

CRIME AND COURTS ACT 2013

EXPLANATORY NOTES

BACKGROUND

Part 2: Courts and Justice

Section 17: Civil and family proceedings in England and Wales

Single County Court for England and Wales

18. County courts are constituted under the County Courts Act 1984. There are approximately 170 county courts in England and Wales, prescribed by article 6 of, and Schedule 3 to, the Civil Courts Order 1983¹, as amended. Each county court has a separate legal identity and serves a defined geographical area. Certain civil matters, for example in respect of proceedings in contract and tort or actions for the recovery of land, can be dealt with by all county courts, whereas other civil cases, for example family proceedings, certain contested probate actions and bankruptcy claims, are handled by designated county courts.
19. In January 2008, the Judicial Executive Board commissioned Sir Henry Brooke to conduct an inquiry into the question of civil court unification. He published his report², entitled *Should the Civil Courts be Unified?*, in August 2008. In the report, Sir Henry recommended that consideration should be given to whether the county courts should become a single national court.
20. In March 2011, the Ministry of Justice subsequently published a consultation document (Consultation Paper CP6/2011) entitled *Solving disputes in the county courts: creating a simpler, quicker and more proportionate system*³. The consultation paper, which was aimed at reforming the civil justice system in England and Wales, sought views on whether a single county court should be established. On 9 February 2012, accompanied by a written ministerial statement (House of Commons, Official Report, column 53WS), the Government published its response to the consultation (CM 8274)⁴, announcing its intention to implement its proposals for the establishment of a single county court. Section 17(1) of the Act implements those proposals.

¹ S.I. 1983/713

² <http://www.judiciary.gov.uk/publications-and-reports/reports/civil/civil-courts-unification>

³ <http://www.justice.gov.uk/downloads/consultations/solving-disputes-county-courts.pdf>

⁴ https://consult.justice.gov.uk/digital-communications/county_court_disputes/results/solving-disputes-in-cc-response.pdf