



Ministry
of Justice



Court Statistics Quarterly January to March 2014

Ministry of Justice
Statistics bulletin

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Executive Summary

This report presents statistics on activity in the county, family, magistrates' Crown and other courts of England and Wales in the first quarter of 2014 (January to March). These statistics focus on four main categories: civil cases (excluding family), family cases, criminal cases and judicial reviews. For this edition there is also additional annual information on the Appellate Courts and the Judiciary.

Civil (excluding family) cases

- In January to March 2014, courts dealt with 424,500 new claims and 11,800 hearings or trials. Both up 13% on the previous quarter.
- Historically, between 3.0% and 3.5% of all claims issued have gone to hearing or trial.
- There was an average of 56 weeks between a claim being issued and the claim going to trial. The time between issue and the claim going to trial rose between 2008 and 2012 and has fluctuated between 52 and 60 weeks over the last five years.

Family cases

- The number of cases that started in family courts in England and Wales in January to March 2014 dropped 6% to 63,000 compared to the equivalent quarter of 2013.
- The average time for the disposal of a care or supervision application continued to drop to 32.0 weeks (down 24% from January to March 2013 and down 41% from January to March 2012).
- The number of private law disposals where both parties were represented fell by nearly 50% in January to March 2014 compared to the same quarter the previous year.

Criminal cases

As part of wider measures to speed up justice and improve efficiencies in the justice system, committal hearings were abolished nationally¹ at the end of May 2013. As a result of the change, triable-either-way cases can now be sent straight to the Crown Court as soon as it is clear the matter is serious enough, rather than having to await a committal hearing. As a result of this change:

¹ <https://www.gov.uk/government/news/faster-justice-as-unnecessary-committal-hearings-are-abolished>

- During 2013 Crown Court receipts for triable-either-way cases increased by 32% between Q1 and Q4. This increase is being driven in part by the abolition of committal hearings. However, the increase in receipts is also being affected by the increase in the magistrates' courts workload, which saw a rise of 26% in triable-either-way receipts over the same period.

Increases seen in both the magistrates' courts and Crown Court have since stabilised, however at a slightly higher level than previously.

- For cases completing at the Crown Court during Q1 2014, the number of days from offence to completion has remained unchanged at 304 days when compared with the same quarter in the previous year. However, changes can be seen when looking at the time spent in the magistrates' courts and the Crown Court. When comparing Q1 2014 with the Q1 2013, the time spent at the magistrates' courts between first hearing and being sent to the Crown Court has fallen from 26 days to 8 days, whereas the time spent at the Crown Court has increased from 139 days to 155 days.

Judicial Reviews

- Between 2000 and 2013 the number of judicial review applications lodged has increased over three fold, from around 4,300 in 2000 to over 15,700 in 2013. This growth was driven by Judicial Reviews on immigration and asylum.
- Of the 1,513 cases that were eligible for a final hearing in 2013, so far only 232 reached a decision. Of these, 154 (66%) were found in favour of the appellant.
- From the 1st of October 2012 to 31st March 2014 there were around 20,000 cases lodged. Of these around 11,000 (54%) had reached permission or oral renewal stage. Of those that had reached these stages 29% were found to be totally without merit.

The Mental Capacity Act 2005

- In 2013, there were 25,000 applications made under the Mental Capacity Act 2005, a similar number to 2012. The majority of these (60%) relate to applications for appointment of a property and affairs deputy.

The Judiciary

- During 2013, around 270,194 days were sat in court or chambers by judges (excluding magistrates). This was a 3% decrease from the number of days sat in 2012.

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Introduction

This report presents statistics on activity in the county, family, magistrates', Crown and other courts of England and Wales. It gives provisional figures for the latest quarter (January to March 2014) with accompanying commentary and analysis. The figures themselves give a summary overview of the volume of cases dealt with by these courts over time, with statistics also broken down for the main types of case involved. The statistics are used to monitor court workloads, to assist in the development of policy, and their subsequent monitoring and evaluation.

For this (June) edition, additional annual information is presented for 2013 including the workload in the Appellate Courts, cases under the Mental Capacity Act, workload in the Offices of the Supreme Court and numbers of magistrates and sitting days for the judiciary.

Information on publicly funding legal services is now published by the Legal Aid Agency and can be found here:

<https://www.gov.uk/government/collections/legal-aid-statistics>

Information on the enforcement of financial impositions can be found in [Annex A](#). An analysis of legal aid in family cases can be found in [Annex C](#).

Information about the systems and data included in this publication can be found in the '**A Guide to Court and Administrative Justice Statistics**' which is published alongside this report.

<https://www.gov.uk/government/publications/guide-to-court-and-administrative-justice-statistics>

There is also a separate **Glossary** published alongside this which provides brief definitions for the terms used in this report. Information regarding the symbols and conventions used in the bulletin are given in the Explanatory notes section.

The structure and content of this report is continually being reviewed to reflect user requirements. Planned upcoming changes to the publications covered in this report are listed in Annex B. If you have any feedback about these changes, or the report more generally, please contact the production team using the [contact details](#) at the back of this report.

Earlier editions of this publication can be found at:

www.gov.uk/government/organisations/ministry-of-justice/series/courts-and-sentencing-statistics

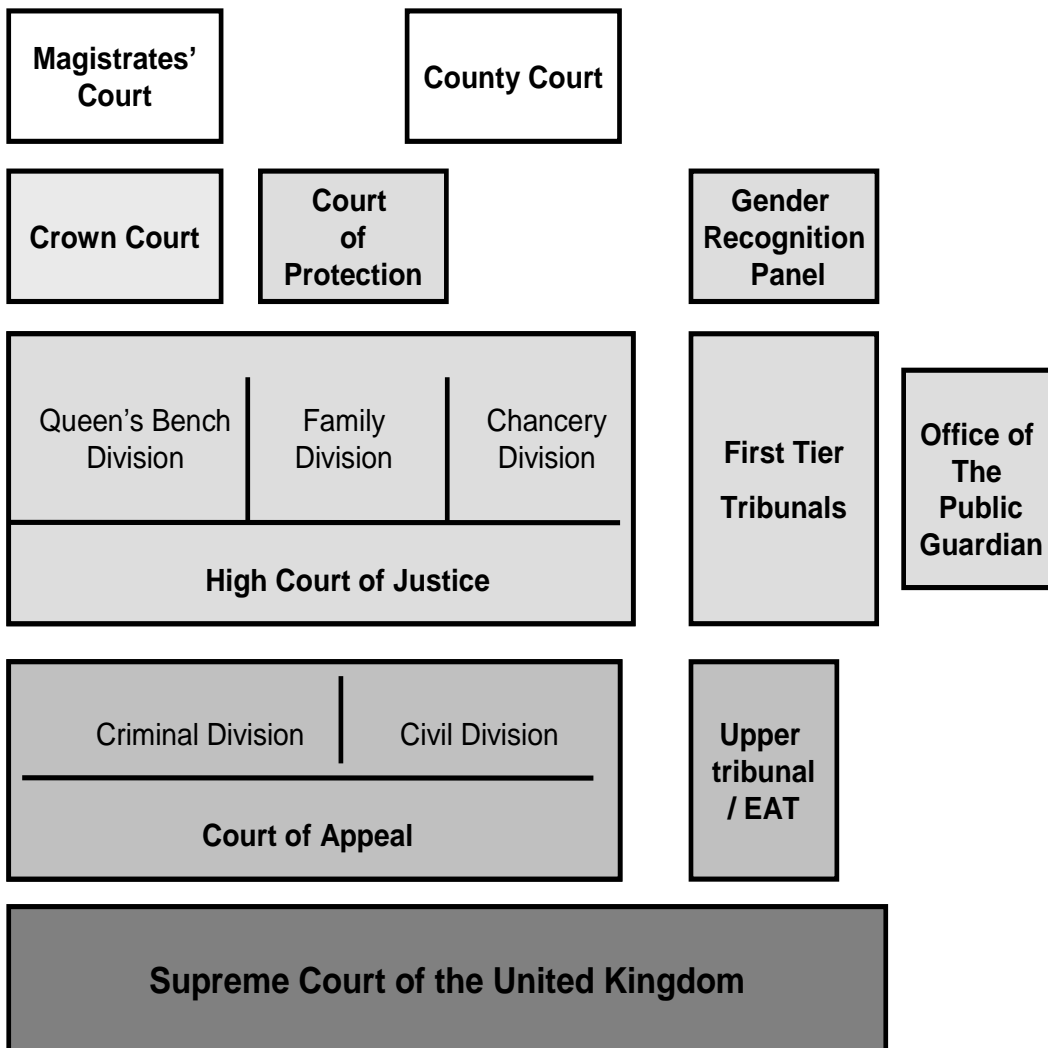
There are a number of csv files that support this publication, these include;

- Supporting information on Ancillary Relief and Judicial Reviews
- Court level data for civil, family and criminal cases

The Justice System

The vast majority of criminal and civil cases in England and Wales are dealt with at the Crown, magistrates' and county courts (see Figure A for a simplified description of the Justice System in England and Wales).

Figure A: Simplified view of court and administrative Systems in England and Wales²



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

² Some Tribunal cases can relate to other parts of the UK.

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

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

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

Chapter 1: Civil (excluding family) cases

This chapter contains statistics relating to civil cases at county courts in England and Wales. These typically include debt (claims for a specified amount of money), the repossession of property, personal injury (claims for an unspecified amount of money), the return of goods and insolvency.

The statistics do not include civil cases that are dealt with at magistrates' courts, such as the failure to pay council tax (see [Chapter 3](#)) or family cases such as divorce or parental disputes. Particularly important, complex or substantial cases are dealt with in the High Court.

Background

A civil claim against a person or a company (the defendant) starts when a person or company (the claimant) completes and submits a claim form to the County Court. This can be done either in person or online. A claimant who issues a large number of claims each year (such as banks, credit and store card issuers, utility companies and debt recovery companies) can also submit a form directly to the Claim Production Centre (CPC).

Whether the claim is issued online or through the county courts, a copy of the claim form along with a response pack is sent to (served on) the defendant who has 14 days to respond to the claim. The defendant can:

- do nothing;
- pay the full amount of the claim (in full or part);
- admit the claim and ask for more time to pay (in full or part); and/or
- dispute (defend) the claim (in full or part).

If the claim is defended, further information is usually provided by each of the parties, after which the case is allocated by a judge to one of three case-management tracks (small claims track, fast track or multi track). Allocated cases which are not settled or withdrawn generally result in a small claim hearing or trial³. A judgment regarding the claim can be made at various stages of the process. There are various methods of enforcing a judgment through the county courts including warrants and orders.

Estimating case progression: In addition to providing results regarding the civil workload of the courts, this bulletin contains estimates of the percentage of claims issued in a specific quarter or year that will progress to a defence, allocation or hearing or trial when the full amount of time has been allowed to pass for those claims to progress through the County Court

³ For details of the way civil claims are processed please see **A Guide to Court and Administrative Justice Statistics**, Civil (excluding family).

system. These figures are different from the court workload figures which show the total number of defences, allocations or hearings or trials in that quarter, irrespective of when the claim was issued.

These estimates include upper and lower estimates around them (a confidence interval) reflecting the uncertainty inherent in any estimation of the future. Claims from more recent periods will inherently have had less time for the case to be processed so there is more uncertainty around the final estimate, resulting in a wider confidence interval (Please see **A Guide to Court and Administrative Justice Statistics** for more information on how this figure is calculated).

As supplementary information, we also provide the percentage of claims issued in a quarter or year that have already resulted in a defence, allocation or hearing or trial. Caution should be exercised when interpreting these figures for recent years. The information contained in the bulletin is based on the available data when the database was extracted; consequently a proportion of claims made in more recent quarters are still awaiting progression to the next stage of court action. Claims from earlier periods will have had longer for the case to be processed than those from more recent periods so a lower proportion of these earlier claims are likely to be still awaiting a defence, allocation or hearing or trial.

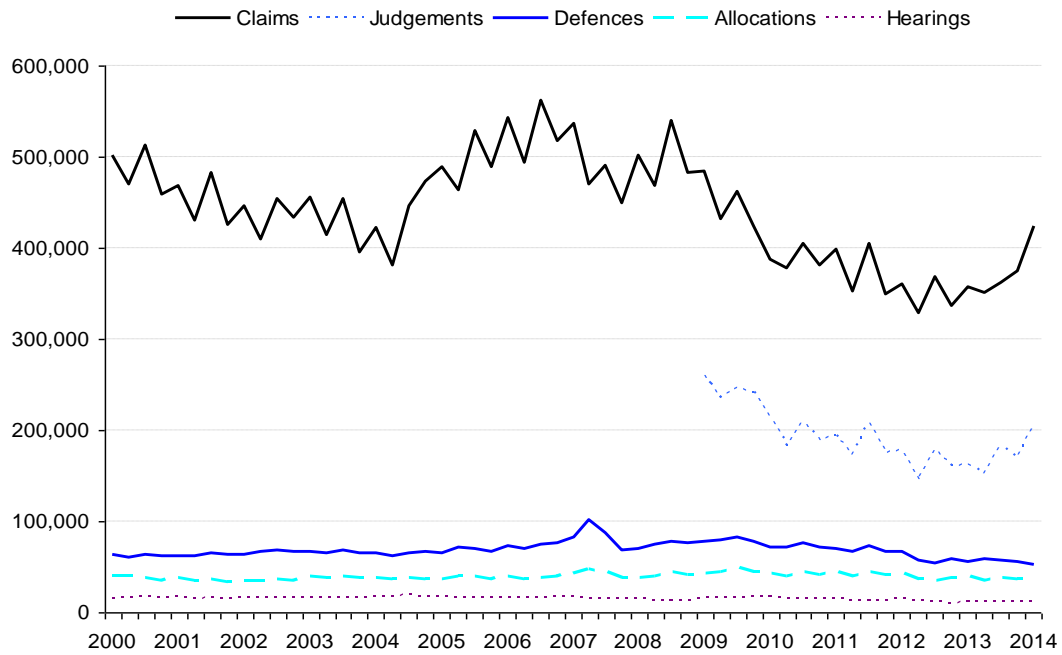
Results

Claims: Between January and March 2014 a total of 424,527 claims were issued (Table 1.1 and Figure 1.1). This is an increase on the previous quarter but still down on the 2008 peak.

The fall in claims since 2008 has caused a corresponding decrease in the number of defences, allocations, hearings and trials and judgements over the same time-period.

Petitions: There were 7,199 insolvency petitions (excluding in the Royal Courts of Justice). This shows an increase on the previous quarter but remains within the general downward trend seen since 2009. Figures more than tripled between 2001 and 2009 (Table 1.1).

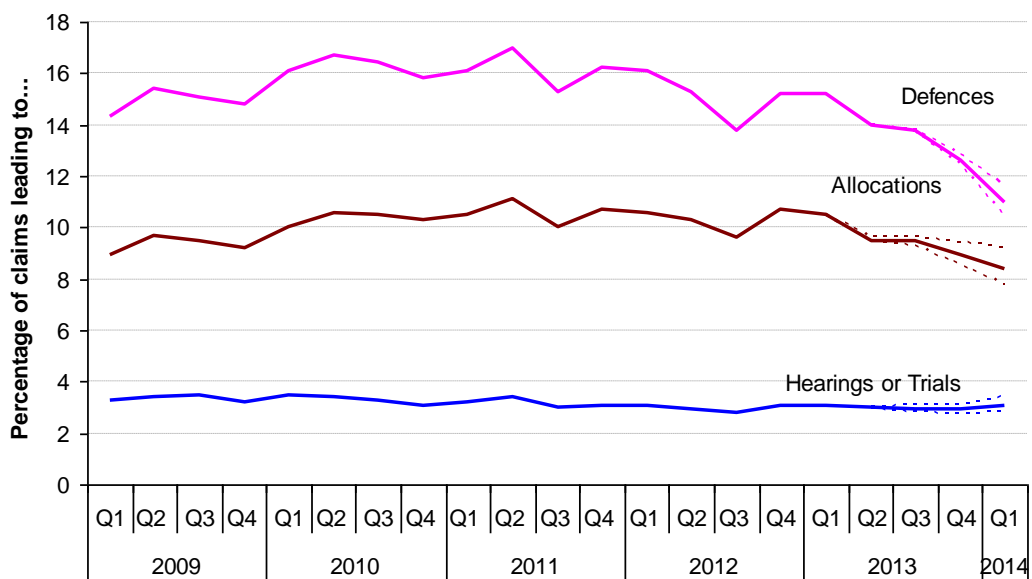
Figure 1.1: Civil claims, defences, allocations and hearings and trials, January-March 2000 – January - March 2014



Defences: Between January and March 2014 a total of 52,637 defences were made.

It is estimated that 11.0% of claims issued between January and March 2014 will be defended in time, with a range between 10.4% and 11.6% (Table 1.2 and Figure 1.2).

Figure 1.2: Estimated case progression of civil claims by court action, January-March 2009 – January to March 2014



Allocations: Between January and March 2014 a total of 38,465 allocations were made (Table 1.1).

It is estimated that 8.4% of claims issued between January and March 2014 will be allocated in time, (with a range between 7.8% and 9.2%).

Hearings and trials: Between January and March 2014 a total of 11,823 hearings or trials were carried out.

It is estimated that 3.1% of claims issued between January and March 2014 will go to hearing or trial in time, (with a range between 2.8% and 3.4%).

On average, small claim hearings occurred 31 weeks after the claim was originally made and the time between issue and hearing has been around this level since 2009. Trials occurred 56 weeks after the claim was originally made. The time between issue and the claim going to trial rose between 2008 and 2013 but has fallen in the present quarter (Table 1.3).

Judgements: Between January and March 2014 a total of 206,874 judgements were made. The highest figure since the third quarter of 2011.

Warrants: Between January and March 2014 a total of 54,707 warrants were issued. This figure has been generally falling since 2000.

Orders: Between January and March 2014 a total of 31,229 enforcement orders were issued. This figure has been generally falling since 2008.

Civil proceedings in the Magistrates' Courts

Magistrates' courts deal with criminal and some civil cases, and cases are dealt with either by Justices of the Peace, who are unqualified and who are paid only expenses, or by District Judges who receive some payment. Magistrates can deal with a limited number of civil cases such as arrears of income tax, national insurance contributions, council tax or payments of child maintenance.

There were 15,732 completed civil proceedings in the Magistrates Court between January and March 2014, down four percent on the previous quarter. It should be noted that a proceeding can either relate to a single case or multiple cases, so the numbers of cases completed is greater than the number of completed proceedings.

Chapter 2: Family cases

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

This chapter includes references to 10 MS Excel tables with summary figures and also CSV files which enable users to calculate their own data breakdowns. These can be found in the publication page for CSQ:

<https://www.gov.uk/government/publications/court-statistics-quarterly-tables>

Total family court case caseload

Family courts deal with around 270,000 new cases each year. In January to March 2014, 63,344 new cases started in family courts and 62,104 cases were concluded. Table 2.1 shows the total number of new cases starting and cases reaching a conclusion in family courts in each quarter. In January to March 2014, divorce made up 45% of new cases in family courts, with private law contributing 19% and financial remedy 16%. In total, relationship breakdown cases account for over four-fifths of the courts' caseload. A similar picture is also seen for the cases concluded.

- **Public law:** in January to March 2014 there were 3,762 new cases (fairly stable since 2011) which related to public law and 3,532 cases that reached a final disposal. The average time for the disposal of care and supervision cases was 32.0 weeks.
- **Private law:** in January to March 2014, there were 12,065 private law cases started (about 11 % lower than equivalent quarters in previous years) and 13,289 cases that reached a final disposal (continuing the upward trend)..
- **Divorce:** there were 28,542 petitions filed for divorce and 29,197 decrees absolute made in January to March 2014.
- **Financial remedy (formerly 'ancillary relief'):** there were 10,259 cases started and 8,098 cases with a disposal in January to March 2014.
- **Domestic violence:** there were 5,035 cases started and 4,711 cases with a disposal in January to March 2014.
- **Forced marriage protection:** there were 29 new forced marriage protection order cases, and 28 cases concluded in January to March 2014.

- **Adoption:** there were 3,447 cases started and 3,103 cases disposed, under the Adoption and Children Act 2002 in January to March 2014.

Table A: Total family court new cases, by case type, January to March 2014

	Number of new cases starting	Proportion change since 2013 Q1
Public law	3,762	-3%
Private law	12,065	-11%
Divorce	28,542	-8%
Annulments & Judicial Separations	205	-7%
Financial remedy	10,259	0%
Family law - Domestic violence	5,035	10%
Forced marriage protection	29	-6%
Adoption Act	3,447	-4%

Public Law

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

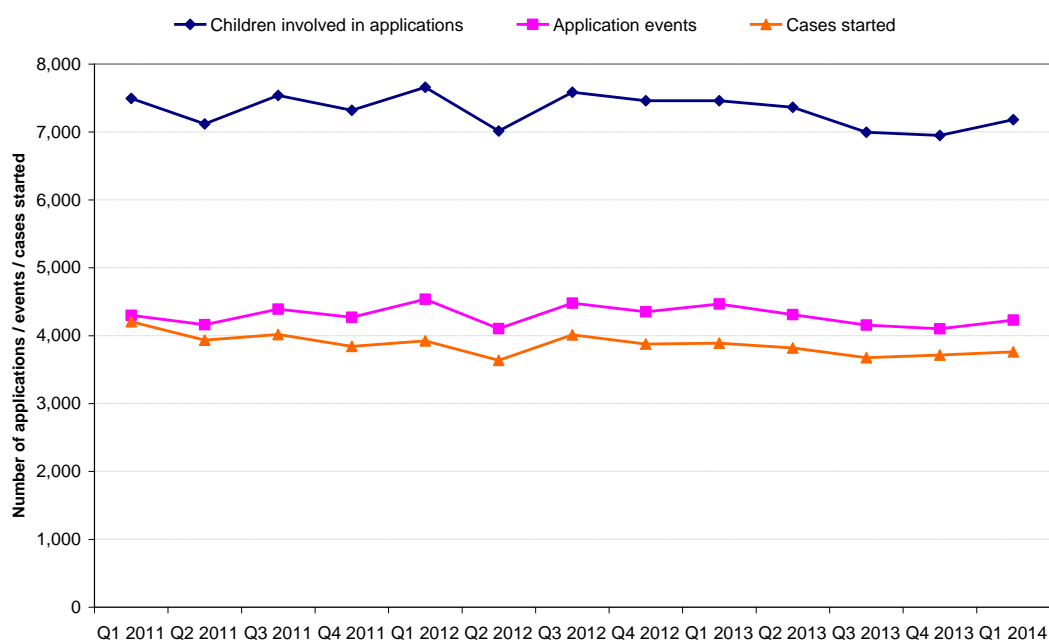
Following the publicity surrounding the Baby P case, the number of children involved in public law applications made by local authorities jumped in 2009 from around 20,000 to almost 26,000 per year. This had subsequently increased in the past three years to nearly 30,000 per year. Figures have remained fairly steady at around 7,000 per quarter, with the number for January to March 2014 at 7,180 (Figure 2.1).

The number of applications made, which can cover more than one child, has also been stable since January to March 2011, with between 4,000 and 4,500 applications per quarter. The trend in disposals tends to lag behind that for applications, due to the time taken for a decision to be reached in cases.

More than one application may be made during the life of a case. The numbers of cases starting in each quarter has also been fairly stable at just under 4,000 since 2011 (Table 2.2).

Please note that figures for the number of children involved in applications and disposals by type of order as published in previous bulletin tables are now given in the CSV file that accompanies this table.

Figure 2.1: Public law applications, showing number of children involved, number of application events and number of cases starting, January to March 2011 to January to March 2014



The number of children involved in public law orders made jumped in 2011 and continued to increase until mid 2013. There were 8,722 children involved in public law orders made in January to March 2014. The number of orders made is generally higher than the number of applications made, as some orders relate to applications made in an earlier time period, and an application for one type can result in an order or orders of a different type being made.

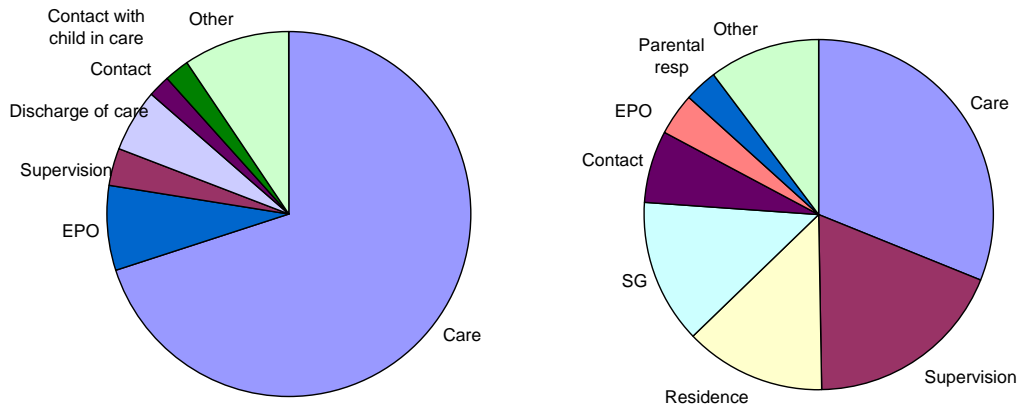
Figure 2.2 shows that the most common types of order applied for in January to March 2014 were care (70% of children involved in applications), followed by emergency protection (7%) and discharge of a care order (5%). The spread of the proportions for the type of orders made are normally different as an application for one type can result in an order of a different type being made. So for example, for supervision orders there were around 240 children involved in applications during October to December 2013, but around 1,600 children were involved in supervision orders made in that quarter.

The Children and Family Court Advisory and Support Service (Cafcass) also publishes data on the number of care applications, the latest edition of which can be found here:

<http://www.cafcass.gov.uk/news/2014/may/april-2014-care-demand-statistics.aspx>

Case level care order figures are currently not produced by the MoJ and so no comparisons between the two datasets can be made at this time.

Figure 2.2: Public law applications and orders made, showing proportion of children involved in each order type, January to March 2014



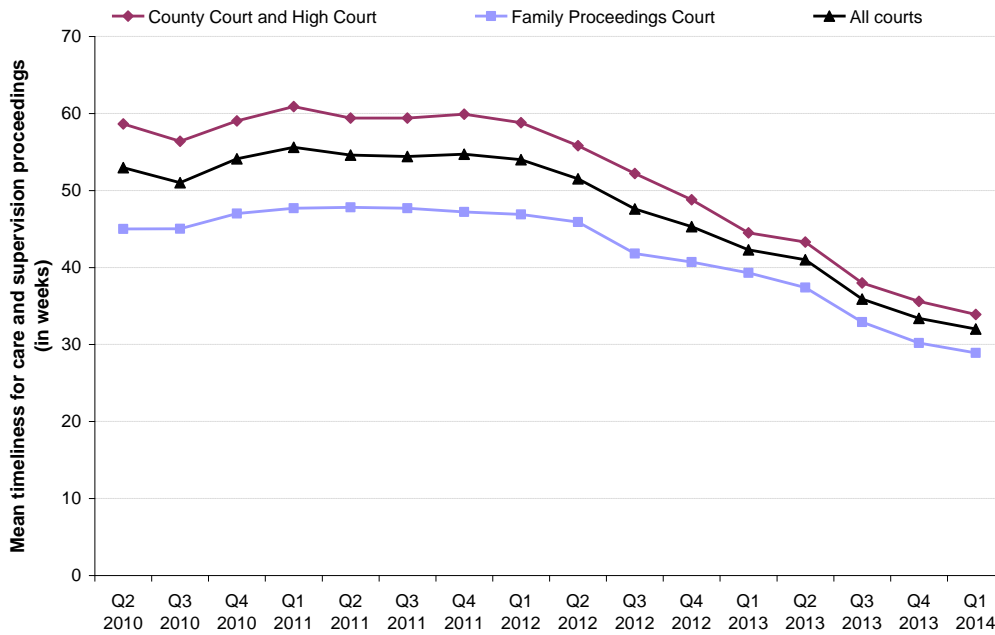
EPO = Emergency protection order, SG = Special guardianship order, Parental resp = Parental responsibility order

Timeliness of care proceedings

Statistics on the time taken to complete care and supervision cases in the family courts of England and Wales are given in Table 2.3. This table presents summary statistics showing the time, in weeks, between the date an application for a care or supervision order was lodged and the date the first care, supervision, or other substantive order was made in the case, for those cases disposed of during each quarter.

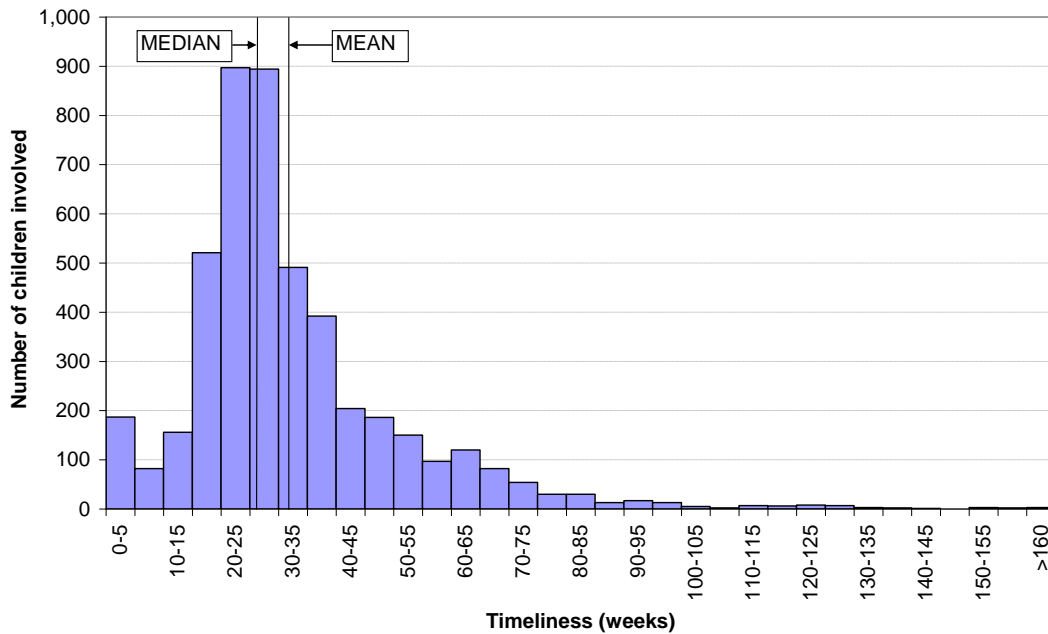
The average time for a disposal to be made in January to March 2014 was 32 weeks, continuing the drop seen since the beginning of 2012, after timeliness had remained at about 55 weeks for over a year. Separate figures for county courts and the High Court, and family proceedings courts are shown in Figure 2.3.

Figure 2.3: Timeliness for Care and Supervision proceedings by tier of court, April to June 2010 to January to March 2014



The average time for a disposal can be skewed by cases that take a long time, thus the median time is also calculated. The median time to make a disposal in a case was 26.3 weeks in January to March 2014. This means that for all children involved in care and supervision proceedings where a decision was reached during January to March 2014, half of the children (or 2331) waited 26.3 weeks or less from application to a substantive disposal, and the other half waited at least 26.3 weeks. This median value is different to the average (mean) quoted in the paragraph above as it is not influenced by the few very long case durations. Figure 2.4 shows how many children experienced each timeliness band in their case proceedings for cases disposed during January to March 2014.

Figure 2.4: Timeliness for Care and Supervision proceedings showing number of children involved in each timeliness band, all court tiers, January to March 2014



Private Law

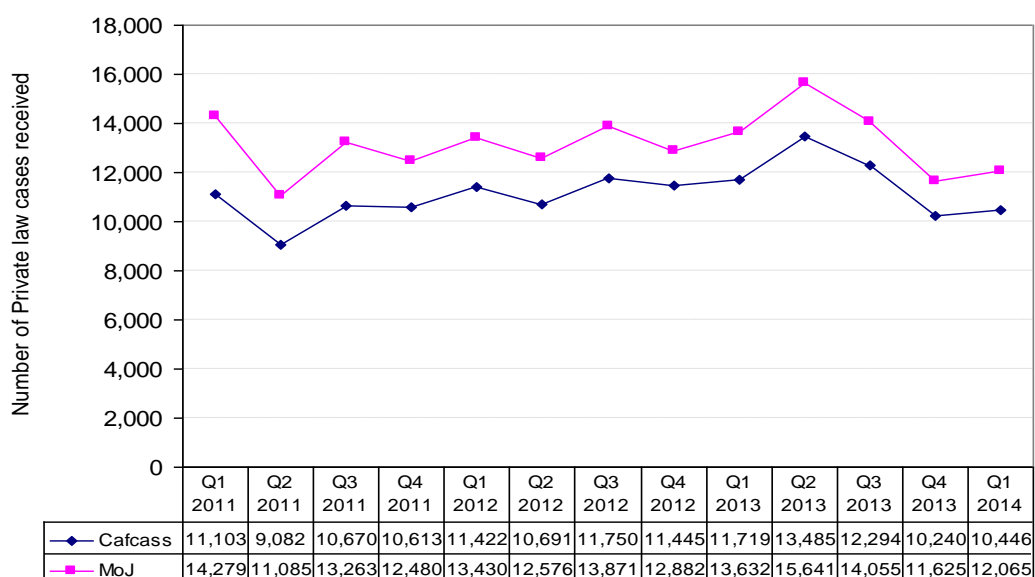
The number of Private law cases started in January to March 2014 was 12,065, which was up from October to December 2013 figure of 11,625 but still below the recent high seen in April to June 2013. The trend in cases disposed tends to lag behind that for cases started due to the time taken for a decision to be reached in cases. There were 13,289 cases disposed in January to March 2014, up from 11,963 for the previous quarter.

The Children and Family Court Advisory and Support Service (Cafcass) also publishes data on the number of Private law cases started, the latest edition of which can be found here:

<http://www.cafcass.gov.uk/news/2014/may/april-2014-private-law-demand-statistics.aspx>

These are compared against figures in this bulletin in figure 2.5, which shows that the patterns of the two trends are very similar.

Figure 2.5: Comparison of the number of Private law cases received, as recorded by Cafcass and the MoJ, January to March 2011 to January to March 2014



Most of the difference between the two sets of numbers is due to Cafcass generally only receiving section 8 cases (contact, residence, prohibited steps and specific issue) from the courts. However, even looking at just section 8 cases, MoJ figures have still been between 3% and 9% higher than Cafcass figures over the last two years. Differences between the two data sets include the following:

- Section 8 cases where all of the issues are dealt with on the day (called 'urgent without notice' applications) should not be sent to Cafcass.
- Section 8 cases which are not listed within the Private Law Programme (PLP) and do not have a first hearing dispute resolution appointment (FHDRA) should also not be sent to Cafcass.
- Certain non-section 8 cases can be sent to Cafcass if the subject child is a party to on going proceedings (and a Cafcass officer has been appointed as the children's guardian) or the court is directed to do so by a judge or legal advisor.

This means that the two sets of figures cannot be accurately matched as it is impossible to identify the various situations described above from administrative data sources (particularly the 'urgent without notice' applications).

Please note that figures for the number of children involved in private law applications and disposals by type of order as published in previous bulletin tables are now given in the CSV file that accompanies this table.

Legal representation

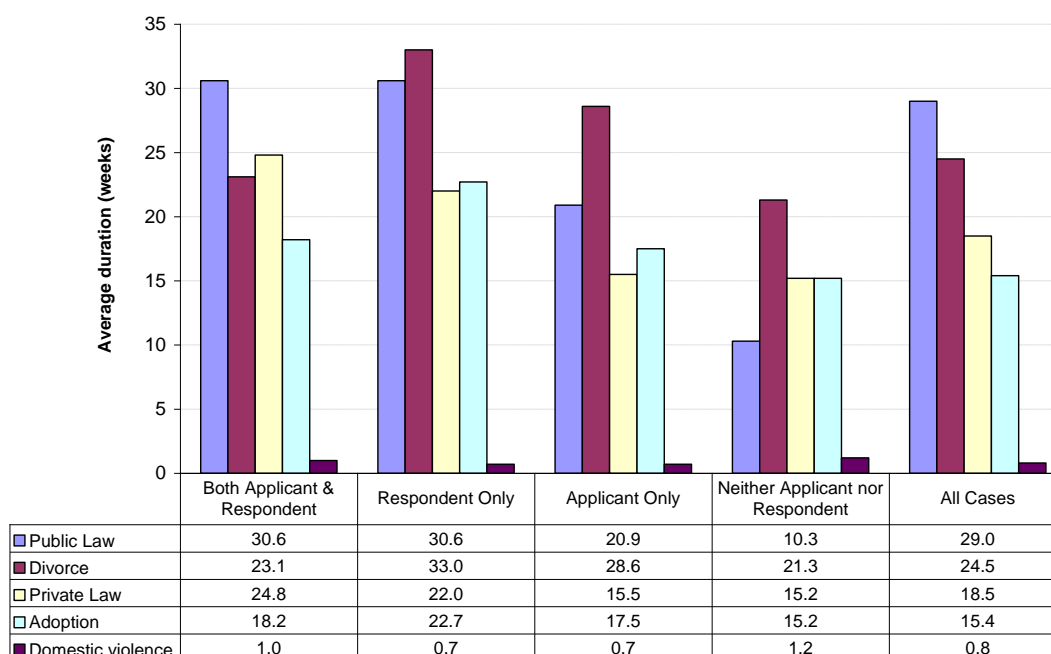
Figures on the legal representation of parties in family-related court cases are shown in Table 2.4. This gives the number of disposals made during each quarter and the average duration between application and first substantive disposal, for divorce, public law, private law, adoption and domestic violence cases, according to whether the applicant(s), respondent(s), both or neither had legal representation during the case.

The legal representation status reflects whether the applicant/respondent's legal representative has been recorded or left blank. Therefore, parties recorded as without legal representation are not necessarily self-representing litigants in person, for example in non-contested divorce cases.

In general, across all case types, cases where both parties, or the respondent only had legal representation took longer than those cases where only the applicant was represented or where both parties were without legal representation. Figure 2.6 shows average duration for the various case types in England and Wales for January - March 2014.

Please note that a breakdown of Table 2.4 by region is now published for the first time in the CSV file that accompanies this table.

Figure 2.6: Timeliness of cases according to legal representation of participants, by case type, January to March 2014



The average case duration for divorce cases across all representation categories has remained fairly constant over recent years, while for public law average duration has fallen since the beginning of 2012. Changes to legal aid came into effect as of April 2013, and figures show that in the

quarters following, the number of disposals for private law cases where both parties were represented has dropped by nearly 50% in January to March 2014 compared to January to March 2013, whilst the average duration has increased. In contrast, for those where neither party was represented over the same period, disposals have nearly doubled and the average duration has remained the same.

The Legal Aid Agency (LAA - formerly the Legal Services Commission) collects statistics on those applying for legal aid, and figures on the number of certificates issued for Private law Children Act proceedings will be published in their forthcoming annual statistical report on 24th June.

It can be found here:

<https://www.gov.uk/government/collections/legal-aid-statistics>

In addition we have recently conducted some experimental analysis where we have, for the first time, linked data between mediation meetings from the Legal Aid Agency (LAA) and electronic court data in the FamilyMan database. The details and outcomes of this work can be found at Annex C.

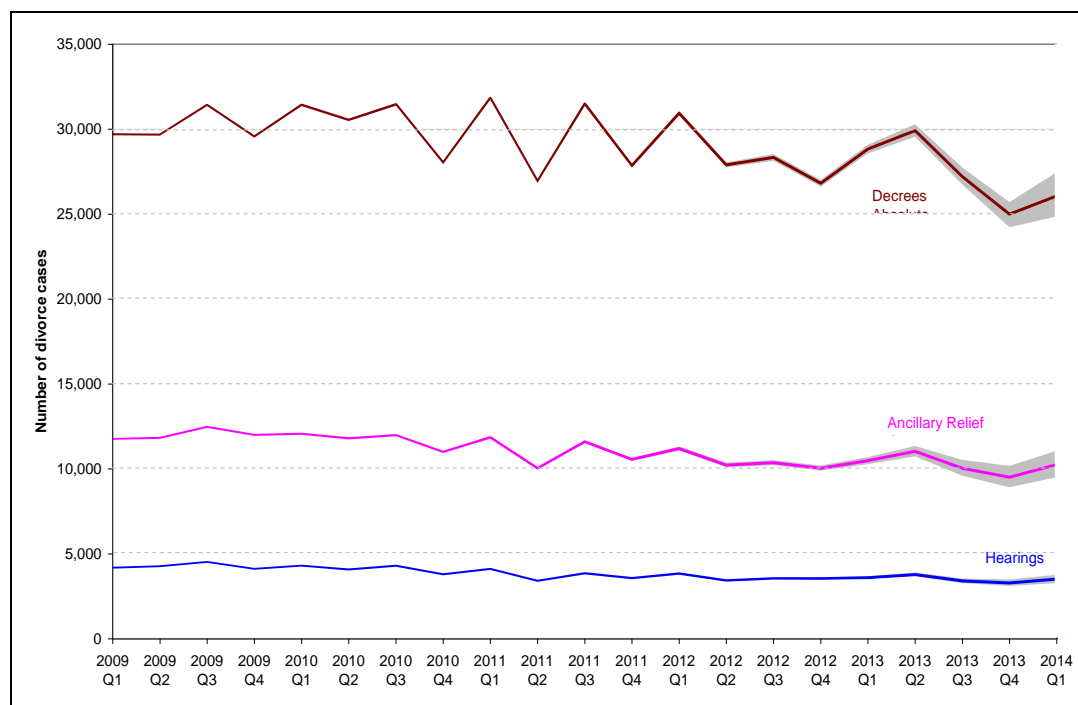
Matrimonial matters

The new divorce CSV file accompanying this publication, which replaces and expands on the summary table published in previous bulletins, provides the numbers of petitions and decrees for divorce, annulment and judicial separation. It also provides a breakdown of whether the petitioner in each case was male or female, whether children were involved in the divorce petition, and whether the divorce was contested or not.

In addition to caseload, divorce is the first family law area that has case progression incorporated in this publication. A summary of divorce case progression can be found in Table 2.5 – it shows the number and proportion of divorce cases commencing in each quarter since 2003 that had reached certain stages by the end of March 2014.

The table also includes an estimation of the final numbers of cases that will reach each stage (decrees nisi, decrees absolute, financial remedy applications, financial remedy orders, hearings, injunction applications and injunction orders). Based on this estimation, around 90% of divorce petitions eventually proceed to a decree absolute. Financial remedy applications and orders are eventually made in just over a third cases, and hearings take place in just over 10% of cases. Figure 2.7 illustrates these trends. **This estimation has been** based on the paper “Generalised estimation method for the number of cases that reach any stage in the court process in civil justice” published in the A Guide to Court and Administrative Justice Statistics.

Figure 2.7: Estimated case progression of divorce cases, January to March 2009 to January to March 2014



Forced Marriage Protection Orders

The Forced Marriage (Civil Protection) Act 2007 came into force on 25 November 2008. The Act amended Part IV of the Family Law Act to enable 15 designated county courts (as well as the High Court) to make Forced Marriage Protection Orders (FMPOs) to prevent forced marriages from occurring and to offer protection to victims who might have already been forced into a marriage.

The number of applications and orders made for FMPOs is small. For January to March 2014 there were 32 applications and 30 orders made.

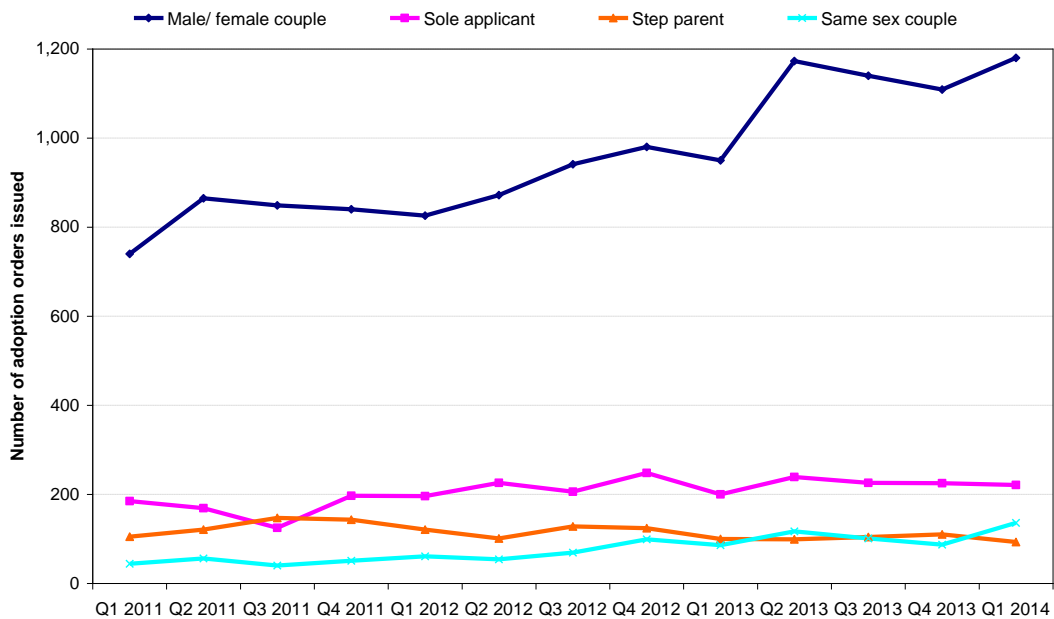
Adoptions

An adoption order made by a court extinguishes the rights, duties and obligations of the natural parents or guardian and vests them in the adopters. On adoption the child becomes for virtually all purposes in law the child of its adoptive parents and has the same rights of inheritance of property as any children born to the adoptive parents. Most adoptions in the UK are 'standard' adoptions. Data is also provided in the table on other adoptions, which include foreign adoptions, convention adoptions and standard adoptions that include a foreign element. An adoption order is preceded by a placement order which allows a local authority to place a child with prospective adopters, unless parental consent has been given for the placement.

In January to March 2014, there were 1,292 applications made for a placement order, the lowest number since the beginning of 2011. Conversely, there were 1,826 applications made for an adoption order, the highest number since the beginning of 2011.

During January to March 2014, there were 1,631 adoption orders issued, again the highest number since the beginning of 2011. In 72% of these, the adopters were a male/female couple, while in 14% the adopter was a sole applicant. In a further 6% the adopter was a step-parent and in 8% the adopters were a same-sex couple (Figure 2.8). Figures on the sex and age band of adopted children can be found in Table 2.10 and timeliness figures can be found in Table 2.4. A wider range of breakdowns for adoption applications and orders, for example by type of order, can be produced from the accompanying CSV file.

Figure 2.8: Adoption orders issued, by adopter, January to March 2011 to January to March 2014



Probate

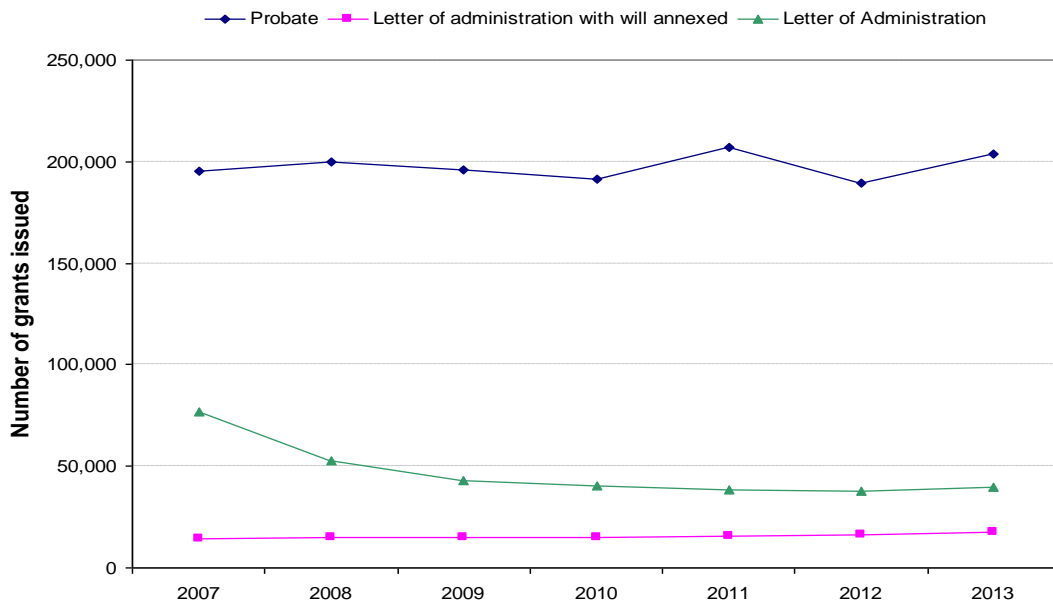
When a person dies somebody has to deal with their estate (money property and possessions left) by collecting in all the money, paying any debts and distributing what is left to those people entitled to it. Probate is the court's authority; given to a person or persons to administer a deceased person's estate and the document issued by the Probate Service is called a Grant of Representation⁴. This document is usually required by the asset holders as proof to show the correct person or persons have the Probate Service's authority to administer a deceased person's estate.

In 2013, 260,969 grants of representation were issued, seven per cent fewer than in 2012 (Tables 2.15 and 2.16). Grants of representation are known as either:

- Probate (when the deceased person left a valid will and an executor is acting). These made up 78% of grants in 2013.
- Letters of administration with will (when a person has left a valid will but no executor is acting). These made up 7% of grants in 2013.
- Letters of administration (usually when there is no valid will). These made up 15% of grants in 2013.

These different types of grants of representation appoint people known as personal representatives to administer the deceased person's estate.

Figure 2.9: Grants of representation issued by the Probate Service, 2007 to 2013



⁴ <http://www.justice.gov.uk/courts/probate/gor>

In 2013, 65% of applications were made by solicitors and 35% were personal applications.

Current structure of the Probate Service

The Probate Service is currently made up of:

- The Principal Registry in London
- 11 District Probate Registries
- 18 Probate Sub-Registries situated throughout England and Wales

There are also a number of Probate 'offices' (usually a room in a court or local authority building) which staff attend, as necessary, to allow personal applicants to attend to swear the oath. In 2013, five percent of grants were issued by the Principal Registry and 95% by District Registries and Sub-Registries.

When a probate case is contested, The Chancery Division of the High Court deals with the matter. See the Guide to Court and Administrative Justice Statistics for more information on The Chancery Division. There were 97 contested cases in 2013, similar to 2012.

Chapter 3: Criminal cases

This chapter presents statistics on criminal cases dealt with in the magistrates' courts and the Crown Court. At the end of the first quarter of 2014, there were around 240 magistrates' courts and approximately 76 Crown Court locations across England and Wales.

Criminal cases in the magistrates' courts

Virtually all criminal court cases start in the magistrates' courts. The less serious offences are handled entirely in magistrates' courts, with over 90% of all cases being dealt with in this way. The more serious offences are passed on to the Crown Court, either for sentencing after the defendant has been found guilty in the magistrates' court, or for trial with a judge and jury.

As part of wider measures to speed up justice and improve efficiencies in the justice system, committal hearings were abolished nationally⁵ at the end of May 2013. As a result of the change, triable-either-way cases can now be sent straight to the Crown Court as soon as it is clear the matter is serious enough, rather than having to await a committal hearing.

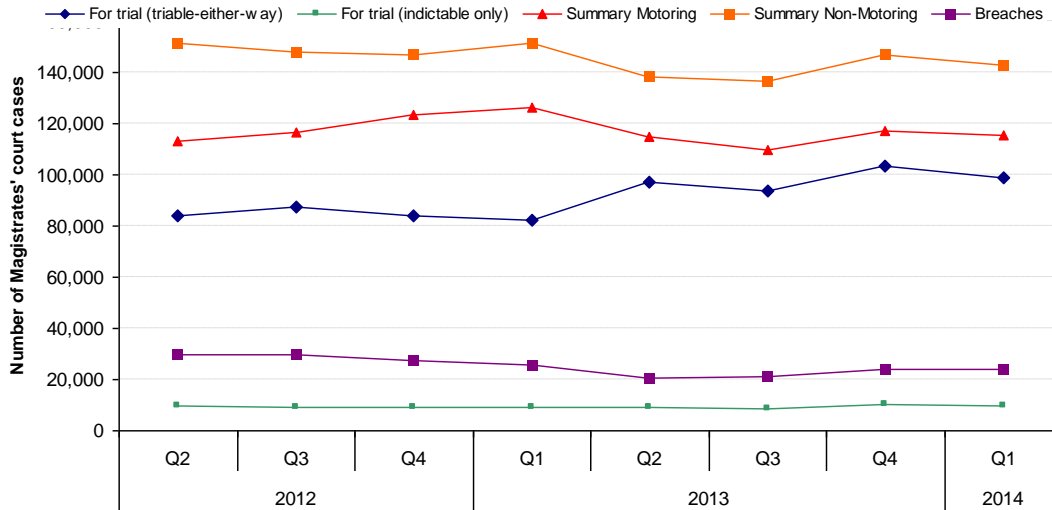
The second quarter of 2013 saw a 17% increase in the receipt of "for trial" cases in the magistrates' courts compared to the previous quarter. This increase was driven by a rise in triable-either-way case receipts, which rose by 18% compared to the first quarter of 2013. Receipt of "for trial" cases has since stabilised, but at a higher level. This may in part be driven by the increase reported in the Police Reported Crime data for particular crime types including Shoplifting and Violence against the Person⁶.

However, in the latest quarter (Q1 2014) triable-either-way receipts fell by 5% compared to the previous quarter.

⁵ <https://www.gov.uk/government/news/faster-justice-as-unnecessary-committal-hearings-are-abolished>

⁶ <http://www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/period-ending-december-2013/stb-crime-stats-dec-2013.html>

Figure 3.1: Magistrates’ courts receipts by case type, Q2 2012 to Q1 2014



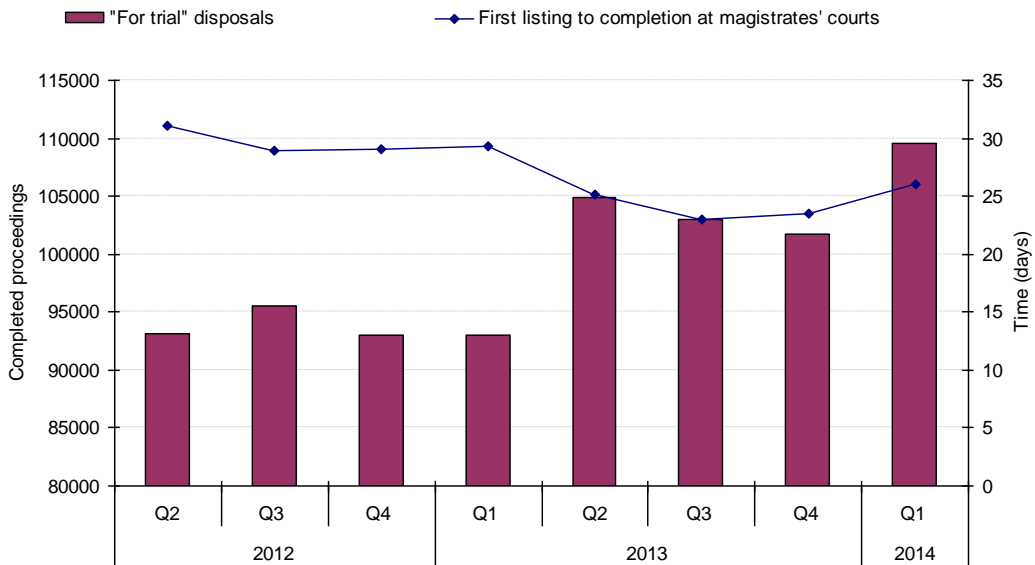
Despite the steadying of receipts into the magistrates’ courts the number of outstanding cases has continued to rise across 2013 and 2014 – increasing by 10% and 7% in Q1 2014 for triable-either-way and indictable only cases respectively compared to the first quarter of 2013.

Completed proceedings counts the most serious offence to complete on any day. On occasions a case may have one or more offences that complete on different dates. Where as disposals counts the number of cases only when all the offences in the case have been completed in the reporting period.

Both disposals and completed proceedings in the magistrates’ courts have remained relatively stable since Q2 2013. This may explain why the outstanding caseload has continued to increase following the rise in receipts.

The total number of disposals in the magistrates’ courts has fallen in the first quarter of 2014 when compared with the same quarter of the previous year – a decrease of 1%. The decline is being driven by the fall in summary disposals; a decrease of 6% compared to the first quarter of 2014. However, over the same period “for trial” cases saw an 18% rise in disposals.

Figure 3.2 “For trial” disposals and timeliness in the magistrates’ courts, Q2 2012 to Q1 2014



In 2013, of the total number of cases completing (disposals) in the magistrates' courts 6% cases were sent to the Crown Court for trial and 1% were transferred to for sentencing.

Despite the increase in "for trial" disposals, the time taken between first listing and completion at the magistrates' courts for these cases fell by 3 days between the first quarter of 2013 and 2014. This is mainly the result of the national abolition of committal hearings for triable-either-way cases.

Criminal cases in the Crown Court

The Crown Court deals with cases received from the magistrates' courts for sentencing, trial or appeal against magistrates' courts' decision.

Triable-either-way cases can be sent to the Crown Court for trial if the magistrates' courts decide the matter is serious enough or if a defendant elects to be tried by judge and jury.

Indictable only cases can only be tried on indictment in the Crown Court as they cannot be heard summarily at the magistrates' courts.

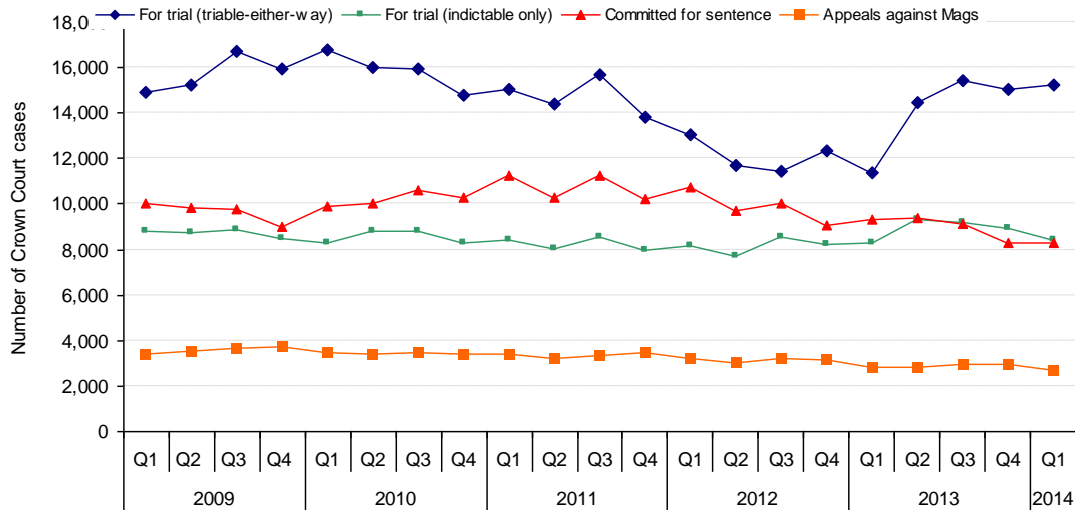
Committed for sentence cases are transferred to the Crown Court for sentencing only after a defendant has been convicted in a magistrates' court. This would occur where a magistrate believes that their sentencing powers are insufficient to apply an appropriate sanction to the defendant..

Caseload in the Crown Court

The second quarter of 2013 saw a 13% increase in receipts for all cases in the Crown Court compared to the previous quarter. This was, in part, the result of the increase in the magistrates' courts workload. The increase in receipts was also driven by a rise in triable-either-way cases, which rose by 27% over the same period. This was mainly the result of national abolition of committal hearings for triable-either-way cases.

The increase seen in recent quarters has since stabilised and in the latest period (Q1 2014) triable-either-way receipts rose by only 1% compared to the previous quarter.

Figure 3.3: Crown Court receipts by case type, Q1 2009 to Q1 2014

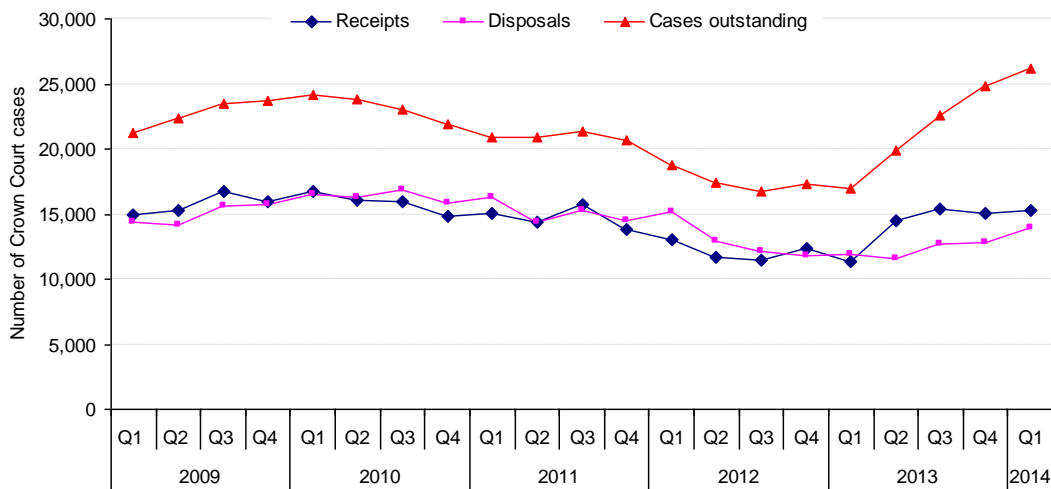


In the second quarter of 2013 the number of indictable only cases rose to 9,346 cases, the highest quarterly figure in the last five years. This has since fallen quarter on quarter, and in the first quarter of 2014 there were 10% fewer indictable only cases received by the Crown Court, when compared with the second quarter of 2013.

Despite the steadying of receipts, the number of outstanding cases has continued to rise quarter on quarter across 2013 and 2014 – increasing by 54% and 14% in Q1 2014 for triable-either-way and indictable only cases respectively compared to the first quarter of 2013.

Since the second quarter of 2012 the number of triable-either-way cases completed (disposals) has remained relatively stable. However, in the first quarter of 2014 disposals increased by 9% when compared with the previous quarter. However, over the same period all other cases in the Crown Court saw a 1% fall in disposals.

Figure 3.4: Receipts, disposals and outstanding triable-either-way cases in the Crown Court, Q1 2009 to Q1 2014



The average number of defendants per completed case in the Crown Court has remained stable since 2007. In 2013 there were on average 1.19 defendants per trial case, 1.01 defendants per committed for sentence case and one defendant per appeal.

For cases completing at the Crown Court during Q1 2014, the number of days from offence to completion has remained unchanged at 304 days when compared with the same quarter in the previous year. However, changes can be seen when looking at the time spent in the magistrates' courts and the Crown Court. When comparing Q1 2014 with the Q1 2013, the time spent at the magistrates' courts between first hearing and being sent to the Crown Court has fallen from 26 days to 8 days, whereas the time spent at the Crown Court has increased from 139 days to 155 days. This is mainly the result of the national abolition of committal hearings for triable-either-way cases.

In the first quarter of 2014 the Crown Court dealt with 23,358 defendants involved in sent "for trial" cases, an increase of 4% compared with the same quarter in 2013. Of these 66% pleaded guilty to all counts, 28% pleaded not guilty to at least one count and 5% did not enter a plea.

The guilty plea rate is the number of defendants pleading guilty to all counts as a proportion of all defendants with a plea. In the first quarter of 2014 the guilty plea rate was 70%, a 2 percentage point increase compared with the same quarter in the previous year. The guilty plea rate increased from 56% in 2001 to 70% in 2008 and had remained relatively stable since. Initiatives in the Crown Court and other agencies, such as offering an early plea discount and providing early charging advice from the Crown Prosecution Service at police stations have helped to increase the guilty plea rate. Moreover, other initiatives have not only helped to reduce the number of extraneous hearing, but promote early guilty plea decisions.

Juror Statistics

There were 334,033 juror summons issued in 2013, a 4% decrease compared to the number of juror summons issued in 2012. In the same year around 24% of all juror summons were excused, no change when compared with the previous year.

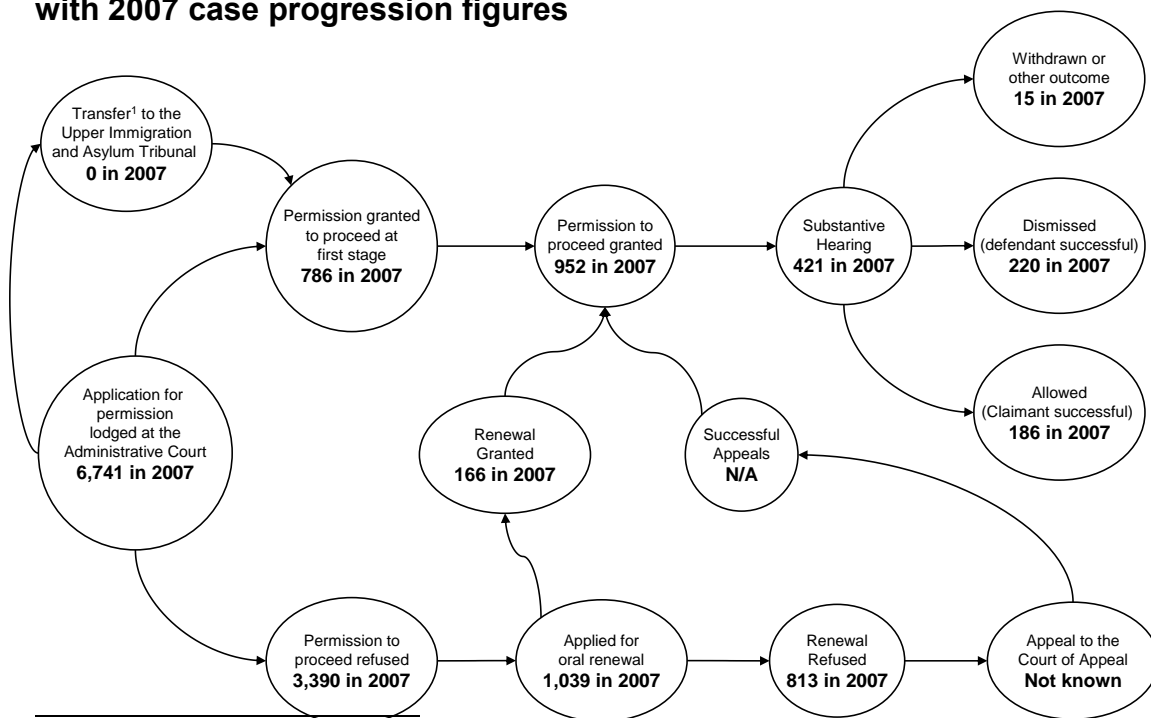
In 2013 there were 166,432 jurors supplied to the court. The juror utilisation rate is the number of sitting days divided by the sum of sitting, non-sitting and non-attendance days. Over the last 8 years the juror utilisation rate has increased to reach its current rate of 72% in 2013. This may be the result of the introduction of a programme on the part of Her Majesty's Courts and Tribunals Service to avoid placing more of a burden on jurors than necessary and make the best use of their time.

Chapter 4: Judicial Reviews

The data used in this chapter is taken from a system in the Administrative Court⁷ (COINS) and it tracks the progress of Judicial Reviews (JRs) lodged between 1 January 2000 and 31 March 2014⁸. As this information has been extracted from a live database, there are minor revisions between the information presented here and earlier data⁹. For more information on the Judicial Review process, including how topics are allocated to Immigration/Asylum and Other, please see the **A Guide to Court and Administrative Justice Statistics**.

The analysis in this chapter covers JRs lodged between 1 January 2000 and 31 March 2014. Information for all years is provided in the supporting tables and csv that accompany this publication. Please note for later years cases may not have progressed to the end of the process, so the progression and timeliness figures for these cases should be treated with caution, in particular for receipts during the year 2014, where a very large proportion of cases will not have been concluded.

Figure 4.1: Flow chart showing a simplified Judicial Review process, with 2007 case progression figures



⁷ The Administrative Court is part of the Queens Bench Division. The data presented here is for judicial reviews only. The Administrative Court also deals with other types of appeals and first stage applications; as such these figures are not reflective of the full workload of the Administrative Court.

⁸ Data was extracted in May 2014. Data is from a live database and subject to continual revisions.

⁹ For more information please see https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/262036/revisi-on-judicial-review-figures-stats.pdf

Applications for permission to apply for Judicial Review

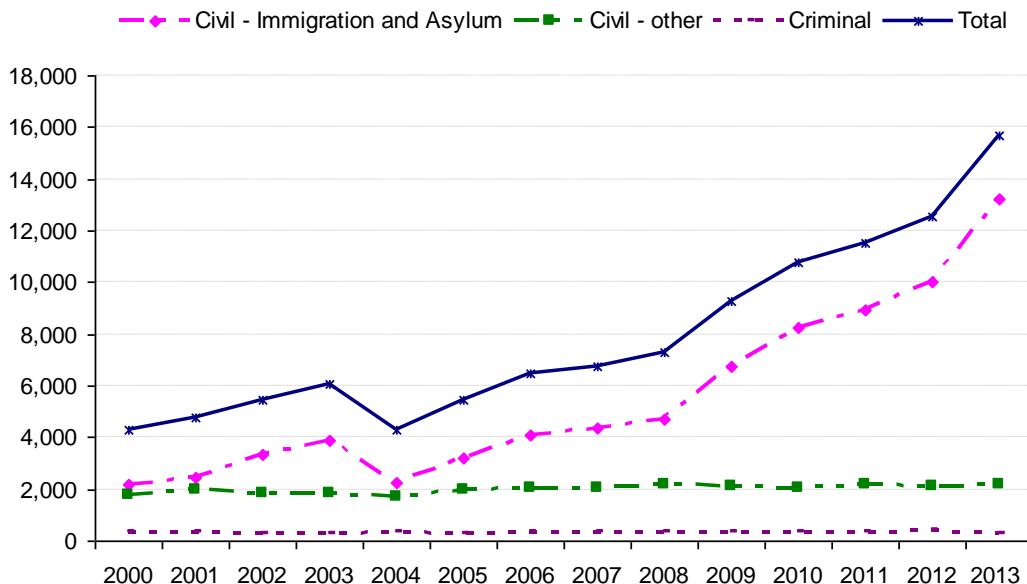
In 2000, there were 4,288 applications (Table 4.1) for permission to apply for a Judicial Review. By 2013 this had risen to an annual intake of 15,707 (over a three fold increase). In January to March 2014, there were 987 applications, compared to 3,398 in January to March 2013. This is due to the transfer of the majority of Civil (Immigration and Asylum) cases to the Upper Tribunal in November 2013. The Administrative Court continues to work through Immigration Judicial Reviews lodged before September 2013.

The overall trend in judicial review applications received has been steadily upwards, with the exception of a dip in 2004. This dip coincided with a new option to appeal immigration and asylum cases through a statutory review, rather than a judicial review. This process was introduced in 2003, peaked in 2004 and then fell out of use and it was removed in 2009.

JR Civil (Immigration and Asylum) cases have been driving this increase, from 2,173 in 2000 to 13,210 in 2013. This type of judicial review accounted for 51% of all JRs in 2000 and 84% of all JRs in 2012. Figure 4.2 shows these increases over time.

The trends in JR Civil (other) and JR Criminal cases has not been so marked. JR Criminal cases have reduced by 22% over the period, while JR Civil (other) cases rose by 27%.

Figure 4.2: Judicial Review Applications, by type¹⁰ 2000-2013



¹⁰ This chart excludes a small number of cases that could not be allocated to a type

Case progression

Once a judicial review has been lodged it then progresses through the process until it is concluded; this will be different for each case. See figure 4.1 for an illustrated example. Please note the case mix for judicial reviews has changed over time, for example the proportion of cases which are JR Civil (immigration and asylum) has risen, so trends in progression should be treated with caution. Also, that latest information (cases lodged up to 31st March 2014) was extracted in May 2014; these figures will change as more time allows for more cases to progress through the system.

Permission stage

- In 2000, 28% of judicial reviews lodged reached the permission stage and were granted permission to proceed. By 2010 this had reduced to 10% and so far for 2013 it is 8%. This drop is partly explained by drop in the proportion of cases that had reached the permission stage, which fell from 84% in 2000 to 52% in 2013.

Oral renewals

- For those cases that progressed to the oral renewal stage the trends are far more stable. In 2000, 4% of all cases lodged reached an oral renewal and were granted permission to proceed. This was 3% for 2012 and so far only 1% in 2013.

Final hearing

- The proportion of cases eligible for a final hearing (granted permission to proceed at permission or oral renewal stage) has reduced over time, from 32% in 2000 to 12% in 2012 and so far 10% in 2013.
- The proportion of cases that found in favour of the appellant at a final hearing has reduced from 12% in 2000 to 1% in 2012. Of the 1,513 cases that were eligible for a final hearing in 2013, only 232 reached a decision. Of these, 154 (66%) were found in favour of the appellant.

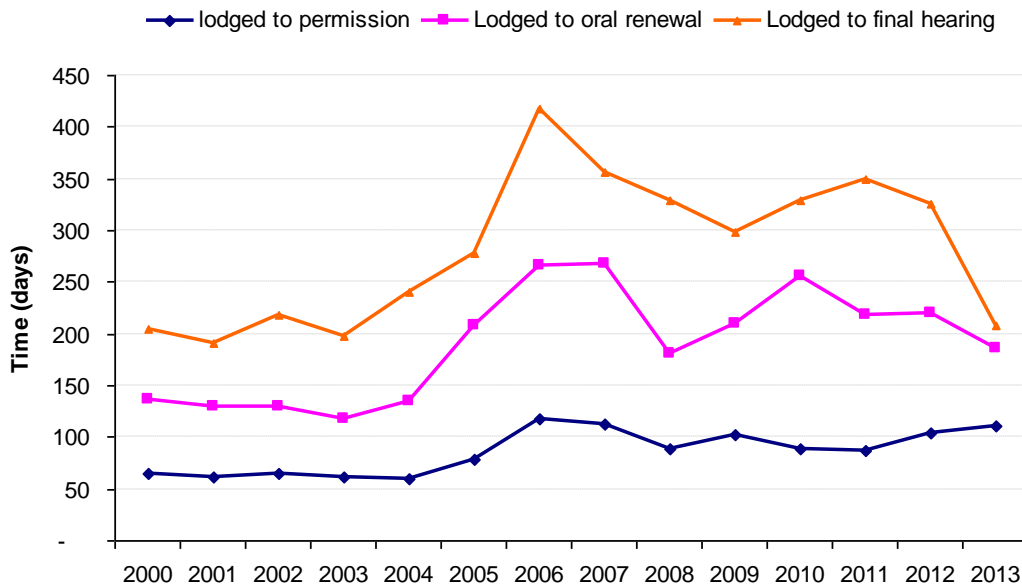
Timeliness¹¹

- The average time taken from lodging a case to first permission stage has risen over time. With cases taking an average of 65 days in 2000, and so far 110 days in 2013. This may be due to the rise in cases lodged over this period.

¹¹ Timeliness figures in this publication are based on the date the JR is lodged to the date of various stages of the process. This is not a measure of the time the Administrative Court takes to deal with a judicial review as it also includes time taken for parties to the JR to provide evidence and any adjournments or postponements requested.

- The average time taken from lodging a case to oral renewal has also risen over time, from 137 days in 2000 to 220 in 2012 and 186 for cases in 2013.
- The time taken from lodging to final hearing has increased over time from over 205 days in 2000 to 326 in 2012. Please note this is based on cases that have reached a final hearing and may change for later periods as cases progress through the system.

Figure 4.4: Average time taken for each stage of the Judicial Review process, 2000 to 2013¹²



Please note the timeliness analysis includes cases that were transferred to the Upper Tribunal of the Immigration and Asylum Chamber. These cases were effectively closed on the COINS database in November 2013.

Totally without merit

In refusing permission for judicial review a judge can certify a case to be totally without merit (TWM). This has existed for some time in the context of the court's power to make civil restraint orders and in immigration cases where it could result in the judge determining that renewal be no bar to deportation, unless an injunction is obtained. As part of the Government's reforms to judicial review procedure, since 1st July 2013 a case refused permission and certified as totally without merit on the papers cannot be renewed at an oral hearing.

¹² The average time taken to reach each stage is calculated using only those cases that have reached the stage in question. Figures for later years may change in later periods, especially for 2013.

From the 1 October 2012 to 31 March 2014 there were 19,957 cases lodged. Of these 10,820 (54%) had reached permission or oral renewal stage at the time the data was extracted in May 2014. Of those that had reached these stages 3,135 (29%) were found to be totally without merit

The proportion of cases found to be totally without merit was higher for civil (immigration and asylum cases) at 33%, compared to only 17% of civil (other cases).

Chapter 5: The Appellate Courts

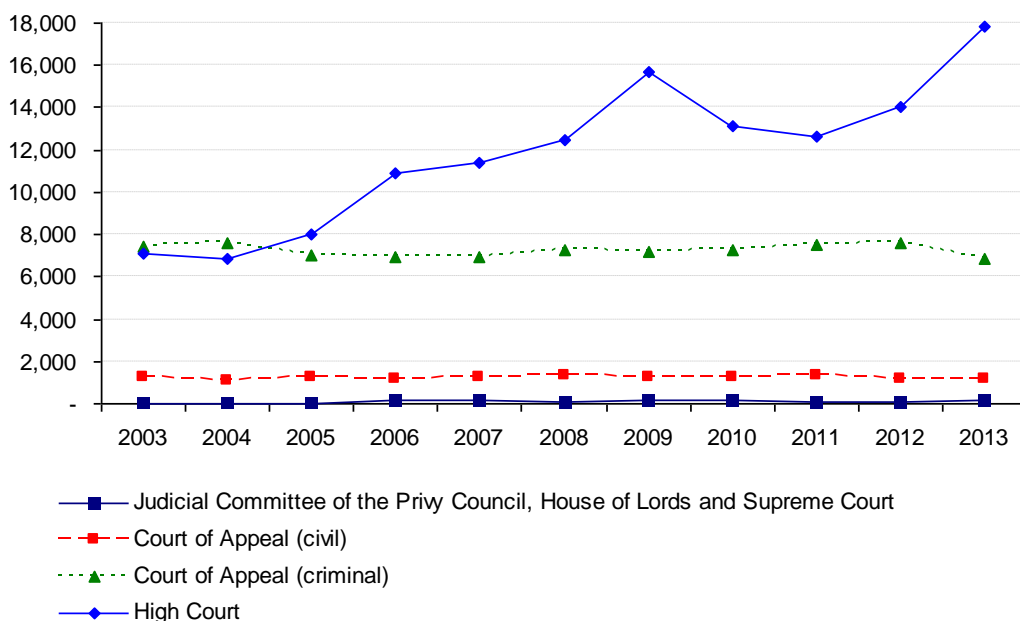
There are various appeal courts in England and Wales which are administered by HM Courts and Tribunals Service (HMCTS):

- The Judicial Committee of the Privy Council - the final Court of Appeal for Commonwealth territories and independent Republics within the Commonwealth.
- The Supreme Court - the Supreme Court of Appeal in the United Kingdom, replacing the Appellate Committee of the House of Lords in October 2009.
- The Court of Appeal - divided into the Criminal Division, which hears appeals from the Crown Court and Courts Martial, and the Civil Division, which hears appeals mainly against decisions in the High Court and county courts.
- The High Court - has three Divisions, Chancery Division, Queen’s Bench Division and Family Division, each of which handles different types of civil work.

For more information on the roles of these specialised courts please see the **A Guide to Court and Administrative Justice Statistics** that was published alongside this publication. Please note the Court of Appeal also covers the Judicial Reviews which are explored in more detail in [Chapter 4](#).

The overall caseload of the appellate courts was 25,985 cases in 2013; this is an increase of 13% on the 22,913 cases in 2012. The majority of these cases (68%) related to the High Court.

Figure 5.1: Appellate Courts: Overall caseload, 2003-2013



The Judicial Committee of the Privy Council

The Judicial Committee of the Privy Council has both a Commonwealth and a domestic jurisdiction. In its Commonwealth jurisdiction, which is by far the largest part of its work, it hears appeals from those independent Commonwealth countries which have retained the appeal to Her Majesty in Council or, in the case of Republics, to the Judicial Committee itself. It also hears appeals from the United Kingdom overseas territories¹³.

The Supreme Court

The UK Supreme Court (UKSC) is the final court of appeal in the United Kingdom. In the UKSC in 2013, 252 petitions for permission to appeal were presented, and 203 were disposed of, of which 137 (67%) were refused outright (Tables 5.4 to 5.6). In the UKSC in 2012, 109 appeals were presented and 95 were disposed of, of which 44 (46%) were allowed.

The Court of Appeal

The Court of Appeal is divided into two Divisions, Criminal and Civil (Tables 5.7 to 5.11). The Criminal Division hears appeals in criminal cases from the Crown Court. The Civil Division hears appeals mainly against decisions of the High Court and county courts, and also of tribunals and certain other courts, such as the Patents Court.

- **Criminal Division**

During 2013, a total of 6,851 applications for leave to appeal were received, a 10% reduction on 2012. Of these 1,554 were against conviction in the Crown Court and 4,997 against the sentence imposed. Of the 6,851 applications for leave to appeal 4,863 (71%) were considered by a single judge; and of these 1,154 (17%) were granted.

- **Civil Division**

In 2013, there were 1,142 appeals were filed in the Court of Appeal on civil cases, a slight decrease on the 1,181 in 2012. Of these 189 (17%) related to the County Court; 184 (16%) to the Queen's Bench Administrative Court and 170 (15%) to the Immigration and Asylum Tribunal.

In the Court of Appeal Civil Division a total of 4,291 applications were filed or set down, the highest number in a decade. This was an increase of 12% on 2012. In 2013, 3,865 applications were disposed of, an increase of 5% on 2012.

The High Court

In England and Wales civil justice is administered mainly by the High Court and county courts ([Chapter 1](#)), the former handling the more substantial and

¹³ By agreement with the Sultan of Brunei, the Committee can hear appeals from the Brunei Court of Appeal, but in civil cases only, and gives its advice to the Sultan.

complex cases. The High Court is divided into three main Divisions: the Chancery Division, the Queen's Bench Division and the Family Division (Tables 5.12 to 5.24).

The core business of the Chancery Division is the resolution of disputes involving property in all its forms including commercial, business and intellectual property, competition disputes, taxation, and its traditional work relating to companies, partnerships, mortgages, insolvency, land and trusts.

The Queen's Bench Division of the High Court deals mainly with civil actions in contract and tort (civil wrongs) and also hears more specialist matters, such as applications for judicial review. It contains within it the Commercial Court and the Admiralty Court, which deals with shipping matters such as damage to cargo. It also administers the Technology and Construction Court which hears cases involving prolonged examination of technical issues, such as construction disputes.

Bankruptcy Court

Bankruptcy is where an individual is unable to pay his or her debts. Proceedings are started with a petition for bankruptcy. There were 8,510 bankruptcy petitions applications files in the High Court in London during 2013, an increase of 14% since 2012 (Table 5.16).

Companies Court

The Companies Court in London primarily deals with the compulsory liquidation of companies and other cases under the Insolvency Act 1986 and Companies Acts. Unlike an individual, a company cannot be made bankrupt, but may, because of insolvency or if there is some other reason it should cease to exist, be wound up instead (Table 5.17).

There were 14,430 applications filed in the Companies Court in 2013, a 5% decrease on 2012, and part of a downward trend since 2009. Of these there were 5,258 applications filed for winding-up petitions in 2013. There were also 2,692 winding-up orders made and a further 2,432 winding-up orders were dismissed or withdrawn.

Queen's Bench Division

There were 13,035 proceedings started in the Queen's Bench Division in 2013 (Tables 5.19 to 5.24). This represents a 10% decrease 2012. Of these 5,186 (40%) were issued at the Royal Courts of Justice in London and the rest at the various High Court District Registries around the country.

The 5,186 proceedings issued at the Royal Courts of Justice included 1,132 relating to clinical negligence (22%); 1,037 related to debt (20%) and 950 (18%) related to personal injury.

Of the 5,186 proceedings issued at the Royal Courts of Justice, 52% had a claim value of over £50,000. This varied from 39% for defamation to 60% for personal injury.

Actions are normally started by way of a claim or an originating summons. A claim is the most common method and is used, for example, when a claim is based on an allegation of fraud or a civil wrong; it informs defendants what is claimed against them. An originating summons is used in certain cases, such as applications under specific Acts; it outlines the nature of the case.

If a defendant fails to respond to a claim, a claimant may be entitled to a judgment by default; there were 812 such judgments by default in 2013.

If a defendant responds any of the following may result:

- the claimant may discontinue the action;
- the parties may reach agreement between themselves;
- the court may decide that the defendant has no real defence to the action and gives summary judgment; or,
- a trial takes place, in some circumstances with a jury.

Judgments of the Queen's Bench Division may be enforced in many ways. By far the most common is the issuing of a writ of *fi-fa* (fi-fa). This directs the sheriff (the equivalent of the bailiff in the county courts) to seize, and if necessary, to sell the debtor's goods to raise money to pay off the debt. There were 45,213 writs of fi-fa issued in 2013, an increase of 4% on 2012.

Admiralty Court

The Admiralty Court is part of the Queen's Bench Division and deals with a range of naval cases such as ship collisions and damage to cargo (Tables 5.25 to 5.27). There is one Admiralty Judge who hears all admiralty cases and a number of interlocutory cases. The Admiralty Marshal is responsible for the detention and sale of ships which are the subject of proceedings in the Admiralty Court. In 2013 there were 181 claims issued in the Admiralty Court at the Royal Courts of Justice in London, a decrease of 19% on 2012.

Commercial Court

The Commercial Court is part of the Queen's Bench Division and is largely concerned with disputes around contracts, insurance, carriage of cargo and the construction of ships (Table 5.28). Other cases dealt with at the Commercial Court include banking, international credit, contracts relating to aircraft, the purchase and sale of commodities and the practice of arbitration and questions arising from arbitrations. Some 1,198 claims were issued in 2013, an increase of 5% on 2012. Of these, 20% related to arbitration applications and appeals, a further 12% related to general commercial contracts and arrangements, including agency agreements.

Technology and Construction Court

Cases dealt with at the Technology and Construction Court include building and engineering disputes, computer litigation, professional negligence, sale of goods, valuation disputes, and questions arising from arbitrations and adjudications in building and engineering disputes. The court also deals with any cases from the Chancery Division or elsewhere within the Queen's Bench Division which involve issues or questions which are technically complex, or for which trial by judges at the court is for any reason desirable (Table 5.29).

A total of 475 claims were received in the Technology and Construction Court in 2013, an increase of 5% on 2012. In addition, 302 claims were disposed of, an increase of 26% on 2012.

Chapter 6: The Mental Capacity Act

The Mental Capacity Act 2005 provides a statutory framework to empower and protect vulnerable people who are not able to make their own decisions. The Act makes it clear who can take decisions, in which situations, and how they should go about this. It enables people to plan ahead for a time when they may lose capacity.

When the Mental Capacity Act 2005 came into force on 1 October 2007, the role and function of the Court of Protection changed, and in addition, the Office of the Public Guardian (OPG) was established¹⁴. The OPG, an executive agency of the Ministry of Justice, supports the Public Guardian in registering Enduring Powers of Attorney (EPA), Lasting¹⁵ Powers of Attorney (LPA) and supervising Court of Protection (COP) appointed Deputies.

For more information on the roles of these specialised courts please see **A Guide to Court and Administrative Justice Statistics** that was published alongside this publication.

Court of Protection Hearings and the Office of the Public Guardian

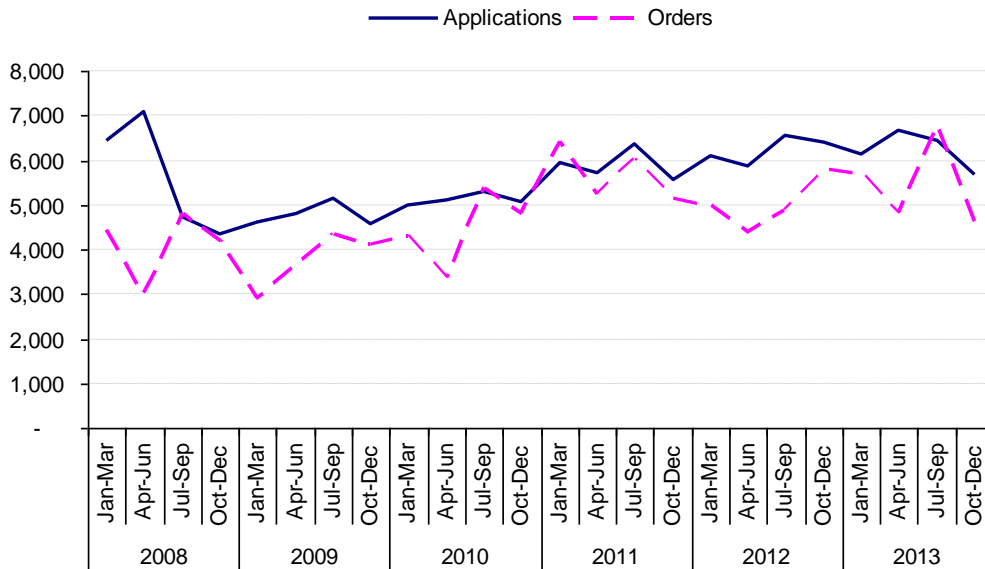
In 2013, there were 24,923 applications made under the Mental Capacity Act 2005, similar to the 24,877 in 2012. The majority of these (60%) relate to applications for appointment of a property and affairs deputy.

There were also 21,895 orders made, an increase of 9% on 2012. The majority (65 per cent) of orders related to appointing a deputy for property and affairs.

¹⁴ As there was a change in the type of data collected from October 2007, the data reported on previously for the old Court of Protection and Public Guardianship Office is no longer relevant, and therefore figures presented in this report are not fully comparable with figures published in earlier reports.

¹⁵ An LPA is a legal document that someone (the Donor) makes using a special form. It allows that person to choose someone in the present time, called the "Attorney", that they trust to make decisions on their behalf, at a time in the future when they either lack the mental capacity or no longer wish to make those decisions themselves

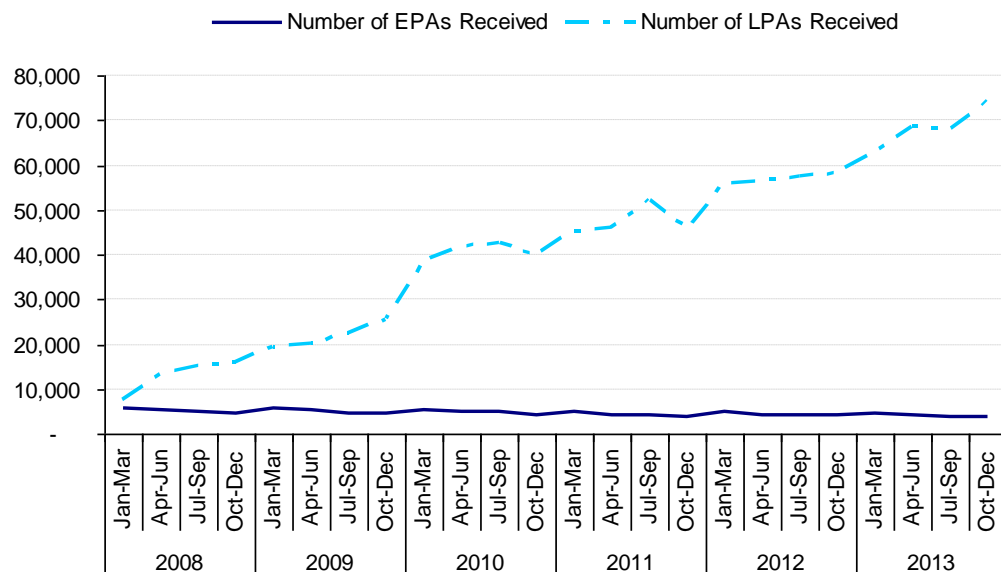
Figure 6.1: Applications and orders made under the Mental Capacity Act, January to March 2008 to October to December 2013



Powers of Attorney

There were 273,583 LPAs in 2013, over a four fold increase on 2008 and an increase of 20 per cent on 2012. There were also 16,367 EPAs, a decrease of 7% on 2012 (Table 6.3). There were 13,921 Deputyships¹⁶ appointed in 2013, an increase of 33% on 2012.

Figure 6.2: Powers of attorney, January to March 2008 to October to December 2013



¹⁶ Deputyships - A Deputy is legally responsible for acting and making decisions on behalf of a person who lacks capacity to make decisions for themselves. The Deputy order sets out specific powers in relation to the person who lacks capacity.

Chapter 7: Offices of the Supreme Court

The Offices of the Supreme Court supports the Supreme Court and covers

- The Court Funds Office
- The Offices of the Official Solicitor and the Public Trustee
- Tipstaff

For more information on the roles of these specialised courts please see **A Guide to Court and Administrative Justice Statistics** that was published alongside this publication.

The Offices of the Official Solicitor and the Public Trustee

There were 7,688 new referrals to the Official Solicitor and the Public Trustee in 2013, an increase of 8% on 2012 (Table 7.1). These were split between litigation cases (31%) and administrative, trusts and estates cases (69%).

The Offices of the Official Solicitor and the Public Trustee dealt with 12,318 active cases in 2013; this was a decrease of 3% on 2012. The majority of active cases (80%) were in relation to administrative, trusts and estates cases.

Tipstaff

The Tipstaff is the enforcement officer for the High Court. The single biggest area of work for the Tipstaff relates to Family Division cases involving missing or abducted children. The Tipstaff is responsible for executing warrants on a range of possible Orders in these circumstances, including a Collection Order (for the return of a child), a Location Order (for the whereabouts of a child to be discovered), a Passport Order (for the seizure of passports or other travel documents) and Port Alerts (to prevent a child being wrongfully removed from the UK).

In 2013, Tipstaff casework included 1,277 warrants for arrest, of which 549 were issued and 396 executed. The majority of warrants issued (469 or 85%) were child abduction warrants.

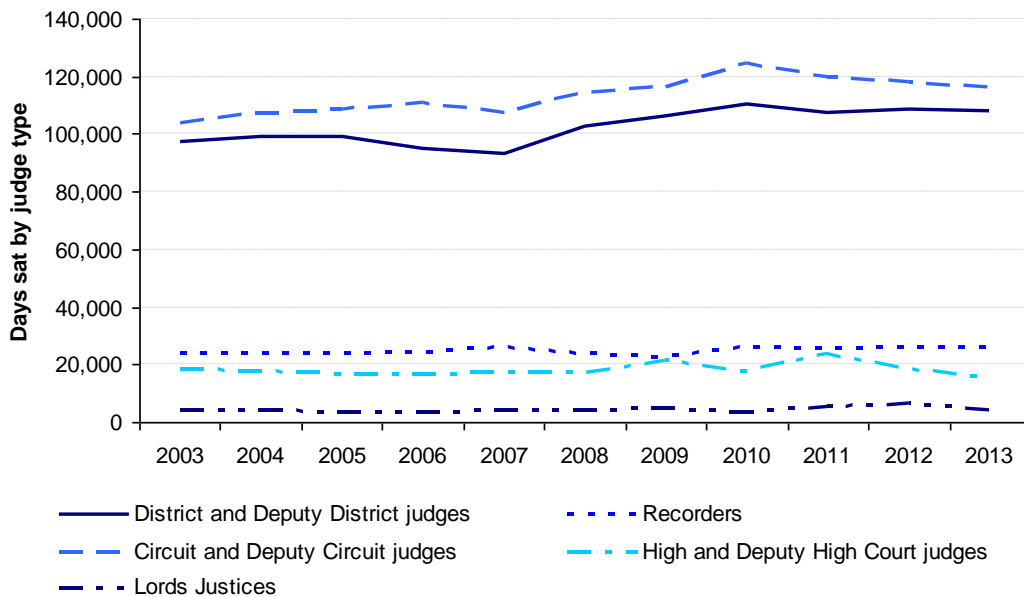
Chapter 8: The Judiciary

The Judiciary of England and Wales can be separated into eleven different types. For more information on the roles of these specialised courts please see the **A Guide to Court and Administrative Justice Statistics** that was published alongside this publication. This chapter deals with the number of days sat in court by judges, broken down by region and type of judge as well as the levels, by gender, of the Magistracy

Judicial sitting days

During 2013, around 270,194 days were sat in court or chambers¹⁷ by judges (excluding magistrates). This was a 3% decrease from the number of days sat in 2012 (Tables 8.1 to 8.3).

Figure 8.1: Judges Sitting Days, 2006-2013



Magistrates (Justices of the Peace)

At the end of 2013/14 there were 21,704 Justices of the Peace (JPs), a fall of 8% on 2012 (Tables 8.4 to 8.5). This may have been due to courts' closures, bench mergers and a reduced workload going through the magistrates' courts. The proportion of men and women JPs was equal up to 2008 but since 2009 there have been slightly more women JPs than men. At the end of 2013/14 52% of JPs were women.

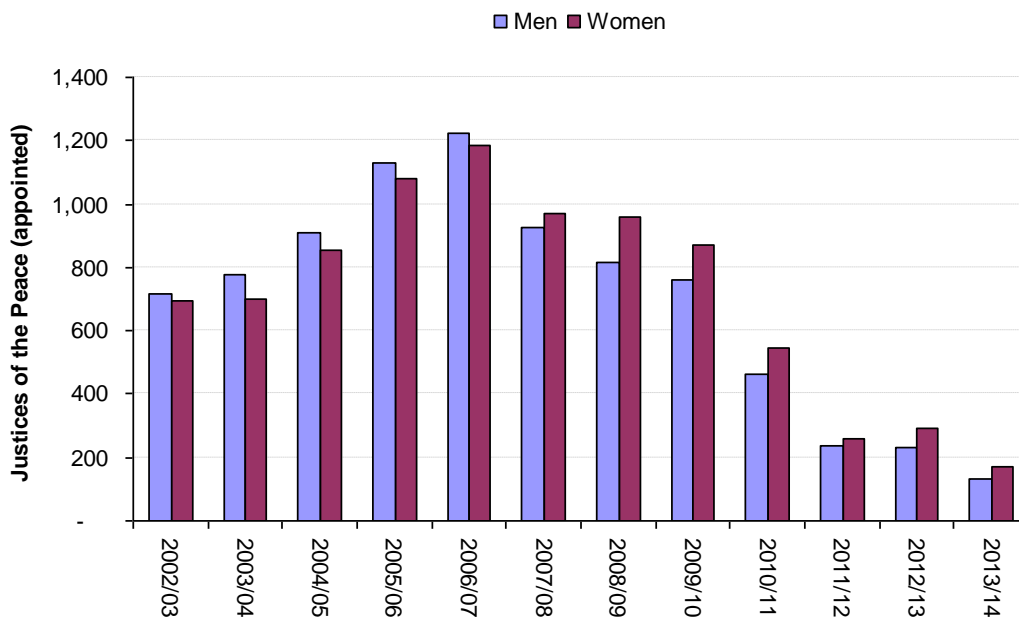
¹⁷ Excluding tribunals and other official functions

Figure 8.2: Justices of the Peace, by gender, 2003 to 2014



There were 304 new Justices of the Peace appointed in 2013/14, down 42% from the 2012/13 level. This is a continuation of the falling trend between 2006/07 and 2013/14 when the number of JPs appointed reduced by 87%. In 2006/07 the number of JPs appointed was broadly even across gender with 51% being men and 49% women. By 2013/14 these proportions had changed and men accounted for 43% of appointments and women for 57%.

Figure 8.3: Justices of the Peace appointed, by gender, 2002/03 to 2013/14



For information on judicial appointments please see:

<http://jac.judiciary.gov.uk/about-jac/diversity-data.htm>

Annex A: Enforcement of financial impositions

The following section provides updated management information on the collection of financial impositions through Her Majesty's Courts and Tribunals Service (HMCTS).

Financial impositions are ordered by the criminal courts for payment by offenders at sentencing and include financial penalties such as fines, prosecutors' costs, compensation orders and victim surcharge. Financial penalties are the most commonly used sentence and form a significant part of HMCTS' collection and enforcement business. Accounting centres also enforce penalty notices for disorder and fixed penalty notices transferred to HMCTS for enforcement as fines. The financial imposition statistics presented here do not include confiscation orders.

Financial impositions and amounts paid

Financial penalties can be imposed by the magistrates' courts and the Crown Court; however they are all collected and enforced by the magistrates' courts. Table A.1 presents the amount of financial penalties collected by the courts in a given period.

In the first quarter of 2014, the total value of financial penalties paid, regardless of the age of the imposition, was £75 million; a 3% increase compared with the same quarter in 2013 and a 4% increase on the previous quarter (Table A.1).

The total value of impositions in the first quarter of 2014 was around £108 million; an increase of 9% compared to the same quarter in 2013 and a 7% increase compared with the previous quarters' total impositions (Table A.2).

In the first quarter of 2014, 12% (£13 million) of financial impositions imposed by the criminal courts were paid within the imposition month.

Each year there are a number of financial penalties that are cancelled, either administratively or legally. Legal cancellations can be applied after the case has been reconsidered by a judge or a magistrate and may follow a change in circumstances. Administrative cancellations are only applied in accordance with a strict write-off policy, e.g. where the defendant has not been traced; these can then be re-instated if the defendant is then traced.

The latest information shows that around 6% (£6.5 million) of the financial penalties imposed in the first quarter of 2014 had been cancelled – mainly consisting of legal cancellations following appeal and statutory declarations.

Financial imposition accounts opened and closed

Table A.3 presents the number of financial penalty accounts opened and closed. An account is opened when a financial penalty is ordered in court and is closed when the imposition against the account has been paid or the

imposition is cancelled. Where a defendant has more than one financial penalty and/or account, these can be consolidated into one account.

There were 318,919 accounts opened in the first quarter of 2014, a 5% increase compared to the same period in the previous year.

Of the accounts opened in the first quarter of 2014, 12% (37,936) were closed within the month of imposition

Outstanding financial impositions

Table A.4 presents the total value of financial impositions outstanding. The amount outstanding is irrespective of the age of the imposition or the payment terms, and excludes all impositions already paid as well as both legal and administrative cancellations. Payment terms may include arrangements for offenders to pay amounts owed over a period of time.

In the first quarter of 2014, the total value of financial impositions outstanding in England and Wales was £549 million. This has consistently fallen and is down 1% on the previous quarter.

Annex B: Planned upcoming changes to publications

From the 24 April until the 5 June, the MoJ ran a consultation on changes to this publication. The consultation can be found at:

<https://consult.justice.gov.uk/digital-communications/consultation-on-changes-to-moj-statistics>

There were two proposals in the consultation:

1. Separate the CSQ publication into separate policy facing publications (covering civil, family, criminal and administrative justice)
2. Merge the Gender Recognition Certificates publication into Tribunal Statistics Quarterly

There were five respondents to the consultation, of which four (80%) were classed as internal customers.

All respondents agreed with both proposals.

Based on this a number of steps will now be taken by the MoJ, these will be:

- Merge the Gender Recognition Certificates into Tribunals Statistics Quarterly for September 2014
- To design a new civil publication (incorporating the civil chapter of CSQ and the Mortgage and Landlord bulletin) for November 2014.
- To design a new Family Justice publication. The first edition of which will be in December 2014.
- To design a new criminal court workload publication for December 2014.

Annex C: Linking mediation data between legal aid and family courts

Key findings

For the first time, data has been linked on mediation meetings from the Legal Aid Agency (LAA) and court data from Familyman. This was done by matching on first name, surname, postcode and gender. Key findings are that successful mediation meetings are less likely to go to court, and are shorter once at court.

Note that this analysis uses data from 2012-2013, when mediation was voluntary, so differences in outcomes may reflect characteristics of the cases.

Background

The diagram below shows the steps in a mediation process for private law cases. The first stages are dealt with by the LAA, starting with a Mediation Information and Assessment Meeting (MIAM), which then may lead to one or more mediation meetings.

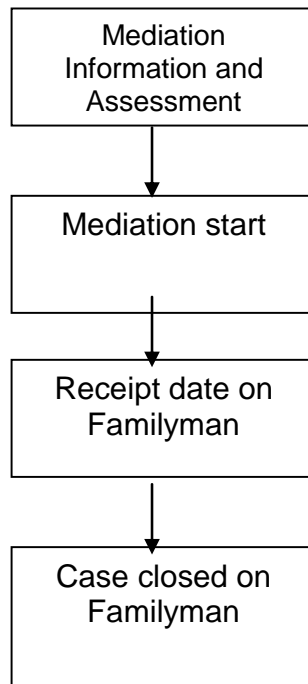
Mediation meetings can concern all issues, or children only, or property and finance only. They can involve both parties or only one.

The outcomes of a mediation meeting can be an agreement (which may be written up or not); an agreement reached on some issues only; or the mediation could break down without an agreement.

At any stage in the mediation process, the parties may decide not to continue with the process. The case may then continue to court, whether or not the mediation is successful. This is where it appears on the Familyman database. If it is not successful, the parties may wish the court to decide, for example how their assets are split. Even if the mediation reached an agreement, these are not legally binding, so they may want the court to 'rubber stamp' it.

The aim of the project is to follow each case (which may contain one or two applicants) through from MIAM to court disposal. This is made more difficult by the fact that one or both names may be recorded by the two data systems. If one party's name is recorded on the mediation data and the other party's name is recorded on Familyman, we would not be able to match them.

Figure C1: The mediation process



Methodology

The method uses applicant surname, first name, gender and postcode in the two datasets, and each match was assigned a score based on how many of these characteristics were in common. Then a judgement was made on which score to have as the lowest cut off i.e. maximising the number of true matches and minimising the number of false matches.

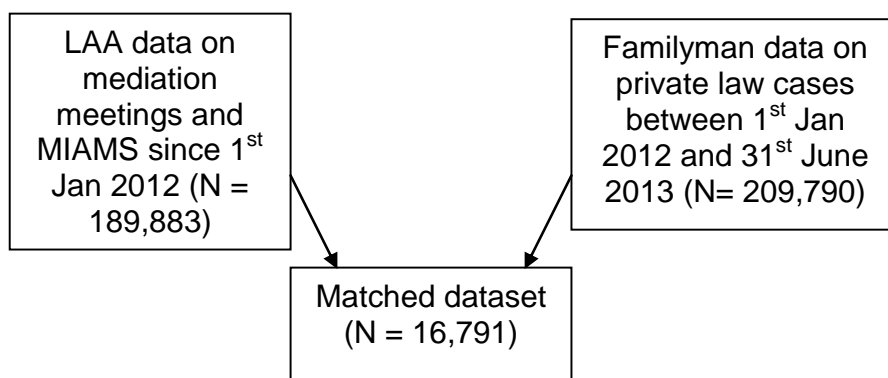
After matching, a dataset with 16,791 records was produced. Three quarters (74%) could not be matched in Familyman with applications made after 1 Jan 2012. We cannot interpret from this that the exact proportion of mediations that continue to court is 26%. This is likely to be an underestimation, because:

- We may not have been able to match some cases that did actually go to court.
- We may have incorrectly matched some cases that did not in fact go to court.
- Even if the mediation was successful, cases may still go to court to have their agreement made legally binding
- The data linking approach relies heavily on the use of clients' full names and postcodes, both of which may change in family law cases.

However, the 26% figure is not likely to be far from the true value as another study found that an estimated one-fifth (21%) of family issues reached court in 2011. See:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/217369/sustainability-mediation-private-family-law.pdf

Figure C2: The linking process



Outcome

The analysis looked at a number of key outcomes, including the impact of mediation on the number of cases going to court and timeliness of cases. In addition analysis was done on the type of cases going to court following mediation see if they were less complex, i.e. there were less subjects under discussion.

Impact of mediation on cases going to court

Overall, 54% of mediations reach a written-up agreement. In the matched data, 49% were successful, suggesting these cases are less likely to go to court. For unmatched cases, i.e. cases that we assume did not go to court; this proportion rises to 57%. These differences are significantly different from the proportion for all mediations¹⁸.

Conversely, mediations which broke down are more prevalent in the matched data, suggesting they are more likely to go to court. Cases that we assume didn't go to court are less likely to have mediations that broke down. The proportions for other mediation outcomes are similar.

¹⁸ At the 95% confidence level

Figure C1: Mediation outcome

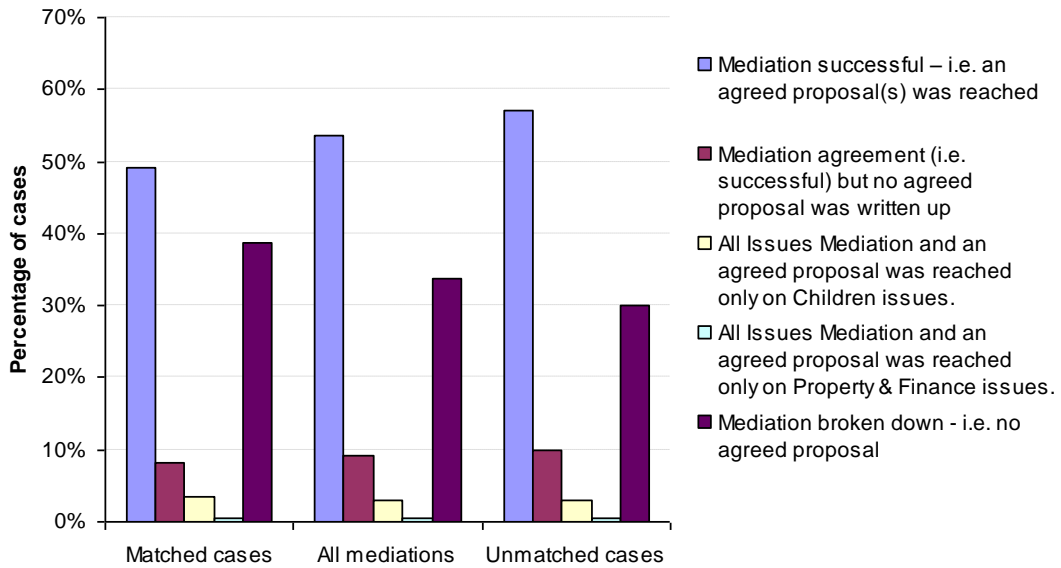
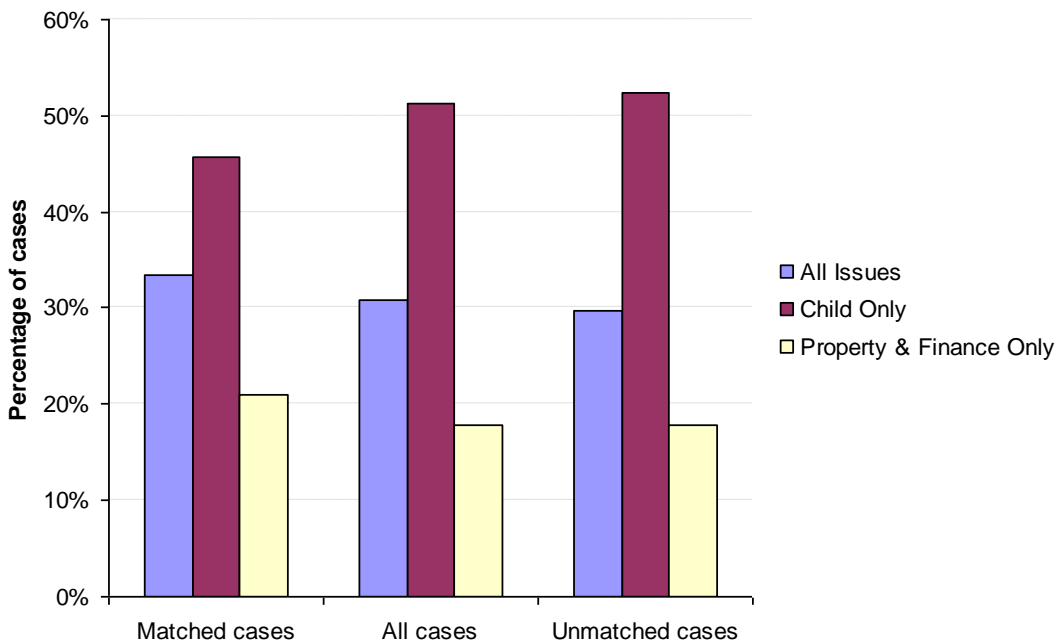


Figure C2: Type of mediation



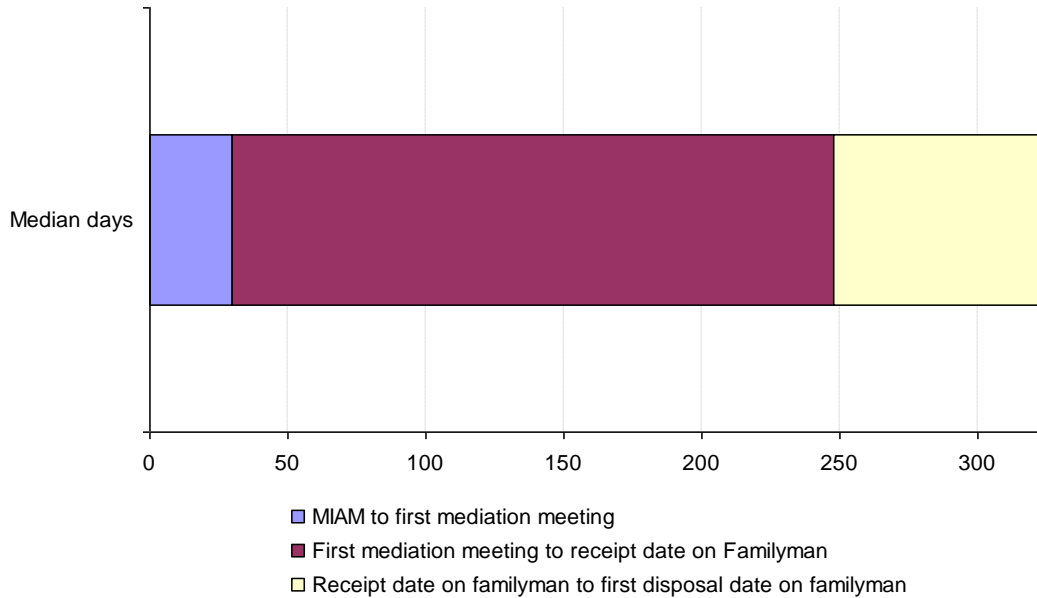
There are fewer cases with a matching court application for the child only mediation group, suggesting this may be a more successful mediation type for reducing subsequent application. This is also the most common type of mediation meeting, comprising half of all mediations. However, mediations covering all issues have more cases with a matching court application.

Timeliness

Examining by outcome, partial agreements take longest between mediation start and receipt date on Familyman (300 days), possibly because they are

more complex. Mediations which break down are the quickest to reach court (218 days). Successful mediations were closer to the average (242 days).

Chart C3: Timeliness for each stage¹⁹



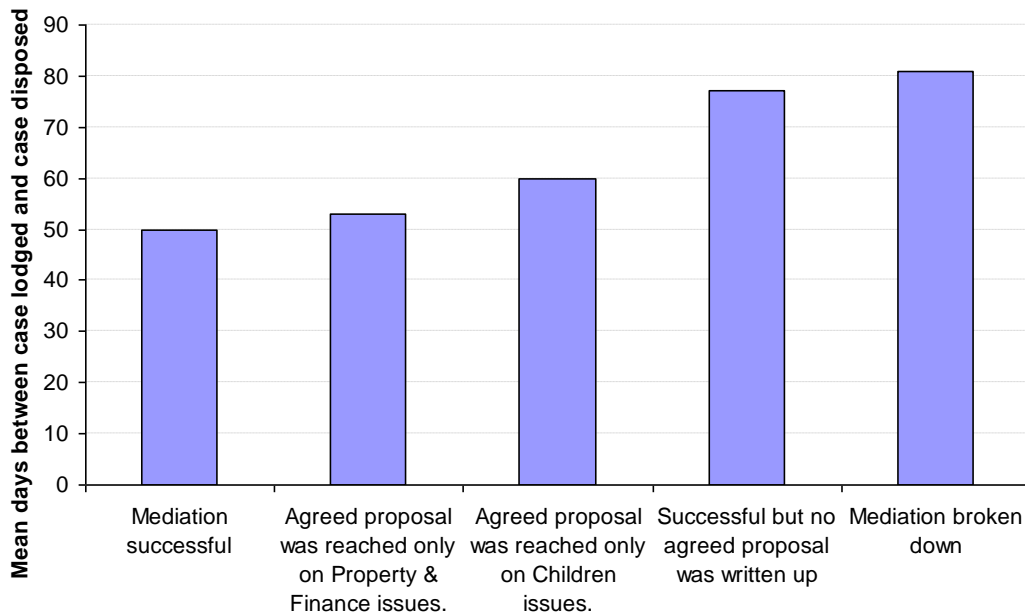
A National Audit Office report in 2007 found that on average, the mediation itself took 100 days²⁰.

Looking at the time spent at court, cases where mediation was successful were shortest (mean of 50 days). Mediations which broke down resulted in court timeliness of an average of 81 days.

¹⁹ Private law and divorce cases

²⁰ <http://www.nao.org.uk/report/legal-aid-and-mediation-for-people-involved-in-family-breakdown/>

Chart C4: Average court timeliness

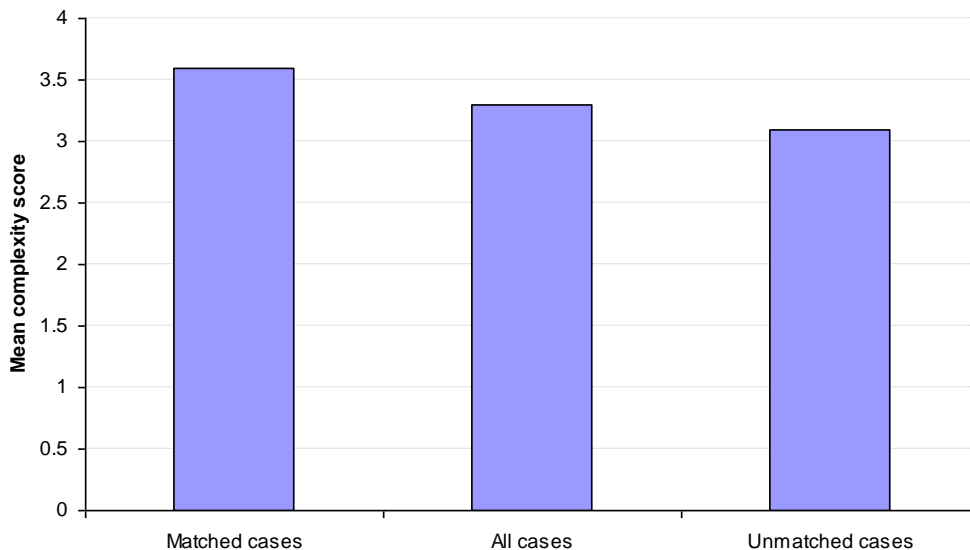


Complexity of cases

The analysis also looked at cases that progressed to court following mediation, and if they were more complex in nature than those that had gone straight to court.

As an indicator of complexity, the 'value' field in Familyman (which lists the orders in a case) was assigned a numeric score, based on the assumption that more orders in a case meant more issues were under discussion. Therefore a higher score is a proxy for a more complex case.

Chart 5: Complexity of Private law and divorce cases



This shows that cases that have mediation are more complex than all cases over the same period. However, this interacts with the finding that successful mediations are likely to have more issues under discussion at court, see Table 6.

Table C1: Complexity by mediation outcome

Outcome	Mean complexity score
Mediation successful – i.e. an agreed proposal(s) was reached	3.7
Mediation agreement (i.e. successful) but no agreed proposal was written up	3.4
All Issues Mediation and an agreed proposal was reached only on Children issues.	4.5
All Issues Mediation and an agreed proposal was reached only on Property & Finance issues.	4.5
Mediation broken down - i.e. no agreed proposal	3.5
Grand Total	3.6

Explanatory notes

The United Kingdom Statistics Authority has designated these statistics as National Statistics, in accordance with the Statistics and Registration Service Act 2007 and signifying compliance with the Code of Practice for Official Statistics. Designation can be broadly interpreted to mean that the statistics:

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

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

The statistics in this bulletin relate to cases in the county, family, Crown and magistrates' courts in England and Wales. Calendar year statistics are also provided.

Breakdowns of many of the summary figures presented in this bulletin, such as split by case type or by HMCTS area, are available in the Comma Separated Value (csv) files that accompany this publication.

Revisions

The statistics in the latest quarter 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. Further revisions may be made when the figures are reconciled at the end of the year. If revisions are needed in the subsequent year this will be clearly annotated in the tables.

For more information please see the **Guide to Court and Administrative Justice Statistics**.

Revision to the criminal timeliness data – June 2014

Following the identification of improvements to the existing methodology, all historic criminal timeliness tables from Q2 2010 have been revised. As a result the number of defendants included in the average timeliness calculations has increased for all previous periods, whereas the average durations are identical.

Similarly updates to Home Office offence classifications have resulted in changes in the average timeliness of some offence level breakdowns. As such these data are not comparable with previous published tables.

An additional table has been added to this publication which provides data on receipts, disposals and outstanding cases in the magistrates' court, providing a more comprehensive data set. It is intended that this new data set will, over time, replace the completed proceedings data set. We will run both data sets in parallel for the remainder of 2014. In a separate publication, Criminal Justice Statistics (CJS) which also provides data on the volumes of court disposals.

Symbols and conventions

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

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

Contacts

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

Rob Smith

Tel: 020 3334 3505

Email: rob.smith@justice.gsi.gov.uk

Mark Kram

Tel: 020 3334 6697

Email: mark.kram@hmcts.gsi.gov.uk

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

Bridgette Miles

Ministry of Justice

102 Petty France

London

SW1H 9AJ

Tel: 020 3334 4571

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

General enquiries about the statistics work of the MoJ can be emailed to statistics.enquiries@justice.gsi.gov.uk

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