

## THE CRIMINAL JUSTICE SYSTEM: AN ECONOMIC PROBLEM

Like all things, criminal justice depends on demand and supply. The English criminal justice system is continuing to face excess demand for its services. In the grand scheme of things, the level of crime has remained stagnant over the past 20 years. However, with Brexit, COVID and now the impending food and fuel shortages, demand on the criminal justice system will continue to grow. But why is this?

In short, because there are not enough judges and barristers. The situation has so deteriorated that the estimated waiting time for criminal cases has increased from 1 to 10 years: levels only seen in the height of judicial corruption in the late 17th century. A problem that the next generation of jurists and legal representatives will find themselves dealing with for some time...

Let us examine the reasons why a deficit in barristers and judges are undermining the criminal justice system.

On the one hand, the level of barristers is impeding the criminal justice system. Since the 14th century, pupils have only been able to choose between four Inns of Court: Gray's Inn, Inner Temple, Middle Temple and Lincoln's Inn. Are four Inns enough today? It would seem that the criminal justice system is in need of more barristers, and yet the supply available to train them is not there. Not to mention of those who complete their vocational training, only half end up going into the profession: on the one hand, by their own career choices; on the other, because law firms refuse to accept them for pupillage. And so, because of the inability to retain trained barristers, there are fewer barristers than are needed to meet the system's needs. And without sufficient supply of barristers, cases simply begin to pile onto barristers' desks. It is because of this, therefore, that the demand for criminal justice is not being met by the availability of barristers.

In addition to a lack of barristers, a lack of available jurists is also impeding the state of the criminal justice system. Delays to criminal justice are being brought about because there are not enough judges to hear the plethora of cases in need of being heard. Judgements need time. Judges need to understand the full picture and come to a just verdict on the facts brought before them. In many cases, these are cumbersome affairs, and so, naturally, take time. Although, for these cases to be heard, there must be judges to hear them. If they are preoccupied with other cases, who will listen to the new case? And so, without an adequate supply of judges to hear and determine cases, the delays will remain, or simply increase; thus, undermining the efficiency of the English criminal justice system.

It is clear, therefore, that the criminal justice problem is an economic one. Of course, there are other problems with the criminal justice system — from lack of diversity to inadequate sentencing — however, the essential flaw at present is the delays to criminal justice. For a delay to justice is as much an injustice as a false judgement. The underlying reason for these delays are the lack of supply in judges and barristers to meet criminal case demand. Without the available resources, delays are inevitable. By increasing the supply of judges and barristers, the system will improve. To ignore these necessary changes will simply increase the work, and the delays, for the next

generation of judges and barristers. Increase the judges, increase the barristers, improve the justice system.