

**Analytical Services Group**  
**Crown Court Bulletin**

**April to June 2020**

**Research and Statistical Bulletin**  
**Provisional Figures**

**C Darragh**

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

## EXECUTIVE SUMMARY

*This report covers data from April to June 2020, so court activity during this period has been severely affected by the COVID-19 pandemic. Figures published show that although courts continue to carry out urgent business and make more use of remote audio and video technology, the impact of COVID-19 is clear to see.*

*It is expected that the limited operation of the criminal courts during the COVID-19 pandemic and the temporary suspension of jury trials at the Crown Court will continue to have an impact on many of the published figures in this and future releases.*

- This bulletin provides information on throughput at Crown Courts in Northern Ireland during the period April to June 2020 and commentary on trends observed for this quarter in each year from 2011. On 31<sup>st</sup> 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 April to June 2020:
- There were 58 Crown cases received during April to June 2020 (Table 1). This was an 83% decrease on the 348 received during April to June 2019. The number of cases disposed has decreased by 58%, from 319 during April to June 2019, to 134 for the same period in 2020 (Table 2).
- The average time from committal to hearing for April to June 2020 was 105 days, compared with 108 days for the same period in 2019. The average time from conviction to disposal was 84 days, compared with 62 days for the equivalent period in 2019. The average waiting times for defendants disposed in the April to June quarter over the last ten years is outlined in Figure 2.
- County Court Judges disposed of 100% of defendants (164) and during the same quarter last year they disposed of 99% (385) defendants. 5% of defendants were charged solely with offences against the person while 52% of defendants had a combination of charges. During the same period last year 12% of defendants were charged solely with offences against the person, and 38% of defendants had a combination of charges. The charge types for defendants disposed during April to June 2020 are outlined in Figure 3.
- Of the 164 defendants disposed during April to June 2020, 55 (34%) pleaded guilty to all charges, compared with 126 (32%) during April to June 2019.
- In total there were 126 Crown Court sittings for April to June 2020 compared with 700 for April to June 2019 (a decrease of 82%), with a total time of 130 hours sat compared with 1801 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 2020. 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 2020 and will be published on 6<sup>th</sup> November 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>

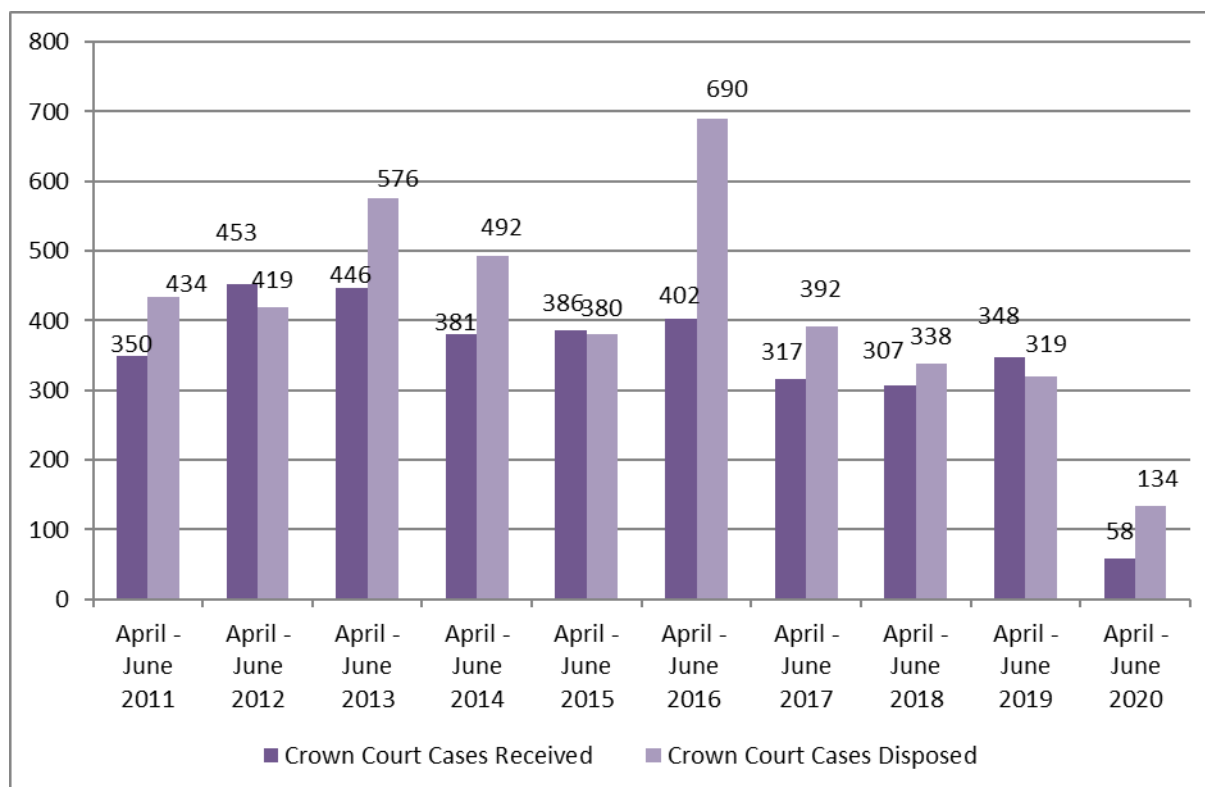
Incorrect figures or changes to this publication will be published on the web in a formal Statistical Notice.

### 3 FINDINGS

#### 3.1 Receipts & Disposals

There were 58 Crown cases received during April to June 2020 (Table 1). This was an 83% decrease on the 348 received during April to June 2019. The number of cases disposed has decreased by 58%, from 319 during April to June 2019, to 134 for the same period in 2020 (Table 2). The number of cases received and disposed for the April to June quarter over the last ten years is outlined in Figure 1.

**Figure 1: Crown Court Cases Received and Disposed: April - June 2011 to April - June 2020**



The trend in Crown Court cases received in the April to June quarter fluctuated during the period, peaking at 453 in 2012, before decreasing by 87% between 2012 and 2020. The trend in cases disposed also fluctuated between 2011 and 2020, with peaks in 2013, and again in 2016.

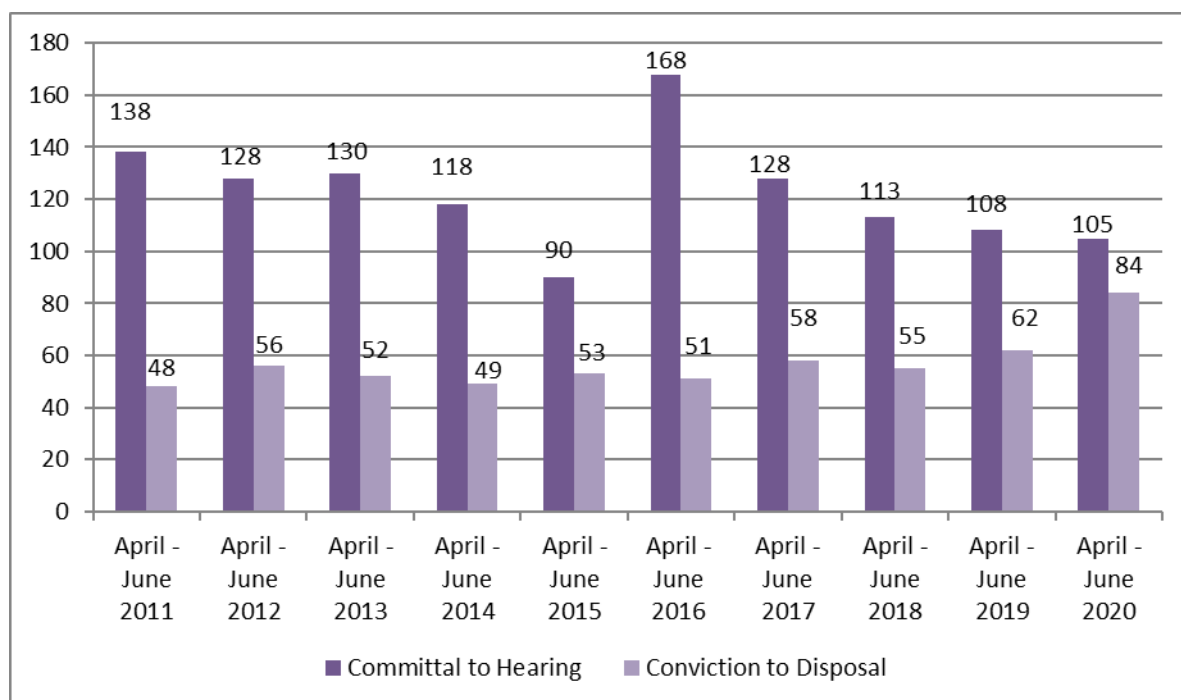
There were 67 defendants received in the Crown Court during April to June 2020, a decrease of 86% on the same period last year, when 473 defendants were received. There were 164 defendants disposed during April to June 2020 a 58% decrease against the same period last year, when 390 defendants were dealt with.



### 3.2 Waiting times

The average time from committal to hearing for April to June 2020 was 105 days, compared with 108 days for the same period in 2019. The average time from conviction to disposal was 84 days, compared with 62 days for the equivalent period in 2019. Average waiting times from committal to hearing have fluctuated over the last ten years peaking in 2016 at 168 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 also fluctuated over the last ten years ranging between 48 and 84 days, peaking at 84 days in 2020, however this figure will have been affected by delays resulting from the COVID-19 pandemic.

**Figure 2: Crown Court waiting times in days: April - June 2011 to April - June 2020**



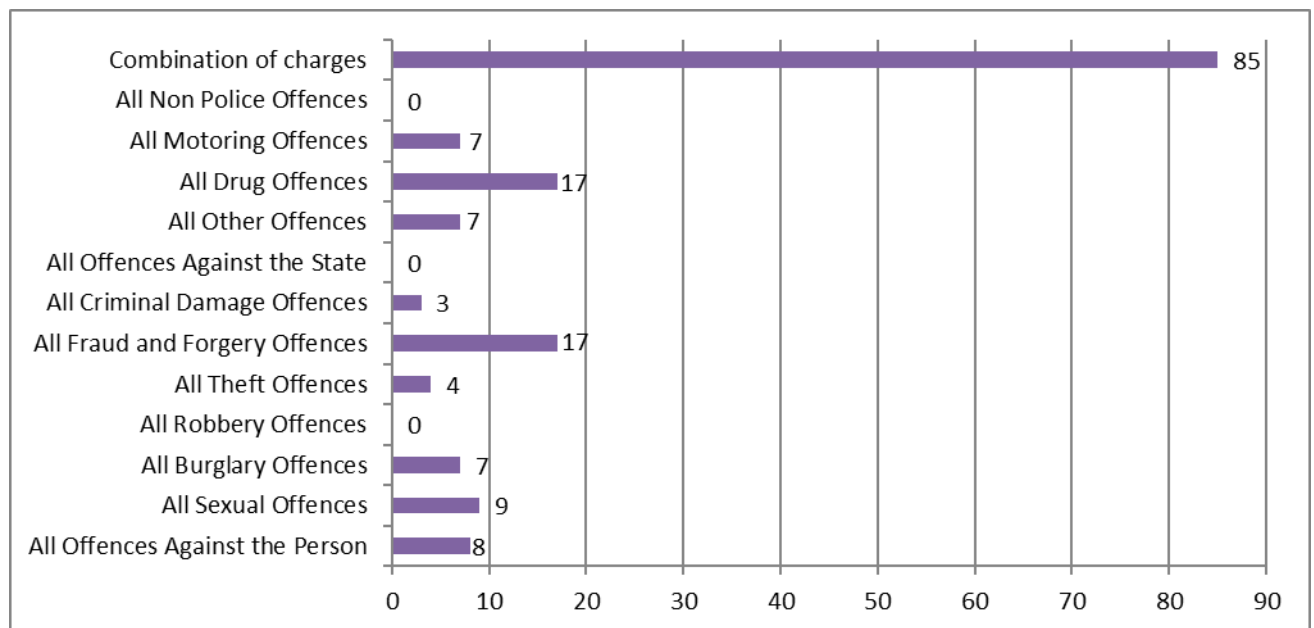
### 3.3 Disposals by Judge Type

County Court Judges disposed of 100% of defendants (164) and during the same quarter last year they disposed of 99% (385) 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 April and June 2020, 5% of defendants were charged solely with offences against the person while 52% of defendants had a combination of charges (Figure 3). During the same period last year 12% of defendants were charged solely with offences against the person, and 38% 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, along with defendants charged with fraud and forgery offences account for the largest offence categories in 2020 (both 10%). Drug offences ranged from 7% to 13% for the April to June quarter between 2011 and 2020, while Fraud and Forgery offences ranged from 4% to 10%.

**Figure 3: Crown Court defendants disposed by charge type: April - June 2020**



### **3.5 Outcome of Defendants**

Of the 164 defendants disposed of during April to June 2020, 55 (34%) pleaded guilty to all charges, compared with 126 (32%) during April to June 2019. In total 99% (163) of defendants pleaded guilty or were found guilty of at least one offence between April to June 2020. Across the ten year time series, this percentage ranged between 83% and 99%.

### **3.6 Sittings**

In total there were 126 Crown Court sittings for April to June 2020 compared with 700 for April to June 2019 (a decrease of 82%), with a total time of 130 hours sat compared with 1801 hours sat during the same period last year.

## APPENDIX 1

Table 1 - Crown Court cases received

	Total
Antrim	6
Belfast	21
Craigavon	10
Downpatrick	5
Dungannon	4
Londonderry	7
Newry	5
Total	58

Table 2 - Crown Court cases disposed

	Total
Antrim	5
Belfast	68
Craigavon	8
Downpatrick	15
Dungannon	12
Londonderry	7
Newry	19
Total	134

Table 3 - Crown Court defendants received

	Total
Antrim	6
Belfast	24
Craigavon	14
Downpatrick	5
Dungannon	5
Londonderry	8
Newry	5
Total	67

**Table 4 - Crown Court defendants disposed**

	<b>Total</b>
Antrim	8
Belfast	82
Craigavon	8
Downpatrick	17
Dungannon	12
Londonderry	7
Newry	30
<b>Total</b>	<b>164</b>

**Table 5 - Waiting times in days**

	<b>Committal to hearing - days</b>	<b>Conviction to disposal - days</b>	<b>Total defendants disposed</b>
Antrim	99	29	5
Belfast	107	86	76
Craigavon	70	67	8
Downpatrick	66	97	16
Dungannon	97	85	10
Londonderry	151	84	7
Newry	124	83	28
<b>Total</b>	<b>105</b>	<b>84</b>	<b>150</b>

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

**Table 6 - Crown Court defendants disposed by judge type**

	<b>Judicial Level</b>		<b>Total</b>
	<b>County Court Judge</b>	<b>High Court Judge</b>	
Antrim	8	0	8
Belfast	82	0	82
Craigavon	8	0	8
Downpatrick	17	0	17
Dungannon	12	0	12
Londonderry	7	0	7
Newry	30	0	30
<b>Total</b>	<b>164</b>	<b>0</b>	<b>164</b>

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

<b>All Offences Against the Person</b>	8
<b>All Sexual Offences</b>	9
<b>All Burglary Offences</b>	7
<b>All Robbery Offences</b>	0
<b>All Theft Offences</b>	4
<b>All Fraud and Forgery Offences</b>	17
<b>All Criminal Damage Offences</b>	3
<b>All Offences Against the State</b>	0
<b>All Other Offences</b>	7
<b>All Drug Offences</b>	17
<b>All Motoring Offences</b>	7
<b>All Non-Police Offences</b>	0
<b>Combination of charges</b>	85
<b>Total</b>	<b>164</b>

**Table 8 - Outcome of Crown Court Defendants**

	<b>Plea of guilty on all charges</b>	<b>Plea of not guilty on at least one charge - found guilty on at least one charge</b>	<b>Plea of not guilty - acquitted on all charges</b>	<b>All charges withdrawn</b>	<b>Total</b>
<b>Antrim</b>	2	6	0	0	8
<b>Belfast</b>	22	59	1	0	82
<b>Craigavon</b>	3	5	0	0	8
<b>Downpatrick</b>	6	11	0	0	17
<b>Dungannon</b>	5	7	0	0	12
<b>Londonderry</b>	4	3	0	0	7
<b>Newry</b>	13	17	0	0	30
<b>Total</b>	<b>55</b>	<b>108</b>	<b>1</b>	<b>0</b>	<b>164</b>

**Table 9 - Crown Court sitting times**

		<b>Number of sittings</b>	<b>Total time</b>
	<b>Antrim</b>	1	00:05
	<b>Belfast</b>	100	98:27
	<b>Craigavon</b>	4	6:05
	<b>Dungannon</b>	10	19:45
	<b>Londonderry</b>	9	5:04
	<b>Royal Courts of Justice</b>	2	1:05
<b>Total</b>		<b>126</b>	<b>130:31</b>

[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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