# Emergency legislation to address 'two-tier' justice system concerns



An emergency piece of legislation is set to be introduced in the House of Commons on Tuesday, aimed at addressing concerns over the 'two-tier' justice system that the latest guidelines from the Sentencing Council have created. Shabana Mahmood, the Justice Secretary, is trying to 'surgically block' these guidelines which shamefully instruct judges to factor in the race, faith, and cultural background of offenders, undermining the principle of equal justice for all.

Earlier this month, the Sentencing Council published a set of guiding principles for courts in imposing sentences, yet Mahmood's opposition is a direct response to their refusal to retract these deeply controversial and divisive guidelines. Her threats of legislative change are a symptom of a government that is increasingly out of touch and failing to protect the integrity of our legal system.

Over the weekend, reports indicated that government officials are hastily drafting new legislation intended to negate the most contentious elements of these guidelines, ensuring that judges will not be forced to consider these irrelevant factors. The plan to streamline the Commons agenda to pass this Bill swiftly raises alarm bells about the current government's priorities, which seem misaligned with the needs of a fair and just society.

Moreover, radical proposals are reportedly on the table, including a so-called ministerial 'lock' that would allow ministers to arbitrarily veto or amend recommendations from the Sentencing Council. This raises serious questions about the accountability and effectiveness of an already compromised system, blurring the lines of democratic oversight. A government source has acknowledged these troubling revelations, stating, “We will be doing more work whatever happens, looking at that question,” hinting at deeper crises within the justice framework.

The newly appointed Labour leader, Sir Keir Starmer, expressed disappointment with the independent body’s decision to press ahead with the guidelines, showcasing a worrying alignment with a government that has shown a reckless disregard for justice. Former Prime Minister Rishi Sunak’s engagement with the matter was feeble, characterized by a failure to take decisive action to safeguard our justice system. Downing Street’s statement about Mahmood maintaining dialogue with the Sentencing Council is merely optics, considering the gravity of the situation.

This troubling backdrop includes the missed opportunity of legislation previously proposed by Conservative justice spokesman Robert Jenrick, which Labour had obstructed. His plan would have granted ministers the power to veto problematic guidelines like those now under scrutiny, a preventative measure that might have spared citizens taxpayer money and preserved the integrity of our judicial process.

Critics, like Jenrick, have raised alarm about the potential financial burden on taxpayers; the additional requirements for pre-sentence reports could drain up to £17.5 million annually. His pointed remarks, attributing the crisis to Mahmood's failure to support his timely proposal, illustrate just how precarious our justice system has become under Labour’s watch.

As the situation unfolds, all eyes will be on the legislative developments expected in the Commons, but the fear is that the integrity of the justice system could be sacrificed at the altar of misguided ideology.

Source: [Noah Wire Services](https://www.noahwire.com)

## References

* <https://news.sky.com/story/two-tier-justice-row-government-could-change-law-on-monday-to-overrule-sentencing-council-13338782> - This article corroborates the government's plan to change the law to overrule the Sentencing Council's guidelines, which have been criticized for creating a 'two-tier justice' system by considering race, faith, and cultural background in sentencing.
* <https://www.independent.co.uk/news/uk/home-news/sentencing-council-government-house-of-commons-parliament-tony-blair-b2724144.html> - It supports the report that the government is moving to legislate against the Sentencing Council's guidelines, which are set to come into force on April 1, and highlights the controversy over these new rules.
* <https://www.theguardian.com/uk-news/2025/mar/30/two-tier-justice-claims-lead-to-call-for-legislation-change> - Unfortunately, this URL is not available in the search results. However, it would provide additional context on the controversy surrounding the Sentencing Council's guidelines and the allegations of 'two-tier justice'.
* <https://www.bbc.co.uk/news/uk-politics-65481890> - This URL is not available in the search results. It could provide further insight into the political reactions and debates surrounding the Sentencing Council's guidelines and proposed legislation.
* <https://www.thetimes.co.uk/article/sentencing-council-refuses-to-reverse-guidelines-on-ethnic-minorities-hs6dsl9k9> - This URL is not available in the search results. However, it could offer information on the Sentencing Council's decision not to reverse its guidelines and the subsequent government reaction.