



Ministry of
JUSTICE

Court Statistics Quarterly January to March 2010

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Introduction

This report presents statistics on activity in the county, family, Crown and magistrates' courts of England and Wales. It gives provisional figures for the latest quarter (January to March 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 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 Ministry of Justice website at:

www.justice.gov.uk/publications/judicialandcourtstatistics.htm

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.

Annex B provides an overview of HM courts Service's performance in the financial year 2009/10 against its key indicators and targets.

Annex C gives summary casework statistics for the Office of the Public Guardian (OPG) for Q1 2009 to Q1 2010.

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.

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.

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 settle 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 either Family Proceedings Courts (magistrates' courts), Care Centres (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.

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.

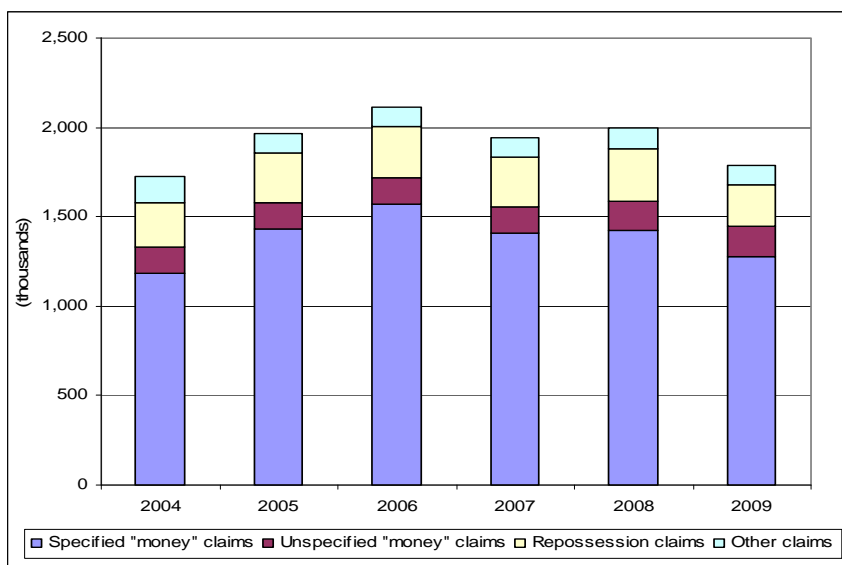
County courts (non-family)

These civil cases typically relate to debt, the repossession of property, personal injury and insolvency. Over the period Q1 (January to March) 2008 to Q1 (January-March) 2010 covered by the tables in this report, the total number of claims issued has generally followed a downward trend, while the number of defences made, hearings and trials have remained relatively flat.

Key points:

- The number of claims issued fell by 20 per cent to 406,000 claims issued during the first quarter of 2010, compared to Q1 2009.
- This is a continuation of a downward trend since peaking in 2006 (see Chart A). This is mainly due to decreases in specified money (typically debt related) and repossession claims over the past year and was despite increases in unspecified money (typically personal injury related) claims, return of goods claims and insolvency petitions. The fall in repossession claims since the end of 2008 coincides with the introduction of the Mortgage Pre-Action Protocol, 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



- There was a 7 per cent decrease to 72,000 defences made in the first quarter of 2010.

Defended cases which are not settled or withdrawn generally result in a hearing or trial. In total, there were 17,400 trials and small claim hearings, an increase of 5 per cent compared to the first quarter of 2009. This comprised:

- 12,100 small claim hearings, an increase of 6 per cent compared with the first quarter in 2009. On average, small claim hearings occurred 31 weeks after the claim was originally made, the same as in the first quarter of 2009.
- 5,300 fast track (cases for amounts between £5,000 and £25,000) and multi track (cases for more than £25,000) trials, an increase of 2 per cent compared with the first quarter in 2009. On average, trials occurred 49 weeks after the claim was originally made, the same as in the first quarter of 2009.

There were **120,000 applications for enforcement (including warrants) issued** during the first quarter of 2010, a 29 per cent decrease on the same period of the year before, , reflecting the 26 per cent drop in claims issued for a specified amount of money.

Family courts

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, whilst other family cases showed a steady trend.

Key points:

- There were 30,400 decrees absolute granted for the dissolution of marriage in the first quarter of 2010 (an increase of 6 per cent compared to the first quarter of 2009). However, the long-term trend over the last few years has been an overall decrease in the numbers of divorces granted.
- 5,600 domestic violence orders were made in the first quarter of 2010, a drop of 7 per cent on the 6,100 in the same period of last year. The number of domestic violence orders made fell between 2004 and 2008, followed by a slight rise in 2009.
- On matters affecting children, 5,700 public law applications and 30,200 private law applications were made. However, the latest quarterly figures for private law applications exclude around 20 per cent of family proceedings courts. This follows the current roll-out of the upgrade to the database for recording family cases.

Crown and magistrates' courts

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.

Crown Court:

- There were a total of 37,600 cases received in the Crown Court in the first quarter of 2010, a 2 per cent increase on the number received in the first quarter of 2009. This continues the overall upward trend in Crown Court cases in recent years (see Chart B).
- Around 11,100 cases were listed for trial in the Crown Court in the first quarter of 2010, compared to 9,900 in the first quarter of 2009. Of these, 43 per cent were recorded as 'effective', with 43 per cent 'cracked' and 14 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-listed, while cracked trials are those where an acceptable plea is offered by the defendant or the prosecution offers no evidence. There was a slight rise in the number of cases listed for trial in Q1 2010, and a slight drop in the proportion of cases recorded as effective.
- The Crown Court dealt with 28,700 defendants in cases which were committed or sent for trial. Of these, 66 per cent pleaded guilty to all counts, a rate which has remained steady over the last two years.

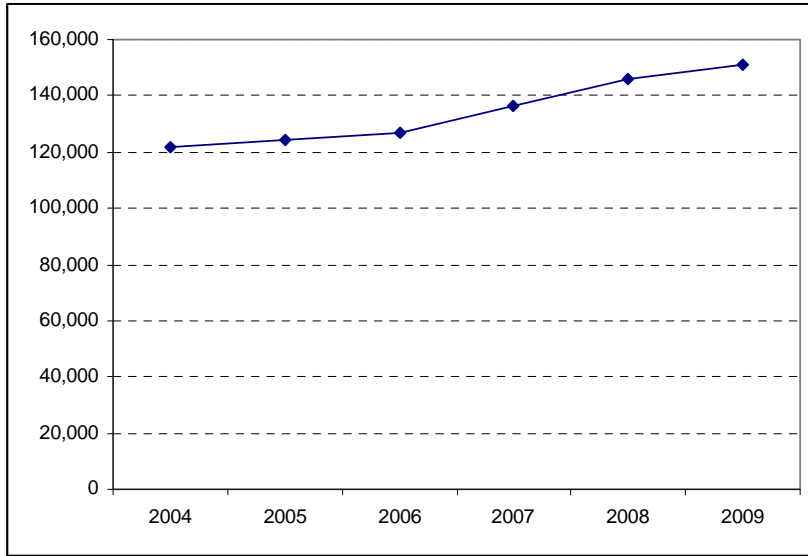
The "average waiting time" refers to the average time between the date of sending or committal to the Crown Court and the start of the substantive Crown Court hearing.

- In the first quarter of 2010, the average waiting time for cases where a not guilty plea was entered was 24.4 weeks, compared to 12.2 weeks for cases where a guilty plea was entered.
- In comparison with the same period in the previous year, average waiting times increased by 4 and 9 per cent respectively.

Magistrates' courts:

- There were 435,400 criminal proceedings completed in magistrates' courts in the first quarter of 2010, some 11 per cent fewer than in the same period of 2009.
- 47,600 trials were recorded in magistrates' courts, with 44 per cent recorded as effective. As in the Crown Court, rates of cracked and ineffective trials in the magistrates' courts have remained steady during the last two years.
- The total value of fines paid in magistrates' courts was £67 million in the first quarter of 2010, compared with £59 million in the corresponding quarter of the previous year.

Chart B - Total number of Crown Court receipts, England and Wales 2004-2009



Commentary

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

There are currently around 220 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 heard in 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.

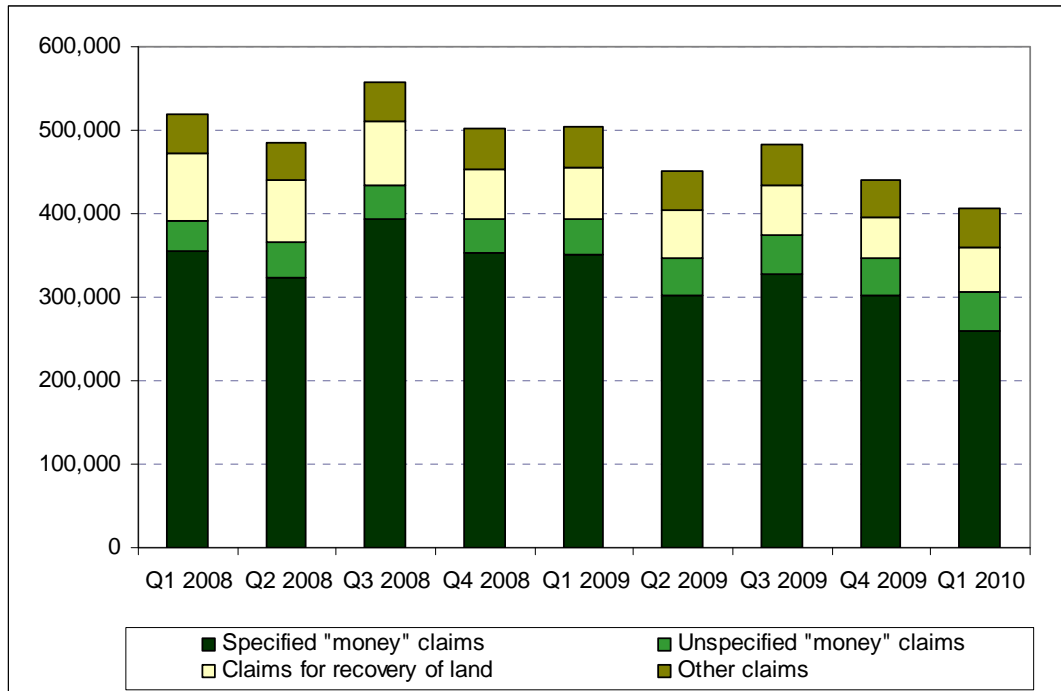
Information on the data sources used for the county court statistics can be found in Annex A. Explanations for some of the main terms used in this section can be found in the glossary.

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 and 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 first quarter of 2010 there were 406,000 claims issued, 20 per cent fewer than in the first quarter of 2009. Compared with the same quarter in 2009, there was a 26 per cent decrease in claims issued for a specified amount of money, a 13 per cent reduction in claims issued for mortgage and landlord possession, an 8% fall in non - “money” applications made for other than repossession of property and return of goods, and a 4 percent decrease in the number of petitions for insolvency. In contrast, the number of claims issued for return of goods increased by 7 percent over the same period while the number of claims issued for an unspecified amount of money (where the amount the claimant is claiming is not fixed) increased by 5 percent.

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



Case progression, hearings and judgments

Whether the claim is issued online or through the county courts, the usual procedure is for a copy of the claim form and a response pack to be 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 up (in full or part), and/or dispute (defend) the claim (in full or part). In the first quarter of 2010, 72,000 claims were defended, a 7 per cent decrease compared with the first quarter of 2009.

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 42,000 cases allocated to one of these tracks in the first quarter of 2010, a 3 per cent decrease compared with the same quarter in 2009. This was made up of, in ascending order of case complexity and degree of judicial involvement:

- 20,000 allocations to the "small claim track", a decrease of 9 per cent compared to the first quarter of 2009. This track is generally for cases with a claim value of up to £5000 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.
- 16,000 allocations to the "fast track", an increase of 13 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 1 day trial.

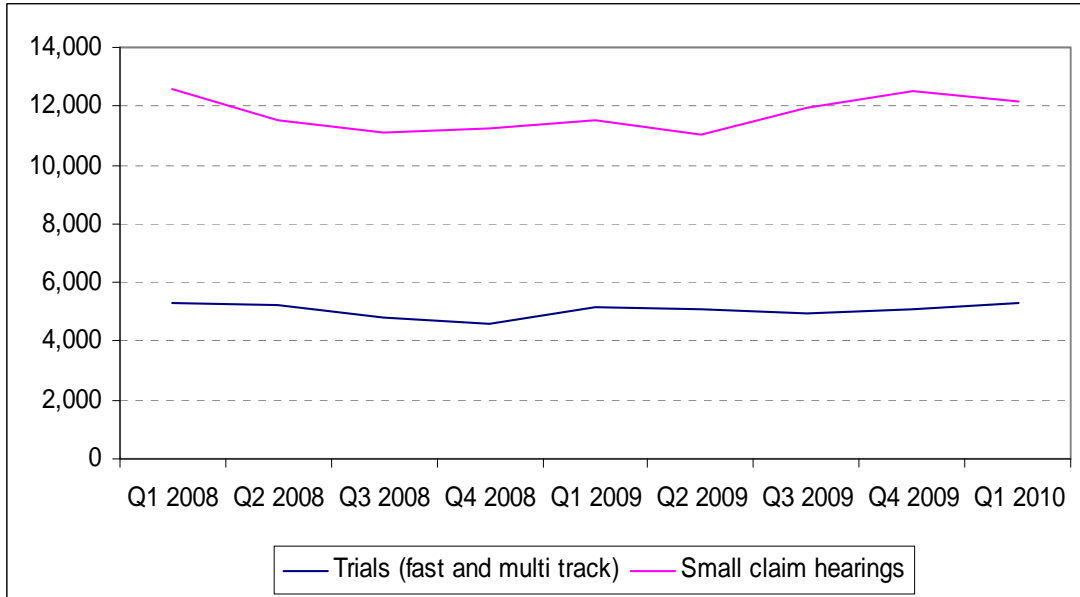
- 6,000 allocations to the “multi track”, a decrease of 14 per cent compared to the first quarter of 2009. This track is generally for cases with a claim value exceeding £25,000 with issues complex enough to need preliminary hearings. They generally last more than one day at trial.

The large 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 on or after 6th 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 17,400 trials and small claim hearings, an increase of 5 per cent compared to the first quarter of 2009. This comprised:

- 5,300 fast track and multi track trials, an increase of 2 per cent compared with the first quarter in 2009. On average, trials occurred 49 weeks after the claim was originally made, the same as in the first quarter of 2009.
- 12,100 small claim hearings, an increase of 6 per cent compared with the first quarter in 2009. On average, small claim hearings occurred 31 weeks after the claim was originally made, the same as in the first quarter of 2009.

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



Enforcement

There are various methods of enforcing the decisions made by 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 a defendant can be recovered by a bailiff acting on behalf of the court and sold. Other warrant types are for the repossession of property, the return of particular goods or items, and to enforce an order for which the penalty for failure to comply is imprisonment, the warrant of committal which authorises the bailiff to arrest and deliver the person to prison or the court. In the first quarter of 2010:

- 43,400 warrants of execution were issued, a 42 per cent decrease on the first quarter of 2009.
- 32,000 warrants of possession were issued, a decrease of 16 per cent on the same quarter in 2009.
- 600 warrants of delivery were issued, a decrease of 16 per cent on the first quarter of 2009.
- 300 warrants of committal were issued, a decrease of 3 per cent on the first quarter of 2009.

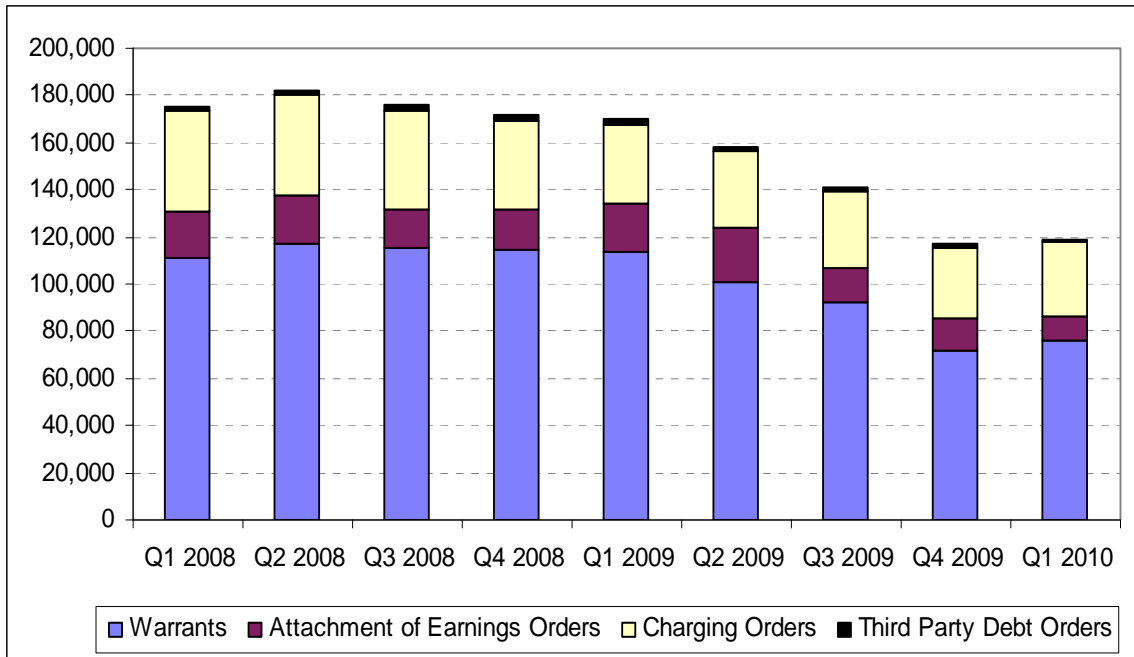
A judgment amount can also be enforced through the claimant applying for:

- An attachment of earnings order, which obliges the debtor's employer to deduct a set sum from the debtor's pay and send it to the court. There were 11,800 applications made for attachment of earnings orders in the first quarter of 2010, a decrease of 44 per cent on the same quarter of 2009.
- A charging order, which enables the creditor to obtain security for the payment against assets owned by the debtor, typically property. There were 31,100 applications made for charging orders in the first quarter of 2010, a decrease of 7 per cent on the same quarter of 2009. There were also 140 orders for sale, these forcing sale of the debtor's assets.
- A third party debt order, which enables the creditor to secure payment by freezing and then seizing money owed by a third party to the debtor. There were 1,300 applications made for third party debt orders in the first quarter of 2010, a decrease of 37 per cent on the same quarter of 2009.

In certain circumstances a debtor may apply to a county court to combine debts 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 300 applications for administration orders in the first quarter of 2010, a decrease of 44 per cent on 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 6,300 orders made to obtain information from debtors in the first quarter of 2010, a decrease of 26 per cent compared with the first quarter of 2009.

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



Family Courts [Tables 2.1 – 2.4]

Family matters are dealt with in England and Wales under the Children Act 1989 at either Family Proceedings Courts (when members of the family panel sit to hear a family case in magistrates' courts), Care Centres (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.

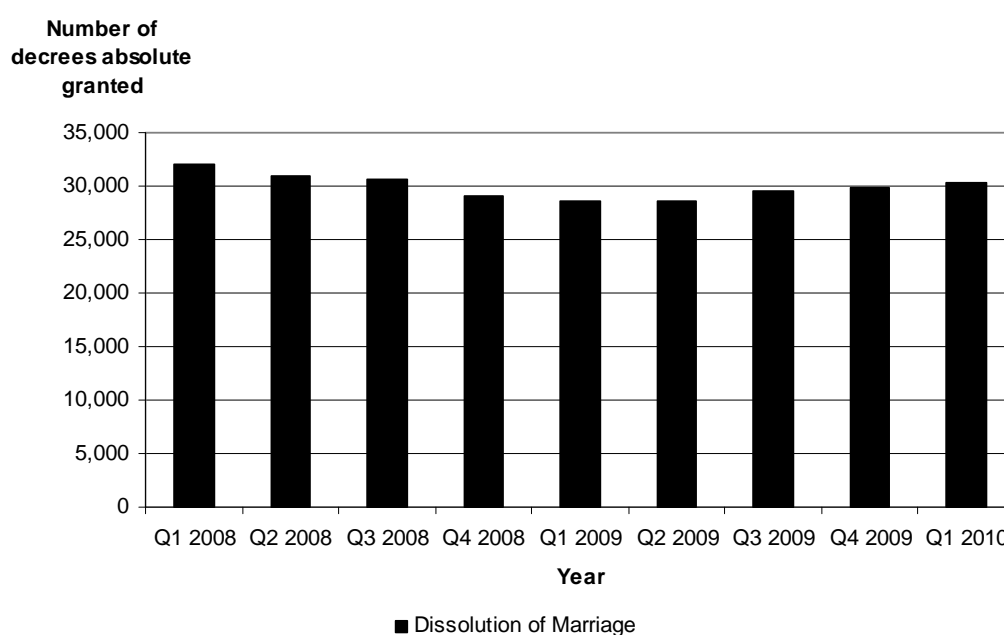
Information on the data sources used for family statistics can be found in Annex A. Explanations for some of the main terms used in this section can be found in the glossary.

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 34,500 petitions filed for dissolution of marriage in the first quarter of 2010, compared to 32,600 in the first quarter of 2009. The number of decrees absolute granted increased to 30,400 in the first quarter of 2010 from the 28,600 in the first quarter of 2009. The number of petitions filed for judicial separation was 70 in the first quarter of 2010 compared to 86 in the first quarter of the previous year.

Figure 2.1: Dissolution of marriage - decrees absolute granted, Q1 2008 to Q1 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.

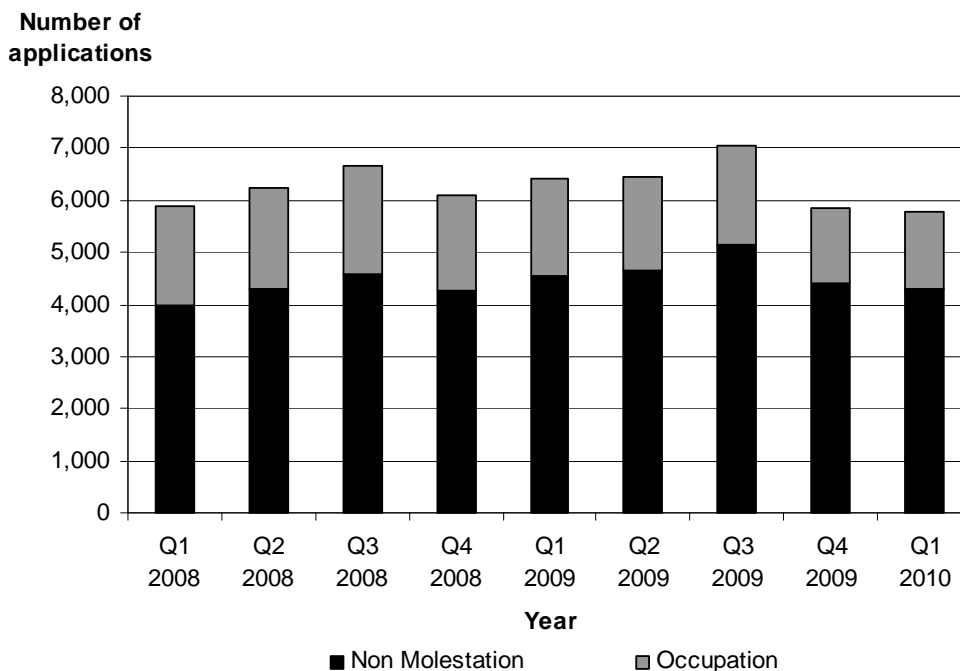
Following a decline in late 2008, there has been little or no change in the number of orders made to settle financial disputes post-divorce or post-separation since the fourth quarter of 2008. In the first quarter of 2010, the total number of orders made to settle ancillary relief disputes was 20,200, compared to 19,800 in the corresponding quarter of 2009.

Domestic violence

The Family Law Act 1996 provides domestic violence remedies in the family courts. 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 non-molestation orders has been a criminal offence for which someone could be prosecuted.

The number of applications to the county courts for domestic violence remedies decreased from 6,400 in the first quarter of 2009 to 5,800 in the first quarter of 2010. However, the proportion of applications made which were for non-molestation orders increased from 71 per cent to 75 per cent in that period

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



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 13 per cent drop in the number of public law applications made in the January to March 2010, compared with the same period last year. There were 5,680 applications in the first quarter of 2010, compared to 6,530 in the first quarter of 2009.

The public and private law applications statistics for 2009 onwards are thought to include a degree of double-counting of applications initially lodged in a county court and then transferred to a Family Proceedings Court. The figures for applications made to Family Proceedings Courts in Q1 2010 are incomplete and exclude applications made in roughly 20 per cent of such courts. These data quality issues are being investigated by Ministry of Justice statisticians and the statistics, currently marked as provisional, will be revised in future bulletins. The statistics for matrimonial proceedings, ancillary relief and domestic violence cases are not affected by these issues.

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 of private law applications made decreased by 7 per cent between the first quarter of 2009 and the first quarter of 2010. The number of applications made dropped from 32,590 to 30,190 in the first quarter of 2010. The majority of these applications were made in county courts.

Please see the paragraph above for a note about data quality.

Crown Court [Tables 3.1 – 3.5]

The Crown Court deals with serious criminal cases; this consists of around 5 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 first quarter of 2010, around 16,800 committed for trial cases were received, an increase of 12 percent compared to the same period last year. In this quarter, around 16,700 committed for trial cases were completed with in the Crown Court, an increase of 14 percent compared to the first quarter in 2009, and around 23,500 cases were outstanding case at the end of the quarter, March 2010.

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 first quarter of 2010, around 8,200 cases were sent for trial, 8,900 such cases were completed and around 15,500 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 decreased by around 7 per cent and the number of cases completed remained the same.

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.

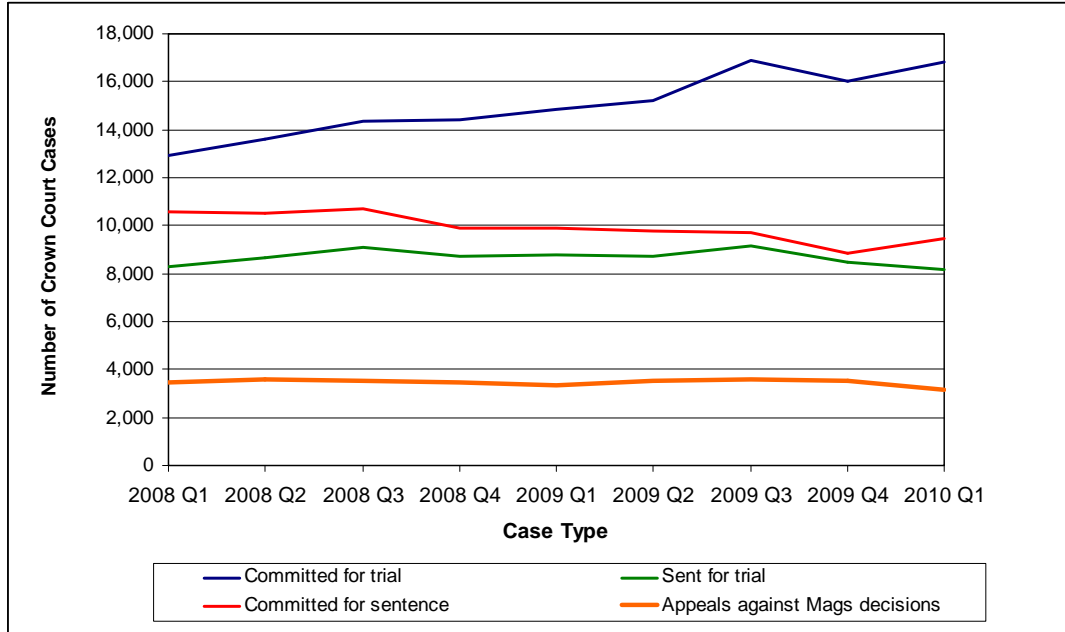
In the first quarter of 2010, around 9,500 cases from the magistrates' courts were committed for sentence in the Crown Court. Around 9,400 cases were completed during this period and 4,700 cases remained outstanding at the end of quarter.

Compared to the same period in 2009, the number of committed for sentence cases received has decreased by 5 per cent and the number of cases completed has decreased by 8 per cent.

Appeals

The Crown Court also deals with appeals against a conviction or sentence given by a magistrates' court. During the first quarter of 2010, the Crown Court received around 3,200 appeals against magistrates' courts' decisions and completed around 3,600 appeals cases, leaving an around 3,100 appeals outstanding at the end of the quarter. Compared with the first quarter of last year, the number of appeals received in the Crown Court decreased by 7 per cent.

Figure 3.1: Crown Court receipts, by case type, Q1 2008 to Q1 2010



Trials

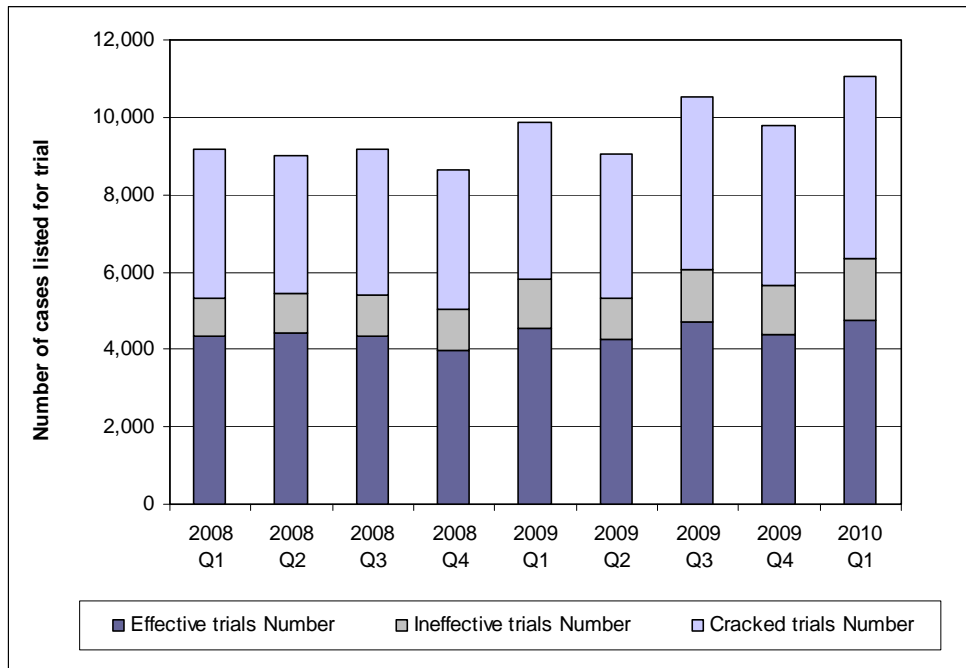
A trial in the Crown Court is a hearing at which the prosecution produces evidence to prove the case against the defendant, resulting in a verdict. The defendant has an opportunity to enter a plea against the charges they are face in a preliminary hearing, before the start of any trial. If they decide 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 either effective, ineffective or cracked. 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 first quarter of 2010, around 11,100 trials were recorded in the Crown Court, an increase of 11 per cent compared with the same period last year.

Of these trials listed, 43 per cent were recorded as effective, 14 per cent were recorded as ineffective and 43 per cent were recorded as cracked. Compared with the same period in previous year, the proportion of effective trials fell by 3 percentage points, ineffective trials increased by 1 percentage point and the proportion of cracked trials increased by 2 percentage points.

Figure 3.2: Effectiveness of cases listed for trial, Q1 2008 – Q1 2010



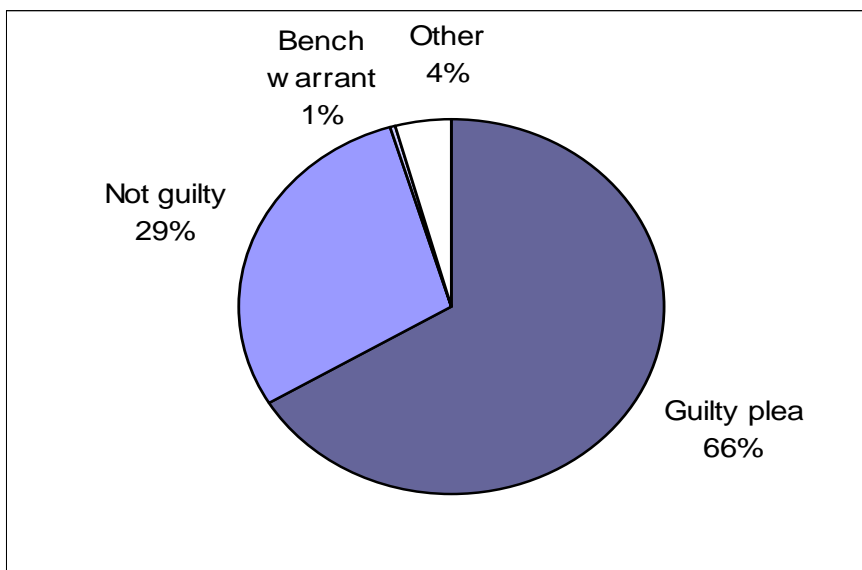
Defendants

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 first quarter of 2010, the Crown Court dealt with 28,700 defendants, an increase of 10 per cent compared with the first quarter of last year.

Of these, 66 per cent pleaded guilty to all counts, 29 per cent pleaded not guilty to at least one count, and 5 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 70 per cent.

Figure 3.3: Defendants dealt with in the Crown Court, by plea, Q1 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 first quarter of 2010, the average waiting time for cases committed for trial was 14.0 weeks, an increase of 9 per cent compared with the first quarter of previous year, while the average waiting time was 19.4 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 24.4 weeks; by contrast the average waiting time was 12.2 weeks for these cases where a guilty plea was entered.

The average waiting time was 5.5 weeks for cases which were committed to the Crown Court for sentence, and 8.9 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 first quarter of 2010 the average hearing time was 13.4 hours for cases where a not guilty plea was entered, a increase of 7 per cent compared with the first quarter of 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 1.1 hour for appeals.

Magistrates' courts [Tables 4.1 – 4.3]

There are roughly 330 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 435,400 criminal proceedings completed in magistrates' courts in the first quarter of 2010; compared with the first quarter of 2009 the caseload decreased by 11 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 150,030 of these cases related to adult summary motoring proceedings. These include offences such as speeding, driving while disqualified and drunken driving. There were 9 per cent fewer summary motoring proceedings than in the first quarter of 2009.

Adult summary non-motoring proceedings comprised 28 per cent of cases (around 124,000 cases). These include offences such as failure to pay a television licence, and minor assault and criminal damage. The number of these cases fell by 14 per cent compared with the first quarter of 2009.

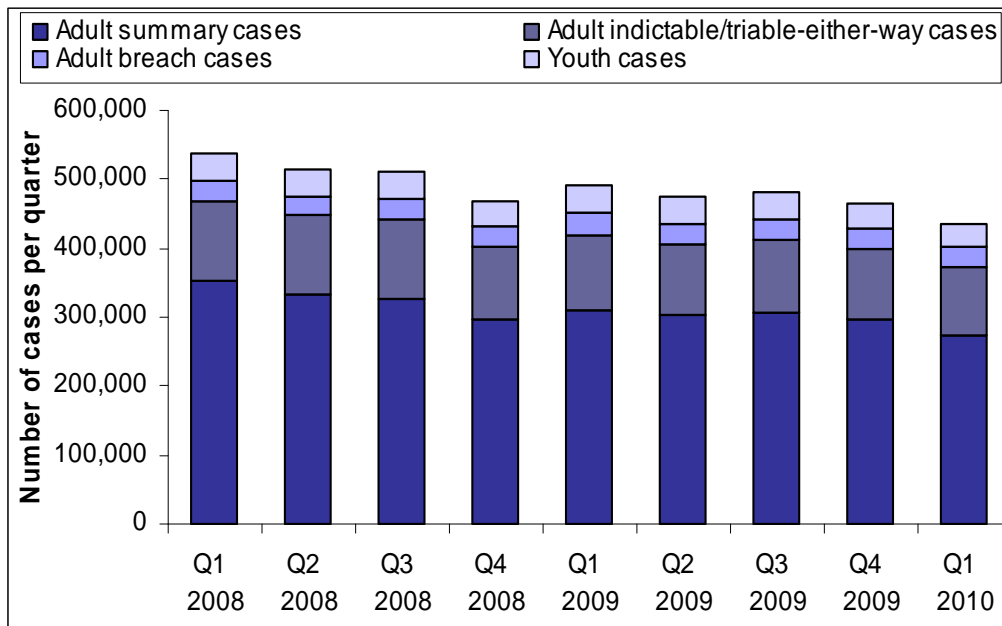
Adult indictable/ triable-either-way proceedings made up 22 per cent of cases (around 97,900 cases); this is 10 per cent less than in the first quarter of 2009. These are the more serious offences, including, for example, theft and handling of stolen goods, violence against the person and drug offences. 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 first quarter of 2010, there were 28,800 adult breach cases (7 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 8 per cent compared with the first quarter of 2009.

Youth proceedings comprised 8 per cent of the criminal cases dealt with in the magistrates' courts (around 34,400 cases) in the first quarter of 2009. These comprise all offences where the defendant was aged between 10 and 17. The number of youth proceedings decreased by 14 per cent compared with the first 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 4.1: Magistrates' court criminal workload, Q1 2008 to Q1 2010



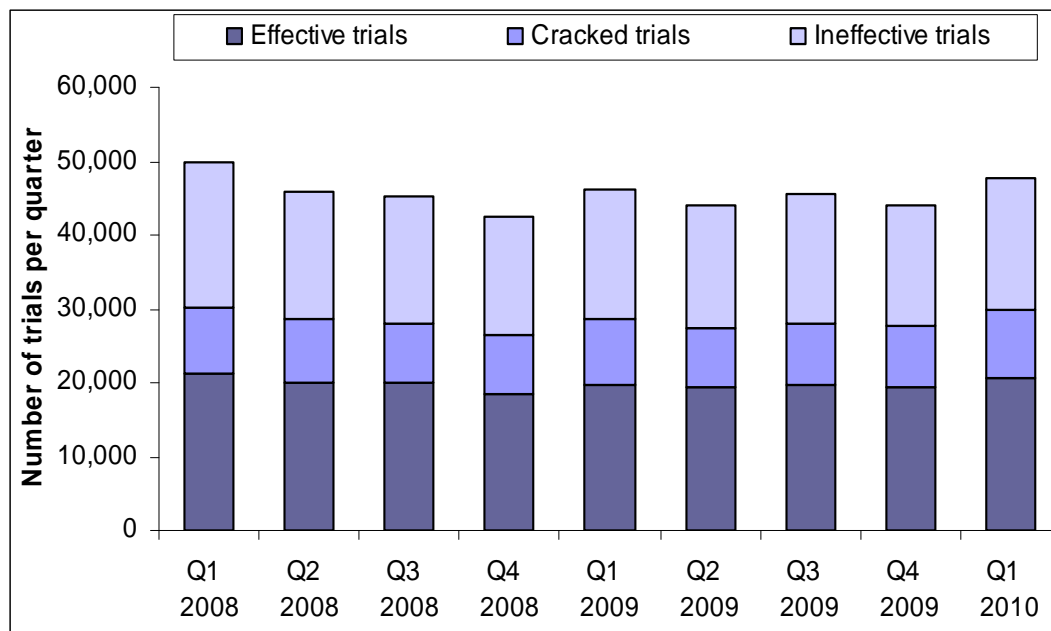
Trials

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.

Magistrates' courts record the number and outcome of trials. Trial outcomes are listed as 'Effective', 'Ineffective' or 'Cracked', following the same definitions for these terms as explained in the Crown Court section.

In the first quarter of 2010, around 47,600 trials were recorded in magistrates' courts, an increase of 3 per cent compared with the same quarter of 2009. Of these trials, 44 per cent were recorded as effective, 19 per cent were recorded as ineffective and 37 per cent were recorded as cracked. The proportion of effective trials increased by 1 percentage point compared with the first quarter of 2009, balanced by a 1 percentage point decrease in the proportion of cracked trials while the proportion of ineffective trials remained unchanged.

Figure 4.2: Effectiveness of recorded trials in magistrates' courts, Q1 2008 to Q1 2010



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 first quarter of 2010, the amount paid in England and Wales was £67 million, a 14 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 Ministry of Justice. This data comes from the Time Intervals Survey, reports on which can be found on the Ministry of Justice website at:

www.justice.gov.uk/publications/timeintervals.htm.

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Table 1.1
County Courts (non-family)

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

Year	Quarter	Specified "money" claims ¹	Unspecified "money" claims ²	Total "money" claims	Claims for recovery of land ³	Claims for return of goods	Other non- "money" claims ⁴	Total non- "money" claims	Number of claims / petitions	
									Total insolvency petitions ⁵	Total proceedings started
2008		1,426,389	160,248	1,586,637	290,958	8,652	107,605	407,215	70,272	2,064,124
2009 (r) (p)		1,281,105	178,969	1,460,074	230,125	10,269	102,726	343,120	76,211	1,879,405
2008	Q1	355,464	36,874	392,338	80,006	2,324	27,628	109,958	16,772	519,068
	Q2	324,223	40,918	365,141	75,417	2,049	25,720	103,186	17,412	485,739
	Q3	393,574	41,427	435,001	75,524	2,056	27,327	104,907	17,304	557,212
	Q4	353,128	41,029	394,157	60,011	2,223	26,930	89,164	18,784	502,105
2009	Q1	350,634	43,201	393,835	61,275	2,440	27,328	91,043	20,424	505,302
	Q2	301,735	44,182	345,917	59,004	2,617	24,353	85,974	19,211	451,102
	Q3	327,144	47,215	374,359	59,117	2,606	26,397	88,120	19,686	482,165
	Q4 (r)	301,592	44,371	345,963	50,729	2,606	24,648	77,983	16,890	440,836
2010	Q1 (p)	260,138	45,553	305,691	53,480	2,609	25,206	81,295	19,508	406,494

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. Please note that these figures have already been published in the Mortgage and Landlord Possession Statistics Bulletin.

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 track¹ in England and Wales, Q1 2008 - Q1 2010

Year	Quarter	Number of defences ²	Number of allocations to track ³			Total
			Small claim	Fast track ⁴	Multi track ⁴	
2008		298,796	83,928	53,255	26,722	163,905
2009 (r) (p)		315,002	93,073	61,415	25,495	179,983
2008	Q1	70,545	18,920	12,951	6,707	38,578
	Q2	74,303	19,955	12,805	6,656	39,416
	Q3	77,780	23,121	14,093	6,823	44,037
	Q4	76,168	21,932	13,406	6,536	41,874
2009	Q1	77,147	21,927	14,240	6,928	43,095
	Q2	77,899	23,094	14,573	6,258	43,925
	Q3	82,852	25,551	16,763	6,487	48,801
	Q4 (r)	77,104	22,501	15,839	5,822	44,162
2010	Q1 (p)	71,942	19,944	16,047	5,932	41,923

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 - Q1 2010

Year	Quarter	Small claim cases		Fast and Multi Track cases			
		Number of hearings ^{1,2}	Average time between issue & hearing (weeks) ³	Number of trials ^{1,2}	Average time (weeks)		
					Between issue & allocation to track ³	Between allocation to track & trial ³	Between issue & trial ^{3,4}
2008		46,519	29	19,916	21	32	48
2009 (r) (p)		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	31	5,166	20	33	49
	Q2	11,001	31	5,097	21	32	47
	Q3	11,928	31	4,930	20	32	48
	Q4 (r)	12,530	30	5,113	21	32	48
2010	Q1 (p)	12,144	31	5,287	20	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 will 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 issued¹ in England and Wales, by type, Q1 2008 - Q1 2010

		Number of warrants			
Year	Quarter	Execution ²	Delivery ³	Possession ⁴	Committal ⁵
2008		294,832	2,500	159,337	1,353
2009 (r) (p)		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 (r)	40,823	465	30,524	286
2010	Q1 (p)	43,371	576	32,020	280

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 - Q1 2010

Year	Quarter	Number of applications / orders									
		Attachment of earnings orders ^{1,2}		Third party debt orders ³		Charging orders ⁴		Orders for Sale ⁵	Administration orders ⁶		Orders to obtain information from judgment debtors ⁸
		Applications	Orders made ²	Applications	Orders made	Applications	Orders made		Applications	Orders made ⁷	
2008		73,844	60,588	7,564	2,041	164,812	135,702	-	2,065	2,795	30,261
2009 (r) (p)		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 (r)	13,568	13,198	1,448	463	29,613	25,867	191	296	362	5,684
2010	Q1 (p)	11,800	12,759	1,347	448	31,069	25,381	141	310	367	6,258

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 into 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 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 courts

Summary statistics on matrimonial proceedings, England and Wales, Q1 2008 - Q1 2010

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 (p)	(r)	132,072	119,315	116,522	289	197	199	356	200
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	32,573	28,255	28,587	81	47	48	86	55
	Q2	32,555	28,040	28,541	71	45	55	103	43
	Q3	34,475	32,574	29,475	70	54	50	81	47
	Q4 (r)	32,469	30,446	29,919	67	51	46	86	55
2010	Q1 (p)	34,497	31,134	30,353	64	42	46	70	38

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 annual publication "Marriage, Divorce and Adoption Statistics". This publication is based on marriage and adoption data provided by the General Register Office and divorce data provided by Her Majesty's Court Service.

2 - Statistics on the number of divorces occurring each year in England and Wales are also published by the Office for National Statistics (ONS). The Ministry of Justice'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 Ministry of Justice 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 courts

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

Year	Quarter	Disposal of applications				Disposal of contested or initially contested cases		
		Uncontested ¹	Initially contested, subsequently consented	Contested	Total	In respect of child(ren)	Not in respect of child(ren)	Total
2008		66,570	21,530	6,331	94,431	13,094	14,767	27,861
2009 (p) (r)		58,220	17,266	5,159	80,707	11,406	11,019	22,425
2008	Q1	17,075	5,652	1,653	24,380	3,309	3,996	7,305
	Q2	17,600	6,540	2,049	26,189	3,949	4,640	8,589
	Q3	16,562	5,242	1,409	23,213	3,085	3,566	6,651
	Q4	15,333	4,096	1,220	20,649	2,751	2,565	5,316
2009	Q1	14,251	4,277	1,302	19,830	2,910	2,669	5,579
	Q2	14,110	3,823	1,224	19,157	2,658	2,389	5,047
	Q3	15,064	4,529	1,385	21,040	2,802	3,112	5,914
	Q4 (r)	14,795	4,637	1,248	20,680	3,036	2,849	5,885
2010	Q1 (p)	14,217	4,903	1,049	20,169	3,196	2,756	5,952

Source:

HM Courts Service FamilyMan system.

Notes:

1 - Uncontested applications do not have a court hearing.

Table 2.3
Family courts

Domestic Violence: applications and orders made in the county courts, England and Wales, Q1 2008 - Q1 2010

Year	Quarter	Applications made ¹			Orders made ²		
		Non-molestation	Occupation	Total	Non-molestation	Occupation	Total
2008		17,141	7,738	24,879	19,367	5,099	24,466
2009 (p) (r)		18,730	7,054	25,784	20,746	4,205	24,951
2008	Q1	3,993	1,878	5,871	4,463	1,261	5,724
	Q2	4,303	1,942	6,245	4,887	1,315	6,202
	Q3	4,592	2,086	6,678	5,223	1,331	6,554
	Q4	4,253	1,832	6,085	4,794	1,192	5,986
2009	Q1	4,532	1,879	6,411	4,938	1,114	6,052
	Q2	4,640	1,813	6,453	5,040	1,118	6,158
	Q3	5,162	1,896	7,058	5,699	1,062	6,761
	Q4 (r)	4,396	1,466	5,862	5,069	911	5,980
2010	Q1 (p)	4,313	1,467	5,780	4,789	831	5,620

Source:

HM Courts Service FamilyMan system.

Notes:

1 - Applications for arrest warrants not included.

2 - The Domestic Violence, Crime and Victims Act 2004 made breach of a non-molestation order a criminal and arrestable offence as of July 2007.

Table 2.4
Family Courts

Matters affecting children: Public and Private Law applications made in each tier of court, England and Wales, Q1 2008 - Q1 2010^{1,2}

Year	Quarter	Public Law				Private Law ³			
		FPC ^{4,5,6}	CC ^{6,7}	HC	Total	FPC ^{4,5,6}	CC ^{6,7}	HC	Total
2008		13,680	5,800	740	20,220	19,360	93,390	850	113,590
2009 (p) (r)		19,160	6,520	560	26,230	30,530	102,280	970	133,780
2008	Q1	3,550	1,460	180	5,190	4,870	21,710	160	26,730
	Q2	2,660	1,510	200	4,370	4,700	23,850	210	28,750
	Q3	3,250	1,390	190	4,830	4,560	25,010	220	29,790
	Q4	4,220	1,430	170	5,820	5,230	22,820	260	28,310
2009	Q1	4,790	1,570	180	6,530	8,040	24,280	270	32,590
	Q2	5,030	1,700	120	6,850	8,120	25,950	230	34,300
	Q3	4,870	1,520	130	6,520	8,030	27,270	280	35,580
	Q4 (r)	4,470	1,730	130	6,330	6,340	24,780	190	31,310
2010	Q1 (p)	3,960	1,590	130	5,680	5,650	24,390	160	30,190

Source:

HMCS FamilyMan system and summary returns

Notes

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

1. Applications figures have been produced using a new method compared to figures previously published for 2007 and earlier years in the "Judicial and Court Statistics" annual bulletins. Please see Annex A for further details.
2. Figures relate to the number of children subject to applications. Figures have been rounded to the nearest ten.
3. Private Law applications exclude adoptions.
4. 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.
5. 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.
6. The figures for 2009 are thought to include a degree of double-counting of applications initially lodged in a County Court and then transferred to a Family Proceedings Court. The figures for applications made to Family Proceedings Courts in Q1 2010 are incomplete and exclude applications made in roughly 20 per cent of such courts. This issue is being investigated by Ministry of Justice statisticians, which may lead to the figures being revised in future bulletins.
7. Research undertaken on behalf of Ministry of Justice has identified that some cases that have transferred from the Family Proceedings Court to the County Court have been incorrectly recorded as new applications in the County Court, thus inflating the number of new applications (see Masson et al, 2008). Work is in train to improve the accuracy of County Court records.

Table 3.1
Crown Court

Receipts¹, Disposals² and Outstanding³ cases in England and Wales, by case type, Q1 2008 - Q1 2010

		Number of cases											
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) (p)	62,976	59,938	23,655	35,119	34,614	16,243	38,239	38,851	4,555	13,986	14,002	3,219
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	14,846	14,396	20,971	8,765	8,925	15,575	9,923	10,151	4,857	3,365	3,358	2,878
	Q2	15,222	14,174	22,120	8,707	8,343	16,053	9,751	9,504	5,052	3,520	3,488	2,939
	Q3	16,870	15,632	21,232	9,168	8,632	18,527	9,736	9,899	4,893	3,603	3,603	3,020
	Q4 (r)	16,038	15,736	23,655	8,479	8,714	16,243	8,829	9,297	4,555	3,498	3,553	3,219
2010	Q1 (p)	16,819	16,685	23,539	8,186	8,904	15,508	9,453	9,391	4,665	3,159	3,559	3,114

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 3.2
Crown Court

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

Year	Quarter	Number of cases listed for trial	Ineffective trials		Cracked trials		Effective trials	
			Number	Percentage	Number	Percentage	Number	Percentage
2008		35,985	4,169	12%	14,772	41%	17,044	47%
2009 (r) (p)		39,263	4,926	12%	16,438	42%	17,899	46%
2008	Q1	9,189	990	11%	3,872	42%	4,327	47%
	Q2	9,001	1,036	12%	3,559	40%	4,406	49%
	Q3	9,162	1,079	12%	3,751	41%	4,332	47%
	Q4	8,633	1,064	12%	3,590	42%	3,979	46%
2009	Q1	9,882	1,260	13%	4,071	41%	4,551	46%
	Q2	9,071	1,064	12%	3,757	41%	4,250	47%
	Q3	10,528	1,331	13%	4,467	42%	4,730	45%
	Q4 (r)	9,782	1,271	13%	4,143	42%	4,368	45%
2010	Q1 (p)	11,051	1,579	14%	4,703	43%	4,769	43%

Source:

HM Courts Service CREST system

Table 3.3
Crown Court

Defendants dealt with in cases committed or sent for trial¹, by plea, England and Wales, Q1 2008 - Q1 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 ²		Bench warrant		Other		
			Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	
2008		96,027	65,571	68%	27,923	29%	444	0.5%	2,089	2%	70%
2009 (r) (p)		104,720	71,957	69%	29,708	28%	625	0.6%	2,430	2%	71%
2008	Q1	23,626	16,165	68%	6,874	29%	77	0.3%	510	2%	70%
	Q2	24,154	16,554	69%	7,016	29%	95	0.4%	489	2%	70%
	Q3	24,083	16,369	68%	7,076	29%	123	0.5%	515	2%	70%
	Q4	24,164	16,483	68%	6,957	29%	149	0.6%	575	2%	70%
2009	Q1	25,681	17,706	69%	7,316	28%	132	0.5%	527	2%	71%
	Q2	25,066	17,195	69%	6,938	28%	214	0.9%	719	3%	71%
	Q3	26,816	18,397	69%	7,678	29%	138	0.5%	603	2%	71%
	Q4 (r)	27,157	18,659	69%	7,776	29%	141	0.5%	581	2%	71%
2010	Q1 (p)	28,673	19,051	66%	8,230	29%	237	0.8%	1,155	4%	70%

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 3.4
Crown Court

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

Year	Quarter	Average hearing time (hours)				Average waiting time (weeks)			
		Not Guilty plea trials ¹	Guilty plea trials ¹	Committal for sentence ²	Appeal ³	Not Guilty plea trials ¹	Guilty plea trials ¹	Committal for sentence ²	Appeal ³
2008		12.7	1.4	0.5	1.0	24.2	11.7	5.7	8.7
2009 (r) (p)		12.0	1.3	0.5	1.0	24.1	11.8	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	12.5	1.3	0.5	1.1	23.5	11.2	5.7	9.3
	Q2	12.7	1.3	0.5	1.0	24.0	11.7	6.0	9.1
	Q3	11.9	1.3	0.5	1.0	24.5	11.8	5.5	8.4
	Q4 (r)	12.3	1.3	0.5	1.0	24.4	11.9	5.5	8.5
2010	Q1 (p)	13.4	1.3	0.5	1.1	24.4	12.2	5.5	8.9

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 3.5
Crown Court

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

Year	Quarter	All defendants dealt with	Committed for trial ¹			Sent for trial ¹			Committed for sentence ²			Appeal ³		
			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) (p)	136,755	64,709	13.5	74%	37,082	18.6	78%	23,098	5.7	92%	11,866	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	33,939	15,662	12.8	75%	9,425	18.2	79%	6,035	5.7	91%	2,817	9.3	84%
	Q2	32,733	15,227	13.6	74%	8,901	18.8	78%	5,606	6.0	92%	2,999	9.1	87%
	Q3 (r)	35,036	16,815	13.9	72%	9,326	18.4	79%	5,875	5.5	93%	3,020	8.4	86%
	Q4 (r)	35,047	17,005	13.7	73%	9,430	19.1	77%	5,582	5.5	92%	3,030	8.5	87%
2010	Q1 (p)	35,479	17,765	14.0	72%	9,516	19.4	77%	5,242	5.5	92%	2,956	8.9	85%

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 4.1
Magistrates' courts

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

Year	Quarter	Criminal					Total number of completed criminal proceedings	Civil & family applications	Other cases ¹
		Adult summary motoring proceedings	Adult summary non-motoring proceedings	Adult indictable/ triable either way	Adult breach proceedings	Youth proceedings			
2008 ²		696,279	613,430	449,894	116,167	155,370	2,031,140	130,000	846,634
2009 (r) (p)		644,018	571,415	420,722	121,345	155,579	1,909,163	123,501	857,081
2008	Q1	190,111	161,745	116,658	28,893	39,470	536,877	33,868	205,344
	Q2	178,705	153,942	114,280	28,663	39,433	515,023	33,019	212,714
	Q3	172,447	155,098	115,209	29,776	38,782	511,312	34,202	215,504
	Q4	155,016	142,645	103,747	28,835	37,685	467,928	28,911	213,072
2009	Q1	166,007	144,620	108,903	31,358	40,109	490,997	28,927	219,271
	Q2	160,497	142,092	103,726	29,105	39,158	474,578	31,766	214,044
	Q3	161,750	145,193	105,303	30,974	38,758	481,978	31,639	221,995
	Q4 (r)	155,764	139,510	102,790	29,908	37,554	465,526	31,169	201,771
2010	Q1 (p)	150,333	123,976	97,857	28,787	34,426	435,379	31,996	164,974

Source:

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

Notes:

1 - Other includes means enquiries, representation orders and special jurisdiction.

2 - Magistrates' courts changed their data collection systems from legacy systems to Libra during this time.

Table 4.2
Magistrates' courts

Effectiveness of recorded trials, England and Wales, Q1 2008 - Q1 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		183,511	79,722	43%	33,423	18%	70,366	38%
2009 (r) (p)		179,844	78,163	43%	33,608	19%	68,073	38%
2008	Q1	49,697	21,282	43%	8,973	18%	19,442	39%
	Q2	45,887	19,996	44%	8,513	19%	17,378	38%
	Q3	45,374	19,908	44%	8,092	18%	17,374	38%
	Q4	42,553	18,536	44%	7,845	18%	16,172	38%
2009	Q1	46,202	19,722	43%	8,977	19%	17,503	38%
	Q2	44,106	19,327	44%	8,075	18%	16,704	38%
	Q3	45,480	19,737	43%	8,370	18%	17,373	38%
	Q4 (r)	44,071	19,382	44%	8,187	19%	16,502	37%
2010	Q1 (p)	47,587	20,753	44%	9,111	19%	17,723	37%

Source:

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

Table 4.3
Magistrates' courts

Enforcement of financial penalties in the magistrates' courts, England and Wales, Q1 2008 - Q1 2010

Year	Quarter	Amount Paid (£ millions)
2008		251
2009		251
2008	Q1	63
	Q2	64
	Q3	65
	Q4	60
2009	Q1	59
	Q2	60
	Q3	62
	Q4	70
2010	Q1 (p)	67

Source:

Debt Analysis Return (DAR), HM Courts Service Performance Database ('OPT').

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.

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 2008” via the Ministry of Justice website at 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 courts

The data on the family courts was principally 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. The statistics on public law and private law applications under the Children Act 1989 include further checks to remove any duplicate records for cases which have been transferred from a Family Proceedings Court to a County Court, or vice versa.

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.

Statistics on the number of divorces occurring each year in England and Wales are also published by the Office for National Statistics (ONS). The Ministry of Justice'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 Ministry of Justice 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.

The statistics on public law and private law applications from Q1 2009 onwards are thought to include a degree of double-counting of applications which were initially lodged in a County Court and were then transferred to a Family Proceedings Court. Applications should be counted for the purpose of these statistics under the type of court in which they were first lodged. This issue is being investigated by Ministry of Justice statisticians, which may lead to the figures being revised in future bulletins. As a result, they are currently flagged as provisional and are not subject to the standard revisions process used for the other statistics in this bulletin.

The figures for public and private law applications made to Family Proceedings Courts in Q1 2010 are incomplete and exclude applications made in roughly 20 per cent of such courts. This issue is being investigated and, in line with the usual revisions policy, the statistics will be revised in the next edition. The statistics for matrimonial proceedings, ancillary relief and domestic violence cases, and the public and private law statistics for earlier quarters are not affected by this issue.

Crown Court

This information has been produced using the Management Information System (MIS), a data warehousing facility drawing data directly from court-based administrative systems. Most data shown in these tables 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 Ministry of Justice'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.

Magistrates' courts

The statistics on completed proceedings in Table 4.1 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 Criminal Statistics publication 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 Ministry of Justice. This data comes from the Time Intervals Survey, reports on which can be found on the Ministry of Justice website at: www.justice.gov.uk/publications/timeintervals.htm

Annex B: HM Courts Service (HMCS) performance against targets, 2009/10

Target measure	Target	2009 /10
Crown Court		
Percentage of cases commenced within target	78%	78.4%
'Sent for trial' within 26 weeks of sending	78%	77.7%
'Committed for trial' within 16 weeks of committal	78%	72.7%
'Appeals' within 14 weeks	78%	86.8%
'Committals for sentence' within 10 weeks	78%	92.3%
New Target from 2009/10: Jury Utilisation – juror sitting days as a proportion of the sum of attendance and non-attendance days	70%	67.2%
Average Waiting Time for trial cases (defendants in custody)	-	12.6 weeks
Average Waiting Time for trial cases (defendants on bail)	-	17.2 weeks
Magistrates' Courts		
Charged cases, average time from charge to disposal	<6 weeks	6.9 weeks
Average hearings per adult charged case excluding summons and cases committed or sent to Crown	<2.25	2.26
Time taken to produce and send to Police Court Registers	95% in 3 working days	83.9%
Target measured monthly – March 2010 performance was 84.2% (3 days) and 97.6% (6 days)	100% in 6 working days	95.7%
Committal papers – to despatch 100% of committal papers to the Crown Court within 4 working days	-	94.8%

Other crime and enforcement		
Payment Rate for Financial Penalties	85%	85.5%
Supporting Indicator in 2009/10: Payment Rate excluding administratively cancelled matters	No target set	74.0%
Percentage of all Community Penalties to be resolved within 25 days of the relevant failure to comply	60%	67%
Community Penalty Breach Warrants executed within 20 working days for adults and 10 working days for youths	75%	69%
Community Penalty Breach Proceedings - average time from unacceptable failure to comply to resolution of the case	35 working days	39 days
Crown Court – witnesses called within 2 hours	60%	57.6% (Jun 09) 60.4% (Nov 09)
Crown Court – average waiting time	2 hours 30 mins	2h11m (Jun 09) 2h03 (Nov 09)
Magistrates' courts – witnesses called in 1 hour or less	60%	53.2%(Jun 09) 49.2% (Nov 09)
Magistrates' courts – witnesses called within 2 hours	80%	81.2% (Jun 09) 79.8% (Nov 09)
Magistrates' courts – average waiting time	1 hour 30 mins	1h20m (Jun 09) 1h25m(Nov 09)
Civil		
Increase the proportion of defended small claims that are completed otherwise than by a hearing	To achieve a 65% settlement rate by 31 March 2010	74%
Supporting Indicator: The proportion of defended fast and multi track cases that are completed otherwise than by a hearing	-	87%
Increase the proportion of defended small claims that are completed (from issue to final hearing) within 30 weeks	70% or above by 31 March 2010	68%

Supporting Indicator: The proportion of defended fast track cases that are completed (from allocation to final hearing) within 30 weeks	-	78%
Supporting Indicator: The proportion of defended multi-track cases that are completed (from allocation to final hearing) within 50 weeks	-	77%
Increase the amount of civil work initiated online - % of eligible possession claims through PCOL and % of specified money claims online through MCOL	PCOL – 65% MCOL – 75%	PCOL 79% MCOL 67%
Family		
To increase the proportion of care and supervision orders completed within 40 weeks by 10 percentage points in the County Courts and FPCs by 2009/2010	County – 48% FPCs – 56%	County 34.8% FPCs 46.8%
To increase the proportion of residence and contact orders made by consent in the County Courts (excluding cases involving allegations of harm).	(A) Areas with levels of consent orders at or above 37% to maintain or improve performance. (B) Areas with levels of consent orders below 37% to improve performance to at least 37%	39.8% national average, 4 areas below 37%
Customer service		
The 'very satisfied' element of the HMCS court user survey to be maintained at or above the year 2 (2007-08) survey baseline of 41%	≥41%	40%
The combined 'satisfied & very satisfied' element of the HMCS Court User Survey to be maintained at or above the year 2 (2007-08) survey baseline of 83%	≥83%	82%
Customer Service Unit- proportion of complaints responded to in 15 working days	90%	92.5%
Area Offices – proportion of complaints responded to in 10 working days	90%	91.7%
Courts – proportion of complaints responded to in 10 working days	90%	91.8%
Court of Appeal and High Court		
Number of cases heard by Court of Appeal (Criminal Division) 2009/10	-	3,847
Number of cases heard by Court of Appeal (Civil Division) 2009/10	-	3,801
Number of civil claims issued in the High Court 2009/10	-	47,972

Number of cases issued in the Administrative Court 2009/10	-	15,549 (London) 1,516 (Regional Centres)
Probate Service		
Number of Grants of Probate issued 2009/10	-	252,617
Court of Protection		
Number of Protection Orders issued 2009/10	-	16,327

Annex C: Office of the Public Guardian (OPG)

Summary casework statistics - Powers of Attorney received and deputyships appointed, Q1 2009 to Q1 2010

	Jan-Mar 2009	Apr-June 2009	July-Sept 2009	Oct-Dec 2009	Jan-Mar 2010
EPAs Received	5,863	5,287	4,737	4,698	5,458
LPAs Received	19,484	20,316	22,337	25,431	38,557
Total POAs	25,347	25,603	27,074	30,129	44,016
No. of Deputyships appointed	2,255	3,120	3,685	3,596	3,585

Source: Office of the Public Guardian

Notes

1 - An Enduring Power of Attorney allows the person creating it to nominate someone they trust (often a spouse or close family member) to manage their finances, should they themselves lose the mental capacity to do so in the future.

2 - An LPA allows the person creating it (the Donor) to nominate someone now (the Attorney) that they trust to make decisions on their behalf about things such as property and affairs or personal welfare at a time in the future when they no longer wish to make those decisions or they may lack the mental capacity to make those decisions themselves.

3 - Deputyships - A Deputy is legally responsible for acting and making decisions on behalf of a person who lacks capacity to make decisions for themselves. The Deputy order sets out specific powers in relation to the person who lacks capacity. They will depend on the needs of the person and is ultimately the Court's decision.

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 Explanatory Notes section at the end of this bulletin.

County courts (non-family)

Administration order: Combines a debtor's debts under certain conditions (see footnote 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 much lesser 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 courts

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.

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.

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.

'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.

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

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

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.

'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.

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.

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 a 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.

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

For definitions of 'effective', 'cracked' and 'ineffective' trials, please see the Crown Court glossary section.

Explanatory notes

1. The statistics in this bulletin relate to cases in the county, family, Crown and magistrates' courts in England and Wales during the first quarter (January to March) of 2010. This is the fifth set of quarterly court statistics to be published by the Ministry of Justice. The first bulletin in this series was entitled "Provisional Court Statistics". Calendar year statistics are published by the Ministry of Justice in the statistical report "Judicial and Court Statistics".
2. 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 below.
3. **Revisions:** The statistics for the first 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 second 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

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