

Court statistics quarterly July to September 2009

Ministry of Justice
Statistics bulletin

Published 15 December 2009



Ministry of
JUSTICE

Court statistics quarterly July to September 2009

Ministry of Justice
Statistics bulletin

Also available on the Ministry of Justice website at

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

Introduction

This bulletin presents statistics on activity in the county, family, Crown and magistrates' courts in England and Wales for the third quarter (July to September) of 2009. This is the third edition of the Court Statistics Quarterly bulletin.

Calendar year court statistics are also published by the Ministry of Justice in the statistical report "Judicial and Court Statistics".

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.

Please direct any feedback or questions you may have about this statistical bulletin to the contact points given in the **Explanatory Notes** section.

Commentary

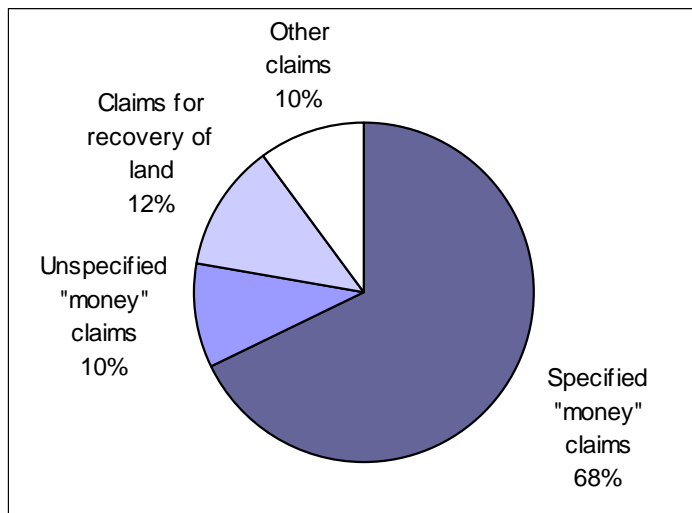
County courts (non-family) [Tables 1.1 – 1.5]

Claims issued

Historically, the normal method of taking someone to court is for the person doing so (the claimant) 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 or repossession of property can be completed via the internet (via www.moneyclaim.gov.uk and www.possessionclaim.gov.uk) while claimants issuing a large number of claims each year (e.g. banks and utilities) can do so through the Claim Production Centre.

In the third quarter of 2009 there were 482,200 claims issued, 13 per cent fewer than in the third quarter of 2008. Compared with the same quarter in 2008, there was a 17 per cent decrease in claims issued for a specified amount of money and a 22 per cent reduction in claims issued for mortgage and landlord possession. In contrast, the number of claims issued for an unspecified amount of money and the number of petitions for insolvency both increased by 14 per cent over the same period.

Figure 1: Claims issued in the county courts, by type of case, Q3 2009



Case progression, hearings and judgments

On receipt of the claim, the claim form and a response pack is sent to (served on) the defendant who has a specific time limit to reply. The options given to the defendant are to pay up, dispute the claim, or admit the claim and ask for more time to pay up. In the third quarter of 2009, 81,500 defences were made, a 5 per cent increase compared with the third quarter of 2008. If the claim is defended, the usual procedure is for it to be allocated by a judge to one of three case management tracks according to the

complexity of the case and the degree of judicial involvement. In total, there were 48,600 allocations to track in the third quarter of 2009, a 10 per cent increase compared with the same quarter in 2008. The number of allocations to the fast track showed a year-on-year increase of 19 per cent, while the number of allocations to the multi track decreased by 5 per cent. This largely 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, resulting in a large number of cases issued for over £15,000 but not more than £25,000 being allocated to the fast track rather than the multi track. The number of allocations to the small claim track (generally for cases with a claim value of up to £5,000) increased by 10 per cent compared to the third quarter of 2008.

Although most cases settle or are withdrawn, there were 4,900 trials and 11,900 small claim hearings in the third quarter of 2009, increases of 3 per cent and 7 per cent respectively compared with the corresponding quarter in 2008. On average, trials occurred 49 weeks following issue, up from 48 weeks in the third quarter of 2008, while small claim hearings occurred 31 weeks following issue, up from 29 weeks in the same quarter of 2008.

Enforcement

There are various methods of enforcing judgments in the county courts. The most common method is the warrant of execution against a debtor's goods, where unless the amount due under the warrant is paid, saleable items owned by a defendant can be recovered by 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 third quarter of 2009:

- 55,400 warrants of execution were issued, a 24 per cent decrease on the third quarter of 2008.
- 35,700 warrants of possession were issued, a decrease of 13 per cent on the same quarter in 2008.
- 500 warrants of delivery were issued, a decrease of 18 per cent on the third quarter of 2008.
- 300 warrants of committal were issued, a decrease of 21 per cent on the third quarter of 2008.

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

- An attachment of earnings order obliging the debtor's employer to deduct a set sum from the debtor's pay and forward it to the court. There were 15,100 applications made for attachment of earnings orders in the third quarter of 2009, a decrease of 10 per cent on the same quarter of 2008.

- A charging order enabling the creditor to obtain security for the payment against a property owned by the debtor. There were 31,900 applications made for charging orders in the third quarter of 2009, a decrease of 23 per cent on the same quarter of 2008.
- A third party debt order enabling the creditor to secure payment by freezing and then seizing money owed or payable by a third party to a debtor. There were 1,600 applications made for third party debt orders in the third quarter of 2009, a decrease of 24 per cent on the same quarter of 2008.

In certain circumstances a debtor may apply to a county court to combine debts into an administration order. The debtor must have a judgment debt and at least one other that he is unable to pay with the total indebtedness not exceeding £5,000. 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 in the appropriate proportions to the creditors listed by the debtor. There were 500 applications for administration orders in the third quarter of 2009, an increase of 9 per cent on the same quarter of 2008.

To assist in determining the most appropriate method of enforcing a judgment, the claimant can apply for an order to obtain information from the judgment debtors. This involves debtors being ordered to attend court to provide details of their means. There were 7,500 orders made to obtain information from debtors in the third quarter of 2009, a decrease of 4 per cent compared with the third quarter of 2008.

Family matters [Tables 2.1 – 2.3]

Family matters are dealt with in the Family Division of the High Court, in county courts and, with the exception of divorce proceedings, in family proceedings courts (those magistrates' courts that hear family cases). Most matters affecting children are dealt with under the Children Act 1989 in all three levels of courts.

Matrimonial matters

There are two ways to dissolve a marriage – a decree absolute of divorce, which ends a valid marriage; or a decree of nullity, which declares that the marriage itself is void. No petition may be made for divorce within the first year of marriage. There were 34,400 petitions filed for dissolution of marriage in the third quarter of 2009, compared to 32,500 in the third quarter of 2008. The number of decrees absolute granted for dissolution fell to 29,500 in the third quarter of 2009 from the 30,700 in the third quarter of 2008.

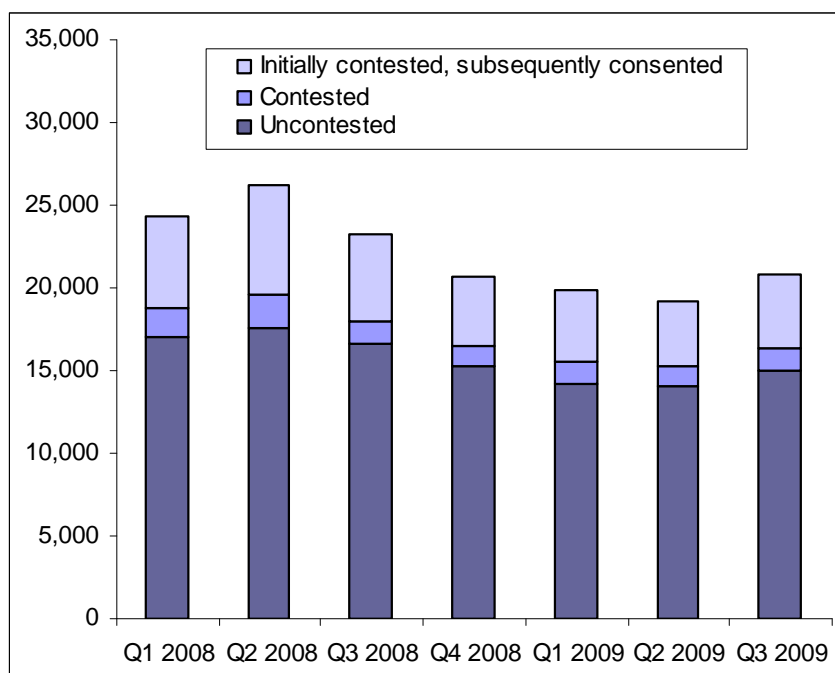
An alternative to divorce is a decree of judicial separation. This does not dissolve the marriage but absolves the parties from the obligation to live together. The number of petitions filed for judicial separation was 81 in the third quarter of 2009 compared to 107 in the third quarter of the previous year.

Ancillary relief

During or after a divorce, the annulment of a marriage or 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 and may deal with the sale or transfer of property, maintenance payments, a lump sum payment and/or a pension sharing or attachment order.

In the third quarter of 2009, the total number of applications disposed of was 20,800, down from the 23,200 in the corresponding quarter of 2008.

Figure 2: Disposal of applications for ancillary relief made in the county courts, Q1 2008 to Q3 2009



Domestic violence

Part IV of the Family Law Act 1996 provides single and unified domestic violence remedies in the magistrates' courts and the county courts. Two types of order can be granted: a non-molestation order (which can either prohibit particular behaviour or general molestation); or an occupation order (which can define or regulate rights of occupation of the home).

The number of applications to the county courts for domestic violence remedies increased from 6,700 in the third quarter of 2008 to 6,900 in the third quarter of 2009. The proportion of applications made for non-molestation orders also increased from 69 per cent to 73 per cent in that period.

Matters affecting children

Most matters affecting children are dealt with under the Children Act 1989. Public law cases are those brought by local authorities or an authorised person (currently only the NSPCC) and include matters such as care, supervision and emergency protection orders. Private law cases are those brought by private individuals, generally in connection with divorce or the parents' separation. Order types include parental responsibility, "Section 8" orders (referring to the relevant section of the Children Act 1989), financial applications and special guardianship orders.

In the third quarter of 2009 there were 6,500 public law applications, a 35 per cent increase on the same quarter of the previous year. Three quarters of these applications were made in Family Proceedings Courts. There were also 35,600 private law applications in the third quarter of 2009, a 19 per cent increase on the third quarter of 2008. Just over three quarters (77 per cent) of these applications were made in county courts.

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. This issue is being investigated by Ministry of Justice statisticians, which may lead to the figures being revised in future bulletins.

Crown Court [Tables 3.1 – 3.5]

Caseload

In the third quarter of 2009, around 16,700 cases were committed for trial in the Crown Court. During the same period around 15,700 cases were completed, leaving an outstanding case balance of around 23,100 at the end of September 2009. Compared with the third quarter of last year, the committed for trial caseload increased by 16 per cent.

A further 8,800 cases were sent for trial during the third quarter of 2009. Around 8,700 cases such cases were completed in this period, leaving an outstanding case balance of around 16,100 at the end of September 2009. Compared with the corresponding period of 2008, the sent for trial caseload decreased by 3 per cent.

Around 9,600 cases from the magistrates' courts were committed for sentence in the Crown Court during the third quarter. Some 9,900 cases were completed, leaving an outstanding case balance of around 4,700 at the end of September 2009. The committed for sentence caseload decreased by 10 per cent compared with the third quarter of 2008.

The Crown Court received around 3,600 appeals against magistrates' courts' decisions in the third quarter of 2009. During the same period around 3,600 cases were completed, leaving an outstanding case balance of around 2,900 at the end of September 2009. Compared with the third quarter of last year, the appeal caseload increased by 3 per cent.

Trials

A trial in the Crown Court is a hearing at which the prosecution produces evidence to prove the case against the defendant. The defendant has had a previous opportunity in an earlier preliminary hearing to plead on the charges they are facing. If they decide to plead not guilty then the case will be adjourned for full trial at a later date.

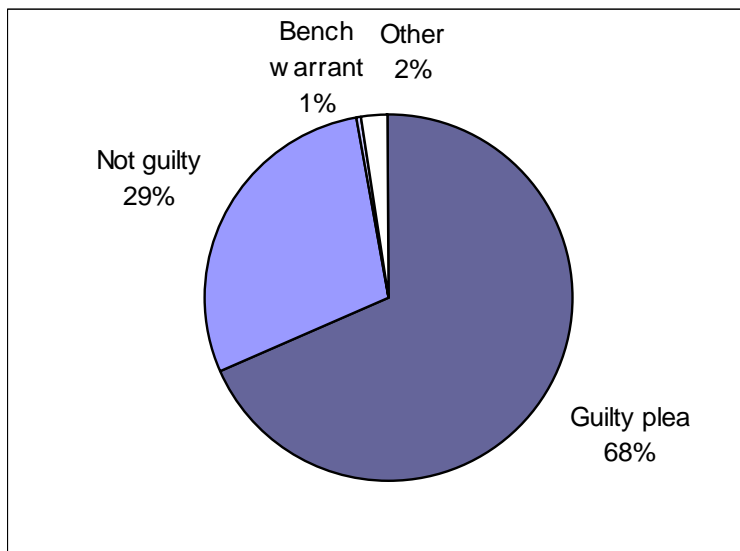
The Crown Court records the outcome of the main trial. Trial outcomes are listed as 'Effective' (commences on scheduled date and reaches a conclusion), 'Ineffective' (does not commence on due date and requires re-listing) or 'Cracked' (on the day, an acceptable plea is offered or prosecution offers no evidence).

In the third quarter of 2009, around 10,500 trials were recorded in the Crown Court, an increase of 15 per cent compared with the third quarter of last year. Of these, 45 per cent were recorded as effective, 13 per cent were recorded as ineffective and 42 per cent were recorded as cracked.

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.

Figure 3: Defendants dealt with in the Crown Court, by plea, Q3 2009



In the third quarter of 2009, the Crown Court dealt with 26,600 defendants, an increase of 10 per cent compared with the third quarter of last year. Of these, 68 per cent pleaded guilty to all counts, 29 per cent pleaded not guilty to at least one count, and 3 per cent did not enter a plea. The guilty plea rate (the number of defendants pleading guilty to all counts as a proportion of all defendants with a plea) remained at around 70 per cent.

Timeliness

Following the introduction of policies in 2008 to improve the efficiency and effectiveness of the Crown Court, performance measures were established in all cases to reduce the average number of preliminary hearings.

Average hearing time measures the average duration of all hearings heard in the Crown Court including preliminary, main and sentence hearings. In the third quarter of 2009 the average hearing time was 12.6 hours for not guilty plea trial cases, an increase of 7 per cent compared with the third quarter of last year; 1.3 hours for guilty plea trial cases; 0.5 hours for cases committed for sentence; and 1 hour for appeals.

Average waiting time measures the average length of time between the date of sending or committal and the start of the substantive Crown Court hearing. In the third quarter of 2009 the average waiting times for not guilty plea trial cases and guilty plea trial cases were 24.8 and 12.1 weeks respectively. Compared with the third quarter of last year, they increased by 3 and 7 per cent respectively.

In the third quarter of 2009 the average waiting time for cases committed for trial was 14.1 weeks, an increase of 7 per cent compared with the third quarter of last year; 18.5 weeks for cases sent for trial; 5.5 weeks for cases committed for sentence; and 8.4 weeks for appeals.

Magistrates' courts [Tables 4.1 – 4.3]

Caseload

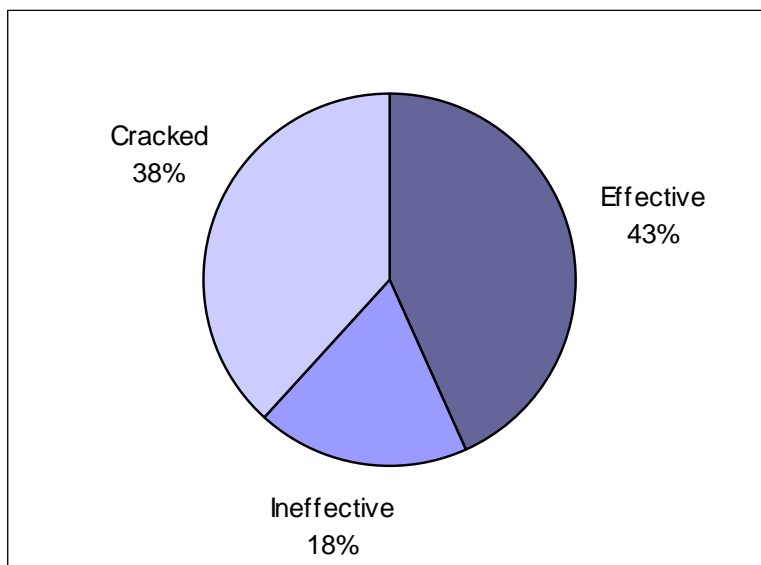
There were 481,000 criminal proceedings completed in magistrates' courts in the third quarter of 2009. One-third of this volume was due to adult summary motoring proceedings. Adult summary non-motoring proceedings comprised 30 per cent and adult indictable/ triable-either-way proceedings made up 22 per cent. Youth proceedings and adult breach proceedings each comprised less than 10 per cent. Compared with the third quarter of last year, criminal caseload has decreased by 6 per cent.

Every completed offence that is session validated during each quarter is counted, unless it completes on the same day as another offence from the same case. Where a case has more than one offence, then only one is counted (generally the most serious offence is selected).

Trials

A trial in the magistrates' court is a hearing at which the prosecution produces evidence to prove the case against the defendant. If a defendant pleads not guilty, or does not give a plea for a summary offence, then there is a trial. Similarly, for either-way offences, a trial may occur in the magistrates' courts following a decision from either the defendant or the bench.

Figure 4: Effectiveness of recorded trials in magistrates' courts, Q3 2009



Magistrates' courts record the number and outcome of trials. Trial outcomes are listed as 'Effective' (commences on scheduled date and reaches a conclusion), 'Ineffective' (does not commence on due date and requires re-listing) or 'Cracked' (on the day, an acceptable plea is offered or prosecution offers no evidence).

In the third quarter of 2009, 45,500 trials were recorded, an increase of less than 1 per cent increase compared with the same quarter of 2008. Of these trials, 43 per cent were recorded as effective, 18 per cent were recorded as ineffective and 38 per cent were recorded as cracked.

Enforcement

Fines are the most commonly used sentence in magistrates' courts, and the enforcement of financial penalties is a Key Performance Indicator for HM Courts Service.

The total value of fines paid has risen in the latest two quarters, after a fall at the end of 2008. In the third quarter of 2009, the amount paid in England and Wales was £62 million, a 4 per cent decrease compared with the same quarter of last year.

Timeliness

Detailed information on magistrates' courts' timeliness is 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.

The Time Intervals Survey data show that in the third quarter of 2009, the estimated average time from charge to completion for adult charged cases, excluding cases sent or committed to the Crown Court for trial, was 7.1 weeks (50 days), a 3 per cent increase from the same quarter last year; this

increase is not statistically significant. The estimated average number of hearings per defendant was 2.26 in the third quarter of 2009, a 4 per cent decrease from the same quarter last year; this decrease is statistically significant.

The estimated average time from charge to completion for youth charged cases, excluding cases sent or committed to the Crown Court for trial, was 5.9 weeks (41 days), a 14 per cent increase from the same quarter last year; this increase is statistically significant. The estimated average number of hearings per defendant was 2.38 in the third quarter of 2009, a 2 per cent decrease from the same quarter last year; this decrease is not statistically significant.

Tables

County courts (non-family)

- Table 1.1 Summary statistics on claims issued in England and Wales, Q1 2008 – Q3 2009
- Table 1.2 Summary statistics on claims defended and allocations to track in England and Wales, Q1 2008 – Q3 2009
- Table 1.3 Summary statistics on trials/hearings in England and Wales, Q1 2008 – Q3 2009
- Table 1.4 Number of warrants issued in England and Wales, by type, Q1 2008 – Q3 2009
- Table 1.5 Enforcement-related orders applied for and made in England and Wales, Q1 2008 – Q3 2009

Family matters

- Table 2.1 Summary statistics on matrimonial proceedings, England and Wales, Q1 2008 – Q3 2009
- Table 2.2 Disposal of applications for ancillary relief made in county courts, England and Wales, Q1 2008 – Q3 2009
- Table 2.3 Domestic Violence: applications and orders made in the county courts, England and Wales, Q1 2008 – Q3 2009
- Table 2.4 Matters affecting children: Public and Private Law applications made in each tier of court, England and Wales, Q1 2008 – Q3 2009

Crown Court

- Table 3.1 Receipts, Disposals and Outstanding cases in England and Wales, by case type, Q1 2008 – Q3 2009
- Table 3.2 Summary statistics on effectiveness of cases listed for trial, England and Wales, Q1 2008 – Q3 2009
- Table 3.3 Defendants dealt with in cases committed or sent for trial, by plea, England and Wales, Q1 2008 – Q3 2009
- Table 3.4 Summary statistics on average hearing times and average waiting times, England and Wales, Q1 2008 – Q3 2009
- Table 3.5 Summary statistics on average waiting times, England and Wales, Q1 2008 – Q3 2009

Magistrates' courts

Table 4.1 Completed proceedings, England and Wales, Q1 2008 – Q3 2009

Table 4.2 Effectiveness of recorded trials, England and Wales, Q1 2008 – Q3 2009

Table 4.3 Enforcement of financial penalties in the magistrates' courts, England and Wales, Q1 2008 – Q3 2009

Table 1.1
County Courts (non-family)

Summary statistics on claims issued in England and Wales, Q1 2008 - Q3 2009

Year	Quarter	Number of claims / petitions							
		Specified "money" claims ¹	Unspecified "money" claims ²	Total "money" claims	Claims for recovery of land ³	Other non- "money" claims ⁴	Total non- "money" claims	Total insolvency petitions ⁵	Total proceedings started
2008		1,426,389	160,248	1,586,637	290,958	116,257	407,215	70,272	2,064,124
2008	Q1	355,464	36,874	392,338	80,006	29,952	109,958	16,772	519,068
	Q2	324,223	40,918	365,141	75,417	27,769	103,186	17,412	485,739
	Q3	393,574	41,427	435,001	75,524	29,383	104,907	17,304	557,212
	Q4	353,128	41,029	394,157	60,011	29,153	89,164	18,784	502,105
2009	Q1	350,634	43,201	393,835	61,275	29,768	91,043	20,424	505,302
	Q2 (r)	301,735	44,182	345,917	59,004	26,970	85,974	19,211	451,102
	Q3 (p)	327,144	47,215	374,359	59,117	29,003	88,120	19,686	482,165

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 for return of goods, 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 - Q3 2009

Year	Quarter	Number of defences ²	Number of allocations to track ³			
			Small claim	Fast track ⁴	Multi track ⁴	Total
2008		298,796	83,928	53,255	26,722	163,905
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 (r)	77,899	23,094	14,573	6,258	43,925
	Q3 (p)	81,506	25,415	16,732	6,453	48,600

Source:

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

Notes:

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

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

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

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

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

Summary statistics on trials/hearings in England and Wales, Q1 2008 - Q3 2009

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
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 (r)	11,001	31	5,097	21	32	47
	Q3 (p)	11,853	31	4,932	20	32	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 only for cases that reach trials/small claim hearings in the relevant year.

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 - Q3 2009

Year	Quarter	Number of warrants			
		Execution ²	Delivery ³	Possession ⁴	Committal ⁵
2008		294,832	2,500	159,337	1,353
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 (p)	55,437	533	35,737	265

Source:

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

Notes:

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

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

Enforcement-related orders applied for and made in England and Wales, Q1 2008 - Q3 2009

Year	Quarter	Number of applications / orders								
		Attachment of earnings orders ^{1,2}		Third party debt orders ³		Charging orders ⁴		Administration orders ⁵		Orders to obtain information from judgment debtors ⁷
		Applications	Orders made ²	Applications	Orders made	Applications	Orders made	Applications	Orders made ⁶	
2008		73,844	60,588	7,564	2,041	164,812	135,702	2,065	2,795	30,261
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 (r)	22,710	16,085	1,946	549	32,202	29,329	581	549	8,083
	Q3 (p)	15,108	16,422	1,610	558	31,903	27,473	515	480	7,489

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 a property owned by the debtor.

5 - 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.

6 - Multiple orders may be made following an application e.g. where an original order is revoked and then re-instated.

7 - 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 - Q3 2009

		Number of cases							
Year	Quarter	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
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 (r)	32,555	28,040	28,541	71	45	55	103	43
	Q3 (p)	34,432	32,550	29,452	69	51	50	81	46

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 statistics compiled by the General Register Office.

Table 2.2
Family courts

Disposal of applications for ancillary relief made in the county courts, England and Wales, Q1 2008 - Q3 2009

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
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 (r)	14,110	3,823	1,224	19,157	2,658	2,389	5,047
	Q3 (p)	15,000	4,433	1,334	20,767	2,735	3,032	5,767

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 - Q3 2009

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
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 (r)	4,640	1,813	6,453	5,040	1,118	6,158
	Q3 (p)	5,078	1,861	6,939	5,555	1,040	6,595

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 - Q3 2009^{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
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 (p)	4,790	1,570	180	6,530	8,040	24,280	270	32,590
	Q2 (p)	5,030	1,700	120	6,850	8,120	25,950	230	34,300
	Q3 (p)	4,870	1,520	130	6,520	8,030	27,270	280	35,580

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. 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 - Q3 2009

		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
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 (r)	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 (p)	16,660	15,747	23,060	8,803	8,739	16,121	9,636	9,888	4,698	3,617	3,619	2,932

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 - Q3 2009

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%
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 (r)	9,071	1,064	12%	3,757	41%	4,250	47%
	Q3 (p)	10,528	1,331	13%	4,467	42%	4,730	45%

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 - Q3 2009

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%
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 (r)	25,066	17,195	69%	6,938	28%	214	0.9%	719	3%	71%
	Q3 (p)	26,600	18,175	68%	7,679	29%	191	0.7%	555	2%	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 - Q3 2009

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
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 (r)	12.7	1.3	0.5	1.0	24.0	11.7	6.0	9.1
	Q3 (p)	12.6	1.3	0.5	1.0	24.8	12.1	5.5	8.4

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 - Q3 2009

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	(r)	130,319	57,653	13.5	73%	35,948	18.6	78%	24,611	5.7	92%	12,107	8.7	86%
2008	Q1 (r)	31,970	14,080	14.0	71%	8,965	19.0	77%	6,105	6.2	90%	2,820	8.7	86%
	Q2 (r)	33,025	14,558	13.6	73%	9,024	18.9	77%	6,308	5.7	91%	3,135	8.5	86%
	Q3 (r)	32,882	14,533	13.2	74%	8,936	18.2	79%	6,247	5.5	93%	3,166	8.5	86%
	Q4 (r)	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 (p)	34,704	16,655	14.1	72%	9,148	18.5	79%	5,875	5.5	93%	3,026	8.4	86%

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 - Q3 2009

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	(r)	696,279	613,430	449,894	116,167	155,370	2,031,140	130,000	846,634
2008	Q1 (r)	190,111	161,745	116,658	28,893	39,470	536,877	33,868	205,344
	Q2 (r)	178,705	153,942	114,280	28,663	39,433	515,023	33,019	212,714
	Q3 (r)	172,447	155,098	115,209	29,776	38,782	511,312	34,202	215,504
	Q4 (r)	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 (r)	160,497	142,092	103,726	29,105	39,158	474,578	31,766	214,044
	Q3 (p)	161,214	145,299	104,779	30,940	38,727	480,959	30,854	221,792

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 - Q3 2009

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%
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 (r)	44,106	19,327	44%	8,075	18%	16,704	38%
	Q3 (p)	45,473	19,733	43%	8,370	18%	17,370	38%

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
- Q3 2009

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

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.

3 - The collection of enforcement information (DAR) was revised in April 2003 so that it no longer contained confiscation or civil amounts. Collection of data via OPT commenced in 2007.

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

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 generally contains good quality information about the incidence and dates of major events in a case’s progress through the court system. The following data are of lower quality:

- The numbers of insolvency petitions, applications for administration orders and administration orders made are manually generated counts.
- The numbers of small claims hearings and trials were sourced from CaseMan, but their accuracy is dependent on Court staff entering a correct hearing outcome code which is not essential for their administrative purposes.

Family courts

The information in the tables of data on the family courts was sourced from the county court administrative system FamilyMan, used by court staff for case management purposes.

Some points to note:

- Disposals made one year may relate to applications made in earlier years.
- An application of one type may lead to an order of a different type being made.

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, again used by court staff for case management purposes. This generally contains good quality information about the incidence and dates of major events in a case’s progress.

The Ministry of Justice’s “Criminal Statistics” publication also contains data on the number of proceedings heard in the Crown Court. However, while both sets of figures are produced from the same core source (the CREST system), 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. Since the creation of the Ministry of Justice, work has commenced to investigate the differences between the two publications with a view to aligning the two sets of figures in future.

Table 3.5 provides revised statistics for 2008 on the percentage of defendants "sent for trial" where the time from committal to the start of the substantive hearing was less than 26 weeks, compared to those previously published in Table 6.15 of the Ministry of Justice bulletin "Judicial and Court Statistics 2008" (JCS 2008). It has been identified that in JCS 2008, an error was made in the extraction of data from the Crown Court case recording system when these statistics were produced for the years 2004 to 2008. This has now been corrected. Small revisions have also been made to the number of defendants dealt with having been sent for trial in the timeliness statistics, which simply reflect updates to the live case recording system since the data were previously produced. The average waiting time statistics for "sent for trial" cases, and all the waiting time statistics for other Crown Court case types, were not affected by this error. A correction will be provided for the on-line edition of JCS 2008 as soon as possible.

Magistrates' courts

The statistics on completed proceedings in Table 4.1 are sourced from the One Performance Truth (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 generally contains good quality information about magistrates' courts' caseloads. The Ministry of Justice's Criminal Statistics publication also contained data on criminal cases in the magistrates' courts. While both sets of figures are produced from the same core source (Libra), 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.

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.

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 third quarter (July to September) of 2009. This is the third 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 Constitution and Access to Justice Analytical Services division using the details below.
3. **Revisions:** The statistics for the third quarter of 2009 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

Contact points for further information

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

Peter Morris

Tel: 020 3334 3531

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

Mark Kram

Tel: 020 3334 6697

Email: mark.kram@hmcourts-service.gsi.gov.uk

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

Justice Statistics Analytical Services
Ministry of Justice
7th floor
102 Petty France
London
SW1H 9AJ
Tel: 020 3334 3737
Email: statistics.enquiries@justice.gsi.gov.uk

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

General information about the official statistics system of the UK is available from www.statistics.gov.uk

© Crown copyright
Produced by the Ministry of Justice

Alternative formats are available on request from
statistics.enquiries@justice.gsi.gov.uk