

Court of Appeal, Criminal Division, Emergency Business Plan (w/c 21 September 2020)

During the pandemic the work of the Court of Appeal Criminal Division has continued. However, due to social distancing and other protective measures, it is inevitable there will be a reduction in the numbers of cases that may be listed.

An overview of our current arrangements:

1. We are listing all types of hearings, but our priority, as always, is the most urgent cases.
2. We aim to make use of DCS wherever possible to provide judges with a Single Judge or Full Court Index that provides hyperlinks to documents that we have uploaded to the appeal sections of DCS.
3. Documents should wherever possible be lodged electronically. Where that is not possible, they should be left in the drop boxes installed outside Conviction Casework Room E239 - 240.
4. If you are lodging a new application this should be lodged electronically at the registry applications mail box:
criminalappealoffice.applications@hmcts.x.gsi.gov.uk

5. Please see the following page for advice on attending a hearing and general protective measures.

Mailboxes:

Criminal Appeal Office, Applications (for direct lodgement of appeals)
criminalappealoffice.applications@hmcts.x.gsi.gov.uk

Criminal Appeal Office, A Reference criminalappealoffice.areference@hmcts.x.gsi.gov.uk

Criminal Appeal Office, B Reference criminalappealoffice.breference@hmcts.x.gsi.gov.uk

Criminal Appeal Office, Costs CriminalAppealsOffice.Costs@hmcts.x.gsi.gov.uk

Criminal Appeal Office, General Office criminalappealoffice.generaloffice@hmcts.x.gsi.gov.uk

Criminal Appeal Office, List Office criminalappealoffice.listoffice@hmcts.x.gsi.gov.uk

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General protective measures

A local risk assessment has been undertaken in line with the published HMCTS corporate risk assessment. This assessment details the protective measures we have put in place in our courtrooms, staff offices and other spaces. The assessment will be shared on request with our professional users. A separate risk assessment has been undertaken for the RCJ Building and Security and this too may be shared on request with professional users. This note provides all users with a summary of the measures in place when attending a hearing in the Court of Appeal (Criminal Division) (CACD).

The CACD is currently sitting in a limited number of courtrooms, which comply with relevant social distancing guidance. We have introduced new measures such as additional cleaning for frequent touch points, changes to the way courtrooms are used e.g. attending a hearing by video and new signage e.g. to show which seats in the courtrooms should and should not be used to maintain social distancing between those who may physically attend a hearing.

Attending a hearing

The List Office will when fixing a hearing advise as to how you may attend and any enquiries about your attendance should be directed to this office e.g. if you are unable to attend a hearing in the RCJ building or you are an interested party or the media and wish to join remotely. The List Office may be contacted at the following address:

criminalappealoffice.listoffice@hmcts.x.gsi.gov.uk

Please note that the social distancing measures and layout of our courtrooms has led to a significant reduction in the number of people who may physically attend a hearing.

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Dress code for advocates attending a hearing by video

Until 30 September 2020, the Vice-President CACD, has said that if you are joining a hearing by video, that you should not be robed, but dressed in business attire, including a tie for men. Advocates need to consider the “backdrop” when they are linking remotely from home, chambers or an office – it should be neutral and appropriate for a court hearing. Advocates linking remotely need not “rise” when the court assembles etc.

Guidance for hearings in the CACD

From 1 October 2020, The Vice-President CACD has provided the following guidance:

- Wherever possible, hearings will be conducted as normal in a real courtroom, with appropriate social distancing and cleaning arrangements in place;
- Where necessary, arrangements can be made for an advocate to appear by way of remote connection;
- For all hearings, whether conducted in person or remotely, the conventional dress code will apply and advocates and judges will all be robed;

- Advocates linking remotely from home, chambers or an office need to consider the “backdrop” which should be neutral and appropriate for a court hearing.
- Advocates linking remotely will need to “rise” when the court assembles etc.

Facilities

Toilets and handwashing facilities are available in the corridor used for criminal appeals – located outside courts 6 and 8. These facilities are fairly small and so please allow sufficient time in case you need to wait for the facilities to become free. Likewise, there is a maximum occupancy for the robing room, so please allow extra time in case you need to wait to robe. Unfortunately, as a protective measure, we are not currently providing carafes of water in the courtroom and those attending should therefore bring their own water (not in glass bottles), food and other personal items e.g. hand sanitiser for use in the courtroom.

These measures are consistent with the approach being taken throughout the RCJ.