



# **Crown Court**

Annual Report 2004 - 2005

## **Snaresbrook Crown Court**

**Snaresbrook Crown Court**  
**Annual Report by the Resident Judge and Court Manager**

**RESIDENT JUDGE & COURT MANAGER COMMENTS:**

**Workload and Performance**

Fortunately, the very steep rate of increase in receipt of fresh cases experienced last reporting year has not been maintained, and would have been unsustainable. Receipts have shown a downturn since September 2004 and over the last 6 months have shown a reduction of 13% compared to the previous year. Nevertheless, the legacy remains and the court's backlog of cases awaiting trial is 13% higher than a year ago. This represents an increase of 145 cases.

However, over the full 12 months, Snaresbrook is the only London Court to show an overall increase (3%) in work committed or sent from its local committing Magistrates Courts compared with a general downturn of nearly 8% across London. The increase of 9% shown in the tables included within this report includes cases transferred in from other Crown Courts (in respect of which this Court is a net importer). It also includes bench warrant executions.

The Court disposed of 3007 cases, an increase of more than 8% on the previous year, despite sitting marginally fewer judicial days (which is due to Easter falling twice within the financial year)

One significant area of concern is that the number of stale cases has increased; the percentage of the backlog over 36 weeks old has increased to more than 14% in very recent months having remained at about 6 to 8% for more than 2 years. This is mirrored in performance against waiting time targets: last year Snaresbrook was 2<sup>nd</sup> in London for timeliness, this year our overall ranking is 10<sup>th</sup>.

Statistics aside, the reality is that this performance is due to workload not inefficiency. The Court is currently in a bottleneck situation with a number of lengthy trials having come to an end in recent weeks and although we make no plea for assistance from other courts at this stage, our position is compromised by the removal of two experienced, ticketed judges who were transferred on a temporary 3 month basis to assist Southwark Crown Court but who have now become permanent losses. Additionally, the loss of Judge and Recorder sittings due to the JSB training courses has been keenly felt.

Snaresbrook is proud of its reputation for taking a pragmatic approach to receiving work from other courts, even when it would seem that our comparative position is less favourable, and we have accepted a number of significant trials, from London and elsewhere, including a protected jury trial (currently part heard). Another long case from out of London has been transferred here for trial in January 2006.

The Court has also worked hard to improve efficiency on ineffective trials. Some improvements have already been delivered with a whole-year improvement of 3.7 percentage points over last year. The administrative staff have worked closely with the new CPS District Crown Prosecutor and the Police CJUs and fortnightly meetings are held to individually progress forthcoming cases. The Court has also been able to resource a dedicated case progression function and a combination of all these efforts delivered an ineffective trial rate of 15.3% in April 2005, a best ever performance for Snaresbrook. We are determined to build on this improvement.

One of the features of the work carried out to analyse ineffective trials is that the main reasons for failure migrate from cause to cause as measures taken come into effect. For example, prosecution witness non-attendance has historically not been a main cause of ineffectiveness at Snaresbrook (although it is often the highest reason elsewhere) but in recent months has shown an increase. This is being investigated at case progression meetings. Defendant non-attendance was a major concern

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but has been reduced, one of the solutions being to order the attendance of defendants on bail at pre-trial review hearings.

**Meetings with CJS partners and court users.**

The Court has a busy calendar of meetings, the Court User Committee meeting approximately 3 times a year, and separate quarterly meetings with Borough Commanders and the CPS as well as regular meetings of the Judges and key court staff. Meetings with the Police Borough Commanders are particularly useful in informing the Court about current workload trends, the current assessment being that workload shows no sign of diminishing albeit that a higher proportion of either way offences appear to be being dealt with at the Magistrates Court by way of guilty plea.

**Probation Service**

I am very pleased to report that the service is much improved and it is particularly pleasing to note that the senior representative at Snaresbrook will now be in post for 12 rather than the 6 months originally envisaged. The Judges enthusiastically embraced the concept of Expedited Court Reports and have found the format of such reports to be more helpful, as well as significantly reducing the incidence of non-reports. Furthermore, these cases can proceed to sentence much more quickly. At a recent Court User meeting with the local probation officers, it was noted that the use of the ECR system has exceeded the expectations of the Probation Service and has seen the highest take up of any London Crown Court. The Judges are due to meet again with all the probation liaison staff on 21<sup>st</sup> June.

**Plea and Case Management Hearings**

Although we are not asked to comment on the operation of these hearings, we have engaged so far as we are able with the local practitioners in regard to the Practice Direction and arrangements have been made to adopt all the Directions and guidance in terms of timescales for the committal or sending of cases, save that we continue at present to require Preliminary Hearings to be set in all sent cases in view of the increased time delay before the PCMH hearing. The views of members of the Judicial Forum were canvassed; none of the Bench Chairmen wanted to take over the case by case responsibility for deciding whether to require a Preliminary Hearing at this early stage. Furthermore, my decision to retain such hearings was later adopted by all London resident Judges at our annual meeting with the Presiders.

**Witnesses and Jurors**

Last year, Snaresbrook led London on juror utilisation. Performance has slipped a little this year to fourth place, although the top performing courts are within very close margins of one another. The administrative staff recently conducted a review of jury summoning and reduced the numbers requested, the benefit of which will take some weeks to realise. We are also examining the current split of summoning on Mondays and Wednesdays, with a view to maximising performance.

The statistics for witness waiting times show a marked improvement, for which the Court is more than happy to take credit, and which certainly reflect the efforts made in this regard. However, it is very difficult to comment meaningfully because the figures are based on a twice yearly snapshot of only a small sample (30 forms each survey) and the Court is not sent a timely analysis of the results. Therefore there is concern over whether the results are representative.

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**Xhibit 2**

This year saw the culmination of the Xhibit 2 pilot with much activity centred round the evaluation report leading up to the formal decision to rollout the system nationally. The Court staff have entertained countless visitors at all levels from the Cabinet Secretary and the Chief Executive of the Court Service (now HMCS), to frontline staff from all over the country. Enhancements to the system have been introduced constantly at Snaresbrook throughout the year and these have often not been without mishap. Nevertheless all at Snaresbrook have been positive exponents of the system and in October 2004 the Court Manager and some of his staff attended No.10 Downing Street to receive a Criminal Justice Innovation Award from the Prime Minister. Snaresbrook formally “went live” in November 2004 (a notional concept since the system had been in operation for nearly a year throughout development) but it paved the way for the National rollout which began in December 2004 with a launch at this Court attended by the DCA Minister, Christopher Leslie MP.

**Prison Video Link/Accommodation and facilities**

We have commenced using PVL for Preliminary Hearings. The system is working well but is limited by the few enabled courts; only 3 courtrooms are so equipped which means that disruption to part heard trials is sometimes inevitable. Our ultimate aim to include PCMHs is hampered by the volume of custody work which can amount to more than 20 cases per day. An interim proposal put forward to transfer one set of equipment to courtroom 7 (which can only realistically deal with non-trial matters) was rejected owing to lack of funds. This would have greatly increased our flexibility by utilising a largely wasted resource, although for a court of this size and workload, more equipment is warranted. Likewise with video-link equipment for vulnerable witnesses, although this court has 7 courtrooms and 5 remote suites they are not all inter-linked and there is a mish-mash of equipment installed at different times, some incompatible with others.

**Prison Escort Contract**

We did not suffer as many problems with the new contract as experienced at other court centres. In part this is due to the fact that responsibility for the ordering of prisoners had moved to Pentonville some weeks earlier. However, some problems seem to be perennial, such as delays in delivering prisoners from far flung establishments such as Glen Parva, or even from more local detention centres such as Feltham or Chelmsford. So far as delivery to the courtroom is concerned, one of the features of the accommodation is the long distance between the cells and the farthest courtrooms – the longest distance is a 5 minute walk. On busy plea and directions days the court staff have to be very alert to anticipating the time defendants are required to be produced, rather than leaving it to the contractor.

One issue currently concerning the court management is the time prisoners are being collected from the cells in the evening, with court security staff sometimes being delayed until 8 pm and later.

However, it is worth noting that there are a substantial number of custodial movements, with 628 prisoners produced in April.

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#### **Visitors**

I am very proud of the role Snaresbrook continues to perform in welcoming visitors who thereby learn at first hand from the Judges of the realities of front-line criminal justice delivery in England's largest Crown Court. The Judges also learn of the perspectives of others with a common interest in this area of public policy and performance. This year, the Judges' guests have included (as previously mentioned) the Cabinet Secretary, Sir Andrew Turnbull, (accompanied by Alex Allan and Sir Ronald de Witt), the Editor of the Guardian (Alan Rushbridger), the Chairman of the Prudential (Sir David Clementi), the Assistant Commissioner of the Metropolitan Police (Tarique Ghaffur), the Attorney General, the Director of Public Prosecutions, the new Director of Customs/Revenue prosecutions, and Conservative and Labour MPs.

We continue to welcome foreign Judicial visitors, this year involving those from Bulgaria, China, Chile, Albania, Latvia and (very recently) from the State of Georgia, USA.

The luncheon facilities of the Judges' Mess are indispensable in giving such visitors a proper welcome.

#### **Schools Visits**

I am proud of the welcome shown both to organised groups and individuals by my colleagues (led by our Schools Liaison Judge, David Pitman) and the Court Staff (particularly the Schools Liaison Officer, Shirley Shears-Joseph); we have had 10 organised visits welcomed by Judge Pitman alone. When time permits, I have been delighted to play my part; I enclose as an Annex a recent report sent to us by class 6C of the Coleridge Primary School, which speaks for itself.

Also, Snaresbrook has once again this year been the chosen venue for the London regional Finals of the Mock Trial competition organised by the Citizenship Foundation. I have the privilege of judging the final round.

#### **Accommodation and facilities**

It is accepted that a certain number of accommodation deficiencies are inevitable in a court centre spread over two main buildings on an 18 acre site, dating back in parts more than 150 years. However, one area that is capable of being addressed is in the provision of secure docks. Snaresbrook only has two secure docks for a 20 court centre, both of which are located in the 6-court annex building. The local police Borough Commander has expressed understandable concerns about the resource implications of providing police officers for additional security, in one recent case a total of 21 police officers were detailed to provide cover for a 15-defendant case listed for a pre trial hearing.

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**Future prospects and Initiatives**

The most important performance initiative is the full delivery of performance improvement which we are confident will be assisted by the new Case Progression Unit working closely with the List Office, Court Management and the Resident Judge. We will also continue to be proactive in ensuring that the new procedures are implemented efficiently.

I am particularly grateful to the very hard work, and long hours, of the full and part time judiciary in partnership with the Court staff and the close liaison enjoyed with the other Criminal Justice agencies.

RESIDENT JUDGE: His Honour Judge David Radford

DATE: June 2005

COURT MANAGER: Stuart Hill

DATE:- June 2005

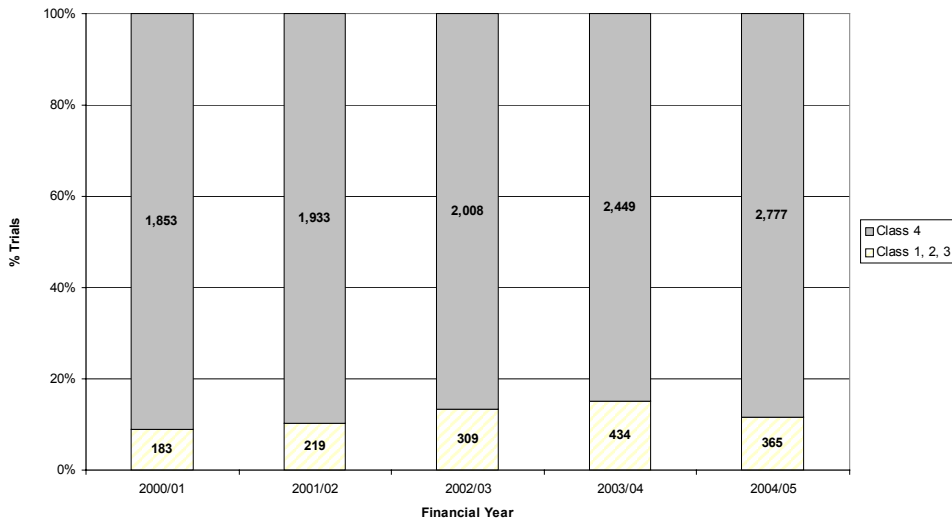
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## Annual Report by the Resident Judge and Court Manager

### Workload

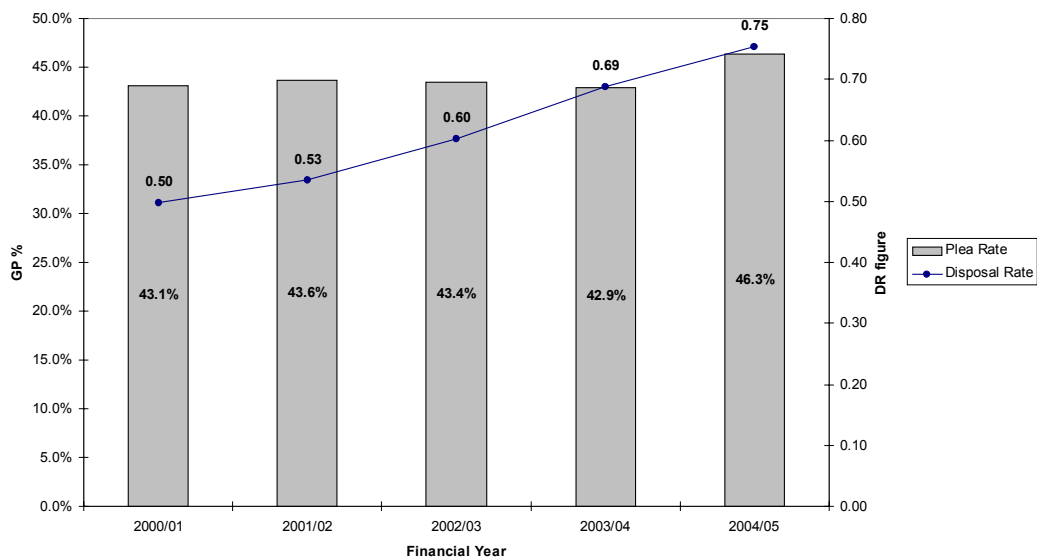
|                | EW 04/05 | 2000/01 | 2001/02 | 2002/03 | 2003/04 | 2004/05 | % Diff |
|----------------|----------|---------|---------|---------|---------|---------|--------|
| Trial Receipts | 78,737   | 2,036   | 2,152   | 2,317   | 2,883   | 3,142   | 9.0%   |
| Class 1, 2, 3  | 11,337   | 183     | 219     | 309     | 434     | 365     | -15.9% |
| Class 4        | 67,400   | 1,853   | 1,933   | 2,008   | 2,449   | 2,777   | 13.4%  |

Trial Receipts by Class



|                   | EW 04/05 | 2000/01 | 2001/02 | 2002/03 | 2003/04 | 2004/05 | % Diff |
|-------------------|----------|---------|---------|---------|---------|---------|--------|
| Sentence Receipts | 30,430   | 355     | 345     | 389     | 727     | 529     | -27.2% |
| Appeal Receipts   | 12,742   | 299     | 273     | 228     | 258     | 253     | -1.9%  |
| Disposals         | 80,162   | 1,826   | 1,971   | 2,355   | 2,769   | 3,007   | 8.6%   |
| Plea Rate         | 59.1%    | 43.1%   | 43.6%   | 43.4%   | 42.9%   | 46.3%   | 8.1%   |
| Disposal Rate     | 0.79     | 0.50    | 0.53    | 0.60    | 0.69    | 0.75    | 9.5%   |

Guilty Plea Rate and Disposal Rate

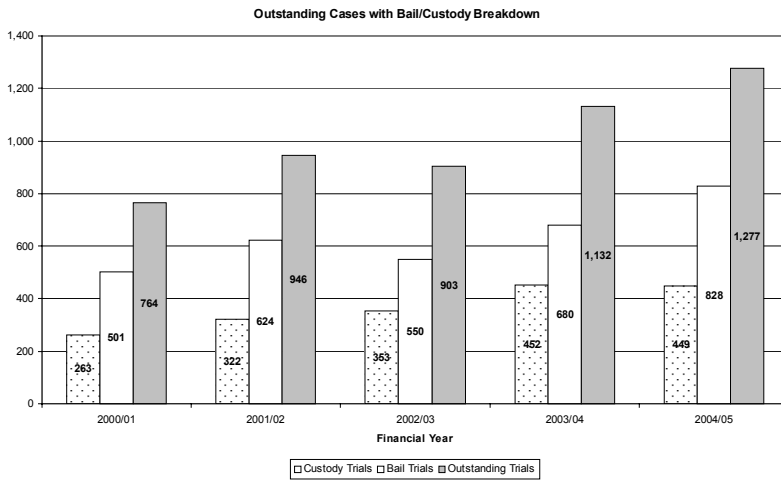


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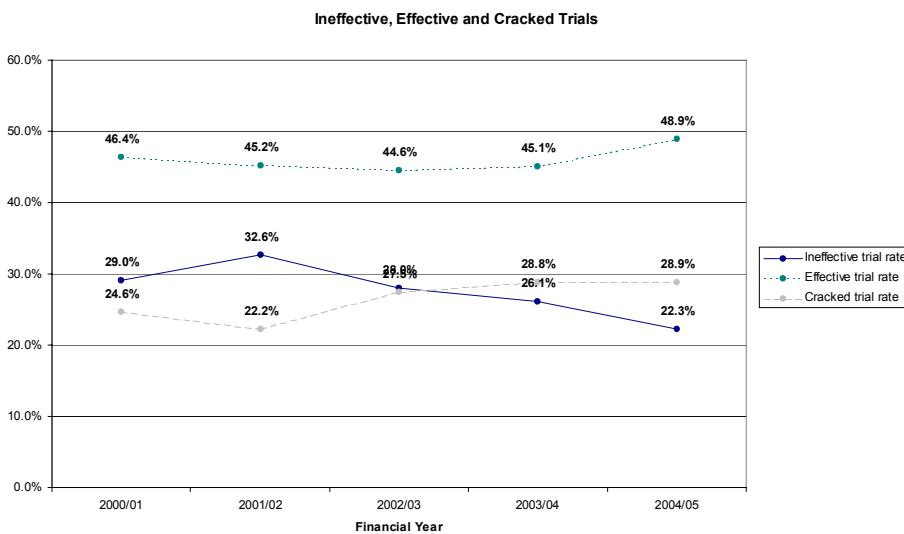
### Outstanding Cases

|                    | EW 04/05 | 2000/01 | 2001/02 | 2002/03 | 2003/04 | 2004/05 | % Diff |
|--------------------|----------|---------|---------|---------|---------|---------|--------|
| Outstanding Trials | 28,389   | 764     | 946     | 903     | 1,132   | 1,277   | 12.8%  |
| Custody Trials     | 8,906    | 263     | 322     | 353     | 452     | 449     | -0.7%  |
| Bail Trials        | 19,483   | 501     | 624     | 550     | 680     | 828     | 21.8%  |
| % over 16 weeks    | 39.6%    | 19.9%   | 47.8%   | 30.8%   | 37.5%   | 49.9%   | 33.2%  |
| % over 48 weeks    | 5.5%     | 1.3%    | 5.8%    | 3.8%    | 3.3%    | 7.1%    | 118.0% |



### Cracked and Ineffective

|                        | EW 04/05 | 2000/01 | 2001/02 | 2002/03 | 2003/04 | 2004/05 | % Diff |
|------------------------|----------|---------|---------|---------|---------|---------|--------|
| Trials listed (number) | 44,155   | 1,848   | 1,684   | 2,118   | 2,156   | 1,941   | -10.0% |
| Ineffective trial rate | 15.8%    | 29.0%   | 32.6%   | 28.0%   | 26.1%   | 22.3%   | -14.6% |
| Effective trial rate   | 45.1%    | 46.4%   | 45.2%   | 44.6%   | 45.1%   | 48.9%   | 8.4%   |
| Cracked trial rate     | 39.2%    | 24.6%   | 22.2%   | 27.5%   | 28.8%   | 28.9%   | 0.0%   |





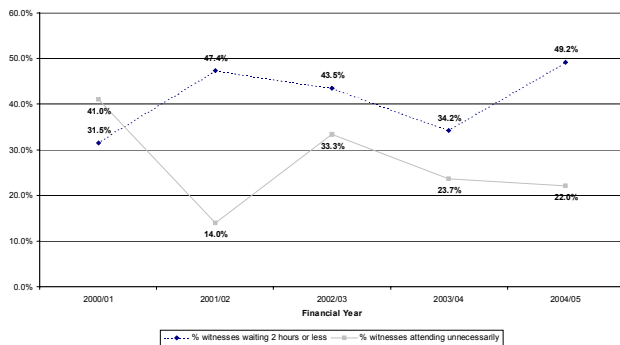
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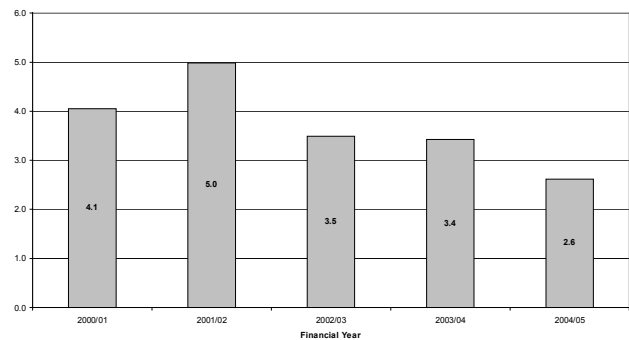
### Witness and Juror service<sup>1</sup>

|                                                  | EW 04/05 | 2000/01 | 2001/02 | 2002/03 | 2003/04 | 2004/05 | % Diff |
|--------------------------------------------------|----------|---------|---------|---------|---------|---------|--------|
| Juror days as % of attendance                    | 56.1%    | 84.5%   | 85.1%   | 85.6%   | 75.8%   | 70.2%   | -7.4%  |
| % witnesses waiting 2 hours or less              | 52.0%    | 31.5%   | 47.4%   | 43.5%   | 34.2%   | 49.2%   | 43.7%  |
| % witnesses attending unnecessarily              | 45.6%    | 41.0%   | 14.0%   | 33.3%   | 23.7%   | 22.0%   | -7.0%  |
| Hours waited (witnesses attending unnecessarily) | 2.9      | 4.1     | 5.0     | 3.5     | 3.4     | 2.6     | -23.8% |

Percentage of Witnesses Waiting Within Target and Proportion Waiting Unnecessarily



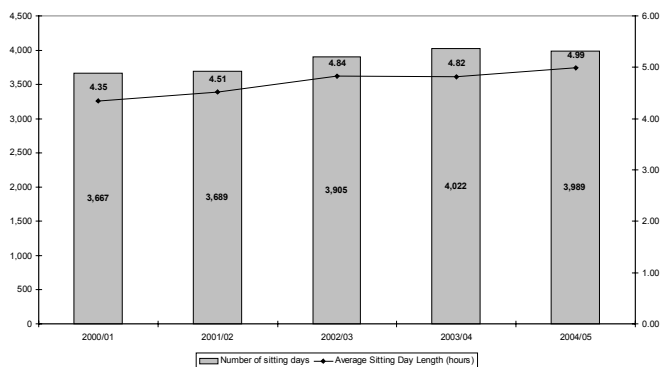
Average Waiting Time for Witnesses Attending Unnecessarily (hours)



### Sitting Days

|                                          | EW 04/05 | 2000/01 | 2001/02 | 2002/03 | 2003/04 | 2004/05 | % Diff |
|------------------------------------------|----------|---------|---------|---------|---------|---------|--------|
| Average Trial Hearing Time (hours)       | 9.6      | 9.9     | 8.8     | 10.4    | 8.8     | 8.2     | -6.7%  |
| Average Guilty Plea Hearing Time (hours) | 1.2      | 1.6     | 1.4     | 2.8     | 2.1     | 1.5     | -30.3% |
| Average Sitting Day Length (hours)       | 4.26     | 4.35    | 4.51    | 4.84    | 4.82    | 4.99    | 3.6%   |
| Number of sitting days                   | 101,818  | 3,667   | 3,689   | 3,905   | 4,022   | 3,989   | -0.8%  |

Number of Sitting Days & Average Length of Sitting Day



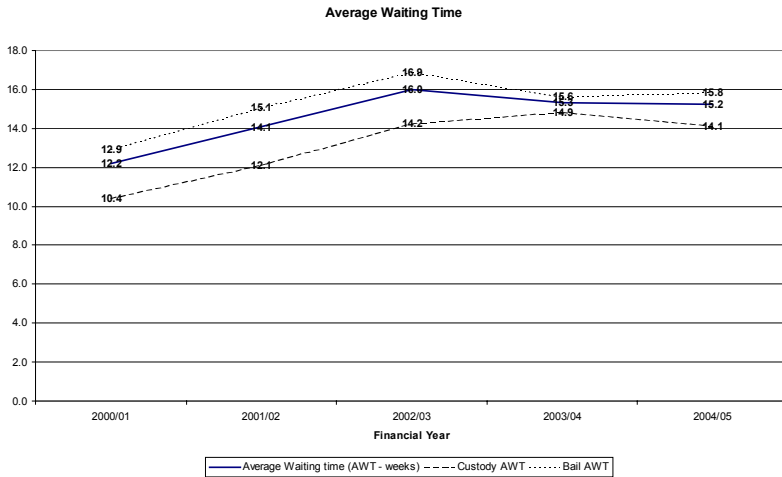
<sup>1</sup> Witness Surveys are from the November survey except 2003/04 which uses the June survey

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### Waiting Times

|                                    | EW 04/05 | 2000/01 | 2001/02 | 2002/03 | 2003/04 | 2004/05 | % Diff |
|------------------------------------|----------|---------|---------|---------|---------|---------|--------|
| Average Waiting time (AWT - weeks) | 15.4     | 12.2    | 14.1    | 16.0    | 15.3    | 15.2    | -0.6%  |
| Custody AWT                        | 14.0     | 10.4    | 12.1    | 14.2    | 14.9    | 14.1    | -4.8%  |
| Bail AWT                           | 16.0     | 12.9    | 15.1    | 16.9    | 15.6    | 15.8    | 1.5%   |



### PSAs

|                                   | EW 04/05 | 2000/01 | 2001/02 | 2002/03 | 2003/04 | 2004/05 | % Diff |
|-----------------------------------|----------|---------|---------|---------|---------|---------|--------|
| % Defendants commencing in target | 78.4%    | 86.3%   | 77.8%   | 78.5%   | 81.1%   | 76.4%   | -5.9%  |
| Committal for Trial               | 72.2%    | 77.2%   | 69.6%   | 68.5%   | 76.3%   | 69.3%   | -9.2%  |
| Sent for Trial                    | 76.1%    | 100.0%  | 82.6%   | 84.1%   | 78.6%   | 78.1%   | -0.6%  |
| Committal for Sentence            | 89.2%    | 90.4%   | 97.7%   | 91.9%   | 97.3%   | 95.9%   | -1.4%  |
| Appeal                            | 88.1%    | 98.3%   | 94.1%   | 95.5%   | 97.1%   | 91.1%   | -6.2%  |

