

Number 22

IfJ COVID-19 Updates.

10/05/20-17/06/20

These notes are a summary of information shared with IfJ and organisations involved in the justice system and those working with users of the system. In sharing these comments and providing links to resources, IfJ provides this material but does not accept responsibility for its content which may not represent the opinions of IfJ.

IfJ news

The regular Zoom meeting for IfJ members which began at the start of the pandemic continues, providing an

opportunity to discuss current issues, experiences and to gain support during ongoing and evolving situation. -Notes on the meeting will be on the web site soon.

The Update notes are divided in to: 'Remote process', Covid-19 transmission, children, Gov.UK, updates, other and resources.

Intermediary Discussions

IT in courts: Discussions on the complexity of new ways of working describing using a tablet using Goggle Meet for client, hosting Google Meet from laptop whilst utilising a a large board with notes and visuals for client to hold up' I don't Understand '. Whilst in North Yorkshire no courts have opened yet and hearings have been postponed and no provisional dates booked.

On going technical problems persist as those involved have to develop new skills as they go, which can heighten stress for all involved.

Tack and trace: Those attending a hearing were advised one member of the professionals involved had become ill with Covid-19 and those attending sent home to isolate.

Reducing risk of transmission: Issue of VP's lack of understanding of covid-19 processes including isolation raised and the concerns that may arise of increased risk of transmission of virus. As well as how professionals themselves when working in courts can also readily forget procedures and pass and or handle material/equipment touched by colleagues.

Communicating medical information: Other questions raised have been around explaining medical/health procedures to a parent with LD about their child and whether this is a 'communication issue' within the remit of an intermediary or should be undertaken by a health care/SLT professional.

Work- load involving children: The police have reported an increase workload involving children since schools returned.

Vulnerable unmet needs outside of court/hearings: Chris Bath NAAN raises the very significant issue that vulnerable young adults, unlike witnesses invited to AA interviews do not have funds available to provide materials they are able to access and understand.

Masks: The issue of whether a vulnerable (for health reasons) witness can choose to wear a mask whilst giving evidence has arisen. Can a judge compel a witness not to wear a mask if they need it for health-related issues?

Working with both parents in the Family Courts: Is it appropriate for an intermediary to work with both parents in the FC. Responses indicate sometimes it is done out of necessity, if both parties are in agreement, if it's a very urgent matter. Generally best practice and to avoid potential difficulties parents should have their own intermediaries.

Remote Process

Transparency project "remote Court Hearing Guidance:

<https://twitter.com/seethrujustice/status/1269735579253702659?s=12>

Covid-19 Transmission

The House of Lords Constitution Committee is undertaking an inquiry into the constitutional implications of Covid-19. It is exploring the impact of the pandemic, and the Government's response to it, in relation to the ability of Parliament to function effectively and hold the Government to account, the operation of the courts, and the use and scrutiny of emergency powers. <https://committees.parliament.uk/call-for-evidence/165/constitutional-implications-of-covid19>

Family Court and Covid-19-the road ahead:

<https://www.judiciary.uk/announcements/the-family-court-and-covid-19-the-road-ahead/>



Law Gazette article on more courts opening: <https://www.lawgazette.co.uk/news/more-courts-reopen-this-week-for-socially-distanced-business/5104554.article>

[Sites-reopening-wc-15-June-as-at-10-June-1806.pdf](#)

More emphasis on ventilation in court buildings is really important given the latest SAGE minutes
[assets.publishing.service.gov.uk/government/upl](https://assets.publishing.service.gov.uk/government/uploads)

Charities for deaf people have called for more see-through face masks:

<https://www.theguardian.com/society/2020/jun/16/charities-for-deaf-people-call-for-more-see-through-face-masks>

Children

Government court advice for children:

https://www.gov.uk/government/publications/coronavirus-and-court-advice-for-children?utm_source=74d9610b-ac6a-4a4f-8b43-f2079933610f&utm_medium=email&utm_campaign=govuk-notifications&utm_content=weekly

Other

Joshua Rozenberg asks if new ways of working can deliver justice at a time of crisis:

<https://www.bbc.co.uk/sounds/play/m000k2m4>

[c8-eng.pdf](#)

This form is to be used by any party in Family Proceedings who does not wish to reveal their contact details - such as the contact details of any child, the address of the party, telephone number, email address etc. These details will be kept for use by the court and Cafcass or CAF/CASS Cymru and will not be revealed to any other person except by Order of the Court.

Youth Justice: “The youth courtroom remains as formal, stuffy and uncomfortable as an adult courtroom, despite barristers and judges dispensing with their wigs and robes. Even as a journalist who has covered court proceedings for a decade, I often struggle to decipher the legalese.

Another thing that shocked me was the adversarial nature of cross-examination – when a witness is questioned by the barrister for “the other side” ie the defendant or complainant. One particularly uncomfortable exchange left a teenage victim of sexual assault in floods of tears when she was accused by her abuser’s barrister of “making it all up”. She was questioned about “behavioural issues” at school, which he said called into question her credibility but actually had little or nothing to do with the matter on trial.”

<https://www.theguardian.com/membership/2020/jun/13/youth-justice-exposing-a-system-that-is-failing-our-most-vulnerable-children>



<https://beta.lawsociety.org.uk/topics/client-care/meeting-the-needs-of-vulnerable-clients> This guidance is aimed at solicitors, practice managers and legal support staff.

It will help you identify and meet the needs of clients who may have difficulty using legal services, or who may be at risk of acting against their own best interests.

Gov.UK guidance

<https://www.gov.uk/guidance/hmcts-weekly-operational-summary-on-courts-and-tribunals-during-coronavirus-covid-19-outbreak>

<https://www.gov.uk/guidance/courts-and-tribunals-tracker-list-during-coronavirus-outbreak>

<https://www.gov.uk/government/statistical-data-sets/hmcts-management-information-april-2020>

<https://www.gov.uk/guidance/online-court-and-tribunal-services-for-professional-users-and-the-public>

<https://www.gov.uk/guidance/hmcts-weekly-operational-summary-on-courts-and-tribunals-during-coronavirus-covid-19-outbreak>

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https://www.gov.uk/government/publications/coronavirus-and-court-advice-for-children?utm_source=74d9610b-ac6a-4a4f-8b43-f2079933610f&utm_medium=email&utm_campaign=govuk-notifications&utm_content=weekly

<https://www.gov.uk/guidance/courts-and-tribunals-tracker-list-during-coronavirus-outbreak>