



**Judiciary of
England and Wales**

National Listing Framework

Guidance Note No.6

Case Progression Meetings

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Case Progression Meetings

This note concerns the Case Progression Meeting required by Chapter 4 §7(b) of the Practice Direction on Listing in the Criminal Courts ("CrimPDL"), which takes effect on 1 October 2026.

It is intended for those who convene and attend the meeting, including Listing Officers, case progression staff, prosecutors and the Witness Care Unit, and for Resident Judges settling the arrangements at their court centre. It should be read alongside the Crown Court Listing Officer Manual and the Court Listing Plan for the court centre.

The Case Progression Meeting forms part of the structured run-up to the trial week. It takes place after publication of the Advance List and before publication of the Firm List. Its purpose is to review the trials listed for the relevant week, establish as accurately as possible whether each is ready and likely to be effective, identify any outstanding action, and ensure that issues requiring operational or judicial resolution are addressed while there is still time to do so.

A well-run Case Progression Meeting should improve confidence in the Firm List, reduce ineffective trials and unnecessary attendance, identify risks to Fixed Date and Flexible Date listings at an early stage, and support the effective use of available judicial and courtroom capacity.

Timing and relationship with the trial lists

The CrimPDL provides a structured run-up to the trial week:

- **four weeks** before the trial week - the Advance List, showing the trials and, so far as practicable, other hearings to be listed in that week (Ch4 §7(a));
- **during the third week** before the trial week - the Case Progression Meeting (Ch4 §7(b));
- **two weeks** before the trial week - the Firm List (Ch4 §7(e)); and
- **the day before** the hearing - the draft and final Daily Lists (Ch4 §7(f)).

The Advance List is the starting point for the meeting. Each trial on the list should be reviewed and any issue which may affect readiness, likely effectiveness or the proposed listing should be identified. The week between publication of the Advance List and the meeting is also the period in which court users can identify problems and make representations.

These stages should progressively improve the court's confidence in the trial list. A case should not simply be carried from the Advance List to the Firm List where material information has emerged about readiness, capacity or another listing issue. So far as practicable, any material issue requiring judicial or operational resolution should be resolved before publication of the Firm List.

Local arrangements

The arrangements for the Case Progression Meeting, and the means by which representations may be made by the defence or other interested parties, must be set out in the Court Listing Plan (Ch4 §7(c)). The Plan must also identify the day and time of the weekly meeting and how parties can best engage with it or provide information to it (Ch4 §24(c)).

The Plan should make clear:

- the usual day and time of the meeting;
- the HMCTS team responsible for arranging and conducting it;
- how the Advance List and relevant case information will be made available;
- how Certificates of Trial Readiness and other readiness information will be reviewed;
- how defence and other representations are to be made, and by when;
- whether, and in what circumstances, defence representatives or other interested parties may attend;
- how actions and concerns arising from the meeting will be recorded; and
- the routes for operational and judicial escalation.

Responsibility for case progression may differ between court centres. It may be undertaken by dedicated case progression staff, case coordinators, Listing Officers or other HMCTS staff. The local allocation of work does not alter the purpose or requirements of the meeting.

Whatever the local arrangement, current readiness information must be capable of reaching the Listing Officer and, where necessary, the judiciary in sufficient time for it to be acted upon.

Detailed operational arrangements sit alongside this guidance in the Crown Court Listing Officer Manual.

Attendance and participation

The meeting must include staff from the Crown Prosecution Service or, where appropriate, the other relevant prosecutor, and the Witness Care Unit (Ch4 §7(b)). Where the prosecutor is not the Crown Prosecution Service, arrangements must ensure that the relevant prosecuting authority participates in relation to its cases.

That composition is a requirement rather than an aspiration. A meeting held without the prosecutor and the Witness Care Unit cannot answer the questions which matter most: whether the file is ready, whether witnesses have been warned, and whether a complainant has indicated an intention to withdraw. Where attendance is not possible in a particular week, the position on each case should be provided in writing in advance rather than the meeting proceeding without it.

The court may provide for defence representatives or other interested parties to attend where it considers that their attendance would assist (Ch4 §7(d)). There is no requirement that defence representatives attend every meeting. Whether or not the defence attends, the meeting must have regard to any representations received from the defence or other interested parties, and the local arrangements must provide a clear and effective means by which those representations can be made.

Where necessary, information may also be required from prisons and PECS, probation, the Youth Justice Service, interpreter or intermediary providers, section 28 or technical teams, court security, or other services whose involvement may affect trial readiness or effectiveness.

The meeting is conducted by staff. The Resident Judge sets its terms, receives its output and deals with the matters requiring judicial decision. Some Resident Judges will wish to see the flagged cases each week; others will want only the exceptions. The arrangement should be settled explicitly rather than left to develop.

Information available to the meeting

The meeting should be supported by current and reliable information. Depending upon the case, this may include:

- the Advance List;
- the Priority Tier;
- the Fixed Date or Flexible Date listing;
- the trial date or Flexible Date period;
- the current trial estimate;
- Certificates of Trial Readiness;
- prosecution and defence readiness information;
- witness information from the Witness Care Unit;
- custody status and any applicable custody time limit;
- interpreter, intermediary, special measures, section 28, live link or other participation requirements;
- judicial allocation, authorisation and any reservation; and
- any information suggesting that the case may resolve, become ineffective, require further directions or otherwise be unable to proceed as listed.

The absence of information should not simply be treated as confirmation that there is no difficulty. Where information necessary to assess readiness or likely effectiveness is missing, appropriate follow-up action should be taken.

Information suggesting that a case may resolve can assist planning, but should not be treated as certain unless clear and reliable information has been received.

Where a direction under Chapter 2 §9 requires structured listing information to be collected, the meeting is one of the points at which its accuracy can be checked against what is actually known about the case.

Certificates of Trial Readiness

Each Crown Court centre must have a system for directing the service and efficient review of Certificates of Trial Readiness in accordance with CrimPR 3.12 (Ch4 §6(b)).

Certificates are an important source of information for the Case Progression Meeting, but their review should not become a purely administrative exercise. The meeting should consider whether the required certificates have been received, whether the parties state that they are ready for trial, what remains outstanding, and whether anything identified requires follow-up or judicial direction.

A certificate indicating readiness does not prevent consideration of other information suggesting that the trial may nevertheless be ineffective. Conversely, an outstanding matter does not necessarily mean that the trial will be ineffective. The relevant question is whether it can realistically be resolved in sufficient time for the trial to proceed as listed, which is the question posed by Ch4 §6(a), under which a case must not be listed for trial unless it is ready or is expected to be ready by the date fixed.

Reviewing each trial

The purpose of the meeting is not simply to place a general "ready" or "not ready" label against a case. It should identify whether the trial is likely to proceed effectively and what, if anything, remains to be done. For each trial, the meeting should consider the following matters where relevant.

Listing arrangements. The recorded Priority Tier, Fixed Date or Flexible Date status, trial date or listing period, and any judicial direction affecting the listing should be checked. Where the case shares trial capacity with another, the current position should also be reviewed.

Where a case is listed as a Flexible Date, the meeting must check whether a specific date has been assigned for the commencement of the trial. Ch4 §2(f) requires that, so far as practicable, this is done not less than two weeks before the beginning of the listing period, which falls at or immediately after the Case Progression Meeting. Assigning that date, or identifying that it cannot yet be assigned, is an action of the meeting and not merely an item of information before it.

Readiness. Whether the prosecution and defence are ready or expected to be ready, whether material directions have been complied with, and whether there are outstanding issues concerning disclosure, evidence, experts, legal argument or applications. Any matter which may require further judicial directions should be identified.

Trial estimate. The current estimate should be checked to ensure that it remains realistic (Ch2 §7(d)-(e)). Particular attention should be given to changes in the number of defendants or

witnesses, expert evidence, legal argument, interpreters, intermediaries, section 28 arrangements or other matters capable of materially affecting duration. The estimate must include proper allowance for jury deliberation and any other time required for the proper conduct and completion of the proceedings (Ch2 §7(c)).

Defendants. Custody or bail status, any applicable custody time limit and its expiry date (Ch4 §13), production arrangements, and any interpreter, intermediary, accessibility or other participation need. Any known issue affecting the defendant's ability to attend or participate should be identified.

Witnesses. The Witness Care Unit should provide or assist in providing current information about witness warning and availability, vulnerability and support needs, special measures, section 28 arrangements, travel or caring commitments, overseas or professional witnesses, and any concern affecting attendance or wellbeing.

The fact that a witness's cross-examination has been pre-recorded under section 28 does not remove the need to consider the impact of delay on that witness or on other participants, and must not of itself result in a reduction in the priority given to the case (Ch4 §5).

Where the circumstances of a complainant or witness were material to the Priority Tier, a change in those circumstances may require the tier to be reconsidered. The parties are under a duty to draw such matters to the attention of the court (Ch4 §1(i)); where they emerge at the meeting, the case should be referred for judicial consideration.

Advocates. Any material issue concerning advocate availability which may affect trial effectiveness should be identified. Advocate unavailability will not normally justify variation of a trial date where the court considers that suitable alternative representation can reasonably be arranged without causing unfairness (Ch4 §9(c)). Any proposal to alter the listing must be dealt with in accordance with the CrimPDL.

Judge and courtroom. Whether the anticipated judge remains available, properly allocated and, where necessary, authorised; whether any judicial reservation can be maintained; and whether a suitable courtroom and any required security, technology or accessibility arrangements are expected to be available.

Witness warning

The practical reason the meeting is held in the third week is that it falls before or around the point at which witnesses are warned for the trial week.

Whether to warn witnesses, or to stand down witnesses who have already been warned, is a decision for the prosecutor. It is not a decision of the Case Progression Meeting or of the HMCTS staff conducting it. Where the prosecutor is not the Crown Prosecution Service, the decision rests with the relevant prosecuting authority.

The role of the meeting is to ensure that the issue is addressed on the best available information and in sufficient time for any decision to be acted upon. Where the meeting considers that a trial is unlikely to be effective or unlikely to be reached, that assessment should be put to the prosecutor at the meeting so that the question of warning or standing down witnesses can be considered without delay.

The prosecutor's decision should then be recorded and communicated promptly to the Listing Officer, so that it can be taken into account in preparing the Firm List and in the practical management of the trial week.

Both courses carry risk. Warning witnesses for a trial which is not realistically expected to proceed is among the more avoidable causes of unnecessary disruption and distress. Equally, standing witnesses down for a trial which then proceeds may create an even more serious difficulty. A decision not to warn, or to stand witnesses down, should therefore be recorded with reasons and kept under review before publication of the Firm List.

Where the position is genuinely uncertain, the meeting should identify what further information is required, who is to obtain it and by when, rather than defaulting either way.

Shared capacity and cases at risk

Where more than one case is listed against the same trial capacity (Ch4 §4(b)), the meeting provides an important opportunity to review the likelihood that each will proceed and the consequences if one is not reached. Any new information about readiness, likely resolution, trial duration or available capacity should be considered.

Where more than one case remains listed against the same capacity, the court must ensure that the parties are clearly informed of the nature of the listing, that arrangements are in place to identify in advance where possible which case will proceed, and that the risk of unnecessary attendance by participants is minimised (Ch4 §4(d)).

Where a Fixed Date trial appears to be at risk of not being reached, Ch4 §8 applies. The court must consider whether a hearing is required to review the listing. The listing may be maintained only where the court is satisfied, following such consultation between the Listing Officer and the Resident Judge as may be necessary, that the case can be accommodated within its estimated duration or within a short period thereafter (Ch4 §8(c)); and a Fixed Date should not be maintained where to do so would be likely to cause a material adverse impact on participants or on the fairness of the proceedings (Ch4 §8(d)).

The meeting is where that consultation with the Resident Judge should be initiated. It should not be left until the Firm List or Daily List if it can reasonably be identified earlier.

Judicial and operational decisions

The Case Progression Meeting is principally an information, readiness and action meeting. It does not acquire judicial powers merely because representatives of the parties agree about what should happen.

Chapter 2 §1(d) permits judicial responsibility for listing to be exercised through delegated authority exercised by HMCTS staff in accordance with local Court Listing Plans and judicial direction, and provides that such delegation does not remove or diminish judicial responsibility, with judicial oversight maintained over all listing practices. Court staff may accordingly take operational action falling within their ordinary responsibilities or any valid delegated authority.

A matter should be referred through the appropriate judicial route where it requires judicial judgment or a judicial direction. This will ordinarily include:

- a change to the Priority Tier (Ch4 §1(c), (i));
- a change between Fixed Date and Flexible Date;
- removal of a trial from the list;
- variation of a trial date, except within the limited authority available to a Listing Officer under Ch4 §9(d) and any parameters set by the Resident Judge;
- relisting of a trial not reached, which must be listed before a judge for further directions and must not be relisted administratively (Ch4 §10(a));
- determination of a disputed readiness or case-management issue;
- further directions arising from non-compliance;
- reconsideration of a Fixed Date which may not be reached (Ch4 §8); or
- a decision affecting judicial allocation or reservation.

The role of the meeting is to identify the issue, assemble accurate and neutral information, identify realistic options where appropriate, and secure timely judicial consideration.

Agreement between prosecution and defence does not of itself permit court staff to change a judicial listing decision. In all cases other than those falling within Ch4 §9(d), an application to vary a trial date must be determined by a judge at a hearing (Ch4 §9(e)).

Escalation

Issues should be escalated while there remains a realistic opportunity to resolve them.

Where an issue may affect the trial date, trial estimate, Priority Tier, Fixed or Flexible Date status, custody time limit, participant arrangements, judicial allocation or the likelihood of the trial proceeding effectively, it should be referred promptly through the appropriate operational or judicial route and, so far as practicable, resolved before publication of the Firm List.

Urgent matters, particularly those involving custody time limits, serious participant vulnerability, a Fixed Date trial at risk of not being reached, or a substantial risk of ineffectiveness, should not await the next routine meeting or listing stage.

Actions and follow-up

- The meeting should leave a clear current position for each trial. Where action is required, the record should identify:
- the issue;
- the action required;
- who is responsible for taking it;
- when it must be completed; and
- whether judicial determination or further review is required.

Actions should be followed up. A concern should not be treated as resolved merely because it has been identified at the meeting.

Material information obtained through the meeting should be reflected, where appropriate, in the formal case record, listing information and authorised planning systems. Any judicial decision made following escalation from the meeting should be recorded accurately and reflected in the listing arrangements.

The record need not be elaborate. It does need to be capable of showing, after the event, what was known about a case, what was decided and by whom, both because that is what allows systemic causes of ineffective trials to be identified and because the meeting will sometimes be the last occasion on which something could have been done.

Preparation of the Firm List

The meeting should leave the court able to prepare the Firm List with a materially greater degree of confidence than existed when the Advance List was published.

Before publication, Listing Officers should so far as practicable have current information about readiness, trial estimates, participant requirements, custody time limits, assigned dates for Flexible Date cases entering their listing period, and any unresolved issue affecting likely effectiveness. Matters requiring judicial resolution should have been referred and, where practicable, determined.

The Firm List is not a guarantee that circumstances will not change. Material developments after publication must continue to be acted upon and, where necessary, escalated. Detailed operational arrangements concerning later changes to published lists are dealt with in the Crown Court Listing Officer Manual and the Court Listing Plan.

Defence and other representations

Parties should not wait for the Case Progression Meeting to notify the court of a material readiness or listing issue which becomes known earlier. The duty under Ch2 §6 to notify the court promptly of any material change affecting listing is a continuing one.

The defence and other interested parties should use the arrangements identified in the Court Listing Plan to provide concise and current information relevant to readiness or likely effectiveness. Representations in response to the Firm List or Daily List should be made promptly and in accordance with those arrangements (Ch4 §7(g)).

A representation should identify the case, the issue, why it may affect readiness or effectiveness, any action already taken, and what, if anything, is sought from the court.

For the representations route to work, three things must be true, and they are matters for the court centre rather than for practitioners:

- the route is published, specific and monitored, being an address which is read, and read in time;
- the deadline is stated, and falls far enough before the meeting for representations to be collated; and
- representations received are actually put before the meeting, and the fact that they were considered is recorded.

Practitioners are entitled to assume that a representation made through the published route reaches the meeting. Where a centre cannot deliver that, the answer is to change the route rather than to rely on informal contact, which is neither auditable nor available to those who do not have the relevant contact details.

Receipt of a representation does not mean that the meeting itself can determine an application which requires a judicial decision.

Monitoring effectiveness

The court must monitor ineffective trials and the reasons for them and take appropriate steps to address any systemic causes (Ch4 §6(c)).

Case Progression Meetings should therefore form part of a wider process of learning and improvement. Repeated problems which were, or should have been, identifiable before trial should be reviewed rather than treated simply as isolated events. The weekly record from the meeting is the natural source for that monitoring, and the meeting is often where a pattern becomes visible before it appears in data.

Recurring concerns may include late disclosure or outstanding evidence, failures to secure witnesses, inaccurate trial estimates, interpreter or intermediary difficulties, custody time limit risks, or repeated failure to identify likely ineffectiveness sufficiently early.

Significant or recurring concerns should be brought to the attention of the Resident Judge and the appropriate HMCTS operational lead. Where the cause is systemic rather than case-specific, it should be raised with court users and, if it cannot be resolved locally, with the Presiding Judges.

Practical summary

For each trial, the Case Progression Meeting should answer five practical questions.

Is it ready? If not, what remains outstanding?

Is it likely to be effective? Is there a realistic risk that the trial cannot proceed as listed?

Is the listing still right? Has anything arisen which may require reconsideration of the date, Priority Tier, Fixed or Flexible Date status, judge, courtroom or shared capacity? For a Flexible Date case entering its listing period, has a specific date been assigned?

What needs to happen next? Identify the action, the owner and the deadline, including whether witnesses are to be warned or stood down.

Does a judge need to decide anything? If so, refer it early enough for the decision to be made before the Firm List wherever practicable.

The meeting is successful not because every case is recorded as ready, but because problems are identified accurately, acted upon early and brought to the right decision-maker while there is still time to do something about them.

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