



Solicitors
Regulation
Authority

SRA Summary of Performance Measures and Statistics

November 2007

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Note: Our Equality & Diversity reporting is currently under revision.

Headline Statistics for November 2007

- **Solicitors Disciplinary Tribunal** orders recorded by the SRA have increased by 19% year on year. The number of solicitors suspended from practice in the last 12 months has increased by 41%. An increasing number of these suspensions were for an indefinite period: 56% in the last 12 months. ▶ *see page 4*
- The average age of **Tribunal Proceedings** issued this month has improved on last month, and is back at the target timescale of 6 months. There are currently 213 matters in progress where proceedings have not yet been issued. ▶ *see page 5*
- **Forensic Investigations** continue to issue an increasing proportion of adverse reports. Last month, 69% of matters concluded had an adverse report, as compared with just 54% in November 2006. This is a major factor in the increase in **Regulatory Investigations** decisions to refer to the SDT which are up 29% year on year. ▶ *see page 6 and 8*
- Firms receiving a monitoring visit by **Practice Standards Unit** generate between 16% and 21% less complaints than prior to a visit. Firms that have not received a monitoring visit generate between 1% and 11% more complaints in the same analysis period. ▶ *see page 7*
- In the **Conduct Investigation Unit** there has been a 27% increase in the number of files where allegations were upheld or referred to the SDT upon closure in the last 12 months, as compared with the 12 months to November 2006. ▶ *see page 9*
- Outstanding liability on the **Compensation Fund** stands at £14.9M, just 66% of the position 12 months ago. The number of outstanding applications is also falling, with an 8% reduction on last month. ▶ *see page 10*
- 4 **Interventions** were effected in November, bringing the total for 2007 to 45 YTD, compared to 46 for November 2006 YTD. The proportion of these relating to suspected dishonesty has risen slightly from 28% last year to 31% for 2007 YTD. ▶ *see page 10*
- The **Registration Project Team** have now received back and processed over half of the PC renewal forms sent out in September. Reminder letters have been sent to those who have not yet returned their applications. ▶ *see page 11*
- The **Ethics Guidance Service** shows improvement in average waiting times and call abandonment rates, and is undertaking a programme of improvements. ▶ *see page 12*

Legal Solicitors Disciplinary Tribunal Decisions

The **Solicitors Disciplinary Tribunal (SDT)** is the independent Tribunal that adjudicates upon alleged breaches of the rules of professional conduct for solicitors. The SDT has the power to strike a solicitor from the roll, suspend a solicitor from practising and to apply fines and reprimands.

Orders made by the SDT are recorded by the SRA when they come into effect, which in most cases is immediately, but in a few cases there is a time lapse before the order comes into effect.

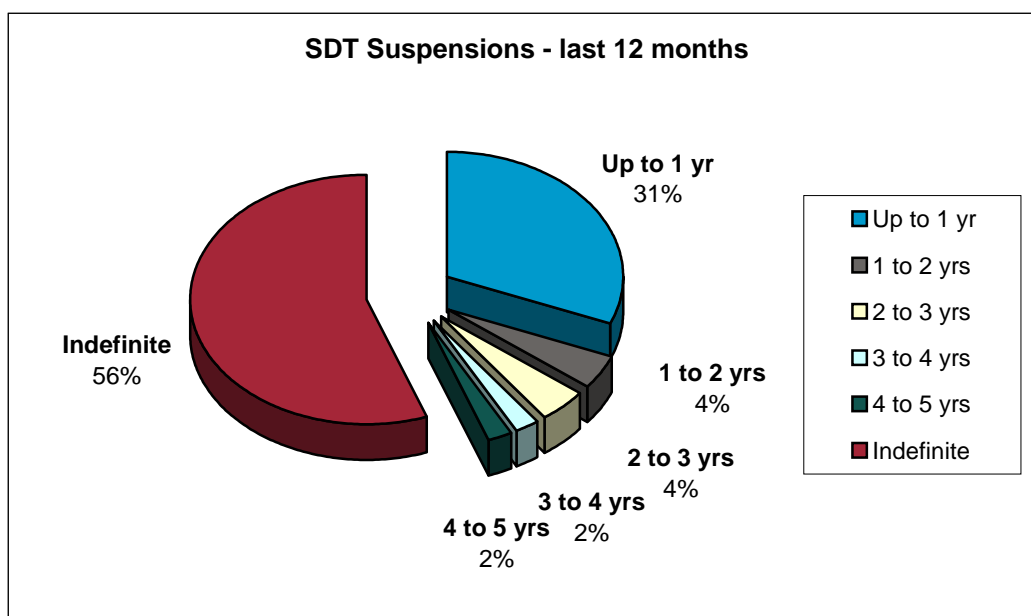
It should be noted that cases referred to the SDT are often a combination of matters, frequently originating in different Units, brought together into one application to the Tribunal by the Disciplinary Team.

SDT Orders	12 Months to		Variance	Monthly Average to Nov 07
	Nov 06	Nov 07		
Fined	72	101	+40%	8
Struck Off	68	71	+4%	6
Suspended	32	45	+41%	4
No Order	9	8	-11%	1
Other	63	66	+5%	6
TOTAL	244	291	+19%	24

This month the SDT made 23 orders on SRA matters, just below the average over the last 12 months of 24, as shown above.

The proportion of both fines and suspensions has increased significantly year on year. A breakdown of the suspensions recorded in the last 12 months is shown below.

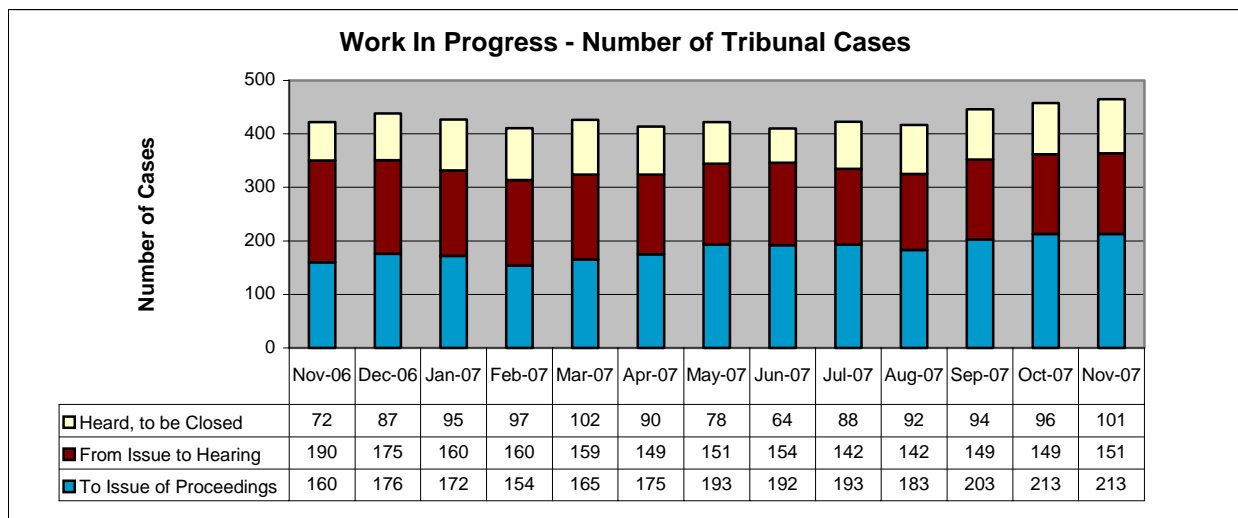
The majority are indefinite suspensions, with 70% of fixed-period suspensions lasting up to one year. The maximum suspension period issued in the last 12 months was 5 years, against an average of 1.5 years.



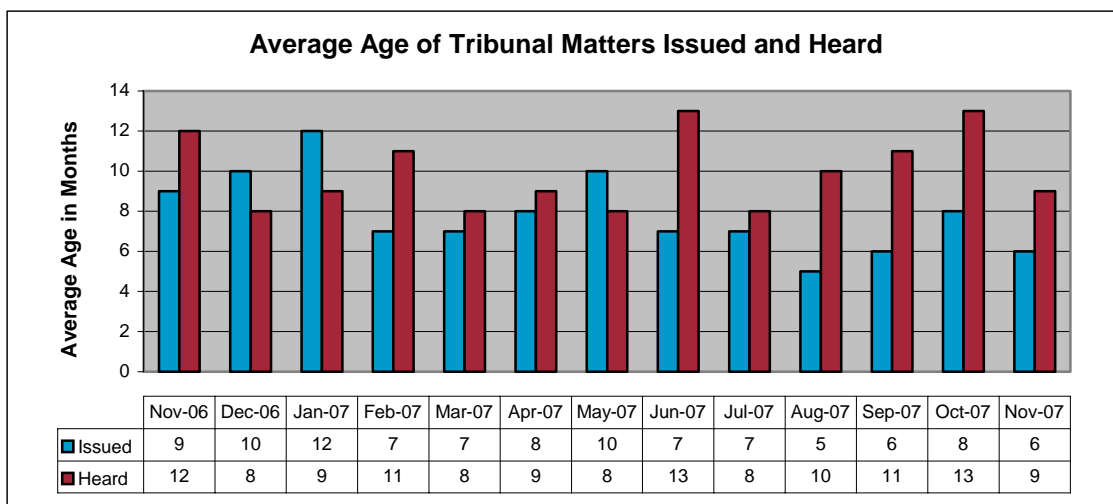
Legal Prosecutions

The **Disciplinary Proceedings Team** is responsible for the prosecution of solicitors before the Solicitors Disciplinary Tribunal (SDT) and the conduct of litigation in respect of the exercise of the SRA's regulatory powers. The recovery of the costs associated with these activities is handled by the Client Protection Directorate.

Tribunal Cases	12 Months			
	To Nov 06	To Nov 07	Variance	Monthly Average
New Cases	278	337	+21%	28
Closed Cases	237	299	+26%	25



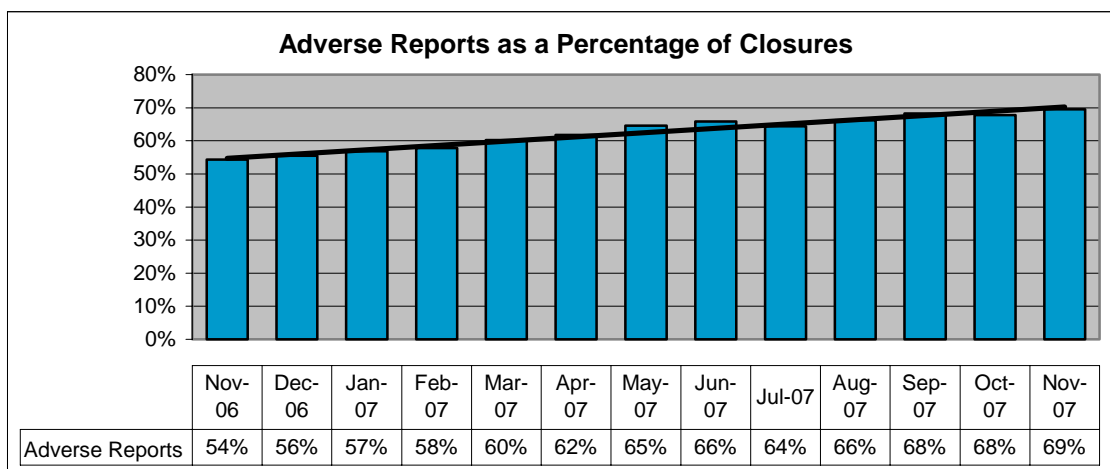
The chart above refers specifically to Tribunal matters against solicitors (TRI matter types). There are also 26 Section 43 applications in progress. Section 43 orders are used to prevent a solicitor from employing a person subject to the order without first obtaining the written permission of the office.



A new TRI matter is created when the decision is made to refer the matter to the SDT. The Disciplinary Team's target is to issue proceedings within 6 months of creation of that TRI matter. The SDT, in turn, aims to hear matters within 6 months of issue. Previous reporting measured the age at issue of just those matters that had been heard in the reporting month. Data collection has been reviewed and the chart above now shows the age of those matters issued in the reporting month, as this measure is more reflective of the current work of the team.

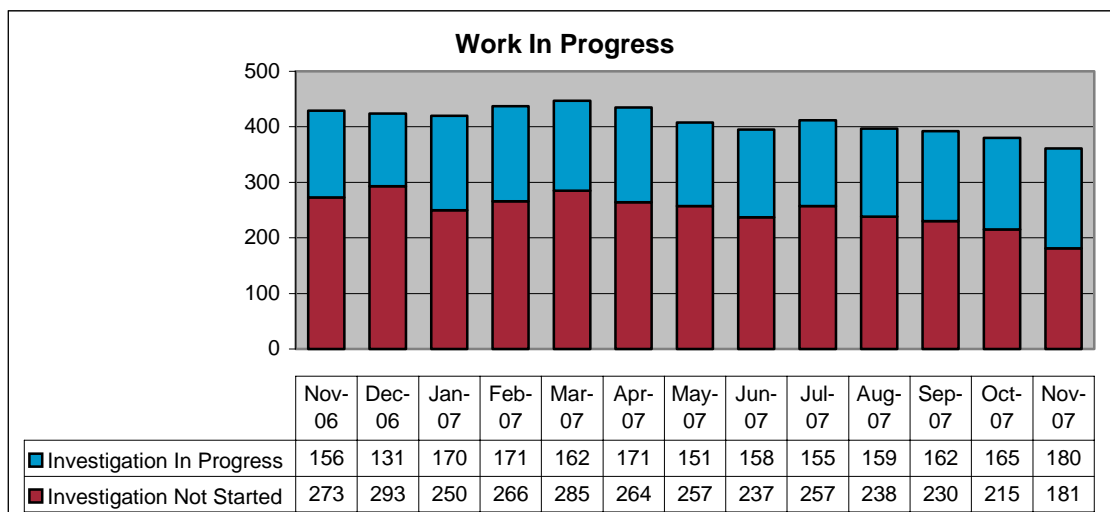
Inspection & Investigation Forensic Investigations

Forensic Investigations (FI) carries out targeted investigations of firms following the risk assessment of internal referrals from a variety of departments. FI Investigators visit firms and adduce evidence of the misuse of client money, serious misconduct or malpractice, dishonesty, fraud, money laundering etc.



Note: the graph above shows percentage figures covering the 12 months prior to each month shown.

Forensic Investigations	12 Months			
	To Nov-06	To Nov-07	Variance	Monthly Average
New Investigation Files Created	459	390	-15%	33
Closed or Rescinded	502	451	-10%	38



The proportion of adverse reports continues to increase, as shown in the first chart. There are several factors influencing this trend, including the targeting of specific areas of risk.

Considerable resource has been committed in respect of Miners' cases, mortgage fraud and the threat posed by money laundering.

Across the organisation, greater experience and understanding of risk also leads to better, more focused intelligence, which is another key factor impacting on the proportion of adverse findings.

Note on Forensic Investigation Outcomes:

On-Site certificates are issued to the firm where the identified breaches or conduct are not material or minor corrective action is required following an investigation. Adverse reports are prepared where there is evidence of serious breaches of the Rules, of professional obligations, misconduct or dishonesty which may require a regulatory sanction, disciplinary proceedings or intervention. The closed FI matter will then be transferred to other departments within the SRA responsible for enforcement actions.

Inspection & Investigation Practice Standards Unit

The role of the **Practice Standards Unit (PSU)** is to improve standards of practice in the profession through the promotion of client care and practice excellence. This is achieved through monitoring visits and an educational programme of client care seminars. Firms are profiled for monitoring visits by a risk assessment process based on information held within the SRA's systems and intelligence from other units. The monitoring visits check compliance by firms with the practice rules and aim to raise standards by obtaining agreement and consensus from firms for improvement following these visits.

PERFORMANCE MEASURES YTD	To Nov-06	To Nov-07	To Nov-07 Target	Variance to Target
Full Risk Profiles Completed	927	1126	937	20%
Total Visits Completed	1059	894	952	-6%
Client Care Seminars	22	8	8	0%

Total visits completed are 6% down on target due to the programme of Referral Arrangement Compliance Project (RACP) visits which were being completed by the Unit earlier in the year. Profiles for the year are up 20% due to a large number of low risk profiles being generated in geographically targeted areas in August and September in conjunction with the Field Pilot of the First Risk Assessment Programme.

Firms receiving a monitoring visit by PSU generate between 16% and 21% less complaints than prior to a visit. Firms that have not received a monitoring visit generate between 1% and 11% more complaints in the same analysis period. There has been a sharp increase in complaints over the last 5 months due to a large number of complaints received in the LCS relating to miners' compensation issues.

Visit Outcome Grades

Outcome Grade	Nov-06	Dec-06	Jan-07	Feb-07	Mar-07	Apr-07	May-07	Jun-07	Jul-07	Aug-07	Sep-07	Oct-07
A	11	2	5	4	4	3	7	5	3	9	20	7
B	50	15	60	52	34	30	27	51	60	41	68	56
C	26	9	20	15	11	14	18	19	14	19	26	10
D	3	3	2	2	2	4	3	1	1	6	4	5
No Grade	0	0	0	0	9	8	10	3	0	0	0	0
Awaiting Grade	0	0	0	0	0	0	0	0	0	0	0	19
% Grade C or D *	32%	41%	25%	23%	25%	35%	38%	26%	19%	33%	25%	15%

A = Evidence of satisfactory compliance with Practice Rules although some improvements may be necessary.
 B = A number of minor weaknesses and/or breaches of Practice Rules identified for corrective action.
 C = A number of significant weaknesses and/or breaches of Practice Rules identified for corrective action.
 D = Significant weaknesses and/or breaches in Practice Rules and urgent remedial action is necessary.
 No Grade = RACP visits completed by PSU which are not graded.

* shown as a percentage of all graded visits

Following visits to firms, a visit outcome grading is allocated (for internal purposes), based on the findings and areas of weakness. Over the last 12 months, an average of 26.9% firms received a grade C or D, indicating that significant areas of weakness and/or breaches of the Practice Rules were identified.

Internal Referrals Made

	Nov-06	Dec-06	Jan-07	Feb-07	Mar-07	Apr-07	May-07	Jun-07	Jul-07	Aug-07	Sep-07	Oct-07
Formal Referrals	3	4	2	7	3	5	4	7	5	8	7	5
as % of Visited Firms	3%	14%	2%	10%	5%	8%	6%	9%	6%	11%	6%	5%
Intelligence Referrals	9	3	4	8	4	7	1	5	0	6	3	6
as % of Visited Firms	10%	10%	5%	11%	7%	12%	2%	6%	0%	8%	3%	6%

As PSU makes site visits, it is well placed to judge whether firms should be formally referred to Regulation Response or Inspections & Investigations for disciplinary and/or regulatory action where they are not responsive to PSU's supportive approach, or in cases of suspected dishonesty or serious regulatory breaches. PSU also make intelligence referrals to Regulation Response or Inspections & Investigations for consideration of issues which may not require disciplinary action but of which they need to be aware. The overall percentage in the last 12 months of those firms being formally referred is 6.6%.

Please note that the Post Visit data is given for the previous month to provide a more accurate view. This is due to the process for completing post visit tasks and returning the information to the office.

Regulation Response Regulatory Investigations

Regulatory Investigations (RI) imposes Practising Certificate controls, deals with applications for approvals by solicitors and unadmitted persons, investigates information about regulatory breaches and deals with FI reports.

REGULATION MATTER DECISIONS IN THE LAST 12 MONTHS	To Nov 06	To Nov 07	Variance	Monthly Average to Nov 07
PC Conditions	1403	1984	+41%	165
Intervention	111	105	-5%	9
Referral for Disciplinary Proceedings	319	411	+29%	34
Vest Discretion	230	242	+5%	20
No Action	305	213	-30%	18
Accountants Reporting Issues	821	820	-0%	68
Finding/Warning/Rebuke/Reprimand	345	351	+2%	29
Other	342	288	-16%	24
Costs Directions	359	377	+5%	31
TOTAL	3876	4414	+14%	368

Notes Please note that any one firm under investigation may generate multiple decisions. It does not necessarily follow, for example, that each decision to intervene shown above will result in a new intervention.

Although the table shows a significant increase in decisions relating to PC conditions, 35% of the additional decisions were in respect of 2 large multi-partner firms who failed to comply with the regulations in respect of delivery of accountants reports. A regulatory decision was required for each partner within those firms.

In the last 6 months, RI have finalised **1,114** applications and concluded **939** investigations.

Of those applications:

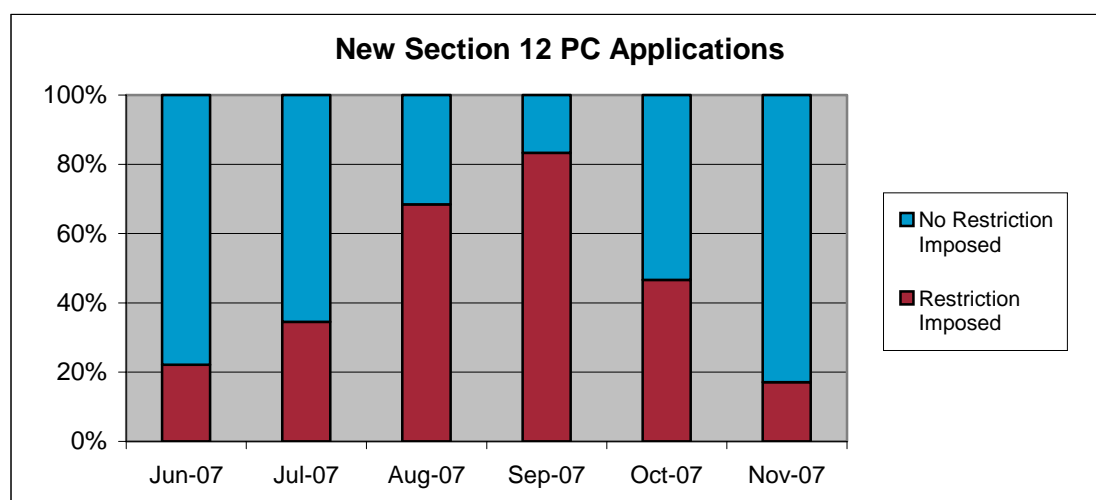
281 (25%) were new Section 12 applications (see graph below for more detail)

261 (23%) were existing Section 12 applications

500 (45%) were other types of application, such as applications for approval of employment under Section 41 and 43, and those relating to the delivery of Accountants' reports.

(72 applications were withdrawn)

The allegations under investigation were upheld in **432 (46%)** cases. **150 (16%)** resulted in a referral to the SDT. **256 (27%)** were not upheld.



The chart above shows the outcome of all new Section 12 applications. Over the last 6 months, 33% have resulted in a restriction on practice. Although there was a high proportion of decisions to impose restrictions last month, the actual numbers of new section 12 applications handled in August and September were at annual low levels.

Regulation Response Conduct Investigation Unit

The **Conduct Investigation Unit** (CIU, formerly known as the CAI Unit) deals initially with all third party (non-client) complaints of misconduct received by the SRA, as well as referrals of conduct information from LCS. The table below reflects the transfer of all specialist redress work from CIU to LCS on 1st June 2006. The majority of CIU's workload consists of assessing and closing complaints where there is no issue or evidence of misconduct. CIU deal with a higher volume of excluded / low risk "reports" but refer to Adjudication the more serious, higher risk issues. For historical reasons, the unit operates under LSCC targets.

CIU Outcomes	12 Months			Monthly Average To Nov 07 *
	To Nov 06	To Nov 07	Variance	
Not Upheld	4685	4189	-11%	349
Excluded matters	860	450	-48%	38
Required no regulatory action	3662	3723	+2%	310
Conciliated (service)	163	16	-90%	1
Upheld	608	665	+9%	55
Letter of Advice	153	206	+35%	17
Formal decision made	455	459	+1%	38
Referred to SDT	0	106	n/a	9
Other	8	13	+63%	1
TOTAL	5301	4973	-6%	414

*Monthly average based on January '07 to date

There has been a 35% increase in the number of letters of advice issued in the past 12 months compared to the previous 12 months. This is a result of improved focus on risk-based and proportionate responses to the reports of misconduct we receive.

Reductions in both conciliated and excluded matters are a result of the transfer of specialist work to LCS in 2006.

Changes to the recording of investigative outcomes have meant that referrals to the SDT are now recorded as a distinct outcome; they used to be included under 'Upheld - Formal Decision Made' (see note below). Overall, there has been a 27% increase in the number of files where allegations were either upheld or were referred to the SDT on closure in the last 12 months, as compared with the 12 months to November 2006.

In 2004, on the recommendation of the Independent Commissioner, the available outcome options were changed to better reflect the outcome of complaints. Matters created before that change could still be closed using the now obsolete outcome definitions. Those definitions cannot readily be classified as either upheld or not upheld. Such matters are therefore included in the above table as "other". In December 2006 the outcome codes were modified to include "Referred to SDT".

Client Protection Compensation Fund & Interventions

The **Compensation Fund** deals with and investigates applications for payments from the Fund from people who have suffered financial loss due to a solicitor's dishonesty or failure to account for monies received. The Unit can award funds to Applicants up to a delegated limit; an Adjudicator decision is required for higher sums.

Claims and payments

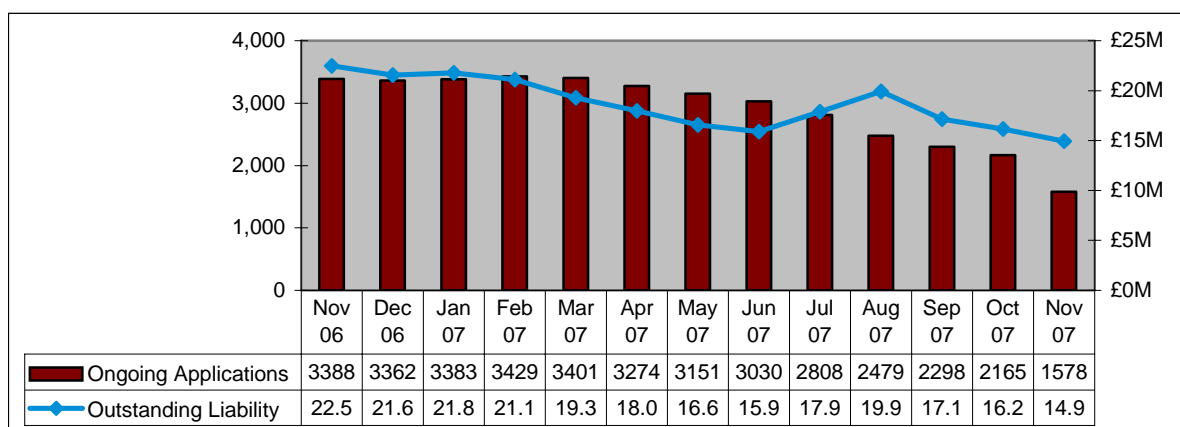
Amounts in £ million	2007 Year to Date	
	CLAIMED YTD	PAID YTD
Nov 07	£14.4M	£10.2M
Nov 06	£29.9M	£8.9M
Variation	-52%	15%

Ongoing Claims

Amounts in £ million	VALUE OF OPEN CLAIMS	REJECTED	REVISED CLAIM *
Nov 07	£20M	£0.1M	£20.4M
Nov 06	£33.4M	£1.1M	£36.3M
Variation	-40%	-91%	-44%

* The Revised Claim takes into account any payments made over and above the original claim, and the total amount already rejected.

Outstanding Liability



Following a sustained and steady increase over the twelve months prior to November 2006, the number of outstanding applications is continuing to decline. It now stands at less than half the peak seen in February.

Outstanding liability against the fund has fallen 8% over the month, in line with the overall decreasing trend seen in the last 12 months.

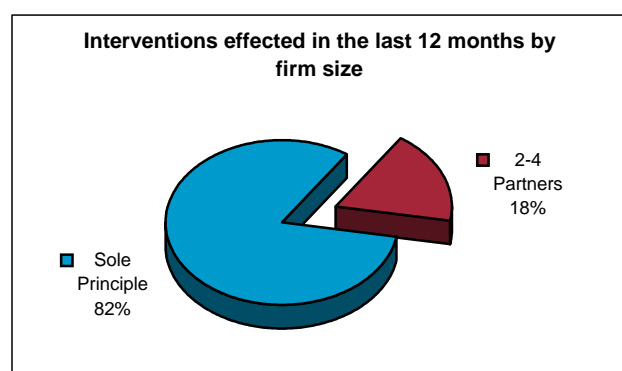
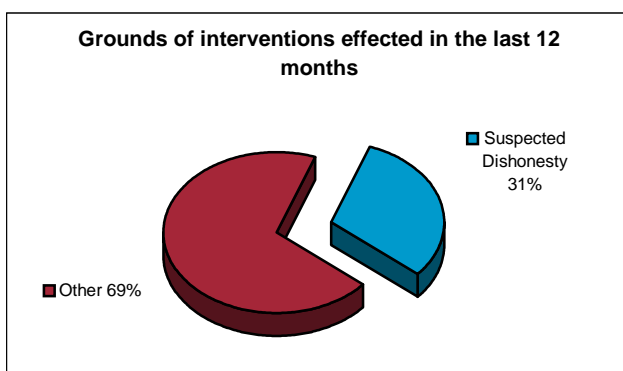
Interventions

Client Protection also conducts interventions into solicitors' practices, oversees the recovery of client papers under paragraph 3 of Schedule 1 or section 44B of the Solicitors Act 1974 and deals with the recovery of costs associated with these activities.

4 Interventions were effected this month, 1 of which was on the grounds of suspected dishonesty. All 4 were effected within target.

The average number of interventions taking place each month during 2006 was 4.2. For 2007 year-to-date, the average numbers had been much lower prior to October, but due to the high number effected recently, now stand at 4.1 a month. 31% of interventions effected during 2007 related to suspected dishonesty, as compared with 28% in 2006.

The charts below refer to the 49 interventions effected during the last 12 months.



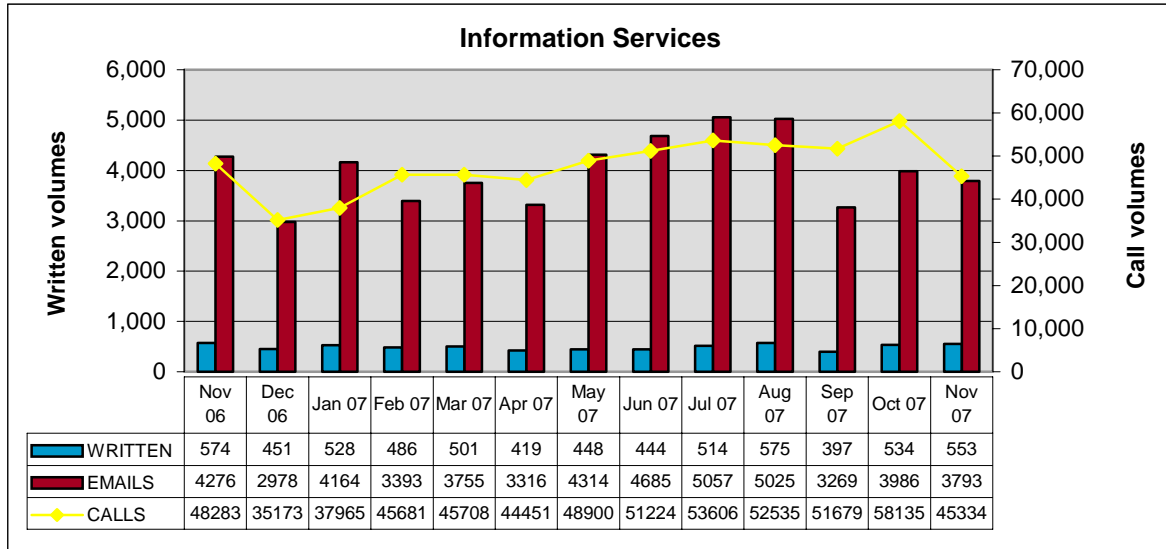
Information

Information Services

Call volumes dropped last month, as the annual peak volumes of calls have come to an end. Overall though there has been a 15% rise in calls received year on year, while combined written and email volumes have fallen 3% over the same period.

Over the last 3 months, IS have consistently dealt with 100% of written and email correspondence within service targets. The service level for calls has increased, with 41% of calls answered within 30 seconds last month.

269 hours of training were undertaken to enable a further 10 members of staff to deal with enquiries from the profession.



Registration Project Team

The annual PC renewal exercise is well underway with 61% of the 13700 firm PC renewal forms sent out in September now received back again and processed, and 54% of the 11888 individual PC renewal forms received and processed. Reminder letters have been sent out to those who have not yet returned their forms.

Customer Applications Team

Volumes of applications to register training contracts are tailing off from peak levels now: 385 training contracts were registered during November. This brings the total for 2007 YTD to 3034, a 7% increase on November 2006's YTD figure.

Applications for admission to the roll have remained steady year on year, with 7531 people applying for admission in the last 12 months.

Professional Competence Team

The PCT handle applications for accreditation scheme or panel membership, as well as more complex applications or those with potential character & suitability (C&S) issues referred internally to the team.

During 2007, 787 decisions have been made regarding the Training Regulations and Qualified Lawyers' Transfer Regulations. 44% of these applications featured C&S issues.

The C&S cases relate either to checks done as part of the enrolment process, or to issues arising post-enrolment ('Misbehaviour'). The following table shows the results of 2007 C&S cases.

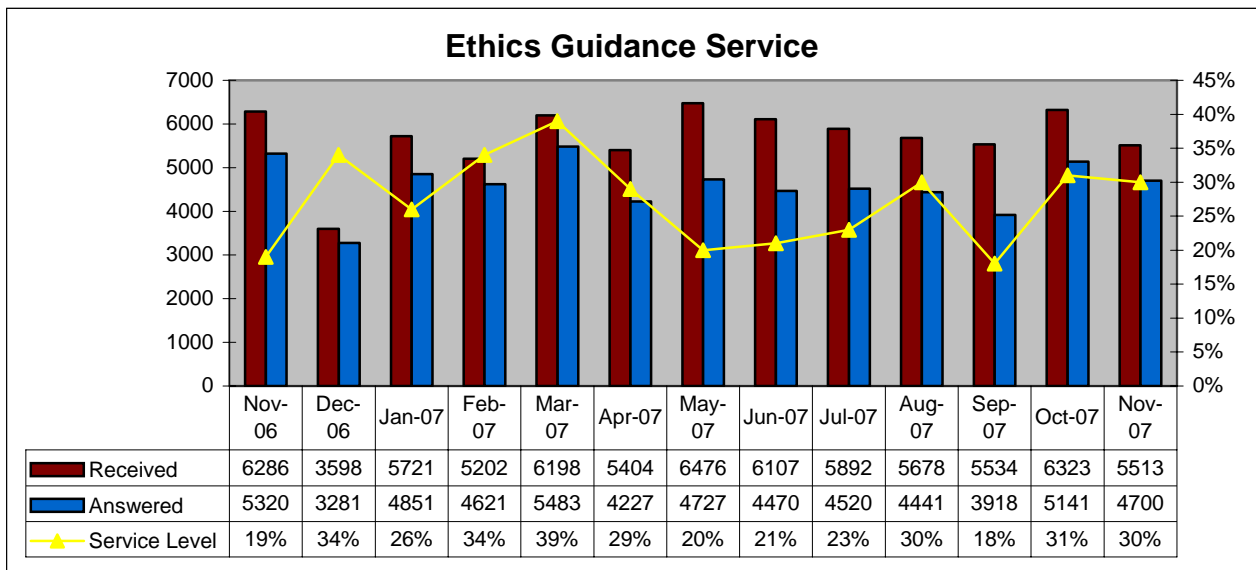
Character & Suitability	Granted	Refused	Other *
Enrolment	82%	13%	5%
Misbehaviour	71%	25%	4%

* 'Other' refers to cases that were either deferred or amended on appeal.

There have also been 244 applications under the QLTT process referred to PCT by Customer Applications. 22% relate to Barristers qualified in England, 8% relate to European Community Lawyers, 2% to Specialist Practitioners and 68% to other Overseas Solicitors. 28% of those where a decn has been reached were granted in full, with a further 44% granted in part or with conditions.

Regulation Standards Ethics Guidance Service

The **Professional Ethics Guidance Team** provides confidential guidance to help solicitors comply with their professional obligations.



The Service Level on the graph above shows the percentage of calls that were answered within 30 seconds.

Call volumes are down 13% on the high levels seen during October.

There has been an improvement in the proportion of calls the team were able to answer. 15% of calls were abandoned. This is almost half of the proportion of calls abandoned during September this year.

30% of calls were answered within 30 seconds, and the average response time has fallen slightly this month. Callers waited an average of five and a half minutes during September this year, but response time has been cut to just under three and a half minutes for October and November. This remains unacceptably high, and proposals for improvement are being put to the SRA Board.

There has been a considerable investment in training in the month of November for two new part-time members of staff, and cross training for existing team members.

Appendix 1: Resources HRD, Budget Report

Monthly HRD Update

- As at 30th November 2007, the FTE for the SRA was 517.11 with 83.75 vacancies. (There are 8.5 fixed-term temps and 63.0 FTE agency and contractors sitting against those vacancies).
- The budget FTE is 600.86.
- 676 delegate hours were spent on training in November

Budget Report

Direct costs summary for the eleven months ending 30 November 2007.

Account Description , £'000	Approved Budget	YTD Budget	YTD Actual	YTD Variance	Variance %
Gross and Net Expenditure					
Gross Expenditure	30679	27286	25499	1786	6.55%
Total Staff Expenditure	26373	24170	22897	1273	5.27%
Paybill	24758	22672	21541	1131	4.99%
Other Staff Costs	1615	1499	1357	142	9.49%
Staff & Admin Recoveries	-11716	-10748	-8183	-2566	23.87%
Total Non-Staff Expenditure	16023	13864	10785	3079	22.21%
INCOME	-6030	-5717	-7366	1649	-28.85%
Net Expenditure	24649	21569	18134	3436	15.93%
Total Departmental Charge	24649	21569	18134	3436	15.93%
Breakdown of Net Expenditure by Business Area					
Chief Executive's Office	1646	1441	654	787	54.62%
Information	963	732	81	651	88.88%
Standards	941	641	-389	1030	160.63%
Regulation Response	4358	3970	3584	385	9.71%
Investigation	5731	5245	5051	193	3.69%
Legal	1065	971	1167	-196	-20.16%
Client Protection	2819	2397	3975	-1579	-65.88%
Resources	891	794	769	25	3.18%
Policy	3726	3379	2504	876	25.91%
SRA Change Programme	2510	1999	736	1262	63.16%
Total SRA	24649	21569	18134	3436	15.93%

The underspend in the Standards Directorate arises from a lower expenditure than budgeted (mainly attributable to the Director post which has been vacant) coupled with a higher than expected income.

For budget purposes, total annual income is distributed evenly throughout the year, although the actual income pattern is seasonal.

Appendix 2: Headline Summary of SRA performance against LSCC strategic targets (April 2007 to March 2008)

For the plan year 2007/08, the LSCC requires reporting on the individual contributions of both the SRA and the LCS towards the overall targets.

The headline performance shown here is the SRA contribution.

	Current month	Year to date	LSCC Target	Variance from target
Strategic priority 1 : improving the speed with which complaints are handled				
Target T1 Number of live cases open for 12 months or more				
	81	N/A	By 31 March 2008 no more than 65 RDC cases open	35 (There were 46 RDC)
Target T2 Cases closed within 3 months of receipt				
Within 3 months	80%	76%	76%	0%
Strategic priority 2 : improving the quality of complaints handling				
Target Q6: Percentage of referrals to the LSO that are upheld				
	73%	80%	76%	4%

Performance against quality targets 1 to 5 is based on audit. This data is not yet available.

	Current month	Year to date	LSCC Target
Strategic priority 3 : implementing the plan for complaints handling			
Target P1: The total budget to support the delivery of the plan.			
Target P1	-8.4%	-8.4%	-5% to 0%
Target P2: All resources to support the delivery of the plan			
Target P2	-5.9%	-5.9%	-5% to 0%
Target P3: The priority initiatives will be delivered to time and cost in accordance with the plan, meet all milestones declared in the plan and benefits realised.			
Target P3	100%	100%	
Target P4: Progress against the plan, targets and supporting KPIs, will be reported in line with the timescales agreed.			
Target P4	100%	100%	

Appendix 3: Glossary of terms

Terms used in this document:

CAI	Conduct Assessment & Investigation Unit, old name for CIU
CCS	Consumer Complaints Service (now the LCS - see below)
CDT	Conduct complaint
Compliance Directorate	SRA Directorate dealing with all investigation and enforcement work, together with much of the work formerly dealt with by the former OSS Solicitors' Practice Unit
Conduct and Service	Normally referring to the work of CIU, but also ICT. This is the distinction made by the SRA between complaints of poor <i>service</i> , for which redress can be offered (handled by the LCS), and complaints of misconduct
CRB	Criminal Records Bureau
CRO	A complaint about inadequate professional service
Decisions	There are two sorts of decisions: those made by Adjudicators, where there can be a number of decisions in relation to a matter, and the decisions (orders) by the SDT which tend to be the decision on the totality of a case presented to them – more usually one case, one decision
FTE	“Full-time equivalent”, a measure of the number of staff. The budget FTE - actual FTE equals the number of vacancies
HRD	Human Resources & Development
Intervention	A formal decision of the adjudication panel to intervene into a solicitor's practice, which results in all monies and papers held by the solicitor being taken by the Law Society. Interventions are subject to a statutory appeal direct to the High Court
Inspections	Term normally used in connection with Accounts Inspections by the Forensic Investigation department
KPI	Key Performance Indicator
LCS	Legal Complaints Service (formerly CCS)
LSCC	Legal Services Complaints Commissioner
LSO	Legal Services Ombudsman
PC	Practising Certificate
PSU	Practice Standards Unit
QLTT	Qualified Lawyers Transfer Test
RCA	Remuneration Certificate Application
RDC	Redress Conduct - conduct issues arising from a redress matter handled by the LCS.
Regulatory	In this report, refers to the work of Regulatory Investigations
REL	Registered European Lawyer
RFL	Registered Foreign Lawyer
SDT	Solicitors Disciplinary Tribunal
SRA	Solicitors Regulatory Authority
Throughput	The volume of cases passing through the SRA from creation to completion
Tribunal	The independent Solicitors Disciplinary Tribunal (SDT)
WIP	Acronym for “Work In Progress”, cases not concluded during the month, carried over from one month to another

Age of Cases

The methodology for calculating the age of cases:

The age of a case will be calculated from the day the case was created on the computer system.

For reporting purposes the age of cases will be grouped as follows:

0-3 months = 0-91 days

0-6 months = 0-183 days

0-9 months = 0-274 days

0-12 months = 0-365 days

0-18 months = 0-548 days