



LORD CHIEF JUSTICE OF
ENGLAND AND WALES

THE RIGHT HONOURABLE THE LORD BURNETT OF MALDON

Bob Neill MP
Chair of the Justice Select Committee
House of Commons
London
SW1A 0AA

25 January 2019

Dear Bob,

Statistics on litigants in person

When I gave evidence to the Justice Select Committee last November, you asked me whether I had figures on any growth in litigants in person since the implementation of the Legal Aid, Punishment and Sentencing of Offenders Act 2012 and I agreed to explore the issue. With sincere apologies for the delay, I am now able to provide the following information.

Self-representation in civil and family cases is identified in HMCTS case management systems by the legal representation field being left blank. These figures should therefore be considered as counting parties without a recorded representative, and are not necessarily self-representing litigants in person.

Legal Representation in Private Law Family Cases

In the financial year 2012/13, immediately preceding the introduction of LASPO, a total of 58% of parties were recorded as having legal representation in private law cases that had at least one hearing. In 2017/18, the latest financial year for which data is available, this had reduced to 36% of parties.

The reduction of legal representation has been similar (in percentage terms) for both applicants and respondents: in 2012/13, 72% of applicants and 46% of respondents had legal representation, compared to 45% of applicants and 28% of respondents in 2017/18.

Legal Representation in Civil (non-family) cases

Data for legal representation in defended civil claims is only available back to the start of 2013, so a quantitative comparison to pre-LASPO levels cannot be made. Since the introduction of LASPO, levels of legal representation have been largely stable with 69% of parties having legal representation in defended claims in 2013/14, compared to 71% in 2017/18.

The small increase in levels of legal representation can be attributed to an increase in legal representation in specified money claim defences, as well as the fact that these make up a larger proportion of all civil defences.

Please do not hesitate to contact me if you have any further questions.

with best wishes,

A handwritten signature in black ink, appearing to read 'Jae', with a horizontal line underneath.

LORD BURNETT OF MALDON