



Ministry
of Justice

Alex Davies-Jones MP
Parliamentary Under-
Secretary of State

Gweinyddiaeth
Cyfiawnder

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

MoJ ref: SUB 125751

15 July 2025

Dear Andy,

**STATUTORY INSTRUMENT TO INCREASE THE CAPS ON MISCARRIAGES OF JUSTICE
COMPENSATION UNDER THE CRIMINAL JUSTICE ACT 1988 AND THE ARMED FORCES
ACT 2006**

I am writing to you as the Minister responsible for the statutory miscarriages of justice compensation scheme (in England and Wales), to inform you that today (15 July), we are laying a Statutory Instrument (SI) which will increase the caps applicable to compensation payable under section 133 of the Criminal Justice Act 1988.

Section 133 of the Criminal Justice Act 1988 provides for compensation to be awarded in cases of a miscarriage of justice (in England, Wales or Northern Ireland) as defined by the Act. In 2008 an amendment was made to the scheme that introduced caps that apply to the total compensation payable to those who receive compensation under the legislation.

It is over 17 years since the caps were introduced and following consideration, the Government has decided to uplift the caps by 30% in cases for which the Secretary of State for Justice is responsible. This will increase the caps from £500k to £650k (for those who have spent less than 10 years in prison) and from £1m to £1.3m (for those who have spent at least 10 years in prison). This change is being made utilising the power at section 133A(7) of the Criminal Justice Act 1988 (by way of an SI that must be laid before and approved by both Houses of Parliament).

Compensation payable in respect of individuals convicted in Northern Ireland (NI) is subject to the caps. In NI, most claims are determined by the NI Department of Justice (NI DoJ) and compensation is payable by the NI DoJ. In a small number of NI cases, however, where protected information is relevant to the application and which cannot be provided to the NI DoJ because it would be against the interests of national security, claims are determined by the Secretary of State and compensation is payable by them. In practice, this means the Secretary of State for Northern Ireland (SoSNI).

The SI will have no effect on compensation payable by the NI DoJ. In agreement with the Northern Ireland Office, the SI will, however, increase the caps by 30% in respect of NI applications for which the SoSNI determines and pays compensation.

Also, in agreement with the Ministry of Defence, this SI will increase the statutory caps on miscarriages of justice compensation by 30% as provided for in s.276-276B of the Armed Forces Act 2006, utilising the power at s.276A(7) of the Armed Forces Act 2006.

The SI will follow the draft affirmative resolution procedure.

Yours sincerely

A handwritten signature in dark ink, reading "Alex Davies-Jones". The signature is written in a cursive, flowing style.

ALEX DAVIES-JONES MP
Minister for Victims and Violence Against Women and Girls