



NORTHERN IRELAND COURT BUSINESS

In this issue 15 November 2016

No. 6/16

LORD CHIEF JUSTICE'S DIRECTIONS

Distribution of Crown Court Business and Places of Sitting of the Crown Court

Issued by the Lord Chief Justice's Office

**LORD CHIEF JUSTICE'S DIRECTION GIVEN IN ACCORDANCE WITH SECTION 47(2) AND (3) OF
THE JUDICATURE (NORTHERN IRELAND) ACT 1978**

06/16

**DISTRIBUTION OF CROWN COURT BUSINESS AND PLACES OF SITTING OF THE CROWN
COURT**

COMMENCEMENT

1. This direction shall come into operation with immediate effect.

COMMITTALS FOR TRIAL

2. Subject to section 4(1) of the Justice and Security (Northern Ireland) Act 2007 and without prejudice to the provisions of section 48(1) (a) and (b) of the Judicature (Northern Ireland) Act 1978, a magistrates' court shall commit a person for trial to the next sitting of the Crown Court at a place within the county court division in which that magistrates' court is sitting.

CLASSIFICATION OF OFFENCES

3. For the purposes of trial in the Crown Court, offences are to be classified as follows:-

Class 1: The following offences are to be tried by a judge of the High Court –

- (1) Treason, misprision of treason and any other offence under the Treason Felony Act 1848
- (2) Genocide
- (3) Piracy
- (4) Corrupt practices within the meaning of the Representation of the People Act 1949 or the Electoral Law Act (Northern Ireland) 1962
- (5) An offence under the Official Secrets Acts 1911 to 1989
- (6) An offence under the Geneva Convention Act 1957, Section 1
- (7) An Offence under the Biological Weapons Act 1974, section 1
- (8) Sedition
- (9) Mutiny
- (10) Aiding, abetting, counselling or procuring the commission of any of the above offences.

Class 2: The following offence is to be tried by a judge of the High Court, or by a County Court Judge listed in Schedule 1 to these directions:

Murder

Class 3: The following offences are to be tried by a judge of the High Court, unless in a particular case the Lord Chief Justice directs the offences to be tried by a County court judge-

- Attempting, inciting or conspiring to commit any of the offences in Class 1.

Class 4: The following offence is to be tried by a County Court Judge included in Schedule 2 to these directions or, subject to any special directions by the Lord Chief Justice in a particular case, by a judge of the High Court –

Rape

Class 5: All other offences which, subject to any special directions by the Lord Chief Justice in a particular case, may be tried by any judge of the Crown Court.

REVOCATION

4. The direction issued by the Lord Chief Justice on 12 November 2013 on the distribution of Crown Court business, issue number 23/13 is hereby revoked.

The Right Honourable Sir Declan Morgan
Lord Chief Justice
15 November 2016

SCHEDULE 1

County Court Judges eligible to try murder cases, listed in order of seniority:

His Honour Judge McFarland, Recorder of Belfast
His Honour Judge Marrinan
Her Honour Judge McReynolds
His Honour Judge Lynch QC
His Honour Judge Babington, Recorder of Londonderry
His Honour Judge Grant
His Honour Judge Miller QC

SCHEDULE 2

County Court Judges eligible to try rape cases, listed in order of seniority:

His Honour Judge Smyth QC
His Honour Judge McFarland, Recorder of Belfast
His Honour Judge Finnegan QC
His Honour Judge Marrinan
Her Honour Judge McReynolds
His Honour Judge Lynch QC
Her Honour Judge Loughran
His Honour Judge Babington, Recorder of Londonderry
His Honour Judge Grant
His Honour Judge Miller QC
Her Honour Judge Smyth
His Honour Judge Fowler QC
His Honour Judge Devlin
His Honour Judge Kerr QC
His Honour Judge Sherrard
His Honour Judge Kinney
Her Honour Judge McColgan QC
His Honour Judge Ramsey QC
Her Honour Judge Crawford
His Honour Judge Rafferty QC
Her Honour Judge McCaffrey