

# **Court Statistics Quarterly April to June 2009**

Ministry of Justice  
Statistics bulletin

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**JUSTICE**

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## Introduction

This bulletin presents statistics on activity in the county, family, Crown and magistrates' courts in England and Wales for the second quarter (April to June) of 2009. Quarterly statistics, covering the period from the first quarter (January to March) of 2008 to the first quarter of 2009 were published for the first time in the statistical bulletin "Provisional Court Statistics" in July 2009. The Ministry of Justice proposed that, subject to users' views, this bulletin will be published on a regular, quarterly basis in future. No users provided feedback on these plans, and so this is the second edition of the quarterly statistics bulletin, which will henceforth be entitled "Court Statistics Quarterly".

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

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

**Annex A** provides summary information on data sources for the figures given in this report, along with a brief discussion on data quality.

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

# Commentary

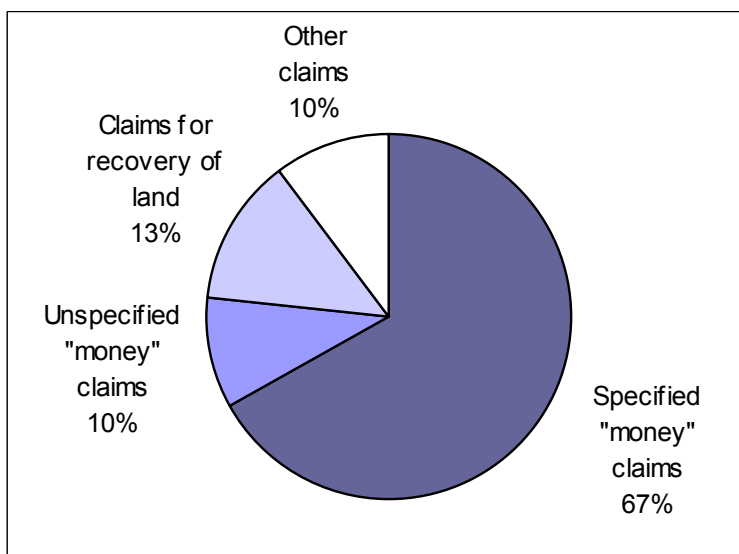
## County courts (non-family) [Tables 1.1 – 1.5]

### 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](http://www.moneyclaim.gov.uk) and [www.possessionclaim.gov.uk](http://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 second quarter of 2009, 451,000 claims were issued, a 7 per cent decrease compared with the second quarter of 2008. Specified money claims decreased by 7 per cent, and unspecified money claims were up by 8 per cent when compared to the corresponding period of 2008. Mortgage and landlord possession claims decreased by 12 per cent from the previous quarter and 22 per cent on the same quarter of 2008. The decrease in the latter followed the introduction of the Mortgage Pre-Action Protocol on 19 November 2008. This gives clear guidance on what the courts expect lenders and borrowers to have done prior to a claim being issued (for more details see [www.justice.gov.uk/civil/procrules\\_fin/contents/protocols/prot\\_mha.htm](http://www.justice.gov.uk/civil/procrules_fin/contents/protocols/prot_mha.htm)).

**Figure 1: Claims issued in the county courts, by type of case, Q2 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 second quarter of 2009, 79,700 defences were made, a 7 per cent increase compared with the second 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 44,000 allocations to track in the second quarter of 2009, an 11 per cent increase compared with the same quarter in 2008. Most of this rise occurred in allocations to the small claim track (generally for cases with a claim value of up to £5,000) and fast track (generally for cases with a value over £5,000 and up to £15,000).

Although most cases settle or are withdrawn, there were 5,100 trials and 11,000 small claim hearings in the second quarter of 2009, decreases of 2 per cent and 5 per cent respectively compared with the corresponding quarter in 2008. On average, trials occurred 48 weeks following issue, the same as in the second 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 second quarter of 2009:

- 65,600 warrants of execution were issued, a 12 per cent decrease on the second quarter of 2008.
- 34,800 warrants of possession were issued, a decrease of 16 per cent on the same quarter in 2008.
- 600 warrants of delivery were issued, the same as in the second quarter of 2008.
- 300 warrants of committal were issued, a 27 per cent decrease on the same 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 22,700 applications made for attachment of earnings orders in the

second quarter of 2009, an increase of 13 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 32,200 applications made for charging orders in the second quarter of 2009, a decrease of 25 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 1,900 applications made for third party debt orders in the second quarter of 2009, an increase of 15 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 580 applications for administration orders in the second quarter of 2009, an increase of 16 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 8,100 orders made to obtain information from debtors, in the second quarter of 2009, an increase of 2 per cent compared with the second 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 32,500 petitions filed for dissolution of marriage in the second quarter of 2009, compared to 33,500 in the second quarter of 2008. The number of decrees absolute granted for dissolution fell to 28,500 in the second quarter of 2009 from the 31,000 in the second quarter of 2008.



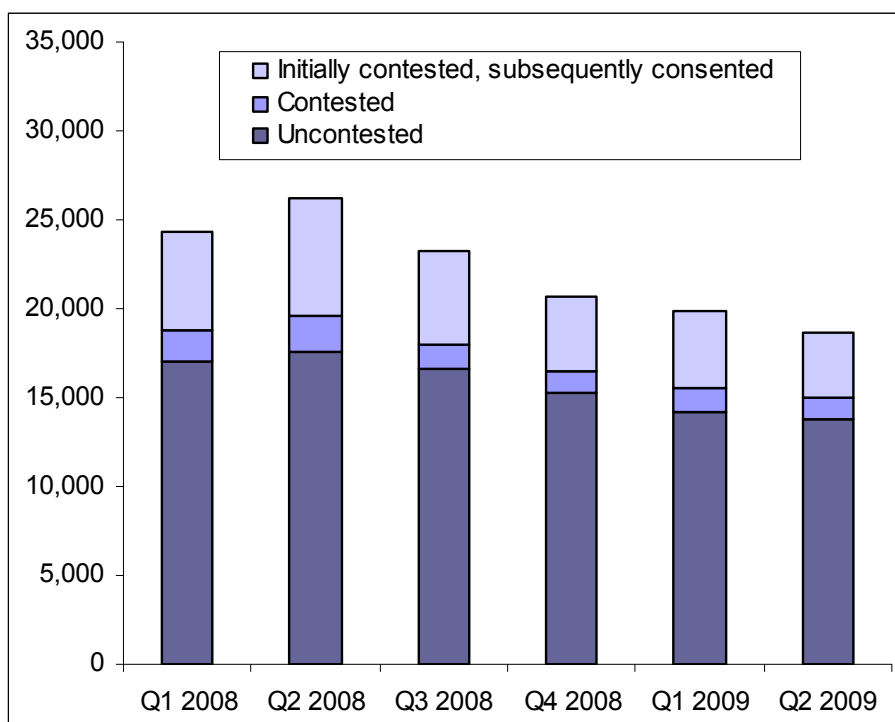
An alternative to divorce is a decree of judicial separation. This does not dissolve the marriage but absolves the parties from the obligation to live together. The number of petitions filed for judicial separation was 101 in the second quarter of 2009 compared to 108 in the second quarter of the previous 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 second quarter of 2009, the total number of applications disposed of was 18,700, down from the 26,200 in the corresponding quarter of 2008. In addition, the proportion of cases that were uncontested in the second quarter of 2009 (74 per cent) was higher than in the second quarter of 2008 (67 per cent).

**Figure 2: Disposal of applications for ancillary relief made in the county courts, Q1 2008 to Q2 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 6,200 in the second quarter of 2008 to 6,500 in the second quarter of 2009. The proportion of applications made for non-molestation orders also increased from 69 per cent to 72 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 second quarter of 2009 there were 6,800 public law applications, a 57 per cent increase on the same quarter of the previous year. Nearly three quarters (73 per cent) of these applications were made in Family Proceedings Courts. There were also 34,300 private law applications in the second quarter of 2009, a 19 per cent increase on the second quarter of 2008. Just over three quarters (76 per cent) of these applications were made in County Courts.

## **Crown Court [Tables 3.1 – 3.4]**

### **Caseload**

There were 23,300 trial cases received in the Crown Court in the second quarter of 2009. During the same period there were 22,900 trial cases completed. This left an outstanding case balance of 36,900 trial cases at the end of June 2009. Compared with the second quarter of last year, trial caseload has increased by more than 5 per cent.

There were 9,400 cases committed for sentence from the magistrates' court received in the Crown Court in the second quarter of 2009. During the same period there were 9,500 cases completed. Compared with the second quarter of last year, sentence caseload has decreased by 11 per cent.

There were 3,300 appeals against magistrates' court decisions received in the Crown Court in the second quarter of 2009. During the same period there were 3,500 cases completed. Compared with the second quarter of 2008, appeal caseload has decreased by 8 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.

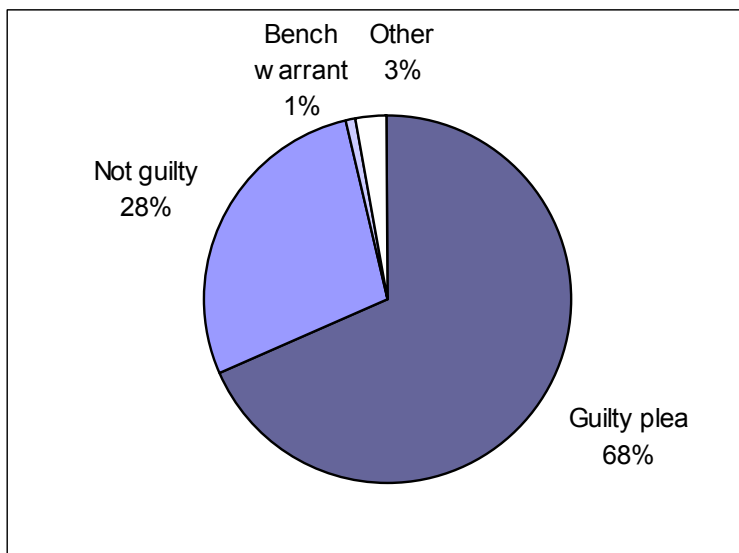
The Crown Court records the number and outcome of the main trial. Trial outcomes are listed as 'Effective' (commences on scheduled date and reaches a conclusion), 'Ineffective' (does not commence on due date and requires re-listing) or 'Cracked' (on the day, an acceptable plea is offered or prosecution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

In the second quarter of 2009, 9,100 trials were recorded, a 1 per cent increase compared with the second quarter of 2008. Of these trials, 47 per cent were recorded as effective, 12 per cent were recorded as ineffective and 41 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 and 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, Q2 2009**



In the second quarter of 2009, 24,800 defendants were dealt with, a 2 per cent increase compared with the second quarter of 2008. Of these defendants, 68 per cent were recorded as pleading guilty to all charges, 28 per cent were recorded as pleading not guilty to at least one charge, and 4 per cent were recorded as having no plea entered. The guilty plea rate, as a proportion of those defendants with a plea, has remained constant at around 70 per cent over the past eighteen months.

## **Timeliness**

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

The average hearing time measures the duration of all hearings heard in court including preliminary, main and sentence hearings. In the second quarter of 2009 (compared to the equivalent quarter in 2008), the average hearing time was 13.1 hours for a not guilty trial case (4 per cent increase), 1.4 hours for a guilty plea case (8 per cent increase), 30 minutes for a committal for sentence (with no change), and 1.0 hours for an appeal (9 per cent decrease).

In the second quarter of 2009, the average waiting time from the date of sending or committal in the magistrates' court to the start of the substantive Crown Court hearing was 23.6 weeks for a not guilty trial case (4 per cent decrease on the equivalent quarter in 2008), 11.9 weeks for a guilty plea case (with no change), 6.0 weeks for a committal for sentence (5 per cent increase) and 9.1 weeks for an appeal (7 per cent increase).

## **Magistrates' courts [Tables 4.1 – 4.3]**

### **Caseload**

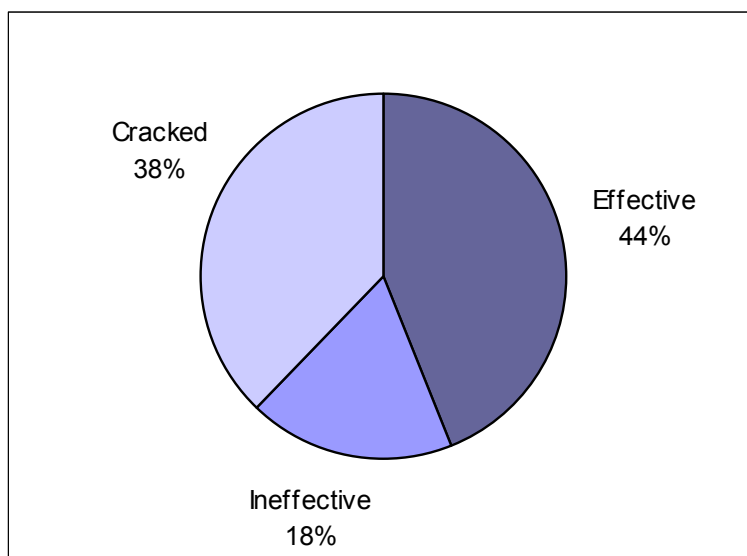
There were 473,000 criminal proceedings completed in magistrates' courts in the second quarter of 2009. One-third of this volume was due to adult summary motoring proceedings. Adult summary non-motoring proceedings comprised 30 per cent and adult indictable/ triable-either-way proceedings made up 22 per cent. Youth proceedings and adult breach proceedings each comprised less than 10 per cent. Compared with the second quarter of last year, criminal caseload has decreased by 8 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, Q2 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 second quarter of 2009, 44,100 trials were recorded, a 4 per cent decrease compared with the same quarter of 2008. Of these trials, 44 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 fallen since late 2008. In the second quarter of 2009, the amount paid in England and Wales was £60 million, a 5 per cent fall compared with the same quarter of last year.

### **Timeliness**

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

The Time Intervals Survey data show that in the second 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 6.8 weeks, a 3 per cent increase from the same quarter last year. The estimated average number of hearings per defendant was 2.28 in the second quarter of 2009, a 2 per cent decrease from the same quarter last year.

The estimated average time from charge to completion for youth charged cases, excluding cases sent or committed to the Crown Court for trial, was 5.4 weeks, a 2 per cent increase from the same quarter last year. The estimated average number of hearings per defendant was 2.36 in the second quarter of 2009, a 5 per cent decrease from the same quarter last year.

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

Summary statistics on claims issued in England and Wales, Q1 2008 - Q2 2009

Year	Quarter	Specified "money" claims <sup>1</sup>	Unspecified "money" claims <sup>2</sup>	Total "money" claims	Claims for recovery of land <sup>3</sup>	Other non- "money" claims <sup>4</sup>	Total non- "money" claims	Number of claims / petitions	
								Total insolvency petitions <sup>5</sup>	Total proceedings started
2008		1,426,389	160,248	<b>1,586,637</b>	290,958	116,257	<b>407,215</b>	70,272	<b>2,064,124</b>
2008	Q1	355,464	36,874	<b>392,338</b>	80,006	29,952	<b>109,958</b>	16,772	<b>519,068</b>
	Q2	324,223	40,918	<b>365,141</b>	75,417	27,769	<b>103,186</b>	17,412	<b>485,739</b>
	Q3	393,574	41,427	<b>435,001</b>	75,524	29,383	<b>104,907</b>	17,304	<b>557,212</b>
	Q4	353,128	41,029	<b>394,157</b>	60,011	29,153	<b>89,164</b>	18,784	<b>502,105</b>
2009	Q1 (r)	350,634	43,201	<b>393,835</b>	61,275	29,768	<b>91,043</b>	20,424	<b>505,302</b>
	Q2 (p)	301,694	44,177	<b>345,871</b>	59,004	26,954	<b>85,958</b>	19,195	<b>451,024</b>

**Source:**

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

**Notes:**

1 - Claims issued for a specified amount of money, including those made through the Claim Production Centre, County Court Bulk Centre and Money Claim Online.

2 - Claims issued for an unspecified amount of money.

3 - Includes claims made via Possession Claim Online. Please note that these figures have already been published in the Mortgage and Landlord 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 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 at 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 work)**

Summary statistics on claims defended and allocations to track<sup>1</sup> in England and Wales, Q1 2008 - Q2 2009

Year	Quarter	Number of defences <sup>2</sup>	Number of allocations to track <sup>3</sup>			
			Small claim	Fast track	Multi track	Total
2008		<b>298,796</b>	83,928	53,255	26,722	<b>163,905</b>
2008	Q1	<b>70,545</b>	18,920	12,951	6,707	<b>38,578</b>
	Q2	<b>74,303</b>	19,955	12,805	6,656	<b>39,416</b>
	Q3	<b>77,780</b>	23,121	14,093	6,823	<b>44,037</b>
	Q4	<b>76,168</b>	21,932	13,406	6,536	<b>41,874</b>
2009	Q1 (r)	<b>77,147</b>	21,927	14,240	6,928	<b>43,095</b>
	Q2 (p)	<b>79,699</b>	22,928	14,513	6,221	<b>43,662</b>

**Source:**

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

**Notes:**

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

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

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

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

Summary statistics on trials/hearings in England and Wales, Q1 2008 - Q2 2009

Year	Quarter	Small claim cases		Fast and Multi Track cases			
		Number of hearings <sup>1,2</sup>	Average time between issue & hearing (weeks) <sup>3</sup>	Number of trials <sup>1,2,3</sup>	Average time (weeks)		
				Between issue & allocation to track <sup>4</sup>	Between allocation to track & trial <sup>4</sup>	Between issue & trial <sup>4,5</sup>	
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 (r)	11,504	31	5,166	20	33	49
	Q2 (p)	11,015	31	5,139	21	32	48

**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 are settled/withdrawn between allocation to track and a hearing.

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

3 - Includes both fast track and multi track trials.

4 - Figures only for cases that reach trials / small claim hearings in the relevant year.

5 - 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 work)**Number of warrants issued<sup>1</sup> in England and Wales, by type, Q1 2008 - Q2 2009

Year	Quarter	Number of warrants			
		Execution <sup>2</sup>	Delivery <sup>3</sup>	Possession <sup>4</sup>	Committal <sup>5</sup>
2008		294,823	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 (r)	77,421	631	36,238	286
2009	Q1 (r)	74,382	685	38,099	289
	Q2 (p)	65,593	624	34,769	260

**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 work)**

Enforcement-related orders applied for and made in England and Wales, Q1 2008 - Q2 2009

Year	Quarter	Number of applications / orders								
		Attachment of earnings orders <sup>1,2</sup>		Third party debt orders <sup>3</sup>		Charging orders <sup>4</sup>		Administration orders <sup>5</sup>		Orders to obtain information from judgment debtors <sup>7</sup>
		Applications	Orders made <sup>2</sup>	Applications	Orders made	Applications	Orders made	Applications	Orders made <sup>6</sup>	
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 (r)	20,943	15,614	2,128	604	33,465	28,612	556	628	8,454
	Q2 (p)	22,724	16,046	1,946	549	32,203	29,298	581	549	8,082

**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 - Q2 2009

Year	Quarter	Number of cases							
		Dissolution of marriage			Nullity of marriage			Judicial separation	
		Petition filed	Decrees nisi	Decrees absolute	Petition filed	Decrees nisi	Decrees absolute	Petition filed	Decrees granted
2008	(r)	128,837	120,868	122,661	331	214	200	421	214
2008	Q1 (r)	32,896	31,254	32,047	69	55	51	111	54
	Q2 (r)	33,456	29,702	30,964	81	52	46	108	49
	Q3 (r)	32,513	31,739	30,650	101	58	51	107	57
	Q4 (r)	29,972	28,173	29,000	80	49	52	95	54
2009	Q1 (r)	32,573	28,255	28,587	81	47	48	86	55
	Q2 (p)	32,510	28,004	28,522	69	45	55	101	43

**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 - Q2 2009

Year	Quarter	Disposal of applications				Disposal of contested or initially contested cases		
		Uncontested <sup>1</sup>	Initially contested, subsequently consented	Contested	Total	In respect of child(ren)	Not in respect of child(ren)	Total
2008	(r)	66,570	21,530	6,331	<b>94,431</b>	13,094	14,767	<b>27,861</b>
2008	Q1 (r)	17,075	5,652	1,653	<b>24,380</b>	3,309	3,996	<b>7,305</b>
	Q2 (r)	17,600	6,540	2,049	<b>26,189</b>	3,949	4,640	<b>8,589</b>
	Q3 (r)	16,562	5,242	1,409	<b>23,213</b>	3,085	3,566	<b>6,651</b>
	Q4 (r)	15,333	4,096	1,220	<b>20,649</b>	2,751	2,565	<b>5,316</b>
2009	Q1 (r)	14,251	4,277	1,302	<b>19,830</b>	2,910	2,669	<b>5,579</b>
	Q2 (p)	13,803	3,752	1,143	<b>18,698</b>	2,586	2,309	<b>4,895</b>

**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 - Q2 2009

Year	Quarter	Applications made <sup>1</sup>			Orders made <sup>2</sup>		
		Non-molestation	Occupation	Total	Non-molestation	Occupation	Total
2008		17,141	7,738	<b>24,879</b>	19,367	5,099	<b>24,466</b>
2008	Q1	3,993	1,878	<b>5,871</b>	4,463	1,261	<b>5,724</b>
	Q2	4,303	1,942	<b>6,245</b>	4,887	1,315	<b>6,202</b>
	Q3	4,592	2,086	<b>6,678</b>	5,223	1,331	<b>6,554</b>
	Q4	4,253	1,832	<b>6,085</b>	4,794	1,192	<b>5,986</b>
2009	Q1	4,532	1,879	<b>6,411</b>	4,938	1,114	<b>6,052</b>
	Q2 (p)	4,643	1,811	<b>6,454</b>	5,051	1,119	<b>6,170</b>

**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 - Q2 2009<sup>1,2</sup>

Year	Quarter	Public Law				Private Law <sup>3</sup>			
		FPC <sup>4,5,6</sup>	CC <sup>6,7</sup>	HC	Total	FPC <sup>4,5,6</sup>	CC <sup>6,7</sup>	HC	Total
2008		13,680	5,800	740	<b>20,220</b>	19,360	93,390	850	<b>113,590</b>
2008	Q1	3,550	1,460	180	<b>5,190</b>	4,870	21,710	160	<b>26,730</b>
	Q2	2,660	1,510	200	<b>4,370</b>	4,700	23,850	210	<b>28,750</b>
	Q3	3,250	1,390	190	<b>4,830</b>	4,560	25,010	220	<b>29,790</b>
	Q4	4,220	1,430	170	<b>5,820</b>	5,230	22,820	260	<b>28,310</b>
2009	Q1 (p)	4,790	1,570	180	<b>6,530</b>	8,040	24,280	270	<b>32,590</b>
	Q2 (p)	5,030	1,700	120	<b>6,850</b>	8,120	25,950	230	<b>34,300</b>

**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**

Receipts<sup>1</sup>, Disposals<sup>2</sup> and Outstanding<sup>3</sup> cases in England and Wales, by case type, Q1 2008 - Q2 2009

		Number of cases								
Year	Quarter	Committed / Sent for trial			Committed for sentence			Appeals against Mags decisions		
		Receipts	Disposals	Cases outstanding	Receipts	Disposals	Cases outstanding	Receipts	Disposals	Cases outstanding
2008	(r)	90,040	87,735	36,312	41,656	41,337	5,270	14,019	14,008	2,873
2008	Q1 (r)	21,177	21,402	33,797	10,562	10,179	5,756	3,487	3,486	2,873
	Q2 (r)	22,320	21,917	34,259	10,492	10,659	5,436	3,580	3,613	2,831
	Q3 (r)	23,414	22,153	35,544	10,709	10,571	5,496	3,500	3,546	2,785
	Q4 (r)	23,129	22,263	36,312	9,893	9,928	5,270	3,452	3,363	2,873
2009	Q1 (r)	23,611	23,321	36,546	9,923	10,151	4,857	3,365	3,358	2,878
	Q2 (p)	23,288	22,906	36,868	9,407	9,521	4,621	3,269	3,512	2,637

**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 - Q2 2009

Year	Quarter	Number of cases listed for trial	Ineffective trials		Cracked trials		Effective trials	
			Number	Percentage	Number	Percentage	Number	Percentage
2008		<b>35,985</b>	4,169	12%	14,772	41%	17,044	47%
2008	Q1	<b>9,189</b>	990	11%	3,872	42%	4,327	47%
	Q2	<b>9,001</b>	1,036	12%	3,559	40%	4,406	49%
	Q3	<b>9,162</b>	1,079	12%	3,751	41%	4,332	47%
	Q4	<b>8,633</b>	1,064	12%	3,590	42%	3,979	46%
2009	Q1	<b>9,882</b>	1,260	13%	4,071	41%	4,551	46%
	Q2 (p)	<b>9,075</b>	1,068	12%	3,757	41%	4,250	47%

**Source:**

HM Courts Service CREST system.

**Table 3.3**  
**Crown Court**

Defendants dealt with in cases committed or sent for trial<sup>1</sup>, by plea, England and Wales, Q1 2008 - Q2 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 <sup>2</sup>		Bench warrant		Other		
			Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	
2008		<b>96,027</b>	65,571	68%	27,923	29%	444	0.5%	2,089	2%	70%
2008	Q1	<b>23,626</b>	16,165	68%	6,874	29%	77	0.3%	510	2%	70%
	Q2	<b>24,154</b>	16,554	69%	7,016	29%	95	0.4%	489	2%	70%
	Q3	<b>24,083</b>	16,369	68%	7,076	29%	123	0.5%	515	2%	70%
	Q4	<b>24,164</b>	16,483	68%	6,957	29%	149	0.6%	575	2%	70%
2009	Q1 (r)	<b>25,681</b>	17,706	69%	7,316	28%	132	0.5%	527	2%	71%
	Q2 (p)	<b>24,824</b>	16,973	68%	6,936	28%	232	0.9%	683	3%	71%

**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 - Q2 2009

Year	Quarter	Average hearing time (hours)				Average waiting time (weeks)			
		Not Guilty plea trials <sup>1</sup>	Guilty plea trials <sup>1</sup>	Committal for sentence <sup>2</sup>	Appeal <sup>3</sup>	Not Guilty plea trials <sup>1</sup>	Guilty plea trials <sup>1</sup>	Committal for sentence <sup>2</sup>	Appeal <sup>3</sup>
2008		12.7	1.4	0.5	1.0	24.2	11.7	5.7	8.7
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 (r)	12.5	1.3	0.5	1.1	23.5	11.2	5.7	9.3
	Q2 (p)	13.1	1.4	0.5	1.0	23.6	11.9	6.0	9.1

**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 - Q2 2009

Year	Quarter	Criminal					Total number of completed criminal proceedings	Civil & family applications	Other cases <sup>1</sup>
		Adult summary motoring proceedings	Adult summary non-motoring proceedings	Adult indictable/triable either way	Adult breach proceedings	Youth proceedings			
2008 <sup>2</sup>	(r)	696,279	613,430	449,894	116,167	155,370	<b>2,031,140</b>	130,000	846,634
2008	Q1 (r)	190,111	161,745	116,658	28,893	39,470	<b>536,877</b>	33,868	205,344
	Q2 (r)	178,705	153,942	114,280	28,663	39,433	<b>515,023</b>	33,019	212,714
	Q3 (r)	172,447	155,098	115,209	29,776	38,782	<b>511,312</b>	34,202	215,504
	Q4 (r)	155,016	142,645	103,747	28,835	37,685	<b>467,928</b>	28,911	213,072
2009	Q1 (r)	166,007	144,620	108,903	31,358	40,109	<b>490,997</b>	28,927	219,271
	Q2 (p)	160,369	142,131	103,508	29,073	38,331	<b>473,412</b>	31,776	212,080

**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 - Q2 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		<b>183,511</b>	79,722	43%	33,423	18%	70,366	38%
2008	Q1	<b>49,697</b>	21,282	43%	8,973	18%	19,442	39%
	Q2	<b>45,887</b>	19,996	44%	8,513	19%	17,378	38%
	Q3	<b>45,374</b>	19,908	44%	8,092	18%	17,374	38%
	Q4	<b>42,553</b>	18,536	44%	7,845	18%	16,172	38%
2009	Q1	<b>46,202</b>	19,722	43%	8,977	19%	17,503	38%
	Q2 (p)	<b>44,106</b>	19,327	44%	8,075	18%	16,704	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  
- Q2 2009

<b>Year</b>	<b>Quarter</b>	<b>Amount Paid (£ millions)</b>
2008		251
2008	Q1	63
	Q2	64
	Q3	65
	Q4	60
2009	Q1	59
	Q2 (p)	60

**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](http://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.

This edition includes, in Table 2.4, quarterly statistics on private and public law applications made in each tier of court. The figures presented here have been calculated according to a new methodology compared to those previously published in the “Judicial and Court Statistics” bulletin. The previous methodology used to derive these data calculated the number of new applications by identifying the total number of recorded applications, then subtracting the number of cases reported as being transfers. It involved a pro-rata of transfer numbers by order type and region. The calculation also incorporated a number of transfers that should not have been included. The new method is based on the concept of matching court-case combinations in the list of applications with court-case combinations in the list of transfers, and excluding those applications where the application date is on or before the date of transfer. This method could be considered more accurate, as only those specific applications where a transfer is also

recorded for the case are excluded. The new method also excludes duplicate records of applications for care and supervision orders, because it was found these were applications for interim care and supervision orders that were incorrectly recorded. Revised figures for 2007 and earlier years have been published in the 2008 edition of “Judicial and Court Statistics”.

The statistics in Table 2.1 have been revised from those previously published due to duplicate records being removed from the counts of cases of petitions filed, decrees nisi and decrees absolute. The previously published figures included some duplicate records. The biggest impact is on cases relating to the dissolution of marriage case, whose revisions are shown in the table below.

Year	Quarter	Previous figures			Revised figures		
		Petition filed	Decrees nisi	Decrees absolute	Petition filed	Decrees nisi	Decrees absolute
2008		130,135	130,677	123,031	128,837	120,868	122,661
2008	Q1	33,237	33,881	32,154	32,896	31,254	32,047
	Q2	33,777	32,132	31,063	33,456	29,702	30,964
	Q3	32,848	34,200	30,729	32,513	31,739	30,650
	Q4	30,273	30,464	29,085	29,972	28,173	29,000
2009	Q1	32,864	30,269	28,757	32,573	28,255	28,587

### 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.

## **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](http://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 second quarter (April to June) of 2009. This is the second 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 second 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

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General information about the official statistics system of the UK is available from [www.statistics.gov.uk](http://www.statistics.gov.uk)





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