

Question on Notice

No. 628

Asked on Friday, 21 April 2006

MR MCARDLE asked the Attorney-General and Minister for Justice (Mrs Lavarch) -

QUESTION:

With reference to the answer to question 3 of Question on Notice No 272 of 2006—

- (1) For each of the new trials that resulted in further hung juries, was a further trial held; if so, what was the outcome and, if a further trial was not held, why not, with each matter reported separately?
- (2) In the case of every trial, with each matter reported separately, what was the cost of conducting the first and subsequent trials?
- (3) In the case of every trial, with each matter reported separately, how many court days and hours did each take for the first trial and any subsequent trials?

ANSWER:

(1) In 2002/03 – Out of sixteen retrials there were two further retrials with hung juries. Those two matters were re-tried resulting in both trials delivering not guilty verdicts on all counts.

In 2003/04 - Out of nine retrials there were a further three retrials with hung juries. Each of those three matters resulted in a nolle prosequi being entered by the Office of Director of Public Prosecutions and no retrials held.

In 2004/05 (1 July 2004 to 28 February 2005) - Out of seven retrials there was a further one retrial with a hung jury. This matter was re-tried resulting in the defendant being found guilty to an alternative charge.

(2) The cost of conducting the first and subsequent trials is not ascertainable from any presently held data. It would require the development of a methodology to determine the cost of different court activities.

(3) Because of the request that each matter be dealt with separately, this answer has been provided in a table format for ease of reference. (Part of a day is counted as a day for the purposes of the statistics below).

2002/03		Duration of Trial (days)		
Retrial	Original	1st Retrial	2nd Retrial	Total

1	5	3	8
2	2	3	5
3	2	5	7
4	4	7	11
5	6	3	9
6	5	3	8
7	4	4	8
8	3	3	6
9	2	4	3
10	3	3	2
11	10	9	
12	13	14	
13	4	4	
14	8	5	
15	4	3	
16	4	3	
Total	79	76	5
			160

2003/04		Duration of Trial (days)			
Retrial		Original	1st Retrial	2nd Retrial	Total
1		6	6		12
2		3	2		5
3		4	4	nolle	8
4		3	4		7
5		2	3		5
6		4	4	nolle	8
7		3	5	nolle	8
8		2	5		7
9		8	8		16
Total		35	41	0	76

2004/05*		Duration of Trial (days)			
Retrial		Original	1st Retrial	2nd Retrial	Total
1		5	6		11
2		3	2		5
3		3	2	2	7
4		3	3		6
5		10	8		18
6		2	2		4
7		4	3		7
Total		30	26	2	58

- For the period 1 July 2004 to 28 February 2005