



Monday 16 May 2022

RELEASED UNDER EMBARGO TO 00.01 ON TUESDAY 17 MAY 2022

CJS PANDEMIC RECOVERY “REMAINS ELUSIVE” – NEW REPORT ON IMPACT OF COVID-19

The criminal justice system remains a long way from recovering from the effects of the pandemic and continues to operate at unacceptable levels in some areas, according to a joint report by the four HM Chief Inspectors published today.

The Criminal Justice Joint Inspection report highlights the shared challenges of increasing demand, funding constraints, workforce pressures and low public confidence, and raises particular concerns about the continuing high Crown Court backlogs.

It found that most agencies are not yet able to recover to their pre-COVID-19 position and warns that without a coordinated whole-system plan, recovery is likely to be disjointed and risks further fracturing the criminal justice system in England and Wales.

The Chief Inspectors of Police, CPS, Probation and Prisons have published this joint report as an update to their ‘state of the nation’ report in January 2021 on the impact of COVID-19. It draws on inspection findings from across the four services over the whole of last year, as well as cross-cutting themes. It says:

“While the constraints on daily life have now been dropped, the criminal justice system is a long way from recovery and in some parts continues to operate at unacceptable levels.

“Prisoners still spend 22.5 hours a day in their cell, hundreds of thousands of hours of unpaid work go uncompleted in the Probation Service, and Crown Court backlogs remain high.”

The report commends the hard work and commitment of staff and praises instances of strategic thinking across agencies in the wake of the unprecedented impact of the COVID-19 outbreak. Yet it concludes:

“None of the risks identified in our 2021 joint report have been mitigated in their entirety and recovery remains elusive. The system is getting by because of an artificially suppressed level of activity and reduced performance management and quality expectations – which cannot go on.

“The greatest challenge to the system, as we see it, is shifting back from pandemic exceptional delivery arrangements to a more business-as-usual way of working across the board.

“Where there are signs of business as usual emerging, it is with an exhausted workforce which is still adapting to new ways of working and getting back to normal. Without a coordinated whole-system plan, progress is likely to be disjointed. Given the nature of the criminal justice system, as one service recovers, that is likely to push issues into the next, and that service may not have recovered sufficiently to cope.

“This, coupled with the increase in police numbers and the unification of probation services, as well as a workforce that is under-resourced in some places and/or inexperienced, could further fracture the system.”

The 26-page report reiterates the concerns of the four inspectorates over backlogs in the Crown Court. It states that, by the end of December 2021, 25% of cases had been waiting for a year or more to come to court, and the number of cases waiting longer than a year has increased by more than 340% since March 2020.

“We have commented previously that the system was in a parlous state before COVID-19, and that shock has made it worse. Such unacceptable delays have an

adverse impact on victims and defendants, and have a knock-on effect on other criminal justice agencies.”

Speaking on behalf of the four inspectorates, HM Chief Inspector of Prisons, Charlie Taylor, said:

“This report reflects our serious concerns about the ability of the criminal justice system to recover, even to its pre-Covid state. While we commend the hard work and commitment of staff over the past two years, and recognise greater strategic thinking in some areas, the impact of the pandemic will be felt for a prolonged period and whole-system recovery will take a lot longer than initially anticipated.

“We are particularly concerned at the absence of an overarching recovery plan. Instead, each part of the system is operating in isolation and left to determine its own course. Taken together, this presents a very mixed picture and progress is likely to be disjointed.

“We hope this report, and our ongoing inspections, continue to highlight areas of effective practice as well as providing senior leaders with recommendations to rebuild and restore our criminal justice system in the interests of victims and all those who depend on it.”

- End -

Notes to editors

1. A copy of the full report, published on 17 May 2022, can be found on the Criminal Justice Joint Inspectorate website at: <https://www.justiceinspectrates.gov.uk/cjji/>
2. The four criminal justice inspectorates are: HM Inspectorate of Probation; HM Inspectorate of Constabulary and Fire & Rescue Services; HM Crown Prosecution Service Inspectorate; HM Inspectorate of Prisons.
3. The four Chief Inspectors will appear before the Justice Select Committee on 17 May 2022. Find out more on the House of Commons Justice Committee’s website.
4. Charlie Taylor is the nominated spokesperson for this report and is available for media interviews. For media enquiries, please call Ed Owen on 07774 759653 or email at ed.owen1@hmiprisons.gov.uk