

17 JUNE 2026

RE: Response to the Justice Committee Report on the Courts and Tribunals Bill

To the Committee,

As the Magistrates' Association (MA), we welcome the Committee's work scrutinising the Courts and Tribunals Bill and the wider programme of criminal court reform. We are grateful for the opportunity to have contributed both oral and written evidence on the role of the magistracy and magistrates' courts.

We welcome the publication of the Committee's recent report, which comes at a critical stage in the Bill's passage through Parliament. While we do not agree with all of the conclusions reached in relation to magistrates' courts, the report provides a timely and valuable contribution to parliamentary scrutiny.

As the independent voice of the magistracy, the MA has consistently maintained that magistrates are ready to step up and play a greater role in supporting reforms, including helping to alleviate pressures on the Crown Court backlog. In that context, we wanted to address the Committee's key concerns regarding magistrates' court capacity, proposed powers in magistrates' courts, and diversity within the magistracy.

Magistrates' Courts Capacity

The MA is in agreement with the Committee that the scale of recruitment of new magistrates over the next three years is ambitious. Exactly a year ago, the MA called for a comprehensive recruitment and retention strategy to ensure the magistracy stabilises at over 20,000 members. In our [Magistrates Matter](#) report, we recommended that this strategic oversight is necessary to see a strong, representative magistracy that can meet demand.

While still at an early stage, the recent recruitment uplift is encouraging. The MA has heard of a marked improvement in the experience of newly appointed magistrates, many of whom report significantly greater efficiency and speed in progressing through the application and onboarding process. This represents a notable departure from previous experience, where the journey from application to appointment could often take well over two years.

There is, however, more to be done. We await the publication of recruitment statistics to understand progress made. Nonetheless, early indications suggest that, with the right resourcing and planning to streamline processes, meaningful improvements can be delivered.

As the Committee notes, retention is as critical as recruitment. We are therefore pleased to be working closely with Government to improve the day-to-day experience of magistrates in court and address underlying retention challenges, namely on the need for significant improvements to the courts estate and measures to see cases progressed efficiently. We know that there are many courts undergoing considerable structural improvements, such as Oxford and Poole, but

there are many others where simple improvements would make a considerable difference and improve the day-to-day experience and environment magistrates operate in – such as faulty heating and lighting, leaks and lifts being out of order. The centralised system whereby faults are logged and allocated means repairs can take weeks and months, if at all.

We recognise that efforts to grow the magistracy must go hand in hand with the recruitment and retention of legal advisers, concurring with this Committee. We agree with Sir Brian Leveson’s recommendation – and this committee’s response – that pay of legal advisers should be matched with comparable legal roles in the public sector.

Magistrates work closely alongside District Judges in magistrates’ courts, and we welcome this Committee’s call for a plan to increase their number alongside the recruitment of magistrates.

Magistrates’ Courts Powers

The MA reiterates its position on Clause 6 of the Bill, which proposes to extend magistrates’ sentencing powers to 18 months, with the potential to increase this further to 24 months. Magistrates have consistently demonstrated their ability to adapt to changes in sentencing powers and their willingness to be trained, most recently in the successful transition from six to 12 months in 2024.

Magistrates have also shown considerable resilience and flexibility in the face of wider challenges. During the COVID-19 pandemic, they continued to carry out their duties by sitting in open courts and participating in hearings remotely where required. In addition, following the increase in the mandatory retirement age from 70 to 75, hundreds of experienced magistrates returned to service to mitigate the shortages across the magistracy, supporting the need to ensure courts could continue to sit.

Taken together, this track record demonstrates both the capacity and the willingness of the magistracy to respond effectively to reform and increased responsibilities. The issue is not one of readiness or ability to adapt, but of ensuring that the appropriate frameworks and training are in place throughout the transition. It is therefore essential that the Government works closely with the magistracy to provide the necessary support if sentencing powers were to be extended.

Regarding the wider proposed changes to magistrates’ courts, including the removal of the right of appeal, we emphasise the importance of conducting a full consultation with the magistracy and other relevant stakeholders. Given the potentially far-reaching impact of these reforms, it is essential that magistrates are meaningfully engaged and their views considered in any changes that affect their role and the administration of justice.

Diversity in the Magistracy

Like this Committee, the MA is heartened by the growing diversity of the magistracy. It is vital for public confidence that judicial office holders reflect the local communities they serve. We are in complete agreement with this Committee that magistrate recruitment campaigns should actively reach underrepresented groups, ensuring that the magistracy continues its progress as the most diverse arm of the judiciary.

Central to this ambition is an expenses regime that allows magistrates to claim for “any expenditure or financial loss incurred in connection with the performance of their duties”, as noted by the [Equalities Statement to the Courts and Tribunals Bill](#). We therefore welcome this



Committee's recognition of the importance of expenses in supporting a genuinely inclusive magistracy, particularly for those in employment who might otherwise be deterred from serving.

We offer these comments to support the Committee in its ongoing work on criminal court reform and to help ensure that these discussions are grounded in the experience and expertise of magistrates. We hope this evidence contributes constructively to the Committee's scrutiny.

Yours sincerely,

Catherine Feast

Catherine Feast

Chief Executive

The Magistrates' Association
199 Southwark Bridge Road
London
SE1 0AS

☎ 020 7387 2353
✉ info@magistrates-association.org.uk
🐦 @MagsAssoc
🌐 magistrates-association.org.uk
UK registered charity number: 216066

