



CIRCULAR TO ALL CHAMBERS

25 January 2021

Circ. 2 of 2021

Progression of Covid-19 Contingency Measures

Court users are asked to consider the contents of this Circular which expands upon those measures set out in Circular 1 of 2021. Arrangements are under constant review and developments will be communicated by way of further circulars.

Supreme Court

Criminal Jurisdiction

1. We are operating on the basis that jury trials, the first of which is listed in late February, will proceed. The position remains under review and parties will be notified if this changes.
2. Sentencing hearings will proceed as usual and bail applications will continue to be listed as normal during February 2021.
3. Any PCMHs listed during the first two weeks of February 2021 will be adjourned (save for those where guilty pleas are to be entered and the matter is to proceed to sentencing). As has been the case during January 2021, defendants are required to surrender to bail but their lawyers may seek an indication through the listing officer as to whether the court would extend bail in absence on application.
4. Within 2 days of the filing of interlocutory applications (such as bad character and special measures) all parties are required to write to the listing officer with their position as to whether the matter can proceed remotely. A judge will then consider whether the application can be heard remotely, and if not, the matter will be listed not earlier than 15 February 2021.

Civil and Family Jurisdictions

5. The following applies to all matters on the list during the first two weeks of February 2021, save for those matters that are already set to be heard remotely:



- a. The default position is that all matters listed for less than half a day and which do not involve the examination of witnesses are to be heard remotely. If all parties do not wish the matter to be heard remotely, they are to jointly write to the listing officer explaining why. The question would then fall for consideration by a judge.
 - b. Matters listed for more than half a day or which involve the examination of witnesses will be considered on a case by case basis. Parties are required to write to the listing officer with their views on whether the matter is suitable for remote hearing not less than 7 days prior to the allocated date for the hearing.
6. Notwithstanding paragraph 5, a judge may direct that a matter be heard in person.

Magistrates' Court

7. Other than for matters designated as urgent by a Stipendiary Magistrate, trials and non-criminal hearings during the first two weeks of February 2021 shall continue to be vacated and relisted.
8. Sentencing hearings will proceed as usual and bail applications will continue to be listed as normal during February 2021.
9. Case management hearings listed during the first two weeks of February 2021 will be adjourned (save for those where guilty pleas are to be entered and the matter is to proceed to sentencing). As has been the case during January 2021, defendants are required to surrender to bail but their lawyers may seek an indication through the clerk as to whether the court would extend bail in absence on application.

N Golt (Ms)
Chief Executive (ag)