

The Criminal Justice System

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Evaluate how the criminal justice system services victims and defendants through the criminal justice process

The criminal justice system in England and Wales is meant to deal with crime fairly, but fairness is not always simple. It needs to support victims, who may have been harmed or traumatised, while also protecting defendants, who should not be treated as guilty before a court has proved it. This is hard to balance. In my eyes, the system has strong rules on paper, such as the Victims Code, custody rights and fair trial protections, but it does not always work well in practice because of delays, poor communication and limited support.

The government is important because it makes laws and sets out how the criminal justice system should work. One way it supports victims is through the Victims' Code. This explains what victims should expect from criminal justice services, such as being treated properly, being updated about the case and being told where they can get support (Ministry of Justice, 2020). This is a good idea because victims should not just be left alone after reporting a crime. But the problem is a code does not always mean victims get a good experience. Some victims still feel like they are not listened to enough. The government has also worked on a new Victims Code, which suggests that the old system still needed to be clearer and stronger (Ministry of Justice, 2025).

The Victims and Prisoners Act 2024 is another example of the government trying to improve things for victims. It puts more focus on victims' rights and how the Victims' Code should be used in practice (Victims and Prisoners Act 2024). This is useful because victims need to feel like they matter in the process. Even though with this law, victims may still feel like they are not at the centre of the case. This is because a criminal case is usually the state against the defendant, not the victim against the defendant. Because of this, the victim can sometimes feel like they are just being used as a witness.

Special measures are another way the system tries to help victims and witnesses. These are used in court to make giving evidence less stressful. They can include things like screens, video links, giving evidence away from the public. (Youth Justice and Criminal Evidence Act 1999). The CPS explains that these measures are mainly used to help vulnerable or scared witnesses give their evidence better (Crown Prosecution Service, 2025). I think this is good because court can be scary for a lot of people especially if the victims have to see the defendant. For example, a victim of domestic

abuse may feel unsafe or nervous if they must sit close to the person accused of hurting them. However, special measures do not completely fix the problem. The victim may still have to answer hard questions, and this can make them feel like they are the one being judged or maybe make the victim feel like they've done something wrong.

The police are usually the first service that victims and defendants meet. For victims, the police should listen carefully, record the crime, collect evidence and explain what will happen next. This first contact is very important. If the police do not take the victim seriously, the victim may lose trust in the whole system. Blackstone's Handbook for Policing Students 2026 shows that police students learn about many areas, such as investigations, interviewing, victims and witnesses, vulnerability, sexual offences and stop and search (Wood et al, 2025). This shows that police officers are meant to be trained to deal with both victims and suspects properly. However, training does not always mean the service is perfect. Some victims still say they do not feel believed or supported enough.

The police also have to protect defendants. This is where custody officers and custody rules are important. PACE Code C explains how suspects should be treated when they are arrested and kept in police custody (UK Government, 2023). It includes rights such as getting legal advice, having someone told that they have been arrested, and being treated properly while in custody. Some people may think these rights are too soft on defendants, but I do not think they are. A suspect has not been proved guilty yet. If the police do not follow the rules, innocent people could be treated unfairly, or evidence could be challenged later in court. So these rights are not just there to help defendants avoid punishment. They are there to make sure the process is fair.

Custody officers are important because they have to check that detention is legal and needed. They should also think about the welfare of the person in custody. This is a good part of the system because people in custody can be vulnerable, especially if they are young, scared, disabled or have mental health problems. Still, being in custody can still be frightening and stressful. This means the law gives defendants protection, but the experience can still feel harsh.

Domestic abuse is an area where victims need strong protection. The College of Policing says police should think about risk, safety and proper investigation when dealing with domestic abuse cases (College of Policing, 2025). This matters because domestic abuse can continue or get worse after the victim reports it. The CPS and National Police Chiefs Council also created a Domestic Abuse Joint Justice Plan. This plan is about getting the police and prosecutors to work together better, build stronger cases earlier and improve how victims are treated (Crown Prosecution Service and National Police Chiefs Council, 2024). I think this is a good idea because domestic

abuse victims may be scared to keep supporting a case. However, it is still not perfect because some victims may pull out of the process if they feel unsafe or not believed.

The Crown Prosecution Service, also called the CPS, decides if a suspect should be charged and taken to court. The CPS uses the Full Code Test. This means prosecutors look at whether there is enough evidence for a realistic chance of conviction, and then whether it is in the public interest to prosecute (Crown Prosecution Service, 2018). This is fair because it helps stop weak cases from going to court. It protects defendants because they should not be prosecuted if the evidence is not strong enough. It also helps victims because cases that do go to court should have a better chance of succeeding. The Directors Guidance on Charging also explains how charging decisions should be made by the police and CPS, which helps make the process more consistent and fairer (Crown Prosecution Service, 2020).

However, the CPS can be criticised by both victims and defendants. Victims may feel that the CPS is too lenient if their case is dropped. This can feel upsetting because the victim may know what happened, but the CPS still has to prove it in court. This can be hard to accept, but criminal cases need strong evidence. Defendants may also feel the CPS is harsh because being charged can affect their life before they are found guilty. For example, it could affect their job, family and reputation. So, the CPS has a difficult job because it has to think about justice for the victim but also fairness for the defendant.

The court service is also very important. Courts are meant to be fair. They listen to the evidence and decide whether the defendant is guilty or not. If the defendant is found guilty, the court then decides the sentence. Sentencing is guided by the Sentencing Act 2020 and by sentencing guidelines (Sentencing Act 2020) (Sentencing Council, 2025). This is useful because it means judges and magistrates should not just make random decisions. Similar crimes should usually get similar punishments.

For victims, sentencing can be difficult. Some victims may feel that the sentence is too low compared to the harm caused. Sentencing guidelines do include the harm caused to victims, including emotional, physical and financial harm (Sentencing Council, 2025). This is good because the victims experience should matter. But then even when the court follows the rules, the victim may still feel that the punishment is not enough. For defendants, sentencing can also be very serious because prison or other punishments can affect their whole life. I think sentencing must be balanced. It should punish crime and protect the public, but it should also allow people to change if possible.

One of the biggest problems in the criminal justice system is delays. Delays affect both victims and defendants. Victims may have to wait a long time before the case is

finished, and this can make them feel stressed and unable to move on. Defendants can also suffer because they may be waiting a long time to clear their name or find out what sentence they will get. The House of Commons Committee of Public Accounts reported that the Crown Court backlog was 73,105 open cases at the end of September 2024 (House of Commons Committee of Public Accounts, 2025). This shows that the courts are under a lot of pressure. HMCTS also reports on how courts and tribunals are managed, but the delays still show that the system is struggling loads. (HM Courts and Tribunals Service, 2024). In my opinion, justice feels weaker when it takes too long.

Victim Support and other support services are also important because the process can be confusing and stressful. Victim Support gives emotional and practical help to people affected by crime (Victim Support, 2025). This can include explaining what happens next, helping victims prepare for court and giving support after the crime. I think these services are one of the best parts of the system because they focus on the victim as a person, not just as someone giving evidence. However, these services need enough funding and staff. If support services are too busy, victims may not get help quickly enough.

Overall, the criminal justice system does try to help both victims and defendants. Victims have the Victims Code, special measures, domestic abuse support and services like Victim Support. Defendants have rights in custody, legal advice, CPS charging tests and the right to a fair trial. I do not think the system is always too lenient or always too harsh. It depends on the case. Sometimes victims are not protected enough, especially when there are delays or poor communication. Sometimes defendants may feel treated harshly because being accused of a crime can damage their life even before they are found guilty. In conclusion, the criminal justice system has good rules and tries to be fair, but it needs to work better in real life. Victims need clearer updates, better protection and faster justice, while defendants still need their rights protected so that the system stays fair.

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