

Statistical Bulletin

Crime and Justice Series

An Official Statistics Publication for Scotland

Civil Law Statistics in Scotland 2011-12

Publication Date: 5th December 2012

ISSN: 0264-1178

ISBN: 978-1-78256-244-3 (Web only)

1	Introduction	6
2	An outline of the court structure in Scotland	7
3	Main Points	14
4	General Trends	17
5	Family	28
6	Debt	39
7	Personal Injury	44
8	Damages	54
9	Spotlight on Repossession and Eviction	59
10	Appeals and Reclaiming Motions	64
11	Quality of Statistics Used	67
12	Notes on Statistics Used	72
13	Definitions	74

Figure 1: Summary of court structure	7
Figure 2: Location of the sheriff courts in Scotland	10
Figure 3: Historical timeseries 1979 - 2011	11
Figure 4: Types of civil law problems experienced: Scottish Crime and Justice Survey 2010-11	18
Figure 5: Main sources of providing help or advice to solve/try to solve only/most important problem: Scottish Crime and Justice Survey 2010-11	19
Figure 6: Number of cases initiated, by sheriffdom, 2008-09 to 2011-12	23
Figure 7: Number of cases initiated, by sheriffdom and sheriff court, 2011-12.....	26
Figure 8: Divorces granted by reason, 2010-11 and 2011-12	37
Figure 9: Dissolutions granted by reason, 2010-11 and 2011-12.....	37
Figure 10: Number of personal injury cases initiated across all courts, by case type, 2011-12	46
Figure 11: Proportion of damages cases disposed of in the civil courts by final disposal type, 2011-12	55
Figure 12: Repossession and Eviction cases initiated by procedure type, 2011-12.	61
Figure 13: Repossession cases initiated per 10,000 population by sheriffdom, 2011-12	62
Figure 14: Eviction cases initiated per 10,000 population by sheriffdom, 2011-12...	62
Figure 15: Total number of divorces and dissolutions from individual level and aggregate data	70

Table 1: Cases initiated and disposed of in the Court of Session, 2008-09 to 2011-12	20
Table 2: Cases initiated and disposed of in the sheriff courts, by procedure, 2008-09 to 2011-12	21
Table 3: Cases initiated and disposed of in the sheriff courts, by sheriffdom, 2008-09 to 2010-11	22
Table 4: Civil Legal Aid applications, by court, 2008-09 to 2011-12.....	24
Table 5: Number of civil cases where Legal Aid was paid, by court, 2008-09 to 2011-12	24
Table 6: Total Civil Legal Aid paid out (£000), by court, 2008-09 to 2011-12.....	25
Table 7: Family cases initiated and disposed of in the civil courts, by case type, 2008-09 to 2011-12	29
Table 8: Family procedure cases initiated and disposed of in the General Department of the Court of Session, by case type 2011-12	30
Table 9: Family procedure cases initiated and disposed of in the sheriff courts, by case type 2011-12	32
Table 10: Family-related summary application cases initiated and disposed of, by case type and final disposal, 2011-12	33
Table 11: Divorces granted in the civil courts by procedure, 2010-11 and 2011-12	35
Table 12: Dissolutions granted in the civil courts by procedure, 2010-11 and 2011-12	36
Table 13: Debt cases initiated and disposed of in the sheriff courts, by case type, 2008-09 to 2011-12	40
Table 14: Debt cases initiated and disposed of in the sheriff courts, by case type, 2011-12	41
Table 15: Debt cases initiated in the sheriff courts by sheriffdom, 2011-12	42
Table 16: Personal injury cases initiated and disposed of in the civil courts, by case type, 2008-09 to 2011-12.....	45
Table 17: Personal injury cases initiated and disposed of in the Court of Session, 2011-12	49
Table 18: Ordinary Cause Personal Injury cases initiated and disposed of in the sheriff courts, 2011-12.....	51

Table 19: Summary Cause Personal Injury cases initiated and disposed of in the sheriff courts, 2011-12.....	52
Table 20: Damages cases initiated and disposed of in the civil courts, by case type, 2008-09 to 2011-12.....	54
Table 21: Number of damages cases initiated and disposed of in the civil courts, by case type and final disposal,.....	57
Table 22: Repossession and eviction cases initiated and disposed of in the sheriff courts, by case type, 2008-09 to 2011-12	60
Table 23: Appeals to sheriffs principal initiated and disposed of, by type of procedure and final disposal, 2011-12	66
Table 24: Appeals initiated and disposed of in the Court of Session, 2011-12.....	66
Table 25: 2011 mid-year population estimates by sheriffdom	72

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



