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Justice Committee reacts after Government rejects call for full County Court review

The Justice Committee has been critical of the Ministry of Justice's rejection of its call for an *"urgent and comprehensive, root-and-branch"* review of the County Court system, one of the principal proposals in its July report.

The Committee has reiterated its view that without a systemic overhaul, the inefficiencies deeply embedded in the civil justice system risk perpetuating the dysfunctional state that currently exists and eroding justice.

The Background: Crisis in the County Court

In its July 2025 report, *Work of the County Court*, the cross-party Justice Committee, chaired by Labour MP Andy Slaughter, put forward a bleak picture of a court system under strain. The Committee described the County Court as *"dysfunctional"* and *"chronically overworked"*, effectively making it the *"Cinderella service"* of the justice system, one beleaguered by chronic delays, under-resourcing and a failed attempt at digital modernisation.

Key findings within the report signposted several issues, including:

- Unacceptable delays, with average times from issue to trial running at almost a year for small-claims (49.8 weeks) and more than 74 weeks for other types of claims.

- A myriad of legacy and digital systems, including incompatible platforms, and a continued reliance on paper files physically transferred between offices, are identified as major contributors to delays.
- Under-investment in the court estate, with serious maintenance issues, including asbestos and rat infestations, which undermine efficiency and morale among court staff and judges.
- Staffing and recruitment problems, particularly in the judiciary and HM Courts & Tribunals Service (HMCTS). The Committee suggested that the civil bench is less attractive than it once was, and that high staff turnover and the use of agency staff further exacerbate delays.
- Poor accessibility and communication, especially for litigants in person; the report criticised centralised contact points, delays in responding to users and a lack of current status information.
- The Committee recommended deeper reform, incorporating a root-and-branch review to develop a sustainable plan spanning staffing, capital investment, digitisation (including AI) and long-term efficiencies.

Government Response and Rejection

The government published its formal response to the Committee's report in October. While it accepted fully or in part a significant number of the Committee's other recommendations, including those on delays, judicial recruitment, digitisation and court-estate repair, it dismissed the call for a wholesale review.

The Ministry of Justice instead set out its preference to pursue practical, incremental reforms rather than embark on a sweeping review and radical overhaul. The government emphasised the impacts of ongoing improvements, such as greater trial expediency, improved call-waiting times, expanded small-claims mediation and enhancements to case management and file-transfer systems.

Notably, the government committed to accelerating digitisation through the Civil Auto File Share (CAFS) project, an electronic document management system being implemented by HMCTS in England and Wales that aims to eliminate the cumbersome, outdated practice of shipping paper files. According to the response, CAFS is expected to be delivered by the end of the year.

Justice Committee's Reaction

The Justice Committee has shared its disappointment at the government's refusal to support its recommendation for an independent, comprehensive review, stating the absence of full-scale reform threatens to undermine long-term progress.

The Committee's position is that only a thorough review would deliver the measurable, sustainable improvements needed to resolve systemic issues. Without it, Chair Andy Slaughter argues, "*it is unclear how fundamental reform will be achieved.*" He emphasised that MPs will closely monitor the Ministry's actions and hold it accountable for delivering on the improvements it has committed to make.

Reaction from Stakeholders

The response from civil society has been mixed, with the Association of Consumer Support Organisations (ACSO) welcoming the government's engagement and its adoption, in full or in part, of many recommendations, noting that 16 of the Committee's 25 recommendations were fully accepted, with a further seven partially accepted.

Acknowledging the positive steps ahead, ACSO Executive Director Matthew Maxwell-Scott commented that the Committee's work had established a framework against which progress could be measured and also pledged to hold both the Ministry of Justice and HMCTS to account.

The Bar Council also reacted strongly to the original report, warning that under-resourcing was eroding justice across the civil courts and echoing calls for reform of court spaces, better digitisation and more inclusive planning through testing of new systems.

Key Areas for Further Development

Despite the government's refusal of a full review, the Committee has identified several points which should remain in focus to ensure meaningful reform:

- **Digitisation through CAFS:** the successful delivery of the CAFS project promises to eliminate costly paper-based practices and improve file access, but its deployment must be rigorously monitored, and user experience tested.
- **Estate investment:** the government allocated £197 million in capital funding for 2024-25, with a further £200 million in 2025-26. The Committee has urged greater transparency and, in its report, urged a detailed breakdown of how the budget is being spent, with calls for rapid upgrades to address more immediate needs.
- **Judicial recruitment and retention:** addressing the shortfall in civil-court judges and reducing dependence on fee-paid or agency staff remains a priority. The Committee's original call to examine workload, regional disparities and career attractiveness has therefore not receded and will continue to be central to their stance.
- **Support for litigants-in-person:** improved guidance, clearer communication channels, and better integration of national business centres with local courts are

seen as vital to reducing the postcode lottery and ensuring that those without legal representation can navigate the system with greater ease and confidence.

- **AI and alternative dispute resolution:** the Committee wants the Ministry to consult publicly on how to deploy AI in court processes and assess whether mandatory mediation might be applied more widely. It previously recommended a report on effective AI use in the county court by the end of 2026.

Risks and Challenges

The Committee has warned that the absence of a clear strategy risks making existing issues worse rather than delivering any benefit. There is a danger that incremental reform will fail to provide large-scale efficiencies or restore confidence in a system many see as failing those seeking justice.

Furthermore, the reliance on practical improvement rather than a full review raises questions about long-term sustainability. For example, a fragmented digitisation approach that does not fully replace legacy systems could perpetuate complexity and inconsistency. Similarly, capital investment without appropriate oversight may lead to further neglect of the court buildings that are already the most under-resourced.

Much is also expected of CAFS, and although it has transformational potential, if delivery slips or user uptake is poor, the risk remains that the core inefficiencies of the paper-based system will not be eliminated.

What Comes Next

Looking to the future, several developments and areas stand out as needing ongoing monitoring:

- **Parliamentary scrutiny:** The Justice Committee has signalled its intention to closely track progress. It is likely to organise follow-up hearings and request updates on CAFS implementation, court-estate spending, judicial recruitment and key performance metrics.
- **Civil society:** organisations like ACSO and the Bar Council will likely continue to push for transparency, especially around capital spending, user-led design of digital systems and better support for unrepresented litigants.
- **Pilot Testing of AI and mediation plans:** with the Ministry's agreement, testing of mediation and AI-supported case management could begin and might provide proof-of-concept for wider and deeper reform, even if not under the umbrella of a formal review.

The Justice Committee's July 2025 report served to clearly signal that the County Court, the cornerstone of civil justice in England and Wales, is failing. While the government has accepted many of the Committee's individual recommendations, its refusal to embark on the wide-ranging, independent review remains a major point of contention.

The Committee has made it clear that without fundamental reform, the systemic inefficiencies, under-investment and under-staffing that plague the County Court will persist. The Ministry of Justice and HMCTS must now deliver on the reforms they have accepted and integrate genuine accountability. Several interested parties will be watching with interest.

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