

COVID-19 - GUIDANCE FOR COURTS

MESSAGE FROM THE LORD CHIEF JUSTICE'S OFFICE

20 MARCH 2020

The Lord Chief Justice has been monitoring the impact on the courts of the measures he announced on 17 March 2020. Following consultation with judges, court staff and members of the legal profession he considers further measures should be introduced to allow the courts to continue to function as normally as possible while, at the same time, reducing the number of individuals required to attend courts. Taking into account the updated advice from the Public Health Agency, the Lord Chief Justice and the Presiding Judges of each court tier have introduced new guidance which will be introduced generally from the week commencing Monday 30 March 2020 or earlier where possible.

The changes will generally see cases being undertaken remotely either by email, telephone, video or Skype etc ("remote hearing"). Where the requirements of fairness and justice require a court based hearing, and it is safe to conduct one, then a court based hearing should take place however the judge may limit the number of persons present in court at one time. A party or legal representative should notify the court office of the means by which they will engage with the court.

Magistrates' and Youth Courts - Criminal Proceedings

Guidance for criminal proceedings setting out what matters are considered to be urgent or the process by which other cases may be brought to hearing has been published today together with the relevant form. **All forms, correspondence and emails MUST include the ICOS number (and the court number if a Laganside Courts case).**

All other Proceedings

In cases that have already been listed or that have been taken out of the list for the week commencing 30 March 2020, legal representatives in the case should complete a form, sharing it with the other party in sufficient time to enable it to be completed and lodged with the relevant court office.

In all tiers the appropriate form should be submitted by 4.00 pm at least two working days in advance of the date listed for the hearing.

The purpose of this approach is to permit designated judges to continue to manage cases as much as possible so they are in a state of readiness to be listed for hearing when court business returns to normal or to deal with issues that may arise. Judges will work with operational and listing staff to identify priorities, taking account of the availability of resources and the practical arrangements that can be implemented safely.

Where there are legal representatives in a case they should check ICOS for the judicial decision on whether the case is to be taken out of the list or listed for a remote hearing on a date to be fixed. The court office will communicate the judge's decision by email to parties who do not have legal representation. **All forms, correspondence and emails to court offices MUST include the ICOS number (and the court number if a Laganside Courts case).**

Guidance and Forms

Guidance has been published today for the following areas:

- All tiers of family courts;
- High Court and Crown Court bails;
- Masters' Courts;
- Crown Court;
- County Court;
- Magistrates' Courts;
- Coroners' Court.

This general guidance note applies along with the appropriate forms for the following tiers:

- Court of Appeal;
- High Court – Judicial Review, Queen's Bench, Chancery, Commercial Court;
- Family Courts;
- Crown Court;
- County Court;
- Magistrates' Courts criminal.

The forms are for use in cases where there are legal representatives. Further work is in hand for cases in where there are personal litigants.

These are exceptional and unprecedented times. Further consideration may have to be given in the coming weeks to rationalising court venues. All changes to court business will be published on the Judiciary NI (<http://judiciaryni.uk/>) and Northern Ireland Courts and Tribunals' websites (<http://www.justice-ni.gov.uk/topics/courts-and-tribunals/>).