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R Martin

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For further information write to:

**Analytical Services Group,
NI Courts and Tribunals Service,
4th Floor, Laganside House,
23-27 Oxford Street,
Belfast BT1 3LA**

Telephone: 028 9072 8928

e-mail: richard.martin2@courtsni.gov.uk

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<https://www.justice-ni.gov.uk/publications/nicts-high-court-bulletin>

EXECUTIVE SUMMARY

- This bulletin provides information on throughput at the High Court in Northern Ireland during the period January to March 2018 and commentary on trends observed for this quarter in each year from 2007. During the period January to March 2018:
- 786 cases were received into the Chancery division, an 11% decrease on the same quarter last year (886), and the lowest number received during the January to March quarter since the time series began in 2007. 672 cases were disposed of in the Chancery division during January to March 2018, a decrease of 16% on the number disposed during the same period in 2017 (800).
- 892 writs and originating summons were received during the period January to March 2018. This is a 2% increase on the 871 received during the same period in 2017 and continues the increase in number of writs and originating summons received during the January to March quarter since the lowest recorded number in this quarter were received in 2016. 772 writs and originating summons were disposed during the quarter, an increase of 10% from 701 disposed in the same period in 2017.
- During the quarter, there were 72 applications for leave to apply for Judicial Review, 19 applications for Judicial Review and no ancillary applications received. Comparable figures were 73, 27 and 1 respectively for the same period in 2017.
- There were 19 adoption cases and applications received and 22 adoption cases and applications disposed of during January to March 2018. The corresponding figures for the same quarter in the previous year were also 21 receipts and 12 disposals.
- 683 divorce petitions were received, a 20% increase from the 570 received during the same period in 2017. A total of 157 decrees were granted in the High Court during January to March 2018, a 12% decrease on the 178 granted during the same period last year.
- During the quarter there were 499 sitting days, a 14% decrease on the same quarter last year (580). The highest proportion of time was spent on Queen's Bench business (25%).

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1. INTRODUCTION

The High Court sits at the Royal Courts of Justice in Belfast and comprises three Divisions: the Chancery Division, Queen's Bench Division and Family Division.

Chancery Division

The Chancery Division deals with four main areas of business: Chancery, Bankruptcy, Companies and Probate.

Chancery Office

The main area of business in the Chancery office relates to disputes involving land and property. These include disputes between vendors, purchasers, landlords and tenants; mortgage repossession actions; trespass; right of way; construction of a lease; and squatters.

Most actions begin with the issue of a claim or originating proceedings by the claimant against the defendant.

The Chancery section also deals with disputes involving copyright; partnerships; patents; execution of trusts; charities; inheritance; and the administration of estates.

Bankruptcy Office

The Bankruptcy Office deals with all matters relating to insolvency. These include applications to set aside statutory demands; petitions (by creditors and debtors) and voluntary arrangements.

If a person cannot repay the debts that they owe, they may be made bankrupt. The most common situations in which a person may be made bankrupt are at the request of someone to whom they owe money (a creditor's petition) and at their own request (a debtor's petition).

Companies Office

The Companies Office deals with all matters relating to the Companies Order including winding up petitions; insolvent partnerships; and disqualification of directors.

If the Court makes an order to wind up a company it means that the company has gone into compulsory liquidation. The court will then appoint an Official Receiver (OR) to act as liquidator for the company.

Probate Office

The principal business assigned to the Probate Office includes Contentious and Non-contentious Probate applications, leading to the issue of a Grant of Representation in the estate of the deceased person, to facilitate the gathering in and distribution of the assets of the deceased's estate.

Queen's Bench Division

The Queen's Bench Division comprises of a number of business areas, namely: the Writ Office, Appeals & Lists Office; Judicial Reviews Office; Commercial Office; and Bail Office. Collectively these Offices are referred to as The Central Office.

The principal business dealt with by the Queen's Bench Division is;

- Claims for damages
- Medical Negligence actions
- Commercial actions
- Matters involving contract
- Personal injury actions
- Appeals from the County Court
- Judicial Reviews
- Bail applications
- Admiralty matters
- Injunctions

Each business area within the Queen's Bench Division has discrete functions, namely;

Writ Office

The primary function of the office is to manage the 'Writ Process' for actions in the Queen's Bench Division, from commencement of proceedings until the trial of the action or final determination. This involves a review process which is initiated approximately 9 months after the last notification by a defendant that they intend to dispute the claim. The aim of the reviews is to progress cases to trial by dealing with matters between the parties which may delay the case being set down for trial. The Office is also responsible for providing adequately trained staff to act as Court registrars in all Queen's Bench Courts. The Queen's Bench Division deals with large value and/or complex claims for damages including libel and slander actions which may require a jury.

The lower threshold for claims to the High Court increased from £15,000 to £30,000 on 25 February 2013. Cases previously received into the Writ Office for claims between £15,000 and £30,000 may now processed by the County Court.

Commercial Office

Business relating to a 'business or commercial transaction' such as building contracts, sales of goods, insurance, banking or carriage of goods, may be assigned to the Commercial list, if so directed by the Commercial Judge. One of the ten puisne Judges has been assigned as the Commercial Judge. The Judge carries out regular reviews of actions entered into the Commercial List to ensure that the action is progressed to trial in a timely manner.

Judicial Reviews Office

Judicial Reviews are cases where the court considers if the decision reached by an inferior court, Tribunal, public body or Government Minister followed the proper procedure. The applicant must first apply to the Court for leave to apply for Judicial Review if leave is granted then the applicant has 14 days to apply for a full hearing of the matter.

Bail Office

This office deals with repeat bail applications, i.e. an application to release a defendant from custody who has been refused bail by the Magistrates Court. The Bail Order normally requires the defendant to comply with various conditions and may require money to be lodged or security to be given.

Family Division

The Family Division comprises of four key business areas, namely: -

- The Matrimonial Office
- The Office of Care and Protection (Children's Section)
- The Office of Care and Protection (Patient's Section) and;
- The Official Solicitors Office

The Matrimonial Office

The Matrimonial Office deals with the following: -

Petitions for divorce - to obtain a decree of divorce the marriage must be proved to have broken down irretrievably with proof of one or more of the following facts:

- adultery
- behaviour with which the petitioner cannot reasonably be expected to live
- desertion of at least two years
- two years separation where the respondent consents
- five years separation without consent

No petition may be made for divorce within the first year of marriage.

Petitions for nullity - a Decree of Nullity of Marriage is granted where the petitioner proves that the marriage is either void or voidable.

A void marriage is one that is legally invalid because, for example:

- either party was under the age of sixteen at the time of the marriage
- either party was already married
- the parties are prohibited from marrying, for example father and daughter

A voidable marriage is one which is legal but may be nullified by order of the court because, for example:

- it is not consummated due to incapacity or wilful refusal (most nullities are on these grounds)
- where one party was suffering from a venereal disease in a communicable form, or was pregnant by someone else at the time of marriage

Judicial separation - an alternative to divorce is a decree of judicial separation. This does not dissolve the marriage but absolves the parties from the obligation to live together. This procedure might, for instance, be used if religious beliefs forbid or discourage divorce.

Ancillary relief applications - During or after a divorce, the annulment of a marriage (nullity) or judicial separation, there may still be a need for the court to settle disputes over money or property. The court can make a financial order. This is known as ancillary relief and may deal with the sale or transfer of property, maintenance payments (for example weekly or monthly maintenance), a lump sum payment and/or a pension sharing or attachment order.

Dissolution of a Civil Partnership - You can apply to end ('dissolve') your civil partnership if you have been in the partnership for at least a year.

There are 3 main steps to ending a civil partnership:

- File a dissolution petition - you have to apply to court for permission to end your civil partnership, and show reasons why you want to split up.
- Apply for a conditional order - if your civil partner agrees to the petition, you'll get a document saying there's no reason you can't divorce.
- Apply for a final order - this legally ends your civil partnership - you need to wait 6 weeks after you get the conditional order before you can apply.

The Office of Care and Protection (OCP) (Children's Section)

The principal business assigned to this Office is: -

- Guardianship and Wardship of children
- Adoption
- Applications under the Children (Northern Ireland) Order 1995
- Applications under the Family Homes and Domestic Violence (NI) Order 1998

Wardship and Adoption - The principal business assigned to the Wardship and Adoption office includes applications in relation to the Guardianship and Wardship of children, Adoption applications and applications under the Children (Northern Ireland) Order 1995.

Family Homes and Domestic Violence - The Family Homes and Domestic Violence (NI) Order 1998, is designed to offer civil protection against domestic violence. The 1998 Order provides a single set of remedies which are available in all court tiers. Two main remedies were created: the non-molestation order and the occupation order. Both of these orders can be applied for by way of an ex-parte application - that is without the respondent or alleged perpetrator of the violence being present. The number of these type of applications are relatively small in the High Court, and are usually dealt with at this court tier, as they are linked to other proceedings being held in the High Court.

The Office of Care and Protection (OCP) (Patients Section)

Responsibility for the management of the property and affairs of people in Northern Ireland who, through mental disorder, are incapable of managing their own financial affairs is vested in the High Court under the provisions of Part VIII of the Mental Health (Northern Ireland) Order 1986. The '**Patient**' is the name given by the Order to a person who is suffering from mental disorder and whose financial affairs are subject to the Court's control. A '**Controller**' is the name given to those appointed by court order to manage a Patient's financial affairs.

The Office of Care and Protection, commonly referred to as OCP is the department of the High Court in which administrative work relating to a Patient's case is dealt with under the supervision of the Master (Care and Protection). The Master is the judicial officer of the Court who is authorised to exercise any discretion, power or other functions of the Court and s/he may also, in particular cases, refer a question to the Judge for decision.

A Controller is a person appointed by the Court to deal with the day-to-day management of the Patient's financial affairs. He or she can be a relative, a friend, or perhaps a professional adviser. If there is no one else suitable or willing to act, an officer of the Court or the Official Solicitor can be appointed in the last resort.

The OCP reviews accounts operated by the Controller (on behalf of the Patient) on an annual basis.

The OCP is also responsible for the registration of Enduring Powers of Attorney (EPA).

The Official Solicitor's Office

The Official Solicitor (OS) is an independent statutory officer holder appointed under section 75 of the Judicature (NI) Act 1978 (as amended by section 103 of the Courts Act 2003).

The OS has a wide range of functions primarily necessitating acting as next friend, guardian ad litem or 'Controller' of last resort (for certain minors or adults (known as 'patients') who lack mental capacity to manage their own financial affairs by reason of 'mental disorder' under Part VIII of the Mental Health (NI) Order 1986 ('the 1986 Order')). The OS also represents the interests of minors in a range of legal proceedings at the request of the judiciary.

2. METHODOLOGY

2.1 Data sources

Data contained in Tables 1 to 37 and Tables 40 and 41 use data that are inputted onto the Integrated Court Operations System (ICOS). This system was implemented across the Northern Ireland Courts and Tribunals Service (NICTS) over a two-year period from 2005 to 2007. While ICOS was introduced in the High Court during 2005, data derived from ICOS has been used as the source for official government statistics since 2007, when the implementation of ICOS across all court tiers was completed. ICOS is a live operating system used in each court tier to process every part of court business, from receipt of payments through to the production of final orders made. The data are input into this system on a daily basis by court clerks, and this information is checked and confirmed by another member of staff to ensure the data entries are correct.

Data contained in Tables 38 and 39 have been sourced from the Office of Care and Protection (OCP).

2.2 Methodology for generating data

Analytical Service Group (ASG) Statisticians based within the NICTS take a download of High Court information from ICOS on a monthly basis. The information is downloaded using a package called SharePoint, which extracts all the relevant data from ICOS into text files that are refreshed with up-to-date information each weekend. The text files are downloaded onto a secure internal facility that only specified statistical personnel have access to. The data contained in the files are identified only by numbers and names and addresses are not held. These statistical files are not transmitted outside the NICTS statistical team. ASG statisticians based in the NICTS import these data into the Statistics Package for Social Sciences (SPSS). SPSS is then used to perform extensive data validations to identify potential errors in the data and to ensure the data are reliable and robust.

2.3 Baseline and Time period

Data contained within this bulletin relate to the time series 2007, when ICOS was adopted as the source for official government statistics, to the current calendar year 2018.

2.4 Frequency of Publication

This bulletin is published on a quarterly basis. The next bulletin will cover the second quarter of 2018 and will be published on 17th August 2018.

2.5 Data quality and validation

ASG statisticians based in the NICTS have invested significant time and effort creating an extensive computer programme within SPSS to validate the information downloaded from ICOS. The programme includes over 100 checks against downloaded High Court data to: (i) check consistency over time and between variables; (ii) assess reliability of data using logic checks; (iii) check that variables fall within accepted ranges; and (iv) check with the ICOS Support Team in the event of any major discrepancies occurring since the last download. The validation program produces user friendly tables highlighting the potential problems which are circulated to the High Court as a validation report.

The High Court has staff who are responsible for: monitoring accuracy levels on ICOS, by carrying out sample checks on data entry and court resulting; ensuring all validations on ICOS and manual statistics returns are completed in a timely manner; providing advice and identifying training needs; monitoring the confirmation of ICOS court resulting, including the inputting of adjournment codes; and promoting awareness of the impact error can have, its wide ranging consequences and the negative impact on the reliability of management information.

The staff are given a two-week period from the date the validation report issues to have all records amended on ICOS. This ensures that the corrections are updated before the next download of files. After the files have been refreshed each weekend, all the data are then downloaded again, with the new download reflecting amendments made as a result of the validation reports. If any errors have not been corrected, they will continue to appear in the validation reports until the necessary amendments are made on ICOS.

The NICTS statistics team then ensure that all validations relating to the reporting period are amended prior to publication. Once these amendments have been checked, SPSS syntax programming is then used to generate the tables in the publication.

2.6 Counting rules

Receipts are counted from the date the case is entered onto ICOS and the fees are receipted. Disposals are counted from the result date that a final order was made against the case, or the date an applicant withdraws or discontinues their application prior to the hearing, changing the case status to 'dealt with'.

2.7 Interpreting trends

Due to on-going changes to the legal jurisdiction of the county court, users should be cautious of comparing trends in Queen's Bench writs. Changes to jurisdiction to increase the upper limit of ordinary civil bills from 21st February 2013 (from £15,000 to £30,000) will have resulted in some cases that were previously High Court writs

becoming ordinary civil bills. For further advice on differences in data between years, please contact the statistician responsible for this bulletin.

2.7 Revisions

Any revision to data will be applied in light of the ASG (NICTS) Statistical Note '*Policy Statement on Revisions*'¹ which may be found on the NICTS Statistics and Research Publications section of the DoJ website. Incorrect figures or changes to this publication will be published on the web in a formal Statistical Notice².

¹ Department of Justice, 2013. *Statistics and Research: Policy statement on Revisions*. [pdf] DoJ. Available at: <https://www.justice-ni.gov.uk/publications/statistics-and-research-policy-statement-revisions>

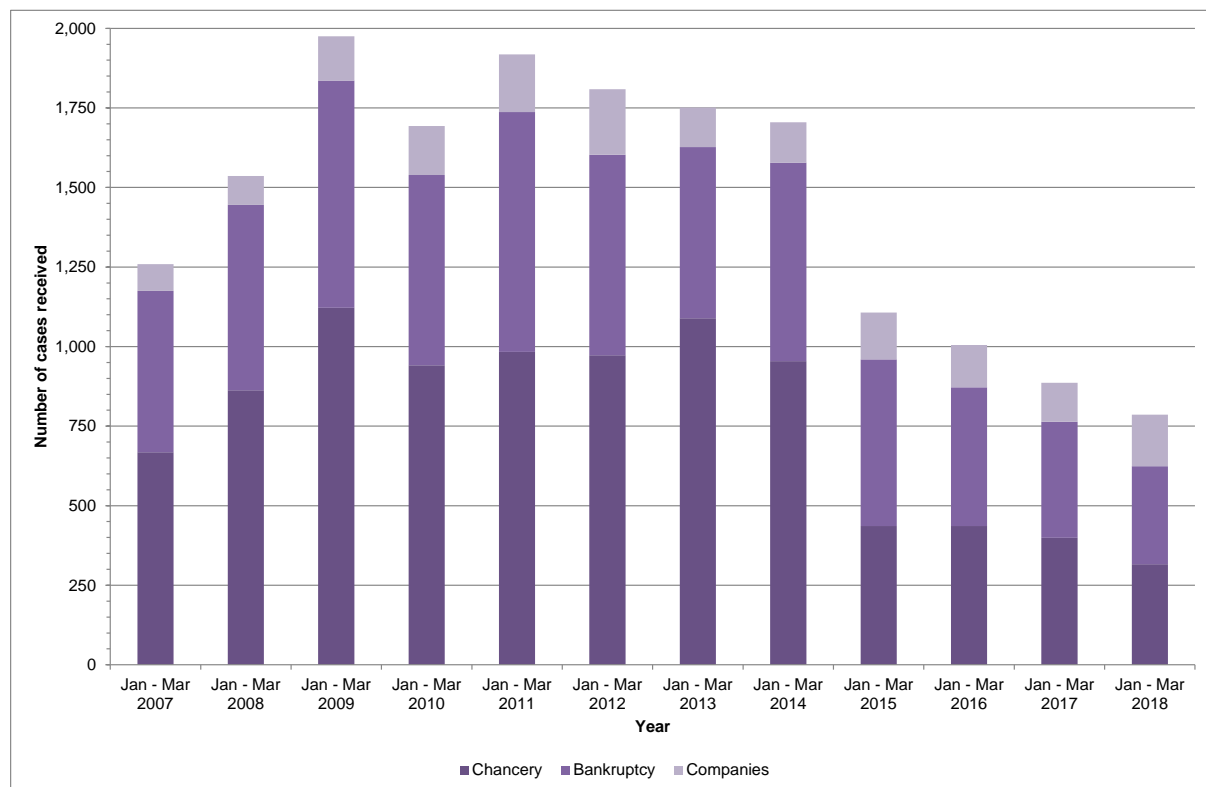
² Department of Justice, 2017. *Policy Papers* [online] Available at: <https://www.justice-ni.gov.uk/publications/type/policypapers>

FINDINGS

3.1 Chancery

There were 786 cases received into the Chancery division during the quarter January to March 2018, an 11% decrease on the same quarter last year (886). In total, 40% were chancery cases, 39% were bankruptcy cases and 21% were companies' cases. This is the lowest number of chancery cases received since the time series began in 2007 (Figure 1).

Figure 1: Chancery cases received: January to March 2007 to January to March 2018

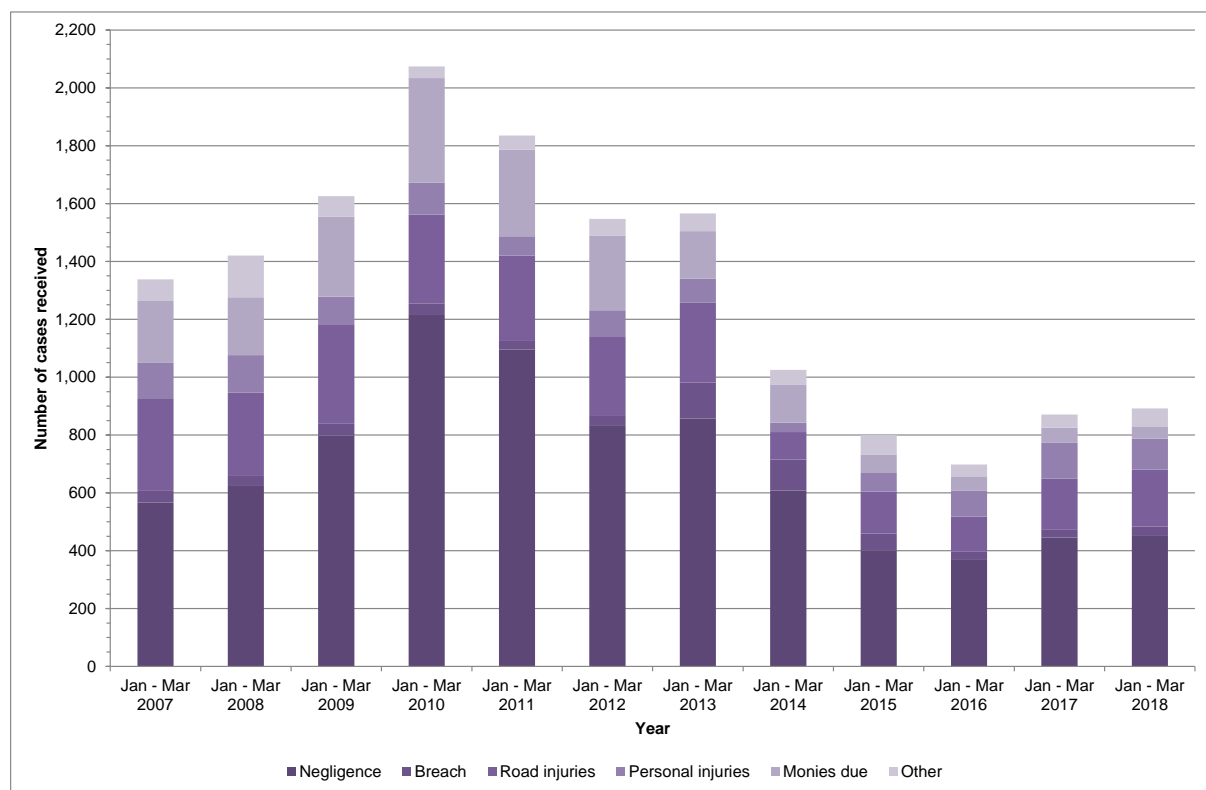


In total, 672 cases were disposed of in the Chancery division during the quarter, a decrease of 16% on the number disposed during the same period in 2017 (800).

3.2 Queen's Bench

There were 892 writs and originating summons received during the period January to March 2018. This is a 2% increase on the 871 received during the same period in 2017. It is the fourth lowest number received during the January to March quarter since 2007, but continues a trend of increasing numbers of writs and originating summons received in this quarter since the lowest recorded number of 698 was recorded in 2016 (Figure 2). Decreases to this lowest recorded figure in 2016 are reflective of the changes in jurisdiction introduced on the 21st February 2013, when the lower limit for Queen's Bench writs increased from writs over £15,000 to writs over £30,000.

Figure 2: Queen's Bench cases received: January to March 2007 to January to March 2018



772 writs and originating summons were disposed during the quarter, an increase of 10% from 701 disposed in the same period in 2017.

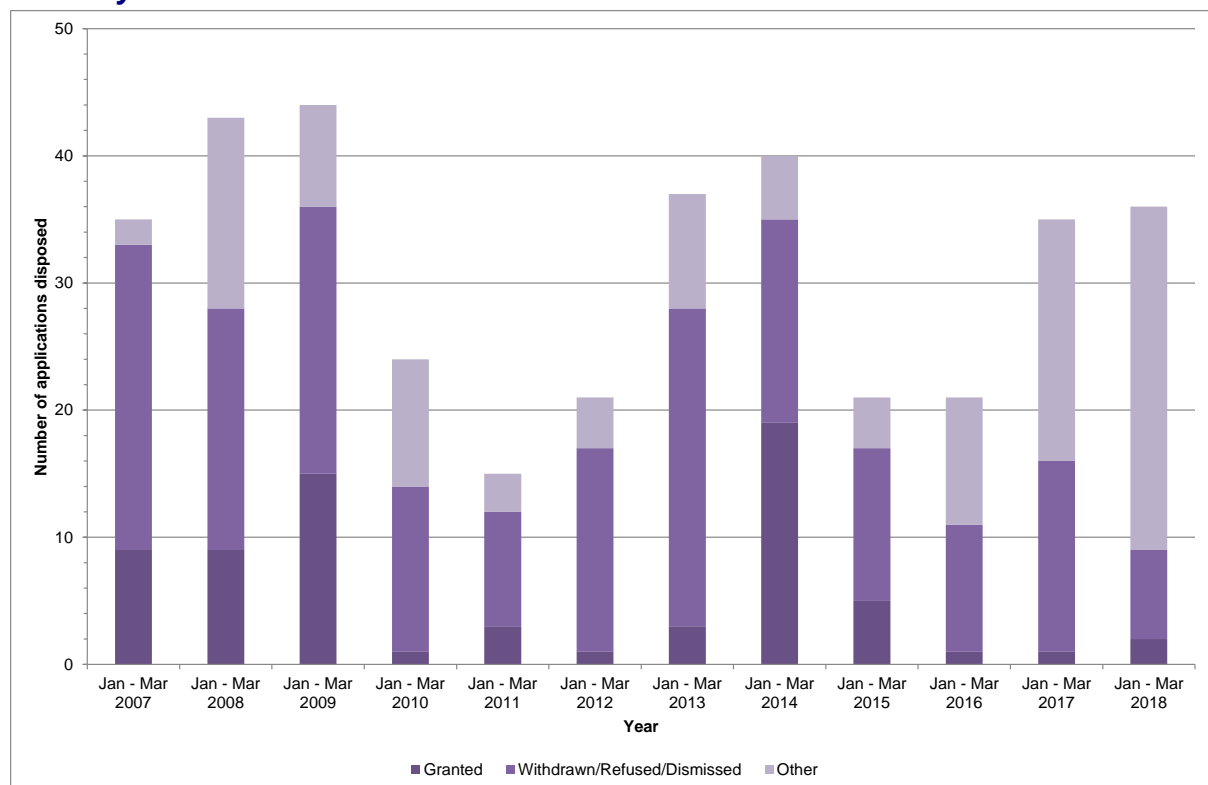
There were 78 removals and remittals applications dealt with during January to March 2018. This is a decrease of 23% from the 101 dealt with in the same period in 2017.

3.3 Judicial Reviews

During January to March 2018, there were 72 applications for leave to apply for Judicial Review, 19 applications for Judicial Review and no ancillary applications received. Comparable figures were 73, 27 and 1 respectively for the same period in 2017.

The number of applications for Judicial Review disposed of during the January to March quarter has fluctuated since the time series began in 2007. Disposals were at their highest level in 2009 (44) and at their lowest level (15) in 2011 (Figure 3).

Figure 3: Applications for Judicial Review disposed: January to March 2007 to January to March 2018



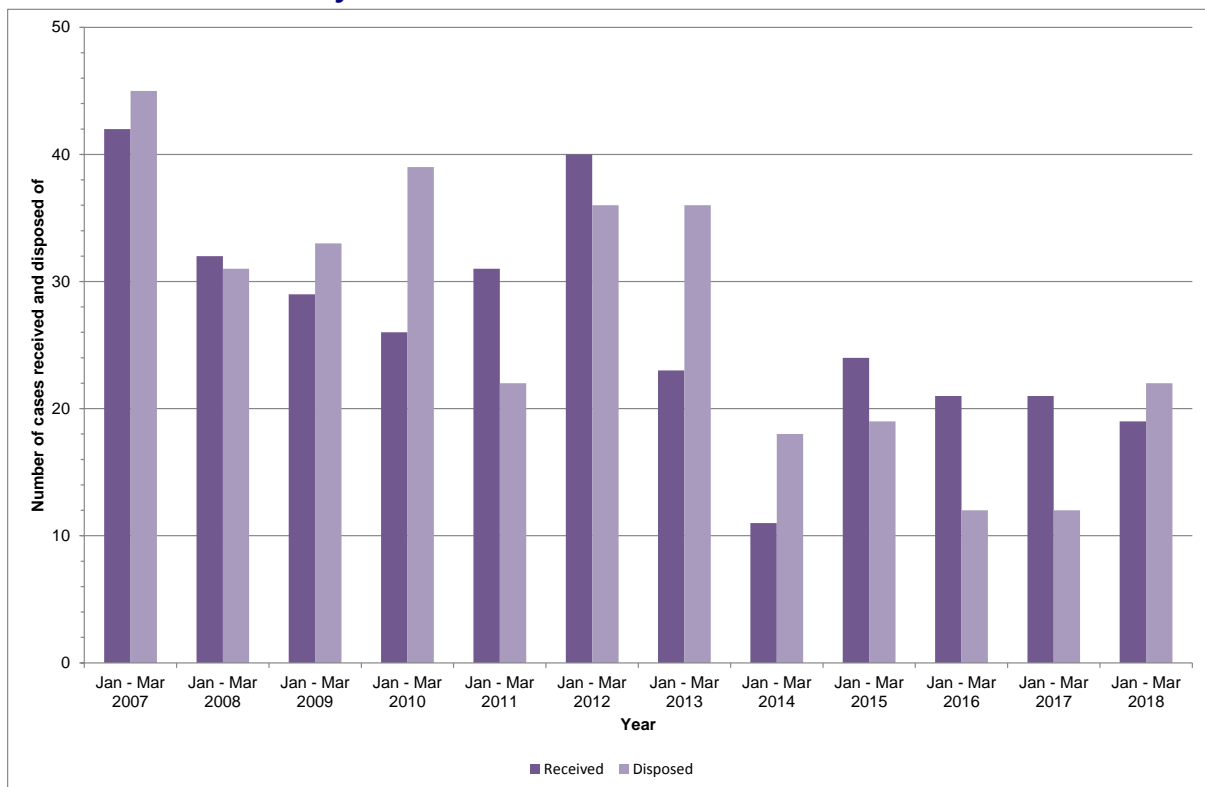
3.4 Probate

There were 1,475 grants issued in the probate office during the period, a decrease of 9% from the 1,626 issued in the same period in 2017.

3.5 Wardship and Adoption

There were 19 adoption cases and applications received and 22 adoption cases and applications disposed of during January to March 2018. The corresponding figures for the same quarter in the previous year were 21 receipts and 12 disposals (Figure 4).

Figure 4: Adoption cases and applications received and disposed: January to March 2007 to January to March 2018



The average time taken in weeks from issue to disposal for an adoption case/application was 30 weeks, compared to 28 weeks during the same period last year.

3.6 Matrimonial

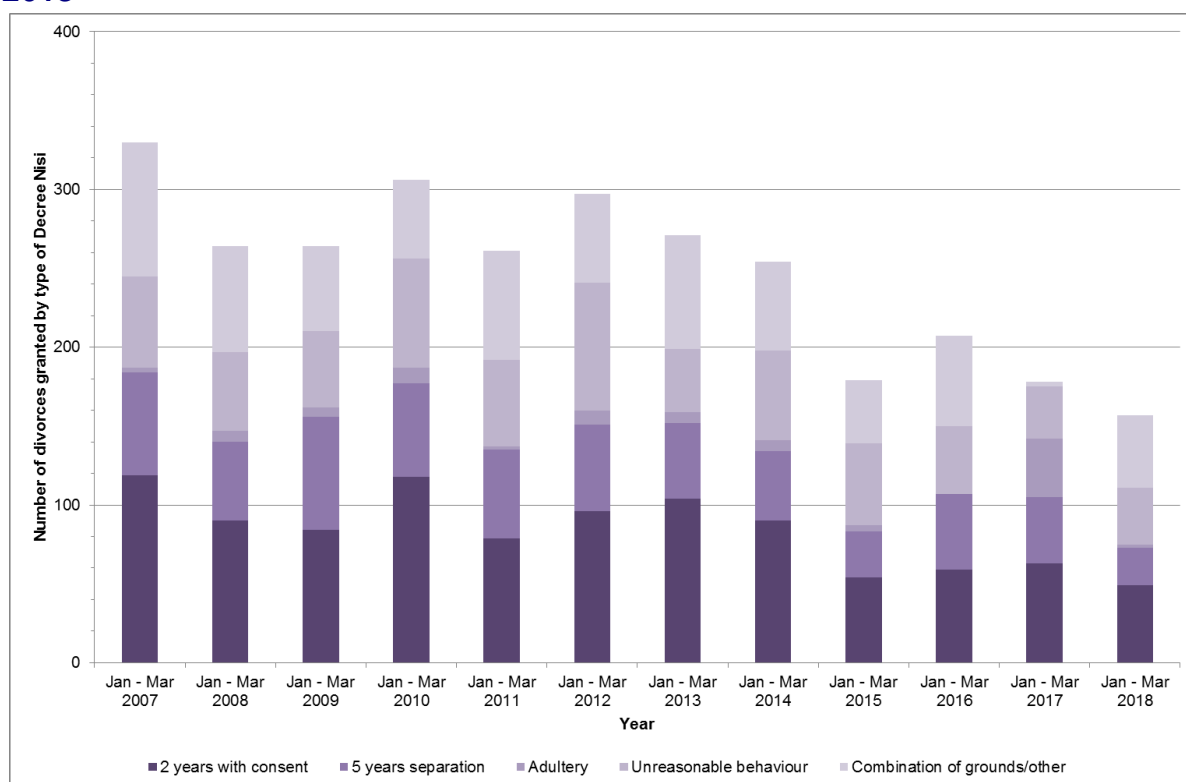
During the period January to March 2018, there were 683 divorce petitions lodged in the High Court, of which 431 (63%) were lodged by the wife. Comparable figures were 570 and 319 (56%) respectively for the same period in 2017.

While all divorce petitions are lodged in the High Court, decrees and absolutes are issued in both the High Court and County Court.

157 decrees were granted in the High Court in January to March 2018, a decrease of 12% on the 178 decrees granted during the same period in 2017 (Figure 5).

The main type of decree granted in January to March 2018 was ‘2 years with consent’ accounting for 31% of cases (49), followed by ‘combination of grounds/ other’, 29% of cases (46) (Figure 5).

Figure 5: Decrees granted, by type: January to March 2007 to January to March 2018³



³The number of decrees granted for January to March 2017 has been revised to 178.

A total of 220 decrees absolute were issued during the quarter, an increase of 3% on the 213 granted during the same period last year. The most common types of decrees absolute issued during January to March 2018 were '2 years with consent', accounting for 34% of cases (75) and '5 years' separation' and 'Unreasonable behaviour', each consisting of 48 (22%) and 49 (22%) cases respectively.

The average time taken from the issue of a divorce petition to the date the decree was granted was 42 weeks. This compares to 39 weeks during the same period last year.

3.7 Patients

There were 489 new referrals in the Patients section during the quarter January to March 2018, an increase of 23% on the 396 received during the same quarter in 2017.

3.8 Official Solicitor's

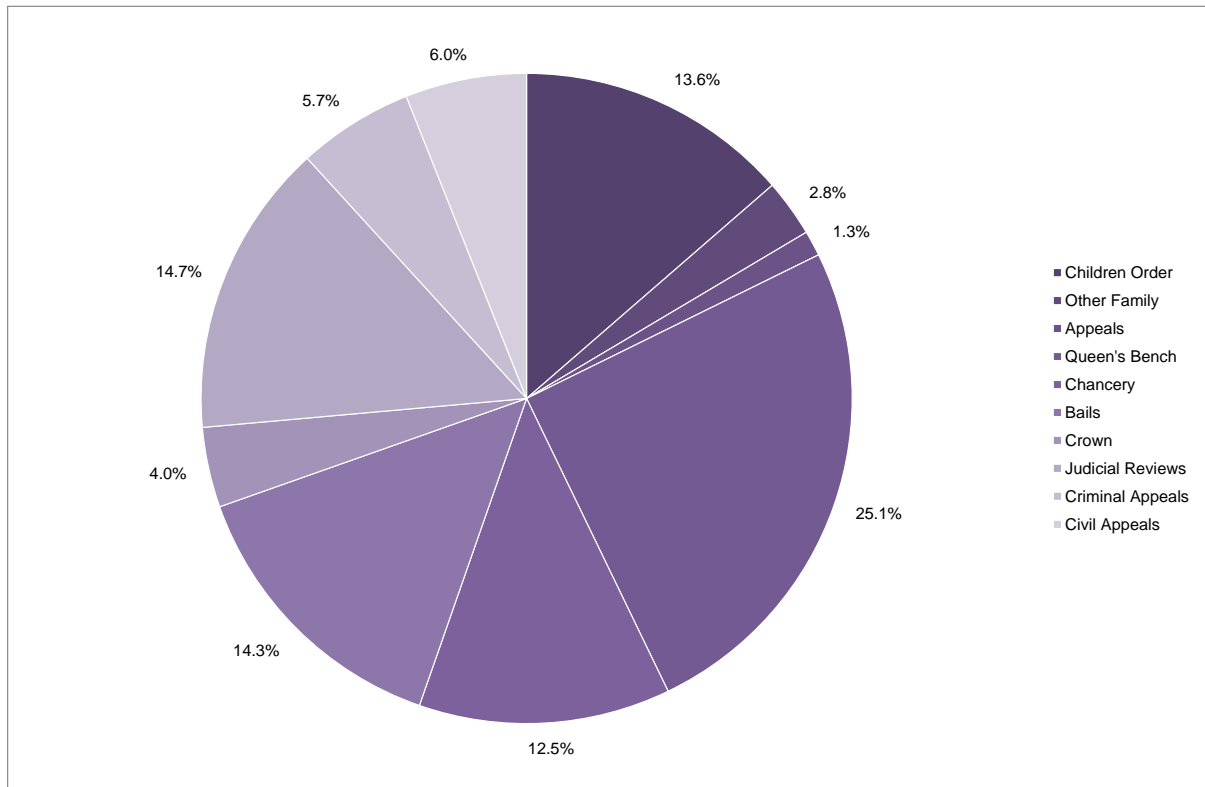
During January to March 2018, there were 277 certificates drafted in the Official Solicitor's Office, an increase of 10% from 252 in the same period in 2017.

3.9 Sitting Days

There were a total of 499 sitting days in the High Court during the quarter January to March 2018, a 14% decrease on the same quarter last year (580).

The highest percentage of time was spent on Queen's Bench business (25%). The composition of total sittings times by business type is outlined in Figure 6 below.

Figure 6: High Court Total Sitting Times by Business Type: January to March 2018



APPENDIX 1 - TABLES

Chancery

Table 1: Chancery cases and applications received

Case	Mortgages	239
	Other land and property	15
	Trade and business	1
	Trusts	1
	Other	60
	Total	316
Application	Notice of appointment	196
	Summons	124
	Notice of motion	29
	Exparte application	49
	Injunction	4
	Total	402

Table 2: Chancery cases and applications disposed

		High Court Judge	Master	Total
Case	Mortgages	2	162	164
	Other land and property	6	5	11
	Other	21	14	35
	Total	29	181	210
Application	Notice of appointment	1	31	32
	Summons	6	69	75
	Notice of motion	3	7	10
	Exparte application	2	45	47
	Injunction	2	-	2
	Total	14	152	166

Table 3: Bankruptcy cases and applications received

Case	Petition by another person	193
	Petition by debtor	64
	Other petition	8
	Originating application	25
	Other	18
	Total	308
Application	Notice of motion	2
	Ordinary application	182
	Certificate of automatic discharge	29
	Total	213

Table 4: Bankruptcy cases and applications disposed

		High Court Judge	Master	Office disposal	Total
Case	Petition by another person	1	230	25	256
	Petition by debtor	-	59	-	59
	Other petition	-	8	-	8
	Originating application	-	28	-	28
	Other	-	10	-	10
	Total	1	335	25	361
Application	Notice of motion	-	2	-	2
	Ordinary application	-	185	-	185
	Certificate of automatic discharge	-	27	1	28
	Other	-	3	-	3
	Total	-	217	1	218

Table 5: Companies cases and applications received

Case	Winding up petition	112
	Other petitions	5
	Originating summons	6
	Other	38
	Missing value	1
	Total	162
Application	Notice of motion	2
	Ordinary application	17
	Other	1
	Total	20

Table 6: Companies cases and applications disposed

		High Court Judge	Master	Total
Case	Winding up petition	-	52	52
	Other petitions	-	5	5
	Originating summons	1	13	14
	Other	1	29	30
	Total	2	99	101
Application	Notice of motion	-	1	1
	Ordinary application	1	21	22
	Other	-	1	1
	Total	1	23	24

Table 7: Time intervals in weeks for the Chancery Division⁴

	Chancery		Bankruptcy		Companies	
	Case	Application	Case	Application	Case	Application
Issue to first listing	54	4	7	2	13	7
First listing to disposal	14	10	10	4	10	20
Issue to disposal	67	14	18	6	23	27

⁴ Due to rounding, individual time intervals may not equal the overall time taken to progress through the courts

Queen's Bench

Table 8: Queen's Bench cases and applications received

Writs and originating summons	Negligence	451
	Breach	32
	Road injuries	197
	Personal injuries	108
	Monies due	42
	Other	62
	Total	892
Miscellaneous	Foreign judgement	45
	Other	3
	Total	48
Applications	Summons/interlocutory applications	308
	Remittals and removals	77
	Exparte applications	76
	Other	48
	Total	509

Table 9: Queen's Bench writs and originating summons received by amount claimed⁵

	No value	Less than £15,000	£15,000-29,999	£30,000-49,999	£50,000 and over	Total
Negligence	450	-	-	1	-	451
Breach	32	-	-	-	-	32
Road injuries	197	-	-	-	-	197
Personal injuries	108	-	-	-	-	108
Monies due	20	3	3	6	10	42
Other	62	-	-	-	-	62
Total	869	3	3	7	10	892

Table 10: Queen's Bench writs and originating summons set-down by amount claimed^{5, 6}

	No value	Less than £15,000	£15,000-29,999	£30,000-49,999	£50,000 and over	Total
Negligence	100	-	-	-	-	100
Breach	2	-	-	-	-	2
Road injuries	48	-	-	1	-	49
Personal injuries	17	2	2	1	-	22
Monies due	-	-	-	1	1	2
Other	4	-	-	-	-	4
Total	171	2	2	3	1	179

⁵ No Value includes unliquidated cases and cases with no amount claimed recorded on ICOS

⁶ Excludes commercial actions

Table 11: Queen's Bench cases and applications disposed⁶

		High Court Judge	Master	Office disposal	Default judgement	Total
Writs and originating summons	Negligence	83	13	326	6	428
	Breach	1	3	7	-	11
	Road injuries	36	5	141	1	183
	Personal injuries	21	25	35	-	81
	Monies due	3	4	11	23	41
	Other	13	4	10	1	28
	Total	157	54	530	31	772
Miscellaneous	Other	-	1	-	-	1
	Total	-	1	-	-	1
Applications	Summons/ interlocutory applications	5	300	-	-	305
	Remittals and removals	-	78	-	-	78
	Exparte applications	4	52	-	-	56
	Other	27	14	-	-	41
	Total	36	444	-	-	480

⁶ Excludes commercial actions

Table 12: Queen's Bench writs and originating summons disposed of by amount^{5, 6}

		No value	Less than £15,000	£15,000-29,999	£30,000-49,999	£50,000 and over	Total
High Court Judge	Negligence	35	7	21	11	9	83
	Breach	-	-	1	-	-	1
	Road injuries	5	1	3	9	18	36
	Personal injuries	18	1	-	-	2	21
	Monies due	3	-	-	-	-	3
	Other	10	-	2	-	1	13
Master	Negligence	13	-	-	-	-	13
	Breach	3	-	-	-	-	3
	Road injuries	5	-	-	-	-	5
	Personal injuries	25	-	-	-	-	25
	Monies due	4	-	-	-	-	4
	Other	4	-	-	-	-	4
Default judgement	Negligence	6	-	-	-	-	6
	Road injuries	1	-	-	-	-	1
	Monies due	-	6	-	4	13	23
	Other	-	-	-	-	1	1
Total		132	15	27	24	44	242

Table 13: Time intervals in weeks for Queen's Bench cases and Applications^{4, 5, 6}

	Writs and originating summons	Miscellaneous	Applications
Issue to setdown	135	-	-
Issue to first listing	119	1	4
First listing to disposal	35	-	6
Issue to disposal	154	1	10

Table 14: Queen's Bench cases received into commercial list

Negligence	9
Breach	4
Monies due	6
Other	1
Total	20

⁴ Due to rounding, individual time intervals may not equal the overall time taken to progress through the courts

⁵ No Value includes unliquidated cases and cases with no amount claimed recorded on ICOS

⁶ Excludes commercial actions

Table 15: Queen's Bench commercial actions set-down

Negligence	11
Breach	5
Monies due	4
Other	1
Total	21

Table 16: Queen's Bench commercial actions disposed

	High Court Judge	Master	Office disposal	Total
Negligence	11	-	5	16
Breach	11	-	2	13
Monies due	6	1	-	7
Other	2	-	-	2
Total	30	1	7	38

Table 17: Time intervals in weeks for Queen's Bench commercial actions^{4,7}

	Commercial actions
Received to Entry to commercial list	65
Entry to commercial list to first listing	23
First listing to disposal	56
Received to disposal	144

⁴ Due to rounding and not all writs and originating summons having a set-down date, individual time intervals may not equal the overall time taken to progress through the courts

⁷ Excludes default judgements and office disposals

Judicial Reviews

Table 18: Applications relating to Judicial Reviews received

Application for leave to apply for judicial review	72
Application for judicial review	19

Table 19: Applications relating to Judicial Reviews disposed

	Granted	Withdrawn/ Refused/ Dismissed	Other	Total
Application for leave to apply for judicial review	14	17	59	90
Application for judicial review	2	7	27	36

Table 20: Time intervals in weeks for applications relating to Judicial Reviews⁸

	Application for leave to apply for judicial review	Application for judicial review
Issue to first listing	18	26
First listing to disposal	8	14
Issue to disposal	26	40

Probate

Table 21: Probate grants issued in non-contentious proceedings

	Probate		Northern Ireland
	By solicitor	Personal	
Grants of Administration	-	-	-
Letters of administration with will annexed	36	1	37
Letters of administration with will annexed (DBN)	3	-	3
Letters of administration	210	26	236
Grant of probate	1,101	84	1,185
Letters of administration (DBN)	14	-	14
Total grants issued	1,364	111	1,475

⁸ Due to rounding, individual time intervals may not equal the overall time taken to progress through the courts

Wardship and adoption

Table 22: Adoption cases and applications received

Adoption Order Application	11
Child Abduction Originating Summons	1
Freeing Order Application	3
Originating Summons (General)	1
Human Fertilisation Originating Summons	1
Wardship Originating Summons	2
Total	19

Table 23: Adoption cases and applications disposed

	High Court Judge	Master	Total
Adoption Order Application	12	-	12
Child Abduction Originating Summons	2	-	2
Freeing Order Application	2	-	2
Human Fertilisation Originating Summons	1	-	1
Wardship Originating Summons	1	4	5
Total	18	4	22

Table 24: Family homes & domestic violence cases and applications received

App For Occup/Non Mol	1
App For Occup/Non Mol	1
Exparte App For Occup/Non Mol	2
Total	4

Table 25: Family homes & domestic violence cases and applications disposed

	High Court Judge	Master	Total
App For Occup/Non Mol	-	1	1
App For Occup/Non Mol	2	1	3
Exparte App For Occup/Non Mol	-	3	3
App To Extend/Discharge/Vary Occup/Non Mol	1	-	1
Total	3	5	8

Table 26: Time intervals in weeks for Adoption and Family homes & domestic violence cases and applications⁸

	Adoption	Family Homes And Domestic Violence
Issue to first listing	19	2
First listing to disposal	11	22
Issue to disposal	30	24

⁸ Due to rounding, individual time intervals may not equal the overall time taken to progress through the courts

Matrimonial

Table 27: Divorce petitions received

		Filed by		Total
		Wife	Husband	
Divorce Petition	2 years with consent	162	102	264
	5 years separation	104	106	210
	Adultery	4	4	8
	Unreasonable behaviour	116	23	139
	Combination of grounds/other	44	17	61
	Other	1	-	1
Total		431	252	683

Table 28: Divorce petitions by number of decrees granted

		Found by			Total
		Wife	Husband	Both	
Decree Nisi	2 years with consent	26	23	-	49
	5 years separation	14	10	-	24
	Adultery	2	-	-	2
	Unreasonable behaviour	27	8	1	36
	Combination of grounds/other	23	14	8	45
Nullity	Combination of grounds/other	1	-	-	1
Total		93	55	9	157

Table 29: Divorce petitions by number of decrees absolute issued

		Found by			Total
		Wife	Husband	Both	
Divorce Petition	2 years with consent	45	30	-	75
	5 years separation	23	25	-	48
	Adultery	1	3	-	4
	Unreasonable behaviour	42	7	-	49
	Combination of grounds/other	33	3	8	44
Total		144	68	8	220

Table 30: Matrimonial applications received

Application	Combination of grounds/other	1
	Ancillary relief	149
	Matrimonial application	157
	Other	7
Total		314

Table 31: Matrimonial applications disposed

		Judge	Master	Total
Application	Combination of grounds/other	1	1	2
	Ancillary relief	1	102	103
	Matrimonial application	10	95	105
	Other	1	1	2
Total		13	199	212

Table 32: Time intervals in weeks for divorce petitions⁸

	Divorce Petition
Issue to first listing	41
First listing to date decree granted	<1
Issue to date decree granted	42
Date decree granted to date absolute issued	7

Table 33: Time intervals in weeks for divorce applications⁷

	Combination of grounds/other	Ancillary relief	Matrimonial application	Other
Issue to first listing	2	17	3	1
First listing to disposal	101	52	10	2
Issue to disposal	103	68	13	3

⁸ Due to rounding, individual time intervals may not equal the overall time taken to progress through the courts

High Court Bail

Table 34: Number of bail applications received

Bail application	302
Bail pending appeal to county court	9
Compassionate bail application	7
Application to revoke bail	10
Bail variation	39
Total	367

Table 35: Number of bail applications disposed in chambers

	Granted	Other	Total
Bail application	1	-	1
Bail variation	15	3	18
Total	16	3	19

Table 36: Number of bail applications disposed of in court

	Granted	Refused	Other	Total
Bail application	135	85	13	233
Bail pending appeal to county court	4	3	-	7
Compassionate bail application	3	2	-	5
Bail variation	13	1	3	17
Total	155	91	16	262

Patients

Table 37: Patients workload figures

New referrals	489
EPA applications received	301
Orders issued	313
Certificates issued	1,592
Reviews completed	424
Visits	19

Official Solicitor's Office

Table 38: Official Solicitor Statistics

Correspondence received	1,928
New Referrals	17
Cases referred for a specific issue⁹	222
OS appointed Controller Ad interim	2
Certificates drafted¹⁰	277
OS appointed Full Controller	1

⁹ Cases referred for a specific issue – this figure now encompasses all live cases at the end of the reporting period where the OS is Full Controller together with other cases in which the OS has been asked to assist i.e. OCP/matrimonial/bankruptcy where the OS has been instructed to deal with a specific aspect but is not Full Controller. Involvement in a case may last a considerable time and therefore some of the cases may have been reflected in previous quarters and may continue to be reflected future quarters.

¹⁰ The number of certificates drafted by the Official Solicitor's office for January to March 2018 is not currently available, as a software upgrade is not operating as planned, preventing the extraction of data. The figure quoted here is an average based on last year's figures.

Sitting days and total sitting times

Table 39: High Court sitting days

Children Order	56
Other Family	15
Appeals	7
Queen's Bench	118
Chancery	60
Bails	89
Crown	30
Judicial Reviews	73
Criminal Appeals	20
Civil Appeals	31
Total	499

Table 40: High Court total sitting times

Children Order	110:05:00
Other family	23:00:00
Appeals	10:10:00
Queen's Bench	203:10:00
Chancery	101:05:00
Bails	115:16:00
Callover	00:00:00
Crown	32:14:00
Judicial reviews	118:28:00
Criminal appeals	46:27:00
Civil appeals	48:43:00
Sum	808:38:00

APPENDIX 2 - EXPLANATORY NOTES

Ancillary application

An additional application made in existing proceedings.

Ancillary relief application

During or after a divorce, the annulment of a marriage (nullity) or judicial separation, there may still be a need for the court to settle disputes over money or property. The court may make a financial order. This is known as ancillary relief and may deal with the sale or transfer of property, maintenance payments (for example weekly- or monthly-maintenance), a lump sum payment and/or a pension sharing or attachment order.

Application

The act of applying to a civil court to ask it to do something, for example to start proceedings or make an order.

Application for leave to apply for judicial review

The first step in the judicial review procedure involves the mandatory 'leave stage'. At this stage an application for leave to bring judicial review proceedings must first be made. The leave stage is used to identify and filter out, at an early stage, claims which may be trivial or without merit.

Bail variation

A change in the conditions of bail.

Call-over

An occasion in court where dates for all the cases in the next few months are fixed. It is important for the parties or their lawyers to attend the call-over.

Case

The proceedings, arguments and evidence in court and the court hearing.

Certificate of automatic discharge (Bankruptcy)

A document certifying the period of bankruptcy is at an end.

Commercial actions

The definition of 'commercial action' is broad and so a wide range of cases may be dealt with under those arrangements. Broadly speaking, they include any transaction or dispute of a commercial or business nature.

Compassionate bail application

An application for bail, usually for a short period of time, for personal reasons, such as to attend a family funeral.

Court Disposal

Includes all cases issued with a final order by a High Court Judge.

Court order

The enforceable decision of the court.

Creditor

A person who is owed money by a debtor.

Debtor

A person who owes money to a creditor.

Decree Absolute

The decree absolute is the legal document that ends your marriage. You need to wait at least 6 weeks after the date of the decree nisi before you can apply for a decree absolute.

Decree Nisi

A document that says that the court doesn't see any reason why you can't divorce. If your husband or wife doesn't agree to the divorce, you can still apply for a decree nisi. However, you'll have to go to a hearing at the court to discuss the case, where a judge will decide whether to grant you a decree nisi.

Default Judgment

A judgment in favour of one party due to some failure to take action by the other party. In most cases this will be a judgment in favour of the applicant due to the failure of the respondent to contest the claim brought against them. The failure to take action is the default. The default judgment is the relief requested in the party's original petition.

Disposed

The date the case is finally dealt with via a court or non-court result and the case is no longer in the court process.

Divorce

Proceeding initiated in order to dissolve a marriage. Dissolutions of civil partnerships are also included within these figures. Following the issue of a divorce petition in the High Court, if it is a defended case it will be heard in the High Court and if it is an undefended case it may be heard either in the High Court or the County Court (depending on the choice of the individuals involved). Initially a Decree Nisi, an initial order for divorce, is granted. Providing that no reason is provided to the court to challenge the nisi, a Decree Absolute, which is a final order for divorce that dissolves a marriage and permits an individual party to remarry, is made. A defended divorce is a proceeding in which an individual (the petitioner) applies for a divorce and the other party (the respondent) indicates that they wish to contest a divorce being granted at all, or on the reasons stated by the petitioner.

EPA applications

Application to register an Enduring Power of Attorney (EPA).

Ex-parte application

An application made to a judge by a party to a case without the other parties being required to be there.

First listing

The date of first hearing of a case.

Foreign judgement

An Act to make provision for the enforcement in the United Kingdom of judgments given in foreign countries, which accord reciprocal treatment to judgments given in the United Kingdom, and vice versa.

Hearing

The trial of a case or preliminary issue in court.

High Court Judge (HCJ)

A judge who sits in the High Court and Crown Court to hear and determine civil, family and criminal business.

Injunction

A legal order which stops someone from doing or continuing to do something, or which requires them to take certain positive action.

Interlocutory application

An application made at any time after proceedings have issued and before the final hearing. For example, a challenge to one party's refusal to give discovery, or an application for substituted service are interlocutory applications.

Issue

This is the process by which a complaint or claim is lodged with the court. It can also be described as the 'Received Date'.

Judicial Review

A procedure by which someone can challenge in the High Court, the decisions or actions of:-

- A Government Department
- A public body
- The Magistrates' Court
- The County Court
- Certain tribunals

A Judicial Review is only available if there is no other legal remedy.

Judicial separation

An alternative to divorce is a decree of judicial separation. This does not dissolve the marriage but absolves the parties from the obligation to live together. This procedure might, for instance, be used if religious beliefs forbid or discourage divorce.

Lodge documents

Send documents to the court office.

Master

A judicial post, where the individual must have been a legal practitioner for at least 10 years. The Master determines a range of court proceedings in the High Court, and manages procedural elements of more complex cases before they are heard by a High Court judge.

Matrimonial Application

These are applications attached to divorce proceedings such as Ancillary Relief applications that relate to financial relief to one or both parties following a petition for divorce, for example, maintenance and the division of property/finances.

Monies due

Financial compensation or money owed.

Negligence

Conduct that falls below the standards of behaviour established by law for the protection of others against unreasonable risk of harm. A person has acted negligently if they have departed from the conduct expected of a reasonably prudent person acting under similar circumstances.

Non-court disposal

Includes all disposals not completed in court, for example settlements or withdrawals.

Notice of appointment

The notification of a date, time and location for a court hearing.

Notice of motion

A notification issued to one or more parties by the individual or company that has filed a motion before a court, with a date for the hearing which will take place on the date stated on the notice.

Nullity

A Decree of Nullity of Marriage is granted where the petitioner proves that the marriage is either void or voidable. A void marriage is one which should never have been celebrated (by reason of the relationship or incapacity of the parties and which therefore never had legal status). A voidable marriage is one which is legal but may be nullified by order of the court.

Office disposal

See 'Non-court disposal'.

Order 53 Statement

The document which starts a judicial review case. It is named after Order 53 of the Rules of the Court of Judicature, which states what must be in an Order 53 Statement.

Ordinary application

See 'Application'.

Originating application

The first, provisional, or primary application in a legal process.

Originating motion

A document which starts some kinds of High Court cases, described in Rules of the Court of Judicature Order 5, rule 5 and Order 8.

Originating summons

A document which starts some kinds of High Court cases, described in Rules of the Court of Judicature Order 5, rule 3 and Order 8.

Party

The plaintiff, defendant or third or other party in a court case.

Petition

The document which starts a divorce or civil partnership dissolution case, and some other kinds of cases, described in Rules of the Court of Judicature, Order 9 and the Family Proceedings Rules.

Proceedings

A shorthand term for all the court procedures and documents before the final court order.

Received

The date the papers are lodged with the court and the fees receipted.

Remittal

The process of transferring a case to a lower court e.g. transferring a case from the High Court to the County Court.

Removal

The process of transferring a case to a higher court e.g. transferring a case from the County Court to the High Court.

Revoke

To invalidate or cause to no longer be in effect, as by voiding or canceling.

Setting down

Telling the court office a case is ready for hearing.

Sitting

This is a period of work by a judge in a single courtroom on a single day. Several types of business may be heard at one sitting. Business heard in different courtrooms, whether at the same venue or elsewhere, is counted as separate sittings.

Sitting Days

A court sitting day is counted as any day where the judiciary sit in court. It is a period of work by a judge on a single day. Multiple sittings on one calendar date will be aggregated into one sitting day based on the Judicial Officer, venue and sitting date. Several types of business may be heard within one sitting day. Days are classified on the basis of the majority business undertaken. It does not include time in chambers or days where the judiciary are sitting in chambers.

Summons

A summons is served on a person involved in a legal proceeding and it indicates legal action may be in progress against the person, or the person's presence as witness may be required.

The summons usually announces a date by which the person or persons summoned must either appear in court, or respond in writing to the court or the opposing party or parties.

Time intervals

This is the time taken (in weeks) between the case, application or claim being received by the court and the date it is finally resolved, by either the court, an arrangement between parties out of court or by being withdrawn by the applicant.

Unliquidated

An unliquidated sum is one for which the precise amount owed cannot be determined from the terms of the contractual agreement or another standard.

Winding up petition

An application to court seeking the liquidation of a company.

Writ

A document which starts a case in the Queen's Bench Division.

Analytical Services Group,
Northern Ireland Courts and Tribunals Service,
Department of Justice
4th Floor, Laganside House
23-27 Oxford Street,
Belfast BT1 3LA
e-mail: richard.martin2@courtsni.gov.uk
Telephone: 028 9072 8920

<https://www.justice-ni.gov.uk/topics/courts-and-tribunals>