



CRIMINAL CASE MANAGEMENT HEARINGS IN THE MAGISTRATES AND SUMMARY COURT OF THE BRITISH OVERSEAS TERRITORY OF THE FALKLAND ISLANDS

Practice direction

1. This Practice Direction is issued in order to introduce the use of the Criminal Case Management Hearing Form in all cases where a Not Guilty Plea is to be entered or indicated at a pre trial hearing in the Magistrate's and/or Summary Court.
2. The aim of the form is to provide an aide memoire to ensure that advocates have fully addressed their minds to all potential issues in the case and are in the best position to assist the Court in fulfilling its case management duties at the hearing itself.
3. It may be that advocates will have to attend Court a little earlier in order to do so.
4. Prior to the matter being called into Court both Prosecution and Defence advocates are required to speak to each other in order to clarify the issues in the case and to jointly complete so much of the form as is relevant to their case.
5. The form should contain as much information as can be properly given. If either the Prosecution or Defence are seeking any direction or order or extension of time this should be set out in the form.
6. Where the Defendant is unrepresented the Prosecution advocate should complete so much of the form as they can. The Court will then go through the Form with the Defendant during the hearing.
7. At the hearing the Senior Magistrate or the Chair of the lay bench will make such directions as are appropriate and note them in the Directions Form. A copy of the completed CMH Form and the Directions Form will be sent to both the Prosecution and the Defence following the completion of the hearing. The original will be retained on the Court file.

This Practice Direction comes into force with immediate effect.