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**WILTSHIRE CRIMINAL JUSTICE BOARD –  
CRACKED AND INEFFECTIVE TRIALS**

**1. Introduction and Background**

- 1.1 The Chairman asked that, as the Chief Constable now chaired the Wiltshire Criminal Justice Board, had there been any progress with reducing the number of cracked and defective trials at both Magistrates and High Court. This information had previously been received by the Panel in the context of the routine performance report. The Chairman asked for a report showing cracked and defective trials monthly for the past two years.

**2. Issues for Consideration**

- 2.1 As the Panel is aware, there have been problems in obtaining data on cracked and ineffective trials from the Courts. This has been the case since April 2016 and the reasons for this are due to key members of staff leaving the South West Region Courts Team employment. None of the current staff are able to produce the spreadsheets and manipulate the data held, including cracked and ineffective trials. It could be possible to obtain information on the number of cracked and ineffective trials, but it would not be possible to identify whether these were due to police failings, or a decision not to prosecute as it was not in the public interest or any other reasons. Therefore, the value of the data would be limited.
- 2.2 Consideration has been given to whether or not there are other ways of obtaining the information required but there do not seem to be any viable alternatives. Horizon would be able to give a figure of how many of the trials they have been involved in were cracked or ineffective but the only other data they could provide would relate to how the witnesses and victims felt about how their case was handled, rather than the reasons why a case was cracked or ineffective.
- 2.2 It should be noted that this is not a problem being experienced only in Wiltshire. All Forces in the South West Region are having identical problems.
- 2.3 The matter has been raised through the WCJB on several occasions with the Head of Crime from the South West, Enzo Riglia. Losing the key members of staff means that they cannot replicate the data with the same level of context. Mr Riglia has said that he is liaising with the National Courts Team to try and obtain a monthly report for Wiltshire. We have identified to him the content and the format that we need the report in. His response is currently awaited.

2.4 The next WCJB is scheduled for Monday 21<sup>st</sup> November 2016. The Chief Constable and the PCC, both of whom are fully sighted on the problems, will raise this concern again, highlighting the importance of this information. However, the Panel is asked to note that the problems lie with a partner and so the ability of the Force or the PCC to directly impact on providing a solution is limited, although pressure will be maintained.

### **3. Recommendation**

The Panel is asked to note the position.

**Kieran Kilgallen**  
**Chief Executive**