



Crown Court

Annual Report 2006 - 2007

York Crown Court

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Annual Report by the Resident Judge and Court Manager

RESIDENT JUDGE & COURT MANAGER COMMENTS:

INTRODUCTION This 2 Court Centre is traditionally very busy, taking work from a large part of North Yorkshire. We manage to get by as a result of working full pelt. and by the staff's flexibility and preparedness to exceed their commitments. Additionally, occasionally, we have sought help from Leeds when our backlog becomes uncomfortable. There have been times in the year, when the possibility of seeking outside help, was contemplated. In general, historically, our trial backlog fluctuates between 190 and 240. Below 190, we lose flexibility, above 240, we may need outside help.

- **Workload, capacity and time taken for cases to come to trial**
- At the year end we have 199 cases outstanding.
- We achieved overall timeliness of 79.2%, bettered target of 78% of cases to trial/hearing within timescale as below - Committals for Trial in custody 80%, bettered target of 78% of cases to trial within 12 weeks; on bail 69.5%, missed target of 78% of cases to trial within 12 weeks; Section 51's in custody 92.2%, bettered target of 78% of cases to trial within 26 weeks; on bail 80.3%, bettered target of 78% of cases to trial within 26 weeks; Committals for sentence 86.9% and appeals 85.7%, both have target of 78% of cases to be heard within 12 weeks.
- We are currently listing Trials in November. The need to put first so called priority cases, means that we have a high number of cases over 16 weeks. At year end, 3 cases awaiting trial over 48 weeks, one has now been dealt with, other 2 are listed for Trial, having had 2 previous trial dates vacated due to witness problems and sacking of legal team. We are not achieving waiting times in all areas, but our disposal rate remains high at 1.40. The trial receipts have dropped by -7.4%, for no explicable reason. However this is offset by our increase in Class 2 work – see below.
- **Type and length of cases heard at the court, including any changes or issues that have arisen** 8.6% of our receipts, i.e. 52 cases, this year are Class 2 cases. This is the highest percentage in the Area. Last year our figure was 6.4%. There is an inexplicable rise in historic abuse cases; the Class 2 cases are our lengthier trials. We have a high proportion of other serious work, including serious violence, serious drug cases and fraud, committed by persons of professional standing. Committals for Sentence/Breaches have increased by 6.9 %, i.e. 15 cases.
- **The causes of ineffective trials and avoidable cracked trials** At 42.5% we achieved the highest effective Trial rate in the region.
- We achieved the target for ineffective Trials at 10.2% (target no more than 12%) This equates to 33 Trials, which are 14 Prosecution (– 7 Witness absent; 4 Pros not ready; 1 fail to disclose unused material; 1 police witness absent; & 1 advocate fail to attend;) 10 for Defence (– 4 defendant absent; 3 defendant ill or unfit; 1 not ready; 1 advocate fail to attend, road traffic accident; & 1 defendant dismiss advocate;) 9 for Administration (– 6 case not reached, floating trials necessary to give flexibility, due to high number of cracked trials; 2 not reached, where other cases over ran; & 1 insufficient Jurors.)
- 47.1 % of our listed Trials cracked. This equates to 153 Trials, which are 35 Prosecution – 11 Guilty pleas previously rejected; 9 Prosecution end case, as insufficient evidence; 5 Prosecution end case, witness absent; 4 Prosecution end case, public interest; 3 Guilty plea to alternative charge; 2 Prosecution end case, adjournment refused; and 1 bound over; 118 for defence reasons, ie. 92 Guilty pleas offered for first time; 24 Guilty pleas offered for first time, to alternative charge; and 2 Bound over.
- The Case Progression Officer works tirelessly – however we still face the same challenges as previous year, as CPS do not have Case Progression Officer. Good news this year to date, as at 21 May 07, 37 listed Trials – only 1 ineffective – Draper, defendant sick; and 8 cracked Trials – 3 Guilty pleas offered for first time; 3 x Guilty pleas previously rejected; 1 x Guilty plea to alternative charge; and 1 x Pros end case, due to absent witness.

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- **Court User meetings and the results of steps taken to analyse the figures on ineffective trials and hold meetings with the CPS, police and the local profession.**
- Monthly meetings are held between our Case Progression Officer; VIP/CPS Team Manager and Pros Team Manager to discuss each cracked and ineffective case. Quarterly meetings between Court Manager, CPS Unit Head and Police ASU/VIP's Pros Manager to discuss specific problem areas and how to rectify.
- The quarterly Court User meetings have a fair attendance. Items raised include late service of Pre PCMH
- Statements, faulty Prosecution decision making, disclosure failures and quality of Video Tapes, with little or no improvement seen in relation to each of these areas

- **The extent to which trial dates are being vacated because orders are not complied with** Due to firm grip being taken at PCMH and robust approach taken by both Resident and Deputy Resident Judge, not a significant problem.

- **Witnesses and jurors and others who use the court** Excellent improvements to witnesses attending Court unnecessarily, although too many waiting longer than 2 hours, may be due to more effective Trials. Improvements to waiting rooms – see Accommodation issues below.
- The Jury officer and General Office Manager remain diligent to maintain Juror sitting days at 43.8% this year, to balance our business need and Juror costs in our large geographical area. Assessors praised our excellent customer service, incidentally, for which we get continual regular letters, when our 'Thematic review of Quality of Service' took place in June 06. Assessors also pointed out the lack of a separate entrance and disabled access for Jurors. Proposals to remedy this lack of facilities had already been set out in a business case in October 2006. We are frustrated that no effective action followed notwithstanding a huge amount of work by Sally Buttle (Deputy Court Manager), and Wendy Stanton (General Office Manager), **much in their own time**, under the overall control of Wendy Forsdyke (Court Manager). As a result of the survey, in January 07, they made a further business case for disabled access in addition, after much research. Although they feel it is a workable solution, and in January 2007, this was sent to Facilities Management Group, nothing has yet been heard.

- **The performance of the Prison Escort Contract.** Delays still experienced, an agenda item at our Court User meeting on 23 May 07. Prison van habitually late, plays havoc with our Court lists. Prison escort service blames Hull Prison for increasingly late departure times.

- **School visits and other work with community, including involvement of the police at court, through police liaison officer** We know from feedback from schools and colleges that we enjoy an excellent reputation locally and much sought after for visits/work placements.
- No Police Liaison as from Apr 07. Recently, following the departure of previous thoroughly unco-operative Chief Constable, arrangements have been made for uniformed Police to make periodic, obvious patrols outside and into building.
- Staff supported York Against Cancer charity for year to March 07, ran various charitable events, raised £1.5K.
- As result of RJ's invitation in advance of CJSSS, Magistrates from all 3 Petty Sessional Divisions are sitting in Court with Resident Judge, 2 days per week until Oct 07, after slow uptake, now overwhelmed! Very positive feedback, ie. how much faster the cases move; relative efficiency of our proceedings; control over our proceedings.

- **Accommodation, including facilities for victims and witnesses**
- We have long requested and been denied CCTV, in and out of building. After a series of vandalism, thefts, culminating in arson attack in 2004, now more urgent, equipment has been purchased, but not installed. We are still awaiting grant of planning permission.
- Following RJ's frequently expressed frustration at the malfunctioning of TV link equipment, all equipment in both Courtrooms has been reviewed. In March 07, we had new powered speakers installed in each Courtroom, with LCJB funding. However, no resolution to the interference that the system experiences, when both TV link equipment and hearing loop in use in same Courtroom.

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- 'Buildings At Risk' work concluded Apr 07., new heating boiler, paint and carpets in Judicial, staff and witness areas, at long last, except in the RJ's room!
- We have a separate entrance and 2 rooms for Vulnerable & Intimidated Witnesses. Improvements to other Witness rooms over the last 2 years, decoration and recent purchases of window blinds & TV's.

- **The operation or installation of Link or XHIBIT and any other IT issues** After initial problems and tireless work, both staff and Criminal Justice Agencies now fully trained and very happy with uses of Xhibit, with good rapport. Major problem is lack of system speed, particularly on Mondays & Fridays busy lists. This invests the proceedings with frustrating delay, which did not exist pre computerisation. Also the computer goes down from time to time.

RESIDENT JUDGE:

Judge Hoffman

DATE:

DEPUTY COURT
MANAGER:

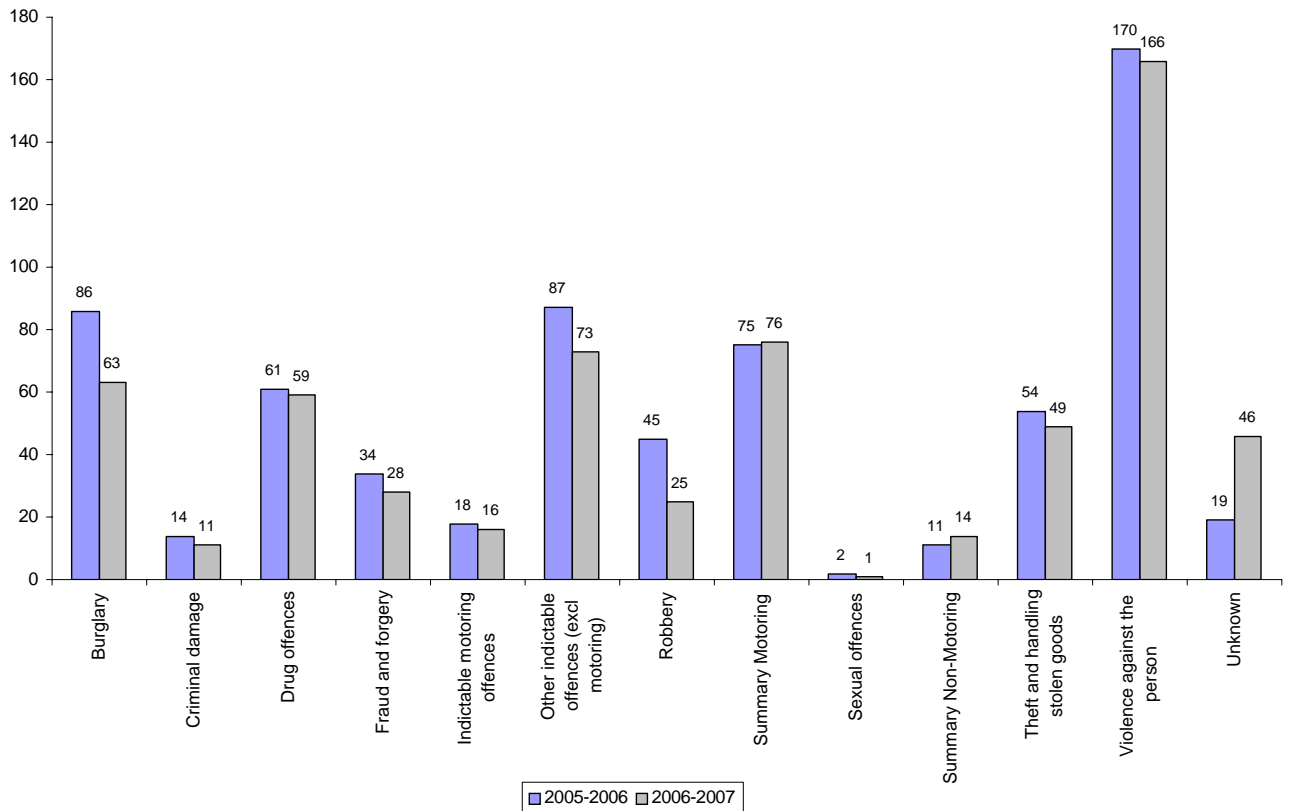
Wendy Forsdyke

DATE:-

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Crown Court Receipts by Offence Group

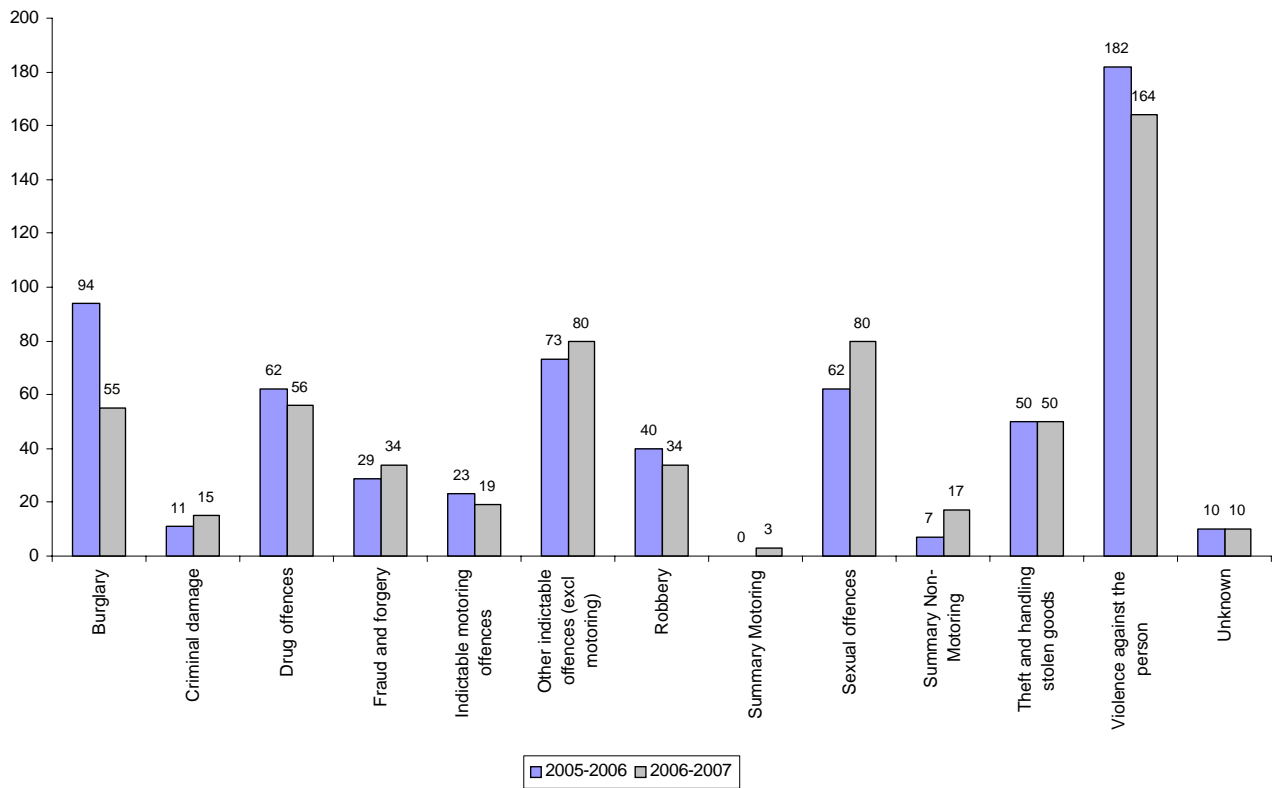
Group	2005-2006	% of Total	2006-2007	% of Total
Burglary	86	13%	63	10%
Criminal damage	14	2%	11	2%
Drug offences	61	9%	59	9%
Fraud and forgery	34	5%	28	4%
Indictable motoring offences	18	3%	16	3%
Other indictable offences (excl motoring)	87	13%	73	12%
Robbery	45	7%	25	4%
Summary Motoring	75	11%	76	12%
Sexual offences	2	0%	1	0%
Summary Non-Motoring	11	2%	14	2%
Theft and handling stolen goods	54	8%	49	8%
Violence against the person	170	25%	166	26%
Unknown	19	3%	46	7%
Total	676	100%	627	100%



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Crown Court Disposals by Offence Group

Group	2005-2006	% of Total	2006-2007	% of Total
Burglary	94	15%	55	9%
Criminal damage	11	2%	15	2%
Drug offences	62	10%	56	9%
Fraud and forgery	29	5%	34	6%
Indictable motoring offences	23	4%	19	3%
Other indictable offences (excl motoring)	73	11%	80	13%
Robbery	40	6%	34	6%
Summary Motoring	0	0%	3	0%
Sexual offences	62	10%	80	13%
Summary Non-Motoring	7	1%	17	3%
Theft and handling stolen goods	50	8%	50	8%
Violence against the person	182	28%	164	27%
Unknown	10	2%	10	2%
Total	643	100%	617	100%



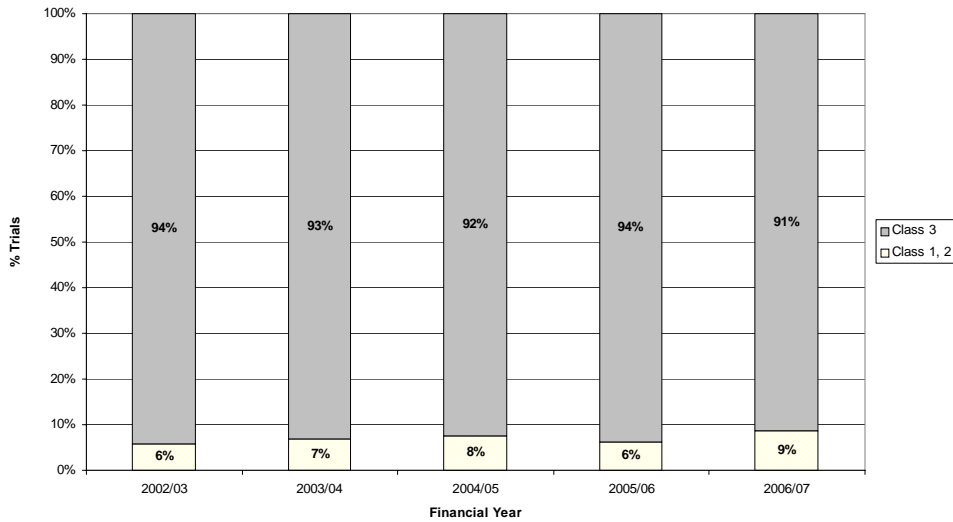
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Workload

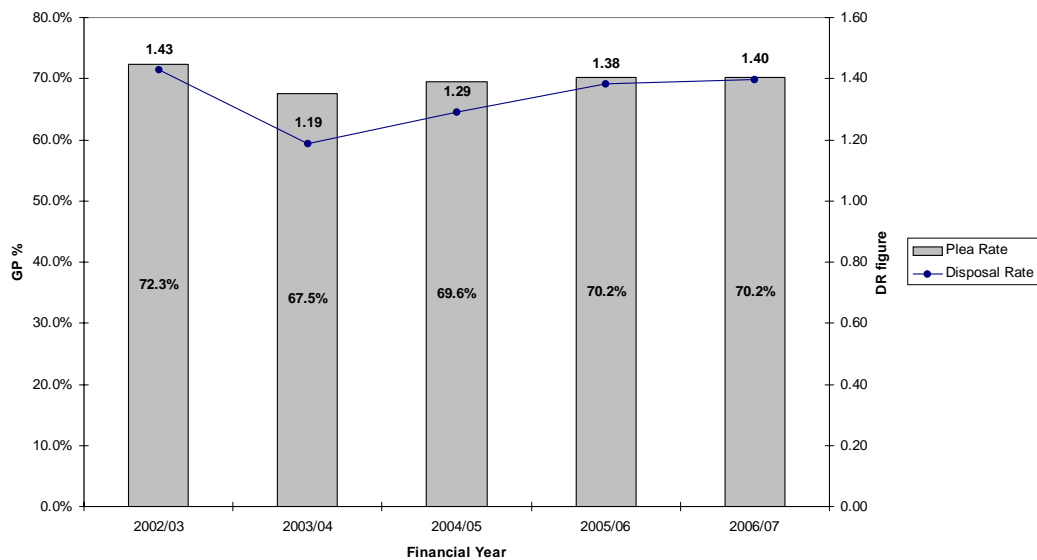
	EW 06/07	2002/03	2003/04	2004/05	2005/06	2006/07	% Diff
Trial Receipts	77,765	691	543	563	679	629	-7.4%
Class 1, 2	6%	6%	7%	8%	6%	9%	35.6%
Class 3	94%	94%	93%	92%	94%	91%	-2.4%

Trial Receipts by Class



	EW 06/07	2002/03	2003/04	2004/05	2005/06	2006/07	% Diff
Sentence Receipts	35,959	244	189	234	216	231	6.9%
Appeal Receipts	13,004	72	67	57	82	74	-9.8%
Disposals	79,045	678	560	548	685	651	-5.0%
Plea Rate	66%	72.3%	67.5%	69.6%	70.2%	70.2%	-0.1%
Disposal Rate	0.75	1.43	1.19	1.29	1.38	1.40	1.0%

Guilty Plea Rate and Disposal Rate



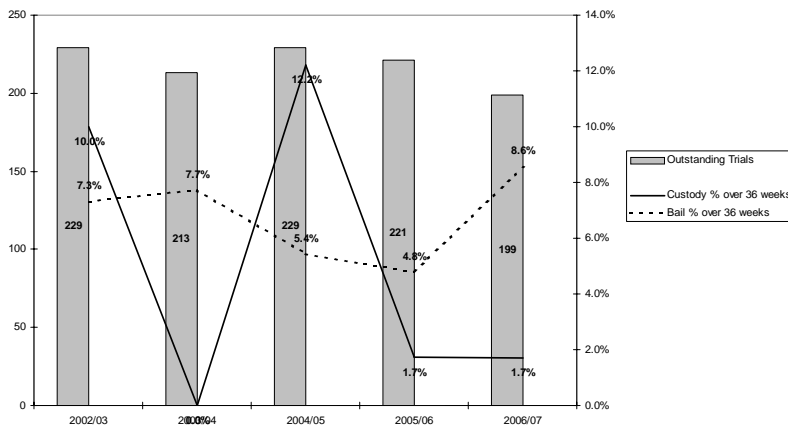
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Outstanding Cases

	EW 06/07	2002/03	2003/04	2004/05	2005/06	2006/07	% Diff
Outstanding Trials	31,593	229	213	229	221	199	-10.0%
Custody % over 16 weeks	27%	30.0%	16.7%	28.0%	31.9%	18.6%	-41.5%
Custody % over 36 weeks	10%	10.0%	0.0%	12.2%	1.7%	1.7%	-1.7%
Bail % over 16 weeks	30%	33.3%	24.6%	25.2%	31.4%	29.3%	-6.8%
Bail % over 36 weeks	13%	7.3%	7.7%	5.4%	4.8%	8.6%	80.0%

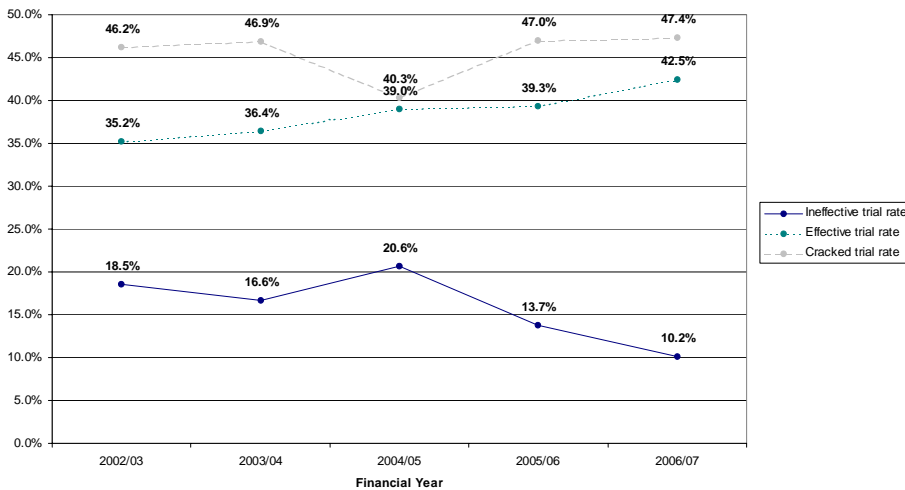
Outstanding Cases and the proportion over 36 weeks



Cracked and Ineffective

	EW 06/07	2002/03	2003/04	2004/05	2005/06	2006/07	% Diff
Trials listed (number)	37,149	372	343	315	364	325	-10.7%
Ineffective trial rate	12%	18.5%	16.6%	20.6%	13.7%	10.2%	-26.1%
Effective trial rate	48%	35.2%	36.4%	39.0%	39.3%	42.5%	8.1%
Cracked trial rate	39%	46.2%	46.9%	40.3%	47.0%	47.4%	0.9%

Ineffective, Effective and Cracked Trials



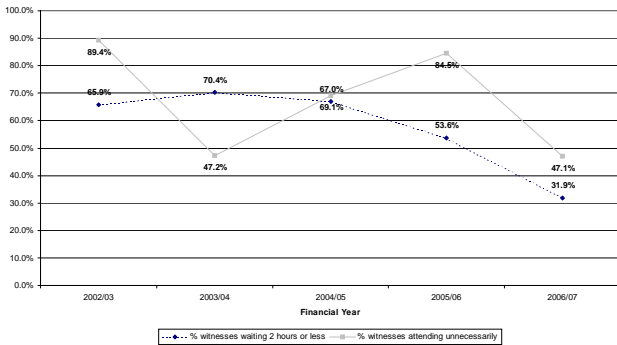
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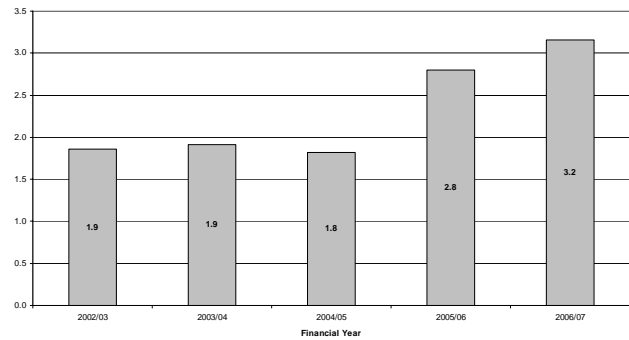
Witness and Juror service¹

	EW 06/07	2002/03	2003/04	2004/05	2005/06	2006/07	% Diff
Juror days as % of attendance	60%	54.0%	51.3%	50.6%	43.1%	46.4%	7.5%
% witnesses waiting 2 hours or less	48.0%	65.9%	70.4%	67.0%	53.6%	31.9%	-40.4%
% witnesses attending unnecessarily	43.2%	89.4%	47.2%	69.1%	84.5%	47.1%	-44.3%
Hours waited (witnesses attending unnecessarily)	2.7	1.9	1.9	1.8	2.8	3.2	12.6%

Percentage of Witnesses Waiting Within Target and Proportion Waiting Unnecessarily



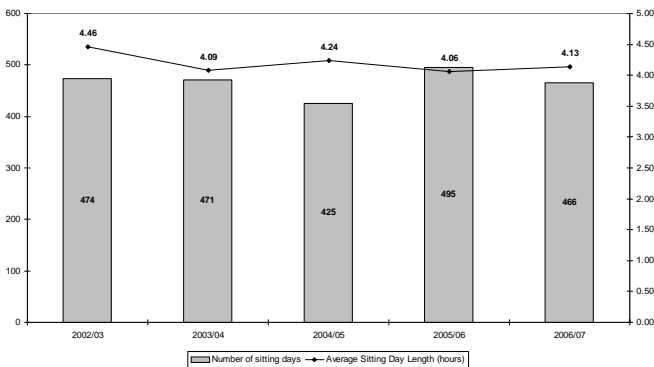
Average Waiting Time for Witnesses Attending Unnecessarily (hours)



Sitting Days

	EW 06/07	2002/03	2003/04	2004/05	2005/06	2006/07	% Diff
Average Trial Hearing Time (hours)	9.6	5.0	4.4	4.9	4.1	5.1	24.2%
Average Sitting Day Length (hours)	4.37	4.46	4.09	4.24	4.06	4.13	1.8%
Number of sitting days	105,629	474	471	425	495	466	-5.9%

Number of Sitting Days & Average Length of Sitting Day



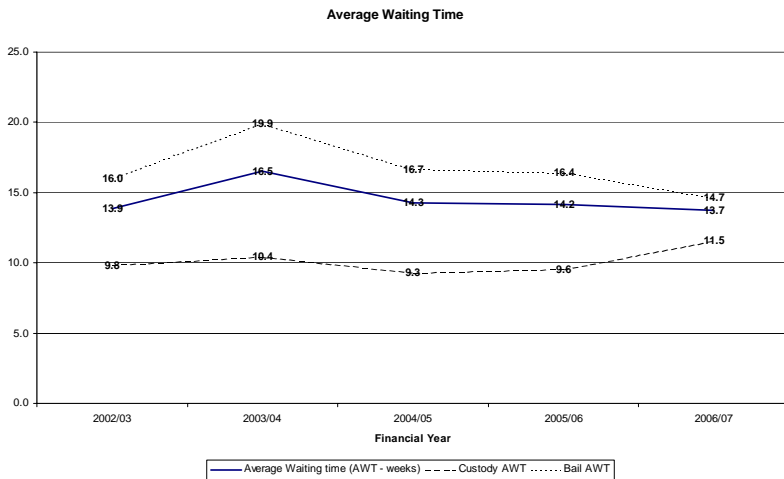
¹ Witness Survey data are from the combined June and November survey
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Waiting Times

	EW 06/07	2002/03	2003/04	2004/05	2005/06	2006/07	% Diff
Average Waiting time (AWT - weeks)	17.0	13.9	16.5	14.3	14.2	13.7	-3.0%
Custody AWT	13.8	9.8	10.4	9.3	9.6	11.5	20.8%
Bail AWT	18.7	16.0	19.9	16.7	16.4	14.7	-10.6%



PSAs

	EW 06/07	2002/03	2003/04	2004/05	2005/06	2006/07	% Diff
% Defendants commencing in target	75.4%	75.8%	72.8%	77.3%	78.6%	79.1%	0.6%
Committal for Trial	67.0%	68.7%	65.8%	67.5%	71.1%	71.5%	0.5%
Sent for Trial	73.5%	81.0%	71.3%	83.3%	88.4%	86.2%	-2.5%
Committal for Sentence	89.9%	82.0%	87.9%	87.1%	82.1%	86.9%	5.9%
Appeal	86.2%	88.5%	85.4%	94.2%	79.0%	82.6%	4.5%

