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R Martin

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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 October to December 2019 and commentary on trends observed for this quarter in each year from 2007. During the period October to December 2019:
- The Chancery division received 688 cases in this quarter, the total number of Chancery cases, Bankruptcy cases and Companies cases. This is a 7% decrease on the same quarter last year (742), and is the lowest number of Chancery division cases received in the October to December quarter since recording began. 798 cases were disposed of in the Chancery division during October to December 2019, an increase of 24% on the number disposed during the same period in 2018 (642).
- 819 writs and originating summons were received during the period October to December 2019. This is a 1% increase from the 807 received during the same period in 2018. 532 writs and originating summons were disposed during the quarter, a decrease of 34% from 807 disposed in the same period in 2018.
- During the quarter, there were 69 applications for leave to apply for Judicial Review, 15 applications for Judicial Review and 2 ancillary applications received. Comparable figures were 53, 18 and 1 respectively for the same period in 2018.
- There were 33 adoption cases and applications received and 23 adoption cases and applications disposed of during October to December 2019. The corresponding figures for the same quarter in the previous year were 19 receipts and 20 disposals.
- 565 divorce petitions were received, a 10% decrease from the 626 received during the same period in 2018. A total of 259 decrees were granted in the High Court during October to December 2019, a 1% increase compared to the 257 granted during the same period last year.
- During the quarter there were 561 sitting days, a 1% decrease on the same quarter last year (568). The highest proportion of time was spent on Queen's Bench business (23%).

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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, 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 nine 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, 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 to legally end 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 who 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. They may 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 and 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 36 and Tables 39 and 40 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 37 and 38 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 to which only specified statistical personnel have access. The data contained in the files are identified only by numbers, 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 relates to the calendar year 2019, and the time series for this information dates back to 2007, when ICOS was adopted as the source for official government statistics. However, within this publication, comparisons of trends are viewed over a 10-year period.

2.4 Frequency of Publication

This bulletin is published on a quarterly basis. The next bulletin will cover the first quarter of 2020 and will be published on 15th of May 2020.

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 2019 edition of Judicial Statistics (published on the 26th June 2020).

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 Department of Justice (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>

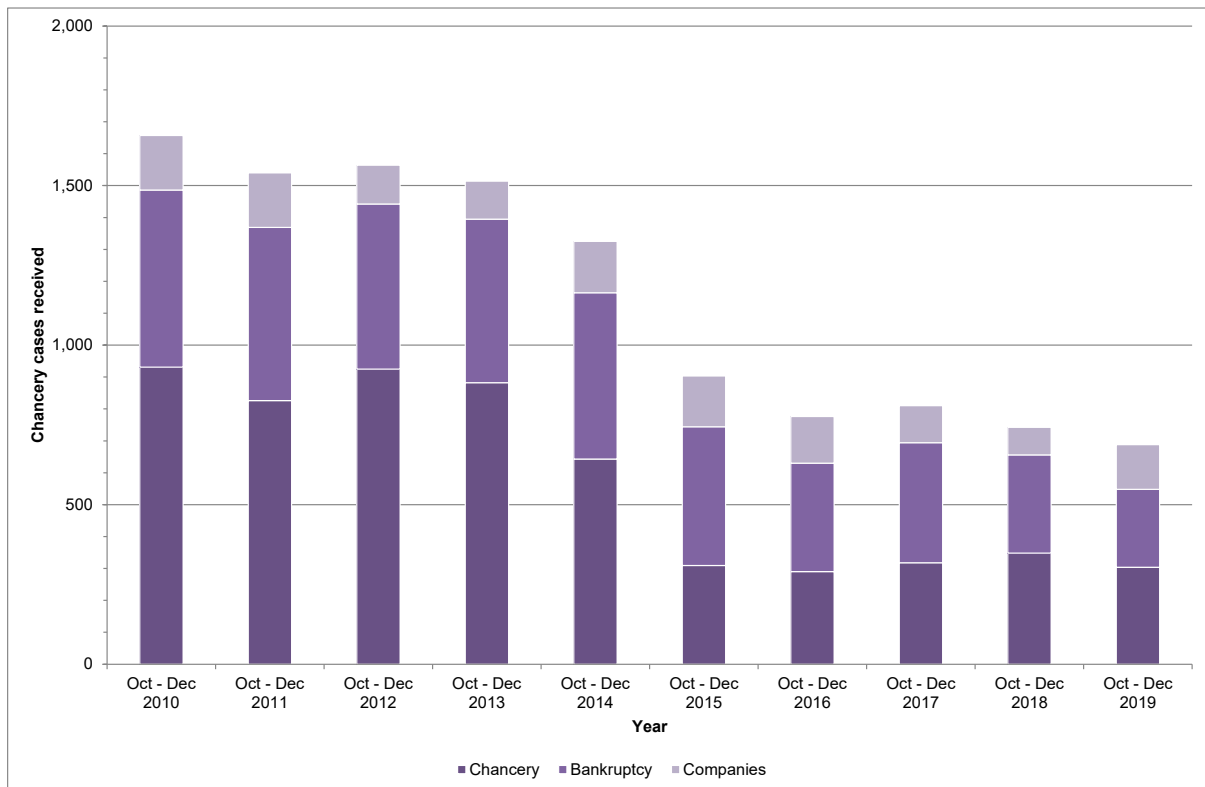
² Department of Justice, 2017. *Policy Papers* [online] Available at: <https://www.justice-ni.gov.uk/publications/type/policypapers>

3. FINDINGS

3.1 Chancery

There were 688 cases received into the Chancery division during the quarter October to December 2019, a 7% decrease on the same quarter last year (742). In total, 44% were chancery cases, 35% were bankruptcy cases and 20% were companies' cases. This is the lowest number of chancery cases received since 2010 (Figure 1).

Figure 1: Chancery cases received: October to December 2010 to October to December 2019



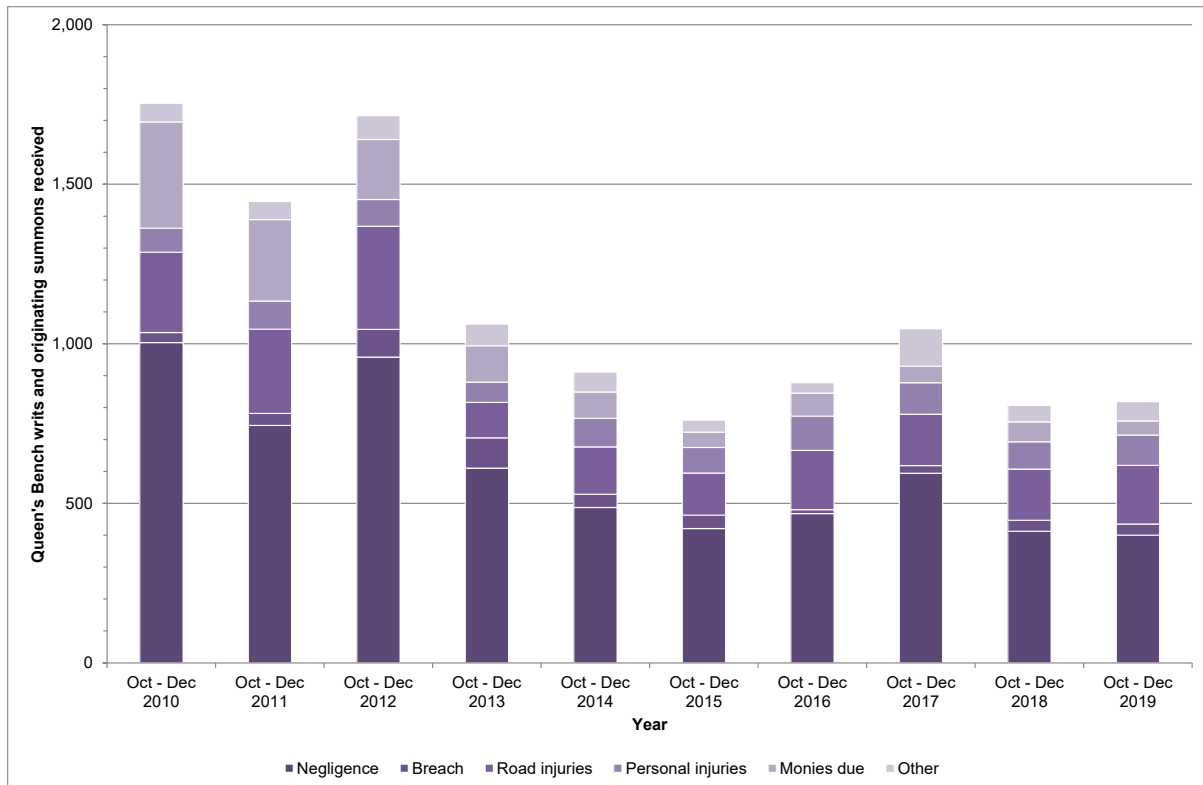
The increase in Chancery cases this quarter may be primarily attributed to an increase in mortgage cases received.

In total, 798 cases were disposed of in the Chancery division during the quarter, an increase of 24% on the number disposed during the same period in 2018 (642).

3.2 Queen’s Bench

There were 819 writs and originating summons received during the period October to December 2019, a 2% increase on the 807 received during the same period in 2018 (Figure 2). The decreasing number of cases received from 2013 to 2015 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: October to December 2010 to October to December 2019



532 writs and originating summons were disposed during the quarter, a decrease of 34% from 807 disposed in the same period in 2018.

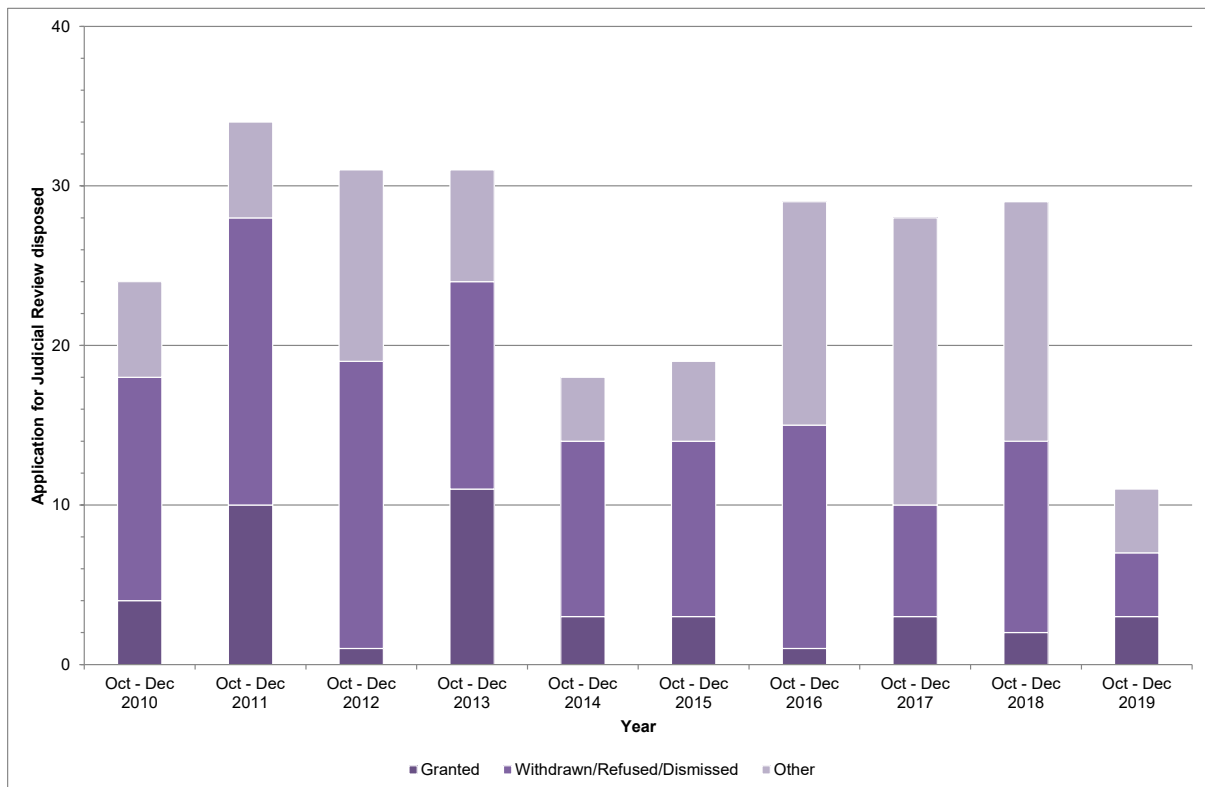
There were 83 removals and remittals applications dealt with during October to December 2019. This is a decrease of 11% from the 93 dealt with in the same period in 2018.

3.3 Judicial Reviews

During October to December 2019, there were 69 applications for leave to apply for Judicial Review, 15 applications for Judicial Review and 2 ancillary applications received. Comparable figures were 53, 18 and 1 respectively for the same period in 2018.

The number of applications for Judicial Review disposed of during the October to December quarter has fluctuated over the several previous October to December quarters, but the current figure of 11 shows a decrease in the number of cases disposed in the October to December quarter and is the lowest number of cases disposed since 2010 (24) (Figure 3).

Figure 3: Applications for Judicial Review disposed: October to December 2010 to October to December 2019



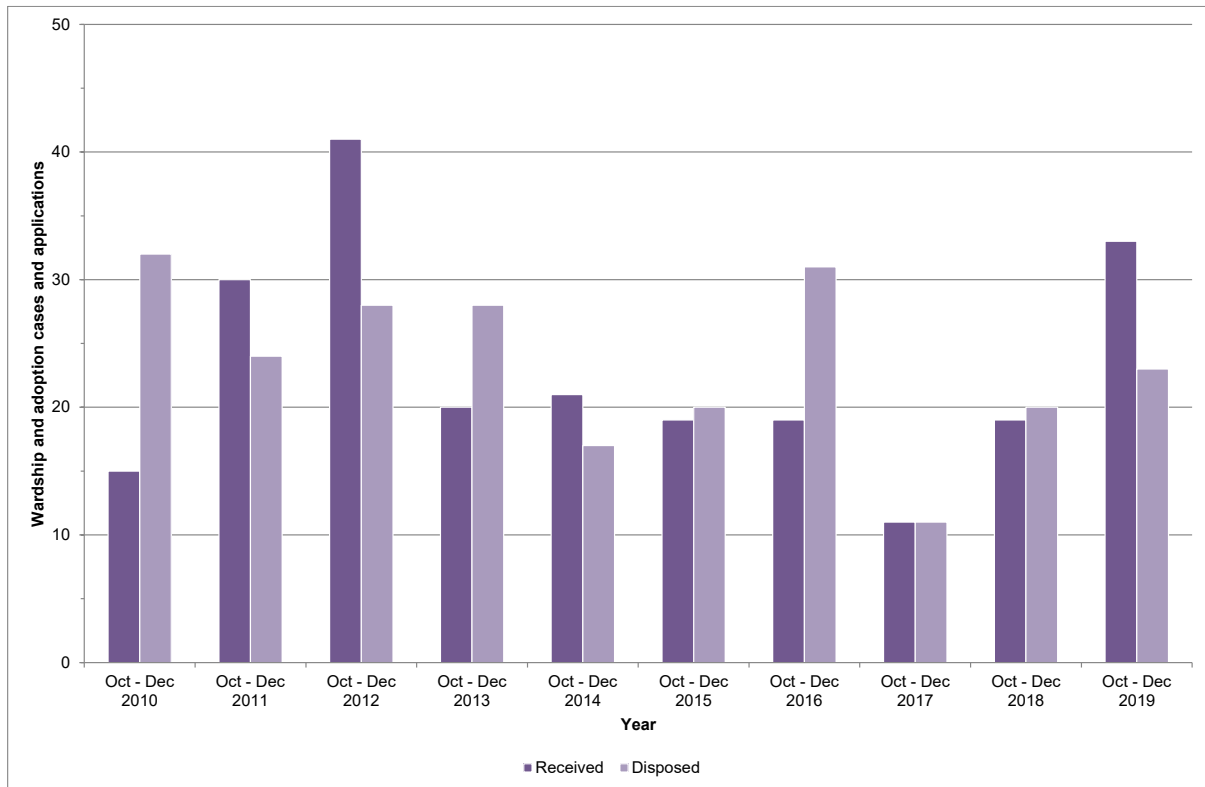
3.4 Probate

There were 1,752 grants issued in the probate office during the period, a decrease of less than 1% from the 1,759 issued in the same period in 2018.

3.5 Wardship and Adoption

There were 33 adoption cases and applications received and 23 adoption cases and applications disposed of during October to December 2019. The corresponding figures for the same quarter in the previous year were 19 receipts and 20 disposals (Figure 4).

Figure 4: Adoption cases and applications received and disposed: October to December 2010 to October to December 2019



The average time taken in weeks from issue to disposal for an adoption case or application was 32 weeks, compared to 23 weeks during the same period last year.

3.6 Matrimonial

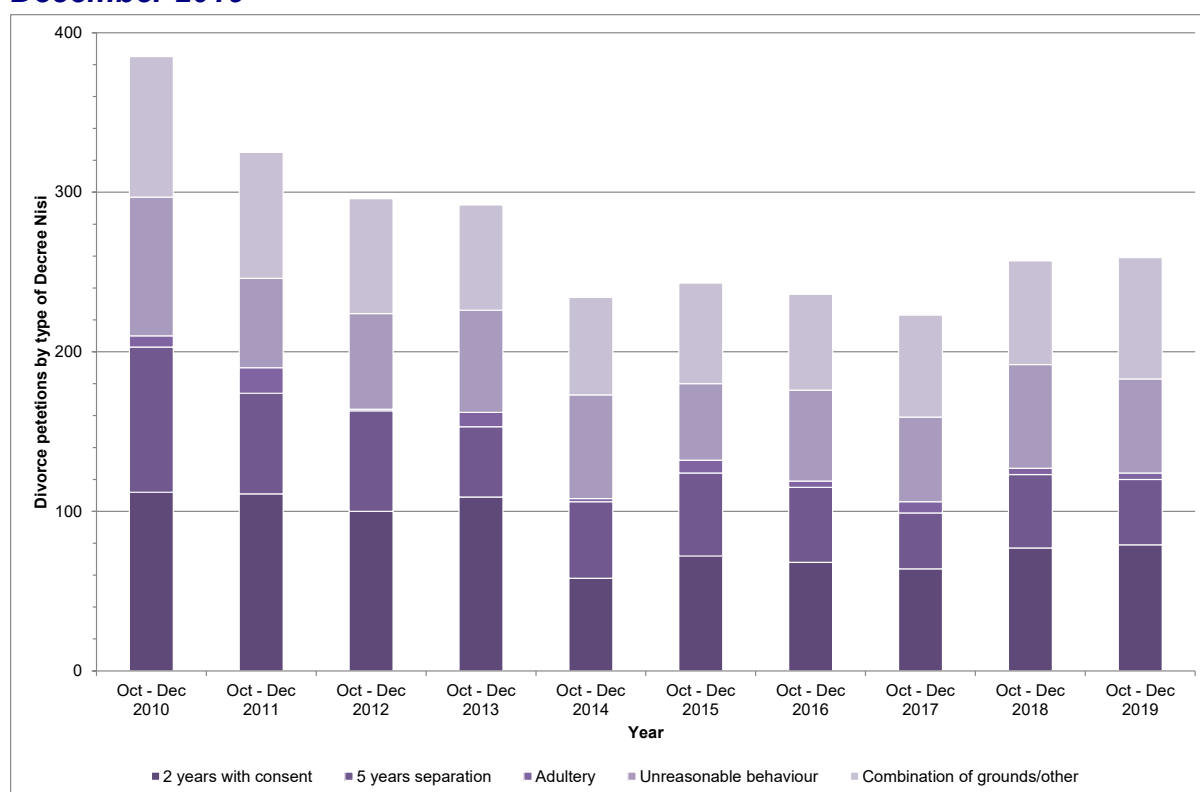
During the period October to December 2019, there were 565 divorce petitions lodged in the High Court, of which 347 (61%) were lodged by the wife. Comparable figures were 626 and 417 (67%) respectively for the same period in 2018.

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

259 decrees were granted in the High Court in October to December 2019, an increase of less than 1% on the 257 decrees granted during the same period in 2018 (Figure 5).

The main type of decree granted in October to December 2019 was ‘2 years with consent’, accounting for 31% of cases (79), followed by ‘Combination of grounds/other’, representing 29% of cases (76) (Figure 5).

Figure 5: Decrees granted, by type: October to December 2010 to October to December 2019



A total of 216 decrees absolute were issued during the quarter, an increase of 26% on the 171 granted during the same period last year. The most common types of decrees absolute issued during October to December 2019 was ‘Combination of grounds/other’, accounting for 33% of cases (72) and ‘2 years with consent’ accounting for 26% of cases (56).

The average time taken from the issue of a divorce petition to the date the decree was granted was 40 weeks. This compares to 35 weeks during the same period last year.

3.7 Patients

There were 459 new referrals in the Patients section during the quarter October to December 2019, a decrease of 14% compared to the 535 received during the same quarter in 2018.

3.8 Official Solicitor's

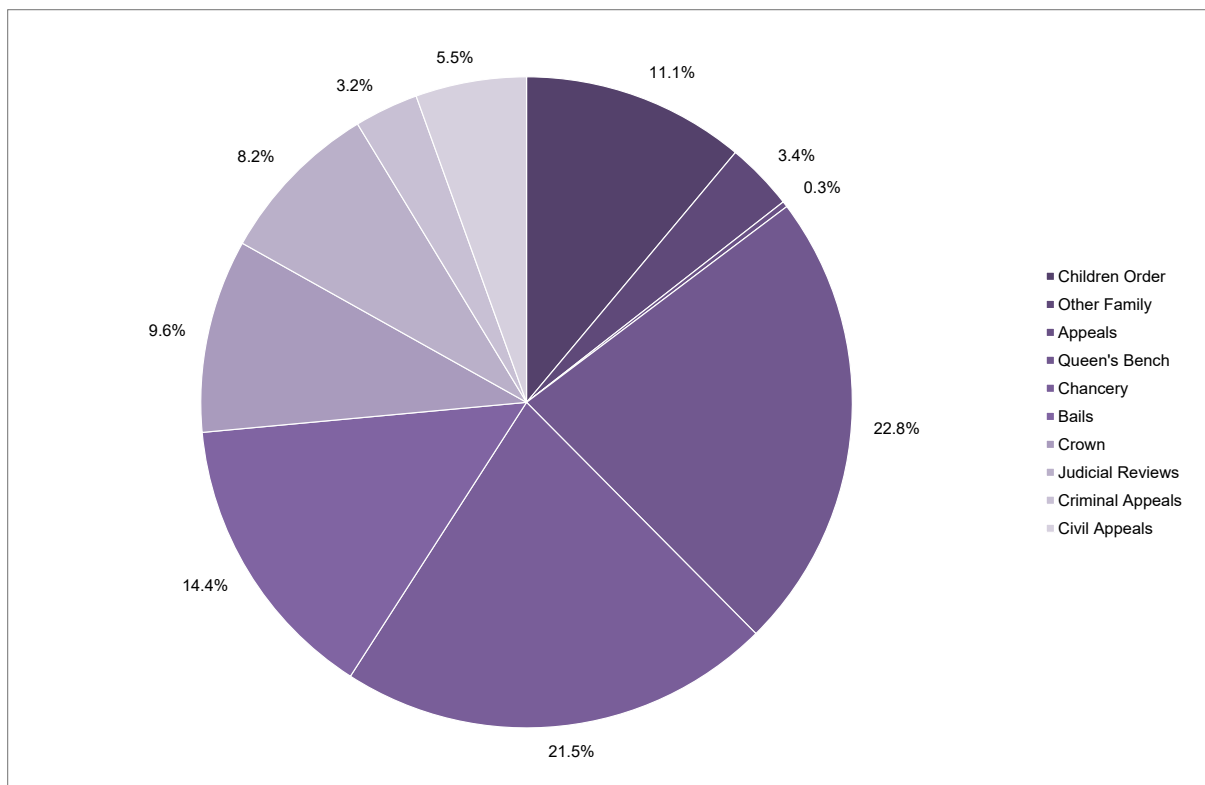
During October to December 2019, there were 285 certificates drafted in the Official Solicitor's Office, an increase of 11% from 256 in the same period in 2018.

3.9 Sitting Days

There were a total of 561 sitting days in the High Court during the quarter October to December 2019, a 1% decrease on the same quarter last year (568).

The highest percentage of time was spent on Queen's Bench business (23%). 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: October to December 2019



APPENDIX 1 - TABLES

Chancery

Table 1: Chancery cases and applications received

Case	Mortgages	304
	Other land and property	8
	Trusts	1
	Other	64
	Total	377
Application	Notice of appointment	408
	Summons	91
	Notice of motion	8
	Exparte application	64
	Injunction	2
	Transfer to Commercial List	1
	Total	574

Table 2: Chancery cases and applications disposed

		High Court Judge	Master	Office disposal	Total
Case	Mortgages	3	296	1	300
	Trade and business	0	0	1	1
	Other	18	23	10	51
	Total	21	319	12	352
Application	Notice of appointment	0	34	0	34
	Summons	8	66	0	74
	Notice of motion	2	1	0	3
	Exparte application	0	75	0	75
	Injunction	2	0	0	2
	Total	12	176	0	188

Table 3: Bankruptcy cases and applications received

Case	Petition by another person	139
	Petition by debtor	41
	Other petition	2
	Originating application	31
	Other	31
	Total	244
Application	Ordinary application	158
	Certificate of automatic discharge	7
	Other	8
	Total	173

Table 4: Bankruptcy cases and applications disposed

		High Court Judge	Master	Office disposal	Total
Case	Petition by another person	0	222	1	223
	Petition by debtor	0	47	0	47
	Originating application	0	35	0	35
	Other	1	25	0	26
	Total	1	329	1	331
Application	Notice of motion	1	2	0	3
	Ordinary application	0	157	1	158
	Certificate of automatic discharge	0	1	5	6
	Other	0	5	0	5
	Total	1	165	6	172

Table 5: Companies cases and applications received

Case	Winding up petition	94
	Other petitions	3
	Originating summons	12
	Other	31
	Total	140
Application	Notice of motion	1
	Ordinary application	21
	Other	2
	Total	24

Table 6: Companies cases and applications disposed

		High Court Judge	Master	Total
Case	Winding up petition	0	131	131
	Originating summons	0	7	7
	Other	3	26	29
	Total	3	164	167
Application	Ordinary application	0	7	7
	Total	0	7	7

Table 7: Time intervals in weeks for the Chancery Division⁴

	Chancery		Bankruptcy		Companies	
	Case	Application	Case	Application	Case	Application
Issue to first listing	44	6	7	2	7	3
First listing to disposal	9	7	7	3	2	11
Issue to disposal	53	13	13	5	10	14

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	400
	Breach	35
	Road injuries	184
	Personal injuries	95
	Monies due	44
	Other	61
	Total	819
Miscellaneous	Foreign judgement	31
	Other	3
	Total	34
Applications	Summons/interlocutory applications	350
	Remittals and removals	77
	Exparte applications	61
	Other	75
	Total	563

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	400	0	0	0	0	400
Breach	35	0	0	0	0	35
Road injuries	184	0	0	0	0	184
Personal injuries	95	0	0	0	0	95
Monies due	27	1	1	3	12	44
Other	61	0	0	0	0	61
Total	802	1	1	3	12	819

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

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	166	0	0	0	0	166
Breach	7	0	1	0	0	8
Road injuries	58	2	0	2	0	62
Personal injuries	21	0	0	0	0	21
Monies due	1	0	0	0	2	3
Other	3	0	0	0	0	3
Total	256	2	1	2	2	263

Table 11: Queen's Bench cases and applications disposed⁶

		High Court Judge	Master	Office disposal	Default judgement	Total
Writs and originating summons	Negligence	145	15	81	4	245
	Breach	6	1	5	4	16
	Road injuries	53	1	25	1	80
	Personal injuries	39	32	40	0	111
	Monies due	3	1	7	30	41
	Other	15	6	15	3	39
	Total	261	56	173	42	532
Miscellaneous	Other	2	0	1	0	3
	Total	2	0	1	0	3
Applications	Summons/interlocutory applications	17	307	2	0	326
	Remittals and removals	0	83	0	0	83
	Exparte applications	5	40	1	0	46
	Other	34	30	0	0	64
	Total	56	460	3	0	519

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

⁶ Excludes commercial actions

Table 12: Queen's Bench writs and originating summons disposed of by amount^{5, 6, 7}

		No value	Less than £15,000	£15,000-29,999	£30,000-49,999	£50,000 and over	Total
High Court Judge	Negligence	63	12	15	14	41	145
	Breach	6	0	0	0	0	6
	Road injuries	10	2	6	15	20	53
	Personal injuries	33	3	0	1	2	39
	Monies due	3	0	0	0	0	3
	Other	12	0	0	2	1	15
Master	Negligence	14	1	0	0	0	15
	Breach	1	0	0	0	0	1
	Road injuries	1	0	0	0	0	1
	Personal injuries	31	1	0	0	0	32
	Monies due	1	0	0	0	0	1
	Other	6	0	0	0	0	6
Default judgement	Negligence	4	0	0	0	0	4
	Breach	1	0	0	1	2	4
	Road injuries	1	0	0	0	0	1
	Monies due	0	2	3	8	17	30
	Other	1	0	0	2	0	3
Total		188	21	24	43	83	359

Table 13: Time intervals in weeks for Queen's Bench cases and Applications^{6, 7, 8, 9}

	Writs and originating summons	Miscellaneous	Applications
Issue to setdown	109	-	-
Issue to first listing	102	2	4
First listing to disposal	37	0	7
Issue to disposal	139	3	11

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

⁶ Excludes commercial actions

⁷ Excludes office disposals

⁸ Excludes default judgements

⁹ 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

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

Negligence	4
Breach	5
Monies due	9
Other	4
Total	22

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

Negligence	3
Breach	1
Total	4

Table 16: Queen's Bench commercial actions disposed

	High Court Judge	Office disposal	Default judgement	Total
Negligence	20	1	1	22
Breach	7	0	0	7
Monies due	7	0	0	7
Other	4	1	0	5
Total	38	2	1	41

Table 17: Time intervals in weeks for Queen's Bench commercial actions^{7, 8, 9}

	Commercial actions
Received to Entry to commercial list	62
Entry to commercial list to first listing	30
First listing to disposal	51
Received to disposal	143

⁷ Excludes office disposals

⁸ Excludes default judgements

⁹ 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

Judicial Reviews

Table 18: Applications relating to Judicial Reviews received

Application for leave to apply for judicial review	69
Application for judicial review	15
Ancillary applications	2

Table 19: Applications relating to Judicial Reviews disposed

	Granted	Withdrawn/Refused/ Dismissed	Other	Total
Application for leave to apply for judicial review	26	28	17	71
Application for judicial review	3	4	4	11

Table 20: Time intervals in weeks for applications relating to Judicial Reviews⁴

	Application for leave to apply for judicial review	Application for judicial review
Issue to first listing	20	16
First listing to disposal	6	32
Issue to disposal	26	48

Probate

Table 21: Probate grants issued in non-contentious proceedings

	Probate		Northern Ireland
	By solicitor	Personal	
Grant of administration	4	0	4
Letters of administration with will annexed	75	1	76
Letters of administration with will annexed (DBN)	6	0	6
Letters of administration	292	53	345
Grant of probate	1,192	122	1,314
Letters of administration (DBN)	5	2	7
Total grants issued	1,574	178	1,752

⁴ 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	14
Child Abduction Originating Summons	5
Freeing Order Application	4
Originating Summons (General)	2
Human Fertilisation Originating Summons	1
Interlocutory Application	1
Wardship Originating Summons	6
Total	33

Table 23: Adoption cases and applications disposed

	High Court Judge	Master	Total
Adoption Order Application	11	0	11
Child Abduction Originating Summons	3	0	3
Freeing Order Application	2	0	2
Freeing Order Application	2	0	2
Human Fertilisation Originating Summons	1	0	1
Wardship Originating Summons	1	3	4
Total	20	3	23

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

App For Occup/Non Mol	4
Exparte App For Occup/Non Mol	4
App To Extend/Discharge/Vary Occup/Non Mol	2
Total	10

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

	High Court Judge	Master	Total
App For Occup/Non Mol	3	5	8
Exparte App For Occup/Non Mol	0	2	2
Total	3	7	10

Table 26: Time intervals in weeks for Adoption and Family homes & domestic violence cases and applications⁴

	Adoption	Family Homes And Domestic Violence
Issue to first listing	18	2
First listing to disposal	14	16
Issue to disposal	32	18

Matrimonial

Table 27: Divorce petitions received

		Filed by		Total
		Wife	Husband	
Divorce Petition	2 years with consent	103	91	194
	5 years separation	95	77	172
	Adultery	10	2	12
	Unreasonable behaviour	92	28	120
	Combination of grounds/other	47	20	67
Total		347	218	565

Table 28: Divorce petitions by number of decrees granted

		Found by			Total
		Wife	Husband	Both	
Decree Nisi	2 years with consent	50	28	0	78
	5 years separation	27	13	0	40
	Adultery	3	1	0	4
	Unreasonable behaviour	52	7	0	59
	Combination of grounds/other	37	25	11	73
Nullity	Combination of grounds/other	3	0	0	3
Judicial Separation	2 years with consent	0	1	0	1
	5 years separation	1	0	0	1
Total		173	75	11	259

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

Table 29: Divorce petitions by number of decrees absolute issued

		Found by			Total
		Wife	Husband	Both	
Divorce Petition	2 years with consent	34	22	0	56
	5 years separation	24	15	0	39
	Adultery	5	0	0	5
	Unreasonable behaviour	34	10	0	44
	Combination of grounds/other	43	18	11	72
Total		140	65	11	216

Table 30: Matrimonial applications received

Application	Ancillary relief	133
	Matrimonial application	130
	Other	6
Total		269

Table 31: Matrimonial applications disposed

		Judge	Master	Total
Application	Ancillary relief	1	129	130
	Matrimonial application	5	113	118
Total		6	242	248

Table 32: Time intervals in weeks for divorce petitions⁴

	Divorce Petition
Issue to first listing	39
First listing to date decree granted	1
Issue to date decree granted	40
Date decree granted to date absolute issued	9

Table 33: Time intervals in weeks for divorce applications⁴

	Ancillary relief	Other
Issue to first listing	12	5
First listing to disposal	47	3
Issue to disposal	60	8

⁴ 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	360
Bail pending appeal to county court	11
Compassionate bail application	9
Bail variation	66
Total	446

Table 35: Number of bail applications disposed in chambers

	Granted	Other	Total
Bail application	1	0	1
Compassionate bail application	1	0	1
Bail variation	26	2	28
Total	28	2	30

Table 36: Number of bail applications disposed of in court

	Granted	Refused	Other	Total
Bail application	152	113	25	290
Bail pending appeal to county court	4	4	2	10
Compassionate bail application	4	2	0	6
Bail variation	25	5	0	35
Total	185	124	27	336

Patients

Table 37: Patients workload figures

New referrals ¹⁰	459
EPA applications received	290
Orders issued	360
Certificates issued	1,419
Reviews completed	361
Visits	19

Official Solicitor's Office

Table 38: Official Solicitor Statistics

Correspondence received	1,348
New Referrals	28
Cases referred for a specific issue ¹¹	279
OS appointed Controller Ad interim	5
Certificates drafted	285
OS appointed Full Controller	2

¹⁰ The figure for 'New Referrals' includes all new cases, including applications to register EPA detailed separately in the line below.

¹¹ 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 in future quarters.

Sitting days and total sitting times

Table 39: High Court sitting days

Children Order	65
Other Family	20
Appeals	5
Queen's Bench	124
Chancery	68
Bails	102
Crown	49
Judicial Reviews	57
Criminal Appeals	23
Civil Appeals	48
Total	561

Table 40: High Court total sitting times

Children Order	Sum	106:39:00
Other family	Sum	32:25:00
Appeals	Sum	02:45:00
QueensBench	Sum	219:56:00
Chancery	Sum	207:14:00
Bails	Sum	139:00:00
Callover	Sum	00:00:00
Crown	Sum	92:26:00
Judicial reviews	Sum	78:53:00
Criminal appeals	Sum	30:36:00
Civil appeals	Sum	52:59:00
Sum		962:53:00

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 or 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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