



MAGISTRATES' COURTS NATIONAL LISTING GUIDANCE 2026

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Part 1 Introduction and purpose

1. This Magistrates' courts National Listing Guidance is issued pursuant to Chapter 3 of the Practice Direction on Listing in the Criminal Courts. It supplements that Practice Direction and the Criminal Procedure Rules by setting out national expectations for listing practice in the magistrates' courts in England and Wales. It is subordinate to the Practice Direction and must be read as subject to it; in the event of any conflict or inconsistency, the Practice Direction prevails. The Senior Presiding Judge may direct that this Guidance be varied or disapplied in any particular case or category of case. Listing is a judicial function and responsibility exercised in partnership with HMCTS to ensure that criminal, youth, civil and enforcement magistrates' court business is disposed of fairly, efficiently, and without unnecessary delay. This National Policy establishes single, consistent strategic guidance that:
 - a) Delivers timely, effective justice by ensuring that every case is listed at the earliest opportunity consistent with the interests of justice.
 - b) Recognises that unnecessary delay causes harm to victims, witnesses, defendants and communities, and that reducing avoidable delay is a central objective of effective judicial listing.
 - c) Creates national consistency while allowing targeted local flexibility where justified by workload or geography.
 - d) Supports victims and witnesses, especially in sensitive or vulnerable categories such as domestic abuse and youth cases.
 - e) Maximises the use of the court estate, including remote capability, regional sharing models, and flexible-operating approaches.
 - f) Enables modern, data-driven listing, supported by digital platforms, national performance dashboards, and single justice infrastructure.
 - g) Maintains public confidence through transparency, predictability, and fairness in the deployment of judicial and administrative resources.
2. References in this Guidance to practices that should occur are intended to describe the ordinary position. Departure from standard approaches may be required where the interests of justice so demand, and nothing in this document is to be read as fettering judicial discretion on a case-by-case basis.
3. In applying this guidance, regard should be had to the well-established principles of Transforming Summary Justice.

Part 2 National principles

1. Judicial responsibility for listing

- a) Listing decisions remain a judicial responsibility, subject always to the supervision and governance arrangements set out in the Criminal Practice Direction on Listing in the Criminal Courts and supported by Heads of Legal Operations (HoLO), Listing and Case Progression Officers. In this document reference to a HoLO includes any person nominated by him or her to undertake listing decisions.

2. Judicial deployment

- a) Judicial deployment will follow relevant national protocols and the relevant Criminal Practice Direction.

3. National consistency and limited local adaptation

- a) This Guidance aims to secure national consistency, and all regions should operate according to its principles. However, it is recognised that limited variations may be necessary to reflect specific local factors, for example:
 - Rurality;
 - Size and distribution of courthouse estate;
 - Specialist work;
 - Volume and flow of cases;
 - Impact of geography on young, or vulnerable, parties;
 - Urgent changes due to estate failures or public protection issues.
- b) Any variation should be:
 - agreed by the relevant judicial governance body, working with the HoLO;
 - proportionate;
 - justified by evidence, including any relevant data;
 - transparent to stakeholders;
 - only for such period as is necessary.

4. Efficiency, fairness, and timeliness

- a) Listing should:
 - focus on the needs of parties, including victim and witness needs;
 - protect any vulnerable individuals, including defendants;
 - minimise avoidable adjournments;
 - support early resolution of cases;
 - safeguard custody time limits;
 - be supported by effective case management from the point of charge.
- b) Listing decisions should be driven by the human impact of delay on those involved in proceedings. Such decisions sit at the point where judicial responsibility, operational delivery and public confidence meet. Decisions taken by the judiciary, supported by HMCTS, including staff exercising authorised judicial functions, have a direct impact upon delay, trial effectiveness, victim and witness experience, the experience of defendants and advocates, custody time limits, and the efficient use of judicial and court resources. Listing is therefore not merely an administrative

process. It is a key activity through which the courts secure timely, fair and effective justice, whilst ensuring that every case remains subject to individual judicial consideration in accordance with the interests of justice.

- c) Regardless of how work is scheduled, brigaded or grouped for operational efficiency, each case is judicially considered on its individual merits. No scheduling approach alters the requirement for individual judicial decision-making in every case.
- d) Open Justice lies at the heart of listing cases before courts. This includes clear publication of outcomes, accessible public lists, and practical arrangements to enable members of the public and media to observe proceedings they are entitled to.

5. Strategic use of sitting capacity

- a) National standards apply for:
 - days on which courts will sit;
 - length of sitting day;
 - use of half-day versus whole-day courts.

6. Core scheduling principles

- a) The standard court week is Monday to Friday, with Saturdays and Bank Holidays ordinarily used for custody cases and emergencies.
- b) Core start time is 10:00 am. Individual circumstances, such as emergencies or resumption of part-heard trials, might necessitate a departure from this general principle, and by exception, courts may commence sittings on a Saturday or Bank Holiday at 09:30 am.
- c) Save where a different local practice applies, or where the needs of a particular hearing require otherwise, the planning assumption should be that listed business is capable of being completed no later than 5pm. This assumption relates to the scheduling of business in advance and does not require proceedings to conclude at that time, prevent a court from sitting beyond that time where necessary, or displace the court's responsibility to deal with business in accordance with the interests of justice.
- d) Flexible operating hours can be considered if they aid backlog reduction, timeliness, throughput or accessibility. Use of such courts is subject to limitations such as availability of parties and representatives, and contract terms of partner agencies. Such a step requires the agreement of the HoLO and relevant judicial governance body, following local consultation with stakeholders.
- e) Listing should prioritise full day sittings, using half days only where essential.
- f) Where possible, waiting time for parties attending court on the day should be minimised with consideration given to staggered attendance times.
- g) Decisions on whether lists should be blocklisted or staggered should be made by reference to available data and other factors such as:

- rates of failure to attend court at the time stated on summons, postal requisition or charge;
 - other impacts on the ability to call cases without downtime;
 - the physical confines of any building.
- h) All parties to a case should attend at least 30 minutes before any hearing (45 minutes for trials).
- i) Subject to meeting statutory obligations to deal with prisoners, courts may reduce business during peak periods of leave, such as summertime and religious holidays.
- j) Facilities such as secure docks, live links, screens and waiting areas should be considered before allocating work to a courtroom.
- k) Custodial cases should be prioritised on the day to support onward transportation to custodial establishments.
- l) Custodial cases involving youths should be prioritised over other prisoners.

7. Efficient use of court time

- a) Actively managed by the judiciary, courts should start promptly and avoid delays.
- b) Legal advisers and court associates should be available before the commencement of the court sitting, ordinarily by 9:30am, to support pre-court engagement and readiness discussions. Such engagement should take place in accordance with any nationally issued direction on pre-court briefings. The purpose of such engagement is to identify issues affecting case progression, readiness, use of court time and any matters requiring judicial attention. Prosecutors, probation, Youth Justice Services, defence representatives and other relevant stakeholders should be engaged where available and in accordance with locally agreed arrangements and any applicable national guidance.
- c) By 9:45am (or another time agreed with the judiciary on the day), a judicial briefing should commence, following the same guidance to ensure consistency and effectiveness.
- d) Every trial should begin with a review of the timings set down when the case was listed and the parties will be expected to adhere to those timings save if unforeseen issues arise.
- e) Reviews of schedules by HoOs in conjunction with the relevant judicial governance body will occur every six months, but ongoing monitoring enables responsive reallocation of sitting days.
- f) Lists should be reviewed sufficiently in advance (and never less than seven days) by staff specifically agreed by HoOs to do so to identify issues of readiness, risk of ineffectiveness, and opportunities for early resolution. Early identification of such

issues supports effective case management, reduces unnecessary adjournments, and makes best use of available court and judicial capacity.

- g) Staff reviewing these lists may be legal advisers, suitably experienced administrative staff, such as listing officers or those undertaking case progression work, or a combination. Any such staff member should hold Authorised Judicial Functions to make case management decisions. Where appropriate, such staff should seek and have regard to information provided by relevant agencies (e.g. prosecution and defence representatives) concerning readiness and effectiveness.

8. Working with agencies

- a) Effective scheduling depends on timely, accurate engagement across all Criminal Justice System partners. This Strategy recognises that pressures and constraints are shared, and that improvements in timeliness and effectiveness are best achieved through collaboration, transparency and early communication.
- b) Schedules should reflect operational realities across police, Crown Prosecution Service (CPS), defence (including operation of duty solicitor schemes), probation, YJS, Witness Service, Independent Domestic Violence Adviser teams, Liaison and Diversion teams, Prison Escort Contracted Services (PECs) and court gaoler services and other relevant partners, including, for example, non-police prosecutors. Early engagement with stakeholders is essential in formulating listing schedules, including consultation on stakeholder impacts if any reviews are being considered.
- c) Key expectations include:
 - CPS courts should not include work unrelated to that agency where avoidable.
 - Duty solicitor and probation or YJS resources should be used efficiently by concentrating related work on appropriate days/sites.
 - Cases involving vulnerable individuals should be prioritised.
- d) PECs and court gaoler services should be planned and co-ordinated, especially for custody trials and to ensure timely production of prisoners.
- e) Any steps to adjust sittings templates including long-term measures such as centralisation of business or short-term plans to manage emergencies (including trial and other backlog recovery courts) give rise to a need to inform – and where appropriate and practicable – consult and seek feedback from agency partners.

Part 3 Case types and listing expectations

Different categories of cases have specific listing needs in terms of timescales:

9. Overnight & occasional courts

- a) Courts must maintain capacity to hear all police-charged detainees in accordance with statutory deadlines, including on Saturdays and bank holidays. Live links may be used in accordance with the [Lady Chief Justices' Guidance on Live Links](#) to deal with

detainees where appropriate and local arrangements are established. Youths and vulnerable defendants should receive priority over other detainees in the normal course of events. Where a prisoner is not accepted, the limited statutory circumstances in which this may occur (for example, where the cut-off time has passed) should be formally recorded by the court officer.

10. Guilty Anticipated Plea (GAP) and Not Guilty Anticipated Plea (NGAP) work

- a) GAP and NGAP are initial court hearings in CPS-prosecuted criminal cases, depending on whether a guilty or not-guilty plea is anticipated.
- b) GAP cases: these should be listed 14 days following charge, these courts require probation support and a secure dock.
- c) NGAP cases: these should be listed 28 days following charge, with an appropriate prosecutor.
- d) Scheduling GAP and NGAP courts on the same day side by side enables efficient transfer of work and assists the CPS in deploying prosecutors.

11. Court lists for District Judge (Magistrates' Court) (DJ(MC)s)

- a) DJ(MC) lists should generally accommodate more work than would be listed before magistrates. Even then, loadings should be based on a forensic examination of the nature of the work (for example GAP and NGAP lists will likely differ from the number of cases that would be dealt with by magistrates, but trial courts might not carry a significantly increased workload). When determining such matters the relevant judicial governance body will consider any relevant data.
- b) Cases involving particular characteristics (for example, very high-value financial penalties or youth sexual offences) should be listed in a manner which enables them to be heard alongside similar work where possible, and before a judge authorised to deal with that category of case in any event. This also emphasises the need for parties to comply with any obligation to inform the court at the earliest opportunity of matters that must be dealt with by DJ(MC)s.
- c) The factual complexity of a matter should not, of itself, result in its allocation to a DJ(MC), and the availability of a DJ(MC) must not be treated as a default mechanism for dealing with difficult cases. Any decision to allocate a case by reference to complexity, case characteristics or other deployment considerations should be capable of being justified by reference to the relevant Criminal Practice Direction and any applicable judicial deployment guidance.

12. Youth work

- a) Youth cases should be supported by YJS and heard in appropriately separated courtrooms.

- b) Whilst youths not released on bail by the police can be dealt with by an adult court, they should be brought before a youth bench if one is sitting.
- c) Timeliness of youth cases should be monitored and addressed urgently where delay is evident, taking into account the end-to-end duration of proceedings, including any period prior to charge or first hearing.
- d) Where workload volumes in individual locations are insufficient to justify full or frequent youth lists, consideration should be given to alternative listing models. This may include the consolidation or centralisation of youth business, observing the principles of engaging with stakeholders.
- e) In considering such arrangements, regions should have regard to whether fewer but fuller youth lists - supported by early engagement with the YJS and, where appropriate, pre-sentence information available at the first hearing - may reduce overall delay, avoid repeated short hearings, and support timely and proportionate outcomes consistent with Child First principles.

13. Probation (breach), fines & non-CPS work (including civil jurisdiction of magistrates' courts)

- a) Work should be brigaded and, unless exclusively non-imprisonable, supported by duty solicitors and probation officers as needed. For the purposes of this part, imprisonable work includes enforcement of financial penalties or similar cases carrying the potential for imprisonment.
- b) Breach cases involving high risk offenders should be listed for first hearing within 7 to 14 days.

14. Search Warrants

- a) HoLOs shall ensure that each region operates dedicated arrangements for the receipt, consideration and determination of search warrant applications
- b) Priority provision must be made in lists for emergency police and other agency warrants, in particular any with a potential risk of serious harm e.g. Mental Health Search Warrants.
- c) These arrangements shall include the designation of sessions specifically allocated for search warrant applications, separate from other court lists. The number and availability of such sittings should be sufficient to meet local demand and avoid delay to both applicants for warrant and other court users. A legal adviser and a magistrate shall be rostered to support these courts.
- d) Search warrant courts shall operate in accordance with nationally agreed principles, ensuring consistency of approach. All applications other than those requiring security clearance or identified as urgent by a justices' legal adviser should be listed into these designated sessions.

- e) HMCTS should make full and effective use of digital and remote technology to enable the submission, listing and determination of search warrant applications, including out-of-court and out-of-hours hearings where necessary, to support timely decision-making and efficient use of judicial and administrative resources.

15. Domestic Abuse (DA)

- a) DA work is generally prioritised because of:
 - vulnerability of victims;
 - safeguarding requirements including protective orders.

16. National DA Listing Principles

- a) Where local criminal justice partnership arrangements can support earlier case preparation than existing Transforming Summary Justice timelines, DA GAP/NGAP first hearings should ideally be listed within 7 to 14 days of charge.
- b) Every effort should be made to list DA trials within 8–12 weeks of the first hearing.
- c) HMCTS shall ensure that appropriate arrangements are made to reserve space in listing schedules to accommodate DA work and to meet the timescales set out in this part.
- d) DA trials should not be listed against other priority cases, i.e. other trials involving DA, vulnerable witnesses of other kinds, sexual offences, fatalities, custody trials or interpreter-heavy cases.
- e) DA cases should, where practicable, be brigaded together in dedicated lists or sittings and, unless heard by a DJ(MC), should ideally be determined by a bench of magistrates of whom at least one member has received training in dealing with DA cases.
- f) IDVA and safeguarding agencies' availability shall inform scheduling decisions.
- g) These principles have equal applicability to local initiatives (for example strategic approaches agreed by Criminal Justice Boards and which operate with the agreement of the HoLO) and which pertain to other identified or vulnerable groups. Listing arrangements should, as far as practicable, protect the expedited trial arrangements for DA cases, while having proper regard to the priority and human impact of delay in all cases which may be affected.

17. Implications of the passage of time

- a) In determining priority, regard shall be paid to cases that are time-sensitive, including those involving continuing environmental impacts or ongoing costs arising from the circumstances of the case. Where consistent with the interests of justice and the needs of other cases, such matters should be prioritised.

18. Regional management of equality of justice and resource sharing

- a) HoLOs working with the relevant judicial governance body should scrutinise:

- underused courtrooms;
- uneven trial waiting times;
- opportunities to move work to improve timeliness; and
- use of digital and other remote capability.

and subject to judicial decision-making, should consider cross-regional sharing of resource, including:

- remote case management;
 - remote trials where appropriate;
 - inter-region backlog recovery planning;
 - temporary transfer of trial work;
 - potential to redeploy judicial capacity as a short-term measure.
- b) In undertaking such reviews, the relevant judicial governance body should have particular regard to trial waiting times, timeliness of first hearings, ineffective trials, utilisation of available capacity, and the impact of delay on victims, witnesses and defendants.

19. Use of remote and digital listing

- a) Scheduling and listing arrangements should support the effective use of live link and other virtual technology in accordance with the [Lady Chief Justices' Guidance on Live Links](#) which establishes a presumptive framework for the use of live links in criminal proceedings.

20. Remote witness evidence

- a) In accordance with the LCJ Guidance on LiveLinks and subject to judicial discretion in any case, listing arrangements should anticipate the appearance of witnesses to give evidence remotely and the need for facilities to support witness support services. Local listing arrangements should also consider any additional protocols which supplement the LCJ Guidance on LiveLinks e.g. the HMCTS/NPCC/CPS memorandum of understanding on Police Witness Evidence by live links (remote hearings).

21. Single Justice Procedure (SJP)

- a) SJP work can be listed flexibly as there is no legal requirement for cases to be heard in open court, and therefore may be suitable for dedicated sessions, listing outside of core hours and in non-courtroom spaces, or dealt with remotely subject to the strict requirement that the fundamental principle of open justice is applied in terms of providing access to information about case outcomes.
- b) Each case continues to be judicially considered on its individual merits.

22. Work that can be handled digitally or remotely

- a) All work that can be handled digitally or remotely may be brigaded regionally and nationally where appropriate, and should be:

- used to stabilise regional capacity
- scheduled with consistent national loadings
- be listed in a manner that safeguards the principles of open justice.

Where remote technology is used, the principle of open justice remains essential. HMCTS shall ensure facilities are provided to enable the public to join proceedings which the public are entitled to observe.

23. Centralisation

- a) Consideration should be given to centralising work where economies of scale exist, practical solutions (e.g. virtual hearings) can be implemented, and it would not be contrary to the interests of justice to do so, such as:
 - custody cases;
 - search warrants;
 - Single Justice Proceedings;
 - Council Tax enforcement (regarding stages prior to consideration of committal);
 - Proceeds of Crime Act matters;
 - Domestic Violence Protection Orders;
 - other application types.
- b) Centralisation decisions should include consideration of (and mitigations for):
 - vulnerability and characteristics of those involved in proceedings;
 - minimising defendant, victim and witness travel;
 - digital access by parties and relevant members of the public;
 - legal adviser capacity;
 - DJ(MC) expertise and ticketing;
 - any relevant contractual requirements between HMCTS and a stakeholder, including notice periods (for example, those required by PECS to adjust escort arrangements).
- c) Centralisation may bring together work that is listed:
 - at two or more courthouses in a region
 - in two or more counties in a region
 - across multiple regions.

24. Trial Listing

a) Identifying length of hearing

- Trials (which may include any matter where evidence is heard, including after conviction) should be listed based on a detailed assessment of the time genuinely required to hear the case and not be allocated simply as half-day or full-day fixtures.
- In accordance with the Criminal Procedure Rules, it is the court's responsibility to set the trial timetable by reference to the needs of the case, including witness

evidence, and so that the trial can be completed within the available court capacity and delay is properly managed.

- Decisions as to the time to be allocated to each witness are therefore matters for the court and may, for these reasons, be less than the time sought or anticipated by the presenting party.
- Witness accommodation, screens and live links should be factored into planning and time estimates, as should the volume, length and nature of any video or recorded evidence.
- When fixing a trial involving an interpreter, additional time will likely be required to take into account interpretation of the evidence.

b) Case management

- Plea hearings should set timetables and directions, reducing the need for separate case management hearings. Applications (e.g., Special Measures Directions, witness summonses, bad character or hearsay) should be determined before the trial date wherever possible, and without the need for a court hearing if they cannot be finalised at the first hearing.

c) Time-estimates

- Case management is at the core of effective trial listing and making best use of courtroom time. The needs of an individual case should always be properly considered before setting it down for hearing

d) Trial overlisting

- To account for the fact that some cases listed for trial will be concluded without a full hearing (for example, because a guilty plea is entered), trial courts may be overlisted. The extent to which overlisting takes place is to be agreed between the HoLO and the relevant judicial governance body and regularly monitored based on data analysis.

e) Minimum trial court principles

- Where local facilities and resources permit, at least two trial courts should sit in the same building on the same day wherever possible to allow flexible movement of trial cases as appropriate, following consultation with the parties on the day. However, this should not be taken as requiring agreement.
- Priority trials may be dependent on characteristics of individual cases but will include the following:
 - i. matters of domestic abuse;
 - ii. youth trials;
 - iii. custody cases;
 - iv. vulnerable witness cases;

- v. interpreter-heavy or expert-heavy cases.

f) Managing Trial Backlogs

- Periodic and targeted trial recovery programmes may be used to reduce backlogs, supported by dedicated trial courts and pre-trial hearings where necessary.
- Such recovery exercises are not a substitute for strong daily listing and should not be seen as a default tool, but instead a targeted intervention, used when:
 - i. trial delays exceed national norms;
 - ii. backlogs spike due to temporary resource constraints;
 - iii. seasonal or geographic pressure requires it.
- These courts should be fully staffed and fully listed.
- Three conditions should be met before any recovery exercise is authorised by the judicial governance group:
 - i. There is inter-agency sign-off between HMCTS, CPS, Police, Defence, and Witness Service;
 - ii. DJ(MC) and Court Associate or legal adviser resource is assured;
 - iii. Post exercise reviews take place to prevent repeat backlogs.

Part 4 – Listing Guidance Reviews

- These strategic principles will be:
 - i. Reviewed periodically and updated and re-issued as appropriate to reflect:
 - reforms to the criminal justice system including digital reform;
 - relevant Common Platform function improvements;
 - relevant statutory changes.



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