

COVID 19: LOCAL GUIDANCE FOR THE FAMILY COURTS OF STOKE-ON-TRENT AND STAFFORDSHIRE

22nd March 2020

Issue 2

1. This update addresses paragraph 2 of the previous guidance issued on 20th March 2020 and, in particular, urgent contested hearings within care proceedings at which evidence is required to be heard. This will typically cover:

- Contested Emergency Protection Orders, Interim Care Orders and interim removals;
- Contested DOLS orders and applications for secure accommodation.

We are now in a position to move immediately to remote hearings facilitated through Skype for Business for these hearings. Other court centres may adopt different platforms for facilitating such hearings (MS teams or Zoom). We will keep the functionality of those alternative platforms under review.

2. Where an urgent contested hearing is requested and evidence is likely to be required the Judge may deem it inappropriate to be conducted via a telephone hearing and list it as a Skype hearing. If a hearing is likely to be contested on evidence please make this clear on the application. The following arrangements will apply to Skype hearings:

- Participants will need to download the **'Skype for business app'** on a phone, I-Pad or computer in advance of the hearing. Downloading the skype for business app is free. It is available from google play or from the App Store. When you begin the download process go as far as the sign-in page. You do not need to set up an account with sign-in details as you will join the hearing as a guest. Simply close the app when you reach this point. The device you will use for the hearing (phone, I-pad, computer) will need a camera function. Lay parties should contact their solicitors for further assistance.
- Not less than 24 hours before the hearing (or as soon as possible if the matter has been listed on shorter abridged notice), the Local Authority will file and serve on all parties an electronic bundle.
- Not less than 24 hours before the hearing (or as soon as possible if the matter has been listed on shorter abridged notice), the Local Authority will collate the email addresses of all participants to the Skype hearing and send them to the Court.
- If at all possible, lay clients should attend the hearing with their solicitor or barrister at the solicitor's office or counsel's chambers. A parent must not join the hearing from their own home, particularly if the subject child is present. If a parent's solicitor or counsel is not able to facilitate the lay client attending at a solicitor's office or counsel's chambers, the lay client should attend at court if security arrangements allow. Appropriate arrangements can then be made for them to join the hearing.

The parent should be accompanied at court by a legal representative to avoid the parent being without the support of their legal representative. Parents attending alone should be a very last resort.

- Professionals (social workers, guardians, experts) may attend from a remote location via skype.
 - The participants to the hearing will receive an invite from the Judge to their email address to join the hearing. If your system allows (if downloaded from the App store it may not), please accept the invite upon receipt.
 - At the time specified for the hearing to commence go to the email invite and click on 'join skype meeting' towards the bottom of the email. This will open Skype. Click on join the meeting as a guest.
 - Once joined to the hearing, please ensure you have the video turned on (click the icon at the bottom of the screen shaped liked a video camera) and are sat down in a position where you can be clearly seen. There is a button to mute and unmute sound that looks like a microphone, again at the bottom of the screen. Please keep the sound on mute unless invited by the Judge to speak.
 - The Judge will be able to see all of the participants throughout the hearing.
 - Any witnesses required to give evidence will take the affirmation.
 - It may also be possible for the Judge to share pages from the electronic bundle within the skype hearing.
 - The hearing will be recorded by the Court and retained. A transcript will be available if required.
3. We have endeavoured to test the functionality of using Skype for Business to facilitate hearings in this way and are confident it can be secure and effective. There will however be some teething problems and potentially issues beyond our control such as band width capacity. Please be patient as we work to resolve them.

HHJ Harris

Designated Family Judge, Stoke-on-Trent and Staffordshire