

Was CJSSC Designed to Prevent Systemic Overload in the Criminal Justice System?

A Hypothesis Paper on Emergency Governance and Criminal Justice Capacity

Author: Ian Clayton

Date: 12 March 2026

Introduction

The Criminal Justice System Strategic Command (CJSSC) is a cross-agency coordination structure operating across the criminal justice system in England and Wales.

Evidence provided to the UK Covid-19 Inquiry indicates that CJSSC brought together senior leadership from multiple institutions responsible for different stages of the justice process.

These institutions included policing leadership, the Crown Prosecution Service, HM Courts and Tribunals Service, HM Prison and Probation Service and relevant government departments.

Witness evidence describes the CJSSC as taking “*overall responsibility for the multi-agency management of an incident or crisis*” and establishing “*a common policy and strategic framework*” across participating agencies.

Source:

<https://covid19.public-inquiry.uk/wp-content/uploads/2023/12/18143405/INQ000188838.pdf>

The existence of such a structure raises a broader governance question: *What types of crisis scenarios were these coordination mechanisms designed to manage?*

Whilst the so-called pandemic represented one such apparent crisis, evidence suggests that CJSSC existed prior to COVID-19 as part of wider resilience planning. This paper therefore explores the hypothesis that CJSSC may represent a contingency structure intended to prevent systemic overload in the criminal justice system when faced with other potential or perceived extraordinary investigative or operational demand.

Systemic Capacity Limits in Criminal Justice Systems

Criminal justice systems operate within finite operational capacity. The effective functioning of the system depends upon the coordinated interaction of multiple institutions including policing, prosecution services, courts and custodial infrastructure.

When unusually large volumes of cases arise simultaneously, pressure can cascade across the justice pipeline. Such pressures may affect investigative resources, prosecutorial decision-making capacity, court scheduling and detention capacity.

Examples of circumstances capable of generating such pressure include major national security incidents, large-scale organised crime investigations, public disorder events, or extensive historical abuse inquiries.

In such circumstances, governments must consider how to ensure that the justice system continues functioning while managing large volumes of investigative activity.

CJSSC as a Cross-System Coordination Structure

Evidence suggests that CJSSC operates as a cross-system coordination forum designed to facilitate

operational continuity across the justice system during periods of major disruption.

The structure brings together representatives from agencies responsible for each stage of the justice process:

investigation - charging - adjudication - custody

Under normal circumstances these institutions operate independently. During periods of perceived crisis, however, CJSSC appears to provide a forum in which system-wide operational risks can be identified and coordinated responses developed.

Witness evidence to the UK Covid-19 Inquiry indicates that CJSSC was an existing structure activated during emergencies affecting the justice system.

Source:

<https://covid19.public-inquiry.uk/wp-content/uploads/2025/10/17111105/INQ000588038.pdf>

Leadership and Institutional Placement

During the COVID-19 pandemic response, CJSSC was chaired by Richard Vince CBE, Executive Director for Security at HM Prison and Probation Service (HMPPS).

This is noteworthy because it placed a senior prison system official at the head of a coordination body spanning multiple justice institutions including policing leadership, prosecution authorities and courts administration.

The CJSSC therefore appears to function as a strategic coordination layer sitting above operational components of the justice system during crisis situations.

Hypothesis: Preventing Systemic Justice Overload

A plausible hypothesis arising from the available evidence is that CJSSC exists to prevent situations in which the criminal justice system becomes overwhelmed by sudden surges in investigative demand.

In circumstances where major incidents generate exceptionally high numbers of complaints, victims or suspects, the justice system must continue operating whilst also processing significant investigative workloads.

Coordination across institutions may therefore be necessary to ensure that investigative activity, prosecutorial capacity, court scheduling and custodial

infrastructure remain balanced during such periods of stress.

The architecture of CJSSC suggests that it may have been designed to manage precisely such scenarios.

Potential Large-Scale National Investigations

In addition to public health emergencies or national security events, criminal justice systems may also face exceptional operational pressure arising from major investigations of national significance.

Such investigations may involve large numbers of victims, suspects or allegations spanning multiple jurisdictions and time periods.

Historical abuse investigations and organised criminal exploitation inquiries are examples of cases capable of generating unusually large investigative demand.

In circumstances where such allegations emerge in large volumes, governments may reasonably anticipate the need for system-wide coordination mechanisms capable of maintaining operational stability across the justice pipeline.

This paper does not of course assert that CJSSC was created in response to any particular investigation.

Rather, it considers whether the structure reflects contingency planning for scenarios in which nationally significant criminal allegations generate exceptional pressure on the criminal justice system.

Constitutional Considerations

The UK criminal justice system relies upon institutional separation between policing, prosecution, adjudication and custodial administration.

These separations exist to protect the rule of law and prevent undue influence across the justice process.

When coordination structures bring these institutions together within a single strategic environment, it becomes important to ensure that safeguards exist to preserve institutional independence.

The key constitutional question therefore becomes:
How are the independence of policing, prosecution and the judiciary preserved while system-wide coordination takes place during national emergencies?

Transparency and Oversight

Public documentation relating to CJSSC remains relatively limited.

Although witness evidence has described certain aspects of the structure during the Covid-19 Inquiry, questions do remain concerning its legal basis, decision-making authority and very importantly, oversight mechanisms.

Greater transparency regarding the governance arrangements of CJSSC would assist in clarifying its role within the constitutional architecture of the justice system and help ensure public confidence in the integrity of emergency coordination structures.

Conclusion

The Criminal Justice System Strategic Command appears to operate as a cross-agency coordination mechanism designed to ensure the operational continuity of the justice system during periods of significant disruption.

Evidence indicates that the structure predates the COVID-19 pandemic and forms part of the United Kingdom's broader resilience planning architecture.

A plausible hypothesis is that CJSSC exists to prevent systemic overload within the criminal justice system when large-scale crises generate extraordinary

investigative or operational pressures across multiple institutions simultaneously.

Further transparency regarding the structure, authority and oversight of CJSSC would undoubtedly assist in clarifying its constitutional role.