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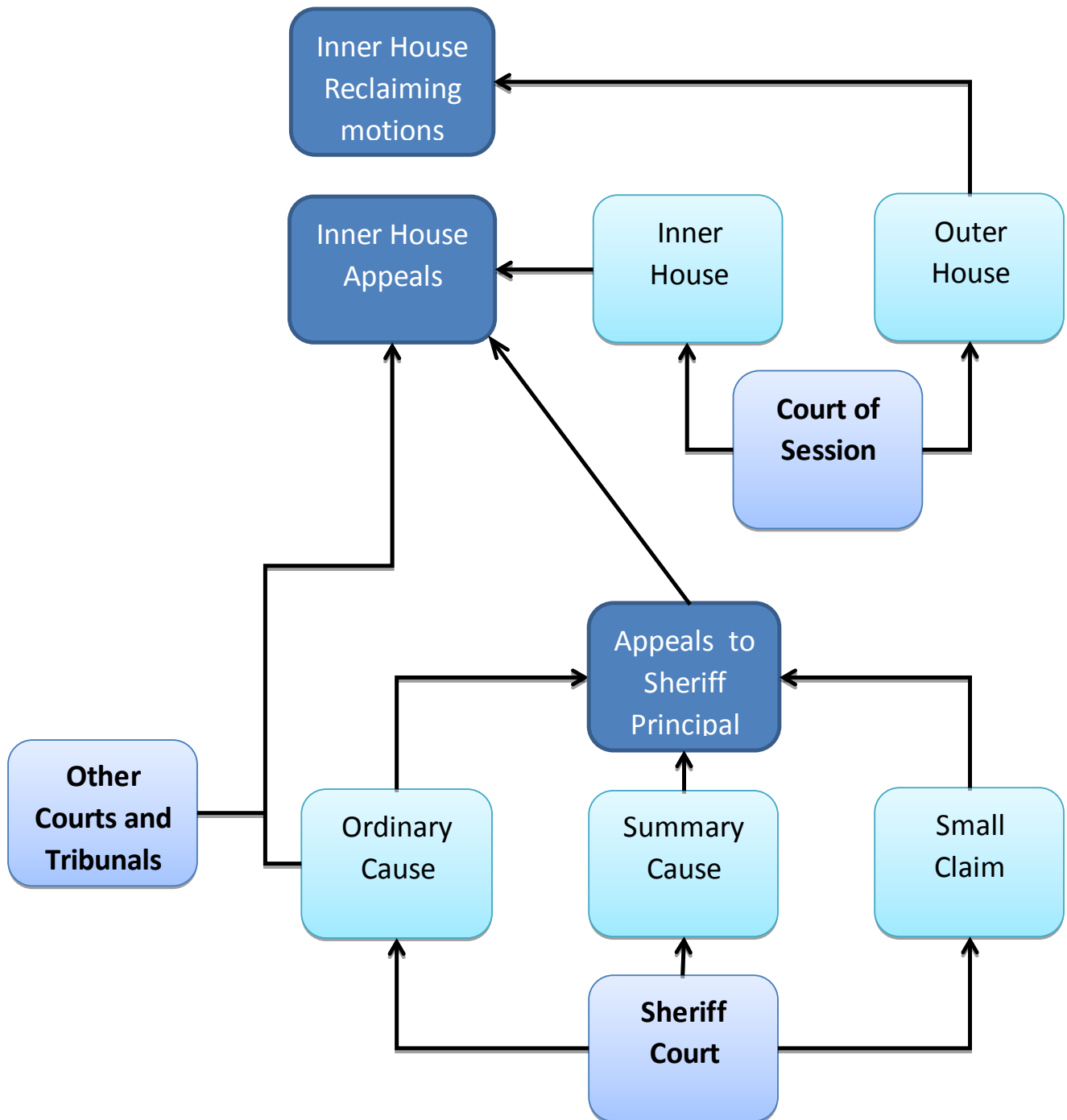
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1. Introduction

- 1.1 The new statistical bulletin Civil Law Statistics in Scotland 2011-12 provides information about cases which have gone through the civil courts in Scotland, together with some wider, contextual information about the extent of civil problems in Scotland. It presents data on first instance cases and appeals which have been heard in both the Court of Session and the Sheriff Courts.
- 1.2 This bulletin replaces [Civil Judicial Statistics](#) which was published in 2010 and 2011, following the comprehensive [Review of Civil Judicial Statistics](#). The main change incorporated in Civil Law Statistics in Scotland 2011-12 is that the information has been presented in chapters relating to specific subjects. The purpose of this is to present all subject-related statistics in one location to make it easier to obtain a fuller understanding of the issues in each area. Additionally, statistics on divorce and dissolution which were previously presented in the [Divorces and Dissolutions in Scotland](#) bulletin have been incorporated within Civil Law Statistics in Scotland and are no longer published separately.
- 1.3 All tables presented in the bulletin are also available on the [Civil Law Statistics in Scotland website](#). Also available on the website are additional tables which cover cases not included within the chapters in the main bulletin. These are mainly presented by court and court procedure and include data on delivery, implement, intellectual property, interdict and succession, as well as more detailed appeals data.
- 1.4 It is important to note that, throughout the bulletin, data are presented on the 'principal crave' only. An individual case can involve a number of different case types. The case type which is listed first on the writ / summons is normally known as the 'principal crave', with the others described as 'ancillary craves'. All the tables in this bulletin show the case type of the 'principal crave' only - information on 'ancillary craves' is not included. This is an area that will be investigated further during 2013, with a view to including analyses of ancillary craves in the next edition of the bulletin.
- 1.5 The data in this bulletin are used within the Scottish Government to inform decision and policy making and to monitor the legislative impacts of policies which have been implemented. They are also made use of in resource allocation in the Scottish Courts and to support third sector activity in terms of lobbying and funding applications. Furthermore, the data are used to inform the public about the business of the Scottish Courts, as well as to facilitate academic research.

2. An outline of the court structure in Scotland

Figure 1: Summary of court structure



Court of Session

- 2.1 The Court of Session is the highest civil court in Scotland. There are three departments within the Court of Session:
- The **General Department**, which deals mainly with cases where one person wants to enforce a legal right against another. The General Department deals with a variety of case types, including: personal injury, family, damages, interdict, intellectual property, debt and commercial;
 - The **Petition Department**, which deals with cases where the authority of the court is sought to deal with a variety of legal issues, other than disputes between people or organisations; and
 - The **Inner House and Extracts Department**, which deals with all cases proceeding before the Inner House and the issue of extracts, which are official court documents allowing judgments of the court to be enforced.
- 2.2 Cases are heard either in the Outer House or the Inner House. The Outer House is where the majority of cases are first heard. In this court, single judges normally preside over cases. The Inner House deals primarily with appeals, although it does hear a small amount of first instance business. At least three judges sit to hear cases in this court, except where the business is procedural in nature when a single judge may sit for most classes of appeal.
- 2.3 Appeals from the Outer House of the Court of Session, known as reclaiming motions, are made to the Inner House;
- 2.4 The **Inner House** also hears appeals from the sheriff courts and certain tribunals and other bodies.
- 2.5 Appeals against judgments of the Inner House of the Court of Session may be made to the [Supreme Court of the United Kingdom](#), which was established on 1 October 2009 and **replaced the House of Lords** in its judicial capacity. There is normally no requirement to obtain the Court of Session's permission, or leave, to appeal to the UK Supreme Court. Statistics on appeals from the Court of Session to the UK Supreme Court are not contained within this publication.

Sheriff Courts

- 2.6 Sheriff courts are local courts of civil jurisdiction in Scotland. They also have jurisdiction in criminal proceedings. There are **49 sheriff courts**, which are grouped into **six sheriffdoms**. Each sheriffdom has a sheriff principal – a senior judicial officer who hears appeals in civil matters, determines certain types of inquiry, performs statutory administrative functions and also has responsibility for the effective and efficient disposal of business in the sheriff

