

Public services performance tracker 2025

The criminal justice system



About *Public Services Performance Tracker*

The *Public Services Performance Tracker 2025* annual report, published in partnership with the Nuffield Foundation, provides the most comprehensive stocktake to date of the inheritance left by the Conservative government and the decisions made since Labour came to power.

Using more than 250 indicators, it analyses spending, demand, staffing and performance across nine key public services: general practice, hospitals, adult social care, children's social care, homelessness services, schools, police, criminal courts and prisons.

For the first time, this year's edition looks at how the quality of public services varies across the country and provides more detailed insights into the drivers of performance. It also provides more in-depth analysis of the cross-cutting issues facing local government, the NHS and criminal justice services.

This report focusses on the criminal justice system and includes analysis of the police, criminal courts and prisons. It will be followed by instalments covering the NHS and education; the final report in the series will offer a cross-service analysis bringing together insights from across all services.

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The criminal justice system: key findings

Overview

- **6.5 months** – average time from a crime occurring to the case being closed in the magistrates' courts in 2024 – two months longer than in 2010 and more than a month longer than in 2016

Police

- **~40%** of crime victims in 2024 are estimated to have experienced domestic abuse
- **50%** of roles in police rape and serious sexual offences teams filled by trainees
- **6 weeks** – the average wait for an offender to be charged in 2024/25, up from just two in 2015/16
- **16%** – the proportion of people saying they have 'no confidence at all' in the police to deal with crime in their local area, compared to just 4% who have 'a lot of confidence'

Criminal courts

- **2.8x** – size of the crown court backlog in June 2025 compared to December 2019, taking into account the complexity of cases (**108,185 cases**)
- **5,000** more crown court trials would have been carried out in 2024 if 2016 productivity levels had been maintained (40% more)
- **62%** – increase in the magistrates' court backlog since December 2019, including 25% just since Labour came into government
- **30%** – decline in permanent court staff since 2010/11

Prisons

- **6 months** – how much time the new Labour government 'bought itself' with its early release scheme, launched in September 2024: by March 2025 the prison population was back to near-record levels.
- **45%** – rise in prison leavers being recalled to prison from October to December 2024, compared to the year before
- **58%** increase in serious prison assaults since 2014

Criminal justice system: Overview



Introduction

Criminal justice is coming apart at the seams and the mood across the sector is bleak. Performance problems in policing, criminal courts, prisons and probation mean services have been in crisis management mode for years. This makes it hard to do longer-term strategic thinking, leads to inefficient use of public money, and creates frayed and adversarial relationships between services and departments.

The Starmer government has earned itself some goodwill from the system. It acted early and decisively on entering office to tackle the problem of prison capacity, and launched dual reviews on sentencing and criminal courts soon after. These, accompanied with the appointment of experienced prison reform campaigner Lord Timpson as prisons and probation minister, have been well received and generated much-needed hope.

But the situation is still grim. Backlogs in the criminal courts continue to grow quarter on quarter and long-term reforms to get the system back on a sustainable footing have yet to be announced. Depending on how quickly the Sentencing Bill moves through parliament and how successfully it reduces demand on prisons, further emergency prison releases may be necessary as prisons again approach capacity. Details of promised police reforms, originally due in spring 2025, have been delayed – and the home secretary replaced in the interim. And there is the prospect of how the system would cope with any further violent disorder, like that seen in July and August 2024 and threatened in Essex this summer.

But there are some reasons for optimism. Despite rises over the last two years, crime remains at historic lows. As justice secretary, Shabana Mahmood emphasised the importance of a systemic response to criminal justice, recognising the interdependence of the different parts of the system.¹ She has since become home secretary, and changing secretary of state in the midst of major reforms is far from ideal. But taking this recognition of interdependence and an appreciation of the scale of the challenges in the justice system into the Home Office is very welcome. And the principles of public service reform set out in the 2025 spending review² offer a solid foundation for an ambitious 'safer streets' mission.

To get there, the government needs to reduce demand across the criminal justice system, both to stabilise the system itself and to allow for longer-term thinking and partnership-building by organisations within and outside it.

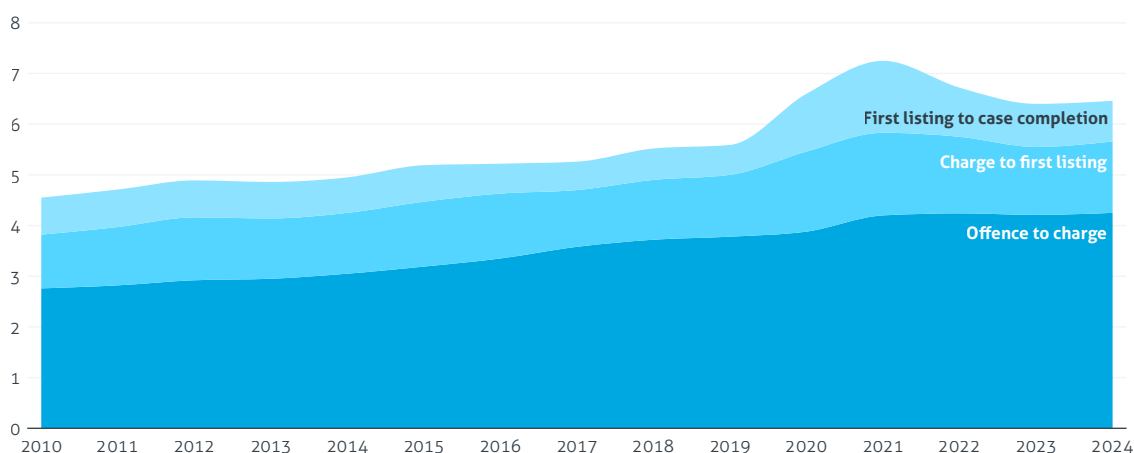
The system cannot currently cope with the level of demand

No part of the criminal justice is currently meeting demand. The best performing of the justice services we look at is policing – but even that is dogged by recurrent problems, with frequent failures on professional conduct and standards³ and the police inspectorate repeatedly criticising forces for “failing to get the basics right” on things like answering the phone, investigating crime and bringing offenders to justice.⁴

In prisons, failure to ‘meet demand’ does not just take the form of insufficient spaces and emergency releases, though these naturally get the most coverage. It also results in prisons failing to provide access to education and courses for prisoners,⁵ or even to meet prisoners’ most basic requests, like more toilet roll for their cells.⁶

Inability to cope with demand has led to serious delays across the system. This is most acute in the crown court, which deals with the most serious criminal cases, and leaves defendants, victims and their families in limbo for months or years. But this is a problem well beyond the crown court. The mean case in a magistrates’ court in 2024 took six and a half months to be brought to justice from when the offence was committed – 42% longer than in 2010 and 23% longer than 2016. This increase has occurred at every stage of the process: it takes longer from offence to charge, from charge to the first court hearing, and from the first hearing to case completion.

Figure CJS 1.1 Mean months from offence to completion for cases closed in magistrates’ courts, by stage, 2010–24



Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly: January to March 2025' (table T3). Notes: Cases sent to the crown court are excluded. 2010 figure excludes Q1 as data is not available.

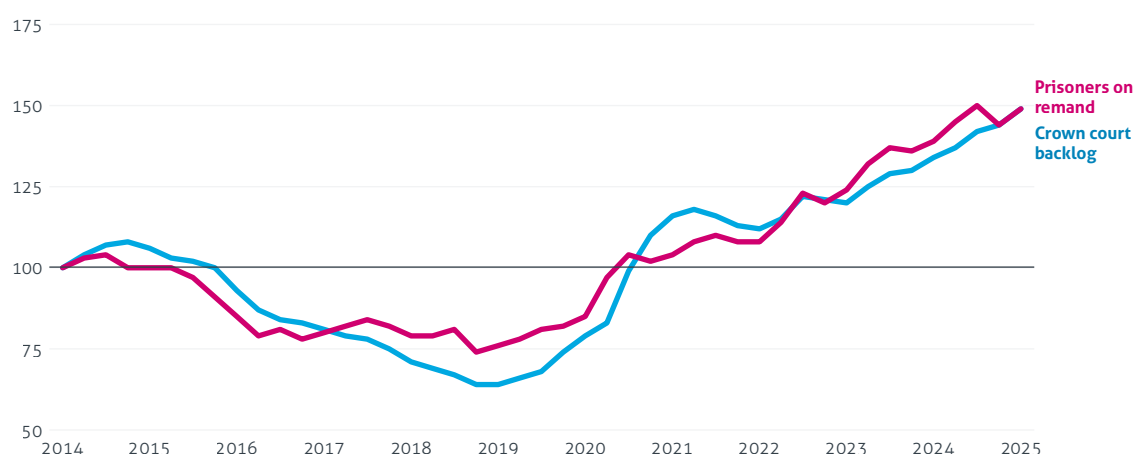
Demand on each criminal justice service is heavily affected by activity in others

Demand on one part of the criminal justice system is typically the output of another. The number of cases entering the court system is heavily influenced by charges brought by the police, the prison population is determined by courts remanding or sentencing people to custody and the probation service recalling people to prison after release, and probation caseloads are in turn determined by prison releases and court sentencing practices. All too often, this eventually circles back round again with the police investigating and arresting repeat offenders that the system has failed to rehabilitate.

Some of this is 'failure demand', where performance problems in one service have knock-on effects for others. This can most clearly be seen with the growth in the crown court backlog and the number of prisoners on remand (awaiting trial or sentencing). As the backlog has grown rapidly since 2019, the remand population has also shot up and now accounts for 20% of all prisoners.⁷

This has been a key source of the prolonged prison capacity crisis since 2022. While many of these people would be in prison anyway, as they will ultimately be given a custodial sentence, some 30–40% will either be acquitted or receive a non-custodial sentence.* Even for those who do go on to get a custodial sentence, many serve longer on remand than they would have spent in custody if they had been sentenced immediately (though it is not currently possible to quantify how many defendants this applies to). This has serious human costs to people in prison, as well as taking up desperately needed – and expensive – prison places.

Figure CJS 1.2 Index of crown court backlog and prisoners on remand, Q1 2014 to Q1 2025 (Q1 2014=100)



Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly', January to March 2020 and January to March 2025, and MoJ, 'Offender management statistics quarterly', various years.

Services are also highly reliant on other parts of the system to do their job well

Criminal justice agencies are highly interdependent and good or bad performance in one reverberates across the criminal justice system. The relationship between the police, the CPS and the criminal courts provides several helpful examples of this.

Efficiency and effectiveness in the courts is heavily reliant on the availability and preparedness of CPS prosecutors. Trials are frequently delayed and sometimes dropped altogether because prosecutors are not sufficiently familiar with the details of the case or simply not in court: 5% of all scheduled crown court trials in 2024 were rearranged on the day because the prosecution was not ready or failed to disclose evidence to the defence (3%) or the prosecution advocate was absent (2%).⁸ The prosecution dropped the case on the day in a further 6% of crown court trials, and 16% of magistrates' court trials.

* This proportion varies considerably over time and between magistrates' courts and the crown court. In 2024, 60% of defendants in closed cases who served time on remand received an immediate custodial sentence, 70% of those remanded and sentenced in the crown court and 33% in magistrates' courts. Ministry of Justice, 'Criminal justice system statistics quarterly, December 2024 (Remands data tool 2017–2024)'.

Delay may be appropriate if a prosecutor is picking up a new case, and if a trial is unlikely to lead to a conviction it should not go ahead, even if that means a last-minute cancellation. But these have serious knock-on effects for court productivity. There are similar problems affecting the defence. The total proportion of trials rescheduled because one side was not ready or had no advocate present has doubled from 5% in 2016 to 10% in 2024.⁹

But the CPS is in turn reliant on high-quality investigations and case files from the police. In recent years, there has been a push for the police to seek more pre-charge advice from the CPS,¹⁰ as well as changes to procedures for how the police prepare case files. This may have improved charging decisions and case file quality, but has also substantially increased the CPS caseload, as well as the work that has to be done by the police to prepare files for sharing.¹¹ There are similar interdependencies between prisons and probation in terms of appropriate preparation for release and effectively managing risk in the community.

These dependencies can be a source of significant tension. A recent joint inspection by the police inspectorate and the CPS inspectorate on joint case-building highlighted frustrations in the relationship between the police and the CPS, in spite of recent efforts by senior leaders to improve this.

Difficulties arise from differing priorities, overly bureaucratic systems, multiple processes and poor information technology. There is no clear strategy for improvement being driven across the system and there is a lack of shared performance metrics. The data used by police and the CPS to measure performance is not trusted, incomplete and stokes tensions at a local level.
– Police and CPS inspectorates¹²

Some of this is driven by common problems across services. Workforce challenges, including shortages of key skills and staff inexperience, leave many criminal justice agencies struggling to manage their workloads. Technology platforms for inter-agency working are often not fit for purpose and exacerbate barriers rather than overcoming them.^{13,14} These problems mean that partnership working is too often seen as a source of increased work and frustration, rather than a means of achieving shared outcomes.

There is a lack of system leadership and no aligned strategic vision across criminal justice

The criminal justice system is a complex web of government agencies, private companies, charities and individual practitioners. Some of these are under the direct control of central government, like HM Prison and Probation Service (HMPPS), or commissioned by them (including private prisons). Some operate under various local government structures – local authorities, combined authorities and police and crime commissioners – such as victim support, community safety and anti-social behaviour. Still others operate at arm's length, like the CPS and HM Courts and Tribunals Service (HMCTS), or entirely independently, including defence lawyers and other prosecuting authorities like TV Licensing and the BBC.

This disparate web of authority and decision-making has crucial benefits, helping to ensure the independence and public legitimacy of the police, courts and lawyers. But it can also make it challenging to oversee and shape the criminal justice system as a whole and limits the immediate and direct control central government can exercise. Different agencies and actors have different and sometimes conflicting goals and incentives, and there is no strategic vision that aligns everyone across the system.

Improving strategic governance and coordination in criminal justice is crucial to better performance and productivity. The national Criminal Justice Board, a multi-agency partnership intended to provide strategic oversight and accountability,^{*} has failed to deliver this in recent years – and did not even meet for two years between July 2021 and 2023.¹⁵

“Unless the justice secretary has been in place for a long time, has the backing of the prime minister and is a big hitter, the Criminal Justice Board tends to be a place where the lowest common denominator prevails rather than where strategy is driven.” – Michael Gove¹⁶

The safer streets mission should provide the energising framework needed to get all criminal justice partners signed up to a single vision. Goals on knife crime and violence against women and girls are well suited to this, as there is a long history of effective partnership working on some of these issues, from multi-agency risk assessment conferences (MARACs) for high-risk domestic abuse victims to Violence Reduction Units tackling public space and youth violence.

But the current Plan for Change ‘milestone’, an additional 13,000 police officers and community support officers (PCSOs) in neighbourhood roles, is of no use for this purpose. Increasing neighbourhood policing may help prevent crime and improve trust and confidence in the police, but mission goals should be based on outcomes, not inputs. It is also entirely policing focused, completely neglecting the other agencies – within and outside the criminal justice system – which are key partners in reducing crime and improving public safety.

Many of the current problems in criminal justice have their roots in failures to join up the dots across the system. Rebuilding the system requires a revitalised multi-agency partnership to set strategic direction, improve working relationships and provide a clear set of principles and priorities to galvanise activity across the system.

^{*} The Criminal Justice Board is chaired by the justice secretary and includes relevant justice and home office ministers, as well as senior representatives from the CPS, HMCTS, HMPPS, the Metropolitan Police, the National Police Chief’s Council, the Association of Police and Crime Commissioners, the senior judiciary, the National Crime Agency, the Youth Justice Board, the Bar Council, the Law Society, the Victims’ Commissioner, the Criminal Justice Action Group and the Criminal Justice Board for Wales.

Major sentencing and court reforms require investment and a more joined-up approach across the criminal justice system and beyond

The government has laid out plans for substantial reforms to sentencing, increasing the use of community sentences,¹⁷ expanding specialist intensive supervision courts* and introducing stricter probation supervision.¹⁸ It is still evaluating its response to Sir Brian Leveson's recommendations for structural reform of criminal courts, but major changes are likely here as well.

Successfully delivering these reforms will require a joined-up approach that recognises the interdependencies of the different organisations involved and the ripple effects changes in one part of the system will have elsewhere, as described above. Additional investment, including in the workforce and in commissioned support services outside the formal criminal justice system, will also be crucial to handle the volume of work and deliver the potential benefits of reduced reoffending and better outcomes for victims, offenders and the public.

The most crucial example of this is in sentencing reform. The planned 'earned progression' model in prisons will see thousands of prisoners released after a third of their sentence, rather than 40% as now, and be subject to more intensive supervision once in the community. At the same time, the government is introducing a presumption to suspend all prison sentences of 12 months or less, meaning offenders avoid prison unless they breach the terms of their sentence, as well as expanding options for suspended and deferred sentences and the use of intensive supervision courts.

Altogether, these will ease pressure on prisons. But they will also substantially increase the caseload for the probation service, which is responsible for setting and monitoring requirements for offenders serving sentences in the community or after release from prison, and for responding when offenders breach these conditions.** Managing this increased workload safely will require more probation officers and staff;¹⁹ in a service currently 30% below its target staffing level for qualified probation officers even before these changes are implemented this may prove difficult. Reforms or changes in priorities in other services, such as courts and policing, will similarly have knock-on effects elsewhere in the system.

The government has recognised some of these interdependencies and the need for investment. When then-justice secretary Shabana Mahmood announced emergency early prison releases just after entering government, she committed at the same time to hiring an additional 1,000 trainee probation officers by March 2025, to support the probation service to meet the additional demand.²⁰ Having successfully hit that target, the government is now recruiting a further 1,300 by March 2026.

* Intensive supervision courts are a type of problem-solving court that aim to take a rehabilitative approach to offenders with complex needs, diverting them away from prison sentences while addressing the causes of offending. Offenders are provided with support to address needs such as drug use and have regular reviews with the judge who sentenced them to assess their progress and apply incentives and sanctions as appropriate. Ministry of Justice, 'Crime cutting courts to target prolific offending hotspots', press release, 25 July 2025.

** This increase will be partially offset by other changes to probation, such as allowing supervision to be terminated early if all requirements in the sentence plan have been met.

It has also substantially increased funding for probation: in the 2025 spending review, the probation service was promised up to £700m a year of additional funding by 2028/29.²¹ This is an increase of around 45% from 2025/26.

But we do not yet know how this money will be spent. The government plans to use electronic tags to monitor tens of thousands more offenders,²² which will require substantial investment in more tags and staff to monitor them. This is likely to take up a sizeable proportion of that overall increase in funding.

So will hiring new probation officers. Effectively managing more offenders in the community and trying to address the causes of their offending relies, however, not only on more probation officers to supervise them, but also on available support services – such as drug and alcohol, mental health, housing and employment support services.²³

Probation capacity cannot feasibly be scaled up fast enough to deliver these services itself, and in many cases is not best placed to do so. Instead, it will rely both on other public services (for example those provided by local authorities) and services commissioned from the third or private sector. Other proposed reforms, such as increasing neighbourhood policing and expanding out-of-court resolutions, would likewise place greater pressure on these other services. But as we show in our local government overview, councils are already facing acute financial challenges. Without knowing more about how the government plans to spend the cash injection for probation, it is impossible to know if it will be enough to meet demand for these support services and deliver the promised benefits of reform.

Criminal justice services cannot currently cope with the level of demand they are facing, particularly in criminal courts, prisons and probation. The Labour government has taken the right steps in its first year to try and reduce and redirect demand to make it more manageable, and to scale up capacity. The reforms being considered on the whole address the right problems and should improve performance – but only if they are adequately resourced and part of a joined-up, cross-system approach. Without this, the risk is an even greater crisis than the system was experiencing when Labour entered office last summer.

Criminal justice system: Police



Introduction

Overall crime levels have been falling in England and Wales since the mid-1990s and have roughly halved since Labour was last in office. But this has not translated to reduced demand on the police. Domestic abuse and sexual offences, which are more complex for the police to respond to, make up a growing proportion of all crime and particularly of crime reported to the police, and forces are under serious pressure to improve their response to these types of crimes and their treatment of victims. The police are also managing ballooning volumes of digital evidence and more administrative work, which increase the time required to deal with each case.

The recruitment of 20,000 additional officers under recent Conservative governments sharply increased the size of the workforce and so improved police capacity. But many officers are inexperienced, including some of those supervising the newest recruits. There are also key skills shortages in investigation and digital forensics. These problems mean it will be difficult to increase the number of offences that lead to a charge or other positive outcome, or to reduce delays. Labour's manifesto commitments on violence against women and girls, knife crime and neighbourhood policing are ambitious and, while they provide a clear focus, they cover a huge swathe of crime and policing activity. Forces may struggle to prioritise all these areas at once.

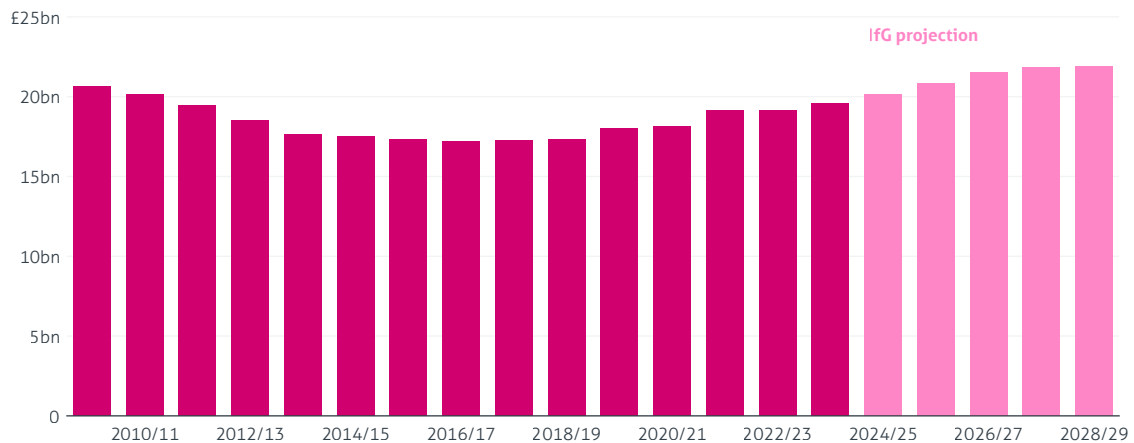
Rebuilding public trust and confidence in the police also poses a major challenge for forces and the government, following substantial declines since the 2010s. Public trust is fundamental to effective policing and improving confidence is a key plank within Labour's safer streets mission. Protests and intermittent disorder over recent summers and accusations of 'two-tier policing' are only likely to make this more difficult.

Recent increases in police spending still leave it slightly below 2009/10 levels

Spending on police in England has slowly crept up in recent years, but in 2023/24, just before Labour came into government, it remained 5% below 2009/10 levels in real terms.¹ The core police grant still makes up the majority of police funding, but since 2019/20 a small but growing proportion of central government funding has been provided via separate ring-fenced funding streams for specific purposes. The most significant of these is the police uplift programme,² announced by Boris Johnson's

government in 2019 to recruit an additional 20,000 police officers by March 2023.³ This ring-fenced funding was increased in 2024/25 to encourage forces to maintain or slightly increase officer numbers. However, it remains a small proportion of total funding – 4% of the total central government grant in 2024/25.⁴

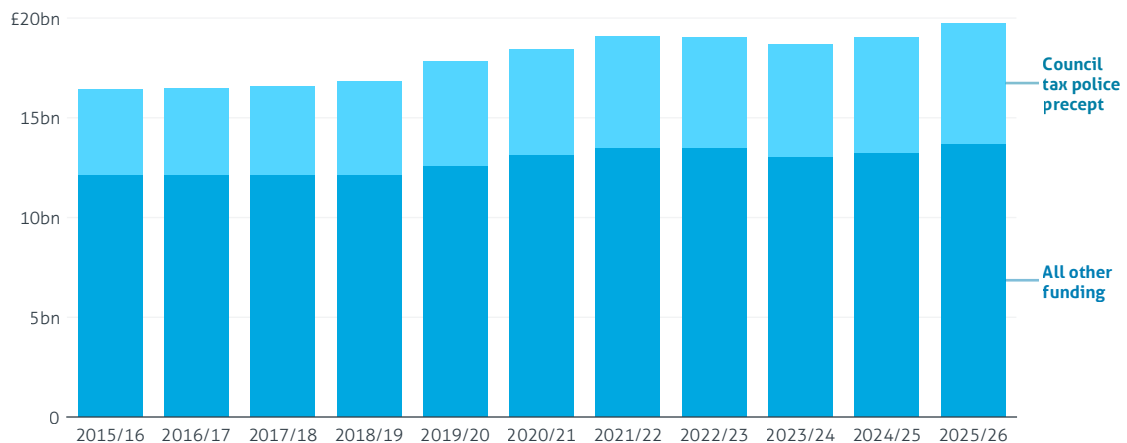
Figure CJS 2.1 **Police spending, actual and projected, 2009/10–2028/29 (2025/26 prices)**



Source: Institute for Government analysis of MHCLG, 'Local authority revenue expenditure and financing England', 2009/10–2023/24, StatsWales, 'Revenue outturn expenditure summary, by service' and HM Treasury, *Spending Review 2025*. Notes: Covers England and Wales; excludes British Transport Police. England figures are total gross expenditure on police; Wales figures are total gross service expenditure by police authorities. See Methodology for details of spending projection.

Police funding is increasingly reliant on the police precept, a ring-fenced part of council tax set by the local police and crime commissioner each year. The precept now accounts for over a third of police funding (34%), up from a quarter in 2009/10 (25%). While the central government grant to police forces has gone up 8% in real terms between 2015/16 and 2024/25, precept funding has grown by 36%.⁵

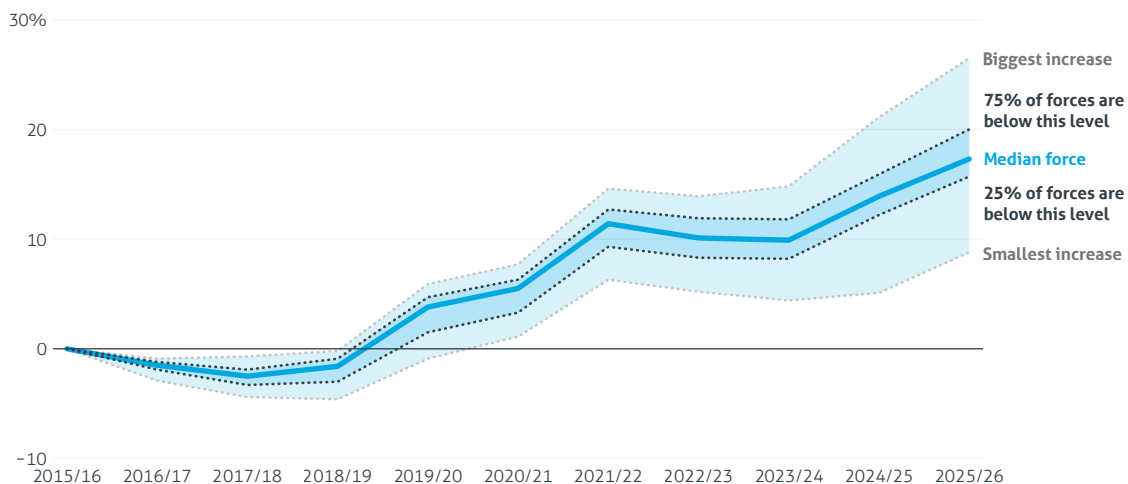
Figure CJS 2.2 **Day-to-day police funding by source, 2015/16–2025/26 (2025/26 prices)**



Source: Institute for Government analysis of Home Office, 'Police funding for England and Wales 2015 to 2026'. Notes: Figures are for England and Wales; excludes British Transport Police. Total police funding including counter-terrorism. Does not include serious violence funding which may be disbursed to police forces by Violence Reduction Units. Day-to-day funding is RDEL.

Changes to the central government core grant for each force since 2009/10 have not taken into account the share of funding that each force received from the precept, meaning cuts have fallen very unevenly across forces.⁶ Unfortunately, we only have force-level data from 2015/16,^{*} which is after the biggest cuts to funding had already occurred. But since then, the increase in total funding has ranged from 24% for Dyfed–Powys to 7% for the Metropolitan Police (the only force to miss its recruitment target under the police uplift programme, and so to miss out on the bonus funding attached to it).⁷

Figure CJS 2.3 **Real-terms change in day-to-day police funding since 2015/16, by force**



Source: Institute for Government analysis of HO, 'Police funding for England and Wales 2015 to 2026'. Notes: Day-to-day funding is RDEL.

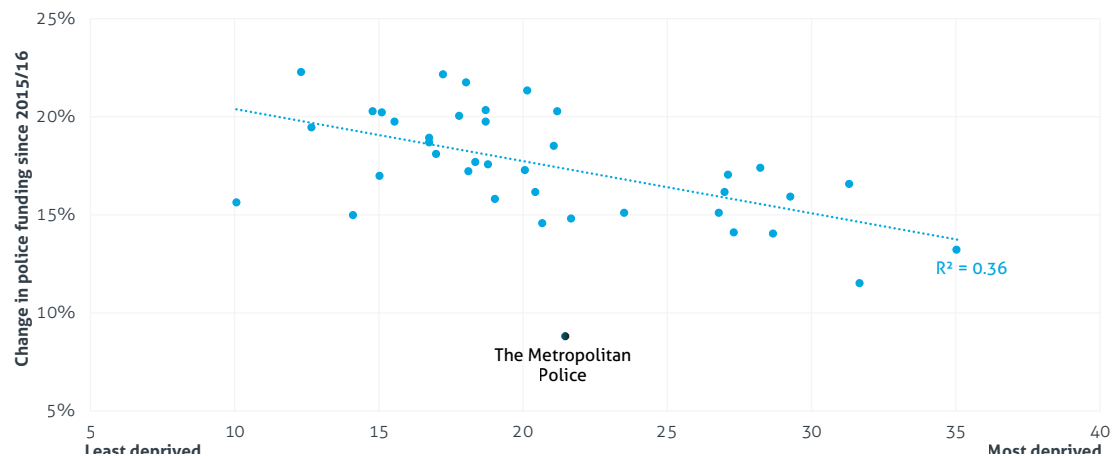
More deprived areas have been the losers from this shift. Less deprived local authorities have a more affluent tax base and raise more of their funding for police services through tax.⁸ They have found it easier to increase revenues from the precept,⁹ and so saw smaller reductions in their police spending power over the 2010s.¹⁰ In England, there is a very strong relationship ($r^2 = 0.83$) between the level of deprivation in a police force area and the proportion of funding they received from the police precept in 2025/26,^{**} and a strong relationship between deprivation and the change in police funding between 2015/16 and 2025/26 ($r^2 = 0.36$).^{***}

* Changes to the structure of police funding in 2015/16 mean that figures for previous years are not comparable.

** Excludes the Metropolitan Police and City of London Police. The Metropolitan Police received a much smaller increase in funding due to missing its recruitment target. City of London Police does not receive a police precept but receives other funding in lieu. Deprivation is measured differently in Wales, so Welsh forces have been excluded.

*** Excludes the Metropolitan Police, as it received a much smaller increase in funding due to missing its recruitment target.

Figure CJS 2.4 **Change in day-to-day police funding between 2015/16 and 2025/26 compared to deprivation, 2019, in England, by police force**



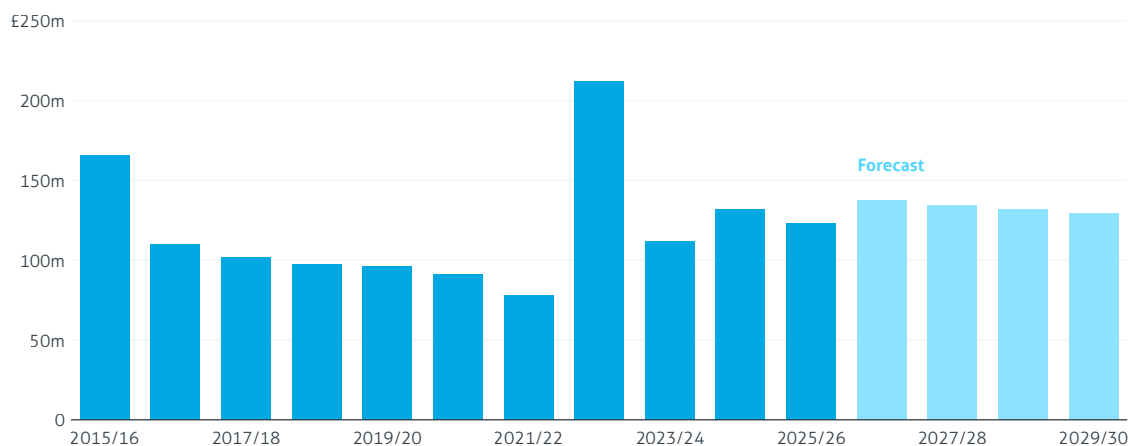
Source: Institute for Government analysis of HO, 'Police funding for England and Wales 2015 to 2026', and MHCLG, 'English indices of deprivation 2019'. Notes: Deprivation based on average IMD score of all local authorities within each police force area. Trendline excludes the Metropolitan Police, as it has received a much smaller funding increase than other forces due to failing to meet its recruitment target under the police uplift programme. Day-to-day funding is RDEL.

The police funding formula, which determines how core funding is distributed across forces, is also widely considered to be outdated and no longer fit for purpose.¹¹ Back in 2018, the National Audit Office concluded that the Home Office "cannot be sure overall funding is being directed to the right places".¹²

The 2025 spending review stated that police spending power would increase by 1.7% a year on average between 2025/26 and 2028/29. But as the overall Home Office budget for day-to-day spending is due to *fall* by 1.7% a year over this period, this is likely to be highly reliant on further council tax rises from police and crime commissioners.¹³ Additionally, the impact of pay rises and higher National Insurance contributions is likely to swallow up a large proportion of this increase, given that a high proportion of police spending is on staff.

Following several years of steady decline, police capital funding almost tripled in 2022/23 (up 189% on the previous year), and while it has dropped since then, it remains 62% above 2019/20 in 2025/26. The bulk of this has gone on technology programmes, which have accounted for around 80% of total capital funding since 2022/23, compared with around a quarter (23%) in 2020/21 and 2021/22.¹⁴

Figure CJS 2.5 **Police capital funding, actual and forecast, 2015/16–2029/30**
(2025/26 prices)

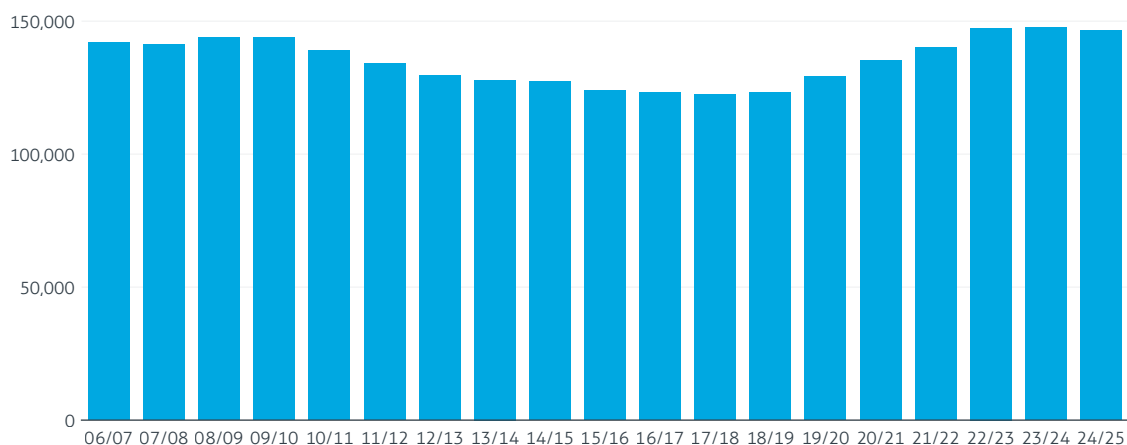


Source: Institute for Government analysis of HO, 'Police funding for England and Wales 2015 to 2025', 2024 and HMT, *Spending Review 2025*.

Recent growth in police officer numbers has increased capacity but limited flexibility for chief constables

The total number of police officers grew substantially in the early 2020s following the Johnson government's pledge to recruit 20,000 additional officers. This target was met in March 2023 and officer numbers have remained at this higher level since then. However, due to substantial cuts to officer numbers between 2009/10 and 2015/16 total numbers were only 3% higher in March 2024, just before Labour returned to office, than in March 2010, and 7% lower on a per capita basis.¹⁵

Figure CJS 2.6 **Police officers, 2006/07–2024/25**



Source: Institute for Government analysis of HO, 'Police workforce, England and Wales: 31 March 2025'. Notes: Based on full-time equivalents (FTE).

Forces were each set specific recruitment targets and incentivised to meet these through a dedicated funding pot.¹⁶ This was extremely effective in increasing officer numbers and ultimately the recruitment target was exceeded nationally and every force bar the Met hit its target.¹⁷ But ring-fencing the funding in this way and focusing only on additional numbers of warranted officers – rather than community support officers (PCSOs) or police staff – has meant that chief constables have less flexibility in designing their workforce to meet local needs.

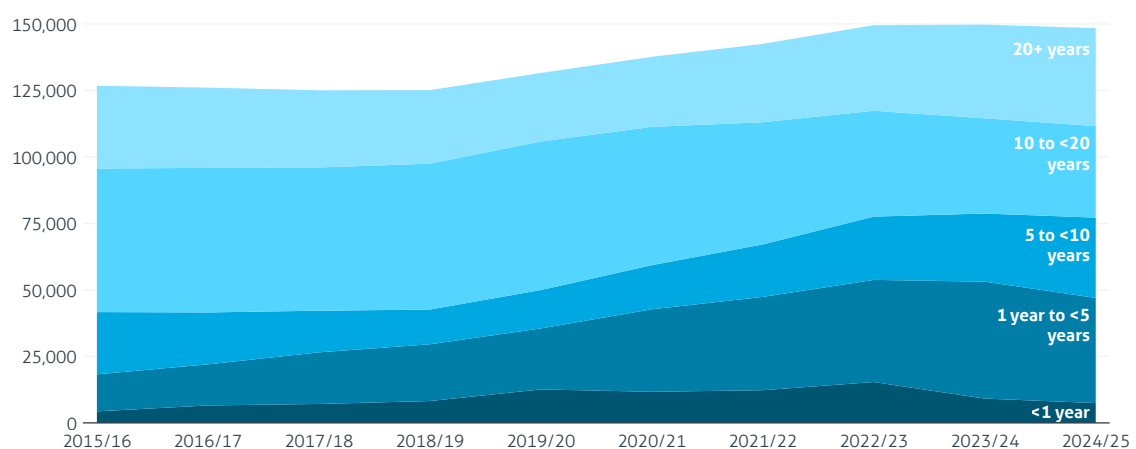
Labour made a manifesto commitment to increase the number of officers, PCSOs and special constables in neighbourhood roles by 13,000 within five years.¹⁸ This programme has already started, and we heard from interviewees that the government is taking a flexible approach to the staff mix in each force, so that chief officers can decide what will work best in their force. To date, there has been mixed progress. Between March 2024 and March 2025, the number of officers in neighbourhood roles increased by 400 to around 11,100 (full-time equivalent, FTE), 8% of all officers, but the number of PCSOs fell by 300 to 6,100.¹⁹

The emphasis on neighbourhood policing has been broadly well received, but some interviewees expressed anxiety about whether the funding will be adequate, as it will depend on how many of these officers and PCSOs will be new recruits versus those redeployed from other roles, which would have potential impacts on other areas of police work.²⁰ If the mandatory assignment of officers to neighbourhood policing leaves other areas such as response policing short-staffed, neighbourhood officers are likely to be used to cover the gap, either by short-term redeployment to other areas or redefining what counts as 'neighbourhood' policing.²¹ This risks diluting traditional neighbourhood policing. But if this kind of redeployment does not occur, and response or investigative policing suffers as a result, this could cause public confidence to decline further. Balancing these risks will be a key challenge for chief officers over the next few years.

Officers are less experienced and some forces continue to face key skills gaps and shortages of experienced officers to train new joiners

The average experience level of officers has fallen significantly. This is in large part because of the surge in recruitment under the police uplift programme. Total headcount increased by 16% in the five years to March 2024, but the proportion of current officers who joined over that period was 35%. More than half of officers now have less than 10 years' experience; up from a third in 2015/16. However, the number of officers with less than a year of experience has fallen as recruitment has slowed, and the leaving rate for officers who joined under the uplift programme has also fallen.²²

Figure CJS 2.7 **Police officers by years of experience, 2015/16–2024/25**



Source: Institute for Government analysis of HO, 'Police workforce, England and Wales: 31 March 2025'. Notes: Based on police officer headcount, not FTE.

The relative lack of experienced officers has caused challenges to training and mentorship for new officers, with some joiners being mentored by officers only just out of their own two-year probationary period.²³

The police inspectorate has repeatedly highlighted that there are not enough detectives, and in particular experienced detectives, and so there is a lack of key investigative skills. This leaves junior officers holding complex cases with inadequate supervision.^{24,25} In almost every force, half of the rape and serious sexual offences roles were filled by trainees.²⁶

Cases are often given to newly trained officers who have no experience with investigating offences or building strong cases... Poor supervision also adds to weaker investigations. – Criminal Justice Joint Inspection, *The impact of recruitment and retention on the criminal justice system*²⁷

As experienced detectives have left or moved into other roles, they have often not been replaced. Forces are struggling to recruit detectives and the detective route is now seen as a less desirable career path for new officers.²⁸ It involves long hours and a high workload, with a lower shift allowance than for those working in a response team, and than used to be available for detectives.²⁹ Benefits like the plain clothes allowance have also been removed.³⁰ The shift in focus of detective work to more domestic abuse and sexual offences is also emotionally difficult and less appealing to some officers.³¹

There are also key skills gaps in digital forensics, with the police inspectorate finding in 2022 that few forces had the right staff and resources to meet demand.³² Work is ongoing to improve this, including through a joint digital forensics programme launched in 2023 and run by the Police Digital Service and the National Police Chiefs' Council (NPCC),³³ but interviewees felt it was too soon to say what impact this was having. Fraud investigation is a particular gap,³⁴ with the inspectorate finding in 2023 that most front-line officers have no specific fraud training and "dedicated analytical work to support fraud investigations... [is] the exception rather than the rule".³⁵

After the first year of service, policing has a relatively high retention rate. In 2023/24, 16% of new officers left within their first year, but the leaving rate dropped to 8% for those who had served 1–2 years and to 3–4% for those who had served 4–25 years. Of those who had been in the force for between five and 25 years in 2018/19, 85% were still police officers in 2023/24.³⁶

While overall crime levels have declined dramatically, some offence types buck the trend – including shoplifting, knife crime and sexual assault

Accurately measuring crime rates and trends is extremely challenging for several reasons:

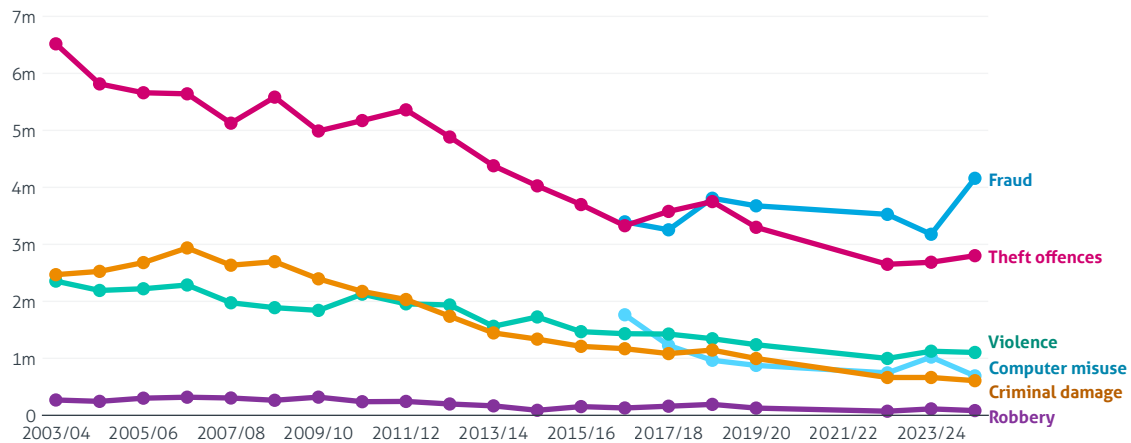
- a large proportion of crime is not reported to the police
- governments regularly create new offences
- a large proportion of crime has no immediately identifiable victim who might report it (such as drug possession)
- and there is dramatic variation in how things may be recorded as crimes by the police – for example, if multiple historic offences are disclosed while a recent crime is being reported, or in response to changes in crime recording rules over time.

The best means of estimating crime levels is via household surveys, such as the Crime Survey for England and Wales, which ask people about experiences of crime, typically within the last year. However, these still have significant gaps, especially around offences that do not target individuals or households, such as shoplifting or possession of weapons offences. Also, the main part of the crime survey does not include offences against children under 16 – when at least 290,000 children aged 10–15 were estimated to have been victims of crime in 2024/25.³⁷

Overall crime levels against individuals and households have been falling dramatically and fairly consistently since the mid-1990s, across a range of different crime types. When Labour left office in 2009/10, estimated 'headline crime' was down almost half (44%) since 1997.* By the time Labour came back into government in 2024, it had halved again, with around 4.8 million incidents compared with 9.5 million in 2009/10. The fall has been particularly marked for criminal damage, down 75% since 2009/10, and robbery, down 66%, while violence has fallen less than average, declining 42%.³⁸

* Headline crime includes most crime types that affect individuals or households who are resident in England and Wales, such as violence, theft, criminal damage and so on. It excludes sexual offences, stalking, and some domestic abuse offences such as coercive control; it also excludes crimes against businesses or which have no specific victim, such as drug possession. A separate series including fraud and computer misuse was introduced in 2016/17, but these have been excluded here to allow for comparison to pre-2016/17 figures.

Figure CJS 2.8 **Estimated crime incidents, selected offence types, 2003/04–2024/25**



Source: Institute for Government analysis of ONS, 'Crime in England and Wales: year ending March 2025'. Notes: Based on the Crime Survey for England and Wales. Includes offences against individuals or households who are resident in England and Wales; excludes offences against businesses or children under 16. Excludes sexual offences, stalking and harassment. Data is not available for 2020/21 and 2021/22 as data collection was suspended due to the pandemic. Fraud and computer misuse data is only available from 2016/17 onwards.

However, some serious offences have been increasing since around 2014 and, in the last two years, there seems to have been a broader rise in crime. Estimated headline crime, excluding fraud and computer misuse, rose 5% from 2022/23 to 2024/25, though this was not statistically significant. Some crime types not captured in this measure (like shoplifting) have also been rising sharply. Similarly, fraud has shot up in the last year (up 31% from 2023/24 to 2024/25), to the highest level since at least 2016/17, when records began. These increases suggest overall crime has ticked up slightly in the last two years, but remains below pre-pandemic levels and well below earlier years. Many of the growing crime types are specifically being targeted by the government as part of their safer streets mission.³⁹

Neighbourhood crime

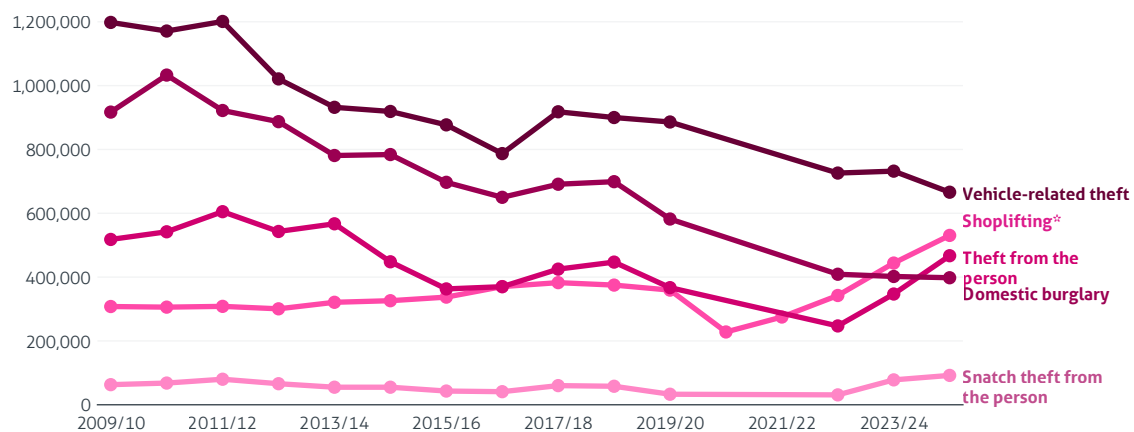
Labour has emphasised tackling neighbourhood crime and anti-social behaviour in its 'Plan for Change', including shop theft, street theft and assaults on retail workers.⁴⁰ Neighbourhood crime was also a focus of the Johnson government's 2021 'Beating Crime Plan'.⁴¹ While many of these types of offences are less common than when Labour were last in government, there have been some large and rapid increases in recent years, particularly in shoplifting and theft from the person – which includes pickpocketing and snatch thefts, like your phone being stolen out of your hand.⁴²

There has been a major rise in police recorded shoplifting offences in the last few years, following a big dip in 2020/21 due to the pandemic. There were more than half a million shoplifting offences in 2024/25, the highest on record; up 20% in just a year and up 50% on 2019/20.⁴³ Changes in reporting and police recording mean this may not accurately capture the underlying trends in the level of shoplifting, but it strongly suggests a real and substantial increase.

* As shoplifting targets businesses rather than individuals or households, there is no reliable survey data on trends.

Snatch theft has also risen extremely sharply and suddenly, with estimated levels tripling from 2019/20 to 2024/25 (up 179%). It is now at its highest level since 2008/09. Theft from the person overall has also risen dramatically, though from a historic low; most of this increase has been in theft attempts. Police recorded theft from the person shows a similar trend; up 15% on the previous year in 2024/25 and a third (34%) on 2019/20. It is striking, however, that not all types of theft have been increasing. More serious forms of theft, such as burglary, continue to decline. As a result, total theft has only increased slightly since 2022/23 and remains below 2019/20 levels. Estimated theft incidents against individuals and households fell 15% from 2019/20 to 2024/25,^{*} while police recorded theft (including shoplifting) fell 8%.⁴⁴

Figure CJS 2.9 **Estimated theft incidents, selected offence types, 2009/10–2024/25**



Source: Institute for Government analysis of ONS, 'Crime in England and Wales: year ending March 2025'. Notes: *Shoplifting offences are police recorded crimes; other figures are estimated incidents from the Crime Survey for England and Wales. The crime survey includes offences against individuals or households who are resident in England and Wales; excludes offences against businesses or children under 16. Data is not available for 2020/21 and 2021/22 as data collection was suspended due to the pandemic. Most vehicle-related theft is theft from, not of, a vehicle.

The government has not set itself specific targets on reducing neighbourhood crime, unlike on knife crime and violence against women and girls. But these common theft offences are likely to be a large part of what it is judged against.

Violence against women and girls

Labour's 2024 manifesto included an ambition to halve violence against women and girls within a decade.⁴⁵ The government has not yet specified the metrics it will use to track this, but the central measure will be the proportion of adults who have experienced domestic abuse, sexual assault and/or stalking in the last year. This aligns with the definition used by previous governments: all violence or abuse that disproportionately affects women and girls,⁴⁶ including male victims of these types of offences as well as women and girls.^{**} The Office for National Statistics has developed a new combined measure for these offences, which estimates that in

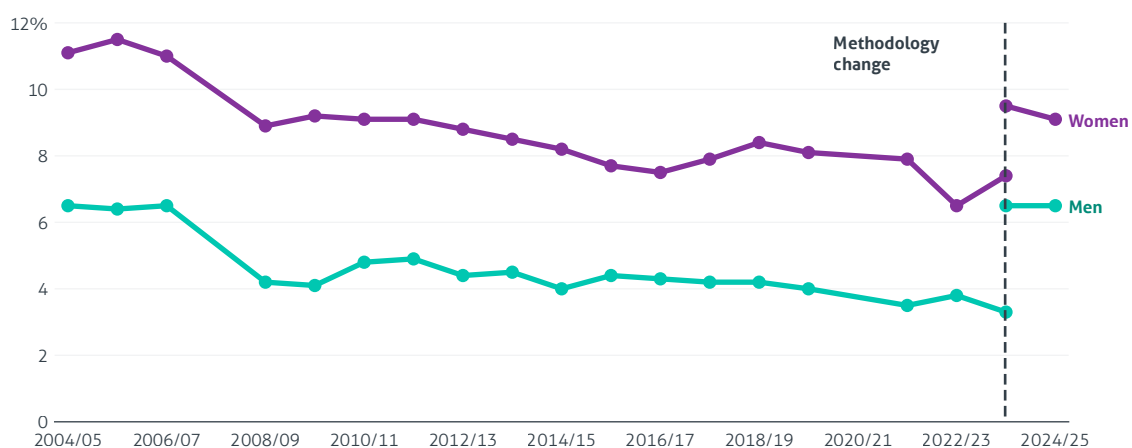
* There was an estimated 6% increase in theft offences against individuals and households from 2022/23 to 2024/25, but this was not statistically significant.

** The most reliable estimates for these crime types come from standalone self-completed questionnaires as part of the Crime Survey for England and Wales. Self-completed sections produce more reliable results for these types of offences than questions asked by an interviewer, which is the approach used for the rest of the crime survey, but they still may be influenced by changes in how people understand and define consent and assault over time. See Office for National Statistics, 'Evaluating a new measure of domestic abuse', 16 May 2025.

2024/25, 10.6% of people over 16 were victims of at least one of these offence types in the last year: 12.8% of women and 8.4% of men.⁴⁷ Of these, domestic abuse is by far the most common.

The number of people who are victims of domestic abuse each year appears to be falling. In 2024/25, 9% of women and 6.5% of men were estimated to have experienced domestic abuse in the last year.* Figures from before 2023/24 are not directly comparable, as recent years' figures are based on an expanded definition of domestic abuse that includes more offences, such as coercive control. But the trend up to 2023/24 shows a slow decline in domestic abuse prevalence for both men and women: down 20% for women since 2009/10 and 19% for men.⁴⁸ This is, however, a much smaller decline than the decline in the victimisation rate for all crime (down 53%) or for violence overall (down 39%).⁴⁹ This suggests domestic abuse now makes up a larger proportion of all crimes. It is hard to estimate how much, but a reasonable estimate is that domestic abuse victims make up about 40% of adults who were victims of crime (other than fraud or computer misuse).**,⁵⁰

Figure CJS 2.10 **Estimated proportion of adults who have been a victim of domestic abuse in the last year, by sex, 2004/05–2024/25**



Source: Institute for Government analysis of ONS, 'Domestic abuse prevalence and victim characteristics', March 2024 and ONS, 'Crime in England and Wales: year ending March 2025'. Notes: Includes England and Wales residents. A methodology change was introduced via a split sample in 2023/24 so that figures were collected using both the new and old method for that year. The new method includes a greater range of domestic abuse offences and includes people over 16; the old method only includes those aged 16–59. Data is not available for 2007/08 because comparable questions were not included in that year, or for 2020/21, as data collection was suspended due to the pandemic.

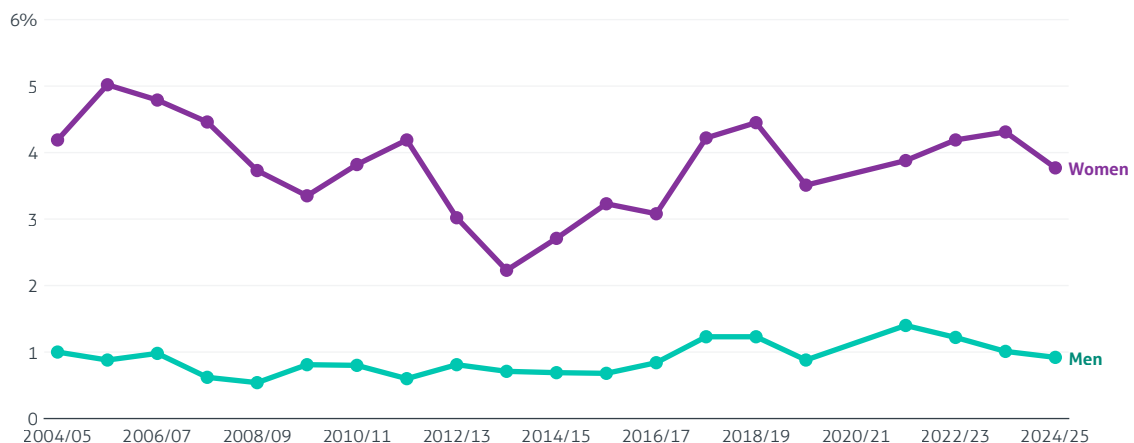
There is more variation in the number of victims of sexual assault, likely because numbers are lower than for domestic abuse, but the broad trend shows an increase over the last 10 years or so since 2013/14, following a decline from 2005/06. Among 16–59-year-olds, 3.8% of women and 0.9% of men had experienced sexual assault

* This measure only captures the number of people who have been victims in the last year, not how many times they have been a victim or the number of crime incidents.

** Based on prevalence estimates for domestic abuse from the Crime Survey for England and Wales. If all violence reported in the main survey and all sexual assaults are not domestic abuse-related (which is highly unlikely), and no domestic abuse victims experienced any other types of crime, domestic abuse victims would account for 38% of all victims. If a third of violence reported in the main survey and half of sexual assaults are domestic abuse-related (roughly the proportions from police-recorded crime), domestic abuse victims would be at least 42% of all victims.

within the last year in 2024/25, very similar to when Labour were last in office in 2009/10 (3.4% and 0.8%, respectively).^{*} In 2024/25, 1.9% of all adults over 16 had experienced sexual assault in the last year. There appears to have been a sharp drop in the number of victims of rape and assault by penetration, the most serious forms of sexual assault, in the last two years, but small sample sizes mean this must be interpreted with caution.⁵¹

Figure CJS 2.11 **Estimated proportion of adults who have been sexually assaulted in the last year, by sex, 2004/05–2024/25**



Source: Institute for Government analysis of ONS, 'Crime in England and Wales: Annual supplementary tables', 2025. Notes: Includes England and Wales residents aged 16–59. Includes attempted assaults. Data is not available for 2020/21, as data collection was suspended due to the pandemic. 2021/22 figures are based on six months of data collected from October 2021 to March 2022.

As with domestic abuse, sexual assault now makes up a large and growing proportion of crimes. It is not possible to estimate how many incidents of sexual assault there are because data is not collected on the number of times a person has been victimised, but there were around 900,000 victims of sexual assault in 2024/25.⁵² If they all experienced a single assault – likely to be a significant underestimate – that would be 16% of all estimated non-fraud crime against adults in that year.^{**} This is up from around 7% in 2009/10.⁵³ Given the much greater complexity of investigating and responding to most sexual assault cases compared with other crime types, this means a significant rise in the average complexity of crimes.

Knife crime and serious violence

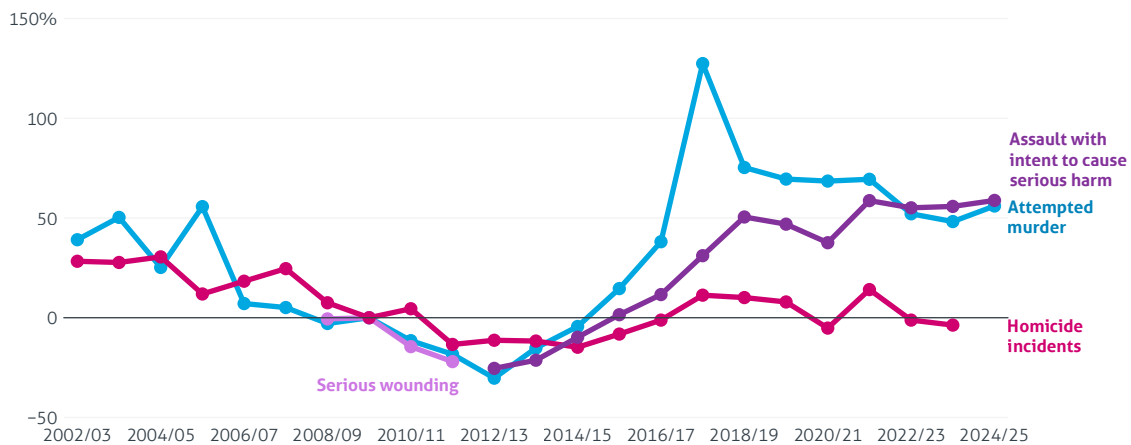
The Labour manifesto also pledged to halve knife crime within 10 years.⁵⁴ Indicators of knife crime and serious violence give a mixed picture of trends in these offences. Police recorded crime is generally considered more reliable than survey data for low-volume, high-harm offences such as robbery and serious violence, including murder and attempted murder. After several years of decline, these have all increased substantially since low points in around 2012/13, with attempted murder and assault with intent to cause serious harm both up more than half from 2009/10 to 2024/25

* Data before 2021/22 is only available for 16–59-year-olds, rather than all people over 16.

** This is calculated by dividing the number of sexual assault victims by the sum of estimated headline (non-sexual assault) crime incidents and sexual assault victims. The estimated total does not include crime affecting businesses or non-victim-based crimes such as drug possession. It also excludes stalking and certain domestic abuse offences such as coercive control, because these are also calculated as victimisation or prevalence rates, rather than a number of incidents.

(56% and 59%, respectively).⁵⁵ But since 2018/19, there have been moderate declines in homicide incidents and attempted murder, with homicide incidents down 13% to 2023/24⁵⁶ and attempted murder down 11% to 2024/25.^{*57}

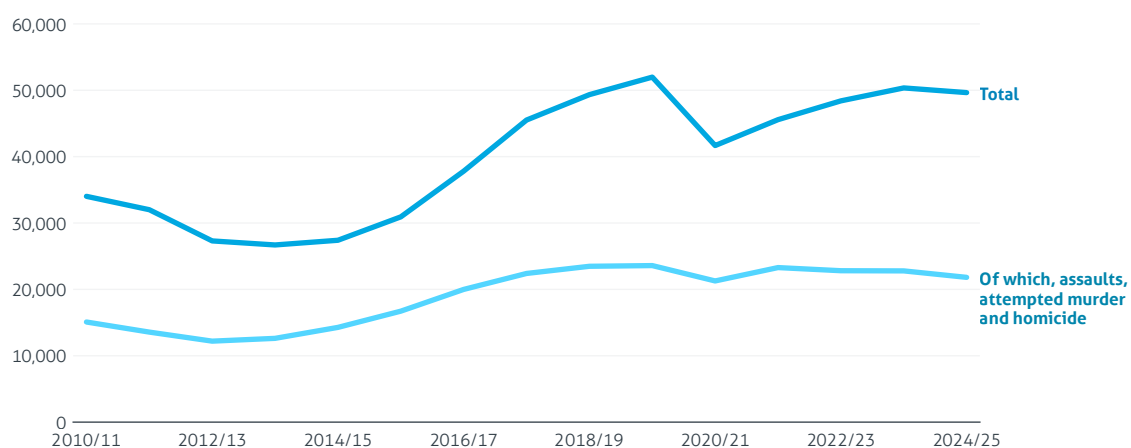
Figure CJS 2.12 **Change in selected serious violence offences relative to 2009/10**



Source: Institute for Government analysis of ONS, 'Crime in England and Wales: year ending March 2025' and ONS, 'Homicide in England and Wales: year ending March 2024'. Notes: Homicide incidents may include multiple victims. Attempted murder figures for 2005/06 and 2017/18 include numerous attempted murder counts related to terrorist attacks in those years.

Police recorded violent and sexual offences with a sharp object have also increased dramatically over a similar period. Certain serious offences involving a knife or sharp object rose 46% from 2010/11 to 2024/25, though they are now slightly lower (4%) than pre-pandemic.^{**} Knife crime causing injury, including murder, attempted murder and manslaughter, has also risen dramatically since 2010/11 (45%), though it has fallen 8% from its peak in 2019/20.⁵⁸

Figure CJS 2.13 **Selected police recorded offences involving a sharp object, 2010/11–2024/25**



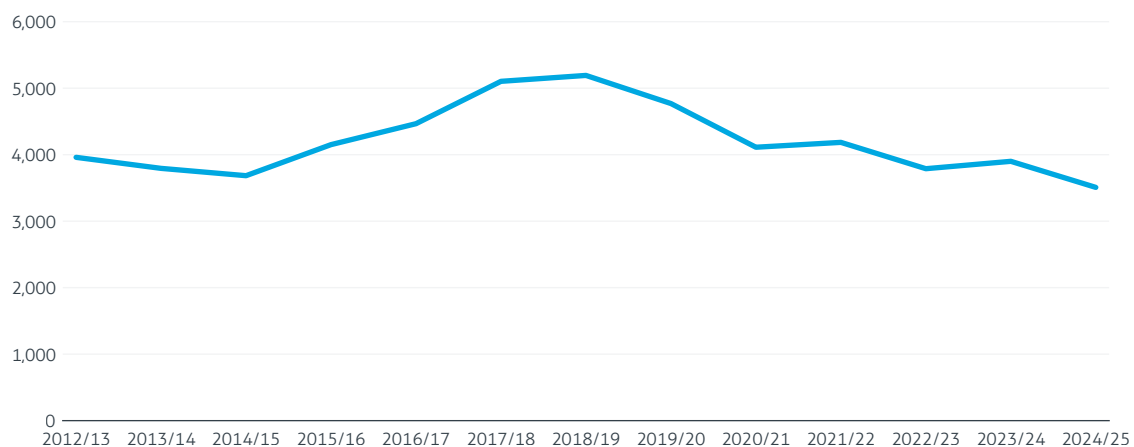
Source: Institute for Government analysis of ONS 'Crime in England and Wales: year ending March 2025' (appendix table B6a). Notes: Includes homicide, attempted murder, threats to kill, assault with injury, assault with intent to cause serious harm, robbery, rape and sexual assault. Excludes Greater Manchester police due to data quality issues.

* Homicide includes murder, manslaughter and causing or allowing the death of a child or vulnerable adult; a death can be recorded as a homicide even if no one has been convicted of one of these offences. A homicide incident is an event where at least one person has died as a result of one of these offences; it counts as a single incident regardless of the number of people killed or when they died.

** This category includes homicide, attempted murder, threats to kill, assault with injury, assault with intent to cause serious harm, robbery, rape and sexual assault.

However, hospital admissions for assault with a sharp object show a slightly different picture. While they did increase more than 40% from 2014/15 to 2018/19, they have been steadily falling since 2018/19, and are now the lowest on record. This may partly be driven by a greater proportion of care being delivered in outpatient settings. But it also suggests that while knives are increasingly being used to commit robbery and sexual assaults, as well as in issuing threats, the use of knives to cause physical injury is falling, at least when it comes to serious injury.⁵⁹

Figure CJS 2.14 **Hospital admissions for assault with a sharp object, 2012/13–2024/25**



Source: Institute for Government analysis of ONS 'Crime in England and Wales: year ending March 2025' (appendix table B8). Notes: Based on finished admission episodes for inpatients only.

Neighbourhood crime, violence against women and girls, and knife crime are all important issues and make sense as priority areas for the government, given current crime trends. But between them they cover a huge range of policing activity and roughly half of all police recorded crime.* All these areas have been named priorities for governments in recent years, from the 2018 Serious Violence Strategy⁶⁰ to the 2021 Rape Review⁶¹ and the 2023 Retail Crime Action Plan.⁶² Achieving meaningful change may require a narrower area of focus for police forces. Moreover, many of these issues require a cross-government response to tackle them effectively. The College of Policing recently highlighted the importance of partnership working for problem-solving in policing, including clarifying different roles and responsibilities with partners across and outside of government.⁶³

Demand on the police is not just about crime rates

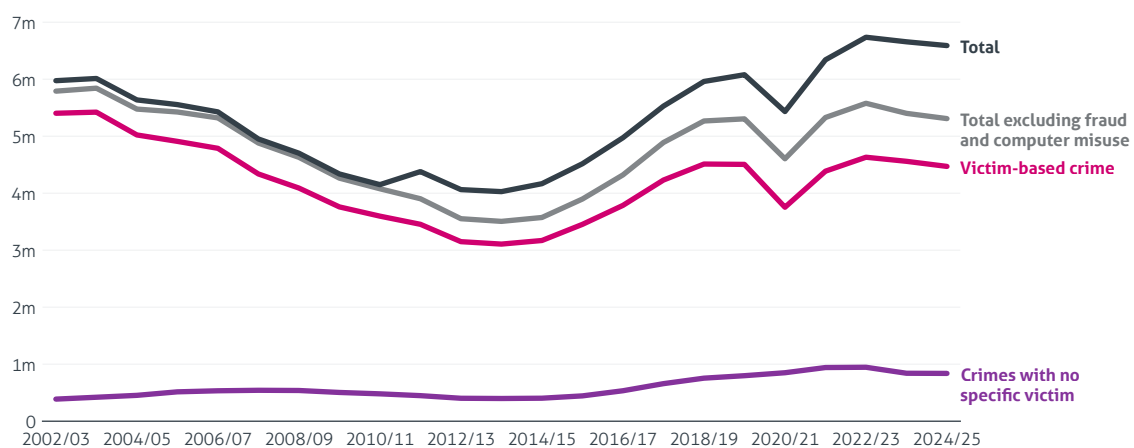
Crucially, crime levels do not necessarily correlate closely with demand on the police. A large portion of police time is spent on things other than reactive crime response, including neighbourhood patrols, policing public events such as protests and parades, responding to mental health crises, and public protection work such as missing persons investigations or participating in multi-agency public protection arrangements (MAPPA) in connection with serious offenders. What is more, crimes

* Collectively, domestic abuse flagged offences, sexual offences, theft offences except 'other theft', and selected offences involving a knife make up around 45% of all recorded crime excluding fraud and computer misuse. Certain criminal damage, public order and drug offences are also likely to be included within neighbourhood crime.

create demand on the police when they are reported, which may be years or even decades after they occurred. And figures on numbers of crimes alone do not capture the differing degree of complexity of different types of crimes.

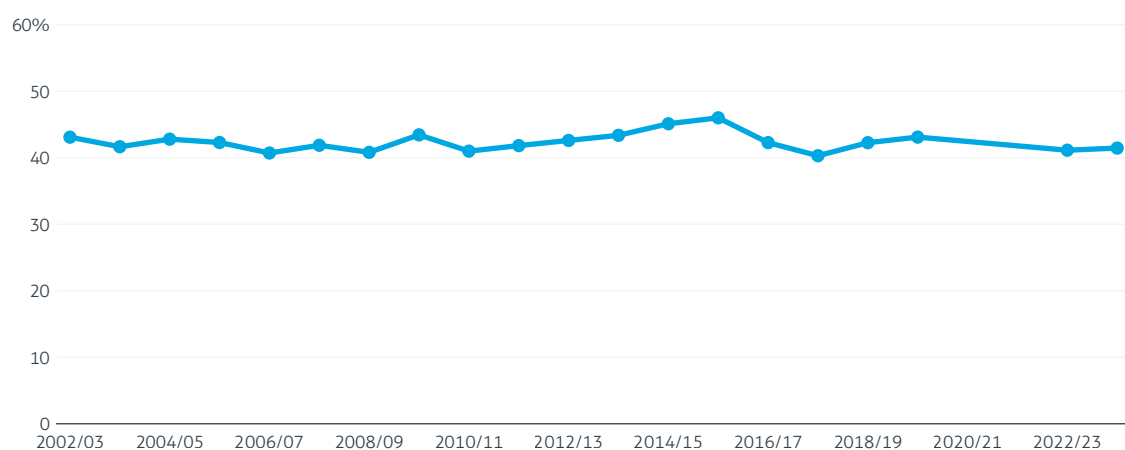
While the volume of crime occurring (as measured by household surveys, described above) has fallen, police recorded crime has risen substantially – up 24% on 2009/10 and 49% in the last 10 years (2014/15 to 2024/25).^{*} The bulk of the increase has been in victim-based crime, but the estimated proportion of victim-based crimes that get reported to the police has not changed significantly, and remains below half.⁶⁴

Figure CJS 2.15 **Police recorded crime, by type, 2002/03–2024/25**



Source: Institute for Government analysis of ONS, 'Crime in England and Wales: year ending March 2025'.

Figure CJS 2.16 **Estimated proportion of headline crimes reported to the police, 2002/03–2023/24**



Source: Institute for Government analysis of ONS, 'Crime in England and Wales: Annual Trend and Demographic Tables', 2024. Notes: Crime Survey for England and Wales headline crime includes offences against individuals or households who are resident in England and Wales; excludes offences against businesses or children under 16. Excludes sexual offences, stalking and harassment. Based on the proportion of crimes identified that the victim said they had reported to the police. Data is not available for 2020/21 and 2021/22 as data collection was suspended due to the pandemic.

^{*} Excluding fraud and computer misuse, which are reported and recorded differently to other offences.

Instead, the increase in the number of crimes that the police record has been driven by a pronounced emphasis on improving police recording of crime, combined with changes to police recording practices, which have particularly affected the recording of historic offences, less serious violence and public order offences, and crimes like stalking and harassment.^{65,66} These changes began around 2014, when the police inspectorate estimated that only around 80% of all crimes reported to the police were being recorded (excluding fraud, which is reported and recorded separately).⁶⁷ Further changes have been implemented since then, and the proportion of reported crimes that are recorded has since risen to 92%. In 2023, some of these changes to crime recording practices were unwound, which may have contributed to the small decreases in police recorded crime since then.^{*,68}

Many of the crimes that would previously have been unrecorded lead to no further action; for example, because they refer to a historic offence revealed by a victim when reporting a later crime. Nevertheless, recording both the offence and the outcome accurately poses its own demands on police time. The number of offences and possible outcomes has also increased over time, which makes accurate recording still more complex.⁶⁹

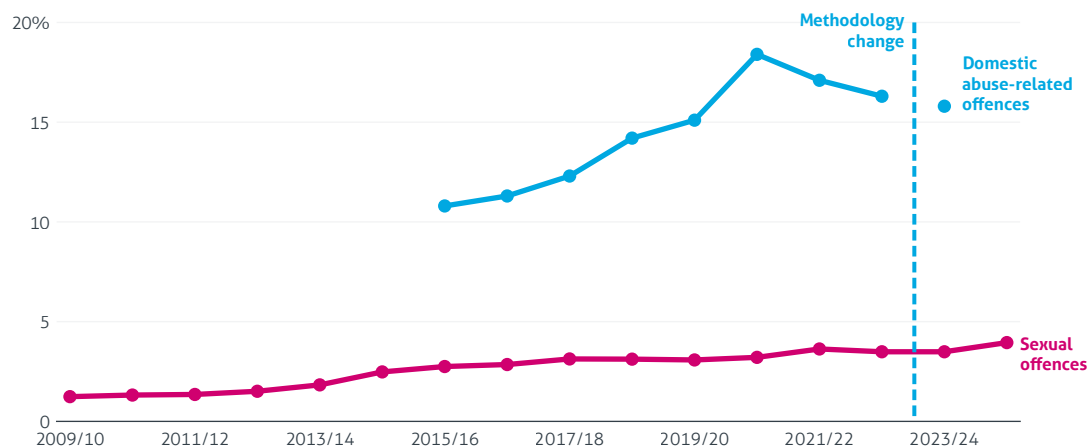
Domestic abuse and sexual offences make up a growing proportion of police workload, increasing complexity and overall demand

As discussed above, domestic abuse and sexual assault now make up a larger and growing proportion of crime. At the same time, the police are under growing pressure to take these offences seriously and respond sensitively and appropriately to victims.⁷⁰ Domestic abuse and sexual violence are complex and time-consuming to respond to. They may require detailed vulnerability and safeguarding assessments, and engagement with other agencies such as children's services, housing and the third sector. There is broad consensus that this is increasing the complexity of crime-related demand on the police.⁷¹ And as with other crime types, these offences increasingly involve often lengthy digital analysis and investigation.⁷²

In 2023/24, 16% of police recorded crimes were identified as domestic abuse-related, up from 11% in 2015/16, though methodology changes and improvements in identifying and recording offences as domestic abuse-related mean these figures are not entirely comparable.⁷³ But even so, this still demonstrates increased demand on the police, both in assessing and recording that information accurately, and responding appropriately.

* In 2017, a change was introduced such that 'conduct crimes', which include stalking, harassment and coercive control, had to be recorded alongside at least one other type of offence. This meant that the incident could effectively be recorded as two crimes, e.g. malicious communication and harassment. The requirement was dropped in 2023, which led to a significant fall in malicious communication offences and other similar offences.

Figure CJS 2.17 **Police recorded crime identified as domestic abuse or sexual offences, 2009/10–2024/25**



Source: Institute for Government analysis of ONS, 'Crime in England and Wales: year ending March 2025' and ONS, 'Domestic abuse prevalence and victim characteristics: year ending March 2024'. Notes: A single offence may be both a sexual offence and domestic abuse-related. Domestic abuse-related offences here include threatening behaviour, violence or abuse between people aged 16 and over, who are or have been intimate partners or family members; it does not include abuse against children under 16. In 2023/24, some police forces began using a new tool to automatically flag offences as domestic abuse-related rather than relying on a manually added marker.

Sexual offences also make up an increasing proportion of police recorded crime, up from 1.2% in 2009/10 to 3.1% on the eve of the pandemic, and 3.9% in 2024/25. Within this category, rape offences have risen even more sharply, going from 0.4% of all crimes in 2009/10 to 1.3% in 2024/25.⁷⁴ Again, this is likely to have been influenced by changes in reporting and recording, including the reporting of historic sexual offences in the wake of widespread coverage of accusations against Jimmy Savile and other high-profile figures.⁷⁵

There has also been strong public and political pressure on the police and the Crown Prosecution Service (CPS) to improve rates of prosecution for rape. In 2019, the Theresa May government launched the End-to-End Rape Review to understand the sharp fall in rape investigations and prosecutions since 2016/17, and how to reverse it.⁷⁶ Operation Soteria, a joint police and CPS effort to improve the response to rape and serious sexual offences, began in 2021 and was rolled out across England and Wales in 2023.⁷⁷ These efforts appear to be bearing fruit in at least some forces, improving investigations into rape and serious sexual offences as well as the police response to victims.⁷⁸ These are positive steps, but do create additional demand on forces, in the context of quite limited investigative resources.

Technology and process changes mean responding to crime is becoming more, rather than less, time-intensive for policing

The nature of demand on policing has changed in other ways. Interviewees repeatedly emphasised the increased administrative burden on police officers in preparing case files before a charging decision can be made. This seems to be principally due to increasing volumes of evidence such as video footage and the forensic examination of phones and other devices, which means that even straightforward cases now take

a lot of administrative time. Much of this work can most efficiently be carried out by police staff, rather than warranted officers. But the recent focus on driving up officer numbers – and the funding linked to recruitment targets for forces – has led to officers performing civilian (staff) roles.⁷⁹

Chief constables highlighted a number of continued capability gaps for which the use of additional officers may not be the most productive approach. Indeed, these could often more cheaply and effectively be filled by staff... as well as the right technological investments. – *The Policing Productivity Review*⁸⁰

The police also now have much more extensive work to do preparing case files, and at an earlier stage in investigations. Changes to guidelines on disclosure were introduced in late 2020, in response to changes in data protection requirements and to strong criticism from the police and CPS inspectorates around the disclosure of unused evidence and material.⁸¹ Much more unused material (such as crime reports) now needs to be disclosed and submitted to the CPS before a charging decision is even made, and case files should be 'trial ready' when they are shared with the CPS. This requires redacting sensitive information from large volumes of evidence, even though many of these cases never result in a charge and so the information is never shared beyond the CPS.

These changes have substantially increased police workload, and the bulk of this falls on investigators. The Policing Productivity Review in 2024 estimated that investigators spend 770,000 hours a year redacting unused material⁸² and a joint report from the police and CPS inspectorates argued that redaction at the pre-charge stage "has a serious impact on [police] resourcing and productivity".⁸³ The impact of these changes is drastically amplified by the growing volume of digital evidence, because there is more information and evidence that has to be followed up on, and more that needs redacting before a charge, or even whether prosecution is in the public interest, will be considered.

"There is no such thing as a simple case file any more." – Interviewee

Some forces are using digital tools to automate redaction and the Police Digital Service is supporting this work to try to ensure all forces have access to these kinds of tools. These offer the potential for substantial efficiency savings, with Bedfordshire Police reducing the time needed for redaction by 80–92%.⁸⁴ Recent Home Office research across 16 police forces found estimated efficiency savings of up to 60%.⁸⁵ Applied nationally, this could save up to 462,000 hours of investigator time a year – equivalent to around 266 full-time investigators.⁸⁶ Even if these tools are successfully rolled out more widely, however, managing the quantities of unused material now included in case files will continue to place a significant burden on investigators.

Efforts to reduce non-crime demand on the police seem to be meeting with some success, but are heavily reliant on effective partnership working

There is also demand on policing that is not directly related to crime, including policing protests and other public events, responding to traffic collisions, and responding to non-crime incidents, such as mental health crises. This is extremely difficult to quantify, but the police inspectorate has argued that this area of demand grew during the 2010s,⁸⁷ partly in response to cutbacks in other services.⁸⁸

In 2022, all 43 police forces across England and Wales agreed to implement a practice called 'Right Care, Right Person'. This approach aims to make sure people with health and/or social care needs are responded to by the person best equipped to meet their needs – most commonly, health and social care services – and so reduce demand on the police.⁸⁹ It does, however, rely on local health and care services being available to respond in the absence of the police.

Early results from this programme seem positive, with a joint Home Office and Department of Health and Social Care evaluation finding that Right Care, Right Person had successfully reduced police time spent on related incidents and calls from other services, as well as improving collaboration with partners in most areas.⁹⁰ However, the benefits seem to be inconsistent across forces, depending on the quality of joint working between the force and NHS bodies locally.^{91,92}

This is typical of the way demand on the police is heavily influenced by the performance of, and relationships with, other services, including housing, children's services and health services, among others. For example, the increase in children in the care system with very complex needs is likely to have a knock-on effect on policing, both in terms of offending and in safeguarding vulnerable children.* Managing this demand appropriately and ensuring the best possible outcomes for children requires good communication, information-sharing and trust among the multiple agencies involved.

Long-term declines in charges and other positive outcomes have been principally driven by the fall in crime, though officer numbers and crime complexity have also played a role

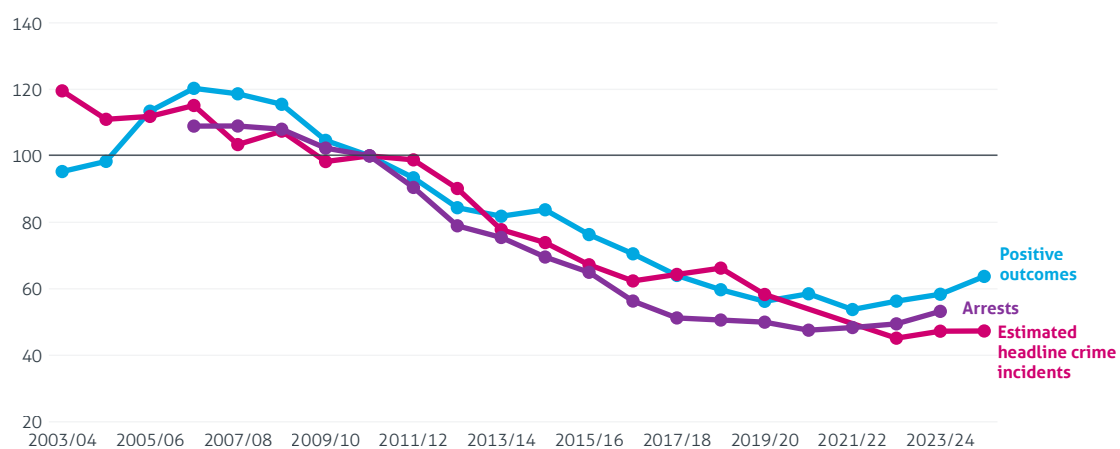
Since Labour was last in government, there has been a large fall in the number of charges recorded by police forces. This began in the early 2000s and accelerated from around 2014/15, before beginning to reverse in 2021/22. It has continued to climb since then, and in 2024/25 is likely to have surpassed pre-pandemic levels for the first time. But total charges were still more than a quarter (27%) lower than when Labour left power in 2009/10. Total positive outcomes – any outcome where an offender is identified and sanctioned, including cautions, penalty notices for disorder,

* For example, children subject to deprivation of liberty orders have often had contact with the police due to concerns about exploitation or offending, or children going missing. See e.g. Children's Commissioner, *Children with complex needs who are deprived of liberty*, 2024, <https://assets.childrenscommissioner.gov.uk/wpuploads/2024/11/cc-deprivation-of-liberty.pdf>

community resolutions and diversionary activity – have followed a similar pattern, but with an even larger fall and a smaller recovery, leaving them down 39% on 2009/10 in 2024/25.⁹³

This decline has been the source of significant criticism and political concern, especially given the rise in police recorded crime over the last 10 years.^{94,95} Numerous arguments have been made to explain the fall, including declining police officer and staff numbers, shortages of investigators, growing complexity of crime and evidence, changes in police prioritisation and workload, and officer inexperience.^{96,97} These are all likely to play a role, and unpicking them is challenging. But one major, underappreciated factor driving falling charges is falling crime.

Figure CJS 2.18 **Index of positive offence outcomes, arrests and estimated crime, 2003/04–2024/25 (2010/11 = 100)**



Source: Institute for Government analysis of HO, 'Police outcomes open data', various years, HO, 'Police powers and procedures data', various years, and ONS, 'Crime in England and Wales: year ending March 2025'. Notes: Crime Survey for England and Wales estimated headline crime incidents includes offences against individuals or households who are resident in England and Wales; excludes offences against businesses or children under 16 and sexual offences, stalking and harassment. Data is not available for 2020/21 and 2021/22 as data collection was suspended due to the pandemic. Positive outcomes figures for 2019/20 and 2022/23 each include an estimate for one police force; see Methodology for details.

The drop in positive outcomes recorded closely mirrors the fall in estimated crime incidents. Arrests also show a very similar pattern.⁹⁸ Crucially, positive outcomes are much more closely related to estimated crimes than to the number of police officers or staff, police funding, or recorded crimes per officer (a measure of police workload). This suggests that underlying crime rates have had a meaningful impact on the number of offences charged or issued with another positive outcome by the police.

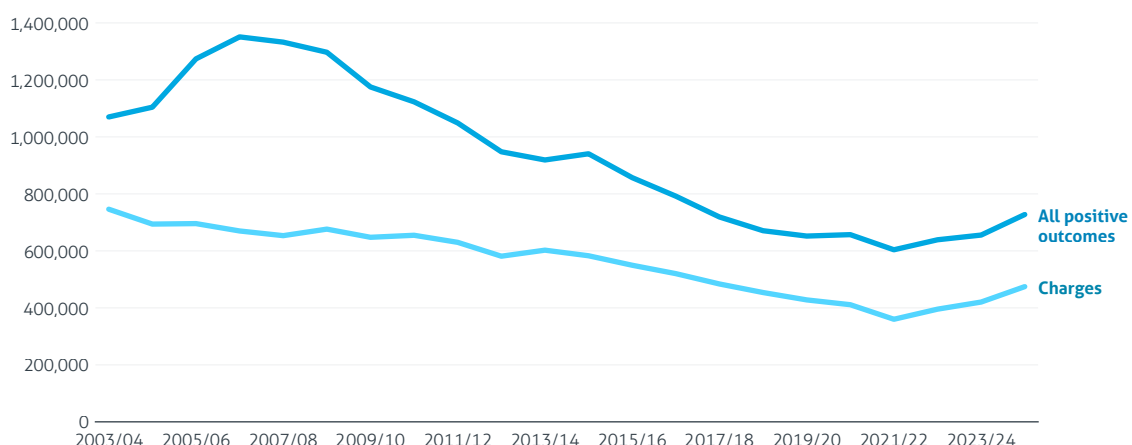
What makes this rather surprising is that only a small proportion of recorded crimes (and an even smaller proportion of all crimes that occur) result in a positive outcome. In 2024/25, just 13% of all outcomes recorded were a charge or other positive outcome.⁹⁹ Given this, it might be expected that falling crime would have little impact on the number of positive outcomes: there are still many recorded crimes, currently unsolved, that could be investigated.

However, it may be the case that the proportion of 'solvable' crime is fairly consistent over time. When it comes to 'volume crime' – relatively low-level offences like theft and criminal damage that make up the large majority of crime – the police have limited capacity for investigation. This may mean they only charge or issue an out-of-court resolution in cases that have a readily identifiable offender. This interpretation is supported by the large proportion of offences where there is minimal investigation: in 2024/25, half of offences that were closed with the investigation complete and no suspect identified were closed within five days, and 78% within 30 days.¹⁰⁰ As long as the proportion of offences where an offender is easily identified with minimal investigation remains fairly constant over time, this would explain why charges would fall with the overall crime rate.

This is not to argue that other factors do not also affect the number of positive outcomes achieved. Particularly when it comes to more serious, less common offences like rape or serious violence, case complexity, growing volumes of evidence, and inexperienced or overloaded officers are likely to make a big difference to effective investigations and charges. But these make up only a small proportion of all crime, and of positive outcomes.

Recent increases in positive outcomes are likely influenced by a combination of more police officers after the police uplift programme, new officers becoming more experienced and productive, and strong pressure – from the government, police and crime commissioners, and the police inspectorate – to improve positive outcomes,¹⁰¹ particularly following the increase in officer numbers. The uptick in crime in the past two years may also have contributed to more positive outcomes being achieved.

Figure CJS 2.19 **Positive offence outcomes and charges recorded by the police, 2003/04–2024/25**



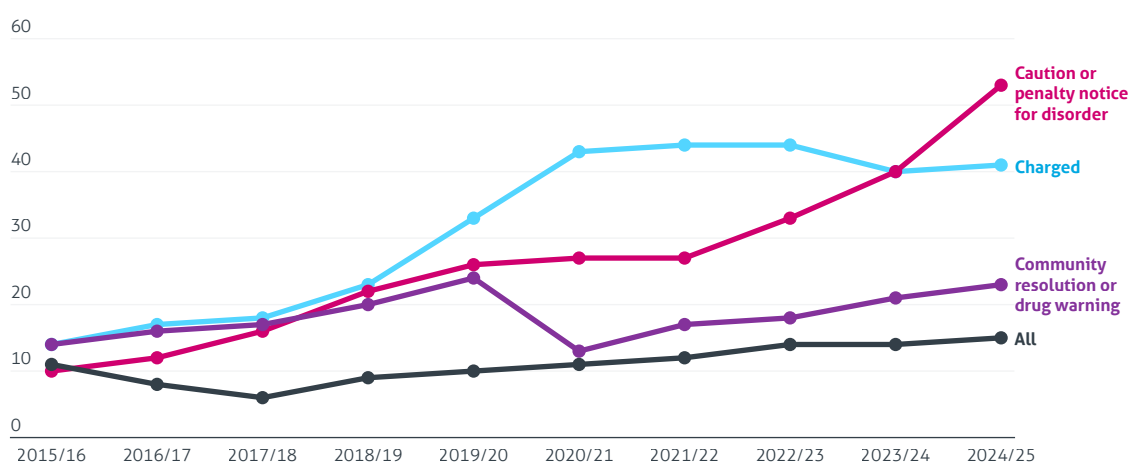
Source: Institute for Government analysis of Home Office, 'Police recorded crime and outcomes open data tables', various years. Notes: Figures for 2019/20 and 2022/23 each include an estimate for one police force; see Methodology for details. Up to 2013/14, 'all positive outcomes' includes charges, cautions, offences taken into consideration, penalty notices for disorder and cannabis/khat warnings. From 2014/15 it also includes diversion, educational or intervention activity.

It is now taking the police much longer to achieve a positive outcome for offences

The combination of increasing crime complexity, additional requirements for case file preparation, long waits for forensic evidence analysis and more inexperienced officers has led to big increases in the time it takes to record a positive outcome, particularly charges and formal out-of-court resolutions such as cautions. The median number of days between an offence being committed and a charge recorded has gone from 14 in 2015/16 to 41 in 2024/25: an increase of almost four weeks.¹⁰² This rise is all the more striking given that the number of positive outcomes recorded per officer has dropped substantially, from 6.9 in 2015/16 to 4.9 in 2024/25 – so in theory officers should have more time to devote to each case.^{103,104}

The time taken to record other outcomes, such as the case being closed due to evidential difficulties or prosecution not being in the public interest, has not increased anything like as much.¹⁰⁵ This suggests that the additional work that now needs to be done pre-charge before sharing the case file with the CPS is a big contributor to overall delays. Crucially, this does not seem to be just moving the delay from one part of the system to another: the time from charge to first listing for cases in the magistrates' courts remained fairly flat from 2016 to 2019, and has now returned to a similar level, after a small increase from 2020 to 2022.¹⁰⁶

Figure CJS 2.20 **Median days from offence to an outcome being assigned, selected outcome types, 2015/16–2024/25**

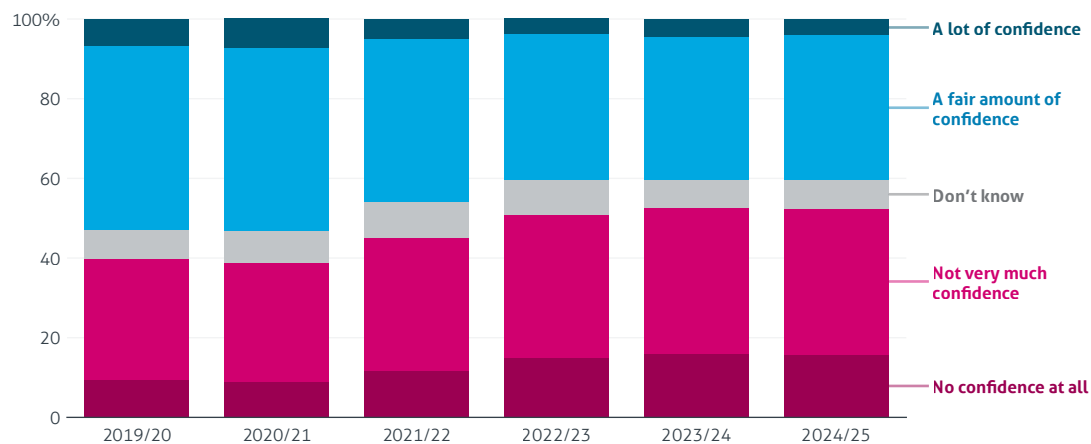


Source: Institute for Government analysis of HO, 'Crime outcomes in England and Wales 2024 to 2025'. Notes: Based on when an outcome is recorded; it may have been issued at a prior date, especially for drug possession warnings. Includes data for 42 territorial police forces and British Transport Police; Humberside is excluded as data is not available.

Low levels of trust and confidence continue to be major problems for policing

According to YouGov polling, confidence in the police to tackle crime fell markedly in 2021/22 and 2022/23, and has since plateaued at this low level. The change is particularly notable at the margins, with the proportion of people who say they have a lot of confidence in the police almost halving from 2019/20 to 2024/25 (down from 7% to 4%). The proportion who say they have no confidence at all rose from 9% to 16% over the same period.¹⁰⁷

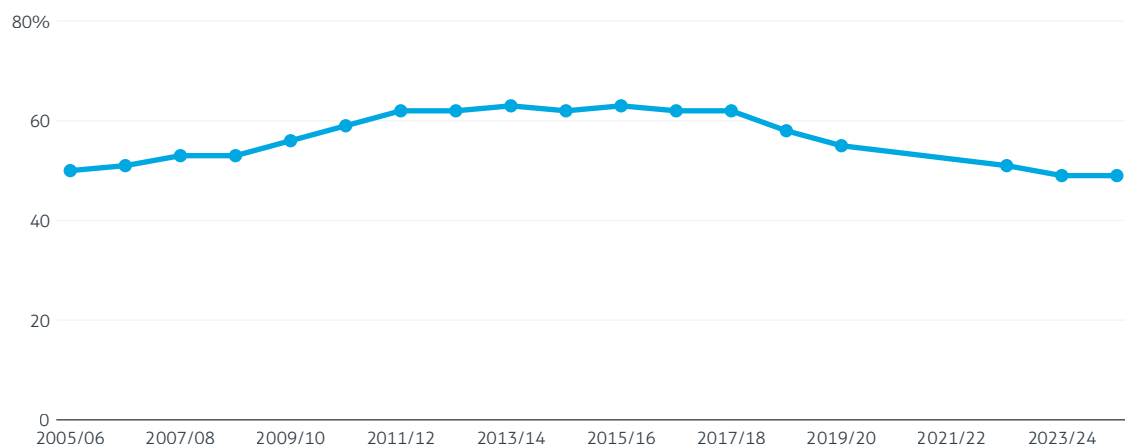
Figure CJS 2.21 **Public confidence in the police to tackle crime in their local area, 2019/20–2024/25**



Source: Institute for Government analysis of YouGov, 'How much confidence Brits have in police to deal with crime', retrieved 30 June 2025. Notes: Financial year figures are based on average of all polls run in that year.

Over the longer term, the proportion of people saying the local police are doing a good or excellent job has fallen since around 2017/18, and has returned to below the 50% mark last seen in the mid-2000s.¹⁰⁸ There is no observable relationship nationally between either the crime rate, the number of crimes with a positive outcome or the total number of officers and the proportion of people who say the police are doing a good job locally. Instead, declining confidence is likely to be driven principally by multiple, highly publicised incidents of serious misconduct by police officers and by perceptions that the police are not responding to crime effectively.¹⁰⁹ Negative contact with the police, such as feeling that they do not take a crime report seriously, or are biased or unfair, is also very damaging to trust and confidence. These kinds of interactions may also have wider impacts than previously, as word spreads further on social media. A more generalised decline in trust in institutions – a problem that is not unique to the UK¹¹⁰ – is also likely to be contributing to this.¹¹¹

Figure CJS 2.22 **People saying their local police are doing a good or excellent job, 2005/06–2024/25**



Source: Institute for Government analysis of ONS, 'Crime in England and Wales: Annual supplementary tables', 2025. Notes: Comparable data is not available for 2020/21 and 2021/22 as data collection was paused due to the pandemic.

There is significant variation across forces in levels of public confidence, though small sample sizes make it hard to identify which areas are statistically significantly different from the average. Gwent has the lowest rating with just 39% of people saying the local force was doing a good or excellent job in 2024/25, compared with a maximum of 62% in North Yorkshire. By contrast, there is relatively little variation in ratings of the police by demographic characteristics: women and men gave very similar ratings, and Asian and Black people were more likely to say the local police are doing a good or excellent job (both 55%) than White people (48%).*¹¹² However, small sample sizes mean these figures should be interpreted with caution.

Low levels of trust and confidence are not only bad for legitimacy and public support, they can also seriously impede the ability of the police to do their job. Community co-operation, whether in reporting crime, providing information on suspects and supporting investigations, or simply relying on the police to solve disputes rather than taking matters into their own hands, is crucial to police performance. Without this support, it can be extremely challenging to progress investigations and resolve crime – with further knock-on effects on local confidence.^{113,114}

The government has yet to set out its police reform programme in detail, but there are tensions with its broader agenda for more local public services

In November 2024, the then home secretary, Yvette Cooper, announced a significant programme of police reform, with a white paper to follow in the spring.¹¹⁵ That white paper has still not been published, but the initial reforms announced featured a stronger central grip on police priorities and performance from the Home Office, a new National Centre of Policing to take on certain national capabilities, and an emphasis on neighbourhood policing.¹¹⁶ It is hard to assess how effectively these changes will address the performance problems in policing or further the safer streets mission without more detail. Some elements are definitely positive. Better co-ordination of IT, procurement and data-sharing through a National Centre of Policing would be welcome and should improve efficiency and value for money.¹¹⁷ There is also evidence that neighbourhood policing can build public trust and deter neighbourhood crime and anti-social behaviour, as long as it is combined with community engagement and effective problem-solving.¹¹⁸

But there is tension between greater central control over police performance and priorities and the government's commitment to more devolved public services. Forces can only prioritise so many things at once, and increasing performance monitoring by the Home Office will likely reduce the latitude chief constables and police and crime commissioners have to set local priorities. Likewise, neighbourhood policing works when it can respond effectively to local concerns.¹¹⁹ That requires not only having enough officers in neighbourhood roles, but also having the right balance of other officer and staff roles across the force. Increasing central direction of the make-up and deployment of officers and staff will make this harder to achieve.

* Thirty-nine per cent of Mixed ethnicity respondents said the police were doing a good or excellent job, but this is based on a small sample size. In 2023/24, 48% of Mixed ethnicity respondents gave a good or excellent rating, the same as for White respondents.

None of this is to say that the reforms will necessarily fail, or harm performance. There is a balance to be struck between local ownership and oversight on the one hand, and central direction and co-ordination on the other. But chief officers and police and crime commissioners are still in the dark about what this balance will look like and how they should be directing their own forces. The ongoing delay to the white paper is only dragging out this uncertainty.

Criminal justice system: Criminal courts

MAGISTRATES'
COURTS



Introduction

When Labour came into government in July 2024, criminal courts were in a terrible state. Substantial cuts in spending and staff numbers were made in the early 2010s and slow increases in spending after the Covid pandemic have failed to prevent spiralling case backlogs and ever-longer delays. Since then, problems have only grown, despite the new government raising both budgets and working days in the courts. The length of delays now poses a fundamental risk to the integrity and functioning of criminal justice.

At the heart of this problem is poor productivity: magistrates' courts and the crown court are processing fewer cases per day than before the pandemic, even though average case complexity has fallen since 2016. This means that both types of courts are failing to keep up with demand. Key contributors to low productivity include:

- high workloads
- staff shortages and inexperience
- poor court administration
- crumbling buildings
- problems with technology.

If these problems can be adequately addressed, many of the proposals for radical reform in the courts – such as Sir Brian Leveson's suggested restrictions on jury trials¹ – would not be necessary.

There are prospects for improvement. The crown court is closing more cases than before the pandemic, and numbers of both judges and barristers are growing, which will increase overall capacity in the court system. Higher payment rates for legal aid work should ease workforce shortages over time, hopefully improving productivity. And some of the government's proposed reforms, such as increasing the use of intensive supervision courts, are positive and should reduce demand long term.* But for the moment, things continue to deteriorate in criminal courts.

* Intensive supervision courts are a type of problem-solving court that aim to take a rehabilitative approach to offenders with complex needs, diverting them away from prison sentences while addressing the causes of offending. Offenders are provided with support to address needs such as drug use and have regular reviews with the judge who sentenced them to assess their progress and apply incentives and sanctions as appropriate.

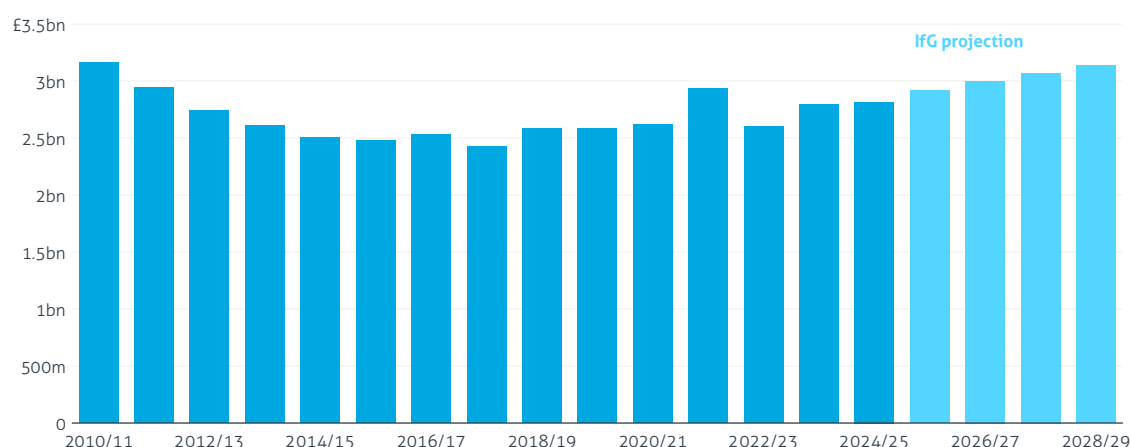
Despite recent increases, spending remains below 2010/11 levels – but the crown court has been prioritised for additional spending

HM Courts and Tribunals Service (HMCTS) has seen small day-to-day spending increases in recent years, but in 2023/24 spending remained 12% below 2010/11 levels in real terms.² Following a real-terms rise of less than 1% in 2024/25,³ the first year of the Labour government, settlements are expected to be more generous in future years.

The 2025 spending review promised substantial increases in court funding of up to £450 million a year by 2028/29.⁴ But it is not clear how this will be split between capital investment and day-to-day spending, or exactly when it will materialise.

If 10% of additional spending is on capital,^{*} day-to-day spending on courts would rise about 2.4% a year from 2023/24 to 2028/29 – significantly above the 1.9% average annual increase from 2019/20 to 2023/24.⁵ Under that scenario, however, real-terms spending would still remain 1% below 2010/11 levels in 2028/29.⁶

Figure CJS 3.1 HM Courts and Tribunals Service day-to-day spending, actual and projected, 2010/11–2028/29 (2025/26 prices)



Source: Institute for Government analysis of HMCTS Annual Report and Accounts, 2010/11–2024/25 and HM Treasury, *Spending Review 2025*. Notes: For details of how projections have been calculated, see Methodology.

This spending covers all courts and tribunals, not just criminal courts. Within this overall envelope, data on magistrates' court spending specifically is not available, but the crown court has fared relatively well. Crown court funding is allocated based on a given number of court 'sitting days' – the number of days each year when the court can sit to hear cases – and these remained relatively steady from 2011 to 2017.^{**} In 2018 and 2019, sitting days were reduced markedly.⁷

^{*} Capital spending makes up about 15% of the MoJ's budget, but the majority of this is likely to be spent on prison expansion (HM Treasury, *Spending Review 2025*, 2025). In recent years, capital spending has made up around 9% of total HMCTS spending (MoJ, *Annual report and accounts: 2022–23*, 2023 and MoJ, *Annual report and accounts: 2023–24*, 2024).

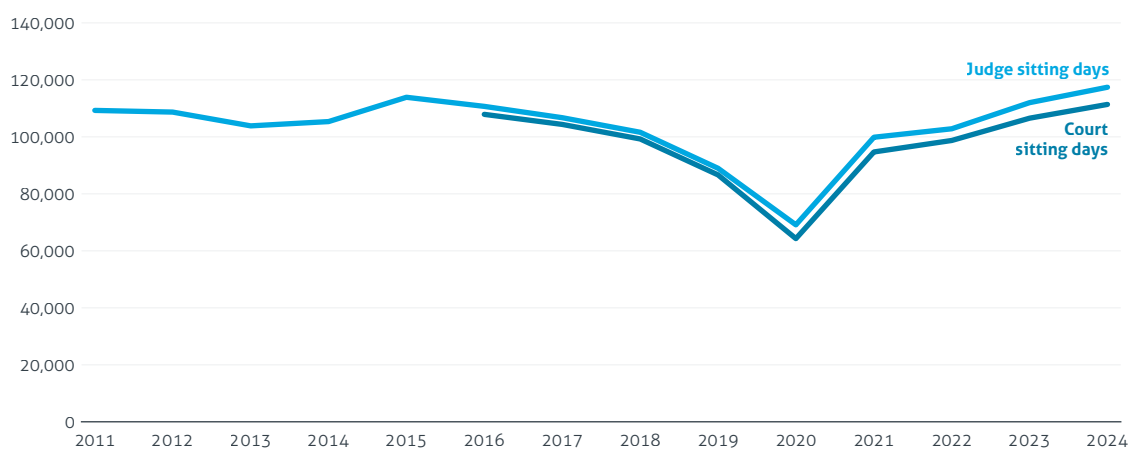
^{**} Figures before 2016 refer to judicial sitting days, which includes all days worked by judges whether or not they are hearing cases. From 2016 onwards, figures refer to court sitting days specifically.

After a further sharp drop in 2020 due to the pandemic, in 2021/22 the cap on sitting days was lifted to allow courts to sit at capacity, to help clear the case backlog that had built up during the pandemic.⁸ The Sunak government reintroduced the cap for 2024/25, at 106,000 sitting days, slightly below 2023/24 levels,⁹ despite rising demand and the growing case backlog.

On entering government, Labour initially added 500 sitting days for 2024/25, funded out of the existing HMCTS budget.¹⁰ In December 2024, it further increased this by 2,000 days,¹¹ although in practice the late announcement of this increase meant courts actually sat only 1,300 of these.* In 2025/26, 110,000 days were initially funded, up 1,500 on the previous year and marginally higher than in 2015/16.¹² This has since been increased again, in October 2025, to 111,250.¹³ More sitting days will be helpful but increasing the number of days so late in the year again risks that courts will not be able to make full use of the additional funding. If this decision had been made earlier, courts might have been able to make more progress on the case backlog.

A portion of the £450m extra court funding a year by 2028/29, announced in the 2025 spending review, is to further increase crown court sitting days, but it is not yet clear when or by how much.¹⁴

Figure CJS 3.2 Crown court sitting days, 2011–24



Source: Institute for Government analysis of MoJ, 'Civil justice statistics quarterly: January to March 2025' and HMCTS, 'HMCTS management information – March 2025'. Notes: A court sitting day is a day when the court is sitting, i.e. conducting hearings or deciding cases 'on the papers', without a hearing. Judge or judicial sitting days are days worked by judges and include all court hearing days as well as training, official business and leadership days, days for writing judgments etc.

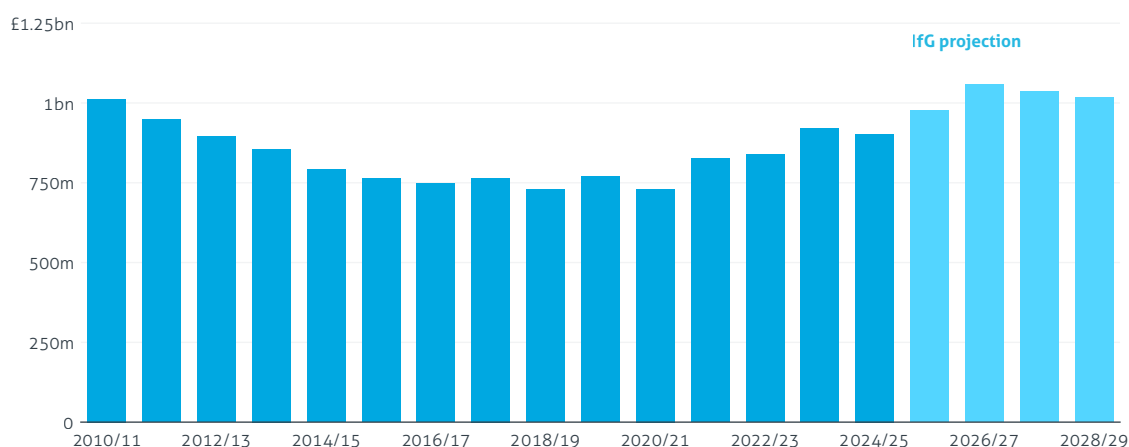
* Courts sat 107,800 days out of the funded 108,500 days. See HMCTS, 'HMCTS management information – March 2025' (crown court sitting days by financial year from April 2015 to March 2025).

The Crown Prosecution Service was a big winner in the 2025 spending review

The Crown Prosecution Service (CPS) is separate from the courts system and sits within its own department. But it has a big impact on criminal court activity and performance. Spending on the CPS has followed a similar trajectory to that for HMCTS, although with deeper cuts of almost 30% from 2010/11 to 2018/19. By 2023/24, just before Labour came into office, spending had risen significantly but remained 9% down on 2010/11.¹⁵ It then fell 2% in real terms in 2024/25.

However, the Law Officers' Department, which funds the CPS, was one of the big beneficiaries of the 2025 spending review, with average annual budget increases of 3.5% from 2023/24 to 2028/29. This is heavily front-loaded, with big initial increases in 2025/26 and 2026/27, followed by a freeze in cash terms (a real-terms cut). In 2025/26, CPS spending is projected to be 3% below what it was in 2010/11 and in 2026/27 it is projected to be 4% higher. By the end of the parliament it is projected to fall slightly to match the 2010/11 spending level.¹⁶

Figure CJS 3.3 Crown Prosecution Service spending, actual and projected, 2010/11–2028/29 (2025/26 prices)



Source: Institute for Government analysis of CPS, *Annual Report and Accounts*, 2010/11–2024/25, and HM Treasury, *Spending Review 2025*. Notes: For details of how projections have been calculated, see Methodology.

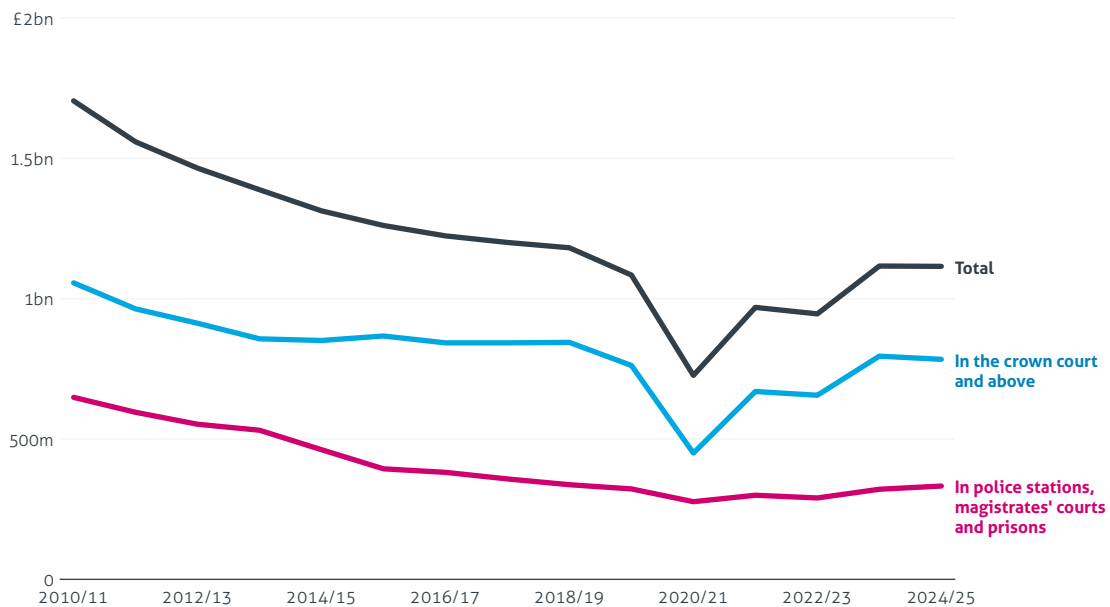
Criminal legal aid spending has fallen, driven by a sharp drop in spending on lower level offences

Criminal legal aid spending in 2024/25 was down by more than a third (35%) from the level seen in 2010/11. This decline was particularly concentrated on 'lower' legal aid: spending on work in police stations, magistrates' courts and prisons halved (down 49%) over this period. Meanwhile, spending on legal aid in the crown court and above fell by about a quarter (26%).¹⁷ Sharp cuts both to legal aid fees for lawyers and to legal aid eligibility drove down spending, as did declining demand.¹⁸

The low point of real-terms spending was in 2020/21, due to the combined effects of inflation and the sharp fall in cases coming through the courts due to the pandemic, but it has been rising since then. In 2018, fees were restructured and increased, and in September 2022, a further 15% increase was applied to defence fees for barristers¹⁹ and 9% for solicitors.²⁰ Solicitor fees saw a further 6% uplift in 2024, and another

6% is promised by the end of this parliament.²¹ As most legal aid is only paid when a case is closed, it takes some time for changes in fees to filter through to spending, so spending is expected to continue to rise. Furthermore, the size of the case backlog in the courts means that there is a longer lag effect for fee increases to translate into higher spending, because cases are taking longer to be closed.²²

Figure CJS 3.4 Criminal legal aid spending, by type, 2010/11–2024/25 (2025/26 prices)



Source: Institute for Government analysis of MoJ and Legal Aid Agency, 'Legal aid statistics quarterly: January to March 2025'. Notes: 2024/25 data is provisional and subject to change.

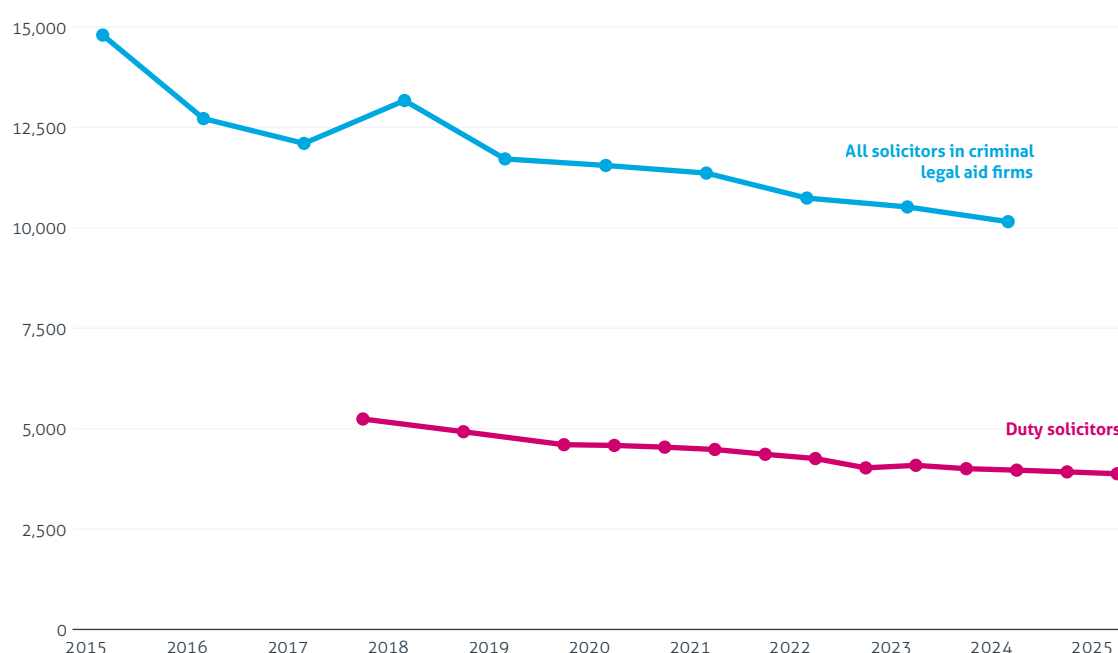
Some of the overall decline in spending over the period was due to declining demand. The number of charges brought by the police fell by more than a third from 2010/11 to 2024/25,²³ leading to fewer cases being received by both magistrates' courts and the crown court. Other positive crime resolutions (where an offender is identified and sanctioned) also declined. But spending has fallen much more than workload, at least at the lower end: the volume of lower criminal legal aid work fell by around 30% over the same period, while spending halved in real terms, as noted above (down 49%). This means that average spending per case fell from £454 in 2010/11 to £337 in 2024/25 (both in 2025/26 prices).²⁴

Eligibility cuts and falling spending have led to more unrepresented defendants in the courts, with potential negative consequences for both court efficiency and the quality of justice.²⁵ They have also had serious implications for the legal workforce, making it harder to sustain a career focused on criminal law.

There are fewer criminal lawyers and the profession is struggling with both inexperience and an ageing workforce

The publicly funded criminal legal workforce has shrunk considerably in recent years, particularly among criminal solicitors. The number of solicitors in criminal legal aid firms has fallen more than 30% since 2014/15, and while the rate of decline has slowed, it has not stopped. Duty solicitors – specially qualified solicitors who provide publicly funded legal advice in police stations or courts for anyone who does not have their own representation – have been hit similarly hard; we only have data from October 2017, but numbers fell more than a quarter from then to April 2025. The volume of lower criminal legal aid work fell just 13% over this period, so workloads have increased.²⁶

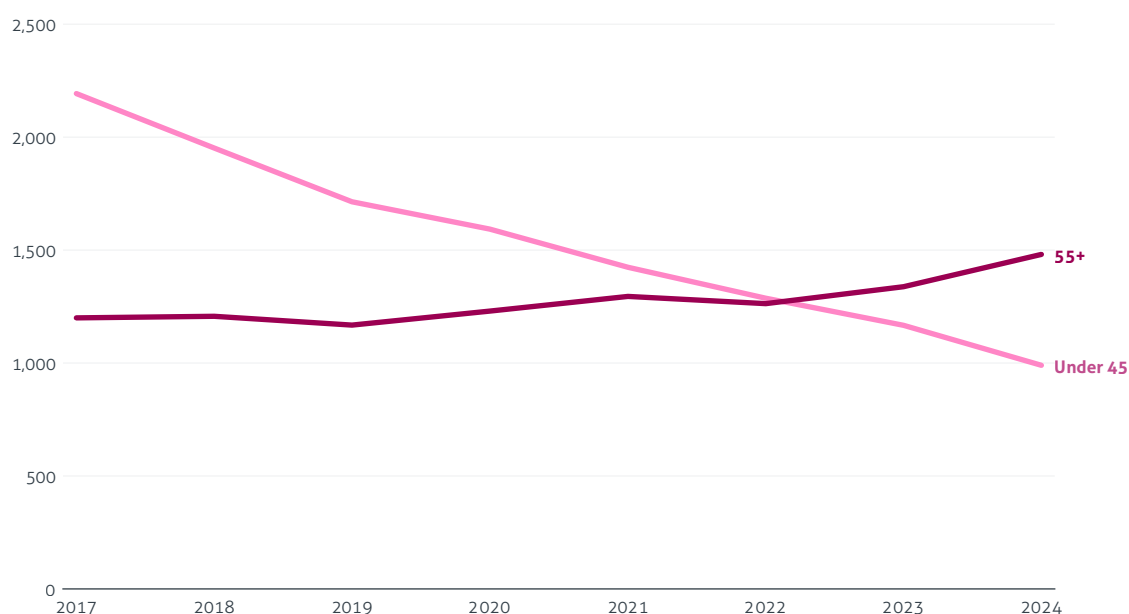
Figure CJS 3.5 Criminal legal aid solicitors, March 2015 to April 2025



Source: Institute for Government analysis of MoJ, 'Legal aid statistics: January to March 2025'. Notes: Duty solicitors are specially qualified solicitors who provide publicly funded legal advice in police stations and courts to anyone arrested or appearing in court without their own legal representation. Chart shows solicitors only; excludes other legal professionals on the duty rota as data is not available.

Even more concerning, the workforce is ageing substantially, particularly duty solicitors. The number of duty solicitors under 45 fell by more than half (55%) from 2017 to 2024, while those 55 and over rose by almost a quarter (23%). More than 40% of duty solicitors are now 55 and over, compared to 24% in 2017. Just 6% are under 35, compared to 14% in 2017. In the medium and long term, this presents a severe risk to the basic right to legal advice as the existing workforce retires with no one to replace them. The same trend is evident among legal aid solicitors more generally. The profession appears to be losing people in the critical early to mid-career stages: the number of solicitors at legal aid firms aged under 35 in 2023/24 was 29% below 2017/18 and 45% below 2014/15.²⁷

Figure CJS 3.6 Duty solicitors, selected age groups, 2017–24



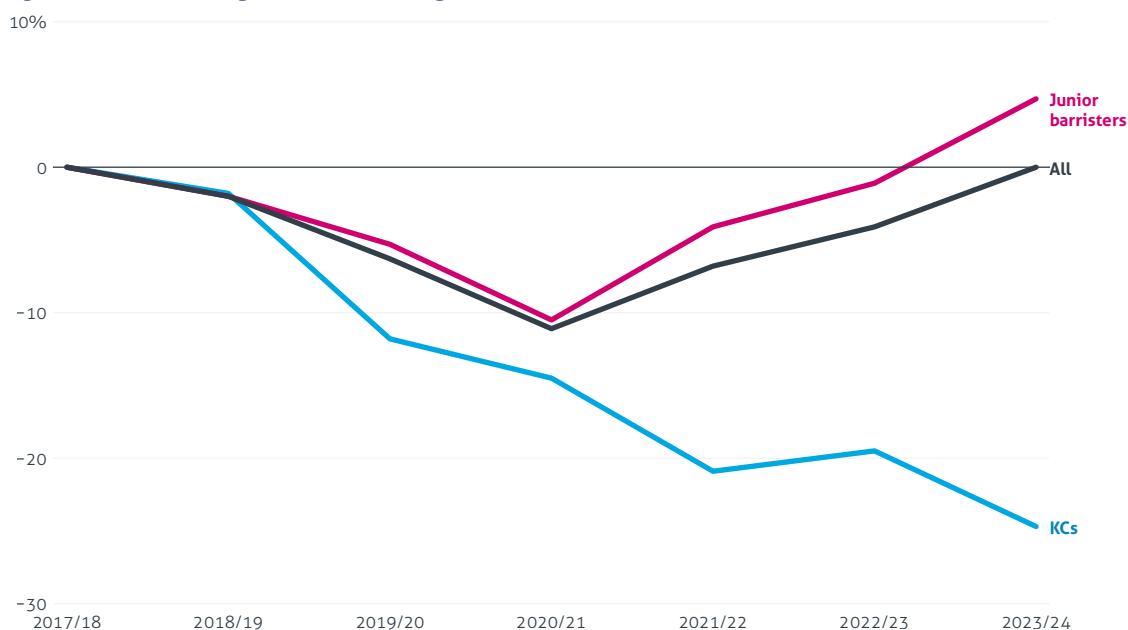
Source: Institute for Government analysis of MoJ, 'Legal aid statistics: January to March 2025'. Notes: Shows solicitors only; excludes other legal professionals on the duty rota as data is not available.

The story is slightly different at the criminal bar. The total number of barristers receiving at least 80% of their income from criminal work fell 6% from 2018/19 to 2024/25, and the number doing exclusively criminal work declined further, by around 10%. Among publicly funded barristers who receive at least 80% of their income specifically from criminal legal aid, numbers fell 11% from 2017/18 to 2020/21, but have since returned to 2017/18 levels, closely mirroring spending on criminal legal aid.²⁸

There is no data available on the publicly funded criminal bar from before 2017/18. But given barrister numbers have closely tracked overall criminal legal aid spending and the bulk of cuts to spending took place from 2010/11 to 2015/16, the number of publicly funded criminal barristers probably fell significantly between 2010/11 and 2017/18 and therefore there are likely fewer today than there were in 2010/11.

* Based on barristers who self-declare to the Bar Council that at least 80% of their fee income comes from criminal legal aid work.

Figure CJS 3.7 Change in criminal legal aid barristers since 2017/18



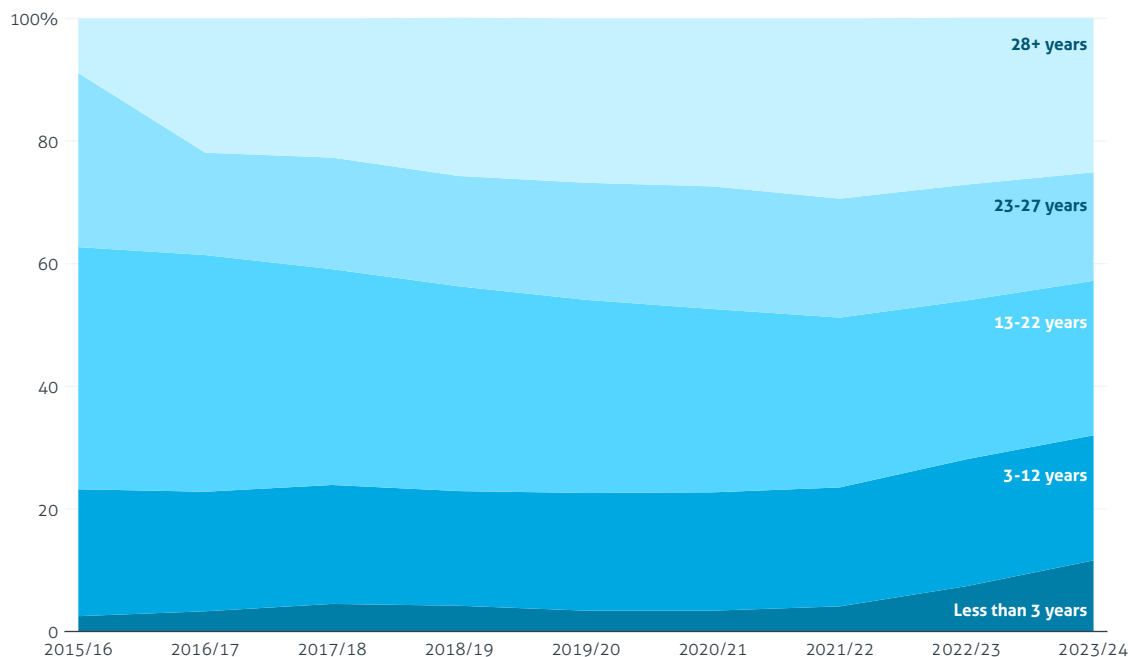
Source: Institute for Government analysis of MoJ, 'Legal aid statistics: January to March 2025'. Notes: Junior barristers includes all barristers who are not King's Counsel (KCs), regardless of years of experience. Includes self-employed barristers who declare that most of their income is from criminal legal aid work.

The overall trend conceals a substantial shift in experience levels in publicly funded criminal work. The number of King's Counsel (KCs or silks) – senior barristers recognised for their excellent advocacy skills* – who receive at least 80% of their income from criminal legal aid work has fallen by a quarter since 2017/18 and, unlike overall numbers, shows no signs of recovering.

Inexperienced lawyers are also taking on a much greater share of the criminal legal aid workload than previously. In 2015/16, just 2% of criminal legal aid income went to barristers who had only been practising for up to three years since qualification. In 2023/24, that proportion had risen to 12%.²⁹ This suggests that very junior barristers are taking on both more work and more complex work, reflecting what we have heard in interviews.³⁰ One interviewee told us that barristers' chambers increasingly will not accept instructions for a specific barrister on less serious criminal matters, and instead will send whoever is available and qualified to cover the hearing.³¹

* Solicitor advocates can also be appointed as King's Counsel but are not included in this dataset.

Figure CJS 3.8 Share of criminal legal aid spending on barristers, by barrister's years of experience, 2015/15–2023/24



Source: Institute for Government analysis of MoJ, 'Legal aid statistics: January to March 2025'. Notes: Proportion of all self-employed barristers' public criminal fee income received by barristers in each post-qualification practice band. Bands are determined by the availability of data.

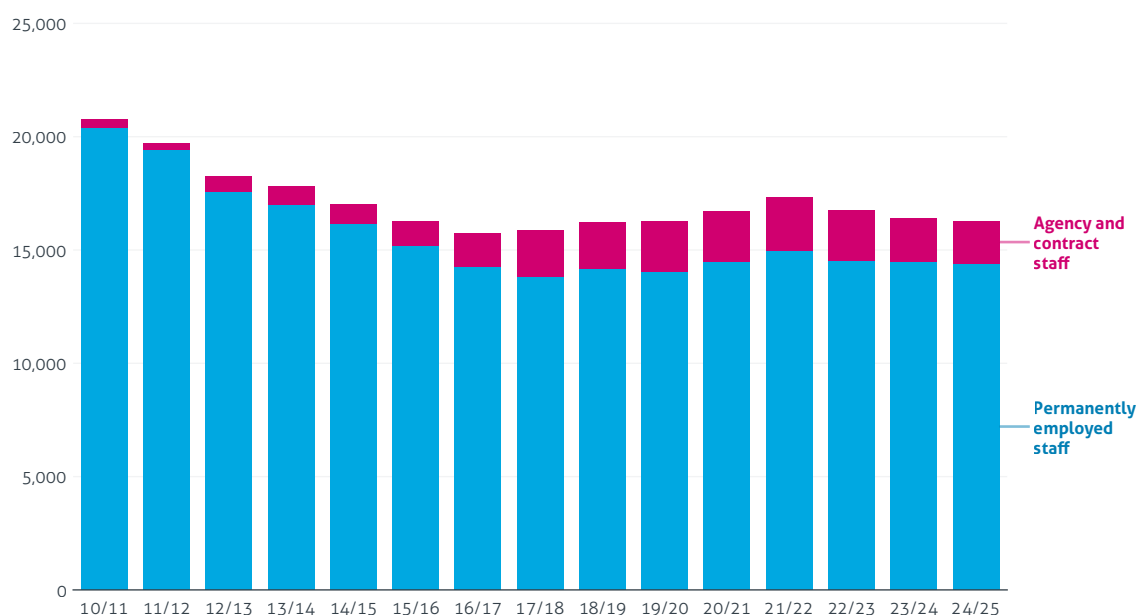
At the same time, the criminal bar has similar problems to criminal solicitors with an ageing workforce and the hollowing out of the middle ranks of the profession. The share of work (in value terms) going to those who have been practising for at least 28 years increased from 9% in 2015/16 to 25% in 2023/24. Meanwhile, those with 13–22 years of practice received just a quarter of the work (25%) in 2023/24, down from 39% in 2015/16.³² Again, this risks storing up more problems for the future.

Interviewees also noted persistent shortages of legal advisers in magistrates' courts, who provide legal information to magistrates.³³ HMCTS has recently recruited more than 160 trainee legal advisers, mostly for criminal courts, and has now hit its target level.³⁴ But this has meant that, in March 2025, 25% of legal advisers were trainees.³⁵ This limits the work they can undertake, and places a burden on more experienced staff who are responsible for training and mentoring them. Retention of legal advisers is also an ongoing problem. HMCTS significantly increased legal adviser pay in 2024/25, especially at junior levels, but it remains below comparable legal roles in other government departments, particularly the CPS.³⁶ This means retention is likely to continue to be a problem.

Other staff groups have also declined substantially, particularly non-legal court staff

The total number of HMCTS staff has stabilised in recent years, but remains more than 20% below 2010/11. There has also been a shift in the make-up of the workforce. The number of permanent staff has fallen almost 30%, with 12% of the workforce now temporary agency and contract staff – down slightly from a high of 14% in 2021/22, but much higher than the 2% in 2010/11.³⁷ Interviewees highlighted a loss of experience among specialist court jobs such as listing officers, who are responsible for allocating hearing dates, checking the availability of judges, lawyers and other parties for cases and preparing daily court lists, as well as logging court statistics day to day.³⁸

Figure CJS 3.9 HMCTS staff, by employment status, 2010/11–2024/25



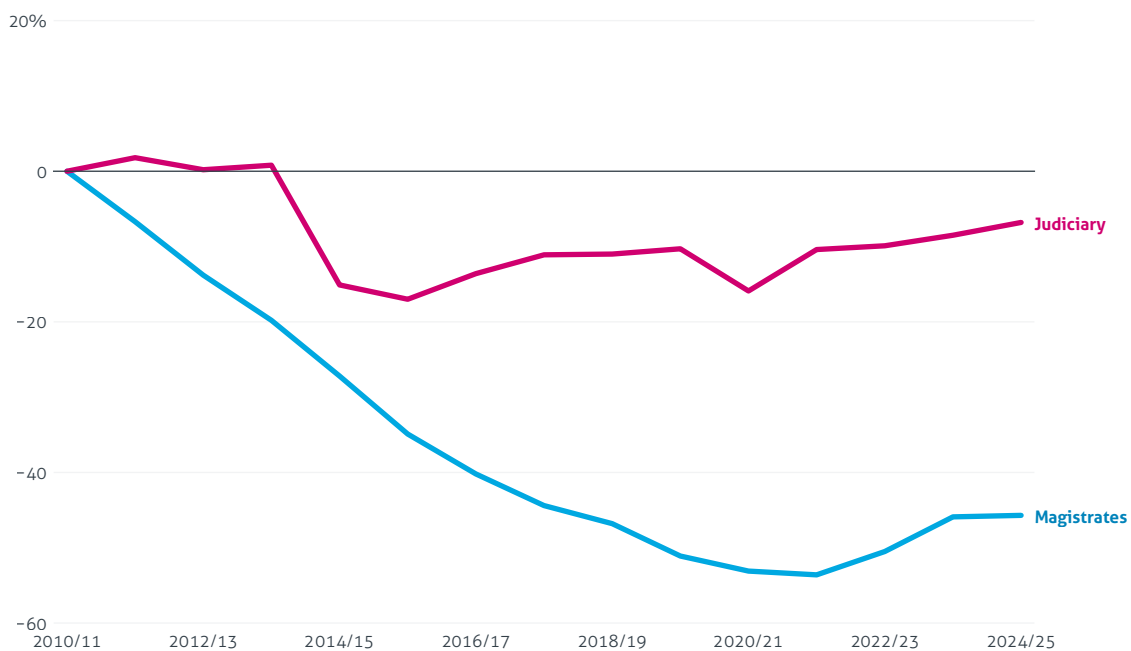
Source: Institute for Government analysis of HMCTS, *Annual report and accounts 2024/25* and House of Commons Library, *Court statistics for England and Wales, 2024*.

“HMCTS staff are so poorly paid and it is quite a complex job. You’re not attracting people that will stay, and it takes time to get people trained up on the system – a revolving door of temporary workers does not lend itself to upskilling.”

– Interviewee³⁹

After a sharp drop in 2014/15, the number of judges has increased slowly but steadily since around 2015/16, apart from a dip in 2020/21. Nonetheless, in 2024/25 there were still 7% fewer judges than in 2010/11. In the past few years, growth has principally come from an increase in permanent salaried judges rather than fee-paid judges such as recorders – lawyers who sit part-time as judges. The number of salaried judges grew 7% between 2022/23 and 2024/25.⁴⁰ Magistrate numbers fell dramatically from 2010/11 to 2021/22, more than halving (down 54%). They have since begun to recover, but in 2024/25 were still 46% below the number in 2010/11.⁴¹

Figure CJS 3.10 Change in judiciary and magistrate numbers since 2010/11



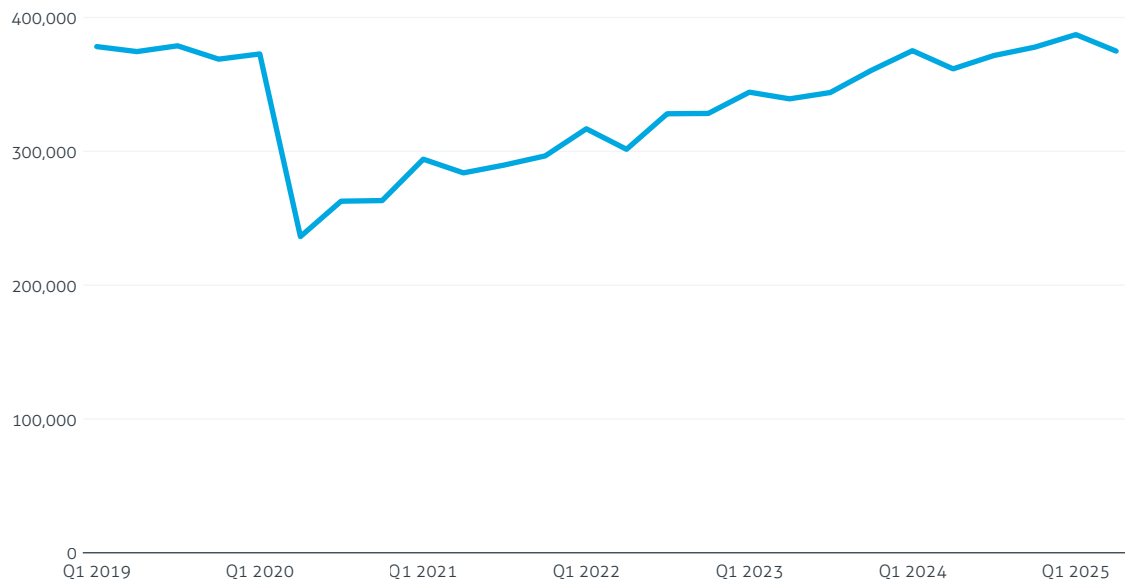
Source: Institute for Government analysis of HMCTS, *Annual report and accounts 2024/25*, House of Commons Library, *Court statistics for England and Wales*, 2024 and MoJ, 'Judicial diversity statistics', 2010/11 to 2024/25. Notes: Magistrates numbers based on headcount figures. Judiciary numbers include fee-paid judges such as recorders on a full-time equivalent basis and headcount figures for salaried judges.

Demand on magistrates' courts is slightly below pre-pandemic levels

Magistrates' courts deal with the vast majority of cases in the criminal courts – more than 90% of cases entering and closed by the courts. The number of cases coming into magistrates' courts has been rising since mid-2020, after a sharp drop due to the pandemic, and has now returned to around pre-pandemic levels (1% down on 2019). Reliable data is not available before 2019, but the figures we do have suggest there was a moderate decline in the number of cases received by magistrates' courts from 2012 to 2019. The number of defendants proceeded against, which closely tracks the number of cases, fell 15% from 2011 to 2024 (including those sent on to the crown court for trial or sentencing).⁴²

The mix of cases coming into the courts has shifted somewhat over time, with the proportion of defendants being prosecuted for more serious 'triable-either-way' or 'indictable-only' offences falling from 27% in 2011 to 24% in 2016 and 18% in 2024.⁴³

Figure CJS 3.11 Cases received by the magistrates' courts, Q1 2019 to Q2 2025



Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly: April to June 2025'.

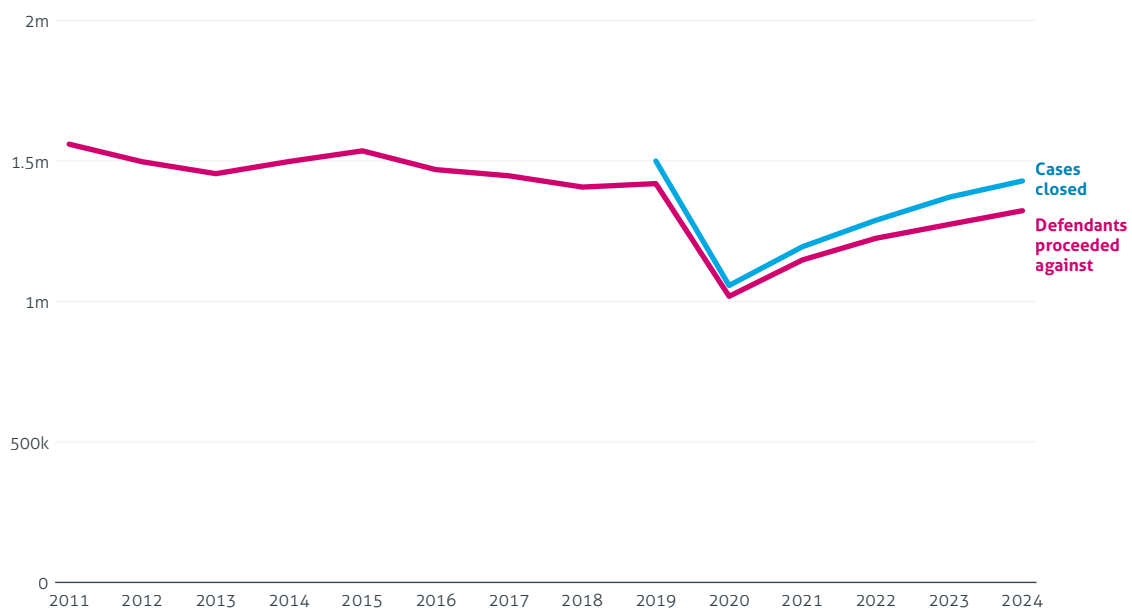
Activity in magistrates' courts has not recovered from the pandemic and remains well below the 2010s

Despite recent increases in activity, magistrates' courts are still not closing as many cases as they were before the pandemic. A case is 'closed' when there is nothing further for the court to do on it. This could be after sentencing, if a defendant is convicted, or it could be that the charges are dropped and the prosecution does not go ahead. Magistrates' courts may also close cases by sending them to the crown court for trial or sentencing, while the crown court closes a small number of cases by sending them back to the magistrates' courts.

In 2024, magistrates' courts closed 5% fewer cases than in 2019.⁴⁴ The cases closed have also become less complex, on average, in several ways:

- Fewer of the cases closed are more serious triable-either-way or indictable-only cases
- More cases are being handled via the streamlined single justice procedure
- More cases are being sent to the crown court for trial or for sentencing, rather than being dealt with in magistrates' courts
- Fewer trials are being completed.

Figure CJS 3.12 Cases closed and defendants proceeded against by magistrates' courts, 2011–24



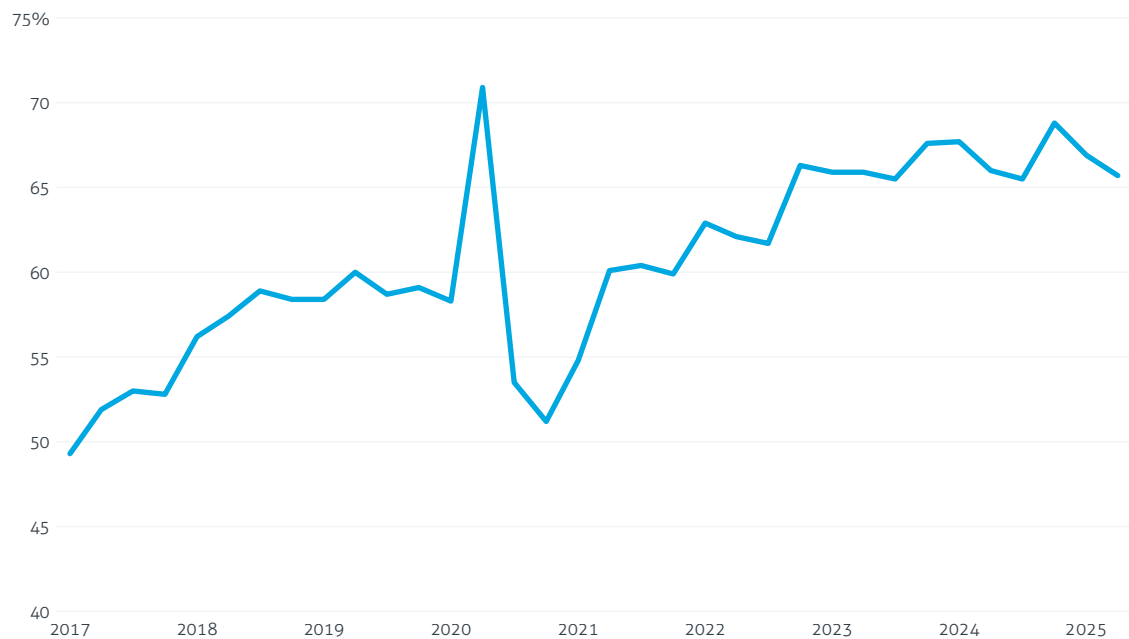
Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly: April to June 2025'. Notes: Shows defendants proceeded against whose cases have closed, including those sent to the crown court.

From 2019 to 2024, the number of more serious triable-either-way and indictable-only cases closed fell 12% (compared to 5% for all cases). In 2024, 38% fewer defendants in these more serious cases were proceeded against than in 2011.⁴⁵

This decline in activity has happened despite efforts to streamline the process and improve efficiency. An increasing proportion of magistrates' court cases are being handled via the single justice procedure,⁴⁶ which allows a single magistrate to deal with minor, non-imprisonable offences based on written submissions, rather than in a regular court hearing. They are dealt with very quickly, with many cases decided in less than a minute.⁴⁷

The single justice procedure was introduced in 2015 and has been the subject of intense controversy in recent years. Numerous cases have been reported on which seem likely to have been dropped, or never charged, if handled through the regular court process – such as seriously ill or recently bereaved people being prosecuted for minor or unintentional offences such as non-payment of a TV licence or having an off-road uninsured vehicle.⁴⁸ It is hard to tell how widespread this is, but there has been a substantial fall in the proportion of magistrates' court cases where proceedings are discontinued or charges are dismissed since the single justice procedure was introduced, from 15% in 2015 to 10% in 2024.⁴⁹ However, we cannot tell from the data how many of these offences were dealt with through the procedure. Around three quarters (73%) of defendants dealt with via the single justice procedure do not enter a plea,⁵⁰ which calls into question whether they are able to participate meaningfully in the justice process.

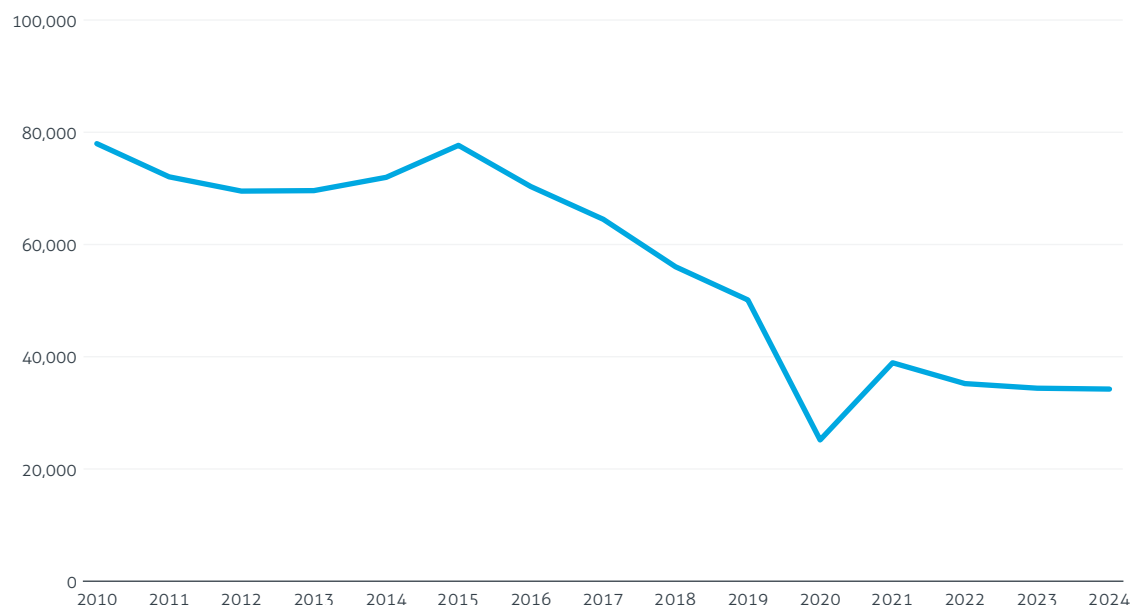
Figure CJS 3.13 Magistrates' court defendants dealt with via the single justice procedure, Q1 2017 to Q2 2025



Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly: April to June 2025'. Notes: Excludes defendants sent to the crown court.

At the same time, the number of trials in magistrates' courts has fallen dramatically, halving since 2016 (~51%). For comparison, the number of defendants dealt with has dropped just 10% over this period.⁵¹ Some of this may be because more defendants are pleading guilty or choosing to be tried in the crown court. But it nevertheless suggests a serious decline in activity in magistrates' courts.

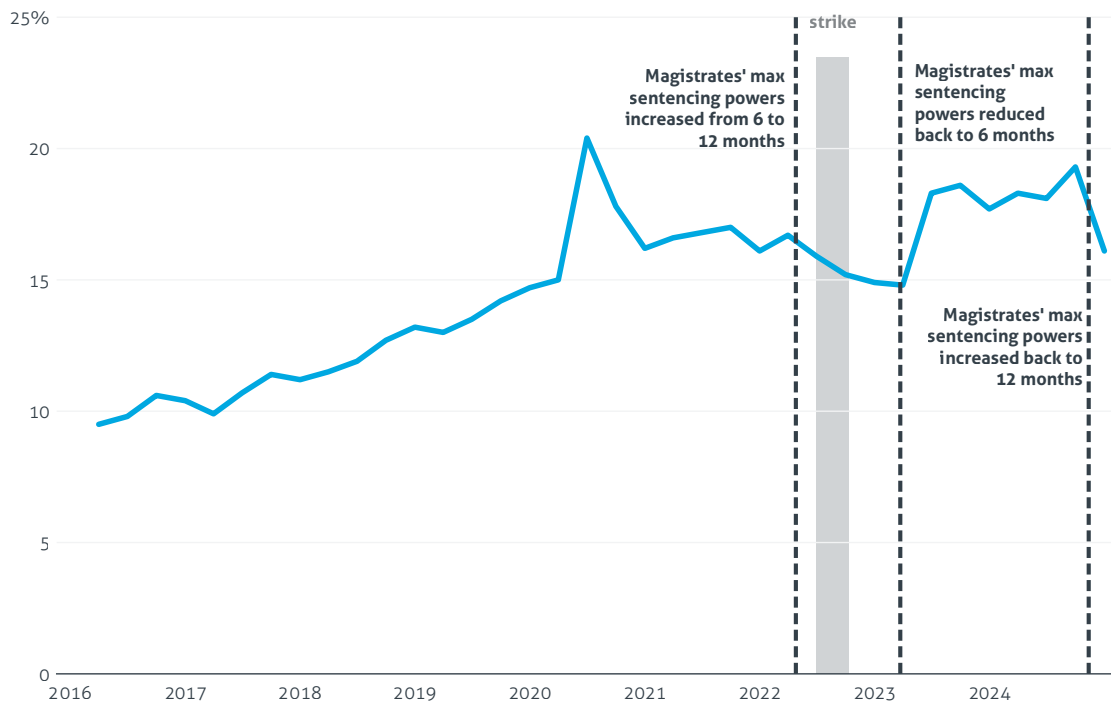
Figure CJS 3.14 Completed trials in magistrates' courts, 2010–24



Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly: April to June 2025' (trial effectiveness tool).

From 2016 to 2024, the proportion of people convicted at magistrates' courts who were committed to the crown court for sentencing rose from 10% to 18%. In 2010, it was just 7%. Some of the increase in 2023 and 2024 appears to be due to changes in magistrates' courts' sentencing powers,^{*} and it has fallen back since sentencing powers were increased again in late 2024. But it follows a long trend of magistrates' courts becoming increasingly likely to send offenders on to the crown court for sentencing, going back at least to 2010.⁵²

Figure CJS 3.15 Eligible offenders convicted in magistrates' courts who are committed to the crown court for sentencing, Q1 2016 to Q4 2024



Source: Institute for Government analysis of MoJ, 'Criminal justice statistics quarterly: December 2024'. Notes: Includes defendants convicted of a triable-either-way offence in a magistrates' court, who can be sentenced either in the magistrates' court or the crown court. Sentencing power changes refer to the maximum sentence that can be imposed for a single offence; the maximum for multiple offences has remained unchanged.

This is not because more triable-either-way cases are being tried in magistrates' courts and just sent to the crown court for sentencing – quite the reverse. The proportion of triable-either-way cases sent to the crown court for trial has also been rising, from 19% in 2016 to 24% in 2024.⁵³ It is possible that triable-either-way offences have become more serious, on average.^{**54} Increases in sentence lengths are also likely to be contributing to these changes.

^{*} Until May 2022, magistrates' courts could give a maximum sentence of six months in custody for a single triable-either-way offence, or a year for two or more offences. The Johnson government increased this to 12 months for a single offence or more, but subsequently the Sunak government reduced it back to six months in March 2023. In November 2024, the Starmer government reinstated the 12-month maximum for a single offence.

^{**} Assessing the average severity of offences is challenging, but the average 'severity score', based on the Cambridge Crime Harm Index, for triable-either-way and indictable-only offences proceeded against may have increased since 2016. See Ministry of Justice, 'Criminal justice statistics quarterly: December 2024' (Outcomes by offence tool).

The average custodial sentence for a triable-either-way offence rose from 12 months in 2013 to 14 months in 2016 and 16 months in 2024.⁵⁵ Magistrates can give a maximum sentence of 12 months in prison (previously six months), so as sentences get longer they may increasingly think more cases need the greater sentencing powers of the crown court.

Fewer cases are being closed overall, despite increased reliance on the single justice procedure, and of the cases that are closed, they are disproportionately simple and straightforward, with fewer trials and more cases sent to the crown court for either trial or sentencing. This is all happening in the face of rising demand and a growing case backlog.

Cases coming into the crown court have risen substantially in recent years, but demand is far from record levels

Looking at all cases coming into the crown court, there was a steady and substantial fall in cases received over the 2010s. This largely reflected the decline in police charges (see the Police chapter).⁵⁶ After a slight uptick in 2019, annual receipts stayed fairly flat until 2022,^{*} and have risen steadily since then, and in 2024 were 9% higher than in 2016.⁵⁷

But the number of cases is only a partial picture of demand. The type of case makes a big difference to how long it takes to deal with and the demand placed on the court and those working in it. There are three broad case types in the crown court:

- 'for-trial' cases. Many of these do not actually result in a trial, as the defendant pleads guilty or the charges are dropped. These are split into triable-either-way (less serious) offences and indictable-only (more serious) offences.
- committals for sentence – cases sent from the magistrates' court for sentencing.
- appeals from magistrates' courts.

We define case 'complexity' in terms of how much court time a case takes. The average for-trial case takes almost five times longer – in terms of hours in court – to deal with than the average appeal, and seven times longer than the average committal for sentence. Cases where the defendant pleads not guilty and there is a jury trial are by far the most time-consuming. Different offences also take different amounts of court time. Sexual offences, for example, take about twice as long as the average for-trial case, and rape and other serious sexual offences take even longer – in large part because defendants are much more likely to plead not guilty.

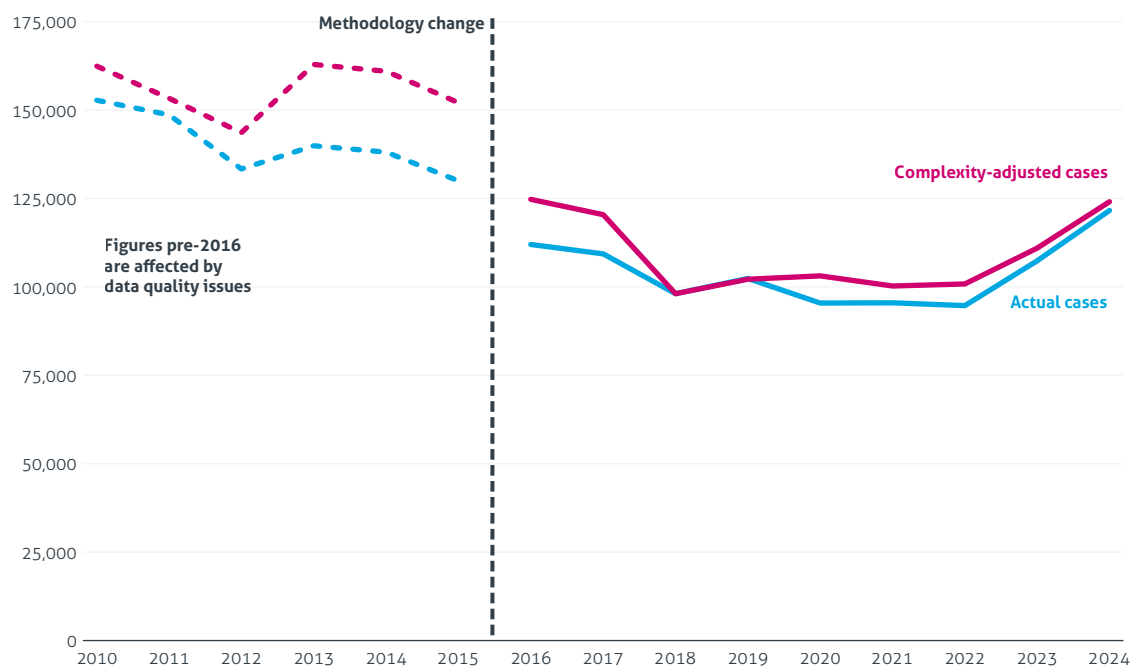
There have been other changes that have affected case complexity, including the approach to disclosing evidence, special measures to help vulnerable victims and witnesses give evidence, and growing volumes of digital evidence.⁵⁸ But there is little evidence that these have substantially increased time spent in court: average hearing

^{*} The time it takes from an offence being committed to the case reaching the crown court, as well as the very small proportion of cases that end up in the crown court, means that there was a much smaller 'pandemic dip' in cases coming into the crown court than magistrates' courts or police recorded crime.

hours per case in the crown court fell slightly from 3.6 hours in 2016 to 3.3 in 2024, and the average in for-trial cases has remained steady at around five hours.⁵⁹ Instead, much of the burden of these changes appears to fall outside the courtroom, principally on the police and lawyers in preparing case files and getting ready for trial.^{60,61} This may be contributing to workforce shortages in court, but does not seem to have a direct effect on court time.

Adjusting for these changes in the case mix, incoming demand on the crown court in 2024 was about the same as in 2016 and lower than in the early 2010s.^{*62}

Figure CJS 3.16 Cases received by the crown court, actual and complexity-adjusted, 2010–24

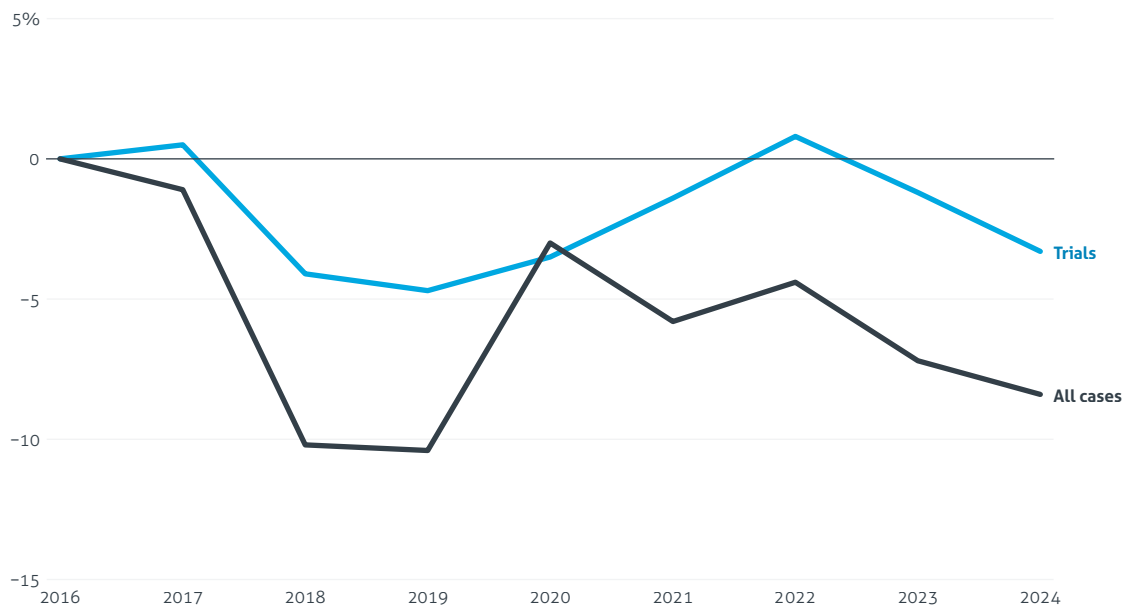


Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly' (January to March 2020 and April to June 2025). Notes: See Methodology for details of the complexity-adjusted calculation. In 2024 the MoJ announced data quality issues affecting previously published data. Figures before 2016 have not been revised and should not be taken as exact values, but are likely to be within a few percent of the true values and the general trend is likely to be correct. Revised figures from 2016 also involved a methodology change to standardise figures across the MoJ and HMCTS.

The average complexity of cases going to the crown court has fallen since 2016, though it was slightly higher in 2024 than immediately before the pandemic. It is important to note this does not account for the relative complexity of cases in the backlog, only those entering the courts.

* Data from 2015 and previous years is not directly comparable due to methodology changes, but rough comparisons can be made.

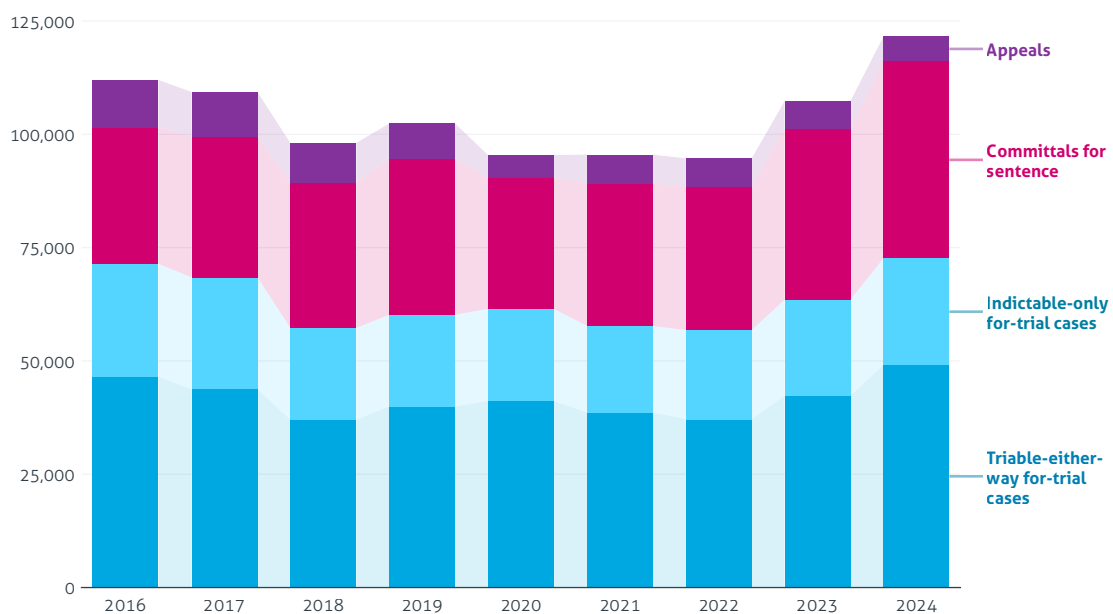
Figure CJS 3.17 Change in average complexity of cases received by the crown court since 2016



Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly, April to June 2025'. Notes: See Methodology for details of the complexity calculation.

This has been driven by a big increase in the number of people sent from magistrates' courts to the crown court for sentencing. These cases now make up more than a third (36%) of all cases in the crown court, although they still only account for about 10% of court time. For-trial cases are also becoming less complex: a slightly smaller proportion of for-trial cases were for serious indictable-only offences in 2024 (32%) than in 2016 (35%).⁶³

Figure CJS 3.18 Cases received by the crown court, by type, 2016–24



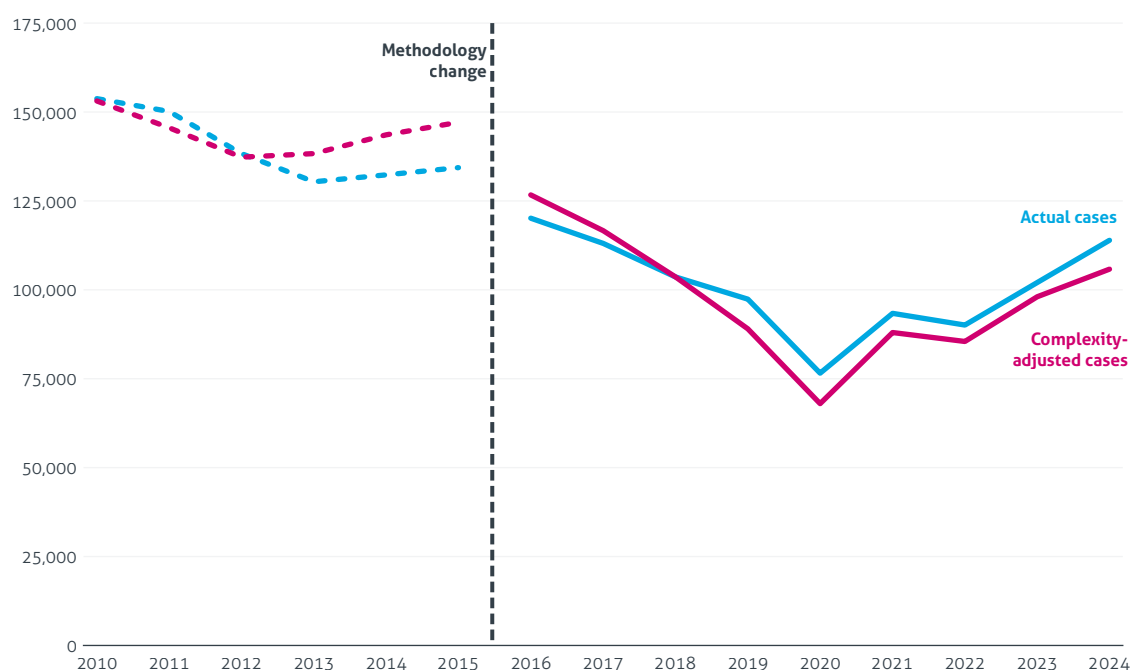
Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly, April to June 2025'. Notes: A very small number of cases of unknown type have been excluded.

The crown court is closing fewer and less complex cases than in 2016

Crown court activity in terms of cases closed has similarly declined over the long term, although in 2024 it was higher than in 2019. The number of cases closed fell in the early 2010s and then much more rapidly from 2016. Rapid rises since 2022 have not been enough to reverse this and in 2024 the number of cases closed remained 5% below 2016 and likely around a fifth below 2010.⁶⁴ This decline in the number of cases closed has happened even as the number of cases coming in the crown court and the number of sitting days have returned to or surpassed 2016 levels.

The drop is even larger when adjusting for the complexity of the cases closed: a 16% fall from 2016 to 2024.⁶⁵ This is because the average complexity of cases closed has fallen over time.^{**} Courts appear to be prioritising dealing with more straightforward cases, which means that the case backlog is becoming increasingly complex.⁶⁶

Figure CJS 3.19 Cases closed by the crown court, actual and complexity-adjusted, 2010–24



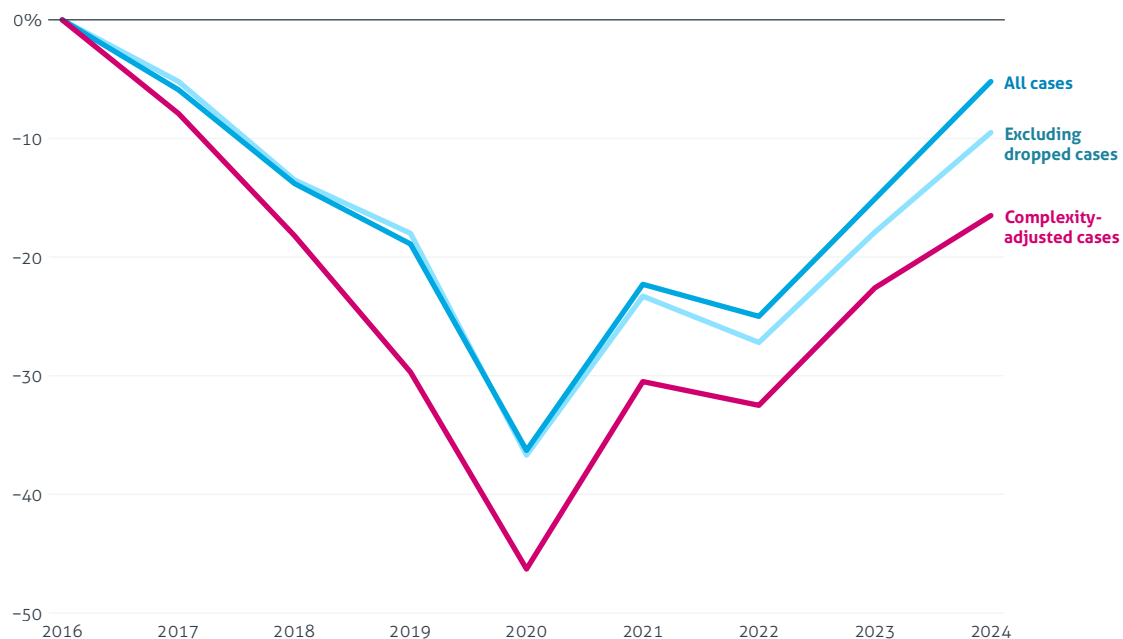
Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly' (January to March 2020 and April to June 2025). Notes: See Methodology for details of the complexity-adjusted calculation. In 2024 the MoJ announced data quality issues affecting previously published data. Figures before 2016 have not been revised and should not be taken as exact values, but are likely to be within a few percent of the true values and the general trend is likely to be correct. Revised figures from 2016 also involved a methodology change to standardise figures across the MoJ and HMCTS.

* Directly comparable figures are not available for 2010 to 2015, but figures using both the old and new methodology are available for 2016. Assuming the methodology change had an equivalent impact across all years, the decline in cases closed from 2010 to 2024 would be around 22%.

** This is the same complexity adjustment as applied to cases entering the crown court, and accounts for the offence type (violence, theft and so on) and case type (indictable-only for-trial case, triable-either-way for-trial case, committal for sentence or appeal). It does not account for pleas or whether the case is dropped, or for any changes in complexity unrelated to the offence or case type.

Additionally, fewer cases closed are ending up with a positive outcome (either a guilty plea or a completed trial) and more charges are being dropped. Of for-trial cases closed in 2024, 17% of defendants had their case dropped, compared to just 10% in 2016. Dropped cases typically take much less time than other for-trial cases, averaging just 1.3 hours in 2024 – 26% of the average across all for-trial cases. Excluding dropped cases, the crown court handled 10% fewer cases in 2024 than in 2016.⁶⁷

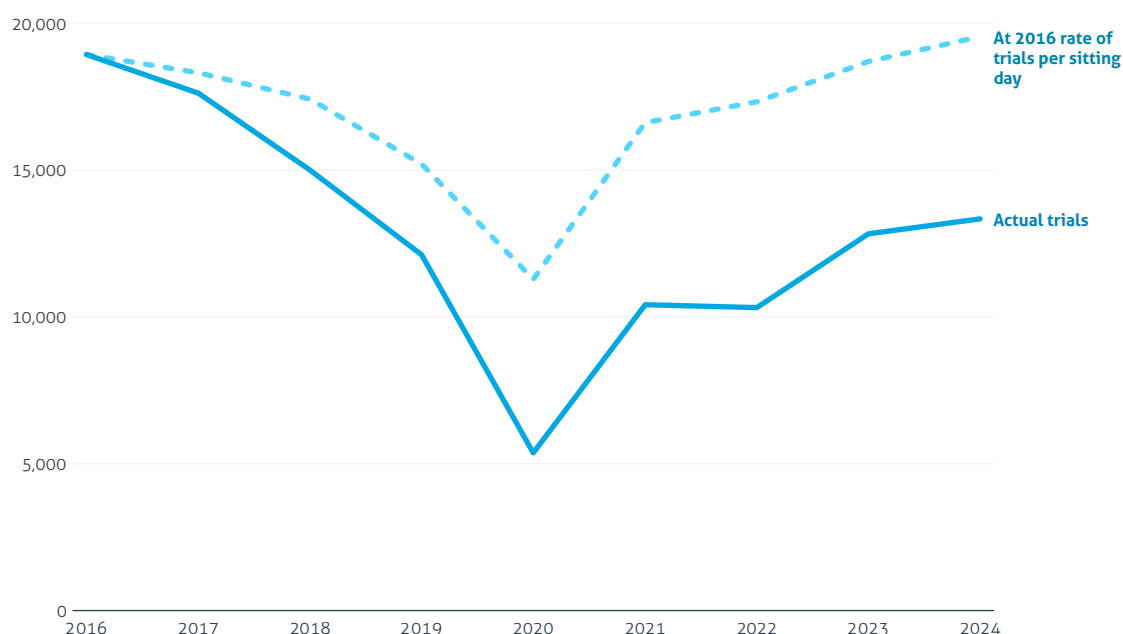
Figure CJS 3.20 Change in number of crown court cases closed, actual and complexity-adjusted, since 2016



Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly, April to June 2025'. Notes: The complexity adjustment accounts for changes in offence and case type; see Methodology for details.

Crown court jury trials put much more demand on the system than any other kind of case. In 2024, they made up only 13% of all cases closed, but 65% of hearing hours. The number of trials in 2024 surpassed pre-pandemic levels, but remained more than a quarter (27%) below 2016, despite the fact that sitting days were slightly higher in 2024. This is partly because more trials are being cancelled at the last minute, but not entirely: fewer trials are being scheduled as well. While the average trial is now about 12% longer than in 2016, that is not enough to account for the scale of the decline in trials per sitting day. If the crown court had maintained the number of trials per sitting day it achieved in 2016, it would have heard more than 5,000 more trials in 2024 – 40% more than it did in reality.⁶⁸

Figure CJS 3.21 Effective trials in the crown court, actual and modelled, 2016–24



Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly: April to June 2025' (trial effectiveness tool) and HMCTS, 'Crown Court Sitting days by financial year from April 2015 to March 2025', May 2025. Notes: Modelled value is based on maintaining the 2016 level of trials per sitting day and applying that to the actual number of sitting days in subsequent years.

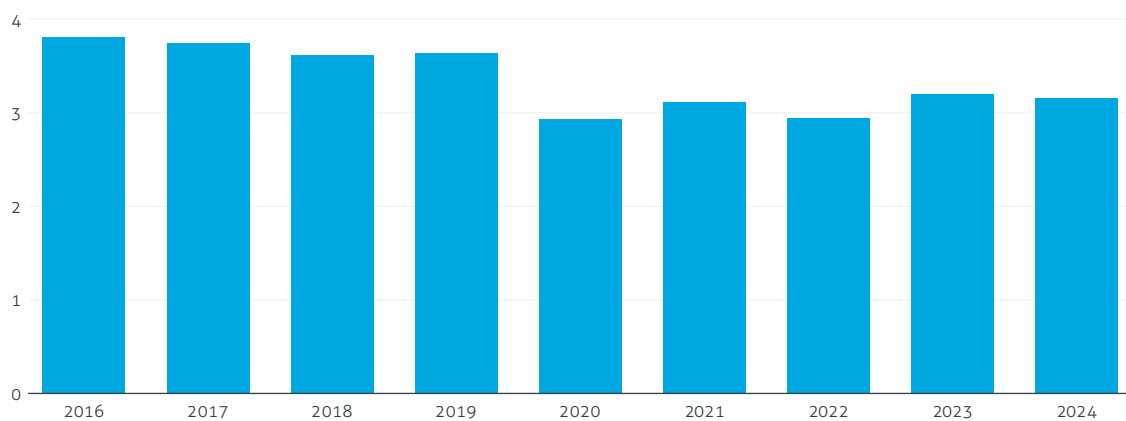
Poor productivity is holding back efforts to increase activity

The central reason why court activity remains lower than in 2016 is a substantial drop in productivity, in both magistrates' courts and the crown court. More time is wasted in and around courts, so the increase in court funding and sitting days is not translating to a commensurate increase in capacity.

In the crown court, in 2024, there were only 3.2 hours spent in hearings per sitting day: 13% below pre-pandemic levels and 17% lower than in 2016.⁶⁹ As a result, the total number of hours sat in 2024 fell well short of the number in 2016 (14%), despite the court sitting for slightly more days.* The 'disposal rate' – the number of cases closed per sitting day – has fallen 8% since 2016. If you adjust for the fact that cases closed today are less complex on average than in 2016, the decline is 19%.⁷⁰

* Hearing hours are reported in the year the case closed, rather than the year when they were sat, so there will be a small lag effect when the number of sitting days changes significantly. But there is no sign that the increase in sitting days from 2021 onwards has had any impact on the hearing hours per sitting day in subsequent years.

Figure CJS 3.22 Crown court hearing hours per sitting day, 2016–24



Source: Institute for Government analysis of MoJ, 'Criminal courts statistics quarterly: April to June 2025' and HMCTS, 'Crown Court Sitting days by financial year from April 2015 to March 2025', May 2025. Notes: Total annual hearing hours is calculated by multiplying average hearing time in hours per case by the total number of valid cases disposed of. All hearing hours for a case are counted in the year the case closed.

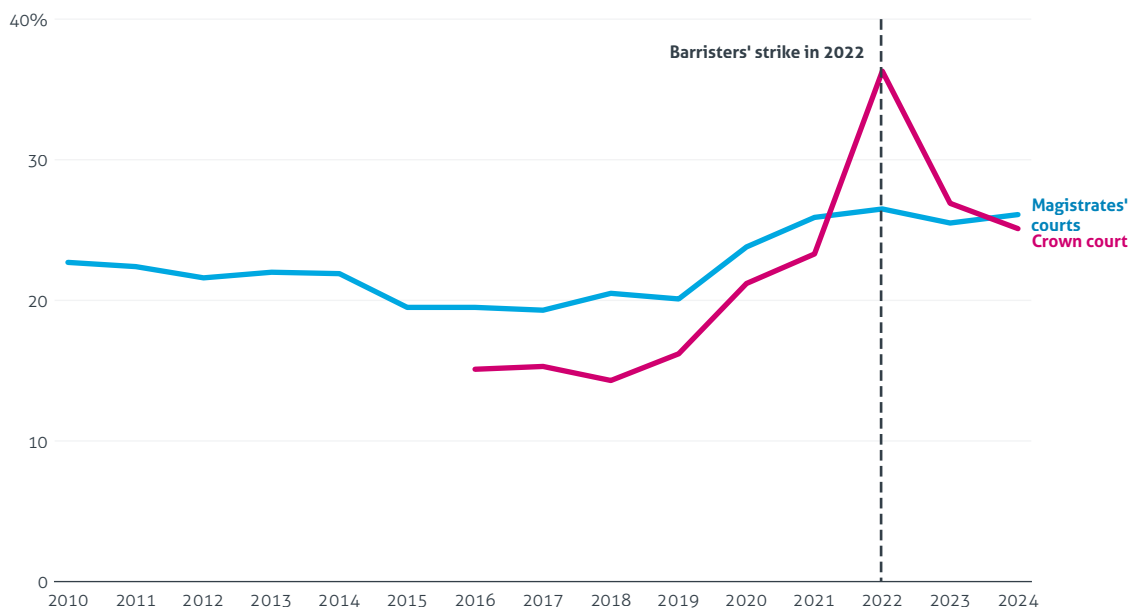
Data on hearing hours per sitting day is not available for magistrates' courts, but the charity Transform Justice runs a 'CourtWatch' project, which involves volunteers observing magistrates' court proceedings in London. Courtwatchers have highlighted the huge amounts of wasted time:

"Courtwatchers were shocked by what they perceived to be the inefficiency of courts. They expected hearings to start on time and to run continuously through the day. They were concerned that the valuable time of the many professionals in the room was being wasted." – Courtwatch London, Transform Justice, *The Wild West? Courtwatching in London's magistrates' courts*⁷¹

There has been a big increase in both magistrates' courts and the crown court in trials that are 'ineffective', meaning they are rescheduled on the day of the trial. This is both a symptom and a cause of poor productivity. In magistrates' courts, 26% of all scheduled trials in 2024 were rescheduled on the day, up from 20% in 2016 and 23% in 2010. In the crown court, a quarter (25%) of trials in 2024 were ineffective, compared to 15% in 2016 – although this was still an improvement on 2022 and 2023.⁷²

Ineffective trials waste a lot of time for the defendants, victims and lawyers whose cases are not heard, and can cause long delays before a case can be relisted. There may also be time lost before and after a trial is cancelled, depending on the reason for the delay and how quickly another case can be heard.

Figure CJS 3.23 Proportion of trials rescheduled on the day, 2010–24



Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly: April to June 2025' (trial effectiveness tool).

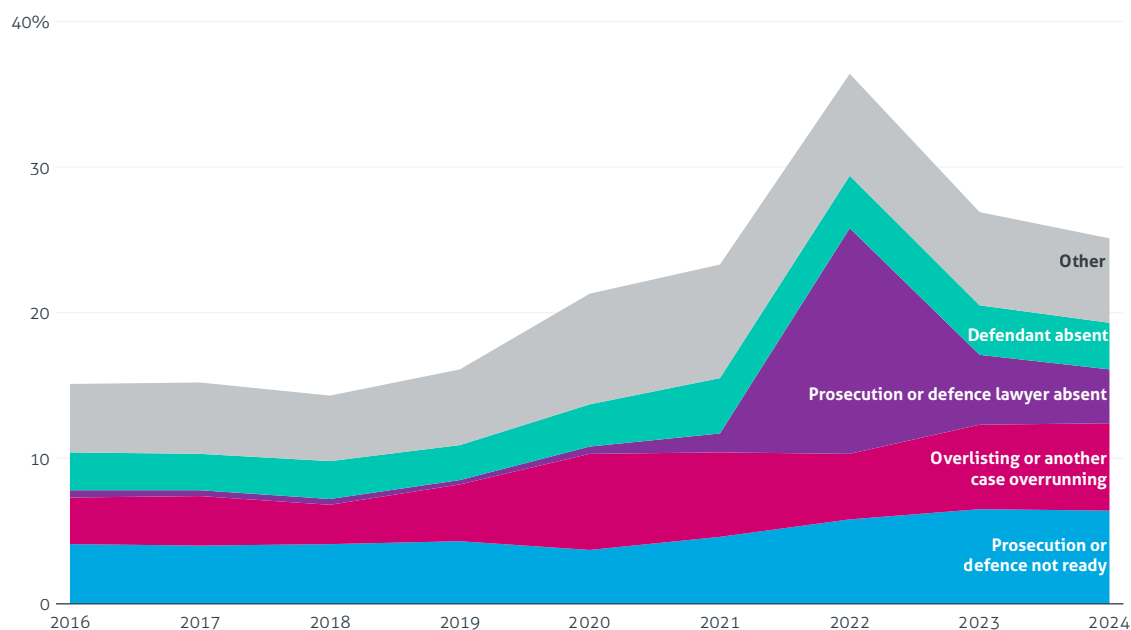
Overlisting – when a court cannot fit in all the cases it was scheduled to hear on a certain day – is consistently one of the main reasons for ineffective trials, despite the fact that 20% fewer trials are being scheduled per day than in 2016. Trials rescheduled due to overlisting or another case overrunning accounted for 8% of all scheduled magistrates' court trials and 6% of crown court trials in 2024, up from 6% and 3% respectively in 2016. At the same time, fewer trials are being scheduled per sitting day. It is unlikely that this is due to a change in average trial lengths, as even in the crown court, these have only increased about 12% since 2016.⁷³ Instead, the problem seems to lie in inefficient use of court time.

Workforce shortages, poor court administration and problems with court buildings and technology are all driving low productivity

Shortages of criminal legal professionals cause delays and wasted time

The availability and preparation of lawyers are major sources of wasted court time. In the crown court, more than 10% of scheduled trials in 2024 were rescheduled on the day due to lawyer absence, or one side not being ready or increasing the estimated time needed for the trial. In 2016, this was less than 5%. Almost half of these (4% of all trials) were because the prosecution or defence lawyer was absent, which was practically unheard of before 2021, accounting for just 0.5% of trials in 2016.⁷⁴ We heard from interviewees that the shortage of appropriate lawyers is particularly acute for certain serious cases, especially rape and other serious sexual offences.

Figure CJS 3.24 Crown court trials rescheduled on the day, by reason for delay, 2016–24



Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly: April to June 2025'. Notes: Shows proportion of all scheduled trials (effective, ineffective and cracked) that were rescheduled on the day the trial was due to start ('ineffective'). A single case may be ineffective more than once.

In magistrates' courts, lawyer availability is less of a problem, but poor preparedness is. In 2024, 7% of trials were rescheduled on the day because either the defence or the prosecution was not ready, most commonly the defence (4.5%). The proportion of cases dropped on the day of the trial because there is not enough evidence has also grown, from 7% of all scheduled trials in 2010 to 9% in 2024.⁷⁵ This harms both productivity and the quality of justice.

Poor case preparation often arises from shortages of criminal lawyers. Some delays due to late disclosure of evidence or other factors related to case progression are inevitable, but rapidly growing caseloads and inexperienced lawyers handling more and more serious cases are likely to be driving recent increases in delays.⁷⁶ Very junior lawyers may also be less able to accurately estimate how long a case will take to hear or prepare for, and the CPS inspectorate has suggested that lawyer inexperience is leading to poorer quality legal decision making at the CPS.⁷⁷

"It has been clear in all inspections in 2023–24 that the pressures at the front line and the levels of staff caseloads and demands are at the most extreme that we have seen in the 20-plus years of inspection activity." – HM Crown Prosecution Service Inspectorate, *Annual Report*

Large caseloads mean lawyers are likely to be less familiar with the details of the case;⁷⁸ frequently, both sides may have no information until the day of the trial or a new lawyer may be drafted in at the last minute.^{79,80}

This substantially increases the chance of delays, harms the quality of justice and means it is impossible to have pre-trial discussions between the prosecution and the defence, which may have avoided the need for a trial. Asking for a delay in these cases may be necessary to make sure the case is prosecuted and defended appropriately, but it results in wasted time that could be avoided if the system was not under such pressure. By contrast, there has been a reduction in the share of trials in the crown court rescheduled because a judge is not available in the last year, from 0.6% of scheduled trials in 2023 to 0.4% in 2024.⁸¹ This may reflect the successful recruitment of additional judges over 2023/24. As justice secretary, Shabana Mahmood argued that it is the availability of legal professionals that is now the limiting factor on crown court capacity, rather than judicial capacity.⁸²

Poor court administration and listing practices mean courts feel chaotic and inefficient

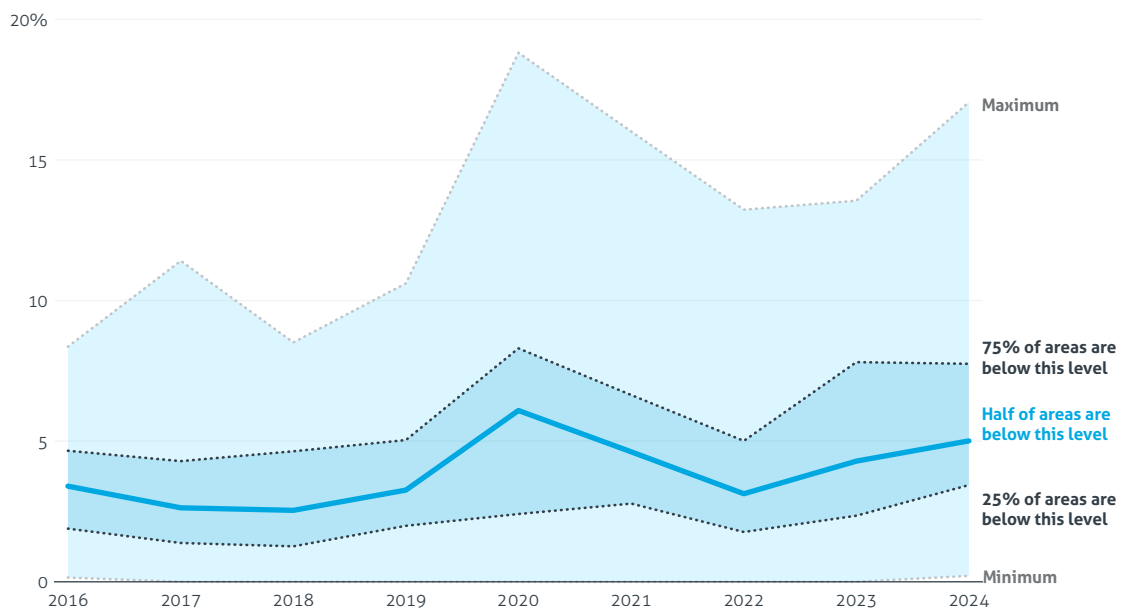
Courts are widely perceived as chaotic and poorly organised and listing practices are seen as a source of inefficiency.^{83,84} Listing cases for hearings is necessarily complex: it requires understanding how long a hearing will be, who needs to be present, what their availability is, any particular preparation that has to be done, and how it fits in with the whole open caseload of the court. It has become still more complex in recent years due to the growing caseload, changes in legal procedure such as special measures for vulnerable witnesses, and in-year changes to sitting-day allocations.⁸⁵ Inefficiency begets more inefficiency, as the high rate of trials cancelled or rescheduled on the day leads to more cases being listed per day, which then increases both workload for court staff and the likelihood of scheduling conflicts for lawyers, and may further drive up the ineffective trial rate.⁸⁶

The decline in court staff numbers and the loss of experienced staff, including listing officers, may also be contributing to administration problems. According to interviewees, some court areas have much more effective listing practices and so run more efficiently, with fewer last-minute cancellations.⁸⁷ This can be seen in sharply varying ineffective trial rates, which show a wide range in the proportion of trials that are postponed on the day due to too many cases being listed, from 16.7% in Durham to 0.2% in Sussex in 2024 – although in some cases absolute numbers are very small.⁸⁸

HMCTS is currently trialling a case co-ordinator role in the crown court to try to improve case progression, focusing on preparation for hearings and reducing wasted court time.⁸⁹ If this role reduces ineffective trials caused by overlisting or either the prosecution or the defence not being ready, this could significantly improve court productivity.

* In 2024/25, the number of sitting days available was repeatedly changed during the year, which made listing more complicated. Some cases that were listed and ready to be heard were delayed until the following financial year to avoid going over the cap of 106,500 sitting days (see Fouzder M, "You are not saving money by cutting sitting days," LCJ tells MPs', *The Law Society Gazette*, 26 November 2024), only for the cap to later be raised, so listing officers had to try to relist cases.

Figure CJS 3.25 Crown court trials rescheduled on the day due to 'overlisting', by local criminal justice board area, 2016–24



Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly: April to June 2025' (trial effectiveness tool). Notes: Overlisting occurs when more cases are listed than can be heard in the day, often because hearings take longer than expected or fewer hearings are cancelled or rescheduled last minute.

"It's a system that is absolutely bursting, that is genuinely on its knees and has been on its knees for so long that it somehow still manages to seem to work... just." – Interviewee⁹⁰

Lawyers often complain about defendants held in custody not being produced for hearings, typically blamed on prisoner transport services.⁹¹ Available data suggests that a small – although increasing – proportion of trials are cancelled for this reason: 1.2% in magistrates' courts and 0.6% in the crown court in 2024, up from 0.8% and 0.2% respectively in 2016. But there is no data publicly available on trials delayed, potentially for hours, due to prisoner transport problems.

One interviewee suggested that a big part of the problem comes from the movement of prisoners within the court building, rather than their journey from prison or police custody to court, because chaotic administration and frequent changes to court lists mean court staff often do not know which prisoners are supposed to be where.⁹² This would not typically be captured in statistics on prisoner transport and would be unlikely to cause a trial to be postponed, but may be a source of substantial delays. Similarly, interviewees also highlighted that poor organisation or lack of staff within prisons causes problems producing prisoners to be transported.⁹³

Crumbling, leaking court buildings and technology failures cause hearings to be delayed and worsen administrative problems and the sense of chaos

Sir Brian Leveson's recent review into criminal courts found that "major problems remain with maintenance, technology and essential services... with many active courtrooms often out of use due to dilapidation".⁹⁴ Courtrooms or entire buildings are too frequently closed due to leaks and burst pipes;^{95,96} and fire alarm problems have repeatedly caused trials to be adjourned in courts across the country, including in Kent,⁹⁷ Nottingham⁹⁸ and Birmingham's Victoria Law Courts – the UK's largest magistrates' court, where more than 4,000 courtroom days were lost between May 2022 and January 2024.⁹⁹ Even where courtrooms are useable, they are frequently too cold, too hot or have dripping ceilings because of maintenance problems,¹⁰⁰ which creates a miserable and discouraging working environment.

Technology problems are also hampering productivity. Basic equipment such as video screens, microphones and Wi-Fi are unreliable, with video links to prisons for remote hearings often dropping out.¹⁰¹ Transform Justice's CourtWatch project highlighted the large amounts of court and staff time spent dealing with technical problems and trying to access information:

"An enormous amount of time [was] spent trying to navigate admin and computer systems – things that hadn't worked online, virtual 'sessions' not activating, duplicates on common platform... The legal adviser seemed to have to spend a lot of time dealing with tech problems and admin issues." – Courtwatch London, Transform Justice, *The Wild West? Courtwatching in London's magistrates' courts*¹⁰²

HMCTS introduced a new digital case management system, Common Platform, in stages from 2016. This was intended to streamline case management and allow everyone working in the courts – HMCTS, the CPS and defence lawyers – access to a shared system. But its initial rollout was extremely challenging.¹⁰³ A National Audit Office review in 2023 found that users "felt that benefits from common platform were far outweighed by the negative issues... [which] had caused courts to become less efficient, increasing stress levels and raising quality concerns".¹⁰⁴ Even more damningly, "staff at several courts explained that they were listing fewer cases to allow for the extra time needed to deal with common platform cases".¹⁰⁵ It is generally agreed that Common Platform is now working better than when it was first introduced, but ongoing problems continue to reduce productivity.¹⁰⁶

A growing amount of time is wasted on dropped cases

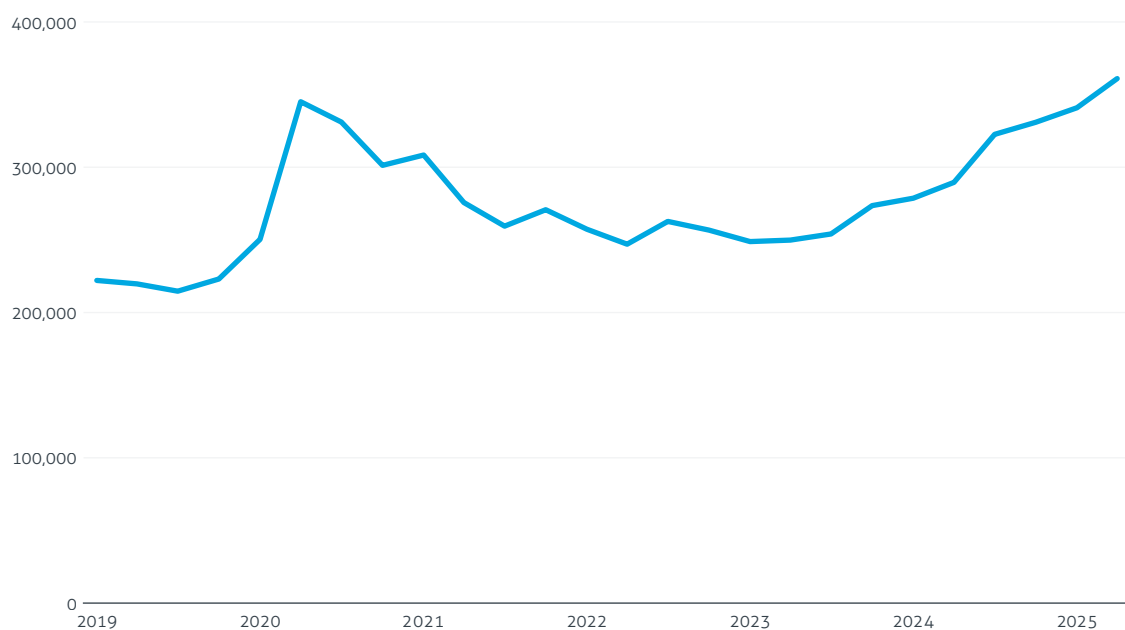
There has been a large increase in dropped cases, which means that more court, prosecutor and defence time is wasted on cases that do not make it to trial. Some cases will inevitably end up being dropped; for example, because a key witness is no longer available or new evidence has come to light. But this is becoming an increasing problem, with almost 13,000 hours of court time spent on dropped cases in 2024, accounting for 4% of hearing hours (up from 2% in 2019 and 3% in 2016).¹⁰⁷ This does not account for the time that lawyers and court staff spent preparing for trial.

Frequently dropping cases may also discourage guilty pleas – which take much less time to deal with – if defendants feel their case has a high chance of being dropped. This may be contributing to guilty pleas now happening later in the justice process: in 2024, there was an average of 4.9 hearings per guilty plea case, compared to 3.8 in 2019 and 3.9 in 2016.¹⁰⁸

Case backlogs are causing delays across criminal courts. In the crown court, these fundamentally undermine the quality of justice

The case backlog in the crown court has attracted a lot of public attention, but the open caseload in magistrates' courts is also high and rising. When Labour came into government in July 2024, it inherited a backlog in magistrates' courts 30% bigger than at the end of 2019. By June 2025, it had grown another 25%. The backlog is also becoming increasingly complex, with more serious triable-either-way and indictable-only cases making up 19% of receipts in 2024 but 23% of open cases in March 2025 – despite the fact that a growing proportion of these cases is being passed on to the crown court. But relative to the number of cases entering the courts each year, the backlog is much smaller in magistrates' courts than in the crown court, equivalent to 22% of incoming cases and 23% of cases closed in 2024.¹⁰⁹

Figure CJS 3.26 Outstanding cases in magistrates' courts, Q1 2019 to Q2 2025

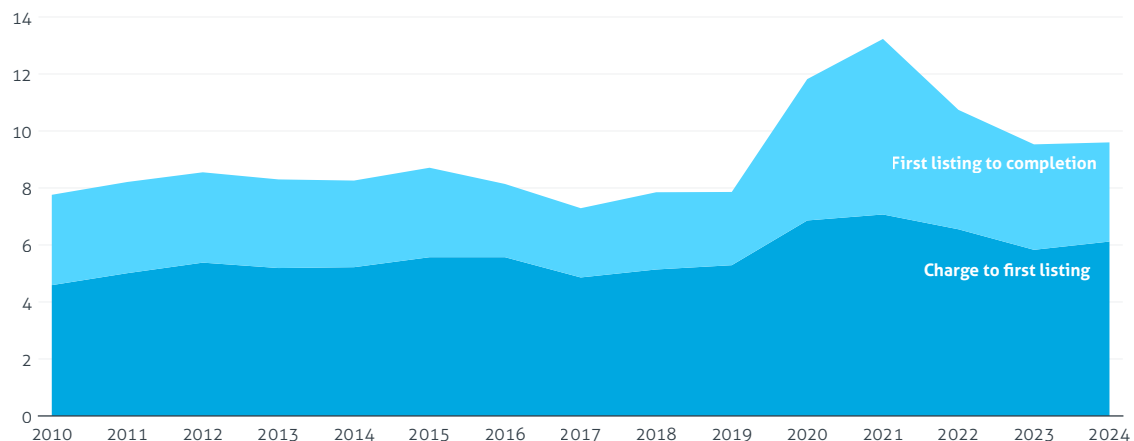


Source: Institute for Government analysis MoJ, 'Criminal court statistics quarterly: April to June 2025'. Notes: Magistrates' court outstanding cases figures have been revised substantially and comparable figures are not available before Q1 2019.

The growing backlog has caused significant increases in how long it takes for cases to be resolved in magistrates' courts, even excluding those cases that get sent to the crown court. It now takes about six and a half months, on average, from an offence occurring to the case being closed in a magistrates' court – two months longer than in 2010 and a month longer than in 2019.

Much of this increase has come from delays between the offence being committed and the offender being charged. But since 2019 there have been increasing delays later on in the process, between charge and first listing and between first listing and case completion. It now takes almost 10 weeks, on average, from a defendant being charged to the case being closed, up from eight weeks in 2016.¹¹⁰

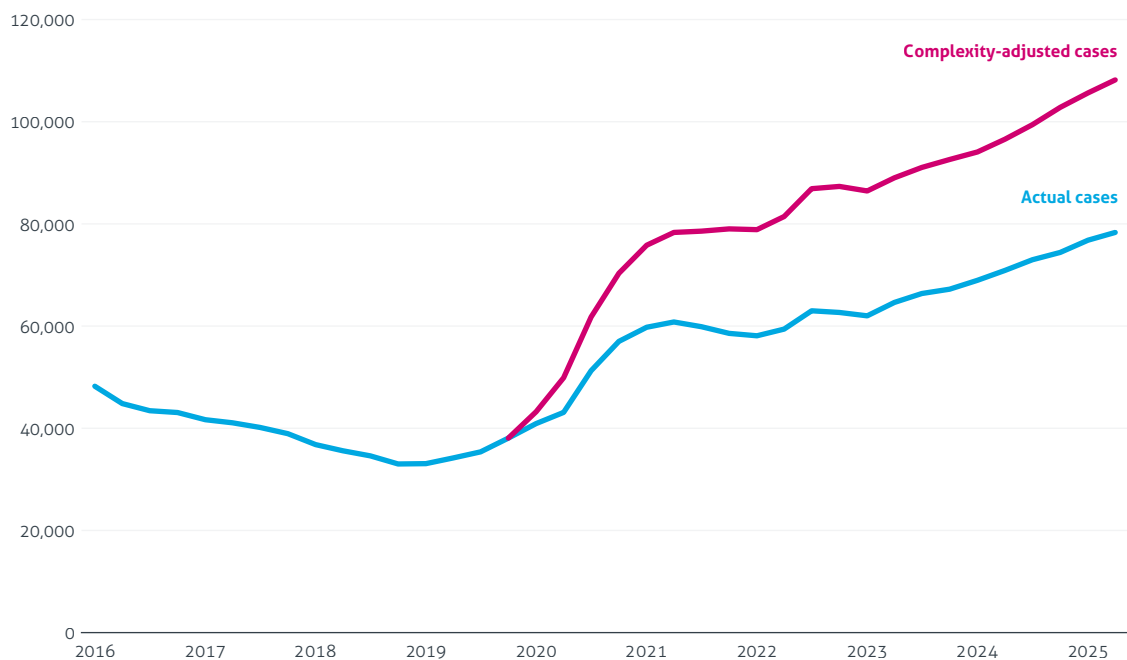
Figure CJS 3.27 Means weeks from charge to completion for magistrates' court cases, 2010–24



Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly: April to June 2025'.

Despite the increase in the number of cases being closed, the crown court backlog continues to grow quarter-on-quarter and is nearly twice what it was just before the pandemic, at 78,329 in June 2025 – up 91% since March 2020. The rate at which the backlog is growing has increased over the past year or so. It was up 10% in the 12 months to June 2025, compared to 7% in both December 2022 and December 2023. Cases in the backlog are also disproportionately complex, because a large proportion of them are expected to require a jury trial. Accounting for this, the backlog is even larger: close to a year's worth of cases at the current disposal rate (90% of cases closed in the 12 months to March 2025).¹¹¹

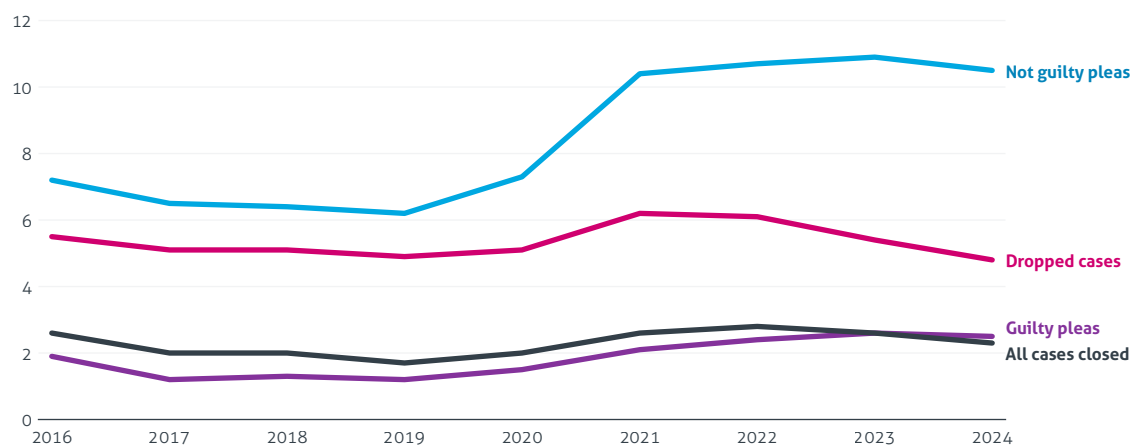
Figure CJS 3.28 Outstanding cases in the crown court, actual and complexity-adjusted, Q1 2016 to Q2 2025



Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly: April to June 2025'. Notes: Complexity-adjusted backlog is based on IfG modelling and accounts for the greater share of trial cases in the backlog. See Methodology for details.

Average waiting times have fallen slightly as more cases are being closed; the median time waiting for the first substantive hearing for all cases closed fell from 11 weeks in 2023 to 10 weeks in 2024 (a drop of 12%). But it remains 35% above 2019 (seven weeks). The biggest change has come from cases that get dropped. This is now happening more quickly, which is positive, but the wait for a trial or sentencing has stayed fairly constant. There has been only minimal improvement so far in the median waiting time for jury trials, which fell just 3% from 2023 to 2024. In 2024, it was 10 and a half months (45 weeks) – 47% longer than in 2016 and 70% longer than in 2019. The mean waiting time was even longer, at almost 14 months, and has not improved since 2023.¹¹²

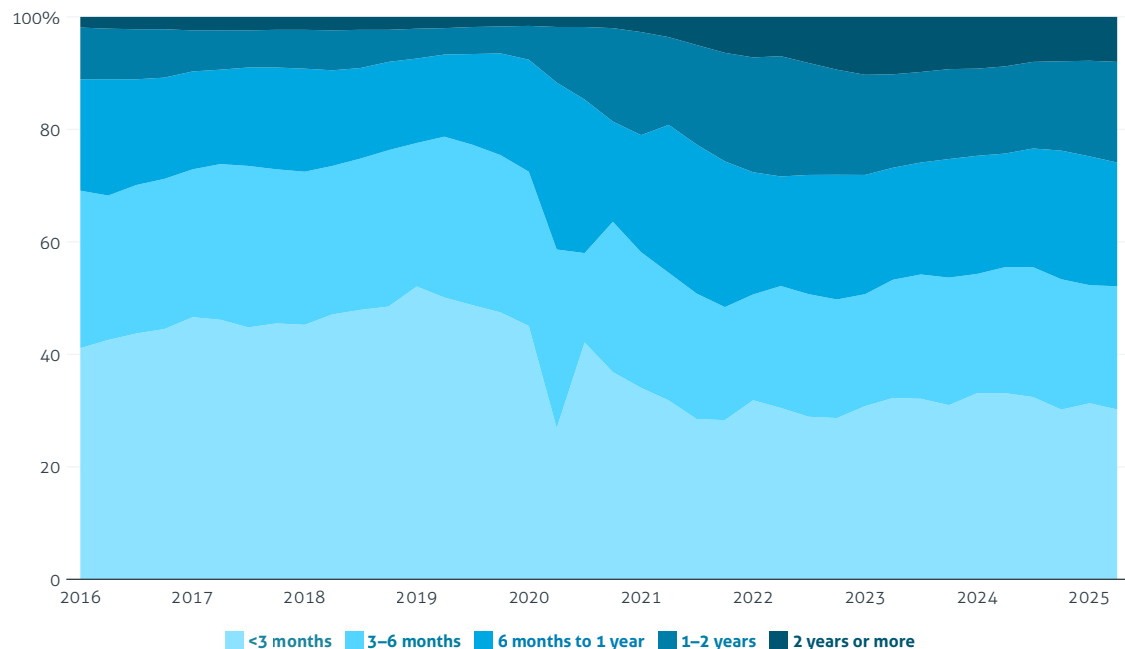
Figure CJS 3.29 Median months waiting for first crown court hearing, by case type, 2016–24



Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly: April to June 2025' (Waiting and hearing time tool). Notes: Figures shown are medians for time from case entering the crown court to the start of the first substantive hearing. Cases are counted in the year in which they are closed. In most cases this will be the same as when the first hearing happens.

Among cases that are still open, five and a half times as many had been waiting more than a year at the end of 2024 as just before the pandemic, and almost nine times as many had been waiting at least two years. Despite the cases coming into the courts being less complex on average, the proportion of cases dealt with in under six months decreased from 71% at the end of 2016 to only just over half (52%) by June 2025.¹¹³

Figure CJS 3.30 Time spent in the crown court backlog, open cases, Q1 2016 to Q2 2025



Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly: April to June 2025'. Notes: Shows time since case was received by the crown court, for all open cases.

These delays call into question the functioning of the criminal justice system, particularly the crown court.¹¹⁴ Defendants face months or years under suspicion, sometimes on remand or prevented from working or seeing their children.¹¹⁵ Victims similarly face long waits to get justice, and many withdraw from the process altogether

so they can move on with their lives.¹¹⁶ Witness testimony becomes increasingly unreliable and sentencing more complex, with the offence sometimes having taken place years before. Without major action, the situation will only deteriorate as the backlog grows.

Proposed restrictions to jury trials are not necessary to turn around performance in criminal courts

The scale of the backlog in courts and the evident failure to meet demand caused the courts minister, Sarah Sackman, to declare in July 2025: "We must have radical structural reform."¹¹⁷ This followed the publication of phase one of the independent review into criminal courts, led by Sir Brian Leveson and commissioned by the then justice secretary, Shabana Mahmood, in December 2024.¹¹⁸ Phase one focused on options for structural reform, while phase two (currently ongoing) is considering productivity and efficiency in criminal courts.

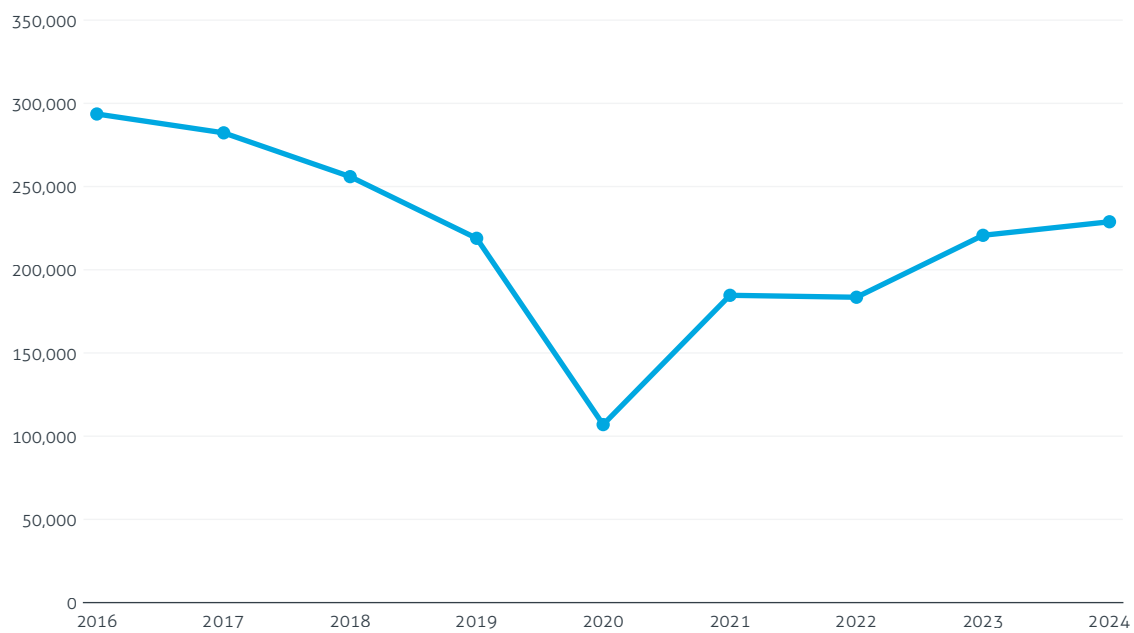
The principal reforms proposed in phase one of the Leveson review centred on reducing the number of jury trials, by three means:

- restricting some triable-either-way offences so that they can only be tried in magistrates' courts and defendants cannot elect to have a crown court trial
- setting up a 'Crown Court Bench Division', where cases would be heard by a judge and two magistrates, rather than a judge and jury
- introducing judge-only trials for some serious and complex cases, especially complex fraud.

Leveson explicitly argues that these changes are necessary to prevent the criminal justice system from collapsing and that improving productivity would not be enough to avert disaster: "No amount of efficiency gains alone could solve all the problems. The system is too broken."¹¹⁹ The length of delays in the courts does pose a fundamental risk to justice. But the courts have coped with similar levels of demand in the past, and could do so again.

Courts are not spending an unprecedented amount of time on jury trials: total hearing hours for not guilty pleas in the crown court fell 22% from 2016 to 2024.¹²⁰ If courts were operating at 2016 efficiency levels, the backlog would have fallen slightly in 2024. Ramping up staff and infrastructural capacity to achieve that would be challenging, but so would setting up a new division in the crown court. The government may want to make a principled argument for reducing access to jury trials on the grounds of cutting trial times, saving money or reducing delays more quickly, but it is not unavoidable.

Figure CJS 3.31 Court hours spent on jury trials, 2016–24



Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly: April to June 2025'. Notes: Includes all hours spent on cases which were completed in the relevant year; some cases will have hearing hours spread over more than one year.

Phase one of the Leveson review made further recommendations to reduce demand on criminal courts, including diverting more cases from the court system through out-of-court resolutions for lower level crimes, expanding the use of deferred prosecution and reducing the right of appeal from magistrates' courts. These proposals have strong advantages. Out-of-court resolutions would ease pressure on magistrates' courts, potentially freeing them up to deal with more serious cases rather than sending them to the crown court.¹²¹ There is also good evidence that out-of-court resolutions, including deferred prosecution, can reduce reoffending and improve victim satisfaction with the justice system.^{122,123}

These proposals would have positive effects beyond just reducing demand on the court system, and should be implemented. But unless the government thinks there are real advantages to radically restricting jury trials beyond just saving time, it should wait for Leveson's second report on productivity and efficiency in the courts and make serious efforts to improve these before pressing ahead.

HMCTS lacks reliable data on core aspects of the court system, making it hard to understand demand and performance

There have been some major problems with data on criminal courts in the past year, some of which are still ongoing. Data publication was paused for several months in 2024 because of issues with data quality, and even though publication has resumed, some specific datasets have continued to be revised significantly, and revised time series before 2019 (in magistrates' courts) and 2016 (in the crown court) are not available.¹²⁴

There are also key gaps in what data exists and is publicly available. For example, the extremely high proportion of magistrates' court defendants who enter no plea means it is impossible to tell from the available data whether the decline in magistrates' court trials is because fewer people need a trial, or because capacity has fallen. Publishing figures on the number of defendants entitled to a trial would make it possible to understand changes in plea rates much more meaningfully. There is also no published data on spending and funding by type of court, which makes it extremely difficult to understand value for money. But there have been some welcome improvements in this area, particularly earlier this year with the publication of more data on the single justice procedure, which has previously been a very opaque part of the system.

However, the more fundamental problem than unavailable data is a lack of trust in the data that does exist among key stakeholders.¹²⁵ The MoJ carried out significant quality assurance on the revised data on cases received, closed and outstanding in 2024 and is continuing data quality work on magistrates' court data. But there is still nervousness about the accuracy outside the headline measures. Revisions to magistrates' court data are ongoing. Some figures that have not been revised, such as statistics on the production of prisoners by prisoner escort services, are nonetheless widely mistrusted, because those working in the courts feel they do not reflect their day-to-day experiences.¹²⁶ Without an accurate understanding of what is happening in the courts, based on data people in the system feel they can trust, it will prove challenging to improve system performance.

Criminal justice system: Prisons



Introduction

The Labour government has successfully eased the immediate prison capacity crisis. But the situation in prisons remains extremely poor, with rampant drug use, limited purposeful activity and very high levels of violence.

Although the prison service managed to achieve its staffing target in 2024 and leaving rates have started to fall, inexperienced staff are struggling to manage prisoners and apply the rules fairly and consistently, while high levels of overcrowding and often very poor physical conditions increase prisoner frustration. In many cases, basic requirements like getting prisoners to appointments or providing them with both a shower and a hot meal are not being met.¹

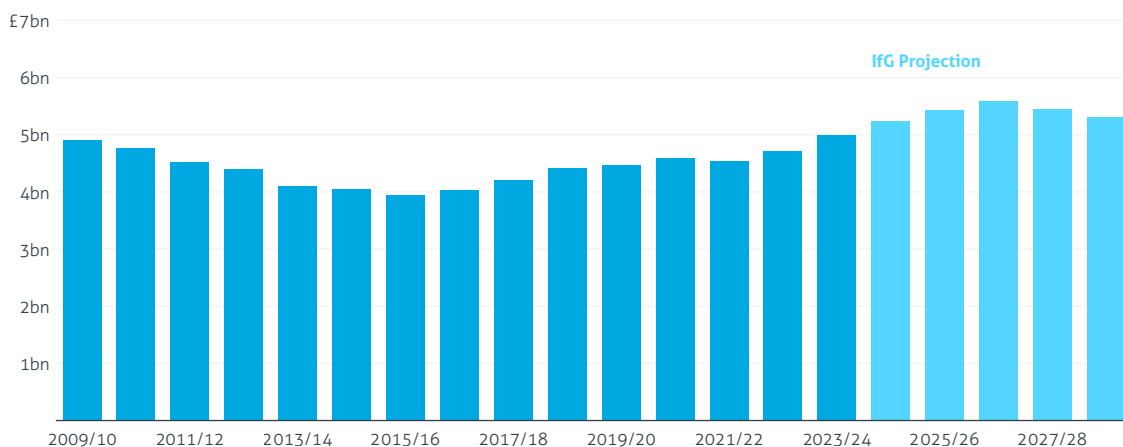
Turning performance around in a failing prison typically starts by reducing the number of prisoners it holds, so prison leaders can get to grips with the core problems. But with so many prisons failing and such intense pressure on capacity, this is not currently possible in a sustained or widespread way. Meaningful performance improvements would likely require substantially reducing the total prison population in the short term, to allow governors to focus on improving safety, prioritising consistent regimes with reasonable levels of purposeful activity, investing in staff retention and training, and improving physical conditions and security around the estate.

The government's Sentencing Bill contains major reforms to sentencing that will stop the prison population growing as quickly as previously expected. But it may not be enough. It will not result in a long-term fall in the prison population and prisons are expected to remain at – or above – capacity for the foreseeable future. Even with the government's proposed reforms, by May 2029 there will be around 2,000 more people in prison than in September 2025.² The prospect of prisons running out of space again remains very real.

Recent funding increases have taken spending per prisoner above 2009/10 levels – though this may not last

After Labour last left government, there was a sharp decline of almost 20% in real-terms day-to-day spending on prisons from 2009/10 to 2015/16. Since then, successive Conservative governments have increased prisons spending, which has been on a steadily upward trajectory since 2015/16, aside from a minor dip in 2021/22 as pandemic-related spending was unwound. In 2023/24, on the eve of Labour's return to government, spending surpassed 2009/10 levels for the first time, by just under 2%. Spending in 2025/26 is projected to be 10% above 2009/10 levels.³

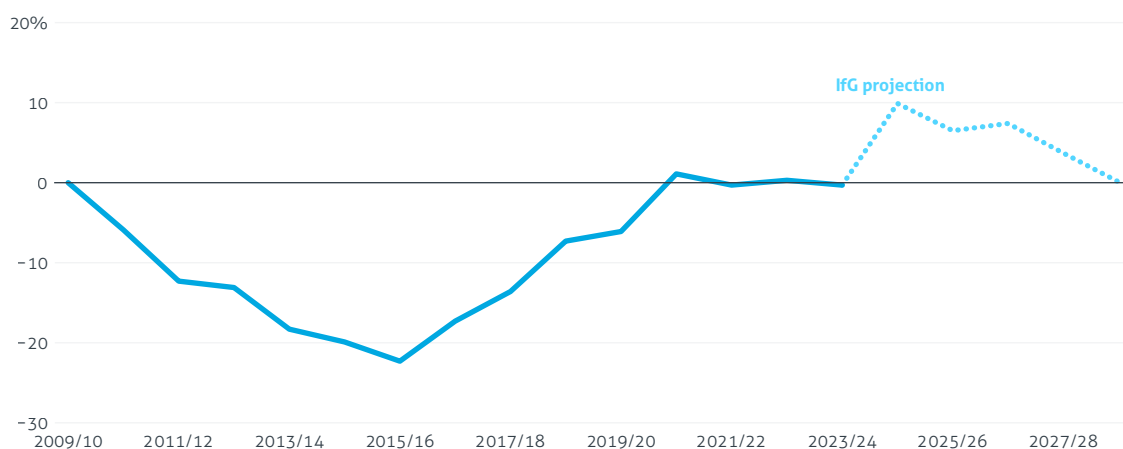
Figure CJS 4.1 Spending on prisons, actual and projected, 2009/10–2028/29 (2025/26 prices)



Source: Institute for Government analysis of MoJ, 'Prison performance data' (Costs per prison place and prisoner by individual prison), 2010/11 to 2023/24 and HM Treasury, *Spending Review 2025*. Notes: See Methodology for details of spending projection.

However, the increase in prisoner numbers since 2020/21 means that day-to-day spending per prisoner has been fairly flat over that time, only briefly jumping above 2009/10 levels during the pandemic. The relatively generous MoJ settlement at the 2024 autumn budget allowed this to rise significantly in 2024/25 and 2025/26, and a further small rise is expected in 2026/27.⁴

Figure CJS 4.2 Real-terms change in spending per prisoner, actual and projected, since 2009/10



Source: Institute for Government analysis of MoJ, 'Prison performance data' (Costs per prison place and costs per prisoner), 2010/11 to 2023/24, and HM Treasury, *Spending Review 2025*. Notes: Shows resource expenditure per prisoner. Data for 2020/11, 2011/12, 2012/13, 2013/14 and 2015/16 are restated to account for specific responsibilities and spending moving between departments. See Methodology for details of spending and prison population projections.

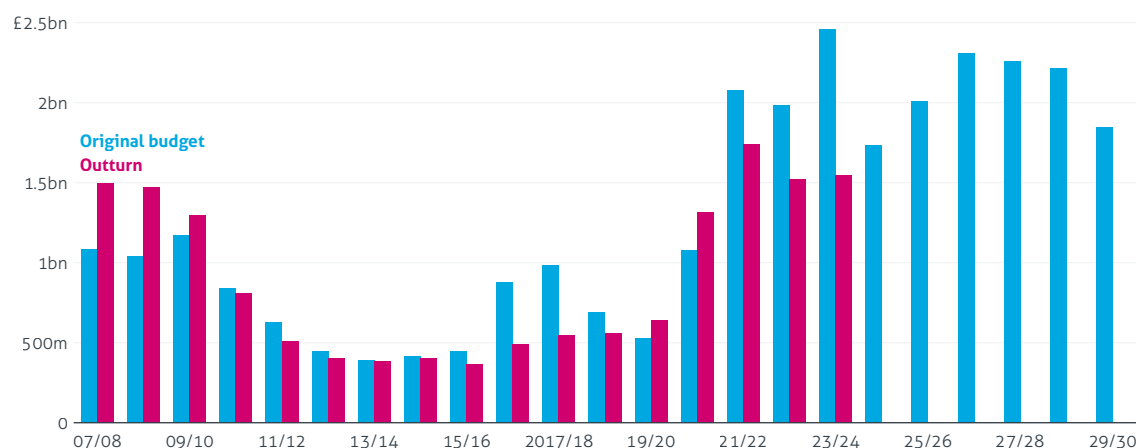
After 2026/27, however, spending looks significantly tighter. The 2025 spending review did not separate out spending on prisons from other MoJ spending, but commitments on courts and probation spending and the larger prison population suggest per-prisoner spending is likely to fall from 2024/25, returning to the 2023/24 level in 2028/29.⁵ If these projections are accurate, this level of spending is likely to be difficult to maintain. Conditions in prisons are currently extremely poor and it may prove impossible to cut per-prisoner spending given the level of risk to staff and prisoners, and often extremely critical reports from the prisons inspectorate.⁶ If, however, the government can hold prisoner numbers lower than expected, these spending plans would be more manageable.

Large increases in capital spending have mostly gone on building new prisons

The MoJ capital budget was increased dramatically by the Johnson government in 2020/21 and has continued at historic highs since; more than triple the average across the 2010s in each of 2021/22, 2022/23 and 2023/24.⁷ While this includes all MoJ capital spending, not just spending on prisons, the majority of this budget has been earmarked for the prison expansion programme. Even so, the amount of money actually spent (outturn) has been consistently below the original capital budgets, with over £800 million of planned capital spending shifted to day-to-day spending in 2023/24 alone, under the Sunak government, to meet acute spending pressures.⁸ The Labour government likewise transferred £695m from capital to day-to-day spending for 2024/25, but has committed to not carrying out similar shifts in future.⁹

Capital spending is expected to rise steadily from 2024/25 to 2026/27, although remaining below the £2.3bn budget for 2023/24.¹⁰ This more measured rate of increase suggests a more realistic approach to how rapidly capital investment can be productively spent. But the MoJ may still struggle to spend its full capital allocation. The prison expansion programme makes up the large majority of MoJ capital spending, and has repeatedly been dogged by planning delays, environmental regulations and operational problems such as unsuitable ground conditions and asbestos discovery in existing sites.¹¹ From 2026/27, capital spending will begin to decline, but will remain above 2025/26 levels in real terms.¹²

Figure CJS 4.3 MoJ capital budgets and outturn, 2007/08–2029/30 (2025/26 prices)



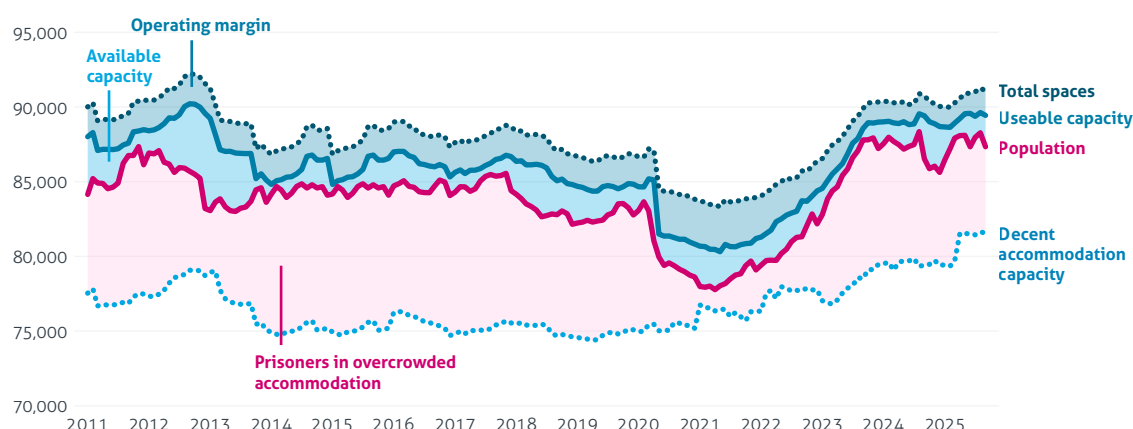
Source: Institute for Government analysis of HM Treasury, 'Public Expenditure Statistical Analyses' (Table 3.7), 2010–2024 and HM Treasury, *Spending Review 2025*. Notes: 'Original budget' is based on initial spending plans rather than supplementary estimates, meaning that where outturn is higher, this reflects in-year changes to the budget rather than an overspend.

Emergency responses to the capacity crisis have successfully averted disaster – for now

The prison capacity crisis was one of the things on Sue Gray's 'disaster list' from before Labour entered government.¹³ In July 2024, prisons were at bursting point and immediate action was needed to avert disaster.¹⁴ In this, the government has succeeded – at least temporarily.

Prison capacity has long been a major problem, with successive governments over the last 25 years failing to take sufficiently decisive action to either increase the number of spaces or reduce the size of the population.¹⁵ Almost a quarter (23%) of prisoners are in crowded accommodation, meaning they are sharing cells designed to hold fewer people.¹⁶ Spaces are so tight that maintenance has been delayed to avoid taking cells temporarily out of use.¹⁷ And the operating margin, the gap between the total number of spaces and the useable maximum that can be safely and appropriately occupied, has been steadily squeezed, dropping from 2,000 in the early 2010s to just 1,350 in November 2023. It stayed at that level until July 2025, when the government raised it to 1,640, which is still just 1.8% of total capacity.¹⁸

Figure CJS 4.4 Prison population and capacity, January 2011 to September 2025



Source: Institute for Government analysis of MoJ, 'Prison population figures', 2011–2025. Notes: Figures are as at the end of each month. Decent accommodation is in-use Certified Normal Accommodation. Overcrowded accommodation is when more prisoners are held in accommodation than it was designed for, e.g. two prisoners sharing a one-man cell. Useable capacity is the total spaces minus the operating margin needed to provide decent accommodation for different classes of prisoner; this margin has changed over time.

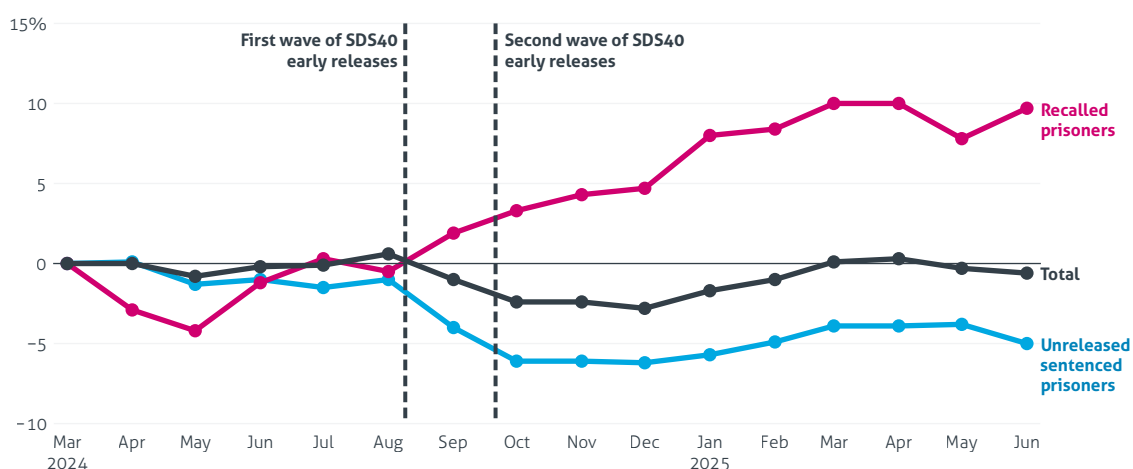
In this context, on coming into power in 2024, the new government had little choice but to introduce SDS40, an emergency measure to release certain prisoners after serving 40% of their sentence in custody, rather than 50%.¹⁹ By announcing it immediately after the election in July and implementing releases in two waves in September and October, the government gave both prisons and the probation service valuable time to prepare. There was a general consensus among interviewees that while it was still somewhat rushed, the right people were released at the right time, and both prisoners and prison staff benefitted from a more predictable release schedule than the previous ad hoc early release schemes under the Sunak government.

"The constant changes to release and how prisoners can expect to move across the estate still created uncertainty and upheaval, but [the actual releases] were a relatively well-oiled operation." – Interviewee

However, the actual reduction in the total prison population was relatively small, down just 3.5% from August to December 2024, and even this had been all-but wiped out by March 2025.²⁰ While the actual releases went fairly smoothly, planning for releases, including organising accommodation and transfers to support services in the community, was seriously affected by early release.²¹ This almost certainly contributed to the sharp rise in recalls to custody, which were up 45% year-on-year from October to December 2024.²² Rising recalls seriously limited the overall impact of the measures. The riots of August 2024 also came at the worst possible time for prisons and further increased the pressure, and the continuing long delays for trials in the crown court mean the remand population is still rising.²³

The opening of HMP Millsike in April 2025 and the various early release measures mean that there is a little more headroom in prisons than a year ago. But even so, the adult men's estate is currently operating at 97.7% capacity (as of the end of September 2025), and all the negative consequences of intense capacity pressure continue: high levels of violence, limited purposeful activity, and very challenging conditions for prisoners and staff.²⁴

Figure CJS 4.5 Change in prison population by custody type since 31 March 2024



Source: Institute for Government analysis of MoJ, 'Offender management statistics quarterly: January to March 2025' (Prison population: 30 June 2025). Notes: Sentenced prisoners excludes recalled and remand prisoners. Population is as at the last day of each month.

The government's proposals will reduce the projected prison population, but without further reform capacity will remain at ongoing risk of crisis

SDS40 clearly did not fix the fundamental problem of an increasing prison population, and it did not even win as much time as the government hoped. By December 2024, the government had to take further action, doubling the maximum period offenders can spend on home detention at the end of their sentence.^{*25} In May 2025, the justice secretary was forced to announce the suspension of standard recalls for most

* This measure came into effect in June 2025.

prisoners, so that they can only be returned to prison for a fixed period of 14 or 28 days, depending on the length of their sentence.²⁶ These changes were intended to tide the system over until more of the planned 14,000 new prisons spaces are available and the government's long-term sentencing reforms can be implemented.

In October 2024, the government commissioned former Conservative justice secretary David Gauke to lead an independent review into sentencing, with the stated aim of providing long-term solutions to the prison capacity crisis and expanding the use of punishment outside prison. The review's final report, published in May 2025, included numerous recommendations aimed at reducing the prison population.²⁷ The most significant of these were:

- ensuring short prison sentences (those under 12 months) could only be used in exceptional circumstances
- making it possible to suspend sentences of up to three years
- introducing an 'earned progression' model for prison sentences, where prisoners who obey prison rules would spend a third of their sentence in prison, a third supervised in the community and the final third with minimal supervision but still subject to recall to prison
- reforming prison recall, when people are returned to custody after release, so fewer people would be recalled and for a fixed 56-day period
- increasing use of community sentences, including through the expansion of 'intensive supervision courts'^{*}
- greater investment in provision for community sentences, including the probation service, drug and alcohol treatment, women's centres and rehabilitative programmes.

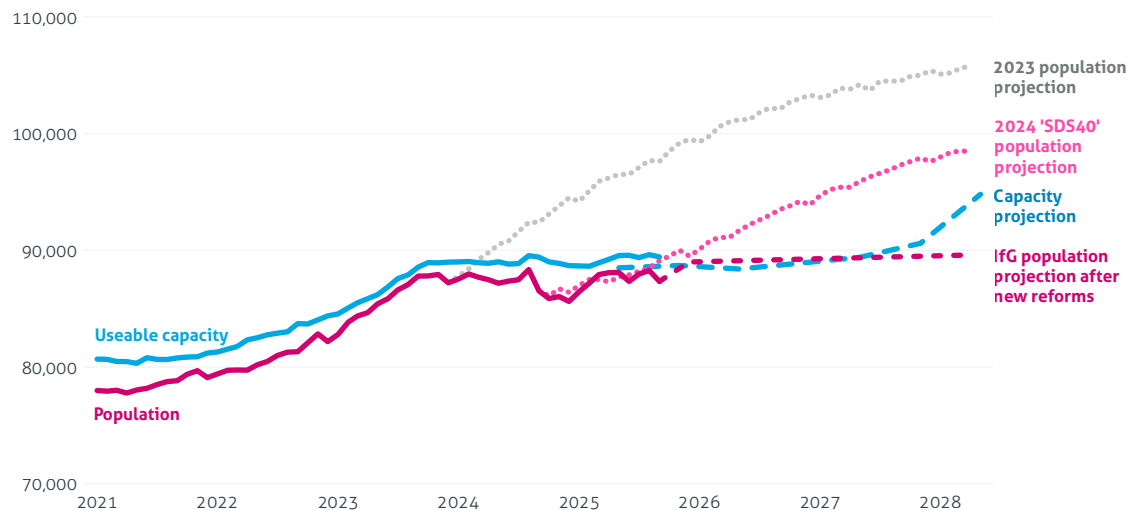
The review estimated that, collectively, these would reduce the prison population by around 9,800 by 2028, relative to the projected levels under SDS40 – though in absolute terms the prison population would continue to rise.²⁸

The government has now accepted almost all of these proposals and is currently legislating to implement them via the Sentencing Bill.²⁹ However, even if the sentencing review reforms reduce demand on prisons and the government hits its planned delivery timelines for prison expansion, demand is projected to outstrip spaces until at least late 2027.

* Intensive supervision courts are a type of problem-solving court that aim to take a rehabilitative approach to offenders with complex needs, diverting them away from prison sentences while addressing the causes of offending. Offenders are provided with support to address needs such as drug use and have regular reviews with the judge who sentenced them to assess their progress and apply incentives and sanctions as appropriate.

So far, the number of spaces has been higher than was projected at the end of last year.³⁰ But this is more likely to be because demand is also higher than expected – preventing spaces being taken out of use for repairs or fire safety work – rather than because capacity has been increased ahead of schedule. This could be storing up problems for the future, if necessary maintenance is going undone.

Figure CJS 4.6 Prison capacity and population in different scenarios, January 2021 to May 2028



Source: Institute for Government analysis of MoJ, 'The Criminal Justice Act 2003 (Suitability for Fixed Term Recall) Order 2025 Impact Assessment', MoJ, 'Sentencing Bill Impact Assessment', 2025, MoJ, *Annual Statement on Prison Capacity: 2024*, MoJ, 'Prison Population Projections', 2023 and 2024 and MoJ, 'Prison population: monthly prison figures', 2021–25. Notes: Useable capacity is the total spaces minus the operating margin needed to provide accommodation for different classes of prisoner. IfG population projection after new reforms is based on recall reforms in June 2025 and the Sentencing Bill reforms; see Methodology for details.

There is also a risk that the expected reduction in demand does not fully materialise. The biggest reduction is expected to come from the 'earned progression' model, which will mean most prisoners who behave well will be eligible for release after a third of their sentence.³¹ In practice, it seems that there will be a presumption of release at the one-third point, and prisons will have to go through the existing adjudication process to add extra days onto a prisoner's sentence.

This is probably the only viable approach: the bar for *not* releasing eligible prisoners at this point needs to be high in order to free up enough spaces. But it may still not be enough. There have been sharp rises in the number of additional days handed out in recent years. While the 108,366 days added in 2024 remains 68% below 2019, it was up 56% on the previous year.³² If this trend continues, it would rapidly diminish the benefits of earned progression.

At the same time, benefits of earlier release are also dependent on reforms to recall. As recommended in the sentencing review,³³ the government proposes to extend the period of fixed-term recall from the current 14 days (for sentences up to a year) or 28 days (for longer sentences) to a flat 56 days, while also raising the threshold for recall.³⁴ But probation staff will still have discretion on when they recall a prisoner. With a substantially increased caseload, strong risk aversion, a vacancy rate of 30%

for qualified probation officers in June 2025³⁵ and high levels of staff inexperience, the probation service may struggle to bring down the recall rate enough to overcome more than doubling the fixed-term recall period. The government's emphasis on stricter probation requirements for people released from prison is also likely to increase the chance of breaches.

Plans to expand prison capacity should help from 2028 onwards, but will not solve the immediate problem

Failing to match supply of prison places with expected demand for them has been a perennial problem for governments over at least the last 20 years, and is what led to crisis points in 2023 and 2024.³⁶ The publication of a long-term prison capacity strategy in December 2024,³⁷ which included projections of supply and demand for prison places, was very welcome and clearly set out where promised increases in capacity will come from (i.e. new prisons, expanding existing prisons or temporary 'rapid deployment cells') and when. The commitment to publishing annual statements on prison capacity³⁸ is also a positive step that will allow more effective scrutiny of government plans and should highlight more clearly the implications of any policy changes that are likely to further increase the prison population, such as creating new criminal offences or increasing sentences.

The government has promised 14,000 new or refurbished prison spaces by 2031, of which 2,400 had already been delivered by May 2025.³⁹ The big increase in capacity is projected to come in 2028 and 2029, initially from expanding existing prisons, with further new prisons (in addition to HMP Millsike) expected to be operational from 2029. In the meantime, there will be some new spaces from refurbishments, rapid deployment cells and new houseblocks in existing prisons. But the government is likely to struggle to keep prisoner numbers below available capacity unless further action is taken, and so prisons will remain under intense pressure.

Nor can the government realistically accelerate its expansion plans. Increasing capacity has proved a constant challenge for past governments and the National Audit Office (NAO) has consistently criticised over-optimistic plans for how fast additional spaces can be delivered, particularly from building new prisons.⁴⁰ The Labour government's promised changes around planning requirements, including allowing the housing secretary to override local objections to prison building,⁴¹ should help to overcome some of this. But making these changes in law is one thing; using them to force through prison building is another, and will require strong political will and a willingness to upset people – potentially including some Labour MPs and mayors.

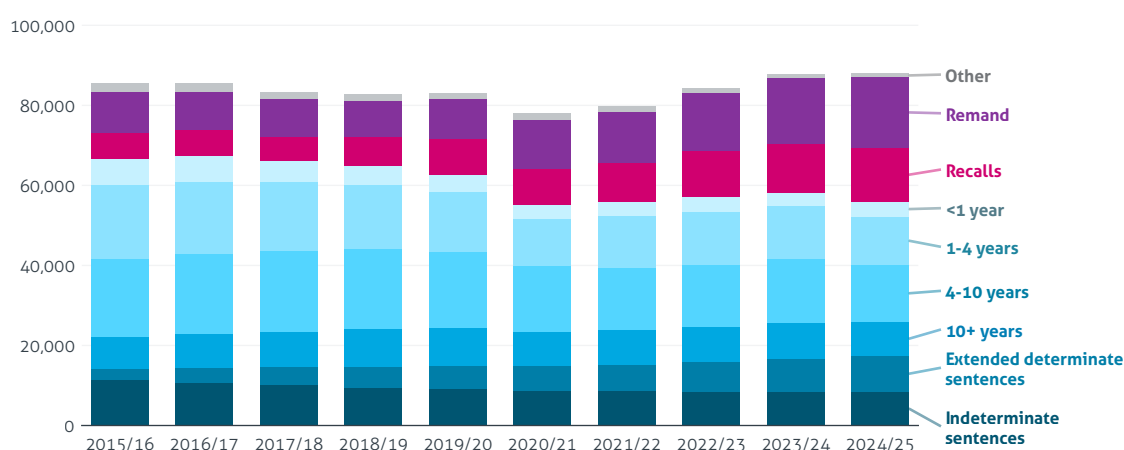
More fundamentally though, even a more bullish approach to planning will not help increase capacity in the next few years. Once planning is granted, constructing a prison is a major building project that typically takes at least three to four years to complete and come online. HMP Millsike received outline planning permission in September 2019, full permission in November 2021, and opened in April 2025.⁴² This is a fairly typical timeline. Faster building is not a realistic solution to the government's problem.⁴³

The makeup of prisoners has changed, with more stable longer-term prisoners being replaced by short-term and recalled prisoners

Over the medium term, there have been big changes in the prisoner population, driven principally by ongoing problems in criminal courts and the probation service, as well as the increasing length of licence periods following release. The numbers of prisoners on remand awaiting trial or sentencing, and prisoners on 'recall' (who have been sent back to prison after breaching the conditions of their release), both almost doubled from March 2019 to March 2025, up 96% and 89%, respectively.⁴⁴ A fifth of prisoners are now on remand, and 30-40% of these people will either be acquitted or receive a non-custodial sentence.⁴⁵ This growth has been driven principally by the rise in the crown court backlog. Recalled prisoners have gone from 6% of prisoners in 2013 to 15% in March 2025, which is likely to be related to intense pressure on probation and high vacancy rates for qualified probation officers.⁴⁶

At the same time, the number of sentenced prisoners who have never been released has fallen noticeably, down almost a fifth (18%) from 2016 to 2025.⁴⁷ This has been driven by a large decline in the number of charges brought by the police and the number of cases processed through the criminal courts in the early to mid-2010s, though both of these have begun to reverse in recent years. The one major exception to this is prisoners serving extended determinate sentences, which are given for serious offences and have a variable release date and a standard tariff of around 8–9 years on average.⁴⁸ The number of prisoners on these sentences is growing rapidly, up 9% year-on-year in March 2025 and almost 70% on 2019,⁴⁹ most likely because of a change to when and how these prisoners get released that was introduced in April 2015.⁵⁰ There has also been a recent increase in prisoners serving short sentences of 6–12 months, up almost 50% year-on-year in 2025, though still 15% below 2016 levels.⁵¹

Figure CJS 4.7 Prisoners, by sentence length or custody type, 2015/16–2024/25



Source: Institute for Government analysis of MoJ, 'Offender management statistics quarterly', March 2016 to 2025. Notes: Based on population as at 31 March of each year. Indeterminate sentences includes life sentences and imprisonment for public protection (IPP). Extended determinate sentences are serious sentences with longer supervision after release; in 2024 the average custodial period for these sentences was 8 years. Other includes non-criminal prisoners, fine defaulters and not recorded.

* This proportion varies considerably over time and between magistrates' courts and the crown court. In 2024, 60% of defendants in closed cases who served time on remand received an immediate custodial sentence: 70% of those remanded and sentenced in the crown court and 33% in magistrates' courts. Ministry of Justice, 'Criminal justice system statistics quarterly, December 2024 (Remands data tool 2017–2024)'.

These changes to the prisoner population are likely to make prisons harder to manage. Short-term prisoners are often more disruptive and are less likely to engage productively with the prison regime.⁵² Those on remand are not required to participate in work or purposeful activity even where it is available – and often it is not. And people who are recalled to prison are typically sent back for just 14 or 28 days, which is long enough to disrupt accommodation and any employment in the community, but not long enough to allow them to engage in anything productive like drug and alcohol treatment while in prison.⁵³ Longer-term prisoners, by contrast, are more settled into the prison environment and routine, provide more stability, and have more incentive to behave well. This shift in the prisoner population may be contributing to the continuing growth in violence and protest activity, even as capacity pressure has eased slightly.⁵⁴

Despite substantial increases there are still fewer staff per prisoner than in 2009/10, and leaving and sickness rates both remain high

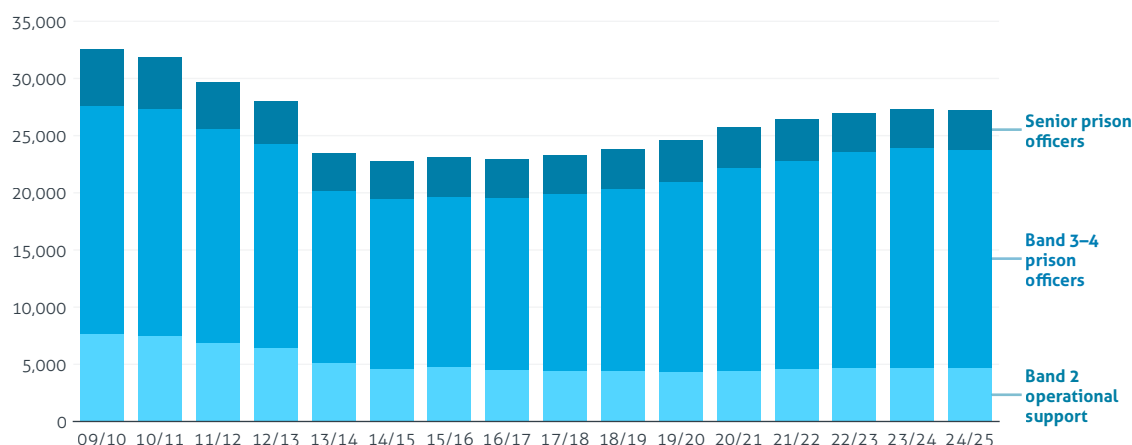
Operational staff numbers have grown substantially over the last seven years, and by March 2024, the prison service hit its total target staffing level – though some individual prisons were still below target. Interviewees felt this has had a noticeable impact on the functioning of prisons, improving stability and, in some cases, allowing more time out of cell for prisoners.⁵⁵ But current target staffing levels still leave prisons with fewer frontline prison officers than in 2009/10. In 2023/24, there were 5% fewer band 3–5 prison officers than in 2009/10.⁵⁶ It is important to note that this only covers publicly run prisons, as there is no workforce data available for private prisons.

The total number of operational staff per prisoner was down 7% on 2009/10, despite having increased significantly over the last eight years as staff numbers have grown; this was driven primarily by a large fall in staff at band 2 ‘operational support’ roles between 2009/10 and 2014/15.⁵⁷ Band 2 staff do things like checking in and supervising visitors, patrolling the grounds and escorting contractors.⁵⁸

Recent workforce growth reversed in 2024/25, leaving the prison service around 4% below target staffing nationally, with almost a fifth of prisons having at least 10% fewer officers than their target.⁵⁹ Some prisons are particularly hard to recruit for, often due to poor conditions and violence, staffing restrictions for high-security establishments, or recruitment challenges in the local area.⁶⁰ Prisons have also struggled with the quality of staff, with a shocking 20% of officers who left in 2024/25 being dismissed for performance or conduct problems.⁶¹

Several prisons which have had urgent notifications issued by the prisons inspectorate have significantly below target staffing levels, which may reflect both the challenges of recruiting officers for these prisons and the impact of running a prison with insufficient officers. Long Lartin,⁶² for example, was 13% short of its target staffing level in March 2025.⁶³ In comparison, Cardiff, which is identified as one of the best reception prisons, was only 3% short.⁶⁴

Figure CJS 4.8 Prison operational staff, public prisons, by band, 2009/10–2024/25

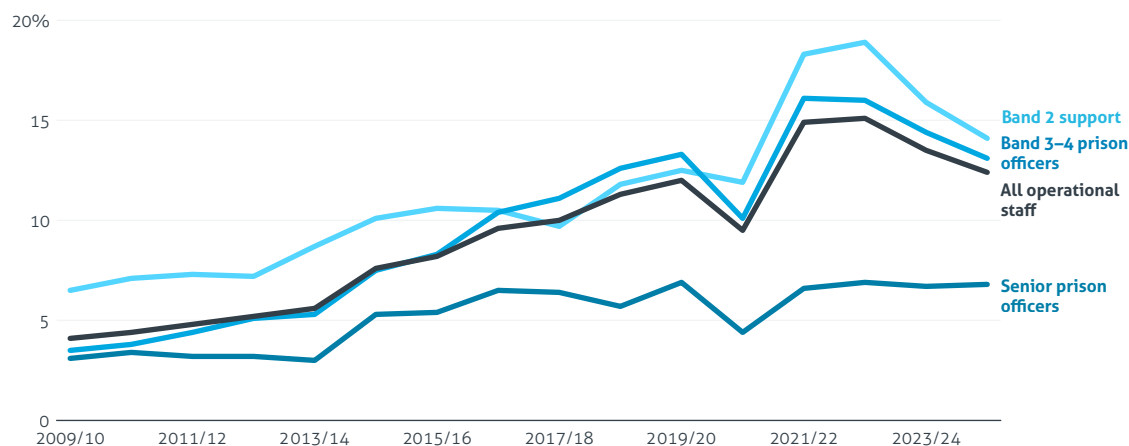


Source: Institute for Government analysis of MoJ, 'HMPPS workforce statistics', March 2010–2025'. Notes: Senior prison officers includes Band 4 supervising officers and Band 5 custodial managers; excludes senior management.

Prisons are managing to retain staff more effectively than a few years ago. The leaving rate has come down slightly from its high of 14% in 2021/22 and 2022/23, which is all the more impressive given the influx of new staff over that period, as officers are most likely to leave in their first year. It has now returned to the level it was just before the pandemic (12%).⁶⁵

It is not clear what has caused leaving rates to fall in the last two years, but improving pay is almost certainly a key factor. There was a significant nominal pay uplift of 7% (4.6% in real terms) for band 3–5 prison officers in 2023/24 under the Sunak government, in line with the recommendation from the Prison Service Pay Review Body.⁶⁶ This is likely to have improved retention, although average pay still remains 3.8% below 2009/10 levels in real terms.⁶⁷ Broader economic factors, including fewer vacancies being advertised elsewhere, may also have discouraged resignations, with falling leaving rates also seen in other public services such as hospitals and children's social care.

Figure CJS 4.9 Leaving rates of prison operational staff, public prisons, by band, 2009/10–2024/25



Source: Institute for Government analysis of MoJ, 'HM Prison and Probation Service workforce quarterly', March 2010–2025. Notes: Senior prison officers refers to Band 4 supervising officers and Band 5 custodial managers; excludes senior management.

In the longer-term context, however, leaving rates remain very high – triple those seen in the early 2010s – and retention is still a major challenge.⁶⁸ Interviewees felt strongly that high levels of violence are contributing to this. Staff sickness has come down a little but remains higher than typical pre-pandemic levels, and has ticked up again in the last year. This seems to be driven by increasing mental ill health, although this may partly be the result of changes in recording rather than the kind of need, as the other/non-specific symptoms category has decreased.⁶⁹ Interviewees linked high rates of sickness absence to high levels of violence and trauma, including both being a direct victim of violence and witnessing violence and self-harm.

“In my prison, we’re 20–30 [officers] short each day because of sickness and temporary promotions, despite being technically 20 officers overstaffed.”

– Interviewee

Prison officers are less experienced and there are fewer senior prison officers

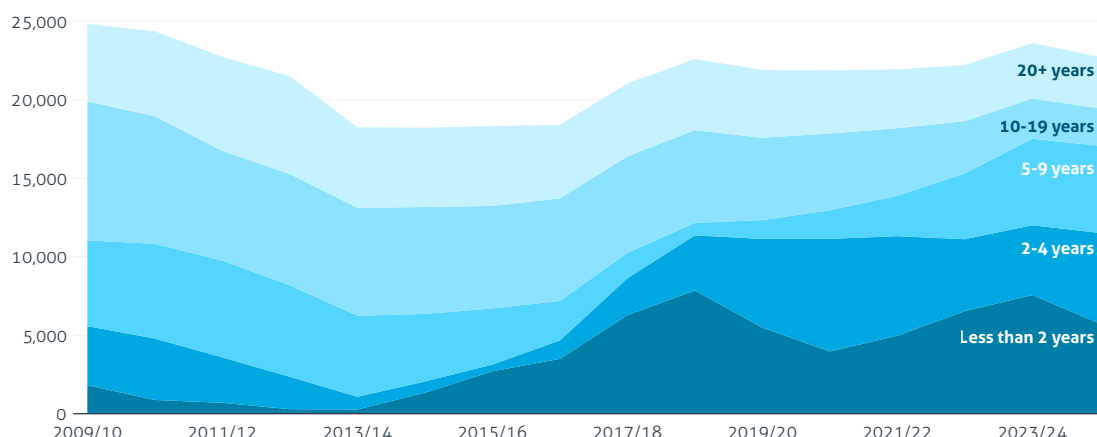
Many prison officers are inexperienced, with more than half of frontline band 3–5 officers having been in the job less than five years.⁷⁰ Interviewees consistently stated that lack of staff experience is causing serious problems for prisons. There has been a significant change in expectations of a daily regime, with inexperienced officers having no experience of the pre-pandemic prison regimes, which typically involved significantly more time out of cell for prisoners. Inexperienced officers often lack confidence and assurance in their interactions with prisoners, and are less willing and able to build relationships with them.⁷¹ They are often less able to de-escalate situations, which may be contributing to the rise in violence against staff.⁷²

“There has been an irreparable impact from loss of experience. Many [new staff] don’t last longer than three years, and there’s no one to nurture young staff who’ve just come in. They’ve not got the ‘jailcraft’ skills to calm people down, because they haven’t forged those relationships [with prisoners].” – Interviewee

We also heard about problems with a lack of consistency associated with having a large number of inexperienced officers.⁷³ This may particularly be an issue as prisons return to a more normal regime post-pandemic, with more time out of cell for prisoners. Inconsistent enforcement harms relationships with prisoners and increases frustration and perceptions of unfairness, which can in turn drive violence and protesting behaviours.

“Staff feel a lot less confident and prisoner-staff relationships are a lot more fraught than they used to be... Rules are quite often being enforced inconsistently, which has a big impact on stability across the whole prison and really undermines the culture.”
– Interviewee

Figure CJS 4.10 Band 3-5 prison officers by years of experience, public prisons, 2009/10–2024/25



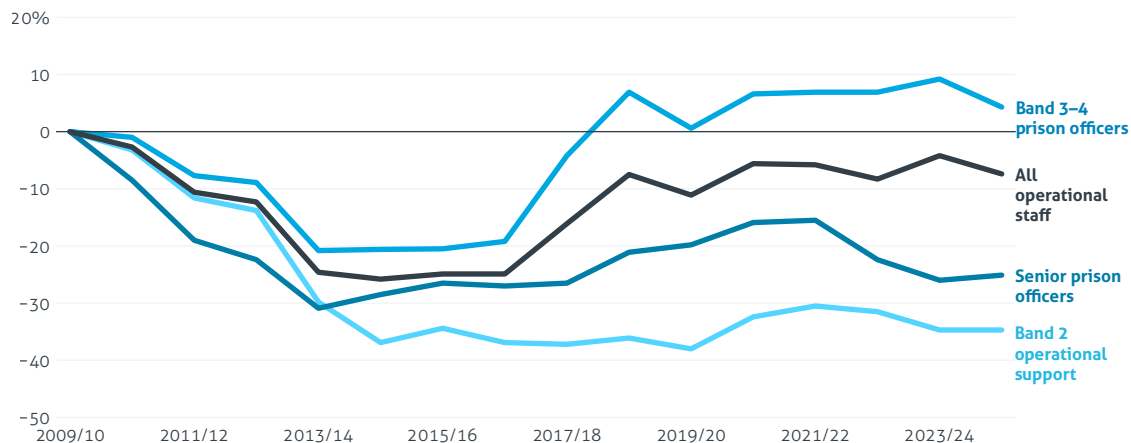
Source: Institute for Government analysis of MoJ, 'HM Prison and Probation Service workforce quarterly', March 2010–2025. Notes: Figures are full-time equivalent (FTE).

There has been a small decline in the most inexperienced cohort of officers (under two years' experience) in the last year. But consistently over the last five years, at least half of officers have had less than five years' experience. High leaving rates are a problem for building staff experience, with only half of officers who joined in the five years to March 2020 still in the service today. Crucially, in the last five years the service has increasingly lost more experienced staff; the number of officers with at least 10 years' experience has fallen 40% since March 2020.⁷⁴

One of the reasons for this may be a reduction in pay progression. Prison officer pay has increased recently at entry level, but while in the early 2010s it would take around seven years to get to the top of the band 3 officer pay band, now it only takes three.⁷⁵ This means that there are now many fewer opportunities for pay progression without promotion, encouraging staff to look elsewhere. Even where officers are being retained, they are often not retained in grade, but are instead promoted to more senior roles – meaning the experience is still absent from the frontline. This contrasts notably with policing, which has strong pay progression in-role for constables and sergeants, and a leaving rate for officers with 4–25 years' experience (3.6%) just half that of equivalent band 3–5 prison officers (7.1%).⁷⁶ One interviewee suggested this difference in pay progression causes prisons to lose applicants and new recruits to the police.⁷⁷

Relatedly, there has been a big decline in senior prison officers, with the number of senior officers per prisoner down a quarter (25%) in March 2025 compared with March 2010.⁷⁸ This lack of senior and experienced staff is likely contributing to poor conditions in prisons. In previous analysis we found that prisons with a higher proportion of more senior officers typically have lower rates of violence, though this may be because senior officers tend to be more experienced, rather than because of having more senior officers per se.⁷⁹

Figure CJS 4.11 Change in operational prison staff per 1,000 prisoners, public prisons, by band, since 2010/11

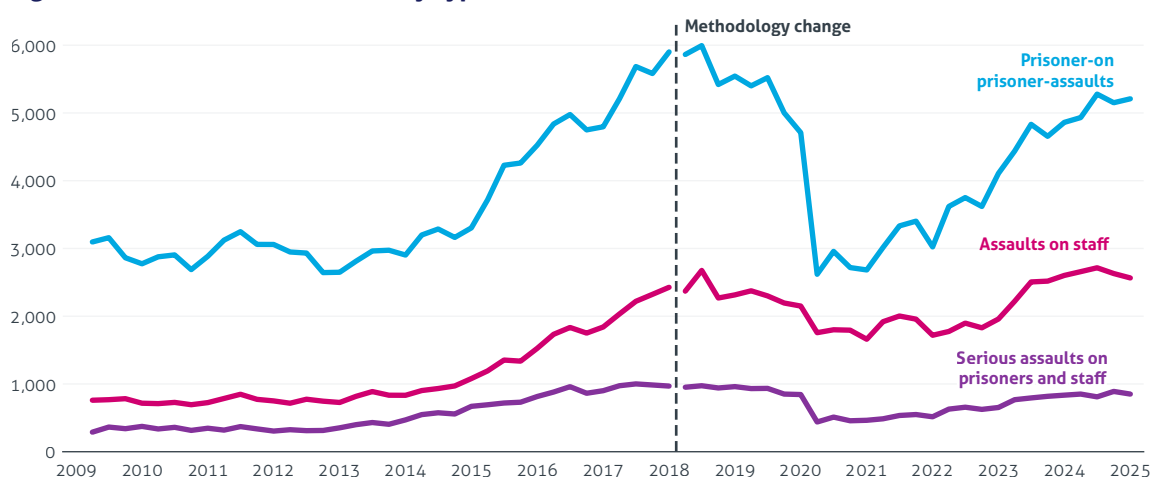


Source: Institute for Government analysis of MoJ, 'HM Prison and Probation Service workforce quarterly', March 2011 to 2025 and MoJ, 'HMPPS Annual Digest 2024 to 2025' (Crowding tool). Notes: Senior prison officers refers to Band 4 supervising officers and Band 5 custodial managers; excludes senior management. Based on average population of public prisons each year.

Violence, deaths in custody, self-harm and protesting behaviour have all risen sharply in recent years, reaching or surpassing the record highs

Violence levels in prisons are very high and rising rapidly. There were more than 30,000 assault incidents in 2024, the second-highest figure on record.* Serious assaults have also been racing up, with a 12% year-on-year rise in 2024, following a 25% increase in 2023. Overall, serious assaults are 58% higher than in 2014, though slightly below peak levels.** Assaults on staff have increased the most; up 15% in 2024 to rise above 10,000 for the first time. Serious assaults on staff have more than doubled in the last 10 years, with almost 1,000 incidents in 2024.⁸⁰

Figure CJS 4.12 Prison assaults, by type, Q2 2009 to Q1 2025



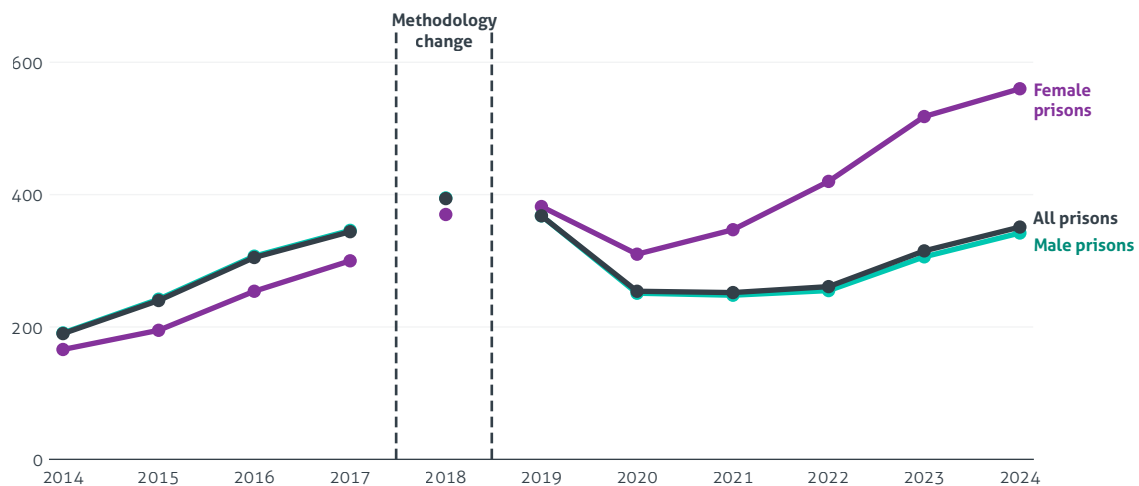
Source: Institute for Government analysis of MoJ, 'Safety in custody statistics' ('Table 7'), Q2 2009 to Q1 2025. Notes: Figures from Q2 2018 onwards exclude incidents occurring within the youth estate. Shows assault incidents; more than one person may be assaulted in any one incident. Serious assaults are a subset of total assaults.

* The highest year is 2018, at 32,539, but this figure is not perfectly comparable as it includes some assaults occurring in the youth custody estate, which have since been excluded from the statistics.

** Figures before Q2 2018 include assaults in the youth estate, so these figures are not directly comparable and comparisons to figures before then may slightly understate increases and overstate declines.

The assault rate has also been rising, particularly in women’s prisons, where it has gone from 166 assaults per 1,000 prisoners in 2014, to 560 in 2024, although the vastly greater number of men in prison means this has had little impact on the overall violence rate. The rate of serious assaults is also higher in women’s prisons, at 45 compared with 39 incidents per 1,000 prisoners.⁸¹

Figure CJS 4.13 Prison assaults per 1,000 prisoners, by sex of prison, 2014–24



Source: Institute for Government analysis of MoJ, ‘Safety in custody statistics’ (‘Table 4’), 2014 to 2024. Notes: Figures from Q2 2018 onwards exclude incidents occurring within the youth estate. Figures are for assault incidents per 1,000 prisoners; more than one person may be assaulted in any one incident.

It is hard to pin down exactly why there has been such a dramatic rise in violence, but there are specific factors that seem to contribute, which we [explored earlier this year](#).⁸² High rates of overcrowding mean prisoners are living in closer proximity and there is more demand on valuable resources, from healthcare appointments and prison phones, to work and training opportunities. Our previous report found prisons which are more crowded have higher levels of violence,⁸³ a finding confirmed by recent [MoJ analysis](#).⁸⁴ Insufficient purposeful activity compounds this, leaving prisoners bored and with little to do, and with limited opportunities to earn money, which can increase frustration.

“The busier you are [in prison], the less opportunity you’ve got to be involved in criminality.” – Interviewee

Drug use in prisons is currently endemic and many interviewees strongly linked this to high rates of violence. The chief inspector of prisons argued in his 2024/25 annual report that “the ingress of overwhelming amounts of illegal drugs is destabilising prisons across England and Wales... in many jails, there were seemingly uncontrolled levels of criminality that hard-pressed and often inexperienced staff were unable to contain”.⁸⁵

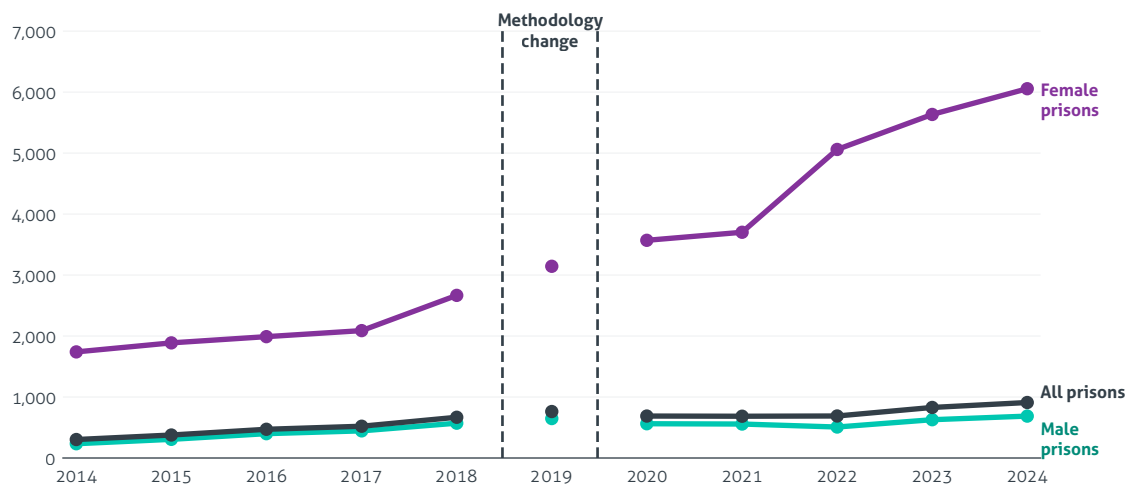
Prisons across the country are still conducting too few random drug tests to generate reliable estimates of how many prisoners are testing positive, five years after testing resumed in September 2020 after being paused due to the pandemic.⁸⁶ But in many prisons, it was above 30% in 2024/25,⁸⁷ and over 40% in at least three prisons: HMPs

Hindley,⁸⁸ Kirkham⁸⁹ and Lowdham Grange.⁹⁰ Nearly two-fifths (39%) of adult male prisoners said it was easy to get drugs in their prison; 11% said they had developed a problem with drugs or alcohol while in prison, as did almost a fifth (19%) of women.⁹¹

High levels of drug use drive up violence, particularly through the enforcement of drug-related debts and organised crime groups operating inside prisons. Some interviewees said drug-related debts were used to force some prisoners to carry out violence on behalf of others, allowing ringleaders to 'keep their hands clean'. The illicit economy in prison appears increasingly to be driven by organised criminal groups, with growing use of drones to deliver large quantities of drugs, weapons and mobile phones.⁹²

The self-harm rate has also risen substantially. It is dramatically higher in women's prisons, with an average of around six self-harm incidents reported per prisoner each year. Serious self-harm requiring a hospital visit is likewise higher in women's prisons.* High and rising assaults in women's prisons, especially on staff, may be related to rising self-harm, as assaults may occur when staff intervene in self-harm episodes.⁹³ Interviewees also highlighted high rates of serious mental health issues in women's prisons, with some women being held in custody waiting for a secure bed in a psychiatric unit to become available.⁹⁴

Figure CJS 4.14 Self-harm incidents per 1,000 prisoners, by sex of prison, 2014–24



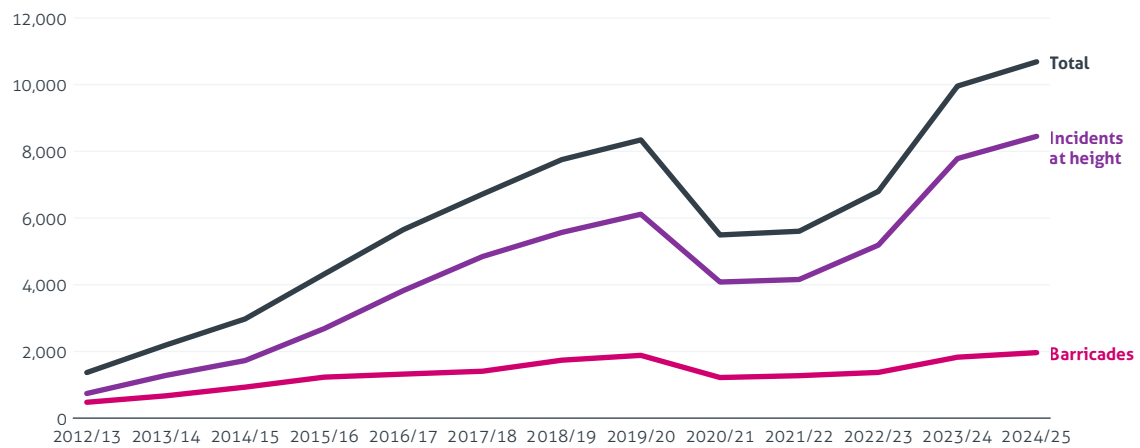
Source: Institute for Government analysis of MoJ, 'Safety in custody statistics', 2014 to 2024. Notes: Figures from Q2 2019 onwards exclude incidents occurring within the youth estate.

Protesting behaviour has likewise continued to rise sharply, particularly incidents at height (when prisoners climb on netting or roofs) and making barricades (obstructing access to part of the prison). These behaviours are typically ways that prisoners use to express frustration with how the prison is operating or to get a chance to speak to a prison officer.

* Whether a self-harm incident leads to a hospital visit reflects not only how serious the incident is, but also the healthcare available on-site, which varies across different prisons.

This makes them a useful overall indicator of how prisons are performing, as well as the pressure on staff from managing these incidents. Incidents at height were up 9% on the previous year in 2024/25 and 38% higher than 2019/20, and barricades rose 7% year-on-year to the highest level on record.⁹⁵

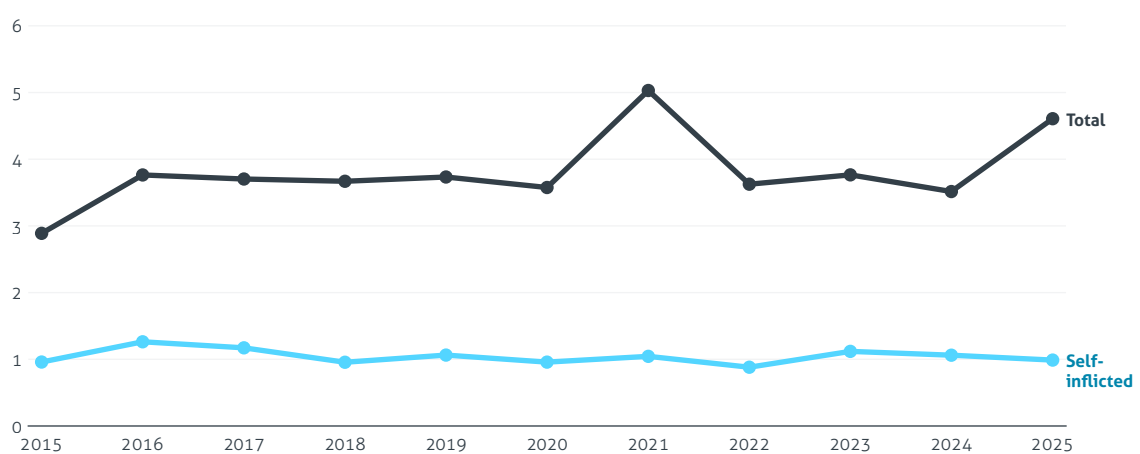
Figure CJS 4.15 Protest incidents in prison, total and selected types, 2012/13–2024/25



Source: Institute for Government analysis of MoJ, 'HMPPS Annual Digest, April 2024 to March 2025' (Chapter 5 Tables – Protesting Behaviour). Notes: Incidents at height refers to prisoners climbing on roofs, netting or similar. Barricades are when prisoners obstruct lawful access to a part of the prison. Other protesting behaviours included in the total include hostage-taking and concerted indiscipline.

There has been a substantial jump in deaths in custody in the 12 months to June 2025: up 30% on the previous 12 months, from 308 to 401 (from 3.5 to 4.6 per 1,000 prisoners). This is the second-highest 12-month period on record, following only April 2020 to March 2021.⁹⁶ For comparison, the all-cause mortality rate among the general population was 1.0 per 1,000 people between 2021 and 2023 (the most recent figures available).⁹⁷ While the risk profile of those in prison differs substantially from the general population, this is still a revealing contrast. Most deaths (55%) were due to natural causes, while at least 21% were self-inflicted.* Seven deaths were homicides, the highest number in 10 years and up from an average of 1.7 from 2019 to 2024.⁹⁸

Figure CJS 4.16 Deaths in custody per 1,000 prisoners, self-inflicted and total, 2015–25



Source: Institute for Government analysis of MoJ, 'Safety in custody: quarterly update to March 2025'. Notes: Figures are for 12 months ending in June of each year.

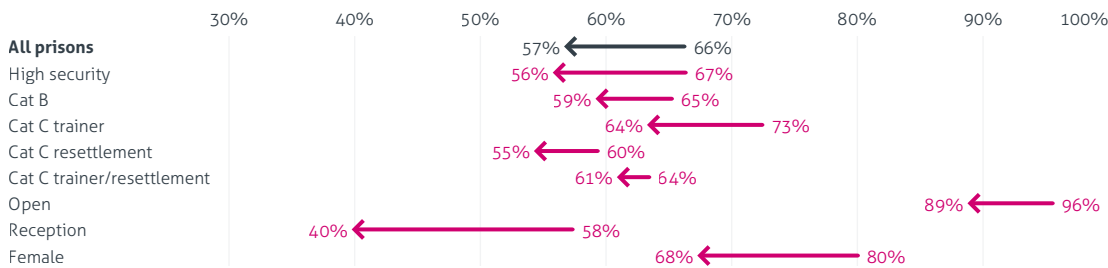
* 17% of deaths for the 12 months ending June 2025 are awaiting further information before the apparent cause can be classified, so these figures are likely to change in the coming months. See Ministry of Justice, 'Safety in Custody Statistics: quarterly update to March 2025 (summary tables)'.

Prisoners are still facing long days locked in cells, with very limited work or rehabilitative activity

'Purposeful activity' traditionally refers to time spent by prisoners engaged in work, education, rehabilitative programmes, health programmes such as substance misuse treatment, or any other meaningful activity that helps prisoners improve their skills or wellbeing, or reduces their likelihood of reoffending. In 2022, HM Prison and Probation Service (HMPPS) expanded its definition of purposeful activity to include 'tier two extra-curricular enrichment activity' such as recreational PE (beyond the minimum guaranteed hour per week), structured hobbies or interest groups, and in-cell activities like 'distraction packs', containing puzzles and similar activities.⁹⁹

Purposeful activity was on a steady downward trajectory from 2009/10 to 2019/20, and then was almost completely stopped during the pandemic. It has been slow to recover and appears to have backslid in the last year. In 2023/24, the median prison had 67% of prisoners in at least part-time purposeful activity (four or more sessions a week).¹⁰⁰ In 2024/25, this had dropped to just 60%, and a quarter of prisons (26%) had less than half of prisoners in purposeful activity.¹⁰¹ The proportion of prisoners in drug or alcohol treatment has stayed flat since 2021/22, about 7 percentage points below 2019/20.¹⁰²

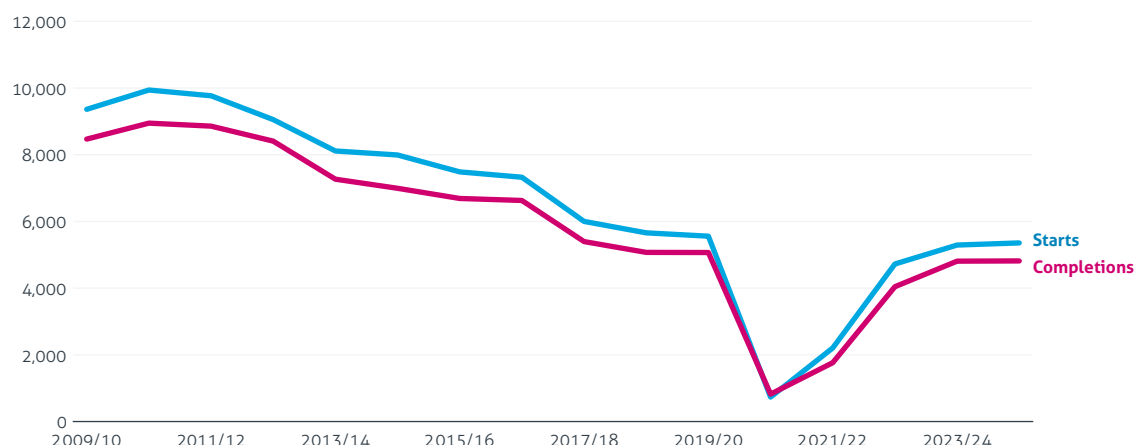
Figure CJS 4.17 Change in average proportion of prisoners in purposeful activity, public prisons, by prison type, since 2023/24



Source: Institute for Government analysis of MoJ, 'Annual Prison Performance Ratings Supplementary Tables', 2023-24 and 2024-25. Notes: Includes all prisoners in at least part-time purposeful activity, attending at least four activity sessions per week. Shows the mean of prisons within each category. Excludes children in youth custody.

Starts and completions of accredited programmes, rehabilitative interventions intended to address reoffending risk, were mostly flat year-on-year in 2024/25, just below pre-pandemic levels.¹⁰³ Prisoners are spending large amounts of time in their cells, which limits their opportunities to take part in structured work, education or courses, or to exercise or visit the prison library. The prisons inspectorate found that more than two-thirds of prisoners (68%) spent less than six hours out of their cell per weekday in 2023/24, with a quarter (24%) unlocked for less than two hours.¹⁰⁴

Figure CJS 4.18 Starts and completions of accredited programmes in prisons, 2009/10–2024/24



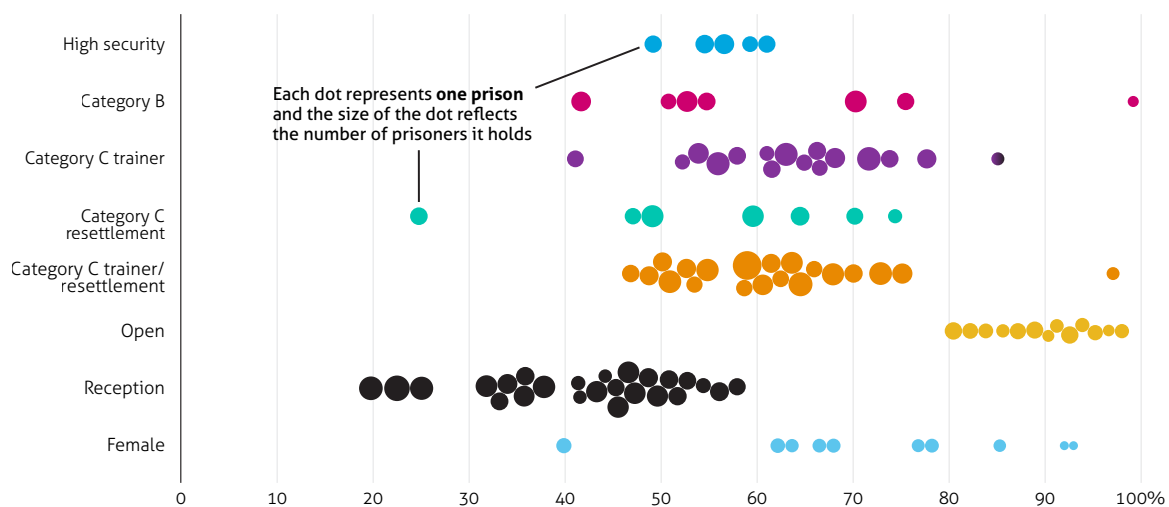
Source: Institute for Government analysis of MoJ, 'Prison Education and Accredited Programme Statistics 2024 to 2025'. Notes: Covers adult prisoners only. Excludes substance misuse programmes, which were transferred to NHS provision in England in 2013/14. Accredited programmes are intervention programmes which aim to reduce offending, such as anger management or health relationship programmes.

Rates of participation in purposeful activity vary dramatically across prisons, with open prisons and specialist prisons holding sex offenders having much higher participation rates than other prisons.* Reception prisons perform the worst, with under half of prisoners getting the new minimum of two hours out of their cell each day in 2024/25 and just 40% of prisoners in at least part-time purposeful activity.¹⁰⁵ Divisions between other prison categories have become more blurred. Training prisons are intended to provide prisoners with more opportunities to work or gain skills, to improve their chance of employment on release. Increasingly, however, there is often little distinction between training prisons and other prisons.

Declines in the last year have been remarkably consistent across prison categories, with even open prisons now performing significantly worse on average and a dramatic deterioration in reception prisons. Open prisons now have 89% of prisoners in at least part-time purposeful activity, down from 96% in 2023/24, while reception prisons have gone from 58% to 40%. Women's prisons have also been badly affected, down from 80% to 68%.

* There are specialist sex offender prisons across different security categories; these are not specifically identified in figure CJS 4.17.

Figure CJS 4.19 Prisoners participating in purposeful activity, public prisons, by prison type, 2024/25



Source: Institute for Government analysis of MoJ, 'Annual Prison Performance Ratings 2024-25 Supplementary Tables' and MoJ, 'HMPPS Annual Digest: 2024 to 2025 (Prison crowding)'. Notes: Includes all prisoners attending at least four activity sessions per week. The centre point of each dot marks the approximate value for that prison and should not be used to read exact values for individual prisons. Dot size indicates the average population in each prison for 2024/25. Excludes children in youth custody.

Overcrowding continues to put significant pressure on available activity spaces, with many prisons lacking sufficient workshop facilities or jobs for the large number of prisoners they are currently holding. Physical space is a limiting factor for many prisons, as is the availability of non-prison officer staff like teachers and trainers.¹⁰⁶ Prison culture and leadership is also crucial, particularly when it comes to wide variation in access to purposeful activity within categories of prisons. High-performing governors and staff teams in prisons that do well set and maintain standards and effectively motivate prisoners to engage in activity and behave well.¹⁰⁷ Our previous analysis also found that having more non-prison officer staff like offender managers (who develop sentence plans with prisoners and help them prepare for release) is associated with higher levels of purposeful activity.¹⁰⁸

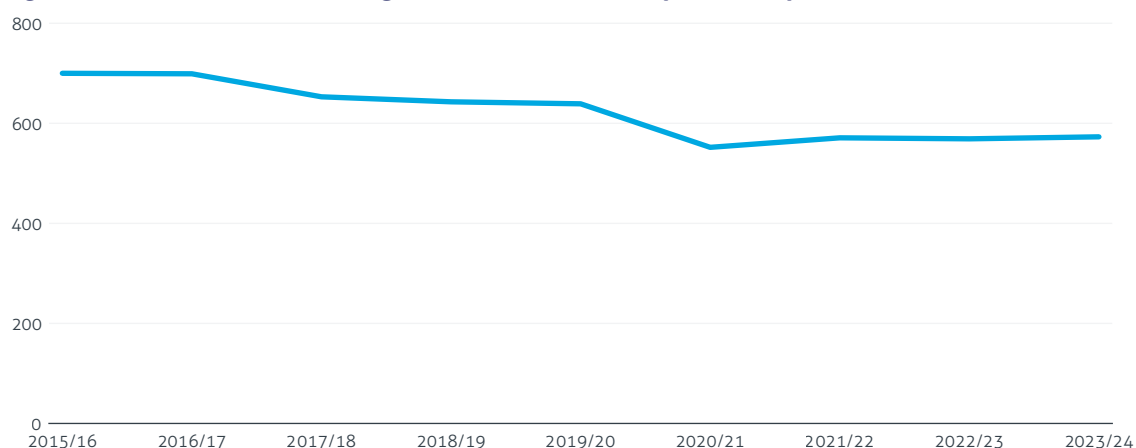
Interviewees suggested that at least some prisons are starting to improve time out of cell for prisoners and participation in purposeful activity. They cited improvements in staffing levels and consistent emphasis from the prisons inspectorate on the importance of purposeful activity as drivers of this. One interviewee suggested that the national regime model, which was introduced in 2024/25 by the Sunak government and requires all prisons to deliver at least two hours out of cell a day,¹⁰⁹ may also be encouraging a greater focus on time out of cell, but data is not yet available to say what effect this is having.

But even where progress has been made towards a more normal regime, it is often inconsistent and unreliable. Some prisoners may have longer out of their cell on average, but this can vary dramatically day to day, meaning prisoners have little certainty or sense of structure.¹¹⁰ Workshops and other activities are often cancelled if a member of staff is unavailable, even for planned absences. Prisoners feel like they cannot rely on basic things like being transported to healthcare appointments.¹¹¹ All this creates significant frustration and uncertainty for prisoners.

“To reduce violence, prisons need to deliver on regimes – if they say they are going to do something they need to do it. Not paper regimes which are a million miles away from what gets delivered on the ground.” – Interviewee

The share of prisoners in drug or alcohol treatment has also fallen, despite concerns about drug use in prisons being at record levels.¹¹² The prisons inspectorate has been critical of existing drug and alcohol treatment in custody, arguing that while “incentivised drug-free living wings had been established in most prisons... few were fulfilling their function”.¹¹³

Figure CJS 4.20 Prisoners in drug or alcohol treatment, per 1,000 prisoners, 2015/16–2023/24



Source: Institute for Government analysis of Office for Health Improvement and Disparities, ‘Substance misuse treatment in secure settings: 2023 to 2024’. Notes: Includes adults only.

Implementing the proposed ‘earned progression’ model will be extremely challenging in this context

Based on the recommendations from David Gauke’s sentencing review, published in May 2025, the government plans to introduce an ‘earned progression’ model in prisons, which will allow prisoners to be released after serving a third of their sentence in custody in return for good behaviour. They would then serve another third under restrictions in the community, similar to current home detention arrangements, and have minimal supervision for the final third.¹¹⁴

In principle, there are strong arguments for an earned progression model, which could provide better incentives for good behaviour in custody. Existing incentives are widely believed to be inadequate^{115,116} and there are insufficient opportunities for prisoners to demonstrate a reduced risk of reoffending and so improve their chances of being approved for open conditions or release by the parole board. This is particularly significant for those serving indeterminate or extended determinate sentences, who must apply to the parole board for release.

However, the current situation in prisons would make an earned progression model extremely difficult to implement. The lack of access to purposeful activity would make it both unfair and unworkable to link release to engagement in activity. Given the urgent need to reduce the prison population, the government is instead likely to set a presumption of release after a third of the sentence, which can be lost in response to poor behaviour, rather than needing to be earned in return for good behaviour. This

would effectively be an extension of the current system, and would thus be unlikely to lead to major changes in prisoner behaviour, particularly as the bar will have to be quite high to lose early release if the reforms are to have the necessary impact on the prison population.

“The dislocation between the very laudable aim of rehabilitation and what is actually happening on the ground is really stark... [the proposed reforms] are wildly ambitious in terms of what we think operationally can be delivered in a system that is in as bad a shape as it currently is.” – Interviewee

The inconsistent enforcement of rules across the estate and poor relationships between prisoners and officers mean that prisoners are unlikely to have much faith in the system devised to decide on eligibility for release, particularly if it is a decision made directly by prison officers. Adjudications, the process for sanctioning prisoners currently, are widely considered unfair and illegitimate by prisoners, and this would be significantly amplified if it is linked to release.¹¹⁷ For instance, often both inhabitants in a shared cell will be subject to adjudication if drugs are found in the cell, or anyone involved in a physical altercation regardless of who was the aggressor.¹¹⁸ This could cause greater deterioration in relationships between officers and prisoners, and further inflame tensions.

People working in and around prisons are broadly supportive of the proposed changes in principle, from prison officers to prison reform charities.¹¹⁹ This provides a potential opportunity to turn things around and refocus prisons on rehabilitation as well as punishment, as the government has indicated it wants to do – but practical implementation feels extremely difficult given the extraordinary challenges prisons are currently facing.

Criminal justice system: Methodology



General

Public services spending (Figures CJS 2.1, 3.1, 3.3 and 4.1)

To estimate the real cost of public spending, we deflate government spending figures using the GDP deflators published by the Office for Budget Responsibility in the Economic and Fiscal Outlook from March 2025.¹ To better reflect the underlying inflation conditions present in 2020/21, we estimate our own figures by generating a mid-point that averages across values from 2019/20 and 2021/22. We deflate spending figures in our financial analysis across the entire report to 2025/26 prices.

In cases where we calculate real-terms changes in figures that relate to individuals – such as wages or the adult social care means test – we use the consumer price index rather than the GDP deflator. The CPI that we use also comes from the OBR's Economic and Fiscal Outlook from March 2025.

Police

Police spending projection (Figure CJS 2.1)

We assume that police spending rises in line with projected police spending power in the 2025 Spending Review. We then deflate the figures to 2025/26 prices in line with the process set out above (see Public services spending, above).

Charges/summonses and positive outcomes recorded by police forces (Figure 2.18 and 2.19)

Greater Manchester Police only supplied data for Q1 in 2019/20 and Devon and Cornwall Police only supplied data for Q1 and Q2 in 2022/23. To represent the national trend as accurately as possible, we have imputed missing figures for these quarters. For Devon & Cornwall, we used the average of the same quarter from the previous and subsequent year. For Greater Manchester, for each positive outcome type (charge, diversionary activity etc.) we calculated the proportion of the national total that Greater Manchester Police is typically responsible for. We based this on figures from 2016/17 to 2020/21, excluding 2019/20 when data is missing. We took this approach because of substantial variation in the number of charges recorded by Greater Manchester Police over the period, driven partly by an increased emphasis on charging over other outcomes in recent years.

Data for this chart is drawn from two different sources. Values for 2003/04 to 2013/14 are headline national figures from Home Office, 'Crime outcomes in England and Wales' (Table B2), 2022/23. Values from 2014/15 to 2024/25 are from Home Office, 'Police recorded crime and outcomes open data tables', 2018/19–2024/25. Totals may vary slightly across different data sources.

Criminal courts

HMCTS spending projection (Figure 3.1)

We assume that HMCTS spending rises in line with the overall Ministry of Justice RDEL budget in the 2025 Spending Review from 2024/25 to 2025/26. For subsequent years, we assume that the additional £450 million in courts funding announced at the Spending Review is 90% RDEL and 10% CDEL, and that this is increased in three equal stages in 2026/27, 2027/28 and 2028/29. We then deflate the figures to 2025/26 prices in line with the process set out above (see Public services spending, above).

CPS spending projection (Figure 3.3)

We assume that CPS spending rises in line with the Law Officers' Department RDEL budget in the 2025 Spending Review. We then deflate the figures to 2025/26 prices in line with the process set out above (see Public services spending, above).

Complexity-adjusted cases received and closed by the crown court (Figures CJS 3.16, 3.17, 3.19, 3.20)

We use the same method to adjust complexity for both receipts (cases coming into the court) and disposals (cases closed). This involved three stages:

- Classifying cases into sub-types
- Generating a complexity weighting for each sub-type
- Weighting cases by complexity, anchored to the real number of cases in 2018

Case classification

We classified cases into sub-types in line with HMCTS classifications, according to both their case type and offence group, as listed below:

Case types:

- Indictable-only for-trial cases
- Triable-either-way for-trial cases
- Committals for sentence
- Appeals
- Unknown

Offence groups:

- Violence against the person
- Sexual offences
- Robbery
- Theft offences
- Criminal damage and arson
- Drug offences
- Possession of weapons
- Public order offences
- Miscellaneous crimes against society
- Fraud offences
- Summary non-motoring
- Summary motoring
- Not known
- Other

For 2016–24, data is available for all case types broken down by all offence groups, e.g. a triable-either-way for-trial case for a drug offence, a committal for sentence for a theft offence etc. For 2010–15, committals for sentence and appeals are not broken down by offence groups.

There are an extremely small number of receipts of 'unknown' case type (25 in 2024 and 0 in most years) or of 'other' offence group (under 100 in 2024). Summary for-trial case numbers are also small but are present in the data, despite these not typically being eligible for a crown court trial (c.300 receipts in 2024). For-trial cases when the offence group is recorded as 'not known' are now rare (c.450 receipts in 2024) but were previously much more common (c.2,800 in 2016).²

Generating a complexity weighting

We created a complexity weighting for each case sub-type based on the average number of hearing hours they take to be closed. We did this by calculating a weighted average hearing time for each sub-type across 2016–19 and 2023–24. 'This includes all cases closed, whether they end up in a trial, guilty plea or the case being dropped. We then divided that average by the weighted average for all cases to produce the complexity weighting.

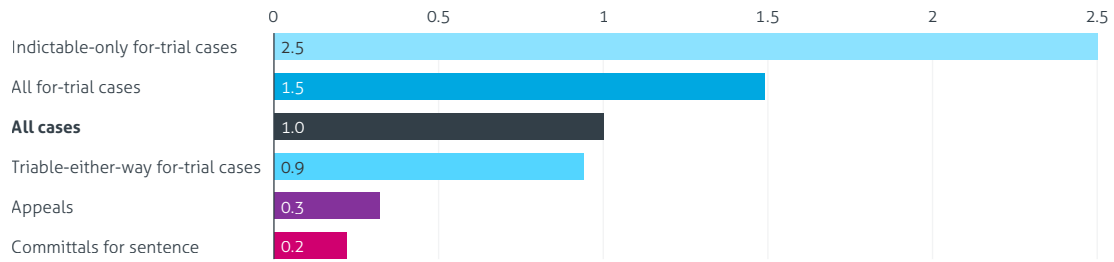
Complexity weighting = [weighted average hearing hours for sub-type across 2016–19 and 2023–24]/[weighted average hearing hours for all cases across 2016–19 and 2023–24]

We chose these years as 2016 is the first year for which revised data is available and we wanted to draw on data across a range of years, while excluding years during the Covid-19 pandemic, which seriously affected the kinds of cases courts were dealing with.

Case type and offence group are not the only determinants of how long a case takes to deal with: a large number of factors like the number of defendants, volume of evidence, age and vulnerability of witnesses or defendants and complexity of legal issues at play may all have a big impact. But case type and offence group do have a big impact on hearing time, especially case type: for example, the average indictable-only for-trial case took 8.7 hours to deal with (across 2016–19 and 2023–24) while the average committal for sentence took just 46 minutes.³ This makes them reasonable proxies for overall complexity. Figures CJS 5.1 and 5.2 set out the complexity weights of cases by case type and of for-trial cases specifically by offence group. There is minimal variation across offence groups for committals for sentence or appeals.

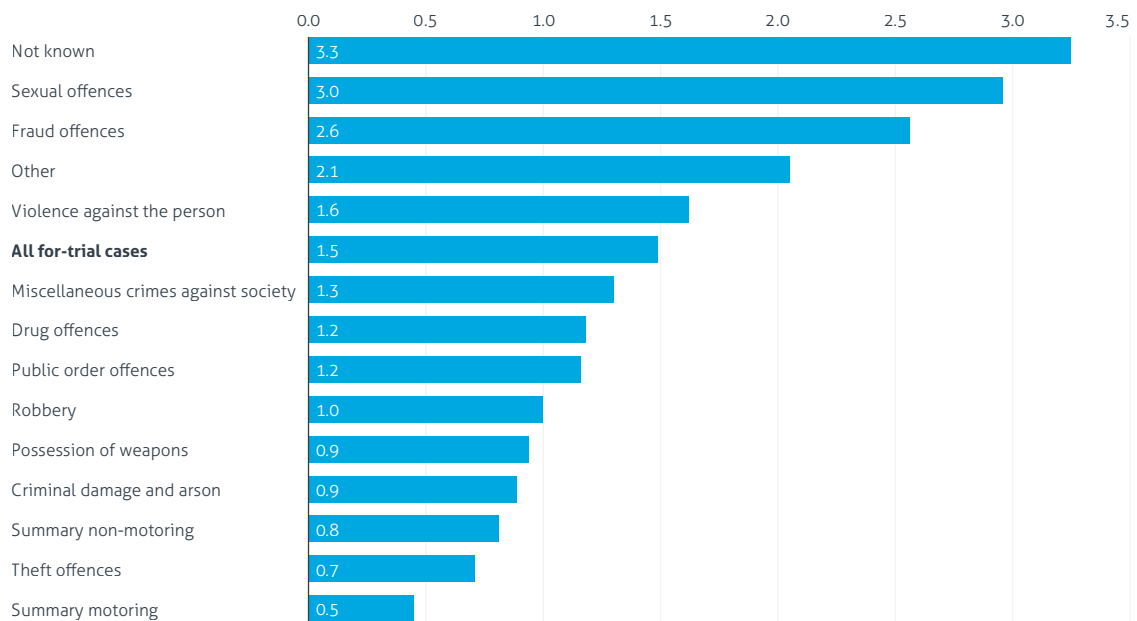
Since data on committals for sentence and appeals is not broken down by offence groups for 2010–15, the average complexity weighting for the offence group is used instead. This has a minimal impact on overall estimates.

Figure CJS 5.1 Complexity weighting of crown court cases by type



Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly: April to June 2025'. Notes: Based on data from 2016–19, 2023 and 2024. See Methodology for details of complexity calculation.

Figure CJS 5.2 Complexity weighting of crown court for-trial cases by offence group



Source: Institute for Government analysis of MoJ, 'Criminal court statistics quarterly: April to June 2025'. Notes: Based on data from 2016–19, 2023 and 2024. See Methodology for details of complexity calculation.

The complexity weighting is fixed and does not change across years. This means it does not capture changes in complexity within a given sub-type over time. For example, the average hearing time for a triable-either-way sexual offence for-trial case has gone from 7.8 hours in 2016 to 6.4 in 2024. For the same reason, it does not capture any changes in complexity that affect all cases equally. Instead, it reflects how the overall make-up of cases has changed. However, there is not much evidence that there have been significant changes to case complexity within case sub-types, with changes in average hearing hours over the period generally fairly small.

How a defendant pleads in a for-trial case has the biggest impact on how long it takes to deal with, but we did not adjust for changing plea rates for two reasons. Firstly, plea rates are only known once a case has been completed, so cannot be used to adjust receipts. Secondly, plea behaviour is also affected by how the court system is operating, and so should not be thought of as an indicator of the level of demand entering the system, which is what we were principally interested in.

Finally, it is important to note that the complexity weighting only accounts for hearing hours in court, and not how long it takes to review the evidence, build a case file or otherwise prepare for trial. While there is likely to be a strong relationship between time in court and preparation out of court, some cases are likely to involve disproportionately more time for lawyers outside the courtroom – such as domestic abuse or sexual offences that involve applications for special measures for victims.* If these cases are increasingly common, that would increase the overall workload for criminal lawyers and may have knock-on implications for courts.

Weighting cases by complexity

We created a complexity-adjusted value for receipts and disposals for each sub-type by multiplying the actual number of receipts and disposals by the complexity weighting for that sub-type. We then summed these sub-types to create complexity-adjusted totals for each case type and an overall total for all cases. Finally, we adjusted the complexity-adjusted number of cases to equal the actual number of cases in 2018, to provide an anchor point.

We chose 2018 because it was a year in the middle of our data series unaffected by the pandemic, and in which the average case complexity weighting was already close to zero, so the required adjustment was fairly small. However, the specific index year selected has no impact on the trends in the complexity-adjusted figures.

* Special measures are additional support or protection for victims or witnesses testifying in court, such as recording a cross-examination in advance or giving evidence via video link. The CPS has to apply to the court for permission to use special measures, which are then decided on by the judge. See Victim and Witness Information, 'Special measures', UK Government, no date, retrieved 16 October 2025, <https://victimandwitnessinformation.org.uk/the-court-process/special-measures>

Complexity-adjusted outstanding cases in the crown court (Figure CJS 3.28)

We used a different method to model the complexity of outstanding cases. This is because jury trials were disproportionately likely to be delayed during the pandemic, so outstanding cases (cases in the 'backlog') are more likely to require jury trials than the average case. Jury trials are more complex and require much more hearing time in courts, so adjusting for this allows us to better compare the current backlog with pre-pandemic levels.

The number of outstanding cases (the 'backlog') is the cumulative difference between cases entering the court system (receipts) and cases completed ('disposals') each quarter. We adjust for the greater complexity of the backlog in several stages:

- We calculate a pre-pandemic baseline for the proportion of case receipts that result in a jury trial by dividing the number of trials by the total number of disposals. This is based on data from Q2 2019 to Q4 2019 and we include both effective trials (those that go ahead as planned and result in a verdict) and cracked trials (those that are cancelled on the day of the listing and not rescheduled, for example because of a late guilty plea or discontinued prosecution).
- We assume that the proportion of cases coming into the crown court that end up as jury trials is the same as before the pandemic and use this to estimate the number of jury trial receipts. We then subtract the number of jury trial disposals to estimate the number of outstanding jury trials. We use the same process to calculate outstanding non-jury trial cases, by subtracting other disposals from estimated non-jury trial receipts.
- We calculate a complexity value for jury trial cases by dividing [trial cases share of total hearing time] by [trial cases share of total cases]. We multiply the number of outstanding cases by this complexity value. We repeat this process for non-jury trial cases, calculating a separate complexity value by dividing [non-jury trial cases share of total hearing time] by [non-jury trial cases share of total cases] and multiplying it by the number of outstanding non-jury trial cases. We then add them together for a total complexity-adjusted increase in the backlog.
- Even before the pandemic, outstanding cases were more complex than the average of all cases processed. We adjust for this to make our backlog consistent with the pre-Covid backlog. We calculate a complexity value for pre-pandemic backlog cases by dividing [average hearing time of pre-pandemic backlog case mix] by [average hearing time of all pre-pandemic cases]. We multiply this by the complexity-adjusted increase in the backlog for a comparable complexity-adjusted backlog figure.

Prisons

Spending on prisons projection (Figure CJS 4.1)

We have assumed that spending on prisons changes in line with the overall Ministry of Justice budget, minus spending specifically committed to courts and probation. This is calculated slightly differently for different years. In 2024/25, we use the HMCTS outturn figures and assume probation spending increases in line with the overall MoJ budget, which gives an estimated nominal year-on-year increase of 8.9% for prisons. For 2025/26, we assume both HMCTS and probation spending increase in line with the overall budget.

For subsequent years, we include specific spending commitments on courts and probation announced in the 2025 Spending Review. We assume that the £450 million additional courts spending and £700 m additional probation spending by 2028/29 are 90% RDEL and 10% CDEL, and that the RDEL increases are in three equal stages in 2026/27, 2027/28 and 2028/29. This causes small decreases in projected nominal prisons spending in 2027/28 and 2028/29.

Table CJS 5.1 Projected nominal annual day-to-day spending changes for Ministry of Justice services, 2023/24–2028/29

	2023/24– 2024/25	2024/25– 2025/26	2025/26– 2026/27	2026/27– 2027/28	2027/28– 2028/29
Ministry of Justice	7.7%	6.3%	5.9%	2.4%	2.3%
Courts*	4.6%	6.3%	4.6%	4.4%	4.2%
Probation	7.7%	6.3%	15.3%	13.3%	11.7%
Prisons	8.9%	6.3%	4.7%	–0.6%	–0.6%

Source: Institute for Government analysis of 'HMCTS Annual Report and Accounts', 2010/11–2024/25 and HM Treasury, Spending Review 2025. Notes: *Increase in courts spending from 2023/24–2024/25 based on HMCTS outturn for HMCTS. MoJ spending increases are in line with the RDEL budget set out in the 2025 Spending Review; all other figures are IfG projections.

We then deflate the figures to 2025/26 prices in line with the process set out above (see Public services spending, above).

Prison capacity and population (Figure CJS 4.4)

We use month-end figures for both actual and projected population and useable capacity. Total spaces is the operational capacity, the total number of prisoners that an establishment can hold taking into account control, security and the proper operation of the planned regime. Useable capacity is the operational capacity minus an 'operating margin' that reflects the constraints imposed by the need to appropriately accommodate different classes of prisoner (for example, by sex, age, conviction status, single cell risk assessment, geographic distribution and security category). Decent accommodation capacity is in-use Certified Normal Accommodation, set by HMPPS, and is the number of prisoners that can be held in non-crowded conditions.

In any given monthly data release, either the total operational capacity or useable capacity is given, along with the operating margin in the notes. In cases where the total operational capacity is published, the useable figure is calculated by subtracting the operating margin from the total, and vice versa.

Prison capacity and population projections (Figure CJS 4.6)

The 2023 and 2024 'SDS40' population projections are the Ministry of Justice's (MoJ) central estimate for prisoner numbers over the five years, starting in 2023 and 2024 respectively. These projections incorporate the recruitment of the additional 20,000 police officers and the estimated impact of other policies, including new offences and changes in agreed sentencing, such as the Police, Crime, Sentencing and Courts Act and the Release of Prisoners Order 2020. They do not account for emergency early release measures such as the End of Custody Supervised Licence scheme set up under the Sunak government, and only the change to the point of automatic release (SDS40) is factored in to the 2024 projection; it does not include further measures around home detention announced in December 2024.

The IfG population projection after new reforms accounts for changes to home detention and recall that came into effect in June 2025, and for the proposed reforms in the government's Sentencing Bill (2025). The June 2025 changes are estimated to reduce demand on prisons by 1,400 places by early 2028, compared to the status quo when they were announced (which was roughly the 2024 SDS40 projection). The immediate drop in the prison population in June 2025 was around 800, but this was reversed over the next two months before a drop back to June levels in September. This makes it extremely hard to identify the impact of this measure; we therefore simply assume that 500 of the 1,400 spaces saved by 2028 will have been achieved by December 2025, but that otherwise the population increases in line with the 2024 SDS40 projection.

We estimate that reductions from changes in the Sentencing Bill and other proposals following the Independent Sentencing Review (such as expanding intensive supervision courts) begin to be felt from January 2026. This is an optimistic timeframe, given the current progress of the Sentencing Bill, but some measures that do not require primary legislation may begin to have an impact more quickly. The government's impact assessment for the Sentencing Bill estimates it will save 7,500 spaces, relative to the status quo in September 2025, by 2028. The total reduction in expected demand is therefore 8,900 spaces, which we assume to have been realised in full by April 2028. We assume that this will be evenly distributed between January 2026 and April 2028, resulting in a total estimated prison population of 89,600 by April 2028 (compared to 87,336 in September 2025).

The capacity forecast is based on the MoJ projection from December 2024. This is based on plans to expand the estate, including applying a "reasonable contingency to deliver timelines", and also includes cells expected to be unavailable for maintenance work or lost permanently to dilapidations, and an operating margin to run prisons safely. See Ministry of Justice, *Annual statement on prison capacity*, 2024 for more detail.

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Cassia is a senior researcher in our public services team. She focuses particularly on criminal justice, leading on the police, criminal courts and prisons sections of our annual Performance Tracker.

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