

1 Wednesday, 30 January 2013

2 (10.00 am)

3 (Proceedings delayed)

4 (10.18 am)

5 Housekeeping

6 THE CORONER: Thank you, do sit down. Yes, could we invite
7 the jury to come in, please.

8 (In the presence of the Jury)

9 THE CORONER: Yes, good morning everybody. Apologies for
10 a late start, but there's a good reason for it. As
11 I think many of you know informally, one of the jurors
12 suffered an accident on the way to court this morning
13 and suffered an injury. The first aider here took the
14 view that she was unable to provide appropriate
15 treatment for the juror so the juror has in fact been
16 taken to hospital for treatment.

17 I think that in all the circumstances the
18 appropriate way forward is for us not to continue with
19 the evidence for the moment but to wait until we know
20 what the prognosis is and to see when the juror will be
21 able to return to jury duty. I hope that we will have
22 an update by maybe lunchtime. We shall have to see how
23 we go. I appreciate that it can take quite a long time
24 for someone to get treatment if there's a long queue, so
25 we're rather in other people's hands at the moment on

1 that, but we'll provide information to everybody as soon
2 as we possibly can. All right? Thank you very much.

3 Mr Maxwell-Scott, I think that you wanted to just
4 raise some points on timetabling which would be very
5 helpful.

6 MR MAXWELL-SCOTT: Yes, I was going to say that in general
7 terms my proposed approach where there are any pressures
8 on the timetable would be to ensure that sufficient time
9 is available for witness who are more central to the
10 investigation and therefore, if necessary, consider
11 removing some witnesses from the list altogether or
12 reading or summarising their statements. What I propose
13 to do today is to circulate to the advocates a list of
14 witnesses who might fall into that second category.

15 THE CORONER: Okay, that would be very helpful. Thank you
16 very much.

17 MR MAXWELL-SCOTT: I'll also circulate a proposal for
18 witnesses to be called tomorrow, on the assumption that
19 it's possible to resume tomorrow.

20 THE CORONER: Okay, that's helpful. Thank you very much.
21 Does anyone have any submissions to make on those
22 points? All right, well, that's helpful. Thank you.

23 I think that the sensible practical way forward,
24 then, is to say, members of the jury, you're free to go
25 where you will and we'll try and make sure that there's

1 a message got to you by 1 o'clock as to whether we might
2 be able to continue this afternoon or not. So if you
3 could make sure, please, that you remain in contact with
4 Mr Graham as to whether you're needed this afternoon or
5 not, but you're certainly free for the rest of the
6 morning, all right? If it would appear that we're not
7 going to be able to continue this afternoon, then
8 I think we'll be able to get that message round by
9 telephone to you all, so there won't be any need for you
10 to come back in here physically to be told that, all
11 right? Does that all sound clear enough?

12 All right, so if you'd just make sure that you've
13 made contact with Mr Graham by 1 o'clock to see whether
14 we need you back here for a 2 o'clock start or not. If
15 you don't come back this afternoon for any reason, then
16 please be back here tomorrow morning for a 10 o'clock
17 start, all right? Thank you very much.

18 (In the absence of the Jury)

19 THE CORONER: What we'll try and do is we'll try and get
20 a message to everybody by email by 1 o'clock to let you
21 know what the position is. Does that sound
22 a satisfactory way forward?

23 MR MAXWELL-SCOTT: Shall we just wait for the jury members
24 to leave. (Pause)

25 THE CORONER: Yes, Mr Maxwell-Scott.

1 MR MAXWELL-SCOTT: Madam, from the people I've spoken to,
2 I think the general view is that it might be rather
3 unreasonable to put pressure on the juror to try and
4 return this afternoon.

5 THE CORONER: Yes.

6 MR MAXWELL-SCOTT: And that it might, therefore, be more
7 appropriate to not expect to call any evidence this
8 afternoon and to wait and resume tomorrow morning.

9 THE CORONER: Yes, I agree with you that it would be unfair
10 to put that pressure on and I think it's unlikely that
11 the juror will be able to return this afternoon. In
12 that case, is the general suggestion that we should make
13 the decision now not to proceed with any evidence at all
14 this afternoon?

15 MR MAXWELL-SCOTT: From people I've spoken to, that seemed
16 to be the unanimous view.

17 THE CORONER: All right. Sorry, Mr Compton, you were going
18 to say something?

19 MR COMPTON: Madam, I think that was the general view, that
20 in our experience when you have an issue like this --
21 and apparently the injury was unpleasant -- that it's
22 unlikely that she'll be back this afternoon and bearing
23 in mind the likely delay and perhaps the shock and
24 impact on her from quite an unpleasant injury, which
25 apparently needs stitches or is likely to need stitches,

1 it was felt, I think, at the bar that the more
2 appropriate course was to draw stumps today and to deal
3 with it first thing in the morning.

4 THE CORONER: Very well. In that case, let's make that
5 decision now. We'll draw stumps today and hope to be
6 able to continue tomorrow.

7 So, Mr Clark, I wonder if you could go and have
8 a word with Mr Graham straight away in the jury room and
9 tell the jurors they're free for today. Thank you very
10 much.

11 MR COMPTON: Can I say, I think all of us, again, at the bar
12 would welcome the thought of some witnesses being
13 dewarned, police officers or Rule 37 alternatives, and
14 that may catch up a bit of time.

15 THE CORONER: Okay. Thank you very much. That's very
16 helpful. Any other points anyone wants to raise? Thank
17 you very much.

18 (10.27 am)

19 (The Court adjourned until 10 o'clock the following day)

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