

# Survive. Recover. Rebuild. Justice post Covid-19

January 2021

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# About this project

Crest has conducted nine months of qualitative and quantitative research into **the impact and legacy of Covid-19 on the criminal justice system (CJS)**. The three main aspects of this project were: **modelling** the criminal justice system and examining likely scenarios, **gathering insight from the field** through interviews and local data analysis, and finally **consulting the public** through a citizen's jury.

Through this research, we have constructed a picture of how the different parts of the criminal justice system **responded to the challenges posed by Covid-19**, and shown the possible **impact of the pandemic** in the future. We have used the 'natural experiment' of Covid-19 to understand what lessons there are from the response of agencies for the future of the CJS.

In this report we draw on our **modelling** (published last October), insights from our interviews with experts and practitioners, and the views of the general public in new **polling** and a **Citizens' Jury** to identify the lessons of how the CJS adapted responded to the pandemic and put forward a **set of proposals for the CJS post-Covid**. We hope this project will benefit agencies across the criminal justice system as they seek to manage and ultimately move beyond the Covid-19 crisis.

## Acknowledgements

The authors would like to thank the **Hadley Trust** for their generous support and all those who shared their insights throughout the course of the project.

## About Crest

We are crime and justice specialists - equal parts research, strategy and communication. From police forces to public inquiries, from central government departments to tech companies we help all these organisations (and more) to play their own part in building a safer, more secure society.

# Executive summary

## Findings

# Our research shows that the already struggling criminal justice system survived the first wave of Covid-19 but avoided transformational change. Continuing with the status quo will likely lead to the criminal justice system falling over

- The pandemic has driven our struggling CJS to the precipice. As Crest's modelling showed, without any further action, the court backlog – defined as all cases waiting to be processed in the courts – is projected to rapidly increase and **reach an unmanageable level by 2024**.
- In response to the pandemic the criminal justice system went into **'survival mode'**. Agencies took emergency action to keep functioning but in doing so, retreated into silos. Innovative programmes were shelved.
- Unless radical action is taken by the Government, the CJS may very well fall over. In order to move into **'recovery mode'**, the criminal justice system needs a **bailout to increase capacity across the system**
- To rebuild a justice system that is fit for the future, the government must urgently ramp up capacity but cannot solely rely on this. **Fundamental reform designed to prevent crime and divert low-level offenders** is required to reduce demand coming through the 'front door' and there is a need to speed up processes that are too slow
- Investment in the CJS must therefore be matched by **structural reform**, as part of a transition to a justice system that is **resilient, efficient and effective**
- These changes are necessary to retain public confidence. **New polling commissioned by Crest shows that 70% of the public view the time taken for criminal cases to reach conclusion (as recorded pre-Covid) is 'much worse' than they would have expected**
- Crest's polling and citizen's jury makes clear there is **broad public support for reform of the CJS**, particularly smarter use of technology but they are cautious about steps which would dilute access to justice, such as limiting jury trials

There are three main levers available to the MoJ - all three are needed:

1. Stabilise the system by **increasing capacity** to deal with core demand and reduce backlog
2. Turn off the taps and **reduce demand** to enable the system to move from survival mode into recovery
3. Structural reform to **improve the efficiency and effectiveness of the system** e.g. by speeding up processes

# This report contains five core recommendations to survive the crisis, recover and rebuild the criminal justice system

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### Survive (investment to increase capacity)

1. The CJS needs a bail-out to increase capacity, coping with the combined pressure of the pandemic and police officer uplift. The additional funding already pledged in October's Spending Review (equivalent to a 1% increase in MoJ's revenue expenditure) is a start but unlikely to be enough: in particular, clearing the courts backlog will require around £400m per year, rather than the £275m promised by the Treasury and the amount of funding for prison and probation is likely to need to rise by a further 30%

### Recover (stemming the flow into the courts and reducing prison/ probation caseloads)

2. But ramping up capacity won't on its own be enough – there is also a need to reduce demand coming in the 'front end'. So, the Ministry of Justice and Home Office should set out a joint strategy to strengthen the use of diversion for low-level offenders, which remains patchy and inconsistent. Police diversion schemes like 'Checkpoint', in County Durham, should be scaled up and rolled out across the country
3. At the same time, there is a need to reduce demand on the prison population, which is projected to grow under all scenarios. The *quid pro quo* for tougher sentences for the most serious offenders should be a reduction in the use of custody for low-level repeat offenders, with a presumption against custodial sentences of less than six months

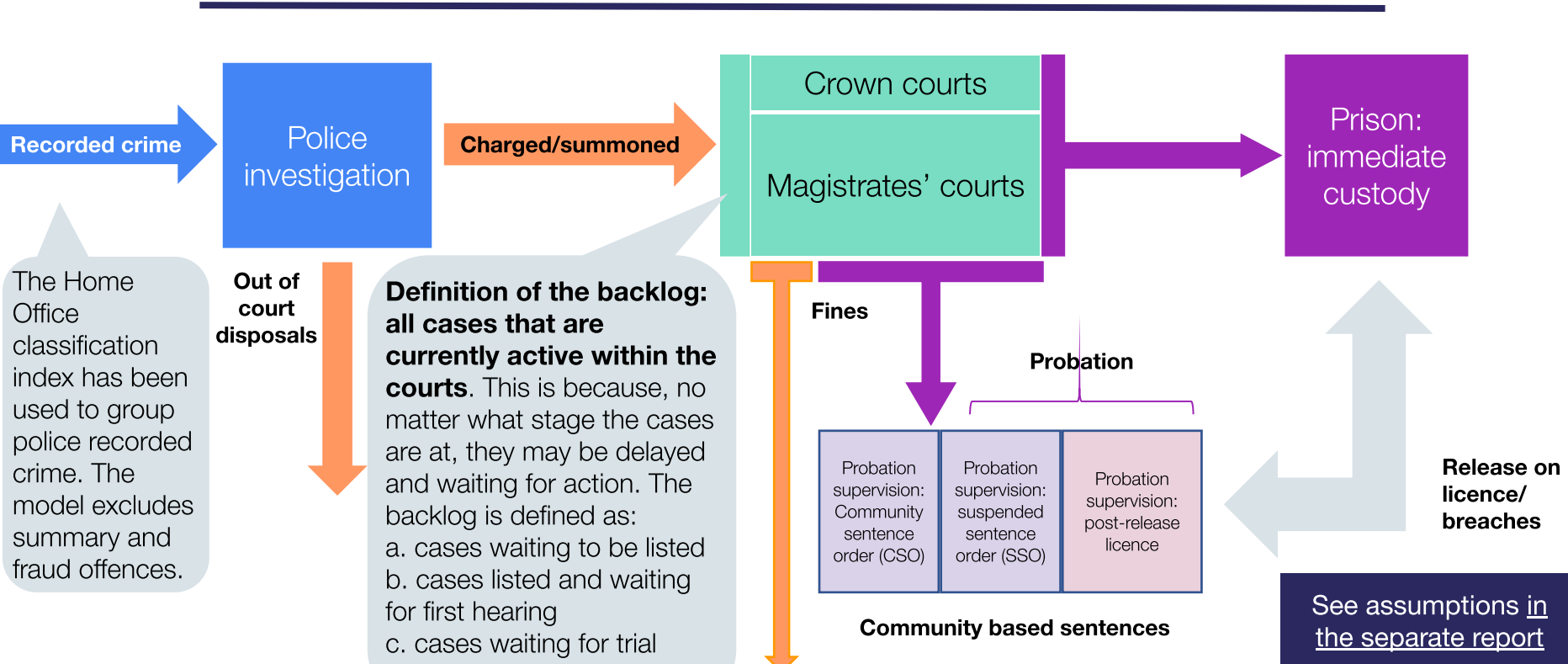
### Rebuild (whole system approach)

4. In order to drive a more integrated approach, MoJ should return to the 'justice devolution' agenda, which has been allowed to wither on the vine since 2016 – piloting devolution of prison and probation budgets to Metro Mayors, which will enable pooling of budgets and joint priorities
5. There is a need for more rigorous accountability to drive up standards across the CJS. The government should establish an inspectorate for the Courts and task the new 'National Crime Lab' with setting standards for more effective use of technology in the CJS



**Crest's criminal justice  
system modelling:  
A struggling CJS pushed  
to the brink by Covid-19**

# Crest built a stock and flow model which encapsulates the whole criminal justice system



The Home Office classification index has been used to group police recorded crime. The model excludes summary and fraud offences.

Out of court disposals

**Definition of the backlog: all cases that are currently active within the courts.** This is because, no matter what stage the cases are at, they may be delayed and waiting for action. The backlog is defined as:

- a. cases waiting to be listed
- b. cases listed and waiting for first hearing
- c. cases waiting for trial
- d. cases actively being tried

See assumptions in the separate report



# We considered the variation in the system depending on the inflows and outflows at each stage of the system. We paid particular attention to the main bottleneck: the capacity of the courts

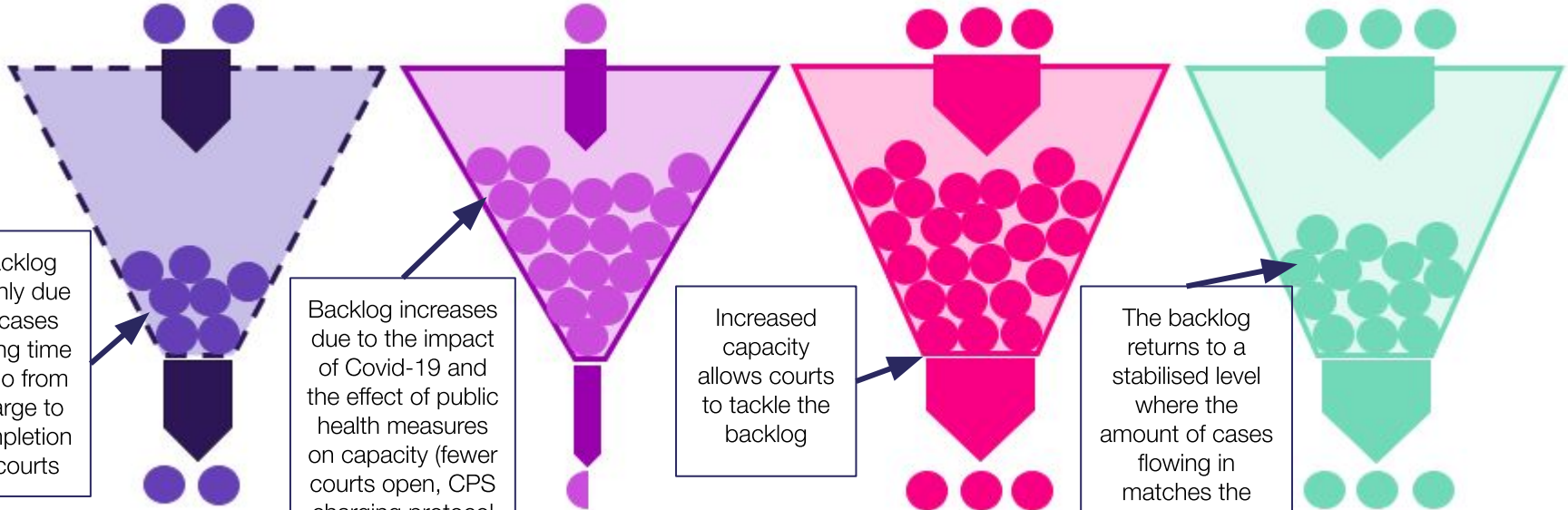
PRE-COVID

COVID

CAPACITY BOOST

EQUILIBRIUM

incoming cases (charged cases as a proportion of recorded crime)



Backlog mainly due to cases taking time to go from charge to completion in courts

Backlog increases due to the impact of Covid-19 and the effect of public health measures on capacity (fewer courts open, CPS charging protocol etc.)

Increased capacity allows courts to tackle the backlog

The backlog returns to a stabilised level where the amount of cases flowing in matches the amount of cases flowing out

sentenced cases exiting the courts

# Our model projects that if no action is taken, demand will increase across the system - reaching unmanageable levels by 2024

## Incoming demand: recorded and charged crime rising

- **Police recorded crime is projected to increase by 26% between 2019 and 2024** due to historical crime trends (as an average across all indictable and triable either way categories except from fraud), the 20K police uplift and the impact of increased unemployment
- **Charged cases are projected to increase by 72% between 2019 and 2024**, with a changing case mix

## Courts: caseload and backlogs are projected to grow

- **The backlog** – defined as the volume of cases awaiting sentence in the courts – **is therefore projected to continue to grow**. Given the current average timeliness per offence type, *if Court capacity returns to 2019 levels over 12 months from September 2020*, **the CC backlog will increase x4 and the MC backlog will increase x10**.

**Court capacity would need to double**, i.e. allowing a throughput of c.35 K sentenced cases (indictable and triable either way) instead of c.17.5 K sentenced cases per month, **in order to stabilise the backlog** and bring the flow of cases into equilibrium. The throughput would eventually stabilise in 2024 at c. 29 K sentenced cases per month.

*If this is achieved over 12 months from September 2020*, the model also calculates the stock of cases in the system and projects that **this newly stabilised backlog would be larger than the pre-Covid backlog**. The Crown Court backlog would increase from c.45.5K to c.71.5K (**x1.5**) and the magistrates' court backlog would increase from c.58.6K to 208.5K (**x3.5**) by 2024.

## Prisons and probation: caseloads and volumes are also projected to rise

- *Assuming equilibrium in the courts*, **the prison population will increase by 34%** which would be a challenge to the current custodial estate (since it is already at full capacity)
- *Assuming equilibrium is achieved in courts*, **Suspended Sentence Orders are projected to increase by 24%**, **post-release supervision caseload will increase by 30%**, **Community Sentence Orders will increase by 14%**



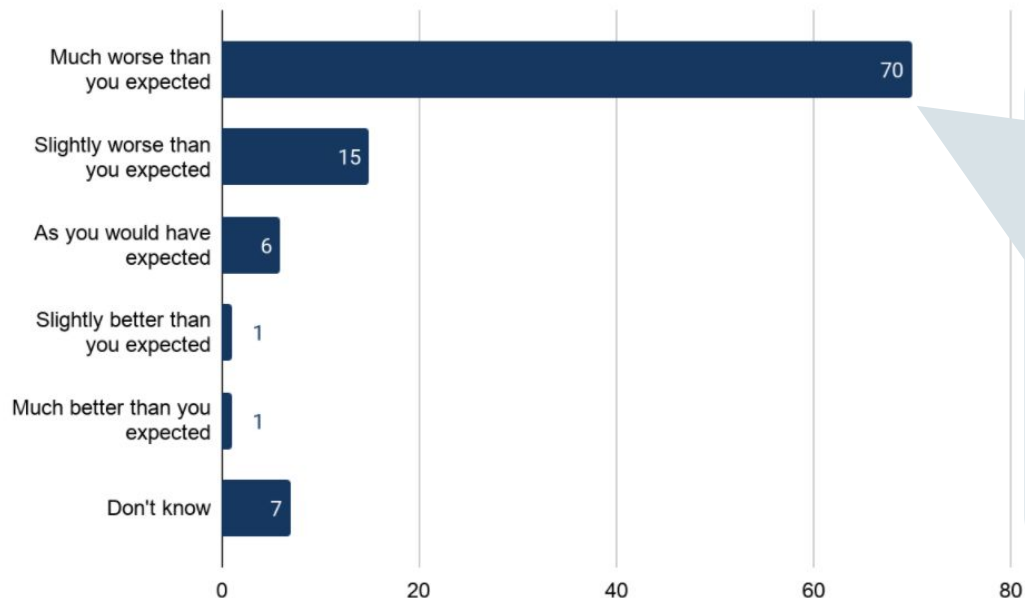
# Public attitudes to reform

Crest commissioned a poll by YouGov and conducted a citizens' jury to explore public opinion in more depth



# Our polling suggests there is a significant gap between public expectation and reality about how long it takes to deal with serious crimes, which would threaten the legitimacy of the system in the public's eyes

Views about length of time from offence to verdict for Rape, Murder and Robbery cases before Covid-19 (Q4, 2019)



This response should be treated with caution - many rape offences are not reported until years later meaning that long delays are not necessarily caused by problems with the CJS. However we also know from interviews that victims of rape struggle to obtain court dates and also suffer from repeated delays and re-scheduling in court.

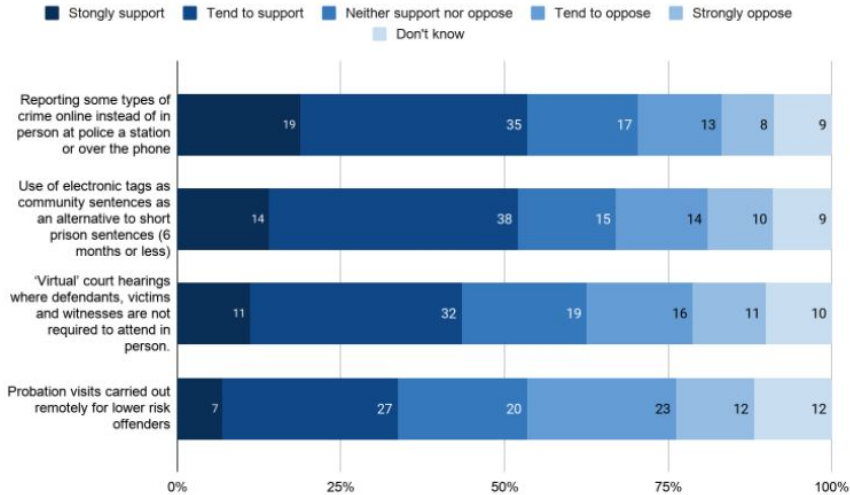
## The public's voice

# The public are open to reform and in particular, the use of digital technology, but do not think it is appropriate in all circumstances

There was a high level of support for greater use of online crime reporting (54%), electronic tagging (52%) and remote hearings (43%), though attitudes to remote probation visits were mixed

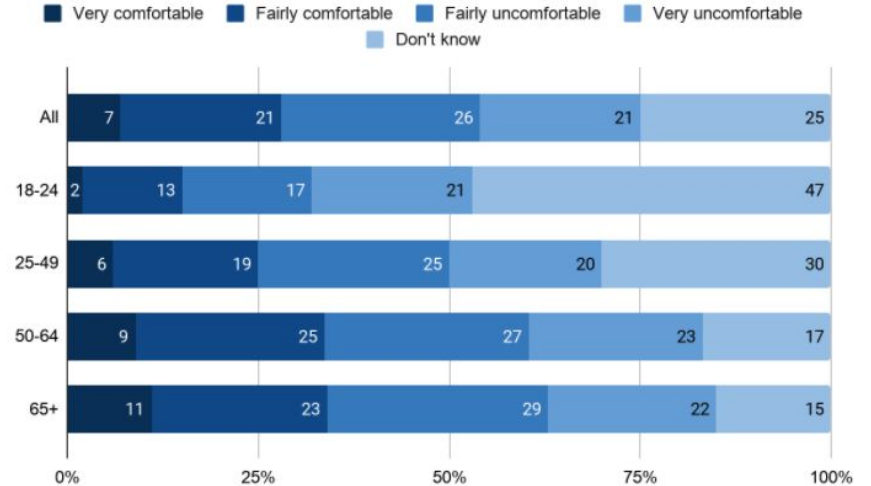
On the other hand, there was scepticism about any dilution of the right to trial by jury, with a total of 47% uncomfortable with the idea

### To what extent would you support or oppose each of the following



Fieldwork 19th-20th January 2021, GB adults n=1661

### How comfortable or uncomfortable would you feel removing access to a jury trial for certain offences?



Fieldwork 19th-20th January 2021, GB adults n=1661 n: 18-24=170, 25-49=677, 50-64=397, 65 and over= 381

## This was backed up by our 'Citizens' Jury' which demonstrated the public are open to innovative solutions, for example, to clear court backlogs, but are cautious about steps which would undermine foundational principles of justice

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### Courts: reforms must guarantee fairness for victims and defendants alike

- Whereas virtual trials were seen as a 'no brainer' for minor offences, preliminary hearings and most trials in the magistrates courts, our 'Citizens' Jury' panel of 12 had serious reservations about whether it was ever appropriate to use virtual hearings for trials of serious offences.
- Our participants had no appetite at all for limiting jury trials - which were viewed as a foundational element of our justice system and an essential guarantee to ensure fairness.

### Prisons: reduce the prison population, but not by relaxing sentencing for serious offences

- Our citizens jury felt that given the impact of the pandemic and the projected increase in the prison population, it was right to look for ways to cut the prison population, but the consensus view was that people who commit serious offences should continue to receive long sentences
- However, it was also important to them that prisoners serving sentences were able to access learning and leisure resources and see family and friends during lockdown - otherwise their incarceration may worsen their behaviour

### Probation: investment is required for an effective, robust system the public can believe in


- There was little objection to remote supervision where offenders have access to their own devices but divergent views on supplying probationers with hardware such as tablets, laptops or smartphones supplied by the state.
- Concern was expressed that there are not enough probation staff across the country to deal with a massive increase in demand arising from greater diversion from prison for minor offences.

*"Certainly some of the small cases ... it just seems arcane that we're still on this system that costs so much money. And we're fighting further and further behind with the amount of cases."*

*"It comes down a lot to money, doesn't it? You need more probation officers to be available to meet these people to rehabilitate them. There must be a lot of prisoners in prison who want to be rehabilitated in areas they want to be. And I think if given the chance to do it, they'll accept it. But obviously it's going to depend on the number of probation officers that are available as well."*



# **A plan for change: the steps government needs to take**



**1. Survive: increase the criminal justice system's capacity to cope with demand**



# Increase capacity: demand on the CJS was rising before the pandemic and Covid-19 is projected to increase the long term pressure on the whole system

In order to stabilise the system and stave off collapse, the criminal justice system needs a bailout in order to increase capacity.

- Our modelling projects an increase of demand in the criminal justice system and recognises that **the courts represent a key bottleneck.**
- **Investment commensurate with demand will be required at every stage of the system to meet this increased demand.**
- Investment must recognise the need to clear the court backlogs and liberate the bottleneck.
- However, investment must be done in a way that recognises **the interdependency of criminal justice agencies.** Our modelling illustrates how, if court backlogs are stabilised, demand on downstream agencies like prisons and probation will increase.

*"The government makes all the right noises about criminal justice. But the size, and the state of the system just isn't big enough. It's not big or robust enough to cope. And so I'd like to see more honest investment, I think is the best way I can think of putting it, because without that, you can tinker with little things. But it's, it's not, it's not going to recover. And it's not going to get to where it needs to be."*

—Criminal Defence Solicitor

*Goodwill [for the government] is running out. There has been no impetus to fund the money required to get the backlog down and tech up and running...It does not matter for my bank balance whether the case is from 2018 or 2020 as long as I'm doing trials. People matter, not my bank balance. Victim, witnesses and defendants waiting years for trial has an effect."*

- Criminal Barrister

# The government has pledged an additional £275m to manage demand in the courts, as well as £4bn (over 4 years) to fund 18,000 new prison places. This is unlikely to be enough to stave off collapse of the CJS

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## Court capacity

Our modelling suggests that to stabilise the court backlogs, criminal court capacity needs to double. While the government has (rightly) prioritised extended operating hours, there will nonetheless also be a need to scale up the number of available criminal court venues (growing the number of Nightingale Courts in operation from 18 to around 200). And in order to ensure those additional court-rooms are properly staffed, HMCTS' budget will need to rise by around 25%, returning to levels last seen in 2010 - when court capacity was roughly double what it is today. We estimate the total cost to be between £300m and £400m.

## Prison capacity

The Government has promised an additional 18,000 prison places by 2024 and has pledged an injection of capital spending worth £4 billion over the next four years. Our model suggests that, if the court backlog is stabilised, 25,000 new prison places will be required by 2024, implying an additional cost of of £1.5 billion (on top of the £4 billion already committed).

## Probation capacity

Our model projects that if court backlogs are stabilised, probation post-release supervision caseload will increase by 30% by 2024. Funding of the National Probation Service, after Community Rehabilitation Companies (CRCs) are scrapped, is currently set to rise in line with the Ministry of Justice's budget (increasing by 1%).



**a. Invest in the court system to avoid delaying and denying justice**

# Lengthy delays in the courts have become normalised in recent years - this has been exacerbated by the pandemic

In the last ten years, defendants and victims have been forced to wait longer than ever for justice to be delivered.

Covid-19 significantly reduced capacity within the justice system. For eight weeks, during the first lockdown, there were no effective jury trials held. This has added to an already significant backlog of cases in the Crown Court.

Mean time (days) from offence to completion (2010 v. 2019)

	All courts		Magistrates Court		Crown Court	
	2010	2019	2010	2019	2010	2019
Days	157	188	139	169	391	511
Weeks	22	27	20	24	56	73
Months	5.2	6.2	4.6	5.6	12.9	16.8

Outstanding cases in criminal courts in 2020

	Magistrates' courts	Crown courts	All courts
Pre-Covid baseline	407,129	39,331	446,460
Week ending 26th July 2020 (peak)	525,059	44,388	569,447
Week ending 27th December 2020	468,035	54,115	522,150

"In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing **within a reasonable time** by an independent and impartial tribunal established by law."

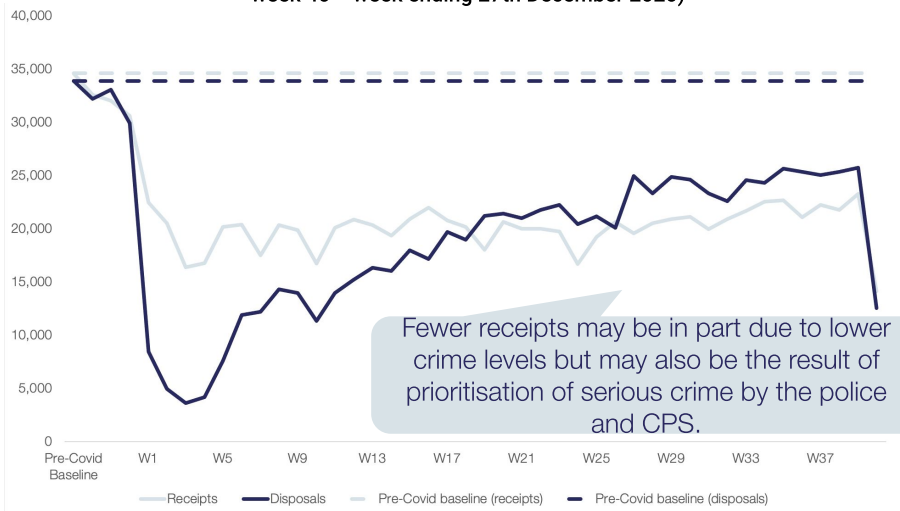
- Article 6(1) European Convention on Human Rights

*"We have had victims withdrawing, and losing engagement because it's taken too long. We have had cases where vulnerable victims are frustrated and officers are expressing their frustrations, with trials getting delayed."*  
- a local police force

# Recovery in magistrates courts has been eased by lower crime levels throughout the year (meaning fewer receipts). However, the current recovery plan has not managed to stem the growth of the Crown Court backlog

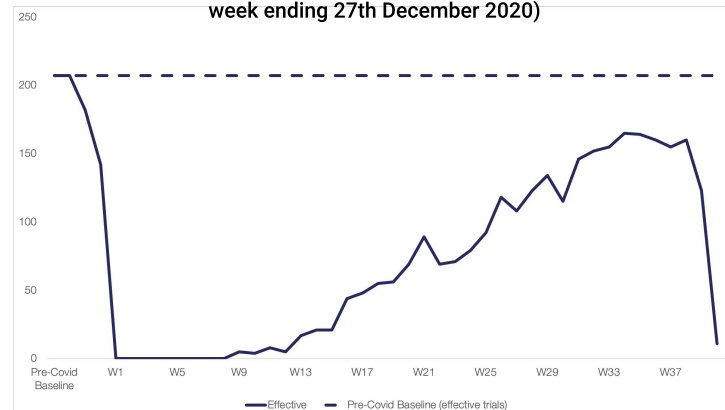
The backlog in the magistrates courts has decreased from the peak of 525,000 cases in July (week ending 26 July). This is likely due to capacity recovering more quickly than receipts, which are slowed by the suppression of demand and the temporary decrease caused by lockdown. This may not be sustainable as crime levels recover and increase in the coming months and years.

Volume of receipts and disposals in magistrates courts (week 1 = week ending 29th March, week 40 = week ending 27th December 2020)



The backlog in the Crown court grew to 54,000 cases (week ending 13 December), despite the efforts of HMCTS to maximise court space, prioritise case management, hire more court staff and even introduce extra ‘Nightingale’ Courts. This is likely because the adaptation to Covid-19 has been more challenging for the Crown courts.

Volume of effective trials in Crown courts (week 1 = week ending 29th March, week 40 = week ending 27th December 2020)

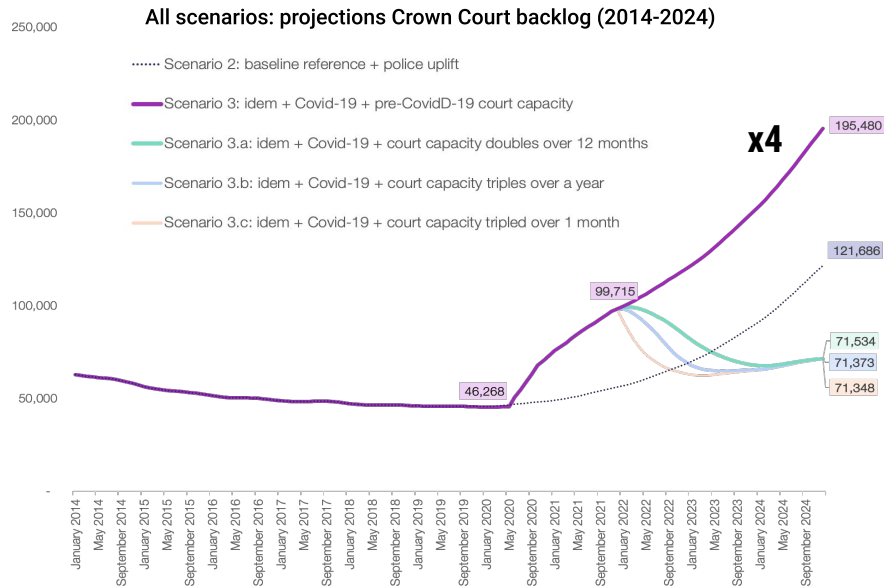


“The delays in bringing cases to trial which continue to be experienced by the Crown Court will not be alleviated by the current steps that are being taken /proposed by MoJ/HMCTS.”

- Judge Keith Raynor in *R v. Tesfa Young-Williams* in September 2020

# The government must focus on delivering more court capacity to bring down the backlog and ensure that the wheels of justice continue to turn and prevent long term loss of confidence in the system by victims and defendants

Our modelling suggests that Crown court capacity would need to double to bring down the backlog and stabilise it (receipts coming in are equal to disposals). Otherwise, the backlog will increase to unmanageable levels (i.e. increase by a factor 4 by 2024).



HMCTS has been slow to respond to the impact of the pandemic on court capacity. It took until August for HMCTS to increase court capacity beyond the space that existed pre-Covid 19. As of January 2021, 18 Nightingale courts were operational, with just nine dealing with criminal work and six holding jury trials.

HMCTS told the Justice Select Committee in June 2020 that it anticipated needing an additional 200 court venues – commensurate with our model’s projection of needing 244 additional courts.

*“It [the response] didn’t take a local resilience forum approach, which meant that locally, we were waiting for national decisions to be made, which I think did thwart some of the progress we could have made locally in terms of reopening buildings and looking at increased capacity to get through the backlog quicker.”*

- Regional CPS

**Recommendation:** our model suggests that court capacity needs to double to stabilise the backlogs. Key agencies agree that the current level of throughput, staffing and court capacity is well below what is required. Budgets should enable this increase. Our estimates suggest the cost will be between £300 and £400 million.



**b. Invest in prisons and probation to protect the public**

# The government has (belatedly) acknowledged the downstream impact of the police officer uplift by promising to pay for an additional 18,000 custodial places. Our modelling suggests this is unlikely to be enough to meet demand, particularly if the court backlogs are stabilised

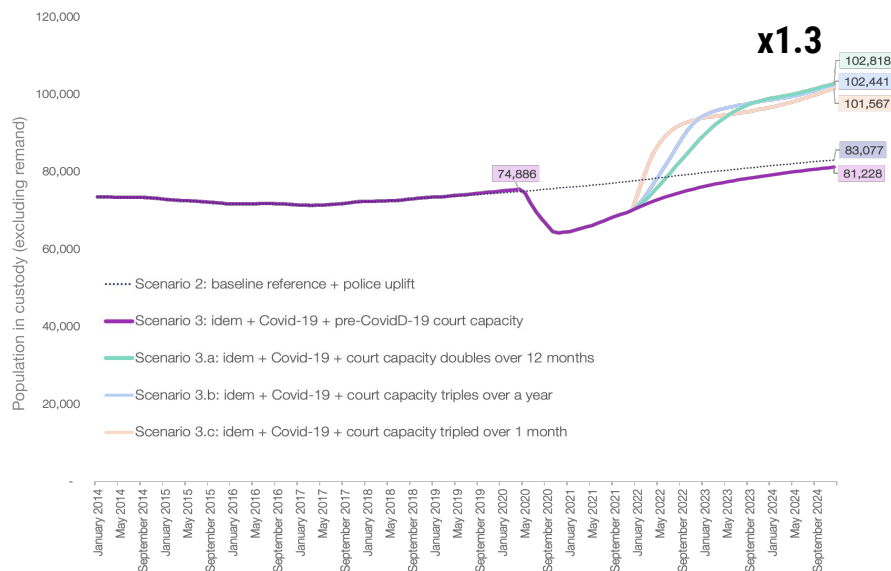
Despite falling during the pandemic, the prison population is projected to increase in the next four years, especially if court capacity is increased. If the courts were to resolve the backlog, the custodial population would increase by 35% by mid-2024.

We heard in our interviews that Covid-19 has further exposed conditions within the prison estate. The current estate is not prepared to accommodate the growth modelled, considering the pre-Covid situation.

In February 2020, there were 74,988 Certified Normal Accommodation places in use - representing the 'good, decent standard of accommodation that the Service aspires to provide all prisoners' - the prison population during this month was 83,654 meaning that 10% of prisoners were not held in a good, decent standard of accommodation.

If the court backlogs are stabilised, **there will be a prison bed shortfall as the number of prison places modelled as required by 2024** would be higher than the number of new prison places proposed by the government.

All scenarios: custodial population (2014-2024)



**Recommendation:** our model suggests that there will be an additional c.25,000 prison places needed by 2024 if the court backlogs are stabilised. Our budget estimates suggest an extra £1.5 billion in addition to the £4bn already pledged within the Spending Review.

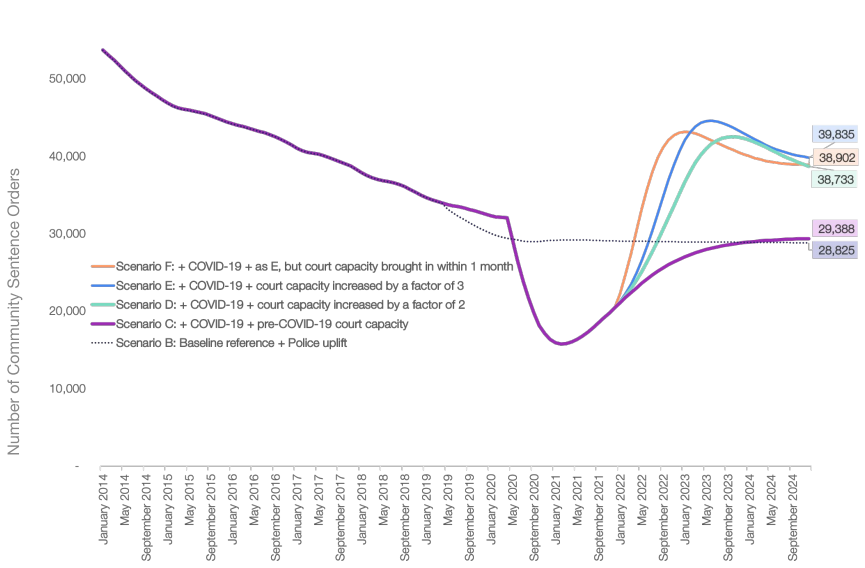


# Government should learn the lesson of past failures, ensuring probation is sufficiently funded to meet rising demand and preventing caseloads from becoming dangerously unmanageable

As the impact of more crime filters through the system, probation caseloads will increase due to more sentences to be completed in the community either post-custodial sentence.

The increase will likely to put pressure on traditionally high probation caseloads and resourcing must enable the effective management of offenders - that is to say the best chance to reduce reoffending rates through rehabilitation and reform.

All scenarios: Community Sentence Orders (caseload) (2014-2024)



*“The other factor is that you have potentially 20,000 extra police officers coming downstream who will be putting more business into the courts and on to the probation service, and they will need to keep recruiting to meet that requirement as well. **They will need to go beyond 1,000, I would have thought, to start to meet those extra demands as well.**”*  
 - HM Inspector of Probation

Caseloads in probation have been high for a long time (average pre-crisis was 55 cases per officer). During Covid-19, probation officers told us that the pandemic had offered them respite from high caseloads which they felt was more manageable. They fear a ‘deluge of work’ post-lockdown.

*“I think this is possibly the first time ever that my caseload has been somewhere that feels manageable, and that I feel on top of what I’m doing.”*  
 - CRC Senior Case Manager

**Recommendation:** our model projects that if court backlogs are stabilised, probation post-release supervision caseload will increase by 30% by 2024. Funding of the new probation service (post CRC and NPS merger) will need to rise in line with demand.

Source: Source: A perfect storm, Crest Advisory, 2020; see detail of assumptions [here](#); Justice Select Committee (22 September 2020), The future of the Probation service; Justice Select Committee (15 July 2020), Coronavirus (COVID-19): The impact on probation systems.

## Our research shows that while public awareness of capacity pressures in the CJS is low, there is broad support for greater spending once the case is explained

The criminal justice system has **faced the perfect storm during Covid-19**. The approach the Government takes to repairing our broken criminal justice system is therefore a matter of public interest.

On 27th October we brought together a virtual 'citizens jury' composed of twelve members of the public drawn from across England and Wales, broadly reflecting the demographics of the UK.

- There was **incredulity that the situation in the courts had been allowed to deteriorate so rapidly and recover so slowly** when other parts of the economy such as supermarkets, schools, pubs and restaurants, in which social distancing seems more challenging, had been able to find ways to function effectively.
- **Our participants were surprised by the number of courts that had been closed in the last ten years, as well as the time it takes for an average criminal cases to progress from offence to completion.** Our modelling of the criminal justice system over the next four years also worried the participants
- There **were concerns about conditions in prisons during lockdown**, especially the impact on the mental health of prisoners from being locked down 23 hours a day.

*"If they can get the supermarkets open then why couldn't they get the courts working?"*

*"The criminal justice system was a bit of an afterthought over the last kind of eight, nine months. I haven't really heard much about it."*

*"You've heard more about schemes to restart the economy rather than something that is quite pivotal to the actual wellbeing and safeguarding of the general public."*

*"It's sad that they should be denied so much. They're serving their sentence, they're doing what they were imprisoned for."*



**2. Recover: turn off the taps to reduce demand on the system to begin with**

# Demand within the CJS is projected to increase. In a context where the ability to respond to existing pressures is already diminished, reducing demand is essential not only to reduce the backlog but also to bring the system into balance

In the medium term, the criminal justice system needs to move from survival to recovery. In order to do this, rising demand must be curbed in a robust way by preventing crime, diverting low-level offenders and rehabilitating people.

- Investment in **prevention** – focussed around **early intervention**, is the first step towards relieving the pressure and unlocking savings within the criminal justice system.
- **Diverting** low level offenders from the most onerous pathways into **robust out of court disposals** will reduce the demand on the courts and prisons.
- **Out of court disposals** have the potential to offer better outcomes than short prison sentences - which are shown to entrench criminal behaviours.
- **Effective rehabilitation** and reform is also crucial to bring an end to the revolving door of reoffending.

## The public's voice

*"They (prisoners) need a life, don't they? Otherwise we are going to end up with people leaving prison that have got a mental illness."*

*"I think serious offences should be treated seriously."*

*"I just don't think they're (the Government) really thinking of the bigger picture here. And for me, the bigger picture is how it's going to affect everyone in the long-term."*



## **a. Prevention and diversion**

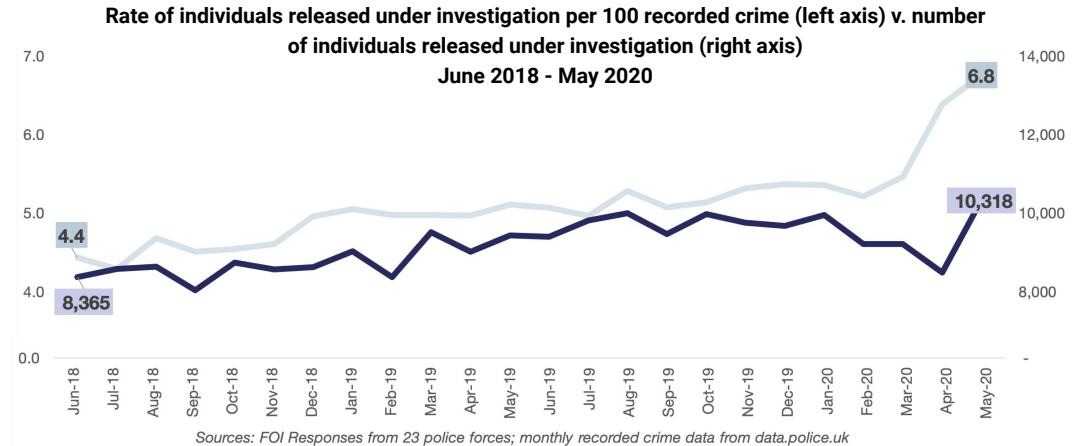
# Current tools to suppress demand - use of Release Under Investigation, police bail and the CPS interim charging protocol during Covid-19 - simply kick the can down the road, rather than dealing with the problem

**Interim CPS Charging Protocol:** The Crown Prosecution Service issued guidance on prioritising cases during the pandemic due to likely delays and backlogs, with long bail, RUI and no arrest advised for lower priority cases.

**Release under investigation (RUI) and police bail:** Our FOIs revealed that the use of both RUI and police bail peaked in May 2020, suggesting that the police were relying more on these tools, perhaps to manage lack of charging

**Court backlogs are creating a 'reverse pressure' on the police:** the Justice Select Committee was told that the police are attempting to decrease demand given the backlogs in the courts through Out of Court Disposals.

**Exacerbating long-time demand issues:** Her Majesty's Inspector of the Constabulary noted in the State of Policing 2019 that "the police are struggling to adapt to the challenges associated with the scale and complexity of modern criminality" and that "there is a real risk that the inability of forces to investigate high-volume crime successfully is causing a loss of public in policing".



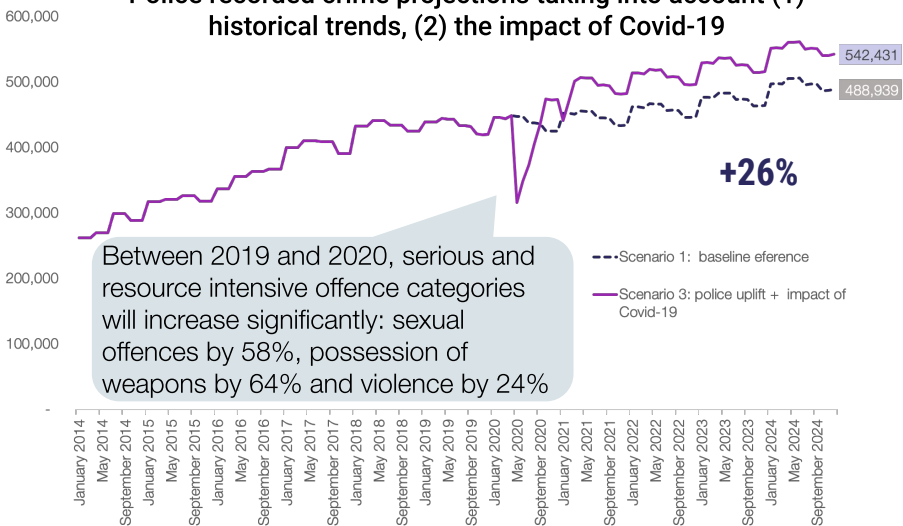
If, ultimately, there will be demand on the police and CPS in the next four years to investigate and charge more cases (which are increasingly complex), **RUIs, police bail and CPS prioritisation are not practical tools to manage workload but means of delaying this demand.**

*"If you know your Crown Court caseload, if you know that's big. What do you do? You just slow down the feeding of it into the courts. So you use RUI, nothing other than a pressure valve." - Criminal Defence Solicitor*

# Demand entering the system through police recorded crime and charged cases is projected to increase in volume and in complexity. This is due to long-term trends in serious crime, the police officer uplift and the economic impacts of Covid-19

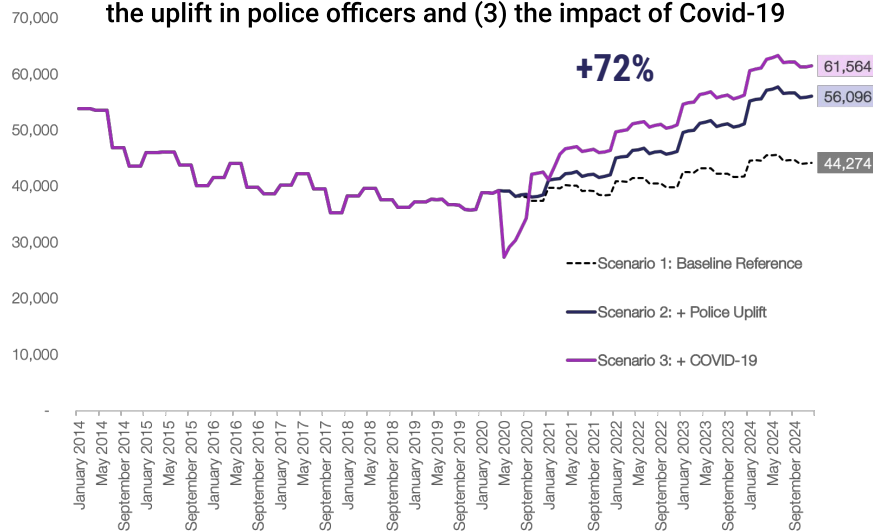
Police recorded crime is projected to increase both in volume and in complexity based on historical trends. This is heightened when the impacts of Covid-19 are taken into account.

Police recorded crime projections taking into account (1) historical trends, (2) the impact of Covid-19



Bucking the current trend of decreasing charged crime, charged cases are projected to increase due to an increase in more serious crime (more likely to be charged) and increase in police staff (20K uplift)

Charged cases projections taking into account (1) historical trends; (2) the uplift in police officers and (3) the impact of Covid-19



# Existing prevention and diversion schemes across England and Wales have proven successful and could be used to alleviate the pressure on the courts and deliver long term harm reduction to the offenders and the public...

## Case study: Durham Checkpoint Programme

Checkpoint was established by Durham Constabulary in 2015 to reduce the number of victims of crime by tackling offending. The programme lasts four months and focuses on addressing underlying issues, including mental health and substance misuse. The programme offers an alternative to prosecution, thereby diverting people away from the criminal justice system.

To be eligible for the programme, participants must be over 18 and living in the Durham Police Force Area. If the participant completes the contract and does not reoffend, they will avoid prosecution.

## Out of court disposal options in England and Wales include:

- Simple cautions
- Conditional cautions
- Fixed penalty notices (FPN)
- Adult restorative disposals
- Youth restorative disposals
- Cannabis warnings
- Youth cannabis warnings
- Community resolutions

## Proven benefits of prevention and diversion:

- Cost and time savings
- Frees up space in the courts
- Offers participants a chance at rehabilitation due to increased rates of engagement with treatment providers

## Case study: West Midlands DIVERT Programme

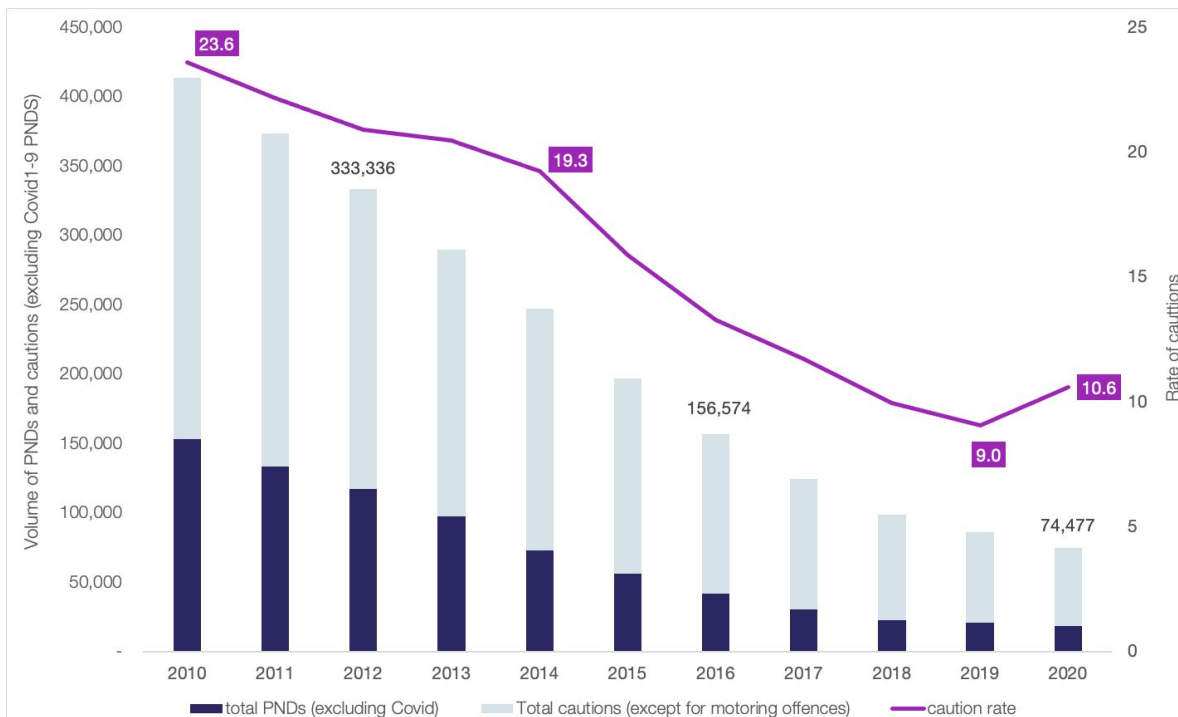
West Midlands are developing a pilot which will place people caught by the police for 'possession of a controlled substance' into a programme to divert them away from the criminal justice system. The DIVERT scheme will cost £60,000 and last 12 months. It is estimated the programme could help 1,500 people across the seven local authority areas in the West Midlands.

Police officers can refer people who have committed low level drugs-related offences to the voluntary DIVERT programme. As part of the programme, participants may be asked to complete education or treatment to avoid a criminal record. The programme is voluntary but if the offender decides not to take part and they are caught again, the programme will not be offered a second time and they will be prosecuted.



# ... but despite pockets of good practice, approaches to diversion are uncoordinated and under-evaluated. Since the pandemic started, there is evidence of a growing reliance on cautions

Out of court disposals: cautions and Penalty Notice Disorders from 2010 to 2020 in England and Wales; rate of cautions from 2010 to 2020 in England and Wales



The number of Out Of Court Disposals (OOCs) in England and Wales has been steadily decreasing since 2010.

However, throughout the pandemic there has been an increase in the rate of cautions, possibly because of the reverse pressure effect that the courts are having on the police.

**Recommendation:** the Home Office should set out a national prevention and diversion strategy, ensuring more forces roll out evidence-based equivalents to the Durham and West Midlands diversion schemes.



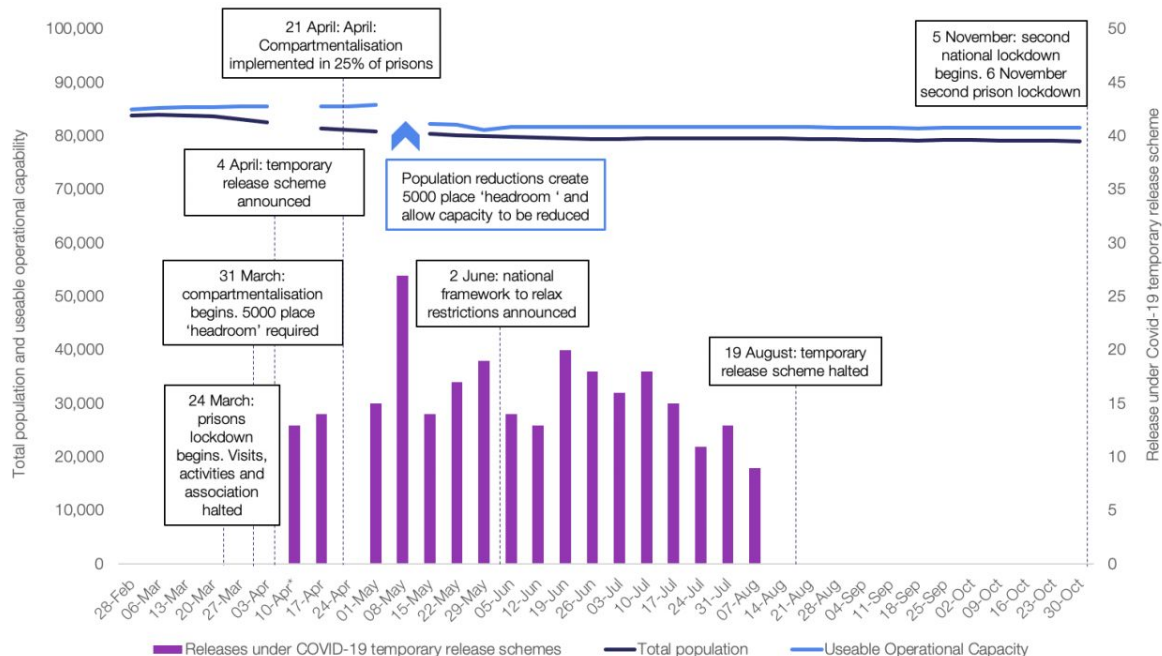
## **b. Rehabilitation and reform**

# Prisons successfully navigated the risks of a Covid outbreak during the first wave but this came at a high price, with inmates largely confined to their cells and education and rehabilitation taking a back seat

In November 2020 Crest published a [report](#) by Nick Hardwick on the response to Covid in the prison system - 'Prisons and Covid -9 - what went right?'. Hardwick reported that public health outcomes were much better than predicted. By the end of August 2020 there had been just 27 deaths of prisoners that were suspected to be Covid-19 related.

## How was this achieved?

- The prison system moved to a centrally directed 'command mode' - with Exceptional Regime Management Plans which focussed on just four priorities: meals, medication, prisoners Safety and welfare, and family contact.
- Prisoners spent most of the day in their cells. Work, education and rehabilitation activities were almost completely stopped. Visits from family or friends were halted.



# The long term impact of Covid restrictions on prisoners is unknown, but there are some concrete lessons to draw from the response of the prison system to Covid-19

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## Quality of time in and out of cell is more important than quantity

- Anecdotal evidence from the first lockdown suggests that those prisons coped best **when time saved by staff in supervising groups of prisoners was used to give prisoners individual attention** and support to the most vulnerable.
- Due to its **highly centralised structure, the prison system was able to expedite existing plans** to trial the use of secure video-calls for prisoners to maintain contact with their families. By September 2020 this was available in all young offender institutions and women's prisons and most adult male prisons.
- Further research, including **obtaining the views of prisoners themselves**, is needed to identify in detail what measures were effective in those prisons that both prevented infection and reduced self-harm rates.

There is a strong case for the framework of central control employed to manage the Covid-19 crisis to remain in place until the 'enduring crisis of safety and decency' identified by the Justice Committee is resolved.

Individual prisons' ability to continue to reduce violence and self-harm should be explicit factors in decisions about how to ease the second lockdown's restrictions.

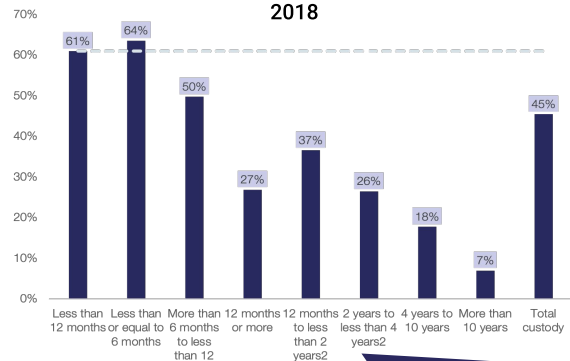
*The pandemic response in prisons is not "sustainable in the long term and are concerned about the effect this may have on the wellbeing and rehabilitation of individual prisoners".*  
- Justice Select Committee

**There is a long term risk however, as receipts in prisons are likely to increase as the backlogs in courts are tackled and the outside world moves in and out of lockdown. This is dangerous to concentrated communities like prison staff and inmates.**

# Previously pledged tougher sentencing for the most serious offences should be accompanied by reform at the less serious end of the offending spectrum - the government should abolish short custodial sentences

Short sentences (less than 12 months), which make up 59 per cent of immediate custodial sentences, have the highest reoffending rate of any custodial sentence. There are proven, robust alternatives to short custodial sentences which are both more cost effective and have better outcomes. They require however, an investment in support supervision agencies, rather than in prisons. They also require a coordinated approach from local agencies and courts.

Proportion of offenders who reoffend, by custodial sentence length, October - Dec 2018



*"I think from a sentencing point of view, it should be asking the question of whether or not there's any point in sending anyone to prison for a month..."*  
- Senior courts figure

## Case study: Intensive Community Orders

The Intensive Community Order - as piloted in Greater Manchester - was designed as an alternative to short custodial sentences for 18-25 year olds and has been evaluated by Manchester Metropolitan University. The aim was to provide an Order that was more onerous than the standard sentence, and must include three to five requirements, typically:

- Offender management supervision for at least nine months
- Unpaid work (community payback)
- Electronic tagging (curfew)
- Input from a range of partner organisations.
- It may also include a requirement to go to an Attendance Centre at the weekend

The results for the first cohort were positive; the 2014/15 programme led to 27% of offenders involved gaining employment, and a more than 50% reduction in the severity and frequency of offending. It was also found that rolling out the programme could save around £58 million per year by 2020 principally from lower costs of criminal justice and policing.

**Recommendation:** The quid pro quo for tougher sentences for the most serious offenders should be a reduction in the use of custody for low-level repeat offenders, with a moratorium on custodial sentences of less than six months, to be replaced by Intensive Community Orders



### **3. Rebuild: structural reform to improve the efficiency and effectiveness of the system**

# The CJS continues to be overly centralised, fragmented and inefficient. In the longer term, more deep-rooted reform is required

Longer term, structural reform of the system is needed to enable the CJS to deliver transformational change

- Agencies within the CJS will work **more effectively when they are working towards common objectives**
- Greater devolution can unlock **better strategic planning and more efficient allocation of finite resources**
- Devolved justice must however be set within **clear parameters and supported by nationally agreed performance benchmarks to avoid significant differences in service**
- We can learn from the **most effective uses of technology** in the CJS during the pandemic where it has proven benefits, but it is not a panacea.
- All agencies' performances should be **centred around serving the public** through achieving good outcomes, rather than simply being driven by short term gains

*"And I think there are always issues around you know, we don't necessarily work to joint priorities, which I think is sometimes a challenge, but I think that's well known within the criminal justice system that's that's always been The case. So I think actually we've made there's been a because of the amount of goodwill (..) and the relationships between, you know, people that need to make things happen*  
- Regional CPS

*"There's no response on DA. And that's definitely a critical risk area. There's a piecemeal approach to what is a priority. There's no system wide agreement from a national perspective. We do some triage but charges awaiting trial as they're prioritizing is hard to see. We're trying to take a more strategic approach of out of court disposals, but there is no real central leadership about out of court disposal."*  
- Combined authority criminal justice leadership



**a. Strategic and operational alignment through devolution**



# The pandemic exacerbated structural issues in the criminal justice system at a national level: some silos were reinforced, a lack of national direction was observed and the production and sharing of information was diminished

**Initially agencies retracted into their silos in order to survive and adapt.** This was reported to have been more felt by practitioners when agencies were centrally controlled:

- CPS Interim charging protocol and court listing priorities which did not take police or prison needs into account
- Local agencies closing their doors to partnership working (like local drug and alcohol services)
- The voluntary sector was no longer allowed to work with prisons

During our fieldwork, agencies reported what they perceived to be a **lack of national direction during the pandemic**, particularly in the earlier months of the crisis. Examples of this during the Covid-19 response include:

- a lack of alignment on national strategic response on priorities, such as domestic abuse; but there is also no consistent local mechanism to fill the gap
- no central guidance on the adaptation of out-of court disposals despite eagerness from regions to implement innovations supporting a clogged system. Thus areas which were already running successful programmes were able to adapt but others struggled to implement one
- a lack of clear guidance from the sentencing council on the necessary adaptation of sentences due to the impracticality of certain outcomes (like unpaid community work) or the increased severity of certain punishments (like prisons being under lockdown). This resulted in a relative postcode lottery based on local judiciary's interpretations

**Production and sharing of information diminished in quality and quantity. This was already a major issue before Covid-19 but was exacerbated during the pandemic.**

- Reports of tensions between different government departments (MoJ and N10) leading to restrictions on disclosures of information between agencies and geographical areas
- Agencies were forced to adapt from analog to digital modes of communication. Due to the lack of guidance and clarity on acceptable technology, areas and agencies developed haphazard platforms that are not always interoperable. One such example (CPS & Police in D&C)

# In the longer term, justice devolution has the potential to incentivise greater innovation and integration between agencies - provided there is a stronger framework of national standards and robust governance

## Devolving budgets and powers to local areas will enable a more integrated approach to criminal justice

### A new justice model

- **Prevention:** greater number of low risk offenders diverted from the formal CJS
- **Services in the community:** greater access to specialist support for vulnerable offenders through women's centres where possible
- **Smart sentencing:** problem-solving justice integrated with specialist support
- **Modern custodial estate:** offenders incarcerated in smaller units closer to home

### Delivering better outcomes

- Fewer offenders enter the formal CJS unnecessarily
- Tackling root causes rather than symptoms
- Less crime/harm and fewer victims
- Reduced crime demand
- Fewer children in care
- Budgets saved/resources targeted at root causes rather than paying for failure

## Enablers of system excellence

### Clear national standards

- Ensure clear national standards from the centre, including the establishment of a [Courts Inspectorate](#) to strengthen standards in the courts
- Continued [annual cross-cutting inspections](#) in which all CJS agencies are jointly held to account

### Integrated services

- Co-commissioning of services
- Pooled budgets
- Place-based integration
- Shared performance metrics
- Local areas allowed to keep any savings for reinvestment locally

### Robust governance

- Devolution needs to be underpinned by robust governance, with local criminal justice boards representing all the key agencies in a local area
- Performance data needs to be shared transparently between partners

# We have found some evidence of local innovation since the start of the pandemic - but they appear relatively isolated

- **Devolved authorities have stepped in to fill the cracks** by investing in one-off locally stranded agencies (e.g. Domestic Abuse services or through the gate services)
- **Local boards:** local areas have set up pan-agency boards to deal with operational and strategic settings during lockdown; interestingly, the less cooperative members change from regions to regions

However, local innovation, when not supported by national performance guidance and collaboration, good practice may remain confined to pockets.

*"We have started an extra bit of funding and increased resources for early release prisoners to offer a wrap-around service - it's not designed to replace probation but to increase probation's capacity and capability"*  
- OPCC staff

*"But I don't think the criminal justice service was as quick or systems or it was as quick to respond as as, for example, it didn't take a local resilience form approach, which meant that locally, we were waiting for national decisions to be made, which I think did support some of the progress we could have made locally in terms of reopening buildings and looking at increased capacity to get through the backlog quicker."*  
- Regional CPS staff

## What enabled good practice?

- Pre-existing good relationships and governance
- Understanding of interdependence
- Access to funds - distributed across agencies
- Clear grasps of the data
- Can-do local personalities (luck of the draw)

*"There's a bit of a tension about where nationally and locally the balance lies, local or acting without waiting from impulse from the center but we could do with more guidance."*  
- Regional Criminal Justice and Victim Services Lead

**Recommendation:** MoJ should re-invigorate the justice devolution agenda, enabling Metro Mayors to bid for control of probation and custody budgets - creating a financial incentive for local areas to invest in alternatives to custody and deliver services that are tailored to individual needs, rather than Whitehall departments



## **b. Smarter use of technology**

# Technology has been used throughout the pandemic to support the continued functioning of the criminal justice system

## Access to video calls and online educational materials in prisons

Video calling capability has been implemented in prisons. However, stakeholders noted that as of summer 2020, 97% of prisoners had not been able to take advantage of video calls. Additionally, some education has been delivered remotely, but this is significantly under-realised.

## Data sharing and communication between agencies

Agencies have quickly adopted tech to communicate both internally and with external partners. Despite compatibility issues, most stakeholders interviewed feel that technology has improved inter-agency communication, leading to more efficient and successful outcomes.

## Remote supervision of offenders on probation

Community Rehabilitation Companies (CRCs) have been monitoring most offenders remotely during the pandemic. Stakeholders said remote supervision can be challenging if there isn't already an established relationship between the probation officer and the offender.

## Digitisation of the court listing system

In September 2020, an online listing tool was introduced for Magistrates' Courts in England and Wales. It aims to improve transparency of the justice process. However, there is still no online listing for Crown Courts, compromising access and transparency.

## Remote court hearings

Remote hearings using video and audio links enabling court participants to appear remotely meant some courts could continue to run throughout the pandemic. Use of technology however, has not resolved backlogs in Magistrates' Courts or Crown Courts.

## Access to technology for offenders

CRCs provided mobile phones to some offenders to enable them to continue check-ins with probation staff remotely. In addition, offenders have been able to use their phones to set up benefits for themselves, giving them more control over their finances.

# While technological adaptation helped the criminal justice system survive the pandemic, it is not a *panacea* for the fundamental problems exposed in 2020

Technological innovation	What do stakeholders think?
Data sharing and virtual communication between criminal justice system agencies	Stakeholders we interviewed feel that <b>virtual meetings should continue post-pandemic</b> . Despite compatibility issues between agencies, technology has improved communication, leading to time efficiencies and dynamic information sharing.
Remote supervision of service users by probation providers	Practitioners reported some success using technology to stay in contact with service users remotely. Some service users feel less anxious and more talkative. However, it is more difficult for practitioners to pick up non-verbal cues. Practitioners suggest a <b>hybrid model governed by agreed principles and practitioner discretion</b> .
Technology in prisons	The experts we spoke to overwhelmingly agree that <b>the potential of technology in prisons is under-realised</b> . They highlighted that few prisoners have been able to take advantage of technology such as video calling.
Remote court hearings	The experts agree that technology has been essential in enabling the most important court cases to go ahead. However, in the long term, it may be more suited to administrative cases, guilty plea cases and available if victims have specific needs.

*"I think you save an awful lot of time, but [virtual meetings] still allow us to give the input that we need to give. So if that's something that can continue, I think that would be massively helpful."*  
Senior Case Managers, CRC

*"Some of my clients have told me more on the phone than they ever told me in the office."*  
Senior Case Managers, CRC

*"The prison response would have been hugely stronger if there was controlled internet access and more ICT hardware and software available in prisons."*  
Prison Reform Trust

*"We retain concerns about the quality of justice and procedural justice elements appearing remotely rather than face to face."*  
Magistrates' Association

# The public agree that technology should be used to enable the criminal justice system to continue running remotely throughout the pandemic

Technological innovation	What do the public think?
Virtual court hearings	The citizen's jury were confused as to why courts could not remain open throughout the pandemic, comparing the courts to other essential services such as supermarkets. Technology was acknowledged as a way to keep courts running remotely.
Online community sentences	The citizen's jury suggested that community sentences could continue online while in-person work is suspended due to the pandemic.
Use of technology in prisons to enable prisoners to communicate with their families and lawyers and for educational purposes	The citizen's jury were in favour of the use of technology to enable prisoners to communicate with their families and lawyers. Additionally, they believe the use of tech to deliver education was acceptable.
Remote supervision of offenders on probation	The citizen's jury noted that supervision should continue remotely throughout the pandemic to avoid users feeling isolated. Participants suggested providing service users with smartphones.

*"If they can get the supermarkets open then why couldn't they get the courts working?"*

*"How can a judge empathise with a victim or a defendant if they can't even see their full body language?"*

*"If you're in a prison, it's a right [access to tech] that you should have. As long as they are locked down, and the tech is only to be used for distinct purposes, like for contacting friends or family."*

*"As we move forward with this tech model, surely the sentencing and the way we do community service could potentially change with that. There could be an element of it delivered by technology."*

# Principles for realising the potential of technology across the criminal justice system

## 1. CJS agencies' systems must be interoperable

- Increased virtual communication between adjacent agencies has been an improvement
- However, the systems remain uncoordinated which hinders communication
- Agencies must be able to seamlessly communicate with each other remotely

## 2. Technology must be rigorously evaluated before being implemented

- The public (especially victims) must be consulted on the use of tech
- The long-term impacts of tech must be thoroughly evaluated

*"But what we don't want to see is this [remote court hearings] just becoming business as usual without a much more in-depth look at what the impacts of a greater use of video has been."*

Magistrates Association

## 3. The use of technology must not compromise procedural fairness

- There are concerns around procedural fairness when using technology instead of face-to-face contact
  - In remote court, issues with connectivity may prevent some from sitting as jurors and therefore compromise the representative nature of a jury. The informal environment at home could also impact the *gravitas* of proceedings
- Limited video calling in prisons has hindered lawyers' ability to speak to their clients remotely

*"I think there is a generic worry that some services, ... that everything can be done virtually, and that is emphatically not the case."*

Youth Justice Consultant

## 4. Remote interaction where there is an established relationship

- There are some benefits from remote supervision - some clients felt less anxious and are more talkative over the phone
- But remote supervision can make it more difficult for practitioners to spot concerning signs, for example the smell of alcohol
- Where there is an established and trusting relationship, remote supervision can work well e.g.

## 5. Technology should centre on users rather than system efficiency

- The implementation of technology in the CJS will often improve workforce efficiency. However, the focus should be on the benefits to service users
- The digitisation of the court listing system should keep in mind the need for transparency and public trust, along with speeding up the justice process for victims, witnesses and defendants.

**Recommendation:** the government is establishing a new National Crime Lab to boost the UK's R&D capability within crime and criminal justice. The government should task it with setting national standards for use of technology in the criminal justice system, according to the principles outlined above. It should also monitor and evaluate technology outcomes, in line with the best interest of the public, victims and offenders, not solely system efficiency.





# **Conclusion: a vision for the future**

# Key findings: survive, recover, rebuild.

**Survive:** Avoid collapse by **increasing capacity** to deal with core demand and reduce backlogs

**Recover:** Turn off the taps and **reduce demand** to avoid collapse in the long term

**Rebuild:** Improve the efficiency and effectiveness of the system

In response to the pandemic the criminal justice system went into '**survival mode**'. Agencies took emergency action to keep functioning but in doing so, retreated into **silos**. Innovative programmes were shelved.

Without further action, the court backlog is projected to rapidly increase and reach an **unmanageable level** by 2024.

The government has dedicated additional resources of £337 million to the criminal justice system, **but our modelling and budget estimates suggest that the need is greater.**

**Fundamental reform** designed to prevent crime and divert low-level offenders is required to reduce demand coming through the 'front door'

Demand across the criminal justice system could be reduced by **increasing the use of community sentences** that prioritise **rehabilitation**.

Despite pockets of good practice, approaches to **diversion** are **uncoordinated** and **under-evaluated**.

The criminal justice system survived the first wave of Covid-19 but **avoided transformational change**. Continuing with the status quo will likely lead to the system **falling over**.

Covid exposed the lack of coherent information management and transparency in the CJS

Investment in the CJS must therefore be matched by **structural reform**, as part of a transition to a justice system that is **resilient, efficient and effective**

# This report contains five core recommendations

### Survive (investment to increase capacity)

1. The CJS needs a bail-out to increase capacity, coping with the combined pressure of the pandemic and police officer uplift. The additional funding already pledged in October's Spending Review (equivalent to a 1% increase in MoJ's revenue expenditure) is a start but unlikely to do the job: in particular, clearing the courts backlog will require around £400m per year, rather than the £275m promised by the Treasury

### Recover (stemming the flow into the courts and reducing prison/ probation caseloads)

2. But ramping up capacity won't on its own be enough - there is also a need to reduce demand coming in the 'front end'. So, the Ministry of Justice and Home Office should set out a joint strategy to strengthen the use of diversion for low-level offenders, which remains patchy and inconsistent. Police diversion schemes like 'Checkpoint', in County Durham, should be scaled up and rolled out across the country
3. At the same time, there is a need to reduce demand on the prison population, which is projected to grow under all scenarios. The quid pro quo for tougher sentences for the most serious offenders should be a reduction in the use of custody for low-level repeat offenders, with a presumption against custodial sentences of less than six months

### Rebuild (whole system approach)

4. In order to drive a more integrated approach, MoJ should return to the 'justice devolution' agenda, which has been allowed to wither on the vine since 2016 - piloting devolution of prison and probation budgets to Metro Mayors, which will enable pooling of budgets and joint priorities
5. There is a need for more rigorous accountability to drive up standards across the CJS. The government should establish an inspectorate for the Courts and task the new 'National Crime Lab' with setting standards for more effective use of technology in the CJS

# The Royal Commission on Justice represents a unique opportunity to build cross-party consensus behind long-term reform of the CJS

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For too long, as a country we have tolerated a system that is hard-wired to fail, in particular where:

- not enough crime is detected and opportunities to give offenders an alternative path out of crime are missed
- it takes too long to bring offenders to justice, causing victims to lose faith in the process
- punishment within the community is virtually non-existent, so prison is over-utilised
- prisons are overcrowded and probation staff overstretched and thus incapable of proper rehabilitation

Following the pandemic, the system is now at a precipice and the government has a choice: it can do enough to avoid collapse and paper over the creaks, or it can use the establishment of the Royal Commission to instigate a process of long overdue structural reform.

Crest's polling and 'citizen's jury' shows there is **strong public appetite for reform, provided the principle of access to justice is not diluted.**

We recommend that as part of the Royal Commission, the government finds a way to **include the public** in the process of deliberation in order to **build a strong level of consensus and public consent for any reform.**

## Further research

Prevention and diversion has been identified by Crest Advisory as a critical opportunity for future policy development. Later this year will be launching a second programme of work focusing on the front end of the criminal justice system.

If you would like to get involved, please get in touch at:  
[contact@crestadvisory.com](mailto:contact@crestadvisory.com)

# End

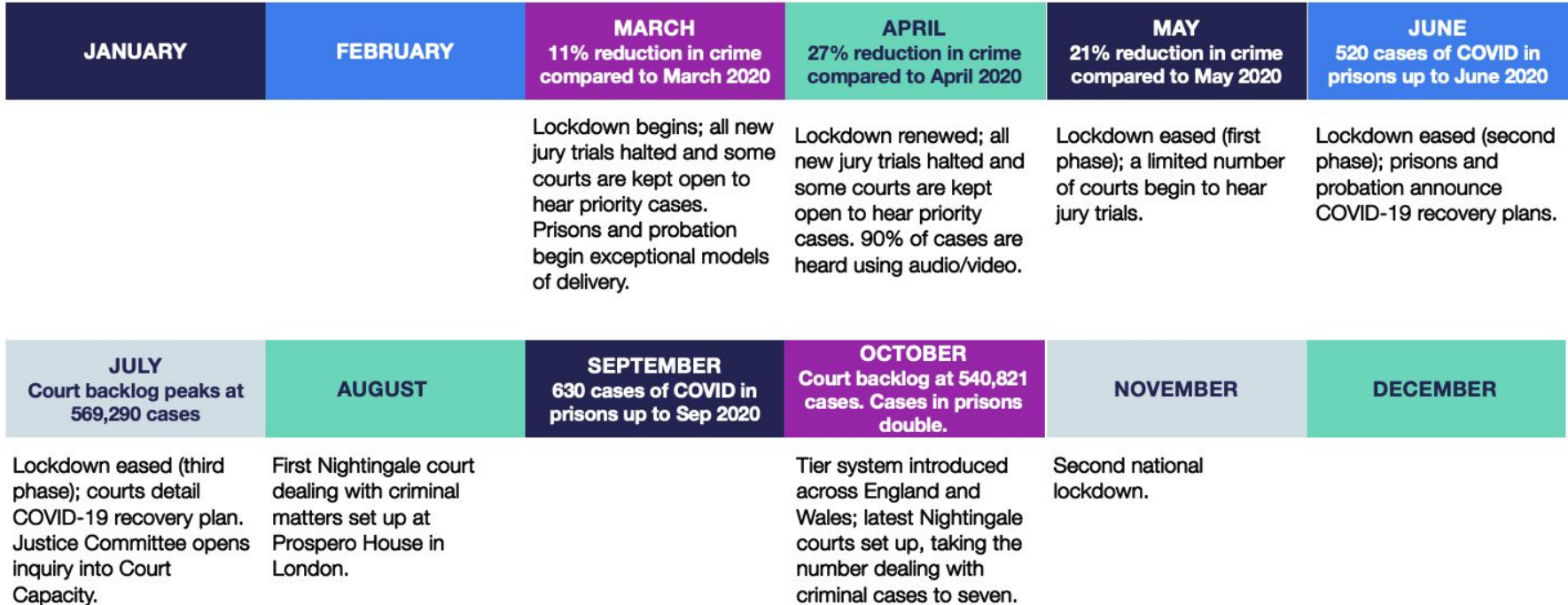
For more information please contact  
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[www.crestadvisory.com](http://www.crestadvisory.com)

## **Survive. Recover. Rebuild (January 2021)**

Callyane Desroches, Joe Caluori, James Stott and  
Madeline Rolfe

# ANNEX

# Timeline: the criminal justice system during Covid-19



# The government has promised an additional £275m for courts and tribunals to weather the impact of additional 20,000 police officers and reduce the backlog. Our research suggests that the cost of stabilising the backlog is between £200m and £400m

## According to modelling/HMCTS budget

Our modelling suggests that to stabilise the court backlogs, court capacity needs to double. In 2010, there were approximately twice as many magistrates' courts as there were in 2019 (323 to 162 in 2019) and 8 more Crown Courts than in 2019. An indicative cost of the doubling of the courts (especially MC, the bulk of the cases) would be a return to 2009/10 levels of spending on Courts and Tribunals. In 2019-20, HMCTS' budget was around 30% lower than it was in 2019/10, with a difference of c. £400. This is £125 million more than the £267 million promised by the 2020 Spending Review.

## According to the modelling/Nightingale cost

Our model suggests that by 2024, the court capacity should double in order to stabilise the backlog. *If we take that to be a literal doubling of courts*, this would mean going from 162 magistrates' courts and 84 Crown Courts to 324 magistrates' courts and 168 Crown Courts, or an additional 244 courts. If we take the Nightingale Court cost as a guiding unit cost, this would require an additional £135.5 million, excluding judicial costs.

## According to HMCTS/Nightingale cost

HMCTS has told the Justice Select Committee that it estimated needing an additional 200 venues in order to tackle the backlog. With a reported average cost per Nightingale cost of £555,556, the required amount of courts would need an investment of an additional £111.1million. This excludes judicial costs.

## Sources:

### Unit cost per Nightingale Court:

<https://www.lawgazette.co.uk/news/nightingale-court-closes-less-than-a-month-after-it-opens/5105632.article#:~:text=HM%20Courts%20%26%20Tribunals%20Service's%20list.%C2%A310m%2C%20excluding%20judicial%20costs>

### Justice Select Committee:

Susan Acland-Hood (23 June 2020) "Justice Committee Oral evidence: Coronavirus (COVID-19): The impact on prison, probation and court systems", HC 299, Q185.

### Spending review:

<https://www.gov.uk/government/publications/spending-review-2020-documents/spending-review-2020>  
<https://www.barcouncil.org.uk/resource/spending-review-justice-funding-boost-must-not-be-a-flash-in-the-pan.html>