

Appellate Courts

Key findings for 2007

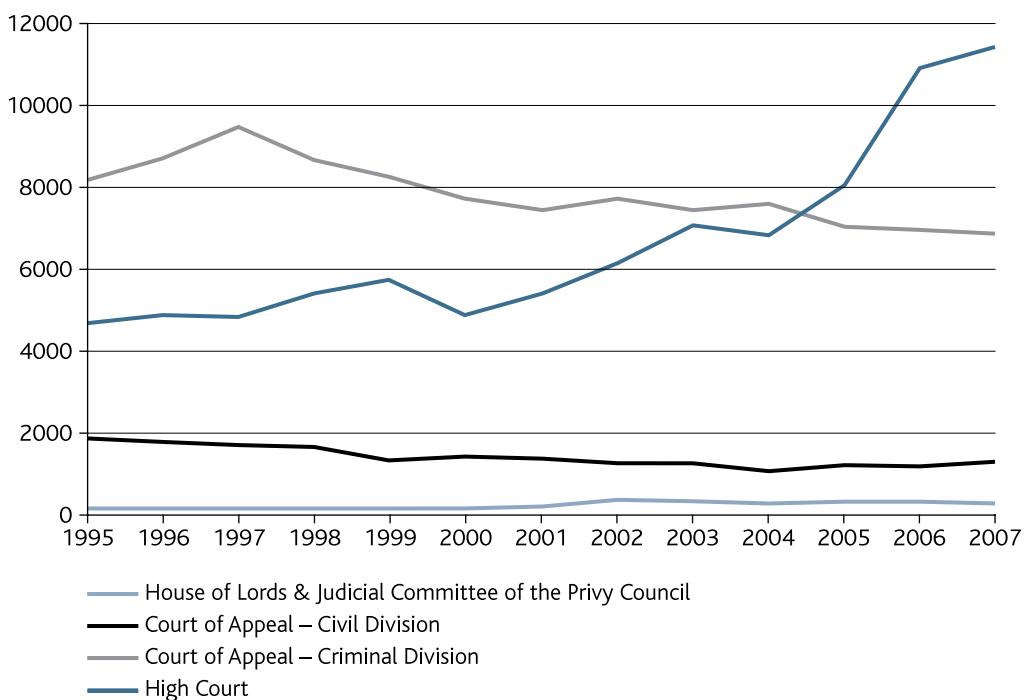
- A total of 97 appeals were entered, and 71 disposed of by the Judicial Committee of the Privy Council during the year. Trinidad & Tobago was the largest source of appeals in 2007, with 27 entered (Table 1.1).
- 72 appeals were presented to, and 82 disposed of by the House of Lords (Table 1.4).
- Of the appeals heard by the Court of Appeal Criminal Division, 37% against conviction and 73% against sentence were allowed (Table 1.7).
- In the Civil Division of the Court of Appeal 1,114 final appeals were disposed of, 42% of which were allowed (Table 1.8).
- In the High Court Queen's Bench Division, of the 336 substantive applications for judicial review disposed of in 2007, 48% (162) were allowed (Table 1.12).
- In the High Court Family Division, of the 55 appeals disposed of in 2007, 35% (19) were allowed (Table 1.15).

Chapter 1: Appellate Courts

The various appellate courts are:

- **The Judicial Committee of the Privy Council** – the final Court of Appeal for 23 Commonwealth territories and 4 independent Republics within the Commonwealth
- **The House of Lords** – the supreme Court of Appeal in the United Kingdom
- **The Court of Appeal** – divided into the *Criminal Division* hearing appeals from the Crown Court and Courts Martial, and the *Civil Division* hearing appeals mainly against decisions in the High Court and county courts
- **The High Court** – has three Divisions, Chancery Division (Chapter 2), Queen’s Bench Division (Chapter 3) and Family Division (Chapter 5), each of which handles different types of civil work. It exercises an appellate jurisdiction through its three Divisions in such matters as bankruptcy, judicial review, ‘case stated’ (ruling whether a court or tribunal was wrong in law or in excess of its jurisdiction) and appeals from magistrates’ courts in domestic matters including orders involving children.

Appellate Courts: Appeals entered, 1995-2007



The Judicial Committee of the Privy Council

The Judicial Committee of the Privy Council was given its name and established on its present statutory footing by the Judicial Committee Act 1833. However, the origins of its overseas jurisdiction go back to medieval times when the Sovereign sought his Privy Council's advice on disputes arising in the Channel Islands. Today, the Judicial Committee of the Privy Council has both a Commonwealth and a domestic jurisdiction.

In its Commonwealth jurisdiction, which is by far the largest part of its work, the Judicial Committee hears appeals from those independent Commonwealth countries which have retained the appeal to Her Majesty in Council or, in the case of Republics, to the Judicial Committee itself. It also hears appeals from the United Kingdom overseas territories. By agreement with the Sultan of Brunei, the Committee can hear appeals from the Brunei Court of Appeal, but in civil matters only, and gives its advice to the Sultan.

The Judicial Committee's domestic jurisdiction has four main elements:

- (a) appeals and references under the devolution statutes of 1998, which give the Judicial Committee jurisdiction to hear and determine "devolution issues", i.e. issues as to the functions and powers of the devolved legislative and executive authorities established in Scotland, Northern Ireland and Wales;
- (b) appeals from the Channel Islands and Isle of Man, which are analogous to Commonwealth appeals and are dealt with under the same rules;
- (c) appeals under the Veterinary Surgeons Act 1966 from decisions of the Disciplinary Committee of the Royal College of Veterinary Surgeons; until April 2003, appeals also lay from the professional conduct and other committees of the bodies governing the medical, dental and other health-care professions as well, but these now lie to the High Court;
- (d) appeals against pastoral schemes under the Pastoral Measure 1983.

Leave to appeal to the Judicial Committee of the Privy Council is usually required. For Commonwealth civil appeals, leave can in many cases be granted by the Court of Appeal of the country or territory concerned. For Commonwealth criminal appeals, leave to appeal cannot be given by the Court of Appeal except where a question of constitutional interpretation arises. Leave to appeal is not required for devolution appeals from the Inner House of the Scottish Court of Session or appeals under the Veterinary Surgeons Act 1966. Where leave to appeal is required and cannot be given or has been refused by the Court of Appeal, the would-be appellant may apply by way of petition to the Judicial Committee for special leave to appeal. All such petitions in Commonwealth cases are dealt with at an oral hearing unless the respondent consents – but in devolution and Pastoral Measure cases they are dealt with on the papers unless they are referred for an oral hearing.

Commonwealth appeals and devolution appeals and references are normally heard by a board of five members of the Judicial Committee; other appeals and petitions are normally dealt with by a Board of three, which is the quorum.

More information about the Judicial Committee and its work, including the full text of recent judgments and statistics for 1996-2007, can be found on the Privy Council Office website, at www.privycouncil.org.uk.

There may be an eventual decline in the Judicial Committee's volume of work. New Zealand, one of the largest single sources of appeals, legislated in 2003 to abolish appeals to the Privy Council. The Caribbean Court of Justice, which has now been established will take over the Judicial Committee's appellate jurisdiction in respect of some of the Commonwealth countries in the Caribbean. Finally, under the Government's proposals for a new Supreme Court for the United Kingdom, the devolution jurisdiction of the Judicial Committee will be transferred to the Supreme Court, although the Judicial Committee and its jurisdiction will otherwise be unaffected. However, the Judicial Committee still receives a substantial number of appeals from its constituent jurisdictions and sits nearly every day during term-time.

Summary caseload statistics on the work of the Judicial Committee of the Privy Council are shown in [Tables 1.1 and 1.2](#).

The House of Lords

The House of Lords is the final court of appeal in the United Kingdom. The judicial function of the House is exercised by twelve Lords of Appeal in Ordinary ("law lords"), together with other Lords of Appeal as required. The law lords are full time professional judges who alone carry out the House's judicial function, and their work must be distinguished from that of the House in its legislative capacity.

The House hears appeals on arguable points of law of general public importance which ought to be considered by the House at that time, bearing in mind that the causes will have already been the subject of judicial decision.

Practice directions and Standing Orders governing the procedures applicable to civil and criminal appeals in the House of Lords are set out in the Red and Blue Books, which are published by the House of Lords and provided free of charge by the Judicial Office. They can also be found on the website of the United Kingdom Parliament at www.parliament.uk.

The judicial business of the House is administered by the Judicial Office, which is part of the House of Lords administration. Judgments of the House can be found on the internet at www.parliament.uk. Further information about the role and work of the law lords can also be found on this site.

On 12 June 2003, the Government announced its intention to transfer the judicial function of the House of Lords to a new Supreme Court. Statutory provision for this change, which is due to come into effect in autumn 2009, was made by the Constitutional Reform Act 2005.

Civil appeals

An appeal lies to the House of Lords:

- (1) from any order or judgment of the Court of Appeal in England and Wales, with the permission of that court or, if refused, by leave of the House of Lords, subject to restrictions in respect of specific matters;
- (2) subject to statutory restrictions, direct from a decision of the High Court of Justice in England and Wales by leave of the House of Lords;
- (3) from any order or judgment of the Court of Appeal in Northern Ireland, with the permission of that court or, if refused, by leave of the House of Lords, subject to restrictions in respect of specific matters;
- (4) subject to statutory restrictions, direct from a decision of the High Court of Justice in Northern Ireland by leave of the House of Lords,
- (5) from the Inner House of the Court of Session in Scotland against a judgment on the whole merits of a cause. No leave required;
- (6) from the Inner House of the Court of Session against an interlocutory judgment where there is a difference of opinion among the judges. No leave required;
- (7) from the Inner House of the Court of Session where the interlocutory judgment is one sustaining a dilatory defence and dismissing the action. No leave required;
- (8) from the Inner House of the Court of Session against any other interlocutory judgments (excluding those listed in (6) and (7) above) with the leave of the Inner House of the Court of Session;
- (9) from an interlocutor of the Court of Session granting or refusing a new trial. No leave required;
- (10) from an interlocutor of a Lord Ordinary after review by the Inner House of the Court of Session;
- (11) from judgments of the Court of Session under section 27 of the Court of Session Act 1988 relating to special cases (subject to certain restrictions); and
- (12) from any order or judgment of any court in Scotland from which error or appeal lay on or immediately before 1 November 1876 by common law or by statute.

Criminal appeals

An appeal lies, with leave, to the House of Lords at the instance of the defendant or the prosecutor:

- (1) from any decision of the Court of Appeal Criminal Division in England and Wales or the Court of Appeal in Northern Ireland on an appeal to that court;
- (2) from any decision of the Courts-Martial Appeal Court on an appeal to that court; and
- (3) from any decision of the High Court of Justice in England and Wales or of the High Court of Justice in Northern Ireland in a criminal cause or matter.

Leave may be granted by the court below or, if refused, by the House of Lords. Leave to appeal in a criminal cause or matter may only be granted if it is certified by the court below that a point of law of general public importance is involved in the decision of that court – and if it appears to that court or to the House that the point is one that ought to be considered by the House. A certificate is not required for an appeal from a decision of the High Court in England and Wales or in Northern Ireland on a criminal application for habeas corpus, an appeal under s 5(4) of the Human Rights Act 1998, or in contempt of court cases where the decision of the court below was not a decision on appeal.

No appeal lies to the House of Lords from the High Court of Justiciary in Scotland.

Petitions for leave to appeal

Petitions for leave to appeal (i.e. applications for permission to appeal) are referred to an Appeal Committee of three Lords of Appeal in Ordinary. Leave to appeal is usually determined on the basis of written submissions by the parties, but the Committee may decide to hold a hearing so that counsel can make oral submissions, also before the Appeal Committee makes a final decision on the application for leave.

During 2007, 200 petitions for leave to appeal were presented, and 199 were disposed of, of which 53 were allowed outright. See [Table 1.3](#) for more information.

Petitions of appeal

Appeals are heard by Appellate Committees, usually consisting of five Lords of Appeal sitting in a committee room of the House. Appeals can be heard in the House itself but this happens very rarely. Hearings typically last two days. After the hearing, each member of the Committee writes his or her opinion, and the Committee reports these to the House at a sitting for judicial business, with counsel attending at the bar.

During 2007, 72 appeals were presented, of which 44 were from the Civil Division of the Court of Appeal of England and Wales. A total of 82 appeals were disposed of, of which 75 received judgment. See [Tables 1.4 and 1.5](#) for more information.

Court of Justice of the European Communities

During 2007, one case was referred to the Court of Justice of the European Communities for a ruling and no determinations were received. By the end of the year, there were five references pending.

Days sat

The total number of days sat for judicial business was 122 in 2007 (compared to 107 in 2006). 122 days were sat to hear appeals, and 3 days were sat to hear petitions for leave. (Note: More than one judicial Committee may sit at the same time. This means that on a single sitting day the House may hear more than one petition for leave to appeal, may hear two appeals concurrently, or may hear an appeal as well as petitions for leave to appeal.)

No peerage claim was heard this year, and the Committee for Privileges Sub-Committee on Lords' Interests (which is chaired by a retired law lord) did not have to hear any allegation of non-compliance with the Code of Conduct for Members of the House of Lords.

The Court of Appeal

The Court of Appeal is divided into two Divisions, criminal and civil. Its courtrooms and offices are situated in the Royal Courts of Justice in London. The judges of the Court of Appeal are the Lord Chief Justice, the Master of the Rolls and 37 Lords Justices. The President of the Family Division and the Vice-Chancellor of the Chancery Division also sit there for part of their time.

The Criminal Division, presided over by the Lord Chief Justice and the Vice-President of the Criminal Division, hears appeals in criminal matters from the Crown Court. Courts are constituted from the Lord Chief Justice, Vice-President and Lords Justices, assisted by High Court judges as required.

The Civil Division, presided over by the Master of the Rolls, hears appeals mainly against decisions of the High Court and county courts and also of tribunals and certain other courts, such as the Patents Court. In the Civil Division, courts of two or three judges are normally constituted from the Master of the Rolls and the Lords Justices.

Criminal Division

During 2007, a total of 6,900 applications for leave to appeal were received, of which 1,508 were against conviction in the Crown Court and 5,087 against the sentence imposed. There were 305 other receipts. Of the applications for leave to appeal which were considered by a single judge, 25% (288) of those seeking to appeal against conviction were granted as were 33% (1,363) against sentence (26% and 34% respectively in 2006). 520 conviction applications and 845 sentence applications were renewed to the full Court. See [Table 1.6](#) for more information.

Of the appeals heard by the full Court during 2007, 37% (196) appeals against conviction were allowed and 72% (1,632) appeals against sentence were allowed. See [Table 1.7](#) for more information.

Civil Division

In the area of substantive (final and interlocutory) appeals the Court has seen a continuing increase in appeals from Tribunals, issuing 450 in 2007 compared to 404 in 2006. Appeals from the Queens Bench Division increased slightly from 288 in 2006 to 300 in 2007, while appeals from the Chancery Division decreased from 111 to 100. See [Tables 1.8 and 1.9](#) for more information.

Applications for permission to appeal rose to 2,574 from the 2,397 set down in 2006. See [Table 1.10](#) for more information.

The High Court

The three Divisions of the High Court exercise appellate jurisdiction in the following manner:

- (a) the Divisional Court of the Chancery Division hears appeals in revenue matters from the Commissioners of Taxes. All bankruptcy appeals from the county courts and from the High Court Registrars under the Insolvency Act 1986 are heard by a single judge of the Chancery Division.
- (b) the Divisional Court of the Queen's Bench Division and the Administrative Court nominated judges, exercise jurisdiction in respect of:
 - (i) Judicial Review
 - (ii) appeals by way of 'case stated'
 - (iii) habeas corpus
 - (iv) committal for contempt committed in an inferior court or elsewhere (but not in connection with proceedings in the High Court)
 - (v) appeals and applications under various statutory provisions including those on planning matters under the Town and Country Planning Acts
 - (vi) appeals and applications in disciplinary matters concerning healthcare professionals and others.

- (c) the Divisional Court of the Family Division hears appeals from magistrates' courts in a wide variety of domestic matters including orders involving children. The appeals are entered at the Principal Registry in London.

In the Administrative Court, supervisory jurisdiction, by way of judicial review, is exercised over the Crown Court (for matters not relating to trial on indictment), inferior courts and tribunals, and the actions and decisions of public bodies, Government ministers or other persons charged with the performance of public acts and duties. The remedy of judicial review is concerned with the legality and propriety of the decision-making process, as distinct from the merits of the decision in question. It is only appropriate when all other avenues of appeal have been exhausted. The Court exercises control when deemed appropriate by making what are known as 'prerogative orders'. These may for example command a person or body to perform a duty, prohibit an inferior court or tribunal from exceeding its jurisdiction, or quash the decision under challenge.

Appeals by way of case stated arise when a person is dissatisfied on a point of law with a decision of the Crown Court (for matters not relating to trial indictment), a magistrates' court or other tribunal. The court or tribunal concerned is required to 'state a case' by preparing a statement for the opinion of the High Court, giving the facts and the reason for the decision and setting out the question for the High Court.

An application for a writ of habeas corpus is usually made to the Divisional Court, but if no court is sitting a single judge may hear the matter. This procedure provides for a person detained in custody (e.g. in prison, police cell or elsewhere) to challenge the legality of his detention. If the imprisonment is found to be unlawful the court will order release, but otherwise the person concerned is returned to custody.

In 2005 a new jurisdiction was added by s103A of the Nationality Immigration and Asylum Act 2002 – power to order the Asylum and Immigration Tribunal to reconsider an appeal against a decision refusing asylum or other decision of the UK Borders Agency (known as the Border and Immigration Agency prior to April 2008).

Chancery Division

There was a large drop in the overall number of bankruptcy appeals in 2007 compared to 2006 because, with effect from October 2006 all bankruptcy cases now require permission to appeal. The number of bankruptcy appeals from county courts (16) accounted for 67% of disposals in 2007, compared to 53% in 2006. See [Table 1.11](#) for more information – this table now includes figures for appeals heard from other inferior tribunals.

Administrative Court

A total of 6,690 applications for permission to apply for judicial review were received in the Administrative Court in 2007. 21% (847) of the total applications for permission to apply for judicial review considered in 2007 were granted. Of the 336 substantive applications for judicial review disposed of in 2007, 48% (162) were allowed, 49% (164) were dismissed and 3% (10) were withdrawn (see [Table 1.12](#)).

A total of 107 appeals by way of case stated were received in 2007, a decrease of 21% on the number received in 2006 (137). The vast majority of these, 81% (87) were appeals from magistrates' courts. Of the total number of 87 cases disposed of in 2007, 52% (45) were allowed and 46% (40) were dismissed (see [Table 1.13](#)).

A total of 4,496 appeals and applications other than by way of judicial review and case stated were received in the Administrative Court during 2007, an increase of 9.5% on the total number received in 2006. 83% (3,730) of these were Reconsideration appeals under section 103a of the Nationality, Immigration and Asylum Act 2002 (see [Table 1.14](#)).

Family Division

In the Family Division, 10 appeals against orders made on domestic matters were disposed of in 2007. Of these, three were allowed, four were dismissed and three were withdrawn or struck out – see [Table 1.15](#). There were 61 appeals made under section 94 of the Children Act 1989, and 45 were disposed of. Of those disposed, 16 were allowed, 23 were dismissed and 6 were withdrawn or struck out.

Cases 'pending' for more than one year can be dismissed at the discretion of the President of the Family Division.

Table 1.1
Judicial Committee of the Privy Council
 Appeals entered and disposed of, showing results, 2007

Courts from which appeals were brought	Number of appeals entered	Appeals disposed of, by result				Total	Appeals pending at end of year
		Dismissed after hearing	Varied after hearing	Allowed after hearing	Disposed without a hearing ¹		
<u>Overseas:</u>							
Anquilla	-	-	-	-	-	-	2
Antigua and Barbuda	2	1	-	1	-	2	5
The Bahamas	9	5	-	3	-	8	7
Barbados	-	2	-	-	-	2	-
Belize	-	1	-	-	-	1	2
Bermuda	5	1	-	1	-	2	1
British Virgin Islands	7	-	-	1	-	1	3
Brunei	-	1	-	-	-	1	-
Cayman Islands	2	1	-	4	-	5	2
Dominica	-	-	-	-	-	-	1
Gibraltar	1	-	-	1	-	1	1
Guernsey	1	-	-	1	-	1	-
Grenada	1	-	-	-	-	-	-
Isle of Man	3	-	-	1	-	1	-
Jamaica	8	9	-	5	-	14	4
Jersey	2	-	-	1	-	1	-
Mauritius	13	7	-	3	-	10	10
New Zealand	-	-	-	1	-	1	-
St Christopher & Nevis	2	-	-	-	-	-	2
St Lucia	7	3	-	1	-	4	5
St Vincent and the Grenadines	2	-	-	2	-	2	2
Trinidad and Tobago	27	6	-	5	-	11	19
Turks & Caicos	1	-	-	-	-	-	2
<u>United Kingdom:</u>							
Appeals under the Scotland Act 1998	2	1	-	1	-	2	-
Appeals under the Veterinary Surgeons Act 1966	2	-	-	1	-	1	1
Total	97	38	-	33	-	71	69

Source:

Judicial Committee of the Privy Council

Notes:

1 Dismissed for non-prosecution or withdrawn

Table 1.2
Judicial committee of the Privy Council
 Petitions for special leave to appeal heard, granted and refused, 2007

Country or jurisdiction of origin	Number of petitions		Total number heard
	Granted	Refused	
The Bahamas	2	1	3
Belize	1	-	1
Bermuda	1	2	3
British Virgin Islands	2	2	4
Cayman Islands	1	1	2
Grenada	-	1	1
Isle of Man	-	1	1
Jamaica	-	1	1
Jersey	-	2	2
Mauritius	2	3	5
St Lucia	1	2	3
St Vincent and the Grenadines	1	-	1
Trinidad and Tobago	3	3	6
Total	14	19	33

Source:
 Judicial Committee of the Privy Council

Table 1.3
House of Lords
 Petitions for leave to appeal presented and disposed of, showing results, 2007

Courts from which appeals were brought	Number of petitions presented	Appeals disposed of, by result					Total disposals of
		Withdrawn	Allowed	Allowed on terms	Refused	Dismissed	
England and Wales							
<u>Court of Appeal</u>							
Civil	155	2	38	-	91	26	157
Criminal	15	-	3	-	10	-	13
<u>High Court</u>							
Civil	4	-	3	-	1	-	4
Criminal	13	-	4	-	8	-	12
Scotland							
Court of Session	-	-	-	-	-	-	-
Northern Ireland							
<u>Court of Appeal</u>							
Civil	13	-	5	-	8	-	13
Criminal	-	-	-	-	-	-	-
<u>High Court</u>							
Civil	-	-	-	-	-	-	-
Criminal	-	-	-	-	-	-	-
Other							
Courts Martial Appeal Court	-	-	-	-	-	-	-
Attorney General's reference	-	-	-	-	-	-	-
Total	200	2	53	-	118	26	199

Source:
House of Lords

Table 1.4
House of Lords
 Appeals presented and disposed of, showing results, 2007

Courts from which appeals were brought	Number of petitions				
	Appeals presented	Appeals disposed of, by result			Total disposals
		Disposed without a judgment	Allowed	Dismissed	
England and Wales					
<u>Court of Appeal</u>					
Civil	44	6	15	30	51
Criminal	4	1	2	4	7
<u>High Court</u>					
Civil	3	-	3	1	4
Criminal	6	-	-	1	1
Scotland					
Court of Session	10	-	4	10	14
Northern Ireland					
<u>Court of Appeal</u>					
Civil	5	-	2	2	4
Criminal	-	-	-	-	-
<u>High Court</u>					
Civil	-	-	-	1	1
Criminal	-	-	-	-	-
Other					
Courts Martial Appeal Court	-	-	-	-	-
Attorney General's reference	-	-	-	-	-
Total	72	7	26	49	82

Source:
House of Lords

Table 1.5**House of Lords**

Civil appeals (England and Wales) presented from the Court of Appeal, disposed of by judgment, by subject matter in 2003-2007

Subject matter	Number of appeals determined				
	2003	2004	2005	2006	2007
Administrative	15	6	10	3	1
Arbitration	-	-	-	-	1
Asylum/Immigration	-	-	-	-	4
Commercial	4	2	2	1	3
Company	-	2	1	-	1
Contract	1	-	2	-	3
Crime	-	-	3	-	2
Discrimination	2	-	3	1	3
Employment	6	4	-	7	-
European Law	-	-	-	1	1
Family	2	1	4	6	-
Finance & Credit	-	-	-	-	1
Human Rights	8	13	19	14	9
Intellectual Property	4	4	1	-	1
International	1	-	3	5	-
Land	1	1	2	3	1
Landlord and Tenant					1
Planning	1	2	-	1	1
Practice & Procedure	1	1	2	3	2
Revenue	8	4	10	5	2
Sale of Goods	-	-	-	-	-
Tort	8	5	4	9	8
Trusts		-	2	-	-
Total	62	45	68	59	45

Source:
House of Lords

Table 1.6
Court of Appeal (Criminal Division)
 Applications for leave to appeal, by type and result 1995-2007

	Number of applications												
	1995	1996	1997 ¹	1998	1999	2000	2001	2002	2003	2004	2005 ²	2006	2007
Applications received													
Conviction	2,393	2,288	2,318	2,099	2,104	2,068	1,943	1,914	1,787	1,782	1,661	1,596	1,508
Sentence	5,794	6,436	7,160	6,550	6,170	5,672	5,497	5,804	5,664	5,809	5,178	5,082	5,087
Other Receipts ²	-	-	-	-	-	-	-	-	-	-	184	259	305
Total	8,187	8,724	9,478	8,649	8,274	7,740	7,440	7,718	7,451	7,591	7,023	6,937	6,900
Applications considered by single judge													
<u>Conviction</u>													
Granted	472	419	589	542	480	508	438	405	472	348	360	291	288
Refused	1,444	1,429	1,530	1,407	1,402	1,351	1,145	1,334	1,213	1,187	1,111	843	881
<u>Sentence</u>													
Granted	1,263	1,544	1,801	1,909	1,743	1,597	1,551	1,695	1,736	1,740	1,541	1,261	1,363
Refused	3,846	4,629	4,810	4,613	4,095	3,892	3,475	3,876	3,582	3,634	3,092	2,503	2,763
Total	7,025	8,021	8,730	8,471	7,720	7,348	6,609	7,310	7,003	6,909	6,104	4,898	5,295
Applications renewed													
Conviction	579	474	665	668	637	551	422	457	561	545	557	481	520
Sentence	635	823	1,105	1,147	1,072	932	759	825	878	890	824	831	845
Total	1,214	1,297	1,770	1,815	1,709	1,483	1,181	1,282	1,439	1,435	1,381	1,312	1,365
Applications to renew granted by Full Court													
Conviction	123	155	131	172	123	144	150	140	138	144	141	137	125
Sentence	151	146	391	377	306	291	240	252	338	283	326	425	519
Total	274	301	522	549	429	435	390	392	476	427	467	562	644

Source

Court of Appeal (Criminal Division)

Notes

- 1 Figures relate to appellants for 1995 and 1996, and to applications from 1997 onwards.
- 2 Other Receipts, reported from 2005 onwards, include the following applications:
 - Applications under s159 Criminal Justice Act 1988
 - Interlocutory Appeals under s6 Criminal Justice Act 1987
 - Appeals against Minimum Terms for mandatory life sentences set by the High Court under schedule 22 Criminal Justice Act 2003
 - References from the Attorney General under s 36 Criminal Justice Act 1988
 - Prosecution Rights of Appeal
 - Confiscation and Restraint Order appeals under Proceeds of Crime Act 2002
 - Appeals against Wasted Costs Orders under section 3(c) of the Costs in Criminal Cases (General) (Amendment) Regulations 1991"

Table 1.7
Court of Appeal (Criminal Division)
 Results of appeals heard by Full Court, 1995-2007¹

	Number of appeals												
	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Conviction:													
Allowed	253	250	236	290	171	150	135	166	178	240	228	181	196
Dismissed	521	469	367	403	380	333	313	319	364	384	386	391	327
Sentence:													
Allowed	1,222	1,379	1,468	1,589	1,564	1,284	1,101	1,302	1,685	1,348	1,534	1,391	1,632
Dismissed	538	603	602	609	614	522	561	500	679	589	619	575	619
Number of retrials ordered²	52	53	33	73	70	72	58	50	45	66	77	58	83

Source:

Court of Appeal (Criminal Division)

Notes:

- 1 Figures relate to appellants for 1995 and 1996, and to applications from 1997 onwards
- 2 The number of conviction appeals allowed includes the number of re-trials ordered

Table 1.8
Court of Appeal (Civil Division)
 Final appeals filed and disposed of, showing court appealed from and results, 2007

Court or tribunal appealed from	Total appeals filed	Appeals disposed of, by result					Total disposals
		Allowed	Dismissed	Dismissed by consent	Struck out ¹	Otherwise disposed of	
Chancery	100	19	44	19	-	7	89
Revenue	11	6	10	1	-	-	17
Bankruptcy	16	4	4	1	1	3	13
Family Division	11	1	7	-	-	1	9
Queen's Bench	85	32	32	18	-	6	88
Queen's Bench Administrative Court	108	37	59	12	-	14	122
Queen's Bench Commercial	74	17	33	8	-	4	62
Queen's Bench Admiralty	3	-	-	-	-	-	-
County Court	235	65	97	58	5	22	247
County Court Family	30	13	11	-	1	2	27
County Court Admiralty	-	-	-	-	-	-	-
Lands Tribunal	9	3	9	1	-	-	13
Employment Appeal Tribunal	46	9	20	5	-	1	35
Asylum & Immigration Tribunal	378	250	79	29	-	-	358
Immigration Appeal Tribunal	2	2	-	1	-	-	3
Patents Court	23	4	9	6	-	2	21
Social Security Commissioner	7	3	5	-	-	-	8
Other Tribunals	7	2	-	-	-	-	2
Total	1,145	467	419	159	7	62	1,114

Source:

Court of Appeal (Civil Division)

Notes:

1 For failure to provide documents

Table 1.9**Court of Appeal (Civil Division)**

Interlocutory appeals filed and disposed of, showing court appealed from and results, 2007

Number of appeals

Court or tribunal appealed from	Total appeals filed	Appeals disposed of, by result					Total disposals
		Allowed	Dismissed	Dismissed by consent	Struck out ¹	Otherwise disposed of	
Chancery	-	-	1	-	-	-	1
Revenue	-	-	-	-	-	-	-
Bankruptcy	1	-	-	-	-	-	-
Family Division	20	14	9	-	-	5	28
Queen's Bench	25	11	6	6	1	1	25
Queen's Bench Administrative Court	4	1	1	-	-	-	2
Queen's Bench Commercial	1	6	4	1	-	-	11
Queen's Bench Admiralty	-	-	-	-	-	-	-
County Court	1	-	-	1	-	-	1
County Court Family	50	31	20	2	-	-	53
County Court Admiralty	-	-	-	-	-	-	-
Lands Tribunal	-	-	-	-	-	-	-
Employment Appeal Tribunal	-	1	1	-	-	-	2
Asylum & Immigration Tribunal	1	1	-	-	-	-	1
Immigration Appeal Tribunal	-	-	-	-	-	-	-
Patents Court	-	-	-	-	-	-	-
Social Security Commissioner	-	-	-	-	-	-	-
Other Tribunals	-	-	-	-	-	-	-
Total	103	65	42	10	1	6	124

Source:

Court of Appeal (Civil Division)

Notes:

1 For failure to provide documents

Table 1.10
Court of Appeal (Civil Division)
 Applications set down and disposed of, 1995-2007

	Number of applications												
	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Full Court¹													
Filed	1,756	655	622	715	584	437	288	314	230	225	291	230	201
Disposed	1,779	593	661	715	611	566	313	329	247	251	264	245	215
Single Judge													
Set down	687	80	71	165	1,326	304	320	274	275	260	286	251	152
Disposed	486	67	69	144	1,150	262	335	267	259	261	274	247	150
Permission to Appeal													
Set down	-	1,930	1,844	1,897	2,382	2,411	2,415	2,434	2,448	2,430	2,579	2,397	2,574
Disposed	-	1,790	2,031	1,934	2,134	2,604	2,388	2,391	2,514	2,402	2,495	2,530	2,416
Registrar/Master													
Set down	215	240	201	68	43	68	72	70	72	97	122	87	79
Disposed	239	210	212	128	52	62	80	74	71	92	121	87	83
Total													
Filed / Set down	2,658	2,905	2,738	2,845	3,183	3,210	3,095	3,092	3,025	3,159	3,278	2,965	3,006
Disposed	2,504	2,660	2,973	2,921	2,967	3,494	3,116	3,061	3,091	3,116	3,154	3,109	2,864

Source:

Court of Appeal (Civil Division)

Notes:

1 Includes new 'leave to appeal' cases

Table 1.11**High Court – Chancery Division**

Appeals and special cases from inferior courts and tribunals set down and determined, showing subject matter and results, 2007

Subject matter	Number of appeals				
	Total set down for hearing	Appeals disposed of, by result			Total disposals
		Allowed after hearing	Dismissed after hearing	Withdrawn or struck out	
Bankruptcy					
County courts	20	6	8	2	16
High Court Registrars	9	2	4	2	8
Total	29	8	12	4	24
Tribunals					
County courts & Chancery Masters	14	2	2	2	6
Total	172	33	46	25	104

Source:

High Court – Chancery Division

Table 1.12**High Court – Administrative Court**

Summary statistics on Judicial Review applications 2007

Nature of Review	Number of applications								
	Applications for permission to apply for Judicial Review			Applications for Judicial Review disposed of, by result				Withdrawn	Total
	Received	Granted	Refused	Determined by a Single Judge		Determined by the Divisional Court			
				Allowed	Dismissed	Allowed	Dismissed		
Immigration / Asylum	4,344	310	2,306	20	38	-	-	4	62
Criminal	287	80	165	-	-	28	30	1	59
Others	2,059	457	798	110	89	4	7	5	215
Total	6,690	847	3,269	130	127	32	37	10	336

Source:

High Court – Administrative Court

Table 1.13
High Court – Administrative Court
 Summary statistics on appeals by way of case stated 2007

	Number of appeals						
	Total Received	Appeals disposed of, by result				Withdrawn	Total
		Determined by a Single Judge		Determined by the Divisional Court			
	Allowed	Dismissed	Allowed	Dismissed			
<u>Court or Tribunal appealed from</u>							
Crown Court	18	-	2	10	6	-	18
Magistrates Court	87	6	-	29	31	2	68
Other	2	-	-	-	1	-	1
Total	107	6	2	39	38	2	87

Source:
 High Court – Administrative Court

Table 1.14
High Court – Administrative Court
 Summary statistics on applications and appeals other than for Judicial Review or by way of case stated, 2007

	Number of appeals / applications						
	Total Received	Appeals / applications disposed of, by result				Withdrawn	Total
		Determined by a Single Judge		Determined by the Divisional Court			
	Allowed	Dismissed	Allowed	Dismissed			
<u>Nature of appeal / application</u>							
<u>Statutory</u>							
Planning and related	203	15	46	-	-	-	61
Others	532	129	46	11	51	4	241
Habeas Corpus	27	-	-	1	-	-	1
Committal for contempt	-	-	-	-	-	-	-
Statutory Review under s101 NIAA 2002*	4	1	5	-	-	-	6
Reconsideration under s103a NIAA 2002*	3,730	320	3,250	-	-	-	3,570
Total	4,496	465	3,347	12	51	4	3,879

Source:
 High Court – Administrative Court

Notes:
 * NIAA 2002 refers to the Nationality, Immigration and Asylum Act of that year

Table 1.15
High Court – Family Division
 Appeals set down and disposed of showing subject matter and results, 2007

Number of appeals

Appeals to Divisional Court from orders made by magistrates' courts	Total set down for hearing	Appeals disposed of, by result			Total disposals
		Allowed after hearing	Dismissed after hearing	Withdrawn or struck out	
Domestic matters					
Maintenance Order (reciprocal Enforcement) Act 1972 Part 1	1	-	1	-	1
Matrimonial Proceedings and Magistrates' Court	1	-	1		1
Maintenance Orders Act 1958 and Matrimonial Cause Act 1973	4	1	1	2	4
Domestic Proceedings & Magistrates' Court Act 1978	4	1	1	1	3
Case stated	1	1	-	-	1
Appeals under Section 94 of the Children Act 1989	61	16	23	6	45
Total	72	19	27	9	55

Source:
 High Court – Family Division

Table 1.16
Appellate courts
 Summary statistics on overall caseload since 2000

Court	Number of cases							
	2000	2001	2002	2003	2004	2005	2006	2007
Judicial Committee of the Privy Council	90	102	103	73	71	71	105	97
House of Lords								
from Courts in England & Wales	63	80	97	81	102	73	61	57
from elsewhere	16	4	10	8	9	14	12	15
Court of Appeal								
Civil Division	1,420	1,358	1,251	1,276	1,077	1,239	1,184	1,248
Criminal Division ¹	7,740	7,440	7,718	7,451	7,591	7,023	6,937	6,900
High Court								
Chancery Division	147	107	145	120	152	137	148	29
Administrative Court ²	4,734	5,293	5,947	6,899	6,619	7,872	10,700	11,293
Family Division ³	12	13	62	60	50	33	59	72
Total	14,222	14,397	15,333	15,968	15,671	16,462	19,206	19,711

Sources:

Individual appellate courts as shown

Notes:

- 1 Court of Appeal (Criminal Division) figures include applications for leave to appeal
- 2 Administrative Court figures include applications for permission to apply for Judicial Review, appeals by way of case stated and statutory appeals; and in addition:
 - from 2003, statutory Reviews under s101 of the Nationality, Immigration and Asylum Act (NIAA) 2002
 - from 2006, Reconsideration under s103a of the NIAA 2002
- 3 Family Division figures include appeals under s94 of the Children Act 1989 from 2002 onwards