HMCTS London Magistrates' Court – Defence Update

Video Remand Hearings – to end (but retained for covid+ cases)

- Defence colleagues will be aware from the Metropolitan Police message of 2/12/20 that they cannot continue support for Video Remand Hearings (overnight custodies)
- Responding quickly to this decision, we have agreed with them a phased approach to withdrawal, courts with less pressure on cell capacity ending first, enabling HMCTS time to make arrangements

The phased VRH closure plan for London courts	
w/c 7 December	Willesden Westminster Barkingside
w/c 14 December	Highbury Thames Wimbledon
w/c 21 December	Bromley Croydon Uxbridge

- Importantly, Police colleagues have confirmed their intention to continue to support VRH/CVP livelink hearings for covid positive/symptomatic/suspected detainees – daily planning meetings will be held to communicate issues and prepare
- PECs have reviewed covid-safe practices at court and with the introduction of revised PPE measures are able to restore near full court cell occupancy in all London magistrates' courts
- Revised measures are planned to enhance existing covid-secure practices in court cell areas ensuring safety for defence practitioners and detainees:
    - Defence practitioners will be asked to wear face coverings on entering court cell areas
    - PECs colleagues will be asked to support issuing and masks to defendants leaving cells to attend an interview with you in the custody suite
    - HMCTS is working to install additional phone lines into court cells to enable telephone conferences
    - HMCTS are making plans to increase touchpoint cleaning arrangements for cell areas with additional dedicated daily cleaners
    - HMCTS & PECs are willing to examine options in discussion with defence colleagues for Perspex barriers within cell areas where these may assist – with any suggestions being subject to full safety assessments
- We have reviewed data on daily custody numbers against cell capacity. Where insufficient capacity exists, listing changes have been approved by the Judiciary to provide new overnight remand lists at courts with capacity.
- New remand lists will be introduced at Bexley Magistrates' Court (taking work from Bromley – including the work which had been heard via VRH at Wimbledon); at Stratford Magistrates' Courts on Monday and Friday to take work from Thames. (Regrettably, as no equipment is currently installed, Bexley cannot accommodate applications from advocates for videolinked appearances for the time being)
- Daily reviews on custody numbers will inform whether the planned contingency arrangements are needed with custodies being diverted as appropriate. Data suggests this is most likely to be necessary at Croydon (with cases likely to be diverted to Westminster) and Uxbridge (with cases diverted to Ealing and if necessary, Willesden).
- Work is underway to introduce some new early morning processes ensuring defence colleagues have information on any decisions needed to have detainees re-directed to neighbouring courts. Our hope is that decisions will be made and communicated at latest between 08:30 and 09:00 each day. The working group will publish details asap. Please continue to contact existing CVP inboxes in the meantime.
- All planning will be closely monitored and reviewed.
- Feedback from defence colleagues on the operation of these arrangements is welcomed via your LCCSA President, Mark Troman, or the Law Society or LAA contract managers.

December 2020

CPS Defence Engagement Project – early resolution of issues Please engage in this important project designed to save time for all in resolving case management issues. The project has the support of the Judiciary and HMCTS

Pre-Plea PSR Protocol – London Probation offer a scheme for defence lawyers to obtain a PSR before first hearing reducing adjournments. Contact Probation for more details.