

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 Retrial	Duration of Trial (days)			
	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	9
10	3	3	2	8
11	10	9		19
12	13	14		27
13	4	4		8
14	8	5		13
15	4	3		7
16	4	3		7
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