



**CIRCULAR TO ALL CHAMBERS**

4 January 2021

Circ. 1 of 2021

**Covid-19 Contingency Measures**

In common with other public bodies and business organisations the Covid-19 pandemic is having an impact upon our operations. However, the judiciary and the Gibraltar Courts Service is acutely aware that the courts cannot and will not close. We are also aware, particularly in view of the most recent Civil Contingencies regulations imposing a "lockdown" until 16 January 2021, of our institutional duty to minimise physical interaction and thereby reduce the risk of spread of the virus.

Although evidently we are dealing with a constantly evolving situation, and further measures may be necessary, at present the registries shall remain open so as to allow parties, to the extent that it may be possible, to continue to progress actions. However, so as to reduce physical interaction, the Chief Justice has directed that for the month of January, the following measures be implemented:

**Supreme Court**

**Criminal Jurisdiction**

1. jury trials set down for hearing shall be vacated and relisted in due course;
2. sentencing hearings will proceed in the usual way;
3. other than for cases in which guilty pleas are to be entered and the matter adjourned for sentencing, Plea and Case Management Hearings will be adjourned. Defendants are to surrender to bail in the usual way although lawyers are invited to seek an informal indication from the listing officer as to whether the court would, upon application, extend bail in a defendant's absence;
4. applications for bail will be listed and heard in the usual way;

**Civil and Family Jurisdictions**

5. other than applications touching upon the welfare of children, all hearings in the civil and family jurisdictions listed up to Friday 15 January 2021 will be vacated and shall be relisted in due course;

Gibraltar Courts Service

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6. where a hearing is vacated and a party or parties to the action consider that it requires an early hearing they should email the listing officer explaining the need for such a hearing;
7. there shall be enhanced use of technology and where possible hearings will be conducted remotely. Lawyers representing parties in civil matters listed for hearing between 16 January 2021 and 29 January 2021 should not less than 7 days before the hearing date, inform the listing officer whether the parties are agreed as to whether a case is suitable for remote hearing. Where parties do not agree they should provide brief reasons as to why a remote hearing is or is not appropriate.

#### Magistrates' Court

8. hearings shall be vacated and relisted;
9. sentencing hearings will proceed in the usual way;
10. other than for cases in which guilty pleas are to be entered and the matter adjourned for sentencing, Case Management Hearings will be adjourned. Defendants are to surrender to bail in the usual way although lawyers are invited to seek an informal indication from the clerk as to whether the court would, upon application, extend bail in a defendant's absence;
11. applications for bail will be listed and heard in the usual way.

H Cumbo (Ms)  
Chief Executive