

CASE MANAGEMENT IN THE CROWN COURT - PD 2/19 CHECKLIST

Pre-arraignment		√
1	Prosecution / Defence to identify if vulnerable witness or defendant [para 2.3] – appropriate protocol at Annex A or B to be followed; and/or Protocol to expedite serious sexual offence cases involving witnesses under 13 years for cases within scope (Belfast / Antrim only)	
2	Prosecution to have served all papers, including video and electronic evidence, and working passwords at time of committal [para 3.1 - 3.2]	
3	Defence Counsel to be briefed no later than 10 working days before arraignment unless extension granted by the judge [para 3.6 (a)]	
4	Defence Expert's timetable to be established no later than 10 working day before arraignment [para 3.5]	
5	Defendant's consent to examination and disclosure to be sought [para 3.6(b)]	
6	Defence Counsel must consult with the Defendant [para 3.6 (c)]	
7	Defence applications to be heard pre-arraignment must be filed 5 working days before date fixed for arraignment [para 3.7] (Previous Sexual History within 28 days of committal)	
8	Defence Statement must be lodged 21 days after Committal, if Prosecution disclosure has been made, otherwise an extension of time must be obtained from the Crown Court [para 3.8]	
9	Defence must inform the court if the defendant is a child or otherwise vulnerable and any consequential requirements no later than 5 working days before arraignment [para 3.10]	
10	Defence must give notice 5 working days before arraignment if the defendant intends to plead guilty but a Newton Hearing is needed [para 4.2]	
11	Prosecution must make full disclosure within 15 working days of defence statement or seek an extension from court [para 6.2]. If disclosure is not received within the specified time the Defence to lodge a s8 application [para 6.3]	
12	Prosecution must inform the Defence of relevant 3 rd parties when serving initial prosecution disclosure [para 6.6]. Any subsequent 3 rd party applications must be made 'promptly' [para 6.4] and no later than 10 working days before arraignment [para 6.14]. Applicant to send copy notice and supporting affidavit to the Prosecution, who will inform the Complainant of the date of the 3 rd party application and the right to make representations [para 6.16]	
Arraignment		
1	Prosecution must be in a position to inform the judge of outstanding interlocutory applications; additional evidence; whether witness list has been sent for agreement; the length of any trial; any vulnerable witnesses; any reason for expedition [para 3.11]	
2	Plea of Guilty – Court to fix date for plea and sentence and the timetable for lodgement of submissions, reports, etc [para 4.1]	
3	Plea of Not Guilty – Court to fix a date for trial and review after being informed of the position of witnesses, and any necessary support services, will give direction for the service of expert reports and whether the case is suitable for the Early Trial procedure [see para 5.4-5.11] or if Protocols at Annex A or B apply. Court to fix the date for hearing of pre-trial applications.	
Case management /pre-trial reviews		
1	Witnesses and support services to be notified immediately post arraignment and Witness Summons sought if applicable [paras 5.6-5.8 & 5.17-5.20]	
2	Vulnerable Witness – Ground Rules Hearing (mandatory if child or RI appointed) [A5.1], Trial Practice Note on file, Familiarisation visit, ABE tested (<i>in courtroom listed for trial</i>); Witnesses, Interpreter, RI, Witness/Young Witness Service / REC - availability confirmed? [Annex A and B]	
3	Reports to be relied on to be lodged not later than 28 days before trial [para 2.1(g)]	