

Judicial retirement age to rise to 75

Press release

Judges, magistrates, and coroners will be allowed to continue to serve until they are 75, as the Lord Chancellor today confirmed plans to increase their mandatory retirement age.



- mandatory retirement age (MRA) increased for the first time in over 27 years
- government determined to retain expertise of experienced judicial post holders
- part of move to boost recruitment and attract wider range of applicants

The move, which will raise the retirement age for judicial office holders from 70, is the first change to these rules in 27 years. It seeks to address the fact that people now work later into their lives, with the government determined not to lose valued judges, magistrates and coroners. This will provide greater flexibility for those judges who do not wish to retire at 70.

This follows a full consultation last year which received over 1000 responses from across the magistracy, judiciary, the legal profession, and other key stakeholder groups. The majority supported raising the age limit to reflect improvements in life expectancy and an increase in cases that need dealing with.

The new retirement age is expected to have a positive impact on diversity by promoting opportunities for individuals considering applying to the bench later in life, such as those who may have had gaps in their career to balance professional and family responsibilities.

Today's announcement forms part of wider reforms to boost judicial recruitment and retention. The government is investing £1 million to recruit more people into the magistracy and improve its diversity from under-represented groups, such as the BAME community. Meanwhile, the introduction of a pension scheme is planned for next April.

The Lord Chancellor, Robert Buckland QC MP, said:

Our judges, magistrates and coroners are world-renowned for their excellence, expertise and independence. It is right we hold on to them and do not cut off careers unnecessarily.

Raising the retirement age will mean we can retain their invaluable experience, while ensuring that judicial roles are open to a wider pool of talent.

It will also make sure our courts and tribunals can continue to benefit from a world-class judiciary, as we emerge from the pandemic and beyond.

Ministers will legislate to increase the mandatory retirement age as soon as parliamentary time allows. Magistrates above 70 who have retired before the increase will be able to come back to the bench if there is a business need in their local area.

Notes to editors

- Published on 16 July 2020, the Judicial Mandatory Retirement Age consultation sought views on proposals to raise the mandatory retirement age (MRA) for judicial office holders to 72 or 75; and to allow magistrates' appointments to be eligible for extension past the MRA if in the public interest.
- MOJ's analysis of average retirement behaviour suggests that raising the MRA to 75 could retain an average of 399 Judicial Office Holders (JOHs), (excluding magistrates and coroners) per year across courts in England and Wales and in Unified Tribunals across the UK. This is the equivalent of 5% of the total headcount of judicial office holders in this group or 40% of the current recruitment programme of 1,000 vacancies. The same analysis for magistrates estimates a much higher impact. Raising the MRA to 75 for magistrates could retain approximately 2,122 magistrates over time. This is the approximate equivalent of 15% of magistrates in England and Wales.
- We have no evidence that an increase in the MRA would impact adversely on public confidence in the judiciary. Public trust in the judiciary remains very high at 84%, with the Ipsos Mori Veracity Index (2020) placing judges in the top five most trusted professions. This has remained consistently high since the index was first published in 1983.
- The majority view of those that responded to the consultation felt that raising the MRA to 75 would not lead to the public having less confidence in the judiciary. With improvements in average life expectancy in the UK and the tendency for individuals to now work for longer, a higher MRA of 75 reflects these societal changes. Additionally, the benefit for judicial resource from retention of experienced JOHs supports the effective operation of our courts and tribunals, which could help to maintain and promote public confidence in the justice system.
- This move is not a specific response to the number of outstanding cases that have accrued since the start of the covid pandemic. It is instead focussed on addressing the recruitment gaps in both judges and

magistrates, as demands on most jurisdictions increases. As well as reinforcing the belief that having a mandatory retirement age for JOHs helps maintain public confidence in the judiciary.

- We have invested £113 million into a range of measures to boost recovery and ensure justice continues to be served:
 - [25 Nightingale Courts are now up and running](#) – the Nightingale programme has provided 50 courtrooms across the estate which enables more crime work to be dealt with.
 - We've installed plexiglass screens into more than 450 courtrooms and jury deliberation rooms.
 - Over 290 courtrooms have been assessed as being routinely available to hold jury trials – more than before the pandemic.
 - 20,000 hearings using remote technology are taking place each week – compared to around 550 in March 2020 – a 4000% rise.
 - We are in a much stronger position to manage the impact of the pandemic compared to last spring, and public health experts have confirmed our measures remain sufficient to deal with the current variants of the virus.
- These efforts will be [bolstered by a £337 million Spending Review settlement](#) to deliver speedier justice to convict offenders, support victims, and protect the wider public.
- Every HM Courts & Tribunals building – including Nightingale Courts – meets the government's COVID-secure guidelines, and public health experts have confirmed the arrangements remain sufficient to deal with the current strains of the virus.
- On 1 February 2021 the [Ministry of Justice announced an extra £40 million to help victims during pandemic and beyond](#), building on the unprecedented £76 million the government has pledged to help the most vulnerable in society during this challenging time.

Published 9 March 2021