

Criminal Court Reform: Impacts Factsheet

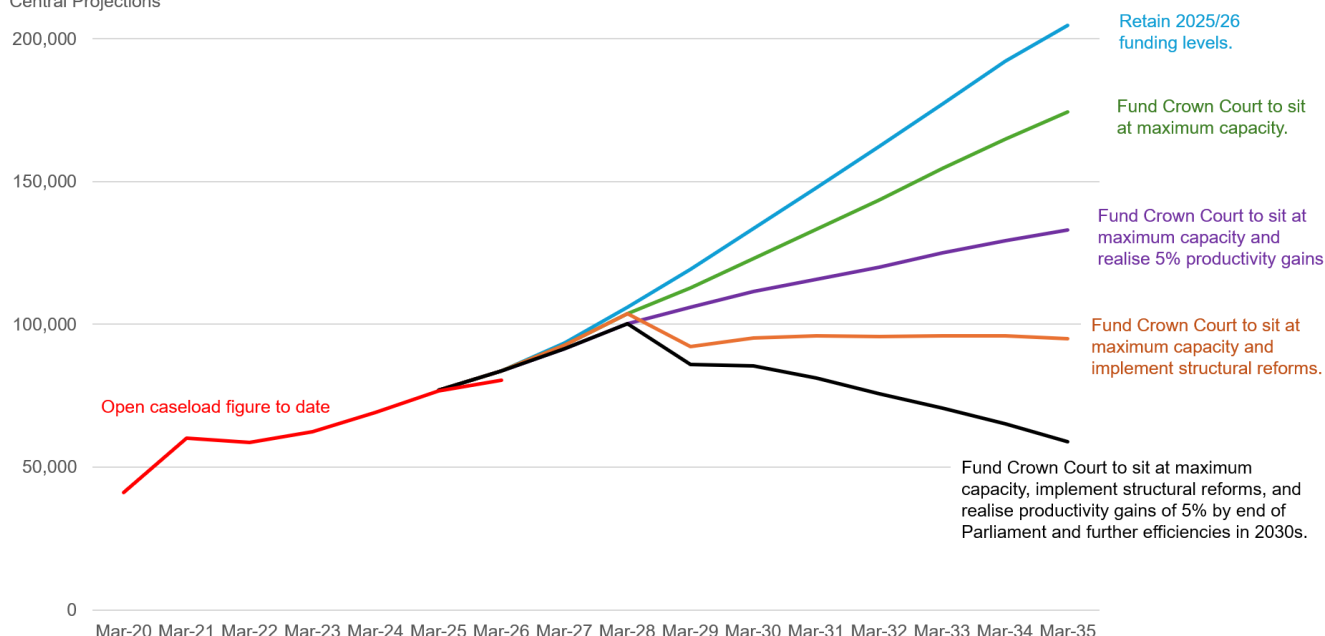
Appendix – October 2026

- The Government is acutely aware of the pressures on our criminal courts.
- Statistics published in September show that the Crown Court backlog stands at nearly 81,000, over double what it was in 2019.
- Almost 24,000 cases have been waiting for a year or more - more than half of these are for violent or sexual offences, and the number is rising by 1,000 per quarter.
- Waits are getting longer. In 2019, the average length of a jury trial case for a defendant on bail was 33 weeks. Today, this has risen to 76 weeks – and that is on top of how long victims have waited for cases to reach the Crown Court.
- We're already acting on all fronts, pulling every lever to tackle the Crown Court backlog and deliver swifter justice for everyone.
- Since taking office, we have put **record investment** into the courts. We have uncapped Crown Court sitting days, invested £287 million in vital court repairs and digital upgrades, recruited more judges and magistrates, and invested in criminal legal aid.
- To support victims through the delays, we have also announced over £550 million for victim support services over the next three years, and we have announced £23 million to deliver specialist courts for rape and sexual offences in the Crown Court.
- We are also committed to **modernising the system** and improving efficiency. This includes harnessing technology and new ways to keep cases moving, including a new AI listing assistant to help schedule cases, recruiting case co-ordinators in every Crown Court Centre, and investing in modern video technology to increase online hearings.
- There is a limit, however, to what investment and modernisation alone can achieve.
- That is why we brought forward **structural reforms** through the Courts and Tribunals Bill - to ease pressure on the Crown Court, keep it focused on the most serious cases, and ensure cases progress through the system as quickly as possible.
- The need for reform has not gone away. The Government has confirmed that the Courts and Tribunals Bill will return to the House of Commons for Report Stage on 13 October, when Parliament will have the opportunity to consider further amendments to the Bill.
- As well as reducing demand on the Crown Court, the Courts and Tribunals Bill is about making the criminal justice system work better, ensuring proportionate use of limited court resources, and rebalancing the scales of justice towards victims.

Removal of the Crown Court Bench Division

- Good government requires us to listen. Parliament exists to scrutinise legislation and, when widespread concerns are raised, we have a responsibility to reflect and respond.
- The Government has listened, looked again, and decided to table an amendment to remove the proposed Crown Court Bench Division from the Courts and Tribunals Bill. This means that almost all defendants facing trial in the Crown Court will continue to be tried by jury.
- We are confident that the remaining package of structural reforms, when combined with our ongoing record investment and work on efficiency gains, can still turn the tide on the backlog, start to deliver swifter justice for victims, and build a sustainable justice system for the future.
- To enable a comparison with the department's previous analysis of the Bill, the chart below is presented on a consistent basis with the published Impact Assessment,¹ with the impact of the Crown Court District Bench removed. It is based on the department's published Prison Population Projections,² which includes a projection of the Crown Court open caseload.
- An update to the department's underlying base demand projections will be published later this year.

Number of Open Cases in the Crown Court (open caseload) - Central Projections



¹ [Impact Assessment template](#) – 24th February 2026

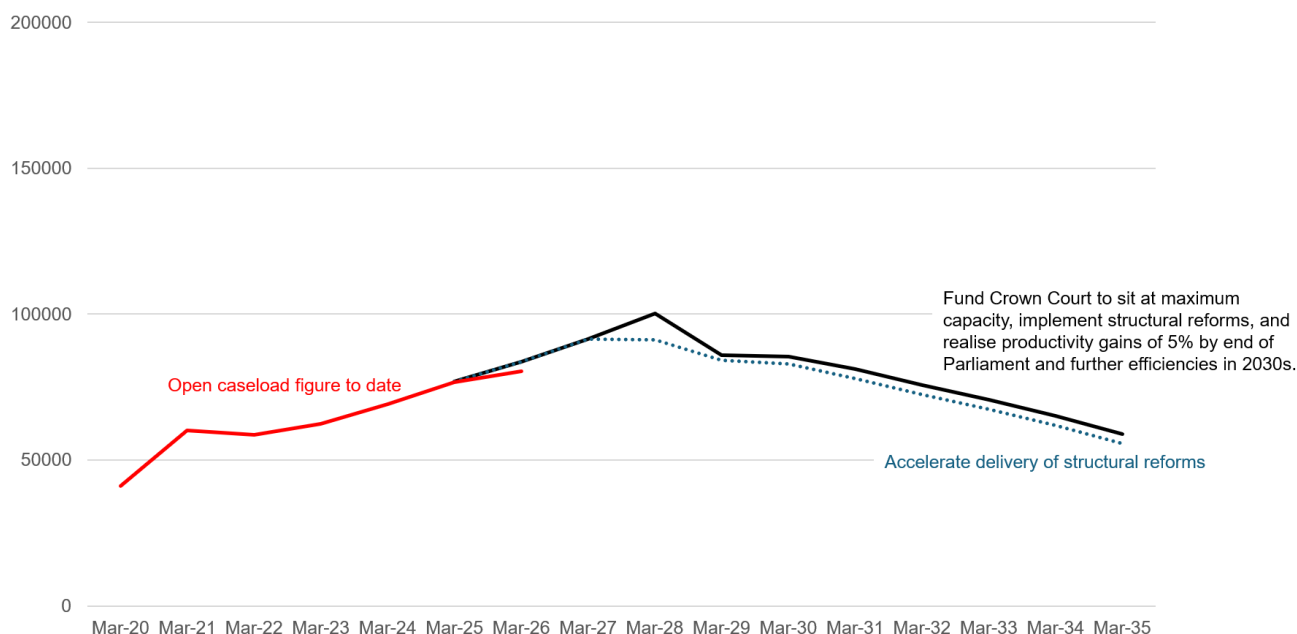
² [Prison Population Projections: 2025 to 2030 - GOV.UK](#) – 4th December 2025

- The conclusion is twofold:
 - Investment and efficiency are crucial, but it is only the addition of structural reform that enables us to catch up with demand and start to reduce the backlog
 - The Crown Court open caseload may not fall as quickly without the Bench Division, but our revised package of structural reform is sufficient to turn the tide on the backlog.
- This aligns with Lord Leveson's conclusion in his Independent Review of the Criminal Courts: that only by pulling every lever – investment, efficiency and structural reform – that we turn the tide on the Crown Court backlog, reduce the delays, and deliver swifter justice for victims.

Acceleration of Reforms

- As we are no longer establishing a new Crown Court Bench Division, we have an opportunity to implement other structural reforms more quickly.
- If we can start to implement reforms in 2027 instead of 2028, we can make an impact more quickly and turn the tide on the backlog sooner.

Number of Open Cases in the Crown Court (open caseload) - Central Projections



Annex A: Number of open cases in the Crown Court (open caseload)

The below table sets out the data used to generate the graphs illustrating the impact of the Government's actions set out in this appendix.

Date	Historical Open Cases	Central demand projection including additional investment ¹ and amended reform ²	Central demand projection including additional investment ¹ and amended reform ² and increased efficiencies ³	Central demand projection including additional investment ¹ and accelerated reform ⁴	Central demand projection including additional investment ¹ and accelerated reform ⁴ and increased efficiencies ³
Mar-20	41,202	-	-	-	-
Mar-21	60,176	-	-	-	-
Mar-22	58,541	-	-	-	-
Mar-23	62,471	-	-	-	-
Mar-24	69,303	-	-	-	-
Mar-25	76,798	-	-	-	-
Mar-26	80,437	84,000	84,000	84,000	84,000
Mar-27	-	93,000	92,000	93,000	92,000
Mar-28	-	104,000	100,000	95,000	91,000
Mar-29	-	92,000	86,000	91,000	84,000
Mar-30	-	95,000	86,000	93,000	83,000
Mar-31	-	96,000	81,000	93,000	78,000
Mar-32	-	96,000	76,000	93,000	72,000
Mar-33	-	96,000	71,000	93,000	67,000
Mar-34	-	96,000	65,000	93,000	62,000
Mar-35	-	95,000	59,000	92,000	56,000

Projections are rounded to the nearest 1,000 cases.

1. These projections are on the same basis as the published [Impact Assessment](#) (published 24 February 2026). This uses the same assumptions as the department's [Prison Population Projections](#) (published on 4 December 2025), which include a projection of the Crown Court open caseload. Crown Court sitting day capacity ramps up from 111,250 days in 2025/26 to 117,000 days in 2028/29.
2. Reforms commencing at the end of March 2028 reduce demand by an estimated 24,500 sitting days in 2028/29, (estimated from table 2 in of the Impact Assessment), assuming 2,500 days interactions between measures and additional mode of trial change in impacts 2028/29 relate to the bench division.
3. Efficiencies are continually improved to c. 5% in 2028/29 and stabilise at c. 10% in 2030/31.
4. Remove right to elect and increases to magistrates' court sentencing powers commence by end of November 2027, other measures by end May 2028. Estimated impacts account for the risk of seeing increases in appeal rates for magistrates' decisions associated with cases diverted between courts until clauses to introduce the appeal permission stage are introduced.