

Analytical Services Group

High Court Bulletin

April to June 2020

Research and Statistical Bulletin
Quarterly provisional figures

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

EXECUTIVE SUMMARY

- ***This report covers data from April to June 2020, so court activity during this period has been severely affected by the COVID-19 pandemic. Figures published show that although courts continue to carry out urgent business and make more use of remote audio and video technology, the impact of COVID-19 is clear to see. It is expected that the limited operation of the courts during the COVID-19 pandemic will continue to have an impact on many of the published figures in this and future releases.***
- This bulletin provides information on throughput at the High Court in Northern Ireland during the period April to June 2020 and commentary on trends observed for this quarter in each year from 2007. During the period April to June 2020:
- The Chancery division received 77 cases in this quarter, the total number of Chancery cases, Bankruptcy cases and Companies cases. This is a 93% decrease on the same quarter last year (1,099). 103 cases were disposed of in the Chancery division during April to June 2020, a decrease of 85% on the number disposed during the same period in 2019 (686).
- 643 writs and originating summons were received during the period April to June 2020. This is a 25% decrease from the 855 received during the same period in 2019. 223 writs and originating summons were disposed during the quarter, a decrease of 71% from 777 disposed in the same period in 2019.
- During the quarter, there were 68 applications for leave to apply for Judicial Review, 17 applications for Judicial Review and 0 ancillary applications received. Comparable figures were 83, 21 and 2 respectively for the same period in 2019.
- There were 11 adoption cases and applications received and 10 adoption cases and applications disposed of during April to June 2020. The corresponding figures for the same quarter in the previous year were 26 receipts and 18 disposals.
- 303 divorce petitions were received, a 53% decrease from the 642 received during the same period in 2019. A total of 24 decrees were granted in the High Court during April to June 2020, an 88% decrease on the 197 granted during the same period last year.
- During the quarter there were 175 sitting days, a 68% decrease on the same quarter last year (555). The highest proportion of time was spent on Chancery business (57%).

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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 be 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 current calendar year, 2020, 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 third quarter of 2020 and will be published on 13th of November 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 2020 edition of Judicial Statistics (published on the 25th June 2021).

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>

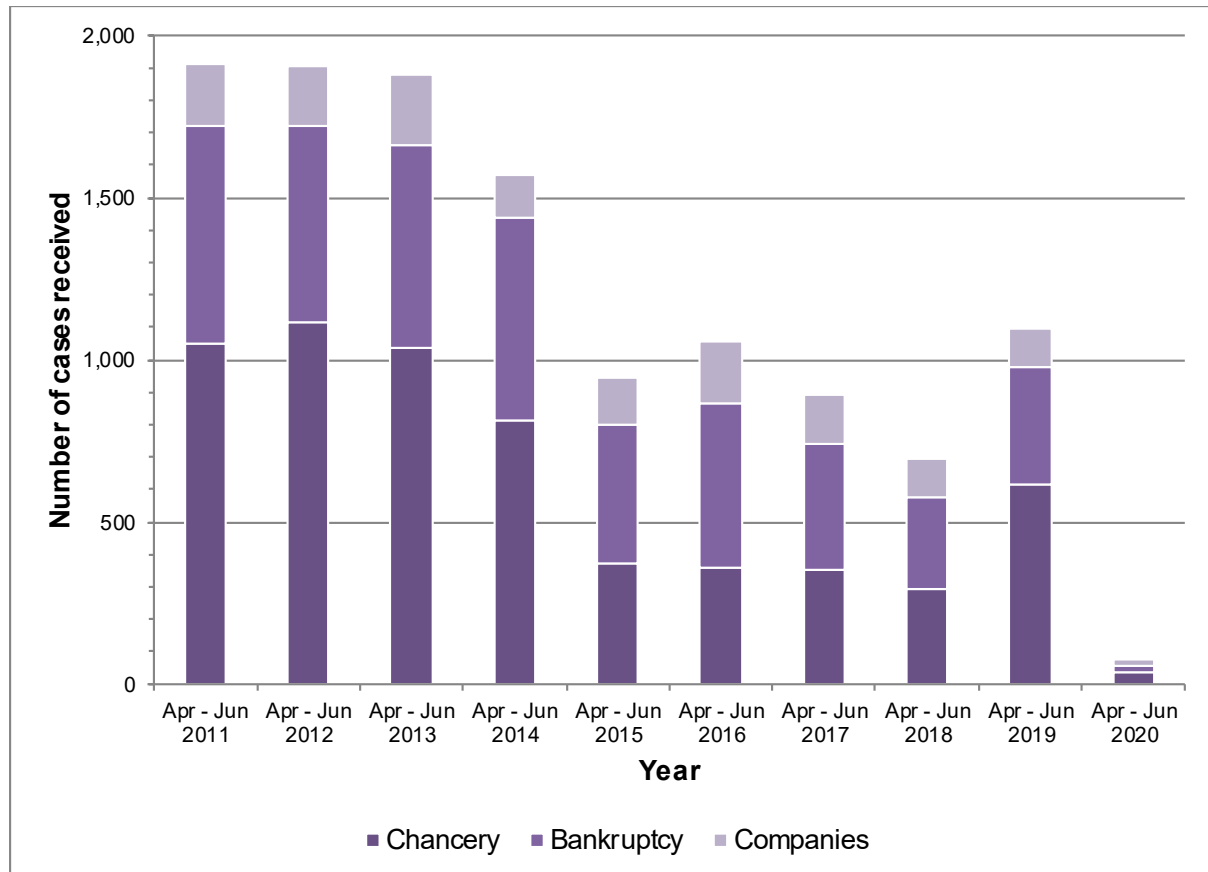
² Department of Justice, 2017. *Policy Papers* [online] Available at: <https://www.justice-ni.gov.uk/publications/type/policypapers>

3. FINDINGS

3.1 Chancery

There were 77 cases received into the Chancery division during the quarter April to June 2020, a 93% decrease on the same quarter last year (1,099). In total, 49% were chancery cases, 27% were bankruptcy cases and 23% were companies' cases (Figure 1).

Figure 1: Chancery cases received: April to June 2011 to April to June 2020

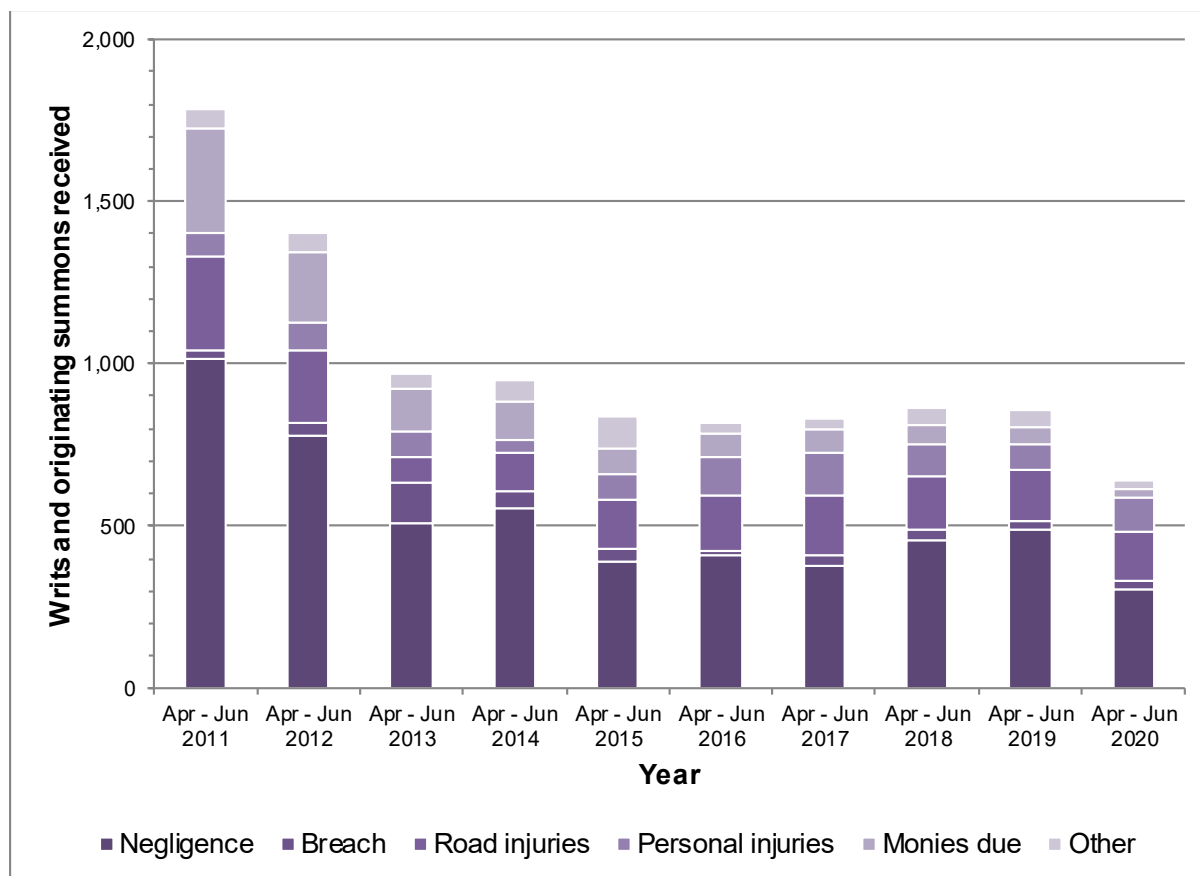


In total, 103 cases were disposed of in the Chancery division during the quarter, a decrease of 85% on the number disposed during the same period in 2019 (686).

3.2 Queen's Bench

There were 643 writs and originating summons received during the period April to June 2020, a 25% decrease on the 855 received during the same period in 2019 (Figure 2). The decreasing number of cases received from 2013 to 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 2011 to April to June 2020



223 writs and originating summons were disposed during the quarter, a decrease of 71% from 777 disposed in the same period in 2019.

There were 15 removals and remittals applications dealt with during April to June 2020. This is a decrease of 79% from the 72 dealt with in the same period in 2019.

3.3 Judicial Reviews

During April to June 2020, there were 68 applications for leave to apply for Judicial Review, 17 applications for Judicial Review and no ancillary applications received. Comparable figures were 83, 21 and 2 respectively for the same period in 2019.

The number of applications for Judicial Review disposed of during April to June quarter had decreased over the several previous April to June quarters until increasing in the previous year's April to June quarter, but the current figure of five is a decrease in the number of cases disposed in the April to June quarter (Figure 3).

Figure 3: Applications for Judicial Review disposed: April to June 2011 to April to June 2020



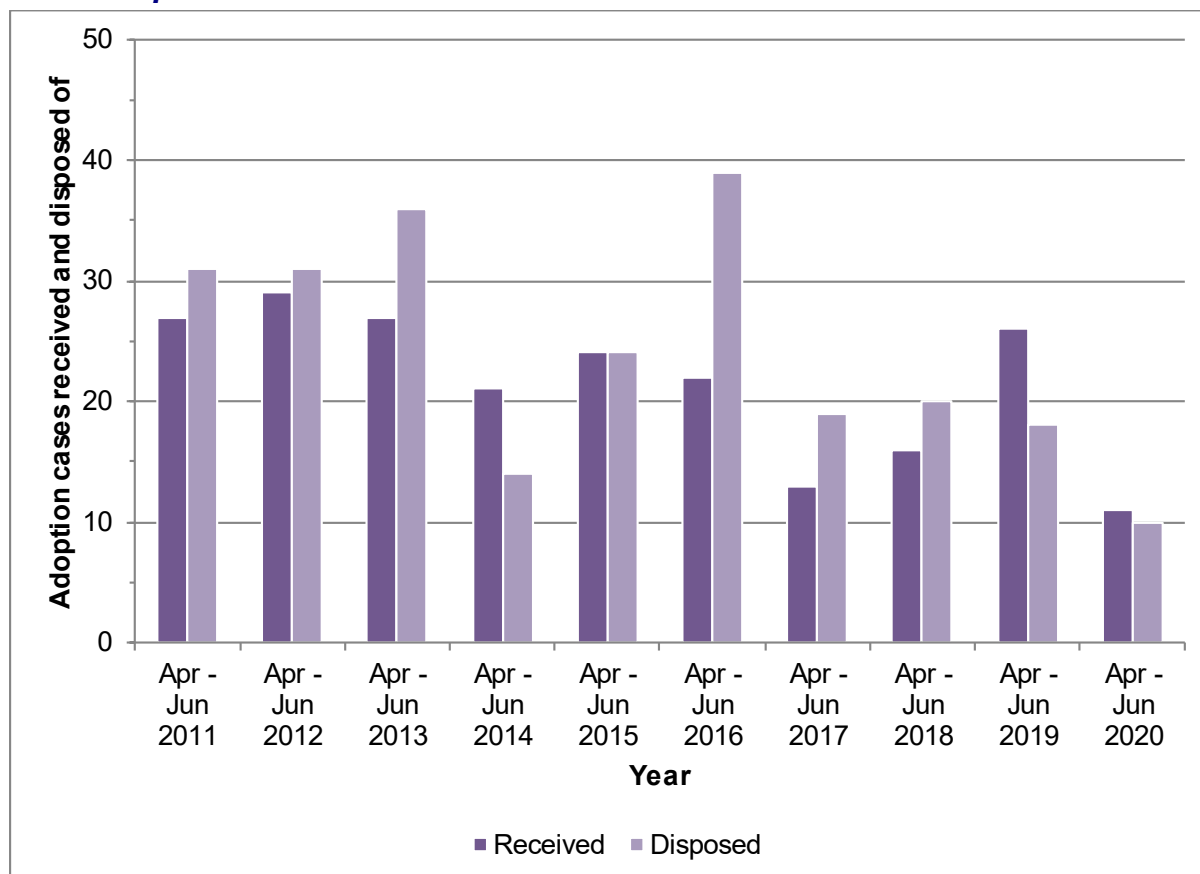
3.4 Probate

There were 507 grants issued in the probate office during the period, a decrease of 70% from the 1,663 issued in the same period in 2019.

3.5 Wardship and Adoption

There were 11 adoption cases and applications received and 10 adoption cases and applications disposed of during April to June 2020. The corresponding figures for the same quarter in the previous year were 26 receipts and 18 disposals (Figure 4).

Figure 4: Adoption cases and applications received and disposed: April to June 2011 to April to June 2020



The average time taken in weeks from issue to disposal for an adoption case/application was 21 weeks, the same length of time during the same period last year.

3.6 Matrimonial

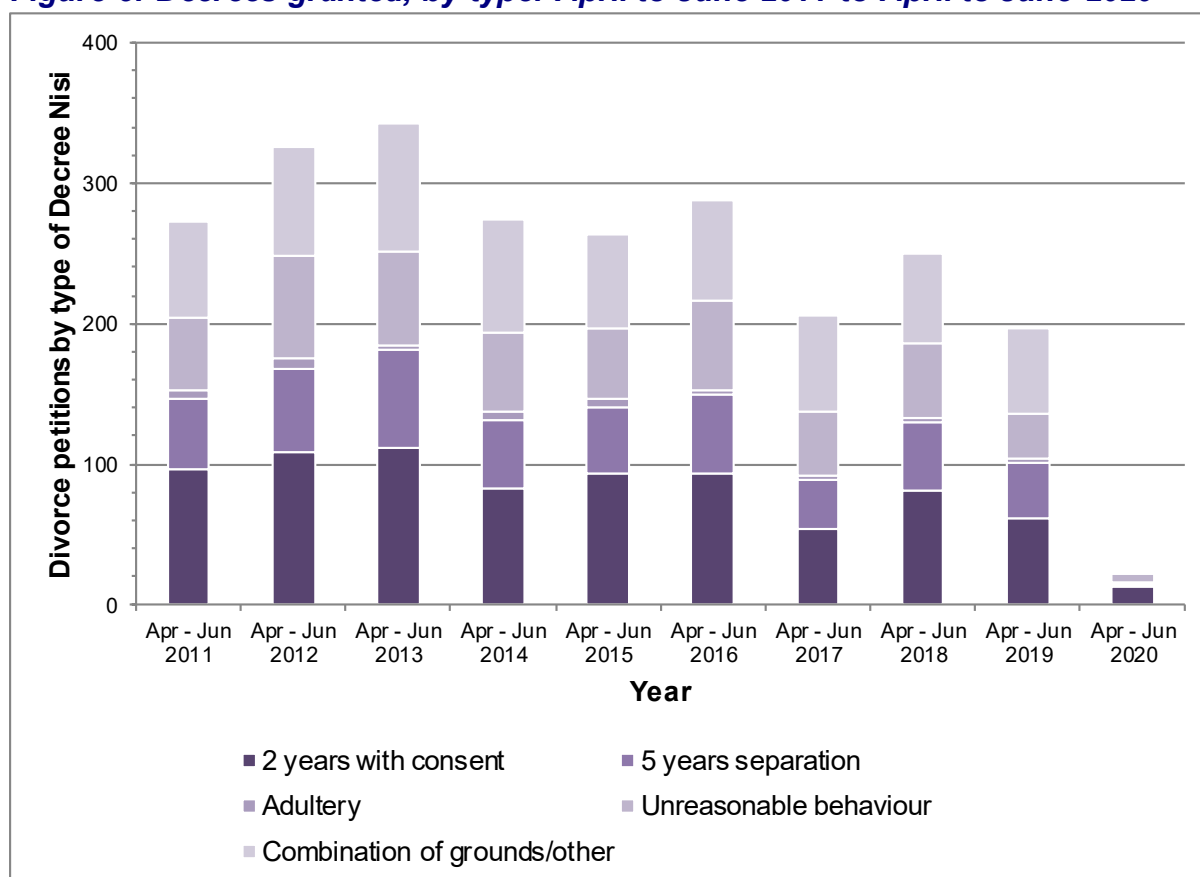
During the period April to June 2020, there were 303 divorce petitions lodged in the High Court, of which 189 (62%) were lodged by the wife. Comparable figures were 642 and 393 (61%) respectively for the same period in 2019.

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

24 decrees were granted in the High Court in April to June 2020, a decrease of 88% on the 197 decrees granted during the same period in 2019 (Figure 5).

The main type of decree granted in April to June 2020 was ‘2 years with consent’, accounting for 54% of cases (13), followed by ‘Unreasonable behaviour’, representing 25% of cases (6) (Figure 5).

Figure 5: Decrees granted, by type: April to June 2011 to April to June 2020



A total of 95 decrees absolute were issued during the quarter, a decrease of 59% on the 231 granted during the same period last year. The most common type of decree absolute issued during April to June 2020 was ‘Combination of grounds/ other’, accounting for 36% of cases (34), followed by ‘Unreasonable behaviour’, accounting for 26% of cases (25).

The average time taken from the issue of a divorce petition to the date the decree was granted was 42 weeks. This compares to 50 weeks during the same period last year.

3.7 Patients

There were 258 new referrals in the Patients section during the quarter April to June 2020, a decrease of 47% compared to the 487 received during the same quarter in 2019.

3.8 Official Solicitor's

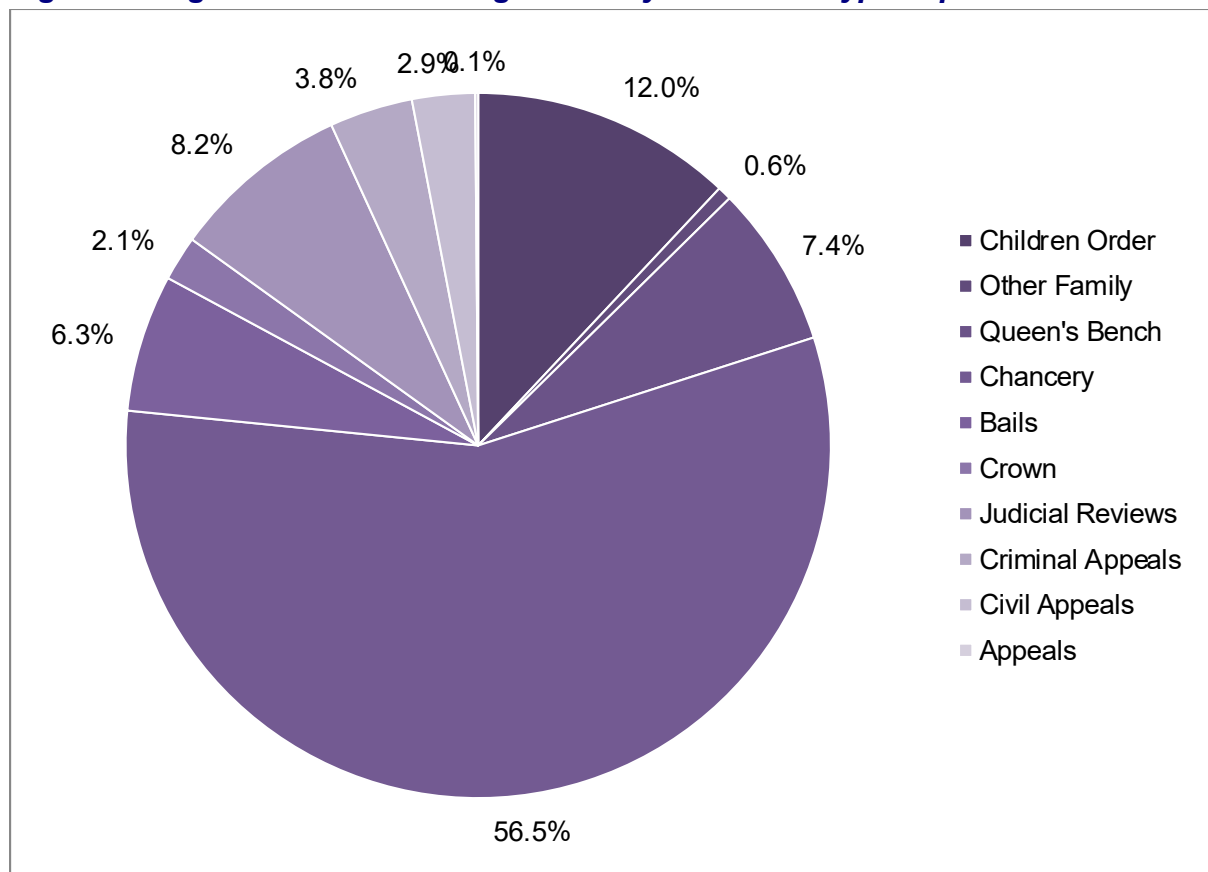
The Official Solicitor's Office was unable to provide a full response to the request for data for the April to June 2020 period and so no figures for this period have been included in the bulletin.

3.9 Sitting Days

There were a total of 175 sitting days in the High Court during the quarter April to June 2020, a 68% decrease on the same quarter last year (555).

The highest percentage of time was spent on Chancery business (57%). 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 2020



APPENDIX 1 - TABLES

Chancery

Table 1: Chancery cases and applications received

Case	Mortgages	3
	Other land and property	3
	Other	32
	Total	38
Application	Summons	12
	Notice of motion	4
	Exparte application	7
	Injunction	5
	Transfer to Commercial List	1
	Total	29

Table 2: Chancery cases and applications disposed

		High Court Judge	Master	Total
Case	Mortgages	1	1	2
	Other land and property	1	0	1
	Trade and business	1	0	1
	Other	6	1	7
	Total	9	2	11
Application	Notice of appointment	0	1	1
	Summons	3	3	6
	Exparte application	1	6	7
	Injunction	1	0	1
	Total	5	10	15

Table 3: Bankruptcy cases and applications received

Case	Petition by another person	1
	Originating application	17
	Other	3
	Total	21
Application	Ordinary application	21
	Certificate of automatic discharge	6
	Total	27

Table 4: Bankruptcy cases and applications disposed

		Master	Office disposal	Total
Case	Petition by another person	13	20	33
	Petition by debtor	6	1	7
	Other petition	4	0	4
	Originating application	7	0	7
	Other	3	0	3
	Total	33	21	54
Application	Ordinary application	27	0	27
	Certificate of automatic discharge	2	3	5
	Total	29	3	32

Table 5: Companies cases and applications received

Case	Originating summons	2
	Other	16
	Total	18
Application	Notice of motion	1
	Total	1

Table 6: Companies cases and applications disposed

		High Court Judge	Master	Total
Case	Winding up petition	2	14	16
	Other petitions	0	2	2
	Originating summons	3	3	6
	Other	3	11	14
	Total	8	30	38
Application	Notice of motion	0	1	1
	Total	0	1	1

Table 7: Time intervals in weeks for the Chancery Division⁴

	Chancery		Bankruptcy		Companies	
	Case	Application	Case	Application	Case	Application
Issue to first listing	149	4	13	3	9	1
First listing to disposal	48	8	27	11	6	0
Issue to disposal	197	12	40	14	15	1

Queen's Bench

Table 8: Queen's Bench cases and applications received

Writs and originating summons	Negligence	302
	Breach	31
	Road injuries	148
	Personal injuries	107
	Monies due	23
	Other	32
	Total	643
Miscellaneous	Foreign judgement	6
	Other	6
	Total	12
Applications	Summons/interlocutory applications	81
	Remittals and removals	15
	Exparte applications	27
	Other	33
	Total	156

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	302	0	0	0	0	302
Breach	31	0	0	0	0	31
Road injuries	148	0	0	0	0	148
Personal injuries	107	0	0	0	0	107
Monies due	15	0	2	2	4	23
Other	32	0	0	0	0	32
Total	635	0	2	2	4	643

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

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	66	0	0	1	0	67
Breach	2	0	0	1	0	3
Road injuries	35	0	0	0	0	35
Personal injuries	17	0	0	0	0	17
Other	3	0	0	0	0	3
Total	123	0	0	2	0	125

Table 11: Queen's Bench cases and applications disposed⁶

		High Court Judge	Master	Office disposal	Total
Writs and originating summons	Negligence	78	9	40	127
	Breach	5	0	4	9
	Road injuries	12	3	27	42
	Personal injuries	8	8	10	26
	Monies due	5		1	6
	Other	6	2	5	13
	Total	114	22	87	223
Miscellaneous	Other	4	0	0	4
	Total	4	0	0	4
Applications	Summons/interlocutory applications	11	27	1	39
	Remittals and removals	0	8	0	8
	Exparte applications	2	17	0	19
	Other	13	6	0	19
	Total	26	58	1	85

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	56	6	5	5	6	78
	Breach	4	0	0	1	0	5
	Road injuries	3	0	3	5	1	12
	Personal injuries	6	0	1	1	0	8
	Monies due	5	0	0	0	0	5
	Other	5	0	1	0	0	6
Master	Negligence	9	0	0	0	0	9
	Road injuries	3	0	0	0	0	3
	Personal injuries	8	0	0	0	0	8
	Other	2	0	0	0	0	2
Total		101	6	10	12	7	136

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	101	-	-
Issue to first listing	101	1	3
First listing to disposal	49	0	6
Issue to disposal	150	1	10

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

Negligence	1
Breach	1
Monies due	2
Other	1
Total	5

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

Negligence	1
Monies due	1
Total	2

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 16: Queen's Bench commercial actions disposed

	High Court Judge	Office disposal	Total
Negligence	1	0	1
Breach	1	0	1
Monies due	1	1	2
Total	3	1	4

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

	Commercial actions
Received to Entry to commercial list	31
Entry to commercial list to first listing	25
First listing to disposal	49
Received to disposal	105

Judicial Reviews

Table 18: Applications relating to Judicial Reviews received

Application for leave to apply for judicial review	68
Application for judicial review	17

Table 19: Applications relating to Judicial Reviews disposed

	Granted	Withdrawn/Refused/ Dismissed	Other	Total
Application for leave to apply for judicial review	12	7	4	23
Application for judicial review	0	3	2	5

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	15	15
First listing to disposal	3	29
Issue to disposal	18	45

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

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

Probate

Table 21: Probate grants issued in non-contentious proceedings

	Probate		Northern Ireland
	By solicitor	Personal	
Letters of administration with will annexed	24	0	24
Letters of administration	84	2	86
Grant of probate	394	1	395
Letters of administration (DBN)	2	0	2
Total grants issued	504	3	507

Wardship and adoption

Table 22: Adoption cases and applications received

Adoption Order Application	2
Child Abduction Originating Summons	2
Freeing Order Application	4
Wardship Originating Summons	3
Total	11

Table 23: Adoption cases and applications disposed

	High Court Judge	Master	Total
Adoption Order Application	6	0	6
Human Fertilisation Originating Summons	1	0	1
Wardship Originating Summons	2	1	3
Total	2	1	10

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

App For Occup/Non Mol	2
Exparte App For Occup/Non Mol	3
Article 23 ex-parte non-molestation and occupation	1
Total	6

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

	Master	Total
Exparte App For Occup/Non Mol	1	1
Total	1	1

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	0
First listing to disposal	2	10
Issue to disposal	21	10

Matrimonial

Table 27: Divorce petitions received

		Filed by		Total
		Wife	Husband	
Divorce Petition	2 years with consent	66	49	115
	5 years separation	33	42	75
	Adultery	6	3	9
	Unreasonable behaviour	57	14	71
	Combination of grounds/other	27	6	33
Total		189	114	303

Table 28: Divorce petitions by number of decrees granted

		Found by		Total
		Wife	Husband	
Decree Nisi	2 years with consent	9	4	13
	5 years separation	1	0	1
	Adultery	2	0	2
	Unreasonable behaviour	4	2	6
	Combination of grounds/other	1	1	2
Total		17	7	24

Table 29: Divorce petitions by number of decrees absolute issued

		Found by			Total
		Wife	Husband	Both	
Divorce Petition	2 years with consent	12	8	0	20
	5 years separation	10	5	0	15
	Adultery	1	0	0	1
	Unreasonable behaviour	23	2	0	25
	Combination of grounds/other	14	13	7	34
Total		60	28	7	95

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

Table 30: Matrimonial applications received

Application	Combination of grounds/other	1
	Ancillary relief	39
	Matrimonial application	44
	Other	4
Total		88

Table 31: Matrimonial applications disposed

		Judge	Master	Total
Application	Combination of grounds/other	1	0	1
	Ancillary relief	0	16	16
	Matrimonial application	1	15	16
Total		2	31	33

Table 32: Time intervals in weeks for divorce petitions⁴

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

Table 33: Time intervals in weeks for divorce applications⁴

	Combination of grounds/other	Ancillary relief	Matrimonial application
Issue to first listing	0	8	7
First listing to disposal	1	54	7
Issue to disposal	1	62	14

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	312
Bail pending appeal to county court	2
Compassionate bail application	7
Application to revoke bail	1
Bail variation	69
Total	391

Table 35: Number of bail applications disposed in chambers

	Granted	Refused	Other	Adjourned	Total
Bail application	59	156	6	4	225
Bail pending appeal to county court	0	1	1	0	2
Compassionate bail application	0	3	0	0	3
Bail variation	28	26	1	0	55
Total	87	186	8	4	285

Table 36: Number of bail applications disposed of in court

	Granted	Refused	Other	Total
Bail application	10	13	4	27
Compassionate bail application	0	2	0	2
Bail variation	0	2	0	2
Total	10	17	4	31

Patients

Table 37: Patients workload figures

New referrals ¹⁰	258
EPA applications received	108
Orders issued	157
Certificates issued	688
Reviews completed	271
Visits	0

Official Solicitor's Office

Table 38: Official Solicitor Statistics¹¹

Correspondence received	
New Referrals ¹²	
Cases referred for a specific issue	
OS appointed Controller Ad interim	
Certificates drafted	
OS appointed Full Controller	

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

¹¹ Figures for this period were not available at the time of publication due to COVID-19 related staff absences.

¹² 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	26
Other Family	1
Appeals	1
Queen's Bench	14
Chancery	59
Bails	25
Crown	6
Judicial Reviews	16
Criminal Appeals	17
Civil Appeals	10
Total	175

Table 40: High Court total sitting times

Children Order	Sum	43:42:00
Other family	Sum	2:20:00
Appeals	Sum	0:30:00
QueensBench	Sum	27:01:00
Chancery	Sum	206:02:00
Bails	Sum	22:57:00
Callover	Sum	0:00:00
Crown	Sum	7:29:00
Judicial reviews	Sum	30:00:00
Criminal appeals	Sum	13:55:00
Civil appeals	Sum	10:30:00
Sum		364:26:00

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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