



# JUSTICE NEEDS JURIES



**Restricting the right to trial by jury is not the answer to fixing the crisis in the criminal justice system.**

## **Why we don't support restricting the right to jury trials:**

As the Bar of England and Wales, we fundamentally disagree with the plan to restrict the deeply entrenched constitutional principle of a jury trial. Our opposition is supported by the Bars of Scotland, Northern Ireland, and Ireland.

- ✗ No evidence:** Sir Brian Leveson described the modelling in his report as having “very high levels of uncertainty” and the evidence as “incomplete”. Comparisons to Canada miss key differences: lay magistrates have been abolished, there is a right to elect and there are time limits on cases
- ✗ No real impact on the backlog:** The government has acknowledged many times that it will not make a difference in the short or medium term. Courts Minister Sarah Sackman KC MP said this change would be made regardless of the backlog crisis
- ✗ Loss of public trust and participation in the criminal justice system:** Trial by jury is a deep-rooted and respected tradition

## **We know what works:**

- ✓ Use empty court rooms:** Immediately open courts that sit empty and remove the cap on the number of days that courts can sit
- ✓ Remove cases from the backlog:** The CPS must proactively manage case lists, including removing cases that are no longer in the public interest to prosecute
- ✓ Reform Prisoner Escort and Custody Services (PECS):** Time and money is lost each day due to delays caused by PECS failing to bring defendants to court buildings/into the dock on time
- ✓ Better use of technology:** Reducing court hearings by improving out of court case management
- ✓ Invest in justice:** The current crisis has been caused by years of underfunding. Investment is urgently needed, including increasing in legal aid



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## How you can help:

To put victims, complainants and defendants first, the government must focus on measures that will start to reduce the record high 80,000 backlog **now**.

As barristers conducting trials daily and across the country, we do not see how restricting jury trials will have an impact on the existing backlog. However, we do know what will bring about change now – and we need your support.

**Raise our concerns in Parliament:** Please raise these issues through questions and debates. We can assist by providing briefings and information. Contact us via [publicaffairs@barcouncil.org.uk](mailto:publicaffairs@barcouncil.org.uk)

**Visit your local court:** Visit your local Crown Court(s) to meet with barristers and judges to learn how restricting jury trials will impact your constituents. We can help to organise your visit. Please get in touch with us via [publicaffairs@barcouncil.org.uk](mailto:publicaffairs@barcouncil.org.uk)



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