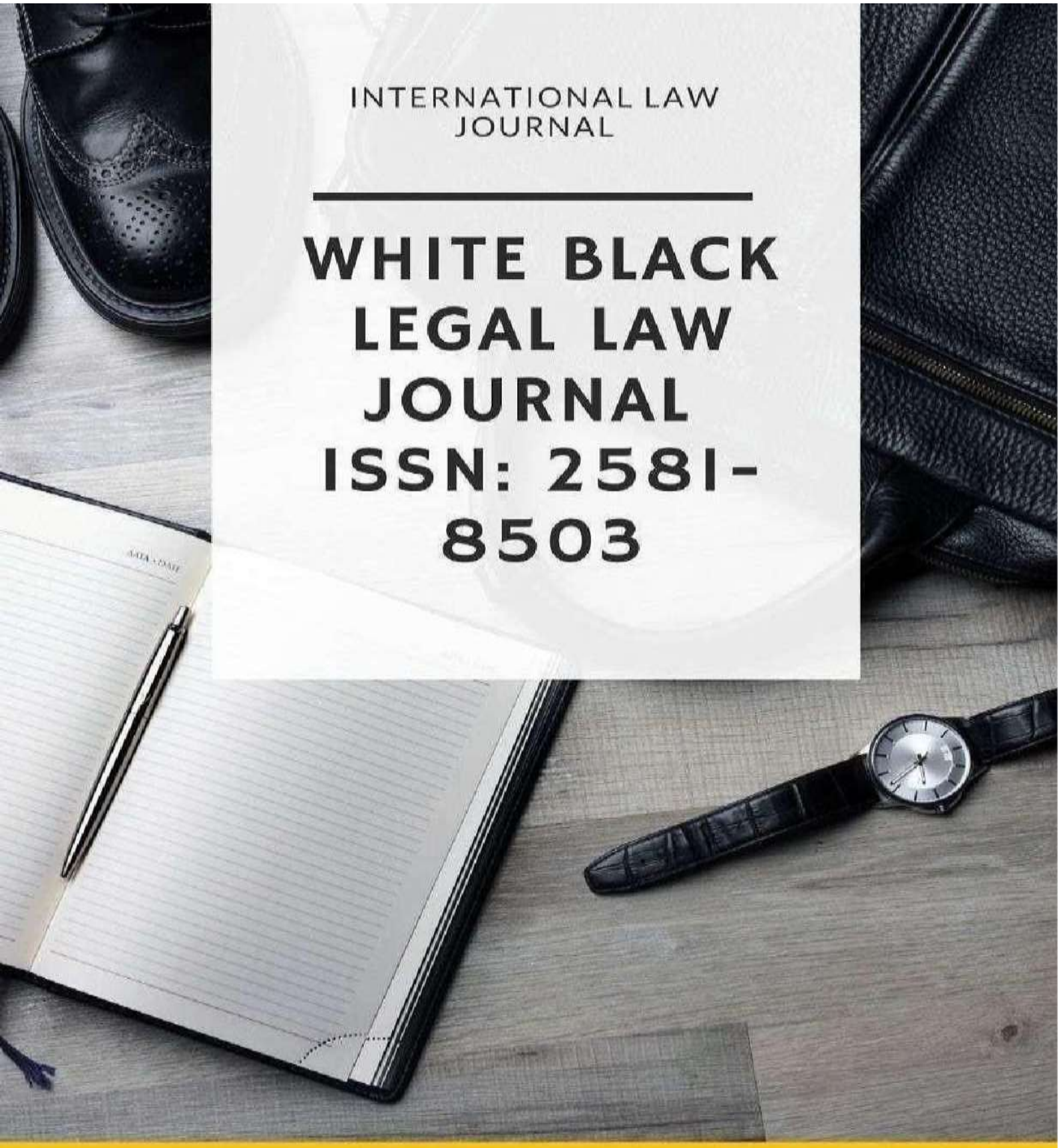

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EFFECTIVENESS OF PLEA BARGAINING UNDER THE CODE OF CRIMINAL PROCEDURE IN ACHIEVING SPEEDY JUSTICE

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ABSTRACT

The Indian criminal justice system has long been grappling with an enormous backlog of cases, with millions of cases pending before various courts at all levels of the judicial hierarchy. Prolonged trials not only undermine public confidence in the justice system but also result in substantial suffering for both accused persons and victims. In order to address this problem, Chapter XXI-A was inserted into the Code of Criminal Procedure, 1973 (hereinafter CrPC) through the Criminal Law (Amendment) Act, 2005, introducing the concept of plea bargaining as a formal mechanism for expeditious disposal of criminal cases. This research paper critically examines the concept, legislative framework, procedural requirements, and actual effectiveness of plea bargaining under the CrPC in achieving the constitutional mandate of speedy justice. The paper analyses the conditions under which plea bargaining is permissible, the rights of the accused and the victim, the role of the court, and the limitations placed on this mechanism. Drawing upon judicial interpretations, statistical data on case pendency, and comparative analysis with plea bargaining systems in the United States, the United Kingdom, and other jurisdictions, the paper argues that while plea bargaining has the potential to significantly reduce judicial pendency and deliver timely justice, its practical utility has remained limited due to restricted scope, lack of awareness, prosecutorial reluctance, and absence of effective implementation guidelines. The paper concludes with recommendations for legislative reform and systemic changes to make plea bargaining a more effective tool for achieving speedy justice in India.

Keywords: *Plea Bargaining, Speedy Justice, Code of Criminal Procedure, Criminal Justice System, Judicial Pendency, Mutually Satisfactory Disposition, Victim Compensation, Article 21*

1. Introduction

Justice delayed is justice denied — this maxim, though centuries old, resonates more powerfully than ever in the contemporary Indian legal landscape. India's judiciary is burdened by an unprecedented backlog of cases. According to the National Judicial Data Grid (NJDG), more than 4.4 crore cases are pending across district and subordinate courts in India as of 2024, and a significant proportion of these are criminal cases that have been languishing for years, sometimes even decades. Undertrial prisoners languish in jails awaiting trials that may never conclude in their lifetime, while victims await justice that is perpetually deferred.

The right to a speedy trial is not merely a procedural right but a fundamental right guaranteed under Article 21 of the Constitution of India. The Supreme Court of India, in the landmark case of Hussainara Khatoon v. State of Bihar (1979), unequivocally held that the right to a speedy trial is a fundamental right of every person accused of a crime. Despite this constitutional imperative, the reality of India's criminal justice system is one of chronic delay, systemic bottlenecks, and perpetual pendency.

It is in this backdrop that the Parliament of India, recognizing the urgent need for alternatives to the conventional adversarial trial process, introduced plea bargaining as a formal mechanism in the CrPC through the Criminal Law (Amendment) Act, 2005, with effect from July 5, 2006. Inspired by the practice prevalent in the United States and other common law countries, plea bargaining was introduced as Chapter XXI-A of the CrPC, containing Sections 265-A to 265-L. The mechanism allows an accused person, in certain categories of cases, to approach the court with a plea of guilty in exchange for a mutually satisfactory disposition of the case, which may include a reduced sentence or compensation to the victim.

This research paper critically examines the concept and rationale of plea bargaining, its legislative framework under the CrPC, the procedural safeguards incorporated to protect the rights of the accused and the victim, the practical challenges in its implementation, and its effectiveness in achieving the goal of speedy justice. The paper also undertakes a comparative

analysis of plea bargaining systems in other jurisdictions to draw lessons for India. The paper concludes with concrete recommendations for reform to enhance the effectiveness of plea bargaining as a tool for delivering timely justice.

2. Objectives and Research Methodology

2.1 Objectives

This paper pursues the following specific objectives:

- To examine the historical background and legislative history of plea bargaining in India.
- To analyse the statutory framework of plea bargaining under Chapter XXI-A of the CrPC.
- To evaluate the procedural requirements and safeguards associated with plea bargaining.
- To assess the effectiveness of plea bargaining in reducing judicial pendency and delivering speedy justice.
- To undertake a comparative study of plea bargaining in the United States, United Kingdom, and other jurisdictions.
- To identify the limitations and practical challenges in the implementation of plea bargaining in India.
- To suggest legislative and administrative reforms to strengthen the plea bargaining mechanism in India.

2.2 Research Methodology

This research adopts a doctrinal and analytical methodology. Primary sources examined include the Code of Criminal Procedure, 1973 (as amended), the Constitution of India, relevant judicial decisions of the Supreme Court and High Courts, reports of the Law Commission of India, and parliamentary debates. Secondary sources include academic articles, books on criminal law and procedure, comparative legal materials from the United States and United Kingdom, and statistical data on judicial pendency published by the Supreme Court of India, the National Judicial Data Grid (NJDG), and the National Crime Records Bureau (NCRB). The paper employs a descriptive-analytical approach to examine the legislative framework and a critical-evaluative approach to assess the effectiveness of the mechanism.

3. Historical Background and Evolution of Plea Bargaining

3.1 Genesis of Plea Bargaining

Plea bargaining, in its contemporary form, originated in the United States of America in the nineteenth century. American courts, faced with an increasing volume of criminal cases and limited judicial resources, began accepting guilty pleas from accused persons in exchange for lighter sentences or reduction in charges. By the twentieth century, plea bargaining had become the dominant method of resolving criminal cases in the United States, with more than 90% of all criminal convictions resulting from guilty pleas rather than contested trials.

In India, the concept of plea bargaining was not entirely alien to the legal system. Under the CrPC, 1898 and subsequently the CrPC, 1973, there existed provisions allowing an accused to plead guilty to a charge, but there was no formal mechanism for negotiating the terms of such a plea. The courts were not authorized to engage in any bargaining process, and the quantum of punishment remained entirely at the discretion of the court, irrespective of whether the accused had pleaded guilty.

3.2 Law Commission Recommendations

The question of introducing plea bargaining in India was first formally examined by the Law Commission of India in its 142nd Report (1991), which recommended the introduction of a system of plea bargaining for certain categories of offences. The Commission noted that plea bargaining, if properly regulated, could significantly reduce judicial pendency and help deliver speedier justice. The Commission's recommendation was reiterated and elaborated in the 154th Report (1996) and the 177th Report (2001), which provided detailed recommendations on the scope, procedure, and safeguards to be incorporated in any plea bargaining legislation.

The Malimath Committee Report on Reforms of the Criminal Justice System (2003) also strongly recommended the introduction of plea bargaining in India, drawing upon the American experience and adapting it to Indian conditions. The Committee suggested that plea bargaining should be introduced for offences not punishable with death or life imprisonment and should be subject to appropriate safeguards for the protection of the accused and the victim.

Acting on these recommendations, Parliament enacted the Criminal Law (Amendment) Act, 2005, inserting Chapter XXI-A (Sections 265-A to 265-L) into the CrPC, bringing plea bargaining into force from July 5, 2006.

4. Legislative Framework of Plea Bargaining under the CrPC

4.1 Scope and Applicability: Section 265-A

Section 265-A of the CrPC defines the applicability of plea bargaining. The provision allows an accused to apply for plea bargaining in respect of any offence for which the trial has not been commenced, provided:

- The offence is punishable with imprisonment for a term up to seven years.
- The offence does not affect the socio-economic condition of the country.
- The offence has not been committed against a woman or a child below the age of fourteen years.

The exclusion of offences affecting the socio-economic condition of the country is significant in scope. The Central Government is empowered to prepare a list of such offences, and this list currently includes offences under various economic legislation, making them ineligible for plea bargaining. The rationale behind these exclusions is that certain categories of offences, by their very nature, require a full trial to vindicate public interest.

4.2 Application by the Accused: Section 265-B

Section 265-B provides the procedure for initiating plea bargaining. The accused may file an application for plea bargaining before the trial court, which must contain:

- A brief description of the case, including the offence charged.
- A declaration by the accused that the application is made voluntarily, that the accused understands the nature and extent of punishment, and that the accused has not been previously convicted of the same offence.

The court is required to examine the accused in camera to ascertain whether the application is voluntary. If the court finds that the application is not voluntary or that the accused was previously convicted for the same offence, it shall proceed with the trial. The requirement of voluntariness is a crucial safeguard against coercion or misuse of the plea bargaining process.

4.3 Mutually Satisfactory Disposition: Sections 265-C to 265-E

Section 265-C mandates the court to issue notice to the public prosecutor or the complainant and the accused to participate in the process of working out a 'mutually satisfactory disposition' of the case. This disposition may include:

- Payment of compensation to the victim by the accused.

- Any other conditions as may be agreed upon between the parties.

Section 265-D requires the court, if a mutually satisfactory disposition is worked out, to prepare a report of the same, which must be signed by the presiding officer and all parties. If no such disposition is worked out, the court proceeds to hold the trial from the stage the case was at before the application for plea bargaining was filed. This ensures that plea bargaining does not prejudice the accused's right to a full trial if the process fails.

Section 265-E provides for the pronouncement of judgment based on the mutually satisfactory disposition. The court is required to award the minimum punishment prescribed for the offence, or if the minimum punishment is not prescribed, one-fourth of the punishment provided for the offence. Where the sentence is a fine, one-fourth of such fine shall be imposed. This provision ensures that plea bargaining does not result in wholly inadequate punishment.

4.4 Finality of Judgment: Section 265-G

A significant feature of plea bargaining under the CrPC is that the judgment is final and no appeal shall lie against such judgment except under Article 226 (writ jurisdiction of High Courts) or Article 136 (special leave to appeal to the Supreme Court) of the Constitution. This finality ensures that the settlement is not disturbed by ordinary appellate proceedings, providing certainty and closure to all parties.

4.5 Bar on Use of Statement: Section 265-H

Section 265-H provides that the statement or facts stated by an accused in an application for plea bargaining shall not be used for any other purpose except for the purpose of Chapter XXI-A. This is an essential protection that encourages the accused to participate in the plea bargaining process without fear that admissions made during the process will be used against them in any subsequent trial if the plea bargaining fails.

5. Critical Analysis of Key Provisions

5.1 Voluntariness as the Cornerstone

The requirement of voluntariness is the foundational safeguard of the plea bargaining process. The Supreme Court of India, in Murlidhar Meghraj Loya v. State of Maharashtra (1976), had cautioned against the dangers of involuntary guilty pleas, emphasizing that a plea of guilty must be the result of free choice. Section 265-B's requirement of an in camera examination by the court before accepting a plea bargaining application is designed to address

this concern.

However, critics have noted that in practice, the voluntary character of plea bargaining may be illusory, particularly for accused persons who are in custody, are economically disadvantaged, or lack adequate legal representation. The power imbalance between the prosecution and the accused, and the pressure of prolonged pretrial detention, may compel accused persons to opt for plea bargaining even when they have valid defences.

5.2 The Role of the Victim

A distinctive feature of the Indian plea bargaining framework, which distinguishes it from the American model, is the explicit recognition of the role of the victim. Section 265-C requires the court to give notice to the complainant (if the case was instituted on a complaint) and to facilitate the participation of the victim in the process of working out a mutually satisfactory disposition. The provision that the disposition may include payment of compensation to the victim reflects the restorative justice philosophy that animates the Indian approach.

However, critics have pointed out that the victim's role remains peripheral and is not adequately protected. There is no provision ensuring that the victim's interests are independently represented, and the mutually satisfactory disposition is essentially negotiated between the prosecution and the accused, with the victim having limited bargaining power. The Law Commission, in its 268th Report (2017), has recommended strengthening the role of the victim in the plea bargaining process.

5.3 Limited Scope: An Inherent Constraint

The most significant limitation of plea bargaining under the CrPC is its restricted scope. The exclusion of offences punishable with more than seven years of imprisonment, offences affecting the socio-economic condition of the country, and offences against women and children significantly limits the categories of cases to which plea bargaining can apply. In practice, a large proportion of serious criminal cases, including those related to violent crimes, corruption, and economic offences, are excluded from the ambit of plea bargaining.

While the rationale for these exclusions is understandable from a public policy perspective, the result is that plea bargaining can only address a relatively small proportion of the total pendency of criminal cases. The most problematic and prolonged criminal trials, which contribute disproportionately to judicial backlog, are precisely those that are excluded from the plea bargaining framework.

6. Effectiveness of Plea Bargaining in Achieving Speedy Justice

6.1 Constitutional Mandate of Speedy Trial

The right to a speedy trial is a well-recognized fundamental right under Article 21 of the Constitution of India. In A.R. Antulay v. R.S. Nayak (1992), the Supreme Court laid down guidelines for determining whether a trial has been unduly delayed and held that undue delay in the conclusion of a trial constitutes a violation of the fundamental right under Article 21. The Court held that the state has an obligation to ensure that criminal trials are concluded within a reasonable period.

Similarly, in Hussainara Khatoon v. State of Bihar (1979), the Court held that the continued detention of undertrial prisoners for periods exceeding the maximum sentence they could receive upon conviction was unconstitutional. These judicial pronouncements create a strong constitutional imperative for finding mechanisms, including plea bargaining, to reduce judicial delay.

6.2 Statistical Analysis of Judicial Pendency

To assess the effectiveness of plea bargaining, it is necessary to examine the data on judicial pendency in India. According to the National Judicial Data Grid (NJDG) data as of 2024:

- More than 4.4 crore cases are pending in district and subordinate courts.
- Approximately 43% of all pending cases are criminal cases.
- More than 30 lakh undertrial prisoners are lodged in jails across India, many of whom have been in detention for periods exceeding the maximum sentence for the offence they are charged with.
- The average time for disposal of a sessions trial in India is approximately 3-5 years.

Despite the introduction of plea bargaining in 2006, the impact on these statistics has been minimal. Research and empirical studies have shown that the number of cases disposed of through plea bargaining is negligible. A study by the DAKSH organization found that fewer than 1% of criminal cases are being resolved through plea bargaining. This low uptake stands in stark contrast to the United States, where approximately 97% of federal criminal convictions result from guilty pleas.

6.3 Reasons for Low Uptake

Several factors have been identified as contributing to the low uptake of plea bargaining

in India:

(a) Lack of Awareness: A large proportion of accused persons, particularly those from rural areas or with limited education, are unaware of the availability of plea bargaining as an option. Legal aid lawyers, who represent a significant proportion of accused persons, may also lack specific training on plea bargaining procedures.

(b) Prosecutorial Reluctance: Public prosecutors have historically been reluctant to engage in plea bargaining, partly due to the fear of being accused of improper conduct and partly due to the absence of clear guidelines on how to conduct plea bargaining negotiations. There is also a cultural resistance within the prosecution machinery to the idea of negotiating with accused persons.

(c) Judicial Passivity: Courts have generally been passive in encouraging plea bargaining. Judges may be reluctant to facilitate plea bargaining negotiations because of concerns about the propriety of their involvement in the process.

(d) Restricted Scope: The exclusion of serious offences means that many accused persons who are languishing in pretrial detention for years due to charges of serious offences cannot avail of plea bargaining.

(e) Inadequate Legal Representation: A large proportion of accused persons in India do not have access to effective legal representation. Without competent legal advice, accused persons are unable to make informed decisions about whether to opt for plea bargaining.

7. Comparative Analysis: Plea Bargaining in Other Jurisdictions

7.1 United States of America

The United States is the jurisdiction where plea bargaining is most extensively practised. As noted earlier, approximately 90-97% of criminal convictions at both the federal and state levels result from guilty pleas. The American system of plea bargaining is characterized by extensive prosecutorial discretion in determining the charges to be filed and in negotiating plea agreements. The Federal Sentencing Guidelines and analogous state guidelines provide a structured framework within which plea bargaining operates.

The advantages of the American system include speed and certainty for all parties involved. However, the American system has also been criticized for coercing innocent persons to plead guilty, creating racial and socioeconomic disparities in the criminal justice system, and undermining the constitutional right to trial. The Supreme Court of the United States, in Brady v. United States (1970) and subsequent cases, has held that plea bargaining does not per se

violate constitutional rights, provided the plea is voluntary and knowing.

7.2 United Kingdom

In England and Wales, the plea bargaining process is less formalized than in the United States but is nonetheless a significant feature of the criminal justice system. The system of 'sentence discounts' allows accused persons who plead guilty at an early stage to receive a reduced sentence, typically one-third off the sentence that would have been imposed after a trial. The Sentencing Council's Guidelines provide structured guidance on the quantum of discount to be applied at different stages of the proceedings.

The UK system emphasizes transparency and judicial oversight, with the court retaining the final authority to determine the sentence. The system of 'Goodyear indications,' introduced following the decision in R v. Goodyear [2005] EWCA Crim 888, allows the accused to seek an indication from the judge of the maximum sentence that would be imposed upon a guilty plea, providing greater certainty to the accused.

7.3 Lessons for India

A comparative analysis of plea bargaining systems in the United States and the United Kingdom yields several lessons that could be applied in the Indian context. First, expanding the scope of plea bargaining to include more categories of offences, as in the American system, could significantly increase its impact on judicial pendency. Second, providing structured guidance on the quantum of sentence discount for plea bargains, as in the UK system, could make the mechanism more attractive to accused persons. Third, investing in training for prosecutors, defence lawyers, and judges on plea bargaining procedures could address the reluctance and lack of knowledge that currently impede its use. Fourth, introducing a system of court-supervised plea bargaining, with the judge playing a more active facilitative role, could improve the quality and fairness of the process.

8. Judicial Response to Plea Bargaining

8.1 Initial Judicial Hostility

Prior to the statutory introduction of plea bargaining in 2006, the Supreme Court of India expressed significant reservations about the practice. In Murlidhar Meghraj Loya v. State of Maharashtra (1976), the Court strongly condemned informal plea bargaining, stating that the court cannot be a party to negotiation between the accused and the prosecution regarding

the disposal of criminal cases. The Court held that any such compromise was violative of the public policy underlying the criminal justice system.

Similarly, in Kasambhai Abdulrehmanbhai Sheikh v. State of Gujarat (1980), the Supreme Court held that any conviction based on plea bargaining was illegal, unconstitutional, and improper, describing it as a practice not known to Indian criminal law. These judgments reflected the judiciary's strong adherence to the adversarial model of criminal justice and its resistance to alternative dispute resolution mechanisms in criminal cases.

8.2 Post-2006 Judicial Approach

After the statutory introduction of plea bargaining in 2006, the judicial approach has necessarily changed. The courts have recognized the validity of plea bargaining where conducted in accordance with the statutory requirements of Chapter XXI-A. The High Courts have generally upheld the constitutional validity of plea bargaining provisions, viewing them as a legitimate mechanism to address judicial pendency.

The Supreme Court, in various pronouncements after 2006, has emphasized the importance of strict adherence to the procedural requirements of Chapter XXI-A, particularly the requirement of voluntariness and the bar on using statements made during plea bargaining for other purposes. The courts have also emphasized the need to ensure that the victims' interests are adequately protected in the plea bargaining process.

9. Limitations and Challenges in Implementation

9.1 Structural Limitations

The structural limitations of plea bargaining under the CrPC include the restricted scope of offences eligible for plea bargaining, the absence of clear guidelines for prosecutors and defence lawyers on how to conduct plea bargaining, the lack of specialized infrastructure for plea bargaining proceedings, and the absence of monitoring mechanisms to ensure that the plea bargaining process is being used effectively and fairly.

9.2 Socio-Legal Challenges

India presents unique socio-legal challenges for effective plea bargaining. The vast majority of accused persons in India are economically disadvantaged and lack effective legal representation. The legal aid system in India, while constitutionally mandated, remains inadequate in practice. Without competent and well-resourced legal counsel, accused persons

are unable to engage effectively in the plea bargaining process.

The cultural context also presents challenges. India's criminal justice system has historically been adversarial, and there is a deep-rooted cultural resistance to the idea of a guilty plea, which is often seen as an admission of guilt rather than a strategic decision to resolve a case efficiently. This cultural resistance affects both accused persons and legal professionals.

9.3 Exclusion of Serious Offences and Its Implications

The exclusion of serious offences from the scope of plea bargaining has a direct impact on its effectiveness in addressing judicial pendency. It is the serious offences — the sessions trial cases — that take the longest to resolve and consume the most judicial resources. By limiting plea bargaining to less serious offences triable by the Judicial Magistrate, the legislation has ensured that the mechanism cannot address the most critical source of judicial delay.

Moreover, the exclusion of offences against women and children, while understandable from a public policy perspective, means that a significant proportion of cases that are currently contributing to judicial backlog cannot be resolved through plea bargaining. Alternative mechanisms for the speedy resolution of such cases are therefore required.

10. Recommendations for Reform

10.1 Expansion of Scope

The most important reform required is the expansion of the scope of plea bargaining to include more categories of offences. While offences punishable with death or life imprisonment may appropriately remain outside the scope of plea bargaining, the threshold of seven years should be raised to at least fourteen years. This would bring a significantly larger proportion of criminal cases within the ambit of the mechanism and could have a meaningful impact on judicial pendency.

10.2 Structured Sentence Discounts

A system of structured sentence discounts for plea bargaining, along the lines of the UK model, should be introduced. The current provision of one-fourth reduction in sentence applies only to the minimum sentence, which may be insufficient incentive for accused persons to opt for plea bargaining. A more generous and clearly structured system of sentence discounts, based on the stage at which the plea is entered, would make the mechanism more

attractive.

10.3 Strengthening Legal Aid

Effective plea bargaining requires that accused persons have access to competent legal counsel. The legal aid system in India needs significant strengthening, with adequate remuneration for legal aid lawyers, specialized training on plea bargaining, and improved monitoring of the quality of legal aid services. The National Legal Services Authority (NALSA) and State Legal Services Authorities should develop specific programmes to improve awareness and utilization of plea bargaining.

10.4 Training for Legal Professionals

Specialized training programmes on plea bargaining should be developed for prosecutors, defence lawyers, and judges. The National Academy for Legal Studies and Research (NALSAR), the National Judicial Academy, and bar councils should incorporate plea bargaining as a specific area of study in their training programmes. This would address the knowledge and skill gaps that currently impede the effective use of plea bargaining.

10.5 Victim Support and Compensation

The role of the victim in the plea bargaining process needs to be strengthened. Victim support services should be developed to provide victims with independent legal advice and assistance during the plea bargaining process. The compensation element of plea bargaining should be given greater emphasis, and mechanisms for ensuring that compensation is actually paid to victims should be strengthened.

10.6 Creation of Dedicated Infrastructure

Dedicated infrastructure for plea bargaining, including trained mediators and specialized plea bargaining courts or dedicated sessions of existing courts, should be created. The experience of Lok Adalats, which have been moderately successful in resolving cases through negotiated settlements, could be leveraged to build an institutional framework for plea bargaining.

10.7 Monitoring and Evaluation

A robust monitoring and evaluation system should be created to track the use of plea bargaining, identify bottlenecks, and assess its impact on judicial pendency. Data on the

number of plea bargaining applications, their outcomes, the nature of the dispositions reached, and the compensation paid to victims should be systematically collected and published. This would enable evidence-based policy-making and reform.

11. Conclusion

Plea bargaining, as introduced under Chapter XXI-A of the Code of Criminal Procedure, 1973, represents a significant legislative innovation aimed at addressing the chronic problem of judicial pendency and delivering on the constitutional promise of speedy justice. The mechanism, drawing upon well-established practices in other jurisdictions, provides a framework for the expeditious resolution of criminal cases through a process of consensual negotiation between the accused and the prosecution, with the court acting as a facilitator and guardian of the rights of the parties.

However, the actual impact of plea bargaining on judicial pendency has remained limited since its introduction in 2006. The restricted scope of the mechanism, the lack of awareness among accused persons and legal professionals, prosecutorial reluctance, the inadequacy of legal aid services, and the absence of dedicated infrastructure have all contributed to its underutilization. The result is that plea bargaining, despite its considerable potential, has not yet made a meaningful dent in the massive backlog of criminal cases before Indian courts.

The imperative for reform is clear. The constitutional right to speedy justice, affirmed repeatedly by the Supreme Court, demands that all available mechanisms for the expeditious resolution of criminal cases be developed to their fullest potential. Plea bargaining, properly reformed and effectively implemented, can be a powerful tool for addressing judicial pendency. The reforms recommended in this paper — expansion of scope, structured sentence discounts, strengthened legal aid, training for legal professionals, enhanced victim participation, dedicated infrastructure, and robust monitoring — if implemented, could transform plea bargaining from a largely dormant provision into a living and effective mechanism for the delivery of speedy justice.

Ultimately, plea bargaining must be seen not merely as a mechanism for reducing judicial pendency, but as an instrument for achieving a more humane and responsive criminal

justice system — one that recognizes the legitimate interests of all stakeholders, including the accused, the victim, and society at large, in the efficient and just resolution of criminal cases. As the Indian criminal justice system continues to evolve, plea bargaining, if properly nurtured, can play a crucial role in bridging the gap between the ideal of speedy justice and the reality of chronic delay.

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