

HIGH COURT QUEENS BENCH CIVIL LISTING PERIODS

The Current system

Each term a High Court Judge (HCJ) is listed to spend two weeks each at Leeds, Newcastle and Sheffield. These sittings tend to follow a set pattern each term. A HCJ will sit at Newcastle for the first two weeks of the first half of term. Sometimes the first day is a travelling day so this may reduce the period to nine days. Another HCJ will sit at Leeds for the last two weeks of the first half of term (this is usually a full ten days). Finally, another HCJ will sit at Sheffield for the first two weeks of the second half of term (again this may be reduced to nine days by a travelling day).

A worked example of how this works in practice can be seen from the table below showing the arrangements for the recent (Michaelmas) term.

Venue	Dates	Judge
Newcastle	5 th -16 th October 2015	Andrews J
Leeds	2 nd -13 th November 2015	Males J
Sheffield	17 th -27 th November 2015	King J

This year all are ten day periods apart from Sheffield which is nine days. It is immediately apparent that there is a two week gap between Newcastle and Leeds listing periods but the Sheffield period runs immediately after Leeds save for 16th November 2015 which is a travelling day. This example is typical of other listing periods in other terms.

The current system is unpopular with solicitors and counsel who both complain that it is very difficult to list a number of complex high value cases in a short ten day period taking into account the availability of counsel and expert witnesses who have extensive commitments elsewhere. If the cases stand up they find themselves having to prepare several complex cases for trial all within a short two week period each term.

The new system

The Presiding Judges in consultation with the Designated Civil Judges and court staff on Circuit have recognised the need for change. It is recognised that it would be too disruptive and complicated to actually change the number of days that the High Court Judges sit on Circuit and there is probably no business case for an increased number of sitting days.

The Presiding Judges have agreed that instead of having three separate listing periods all individually managed by listing officers in their home court, we have one listing period which is a combined resource into which cases from all three cities can be listed. This would provide effectively a six week listing period for three cities rather than the current three separate two week periods.

Listing of cases will still be carried out locally by District Judges in conjunction with listing staff. They will however have the ability to list at any stage throughout the six

week period and offer trial windows of six weeks rather than the current two week slots.

High Court Judges who sit on circuit often have a mixed list of civil and criminal work. The Judges are still likely to be based in the individual cities in lodgings in the same way they have in previous years. If the Judge is planned to be based in Newcastle and during that two week period a Newcastle case stands to be tried it will be tried there, as it would have been in previous years. If however during that period it is a Leeds or Sheffield case that requires to be tried then enquiries will be made as follows:

- i) Is the Judge in question prepared to move to Leeds / Sheffield to hear the case?
- ii) Is there a place in lodgings available for the Judge there?
- iii) Is there a courtroom available?

If all the questions are answered positively then the Judge will move to hear the case at the city where it was managed. If any of the questions are answered negatively then the case may have to be heard where the Judge is actually based (where there should be a place in lodgings and courtroom available by design).

Solicitors for the parties in cases may wish to bear in mind that if they agree to a case being listed during the six week period when the Judge is likely to be based in another city there is a risk that the case will be moved to that city in order to be heard. If there are good reasons why a case cannot be moved then it should only be listed during the two week period when the Judge is locally based.

Court staff in each city will be able to list throughout the whole six week period but a central master list will be maintained to ensure that the list is properly managed. It is anticipated that this system will commence in the Michaelmas Term 2016. Existing trials which are already listed will still be accommodated.

For the sake of clarity this listing period applies only to High Court cases which have not been released to a section 9 Deputy High Court Judge. The latter cases may still be listed throughout the year as convenient.

Mr Justice Globe

Mr Justice Males

Presiding Judges of the North Eastern Circuit

14th March 2016