



JUDICIARY OF  
ENGLAND AND WALES

**THE RT HON LADY JUSTICE THIRLWALL DBE  
THE RT HON LORD JUSTICE HADDON-CAVE**

**OFFICIAL**

25<sup>th</sup> June 2020

Further clarification has been requested on the use of live link in the Magistrates Courts following guidance issued at the end of last week.

Our aim must be to increase as far as possible the number of cases being heard in the Courts while respecting the government’s public health guidance. Magistrates Courts around the country are being gradually reopened, increasing the number of courtrooms available. The Courts will nonetheless need to continue to make considerable use of audio and video technology to conduct hearings with participants attending through live link.

Decisions to use live link must be made in the interests of justice, and respect the statutory framework: in particular, any participation by live link continues to require a direction from the Court. The process for applying for and receiving directions remains straightforward. Where appearances by live link are expected an application can be made and direction given at the beginning of the hearing, applying the broad “interests of justice” test.

Decisions will need to be taken in relation to the specifics of each case. The judiciary, working with HMCTS, will continue to keep in close touch with the CPS, Bar Council and Law Society in relation to issues relating to the use of a live link during the recovery.

**Lady Justice Thirlwall  
Senior Presiding Judge of England & Wales**

**Lord Justice Haddon-Cave  
Deputy Senior Presiding Judge of England & Wales**