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Analytical Services Group

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July to September 2019

Research and Statistical Bulletin

Provisional Figures

C Darragh

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Northern Ireland Statistics and Research Agency

Produced by Analytical Services Group,

Department of Justice.

For further information write to:

Analytical Services Group,

NI Courts and Tribunals Service,

4th Floor, Laganside House,

23-27 Oxford Street,

Belfast BT1 3LA

Telephone: 028 9072 8927

Email: caroline.darragh@courtsni.gov.uk

This bulletin is available on the Internet at:

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EXECUTIVE SUMMARY

- This bulletin provides information on throughput at Crown Courts in Northern Ireland during the period July to September 2019 and commentary on trends observed for this quarter in each year from 2010. 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 July to September 2019:

- There were 332 Crown cases received during July to September 2019 (Table 1). This was a 2% decrease on the 339 received during July to September 2018. The number of cases disposed has increased by 24%, from 172 during July to September 2018, to 213 for the same period in 2019 (Table 2).

- The average time from committal to hearing for July to September 2019 was 103 days, compared with 140 days for the same period in 2018. The average time from conviction to disposal was 65 days, compared with 74 days for the equivalent period in 2018. The average waiting times for defendants disposed in the July to September quarter over the last ten years is outlined in Figure 2.

- County Court Judges disposed of 100% of defendants (259) and during the same quarter last year they disposed of 98% (213) defendants. 12% of defendants were charged solely with offences against the person while 35% of defendants had a combination of charges. During the same period last year 13% of defendants were charged solely with offences against the person, and 46% of defendants had a combination of charges. The charge types for defendants disposed during July to September 2019 are outlined in Figure 3.

- Of the 259 defendants disposed during July to September 2019, 99 (38%) pleaded guilty to all charges, compared with 83 (38%) during July to September 2018.

- In total there were 394 Crown Court sittings for July to September 2019 compared with 355 for July to September 2018 (an increase of 11%), with a total time of 923 hours sat compared with 755 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 SharePoint 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 relates to the current calendar year 2019. The time series for this information dates back to 2007 however, within this publication, comparisons of trends are viewed over a 10 year period.

2.4 Frequency of Publication

This bulletin is published on a quarterly basis. The next bulletin will cover the third quarter of 2019 and will be published on 7th February 2020.

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

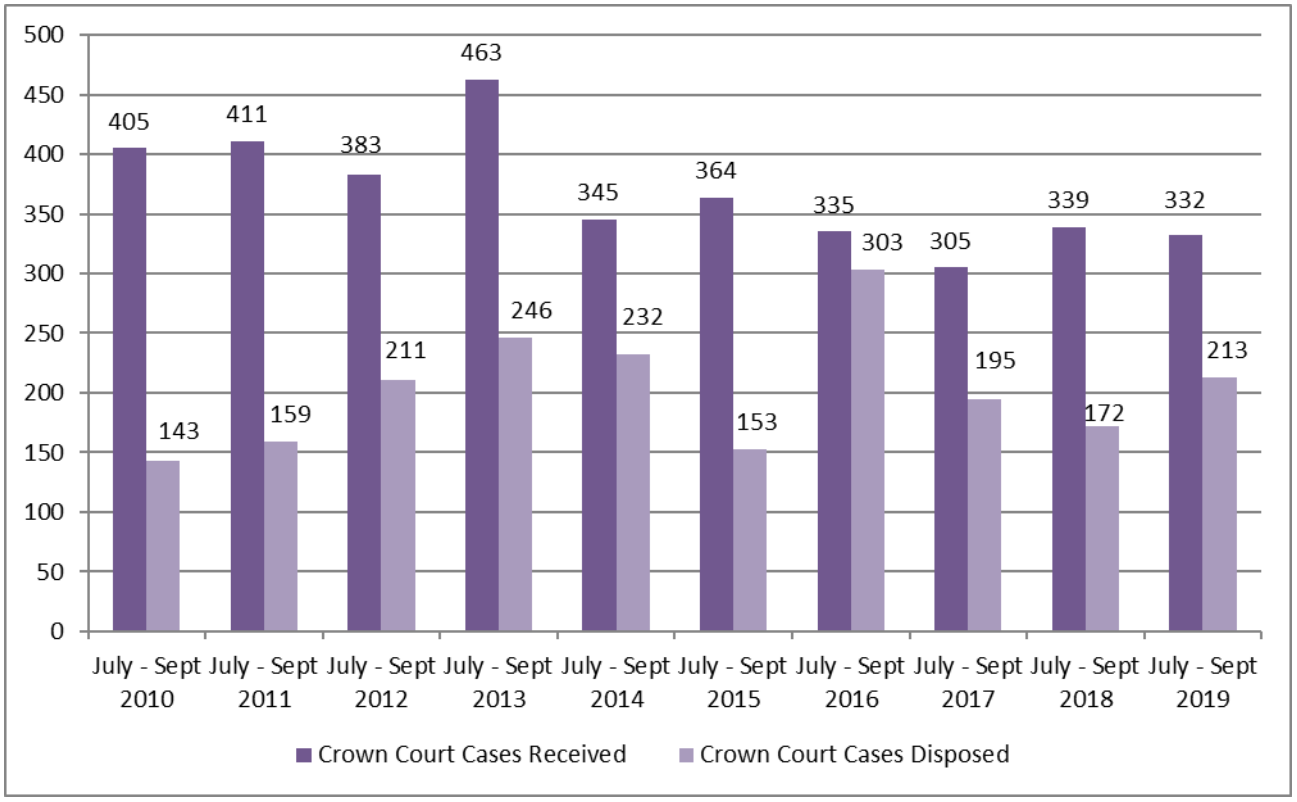
Incorrect figures or changes to this publication will be published on the web in a formal Statistical Notice.

3 FINDINGS

3.1 Receipts & Disposals

There were 332 Crown cases received during July to September 2019 (Table 1). This was a 2% decrease on the 339 received during July to September 2018. The number of cases disposed has increased by 24%, from 172 during July to September 2018, to 213 for the same period in 2019 (Table 2). The number of cases received and disposed for the July to September quarter over the last ten years is outlined in Figure 1.

Figure 1: Crown Court Cases Received and Disposed: July to September 2010 to July to September 2019



The trend in Crown Court cases received in the July to September quarter fluctuated during the period, peaking at 463 in 2012, before decreasing by 28% between 2012 and 2019. The trend in cases disposed also fluctuated between 2010 and 2019, with peaks in 2013 and 2016. The sharp increase in 2016 was mainly due to the attempts to clear the backlog of cases created as a result of the legal aid dispute.

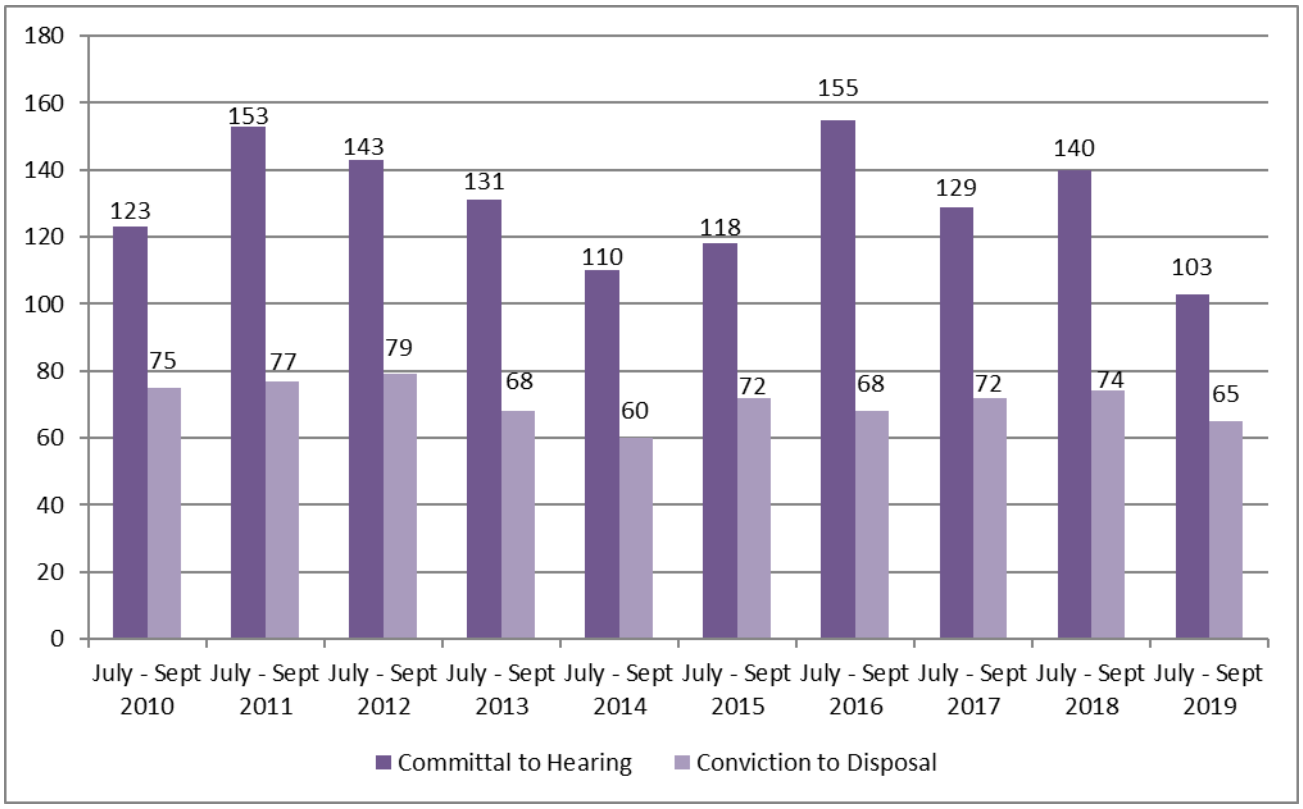
There were 427 defendants received in the Crown Court during July to September 2019, an increase of 4% on the same period last year, when 409 defendants were received. There

were 259 defendants were disposed during July to September 2019 a 19% increase against the same period last year, when 218 defendants were dealt with.

3.2 Waiting times

The average time from committal to hearing for July to September 2019 was 103 days, compared with 140 days for the same period in 2018. The average time from conviction to disposal was 65 days, compared with 74 days for the equivalent period in 2018. Average waiting times from committal to hearing have fluctuated over the last ten years peaking in 2016 at 155 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 ten years ranging between 60 and 79 days.

Figure 2: Crown Court waiting times in days: July – September 2010 to July - September 2019



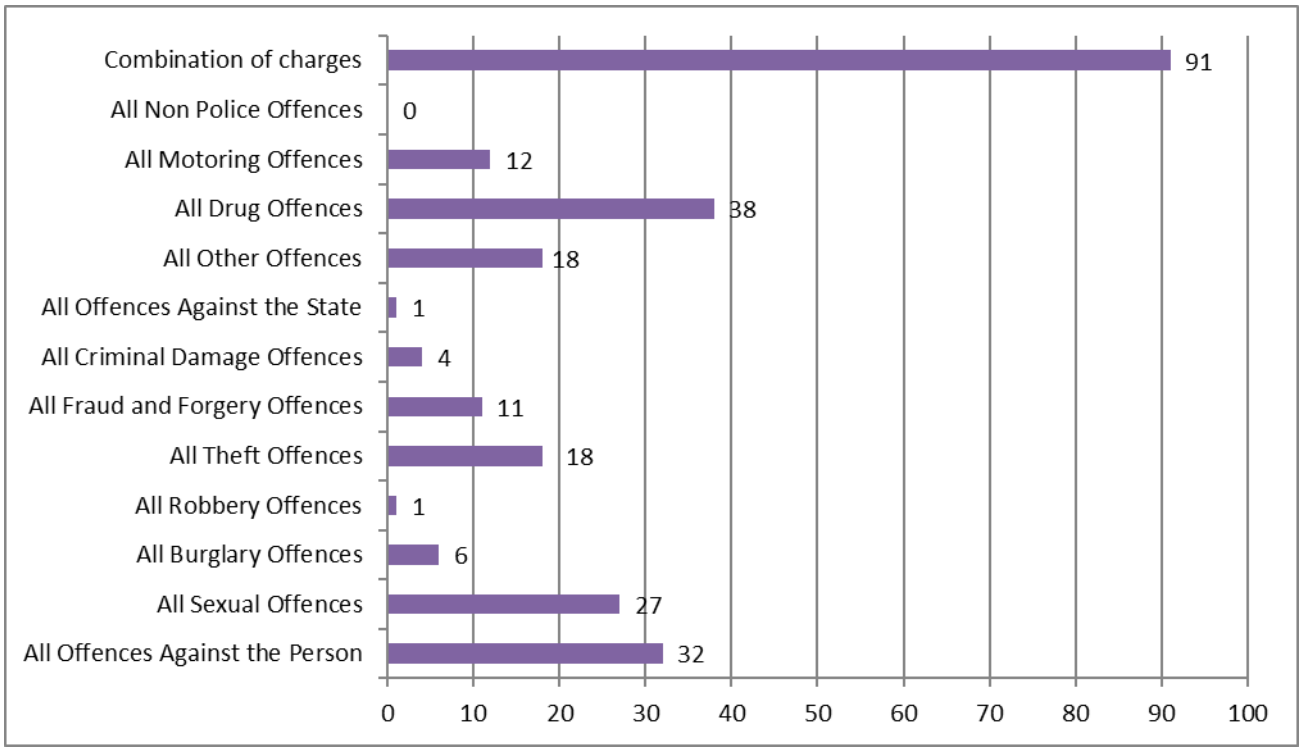
3.3 Disposals by Judge Type

County Court Judges disposed of 100% of defendants (259) and during the same quarter last year they disposed of 98% (213) defendants. The percentage of defendants disposed of by County Court Judges has remained relatively stable over the time series, ranging between 96% and 100%.

3.4 Disposals by Charge Type

Between July and September 2019, 12% of defendants were charged solely with offences against the person while 35% of defendants had a combination of charges (Figure 3). During the same period last year 13% of defendants were charged solely with offences against the person, and 46% 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 drug offences account for the next largest offence category in 2019 (15%). Drug offences ranged from 6% to 15% for the July to September quarter between 2010 and 2019.

Figure 3: Crown Court defendants disposed by charge type: July - September 2019



3.5 Outcome of Defendants

Of the 259 defendants disposed of during July to September 2019, 99 (38%) pleaded guilty to all charges, compared with 83 (38%) during July to September 2018. In total 91% (236) of defendants pleaded guilty or were found guilty of at least one offence between July to September 2019. Across the ten year time series, this percentage ranged between 79% and 91%.

3.6 Sittings

In total there were 394 Crown Court sittings for July to September 2019 compared with 355 for July to September 2018 (an increase of 11%), with a total time of 923 hours sat compared with 755 hours sat during the same period last year.

APPENDIX 1

Table 1 - Crown Court cases received

	Total
Antrim	42
Belfast	129
Craigavon	38
Downpatrick	41
Dungannon	32
Londonderry	25
Newry	25
Total	**332**

Table 2 - Crown Court cases disposed

	Total
Antrim	21
Belfast	81
Craigavon	17
Downpatrick	19
Dungannon	26
Londonderry	26
Newry	23
Total	**213**

Table 3 - Crown Court defendants received

	Total
Antrim	74
Belfast	153
Craigavon	47
Downpatrick	48
Dungannon	42
Londonderry	31
Newry	32
Total	**427**

Table 4 - Crown Court defendants disposed

	Total
Antrim	21
Belfast	102
Craigavon	23
Downpatrick	22
Dungannon	33
Londonderry	30
Newry	28
Total	**259**

Table 5 - Waiting times in days

	Committal to hearing - days	Conviction to disposal - days	Total defendants disposed
Antrim	54	67	18
Belfast	97	57	98
Craigavon	101	56	21
Downpatrick	112	76	21
Dungannon	107	69	32
Londonderry	96	72	29
Newry	155	75	25
Total	**103**	**65**	**244**

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

Table 6 - Crown Court defendants disposed by judge type

	Judicial Level		
	County Court Judge	High Court Judge	Total
Antrim	21	0	21
Belfast	102	0	102
Craigavon	23	0	23
Downpatrick	22	0	22
Dungannon	33	0	33
Londonderry	30	0	30
Newry	28	0	28
Total	**259**	**0**	**259**

Table 7 - Crown Court defendants disposed by charge type

All Offences Against the Person	32
All Sexual Offences	27
All Burglary Offences	6
All Robbery Offences	1
All Theft Offences	18
All Fraud and Forgery Offences	11
All Criminal Damage Offences	4
All Offences Against the State	1
All Other Offences	18
All Drug Offences	38
All Motoring Offences	12
All Non-Police Offences	0
Combination of charges	91
Total	**259**

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	14	7	0	0	21
Belfast	38	54	10	0	102
Craigavon	12	9	2	0	23
Downpatrick	5	16	1	0	22
Dungannon	14	13	6	0	33
Londonderry	9	18	3	0	30
Newry	7	20	1	0	28
Total	**99**	**137**	**23**	**0**	**259**

Table 9 - Crown Court sitting times

		Number of sittings	Total time
	Antrim	37	92:31
	Belfast	153	304:56
	Coleraine	1	0:30
	Craigavon	37	95:31
	Downpatrick	17	52:00
	Dungannon	40	155:26
	Lisburn	2	1:42
	Londonderry	43	104:34
	Newry	21	22:49
	Newtownards	10	17:56
	Omagh	18	54:42
	Royal Courts of Justice	15	20:12
Total		**394**	**922:49**

[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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Belfast BT1 3LA

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