



Civil Justice Statistics Quarterly, England and Wales, October to December 2019 (provisional)

Main points

Decrease in County Court claims driven by specified money claims		In October to December 2019, County Court claims decreased by 11% on the same period in 2018 to 477,000. Of these, 384,000 were specified money claims (down 12%).
Unspecified money claims were down 3% to 30,000		The decrease in unspecified money claims was driven by a decrease in Personal Injury claims (down 5% to 27,000).
The number of claims defended decreased, whereas trials increased	 	There were 74,000 claims defended (down 4%) and 17,000 claims that went to trial in October to December 2019 (up 15%).
Mean time taken from claim to hearing has increased		The mean time taken for small claims and multi/fast track claims to go to trial was 37.1 and 60.9 weeks, up 1.9 weeks and 2.1 weeks respectively compared to the same period in 2018.
Judgments remained stable, whilst default judgments decreased slightly		Judgments remained stable in October to December 2019 at 315,000 when compared to the same period in 2018; the proportion that were default judgments remained the same, at 88%.
26,000 enforcement applications and 16,000 enforcement orders made	 	Enforcement applications increased 19%, driven by a rise in attachment of earnings applications (up 21%). Enforcement orders decreased by 6%.
68,000 warrants were issued		Warrants issued decreased by 27% compared with the same period in 2018, driven by a decrease in warrants of control (down 30% to 51,000).
Number of judicial review applications in 2019 down 6% on previous year		There were 3,400 Judicial Reviews in 2019. Of the 2,100 cases in 2019 that reached the permission stage, 250 (12%) were found to be 'totally without merit'.

This publication gives civil county court statistics for the latest quarter (October to December 2019), compared to the same quarter of the previous year. The judicial review figures cover the period January to December 2019 and privacy injunctions cover the period July to December 2019. 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 bulletin as Official Statistics. For technical detail, please refer to the accompanying support document.

1. Claims Summary

County court claims decreased (down 11%) on the same quarter of 2018, with the decrease driven by money claims

There were 477,000 County Court claims lodged in October to December 2019. Of these, 415,000 were money claims (down 11% from October to December 2018).

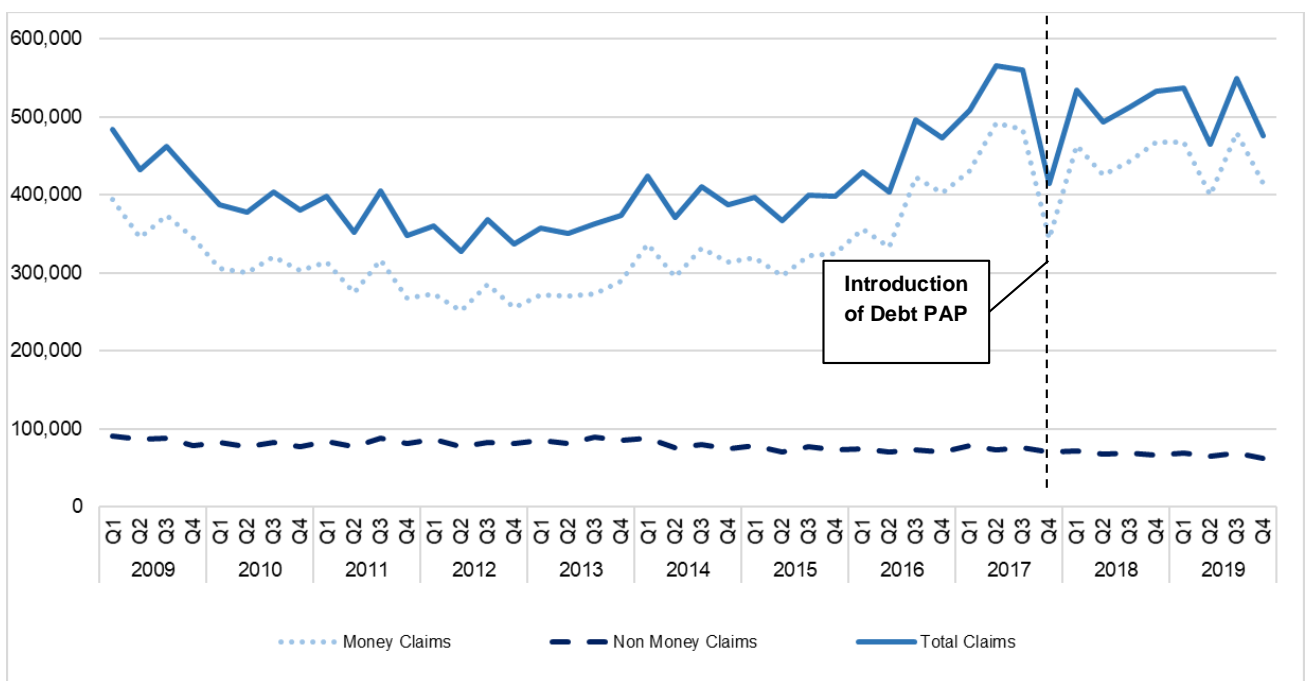


Non-money claim volumes were at 62,000, down 6% when compared to the same quarter last year.

Mortgage and landlord possession claims decreased 8% over the same period to 32,000, 'other non-money claims' decreased by 3% to 28,000 and claims for return of goods decreased by 4% to 2,500.



Figure 1: County Court claims by type, Q1 (January to March) 2009 to Q4 (October to December) 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 decreased by 11% to 477,000, compared to the same period in 2018. Of these, 415,000 were money claims (down 11% from October to December 2018). The recent volatility in money claims over the last three quarters has been driven by a few “bulk issuers” slowing down and then ramping up their volumes. This trend will be monitored to see if it is a change in business model for these businesses.

Non-money claims have been generally decreasing since the peak of 89,000 in July to September 2013, to a low of 65,000 in April to June 2019. In the current quarter, non-money claims decreased by 6% to 62,000 compared to the same period in 2018, the lowest in the time series.

Within non-money claims, ‘other’ non-money claims have generally increased from a low of 26,000 in April to June 2014 but started to fall in 2018. In the most recent quarter, ‘other’ non-money claims decreased by 3% to 28,000 compared to the same period in 2018.

The overall trend in Mortgage and Landlord Possession claims has been decreasing since a peak of 60,000 in January to March 2014. There were 32,000 claims in October to December 2019, down 8% compared to the same quarter the previous year. This decrease has been driven by a fall in landlord possession claims. Mortgage possessions over the same period have increased.

In contrast, claims for return of goods have been generally increasing since a low of 810 in April to June 2014. However, claims have decreased slightly to 2,500 (down 4%) in October to December 2019 compared to the same period in 2018.

2. Money Claims

Specified money claims have decreased by 12% to 384,000 claims in October to December 2019, driving the decrease seen in overall money claims.



Specified money claims of up to (and including) £1,000 decreased 23% over this period to 229,000, driving the overall decrease in specified money claims.

Unspecified claims have decreased by 3% to 30,000, driven by a fall in personal injury claims (down 5% to 27,000) compared to the same quarter in 2018



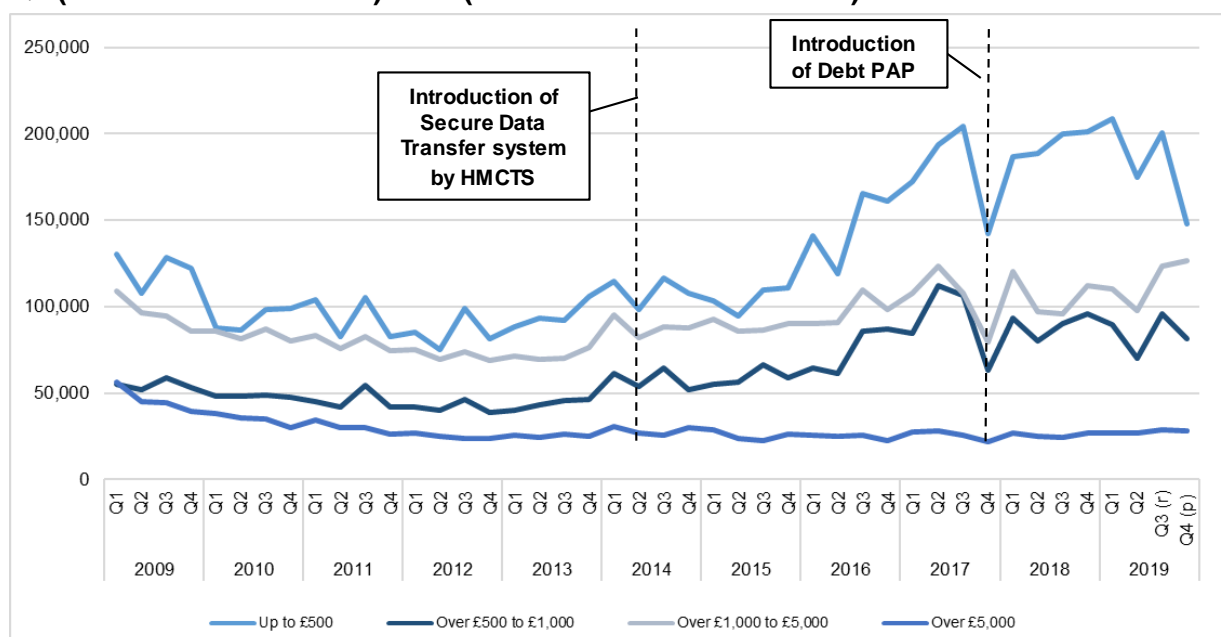
Personal Injury claims accounted for 89% of all unspecified money claims in the most recent quarter.

The majority (83%) of specified money claims are processed and issued at the County Court Business Centre (CCBC). There were 318,000 such claims at the CCBC in October to December 2019 (down 15% on the same quarter in the previous year).

Specified money claims increased from a low in April to June 2012 (210,000 claims), to October to December 2017 where volumes dropped, following the implementation of the Pre-Action Protocol (PAP) for Debt¹ Claims in October 2017. The increasing trend resumed the following quarter, suggesting that the impact of the PAP on claim volumes was temporary. The main aim of the protocol is to encourage early engagement between parties to resolve disputes without needing to start court proceedings. In the most recent quarter (October to December 2019), there was a decrease of 12% to 384,000 claims.

The decrease in specified money claims is driven by lower value claims (up to and including £1,000). These decreased by 23% in the period October to December 2019, compared to a year earlier, to 229,000 claims and account for 60% of total specified money claims in the most recent quarter. When compared to the same quarter in the previous year, the next claim band (above £1,000 up to and including £5,000) has increased 13% to 127,000 claims.

Figure 2: Specified money claims by monetary value, Q1 (January to March) 2009 to Q4 (October to December) 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 July to September 2014). More recently, the volumes have decreased, falling by 3% to 30,000 in October to December 2019 compared to the same period in 2018. The fall in unspecified money claims is driven by a decrease in personal injury, down 5% to 27,000, and can be attributed to the impact of previous Government reform to tackle the costs of civil litigation through measures included in part 2 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (and other related reforms).

Allocations (table 1.3)

In October to December 2019, 48,000 money claims were allocated to track, up 18% on the same period in 2018. Increases were seen in small claims, but fast and multi-track claims remained stable. Compared to October to December 2018, of these allocations:

- 30,000 were allocated to small claims, an increase of 33%, accounting for 61% of all allocations;
- 16,000 were allocated to fast track, remaining at similar levels, accounting for 32% of all allocations;
- 3,100 were allocated to multi-track, remaining at similar levels, accounting for 6% of all allocations.

3. Defences (including legal representation) and Trials

The number of claims defended decreased by 4% to 74,000

Of those claims defended, 56% had legal representation for both claimant and defendant, 24% had representation for claimant only, and 4% for defendant only.



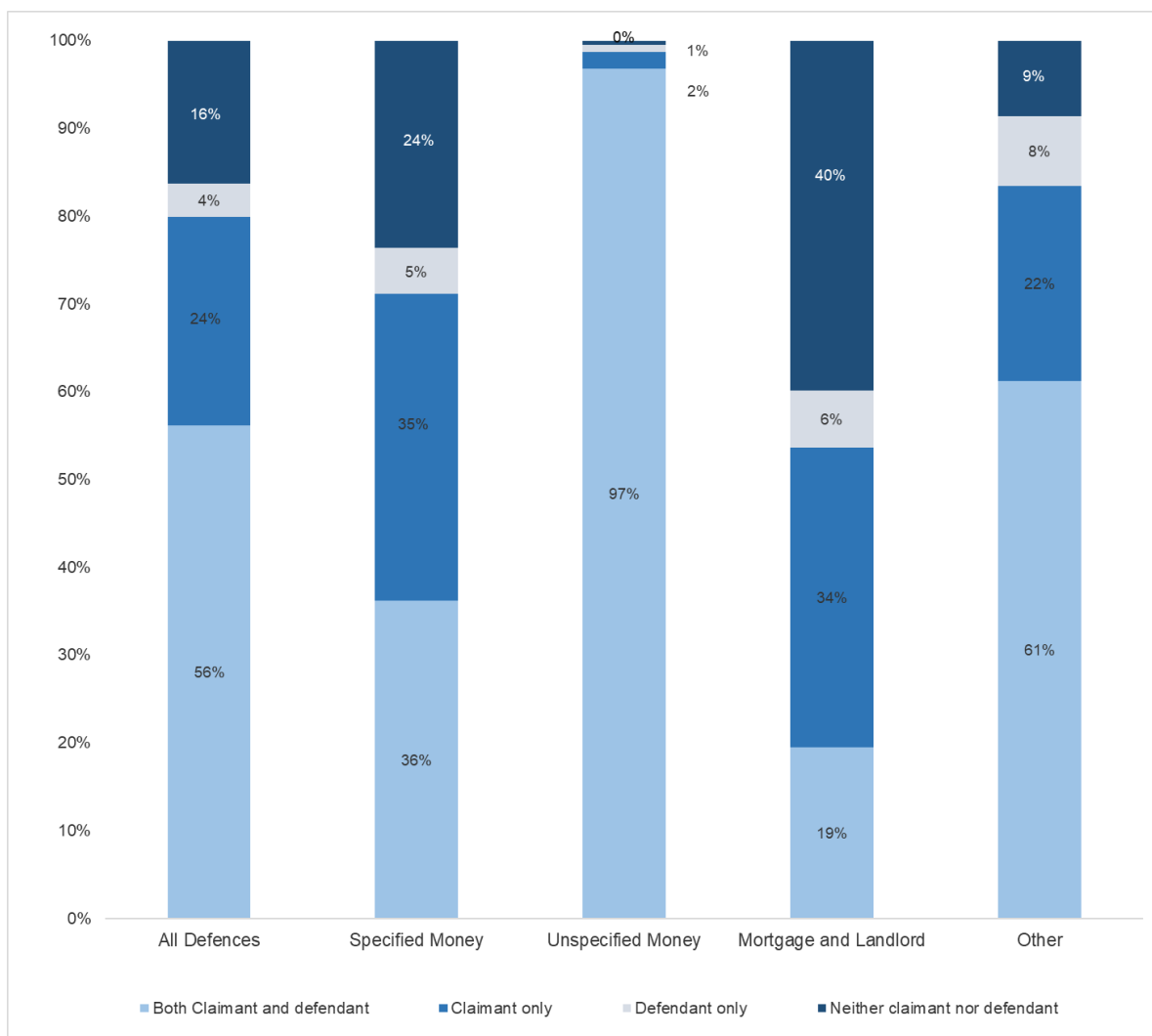
The number of trials has increased by 15% to 17,000 and average time taken from claim to trial has also increased.

Average time taken for small claims has increased to 37.1 weeks (up 1.9 weeks) and for multi and fast track claims it has increased to 60.9 weeks (up 2.1 weeks).



In October to December 2019, almost all (97%) unspecified money defences had legal representation for both the defendant and claimant, compared with around a third (36%) of specified money defences.

Figure 3: Proportion of civil defences and legal representation status, October to December 2019 (Source: table 1.6)

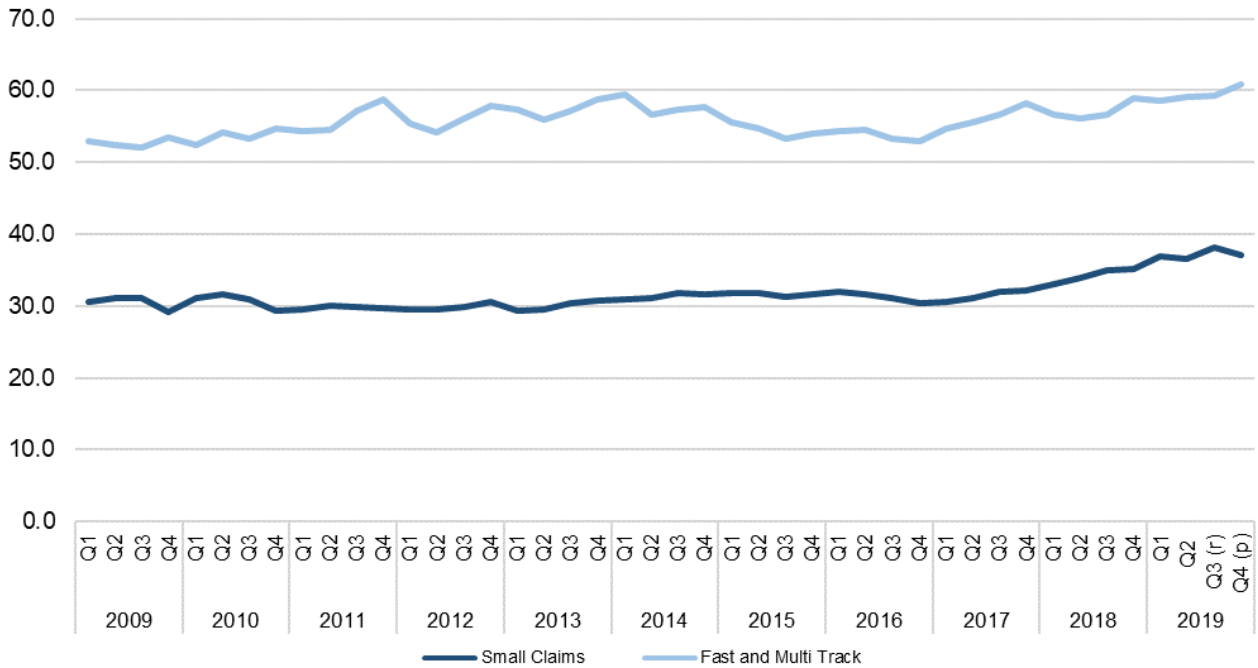


The total number of claims defended decreased by 4% in October to December 2019, to 74,000 cases. This was driven by decreases in specified money claims being defended (down 2% to 46,000); all other cases types defence figures also decreased over the same period.

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 17,000 trials in October to December 2019, an increase of 15% compared to the same period in the previous year. Of the claims that went to trial, 12,000 (75%) were small claims trials (up 23% compared to the same quarter in 2018) and 4,200 (25%) were fast and multi-track trials (down 5% from the same quarter of 2018).

Figure 4: Average number of weeks from claim being issued to initial hearing date, Q1 (January to March) 2009 to Q4 (October to December) 2019 (Source: table 1.5)



In October to December 2019, it took an average of 37.1 weeks between a small claim being issued and the claim going to trial, 1.9 weeks longer than in the same period in the previous year. A sustained period of increasing receipts has increased the time taken to hear civil cases and caused delays to progress cases.

For multi/fast track claims, it took on average 60.9 weeks to reach a trial, 2.1 weeks longer than in October to December 2018 - this has now exceeded the upper limit of the long-term range (52-59 weeks).

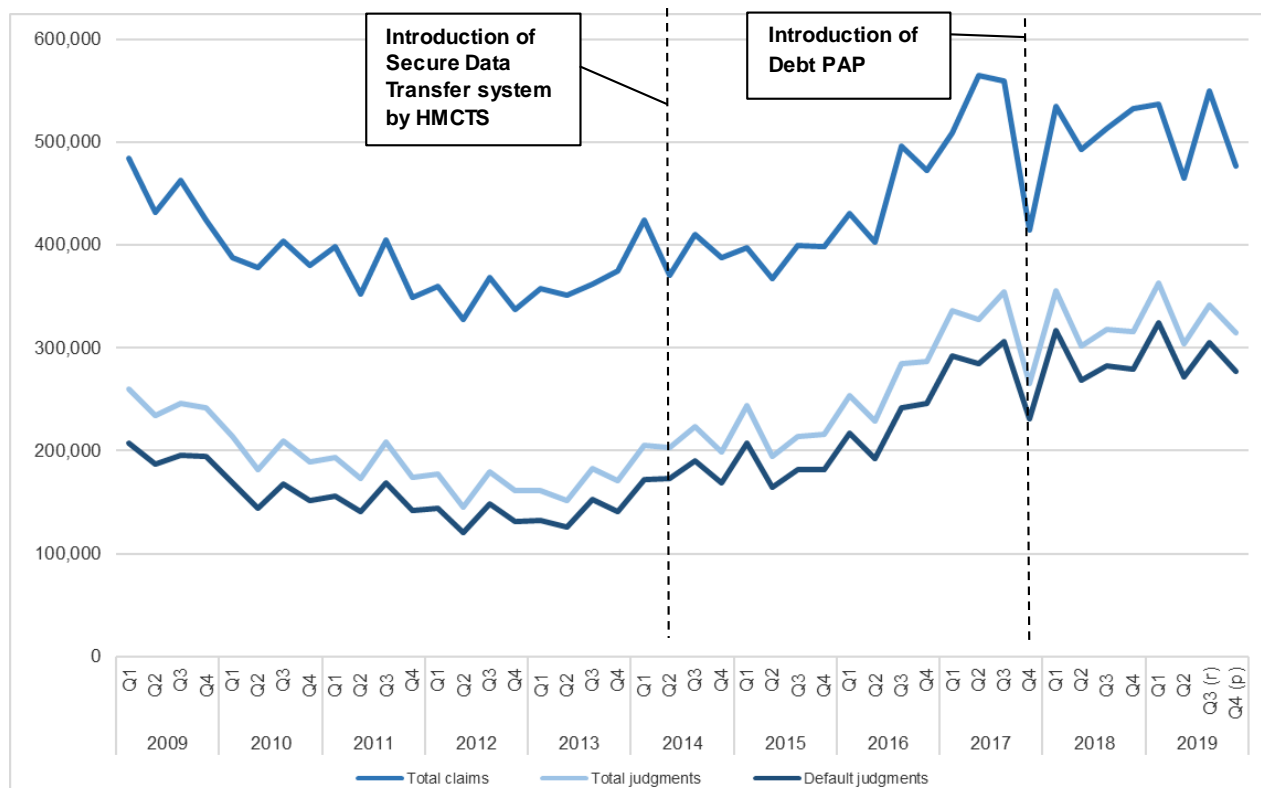
4. Judgments

Judgments remained at similar levels compared to same quarter in 2018, with default judgments down 1%

There were 315,000 judgments made in October to December 2019, of which 278,000 were default judgments. The proportion of default judgments (88%) 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 Q4 (October to December) 2019 (Source: tables 1.2 and 1.4)



There were 315,000 judgments made in October to December 2019, remaining at similar levels when compared to the same quarter of the previous year. Of these, 88% were default judgments, remaining the same when compared against the same quarter of the previous year. The number of default judgments decreased by 1% from October to December 2018.

The second largest type of judgment was 'admissions', of which there were 22,000 in October to December 2019, up 6% on the same quarter in 2018. Admission judgments accounted for 7% of all judgments, remaining at a similar level to that seen in October to December 2018.

5. Warrants and Enforcements

Warrants issued decreased by 27%, when compared to same quarter in 2018 - driven by a decrease in warrants of control

In October to December 2019, 68,000 warrants were issued, of which three quarters (74%) were warrants of control. These decreased 30% compared to the same period in 2018.

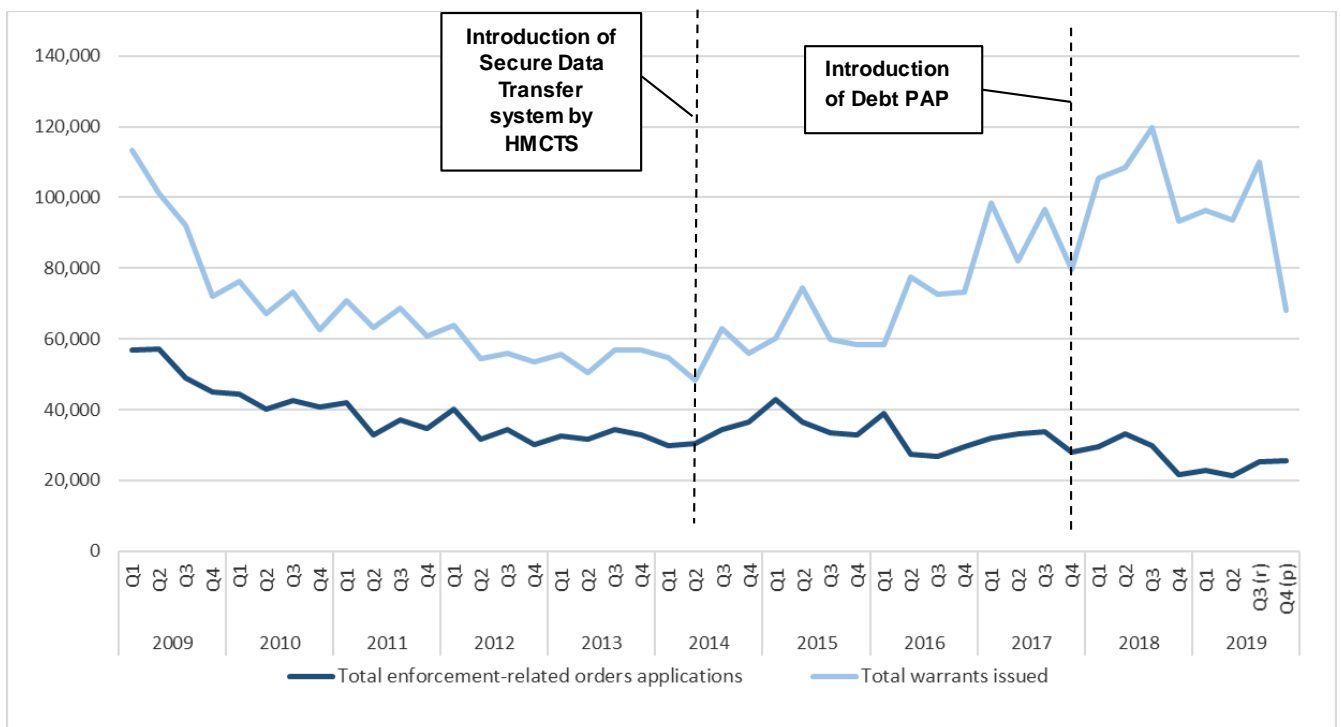


Enforcement applications and enforcement orders were up 19% and down 6% respectively, when compared to same quarter in 2018

The increase in applications was driven by attachment of earnings (AoE) cases (up 21% to 17,000). The fall in orders was driven by the decrease in AoE orders (down 18% to 7,500).



Figure 6: Warrants and enforcements issued – Q1 (January to March) 2009 to Q4 (October to December) 2019 (Source: tables 1.7 and 1.8)



Warrants (table 1.7)

Historically, warrants issued fell between 2000 and April to June 2014, to a low of 48,000. Since April to June 2014 there has been an increasing trend, to a peak of 120,000 in July to September 2018.

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

In the latest quarter (October to December 2019) there were 68,000 warrants issued, down 27% on the same quarter in 2018. These decreases seen over the last four quarters (which

equate to a fall of 16% for the full year 2019 compared to 2018) will be monitored carefully going forward.

Enforcements (table 1.8)

In October to December 2019, there were 26,000 enforcement-related order applications (which include attachment of earnings orders, charging orders, third party debt orders, administration orders, and orders to obtain information) and 16,000 enforcement-related orders made, up 19% and down 6% respectively when compared to the same period last year. The rise in applications has been driven by attachment of earnings cases (up 21%), and the fall in orders has been driven by a decrease in attachment of earnings orders (down 18% to 7,500 respectively). Over the same period, charging order applications have risen to 8,000 (up 18%) and charging orders made have risen to 6,600 (up 21%).

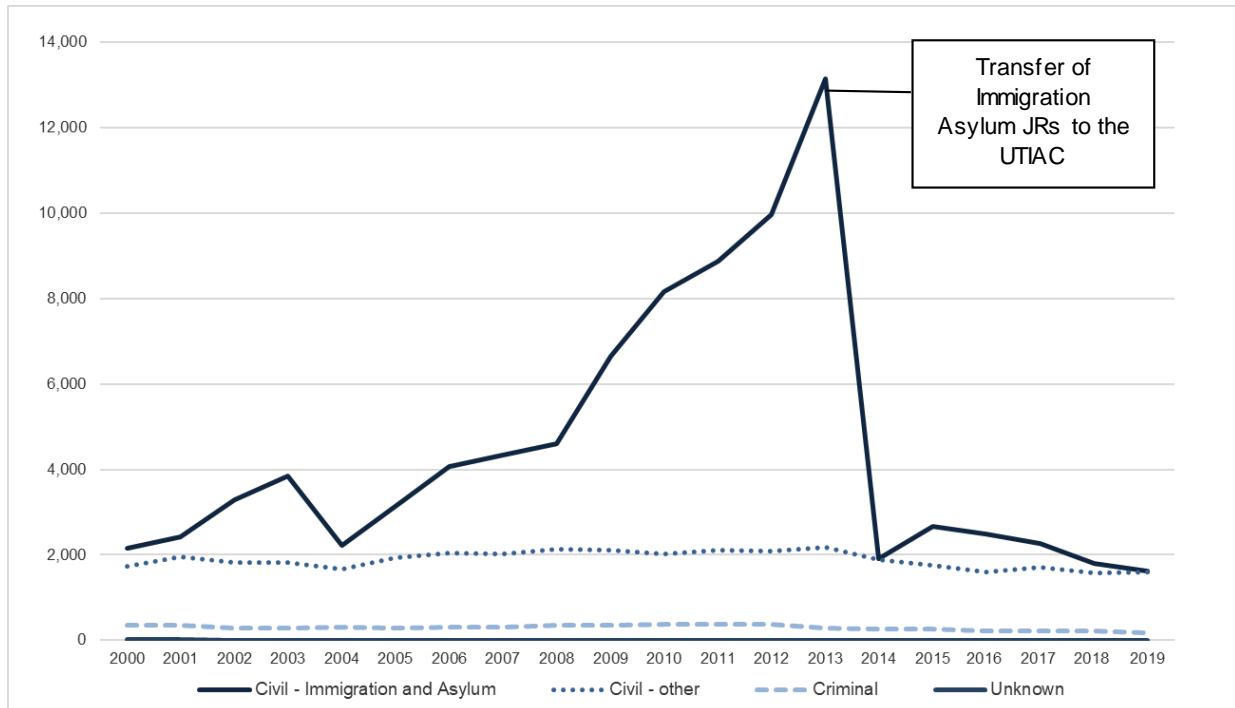
Over the longer term, as shown in figure 6, there has been a decreasing trend in enforcement-related applications received and orders made since 2009, possibly due to claimants' preference for using warrants instead to retrieve money, property or goods.

6. Judicial Reviews²

Of the 3,400 applications received in 2019, 63% have already closed, and 250 were found to be 'Totally Without Merit' (12% of cases that reached the permission stage).

There were 3,400 judicial review applications received in 2019, down 6% when compared to 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 2000-2019 (Source: table 2.1)



Of the 3,400 judicial review applications received in 2019, 1,600 were civil immigration and asylum applications, 1,600 were civil (other) and 170 were criminal, down 10%, 0% and 20% respectively on the same period of 2018. 42 of the civil immigration and asylum cases have since been transferred to the UTIAC. Judicial review applications for criminal cases peaked at 380 in 2012 and have decreased since then to 210 in 2018. They have continued the fall in 2019, falling to 170 cases.

In 2019, 63% of the applications that were made were closed. Of the total applications, 2,100 reached the permission stage in 2019, and of these:

- 12% (250) were found to be totally without merit (TWM), a 28% decrease on the same period of the previous year.
- 430 cases were granted permission to proceed and 1,600 were refused at the permission stage. However, 87 of the cases refused at permission stage went on to be granted permission at the renewal stage.
- 520 of the 2019 cases have been assessed to be eligible for a final hearing and of these, 93 have since been heard.
- For the 2019 cases, the mean time from a case being lodged to the permission decision was 66 days, down from 77 days in 2018.

² The judicial review data are Official Statistics

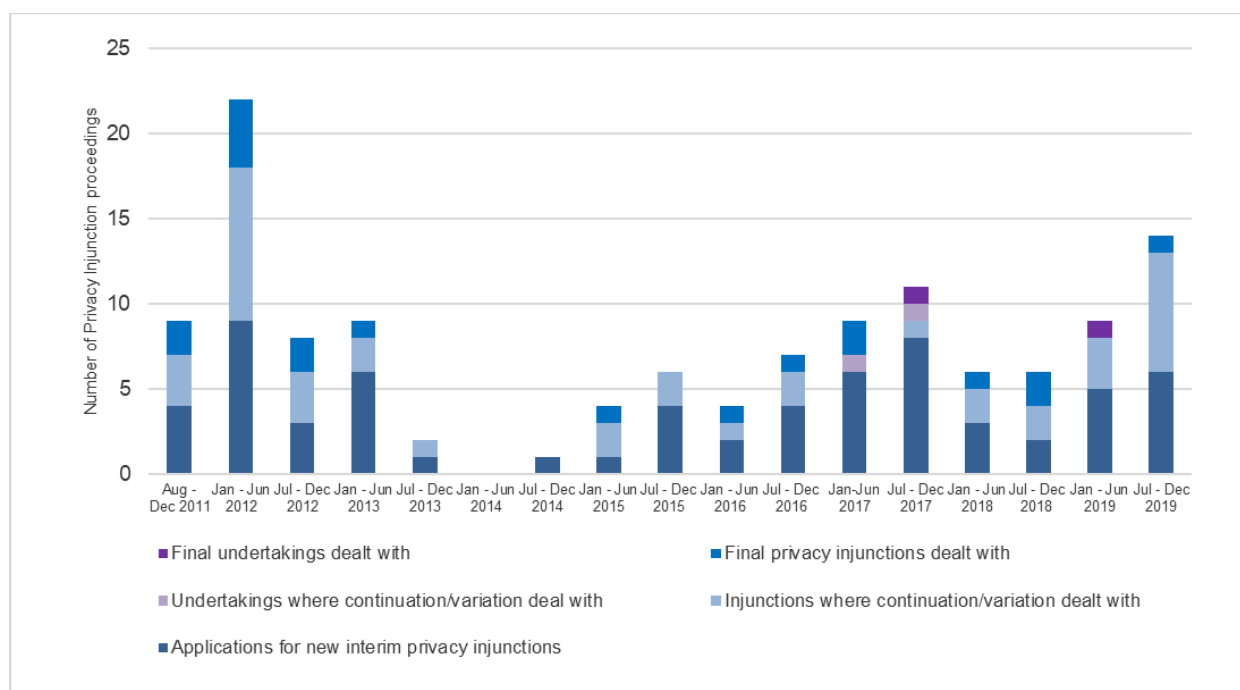
7. Privacy Injunctions³

In the final six months of 2019, there were 6 proceedings where the High Court considered an application for a new interim privacy injunction.

Seven proceedings were considered at the High Court on whether to continue or amend an interim injunction, and one proceeding was considered to issue a final permanent injunction.

There were no proceedings considered at the High Court on whether to continue or amend an undertaking, and no proceedings considered a final undertaking⁴.

Figure 8: Revised number of privacy injunction proceedings, by type of proceeding, from Aug-Dec 2011 to Jul-Dec 2019 (Source: tables 3.1, 3.2 and 3.3)



New interim privacy injunctions (Table 3.1)

All six of the proceedings at the High Court that took place in July to December 2019 were granted. In the previous six months (January to June 2019) five new interim privacy injunction proceedings took place. Four of these were granted.

Continuation of existing interim injunctions (Table 3.2)

Six of the seven continuation of existing interim injunction proceedings that took place in July to December 2019 were granted/varied. In January to June 2019, the continuation of three existing interim injunction proceedings were granted/varied.

Final privacy injunctions (Table 3.3)

There was one final privacy injunction dealt with in July to December 2019, and this was granted.

³ The privacy injunction data are Official Statistics

⁴ An undertaking is different from an injunction, in that it is a promise given by the defendants, rather than an injunction which is an order of the court.

Further information

Provisional data and revisions

The statistics in the latest quarter are provisional and revisions may be made when the next edition of this bulletin is published. If revisions are needed in subsequent quarters, these will be annotated in the tables.

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.
- The Sankey case progression tool, which has been updated with annual figures up to 2018.

Rounding convention

Figures greater than 10,000 are rounded to the nearest 1,000, those between 1,000 and 10,000 are rounded to the nearest 100 and those between 100 to 1,000 are rounded to the nearest 10. Less than 100 are given as the actual number.

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.

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.

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