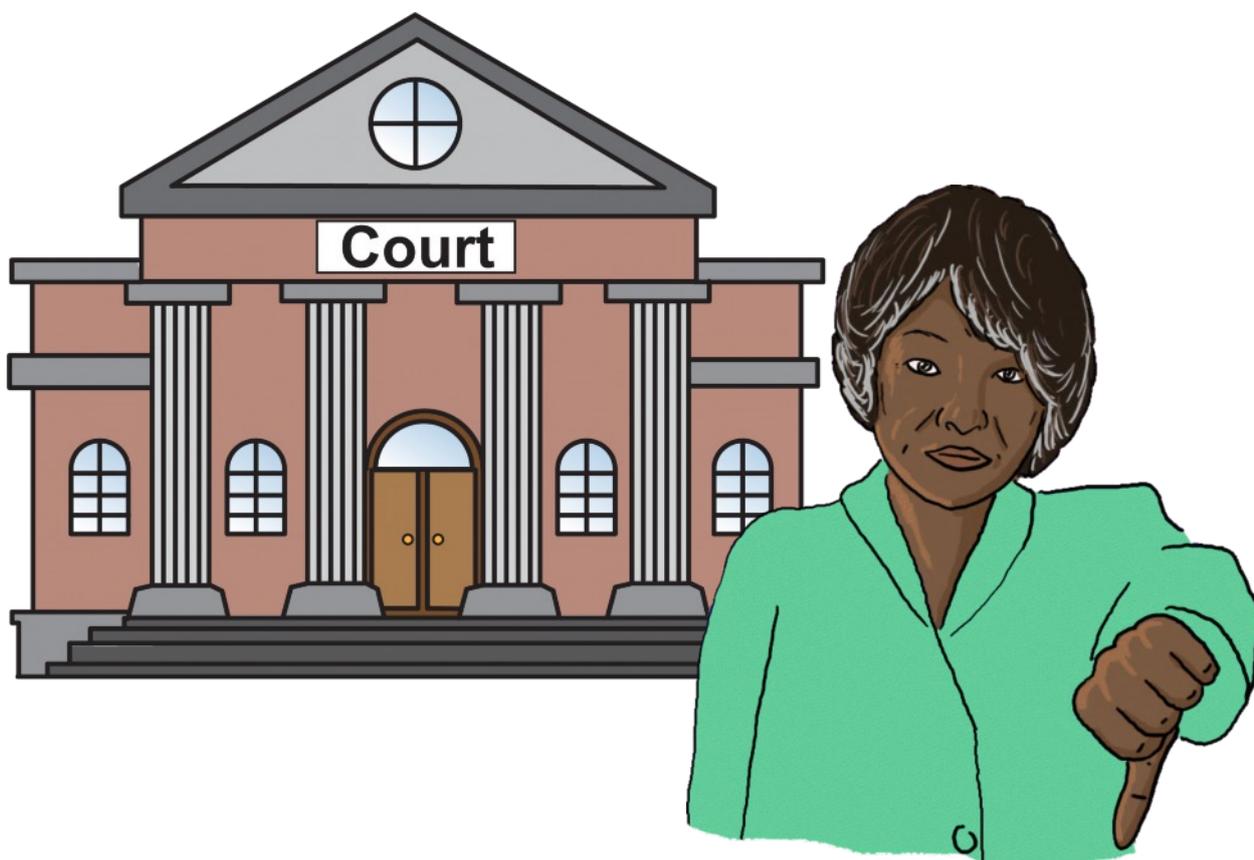


The problems in criminal courts in England and Wales

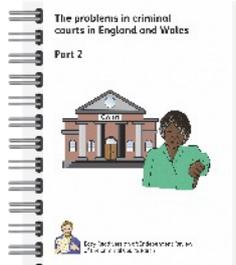
Part 2



Easy Read version of: Independent Review
of the Criminal Courts Part 2

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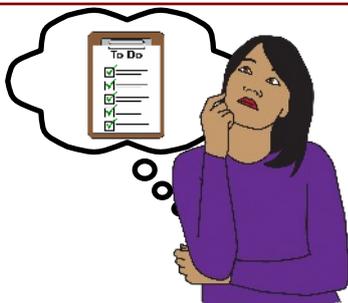
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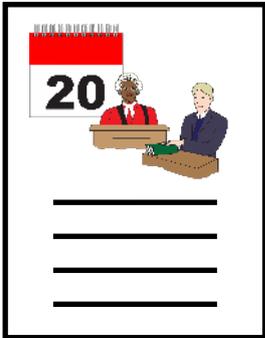
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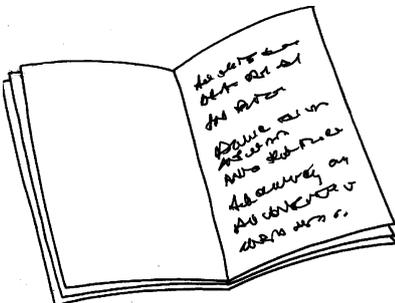
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Why we wrote this report



The criminal courts in England and Wales are having big problems.



In December 2024 the Lord Chancellor asked Sir Brian Leveson and his team to look at how to make the criminal courts work better and to avoid delay.

The first report



We wrote a report in 2025 (Part 1) that said there were many reasons for the problems in our courts:

- Not enough money.



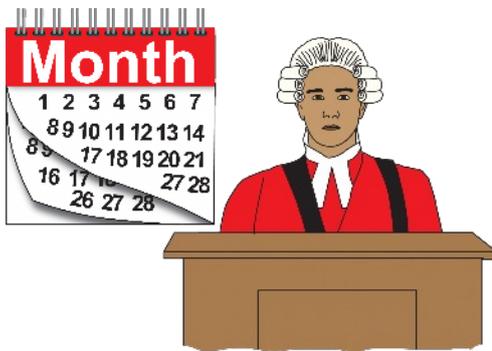
The courts got less funding from the government over many years.

Some courts were closed and lots of staff left.



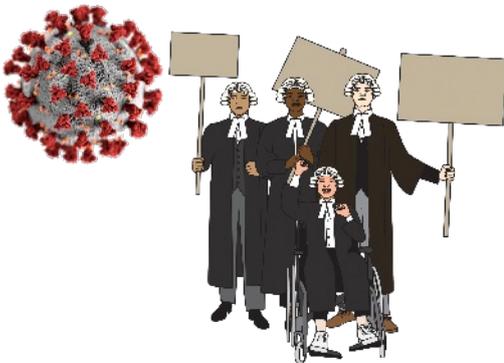
- The different agencies in our justice system do not work well together.

This includes police, lawyers and courts.



- Cases take longer.

There is more evidence for juries to look at such as evidence from mobile phones, computers or DNA testing.



- COVID-19 and strikes.

The pandemic and lawyers' strike in 2022 made everything worse.



- Lots of serious cases and new types of crime.

Since 2019, the government has focused on tackling serious crimes but has not given courts extra money to manage them.



- Extra protection for vulnerable victims and witnesses to improve fairness and safeguard those at risk.

The review suggested some changes to the court system such as:



- Setting up the Crown Court Bench Division to have some trials without juries so they could be done quicker.



- Keeping more cases in the lower courts so they can be done quickly too.



- Having more judges and more funding for them to hear more trials.



- Having judge-only trials in some cases.

This report



This is the review team's second report, called the Efficiency Review. It is about ways the courts can be more **efficient** while still being fair.

Being **efficient** means the courts can do their work more quickly while staying fair.

Why there are problems in the courts



- There are more criminal cases being taken to the courts than there are cases being dealt with and closed by the courts.



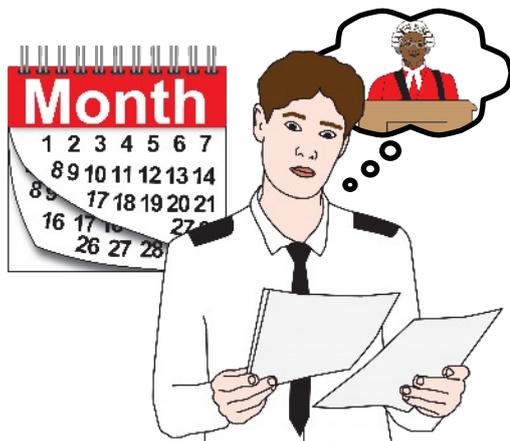
- Some of the cases are difficult.



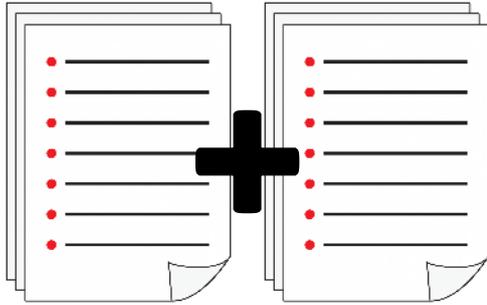
- People who know they did the crime which is also proved by the evidence are not prepared to admit it when they have chance to do so early and that slows things down.



- Judges sometimes cannot get as many cases done in the time they have.



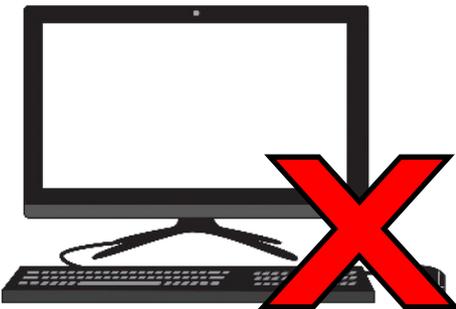
- Police are slow to decide whether to take people to court to try to prove a crime.



- Case files need more information.



- Not enough lawyers.



- Technology such as screens and computers in court not working well.



This all slows down the criminal justice process.

What happens when the courts are not efficient



- People lose trust and ask if our justice system is working.



- Victims and witnesses often wait for years, to give evidence. They may lose interest or forget important facts or details.



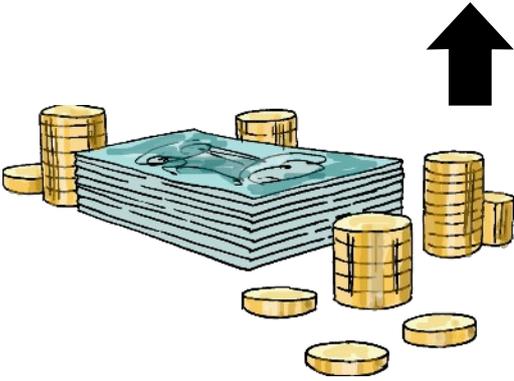
- **Defendants** are not sure about their future.

Defendants are people accused of having done a crime.



- Our prisons have too many people in them.

Costs of changing how the courts work



The problems in the criminal courts are big and urgent.

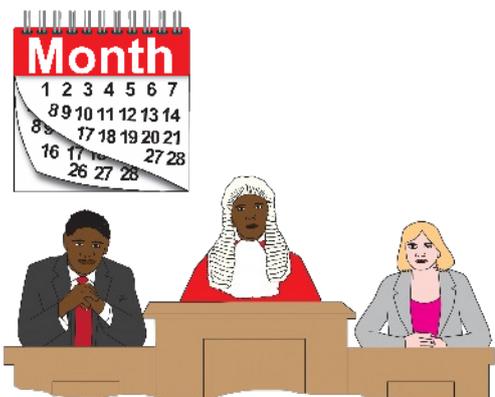
It will cost a lot of money to make sure we have the right services, people, and technology.



The review feels it is better to pay for these changes now rather than waiting a long time for improvements.

All changes in this review must follow some basic rules:

1. Fair decisions. Courts should handle cases in a way that matches how serious the crime is. Courts should also respect everyone taking part in the trial.





2. Courts need to be kept open and accessible so everyone can take part properly and understand what they need to do.



3. There must be a fair way to protect everyone's rights.



4. There must be fair treatment, so we do not unfairly target any groups.



5. We need to deal with court cases faster.



6. Get it right the first time. The police and lawyers working on a case need to try and make the right decisions first time.



7. Our leaders must encourage people to work through problems together.



8. Use the experience of judges, lawyers and police.



9. Use our resources well. For example, making sure all the judge's time in court is used to deal with as many cases as possible.



10. Build a criminal justice process that is strong and moves with the times.



11. Look at how **technology** such as **AI** can help.

Technology means the things like phones, computers, machines, and tools that people make and use to help them do things.

AI is short for artificial intelligence. AI is a computer science that makes machines that can help humans with learning, solving problems and making decisions.



We think the justice system can use technology and AI to do some jobs faster.



AI is new and we need to be careful how we use it. A team of people in the courts have made some helpful rules about how to use AI fairly and safely.

How the team did the review



Talking to people

In Part 1 of the review, the review team asked lots of different people for their views on the criminal justice system and used what people told them for the efficiency review.



The review team also checked what happens in government departments, and talked to senior staff from the courts, legal organisations, judges and the police.



Then the team talked to people such as court staff, legal workers and users, to understand what works and what does not work.



The review team visited:

- Crown Courts and magistrates' courts.



- Police stations and prisons across England and Wales.



The team read reports about using technology and how other countries run their criminal justice system.

Treating people the same



We need a court system that is fair for everyone.



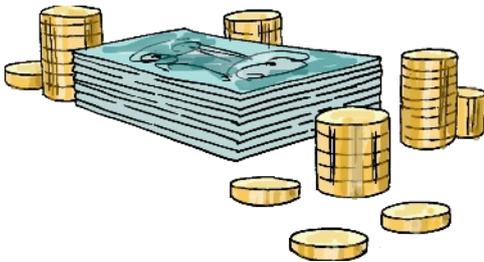
The review has kept fairness in mind and wants the Ministry of Justice (MoJ) to make sure people are treated fairly at all times.

What needs to happen



A better criminal justice system will need 3 things:

- Changes to the courts.



- Money to pay for changes.



- New ways to do things quickly and fairly.

Our ideas and suggestions



One criminal justice system

The criminal justice system is broken up into smaller organisations.

There is no one group in charge of the system.



The agencies do not talk to each other as much as they should to make decisions.



They are not using technology in an organised way.

What the review suggests

We want:



- A clear national plan for criminal justice.



- Clear leadership and **accountability**.

Accountability means people must report back on their work.



- Better rules for managing the organisations that work in the criminal justice system.



- A better way to check how things are going.



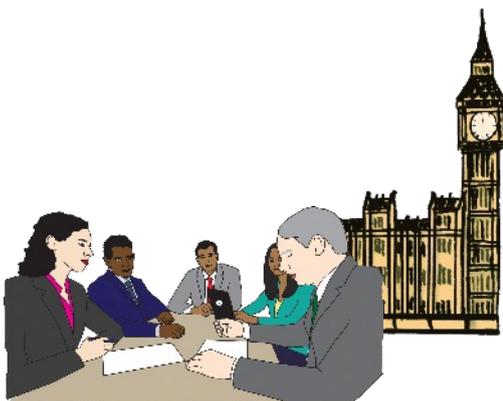
The government plan should explain what all the agencies in the criminal justice system must do and how they will check if they are doing a good job.



All these groups should improve how they collect and manage information by using the work that has already been done by His Majesty's Courts and Tribunals Service (HMCTS) and the Ministry of Justice (MoJ).



This plan will allow the police, the Crown Prosecution Service, the courts and the judges to remain independent.



The government should bring together senior ministers, their staff and both national and local boards to work together.



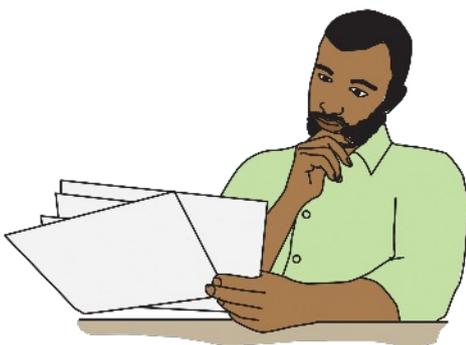
The government should set up a senior position that looks at the use of safe and helpful technology and AI making sure everyone speaks across the criminal justice system.

Help police and the prosecution get it right first time

The criminal justice process starts with police and the Crown Prosecution Service (CPS). They do:



- Investigations.



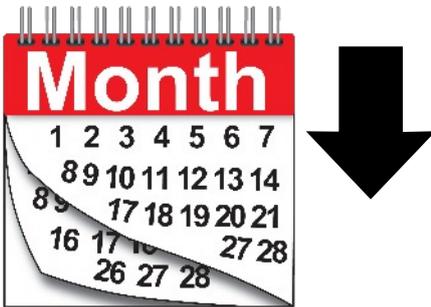
- Evidence-gathering.



- Charging – deciding whether someone should go to court for a crime they might have done.

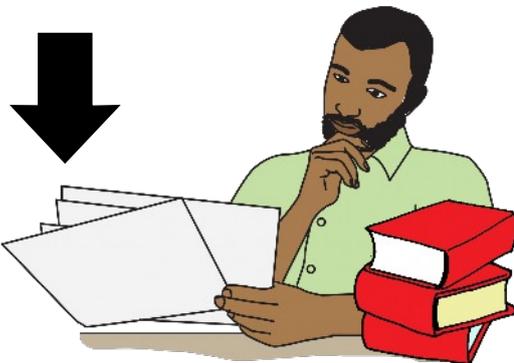


Getting things right first time is important for fast and fair justice.

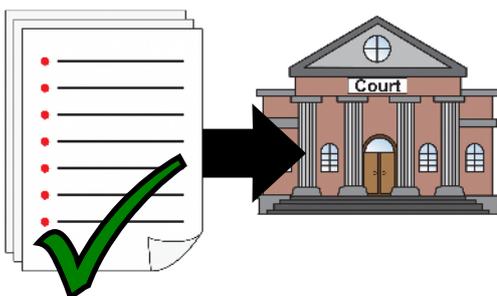


We want to:

- Reduce delays.



- Cut down on wasted effort.



- Send information to court that is well-prepared.



Work slows down because of:

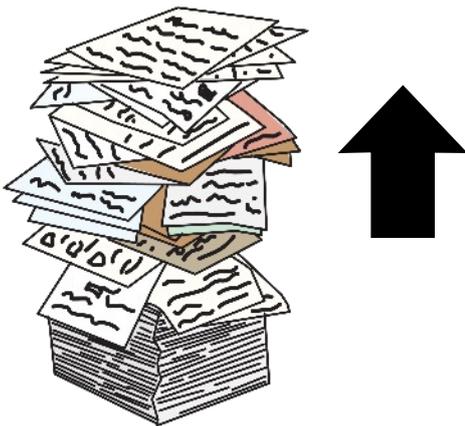
- Papers for the cases that have not been prepared well.



- Poor training of police and lawyers.



- Misunderstandings between the police and the CPS.



- Too much paperwork.

What the review suggests



Change the contract so defence lawyers can use a video call for their first contact with their client.



This should only be allowed when it is suitable and is not for **vulnerable persons**. The lawyer should go to the police station to speak to them in person.

A **vulnerable person** is someone under 18 or whose evidence may be affected by a disability.



Give defence lawyers updates on their client's case. Technology could be used to make this easier.



Give police an AI tool to help with some of their jobs, including summarising evidence and handing over work to others working on the same case.



More mental health services that will refer people for further treatment and support.



Give these teams access to NHS and court systems so they can share information about mental health.



Refresher training for police and the CPS on how to make good case files.



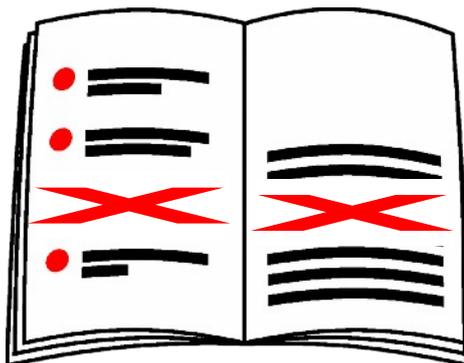
Train the CPS and all police forces to use Microsoft 365 and Microsoft Teams.



Work towards using AI or human expertise for checking that the papers for a case are properly prepared.



Look at ways for the police and the CPS to check a case has been looked at by a senior officer or prosecutor.



Reduce the amount of time that the police need to spend on removing personal information to protect people's privacy.

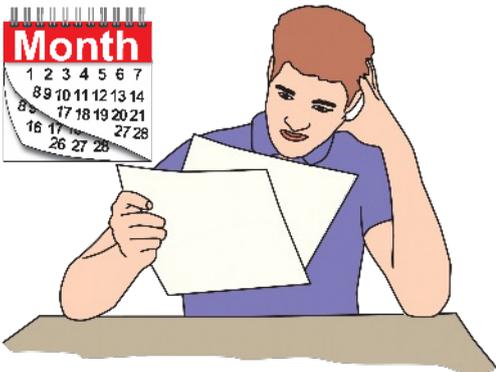


Look at how technology can be used by the police and the CPS.

Disclosure



To help with a fair trial, the police should share with a defendant any evidence that can help them defend themselves. This is called **disclosure**.



It is a complicated area that can delay a case.



AI tools can help **legal advisers**.

A **legal adviser** is someone who helps people and organisations understand the law.



What the review suggests

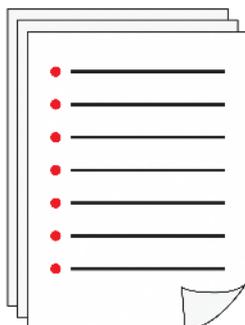
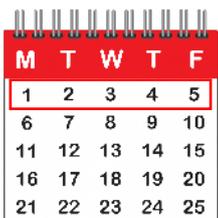
Make better rules about disclosure.



Training for the police and the CPS.



Look at ways AI can help to list disclosure documents and summarise the prosecution case.



Ask for evidence to be available at least 5 days before a hearing and not raised during the hearing.

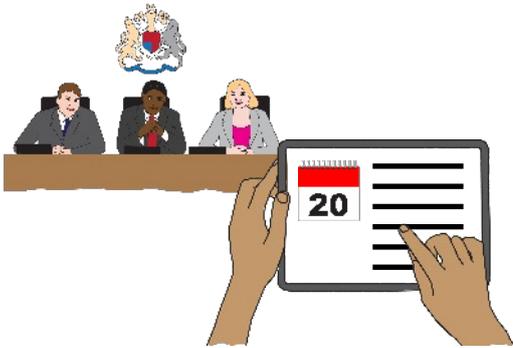


More work should be done on making sure training and guidance is done properly and improved for rape and sexual offence cases.

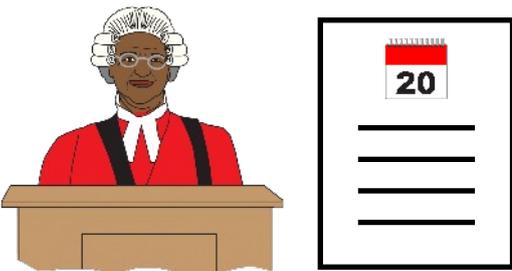
Listing hearings in the criminal courts



HMCTS staff plan when cases take place in magistrates' courts and the Crown Court. This is called **listing**.



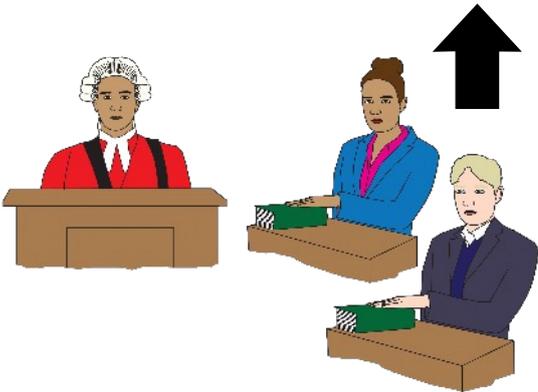
Magistrates' courts use a scheduling tool to plan the hearings.



The Crown Court uses different ways to list hearings in different locations.



This makes it hard to list hearings in a way that is fair and similar for people across England and Wales.

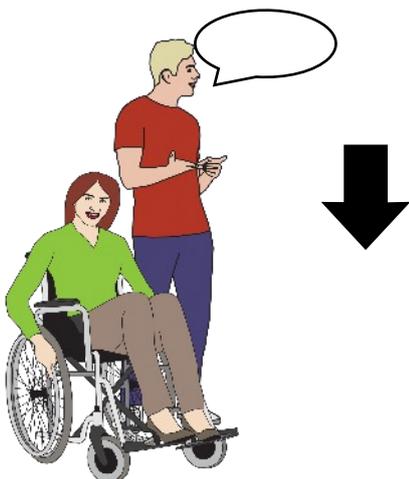


Listing has become more difficult because:

- There are more cases to handle.



- People who know they have done the crime and where there is evidence they did it do not admit to it when they first could.



- There are not enough advocates available.



- It is not always easy to plan how many judges will be available to hear cases.

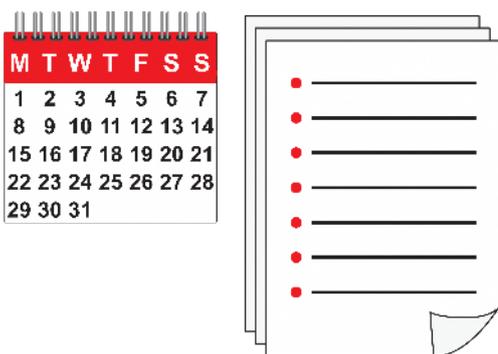


We need:

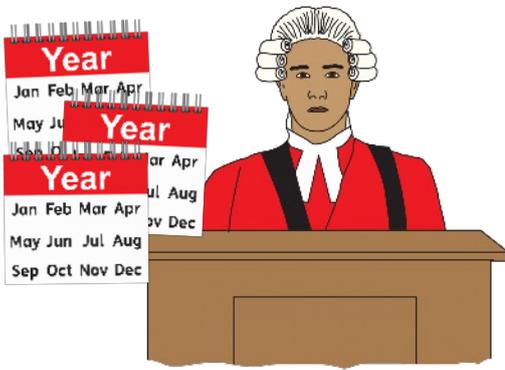
- National standards in the Crown Court.



- Use of modern technology.

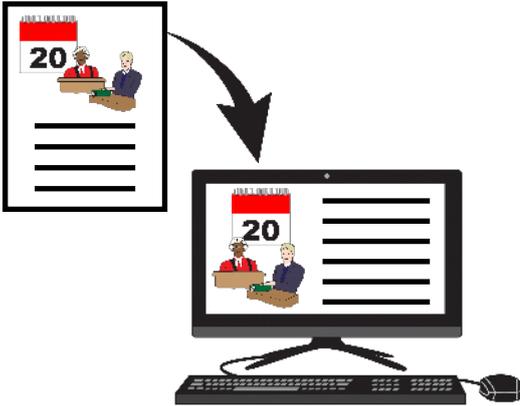


- Being able to get up to date information.



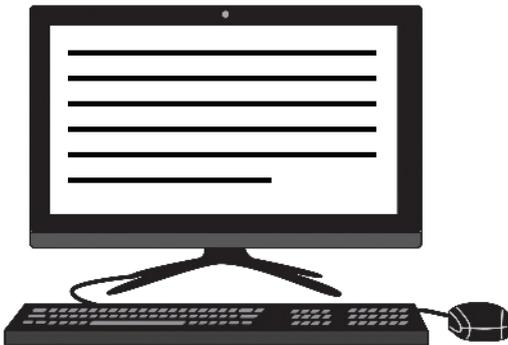
What the review suggests

A plan for sitting-day allocations in criminal courts over several years.



A National Listing Framework for the Crown Court that can be made into a **digital** scheduling tool.

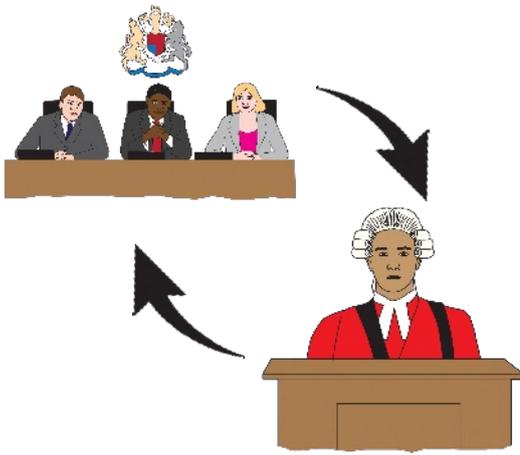
Being **digital** means the tool can be used on computers.



An online system for recording court lists, making reports, collecting information to develop reports. This could be done using AI.



Check that the people who have the job of listing in courts have high enough skills for the role and are paid well enough.



Move cases between Crown Courts and magistrates' courts depending on the types of case and which courts have time and space to deal with them.



Preparing for first hearing and ongoing case management

Criminal cases are held up when people are not ready for the first hearing.



The rules about how criminal cases work can be confusing for lawyers, court workers, and the public.



What the review suggests

Simplify the rules that deal with how a case should go through the courts.



Make them digital so lawyers, court staff and the public can use them.



Employ **Case Progression Officers** in the magistrates' court.

Case Progression Officers are people who can help with organising cases in the magistrates' court and keep an eye on listings.

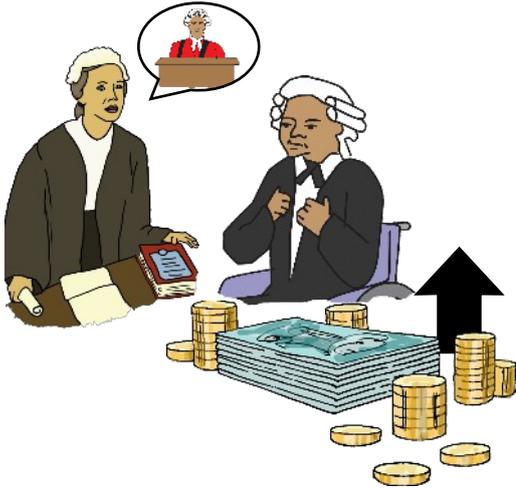


Train magistrates, legal advisers and Case Progression Officers on:

- How to fill out case paperwork correctly.

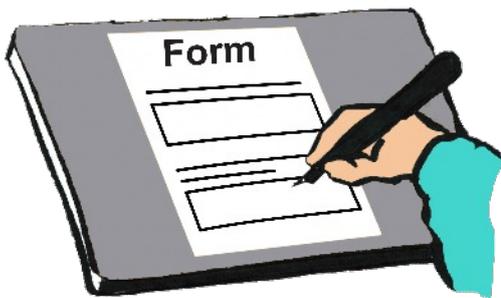


- How to make sure the lawyers have got the cases ready for trial.



Change Legal Aid Agency fee system for lawyers at the **Plea and Trial Preparation Hearing**.

The **Plea and Trial Preparation Hearing** is where a defendant will say whether they are guilty or not guilty and the lawyers will talk about what may happen if the case goes to trial.



Make the Plea and Trial Preparation Hearing form easier to understand.



Employ more Case Progression Officers in the Crown Court.



Set up an email inbox for Case Progression Officers to manage problems without needing to be in court.



Train all the lawyers and staff on how to email judges about case problems.

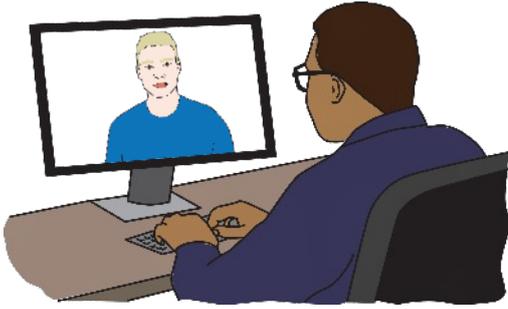


Create a digital tool to help courts manage cases and train court staff and judges to use it.

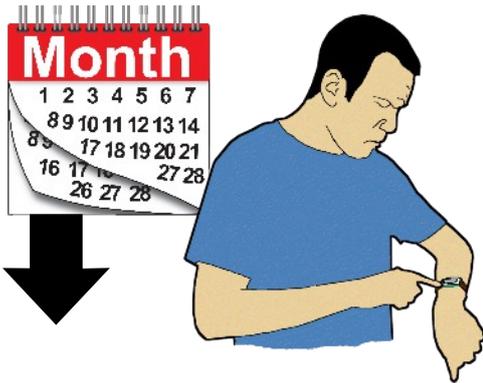


Make a rule that when a lawyer takes over a case from another one, they must look at a case straight away and say if they need information to get the case ready for trial.

Using video technology



Video technology is a form of digital communication that can be helpful for defendants who are in custody, lawyers and some witnesses.

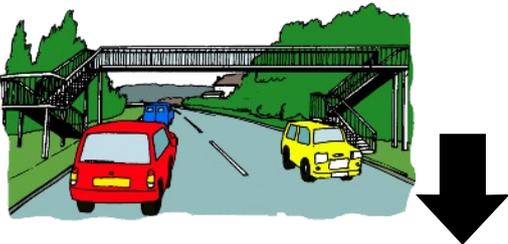


Using this technology means:

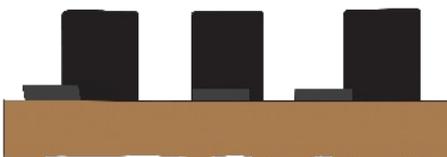
- Fewer delays.



- Fairness.



- Less travel time.



- Frees up courtrooms.

What the review suggests



Allow first hearings in the magistrates' court to take place with some people on video link instead of being in the courtroom. This may also be called a **remote hearing**.

Remote means using video technology for someone who is not in the courtroom.



Test out remote **Single Justice Procedure** referral hearings.

The **Single Justice Procedure** is for less serious cases that will not lead to a prison sentence.



In all cases, the judge hears arguments before the trial about what will happen at the trial and what evidence there is.



These hearings could be done without everyone in the courtroom, but on video link instead.



If hearings take place using video link, the public must be able to watch the case online as well.



Hold trials in person but allow police and professional witnesses to attend via video link.



When a person is in prison and waiting to be sentenced for a crime, the judge will decide the sentence in court with the defendant on a video link.



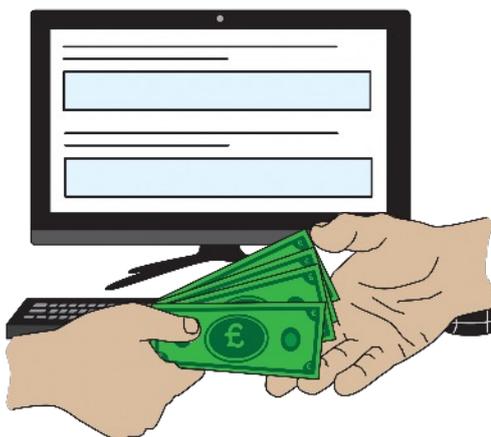
The defendant only needs to come to court in person if a victim impact statement will be read in court.



Look at how the judges, court staff and lawyers could do more cases during the time when a court is open.



Collect and share information on the use of video across all court hearings and trials.



The courts, prisons and police will need to buy technical equipment and software to support these recommendations.



Running criminal trials

We want criminal trials to be fair and run on time.

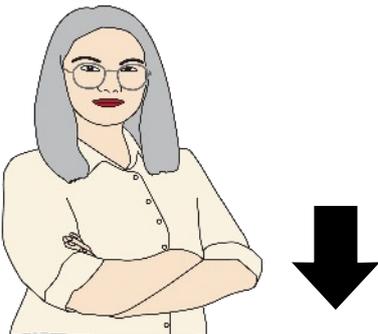


The review found problems with:

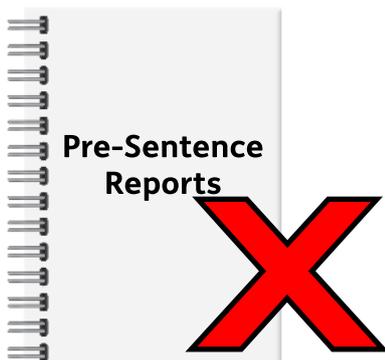
- Defendants coming from prison arriving late to the trial.



- Not enough translators and interpreters.



- Not having expert witnesses on hand.



- Pre-Sentence Reports (PSRs) not being ready.

What the review suggests

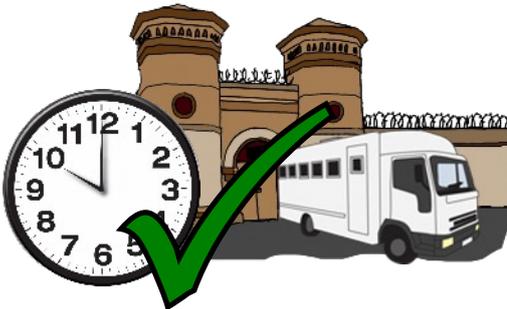
Steps to make sure defendants in custody arrive at the court on time:



- Make sure the court knows where the prisoner is being held.



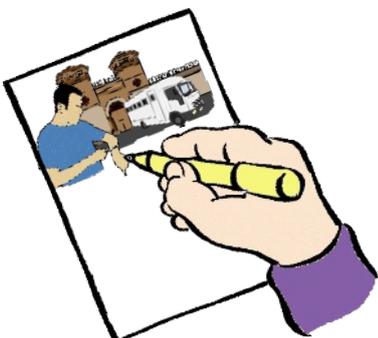
- Tell the prison 2 weeks ahead what time the hearing is.



- Check the prisoner escort service arrives on time.



- Allow prisoner escort vans to use bus lanes.



- Keep records of delays.

Steps to check the availability of translators and interpreters

The Ministry of Justice needs to check its 2 interpreter services are:

- Available when needed.



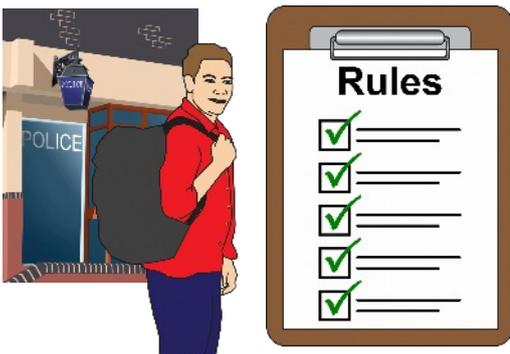
- Correctly using AI translations.



The police will check if the defendant needs an interpreter for a **bail** hearing and let the courts know.



Bail is when a suspect is allowed to leave the police station but may have some rules about where they are allowed to go, and who they can speak to.





The courts and police could try using an AI translation service.



Expert witnesses

Train judges on the use of expert scientific evidence.



Employ people who are experts in digital (computer) evidence.



Collect information about when **deepfake evidence** appears in courts.

Deepfake evidence is a video of a person whose face or body has been changed so they look like someone else.

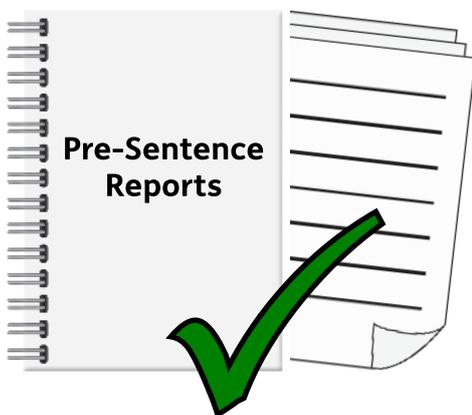


Update training for police about collecting good evidence.



Keep records of **section 28 hearings**. Find a way for people to record the cross-examination on a video link without everyone going to court.

A **section 28 hearing** lets vulnerable witnesses record their cross examination before the trial.



Pre-Sentence Reports (PSRs) are not ready

Check that the amount of detail needed in a pre-sentence report is reasonable.



Try out a shorter type of pre-sentence report called a verification report.



Try out an online pre-sentence report form.



Check the probation service has enough money to work properly.



Making use of technology

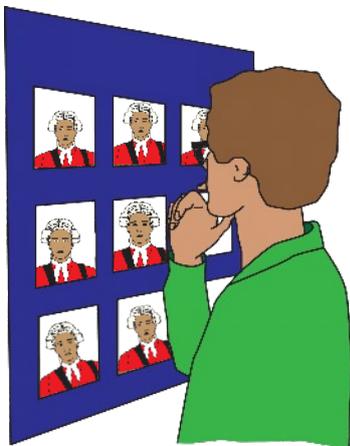
Use AI on the government website so the public can learn about the criminal justice system.

The people who work in our criminal justice system

We do not have enough lawyers and judges because:



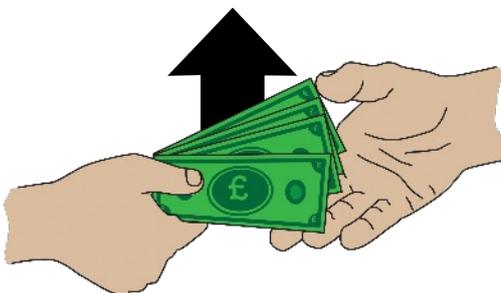
- People working in the courts are getting older.



- It is hard to find and keep new staff.



- Working in the courts is stressful.



- People want to be paid more.



- People may leave because they have caring demands.

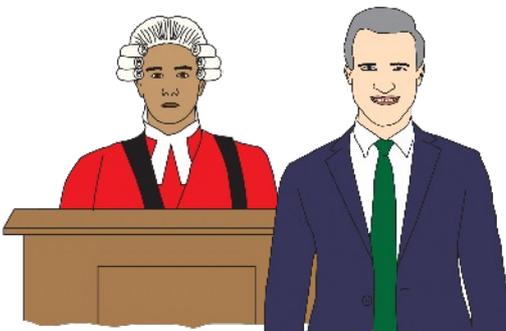


We need to change things so we find and keep enough workers to keep the courts running.



What the review suggests

Pay legal advisers working in HMCTS the same rate as Crown Prosecution Service lawyers.



Employ more **Court Associates**.

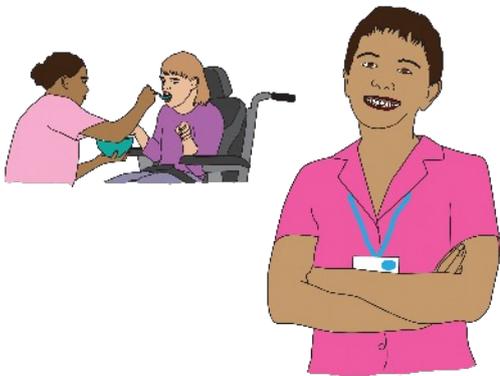
Court Associates help the judge and other people in the court.



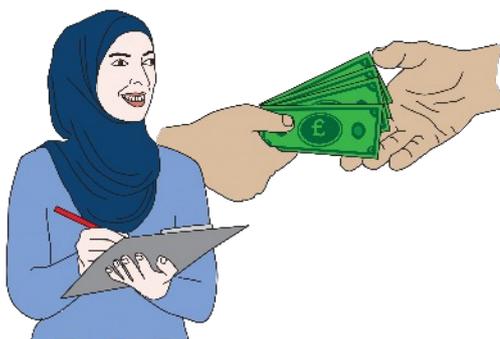
Provide training for more duty solicitors.



Look at how we find and train junior criminal lawyers.



Find ways to bring workers back into the system who left their job because of caring responsibilities.



Review the legal aid system, such as how fees are charged and paid.



Improve how the Ministry of Justice and Judicial Office find, employ, train and pay magistrates and judges.



Use AI tools to improve the skills and knowledge of workers across police forces, the courts and the prisons.



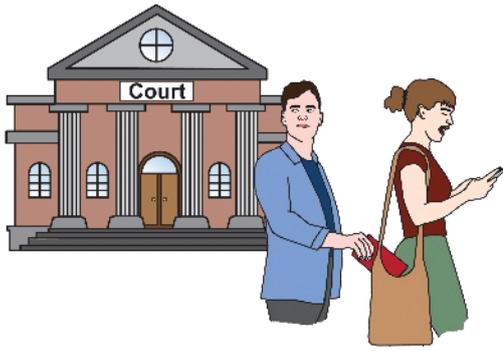
Other criminal justice issues

Here are some other ideas for keeping our courts working well.



Problem-Solving Courts

Problem-Solving Courts look at why people offend.



The review recommends the government review how Problem-Solving Courts are working.

Mental ill-health



The review recommends the government looks at how the mental ill-health of victims, witnesses and defendants affects the criminal justice system.



Women and children

Women and children may need special help.



The review recommends that the Ministry of Justice should provide more money for community options that help women instead of sending them to prison.

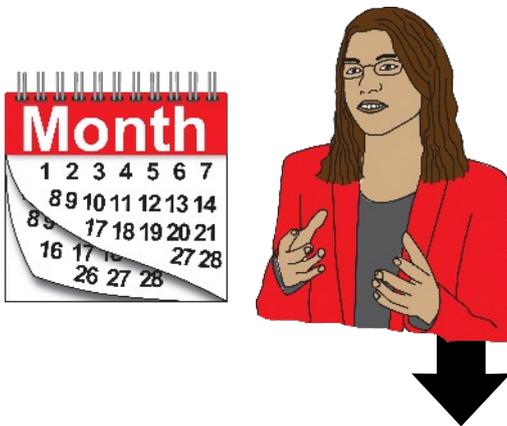


The review recommends training police officers on ways to handle issues with children outside of court.



Rape and serious sexual offences

Trials for Rape and Serious Sexual Offences are difficult.



They can have delays and not many qualified professionals.



The review recommends that judges, the CPS and HMCTS look at ways to speed up the time it takes to deal with rape cases.

The court estate

Court and tribunal buildings are called the court estate.



We need to look at our courts to make them better and ensure they are fit for the future

What the words mean

Accountability means people must report back on their work.

AI is short for artificial intelligence. AI is a computer science that makes machines that can help humans with learning, solving problems and making decisions.

Case Progression Officers are people that can assist with organising cases in the magistrates' court and keep an eye on listings of cases.

Court Associates help the judge and other people in the court.

CPS is short for Crown Prosecution Service

Deepfake evidence is an image or video of a person whose face or body has been changed so they look like someone else.

Defendants are people accused of having done a crime.

Disclosure is when a defendant should have any material which they can use to defend themselves to help with a fair trial.

Digital means information can be computerised.

Efficient means the courts can do their work more quickly while staying fair.

Judiciary are people working in the courts such as judges and magistrates.

HMCTS is short for His Majesty's Courts and Tribunal Service

Legal adviser is someone who helps people and organisations understand the law.

Listing is when HMCTS staff plan when hearings take place in magistrates' courts and the Crown Court.

MoJ is short for the Ministry of Justice.

Offence is something you do that breaks the law.

Prosecutors are lawyers who try to show someone did a crime.

Remote hearings use video technology for someone who is not in the courtroom.

Technology means things like phones, computers, machines, and tools that people make and use to help them do things.

A **section 28** hearing lets vulnerable witnesses record their cross examination before the trial.

The **Single Justice Procedure** is for less serious cases in the magistrates' court that will not lead to a prison sentence.

Video technology is a digital communication that can be helpful for defendants on remand, legal professionals, and some witnesses.

Vulnerable person is someone under 18 or whose evidence may be affected for a number of different reasons. This could be a disability, trauma or illness.



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