

CRIME AND JUSTICE

Civil Justice Statistics in Scotland 2018-19

7 April 2020

Executive Summary	4
1. Civil justice and court reform	5
1.1 Structures and procedures in civil courts	5
1.2 Court reforms	8
1.3 Recent trends of civil law court cases	10
2. Civil justice problems.....	13
2.1 Scottish Crime and Justice Survey - civil justice module	15
2.2 Volumes and types of problems in the courts	17
2.3 Civil legal aid	29
3. Quality of the statistics	31
3.1 Overview	31
3.2 Comparability of data	31
3.3 Ordinary cause	32
3.4 Summary application	32
3.5 Court of Session – personal injury cases	32
3.6 Divorce and dissolution data sources	33
4. Definitions	34
4.1 Civil law case types	34
4.2 Disposal types (first instance)	37
4.3 Disposal types (appeals and reclaiming motions)	38
4.4 Glossary	39
5. Statistical tables	40

Civil Justice Statistics in Scotland 2018-19



Civil justice is concerned with the rights and obligations of people and organisations. One way of resolving civil law disputes is for a case to be brought to court. Common types of cases where civil law is used include: debt, divorce and claims for personal injury.

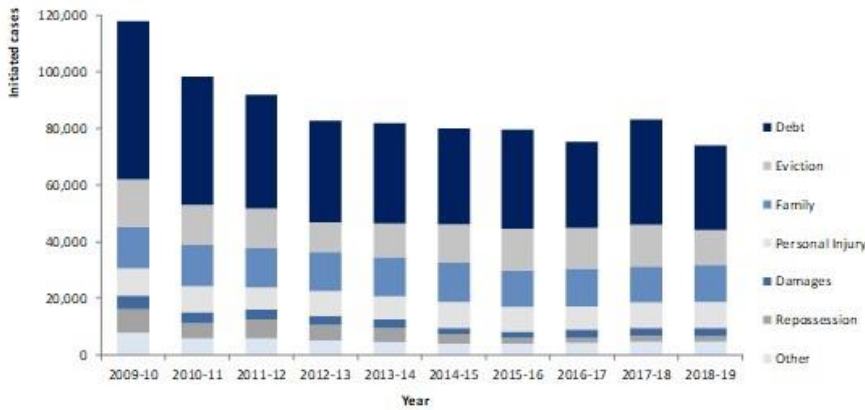
Additional craves:

For the first time, we are able to show the complexity of different case types, with the publication of all legal remedies (craves) sought at the sheriff courts in 2018-19.

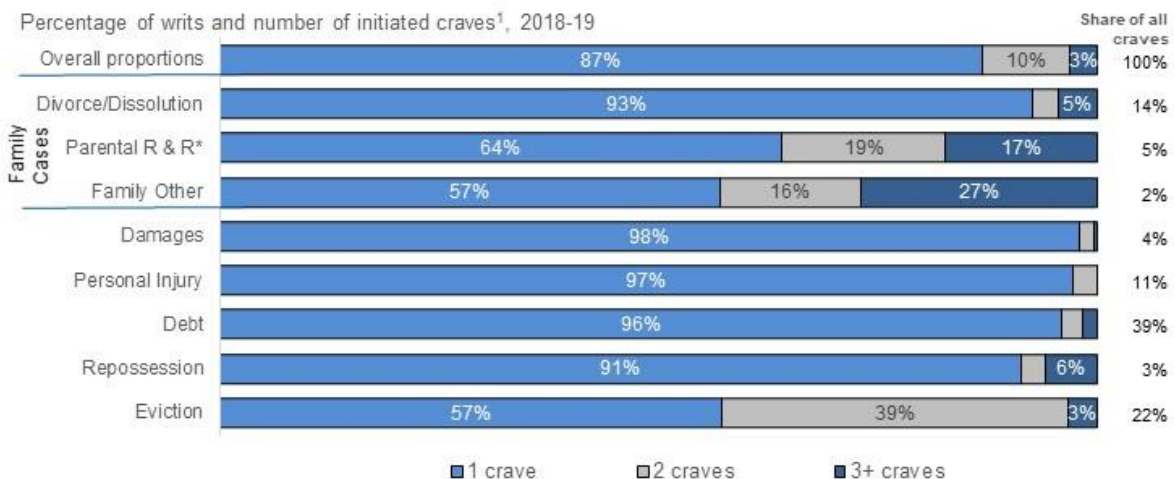
This information tells us that, overall, 87% of initiated cases had a single crave sought. Family and evictions cases, on average, have more craves compared to other case types.

42% of eviction cases, and 36% of parental rights and responsibilities cases, had multiple craves in 2018-19.

► Long-term downward trend in initiated cases, normalising after the rise in case load last year



► Family and eviction cases are more likely to have multiple craves than other case types



1. The categories shown do not include the 'Other' category which represents approximately 1% of initiated craves.
*Parental R & R refers to parental responsibilities and rights.

Executive Summary

There were 72,100 **civil law cases** initiated across the Court of Session and sheriff courts in 2018-19 (excluding summary applications¹). This represents a decrease of 11% from 2017-18, which continues the long-term downward trend in court business levels over the last ten years.

Following changes made by court reform legislation:

- Business has moved out of the **Court of Session**, decreasing by 48% since 2015-16. Some of this business will have been displaced to sheriff courts, where the exclusive competence for cases on which sheriffs can rule has increased to £100,000.
- The specialised **Sheriff Personal Injury Court** has expanded its caseload since its inception in 2015-16, and now covers nearly 40% of personal injury cases in Scotland.
- Small claim procedure in the sheriff courts is now effectively replaced by the new **simple procedure**. Simple procedure has also replaced the more straightforward cases previously brought as summary cause.

The **types of civil justice problems** encountered by people in Scotland and resolved in the courts has not changed much over the past ten years. Debt actions remain the most common, constituting 41% of principal craves. Family and Eviction actions were second and third most common, at 18% and 17% respectively.

In the context of decreasing levels of business overall, most case types have decreased in parallel since 2017-18. The largest decreases were recorded for Debt (down 20%), Eviction (down 15%) and Repossession (down 9%). However, damages cases have increased by 8% and family cases rose by 3%. Seventy-four per cent of family type cases had divorce/dissolution as the principal crave.

All sheriffdoms in Scotland experienced a decrease in business levels from 2017-18. Between 2017-18 and 2018-19, Grampian, Highlands and Islands alongside Glasgow and Strathkelvin saw the largest decrease in initiated cases (both down 16%), while North Strathclyde saw the smallest (down 7%).

The 2017-18 Scottish Crime and Justice Survey shows that nearly **three in ten adults** were estimated to have experienced at least one civil law problem during the previous three years. The most common type of issues were disputes with neighbours (15%), followed by problems with faulty goods or services (5%), and money and debt issues (4%).

¹ Unless otherwise stated, the statistics in this bulletin exclude summary applications. However, the number of repossession cases shown in Figure 1 and discussed in section 2.2.6 includes summary applications.

1. Civil justice and court reform

In Scotland, civil law cases are usually conducted in a sheriff court or the Court of Session. Some cases are also heard in tribunals (section 1.3.1).

This chapter examines the procedures used in civil law in the Court of Session and sheriff courts (Figure 2). It then details recent reforms of these procedures (1.2). Finally we examine the evidence from courts data of the effect of these phased reforms (1.3).

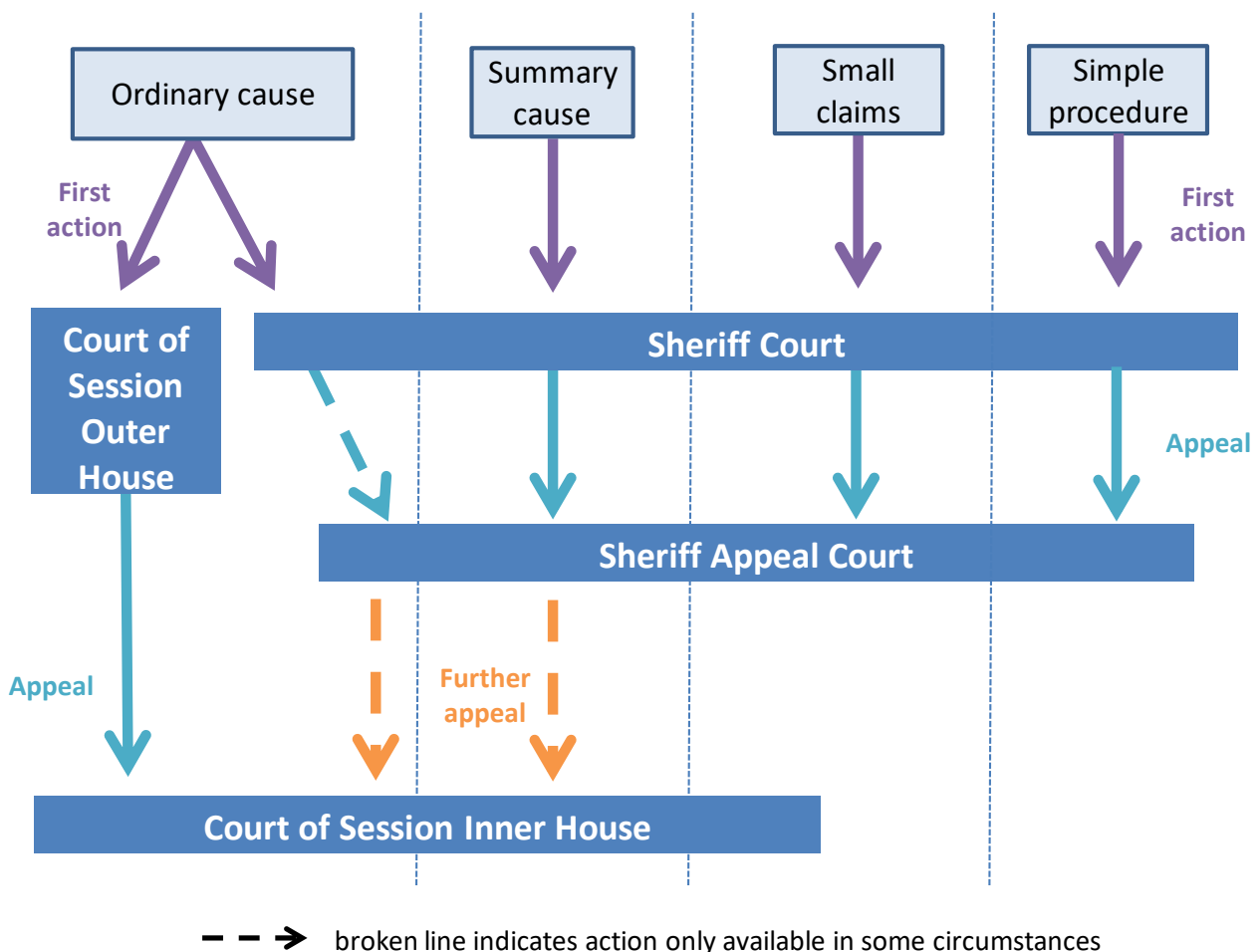
Our findings suggest that:

- A significant amount of business has moved out of the Court of Session, which saw initiated cases decreasing by 48% since 2015-16.
- The specialised Sheriff Personal Injury Court now handles nearly 40% of personal injury cases in Scotland.
- The simple procedure has now effectively replaced the small claims procedure in sheriff courts, along with more straightforward summary cause cases.

1.1 Structures and procedures in civil courts

Figure 1 shows the current court structure and procedures, detailed in the following sections.

Figure 1: Summary of court structure



1.1.1 Sheriff court procedures

Civil law cases initiated in the **sheriff courts** can be pursued in one of five procedures:

Small claims – Small claims (claims up to £3,000) have largely been replaced by the simple procedure except for a very small number of EU cases.

Summary cause – This procedure is used where the case involves any monetary claim over £3,000 and up to and including £5,000. It is also used for the recovery of rented property, for the recovery of moveable property and for personal injury cases up to and including £5,000. Cases carried out using this procedure may be heard only in the sheriff courts at first instance. Simple procedure (phase one) has replaced actions relating to payment, delivery or for recovery of possession of moveable property and actions which order someone to do something specific.

Summary application – This is a less commonly used procedure, designed to be quick and informal. It is generally used for statutory applications (in other words, processes set out in legislation). For example, appeals from decisions of licensing boards are heard under summary application. Actions for the repossession of homes because of mortgage arrears also take place under summary application.

Simple procedure – This was introduced by the [Courts Reform \(Scotland\) Act 2014](#), amalgamating small claims actions and summary cause in the sheriff courts, from 28 November 2016. Simple procedure (phase one) only covers the most straightforward summary causes, procedures for more complex cases will follow in due course. Similar to the procedures it replaced, the simple procedure applies to cases with a value up to and including £5,000.

Ordinary cause – This procedure is used where the case involves any monetary claim over £5,000, for cases involving family disputes and for many other cases where more complex legal issues arise. Cases carried out using this procedure may be heard in the sheriff courts or the Court of Session. Since 22 September 2015, cases up to and including a value of £100,000 are within the exclusive competence of the sheriff courts, as set out by the [Courts Reform \(Scotland\) Act 2014](#).

Since January 2016, **appeals** of civil cases which have been disposed of in the sheriff courts (whether by summary sheriffs or sheriffs) go to the [Sheriff Appeal Court](#) (Civil), except in some specialised pieces of legislation where direct appeal may be made to the Inner House of the Court of Session.

1.1.2 Court of Session procedures

The **Court of Session** is the highest civil court in Scotland. Cases before the Court of Session are normally initiated in one of two departments:

General Department - 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.

Petition Department - 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.

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, a single judge normally presides 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 the Inner House, except where the business is procedural in nature when a single judge may sit for most classes of appeal.

Appeals from the Outer House, known as reclaiming motions, are made to the Inner House (which also hears certain appeals from the Sheriff Appeal Court and certain tribunals and other bodies). Judgments of the Inner House of the Court of Session can be appealed to the [Supreme Court of the United Kingdom](#).

1.1.3 Specialist courts and tribunals

A number of specialist civil courts and tribunals also operate in Scotland. Examples of specialist courts include the [Scottish Land Court](#), which deals with agricultural and crofting matters, and the Lands Valuation Appeal Court, which deals with rateable value issues. Appeal from specialist courts is usually to the Inner House of the Court of Session.

Some tribunals in Scotland operate in areas of devolved competence and some of these, the Mental Health Tribunal for Scotland, for example, are administered by the Scottish Courts and Tribunals Service (SCTS). SCTS also provide support for the wide range of tribunals that form the [Scottish Tribunals](#) (see section on their website).

There are also a number of tribunals in Scotland which deal with areas of reserved competence – for example the [Child Support Tribunal](#) and the [Employment Tribunal](#). These are currently administered by [Her Majesty's Courts and Tribunals Service](#).

The [Scotland Act 2016](#) put in place arrangements to devolve the administration of reserved tribunals to the Scottish Parliament. The devolution will be delivered by an Order in Council which is currently the subject of discussion between the UK and Scottish Governments.

Statistics on specialist courts and tribunals are not included in this bulletin. Further information can be found in those courts and tribunals' annual reports ([Mental Health Tribunal for Scotland annual reports](#), [Scottish Land Court reported decisions](#) and [Lands Tribunal for Scotland](#)). The President of the Scottish Tribunals also produces an annual report, [Scottish Tribunals Annual Report](#).

1.2 Court reforms

In October 2014, the [Courts Reform \(Scotland\) Act 2014](#) was passed by the Scottish Parliament and received Royal Assent in November 2014. The reforms aim to address existing inefficiencies and bring about a cost-efficient, effective and accessible civil justice system for all individuals. Key reforms introduced by the Act, their date of implementation and expected indicators of their effects are listed in the remainder of this section.

The changes outlined in this section are not an exhaustive list of changes introduced by the Act. Transitional arrangements apply to all of the reforms described. More information on the Act can be found on the [Scottish Courts and Tribunals Service](#) website.

The Scottish Parliament passed the [Civil Litigation \(Expenses and Group Proceedings\) \(Scotland\) Act 2018](#) in May 2018. It received Royal Assent on 5 June 2018. The legislation contains provisions which aim to make the expenses in civil litigation more predictable and affordable, which, when implemented in 2020-21, will improve access to justice. Improved access to justice may result in an increase in the number of cases, especially personal injury actions. The Act also makes provision for a group proceedings procedure which it is hoped will be introduced in 2020-21. The implementation of group proceedings is likely to result in a decrease in the number of actions as multiple claims of the same or similar nature are dealt with by one representative case.

1.2.1 Courts and procedures

Exclusive competence of sheriff courts

From 22nd September 2015

The exclusive competence for all sheriff courts has been extended. Before the Act, only actions with a value of up to and including £5,000 could be raised in the sheriff courts, while cases above that value were eligible to be heard in the Court of Session. This has now changed, and actions with a value of up to and including £100,000 fall within the exclusive competence of the sheriff courts, while cases above this value will usually be raised in the Court of Session.

Sheriff Personal Injury Court

From 22nd September 2015

Litigants can choose to raise actions pertaining to personal injury valued up to and including £100,000 either in their local sheriff court or in the national personal injury court in Edinburgh. For higher value actions, a pursuer (claimant) has the choice of these forums and also the Court of Session. The Sheriff Personal Injury Court was established to increase efficiency and reduce settlement times of cases.

Summary sheriffs

From 1st April 2016

Summary sheriffs were created and they have a more limited jurisdiction than existing sheriffs, they are limited to dealing with cases of less than £5,000. Summary sheriffs are able to deal with the following proceedings: family; domestic abuse; adoption; children's hearings; forced marriage; warrants and interim orders; diligence proceedings; extension of time to pay debts and simple procedure.

Simple procedure (phase one)

From 28th November 2016

This procedure replaced most of the small claims actions (the exception being a few EU cases) and the more straightforward summary cause procedures, applying to cases with a value less than £5,000. Simple procedure has been designed to be efficient, inexpensive and informal, so that parties can represent themselves. It is mainly dealt with by the new summary sheriffs.

Simple procedure (phase one) only replaced summary cause actions relating to payment, delivery or for recovery of possession of moveable property, and actions which order someone to do something specific. A second phase of simple procedure is expected to follow in due course, covering certain types of actions not covered by the first phase such as personal injury cases.

1.2.2 Judicial review

From 22nd September 2015

Reforms introduced require an application for raising proceedings to be made within a three month time limit. Applicants must also seek permission from the Court of Session to proceed under the new procedure for judicial review.

1.2.3 Appeals

Appeals from Court of Session to the UK Supreme Court

From 22nd September 2015

Permission from Court of Session judges is now required before cases can reach the UK's Supreme Court. This means any party wishing to overturn a decision from the Inner House of the Court of Session must seek permission beforehand. If the Inner House refuses, the party can seek permission from the Supreme Court directly. In effect, the changes mean appeals from Scotland to the Supreme Court are now subject to the same rules as appeals from other parts of the UK.

Sheriff Appeal Court (Civil)

From 1st January 2016

The Sheriff Appeal Court was established to ensure cases are dealt with at an appropriate level and prevent unmeritorious claims from reaching the higher courts. The court is presided over by Appeal Sheriffs, and led to the previous sheriff principal role of adjudicating on appeals against decisions of sheriffs being abolished.

The effect of the reforms removes the ability to appeal directly from the sheriff court to the Court of Session, and provides a mechanism for appeal within the sheriff court system.

1.3 Recent trends of civil law court cases

Between 2009-10 and 2012-13, the number of cases initiated in the sheriff courts fell by 34% (excluding summary applications²) (Table 1 & Figure 2). Cases in the Court of Session saw a more fluctuating trend.

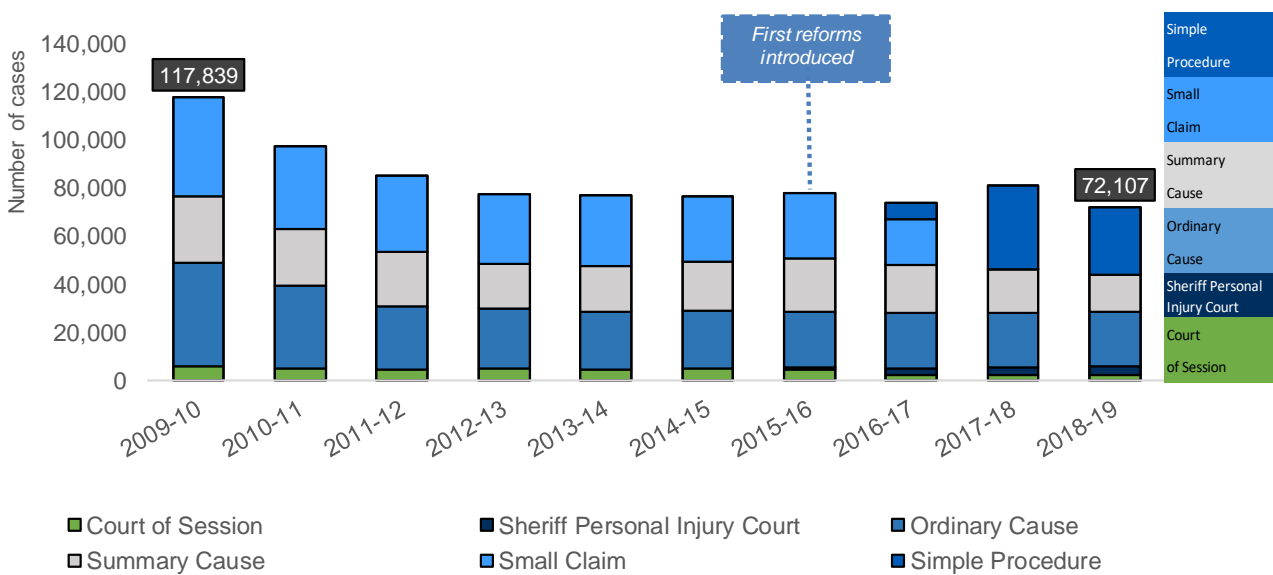
From 2012-13 to 2015-16, the total number of initiated cases across all courts was stable at around 77,000 until a decrease of 5% to 73,600 in 2016-17.

The total number of civil cases initiated in the courts decreased in 2018-19, down 11% on the total for 2017-18, reversing the 10% increase seen last year. Decreases in case numbers were observed across most case types except damages (up 5%) and family (up 3%) (see section 2.2 for more information).

The main contributors for the decrease in initiations in 2018-19 are debt and eviction actions, down 20% and 15% respectively. Debt actions reversed the surge in volumes recorded last year, which saw the first full financial year of the simple procedure (Table 12). This year saw the first significant drop in evictions since their upward trend beginning in 2013-14.

In the following sections we examine these trends further in the context of the reforms of civil courts proceedings discussed in section 1.2.

Figure 2: Cases transferred to Sheriff Personal Injury Court and simple procedure



² Unless otherwise stated, the statistics in this bulletin exclude summary applications. However, the number of repossession cases shown in Figure 3 and those discussed in section 2.2.6 includes summary applications.

1.3.1 Courts and procedures

In 2018-19, 66,241 cases were initiated in the **sheriff courts** and 60,872 were disposed. This represents a 12% decrease in initiations and a corresponding 5% decrease in disposals on the previous year (Table 3).

However, this decrease was not observed across all procedures in the sheriff courts. The numbers of **ordinary cause** procedures increased, although by a small margin of 1%. **Small claims** procedures were almost entirely replaced in 2018-19 by the simple procedure. (A large proportion of the remaining few cases relate to EU small claims cases)

2018-19 is the second full year of phase one **simple procedure**, and saw 28,249 cases initiated, and 29,613 disposed of. There was a 19% decrease in initiated cases from 2017-18, while disposals were down by 1%.

The simple procedure has absorbed nearly all small claims and summary cause cases for debt and damages actions (Table 12 and Table 19), although this year this did not result in an increase in the overall case load at sheriff courts. Since we only have two years' worth of simple procedure data, the trend in case volumes is not yet clear.

A further 3,591 cases were initiated in the national **Sheriff Personal Injury Court**, a 9% increase on 2017-18 (Table 18). Based on the available data from 2015-16 onwards, many of the cases pursued in the Sheriff Personal Injury Court would likely have been initiated at the Court of Session, which has seen a corresponding fall in the number of cases initiated since the institution of the new court (Table 1).

While business levels have decreased by 11% across all courts, the number of cases initiated at the Court of Session is almost the same as 2017-18 at 2,275.

Combined, the simple procedure and Sheriff Personal Injury Court accounted for 44% of all civil court business, down from 47% in 2017-18.

The relative costs of these procedures is provided on the Scottish Courts and Tribunal Service website³.

1.3.2 Judicial review

The Court of Session deals with judicial review. This is a specialised type of court procedure that can be used to challenge the way a person or body with power or authority has made a decision if no other remedy is possible.

There were 402 judicial review cases initiated in 2018-19, a 13% increase on 2017-18 (Table 25). Between 2015-16 and 2016-17 there was a large decrease, explained in part due to a rise in number of judicial reviews in the preceding year, ahead of the reform. The number of judicial reviews initiated at the Petition Department of the Court of Session has been highly variable over time.

³ <https://www.scotcourts.gov.uk/taking-action/court-fees>

1.3.3 Appeals

Sheriff Appeal Court (Civil)

In 2018-19, 266 cases were initiated and 203 disposed of (Table 26). Compared to 2017-18, the number of initiated cases decreased by 7%, and disposed cases by 14%.

Prior to January 2016, appeals would have been directed to the Court of Session, thereby entailing higher costs and possibly taking longer to determine. There has been a decrease in the appeals made from the sheriff courts, but numbers are small: for the last five years there were 53, 42, 18, 31 and 21 respectively ([Table S8 Supplementary statistics tables](#)). The last three years correspond to when the Sheriff Appeal Court operated for full financial years.

Appeals from Court of Session to the UK Supreme Court

In 2018-19, 18 civil law applications were initiated under the provisions for bringing appeals to the UK Supreme Court (Table 27). During this period, 19 applications were disposed of by the Inner House of the Court of Session (two granted, 15 refused and two withdrawn).

In 2018-19, of the 14 cases disposed of by the Supreme Court for permission to appeal (having been initially refused by the Inner House in Scotland), three were granted and the rest were refused⁴.

⁴ <https://www.supremecourt.uk/news/permission-to-appeal.html>

2. Civil justice problems

In this chapter we examine the types of civil legal problems people experience in Scotland, as determined by the Scottish Crime and Justice Survey 2017-18⁵, and what sorts of issues are presented at court.

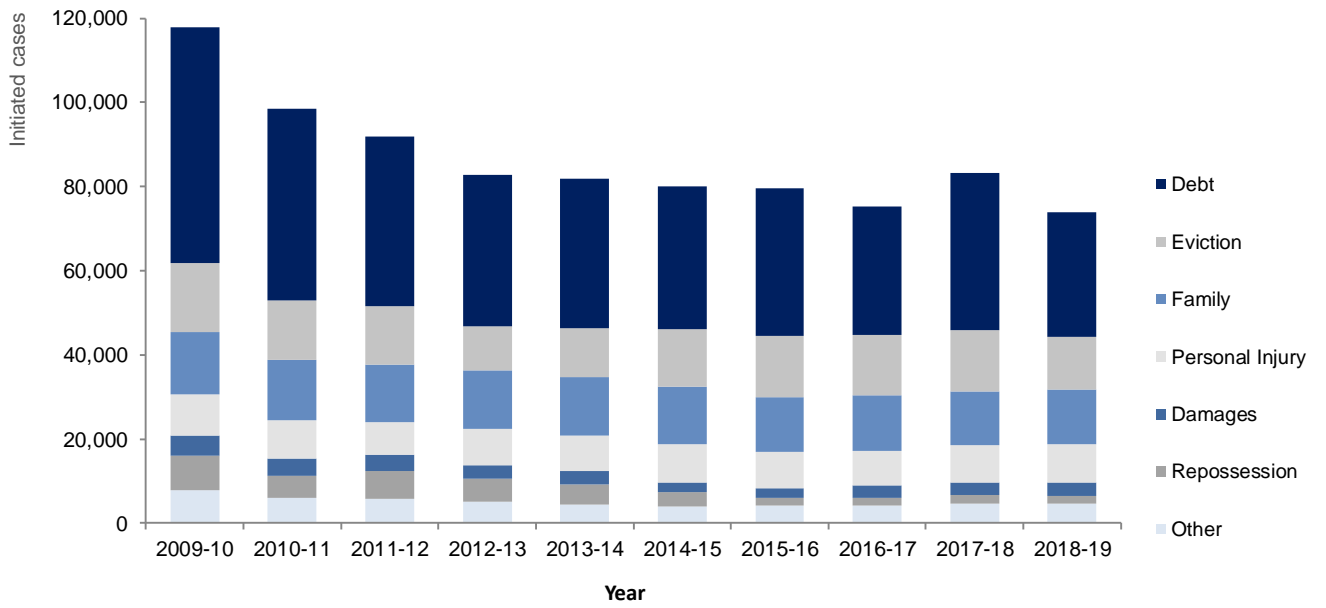
First we look at information from the representative sample in the Scottish Crime and Justice Survey. We then examine the long-term trends in the courts' data. Finally we look at the changes in legal aid sought in Scotland.

Our findings suggest that:

- According to the Scottish Crime and Justice Survey 2017-18, three in ten adults experienced civil law problems in the three years prior to interview.
- Family and eviction cases on average have multiple craves compared to other case categories.
- Debt cases made up 41% of principal craves initiated at civil courts in 2018-19. This year recorded the lowest number of initiated cases in the last decade.
- Evictions made up 17% of principal craves initiated at civil courts in 2018-19.
- Family cases made up 18% of principal craves, of which 74% related to divorce and dissolution in 2018-19.
- Just under 40% of personal injury cases were raised in the national Sheriff Personal Injury Court.
- 70% of damages cases were initiated under simple procedure in 2018-19. 48% of the simple procedure cases disposed of were dismissed.
- The number of repossession cases initiated decreased to 2015-16 levels, down 9% compared to 2017-18.
- In 2018-19, there were 13,561 civil legal aid grants, the vast majority of which were for cases in the sheriff courts.

⁵ We are reporting the same SCJS results as we did in our Civil Justice Statistics in Scotland 2017-18 bulletin, because, at the time of publication of this bulletin, SCJS 2018-19 results were not available.

Figure 3: Long-term downward trend in initiated cases, normalising after the rise in case load last year



2.1 Scottish Crime and Justice Survey - civil justice module

The Scottish Crime and Justice Survey 2017-18 estimates that three in ten adults experienced civil law problems in the three years prior to interview

The Scottish Crime and Justice Survey (SCJS)⁶ includes questions on experience of and response to civil law problems. Respondents are asked if they have experienced one or more of a list of problems or disputes in the three years prior to interview⁷. They are then asked whether they have attempted to solve them.

The problem areas covered are:

- home or family living arrangements
- money, finances or anything paid for
- unfair treatment
- health and well-being

The 2017-18 SCJS shows that around three in ten adults (31%) were estimated to have experienced at least one of the civil law problems asked about in the previous three years. This is similar to both the 29% reported in 2016-17 and 30% reported in the 2008-09 SCJS⁸.

Some groups in the population were more likely to experience civil law problems than the general population. For example, an estimated 38% of those who are disabled experienced a civil law problem compared with 28% of those who are not disabled. Those who lived in one of the 15% most deprived areas in Scotland suffered a higher prevalence of civil justice problems (40%) than those who did not (29%), as did victims of crime (45%) compared with non-victims (28%).

Among the problem areas listed above, 21% of adults had experienced problems with home or family living arrangements, 10% had experienced problems with money, finances or anything they had paid for, 8% had been treated unfairly in some respect and 6% had experienced health or well-being problems.

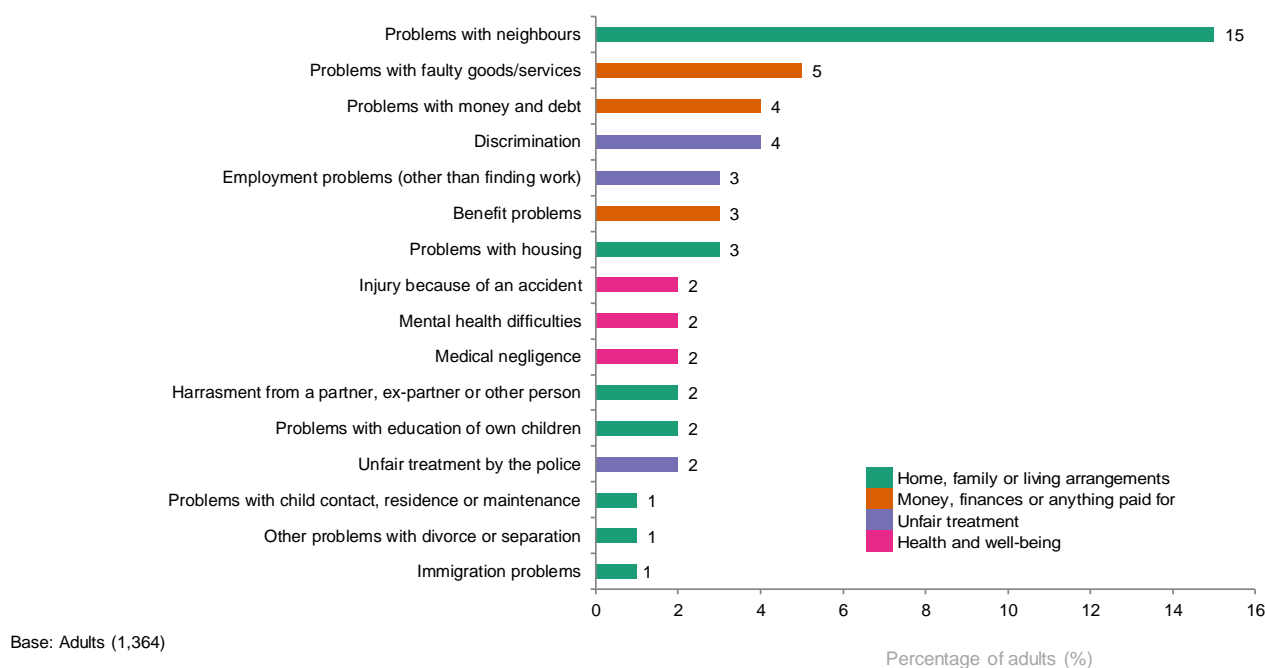
The most common single problem was with neighbours, experienced by 15% of adults. The next most common civil law problems involved faulty goods or services (5%) or money & debt (4%). The full breakdown is shown in Figure 4.

⁶ More information on the SCJS can be found on the [Scottish Government website](#).

⁷ Information on the [SCJS questionnaire](#).

⁸ There have been some question updates and additional answer categories in the questionnaires since 2008-09, but results are still broadly comparable.

Figure 4: Experience of civil law problems: SCJS 2017-18



Among those who had experienced civil law problems in the last three years, over a third (35%) said a problem concerning neighbours was their most important or only problem to solve. The next most important problems involved faulty goods or services (8%) or discrimination (8%).

Thirty-one per cent of these problems began less than a year ago, a further 19% over a year but less than two years ago, 17% over two years but less than three years ago and 31% over three years ago.

Just over two fifths (42%) had resolved the problem, while just over a third (34%) were still trying to resolve the problem. One in ten had tried to resolve the problem but had to give up (11%) and a similar proportion (11%) were not planning to do anything about the problem.

Scottish Crime and Justice Survey problems which correspond to those commonly handled by the civil courts are summarised in the following sections:

Debt (section 2.2.1) - An estimated 4% of adults in the 2017-18 Scottish Crime and Justice Survey reported having money and debt problems. The prevalence of money and debt issues varied by tenure, for example, owner occupiers were less likely to have experienced such issues in the previous three years (2%) than social tenants (8%).

Family (section 2.2.3) - The 2017-18 SCJS found that an estimated 2% of adults experienced problems to do with the behaviour of a partner, ex-partner or other person harassing them, 1% experienced a problem to do with child contact, residence or maintenance and similarly 1% experienced problems to do with divorce or separation.

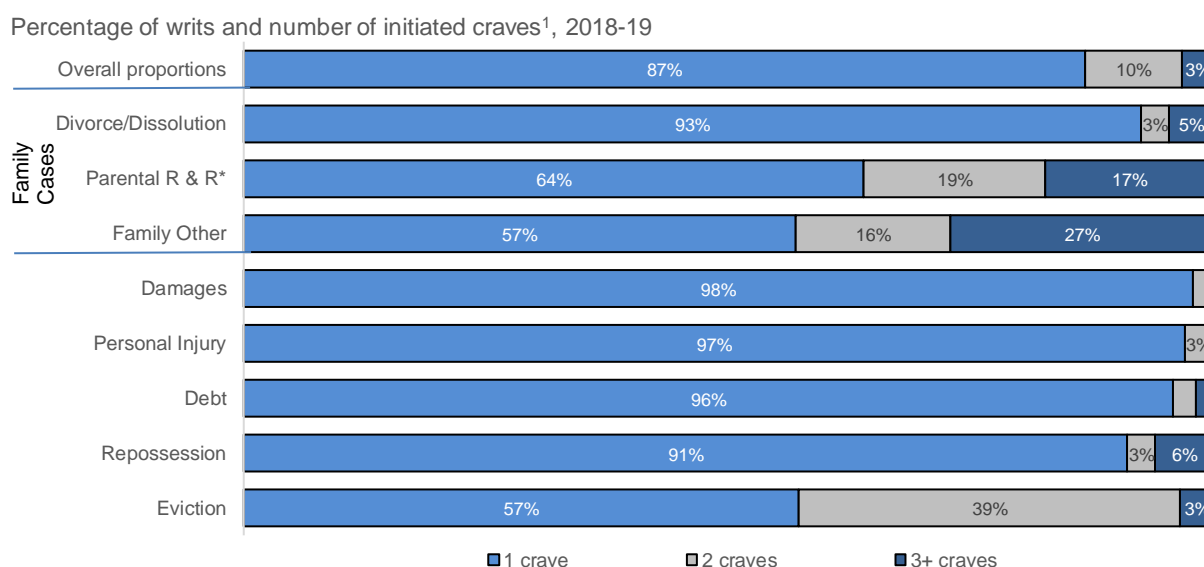
Personal injury (section 2.2.4) - The 2017-18 Scottish Crime and Justice Survey found that an estimated 2% of respondents experienced a medical negligence issue and 2% experienced a personal injury problem in the last three years.

2.2 Volumes and types of problems in the courts

In this section we examine the types of civil law problems recorded in court statistics, and any changes in their likelihood over time.

Previous editions of this bulletin presented statistics only relating to the **principal crave** of cases. An individual case can involve a number of different legal remedies sought by the pursuer. The requirement which is listed first on the **writ** is normally known as the principal crave, for example 'divorce', and is used to categorise the case type. The others remedies sought are described as ancillary craves, for example 'contact'. By not including ancillary craves, our statistics were not capturing the full detail of orders the courts were being required to make under each case type. For the first time, this edition presents experimental statistics⁹ counting all craves associated with a writ. Table A1 to Table A10 show the counts, while Figure 5 shows a summary of the complexity of cases based on the number of craves attached to them. This new craves analysis is based on cases initiated in 2018-19. We will consider disposals analysis in our next bulletin based on user need.

Figure 5: Family and eviction cases are more likely to have multiple craves compared to other case categories¹

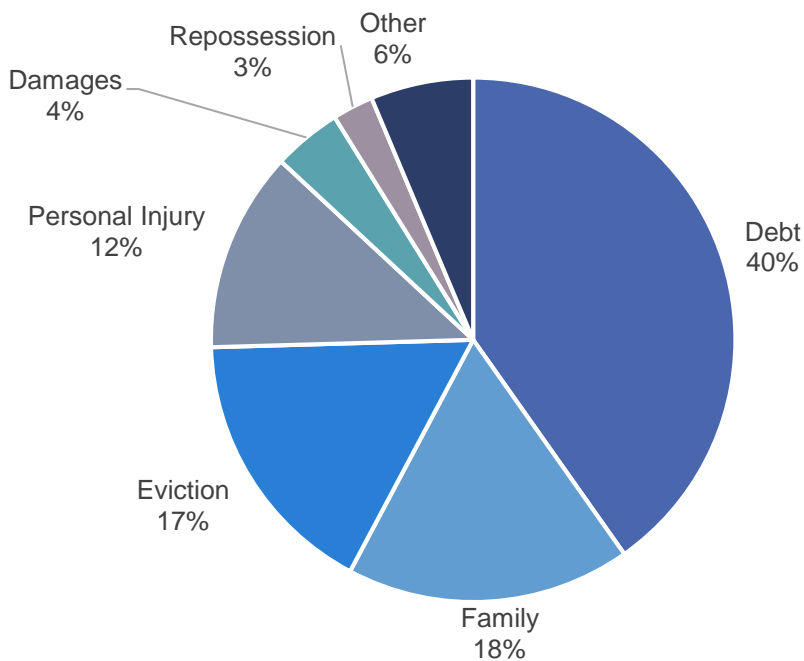


1. The categories shown do not include the 'Other' category which represents approximately 1% of initiated craves.
*Parental R & R refers to parental responsibilities and rights.

As shown in Figure 5, family cases are more likely to have multiple craves, compared to other case categories. For example 98% of damages writs have a single crave on them. Divorce/dissolutions show a different pattern, with approximately 7% of writs having more than one crave in 2018-19. Outside family law, we note that over 40% of eviction cases have more than one crave on their writ. Overall, 87% of initiated cases had a single crave on their writs.

⁹ <https://www.statisticsauthority.gov.uk/about-the-authority/uk-statistical-system/types-of-official-statistics/>

Figure 6: Debt cases remain the most common problem at civil courts



In 2018-19, debt actions were the most common, constituting 40% of all civil court cases. Family and eviction actions were second and third most common, at 18% and 17% respectively (Figure 6) (percentages include summary applications¹⁰).

Decreases in case numbers were observed across most case types except for damages and family. The largest decreases were recorded for Debt (down 20%), Eviction (down 15%) and Repossession (down 9%), while Damages increased by 8% and Family by 3% (Table 28).

¹⁰ The statistics presented in Figure 6 and percentages quoted include summary applications for [repossession](#), similar to those in Figure 3. Otherwise, all other statistics in this bulletin exclude summary applications.

2.2.1 Debt

Debt cases made up 41% of principal craves initiated at civil courts in 2018-19

The number of debt cases decreased to 29,753, the lowest number of initiations in 10 years

85% of debt cases initiated in 2018-19 were under the simple procedure

Money owed to an individual or organisation is known as a debt and can include council tax, business taxes, hire purchase agreements, utility bills, bank overdrafts and loans. Where there is a dispute over a debt and a creditor wishes to enforce their right for payment, they can raise a debt case in court.

The Scottish Legal Aid Board, in their [fifth monitoring report](#), found that: “Other routes to debt management or resolution of the debt issue, not involving court, are increasing in importance. Debt management companies and the not-for-profit sector appear therefore to be an increasingly important avenue for people seeking assistance with debt issues than solicitors.”

Evidence

Debt actions have consistently been the most common principal craves over the past 10 years.

The number of debt actions fell in line with the overall trend for civil justice court proceedings initiated between 2009-10 and 2012-13.

There was an increase in the number of debt actions as principal craves in 2015-16 compared with 2014-15 (a 3% increase), followed by a large (12%) fall in 2016-17.

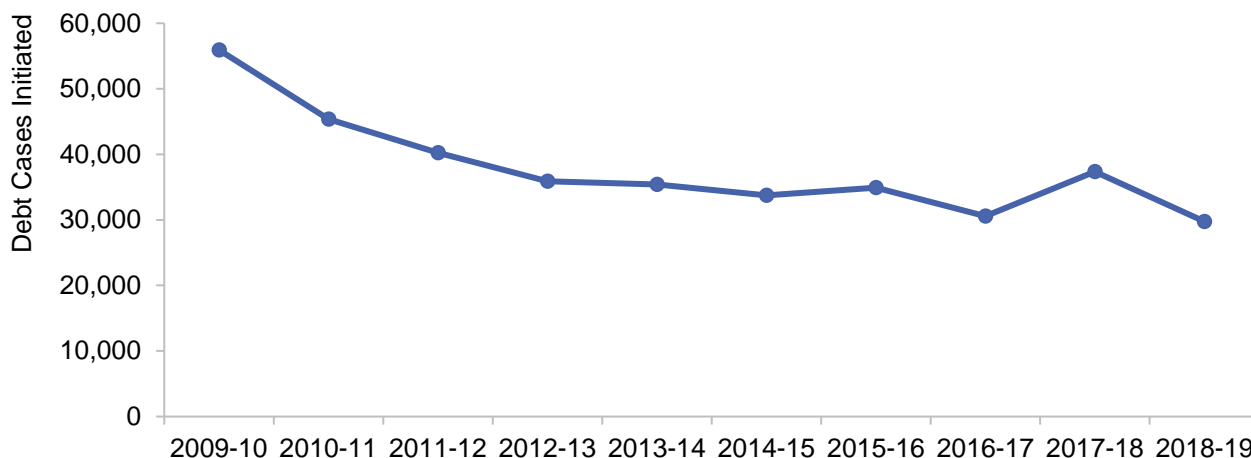
In 2017-18, the number of debt actions increased by 22% on the previous year. This was likely due to a rise in interest from the public following the implementation of simple procedure.

The number of debt cases in 2018-19 decreased by 20%, reversing the rise recorded last year, from 37,364 to 29,753.

Of these 29,753 debt actions initiated in 2018-19, 85% were brought to the sheriff court under the simple procedure, a similar proportion to the previous year. A very small number were small claims or summary cause proceedings. Fourteen per cent were brought to the sheriff court under ordinary cause procedure, up slightly from 13% in 2017-18.

Table A1 and Table A2 present the new statistics which show counts of all craves on debt cases initiated in 2018-19. The most common craves are payment of money (31,063), delivery of movable goods (230) and Expenses (124).

Figure 7: Debt cases initiated have fallen back to 2016-17 levels, having risen in 2017-18



2.2.2 Eviction

Evictions made up 17% of principal craves initiated at civil courts in 2018-19

Evictions initiated decreased by 15% from the previous year to 12,407 cases

Eviction cases involve the taking of property by the owner from an occupier, usually a tenant. Landlords can apply for an eviction order if they want their tenants removed from the property.

From 1 December 2017, all civil private rented sector eviction cases, including short assured, assured and private residential tenancies are dealt with by the [First Tier Tribunal Housing and Property Chamber](#) (criminal cases remain with the sheriff court).

Initiating eviction action for social housing (local authority and registered social landlord) rent arrears cases can only happen after the landlord has followed a set of pre-action requirements. By granting an eviction order, the courts permit the eviction process to proceed, but this does not mean that eviction will necessarily take place.

The eviction statistics in this bulletin relate to tenants of rented properties in social housing (local authority and registered social landlords) and private sector tenants prior to 1 December 2017. Detailed statistics on the eviction of local authority tenants are available from [Housing Statistics for Scotland](#).

Evidence

Between 2009-10 and 2012-13 there was a consistent fall in the number of evictions as principal craves, falling around 36% over that period from 16,528 to 10,532.

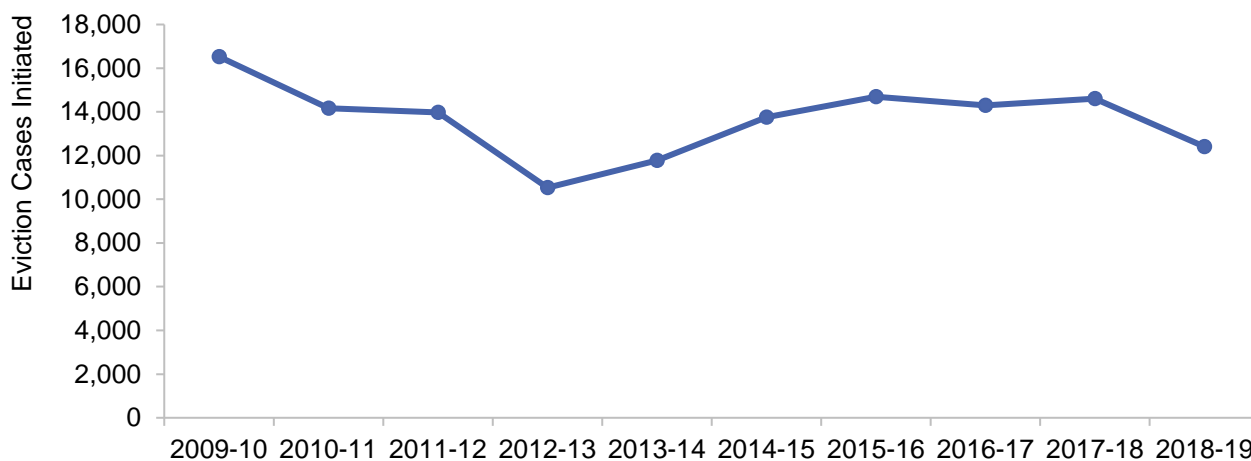
These figures increased in 2013-14 through 2015-16 to 14,690. A small dip in 2016-17 has been followed by a return to 2015-16 levels in 2017-18, when there were 14,604 evictions initiated.

In 2018-19, evictions recorded their first significant decrease in six years, dropping by 15%, from 14,604 to 12,407. Around 62% of eviction cases were found “for pursuer”, and 92% of “for pursuer” cases were undefended (Table 24).

All evictions are brought as summary cause to the sheriff court.

Table A1 and Table A3 show a count of all craves for eviction cases initiated in 2018-19. The most common craves sought are Recovery of heritable property (7,538), Payment of money (5,344) and Repossession (3,180).

Figure 8: Eviction case numbers have gone down, having stabilised in the previous three years



2.2.3 Family

Divorce and dissolution made up 74% of family cases initiated in 2018-19

Nearly all of the 7,379 divorces granted in 2018-19 were heard in sheriff courts, and 61% used the simplified procedure

Family law covers a wide range of areas related to families, couples and children. These include: divorces and dissolutions; applications relating to parental responsibilities and rights; and permanence and adoption cases.

Family law also covers interdicts preventing a party from making specific contact or coming within close proximity to another, and exclusion orders that suspend the rights of an individual to live in the family home.

This section also contains statistics on sheriff court summary applications relating to adoption and children's hearings.

Previous editions of this bulletin presented statistics relating only to the **principal crave** of cases. This meant that the statistics on certain case types, such as contact and residence, did not reflect the true number of actions brought to court as these issues are often ancillary craves in a case where the principal crave is for divorce. For the first time, this edition presents experimental statistics¹¹ counting all the craves associated with a writ.

¹¹ <https://www.statisticsauthority.gov.uk/about-the-authority/uk-statistical-system/types-of-official-statistics/>

Table A1, Table A4, Table A5, Table A6 and Table A10 contain counts of all craves relevant to family law cases. The most common specific craves on divorce/dissolution cases are Divorce (9,441), Capital Sum (215) and Expenses (199). On parental responsibilities and rights cases, the most common are Contact (1,377), Residence of child (1,123) and Parental responsibilities and rights (593). Family-Other has Interdict (429), Declarator (160) and Residence of child (112) as the most common specific craves sought.

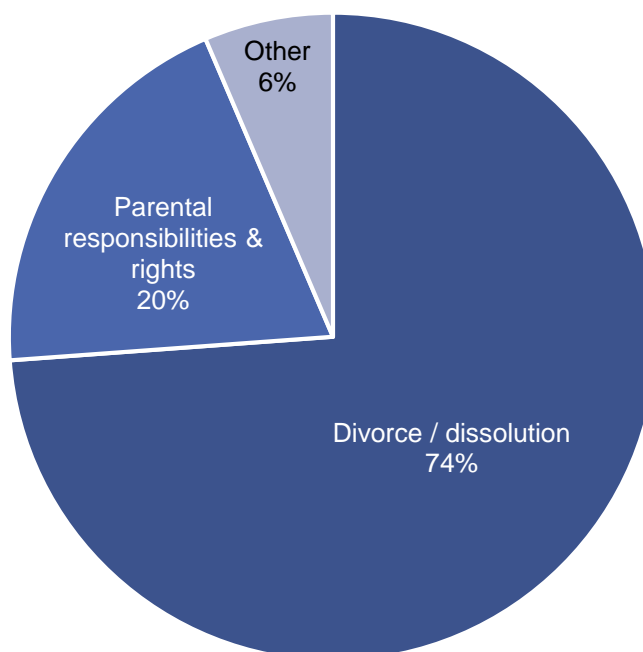
Family law evidence summary

There has been a general downward trend in the number of family actions as principal craves since 2009-10, with the decline in divorces being the biggest contributor. There was a 12% fall from 14,733 in 2009-10 to 12,989 in 2018-19 (Table 5). Family has seen an increase in initiations in the last year (3% or 337 cases).

There have been no evident changes in distribution of types of case or the courts used.

Figure 9: Family cases initiated in the civil courts by type, 2018-19

Proportion of principal craves,
2018-19



Divorce / dissolution and parental responsibilities and rights are the biggest case types and together account for 94% of family cases initiated.

Only a small proportion of family cases are heard in the Court of Session (97 or 1% in 2018-19), representing 10% of cases in the General Department of that court (Table 2 & Table 6). Of these 97 cases, Divorces and dissolutions accounted for 84.

In 2018-19, the vast majority (90%) of applications to extend/vary an interim order disposed of were granted. Similarly, most children's hearings (referral applications) were granted and established the grounds for referral, with the case being referred back to the Children's Hearing to dispose of the case (Table 8).

In 2018-19, there were 504 adoption petitions initiated, a decrease of 5% on the previous year. The number of applications initiated for permanence orders with authority to adopt decreased slightly, down 3%, to 377 in 2018-19.

Divorce and dissolutions statistics

Divorce is the formal procedure that ends a marriage, while the procedure for ending civil partnerships is known as dissolution. In addition to divorce and dissolution, the courts can also take decisions on where a child should live when parents separate; whether the non-resident parent should have contact with the child and who should have parental responsibilities and rights. Where children are involved, or there is a claim for financial provision, the ordinary procedure is used. However, the majority of divorces and dissolutions use a simplified procedure which is low-cost and simpler.

The divorce and dissolution statistics presented in Table 9, Table 10 and Table 11 are based on different Scottish Courts and Tribunals Service data from the other statistics in this bulletin. See the section 3.6 for more information.

Historical statistics, broken down by characteristics such as age at marriage/partnership, age at divorce/dissolution, duration and form of marriage/partnership, are available on the website within the [Divorces & Dissolutions Supplementary Tables](#). Equivalent statistics for 2018-19 are available in [Excel Tables](#) published alongside this bulletin.

Divorce and dissolution of a civil partnership

The [Civil Partnership Act 2004](#) came into force on 5 December 2005, allowing legal relationships between two people of the same sex to be formed. The first civil partnerships in Scotland were registered on 20 December 2005.

On 12 March 2014, the [Marriage and Civil Partnership \(Scotland\) Act 2014](#) received Royal Assent. Following this Act, the first same-sex marriage ceremonies took place in Scotland on 31 December 2014. In addition, couples in civil partnerships are able to change their relationship into a marriage.

Following on from the [Marriage and Civil Partnership \(Scotland\) Act 2014](#), this year we have published for the first time, divorces granted, split by sex (Table 9) and divorces granted by method of celebration, also split by sex (Table 11).

The latest data on marriages and civil partnerships registered can be found in the [Marriages and Civil Partnerships](#) section of the National Records of Scotland website.

Divorce & dissolution evidence

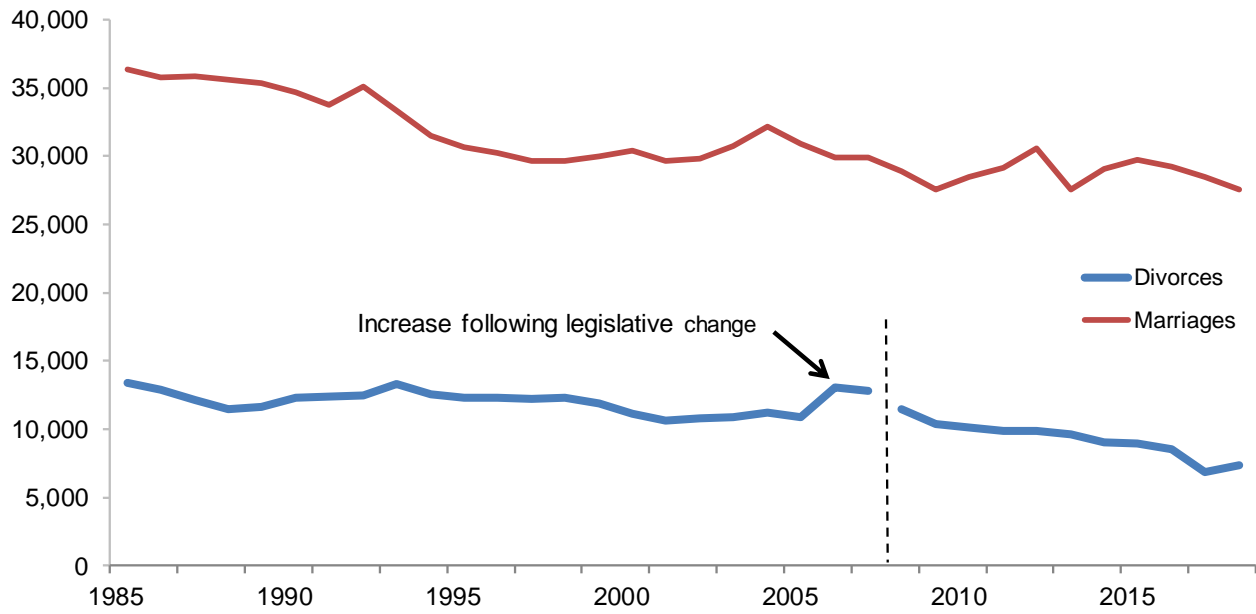
The number of divorces has been slowly decreasing from around 13,400 in 1985 to 7,300 in 2018 (Figure 10)¹². This decrease could be linked to the general downward trend in marriages across the same period as shown by the chart. The main exception to this trend was a sharp rise in divorces in 2006. This rise can be attributed to the reduction in non-cohabitation periods required to prove irretrievable breakdown of a marriage brought into force by the [Family Law \(Scotland\) Act 2006](#).

¹² Data prior to 2008-09 cannot be compared directly with later data, and is discussed here only to provide historical context. For more information, see the [Quality of the statistics](#) section.

The total number of divorces **granted** in Scotland in 2018-19 was 7,379, 7% higher than in 2017-18 (6,869) (Table 9). In 2018-19, 61% of divorces granted used the simplified procedure. Thirty-five divorces were granted to same sex couples.

There were 67 civil partnership dissolutions **granted** in 2018-19, slightly down from 70 in 2017-18 (Table 10). The vast majority of dissolutions granted in 2018-19 (93%) used the simplified procedure.

Figure 10: Downward trend for both divorces and marriages since 1985



1. Divorces Data prior to 2008 is for illustrative purposes only
 2. Marriages data is from the National Records of Scotland's Vital Events Reference Tables

2.2.4 Personal injury

There was a 3% decrease in personal injury cases initiated in 2018-19 compared to 2017-18

Just under 40% of personal injury cases were raised in the national Sheriff Personal Injury Court

Nearly three in five personal injury cases were in relation to road traffic accidents

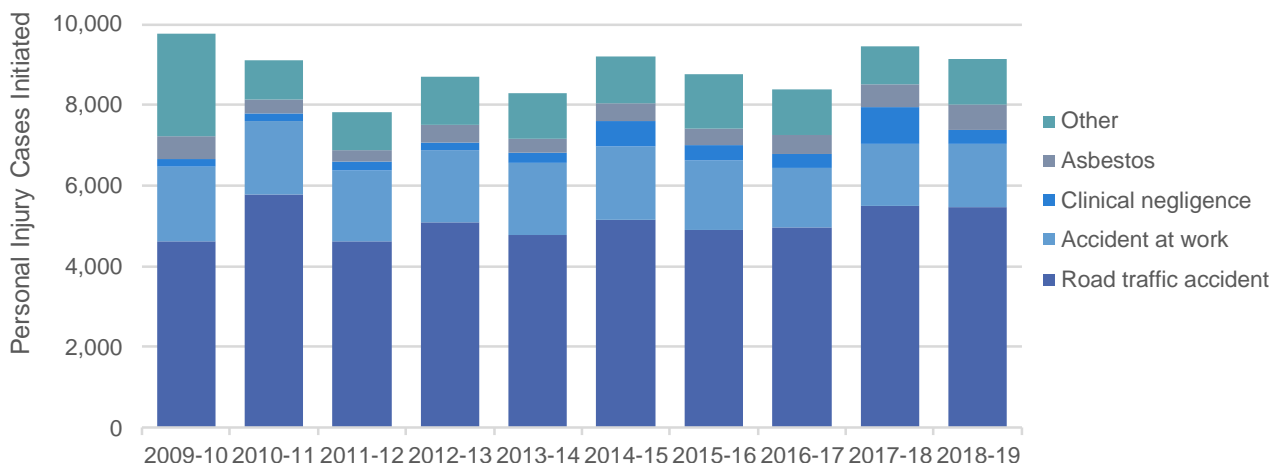
Personal injury can be physical and/or psychological, and include disease or impairment. Personal injuries may result from a wide range of causes including an injury received at work, a traffic accident, or through negligence or a deliberate act on the part of another party. A person who has suffered an injury can seek redress through several routes, such as making a complaint against the person/organisation they consider to be responsible for the injury, seeking assistance with any financial problems they have as a result of their injury, or seeking counselling. Alternatively, they may wish to claim compensation, provided certain criteria are met to cover losses they have suffered as a result of the injury.

A personal injury case is a form of damages case that relates specifically to damages for, or arising from, personal injuries or the death of a person from personal injuries. Other cases, for example defamation, are covered under damages in section 2.2.5.

Evidence

Since 2009-10 there has been between 7,500 and 10,000 personal injury cases initiated as principal craves each year. There were 9,146 in 2018-19, down 3% from 2017-18 and close to the number initiated in 2014-15 (Table 14). Personal injury has seen a high degree of variation over the last decade, and the latest figure is within the bounds of expectation, and not necessarily an indication of longer-term change.

Figure 11: Personal injury cases fluctuate year-on-year, but road traffic and accident at work are the most common



The prevalence of personal injury cases as a proportion of all principal craves is up one percentage point from 2017-18, to 13%.

There has not been a large change in the procedures used to hear personal injury cases since 2017-18. Around 30% are brought to the sheriff courts as summary cause, and around 40% to the Sheriff Personal Injury Court. A quarter are brought under ordinary cause to the sheriff courts, and 6% to the Court of Session.

However, in some specific cases there are differences in how different types of Personal Injury are using procedures in the courts, as shown in Figure 12.

The Sheriff Personal Injury Court is increasingly likely to cover accidents at work and Asbestos-related cases, with over 80% of these cases using the specialised court.

The majority of additional asbestos cases in 2018-19 (up 70 to 638) were initiated at the Sheriff Personal Injury Court. Eighty-one per cent of asbestos related cases were raised at this court, around the same proportion as in the previous year (80%) (Table 18).

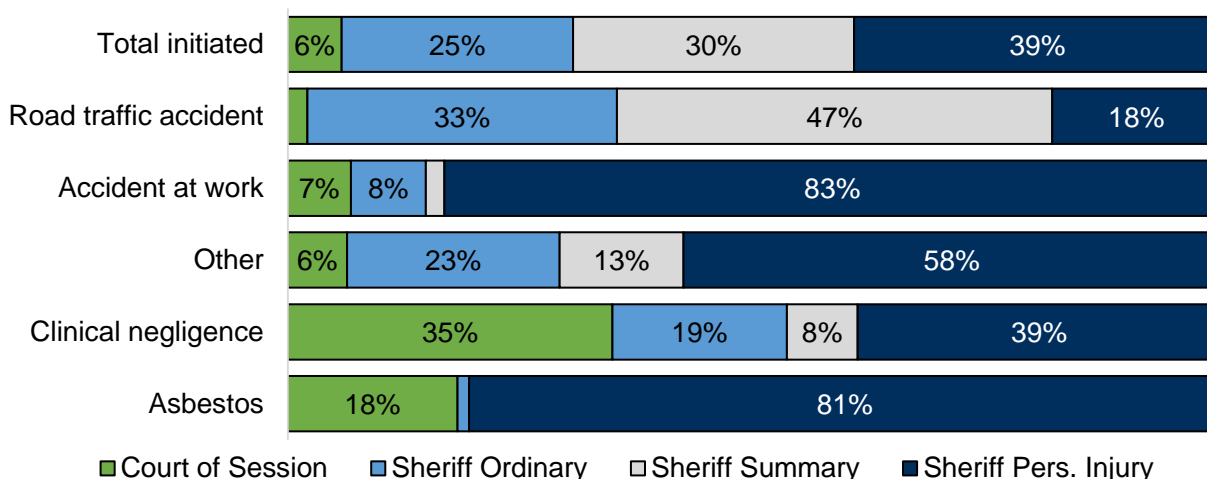
There has been a small increase in accident at work cases since the previous year (up 21 to 1,568). A larger proportion of these were brought to the Sheriff Personal Injury Court, increasing from 82% to 83%.

The number of clinical negligence cases initiated in 2018-19 has settled back to the 2016-17 levels, having risen sharply in 2017-18 due to an unusually high volume of summary cause clinical negligence initiations at Edinburgh Sheriff Court (Table 14). There were 342 cases in 2018-19, a 62% decrease from the 901 cases last year.

Table A1 and Table A7 show counts of craves associated with personal injury cases initiated in 2018-19. The most common craves sought are Damages (8,396), Payment of money (165) and Expenses (137).

Figure 12: Accidents at work and asbestos cases are most likely use the Sheriff Personal Injury Court

Proportion of principal craves, 2018-19



2.2.5 Damages

The number of damages cases rose by 8% from 2017-18

70% of damages cases were initiated under simple procedure in 2018-19. 48% of the simple procedure cases disposed of were dismissed.

Around 69% of damages cases disposed of in the Court of Session had a decree of absolvitor

Damages are a legal remedy that provide compensation for harmful actions suffered through the fault of another party, either an individual or an organisation. A claim for damages can arise from all sorts of circumstances and include (but is not limited to): defamation, breach of contract, damage to moveable property, negligence, breach of warranty or guarantee, breach of trust, wrongful diligence, wrongful interdict, malicious prosecution, wrongful apprehension or false imprisonment or fraudulent representation and personal injury. For the purpose of these statistics, the definition for damages does not include personal injuries, which are covered separately in section 2.2.4.

The purpose of a damages case is to provide a remedy by measuring, in financial terms, the harm suffered to restore an injured party, as far as practicable, to the position they were in beforehand. The court has responsibility for assessing the damage and agreeing or modifying the damages proposed by the pursuer as it sees fit.

Evidence

Between 2009-10 and 2015-16 there was a steady fall in the number of damages claims initiated as principal craves. Between 2015-16 and 2016-17 there was a 22% increase from the low of 2,296 to 2,810.

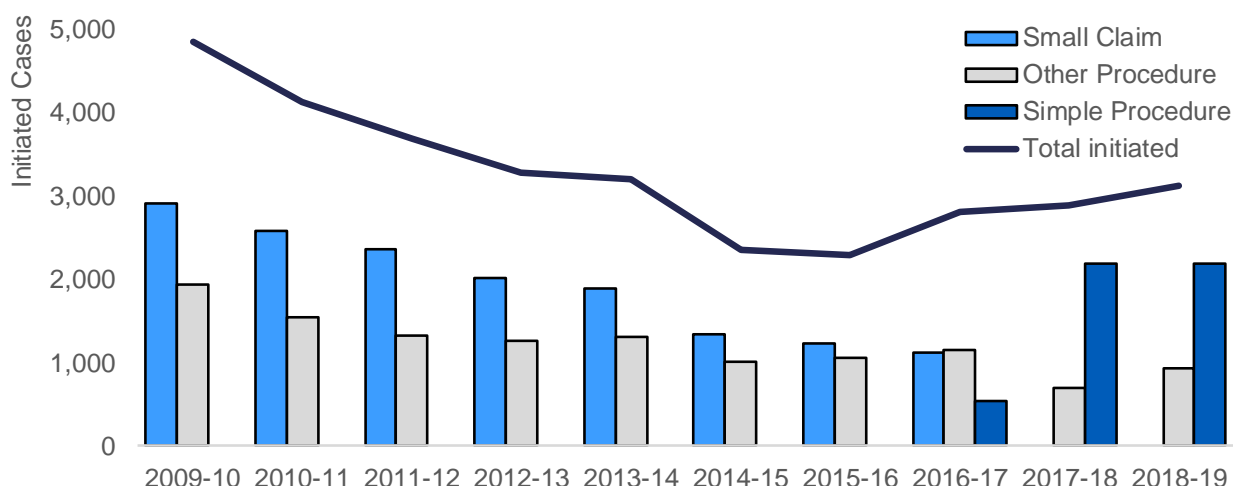
In 2017-18 there was a further, but much smaller, increase of 3% to 2,883 (Table 19). The upward trend continued in 2018-19, going above 3,000 for the first time since 2013-14. In 2018-19, there were 3,127 initiated cases, an 8% increase from last year.

This latest increase is mainly driven by a 39% rise in ordinary cause initiations, which rose from by over 200, from 538 to 748 in 2018-19. There was an unusually high number of Equality Act damages cases initiated during this period.

Of the 3,127 damages actions initiated, 70% were brought to the sheriff court under the simple procedure, down from 76% in the previous year, partly due to the increase in ordinary cause actions explained above. All summary cause actions were absorbed by the simple procedure. 24% were brought to the sheriff court under ordinary cause procedures, up from 19% in 2017-18 (Figure 13).

Table A1 and Table A8 show the counts of all the craves associated with damages cases initiated in 2018-19. The most common craves sought are Damages (2,793), Payment of money (56) and Expenses (21).

Figure 13: Damages cases show broad uptake of simple procedure



2.2.6 Repossession

The number of repossession cases initiated decreased to 2015-16 levels (down 9% compared to 2017-18, but down 77% compared to 2009-10)

Repossession involves the retaking of property when a borrower is in breach or default of a mortgage or loan secured on the property. Repossession should not be confused with eviction which, for the purposes of these statistics, refers to the removal of tenants from a rented property (see section 2.2.2).

Historically, repossession cases relating to mortgages and loans were dealt with under ordinary cause procedure. However, the introduction of the [Home Owner and Debtor Protection \(Scotland\) Act 2010](#) on 30 September 2010 led to these cases being raised instead as summary applications. Where a repossession case relates to non-residential land or property, the action may be raised either as a summary application or as an ordinary action. If successful, the pursuer has the right to take possession of the property.

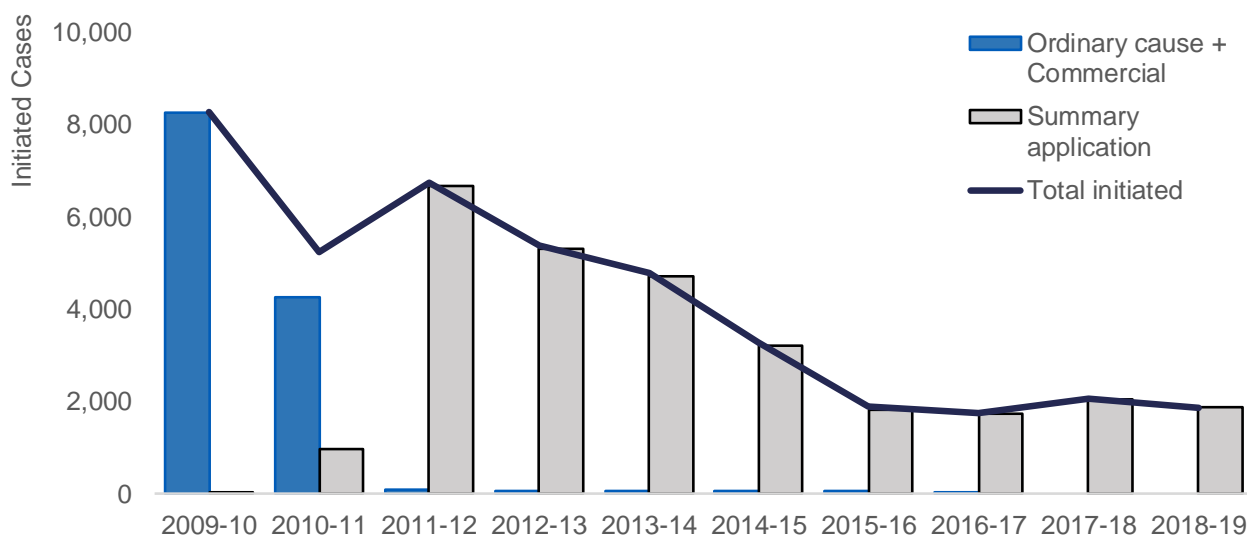
Evidence

Between 2009-10 and 2010-11 the number of repossessions fell by nearly 37% (from 8,266 to 5,224). However, in 2011-12 we saw an increase of 29% (to 6,752) (Table 21). The low volume in 2010-11 coincided with the introduction of the [2010 Act](#) and the transition to new procedures.

Between 2011-12 and 2016-17, there were consistent annual decreases in the number of repossessions. From the low of 1,753 in 2016-17, there was an increase of around 300 (17%) in 2017-18 to 2,056. In 2018-19, initiated cases fell to levels seen in 2015-16, decreasing by 187 cases or 9%.

As in the previous year, in 2018-19, all repossessions were brought as summary applications to the Sheriff court, with none filed under ordinary cause.

Figure 14: Repossession cases by procedure



In 2018-19, 62% of repossession summary applications were granted (Table 22). It is important to note that the granting of a repossession case means the court has permitted repossession to take place, but the order may ultimately not be enforced.

Table A1 and Table A9 show the counts of craves associated with repossession cases initiated in 2018-19. The most common specific craves sought were Repossession (1,853), Expenses (62) and Declarator (49).

2.3 Civil legal aid

In 2018-19, there were 13,561 civil legal aid grants, the vast majority of which were for cases in the sheriff courts

The Scottish Legal Aid Board (SLAB) administers legal aid, which is paid for out of public funds and helps towards the costs of legal advice and representation for those who qualify. It is designed to help individuals who would be unable to pay on their own to gain access to the legal system.

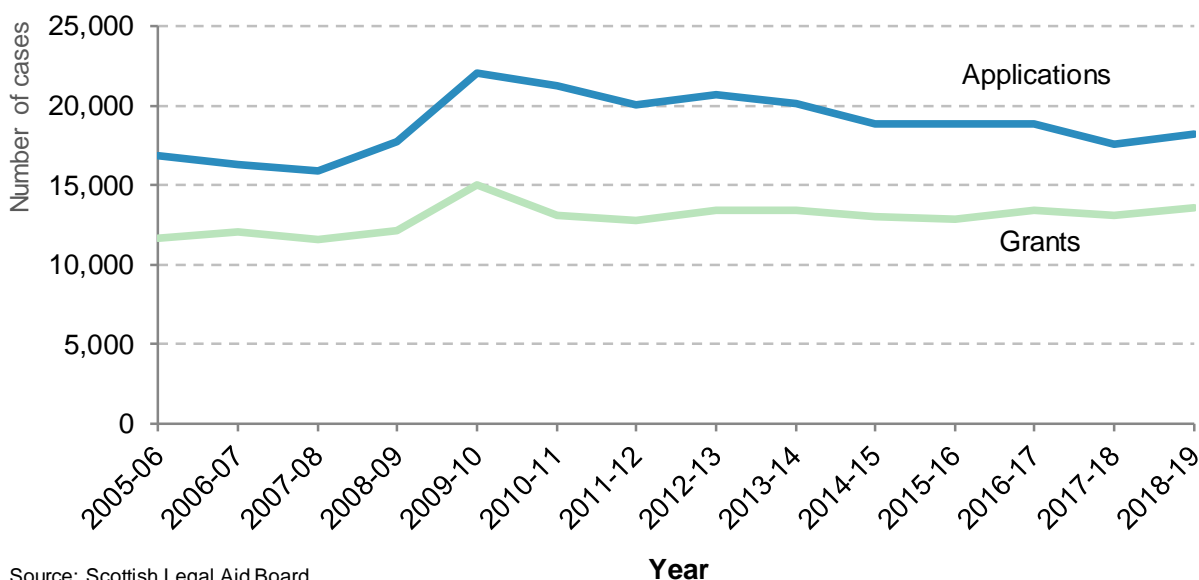
There are two main types of civil legal assistance: advice and assistance (including assistance by way of representation) and civil legal aid. Advice and assistance helps pay for advice from a solicitor on any matter of Scots law. Civil legal aid helps pay for a solicitor to take the case to court.

Evidence

Demand for and expenditure on civil legal aid has decreased in recent years. Figure 15 shows that the number of applications peaked in 2009-10. Demand then fell overall until 2014-15 when it stabilised for the next two years. It fell again in 2017-18, but has recorded a four per cent increase in the latest year.

In 2018-19, there were 13,561 civil legal aid grants (Table 29), the vast majority of which were for cases in the sheriff courts. After steadily rising for over 10 years, legal aid grants in relation to intervention orders and guardianship orders under Part 6 of the [Adults with Incapacity \(Scotland\) Act 2000](#) now represent the largest category of legal aid certificates issued, at 35% of all grants. The next largest category is contact/parentage, which accounted for 20% of all grants in 2018-19.

Figure 15: Civil legal aid applications and grants follow a similar trend¹³



Source: Scottish Legal Aid Board

SLAB manages three grant funded programmes for projects across Scotland, to enable support for people affected by repossession, eviction, debt problems and other financial needs. In 2018-19 these programmes enabled 17,084 new clients to access help, including representation at court or tribunal on 5,358 occasions.

Further information and data on legal aid is available from the [Scottish Legal Aid Board Annual Report 2018-19](#).

¹³ Applications and grants in any one year may not relate to the same cases because of the interval between an application and a decision to grant. Also note that granted cases may not always proceed.

3. Quality of the statistics

3.1 Overview

The large variety of case types and procedural outcomes that can be pursued in civil law mean that recording and reporting civil law court cases accurately and reliably is a challenge. The Scottish Government and the Scottish Courts and Tribunals Service (SCTS) have invested time over several years to identify key case data and how best to capture and record it.

The data supplied by the SCTS for this bulletin was extracted from both the electronic Case Management System (CMS) and Integrated Case Management System (iCMS). The CMS system will in time be completely replaced by the iCMS, which has handled sheriff courts data since 31 October 2016. The Court of Session will also move onto this system.

The publication of civil law court statistics was suspended after *Civil Judicial Statistics Scotland 2002* because of a lack of precision in the definition of data items, which caused inconsistencies in the way courts captured and recorded civil data. The statistics published until then were deemed unreliable and potentially misleading. Extensive work has since been conducted to identify and rectify instances of inconsistent recording of data. Following improvements to data quality, publication of civil law statistics resumed in 2008-09. Users of civil law statistics were consulted to identify which data is most useful to them.

To assist with the on-going improvement of civil law statistics, a dedicated ScotStat group has been created. The objectives of this group are to:

- Identify the key strategic statistical information required by users
- Develop and implement a strategy for prioritising and meeting these needs

The group has membership across the civil law community and normally meets once or twice a year. If you are interested in joining the group, please contact us using the details provided at the end of this document. Links to the civil justice group are available within the [ScotStat](#) web pages.

3.2 Comparability of data

The statistics produced since 2008-09 have been assessed by the Scottish Government as being of sufficient quality to be published as Official Statistics. However, when using the statistics, the following points should be considered.

Because of how the data is recorded, if a case is appealed or reclaimed during the same month that it was disposed of, then the original disposal will not be counted. However, as there are very few appeals and reclaiming motions each month, this is not expected to have a significant impact on the statistics.

The civil justice statistics for 2018-19 can be compared with statistics for 2008-09 onwards. Due to inconsistencies in the data prior to April 2008 and changes in recording methods and definitions, the current series of statistics should not be directly compared with earlier data, which may be shown in this bulletin for illustrative purposes only.

3.3 Ordinary cause

Prior to the introduction of iCMS for sheriff court cases in October 2016, the number of ordinary cause cases disposed of were underestimated. Analysis of data suspected to be inaccurate and collected between April 2008 and February 2010 found that about a fifth of the active ordinary cause cases may have been disposed of but were not marked as such in the electronic case management system. However, it could not be determined conclusively whether all the excess cases were in fact disposed of, as the analysed data was not representative of all data collected by the SCTS. The number of ordinary cause cases marked incorrectly is hence likely to be smaller than a fifth.

A number of cases initiated do not proceed beyond having the initial writ or summons registered with the court. These cases cannot be classed as disposed of as they can be resumed under certain circumstances. The analysis found that up to around a tenth of the ordinary cause cases studied had no further action after initiation.

A number of cases are sisted (suspended), either for a defined period or until the occurrence of a particular event. Again, these cases are not disposed of as they may be resumed in the future but the SCTS has investigated whether cases which have been sisted can be identified within the statistics. The analysis found that around a fifth of the ordinary cause cases studied were currently sisted.

Since iCMS went live, disposals data is captured using the date of decree which is more reliable than disposal markings. Analysis will be carried out in due course to determine the level of accuracy of this methodology.

3.4 Summary application

The “other” category on the SCTS electronic case management system (CMS) includes a wide range of summary applications, but some courts are recording activities under this case type which in the future will not be recorded on CMS. These activities cannot be easily identified and excluded from the summary application case count, and as a result the total number of summary application cases cannot be calculated.

The number of cases disposed of by the sheriff courts as recorded under the CMS system is very likely to be an underestimate, but the extent of the undercount is not known and it would be either too resource-intensive or, for some case types, impossible to estimate. Further work will be carried out by the SCTS to determine if this problem still prevails with the iCMS system.

3.5 Court of Session – personal injury cases

Personal injury cases within the Court of Session are raised under a specific court procedure. However, either party can request permission from the court to opt out of this procedure and use the standard ordinary procedure. When this happens, cases are transferred out and re-registered under the ordinary procedure where they are eventually disposed of.

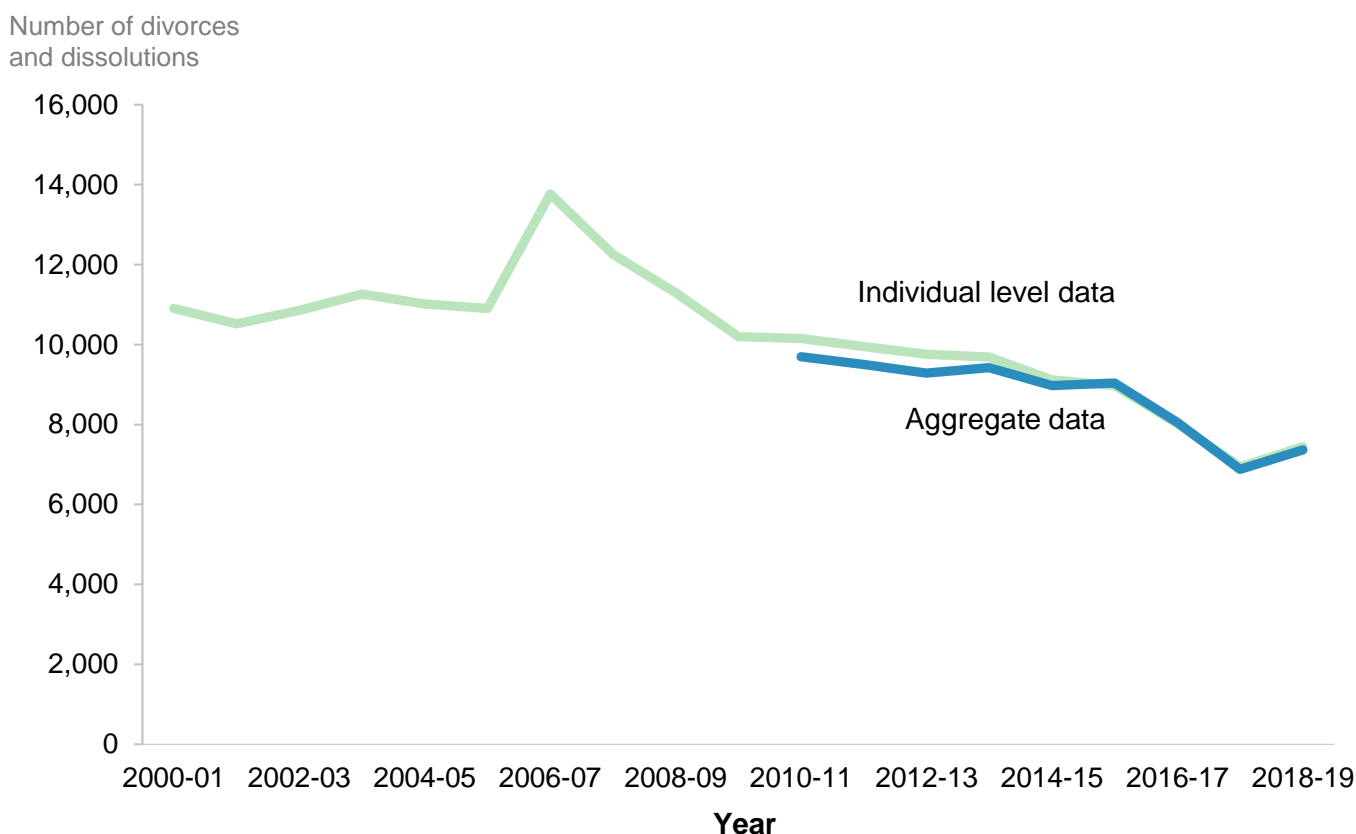
3.6 Divorce and dissolution data sources

The divorce and dissolution statistics presented in Table 9, Table 10 and Table 11 are derived from a different data source to the other statistics in this bulletin. Both data sources are based on information recorded by the SCTS but there are differences in the timing and processing of the two extracts.

These differences are small, as demonstrated by the comparison in Figure 16 of the total number of divorces and dissolutions from each source. The statistics in Table 9, Table 10 and Table 11, and the [Divorces & Dissolutions Supplementary Tables](#) attached in Excel as part of this bulletin are based on individual records that are updated on an on-going basis. The detail contained in this data enables the breakdown of cases granted by grounds, age, duration, marital status, method of celebration and gender.

We have been able to update the supplementary tables for the first time in three years since the introduction of iCMS.

Figure 16: Total number of divorces and dissolutions from individual-level and aggregate data



4. Definitions

Given the complex nature of civil law, all descriptions and definitions given here are necessarily general in nature. They are intended to provide sufficient information to allow readers to understand civil law statistics but they are not official definitions.

4.1 Civil law case types

Aliment

Support or maintenance of a spouse / civil partner or child.

Child in place of safety

Warrant to continue keeping a child in a place of safety ([Children's Hearings \(Scotland\) Act 2011](#)). Now referred to as “extend/vary interim order”.

Children’s hearings - appeal

Appeal against the decision of a children's hearing ([Children's Hearings \(Scotland\) Act 2011](#)).

Children’s hearings - referral

Refer to the sheriff for a decision when the grounds for a children's hearing are denied or not understood by the child or relevant person ([Children's Hearings \(Scotland\) Act 2011](#)).

Civil non-harassment order

Restrain the conduct of a person ([Protection from Harassment Act 1997 §8 and §8A](#) (section s8A was added by the [Domestic Abuse \(Scotland\) Act 2011](#))).

Confirmation

Legal document from the court giving the executor(s) authority to uplift any money or other property belonging to a deceased person from the holder (such as the bank), and to administer and distribute it according to law.

Commercial

Actions arising out of, or concerned with, any transaction or dispute of a commercial or business nature which are carried out under specific commercial procedure.

Company

Actions relating to companies and how they operate, including liquidations.

Damages

Payment of money to compensate for non-personal loss or injury. For the purpose of the statistics in this bulletin, the definition for damages does not include damages for personal injuries, which are treated separately.

Debt

Payment of money, excluding damages and personal injury.

Decree Dative

Appointment of a person (known as an executor dative) to administer the estate of a deceased person, usually because they died without leaving a will.

Delivery

Delivery of moveable goods or property. An alternative crave for payment is sometimes included in the event that the goods or property are not returned.

Eviction

The taking of property by the owner from an occupier. The pursuer is the owner and the action is often, but not always, used as a result of rent arrears.

Exclusion order - child's home

Local authority application to exclude a person from a child's home ([Children \(Scotland\) Act 1995 §76](#)).

Exclusion order - matrimonial

Suspend the right of a spouse, civil partner or cohabitant to occupy the matrimonial home ([Matrimonial Homes \(Family Protection\) \(Scotland\) Act 1981 §4](#)).

Extend/vary interim order

Application to extend or vary interim compulsory supervision order ([Children's Hearings \(Scotland\) Act 2011](#)). Previously referred to in this bulletin as "child in place of safety".

Implement

Fulfil an obligation or duty.

Intellectual property

Infringement of copyright, patents, trademarks, etc.

Interdict

Prevent a particular action being carried out.

Judicial review

A remedy whereby the Court of Session may review and if necessary quash the decision of inferior courts, tribunals and other public offices and authorities where no other form of appeal is available.

Land / heritable

All actions relating to land or immoveable property.

Liquidation

Wind up and dissolve a corporate body.

Nobile officium

An ancient "noble office" or power of the Court of Session (and the High Court of Justiciary) which allows the Court to provide a legal remedy where none exists.

Nullity of marriage / civil partnership

Void a marriage / civil partnership.

Parental responsibilities and rights

All actions relating to parental responsibilities and rights under the [Children \(Scotland\) Act 1995 §11](#).

Parental responsibilities and rights - contact

Regulate the arrangements for maintaining personal relations between a child under 16 and a person with whom the child is not living ([Children \(Scotland\) Act 1995 §11\(2\)\(d\)](#)).

Parental responsibilities and rights - residence

Regulate the arrangements as to with whom a child under 16 is to live ([Children \(Scotland\) Act 1995 §11\(2\)\(c\)](#)).

Parental responsibilities and rights - other

Other actions relating to parental responsibilities and rights under the [Children \(Scotland\) Act 1995 §11](#), excluding contact and residence.

Permanence order with authority to adopt

Vest parental rights for a child in a local authority and permit the placement of the child for adoption in advance of the adoption order ([Adoption and Children \(Scotland\) Act 2007 §80](#)).

Permanence orders with authority to adopt replaced adoption freeing orders from September 2009. Any adoption freeing orders initiated before this date but disposed of during 2010-11 are included in the statistics for permanence orders with authority to adopt.

Personal injury - asbestos - live mesothelioma

Payment of money to compensate for personal loss or injury. Mesothelioma is a cancer of the cells that make up the lining around the outside of the lungs and inside of the ribs, or around the abdominal organs. A mesothelioma sufferer (or someone with a Power of Attorney for a mesothelioma sufferer) is the pursuer.

Personal injury - asbestos - post mesothelioma

Payment of money to compensate for personal loss or injury. Mesothelioma is a cancer of the cells that make up the lining around the outside of the lungs and inside of the ribs, or around the abdominal organs. A mesothelioma sufferer's relative or executor is the pursuer and the sufferer has died and did not initiate court action themselves.

Personal injury - asbestos - pleural plaques

Payment of money to compensate for personal loss or injury relating to asbestos-related pleural plaques - scarring of the membranes around the lungs.

Personal injury - asbestos - pleural thickening

Payment of money to compensate for personal loss or injury relating to asbestos-related pleural thickening. Pleural thickening can cause breathlessness, asbestosis of the lungs, lung cancer and mesothelioma.

Personal Injury - asbestos - other

Payment of money to compensate for personal loss or injury relating to other asbestos-related illnesses.

Personal injury - clinical negligence

Payment of money to compensate for personal loss or injury relating to clinical negligence.

Personal injury - relative's claim

Payment of money to compensate for personal loss or injury to a relative of someone who has died.

Personal injury - other

Payment of money to compensate for other personal loss or injury.

Repossession

Repossess a property in breach / default of a mortgage or loan secured on the property. These cases can be initiated under ordinary cause or summary application procedure. Following the introduction of the [Home Owner and Debtor Protection \(Scotland\) Act 2010](#) on 30 September 2010, all repossession cases relating to mortgages or loans secured on residential property are to be raised as summary applications. Previously, nearly all court actions of this type were made under ordinary cause procedure.

Succession

Determine the rights of inheritance to a deceased person's estate.

Summary warrant

Authorise the steps to be taken to ensure the recovery of money owed by one or more debtors to certain public creditors.

Suspension

Suspend a charge.

Trusts

Actions relating to the creation and administration of trusts.

4.2 Disposal types (first instance)

Absolvitor

An order which prevents the pursuer from bringing the same matter to court again. The majority of those orders will have been issued as a direct consequence of the parties coming to an out-of-court settlement.

Defended / undefended

A case is defended if the defender lodges a notice of intention to defend or appear, or lodges answers. If the defender does not subsequently defend the case, the final disposal is still marked as defended. Decree can be awarded in favour of the defender even if the case is not defended. For example, the parties could settle out of court and ask for the case to be dismissed before the defender lodges a notice of intention to defend. This would be recorded in the statistics as "Dismissed, Undefended".

Dismissed (excluding appeals / reclaiming motions)

Decree is granted in favour of the defender. The pursuer can raise further court action in relation to the same matter.

Dropped from roll

The application is dropped from the roll. The pursuer can lodge a motion to recall the case. This usually occurs when the pursuer fails to return the application to court for the initial hearing date and no party attends.

The merits of the case are decided but the court reserves the question of expenses, which is dealt with at a later date. When expenses have been dealt with, the case is finally disposed of and the final disposal is recorded as Expenses Only.

Expenses only (sheriff courts)

Expenses are awarded to the pursuer, with the rest of the matter dropped.

For petitioner / pursuer / respondent

Decree is granted in favour of the petitioner / pursuer / respondent.

Granted

Decree is granted in favour of the pursuer.

Opposed / unopposed (petition department)

A petition is opposed if the respondent lodges answers. It cannot be determined from the statistics whether unopposed petitions were awarded in favour of the petitioner, respondent, etc.

Refused (excluding appeals / reclaiming motions)

The case is refused. This could be for a number of reasons, for example on the basis that the case is incompetent, it has no merit, it is not insisted upon, etc.

Withdrawn

The case is withdrawn by the pursuer. This could be for a number of reasons, for example the case is incompetent, it has no merit, the pursuer does not wish to take the matter any further, etc.

4.3 Disposal types (appeals and reclaiming motions)

Abandoned

The appeal is abandoned and the original judgment stands.

Adhered

The original judgment is adhered to.

Allowed

The appeal is allowed and the original judgment is altered or reversed.

Dismissed

The appeal is not allowed and the original judgment is adhered to.

Recalled

The original judgment is recalled.

Refused

The appeal is refused and the original judgment is adhered to. Expenses only (Court of Session).

Varied

The original judgment is varied.

4.4 Glossary

Advocate

A specialist lawyer who can represent clients in the senior courts, as opposed to a solicitor (although there is now a third category of lawyers known as “solicitor-advocates”). Advocates are similar to barristers in England and Wales.

Ancillary crave

Any second and subsequent legal remedies requested by the pursuer / petitioner, as stated in the initial writ / summons.

Counsel

Another term for an advocate or solicitor-advocate.

Decree

The order of the judge or sheriff disposing of a case.

Defender / respondent

The person or body against whom a case is raised.

Disposal

Completion of a case following the issuing of a final judgment.

Initial writ / summons

A form of document used to commence some court cases.

Initiation

The registration of a case with the court.

Principal crave

The first legal remedy requested by the pursuer / petitioner, as stated in the initial writ / summons, etc.

Pursuer / petitioner

The person or body who is raising the court case. In simple procedure cases, the pursuer is known as the claimant.

Reclaiming motion

Appeals from the Outer House of the Court of Session, which are raised in the Inner House.

Sisted

Cases that have been suspended. Known as pause in simple procedure.

Summary Application

Form of application in the sheriff court for a variety of statutory applications, including certain kinds of statutory appeal to the sheriff as distinct from an initial writ, small claims or summary cause.

5. Statistical tables

5.1	Official statistics tables.....	42
Table 1:	Civil law cases initiated and disposed of ¹ in the Court of Session ² , sheriff courts ³ and Sheriff Personal Injury Court ⁴ , 2009-10 to 2018-19	42
Table 2:	Cases initiated and disposed of ¹ in the Court of Session, 2009-10 to 2018-19	42
Table 3:	Cases ¹ initiated and disposed of ² in the sheriff courts ³ , by procedure, 2009-10 to 2018-19	43
Table 4:	Cases ¹ initiated and disposed of ² in the sheriff courts ³ , by sheriffdom, 2009-10 to 2018-19	44
Table 5:	Family procedure cases ¹ initiated and disposed of ² in the civil courts ³ , by case type, 2009-10 to 2018-19	45
Table 6:	Family procedure cases initiated and disposed ¹ of in the Court of Session ² , by case type 2018-19	46
Table 7:	Family procedure cases initiated and disposed ¹ of in the sheriff courts, by case type 2018-19	47
Table 8:	Family-related summary application cases initiated and disposed of ^{1,2} , by case type and final disposal, 2018-19	48
Table 9:	Divorces granted ¹ in the civil courts by procedure, 2013-14 to 2018-19	49
Table 10:	Dissolutions granted ¹ in the civil courts by procedure, 2012-13 to 2018-19	50
Table 11:	Divorces granted by method of celebration and sex, 2017-18 to 2018-19	51
Table 12:	Debt cases initiated and disposed of ¹ in the civil courts, by case type, 2009-10 to 2018-19	52
Table 13:	Debt cases initiated and disposed of ¹ in the civil courts, by case type and final disposal, 2018-19	53
Table 14:	Personal injury cases initiated and disposed of ¹ in the civil courts ² , by case type, 2009-10 to 2018-19	54
Table 15:	Personal injury cases ¹ initiated and disposed ² of in the Court of Session ³ , 2018-19	55
Table 16:	Ordinary cause personal injury cases initiated and disposed of ^{1,2} in the sheriff courts ³ , 2018-19	56
Table 17:	Summary cause personal injury cases initiated and disposed of ¹ in the sheriff courts ² , 2018-19	57
Table 18:	Civil law cases initiated and disposed of ^{1,2} in the Sheriff Personal Injury Court ³ , 2015-16 to 2018-19	58
Table 19:	Damages cases initiated and disposed of ¹ in the civil courts, by case type, 2009-10 to 2018-19	59

Table 20: Damages cases initiated and disposed of ¹ in the civil courts, by case type and final disposal, 2018-19	60
Table 21: Repossession cases initiated and disposed of ¹ in the sheriff courts, by procedure, 2009-10 to 2018-19	61
Table 22: Summary application repossession cases initiated and disposed of ^{1,2} in the sheriff courts, by case type and final disposal, 2018-19	61
Table 23: Eviction cases initiated and disposed of ¹ in the sheriff courts, 2009-10 to 2018-19	62
Table 24: Summary cause eviction cases initiated and disposed of ^{1,2} in the sheriff courts, by case type and final disposal, 2018-19	62
Table 25: Petitions for judicial review initiated and disposed of ^{1,2} in the Petition Department of the Court of Session, 2009-10 to 2018-19	63
Table 26: Civil law appeals initiated and disposed of ¹ in the Sheriff Appeal Court ² , 2015-16 to 2018-19	64
Table 27: Civil law applications ¹ to the Court of Session for permission (leave) to appeal to UK Supreme Court, 2015-16 to 2018-19	65
Table 28: Civil law cases initiated in the Court of Session ¹ , sheriff courts ² and Sheriff Personal Injury Court ³ , 2009-10 to 2018-19	65
Table 29: Civil Legal Aid Grants ^{1, 2} , 2012-13 to 2018-19	66
5.2 Ancillary crave analyses – experimental statistics	67
Table A1: Count of writs ¹ of initiated cases by case category and number of craves, sheriff court cases, 2018-19	67
Table A2: Count of craves on Debt cases initiated in the sheriff courts, 2018-19	68
Table A3: Count of craves on Eviction cases initiated in the sheriff courts, 2018-19	68
Table A4: Count of craves on Divorce/ Dissolution cases initiated in the sheriff courts, 2018-19	69
Table A5: Count of craves on parental responsibilities and rights cases initiated in the sheriff courts, 2018-19	70
Table A6: Count of craves on Family-Other cases initiated in the sheriff courts, 2018-19	71
Table A7: Count of craves on Personal Injury cases initiated in the sheriff courts, 2018-19	72
Table A8: Count of craves on Damages cases initiated in the sheriff courts, 2018-19	73
Table A9: Count of craves on Repossession cases initiated in the sheriff courts, 2018-19	74
Table A10: Count of craves on Other cases initiated in the sheriff courts, 2018-1975	

5.1 Official statistics tables

Table 1: Civil law cases initiated and disposed of¹ in the Court of Session², sheriff courts³ and Sheriff Personal Injury Court⁴, 2009-10 to 2018-19

Cases		2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% change since	% change
												2017-18	since 2009-10
Initiated	Court of Session	6,102	5,141	4,718	4,911	4,561	5,164	4,358	2,251	2,279	2,275	0	-63
	Sheriff courts	111,737	92,308	80,502	72,510	72,511	71,605	72,220	68,433	75,623	66,241	-12	-41
	Sheriff Personal Injury Court	z	z	z	z	z	z	1,143	2,956	3,282	3,591	9	z
	All courts	117,839	97,449	85,220	77,421	77,072	76,769	77,721	73,640	81,184	72,107	-11	-39
Disposed	Court of Session	4,356	4,295	4,856	4,712	4,911	4,782	4,405	3,162	2,564	2,319	-10	-47
	Sheriff courts	104,831	87,504	77,147	68,781	65,356	65,805	66,232	62,370	63,994	60,872	-5	-42
	Sheriff Personal Injury Court	z	z	z	z	z	z	172	1,363	2,541	2,962	17	z
	All courts	109,187	91,799	82,003	73,493	70,267	70,587	70,809	66,895	69,099	66,153	-4	-39

1. Figures for initiations and disposals do not necessarily refer to the same cases.

2. First instance business only – excludes appeals and reclaiming motions.

3. Excludes summary applications.

4. Sheriff Personal Injury Court was established on 22 September 2015.

5. z refers to data not being applicable.

Table 2: Cases initiated and disposed of¹ in the Court of Session, 2009-10 to 2018-19

Court of Session department	Cases	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% change	% change
												since 2017-18	since 2009-10
General Department	Initiated	4,429	3,688	3,354	3,536	3,258	3,812	2,922	1,005	933	994	7	-78
	Disposed	3,167	3,187	3,455	3,405	3,656	3,582	3,123	1,871	1,234	980	-21	-69
Petition Department	Initiated	1,555	1,358	1,223	1,211	1,179	1,213	1,268	1,083	1,201	1,123	-6	-28
	Disposed	1,094	1,035	1,299	1,191	1,126	1,062	1,136	1,157	1,186	1,207	2	10
Inner House²	Initiated	118	95	141	164	124	139	168	163	145	158	9	34
	Disposed	95	73	102	116	129	138	146	134	144	132	-8	39
Total	Initiated	6,102	5,141	4,718	4,911	4,561	5,164	4,358	2,251	2,279	2,275	0	-63
	Disposed	4,356	4,295	4,856	4,712	4,911	4,782	4,405	3,162	2,564	2,319	-10	-47

1. Figures for initiations and disposals do not necessarily refer to the same cases.

2. First instance business only – excludes appeals and reclaiming motions.

Table 3: Cases¹ initiated and disposed of² in the sheriff courts³, by procedure, 2009-10 to 2018-19

Cases	Procedure	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% change since 2017-18	% change since 2009-10
Initiated	Ordinary cause	42,823	34,123	26,021	24,957	24,026	23,628	23,212	22,672	22,620	22,776	1	-47
	Summary cause ⁴	27,464	23,799	22,783	18,510	18,852	20,624	22,160	20,214	18,057	15,177	-16	-45
	Small claim ^{4,5}	41,450	34,386	31,698	29,043	29,633	27,353	26,848	18,857	32	39	22	-100
	Simple procedure ⁴	z	z	z	z	z	z	z	6,690	34,914	28,249	-19	z
	Total initiated	111,737	92,308	80,502	72,510	72,511	71,605	72,220	68,433	75,623	66,241	-12	-41
Disposed	Ordinary cause	33,911	29,768	23,410	20,733	19,575	18,768	19,102	17,210	16,123	16,991	5	-50
	Summary cause ⁴	27,568	24,036	22,434	19,831	17,876	18,984	20,638	20,557	16,647	14,138	-15	-49
	Small claim	43,352	33,700	31,303	28,217	27,905	28,053	26,492	23,571	1,327	130	-90	-100
	Simple procedure ⁴	z	z	z	z	z	z	z	1,032	29,897	29,613	-1	z
	Total disposed	104,831	87,504	77,147	68,781	65,356	65,805	66,232	62,370	63,994	60,872	-5	-42

1. Excludes summary applications.

2. Figures for initiations and disposals do not necessarily refer to the same cases.

3. Excludes Sheriff Personal Injury Court.

4. The first phase of simple procedure replaced the small claims and the more straightforward cases under summary cause procedure from 28 November 2016.

More complex summary cause cases will move during phase two of simple procedure in due course.

5. There are still a small number of small claims cases being registered, mainly under the EU small claims procedure.

Table 4: Cases¹ initiated and disposed of² in the sheriff courts³, by sheriffdom, 2009-10 to 2018-19

Cases	Sheriffdom	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% change since 2017-18	% change since 2009-10	2018-19 cases
														per 1,000 population ⁴
Initiated	Tayside, Central and Fife	20,204	16,816	14,759	14,006	13,590	13,806	13,478	12,263	14,163	12,641	-11	-37	12
	Glasgow and Strathkelvin	22,389	17,784	16,305	14,313	13,433	11,517	11,853	12,514	14,074	11,803	-16	-47	16
	South Strathclyde, Dumfries and Galloway	19,457	16,869	14,171	12,968	12,870	12,929	14,028	13,404	14,337	12,637	-12	-35	14
	Lothian and Borders	21,439	16,211	14,148	11,554	11,755	13,022	12,552	11,016	12,587	11,069	-12	-48	11
	North Strathclyde	14,907	12,954	10,577	9,932	10,447	10,096	10,286	9,715	10,521	9,755	-7	-35	12
	Grampian, Highlands and Islands	13,341	11,674	10,542	9,737	10,416	10,235	10,023	9,521	9,941	8,336	-16	-38	9
	Scotland total initiated	111,737	92,308	80,502	72,510	72,511	71,605	72,220	68,433	75,623	66,241	-12	-41	12
	Disposed	Tayside, Central and Fife	18,730	16,081	14,343	13,268	12,476	12,782	13,079	11,504	12,434	11,727	-6	-37
Glasgow and Strathkelvin		20,059	16,134	15,630	13,544	11,828	10,303	10,139	9,961	11,879	10,715	-10	-47	14
South Strathclyde, Dumfries and Galloway		18,759	15,979	13,749	12,466	11,801	11,655	12,524	12,022	12,244	11,967	-2	-36	13
Lothian and Borders		20,948	15,957	13,494	11,595	11,029	11,700	11,538	10,435	9,528	9,267	-3	-56	9
North Strathclyde		13,455	12,218	9,921	8,803	8,949	9,590	9,358	8,911	8,985	8,955	0	-33	11
Grampian, Highlands and Islands		12,880	11,135	10,010	9,105	9,273	9,775	9,594	9,537	8,924	8,241	-8	-36	9
Scotland total disposed		104,831	87,504	77,147	68,781	65,356	65,805	66,232	62,370	63,994	60,872	-5	-42	11

1. Excludes summary applications.

2. Figures for initiations and disposals do not necessarily refer to the same cases.

3. Excludes Sheriff Personal Injury Court.

4. Based on mid-2018 small area population estimates produced by National Records of Scotland.

Table 5: Family procedure cases¹ initiated and disposed of² in the civil courts³, by case type, 2009-10 to 2018-19

Cases	Case type	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% change since	% change
												2017-18	since 2009-10
Initiated	Divorce / dissolution	11,159	11,018	10,678	10,355	10,573	10,301	9,981	10,112	9,459	9,591	1	-14
	Parental responsibilities & rights	2,742	2,713	2,272	2,751	2,479	2,587	2,240	2,433	2,416	2,562	6	-7
	Interdict	409	262	329	370	352	292	278	265	310	310	0	-24
	Aliment	88	89	69	58	77	65	49	46	48	38	-21	-57
	Exclusion order	18	26	14	14	16	19	14	10	8	15	88	-17
	Nullity of marriage / civil partnership	0	2	1	0	0	1	0	1	1	0	-100	z
	Other	317	386	316	314	356	340	330	383	410	473	15	49
	Total initiated	14,733	14,496	13,679	13,862	13,853	13,605	12,892	13,250	12,652	12,989	3	-12
Disposed	Divorce / dissolution	10,750	10,115	9,879	9,571	9,809	9,349	9,390	8,415	7,222	7,724	7	-28
	Parental responsibilities & rights	1,416	1,596	1,542	1,638	1,634	1,575	1,613	1,624	1,738	1,899	9	34
	Interdict	134	140	137	166	146	152	158	146	156	162	4	21
	Aliment	46	50	64	32	54	40	36	40	31	27	-13	-41
	Exclusion order	4	8	6	6	8	4	8	6	5	9	80	125
	Nullity of marriage / civil partnership	0	2	2	0	1	0	1	2	0	1	z	z
	Other	198	216	234	210	228	203	236	231	283	262	-7	32
	Total disposed	12,548	12,127	11,864	11,623	11,880	11,323	11,442	10,464	9,435	10,084	7	-20

1. Excludes family-related summary application cases, which are shown separately in Table 8.

2. Figures for initiations and disposals do not necessarily refer to the same cases.

3. Includes Court of Session and sheriff courts.

4. z refers to data not being applicable.

Table 6: Family procedure cases initiated and disposed¹ of in the Court of Session², by case type 2018-19

Case type	Initiated	Disposed	Disposed							Other
			Absolvitor	Dismissed		For pursuer		Expenses only		
				Defended	Undefended	Defended	Undefended	Defended	Undefended	
Aliment	0	0	0	0	0	0	0	0	0	0
Divorce / dissolution	84	72	0	3	0	14	15	0	0	40
<i>Ordinary divorce</i>	50	37	0	3	0	14	15	0	0	5
<i>Simplified divorce</i>	32	32	0	0	0	0	0	0	0	32
<i>Ordinary dissolution</i>	0	0	0	0	0	0	0	0	0	0
<i>Simplified dissolution</i>	2	3	0	0	0	0	0	0	0	3
Exclusion order³	0	0	0	0	0	0	0	0	0	0
Interdict	2	1	0	0	0	0	1	0	0	0
Nullity of marriage / civil partnership	0	0	0	0	0	0	0	0	0	0
Parental responsibilities & rights	5	3	0	0	0	0	1	0	0	2
<i>Contact</i>	5	3	0	0	0	0	1	0	0	2
<i>Residence</i>	0	0	0	0	0	0	0	0	0	0
<i>Other</i>	0	0	0	0	0	0	0	0	0	0
Other	6	7	2	1	1	1	2	0	0	0
Total	97	83	2	4	1	15	19	0	0	42

1. Figures for initiations and disposals do not necessarily refer to the same cases.

2. First instance business only – excludes appeals and reclaiming motions.

3. Exclusion orders which suspend the right of a spouse, civil partner or cohabitant to occupy the family home.

Table 7: Family procedure cases initiated and disposed¹ of in the sheriff courts, by case type 2018-19

Case type	Initiated	Disposed	Disposed						
			Absolutor	For pursuer		Granted	Dismissed ³	Expenses only ³	Other
				Defended	Undefended				
Aliment	38	27	1	8	3	0	15	0	0
Divorce / dissolution	9,507	7,652	0	234	2,554	4,547	288	0	29
<i>Ordinary divorce</i>	3,902	2,901	0	233	2,551	2	86	0	29
<i>Simplified divorce</i>	5,535	4,698	0	0	0	4,497	201	0	0
<i>Ordinary dissolution</i>	11	6	0	1	3	1	1	0	0
<i>Simplified dissolution</i>	59	47	0	0	0	47	0	0	0
Exclusion order²	15	9	0	3	3	0	3	0	0
Interdict	308	161	1	47	40	1	57	0	15
Nullity of marriage / civil partnership	0	1	0	0	1	0	0	0	0
Parental responsibilities & rights	2,557	1,896	3	689	435	84	603	0	82
<i>Contact</i>	1,221	922	2	398	61	6	421	0	34
<i>Residence</i>	920	651	1	205	214	73	122	0	36
<i>Other</i>	416	323	0	86	160	5	60	0	12
Other	467	255	17	58	87	3	78	0	12
Total	12,892	10,001	22	1,039	3,123	4,635	1,044	0	138

1. Figures for initiations and disposals do not necessarily refer to the same cases.

2. Exclusion orders which suspend the right of a spouse, civil partner or cohabitant to occupy the family home.

3. Data from the new case management system is not currently split between 'defended' and 'undefended', therefore these have been combined into a single category.

Table 8: Family-related summary application cases initiated and disposed of^{1,2}, by case type and final disposal, 2018-19

Case type	Initiated	Disposed	Disposed			
			Granted	Dismissed	Refused	Other
Adoption Petitions ³	504	264	251	12	1	0
Extend/vary interim order ⁴	3,113	941	851	83	2	5
Children's hearings – appeal ⁴	797	309	83	39	108	79
Children's hearings – referral ⁴	2,854	1,298	1,193	99	0	6
Children's Hearings Act 2011 - Other ⁵	1,887	1,022	776	236	10	0
Permanence orders with authority to adopt	377	240	224	15	1	0

1. Figures for initiations and disposals do not necessarily refer to the same cases.

2. The number of summary application cases disposed of is likely an underestimate. For more information see the Civil Justice Statistics in Scotland 2018-19 bulletin (section 4.4).

3. Adoption petitions include both family adoptions and adoptions from care. Statistics on adoptions from care are available from Children's Social Work Statistics additional tables (see www.gov.scot/Topics/Statistics/Browse/Children/PubChildrenSocialWork).

4. These case types represent equivalent actions from the Children (Scotland) Act 1995 and the Children's Hearings (Scotland) Act 2011. The statistics reported here differ from those reported by the Scottish Children's Reporter Administration due to differences in definition and timing.

5. "Other" includes Child Protection Order, Child Support, Child Assessment Order as well as a range of miscellaneous cases.

Table 9: Divorces granted¹ in the civil courts by procedure, 2013-14 to 2018-19

Year	Court	Ordinary	Simplified	Total
2018-19	Court of Session ²	26	30	56
	Sheriff courts	2,816	4,507	7,323
	Total	2,842	4,537	7,379
	<i>Opposite sex</i>	2,814	4,474	7,288
	<i>Same sex</i>	2	33	35
2017-18	Court of Session ^{2,3}	31	26	57
	Sheriff courts ³	2,638	4,174	6,812
	Total	2,669	4,200	6,869
	<i>Opposite sex</i>	2,637	4,167	6,804
	<i>Same sex</i>	1	7	8
2016-17	Court of Session ³	40	36	76
	Sheriff courts	3,088	4,776	7,864
	Total	3,128	4,812	7,940
2015-16	Court of Session	35	69	104
	Sheriff courts	3,301	5,470	8,771
	Total	3,336	5,539	8,875
2014-15	Court of Session	24	74	98
	Sheriff courts	3,365	5,573	8,938
	Total	3,389	5,647	9,036
2013-14	Court of Session	28	52	80
	Sheriff courts	3,692	5,854	9,546
	Total	3,720	5,906	9,626

1. The statistics in this table and Table 10 do not equal the total number of disposals for divorce and dissolution shown in Table 6 and Table 7. This is because the statistics in Table 6 and Table 7 include all disposals of divorce/dissolution cases whereas this table and Table 10 only include divorces and dissolutions that were actually granted. In addition the statistics in this table and Table 10 were derived from a different data extract.

2. There were no same sex divorces granted in the Court of Session for 2017-18 and 2018-19.

3. There have been small changes to Court of Session data in 2016-17, and for both court types in 2017-18. Previous publications have not been corrected to reflect these changes.

Table 10: Dissolutions granted¹ in the civil courts by procedure, 2012-13 to 2018-19

Year	Court	Ordinary	Simplified	Total
2018-19	Court of Session	0	3	3
	Sheriff courts	5	59	64
	Total	5	62	67
2017-18	Court of Session	0	1	1
	Sheriff courts ²	7	62	69
	Total	7	63	70
2016-17	Court of Session	0	5	5
	Sheriff courts	3	75	78
	Total	3	80	83
2015-16	Court of Session	1	2	3
	Sheriff courts	5	88	93
	Total	6	90	96
2014-15	Court of Session	0	2	2
	Sheriff courts	3	76	79
	Total	3	78	81
2013-14	Court of Session	0	3	3
	Sheriff courts	7	51	58
	Total	7	54	61
2012-13	Court of Session	0	3	3
	Sheriff courts	4	60	64
	Total	4	63	67

1. The statistics in this table and Table 9 do not equal the total number of disposals for divorce and dissolution shown in Table 6 and Table 7. This is because the statistics in Table 6 and Table 7 include all disposals of divorce/dissolution cases whereas this table and Table 9 only include divorces and dissolutions that were actually granted. In addition the statistics in this table and Table 9 were derived from a different data extract.
2. There have been changes to sheriff court dissolutions for 2017-18, increasing them by nine (2 ordinary and 7 simplified). Last year's publication has not been corrected to show these changes.

Table 11: Divorces granted by method of celebration and sex, 2017-18 to 2018-19

Year	Sex	Church of Scotland	Roman Catholic	Other Religions	Humanist ¹	Civil ²	Total
2018-19	Opposite sex	1,770	571	793	116	4,094	7,344
	Same sex	0	0	2	6	27	35
	Total	1,770	571	795	122	4,121	7,379
2017-18	Opposite sex	1,741	550	851	89	3,630	6,861
	Same sex	0	0	1	1	6	8
	Total	1,741	550	852	90	3,636	6,869

1. Humanist figures only refer to sheriff courts whose data collection now has a separate Humanist category.

If there were Humanist divorces granted in the Court of Session, they would be recorded under 'Civil'.

2. This includes a very small number of irregular marriages. Irregular marriages which took place in Scotland before May 2006 can be made legal when established by a decree of declarator are rare, accounting for just 0.03 per cent of all civil and irregular marriages that took place over the last 50 years. More detailed data are available from the marriage and civil partnership section of the National Records of Scotland website.

<https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vital-events/general-publications/vital-events-reference-tables/2018/section-7-marriages>

Table 12: Debt cases initiated and disposed of¹ in the civil courts, by case type, 2009-10 to 2018-19

Cases	Procedure	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% change since	% change since
												2017-18	2009-10
Initiated	Court of Session ²	1	4	8	6	5	70	8	6	14	9	-36	800
	Sheriff: ordinary cause	12,054	9,200	6,944	5,487	4,586	4,407	5,342	4,483	5,012	4,218	-16	-65
	Sheriff: commercial	318	223	266	222	241	378	335	259	249	305	22	-4
	Sheriff: summary cause ³	5,307	4,415	3,922	3,381	3,114	3,258	3,896	2,336	5	6	20	-100
	Sheriff: small claim ^{3,4}	38,251	31,533	29,110	26,803	27,444	25,642	25,338	17,522	7	5	-29	-100
	Sheriff: simple procedure ³	z	z	z	z	z	z	z	5,961	32,077	25,210	-21	z
	Total initiated	55,931	45,375	40,250	35,899	35,390	33,755	34,919	30,567	37,364	29,753	-20	-47
Disposed	Court of Session ²	16	2	2	2	6	4	8	13	8	8	0	-50
	Sheriff: ordinary cause	10,150	7,729	5,885	4,534	3,566	3,520	3,902	3,560	3,356	3,344	0	-67
	Sheriff: commercial	231	166	175	117	143	303	222	183	162	208	28	-10
	Sheriff: summary cause ³	5,772	4,337	3,884	3,324	2,906	3,199	3,490	3,024	284	35	-88	-99
	Sheriff: small claim ^{3,4}	40,347	31,026	28,934	26,023	25,876	26,319	24,953	22,149	1,214	106	-91	-100
	Sheriff: simple procedure ³	z	z	z	z	z	z	z	962	27,549	26,569	-4	z
	Total disposed	56,516	43,260	38,880	34,000	32,497	33,345	32,575	29,891	32,573	30,270	-7	-46

1. Figures for initiations and disposals do not necessarily refer to the same cases.

2. First instance business only – excludes appeals and reclaiming motions.

3. The first phase of simple procedure replaced the small claims and the more straightforward cases under summary cause procedure from 28 November 2016.

More complex summary cause cases will move during phase two of simple procedure in due course.

4. There are still a small number of small claims cases being registered mainly under the EU small claims procedure.

Table 13: Debt cases initiated and disposed of¹ in the civil courts, by case type and final disposal, 2018-19

Case type	Initiated	Disposed	Disposed						
			Absolutor	For pursuer		Decree by default	Dismissed ²	Expenses only ²	Other
				Defended	Undefended				
Court of Session ³	9	8	3	0	3	0	2	0	0
Sheriff: ordinary cause	4,218	3,344	407	200	2,139	44	529	1	24
Sheriff: commercial	305	208	47	17	108	6	25	0	5
Sheriff: summary cause ⁴	6	35	4	4	4	0	23	0	0
Sheriff: small claim ⁴	5	106	7	8	19	0	71	0	1
Sheriff: simple procedure ⁴	25,210	26,569	725	899	15,985	1	8,635	311	13
Total	29,753	30,270	1,193	1,128	18,258	51	9,285	312	43

1. Figures for initiations and disposals do not necessarily refer to the same cases.

2. Data from the new case management system is not currently split between 'defended' and 'undefended', therefore these have been combined into a single category.

3. First instance business only – excludes appeals and reclaiming motions.

4. The first phase of simple procedure replaced the small claims and the more straightforward cases under summary cause procedure from 28 November 2016.

More complex summary cause cases will move during phase two of simple procedure in due course.

Table 14: Personal injury cases initiated and disposed of¹ in the civil courts², by case type, 2009-10 to 2018-19

Cases	Case type	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% change since	% change
												2017-18	since 2009-10
Initiated	Road traffic accident	4,635	5,790	4,613	5,106	4,770	5,143	4,897	4,955	5,492	5,462	-1	18
	Accident at work	1,844	1,802	1,750	1,758	1,797	1,817	1,721	1,480	1,547	1,568	1	-15
	Clinical negligence	189	207	222	203	262	629	388	351	901	342	-62	81
	Asbestos	541	345	294	436	320	458	413	470	568	638	12	18
	Other	2,557	955	931	1,190	1,138	1,163	1,347	1,122	935	1,136	21	-56
	Total initiated	9,766	9,099	7,810	8,693	8,287	9,210	8,766	8,378	9,443	9,146	-3	-6
Disposed	Road traffic accident	2,977	4,607	4,619	4,130	3,893	3,970	4,197	3,630	4,382	4,258	-3	43
	Accident at work	1,596	1,529	1,627	1,570	1,653	1,623	1,560	1,205	1,328	1,408	6	-12
	Clinical negligence	104	124	133	154	178	195	238	232	231	299	29	188
	Asbestos	181	168	216	365	598	633	430	531	589	582	-1	222
	Other	1,343	1,074	1,775	1,444	1,079	941	1,108	994	867	880	1	-34
	Total disposed	6,201	7,502	8,370	7,663	7,401	7,362	7,533	6,592	7,397	7,427	0	20

1. Figures for initiations and disposals do not necessarily refer to the same cases.

2. Includes Court of Session, sheriff courts and Sheriff Personal Injury Court.

Table 15: Personal injury cases¹ initiated and disposed² of in the Court of Session³, 2018-19

Case type	Initiated	Disposed	Disposed							
			Absolvitor	Dismissed		For pursuer		Expenses only		Other
				Defended	Undefended	Defended	Undefended	Defended	Undefended	
Road traffic accident	114	106	73	3	1	24	0	1	0	4
Accident at work ⁴	106	110	81	0	1	25	1	0	0	2
Clinical negligence	119	175	110	6	1	54	2	1	0	1
Asbestos ⁵	116	135	69	2	1	58	2	0	0	3
Other ⁶	72	69	44	2	0	18	0	0	0	5
Total	527	595	377	13	4	179	5	2	0	15

1. These statistics relate to cases that use personal injury procedure and standard ordinary cause procedure.
2. Figures for initiations and disposals do not necessarily refer to the same cases.
3. First instance business only – excludes appeals and reclaiming motions.
4. Accident at work includes vibration white finger and repetitive strain injury.
5. Asbestos includes all asbestos related conditions like asbestosis, pleural plaques, pleural thickening and mesothelioma.
6. Relative's claim is now included within 'Other'.

Table 16: Ordinary cause personal injury cases initiated and disposed of^{1,2} in the sheriff courts³, 2018-19

Case type	Initiated	Disposed	Disposed					
			Absolutor	For pursuer		Decree by default	Dismissed ⁴	Other
				Defended	Undefended			
Road traffic accident	1,813	1,280	402	756	66	3	50	3
Accident at work	126	110	59	42	2	0	7	0
Clinical negligence	64	49	28	7	1	0	13	0
Asbestos	8	4	1	2	1	0	0	0
Slip, trip or fall	131	136	87	35	2	0	12	0
Other	128	138	62	38	4	0	34	0
Total	2,270	1,717	639	880	76	3	116	3

1. From 2 November 2009 personal injury cases with a claim amount of more than £5,000 are raised under an ordinary cause - personal injury court procedure. Either party can request permission from the sheriff to opt out of this procedure and use the standard ordinary cause procedure. All personal injury cases with a claim amount of more than £5,000 are shown in the table above, irrespective of the procedure used.
2. Figures for initiations and disposals do not necessarily refer to the same cases.
3. Excludes Sheriff Personal Injury Court.
4. Data from the new case management system is not currently split between 'defended' and 'undefended', therefore these have been combined into a single category.

Table 17: Summary cause personal injury cases initiated and disposed of¹ in the sheriff courts², 2018-19

Case type	Initiated	Disposed	Disposed					
			Absolvitor	For pursuer		Decree by default	Dismissed ³	Other
				Defended	Undefended			
Road traffic accident	2,550	1,989	595	599	191	5	589	10
Accident at work	31	35	21	6	4	0	4	0
Clinical negligence	26	2	2	0	0	0	0	0
Asbestos	0	0	0	0	0	0	0	0
Slip, trip or fall	71	55	30	13	1	0	11	0
Other	80	72	32	13	7	1	19	0
Total	2,758	2,153	680	631	203	6	623	10

1. Figures for initiations and disposals do not necessarily refer to the same cases.

2. Excludes Sheriff Personal Injury Court.

3. Data from the new case management system is not currently split between 'defended' and 'undefended', therefore these have been combined into a single category.

Table 18: Civil law cases initiated and disposed of^{1,2} in the Sheriff Personal Injury Court³, 2015-16 to 2018-19

Case Type	Initiated				Disposed			
	2015-16 ⁴	2016-17	2017-18	2018-19	2015-16 ⁴	2016-17	2017-18	2018-19
Road traffic accident	313	832	1,036	985	72	438	744	883
Accident at work ⁵	469	1,153	1,272	1,305	75	555	1,006	1,153
Clinical negligence	30	105	83	133	1	29	49	73
Asbestos ⁶	124	370	455	514	0	110	363	443
Slip, Trip or Fall	0	86	208	345	0	6	115	197
Other ⁷	207	410	228	309	24	225	264	213
Total	1,143	2,956	3,282	3,591	172	1,363	2,541	2,962

1. Figures for initiations and disposals do not necessarily refer to the same cases.

2. Includes cases initiated and disposed within Personal Injury Chapter 36A.

3. Sheriff Personal Injury Court was established on 22 September 2015.

4. Figures for 2015-16 are part of a financial year, September 2015 to March 2016.

5. Accident at work includes vibration white finger and repetitive strain injury.

6. Asbestos include all asbestos related conditions like pleural plaques, mesothelioma, asbestosis and pleural thickening.

7. Relative's claim cases are included in 'Other'.

Table 19: Damages cases initiated and disposed of¹ in the civil courts, by case type, 2009-10 to 2018-19

Cases	Procedure	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% change since	% change
												2017-18	since 2009-10
Initiated	Court of Session ²	529	300	367	357	369	286	409	170	146	174	19	-67
	Sheriff: ordinary cause	791	630	491	496	447	400	412	658	538	748	39	-5
	Sheriff: commercial	54	163	37	34	51	46	15	25	13	17	31	-69
	Sheriff: summary cause ³	561	453	488	382	441	271	222	292	1	0	-100	-100
	Sheriff: small claim ³	2,918	2,586	2,364	2,009	1,887	1,348	1,238	1,122	0	0	z	-100
	Sheriff: simple procedure ³	z	z	z	z	z	z	z	543	2,185	2,188	0	z
	Total initiated	4,853	4,132	3,747	3,278	3,195	2,351	2,296	2,810	2,883	3,127	8	-36
Disposed	Court of Session ²	212	315	313	298	359	355	249	212	327	144	-56	-32
	Sheriff: ordinary cause	666	595	675	623	435	304	263	390	423	422	0	-37
	Sheriff: commercial	26	18	30	8	16	24	140	19	10	11	10	-58
	Sheriff: summary cause ³	450	457	452	383	340	287	205	267	41	1	-98	-100
	Sheriff: small claim ³	2,710	2,397	2,149	1,982	1,758	1,380	1,266	1,239	87	3	-97	-100
	Sheriff: simple procedure ³	z	z	z	z	z	z	z	49	1,843	2,260	23	z
	Total disposed	4,064	3,782	3,619	3,294	2,908	2,350	2,123	2,176	2,731	2,841	4	-30

1. Figures for initiations and disposals do not necessarily refer to the same cases.

2. Includes ordinary and commercial cases. Data refers to first instance business only - excludes appeals and reclaiming motions.

3. The first phase of simple procedure replaced the small claims and the more straightforward cases under summary cause procedure from 28 November 2016.

More complex summary cause cases will move during phase two of simple procedure in due course.

4. z refers to data not being applicable.

Table 20: Damages cases initiated and disposed of¹ in the civil courts, by case type and final disposal, 2018-19

Court type	Case type	Initiated	Disposed	Disposed					
				Absolutor	For Pursuer		Dismissed ²	Expenses Only ²	Other
					Defended	Undefended			
Court of Session³	Ordinary	101	90	62	14	4	8	0	2
	Commercial	73	54	37	7	3	2	1	4
	Court of Session total	174	144	99	21	7	10	1	6
Sheriff courts	Small claim ⁴	0	3	1	0	0	2	0	0
	Ordinary cause	748	422	215	111	59	33	0	4
	Summary cause ⁴	0	1	0	0	0	1	0	0
	Commercial	17	11	8	0	2	1	0	0
	Simple procedure ⁴	2,188	2,260	772	70	313	1,085	20	0
Sheriff courts total	2,953	2,697	996	181	374	1,122	20	4	
Civil courts total	3,127	2,841	1,095	202	381	1,132	21	10	

1. Figures for initiations and disposals do not necessarily refer to the same cases.

2. Data from the new case management system is not currently split between 'defended' and 'undefended', therefore these have been combined into a single category.

3. First instance business only – excludes appeals and reclaiming motions.

4. The first phase of simple procedure replaced the small claims and the more straightforward cases under summary cause procedure from 28 November 2016.

More complex summary cause cases will move during phase two of simple procedure in due course.

Table 21: Repossession cases initiated and disposed of¹ in the sheriff courts, by procedure, 2009-10 to 2018-19

Cases	Procedure	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% change	% change
												since 2017-18	since 2009-10
Initiated	Ordinary cause	8,256	4,245	79	64	54	67	58	17	0	0	z	z
	Commercial	6	4	0	0	1	0	0	0	0	0	z	z
	Summary application	4	975	6,673	5,321	4,715	3,201	1,816	1,736	2,056	1,869	-9	46,625
	Total initiated	8,266	5,224	6,752	5,385	4,770	3,268	1,874	1,753	2,056	1,869	-9	-77
Disposed	Ordinary cause	6,476	5,083	253	90	74	61	53	26	0	0	z	z
	Commercial	4	1	3	0	0	1	0	0	0	0	z	z
	Summary application ²	6	489	3,987	4,003	3,386	2,597	1,570	1,480	1,650	1,616	-2	26,833
	Total disposed	6,486	5,573	4,243	4,093	3,460	2,659	1,623	1,506	1,650	1,616	-2	-75

1. Figures for initiations and disposals do not necessarily refer to the same cases.
2. The number of summary application cases disposed of is likely to be an underestimate.
3. z refers to data not being applicable.

Table 22: Summary application repossession cases initiated and disposed of^{1,2} in the sheriff courts, by case type and final disposal, 2018-19

Case Type	Initiated	Disposed	Disposed					
			Absolvitor	For pursuer		Decree by default	Dismissed	Other ³
				Defended	Undefended			
Repossession summary application	1,869	1,616	7	123	874	33	550	29

1. Figures for initiations and disposals do not necessarily refer to the same cases.
2. The number of cases disposed of is likely to be an underestimate.
3. Includes cases disposed as refused, dropped from roll and withdrawn.

Table 23: Eviction cases initiated and disposed of¹ in the sheriff courts, 2009-10 to 2018-19

Cases	Procedure	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% change since 2017-18	% change since 2009-10
Initiated	Summary cause	16,528	14,160	13,979	10,532	11,778	13,750	14,690	14,304	14,604	12,407	-15	-25
Disposed	Summary cause	16,986	14,906	13,972	12,358	11,613	12,892	13,905	14,459	13,776	11,933	-13	-30

1. Figures for initiations and disposals do not necessarily refer to the same cases.

Table 24: Summary cause eviction cases initiated and disposed of^{1,2} in the sheriff courts, by case type and final disposal, 2018-19

Case Type	Initiated	Disposed	Disposed						
			Absolutor	For pursuer		Decree by default	Dismissed ³	Expenses only ³	Other ⁴
				Defended	Undefended				
Eviction summary cause	12,407	11,933	14	558	6,842	41	4,423	16	39

1. Figures for initiations and disposals do not necessarily refer to the same cases.

2. The number of cases disposed of is likely to be an underestimate.

3. Data from the new case management system is not currently split between 'defended' and 'undefended', therefore these have been combined into a single category.

4. Includes cases disposed as refused, dropped from roll and withdrawn.

Table 25: Petitions for judicial review initiated and disposed of^{1,2} in the Petition Department of the Court of Session, 2009-10 to 2018-19

		2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% change since 2017-18	% change since 2009-10
Initiated	Judicial review												
	<i>Environmental</i>	0	2	2	1	3	4	1	3	0	0	z	z
	<i>Housing</i>	1	4	1	0	1	2	13	15	15	9	-40	800
	<i>Immigrants</i>	210	266	195	224	231	323	393	262	267	316	18	50
	<i>Licensing board</i>	1	1	0	1	1	1	0	0	0	1	z	0
	<i>Planning permission</i>	10	8	11	8	6	12	7	4	6	5	-17	-50
	<i>Prison authorities</i>	107	7	3	10	17	17	24	6	20	10	-50	-91
	<i>Social security benefits</i>	0	0	0	1	0	1	3	5	4	0	-100	z
	<i>Other</i>	49	54	31	48	49	39	55	48	45	61	36	24
Total		378	342	243	293	308	399	496	343	357	402	13	6
Disposed	Judicial review												
	<i>Environmental</i>	0	1	2	1	2	0	1	1	1	1	0	z
	<i>Housing</i>	1	3	1	0	1	1	7	17	15	10	-33	900
	<i>Immigrants</i>	168	182	267	229	203	229	314	397	308	365	19	117
	<i>Licensing board</i>	1	0	2	0	1	1	1	0	0	0	z	-100
	<i>Planning permission</i>	7	5	11	12	4	7	12	5	6	3	-50	-57
	<i>Prison authorities</i>	18	12	95	101	19	10	23	13	24	21	-13	17
	<i>Social security benefits</i>	0	0	0	1	0	1	1	2	5	1	-80	z
	<i>Other</i>	32	39	34	26	40	38	43	50	51	48	-6	50
Total		227	242	412	370	270	287	402	485	410	449	10	98

1. Changes were made to the case types and final disposals recorded by the Court of Session from 2009-10 which affects the ability to compare petition type.

2. Figures for initiations and disposals do not necessarily refer to the same cases.

3. z refers to data not being applicable.

Table 26: Civil law appeals initiated and disposed of¹ in the Sheriff Appeal Court², 2015-16 to 2018-19

Cases	Initiated				Disposed			
	2015-16 ³	2016-17	2017-18	2018-19	2015-16 ³	2016-17	2017-18	2018-19
Appeals from small claim	2	30	9	2	0	18	18	0
<i>Miscellaneous</i>	0	2	0	0	0	0	2	0
<i>Payment</i>	2	28	9	2	0	18	16	0
Appeals from summary cause	2	45	43	12	0	26	38	15
<i>Heritable</i>	2	29	27	11	0	21	25	5
<i>Payment</i>	0	13	7	0	0	5	7	3
<i>Personal injury</i>	0	3	6	1	0	0	5	4
<i>Miscellaneous</i>	0	0	3	0	0	0	1	3
Appeals from simple procedure	0	0	41	51	0	0	12	36
<i>Debt</i>	0	0	40	42	0	0	12	32
<i>Delivery</i>	0	0	1	2	0	0	0	1
<i>Damages</i>	0	0	0	6	0	0	0	2
<i>Implement</i>	0	0	0	1	0	0	0	1
Appeals from ordinary cause⁴	44	175	140	122	3	100	118	107
<i>Debt</i>	23	40	35	21	2	38	29	16
<i>Family</i>	8	45	44	44	0	27	35	28
<i>Personal injury</i>	3	14	4	6	1	5	11	10
<i>Commercial</i>	2	7	13	13	0	4	8	12
<i>Heritable</i>	1	8	0	0	0	2	0	0
<i>Other</i>	7	61	44	38	0	24	35	41
Other appeals⁵	0	36	53	79	0	25	49	45
Total	48	286	286	266	3	169	235	203

1. Figures for initiations and disposals do not necessarily refer to the same cases.

2. The Sheriff Appeal Court (Civil) was established on 1st January 2016.

3. Figures for 2015-16 are part of a financial year, January 2016 to March 2016.

4. Includes summary applications.

5. Other appeals include adults with incapacity, liquidation, sequestration, proceeds of crime and miscellaneous cases.

Table 27: Civil law applications¹ to the Court of Session for permission (leave) to appeal to UK Supreme Court, 2015-16 to 2018-19

Year	Initiated	Disposed	Disposed		
			Granted	Refused	Withdrawn
2018-19	18	19	2	15	2
2017-18	20	25	2	23	0
2016-17 ²	41	45	6	35	4
2015-16 ^{2,3}	16	4	1	3	0

1. Figures for initiations and disposals do not necessarily refer to the same cases.
2. Disposal figures for 2015-16 and 2016-17 were corrected due to an error in recording at the source.
3. Applications relate to the period from 22 September 2015 and therefore do not cover a full financial year.

Table 28: Civil law cases initiated in the Court of Session¹, sheriff courts² and Sheriff Personal Injury Court³, 2009-10 to 2018-19

Initiated Cases	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
Repossession	8,266	5,224	6,752	5,385	4,770	3,268	1,874	1,753	2,056	1,869
Damages	4,851	4,131	3,684	3,278	3,195	2,351	2,296	2,810	2,883	3,127
Personal Injury	9,766	9,099	7,810	8,693	8,287	9,210	8,766	8,378	9,443	9,146
Family	14,733	14,496	13,679	13,862	13,853	13,605	12,892	13,250	12,652	12,989
Eviction	16,528	14,160	13,979	10,532	11,778	13,750	14,690	14,304	14,604	12,407
Debt	55,931	45,375	40,250	35,899	35,390	33,755	34,919	30,567	37,364	29,753
Other	7,768	5,939	5,739	5,093	4,514	4,031	4,100	4,314	4,238	4,685
All cases	117,843	98,424	91,893	82,742	81,787	79,970	79,537	75,376	83,240	73,976

1. Excludes appeals and reclaiming motions in the Inner House.
2. Includes summary applications for repossession cases only.
3. Sheriff Personal Injury Court was established on 22 September 2015.

Table 29: Civil Legal Aid Grants^{1, 2}, 2012-13 to 2018-19

Family subject matters	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
Appeals - family	-	-	-	32	39	34	38
Contact/parentage	3,590	3,345	3,043	2,669	2,804	2,599	2,767
Divorce/separation	2,295	2,240	1,929	1,814	1,817	1,688	1,627
Property/monetary	343	321	294	262	247	236	250
Protective order	530	407	328	284	301	315	290
Residence	1,412	1,360	1,190	1,120	1,192	1,179	1,350
Family/matrimonial - other	643	697	655	655	688	764	808
Total civil legal aid grants - family	8,813	8,370	7,439	6,836	7,088	6,815	7,130
Non-family subject matters							
Adults with incapacity	2,663	3,024	3,587	4,083	4,385	4,603	4,802
Appeals - other	126	131	107	106	100	59	53
Breach of contract	30	31	15	16	17	10	15
Debt	125	99	122	109	120	82	58
Discrimination	-	3	1	1	7	3	0
Fatal accident inquiries	8	12	12	12	16	14	19
Housing/recovery of heritable property	758	807	787	692	840	791	729
Immigration and asylum	173	198	277	333	234	189	301
Judicial review	68	75	65	80	35	90	64
Medical negligence	58	94	86	61	76	74	54
Reparation	231	235	187	193	239	90	103
Other	374	330	292	295	268	273	233
Total civil legal aid grants - non-family	4,614	5,039	5,538	5,981	6,337	6,278	6,431
Total civil legal aid grants	13,427	13,409	12,977	12,817	13,425	13,093	13,561

1. Figures supplied by the Scottish Legal Aid Board.
2. Note that, granted cases may not always proceed.

5.2 Ancillary crave analyses – experimental statistics

Table A1: Count of writs¹ of initiated cases by case category and number of craves, sheriff court cases, 2018-19

Case category	Total writs ¹	Number of craves			Percentages of writs with...			Total craves	
		1	2	3+	1 crave	2 craves	3+ craves		
Debt	29,671	28,452	686	533	96%	2%	2%	31,666	
Eviction	12,283	7,032	4,835	416	57%	39%	3%	17,951	
Family	Total Family	12,894	10,907	885	1,102	85%	7%	9%	17,310
	<i>Divorce/Dissolution</i>	9,508	8,799	275	434	93%	3%	5%	11,426
	<i>Parental responsibilities and rights</i>	2,555	1,635	477	443	64%	19%	17%	4,274
	<i>Other</i>	831	473	133	225	57%	16%	27%	1,610
Personal Injury ²	8,620	8,368	240	12	97%	3%	0%	8,909	
Damages	2,795	2,736	44	15	98%	2%	1%	2,882	
Repossession	1,870	1,705	53	112	91%	3%	6%	2,192	
Other	923	720	161	42	78%	17%	5%	1,181	
Total	69,056	59,920	6,904	2,232	87%	10%	3%	82,091	

1. Total writs should generally equal the totals for sheriff courts and Sheriff Personal Injury Court published in Table 1, and the subsequent case categories.

However, Scottish Courts and Tribunal Services use a 'live' case management system, and craves data was extracted at a later stage, so differences are explained by the different timings in extraction. The difference is small (approximately 1%). Future extract dates will be harmonised to ensure consistency.

2. Personal Injury data includes Sheriff Personal Injury Court.

Table A2: Count of craves on Debt cases initiated in the sheriff courts, 2018-19

Crave	Count	Craves	Count
Payment of money	31,063	Capital Sum	1
Delivery of moveable goods	230	Exclusion order	1
Other	148	Interim Interdict	1
Expenses	124	Intimation to interested party	1
Declarator	49	Substitute Guardian	1
Repossession	22		
Implement	11		
Damages	8	Total craves count	31,666
Interdict	6	Total writs ¹	29,671

1. Total writs do not equal to total debt cases in Table 11 due to the craves data being extracted at a later date. Since data comes from a 'live' case management system data extracted on different dates maybe subject to change.

Table A3: Count of craves on Eviction cases initiated in the sheriff courts, 2018-19

Crave	Count	Crave	Count
Recovery of heritable property	7,538	Parental responsibilities and rights	2
Payment of money	5,344	Residence of child	1
Repossession	3,180	Sequestration	1
Summary cause recovery of property	1,348		
Expenses	432		
Other	96		
Recall sequestration	4		
Capital Sum	3	Total craves count	17,951
Damages	2	Total writs ¹	12,283

1. Total writs do not equal to total eviction cases in Table 22 due to the craves data being extracted at a later date. Since data comes from a 'live' case management system data extracted on different dates maybe subject to change.

Table A4: Count of craves on Divorce/ Dissolution cases initiated in the sheriff courts, 2018-19

Crave	Count	Crave	Count
Divorce	9,441	Periodical Allowance	40
Other	337	Exclusion order	36
Capital Sum	215	Power of Arrest	29
Expenses	199	Interim Interdict	27
Division and Sale	175	Interim aliment	16
Interdict	156	Declarator	14
Residence of child	120	Delivery of child	10
Transfer of Property	108	Non-Harassment Order	9
Payment of money	103	Parental responsibilities and rights	4
Pension Sharing Order	96	Delivery of moveable goods	3
Intimation to interested party	70	Occupancy Rights	2
Dissolution	67	Financial Intervention Order	1
Contact	52		
Aliment	48	Total craves count	11,426
Incidental Order	48	Total writs¹	9,508

1. Total writs do not equal to total divorce/dissolution cases in Table 7 due to the craves data being extracted at a later date. Since data comes from a 'live' case management system data extracted on different dates maybe subject to change.

Table A5: Count of craves on parental responsibilities and rights cases initiated in the sheriff courts, 2018-19

Crave	Count	Crave	Count
Contact	1,377	Power of Arrest	30
Residence of child	1,123	Declarator	22
Parental responsibilities and rights	593	Incidental Order	7
Other	328	Non-Harassment Order	7
Interdict	296	Exclusion order	3
Expenses	222	Capital Sum	1
Delivery of child	107	Division and Sale	1
Intimation to interested party	98	Total craves count	4,274
Interim Interdict	59	Total writs¹	2,555

1. Total writs do not equal to total parental responsibilities and rights cases in Table 7 due to the craves data being extracted at a later date. Since data comes from a 'live' case management system data extracted on different dates maybe subject to change.

Table A6: Count of craves on Family-Other cases initiated in the sheriff courts, 2018-19

Crave	Count	Crave	Count
Interdict	429	Transfer of Property	14
Other	318	Interim Interdict	13
Declarator	160	Division and Sale	8
Residence of child	112	Delivery of moveable goods	3
Contact	90	Incidental Order	2
Delivery of child	83	Occupancy Rights	2
Power of Arrest	69	Pension Sharing Order	2
Expenses	61	Damages	1
Parental responsibilities and rights	57		
Payment of money	42		
Aliment	40		
Capital Sum	38		
Exclusion order	30		
Intimation to interested party	18	Total craves count	1,610
Non-Harassment Order	18	Total writs¹	831

1. Total writs do not equal to total Family-Other cases in Table 7 due to the craves data being extracted at a later date. Since data comes from a 'live' case management system data extracted on different dates maybe subject to change.

Table A7: Count of craves on Personal Injury cases initiated in the sheriff courts, 2018-19

Crave	Count
Damages	8,396
Payment of money	165
Expenses	137
Provisional damages	112
Other	93
Declarator	2
No crave sought	2
Implement	1
Intimation to interested party	1
Total craves count	8,909
<i>Total writs</i>¹	<i>8,620</i>

1. Total writs do not equal to total sheriff court and Sheriff Personal Injury Court cases due to the craves data being extracted at a later date. Since data comes from a 'live' case management system, data extracted on different dates maybe subject to change.

Table A8: Count of craves on Damages cases initiated in the sheriff courts, 2018-19

Crave	Count
Damages	2,793
Payment of money	56
Expenses	21
Other	5
Declarator	4
Implement	2
Interdict	1
Total craves	2,882
<i>Total writs</i>¹	<i>2,795</i>

1. Total writs do not equal to total Damages cases in Table 19 due to the craves data being extracted at a later date. Since data comes from a 'live' case management system data extracted on different dates maybe subject to change.

Table A9: Count of craves on Repossession cases initiated in the sheriff courts, 2018-19

Crave	Count
Repossession	1,853
Other	173
Expenses	62
Declarator	49
Payment of money	20
Recovery of heritable property	18
Division and Sale	8
Implement	6
Intimation to interested party	2
Damages	1
Total craves count	2,192
<i>Total writs</i>¹	<i>1,870</i>

1. Total writs do not equal to total Repossession cases in Table 20 due to the craves data being extracted at a later date. Since data comes from a 'live' case management system data extracted on different dates maybe subject to change.

Table A10: Count of craves on Other cases initiated in the sheriff courts, 2018-19

Crave	Count
Delivery of moveable goods	767
Payment of money	185
Implement	102
Other	92
Interdict	13
Declarator	11
Damages	8
Expenses	2
Contact	1
Total craves count	1,181
Total writs¹	923

An Official Statistics publication for Scotland

Official and National Statistics are produced to high professional standards set out in the Code of Practice for Official Statistics. Both undergo regular quality assurance reviews to ensure that they meet customer needs and are produced free from any political interference.

Correspondence and enquiries

For enquiries about this publication please contact:

Paul Gona,
Justice Analytical Services,
Telephone: 0300 244 4931,
email: justice_analysts@gov.scot

For general enquiries about Scottish Government statistics please contact:

Office of the Chief Statistician, Telephone: 0131 244 0442,
email: statistics.enquiries@gov.scot

How to access background or source data

The data collected for this statistical bulletin:

- are available in more detail through Scottish Neighbourhood Statistics
- are available via background tables: www.gov.scot/Topics/Statistics/Browse/Crime-Justice/Datasets/DatasetsCJS.
- may be made available on request, subject to consideration of legal and ethical factors.
- cannot be made available by Scottish Government for further analysis as Scottish Government is not the data controller.

Complaints and suggestions

If you are not satisfied with our service or have any comments or suggestions, please write to the Chief Statistician, St Andrews House, Edinburgh, EH1 3DG, Telephone: (0131) 244 0302, email statistics.enquiries@gov.scot.

If you would like to be consulted about statistical collections or receive notification of publications, please register your interest at www.gov.scot/scotstat
Details of forthcoming publications can be found at www.gov.scot/statistics

ISBN: 978-1-83960-673-1 (web only)

Crown Copyright

You may use or re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. See: www.nationalarchives.gov.uk/doc/open-government-licence