

Notes of meeting with HHJ Roberts 6 April 2020

In attendance:

HHJ Lynn Roberts

Yvonne Hume (BTMK)

Tina Harrington (Trinity Chambers)

David Wilson (David Wilson Solicitors)

Sarah Duxbury (East Anglian Chambers)

Update from last week

Interpreters – there is a facility on BT MeetMe where you can press a button and you can get an interpreter provided by the Big Word presumably just for the hearing (the court is only under obligation to provide an interpreter for the hearings anyway). The J accessed info that has been sent to her about accessing the interpreter. It looks surprising and the J is not sure how it works but it does seem to be system.

T Harrington (T Ha)- raised that there is a suggestion there may be a scaling back of lockdown in May what will a phased return look like – J stated there is a committee under LJ Baker to look at this issue and J presumes we will have guidance and a national approach. J has also been working on this. J's ideas is that they should be marking cases with levels of urgency and that would be part of way listing would deal with cases to be heard. At same time need to phase in new cases. It sounds as though we will be given guidance and may be limited on way we can to do this regionally. T Ha reported in Switzerland there has been a phased return but may have to go back to lockdown and then there further phased return and possible further lockdown. J found this helpful as we could do cases, that need to be done quickly, in the periods when lockdown is lifted.

Y Hume (Y Hu) – has a case from a colleague who was told a MPS hearing would be done on paper and counsel was stood down and then they heard it would be going forward with a remote hearing. J thought might be an error. TH might just be the court is giving judgment on phone after written submissions. J will look into it further.

How is this affecting the bar/junior end? – things are tough at the younger end and there is not enough support for the junior end. There is a lot of worry and uncertainty about what is happening week to week.

D Wilson – the court calling everyone out rather than advocates calling in has caused a problem with delay. J said we were doing things differently than was happening nationally by everyone calling in it and it meant that LIP's would have access to numbers and codes and could attend hearings at any time (given it was often same number and PIN) so there was a problem with this approach security wise and they had no choice but to end it. It is being phased in that the J will call out rather than parties calling in. HHJ Lewis was looking at this and consideration was being given to court staff doing the calling but there is not enough staff to do it notwithstanding the latest guidance.

Update on judicial laptops – J said hopefully there will be more soon and she will know more after a meeting she is having tomorrow.

Final hearings by video – DW raised that it is reported that they are exhausting and reminding of the need for breaks.

DJ Hallett – was very ill but he is on the mend.

Psychological/psychiatric assessments – DW raised that following on from discussion led by the Transparency Project this issue had been raised about whether or not these assessments can be done remotely. Are there issues going to be in the long term about the validity of these assessments? The J has discussed this with the LA and there is no concluded view. Psychological/psychiatric community have not got a concluded view either. It has been suggested and acknowledged by LA that you cannot do a PAMS assessment remotely. In relation to learning disabled cases the view is that we are not going to be able to make steps at the moment.

Essex CC – are looking to provide laptops using s17 money for clients. May be worth asking about this in care cases. Cases where the courts are now calling out may assist clients with pay as you go phones as they won't be charged.

LA – are doing statutory visits and guidance has come out (from the DEE) about how social workers should operate at the moment. The J will circulate this. It is reported that SW's are visiting and just standing at the front door. Y Hu reporting that a SW has reported on a hearing she was doing that doing direct work with a child (a younger child) remotely is causing problems. J said that seeing a child at the door may at least identify immediate safeguarding concern eg bruising and not being fed. The guidance that has come out does provide more information.

<https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-childrens-social-care-services>

Next meeting - 16 April 2020 4pm.