



Crown Court

Annual Report 2006 - 2007

Shrewsbury Crown Court

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Annual Report by the Resident Judge and Court Manager

Performance and Workload

Shrewsbury Crown Court is a 2 court centre housed in a 1960s building that presents challenges to all court users. I will refer later to the need for an early decision on the improvements to the courts.. The Courts sit for a total of 369 days per annum which equates to the use of 1.75 courts. The workload has decreased with Trial receipts down 21.3% to 314. Sentence receipts have increased 18.4% to 245 but there is a clear downward trend in workload as combined case receipts have reduced to 559 from 723 in 2002/2003. Violence against the person has marginally increased and now accounts for 34% of the workload but there has been a reduction in receipts for Trials for sexual, burglary and drugs offences. Outstanding cases have reduced by 25.5% to 120 and there are no real issues over waiting times save when a longer Trial (over 2 weeks) blocks a court. We did challenge the original figures received and these were then amended but we still have doubt over the accuracy of the figures.

The Police confirm that over the past 3 years crime has reduced by 20% and for some offences the reduction has been greater e.g. dwelling house burglary has reduced by 29% (992 in 2002/03 to 667 in 2006/07). The Police are also charging fewer defendants and using cautions and Fixed Penalty Notices (FPN) more e.g. 1110 cautions 5 years ago has increased to 1610 last year and FPN has increased from nil 4 years ago to 722 last year.

Type and Length of cases

No changes under this heading, Sexual cases rarely plead and occupy a disproportionate amount of court time. The average Trial of 6.8 hours or less than 2 days must be wrong. The Court Manager has been asked to investigate how the time is recorded so that the correct figures may be obtained.

Ineffective / Cracked Trials /Witnesses

We have worked hard in this area and the progress owes much to the CPO but mentions and PTR's have also played an important part. If fewer of these hearings take place the figures are likely to deteriorate.

Ineffective trials have reduced by 35% to 10.4% from a peak of 24.6% 4 years ago. The effective Trial rate has improved by 17.6% to 48% and the cracked Trial rate has reduced to 41.6%.

We cannot understand why the number of witnesses attending unnecessarily has increased by 114% to 90.9%! This figure makes no sense and again the Court Manager is investigating the cause. There is no specific cause of ineffective Trials but the usual reasons are problems with witnesses and claimed Crown disclosure failures.

Court User Meetings

We hold 2 Court User Meetings a year, which are well attended. I hold regular meetings with the CPS, Police, Probation and Defence Lawyers. I have found it more productive to deal with problems in Chambers and I am happy with the cooperation the Court receives.

Compliance with orders

Some orders are rarely complied with e.g. interview editing. The CPO does have to chase the parties at times and Solicitors increasingly rely on Counsel, which may lead to delay. The reason for this is that fewer solicitors undertake Criminal defence work and those that do employ less qualified staff. I anticipate a real problem in the years ahead in finding solicitors still prepared to do this work.

Witnesses and Jurors

The Juror Utilisation figure has increased marginally together with the figure for witnesses waiting 2 hours or less. The figures show a sharp increase in the number of witnesses attending unnecessarily, which are under review (see Judges comments in paragraph 3). The facilities for witnesses and jurors have been improved. Waiting and retiring rooms have been decorated, free tea and coffee is available for witnesses and retiring jurors and we are awaiting the delivery of T.V and C.D players for the witness rooms.

Prison Escort Service

The Prison Escort Service work well at this Court. It is rare for the Court to be delayed and the only real problem is with female prisoners. The closure of HMP Brockhill means female prisoners are detained at HMP Foston Hall in Derbyshire or HMP Peterborough. On the rare occasions when we have a Trial involving a female on remand in custody, delays have resulted and the defence rightly complain about defendants having to travel for several hours before and after Court. The cell area at this Court is poor, with no natural lighting, a poor standard of decoration and less than ideal conditions for staff or prisoners. I have regular meetings with the escort service and their efforts to help the Court deserves credit.

Community Work

The mock trial competition was revived and held in November 2006. It was open to pupils in the 15 -18 age range and was a great success thanks to counsel, solicitors, probation officers, escort officers, court reporters and court staff who gave up a Saturday to make this competition work. We have regular visits from schools and colleges and I try to speak to the pupils when possible, I also attend any responsible meeting to explain the work of the Courts.

A number of charity events have been supported and a total sum of over £450.00 has been raised for various good causes through out the year.

Accommodation

The Courts at Shrewsbury work in spite of the Court facilities. I recognise that a small court in Shropshire will not rank high in the priorities of HMCS but if the new combined court is not built then some at least of the following problems must be addressed:

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- i) The Jury box is cramped, with little room for the Jury to move and take notes. The Judge cannot, in a normal sitting position, see all of the Jurors with 1-2 being out of sight!
- ii) The Jury retiring room is also cramped, with no natural light. The Jurors have to share common facilities and apart from the Jury assembly room have no separate facilities e.g. if a Jury in retirement needs a break the Jury has to be taken through the Court office, with the Judge being kept out of the way!, and taken outside where the Jury is supervised in the full view of the passing public.
- iii) We have no secure dock, although one is promised by October 2007.
- iv) We have no prison video link and have to use the Magistrates Court when a link is needed.
- v) The Jury have a poor viewing position when watching videos and this cannot help when assessing evidence on video.
- vi) The courts have poor quality seats and complaints have been received about the state of repair of the seats.
- vii) The acoustics in court are poor and members of the public struggle to hear what is said by counsel and witnesses.
- viii) Disabled court users cannot access the court e.g. a witness or defendant in a wheelchair would have to be carried to the witness box or dock or allowed to sit by the entrance to the court amongst the public.
- ix) The facilities for special measure witnesses are poor e.g. when screens are used the Jury have to retire, the defendant goes down the custody steps, the witness comes in and so on. A witness using the link has to go through the court office, past Judges Chambers and use the cramped facilities with no natural lighting.

There are other concerns but these explain why these courts only work because of the cooperation of all court users.

Link and Xhibit

Since going live on Xhibit in June 2005, a number of anomalies have been found with the system, one being the effect on the recorder length of trial if the Trial is not listed as part heard (see paragraph 2 above) The system as a whole has been a great success with Court staff and stakeholders, although it would be a great bonus if the Prisons subscribed to the system , as we are now the Ministry Of Justice.

Criminal Procedure Rules

The PCMH hearing is reasonably effective and the new forms are being completed, albeit manually as opposed to electronically. It is still unusual to have Trial counsel at the PCMH and the CPS tends in many cases to use 'in house' advocates, even though those advocates will never prosecute the Trial. Defence Case statements remain a problem as they are rarely filed by the date of the PCMH. The court does not know the date of completion of primary disclosure and therefore the date by which the DCS should have been filed. The DCS is often not in compliance with the law and the culture still seems to disclose as little as possible on the DCS and request widespread disclosure from the CPS. These problems are being tackled but the changes in culture can be slow. I do not believe that advocates are as familiar as they should be with the CPR, but there are no particular concerns over non compliance with CPR. PTR hearings are in appropriate cases invaluable. They are not ordered as a matter of routine but as we cannot have back up trials at this Court the PTR helps to keep ineffective trials to a minimum. No mentions now take place unless written application served on the court and the other side and approved by the Judge. This is reducing the number of mentions.

CONCLUSION

Shrewsbury is a happy and efficient court. The staff are loyal and are hardworking, although there are now fewer staff to carry the load. The staff do their best to deal with all court users in a courteous manner and we receive few complaints. They would welcome better working conditions but commendably never let any concerns affect the service they deliver.

RESIDENT JUDGE*R W Onions*.....
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DATE*22/6/07*.....

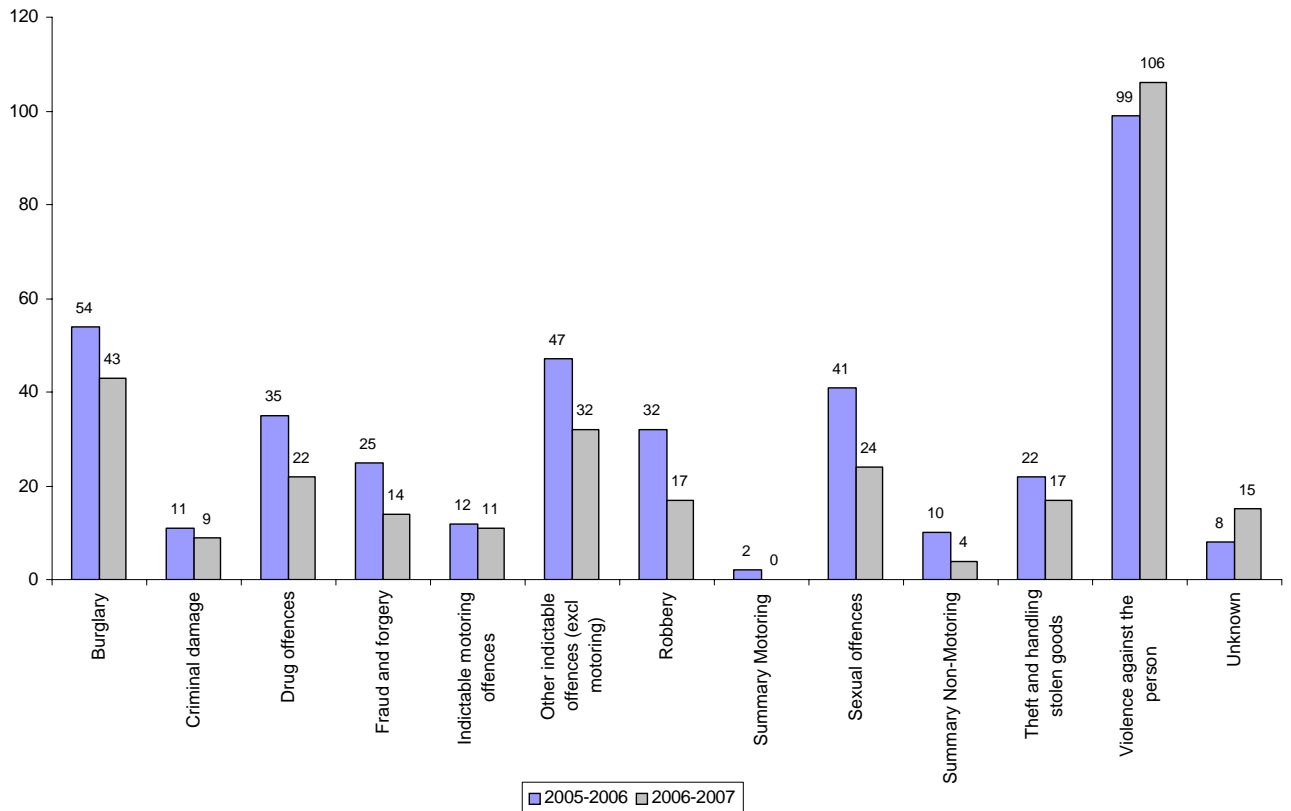
COURT MANAGER*Di Marrow*.....
Di Marrow

DATE*22/6/07*.....

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Crown Court Receipts by Offence Group

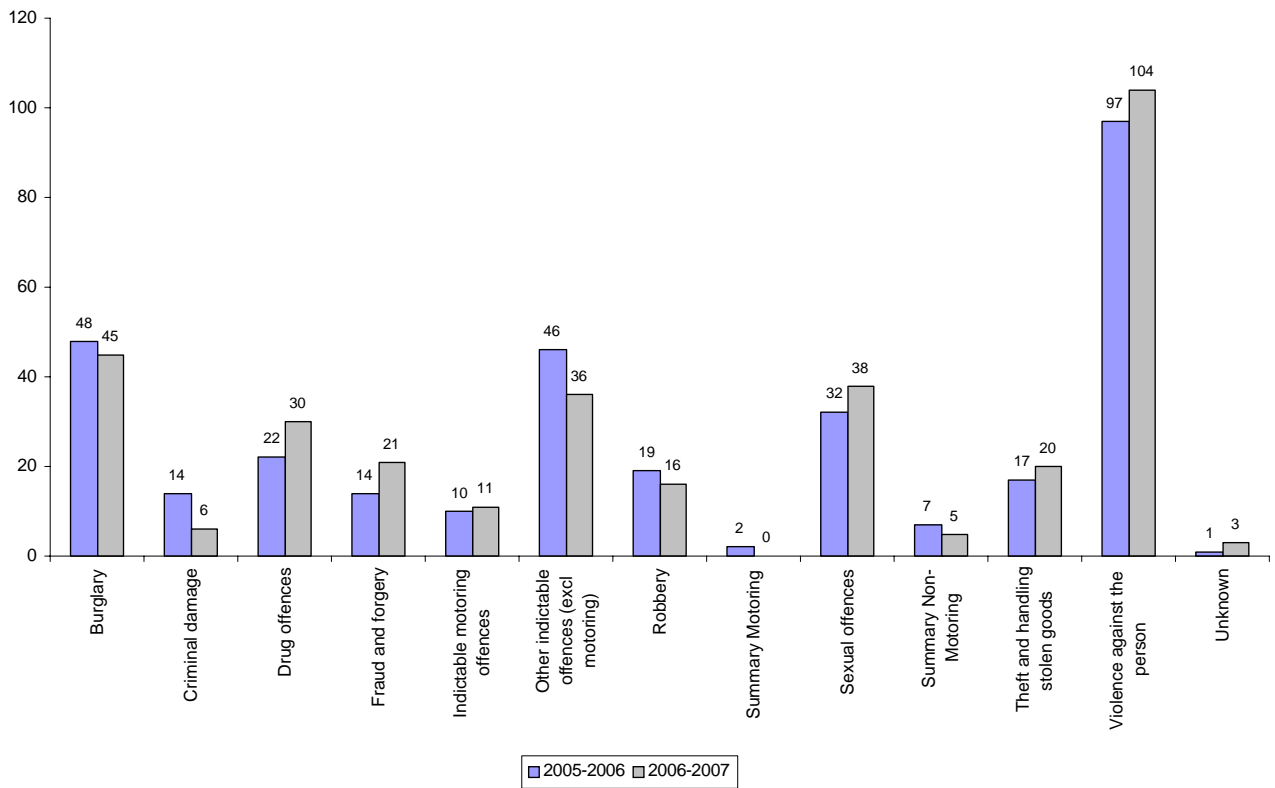
Group	2005-2006	% of Total	2006-2007	% of Total
Burglary	54	14%	43	14%
Criminal damage	11	3%	9	3%
Drug offences	35	9%	22	7%
Fraud and forgery	25	6%	14	4%
Indictable motoring offences	12	3%	11	4%
Other indictable offences (excl motoring)	47	12%	32	10%
Robbery	32	8%	17	5%
Summary Motoring	2	1%	0	0%
Sexual offences	41	10%	24	8%
Summary Non-Motoring	10	3%	4	1%
Theft and handling stolen goods	22	6%	17	5%
Violence against the person	99	25%	106	34%
Unknown	8	2%	15	5%
Total	398	100%	314	100%



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Crown Court Disposals by Offence Group

Group	2005-2006	% of Total	2006-2007	% of Total
Burglary	48	15%	45	13%
Criminal damage	14	4%	6	2%
Drug offences	22	7%	30	9%
Fraud and forgery	14	4%	21	6%
Indictable motoring offences	10	3%	11	3%
Other indictable offences (excl motoring)	46	14%	36	11%
Robbery	19	6%	16	5%
Summary Motoring	2	1%	0	0%
Sexual offences	32	10%	38	11%
Summary Non-Motoring	7	2%	5	1%
Theft and handling stolen goods	17	5%	20	6%
Violence against the person	97	29%	104	31%
Unknown	1	0%	3	1%
Total	329	100%	335	100%

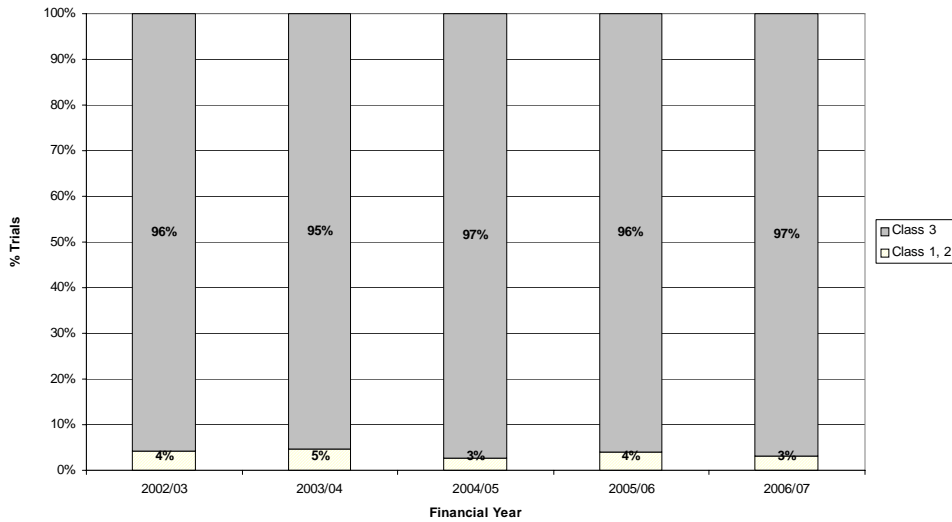


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Workload

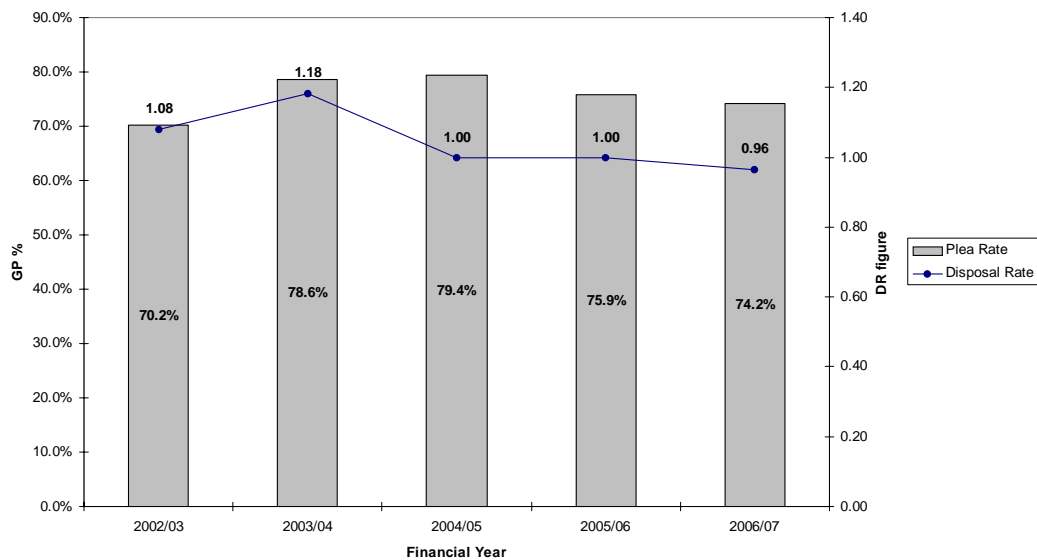
	EW 06/07	2002/03	2003/04	2004/05	2005/06	2006/07	% Diff
Trial Receipts	77,765	463	440	369	399	314	-21.3%
Class 1, 2	6%	4%	5%	3%	4%	3%	-20.6%
Class 3	94%	96%	95%	97%	96%	97%	0.9%

Trial Receipts by Class



	EW 06/07	2002/03	2003/04	2004/05	2005/06	2006/07	% Diff
Sentence Receipts	35,959	260	201	150	207	245	18.4%
Appeal Receipts	13,004	80	81	111	118	123	4.2%
Disposals	79,045	429	482	380	368	356	-3.3%
Plea Rate	66%	70.2%	78.6%	79.4%	75.9%	74.2%	-2.2%
Disposal Rate	0.75	1.08	1.18	1.00	1.00	0.96	-3.3%

Guilty Plea Rate and Disposal Rate



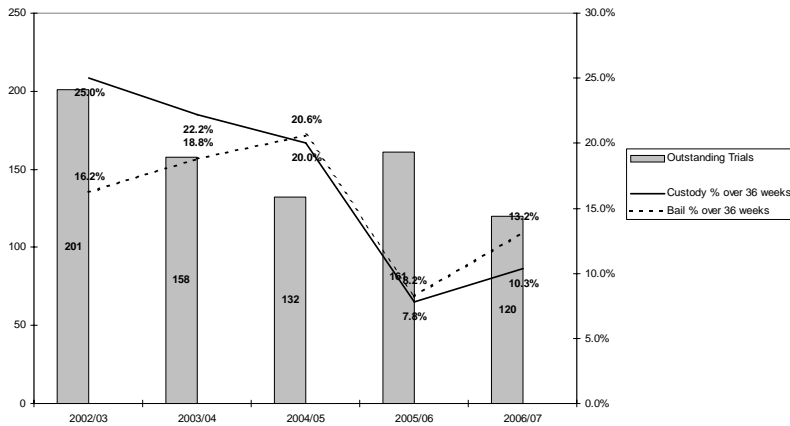
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Outstanding Cases

	EW 06/07	2002/03	2003/04	2004/05	2005/06	2006/07	% Diff
Outstanding Trials	31,593	201	158	132	161	120	-25.5%
Custody % over 16 weeks	27%	25.0%	11.1%	31.4%	34.4%	37.9%	10.3%
Custody % over 36 weeks	10%	25.0%	22.2%	20.0%	7.8%	10.3%	32.4%
Bail % over 16 weeks	30%	21.3%	32.9%	17.5%	28.9%	26.4%	-8.6%
Bail % over 36 weeks	13%	16.2%	18.8%	20.6%	8.2%	13.2%	59.9%

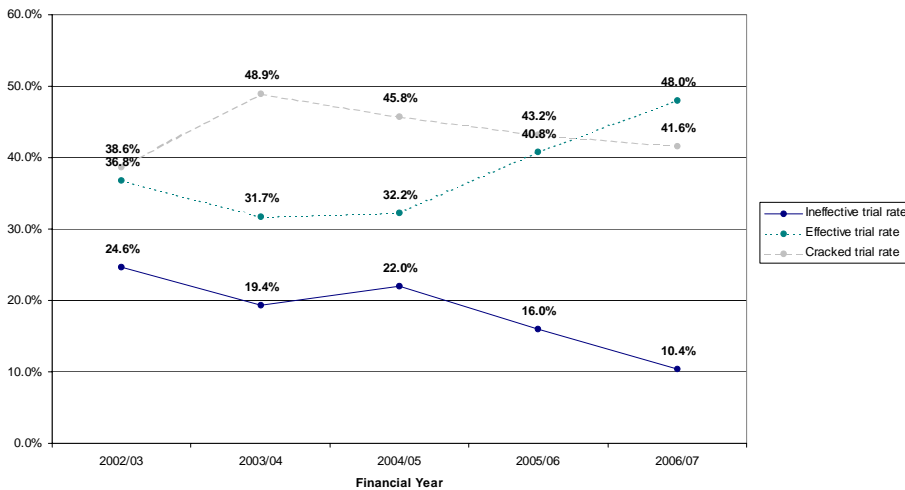
Outstanding Cases and the proportion over 36 weeks



Cracked and Ineffective

	EW 06/07	2002/03	2003/04	2004/05	2005/06	2006/07	% Diff
Trials listed (number)	37,149	272	284	177	125	125	0.0%
Ineffective trial rate	12%	24.6%	19.4%	22.0%	16.0%	10.4%	-35.0%
Effective trial rate	48%	36.8%	31.7%	32.2%	40.8%	48.0%	17.6%
Cracked trial rate	39%	38.6%	48.9%	45.8%	43.2%	41.6%	-3.7%

Ineffective, Effective and Cracked Trials



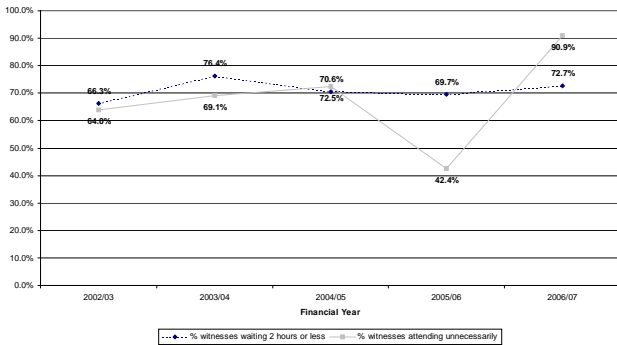
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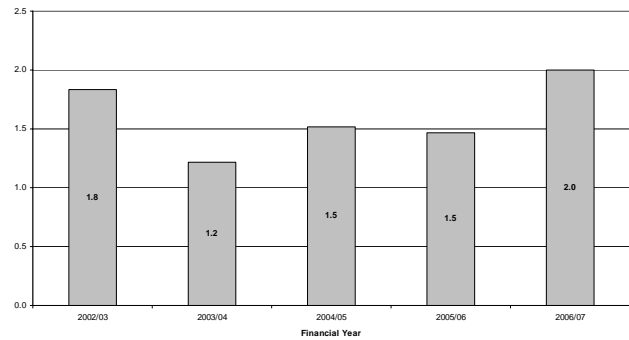
Witness and Juror service¹

	EW 06/07	2002/03	2003/04	2004/05	2005/06	2006/07	% Diff
Juror days as % of attendance	60%	57.8%	36.3%	43.1%	43.0%	44.0%	2.3%
% witnesses waiting 2 hours or less	48.0%	66.3%	76.4%	70.6%	69.7%	72.7%	4.3%
% witnesses attending unnecessarily	43.2%	64.0%	69.1%	72.5%	42.4%	90.9%	114.3%
Hours waited (witnesses attending unnecessarily)	2.7	1.8	1.2	1.5	1.5	2.0	36.3%

Percentage of Witnesses Waiting Within Target and Proportion Waiting Unnecessarily



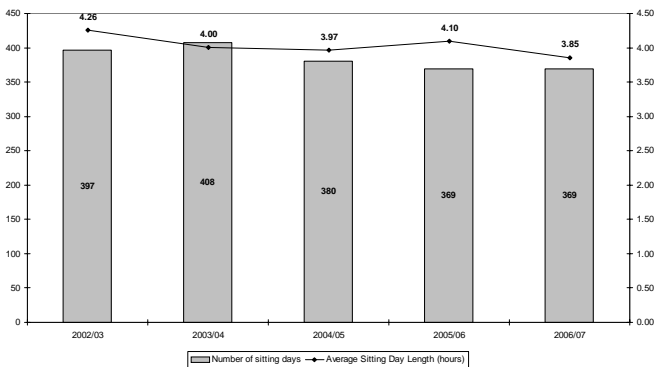
Average Waiting Time for Witnesses Attending Unnecessarily (hours)



Sitting Days

	EW 06/07	2002/03	2003/04	2004/05	2005/06	2006/07	% Diff
Average Trial Hearing Time (hours)	9.6	5.9	4.9	8.9	7.1	6.8	-4.4%
Average Sitting Day Length (hours)	4.37	4.26	4.00	3.97	4.10	3.85	-6.0%
Number of sitting days	105,629	397	408	380	369	369	0.0%

Number of Sitting Days & Average Length of Sitting Day



¹ Witness Survey data are from the combined June and November survey
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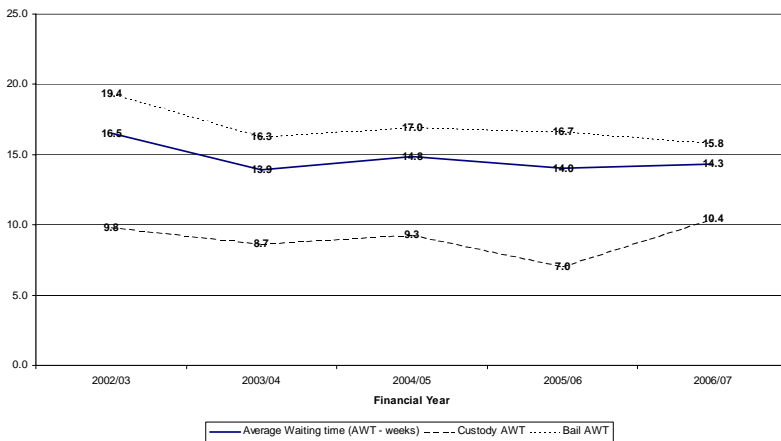
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Waiting Times

	EW 06/07	2002/03	2003/04	2004/05	2005/06	2006/07	% Diff
Average Waiting time (AWT - weeks)	17.0	16.5	13.9	14.8	14.0	14.3	2.1%
Custody AWT	13.8	9.8	8.7	9.3	7.0	10.4	48.5%
Bail AWT	18.7	19.4	16.3	17.0	16.7	15.8	-5.1%

Average Waiting Time



PSAs

	EW 06/07	2002/03	2003/04	2004/05	2005/06	2006/07	% Diff
% Defendants commencing in target	75.4%	77.9%	83.2%	80.5%	81.7%	78.1%	-4.4%
Committal for Trial	67.0%	73.4%	78.3%	73.0%	75.5%	67.0%	-11.4%
Sent for Trial	73.5%	70.7%	88.6%	79.1%	78.5%	86.0%	9.6%
Committal for Sentence	89.9%	86.8%	86.1%	92.4%	93.9%	80.4%	-14.4%
Appeal	86.2%	94.1%	86.4%	92.0%	88.1%	87.0%	-1.3%

Percentage Cases Commencing Within Target
(Trials 16 weeks, Sent for Trial 26 weeks, Sentence 10 weeks, Appeal 14 weeks)

