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**Reading Crown Court**

**Spring Update**

Welcome to the latest update from Reading Crown Court, which aims to set out the position as of 1st April 2023

**Statistics**

Statistics have been something of a thorny subject lately. The basis upon which the statistics are calculated by HMCTS seems – at least to me – to be irrational. For example: if a trial is listed on Monday, legal argument takes place and the jury are then sworn in on Tuesday – that is counted as 2 trials: one ineffective and one effective. It doesn’t matter that all parties have been engaged in court all day working hard, and as I understand it, it is irrelevant for the purposes of the statistics whether or not the judge deems the Monday as ‘Day 1’. This seems bonkers to me, and it probably does to you too.

Does it matter? Well yes, it does. Policy and resource decisions at national, regional and local levels are decided according to statistics; listing protocols – e.g. whether trials should be fixed or placed in a warned list, and how many cases should be put into a warned list – are influenced by the statistics. Get the statistics wrong, or fail to understand what they actually represent, and it may mean that the wrong decisions are made and with adverse consequences.

The statistics I give in these monthly updates show what most of us in court would understand by what is an ‘effective’, ‘cracked’ or ‘ineffective’ trial. If a case has proceeded to trial without needing to be adjourned off, then I have counted it as effective, even if the jury was not sworn in on day 1. If, on the other hand, a trial has had to be adjourned to a wholly new date some weeks or months away, then I have counted that as ineffective.

This month, I have shown the comparison between ‘real’ and HMCTS statistics in the final 2 columns.

The figure for outstanding trials is a figure that I manually check each month. It may not be 100% accurate as the court records are not always kept up to date; but I would be confident that it is accurate to within about 10 cases. Again, this will differ from HMCTS statistics as I count the number of individual trials, not the number of individual defendants.

Similarly, the CTL figure that I give relates to the number of cases in which one or more defendant is subject to CTLs, rather than the total number of individual defendants in custody.

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| --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Oct 22** | **Nov 22** | **Dec 22** | **Jan 23** | **Feb 23** | **March 23** | **March**  **HMCTS** |
| **Effective trials** | 16 | 21 | 9 | 25 | 14 | 20 | 21 |
| **Ineffective trials** | 10 | 6 | 6 | 0 | 5 | 6 | 12 |
| [Advocate unavailable] | [6] | [4] | [3] | 0 | [4] | [2] | [4] |
| **Cracked trials** | 7 | 8 | 7 | 9 | 5 | 10 | 10 |
| **Total trials listed** | **33** | **35** | **22** | **34** | **25** | **36** | **43** |
|  |  |  |  |  |  |  |  |
| **Cases 1yr+ since sending** | 137 | 133 | 134 | 132 | 136 | 135 |  |
|  |  |  |  |  |  |  |  |
| **Cases subject to CTLs** | 62 | 65 | 69 | 61 | 64 | 60 |  |
|  |  |  |  |  |  |  |  |
| **Total trials outstanding** | **397** | **398** | **396** | **403** | **406** | **401** | **568** |

From the above figures (ignoring the HMCTS statistics), it can be readily seen that over the course of the last 6 months we have been stable (or static – depending on whether you are a glass half full or a glass half empty type of person)

**Listing**

In the light of the relaunch of BCM and the SPJ’s guidance on listing; and having spoken to several sets of chambers, we are going to trial a new way of listing. We cannot see any way in which we would be able to operate effectively without a warned list, but as of January 2024:

1. We will trial a one-week warned list rather than a 2-week warned list; and
2. We will only list 5 cases in each 1-week warned list; and
3. We will only put cases into a warned list that have a time estimate of 1-3 days

Our hope is that this will greatly increase the chances that a warned list case will be called in; and if it is called in on a Tuesday or Wednesday, it removes the risk that a judge or jury that cannot sit into week 2, will still be able to take and complete the case.

All other cases will be given either a fixed trial date, or given fixed-floater (backer) status.

All fixed or fixed-floater cases will be given a PTR 5 weeks before the trial date.

**CVP**

Our protocol revised in Dec 21 remains in force. We will grant CVP where there is a good professional or personal reason, and where the interests of justice and the efficient progress of the case justify it. We will also ordinarily be sympathetic to requests for CVP where the hearing is largely administrative in nature. But CVP should always be the exception, not the default position.

Applications must be received by 2pm the day before the hearing, otherwise there simply isn’t time for the court to process the application and refer it to a judge for a decision. Applications must always give reasons why CVP is necessary and in the interests of the efficient progression of the case. Advocates using CVP must be in a quiet, private, neutrally decorated and professional space. An advocate on CVP is in an extension of the physical courtroom in which will be the judge, other advocates, and very often the defendant, victim, and members of the public. It shouldn’t need to be said that an advocate appearing ‘in court’ from their kitchen, bedroom, living room or car both looks, and is, unprofessional.

**Notes on the Sidebar**

At Reading we have used the same system for 4 ½ years; but there are still many who do not follow it. Our system is incredibly simple, and when everyone applies it, the history of the case can be readily followed and understood, which helps everyone, including the advocates.

There is a page at **A1** on the DCS headed **Judge’s Comments.** Only Judges should use this page to leave a note. They do so in **purple**. Advocates must **not** use this page under any circumstances.

There is a page at **A2** on the DCS headed **Advocate’s Comments**. Only Advocates should use this page to leave a note. They do so in **green.** Advocates must **not** use any other page or any other colour under any circumstances.

When the system is followed correctly, all judicial comments will come first in chronological order; then all advocates’ comments in chronological order; then any court admin comments which are in yellow

Please, *please*, follow this system which is really, *really* easy, and has been designed to make everyone’s life simpler. It will also stop me having an apoplectic fit every time someone fails to read the instructions.

**Outreach**

HHJ Sarah Campbell has been doing an amazing job as Diversity and Community Relations Judge. Thanks to her energy and commitment, over the course of the last year, amongst other events:

* 27 university students and 10 school students attended to spend a day marshalling with a judge;
* A total of 45 school students from 4 schools attended court to marshal for a day, or observe proceedings and have a Q&A with a judge;
* We hosted mock trials for Reading University;
* We hosted 160 students from 16 schools for the Berkshire Young Citizens Mock Trials competition;

Plans are now underway, led by Judge Campbell, for a Court Open Day in October. Details to follow.

**High Sheriff**

On 31 March, we were delighted to host the swearing in of the new High Sheriff for Berkshire – Simon Muir – which was presided over appropriately enough by the presider for the SE, Mr Justice Cavanagh.

Our new High Sheriff has hit the ground running, and has already spent a morning at court observing proceedings. We hope to see much more of him over the course of the year.

**Reading Legal Walk**

The High Sheriff has also agreed to share ‘Lead Walker’ duties with HHJ Emma Nott, for the Reading Legal Walk, which takes place on 19th September.

The 10k walk starts at 5.00pm leaving from the bandstand in the Forbury Gardens (directly outside the court) and will raise money for local law centres – these funds will make a huge difference to access to invaluable assistance for some of Berkshire’s most vulnerable constituents.

Anyone interested can sign up – and donate money – by following the link below, or by contacting HHJ Nott.

[https://londonlegalsupporttrust.enthuse.com/pf/judiciary-reading-crown-and-family-courts](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Flondonlegalsupporttrust.enthuse.com%2Fpf%2Fjudiciary-reading-crown-and-family-courts&data=05%7C01%7CHHJ.Heather.Norton%40ejudiciary.net%7Ce6131ae8a59348cde20408db35cd4ac1%7C723e45572f1743ed9e71f1beb253e546%7C0%7C0%7C638162928053241568%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=tMvOdIumoKuS1F9%2FcA07rg4mAVlpQuYT1e8whimRLQE%3D&reserved=0)

**Catering and Robing Room facilities**

Same old, same old. Moving swiftly on……….

**Judicial News**

Huge congratulations to HHJs Kirsty Real and Emma Nott for completing the Reading Half Marathon on 2 April; Judge Real clocking up a PB at 1:48!!!

Having lost HHJ Dugdale to Winchester, and with HHJ Burgess on secondment to Bristol since January, we have been struggling with our very reduced judicial capacity. We have been hugely grateful for the help and assistance of DJ(MC)s Cooper, Greenfield and Matson and to all the Recorders who have come to Reading, who last month included the leader of the CBA, Kirsty Brimelow KC; particular thanks to her for her helpful insights. We are now reliant on 2-4 recorders each week to cover the work. I am particularly grateful to Judge Nicholas Ainley, who came out of retirement to try a 2-month long multi-handed case; we very much enjoyed having him here.

I am very sorry to report that HHJ Burgess’s secondment to Bristol is not going to be temporary after all, and he will be transferring to Bristol (his home city) permanently from 26 June. We will be incredibly sad to lose him so soon after losing Judge Dugdale. Our loss of these two fine and popular judges is very much the Western Circuit’s gain.

Judge Burgess will however be returning to Reading for one final stint after Easter for a limited period of two months. His final day will be **Friday 23 June.** There will be a valedictory for him in the morning, and we will hold our court summer party that evening to say goodbye to him. All court users will be very welcome as our guests. Further details will follow, but please put the date in your diaries now.

And finally….I am stepping away from work for a couple of months to complete a couple of projects, and to re-charge after what have been a difficult couple of years. HHJ Amjad Nawaz will be acting RJ in my absence. I will be back for the summer party, and look forward to seeing everyone then. Normal service will resume on 26 June.

HHJ Heather Norton

***Happy Easter!***

