



Ministry of
JUSTICE



Statistics on mortgage and landlord possession actions in the county courts in England and Wales – first quarter 2012

Ministry of Justice
Statistics bulletin

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Introduction

This quarterly bulletin presents statistics on mortgage and landlord possession actions in the county courts of England and Wales. It covers two headline measures of possession actions; the number of **claims issued**, and the number of **claims leading to orders** for possession being made by a judge. It provides provisional figures for the latest quarter (January to March 2012) and revised figures for the previous quarter (October to December 2011) as well as a summary overview of volumes over time. A breakdown of the landlord possession figures for England and Wales is also provided by type of procedure and landlord. Supplementary statistical tables which include breakdowns by local authority and county court are published in spreadsheet format (please see Annex for details).

The court possession action statistics are leading indicators of the number of properties to be repossessed and the only source of sub-national possession information. In addition to monitoring court workloads, they are used to assist in the development, monitoring and evaluation of policy both nationally and locally. The quarterly time series, both seasonally adjusted and non-seasonally adjusted, show some quarter-on-quarter volatility. Users should take care about interpreting trends based on a single quarter's data.

Background

To obtain a court order granting the entitlement to take possession of a property, a claimant – a mortgage lender or a landlord – must first make a claim which is then issued by a county court. The standard possession procedure is for the issuing process to involve the arrangement of an initial hearing before a judge which typically occurs 8 weeks later.

At such a hearing, the court may grant an outright or suspended order for possession of the property. A suspended order grants the mortgage lender or the landlord possession of the property, but suspends when the order operates. This suspension usually requires the defendant to pay the latest mortgage or rent instalment, plus some of the arrears that have built up, within a certain defined period. As long as the defendant complies with the terms of the suspension, the possession order cannot be enforced.

While most claims are filed by claimants under the standard possession procedure, there is an accelerated procedure for claims brought by landlords relating to assured shorthold tenancies, when the fixed period of tenancy has come to an end. This enables orders to be made by the court solely on the basis of written evidence and without calling the parties to a hearing.

Following a possession order being made, the defendant may make an application to the court for the order to be varied or set aside. This could result in another order for possession being made by the court. To enable a more meaningful measure of the number of homeowners who are subject to court repossession actions, the number of claims leading to orders only counts the date and type of the *first* possession order made in a claim.

Once in receipt of a possession order, the claimant can apply for a warrant to have the defendant evicted by bailiffs, so taking possession of the property. Throughout the court process, even where a warrant for possession is issued, the claimant and defendant can still negotiate a compromise arrangement to prevent eviction. This could occur for example through the mortgagee or the tenant paying off the mortgage or rental arrears.

The **Recent developments and statistical revisions** section contains information on recent changes in the statistics.

The **Annex** provides details of the supplementary statistical tables which can be obtained via the following webpage:

www.justice.gov.uk/statistics/civil-justice/mortgage-possession

The **Explanatory notes** section provides further information about the statistics, how they were compiled, available geographical breakdowns, statistical revisions, how confidentiality is protected, what seasonal adjustment is, important historic changes (not covered in the section on **Recent developments and statistical revisions**), and the symbols and conventions used in the bulletin.

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

Related statistics

Repossessions can occur without a court order for possession being made, and not all court orders for possession subsequently result in repossession. The numbers of claims leading to orders being made are substantially larger than the numbers of actual repossessions and the disparity between these figures varies over time. Figures showing successful repossessions by county court bailiffs following the making of a court order are published separately on a quarterly basis in the statistical bulletin "Court Statistics Quarterly". The numbers of actual mortgage repossessions (including where there is no action by county court bailiffs) are produced by the Financial Services Authority (FSA) and the Council of Mortgage Lenders (CML). Further information can be found on the following websites:

www.justice.gov.uk/publications/statistics-and-data/courts-and-sentencing/judicial-quarterly.htm

www.fsa.gov.uk/pages/Library/Other_publications/statistics/index.shtml

www.cml.org.uk/cml/statistics

For more information on the differences between the figures in this bulletin and those produced by FSA and CML, please refer to paragraph 12 in the Explanatory Notes section or to the document at the link below:

www.justice.gov.uk/downloads/publications/statistics-and-data/civiljustice/mortgage-lending-stats-note.pdf

The county courts of England and Wales also process many other types of cases. These include other types of civil law matters such as those relating

to debt, personal injury and insolvency, as well as those relating to family matters such as divorce, parental disputes and the protection of children. The statistical bulletins “Court Statistics Quarterly” and “Judicial and Court Statistics” provide data on all civil and family law cases dealt with in the county courts on a quarterly and calendar year basis respectively:

www.justice.gov.uk/statistics/courts-and-sentencing/judicial-quarterly

www.justice.gov.uk/statistics/courts-and-sentencing/judicial-annual

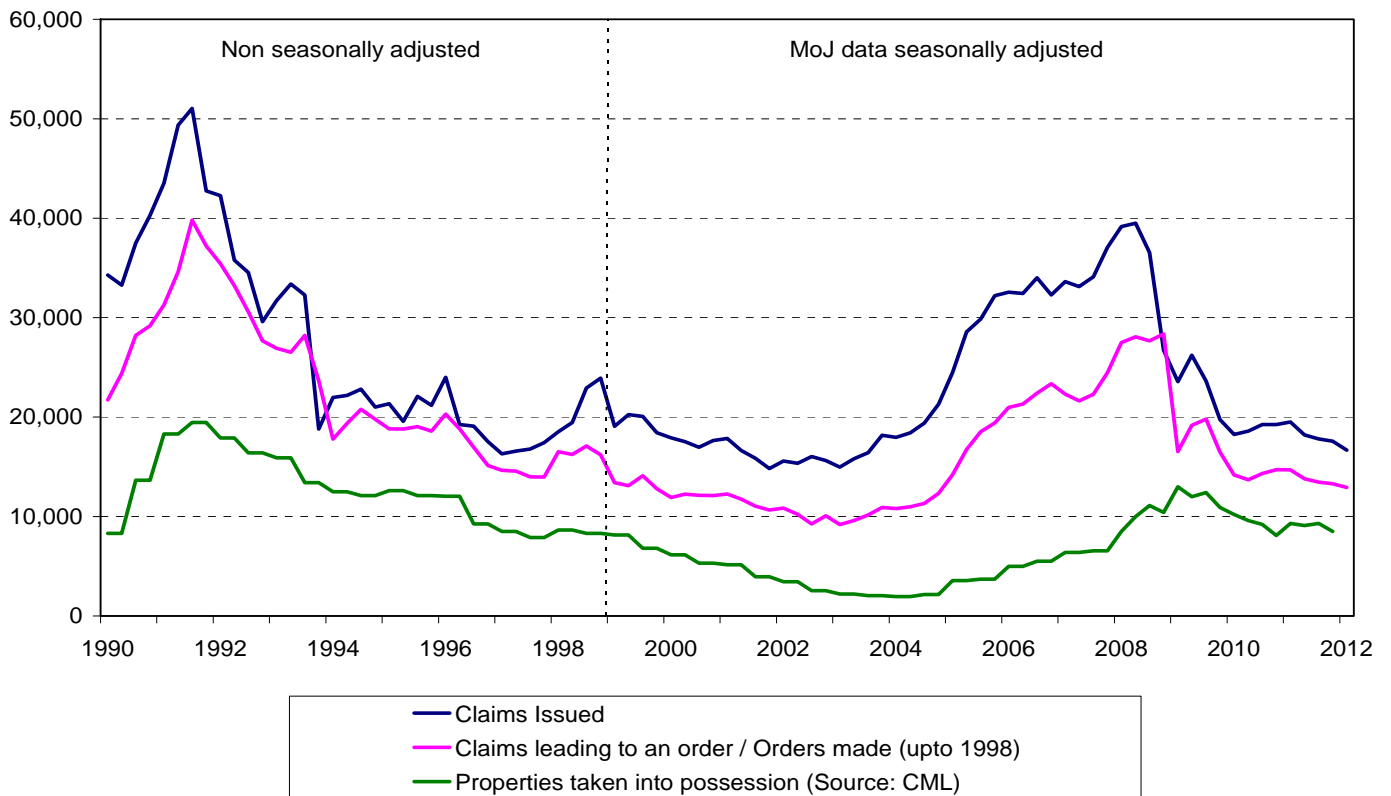
Findings

Mortgage possession actions

Since 1990 there have been two major peaks in mortgage possession claims issued in the county courts of England and Wales, as shown in Figure 1 below and Table 1. The larger of the two was in 1991 with the other occurring in the first half of 2008. An increase in the number of claims from 2003 led to the latter peak, this being followed by a steep fall over the second half of 2008 and 2009. The fall coincided with lower interest rates, a proactive approach from lenders in managing consumers in financial difficulties, and various interventions, such as introduction of the Mortgage Pre-Action Protocol (see page 11 for more information). Over the last two years, the number of claims has decreased slightly. On a seasonally adjusted basis, there were 16,663 mortgage possession claims issued in the first quarter (January to March) of 2012, five per cent lower than in the fourth quarter of 2011.

There are various reasons why a claim may not lead to an order for possession being made by the judge (e.g. the parties may have resolved the dispute before the hearing takes place). On a seasonally adjusted basis, there were 12,925 claims which led to a mortgage possession order being made in the first quarter of 2012, three per cent lower than in the fourth quarter of 2011.

Figure 1: Mortgage Possession Actions - England & Wales, 1990 to 2012 Q1



In the first quarter of 2012, 50 per cent of first mortgage possession orders were suspended, compared to 49 per cent in the fourth quarter of 2011.

Trends in the numbers of actual repossessions (as reported by the Council of Mortgage Lenders) are similar to those in the numbers of claims issued and claims leading to orders.

Across England and Wales, the region with the highest number of mortgage claims and claims leading to orders per 1,000 households (including mortgaged and rented) in the first quarter of 2012 was the North West. The local authority areas with the highest number of mortgage claims per 1,000 households, as shown by Table 1A and Map 1, were:

- Blackpool UA (1.59)
- Rossendale (1.43)
- Milton Keynes UA (1.35)

The local authority areas with the highest number of mortgage claims leading to an order made per 1,000 households, as shown by Table 1B, were:

- Burnley (1.39)
- Blackpool UA (1.35)
- Fenland (1.28)

The region with the lowest number of mortgage claims and claims leading to orders per 1,000 households (including mortgaged and rented) in the first quarter of 2012 was the South West. The local authority areas with the lowest number of mortgage claims per 1,000 households were:

- South Cambridgeshire (0.17)
- Exeter (0.20)
- Hammersmith and Fulham (0.20)

The local authority areas with the lowest number of mortgage claims leading to an order made per 1,000 households were:

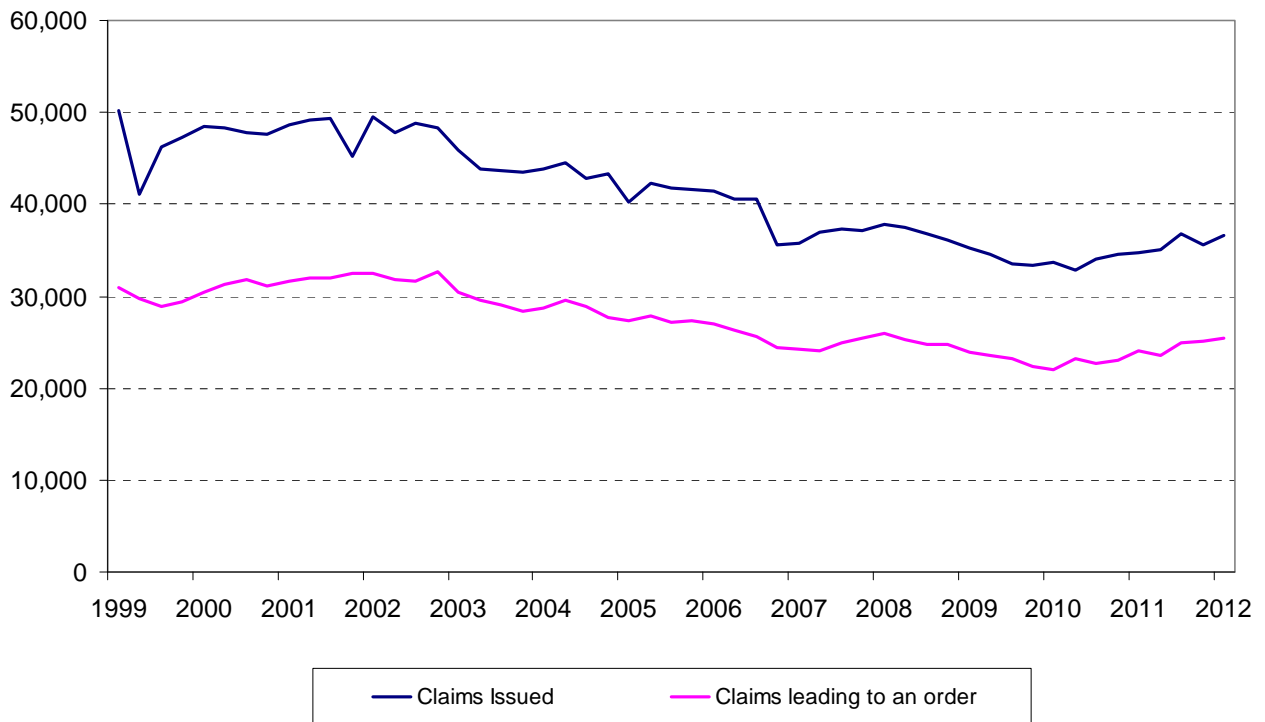
- Camden (0.10)
- Hammersmith and Fulham (0.13)
- Kingston upon Thames (0.15)

Landlord possession actions

Between 2002 and the first half of 2010 there was a long downward trend in landlord possession claims issued in the county courts of England and Wales, as shown in Figure 2 below and Table 2. During this period, they decreased by around 30 per cent. Since the first half of 2010, they have generally increased. On a seasonally adjusted basis, there were 36,605 landlord possession claims issued in the first quarter (January to March) of 2012, three per cent higher than in the fourth quarter of 2011.

Trends in the number of claims which led to a landlord possession order being made by a judge are very similar to those in claims issued (whether followed by an order for possession or not). The number of first orders for possession in landlord claims expressed as a proportion of the number of claims issued two months previously has increased slightly from around 66 per cent between 2000 and 2007 to around 68 per cent between 2008 and 2011. It was 69 per cent in the year ending 31 March 2012. On a seasonally adjusted basis, there were 25,360 landlord possession claims which led to an order being made in the first quarter of 2012, one per cent more than in the fourth quarter of 2011.

Figure 2: Landlord Possession Actions – England & Wales, 1999 to 2012 Q1



The proportion of first landlord possession orders that were suspended decreased annually from 65 per cent in 1999 to 43 per cent in 2007. Since then it has increased to 48 per cent in 2009 before falling to 43 per cent in 2011. It was 45 per cent in the first quarter of 2012.

In the first quarter of 2012 on a seasonally adjusted basis, 65 per cent of landlord claims and landlord claims leading to an order being made were brought by social landlords under the standard procedure, as shown by Table 3 and Table 4. 16 per cent of landlord claims and 15 per cent of landlord claims leading to an order were brought by private landlords under the standard procedure. The remaining 19 per cent of landlord claims and 21 per cent of landlord claims leading to an order were brought under the accelerated procedure for shorthold tenancies, when the fixed period of tenancy had come to an end.

Across England and Wales, the region with the highest number of landlord claims and claims issued per 1,000 households (including mortgaged and rented) in the first quarter of 2012 was London. The local authority areas with the highest number of landlord claims per 1,000 households, as shown by Table 2A and Map 2, were:

- Hackney (6.72)
- Newham (6.25)
- Greenwich (5.88)

The local authority areas with the highest number of landlord claims leading to an order made per 1,000 households, as shown by Table 2B, were:

- Barking and Dagenham (3.90)
- Newham (3.86)
- Hackney (3.83)

The region with the lowest number of landlord claims and claims leading to orders per 1,000 households (including mortgaged and rented) in the first quarter of 2012 was the South West. The local authority areas with the lowest number of landlord claims per 1,000 households were:

- South Hams (0.28)
- Isle of Anglesey (0.32)
- South Northamptonshire (0.42)

The local authority areas with the lowest number of landlord claims leading to an order made per 1,000 households were:

- Rushcliffe (0.21)
- Castle Point (0.27)
- South Hams (0.28)

Recent developments and statistical revisions

Breakdowns by Westminster Parliamentary Constituency and Ward

Additional statistical tables showing breakdowns of mortgage and landlord possession claims leading to orders by Westminster Parliamentary Constituency and Ward for 2011 were included on the Ministry of Justice website from 8th March 2012 at this location:

www.justice.gov.uk/statistics/civil-justice/mortgage-possession

As with the breakdowns by local authority area, the figures are based on the physical location of the property which is the subject of the possession action.

Introduction of Mortgage Pre-Action Protocol

A Mortgage Pre Action Protocol (MPAP), approved by the Master of the Rolls, for possession claims relating to mortgage or home purchase plan arrears came into effect on 19 November 2008. The protocol applies to mortgage arrears on:

- First charge residential mortgages and home purchase plans regulated by the Financial Service Authority under the Financial Services and Market Act 2000;
- Second charge mortgages for residential property and other secured loans regulated under the Consumer Credit Act 1974 on residential property; and
- Unregulated residential mortgages.

The Protocol gives clear guidance on what the courts expect lenders and borrowers to have done prior to a claim being issued. The main aims of it were to ensure that the parties act fairly and reasonably with each other in any matters concerning the mortgage arrears, to encourage more pre action contact between lender and borrower and to enable efficient use of the court's time and resources.

The introduction of the MPAP coincided with a fall of around 50 per cent in the daily and weekly numbers of new mortgage repossession claims being issued in the courts as evidenced from administrative records. As orders are typically made (when deemed necessary by a judge) around 8 weeks after claims are issued, the downward impact on the number of mortgage possession claims leading to an order being made was seen in the first quarter of 2009.

It has not been possible to adequately quantify the long term impact of the MPAP. This reflects the lack of a good comparator (although the MPAP was not introduced in Scotland, the big lenders in Scotland also operate south of the border and so lender behaviour is likely to be the same as in England and Wales), and the existence of other factors such as changing economic conditions, other measures introduced shortly after the MPAP, and lenders desire to minimise their losses.

The large fall in mortgage possession actions may have had an impact on the quality of the seasonal adjusted figures. The purpose of seasonal adjustment is to remove the impact of seasonal effects from a time series to give a better view of the overall trend. When there is a large and sudden step change in a series, such as has been seen in the fourth quarter of 2008 for claims and the first quarter of 2009 for claims leading to orders, it is more difficult for seasonal adjustment methodologies to reliably separate trend from seasonal effects. To mitigate against this we have disregarded these large falls by adjusting the series to remove the estimated impact of them when attempting to identify seasonal effects. However seasonal adjustment factors are, by necessity, still being calculated using data from both before and after the large fall. There may be differences in the scale and nature of seasonal effects between these two periods, and errors associated with estimation of the large downward shifts. These may negatively impact on the quality of the seasonal adjustments made, although this is not possible to quantify.

More details about the protocol can be viewed using the link:

http://www.justice.gov.uk/guidance/courts-and-tribunals/courts/procedure-rules/civil/contents/protocols/prot_mha.htm

Table 1: Mortgage possession actions in the county courts of England and Wales¹, 1990 – 2012 Q1

Year	Quarter	Not Seasonally Adjusted			Seasonally Adjusted		CML	
		Claims Issued	Claims leading to an order	Annual estimate of % of claims which led to an order ³	% of first orders that were suspended	Claims Issued	Claims leading to an order ¹	Properties taken into possession ⁴
1990		145,350	103,508		47%			43,900
1991		186,649	142,905		48%			75,500
1992		142,162	126,881		54%			68,600
1993		116,181	105,283		59%			58,600
1994		87,958	77,681		59%			49,200
1995		84,170	75,258		59%			49,400
1996		79,858	71,203		61%			42,600
1997		67,073	57,156		61%			32,800
1998		84,836	66,055		62%			33,900
1999		77,818	53,448		59%			29,900
2000		70,140	48,403	68%	61%			22,900
2001		65,555	45,812	69%	61%			18,200
2002		62,862	40,430	64%	60%			12,000
2003		65,373	39,784	63%	60%			8,500
2004		76,993	45,356	61%	57%			8,200
2005		114,733	68,922	64%	54%			14,500
2006		131,248	88,018	66%	49%			21,000
2007		137,725	90,654	68%	46%			25,900
2008		142,741	111,763	73%	47%			40,000
2009		93,533	72,235	76%	46%			48,300
2010		75,431	56,968	76%	47%			37,100
2011		73,181 (r)	55,218 (r)	74% (r)	49% (r)			36,200
2008	Q1	40,873	26,199	67%	47%	39,154	27,480	8,500
	Q2	39,072	29,586	69%	48%	39,509	28,072	10,000
	Q3	38,047	29,284	72%	47%	36,528	27,659	11,100
	Q4 ²	24,749	26,694	73%	45%	26,706	28,364	10,400
2009	Q1 ²	23,968	16,522	75%	47%	23,567	16,528	13,000
	Q2	26,419	19,042	76%	46%	26,215	19,154	12,000
	Q3	24,938	21,115	77%	44%	23,621	19,791	12,400
	Q4	18,208	15,556	76%	46%	19,756	16,478	10,900
2010	Q1	18,805	14,094	75%	46%	18,264	14,183	10,200
	Q2	18,395	13,557	74%	46%	18,595	13,696	9,600
	Q3	20,384	15,380	75%	47%	19,261	14,333	9,200
	Q4	17,847	13,937	76%	48%	19,260	14,714	8,100
2011	Q1	19,608	14,550	76%	48%	19,497	14,690	9,300
	Q2	18,339	13,572	76%	49%	18,202	13,777	9,100
	Q3	18,763	14,457	75%	49%	17,805	13,435	9,300
	Q4	16,471 (r)	12,639 (r)	74% (r)	49% (r)	17,566	13,295	8,500
2012	Q1	16,963 (p)	12,795 (p)	73% (p)	50% (p)	16,663	12,925	

Notes:

1. Data relating to 1999 onwards are sourced from county court administrative systems and exclude duplicate observations. Data prior to 1999 are sourced from manual counts made by court staff and represent the number of orders rather than claims leading to an order (all claims in which the first order is made during the period).

2. Large falls in claims in 2008 Q4 and claims leading to orders in 2009 Q1 have negatively impacted the quality of the seasonally adjusted figures. The falls coincided with introduction of the Mortgage Pre Action Protocol on 19th November 2008 - see the "Recent developments and statistical revisions" for contains more details.

3. The number of first orders in claims in the 12 months upto the end of the specified quarter or year, expressed as a percentage of the number of claims issued 2 months in arrears. As the data prior to 1999 are less robust, no estimates are provided for 1999 and previous years. In addition, the reliability of figures for 2009 have been negatively impacted by the large downward step change in 2008 Q4 and 2009 Q1 - see above note.

4. Council of Mortgage Lenders (CML) statistics for 2012 Q1 were unavailable prior to this bulletin being published as the MoJ does not have pre-release access to them. Please see the CML website www.cml.org.uk/cml/statistics for more information about the CML statistics.

Table 2: Landlord possession actions in the county courts of England and Wales¹, 1990 – 2012 Q1

Year	Quarter	Not Seasonally Adjusted				Seasonally Adjusted	
		Claims Issued	Claims leading to an order	Annual estimate of % of claims which led to an order ²	% of first orders that were suspended	Claims Issued	Claims leading to an order
1990		131,017	112,780		74%		
1991		119,134	95,013		69%		
1992		117,671	96,958		67%		
1993		96,497	82,724		67%		
1994		83,081	63,561		66%		
1995		102,995	82,599		68%		
1996		111,807	87,849		72%		
1997		130,163	99,869		73%		
1998		155,128	112,236		72%		
1999		185,282	119,224		65%		
2000		192,334	124,625	64%	61%		
2001		192,702	128,218	66%	59%		
2002		194,645	128,543	66%	58%		
2003		177,119	117,581	65%	56%		
2004		174,266	114,799	66%	54%		
2005		165,689	109,911	66%	52%		
2006		158,160	103,435	63%	47%		
2007		147,057	98,617	67%	43%		
2008		148,217	100,813	68%	45%		
2009		136,592	92,894	67%	48%		
2010		134,961	90,842	68%	44%		
2011		142,083 (r)	97,815 (r)	69% (r)	43% (r)		
2008	Q1	39,133	25,665	67%	45%	37,812	25,976
	Q2	36,345	25,277	67%	44%	37,527	25,315
	Q3	37,477	25,413	68%	44%	36,767	24,826
	Q4	35,262	24,458	68%	46%	36,155	24,725
2009	Q1	37,307	24,654	68%	47%	35,180	23,860
	Q2	32,585	22,409	67%	46%	34,510	23,490
	Q3	34,179	23,677	67%	48%	33,513	23,137
	Q4	32,521	22,154	67%	49%	33,400	22,403
2010	Q1	35,318	22,669	67%	48%	33,640	22,056
	Q2	31,495	22,325	67%	43%	32,843	23,232
	Q3	34,602	23,214	68%	42%	33,961	22,615
	Q4	33,546	22,634	68%	44%	34,543	22,951
2011	Q1	37,011	24,812	69%	44%	34,709	24,129
	Q2	33,108	22,656	69%	42%	35,085	23,634
	Q3	37,439	25,693	69%	43%	36,734	24,976
	Q4	34,525 (r)	24,654 (r)	69% (r)	44% (r)	35,518	25,058
2012	Q1	38,564 (p)	26,060 (p)	69% (p)	45% (p)	36,605	25,360

Notes:

1. Data relating to 1999 onwards are sourced from county court administrative systems and exclude duplicate observations. Data prior to 1999 are sourced from manual counts made by court staff, only include standard procedure actions (not accelerated procedure ones), and represent the number of orders rather than claims leading to an order (all claims in which the first order is made during the period).

2. The number of first orders in claims in the 12 months upto the end of the specified quarter or year, expressed as a percentage of the number of claims issued 2 months in arrears. As the data prior to 1999 are less robust, no estimates are provided for 1999 and previous years.

Table 3: Landlord possession claims in the county courts of England and Wales by type of procedure and landlord¹, 1990 – 2012 Q1

Year	Quarter	Non-Seasonally adjusted				Seasonally adjusted			
		Standard Procedure		Accelerated Procedure	Overall Total	Standard Procedure		Accelerated Procedure	Overall Total
		Social Landlord	Private Landlord			Social Landlord	Private Landlord		
1990		103,438	27,579		131,017				
1991		97,432	21,702		119,134				
1992		97,807	19,864		117,671				
1993		78,450	18,047		96,497				
1994		65,394	17,687		83,081				
1995		83,637	19,358		102,995				
1996		91,523	20,284		111,807				
1997		107,861	22,302		130,163				
1998		132,668	22,460		155,128				
1999		154,104	17,287	13,891	185,282				
2000		156,196	19,665	16,473	192,334				
2001		155,208	20,236	17,258	192,702				
2002		157,913	18,948	17,784	194,645				
2003		141,008	18,118	17,993	177,119				
2004		136,918	17,047	20,301	174,266				
2005		126,333	18,287	21,069	165,689				
2006		116,152	19,002	23,006	158,160				
2007		103,214	19,347	24,496	147,057				
2008		104,165	21,004	23,048	148,217				
2009		98,108	21,459	17,025	136,592				
2010		90,217	23,147	21,597	134,961				
2011		93,631 (r)	22,740 (r)	25,712 (r)	142,083 (r)				
2008	Q1	27,588	5,273	6,272	39,133	26,376	5,056	6,380	37,812
	Q2	24,388	5,455	6,502	36,345	26,139	5,282	6,106	37,527
	Q3	26,495	5,329	5,653	37,477	25,809	5,362	5,596	36,767
	Q4	25,694	4,947	4,621	35,262	25,907	5,332	4,916	36,155
2009	Q1	27,162	5,498	4,647	37,307	25,588	5,061	4,531	35,180
	Q2	22,920	5,465	4,200	32,585	24,903	5,505	4,102	34,510
	Q3	24,806	5,295	4,078	34,179	24,139	5,331	4,043	33,513
	Q4	23,220	5,201	4,100	32,521	23,440	5,601	4,359	33,400
2010	Q1	24,235	6,231	4,852	35,318	23,041	5,890	4,709	33,640
	Q2	20,444	5,844	5,207	31,495	22,001	5,737	5,105	32,843
	Q3	23,207	5,688	5,707	34,602	22,576	5,723	5,662	33,961
	Q4	22,331	5,384	5,831	33,546	22,554	5,798	6,191	34,543
2011	Q1	24,262	6,254	6,495	37,011	22,745	5,672	6,292	34,709
	Q2	21,397	5,492	6,219	33,108	23,347	5,620	6,118	35,085
	Q3	24,783	5,721	6,935	37,439	24,110	5,756	6,868	36,734
	Q4	23,189 (r)	5,273 (r)	6,063 (r)	34,525 (r)	23,410	5,675	6,433	35,518
2012	Q1	25,207 (p)	6,172 (p)	7,185 (p)	38,564 (p)	23,878	5,758	6,969	36,605

Note:

1. Data relating to 1999 onwards are sourced from county court administrative systems and exclude duplicate observations. Data prior to 1999 are sourced from manual counts made by court staff and only include standard procedure actions (not accelerated procedure ones)

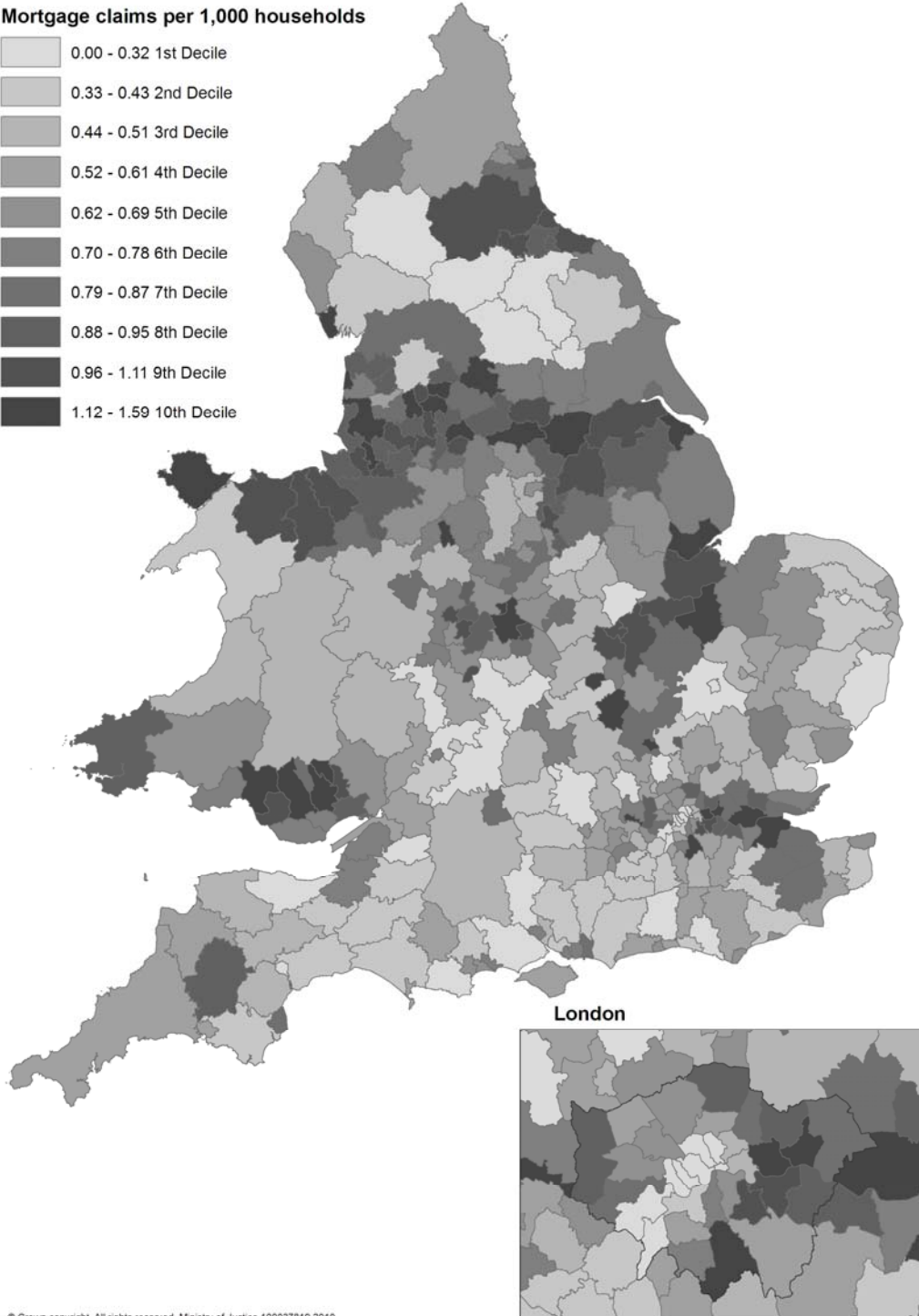
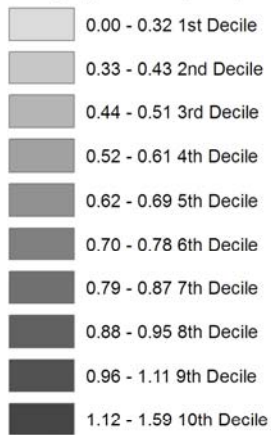
Table 4: Landlord possession claims leading to an order in the county courts of England and Wales by type of procedure and landlord¹, 1990 – 2012 Q1

Year	Quarter	Non-Seasonally adjusted				Seasonally adjusted			
		Standard Procedure		Accelerated Procedure	Overall Total	Standard Procedure		Accelerated Procedure	Overall Total
		Social Landlord	Private Landlord			Social Landlord	Private Landlord		
1990		91,875	20,905		112,780				
1991		79,578	15,435		95,013				
1992		83,125	13,833		96,958				
1993		71,114	11,610		82,724				
1994		49,750	13,811		63,561				
1995		66,981	15,618		82,599				
1996		70,583	17,266		87,849				
1997		82,493	17,376		99,869				
1998		94,897	17,339		112,236				
1999		97,743	10,324	11,157	119,224				
2000		100,082	11,512	13,031	124,625				
2001		102,623	12,309	13,286	128,218				
2002		103,790	11,511	13,242	128,543				
2003		93,217	11,209	13,155	117,581				
2004		89,827	10,191	14,781	114,799				
2005		82,857	11,525	15,529	109,911				
2006		75,148	11,368	16,919	103,435				
2007		67,683	12,380	18,554	98,617				
2008		70,156	13,024	17,633	100,813				
2009		66,940	13,407	12,547	92,894				
2010		61,100	14,656	15,086	90,842				
2011		63,101 (r)	14,959 (r)	19,755	97,863 (r)				
2008	Q1	18,003	3,011	4,651	25,665	17927	3142	4907	25,976
	Q2	17,176	3,388	4,713	25,277	17568	3207	4540	25,315
	Q3	17,564	3,306	4,543	25,413	17322	3226	4278	24,826
	Q4	17,413	3,319	3,726	24,458	17375	3450	3900	24,725
2009	Q1	18,060	3,286	3,308	24,654	17233	3295	3332	23,860
	Q2	15,952	3,348	3,109	22,409	17038	3299	3153	23,490
	Q3	16,910	3,549	3,218	23,677	16664	3460	3013	23,137
	Q4	16,018	3,224	2,912	22,154	15995	3354	3054	22,403
2010	Q1	15,922	3,492	3,255	22,669	15185	3588	3283	22,056
	Q2	14,841	3,873	3,611	22,325	15843	3725	3664	23,232
	Q3	15,077	3,794	4,343	23,214	14866	3695	4054	22,615
	Q4	15,260	3,497	3,877	22,634	15233	3641	4077	22,951
2011	Q1	16,092	3,809	4,911	24,812	15362	3818	4949	24,129
	Q2	14,455	3,704	4,497	22,656	15417	3651	4566	23,634
	Q3	16,380	3,850	5,463	25,693	16139	3746	5091	24,976
	Q4	16,174 (r)	3,596 (r)	4,884	24,654 (r)	16159	3749	5150	25,058
2012	Q1	17,130 (p)	3,690 (p)	5,240 (p)	26,060 (p)	16374	3717	5269	25,360

Note:
 1. Data relating to 1999 onwards are sourced from county court administrative systems and exclude duplicate observations. Data prior to 1999 are sourced from manual counts made by court staff, only include standard procedure actions (not accelerated procedure ones), and represent the number of orders rather than claims leading to an order (all claims in which the first order is made during the period).

Map 1: Mortgage Possession Claims Issued – 2012 Q1

Mortgage claims per 1,000 households

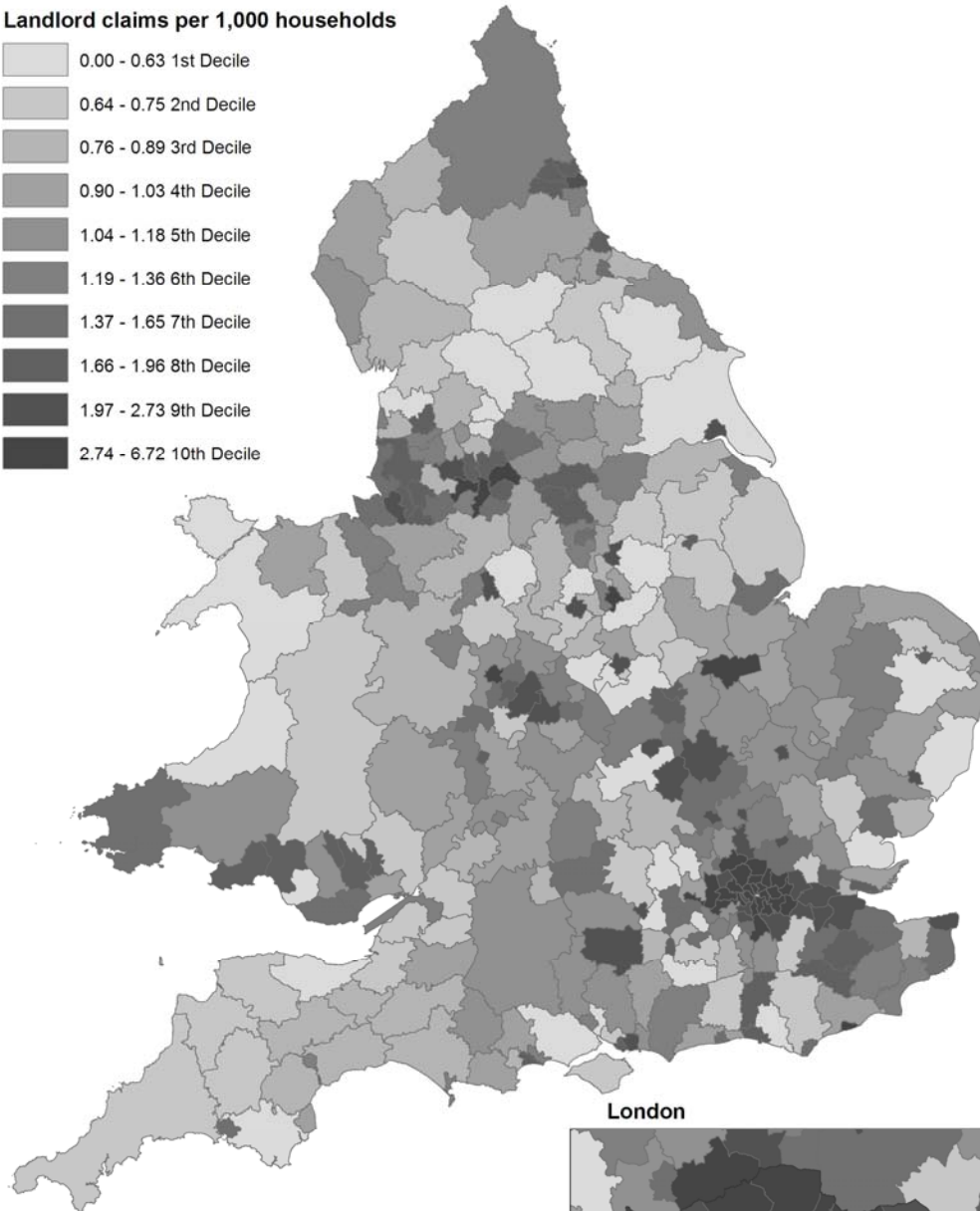
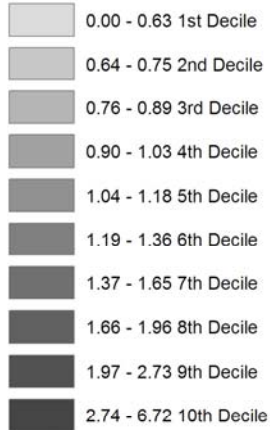


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Note: Each decile includes 10% of local authorities (based on the number of mortgage claims) in ascending order from the lowest number per 1,000 households (the 1st decile) to the highest (the 10th decile).

Map 2: Landlord Possession Claims Issued – 2012 Q1

Landlord claims per 1,000 households



London



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Note: Each decile includes 10% of local authorities (based on the number of landlord claims) in ascending order from the lowest number per 1,000 households (the 1st decile) to the highest (the 10th decile).

Annex

Supplementary statistical tables to this bulletin are available within an excel file on the Ministry of Justice website at this location:

www.justice.gov.uk/downloads/statistics/civiljustice/mortgage-statistical-tables-qt1-2012.xls

Tables within this Excel file are:

Copy of Table 1 of this bulletin showing the number of mortgage possession actions in the county courts from 1990 onwards, both on a seasonally adjusted and non seasonally adjusted basis.

Table 1A shows the number of mortgage possession claims by local authority on a non seasonally adjusted basis.

Table 1B shows the number of mortgage possession claims leading to an order by local authority on a non seasonally adjusted basis.

Table 1C shows the number of mortgage possession actions by county court on a non seasonally adjusted basis.

Copy of Table 2 of this bulletin showing the number of landlord possession actions in the county courts from 1990 onwards, both on a seasonally adjusted and non seasonally adjusted basis.

Table 2A shows the number of landlord possession claims by local authority on a non seasonally adjusted basis.

Table 2B shows the number of landlord possession claims leading to an order by local authority on a non seasonally adjusted basis.

Table 2C shows the number of landlord possession actions by county court on a non seasonally adjusted basis.

Copy of Table 3 of this bulletin showing the number of landlord possession claims in the county courts with breakdown by the type of procedure and landlord from 1990 onwards, both on a non seasonally and seasonally adjusted basis.

Copy of Table 4 of this bulletin showing the number of landlord possession claims leading to orders made in the county courts with breakdown by the type of procedure and landlord from 1990 onwards, both on a non seasonally and seasonally adjusted basis.

In addition, spreadsheets showing local authority level figures from 2000 to the latest quarter and court level figures from 1987 to the latest quarter can be obtained via the following webpage:

www.justice.gov.uk/statistics/civil-justice/mortgage-possession

Explanatory notes

Introduction

1. The United Kingdom Statistics Authority has designated these statistics as National Statistics, in accordance with the Statistics and Registration Service Act 2007 and signifying compliance with the Code of Practice for Official Statistics.

Designation can be broadly interpreted to mean that the statistics:

- meet identified user needs;
- are well explained and readily accessible;
- are produced according to sound methods, and
- are managed impartially and objectively in the public interest.

Once statistics have been designated as National Statistics it is a statutory requirement that the Code of Practice shall continue to be observed.

2. Figures on mortgage and landlord possession actions in the county courts of England and Wales are published on a quarterly basis. The quarterly time series, both seasonally adjusted and non-seasonally adjusted, show some quarter-on-quarter volatility. Users should take care about interpreting trends based on a single quarter's data.
3. The figures relate to the numbers of possession ***claims issued*** and ***claims leading to an order being made***. The former is a straight count of possession claims issued on behalf of mortgage lenders and landlords. The latter is a count of first possession orders made by a judge and has the following characteristics:
 - It includes claims which led to either an outright or a suspended possession order being made by a court. A suspended order grants the mortgage lender or the landlord possession of the property, but suspends when the order operates. This suspension usually requires the defendant to pay the latest mortgage or rent instalment, plus some of the arrears that have built up, within a certain defined period. As long as the defendant complies with the terms of the suspension, the possession order cannot be enforced.
 - It is a more meaningful measure of the number of homeowners who are subject to court repossession actions than a straight count of orders. This is because it does not double-count instances where a single claim leads to more than one order. Further orders can occur after the defendant makes an application to the court for the initial possession order granted to be varied or set aside. Where this occurs the date and type of the *first* order only is counted.
 - It is lower than the number of claims with the disparity between these figures varying over time. Where a possession order is made by the court, it is typically 8 weeks following the claim being issued. There

are various reasons why a claim may not lead to a possession order being made; the parties may have resolved the dispute before the hearing takes place, for example through the mortgagee or the tenant handing back the keys or paying off the mortgage or rental arrears, or the judge may decide not to make an order for possession.

- It is substantially higher than the numbers of actual repossessions with the disparity between the figures varying over time. Repossessions can occur without a court claim being made, and not all orders for possession subsequently result in repossession.
4. The mortgage data include all types of lenders, whether local authority or private (e.g. banks and building societies).
 5. The landlord data include all types of landlord, whether social or private sector, and cover actions made using both the standard and accelerated possession procedures. The accelerated possession procedure is used by landlords in relation to assured shorthold tenancies, when the fixed period of tenancy has come to an end. It enables orders to be made by the court solely on the basis of written evidence and without calling the parties to a hearing.
 6. The statistics shown for "properties taken into possession" in Figure 1 and Table 1 are published figures from the Council of Mortgage Lenders (CML), which is an industry body representing around 94 per cent of the UK residential lending industry. It should be noted that:
 - The Ministry statistics on court actions cover England and Wales only. CML statistics cover the whole of the UK.
 - CML statistics on actual possessions include properties surrendered voluntarily.
 - Given the time lags involved, some of the court orders for the possessions shown by CML may have been granted in earlier time periods.
 - Mortgage possessions counted in the CML statistics mainly relate to the non-repayment of loans which are secured as a "first charge" against the property. The large majority of "second charge" lending (any loan secured on a property where a separate first charge loan already exists) falls outside the CML's membership, and the resulting repossessions are not counted in their figures.

More details about the differences between mortgage possession data published by the Ministry (in this bulletin), the CML and the Financial Services Authority can be viewed at the link:

www.justice.gov.uk/downloads/publications/statistics-and-data/civiljustice/mortgage-lending-stats-note.pdf

Revisions

7. The figures for the first quarter of 2012 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 when statistics for the first quarter of the following year are initially released.

Geographical breakdowns

8. Generally the geographical breakdowns of claims and claims leading to orders are based on the physical location of the property which is the subject of the possession action. Those provided as part of this quarterly publication are by:
 - Local Authority area on a quarterly and annual basis, as shown in Tables 1A, 1B, 2A and 2B (for more details see Annex) and by thematic Maps 1 and 2. They are expressed both as absolute counts and the number per 1,000 households. To calculate the latter, household population denominators are taken from the most recent published household population estimates for local authorities in England and Wales, published by the Department for Communities and Local Government and the Welsh Assembly Government respectively. Maps 1 and 2 show the number per 1,000 households in deciles, calculated by sorting the local authorities in ascending order from the lowest number per 1,000 households to the highest and dividing into ten equally sized groups where the lowest group is the 1st decile and the highest group is the 10th decile.
 - Westminster Parliamentary Constituency and Ward on an annual basis, the statistics for 2011 being available at www.justice.gov.uk/downloads/statistics/civiljustice/possession-orders-pcon-ward.xls.
 - county court on a quarterly and annual basis, as shown in Tables 1C and 2C.(for more details see Annex). These are based on the location of the court rather than the property subject of the possession action.

Further breakdowns available on request

9. Quarterly possession court actions data are available on request for the following geographies.
 - Government Office Regions
 - Westminster Parliamentary Constituencies (prior to 2011)
 - Urban and Rural classifications

- Outbound Postcodes (e.g. SW1H)

Annual data (prior to 2011) are also available for wards. Data for other geographical areas are not currently available.

Confidentiality

10. In order to protect the confidentiality of personal and corporate information, the Ministry of Justice operates a disclosure control policy when responding to requests for these sub-national statistics. Counts of less than 8, including zero, are suppressed, while all higher counts are only provided rounded to the nearest 5. Percentage changes between two periods are not provided where there are less than 30 cases in the earlier period. Figures for time periods other than calendar quarters and annual totals will not be provided.

Seasonal adjustment

11. Seasonally adjusted figures are provided as well as non-seasonally adjusted information, to provide a clearer picture of the underlying behaviour of the data series after removal of seasonal or other calendar influences. The seasonal adjustment models are designed using the software package X12 ARIMA, the standard tool used for this purpose in government statistics. These figures are provided in Tables 1, 2, 3 & 4.

12. The two sets of figures serve distinctly different purposes. In broad terms, the unadjusted figures are the count of the actual number of possession actions in a given period, while the seasonally-adjusted figures give a better and more meaningful picture of changes over time.

13. As the purpose of seasonal adjustment is to remove seasonal or other calendar influences, seasonally adjusted figures are only provided for quarterly data and not annual totals.

14. Due to the nature of the seasonal adjustment models, each new quarter's data essentially provides additional information about the seasonality present in the entire data series. The seasonally adjusted figures for the latest quarter will therefore be accompanied by recalculated seasonally adjusted figures for previous quarters. To achieve a balance between minimising the extent of these changes and making the most of additional information provided by the latest quarter's data, the specifications of the seasonal adjustment models are fixed on an annual basis. The most recent annual review took place in April 2012.

Production process and quality assurance procedures

15. The statistics on county court possession actions relating to 1999 onwards have been produced using the Ministry's Management Information System (MIS). This is a data warehousing facility drawing data directly from the main administrative system in the county courts, CaseMan, and Possession Claim OnLine (PCOL). PCOL was launched in October 2006 to enable claimants to make possession claims via the internet. Court staffs are required to use these systems to record summary details in managing these cases, and they obtain benefits from

doing so as for instance the systems make the process of drawing a court order relatively quick and easy. The systems therefore contain accurate and complete details of the incidence and dates of all new claims and orders made in these claims. Statistical quality assurance procedures include the identification and removal of duplicate entries for the same event in a case, and checks that the latest data are consistent with previously obtained data for each county court. The statistics prior to 1999 are manual counts supplied by the county courts each month and are consequently less robust.

Historic Factors

16. From the bulletin for the second quarter of 2009 the ***number of claims that lead to a possession order*** replaced the old ***number of possession orders*** count. Removing the double-counting of instances where a single claim leads to more than one order, the new count is a more meaningful measure of the number of homeowners who are subject to court repossession actions. More information about the new definition, including a comparison of the old and new counts can be found in the table in the bulletin for the second quarter of 2009 .
17. A Pre-Action Protocol for housing possession claims based on rent arrears came into effect on 2nd October 2006. The Protocol applies to rent arrears claims issued by social landlords (e.g. Local Authorities, Registered Social Landlords), and gives clear guidance on what the courts will be expecting landlords and tenants to have done prior to arriving at court. The main aim of the Protocol is to encourage more pre-action contact between parties and to enable court time to be used effectively. The introduction of the Protocol may therefore explain much of the reductions in the numbers of rent possession claims issued and orders made since then. This protocol can be viewed using this link:

www.justice.gov.uk/guidance/courts-and-tribunals/courts/procedure-rules/civil/contents/protocols/prot_rent.htm

Symbols and conventions

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

(p) = Provisional data

(r) = Revised data

Contact points for further information

Current and previous editions of this publication are available for download at

www.justice.gov.uk/statistics/civil-justice/mortgage-possession

www.justice.gov.uk/statistics/civil-justice/mortgage-possession/mortgage-possession-editions

Press enquiries should be directed to the Ministry of Justice press office:

Peter Morris

Tel: 020 3334 3531

Email: peter.morris@justice.gsi.gov.uk

Queries on the wider policy implications of these statistics should be directed to the Department for Communities and Local Government's press office:

Sarah Southerton

Tel: 0303 444 1201

Email: Sarah.Southerton@communities.gsi.gov.uk

Queries on statistics shown for 'Properties taken into possession' and other related statistics should be directed to the Council of Mortgage Lenders' press office on:

Tel: 020 7438 8922

Other enquiries about these statistics should be directed to:

Tingting Shu

Justice Statistics Analytical Services

Ministry of Justice

7th Floor

102 Petty France

London SW1H 9AJ

Tel: 020 3334 3737

Email: statistics.enquires@justice.gsi.gov.uk

General enquiries about the statistical work of the Ministry of Justice can be e-mailed to: statistics.enquires@justice.gsi.gov.uk

Other National Statistics publications, and general information about the official statistics system of the UK, are available from

www.statistics.gov.uk

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statistics.enquiries@justice.gsi.gov.uk