

Key Facts

£819 million

Total expenditure by the criminal justice organisations under review in 2016-17

-12%

Total reduction in adjusted expenditure by the criminal justice organisations under review between 2011-12 and 2016-17

2,025

Number of defendants disposed of in the Crown Court in 2016

515

Average number of days taken from the date a crime is reported to police until the completion of the related trial in the Crown Court in 2015-16

12%

The proportion of Crown Court cases which took over 1,000 days to complete between 2011-12 and 2015-16

6.5

The average number of adjournments experienced by victims, defendants and witnesses in Crown Court cases

46%

Proportion of victims and witnesses surveyed by the Department of Justice who felt the justice system was effective

Executive Summary

Introduction

1. The purpose of the criminal justice system is to reduce crime, bring offenders to justice, protect the public, provide the victims of crime with justice, and to ensure justice is administered in a fair and just way. The effective delivery of these objectives depends upon the organisations involved in the system working collaboratively. Our review focuses on how effectively the four main justice organisations in Northern Ireland have worked together to deliver criminal justice, namely: the Police Service of Northern Ireland, the Public Prosecution Service, the Northern Ireland Courts and Tribunals Service and the Department of Justice.
2. When criminal justice does not perform effectively it can have a significant impact upon the lives of those involved: victims, defendants, witnesses and their families. A key feature of how the system in Northern Ireland has operated has been a failure to complete cases within reasonable timescales. Crown Court cases in Northern Ireland typically take more than 500 days from the date an offence is reported until a verdict is delivered in court, twice as long as in England and Wales. Around 12 per cent of Crown Court cases in Northern Ireland take in excess of 1,000 days to complete.

Key findings

3. Since 2006 there have been several independent reports (particularly by the Criminal Justice Inspection Northern Ireland) which have been critical of overall performance and identified a number of issues. The key causes of delay are weaknesses in the early stages of investigations. The progress of cases through the system is punctuated by practices and processes that are not efficient and work against timely delivery of justice. This has a significant impact upon the quality of service to citizens and impacts upon the confidence of the public in the system's effectiveness.
 4. The inability of justice organisations to commit fully to a collaborative model of delivery underlies this situation. These organisations have not been able to overcome the undeniably difficult challenges which prevent true collaboration. The justice system has lacked key components of the infrastructure necessary to support collaborative working, in particular, a common performance framework.
 5. In addition to the impact upon victims, defendants and witnesses, there is a significant financial cost of avoidable delay. However, justice organisations are not currently able to quantify the financial cost of delay. Attempts to improve performance are not supported by detailed financial analysis to quantify the expected costs and benefits.
 6. This report comes at a time of significant opportunity for the justice system. The key performance issues affecting justice have been known for at least a decade and are not insurmountable. In the last two years, there have been renewed efforts to tackle avoidable
-

delay and improve performance. The Indictable Cases Pilot delivered improvements in investigation and prosecution performance and its principles are currently being tested on a wider scale. Successful reform would contribute to:

- faster end-to-end times for the completion of cases;
- higher quality investigation and prosecution files;
- stronger arrangements governing working practices at key interfaces between organisations;
- fewer adjourned hearings and trials at court; and
- earlier guilty pleas by defendants.

7. Reform is being pursued in a public service environment which places an emphasis upon working in partnership to transform how services are delivered. Individually, the various reform initiatives appear logical and likely to improve performance; however, more work is needed to develop a fully functioning partnership throughout the justice system. In parallel with specific reform projects, leaders and managers in the justice system must work together to implement a truly collaborative model of service delivery. Failure to do so risks undermining the future potential of current reforms and will leave the justice system ill-equipped to deal with the challenges ahead.

Value for Money conclusion

8. Currently the criminal justice system in Northern Ireland does not deliver value for money. The cost of criminal justice in Northern Ireland is significantly higher than in England and Wales, with no additional benefit arising. Cases take considerably longer to complete than in England and Wales.
9. These performance issues have arisen in an administrative environment which has lacked key components of the infrastructure which criminal justice organisations need to operate collaboratively as a whole system. Until these are introduced, it is unlikely that the criminal justice system will deliver improved performance and value for money.
10. It is widely accepted that the criminal justice system cannot function effectively until the various justice organisations work more closely together. This will require behavioural change, supported by effective collaboration within the Criminal Justice Board (CJB) and the Criminal
-

Executive Summary

Justice Programme Delivery Group (CJPDG)¹. This includes establishing clear lines of accountability; quality information systems; and a transparent reporting framework. The system needs to demonstrate substantial improvement in the matter of avoidable delay, which should be subject to continuous review.

Recommendations

Recommendation 1:

The Department, in consultation with the Lord Chief Justice, should ensure that adequate administrative support is provided to the judiciary to facilitate more effective management of cases and case progression in the Crown Court. Both the PSNI and the PPS should ensure that any corresponding arrangements which are required to improve case management are also implemented.

Recommendation 2:

The CJINI plays an important role in holding the criminal justice system to account. The Department should establish an effective system for monitoring the implementation of the CJINI's recommendations to support improvement.

Recommendation 3:

The Department should establish an action plan and timetable for the eradication of the committal process.

Recommendation 4:

The Criminal Justice Board (CJB), working with the Criminal Justice Programme Delivery Group (CJPDG), should establish a clear and shared understanding of the end-to-end criminal justice process, with a focus on securing effective collaborative working to reduce avoidable delay in the management of cases.

¹ The Criminal Justice Board is a group comprising the most senior leadership of criminal justice organisations which provides strategic oversight to the system. The Criminal Justice Programme Delivery Group reports to the Criminal Justice Board and consists of senior officials from the various organisations. Its purpose is to oversee the delivery of objectives set by the Criminal Justice Board.

Recommendation 5:

The CJB, working with the CJPDG, should take a lead in developing and implementing protocols around the sharing of performance and financial management information between justice organisations.

Recommendation 6:

The CJB, working with the CJPDG, should establish processes which ensure that performance is analysed consistently, and that lessons which can deliver performance improvements are learned and shared across the system.