



Family Court Statistics Quarterly, England and Wales, January to March 2017

Main points

Increase in number of cases starting in Family courts



65,714 new cases started in family courts in January to March 2017, up 4% on January to March 2016, driven by increases in financial remedy and Private law cases (up 13% and 11% respectively).

On average, care proceedings took longer and fewer cases disposed of within 26 weeks



The average time for a care or supervision case to reach first disposal was **28 weeks** in January to March 2017, up slightly on the same quarter in 2016, and at its highest level since mid-2015.



56% of cases were disposed of within 26 weeks – **down 4 percentage points** over the same period.

Increase in the number of Private law applications



The number of **Private law applications increased by 11%** compared to the equivalent quarter in 2016, whilst the number of **disposals increased 2%** over the same period.

Number of adoption applications and orders continues downward trend



In January to March 2017, there were 1,465 adoption order applications, down 5% on the equivalent quarter in 2016. Similarly, over the same period the number of adoption orders issued decreased 9% to 1,417.

Continued increase in applications and orders made in relation to deprivation of liberty



There were 969 **applications** relating to deprivation of liberty in January to March 2017, **up 43%** on the equivalent quarter in 2016. Deprivation of liberty **orders made almost doubled** between over the same period from 292 to 547.

This publication presents statistics on activity in the family courts of England and Wales and provides figures for the latest quarter (January to March 2017). For further information and technical details please refer to the accompanying Guide to Family Court Statistics.

We are changing how our quarterly bulletins look, and would welcome any feedback to commentary.champions@justice.qsi.gov.uk

For other feedback related to the content of this publication, please let us know at Statistics.enquiries@justice.qsi.gov.uk

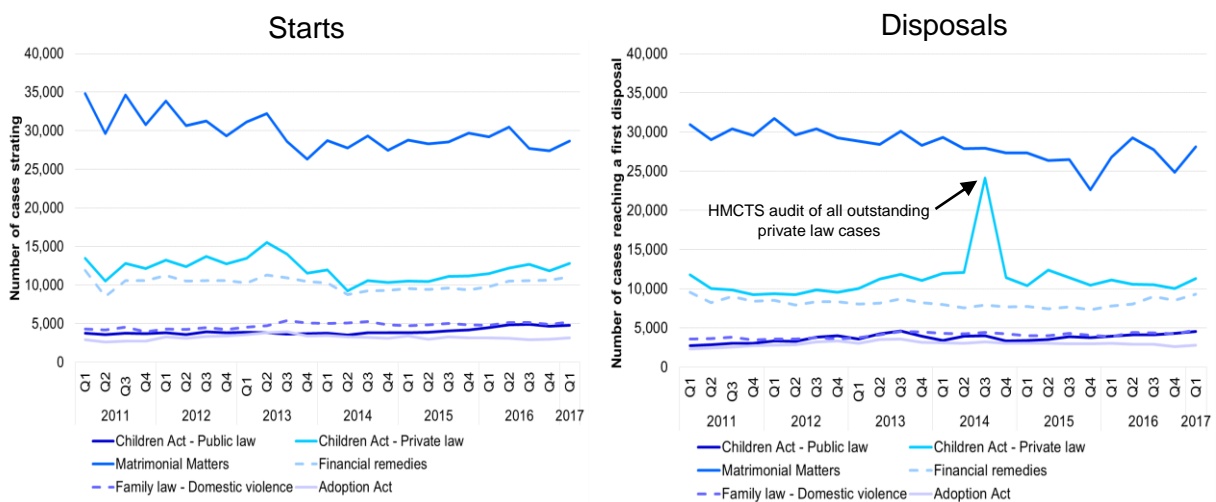
1. Overview of the Family Justice System

Increase in both number of cases starting and disposals in Family Courts

In January to March 2017, 65,714 new cases started in family courts, up 4% on the equivalent quarter in 2016, driven by increases in Private law and financial remedy cases and domestic violence remedy order applications (up 11%, 13% and 8% over the same period respectively).

There were 60,937 cases disposed in January to March 2017, up 8% on the equivalent quarter of 2016, driven by an increase in domestic violence remedy orders, financial remedy and Public law (up 21%, 20% and 16% respectively).

Figure 1: Cases starting and concluding, by case type, January to March 2011 to January to March 2017 (Source: Table 1)



In January to March 2017, 44% of new cases within family courts related to matrimonial matters - compared to the same period in 2016, the number of matrimonial matters cases starting fell slightly (down 2%).

Timeliness by Case Type

Average time to first disposal varies by case type – Public law cases generally take the longest and in 2011 on average, they took nearly a year to reach a first disposal (50 weeks). Since 2011, this has fallen steadily and by 2016, almost halved to reach 26 weeks. In the first quarter of 2017, there has been a slight increase to 27 weeks (up one week). The average time for other case types remained fairly stable between 2011 and 2016 (Table 8).

2. Public Law

Continuing upward trend in Public law cases

Public law cases starting in January to March 2017 up 6% compared to the same quarter in 2016 and case disposals also up 16%. The number of court events for and the number of children involved in applications and orders made also increased over the same period.

Timeliness for care proceedings increased in the latest quarter

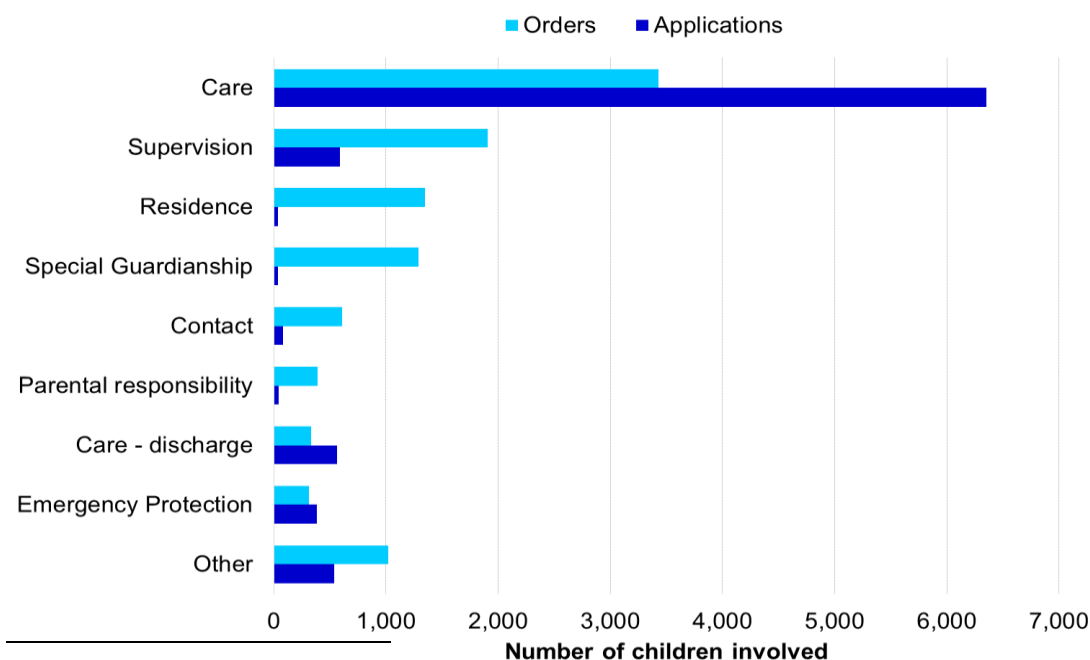
The average time for a care and supervision case to reach first disposal was 28 weeks in January to March 2017, the highest quarterly figure since mid-2015 when it was 29 weeks. 56% of these care proceedings were disposed of within the 26 week limit introduced in the Children and Families Act 2014.¹

There were 5,051 new Public law applications in January to March 2017, up 5% on the equivalent quarter in 2016². There were 8,901 children involved in those applications in January to March 2017, meaning that on average, there were 1.8 children involved in each application.

In comparison, there were 11,444 children involved in Public law orders made in January to March 2017, up 11% on the same quarter in 2016.

Figure 2 shows the most common types of Public law orders applied for and made in January to March 2017, illustrating the different pattern between the types of orders applied for and the orders that are given, i.e. an application for one type can result in an order of a different type being made.

Figure 2: Public law applications and orders made, showing the number of children involved in each order type, January to March 2017 (Source: Tables 3-4)



¹ See the accompanying technical guide for more information.

² The MoJ and HMCTS are continuing to look into the reasons behind the recent increases in public law applications. See the accompanying guide for further detail.

3. Private Law

Increase in the number of Private law case starts and applications

The number of Private law **cases**³ **started** increased by 11% in January to March 2017 compared to the equivalent quarter in 2016. The number of **applications** also increased by 11% over the same period.

In comparison, the number of Private law disposals in January to March 2017 was 18,781, up 2% on the equivalent quarter in 2016.

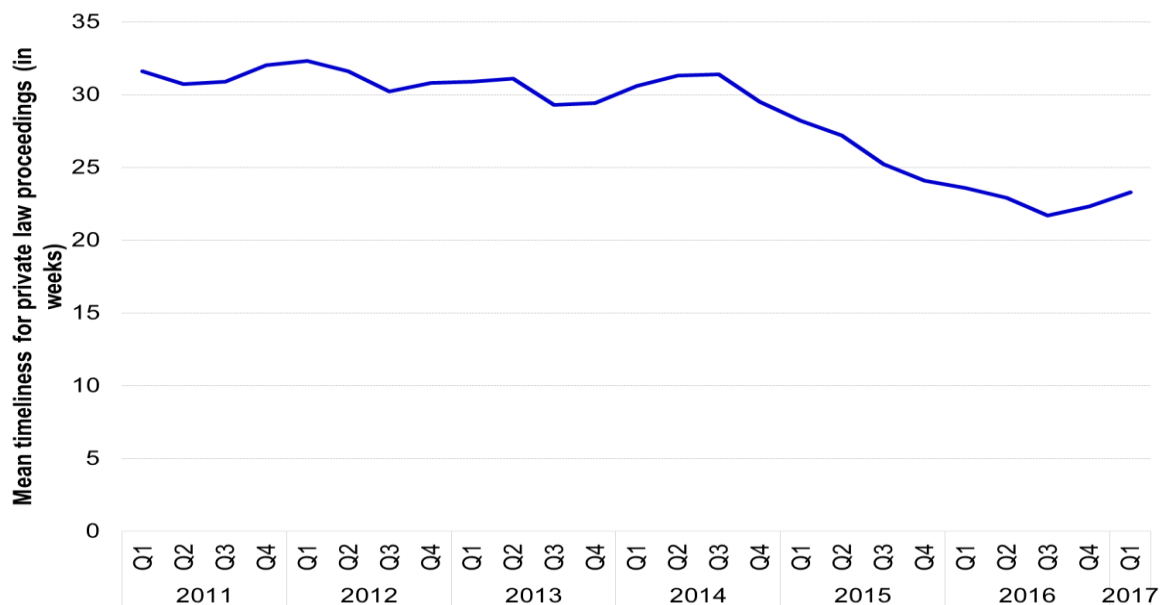
There were 13,281 new Private law applications in January to March 2017, up 11% on the equivalent quarter in 2016 – these applications involved 28,043 children; on average, there were 2.1 children involved in each application.

In comparison, there were 41,808 children involved in Private law orders made in January to March 2017, up 5% on the same quarter in 2016.

Timeliness of Private law cases

A new table has been introduced as of this quarter, which gives the average time for a Private law case to reach a final order, i.e. case closure - in January to March 2017, it took on average 23 weeks, down slightly on the same period in 2016. However, there are signs of a reversal in the downward trend seen since the end of 2014.

Figure 3: Private law timeliness from case start date to final order in the family court, January to March 2011 to January to March 2017 (Source: Table 7)



³ The Children and Family Court Advisory and Support Service (Cafcass) also publishes (England only) data on the number of private law cases. A comparison of Cafcass and MoJ data and further information can be found in the accompanying guide.

4. Legal representation

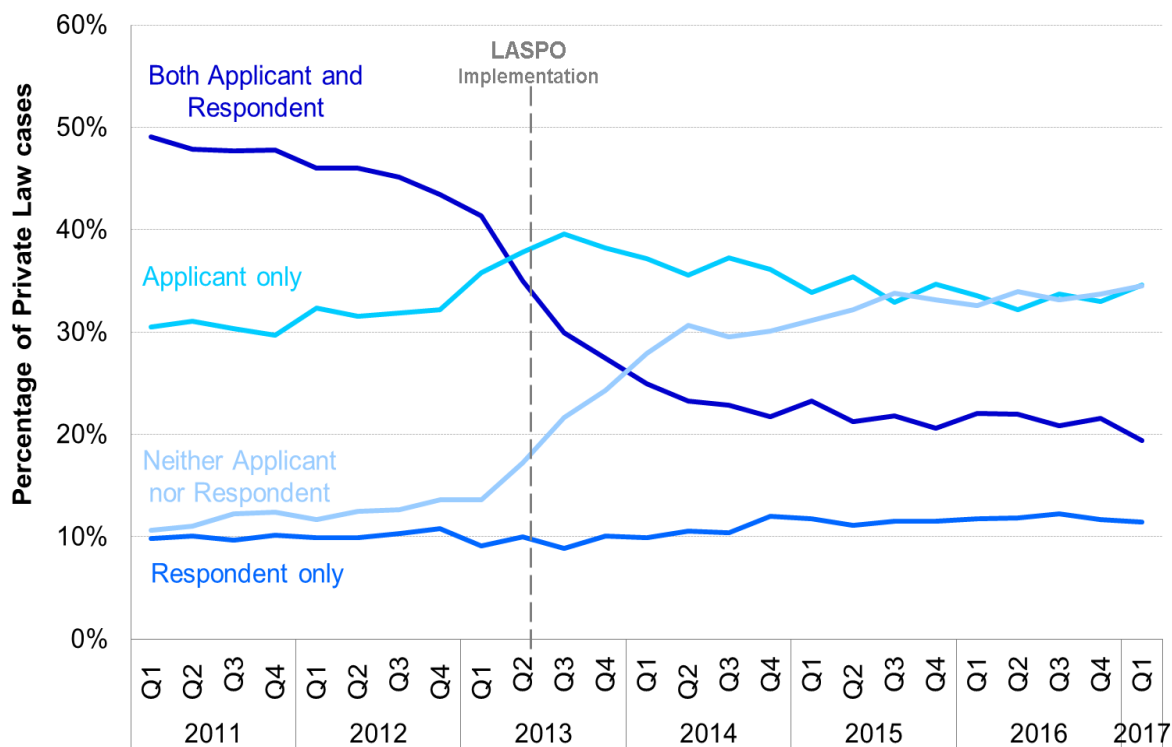
In general, across all family case types, cases where either both parties or the respondent only had legal representation took longer to be disposed than those cases where only the applicant was represented or where both parties were without legal representation (Table 8).

The proportion of parties with legal representation in cases with at least one hearing varies by case type, from around 80% for Public law to less than 5% for adoption cases (Table 9).

Legal representation in Private law cases

The removal of legal aid for many Private law cases in April 2013 resulted in a change in the pattern of legal representation over time⁴. In January to March 2017, the proportion of disposals where neither the applicant nor respondent had legal representation was 34%, an increase of 20 percentage points since January to March 2013. Correspondingly, the proportion of cases where both parties had legal representation dropped by 22 percentage points to 19% over the same time period (Figure 4).

Figure 4: Proportion of private law disposals by type of legal representation of the parties, January to March 2011 to January to March 2017 (Source: Table 8)



The change seen in the pattern of legal representation is also demonstrated in Private law cases with at least one hearing where the proportion of parties with legal representation dropped from 60% in 2012 to 33% in January to March 2017.

⁴ Please see the accompanying guide for further details.

5. Divorce

Continuing stable trend in number of divorce petitions and timeliness of proceedings

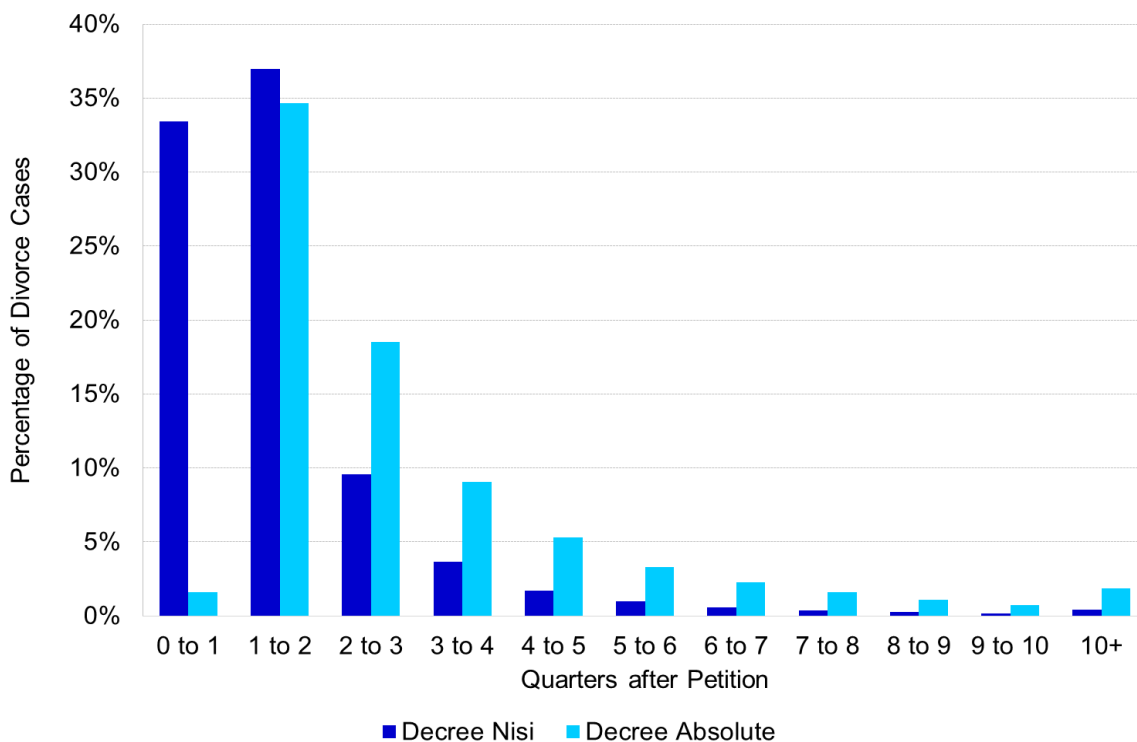
Divorce petitions down slightly in January to March 2017 compared to same period in previous year.

There were 28,523 divorce petitions made during January to March 2017, down slightly on the same quarter in 2016, whilst there were 27,975 Decrees Absolutes granted, up 5% over the same period (Table 10).

For those granted Decree Nisi in January to March 2017, the average time from the date of petition was 24.1 weeks, whilst the average time from petition to Decree Absolute was 49.1 weeks.

Table 12 and Figure 5 shows how long it takes, on average, for petitions to reach certain stages in the process, counted by the number of quarters elapsed.

Figure 5: Percentage of divorce cases started between Q1 2011 to Q1 2017 reaching Decree Nisi or Decree Absolute, by the number of quarters since petition (Source: Table 12)



One-third (33%) of divorce petitions made between 1 January 2011 and 31 March 2017 reached Decree Nisi in the first quarter after the petition was made, with about another third (37%) reaching this stage within the second quarter. Over half the petitions reached Decree Absolute within three quarters after petition (2% in the first quarter, 35% within 1 to 2 quarters and 19% within 2 to 3 quarters).

6. Financial remedy

Large increase seen in financial remedy applications and disposals

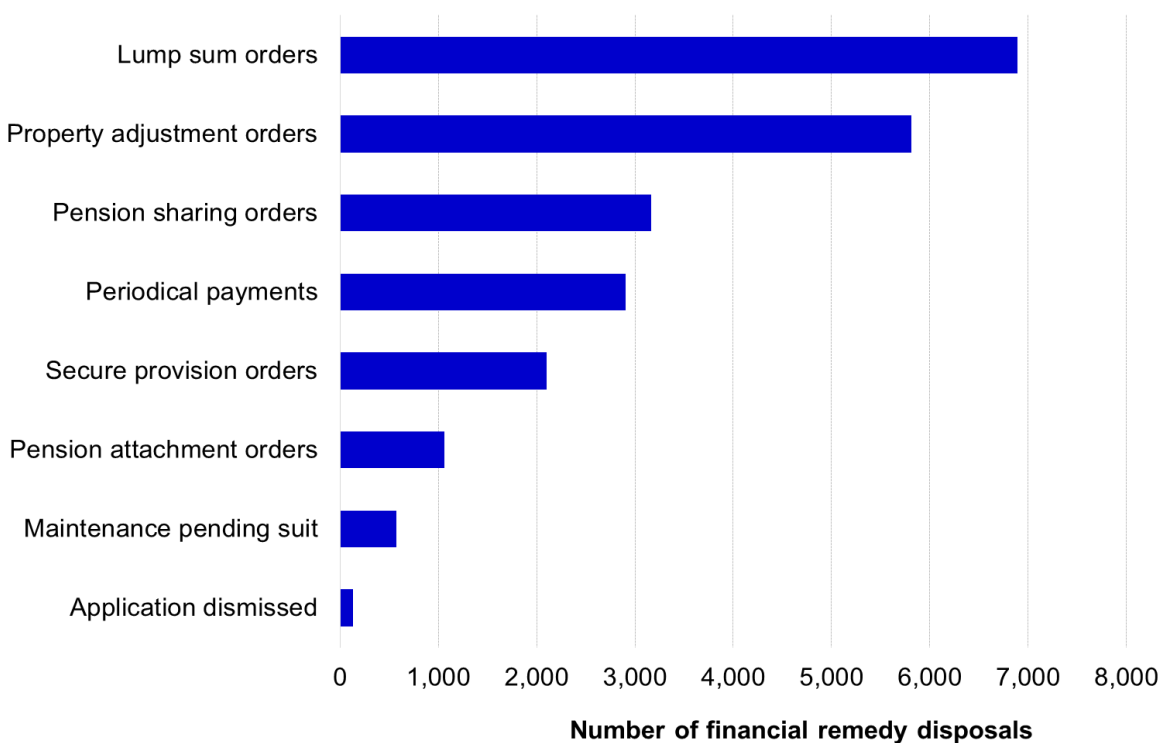
Number of financial remedy applications up 10% to 12,185 – the largest quarterly figure since April to June 2013. Disposals also up 11% over the same period.

There were 12,185 financial remedy applications in January to March 2017, up 10% on the equivalent quarter in 2016, and the largest quarterly figure since April to June 2013 (Table 13).

In January to March 2017, there were 10,928 financial remedy disposals, up 11% on the equivalent quarter in 2016. During this period, 72% of disposals were uncontested, 20% were initially contested and 8% were contested throughout.

In January to March 2017, lump sum and property adjustment orders were the most common types of order given, accounting for more than half (56%) of all financial remedy disposal types (Table 14 and Figure 6).

Figure 6: Financial remedy disposal types, January to March 2017 (Source: Table 14)



7. Domestic violence remedy orders

Increase in domestic violence remedy order case starts and applications

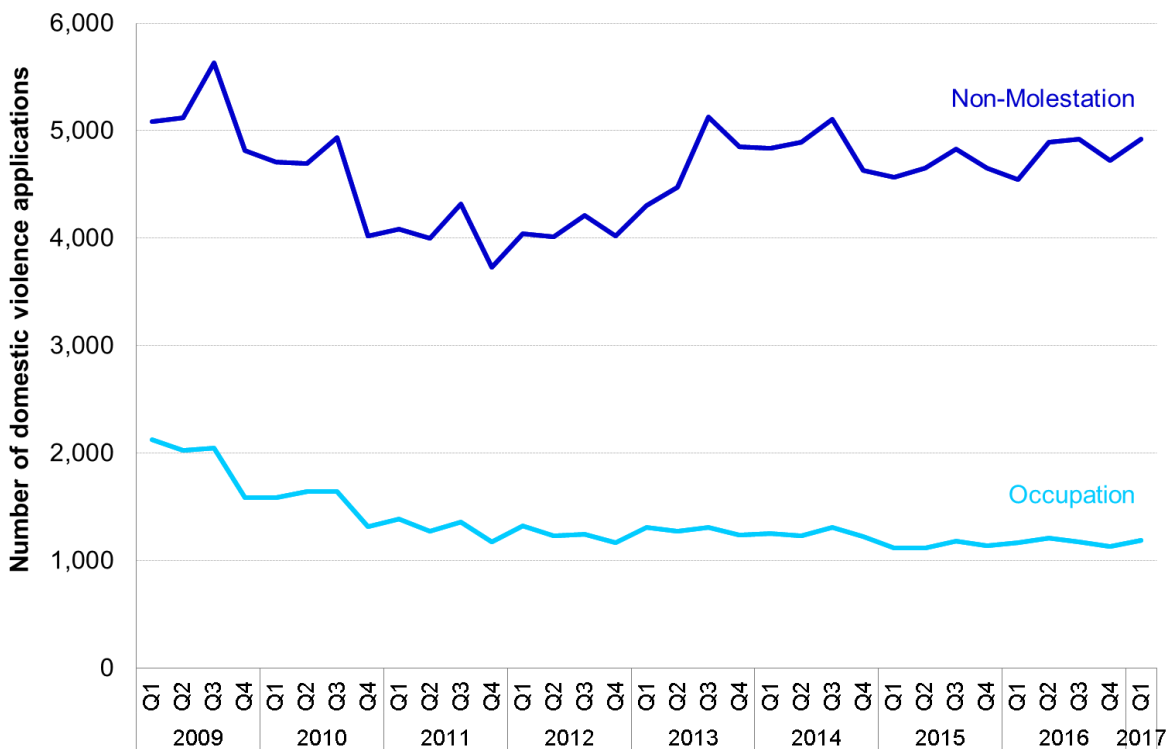
In January to March 2017, number of cases starting up 8% and applications up 7% driven by increase in applications for non-molestation orders, up 8% compared with same period in 2016.

In January to March 2017, there were 6,111 applications made for a domestic violence remedy order, up 7% on the same quarter in 2016 (Table 15). The majority of applications were for non-molestation orders (81%) compared to occupation orders (19%).

Similarly, of the 6,676 domestic violence orders made in January to March 2017, 91% were non-molestation orders compared to 9% which were occupation orders.

Figure 7 below shows that, since 2011 the number of occupation applications have remained fairly steady, whilst for non-molestation applications there was a general increasing trend until the end of 2013, but since then, although fluctuating on a quarterly basis the trend has slowed down considerably.

Figure 7: Applications for domestic violence remedy orders, January to March 2009 to January to March 2017 (Source: Table 15)

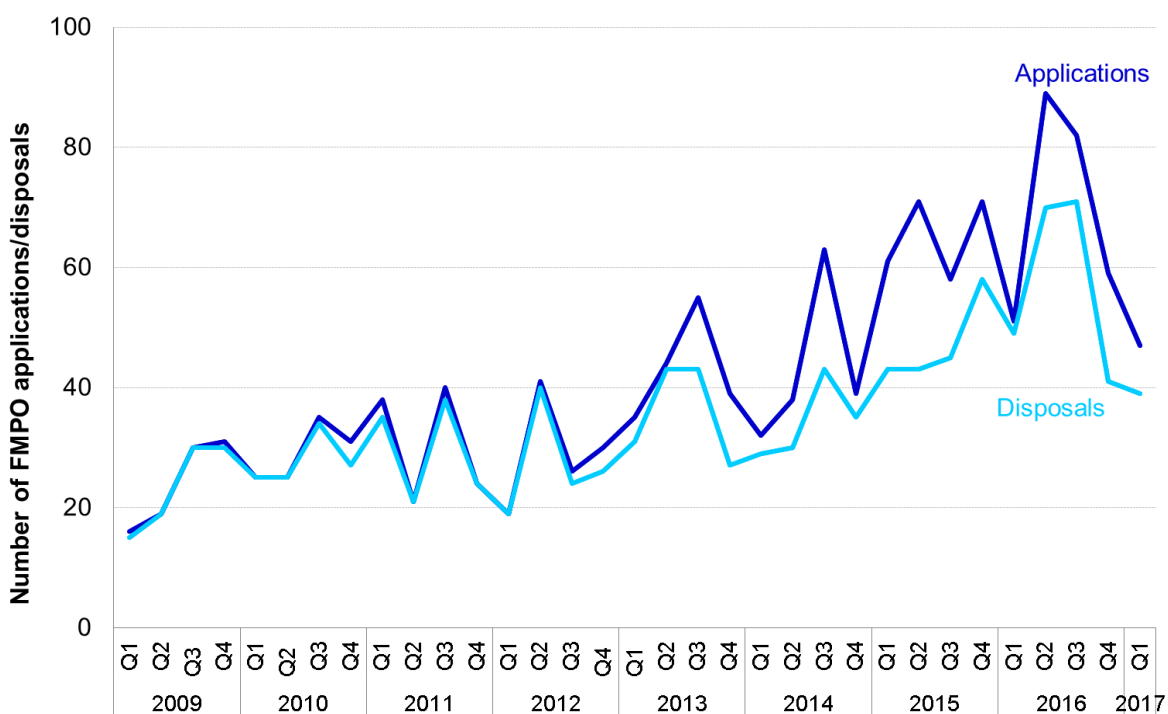


8. Forced Marriage Protection Orders and Female Genital Mutilation Protection Orders

General upward trend in number of forced marriage protection orders and female genital mutilation orders

The number of applications and orders made for Forced Marriage Protection Orders (FMPOs) is very small. Consequently, as Figure 8 shows, numbers fluctuate each quarter but overall there has been a general upward trend since their introduction in November 2008. In January to March 2017, there were 47 applications and 49 orders made (Table 16). Of those applications, 62% of the applicants were aged 17 and under, compared to 34% aged over 17.

Figure 8: Applications and disposals of Forced Marriage Protection Orders, January to March 2009 to January to March 2017 (Source: Table 16)



As with FMPOs, the number of applications and orders made for Female Genital Mutilation Protection Orders (FGMPOs) is very small with only 16 and 17 made respectively in January to March 2017 (Table 17). In total there have been 137 applications and 113 orders made since their introduction in July 2015 up to the end of March 2017.

9. Adoptions

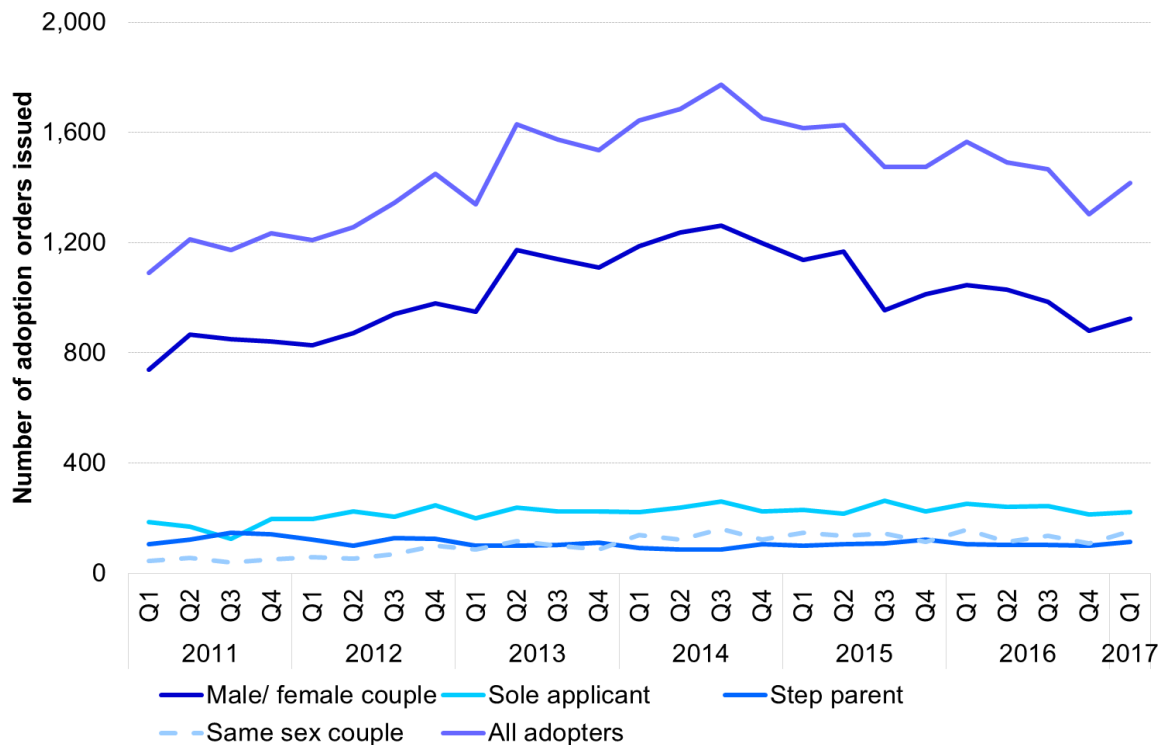
Number of adoption applications and orders continues downward trend

During January to March 2017, there were 1,465 applications made for an adoption order, down 5% from the equivalent quarter in 2016. Similarly, over the same period the number of adoption orders issued decreased 9% to 1,417 (Table 19).

There were 3,174 applications under the Adoption and Children Act 2002, including placement orders during January to March 2017, unchanged from the same quarter in the previous year. Total disposals however dropped 7% to 2,858 over the same period.

Figure 9 below shows the trend of adoption orders by the type of adopter. This shows that during January to March 2017, two-thirds (65%) of all adoption orders were issued to male/female couples, 16% to sole applicants, 11% to same-sex couples and a further 8% to step-parents.

Figure 9: Adoption orders issued, by adopter, January to March 2011 to January to March 2017 (Source: Table 19)

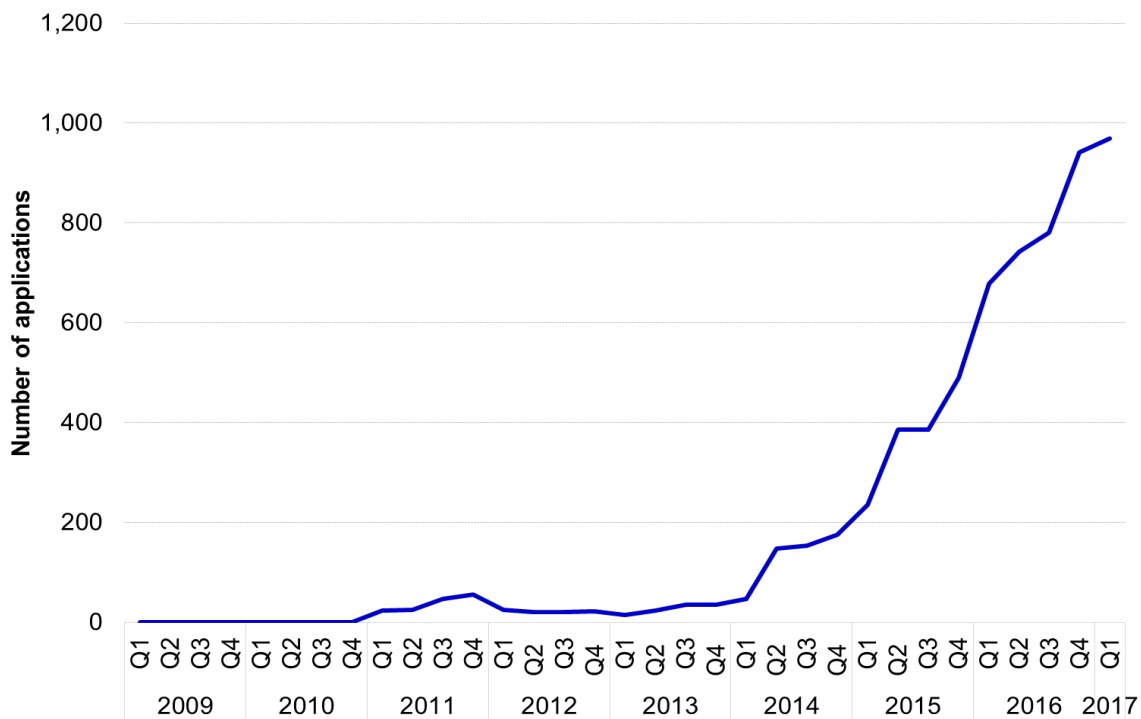


10 Mental Capacity Act - Court of Protection

Continued increasing trend in applications and orders made in relation to deprivation of liberty

There were 969 applications relating to deprivation of liberty made in the most recent quarter, up 43% on the number made in January to March 2016. Similarly, orders made for deprivation of liberty almost doubled over the same period, from 292 to 547 respectively.

Figure 10: Deprivation of Liberty applications, January to March 2008 to January to March 2017 (Source: Table 20)



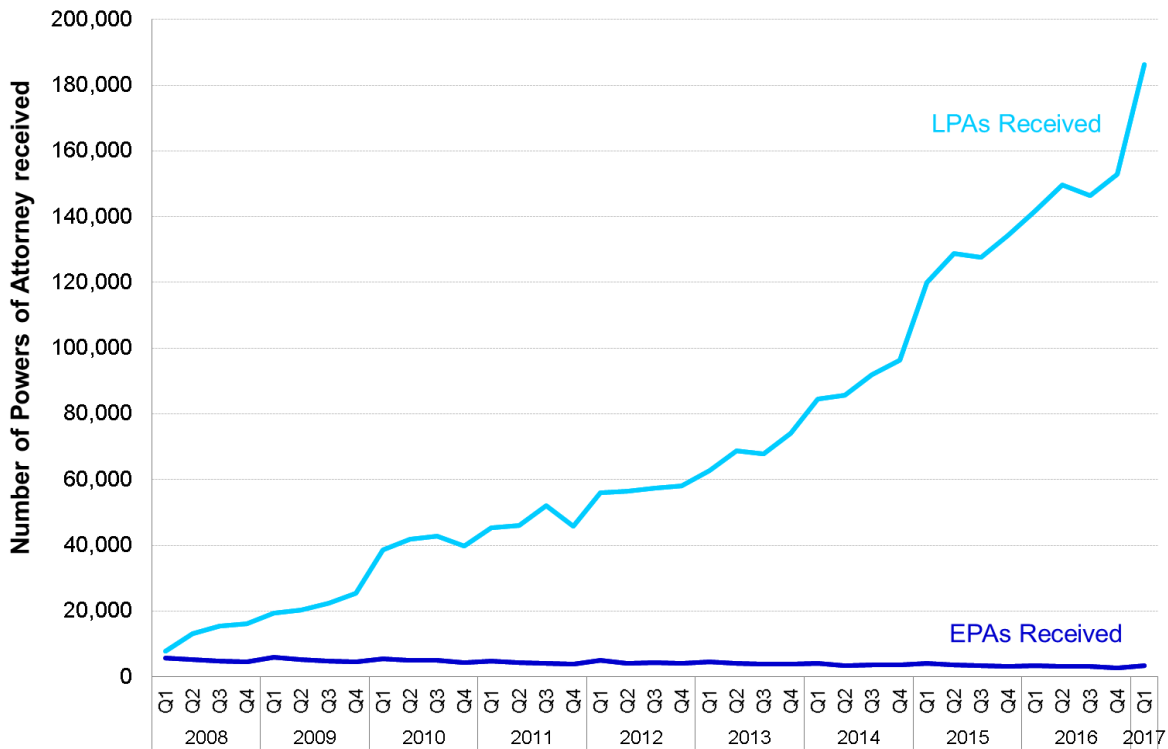
In January to March 2017, there were 7,820 applications made under the Mental Capacity Act 2005 (MCA), up 8% on the equivalent quarter in 2016. The majority of these (52%) related to applications for appointment of a property and affairs deputy (Table 20).

In comparison, there were 8,911 orders made under the MCA, 36% higher than the same quarter in 2016. Almost half (48%) of the orders related to the appointment of a deputy for property and affairs (Table 21).

11 Mental Capacity Act - Office of the Public Guardian

There were 186,169 Lasting Powers of Attorney (LPAs) received in January to March 2017, up 31% on the same quarter for 2016 (Table 22). The increase seen in recent years is largely due to increased publicity and new online forms which were introduced in July 2015 making it simpler and faster to apply for LPAs. There were 3,399 Enduring Powers of Attorney (EPAs) in January to March 2017, down 3% on the equivalent quarter in 2016.

Figure 11: Powers of attorney received, January to March 2008 to January to March 2017 (Source: Table 22)



Further information

The data presented in this publication are from live administrative databases. Therefore previously published data is liable to be updated in the latest bulletin, following any further data cleaning or the incorporation of additional cases not available in the extracts used to produce previous bulletins.

Accompanying files

As well as this bulletin, the following products are published as part of this release:

- A technical guide providing further information on how the data is collected and processed, as well as information on the revisions policy and legislation relevant to family court and background on the functioning of the family justice system
- A set of overview tables and CSV files, covering each section of this bulletin
- A family court statistics visualisation tool available at https://public.tableau.com/profile/moj_analysis#!/vizhome/FamilyCourts_tatisticstool2017Q1/Frontpage.



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