



Civil Justice Statistics Quarterly, England and Wales, January to March 2019 (provisional)

Main points

Increase in County Court claims driven by specified money claims	↑	In January to March 2019, County Court claims increased slightly by 1% to 538,000. Of these, 435,000 were specified money claims (up 2% on the same period in 2018).
Unspecified money claims were down 8% to 32,700	↓	The decrease in unspecified money claims was driven by a decrease in Personal Injury claims (down 11% to 29,800).
The number of claims defended and trials increased.	↑	There were 75,100 claims defended (up 2%) and 16,000 claims that went to trial in January to March 2019 (up 8%).
Mean time taken from claim to hearing has increased	↑	The mean time taken for <u>small claims</u> and <u>multi/fast track claims</u> to go to trial was 36.9 and 58.5 weeks, up 3.9 weeks and 1.8 weeks respectively compared to the same period in 2018.
Both judgments and default judgments increased by 2%	↑	Judgments increased in January to March 2019 to 363,000 when compared to the same period in 2018; the proportion that were default judgments remained the same, at 89%.
22,700 enforcement applications and 18,500 enforcement orders made	↓	Enforcement applications decreased 23%, driven by a fall in attachment of earnings applications (down 31%), and orders decreased 12%.
96,200 warrants were issued	↓	Warrants issued decreased by 9% compared with the same period in 2018, driven by a decrease in warrants of control (down 11%).
The Home Office had the largest number of Judicial Reviews lodged against them in 2018	↓	The Home Office had 1,200 Judicial Reviews lodged against them in 2018, down 21% on 2017. The Ministry of Justice (MoJ) had the second largest with 1,100 JRs in 2018 (down 15% on 2017).

This publication gives civil county court statistics for the latest quarter (January to March 2019), compared to the same quarter of the previous year. The judicial review figures cover the period January to March 2019, alongside annual figures for 2018 by defendant. The Royal Courts of Justice statistics (published annually) cover January to December 2018. Statistics on the Business and Property Court for England and Wales have also been published alongside this quarterly bulletin 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.gov.uk

1. Claims Summary

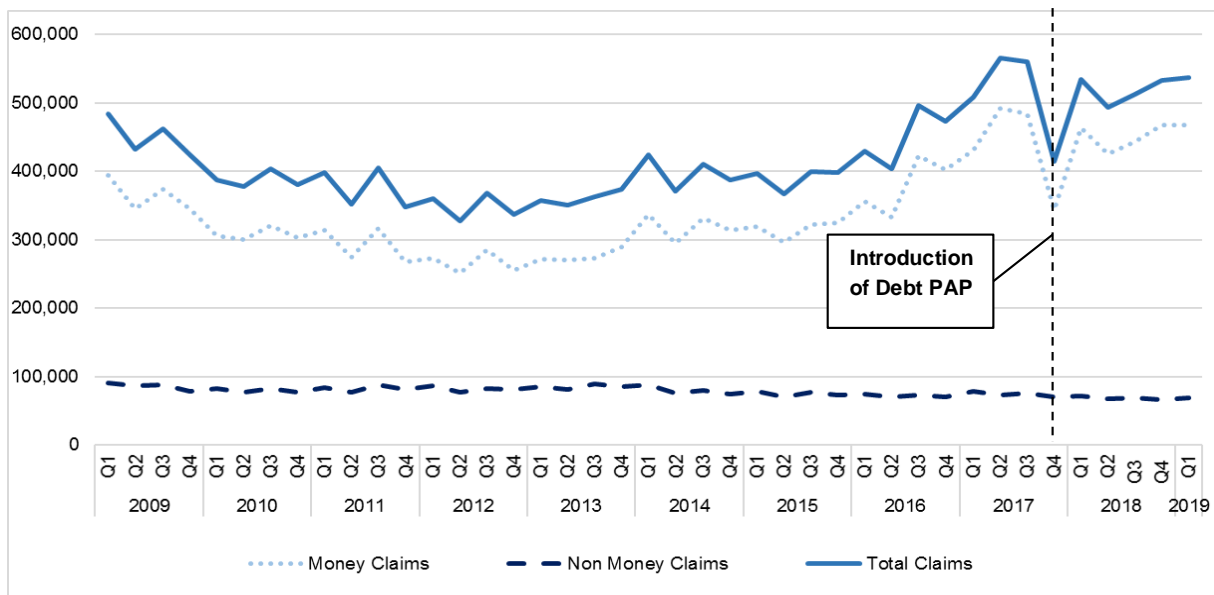
County court claims increased slightly (1%) on the same quarter of 2018, with the increase driven by money claims

There were 538,000 County Court claims lodged in January to March 2019. Of these, 468,000 were money claims (up 1% from January to March 2018).

Non-money claim volumes were at 69,300, down 3% on the same quarter last year, driven by a fall in 'other non-money claims' (down 8%)

Mortgage and landlord possession claims remained stable over the same period (36,500) whereas claims for return of goods increased by 14% to 3,000.

Figure 1: County Court claims by type, Q1 (January to March) 2009 to Q1 (January to March) 2019 (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 increased by 1% to 538,000, compared to the same period in 2018. Of these, 468,000 were money claims (up 1% from January to March 2018). The small increase continues a stabilising trend following the large fall seen in October to December 2017 - following the introduction of the Debt Pre-action Protocol.

Non-money claims have been generally decreasing since the peak of 89,300 in July to September 2013, to a low of 65,700 in October to December 2018. Although non-money claims have since increased to 69,300 in the current quarter (January to March 2019), they have decreased 3% when compared to the same period in 2018.

Within non-money claims, there was an overall increasing trend in 'other' non-money claims from a low of 25,900 in April to June 2014, to a peak of 35,100 in January to March 2017. Since this point there has been a gradual decline, and in the most recent quarter these fell by 8% to 29,800 when compared to the same period in 2018.

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 36,500 claims in January to March 2019 (remaining relatively stable compared to the same quarter the previous year).

In contrast, claims for return of goods have been generally increasing since a low of 900 in July to September 2015, and increased to 3,000 (up 14%) in January to March 2019 compared to the same period in 2018.

2. Money Claims

Specified money claims have increased by 2% to 435,000 claims in January to March 2019, driving the increase seen in money claims.



Specified money claims up to (and including) £500 increased over this period, driving the overall increase in specified money claims seen.

Unspecified claims have decreased by 8% to 32,700, driven by a fall in personal injury claims (down 11% to 29,800) when compared to the same quarter in 2018



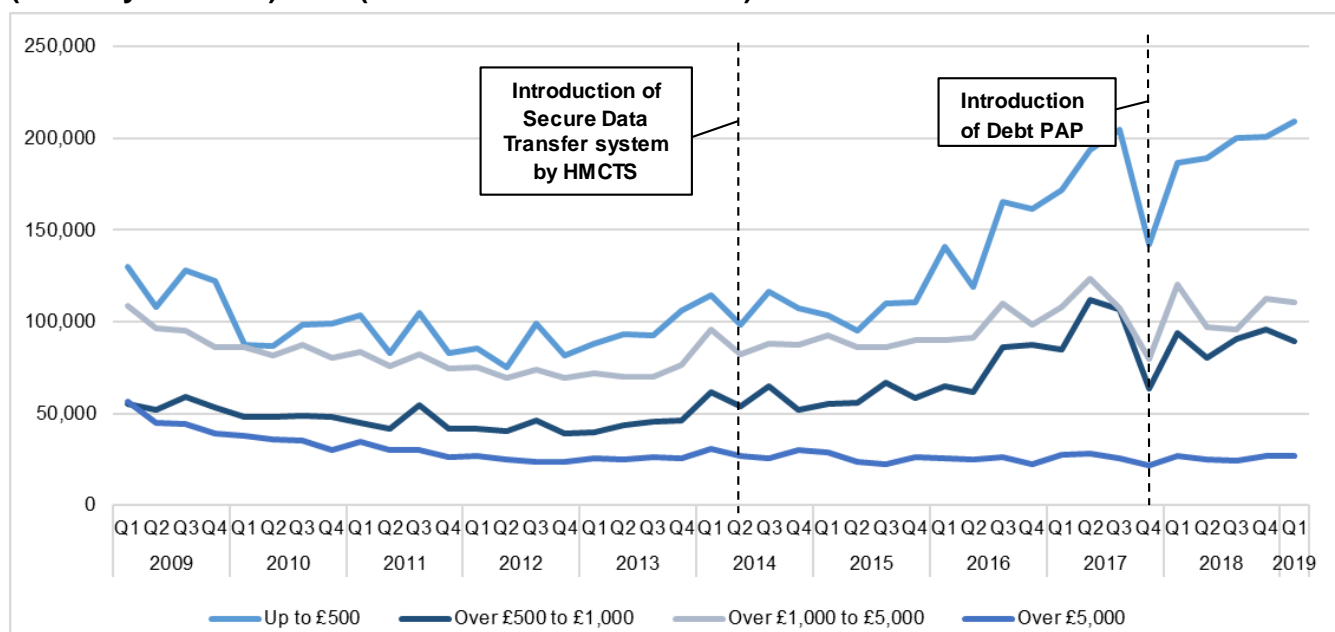
Personal Injury claims account for 91% of all unspecified money claims.

The majority (85%) of specified money claims are processed and issued at the County Court Business Centre (CCBC). There were 369,500 such claims at the CCBC in January to March 2019 (down 3% 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 Debt¹ Claims in October 2017. In January to March 2019 (just over a year since the volumes fell), there was an increase of 2% to 435,000 claims, suggesting that the volume of specified money claims is returning to previously seen levels, before the implementation of the debt PAP. The main aim of the protocol is to encourage early engagement between parties to resolve disputes without needing to start court proceedings.

The increase in specified money claims can be seen in the smallest claim size band (claims over £0 and up to and including £500). These increased 12% in January to March 2019, compared to a year earlier, to 208,900 claims and account for 48% of total specified money claims in the most recent quarter. Higher value claims (above £500 to and including £15,000) decreased over this period by 6% to 221,100 claims.

Figure 2: Specified money claims by monetary value, Q1 (January to March) 2009 to Q1 (January to March) 2019 (source: civil workload CSV)



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

Unspecified money claims have fluctuated between 31,000 and 40,000 claims each quarter over the last five years (since April to June 2014). More recently the volumes have been decreasing, falling 8% to 32,700 in January to March 2019 compared to the same period in 2018. The fall in unspecified money claims is driven by a decrease in personal injury, down 11% to 29,800, and can be attributed to a change in Civil Procedure rules on holiday package gastric illness claims, and whiplash reform.

Allocations (Table 1.3)

In January to March 2019, 48,600 money claims were allocated to track, up 1% on the same period in 2018, with increases seen in small claims and decreases seen across fast and multi-track claims. Compared to January to March 2019, of these allocations;

- 27,700 were allocated to small claims, an increase of 14%, accounting for 57% of all allocations;
- 17,500 were allocated to fast track, a decrease of 13%, accounting for 36% of all allocations;
- 3,400 were allocated to multi-track, a decrease of 6%, accounting for 7% of all allocations.

3. Defences (including legal representation) and Trials

The number of claims defended increased by 2% to 75,100

Of those claims defended, 54% had legal representation for both claimant and defendant, 25% had representation for claimant only, and 4% for defendant only.



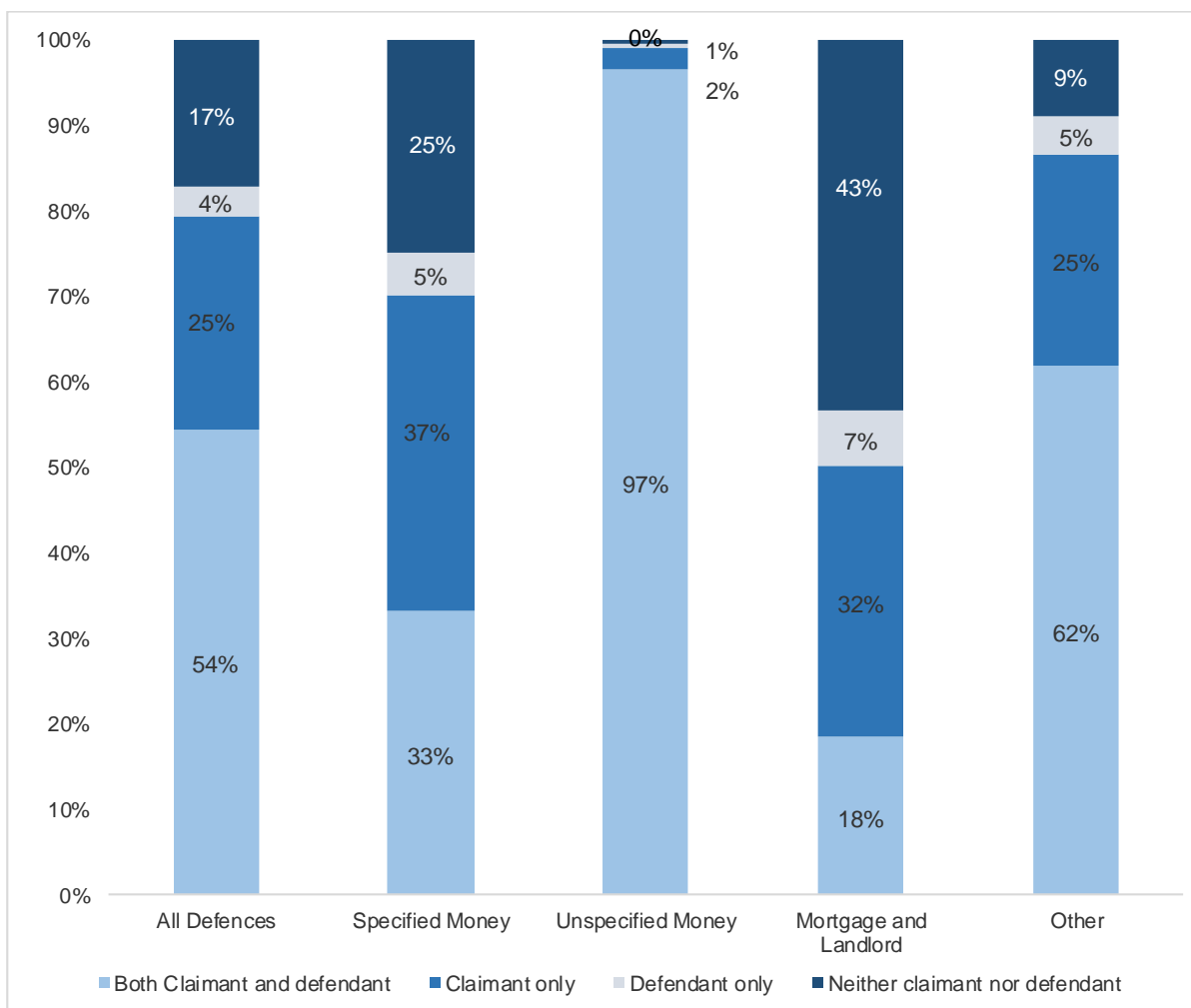
The number of trials has increased 8% to 16,000 and average time taken from claim to trial has increased.

Average time taken for small claims has increased to 36.9 weeks (up 12%) and for multi and fast track claims it has increased to 58.5 weeks (up 3%).



In January to March 2019, 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, January to March 2019 (Source: table 1.6)

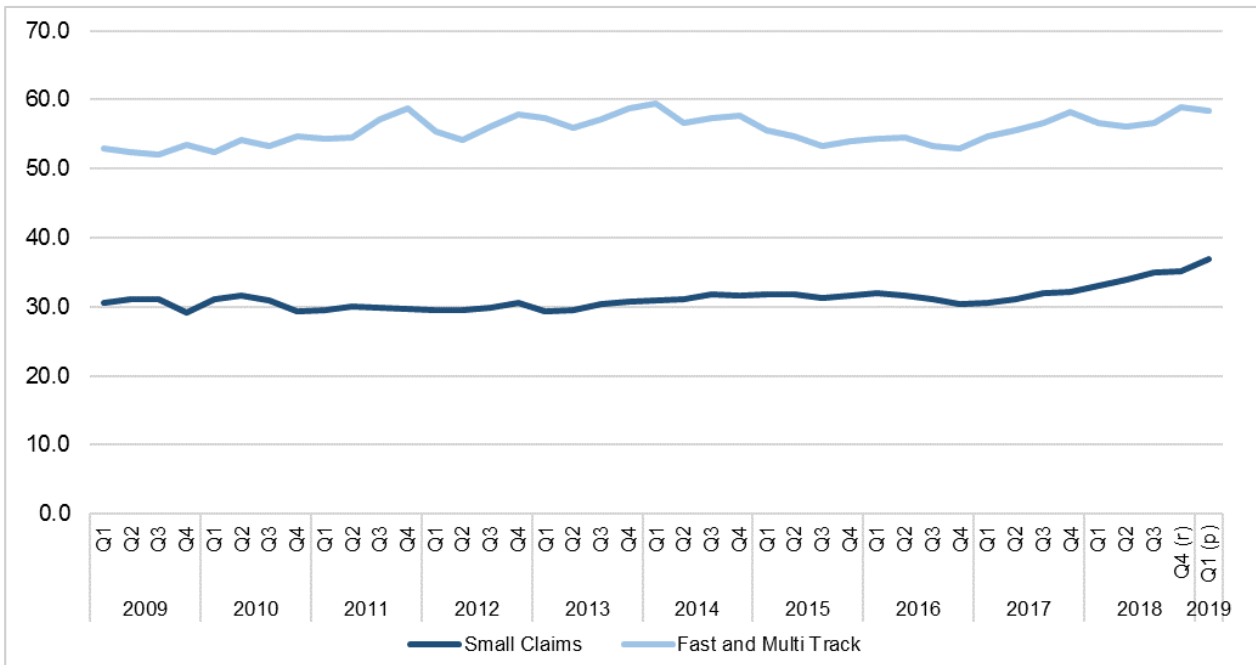


The total number of claims defended increased by 2% to 75,100 cases. Of these, 61% were specified money claim defences, and 34% were unspecified money claim defences. The proportion of claims defended that were for specified money claims has increased by 8 percentage points since January to March 2018, whilst the proportion that were unspecified money claims decreased by 7 percentage points, reflecting the change in volumes of claims being received by the county court. 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. Small claim trials make up 70% of all trials, with the remaining 30% being fast and multi-track cases. In total, there were 16,000 trials in January to March 2019, an increase of 8% when compared to the same period the previous year. Although small claims trials make up the larger volume, the increase seen was driven by multi/fast track trials, up 15% to 4,800 trials in the most recent quarter. Small claims reaching trial also increased over the same period, by 5% to 11,300.

Figure 4: Average number of weeks from claim being issued to initial hearing date, Q1 (January to March) 2009 to Q1 (January to March) 2019 (Source: table 1.5)



In January to March 2019, it took an average of 36.9 weeks between a small claim being issued and the claim going to trial, 3.9 weeks longer than in the same period in the previous year. Since October to December 2016, where it stood at 30.4 weeks, the small claims mean time taken to reach trial has been increasing quarter on quarter. For January to March 2019, it is the longest mean time taken since the beginning of the quarterly time series. A sustained period of increasing receipts has increased the time taken to hear civil cases and caused delays to progress cases. Additional investment has reduced administrative backlogs and the recent appointment of a large pool of Deputy District Judges that will begin hearing cases this year, as well as District Judge recruitment that is underway, will increase judicial capacity and improve the performance of the courts.

For multi/fast track claims, it took on average 58.5 weeks to reach a trial, nearly 2 weeks longer than in January to March 2018 - this is near the upper limit of the long-term range (52-59 weeks).

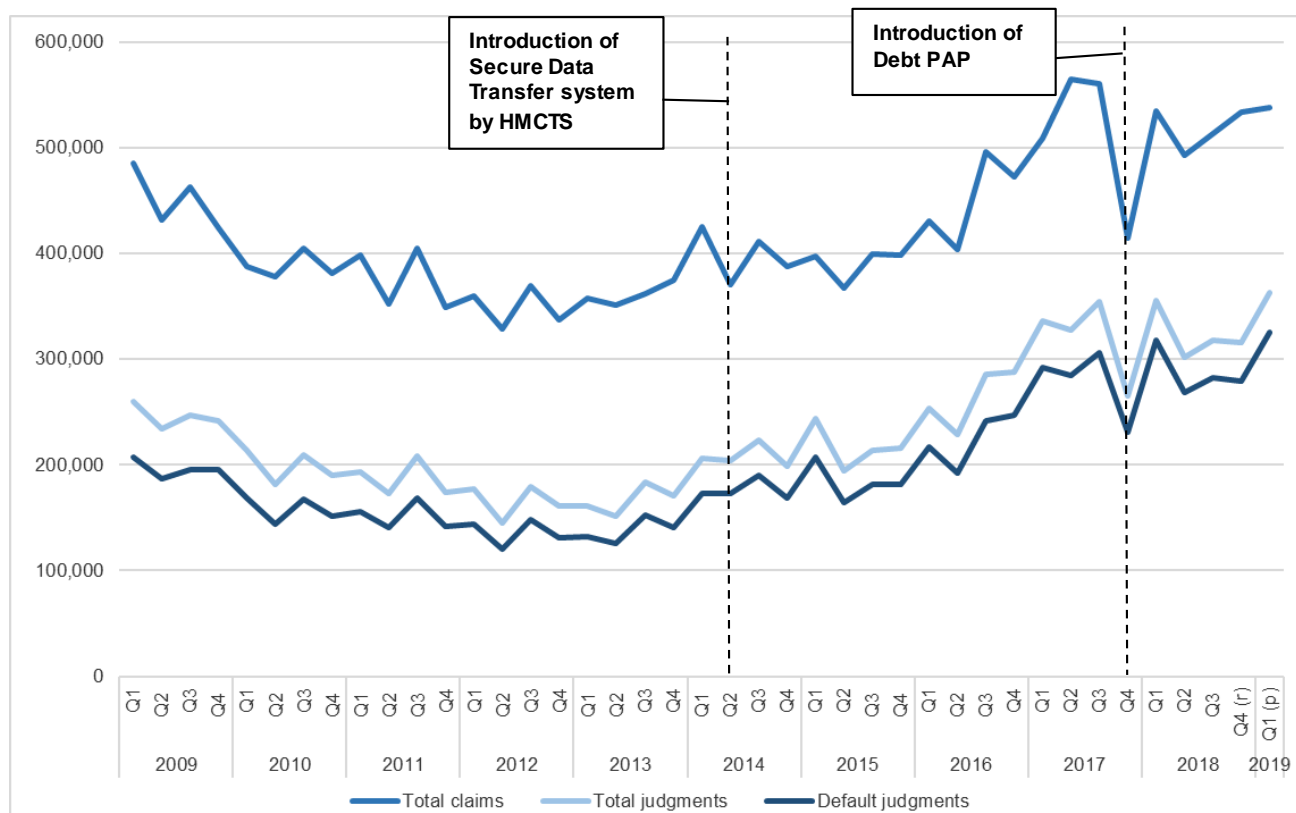
4. Judgments

Judgments increased by 2% compared to same quarter in 2018, with default judgments also up 2%

There were 363,500 judgments made in January to March 2019, of which 325,000 were default judgments. The proportion of default judgments (89%) has remained the same when compared to the same quarter in 2018.



Figure 5: All claims, judgments and default judgments, Q1 (January to March) 2009 to Q1 (January to March) 2019 (Source: table 1.2 and 1.4)



There were 363,500 judgments made in January to March 2019, an increase of 2% compared to the same quarter of the previous year. Of these, 89% were default judgments, remaining the same when compared against the same quarter of the previous year. The number of default judgments also increased by 2% from January to March 2018. Judgment volumes now appear to be returning to the levels seen before the introduction of the debt PAP in October 2017.

The second largest type of judgment was 'admissions', of which there were 23,000 in January to March 2019, up 5% on the same quarter in 2018. Admission judgments accounted for 6% of all judgments, remaining at a similar level to that seen in January to March 2018.

5. Warrants and Enforcements

Warrants issued decreased by 9%, when compared to same quarter in 2018 - driven by a decrease in warrants of control

In January to March 2019, 96,200 warrants were issued – more than three quarters (78%) were warrants of control, which decreased 11% compared to the same period of 2018.

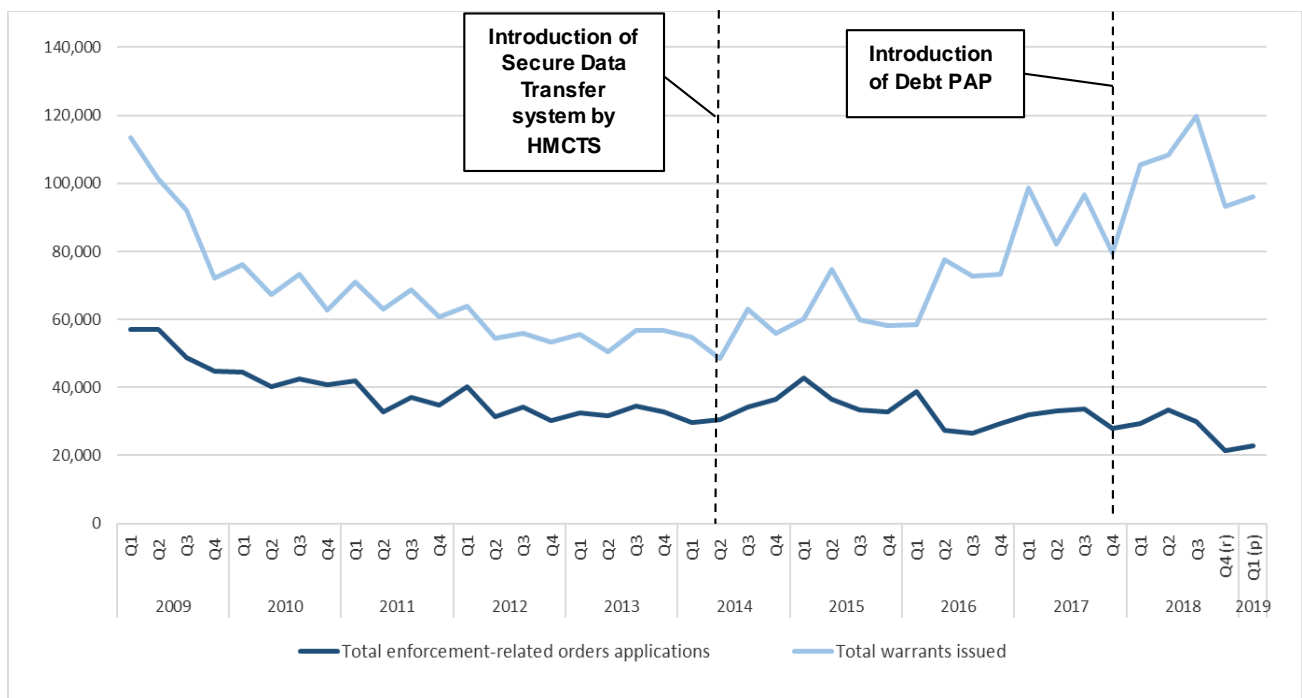


Enforcement applications and enforcement orders were down 23% and 12% respectively, when compared to same quarter in 2018

The fall in applications was driven by attachment of earnings (AoE) cases (down 31% to 14,500) The fall in orders was driven by the decrease in AoE orders and charging orders (down 11% and 5% to 8,800 and 6,600 respectively).



Figure 6: Warrants and enforcements issued – Q1 (January to March) 2009 to Q1 (January to March) 2019 (Source: tables 1.7 and 1.8)



Warrants (Table 1.7)

There were 96,200 warrants issued in January to March 2019, down 9% on the same quarter in 2018. Over the longer term, warrants issued fell between 2000 and April to June 2014, to 48,400. Despite the decreases seen in the two most recent quarters, the general trend is upward driven by warrants of control.

This increasing trend 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 January to March 2019, there were 22,700 enforcement-related order applications (which include attachment of earnings orders, charging orders, third party debt orders, administration orders, and orders to obtain information) and 18,500 enforcement related orders made, down 23% and 12% respectively when compared to the same period last year. The fall in applications has been driven by attachment of earnings cases (down 31%), and the fall in orders has been driven by a decrease in both attachment of earnings orders and charging orders (down 11% and 5% respectively).

Over the longer term, as shown in figure 6, there has been a decreasing trend in enforcement related applications received and orders made since 2009, possibly due to claimants' preference for using warrants instead to retrieve money, property or goods.

6. Judicial Reviews²

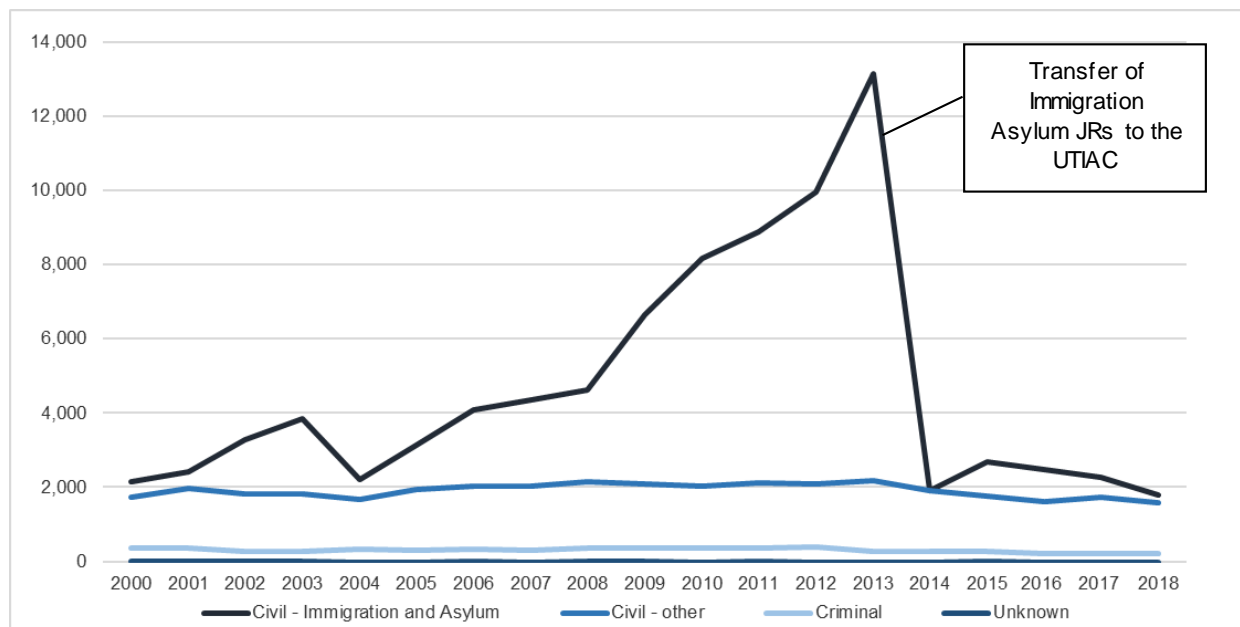
The Home Office had the largest number of Judicial review applications lodged against them in 2018.



The Home Office had 1,200 Judicial Reviews against them in 2018, down 21% on 2017. The Ministry of Justice had the second largest with 1,100 JRs in 2018 (down 15% on 2017); the majority (61%) of which are Tribunal JRs, decreasing 21% on 2017.

There were 930 judicial review applications received so far in 2019, down 2% on the same period in 2018. In 2018 there were 3,600 applications received in total, down 14% on 2017.

Figure 7: Annual Judicial Review Applications, by type; calendar year 2000-2018 (Source: table 2.1)



Judicial review figures broken down by defendant type (i.e. individual government department or public body) are published annually. This information is derived from the 'defendant name' free text field, which is then grouped by defendant type. As this is a manually typed field, it is open to inputting errors and therefore should be used with caution.

The key findings from the 2018 figures are:

- The Home Office was the department/body with the largest number of JR applications lodged against them, with 1,200 (down 21% on last year). 225 applications were granted permission to proceed to the final hearing stage (19% of applications) and 12 were found in favour of the claimant.
- The second largest recipient of JR cases was the Ministry of Justice (MoJ), with 1,100 cases received (15% decrease on the previous year) and of these, 696 were specifically against Tribunals (61% of all MoJ JRs). The number of JR cases against tribunals decreased by 21% when compared to the number of applications lodged in 2017.
- Local Authorities had 652 applications lodged against them (third largest recipient), down 6% on the previous year. Of these cases, 209 were granted permission to

² The judicial review data are Official Statistics

proceed to final hearing (32% of applications), and of these, 23 were found in favour of the claimant.

Of the 3,600 judicial review applications received in 2018, 1,800 were civil immigration and asylum applications, 1,600 were civil (other) and 210 were criminal, down 20%, 8% and 5% respectively compared to 2017. Sixty-four of the civil immigration and asylum cases have since been transferred to the Upper Tribunal (Immigration and Asylum Chamber) - UTIAC.

Of the total applications received in 2018, 2,600 reached permission stage and of these 13% (337) were found to be totally without merit (TWM), 4 percentage points lower than 2017.

7. Royal Courts of Justice

Annual court activity statistics for the various appeal courts that are administered by HM Courts and Tribunals Service (HMCTS) - key findings are summarised below:

The Court of Appeal Criminal Division saw a 6% decrease in the number of applications received, to 5,101 in 2018. Decreases were recorded across all three appeal application types (conviction, sentence and other¹ appeal applications, down 6%, 6% and 8% respectively).

Court of Appeal Civil Division had 853 appeals filed in 2018, down 7% on 2017. Of the appeals filed in 2018, the largest number came from the Immigration and Asylum section (39% of all appeals filed), which increased year on year by 21% to 335 appeals filed. The number of disposals in 2018 increased by 5% to 1,163, when compared to 2017. This was also driven by Immigration and Asylum cases (up 23% to 422 disposals).

Table 3.10 – is a **new table** to summarise completion times by stage of the appeal process at the Court of Appeal (Civil Division). Key highlights include the time taken from “Notice Filed” to Permission to Appeal (PTA) decision has fallen by 12% to 33 weeks and from PTA Granted to Hand Down of Judgement is 53 weeks (down 13% on 2017).

Within the **London Chancery Division** total proceedings increased by 6% on 2017 to 3,995. The largest year on year increase seen was in the “Land and property” category (up 15% to 349 proceedings) whilst there was a decrease of 40% in the “Business and industry” category to 83 proceedings (table 3.14).

The High Court – The Queen’s Bench – had 4,439 proceedings started in 2018, 120 (3%) more than 2017. Of these proceedings, the most common type in 2018 was for personal injury actions, which increased 14% on 2017, to 1,940 proceedings (44% of all proceedings started in 2018). The second largest proceeding was clinical negligence, which accounted for 22% of all proceedings started in 2018, up 5% on 2017, to 987.

Days sat by Judge - there were 307,109 days sat by judges in 2018, up 3,210 (1.1%) compared to 2017. Across court types, the “County Court Family Law, Private” had the largest increase in sitting days (55% increase, 63,364 days sat), whereas the County Court General List had the largest decrease (19% decrease, 72,522 days sat). This “re-allocation” of cases is due to more granular data now being available that allows more categorisation of the general cases.

For further information on these summarised figures or on the statistics available in relation to the appeals courts’, please see the accompanying tables named ‘Royal Courts of Justice, 2018’.

The Ministry of Justice is considering changes to the Royal Courts of Justice section of the publication, as part of its ongoing efforts to provide more relevant, timely and useful statistics to its varied users and due to developments to underlying data sources. Further details will be available in future issues of this bulletin. For suggestions or queries on this proposal please send an email to the Justice Statistics Analytical Services division of the Ministry of Justice at cajs@justice.gov.uk.

¹ See footnote on the Royal Courts of Justice table 3.7 for the full list of other receipt applications

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.

Contact

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