

Analytical Services Group

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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 April to June 2018 and commentary on trends observed for this quarter in each year from 2007. During the period April to June 2018:
- 696 cases were received into the Chancery division, a 22% decrease on the same quarter last year (892), and the lowest number received during the April to June quarter since the time series began in 2007. 711 cases were disposed of in the Chancery division during April to June 2018, a decrease of 11% on the number disposed during the same period in 2017 (797).
- 864 writs and originating summons were received during the period April to June 2018. This is a 4% increase on the 833 received during the same period in 2017 and continues the increase in number of writs and originating summons received during the April to June quarter since the lowest recorded number in this quarter were received in 2016. 460 writs and originating summons were disposed during the quarter, a decrease of 15% from 541 disposed in the same period in 2017.
- During the quarter, there were 74 applications for leave to apply for Judicial Review, 20 applications for Judicial Review and no ancillary applications received. Comparable figures were 76, 14 and 2 respectively for the same period in 2017.
- There were 16 adoption cases and applications received and 20 adoption cases and applications disposed of during April to June 2018. The corresponding figures for the same quarter in the previous year were 13 receipts and 19 disposals.
- 614 divorce petitions were received, an 11% increase from the 553 received during the same period in 2017. A total of 250 decrees were granted in the High Court during April to June 2018, a 21% increase on the 206 granted during the same period last year.
- During the quarter there were 596 sitting days, a 12% increase on the same quarter last year (533). The highest proportion of time was spent on Children's Order business (26%).

CONTENTS

Contents	Page
1. Introduction	1
2. Methodology	7
3. Findings	10
3.1 Chancery	
3.2 Queen's Bench	
3.3 Judicial Reviews	
3.4 Probate	
3.5 Wardship and adoption	
3.6 Matrimonial	
3.7 Patients	
3.8 Official Solicitors	
3.9 Sitting Days	
Appendix 1 – Tables	16
Appendix 2 – Explanatory Notes	30

Figure	Page
Figure 1: Chancery cases received: April to June 2007 to April to June 2018	10
Figure 2: Queen's Bench cases received: April to June 2007 to April to June 2018	11
Figure 3: Applications for Judicial Review disposed: April to June 2007 to April to June 2018	12
Figure 4: Adoption cases and applications received and disposed: April to June 2007 to April to June 2018	13
Figure 5: Decrees granted, by type: April to June 2007 to April to June 2018	14
Figure 6: High Court Total Sitting Times by Business Type: April to June 2018	15

Table	Page
Table 1: Chancery cases and applications received	16
Table 2: Chancery cases and applications disposed	16
Table 3: Bankruptcy cases and applications received	16
Table 4: Bankruptcy cases and applications disposed	17
Table 5: Companies cases and applications received	17
Table 6: Companies cases and applications disposed	17
Table 7: Time intervals in weeks for the Chancery Division	18
Table 8: Queen's Bench cases and applications received	19
Table 9: Queen's Bench writs and originating summons received by amount claimed	19

<u>Table 10: Queen's Bench writs and originating summons set-down by amount claimed</u>	19
<u>Table 11: Queen's Bench cases and applications disposed</u>	20
<u>Table 12: Queen's Bench writs and originating summons disposed of by amount</u>	21
<u>Table 13: Time intervals in weeks for Queen's Bench cases and applications</u>	21
<u>Table 14: Queen's Bench cases received into commercial list</u>	21
<u>Table 15: Queen's Bench commercial actions set-down</u>	22
<u>Table 16: Queen's Bench commercial actions disposed</u>	22
<u>Table 17: Time intervals in weeks for Queen's Bench commercial actions</u>	22
<u>Table 18: Applications relating to Judicial Reviews received</u>	23
<u>Table 19: Applications relating to Judicial Reviews disposed</u>	23
<u>Table 20: Time intervals in weeks for applications relating to Judicial Reviews</u>	23
<u>Table 21: Probate grants issued in non-contentious proceedings</u>	23
<u>Table 22: Adoption cases and applications received</u>	24
<u>Table 23: Adoption cases and applications disposed</u>	24
<u>Table 24: Family homes and domestic violence cases and applications received</u>	24
<u>Table 25: Family homes and domestic violence cases and applications disposed</u>	24
<u>Table 26: Time intervals in weeks for Adoption and Family homes and domestic violence cases and applications</u>	24
<u>Table 27: Divorce petitions received</u>	25
<u>Table 28: Divorce petitions by number of decrees granted</u>	25
<u>Table 29: Divorce petitions by number of decrees absolute issued</u>	25
<u>Table 30: Matrimonial applications received</u>	25
<u>Table 31: Matrimonial applications disposed</u>	26
<u>Table 32: Time intervals in weeks for divorce petitions</u>	26
<u>Table 33: Time intervals in weeks for divorce applications</u>	26
<u>Table 34: Number of bail applications received</u>	27
<u>Table 35: Number of bail applications disposed in chambers</u>	27
<u>Table 36: Number of bail applications disposed of in court</u>	27
<u>Table 37: Patients workload figures</u>	28
<u>Table 38: Official Solicitor Statistics</u>	28
<u>Table 39: High Court sitting days</u>	29
<u>Table 40: High Court total sitting times</u>	29

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, the Appeals & Lists Office, the Judicial Reviews Office, the Commercial Office and the Bail Office. These Offices are collectively 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 claims for damages that are large value, complex, or both, 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); and a lump sum payment, a pension sharing or attachment order, or both.

Dissolution of a Civil Partnership – A person (the ‘petitioner’) may apply to end (‘dissolve’) their civil partnership if they have been in the partnership for at least a year.

There are 3 main steps to ending a civil partnership:

- File a dissolution petition – the petitioner must apply to court for permission to end their civil partnership, and show reasons why they want to dissolve the relationship.
- Apply for a conditional order – if the civil partner of the petitioner (the ‘respondent’) agrees to the petition, the petitioner will receive a document saying there’s no reason the relationship may not be dissolved.
- Apply for a final order – this legally ends the civil partnership – the petitioner must wait 6 weeks after receiving the conditional order before applying for the final order.

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 third quarter of 2018 and will be published on 16th November 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.

Data contained in this bulletin are currently provisional and will undergo further validation before being published in their final form in the 2018 edition of Judicial Statistics (published on the 28th June 2019).

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.

2.8 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>

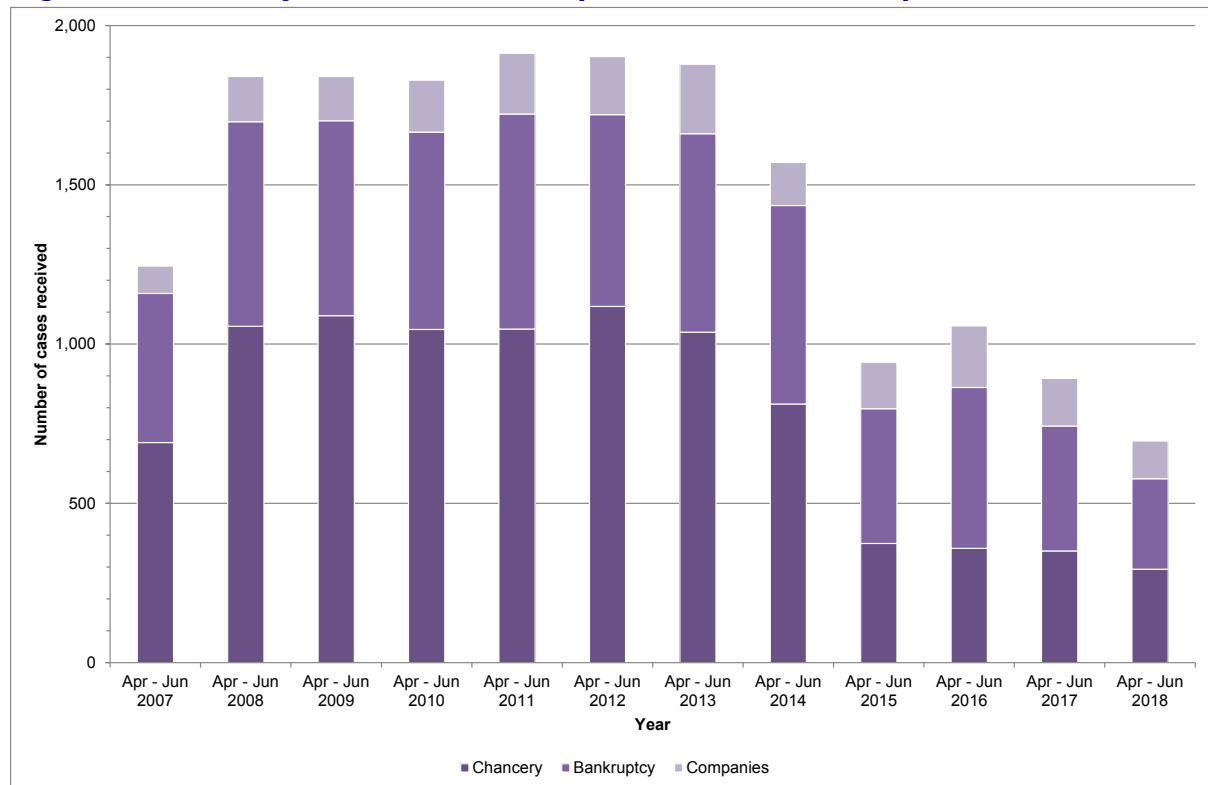
² Department of Justice, 2017. *Policy Papers* [online] Available at: <https://www.justice-ni.gov.uk/publications/type/policypapers>

3. FINDINGS

3.1 Chancery

There were 696 cases received into the Chancery division during the quarter April to June 2018, an 22% decrease on the same quarter last year (892). In total, 42% were chancery cases, 41% were bankruptcy cases and 17% 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: April to June 2007 to April to June 2018

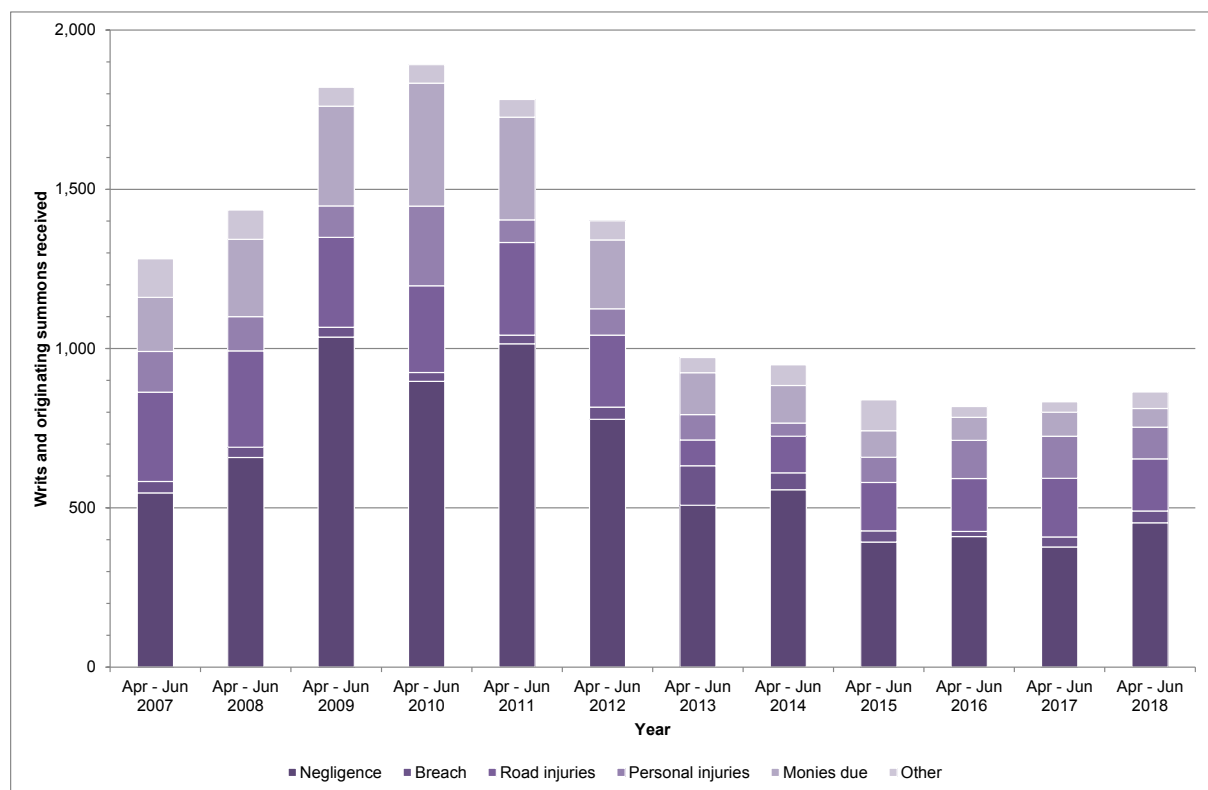


In total, 711 cases were disposed of in the Chancery division during the quarter, a decrease of 11% on the number disposed during the same period in 2017 (797).

3.2 Queen's Bench

There were 864 writs and originating summons received during the period April to June 2018. This is a 4% increase on the 833 received during the same period in 2017. It is the fourth lowest number received during the April to June 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 818 was recorded in 2016 (Figure 2). The decreasing number of cases received, resulting in this lowest recorded figure in 2016, is 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: April to June 2007 to April to June 2018



460 writs and originating summons were disposed during the quarter, a decrease of 15% from 541 disposed in the same period in 2017.

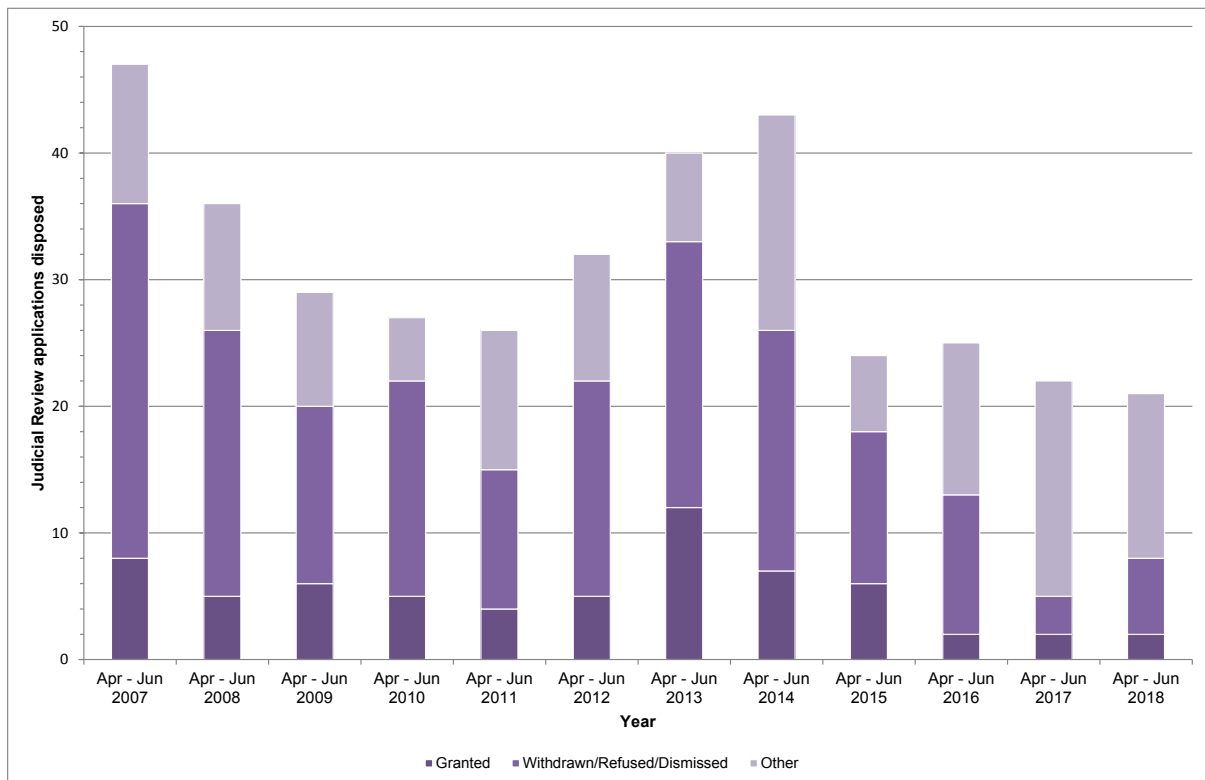
There were 83 removals and remittals applications dealt with during April to June 2018. This is a decrease of 10% from the 92 dealt with in the same period in 2017.

3.3 Judicial Reviews

During April to June 2018, there were 74 applications for leave to apply for Judicial Review, 20 applications for Judicial Review and no ancillary applications received. Comparable figures were 76, 14 and 2 respectively for the same period in 2017.

The number of applications for Judicial Review disposed of during the April to June quarter has fluctuated since the time series began in 2007, but the current figure is the lowest in the time series began (Figure 3).

Figure 3: Applications for Judicial Review disposed: April to June 2007 to April to June 2018



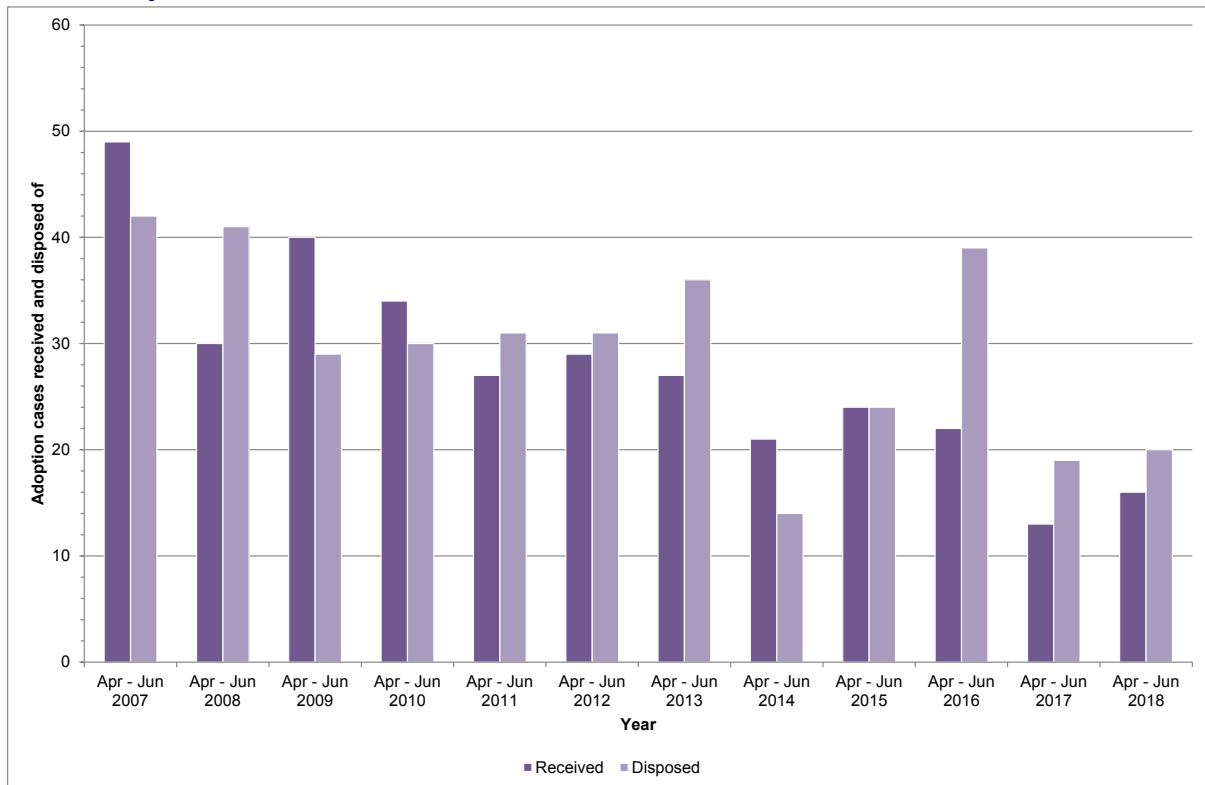
3.4 Probate

There were 1,976 grants issued in the probate office during the period, an increase of 8% from the 1,832 issued in the same period in 2017.

3.5 Wardship and Adoption

There were 16 adoption cases and applications received and 20 adoption cases and applications disposed of during April to June 2018. The corresponding figures for the same quarter in the previous year were 13 receipts and 19 disposals (Figure 4).

Figure 4: Adoption cases and applications received and disposed: April to June 2007 to April to June 2018



The average time taken in weeks from issue to disposal for an adoption case/application was 41 weeks, compared to 23 weeks during the same period last year.

3.6 Matrimonial

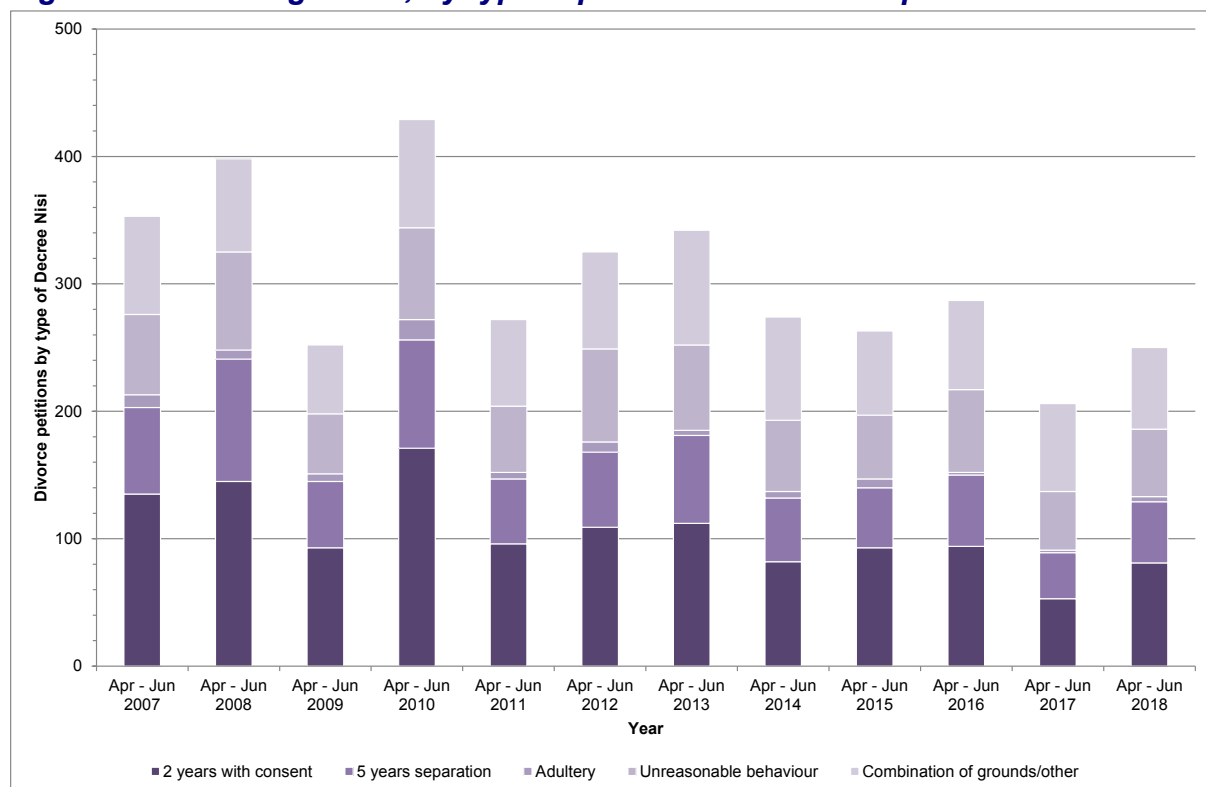
During the period April to June 2018, there were 614 divorce petitions lodged in the High Court, of which 380 (62%) were lodged by the wife. Comparable figures were 553 and 321 (58%) respectively for the same period in 2017.

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

250 decrees were granted in the High Court in April to June 2018, an increase of 21% on the 206 decrees granted during the same period in 2017 (Figure 5).

The main type of decree granted in April to June 2018 was '2 years with consent' accounting for 32% of cases (81), followed by 'combination of grounds/ other', 26% of cases (64) (Figure 5).

Figure 5: Decrees granted, by type: April to June 2007 to April to June 2018³



A total of 176 decrees absolute were issued during the quarter, an decrease of 15% on the 206 granted during the same period last year. The most common types of decrees absolute issued during April to June 2018 were '2 years with consent', accounting for 31% of cases (55) and 'Combination of grounds/ other', accounting for 30% of cases (53).

³ The number of decrees granted for April to June 2017 has been revised to 178.

The average time taken from the issue of a divorce petition to the date the decree was granted was 43 weeks. This compares to 38 weeks during the same period last year.

3.7 Patients

There were 564 new referrals in the Patients section during the quarter April to June 2018, an increase of 75% on the 322 received during the same quarter in 2017.

3.8 Official Solicitor's

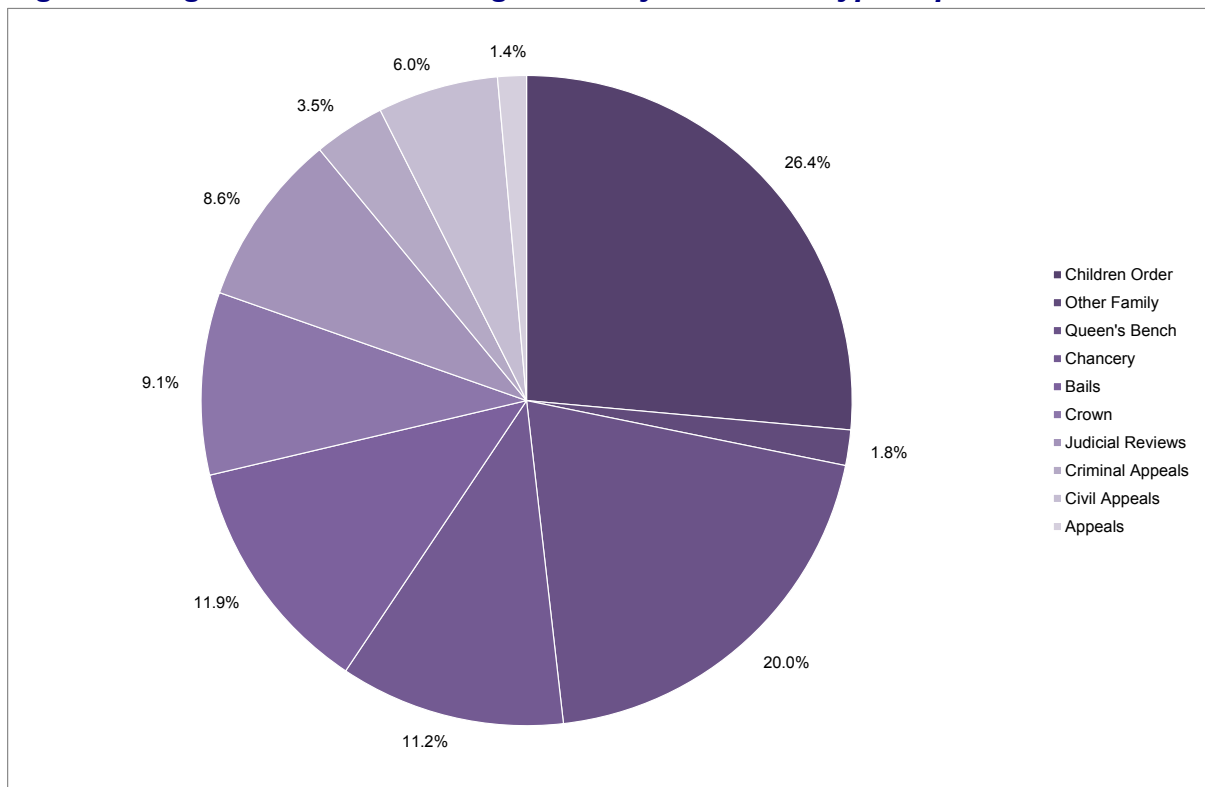
During April to June 2018, there were 231 certificates drafted in the Official Solicitor's Office, a decrease of 33% from 343 in the same period in 2017.

3.9 Sitting Days

There were a total of 596 sitting days in the High Court during the quarter April to June 2018, a 12% increase on the same quarter last year (533).

The highest percentage of time was spent on Children's Order business (26%). 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: April to June 2018



APPENDIX 1 - TABLES

Chancery

Table 1: Chancery cases and applications received

Case	Mortgages	211
	Other land and property	3
	Trusts	1
	Other	78
	Total	293
Application	Notice of appointment	88
	Summons	93
	Notice of motion	10
	Exparte application	37
	Injunction	3
	Total	231

Table 2: Chancery cases and applications disposed

		High Court Judge	Master	Office disposal	Total
Case	Mortgages	3	92	2	97
	Other land and property	9	3	-	12
	Trusts	1	1	-	2
	Other	22	21	4	47
	Total	35	118	6	158
Application	Notice of appointment	-	30	-	30
	Summons	19	71	1	91
	Notice of motion	5	7	1	13
	Exparte application	3	30	1	34
	Injunction	4	-	-	1
	Total	28	138	3	169

Table 3: Bankruptcy cases and applications received

Case	Petition by another person	155
	Petition by debtor	83
	Other petition	6
	Originating application	26
	Other	14
	Total	284
Application	Petition by another person	2
	Notice of motion	1
	Ordinary application	147
	Certificate of automatic discharge	10
	Other	2
	Total	162

Table 4: Bankruptcy cases and applications disposed

		High Court Judge	Master	Office disposal	Total
Case	Petition by another person	1	197	2	200
	Petition by debtor	-	91	-	91
	Other petition	-	12	-	12
	Originating application	1	30	-	31
	Other	-	24	-	24
	Total	2	354	2	358
Application	Petition by another person	-	2	-	2
	Notice of motion	-	2	-	2
	Ordinary application	1	132	-	133
	Certificate of automatic discharge	-	10	2	12
	Other	-	3	-	3
	Total	1	149	2	152

Table 5: Companies cases and applications received

Case	Notice of appointment	1
	Winding up petition	66
	Other petitions	4
	Other	48
	Total	119
Application	Notice of motion	3
	Ordinary application	16
	Other	1
	Total	20

Table 6: Companies cases and applications disposed

		High Court Judge	Master	Total
Case	Notice of appointment	1	-	1
	Winding up petition	2	131	133
	Other petitions	1	9	10
	Originating summons	1	4	5
	Other	1	45	46
	Total	6	189	195
Application	Notice of motion	1	-	1
	Ordinary application	2	13	15
	Other	1	-	1
	Total	4	13	17

Table 7: Time intervals in weeks for the Chancery Division⁴

	Chancery		Bankruptcy		Companies	
	Case	Application	Case	Application	Case	Application
Issue to first listing	51	4	9	6	6	3
First listing to disposal	24	11	10	8	5	19
Issue to disposal	76	14	20	14	11	23

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	453
	Breach	37
	Road injuries	164
	Personal injuries	99
	Monies due	59
	Other	52
	Total	864
Miscellaneous	Foreign judgement	38
	Other	6
	Total	44
Applications	Summons/interlocutory applications	353
	Remittals and removals	105
	Exparte applications	49
	Other	72
	Total	579

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	451	-	-	2	-	453
Breach	37	-	-	-	-	37
Road injuries	164	-	-	-	-	164
Personal injuries	99	-	-	-	-	99
Monies due	20	8	5	10	16	59
Other	51	1	-	-	-	52
Total	822	9	5	12	16	864

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	142	-	1	-	-	143
Breach	4	-	1	1	-	6
Road injuries	50	-	1	2	-	53
Personal injuries	14	-	-	1	-	15
Monies due	-	-	-	-	1	1
Other	8	-	1	-	-	9
Total	218	-	4	4	1	227

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	104	15	78	5	202
	Breach	5	1	6	-	12
	Road injuries	48	6	37	1	92
	Personal injuries	31	23	30	-	84
	Monies due	7	3	7	14	31
	Other	23	8	6	2	39
	Total	218	56	164	22	460
Miscellaneous	Other	1	1	-	-	2
	Total	1	1	-	-	2
Applications	Summons/ interlocutory applications	18	298	-	-	316
	Remittals and removals	-	83	-	-	83
	Exparte applications	3	45	-	-	48
	Other	38	27	-	-	65
	Total	59	453	-	-	512

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	46	9	19	16	14	104
	Breach	3	-	1	-	1	5
	Road injuries	8	2	10	7	21	48
	Personal injuries	28	-	1	1	1	31
	Monies due	6	-	-	1	-	7
	Other	15	-	1	4	3	23
Master	Negligence	15	-	-	-	-	15
	Breach	1	-	-	-	-	1
	Road injuries	5	-	-	-	1	6
	Personal injuries	23	-	-	-	-	23
	Monies due	3	-	-	-	-	3
	Other	8	-	-	-	-	8
Default judgement	Negligence	5	-	-	-	-	5
	Road injuries	1	-	-	-	-	1
	Monies due	-	1	1	4	8	14
	Other	1	-	-	1	-	2
Total		168	12	33	34	49	296

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	116	-	-
Issue to first listing	102	275	4
First listing to disposal	36	33	7
Issue to disposal	138	308	10

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

Negligence	8
Breach	7
Monies due	8
Other	7
Total	30

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	5
Breach	3
Monies due	2
Other	3
Total	13

Table 16: Queen's Bench commercial actions disposed

	High Court Judge	Office disposal	Total
Negligence	21	-	21
Breach	7	1	8
Monies due	9	-	9
Other	3	-	3
Total	40	1	41

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

	Commercial actions
Received to Entry to commercial list	88
Entry to commercial list to first listing	25
First listing to disposal	52
Received to disposal	165

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	74
Application for judicial review	20

Table 19: Applications relating to Judicial Reviews disposed

	Granted	Withdrawn/ Refused/ Dismissed	Other	Total
Application for leave to apply for judicial review	25	23	15	63
Application for judicial review	2	6	13	21
Ancillary applications	-	-	1	1

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

	Application for leave to apply for judicial review	Application for judicial review	Ancillary applications
Issue to first listing	15	19	34
First listing to disposal	8	17	0
Issue to disposal	23	36	34

Probate

Table 21: Probate grants issued in non-contentious proceedings

	Probate		Northern Ireland
	By solicitor	Personal	
Letters of administration with will annexed	63	-	63
Letters of administration with will annexed (DBN)	2	-	2
Letters of administration	295	73	368
Grant of probate	1,379	156	1,535
Letters of administration (DBN)	8	-	8
Total grants issued	1,747	229	1,976

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	5
Child Abduction Originating Summons	1
Children (NI) Order Application	1
Freeing Order Application	3
Interlocutory Application	3
Wardship Originating Summons	3
Total	16

Table 23: Adoption cases and applications disposed

	High Court Judge	Master	Total
Adoption Order Application	14	-	14
Child Abduction Originating Summons	1	-	1
Freeing Order Application	3	-	3
Interlocutory Application	1	-	1
Wardship Originating Summons	-	1	1
Total	19	1	20

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

App For Occup/Non Mol	3
Exparte App For Occup/Non Mol	1
Article 23 ex-parte non-molestation and occupation	1
Total	5

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

	High Court Judge	Master	Total
App For Occup/Non Mol	1	-	1
Exparte App For Occup/Non Mol	-	1	1
Total	1	1	2

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	25	0
First listing to disposal	16	9
Issue to disposal	41	9

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	Unknown	
Divorce Petition	2 years with consent	132	89	1	222
	5 years separation	91	95	1	187
	Adultery	3	3	-	6
	Unreasonable behaviour	107	29	-	136
	Combination of grounds/other	47	16	-	63
Total		380	232	2	614

Table 28: Divorce petitions by number of decrees granted

		Found by			Total
		Wife	Husband	Both	
Decree Nisi	2 years with consent	50	30	-	80
	5 years separation	25	22	-	47
	Adultery	3	1	-	4
	Unreasonable behaviour	46	7	-	53
	Combination of grounds/other	35	16	12	63
Nullity	Combination of grounds/other	1	-	-	1
Judicial Separation	2 years with consent	1	-	-	1
	5 years separation	1	-	-	1
Total		162	76	12	250

Table 29: Divorce petitions by number of decrees absolute issued

		Found by			Total
		Wife	Husband	Both	
Divorce Petition	2 years with consent	24	31	-	55
	5 years separation	11	14	-	25
	Adultery	1	1	-	2
	Unreasonable behaviour	31	9	1	41
	Combination of grounds/other	32	11	10	53
Total		99	66	11	176

Table 30: Matrimonial applications received

Application	Combination of grounds/other	3
	Ancillary relief	141
	Matrimonial application	106
	Other	10
Total		260

Table 31: Matrimonial applications disposed

		Judge	Master	Total
Application	Combination of grounds/other	3	1	4
	Ancillary relief	2	110	112
	Matrimonial application	8	94	102
	Other	2	1	3
Total		15	206	221

Table 32: Time intervals in weeks for divorce petitions⁸

	Divorce Petition
Issue to first listing	42
First listing to date decree granted	<1
Issue to date decree granted	43
Date decree granted to date absolute issued	8

Table 33: Time intervals in weeks for divorce applications⁷

	Combination of grounds/other	Ancillary relief	Matrimonial application	Other
Issue to first listing	1	11	4	0
First listing to disposal	20	46	4	41
Issue to disposal	21	57	8	41

⁷ Excludes default judgements and office disposals

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	368
Bail pending appeal to county court	4
Compassionate bail application	6
Application to revoke bail	11
Bail variation	66
Total	455

Table 35: Number of bail applications disposed in chambers

	Granted	Refused	Other	Total
Bail application	1	-	1	2
Bail variation	31	1	1	33
Total	32	1	2	35

Table 36: Number of bail applications disposed of in court

	Granted	Refused	Other	Total
Bail application	167	119	14	300
Bail pending appeal to county court	-	2	-	2
Compassionate bail application	3	2	-	5
Bail variation	14	10	5	29
Total	184	133	19	336

Patients

Table 37: Patients workload figures

New referrals	564
EPA applications received	339
Orders issued	345
Certificates issued	1,415
Reviews completed	414
Visits	1

Official Solicitor's Office

Table 38: Official Solicitor Statistics

Correspondence received	1,473
New Referrals	16
Cases referred for a specific issue⁹	227
OS appointed Controller Ad interim	4
Certificates drafted	231
OS appointed Full Controller	0

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.

Sitting days and total sitting times

Table 39: High Court sitting days

Children Order	120
Other Family	14
Appeals	8
Queen's Bench	122
Chancery	65
Bails	89
Crown	54
Judicial Reviews	72
Criminal Appeals	27
Civil Appeals	25
Total	596

Table 40: High Court total sitting times

Children Order	278:55:00
Other family	18:35:00
Appeals	15:04:00
Queen's Bench	210:51:00
Chancery	118:00:00
Bails	125:56:00
Callover	0:00:00
Crown	95:42:00
Judicial reviews	91:12:00
Criminal appeals	37:24:00
Civil appeals	63:12:00
Total	1054:58:00

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); and a lump sum payment, a pension sharing or attachment order, or both.

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 a marriage. An individual (petitioner) must wait for at least 6 weeks after the date of the decree nisi before they may apply for a decree absolute.

Decree Nisi

A document that says that the court doesn't see any reason why a married couple cannot divorce. If the spouse of the petitioner does not agree to the divorce, the petitioner may still apply for a decree nisi. However, they will have to go to a hearing at the court to discuss the case, where a judge will decide whether to grant 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.

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