



## Civil Justice Statistics Quarterly, England and Wales, July to September 2018 (provisional)

### Main points

In July to September 2018, the number of County Court claims and judgments decreased against the same quarter of 2017. Other stages of county court activity (defences, allocations, trials) increased across this period, continuing the overall increasing trend seen since April to June 2015.

<b>Decrease in County Court claims driven by specified money claims</b>		In July to September 2018, County Court claims decreased by 8% to 513,000. Of these, 411,000 were specified money claims (down 8% on the same period in 2017).
<b>Unspecified money claims were down 19% to 32,400</b>		The decrease in unspecified money claims was driven by a decrease in Personal Injury (down 20% to 30,500).
<b>The number of claims defended and gone to trial have increased</b>		There were 75,600 claims defended and 15,200 claims that had gone to trial in July to September 2018, up 1% and 5% respectively.
<b>Average time taken from claim to hearing has increased for small claims</b>		Average time taken for <u>small claims</u> to go to trial took 35 weeks <u>up 3 weeks</u> compared to the same period in 2017 respectively.
<b>Average time taken from claim to hearing is unchanged for fast/multi track claims</b>		However, <u>multi/fast track claims remained stable</u> at 56.5 weeks, and average time taken remains in line with range seen since 2011.
<b>Judgments decreased 11% compared to same quarter in 2017</b>		Judgments decreased in July to September 2018 to 315,000 when compared to the same period in 2017; the proportion that were default judgments increased by 2 percentage points to 89%.
<b>18,900 enforcement orders and 119,000 warrants were issued</b>	 	Enforcement orders fell by 16%, driven by a fall in charging orders (down 20%). However, warrants issued increased by 23%, driven by warrants of control (up 33%).
<b>Number of judicial review applications down 21%</b>		There were 2,700 Judicial Reviews in the first three quarters of 2018. Of the 1,800 cases that reached the permission stage, 230 (13%) were found to be 'totally without merit'.

This publication gives civil county court statistics for the latest quarter (July to September 2018), compared to the same quarter the previous year. The judicial review figures cover the period July to September 2018. For more details, please see the supporting document.

Statistics on the Business and Property Court for England and Wales have also been published alongside this quarterly edition as Official Statistics. For technical detail, please refer to the accompanying support document.

For feedback related to the content of this publication, please contact us at [CAJS@justice.gsi.gov.uk](mailto:CAJS@justice.gsi.gov.uk)

# 1. Claims Summary

## County court claims decreased 8% on the same quarter of 2017, with the decrease driven by money claims



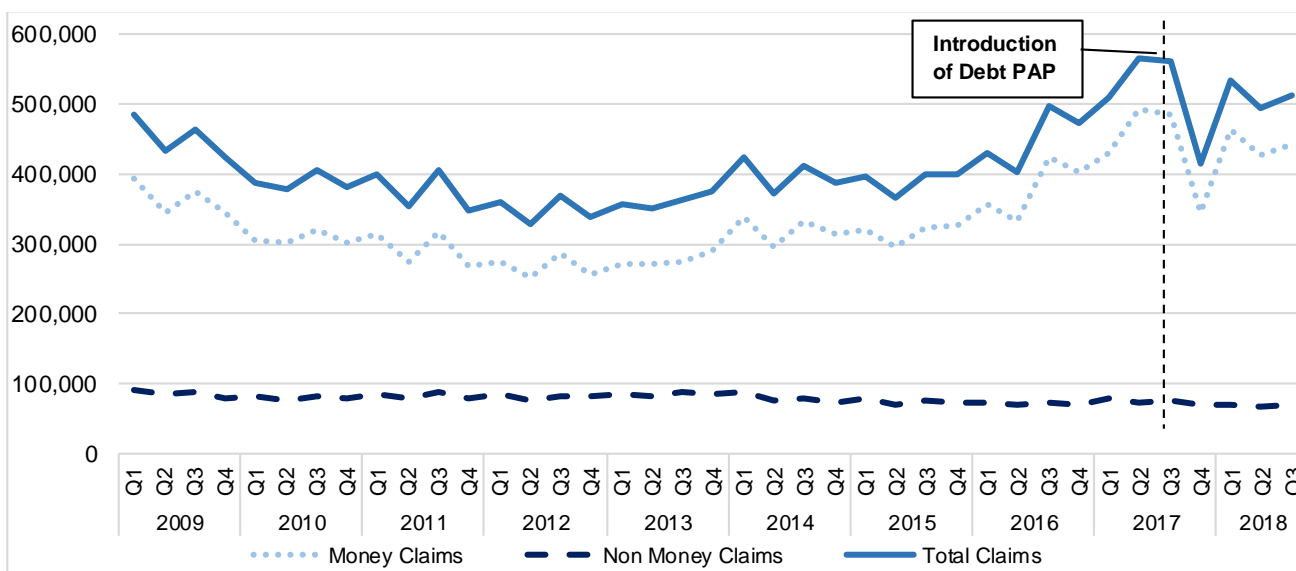
There were 513,000 County Court claims lodged in July to September 2018. Of these, 444,000 were money claims (down 8% from July to September 2017).

## Non-money claim volumes were at 69,400, down 8% on the same quarter last year, driven by a fall in 'other non-money claims' (down 14%)



Mortgage and landlord possession claims also fell over the same period (down 6% to 36,600) whereas claims for return of goods increased by 46% to 3,500.

**Figure 1: County Court claims by type, Q1 (April to June) 2009 to Q3 (July to September) 2018 (source: table 1.2)**



County Court claims had been generally increasing since a low of 328,000 in April to June 2012, reaching a peak of 565,000 claims in April to June 2017. This increase was driven by a rise in money claims, which make up the majority of claims received. In this most recent quarter, claims have decreased by 8% to 513,000, compared to the same period in 2017. Of these, 444,000 were money claims (down 8% from in July to September 2017). The number of claims have increased in recent quarters from the fall seen in October to December 2017 following the introduction of the Debt Pre-action Protocol, and appear to be stabilising. Trends following the introduction of the Debt PAP will continue to be monitored.

Non-money claims have been generally decreasing since the peak of 89,300 claims in July to September 2013, to 69,400 in the current quarter (July to September 2018), down 8% when compared to the same period in 2017.

Within non-money claims, despite an overall increasing trend in 'other' non-money claims since a low of 25,900 in April to June 2014, in the most recent quarter they decreased by 14% to 29,300 when compared to the same period in 2017.

The overall trend in Mortgage and Landlord Possession claims has been decreasing since a peak of 59,900 in January to March 2014 – there were 36,600 claims in July to September 2018 (down 6%) compared to the same quarter last year.

In contrast, claims for return of goods have been generally increasing since July to September 2015 and increased to 3,500 (up 46%) in July to September 2018 compared to the same period in 2017.

## 2. Money Claims

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### **Specified money claims decreased by 8% to 411,000 claims in July to September 2018, driving the decrease seen in money claims.**

Specified money claims up to (and including) £15,000 decreased over this period, and accounted for almost all (97%) specified money claims.



### **Unspecified claims have decreased by 19% to 32,400 when compared to the same quarter in 2017**

Unspecified money claims have decreased for both Personal Injury (down 20% to 30,500) and other unspecified money claims (down 4% to 1,900).



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The majority (85%) of specified money claims are processed and issued at the County Court Business Centre (CCBC). There were 348,400 such claims at the CCBC in July to September 2018 (down 12% on the same quarter in the previous year).

Specified money claims had been following a generally increasing trend from a low in April to June 2012 (210,000 claims), until October to December 2017 where volumes fell, following the implementation of the Pre-Action Protocol for Debt claims. In the most recent quarter, there was a decrease of 8% to 411,000 claims, compared to the same quarter the previous year.

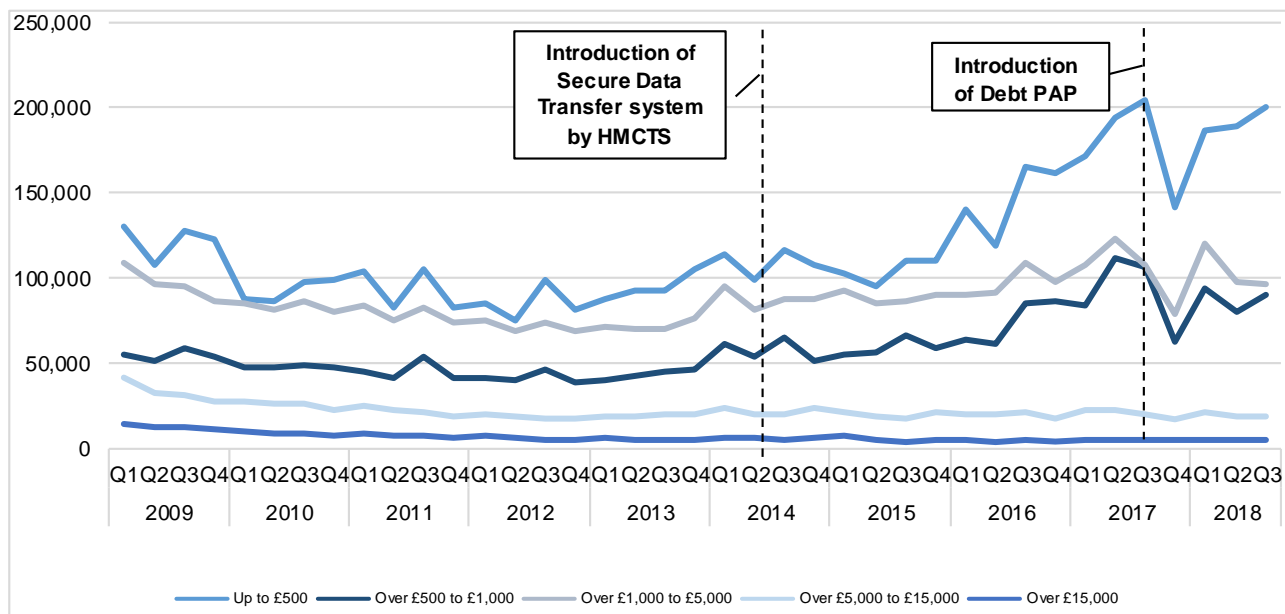
It appears that the volume of specified money claims is returning to previously seen levels, before the implementation of the Pre-Action Protocol for Debt Claims<sup>1</sup>, which was introduced in October 2017. The main aim of the protocol is to encourage early engagement between parties to resolve disputes without needing to start court proceedings.

The decrease in specified money claims can be seen across small claims with value up to and including £5,000, with the greatest decrease in claims over £500 and up to and including £1,000 (down by 15%). These claims account for 94% of the total specified money claims in the most recent quarter. Higher value claims (above and including £5,000) decreased over this period by 6% to 24,100 claims.

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<sup>1</sup> <http://www.justice.gov.uk/courts/procedure-rules/civil/pdf/protocols/pre-action-protocol-for-debt-claims.pdf>

**Figure 2: Specified money claims by monetary value, Q1 (January to March) 2009 to Q3 (July to September) 2018 (source: civil workload CSV)**



Unspecified money claims have fluctuated between 32,000 and 40,000 claims each quarter over the last four years (since April to June 2014). In the most recent quarter, they decreased by 19% when compared to July to September 2017, to 32,400, the lowest level of the series. Within this claim group, personal injury decreased by 20% to 30,500 and other unspecified money claims decreased by 4% to 1,900. The decrease can be attributed to a change in Civil Procedure rules on holiday package gastric illness claims, and whiplash reform.

**Allocations (Table 1.3)**

In July to September 2018, 42,600 money claims were allocated to track, up 4% on the same period in 2017, driven by the increase in allocations to the small claims track. Compared to July to September 2017, of these allocations;

- 23,100 were allocated to small claims, an increase of 7%, accounting for 54% of all allocations;
- 16,400 were allocated to fast track, an increase of 3%, accounting for 38% of all allocations;
- 3,100 were allocated to multi-track, a decrease of 3%, accounting for 7% of all allocations.

### 3. Defences (including legal representation) and Trials

#### The number of claims defended increased by 1% to 75,600

Of those claims defended, 56% had legal representation for both claimant and defendant, 22% had representation for claimant only, and 4% for defendant only.



#### The number of trials have increased and average time taken from claim to trial for small claims has also increased

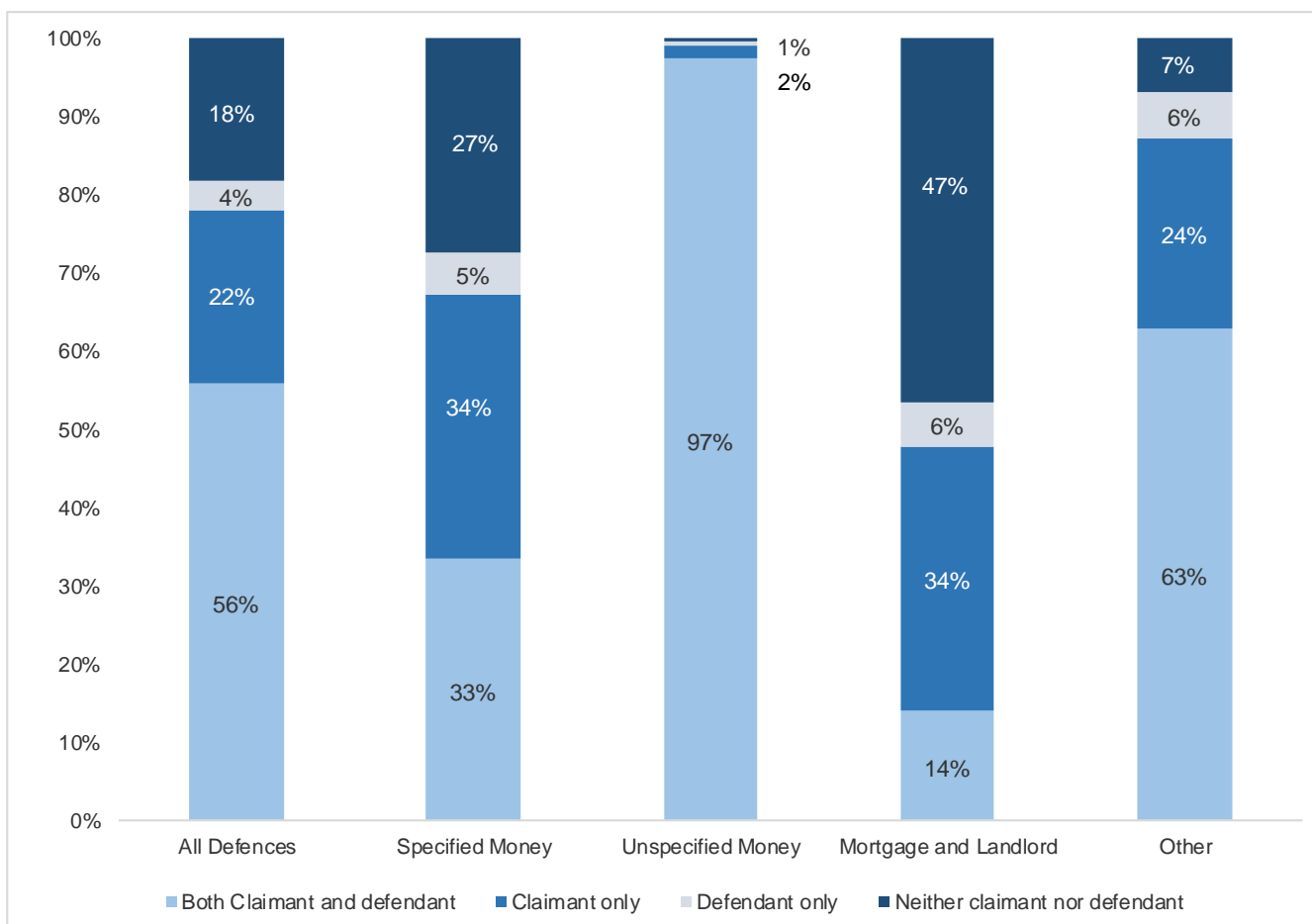


Average time taken for small claims has increased to 35.0 weeks, whereas for multi and fast track claims, it has remained stable at 56.5 weeks.



In July to September 2018, almost all (97%) unspecified money defences had legal representation for both the defendant and claimant, compared with around a third (33%) of specified money defences.

**Figure 3: Proportion of civil defences and legal representation status, July to September 2018 (Source: table 1.6)**



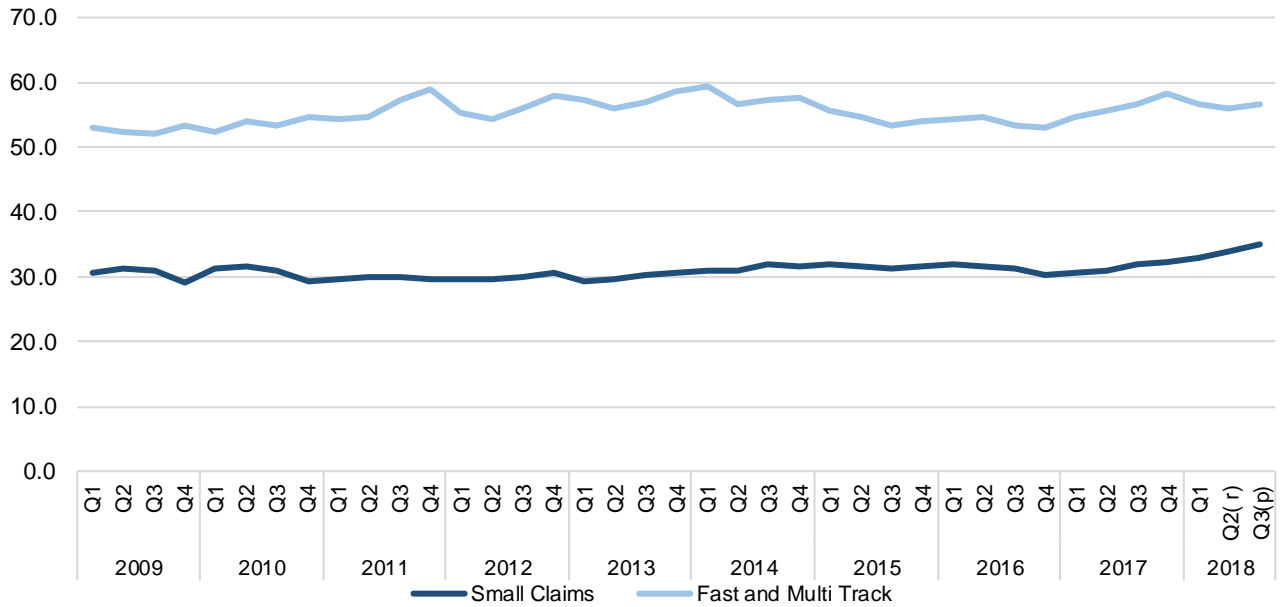
#### Claims defended (Table 1.6)

The total number of claims defended increased by 1% to 75,600 cases. Of these, over half (59%) were specified money claim defences, and 36% were unspecified money claim defences. The proportion of specified money claim defences has increased by 4 percentage points since July to September 2017, and unspecified money claims has increased by 3 percentage points. Mortgage and landlord possession defences accounted for 4% of claims defended.

**Trials and Time Taken to Reach Trial (Table 1.5)**

Defended cases which are not settled or withdrawn generally result in a trial. In total, there were 15,200 trials in July to September 2018, up 5% on the same quarter in 2017. Of the claims that went to trial, 10,500 (69%) were small claims trials (at the same level as the number of small claims trials in the same quarter in 2017) and 4,700 (31%) were fast and multi-track trials (up 15% from 4,100 in the same quarter of 2017).

**Figure 4: Average number of weeks from claim being issued to initial hearing date, Q2 (January to March) 2009 to Q3 (July to September) 2018 (Source: table 1.5)**



In July to September 2018, it took an average of 35 weeks between a small claim being issued and the claim going to trial, nearly three weeks longer than in the same period in the previous year. This is due to the general increase over time in the number of small claim trials (reflecting the overall increasing trend in number of small claims prior to the introduction of the debt PAP) – the number of small claims trials has risen by 53% since October to December 2012. For multi/fast track claims, it took on average 56.5 weeks to reach a trial, about the same time taken in July to September 2017 - this remains in line with the long-term range (52-59 weeks).

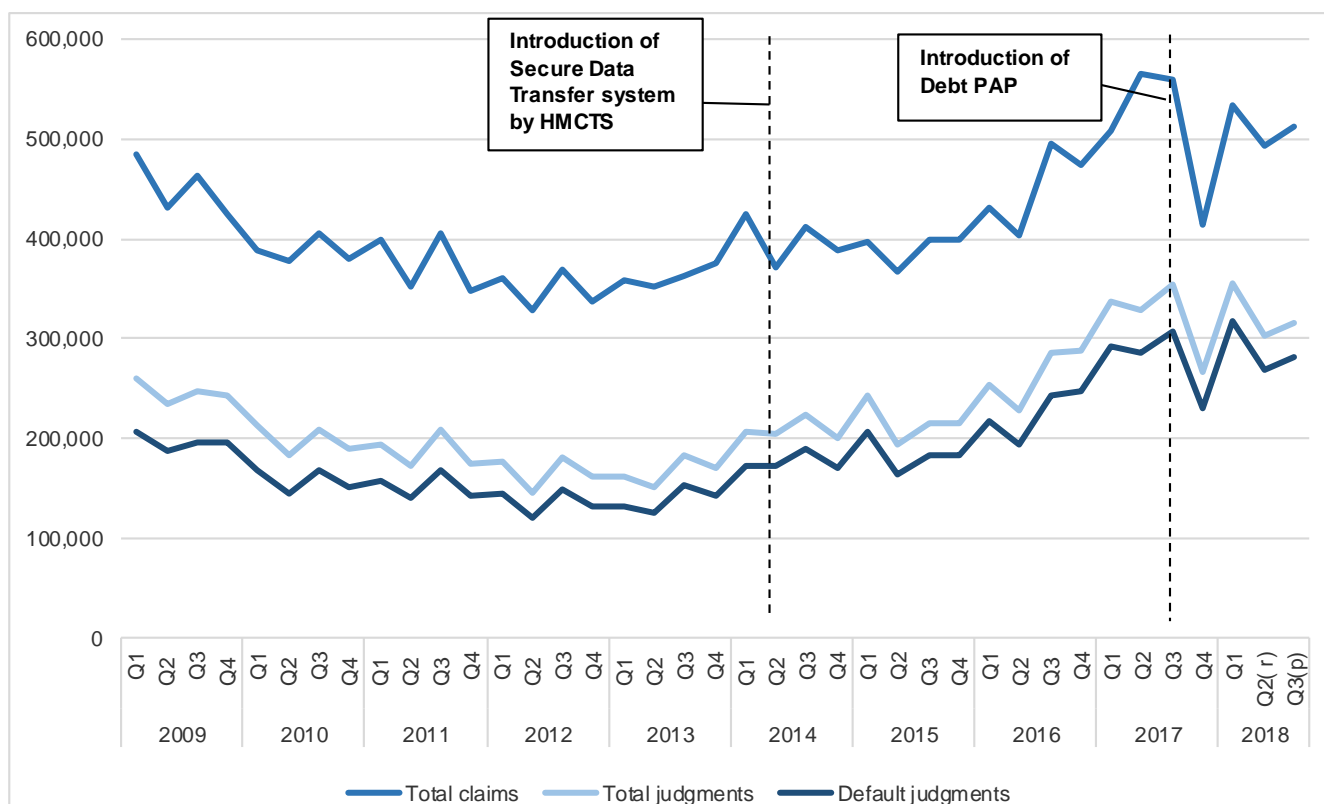
## 4. Judgments

**Judgments decreased by 11% compared to same quarter in 2017, with default judgments also down 8%**



There were 315,000 judgments made in July to September 2018, of which 281,000 were default judgments. The proportion of default judgments however has increased by 2 percentage points to 89% when compared to the same quarter in 2017.

**Figure 5: All claims, judgments and default judgments, Q1 (January to March) 2009 to Q3 (July to September) 2018 (Source: table 1.2 and 1.4)**




There were 315,200 judgments made in July to September 2018, a decrease of 11% compared to the same quarter of the previous year, following the trend in claims after the Debt PAP introduction. Of these, 89% were default judgments, up 2 percentage points against the same quarter of the previous year. Whilst there has been a gradual increase in the proportion of default judgments since 2009, from 80% to 89% seen in the most recent quarter, the number of default judgments decreased by 8% from July to September 2017, in line with the fall seen in overall judgments.

The second largest type of judgment were 'admissions'<sup>2</sup>, of which there were 18,600 in July to September 2018, down 37% on the same quarter in 2017. Admission judgments accounted for 6% of all judgments, down 2 percentage points from July to September 2017.

<sup>2</sup> Information available within the workload csv



## 5. Enforcements and Warrants

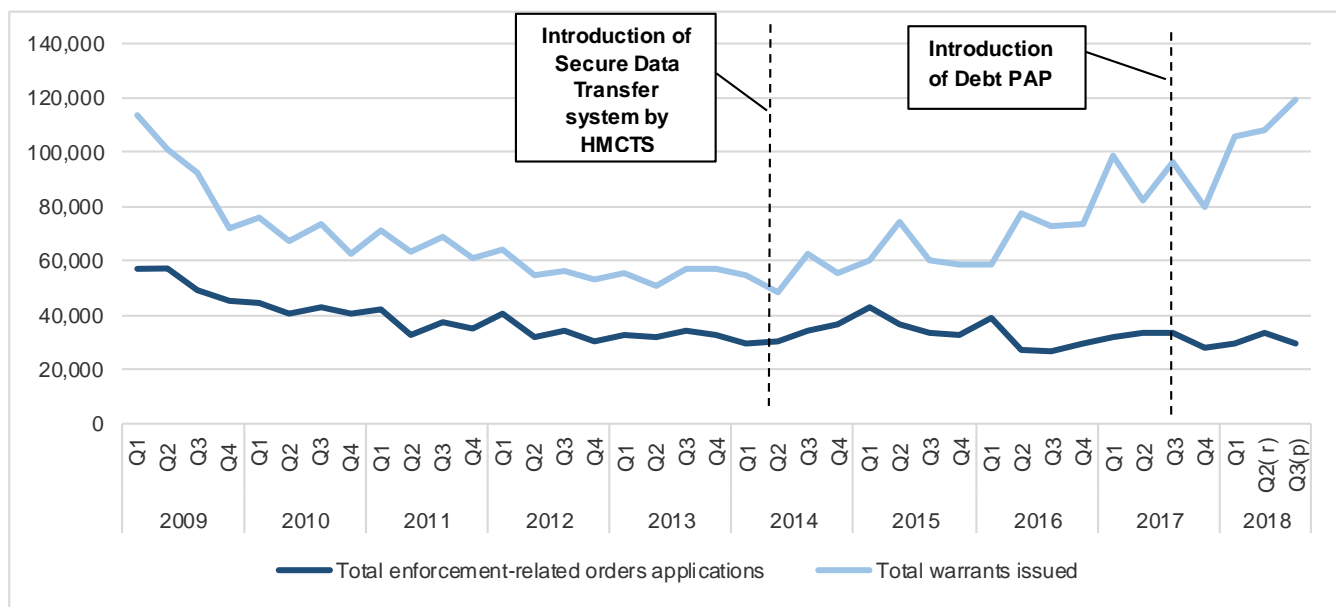
**Enforcement applications were down 11% and enforcement orders down 16% compared to same quarter in 2017** 

There were 29,900 applications and 18,900 orders made in July to September 2018. The fall in orders was driven by the decrease in charging orders (down 20%) while applications remained at similar levels as in the same period in 2017.

**Warrants issued increased by 23%, driven by an increase in warrants of control** 

In July to September 2018, 119,300 warrants were issued, of which 83% were warrants of control which increased by a third compared to the same quarter in 2017.

**Figure 6: Warrants and enforcements issued – Q1 (January to March) 2009 to Q3 (July to September) 2018 (Source: tables 1.7 and 1.8)**



### Warrants (Table 1.7)

There were 119,000 warrants issued in July to September 2018, up 23% on the same quarter in 2017. Over the longer term, warrants issued fell between 2000 and April to June 2014, to 48,400. They have since gradually increased, driven by warrants of control.

This increase is likely due to the introduction of the Secure Data Transfer system in July 2014 by HMCTS for the issue of warrants of control. This enables bulk customers to not only issue money claims digitally, but also the subsequent enforcement by a warrant; speeding up and simplifying the process, which has led to a customer preference for warrants over other types of enforcement.

### Enforcements (Table 1.8)

In July to September 2018, there were 29,900 enforcement-related order applications (which include attachment of earnings orders, charging orders, third party debt orders, administration orders, and orders to obtain information) and 18,900 enforcement related orders made (down 11% and down 16% respectively compared to the same period last year). The fall in orders has been driven by a decrease in charging orders (down 20%).

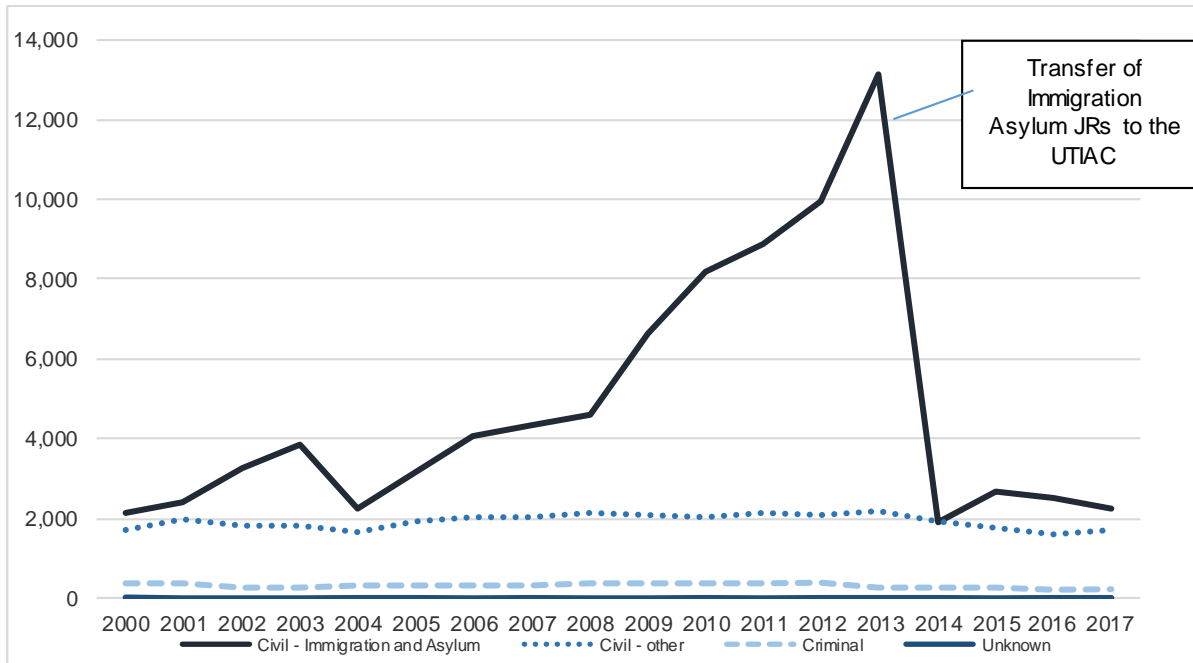
Over the longer term, as shown in figure 6, there has been a decreasing trend in enforcement related applications received and orders made since 2008, possibly due to claimants' preference for using warrants instead to retrieve money, property or goods.

## 6. Judicial Reviews<sup>3</sup>

**Of the 2,700 applications received, 68% have already closed, and 230 were found to be 'Totally Without Merit' (13% of cases that reached the permission stage).**

There were 2,700 judicial review applications received so far in 2018, down 21% on the same period in 2017.

**Figure 7: Annual Judicial Review Applications, by type; calendar year 2000-2017 (Source: table 2.1)**



Of the 2,700 judicial review applications received in the first three quarters of 2018, 1,300 were civil immigration and asylum applications, 1,200 were civil (other) and 160 were criminal, down 21%, down 10% and down 1% respectively on the same period of 2017. 37 of the civil immigration and asylum cases have since been transferred to the UTIAC.

In the first three quarters of 2018, 68% of the applications made progressed and are now closed. Of the total applications, 1,800 reached the permission stage within the first three quarters of 2018, and of these:

- 13% (230) were found to be totally without merit (TWM), a 39% decrease with the proportion in the previous year.
- 380 cases were granted permission to proceed and 1,300 were refused at the permission stage. However, 70 of cases refused at permission stage went on to be granted permission at the renewal stage.
- 450 cases have been assessed to be eligible for a final hearing and of these, 80 have since been heard.
- The mean time from a case being lodged to the permission decision was 61 days, the same number of days compared to the same period of 2017.

Future quarterly bulletins will give more insight into the 2018 cases, as the work their way through the system.

<sup>3</sup> The judicial review data are Official Statistics

## Accompanying files

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

- A supporting document providing further information on how the data is collected and processed, as well as information on the revisions policy and legislation relevant to civil justice.
- A set of tables providing statistics on the Business and Property Courts of England and Wales.
- A set of overview tables and CSV files, covering each section of this bulletin.

## Rounding convention

Figures greater than 10,000 are rounded to the nearest 1,000 and those between 1,000 and 10,000 are rounded to the nearest 100.

## National Statistics status

National Statistics status means that official statistics meet the highest standards of trustworthiness, quality and public value.

All official statistics should comply with all aspects of the Code of Practice for Official Statistics. They are awarded National Statistics status following an assessment by the Authority's regulatory arm. The Authority considers whether the statistics meet the highest standards of Code compliance, including the value they add to public decisions and debate.



It is the Ministry of Justice's responsibility to maintain compliance with the standards expected for National Statistics. If we become concerned about whether these statistics are still meeting the appropriate standards, we will discuss any concerns with the Authority promptly. National Statistics status can be removed at any point when the highest standards are not maintained, and reinstated when standards are restored.

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