

## Harrow

### Spring update

#### **Dock capacity**

This is improving. We can now have 5 defendants in courts 3 and 5.

We do not have a date, however, for the screens in counsel's row to allow for up to 9 counsel in these court rooms. I will let you know as soon as we get a date.

#### **Cells capacity**

This is still limited to 7 men and 2 women (or a child/young person) a day.

#### **Juries/Trials**

We are using courts 4 and 6 for deliberations and only jury room 2- the largest. This means we can only send 3 juries out at anyone time.

We can, however, manage 4 -5 jury panels at any one time. We may need to stagger departure times, particularly at lunch to avoid congestion on the stairs.

We will carry on listing some floating trials as CVP counsel only. We don't want parties coming to court unless and until we have a panel ready for them.

#### **Interpreters**

There are headsets for all interpreters so there is no need for an interpreter to go into the dock.

#### **Custody sentences**

Most cases are listed via PVL and this is our general default unless it is a difficult or sensitive case. Where no PVL slot is available in a simple case, we may have the defendant produced at court if there is capacity in the cells. The defence advocate will need to attend court. The advocate can apply to attend via CVP, but this application may well not succeed as it is hard to see how it could be in the interests of justice as there is no mechanism to allow pre- and post-court conferences.

## **Bail sentences**

Whereas we put many of these back in Jan and early Feb, we think we can start hearing these now and they will be staggered as best as we can. Again, the default is cvp for the crown and attendance in person by defence advocate.

## **Custody PTPHs**

The default here is PVL and where we cannot get a link the hearing remains listed so that we can id a trial date and the ctl. Please do not make applications to have defendants produced for a conference. We simply do not have the capacity in the cells, and we need to keep footfall across the building to a minimum.

There will always be the odd case where a defendant needs to come- particularly where there are communication difficulties and or a very difficult defendant who needs time. In such cases the prosecution will need to be flexible. It is no point having a defendant produced who needs time and kid gloves only to discover that the prosecutor has gone off to do another CVP.

## **Bail PTPHs**

At the moment there is very reduced engagement pre ptpH and the form is rarely completed in advance as is the requirement (see BCM).

Our approach is the following:

- Bail ptpHs remain listed on their sending day but with d excused and the hearing is CVP.
- The defence can request at the start of the hearing that the defendant join the hearing by CVP- the Judge will decide so do not pre-empt-
- Please discuss whether there should be an extended time for stage 1 to allow early engagement,
- Please identify the remaining stage dates with the view to a late Feb case reaching stage 4 by July and a March case reaching stage 4 by August.
- A trial date will be set. It will be Spring 2022.
- Please id if the case could later be sent to a Nightingale court or if it is a priority bail case.

Finally, we will set a date in July or September (the clerk will have a date) which will be a Monday when the defendant and both the defence and crown will need to attend court. This will be for pleas to be entered (if the d did not join on CVP) and for 45 mins to be set aside to give the case the sort of shake we used to give pre pandemic.

#### **A couple more things (well 4)**

Do remember that we do not have PVL slots whenever we want. Thursday is our day with the Scrubs and we more slots on Monday am, Tuesday pm, Wednesday is and Friday pm.

Probation stand-down reports are not happening at the moment.

We are still seeing lots of cases with witness requirements in the ds and no swt. Please remember that witness care warns from the swt not from a defence statement and we need timings/ revised time estimate etc

Just before lockdown last year we were finally getting across the message -and re-iterating at the PTPH that the parties should engage and agree variations of stage dates between themselves. This is all in the CPR. We only want to know if there is no agreement and if anything impacts on the trial date. We need to reduce the volume of box work and this now seems to have been forgotten. Agreement to vary a time limit fixed by a direction

*CPR 3.7.—(1) The parties may agree to vary a time limit fixed by a direction, but only if—*

*(a) the variation will not—*

*(i) affect the date of any hearing that has been fixed, or*

*(ii) significantly affect the progress of the case in any other way;*

*(b) the court has not prohibited variation by agreement; and*

*(c) the court's case progression officer is promptly informed.*

**And finally,**

Many thanks for all your hard work. Let's hope for a better summer.

Rosa Dean

22<sup>nd</sup> Feb

