



JUDICIARY OF
ENGLAND AND WALES

THE LANCASHIRE CROWN COURTS

LOCAL PRACTICE DIRECTION 2/2020:

ACCOMMODATING ADVOCATES WITH CARING RESPONSIBILITIES

Introduction

Advocates from the CPS and the independent bar have shown great flexibility and professionalism in ensuring that the work of the Courts has not ground to a complete halt.

The Judiciary in Lancashire also appreciate that the Covid Emergency has placed real strains on Counsel who have child-care or other caring responsibilities. This is having a disproportionate (though not exclusive) effect on younger female advocates. This Direction provides a framework for Advocates to seek accommodation. Whilst it cannot be guaranteed that all accommodations can be made this Direction puts the consideration of such requests on a formal footing and (I hope) encourages Advocates to seek such accommodation where it is appropriate.

The Judiciary in Lancashire remains committed to ensuring that all court users are safe at Court and we will continue to offer remote hearings for Advocates where there is a good reason for doing so. However, many Advocates are returning to court and, for certain types of hearing, that is assisting the Court in dealing effectively with work where it would be more difficult to do so where Counsel appear remotely.

This direction is intended to:

- Assist Advocates (of whatever age or gender) who need accommodation because of caring responsibilities; and
- increase the number of Advocates attending certain types of hearing whilst maintaining the facility of having remote **hearings** where there is a good reason to do so.

In “LOCAL PRACTICE DIRECTION 1/2020” I made it clear that I was not making directions because I doubted the commitment of any of you but because we needed to develop new systems to deal with these difficult times. My faith in the professions has so far proved well placed. The feedback indicates that everyone is doing their best to make the new system work. As a consequence I issue this Practice Direction in the same spirit – not because there is a problem with the conduct of the Advocates (which there is not) - but because we need to move things on and to understand what is expected of us.

(i) Accommodating Advocates with Caring Responsibilities

The Listing Officers and Judges at Preston Crown Court will take reasonable steps to accommodate Counsel who have child or other caring responsibilities to enable such Counsel to attend their hearings.

If a hearing is being fixed in court the Advocate should indicate that they need such accommodation¹ at the hearing at which a subsequent hearing is being fixed. If the accommodation is as to the date upon which the hearing is to be fixed, the Judge will take the matter into account when fixing the date though listing decisions remain a matter for each Judge's discretion. If the accommodation relates to the time of the hearing that request will be noted by the Court on the "LRES" setting out what accommodation is sought and asking that Listing give it effect if that is reasonably possible. Listing will take the request into account when the subsequent hearing is listed and give effect to it if reasonably possible.

If (and only if) no accommodation has been sought in court the Barrister's Clerk should make their request to the Listing Officer no later than 13:00 on the day before the hearing is listed. The accommodation will be taken into consideration by the Listing Officer.

HHJ Altham

31st July 2020

(Amended to remove irrelevant sections 8th January 2024)

¹ Advocates are not expected to announce the nature of their responsibilities in open Court. It will be enough if the Advocate states that she/he seeks an accommodation under this Local Practice Direction.