

The COVID effect

A surge in pandemic-related contract claims fuelled English High Court litigation to historic levels.

As part of our assessment of the future of dispute resolution, we scrutinised English High Court data from analytics provider Solomonik, covering more than 25,000 claims and 4,500 judgments over the past six years.

Combing through the data reveals patterns, confirms some suspicions and challenges a few received wisdoms about the realities of litigating in London. It also offers clues to the future trajectory of litigation as we enter 2021.

The Covid-19 pandemic resulted in a turbulent 2020 for the English High Court. The outbreak initially caused a sharp and sudden decline in disputes activity, with the number of new claims crashing 65% in the space of just a few weeks in March.

But the lull proved temporary. Thanks in no small part to the speed and skill with which the courts adapted to the constraints of virtual hearings, claims activity quickly rebounded and soon returned to pre-Covid levels.

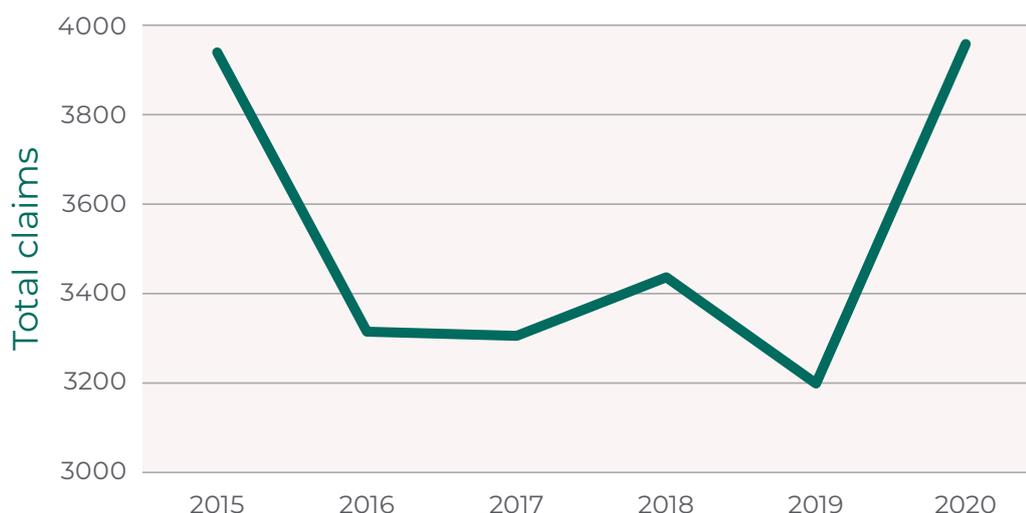
And what started as a rocky year for the English High Court ended with annual claims numbers not seen since the run of banking disputes in 2015. Almost 4,000 new claims were filed in the Court in 2020 – a 24% increase in 2019 and the highest number ever recorded by Solomonik.

This spike is most striking for contract claims, which topped 1,000 last year – nearly double the number in 2019. The data supports widespread expectations that the pandemic and its economic impact will lead to a flood of contract disputes.

English High Court rebounds quickly from Covid slump



English High Court: Total Claims, 2015-2020



Source: Solomonic

This is an excerpt from an HFW report on the future of dispute resolution. To read the rest of the report, which includes a series of 30 interviews with senior in-house counsel and other leading figures from across the global disputes industry, as well as insights from our expert litigators, visit: www.hfw.com/litigation

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