



Department of
Justice

www.justice-ni.gov.uk

Analytical Services Group

High Court Bulletin

January to March 2017

Research and Statistical Bulletin 13/2017

Quarterly provisional figures

A Mallon

12 May 2017

Produced by Analytical Services Group,
Department of Justice.

For further information write to:

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

Telephone: 028 9072 8928

Email: ann.mallon@courtsni.gov.uk

This bulletin is available on the Internet at:

www.courtsni.gov.uk

EXECUTIVE SUMMARY

- This bulletin provides information on throughput at the High Court in Northern Ireland during the period January to March 2017 and commentary on trends observed for this quarter in each year from 2007. During the period January to March 2017:
- 886 cases were received into the Chancery division, a 12% decrease on the same quarter last year (1,005), and the lowest number received during the January to March quarter since the time series began in 2007. 800 cases were disposed of in the Chancery division during January to March 2017, a decrease of 4% on the number disposed during the same period in 2016 (832).
- 871 writs and originating summons were received during the period January to March 2017. While this is a 25% increase on the 698 received during the same period in 2016, it represented the third lowest number received during the January to March quarter since the beginning of the time series in 2007, a likely consequence of the increase in the lower limit for writs from £15,000 to £30,000 implemented in February 2013. 701 writs and originating summons were disposed during the quarter, a decrease of 32% from 1,030 disposed in the same period in 2016.
- During the quarter, there were 73 applications for leave to apply for Judicial Review, 27 applications for Judicial Review and 1 ancillary application received. Comparable figures were 80, 22 and 0 respectively for the same period in 2016.
- There were 21 adoption cases and applications received and 12 adoption cases and applications disposed of during January to March 2017. The corresponding figures for the same quarter in the previous year were also 21 receipts and 12 disposals.
- 570 divorce petitions were received, an 11% decrease from the 641 received during the same period in 2016. A total of 444 decrees were granted in the High Court during January to March 2017, a twofold increase on the 207 granted during the same period last year.
- During the quarter there were 580 sitting days, an 8% increase on the same quarter last year (535). The highest proportion of time was spent on Queen's Bench business (23%).

CONTENTS

Contents	Page
1. Introduction	1
2. Methodology	6
3. Findings	8
3.1 Chancery	
3.2 Queen's Bench	
3.3 Judicial Reviews	
3.4 Probate	
3.5 Wardship and adoption	
3.6 Matrimonial	
3.7 Patients	
3.8 Official Solicitors	
3.9 Sitting Days	
Appendix 1 – Tables	14
Appendix 2 – Explanatory Notes	29

Figure	Page
Figure 1: Chancery cases received: January to March 2007 to January to March 2017	8
Figure 2: Queen's Bench cases received: January to March 2007 to January to March 2017	9
Figure 3: Applications for Judicial Review disposed: January to March 2007 to January to March 2017	10
Figure 4: Adoption cases and applications received and disposed: January to March 2007 to January to March 2017	11
Figure 5: Decrees granted, by type: January to March 2007 to January to March 2017	12
Figure 6: High Court Total Sitting Times by Business Type: January to March 2017	13

Table	Page
Table 1: Chancery cases and applications received	14
Table 2: Chancery cases set-down	14
Table 3: Chancery cases and applications disposed	14
Table 4: Bankruptcy cases and applications received	15
Table 5: Bankruptcy cases and applications disposed	15
Table 6: Companies cases and applications received	16
Table 7: Companies cases and applications disposed	16
Table 8: Time intervals in weeks for the Chancery Division	16
Table 9: Queen's Bench cases and applications received	17
Table 10: Queen's Bench writs and originating summons received by amount claimed	17

<u>Table 11: Queen's Bench writs and originating summons set-down by amount claimed</u>	18
<u>Table 12: Queen's Bench cases and applications disposed</u>	18
<u>Table 13: Queen's Bench writs and originating summons disposed of by amount</u>	19
<u>Table 14: Time intervals in weeks for Queen's Bench cases and applications</u>	19
<u>Table 15: Queen's Bench cases received into commercial list</u>	19
<u>Table 16: Queen's Bench commercial actions set-down</u>	20
<u>Table 17: Queen's Bench commercial actions disposed</u>	20
<u>Table 18: Time intervals in weeks for Queen's Bench commercial actions</u>	20
<u>Table 19: Applications relating to Judicial Reviews received</u>	21
<u>Table 20: Applications relating to Judicial Reviews disposed</u>	21
<u>Table 21: Time intervals in weeks for applications relating to Judicial Reviews</u>	21
<u>Table 22: Probate grants issued in non-contentious proceedings</u>	22
<u>Table 23: Adoption cases and applications received</u>	22
<u>Table 24: Adoption cases and applications disposed</u>	22
<u>Table 25: Family homes and domestic violence cases and applications received</u>	23
<u>Table 26: Family homes and domestic violence cases and applications disposed</u>	23
<u>Table 27: Time intervals in weeks for Adoption and Family homes and domestic violence cases and applications</u>	23
<u>Table 28: Divorce petitions received</u>	24
<u>Table 29: Divorce petitions by number of decrees granted</u>	24
<u>Table 30: Divorce petitions by number of decrees absolute issued</u>	24
<u>Table 31: Matrimonial applications received</u>	25
<u>Table 32: Matrimonial applications disposed</u>	25
<u>Table 33: Time intervals in weeks for divorce petitions</u>	25
<u>Table 34: Time intervals in weeks for divorce applications</u>	25
<u>Table 35: Number of bail applications received</u>	26
<u>Table 36: Number of bail applications disposed in chambers</u>	26
<u>Table 37: Number of bail applications disposed of in court</u>	26
<u>Table 38: Patients workload figures</u>	27
<u>Table 39: Official Solicitor Statistics</u>	27
<u>Table 40: High Court sitting days</u>	28
<u>Table 41: High Court total sitting times</u>	28

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 you cannot repay the debts that you owe, you may be made bankrupt. The most common situations in which you can be made bankrupt are at the request of someone to whom you owe money (a creditors petition) and at your own request (a debtor's petition).

Companies Office

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

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

Probate Office

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

Queen's Bench Division

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

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

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

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

Writ Office

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

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

Commercial Office

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

Judicial Reviews Office

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

Bail Office

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

Family Division

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

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

The Matrimonial Office

The Matrimonial Office deals with the following: -

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

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

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

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

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

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

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

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

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

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

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

There are 3 main steps to ending a civil partnership:

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

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

The principal business assigned to this Office is: -

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

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

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

of applications are relatively small in the High Court, and are usually dealt with at this court tier, as they are linked to other proceedings being held in the High Court.

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

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

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

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

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

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

The Official Solicitors Office

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

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

2. METHODOLOGY

2.1 Data sources

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

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

2.2 Methodology for generating data

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

2.3 Baseline and Time period

Data contained within this bulletin relate to the time series 2007, when ICOS was adopted as the source for official government statistics, to the current calendar year 2016.

2.4 Frequency of Publication

This bulletin is published on a quarterly basis. The next bulletin will cover the second quarter of 2017 and will be published on 11th August 2017.

2.5 Data quality and validation

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

download. The validation program produces user friendly tables highlighting the potential problems which are circulated to the High Court as a validation report.

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

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

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

2.6 Counting rules

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

2.7 Interpreting trends

Due to on-going changes to the legal jurisdiction of the county court, users should be cautious of comparing trends in Queen's Bench writs. Changes to jurisdiction to increase the upper limit of ordinary civil bills from 21st February 2013 (from £15,000 to £30,000) will have resulted in some cases that were previously High Court writs becoming ordinary civil bills. For further advice on differences in data between years, please contact the statistician responsible for this bulletin.

2.7 Revisions

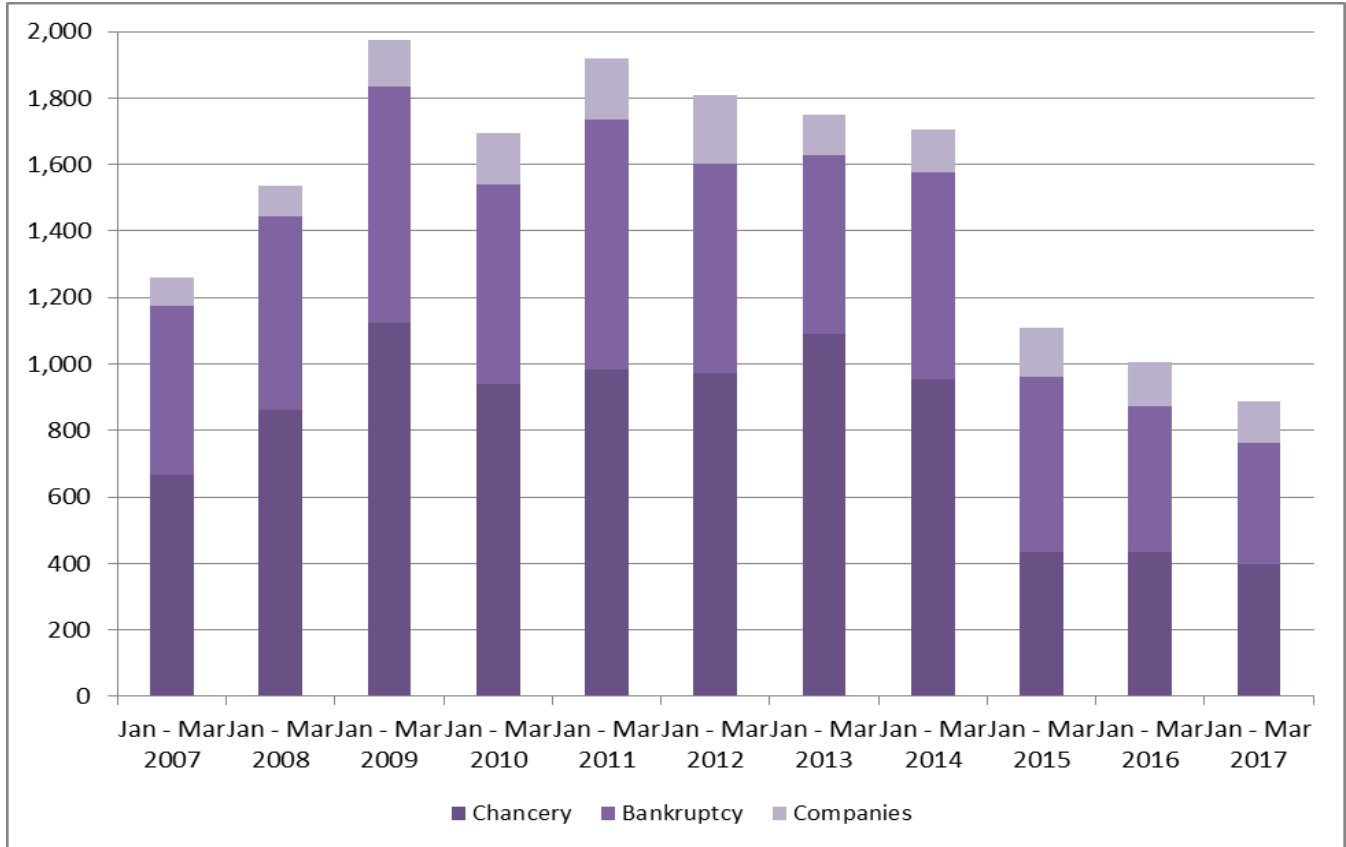
Any revision to data will be applied in light of the ASG (NICTS) Statistical Note 'Policy Statement on Revisions' which can be found on the Statistics and Research page of the Services section on the NICTS website (www.courtsni.gov.uk). Incorrect figures or changes to this publication will be published on the web in a formal Statistical Notice.

3. FINDINGS

3.1 Chancery

There were 886 cases received into the Chancery division during the quarter January to March 2017, a 12% decrease on the same quarter last year (1,005). In total 45% were chancery cases, 41% were bankruptcy cases and 14% were companies' cases. This is the lowest number of chancery cases received since the time series began in 2007 (Figure 1).

Figure 1: Chancery cases received: January to March 2007 to January to March 2017

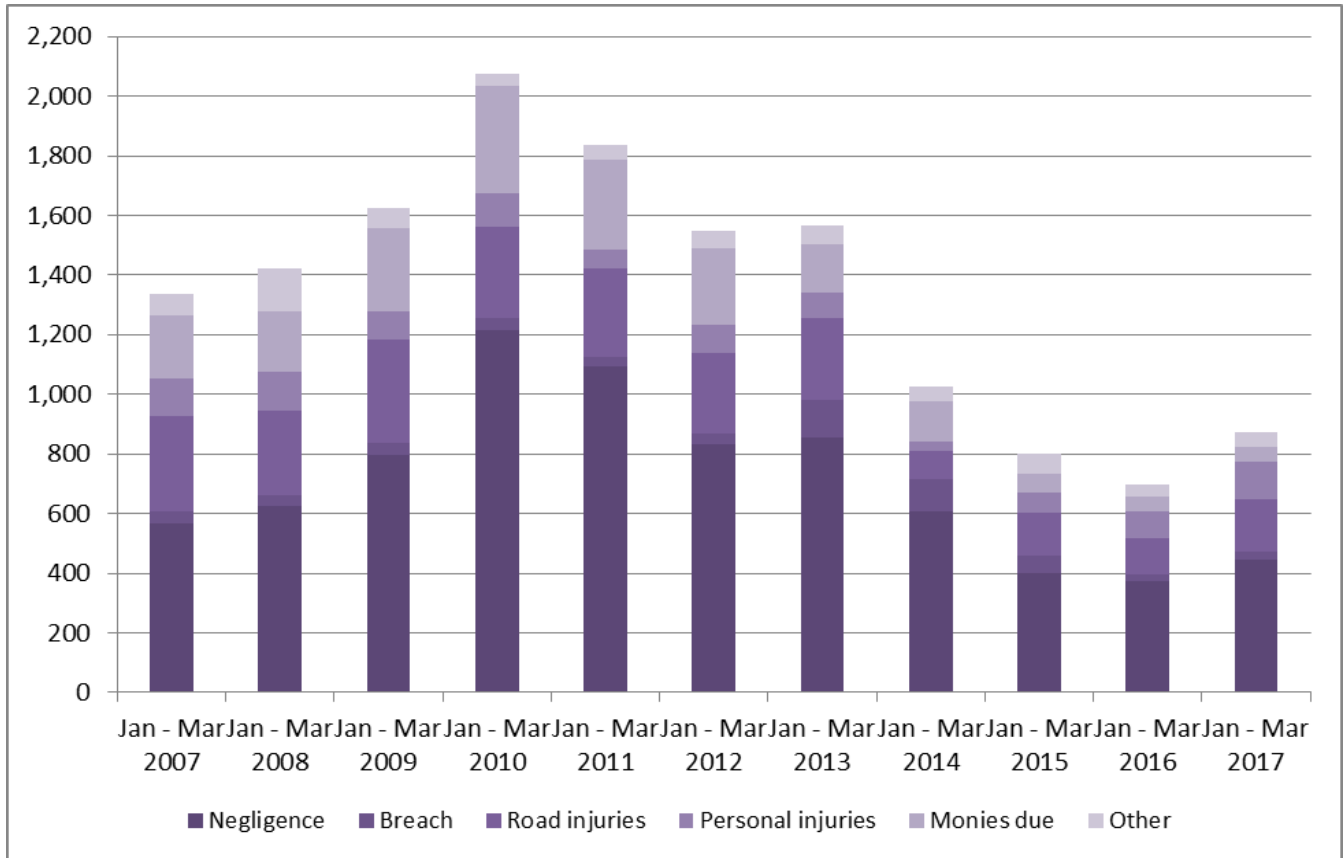


In total, 800 cases were disposed of in the Chancery division during the quarter, a decrease of 4% on the number disposed during the same period in 2016 (832).

3.2 Queen’s Bench

There were 871 writs and originating summons received during the period January to March 2017. While this is a 25% increase on the 698 received during the same period in 2016, it is the third lowest number received during the January to March quarter since 2007 (Figure 2). This 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: January to March 2007 to January to March 2017



701 writs and originating summons were disposed during the quarter, a decrease of 32% from 1,030 disposed in the same period in 2016.

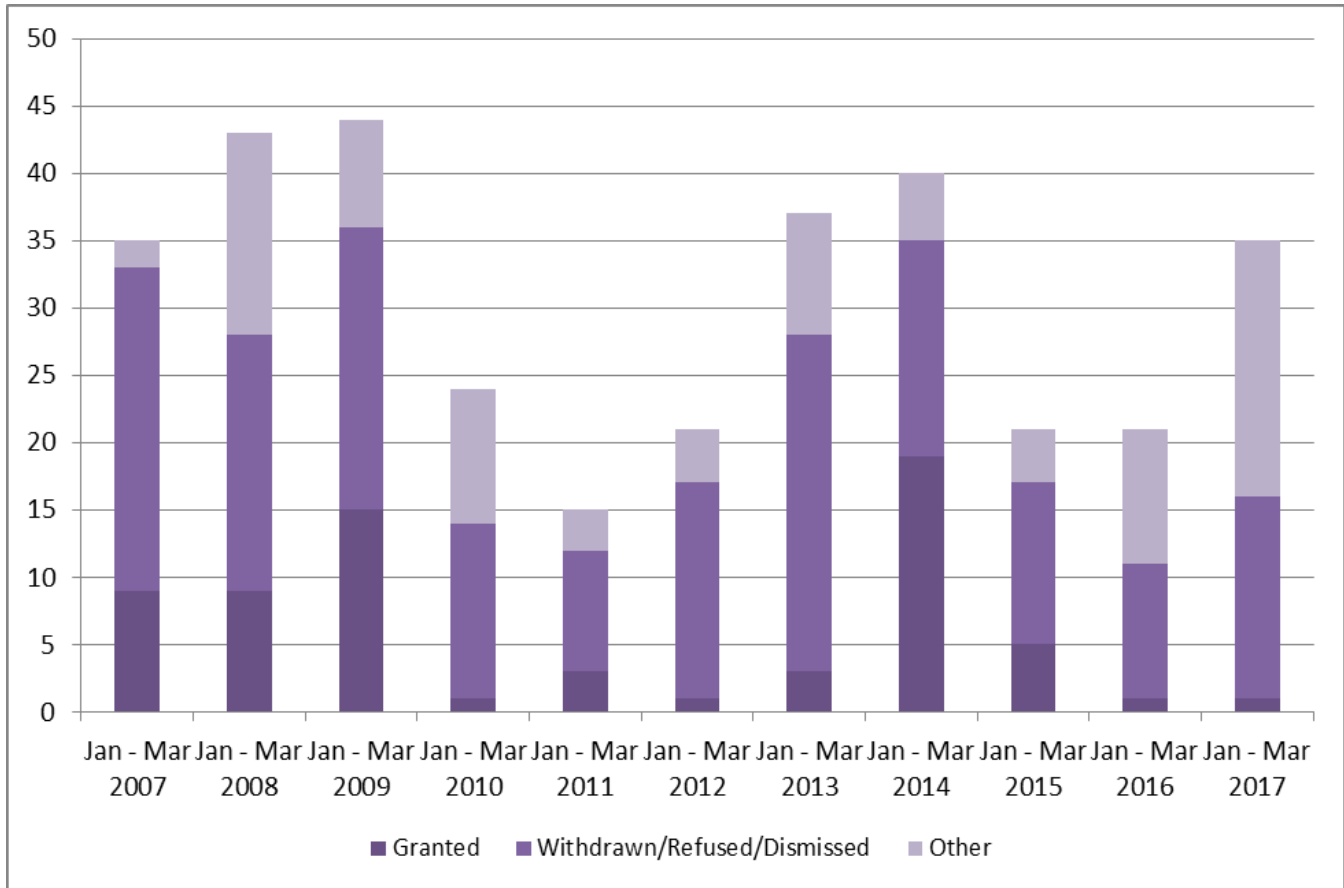
There were 101 removals and remittals applications dealt with during January to March 2017. A similar number to the 103 dealt with in the same period in 2016.

3.3 Judicial Reviews

During January to March 2017, there were 73 applications for leave to apply for Judicial Review, 27 applications for Judicial Review and 1 ancillary application received. Comparable figures were 80, 22 and 0 respectively for the same period in 2016.

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

Figure 3: Applications for Judicial Review disposed: January to March 2007 to January to March 2017



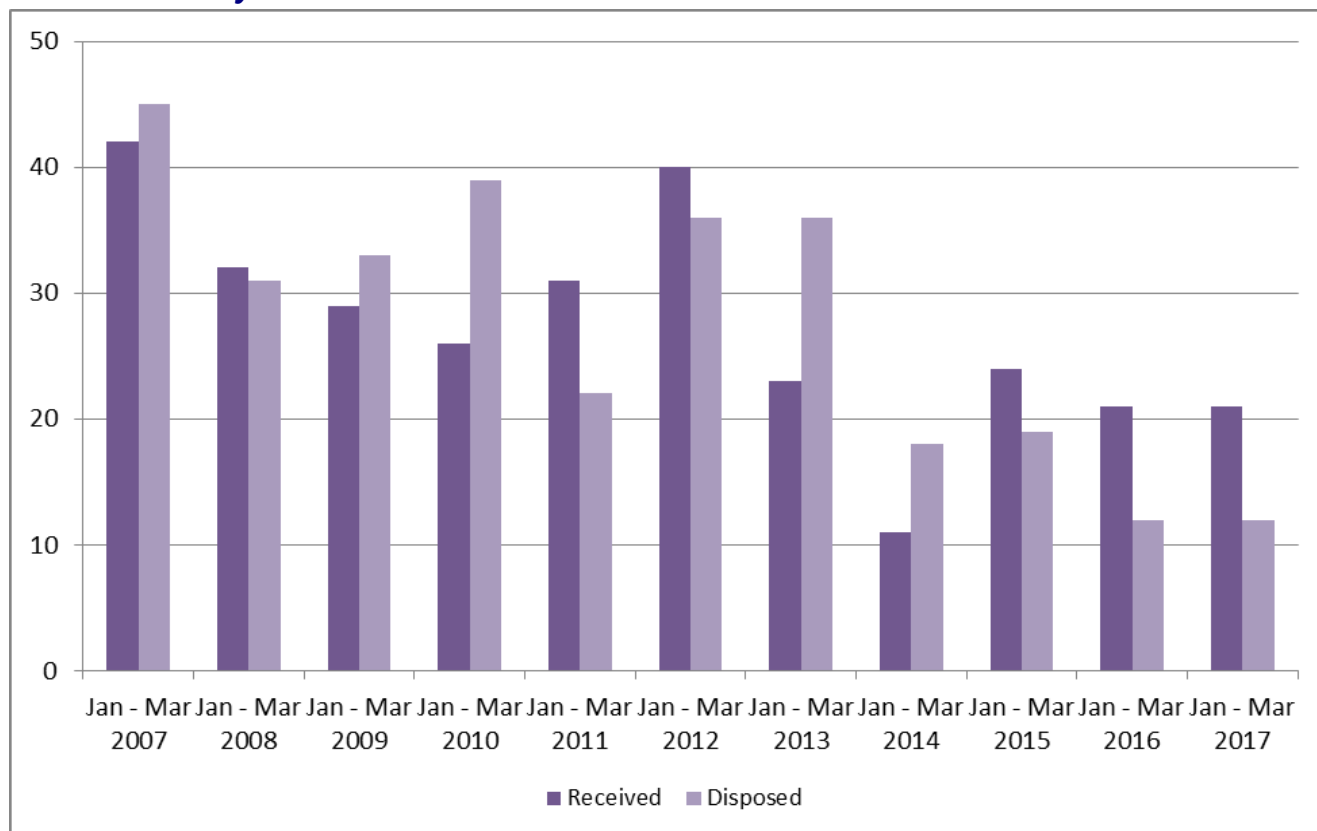
3.4 Probate

There were 1,626 grants issued in the probate office during the period, a decrease of 1% from the 1,636 issued in the same period in 2016.

3.5 Wardship and Adoption

There were 21 adoption cases and applications received and 12 adoption cases and applications disposed of during January to March 2017. The corresponding figures for the same quarter in the previous year were also 21 receipts and 12 disposals (Figure 4).

Figure 4: Adoption cases and applications received and disposed: January to March 2007 to January to March 2017



The average time taken in weeks from issue to disposal for an adoption case/application was 28 weeks, compared to 27 weeks during the same period last year.

3.6 Matrimonial

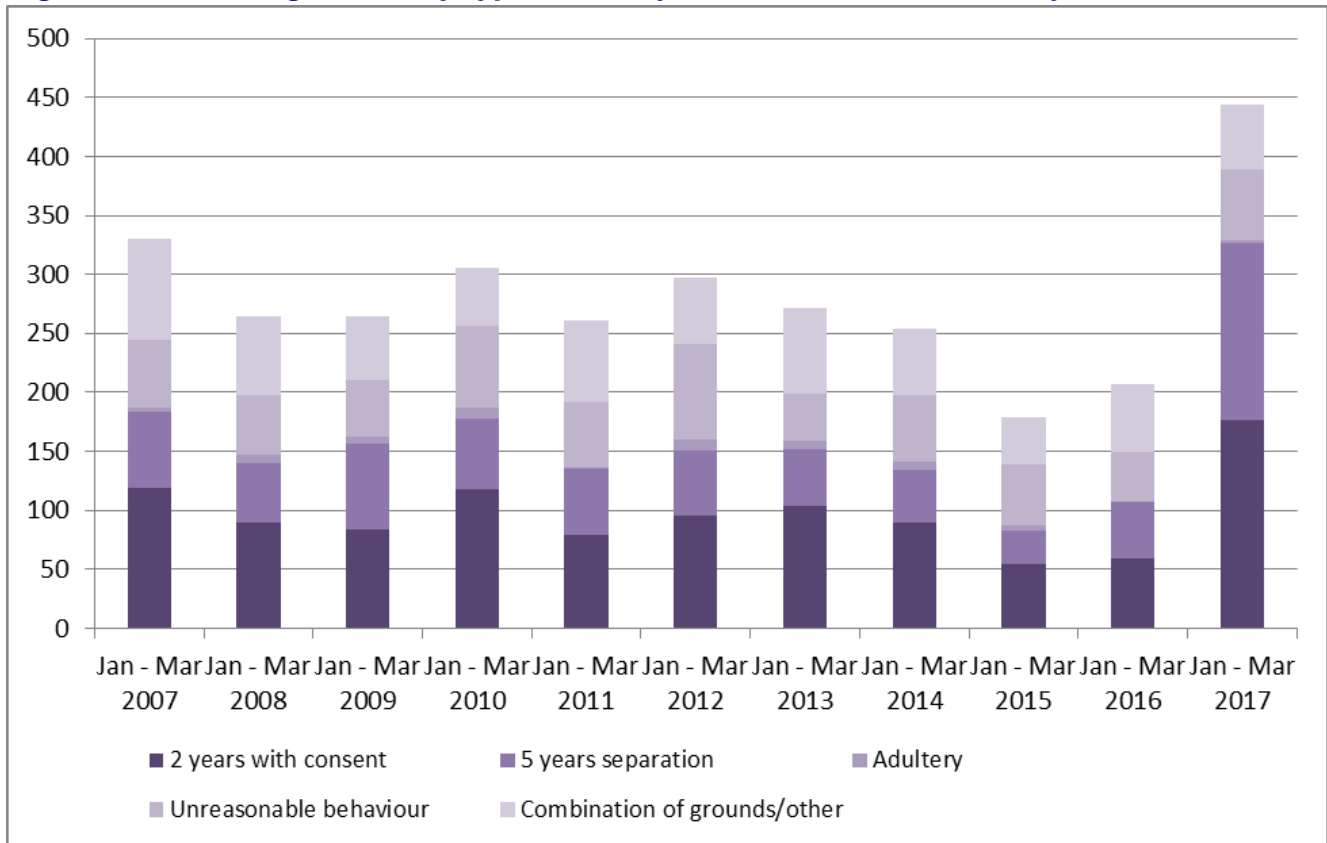
During the period January to March 2017, there were 570 divorce petitions lodged in the High Court, of which 319 (56%) were lodged by the wife. Comparable figures were 641 and 405 (63%) respectively for the same period in 2016.

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

444 decrees were granted in the High Court in January to March 2017, a twofold increase on the 207 granted during the same period last year. The number of decrees granted in the High Court has fluctuated during the January to March quarter since the time series began in 2007 (Figure 5).

The main type of decree granted in January to March 2017 was '2 years with consent' accounting for 40% (176) of cases, followed by '5 years separation', 34% (150) of cases (Figure 5).

Figure 5: Decrees granted, by type: January to March 2007 to January to March 2017



A total of 213 decrees absolute were issued during the quarter, down 7% on the 229 granted during the same period last year. The most common types of decrees absolute issued during January to March 2017 were '2 years with consent', accounting for 32% (69) of cases and 'Combination of grounds/other', accounting for 25% (53) of cases.

The average time taken from the issue of a divorce petition to the date the decree was granted was 39 weeks. This compares to 35 weeks during the same period last year.

3.7 Patients

There were 396 new referrals in the Patients section during the quarter January to March 2017, a decrease of 5% on the 419 received during the same quarter in 2016.

3.8 Official Solicitors

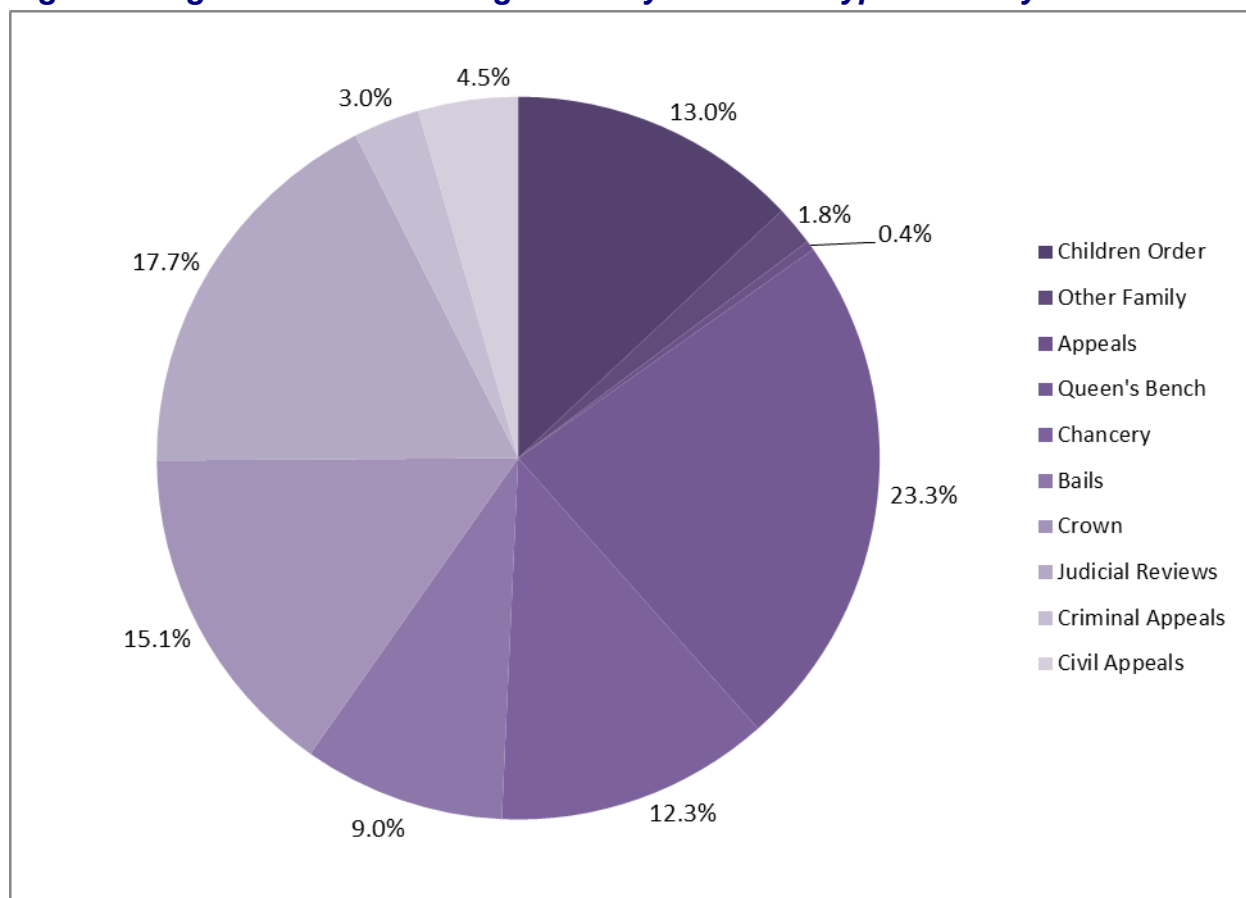
During January to March 2017, there were 252 certificates drafted in the Official Solicitors office, a decrease of 40% from 418 in the same period in 2016.

3.9 Sitting Days

There were a total of 580 sitting days in the High Court during the quarter January to March 2017, an 8% increase on the same quarter last year (535).

The highest percentage of time was spent on Queen’s Bench business (23%). A breakdown of the percentage of total sittings times by business type is outlined in Figure 6 below.

Figure 6: High Court Total Sitting Times by Business Type: January to March 2017



APPENDIX 1 - TABLES

Chancery

Table 1: Chancery cases and applications received

Case	Mortgages	322
	Other land and property	12
	Trusts	1
	Other	64
	Total	399
Application	Notice of appointment	256
	Summons	169
	Notice of motion	7
	Ex-parte application	48
	Injunction	4
	Transfer to Commercial List	1
	Total	485

Table 2: Chancery cases set-down

Case	Other land and property	3
	Other	5
	Total	8

Table 3: Chancery cases and applications disposed

		High Court Judge	Master	Office disposal	Total
Case	Mortgages	2	174		176
	Other land and property	5	1	1	7
	Trade and business			1	1
	Trusts			1	1
	Other	35	7	6	48
	Total	42	182	9	233
Application	Notice of appointment		39		39
	Summons	10	132	1	143
	Notice of motion	5	2		7
	Ex-parte application	1	46		47
	Transfer to Commercial List		1		1
	Total	16	220	1	237

Table 4: Bankruptcy cases and applications received

Case	Petition by another person	206
	Petition by debtor	76
	Other petition	16
	Originating application	47
	Other	20
	Total	365
Application	Notice of motion	1
	Ordinary application	186
	Certificate of automatic discharge	14
	Other	6
	Total	207

Table 5: Bankruptcy cases and applications disposed

		High Court Judge	Master	Office disposal	Total
Case	Petition by another person		200	31	231
	Petition by debtor		81	1	82
	Other petition		24		24
	Originating application	1	47		48
	Other		26		26
	Total	1	378	32	411
Application	Notice of motion		1		1
	Ordinary application		177	1	178
	Certificate of automatic discharge		2	11	13
	Other		3		3
	Total		183	12	195

Table 6: Companies cases and applications received

Case	Winding up petition	70
	Other petitions	9
	Originating summons	4
	Other	39
	Total	122
Application	Notice of motion	1
	Ordinary application	22
	Total	23

Table 7: Companies cases and applications disposed

		High Court Judge	Master	Total
Case	Winding up petition		96	96
	Other petitions		11	11
	Originating summons		4	4
	Other	5	40	45
	Total	5	151	156
Application	Notice of motion		1	1
	Ordinary application		14	14
	Other	1		1
	Total	1	15	16

Table 8: Time intervals in weeks for the Chancery Division¹

	Chancery		Bankruptcy		Companies	
	Case	Application	Case	Application	Case	Application
Issue to first listing	45	4	8	3	7	6
First listing to disposal	17	8	12	10	5	22
Issue to disposal	62	12	19	13	12	28

¹ Due to rounding, individual time intervals may not equal the overall time taken to progress through the courts

Queen's Bench

Table 9: Queen's Bench cases and applications received

Writs and originating summons	Negligence	446
	Breach	26
	Road injuries	178
	Personal injuries	123
	Monies due	52
	Other	46
	Total	871
Miscellaneous	Foreign judgement	24
	Other	10
	Total	34
Applications	Summons/interlocutory applications	355
	Remittals and removals	100
	Ex-parte applications	72
	Other	68
	Total	595

Table 10: Queen's Bench writs and originating summons received by amount claimed²

	No value	Less than £15,000	£15,000-29,999	£30,000-49,999	£50,000 and over	Total
Negligence	445	1				446
Breach	26					26
Road injuries	178					178
Personal injuries	123					123
Monies due	17	8	4	7	16	52
Other	45				1	46
Total	834	9	4	7	17	871

² No Value includes unliquidated cases and cases with no amount claimed recorded on ICOS

Table 11: Queen's Bench writs and originating summons set-down by amount claimed^{2,3}

	No value	£15,000-29,999	£50,000 and over	Total
Negligence	22			22
Road injuries	13			13
Personal injuries	3	1		4
Monies due	1		3	4
Other	3			3
Total	42	1	3	46

² No Value includes unliquidated cases and cases with no amount claimed recorded on ICOS

³ Excludes commercial actions

Table 12: Queen's Bench cases and applications disposed³

		High Court Judge	Master	Office disposal	Default judgement	Total
Writs and originating summons	Negligence	183	17	189	9	398
	Breach	6		5	3	14
	Road injuries	58	2	71	1	132
	Personal injuries	36	26	29		91
	Monies due	5	1	1	27	34
	Other	21	2	9		32
	Total	309	48	304	40	701
Miscellaneous	Foreign judgement			1		1
	Other	4				4
	Total	4		1		5
Applications	Summons/interlocutory applications	20	356			376
	Remittals and removals		101			101
	Ex-parte applications	5	53			58
	Other	34	31			65
	Total	59	541			600

³ Excludes commercial actions

Table 13: Queen's Bench writs and originating summons disposed of by amount⁴

		No value	Less than £15,000	£15,000- 29,999	£30,000- 49,999	£50,000 and over	Total
High Court Judge	Negligence	81	28	27	10	37	183
	Breach	3		1	2		6
	Road injuries	9	6	8	11	24	58
	Personal injuries	30	1			5	36
	Monies due	5					5
	Other	19			1	1	21
Master	Negligence	17					17
	Road injuries	2					2
	Personal injuries	25		1			26
	Monies due	1					1
	Other	2					2
Default judgement	Negligence	8				1	9
	Breach	2				1	3
	Road injuries	1					1
	Monies due		7	2	4	14	27
Total		205	42	39	28	83	397

² No Value includes unliquidated cases and cases with no amount claimed recorded on ICOS

⁴ Excludes commercial actions and office disposals

Table 14: Time intervals in weeks for Queen's Bench cases and applications^{5,6}

	Writs and originating summons	Miscellaneous	Applications
Issue to set-down	271	448	.
Issue to first listing	150	92	3
First listing to disposal	45	26	7
Issue to disposal	195	117	10

⁵ Excludes default judgements, office disposals and commercial actions

⁶ 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 15: Queen's Bench cases received into commercial list

Negligence	14
Breach	4
Monies due	6
Other	2
Total	26

Table 16: Queen's Bench commercial actions set-down

Negligence	23
Breach	5
Monies due	3
Other	3
Total	34

Table 17: Queen's Bench commercial actions disposed

	High Court Judge	Master	Office disposal	Total
Negligence	16		1	17
Breach	4		1	5
Monies due	6	1	2	9
Other	2		1	3
Total	28	1	5	34

Table 18: Time intervals in weeks for Queen's Bench commercial actions^{4,6}

	Commercial actions
Received to Entry to commercial list	73
Entry to commercial list to first listing	48
First listing to disposal	54
Received to disposal	174

⁴ Excludes default judgements and office disposals

⁶ 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 19: Applications relating to Judicial Reviews received

Application for leave to apply for judicial review	73
Application for judicial review	27
Ancillary applications	1

Table 20: Applications relating to Judicial Reviews disposed

	Granted	Withdrawn/ Refused/ Dismissed	Other	Total
Application for leave to apply for judicial review	24	29	40	93
Application for judicial review	1	15	19	35

Table 21: Time intervals in weeks for applications relating to Judicial Reviews¹

	Application for leave to apply for judicial review	Application for judicial review
Issue to first listing	23	33
First listing to disposal	14	16
Issue to disposal	37	49

¹ Due to rounding, individual time intervals may not equal the overall time taken to progress through the courts

Probate

Table 22: Probate grants issued in non-contentious proceedings

	Probate		Northern Ireland
	By solicitor	Personal	
Grant of administration	2		2
Letters of administration with will annexed	55	1	56
Letters of administration with will annexed (DBN)	4		4
Letters of administration	252	51	303
Grant of probate	1151	105	1256
Letters of administration (DBN)	4	1	5
Total grants issued	1468	158	1626

Wardship and adoption

Table 23: Adoption cases and applications received

Adoption Order Application	6
Child Abduction Originating Summons	4
Freeing Order Application	6
Human Fertilisation Originating Summons	1
Interlocutory Application	3
Wardship Originating Summons	1
Total	21

Table 24: Adoption cases and applications disposed

	High Court Judge	Master	Total
Adoption Order Application	5		5
Child Abduction Originating Summons	3		3
Freeing Order Application	2		2
Interlocutory Application	1		1
Wardship Originating Summons		1	1
Total	11	1	12

Table 25: Family homes and domestic violence cases and applications received

Applications for Occupation/Non-Molestation	3
Ex-parte Applications for Occupation/Non-Molestation	3
Total	6

Table 26: Family homes and domestic violence cases and applications disposed

	Master	Total
Applications for Occupation/Non-Molestation	6	6
Ex-parte Applications for Occupation/Non-Molestation	4	4
Total	10	10

Table 27: Time intervals in weeks for Adoption and Family homes and domestic violence cases and applications¹

	Adoption	Family Homes And Domestic Violence
Issue to first listing	14	2
First listing to disposal	14	21
Issue to disposal	28	23

¹ Due to rounding, individual time intervals may not equal the overall time taken to progress through the courts

Matrimonial

Table 28: Divorce petitions received

		Filed by			Total
		Wife	Husband	Unknown	
Divorce Petition	2 years with consent	126	128		254
	5 years separation	74	85	1	160
	Adultery	5	3		8
	Unreasonable behaviour	63	22		85
	Combination of grounds/other	51	12		63
Total		319	250	1	570

Table 29: Divorce petitions by number of decrees granted

		Found by			Total
		Wife	Husband	Both	
Decree Nisi	2 years with consent	103	73		176
	5 years separation	76	73	1	150
	Adultery	2	1		3
	Unreasonable behaviour	44	15	1	60
	Combination of grounds/other	34	13	5	52
Nullity	Combination of grounds/other	3			3
Total		262	175	7	444

Table 30: Divorce petitions by number of decrees absolute issued

		Found by			Total
		Wife	Husband	Both	
Divorce Petition	2 years with consent	44	25		69
	5 years separation	19	16		35
	Adultery	4	2		6
	Unreasonable behaviour	37	12	1	50
	Combination of grounds/other	37	13	3	53
Total		141	68	4	213

Table 31: Matrimonial applications received

Application	Combination of grounds/other	3
	Ancillary relief	128
	Matrimonial application	102
	Other	1
Total		234

Table 32: Matrimonial applications disposed

		Judge	Master	Total
Application	Combination of grounds/other	2		2
	Ancillary relief	1	121	122
	Matrimonial application	8	89	97
	Other	2		2
Total		13	210	223

Table 33: Time intervals in weeks for divorce petitions¹

	Divorce Petition
Issue to first listing	37
First listing to date decree granted	1
Issue to date decree granted	39
Date decree granted to date absolute issued	8

¹ Due to rounding, individual time intervals may not equal the overall time taken to progress through the courts

Table 34: Time intervals in weeks for divorce applications¹

	Combination of grounds/other	Ancillary relief	Matrimonial application	Other
Issue to first listing	0	11	4	3
First listing to disposal	3	53	3	33
Issue to disposal	3	64	7	35

¹ Due to rounding, individual time intervals may not equal the overall time taken to progress through the courts

High Court Bail

Table 35: Number of bail applications received

Bail application	259
Bail pending appeal to county court	9
Compassionate bail application	12
Miscellaneous application	1
Bail variation	105
Total	386

Table 36: Number of bail applications disposed in chambers

	Granted	Refused	Other	Total
Bail application	1		1	2
Bail variation	36	1	7	44
Total	37	1	8	46

Table 37: Number of bail applications disposed of in court

	Granted	Refused	Revoke	Other	Total
Bail application	119	89	1	15	224
Bail pending appeal to county court	5	2			7
Compassionate bail application	4	4			8
Miscellaneous application	1				1
Bail variation	27	8	1	3	39
Total	156	103	2	18	279

Patients

Table 38: Patients workload figures

New referrals	396
EPA applications received	271
Orders issued	209
Certificates issued	1024
Reviews completed	365
Visits	22

Official Solicitors Office

Table 39: Official Solicitor Statistics

Correspondence received	1519
New Referrals	5
Cases referred for a specific issue⁷	209
OS appointed Controller Ad interim	1
Certificates drafted	252
OS appointed Full Controller	0

⁷ Cases referred for a specific issue – this figure now encompasses all live cases at the end of the reporting period where the OS is Full Controller together with other cases in which the OS has been asked to assist i.e. OCP/matrimonial/bankruptcy where the OS has been instructed to deal with a specific aspect but is not Full Controller. Involvement in a case may last a considerable time and therefore some of the cases may have been reflected in previous quarters and may continue to be reflected future quarters.

Sitting days and total sitting times

Table 40: High Court sitting days

Children Order	78
Other Family	13
Appeals	6
Queen's Bench	129
Chancery	63
Bails	74
Crown	63
Judicial Reviews	96
Criminal Appeals	18
Civil Appeals	40
Total	580

Table 41: High Court total sitting times

Children Order	152:05:00
Other family	20:40:00
Appeals	5:03:00
Queen's Bench	272:06:00
Chancery	143:30:00
Bails	105:36:00
Crown	177:10:00
Judicial reviews	206:43:00
Criminal appeals	34:39:00
Civil appeals	52:15:00
Total	1169:47:00

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 can make a financial order. This is known as ancillary relief and may deal with the sale or transfer of property, maintenance payments (for example weekly or monthly maintenance), a lump sum payment and/or a pension sharing or attachment order.

Application

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

Application for leave to apply for judicial review

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

Bail variation

A change in the conditions of bail.

Call-over

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

Case

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

Certificate of automatic discharge (Bankruptcy)

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

Commercial actions

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

Compassionate bail application

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

Court Disposal

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

Court order

The enforceable decision of the court.

Creditor

A person who is owed money by a debtor.

Debtor

A person who owes money to a creditor.

Decree Absolute

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

Decree Nisi

A document that says that the court doesn't see any reason why you can't divorce.

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

Default Judgment

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

Disposed

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

Divorce

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

EPA applications

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

Ex-parte application

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

First listing

The date of first hearing of a case.

Foreign judgement

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

Hearing

The trial of a case or preliminary issue in court.

High Court Judge (HCJ)

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

Injunction

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

Interlocutory application

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

Issue

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

Judicial Review

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

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

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

Judicial separation

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

Lodge documents

Send documents to the court office.

Master

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

Matrimonial Application

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

Monies due

Financial compensation or money owed.

Negligence

Conduct that falls below the standards of behaviour established by law for the protection of others against unreasonable risk of harm. A person has acted negligently if he or she has 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 received.

Remittal

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

Removal

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

Revoke

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

Setting down

Telling the court office a case is ready for hearing.

Sitting

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

Sitting Days

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

Summons

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

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

Time intervals

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

Unliquidated

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

Winding up petition

An application to court seeking the liquidation of a company.

Writ

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

Analytical Services Group,
Northern Ireland Courts and Tribunals Service,
Department of Justice
4th Floor, Laganside House
23-27 Oxford Street,
Belfast BT1 3LA

Email: ann.mallon@courtsni.gov.uk

Telephone: 028 9072 8920

www.courtsni.gov.uk