
















# Liveline or Attendance Framework for London & South East Magistrates' Courts (Crime)
































**Notes:**

(1) This document is not guidance. It reflects the usual practice in Magistrates' Courts in London and the South East in July 2020. It is intended to assist in guiding expectations about how different types of hearings in the Magistrates' Court may be conducted.

(2) Whether to make a live link direction ("LL") in any case is always a matter for the DJ(MC) or lay bench hearing the case, applying statutory criteria.

| Key   |   |
|---|---|
|  | <b>Attendance is the default.</b> The court will normally expect attendance in person at the court hearing. Any application for live links should be made in advance of the hearing and be based on statutory criteria. The noted exceptions apply. |
|  | <b>Attendance is welcomed,</b> as this often supports swift conclusion of cases on the day, but <b>live link is the default</b> expectation and parties may make an application at the hearing. The noted conditions and exceptions apply.          |

| Hearing Type                       | Prosecutor  | Defence Representative  | Defendant   | NPS  |
|------------------------------------|---|---|---|--|
| <b>GAP</b>                         | <br><br> If IDPC served in advance following National Standards/Crim PRs. |  <ul style="list-style-type: none"> <li>Duty Solicitor</li> <li>If language, learning or mental health needs</li> <li>complex case</li> <li>not fully instructed</li> <li><b>real prospect of immediate custody</b></li> </ul>  If fully instructed, contact arrangements are in place and any basis of plea is submitted in advance. |    |   |
| <b>Overnight Remand &amp; PCVL</b> | <br><br> if PCVL cases listed (pending HMPPS solution)                  |  Assists those called in at short notice and often covering several courts. IDPC provided digitally in advance.<br><br> Where deft is vulnerable/has learning/mental health disabilities  | <br><br> Where deft is vulnerable/has learning/mental health disabilities |  Where defendants appear virtually NPS/YOS can appear virtually for interviews and court. |

|  |   |   |   |  |
|--|---|---|---|--|
| NGAP   | <br> If IDPC and Disclosure served in advance following National Standards/ Crim PRs.              | <br> If fully instructed and contact arrangements in place and any basis of plea / PET forms / BCM submitted in advance. |   |  For any ad hoc requests.                |
| Trials   |    |    |    |  For any ad hoc requests.               |
| Youth  |    |    |    |  Except where otherwise indicated above |
| Urgent applications (Search Warrants, POCA, DVPO, Closure etc) | <br> If complex and/or contested (e.g. on notice/contested POCA/account freezing apps/variations) | <br> If complex and/or contested (e.g. on notice/contested POCA/account freezing apps/variations)                       | <br> If complex and/or contested (e.g. on notice/contested POCA/account freezing apps/variations) |  |
| Breach   | <br> If contested/ <b>real prospect of immediate custodial sentence</b>                       | <br> If contested/ <b>real prospect of immediate custodial sentence</b>   |    |  |
| Road Traffic lists   |    |    |    |  |
| Non-CPS prosecution lists                                      |  Unless issue is complex /high fines cases   |  Unless issue is complex /high fines cases   |  Unless issue is complex /high fines cases   |  |