

Number 29

IFJ Updates.

29/07/20-05/08/20

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

MoJ Procurement plans :are now available during the week and IfJ is strongly encouraging every member to respond in writing (details below) to express their views on their proposed plans (please send your views to MoJProcurementLang@Justice.gov.uk) which will have a very significant impact on the intermediary service -

IfJ Discussions

Health and Safety concerns at court. There has been an on going discussing raised by a member who recommended she wears a visor whilst in the dock with a defendant but her request to do so has been overridden by the judge who wishes proceedings to appear 'normal'. The health issues raised are being in a relatively small un-ventilated space with two other people not wearing masks.

Comments and suggestions have included

- withdrawing from the case,
- That face visor does not protect from inhalation of the virus
- Maintain SD in the Dock – but at this distance communication is significantly compromised.
- To avoid risk of aerosol contamination request that defendants are seated in court room (not possible as defendants on remand)
- A question was raised as to whether IfJ has produced any 'safety statements' on this issue
- It was noted that dock officers and prison officers are now wearing masks
- The issue of vulnerable people not being consulted about their risks has been raised.
- Use another court room as well as the one for the trial- disadvantage as two

defendants would require using three court rooms.

- An intermediary recommended visiting courts before trials and sending results of a risk assessment to those involved prior to a GRH.

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TourTalk Communication device: has been used in the family courts enabling an intermediary to talk to a parent whilst maintaining social distance. This device could be used in a dock situation as well. It is a similar device as used by tour operators, at a cost of 300.00 plus VAT

HMCTS trialing new headset with interpreters in court. This headset allows for work to be undertaken at a SD. IfJ will discuss issues raised by intermediary advised she cannot wear a visor in the dock at the regular weekly meeting with HMCTS.

Remote working and IT: contributions from intermediaries indicate the continuing difficulties and challenges in trials and hearings for all involved to work with technologies significantly with VP who are not familiar with technology, do not have it and different platforms being used in different settings.

Working with defendants on remand: An intermediary is writing a draft matrix for suggestions to facilitate intermediary assistance working with a defendant on demand.

Case discussion: a child aged 6 with linguistically and cognitively skills much lower than her chronological age possibly functioning at a 2/3-year-old level. The OIC is concerned she will not be able to respond to simple questions; she also becomes bored very quickly and leaves the room. Challenges she will not appreciate why she is at an ABE, would not be able to respond to 'tell me what happened'. She has been hospitalized suspected non-accidental injury and report x did this -pointing to injury.

Suggestions included

- Who are we here to talk about?
- Reminding the witness that they told What did you tell them?
- A more direct question might be 'You told x about (suspects name)
- Or lastly you said x did y and hope this produces a response.
- Provide visual response-photographs of key people/places
- Creating figures to represent key people', gingerbread figures
- Ask how injury happened/why did you go to hospital?



Delays in trial: due to demands for multiple court rooms to maintain safety a trial has been adjourned and the next available date is July 2021

Covid-19 Transmission

Coronavirus (Covid-19): The impact on courts -Justice Committee-House of Commons

<https://publications.parliament.uk/pa/cm5801/cmselect/cmjust/519/51902.htm>

HMCTS on Twitter 'As part of work to ensure more jury trials can run safely '

<https://twitter.com/hmctsgovuk/status/1289137241076490242?s=21>

Other

Victims commissioners' Special measures Literature review July 20 is available: <https://s3-eu-west-2.amazonaws.com/victcomm2-prod-storage-119w3o4kq2z48/uploads/2020/07/OVC-Special-Measures-Literature-Review-July-2020.pdf>

Open consultation

Proposal on the future of Medway County and Family Court. Consultation seeks views on the impact of the proposed closure of Medway County and Family Court:

<https://www.gov.uk/government/consultations/proposal-on-the-future-of-medway-county-and-family-court>

What challenges do rape victims face getting cases to court

<https://www.theguardian.com/society/2020/jul/30/what-challenges-do-rape-victims-face-getting-cases-court>

Addressing the Oral Judgment to the Person it Most Concerns

<https://twitter.com/familoo/status/1290193123683966977?s=21>

CrimeLine

@CrimeLineLaw

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Judicial Independence in action. Major implications now for



[@VictimsComm](#)

that may shift the thinking a little on this

<https://twitter.com/criminelaw/status/1290563065684074496?s=21>

Gov.UK guidance

<https://www.gov.uk/guidance/video-enabled-criminal-hearings-guidance-for-defence-practitioners>