

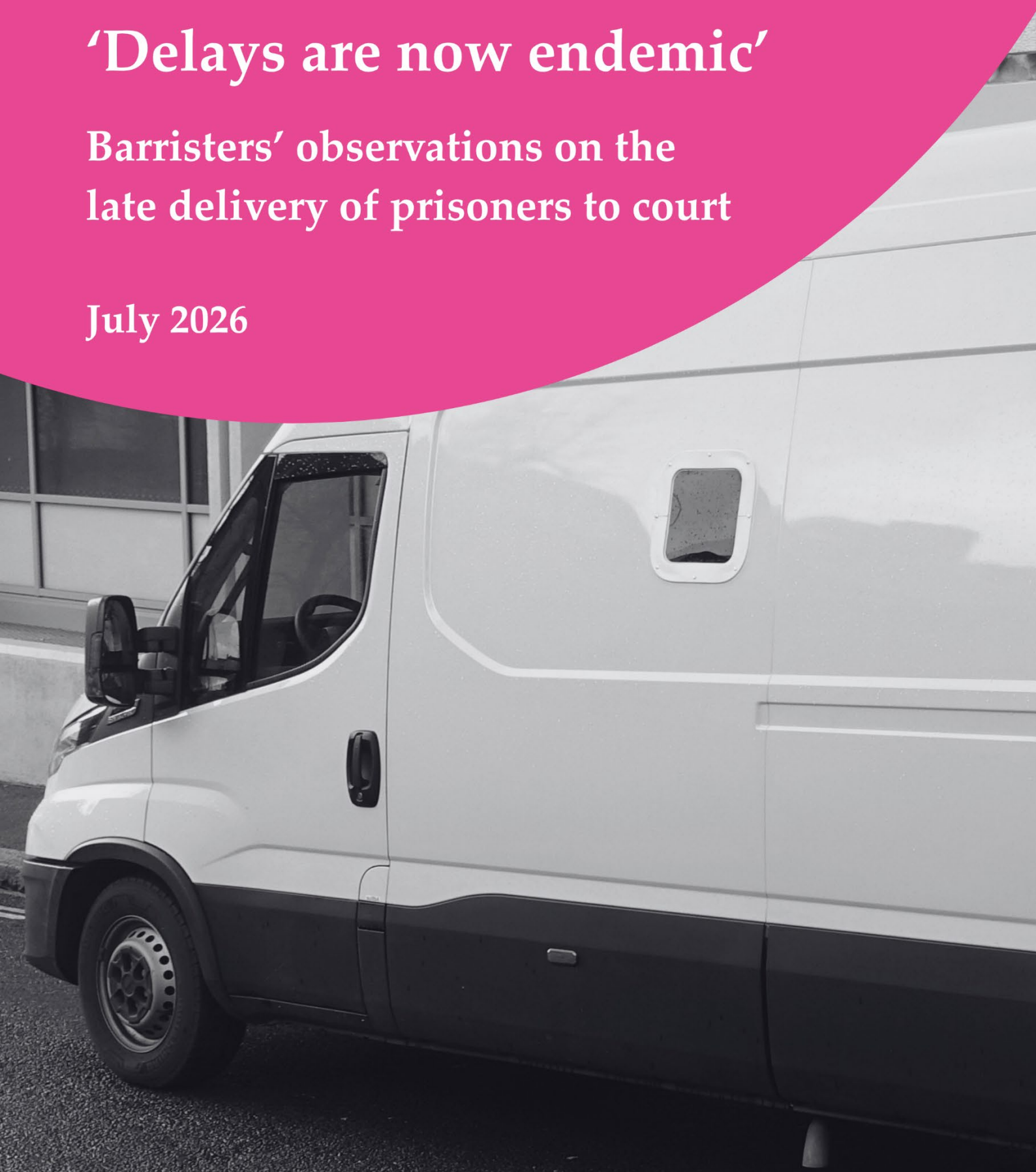


The Bar Council

'Delays are now endemic'

Barristers' observations on the
late delivery of prisoners to court

July 2026



Executive summary

The Bar Council is the voice of the barrister profession in England and Wales. We lead, represent and support the Bar in the public interest, championing the rule of law and access to justice. Our 18,000+ members – self-employed and employed barristers – make up a united Bar that aims to be strong, inclusive, independent and influential.

As the General Council of the Bar, we're the approved regulator for all practising barristers in England and Wales. We delegate our statutory regulatory functions to the operationally independent Bar Standards Board (BSB) as required by the Legal Services Act 2007.

This report summarises the insights on Prisoner Escort and Custody Services (PECS) and late delivery of prisoners to court we have gathered in 4 months from a live incident reporting survey answered by practising barristers in England and Wales. The PECS service is operationally overseen by a team within His Majesty's Prison and Probation Service (HMPPS) and is responsible for managing private sector contracts which supply logistics – moving prisoners to and from prisons, courts and police stations after charge. Delays to a prisoner's delivery to court can occur anywhere along the journey from the prison cell to the dock and may or may not be attributable to the service overseen by PECS.

However, part of the reason for this report is that the data currently available through the PECS team at HMPPS do not allow for full and accurate measuring of delays in prisoner delivery, still less in untangling the reasons for the delays. We asked barristers to report delays to us as we wanted to get a sense of the nature and impact of delays and begin to examine any discrepancies between the administrative statistics and barrister reports. This therefore is a summary of the information on 213 incidences of late prisoner delivery to court reported to us by barristers over a 4-month period.

Thank you to all the barristers who have completed our survey. If you are a barrister and your case has been impacted by the late delivery of an individual in custody to court, [please continue to make a report every time you experience a delay to us](#).

Scan the QR code below to make a report.



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Key findings

We opened our live interactive reporting form on 12 February 2026.¹ Between then and 8 June 2026, we received 213 reports from barristers about cases impacted by the late delivery of prisoners – on average 13 reported delays to trials per week.

- Delays caused by late prisoner delivery are widespread across England and Wales - barristers reported delays from all six circuits including 69 courts, and 59 prisons
- 52 respondents (24%) told us the delay was over five hours, 39% said the delay was between 30 minutes and two hours, and 34% said the delay was between two and five hours
- When asked to rate what impact the delays had on the smooth running of the case from one to five (with five being a significant impact), 69% of respondents rated the impact as being a level four or five
- Delays with prisoner delivery have a detrimental impact on the timely functioning of court cases and on the wellbeing of all those involved in a case, particularly vulnerable complainants, witnesses and defendants
- In our wider survey of the whole Bar in April 2025, 22% of all respondents mentioned prisoner delivery delays as a problem. This ranked as one of the five problems barristers experienced most in the courts²

References

¹ Bar Council, Reporting the late delivery of prisoners form <https://www.barcouncil.org.uk/media-campaigns/campaigns/justice-needs-juries/reporting-the-late-delivery-of-prisoners.html>

² The response rate to the survey was 27% of all barristers in England and Wales. The top three problems with the courts were the backlog of cases (44%), scheduling and listing (42%) and inconsistent approach to the use of remote hearings (40%). Bar Council and IES, Barristers' Working Lives survey 2025, <https://www.barcouncil.org.uk/support-for-barristers/barristers-working-lives.html>

Introduction

Prisoner Escort and Custody Services (PECS) perform two essential functions in the court system. First, they escort people in custody between police stations, courts and prisons³. Second, once in court, they escort a prisoner from the cells or custody area to the courtroom⁴. A blog post by Tim Coates, Head of PECS, gives a sense of the scale of this operation, telling us that PECS co-ordinates “600,000 prisoner movements a year through two regional contracts – GEOAmey covers north England and Wales, and Serco covers south England.”⁵ According to Labour MP Sir Nicholas Dakin: “For each court day, the start time is determined by the judge, taking account of the scheduled operating time. The PECS contractor is required to produce the prisoner in advance of the start time decided by the judge, provided this is within the operating times set out in the contract.”⁶

Any delays in late delivery of prisoners to court may be due to problems with PECS, but there are other reasons why prisoners may be delivered to court or the dock late, including problems at the prison, with the prisoner, with cells at the court and other external factors.

We have been discussing issues around efficiencies in the court system with barristers for years. But this work has been brought into sharp focus in the last 18

References

³ HM Courts & Tribunals Service and Ministry of Justice, Inside PECS: Managing One of Government’s Most Complex Contracts – Inside HMCTS, October 2025 <https://insidehmcts.blog.gov.uk/2025/10/13/inside-pecs-managing-one-of-governments-most-complex-contracts/>

⁴ “The PECS supplier shall escort prisoners from the custody area to the courtroom as and when required with all possible speed, ensuring that the supplier causes no delays to the proceedings of the court.” Prisoner Escort Custody Service, Court room operations <https://pecs-contract-guide.service.justice.gov.uk/court-page/court-room-operations/>

⁵ Tim Coates, Inside PECS: Managing One of Government’s Most Complex Contracts – Inside HMCTS blog, October 2025 <https://insidehmcts.blog.gov.uk/2025/10/13/inside-pecs-managing-one-of-governments-most-complex-contracts/>

⁶ Sir Nicholas Dakin answered a question on prisoner escorts on 16 December 2024. Prisoner Escorts, question for the Ministry of Justice, tabled on 10 December 2024 <https://questions-statements.parliament.uk/written-questions/detail/2024-12-10/18929/>

months due to Sir Brian Leveson's Independent Review of the Criminal Courts and how the government are implementing his recommendations. Barristers have been pointing out many challenges with efficiency they notice in their daily work at court. The specific issue of prisoners being delivered late to court was repeatedly mentioned. We noted in our submission to the review: "Delays are endemic in the system because of historic lack of investment in legal aid and in the court estate, poorly implemented advances in technology such as issues surrounding the common platform and the failure of third-party agencies (such as those that transport prisoners to court) to comply with their contractual obligations."⁷ These observations were also found to be the case during Sir Brian Leveson's visits to courts throughout England and Wales, with late prisoner delivery representing a common challenge. He wrote: "Delays with defendants arriving at court has been a strong theme of my engagement, including across my visits and engagement with the judiciary and legal sector... The perception of the judiciary and court staff is that delays may even exceed the reported [HMPPS operational PECS] data, which further illustrates the significance of the problem. The delayed arrival of PECS also has a knock-on impact on other hearings as there will be insufficient dock officers in court, since the individuals who serve as dock officers are also part of the transportation teams."⁸

In our biannual survey of the Bar, Barristers' Working Lives, carried out in April 2025, we asked which, if any, problems barristers had experienced in court in the previous three months. Some 22% of all respondents mentioned delays with the

References

⁷ Bar Council, Submission to the Independent Review of the Criminal Courts, January 2025 [Bar-Council-Submission-to-the-Independent-Review-of-the-Criminal-Courts-Final-Draft-a-002.pdf](#) pp 14-15

⁸ Sir Brian Leveson, Independent Review of the Criminal Courts: Part 2, Volume 2, February 2026, p495 <https://www.gov.uk/government/publications/independent-review-of-the-criminal-courts-part-2>

prisoner transport service. This was one of the five most widely experienced problems.⁹

Reports from the courtroom seem out of step with the published administrative data on the issue, which presented the service as being delivered almost without fault. In an answer to a question on PECS timeliness in Parliament in May 2025, Sir Nicholas Dakin outlined that: “Over the 12 months to February 2025, PECS contractual monthly performance has been over 99.8%”.¹⁰ The published contractual performance data, last updated in March 2026, similarly tells us that compliance is consistently above 99%.¹¹

The MoJ’s own published PECS contract guide sets out standards for reporting late prisoner delivery. It is unclear in the published data whether they are being followed, in particular the requirement to report delays in 15-minute increments.¹² A recent HMCTS blog explains that “where fault lies with PECS, commercial and financial penalties are applied on suppliers (over £600 for every 15-minute delay in crown court and £375 in magistrates’ court).”¹³

Impact of late delivery of prisoners on trials

Wider commentary and analysis have explored how late prisoner delivery can render a trial ineffective. Analysis by the Institute for Fiscal Studies (IFS) tells us that,

References

⁹ Bar Council and IES, Barristers’ Working Lives survey 2025

<https://www.barcouncil.org.uk/support-for-barristers/barristers-working-lives.html>

¹⁰ Sir Nicholas Dakin answered a question on PECS timeliness in Parliament on 1 May 2025. UK Parliament, Prisoner Escorts – question for the Ministry of Justice <https://questions-statements.parliament.uk/written-questions/detail/2025-04-23/47353>

¹¹ Cabinet Office, Key Performance Indicators (KPIs) for government’s most important contracts, March 2026 <https://www.gov.uk/government/publications/key-performance-indicators-kpis-for-governments-most-important-contracts>

¹² Prisoner Escort and Custody Services, Court room operations webpage <https://pecs-contract-guide.service.justice.gov.uk/court-page/court-room-operations/#3-Lostcourttimecourtexceptionreports>

¹³ Tim Coates, Inside PECS: Managing One of Government’s Most Complex Contracts, October 2025 <https://insidehmcts.blog.gov.uk/2025/10/13/inside-pecs-managing-one-of-governments-most-complex-contracts/>

when the reasons for ineffective trials were given, the rate of the reason ‘defendant not produced by prisoner escort custody services’ increased by 151% between 2019 and 2024.¹⁴ While the underlying numbers are still low, this, along with other inefficiencies, supports the IFS thesis that “poor productivity performance in the period since the pandemic has been a major factor behind the growth in the backlog of outstanding cases”.

The National Audit Office (NAO) has also noted the increase in late prisoner delivery causing delays, noting in their 2024 report on the backlog in the courts that: “‘Witness and defendant unavailability’ was the cause of the largest number of ineffective trials in 2023. Organisations representing legal professionals told us that some of these cases are due to prisoner transport services failing to get prisoners to court in time for their trial, in part due to a shortage of prison staff, meaning some prisoners cannot be held in prisons close to the courts and have further to travel.”¹⁵

Both the IFS and the NAO focused on the reasons given for ineffective trials as the metric for measuring PECS performance. This is inevitable as this is the only publicly available data by which to assess the service, but it does not account for problems that seriously impact the trial without resulting in it becoming ineffective.

The Institute for Government (IfG) wrote about the problems with prisoner transport in its October 2025 Performance Tracker, highlighting that there can be significant delays in moving prisoners within the court building as well as to the court building.¹⁶ The IfG emphasises that while there is data on cancellations of trials for reasons of failure to produce prisoners, there is no published data on delays.

References

¹⁴ Institute for Fiscal Studies, Productivity in the Crown Court, June 2026, p19

<https://ifs.org.uk/publications/productivity-crown-court>

¹⁵ National Audit Office, Reducing the backlog in the Crown Court, March 2025, p37

<https://www.nao.org.uk/reports/reducing-the-backlog-in-the-crown-court/>

¹⁶ Institute for Government, Performance Tracker: Criminal Courts, October 2025

<https://www.instituteforgovernment.org.uk/publication/performance-tracker-2025/criminal-justice/criminal-courts>

Perhaps most influentially, Sir Brian Leveson published a whole section of the Independent Review of the Criminal Courts on the challenges with PECS, which he establishes are complex and rely on multi-agency communication. Overall, he states: “In my engagement throughout this review, PECS delays have been one of the most frequently cited issues preventing the smooth running of the courts. Whilst many cross-system issues are driving this challenge, a fundamental issue is that of volume.”¹⁷ Leveson has several recommendations on the issue, including that increasing the use of remote hearings for preliminary hearings would reduce the number of journeys that need to be made.¹⁸

What is causing the issues with PECS?

There are indications that the problems with PECS are, in part, due to inadequate remuneration, resourcing and working conditions of staff who work for the contracted service providers. In an April 2026 GMB Union survey of Serco staff working for PECS in the East of England, 93% of respondents said courts and vehicle bases (the depot from which vans operate) have inadequate numbers of staff and vans.¹⁹ Plus, 87% said that they were actively looking for other work.²⁰ It is a matter of concern if people doing this vital work are overworked and underpaid.

We have been working with HMPPS for some months to look at this issue in more detail, specifically on the chasm between the reports we hear from barristers of the endemic nature of delays and the over 99% success rate according to the official contractual performance data. HMPPS have been responsive and produced their own review of performance to test and assure the data relating to the 15 criminal

References

¹⁷ Sir Brian Leveson, Independent Review of the Criminal Courts – Part II: Volume 2, February 2026, pp493-509 <https://www.gov.uk/government/publications/independent-review-of-the-criminal-courts-part-2>

¹⁸ Ibid p478, par 74

¹⁹ GMB London Region, Prisoner escort contracts must be brought back in-house says GMB Union, April 2026 <https://www.gmblondon.org.uk/news/prisoner-escort-contracts-must-be-brought-back-in-house-says-gmb-union>

²⁰ Ibid

courts aligned to HMP Birmingham and HMP Preston in March 2025. The results of that report remain confidential, but we continue to have questions about the accuracy of performance measurement. In the last month, we have begun to work with members of the HMPPS team at a more granular level to look at specific barrister reports of late prisoners, triangulated against HMPPS performance data. That work is ongoing and we will report on it in due course.

To summarise our rationale for this research project: we have become increasingly uneasy over the imbalance between barristers' observations in court and the official published statistics. In part, this seems to us to be a problem with the nature of data collection (namely that delays are not always recorded in the performance data captured and analysed by the PECS team at HMPPS). But we also struggled to get a sense of what is happening on a daily, local level from any of the published information on late prisoner delivery. We therefore launched this survey to capture grassroots data, incident by incident. The real-time nature of this reporting is designed not to rely on memories of incidents but instead to get a raw, unfiltered version of the activity in court. By gathering data with such a fine lens, we can identify any patterns and humanise the picture of the impact of delays on a case-by-case basis.

Methodology

We developed the survey questions internally using Dotdigital as a survey design and dissemination platform (see Annex 1 for the survey questions). The intention was for the survey to be a live incident reporting tool ie a short and simple questionnaire that barristers would be able to complete in a few minutes each time they experienced a delay in court due to the late delivery of individuals in custody to court.

Our research questions when designing the survey were:

- Are the delays barristers are experiencing on the ground with late prisoner delivery in line with the contractual performance data?
- What is the impact of these delays with the delivery of prisoners to court on the smooth functioning of the court? With especial regard to timeliness

The survey was launched in BarTalk (our fortnightly newsletter to the Bar) on Thursday 12 February 2026. BarTalk goes to 18,586 recipients and this edition had a 49% open rate. The survey was included in two more editions of BarTalk as well as the Young Barristers' Committee newsletter sent to 6,805 recipients. The survey was also included in a 'Justice needs juries' campaign update sent via email to the Bar, which had an open rate of 61%.

We asked senior Bar leadership to share a link via WhatsApp with their networks. This was done by the Chair and Vice Chair of the Bar Council, the Criminal Bar Association (CBA) Chair and Vice Chair and the Circuit Leaders. The CBA also promoted the survey in its weekly email newsletter, and the Circuits included it in their email newsletters.

We launched on social media on Friday 13 February and pushed the survey 4 more times on our social media channels (LinkedIn, X/Twitter, Instagram and Facebook). As of 10am on Monday 8 June 2026, the live incident reporting survey had 213 responses. These responses form the basis of the analysis in this snapshot report. The live incident reporting survey remains open, and we continue to work with HMPPS to look at specific incidents.

We have included barristers' comments, some of which have been redacted for anonymity. This has been indicated using [square brackets].²¹

References

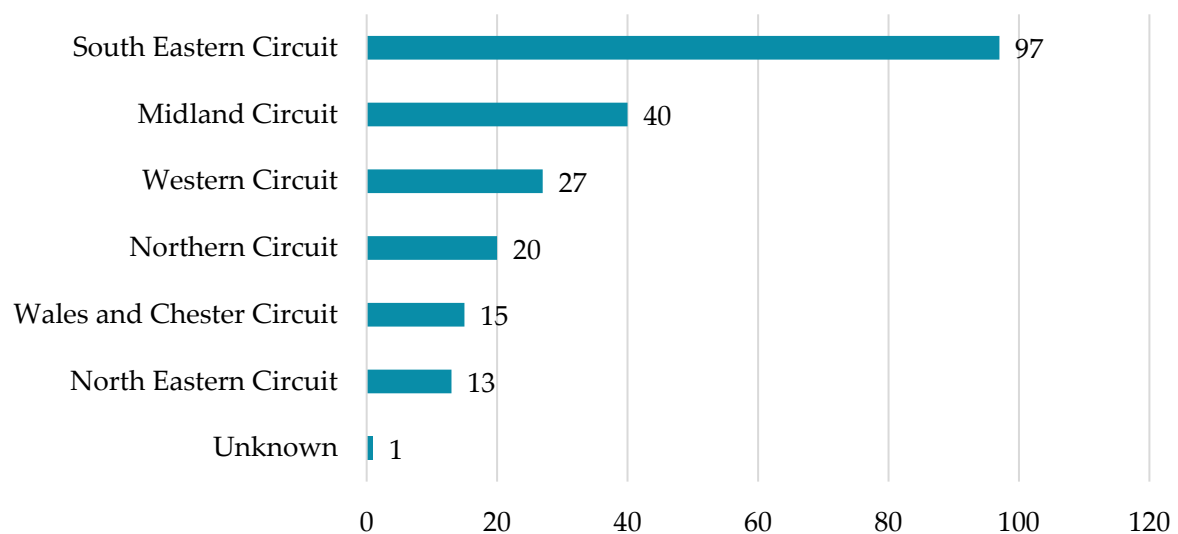
²¹ When completing the survey, respondents were given the option to tick two statement boxes. The first one was: "By providing this information you give us permission to share the information (anonymised) with relevant individuals and bodies, including HMCTS, HMPPS, the Ministry of Justice and parliamentarians. For more information about how we handle your data, please read our privacy statement. Please tick to agree." And the second was: "We may also use the information (anonymised) for media work to give examples of delays. Your name will not be used in media work, but we may name the court/circuit and use the details provided by you in the example. Please tick if

The data analysis for the purposes of this report was relatively straightforward. However, some manual data cleaning was done for the data on courts and prisons. A brief manual matching exercise was done for the names as Birmingham Crown Court for example was referred to as ‘Birmingham Crown Court’, ‘Birmingham Crown’ or simply ‘Birmingham’ (this was confirmed by the type of court selected in the following question). Similarly, Belmarsh Prison was referred to as ‘HMP Belmarsh’ or simply ‘Belmarsh’.

Data analysis

1. Geographic pattern of delays

Figure 1: Number of reports from barristers by circuit



The Bar in England and Wales is divided into 6 geographical regions, known as ‘circuits’. The distribution of reported incidents is mostly as we would expect to see it, given that approximately 70% of barristers in England and Wales practise in London and the South East of England.²² The Midland Circuit having a higher

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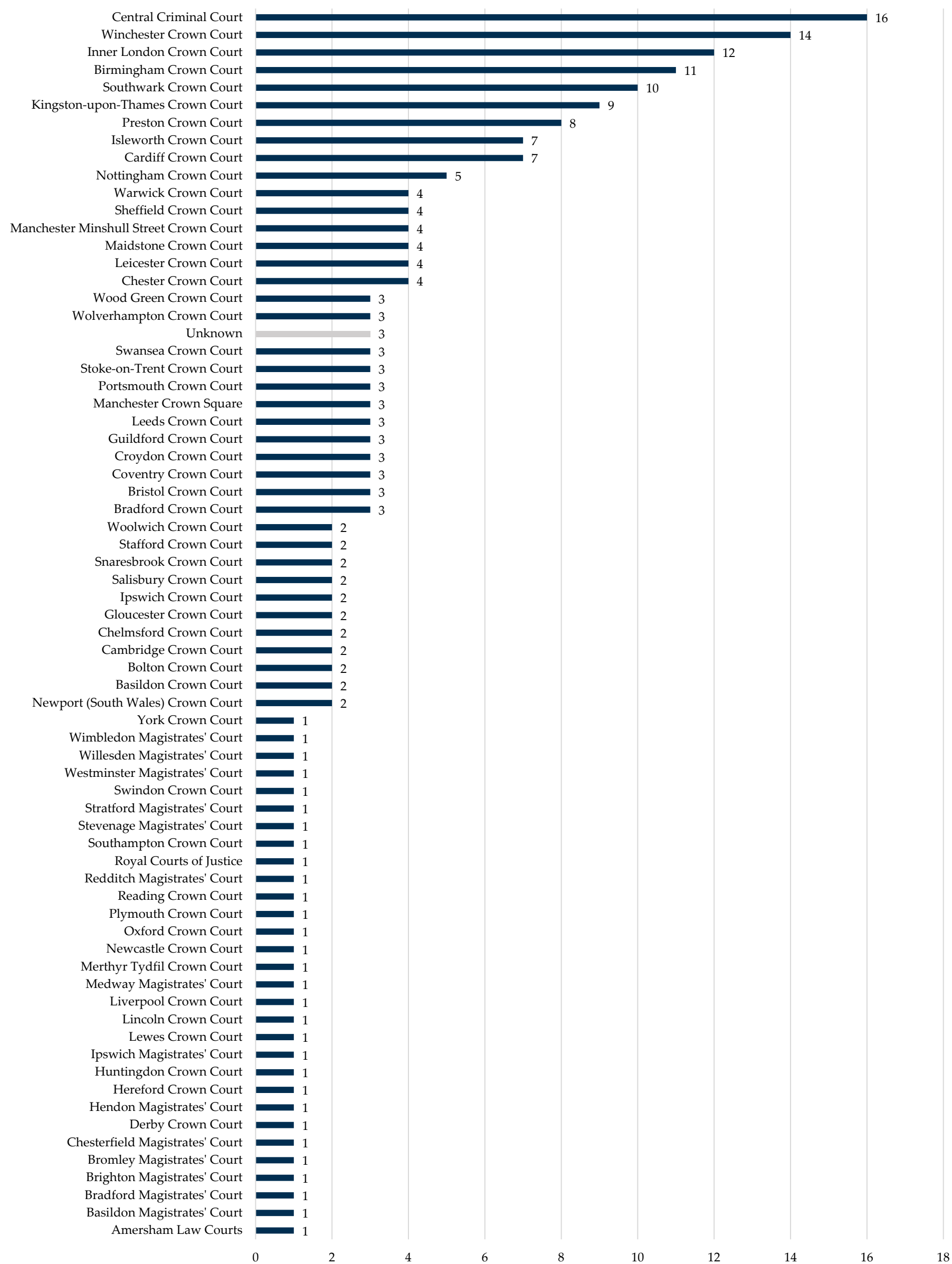
you agree (optional).” When we have given examples of comments in the report, we have only selected reports by respondents who ticked yes to both these statements.

²² According to our demographic dashboard, 13,115 barristers primary practising address is in London and the South East. Bar Council, Demographic dashboard, updated monthly <https://www.barcouncil.org.uk/policy-representation/dashboards/demographics-dashboard.html>

number of reports than other circuits is disproportionate given its similar size to the other circuits but, as there is a small sample size in this survey, this could be down to something as simple as a higher prominence given in the communications to barristers in that circuit, for example.

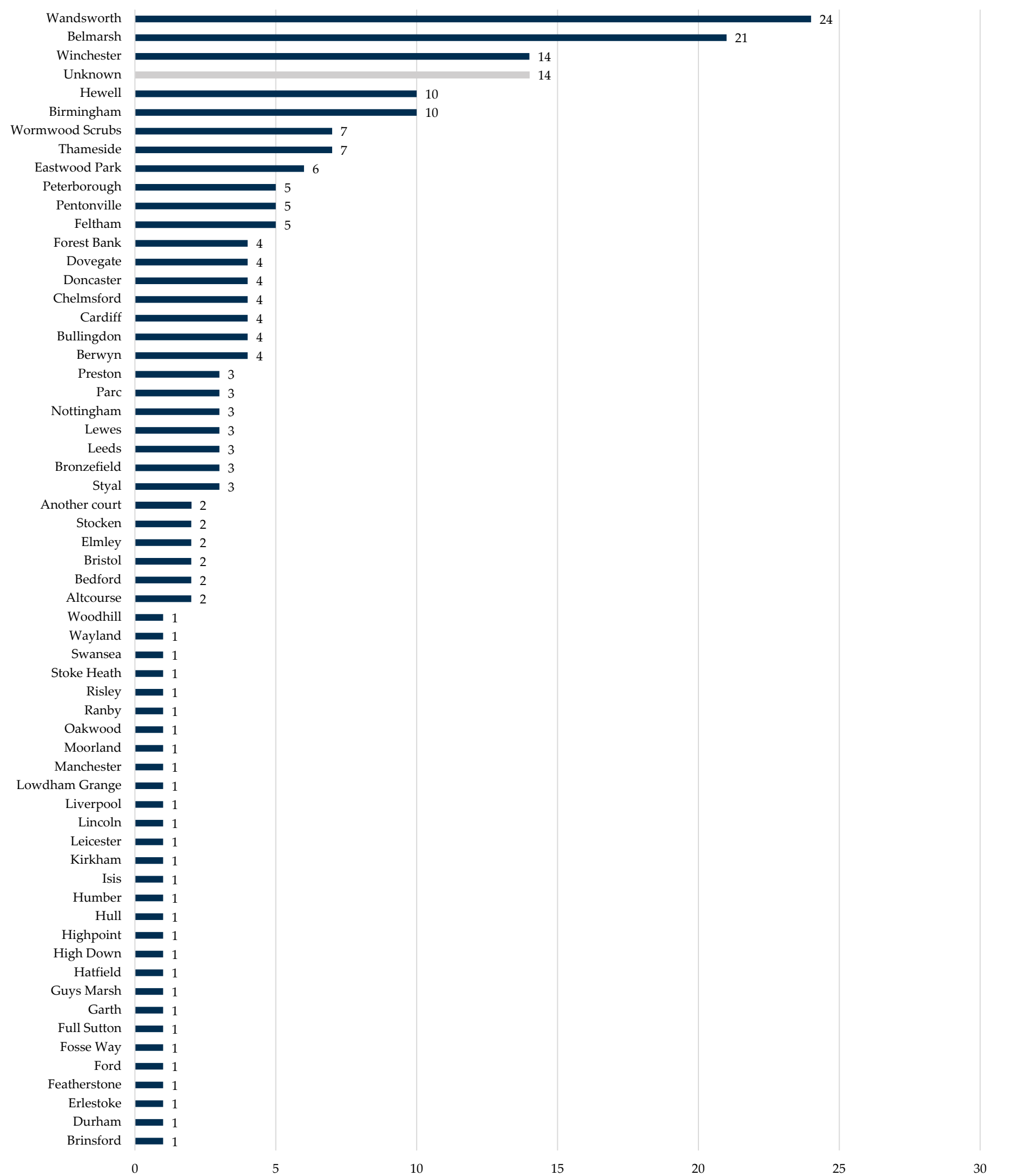
These delays are taking place across the whole of England and Wales – there is clearly a structural problem rather than a localised one.

Figure 2: Number of reports from barristers by court (n=213)



The high number of reports from the Central Criminal Court and Winchester Crown Court merit further investigation and would provide a sensible starting place for any more detailed time study. Otherwise, what is notable here is the sheer number of courts that have been mentioned (69). Problems with delays are so widespread as to be normal.

Figure 3: Number of reports from barristers by prison (n=213)



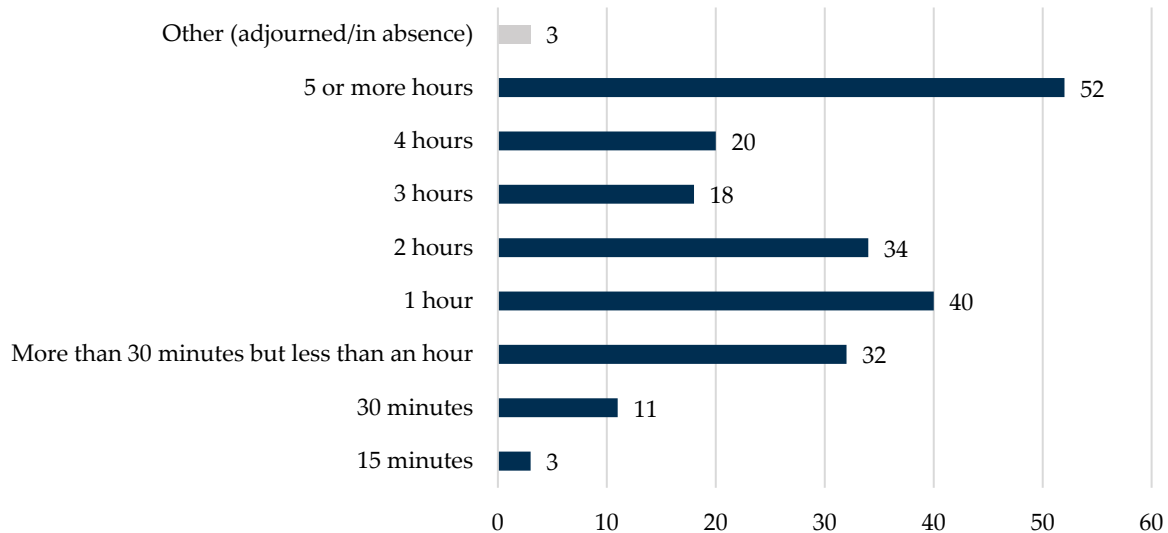
As in the previous section on courts, it is notable that Belmarsh, Winchester and Wandsworth prisons are experiencing particularly high rates of problems. Winchester would be worth focused attention due to the reported problems with both the prison and the court. There are 59 prisons mentioned in these reports – this is evidently a problem across the estate.²³

References

²³ Please note that the total number of reports by prison could in theory add up to higher than the total number of reports as more than one prison may have been mentioned in a response, for example if multiple defendants in one case were brought from different prisons. For the sake of completeness, we have recorded all the prisons mentioned.

2. Time implication of delays

Figure 4: Number of reports from barristers by the length of delay (n=213)



When we asked barristers if they were told the reasons for the delay, a third of respondents (67 respondents or 31% of responses) said no reason was given. Where reasons were provided, they generally revolve around vans leaving the prison late or having to drop off at another location prior, prisons claiming the defendant had refused to attend court, or prisons not having received a production order.

We include some of the comments submitted by barristers below, as they give a sense of the various experiences of defendants being delayed or not coming to court at all:

“No reason [for the delay was given] but defendant was very upset as she believed they had forgotten her and had informed her mother who notified me she was [heavily] pregnant at the time. The following day they removed her from the court list and didn’t send a van for her at all until the judge directed that she must be brought so again there was a delay. [After the trial] the defendant was taken into hospital.”

Barrister on the Wales and Chester Circuit

“The prison van had to do a drop off at [another prison] before heading to [the Crown Court]. The case had been listed with a late start to accommodate a conference in the cells, and discussions between the parties. As it was, there was little time for that.”

Barrister on the Western Circuit

“Not one of three prisoners was brought to court for a sentence hearing. Serco claimed all three had refused to attend. Oddly, however, my client had been on the phone at 8am to his solicitor saying nobody had come to collect him from his cell and he was concerned he was going to miss his sentence hearing. There were no signed prisoner refusal forms and the judge said they were inclined not to accept anything [the prison] said about failing to produce defendants.”

Barrister on the South Eastern Circuit

“The defendant was taken from [prison] to [Crown Court B] before being brought to [Crown Court A] instead of being produced directly. This meant a delay of 1 hour in a very short (two-day) trial. By the time the defendant arrived he had been in the prison van for many hours.”

Barrister on the Wales and Chester Circuit

“The Serco staff en route to court realised they had left a health and safety booklet back at the prison. They turned around to collect the book rather than deliver my client on time. He faces an allegation of attempted murder with a firearm. The judge did not agree to [wait] for the defendant to begin his summary of the evidence. Through no fault of his own, he has therefore missed a critical point of his trial. It didn't delay the start of the trial from the jury's perspective, but for a man who is facing a discretionary life sentence, it is shocking as he ought to be able to participate in his trial.”

Barrister on the South Eastern Circuit

"No defendants in custody were produced at [X] Crown Court today. A decision was taken by HMCTS to have the cell block painted. The conference rooms were painted first, with a resulting strong smell of paint which was tolerable. Last night the rest of the cell block was painted, and the smell was so strong today that the custodians refused to take delivery of any prisoners, citing health and safety concerns. The smell is strong and unpleasant throughout the building. This is not a joke... no cases in the building with defendants in custody could proceed. This has affected approximately 10 court rooms."

Barrister on the Midland Circuit

"Serco produced the wrong defendant with the same name - wrong d.o.b. and brought from [prison B] not [prison A] which is local prison to [Crown Court]. This happened two weeks into a trial that he was attending daily. Previously they had tried to bring my defendant to [another Crown Court] but thankfully he refused."

Barrister on the South Eastern Circuit

"The defendants still hadn't even been picked up at 11.30am. Told earliest they would get there is 3pm. No explanation given."

Barrister on the Midland Circuit

"Defendant [has mobility challenges]. Suitable transport was not provided. I understand from the judge that the prison claimed that they had booked the appropriate transport through Serco, but Serco claimed that they had not booked it."

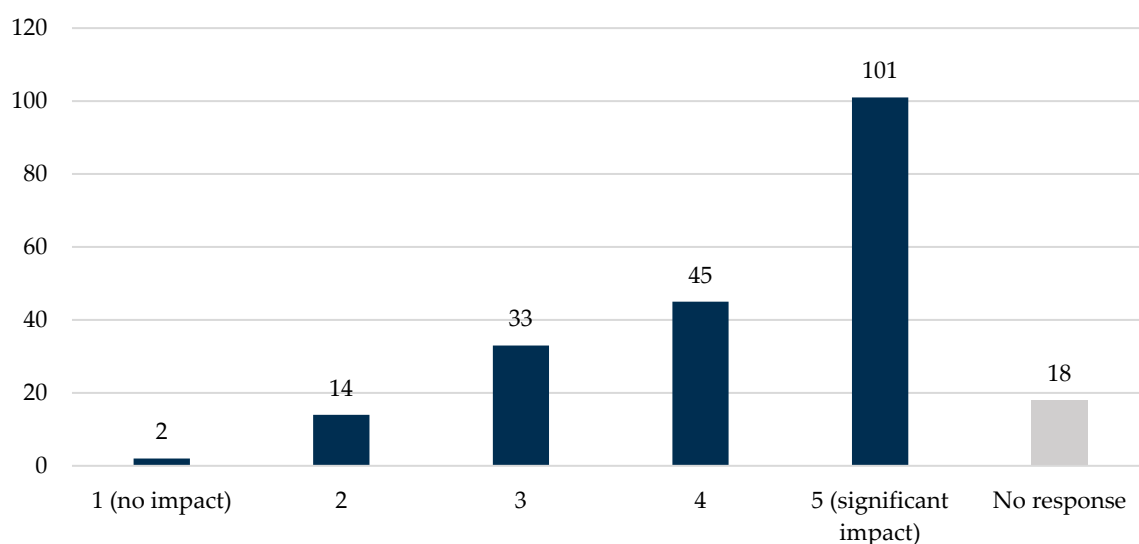
Barrister on the South Eastern Circuit

“We were not able to start. This defendant was listed for trial at [Crown Court] and he was not produced by the prison at all on two consecutive days. The cell staff in the building reported that he was ‘not on the list’ for day one and then that he had ‘refused to attend’ on the second day which the defendant claimed to not be true. When he was produced, on the link, the following week for the mention to refix, he reported that nobody had been to retrieve him on the first day, and second day he was told he was not required.”

Barrister on the North Eastern Circuit

3. Impact of delays on cases

Figure 5: Score (1-5) of the impact of late prisoner delivery on the smooth running of the case



Barristers were asked to rate the impact of the late prisoner delivery on the smooth running of the case, with 1 being no impact and 5 being a significant impact. Almost half of the respondents (101 or 47%) rated it as 5, and 69% (146) of respondents rated the impact as being a level 4 or 5. Even if we assume that those barristers most frustrated by delays are those most likely to respond to the survey, that is still a

significant number of cases we are told have been severely impacted by a service that is officially rated at over 99% compliant with its contractual monthly performance.²⁴ Several key themes emerge from the responses regarding the impact of delays on cases. Most prevalent was the amount of court time wasted, and the knock-on effect delays have on other trials scheduled that day, with courtrooms sitting empty and judges unable to take on other work whilst waiting. Delays also waste the time of other parties involved such as complainants/victims, witnesses, families, and jurors, with respondents frequently mentioning having to cancel other commitments and work to accommodate changes.

Next, prisoner transport delays meant that barristers had minimal time, if any, to meet with clients in conference prior to hearings. This is compounded in instances when their client needs extra support, for example due to having learning difficulties or needing an interpreter.

Furthermore, some respondents talked about the impact delays have on defendants themselves, who are often held in court cells or transport for long periods of time, sometimes without access to food or restrooms. The Chair of the Bar, Kirsty Brimelow KC, mentioned this to The Times in a recent article on PECS, describing how the treatment of prisoners “often borders on the inhumane”, with prisoners woken very early, not always given adequate food or water, and transported for many hours in small vans.²⁵

Comments from barristers below illustrate the impact of the delays on the trial and those involved in it:

References

²⁴ Sir Nicholas Dakin answered a question on PECS timeliness in Parliament on 1 May 2025. UK Parliament, Prisoner Escorts – question for the Ministry of Justice <https://questions-statements.parliament.uk/written-questions/detail/2025-04-23/47353>

²⁵ Catherine Baksi, The Times, ‘Prisoner transport is ‘significant’ cause of court delays’, 27 May 2026 <https://www.thetimes.com/uk/law/article/prisoner-transport-significant-cause-of-court-delays-sr5f3sptd>

"I had a vulnerable extremely pregnant [young adult] who was giving evidence in the course of her defence. She was very upset by the delays, apparently she had [previous] proceedings where the prison had failed to produce her and the case had gone badly so she was hyper aware that the same may happen again. There were also, in the beginning of the case, delays with production of co-defendants from [prison]. In my opinion the delays meant two plus days of court time and contributed to the defendant being unwell."

Barrister on the Wales and Chester Circuit

"The jury were left waiting for two hours. They would have gone out earlier and likely returned a verdict. Instead we head into trial day 4."

Barrister on the Western Circuit

"The prison van did not collect the defendants from prison until past 1pm. The court proceedings were not able to start until 3pm... This was supposed to be day one of a 6-week trial in a three-handed drug importation. We have a panel of 25 jurors waiting to be selected. The judge, 4 counsel, a CPS lawyer, paralegal and NCA officers have been sat at court since 9am unable to achieve anything."

Barrister on the Midland Circuit

"This was my client's 4th adjourned sentencing hearing - he is on remand."

Barrister on the South Eastern Circuit

"The arrival of prisoners is increasingly becoming problematic. They seem to think that as long as prisoners are produced at some point on the day the case is listed this is sufficient. This often has a massive impact on the court and counsel who often have other commitments to attend to and are relying on the timely arrival of prisoners. If a case is listed for trial, it also has an impact on jurors and witnesses who are all waiting around."

Barrister on the Midland Circuit

"Delays are now endemic due to defendants in custody not being produced at court on time. Defendants are being forced to go through trial days without seeing their counsel because even 'on time' arrival often means 5 minutes before the court is due to sit. Trials are consistently delayed starting because of late defendants or because time has to be taken out of the court day for counsel to take instructions, which used to happen before the court day started. And the attitude of the companies to the delays caused (and/or the prisons - it's difficult to tell sometimes where the root of the problem lies) is summed up by the staff member who openly refused to comply with the judge's request, put his hands in his pocket and walked out of court."

Barrister on the South Eastern Circuit

"This was a 5-week trial. There was not a single day that all of the 5 defendants arrived on time. Every single day without fail resulted in a late start and apologies to the jury. No explanation was ever provided for the delay, the delay from this particular court's nearest prison at that. We lost at least one hour of court sitting time every single day without a doubt and likely more by the time that counsel were able to have a conference with their clients."

Barrister on the Midland Circuit

"This case was due to be heard at 10.30am. It was not heard until 4pm. This meant that prosecution counsel and the interpreter could not attend the hearing at 4pm. The prosecutor was able to link in via CVP due to the [goodwill] of the judge. The interpreter, however, could not attend at all. This meant a conference was not possible with the [non-English] speaking defendant. Therefore, the hearing was completely ineffective. Even if an interpreter had been available, there would not have been enough time in the court day to hear the case. Defence counsel was required to wait at court all day for a wasted hearing. It is a mystery to counsel as to why these issues were not foreseen and the defendant was not brought to [Crown Court] the day before the hearing."

Barrister on the Northern Circuit

"[My report is about a] 4-6-week multi-handed murder trial before a High Court judge. Almost daily, the defendants were late in being brought to court which included the defendant whom I represented. He was deemed vulnerable due to extensive learning difficulties and was supported by an intermediary throughout these proceedings. Because of the almost daily delays, the intermediary and I were unable to explain things in conference at the start of every day (which was a recommendation made within the intermediary's report on how the defendant could be supported in these proceedings). Despite being raised by ALL leading counsel on multiple occasions and enquiries that the judge ordered with [the prison], a satisfactory response as to the delays was never received."

Barrister on the North Eastern Circuit

"This was a 60-day murder trial. The prisoners were needed at court by 9:30am to be able to start at 10am each day. That only happened once or twice in 60 days. We were, on a daily basis, waiting for them. Sometimes they were produced just in time for 10am but not able to be seen by counsel before starting the evidence for the day. On most days we could not start until 11am or 12pm."

Barrister on the Wales and Chester Circuit

Conclusion

We asked barristers to tell us whether they had any additional comments on court delays and/or court efficiency in general. The themes that came out of the comments provide a sense of the endemic nature of the delays and the waste of court time caused by them. Some sample comments are included below:

"It is a constant feature of the system that defendants are not produced on time at court. This happens on at least a weekly basis."

Barrister on the Midland Circuit

"It is my experience that PECS is the single most significant cause of delay to the proceedings of the Crown Court. Nothing else comes near."

Barrister on the Western Circuit

"The court is doing all they can to ensure we run efficiently. It is a large trial with 10 defendants. Every day we are all here (23 barristers) and all jurors ready to start at 10am to only be met with delays and the judge needing to provide apologies."

Barrister on the South Eastern Circuit

"The delay in producing the prisoners I think cost us a total of two weeks court time lost during the case."

Barrister on the Wales and Chester Circuit

"There seems to be no accountability whatsoever for those entrusted with ensuring defendants are brought to court. The clear evidence is that the companies involved do not employ enough people or have enough vehicles."

Barrister on the Northern Circuit

"Securicor/PECS do more to delay Crown Court proceedings than any other stakeholder in the [criminal justice system]. It is now routine for PECS to be late, or to not produce a prisoner."

Barrister on the South Eastern Circuit

"By contrast I cannot recall a single instance in those cases where we were significantly delayed or wasted any appreciable court time as a result of late jurors."

Barrister on the South Eastern Circuit

“Simply too many delays caused by the failures to bring prisoners to court in a timely manner.”

Barrister on the South Eastern Circuit

“Most [barristers] would have considered this delay too routine to be worth reporting. All prisoners from the prison to this court were delayed today (and many other days).”

Barrister on the Midland Circuit

“This is a daily occurrence. Plans cannot be made; continuity of counsel or presence of trial counsel is impossible to achieve when time listings/markings are completely ignored by the PECS. It impacts on defendants' liberty, representation, court sitting days, listings and people's livelihoods.”

Barrister on the Northern Circuit

In terms of the magnitude of this problem, even if we work on the assumption that those individuals most outraged by delays are the most likely to write in strong terms to tell us about it, the data presented in this report evidence that the problems with late prisoner delivery are serious and widespread, and call into question the validity of the official administrative statistics.

It is clear to us that the metric that should be used when assessing the performance of the PECS service is of measuring delays to cases, rather than cancellations of cases. We feel that further attention needs to be paid to measuring the robustness of the data that underlies the performance data.

The impact on defendants, witnesses, legal professionals, court staff and those working within prisoner escort services is evidently significant. We are particularly concerned about three issues that have been raised by this survey:

- The unnecessary stress caused to defendants, witnesses and complainants/victims in court cases

- The potential impact this has on the administration of justice in their cases
- The sheer waste of court time

At a time when improving productivity in the court system is a major political issue and the case backlog in the Crown Courts remains extremely high²⁶, we believe reducing the avoidable delays caused by late prisoner delivery should be an urgent priority.

References

²⁶ Ministry of Justice, Criminal court statistics quarterly: January to March 2026, June 2026
<https://www.gov.uk/government/statistics/criminal-court-statistics-quarterly-january-to-march-2026>

Annex 1: Survey questions

1. Name of the court: [free text]
2. Type of the court where the delay occurred:
 - ☐ Crown Court
 - ☐ Family Court
 - ☐ Magistrates Court
 - ☐ Other

[If selected "Other"] Please specify the type of court: [free text]

3. The circuit where the court is based:
 - ☐ Midland Circuit
 - ☐ North Eastern Circuit
 - ☐ Northern Circuit
 - ☐ South Eastern Circuit
 - ☐ Wales and Chester Circuit
 - ☐ Western Circuit

Please provide some information about the example of the delay in bringing the individual in custody to the court room.

4. Which prison did the individual in custody come from (if known)? [free text]
5. How long was the delay?
 - ☐ 15 minutes
 - ☐ 30 minutes
 - ☐ More than 30 minutes but less than an hour
 - ☐ 1 hour
 - ☐ 2 hours
 - ☐ 3 hours
 - ☐ 4 hours
 - ☐ 5 or more hours
6. Please provide the time you were listed to start:

7. Please provide the time you were able to start:
8. What reason(s) was/were given for the delay (if any)? [free text]
9. On a scale of 1 to 5, 1 - no impact and 5 - significant impact, how much do you think the PECS delay has affected the smooth running of this case?
- ☐ 1
 - ☐ 2
 - ☐ 3
 - ☐ 4
 - ☐ 5
10. Please provide brief details about the impact of the PECS delay on this case:
[free text]
11. Were there any other (non-PECS) reasons for delays in this case? Please provide brief details: [free text]
12. Do you have any additional comments on court delays and/or court efficiency in general? [free text]