

CRIME AND JUSTICE

Civil Justice Statistics in Scotland 2019-20

27 April 2021

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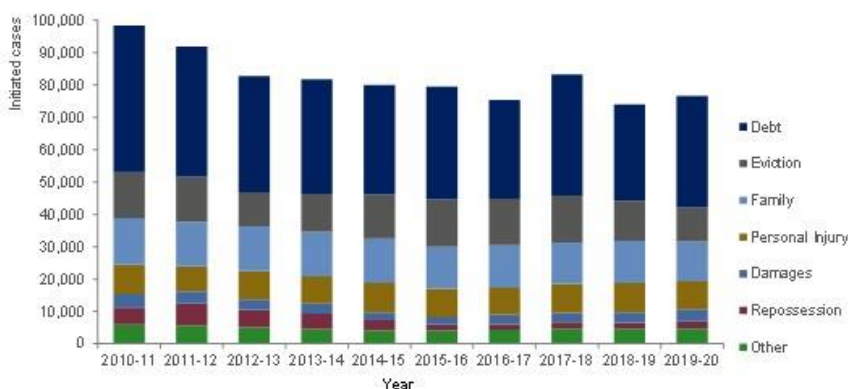
Civil Justice Statistics in Scotland 2019-20



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.

Courts reform: A number of changes to the courts system has meant that cheaper, simpler procedures are increasingly being used to resolve civil law problems.

► **Long-term downward trend in initiated cases, normalising after the rise in caseload in 2017-18**



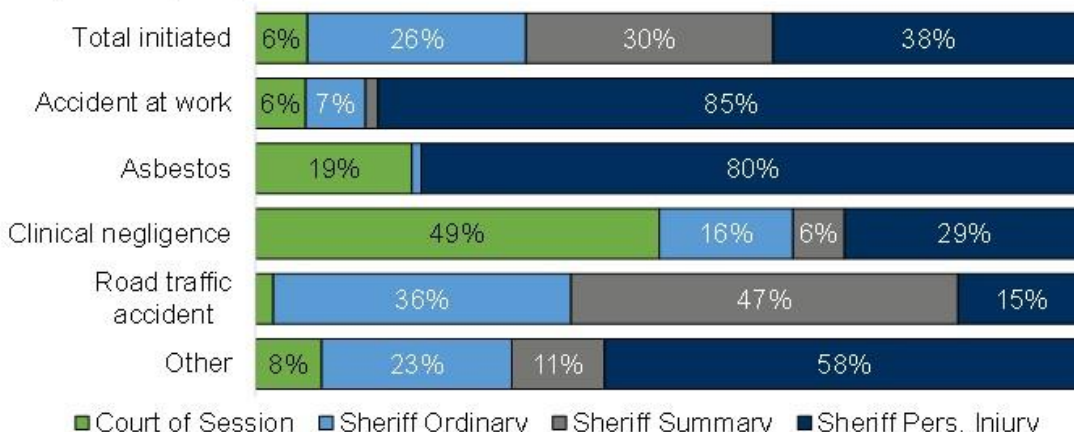
The Sheriff Personal Injury Court was established as part of these reforms. These statistics show that this specialised court is most likely to cover accident at work and asbestos cases.

At least 80% of accident at work and asbestos cases used this court in 2019-20.

Sheriff Personal Injury Court has expanded its caseload since inception in 2015-16, and now covers nearly 40% of personal injury cases in Scotland.

► **Accident at work and asbestos cases are most likely to use the Sheriff Personal Injury Court**

Proportion of principal craves, 2019-20



1. Principal crave is the first legal remedy requested by the pursuer or petitioner as stated in the initial summons.

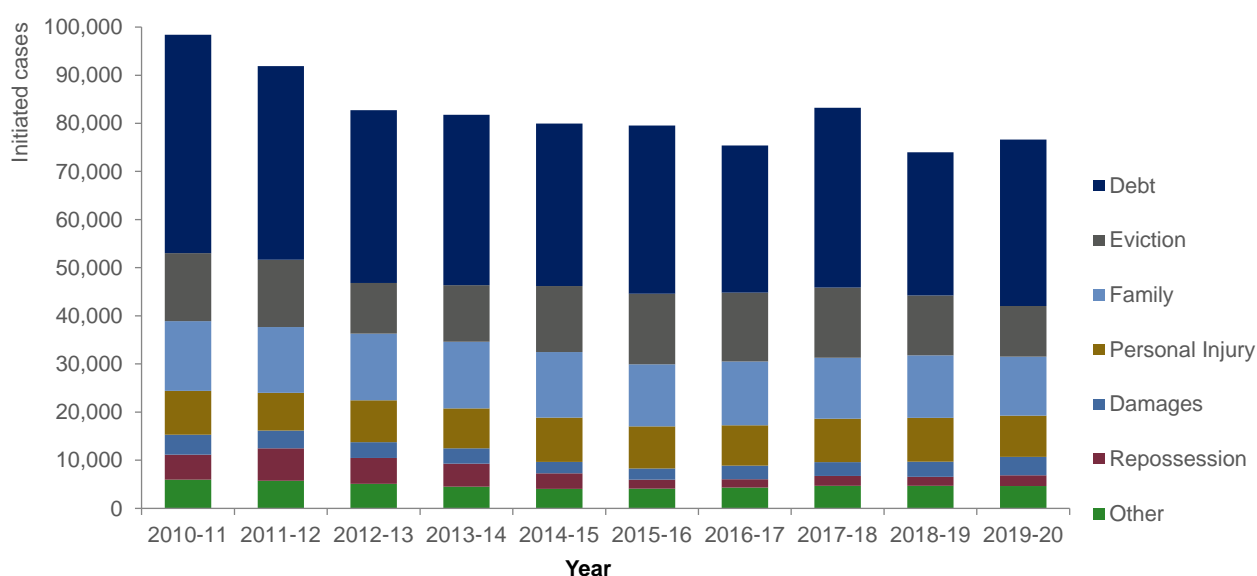
Justice Analytical Services

Introduction

The Covid-19 pandemic had a negligible effect on court business in 2019-20, as court closures due to lockdown only affected the last week of the financial year.

There were 74,400 **civil law cases** initiated across the Court of Session and sheriff courts in 2019-20 (excluding summary applications¹). This represents an increase of 3% from 2018-19.

Figure 1: Long-term downward trend in initiated cases, normalising after the rise in case load in 2017-18



Key points at a glance:

- According to the Scottish Crime and Justice Survey 2019-20, around three-in-ten adults experienced civil law problems in the three years prior to interview.
- Debt cases made up 46% of principal craves initiated at civil courts in 2019-20. Debt actions reversed the drop in volumes recorded last year when they made 41% of initiated cases.
- Eviction actions initiated made up 14% of principal craves initiated at civil courts in 2019-20.
- Family cases made up 16% of principal craves, of which 72% related to divorce and dissolution in 2019-20.
- Family and eviction action cases initiated tend to have multiple craves in contrast to other case categories which typically only have one.
- Nearly two-fifths (38%) of personal injury cases were raised in the national Sheriff Personal Injury Court.
- 60% of damages cases were initiated under simple procedure in 2019-20. 52% of the simple procedure cases disposed of were dismissed.

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 3.2.6 includes summary applications.

- The number of repossession cases initiated have fluctuated in recent years, they were up 18% compared to 2018-19.
- All sheriffdoms in Scotland experienced an increase in business levels from 2018-19. Glasgow and Strathkelvin saw the largest increase in initiated cases (up 10%), this was followed by Tayside, Central and Fife (up 6%).
- In 2019-20, there were 14,825 civil legal aid grants, the vast majority of which were for cases in the sheriff courts.

Data sources

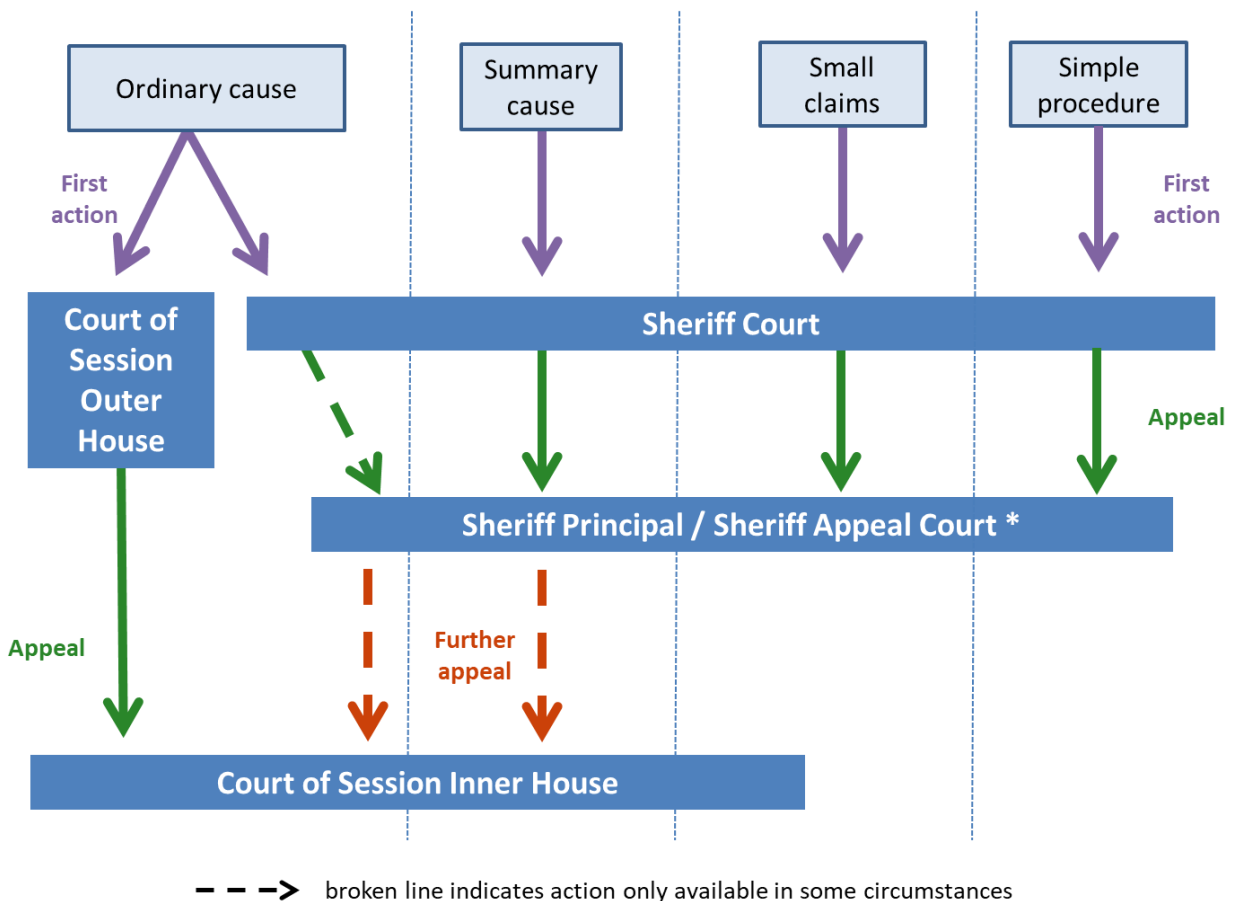
This publication presents management information from the Scottish Courts and Tribunal Services systems. There is also relevant information from the Scottish Crime and Justice Survey, Scottish Legal Aid Board and National Records of Scotland.

1. Structures and procedures in civil courts

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). This chapter examines the procedures used in civil law in the Court of Session and sheriff courts (Figure 2).

Figure 2 shows the current court structure and procedures, detailed in the following sections.

Figure 2: Summary of court structure



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.

1.2 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](#).

1.3 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](#).

2. Recent trends of civil law court cases

This chapter examines the evidence from courts data of the effect of court reforms in recent years.

Between 2010-11 and 2012-13, the number of cases initiated in the sheriff courts fell by 21% (excluding summary applications²) (Table 1 & Figure 3). 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.

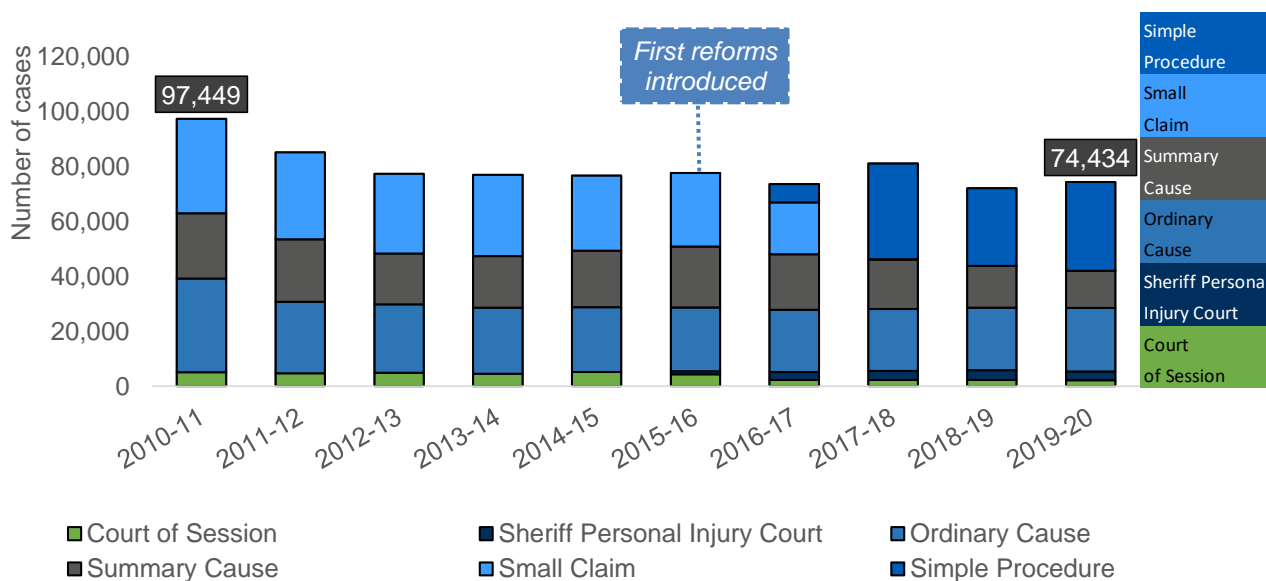
The total number of civil cases initiated in the courts increased in 2019-20, up 3% on the total for 2018-19, reversing the 11% decrease seen last year. There was an even split of case types either increasing or decreasing from the previous year. Increases were seen in damages (up 23%), repossessions (up 18%) and debt (up 16%). Decreases were recorded in evictions (down 15%), family and personal injury (both down by 6%) (see section 3.2 for more information).

The main contributors for the increase in initiations in 2019-20 are debt and damages actions, up 4,800 and 700 cases respectively. Debt actions reversed the drop in volumes recorded last year. Case numbers appear to be stabilising to levels seen prior to introduction of simple procedure in 2016 (Table 12). On the other hand, evictions decreased for the second year running, with a similar margin to that recorded in 2018-19.

In the following sections we examine these trends further in the context of the reforms of civil courts proceedings discussed in chapter 4.

² Unless otherwise stated, the statistics in this bulletin exclude summary applications. However, the number of repossession cases shown in Figure 1 and those discussed in section 3.2.6 includes summary applications.

Figure 3: Cases transferred to Sheriff Personal Injury Court and simple procedure



2.1 Courts and procedures

In 2019-20, 69,042 cases were initiated in the **sheriff courts** and 58,794 were disposed. This represents a 4% increase in initiations and a 3% decrease in disposals on the previous year (Table 3).

However, the increase in initiations was not observed across all procedures in the sheriff courts. The numbers of **summary cause** procedures decreased by 11% from 2018-19. **Small claims** procedures decreased too as expected, and these are almost entirely replaced by the simple procedure (a large proportion of the remaining few cases relate to EU small claims cases).

2019-20 is the third full year of phase one **simple procedure**, and saw 32,345 cases initiated, and 28,250 disposed of. There was a 14% increase in initiated cases from 2018-19, while disposals were down by 5%.

The simple procedure has absorbed nearly all small claims and summary cause cases for debt and damages actions (Table 12 and Table 19). Since we only have three years' worth of simple procedure data, the trend in case volumes is not yet clear.

A further 3,220 cases were initiated in the national **Sheriff Personal Injury Court**, a 10% decrease on 2018-19 (Table 18). 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 increased by 3% across all courts since 2018-19, the number of cases initiated at the Court of Session decreased by 5% to 2,172 in 2019-20.

Combined, the simple procedure and Sheriff Personal Injury Court accounted for 48% of all civil court business, up from 44% in 2018-19.

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

2.2 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 362 judicial review cases initiated in 2019-20, a 10% decrease on 2018-19 (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 variable over time.

2.3 Appeals

Sheriff Appeal Court (Civil)

In 2019-20, 294 cases were initiated and 168 disposed of (Table 26). Compared to 2018-19, the number of initiated cases increased by 11% while disposed cases decreased by 17%.

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 42, 18, 31, 21 and 21 respectively (Table S8 Supplementary statistics tables). The last four years correspond to when the Sheriff Appeal Court operated for full financial years.

Appeals from Court of Session to the UK Supreme Court

In 2019-20, 15 civil law applications were initiated under the provisions for bringing appeals to the UK Supreme Court (Table 27). During this period, 16 applications were disposed of by the Inner House of the Court of Session (one granted, 14 refused and one withdrawn).

In 2019-20, of the 15 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 12 were refused⁴.

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

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

3. 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 2019-20, 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 trends in the courts' data. Finally we look at the changes in legal aid sought in Scotland.

3.1 Scottish Crime and Justice Survey - civil justice module

The Scottish Crime and Justice Survey 2019-20 estimates that around three-in-ten adults experienced civil law problems in the three years prior to interview

The Scottish Crime and Justice Survey (SCJS)⁵ 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 interview⁶. 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 2019-20 SCJS shows that around three-in-ten adults (28%) 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 2018-19 and 30% reported in the 2008-09 SCJS⁷.

Some groups in the population were more likely to experience civil law problems than the general population. For example, an estimated 36% of those who are disabled experienced a civil law problem compared with 26% of those who are not disabled. Those aged 60 years and over were less likely to experience civil law problems compared with other age categories (17%, compared with 34% for both 16-24 and 25-44 age categories and 32% for those aged 45-59). Victims of crime suffered a higher prevalence of civil law problems (40%) compared with non-victims (26%).

Among the problem areas listed above, 17% of adults had experienced problems with home or family living arrangements, 10% had experienced problems with money, finances or anything they had paid for, 7% had been treated unfairly in some respect and 5% had experienced health or well-being problems.

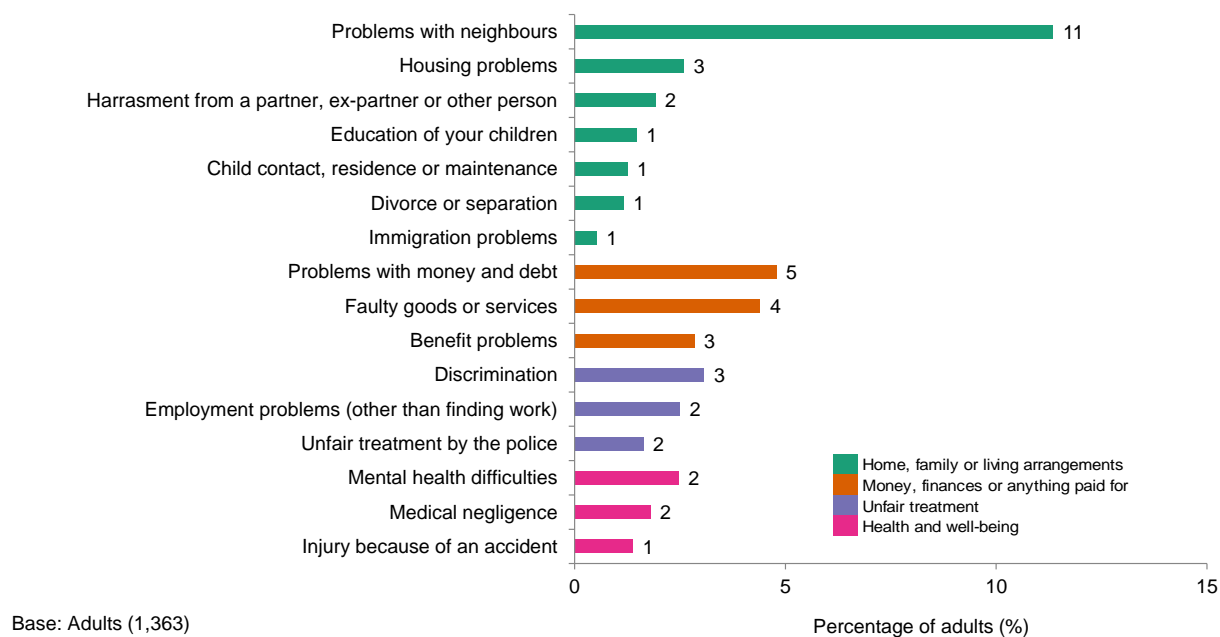
In line with previous years, the most common single problem was with neighbours, experienced by 11% of adults. The full breakdown is shown in Figure 4.

⁵ More information on the SCJS can be found on the [Scottish Government website](#).

⁶ Information on the [SCJS questionnaire](#).

⁷ 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 2019-20



Among those who had experienced civil law problems in the last three years, 29% said a problem concerning neighbours was their most important or only problem to solve.

Just under three-in-ten (28%) of these problems began less than a year ago, a further 16% over a year but less than two years ago, 22% over two years but less than three years ago and 34% over three years ago.

Just under two-in-five (39%) had resolved the problem, while just over a third (34%) were still trying to resolve the problem. 17% had tried to resolve the problem but had to give up and 9% were not planning to do anything.

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

Debt (section 3.2.1) - An estimated 5% of adults in the 2019-20 SCJS reported having money and debt problems. Those with a disability had higher prevalence of money and debt issues (9%), in comparison with 4% of those without disability.

Family (section 3.2.3) - The 2019-20 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.

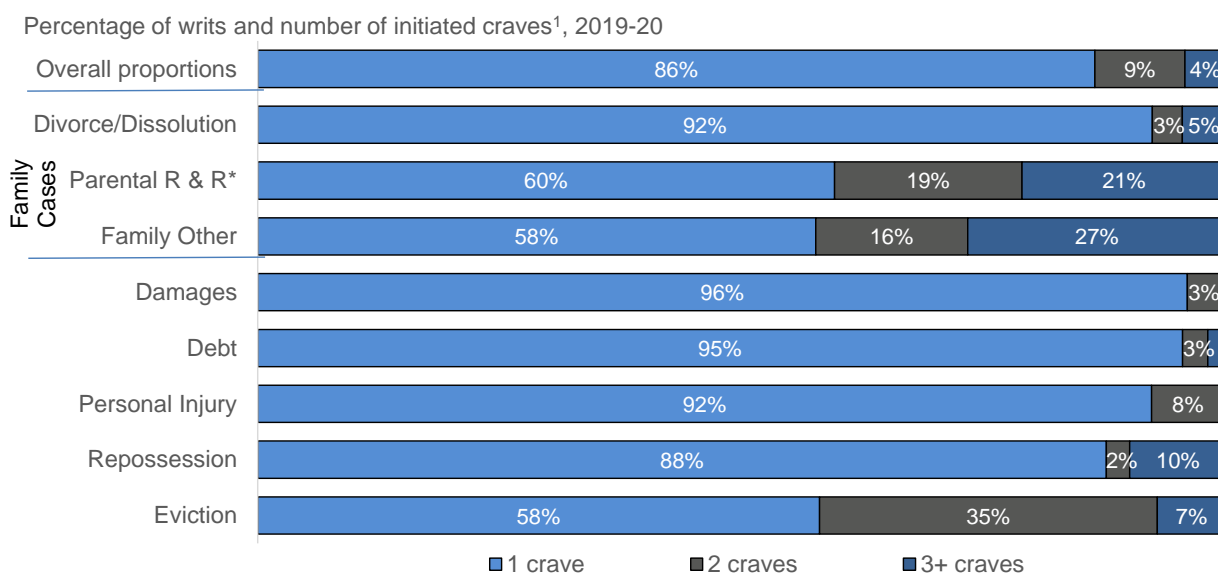
Personal injury (section 3.2.4) - The 2019-20 SCJS found that an estimated 2% of respondents experienced a medical negligence issue and 1% experienced a personal injury problem in the last three years.

3.2 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 second year, this edition presents statistics 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 craves analysis is based on cases initiated in 2019-20.

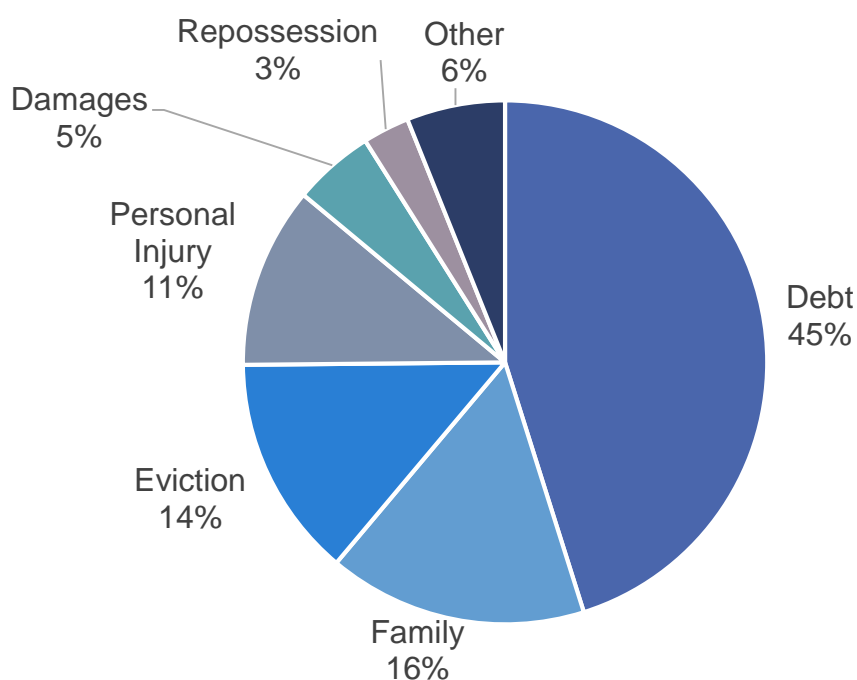
Figure 5: Family and eviction cases are more likely to have multiple craves compared to other case categories¹



1. The categories shown do not include the 'Other' category which represents approximately 6% 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 for family-other and parental responsibilities and rights, at least 40% of writs have more than two craves. Divorce/dissolutions show a different pattern, with approximately 8% of writs having more than one crave in 2019-20, similar to most of the other case types. Outside family law, we note that 42% of eviction cases have more than one crave on their writ. Overall, 86% of initiated cases had a single crave on their writs.

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



In 2019-20, debt actions were the most common, constituting 45% of all civil court cases. Family and eviction actions were second and third most common, at 16% and 14% respectively (Figure 6) (percentages include summary applications⁸).

There was an even split of case types either increasing or decreasing from the previous year. Increases were seen in damages (up 23%), repossessions (up 18%) and debt (up 16%). Decreases were recorded in evictions (down 15%), family and personal injury (both down by 6%) (Table 28).

3.2.1 Debt

Debt cases made up 46% of principal craves initiated at civil courts in 2019-20

Debt actions reversed the drop in volumes recorded last year when they made 41% of initiated cases

86% of debt cases initiated in 2019-20 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.

⁸ The statistics presented in Figure 6 and percentages quoted include summary applications for [repossession](#), similar to those in Figure 1. Otherwise, all other statistics in this bulletin exclude summary applications.

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 2010-11 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.

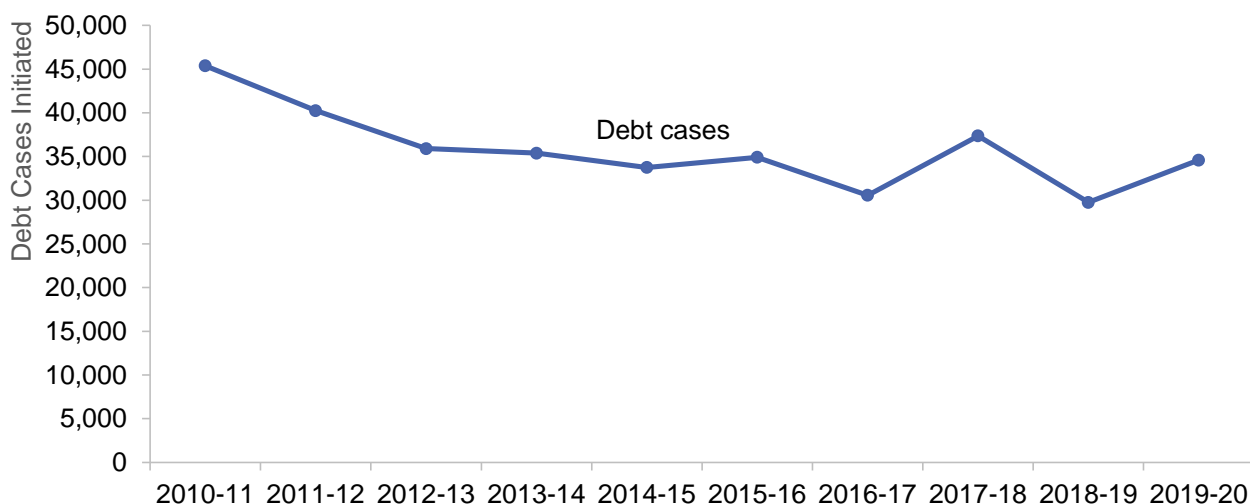
In 2017-18, the number of debt actions increased by 22% on the previous year. This was likely due to a rise in interest from the public following the implementation of simple procedure.

The number of debt cases in 2019-20 increased by 16%, reversing the drop recorded last year, from 29,753 to 34,594.

Of these 34,594 debt actions initiated in 2019-20, 86% 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, the same proportion as in 2018-19.

Table A1 and Table A2 present the new statistics which show counts of all craves on debt cases initiated in 2019-20. The most common craves are payment of money (36,256), Expenses (241) and delivery of movable goods (236).

Figure 7: Debt cases initiated have risen back to 2015-16 levels, having fallen in 2018-19



3.2.2 Eviction

Eviction actions initiated made up 14% of principal craves initiated at civil courts in 2019-20

Eviction actions initiated fell to their lowest in the decade, similar to the previous record low in 2012-13

Eviction cases involve the taking of property by the owner from an occupier, usually a tenant. Landlords can apply to the civil courts 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

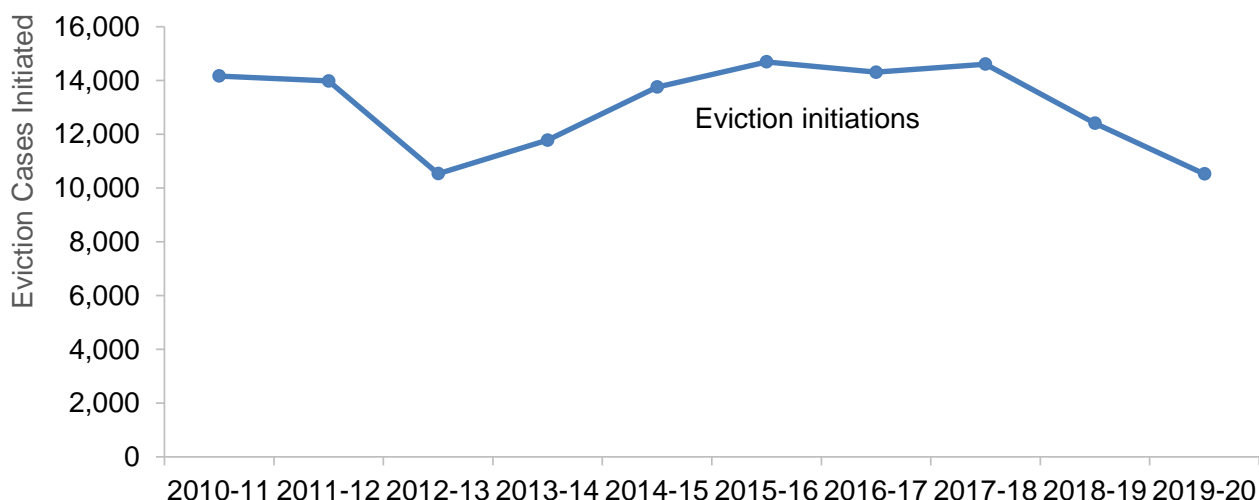
In the earlier part of the last decade, there was a consistent fall in the number of evictions initiated as principal craves, falling around 26% over that period from 14,160 to 10,532 in 2012-13. This followed recovery from the financial crisis of 2008-09. These figures increased in 2013-14 through 2015-16 to 14,690 then flattened off.

In 2019-20, eviction actions initiated recorded their lowest level in a decade, dropping by 15%, from 12,407 to 10,520. Private rented sector eviction action initiated cases have however been dealt with by the [First Tier Tribunal Housing and Property Chamber](#) since 1 December 2017 which is likely to account for a large part of this reduction. In addition, the [Ending Homelessness Together Action Plan](#) was published by the Scottish Government in November 2018 which has increased the focus in the social rented sector on eviction prevention. Around 58% of eviction cases were found “for pursuer”, and 94% of “for pursuer” cases were undefended (Table 24).

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

Table A1 and Table A3 show a count of all craves for eviction cases initiated in 2019-20. The most common craves sought are Recovery of heritable property (6,813), Payment of money (4,379) and Repossession (2,402).

Figure 8: Eviction actions initiated in 2019-20 have been the lowest in the last decade



3.2.3 Family

Divorce and dissolution made up 72% of family cases initiated in 2019-20

Nearly all of the 7,883 divorces granted in 2019-20 were heard in sheriff courts, and 60% 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 second year, we are publishing statistics counting all the craves associated with a writ.

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 (8,751), Expenses (227) and Capital Sum (173). On parental responsibilities and rights cases, the most common are Contact (1,354), Residence of child (1,168) and Parental responsibilities and rights (593). Family-Other has Interdict (309), Declarator (142) and Residence of child (132) as the most common specific craves sought.

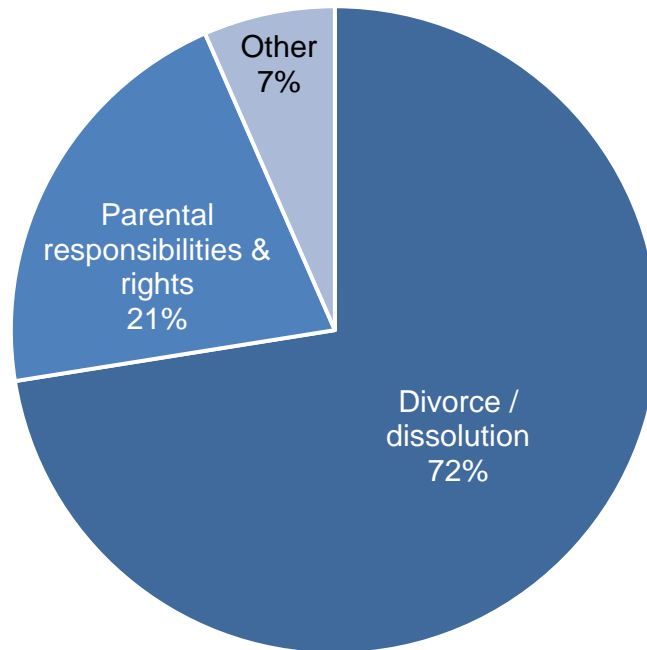
Family law evidence summary

There has been a general downward trend in the number of family actions as principal craves since 2010-11, with the decline in divorces being the biggest contributor. There was a 15% fall from 14,496 in 2010-11 to 12,251 in 2019-20 (Table 5). Family has seen an decrease in initiations in the last year (down 6% or 738 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, 2019-20

Proportion of principal craves,
2019-20



Divorce / dissolution and parental responsibilities and rights are the biggest case types, and together account for 93% of family cases initiated.

Only a small proportion of family cases are heard in the Court of Session (85 or 1% in 2019-20), representing 9% of cases in the General Department of that court (Table 2 & Table 6). Of these 85 cases, divorces and dissolutions accounted for 68 or 80%.

In 2019-20, the vast majority (93%) 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 2019-20, there were 465 adoption petitions initiated, a decrease of 8% on the previous year. The number of applications initiated for permanence orders with authority to adopt decreased slightly, down 3%, to 367 in 2019-20.

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 5.6 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 where they are available, are published as supporting files alongside the relevant bulletin on the website within the [Civil Justice Statistics](#) section. Equivalent statistics for 2019-20 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](#), for the second year we have published, 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

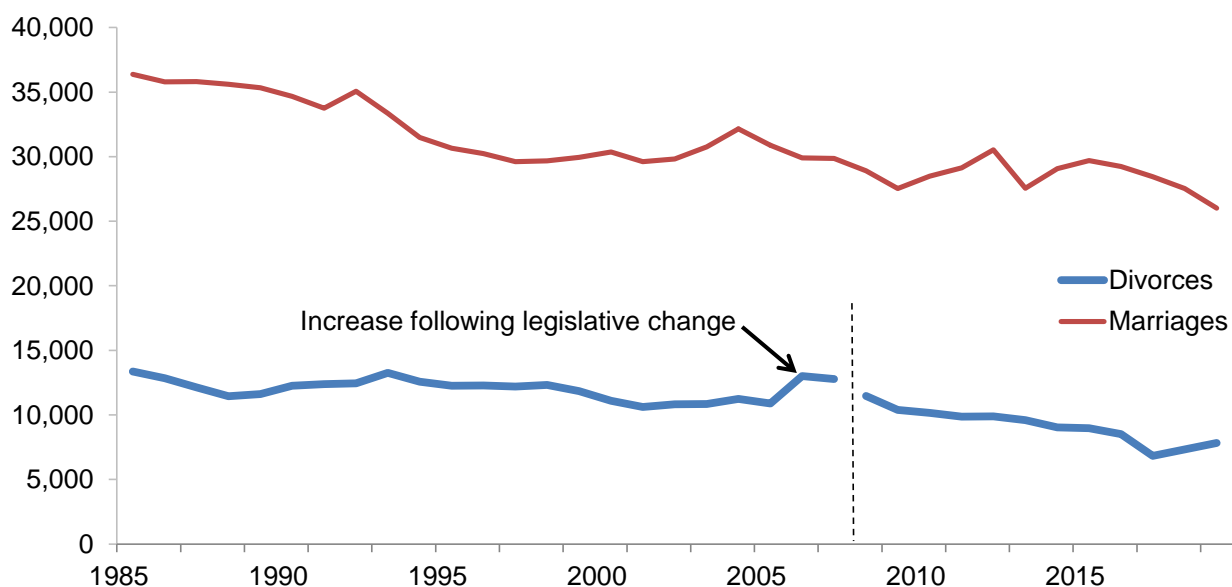
The number of divorces has been slowly decreasing from around 13,400 in 1985 to 7,800 in 2019 (Figure 10)⁹. This decrease could be linked to the general downward trend in marriages across the same period as shown by the chart. The main exception to this trend was a sharp rise in divorces in 2006. This 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](#).

The total number of divorces **granted** in Scotland in 2019-20 was 7,883, 7% higher than in 2018-19 (7,379) (Table 9). In 2019-20, 60% of divorces granted used the simplified procedure. Fifty-seven divorces were granted to same sex couples.

⁹ 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.

There were 52 civil partnership dissolutions **granted** in 2019-20, 22% down from 67 in 2018-19 (Table 10). The vast majority of dissolutions granted in 2019-20 (87%) 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, please see quality of statistics section 5.6
2. Marriages data is from the National Records of Scotland's Vital Events Reference Tables

3.2.4 Personal injury

There was a 6% decrease in personal injury cases initiated in 2019-20 compared to 2018-19

Just under two-fifths (38%) of personal injury cases were raised in the national Sheriff Personal Injury Court

Three in five personal injury cases were in relation to road traffic accidents

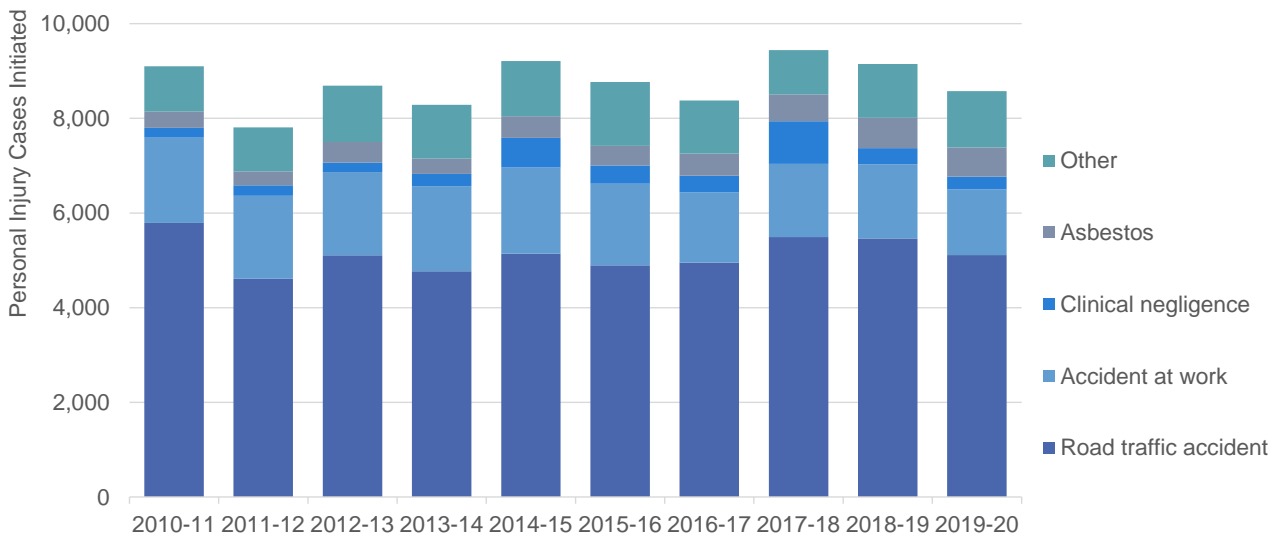
Personal injury can be physical and/or psychological, and include disease or impairment. Personal injuries may result from a wide range of causes including an injury received at work, a traffic accident, or through negligence or a deliberate act on the part of another party. A person who has suffered 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 3.2.5.

Evidence

Since 2010-11 there has been between 7,500 and 9,500 personal injury cases initiated as principal craves each year. There were 8,576 in 2019-20, down 6% from 2018-19 (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 down one percentage point from 2018-19, to 12%.

There has not been a large change in the procedures used to hear personal injury cases since 2018-19. Around 30% are brought to the sheriff courts as summary cause, and 38% to the Sheriff Personal Injury Court. Just over a quarter (26%) 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 at least 80% of these cases using the specialised court.

The majority of asbestos cases in 2019-20 (down 23 to 615) were initiated at the Sheriff Personal Injury Court. Eighty per cent of asbestos related cases were raised at this court, around the same proportion as in the previous year (81%) (Table 18).

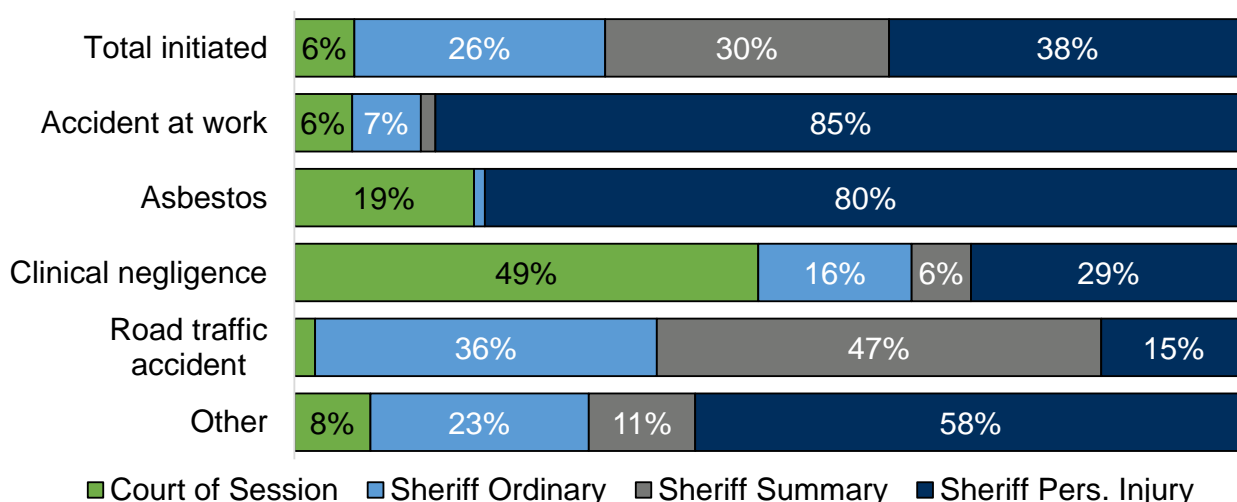
There has been a decrease in accident at work cases since the previous year (down 183 to 1,385). A larger proportion of these were brought to the Sheriff Personal Injury Court, increasing from 83% to 85%.

The number of clinical negligence cases initiated in 2019-20 has settled back to the 2013-14 levels. Their number has stabilised since 2018-19 following an unusually high volume of summary cause clinical negligence initiations at Edinburgh Sheriff Court in 2017-18 (Table 14). There were 273 cases in 2019-20, a 20% decrease from the 342 cases last year.

Table A1 and Table A7 show counts of craves associated with personal injury cases initiated in 2019-20. The most common craves sought are Damages (7,845), Payment of money (291) and Expenses (267).

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

Proportion of principal craves, 2019-20



3.2.5 Damages

The number of damages cases rose by 23% from 2018-19

60% of damages cases were initiated under simple procedure in 2019-20. 52% of the simple procedure cases disposed of were dismissed.

Nearly 80% 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 3.2.4.

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 2010-11 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.

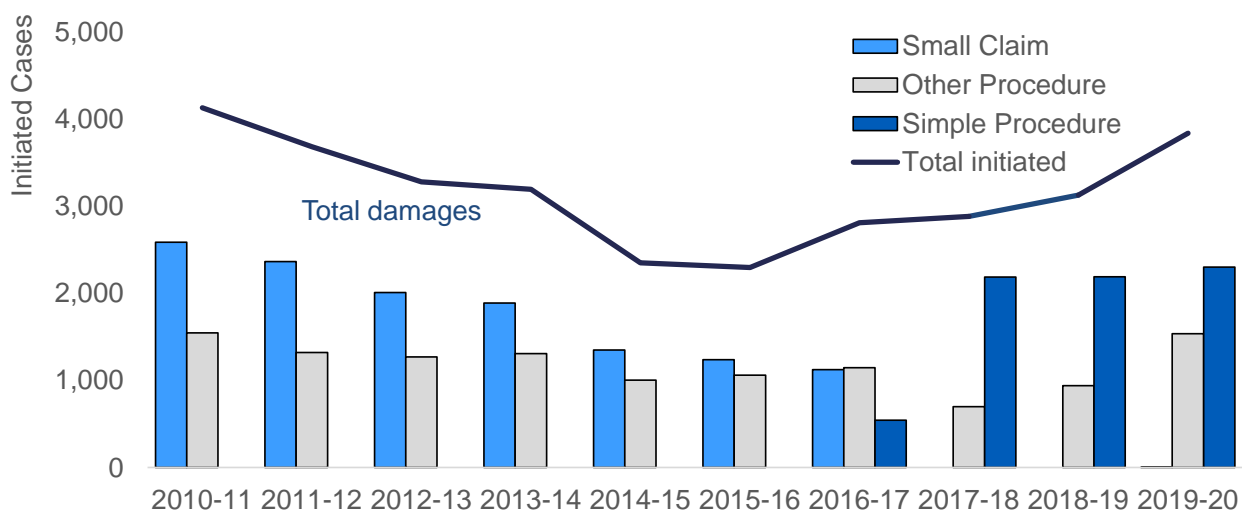
In 2017-18 there was a further, but much smaller, increase of 3% to 2,883 (Table 19). The upward trend in the previous four years has continued in 2019-20, coming close to 4,000 for the first time since 2011-12. In 2019-20, there were 3,838 initiated cases, a 23% increase from last year.

This latest increase is mainly driven by an 81% rise in ordinary cause initiations, which rose from by over 600, from 748 to 1,351 in 2019-20. There was an unusually high number of Equality Act damages cases initiated during this period for the second year in a row.

Of the 3,838 damages actions initiated, 60% were brought to the sheriff court under the simple procedure, down from 70% in the previous year, partly due to the increase in ordinary cause actions explained above. Nearly all summary cause actions were absorbed by the simple procedure. Thirty-five per cent were brought to the sheriff court under ordinary cause procedures, up from 24% in 2018-19 (Figure 13).

Table A1 and Table A8 show the counts of all the craves associated with damages cases initiated in 2019-20. The most common craves sought are Damages (3,647), Payment of money (139) and Expenses (45).

Figure 13: Damages cases show broad uptake of simple procedure



3.2.6 Repossession

The number of repossession cases initiated have fluctuated in recent years, they were up 18% compared to 2018-19.

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 3.2.2).

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.

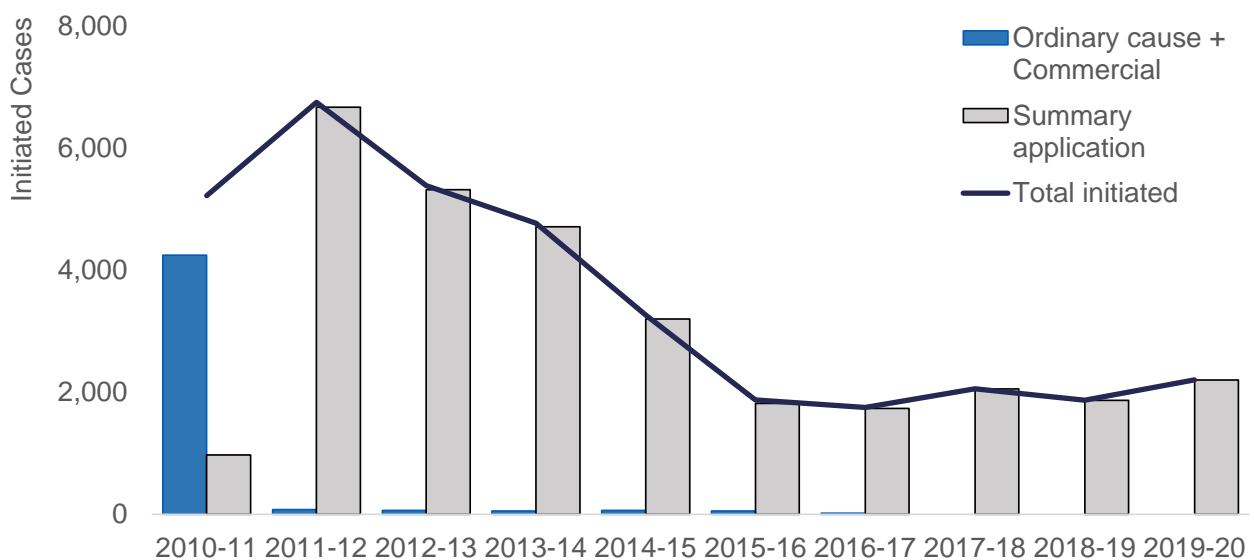
Evidence

Repossessions started the decade at around 5,200 in 2010-11. However, in 2011-12 we saw an increase of 29% (to 6,752) (Table 21). The lower 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 to their lowest number of 1,753 in 2016-17. Since then, there have been year on year fluctuations. In 2019-20, initiated cases rose to 2,204, increasing by 335 cases or 18%.

As in the previous year, in 2019-20, all repossessions were brought as summary applications to the sheriff court, with none filed under ordinary cause.

Figure 14: Repossessions have fluctuated since falling to their lowest in a decade in 2016-17



In 2019-20, 59% 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 2019-20. The most common specific craves sought were Repossession (2,191), Declarator (165) and Expenses (103).

3.3 Civil legal aid

In 2019-20, there were 14,825 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.

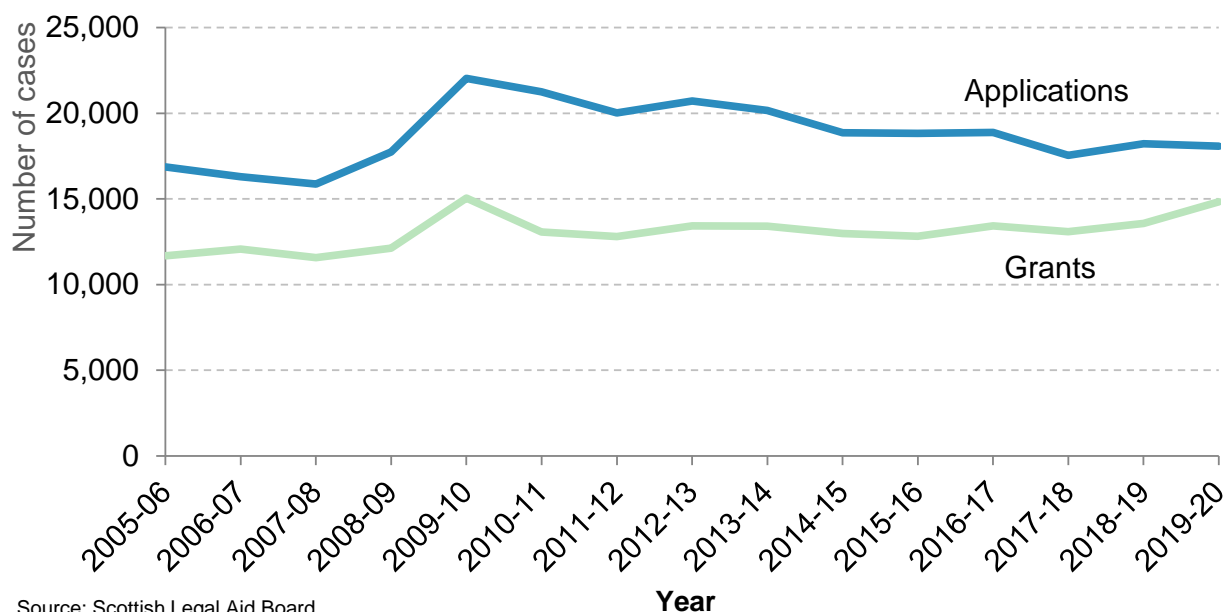
There are two main types of civil legal assistance: advice and assistance (including assistance by way of representation) and civil legal aid. Advice and assistance helps pay for advice from a solicitor on any matter of Scots law. Civil legal aid helps pay for a solicitor to take the case to court.

Evidence

The number of legal aid applications have been relatively stable in the last six years. This followed a peak in 2009-10 then a gradual decrease since. Grants have been more stable over the last decade, meaning more applications being approved for funding. The last two years have seen successive increases in grants of civil legal aid, with 2019-20 nearly matching the peak recorded in 2009-10.

In 2019-20, there were 14,825 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 2019-20.

Figure 15: More applications are being granted legal aid, narrowing the gap between applications and grants¹⁰



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 2019-20 these programmes enabled 6,560 new clients to access help, including representation at court or tribunal on 4,358 occasions.

Further information and data on legal aid is available from the [Scottish Legal Aid Board Annual Report 2019-20](#).

¹⁰ 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.

4. 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 chapter.

The changes outlined in this chapter 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.

4.1 Courts and procedures

Exclusive competence of sheriff courts

From 22 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 22 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 1 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 28 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.

4.2 Judicial review

From 22 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.

4.3 Appeals

Appeals from Court of Session to the UK Supreme Court

From 22 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 1 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.

5. Quality of the statistics

5.1 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 [Civil Justice statistics](#) web pages.

5.2 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 2019-20 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.

5.3 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.

5.4 Summary application

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

5.5 Court of Session – personal injury cases

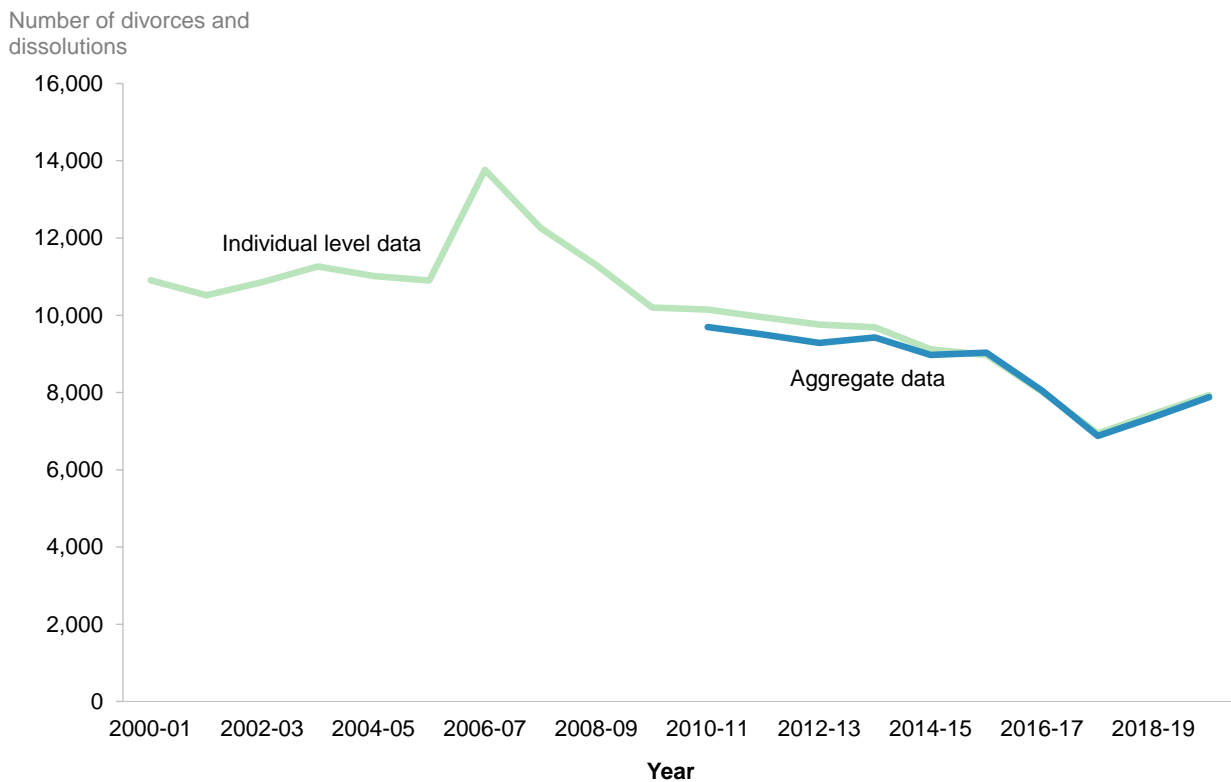
Personal injury cases within the Court of Session are raised under a specific court procedure. However, either party can request permission from the court to opt out of this procedure and use the standard ordinary procedure. When this happens, cases are transferred out and re-registered under the ordinary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

5.6 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.

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



6. 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.

6.1 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.

6.2 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.

6.3 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.

6.4 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.

7. Statistical tables

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7.1 Official statistics tables

Table 1: Civil law cases initiated and disposed of¹ in the Court of Session², sheriff courts³ and Sheriff Personal Injury Court⁴, 2011-10 to 2019-20

Cases		2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	% change since 2018-19	% change since 2010-11
Initiated	Court of Session	5,141	4,718	4,911	4,561	5,164	4,358	2,251	2,279	2,275	2,172	-5	-58
	Sheriff courts	92,308	80,502	72,510	72,511	71,605	72,220	68,433	75,623	66,241	69,042	4	-25
	Sheriff Personal Injury Court	z	z	z	z	z	1,143	2,956	3,282	3,591	3,220	-10	z
	All courts	97,449	85,220	77,421	77,072	76,769	77,721	73,640	81,184	72,107	74,434	3	-24
Disposed	Court of Session	4,295	4,856	4,712	4,911	4,782	4,405	3,162	2,564	2,319	2,033	-12	-53
	Sheriff courts	87,504	77,147	68,781	65,356	65,805	66,232	62,370	63,994	60,872	58,794	-3	-33
	Sheriff Personal Injury Court	z	z	z	z	z	172	1,363	2,541	2,962	3,077	4	z
	All courts	91,799	82,003	73,493	70,267	70,587	70,809	66,895	69,099	66,153	63,904	-3	-30

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.

z refers to data not being applicable.

Table 2: Cases initiated and disposed of¹ in the Court of Session, 2010-11 to 2019-20

Court of Session department		Cases	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	% change since 2018-19	% change since 2010-11
General Department	Initiated		3,688	3,354	3,536	3,258	3,812	2,922	1,005	933	994	986	-1	-73
	Disposed		3,187	3,455	3,405	3,656	3,582	3,123	1,871	1,234	980	888	-9	-72
Petition Department	Initiated		1,358	1,223	1,211	1,179	1,213	1,268	1,083	1,201	1,123	1,024	-9	-25
	Disposed		1,035	1,299	1,191	1,126	1,062	1,136	1,157	1,186	1,207	1,016	-16	-2
Inner House²	Initiated		95	141	164	124	139	168	163	145	158	162	3	71
	Disposed		73	102	116	129	138	146	134	144	132	129	-2	77
Total	Initiated		5,141	4,718	4,911	4,561	5,164	4,358	2,251	2,279	2,275	2,172	-5	-58
	Disposed		4,295	4,856	4,712	4,911	4,782	4,405	3,162	2,564	2,319	2,033	-12	-53

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, 2010-11 to 2019-20

Cases	Procedure	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	% change since 2018-19	% change since 2010-11
Initiated	Ordinary cause	34,123	26,021	24,957	24,026	23,628	23,212	22,672	22,620	22,776	23,089	1	-32
	Summary cause ⁴	23,799	22,783	18,510	18,852	20,624	22,160	20,214	18,057	15,177	13,579	-11	-43
	Small claim ^{4,5}	34,386	31,698	29,043	29,633	27,353	26,848	18,857	32	39	29	-26	-100
	Simple procedure ⁴	z	z	z	z	z	z	6,690	34,914	28,249	32,345	14	z
	Total initiated	92,308	80,502	72,510	72,511	71,605	72,220	68,433	75,623	66,241	69,042	4	-25
Disposed	Ordinary cause	29,768	23,410	20,733	19,575	18,768	19,102	17,210	16,123	16,991	17,329	2	-42
	Summary cause ⁴	24,036	22,434	19,831	17,876	18,984	20,638	20,557	16,647	14,138	13,156	-7	-45
	Small claim	33,700	31,303	28,217	27,905	28,053	26,492	23,571	1,327	130	59	-55	-100
	Simple procedure ⁴	z	z	z	z	z	z	1,032	29,897	29,613	28,250	-5	z
	Total disposed	87,504	77,147	68,781	65,356	65,805	66,232	62,370	63,994	60,872	58,794	-3	-33

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, 2010-11 to 2019-20

Cases	Sheriffdom	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	% change	% change	2019-20 cases
												since 2018-19	since 2010-11	per 1,000 population ⁴
Initiated	Tayside, Central and Fife	16,816	14,759	14,006	13,590	13,806	13,478	12,263	14,163	12,641	13,394	6	-20	12
	Glasgow and Strathkelvin	17,784	16,305	14,313	13,433	11,517	11,853	12,514	14,074	11,803	12,947	10	-27	17
	South Strathclyde, Dumfries and Galloway	16,869	14,171	12,968	12,870	12,929	14,028	13,404	14,337	12,637	12,772	1	-24	14
	Lothian and Borders	16,211	14,148	11,554	11,755	13,022	12,552	11,016	12,587	11,069	11,249	2	-31	11
	North Strathclyde	12,954	10,577	9,932	10,447	10,096	10,286	9,715	10,521	9,755	10,254	5	-21	13
	Grampian, Highlands and Islands	11,674	10,542	9,737	10,416	10,235	10,023	9,521	9,941	8,336	8,426	1	-28	9
	Scotland total initiated	92,308	80,502	72,510	72,511	71,605	72,220	68,433	75,623	66,241	69,042	4	-25	13
Disposed	Tayside, Central and Fife	16,081	14,343	13,268	12,476	12,782	13,079	11,504	12,434	11,727	11,431	-3	-29	10
	Glasgow and Strathkelvin	16,134	15,630	13,544	11,828	10,303	10,139	9,961	11,879	10,715	10,065	-6	-38	13
	South Strathclyde, Dumfries and Galloway	15,979	13,749	12,466	11,801	11,655	12,524	12,022	12,244	11,967	12,172	2	-24	14
	Lothian and Borders	15,957	13,494	11,595	11,029	11,700	11,538	10,435	9,528	9,267	9,194	-1	-42	9
	North Strathclyde	12,218	9,921	8,803	8,949	9,590	9,358	8,911	8,985	8,955	8,442	-6	-31	11
	Grampian, Highlands and Islands	11,135	10,010	9,105	9,273	9,775	9,594	9,537	8,924	8,241	7,490	-9	-33	8
	Scotland total disposed	87,504	77,147	68,781	65,356	65,805	66,232	62,370	63,994	60,872	58,794	-3	-33	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-2019 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, 2010-11 to 2019-20

Cases	Case type	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	% change since	% change
												2018-19	since 2010-11
Initiated	Divorce / dissolution	11,018	10,678	10,355	10,573	10,301	9,981	10,112	9,459	9,591	8,880	-7	-19
	Parental responsibilities & rights	2,713	2,272	2,751	2,479	2,587	2,240	2,433	2,416	2,562	2,567	0	-5
	Interdict	262	329	370	352	292	278	265	310	310	217	-30	-17
	Aliment	89	69	58	77	65	49	46	48	38	48	26	-46
	Exclusion order	26	14	14	16	19	14	10	8	15	12	-20	-54
	Nullity of marriage / civil partnership	2	1	0	0	1	0	1	1	0	1	z	-50
	Other	386	316	314	356	340	330	383	410	473	526	11	36
	Total initiated	14,496	13,679	13,862	13,853	13,605	12,892	13,250	12,652	12,989	12,251	-6	-15
Disposed	Divorce / dissolution	10,115	9,879	9,571	9,809	9,349	9,390	8,415	7,222	7,724	8,234	7	-19
	Parental responsibilities & rights	1,596	1,542	1,638	1,634	1,575	1,613	1,624	1,738	1,899	2,015	6	26
	Interdict	140	137	166	146	152	158	146	156	162	167	3	19
	Aliment	50	64	32	54	40	36	40	31	27	31	15	-38
	Exclusion order	8	6	6	8	4	8	6	5	9	6	-33	-25
	Nullity of marriage / civil partnership	2	2	0	1	0	1	2	0	1	1	0	-50
	Other	216	234	210	228	203	236	231	283	262	312	19	44
	Total disposed	12,127	11,864	11,623	11,880	11,323	11,442	10,464	9,435	10,084	10,766	7	-11

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.

z refers to data not being applicable.

Table 6: Family procedure cases initiated and disposed¹ of in the Court of Session², by case type 2019-20

Case type	Initiated	Disposed	Disposed							Other
			Absolutor	Dismissed		For pursuer		Expenses only		
				Defended	Undefended	Defended	Undefended	Defended	Undefended	
Aliment	1	0	0	0	0	0	0	0	0	0
Divorce / dissolution	68	55	0	2	1	8	12	0	0	32
<i>Ordinary divorce</i>	40	27	0	2	0	8	12	0	0	5
<i>Simplified divorce</i>	26	27	0	0	1	0	0	0	0	26
<i>Ordinary dissolution</i>	1	0	0	0	0	0	0	0	0	0
<i>Simplified dissolution</i>	1	1	0	0	0	0	0	0	0	1
Exclusion order³	0	0	0	0	0	0	0	0	0	0
Interdict	6	1	0	0	0	0	0	0	0	1
Nullity of marriage / civil partnership	1	1	0	0	0	0	1	0	0	0
Parental responsibilities & rights	4	2	0	0	0	2	0	0	0	0
<i>Contact</i>	2	2	0	0	0	2	0	0	0	0
<i>Residence</i>	2	0	0	0	0	0	0	0	0	0
<i>Other</i>	0	0	0	0	0	0	0	0	0	0
Other	5	2	0	0	0	0	2	0	0	0
Total	85	61	0	2	1	10	15	0	0	33

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 2019-20

Case type	Initiated	Disposed	Disposed						
			Absolutor	For pursuer		Granted	Dismissed ³	Expenses only ³	Other
				Defended	Undefended				
Aliment	47	31	0	5	4	0	21	0	1
Divorce / dissolution	8,812	8,179	3	257	2,845	4,761	291	0	22
<i>Ordinary divorce</i>	3,677	3,219	3	257	2,838	0	99	0	22
<i>Simplified divorce</i>	5,075	4,908	0	0	0	4,717	191	0	0
<i>Ordinary dissolution</i>	12	7	0	0	7	0	0	0	0
<i>Simplified dissolution</i>	48	45	0	0	0	44	1	0	0
Exclusion order²	12	6	1	1	1	1	1	0	1
Interdict	211	166	0	57	52	2	44	0	11
Nullity of marriage / civil partnership	0	0	0	0	0	0	0	0	0
Parental responsibilities & rights	2,563	2,013	1	732	514	71	584	0	111
<i>Contact</i>	1,177	910	1	421	59	2	391	0	36
<i>Residence</i>	974	724	0	208	273	69	119	0	55
<i>Other</i>	412	379	0	103	182	0	74	0	20
Other	521	310	21	53	123	2	101	0	10
Total	12,166	10,705	26	1,105	3,539	4,837	1,042	0	156

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, 2019-20

Case type	Initiated	Disposed	Disposed			
			Granted	Dismissed	Refused	Other
Adoption Petitions ³	465	247	235	11	0	1
Extend/vary interim order ⁴	3,636	1,372	1,270	92	3	7
Children's hearings – appeal ⁴	682	264	99	28	97	40
Children's hearings – referral ⁴	2,897	1,482	1,367	106	0	9
Children's Hearings Act 2011 - Other ⁵	1,446	654	441	195	17	1
Permanence orders with authority to adopt	367	235	226	7	2	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 2019-20 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, 2016-17 to 2019-20

Year	Court	Ordinary	Simplified	Total
2019-20	Court of Session ²	27	24	51
	Sheriff courts	3,116	4,716	7,832
	Total			
	<i>Mixed sex</i> ^{3,4}	3,113	4,662	7,775
	<i>Same sex</i> ⁴	3	54	57
	Total	3,143	4,740	7,883
2018-19	Court of Session ²	26	30	56
	Sheriff courts	2,816	4,507	7,323
	Total			
	<i>Mixed sex</i> ⁴	2,814	4,474	7,288
	<i>Same sex</i> ⁴	2	33	35
	Total	2,842	4,537	7,379
2017-18	Court of Session ²	31	26	57
	Sheriff courts	2,638	4,174	6,812
	Total			
	<i>Mixed sex</i> ⁴	2,637	4,167	6,804
	<i>Same sex</i> ⁴	1	7	8
	Total	2,669	4,200	6,869
2016-17	Court of Session	40	36	76
	Sheriff courts	3,088	4,776	7,864
	Total	3,128	4,812	7,940

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 have been no same sex divorces granted in the Court of Session since same sex marriages became legal.
3. There were 184 records on which sex was missing in 2019-20 for the sheriff court divorce statistics. Sex was inferred using other information available about these records within the database.
4. The sex for the divorce records refers to an individual's sex at birth.

Table 10: Dissolutions granted¹ in the civil courts by procedure, 2013-14 to 2019-20

Year	Court	Ordinary	Simplified	Total
2019-20	Court of Session	0	1	1
	Sheriff courts	7	44	51
	Total	7	45	52
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	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

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.

Table 11: Divorces granted by method of celebration and sex, 2017-18 to 2019-20

Year	Sex ¹	Church of Scotland	Roman Catholic	Other Religions	Humanist ²	Civil ³	Total
2019-20	Mixed sex ⁴	1,691	598	816	153	4,568	7,826
	Same sex	1	2	2	3	49	57
	Total	1,692	600	818	156	4,617	7,883
2018-19	Mixed 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	Mixed 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. The sex for the divorce records refers to an individual's sex at birth.

2. 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'.

3. 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. These 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/2019/list-of-data-tables>

4. There were 184 records on which sex was missing in 2019-20 for the sheriff court divorce statistics. Sex was inferred using other information available about these records within the database.

Table 12: Debt cases initiated and disposed of¹ in the civil courts, by procedure, 2010-11 to 2019-20

Cases	Procedure	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	% change since	% change since
												2018-19	2010-11
Initiated	Court of Session ²	4	8	6	5	70	8	6	14	9	1	-89	-75
	Sheriff: ordinary cause	9,200	6,944	5,487	4,586	4,407	5,342	4,483	5,012	4,218	4,686	11	-49
	Sheriff: commercial	223	266	222	241	378	335	259	249	305	227	-26	2
	Sheriff: summary cause ³	4,415	3,922	3,381	3,114	3,258	3,896	2,336	5	6	4	-33	-100
	Sheriff: small claim ^{3,4}	31,533	29,110	26,803	27,444	25,642	25,338	17,522	7	5	2	-60	-100
	Sheriff: simple procedure ³	z	z	z	z	z	z	5,961	32,077	25,210	29,674	18	z
Total initiated		45,375	40,250	35,899	35,390	33,755	34,919	30,567	37,364	29,753	34,594	16	-24
Disposed	Court of Session ²	2	2	2	6	4	8	13	8	8	6	-25	200
	Sheriff: ordinary cause	7,729	5,885	4,534	3,566	3,520	3,902	3,560	3,356	3,344	3,195	-4	-59
	Sheriff: commercial	166	175	117	143	303	222	183	162	208	173	-17	4
	Sheriff: summary cause ³	4,337	3,884	3,324	2,906	3,199	3,490	3,024	284	35	26	-26	-99
	Sheriff: small claim ^{3,4}	31,026	28,934	26,023	25,876	26,319	24,953	22,149	1,214	106	46	-57	-100
	Sheriff: simple procedure ³	z	z	z	z	z	z	962	27,549	26,569	25,461	-4	z
Total disposed		43,260	38,880	34,000	32,497	33,345	32,575	29,891	32,573	30,270	28,907	-5	-33

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.

z refers to data not being applicable.

Table 13: Debt cases initiated and disposed of¹ in the civil courts, by procedure and final disposal, 2019-20

Procedure	Initiated	Disposed	Disposed						
			Absolutor	For pursuer		Decree by default	Dismissed ²	Expenses only ²	Other
				Defended	Undefended				
Court of Session ³	1	6	4	0	2	0	0	0	0
Sheriff: ordinary cause	4,686	3,195	328	192	2,077	80	498	0	20
Sheriff: commercial	227	173	45	18	80	6	19	0	5
Sheriff: summary cause ⁴	4	26	2	1	1	0	22	0	0
Sheriff: small claim ⁴	2	46	1	0	4	0	40	0	1
Sheriff: simple procedure ⁴	29,674	25,461	701	755	15,172	0	8,575	246	12
Total	34,594	28,907	1,081	966	17,336	86	9,154	246	38

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, 2010-11 to 2019-20

Cases	Case type	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	% change since	% change
												2018-19	since 2010-11
Initiated	Road traffic accident	5,790	4,613	5,106	4,770	5,143	4,897	4,955	5,492	5,462	5,113	-6	-12
	Accident at work	1,802	1,750	1,758	1,797	1,817	1,721	1,480	1,547	1,568	1,385	-12	-23
	Clinical negligence	207	222	203	262	629	388	351	901	342	273	-20	32
	Asbestos	345	294	436	320	458	413	470	568	638	615	-4	78
	Other	955	931	1,190	1,138	1,163	1,347	1,122	935	1,136	1,190	5	25
	Total initiated	9,099	7,810	8,693	8,287	9,210	8,766	8,378	9,443	9,146	8,576	-6	-6
Disposed	Road traffic accident	4,607	4,619	4,130	3,893	3,970	4,197	3,630	4,382	4,258	4,087	-4	-11
	Accident at work	1,529	1,627	1,570	1,653	1,623	1,560	1,205	1,328	1,408	1,382	-2	-10
	Clinical negligence	124	133	154	178	195	238	232	231	299	260	-13	110
	Asbestos	168	216	365	598	633	430	531	589	582	578	-1	244
	Other	1,074	1,775	1,444	1,079	941	1,108	994	867	880	991	13	-8
	Total disposed	7,502	8,370	7,663	7,401	7,362	7,533	6,592	7,397	7,427	7,298	-2	-3

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, 2019-20

Case type	Initiated	Disposed	Disposed							
			Absolvitor	Dismissed		For pursuer		Expenses only		Other
				Defended	Undefended	Defended	Undefended	Defended	Undefended	
Road traffic accident	112	116	81	0	0	25	1	4	0	5
Accident at work ⁴	84	92	69	1	0	17	0	1	0	4
Clinical negligence	133	117	97	2	0	16	1	0	0	1
Asbestos ⁵	116	112	58	3	1	45	3	0	0	2
Other ⁶	95	109	38	36	0	17	1	0	0	17
Total	540	546	343	42	1	120	6	5	0	29

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, 2019-20

Case type	Initiated	Disposed	Disposed					
			Absolutor	For pursuer		Decree by default	Dismissed ⁴	Other
				Defended	Undefended			
Road traffic accident	1,835	1,145	394	621	51	5	68	6
Accident at work	100	80	38	36	4	0	1	1
Clinical negligence	44	42	30	5	0	0	6	1
Asbestos	7	4	4	0	0	0	0	0
Slip, trip or fall	140	97	51	35	2	0	8	1
Other	133	73	37	20	2	0	14	0
Total	2,259	1,441	554	717	59	5	97	9

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, 2019-20

Case type	Initiated	Disposed	Disposed					
			Absolvitor	For pursuer		Decree by default	Dismissed ³	Other
				Defended	Undefended			
Road traffic accident	2,386	2,086	645	633	198	4	592	14
Accident at work	21	23	13	5	2	0	3	0
Clinical negligence	17	0	0	0	0	0	0	0
Asbestos	0	0	0	0	0	0	0	0
Slip, trip or fall	65	64	38	13	5	0	8	0
Other	68	61	27	16	7	1	10	0
Total	2,557	2,234	723	667	212	5	613	14

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 2019-20

Case Type	Initiated					Disposed				
	2015-16 ⁴	2016-17	2017-18	2018-19	2019-20	2015-16 ⁴	2016-17	2017-18	2018-19	2019-20
Road traffic accident	313	832	1,036	985	780	72	438	744	883	740
Accident at work ⁵	469	1,153	1,272	1,305	1,180	75	555	1,006	1,153	1,187
Clinical negligence	30	105	83	133	79	1	29	49	73	101
Asbestos ⁶	124	370	455	514	492	0	110	363	443	462
Slip, Trip or Fall	0	86	208	345	306	0	6	115	197	325
Other ⁷	207	410	228	309	383	24	225	264	213	262
Total	1,143	2,956	3,282	3,591	3,220	172	1,363	2,541	2,962	3,077

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. Relatives claim cases are included in 'Other'.

Table 19: Damages cases initiated and disposed of¹ in the civil courts, by procedure, 2010-11 to 2019-20

Cases	Procedure	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	% change since	% change
												2018-19	since 2010-11
Initiated	Court of Session ²	300	367	357	369	286	409	170	146	174	173	-1	-42
	Sheriff: ordinary cause	630	491	496	447	400	412	658	538	748	1,351	81	114
	Sheriff: commercial	163	37	34	51	46	15	25	13	17	9	-47	-94
	Sheriff: summary cause ³	453	488	382	441	271	222	292	1	0	3	z	-99
	Sheriff: small claim ³	2,586	2,364	2,009	1,887	1,348	1,238	1,122	0	0	3	z	-100
	Sheriff: simple procedure ³	z	z	z	z	z	z	543	2,185	2,188	2,299	5	z
	Total initiated	4,132	3,747	3,278	3,195	2,351	2,296	2,810	2,883	3,127	3,838	23	-7
Disposed	Court of Session ²	315	313	298	359	355	249	212	327	144	160	11	-49
	Sheriff: ordinary cause	595	675	623	435	304	263	390	423	422	439	4	-26
	Sheriff: commercial	18	30	8	16	24	140	19	10	11	9	-18	-50
	Sheriff: summary cause ³	457	452	383	340	287	205	267	41	1	3	200	-99
	Sheriff: small claim ³	2,397	2,149	1,982	1,758	1,380	1,266	1,239	87	3	2	-33	-100
	Sheriff: simple procedure ³	z	z	z	z	z	z	49	1,843	2,260	2,237	-1	z
	Total disposed	3,782	3,619	3,294	2,908	2,350	2,123	2,176	2,731	2,841	2,850	0	-25

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.

z refers to data not being applicable.

Table 20: Damages cases initiated and disposed of¹ in the civil courts, by procedure and final disposal, 2019-20

Court type	Procedure	Initiated	Disposed	Disposed					
				Absolutor	For Pursuer		Dismissed ²	Expenses Only ²	Other
					Defended	Undefended			
Court of Session³	Ordinary	104	94	74	6	8	5	0	1
	Commercial	69	66	52	5	3	6	0	0
	Court of Session total	173	160	126	11	11	11	0	1
Sheriff courts	Small claim ⁴	3	2	0	0	0	2	0	0
	Ordinary cause	1,351	439	197	113	62	57	0	10
	Summary cause ⁴	3	3	0	1	0	2	0	0
	Commercial	9	9	6	1	1	0	0	1
	Simple procedure ⁴	2,299	2,237	659	59	324	1,167	21	7
	Sheriff courts total	3,665	2,690	862	174	387	1,228	21	18
Civil courts total		3,838	2,850	988	185	398	1,239	21	19

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, 2010-11 to 2019-20

Cases	Procedure	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	% change	% change
												since 2018-19	since 2010-11
Initiated	Ordinary cause ²	4,245	79	64	54	67	58	17	0	0	0	z	-100
	Commercial	4	0	0	1	0	0	0	0	0	0	z	z
	Summary application ²	975	6,673	5,321	4,715	3,201	1,816	1,736	2,056	1,869	2,204	18	126
	Total initiated	5,224	6,752	5,385	4,770	3,268	1,874	1,753	2,056	1,869	2,204	18	-58
Disposed	Ordinary cause	5,083	253	90	74	61	53	26	0	0	0	z	-100
	Commercial	1	3	0	0	1	0	0	0	0	0	z	-100
	Summary application ³	489	3,987	4,003	3,386	2,597	1,570	1,480	1,650	1,616	1,848	14	z
	Total disposed	5,573	4,243	4,093	3,460	2,659	1,623	1,506	1,650	1,616	1,848	14	-67

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

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.

3. The number of summary application cases disposed of is likely to be an underestimate. Please see section 5.4 in the bulletin.

z refers to data not being applicable.

Table 22: Summary application repossession cases initiated and disposed of^{1,2} in the sheriff courts, by procedure and final disposal, 2019-20

Procedure	Initiated	Disposed	Disposed					
			Absolvitor	For pursuer		Decree by default	Dismissed	Other ³
				Defended	Undefended			
Repossession summary application	2,204	1,848	5	114	977	51	639	62

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, 2010-11 to 2019-20

Cases	Procedure	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	% change	% change
												since 2018-19	since 2010-11
Initiated	Summary cause	14,160	13,979	10,532	11,778	13,750	14,690	14,304	14,604	12,407	10,520	-15	-26
Disposed	Summary cause	14,906	13,972	12,358	11,613	12,892	13,905	14,459	13,776	11,933	10,610	-11	-29

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 procedure and final disposal, 2019-20

Procedure	Initiated	Disposed	Disposed						
			Absolvitor	For pursuer		Decree by default	Dismissed ³	Expenses only ³	Other ⁴
				Defended	Undefended				
Eviction summary cause	10,520	10,610	9	363	5,814	120	4,252	0	52

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, 2010-11 to 2019-20

		2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	% change since 2018-19	% change since 2010-11
Initiated	Judicial review												
	<i>Environmental</i>	2	2	1	3	4	1	3	0	0	0	z	z
	<i>Housing</i>	4	1	0	1	2	13	15	15	9	18	100	350
	<i>Immigrants</i>	266	195	224	231	323	393	262	267	316	259	-18	-3
	<i>Licensing board</i>	1	0	1	1	1	0	0	0	1	0	z	z
	<i>Planning permission</i>	8	11	8	6	12	7	4	6	5	6	20	-25
	<i>Prison authorities</i>	7	3	10	17	17	24	6	20	10	14	40	100
	<i>Social security benefits</i>	0	0	1	0	1	3	5	4	0	0	z	z
	<i>Other</i>	54	31	48	49	39	55	48	45	61	65	7	20
Total		342	243	293	308	399	496	343	357	402	362	-10	6
Disposed	Judicial review												
	<i>Environmental</i>	1	2	1	2	0	1	1	1	1	0	-100	-100
	<i>Housing</i>	3	1	0	1	1	7	17	15	10	15	50	400
	<i>Immigrants</i>	182	267	229	203	229	314	397	308	365	256	-30	41
	<i>Licensing board</i>	0	2	0	1	1	1	0	0	0	1	z	z
	<i>Planning permission</i>	5	11	12	4	7	12	5	6	3	3	0	-40
	<i>Prison authorities</i>	12	95	101	19	10	23	13	24	21	15	-29	25
	<i>Social security benefits</i>	0	0	1	0	1	1	2	5	1	0	-100	z
	<i>Other</i>	39	34	26	40	38	43	50	51	48	63	31	62
Total		242	412	370	270	287	402	485	410	449	353	-21	46

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

z refers to data not being applicable.

Table 26: Civil law appeals initiated and disposed of¹ in the Sheriff Appeal Court², 2015-16 to 2019-20

Cases	Initiated					Disposed				
	2015-16 ³	2016-17	2017-18	2018-19	2019-20	2015-16 ³	2016-17	2017-18	2018-19	2019-20
Appeals from small claim	2	30	9	2	0	0	18	18	0	0
<i>Miscellaneous</i>	0	2	0	0	0	0	0	2	0	0
<i>Payment</i>	2	28	9	2	0	0	18	16	0	0
Appeals from summary cause	2	45	43	12	55	0	26	38	15	14
<i>Heritable</i>	2	29	27	11	51	0	21	25	5	13
<i>Payment</i>	0	13	7	0	0	0	5	7	3	0
<i>Personal injury</i>	0	3	6	1	3	0	0	5	4	1
<i>Miscellaneous</i>	0	0	3	0	1	0	0	1	3	0
Appeals from simple procedure	0	0	41	51	50	0	0	12	36	40
<i>Debt</i>	0	0	40	42	43	0	0	12	32	35
<i>Delivery</i>	0	0	1	2	0	0	0	0	1	0
<i>Damages</i>	0	0	0	6	6	0	0	0	2	4
<i>Implement</i>	0	0	0	1	1	0	0	0	1	1
Appeals from ordinary cause⁴	44	175	140	122	127	3	100	118	107	80
<i>Debt</i>	23	40	35	21	22	2	38	29	16	12
<i>Family</i>	8	45	44	44	42	0	27	35	28	29
<i>Personal injury</i>	3	14	4	6	5	1	5	11	10	8
<i>Commercial</i>	2	7	13	13	11	0	4	8	12	7
<i>Heritable</i>	1	8	0	0	0	0	2	0	0	0
<i>Other</i>	7	61	44	38	47	0	24	35	41	24
Other appeals⁵	0	36	53	79	62	0	25	49	45	34
Total	48	286	286	266	294	3	169	235	203	168

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 2019-20

Year	Initiated	Disposed	Disposed		
			Granted	Refused	Withdrawn
2019-20	15	16	1	14	1
2018-19	18	19	2	15	2
2017-18	20	25	2	23	0
2016-17	41	45	6	35	4
2015-16²	16	4	1	3	0

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

2. 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, 2010-11 to 2019-20

Initiated Cases	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
Repossession	5,224	6,752	5,385	4,770	3,268	1,874	1,753	2,056	1,869	2,204
Damages	4,132	3,747	3,278	3,195	2,351	2,296	2,810	2,883	3,127	3,838
Personal Injury	9,099	7,810	8,693	8,287	9,210	8,766	8,378	9,443	9,146	8,576
Family	14,496	13,679	13,862	13,853	13,605	12,892	13,250	12,652	12,989	12,251
Eviction	14,160	13,979	10,532	11,778	13,750	14,690	14,304	14,604	12,407	10,520
Debt	45,375	40,250	35,899	35,390	33,755	34,919	30,567	37,364	29,753	34,594
Other	5,939	5,739	5,093	4,514	4,031	4,100	4,314	4,238	4,685	4,655
All cases	98,425	91,956	82,742	81,787	79,970	79,537	75,376	83,240	73,976	76,638

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 2019-20

Family subject matters	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
Appeals - family	z	z	z	32	39	34	38	29
Contact/parentage	3,590	3,345	3,043	2,669	2,804	2,599	2,767	2,927
Divorce/separation	2,295	2,240	1,929	1,814	1,817	1,688	1,627	1,699
Property/monetary	343	321	294	262	247	236	250	232
Protective order	530	407	328	284	301	315	290	265
Residence	1,412	1,360	1,190	1,120	1,192	1,179	1,350	1,575
Family/matrimonial - other	643	697	655	655	688	764	808	1,040
Total civil legal aid grants - family	8,813	8,370	7,439	6,836	7,088	6,815	7,130	7,767
Non-family subject matters								
Adults with incapacity	2,663	3,024	3,587	4,083	4,385	4,603	4,802	5,123
Appeals - other	126	131	107	106	100	59	53	109
Breach of contract	30	31	15	16	17	10	15	6
Debt	125	99	122	109	120	82	58	60
Discrimination	z	3	1	1	7	3	0	11
Fatal accident inquiries	8	12	12	12	16	14	19	10
Housing/recovery of heritable property	758	807	787	692	840	791	729	852
Immigration and asylum	173	198	277	333	234	189	301	238
Judicial review	68	75	65	80	35	90	64	76
Medical negligence	58	94	86	61	76	74	54	54
Reparation	231	235	187	193	239	90	103	101
Other	374	330	292	295	268	273	233	418
Total civil legal aid grants - non-family	4,614	5,039	5,538	5,981	6,337	6,278	6,431	7,058
Total civil legal aid grants	13,427	13,409	12,977	12,817	13,425	13,093	13,561	14,825

1. Figures supplied by the Scottish Legal Aid Board.

2. Note that, granted cases may not always proceed.

z refers to data not being applicable.

7.2 Ancillary crave analyses

Table A1: Count of writs of initiated cases by case category and number of craves, sheriff court cases, 2019-20

Case category	Total writs	Number of craves			Percentages of writs with...			Total craves	
		1	2	3+	1 crave	2 craves	3+ craves		
Debt	34,592	33,024	902	666	95%	3%	2%	37,177	
Eviction	10,520	6,102	3,667	751	58%	35%	7%	15,697	
	Total Family	12,165	10,118	894	1,153	83%	7%	9%	16,621
	<i>Divorce/Dissolution</i>	8,812	8,137	274	401	92%	3%	5%	10,534
Family	<i>Parental responsibilities and rights</i>	2,563	1,526	496	541	60%	19%	21%	4,555
	<i>Other</i> ¹	790	455	124	211	58%	16%	27%	1,532
Personal Injury ²	8,036	7,416	604	16	92%	8%	0%	8,678	
Damages	3,666	3,518	128	20	96%	3%	1%	3,852	
Repossession ³	2,204	1,931	53	220	88%	2%	10%	2,806	
Other	3,283	2,248	667	368	68%	20%	11%	5,041	
Total	74,466	64,357	6,915	3,194	86%	9%	4%	89,872	

1. Family-Other includes 'Other', Aliment, Interdict, Exclusion order and Nullity of marriage/ civil partnership.

2. Personal Injury data includes Sheriff Personal Injury Court.

3. All other summary application registrations are excluded in this Table except Repossessions.

Table A2: Count of craves on Debt cases initiated in the sheriff courts, 2019-20

Crave	Count	Craves	Count
Payment of money	36,256	Capital Sum	2
Other	271	Delivery of child	1
Expenses	241	Exclusion order	1
Delivery of moveable goods	236	Incidental Order	1
Damages	91	Occupancy Rights	1
Repossession	37	Parental Rights and Responsibilities	1
Declarator	25		
Implement	9	Total craves count	37,177
Interdict	4	Total writs	34,592

Table A3: Count of craves on Eviction cases initiated in the sheriff courts, 2019-20

Crave	Count	Crave	Count
Recovery of heritable property	6,813	Occupancy Rights	2
Payment of money	4,379	Capital Sum	1
Repossession	2,402	Delivery of moveable goods	1
Summary Cause Recovery of Property	1,161		
Expenses	786		
Other	144		
Damages	3		
Parental Rights and Responsibilities	3	Total craves count	15,697
Declarator	2	Total writs	10,520

Table A4: Count of craves on Divorce/ Dissolution cases initiated in the sheriff courts, 2019-20

Crave	Count	Crave	Count
Divorce	8,751	Exclusion order	21
Other	273	Periodical Allowance	20
Expenses	227	Interim Interdict	16
Capital Sum	173	Declarator	15
Division and Sale	171	Interim aliment	14
Payment of money	121	Parental Rights and Responsibilities	10
Intimation to interested party	120	Delivery of moveable goods	9
Interdict	103	Non-Harassment Order	6
Transfer of Property	101	Occupancy Rights	6
Residence of child	88	Delivery of child	3
Pension Sharing Order	85	Implement	2
Dissolution	61	Interim Trustee	2
Contact	40		
Incidental Order	37		
Aliment	36	Total craves count	10,534
Power of Arrest	23	Total writs	8,812

Table A5: Count of craves on Parental responsibilities and rights cases initiated in the sheriff courts, 2019-20

Crave	Count	Crave	Count
Contact	1,354	Interim aliment	3
Residence of child	1,168	Payment of money	2
Parental Rights and Responsibilities	593	Aliment	1
Other	391	Capital Sum	1
Interdict	333	Delivery of moveable goods	1
Expenses	254	Incidental Order	1
Intimation to interested party	232	Removal of Guardian	1
Delivery of child	93	Transfer of Property	1
Interim Interdict	57		
Power of Arrest	31		
Declarator	28		
Non-Harassment Order	6	Total craves count	4,555
Exclusion order	4	Total writs	2,563

Table A6: Count of craves on Family-Other cases initiated in the sheriff courts, 2019-20

Crave	Count	Crave	Count
Other	358	Exclusion order	26
Interdict	309	Interim Interdict	14
Declarator	142	Non-Harassment Order	13
Residence of child	132	Division and Sale	7
Delivery of child	103	Transfer of Property	6
Contact	77	Delivery of moveable goods	3
Expenses	62	Occupancy Rights	3
Parental Rights and Responsibilities	54	Implement	2
Capital Sum	51		
Aliment	49		
Power of Arrest	44		
Intimation to interested party	40	Total craves count	1,532
Payment of money	37	Total writs	790

Table A7: Count of craves on Personal Injury cases initiated in the sheriff courts, 2019-20

Crave	Count
Damages	7,845
Payment of money	291
Expenses	267
Provisional damages	229
Other	22
Declarator	13
Personal Injury Summary Cause	11
Total craves count	8,678
Total writs	8,036

Table A8: Count of craves on Damages cases initiated in the sheriff courts, 2019-20

Crave	Count
Damages	3,647
Payment of money	139
Expenses	45
Other	15
Declarator	5
Interdict	1
Total craves	3,852
Total writs	3,666

Table A9: Count of craves on Repossession cases initiated in the sheriff courts, 2019-20

Crave	Count
Repossession	2,191
Other	304
Declarator	165
Expenses	103
Payment of money	17
Recovery of heritable property	15
Intimation to interested party	11
Total craves count	2,806
Total writs	2,204

Table A10: Count of craves on Other cases initiated in the sheriff courts, 2019-20

Crave	Count	Crave	Count
Delivery of moveable goods	1714	Interim Interdict	20
Payment of money	1024	Intimation to interested party	19
Other	657	Capital Sum	14
Interdict	584	Occupancy Rights	2
Declarator	309	Transfer of Property	2
Division and Sale	200	Delivery of child	1
Expenses	200	Exclusion order	1
Implement	115	Incidental Order	1
Prove the tenor	60	Pension Sharing Order	1
Power of Arrest	39		
Repossession	31		
Non-Harassment Order	25	Total craves count	5,041
Damages	22	Total writs	3,283

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