



Justice Committee

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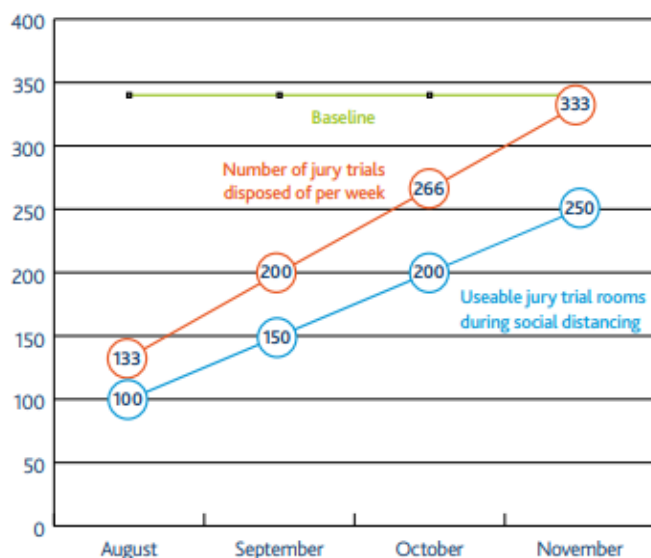
3 February 2021

Dear Lord Chancellor,

The situation in the Crown Court

Thank you for your reply on 20 January to our questions arising from the evidence session on 1 December 2020. The Committee would like to follow up on the situation in the Crown Court.

We note the updated HMCTS Management Information, and the latest figures on the number of jury trials disposed of by the Crown Court in October and November. The Committee recognises that it is a significant achievement that in November the Crown Court was able to dispose of an average of 230 jury trials per week. Nevertheless, the Committee would like to understand why this is 103 fewer than was projected for November in the criminal court recovery plan, [COVID-19: Update on the HMCTS response for criminal courts in England & Wales](#) published in September, set out below:



The Committee recognises that the number of trials disposed of each week is increasing, and that projecting the number of trials that it will be possible to dispose of each week is difficult due to the variables highlighted in your reply. Nevertheless, the Committee would like to understand why there is such a significant difference between the numbers outlined in the above graph in the recovery plan and the figures in the HMCTS Management Information.

The recovery of the courts has been under way for several months now, and we would be interested to understand what data the Government holds that outlines the impact of the Nightingale Courts and the extended operating hours on the disposal rate? Could the Government explain why the Nightingale Courts and the extended operating hours have not increased the disposal rate as much as was anticipated?

On Tuesday 19 January, the Committee heard from Sir Thomas Winsor that certain Crown Courts have particularly acute challenges:

Norfolk constabulary has had a 40% increase in the backlog of outstanding Crown court trials since March 2020. There are 546 outstanding trials at Ipswich Crown court in Suffolk—an increase of 75% since March 2020.

Could the Government share with the Committee any information it holds which can show where in England and Wales the delays and backlogs are most acute? Are certain Crown Courts faring better or worse than others? The Committee would also like to know how any data on variation in case backlogs at individual courts or by region has been used as part of the recovery plan?

Your reply explains that the Government's internal modelling on Crown Court capacity is not designed to predict when the number of outstanding cases will reach a particular point. We also accept that the progress of the recovery is not solely defined by the number of outstanding cases at any particular point. That said, in order for the Committee to understand and scrutinise the Government's plan and the progress being made in the Crown Court, it would be helpful if the Government could set out when it projects that the number of jury trials being disposed of each week will reach the baseline figure of 333 set out in the recovery plan? If that figure is no longer relevant, it would be useful to know what, if any, other metrics are being used to measure progress in the Crown Court?

We would also like to know if there has been any work done to analyse data on case backlogs by type of case, and the impact of delays by particular characteristics of case, and in particular in relation to complex and sensitive cases? The Lord Chief Justice told the Committee on 10 November that he was anticipating an increase in complex cases. The Committee would like to know what is being done to identify such cases, for example multi-handler trials, within the outstanding cases and to develop specific strategies for hearing such cases as quickly as possible.

Finally, the Committee would like to know if HMCTS is recording when, and which type of remote technology is being used in criminal cases?

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rob Neill', with a stylized flourish at the end.

Sir Robert Neill MP

Chair
Justice Committee