

Jury Trials

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[Dame Caroline Dinenage](#)

[\(Gosport\) \(Con\)](#)

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1. What advice she has given the Government on the potential impact of removing jury trials on the rule of law. (906978)

[Mr Mark Francois](#)

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4. What advice she has given the Government on the potential impact of removing jury trials on the rule of law. (906981)

[Nick Timothy](#)

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7. What advice she has given the Government on the potential impact of removing jury trials on the rule of law. (906987)

[The Solicitor General](#)

[\(Ellie Reeves\)](#)

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This Government inherited a justice system in crisis, with a record caseload of 80,000 criminal cases waiting to be heard in the

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Crown court. Doing nothing was not an option. Let me be clear: jury trials remain a cornerstone of our justice system, but justice delayed is justice denied. Too many victims are being let down and too many defendants are being denied a fair and timely trial due to the ongoing crisis in our courts. That is what the reforms are about.

[Dame Caroline Dinenage](#)

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The Government have cancelled elections and are scrapping jury trials, and now we hear that they are limiting the right to appeal to a Crown court, despite the fact that such appeals have a 40% success rate. The Solicitor General talks about justice denied; surely, that is a case in point? Given

that her job is to uphold the rule of law, would she push back against some of her colleagues' more authoritarian tendencies?

[The Solicitor General](#)

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Justice delayed is justice denied. The previous Conservative Government allowed this crisis to develop in our criminal courts, with rape victims waiting up to three years for their cases to be heard. On appeals, Sir Brian Leveson recommended a permission stage on appeal, which would mean that appeal claims with merit will have the opportunity to be heard.

[Mr Francois](#)

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Merry Christmas, Mr Speaker.

I am sure the Solicitor General is aware of Operation Nova, which is funded by the Department of Health and Social Care and assists veterans who come into contact with the criminal justice system, so may I set her a theoretical challenge? Let us assume that an Op Nova veteran who fought in Afghanistan goes out one evening and is assaulted in a bar, perhaps by someone who does not like soldiers very much, but the situation is confused, and the soldier—the veteran—ends up in the dock. Should not that person, who fought for his country in a war zone and in this country's uniform, be entitled to put his defence in front of a jury of his peers?

[The Solicitor General](#)

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Jury trials make up 3% of cases currently heard in the criminal courts. It is important for both victims and defendants that they are not waiting years and years for their cases to get to court, which is happening as a result of the crisis that the previous Government left us in. The most serious cases will still be heard by juries—for example, rape, murder and grievous bodily harm cases—and it is important that justice is delivered swiftly.

[Nick Timothy](#)

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I am going to do my best to get an answer, but I am not sure I will get one, based on the two we have just heard. Without any kind of mandate, the Government want to do away with jury trials and to extend the powers of magistrates to sentence people for up to two years, without any right to appeal the conviction or the sentence. Will the Solicitor General confirm that, of the 5,000 cases appealed from magistrates courts last year, more than 40% were upheld? Is it the Government's policy simply to live with that number of miscarriages of justice?

[The Solicitor General](#)

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The hon. Gentleman is wrong to say that we are getting rid of jury trials. I will say it again: less than 3% of cases are currently heard by a jury. Under the proposals, some cases would be heard by a Crown court bench, or by the magistrates courts.

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When we are facing backlogs of up to three years and rape victims are not having their cases heard, doing nothing is not an option.

In relation to the hon. Gentleman's point about appeals, Sir Brian Leveson has recommended introducing a permission stage for appeals. We are not doing away with appeals. Appeals that have merit will still be heard.

[Mr Speaker](#)

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I call the Chair of the Justice Committee.

[Andy Slaughter](#)

[\(Hammersmith and Chiswick\) \(Lab\)](#)

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Restricting jury trials may help to reduce the Crown court backlog, but there is no evidence that the use of juries caused the current delay. However, there is evidence, starting under the previous Government, that a lack of advocates—prosecution and defence—is a significant cause of delay. What steps is the Solicitor General taking to ensure that the Crown Prosecution Service is decreasing, rather than increasing, the wait for trial, which is such a blight on our criminal justice system?

[The Solicitor General](#)

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My hon. Friend makes an important point. He will know that Sir Brian Leveson, in his report, said that investment on its own is not enough; radical reform is also needed. This Government have provided record funding for sitting days in the Crown courts—5,000 more this year—funded a £150 million boost for court maintenance, committed £34 million more a year for criminal legal aid advocate fees, and delivered a package of support for victims. Reform and investment, hand in hand, will hopefully start to tackle the backlog left by the previous Government.

[Rachel Taylor](#)

[\(North Warwickshire and Bedworth\) \(Lab\)](#)

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For any victim of rape or sexual assault, to wait years for justice to be delivered is horrific. The mental toll on victims, who are unable to see their perpetrators have their day in court, is unimaginable. It is a stain on our justice system. Will the Solicitor General confirm that victims will be kept at the heart of our justice system, and that this Government will deliver timely justice for victims of rape and serious sexual assault?

[The Solicitor General](#)

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I am delighted that the Minister for Safeguarding, my hon. Friend the Member for Birmingham Yardley (Jess Phillips), will today announce a landmark cross-Government strategy to halve violence against women and girls. This Government are introducing structural reforms as well as investment, including half a billion pounds-worth of support for victims—including victims of rape and serious sexual assault—so that we can support victims and deliver swifter justice.

[Barry Gardiner](#)
[\(Brent West\) \(Lab\)](#)

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The Solicitor General is absolutely right to say that justice delayed is justice denied. My constituent Qesser Zuhrah has been on remand in prison for over a year. Two other constituents, Heba Muraisi and Lewie Chiaramello, have also been on remand, awaiting trial. None of the offences of which they are accused are offences of violence against the person. All three are now on hunger strike. Would it not make much more sense, be much more efficient for the criminal justice system and, quite honestly, be a humanitarian gesture to allow these three to be released, with tagging and appropriate monitoring, to face trial in due course?

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[The Solicitor General](#)

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rose—

[Mr Speaker](#)

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Order. The point has been made, and it is on the record. Can I just tell the Solicitor General that because this is sub judice, I will move on to Helen Grant, the shadow Solicitor General?

[Helen Grant](#)

[\(Maidstone and Malling\) \(Con\)](#)

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Thank you, Mr Speaker. May I wish you and your brilliant team a very happy Christmas?

The 2017 Lammy review looked at prejudice in the criminal justice system. Our now Justice Secretary said:

“Juries are a success story of our justice system... juries are representative of local populations—and must deliberate as a group, leaving no hiding place for bias or discrimination”,

and

“This debate and deliberation acts as a filter for prejudice”.

In 2020, he said,

“Criminal trials without juries are a bad idea. You don’t fix the backlog with trials that are widely perceived as unfair.”

What advice has the Minister given on how to avoid the discriminatory outcomes that the Justice Secretary warned about?

[The Solicitor General](#)

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The hon. Lady will know that in the judicial oath, judges swear to act

“without fear or favour, affection or ill will”,

and they decide cases in line with the law and the facts of the case. That underpins our democracy and our criminal justice system. Our reforms will not impact the outcome of trials; they will affect only the mode of trial. We are working to bring in new and diverse magistrates over the next 12 months, ensuring that our benches reflect the communities that they serve, and we will continue to recruit high numbers in the future.

[Helen Grant](#)

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I am not too sure that answered my question; I shall have another go. This month, the Minister's colleague, the hon. Member for Kingston upon Hull East (Karl Turner), wrote:

“The erosion of jury trials not only risks undermining a fundamental right, but importantly, will not reduce the backlog by anything like enough”.

He went on:

“If this ever comes to the House of Commons, I will rebel and vote against it...The House and the public will not stand for the erosion of a fundamental right”.

It would seem from X that at least 38 of his colleagues take a similar view. Is the Solicitor General, who is charged with upholding the rule of law, also concerned about the Justice Secretary's proposals?

[The Solicitor General](#)

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I take very seriously the proposals put forward by Sir Brian Leveson, which made it clear that because of the crisis in the justice system, and the backlog of 80,000 cases left by the previous Conservative Government, investment alone is not enough; radical reform is also required. Jury trials are not being got rid of, but some cases will be heard by magistrates, or by the Crown bench division. Justice delayed is justice denied. People are waiting far too long for their case to get to court. That is no justice. It is no justice when rape victims wait three years—and 60% pull out of their case

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before it gets to court as a result. Doing nothing is not an option, so it is important that we implement these measures.

[Mr Speaker](#)

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I call the Liberal Democrat spokesperson.

[Ben Maguire](#)

[\(North Cornwall\) \(LD\)](#)

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Thank you, Mr Speaker; I also wish you and your excellent team, and everyone across the House, a very merry Christmas.

Following on from my question on the legal aid means test for domestic abuse victims, I want to highlight the danger that scrapping jury trials for sentences under three years poses for domestic

abuse cases. It is highly questionable that this will bring the backlog down, as has been claimed. A Cornish legal aid clinic got in touch with me to detail a judge's deeply troubling conduct towards a woman seeking justice against her abuser; the judge reportedly described her as "difficult" and effectively blamed her for the abuse she endured.

The complex nature of domestic abuse cases requires the breadth of perspective and understanding that jury trials provide. What assessment will the Solicitor General make of the impact that reducing jury trials will have specifically on domestic abuse cases heard in the Crown court?

[The Solicitor General](#)

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The Government are committed to supporting survivors of domestic abuse and ensuring that they have access to justice. I recently visited the brilliant specialist domestic abuse court based at Westminster magistrates court, and saw at first hand the work it is doing to support survivors and help cases get through the courts as quickly as possible. When survivors of domestic abuse bravely come forward and report crimes, it is important that they receive help. Alongside the reforms, we are introducing a package of support for victims. As the hon. Gentleman is aware, the Government's cross-party strategy to tackle violence against women and girls will be published today.

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