



Family Court Statistics Quarterly, England and Wales, April to June 2019

Main Points

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| <p>Decrease in number of cases started in Family courts</p> | | <p>64,813 new cases started in Family courts in April to June 2019, down 5% on April to June 2018, due to a 13% fall in matrimonial cases (44% of all case starts, mainly divorce proceedings), and a decrease in financial remedy (5%) and Children Act - Public law (4%) cases.</p> |
| <p>On average, care proceedings took longer with fewer disposals within 26 weeks</p> | | <p>The average time for a care or supervision case to reach first disposal was 33 weeks in April to June 2019, more than two weeks up from the same quarter in 2018.</p> |
| <p>within 26 weeks</p> | | <p>41% of cases were disposed of within 26 weeks – down 7 percentage points compared with the same period for 2018.</p> |
| <p>Increase in average time of divorce proceedings</p> | | <p>The mean average time from petition to Decree Nisi was 33 weeks, and Decree Absolute was 58 weeks, - up 5 and 3 weeks respectively compared to the equivalent quarter in 2018. The median time to Decree Nisi was 27 weeks and 41 weeks to Decree Absolute, each up 6 weeks compared to the same period in 2018.</p> |
| <p>Decrease in the number of divorce petitions</p> | | <p>There were 28,144 divorce petitions made in April to June 2019, down 13% on the equivalent quarter in 2018. In April to June 2019 there were 11,129 digital petitions made (40% of all petitions).</p> |
| <p>Increase in Children Act - Private law applications and number of cases started</p> | | <p>In April to June 2019, there were 13,424 Private law cases started, up 3% on the same quarter in 2018. Applications also increased by 3%.</p> |
| <p>Increase in the number of domestic violence remedy applications and orders made</p> | | <p>The number of domestic violence remedy order applications increased by 16% compared to the equivalent quarter in 2018. The number of domestic violence remedy orders made increased by 11% over the same period.</p> |
| <p>Adoption applications and orders down following two quarters of increases</p> | | <p>In April to June 2019, there were 1,230 adoption applications, down 2% on the equivalent quarter in 2018. Over the same period the number of adoption orders issued decreased by 6% to 1,202.</p> |
| <p>Increase in applications and orders made in relation to deprivation of liberty</p> | | <p>There were 1,372 applications relating to deprivation of liberty in April to June 2019, up 18% on the equivalent quarter in 2018. Deprivation of liberty orders were up 17% over the same period.</p> |

This publication presents statistics on activity in the family courts of England and Wales and provides figures for the latest quarter (April to June 2019). For further information and technical details please refer to the accompanying Guide to Family Court Statistics.

For feedback related to the content of this publication, please let us know at
familycourt.statistics@justice.gov.uk

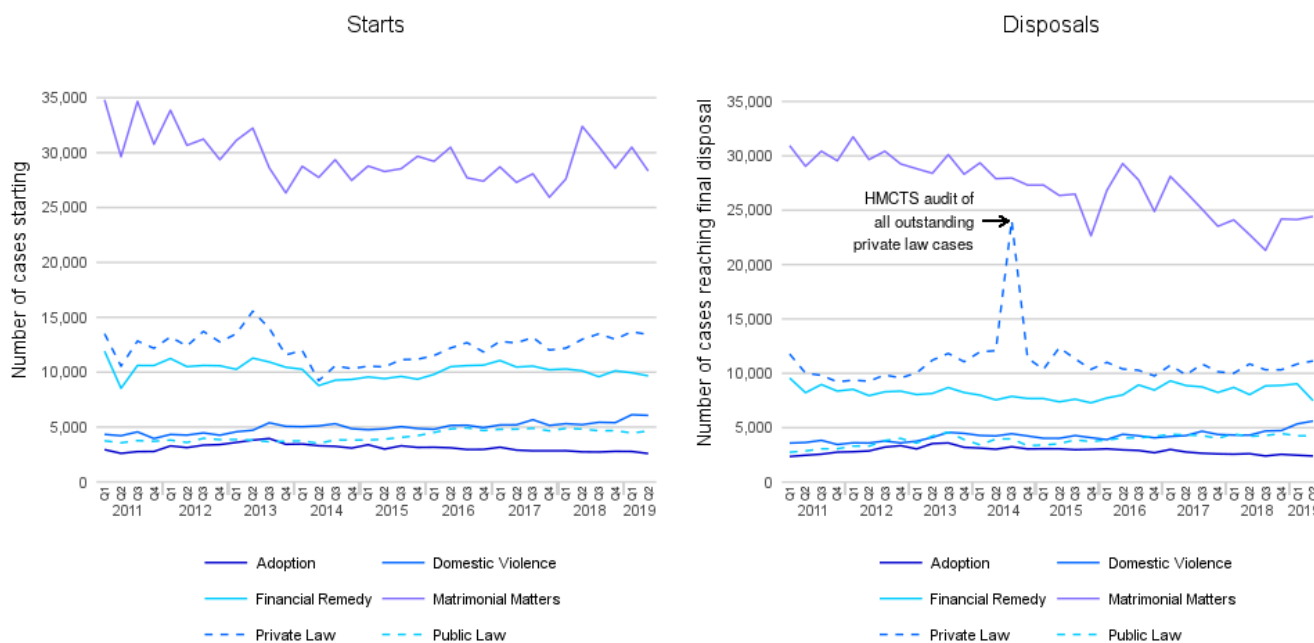
1. Overview of the Family Justice System

Decrease in the number of cases starting, with an increase in number of cases disposed in Family Courts

In April to June 2019, 64,813 new cases started in family courts, down 5% on the equivalent quarter in 2018. This was due to a 13% fall in matrimonial cases started, along with a decrease in financial remedy (5%) and Children’s Act - Public law (4%) cases started compared to the same period last year. However, there were increases in new domestic violence (16%) and Children Act - Private law (3%) cases started (Table 1).

There were 55,476 case disposals in April to June 2019, up 5% on the equivalent quarter of 2018. This was due to increases in domestic violence (30%), matrimonial (7%), Private law (3%) and Public law (1%) cases reaching final disposal. There were decreases in adoption (8%) and financial remedy (7%) case disposals (Table 1).

Figure 1: Cases started and disposed, by case type, January to March 2011 to April to June 2019 (Source: Table 1)



In April to June 2019, 44% of new cases within family courts related to matrimonial matters, down from 47% in the equivalent quarter of 2018.

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). From 2011, the average fell steadily and by 2016 had almost halved to reach 26 weeks. For April to June 2019, the average was 32 weeks, up from 29 weeks in April to June 2018 (Table 10).

The average time for divorce and annulment cases to reach first disposal was up 5 weeks compared to the equivalent quarter in 2018 and Private law cases also took longer, with the average time to first disposal in April to June 2019 taking 16 weeks, up 1 week compared to the same period in 2018 (Table 10).

The Government announced in June 2019 that it will be taking steps to recruit and retain more judges and this extra judicial resource should improve the waiting times in family court proceedings.

Public and Private law cases – number of parties, and High Court cases

The vast majority of Private law cases involve one applicant and one respondent only. However, for Public law cases whilst over 99% have only one applicant, approximately three-quarters involve two or more respondents (Table 6).

A very small proportion of Public (2%) and Private (1%) law cases started were indicated as being a High Court case during April to June 2019, consistent with the long-term trend (Table 7).

2. Children Act - Public Law

The number of Public law case starts has fallen while cases with final disposals has risen

There were 4,635 Public law cases started in April to June 2019, down 4% compared to the equivalent quarter in 2018. There were 4,256 cases that reached a final disposal, 1% higher than the same period in 2018 (Table 2).

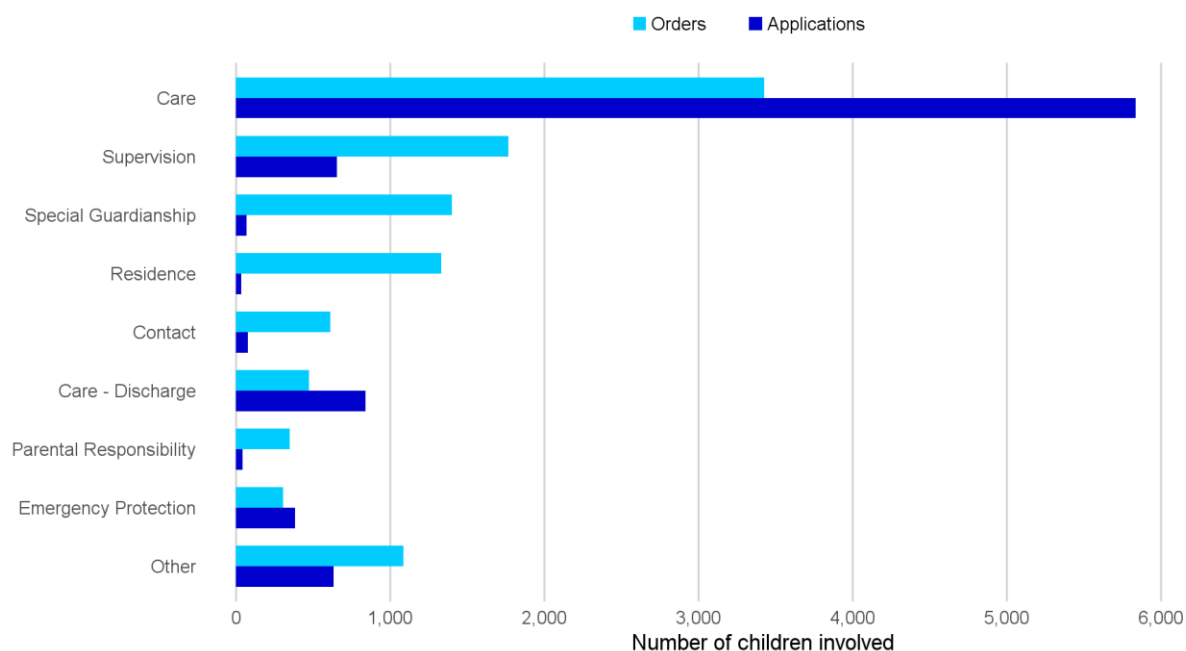
Average time of care proceedings continues upward trend

The average time for a care and supervision case to reach first disposal was 33 weeks in April to June 2019, up 3 weeks from the same quarter in 2018. It is the longest average time to first disposal since the final quarter of 2013. 41% of these care proceedings were disposed of within the 26-week limit introduced in the Children and Families Act 2014¹ (Table 8).

There were 8,562 children involved in new Public law applications and 10,745 children involved in Public law orders in April to June 2019, down 5% and 7% on the same quarter in 2018 respectively. This reflects the fall in the number of applications and disposals, down 4% and 5% respectively from the equivalent period in 2018.

Figure 2 shows the most common types of Public law orders applied for and made in April to June 2019, 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, April to June 2019 (Source: Tables 3-4)



¹ See the accompanying technical guide for more information.

3. Children Act - Private Law

Increase in the number of Private law case starts and disposals

The number of Private law **cases² started** increased by 3% in April to June 2019 compared to the equivalent quarter in 2018, with the number of applications also up 3%.

The number of Private law **cases disposed of** in April to June 2019 was up 3% on the equivalent quarter in 2018, with the number of **court disposals** up 5% (Table 2).

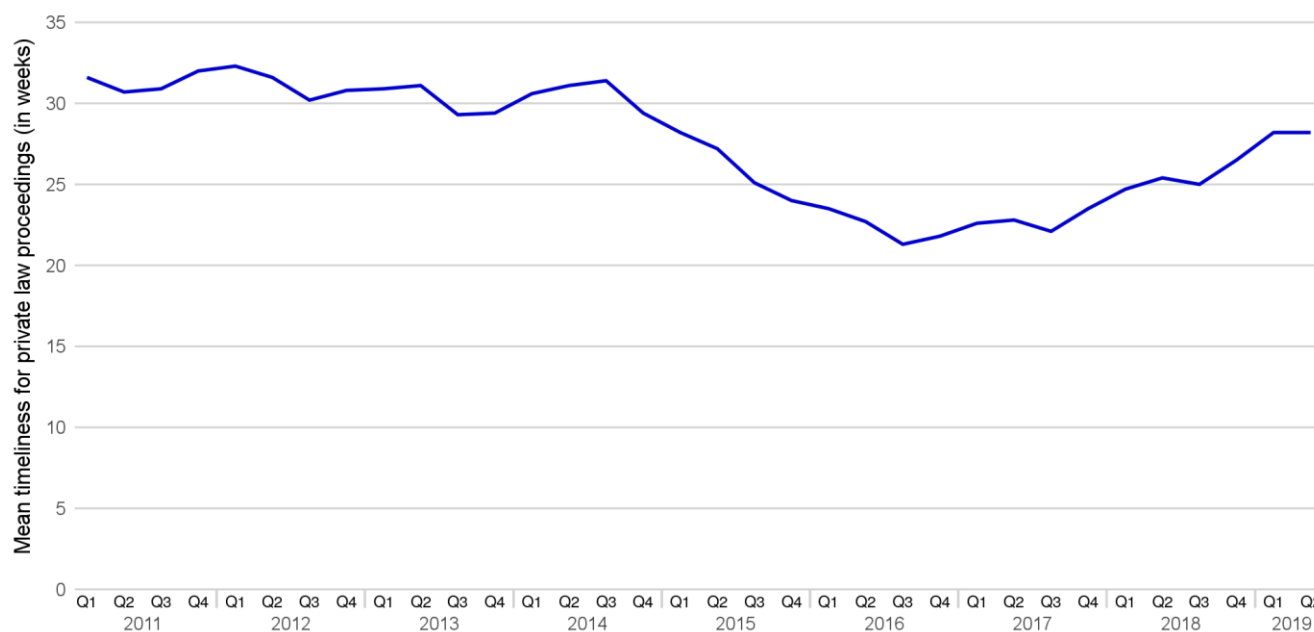
There were 13,809 new Private law applications in April to June 2019, up 3% on the equivalent quarter in 2018 – these applications involved 31,866 children; 2.3 children involved in each application on average, compared to 2.2 in the same period in 2018.

The number of Private law court disposals in April to June 2019 was 20,657, up 5% on the equivalent quarter in 2018, whilst the number of children involved was up 8% to 49,970. The average number of children involved in each disposal was 2.4 for April to June 2019, the same as for the equivalent quarter in 2018.

Timeliness of Private law cases

In April to June 2019, it took on average 28 weeks for Private law cases to reach a final order, i.e. case closure, up 3 weeks from the same period in 2018. This continues the upward trend seen since the middle of 2016, where the number of new cases started overtook the number of disposals, creating a greater number of outstanding cases (Table 9).

Figure 3: Private law timeliness from case start date to final order in the family court, January to March 2011 to April to June 2019 (Source: Table 9)



² 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

Cases where the respondent has legal representation take longer on average

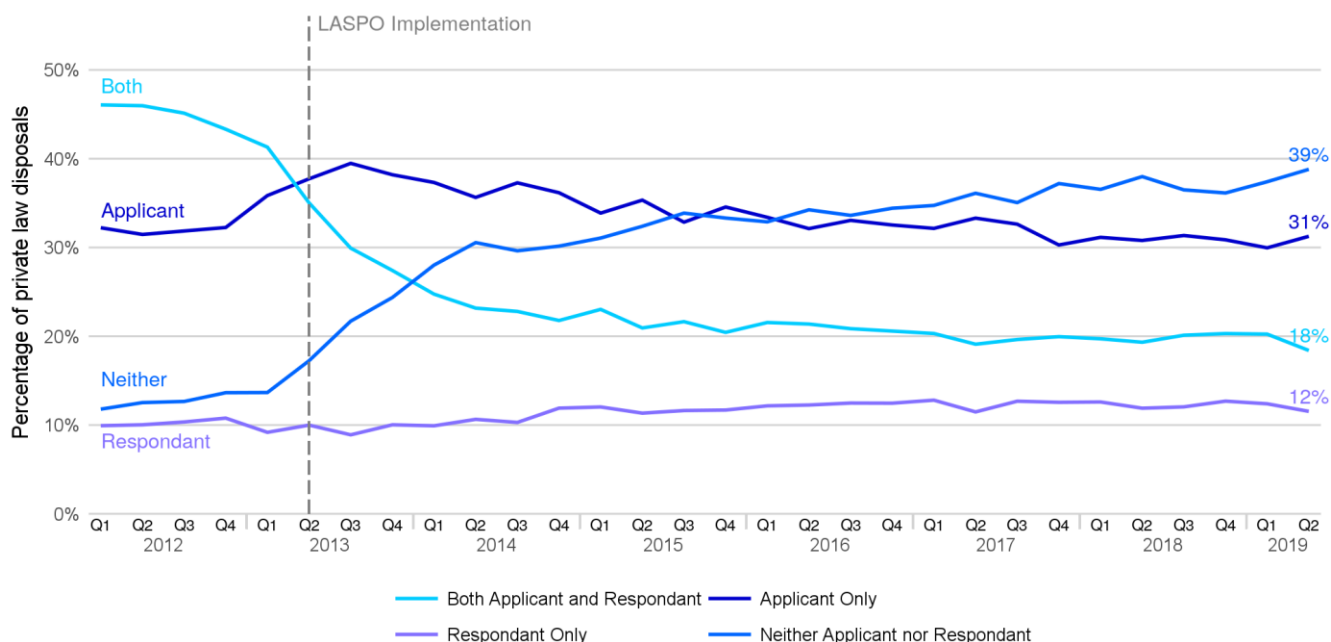
In general, cases where **either both parties** or the **respondent only had legal representation took longer** to be disposed than those cases where only the applicant was represented or where both parties were without legal representation

Divorce is the only case type for which cases where **both parties had legal representation took less time** to be disposed than average (Table 10).

Legal representation in Children Act - 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 time^{3,4}. In April to June 2019, the proportion of disposals where neither the applicant nor respondent had legal representation was 39%, increasing by 25 percentage points since January to March 2013, and up 1 percentage point from April to June 2018. Correspondingly, the proportion of cases where both parties had legal representation went from 41% in January to March 2013 to 18% in April to June 2019, down 1 percentage point compared to the same period in 2018.

Figure 4: Proportion of Private law disposals by type of legal representation of the parties, January to March 2012 to April to June 2019 (Source: Table 10)



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 stood at 59% in 2012 compared to 31% in April to June 2019

³ Please see the accompanying guide for further details.

⁴ Removal of Legal Aid was a result of the Legal Aid, Sentencing & Punishment of Offenders Act 2012 (LASPO).

The proportion of parties with legal representation in cases with at least one hearing varies by case type and range from around 76% for financial remedy to 2% for adoption cases, with figures subject to change as new cases progress (Table 11).

5. Divorce

Decrease in the number of divorce petitions and an increase in length of time of proceedings

Divorce petitions were down by 13% in April to June 2019 compared to the same period in the previous year.

Mean average time from petition to Decree Nisi increased to 33 weeks in April to June 2019, from 28 weeks in the same quarter of 2018 (Table 12).

There were 28,144 divorce petitions made during April to June 2019, down 13% from the same quarter in 2018. 40% of these petitions were made digitally.

There were 24,316 decrees absolutes granted in April to June 2019, up 7% compared to the same quarter in 2018.

For those granted Decree Nisi in April to June 2019, the mean average time from the date of petition was 33 weeks, up 5 weeks from the same period in 2018. The mean time from petition to Decree Absolute was 58 weeks, up 3 weeks compared to the same period in 2018. However, this average time to Decree Absolute is down by almost 2 weeks compared to the previous quarter, which saw the longest timeliness to decree absolute so far for the periods covered by this bulletin; a result of divorce centers processing a backlog of older cases.

The mean timeliness figures can be inflated when historical cases reach Decree Nisi or Decree Absolute. These historical cases have less effect on the median timeliness, which may act as a better indicator for the length of current divorce proceedings. In April to June 2019, the median time to Decree Nisi was 27 weeks and 41 weeks to Decree Absolute, each up 6 weeks compared to the same period in 2018.

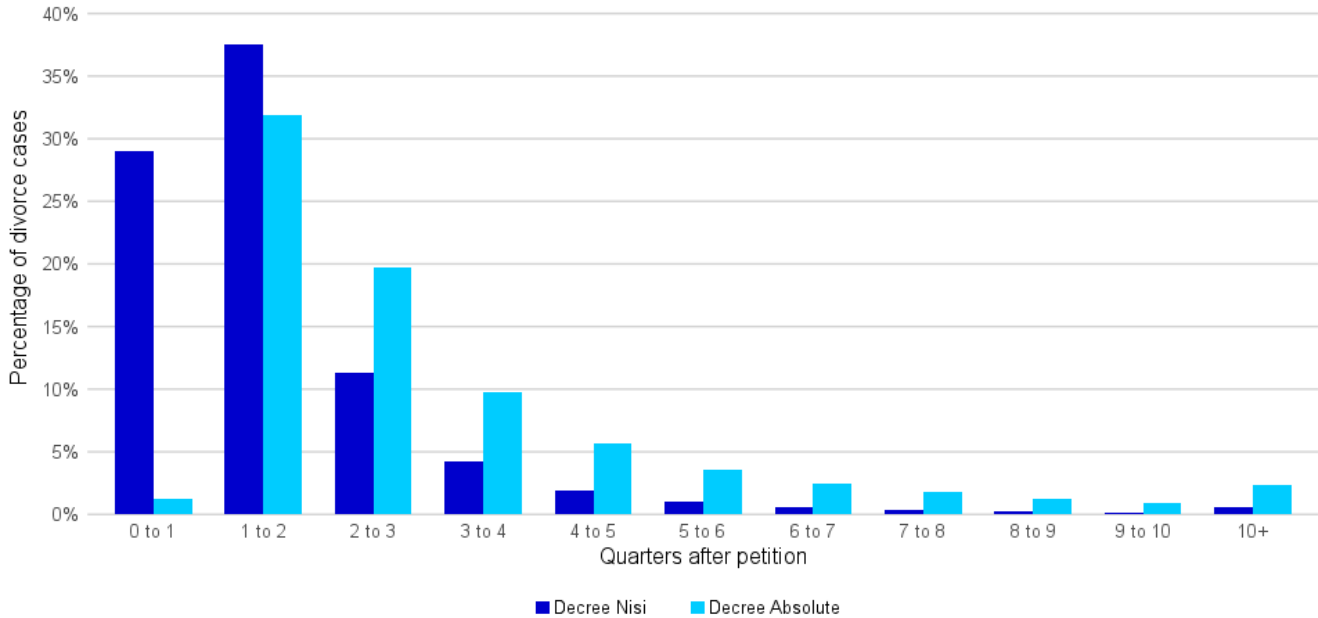
There have recently been changes to administration processes for divorce proceedings with the launch of digital applications in May 2018 and the opening of the first Courts and Tribunal Service Centre (CTSC) in March 2019. During this time an increase in workload has led to a backlog of divorce cases in progress, which in turn has increased the average time taken for divorce cases to reach Decree Nisi and Decree Absolute.

Table 14 and Figure 5 show how long it takes, on average, for petitions to reach certain stages in the process, counted by the number of quarters elapsed.

Digital divorce:

The new online divorce system was launched in May 2018, following a small pilot. It is too early to make quarter on quarter comparisons on timeliness for the new system; this will happen from Q1 2020.

Figure 5: Percentage of divorce cases started between Q1 2011 to Q2 2019 reaching Decree Nisi or Decree Absolute, by the number of quarters since petition (Source: Table 14)



29% of divorce petitions made between Q1 2011 to Q2 2019 reached Decree Nisi in the first quarter after the petition was made, with a further 38% reaching this stage within the second quarter. Over half the petitions reached Decree Absolute within three quarters after petition (1% in the first quarter, 32% within one to two quarters and 20% within two to three quarters).

6. Financial Remedy

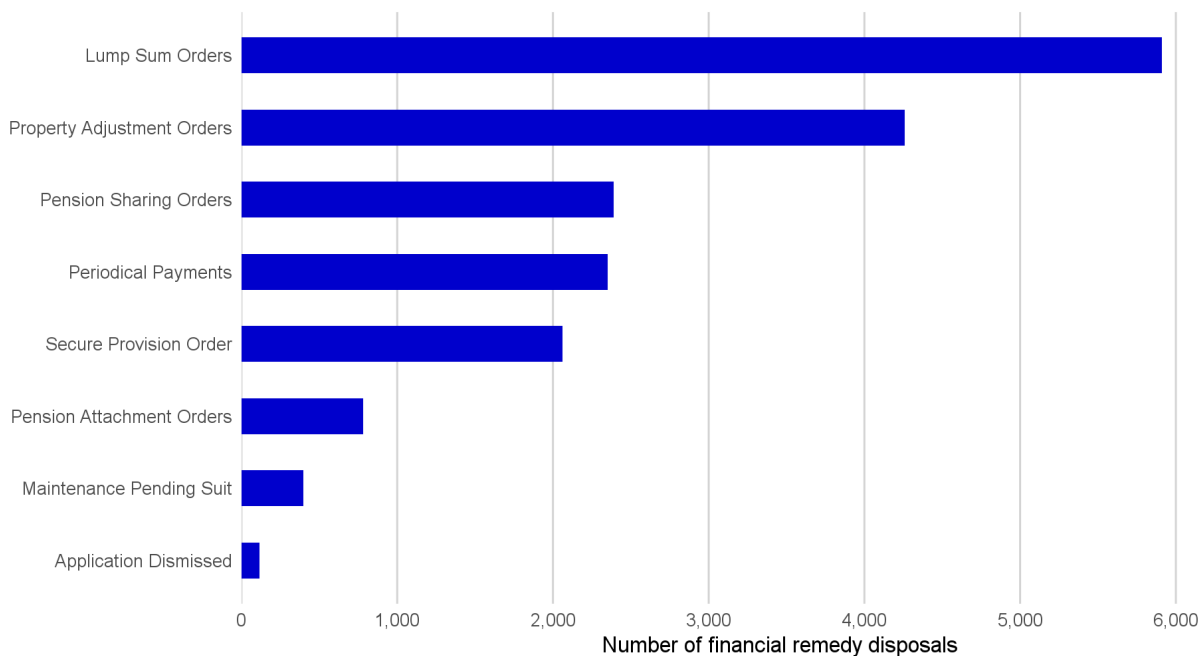
Decrease seen in financial remedy applications and disposals

In April to June 2019, the number of financial remedy applications was down 5% while disposals were down 4% compared to the same period in 2018 (Table 15).

There were 10,335 financial remedy applications and 9,369 financial remedy disposals in April to June 2019, down 5% and 4% respectively on the equivalent quarter in 2018. During this period, 68% of disposals were uncontested, 21% were initially contested and 11% were contested throughout.

In April to June 2019, lump sum and property adjustment orders were the most common types of order given, accounting for over half (56%) of all financial remedy disposal types (Table 16)

Figure 6: Financial remedy disposal types, April to June 2019 (Source: Table 16)



7. Domestic Violence Remedy Orders

Number of domestic violence remedy applications and orders increase

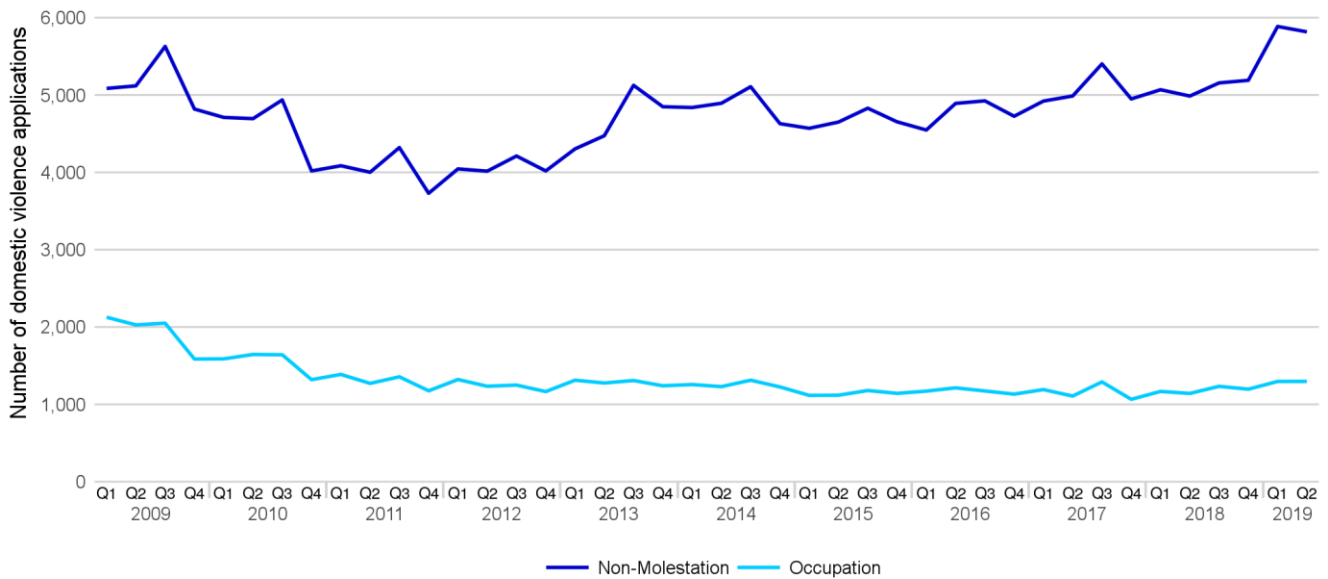
In April to June 2019, the number of applications increased by 16% compared to April to June 2018, whilst the number of orders made increased by 11% over the same period (Table 17).

In April to June 2019, there were 7,113 applications made for a domestic violence remedy order, up 16% on the same quarter in 2018. Most of the applications were for non-molestation orders (82%) compared to occupation orders (18%), these proportions have remained relatively consistent in recent years. Applications for non-molestation orders in April to June 2019 were up 17% compared to the same period in 2018, while occupation order applications increased by 14%.

There were 8,033 domestic violence orders made in April to June 2019, up 11% from the same period last year, the highest number since the beginning of the time series in 2009. 93% were non-molestation orders and 7% were occupation orders, with non-molestation orders up 12% and occupation orders up 8% compared to the equivalent quarter in 2018.

Figure 7 below shows that applications for non-molestation orders have gradually increased over time, while applications for occupation orders have remained relatively steady.

Figure 7: Applications for domestic violence remedy orders, January to March 2009 to April to June 2019 (Source: Table 17)



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

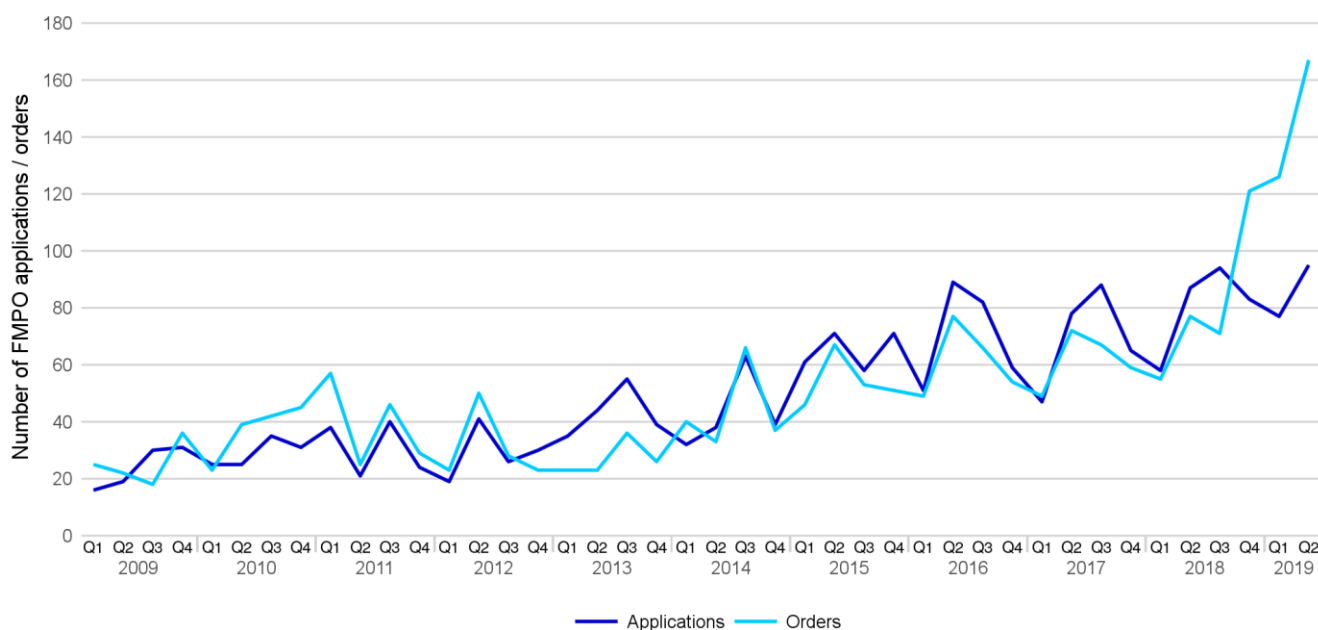
General upward trend in the number of Forced Marriage Protection Orders and Female Genital Mutilation Protection Orders (Tables 18 and 19)

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 April to June 2019, there were 95 applications, of which 77% of applicants were aged 17 and under.

Over the same period, there were 167 orders made, more than double the same period the previous year. Often there are multiple orders granted per case, where one application covers more than one person, and an order is granted for each person covered in the application. This can explain why the increase in the number of orders is not reflected to the same degree in the number of applications.

The increase in the number of orders does not necessarily represent an increase in the prevalence of forced marriage, but potentially relates to a greater awareness of forced marriage being a crime and the support available. The government has recently held events with relevant groups (local authorities, police, charities etc.), designed specifically to raise awareness of FMPOs and how they can be used to protect those at risk.

Figure 8: Applications and orders made for Forced Marriage Protection Orders, January to March 2009 to April to June 2019 (Source: Table 18)



As with FMPOs, the number of applications and orders made for Female Genital Mutilation Protection Orders (FGMPOs) is very small with only 25 and 35 made respectively in April to June 2019. In total, there have been 375 applications and 418 orders made up to the end of June 2019, since their introduction in July 2015.

9. Adoptions

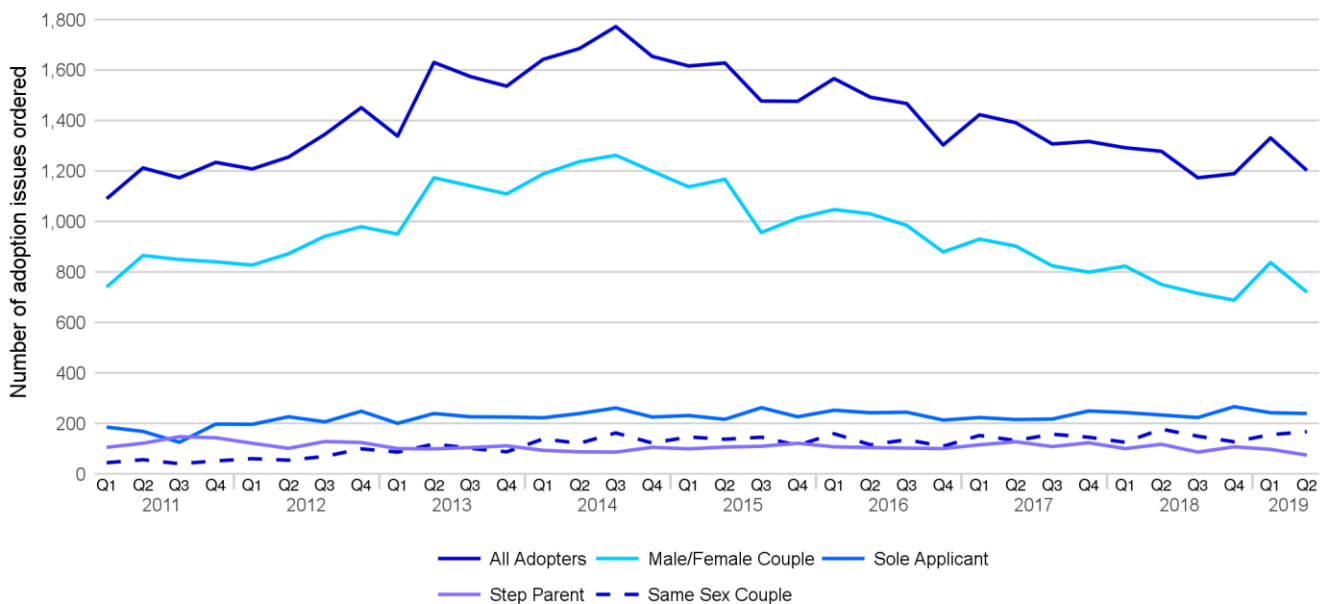
Number of adoption applications and orders decrease following two quarters of increases

During April to June 2019, there were 1,230 adoption applications made, down 2% from the equivalent quarter in 2018. Over the same period, the number of adoption orders issued decreased by 6% to 1,202 (Tables 20 and 21).

There were 2,605 applications under the Adoption and Children Act 2002, including placement orders during April to June 2019, a 5% decrease on the same quarter in the previous year. Total disposals fell by 7% to 2,445 over the same period.

Figure 9 below shows the trend of adoption orders by the type of adopter. This shows that during April to June 2019, 60% of all adoption orders were issued to male/female couples, 20% to sole applicants, 14% to same-sex couples and a further 6% to step-parents.

Figure 9: Adoption orders issued, by adopter, January to March 2011 to April to June 2019 (Source: Table 21)

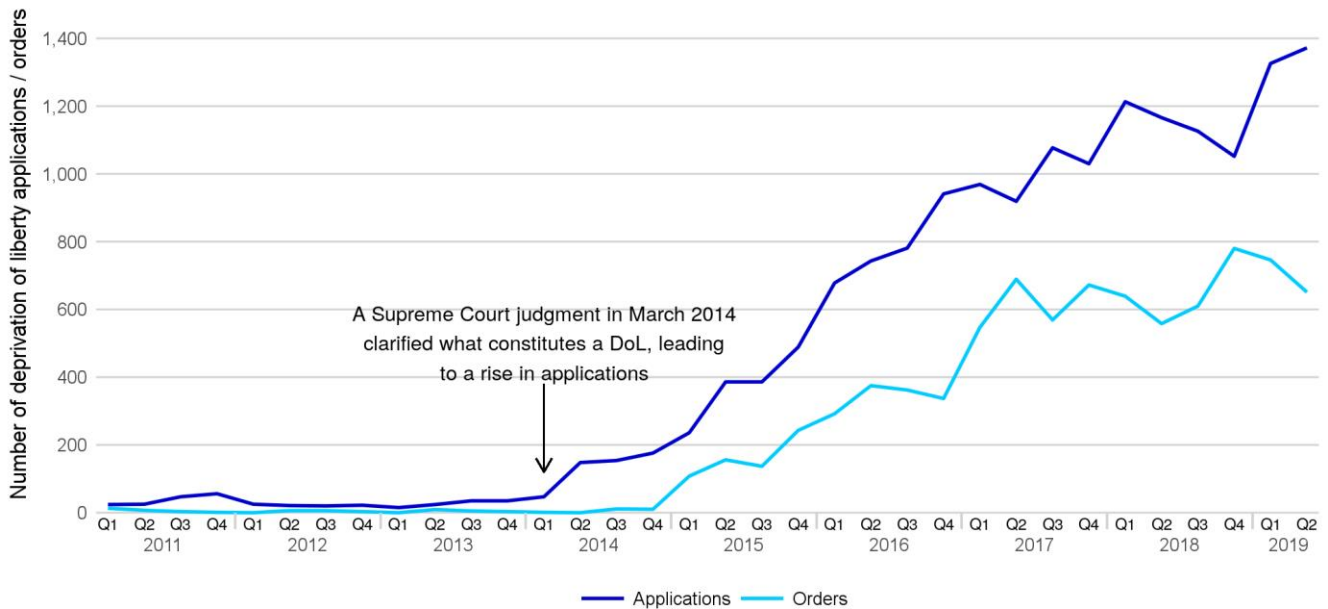


10. Mental Capacity Act - Court of Protection

Increase in number of applications and orders made in relation to deprivation of liberty

There were 1,372 applications relating to deprivation of liberty made in the most recent quarter, up 18% on the number made in April to June 2018. Orders made for deprivation of liberty increased by 17% to 651 over the same period, despite a decrease since the end of 2018 (Tables 22 and 23).

Figure 10: Deprivation of Liberty applications and orders, January to March 2011 to April to June 2019 (Source: Table 22)



In April to June 2019, there were 8,110 applications made under the Mental Capacity Act 2005 (MCA), up 9% on the equivalent quarter in 2018. 44% related to applications for appointment of a property and affairs deputy.

In comparison, there were 11,814 orders made under the MCA, 31% more than the same quarter in 2018. This increase is largely due to a 72% increase in orders by an existing deputy or registered attorney, which accounted for 36% of all orders made under the MCA.

11. Mental Capacity Act - Office of the Public Guardian

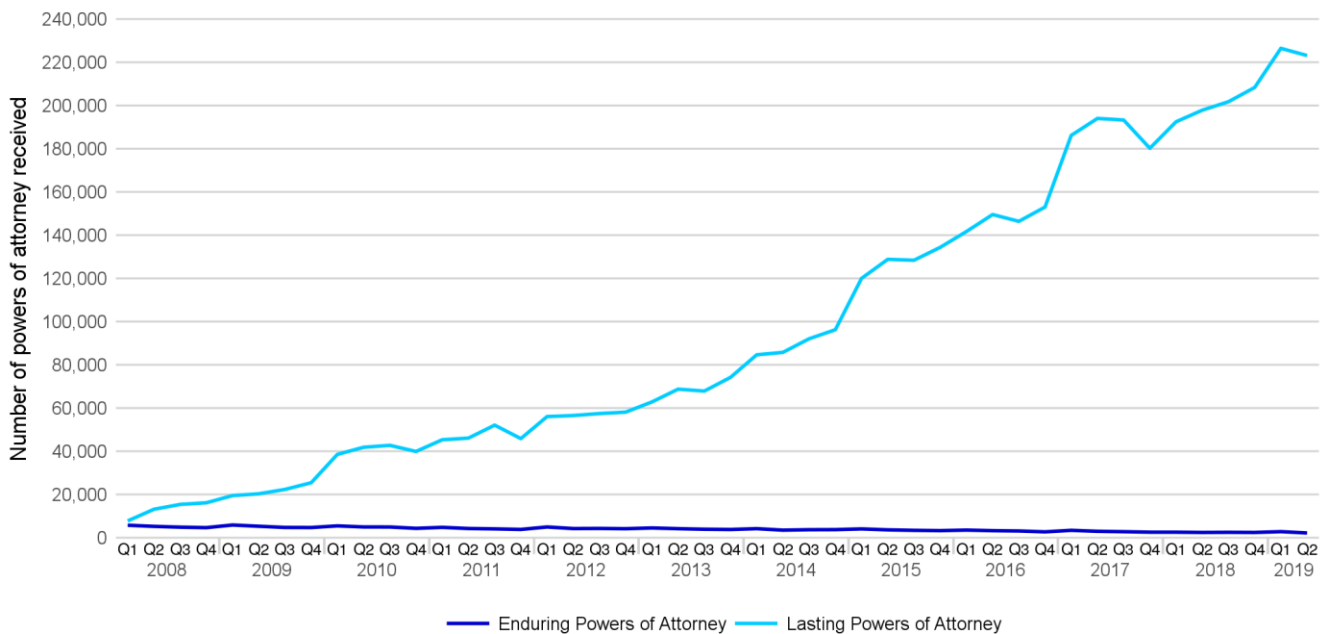
Continuing increasing trend in Lasting Powers of Attorney (LPAs)

In April to June 2019, there were 223,109 LPAs received, up 13% from the equivalent quarter in 2018 (Table 24).

In total there were 225,289 Powers of Attorney (POA) received in April to June 2019, up 12% on the same quarter for 2018 (Table 24). Lasting Powers of Attorney (LPAs) made up 99% of POAs received in April to June 2019, with Enduring Powers of Attorney (EPAs) making up the other 1%. The sharp increase in LPAs seen during 2015 and 2016 was largely due to increased publicity and the new online forms introduced in July 2015 making it simpler and faster to apply.

There were 2,180 EPAs in April to June 2019, down 10% on the equivalent quarter in 2018.

Figure 11: Powers of attorney received, January to March 2008 to April to June 2019 (Source: Table 24)



Probate

NOTE: In discussion with the Chief Statistician, we are not publishing 2019 Q2 data in the accompanying tables while we investigate quality issues in the transition between data systems.

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/FamilyCourtStatisticstool2019Q2/Frontpage>.

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Future publications

Our statisticians regularly review the content of publications. Development of new and improved statistical outputs is usually dependent on reallocating existing resources. As part of our continual review and prioritisation, we welcome user feedback on existing outputs including content, breadth, frequency and methodology. Please send any comments you have on this publication including suggestions for further developments or reductions in content.

Contact

Press enquiries should be directed to the Ministry of Justice press office:

Tel: 020 3334 3536

Email: newsdesk@justice.gsi.gov.uk

Other enquiries and feedback on these statistics should be directed to the Justice Statistics Analytical Services division of the Ministry of Justice:

Carly Gray, Head of Civil, Administrative and Family Justice Statistics

Ministry of Justice, 3rd Floor, 10 South Colonnade, Canary Wharf, London, E14 4PU

Email: ESD@justice.gov.uk

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