

11th April 2025

Andy Slaughter MP
Chair
Justice Committee
House of Commons
London
SW1A 0AA

Rt Hon Lord Foster of Bath
Chair
Justice and Home Affairs Committee
House of Lords
London
SW1A 0PW

Florence Eshalomi MP
Chair
Housing, Communities and Local Government Committee
House of Commons
London
SW1A 0AA

Dear Chairs,

You will be aware that the Renters' Rights Bill, currently going through Parliament, amounts to the biggest overhaul of the private rented sector for well over 30 years.

At its core is the abolition of Section 21, 'no explanation' repossessions, which will leave the grounds-based possession process in place – a change that will place further pressure on an already over-stretched court system. Without urgent improvements, both tenants and responsible landlords risk being left in a protracted legal no-man's land.

The Law Society has rightly [warned](#) that: *"The bill in its current form may lead to an increase in contested hearings in the short term, as landlords that would previously have used no-fault provisions will instead have to show good reason for eviction."*

On the day the Renters' Rights Bill was published (11th September 2024), the Housing Minister [told](#) LBC Radio that the Ministry of Housing, Communities and Local Government was working with the Ministry of Justice to *"ensure that the court system is ready at the point that the new system comes into effect."*

This commitment was [reiterated at Report stage in the Commons](#) in January, when the Minister stated: *"court readiness is essential to the successful operation of the new system."* He continued: *"That is why my officials and I are working closely with the Minister for Courts and Legal Services and her team to ensure that the Courts and Tribunals Service is ready when the new tenancy system is brought into force."*

As of yet, the Government has failed to explain how it will determine whether the courts are truly "ready". This is despite the Minister himself [accepting](#) during the Bill Committee in the Commons that *"the court system is on its knees."*

Ministers have further sought to emphasise the role of court digitisation in improving efficiency within the system. Most recently, at Second Reading in the Lords, the Minister, Baroness Taylor of Stevenage [declared](#) that *“the digitisation of the court possession process will make the process easier to navigate for landlords and tenants.”*

We wholeheartedly support efforts to modernise and streamline the courts, making best use of technology where possible. Yet no detail has been provided about how, practically, digitising the system will improve the way the courts handle and process possession claims. What’s more, we have serious concerns about the county courts’ readiness for such reform.

Speaking frankly to the Justice Committee as part of its inquiry on the work of the County Court, the Master of the Rolls [spoke](#) clearly of being *“very disappointed that we are going to reach the end of reform with only 23% of cases beginning and ending with digital, and all the rest ending up on paper.”*

The Minister for the Courts, Sarah Sackman MP, has also [told the Justice Committee](#) that *“we are not where we want to be”* in terms of timeliness and the digitisation of the court process.

Meanwhile, government data shows that the average time to process and enforce a Section 8 possession case (the grounds-based route to possession) is over seven months.¹ That is seven months where a responsible landlord might be left unable to recover their property in cases of serious rent arrears or anti-social behaviour. Seven months where neighbours may have to endure disruption. And seven months where tenants who are genuinely in need of housing will not have access to the market because homes that should be available are instead tied up in legal delays.

It is only right and fair that responsible landlords have confidence that the system won’t leave them in limbo when they have legitimate grounds for possession.

Equally, tenants also face major barriers to justice. The [Law Society](#) has found that 44% of people in England and Wales live in an area with no housing legal aid provider. Many tenants will struggle to get legal representation if they need to challenge an eviction or seek redress through the courts. Again, that is fundamentally unfair.

Given all of this, Richard Atkinson, President of the Law Society has [rightly concluded](#) that: *“the Bill will not be effective without further investment in the justice system.”* He continued: *“We urge the Government to provide greater funding and more clarity to the enforcement provisions so that justice is accessible to renters and landlords alike.”*

We support the ambition of the Renters’ Rights Bill to create a fairer, more balanced private rented sector. But for that vision to become a sustainable, long-term reality, both tenants and landlords must have confidence that the justice system will deliver timely, accessible outcomes.

¹ According to the latest Government data in the fourth quarter of 2024 it took an average mean time of 32 weeks between a private landlord making a claim to the courts to repossess a property to it being repossessed. The data can be found in table 6 [here](#). At the top of the sheet where it says, “Possession Type” on the drop-down menu next to it just click “Private_Landlord”.

As parliamentary committees scrutinising the work of MHCLG and the justice system, we urge you to raise the following questions with the Government:

- How does the Government define the courts being “ready” for implementation of the Renters’ Rights Bill?
- What tangible improvements will tenants’ and landlords see from the digitisation of cases?
- How will the Government ensure tenants can better access legal aid support where possession cases end up being considered by the courts?

I would welcome the opportunity to meet to discuss our concerns further and look forward to hearing from you.

Should you require any further information, please email policy@nrla.org.uk.

Yours sincerely,

Ben Beadle
Chief Executive

Copy to: Sir Geoffrey Vos - Master of the Rolls and Head of Civil Justice