

MDA No.: 1343

Title: Crown Court Backlog Letter

1. Executive Summary

- 1.1 At the Police and Crime Committee (PCC) meeting on 20 October 2021, the Committee resolved that:

Authority be delegated to the Chairman, in consultation with the Deputy Chairman and party Group Lead Members, to agree any output arising from the discussion.

- 1.2 Following consultation with party Group Lead Members, the Chairman is asked to agree the letter to the Secretary of State for Justice on the Crown Court backlog in London, as attached at **Appendix 1**.

2. Decision

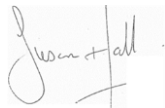
- 3.1 **That the Police and Crime Committee's letter to the Secretary of State for Justice on the Crown Court backlog in London, be agreed.**

Assembly Member

I confirm that I do not have any disclosable pecuniary interests in the proposed decision and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:



Printed Name: Susan Hall AM, Chairman of the Police and Crime Committee

Date: 20 December 2021

3. Decision by an Assembly Member under Delegated Authority

Background and proposed next steps:

- 3.1 The exercise of delegated authority agreeing the Committee's letter to the Secretary of State for Justice will be formally noted at the Committee's next appropriate meeting.

Confirmation that appropriate delegated authority exists for this decision:

Signature (Committee Services): L. Harvey

Printed Name: Lauren Harvey, Senior Committee Officer

Date: 08/12/2021

Telephone Number: 020 7983 4383

Financial Implications: NOT REQUIRED

Note: Finance comments and signature are required only where there are financial implications arising or the potential for financial implications.

Signature (Finance): Not Required

Printed Name: N/A

Date: N/A

Telephone Number: N/A

Legal Implications:

The Chairman of the Police and Crime Committee has the power to make the decision set out in this report.

Signature (Legal): 

Printed Name: Emma Strain, Monitoring Officer

Date: 08/12/2021

Telephone Number: 020 7983 6550

Supporting Detail / List of Consultees:

- Caroline Russell AM (Deputy Chair)
- Unmesh Desai AM
- Caroline Pidgeon MBE AM

4. Public Access to Information

- 4.1 Information in this form (Part 1) is subject to the FoIA, or the EIR and will be made available on the GLA Website, usually within one working day of approval.
- 4.2 If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.
- 4.3 **Note:** this form (Part 1) will either be published within one working day after it has been approved or on the defer date.

Part 1 - Deferral:

Is the publication of Part 1 of this approval to be deferred? NO

If yes, until what date:

Part 2 – Sensitive Information:

Only the facts or advice that would be exempt from disclosure under FoIA or EIR should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form? NO

Lead Officer / Author

Signature: J Roker


Printed Name: Janette Roker

Job Title: Senior Policy Adviser

Date: 08/12/2021

Telephone Number: 020 7983 6562

Countersigned by Executive Director:

Signature: 

Printed Name: Helen Ewen, Executive Director of Assembly Secretariat

Date: 09/12/2021

Telephone Number: 07729 108986



Susan Hall AM
Chairman of the Police and Crime Committee

Rt Hon Dominic Raab MP
Lord Chancellor and Secretary of State for Justice
Ministry of Justice
(Sent by email)

21 December 2021

Dear Dominic,

Crown Court Backlog in London

I am writing on behalf of the London Assembly's Police and Crime Committee to raise concerns about the ongoing impact of the significant backlog of Crown Court cases in London.

The Committee welcomes the progress that has been made to tackle the backlog of cases in the Crown Courts in London. As of June 2021, there were 16,021 outstanding cases in London's Crown Courts, which represents a 72 per cent increase compared with March 2020.¹ For sexual offences cases, there were 940 outstanding cases in London's Crown Courts in June 2021, compared with 551 cases in June 2020.² This is an unacceptable and unsustainable situation for London.

The figures make for alarming reading for Londoners, more so because there is a human impact behind each of these cases. The Committee would like to draw to your attention the impact of the backlog on London's complainants and witnesses, and the wider impact on London's communities.

¹ London Assembly, [20 October 2021 Police and Crime Committee meeting](#), 20 October 2021

² Ibid

Impact on complainants and witnesses

On 20 October, the Committee discussed London's Crown Court case backlog with the Mayor's Office for Policing and Crime (MOPAC) and the Metropolitan Police Service (Met). At the meeting, the Met's Assistant Commissioner, Louisa Rolfe OBE, described the Met's concerns about the impact of the backlog on the wider criminal justice system, stating:

*"We are concerned. The proportion of live [Crown Court] cases where there are vulnerable victims or witnesses has also increased, so that is a great concern for us."*³

At the same meeting, the Committee discussed the impact of the backlog on complainants and witnesses, who are regularly required to wait months and – in some cases – years before their case is heard. The Committee is acutely aware that, particularly for rape and sexual offences, the longer it takes for a case to be heard, the more likely it is that complainants and witnesses will withdraw from proceedings.

Impact on the wider community

The Met also shared concerns about the risks of particularly complex cases, such as multi-handed cases involving significant organised crime, collapsing as the length of time for a case to be heard continues to grow. These types of crimes have material and long-lasting impacts on communities in London, and, in this context, the Committee shares the Met's concerns about the wider consequences of the backlog.

Response to date

The Committee recognises that several Nightingale Courts have been established in London, which have supported efforts to respond to the backlog.⁴ However, at present, the Committee is not satisfied that this response is commensurate with the scale of the problem facing London's Crown Courts. Nationally, the Crown Court backlog has grown since the pandemic, whereas in the Magistrates' Court, the number of outstanding cases has decreased.⁵

Moreover, the Nightingale Courts can only support efforts to pick up certain hearings, such as administrative, case management hearings, and hearings involving defendants on bail. This leaves little support for more complex and serious cases, which are more likely to have a significant impact on the complainants and witnesses involved.

Super courtrooms in London

Super courtrooms have been introduced around the country, including in Manchester and Loughborough, to tackle this problem.⁶ Given London is the most populous city in England and Wales, has experienced the biggest increase in the backlog of cases and is a city with a high share of the country's most serious criminal cases, the Committee would like to know whether or not the Government has decided to introduce a super courtroom in London, as well as any reasoning behind this decision.

³ London Assembly, [20 October 2021 Police and Crime Committee meeting](#), 20 October 2021

⁴ HM Courts and Tribunals Service, [Temporary Nightingale courts and extra court capacity](#), 8 November 2021

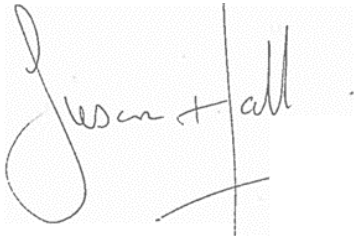
⁵ Ministry of Justice, [Criminal court statistics quarterly: April to June 2021](#), 30 September 2021

⁶ Ministry of Justice and HM Courts and Tribunals Service, Press Release, ['Super courtroom' opens in Loughborough](#), 9 November 2021

The Committee understands that MOPAC has already made representations to the Government about introducing super courtrooms in London. The Committee would urgently ask you to further consider the need for additional courtroom capacity, including super courtrooms, to deal with complex, multi-handed cases, given the acute needs in London.

I would be grateful if you could respond to the Committee's letter by Friday 21 January 2022. Your response should be copied to Janette Roker and Philippa Goffe, the Committee's Senior Policy Advisers (janette.roker@london.gov.uk) (philippa.goffe@london.gov.uk).

Yours sincerely,

A handwritten signature in black ink that reads "Susan Hall". The signature is written in a cursive style and is positioned above a horizontal line.

Susan Hall AM
Chairman of the Police and Crime Committee

Copied to:

Dame Cressida Dick, Commissioner, Metropolitan Police Service
Louisa Rolfe OBE, Assistant Commissioner, Metropolitan Police Service