



Date: 2nd April 2020

RE: Intermediaries in the Criminal Justice System and Covid 19

Intermediaries are sharing information via IFJ about how they are being asked to work during the Covid 19 pandemic. Intermediaries report a lack of measures in place to keep the vulnerable person, the intermediary and the appropriate third person (often the police officer) safe when an assessment or other intermediary work takes place. This applies to meetings held in police stations or remotely, for example at the vulnerable person's home.

End users will appreciate that the intermediary role is to facilitate communication for adults with vulnerabilities and for children and our role is usually carried out **sitting next to the vulnerable adult or child ('VP')**.

We are concerned about keeping other people we work with safe, and about listening to the government guidance about how to reduce the transmission of Covid 19. To this end intermediaries have been sharing information about approaches which some might consider appropriate: working with the VP at a safe social distance, or working remotely from some VP's. ¹

There is some guidance now about measures to be taken in the court setting but no guidance about measures to be taken when intermediaries are asked to work away from court.

We would appreciate you considering how you will communicate these concerns to end users and how you can let them know that **some consideration needs to be given as to how the Registered Intermediary is going to work safely, before arranging appointments for work to be carried out.**

For example :

- 1) (Question could be asked of intermediary, police officer or anyone who the intermediary will come into contact with in the scheduled appointment) Do you or any member of your household have any health issues outlined in the government guidance?
<https://www.gov.uk/government/publications/covid-19-guidance-on-social-distancing-and-for-vulnerable-people/guidance-on-social-distancing-for-everyone-in-the-uk-and-protecting-older-people-and-vulnerable-adults>
- 2) Does the VP and or anyone in their household fall into the group of people who are at increased risk of severe illness from corona virus as detailed in the guidance?
- 3) Has any person involved (including the OIC or the intermediary) developed symptoms of or been in contact with anyone suffering from or suspected of having Covid-19?

¹Many intermediaries are clear that the priority is stopping the spread of the virus and they will not consider face to face work at the present time. Some consider that assessing or assisting remotely will not result in effective participation for the VP. Some intermediaries are willing to assess on a case by case basis whether it is an option to work remotely. But there is a consensus from those who have joined discussions that, for example, it will not be possible to assist a young child from a remote location.

- 4) How will you ensure you can follow government guidelines of 'safe distancing', avoiding contamination by touching surfaces which, may include materials used for assessment/ABE assistance/ court related work.).
- 5) What protective equipment (if any) and hand washing facilities will you require prior to, during and on exiting the venue.

The family courts have the 'Protocol for Conducting Safe Live Court Based Family Hearings during the COVID-19 Pandemic' which is designed to ensure that if a court user is unknowingly infectious, that others coming into contact with them will not be infected. Judges have also been given similar guidance. Intermediaries would like robust measures to be in place and checks carried out to ensure their working environment is as safe as possible.

Here are some examples from registered intermediaries asked to work last week:

- RI asked to carry out assessment of 5 year old at child's home: No questions asked about the child or the family having specific vulnerabilities. No distancing between her and the officer and the Intermediary was very worried that she could be putting others at risk.
- Intermediary was in a police station for a case and there were no precautions in place at all. She came away with moderate COVID-19 symptoms which she passed on to her family. She cannot work now.
- Intermediary called by the officer who said the VP had minor symptoms. He left the decision to the Intermediary and there was a sense of relief from the officer when Intermediary declined to attend. Intermediary felt that the end user should be carrying out the risk assessment and she should not be asked to work in this situation.
- Intermediary carried out an assessment but felt very uncomfortable as she could not keep a safe distance. She felt the work had been too high risk.
- Intermediary tried to keep 2 metre distance, but VP kept leaning in.
- Intermediary being asked to meet VP in a room which did not allow for 2 metre distance.
- The officer checked on Friday that everyone was well for a Monday interview. Intermediary specified the check needed to be carried out on the day.
- Assessment in a residential home setting. No measures taken to carry out a risk assessment.

We understand that you have many wider issues to consider presently but we believe it is imperative to take as much care as we can at all levels to confine the virus. We hope you will help us to do so by requesting that the CPS and Police Officers issue guidance about risk assessments and that they specify what guidance needs to be followed in relation to work carried out in assessment, ABE interviews and in court-related work, (for example s 28 pre-recorded cross-examination.)

Please would you forward this letter to the appropriate contacts in the CPS and the police forces.

Yours Sincerely



Catherine O'Neill (Chair) and IfJ Team

Intermediaries for Justice

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