

Direction from the President of the Queen’s Bench Division and the Senior Presiding Judge

Withdrawal of Custody Time Limits Protocol of 9 April 2020

The Custody Time Limits (CTL) protocol was introduced on 9 April 2020 to streamline practice and procedure in dealing with applications to extend CTLs at a time when it was not possible to conduct any jury trials in the Crown Court due to COVID-19. In the five months since it was introduced, the situation in the Crown Court has changed significantly. Jury trials restarted in May and are now taking place in increasing numbers. 102 courtrooms can now accommodate jury trials and it is expected that many more will be available for trials in the coming months. Resident Judges have been provided a memorandum by HMCTS setting out details of arrangements that are in place and will be in place to increase the number of trials coming before the court. The memorandum is publicly available.

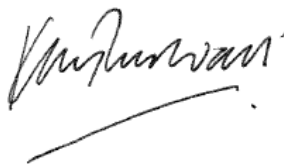
In the Magistrates’ Courts the number of trials is increasing by the week.

The Protocol is now out of date and has served its purpose. It is being withdrawn and will cease to have effect on 3 September 2020.

The Protocol reflected much that has become good practice. Arrangements that have made the listing of CTL extension applications straightforward and convenient will, no doubt, continue, wherever practical. The Protocol explained that it “contains rules of practice only and the relevant law is unaffected.” It did not seek to constrain the independent judicial decision necessary in all extension applications. Decisions will continue to be made on the merits of each case with the restricted availability of courts an important factor.



President Queen’s Bench Division



Senior Presiding Judge

2 September 2020