

Written evidence submitted by the Police and Crime Commissioner for Lincolnshire

This submission is made on behalf of Marc Jones, Police and Crime Commissioner for Lincolnshire.

The PCC is concerned about the impact that the court backlog is continuing to have on victims of crime who are waiting longer to know whether they will get justice. The delays and attrition rates are also directly impacting victim services as they are supporting more victims for longer whose needs may well be greater because of the stresses caused by the court backlog at this time. There are further impacts on the Force and the wider Criminal Justice System as defendants are longer on remand/ in custody/ on bail.

The PCC contacted a number of local victim support service providers and asked for their practical experience of the delay. Their feedback is detailed below, in their own words.

Independent Sexual Violence Advisor service:

I have a particular case whereby we are STILL waiting for it to be relisted for trial. It was meant to go ahead Aug 2020 but cancelled due to COVID. It was then put on the reserve list for June this year. It didn't go ahead, and we are now still waiting for it to be relisted. The OIC (officer) has now left the Police, and so she is having to spend time getting to know someone new. She cannot have trauma therapy until her legal case has been finalised and it is affecting her and her children every day.

I am also seeing a lot of our cases that have been relisted, are being put on reserve lists. There is no certainty for victims as we get them ready for the date, only to have it cancelled and moved back again. I have also seen cases that were set moved, at quite short notice, to a reserve list. People are already waiting usually more than 8 months for their day in court, only to have it moved at the last minute. It can be devastating.

I know this is to do with the courts, but even with investigations and cases being put to CPS, they are taking so much longer. It is often becoming the norm for investigations to take around 18 months until they are even with the CPS. This increases our caseloads as ISVAs and we are 'holding' people for so much longer trying to manage their expectations and help them with their mental health. Their mental health nearly always deteriorates the longer the legal cases go on.

Independent Domestic Abuse Advisor Service:

One of my IDVAs discussed cases in her supervision, there being 3 cases where they have been going through the process for 2yrs, 18 months and also one keeps getting put back on a reserve list, due to this she retracted. Another IDVA had a client that retracted also as it was over a year in the CJ process, and she had moved on in her life and this was causing her to live in the abuse due to the court case looming. The list goes on.

I think the key thing for me is that the CJS needs to understand that IDVAs and witness care unit staff and police officers are not trained counsellors. We do not have capacity and skills to keep all clients

on board during this process. I don't feel that the CJS truly understands the impact this has on victims. A victim impact statement has no emotion, it is on paper and can be read as emotionless as you desire.

With COVID and the extra added pressures, this has brought further impact for all individuals (family deaths, long term health complications, financial issues, further isolation from support networks, impact on mental health to name a few).

A court case that is continuously adjourned or not seen as a priority, because lets face it, victims don't work in the CJS and they don't actually care why its been adjourned, what they see is, 'I'm not important and no-one is listening to me', is going to be the last straw from a lot of victims.

I guarantee that a swifter process will keep victims on board, that the CJS will see more positive outcomes.

Witness Care Unit

There are currently 185 cases with no date fixed for trial. The team are seeing increased levels of uncertainty from victims and witnesses and members of the public are expressing their concern at the length of time the process is taking. The longer this continues the higher the risk is likely to be.

Witness Service

The delays and subsequent adjournments even when trials are relisted, are showing us that witnesses just don't bother coming back and CPS is offering "no evidence". HMCTS are double and triple listing too which means that inevitably one or more case will be adjourned again.

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