



Number 27

IFJ Updates.

15/07/20-22/07/20

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's Saturday 18th July's Workshop Intermediary practice since Covid 19: the technology and how to use it to best effect in our working practices was a success with 30 IfJ members participating feedback was very positive, with many members reporting back just how useful enjoyable as well as interesting it was. Those who could not attend have been advised that a recording should be available soon-watch this space

IfJ Discussions

HMCTS reform event programme: will publish the documentation, slides and recordings from the webinar on 'remote working'. Several intermediaries described it as 'being ok', feeling that its main focus was about the strategic rollout of CVP across the court service. Many questions were asked by delegates that did not get answered. Others found it very useful , one comment that names of presenters quickly disappeared and therefore it was hard to know who they were- it would have been helpful to have names on the screen under each person who spoke, there was a delay with one presenter with visuals.

About CVP:

- It is in the process of being rolled out to all courts- hopefully by the end of August., those who do not have it yet have to use Skype for business.
- CVP preserves a copy of the hearing audio only (the recording will not include visuals).
- It is being prioritised for overnight custody cases, custody threshold cases, sentencing. It is also increasingly used for PTPH and pleas.
- It is going to be rolled out for s28 cases, in the coming months with London and SE adopting it in the autumn. There will be four tranches.
- Details to be published soon.

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ABE deemed inadmissible due to witness writing down body part words they felt unable to say: CPS has stated that the teenage witness writing 'body part 'words has resulted in the ABE



interview becoming inadmissible as it is not allowed in ABE guidelines and requiring a new interview. This would seem to contradict guidance in Equal treatment Bench Book 2020 that notes that where helpful a witness should be allowed to write and draw to clarify answers. There are also references to witness writing information down in Achieving Best Evidence in Criminal Proceedings. Advice was shared as to contacting Kev Smith and or the CPS lawyer involved.

Can a witness wear a mask during an ABE interview? Kev Smith has stated the following

- *that they may wear a mask if they have a medical condition, and that this should then be explained in the intermediary report.*
- *Currently there is no official guidelines on this issue, the National Police Councils judgements on this issue is made on a case by case basis according to circumstances and it mentions 'proportionate' use of PPE.*

Trial of Jonny Depp and Amber Rudd -an example of 'Open Justice': Journalist Nick Wallis <https://www.nickwallis.com/depp-trial> has been given access to an adjourning courtroom which has been showing the trial via live-link. He is permitted to live tweet every question put to witness and every answer they give in real time. He is also provided with copies of statement; official transcripts and he is permitted to upload these documents.

What does open justice actually mean?

<http://www.transparencyproject.org.uk/what-does-open-justice-actually-mean/>

Poor hygiene practices: intermediaries are still finding examples of poor hygiene practices in courts and interview suits: shared equipment, communal toys.

LAA rates of pay: It would seem there is confusion as to what is the current rate with a variation in what intermediaries are actually claiming.

Remote Process

See IfJ news and Intermediary discussion

Covid-19 Transmission

Location of 'Nightingale courts' to tackle case backlog in England and Wales revealed
Temporary sites to tackle coronavirus logjam include MoJ HQ and courts shut by Tories



<https://www.theguardian.com/law/2020/jul/19/locations-of-nightingale-courts-to-tackle-uk-backlog-in-cases-revealed>

Resources

Open Justice Court protection organisation has produced British Sign Language Interpretation in the Court of Protection examining how interpreters and intermediaries work to facilitate communication . <https://openjusticecourtofprotection.org/2020/07/14/british-sign-language-interpretation-in-the-court-of-protection/>

Slides from HMCTS on line event 15th July :

<https://www.gov.uk/guidance/hmcts-online-event-15-july-2020-use-of-remote-hearings-to-maintain-justice-during-the-coronavirus-outbreak>

Other

Medway County Family Court to close and hearings moved to Maidstone as landlord plans to redevelop building. “Upgrades in Maidstone would not be complete until late next year. This means civil and family work would temporarily have to be shared between other sites across the county such as Dartford, Canterbury, Thanet and Maidstone to help the cope with demand.”

<https://www.kentononline.co.uk/medway/news/kents-biggest-family-court-to-close-230521/>

Gov.UK guidance

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

<https://www.gov.uk/guidance/hmcts-priorities-during-coronavirus-outbreak>

HMCTS weekly operational update: week commencing 20 July 2020 . Since Friday 24 April 2020 we are issuing weekly updates on our operational position and on Monday mornings we'll also publish a link to the weekly update on Twitter. [Follow us on @HMCTSGovUK](#) to also check for daily or urgent updates. Next week's update will be issued on Friday 24 July 2020.

Corporate report Legal Aid Agency annual report and accounts 2019 to 2020

<https://www.gov.uk/government/publications/legal-aid-agency-annual-report-and-accounts-2019-to-2020>