Anthony Rogers

Chief Inspector

HMCPSI

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24 July 2025

Dear Anthony, if we may,

To improve the experience for all participants in a criminal trial in the Crown Court, we must work together. We remain willing to work with the CPS and all other agencies to improve the backlog. This is not the time to attack criminal barristers and to undermine us by describing our objections to the Crown Court Bench Division (CCBD) proposal as steeped in “vested interests” when we object in practice and principle to a proposal we believe will only worsen the crisis facing our system.

Juries play an important role in ensuring fairness and public trust in our system. The public matter. The reason that barristers do not support the removal of jury trial for serious criminal offences is not based on money. No barrister would choose to join or remain at the criminal Bar if that was their main concern. There are countless more lucrative areas of law. The additional barristers who joined the list to prosecute rape cases did so in the full knowledge that prosecuting such cases earns them £500 less per case than if they defended. Sir Brian Leveson has made plain that the fees for the CCBD will remain the same as for the Crown Court. If the CCBD did lead to speedier trials, this would be likely to increase, not decrease our income.

It is important to put the rhetoric aside and focus instead on finding solutions that will lead to long term and sustainable solutions that will make a difference to the mounting challenges faced by the criminal justice system.

We are sure that you did not intend to characterise our principled and practical objections to some of Sir Brian’s recommendations in this way.

Please clarify what you meant by “vested interest”. If you did not mean to convey our opposition of some of Sir Brian’s recommendations as being because we have “a personal reason for involvement in an undertaking or situation, especially an expectation for financial or other gain”, which is what “vested interests” means, we would be grateful for a withdrawal of that part of your statement.

Yours sincerely,

**Barbara Mills KC Mary Prior KC**

**Chair of the Bar of England and Wales Chair of the Criminal Bar Association**