

Magistrates to help tackle backlog as sentencing powers doubled

- Magistrates will now be able to issue prison sentences of 12 months for a single offence
- Up to 1,700 extra days of Crown Court time to be freed up annually
- Latest step to drive down the backlog in criminal courts which rose during the pandemic

This is the latest step to tackle the impact of the pandemic on the criminal justice system and is expected to free up around 1,700 extra days of Crown Court time each year.

Previously, magistrates could only issue a maximum of six months in prison, despite often hearing cases that warrant a longer jail term and they would need to be sent to a Crown Court for sentencing by a judge.

The move allows more cases to be sentenced in the Magistrates' Courts, meaning Crown Courts can focus resources on getting through more serious, complicated cases, delivering swifter justice for victims and tackling the backlog.

It follows the launch of the Ministry of Justice's national campaign to recruit 4,000 new magistrates from across all walks of life, as well as a new, streamlined recruitment process to specifically target young people in a bid to boost diversity. Launched in January, it has already resulted in over 34,000 people registering their interest in becoming a magistrate.

Deputy Prime Minister, Lord Chancellor and Secretary of State for Justice Dominic Raab said:

We are doing everything in our power to bring down the court backlog, and doubling the sentencing powers of magistrates will create more capacity in the Crown Court to hear the most serious cases.

Together with an extra 30 Nightingale courtrooms currently open, digital hearings and allowing the Crown Court to hear as many cases as possible for another financial year, we will deliver swifter and more effective justice for victims.

The Judicial College has provided all magistrates and legal advisers with robust training ahead of the change in law to guarantee they know how to best use these new powers to deliver justice effectively.

Bev Higgs, National Chair of the Magistrates' Association, said:

The Magistrates' Association has long called for this measure; it will lead to more timely justice that can only benefit all court users – defendants, complainants and witnesses.

We are pleased that the government has placed its confidence in the magistracy and introduced this power, alongside other measures, to ease court delays.

These plans build on the significant action taken since the start of the pandemic to ensure courts can recover from the pandemic and tackle delays. This includes:

- Extending unlimited sitting days for the new financial year, ensuring Crown Courts can operate at maximum capacity.
- Increasing spending on criminal legal aid by £135 million a year, including a fee increase which will see a typical criminal barrister earning nearly £7,000 extra per year.
- Rolling out video technology to over 70 percent of all courtrooms and opening 3,265 virtual court rooms across all jurisdictions. These currently hold around 12,500 hearings per week, compared to just a handful before the pandemic.
- Investing almost £450 million over the next three years into victim and support services.
- Creating 2 'super courtrooms' which can accommodate up to 12 defendants simultaneously; increasing capacity for large, complex trials.
- Raising the statutory mandatory retirement age from 70 to 75 for judicial office holders, estimated to retain an extra 400 judges and tribunal members and 2,000 magistrates per year across all jurisdictions.

Notes to editors:

- In January we launched the largest recruitment campaign in the 650-year history of the magistracy. The 4,000 new magistrates we aim to recruit will play a crucial role in helping us to tackle court backlogs and restore swift justice.
- The Magistrates' Association will be available for broadcast stories. Please contact Alexandra Chitty on media@magistrates-association.org.uk.
- [The Magistrates' Association](#) is a national charity and the membership body for the magistracy. With more than 12,000 members across England and Wales, it is a unique source of information and insight, and the only independent voice of the magistracy.