



**Updated: 14 September 2020**

## **HMCTS arrangements to keep our buildings safe, secure and clean**

**As part of our response to coronavirus (COVID-19), we are taking additional precautions to make sure we keep our court and tribunal buildings safe, secure and clean.**

**For our regular court and tribunal users, you'll notice some changes. We've developed this guidance so you know what to expect. We'll keep updating this over time, as Government guidelines change.**

### **1. Safety of court buildings**

#### **How will courts ensure that they are complying with Public Health guidance?**

We're following Government guidance for [working safely in offices and contact centres](#).

Following detailed risk assessments, we have developed court and tribunal coronavirus safety controls. Public Health England and Public Health Wales have endorsed these safety controls. By applying these controls, we can ensure the safety of our staff and anyone coming to our buildings.

We have a process for checking and monitoring compliance at each site and will take corrective action where we (or court users) identify any concerns. This includes a special process for juror trials in the Crown court, also endorsed by Public Health England and Public Health Wales.

We have put in place arrangements to help people maintain a social distance in all public areas. These will vary for the different buildings but may include:

- Systems to manage the flow of people, such as marking seats for use, removing others, floor markings and tape
- Advising those entering or leaving courtrooms to avoid cross-traffic and restricting the number of people in court and in the public galleries
- In courtrooms marking seats "not for use", leaving rows empty, and marshalling court users to ensure they take the right seat
- Using "one-in, one-out" systems for lift entry and exit
- Monitoring use of toilet facilities

As well as floor markings, we have introduced a series of posters throughout our court buildings reminding court and tribunal of the need to maintain social distance, and to wash hands



thoroughly and regularly. We have introduced additional cleaning measures to ensure our buildings are clean. We'll cover these later.

As we increase the number of hearings that take place in our buildings, or if Government guidance changes, we will change controls as needed.

**You can find out more about how we are assessing and managing the coronavirus risk, including our organisational risk assessment and the assessment tool for individual courts and tribunal buildings at [www.gov.uk/guidance/coronavirus-covid-19-courts-and-tribunals-planning-and-preparation](http://www.gov.uk/guidance/coronavirus-covid-19-courts-and-tribunals-planning-and-preparation).**

**In some courts, people are being asked to go up in lifts and down using the stairs to achieve social distancing. Are lifts still available for those that need them?**

Yes, they are. If anyone has difficulty using the stairs or moving around the building, they should tell a member of staff, so that alternative arrangements can be made.

## 2. On arrival

**How are you completing security checks on people coming into court buildings?**

We have introduced a new security protocol. In summary:

- We're asking people to keep a 2m gap between others while queuing and on entering the building.
- A security officer or a member of court staff will ask you to enter the building. You'll be asked to confirm that you do not have any symptoms of coronavirus - such as a high temperature, fever, continuous cough or a loss of taste or smell.
- Our court security officers will carry out a "hands off" bag search, keeping social distance. You'll need to open your bag and place items in a tray, so that security officers can check you're not carrying any items you're not allowed to take in. You may be asked to empty the items in a tray and step back.
- You'll be able to collect your belongings once you've walked through the security arch. If an alarm sounds, you'll need to find the items triggering the alarm and remove it. You'll get three attempts.
- If the alarm sounds after the third try, the security officer will use a hand-held detector to locate the item. This means they will need to come closer than 2m. They'll explain the process and ask if it's OK. They'll follow a special process which avoids you facing them.
- If you do not agree to the search, you'll be asked to leave the building.

**Can I bring hand sanitiser?**



Yes, you can. Security officers will ask you to use it to make sure it's not harmful.

### **Will security officers change gloves between searches of individuals and bags?**

Security officers will change gloves regularly, using alcohol based hand sanitiser between every search.

### **How often are the trays for bags and personal items at court entrances sanitised?**

Trays will be sanitised between people.

See what things you can and cannot bring to court with you at <https://www.gov.uk/entering-court-or-tribunal-building>

## **3. Additional cleanliness and hygiene measures for coronavirus**

### **What are the arrangements for-cleaning of court buildings and facilities?**

We're cleaning our buildings "out of hours" with additional cleaning during the day, following British Institute of Cleaning Science (BICS) cleaning standards. We have put in place extra cleaning measures to ensure standards can be met. In brief:

- We have introduced more than 150 additional cleaners into our buildings that are open to the public
- Our cleaners carry out regular cleaning of frequently touched surfaces throughout the day.
- We've introduced high visibility "cleaning support" jackets for our daytime cleaners to wear, so they are easy to spot
- We're making sure our cleaners pay extra attention to hand-washing basins and facilities.
- Our staff are carrying out additional staff checks throughout the day to make toilets / washrooms are clean and have supplies of soap and paper towels. They will replenish supplies if they get low
- We're responding quickly to complaints about poor hygiene or problems that would prevent users washing their hands

### **How is social distancing maintained in toilet facilities?**

This will vary depending on the building and the size of the toilet / washroom facilities, but arrangements might include restricting the number of individuals allowed to use facilities at any one time.

### **What are the arrangements for washing, drying and sanitising hands in court buildings?**



We recognise that regular and thorough hand-washing is one of the most important steps that individuals can take to prevent catching coronavirus. We're displaying handwashing posters in prominent places to remind users to wash their hands.

On arrival, individuals will be shown where restrooms are and they will have the chance to wash their hands. We will also provide facilities for hand washing during hearings.

### **Is hand sanitiser available in the court buildings?**

We recommend you bring your own hand sanitiser with you, but we will also provide hand sanitiser in waiting areas, inside the court room or in other places where it may be tricky to wash your hands.

### **What are the arrangements for deep cleaning in courtrooms and buildings?**

We will carry out deep cleans within all or parts of buildings if we have a confirmed case of coronavirus, following [Government guidelines](#).

We'll close buildings where we have any safety concerns about standards.

## **4. Supporting defendants**

### **How does defence counsel confer with their client during a trial?**

HM Prison and Probation Service's Prisoner Escort and Custody Service (PECS) primarily has responsibility for the safety and security of all court custody users (including visitors). Working with HMCTS, PECS has completed its own detailed risk assessments of court custody suites. These identify the number of detainees and visitors that can safely be accommodated in the cell area while maintaining social distancing.

PECS will ensure that visits are conducted safely and practically within the confines of the custody suite.

### **How does counsel confer with a client in the custody suite?**

This will depend on the building. Where possible we will provide facilities so that legal professionals can communicate remotely (by secure phone or other secure device) with defendants in the custody suite, for a conference with their client.



### **How does counsel share case papers with other participants in the hearing?**

In the Crown court, counsel will share papers using the digital case system (DCS). The digital case system can be accessed by court staff, the judiciary, defence practitioners and prosecutors.

In magistrates' courts, secure email will be used to share papers.

## **5. Arrangements for court and tribunal users**

### **What happens if someone who has symptoms of coronavirus, or is self-isolating because they live, or have had contact with, someone who does, is asked to come to court?**

We're following NHS guidelines. Individuals must not attend court if they have symptoms of coronavirus, or are self-isolating because they live with or have had contact with someone that does.

### **What should someone do if they are asked to attend court but they are classed as being extremely vulnerable or clinically vulnerable to coronavirus?**

Where an individual is shielding because they have a health condition that makes them extremely vulnerable to coronavirus, then they should let the court know ahead of their hearing date. This will allow alternative arrangements to be made, or for the case to be postponed (adjourned).

Similarly, for those individuals that are clinically vulnerable – such as those over the age of 70, or those that are pregnant or with certain health conditions, they should also let the court know. Alternative arrangements may be possible.

### **Are defendants tested for coronavirus before attending court?**

All prisoners with suspected coronavirus are case-managed by HM Prison and Probation Service and in compliance with Public Health England and Public Health Wales guidelines.

Defendants remanded in custody will not come to court if they have symptoms of coronavirus or are needing to self-isolate because they have had contact with someone that does.

### **What happens if someone attending court displays symptoms of coronavirus?**

If an individual appears to have symptoms of coronavirus, they will not be allowed to enter the court building.

### **Do court users need to wear face coverings? Will these be provided? What about gloves?**



Court and tribunal users must now wear face coverings in all parts of our buildings in England and Wales (except courtrooms or jury rooms), unless they have a practical reason – exemption - not to. Security Officers have statutory powers to refuse admission or enforce removal of users who refuse to wear a face covering without an exemption. Users can ask a member of staff for a face covering if they need one, though we prefer that individuals bring their own.

Examples of practical reasons – exemptions - for an individual to not wear a face covering include:

- they have disability or health issue that makes it difficult
- wearing one will cause severe distress
- a deaf person they support needs to read their lips
- they are eating, drinking or taking medicine.

Children under the age of 11 (in England and Wales) do not need to wear a face covering.

If an individual has a reason why they can not wear a face covering, they may find it helpful to wear a lanyard with an exemption card, or to carry an exemption card with them (these are available from various organisations online).

Individuals may be asked to temporarily remove face coverings for identification purposes. We're not requiring that individuals wear face coverings in the courtroom or jury rooms, because these environments are more ordered and social distancing measures limit contact with others. Users can wear face coverings if they want to but if they are presenting evidence in the courtroom, the judge or magistrate may also ask them to take their face covering off temporarily. If they need to communicate with someone who relies on lip reading, facial expressions and clear sound, they may need to take their face covering off on request.

Those people using our buildings in Scotland may also wear face coverings, but they remain optional.

See [Government advice on face coverings \(England\)](#) and [Face coverings: guidance for public \(Wales\)](#).

Face coverings do not replace social distancing or good hygiene.

Based on current advice, we're not recommending the wearing of gloves. Regular and thorough hand washing is more effective.



## Arrangements for witnesses

### **Will HMCTS make sure that witnesses are only asked to come to court on days when they are needed?**

Yes, we will only ask witnesses to come to court on days when they are needed.

### **How will social distancing be maintained for witnesses?**

As judges list trials, we will consider the numbers of parties involved and the space available to make sure we can maintain social distancing – in the court room and waiting areas. We'll be staggering arrival times to keep the number of witnesses down where we need to.

### **Are witnesses allowed to bring anyone with them?**

Space in waiting areas and the public gallery may be limited while we observe social-distancing arrangements, but we know many witnesses may feel anxious giving evidence. Witnesses can bring someone with them for support, such as a friend or family member. Some witnesses may also have specialist support.

### **How will a witness swear an oath or make an affirmation?**

The usher will read out the oath and ask the witness to repeat the words after them. The relevant Holy book will be placed in front of the witness but they will not need to touch the book. This is because failure to physically hold the Holy book does not invalidate the taking of the oath, providing the individual still considers the oath will be binding on them.

Affirmations bear equal solemnity, significance and responsibilities of a religious oath. For witnesses preferring to affirm, the usher will read out the affirmation and ask the witness to repeat the words after them.

## 6. Arrangements for jurors

### **How will juror trials work in the Crown court? How will jurors be kept safe within the court buildings?**

We have introduced special arrangements for juror trials in the Crown court to ensure social distancing and maintain safety of all participants, including jurors. These arrangements are supported by Public Health England and Public Health Wales.

Arrangements to allow appropriate social distancing will vary but examples include:



- providing a second courtroom linked by closed circuit TV, to enable the media and others to watch proceedings
- a separate courtroom for jury deliberations
- entrances and exits being carefully supervised
- increased building and touchpoint cleaning.

**We've published a [guide](#) which outlines what we have put in place for people attending juror trials and what we expect from them.**

**Will mobile phones be removed from jurors when they enter a courtroom? How will these be stored? Will each phone be kept separate from others to prevent cross-contamination?**

Jurors will be provided with individual lockers to store their belongings, including mobile phones.

**What happens if a juror displays symptoms of coronavirus during a trial?**

The juror will be excused. With social distancing in place, other jurors will not need to self-isolate and the trial will continue.

**How will documents be shared with juries in the courtroom?**

We're asking jurors to avoid touching anything they do not need to. If jurors are provided with individual copies of a trial bundle, we're asking that they do not share them.

**How will a juror swear an oath or make an affirmation?**

The usher will read out the oath and ask the juror to repeat the words after them. The relevant Holy book will be placed in front of the juror but they will not need to touch the book. This is because failure to physically hold the Holy book does not invalidate the taking of the oath, providing the individual still considers the oath will be binding on them.

Affirmations bear equal solemnity, significance and responsibilities of a religious oath. For jurors preferring to affirm, the usher will read out the affirmation and ask the juror to repeat the words after them.

## **7. Arrangements for the public gallery**

**How will users of the public gallery be kept safe during a trial? What measures will be in place to protect them?**



We're encouraging participants to only bring one friend or family member with them. We will have a maximum capacity in the public gallery, with available seats spaced to make sure a 2m distance can be maintained.

Chairs will be taped up or have signs on them to avoid users sitting too close to someone else.

## **8. Arrangements in the court room**

### **What kind of ventilation is being used in court buildings? Is air conditioning safe to use in court buildings?**

Our building ventilation systems use air handling units to extract stale air and replace with a supply of clean, fresh, filtered air. Our air handling units are not currently re-circulating any air. Some will also have temperature controls to cool or warm air to the desired temperature.

As the virus is less likely to be passed on in well-ventilated buildings and outdoors, we're also opening windows where we can.

According to Public Health England/Wales guidance, the risk of transmission through air management systems is very low. That's because the virus is water-borne rather than air-borne.

### **Will social distancing be effective if court users are inside the same room for several hours at a time? How do you know this?**

We're organising court rooms to make sure that social distancing can be maintained for all court users.

### **How will shared equipment be sanitised between users?**

We will make sure items such as TV remote controls, keypads for doors and any shared equipment are wiped clean after use.

## **9. Food and drink**

### **Is food and drink available in the court building?**

Not all our cafes and canteens will be open.

We recommend you bring sufficient food and bottled water with you for your visit. Do not bring metal cutlery. We have closed our water fountains and removed water carafes and glasses from the court rooms. You'll be able to take bottled water into the hearing room. Water dispensers and food and drink vending machines may still be in operation in certain buildings. We will clean



these frequently, but you should wash your hands after use.

## **10. If you have a concern**

### **What should I do if I see something that's not right?**

If you see something that's not right, please tell a member of staff so that they can take appropriate action. You can also provide feedback using our [Let us know service](#) on GOV.UK.