

Analytical Services Group
Crown Court Bulletin

January to March 2018

Research and Statistical Bulletin 12/2018

Provisional Figures

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EXECUTIVE SUMMARY

- This bulletin provides information on throughput at Crown Courts in Northern Ireland during the period January to March 2018 and commentary on trends observed for this quarter in each year from 2007. On 31st October 2016, a single County Court Division called 'The County Court of Northern Ireland' replaced the seven existing County Court Divisions. As a consequence of this change, data contained in the Crown Court Bulletin is now disaggregated solely by Court Office (Processing Office). During the period January to March 2018:
- **The introduction of new rules in May 2015 in relation to legal aid remuneration resulted in a number of solicitors and counsel withdrawing their representation from a range of court cases. This has affected defendants' access to legal aid representation and this may have had an impact on disposals and delay within the Crown Court process during the period. The dispute ended on 11th February 2016.**
- There were 278 Crown cases received during January to March 2018 (Table 1). This was a 14% decrease on the 322 received during January to March 2017. The number of cases disposed has decreased by 21%, from 427 during January to March 2017, to 336 for the same period in 2018 (Table 2). The sharp increase in disposals in 2017 was mainly due to the attempts to clear the backlog of cases created as a result of the legal aid dispute. The number of cases received and disposed for the January to March quarter over the last twelve years is outlined in Figure 1.
- The average time from committal to hearing for January to March 2018 was 127 days, compared with 148 days for the same period in 2017. The average time from conviction to disposal was 61 days, compared with 63 days for the equivalent period in 2017. The average waiting times for defendants disposed in the January to March quarter over the last twelve years is outlined in Figure 2.
- County Court Judges disposed of 99% of defendants (412) and during the same quarter last year they disposed of – 99.6% (517) defendants. 10% of defendants were charged solely with offences against the person while 45% of defendants had a combination of charges. During the same period last year 14% of defendants were charged solely with offences against the person, and 37% of defendants had a combination of charges. The charge types for defendants disposed during January to March 2018 are outlined in Figure 3.
- Of the 416 defendants disposed during January to March 2018, 135 (32%) pleaded guilty to all charges, compared with 191 (37%) during January to March 2017.
- In total there were 657 Crown Court sittings for January to March 2018 compared with 848 for January to March 2017 (a decrease of 23%), with a total time of 1579 hours sat compared with 2302 hours sat during the same period last year.

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INTRODUCTION

The Crown Court has exclusive jurisdiction to try offences charged on indictment. Offences tried on indictment are more serious offences. The Lord Chief Justice is President of the Crown Court and the Lords Justices of Appeal, High Court Judges and county court judges all sit in the Crown Court.

Trial on indictment in the Crown Court follows after the accused has been returned for trial at committal proceedings in a magistrates' court. The Public Prosecution Service is responsible for preparing a formal document called an indictment, stating the charges which the accused will face. The matters are then tried before a judge sitting with a jury.

The Crown Court normally sits at seven different venues throughout Northern Ireland and the trial of non-scheduled offences takes place at the sitting of the Crown Court determined by the District Judge who committed the accused. This is usually the Crown Court acting for the county court division in which the offence is alleged to have been committed.

Appeal from the Crown Court is to the Court of Appeal. If a person wishes to appeal against conviction on a question of fact, the permission of either the Crown Court Judge or the Court of Appeal is required. To appeal against sentence he or she needs the leave of the Court of Appeal.

All persons convicted of a scheduled offence tried on indictment can appeal against conviction to the Court of Appeal on any grounds and without leave. This automatic right of appeal is a safeguard built into the system because in these cases there is no jury.

The prosecution has no right to appeal against the acquittal of a defendant who has been tried on indictment. The Attorney-General can refer a point of law to the Court of Appeal for its opinion, but even if the Court of Appeal considers that the trial judge made an error of law resulting in an acquittal, the acquittal still stands. The reference and subsequent ruling is useful in guiding the prosecution of future trials.

2. METHODOLOGY

2.1 Data sources

Data contained in the Tables are inputted onto the Integrated Court operations System (ICOS). This system was implemented across the Northern Ireland Courts and Tribunals Service (NICTS) over a two year period from 2005 to 2007. While ICOS was introduced in the Crown Court during 2006, data derived from ICOS has been used as the source for official government statistics since 2007, when the implementation of ICOS across all court tiers was completed. ICOS is a live operating system used in each court tier to process every part of court business, from receipt of payments through to the production of final orders made. The data are input into this system on a daily basis by court clerks, and this information is checked and confirmed by another member of staff to ensure the data entries are correct.

2.2 Methodology for generating data

Statisticians based within the NICTS take a download of Crown Court information from ICOS on a monthly basis. The information is downloaded using a package called Oracle Discoverer which extracts all the relevant data from ICOS into text files which are refreshed with up to date information each weekend. The text files are downloaded onto a secure internal facility that only specified statistical personnel have access to. The data contained in the files are identified only by numbers and names and addresses are not held. These statistical files are not transmitted outside the NICTS statistical team. The statisticians based in the NICTS then import these data into the Statistics Package for Social Sciences (SPSS). SPSS is then used to perform extensive data validations to identify potential errors in the data and to ensure the data are reliable and robust.

2.3 Baseline and Time period

Data contained within this bulletin relate to the time series 2007, when ICOS was adopted as the source of Crown Court data, to the calendar year 2018.

2.4 Frequency of Publication

This bulletin is published on a quarterly basis. The next bulletin will cover the second quarter of 2018 and will be published on 10th August 2018.

2.5 Data quality and validation

Statisticians based in the NICTS have invested significant time and effort creating an extensive computer programme within SPSS to validate the information downloaded from ICOS. The programme includes over 100 checks against downloaded Crown Court data to: (i) check consistency over time and between variables; (ii) reliability of data using logic checks; (iii) checking that variables fall within accepted ranges; and (iv) checking with the ICOS Support Team in the event of any major discrepancies that have occurred since the

last download. The validation program produces user friendly tables highlighting the potential problems which are circulated to each county court venue as a validation report. Each court division has a Case Progression Officer who is responsible for: monitoring accuracy levels on ICOS, by carrying out sample checks on data entry and court resulting; ensuring all validations on ICOS and manual statistics returns are completed in a timely manner; providing advice and identifying training needs; monitoring the confirmation of ICOS criminal court resulting, including the inputting of adjournment codes; and promoting awareness of the impact error can have, its wide ranging consequences and the negative impact on the reliability of management information.

The Case Progression Officer is given a two week period from the date the validation report issues until all records are amended on ICOS. This ensures that the corrections are updated before the next download of files. After the files have been refreshed each weekend, all the data are then downloaded again, with the new download reflecting amendments made as a result of the validation reports. If any errors have not been corrected, they will continue to appear in the validation reports until the necessary amendments are made on ICOS.

The NICTS statistics team then ensure that all validations relating to the reporting period are amended prior to publication. Once these amendments have been checked, SPSS syntax programming is then used to generate the tables in the publication.

2.6 Counting rules

Receipts are counted from the date the case is committed to the Crown Court from the Magistrates court. Disposals are counted from the result date that a final order was made against the case changing the case status to dealt with.

2.7 Interpreting trends

Care should be taken when comparing data trends before and after 2007, when ICOS was introduced as the source for Crown Court data. For further advice on differences in data between years, please contact the statistician responsible for this bulletin.

2.8 Revisions

Any revision to data will be applied in light of the ASG (NICTS) Statistical Note 'Policy Statement on Revisions' which can be found on the Statistics and Research page of the Services section on the NICTS website:

<https://www.justice-ni.gov.uk/articles/nicts-statistics-and-research>

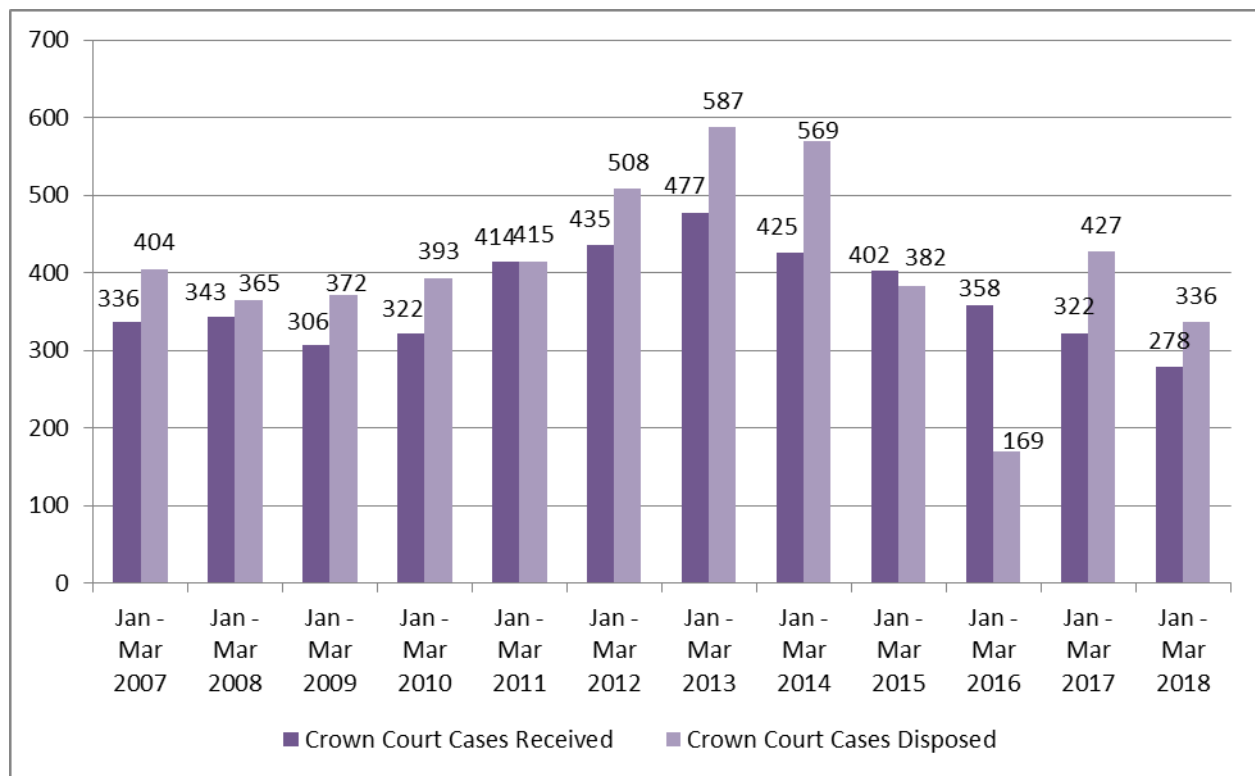
Incorrect figures or changes to this publication will be published on the web in a formal Statistical Notice.

3 FINDINGS

3.1 Receipts & Disposals

There were 278 Crown cases received during January to March 2018 (Table 1). This was a 14% decrease on the 322 received during January to March 2017. The number of cases disposed has decreased by 21%, from 427 during January to March 2017, to 336 for the same period in 2018 (Table 2). The number of cases received and disposed for the January to March quarter over the last twelve years is outlined in Figure 1.

Figure 1: Crown Court Cases Received and Disposed: January – March 2007 to January – March 2018



The trend in Crown Court cases received in the January to March quarter fluctuated between 2007 and 2018, peaking at 477 in 2013. The trend in cases disposed also fluctuated between 2007 and 2018, with peaks in 2013 and 2017. The sharp increase in 2017 was mainly due to the attempts to clear the backlog of cases created as a result of the legal aid dispute.

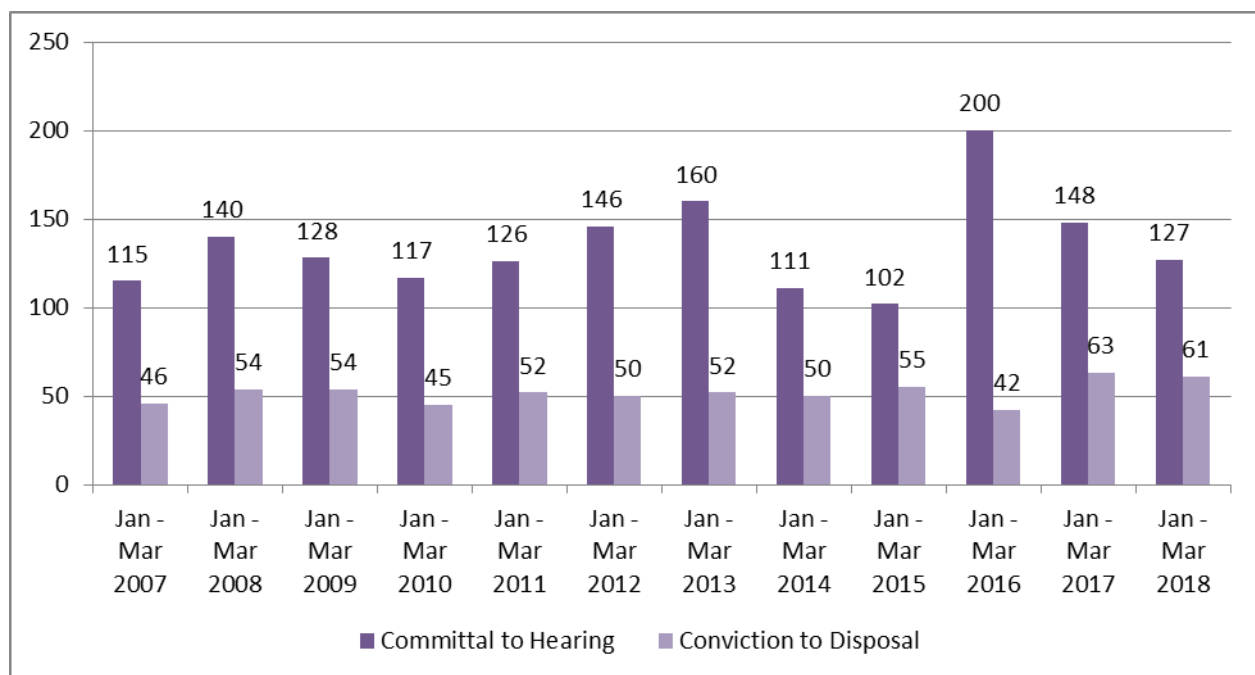
There were 338 defendants received in the Crown Court during January to March 2018, a decrease of 12% on the same period last year, when 386 defendants were received. 416

defendants were disposed during January to March 2018 a 20% decrease against the same period last year, when 519 defendants were dealt with. The trend in defendants received and disposed fluctuated between 2007 and 2018 with receipts and disposals both peaking in 2013, and disposals peaking again in 2017. The sharp increase in defendants disposed in 2017, like the cases, was mainly due to the attempts to clear the backlog of cases created as a result of the legal aid dispute (Tables 3 and 4).

3.2 Waiting times

The average time from committal to hearing for January to March 2018 was 127 days, compared with 148 days for the same period in 2017. The average time from conviction to disposal was 61 days, compared with 63 days for the equivalent period in 2017. Average waiting times from committal to hearing have fluctuated over the last twelve years peaking in 2016 at 200 days, however this figure will have been affected by the cases delayed due to the legal aid dispute which had started to progress through the Crown Court (Figure 2). The average waiting times from conviction to disposal have remained relatively stable over the last twelve years ranging between 42 and 63 days.

Figure 2: Crown Court waiting times in days: January – March 2007 to January – March 2018



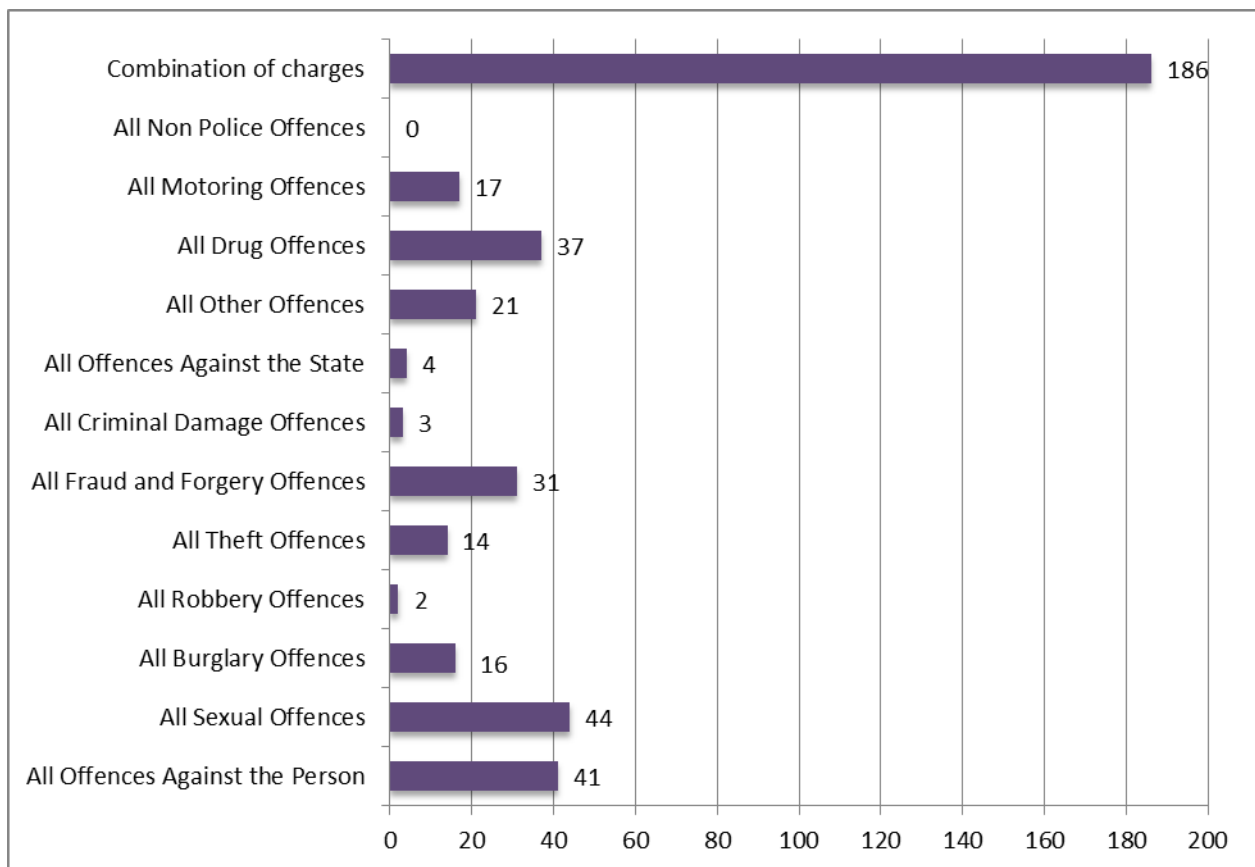
3.3 Disposals by Judge Type

County Court Judges disposed of 99% of defendants (412) and during the same quarter last year they disposed of 99.6% (517) defendants. The percentage of defendants disposed of by County Court Judges has remained relatively stable over the time series, ranging between 93% and 100%.

3.4 Disposals by Charge Type

Between January to March 2018, 10% of defendants were charged solely with offences against the person while 45% of defendants had a combination of charges (Figure 3). During the same period last year 14% of defendants were charged solely with offences against the person, and 37% of defendants had a combination of charges. Throughout the time series the majority of defendants disposed of each year have been charged with a combination of offences. Defendants charged solely with sexual offences account for the next largest offence category in 2018 (11%), ranging from 7% to 12% for the January to March quarter between 2007 and 2018.

Figure 3: Crown Court defendants disposed by charge type: January - March 2018



3.5 Outcome of Defendants

Of the 416 defendants disposed of during January to March 2018, 135 (32%) pleaded guilty to all charges, compared with 193 (37%) during January to March 2017. In total 83% (344) of defendants pleaded guilty or were found guilty of at least one offence between January and March 2018. Across the twelve year time series, this percentage ranged between 70% and 87%.

3.6 Sittings

In total there were 657 Crown Court sittings for January to March 2018 compared with 848 for January to March 2017 (a decrease of 23%), with a total time of 1579 hours sat compared with 2302 hours sat during the same period last year. This decrease is largely reflective of the increase in sittings during 2017 aimed at reducing the backlog in cases created by the legal aid dispute, and that Easter recess occurred in March during 2018.

APPENDIX 1

Table 1 - Crown Court cases received

	Total
Antrim	44
Belfast	97
Craigavon	29
Downpatrick	25
Dungannon	29
Londonderry	24
Newry	30
Total	278

Table 2 - Crown Court cases disposed

	Total
Antrim	42
Belfast	104
Craigavon	41
Downpatrick	33
Dungannon	44
Londonderry	37
Newry	35
Total	336

Table 3 - Crown Court defendants received

	Total
Antrim	53
Belfast	127
Craigavon	35
Downpatrick	27
Dungannon	33
Londonderry	27
Newry	36
Total	338

Table 4 - Crown Court defendants disposed

	Total
Antrim	54
Belfast	126
Craigavon	57
Downpatrick	43
Dungannon	51
Londonderry	45
Newry	40
Total	416

Table 5 - Waiting times in days

	Committal to hearing - days	Conviction to disposal - days	Total defendants disposed
Antrim	95	57	51
Belfast	132	51	121
Craigavon	101	65	54
Downpatrick	101	98	42
Dungannon	185	57	48
Londonderry	136	65	42
Newry	141	52	40
Total	127	61	398

[1] Excludes defendants who had a bench warrant or deferred sentence

Table 6 - Crown Court defendants disposed by judge type

	Judicial Level		Total
	County Court Judge	High Court Judge	
Antrim	54	0	54
Belfast	123	3	126
Craigavon	57	0	57
Downpatrick	43	0	43
Dungannon	51	0	51
Londonderry	44	1	45
Newry	40	0	40
Total	412	4	416

**Table 7 - Crown Court defendants disposed
by charge type**

All Offences Against the Person	41
All Sexual Offences	44
All Burglary Offences	16
All Robbery Offences	2
All Theft Offences	14
All Fraud and Forgery Offences	31
All Criminal Damage Offences	3
All Offences Against the State	4
All Other Offences	21
All Drug Offences	37
All Motoring Offences	17
All Non-Police Offences	0
Combination of charges	186
Total	416

Table 8 - Outcome of Crown Court Defendants

	Plea of guilty on all charges	Plea of not guilty on at least one charge - found guilty on at least one charge	Plea of not guilty - acquitted on all charges	All charges withdrawn	Total
Antrim	17	23	14	0	54
Belfast	32	71	23	0	126
Craigavon	32	18	7	0	57
Downpatrick	16	26	1	0	43
Dungannon	14	23	14	0	51
Londonderry	16	19	10	0	45
Newry	8	29	3	0	40
Total	135	209	72	0	416

Table 9 - Crown Court sitting times

		Number of sittings	Total time
	Antrim	63	144:18
	Armagh	1	1:25
	Belfast	227	539:21
	Coleraine	1	1:00
	Craigavon	77	187:58
	Downpatrick	53	171:21
	Dungannon	92	254:38
	Lisburn	3	1:50
	Londonderry	54	116:57
	Newry	81	151:28
	Newtownards	3	7:00
	Omagh	1	1:10
	Royal Courts of Justice	1	0:12
Total	657	1578:38	

[2] Data indicate the court venue in which the sitting took place.

APPENDIX 2 - EXPLANATORY NOTES

Acquittal

A judgement or verdict that a person is not guilty of the crime with which they have been charged

Arraignment

The procedure by which the defendant has criminal charges formally put to him before the judge at the Crown Court and he enters his plea of guilty

Committal

The procedure by which a person is returned for trial to the Crown Court by the magistrates' court, if the magistrates' court is satisfied that there is a case to answer.

County court judge

A judge who sits in the county court and the Crown Court.

Day sat

This is a day on which a judge sat to hear court business. The information is organised into the various types of court business that a judge hears. The judge's day may consist of one or more sittings, at one or more court venues.

Disposed

The date the case is finally dealt with via a court or non-court result and the case is no longer in the court process.

High Court Judge

A judge who sits in the High Court and the Crown Court to hear and determine civil, family, and criminal business.

Hybrid charge

This is also referred to as a 'triable-either-way' offence. A criminal offence that may be prosecuted either summarily (in the magistrates' court) or on indictment (in the Crown Court). In the majority of cases, the prosecution decides how the offence is tried depending on the seriousness of the offence.

Indictable charge

A serious criminal offence where the defendant is usually tried in the Crown Court.

Indictable triable summarily charge

A serious criminal offence where a defendant can be tried in the Crown Court but may in some instances be tried in a magistrates' court.

Justice & Security Act 2007

Legislation which replaced the Terrorism Act 2000 which makes provision for non-jury trials.

Plea

The response a defendant gives after criminal charges have been put to him e.g. "guilty" or "not guilty."

Scheduled

A scheduled offence is one which is listed in Schedule 9 of the Terrorism Act 2000 and which, if it is tried on indictment, will be heard by a judge sitting without a jury. This has been replaced by

the Justice and Security Act 2007.

Sitting

This is a period of work by a judge in a single courtroom on a single day. Several types of business may be heard at one sitting. Business heard in different courtrooms, whether at the same venue or elsewhere, is counted as separate sittings.

Withdrawn

An order which removes a case from court, for a variety of reasons. The court action then ceases.

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