

SURREY POLICE AND CRIME PANEL – 24 NOVEMBER 2020**PROCEDURAL MATTERS – PANEL MEMBER QUESTIONS AND RESPONSES****1. Question submitted by Councillor Will Forster (Woking Borough Council)**

Back in January, the Police and Crime Commissioner wrote to the Ministry of Justice with his concerns about the lack of capacity in the criminal justice system.

Please see the letter here: <https://surrey-pcc.gov.uk/wp-content/uploads/2020/02/2020-01-14-Ltr-to-MoJ-re-CJS-capacity.pdf>

Please can the Commissioner confirm what response, if any, he has had to this letter?

As the Commissioner is aware, the backlog of cases has notably increased due to coronavirus pandemic and that Woking's Magistrates Court was closed almost ten years ago. That building is now used as a Coroner's Court.

To help clear this backlog and get justice for victims of crime, please will the Commissioner agree to look at the merits of reopening the Woking Magistrates Court, or using the Coroner's Court for magistrate cases and lobby the Ministry of Justice and Surrey County Council accordingly?

Response:

A response to the PCC's January letter to the Ministry of Justice outlining concerns around court capacity was received on 12th February and a copy is appended.

As Cllr Forster asserts, since this correspondence, the problem of delays within the criminal justice system has been exacerbated considerably as a result of the Covid-19 pandemic. One of the solutions to addressing these delays has been HMCTS's plans to introduce 'Nightingale Courts'. Its 'Additional Courts and Tribunals Capacity' Programme team is identifying suitable properties in which to set up temporary court venues across the country. HMCTS will first consider whether there is sufficient capacity in its existing court estate, for example by providing temporary buildings or installing Perspex screens. Where this isn't possible, HMCTS will look at adjusting its workload (prioritising Crown Court cases) and then at the locality of any potential site to see whether it would prove suitable for staff, judiciary and justice partners. The suggestion of using the former Woking Magistrates Court building has been put to this team by the PCC, via HMCTS' Surrey & Sussex Cluster Manager, and we await their feedback.

In Surrey, the position in relation to restoring court capacity is better than in other parts of the country. In Surrey's Magistrates Court, all work that was halted in lockdown has been re-listed and HMCTS staff are working with Surrey Police to list any new work they have in the pipeline. They are tackling trial delay by opening up more trial slots within the existing courts. Guildford Crown Court is currently sitting two trials per week. A portacabin has been set up for jury use which will soon mean capacity increases to three trial courts per week. The rebuilding of one courtroom will allow further trials from early November and full court capacity (all 5 courtrooms hearing trials) will be established by January 2021.

HMCTS has published an overarching recovery plan in response to the pandemic. The plan's aim is firstly to return to pre-Covid disposal rates as soon as possible and then, to reduce the backlog to sustainable levels. Aside from increasing court capacity, HMCTS and partners are looking at other methods such as the use of audio and video technology and

'trial blitz' activities'. The plan is monitored at the PCC-chaired Local Criminal Justice Board.

In spite of assurances that court capacity back (or almost back) to pre-Covid levels, the backlog of cases prior to the lockdown and of course resulting from it, remains an issue. The PCC has raised concerns about the impact on victims and witnesses (and the resulting pressures on those staff and services who support them) and also on defendants who are denied a swift hearing. As such, a Surrey–Sussex Gold Group has recently been established with both PCCs and representatives from HMCTS, the Judiciary and the police to work together to review and improve the current situation and determine whether any further innovative solutions or best practice from other areas can be introduced.

2. Question submitted by Councillor David Reeve (Epsom and Ewell Borough Council)

Please may the Panel receive an update on vetting within Surrey Police and the OPCC; as a couple of years ago, the Panel was informed that they were well behind and then that they were making progress. How many employees in Surrey Police and the OPCC have not been vetted to date?

Response:

Provided by Surrey and Sussex Police Vetting Manager:

Post collaboration in 2018 a dedicated team was set up to review the vetting for all Surrey staff and officers to ensure compliancy with the 2017 HMIC recommendation that all forces should be compliant with national vetting policy and all personnel should be vetted to the appropriate level for the role they fulfil. This team achieved full compliancy with the HMIC recommendation by June 2019 and the Chief Constable subsequently removed this from the Force risk register.

The Joint Force Vetting Unit continues to keep the vetting levels under review to ensure compliancy with the Vetting Code of Practice and associated College of Policing APP (Authorised Professional Practice) which has superseded the National Vetting Policy. Regular updates on the status of force vetting are also provided to the HMIC such as their spring data collection back in July.

Currently there are 177 Surrey vetting cases in process the majority of which are renewals of existing clearances but also includes new applications such as 27 officers and 24 staff as part of the Operation Uplift programme.