



Number 25

IFJ COVID-19 Updates.

01/07/20-08/07/20

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

IfJ are running a 'free' (participants will be invited to make a voluntary donation to cover costs) on -line seminar for members of IfJ addressing many aspects of new working practices during the pandemic:

'It will cover assessing remotely, how to work safely in police interviews with vulnerable witnesses and the myriad of situations we are encountering at court (the bespoke DVP system, Skype for Business/Teams, how they are being used in interim and final hearings, some of which are taking place remotely, some at a safe social distance and others as "hybrid hearings" (a mix of both).'

Date Saturday July 18th

Time: 10.00 hrs.

Confirmation and details of content and joining will be emailed to all IfJ members shortly.

The regular Zoom meeting for IfJ members on 30/06/20, 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.

IfJ survey number 5 has been responded to by 51 intermediaries – for summary of results see Update 24

The Update notes are divided in to: Intermediary Discussion, Remote Process, Covid-19 Transmission, Children, Other, Resources, Gov.UK Updates.

Intermediary Discussions

New technology: My experience of CVP so far is that it is as bad as live link technology. Problems with sound, with picture pixelating, in the last case the guardian dropped off the call every 20 minutes. When the usher is alerted to the fact that the person is trying to get back in, its a noise like a knock on a door and is super distracting for the vulnerable person. You can get them to pin the person who is giving evidence so their face is the main face on the screen but the usher in our case did not want to do it initially as it HD taken her so long to get everyone on the call that she did. It wants to risk losing people. Again, to my mind the court offer is massively inferior to what we can use in everyday life (zoom or Google meet for example.) I know they have to consider security, but we lost 3 days in court because of CVP Hopefully they will update, and New versions will improve on what they have. What are other people's experiences of CVP so far?

In a response to above it was noted that parole Boards successfully use CVP but suggested they use a particular browser-Chrome. Other contributions confirmed difficult experiences using CVP and that 'pinning' the main speaker to the screen is beneficial as a VP looking at a screen with six faces on is potentially very distracting.

Other comments noted that the name of the person on the screen is very helpful.

Others reported:

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- issues about amount of time taken coping with technology issues resulted in long days and VP's reluctant to take breaks as the process proved so precarious.
 - Barristers could only engage remotely if they turned their video's off and some also had to change their bandwidth to be able to proceed.
 - Poor audio quality.
 - System works best if all cameras and microphones are off except for those speaking and that everyone accessing it uses headphones.
 - FH guardian connections very poor particularly when accessing via CAFcASS laptops.
 - Additional issue court rooms needing to close earlier than previously to clean the area.

LSE Webinar -John Taggart's presentation: Very positive feedback, a good summary of his research from perspective of participants. Podcast to be produced.

Use of appropriate adult (AA): It was discussed that this is a role not clearly understood and is used to often refer to someone providing emotional support to a defendant/witness, their role is not an officer of the court, cannot address the court and are not impartial. An example was given of an AA sitting within sight of a defendant for emotional support. The need for emotional support with clear reasons why it is necessary, has formed part of some intermediaries' recommendations for defendants. In Northern Ireland 'Mindwise' provides AA for defendants during a trial and RIs are present for oral evidence only.

Ventilation during meetings; concern over reliance on air conditioning whilst in an enclosed space versus ability to open windows to provide ventilation – (see Health and Safety Executive paper in section Covid-19 transmission). Many police stations do not have windows that open to ensure privacy. An intermediary reported that a solicitor's office had been advised it could not use the air conditioning until it had been checked.

Remote Process

Press release

New video tech to increase remote hearings in civil and family courts

A new video platform enabling more remote cases to be heard safely and securely is being rolled out to the civil and family courts, Ministers have confirmed.

<https://www.gov.uk/government/news/new-video-tech-to-increase-remote-hearings-in-civil-and-family-courts>

Covid-19 Transmission

Witness Services: The COVID-19 pandemic, and responses to it, have had an unprecedented impact on criminal justice in the UK. Since March 2020, courts have closed their doors to all but essential business and are conducting more hearings remotely. Suspects and defendants have found themselves further isolated as their access to essential support, including legal advice, is severely restricted due to health and safety concerns.

Service: This issue of Best Evidence is to update our stakeholders and partner organisations about what Citizens Advice Witness and Family Court Service is doing to mitigate the effects of the ongoing COVID-19 (coronavirus) pandemic on our support of witnesses.

<https://mailchi.mp/b6845fc4f9cc/best-evidence-march-915706?e=64f1d8765b>

Fair Trials- Justice under lockdown: This update will provide some clarity on how we're working at the moment and our plans for the near future, as well as giving you some reassurance that we



are doing everything we safely can to continue delivering our support.

<https://www.fairtrials.org/publication/justice-under-lockdown>

Health and Safety Executive: Air conditioning and ventilation during the coronavirus outbreak

The risk of air conditioning spreading coronavirus (COVID-19) in the workplace is extremely low. You can continue using most types of air conditioning system as normal. But, if you use a centralised ventilations system that removes and circulates air to different rooms it is recommended that you turn off recirculation and use a fresh air supply. You do not need to adjust air conditioning systems that mix some of the extracted air with fresh air and return it to the room as this increases the fresh air ventilation rate. Also, you do not need to adjust systems in individual rooms or portable units as these operate on 100% recirculation.

<https://www.hse.gov.uk/coronavirus/equipment-and-machinery/air-conditioning-and-ventilation.htm>

Other

English Youth Courts: The authors also observed a “lack of availability of professionals with the required specialisms for youth court; limited services to respond to children and young people’s speech, language and communication or mental health needs.”

They found rates of speech, language and communication difficulties among the court cohort at two sites of 50% and 73%.

<https://www.theguardian.com/society/2020/jun/30/english-youth-courts-need-urgent-help-to-cut-delays-review-finds>

Children

Judicial sentencing remarks made in the recent case of R v Tom Meighan. Intermediaries commented as to whether the child witness had an intermediary and whether an impact statement was taken.

<https://twitter.com/judiciaryuk/status/1280513582782914562?s=21>

Resources

<https://content.govdelivery.com/accounts/UKHMCTS/bulletins/2912b12>

The LSE on -line seminar took place last week but apparently you can still register and be sent details of the event and or the planned podcast.



<http://www.lse.ac.uk/law/events/lay-participation-in-criminal-trials/lay-participation-in-criminal-proceedings-seminar-2>

Gov.UK guidance

Guidance

How to join Cloud Video Platform (CVP) for a video hearing

Published 15 May 2020

This info recommends Chrome

<https://www.gov.uk/government/publications/how-to-join-a-cloud-video-platform-cvp-hearing/how-to-join-cloud-video-platform-cvp-for-a-video-hearing>

How to join telephone and video hearings during coronavirus (COVID-19) outbreak

Use this guide if you've been asked to join a hearing by telephone or video using BT MeetMe, Skype for Business or Cloud Video Platform (CVP) during the coronavirus outbreak.

<https://www.gov.uk/guidance/how-to-join-telephone-and-video-hearings-during-coronavirus-covid-19-outbreak>

How to have someone to support you during a remote hearing. This guide is for non-criminal cases. Use this guide to understand how to arrange for someone support you during your remote hearing. <https://www.gov.uk/guidance/how-to-have-someone-to-support-you-during-a-remote-hearing>

Working safely during coronavirus (COVID-19)

Department for Business, Energy & Industrial Strategy and Department for Digital, Culture, Media & Sport

Guidance for people who work in or run offices, contact centres and similar indoor environment

<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/offices-and-contact-centres>