



Ministry  
of Justice



# **Civil Justice Statistics Quarterly, England and Wales (Incorporating Privacy Injunction Statistics July to December 2015)**

October to December 2015

Ministry of Justice  
Statistics bulletin

Published 3 March 2016

## Contents

Contents	2
Introduction	3
Key Findings	5
1: Civil (excluding family) cases	7
2: Judicial Reviews at the Administrative Court	14
3: Privacy Injunctions	20
Annex A: Planned upcoming changes to publication	22
Annex B: List of Accompanying Tables and CSV	23
Annex C: Timeline of changes to civil procedures	24
Annex C: Explanatory notes	25
Further information	26

## Introduction

This statistical bulletin presents statistics on three key areas of civil and administrative justice:

- County court civil (non-family) cases that took place in England and Wales in October to December 2015;
- Judicial review cases processed by the administrative court in England and Wales up to December 2015;
- Privacy Injunction cases, dealt with by the High Court or Court of Appeal, for the six month period, July to December 2015.

The figures give an overview of the volume of cases dealt with by these courts over time and are used to monitor court workloads, to assist in the development of policy and their subsequent monitoring and evaluation.

**Civil cases** are those that do not involve family matters or failure to pay council tax. These cases are mainly dealt with by county courts and typically relate to debt, the repossession of property, personal injury, the return of goods and insolvency. Particularly important, complex or substantial cases are instead dealt with in the High Court.

**Judicial reviews (JRs)** are a process by which individuals, businesses and other affected parties can challenge the lawfulness of decisions or actions of the executive, including those of ministers, local authorities, other public bodies and those exercising public functions. It is a largely judge-developed procedure and can be characterised as the rule of law in action, providing a key mechanism for individuals to hold the executive to account. It is, however, intended to operate quickly and proportionately. Certain protections are in principle provided against spurious claims: only those with sufficient interest are able to bring a case and they must first obtain permission for their case to be heard.

**Privacy injunctions** are used when a person or organisation who wishes to prevent the publication or dissemination of private or confidential information applies to the High Court for an injunction to stop this from occurring. Prior to March 2015, these statistics were previously published as a separate publication entitled 'Statistics on Privacy Injunctions'.

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

[www.gov.uk/government/statistics/guide-to-civil-and-administrative-justice-statistics](http://www.gov.uk/government/statistics/guide-to-civil-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.

Previous editions of Civil Justice Statistics Quarterly can be found here:  
[www.gov.uk/government/collections/civil-justice-statistics-quarterly](http://www.gov.uk/government/collections/civil-justice-statistics-quarterly)

The next publication of Civil Justice Statistics is scheduled to be published on **2 June 2016**, covering the period **January to March 2016**.

### **Users of the statistics**

The main users of these statistics are ministers and officials in central government responsible for developing policy with regards to civil and administrative justice. Other users include lawyers and academics, other central government departments such as the Department for Communities and local government, and non-governmental bodies, including various voluntary organisations with an interest in civil and administrative justice.

## Key Findings

This report presents statistics on three areas of justice: civil (excluding family cases), judicial reviews in England and Wales up to December 2015 and privacy injunctions for July to December 2015.

### **Civil (excluding family) cases**

- In October to December 2015, courts dealt with around 390,000 claims. There were also around 34,000 allocations, 63,000 defences and 214,000 judgments. The number of claims courts dealt with is similar to the same quarter in the previous year, defences were down 6%, allocations down 4% whilst judgments increased by 8%.
- Looking over the longer term, the total number of claims increased in 2013 and 2014 compared with previous years – however, provisional figures for 2015 show a small decrease (down 3%) indicating a possible change in overall trend.
- Judgments fell between 2009 and 2012, but have since seen year on year increases with provisional figures for 2015 showing an increase of 4% compared to the previous year. The contradictory trend in judgments compared with claims reflects the lag in the system i.e. the time taken for a case to move through the system from claim to judgment.
- In 2015, both the claimant and defendant had legal representation in 58% of all defences (up from 54% in 2014) whilst neither the defendant nor the claimant had representation in 18% of defences (compared to 20% in 2014). Unspecified money claim defences account for 71% of all defences and in almost all such defences (97%), both sides were legally represented.
- There was an average of 53.5 weeks between a fast or multi-track claim being issued and the claim going to trial in October to December 2015, compared with 59.1 weeks in the same period in the previous year.

### **Judicial reviews at the Administrative Court**

- During 2015, there were around 4,680 applications lodged at the Administrative Court, up 15% on the previous year.
- 65% of the applications lodged in 2015 have now closed. A lower proportion of cases became eligible for a final hearing -13% compared with 20% of cases in 2014. Of the 588 cases in 2015 that were eligible for a final hearing, to date 122 have reached a decision. Of these, 63 (1% of all cases lodged in 2015) were found in favour of the appellant.
- From 1 October 2012 to 31 December 2015, around 28,000 cases were lodged and 17,000 (60%) had reached permission or oral renewal stage. Of those that had reached these stages, 26% were found to be totally without merit.

## **Privacy Injunctions**

- During July to December 2015, there were two applications for new interim privacy injunctions and one application for continuation of an injunction. There were no applications for a final privacy injunction.

## 1: Civil (excluding family) cases

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 (for money and possession claims only). 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. For money claims, if the defendant disputes (defends) the claim (in full or part) and mediation fails, the case is allocated by a judge to one of three case-management tracks (small claims track (for claims with a value less than £10K), fast track or multi track). Allocated cases which are not settled or withdrawn generally result in a small claim hearing or trial. 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 charging orders.

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.

### **Number of claims issued**

In October to December 2015, a total of 389,520 claims were issued, similar to the number seen in the same quarter in 2014 (See table 1.1 and figure 1.1). Annually, there was a general downward trend in the total number of claims issued between 2006 and 2012 from 2.1 million to a low of 1.4 million – since then, the trend has reversed, showing increases in 2013 and 2014. Provisional figures for 2015 show this trend has reversed with a slight decrease of 3% compared to 2014.

In October to December 2015, 82% of all claims were money claims, an increase of one percentage point from the same quarter in 2014. Of these money claims, 89% (282,681) related to claims for specified amounts of money (one percentage point higher than the same quarter last year). The remaining money claims related to unspecified money claims, down 1 percentage point from last year (Table 1.2).

Unspecified money claims include personal injury, which make up a large proportion of these claims. During October to December 2015, 95% of unspecified money claims were for personal injury, compared to 94% in the same quarter in 2014. This trend has been consistent since the second quarter of 2012, when the County Court Money Claims Centre (CCMCC) took over the processing of the money claims and more accurately recorded personal injury claims. (Table 1.2).

In October to December 2015, there were 71,781 non-money claims (down 3% on the same quarter in 2014). Annually, this figure dropped from an average of just under 400,000 between 2000 and 2008 to an average of just under 320,000 between 2009 and 2014. In 2015 the number of non-money claims fell further to 297,767. This decrease can be partially explained by the fall in mortgage possession claims – there were 5,206 less claims in October to December 2015 compared with the same quarter in 2014, an 11% decrease. This coincided with lower interest rates, a proactive approach from mortgage lenders in managing consumers in financial difficulties, and various interventions, such as introduction of the Mortgage Pre-Action Protocol<sup>1</sup> that encouraged more pre-action contact between lender and borrower (Table 1.2).

There were 4,253 insolvency petitions<sup>2</sup> (excluding in the Royal Courts of Justice) in October to December 2015. This shows a 23% decrease on the same quarter last year and remains in line with the general downward trend seen since 2009 (Table 1.2). The decrease since 2009 has been driven by falls in bankruptcy petitions made by debtors and bankruptcy petitions made by creditors, whilst petitions for company windings up<sup>3</sup> have remained stable.

---

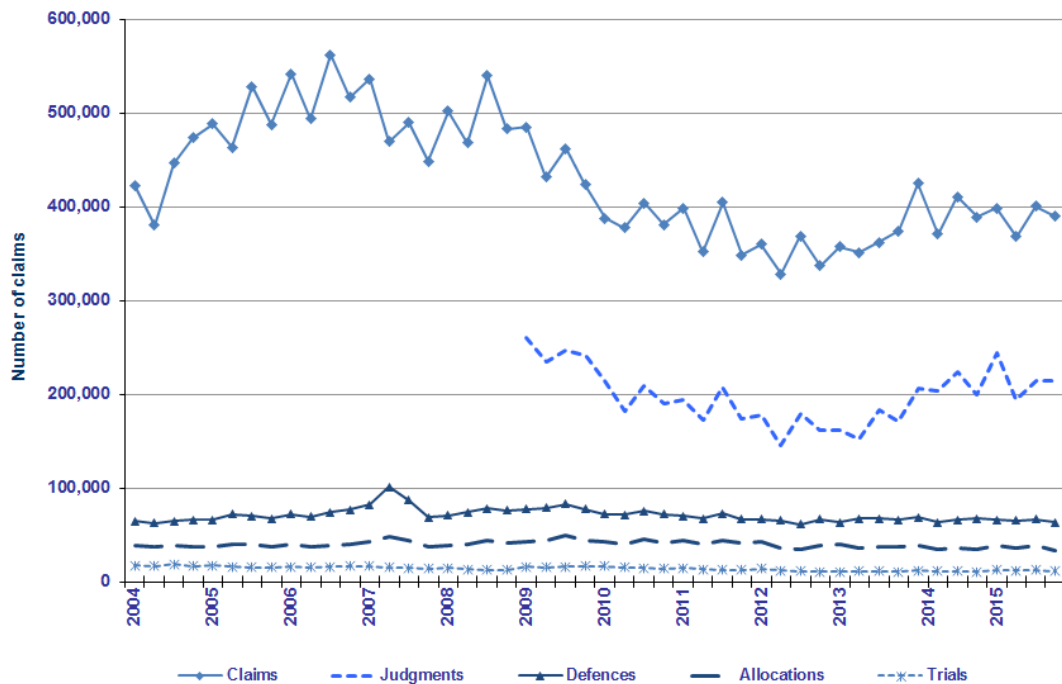
<sup>1</sup> For more information on mortgage and landlord possession statistics trends and the Mortgage Pre-Action Protocol please see [Annex B](#) of the [Mortgage and landlord possession statistics publication](#).

<sup>2</sup> Insolvency petitions relate to bankruptcy or companies “winding up”

<sup>3</sup> See the accompanying csv files for more information



**Figure 1.1: Civil claims, defences, allocations and trials, January to March 2004 – October to December 2015**



### Number of defences, allocations, trials and judgments

In October to December 2015, provisional figures show 63,295 defences were made, 6% less than during the same quarter in 2014. Looking over the longer term, there has been a general downward annual trend since the peak of just under 340,000 in 2007, with the 2014 figure being 264,701. Since 2014, the annual number of defences has decreased very slightly to 261,198 (down 1%).

For money claims, 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. In October to December 2015, a total of 33,771 allocations were made, a small decrease (down 4%) on the same period last year (Table 1.3).

- In October to December 2015, almost half of all allocations (15,800) were to the small claims track, one percentage point less than in the same quarter of 2014. This track is generally for cases with a claim value of up to £10,000<sup>4</sup> which require less preparation by the parties involved than the more complex cases allocated to the fast or multi track. The trials are designed to be accessible to people who do not have representation by a solicitor or counsel, and are dealt with in about an hour.

<sup>4</sup> On 1 April 2013 due to a policy change, the maximum claim value for cases allocated to the small claims track increased from £5,000 to £10,000.

- During October to December 2015, 44% (14,702) of claims were allocated to the fast track, an increase of five percentage points from the same quarter in 2014. This track is generally for cases with a claim value of between £10,000 and not more than £25,000, with issues not complex enough to merit more than a one day trial.
- 10% (3,269) were allocated to the multi-track, compared with 12% allocated to the multi-track in the same quarter of 2014. This track is generally for cases with a claim value exceeding £25,000 with more complex issues. They generally last more than one day at trial.

In October to December 2015, a total of 214,184 judgments were made, up 8% on the same period last year. Annually, the number of judgments fell between 2009 and 2012, but has since begun to show an increase. In 2015, there were 866,382 judgments made, an increase of 4% compared to 2014 (Table 1.4).

Defended cases which are not settled or withdrawn generally result in a trial (Table 1.5). In total, there were 11,436 trials (of all types) in the October to December 2015, up 6% on the same quarter in 2014.

In October to December 2015, 8,105 small claims trials took place. On average, these occurred 32.1 weeks after the claim was originally made. This is the same as the average time taken in July to September 2015 and is the second longest average time to trial since data were collected in 2000 (the longest being 32.3 weeks in April to June 2015).

Looking over the longer term, the average annual time taken to reach small claims trial steadily increased over time to a peak of 30.5 weeks in 2009 and then stabilised at 30 weeks between 2010 and 2013. In 2014, the annual average time increased to 31.5 weeks – this increase in timeliness has continued to increase in 2015 – up to 31.9 weeks.

Fast and multi-track trials (of which there were 3,331 in October to December 2015) occurred on average 53.5 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 2014 and 2015, to an annual average of 52.6 weeks (Table 1.5).

## **Enforcement**

There are various methods of enforcing a judgment through the county courts. The most common method of enforcing a monetary judgment is the warrant of execution against a debtor's goods. This is where, unless the amount owed is paid, items owned by the debtor can be recovered by a bailiff acting on behalf of the court and sold.

The number of warrants issued has been steadily falling since 2000, until mid-2014, after which the trend has reversed. During October to December 2015, there were 58,302 warrants issued, a 5% increase on the same quarter last year (Table 1.4).

Alternatively, various types of court orders can be obtained:

- attachment of earnings orders enable payment through the debtor’s employer.
- third party debt orders enable payment by freezing and then seizing money owed by a third party to the debtor.
- Charging orders obtain security for the payment against the debtor’s assets. This may be followed by an order for sale which forces the sale of these assets.

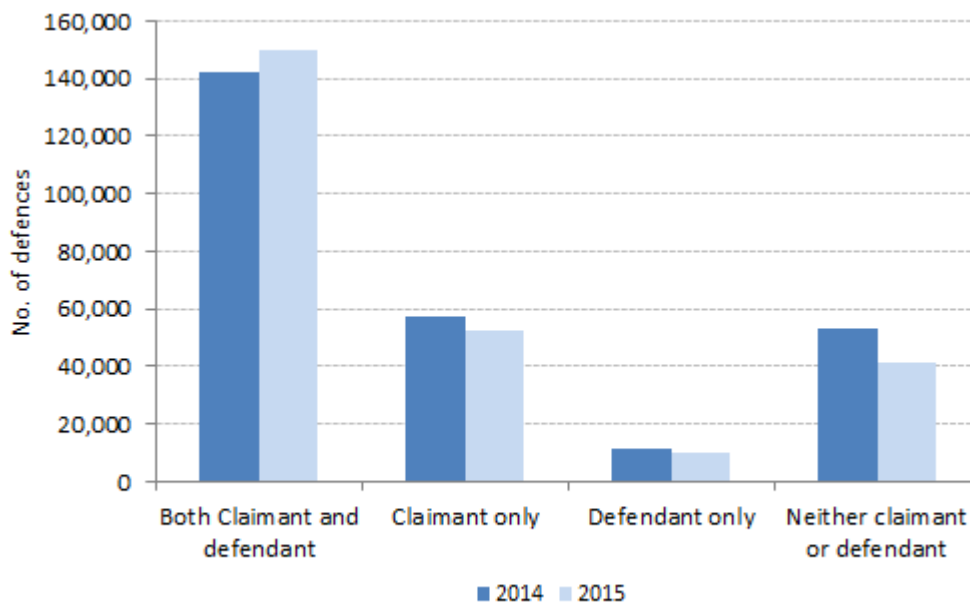
In October to December 2015, 24,976 enforcement orders were made, a decrease of 17% compared to the same period last year. This figure has been generally falling since 2008.

### Legal representation

Figures on the legal representation of parties in civil (non family) related court cases are shown in Table 1.6. This gives the number of claims defended during each quarter, for mortgage and landlord possession, other non money claims, specified money claims and unspecified money claims, according to whether the applicant(s), respondent(s), both or neither had legal representation during the case.

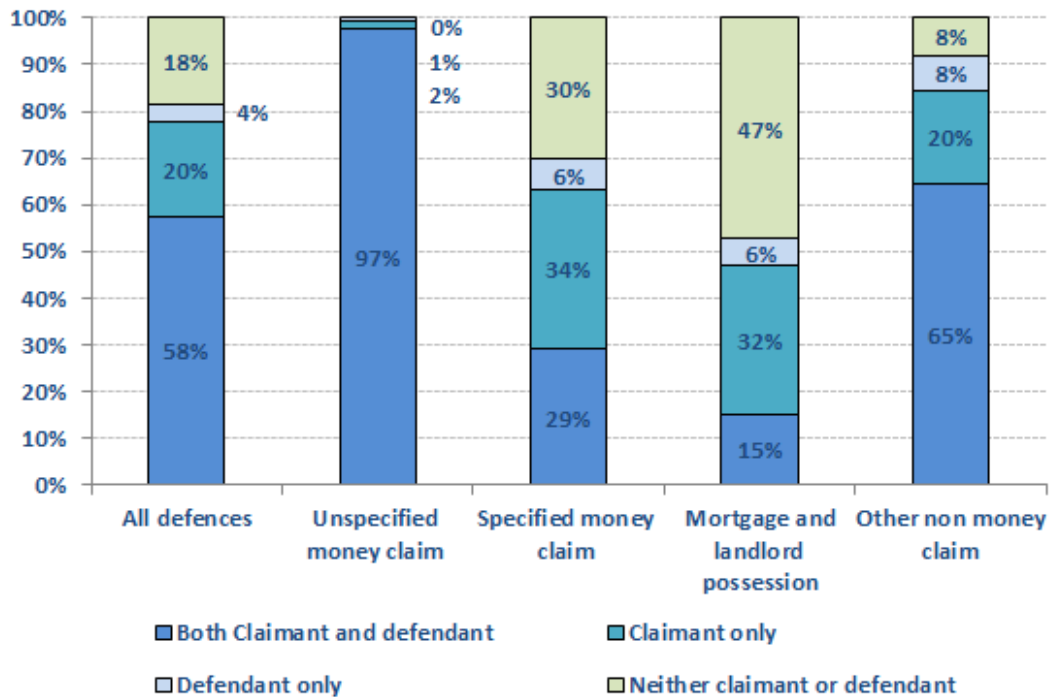
Figure 1.2 shows the number of defences broken down by representation status for 2014 and 2015 in England and Wales.

**Figure 1.2: Number of civil defences and legal representation status, 2014 and 2015**



In 2015, both the claimant and defendant had legal representation in 58% of defences (compared to 54% in 2014) whilst neither the respondent nor the claimant had representation in 18% of defences (compared with 20% in 2014). Defences with either the claimant or defendant only represented were 20% and 4% of all defences respectively, compared to 22% and 4% respectively in 2014.

**Figure 1.3: Proportion of civil defences, by type of case and legal representation status, England and Wales, 2015**



In the most recent quarter (October to December 2015), both parties were legally represented in 56% of defended cases, up 2 percentage points on the equivalent quarter in 2014.

**Figure 1.3b Number and proportion of defences by type of defence claim, England and Wales, 2015**

	All defences	Specified money claims	Unspecified money claims	Mortgage and Landlord Possessions	Other non-money claims
Number of defences	261,198	130,637	109,635	16,538	4,324
Proportion of defences	100%	50%	42%	6%	2%

In almost all unspecified money claim defences (97%) both the respondent and claimant had legal representation – these account for 42% of all defences. For the other types of defences, legal representation status was more evenly distributed, although mortgage and landlord possession defences were more likely to have no legal representation for either the respondent or the claimant.

Changes to legal aid came into effect as of April 2013, and removed legal aid eligibility for some civil cases. Figures show that the proportion of defences with legal representation for both parties fell during 2013 until mid-

2014, but has increased steadily since then and into 2015 with levels of legal representation almost back at the levels seen prior to the legal aid eligibility changes.

The Legal Aid Agency (LAA - formerly the Legal Services Commission) collects statistics on those applying for legal aid, and figures on the number of applications received and certificates granted by various civil categories. These are published in their quarterly statistical report which can be found here:

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

### **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 17,036 completed civil proceedings in the Magistrates' Court in October to December 2015, an 8% increase on the same period last year (Table 1.2). 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.

## 2: Judicial Reviews at the Administrative Court

Judicial reviews (JRs) are a process by which individuals, businesses and other affected parties can challenge the lawfulness of decisions or actions of the Executive, including those of ministers, local authorities, other public bodies and those exercising public functions. It is a largely judge-developed procedure and can be characterised as the rule of law in action, providing a key mechanism for individuals to hold the Executive to account.

This chapter tracks the progress of JRs lodged at the Administrative Court between 1 January 2000 and 31 December 2015. The figures presented in **this chapter exclude Judicial Reviews that are dealt with by the Upper Tribunal Immigration and Asylum Chamber (UTIAC), unless otherwise stated**; however they are publicly available in a separate publication<sup>5</sup>.

As the information included in this chapter has been extracted from a live database, all figures are refreshed each quarter and therefore there are minor revisions between the information presented here and previous publications.

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 applications lodged during the year 2014 and also 2015, where a larger proportion of cases will not have been concluded.

For more information on the Judicial Review process, including how topics are allocated to Immigration/Asylum and Other, please see the **A Guide to Civil and Administrative Justice Statistics**<sup>6</sup>.

### Applications for permission to apply for Judicial Review

During 2015, there were 4,679 applications for judicial review, a 15% increase compared to 2014 (where applications lodged totalled 4,064 – the lowest annual figure since records began), driven by an increase in civil immigration and asylum JRs dealt with by the Administrative Court (up 40% compared with 2014 to 2,648).

The overall annual trend in judicial review applications received had been steadily increasing, with the exception of a dip in 2004. In 2000, there were 4,238 applications for permission to apply for a JR and by 2013, this had risen to an annual intake of 15,594 (over a threefold increase) (Table 2.1).

As seen in 2015, JR Civil (Immigration and Asylum) cases had been driving this increase, up from 2,151 in 2000 to 13,130 in 2013. This type of judicial

---

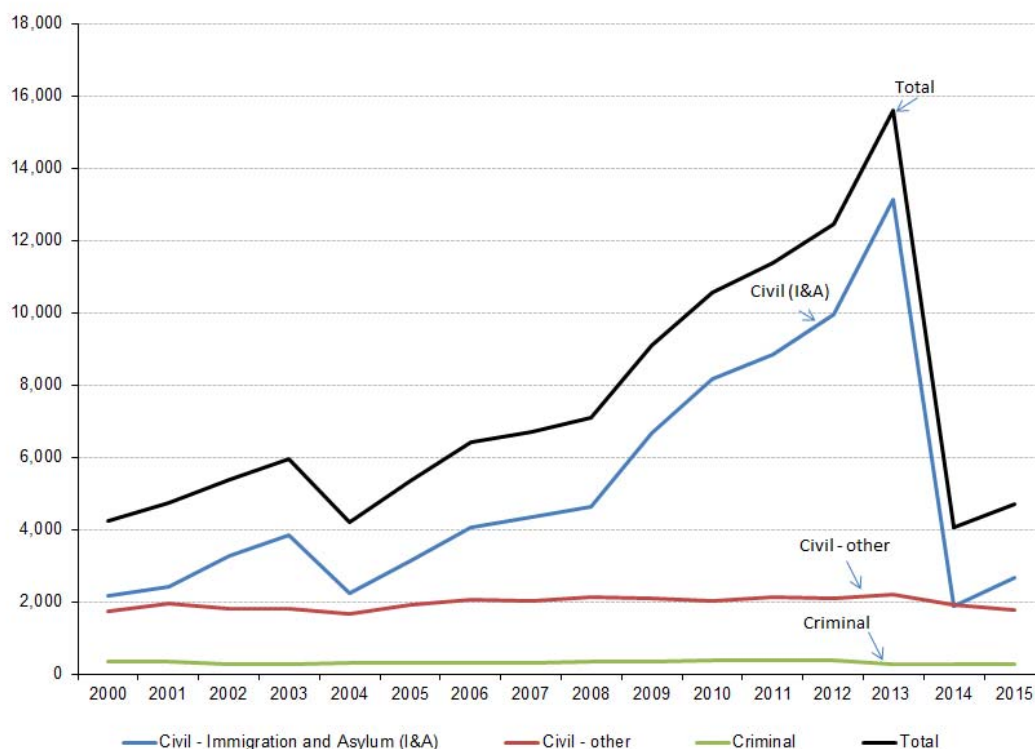
<sup>5</sup> Tribunal and Gender Recognition Certificate Statistics Quarterly:  
[www.gov.uk/government/collections/tribunals-statistics](http://www.gov.uk/government/collections/tribunals-statistics)

<sup>6</sup> [www.gov.uk/government/statistics/guide-to-civil-and-administrative-justice-statistics](http://www.gov.uk/government/statistics/guide-to-civil-and-administrative-justice-statistics)

review accounted for half of all JRs in 2000 and 84% of all JRs in 2013 - this proportion fell to just under half (47%) in 2014. The sharp decrease seen in 2014 was due to a change implemented<sup>7</sup> in November 2013, in which the Upper Tribunal for Immigration and Asylum Chamber (UTIAC) took over responsibility for the majority of Civil Immigration and Asylum Judicial Review cases. The reduction in Immigration and Asylum JR cases has resulted in a subsequent increase Immigration and Asylum tribunal cases. In 2014, there were 16,001 JR receipts at the UTIAC, giving a total number of JRs across the Administrative court and UTIAC of around 20,000. More detailed figures on the number of JRs taking place in the UTIAC are published in the [Tribunal and Gender Recognition Statistics Quarterly Publication](#).

In 2015, 57% of all JRs were Civil Immigration and Asylum cases and only 53 were subsequently transferred to the UTIAC.

**Figure 2.1: Annual Judicial Review Applications, by type<sup>8</sup> calendar year 2000-2015**



The trends in JR civil (other) and JR criminal cases are less prominent than civil (immigration and asylum). JR civil (Other) cases steadily rose from 1,727 in 2000 to 2,191 in 2013. In 2014 the figure fell to 1,904 a 13%

<sup>7</sup> [www.justice.gov.uk/courts/rcj-rolls-building/administrative-court/applying-for-judicial-review](http://www.justice.gov.uk/courts/rcj-rolls-building/administrative-court/applying-for-judicial-review)

<sup>8</sup> This chart excludes a small number of cases that could not be allocated to a type

decrease on the previous year. JR criminal cases remained fairly stable from 2000 to 2011, fluctuating between 280-370 cases each year. In 2012 it reached a peak of 384 cases and has since fallen to 273 in 2013 and an all time low of 260 cases in 2015. During 2015 there were 260 new cases for JR criminal and 1,771 for JR (civil) other, down 3% and 7% respectively compared to 2014.

## **Case progression (Table 2.2)**

Once a judicial review has been lodged, it then progresses through the process until it is concluded; the time this process will take will be different for each case<sup>9</sup>.

The three main stages of the Judicial Review process once a case has been lodged are:

- Permission stage - where the Court's permission is required for a claim for JR to proceed. This can be in the form of an oral or paper hearing.
- Oral renewal stage - In cases where the Court refuses permission to proceed on the papers (either in full or in part); this is where the claimant requests that the decision be reconsidered at a hearing.
- Final hearing – Where permission is granted for a case to proceed at either the permission or oral renewal stage, this is the point where cases are heard and a judgment is made.

Please note, case progression figures can be affected by the case mix, which has changed over time and thus any previously observed trends should be viewed with caution. Different case types can have different mean lengths of timeliness. For example, civil judicial reviews for immigration and asylum rose from 51% of all cases in 2000 to 84% of all cases in 2013, 47% in 2014 and 57% in 2015 - these types of cases overall took a longer mean number of days, therefore overall mean timeliness will be longer the greater the proportion of these cases within the case mix.

Also, the case progression figures will change as time allows for more cases to progress through the system.

### **Permission stage**

- In 2015, the proportion of all cases reaching the permission stage was 64%, with 11% of all lodged cases so far being given permission to proceed.

---

<sup>9</sup> For more information see the following guide:

[www.gov.uk/government/statistics/guide-to-civil-and-administrative-justice-statistics](http://www.gov.uk/government/statistics/guide-to-civil-and-administrative-justice-statistics)



- In 2014, the number granted permission to proceed at the permission stage stood at 16% of all cases lodged. This increase compared to 2013 (9%) is likely in part to be due to an increase in the proportion of all cases reaching the permission stage; 78% of cases lodged in 2014 compared with 54% of all lodged cases in 2013. Although there is a higher proportion of cases reaching the permission stage, the volumes in 2014 decreased, 3,185 in 2014 compared to 8,484 in 2013.

### **Oral renewals**

- During 2015, 6% of cases have reached the oral renewal stage, 65% of cases are now closed. During 2014, 12% of cases reached the oral stage, 95% of 2014 cases are now closed. Although this is an increase from 2013 (8% of cases), looking at the overall time series the number follows the general downward trend. The 2013 number includes a large number of immigration cases that are less likely to reach an oral hearing.
- A fee to renew the claim for an oral renewal (where previously there was no fee) was introduced in April 2014 which may have reduced the numbers. There are also a number of JRs that are not eligible for renewal if refused, or have permission granted – challenging decisions of the Upper Tribunal. These claims end in this court if refused or are remitted back to the Upper Tribunal if permission granted.
- During 2015, a total of 300 cases reached the oral renewal stage, of which 96 (2% of all cases lodged) have been granted permission to proceed. For cases heard at the oral renewal stage in 2014, 3% of all cases lodged were granted permission to proceed.

### **Final hearing**

- The proportion of cases eligible for a final hearing (granted permission to proceed at permission stage or oral renewal) has steadily reduced over time, from 33% in 2000 to 10% in 2013. The rate then increased to 20% in 2014, dropping back down to 13% during 2015.
- Of the applications lodged in 2015, 122 have so far reached the final hearing stage and 63 (52%) of these (1% of all cases lodged) were found in favour of the claimant. In 2014, 346 cases reached a final hearing, where 147 cases (42%) were in favour of the claimant (4% of all cases lodged) and 53% in favour of the defendant (5% of all cases lodged)

### **Timeliness (figure 2.2 and table 2.3)**

Timeliness figures are based on the date the judicial review is lodged to the date of various stages of the process. It 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. Caution must be taken when interpreting the most recent data, particularly that for 2014 and 2015, as not enough time has passed for all cases to reach each stage and those that have will be the

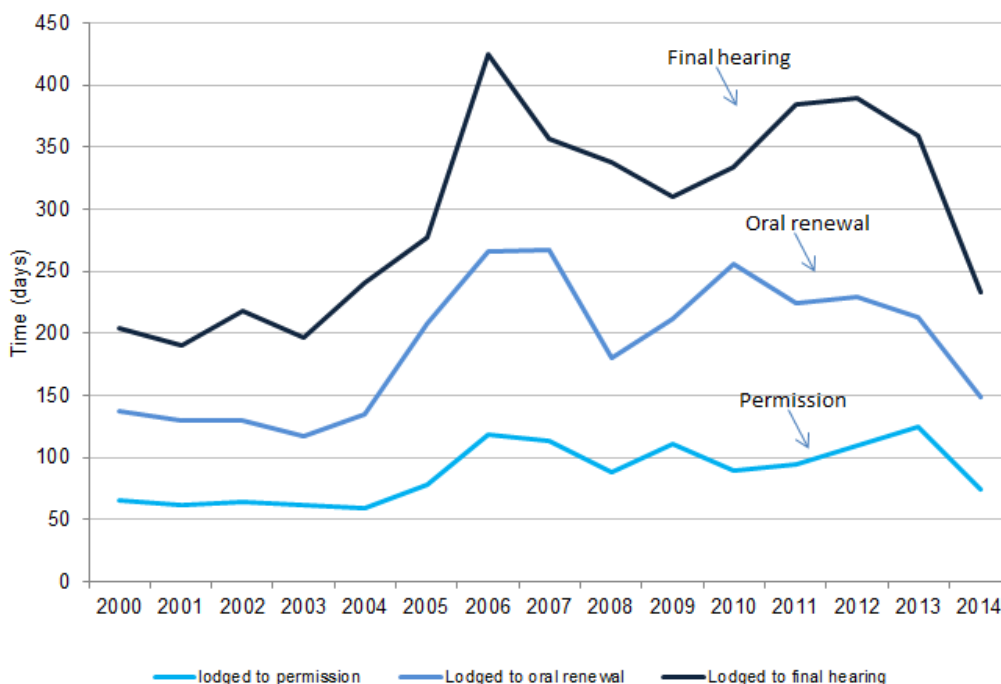
ones that are shorter in length so the average will be lower than the true figure (95% of cases that were lodged in 2014 were classed as ‘Closed’, compared with only 65% of those lodged so far in 2015).

The mean time taken from lodging a case to the permission stage decision has remained relatively stable between 2006 and 2013 where the number was 118 and 125 days respectively; prior to this, the number was stable at approximately 65 days (from 2000-2005). For the 95% of the cases lodged in 2014 classed as closed, the figure is significantly lower at 75 days. This may be driven by the reduced caseload, due to most of the Immigration and Asylum cases moving to the UTIAC.

The mean time taken from lodging a case to the oral renewal stage decision has fluctuated over the years. From 2000-2004, the average time was 130 days. This increased rapidly to 209 days in 2005 and to a peak of 267 days in 2007. The figure then fell sharply to 180 days in 2008 before rising to an average of 227 days from 2009 to 2013. For the 95% of cases lodged in 2014 classed as closed, the number has fallen to 149 days.

The mean time taken from lodging a case to the final hearing decision showed a similar pattern; 205 days in 2000 peaking to 425 days in 2006 and fluctuating since then. The 2013 figure stood at 359. For 2014 to date, this figure has fallen considerably to 233 days, though this is subject to change as unclosed cases progress through the system, (95% of cases in 2014 are so far closed).

**Figure 2.2: Average time taken for each stage of the Judicial Review process, 2000 to 2014<sup>1</sup>**



<sup>1</sup> 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 will change in future publications as cases progress through the system, especially for cases lodged in 2014.

Please note that 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). As part of the Government's reforms to judicial review procedures, for cases issued on or after 1st July 2013; a case refused permission and certified as totally without merit cannot be renewed at the oral renewal hearing stage. A claimant can however appeal against this decision, which would be dealt with at the Appeals Court (In criminal JRs, there is no appeal route from a refusal of permission if TWM). The outcomes of such cases are not recorded in these figures.

From 1 October 2012 to 31 December 2015, there were 27,550 cases lodged. Of these 16,780 (60%) had reached permission or oral renewal stage at the time the data was extracted in January 2016. Of those that had reached these stages, 4,342 (26%) were found to be totally without merit.

### 3: Privacy Injunctions

This chapter presents statistics on privacy injunctions dealt with at hearings at the High Court or Court of Appeal at the Royal Courts of Justice (RCJ) in London during July to December 2015.

In general terms, the injunctions covered by these statistics are those dealt with in any civil proceedings in the High Court or Court of Appeal where the court considers either:

- an application for an injunction prohibiting the publication of private or confidential information;
- the continuation of such an injunction; or
- an appeal against the grant or refusal of such an injunction.

The injunctions covered by these statistics will be termed “**privacy injunctions**” throughout this report. **They include, but do not exclusively relate to, super-injunctions.**

Specifically, the statistics relate to applications concerned with data protection and rights to respect for private and family life protected by Article 8 of the European Convention on Human Rights (ECHR), whether the injunction is sought by an individual, a public authority, or a company. When an injunction is sought, section 12 of the Human Rights Act is engaged, meaning that the injunction might, if granted, affect the exercise of the right to freedom of expression contained in Article 10 of the ECHR.

The ECHR can be found on the following website:

[human-rights-convention.org/](http://human-rights-convention.org/)

The statistics do not cover injunctions arising from proceedings dealing with family issues, immigration or asylum issues, those which raise issues of national security, or most proceedings dealing with intellectual property and employment issues. The statistics also relate only to those injunctions dealt with at the RCJ in London. They exclude, for example, cases dealt with at District Registries of the High Court. In practice, however, the vast majority, if not all applications for such injunctions will be dealt with at the RCJ.

Data have been collected via statistical returns completed by the hearing judge and forwarded to the Ministry of Justice statistics team. The judge in the case therefore determines whether an injunction has met the criteria for inclusion in these statistics. See Explanatory Notes for more details.

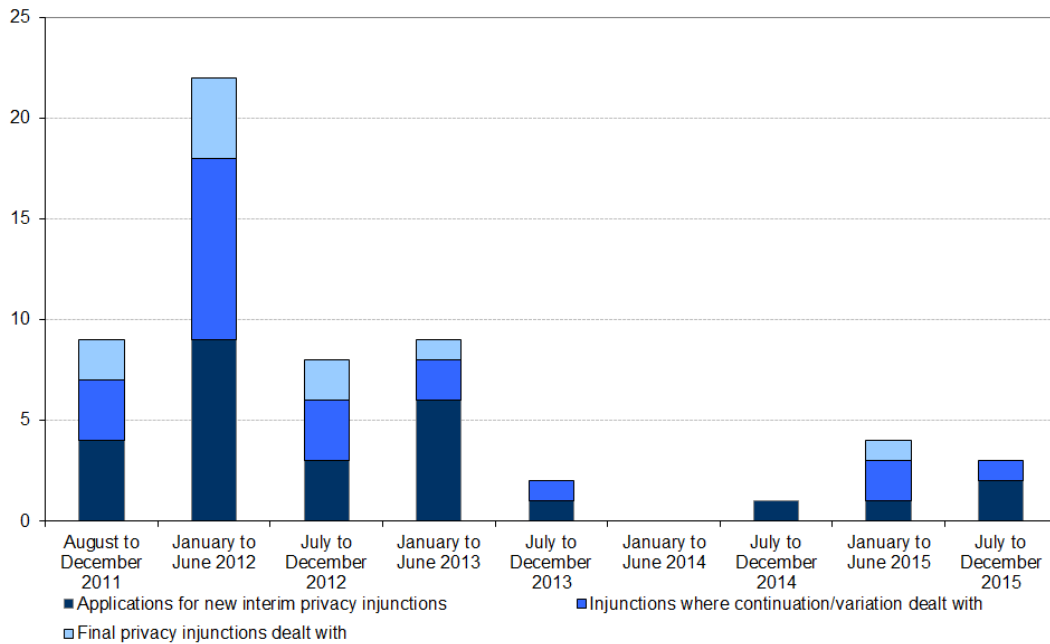
#### **Proceedings where applications for privacy injunctions were considered**

During the period July to December 2015, there were two proceedings in which the High Court in London considered an application for a **new** interim injunction prohibiting the publication of private or confidential information. One proceeding was considered at the High court on whether to continue or

amend an existing interim injunction and there were no applications to issue a final permanent injunction.

Also no proceedings in the Court of Appeal were heard for an **appeal** against a grant or refusal of an interim or final injunction. The Court of Appeal has heard one such proceeding since these statistics began to be collected – this was during August to December 2011.

**Figure 3.1: Number of privacy injunction proceedings**



**New interim privacy injunctions (Table 3.1)**

As noted above, there were two proceedings at the High Court during July to December 2015 in which the court considered an application for a new interim injunction.

**Continuation of existing interim injunctions (Table 3.2)**

As noted above, there was one proceeding at the High Court in which the court considered whether to continue or vary an existing interim injunction from previous periods during July to December 2015.

**Final privacy injunctions (Table 3.3)**

As noted above, there were no proceedings at the High Court in which the court considered an application for a final privacy injunction in July to December 2015.

## Annex A: Planned upcoming changes to publication

There are currently no planned changes to the publication.

## Annex B: List of Accompanying Tables and CSV

Accompanying this publication are the following tables:

### **Chapter 1 - Civil Courts:**

- 1.1 County court activity, England and Wales, annually 2000 - 2014, quarterly Q1 2009 – Q4 2015
- 1.2 Number of claims issued in the county and magistrates' courts, by type of claim, England and Wales, annually 2000 - 2014, quarterly Q1 2009 – Q4 2015
- 1.3 Claims defended and allocations to track, England and Wales, annually 2000 – 2014, quarterly Q1 2009 – Q4 2015
- 1.4 Case progression in the county courts, England and Wales, annually 2009 - 2014, quarterly Q1 2009 – Q4 2015
- 1.5 Number of trials and small claim hearings and the average time to reach trial/hearing, England and Wales, annually 2000 - 2014, quarterly Q1 2009 – Q4 2015
- 1.6 Number of defended claims by case type and details of legal representation, England and Wales, annually 2013 - 2014, quarterly Q1 2013 – Q4 2015

### **Chapter 2 - Judicial Reviews in the Administrative Court:**

- 2.1 Number of case applications for permission to apply for Judicial Review by topic, at the Administrative Court, 2000 – Q4 2015
- 2.2 Case Progression: number of Judicial Review cases that reach permission stage, oral renewal stage and final hearing by cases lodged, at the Administrative Court, 2000 – Q4 2015
- 2.3 Timeliness (in days) of Judicial Review cases started at the Administrative Court, by staged reached, 2000 – Q4 2015
- 2.4 Number of Judicial Reviews at the Administrative Court classed as 'Totally Without Merit' between 1 October 2012 to 31 December 2015

### **Chapter 3 – Privacy Injunctions**

- 3.1 Applications at the High Court in London for new interim privacy injunctions, August 2011 to December 2015
- 3.2 Proceedings dealing with the continuation or variation of interim injunctions at the High Court in London, August 2011 to December 2015
- 3.3 Final privacy injunctions dealt with at the High Court in London, August 2011 to December 2015

## Annex C: Timeline of changes to civil procedures

- Brooke reforms – April 2013, changed the value limits for money claims allocated to each track.
- Jackson reforms – April 2013, changed the process for managing multi track claims.
- Implementation of the tribunals, courts and enforcement act – April 2014, various changes to the procedures for enforcement of judgments.
- Single county court – April 2014, changed the way in which claims are issue
- Introduction of secure data transfer (SDT) – November 2014, allowed customers issuing bulk claims to do so more easily
- Fee enhancements, March 2015 – increased the fee required to issue money claims.



## Annex C: 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.

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.

In the civil section of the publication the terminology 'hearings or trials' had previously been used to describe civil claims reaching this stage. We now use the term 'trials', as this is a more accurate reflection of what the figures represent. This does not change the historical or current figures reported.

### **Data Quality and Revisions**

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, these will be clearly annotated in the tables.

Additional revisions have been made in this publication to the quarterly claims and defences figures for 2014. The claims figures have been revised to omit a small number of family cases, recently collected via the Civil Court Case Management system. These figures will be incorporated into the Family Justice Statistics Quarterly publication.

The Judicial Review figures are taken from the Administrative Court Office COINS database. As the Judicial Review figures are extracted from this live database, all figures are refreshed each quarter and there will be minor revisions between the new information presented in the latest bulletin and earlier data published. When analysing JRs by department the 'defendant type' variable is derived from the free text field 'defendant name' and is therefore open to inputting/human error and subject to correction by a Judge when determining the claim. The defendant name is grouped into department/public body where it is possible to identify and this is down to the interpretation of the analysts. Although we have checked and cleansed the data for publication, the quality of the information in this section is limited and should be used with caution.

## Symbols and conventions

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

- .. = Not applicable
- = Between zero and two. Low numbers are suppressed to stop individuals being identified
- (r) = Revised data
- (p) = Provisional data

## Further information

Earlier editions of this publication can be found at:

[www.gov.uk/government/collections/civil-justice-statistics-quarterly](http://www.gov.uk/government/collections/civil-justice-statistics-quarterly)

Statistics on Tribunals (including Judicial Reviews dealt with by the UTIAC) can be found at:

[www.gov.uk/government/collections/tribunals-statistics](http://www.gov.uk/government/collections/tribunals-statistics)

Statistics on the use of interpreters and translation services in courts and tribunals can be found at:

[www.gov.uk/government/collections/statistics-on-the-use-of-language-services-in-courts-and-tribunals](http://www.gov.uk/government/collections/statistics-on-the-use-of-language-services-in-courts-and-tribunals)

Information on Civil County Court Mortgage and Landlord Possession Statistics can be found at:

[www.gov.uk/government/collections/mortgage-and-landlord-possession-statistics](http://www.gov.uk/government/collections/mortgage-and-landlord-possession-statistics)

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

[www.gov.uk/government/collections/legal-aid-statistics](http://www.gov.uk/government/collections/legal-aid-statistics)

Information on civil justice in Scotland can be found here

[www.gov.scot/Topics/Statistics/Browse/Crime-Justice/civil-judicial-statistics/](http://www.gov.scot/Topics/Statistics/Browse/Crime-Justice/civil-judicial-statistics/)

[Information on civil justice in Northern Ireland can be found here](#)

[www.courtsni.gov.uk/en-GB/Publications/Targets\\_and\\_Performance/Pages/default.aspx](http://www.courtsni.gov.uk/en-GB/Publications/Targets_and_Performance/Pages/default.aspx)

## Contacts

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

### **Sebastian Walters**

Tel: 020 3334 3529

Email: [Sebastian.walters@justice.gsi.gov.uk](mailto:Sebastian.walters@justice.gsi.gov.uk)

### **Zoe Campbell**

Tel: 020 3334 6698

Email: [zoe.campbell@hmcts.gsi.gov.uk](mailto:zoe.campbell@hmcts.gsi.gov.uk)

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

### **Alison Colquhoun**

Ministry of Justice

102 Petty France

London

SW1H 9AJ

Email: [statistics.enquiries@justice.gsi.gov.uk](mailto: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](mailto:statistics.enquiries@justice.gsi.gov.uk)

General information about the official statistics system of the UK is available from

[statisticsauthority.gov.uk/about-the-authority/uk-statistical-system](http://statisticsauthority.gov.uk/about-the-authority/uk-statistical-system)

© Crown copyright

Produced by the Ministry of Justice

Alternative formats are available on request from

[statistics.enquiries@justice.gsi.gov.uk](mailto:statistics.enquiries@justice.gsi.gov.uk)