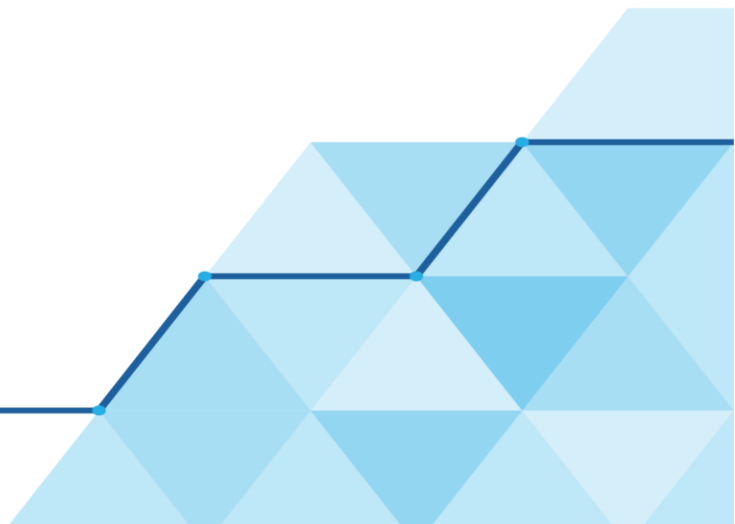




Ministry
of Justice

Ministry of Justice Evidence Pack: Judicial Pay Annual Award for 2027/28

15 October 2026



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1. Introduction

1. The Senior Salaries Review Body (SSRB) was commissioned by the previous Lord Chancellor to undertake the 2027/28 annual review of judicial pay.
2. This document constitutes the Ministry of Justice's (MoJ) evidence to the SSRB. The purpose of this document is to:
 - a) Provide evidence on the Government's key policy considerations in determining judicial pay for 2027/28
 - b) Explain the financial position of the MoJ and His Majesty's Courts and Tribunals Service (HMCTS)
 - c) Provide a summary of policy and operational changes affecting the judiciary.
3. This document, and the associated 'Core Data Pack' (Annex A), includes evidence for all salaried judicial office holders (JOHs) in the courts and tribunals of the United Kingdom for whom the Lord Chancellor sets the rate of remuneration. Information has also been included from the Northern Ireland Courts and Tribunals Service about the work of the judiciary in Northern Ireland (Annex B).
4. MoJ has worked with Judicial Office, the Judicial Appointments Commission (JAC) and the judicial payroll administrator (Liberata) to ensure the best available data is used in this evidence. There is no single, comprehensive data source for the judiciary, and this results in differences in categorisation and collection criteria that lead to some differences between data sets.

2. Background

5. The UK justice system is internationally recognised for its quality and stability, whether through its fairness in dispensing criminal justice, or supporting prosperity as a global trade hub. The rule of law is central to that reputation. Our system of independent judicial decision-making is a key part of the rule of law. It is a long-established safeguard for the fairness and freedoms in our society, and a cornerstone of our democracy. A strong, independent judiciary is foundational to the delivery of our services, and ensuring it is well resourced with a robust pipeline of candidates for office remains important.
6. The justice system requires resources to operate effectively in addition to paying judicial fees and salaries. The MoJ is committed to ensuring resources are used most effectively across the justice system, presenting the greatest value for money for the public.
7. It is incumbent on all parts of the justice system to work together to ensure efficiency in the processes at play in progressing cases through the system. MoJ, HMCTS and the judiciary are committed to working together to drive up productivity across all Courts and Tribunals.

2.1. 2026/27 Annual Review

8. For the SSRB's 2026/27 annual review, MoJ published evidence setting out that the department could afford an uplift of 2.0% for the judicial pay award. The SSRB recommended a consolidated pay award of 3.8% for all judicial office holders.
9. The previous Lord Chancellor instead implemented a 3.5% judicial pay award. This approach carefully weighed the SSRB's recommendations against the affordability constraints of the department, as well as the wider pressures on public finances.

2.2. Major Review

10. The MoJ maintains the position that the Major Review remains the right place to address persistent recruitment issues cited by the SSRB in previous annual reviews. The Major Review of the Judicial Salary Structure can address these issues through targeted reform, which could present better value than the flat rate pay uplift of the annual pay review.
11. This evidence pack provides an update to relevant policy areas since the Major Review written evidence, published in February 2026.

3. Judicial Remuneration

12. This section contains a summary of the key elements of judicial remuneration, reward, and benefits.

3.1. Pay

13. The Lord Chancellor has statutory power, under relevant legislation, to determine the salaries of judges in England and Wales. The Lord Chancellor also sets the rate of remuneration for some devolved posts across Scotland and Northern Ireland. The judicial salary structure consists of eight salary groups. All salaried judicial office holders are assigned to a salary group in the judicial salary structure. A schedule of judicial salaries (as well as fee-rates for fee-paid and sitting in retirement offices), is published each year on GOV.UK. The salary and fee schedules for 2026/27 can be found at Annex C.

3.2. Allowances

14. The Public Service Pensions and Judicial Offices Act 2022 (in addition to other legislation) provide the Lord Chancellor with the power to also determine allowances for all Judicial Office Holders for whom they have the power to determine salary and fees.
15. Allowances are not used to remunerate core judicial work but can be used among other measures to recognise specific leadership responsibilities or address specific recruitment and retention challenges. The allowances currently paid are set out below.

3.2.1. London Weighting Allowance

16. A London Weighting Allowance of £4,000 per annum, made up of a £2,000 salary lead and an additional London allowance of £2,000 is paid to judges in salary group 7 whose principal court or hearing centre is based in London.
17. The London Weighting Allowance has not been reviewed in recent years, nor has it been uplifted since implementation of each component. The ongoing suitability of London Weighting, alongside whether region-specific allowances for other areas where there are recruitment issues, are being considered as part of the Major Review.

3.2.2. Circuit Judge Leadership Allowance

18. Leadership posts are sometimes held by a Senior Circuit Judge and where that is the case, are rewarded through salary. Frequently though, these posts are held by a Circuit Judge, providing leadership to a court or region. Following a recommendation from the SSRB in their 2020/21 annual report, a leadership allowance was introduced for judges who take on local leadership roles of Designated Family Judge, Designated Civil Judge, Resident Judge and Senior Judge in the Court of Protection. The allowance is taxable and subject to National Insurance deductions but is non-pensionable and is payable for as long as the role is conducted. The allowance was introduced in October 2020 and set at 4% of the salary.
19. The majority of leadership roles are in a higher salary group than the judges they lead. This recognises the extra leadership component of the role or where they have responsibilities in respect to judges in a lower salary group. Remuneration in respect of leadership roles and responsibilities across the judiciary are in scope of the Major Review.

3.2.3. Temporary Responsibility Allowance

20. A Temporary Responsibility Allowance was introduced in October 2022. This was in response to the need to be able to provide a consistent approach for additional remuneration to judges who cover leadership posts in a higher salary group on a temporary basis. The allowance is available for 3-12 months to facilitate cover for circumstances such as vacancy, long-term sickness; cover for maternity or parental leave, as well as during a live recruitment exercise.
21. The allowance is paid at a level of 90% of the difference between the judge's current salary and the salary of the leadership post they are undertaking. Temporary Responsibility Allowance payments are subject to deductions for tax and National Insurance, and the payments are non-pensionable.

3.3. Judicial Pensions

22. The judicial pension arrangements continue to form a significant and valuable part of the remuneration package for the judiciary.

23. The Judicial Pension Scheme which has been in place since 1 April 2022 features:
- a) An accrual rate of 2.5% of pensionable earnings compared to e.g. 2.32% for the civil service Alpha scheme.
 - b) Unregistered status for tax purposes meaning that annual allowance limits do not apply to increases in pension benefits. This may be particularly attractive to senior members of the legal profession who are considering applying for a judicial appointment.
 - c) Modernised benefit provisions that reflect the diverse nature of today's judiciary better than the legacy schemes could have.
24. The structure of the judicial pension scheme is aligned with the Hutton principles for public service pension reform. See also page 62 of the Major Review evidence pack for further details on the pension scheme.¹
25. Benefits accrued in the legacy schemes have been protected including final pensionable pay links.
26. The present employer contribution rate of 62.3% reflects costs across all the judicial pension arrangements including past service in legacy schemes.
27. State pension age is rising from 66 to 67 during the period up to March 2028. As for other public service pension schemes, the normal pension age for the judicial pension scheme will rise in line with this.
28. Sitting in retirement is still subject to abatement limitation, but this does not represent a significant constraint in most cases and (because the abatement policy only relates to legacy scheme pension benefits) its effect will diminish over time.
29. Operational implementation of some aspects of the *O'Brien* remedy for fee-paid judges remains to be completed, but a project plan for this is in place.

3.4. Other Expenses

30. Judges are entitled to claim a range of travel and subsistence costs relating to official judicial business, as has been set out in previous evidence packs. The limits for the claims are regularly reviewed and kept in line with MoJ staff rates. Alongside this, judges also have access to free eyecare vouchers, salary-sacrifice childcare vouchers (only available to existing members), official stationery, and newly appointed Recorders are entitled to receive court dress on appointment.
31. Shortly, an interest free season ticket loan scheme will be introduced for salaried judicial office holders. The scheme is intended to support the upfront cost of purchasing an annual season ticket for travel to a regular place of work. The scheme is intended to provide practical support to manage the costs associated with regular

¹ [Major review of the judicial salary structure: MoJ Evidence](#)

commuting for salaried office holders. It will apply to salaried judicial office holders only, reflecting differences in working patterns and pay arrangements between salaried and fee paid judicial office holders. Salaried judicial office holders also have access to a cycle to work scheme.

4. Judicial Resourcing Strategy

32. We continue to experience sustained pressure across the courts and tribunals, with sustained demand in crime, growing demand in family law and tribunals heavily impacted by recent legislative changes. Overall salaried judicial headcount has risen slightly from 2025 to 2026, though current statistics do not yet capture upcoming appointments from major recruitment exercises. Through targeted salaried campaigns, enhanced fee-paid flexibility, and appointments across key jurisdictions, the government remains focused on meeting operational demand.

4.1. Trends in headcount numbers for main salaried offices

33. Trends in headcount numbers for main salaried offices are shown in Table 1 below:

- a) The overall salaried headcount has seen a small increase from 2025 to 2026, mostly due to an increase in headcount in the Tribunals.
- b) The headcount for some offices has decreased since last year, but appointments from some key exercises have not been captured in the diversity of the judiciary statistics as they concluded after the 1st of April 2026.
- c) For example, the number of District Judges has decreased from 477 in 2025 to 464 in 2026, but it does not reflect the outcome of the 2025/26 recruitment exercise which is likely to appoint 30 new judges in 2026/27.
- d) Similarly, the number of Employment Tribunal Judges has decreased from 177 in 2025 to 168 in 2026. However, the 28 Salaried Employment Judges from the exercise launched in March 2025 were appointed after April 2026 and will show up in the 2027 statistics.

Table 1: Number of Salaried Judges in post as of 1st April 2026 compared to 1st April 2025

Number of Salaried Judges in post as at 1 st April			
Post	2025	2026	Difference
High Court Judge	108	105*	-3
Circuit Judge	746	747	+1
District Judge	477	464*	-13
District Judge (Magistrates' Court)	116	129	+13
Total Court salaried judges**	1447	1445	-2
Upper Tribunal Judge	57	54	-3
Tribunal Judge	264	320	+56
Employment Tribunal Judge	177	168*	-9
Total Tribunal salaried judges**	498	537	+39
Total Court and Tribunal salaried judges**	1945	1982	+37

*Data is taken at a specific date and may not capture the outcomes of all recruitment exercises which launched for this year or concluded since April 2026.

**Total Court and Tribunal salaried judges do not match the total in the published statistics as the table above only includes the judge types mentioned and does not include other appointments such as Heads of Division, Court of Appeal Judges or Regional Employment Judge.

Table 2: Recent/Ongoing Recruitment Exercises

Exercise	Launch date	Vacancy Request	Next recruitment milestone
Courts			
2025/26 High Court Judge	October 2025	14	Deployment outcome expected October 2026
2025/26 District Judge (outside London and South East)	May 2025	25	Recommendations: 28 immediate appointment+2 reserve list Deployment outcome expected September 2026
2025/26 Circuit Judge	January 2026	64	Recommendations expected February 2027
2025/26 Deputy High Court Judge	March 2026	45	Recommendations expected February 2027
2025/26 District Judge (Magistrates' Court)	March 2026	30	Recommendations expected November 2026
2026/27 Recorder	April 2026	128	Recommendations expected April 2027
2026/27 District Judge	May 2026	70	Recommendations expected March 2027
Tribunals			
2025/26 Fee Paid Judges (FtT IAC)	September 2025	70	Recommendations expected October 2026
2025/26 Fee-paid Judges (FtT HESC & SEC)	October 2025	150	Recommendations expected October 2026
2025/26 Salaried Judges (FtT IAC)	November 2025	30	Recommendations expected October 2026
2025/26 Regional Tribunal Judge (FtT SEC)	November 2025	4	4 appointments – Scotland, Midlands, South East and Wales & South West
2025/26 Salaried Judges (FtT HESC & SEC)	January 2026	52	Recommendations expected December 2026
2025/26 Salaried Judges (ET)	March 2026	55	Recommendations expected March 2027
2025/26 Administrative Appeals Chamber (UT)	February 2026	3	Recommendations expected August 2026
2026/27 Salaried Judges (FtT Property)	July 2026	14	Launched 14/07/26 with close date of 28/07/26 Recommendations expected April 2027

FtT = First-tier Tribunal

4.2. Demand in the Courts and Tribunals

Courts

34. We have ambitious but realistic plans to increase salaried judge numbers in the Crown and Magistrates' Courts. Additional capacity provided by successful fee-paid recruitment campaigns will provide more flexibility in responding to the impacts of changes across the system, including the Independent Review of the Criminal Courts and increased demand in the Magistrates' Court.
35. While demand in Civil is expected to remain broadly stable, demand continues to grow in Family. We expect to meet this through growing capacity in Private and Public family law following the relative success of the regional District Judge campaigns and an increase in the number of Circuit Judges recruited in Family in the last completed exercise.

Tribunals

36. There is sustained pressure across the tribunals, particularly in jurisdictions that are seeing greater demand as a result of policy changes across government and new legislation. These include the impact of the Employment Rights Act on the Employment Tribunal, and the Renters' Rights Act on the Property Chamber as well as the expected impact of the Immigration and Asylum Bill.

4.3. Annual Recruitment Programmes

37. High volume recruitment continued in 2025/26, and the 2026/27 programme is planned to be larger (40 exercises), to include 4 First tier tribunal Property Chamber exercises.

Table 3: Number of exercises reporting in a year compared to total selections (all JAC exercises, salaried and fee-paid).

Number of exercises reporting in a year compared to total selections, JAC data											
Year	2015/ 16	2016/ 17	2017/ 18	2018/ 19	2019/ 20	2020/ 21	2021/ 22	2022/ 23	2023/ 24	2024/ 25	2025/ 26
Number of exercises	22	26	28	23	35	35	31	36	35	34	34
Total Vacancy Request	359	297	909	1083	1143	961	1383	1233	1010	1066	1051
Total selections	340	290	749	1031	979	869	1244	1094	867	944	917
Total shortfall (% of VR)	19 (5%)	7 (2%)	160 (18%)	52 (5%)	164 (14%)	92 (10%)	139 (10%)	139 (11%)	143 (14%)	122 (11%)	134 (13%)
Shortfall in salaried exercises (% total shortfall)	Data unavailable						75 (54%)	57 (43%)	105 (73%)	72 (59%)	75 (56%)
Shortfall in non-legal roles (% total shortfall)	Data unavailable						28 (20%)	72 (55%)	36 (25%)	49 (40%)	58 (43%)

4.4. Salaried Recruitment

38. The headcount (on 1 April 2026 compared to 1 April 2025) has increased for some key salaried offices such as Circuit Judges, District Judge (Magistrates' Court) and First-tier Tribunal Judges.
39. There are still shortfalls in some recruitment exercises and their proportion has increased slightly since 2024/25 (from 11% to 13% as the percentage of shortfalls for the vacancy requests sought), but this is mostly due to an increase in shortfalls for non-legal roles from 40% of the total shortfalls in 2024/25 to 43% in 2025/26. Shortfalls in legal salaried roles represented 56% of the total shortfalls in 2025/26, whilst they represented 59% in 2024/25.

Salaried regional recruitment in the Courts and Tribunals:

40. As set out in evidence to the Major Review, to address localised capacity gaps in salaried recruitment, regional recruitment was trialled for District Judges and Employment Judges.
41. Outcomes were broadly positive and since the Major Review evidence, appointment numbers have been confirmed for the District Judge London and the South East exercise that launched in November 2024. Out of the 39 candidates recommended by the JAC, 38 judges were appointed (against 80 vacancies). This provides more than twice as many judges to the regions than previous national campaigns. For example, out of a vacancy request of 100 across England and Wales, only 12 judges were appointed in London and the South East from the 2023/24 exercise.
42. The JAC recommended 30 candidates (28 for immediate appointment and 2 for future appointment) from the 2025/26 District Judge exercise for all regions outside London and the South East - an additional 5 judges above the original vacancy request. The job adverts gave details on the location of the vacancies across the Midlands, North East, Northern, South West and Wales. Appointments should be finalised in September 2026.
43. Regional recruitment is being continued for the current 2026/27 District Judge exercise, which launched in May for a vacancy request of 50 immediate and 20 future appointments across all regions in England except Wales, more than half of which are for London and the South East (34 immediate and future). The number of vacancies per region was shown clearly in the job advert, including which were immediate and which were future appointments. Candidates were also told they would be asked to indicate the circuit(s) they were willing to work in order of preference in their online application. Separate regional merit lists will be produced by the JAC based on candidates' preferences.
44. We have also seen encouraging outcomes from a regional approach to tribunal recruitment, with 34 candidates recommended from the Q4 2024/25 salaried Employment Judge exercise which focused on addressing need in London. The overall target was for 36 candidates, with 26 in London, 4 in the South East, 5 in Midlands

West and 1 in Wales. 28 candidates were appointed and we expect them all to be sitting from September 2026. However, we have been informed that due to requests for salaried part-time working, the full-time equivalent is lower.

45. Further recruitment with regional merit lists is underway for up to 55 salaried Employment Judges with a target of 25 appointments across London, 8 in the South East and the remaining 22 distributed across the other 5 regions. These judges will add capacity from Summer 2027.
46. We continue to work closely with the JAC and Judicial Office to identify exercises that may benefit from a regional approach to address capacity gaps and to be as clear as possible about the location of vacancies, although not all will be known when an exercise launches.
47. Given the overall pressure on recruitment programmes which now routinely include more than 30 exercises, it is more resource efficient for the JAC to launch one exercise with regional merit lists rather than running separate exercises for specific regions.
48. The benefits and cost effectiveness of regional recruitment must be carefully considered. We are also evaluating other exercise design factors to assess the impact on recruitment outcomes including waiving or reducing the requirement for previous judicial experience, and / or not requiring specific legal experience. Additionally, for Circuit Judge recruitment, the split of vacancies between crime, civil or family might be having an impact.

Other salaried recruitment outcomes:

49. There have been shortfalls in recruitment for the role of District Judge (Magistrates' Court), however the extent of those shortfalls has not been as great as for District Judge (Civil). A new recruitment exercise launched in March 2026 for a vacancy of 30 District Judges (Magistrates' Court). We expect the exercise to report in November 2026.
50. **Circuit judges:** Other positive outcomes include Circuit Judge exercises, with the vacancy request for the 2024/25 Circuit Judge exercise increased from 27 to 37 and all vacancies were filled. Another exercise launched in January 2026 for a vacancy request of 64. Recommendations are expected in February 2027.
51. **Tribunals:** here, the 2024 cross-First-tier Tribunal exercise for salaried judges, which launched in October 2024, resulted in 70 appointments against a target of 94. Of these 70, 25 were appointed to Immigration & Asylum Chamber, 22 to Social Entitlement Chamber, 22 to Health, Education and Social Care Chamber, and 1 to War Pensions.
52. Rather than continuing with cross-First-tier Tribunal exercises in all cases, we are taking a chamber-specific approach to recruitment for some First-tier Tribunal chambers, such as the Immigration & Asylum Chamber and the Property Chamber, aimed at improving recruitment outcomes in those chambers.

53. Recruitment for up to 30 salaried Immigration & Asylum Chamber judges commenced in November 2025 and we anticipate these new judges will begin sitting from November 2026. The application numbers have been healthy, which we think is due in part to running the chamber-specific recruitment, and potentially due to waiving previous judicial experience for this exercise.
54. In the Property Chamber, both salaried and fee paid judicial recruitment has historically struggled to meet the vacancy requests set. Recruitment has been increased to a high level to build capacity to respond to demand increases due to the Renters' Rights Act. Despite targeted outreach and advertising, the outcomes have been disappointing. The most recent salaried exercise (launched in May 2025) concluded in early 2026 and resulted in 6 appointments against a target of 15. The previous salaried exercise launched in May 2024 performed similarly, with 8 appointments against a target of 14. As recent fee-paid recruitment has also failed to recruit up to its targets, this cannot be used as an alternative to bridge the capacity gap. We therefore intend to continue to build capacity through regular recruitment, and the government is considering whether an alternative initial rent determination function could be created to reduce Property Chamber caseloads in the long-term.

Recruitment to leadership and senior roles

55. Recent recruitment outcomes for leadership roles in the Courts have been positive.

Table 4: JAC recommendations for leadership and senior roles in the Courts:

Exercise	Recommendations	Vacancies
2025/26 Senior Circuit Judge, Resident Judge	3	3
2025/26 Senior Circuit Judge, Designated Family Judge	3	3
2024/25 Specialist Civil Circuit Judge	1	1
2025/26 Specialist Civil Circuit Judge	1	1

56. Recent recruitment outcomes for leadership roles in the Tribunals have been positive.

Table 5: JAC recommendations for leadership and senior roles in the Tribunals:

Exercise	Recommendations	Vacancies
2025/26 President of the Mental Health Review Tribunal Wales	1	1
2025/26 President of the Social Entitlement Chamber	1	1
2025/26 Chamber Presidents of the First-tier Tribunal Immigration and Asylum Chamber and the First-tier Tribunal War Pensions and Armed Forces Compensation Chamber	2	2
2025/26 Regional Employment Judge	2	2
2025/26 Regional Medical Member of the First-tier Tribunal Social Entitlement Chamber	1	0.5
2025/26 Regional Judge of the First-tier Tribunal Property Chamber (Residential Property)	2	2
2025/26 Senior Chair of the Health Service Products Appeals Tribunal (Pricing, Cost Control and Information)	1	1

57. Recruitment for Judges of the High Court has been generally positive in recent years, although the 2024/25 exercise had a small shortfall of 1 (9 judges appointed for a vacancy request of 10). The 2025/26 campaign for 14 judges is still ongoing, but we are optimistic that the exercise will meet the vacancy request.
58. Recruitment to the Deputy High Court Judge pipeline for High Court Judge remains strong: 26 Deputy High Court Judges were appointed from the 2024/25 exercise for a vacancy of 27. A new exercise launched in March 2026 for a vacancy of 45.
59. Vacancy Requests for new Justices of the Court of Appeal have been met in the last two selection exercises (2024/25 and 2025/26) with 6 and 7 new justices appointed respectively.

4.5. Fee-paid recruitment and sitting

Courts

60. Recruitment continues to be positive, providing flexible and additional capacity where needed:
- The JAC recommended 30 candidates from the 2023/24 Deputy District Judge exercise reserve list, in addition to the 125 already appointed. Further recruitment is planned in 2026.
 - 17 additional candidates were recommended from the 2024/25 Recorder exercise, with 84 appointments for an original vacancy of 70. Another exercise launched in April 2026 for 128 vacancies.
 - 84 candidates have been recommended from the 2024/25 Deputy District Judge (Magistrates' Court) reserve list, on top of the 50 already recommended in 2025.

Tribunals

61. The 2024 cross-First-tier Tribunal exercise that launched in May 2024 for up to 166 fee-paid judges resulted in 165 appointments across the First-tier Tribunal. We now are trialling chamber-specific recruitment to try to improve recruitment outcomes in some chambers in the First-tier Tribunal. Chamber-specific recruitment for up to 70 fee-paid Immigration & Asylum Chamber judges began in September 2025, and we anticipate new judges will begin sitting from late 2026-early 2027. Indications are that the JAC will meet the target of 70.
62. An exercise for up to 45 fee-paid Property Chamber judges launched in July 2025 with outcomes expected in autumn 2026. This is the first chamber-specific exercise for fee-paid judges in Property. It has been weaker than the Immigration & Asylum Chamber-specific one and indications are that the JAC will not meet the target of 45.
63. Further fee-paid judge recruitment in the Property Chamber, again for up to 45, is planned for launch in Q3 2026 with outcomes expected in late 2027.
64. A combined Employment Tribunal and cross-First-tier Tribunal exercise launched in April 2023 with a target of 231 overall. This concluded in 2024 and the JAC made 231 recommendations for appointment across the First-tier Tribunal and Employment Tribunal.
65. The next fee paid Employment Tribunal judge exercise is planned for launch in February 2027, this time as a standalone exercise. The gap between fee-paid exercises in the Employment Tribunal is because the ongoing salaried Employment Tribunal judge exercise from 2025/26 was launched instead of a fee-paid exercise to manage anticipated business need arising from the Employment Rights Act.

Impact of salaried shortfalls on fee-paid sitting

66. Fee-paid sittings have increased between 2024 and 2025 in civil, private and public family but they have decreased in Crown. We note some caveats to this headline below.
67. **Civil and family:** The most notable increase of fee-paid sittings is in civil, with an increase of 7% (reaching 44% of the total days sat in the jurisdiction in 2025).
68. The trend is much less marked in Family, where fee-paid sittings still represent a small proportion of the total days in both private and public Family (respectively 22% and 12% of the total days sat in each jurisdiction in 2025, an increase of 2 and 1%).
69. The increase in days sat by fee-paid judges in these three jurisdictions may be driven by the challenges in recruiting salaried judges, mostly District Judges. However, it is difficult to draw any conclusion from this data as a number of factors contribute to the level of days sat by salaried or fee-paid judges, including the complexity and duration of cases.
70. **Crown:** In contrast, there was a 2-percentage point decrease in fee-paid sittings in Crown (22% in 2025) and the vast majority of days sat are salaried sittings (75% in

2025). The rest of the days were sat by other judges where the judge type has not been recorded. This could be showing that efforts in recruiting salaried judges in Crown are having an impact on sitting days but again, we would advise caution in drawing any definite conclusions from this data set.

71. **Tribunals:** Here the fee-paid share of judicial sittings is generally higher, and specific data on fee-paid sittings was published in the evidence for the SSRB's Major Review. This is due to greater variations in demand and between jurisdictions compared with the courts, with fee-paid resource providing the flexibility to manage fluctuating demand. We do not have specific evidence that a high ratio of fee-paid sittings has any impact on tribunal performance.

4.6. Candidate Quality

72. No further data has been published since last year's written evidence and therefore there is no update for this year's evidence.

4.7. Mandatory Retirement Age

73. In 2023, there were 205 judges aged 70 and over in both Courts and Tribunals, which was the first year when data for this specific age band was recorded. Ever since, the number of judges aged 70 and over has increased steadily and has reached 313 in 2026 - an increase of 53%.
74. In the Courts, the number of judges aged 70 and over has increased from 131 in 2023 to 217 in 2026, which represents an increase of 66%.
75. In the Tribunals, the number of judges aged 70 and over has also increased, although less sharply than in the Courts from 74 in 2023 to 96 in 2026, a 30% increase.
76. Raising the mandatory retirement age to 75 has appeared to have met one of the main aims of the policy - retaining experienced judges to address judicial resourcing pressures.
77. It is too early to assess whether the increase has attracted a wider and more diverse range of candidates to judicial office, or whether it has resulted in more High Court Judges and above staying longer in post. A detailed review is proposed for 2027, which will provide more robust analysis as those who were 70 in 2022 will have reached the new mandatory retirement age.

4.8. Sitting in Retirement

78. As of 1 April 2026, there were 249 judges sitting in retirement - an increase of 1 judge compared to 248 judges in 2025.
79. The assessment of business need for sitting in retirement has focused on regions and jurisdictions which need it the most, such as London and the South East, the North East, the Midlands and Wales across all Court jurisdictions, and in specific Tribunal chambers such as the Immigration & Asylum Chamber, Social Entitlement Chamber,

Health Education and Social Care Chamber, and Property Chamber. It now also includes all regions in Crown.

5. Wider Context

5.1. Independent Review of the Criminal Courts

80. The Independent Review of the Criminal Courts was commissioned by the Government in December 2024. It was led by Sir Brian Leveson, supported by a panel of experts, and was published in two parts:

- a) Part 1 – Consideration of options for longer-term reform on 9 July 2025; and
- b) Part 2 – Consideration of how to improve the efficiency across the system, reported on 4 February 2026.

81. Lord Leveson was clear that it is only through a combination of financial investment, modernisation, and structural reform that we can turn the tide on the backlog and deliver swifter justice for all.

82. The Government has already invested significantly in the system – in record sitting days (increasing judicial capacity), court buildings and technology, and in legal professionals with significant investment in legal aid.²

83. The Courts and Tribunals Bill which was introduced in February 2026, brings forward structural reform measures, based on Lord Leveson's recommendations. The Bill completed Third Reading in the House of Commons on 13 October.

84. The previous Lord Chancellor announced several initial measures we are taking forward to drive efficiency, including supporting the judiciary to undertake targeted listing approaches, where similar cases are listed together over short periods, rolling out Case Coordinators in every Crown Court centre. On the 6 July the Lady Chief Justice published a Criminal Practice Direction on Listing, providing a more consistent, transparent and effective approach to listing across the Crown Court. We are also exploring the use of new AI technologies, including supporting the judiciary to pilot a new listing assistant, to improve the efficiency of how cases are scheduled.

85. The Government response to Lord Leveson's review was published on 12 October.

5.2. Judicial Pay Policy

86. This section contains updates to policy work since last year's written evidence.

5.2.1. Non-Legal Member fees review

87. In their 2023 review of Non-legal Member (NLM) fees, the SSRB recommended that fee levels are aligned into 3 bands depending on expertise. The then-Lord Chancellor agreed in principle with the recommendations but said that ultimately a decision could

² [Sitting day allocations for Courts and Tribunals](#)

not be taken until the conclusion of the Additional Fees Review (see Booked Period Pay Policy).

88. As the Booked Period Pay Policy is implemented across the Tribunals, we are reviewing next steps on aligning NLM Fee rates.

5.2.2. Booked Period Policy

89. In 2022 MoJ conducted a review of additional fees, paid in the Tribunals for activities outside of core sittings like preparation and writing up. This included a consultation on a 'Booked Period' pay policy which MoJ responded to in August 2023.
90. The aim of the policy is to simplify claims for Judicial Office Holders in the Tribunals and bring practice more in line with Courts (which operate without additional fees).
91. In February 2026, the Booked Period Pay Policy was published alongside the judiciary's Working Practice Guidance, which sets limits on the amount of time a Judicial Office Holder should spend on a case.
92. The Booked Period Pay Policy will replace additional fees for all Judicial Office Holders in the Tribunals. It is being rolled out in 3 phases. Phase 1 (First-tier Tribunal – General Regulatory Chamber, First-tier Tribunal - Tax and Upper Tribunal - Tax) went live on 9 July 2026, and phase 2 (Employment Tribunals (England & Wales and Scotland) and Employment Appeals Tribunal) went live on 8 October 2026. Phase 3 is expected later this year, subject to the success of and any lessons learned from phases 1 and 2.

5.3. Terms and Conditions

93. The Lord Chancellor has responsibility for judicial terms and conditions and the respective underpinning policies for most salaried and fee-paid judicial office holders in England and Wales across the courts and tribunals.
94. Earlier this year, MoJ ran a consultation to seek the views of the judiciary on proposals to align terms and conditions between Judicial Office Holders in the courts and tribunals below High Court. The changes proposed focused on aligning and clarifying the wording of current judicial terms and conditions, rather than altering their substance. The consultation did not propose aligning the differences in annual leave between judicial offices. Overall, the aim was to reduce the number of different sets of T&Cs from over 30 sets to just 7.
95. The consultation closed in May. We received nearly 300 responses and are carefully analysing them and MoJ will respond in due course.

5.4. HMCTS Estates

96. Historic underfunding resulted in significant challenges across the HMCTS estate, with an estimated maintenance backlog of at least £1.3bn. Capital maintenance funding has been significantly increased for 2026/27, with £287 million being invested to deliver vital repairs and digital upgrades to courts and tribunals. Of this, up to £216m will be invested directly into capital maintenance improvement projects and repair works

during the 2026/27 year. This is a significant uplift on the previous year when £148.5m was allocated for capital maintenance at the start of the 2025/26.

97. HMCTS prioritise capital maintenance funding to ensure that buildings are safe, secure, meet statutory requirements and able to ensure the continuity of court and tribunal business. HMCTS has a range of capital estate projects already planned for the financial year 2026/27, including 40 roof works, 19 boiler replacements, 23 cooling and ventilation projects, 54 security related projects and 48 health and safety related works.
98. HMCTS takes the security of the judiciary extremely seriously. We continuously review our security arrangements, and we have invested to further enhance security measures across the estate. HMCTS has a comprehensive suite of measures in place to keep the judiciary safe when they are at court, including security risk assessments to identify and evaluate security threats/vulnerabilities and apply effective controls to manage risk as low as reasonably practicable.

5.5. Judicial HR support

99. Responsibility for judicial HR is shared between the Lord Chancellor, the Lady Chief Justice and the Senior President of Tribunals. The Lord Chancellor is responsible for a variety of provisions to support the individual circumstances of JOHs. These include access to parental leave, compassionate leave, sickness absence, part-time working, and career break policies, which offer JOHs flexibility throughout their careers. This is supported by a dedicated reasonable adjustments policy and judicial workplace adjustments guidance.
100. The Judicial Human Resources team, based in the Judicial Office, continues to provide support to the senior judiciary, leadership judges and JOHs, including on welfare and wellbeing for which the judiciary are responsible (Table 6).

Table 6: Wellbeing and welfare support provided to judicial office holders.

Health and wellbeing provision	Detail
Judicial Helpline	A 24-hour telephone helpline accessible to all judicial office holders. The helpline provides confidential access to a qualified professional.
Counselling Sessions	Judicial office holders can access up to six free counselling sessions per contractual year.
Trauma/Critical Incident Support	Support for all judicial office holders in instances where they are subjected to assault or other traumatic incidents while carrying out their judicial role or any traumatic incident which arises because of their judicial office.
Professional Support Conversations	An annual support conversation with a qualified counsellor, this service is open to coroners and salaried judges in England and Wales who work in crime, family, the reserved Immigration and Asylum Chamber, and to judges in HESC hearing restricted patient cases. The aim is to

	provide an opportunity for judges to discuss any impact, including cumulatively, that the cases that they preside over may be having on their wellbeing.
Trial Support Service	Emotional and psychological support for judicial office holders hearing cases that generate lots of media and public scrutiny and/or contain distressing evidence.
Occupational Health Services	Access to the occupational health (OH) provision. Consultations for the judiciary are conducted by consultant occupational health physicians.
Stress Support Tool	The stress support tool is voluntary. It can be used by judicial office holders to identify the impact and causes of stress and to support conversations between a judicial office holder and their judicial leader.
Pre-retirement Courses	The course is an interactive one-day event, aimed at helping participants plan for a positive and fulfilled life in retirement.
Early Facilitated Conversations	A confidential mediation service to enable the judiciary to informally resolve any workplace disputes.
Workplace Wellbeing Website and App	A dedicated website for the judiciary delivered by our OH provider. The website has a separate resources area for leadership judges and contains access to health and wellbeing topics on the judicial intranet alongside podcasts, factsheets, and videos on a range of wellbeing topics.
Flu Vaccination Reimbursement Scheme	Payment for an annual flu vaccination for judicial office holders who are not entitled to a free NHS vaccination.
Judges with Portfolio Responsibility for Welfare	Volunteer judges providing confidential peer support to their colleagues. Judges with portfolio responsibility for welfare can additionally provide advice to leadership judges.
Locally Appointed Welfare Judges	

5.6. Judicial Attitudes Survey

101. The Judicial Attitude Survey is carried out every two years and is conducted by Professor Cheryl Thomas KC (Hon) of the Judicial Institute of University College London with support from the judiciary.

102. A detailed breakdown of the results can be found in the MoJ's written evidence pack for the 2026 Major Review of Judicial Pay³

6. Judicial Diversity

103. The Lord Chancellor and the Lady Chief Justice both have statutory responsibilities to encourage judicial diversity. While there has been progress, particularly for women, the

³ [Major Review of Judicial Salary Structure: MoJ Evidence](#)

government is committed to ensuring talent from all backgrounds can fulfil their full potential.

104. The Government established the Judicial and Legal Diversity Board in May 2026 jointly with the Lady Chief Justice to bring together leaders from across the professions to break down barriers and create a judiciary that reflects modern society.
105. The most recent Diversity of the Judiciary Statistics was published in July 2026⁴, which includes greater detail on disability, social background and sexual orientation than previous reports. These statistics show that 45% of judges were women in April 2026 - maintaining an upward trend since comparable figures were first reported in 2014. 55% of all recommendations for judicial office and 55% of new entrants to the judiciary were women in 2025/26, exceeding the eligible pool of lawyers and the overall population.
106. Since 2016, the proportion of ethnic minority judges has increased from 8% to 13%. Across all legal exercises in 2025/26 ethnic minority candidates accounted for 18% of recommendations, including 16% of new entrants to the judiciary. This is broadly in line with the overall proportion of the population. However, the proportion of judges who identified as black or black British has increased from only 1.4% to 1.6% in the last ten years, which remains an area of significant concern, set against an overall proportion of the English and Welsh population of just over 4%.
107. The proportion of non-barristers in the judiciary has continued a slow decline, from 46% of judges in 2016 to 40% in 2026. The proportion of non-barristers in the senior courts' judiciary is noticeably lower, holding 6% (9 of 148) of the more senior posts (High Court and above).
108. This year's annual statistics also included data on the social background of serving judges for the first time, based on school attendance. As at 1 April 2026, two-thirds (66%) of all judges who had declared, said that they had attended a UK state school (selective or non-selective). For court judges this figure was 64% and for tribunal judges it was 71%. This is lower than the proportion of the general population who say they attended a state school (approximately 93%). The MoJ will continue to monitor this and will continue its efforts to produce further reporting on social background when the data is available.

6.1. Salaried Part Time Working

109. Nearly half of salaried tribunal judges (48%) and nearly a quarter (24%) of salaried court judges work part-time.⁵ Overall, 638 judges work a part-time pattern, an increase of 300 since 2021. The highest percentage of salaried tribunal judges who work part-time are Employment Judges at 65%. Of salaried court judges, District Judges (County) are the group with the highest percentage of part-time judges at 39%.

⁴ [Diversity of the judiciary: Legal professions, new appointments and current post-holders - 2026 Statistics - GOV.UK](#)

⁵ <https://www.gov.uk/government/statistics/diversity-of-the-judiciary-2026-statistics>

7. Economic Evidence and Financial Context

110. This section outlines the financial and economic evidence underpinning judicial remuneration and affordability.

7.1. Judicial Pay Costs

111. Total judicial remuneration costs for 2025/26 were £830m across the salaried and fee-paid judiciary.

112. Judicial salaries and fees represented the largest component of expenditure, accounting for 58% of total costs. Employer pension contributions accounted for a further 33%, reflecting the current employer contribution rate of 62.3%.

113. Expenditure was predominantly incurred on the salaried judiciary, which accounted for 68% of total remuneration costs, compared with 32% for fee-paid judges.

114. Total judicial remuneration costs for 2026/27 are forecast to be approximately £888m, reflecting the impact of the 3.5% pay award for both salaried and fee-paid judges, together with changes in expected sitting activity. As Crown Court sitting days are uncapped in 2026/27, actual expenditure may exceed this forecast.

Table 7: Breakdown of judicial pay costs for 2025/26:

	2025/26 (£)			
<i>Figures in £000's</i>	Senior Judiciary	Other Judiciary	Fee-Paid	Total
Wages & Salaries	180,053	137,178	165,337	482,568
Social Security Costs	26,987	20,524	22,024	69,535
Employers Pensions	111,653	85,388	80,757	277,798
Total Payroll Costs of the Judiciary	318,693	243,090	268,118	829,901

7.2. Macroeconomic Context

115. 12-month CPI inflation was 3.1% in August 2026. This is lower than its recent peak of 3.8% in September 2025, but shows a rise from 2.6% in June 2026, as the energy price shock starts to feed through into household energy. Core CPI inflation (CPI excluding energy, food, alcohol and tobacco to give an indication of underlying inflationary pressure) was 2.6% in August 2026. The Bank of England's July MPR central projection expects inflation will rise further, before falling again from mid-2027, with projected CPI inflation to be 2.4% in 2027/28.

7.3. Labour Market Context

116. The latest indicators suggest the labour market remains slack. HMRC Real Time Information data shows employee numbers have fallen on the year for 17 consecutive months to July 2026, while vacancies have continued to decline over the past twelve

months. The unemployment rate has fallen back slightly, reaching 4.9% in the three months to July 2026.

117. Whole economy total average weekly earnings growth was 3.9% in the three months to July 2026. Recent fluctuations in this series partly reflect the effect of bonus payments and the timing of public sector pay settlements. Private sector regular pay growth (which is unaffected by these factors) has continued to fall, reaching 2.9% in the three months to July 2026. Private sector regular wage growth has been below public sector regular pay growth for 17 months, which reached 6.3% in the three months to July 2026.

118. Measures of average wage growth have historically been higher than median pay settlements, as they are affected by compositional changes in the labour force and factors such as changes to working hours. Settlement data are the most comparable data to PRB decisions, as they are a direct measure of consolidated pay awards, and are not directly affected by other factors such as changes to working hours or changes in the composition of employment. The Bank of England's Agents report that average pay settlements for 2026 are 3.6% and lower than the average settlement for 2025 (4.0%). The Brightmine survey shows that business are reporting average settlements of 3.0% for 2027.

7.4. Affordability

119. Having an effective and independent judiciary remains a key departmental priority. However, the department faces fiscal constraints and demand-led pressures across prisons, probation, courts and legal aid. This is alongside wider spending commitments, cost pressures and inflationary pressures. In this context, we must make difficult choices about where resources can have the greatest impact. Any changes to judicial remuneration must therefore be affordable, sustainable and deliver value for money, recognising that an award above the funded level would require trade-offs against other priorities across the justice system. This is particularly challenging given the limited flexibility within existing budgets and the need to manage emerging operational pressures during the year.

120. This year, the department is able to fund a judicial pay award of 2.3%, which based on current sitting patterns would cost an additional £20.7m, with each 1% increment costing an additional £9m.

8. Annexes

121. The following annexes have been submitted as part of this evidence pack:

Annex A: Core Data Pack

Annex B: Northern Ireland Written Evidence

Annex C: 2026/27 Judicial Pay Schedules



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