

The Crown Court

Plea and Case Management Hearing

Advocates' Questionnaire

CC Case Number D1

Date of trial

Fixed

Warned

■ Parties must complete this form.

■ This form is to be used at all Crown Court Centres, without local variation.

There is an electronic version of the form on the Ministry of Justice website, at:

<http://www.justice.gov.uk/guidance/courts-and-tribunals/courts/procedure-rules/criminal/formspage.htm>

PART ONE

(Questions 1 to 15 are to be completed in all cases, together with question 37 'Witness List')

1 Date of trial and custody time limits

1.1	Date of PCMH <input type="text"/>	PTI URN <input type="text"/>
	Judge <input type="text"/>	Estimated length of trial <input type="text"/>

1.2 What are the custody time limit expiry dates as agreed between the parties? *(If different custody time limits attach to different offences or defendants, please give details.)*

1.3 Can an application to extend any custody time limit be made today? No Yes

2 Parties

	Parties' names	Age	Remand status	Instructed Advocate	PCMH Advocate (if not the Instructed Advocate)
P	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
D1	<input type="text"/>	<input type="text"/>	C <input type="checkbox"/> B <input type="checkbox"/>	<input type="text"/>	<input type="text"/>

3 Contact details

3.1 Parties

<i>P</i>	Office	Name	Phone
		Email	
	Advocate	Name	Phone
		Email	
<i>D1</i>	Solicitor	Name	Phone
		Email	
	Advocate	Name	Phone
		Email	

3.2 Case progression officers

<i>P</i>	Name	Phone
	Email	
<i>D1</i>	Name	Phone
	Email	
<i>Court</i>	Name	Phone
	Email	

4 Which, if any, of the orders made at the magistrates' court have not been complied with?

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5

D1 Has the defendant been advised that he or she will receive credit for a guilty plea? No Yes

6

D1 Has the defendant been warned that the case may proceed in his or her absence? No Yes

7

What plea(s) is / are the defendant(s) offering?

<i>D1</i>

8

Should the case be referred to the Resident Judge for a trial judge to be allocated? No Yes

9 Give details of any issues relating to the fitness to plead or to stand trial.

D1

10 Disclosure, the defence statement and notification of defence witnesses

10.1 Has the prosecution made statutory disclosure?

P

D1

10.2 Has a defence statement been served?

D1

10.3 Does it comply with the statutory requirements?

P

10.4 If not clear from the defence statement, what are the real issues?

D1

10.5 D1 Has / will the defence made / make an application in writing under section 8 of the Criminal Procedure and Investigations Act 1996?

No Yes

10.6 D1 Has the time limit for the notification of defence witnesses expired?

No Yes

If yes, give particulars (preferably on the relevant form of Notice).

If no, can any orders be made even at this stage?

No Yes

Details of any proposed order(s)

11 Further evidence

What further evidence is to be served by the prosecution? By when is it reasonably practicable to serve this?

P

12 Expert evidence

12.1 Give details of any expert evidence likely to be relied upon, including why it is required and by when it is reasonably practicable to serve this.

P

D1

12.2 Is a note of agreement / disagreement required?

13 Witnesses

13.1 Have the parties completed the Witness List (see 37)? No Yes

13.2 Are the parties satisfied that all the listed witnesses are needed (see 37)? No Yes
If 'no', give details.

13.3 Are the parties satisfied that the time estimates for questioning witnesses are realistic (see 37)? No Yes
If 'no', give details.

13.4 Is any witness summons necessary? No Yes
If 'yes', give particulars:

13.5 Can a timetable be fixed now for the calling of witnesses? No Yes
If 'no', why not?

14 Timetabling of the trial

14.1 Are there matters which need to be determined at the start of the trial, which may affect the timetable? No Yes

If so, when will (1) the jury and (2) the witnesses be required?

14.2 What timetable can now be set for the conduct of the trial (see rule 3.10)?

15 The indictment

15.1 Has the indictment been signed and dated as required by Part 14 of the CrimPR? No Yes

15.2 Is any amendment of the indictment required? No Yes

PART TWO question 37 (Witness list) is to be completed in every case

Answer the remaining questions only where relevant

16 Admissions and agreed facts

What matters can usefully be admitted or put into schedules, diagrams, visual aids etc.?

17 Case summary

P Is it proposed to serve a case summary or note of opening? No Yes

18 Measures to assist witnesses and defendants in giving evidence

18A Measures to assist a witness in giving evidence.

Each of these issues must be addressed separately in respect of each young vulnerable or intimidated witness who is or may be required to give evidence in person. (If completed electronically, the form will expand to deal with each separate witness separately. If completed manually, attach separate sheets if necessary.)

Name and age of witness:

name:

age:

What arrangements have been made for a pre-trial visit?

What arrangements have been made to ensure that the witness sees the video of their evidence BEFORE the trial (i.e. not immediately before giving their evidence over the live link)?

Has the witness been offered a 'supporter'?
If 'yes', give particulars:

No Yes

Does the witness need an intermediary?
If 'yes', give particulars:

No Yes

What arrangements have been made for the witness to access the court building other than by the main public entrance?

What are the arrangements to ensure that this witness can give evidence without waiting or at least by reducing waiting to a minimum (*e.g. by ensuring that the opening and any preliminary points will be finished before the time appointed for the witness to attend or by agreeing and fixing a timed witness order in advance*)?

Have the views of the witness been sought and, if so, has s/he expressed any particular view or concerns?

No Yes

If 'yes', give particulars:

If views not sought, why not?

What material (if any) needs to be available to the witness in the video suite?

18B Defendant's evidence direction

Is any defendant's evidence direction to be sought?

No Yes

If so, has the necessary application been made, complying with Section 4 of CrimPR Part 29?

No Yes

If so, give details

18C Witness anonymity order

Is any witness anonymity order sought / to be made?

No Yes

If so, has an application been made, complying with Section 5 of CrimPR Part 29?

No Yes

If so give details (subject to the restrictions in Section 5 of CrimPR Part 29).

19 Young or vulnerable defendants

Are any other arrangements needed for any young or vulnerable defendants?

D1

20 Reporting restrictions

State type and grounds of any reporting restriction sought.

P

D1

21 Third party material

21. Is any application to be made for the production of third party material?

No

Yes

22 Defendant's interview(s)

22.1 Specify any issue relating to the admissibility of all or any part of the defendant's interview(s). Can the issue be resolved now? If not, when? Are skeleton arguments needed and, if so, when?

22.2 By how much can the interview(s) be shortened by editing / summary for trial? Give a timetable for the service of any proposed summary by the prosecution and agreement / counter-proposal by the defence.

22.3 Specify any other issues concerning the defendant's interview(s).

23 Witnesses giving evidence by video or DVD interview

23.1 Is there video or DVD evidence of any young / vulnerable / intimidated witness yet to be served?

23.2 Has each video been transcribed?

23.3 Is there an issue in relation to the accuracy / admissibility / quality / length of any video or transcript?

24 Witness interview(s)

24.1 Are there any videos / audio tapes of witness interviews which, if they meet the disclosure test, are yet to be disclosed as unused material?

24.2 If so, is any application made for that video / audio tape to be transcribed and, if so, why?

25 CCTV evidence

25.1 Are there any outstanding issues in relation to service or disclosure of CCTV footage? *If the material is in the possession of a third party, complete 21 instead.*

25.2 Is an edited version to be served / used?

26 Electronic equipment

26.1 Give details of any special equipment (e.g. CCTV, live link, audio recordings, DVD) required in the trial courtroom.

P

D1

26.2 Is the evidence in its present form compatible with the equipment in court?

27 Cross-examination on sexual history

If an application has not already been made, does the defence intend to make an application under section 41 of the Youth Justice and Criminal Evidence Act 1999 to cross-examine a witness about his or her sexual history?

D1

28 Bad character

Are any directions necessary in relation to bad character applications? Are there to be any further applications?

P

D1

29 Hearsay

Are any directions necessary in relation to hearsay applications? Are there to be any further applications?

P

D1

30 Admissibility and legal issues

What points on admissibility / other legal issues are to be taken? Is it necessary for any to be resolved before trial?

P

D1

31 Public interest immunity

Is any 'on notice' public interest immunity application to be made?

P

32 Jury bundle

What proposals do the prosecution make for a jury bundle?

P

33 Concurrent family proceedings

Give details of any concurrent family proceedings.

34 Other special arrangements

Give details of any special arrangements (e.g., interpreter, intermediary, wheelchair access, hearing loop system, breaks) needed for anyone attending the trial.

35 Linked criminal proceedings

Are there other criminal proceedings against the defendant or otherwise linked?

36 Additional orders

Are any additional orders required?

37 Witness List (see table for completion, over page)

