Commission for
Victims and Witnesses

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VICTIMS’ COMMISSIONER CALLS FOR END TO RIGHT TO TRIAL BY JURY

Two radical proposals for transforming the criminal justice system for victims while saving the taxpayer millions were outlined today by the Commissioner for Victims and Witnesses Louise Casey.

She called for:

- an end to the right to trial by jury for defendants in petty crime cases which clog up the court system;
- the prevention of late guilty pleas which allow criminals to string out their cases at the expense of the public.

In her report “Ending the Justice Waiting Game: a plea for common sense”, Ms Casey continues to argue that victims are the “poor relation” in the criminal justice system.

The findings which support these suggested reforms are:

- 50,000 people each year changed their plea to guilty on the day of the trial, costing approximately £15million in wasted preparation costs by the Crown Prosecution Service (CPS) alone;
- Over 40 percent of crown court business is taken up with cases that could be taking place for less money in underused magistrates’ courts. If just half of those were heard in magistrates’ courts we could be saving £30million per year in CPS case preparation alone; and
- Two thirds of defendants (63 percent) who choose to opt for a crown court trial by jury actually plead guilty when they get to court, leaving the tax payer to pick up the trial preparation costs.

Louise Casey said:

“I am putting forward today two common sense measures to save huge sums of money. I hope it can then be spent on giving victims of serious crime the support they need, rather than it being wasted on legal loopholes and delaying tactics by those standing trial.”
“Firstly, pleading guilty at the last possible moment wastes time and money and clearly has a detrimental impact on victims and witnesses, so all incentives for doing so should be removed.

“Time and again, I have been told that defendants hold off pleading guilty until the day of the trial in the hope that victims and witnesses won’t show up and the case will collapse.

“Secondly, why would someone elect to have a trial by jury if they are going to plead guilty on the day anyway? We should not view the right to a jury trial for low level crimes to be such a sacred cow that it’s afforded at the expense of victims and witnesses.

“It’s not justice for defendants to hold out simply to see whether victims will turn up to testify; it’s a publicly funded waiting game. In a time of spending cuts, we need to abandon some of the genteel traditions and niceties of the legal system. How can it be right that a jury can be made to convene to hear arguments about the theft of £20 worth of tea bags as is the case now, when a magistrate could do the job justly but costing far less?”

Her suggestions follow the Government’s Spending Review and also chime with a study out today by HMIC into the criminal justice system which found that getting defendants to court quickly and better case management would reduce time-wasting late guilty pleas, so improving victims’ satisfaction and saving around £40million a year.

NOTES TO EDITORS:

1. For a copy of the “Ending the Justice Waiting Game: a plea for common sense” report and an interview with Louise Casey please contact Kerry Taylor on 0207 035 3831 or 07769 937195.


3. HMIC’s “Stop the Drift: A focus on 21st century criminal justice” is available on the HMIC website from 00.01 on Wednesday 3 November.