

**Analytical Services Group**

## **High Court Bulletin**

**April to June 2017**

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## EXECUTIVE SUMMARY

- This bulletin provides information on throughput at the High Court in Northern Ireland during the period April to June 2017 and commentary on trends observed for this quarter in each year from 2007. During the period April to June 2017:
- 892 cases were received into the Chancery division, a 16% decrease on the same quarter last year (1,057), and the lowest number received during the April to June quarter since the time series began in 2007. 797 cases were disposed of in the Chancery division during April to June 2017, a 22% decrease compared to the same period in 2016 (1,023).
- 833 writs and originating summons were received, up 2% from the 818 received during the same period in 2016. It represented the second lowest number received during the April to June quarter since the beginning of the time series in 2007, a possible continuation of the trend caused by the increase in the lower limit for writs from £15,000 to £30,000 implemented in February 2013. 541 writs and originating summons were disposed during the quarter, a decrease of 19% from 664 disposed in the same period in 2016
- During the quarter, there were 76 applications for leave to apply for Judicial Review, 14 applications for Judicial Review and 2 ancillary applications received. Corresponding figures were 85, 39 and 1 respectively for the same period in 2016.
- There were 13 adoption cases and applications received and 19 adoption cases and applications disposed of during April to June 2017. The corresponding figures for the same quarter in the previous year were 22 receipts and 39 disposals.
- 553 divorce petitions were received, a 16% decrease from the 660 received during the same period in 2016. A total of 206 decrees were granted in the High Court during April to June 2017, a 28% decrease on the 287 granted during the same period last year.
- During the quarter there were 533 sitting days, a 14% decrease on the same quarter last year (621). The highest proportion of time was spent on Queen's Bench business (23%).

## CONTENTS

Contents	Page
<a href="#">1. Introduction</a>	1
<a href="#">2. Methodology</a>	6
<a href="#">3. Findings</a>	9
<a href="#">3.1 Chancery</a>	
<a href="#">3.2 Queen's Bench</a>	
<a href="#">3.3 Judicial Reviews</a>	
<a href="#">3.4 Probate</a>	
<a href="#">3.5 Wardship and adoption</a>	
<a href="#">3.6 Matrimonial</a>	
<a href="#">3.7 Patients</a>	
<a href="#">3.8 Official Solicitors</a>	
<a href="#">3.9 Sitting Days</a>	
<a href="#">Appendix 1 – Tables</a>	15
<a href="#">Appendix 2 – Explanatory Notes</a>	31
Figure	Page
<a href="#">Figure 1: Chancery cases received: April to June 2007 to April to June 2017</a>	9
<a href="#">Figure 2: Queen's Bench cases received: April to June 2007 to April to June 2017</a>	10
<a href="#">Figure 3: Applications for Judicial Review disposed: April to June 2007 to April to June 2017</a>	11
<a href="#">Figure 4: Adoption cases and applications received and disposed: April to June 2007 to April to June 2017</a>	12
<a href="#">Figure 5: Decrees granted, by type: April to June 2007 to April to June 2017</a>	13
<a href="#">Figure 6: High Court Total Sitting Times by Business Type: April to June 2017</a>	14
Table	Page
<a href="#">Table 1: Chancery cases and applications received</a>	15
<a href="#">Table 2: Chancery cases set-down</a>	15
<a href="#">Table 3: Chancery cases and applications disposed</a>	15
<a href="#">Table 4: Bankruptcy cases and applications received</a>	16
<a href="#">Table 5: Bankruptcy cases and applications disposed</a>	16
<a href="#">Table 6: Companies cases and applications received</a>	16
<a href="#">Table 7: Companies cases and applications disposed</a>	17
<a href="#">Table 8: Time intervals in weeks for the Chancery Division</a>	17
<a href="#">Table 9: Queen's Bench cases and applications received</a>	18
<a href="#">Table 10: Queen's Bench writs and originating summons received by amount claimed</a>	18
<a href="#">Table 11: Queen's Bench writs and originating summons set-down by amount claimed</a>	19
<a href="#">Table 12: Queen's Bench cases and applications disposed</a>	19
<a href="#">Table 13: Queen's Bench writs and originating summons disposed of by amount</a>	20

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

## 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: the Writ Office, Appeals & Lists Office, Judicial Reviews Office, Commercial Office and Bail Office, each of which have discrete functions. Collectively these Offices are referred to as The Central Office.

The principal matters 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

### **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<sup>th</sup> 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. Applications of this type in the High Court are relatively few in number, but 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 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. The Controller 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 and 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 input 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 download 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 third quarter of 2017 and will be published on 10<sup>th</sup> November 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 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 21<sup>st</sup> 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 NICTS Statistics and Research useful Documents page on the Department of Justice website<sup>1</sup>. Incorrect figures or changes to this publication will be published on the web in a formal Statistical Notice.

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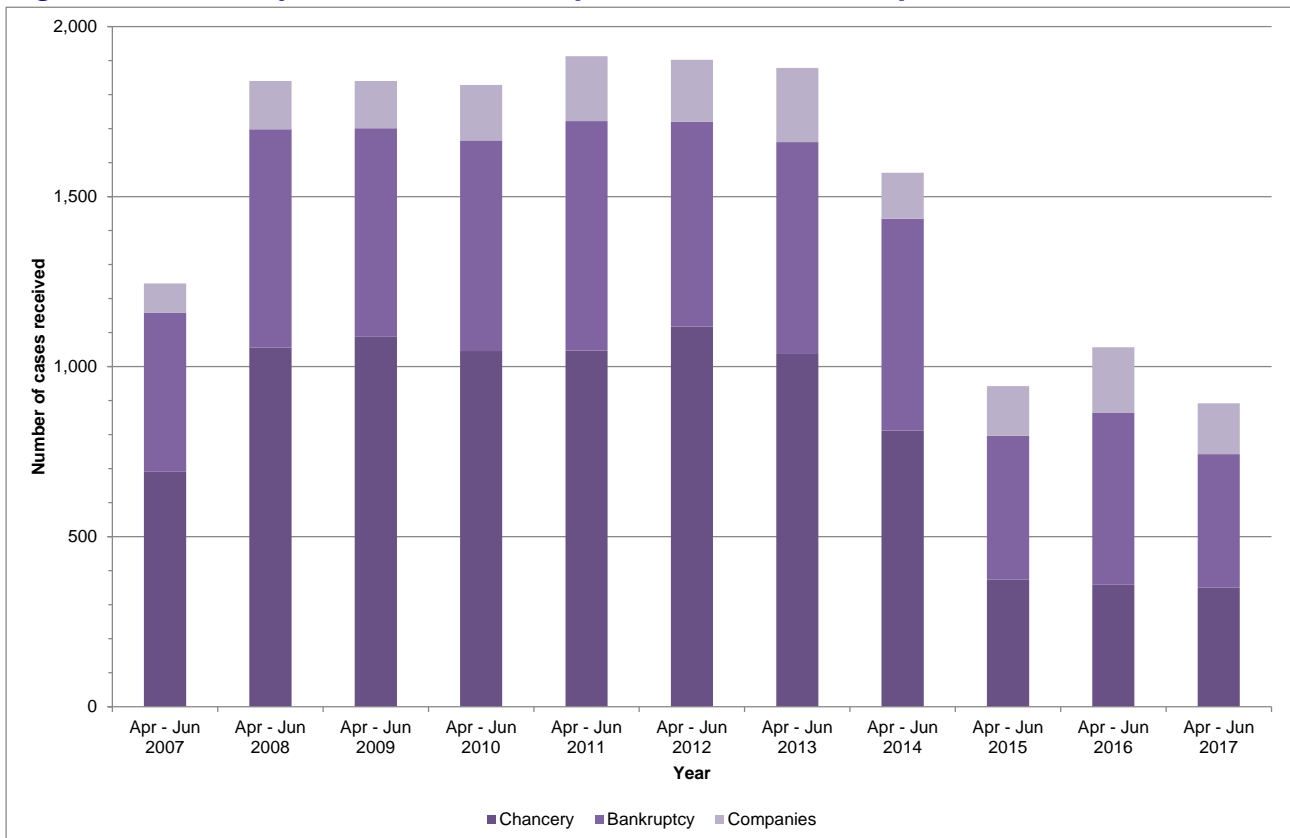
<sup>1</sup> <https://www.justice-ni.gov.uk/publications/nicts-statistics-and-research-useful-documents>

### 3. FINDINGS

#### 3.1 Chancery

There were 892 cases received into the Chancery division during the quarter April to June 2017, a 16% decrease on the same quarter last year (1,057). In total 39% were chancery cases, 44% were bankruptcy cases and 17% were companies' cases. This is the lowest number of chancery cases received since the time series began in 2007 (Figure 1).

**Figure 1: Chancery cases received: April to June 2007 to April to June 2017**

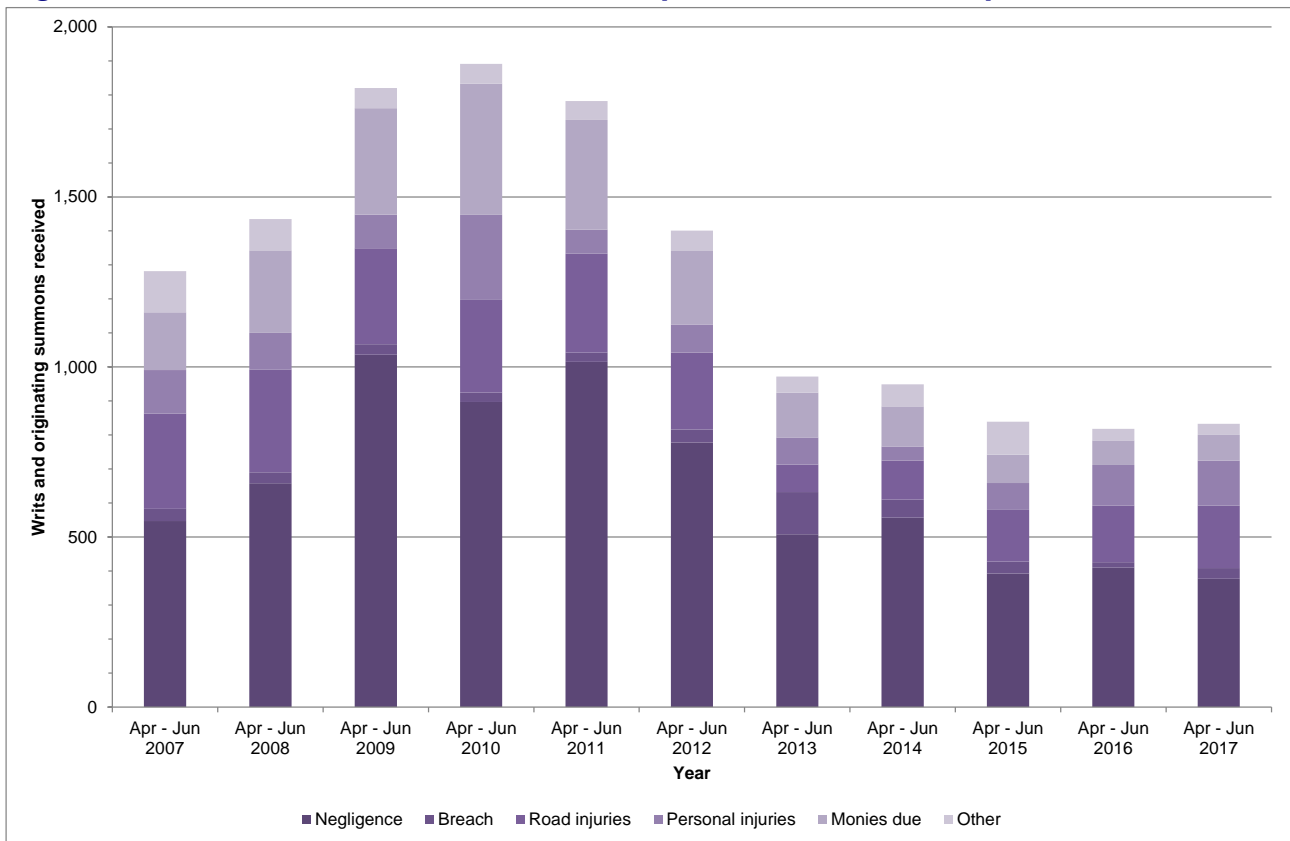


In total, 797 cases were disposed of in the Chancery division during the quarter, a 22% decrease when compared to the number disposed during the same period in 2016 (1,023).

### 3.2 Queen's Bench

There were 833 writs and originating summons received during the period April to June 2017, a 2% increase on the 818 received during the same period in 2016, and the second lowest number received during the April to June quarter since 2007 (Figure 2). This maintains the trend that reflects the changes in jurisdiction introduced on the 21<sup>st</sup> February 2013, when the lower limit for Queen's Bench writs increased from writs over £15,000 to writs over £30,000.

**Figure 2: Queen's Bench cases received: April to June 2007 to April to June 2017**



541 writs and originating summons were disposed during the quarter, a decrease of 19% from 664 disposed in the same period in 2016.

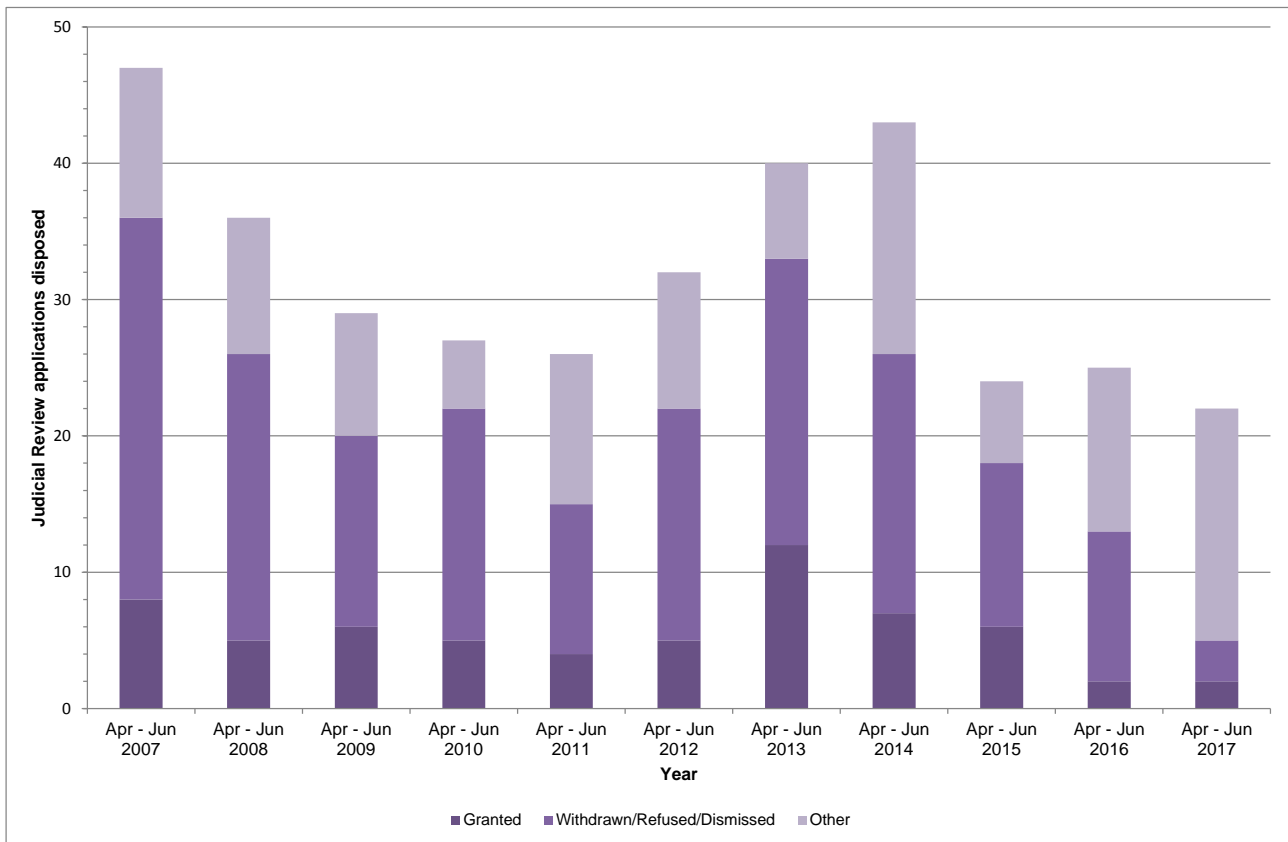
There were 92 removals and remittals applications dealt with during April to June 2017. This represents a 5% increase from 88 dealt with in the same period in 2016.

### 3.3 Judicial Reviews

During April to June 2017, there were 76 applications for leave to apply for Judicial Review, 14 applications for Judicial Review and 2 ancillary applications received. Comparable figures were 85, 39 and 1 respectively for the same period in 2016.

The number of applications for Judicial Review disposed of during the April to June quarter has fluctuated since the time series began in 2007. Disposals were at their highest level in 2007 (47) and at their lowest level (22) in 2017 (Figure 3).

**Figure 3: Applications for Judicial Review disposed: April to June 2007 to April to June 2017**





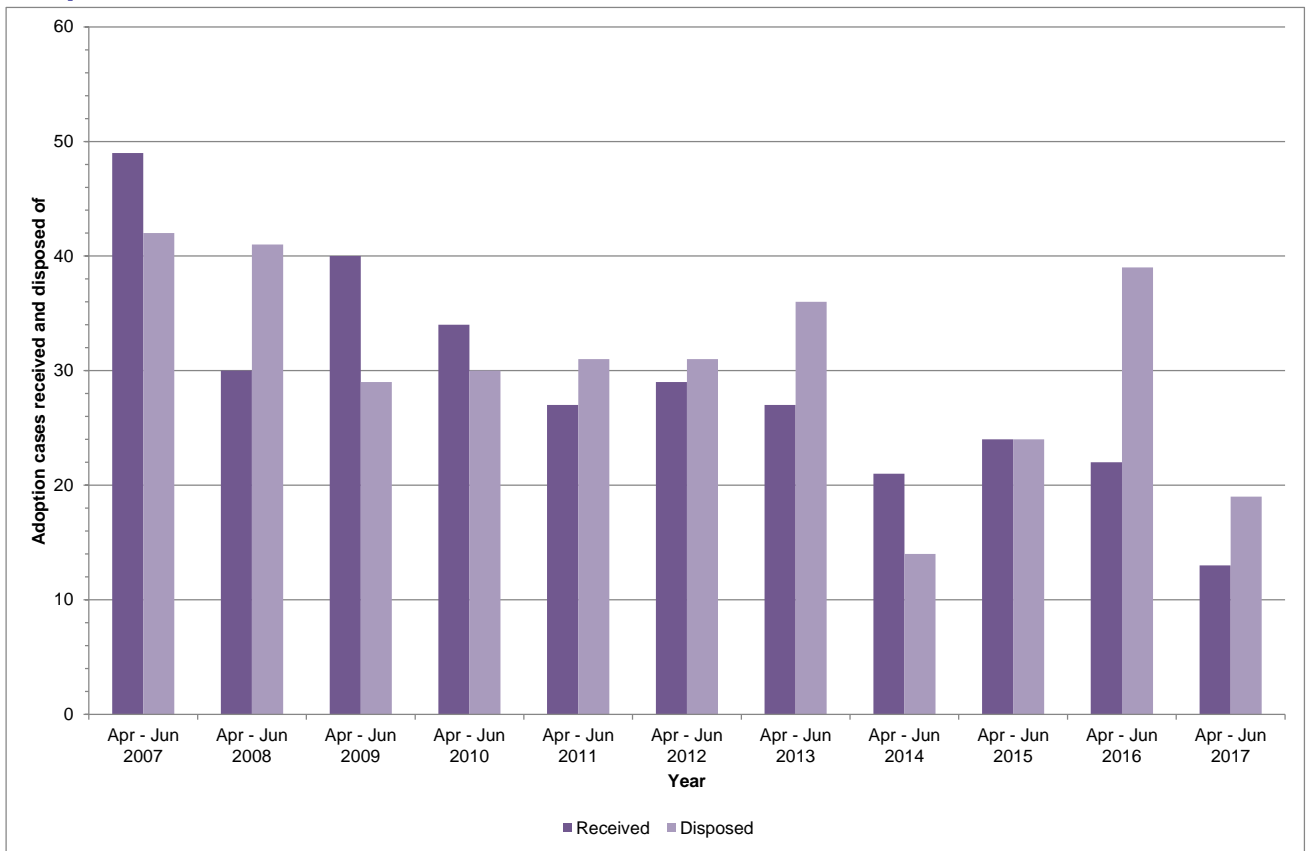
### 3.4 Probate

There were 1,832 grants issued in the probate office during the period, a 4% increase on the 1,758 issued in the same period in 2016.

### 3.5 Wardship and Adoption

There were 13 adoption cases and applications received and 19 adoption cases and applications disposed of during April to June 2017. These represented decreases of 41% and 51%, from 22 cases received and 39 cases disposed of, respectively (Figure 4).

**Figure 4: Adoption cases and applications received and disposed: April to June 2007 to April to June 2017**



The average time taken in weeks from issue to disposal for an adoption case/application was 23 weeks, compared to 33 weeks during the same period last year.

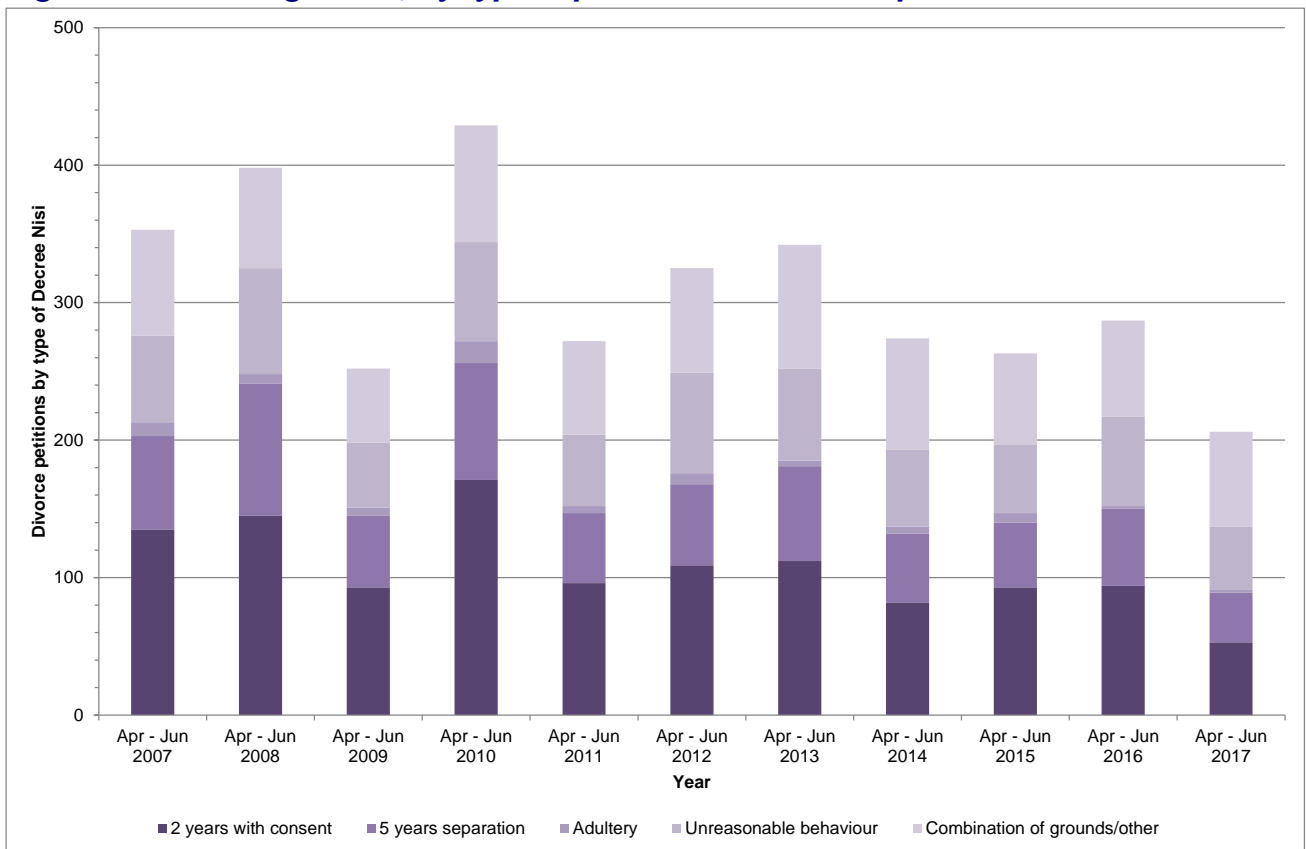
### 3.6 Matrimonial

During the period April to June 2017, there were 553 divorce petitions lodged in the High Court, of which 321 (58%) were lodged by the wife. Comparable figures were 660 and 395 (60%) 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.

206 decrees were granted in the High Court in April to June 2017, down 28% on the 287 granted during the same period last year. The number of decrees granted in the High Court has fluctuated during the April to June quarter since the time series began in 2007 (Figure 5). The main type of decree granted in April to June 2017 was 'Combination of grounds/Other' accounting for 33% (69) of cases, followed by '2 years' separation', 26% (53) of cases (Figure 5).

**Figure 5: Decrees granted, by type: April to June 2007 to April to June 2017**



A total of 203 decrees absolute were issued during the quarter, down 9% on the 224 granted during the same period last year. The most common types of decrees absolute issued in April to June 2017 were '2 years with consent' and 'Unreasonable behaviour', each accounting for 26% (52) of cases and 'Combination of grounds/other', accounting for 25% (51) of cases.

The average time taken from the issue of a divorce petition to the date the decree was granted was 38 weeks. This compares to 41 weeks during the same period last year.

### 3.7 Patients

There were 322 new referrals in the Patients section during the quarter April to June 2017, a 17% decrease from the 389 received during the same quarter in 2016.

### 3.8 Official Solicitors

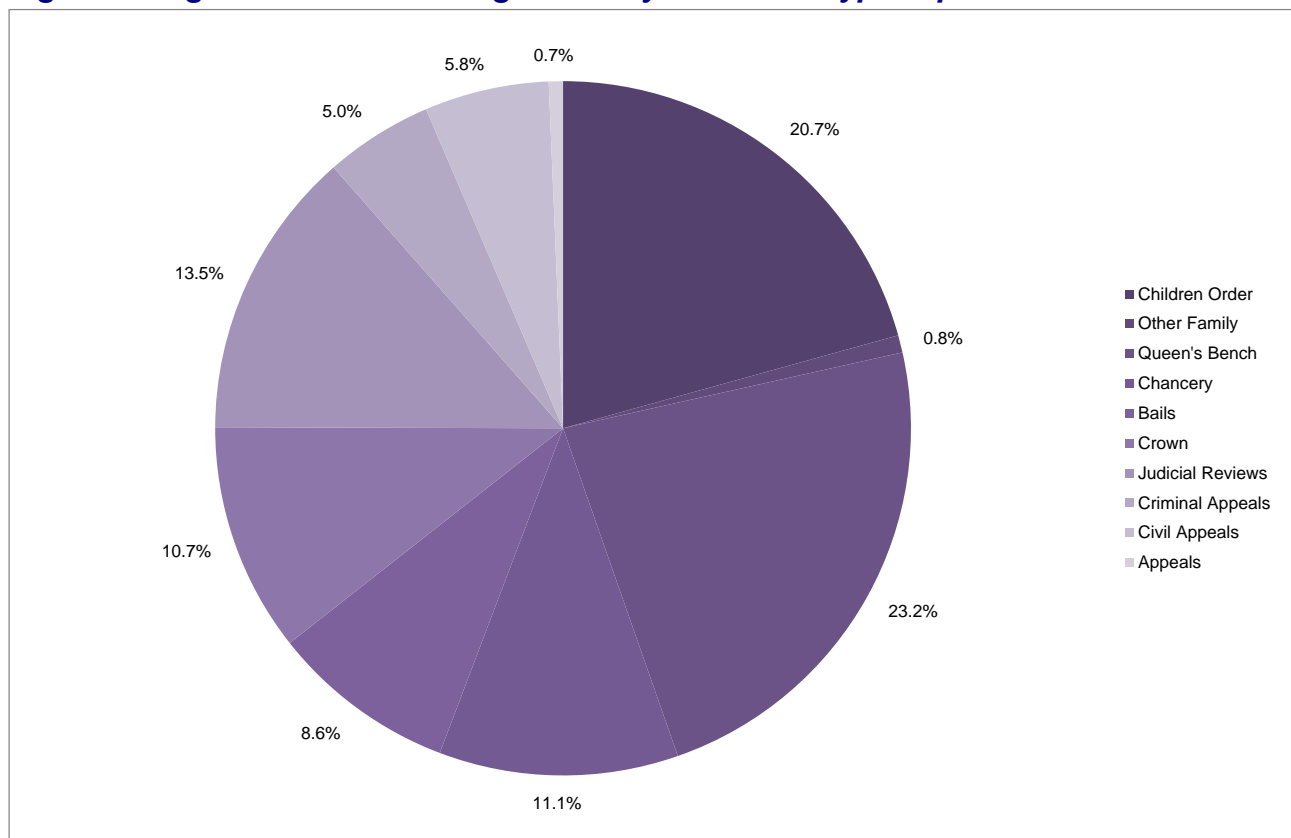
During April to June 2017, there were 343 certificates drafted in the Official Solicitors office, a decrease of 16% from 408 in the same period in 2016.

### 3.9 Sitting Days

There were a total of 533 sitting days in the High Court during the quarter April to June 2017, a 14% decrease on the same quarter last year (621).

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: April to June 2017**



## APPENDIX 1 - TABLES

### Chancery

**Table 1: Chancery cases and applications received**

<b>Case</b>	<b>Mortgages</b>	267
	<b>Other land and property</b>	11
	<b>Other</b>	73
	<b>Total</b>	351
<b>Application</b>	<b>Notice of appointment</b>	289
	<b>Summons</b>	168
	<b>Notice of motion</b>	13
	<b>Ex-parte application</b>	37
	<b>Injunction</b>	5
	<b>Total</b>	512

**Table 2: Chancery cases set-down**

<b>Case</b>	<b>Mortgages</b>	1
	<b>Other land and property</b>	1
	<b>Trusts</b>	1
	<b>Other</b>	7
	<b>Total</b>	10

**Table 3: Chancery cases and applications disposed**

		<b>High Court Judge</b>	<b>Master</b>	<b>Office disposal</b>	<b>Total</b>
<b>Case</b>	<b>Mortgages</b>	4	207	-	211
	<b>Other land and property</b>	9	1	-	10
	<b>Other</b>	39	16	6	61
	<b>Total</b>	52	224	6	282
<b>Application</b>	<b>Notice of appointment</b>	1	35	-	36
	<b>Summons</b>	21	112	-	133
	<b>Notice of motion</b>	6	2	-	8
	<b>Ex-parte application</b>	2	30	-	32
	<b>Injunction</b>	2	-	-	2
	<b>Total</b>	32	179	-	211

**Table 4: Bankruptcy cases and applications received**

<b>Case</b>	Petition by another person	260
	Petition by debtor	78
	Other petition	9
	Originating application	29
	Other	16
	<b>Total</b>	<b>392</b>
<b>Application</b>	Notice of motion	1
	Ordinary application	163
	Certificate of automatic discharge	10
	Other	2
	<b>Total</b>	<b>176</b>

**Table 5: Bankruptcy cases and applications disposed**

		Master	Office disposal	Total
<b>Case</b>	Petition by another person	224	15	239
	Petition by debtor	75	2	77
	Other petition	11	-	11
	Originating application	38	-	38
	Other	27	-	27
	<b>Total</b>	<b>375</b>	<b>17</b>	<b>392</b>
<b>Application</b>	Notice of motion	2	-	2
	Ordinary application	206	-	206
	Certificate of automatic discharge	6	5	11
	Other	2	-	2
	<b>Total</b>	<b>216</b>	<b>5</b>	<b>221</b>

**Table 6: Companies cases and applications received**

<b>Case</b>	Winding up petition	97
	Other petitions	4
	Originating summons	6
	Other	42
	<b>Total</b>	<b>149</b>
<b>Application</b>	Ordinary application	15
	<b>Total</b>	<b>15</b>

**Table 7: Companies cases and applications disposed**

		High Court Judge	Master	Total
Case	Winding up petition	1	67	68
	Other petitions	4	5	9
	Originating summons	-	6	6
	Other	1	39	40
	<b>Total</b>	<b>6</b>	<b>117</b>	<b>123</b>
Application	Notice of motion	1	-	1
	Ordinary application	1	11	12
	Other	1	-	1
	<b>Total</b>	<b>3</b>	<b>11</b>	<b>14</b>

**Table 8: Time intervals in weeks for the Chancery Division<sup>2</sup>**

	Chancery		Bankruptcy		Companies	
	Case	Application	Case	Application	Case	Application
Issue to first listing	39	4	5	2	6	4
First listing to disposal	16	13	9	7	9	17
Issue to disposal	55	17	14	9	15	21

<sup>2</sup> 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	377
	Breach	32
	Road injuries	184
	Personal injuries	132
	Monies due	75
	Other	33
	<b>Total</b>	<b>833</b>
Miscellaneous	Foreign judgement	20
	Other	4
	<b>Total</b>	<b>24</b>
Applications	Summons/interlocutory applications	372
	Remittals and removals	75
	Ex-parte applications	67
	Other	83
	Missing value	1
	<b>Total</b>	<b>598</b>

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

	No value	Less than £15,000	£15,000-29,999	£30,000-49,999	£50,000 and over	Total
Negligence	376	-	-	-	1	377
Breach	32	-	-	-	-	32
Road injuries	184	-	-	-	-	184
Personal injuries	132	-	-	-	-	132
Monies due	16	13	6	12	28	75
Other	32	-	-	-	1	33
<b>Total</b>	<b>772</b>	<b>13</b>	<b>6</b>	<b>12</b>	<b>30</b>	<b>833</b>

**Table 11: Queen's Bench writs and originating summons set-down by amount claimed**

	No value	Less than £15,000	£15,000-29,999	£30,000-49,999	£50,000 and over	Total
<b>Negligence</b>	15	-	-	-	-	15
<b>Breach</b>	-	-	1	-	-	1
<b>Road injuries</b>	3	-	-	-	-	3
<b>Personal injuries</b>	2	-	1	-	-	3
<b>Monies due</b>	1	-	-	1	1	3
<b>Other</b>	6	-	-	-	-	6
<b>Total</b>	27	-	2	1	1	31

**Table 12: Queen's Bench cases and applications disposed<sup>3</sup>**

		High Court Judge	Master	Office disposal	Default judgement	Total
<b>Writs and originating summons</b>	<b>Negligence</b>	167	8	106	6	287
	<b>Breach</b>	4	-	12	3	19
	<b>Road injuries</b>	53	5	25	4	87
	<b>Personal injuries</b>	34	19	32	-	85
	<b>Monies due</b>	5	2	4	20	31
	<b>Other</b>	18	5	5	4	32
	<b>Total</b>	281	39	184	37	541
<b>Miscellaneous</b>	<b>Foreign judgement</b>	-	-	3	-	3
	<b>Other</b>	1	1	1	-	3
	<b>Total</b>	1	1	4	-	6
<b>Applications</b>	<b>Summons/interlocutory applications</b>	19	342	-	-	361
	<b>Remittals and removals</b>	1	91	-	-	92
	<b>Ex-parte applications</b>	5	43	-	-	48
	<b>Other</b>	39	38	-	-	77
	<b>Total</b>	64	514	-	-	578

<sup>3</sup> Excludes commercial actions



**Table 13: Queen's Bench writs and originating summons disposed of by amount<sup>4</sup>**

		No value	Less than £15,000	£15,000-29,999	£30,000-49,999	£50,000 and over	Total
High Court Judge	Negligence	82	18	19	15	33	167
	Breach	3	1	-	-	-	4
	Road injuries	5	4	12	14	18	53
	Personal injuries	28	1	1	-	4	34
	Monies due	5	-	-	-	-	5
	Other	17	-	-	1	-	18
Master	Negligence	8	-	-	-	-	8
	Road injuries	4	-	-	-	1	5
	Personal injuries	18	1	-	-	-	19
	Monies due	2	-	-	-	-	2
	Other	5	-	-	-	-	5
Default judgement	Negligence	6	-	-	-	-	6
	Breach	3	-	-	-	-	3
	Road injuries	4	-	-	-	-	4
	Monies due	-	6	1	2	11	20
	Other	3	-	-	-	1	4
<b>Total</b>		193	31	33	32	68	357

**Table 14: Time intervals in weeks for Queen's Bench cases and applications<sup>5 6</sup>**

	Writs and originating summons	Miscellaneous	Applications
Issue to setdown	151	-	-
Issue to first listing	126	78	4
First listing to disposal	43	-	7
Issue to disposal	169	78	11

<sup>4</sup> Excludes commercial actions and office disposals

<sup>5</sup> Excludes default judgements, office disposals and commercial actions

<sup>6</sup> 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	12
Breach	6
Monies due	11
Other	5
<b>Total</b>	<b>34</b>

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

Negligence	6
Breach	6
Monies due	2
Other	2
<b>Total</b>	<b>16</b>

**Table 17: Queen's Bench commercial actions disposed**

	High Court Judge	Master	Office disposal	Total
Negligence	15	-	2	17
Breach	4	-	1	5
Monies due	5	-	2	7
Other	2	1	-	3
<b>Total</b>	<b>26</b>	<b>1</b>	<b>5</b>	<b>32</b>

**Table 18: Time intervals in weeks for Queen's Bench commercial actions<sup>5 6</sup>**

	Commercial actions
Received to Entry to commercial list	80
Entry to commercial list to first listing	52
First listing to disposal	47
<b>Received to disposal</b>	<b>179</b>

## Judicial Reviews

**Table 19: Applications relating to Judicial Reviews received**

Application for leave to apply for judicial review	76
Application for judicial review	14
Ancillary applications	2

**Table 20: Applications relating to Judicial Reviews disposed**

	Granted	Withdrawn/ Refused/ Dismissed	Other	Total
Application for leave to apply for judicial review	18	42	35	95
Application for judicial review	2	3	17	22
Ancillary applications	-	-	2	2

**Table 21: Time intervals in weeks for applications relating to Judicial Reviews<sup>7</sup>**

	Application for leave to apply for judicial review	Application for judicial review	Ancillary applications
Issue to first listing	31	30	10
First listing to disposal	11	24	-
Issue to disposal	42	55	10

<sup>7</sup> 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	
Pendente Lite	1	-	1
Letters of administration with will annexed	48	1	49
Letters of administration	309	58	367
Grant of probate	1,298	115	1,413
Letters of administration (DBN)	2	-	2
<b>Total grants issued</b>	<b>1,658</b>	<b>174</b>	<b>1,832</b>

## Wardship and adoption

**Table 23: Adoption cases and applications received**

Adoption Order Application	5
Child Abduction Originating Summons	2
Freeing Order Application	3
Wardship Originating Summons	3
<b>Total</b>	<b>13</b>

**Table 24: Adoption cases and applications disposed**

	High Court Judge	Master	Total
Adoption Order Application	7	-	7
Child Abduction Originating Summons	3	-	3
Freeing Order Application	1	-	1
Freeing Order Application	4	-	4
Human Fertilisation Originating Summons	1	-	1
Interlocutory Application	-	1	1
Wardship Originating Summons	-	2	2
<b>Total</b>	<b>16</b>	<b>3</b>	<b>19</b>

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

App For Occup/Non Mol	6
App For Occup/Non Mol	3
Ex-parte App For Occup/Non Mol	9
App To Extend/Discharge/Vary Occup/Non Mol	2
OAP FVH	1
Article 11 Occupation order	1
<b>Total</b>	<b>22</b>

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

	High Court Judge	Master	Total
App For Occup/Non Mol	1	4	5
Exparte App For Occup/Non Mol		7	7
Article 23 ex-parte non-molestation and occupation	1	-	1
App To Extend/Discharge/Vary Occup/Non Mol	-	2	2
<b>Total</b>	<b>2</b>	<b>13</b>	<b>15</b>

**Table 27: Time intervals in weeks for Adoption and Family homes and domestic violence cases and applications<sup>7</sup>**

	Adoption	Family Homes And Domestic Violence
Issue to first listing	8	1
First listing to disposal	15	28
Issue to disposal	23	29

## Matrimonial

**Table 28: Divorce petitions received**

		Filed by		Total
		Wife	Husband	
Divorce Petition	2 years with consent	117	96	213
	5 years separation	69	83	152
	Adultery	5	5	10
	Unreasonable behaviour	82	30	112
	Combination of grounds/other	48	18	66
<b>Total</b>		<b>321</b>	<b>232</b>	<b>553</b>

**Table 29: Divorce petitions by number of decrees granted**

		Found by			Total
		Wife	Husband	Both	
Decree Nisi	2 years with consent	27	26	-	53
	5 years separation	18	18	-	36
	Adultery	-	2	-	2
	Unreasonable behaviour	40	6	-	46
	Combination of grounds/other	43	13	13	69
<b>Total</b>		<b>128</b>	<b>65</b>	<b>13</b>	<b>206</b>

**Table 30: Divorce petitions by number of decrees absolute issued**

		Found by			Total
		Wife	Husband	Both	
Divorce Petition	2 years with consent	29	23	-	52
	5 years separation	22	26	-	48
	Unreasonable behaviour	44	7	1	52
	Combination of grounds/other	32	9	10	51
<b>Total</b>		<b>127</b>	<b>65</b>	<b>11</b>	<b>203</b>

**Table 31: Matrimonial applications received**

Application	Combination of grounds/other	2
	Ancillary relief	127
	Matrimonial application	100
	Other	7
<b>Total</b>		<b>236</b>

**Table 32: Matrimonial applications disposed**

		Judge	Master	Total
Application	Combination of grounds/other	1	-	1
	Ancillary relief	1	139	140
	Matrimonial application	7	87	94
	Other	1	-	1
Total		10	226	236

**Table 33: Time intervals in weeks for divorce petitions<sup>7</sup>**

	Divorce Petition
Issue to first listing	37
First listing to date decree granted	1
Issue to date decree granted	38
Date decree granted to date absolute issued	8

**Table 34: Time intervals in weeks for divorce applications<sup>7</sup>**

	Combination of grounds/other	Ancillary relief	Matrimonial application	Other
Issue to first listing	0	8	5	14
First listing to disposal	4	49	8	10
Issue to disposal	4	57	13	24

## **High Court Bail**

**Table 35: Number of bail applications received**

Bail application	261
Bail pending appeal to county court	10
Compassionate bail application	7
Application to revoke bail	3
Bail variation	69
<b>Total</b>	<b>350</b>

**Table 36: Number of bail applications disposed in chambers<sup>R</sup>**

	Granted	Other	Total
Bail application	2	-	2
Bail variation	29	6	35
<b>Total</b>	<b>31</b>	<b>6</b>	<b>37</b>

**Table 37: Number of bail applications disposed of in court<sup>R</sup>**

	Granted	Refused	Other	Total
Bail application	141	69	15	225
Bail pending appeal to county court	7	1	1	9
Compassionate bail application	3	2	1	6
Application to revoke bail	2	1	-	3
Bail variation	28	4	2	34
<b>Total</b>	<b>181</b>	<b>77</b>	<b>19</b>	<b>277</b>

<sup>R</sup>Data have been revised. For more information about these revisions, please see the Revision Notice issued at: <https://www.justice-ni.gov.uk/articles/nicts-statistics-and-research>



## **Patients**

**Table 38: Patients workload figures**

<b>New referrals</b>	322
<b>EPA applications received</b>	250
<b>Orders issued</b>	161
<b>Certificates issued</b>	1228
<b>Reviews completed</b>	424
<b>Visits</b>	0
<b>EPA registered</b>	238

## Official Solicitors Office

**Table 39: Official Solicitor Statistics**

Correspondence received	1878
New Referrals	14
Cases referred for a specific issue <sup>8</sup>	205
OS appointed Controller Ad interim	1
Certificates drafted	343
OS appointed Full Controller	0

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<sup>8</sup> 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	89
Other Family	8
Appeals	4
Queen's Bench	132
Chancery	65
Bails	59
Crown	40
Judicial Reviews	77
Criminal Appeals	22
Civil Appeals	37
Total	533

**Table 41: High Court total sitting times**

Children Order	226:20:00
Other family	8:49:00
Appeals	7:13:00
QueensBench	253:22:00
Chancery	121:40:00
Bails	94:19:00
Callover	0:00:00
Crown	116:40:00
Judicial reviews	147:34:00
Criminal appeals	54:57:00
Civil appeals	63:17:00
Total	1094:11:00

## **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 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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