
Max Wilkinson MP
Member of Parliament for Cheltenham
Liberal Democrat Home Affairs Spokesperson
House of Commons
(*via email*)

20 January 2026

Dear Mr Wilkinson,

Thank you for your letter regarding comments by the Lord Chancellor and Secretary of State for Justice, David Lammy MP, on the backlog in the magistrate court system.

On BBC Radio 4's Today program on 2 December¹, the Justice Secretary said that "we have not got significant backlogs in our magistrates' courts".

As you mention, the latest quarterly criminal court statistics² show that there were 361,027 open cases at the magistrates' court as of the end of June 2025, and that this is the highest level since 2019.

The open caseload reflects the workload in the courts at any time. As such, it will never be zero, as it reflects the volume of cases that are active in the courts at a particular point, including those cases that have been recently received, those close to being disposed, those which are complex and take time to complete and those that may be delayed.

The latest statistics highlight that most magistrates' court cases are completed on the same day as their first listing, with the median time for case from first listing to completion being zero days. This means there is greater throughput of cases through the magistrates' courts compared to the Crown Court. While overall timeliness in the magistrates' court has remained relatively stable over time, the statistics show that the caseload is continuing to grow and the number of days from offence to completion is increasing, which could be perceived as a backlog.

Having spoken with the Ministry of Justice, it is our understanding that the Lord Chancellor's comments were made in the context of comparing the current state of the magistrates' court with the Crown Court. While he was clear that he was referring to the magistrates' court specifically, it would have better supported understanding if he had been clear what he meant by a backlog and why he had judged that not to be

¹ [Today](#), BBC Radio 4, 2 December 2025

²Section 1, [Criminal court statistics quarterly: April to June 2025](#), Ministry of Justice, updated 30 September 2025

significant. This is particularly important in the absence of a formal definition for a backlog in this context.

Thank you again for bringing this matter to my attention. I am copying this letter to the Lord Chancellor's office.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Penny Young".

Penny Young
Deputy Chair