

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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