



**Judiciary of
England and Wales**

National Listing Framework

A new approach to criminal listing

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A new approach to criminal listing

Foreword

The administration of justice depends not only on the decisions that courts make, but also on the timely and fair management of the cases that come before them. The way in which cases are listed is therefore not a matter of administrative convenience alone. It is an integral part of the judicial process.

From 1 October 2026, the Practice Direction on Listing in the Criminal Courts introduces, for the first time, a National Listing Framework for Criminal Courts in England and Wales. It establishes common principles to guide judicial decision-making on listing whilst preserving the flexibility that justice requires in individual cases. It does not seek to impose rigid uniformity upon courts serving different communities; rather, it marks an important step towards a more consistent, transparent and principled approach to criminal listing, within which judicial discretion may continue to be exercised and local innovation may continue to flourish. It also provides a clearer understanding of the respective roles of judges, magistrates, HMCTS staff and practitioners in giving effect to those principles.

This overview is intended to help everyone involved in criminal listing to understand what the Framework seeks to achieve and the part that each of us has to play in its success. I am very grateful to the judges who, and HMCTS and the criminal justice agencies which, have contributed to its development. I commend the clear and helpful explanation of the new approach set out in this document to everyone who serves the administration of the criminal justice system.

The Rt Hon the Baroness Carr of Walton-on-the-Hill

Lady Chief Justice of England and Wales

What is the National Listing Framework?

The National Listing Framework is the first framework governing how criminal cases are listed across England and Wales, in the Crown Court and the magistrates' courts alike.

The Framework is not simply concerned with fixing dates for hearings and trials. It is concerned with how the courts decide what matters most: how the impact of delay is assessed, how cases are prioritised, and how finite judicial and court resources are used in the service of justice. Every listing decision has consequences — for victims and witnesses waiting to be heard, for defendants awaiting trial, for the quality of evidence, and ultimately for the fairness of the proceedings themselves.

Why Change?

For many years, listing practices have developed locally. That flexibility has often been a strength. Resident Judges and their listing teams have adapted successfully to different workloads, buildings, judicial resources and criminal justice partnerships.

However, practices have also evolved in different ways across the country. Terms such as 'floater' and 'backer' have come to mean different things in different courts. Similar cases have sometimes been managed differently, not because the interests of justice required it, but because established practice differed from one court to another.

The National Listing Framework does not seek to remove local expertise or judicial discretion. Rather, it establishes a common language and shared principles within which courts can continue to exercise judgment and respond to their own circumstances. Those arrangements are brought together through Court Listing Plans in the Crown Court and, in the magistrates' courts, through arrangements overseen by the judicial leadership of each area.

Consistency does not mean uniformity. It does not require every case to be treated identically, or every court to organise its lists in exactly the same way. It means that similar cases should ordinarily be approached on a common basis, while recognising that local circumstances and the interests of justice may properly lead to different outcomes.

The Central Principle

At the heart of the Framework lies a single, simple proposition.

The priority for listing a case should be determined by the impact that delay is likely to have on participants and on the fairness of the proceedings.

This is what the Framework calls the human impact of delay. It recognises that delay is not experienced equally. For some participants, an additional six months may have relatively little effect. For others it may significantly affect wellbeing, participation, the quality of evidence or

confidence in the justice system. The Framework therefore places the consequences of delay at the forefront of listing decisions before considering how best to deploy available judicial and court resources.

This represents a subtle but important shift in emphasis. The efficient use of courtrooms remains important, but it is not an end in itself. Efficiency serves the broader objective of delivering justice fairly and at the earliest appropriate opportunity.

In Practice

In the Crown Court, priority is assessed at the first substantive hearing — the Plea and Trial Preparation Hearing — where the judge allocates the case to a priority tier reflecting the human impact of delay in that case. The trial is then listed either as a Fixed Date, when the court is confident a courtroom and judge will be available, or a Flexible Date, to be heard within a short, defined window.

In the magistrates' courts, the same approach informs listing decisions and pre-court discussions, guided by National Magistrates' Court Listing Guidance issued under the Framework and shaped by local arrangements suited to each area's caseload.

Every Crown Court centre publishes a Court Listing Plan setting out how the Framework is applied to its own caseload and capacity — and, as a case moves through the system, its priority and listing arrangements can be revisited if circumstances change.

Judicial Responsibility

Listing remains fundamentally a judicial responsibility. The Framework does not reduce judicial decision-making to an administrative or automated process. Judges make the decisions that require judgment: the priority of a case; whether it is listed as a Fixed Date or Flexible Date trial; whether judicial continuity is desirable; and whether an earlier decision needs to be revisited as circumstances change.

Listing Officers continue to perform an essential operational role. They implement judicial decisions, identify practical issues and use their expertise to ensure that court lists operate effectively. The Framework therefore clarifies, rather than changes, the relationship between judicial decision-making and the operational support that surrounds it.

Better Information, Better Decisions

Effective listing depends upon good information. Judicial decisions about priority and listing can only be as good as the information on which they are based.

The Framework therefore places greater emphasis on identifying relevant information early, recording important listing decisions consistently, and keeping that information up to date as circumstances change. This should enable judges to make better-informed decisions, assist

Listing Officers in giving effect to them, and provide a clearer picture nationally of how the Framework is operating.

The aim is not to create additional bureaucracy, but to ensure that the information which matters is available when it is needed.

Measuring Success

The success of the National Listing Framework will not be measured by statistics alone. Reduced waiting times are important. So too are fewer ineffective hearings, greater certainty for court users and greater consistency in decision-making.

Ultimately, however, the Framework should be judged by a broader question:

Does it help courts deliver justice more fairly, by ensuring that those cases most affected by delay are given appropriate priority, while making effective use of the resources available to the courts?

That is the purpose of the Framework.

A Shared Commitment

The National Listing Framework provides a common foundation for criminal listing across England and Wales. It does not seek to prescribe every listing decision, and it preserves the flexibility needed to respond to individual cases and different court environments. It seeks to ensure that those decisions are made within a shared understanding of what matters and why.

The Framework will inevitably develop as experience of its operation grows. Good practice will emerge, circumstances will change and there will be lessons to learn. The national approach should provide the consistency needed to support that development, while leaving room for individual judgment, local experience and innovation.

Its success will depend upon the shared commitment of judges, magistrates, HMCTS staff, practitioners and criminal justice partners to that underlying purpose: the fair, timely and effective administration of justice.

Lady Justice Yip

Senior Presiding Judge for England and Wales

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