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Radical Reforms Proposed to Prevent Collapse of UK Criminal Justice System

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The criminal justice system in England and Wales teeters on the brink of collapse, with a backlog of 76,957 cases in the Crown Courts as of March 2025, projected to soar to 100,000 by 2030. Sir Brian Leveson, a retired senior judge, has delivered a stark warning to the Labour government, urging sweeping reforms to avert disaster. Tasked by the current administration to address chronic delays, overcrowded prisons,

and a mounting backlog, Sir Brian's review, published on Wednesday, proposes the most significant overhaul of the criminal justice system in modern times.

In a sobering assessment, Sir Brian warned, "The backlog is now becoming unmanageable, and risks paralysing the entirety of the criminal justice system." Speaking to reporters, he added that failure to act could undermine justice for victims and witnesses while eroding public confidence in the rule of law. His recommendations, presented to the Ministry of Justice, include controversial measures such as curbing jury trials for certain offences and increasing out-of-court resolutions.

Sir Brian's report advocates removing the right to a jury trial for defendants facing charges with a maximum sentence of two years. Offences such as assaulting police or paramedics, certain stalking cases, and possession of indecent images of children would be tried in magistrates' courts. Additionally, complex cases like major fraud would move to judge-only trials, and a new Crown Court division would see judges and two magistrates oversee trials for crimes carrying up to three years' imprisonment.

To reduce court congestion, Sir Brian proposes offering defendants up to 40% sentence reductions for early guilty pleas, discouraging last-minute pleas that clog the system. He also calls for greater use of out-of-court resolutions, such as fines or cautions, for low-level offences. However, these measures hinge on significant government investment, including an additional 20,000 court sitting days annually.

The report paints a grim picture of a justice system battered by decades of underfunding. Sir Brian, a former prosecutor and defence lawyer, described the current crisis as the result of "financial hits" on the Ministry of Justice, with the previous Conservative government's cost-cutting measures leaving courts ill-equipped to handle rising caseloads. Trials at Isleworth Crown Court in west London are now routinely scheduled for 2029, with victims and witnesses often waiting years for justice.

"Cases have little or no chance of being brought before the court," Sir Brian wrote. "Victims and witnesses disengage, and if they do attend, it's three or four years later when memories fade. Inefficiency becomes the norm, and little or no consequences for lawlessness could lead to a breakdown in law and order." The proposals have sparked varied responses. Mark Beattie, national chair of the Magistrates' Association, hailed the reforms as "bold" and

urged swift implementation, stating, “Every day that they aren’t in place is a day when victims, witnesses, and defendants wait for justice.” However, the Law Society cautioned that without sustained investment, the reforms risk shifting the backlog from Crown Courts to magistrates’ courts. “The government must address both demand and capacity,” it warned.

Victims’ Commissioner Baroness Newlove expressed concern that measures like larger sentence discounts could feel like “justice diluted” to victims. Meanwhile, Sir Brian robustly defended his proposals, rejecting claims that jury-less trials undermine fairness. “Doing nothing is not an option,” he told critics. “If not this, then what?”

The Labour government, led by Justice Secretary Shabana Mahmood, welcomed the report, with Mahmood stating, “Swifter justice requires bold reform. We will consider all recommendations and respond fully ahead of legislating in the Autumn.” Yet, Sir Brian’s review underscores that short-term fixes will not suffice. Decades of neglect have left the system vulnerable, and without substantial investment, even radical reforms may fall short.

As the government weighs its next steps, the public and legal profession awaits action to restore a system on the verge of collapse. Sir Brian’s warning is clear: the time for half-measures is over.