



Ministry
of Justice

The Right Honourable
David Lammy MP
Deputy Prime Minister
Lord Chancellor &
Secretary of State for
Justice

The Rt Hon. The Lord Foster of Bath
Chair, Justice and Home Affairs Committee
House of Commons
London
SW1 0AA

MoJ ref: SUB132122

25 February 2026

Dear Donald,

INTRODUCTION OF COURTS AND TRIBUNALS BILL

I am writing to confirm that today the Government has introduced the Courts and Tribunals Bill to Parliament. This letter briefly explains the purpose of the Bill and sets out its key measures.

This Government inherited a criminal justice system in crisis, with a record and rising Crown Court open caseload leaving tens of thousands of victims waiting years for justice. Nearly 80,000 cases are now waiting to be heard in the Crown Court, and, without decisive action, this is expected to reach 130,000 cases by 2030, and 200,000 by 2035.

That is why the Government commissioned Sir Brian Leveson, one of the country's most esteemed former judges, to undertake an independent review and make recommendations for how to restore stability and confidence in the system.

Sir Brian's review set out a blueprint for structural reform in our criminal courts and made clear that reform, investment, and modernisation are all necessary to get faster and fairer justice for victims. Today, the Courts and Tribunals Bill has been introduced in the House of Commons, the first step towards putting that blueprint into law.

Yesterday, I announced that I have uncapped this year's sitting day allocation for the Crown Court, removing any financial constraint on the rate at which the system operates. This will allow the Crown Court to sit at record-high levels, hearing as many cases as possible and getting swifter justice for victims. This Concordat, which I have agreed with the senior judiciary, has given unprecedented three-year certainty to the system. Combined with our court reform plans, this investment will help turn the tide on the open caseload, enabling the system to move to a more sustainable footing over the period.

Alongside this, I am investing up to £34 million more per year for criminal defence advocate legal aid fees and around £92 million more each year for criminal legal aid solicitor fees. I have also announced a boost in court capital maintenance and project funding from £120 million last year, to

just under £150 million this financial year. This is significant funding that is essential to addressing the consequences of long-term underinvestment and court closures.

But investment alone cannot fix a system designed for the 20th century, where modern cases are far more complex and jury trials take much longer than in the past. Only structural reform of the criminal justice system - alongside investment and modernisation - can reduce the backlog of cases and deliver swifter justice for victims.

Measures arising from Sir Brian Leveson's Independent Review of Criminal Courts

These measures, outlined below, make structural changes to the operation of the criminal courts in England and Wales. They are designed to address the record and rising Crown Court open caseload, to ensure timely and fair access to justice for victims, witnesses and defendants and to enable a more proportionate allocation of resources across the criminal courts in line with the severity and complexity of the offending. We are empowering the courts to determine how cases progress, rather than leaving it to the preference of the accused. That means four decisive steps:

- The Bill removes the right of defendants to elect for Crown Court trial in triable either-way cases. The requirement for a defendant's consent for the Crown Court to send a case back to the magistrates' court will also be removed.
- The Bill introduces a power to extend magistrates' court sentencing powers up to 24 months' imprisonment for single and multiple triable either-way offences. Magistrates receive mandatory and ongoing training, and we will work with the judiciary to ensure that magistrates are prepared for these changes.
- The Bill replaces the automatic right to appeal against conviction or sentence in magistrates' courts with a permission stage. To support changes to the appeals process, we are also legislating to introduce audio recording in magistrates' courts.
- The Bill introduces new modes of trial by judge alone in defined circumstances. These include the establishment of a Crown Court Bench Division to hear offences with a likely sentence of three years or less, and provision for technical and lengthy fraud and financial cases to be tried by judge alone where appropriate. These reforms are intended to enable eligible cases to be heard more efficiently, freeing up capacity so that more serious cases can be tried by jury. Jury trials are a cornerstone of our justice system, and they will remain in place for the most serious crimes.

The Bill also introduces several other key reforms, including:

- The Bill will introduce vital measures recommended by the Law Commission to ensure a fairer trial for victims. These will introduce clearer and more effective statutory thresholds governing the admissibility of certain types of evidence, addressing the risk of myths and misconceptions influencing trials. In addition, the Bill strengthens and clarifies the operation of special measures, making them easier for victims to access and practitioners to navigate.

- The Bill will also repeal the presumption of parental involvement from the Children Act 1989. By repealing the presumption, we seek to ensure courts adopt an open-minded enquiry into the child's best interests, rather than starting from a presumption that parental involvement will further the child's welfare.
- The Bill will reform the office of the Senior President of Tribunals, bringing structural alignment with the courts under the unified leadership of the Lady Chief Justice. This measure promotes flexibility, cross-deployment and effective judicial leadership which can better support career development, morale and recruitment.
- Finally, the Bill introduces much needed technical and administrative reforms:
 - o We will make changes to magistrates' expenses, creating a power to move eligible categories for magistrates' expenses to secondary legislation. This will provide flexibility in updating expenses policies to reflect modern working patterns and the evolving demographic profile of magistrates.
 - o New court buildings due to open next year mean the City of London will have a second Crown Court location in addition to the Old Bailey (or Central Criminal Court). We will therefore amend a provision that attaches the title of Central Criminal Court to any Crown Court sitting in the City of London, to make clear that the title relates solely to the Old Bailey.

We welcome any views on the proposed measures and will continue engaging with you as this Bill progresses.

Yours sincerely,

RT HON DAVID LAMMY MP

A handwritten signature in black ink, appearing to read 'David', followed by a stylized flourish.

**DEPUTY PRIME MINISTER
LORD CHANCELLOR AND SECRETARY OF STATE FOR JUSTICE**