	43%	33,423	18%	70,366	38%
2009		<b>179,858</b>	78,169	43%	33,609	19%	68,080	38%
2008	Q1	<b>49,697</b>	21,282	43%	8,973	18%	19,442	39%
	Q2	<b>45,887</b>	19,996	44%	8,513	19%	17,378	38%
	Q3	<b>45,374</b>	19,908	44%	8,092	18%	17,374	38%
	Q4	<b>42,553</b>	18,536	44%	7,845	18%	16,172	38%
2009	Q1	<b>46,202</b>	19,722	43%	8,977	19%	17,503	38%
	Q2	<b>44,105</b>	19,328	44%	8,075	18%	16,702	38%
	Q3	<b>45,480</b>	19,737	43%	8,370	18%	17,373	38%
	Q4	<b>44,071</b>	19,382	44%	8,187	19%	16,502	37%
2010	Q1	<b>47,587</b>	20,753	44%	9,111	19%	17,723	37%
2010	Q2 (r)	<b>44,032</b>	19,052	43%	7,738	18%	17,242	39%
2010	Q3 (p)	<b>45,470</b>	19,812	44%	7,712	17%	17,946	39%

**Source:**

Trials, HM Courts Service Performance Database ('OPT')

**Table 3.3**  
**Magistrates' courts**

Enforcement of financial penalties in the magistrates' courts<sup>1</sup>, England and Wales, Q1 2008 - Q3 2010

<b>Year</b>	<b>Quarter</b>	<b>Amount paid<sup>2</sup> (£ millions)</b>
2008		251
2009		251
2008	Q1	63
	Q2	64
	Q3	65
	Q4	60
2009	Q1	59
	Q2	60
	Q3	62
	Q4	70
2010	Q1	67
2010	Q2 (p)	70
2010	Q3 (p)	76

**Source:**

Debt Analysis Return (DAR), HM Courts

**Notes:**

1 Magistrates' courts submit information on the enforcement of financial penalties using the Debt Analysis Return

2 The amount paid represents the amount of financial penalties collected by the courts in the given quarter. Totals may not add up due to rounding

**Table 4.1**  
**Crown Court**

Receipts<sup>1</sup>, Disposals<sup>2</sup> and Outstanding<sup>3</sup> cases in England and Wales, by case type, Q1 2008 - Q3 2010

Year	Quarter	Committed for trial			Sent for trial			Committed for sentence			Appeals against Mags' decisions		
		Receipts	Disposals	Cases outstanding	Receipts	Disposals	Cases outstanding	Receipts	Disposals	Cases outstanding	Receipts	Disposals	Cases outstanding
2008		55,302	53,654	20,553	34,738	34,081	15,759	41,656	41,337	5,270	14,019	14,008	2,873
2009 (r)		62,838	59,840	23,655	34,869	34,471	16,243	38,663	38,868	4,592	14,341	13,982	3,223
2008	Q1	12,913	13,008	18,803	8,264	8,394	14,994	10,562	10,179	5,756	3,487	3,486	2,873
	Q2	13,639	13,458	19,040	8,681	8,459	15,219	10,492	10,659	5,436	3,580	3,613	2,831
	Q3	14,345	13,566	19,835	9,069	8,587	15,709	10,709	10,571	5,496	3,500	3,546	2,785
	Q4	14,405	13,622	20,553	8,724	8,641	15,759	9,893	9,928	5,270	3,452	3,363	2,873
2009	Q1	14,922	14,353	21,244	8,795	8,852	15,795	10,029	10,156	5,047	3,392	3,349	2,916
	Q2	15,249	14,129	22,316	8,722	8,300	16,191	9,810	9,500	5,206	3,530	3,481	2,962
	Q3	16,738	15,622	23,454	8,873	8,605	16,465	9,794	9,917	4,978	3,668	3,602	3,025
	Q4	15,929	15,736	23,655	8,479	8,714	16,243	9,030	9,295	4,592	3,751	3,550	3,223
2010	Q1	16,690	16,545	23,866	8,237	8,825	15,730	9,772	9,369	4,820	3,490	3,519	3,204
	Q2 (r)	16,007	16,369	23,665	8,763	8,244	16,342	9,940	9,477	5,248	3,391	3,526	3,105
	Q3 (p)	15,895	17,072	22,569	8,725	9,073	16,025	10,486	10,469	5,140	3,434	3,580	2,949

**Source:**  
HM Courts Service CREST system

- Notes:**
- 1 Receipts include committals direct from the magistrates' court, bench warrants executed (trial and sentence only) and cases transferred in, less cases transferred out
  - 2 Disposals are total cases dealt with
  - 3 Outstanding cases at end of the period

**Table 4.2****Crown Court**

Summary statistics on effectiveness of cases listed for trial, England and Wales, Q1 2008 - Q3 2010

Year	Quarter	Number of cases listed	Ineffective trials		Cracked trials		Effective trials	
			Number	Percentage	Number	Percentage	Number	Percentage
2008		<b>35,985</b>	4,169	12%	14,772	41%	17,044	47%
2009 (r)		<b>39,262</b>	4,926	13%	16,437	42%	17,899	46%
2008	Q1	<b>9,189</b>	990	11%	3,872	42%	4,327	47%
	Q2	<b>9,001</b>	1,036	12%	3,559	40%	4,406	49%
	Q3	<b>9,162</b>	1,079	12%	3,751	41%	4,332	47%
	Q4	<b>8,633</b>	1,064	12%	3,590	42%	3,979	46%
2009	Q1	<b>9,881</b>	1,260	13%	4,070	41%	4,551	46%
	Q2	<b>9,071</b>	1,064	12%	3,757	41%	4,250	47%
	Q3	<b>10,528</b>	1,331	13%	4,467	42%	4,730	45%
	Q4	<b>9,782</b>	1,271	13%	4,143	42%	4,368	45%
2010	Q1	<b>11,051</b>	1,579	14%	4,703	43%	4,769	43%
	Q2 (r)	<b>10,648</b>	1,372	13%	4,522	42%	4,754	45%
	Q3 (p)	<b>11,206</b>	1,449	13%	4,858	43%	4,899	44%

**Source:**

HM Courts Service CREST system



**Table 4.3**  
**Crown Court**

Defendants dealt with in cases committed or sent for trial<sup>1</sup>, by plea, England and Wales, Q1 2008 - Q3 2010

Year	Quarter	Total number of defendants disposed of	Plea entered				No plea entered				Guilty pleas as % cases with plea
			Guilty (to all counts)		Not Guilty <sup>2</sup>		Bench warrant		Other		
			Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	
2008		<b>96,027</b>	65,571	68%	27,923	29%	444	0.5%	2,089	2%	70.1%
2009 (r)		<b>104,418</b>	71,442	68%	29,835	29%	514	0.5%	2,627	3%	70.5%
2008	Q1	<b>23,626</b>	16,165	68%	6,874	29%	77	0.3%	510	2%	70.2%
	Q2	<b>24,154</b>	16,554	69%	7,016	29%	95	0.4%	489	2%	70.2%
	Q3	<b>24,083</b>	16,369	68%	7,076	29%	123	0.5%	515	2%	69.8%
	Q4	<b>24,164</b>	16,483	68%	6,957	29%	149	0.6%	575	2%	70.3%
2009	Q1	<b>25,657</b>	17,778	69%	7,336	29%	73	0.3%	470	2%	70.8%
	Q2	<b>24,799</b>	17,253	70%	6,929	28%	115	0.5%	502	2%	71.3%
	Q3	<b>26,805</b>	18,396	69%	7,681	29%	114	0.4%	614	2%	70.5%
	Q4	<b>27,157</b>	18,015	66%	7,889	29%	212	0.8%	1,041	4%	69.5%
2010	Q1	<b>28,742</b>	19,832	69%	8,129	28%	146	0.5%	635	2%	70.9%
	Q2 (r)	<b>27,490</b>	18,821	68%	7,879	29%	137	0.5%	653	2%	70.5%
	Q3 (p)	<b>28,929</b>	18,751	65%	8,731	30%	265	0.9%	1,182	4%	68.2%

**Source:**

HM Courts Service CREST system

**Notes:**

1 Includes cases where a bench warrant was issued, no plea recorded, indictment to lie on file, found unfit to plead, and other results

2 Includes cases where defendants plead not guilty to all counts and also cases where defendants plead not guilty to some counts

**Table 4.4**  
**Crown Court**

Summary statistics on average hearing times and average waiting times, England and Wales, Q1 2008 - Q3 2010

Year	Quarter	Average hearing time (hours)				Average waiting time (weeks)			
		Not Guilty plea trials <sup>1</sup>	Guilty plea trials <sup>1</sup>	Committal for sentence <sup>2</sup>	Appeal <sup>3</sup>	Not Guilty plea trials <sup>1</sup>	Guilty plea trials <sup>1</sup>	Committal for sentence <sup>2</sup>	Appeal <sup>3</sup>
2008		12.7	1.4	0.5	1.0	24.2	11.7	5.7	8.7
2009 (r)		13.0	1.3	0.5	1.0	24.1	11.7	5.7	8.9
2008	Q1	12.6	1.5	0.6	1.0	24.4	12.4	6.2	8.7
	Q2	12.6	1.3	0.5	1.1	24.5	11.9	5.7	8.5
	Q3	11.9	1.3	0.5	1.0	24.0	11.3	5.5	8.5
	Q4	13.9	1.3	0.5	1.1	23.8	11.3	5.4	9.1
2009	Q1	12.9	1.3	0.5	1.1	23.4	11.3	5.7	9.3
	Q2	13.4	1.3	0.5	1.0	24.0	12.0	6.0	9.2
	Q3	12.3	1.2	0.5	1.0	24.5	11.8	5.5	8.4
	Q4	13.2	1.2	0.5	1.0	24.3	11.8	5.5	8.5
2010	Q1	12.7	1.2	0.5	1.1	24.5	12.3	5.5	8.9
	Q2 (r)	11.6	1.3	0.5	1.0	24.7	12.3	5.8	8.8
	Q3 (p)	12.9	1.3	0.5	1.0	24.5	12.3	6.1	8.3

**Source:**

HM Courts Service CREST system

**Notes:**

- 1 Trial figures excludes cases where a bench warrant was issued, no plea recorded, indictment to lie on file, found unfit to plead, and other results
- 2 Committals for sentence exclude committals after breach, 'bring backs' and deferred sentences
- 3 Appeals exclude cases abandoned before appearance in court

**Table 4.5**  
**Crown Court**

Summary statistics on average waiting times, England and Wales, Q1 2008 - Q3 2010

Year	Quarter	All defendants dealt with	Committed for trial <sup>1</sup>			Sent for trial <sup>1</sup>			Committed for sentence <sup>2</sup>			Appeal <sup>3</sup>		
			Number dealt with	Waiting time (weeks)	% dealt with in 16 weeks	Number dealt with	Waiting time (weeks)	% dealt with in 26 weeks	Number dealt with	Waiting time (weeks)	% dealt with in 10 weeks	Number dealt with	Waiting time (weeks)	% dealt with in 14 weeks
2008		130,319	57,653	13.5	73%	35,948	18.6	78%	24,611	5.7	92%	12,107	8.7	86%
2009 (r)		136,224	64,411	13.5	74%	36,866	18.6	78%	23,082	5.7	92%	11,865	8.9	86%
2008	Q1	31,970	14,080	14.0	71%	8,965	19.0	77%	6,105	6.2	90%	2,820	8.7	86%
	Q2	33,025	14,558	13.6	73%	9,024	18.9	77%	6,308	5.7	91%	3,135	8.5	86%
	Q3	32,882	14,533	13.2	74%	8,936	18.2	79%	6,247	5.5	93%	3,166	8.5	86%
	Q4	32,442	14,482	13.0	74%	9,023	18.2	79%	5,951	5.4	92%	2,986	9.1	84%
2009	Q1	33,968	15,666	12.8	75%	9,448	18.2	79%	6,033	5.7	91%	2,821	9.3	84%
	Q2	32,776	15,253	13.5	74%	8,929	18.7	78%	5,598	6.0	92%	2,996	9.2	87%
	Q3	34,964	16,782	13.9	73%	9,295	18.5	79%	5,869	5.5	93%	3,018	8.4	86%
	Q4	34,516	16,710	13.7	73%	9,194	19.0	77%	5,582	5.5	92%	3,030	8.5	87%
2010	Q1	36,138	18,169	13.9	72%	9,792	19.5	77%	5,244	5.5	92%	2,933	8.9	85%
	Q2 (r)	35,113	17,668	14.2	71%	9,032	19.4	76%	5,420	5.8	93%	2,993	8.8	85%
	Q3 (p)	36,237	17,949	14.7	69%	9,533	18.9	77%	5,724	6.1	93%	3,031	8.3	87%

**Source:**

HM Courts Service CREST system

**Notes:**

1 Trial figures excludes cases where a bench warrant was issued, no plea recorded, indictment to lie on file, found unfit to plead, and other results

2 Committals for sentence exclude committals after breach, 'bring backs' and deferred sentences

3 Appeals exclude cases abandoned before appearance in court

## Annex A: Data sources and data quality

This annex gives brief details of data sources for the figures given in this report, along with a brief discussion on data quality. Further information can be found in “Judicial and Court Statistics 2009” via the MoJ website at [www.justice.gov.uk/publications/judicialandcourtstatistics.htm](http://www.justice.gov.uk/publications/judicialandcourtstatistics.htm)

### County courts (non-family)

This information has principally been produced using the Management Information System (MIS), a data warehousing facility drawing data directly from court-based administrative systems. Most data shown in the tables have been sourced from the county court administrative system CaseMan, used by court staff for case management purposes. This contains good quality information about the incidence and dates of major events in a case’s progress through the court system. Statistical quality assurance procedures include the identification and removal of duplicate entries for the same event in a case, and checks that data have been collated for all courts to ensure completeness. The following data are considered to be of lower quality:

- The numbers of insolvency petitions, applications for administration orders, administration orders made and orders for sale are sourced from manual counts made by court staff. Since April 2009 these have been recorded in the One Performance Truth (OPT) database, a web-based data monitoring system allowing direct inputting of performance data by court staff. Prior to April 2009 they were inputted into the Business Management System, designed for the purpose of monitoring and assessing court workloads. Quality assurance measures are in place to ensure that data are of sufficient quality, including querying with courts where their counts look unusually high or low and obtaining corrected figures if errors are identified.
- The numbers of small claims hearings and trials are sourced from CaseMan. Their accuracy is dependent on court staff entering correct hearing outcome codes onto the system.

### Family related court matters

The data on the family related court matters has principally been sourced from the county court administrative system FamilyMan, used by court staff for case management purposes and containing good quality information about a case’s progress through the family courts. Some data are also sourced from the OPT database. Statistical quality assurance procedures include the identification and removal of duplicate entries for the same case on the administrative systems, and checks that data have been collated for all courts to ensure completeness.

Some points to note about counting rules in the statistics:

- A disposal which occurs in one quarter or year may relate to an application which was initially made in an earlier period.
- An application of one type may lead to an order of a different type being made.

- The statistics on matrimonial, ancillary relief and domestic violence proceedings are counted by case. The statistics on public law and private law proceedings relate to the number of children which are subject to applications: for example if two children are the subject of a single case then the children would be counted separately in the statistics. Different types of orders may be made in respect of different children involved in a case.

Figures on the number of matrimonial proceedings are given in Table 2.1. Statistics on the number of divorces occurring each year in England and Wales are also published by the Office for National Statistics (ONS). The MoJ's divorce statistics are sourced directly from the FamilyMan system, while the ONS data are compiled from "D105" forms used by the courts to record decrees absolute, which are supplied to ONS for compiling the central index of decrees absolute. There are small differences between the number of divorces as recorded by the two sets of statistics: 0.7 per cent for 2008 data. There are believed to be some differences in the quality assurance and compilation processes currently used to produce the statistics. Statisticians at the MoJ and ONS are working together with HM Courts Service to reconcile these differences as closely as possible. However, some of this difference will be accounted for by the fact that the two sets of figures do not count precisely the same cases: for example, the ONS statistics include annulments while the MoJ figures do not; conversely the MoJ data include dissolutions of civil partnerships which are excluded from the ONS counts.

Public law and private law Children Act figures are given in Table 2.4. Data for the Family Proceedings Courts which share premises and administrative systems with county courts is sourced from FamilyMan. Data for other Family Proceedings Courts was provided on electronic summary returns submitted to HMCS Business Information Division on a monthly basis.

### **Magistrates' courts**

The statistics on completed proceedings in Table 3.1 are sourced from the OPT database, which was rolled out across magistrates' courts during 2008 and is populated based on information contained on the Libra Management Information System. This contains good quality information about magistrates' courts' caseloads. Data provided by the courts must be checked and verified at case level by court staff before being submitted on OPT, and the centrally collated data are subject to further checks including the investigation of apparent anomalies in the data.

The MoJ's "Criminal Statistics" publication, which can be found on the MoJ website at: [www.justice.gov.uk/publications/criminalannual.htm](http://www.justice.gov.uk/publications/criminalannual.htm), also contains data on criminal cases in the magistrates' courts. While both sets of figures are produced from the same core source (Libra), similarly as for the statistics on proceedings in the Crown Court, they are not directly comparable as there are known differences between them, for similar reasons. "Criminal Statistics" counts numbers of defendants, while the court statistics presented here count numbers of completed proceedings. Work is currently under way to investigate and review the differences between the two sets of statistics and compilation processes, with a view to aligning the two datasets in future.

The statistics on the effectiveness of recorded trials and the enforcement of financial penalties are also sourced from the OPT database.

Detailed information on magistrates' courts' timeliness is already published on a quarterly basis by the MoJ. This data comes from the "Time Intervals Survey", reports on which can be found on the MoJ website at: [www.justice.gov.uk/publications/timeintervals.htm](http://www.justice.gov.uk/publications/timeintervals.htm).

### **The Crown Court**

This information has been produced using the MIS, a data warehousing facility drawing data directly from court-based administrative systems. Most data shown in this bulletin have been sourced from the Crown Court administrative system CREST, used by court staff for case management purposes. This contains good quality information about the incidence and dates of major events as each case progresses in the Crown Court. Statistical quality assurance procedures include the identification and removal of duplicate entries, checks of apparent anomalies and checks for completeness.

The MoJ's "Criminal Statistics" publication also contains data on the number of proceedings heard in the Crown Court. Both sets of figures are produced from the same core source (the CREST system), but they are not directly comparable as there are known differences between them. These are due to a number of factors, including differences in the data collation mechanics and the counting and validation rules used, and they reflect different underlying drivers of the analyses being performed. By way of broad illustration, "Criminal Statistics" counts numbers of defendants and is focused on the final outcomes of criminal court proceedings, while the court statistics presented here count numbers of cases and is focused on flows through the court system. Work is currently under way to investigate and review the differences between the two sets of statistics and compilation processes, with a view to aligning the two datasets in future.

# Glossary

This glossary provides a brief description of the main terms used in the **Commentary** section of this report. For further information, please contact the Justice Statistics Analytical Services division using the details provided in the **Contacts** section at the end of this bulletin.

## County courts (non-family)

Administration order: Combines a debtor's debts under certain conditions (see note 6 to Table 1.5), enabling the debtor to make regular payments to the court which are then distributed to the various creditors.

Attachment of earnings order: Obliges the debtor's employer to deduct a set sum from the debtor's pay and forward it to the court.

Charging order: Enables the creditor to obtain security for the payment against an asset(s), typically property, owned by the debtor.

Claims for recovery of land: These include claims for the repossession of property by a mortgage lender, social or private landlord e.g. where the mortgagee or tenant fails to keep up with mortgage or rental payments.

Orders for sale: A court order forcing the debtor to sell an asset(s), typically a property, following a charging order.

Other claims: These include, amongst others, claims for the return of goods, injunctions (to make somebody do something or to stop them doing it), and insolvency petitions (where a company or individual has debts that they are unable to pay).

Small claim / "fast track" / "multi track" cases: If a claim is defended, the next step is for further information to be provided by the parties following which a judge in the county court assigns the case to one of three case management tracks. The "small claims track" is for less complex cases, which generally have claim values of up to £5,000. The "fast track" is for more complicated cases, generally with a claim value of over £5,000 and up to £15,000 for proceedings issued before 6 April 2009, otherwise £25,000. The "multi track" is for the most complex cases which are not allocated to the small claim or "fast track". Many defended cases are settled by the parties involved, or withdrawn, either before or after allocation to one of these tracks. Around half of cases allocated to the small claims track are resolved at small claims hearings while a lower proportion of cases allocated to the "fast or multi track" are disposed of by trials.

Specified "money" claims: Claims made by an individual, company or organisation for a specified amount of money.

Third party debt order: Enables the creditor to secure payment by freezing and then seizing money owed or payable by a third party to the debtor.

Unspecified "money" claims: Claims made by an individual, company or organisation for an unspecified amount of money.

Warrant of committal: Enforces a judgment for which the penalty for failure to comply is imprisonment. It authorises the bailiff to arrest the person and deliver them to prison or court.

Warrant of delivery: Enforces a judgment for the return of particular goods or items.

Warrant of execution: To enforce a judgment made in a county court, where unless the amount due under the warrant is paid, saleable items owned by the debtor can be recovered by the court and sold.

Warrant of possession: To enforce a court order for the repossession of property.

## **Family related court matters**

Ancillary Relief: This refers to a number of different types of order used to settle financial disputes during divorce proceedings. Examples include: periodical payments, pension sharing, property adjustment and lump sums, and they can be made in favour of either the former spouse or the couple's children.

Application: The act of asking the court to make an order.

Decree Absolute: This is the final order made in divorce proceedings that can be applied for six weeks and one day after a decree nisi has been given. Once this is received, the couple are no longer legally married and are free to remarry.

Decree Nisi: This is the first order made in divorce proceedings and is given when the court is satisfied that there are reasonable grounds for granting the divorce. It is used to apply for a decree absolute.

Disposal: Completion of a case, where an outcome is determined by an order being made or refused or where the application is withdrawn.

Dissolution: The legal termination of a marriage by a decree of divorce, nullity or presumption of death or of a civil partnership by the granting of a dissolution order.

Divorce: This is the legal ending of a marriage.

Judicial Separation: This is a type of order that does not dissolve a marriage but absolves the parties from the obligation to live together. This procedure might, for instance, be used if religious beliefs forbid or discourage divorce.

Non-molestation Order: This is a type of civil injunction used in domestic violence cases. It prevents the applicant and/or any relevant children from being molested by someone who has previously been violent towards them. Since July 2007, failing to obey the restrictions of these orders has been a criminal offence for which someone could be arrested.

Nullity: This is where a marriage is ended by being declared not valid. This can either be because the marriage was void (not allowed by law) or because the marriage was voidable (the marriage was legal but there are circumstances that mean it can be treated as if it never took place).

Occupation Order: This is a type of civil injunction used in domestic violence cases. It restricts the right of a violent partner to enter or live in a shared home.

Order: The document bearing the seal of the court recording its decision in a case.



Petition: (for divorce): An application for a decree nisi or a judicial separation order.

Private Law: Refers to Children Act 1989 cases where two or more parties are trying to resolve a private dispute. This is commonly where parents have split up and there is a disagreement about contact with, or residence of, their children.

Public Law: Refers to Children Act 1989 cases where there are child welfare issues and a local authority, or an authorised person, is stepping in to protect the child and ensure they get the care they need.

### **Magistrates' courts**

Adult breach proceedings: Proceedings against an adult defendant (aged 18 or over) who has breached an order which was previously imposed against him/her.

Adult indictable cases: The most serious offences, such as murder and rape, which must be heard at the Crown Court. The involvement of the magistrates' court is generally brief: a decision is made on whether to grant bail, and other legal issues, such as reporting restrictions, are considered. The case is then passed to the Crown Court.

Adult summary proceedings: The less serious offences, where the defendant is an adult (aged 18 or over). The defendant is not usually entitled to trial by jury, so these cases are disposed of in the magistrates' courts. Summary offences are subdivided into Summary Motoring and Summary Non-Motoring cases:

- Adult summary motoring proceedings: Offences such as driving whilst disqualified, speeding and failure to stop.
- Adult summary non-motoring proceedings: Offences such as TV license evasion, minor assaults and criminal damage where less than £5000 worth of damage is caused.

Adult triable-either-way cases: These are more serious than summary offences, and can be dealt with either by magistrates or before a judge and jury at the Crown Court. Such offences include dangerous driving and theft and handling stolen goods. A defendant can invoke his/her right to trial in the Crown Court, or the magistrates can decide that a case is sufficiently serious that it should be dealt with in the Crown Court where tougher sentences can be imposed if the defendant is found guilty.

'Cracked' trial: A trial where, on the day, an acceptable plea is offered by the defendant or the prosecution offers no evidence against the defendant.

'Effective' trial: A trial which begins on the scheduled date and reaches a conclusion.

'Ineffective' trial: A trial that does not go ahead on the scheduled trial date due to action or inaction by one or more of the prosecution, the defence or the court and a further listing for trial is required.

Youth proceedings: These are proceedings of any type where the defendant is a youth, aged between 10 and 17.

## The Crown Court

The Crown Court is a unitary court which sits in approximately 77 different locations across England and Wales. It deals with serious criminal cases, which can be classified into the following four categories:

- (a) Sent for trial cases: Cases sent for trial by the magistrates' court because they can only be heard by the Crown Court.
- (b) Committed for trial cases: Cases which can be heard in either a magistrates' court or the Crown Court. A defendant can elect to be tried in the Crown Court or a magistrate can decide that a case is sufficiently serious that it should be dealt with in the Crown Court.
- (c) Committed for sentence cases: Cases transferred to the Crown Court for sentencing where defendants are found guilty in the magistrates' court. This happens if a magistrate is of the opinion that a greater punishment should be imposed than they are allowed to impose.
- (d) Appeals against the decisions of magistrates' courts.

Disposal: The completion of a case referred to the Crown Court.

Guilty plea: A guilty plea is recorded if a defendant either: (i) pleads guilty to all counts; (ii) pleads guilty to some counts and not guilty to others and no jury is sworn in respect of the not guilty counts; or (iii) pleads not guilty to some or all counts but offers a guilty plea to alternatives which are accepted (providing no jury is sworn in respect of other counts). A case is treated as a guilty plea only if pleas of guilty are recorded in respect of all defendants.

Hearing time: The total duration of all hearings heard in the Crown Court for each case including preliminary, main and sentence hearings.

Receipt: A case referred to the Crown Court.

Waiting time: The length of time between the date of sending or committal, and the start of the substantive Crown Court hearing.

*For definitions of 'effective', 'cracked' and 'ineffective' trials please see the magistrates' courts glossary section.*

## Explanatory notes

1. 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.

2. The statistics in this bulletin relate to cases in the county, family, Crown and magistrates' courts in England and Wales during the third quarter (July to September) of 2010. This is the seventh set of quarterly court statistics to be published by the MoJ. The first bulletin in this series was entitled "Provisional Court Statistics". Calendar year statistics are published by the MoJ in the statistical report "Judicial and Court Statistics".
3. Breakdowns of many of the summary figures presented in this bulletin, such as split by case type or by HM Courts Service area, are available on request. Please contact the Justice Statistics Analytical Services division using the details in the **Contacts** section.
4. **Revisions:** The statistics for the third quarter of 2010 are provisional, and are therefore liable to revision to take account of any late amendments to the administrative databases from which these statistics are sourced. The standard process for revising the published statistics to account for these late amendments is as follows. An initial revision to the statistics for the latest quarter may be made when the next edition of this bulletin is published. Final figures for this quarter, and for other quarters in the same calendar year, will be published in the bulletin presenting the statistics for the third quarter of the following year.

### Symbols and conventions

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

- = Not applicable
- 0 = Nil
- (r) = Revised data
- (p) = Provisional data

## Contacts

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

**Peter Morris**

Tel: 020 3334 3531

Email: [peter.morris@justice.gsi.gov.uk](mailto:peter.morris@justice.gsi.gov.uk)

**Mark Kram**

Tel: 020 3334 6697

Email: [mark.kram@hmcourts-service.gsi.gov.uk](mailto:mark.kram@hmcourts-service.gsi.gov.uk)

Other enquiries about these statistics should be directed to the Justice Statistics Analytical Services division of the MoJ:

**Iain Bell**

Chief Statistician

Ministry of Justice

7th floor

102 Petty France

London

SW1H 9AJ

Tel: 020 3334 3737

Email: [statistics.enquiries@justice.gsi.gov.uk](mailto:statistics.enquiries@justice.gsi.gov.uk)

General enquiries about the statistical work of the MoJ can be e-mailed 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

[www.statistics.gov.uk](http://www.statistics.gov.uk)

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