

IFJ COVID-19 Ongoing Updates

20/04/20-22/04/20

Intermediaries and others continue to discuss the significant implications of Covid - 19 and its impact on hearings/trials/tribunals. The notes are divided into 'Remote Process', Covid-19 transmission and 'other'

Remote Process

Intermediaries have shared experiences of assessing remotely and in some instances the remote assessment has worked better than anticipated. In one example the VP had assistance from a family member at their 'end'. They would otherwise not have necessary equipment or capabilities to engage with the process. 'The remote assessment itself was useful as a means of assessing the VP ability to focus etc. It was noted that doing an on- line assessment could be particularly pertinent for of assessment if the trial itself was going to incorporate virtual links.

The process is greatly assisted by access to other reports that have possibly been done at an earlier stage face to face.

On- going issues continue of intermediaries being the most active professional in raising issues around remote assessment/hearings and the need for an additional assessment to establish whether a VP is a suitable candidate for this approach.

A growing number of remote assessments are being undertaken in other professional situations such as SALT and psychologists. See link [disussing how work of psychologists can be continued during the pandemic](https://www.bps.org.uk/sites/www.bps.org.uk/files/Member%20Networks/Divisions/DOP/Delivery%20of%20disability%20support%20assessments%20for%20adults%20during%20Covid-19%20lockdown.pdf)

A duty solicitor describes her experience of working in court and issues that arose using technology:

<https://mobile.twitter.com/melstooks/status/1252520863821434880>

A users guide has been produced to assist professionals using video or telephone links during hearings :

<https://mobile.twitter.com/hmctsgovuk/status/1252730337513418752>

The Human Rights Commission has published recommendations today which includes the use of intermediaries for defendants for effective communications on video hearings: <https://www.equalityhumanrights.com/en> IfJ was involved in the inquiry. The paper raised the issue as to whether the EHRC are aware that intermediaries are not routinely involved with defendants.

A discussion on making decisions as to whether to conduct FH hearing remotely can be read on : <https://www.bailii.org/ew/cases/EWFC/HCJ/2020/32.html> In which the judge attached weight to the physical presence of the parties especially the mother being present.

An article in the Guardian newspaper questions whether court hearings via video risk unfairness for disabled people: <https://www.theguardian.com/uk-news/2020/apr/22/court-hearings-via-video-risk-unfairness-for-disabled-people>

Other

Discussion continues as to how many defendant cases have been offered to intermediaries. It would seem to vary as to whether these are to be undertaken face to face or remotely.

The witness Intermediary Scheme Quality Assurance Board members are wishing to appoint four new board members :

<https://publicappointments.cabinetoffice.gov.uk/appointment/witness-intermediary-scheme-quality-assurance-board/>

EHRC discusses in a paper produced to day 'Preventing the health crises from becoming a justice crises : <https://equalityhumanrights.com/en/our-work/news/preventing-health-crisis-becoming-justice-crisis>

Covid-19 transmission

Intermediaries continue to consider and discuss the issue of PPE. It is recognised that sourcing PPE at present is extremely challenging if not impossible. The use of plastic visor was discussed as an alternative to masks, but it was noted that visors protect the eyes from transmission of the virus but not the nose and mouth for which you need a mask.

Examples have been shared of certain police forces are utilising PPE in custody suits for visitors and staff as part of a duty of care
