

# Justice delayed: The impact of the Crown Court backlog on victims, victim services and the criminal justice system

March 2025



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## Acknowledgements

We would firstly like to thank all the organisations and agencies who supported us in circulating and promoting our surveys. Their help supported us in reaching many victims<sup>1</sup> navigating the Crown Court system, and the staff supporting them. It is only with the support of these organisations that this research has been able to highlight the wide-reaching and harmful impact of the Crown Court delays.

We are particularly grateful to the victim services staff who completed our survey. Their help provided valuable insights into the impact the court delays have on victims' lives, victim support services and the criminal justice system. As we make evident in this report, the burden of their work is high and their capacity extremely limited, so we are thankful for the time they took to respond to our survey.

Most of all, we would like to thank all the victims who bravely and generously gave their time to respond to our survey and take part in interviews for this research. We are exceptionally grateful for their willingness and courage to share their experiences with us. They provided crucial testimony on the impact that the delays in the Crown Court system are having on them. We hope we have been able to honour their experiences fully with the quotes included in this report.

A special thank you to Professor Katrin Hohl OBE (Professor of Criminology and Criminal Justice at City University) and Dr Tara Young (Honorary Senior Lecturer in Criminology and Criminal Justice at the University of Kent) for reviewing an earlier version of this report.

We would also like to thank His Majesty's Chief Inspector of the Crown Prosecution Service Inspectorate (HMCPSI), Anthony Rogers, Victim Support, Rape Crisis England & Wales, and Citizen's Advice for their valuable input and feedback on the findings and recommendations in this report.

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<sup>1</sup> We are conscious that some victims dislike negative connotations occasionally associated with the term 'victim'. Some victims and many non-statutory agencies prefer to use the word 'survivor' and we respect their view. However, for the purposes of this report, we have mostly used the term 'victim' because it's the term that most agencies use and understand when referring to someone who has experienced victimisation.

## **Glossary**

**Adjournment** – a court trial or hearing being postponed to another date.

**Achieving Best Evidence (ABE) Video** - A witness statement that is recorded on video instead of being recorded in writing. An edited version of this is played in court as the witnesses 'evidence in chief'.

**Children and Young People's Independent Sexual Violence Advisor (CHISVA)** - an independent adviser who works with children and young people who have experienced rape and/or sexual assault by providing them with support, advice and help.

**Criminal Injuries Compensation Authority (CICA)** – an agency of the Ministry of Justice which pays compensation to victims of violent crime.

**Crown Prosecution Service (CPS)** - prosecutes criminal cases that have been investigated by the police and other investigative organisations in England and Wales.

**His Majesty's Courts and Tribunal Service (HMCTS)** - is an executive agency of the Ministry of Justice responsible for the administration of criminal, civil and family courts in England and Wales.

**Independent Domestic Violence Advisor (IDVA) and Independent Sexual Violence Advisor (ISVA)** - an independent adviser who works with people who have experienced domestic abuse (in the case of an IDVA) or rape and/or sexual assault (in the case of an ISVA) by providing them with support, advice and help.

**Judiciary** – the judiciary is made up of judges, magistrates, tribunal members, and coroners, they uphold the rule of law.

**Officer in Charge (OIC)** – a police officer in charge of an investigation.

**Listing** – scheduling of court trials and hearings.

**Over listing** - listing more than one trial for the same date and time in the same court room.

**Post-Traumatic Stress Disorder (PTSD)** – an anxiety disorder caused by very stressful, frightening or distressing events.

**Section 28** – Section 28 of the Youth Justice and Criminal Evidence Act 1999 allows vulnerable victims and witnesses to have their cross-examination video-recorded before the full trial, away from the court room. This evidence is then played during the live trial. This is sometimes known as pre-recorded video evidence.

**Victim Right to Review (VRR) Scheme** – The VRR scheme gives victims the right to request a review of a police decision not to charge a suspect or a CPS decision not to start a prosecution or to stop a prosecution.

**Witness Care Unit (WCU)** – These units have the role of managing the care of victims and witnesses who are due to attend court and guide them through the criminal justice process. They are staffed by people from the police and the CPS.

## **Foreword by Victims' Commissioner**



Our Crown Courts stand as pillars of justice for victims, many of whom have suffered from the devastating impact of offences such as murder, rape and violent assaults. Yet, for too many victims, justice feels elusive. The system is overwhelmed.

Court backlogs have reached unprecedented levels, leaving victims trapped in a cycle of delay, frustration, and despair. For those who have already endured profound trauma, the drawn-out process is not just a setback—it is a further injustice.

My report sadly confirms what I have long feared. These delays are not just administrative failings, they are actively harming victims and causing them real and undue stress.

The findings are stark: almost half (48%) of the victims I heard from, who had been given a set trial date, saw it adjourned at least once—often multiple times. One domestic abuse survivor saw her case adjourned five times over a period of two years before her perpetrator was found guilty. What saddens me even further is that this is not an isolated case.

There are many victims who get themselves psyched up in preparation for the Court date to go ahead, only to suffer adjournment upon adjournment spanning several years. This means some victims remain stuck in limbo, forced to relive their trauma over and over, unable to heal or move on. Others turn to alcohol or drugs to cope, some self-harmed. Tragically, I heard from victims who even contemplated ending their lives.

This crisis in our courts does not exist in isolation. The impacts of these delays disrupt victims' lives. They put a strain on relationships. For some, the trauma can also affect them in the workplace, disrupting their ability to work, impacting their employment prospects, and jeopardising their financial security. Those supporting young victims told me how these long-term setbacks disrupted the victims' education, potentially harming their prospects for the rest of their lives.

Beyond the delays, poor communication deepens victims' distress. Learning of last-minute adjournments at the drop of a hat and without explanation can intensify their stress and helplessness. You will see in my report this is a re-occurring theme, highlighting more than ever the need for a single point of contact – a dedicated person or service who provide consistent updates and support throughout the court process.

Victim support services play a crucial role in keeping victims engaged in the pursuit of justice. Nevertheless, the added pressure on these services - which are already under such immense strain - risks jeopardising the quality and consistency of support. Some providers have been forced to implement or even close their waiting lists, leaving victims without the vital help and support they desperately need. This is why I believe planned funding cuts for victim core funding are not just ill-advised—they are short sighted. I am calling on the

government to provide emergency funding to sustain and support these vital services during this time of crisis.

Society relies on the engagement of victims to prosecute offenders. Yet several examples in my report highlight how these delays compromise the quality of victim statements, the willingness of witnesses to provide evidence and victims' ability to remain engaged. As time passes memories fade and for some victims – utterly exhausted by the process - they simply walk away. This means offenders walking free, justice denied, and communities left at risk. A failing court system does not just harm victims, it undermines the very fabric of our society.

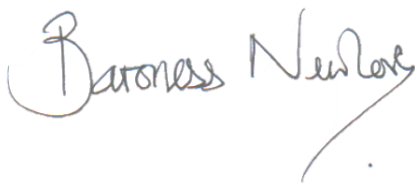
The evidence is irrefutable: lengthy waits for justice erode trust and confidence and devastates victims' emotional and physical well-being. Too often victims are left in the dark with some even regretting having engaged with the system in the first place.

Yet, despite the scale of the crisis, there is no independent body to oversee court processes or victim communication. This must change. I am calling on the government urgently to restore an independent Courts' Inspectorate to ensure accountability, transparency, and a relentless focus on victims' rights.

I welcome the independent review of our criminal courts. It was important to me that the review had the opportunity to listen to voices of victims with real lived experience. It is for this reason this report has been shared in advance with Sir Brian Leveson to inform and support his work.

A system in crisis demands systemic change. Grouped into three overarching themes, my report makes clear and actionable recommendations to enhance and improve the victim experience, improve the transparency and efficiency of court processes, and strengthen victim support services to enhance support throughout the victim's journey.

Yes, change will take time. Yes, the changes required are significant. However, the human cost of these delays is far too high to ignore. Justice cannot wait.

A handwritten signature in blue ink, reading "Baroness Newlove". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

**Baroness Newlove of Warrington**

**Victims' Commissioner for England and Wales**



## Executive summary

For victims who have experienced a serious criminal offence in England and Wales, the Crown Court is a vital part of their journey to receive justice. This is where jury trials are conducted to reach a verdict on whether the defendant is guilty of the crime or not. This report comes following a record number of outstanding cases at the Crown Courts in England and Wales.<sup>2</sup> At the end of September 2024, 73,105 cases were outstanding and almost a quarter (23%) of these had been outstanding at the Crown Court for over a year and 8% had been outstanding for over two years. This is a considerable increase since the end of March 2020, when just 7% of cases were outstanding for over a year and 2% of cases were outstanding for over two years.<sup>3</sup> This means an increasing number of victims are waiting extended lengths of time for justice.

This report explores how these unprecedented delays in the Crown Court system impact on victims of crime, victims' services, and the wider criminal justice system. The findings are based on primary research conducted by the Office of the Victims' Commissioner in 2024, including a survey and interviews with victims and a survey with victim services staff. Based on these findings, the Victims' Commissioner makes key, actionable recommendations for justice agencies and policy makers to consider.

### About the research

This report aims to:

- Understand the experiences of victims of all crime types who are navigating the Crown Court system in England and Wales amidst a record backlog.
- Identify the impact of the Crown Court backlog on victims, the criminal justice system and victim services.
- Understand victims' experiences of support and communication whilst navigating the Crown Court backlog.

### Findings from the research

***The Crown Court system is experiencing an unprecedented backlog meaning victims commonly face delays and adjournments.***

- In the latest official statistics, a quarter of trials listed at the Crown Court had to be rearranged on the day of trial.
- Further data, provided by HMCTS, showed that the number of completed Crown Court cases that had been rearranged more than three times on the day of trial, was four times higher in 2023/24 than it was in 2019/20.<sup>4</sup>
- In our research, we found that of those victims who had been given a trial date, nearly half (48%) had this date changed at some point in their criminal justice journey and 26% of these victims had the date changed four or more times. For

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<sup>2</sup> A count of all cases that are incomplete in the Crown Court system.

<sup>3</sup> [Criminal court statistics - GOV.UK](#) - data accessed on 18/02/25

<sup>4</sup> Management information provided to the Victims' Commissioner by HMCTS on 13/12/24.

victims often navigating the criminal justice system for the first time, this worsened an already stressful and traumatic process.

***The delays in the Crown Court cause debilitating stress and trauma for victims.***

- Our research highlighted how the Crown Court backlog caused immense stress for victims, prompting a deterioration in physical and mental health. Some victims resorted to drug and alcohol use or self-harm to cope, while other victims reported attempting suicide as it was too difficult to continue.
- We found that while victims were still involved in the criminal justice process, they were unable to move on and prevented from recovering from the crime.
- Additionally, when victims experienced repeated adjournments, the emotional distress and the necessity to re-live the trauma for each additional listing further exacerbated their trauma.

*Suicide is preventable. Help is available from the [Samaritans](#) and other support services.*

***The Crown Court backlog damages victims' lives and futures.***

- We found that whilst enduring the prolonged waits for Crown Court trials, many victims were unable to maintain their daily functioning. Their lives were subsequently further disrupted by repeated adjournments.
- Our findings also highlighted the impact of the Crown Court delays on victims' employment. Victims often had to take periods of time off work for each trial listing, and some were unable to work or were signed off sick due to the stress of the delays. This had significant financial implications for some victims, particularly those who were self-employed.
- The delays also adversely affected younger victims, as it disrupted their education and put their lives on hold during significant periods of their development. Our findings also highlighted the impact on victims' interpersonal relationships. The turmoil of the Crown Court delays sometimes led to relationship breakdowns, at a time when a victim's support network was vital.
- We also heard how the delays in the Crown Court system impacted on other legal processes. For example, delays to trials concluding caused issues with Family Court proceedings, applications to the Criminal Injuries Compensation Authority (CICA) and eviction orders.

***The effectiveness of the criminal justice system and victims' confidence in its ability to deliver justice is at risk due to the delays in the Crown Court system.***

- Our findings highlighted how increased waiting time for trials heightened the risk of victims' memories fading and therefore, the quality of their evidence diminishing.
- The increased waits also meant supportive prosecution witnesses became more likely to withdraw.
- In addition, victims' faith and trust in the criminal justice system was damaged, leading to disengagement from with the criminal justice process and in many cases, an entire withdrawal.
- Where victims persevered with the criminal justice process, they often felt justice did not prevail. We were informed of cases where the time taken for the trial to take

place meant the defendants' sentence had already been served, either on remand or through bail conditions. We were also told of instances where the Crown Prosecution Service had dropped charges due to cases no longer being in the public interest and where defendants had died before the trial could take place.

- For many victims, their experiences of the Crown Court backlog left them unwilling to engage with the criminal justice system in the future.

***High-quality support helps victims to stay engaged with the criminal justice process amidst the Crown Court delays, however the delays impede support organisations' ability to provide this support.***

- Despite support being vital for their engagement, we found that for some victims, the delays prevented them accessing support. Some rape and sexual offence victims were advised not to seek therapy until after trial. However, the delays in cases coming to court resulted in long periods without support, further delaying their recovery.
- We also found that the delays led to an increased demand for support services. This was due to an increased number of victims waiting for court and increased victim support needs due to the impact of the Crown Court delays. Many staff reported unsustainable caseloads and many support services had to implement waiting lists. Many services also raised concerns about the quality and consistency of support provision being compromised as a result of the overwhelming demand.
- Our research highlighted the negative impact of the Crown Court backlogs on the wellbeing and job satisfaction of support staff, with some at risk of burnout and leaving their roles. This further exacerbated issues with support accessibility, quality, and consistency.

***Poor communication compounds the impact of the Crown Court backlog on victims.***

- Our research highlighted that poor initial expectation management of how long a case can take to get to trial and a lack of communication whilst victims waited for trial worsened victims' experiences.
- We also found that many victims experienced trials being adjourned at very short notice and with minimal or no explanation. This added to the emotional distress they experienced navigating an already challenging process.

***Key recommendations***

This report contains 19 recommendations that are grouped into three overarching aims. We have identified a key recommendation for change to help achieve each of these aims:

***1. Improve the victim experience of the criminal justice system.***

- The government to explore how victims whose case is going to trial might be given a single point of contact to improve communication and ensure their Victims' Code entitlements are delivered.

***2. Make court processes more transparent and efficient.***

- The restoration of an Independent Courts' Inspectorate so that the operation of the Court Service is subject to rigorous independent scrutiny.



**3. *Ensure victim services can provide support to victims as they wait for the case to get to trial.***

- Providing emergency funding to victim support services to help them cope with increased caseloads arising from the court backlog crisis.

Please turn to [page 58](#) for a full list of our 19 recommendations.

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# 1. Introduction

## The Crown Court System in England and Wales

This report focuses on the delays in the Crown Court and how these delays impact upon victims of crime, victim services and the criminal justice system more widely. The Crown Courts in England and Wales deal with the most serious criminal offences, such as rape, murder, robbery, and serious physical assaults. There are 70 Crown Court centres across England and Wales,<sup>5</sup> though a number of these are currently closed, for maintenance and repair work.<sup>6 7</sup>

In 2020, temporary ‘Nightingale’ courts were introduced to alleviate the pressure on courts during the pandemic and many of these remain open. In November 2024, there were seven ‘Nightingale’ courts providing additional Crown Court capacity.<sup>8</sup>

Despite this additional provision, the Crown Court system is struggling to cope with the current number of cases waiting to be heard. At the end of September 2024, there were 73,105 cases waiting to be heard in the Crown Courts in England and Wales, the highest number of outstanding cases ever recorded. Twenty-three percent (16, 505) of these had been outstanding for a year or more.

A 2024 National Audit Office report examined the action that had been taken by the Ministry of Justice, HMCTS and other criminal justice agencies to address the Crown Court backlog. It suggested that the Ministry of Justice ambition to reduce the Crown Court outstanding caseload to 53,000 by March 2025, was no longer achievable.<sup>9</sup> The high number of outstanding cases in the Crown Court system means that victims are often left waiting for extended periods of time to receive justice. This can have adverse consequences for victims, victim services and the criminal justice system.

## Previous research

In response to the rising backlog in the Crown Court system, research has begun to look at how this impacts victims. The Scottish Centre for Crime and Justice Research<sup>10</sup> reported on research findings which suggested that victims of rape and sexual abuse, whose cases often take between two and three years to reach an outcome, feel the impact of living life on pause and at the mercy of the process which continuously lets them down. This has a profound impact on all aspects of their lives, including their ability to recover from what happened and plan for the future. In addition, the protracted wait for justice leads to deteriorating mental wellbeing. This finding has been further corroborated by the Rape Crisis England & Wales ‘Breaking Point’ report<sup>11</sup>, which highlighted how delays in proceedings resulted in some victims being at serious risk of or attempting suicide.

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<sup>5</sup> [Crown Court - Courts and Tribunals Judiciary](#)

<sup>6</sup> [Ministry of Justice - Freedom of Information Request](#)

<sup>7</sup> [Ministry of Justice - Freedom of Information Request](#)

<sup>8</sup> [Nightingale courts and extra court capacity - GOV.UK](#) (accessed 05/02/25)

<sup>9</sup> [Reducing the backlog in the Crown Court - NAO report](#)

<sup>10</sup> [Delays-in-Trials-SCCJR-Briefing-Paper\\_July-2020.pdf](#)

<sup>11</sup> [RCEW - Breaking Point report - March 2023 E4uqKBL.pdf](#)

Additionally, the report ‘Suffering for justice’,<sup>12</sup> published by independent charity Victim Support, highlighted that victims of sexual violence feel they are ‘living in limbo’ while waiting to give evidence and provided with limited support, consider withdrawing from the criminal justice process completely.

The National Audit Office’s report on the Crown Court backlog<sup>13</sup> highlighted the increased risk of trials failing, contributed to by victims being more likely to withdraw from cases as a result of the distress of long waiting times. This is in addition to the impact they have on victim and witnesses’ recollection of events and thus the quality of their evidence declines over time.

To date, the existing research on court delays has predominantly focused on the impact of Crown Court delays on victims of rape and sexual abuse, who typically face the longest waits in the court system. However, there is a lack of understanding of the impact of the Crown Court backlog on victims of other crimes, on services and staff supporting victims and the wider criminal justice system.

This report builds on previous research in this area by conducting primary, mixed method research, including a survey and interviews with victims of all crime types where the defendant had been charged and a survey with victim services staff. The overarching aim of the research is to further understand the impact of the Crown Court backlog on victims of all crime, victim services, and the wider criminal justice system. It also explores victims’ experiences of communication and support whilst navigating the court delays. Our methodology is detailed in Appendix B.

## Report aims

This report aims to:

- Understand the experiences of victims of all crime who are navigating the Crown Court system in England and Wales amidst a record backlog.
- Identify the impacts of the Crown Court backlog on victims, the criminal justice system and victim services.
- Understand victims’ experiences of support and communication whilst navigating the Crown Court backlog.

## Research questions

This report seeks to present and discuss the relevant findings from this research to answer each of the following four research questions:

1. What is the impact of the Crown Court backlog on victims?
2. What is the impact of the Crown Court backlog on the criminal justice system?
3. What is the impact of the Crown Court backlog on victim services?
4. What are victims’ experiences of support and communication whilst navigating the Crown Court backlog?

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<sup>12</sup> [victimsupport.org.uk/wp-content/uploads/2024/10/Sufferingforjusticereport.pdf](https://victimsupport.org.uk/wp-content/uploads/2024/10/Sufferingforjusticereport.pdf)

<sup>13</sup> [Reducing the backlog in the Crown Court - NAO report](#)

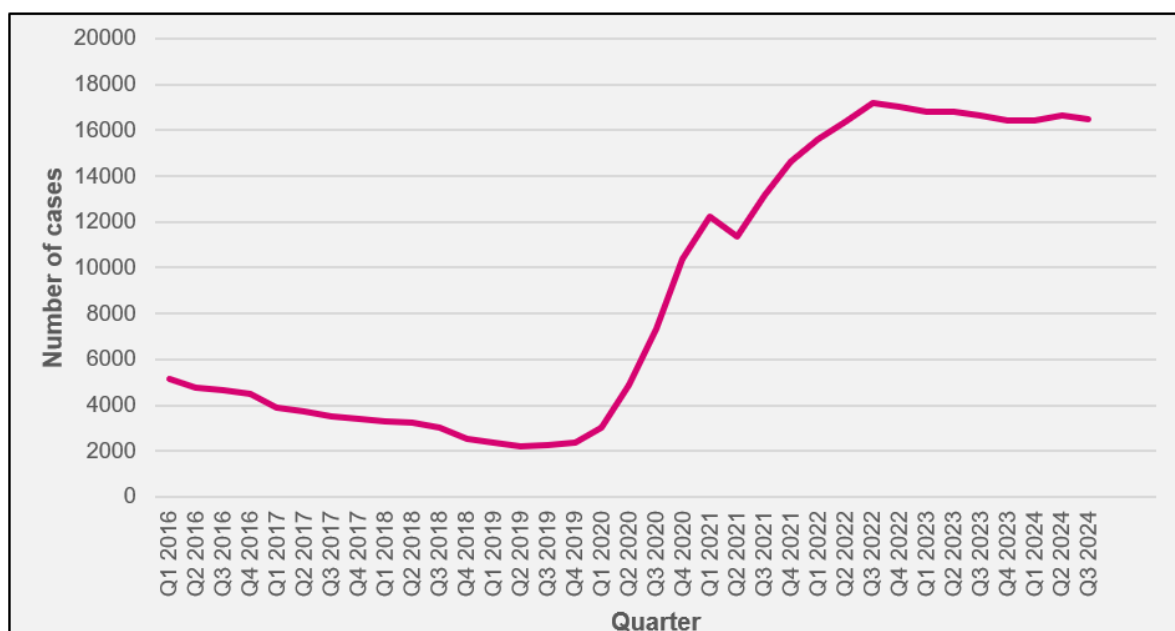
## 2. The nature of the Crown Court system

In this report we focus on the Crown Court, which is where the trials for the most serious criminal offences take place in England and Wales. Since 2020, the state of the Crown Court system has deteriorated, with more cases remaining open in the system, cases taking longer to progress through the system, and more trials not going ahead on their scheduled trial date. This Crown Court backlog shows no signs of improvement and negatively impacts victims, victim services and the criminal justice system.<sup>14</sup>

### The current state of the Crown Court system

The current Crown Court system is overwhelmed. At the end of September 2024, there were 73,105 cases outstanding at the Crown Courts in England and Wales, a new record high.<sup>15</sup> This refers to all cases that remain incomplete in the Crown Court system. The number of these cases that have been outstanding for over a year also remains high, with 16,505 cases outstanding for over a year at the end of September 2024, which is almost a quarter (23%) of all outstanding cases (figure 1).<sup>15</sup>

**Figure 1. The number of Crown Court cases outstanding for over one year between 2016 and 2024.<sup>15</sup>**



Several factors have contributed to the backlog in the Crown Court system. These include the Covid-19 pandemic, the criminal defence barrister strike between April and October 2022, the ongoing barrister shortage<sup>16</sup>, the court estate infrastructure (including discovery of dangerous concrete in court buildings)<sup>17</sup>, the shortage of prison staff preventing defendants

<sup>14</sup> Though the focus of this report is on victims' experiences of the Crown Court backlog and the impact of this backlog, it is important to acknowledge the multiple stages in a victim's criminal justice journey prior to the case reaching court (see Appendix A).

<sup>15</sup> [Criminal court statistics - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/criminal-court-statistics)

<sup>16</sup> [Reducing the backlog in the Crown Court](https://www.gov.uk/government/consultations/reducing-the-backlog-in-the-crown-court)

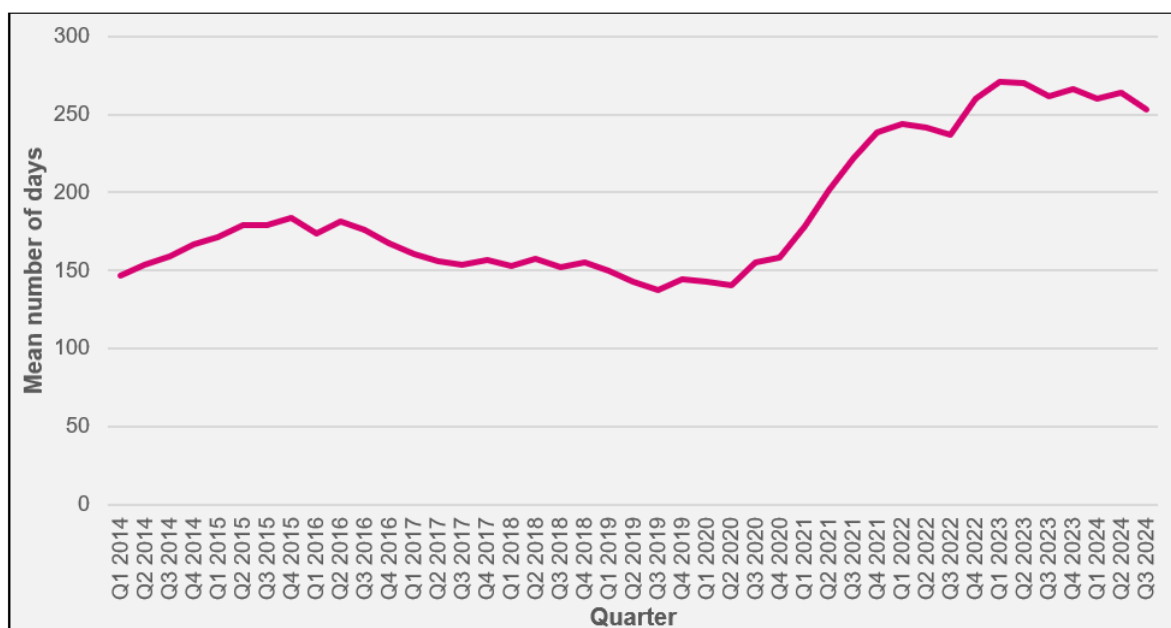
<sup>17</sup> [Ministry of Justice - Freedom of Information Request](https://www.gov.uk/government/consultations/ministry-of-justice-freedom-of-information-request)



held on remand from being produced at court on time, an increase in not-guilty pleas and guilty pleas occurring later in the process.<sup>18</sup>

As a result of the Crown Court backlog, victims are waiting increasing lengths of time for their cases to progress through the court.<sup>19</sup> At the end of September 2024, the average number of days between receipt and completion of a case at the Crown Court was 253 days, an increase from 143 days at the end of March 2020 (figure 2).<sup>20</sup> For some offences, the wait is even longer. For example, the latest data showed that adult rape cases took an average of 417 days to progress through the Crown Court.<sup>21</sup>

**Figure 2. The average number of days between arrival and completion of cases of all crime types at the Crown Court between 2014 and 2024.**



Between July and September 2024, there were 1,935 ineffective trials<sup>22</sup> at the Crown Courts in England and Wales.<sup>23</sup> This was 25% of total listed trials, an increase from 22% of total listed trials between January and March 2020. In 2023/24, the number of completed Crown Court cases that had more than three ineffective trials was four times higher in 2023/24 than it was in 2019/20 (figure 3).<sup>24</sup> Between July and September 2024, the four

<sup>18</sup> [Reducing the backlog in the Crown Court](#)

<sup>19</sup> Delays are not unique to the Crown Court system, in our research we heard from numerous victims and victim services staff who had experienced slow police investigations and CPS decision making.

<sup>20</sup> [Criminal court statistics - GOV.UK \(www.gov.uk\)](#)

<sup>21</sup> [Criminal court statistics - GOV.UK](#)

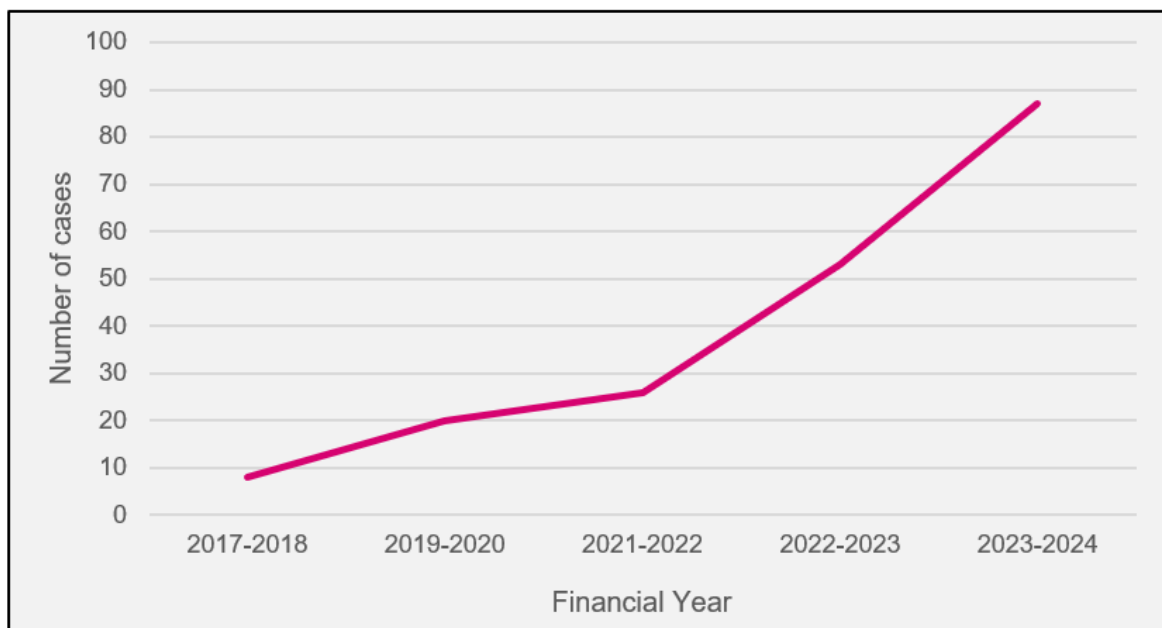
<sup>22</sup> An ineffective trial is a trial that does not go ahead on the trial date and a further listing is required.

<sup>23</sup> [Criminal court statistics - GOV.UK](#)

<sup>24</sup> Data provided to the Victims' Commissioner by HMCTS on 13/12/24. Please note this is Management Information extracted from large administrative data systems generated by the courts and therefore is subject to inaccuracies inherent in any large-scale case management system. The data recording system was also changed in October 2019.

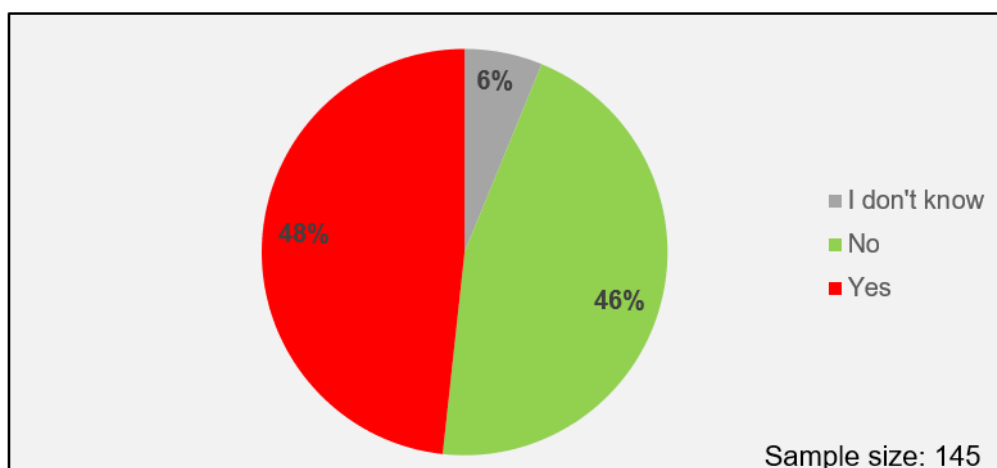
most common reasons for a trial being ineffective on the day were over listing<sup>25</sup> which accounted for 21% of ineffective trials, the defendant being absent which accounted for 10% of ineffective trials, the prosecution not being ready which accounted for 10% of ineffective trials and the defence not being ready which accounted for 9% of ineffective trials.

**Figure 3. The number of completed Crown Court cases that had more than three ineffective trials during their life cycle between 2017 and 2024.<sup>24</sup>**



As part of this research, we heard from 145 victims who had been given a trial date, almost half (48%, n = 70) of these victims had their trial date changed at some point in their criminal justice journey (figure 4).

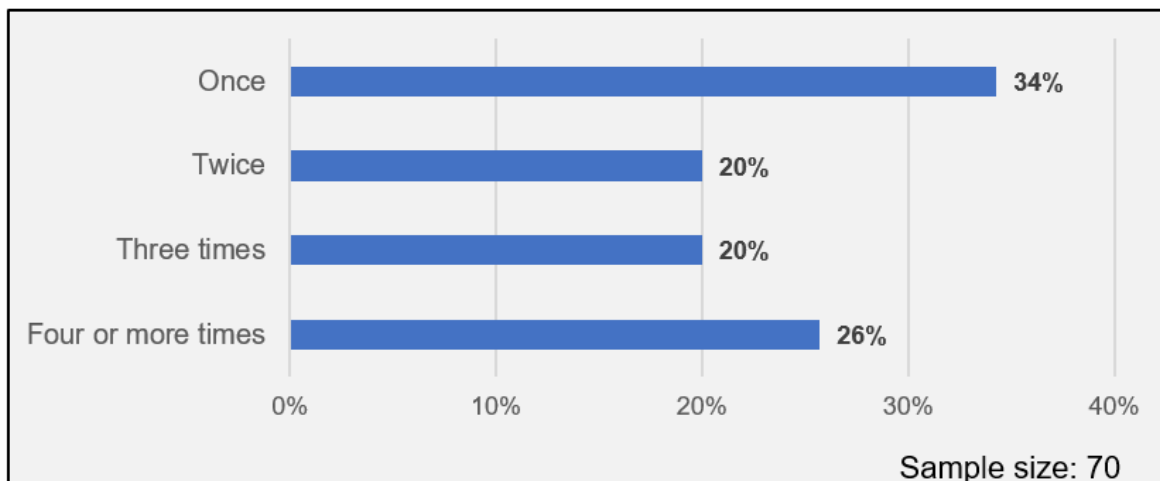
**Figure 4. The proportion of victims experiencing a trial date change.**



<sup>25</sup> Over listing involves listing more than one trial for the same date and time in the same court room. Only one trial can take place on the day, but this practice is used to ensure court rooms do not go unused if a trial cannot proceed.

Of the 70 victims who had their trial date changed, one in five (20%, n = 14) had their trial date changed three times and 26% (n = 18) had their trial date changed four or more times (figure 5). Chapters 3 and 4 of this report outline the devastating impact court delays and adjournments have on victims.

**Figure 5 The proportion of victims having their trial date changed once, twice, three times or four or more times.**



### **Types of Crown Court trial and victims' experiences of these**

When victims' cases progress to the Crown Court stage of the criminal justice process, there are several ways in which the case can be listed for trial. Listing types include 'fixtures', 'floaters', 'fixed-floaters', 'backers' and 'warned lists'.<sup>26</sup> These listing types have been developed to prevent court space being wasted. For example, if a defendant pleads guilty at the last minute and a trial is no longer needed, a trial listed as a 'floater', 'fixed-floater', 'backer', or on a 'warned list' may go ahead in its place.

When a trial is listed as a 'fixture', it is given a fixed 'slot' with a fixed date, judge, and court room. When a trial is listed as a 'floater', 'fixed-floater', or a 'backer' trial, it has a trial start date but may not have an assigned court room or judge. Alternatively, it could have an assigned court room and judge, but the trial is listed on a reserve basis, in case the fixture listed in that court room does not go ahead on the day.

One of the key findings from our research was the difficulty victims had when their case was listed as a 'floater', 'fixed-floater', or 'backer'. We heard from victims and victim services staff who found these listing types problematic, particularly when used for sexual offence cases. This was because in their experience, when cases were listed as 'floaters' or 'backers', they frequently did not take place, and this often had happened on multiple occasions.

<sup>26</sup> Across the Crown Courts in England and Wales, not all of these listing types are used and some of these terms are used interchangeably.

## EMBARGOED – NOT FOR WIDER SHARING

*I believe it was a floater and I think the first one was a floater as well ... I don't understand why on earth they think that's OK... It felt like I was deprioritised, and floaters should never be used in emotive crimes like mine [sexual offences], absolutely never should be used. (Victim)*

*I have a current case that's had 5 trial attempts since 2021, and each time it's been listed as a floater/backer trial. This is when the case has no judge or court room assigned to it and it 'floats' around until a court room becomes available to take the case. Too many of these are listed and most will not go ahead. (Victim & Witness Support Officer)*

When a trial is put on a 'warned list', this is often a two-week period in which the trial may be called in if another trial does not go ahead. The case could be called in at any time within the warned list period, depending on how long the trial will likely take. We heard from victims who found being on a 'warned list' incredibly stressful, particularly when they had already waited so long.

*This is disgusting. Why am I on standby? I've waited now three years for this. Why am I on standby? (Victim)*

*Every day you're just worrying, for two weeks... I don't think it's right... I was waiting daily again, between 4:00 and 5:00pm, to know whether I was in court for two weeks, which was horrendous. Your mind is kind of doing overdrive, so you're up being sick and worrying anyway. And then the next day, you're doing the same for weeks, just thinking, is it going to go [ahead]? (Victim)*

*Reserve [warned list] trials are also having an impact on the victims as they are often being listed 5 or 6 times without going ahead. This takes an emotional toll on the victims who are on tenterhooks for the two-week reserve period only for the trial not to be listed and they then have to go through it all again next time and very often countless times. (Witness Care Officer)*

We heard from many victims with experiences of these different listing types who had faced long waits for trials to take place and repeated trial adjournments. We have provided two case study examples below that illustrate two victims' journeys through the criminal justice system amidst the Crown Court backlog.

**Eve's\* journey through the criminal justice system**

**February 2019** – Eve reported the sexual offences she was a victim of to the police.

**December 2020** – The Crown Prosecution Service declined to charge the case. Eve went through the Victims' Right to Review (VRR) process and the CPS decision was overturned.

**May 2021** – The perpetrator was charged.

**June 2021** – Plea hearing took place.

**April 2022** – The first Crown Court trial listing did not go ahead due to the judge being unwell.

**January 2023** – The second Crown Court trial listing did not go ahead due to the defendant not attending.

**March 2023** – The third Crown Court trial listing did not go ahead due to the previous trial overrunning.

**April 2023, August 2023, and January 2024** – The fourth, fifth and sixth Crown Court trial listings did not go ahead due to the defendant not attending.

**March 2024** – The seventh Crown Court trial listing took place despite the defence requesting to have it adjourned. The judge denied this, and the defendant was found guilty.

**May 2024** – Sentencing hearing adjourned due to defendant being unable to attend.

**July 2024** – Defendant unable to attend sentencing but the judge sentenced in their absence.

**Sam's\* journey through the criminal justice system**

**October 2019** – Sam reported the domestic abuse she was a victim of to the police.

**March 2020** - The perpetrator was charged.

*The defendant's plea hearing was then scheduled and postponed five times. This was during the beginning of the Covid-19 pandemic.*

**August 2020** – Plea hearing took place.

**August 2021** – The first Crown Court trial listing did not go ahead due to the perpetrator changing his legal team.

**October 2021** – The second Crown Court trial listing did not go ahead due to the court being over listed.

**November 2021** – The third Crown Court trial listing did not go ahead due to the trial being listed for one week instead of the required two weeks.

**May 2022** – The fourth Crown Court trial listing did not go ahead due to barrister strikes.

**November 2022** – The fifth Crown Court trial listing did not go ahead due to the trial again being listed for one week instead of the required two weeks.

**May 2023** – The sixth Crown Court trial listing took place, and the defendant was found guilty.

*The defendant's sentencing hearing was then scheduled and postponed four times.*

**October 2023** – The defendant was sentenced.

In addition to facing long waits for trial and often repeated adjournments, there can be further delays once the trial has taken place. If the defendant has been found guilty, victims often face further delays waiting for the sentencing hearing to take place. Many of the victims and victim services staff we spoke to emphasised how these sentencing delays exacerbated the turmoil even further.



*I think the three months waiting for the sentencing was worse than the 3 1/2 years of the investigation. Because he knew he'd been found guilty, and obviously he wasn't happy. He was out on court bail. He wasn't happy. All of my family weren't happy. And I had to wait three months to find out what was going to happen, and that three months was then just horrendous. (Victim)*

*Two days before the sentencing was due, I thought I'm just going to give the court a quick call to make sure that it's still scheduled. They said, oh no, it's been rescheduled for six weeks from now because the presentencing reports not been done...then it got rescheduled again for the same reason. So it eventually happened on the 3rd or 4th sentencing. (Victim)*

*If the trial does eventually go ahead, we are then waiting months for the sentencing with that being adjourned as well. (Witness Care Officer)*

The Crown Court system is complex and unfamiliar to victims, who are often engaging with the criminal justice process for the first time. Over the last few years, for an array of reasons, the Crown Court system has deteriorated, with an unprecedented number of cases in the system and an increasing number of trials not taking place on their scheduled date. With court time at a premium, the judiciary and their listing officers use a number of methods to attempt to maximise the use of court time. However, this process is not infallible, and the current state of the Crown Court system means that victims are waiting for trials to take place for extended periods of time and facing multiple adjournments whilst they wait. The victims we spoke to as part of this research described how difficult it was to endure long waits for trial and have trials repeatedly postponed. In the following chapters we outline the detrimental impact of these court delays on victims' lives and wellbeing, the victim services who are supporting them and future victim engagement with the criminal justice system.

### 3. The impact of the Crown Court backlog on victims' wellbeing

The waits and delays that victims often experience in the Crown Court system<sup>27</sup> severely harm their wellbeing and quality of life. The victims we spoke to told us about having to undergo long waits and frequent adjournments, which caused them immense stress. They told us that this in turn impacted their mental and physical health. In addition to this, some victims reported that the stress and turmoil of waiting resulted in drug and alcohol use, and in some cases self-harm, as a method of coping. Victims also reported experiencing suicidal thoughts after repeated adjournments and in some cases, attempting suicide. Whilst waiting for their case to get to court, victims' daily lives were disrupted, and they were unable to move on with their lives and begin to recover. One of the most re-traumatising aspects of the court process described by victims was when trials were adjourned at the last-minute.

*Suicide is preventable. Help is available from the [Samaritans](#) and other support services.*

#### Stress and mental and physical health

The lead up and preparation for trial is stressful and emotionally draining for victims. The excessive time they are waiting from reporting the crime to the trial taking place, and the adjournments and delays throughout this, means that they are living with often unmanageable levels of uncertainty and stress for a sustained period of time.<sup>28</sup> Both victims and victim services staff described the debilitating stress the court delays caused.

*It's those two and then three years of just waiting and it's like going to the lion's den, you feel like it's getting closer and you're getting more anxious...At one point prior to the 2021 call, I actually did go for an ECG at my doctor's because I was having so many chest pains. But it was just pure stress. (Victim)*

*It was all because of the constant delays, the crime itself was horrendous enough, but then the delays on top of it and then the build up inside of you is just horrendous. (Victim)*

*Uncertainty of anything in life can cause emotional stress and turmoil so when we consider the 'what if' being faced by those awaiting a criminal justice outcome, the impact is nothing short of debilitating. Remaining in a constant state of stress has both physical and emotional impacts on victims. (Head of Victim Services)*

*The uncertainty and prolonged waiting periods have heightened anxiety, stress, and emotional distress for the victims. The delays*

<sup>27</sup> Delays are not unique to the Crown Court system, in our research we heard from numerous victims and victim services staff who had experienced slow police investigations and CPS decision making.

<sup>28</sup> [Listening to 'Leading Voices'](#): Using expert insight to identify challenges to, and suggestions for the improvement of, rape investigation and prosecution in England and Wales

*keep them in a state of constant worry about the outcome. (Therapist for sexual violence and domestic abuse victims)*

The increased stress victims are under due to the trial delays often has adverse implications for their mental health. Research with victims of serious sexual offences experiencing long delays has reported these implications to include anxiety, depression, insomnia, and eating disorders.<sup>29</sup> Our research - with victims of all crime types - similarly highlighted the impact of the court delays on mental health, which included the development of panic disorders, anxiety disorders, post-traumatic stress disorder (PTSD) and depression.

*I was fairly agoraphobic. I was having panic attacks. I was diagnosed with PTSD in between Section 28 and him being convicted. .... I just felt the only way I can describe it was like I was in a waiting room that I hadn't been allowed out of for years. That's how it felt but with all the anxiety associated with a situation that you have no control over. (Victim)*

*I got a call back saying that it had been relisted for the 29th of April, which is nearly nine months away. I literally ended up having a full blown panic attack in the middle of my living room floor curled up in a ball with my 11 year old going "mummy breathe". (Victim)*

*Victims and witnesses have also become unwell and have developed anxiety and depression due to delays within the court system. (Witness Care Officer)*

In our research, both victims and victim services staff described how victims used drugs and alcohol or self-harmed to try and cope with the stress and emotional anguish caused by the court delays they faced. We heard how young victims resorted to these behaviours during this distressing time and how victims who had previously overcome substance dependency or self-harming, found they were set back in their recovery process or it was jeopardised entirely.

*By you doing this [adjourning] ...there's going to be so many repercussions from this. Because of abuse and everything, I ended up alcohol dependent. I went through treatment. I was like, you are literally like putting my recovery at risk. (Victim)*

*While waiting for the outcomes of police investigators and the court cases to be held, young people are subject to long periods of mental and emotional anguish...They often resort to self-harming or risky behaviours to help them cope. (Child Sexual Abuse Project Worker and Therapist)*

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<sup>29</sup> [Delays-in-Trials-SCCJR-Briefing-Paper July-2020.pdf](#)

*I have a particular case that comes to mind - it has been vacated... a number of times...which has caused my vulnerable, deaf victim mental anguish to the point where she has actually begun to self-harm, something which she hadn't done in years. (Victim and Witness Support Officer)*

Some of the victims we spoke to reported the extent to which their mental health deteriorated following long waits for trial and repeated trial adjournments which delayed their recovery and further traumatised them. They told us how the repeated adjournments contributed to suicidal thoughts and suicide attempts. One victim recalled how after the fourth trial adjournment she overdosed as she found the process too difficult.

*Suicide is preventable. Help is available from the [Samaritans](#) and other support services.*

*I've never suffered with mental health illnesses or anything like that in my whole life. And when that delay happened again. I always say, it was the first time in my life, where I felt like, do you know what? I don't wanna be here. (Victim)*

*I actually ended up taking an overdose at one point, about halfway through the process, and I ended up in A&E because I just found it too difficult. It was just after the 4th postponement yeah. I took an overdose. I just couldn't [do] it. (Victim)*

In addition to the impact the extended periods of stress have on victims' mental health, their physical health is also adversely affected. Victims and victim services staff told us that the stress and anxiety induced by the court delays led to victims feeling exhausted and frequently developing physical health conditions. For some victims, this resulted in long term health issues that required extended time off work or not returning to work at all.

*I was constantly having chest infections, water infections, throat infections, all the time. And that's purely just stress, that you're incredibly rundown and stressed. (Victim)*

*These effects also seem to cause stress on physical health as well as emotion and mental health, showing up in more time off work as sickness, resulting in long term health issues, claims for Personal Independent Payment (PIP)<sup>30</sup>, not returning to work and wider effect on society. (Specialist Counsellor)*

## **Victims' ability to move on in their life and recover**

Many of the victims we heard from felt as though their lives were on hold, and that they could not resume their lives until the criminal justice process was completed. The current delays in the court system meant they were prevented from doing this for multiple years.

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<sup>30</sup> Personal Independence Payment [PIP] is a benefit for those with long-term physical or mental health condition or disability.

Victims and victim services staff described how victims missed out on significant stages of their lives waiting to progress through the court system, for younger victims this could be most of their childhoods. This detrimentally affected them as it came at such a crucial time in their development and impacted their education and future prospects. A recent report by SAFE!<sup>31</sup>, a charity providing services for young victims of crime, similarly found that the delays within the criminal justice system severely impaired the lives of children and young people and could have a lasting impact on their futures.

*I'm 30 now and I was 25 when I reported. I feel like I can't remember the second half of my 20s. The only memory I've got of the second half of my 20s is going through the court system because that's all you can think about and your life gets put on hold... literally it's like I woke up one day and I'd lost five years of my life. (Victim)*

*Many of my younger clients have lost the majority of their childhoods waiting for court and this has affected their schooling, choosing to go to college ... How can they move on in their life with this still hanging over them and no closure given to them. (ISVA)*

*My client's education is often severely impacted, particularly if the perpetrator is in the same school because the schools cannot act without a conviction. I have had many clients who have had to leave/move school, away from their friends because of this. This experience can potentially affect the whole trajectory of their lives. (Children's ISVA)*

*They have a huge impact on my clients often waiting years for cases to come to court. This often coincides with significant teenage years including exams. (Children and Young People's Sexual Violence Advisor)*

Victim services staff emphasised the negative impact of court delays on victims' recovery, noting that these delays hindered their ability to gain the necessary distance from the crime to achieve closure and start to heal.

*When court dates are set so far ahead it makes the victims feel defeated as they know that they cannot begin to heal until the trial has gone ahead.... Victims feel they are in limbo or a strange emotional space that they cannot get out of until their case has ended. (Independent Stalking Advocacy Caseworker)*

*A lot of clients are unable to fully move on from their trauma until the court date is completed... They require closure to be able to progress and this is being prevented by delays in the CJS. (Health IDVA)*

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<sup>31</sup> [Living in Limbo: the impact of delays in the criminal justice system on young victims of crime](#)



*Victims are often wanting closure to enable them to cope and recover from crime. Delays mean delays for the victim in this closure and delays in the recovery process for them. (Victim Care Team Leader)*

In some cases, not only did the delays in the court system prevent victims from moving on and hindered their recovery, but the build up to trial and subsequent adjournments further traumatised them. Victim services staff highlighted that their recovery was hindered further by the criminal justice system not being trauma informed when engaging with victims of serious crime who were going through this process.<sup>32 33</sup>

*I was having nightmares. I was feeling very, very anxious, very preoccupied...they got progressively worse and it got progressively more difficult. Because I would prepare for this date mentally and I had no way of knowing whether or not that was going to lead to anything. And I ended up feeling just so despondent. Like I said, spending a lot of time in my pyjamas and just not wanting to do anything or really talk to anyone. I just disengaged with pretty much everything. (Victim)*

*The anxiety of cancellations, delays and uncertainty places a huge weight on people and increases old fears and doubts and creates new ones. It leads to questioning of their experience and guilt about not feeling like they can manage their emotions and the impact on their family and friends. It has a pernicious effect on people's self-esteem and mental health. I would go as far as to say it is retraumatising to the person it is meant to be protecting. (Counsellor)*

*Victims are so often not treated appropriately and in a trauma informed way, and I have had countless victims advise me that the trauma of going through the criminal justice process actually superseded the trauma of what they had reported. (ISVA)*

Our research found the extensive court delays and adjournments made victims susceptible to secondary victimisation<sup>34</sup>, as persevering with the case meant they were stuck in a cycle of reliving their traumatic experiences when undergoing investigation, prosecution, and court room processes.<sup>35</sup> Furthermore, each time a case was adjourned and re-listed, this process of re-traumatisation was repeated.

*To think that you are about to give evidence and then to be told the day before that the case is being relisted is massively impactful. The victim will have viewed their ABE video evidence in preparation for the trial, which is retraumatising and will have to do the same again in*

<sup>32</sup> [Understanding Court Support for Victims of Domestic Abuse](#)

<sup>33</sup> [An Evaluation of Victims' Needs in the Criminal Justice System](#)

<sup>34</sup> [RCEW - Breaking Point report - March 2023 E4uqKBL.pdf](#)

<sup>35</sup> [Delays-in-Trials-SCCJR-Briefing-Paper July-2020.pdf](#)

*preparation for the next trial date. This results in a retraumatising of vulnerable witnesses. (ISVA)*

*For some offences they will complete a 'memory refresh' in preparation for trial and have to relive their trauma. Most cases are relisted at very short notice and can be delayed sometimes for months if not longer, this sometimes happens several times. The criminal justice system subjects victims to reliving their trauma over and over again. (Head of Victim Services)*

Navigating the criminal justice system is inherently a stressful process for victims who have already been through a traumatic event. With the current state of the Crown Court system, victims are now facing longer waits for trials to take place and are often experiencing date changes and adjournments whilst they wait. Our research highlighted how this made the process even more stressful for victims, adversely impacting their physical and mental health. For some victims, this contributed to drug and alcohol misuse, self-harm and in some cases, suicide.

*Suicide is preventable. Help is available from the [Samaritans](#) and other support services.*

In addition to this, the protracted nature of the current Crown Court system delays victims from being able to move on and recover from the crime, and in some instances, victims reported that the delays and adjournments further traumatised them. Victims deserve timely and effective justice, not an extremely elongated process that damages their wellbeing and mental health, prevents them from recovering from the crime and in some cases, retraumatises them.

## 4. The impact of the Crown Court backlog on victims' lives

When victims have to wait a long time for a case to come to trial and face repeated trial adjournments, it can impact greatly on their lives. The current delays in the Crown Court system are damaging victims' quality of life, including their ability to function day-to-day, their relationships and their support systems. For younger victims, their lives and education are heavily disrupted at a time which is pivotal to their development and future prospects. Victims told us how the court delays also had adverse impacts on their employment and finances as they were often required to take substantial time off work to attend each trial listing or were signed off sick due to the stress of the delays. Some victims said they were paid expenses to cover the cost of travel, childcare and time off work in order for them to attend court but these were often insufficient, leaving these victims and those who faced last-minute adjournments out of pocket. The delays in the Crown Court also impact other legal proceedings, such as criminal injuries compensation applications and eviction orders.

### Disruption to victims' daily lives

The Crown Court backlog means that victims are having to endure extremely long waits for cases to get to court. We heard from victim services staff how these long waits for trial prevented victims from functioning day to day as the lead up to trial was all consuming. They reported that the long waits left victims unable to complete essential daily tasks and participate fully at work, school and at home.

*Being in a state of continual hyper-arousal / hyper-vigilance can affect the way their brain is able to process information, making them less able to function day-to-day. (Case Worker)*

*They struggle to cope with the wait and often feel the crime is not being taken seriously. This impacts on their ability to participate in everyday life including school and family life. (Children and Young People's Sexual Violence Advisor)*

*Day to day can become very difficult for them to manage emotions, building themselves up to another trial date, the anxiety and fear of reprisals (in some instances, especially black and minoritised communities) increases... It can affect their ability to function and get out of bed, self-care, motivation and self-worth decrease. (ISVA)*

In addition to the long waits for trial, many victims told us they faced repeated trial adjournments. With each adjournment, victims' daily lives were further disrupted as any work, childcare or travel plans they had made for the original trial date needed to be rearranged for each new trial date.

*It has disrupted their daily lives as they move all their affairs to accommodate a trial that can last days or just a day, only for it to be adjourned up to 4-5 times. (Complex Case Independent Victim Advocate)*

*Attending court comes with a number of practical commitments, such as time off work, travelling, childcare, holidays etc. When immersed in trauma all of these things which can appear like small changes become a mountain to climb as our mind struggles to cope with all it is dealing with. The continuous relisting and delays causes huge impacts on the practical elements as can mean reorganising all of these things and delaying key life events to accommodate awaiting for the trial to go ahead. (Head of Victim Services)*

## **Employment status and finances**

Our research found that because of having their trial dates adjourned so far into the future, victims' work and jobs were adversely impacted. We heard how the continued trial delays meant victims had to keep taking leave from work or take days off sick to accommodate the trial dates. For some, this damaged their relationships with their employers and threatened their job security, which negatively impacted both current and future employment prospects.

*In one of my client's case continued delays in the court system had meant that she had to take a number of days off sick or use her leave which had then caused her manager to question her in an already frustrating situation. This heightened her anxiety as well as made her question her job security as it was becoming an issue at work. (Black Women's ISVA)*

*Practical issues include having time off work which can mean unpaid depending on work status or how empathic their employer is. This usually means arranging time off at short notice given the court schedules being released the day before. This can cause financial struggles and impact [their] relationship with employer if they are not being supportive. (Victim Care Coordinator)*

In some cases, the continued delays and lengthy trial adjournments resulted in some victims experiencing debilitating stress that left them unable to function or focus on anything other than their upcoming case. This could lead to them either stopping working entirely or having to be signed off on sick leave.

*I have had clients who have had to stop working due to the debilitating stress caused by waiting for their trial date, only for their hearing to then be adjourned for a further 6-12 months. (Health IDVA)*

*Many clients are unable to work and are on sick leave which has a financial impact on them and the longer it takes, the longer their sick leave. (Learning Disability ISVA)*

In addition to the turmoil caused by the long waits and adjournments, our research found victims were also facing financial difficulties because of the repeated trial adjournments. This was particularly notable for victims who were self-employed, or worked shifts, especially when the trial was placed on a warned list. When cases are on a warned list,

victims and witnesses have to be prepared to go to court to give their evidence at any point within a two-week period. This made victims' work life particularly challenging, especially when it happened multiple times.

*The reserve warning causes a lot of issues with witnesses when they are rolling over 4-5 times, as it disrupts their lives, especially when they are self-employed or work shifts, as for that 2-week period, they have to limit their work or shifts, resulting in loss of earnings which they aren't reimbursed for. (Victim and Witness Care Officer)*

*Many victims (and witnesses) are suffering financially every time they are warned for court. This is particularly true for people who are self-employed who are asked to make sure they are available for a two-week reserve period meaning that they have to either not book in any jobs for that period, therefore not getting any income with no guarantee that the trial will actually go ahead, or book jobs and then have to cancel them at short notice which may affect their business reputation. (Witness Care Officer)*

Exacerbating this issue, victim services staff highlighted that the witness expenses and allowances rates offered by the Crown Prosecution Service<sup>36</sup> did not cover the full amount of income that victims had missed out on by attending court. Additionally, while victims and witnesses could claim for travel and childcare expenses to attend trial, these expenses were not covered if they had arranged travel and childcare for a trial which was subsequently adjourned, meaning this money was lost as a result of the adjournment.

*In particular when cases have been on reserve, they aren't able to claim back the entire cost of going to court as the expenses that CPS provide are incredibly outdated and don't come near what most people earn. As a result, victims are at a loss financially for having to attend court. (Victim and Witness Care Officer)*

*Delays with court cases bring disruptions to victims' lives; having to miss out on work and therefore their wages due to having to attend court, having to pay out for childcare expenses & travel costs. Although these expenses are paid back, they are capped at an amount which often leaves the victim out of pocket. This is particularly difficult during the current cost of living crisis and the fact that these travel expenses have not been reassessed since 2008. (Victim and Witness Care Officer)*

*Delays have impacted my victims and also witnesses to a detriment financially...The expenses need a complete overhaul to reflect inflation and cost of living. (Victim and Witness Care Officer)*

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<sup>36</sup> [Witness Expenses and Allowances | The Crown Prosecution Service](#)



*It has caused financial implications for clients who have arranged time off work/travel/accommodation and childcare amongst other expenses. The court will not reimburse for delayed trials either. (ISVA)*

## **Relationships and wider family**

The impact of court delays are not just felt by the victims waiting to go to court. Our research also found that the court delays faced by victims adversely impacted their relationships with friends, family, and partners. Having a support system in place is vital for victims when navigating the criminal justice system, but with the delays damaging their relationships, victims were left in an even more vulnerable position.

*I couldn't talk to my closest friends. I wasn't able to talk to them about it because they were prosecution witnesses. So actually, for the last four years, some of my close friends, I barely saw because I was too worried that the defence would say "you've been colluding on this". (Victim)*

*The week before the trial, my daughter found out she was pregnant. And my reaction to it was not like positive, because I was just so stressed about what was going on and I feel like I look back on that now [and] it should have been a really happy bit of news...but you know that news was completely and utterly destroyed by the trial, basically. But yeah. It was just this feeling of detachment. In the end, I detached from pretty much everything, including my kids. (Victim)*

*I have another case of sexual violence, where the 4 year delay, has resulted in a broken down marriage, due to the stress. (Victim and Witness Care Officer)*

Victim services staff highlighted how the children of victims navigating the court system were also adversely impacted by the current court delays. We heard from staff how the elongated waits for trial forced victims to hold their trauma for years, which was particularly detrimental to victims' children. We heard of one case where a victim attempted suicide after a trial adjournment. This action resulted in her children being removed from her care, significantly impacting her children's lives.

*Suicide is preventable. Help is available from the [Samaritans](#) and other support services.*

*Asking victims/witnesses to hold this type of trauma for years, waiting for cases to reach court, is unsustainable...Holding this trauma can adversely affect other family members, especially children of witnesses. (Chief Executive Officer of sexual abuse support organisation)*

*One of my clients attempted to take her own life after the adjournment of the trial. They are currently under the mental health team and after taking medication and receiving support are doing much better. The*



*defendant in this case has pleaded guilty in the end which has helped my client with her mental health. My client did however have her children removed from her care due to her mental well-being and is currently working with social care so that they can come home. (ISVA/CHISVA)*

## Other legal proceedings

The delays in the Crown Courts result in other legal proceedings victims are involved in also being delayed. These other proceedings, such as Family Court cases, Criminal Injuries Compensation Authority (CICA)<sup>37</sup> applications and eviction orders, all get delayed because of the delay of the Crown Court trial. This causes further disruption to victims' lives.

In our research, we heard examples of Family Court cases and court cases in other countries being delayed as a result of Crown Court delays in England and Wales.

*By you doing this [adjourning], you are opening up all of this, you are opening up a family court case, which I have this far managed to avoid because this is all meant to be done and dusted. (Victim)*

*Some of the clients need official documents from criminal justice services to be able to access other services and/or justice in other countries where they also experienced abuse. Due to the delays the processes they're also going through in other courts from different countries are delayed as well. For example, one of the clients supported by our LGBTQ Outreach Caseworker fled from Spain, where she had court proceedings ongoing against the perpetrator, he followed her to the UK, he is kept under police custody but the sentencing keeps being postponed, and she is unable to provide further documentation to the courts in Spain. (Violence Against Women and Girls Caseworker)*

We also found that although some victims were eligible for criminal injuries compensation, they were often advised not to apply until the court case was over as it could be used against them in court. Therefore, delays in the court system impeded victims from applying for and receiving criminal injuries compensation. This was further complicated by applications needing to be submitted within two years of the crime.<sup>38</sup> Due to the delays, it was difficult to meet this deadline if the trial had not yet taken place, with some victims having to submit their application and risk it being brought up in court.

*[There] can be delays in applying for CICA if they have been advised not to begin application until after court case has taken place. Sometimes if the court cases takes over 2 years from the time the crime is committed, the victim will have no choice but to apply for*

<sup>37</sup> [The Criminal Injuries Compensation Authority \(CICA\) is a government agency which compensates victims of violent crime.](#)

<sup>38</sup> [Claim compensation if you were the victim of a violent crime: Eligibility - GOV.UK](#)

*CICA to be within time limits which could then potentially be brought up in court by the defence during cross examination (Operations Manager)*

Other victims lived in very close proximity to their perpetrators and victim services staff told us how alternate living arrangements could not be enforced until the Crown Court trial had taken place and a guilty verdict received. This meant victims had to continue living near to the perpetrator for an extended period of time as a result of the court delays, prolonging their suffering.

*[Delays impact on] some housing arrangements as suspect in same house. (CHISVA)*

*Some victims need a guilty verdict to allow Housing providers to apply for eviction orders and as such have to live next to perpetrators in fear. (Victim Care Coordinator)*

The nature of the current Crown Court system results in long waits and multiple adjournments for many victims. Our research found this protracted and unpredictable court process had extensive negative impacts on victims' lives. For many victims, their ability to complete everyday tasks was diminished, for others, their job performance and stability were impacted, especially where they were self-employed. This, combined with the cost of travel and childcare for each scheduled trial disadvantaged victims financially.

At a time when victims' support networks are vital, the stress caused by extensive court delays damaged victims' relationships, making them even more vulnerable. We also found the delays in the Crown Court had knock-on impacts on Family Court and court proceedings in other countries, compensation applications and eviction orders which further complicated victims' recovery. A functioning criminal justice system needs victims to engage with it, and those who do should not have to face these adverse consequences for seeking justice.

## 5. The impact of the Crown Court backlog on the effectiveness of the criminal justice system

The delays in the Crown Court system put the criminal justice system at risk of not being able to achieve its main objectives of protecting the public and punishing and rehabilitating offenders. The current delays in cases getting to trial means that witness memories fade and the quality of their evidence is reduced, supportive witnesses are more likely to drop out and victims lose faith in the system and often withdraw. We heard of examples where victims faced being summoned to court against their will despite their attempt to withdraw from the criminal justice process, which heightened their trauma.<sup>39</sup> Where victims did persevere through the delays, they often reported feeling that justice is denied. For some, the defendant had died in the time waiting for trial and for others, the Crown Prosecution Service had deemed the case no longer in the public interest to bring to trial. The current delays also undermine the future effectiveness of the criminal justice system as many victims' experiences resulted in them expressing that they would not be willing to report future crimes.

### The quality of the prosecution case

A high-quality prosecution case is vital to maximise victims' chances of achieving justice through participating in the criminal justice system. However, the current delays in the Crown Court system can reduce the quality of the prosecution case. This is because over time, victims' ability to provide good evidence diminishes<sup>40</sup> and prosecution witnesses can disengage from supporting the case.

Victims and victim services staff described how the delays in the court system impacted victims' ability to provide high quality evidence when they faced cross-examination at trial due to the increasing amount of time that had passed since the crime took place.

*I just don't understand how something that started off in 2021 and ended in 2022 and I'm due to give evidence for in 2024 and I'm supposed to remember exactly what's gone on? How do you give, like strong evidence based on that? (Victim)*

*It's difficult because actually, your memory fades...in terms of the little details and the things that they're trying trip you up on, you don't remember everything perfectly four years on. (Victim)*

*It's also a long time after the incident to be able to remember specific details for cross examination. (Victim and Witness Support Officer)*

*Justice delayed is often justice denied...evidence may become less reliable over time and memories of witnesses may fade. This can result in weaker cases and, ultimately, reduced chances of achieving*

<sup>39</sup> There will be some contexts where a witness summons may be appropriate.

<sup>40</sup> [Review of Efficiency in Criminal Proceedings by The Rt Hon Sir Brian Leveson \(January 2015\)](#)

*a just outcome for the victims. (Therapist for sexual violence and domestic abuse victims)*

The court delays also risk the loss of vital prosecution witnesses. Victim services staff told us how witnesses became disengaged or frustrated following the long waits and adjournments.

*In a lot of the more significant offences like rape, significant violence etc, I have found the engagement still remains steadfast for the victims. Witnesses, less so. I find some of the less involved witnesses do lose interest in attending court when the court case is 12-14 months away. (Victim and Witness Care Officer)*

*We are also finding that witnesses are understandably less willing to attend trials when they have been messed around several times before and this is obviously impacting the victims as it is making it harder to get convictions. (Witness Care Officer)*

### **Victim withdrawal from the criminal justice system**

In our research we found that the Crown Court delays caused victims to feel let down and unimportant. In many cases, victims lose faith in the criminal justice system which can result in them disengaging and withdrawing from the process entirely. This prevents them from getting the justice they initially hoped to receive by engaging with the process.

The victims and victim services staff we spoke to described how the delays in the court system and the repeated adjournments commonly resulted in victims' faith and trust in the criminal justice system being eroded.

*If this is like what everything depends on and what justice depends on... it doesn't feel great to me or something that I can trust in. (Victim)*

*It makes things difficult to continue to reassure clients that they are important in the process, they feel that they do not matter. When there are constant adjournments at the last minute before a trial / sentencing, the client becomes disheartened, and we all start to lose hope that closure will be given. (Victim Care Officer)*

*The current delays have impacted victims' faith in the criminal justice system. They feel that their case is not being taken seriously or that it is deemed not important. (Independent Stalking Advocacy Caseworker)*

We also heard how victims' lack of faith and trust in the criminal justice system worsened when they witnessed other cases progressing quickly to trial, particularly following the anti-

immigration demonstrations and riots in the United Kingdom in Summer 2024 which were treated as a priority by the police and courts.<sup>41</sup>

*The length, especially when you look at, you know the current riots, you know the sort of the riots and how quickly the CPS managed to get those through. You think well come on if you can get those through that quickly. There must be other things you can do with these kind of cases. Why do we make you know, why do we have to give victims trial dates that are two, three years down the line? (Victim)*

*Most victims feel that they have been forgotten, that their case is not important enough to be dealt with and the recent fast tracking of the riot cases has only served to reinforce this. (Children and Young People's ISVA)*

*Victims find it shocking that their cases, which are so serious, get pushed back or put in as floaters or not booked in for years when other cases, especially recent cases relating to riots, are in court and sorted so quickly. (ISVA)*

Victims and victim services staff explained how when victims experienced significant delays and adjournments, they often considered withdrawing or did withdraw from the criminal justice process. This was because doing so was seen to them as the only way to begin their recovery, but some victims told us they felt they had been forced to choose between waiting for justice or prioritising their own wellbeing.

*There were points where I was just like where do I draw the line with this? How many more times can I do this? And I think in January I was, I was starting to think, OK, [if it] doesn't go ahead in March, maybe it's time to call it quits because that would have been seven times. (Victim)*

*When they delayed my case, I was like, that's it. I'm out. I'm done. I can't go through this for another eight months. I'm pulling out. I can't do this. (Victim)*

*Understandably, many clients are exhausted, overwhelmed, traumatised and become disillusioned with the process. In order for self-preservation they can often find it necessary to give up on receiving justice. (Allocations Co-ordinator)*

In many cases, a victim withdrawing from the criminal justice process impacts on whether the case proceeds to court. At the end of September 2024, 15% of cases were stopped after a defendant had been charged because a victim no longer supported the

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<sup>41</sup> [Policing response to the 2024 summer riots](#)

prosecution.<sup>42</sup> This is a loss for the criminal justice system as well as the victim, as justice is not served.

*Very often, the longer a case goes on and the more delays arise, the more likely a victim is to disengage with us and the justice system as a whole. The victim often feels let down, abandoned, forgotten and ignored by the justice system. This leads to them wanting to forget the whole thing ever happened and in a lot of cases, withdrawing their support for a case. We've all had experience of cases being discontinued because victims have retracted their support for a case. (Victim and Witness Care Officer)*

*A lot of the time, the victims can become unsupportive of the case as they just want to move on with their lives and the case can end up being dropped, and they then never actually get the justice that they should have got. (Witness Care Officer)*

In other cases, where victims consider withdrawing their statement, they may be informed that the Crown Prosecution Service will continue with the prosecution, and they could be compelled to attend court by a witness summons.<sup>43</sup> Non-compliance could result in their arrest and prosecution. We heard from victims and victim services staff who had experienced this and described how it added to the traumatic experience of the court process for victims.

*I've asked if I can get out of it and they said well, no, you've been summoned to court so you could actually be arrested for not turning up. So I'm like, I'm either going to be arrested or I have to go to court, I can't get out of it. I'm stuck in this cycle until I go court. (Victim)*

*A lot of my victims feel that they will never receive justice, they lose faith in the system and the more delays there are the more they want to withdraw from the process but then they are informed that the process has gone too far for them to do that without them facing the possibility of arrest and summons. This adds to their already emotional low. (ISVA)*

*Clients have suggested on occasion to withdraw their support for criminal proceedings however this has been countered with clients potentially being summoned to attend court. It leads to a mistrust in the process and clients frequently tell us of the re-traumatisation and loss of control this has. This loss of control mirrors in some ways the experience of sexual violence and the power and control. (ISVA Manager)*

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<sup>42</sup> [Police referral to prosecution by the Crown Prosecution Service \(CPS\) - CJS Dashboard](#)

<sup>43</sup> There will be some contexts where a witness summons may be appropriate.



## Denial of justice

For those victims who remained engaged with the criminal justice process despite the long waits for justice, they often felt that justice was undermined or denied. Our research found that reasons for this included defendants' sentences being served prior to their conviction at court due to the delays, the Crown Prosecution Service (CPS) dropping charges or the defendant dying before the trial took place.

We found that in some cases, the length of time that had passed waiting for the trial to take place impacted upon the justice that victims felt they had received. For example, where defendants had been given bail conditions or remanded in custody whilst awaiting trial, the sentence they were subsequently given following a guilty verdict had often been served prior to conviction. This left victims feeling that justice had not been served.

*Because of the length of time the [defendant] had been on the tag [Electronic Monitoring tagged bail],<sup>44</sup> or something like that, and they have stayed out of trouble for that length of time...if it had been within the year, the judge had said, she would have sentenced him to 24 months in prison, but because of the length of time, she couldn't. (Victim)*

*Once sentencings do eventually take place, the defendant is often released due to the time already remanded so justice isn't served. (Witness Care Officer)*

For other victims, so much time had passed waiting for the case to reach trial, that the case was deemed no longer in the public interest by the Crown Prosecution Service and was dropped.

*I personally have had 4 cases this year where they have eventually been discontinued as no longer in the public interest due to the length of time it's taken to get to trial. This is incredibly unfair on victims who have had the promise of a trial hanging over them for years, only for them to see justice has not been served. Why should this be the case? It isn't the fault of the victim, it is the failing of the system. (Witness Care Officer)*

We also heard that for some victims, the long waits they had to endure to see the case through to court, undermined any feelings of justice following the court outcomes.

*But then the justice that you get from waiting all that time, isn't any justice. (Victim)*

*The significant delays see a lot of people disengaging from the process or ultimately feeling as though outcomes achieved do not*

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<sup>44</sup>Electronic Monitoring tagged bail is a condition of court bail in support of a curfew condition and is used as an alternative to remand in custody.

*reflect the suffering they have to endure for so long in their wait for justice. (Criminal Justice Team leader)*

*Victims lose faith and at times, when the case is delayed or pushed back, once it is concluded, the sentence does not seem worth all of the hassle they have had to go through. (ISVA)*

Victim services staff told us that they had worked with numerous victims where the case had taken so long to progress to trial, that defendants had died before the trial could take place. This denied victims any chance of justice despite their perseverance with the delayed court system.

*One client had been waiting for seven years - historic child sexual abuse - the perpetrator has died during this time, she will never see justice done. (Chief Executive Officer of rape and sexual abuse support centre)*

*Another issue I have experienced with clients on numerous occasions is the adjournments have taken so long the perpetrator has deceased, how is that justice? (ISVA)*

Victim services staff also raised the concern that defendants may benefit from the delays in the Crown Court system as they are more likely to evade justice when their victims are unable to endure the traumatic waits for trial. Additionally, recent evidence has suggested that there has also been an increase in defendants pleading not guilty.<sup>45</sup>

*Caseload of trials have massively increased, partly due to the sheer back log of court cases but this is coupled with fact defence solicitors are advising clients to go not guilty regardless, as they know what disarray the court system is in. (Victim and Witness Care Officer)*

## **Future victim engagement with the criminal justice system**

Victim engagement with the criminal justice system is crucial as the system cannot deliver justice without evidence and support from victims. Where victims lack confidence in the fairness and effectiveness of the criminal justice system, this undermines its ability to fulfil its objectives, an issue highlighted in the Victims' Commissioner's annual survey on victim experiences.<sup>46</sup>

Several victims we spoke to stated that they would engage with the criminal justice system again despite their experiences of the Crown Court delays, as they felt it was the right thing to do. However, this was not universally the case and many victim services staff described how their clients were left reluctant to engage with the criminal justice system again after their experiences of the delays.

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<sup>45</sup> [Reducing the backlog in the Crown Court - NAO report](#)

<sup>46</sup> [Annual Victims' Survey 2023 - Victims Commissioner](#)

*I have also had clients state to me that their experience of navigating through the CJS, including delays to court, would put them off reporting an incident or supporting a case in the future. (ISVA)*

*I have lost count of the number of times victims have become exasperated with the delays in the court system and many of them say that they would not report the crimes if they happened again (Victim Care Coordinator)*

The current delays in the Crown Court adversely impact the effectiveness of the criminal justice system, in the present and future. Our research highlighted how extensive delays reduced the quality of victim testimony and risked both victims and prosecution witnesses withdrawing support for the case as they were no longer able to cope with the ongoing delays. This raises concern that defendants may be more likely to evade justice as a result of the Crown Court delays, especially where their victims are unable to endure the traumatic waits for trial.

For those victims who are able to remain engaged with the criminal justice process throughout the long waits for trial, our research found that justice still failed to be delivered as a result of the delays. For some, the case was dropped by the CPS, as they claimed it was no longer in the public interest for them to prosecute the case. In some circumstances, the wait had been so long that the defendant had died before the case reached court. Our research found that not only did the Crown Court delays prevent victims from receiving the justice they sought and deserved, but they also undermined the effectiveness of the criminal justice system. This left many victims feeling that they would be unwilling to engage with the system again in the future, which has clear ramifications for its future effectiveness to deliver justice across England and Wales.

## 6. Support provision<sup>47</sup> amidst the Crown Court backlog

Against a backdrop of record Crown Court delays, support for victims is incredibly important. We heard from both victims and victim services staff<sup>47</sup> about the value of effective support in keeping victims engaged in the criminal justice process, which is even more vital during the unprecedented delays in the court system. However, victim services staff highlighted how the Crown Court backlog impeded their ability to support victims effectively, due to victims needing to access support for longer as they faced long waits for court. This led to increased caseloads for victim services staff and the introduction of waiting lists. It also reduced the quality of support that services were able to provide and compromised staff wellbeing and retention. Victims reported feeling the consequences of these issues, experiencing long waiting lists to access support and reduced quality and consistency of the support they received.

### The benefit of support

Our research replicated previous research findings from the Victims' Commissioner which highlighted how crucial support is for victims remaining engaged with the criminal justice system.<sup>48 49</sup> When victims are navigating an unfamiliar court system and experiencing unprecedented delays, this support becomes even more vital. Some victims described how the support they received enabled them to stay engaged with the case and feel less isolated, despite the delays they were experiencing. This included when staff connected with them, validated their feelings, and gave them valuable advice. Victim services staff also described how important this was for preventing victims from withdrawing from the criminal justice process.

*She said to me, I know you. And I know that if you pull out now, you will regret it...To be honest with you, without my officer in charge, I would have pulled out. (Victim)*

*My one [ISVA] now she listens every time I see her or speak to her. I always come away from her feeling better. She validates. That's the big thing. It's validation and just understanding...And I think that's the difference between someone surviving it and somebody not. Because especially if you're on your own like I have been...That validation keeps you going and it's really, really important. (Victim)*

*The delays do present problems for victims remaining confident they will get justice. Victims often go without any contact from anybody*

<sup>47</sup> In this report, where we refer to support provision and victim services staff, we are referring to all organisations and staff that provide support, information and guidance to victims engaged with the criminal justice system. This includes those working in criminal justice agencies such as police Victim and Witness Care Units whose aim is to keep victims and witnesses engaged in the criminal justice system and act as a point of contact for the victim within the system. This also includes independent third sector organisations which provide advocacy support (e.g. IDVAs and ISVAs), therapy, counselling and practical support to victims.

<sup>48</sup> [Going above and beyond: Mapping the provision and impact of Victim Advocacy in the Criminal Justice System - Victims Commissioner](#)

<sup>49</sup> [Annual Victims' Survey 2023 - Victims Commissioner](#)

*involved in the process from charge to very close to trial. This adds to the feeling that they have been forgotten. Where a victim has the ongoing support of our service this can help to keep them feeling engaged in the process. For many of my clients I feel without support they may have withdrawn from the process due to the length of time and the feeling they do not know what is happening. (CHISVA)*

*They seriously question whether it's worth the stress and emotional distress. However, where there is good support, they remain engaged. (Counsellor)*

## **Support capacity and quality**

One of the key issues the delays in the court system cause for victim services is the increased caseloads for staff. This is because staff need to support victims for longer, until the trial has taken place, whilst new referrals continue to come in at the same rate. Victim services staff reported that this reduced the capacity they had to provide the high-quality support victims needed to begin to recover effectively from the trauma they had experienced. The implications of the increased caseload compounded the difficulties victim services organisations were already facing, including funding challenges, which adversely impacted the resource that service providers had available, and the impact of unsustainable caseloads on staff wellbeing.<sup>50</sup>

*Caseloads have increased massively as while we're receiving a similar number of new cases in, we aren't clearing them at a similar rate at the other side. (Victim Care Officer)*

*The caseloads have grown exponentially from a service recommendation of approximately 50 cases per ISVA, personally I have maintained a caseload of between 80 and 90 cases over the past two years. (ISVA)*

Many victim services staff described how the increasing caseloads had ramifications for the capacity they had to support new referrals they received for victims who were also in clear need of support. For many victim services staff, providing support to victims who had been awaiting trial for a long period of time was at the expense of newly referred victims earlier in their criminal justice journey.

*This has led to higher caseloads with many clients sat 'waiting' for court to start. Whilst often these clients will not want a high level of engagement, they will be worked with, and this may take away from time with a newer client as the court process has taken so long. (CHISVA)*

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<sup>50</sup> [Going above and beyond: Mapping the provision and impact of Victim Advocacy in the Criminal Justice System - Victims Commissioner](#)

*Trying to manage clients when their case has been delayed and weighing that up against whether keeping them on caseload for support at court or discharging them to support other clients who are in immediate risk - plus the potential risk factors to the organisation when offering limited support in the run up to a trial if something happens to them. (Independent Stalking Advocate)*

In addition to this, where staff were managing increasing caseloads, they were reluctantly having to compromise the quality of service provision. Many victim services staff told us they felt unable to provide the personalised or in-depth support that victims often needed.

*We are only supposed to support clients for 6 weeks...in reality, we end up keeping people on our case load or bringing people back into service in order to support victims who have upcoming engagements with the courts. This can be stressful for staff as it means supporting more people than we are supposed to be and causes other victims to lose out on a high quality service due to the strain we are under. (Community Support Worker)*

*Our workloads have more than doubled, which means we have less time to give each victims the 1:1 support that they may need, having to prioritise the more vulnerable, when in fact every victim and witness deserves the support. (Victim and Witness Care Officer)*

*Because of the delays and lack of staff, my caseload is around 270, it used to be around 120 which means that I don't have time to deliver the service that I would like to. We like to contact witnesses every six weeks to keep in touch and make sure we know of any additional support they need but with so many cases this is impossible at the moment. (Witness Care Officer)*

## **Support accessibility**

For some victim services, holding onto cases for a longer duration resulted in having to implement a waiting list for their service. This meant that victims were waiting much longer to receive support.

*The delays in the court process result in myself holding cases for an extended period of time due to being unable to close them as the victim still needs that support in place. This leaves little room to take on new cases and reaching the point where I am at a capacity that I am unable to support new referrals... As a result, there will be victims that are left in a vulnerable position and some often placed at further risk of harm. (Independent Stalking Advocacy Case Worker)*

*Our caseloads show that we used to support clients for 6-12 months through the courts, but now we are supporting them for 2-5 years, with no additional funding. This is unsustainable for the majority of Sexual*



*Violence organisations and it puts intolerable pressure on services needed for other clients. Wait lists are increasing in length from zero wait list, to wait lists of a few weeks or months for counselling, which is too much for anyone in crisis. (Chief Executive Officer of sexual abuse support organisation)*

Victims described their experiences of long waiting lists to receive support and being told that the support they needed was unavailable due to a lack of resource. Some had to wait up to a year for vital support to recover from the trauma they had experienced, whilst others were not even able to access waiting lists as they had been closed.

*I contacted a few helplines to get an ISVA but the waiting list was 6 months minimum...There were also a few times when I was so distressed leading up to the trial, or post-trial and leading up to the sentencing where I had contacted the ISVA myself to ask for help and support... These few times that I had reached out to her, the ISVA either did not reply for days or weeks, or she would reply to say she was too busy. I understand they have high workloads, but the time I really needed the ISVA, she was not available. (Victim)*

*I tried to speak to my local [rape and sexual assault support service] and I tried seven times and each time they said our waiting lists are closed and we're not taking referrals. (Victim)*

*It took me a year to get counselling...at the time the police told me it would take 6 to 8 weeks for counselling. And I remember being horrified at six to eight weeks wait. It was nearly 12 months to the day of me getting that counselling. (Victim)*

The delays in the court system have a particularly adverse impact on support access for victims of rape and serious sexual offences who are often unable to undergo therapy before trial. Despite guidance to criminal justice agencies<sup>51</sup> that victims should not be dissuaded from accessing therapy before the conclusion of the criminal case, we heard from victims who were told by police or support organisations that they would have to wait until after trial to get therapy. Some were told they could access pre-trial therapy, but this would be very limited in scope. This is because notes from their sessions could be used against them in court.<sup>52</sup> The amendments made to the Victims and Prisoners Act 2024<sup>53</sup> to raise the legal threshold by which the police and CPS are able to request third-party materials including therapy notes, will hopefully enable more victims to access therapy sooner.

*They [the police] were saying to me, "you've got to report it. We'll be able to get you the help you need." Well then as soon as you've*

<sup>51</sup> CPS policy outlines that victims of crime should be able to access therapy while they are going through the criminal justice system. [Pre-Trial Therapy | The Crown Prosecution Service](#)

<sup>52</sup> [Keep Counselling Confidential | Rape Crisis England & Wales](#)

<sup>53</sup> [Amendment NC4 to Victims and Prisoners Act 2024 to Victims and Prisoners Act 2024 - Parliamentary Bills - UK Parliament](#)

*reported it, they're like, "well, oh, actually, you know, don't get therapy yet. You can't get therapy. You can have pre-trial therapy."...So pre-trial therapy. You're just allowed to talk about the impact of what's happening to you now. So, "are you having trouble sleeping or can we help you with that?" Like, so, it's not about. You're not allowed to talk about the actual events itself. You're only allowed to talk about the impact on your life now. So, like, "how can we deal with the fact that you can't sleep?" (Victim)*

*I haven't been allowed therapy, everywhere I've gone to has been "after trial", "after trial", "after trial"...You're not allowed to be under them or anywhere it seems, when there's an ongoing investigation, even though I've been told by my ISVA that that was abolished a long time ago. Any mental health place that I've been to or anything like that, they just won't, they won't deal with it and I've just been told "after trial" (Victim)*

Victim services staff highlighted how the inability to access therapy support delayed victims' recovery, as they were unable to talk about the details of the case<sup>54</sup> or receive the specialised treatment they needed to address their trauma.

*Pre-trial therapy goes some way to offering support but once again the victim is limited to what they can and cannot discuss and therefore disadvantages their trauma recovery. (Allocations Co-ordinator)*

*Clients also cannot always access some mental health treatments as many counsellors are reluctant to support people with trials waiting and Eye Movement Desensitisation and Reprocessing (EMDR) which is the most appropriate treatment for PTSD is often not available pre-trial. This often means clients cannot access the right support and by the end of the trial their mental health is significantly worse. (ISVA)*

Staff from victim services also reported that the delays experienced at court led victims to disengage and withdraw from support services. Victim services provide a vital role in helping victims cope and recover and this early disengagement from support hinders victims' recovery.

*Delays in the court system can lead to victims disengaging with support. Feeling let down by the criminal justice system can cause clients to cut off professionals and try to deal with things internally. They may lose trust in us or feel that we are unable to help them any further. (Stalking Advocate)*

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<sup>54</sup> [Pre-Trial Therapy | The Crown Prosecution Service](#)

*It leads many clients to disengage with us and other support services as they feel let down and feel like other services will do the same. (ISVA)*

## **Staff wellbeing, job satisfaction and retention**

Our research also highlighted the impact that the court delays have on the wellbeing of staff supporting victims through the court system.

Staff from victim services identified that an important part of their role was managing victims' expectations of the process. However, they told us how the ongoing delays in the court system made this very challenging and caused frustration when they were required to deliver updates that they had no control over. This affected both victim services that were part of the criminal justice system but had no control over the information they received from the CPS and the courts, as well as those that were independent.

*As we are the middle link between the victim and the CPS/court, we feel helpless as although we advocate for them where we can, the majority of the decisions made in the justice system are out of our control or authority. (Victim and Witness Care Officer)*

*I often find myself having to manage a client's expectations of an organisation for which I do not work and have no influence over their timescales. I can offer no solace or solution to this issue which is beyond frustrating for my clients but also takes its toll on me. (Case Worker)*

Often, victim services staff on the frontline of the criminal justice system, such as those based in Witness Care Units in the police, are required to deliver the bad news to victims about the delays to their trial. This results in them bearing the brunt of victims' anger and frustration. Staff described how this impacted on their enjoyment of their role and caused distress where they felt that they were letting victims down.

*The job is relentless, we constantly have to deliver bad news to people which results in aggressive conversations from unhappy victims. We often have victims in tears and some who say they can't take it anymore and tell us they are going to take their own lives. This is very hard to deal with. (Witness Care Officer)*

*Due to the delays, victims and witnesses are (understandably) upset, this has caused a lot of witnesses to take their anger out on staff/ we receive verbal abuse, this affects our wellbeing and decreases staff morale. (Victim and Witness Liaison Officer)*

*I used to get a lot of pride and motivation from my work, loving my job even when we didn't get the results we wanted, knowing I was supporting the victims and making their live a little easier, but now I just feel I am making continuous calls letting people down. (Victim and Witness Care Officer)*

## EMBARGOED – NOT FOR WIDER SHARING

Where victim services staff are experiencing decreased job satisfaction, as well as working over capacity due to the delays in the court system, they are at risk of burnout. This has negative implications for victims, as the strain on staff wellbeing and resource means they are less able to offer a good quality of support. Staff described how the increasingly long periods they were supporting vulnerable victims for, with little prospect of having justice delivered, contributed to the emotional burden they experienced. This resulted in disillusionment and absence from work due to stress.

*Staff working in the sector, seeing few instances of justice prevailing can also become disillusioned and disheartened as well as experiencing burn out. The sector loses skilled and compassionate professionals over time. (Allocations Co-ordinator)*

*Our caseloads have increased from approximately 140 cases pre covid to around 220 cases at present. The pressure on Witness Care officers is visible. The impact on their wellbeing is concerning and the levels of long-term sickness due to stress related issues has increased. (Witness Care Officer)*

Staff told us that the negative impacts on staff wellbeing led to increasing amounts of staff leaving the job. This was reported across staff from victim services organisations within and outside of the criminal justice system. Staff emphasised how this became a cyclical problem, as when people left, this further increased the caseloads of remaining staff whilst new staff were recruited and trained. This risked further staff burnout and more staff leaving the profession.

*The Witness Care Unit has suffered severely as a result of cases being delayed at court, as such, we are struggling to retain the newest recruits, as they don't appear to be able to cope with the caseload, ...The level of service that we can provide victims is nowhere near the service that we were able to give before the judicial system reached the state of crisis. (Witness Care Officer)*

*We've recruited 8 times this year into the Witness Care Unit as staff cannot cope with the emotional turmoil this job is currently causing. (Head of Victim Services)*

*We are unable to recruit and retain staff and the knowledge within the team is becoming diluted. We spend too much time training new staff instead of concentrating on cases. (Witness Care Officer)*

*For individual caseworkers, this means having to sustain very high caseloads on a constant basis and inevitably leads to burn out, vicarious trauma and high levels of staff turnover. A high human cost, but also a financial one with the associated financial impact of a recruitment revolving door and repeated rounds of training etc. (Independent Road Victim Advocate)*

As a result, the consistency and quality of the support victim services are able to provide to victims suffers. This is concerning for victims, especially at a time when they are likely to be attending court and therefore are most in need of a high standard of support. Victims told us how staff turnover and burnout as a result of the court delays meant they often had to engage with several different staff from criminal justice agencies and support services during their journey through the criminal justice process. We heard from staff who expressed concern that this compromised their service provision and victims who described their unsatisfactory experiences of multiple points of contact.

*Continuation of care is pretty bad...They phone up, and they say "Hi, I'm your ISVA"...then that changed. That person changed like four or five times...And I was like, I don't even know who I'm talking to... I had such a high turnover of ISVAs...there were four of them, trying to cover the huge amounts, and then I guess it's just too much (Victim)*

*I've been assigned someone, but they've been off sick too. They've been off on long-term sick and they're on restricted hours at the moment, with their workload. So, they haven't been that accommodating. (Victim)*

*Not one person from the beginning of my journey to the end of my journey has been there. Like police officers changed, [victim organisation], gone. My [specialist charity support worker], whoever she was, she bugged off. And then, the [police liaison] person came in, wasn't there from the beginning...not one person has seen this journey through with me. Not one. (Victim)*

*It also means that survivors may have multiple [points of contact in the police and support staff] over the course of their criminal justice journey, again this lack of continuity provides difficulties in providing high quality support. (ISVA)*

Research has acknowledged the potential dangers of vicarious trauma to victim services staff's physical and mental wellbeing.<sup>55</sup> Victim services organisations are acutely aware of this and have accordingly developed ways to attempt to mitigate the impact of vicarious trauma by offering their staff clinical support supervision. In our research, many victim services staff described the importance of this supervision on their wellbeing and how this intervention was crucial to try to counteract the vicarious trauma and potential burnout they were experiencing as part of their work.

*We also have support sessions with an external company and can have 1-2-1 support if required and also have 6 weekly supervision sessions with our manager to air any concerns and discuss caseload. (Stalking Advocate)*

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<sup>55</sup> [Going above and beyond: Mapping the provision and impact of Victim Advocacy in the Criminal Justice System - Victims Commissioner](#)



*I do have clinical supervision at work on a regular basis and so can discuss any upset I am feeling at that time. The impact on caseloads, however, is a concern. (ISVA/CHISVA)*

## **The need for support after the trial outcome**

Victims we spoke to as part of this research also identified gaps in the support provision available to them. While court-related support in the criminal justice system focuses heavily on support before and during the trial process, many victims we spoke to highlighted the need for support to be continued after the trial had finished, to help them come to terms with the experience and the verdict. Victims told us how support being discontinued, especially after extended waits for the trial, left them feeling abandoned in its aftermath.

*The ISVA had dropped off the case following the sentencing. She had actually told me previously that once the trial was done, the detective would be too busy with other cases, and once the sentencing was done, the ISVA would no longer be supporting me. I felt like I had gone through 4 years of huge stress and anxiety, and then I was just left on my own without any advice or support. (Victim)*

*Just the whole ordeal of it really takes a long time. I don't think we're ever going to recover from what's happened to us. It takes a long, long time to get over that, especially when the trial is done or the sentence is done and you think, oh, I'll get better now. And you don't. You have a massive crash and I think that's probably where, yeah, you do need that help. (Victim)*

The benefits of post-trial support were emphasised by one victim's experience of follow-up contact from a specialist officer in the Witness Care Unit.

*She followed up with me afterwards, for months. And even now, every couple of months, every like two or three months she says like "oh, how you doing?" Drops me a text. "How you doing? Everything OK?" Like so, she's really good. And she made sure that I got everything I need. (Victim)*

Some victims were able to access counselling support to help them recover from the trauma they had experienced. Both victims and the victim services staff we spoke to described how when experiencing long delays in the court system, victims would often have to make difficult decisions about when to have these counselling sessions. Victims were only offered a limited number of sessions and therefore some described pausing their sessions to ensure that some support was available to them following the trial. Victim services staff expressed concern that due to the long court delays, this could leave victims feeling inadequately supported in the weeks leading up to trial. In addition to this, we heard how when victims subsequently faced a trial adjournment, the support session they had scheduled for after the trial had to go ahead even though the trial had not taken place.

*Clients come for counselling to help them get through the court process but often the counselling finishes before any court date*



*happens so often, I can't give them the support they need at the right time. It feels very hard to come to the end of their counselling time when they still very much need it. (Self-employed Counsellor)*

*Within our service clients can only access a certain amount of sessions, ideally we would have a package of sessions surrounding the court dates, some before and some after to process everything. Unfortunately, due to the delays and adjournments clients often have to make hard decisions around when they have their sessions and how they may potentially not have enough sessions to take them post-court or have to go without sessions before to save them for post-court meaning they have no sessions on the lead up which can be a very anxiety provoking time. (Counsellor)*

*I said to her [therapist], "oh, can we save one of these hours for after the court case" and she says, "yeah, of course". Like, what if he's found not guilty after all this waiting? I said "I don't know how I'll cope". She's like "Yeah, we'll save one for after"... they bloody cancelled it and then that was an hour wasted. (Victim)*

Our research found that where good support was provided to victims, this encouraged them to remain engaged with the criminal justice process despite the long court delays. However, the number of cases outstanding in the Crown Courts impacted on victims being able to access support in a timely manner. Moreover, when they do manage to access it, it is often too time limited. For victims of rape and sexual abuse who require therapy to begin their recovery, they often find they are unable to access this or that the therapy they can access is limited in scope, with them unable to discuss the case until the trial concludes.

Due to the court delays, victim services staff also have to hold onto their cases for an increasingly long time.<sup>56</sup> As victim services staff can only hold a limited number of cases at any one time, any delays in cases getting to court will have a direct impact on the length of time newly referred victims will then have to wait for support. Many support services are having to implement waiting lists with new referrals waiting longer and longer for support. In some cases, services are unable to take any new referrals and have to close their waiting lists. Increasing caseloads and supporting vulnerable victims for longer periods compromises staff wellbeing and, in some cases, can result in burnout, leading to staff leaving the profession and resulting in even less support available for victims. This high staff turnover also has an impact on the consistency of support that victims receive. Additionally, victims we spoke to highlighted the need for support after the trial had concluded, as this appeared to be withdrawn at a time when they felt they needed it the most.

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<sup>56</sup> This increase in demand has occurred at a time when support services are under considerable financial pressure. In recent years, running costs have increased whilst funding has remained static. This financial year, core funding has been reduced by 4.2%.

## 7. Communication amidst the Crown Court backlog

Research conducted by the Victims' Commissioner has repeatedly shown that good communication is vital for victims to have a positive experience and remain engaged with the criminal justice system.<sup>57</sup> The present research highlighted how the impact of the Crown Court backlog on victims is worsened by the insufficient communication victims receive. We found that delays in the court system were often not communicated to victims at the outset of their criminal justice journey. Moreover, when there were adjournments, the communication of these delays was often inadequate, with victims receiving notification of adjournments at very short notice with little or no explanation. In some cases, victims received no communication at all and only found out the trial had been adjourned when they arrived at court. This poor and inadequate communication compounds victims' frustration and distress, leaving them feeling isolated and disregarded by the criminal justice system.

### Pre-trial communications

Delays in cases progressing through court have been increasing for a number of years<sup>58</sup>, yet despite this, several victims told us they had not been made aware of the extent of the delays in the court system at the beginning of their criminal justice journey. As the time they waited for their case to get to court increased, this lack of expectation management added to their frustration.

*The police told me at the time, you will go to court in six months' time. I mean, they must have known that that wasn't right. (Victim)*

*He [police officer in charge] had said from the off, "Oh, there is a delay. You're probably going to be looking at a year." ...I know that COVID happened in that time, but from one year to four years does seem a bit of a stretch. (Victim)*

Victims also told us that in addition to not being accurately informed about the delays in the court system at the outset, this was compounded by a lack of communication more generally. This was especially frustrating owing to the extended time that they were having to wait due to the delays in the court system. Victims wanted regular and timely communication, even if the update was that nothing had progressed, as this communication would reassure them that they had not been forgotten or overlooked during their lengthy wait.

*Even if it was an agreed like check in point or something, where like once a month, they would promise that they will call you and like give you a proper update, then you could at least put it to bed and just be like, if I don't hear anything, it's because they've not got anything until my update. (Victim)*

<sup>57</sup> [Annual Victims' Survey 2023 - Victims Commissioner](#)

<sup>58</sup> [Criminal court statistics - GOV.UK \(www.gov.uk\)](#)

*I think when it's going on that long, I'm not saying regular contact, but a monthly or six weekly, to see where we are with everything, make sure everything's on track ... I'm chasing people and I'm emailing people ... I think it should have been the other way round. I should have just been in the loop. (Victim)*

Some victims we spoke to were also not informed of how the case had been listed for trial. We heard how some victims were unaware the case was listed as a floating trial<sup>59</sup> until arriving at court. This made the experience even more difficult as until this point they had not been made aware their trial would only go ahead if a fixed trial did not.

*I didn't know, but mine had been listed as a floater, which meant that mine was lower down the list of priority, but I wasn't told that. So I was expecting it to go ahead... And once again, I only found out on the day. That was really tricky. (Victim)*

## **Communication about trial adjournments**

Having a trial adjourned is not an uncommon experience. Many victims told us their trial had been adjourned and rescheduled for a later date. Forty-eight percent of victims responding to our survey who had been given a trial date reported having their trial date changed at some point in the court process, with over a quarter (26%) of those victims having had their trial date changed four or more times. Many victims told us that this was often communicated to them at incredibly short notice, in some cases just a few hours in advance or once they had already arrived at court.

*Every time it was postponed, I was only told either on the day that it was due to start, or the Friday... before the Monday it was due to start. So, literally the previous working day. And every single time, I was given no indication that there was any possibility that it wouldn't go ahead. (Victim)*

*What are you playing at? ... Why have I just driven an hour and a half to come in?... You've made me walk into the courtroom, like, have to go through all of that. So yeah, it was awful. Absolutely horrible. Just that kind of crap communication. (Victim)*

*I was ready to attend court to give my evidence, and then I think it was an hour or two hours before, I was called to say that it wouldn't be going ahead. (Victim)*

This poor communication is extremely frustrating for victims and the staff trying to support them. They felt that the last-minute communication of adjournments was completely unacceptable, and that the information could and should have been shared with victims

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<sup>59</sup> Floating trials are given a trial start date but do not have an assigned court room or are given an assigned court room but are a backup trial in case the fixture listed in that court room does not go ahead.

sooner. This insufficient communication made victims feel like the justice system disregarded the impact the trial and subsequent adjournment had on their lives.

*Not being told stuff until the last minute is just horrendous because they don't realise that is your life, for weeks leading up to it, and it's particularly annoying when you know that that information could have been available to you sooner. If something happens last minute, that's just rubbish, you know, and nobody can help that. But when you know that something's been simmering for a few weeks, and nobody's given you the heads up. That's horrible. (Victim)*

*The delays I don't think are the issue, I believe it's the communication of these delays. If we are communicated with, we can tell those victims within good time. Instead of the day before or often the morning of. (Victim and Witness Liaison Officer)*

These communication problems are often exacerbated by communication chains involving multiple steps and multiple agencies. Victims identified that often they were waiting for one agency to pass information to another which meant they experienced delays in receiving important information about the case or attending court.

*Surely there could be someone to communicate, that actually, you're not needed in court this week or today...And even though that would have been really frustrating, like to have things knocked again, at least if someone is communicating with you and it's coming straight from the horse's mouth as well, because I think sometimes that the communication can get lost if it's going to different people. (Victim)*

*But they would always just say we only get told last minute [about adjournments]. You know, we don't know anything. we're telling you as soon as we found out it was HMCTS not communicating with the witness care unit quickly. (Victim)*

Trial adjournments may be caused by a range of different factors, but repeated adjournments and the short-notice communication of them has huge consequences for victims. For victims, attending court is not a straightforward process where they simply turn up at the court building. Victims explained to us the preparations they had to undergo ahead of each trial date and how they had to build themselves up in order to attend court and give evidence. For many victims, the process of preparing for court meant revisiting their trauma to ensure that the events were as fresh in their minds as they could be, despite the delay they had already endured to get to this point. When the trial was then adjourned at short notice, this had devastating effects on victims' wellbeing. It also meant they would have to go through the emotionally draining lead up process again.

*I would spend at least a month leading up to each listing and it didn't get easier with each listing. Not sleeping, not eating. Kind of having nightmares. It's the fact as well, before each trial date, you have to prepare yourself for the fact that you could be on the stand within an*

*hour of the trial starting. So you have to relive what happened because you're going to have to give evidence and you don't want to say the wrong thing or not give the full picture, so it's like revising for an exam and putting your heart and soul into revising for an exam that then gets moved. And then having to do all the work all over again, except obviously on an emotional level, it's way more traumatic. (Victim)*

*Your mind is kind of doing overdrive, so you're up being sick and worrying anyway. And then the next day, you're doing the same for weeks, just thinking, is it going to go [ahead]? And then one day, when I got ready and I thought I was going, and then about an hour or two hours before, I was called to say that it wasn't going ahead. I just don't think it's acceptable. (Victim)*

*It's just a massive, massive blow, each time. You build yourself up before and then the disappointment of not having it happen, it takes, like, quite a few weeks to recover, you know, from all of that mentally. (Victim)*

Victims told us that due to the lack of communication they received about the status of their case, they often felt they had to chase staff for updates. They felt there was no alternative but to advocate for themselves to find out whether trials were going ahead. This is the harsh reality for many victims who are already struggling with the impact and trauma of the crime they have experienced and want to be supported, not struggling to access basic information. Some victims told us that they felt the only reason the trial had taken place when it did, was due to their relentless self-advocacy.

*At a point in my life where I was at my lowest and I was so fragile. It felt like I was pushing a rock to the top of the hill without any help, and I was having to do a lot of the thinking and a lot of the chasing that the [Witness Care Unit] should have been doing for me without being asked. (Victim)*

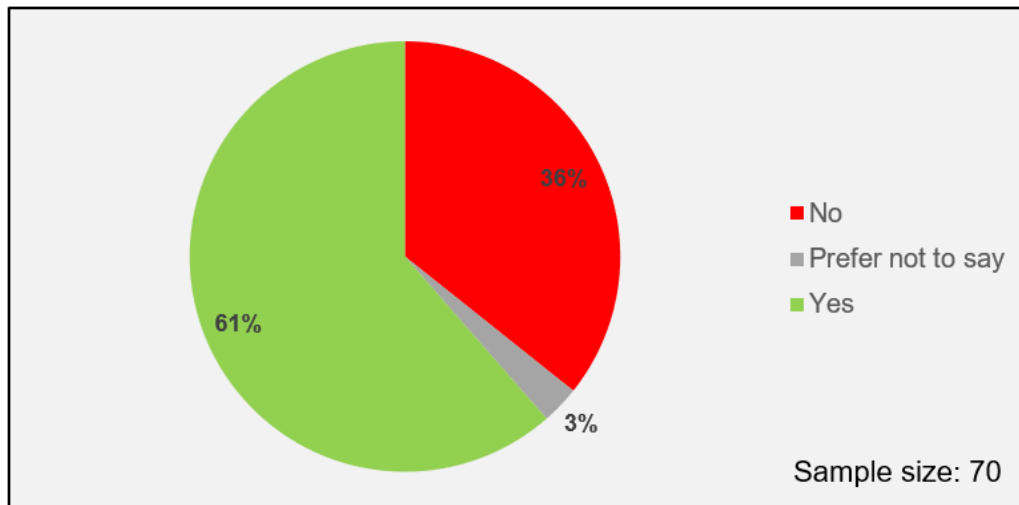
*I chased again for an update to [find out] whether the trial was going ahead and then I received an e-mail to say that the court advised they weren't going to bring this case in for trial this week, so I'd have to go back to the listing team for a new date to be set. (Victim)*

*If I had made less of a noise about the court case constantly being postponed, maybe it wouldn't have happened in May last year. (Victim)*

Despite there being an array of reasons for why a trial may be adjourned, our research found that an explanation for these adjournments was rarely communicated to victims. In our survey, we found that of the 70 victims who had experienced a trial date change, over a third (36%, n = 25) had not received an explanation as to why this happened (figure 6).



Figure 6. The proportion of victims receiving an explanation for why their trial date was changed.



The lack of explanation for the court delays and adjournments makes an already traumatic process even harder for victims, increasing the stress and frustration they experience. This lack of basic communication hugely impacts their ability to recover as it leaves victims feeling isolated and disempowered during the increasingly long court process with limited knowledge about when it will conclude.

*That was the hardest [adjournment], because I've not been given an explanation...Emotionally, it's just like, oh, this is going to drag on for another few months. And I think the hardest part is just not knowing why... these are set dates and then they didn't go ahead and you're not given any reason at all. Yeah, that's probably the worst part for me. (Victim)*

*When they do get their date, this will often be changed or cancelled at short notice, often little or no explanation given and they will feel frustrated with this. [Victim Care Co-ordinator]*

In addition to frustrating victims, the lack of reasoning provided for the adjournments also causes difficulties for the staff supporting them. This is because they have the responsibility of managing victims' expectations of the progress of the trial and when they will be attending court. Despite carrying out their own enquiries to provide victims with sufficient information, victim services staff told us they were often unable to get this information from the courts themselves.

*Victims often become frustrated with these delays, as often they have no explanation for the delay at the time of this information being passed on. I, myself, have contacted witness care officers on behalf of the victims, and they have not been able to share the reason with me, as they simply don't have it to share - This type of information should be readily available, as it gives the victim context and doesn't leave them feeling [like] it's because their case isn't important. (ISVA)*



Victim services staff based within statutory organisations, such as the police, appear to have no advantage over independent victims' organisations in accessing the information from the courts.

*It's difficult when we receive near zero information as to why there is a delay in the first place. We have to actively make enquiries to find out why, and even then, some of the explanations we're given are vague or nonsensical and it's our job to pass on that information to the victim. (Victim & Witness Support Officer)*

*The victims want an explanation as to why the trial has been delayed. When a trial has been fixed for 18 months, for us to then tell them that a judge isn't available, or the court is over booked, isn't an acceptable reason. They want to know how this could have happened when it's been planned for so long and they've spent so much time building themselves up to get to court. This always leaves them disappointed and deflated and we can't offer them any sort of explanation as to why this has happened. (Victim and Witness Care Officer)*

The Victims' Code<sup>60</sup> sets out that victims have the right to clear communication throughout the criminal justice process. Good communication is key to ensure that the criminal justice system does not induce unnecessary additional stress for victims. We heard from victims who felt that they should have been informed about the delays in the court system from the outset of their criminal justice journey, as this would have provided them with more realistic expectations. This lack of information added to their frustration when they subsequently experienced extensive court delays. Our research also found that when victims experienced trial adjournments, this was communicated to them at very short notice and often with no explanation. Not only did this inconvenience them if they needed to travel to the court or take time off work, but it also caused stress as they had emotionally built themselves up to attend and give evidence. Victims told us how their frustrations were heightened by needing to chase for information on when the trial would be adjourned to and reasoning for why it had been adjourned. This also impacted victim services staff, who were trying to manage their client's expectations and experienced difficulties in finding out an explanation for the adjournments.

Receiving minimal information or updates in the lead up to the trial date leaves victims feeling isolated and uninformed about an event that is often traumatic and potentially life-changing for them. It is therefore understandable that victims want to be kept informed about delays and adjournments which impact the progression of the case. Effectively communicating with victims is crucial to preventing them from experiencing further unnecessary stress and trauma during the court process.

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<sup>60</sup> [Code of Practice for Victims of Crime in England and Wales \(Victims' Code\) - GOV.UK](#)

## 8. Key research findings

*The Crown Court system faces an unprecedented backlog resulting in delays and adjournments for victims.*

At the end of September 2024, 73,105 cases were outstanding at the Crown Court, a new record high. Almost a quarter (23%) of these had been outstanding for over a year.<sup>61</sup> In our research, we found that of those victims who had been given a trial date, almost half (48%) had this changed at some point in the criminal justice process and over a quarter (26%) of this group had the date changed four or more times.

*The Crown Court delays have a catastrophic effect on victims' wellbeing.*

Our findings highlighted how persistent delays waiting for trial caused victims incredible stress which often led to the deterioration of their physical and mental health. To cope with the ongoing heightened stress, some victims resorted to using drugs and alcohol, self-harming and in some cases, suicide. We also found that being kept in the criminal justice process waiting for trial prevented victims from moving on and recovering from the crime. Some victims then felt re-traumatised by the emotional anguish of repeated trial adjournments and reliving of the crime in advance of each trial date.

*Suicide is preventable. Help is available from the [Samaritans](#) and other support services.*

*Victims' lives are severely harmed by the Crown Court backlog.*

The delays and adjournments common in the Crown Court system had wide reaching and damaging impacts on victims' lives. Our findings revealed that many victims struggled to maintain their daily lives while awaiting trial. The frequent adjournments exacerbated this disruption, negatively impacting victims' ability to work, study, and maintain healthy relationships. Many victims told us they had to take extensive time off work for each trial listing, which caused further disruption and resulted in job insecurity and financial challenges. For younger victims, the wait for trial restricted their lives before they had fully started. As a result, their education suffered, impacting on their ability to learn and gain important qualifications. The stress victims experienced navigating the court backlog also damaged their friendships, romantic relationships, and family relationships. In addition to this, victims and victim services staff told us how the court backlog delayed other legal processes victims were desperately waiting on, for example, for a perpetrator to be served with an eviction notice or removed from their school.

*The Criminal Justice System is negatively impacted by the Crown Court backlogs.*

We were told how delays in the Crown Court system resulted in victims' memories fading, meaning their evidence quality was more likely to diminish. Prosecution witnesses were

<sup>61</sup> [Criminal court statistics - GOV.UK \(www.gov.uk\)](#) accessed on 18/02/25

also more likely to drop out as well as more victims withdrawing from the process due to losing faith in the system. Where victims did remain engaged despite the long waits for trial, due to those long waits, justice could still be denied. We heard examples where the delays resulted in a guilty defendant already having served any sentence they receive upon conviction, the Crown Prosecution Service dropping the case due to it no longer being in the public interest or the defendant dying before the trial could take place. Many victims told us they were left unwilling to report future crimes, undermining the future effectiveness of the criminal justice system.

*Good support helps victims remain engaged despite the Crown Court backlog, but the backlog causes problems for support organisations.*

Our research highlighted how good support enabled victims to remain engaged with the criminal justice process despite the Crown Court delays. However, the delays resulted in more victims needing support for longer periods of time, which left limited resource available for victim services to provide accessible, consistent and high-quality support. The delays also caused further issues for victims of rape and serious sexual offences who told us they were often advised not to access therapy until after trial, further delaying their recovery and meaning they were required to choose between waiting for justice or prioritising their wellbeing.

In addition, our research found that supporting victims whilst they navigated the Crown Court delays had the potential to damage to staff wellbeing. This was due to the unsustainable number of cases they were holding and the vicarious trauma of the victims they were supporting, with some staff stating they were at risk of burnout. This had serious implications for job satisfaction and the ability of victim services to retain staff, further exacerbating issues with support accessibility, quality, and consistency.

*Poor communication exacerbates the negative impacts of the Crown Court delays.*

Our research findings outlined how insufficient communication added to the frustration and distress of victims navigating the Crown Court process. Victims told us that their expectations were not sufficiently managed regarding the extent of the delays and that they experienced a lack of communication during the long waits for trial. Where there were adjournments to their trial date, victims reported being frequently informed of these at incredibly short notice and often without explanation. This compounded the emotional distress victims were already experiencing.

## 9. Conclusion and Recommendations

The Crown Court backlog is a prevalent and growing issue in England and Wales. The current number of cases outstanding in the Crown Court is the highest number ever recorded.<sup>62</sup> The impact of this record number of outstanding cases and the delays and adjournments it causes cannot be understated. These impacts are wide-ranging and harmful to victims, the wider criminal justice system and victim services.

This research highlights how the Crown Court backlog can lead to the deterioration of physical and mental health for victims, with some resorting to alcohol and drug misuse and self-harm to cope. Many victims told us how they were unable to move on and recover from the crime because they were being held at the court stage of the justice process and how the repeated adjournments further traumatised them. The poor, often last-minute communication of adjournments and a lack of explanation adds further to victims' emotional anguish. In addition, the elongated court process disrupts victims' home, work, and school lives, disadvantaging them in the present and the future.

Our findings also show how the Crown Court delays have a detrimental impact on the wider justice system, as they reduce the quality of victims' evidence, risk supportive witnesses dropping out and, in some cases, lead victims to withdraw from the criminal justice process entirely. Many victims were left with such little faith and trust in the criminal justice system that they would be unwilling to report future crimes, undermining the future of the criminal justice system.

Whilst high-quality support can go some way to alleviate the detrimental impacts of the Crown Court backlog and help victims stay engaged with the criminal justice system, the backlog causes difficulty for support organisations. With the increased number of victims held in the system because of the backlog, victim services are under increasing pressure which impairs their ability to provide the accessible, high-quality support that victims need.

Systemic change is needed to address the increasing Crown Court backlog, mitigate its devastating impacts, and ensure victims are appropriately and effectively considered and supported.

### *The Independent Review of the Criminal Courts*

The Victims' Commissioner welcomes the independent review of the criminal courts announced by government in December 2024<sup>63</sup> and has shared a copy of this report with the review ahead of publication as evidence of the profound impact court delays are having on victims and those who are supporting them.

The government has made clear the review will look to improve efficiency in the system and reduce backlogs to the benefit of victims of crime. Once this review has been completed, the Commissioner looks forward to seeing the government's plan to address the backlog.

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<sup>62</sup> [Criminal court statistics - GOV.UK](#)

<sup>63</sup> [Independent Review of the Criminal Courts - GOV.UK](#)

Listing is a judicial function. Nevertheless, any review of the criminal courts would not be complete without reference to listing practices.

This report highlights how listing practices can be confusing. There are regional differences in both practice and terminology. The Victims' Commissioner urges the Judiciary to consider the following listing issues that would improve court efficiency as well as the experience for victims:

- Reviewing the use of Warned Lists and instituting principles of listing practice that are uniform across all courts to ensure consistency of practice. Warned lists are not used in all Crown Courts but where they are used, they are often compounding the distress felt by victims and witnesses as they have to repeatedly prepare themselves for a trial date that often does not materialise.
- Prioritising cases that involve a victim or witness, ensuring that these cases are heard within six months of arriving at the Court system and in cases involving children ensure these cases are heard within three months.
- Creating a ranking system that can be attached to cases so that listing officers can easily identify which victims and witnesses are likely to be most impacted by a postponement of their case.

Any systems change arising from the independent review<sup>64</sup> will require time to be implemented but changes to listing practices could be initiated sooner. For this reason, we hope the independent review will encourage the judiciary to consider how they might unify listing practices, reduce over-listing, and ensure that any successful local initiatives which help to address these issues are swiftly shared so that they can be rolled out across the country.

## **Recommendations**

Many of the systemic changes which we anticipate will be the outcome of the independent review will take time to achieve. The recommendations below are predominately focussed on reducing the negative impact of delays on victims and those supporting them. Crucially these changes could be implemented more swiftly than measures to achieve long term systemic change.

The recommendations in this report are split into three overarching themes:

- Improving the victim experience of the criminal justice system;
- Making court processes more transparent and efficient; and
- Ensuring victim services can provide support to victims as they wait for the case to get to trial.

Each theme has a key recommendation for change, which are supported by additional recommendations.

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<sup>64</sup> [Independent Review of the Criminal Courts - GOV.UK](#)

### *Key Recommendations*

In brief, the Victims' Commissioner key recommendations are:

- **The government to explore how victims whose case is going to trial might be given a single point of contact to improve communication and ensure their Victims' Code entitlements are delivered.**
- **The restoration of an independent Courts' Inspectorate so that the operation of the Court Service is subject to rigorous independent scrutiny.**
- **Providing emergency funding to victim support services to help them cope with increased caseloads arising from the court backlog crisis.**

### Improving the victim experience of the criminal justice system.

#### **Recommendation 1 (Ministry of Justice)**

Victims and witnesses are crucial to the justice system and yet their lack of status in that system means that their needs are often overlooked or deprioritised. We heard from victims and victims' services about the significant toll the delays and resultant over-listing and adjournments have on victims and witnesses.

The Victims' Code<sup>65</sup> provides victims of crime with a set of rights that they can expect to receive from criminal justice agencies. Many of these rights relate to the information and communications that victims can expect to receive at various points in their criminal justice journey. This research has shown that often agencies fail to meet their duties under the Code and all too frequently, victims are not informed about key information in their case or that information and guidance they are given is inadequate.

As victims progress through the criminal justice system their case moves from one agency to another but it is not always clear which agency is responsible for delivery of their code rights, not least because witness care 'sits' within policing but responsibility for communicating legal decisions sits with the Crown Prosecution Service (CPS) and His Majesty's Court & Tribunal Service (HMCTS) have their own court based witness care processes and service providers. This means that when there is a failure, there is no clear accountability.

This is exacerbated by a lack of shared data systems between these organisations which adds an additional layer of bureaucracy between the agencies. Communication of key matters such as listing follows a chain of communication from the court to the victim via the CPS and then the police/ witness care unit, this chain hinders communication, especially if one of the links breaks down.

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<sup>65</sup> [The Code of Practice for Victims of Crime in England and Wales and supporting public information materials - GOV.UK](#)



A single point of contact<sup>66</sup> who has access to relevant information, perhaps through a shared case management tool and responsibility for all 'logistical' communications with the victim, would provide certainty to victims, help them to navigate the system and would ensure that communication was timely and appropriate. This point of contact should not have responsibility for explaining legal decisions but could help to ensure that victims are updated by the CPS. To improve communication and victim experience:

- 1. The Ministry of Justice undertake a review of the victim journey with a view to exploring options for better delivery of Victims' Code rights and communication, including exploration of a 'single point of contact' liaison or navigator that has responsibility for overseeing all communication and arrangements with the victim.**

## **Recommendation 2 (HMICFRS and HMICPS)**

We find poor communication with victims to be a consistent theme across all our research. Once again, victims told us they found communication of trial listing and adjournments to be poor. We heard that victims and witnesses are often not informed about adjournments, with many telling us that they had attended court only to be informed that the trial had been adjourned. Effective communication is hampered by the involvement of several criminal justice agencies and relies on a chain of communication. Often, the victim is the last point of contact in that chain, and as a result, some are being overlooked.

Victims told us they felt forgotten when they were left waiting for the trial, with little or no contact received from the Crown Prosecution Service or the Witness Care Unit. These problems persisted during the wait for sentencing, with victims left waiting for long periods of time between conviction and sentencing with no communication or explanation for the delay in sentencing.

- 2. HMCPSI and HMICFRS jointly carry out a review of victim-facing communications, from the time the case enters the court system up to, and including, sentencing. This review should consider the quality and consistency of communications.**

Given what victims have shared with us we would encourage this review to consider the following:

- Whether Witness Care Units, which sit within policing and are not staffed by lawyers, are the best conduit for communication with victims. In particular, how effective are they at communicating key prosecutorial and judicial decisions?
- Whether the court to victim chain of communication can be streamlined to ensure victims are informed about key listing decisions, particularly adjournments, as soon as possible.
- How key information is shared between criminal justice agencies and whether joined up data systems can facilitate better communication.

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<sup>66</sup> In order to improve their service to victims the CPS have recently rolled out the role of a [Victim Liaison Officer](#) who acts as single point of contact for rape complainants.

- Whether victims are provided with sufficient information about the current extent of delays and the impact this may have on listing and sentencing.
- Whether victims are given sufficient explanation of the different types of listing and the likelihood of their trial going ahead depending on the listing type.
- Whether victims are given an explanation of the reasons for an adjournment.
- Whether victims are given adequate notice of sentencing hearings.
- Whether victims are given information prior to sentencing which prepares them for the likely sentence and once sentencing has taken place whether they are given an explanation of the sentence and in particular what this practically means.
- Whether there is a need for regular check-in calls with victims, regardless of whether there is a substantial update.
- Whether the Victim Liaison Officer role<sup>67</sup>, which is a single point of contact currently offered only to Rape complainants, improves communication for this cohort.

**Recommendations 3 (National Police Chiefs' Council), 4 (Crown Prosecution Service) and 5 (Ministry of Justice)**

Under the Victims' Code<sup>68</sup> criminal justice agencies have a duty to carry out victim needs assessments; these are to enable agencies to understand the individual needs of victims and to assess what if any adjustments may be needed to assist them through the process.

We were told how delays in the system were causing victims additional stress and trauma and for some this exacerbated pre-existing vulnerability.

The potential impact of delays in the system is not currently being considered as part of victim needs assessments, even though our research suggests they are causing significant additional harm.

- 3. The National Police Chiefs' Council should issue guidance to Chief Constables to ensure that Witness Care Units/ police staff are undertaking thorough victim needs assessments, which fully recognise the impact delays in the court system can have on victim wellbeing. There should be reference to victim vulnerabilities which carry significant risk of additional harm.**

The Witness Care Unit/ police officers may wish to consider the following factors when assessing risk of additional harm:

- The additional communication and accessibility needs of disabled victims and witnesses, including neuro-divergent people.
- The additional needs of those with mental health and/ or substance misuse conditions.
- The additional mental and emotional health needs of those with caring responsibilities.
- The age and/ or capacity of the victim

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<sup>67</sup> In order to improve their service to victims the CPS have recently rolled out the role of a [Victim Liaison Officer](#) who acts as single point of contact for rape complainants.

<sup>68</sup> [The Code of Practice for Victims of Crime in England and Wales and supporting public information materials - GOV.UK](#)

- 4. The Crown Prosecution Service must ensure any additional vulnerabilities which could be exacerbated by delay are assessed by the Witness Care Unit/ police staff and are then communicated as part of the plea and trial preparation hearings, and any subsequent listing hearings.**
- 5. The Ministry of Justice must update the Victims' Code to make clear that needs assessments should be ongoing during the court process. The effect of delay on the individual victim must also form part of that assessment in order to identify those who are at the greatest risk of harm.**

#### **Recommendation 6 (Crown Prosecution Service)**

We heard from victims who had tried to withdraw from proceedings because of the impact delays and adjournments were having on their wellbeing. Some were advised that, if they withdrew their co-operation, they could be compelled to attend by a summons and may face arrest if they did not comply. Whilst recognising that there will be occasions where a witness summons may be appropriate, in cases where an otherwise cooperative witness wants to withdraw because of the toll the delay is having on them, threat of, or an application for a witness summons should be avoided in all but the most exceptional circumstances.

- 6. The Crown Prosecution Service urgently amend their guidance on 'witness summons'<sup>69</sup> to reflect that the timeliness of the system impacts victim wellbeing. The guidance already mandates that prosecutors should ensure a risk assessment is carried out by policing to aid their decision making. Amended guidance should make clear that the impact of lengthy delays and multiple adjournments on the victim's mental and emotional health must be considered as part of the mandatory risk assessment. Where the victim has a victim advocate, any risk assessment should also seek representations from the advocate. The guidance should also strongly discourage use of a witness summons in circumstances where delay is the only or main factor that has led a victim to withdraw.**

#### **Recommendations 7 (Ministry of Justice), 8 (Crown Prosecution Service) and 9 (National Police Chiefs Council)**

We heard many victims are still being advised not to seek therapy until the conclusion of the case due to the risk that notes of therapy may ultimately be disclosed to the defence. The Victims and Prisoners Act (2024)<sup>70</sup> introduced a new legal test for notes and records of

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<sup>69</sup> [Witnesses | The Crown Prosecution Service](#)

<sup>70</sup> S. 44A (4) 'A counselling information request may be made only if the authorised person has reason to believe that the information sought is likely to have substantial probative value to a reasonable line of enquiry which is being pursued, or is to be pursued, by the authorised person or another authorised person.' [Victim and Prisoners Act 2024](#)

therapy, with a stated government aim of ensuring that requests are necessary and proportionate.

- 7. The Ministry of Justice commence the provisions in the Victims and Prisoners Act (2024) relating to victim information requests at the earliest opportunity, to ensure the new threshold for seeking notes of therapy is implemented. The Ministry of Justice should seek to expedite the statutory guidance and update any other relevant guidance to make clear that agencies should not discourage victims from seeking therapy.**
- 8. The Crown Prosecution Service reviews and updates its guidance on pre-trial therapy to reflect the new threshold and to ensure CPS staff provide victims with accurate information about their rights, to help inform their decision about whether to proceed with therapy before trial.**
- 9. The National Police Chiefs' Council update their guidance and the Soteria national operating model to ensure that police staff are aware of the new threshold and are able to provide victims with accurate advice on their right to access therapy.**

#### **Recommendation 10 (Ministry of Justice)**

The Victims' Commissioner has previously recommended the extension of the two-year deadline for applications to the Criminal Injuries' Compensation Authority<sup>71</sup>. This was not taken forward and since this recommendation was made, delays in the court system have significantly worsened. Victims are being discouraged from applying for compensation whilst their trial is ongoing, due to fear of this being used against them in court.

- 10. The Ministry of Justice extends the deadline for applications for criminal injuries compensation where criminal proceedings are ongoing, to 12 months after the conclusion of the criminal case.**

#### **Recommendations 11 (Ministry of Justice) and 12 (Crown Prosecution Service)**

We heard that victims bear a financial burden as part of their engagement with the system. The financial loss allowances for victims and witnesses have remained the same for almost 20 years<sup>72</sup>, meaning that recipients are significantly out of pocket when they take time from work to attend court. Moreover, we were told that despite having to make advance arrangements to attend court which often represented a financial outlay or loss, victims are often unable to recoup these expenses where cases are adjourned, even where they had attended court.

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<sup>71</sup> [Response to Criminal Injuries Compensation Scheme Review - Victims Commissioner](#)

<sup>72</sup> [guide-allowances-under-part-v-costs-criminal-cases-general-september-2016.doc](#)

- 11. The Ministry of Justice carry out a review of its financial loss allowances policy<sup>73</sup>, to ensure that reimbursement rates are brought up to date. This review should also consider the level of reimbursement available for victims and witnesses where the trial has been adjourned without sufficient warning, to allow them to recoup any expenses or earnings lost to arrangements made to allow them to attend court.**
- 12. The Crown Prosecution Service changes its' guidance on victim and witness expenses<sup>74</sup> so that, in circumstances where a victim has incurred expenses or a loss of earnings in order to give evidence at court but does not give evidence due to factors beyond their control, for example if the case is adjourned, reimbursement is no longer discretionary, and any reasonable expenses must be paid.**

Making court processes more transparent and efficient.

### **Recommendation 13 (Ministry of Justice)**

For just under a decade there was an Inspectorate of Court Administration (HMICA).<sup>75</sup> The inspectorate was created in 2003 and officially abolished in 2012. The main function of the inspectorate was to 'inspect and report to the Lord Chancellor on the system that supports the carrying on of the business of the courts (the Crown Court, county courts and magistrates' courts) and the services provided for those courts.' When it was abolished legislatively some of the body's functions were transferred to the other criminal justice inspectorates but in reality, the courts are now excluded from independent scrutiny.

In 2007/2008 HMICA undertook a joint inspection with Her Majesty's Inspectorate of Constabulary and Her Majesty's Crown Prosecution Service Inspectorate which looked at the experiences of victims and witnesses<sup>76</sup>. They found many of the issues around communication and support that persist today and have been highlighted in this report.

A Courts' Inspectorate would, amongst other things, help to identify inefficiencies in the system and monitor victim experiences of the courts to ensure adherence to the Victims' Code.

### **13. The Ministry of Justice reinstate the Courts' Inspectorate.**

### **Recommendation 14 (Crown Prosecution Service)**

Some victims shared that after considerable delay, the prosecution was discontinued as the CPS had determined it was no longer in the public interest<sup>77</sup>. The victims' perception was that the delays had contributed to the CPS decision to stop the prosecution. Although we

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<sup>73</sup> [guide-allowances-under-part-v-costs-criminal-cases-general-september-2016.doc](#)

<sup>74</sup> [Witness Expenses and Allowances | The Crown Prosecution Service](#)

<sup>75</sup> [About us - H.M. Inspectorate of Court Administration - GOV.UK](#)

<sup>76</sup> [joint-inspection-victims-and-witnesses-20090429.pdf](#)

<sup>77</sup> [The Code for Crown Prosecutors | The Crown Prosecution Service](#)

cannot assume any correlation, we are keen to ensure that the delays are not contributing to cessation of prosecutions that might otherwise have progressed had matters been expedited.

- 14. The Crown Prosecution Service monitors, reviews and publishes data on the number of cases discontinued because they no longer meet the public interest test to evaluate the degree to which current procedural delays are impacting their frequency.**

#### **Recommendation 15 (Ministry of Justice)**

We heard that issues with delivery of Victims' Code rights and communication exacerbate the experience of the delays in the court. These issues are consistently highlighted in our research and require further scrutiny with the aim of sustained improvement. The criminal justice inspectorates have conducted joint inspections looking at these issues in the past and a regular joint inspection would ensure accountability and improvement.

- 15. The Lord Chancellor must require the criminal justice inspectorates to perform a joint inspection every 5 years<sup>78</sup> to look at the experiences, needs and rights of victims across the system including consideration of victim demographics, communication, and accessibility. This inspection should consider the extent to which criminal justice agencies are complying with the Victims' Code, as part of the new Code compliance framework introduced by the Victims and Prisoners Act (2024). The joint inspection should produce a joint report and recommendations.**

#### **Recommendation 16 (Ministry of Justice)**

When undertaking listing the Judiciary must have regard to various guidance issued by Government. The Criminal Procedure Rules (CPR) and the Criminal Practice Directions<sup>79</sup> set out a procedural framework for the criminal courts. Part 1 of the CPR outlines that the overriding objective of a court is to deal with cases justly. In order that cases are dealt with justly, the rules list several principles which the courts must follow to achieve that aim. These include 'recognising the rights of the defendant in particular the right to a fair trial'<sup>80</sup> and 'respecting the interests of witnesses, victims and jurors and keeping them informed'<sup>81</sup>. This disparity in weight given to the rights of these two groups clearly demonstrates that in the criminal justice system the rights and needs of victims and witnesses are ancillary to the overarching objectives of the system.

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<sup>78</sup> Whilst under the Victims and Prisoners Act 2024 the Victims Commissioner should be consulted by the inspectorates about their inspection framework and can suggest areas for exploration, the Commissioner cannot require the performance of an inspection. Only the Secretary of State, the Lord Chancellor and the Attorney General jointly can require a joint inspection.

<sup>79</sup> [Criminal Procedure Rules 2020 and Criminal Practice Directions 2023 - GOV.UK](#)

<sup>80</sup> Part 1, Rule 1.1, 2 (d) [The Criminal Procedure Rules 2020](#)

<sup>81</sup> Part 1, Rule 1.1, 2 (e) [The Criminal Procedure Rules 2020](#)



The system asks a great deal of victims and could not function without their contribution to justice; accordingly, their rights and needs should be given greater consideration across the system.

- 16. The Lord Chancellor urgently reviews and amends the Criminal Procedure Rules and the Criminal Practice Directions<sup>82</sup>, to ensure the rights and needs of victims and witnesses are given equal weight as those of defendants throughout the court process and in particular in listing practice.**

#### **Recommendation 17 (Ministry of Justice)**

The Ministry of Justice is currently piloting a court-based case co-ordinator role in some areas. This role is designed to liaise with the defence and prosecution to ensure better case management, with the aim of reducing ineffective trials and adjournments.

- 17. The Ministry of Justice prioritises the evaluation of the court co-ordinators pilot. If successful, these roles should be rolled out across England and Wales as soon as possible.**

Ensuring victim services can provide support to victims as they wait for the case to get to trial.

#### **Recommendation 18 (Ministry of Justice)**

This research once again highlights that victim support services are the backbone of the justice system and are critical to keeping victims engaged in the system. However, it also shows the significant impact the delays are having on support services, which were already struggling under considerable financial pressures. In recent years, overheads and running costs have increased whilst funding has been frozen. This financial year, core funding has been reduced by 4.2%<sup>83</sup>. Meanwhile demand for support services has increased and delays exacerbate demand as services are having to hold cases for longer. Many service providers are having to consider reducing their frontline services and some services have already closed altogether, at a time when court delays are at record levels and victim attrition is steadily rising. The cost to victims and to the system of losing these services cannot be overstated.

- 18. The Ministry of Justice undertake an assessment to determine what additional resources are required to enable victim services to support victims through the court backlog crisis, with a view to submitting a business case to HM Treasury for emergency funding.**

#### **Recommendation 19 (Home Office)**

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<sup>82</sup> [Criminal Procedure Rules 2020 and Criminal Practice Directions 2023 - GOV.UK](#)

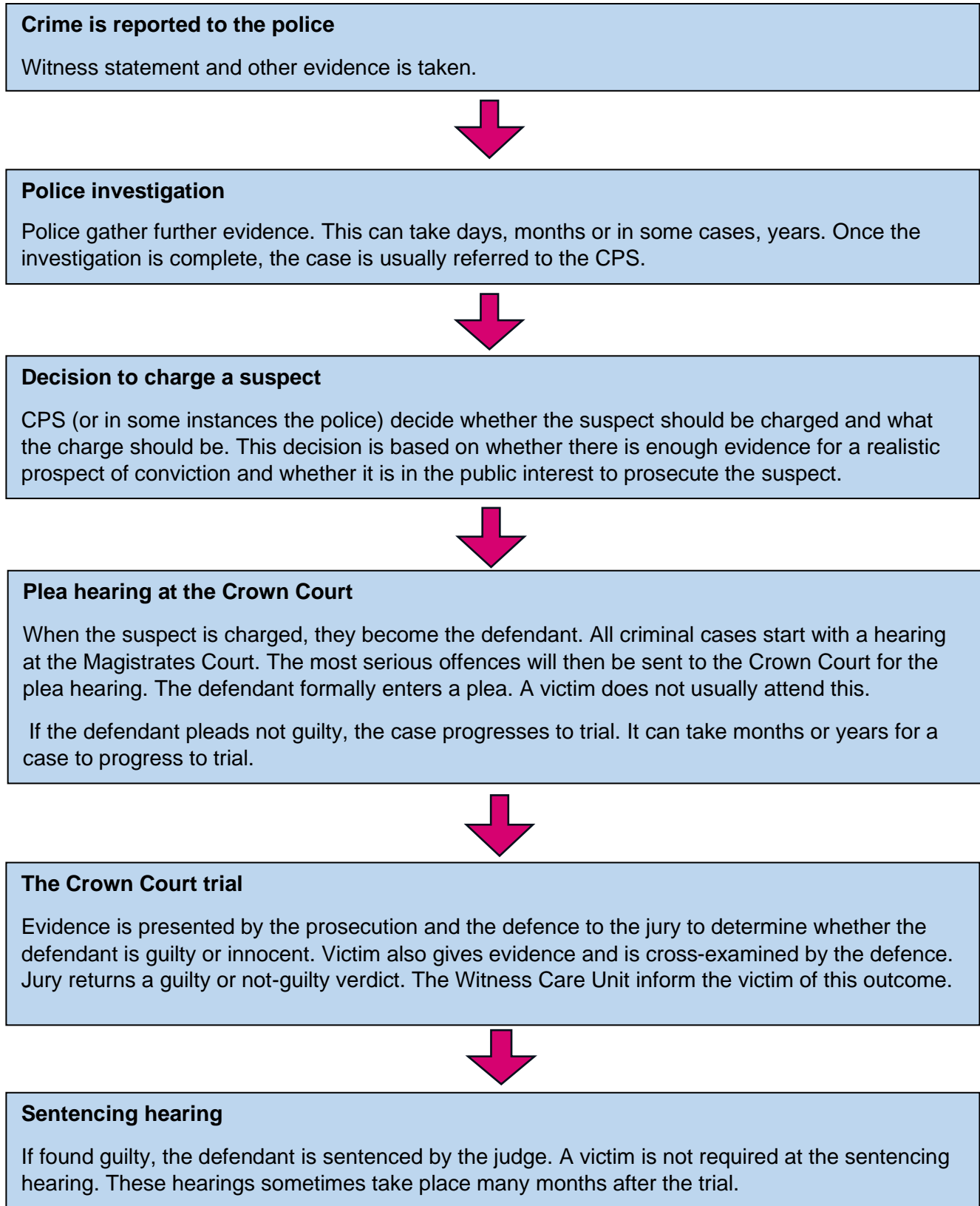
<sup>83</sup> [Victim services are the fabric of our justice system – they cannot be taken for granted - Victims Commissioner](#)

Witness Care Units (WCU) are the primary point of contact for victims whilst they are waiting for trial. These units 'sit' within and are funded by the police. Staff in these units are responsible for giving updates, supporting victims, and communicating listings and other legal decisions. Staff also conduct needs assessments including exploring any requirements for special measures. Staff in these pivotal roles explained how they were struggling with high caseloads, stress and vicarious trauma.

- 19. The Home Office undertakes a national review of the role of WCU, specifically focusing on the requirement of adequate training and support for staff in WCU. This review should focus on addressing workload, vicarious trauma and work stress, to ensure these staff are fully supported so that they can in turn support victims in the criminal justice system.**

## Appendix

Appendix A – A victims' journey through the criminal justice process, from reporting to the police to the Crown Court trial outcome.



## **Appendix B - Methodology**

With this research, the Victims' Commissioner aimed to gain insight into the impact of the Crown Court backlog on victims, victim services and the criminal justice system in England and Wales. To facilitate hearing from as many respondents as possible, we implemented a mixed methods design. This included two surveys, one with victim services staff and one with victims of crime in England and Wales where the perpetrator had been charged by the CPS. We also conducted interviews with a sample of the victims who had completed the survey.

### **Survey design and sampling**

#### *Victims survey*

The survey we designed for victims was a self-completion survey which included 26 questions in total. The only questions that required an answer were included to route respondents to groups of questions that were relevant to their experience (e.g., if they had been provided with a date for the trial to take place at court).

The survey was launched on 2<sup>nd</sup> August 2024 and responses were collected on Smart Survey. Our office used X to promote the survey and worked with stakeholders including Police and Crime Commissioners and victims' organisations to distribute links and information about the survey to members of their networks. Additionally, we created a poster with a QR code and engaged with HMCTS who placed this poster in Crown Courts to promote the survey. The survey was closed on 12<sup>th</sup> September 2024.

#### *Victim services staff survey*

The survey for victim services was also a self-completion survey and included six open questions. The only questions that required an answer were those asking about their job role and the organisation they worked for. The survey was launched on 2<sup>nd</sup> August 2024 and responses were collected on Smart Survey. Our office worked to engage a wide range of stakeholders, including victim services organisations, Police and Crime Commissioners, Witness Care Units, and specialist victim services to distribute links and information about the survey to members of their networks. The survey closed on 30<sup>th</sup> August 2024.

### **Survey analysis**

#### *Victims survey*

We received 348 completed and partial responses, of which 293 answered 'yes' or 'I don't know' to being a victim of a crime in England and Wales that had resulted in the perpetrator of the crime being charged by the CPS. After analysing how many questions were answered by the partial response group, we identified those respondents who had completed the survey but did not select 'Finish Survey' and those who answered all questions aside from the demographic questions. We also removed any duplicate entries. The final sample included 249 responses.

We prepared descriptive statistics and charts for the closed question responses using Microsoft Excel.

#### *Victim services staff survey*

We received 264 completed and partial responses. After analysing how many questions were answered by the partial response group, we identified those respondents who had completed the survey but did not select 'Finish Survey'. We also removed any duplicate entries. The final sample included 244 responses. We then analysed the open responses in Microsoft Excel, by carrying out coding across responses followed by a thematic analysis which identified recurring themes, issues, and concerns.

### **Interview design and sampling**

From the 190 respondents who had answered 'yes' in the survey to being contacted by the office to participate in a follow-up interview to discuss their experiences in more detail, we contacted a total of 15 respondents who had received a trial date to invite them to participate. We used purposive sampling to aim to get a diverse group of respondents for interview. This was based upon aiming to ensure representation across sex, age, region, ethnicity, and crime type. We also sought to select those who had experienced delays and adjournments, to enable us to gather information on the impact of these. However, as a safeguarding precaution, we only selected respondents who had responded 'yes' to having received help or support from support services or organisations while navigating the criminal justice system.

This informed the first round of interview invitations, which were emailed to respondents with an information sheet about the research and a consent form. Based on the response rate of the initial interview sample, we then continued to purposively sample survey respondents to ensure we reached the planned sample size of 12. We completed interviews with 12 respondents who had been victims of a variety of crimes, including rape and sexual assault, domestic abuse and stalking and harassment. Interviews were conducted virtually via Microsoft Teams, using the recording and transcription tool included in the Teams software.

### **Interview analysis**

The 12 transcripts were initially refined using the recording of the interview shortly after the interview had taken place, to ensure accuracy and understanding of what the respondent had said. We then coded the transcripts and thematic analysed them to identify recurring themes, issues, and concerns. To exemplify the key themes in the research, we have included anonymised quotations in the report.

## **Appendix C – Limitations**

### **Survey**

The samples of survey respondents were self-selecting and did not include all victims of crime where the perpetrator was charged or all victim services staff who support victims. Therefore, we cannot assume the experiences and views included in this report are representative of all victims or all victim services staff.

### **Interviews**

The sample of interview respondents was small and was limited to those respondents who had completed the survey, stated they would be happy to be contacted and responded to the invitation. Therefore, it is not representative of the experiences of all victims in England and Wales. The quotes included in this report are used for illustrative purposes to represent common themes, but it is important to note that they do not represent all experiences and views of victims.

### **Over and under representation in sampling**

Overall, within the victim sample, there was an over representation of female victims, victims from a white ethnic background and victims who identified as heterosexual. Consequently, male victims, victims from other ethnic groups and LGBT victims were underrepresented in the survey and interview findings. This has implications for the representativeness of our findings and limits their applicability to the wider population.

It is also important to note that over a quarter of victim services staff respondents worked exclusively with victims of sexual violence. This also has implications for the representativeness of our findings.



## **Appendix D – Demographic breakdown of the victim survey respondents**

Sex: Female (86%), Male (12%), Unknown (2%).

Age (years): 0 to 15 (2%), 16 to 24 (13%), 25 to 34 (18%), 35 to 44 (22%), 45 to 54 (27%), 55 to 64 (13%), 65 to 74 (3%), 75+ (1%), Unknown (2%).

Ethnicity: White (88%), Asian/Asian British (2%), Black/African/Caribbean/Black British (1%), Mixed/multiple ethnic groups (3%), Other/unknown (6%).

Region: South East (15%), East of England (4%), London (6%), North East (7%), Wales (3%), South West (12%), North West (13%), West Midlands (17%), East Midlands (6%), Yorkshire and the Humber (10%), Unknown (5%).

Sexual orientation: Heterosexual (85%), Gay or Lesbian (2%), Bisexual (4%), Other/unknown (9%).

Disability: Non-disabled (39%), Disabled (51%), Unknown (10%).

