



**Judiciary of  
England and Wales**

# **The Lord Chief Justice's Report 2023**







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# Introduction by the Lord Chief Justice

This is my final report as Lord Chief Justice which coincides with my retirement on 30 September after six years in office. It covers the year to the end of July.

Our courts in all jurisdictions have been operating at full capacity.

In the Crown Court we have sat more than in any year since 2018.

That followed sustained work to deploy fee-paid judges, District Judges and retired judges to make up the shortfall in the recruitment of Crown Court judges in 2022. The fall in outstanding case load seen in 2021 to 2022 nonetheless has reversed.

In part that was the consequence of the bar action, resolved in September 2022, and the reversal of the increase in sentencing powers of the Magistrates' Courts by the Lord Chancellor in March 2023. But the volume and complexity of cases coming into the Crown Court is now growing. The Crown Court will be under pressure for the foreseeable future driven by the limits on the overall capacity of the system.

The volume of work coming into the Magistrates' Courts remains depressed as compared with the position pre-Covid. Outstanding caseloads and timeliness have stabilised. The recruitment of new Magistrates is proving to be successful and should herald a reversal of the steady decline in their number seen over many years.

The volume of cases started in the Family Court in both public law care cases and private law disputes between parents about their children has seen a small but welcome reduction.

The number of civil claims issued has been increasing. In the County Court a growing proportion of those claims are dealt with through the online services now in place. As a result, these cases are disposed of more quickly and access to justice is enhanced.

The financial agreement between the judiciary and the government for 2023/24 once more has no limit on the days that can be sat in the Crown Court. In other jurisdictions it is designed to use the available capacity of the system to the full. The capital settlement provides a welcome substantial increase for maintenance of our buildings and, uniquely, covers two years: £100m this financial year and £120m next.



But as the system operates at full capacity there is an ever-present need to improve the efficiency of the systems we operate. In all jurisdictions the judiciary is leading work to enable more cases to be dealt with using the available resources. The aim is to increase timeliness and reduce the number of hearings before their resolution.

The Crown Court Improvement Group has continued its work on better case management and more effective listing practices. A similar project has improved listing in the County Court. In the Family Court plans are being developed to expand the successful piloting of private law pathfinder courts and the public law outline is being pursued. Problems with capacity in the Family and County Courts in London and the southeast has led to the introduction of lists that enable cases to be dealt with remotely in other parts of the country.

The continued harnessing of available technology is vital to improving efficiency of the system.

With the support of the Judicial Appointments Commission and the professions we have enhanced intensive work to increase applications for appointment from groups under-represented in the judiciary. Training being given to all judges will help foster an environment in the Courts where judges from all backgrounds are welcomed and thrive.

Recruitment from established lawyers requires a vibrant and independent legal profession which in turn must recruit able students from across society. The judiciary is in the vanguard of outreach work in schools. We have 152 Diversity and Community Relations Judges who give their own time to this work.

Our international work has gone from strength to strength with deep engagement across the Commonwealth, many G20 countries and Europe. Growing numbers of overseas judges come here to see how things are done in our jurisdiction. We assist training initiatives in foreign jurisdictions. We continue to support the administration of the Standing International Forum of Commercial Courts and to promote English law and the rule of law.

The judiciary and the courts underpin the rule of law. They underpin economic growth, prosperity and a settled society. They are not optional extras or just a service but one of the foundations on which all else is built. I have been encouraged that public and political discourse has recently begun to speak in such terms. That bodes well for the future.

I finish by paying tribute to our judges and magistrates and all the staff who support them. I wish my successor well as she begins one of the most stimulating, if demanding, roles in public life.



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# 1. Leading the judiciary

## Training

The Lord Chief Justice has a statutory responsibility for the maintenance of appropriate arrangements for the training of the judiciary of the courts, which is fulfilled by the Judicial College. The College has six objectives in its 2021-2025 strategy:

- Playing its part in ensuring the judiciary has the right skills and knowledge
- Meeting the future needs of the magistracy
- Preparing for innovation and change
- Effective leadership
- Contributing to a transparent and outward facing judiciary
- High quality support for modern training

Between October 2022 and July 2023, the College delivered 415 judicial training events for around 15,600 participants.<sup>1</sup> This included 103 induction seminars for almost 2,800 judicial office holders, along with other regular training including, leadership and jurisdictional training. 88 percent of training events in this period were delivered in person.

New inclusion training was rolled out to leadership judges and senior judges from November 2022 and to other salaried and fee-paid judges and tribunal members from April 2023. The training focuses on understanding, identifying and responding to exclusionary behaviour and promoting a positive, respectful and inclusive working culture within the judiciary and for those who work with them.

The College has continued to deliver specialist training on domestic abuse to all family judges, magistrates and magistrates' legal advisers. Training to address issues in domestic abuse cases remains a core part of compulsory training for new and existing judicial office holders.

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<sup>1</sup> All training figures are bespoke figures produced for this report to cover the period October 2022 to July 2023. Detailed annual figures on training are published in the [Judicial College's Reports Archives - Courts and Tribunals Judiciary](#).

Support for magistrates training has been strengthened as the College has begun to take on full delivery responsibility from His Majesty's Courts and Tribunals Service (HMCTS). The aim is to raise the profile and quality of magistrates training and ensure it supports the needs of the magistracy now and in the future. Between April 2023 and July 2023, the College delivered almost 130 magistrates training events to around 230 participants.

Working closely with HMCTS, the College has published over 250 individual Reform training resources to date to support the introduction of new digital services and ways of working. These resources are hosted within a specific 'Reform Learning Library' on the Judicial College Learning platform. Work is continuing to convert all existing Reform training materials into interactive e-learning modules so that training for Reform is integrated in induction training activity.

The College has updated the Crown Court Compendium and the Equal Treatment Bench Book and published new editions of the Youth Court and Adult Court Bench Books. The triennial comprehensive review of the Equal Treatment Bench Book began in March 2023 and is scheduled to conclude in February 2024.

The College has continued to strengthen its partnerships with jurisdictions around the world; sharing expertise and experience in designing training on subjects such as domestic abuse, promoting inclusion and the use of technology. In October 2022, the College brought together in London representatives from the UK and Ireland judicial training bodies and participated in the International Organisation of Judicial Training conference in Ottawa, Canada. The College retains its observer status in the European Judicial Training Network.

## **Mentoring, career discussions and appraisal**

Mentoring, career discussions and appraisals are important for supporting the development of judges. The Lord Chief Justice appreciates the time and commitment given to these activities by all involved.

The "Peer Mentoring" scheme, launched in 2022, provides for salaried judges to have access to mentoring from more experienced judges and has continued to grow during 2023. Also, in 2022, a "Reverse Mentoring" scheme was established, initially on the South Eastern Circuit, for judges to be mentored by Legal Professionals from under-represented backgrounds. Following the success of the first cohort in 2023 the scheme has been developed across other Circuits with expanded coverage.

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Mentoring in the High Court currently takes place with particular arrangements depending on each Division. Mentoring activity in the High Court contains a particular focus on supporting those judges who come under section 9(4) of the Senior Courts Act 1981.<sup>2</sup>

Career Discussions offer an opportunity for salaried judges to discuss their development with their leadership judge and take place every two years. Arrangements are in place for all judges (both salaried and fee paid) to have a discussion with a leadership judge about any application for Judicial Office.

Recorder Appraisals offer an opportunity for Recorders to receive support and feedback from salaried Circuit Judges, particularly beneficial for preparation for future applications for salaried posts.

### **Resources for Leadership Judges**

The Lord Chief Justice is very grateful to all those judges who undertake leadership roles or who take on additional responsibilities to support the leadership of the judiciary. The Lord Chief Justice views the provision of support to, and the continued development of, judges in leadership roles as critical and is pleased that the resources and support available to leadership judges continues to develop both in terms of material and resources on the Judicial Intranet and other support.

## **Diversity and inclusion**

The judicial diversity and inclusion Strategy 2020 - 2025 has reached its midway point with progress being made against identified commitments. The aim is to increase the personal and professional diversity of the judiciary at all levels within the lifespan of the strategy, by increasing the number of well-qualified applicants for judicial appointment from diverse backgrounds, and by supporting their inclusion, retention, and progression in the judiciary.<sup>3</sup> Updates on actions taken to implement the strategy are published annually.

The January 2023 update showed good progress against commitments and evidence of establishing diversity and inclusion across the judiciary, for example the development of local and regional diversity and inclusion action plans. Research and advice have enabled better understand and address exclusionary behaviour. Much work has happened and will continue to happen in this area. As expected, the diversity profile of the judiciary indicates small incremental progress. Further

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2 Section 9(4) of the Senior Courts Act 1981 provides that the Lord Chief Justice can appoint an individual who is qualified for appointment as a High Court judge to the office of deputy judge of the High Court. Appointment is subject to a Judicial Appointments Commission competition. An individual appointed to the office of deputy judge of the High Court may sit in the High Court, Crown Court or any other court or tribunal to which they can be deployed.

3 <https://www.judiciary.uk/guidance-and-resources/judicial-diversity-and-inclusion-strategy-2020-2025-launched/>

commitments have been made for 2023 to embed or extend initiatives and to identify new work on this agenda.

The judiciary continued to work with the professions, the Judicial Appointments Commission, and the Ministry of Justice (MOJ) as part of the Judicial Diversity Forum. In July 2023, updated statistics were published on diversity within the existing judiciary, appointments process and legal professions ([Diversity of the judiciary: 2023 statistics](#)).

The pre-application judicial education programme continued this year. The programme provides digital resources and judge-led discussion groups to support talented lawyers from under-represented groups to feel better prepared to apply for a judicial role in the future. 109 judges have accredited training to act as guides on the recruitment process for participants on the Judicial Appointments Commissions Targeted Outreach Programme.

The judiciary continued to hold judicial application seminars and provide judicial mentoring and shadowing schemes for those considering applying to join the judiciary and for existing judicial office holders considering promotion. In the 12 months to March 2023, 159 participated in the Judicial Mentoring Scheme and 280 in the Judicial Work Shadowing Scheme. Around 700 people registered for attendance at judicial application seminars in the six months to March 2023. In addition, the judiciary supported the Judicial Appointments Commission with work to improve outcomes for under-represented groups aiming to apply for senior roles and appointments.

A wide programme of work aligned with the Diversity and Inclusion Strategy and supporting the building of a stronger, more inclusive, and respectful culture and working environment across the judiciary continues. In January 2023, a statement of Expected Behaviour was developed and disseminated that builds upon the principles in the judicial oath, setting out expectations of inclusive behaviour. This was approved by The Lord Chief Justice and the Senior President of Tribunals.

## **Welfare**

The welfare of our judiciary is vital to the delivery of justice. The Lord Chief Justice has a statutory responsibility to maintain appropriate arrangements for the welfare of the judiciary of England and Wales within the resources made available by the Lord Chancellor. Two judges hold delegated portfolio responsibility for welfare, one in courts and the other in tribunals. These judges offer peer support to judicial colleagues and sit on the Judicial HR Committee, which plays an important role in agreeing judicial health and welfare policies, wellbeing initiatives, and guidance. The Judicial HR Committee and the welfare judges are supported by the Judicial HR Team.

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The Judicial, Health and Wellbeing Strategy has been in place since 2021 and the first Judicial Wellbeing Action Plan was published in March 2022. The action plan was refreshed in January 2023. Judicial HR work with, and report to, the Judicial HR Committee on the delivery and progress of the actions within the Judicial Wellbeing Action Plan. In addition to continuing to oversee and monitor the quality of existing welfare and wellbeing services, the following further activity has taken place since October 2022:

- The introduction of a workplace rehabilitation programme delivered by our occupational health provider. The programme supports judicial office holders who are absent due to the effects of Long Covid.
- New guidance to support judicial office holders who may be experiencing anxiety. The guidance contains information, advice, and reference to specialist support for both judicial office holders and their leadership judges.
- Additional materials on menopause, including podcast discussions and information on the Hormone Replacement Therapy Pre-Payment Certificate (HRT-PPC), have been added to the health and wellbeing pages on the Judicial Intranet. Guidance to support judicial office holders experiencing menopause was produced in March 2022.
- The Judicial Workplace Adjustment Guidance has been updated to include workplace adjustment flowcharts and guidance defining roles and responsibilities; it also contains information on Display Screen Equipment (DSE) assessments. The Workplace Adjustment Working Group (consisting of judicial office holders and officials) review the guidance and offer a route for judicial office holders to escalate any concerns, as necessary.
- Posters promoting welfare services have been distributed for display in courts, tribunals and justice and court centres throughout England and Wales.

Work will continue throughout 2023 to expand the breadth of wellbeing guidance and welfare support for the judiciary.

## Cross-deployment

The Lord Chief Justice and the senior judiciary would like to continue to see greater use of cross-deployment across courts and tribunals, as part of a wider programme of cohesion to make 'One Judiciary' a reality.<sup>4</sup>

During the reporting period, the Flexible Deployment Working Group was formed to consider how best to address judicial capacity gaps through deployment. Within the civil jurisdiction, in December 2022, an expression of interest was run for up to 20 First tier Tribunal judges and Employment Tribunal judges (salaried and fee-paid) to sit in county courts within the London and South East region. The Judicial College trained 20 successful applicants in March 2023, and the judges started sitting from April 2023. To help with Crown Court backlogs, the 29 District Judges (Magistrates' Court) DJ ([MC]) identified through an expression of interest in 2022 and 2023, are expected to sit up to 50 days each in the Crown Court during the 2023-2024 financial year.

## Recruitment and appointments

Between October 2022 and July 2023, 743 salaried and fee-paid Courts and Tribunal Judges and Members were appointed.

After a successful recruitment exercise, the High Court is currently at full complement. The current Circuit Judge exercise has gone some way in closing the gap for the number of Crime judges required. Similar to last year, there is expected to be a shortfall in the recruitment of District Judges to sit in the County Court and Family Court.

Work continues to encourage applications to salaried judicial office. The judiciary is heavily engaged in such work, as are the legal professions and the Judicial Appointments Commission. Historically it has been difficult meeting the numbers required at the Circuit and District Bench; therefore, particular focus has been on promoting these salaried offices ahead of new campaigns launching in the summer of 2023.

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<sup>4</sup> Pursuing 'One Judiciary' by the Lord Chancellor, the Lord Chief Justice of England and Wales and the Senior President of Tribunals - Courts and Tribunals Judiciary

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## 2. External engagement

### Working with Government and Parliament

In October 2022, the Lord Chief Justice again oversaw the taking of the oath from Dominic Raab MP as Lord Chancellor and in May he welcomed Alex Chalk KC MP to the role, the Lord Chief Justice's seventh Lord Chancellor during his time in office (with one having served twice).

The Lord Chief Justice usually meets the Prime Minister once or twice a year. He met Prime Minister Rishi Sunak in January and May 2023 and discussed a wide range of topics of mutual interest.

The Lord Chief Justice meets the Lord Chancellor regularly as well as the Permanent Secretary and other senior officials within the MOJ. He also has regular meetings with the CEO of HMCTS, as one of the principals of the joint venture. Other members of the senior judiciary also have bi-lateral meetings with relevant Ministers to ensure that the views of the judiciary as a whole are conveyed to the Government.

Regular topics for discussion with the Lord Chancellor have included finance, efficiency, modernisation, case throughput, capacity and judicial recruitment.

The Concordat process, through which the Lord Chief Justice and Lord Chancellor agree the funding arrangements for the courts, was completed in early July 2023. Significantly, it made provision for substantially increased capital spending on the estate in this financial year and the financial year 2024/25 at £110m and £120m respectively.

The Lord Chief Justice meets the Law Officers regularly, and Ministers and senior officials from a range of government departments including the Home Office, to discuss crime and immigration, and the Foreign Commonwealth and Development Office, to discuss the value of international judicial diplomacy. The Lord Chief Justice met the Cabinet Secretary in January and May.

To address a discernible increase in instances of Members of Parliament (MPs) contacting courts and tribunals, on behalf of constituents, to seek information about the progress of live cases, the Lord Chief Justice's Private Office worked with the Parliamentary Standards Commissioner to ensure that sufficient guidance is available for MPs to make clear under what circumstances such an approach might be appropriate. The guidance was timely and welcome and had an immediate effect.

The Lord Chief Justice gave evidence to the Justice Select Committee of the House of Commons in November and the Constitution Committee of the House of Lords in June. Other senior judges have given evidence on specific areas of the law including family, crime, and immigration.

The Lord Chief Justice met the Speaker of the House of Commons in January and discussed the importance of the separation of powers and the expected legislative timetable.

In line with the judiciary's approach to political impartiality, the Lord Chief Justice has had meetings with the Shadow Lord Chancellor and Shadow Attorney General.

## **The Legal Profession**

The period covered by this Report has seen a welcome conclusion to the action by the Criminal Bar. The Lord Chief Justice has been careful to make no comment on the action save to observe that the backlogs in the criminal courts crept up during that time despite the efforts of the judiciary. The deadlock in this dispute was broken following the change of leadership in the Government in September 2022.

Relationships between the judiciary, the Bar, the Law Society and the Chartered Institute of Legal Executives are naturally strong, and the Lord Chief Justice has regularly met senior representatives from each. Joint working through bodies such as the Crown Court Improvement Group and the Judicial Diversity Forum has been particularly valuable.

The Lord Chief Justice has also found regular meetings with Heads of Legal Operations (senior lawyers working within HMCTS) useful in sharing information about the efficient and effective operation of the courts.

In November, the Lord Chief Justice gave an address to the Annual Bar and Young Bar Conference, followed by a question- and- answer session. This was an opportunity for him to provide an overview of his priorities for this year and beyond.



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## Communications

The Judicial Office Communications team has delivered a programme of communications activity on behalf of the judiciary to appeal to a diverse range of audiences through multiple online and offline platforms.

Social media has continued to be utilised to disseminate information and demonstrate the diversity of the judiciary. The Judicial Office social media channels have continued to grow with Twitter now attracting 66,300 followers, Instagram has 4,585 followers, Facebook has 5,000 and LinkedIn has 11,306 followers.<sup>5</sup>

The social media content, which has resonated well with audiences, focuses on the diverse backgrounds of judicial office holders and the outreach work that they undertake with schools and communities.

In February 2023, a Massive Open Online Course (MOOC) focused on the rule of law was launched in collaboration with the University of Law and has been completed by over 1,500 people to date.

To continue to celebrate the centenary of Dr Ivy Williams, the first woman to be called to the Bar in England and Wales, a photo exhibition commemorating prominent women who were pioneers in the judiciary has been displayed in the Royal Courts of Justice and Supreme Court and shared with schools in Reading and Manchester.

The Communications team has provided support to artist Carey Young whose exhibition titled 'Appearance', at Modern Art Oxford, showcased women judges from a range of different demographics and jurisdictions.

Leaflets focused on the rule of law have been sent to 150 magistrates' courts across England and Wales as a pilot before further dissemination.

The Communications team has continued to promote the broadcasting of sentencing remarks which have collectively attracted over 465,000 views on the Sky YouTube channel.

The Lord Chief Justice held his annual press conference in February 2023 inviting and answering questions from journalists from national and specialist media.

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<sup>5</sup> All figures correct as of 30th May 2023

## **Schools Engagement Programme**

In the 12 months to March 2023, the 150+ diversity and community relations judges and 30 diversity and community relations magistrates made over 300 visits, either in person or online, engaging with over 20,000 school children and college and university students. Visits by judges and magistrates play an important role in enhancing understanding of the justice system and encouraging future lawyers and judges.

Question Time events, which provide an opportunity for school students to question a panel of judicial office holders, were run at the Royal Courts of Justice and at courts around the country. The events included two panels of solicitors, barristers, and legal executives as well as judges and magistrates.

As part of the programme of schools outreach, the Lord Chief Justice visited The One Sixth Form College in Ipswich in November 2022, Brompton Academy in Medway in December 2022, Gower College in Swansea in January 2023, and Plume Academy in Essex in March 2023.

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## 3. Judicial Library and Information Service

Between October 2022 and July 2023, the Judicial Library and Information Service (jLIS) supplied over 23,945 print publications to judges in the courts and tribunals. They also provided all judges with access to a comprehensive range of online legal resources via the Electronic Library and Information Service (eLIS), an online legal library for judges.

Since eLIS was launched almost 20 years ago, judges have had access to an unrivalled collection of legal publications online, with most publications being available in both formats. During that time jLIS has had a successful training programme to support judges in the transition from print to online. In March 2023 judges decided to reduce their use of print and to make greater use of online resources; they will retain essential core publications for use in hearings, but all other publications will be online only. jLIS will expand the current training programme to ensure that all judges continue to have the support they need to use online resources effectively.

jLIS continued to support the International Law Book Facility charity, which sends unwanted legal books to not-for-profit organisations around the world. Over 1000 donations were sent to Belize, Kenya, Mauritius, and Sierra Leone.

April 2023 marked the first anniversary of the new Find Case Law Service, hosted by The National Archives. Since the launch in April 2022, over 5000 judgments from the Court of Appeal, High Court, Administrative Court, and Upper Tribunal have been published.

jLIS hosted a visit from the Taiwanese judiciary to discuss the challenges around the publication of judgments as well as a joint session with the Incorporated Council of Law Reporting and the Law Reporting Council of Botswana around the principles of law reporting.

## 4. Judicial Data Protection Panel

Progress has continued in raising awareness within the judiciary of data protection requirements and embedding compliance. This work continues to be overseen by the Judicial Data Protection Panel. Its role is to supervise the processing of personal data by individuals, courts and tribunals when acting in a judicial capacity.

The Panel reviews all judicial data incidents to identify themes and inform advice and guidance. There have been very few data breaches over the past year; and none that have been assessed as serious.

The Panel also considers complaints from individuals about how their personal data has been processed by a court, tribunal or individual when acting in a judicial capacity.

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## 5. Criminal Justice

### Court of Appeal Criminal Division

Receipts have continued to rise slowly but steadily, as was expected given the increase in the number of trials completed in the Crown Court, but recently they have been levelling off. Numbers of applications for leave to appeal against conviction and/or sentence are still slightly below pre-pandemic levels. The number of Attorney-General's References under the Unduly Lenient Sentences scheme, however, continues to increase year on year.

The Criminal Appeal Office continues to look at its efficiency and improve ways of working to ensure the Court of Appeal Criminal Division (CACD) is in a position to deal with any rise in receipts as a result of increased sitting days in the Crown Court.

A Court User Group meeting was held in October with a mixture of in-person and remote attendees. Users were given an update on significant judgments given by the CACD in the last year, practical arrangements to deal with requests for remote participation and observation of proceedings, and changes to arrangements for the lodging of authorities and late papers. Matters raised by users included highlighting difficulties faced by fresh legal representatives when giving advice on appeal.

The court continues to seek to improve efficiency and regularly updates its published Guide to Proceedings, which contains both procedural and practical information for court users, reflecting the relevant Criminal Procedure Rules and Criminal Practice Directions. For Litigants in Person, 'easy read' versions of the relevant forms are available, as is a dedicated leaflet giving appropriately drafted procedural advice to improve access to justice for those representing themselves in proceedings before the CACD.

The court continues to adopt a flexible approach to the conduct of hearings before the court. While the default position is that hearings are conducted in person by the advocates, the court has allowed remote participation via Cloud Video Platform (CVP) where it has been in the interests of justice to do so. In furtherance of the principle of open justice, the court has also granted many requests for remote observation of proceedings in many cases where a request has been made.

## Crown Court

Despite the dispute between the Criminal Bar Association and the Government over legal aid between April and October 2022, the Crown Court sat more days than anticipated in the last financial year. The total was 100,950 days<sup>6</sup>. Nevertheless, the outstanding caseload rose from 57,769 in May 2022 to 63,238 by May 2023<sup>7</sup>. It has continued to rise since. There are a number of reasons for this. They include that the volume of work coming into the system is rising and the case mix has become more complex. For example, there is an increasing number of serious sexual offences being prosecuted. They are relatively time-consuming and generally have a lower guilty plea rate than other types of crime. There has been an increase in the average length of trials. The outstanding caseload provides an illustration of the overall picture although the majority of those cases will not require trials. The position varies across the country.

Timeliness is a more important measure. Statutory custody time limits mean that cases where defendants are remanded in custody must be given priority and then, in each Crown Court, difficult judgements must be made concerning the prioritisation of cases.

Many factors have an impact on the time a case takes from receipt to disposal. Each case is different, and the process depends on interactions between a range of parties. If all parts of the system are resourced sufficiently, have capacity and are working well, a reasonable expectation is for most cases to be ready for trial within six months of receipt into the Crown Court. This is not currently being achieved<sup>8</sup>. Two constraints on the volume of work that can be done are the availability of judges, salaried and fee-paid, and the capacity of the legal profession to service the cases.

Making the best use of resources and bringing all parts of the system together to achieve greater efficiency has been a focus of the Lord Chief Justice during this reporting year.

The Crown Court Improvement Group, chaired by the Senior Presiding Judge, is making progress in identifying ways of improving efficiency in the courts within the existing structures and rules.

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6 [HMCTS management information - May 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/criminal-court-statistics-quarterly-january-to-march-2023)

7 [HMCTS management information - May 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/criminal-court-statistics-quarterly-january-to-march-2023)

8 Median waiting time (i.e., the time between the date of sending a case to the Crown Court and the start of the substantive Crown Court hearing) for defendants dealt with in trial cases disposed of in the Crown Court with a not guilty plea in 2022 was 38.4 weeks:  
<https://www.gov.uk/government/statistics/criminal-court-statistics-quarterly-january-to-march-2023>

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As a result of the welcome efforts of this Group a revised and updated Better Case Management Handbook was published in January 2023. It included progress reports from each criminal justice agency along with listing advice to judges intended to reduce the number of hearings per trial case, and to make them more valuable.<sup>9</sup> Some key achievements to date are as follows:

- The Police and Crown Prosecution Service (CPS) continue to work together to improve file quality, supported by the Case Progression Working Group. A review of the Joint Operational Improvement Meeting between the Police and the CPS is currently taking place to understand communication, data, administration, and the relationships between both agencies. The review will report initial findings in July, with a full report and recommendations due in September 2023.
- The National Police Chiefs' Council is analysing results from pilot force areas which were part of the new charging model. They are now in the process of supporting the next set of forces with a long-term view towards a full national roll out. The charging model has sought to bring about standardisation across all force and CPS areas in the service level agreement and timeliness of receiving charging decisions from the CPS.
- HM Prison and Probation Service (HMPPS) has continued to focus on maximising the use of video links to facilitate visits by legal practitioners and probation staff. This has included the creation of a specific point of contact for video links at each prison along with a nationwide training programme for staff on the efficient use and maintenance of the video link system at their prison.
- The CPS's new operating model for early provision of case material in Crown Court cases which have been charged following application of the Full code Test in the Code for Crown Prosecutors began roll out in 2022 and was completed in June 2023. This supports the principle of early engagement and re-invigoration of robust case progression principles under Better Case Management. Early feedback has been positive. The next stage focuses on embedding the process and delivering benefits.<sup>10</sup>
- The Probation Service remains committed to implementing the 'Pre-Sentence Report on Committal' process nationally.<sup>11</sup>
- The Legal Aid Agency has worked with the local and national police leads to facilitate early engagement with defence firms and continues to work with

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9 <https://www.judiciary.uk/update-from-the-senior-presiding-judge-on-the-crown-court-improvement-group-and-better-case-management-principles/>

10 Full Test Code is a two-stage test, under the Code for Crown Prosecutions, applied by a prosecutor when determining whether an offender is to be charged with an offence

11 <https://www.lawsociety.org.uk/topics/criminal-justice/new-pre-sentence-report-protocol>

other agencies to remove barriers to early engagement. A local pilot in Kent suggested that there has been a significant positive impact in reducing the number of 'failures to attend' cases at first hearing in the magistrates' court. Work is now being undertaken to expand this to other police force areas.

However, achieving and maintaining more timely completion of cases in the Crown Court relies on all parts of the system being properly resourced and working efficiently. This means ensuring there are enough judges and criminal lawyers, probation services, prison capacity and that the court estate is functioning properly. The Lord Chancellor has agreed that the Crown Court can sit to full capacity in the financial year 23/24 and that further resources will be made available if more than 102,300 sitting days are achieved. There is a good chance of exceeding that figure.

The new Criminal Practice Directions 2023 were issued in April 2023, which replaced the Criminal Practice Directions 2015 as amended, and came into force on Monday 29 May 2023.

The Criminal Practice Directions 2015 were long and had been amended a number of times. In 2020, a small judicially led working group was appointed to undertake a review and revision of the practice directions, to ensure they contain only the level of information that is necessary, and in a style which makes that information easy to find and understand. The intention was not to make any substantive changes from the 2015 version. The Lord Chief Justice thanks members of the working group for their dedication to meeting that aim. The new practice directions will continue to promote consistency of practice and provide essential guidance in a more succinct, easy to follow style.

## Magistrates

The overall number of outstanding cases in the magistrates' courts stood at 332,582 in May 2022. As of May 2023, that figure was 344,154<sup>12</sup>.

As part of continuing efforts to assist in magistrates' courts recovery, a renewal of the valuable principles of Transforming Summary Justice (TSJ) is taking place this summer, to ensure that the robust case management of magistrates' court work continues to improve into the future.

Since the start of the year, efforts have been made to ensure that the principles of TSJ are still relevant to the current work undertaken in the magistrates' court, and to distil the most valuable of those principles for the future. Every magistrate is receiving training through the Judicial College, due to be completed by November, explaining these principles, and providing guidance on how they can be put into practice when undertaking work in the magistrates' court. A series of national and regional

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12 [HMCTS management information - May 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/115444/HMCTS_management_information_-_May_2023.pdf)



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webinars will be taking place from June 2023 onwards to provide information about the renewal programme. The renewed TSJ principles will be provided in the form of a short guide which will be available in each magistrates' court.

The success of this work will be dependent upon the efficiency of the other agencies involved in this effort including, the police, the CPS, the defence community, and HM Probation Service. There will be continued monitoring of the renewal programme throughout the magistrates' court governance structure.

In May 2022, the sentencing powers of magistrates' courts were increased by statutory instrument to enable magistrates and district judges (magistrates' courts) to impose custodial sentences of up to 12 months' imprisonment for a single offence triable either in a magistrates' court or the Crown Court. It was hoped that the change would reduce the number of cases sent to the Crown Court for sentencing and the number of cases sent for trial in the Crown Court where the defendant is content to be tried in a magistrates' court. Due to limitations with prison capacity however, the Lord Chancellor exercised his authority to return magistrates' sentencing powers to six months in March 2023 to ease pressures on the prison estate. There was no suggestion that the increased powers had been used inappropriately by magistrates. The effect of the reversal was simply to delay for a few weeks a significant volume of sentencing decisions whilst they waited their turn in the Crown Court.

Magistrates are to be praised for the diligent work they undertook to take on cases which carried longer custodial sentences, and by extension, their efforts to assist the Crown Court in absorbing work that would have otherwise contributed to the Crown Court backlog.

Efforts were also undertaken during this period to see through the abolition of Local Justice Areas (LJA)s. This undertaking has been temporarily paused by the MoJ, but the judiciary remain committed to developing this work which will continue to value the importance of local justice, while providing opportunity for greater flexibility in how the magistrates' courts operate.

Recruitment to the magistracy remained strong during the reporting period. A new selection process, website, online application and digital recruitment system were launched in January 2022, and as of 31 March 2023, 6,000 applications had been made to become a magistrate under this new system.<sup>13</sup> In February 2023, a Situational Judgement Test was also introduced as part of recruitment reforms to speed up the time between a candidate's application to appointment.

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13 <https://www.gov.uk/government/statistics/diversity-of-the-judiciary-2023-statistics>

## **The Criminal Procedure Rule Committee**

The Committee's substantial programme of work over the reporting period included the making of a wide range of rules and rule amendments.

These amendments included rules to supplement provisions of the Police, Crime, Sentencing and Courts Act 2022 and the Judicial Review and Courts Act 2022 as well as rules concerning: service of documents on court offices; the supply of information by court staff to reporters and members of the public; better provision for statutory time limits when starting a prosecution; timetabling the pre-trial recorded cross examination of a witness; reading of a victim personal statement in a youth court; serious disruption prevention orders under the Public Order Act 2023; and the criteria for punishment for contempt of court.

The Committee contributed to the Lord Chief Justice's review of the Criminal Practice Directions 2015 which concluded with the coming into force of the Criminal Practice Directions 2023 in May. The Committee made a number of new rules to replace previous directions.

## **The Sentencing Council for England and Wales**

The Sentencing Council is an independent body. The Lord Chief Justice is its President, and it is chaired by a senior judge. The Council has a statutory duty to produce its own annual report, the latest of which was published in July 2023.<sup>14</sup>

Throughout the reporting period, the Council continued to meet its primary duty of producing guidelines that promote a clear, fair, and consistent approach to sentencing under the chairmanship of Lord Justice William Davis. This year has been the final year of Chairmanship by Lord Justice Holroyde to whom the Lord Chief Justice is indebted for his work in ensuring authoritative, clear, and comprehensive sentencing guidance continues to be available to courts, the criminal justice system, and the public. Lord Justice Holroyde also steered the Council through its ten year anniversary and the drafting of its new Five Year Strategy.

The Council published new and revised sentencing guidelines covering offences of child cruelty, animal cruelty, sale of knives by retailers to persons under 18, motoring, perverting the course of justice and witness intimidation. It also revised the Totality guideline, which sets out the approach for sentencing an offender for more than one offence or where the offender is already serving a sentence.

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<sup>14</sup> <https://www.sentencingcouncil.org.uk/publications/item/sentencing-council-annual-report-2022-23/>

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The Council also published three research reports: an examination of equality and diversity matters relating to its work<sup>15</sup>; an investigation on what drives public attitudes to and understanding of the criminal justice system<sup>16</sup>; and a review of literature looking at evidence on the effectiveness of sentencing.<sup>17</sup>

## The Service Justice System

The Service Courts include the Court Martial, the Summary Appeal Court (for hearing appeals from summary decisions made by Commanding Officers), and the Service Civilian Court (to hear cases overseas involving civilians subject to Service discipline). The last year has seen a fall in the number of cases heard in the Court Martial. This may be due to recent changes in working practices which have yet to bed down. Feedback from the Service Prosecution Authority (SPA) suggests that higher numbers of cases are expected to be directed for trial in the Court Martial over the next 12 months.

During 2022, 319 individual service personnel were tried in the Court Martial and their cases completed. This compares with a figure of 500 for 2019, so numbers remain about 35 percent below pre-pandemic levels. A reduced caseload has led to a reduction in waiting times to trial in the Court Martial which are now below pre-pandemic levels. The Judge Advocate General has given directions which have resulted in cases of a sexual nature being tried within six months of direction by the SPA, and all other cases with a human victim within nine months. 92 percent of sexual offence cases are listed for trial within eight weeks of stage 4 directions. Reducing waiting times for these high priority cases in the Service Courts is a key part of supporting the operational effectiveness of the Armed Services by providing timely resolution to the benefit of complainants, defendants, and their units. Delay in cases involving serious allegations can mean uncertainty hanging over defendants and victims for long periods which can impact negatively on the individuals involved and undermine the morale and operational effectiveness of the units to which they belong.

A new case management system, known as Case Center, for the Military Court Service (MCS) has been in preparation and is expected to go live in September 2023. It is based on the existing Digital Case System in use in the Crown Court and will be compatible with the Connect system being developed for the Service Police and the SPA, which is expected to be ready by October 2023. This represents a major upgrade in digital case management capability and should deliver improved efficiencies in progressing cases across the Service Justice System.

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15 [Equality and diversity in the work of the Sentencing Council - Sentencing](#)

16 [2022-12-12-P019988-Sentencing-Council\\_Perceptions\\_Report\\_v14\\_FINAL.pdf \(sentencingcouncil.org.uk\)](#)

17 [The Effectiveness of Sentencing Options on Reoffending \(sentencingcouncil.org.uk\)](#)

New sentencing guidelines for the Service Courts<sup>18</sup>, which came to force on 1 June 2023, have been published. They were the product of a collaborative process with Service Justice Service stakeholders. Following a conference with Service Justice Service stakeholders on Better Case Management (BCM) in October 2022, and a new BCM handbook in the civilian criminal courts, the Judge Advocate General published a revised Practice Memorandum which came into force in June 2023.<sup>19</sup>

The Service Justice System now has the power to conduct pre-recorded cross-examination of complainants and is introducing the latest technology to support this. The recent initiative allowing the public to view cases over video link has proved successful and applications are growing steadily, allowing greater access to, and understanding of, proceedings in the Court Martial.

The Judge Advocate General continues to work with the Services, Ministry of Defence and stakeholders in the Service Justice System to bring further improvements in terms of efficiency and quality of service and is optimistic that further positive developments can be made over the coming year.

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18 [Master Combined Sentencing Guides \(judiciary.uk\)](https://www.judiciary.uk/master-combined-sentencing-guides/)

19 [BCM\(CM\) PM final 230531 \(judiciary.uk\)](https://www.judiciary.uk/bcmcm-pm-final-230531/)

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## 6. Civil Justice

### County Court

The priorities for civil justice in this reporting period were digitisation, improving the use of data and making the civil justice environment increasingly inclusive and diverse. We are working hard to reduce outstanding caseloads and improve timeliness. Some important achievements across the jurisdiction were:

- The publication of a civil listing best practice report following extensive consultation, which provided guidance to judges for listing best practice for most case types in the jurisdiction. The guidance will be reviewed at regular intervals to ensure the continued collation and dissemination of best practice around the country.
- The delivery of a variety of other projects to improve civil operations including:
  - Training and authorising a cohort of tribunal judges in the civil jurisdiction and utilising the Virtual Region. Both allow additional judicial resource to hear civil cases on the Southeast circuit.
  - Passing Practice Direction 51Z which provided a pilot scheme for authorised court officers to make standard form case management directions on paper.
- The appointment of new designated civil judges, providing vital local civil leadership and supporting the judiciary and HMCTS to improve performance. Two new posts were created, and seven further recruitment exercises have been launched.
- The Master of the Rolls alongside senior civil leadership judges have visited nearly 60 civil court centres (out of 139). These visits allow them to meet with judges and staff to better understand local successes and challenges.
- The release of Default Judgments and Standard Directions Orders functionality in Online Civil Money Claims (OCMC) and the Damages Claim Portal (DCP).

As a result of the HMCTS reform programme and continuing process of the digitalisation of the county court, over 405,000 claims have been issued in the OCMC service and over 98,000 claims have been issued in the DCP.

Volumes of hearings have increased during the reporting period to now only three percent below the pre-Covid baseline, showing continued recovery in the county courts post-pandemic.<sup>20</sup>

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20 [Civil Justice Statistics Quarterly: January to March 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/civil-justice-statistics-quarterly)

The volume of money claims has increased in comparison to the last reporting period, particularly driven by claims valued under £500.

Mortgage and landlord possession claims now sit around 66 percent and 77 percent (respectively) of their pre-Covid baselines, mainly driven by private and accelerated possession claims.<sup>21</sup> Despite the increase in volumes, the civil court is managing demand. This is evident in the timeliness figures across all mortgage and landlord stages to pre-Covid levels. Median average time for mortgage claim to repossession has decreased to 60.2 weeks from 110.2 weeks when comparing the January to March quarter in 2022 and 2023. Similarly, median average time for landlord claim to repossession has decreased to 22.3 weeks from 27.3 weeks in that period.<sup>22</sup>

The Civil Justice Council (CJC) working group on costs published its report in May, which considered four aspects of the civil costs regime: guideline hourly rates, costs budgeting, pre-action and digitisation, and the consequences of the extension of fixed recoverable costs. The fundamental recommendation was for cost budgeting to be retained but the approach should not be 'one size fits all.' Other recent work of the Council includes establishing a working group considering procedure to determine mental capacity in Civil proceedings.

The 2022 CJC National Forum was the largest ever, attracting over 300 delegates. Topics covered included current work of the CJC: costs, resolving disputes before court, determining mental capacity, and futures. As well as wider discussions on education, businesses, borrowers and tenants, and advice provision. Panel sessions focused on how the digital justice system can improve access to justice for vulnerable court users and how cross-sector partnerships can improve outcomes for litigants with cluster issues, reflecting on the CJC's report on Anti-Social Behaviour.

## High Court

The King's Bench Division of the High Court continues to attract a large number of claims, both in the general list and across the many specialist lists in the division. The civil workload is at pre-pandemic levels with receipts remaining stable or growing. An updated edition of the King's Bench Division Guide was published in May 2023.<sup>23</sup>

The King's Bench civil list has continued to see a steady flow of trials and applications in a wide variety of fields, including clinical negligence and personal injury, harassment, and breach of confidential information/privacy, as well as urgent injunctions arising out of environmental protests. Appeals from Masters, Cost Judges and the County Court contribute to the workload of the list.

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21 [Mortgage and landlord possession statistics: January to March 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/mortgage-and-landlord-possession-statistics-january-to-march-2023)

22 [Mortgage and landlord possession statistics: January to March 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/mortgage-and-landlord-possession-statistics-january-to-march-2023)

23 <https://www.judiciary.uk/guidance-and-resources/the-ninth-edition-of-the-kings-bench-guide-is-now-available/>

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The Administrative Court has continued to keep pace with a large case load. Judicial review claims scrutinise the legality of all types of decisions taken by public authorities, from matters of high public controversy such as immigration policies, to ones of intense personal importance including decisions on provision of personal care and education. Appeals against extradition orders are a further significant part of the court's work. Extradition appeals regularly consider human rights arguments, for example as to prison conditions abroad.

The Media and Communications List continues to be a busy and important area of civil work, handling cases where issues of freedom of expression are likely to arise.

The Planning Court has dealt with a wide range of cases, many of which involved topics of great public interest. They have included challenges to consents for national infrastructure projects such as airports, nuclear power, wind farms and road schemes. Many of the cases have involved important environmental issues, including the Government's Net Zero Strategy and the implications of development for climate change, air quality, biodiversity, nutrients, water quality, flood risk, conservation areas and historic buildings.

The Commercial Court continues to attract litigants from all over the world, making it a leading centre for international dispute resolution. The most recent Commercial Court Report, published in March 2023, reported an increase in the number of sitting days, the number of paper applications and trials.<sup>24</sup> Applications relating to arbitrations seated in England and Wales increased significantly over the preceding year. The Commercial Court continues to support England and Wales as a leading seat for international commercial arbitrations. The judges of the Commercial Court have engaged with court users and with the wider community of those interested in commercial litigation through seminars, user group meetings, visits to the Circuit Commercial Courts and a variety of access events.

The work of the Technology and Construction Court covers a broad spectrum. Building and engineering disputes still account for the largest element of work, together with disputes concerning computer and IT infrastructure systems, energy projects and procurement. There has been an increase in claims issued concerning cladding defects and other fire protection issues. A number of events across England and Wales are being held this year to celebrate 150 years of the Technology and Construction Court.

The workload in the Business and Property Courts of England and Wales has continued to increase at a stable rate, signifying that these courts remain the jurisdiction of choice for litigation for both international and domestic business disputes. For the most part, hearings have returned to in person as they were pre-pandemic, and technology continues to be utilised when necessary.

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24 [https://www.judiciary.uk/wp-content/uploads/2023/04/14.244\\_JO\\_Commercial\\_Court\\_Report\\_WEB.pdf](https://www.judiciary.uk/wp-content/uploads/2023/04/14.244_JO_Commercial_Court_Report_WEB.pdf)

A new Chancery Guide was published on 29 July 2022. This continues to be kept up to date with the most recent publication in June 2023. The new Chancery Guide seeks as far as possible to bring the practice in the Chancery Division into line with the practice in the other Business and Property Courts. The new Chancery Guide also applies in the District Registries out of London, save where local guidance is necessary.

The Judicial complement continues to grow, with the Chancery Division, Commercial Court and the Technology and Construction Court welcoming new judges to the Business and Property Courts from a variety of specialised backgrounds. The Chancery Masters continue to hear trials while also case managing larger cases alongside the High Court Judges. The Insolvency and Companies Court Judges remain busy with the volume of work steadily increasing.

The Business and Property Courts continue to keep abreast of emerging areas of litigation including Artificial Intelligence and Digital Assets. Small, focused training seminars are held to ensure that the judges are able to deal with these new areas of litigation.

The Regional Business and Property Courts continue to thrive, enabling disputes to be heard locally to where they occur and affect people the most.

## **Court of Appeal Civil Division**

The Court of Appeal Civil Division welcomed a modest increase in appeals being filed in the last reporting period with filings up by 15 percent from the Covid related low in 2021. The timeliness and efficiency of the Court of Appeal has also continued to improve despite this increase in the number of appeals. The average time taken to provide a decision on permission to appeal has reduced from 20.4 weeks to 14.0 weeks, and the average time from an appeal hearing to the hand down of judgments reduced from 7.1 to 6.0 weeks.<sup>25</sup>

The Court of Appeal has continued to make itself more accessible and open. Existing broadcasting agreements have been renewed. The hardware needed to allow all courts hearing civil appeals to livestream their hearings on YouTube is now installed and in use. The Court of Appeal continues to sit in Wales and the regions whenever possible. It has heard several cases in Wales and is planning to sit in Leeds and Manchester during the coming year.

The Court of Appeal successfully introduced electronic filing, in the form of CE-File, which has accelerated the administration process. A survey of Court of Appeal users was recently conducted as part of a major internal review of working practices. It is hoped that the results of the survey will lead to significant further improvements in efficiency and timeliness in the coming months.

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<sup>25</sup> <https://www.gov.uk/government/statistics/civil-justice-statistics-quarterly-january-to-march-2023/civil-justice-statistics-quarterly-january-to-march-2023#royal-courts-of-justice>



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## 7. Family Justice

Some important achievements across the family jurisdiction this year were:

- In October 2022, the Family Solutions Group, a subgroup of the President’s Private Law Working Group, published the “Language Matters” Report which set out a framework and use of language which promotes child welfare and a cooperative parenting approach.<sup>26</sup>
- The Public Law Outline (PLO) was re-launched for all new care proceedings from 16 January 2023. The PLO provides a template for case management of family public law proceedings, with a view to reducing delay and bringing cases within the statutory 26-week time limit. The focus is on making the case ‘smaller’ by reducing the number of hearings per case and by making ‘every hearing count’.
- In January 2023, the Transparency Implementation Group launched its one-year Reporting Pilot in Cardiff, Leeds, and Carlisle. The pilot allows judges in those courts to make a ‘Transparency Order’ so that accredited media and legal bloggers may report on what they see and hear during family court cases, subject to strict rules of anonymity. The launch of the pilot was met with positive media reporting in both the national and local press.
- In November 2022, the Public Law Working Group released a consultation on supervision orders. This led to the publication of the Supervision Order Report in April 2023 which made recommendations to ensure supervision orders are robust and effective and promote the welfare of children in the care of their parent(s) or wider family.<sup>27</sup>
- The one-year pilot of the national Deprivation of Liberty listing protocol ended in July 2023. 1,217 new applications were issued in the Royal Courts of Justice during that time.

### Transparency

The President of the Family Division’s transparency review continued this year under five sub-groups within the Transparency Implementation Group.

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26 <https://www.familysolutionsgroup.co.uk/wp-content/uploads/2022/10/Language-Matters-October-2022-with-annexes.pdf>

27 <https://www.judiciary.uk/guidance-and-resources/publication-of-the-public-law-working-group-supervision-order-report-and-webinar-today-24-april-2023/>

## Medical Experts

Achievements this year included the completion of a proposal to be put to the Department of Health and NHS England which could improve the quality of evidence emanating from clinicians and widen the pool of experts, the delivery of varied and extensive training from experts and lawyers and the commencement of work on a comprehensive practical handbook for experts.

## Public Law

16,247 cases were started in 2022, a one percent reduction on 2021. Average timeliness in February 2023 was 39.7 weeks, down from 40.4 weeks in February 2022.

## Private Law

52,219 cases were started in 2022, a reduction of four percent on 2021.

The mean timeliness in 2022 was 44.9 weeks, compared to 40.3 weeks in 2021.

During this reporting period, Pathfinder Courts in Dorset and North Wales continued to trial an improved system of resolving private law children cases. Anecdotal evidence suggests there are fewer hearings, more cases resolved at the first-attended hearing and better engagement with domestic abuse agencies who can offer help to families in and out of court. Consideration is being given to how to rollout the initiative more widely.

## Financial Remedies Court

39,416 financial remedy applications were issued in 2022, a 19 percent reduction from the previous year. The number of contested cases in 2022 as a percentage of disposals was 17 percent.

## Court of Protection

After a successful pilot scheme, the Court of Protection's online application portal for Property and Affairs deputyship applications was opened to all users in February 2023.

The Court of Protection welcomed a new cohort of judges to support the streamlined Re-X cases on deprivation of liberty for people in supported living, at home or somewhere other than care homes or hospitals. The training for the new intake was completed at the end of November 2022. Improvements were made in digital working, so that judges can work remotely from courts around the country, to use judicial resources effectively.

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## 8. Coroners

The Chief Coroner completed his extensive tour of all 81 coroner areas in England and Wales, with an emphasis on the welfare of the judiciary and staff, encouraging good working relationships with local authorities, who resource coroner services, alongside (in many parts of the country) the police and assessing the state of the court and office infrastructure.

During the period of this Report, the Chief Coroner has continued to pursue his key priorities of working with coroner areas to reduce post-Covid backlogs while encouraging all who participate in the coroner process to focus on the inquisitorial, fact-finding nature of the jurisdiction.

Other significant activity has involved working with government to prepare for the introduction of the statutory Medical Examiner System in due course, as well as ensuring that Prevention of Future Death (PFD) Reports are as effective as possible when produced by a coroner, including a focus on PFDs in annual training.

## 9. Wales

The number of outstanding Crown Court trials peaked in October 2022 but has since consistently reduced. The number of cases outstanding in the Crown Courts at Swansea, Mold and Caernarfon has effectively returned to pre-pandemic levels. The operation of the Swansea Nightingale Court has been extended to 2024 and this court is now largely deployed for the hearing of cases from South-East Wales to support recovery in that area. The magistrates' courts continue to meet or exceed many performance targets.

The Renting Homes (Wales) Act 2016 came into force on 1 December 2022, introducing law specific to Wales on landlord and tenant matters.<sup>28</sup> The Lord Chief Justice made training in the new law compulsory for all judges in Wales dealing with these cases, and this training has been successfully completed, using a variety of methods, including podcasts, written materials, videos, and a full day of compulsory in-person training delivered in North and South Wales in February and March 2023.

In the family jurisdiction, North Wales has been a pilot area for the Pathfinder model for private law applications. The Pathfinder model is designed to focus on a more investigative approach with earlier gatekeeping and information gathering. The pilot is delivering real benefit in swifter and more effective resolution for children and families and also in releasing further court time for both private and public law applications.

The Lord Chief Justice visited Llandudno in October 2022 for the annual Legal Wales Conference, the meeting of the Association of Judges in Wales and the service marking the opening of the legal year in Wales. The conference provided a platform for continuing dialogue on constitutional and legal developments in Wales.

The Lord Chief Justice returned to Wales in January 2023 to sit in the Court of Appeal in Swansea. Both divisions of the Court of Appeal sat on other occasions in Wales. The Lord Chief Justice also met the First Minister of Wales, the Rt Hon Mark Drakeford MS, and the Counsel General, Mick Antoniw MS in Cardiff. They discussed a range of topics related to justice in Wales, including the court estate, performance in court, Tribunals and Reform.

In May the Lord Chief Justice swore in Sir Gary Hickinbottom as the new President of Welsh Tribunals at Cardiff Crown Court, following the retirement of Sir Wyn Williams.

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28 <https://www.legislation.gov.uk/anaw/2016/1/part/1/crossheading/introduction-to-parts-1-and-2-and-key-concepts-in-this-act>

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## 10. International

International judicial engagement continued over the reporting period, with an increase in all forms of activity. Several Chief Justices and numerous senior judicial office holders were welcomed by the Lord Chief Justice to this jurisdiction, both as part of the Opening of the Legal Year in October 2022 and over the course of the reporting period. The judiciary also worked with a number of partner organisations to deliver training and capacity building overseas.

The Commonwealth remained an important focus of international work. Several engagements with India took place focusing on the shared successes and challenges of delivering the Reform programme and the Indian digitisation programme. In March 2023, the Lord Chief Justice led a delegation from England and Wales to Goa, India for the Commonwealth Lawyers Conference. In late May and early June 2023, the Lord Chief Justice visited Kenya, Zambia, and Malawi to exchange experiences with judges there and offer support in upholding the rule of law.

Engagement in Europe continued through multilateral organisations such as the European Network of the Councils for the Judiciary, the European Association of Judges, and the Academy of European Law. Participation in other organisations such as the European Law Institute and the European Judges Group for Mediation (GEMME) was also developed. Judges had the benefit of taking part in seminars of the European Judicial Training Network covering a variety of topics as well as their exchange programmes to France and Spain.

In international family law, judges have continued to strengthen relationships with members of the International Hague Network of Judges and other international partners through, for example, participation in judicial and other conferences and meetings, hosting visiting overseas judges, and working with counterparts in Scotland and Northern Ireland, with a view to developing common approaches in family law, promoting the effective and consistent operation of international instruments and assisting with the expeditious resolution of individual cases.

The judiciary continued to support the global forum of commercial courts – the Standing International Forum of Commercial Courts (SIFOCC) – including by supplying its secretariat. The Forum held its fourth annual meeting in Sydney, Australia in October 2022 with participation from across 40 jurisdictions. Topics discussed ranged from technology to cross border challenges to corporate legal responsibility. As well as taking part in a number of events such as London International Disputes Week, SIFOCC partnered with the City of London and Asian Development Bank and the Commonwealth Magistrates and Judges Association. England and Wales hosted the fourth observation programme from 10-14 July 2023, welcoming judges from six jurisdictions (Rwanda, Zambia, Sierra Leone, Sri Lanka, Pakistan, and Bahrain) to spend an intensive week at the Business and Property Courts.







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