

XXXX
XXXX

data.access@justice.gsi.gov.uk

January 2018

Dear XXXX

Freedom of Information Act (FOIA) Request – 171215017

You asked for the following information from the Ministry of Justice (MoJ):

Please could you tell me for the period 1/1/15- 31/10/17 for England and crown court only

- 1. How many trials have not commenced on the first trial date?**
- 2. Same as above but for the second trial date?**
- 3. Same as above but for the third trial date.**
- 4. How many cases have had missed trial dates and no confirmed future trial date is fixed?**
- 5. How many judges have had disciplinary action against them due to bad management ?**

Your request has been handled under the FOIA.

For the sake of clarity, I should explain that I have interpreted your Questions 1-4 as relating to Crown Court trials that were previously Ineffective upon disposal, once, twice, three times and those that were previously Ineffective and awaiting a trial date on 11 January 2018. The data provided below excludes trials that were previously Vacated.

An Ineffective trial does not commence on the due date and requires a rescheduling. This could be due to the absence of a defendant or a witness, the case not being ready or due to administrative reasons at the court centre. A trial that does not go ahead on the scheduled trial date due to action or inaction by one or more of the prosecution, the defence or the court and a further listing for trial is required.

Vacated trials are trials which have been removed from the list before the date of the trial.

Regarding Questions 1-4, for England only, I can confirm that the MoJ holds the information that you have requested and I have provided some of it below.

Data for October 2017 has not yet been published by MoJ.

However, for the period 1/1/15-30/9/17 I can tell you that:

| 1 January 2015 to 30 September 2017 Crown Courts in England | |
|--|--|
| Trials not commenced on the first trial date | 12339 |
| Trials not commenced on the second trial date | 1832 |
| Trials not commenced on the third trial date | 326 |
| Missed trial dates with no confirmed future Trial date fixed (@ 11 January 2018) | 1393 (NB. Of which 766 have had future dates which were not a Trial SEE BELOW) |

Notes regarding the above:

- Data are taken from a live management information system and can change over time.
- The data relates to previously Ineffective trials.
- This data has been extracted specifically for these questions. It has not been cross referenced with case files, or compared against any MoJ published statistics.
- The figures are vulnerable to external factors such as human error and missing data. They may differ from published statistics.
- The data provided are the most recent available and for that reason might differ slightly from any previously published information.
- On 11 January 2018, of the 1393 records where no future date has been fixed for a Trial, 766 cases had future dates for other reasons eg. Pre Trial Review, Case Management Hearing, Plea Hearing, Sentencing. In some of these cases a further Trial is not required. 627 have no future date listed.

Regarding Question five, we do not recognise the term “disciplinary action against them (Judges) due to bad management”.

The Judicial Conduct Investigations Office publishes data relating to complaints about a judicial office-holder’s personal conduct. However, that information is exempt from disclosure under section 21 of the FOIA, because it is reasonably accessible to you. The information can be accessed via the following link:

<https://judicialconduct.judiciary.gov.uk/disciplinary-statements/2017>

Disciplinary statements are published on the website.

Appeal Rights

If you are not satisfied with this response you have the right to request an internal review by responding in writing to one of the addresses below within two months of the date of this response.

data.access@justice.gsi.gov.uk

Data Access and Compliance Unit, Ministry of Justice, 10.38, 102 Petty France, London, SW1H 9AJ

You do have the right to ask the Information Commissioner’s Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely,

XXXX.