



Ministry
of Justice

The Right Honourable
Alex Norris MP
Lord Chancellor & Secretary of
State for Justice

LORD FOSTER OF BATH

Justice And Home Affairs Committee
House of Lords
London
SW1A 0PW

MoJ Ref: ADR137557

1 September 2026

Dear Lord Foster,

ANNOUNCEMENT ON THE SENTENCING ACT AND PRISON CAPACITY

I am writing to update you on the measures the Government is taking to protect the public, support victims and ensure that prison capacity remains sustainable in years to come.

As you know, prisons continue to face significant capacity pressures, with the adult male estate currently operating at 98% capacity. We must therefore take responsible action to ensure that we continue to have sufficient prison capacity, while maintaining public confidence in the criminal justice system.

On 4 August, the Prime Minister announced a series of exclusions from implementation of the Progression Model introduced through the Sentencing Act 2026, including for rape and certain child sexual offences. Following further consideration, we have decided to make further exclusions from the progression model.

I am therefore announcing today that the following additional offences will be excluded from implementation of the Progression Model and therefore current release arrangements will continue to apply:

- Unlawful killings including manslaughter, causing or allowing the death of a child, and death by dangerous driving,
- Indecent assault, ensuring more historic child sex offences prosecuted under older laws are treated consistently with equivalent offences today.

Alongside these changes, the Government is introducing a package of measures designed to preserve prison capacity, improve outcomes across the criminal justice system and strengthen public protection. These include:

- Bringing forward proposals to bring an end to IPP sentences through new legislation by the end of this Parliament. These are complex cases, involving important public protection and victim considerations.

- We intend to take a cross-party approach to this issue. In the meantime, we will continue to do as much as possible within the existing framework to support people in prison to progress towards safe and sustainable release.
- Implementing provisions to enable the deportation of eligible Foreign National Offenders immediately following sentencing, while ensuring excluded offences remain subject to existing arrangements.
- Accelerating our existing prison expansion plans, delivering additional prison places and progressing plans for future prison developments. The largest prison building programme since the Victorian era will be accelerated through a £110m investment. Under this Government, we're spending more than three times as much on building new prisons as was spent over the previous seven years.
- Investing in additional support for victims, including a new national helpline and more funding for local and specialist services. This £18.9 million package comes on top of £550 million committed to victims' services over the next three years.
- Introducing, on a temporary basis, arrangements whereby some 18-year-olds will remain within the youth estate for longer, where it is safe and appropriate to do so and subject to a number of safeguards.

The Government will also continue to pursue a wider programme of work to reduce pressure across the criminal justice system including, investing up to £700 million more into probation and community services by 2028-29, hiring new trainee probation officers, improving support for victims, and addressing the drivers of offending through partnership with departments across government.

These measures form part of a balanced approach to managing prison capacity. They strengthen public protection by ensuring that a greater number of serious offenders will not be released under the Progression Model and ensuring victims are heard, while also taking practical steps to ensure the prison system remains sustainable in the years ahead.

Thank you for your continued engagement on these important issues. I look forward to discussing these changes with you and colleagues in the House, as we work towards a criminal justice system in which victims and the public can feel confident.

This is a system-wide challenge and requires action across policing, crown prosecution service, courts, probation and prisons, and beyond. I look forward to continuing to collaborate as we work together to reform the Criminal Justice System.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Alex Norris', written in a cursive style.

RT HON ALEX NORRIS MP

LORD CHANCELLOR

SECRETARY OF STATE FOR JUSTICE