

# Remote Court Hearings - Quick Guide for Court Users

9th October 2020

The fact that a court hearing is being carried out remotely does not change the seriousness or the importance of the proceedings and you should behave as you would be expected to if physically in court. Full guidance in respect of remote hearings can be found at <https://www.judiciaryni.uk/coronavirus-covid-19>. The following highlights key practices which will help to ensure that all parties can fully take part in the hearing which should replicate, as far as practicably possible, the physical hearing in court.

## Preparation for the remote hearing

- Ensure you have **any discussions** with your legal representative or others involved in the case **in advance** of the hearing date / time, and that you have a **copy of all papers which might be referred to**.
- The court will provide you with **joining instructions** relating to your remote hearing in advance. Ensure you have downloaded any software needed to connect to the court. If possible, you should **test this** in advance of the hearing and contact the court office and your solicitor if you encounter any problems.
- Ensure that your device is fully charged, or connected to power, to avoid a breakdown in connection during the hearing. The name you enter to join the hearing will be shown on your camera / video image – this should be your proper name, so that the Judge knows who you are.
- Make arrangements to join the hearing from a quiet and private space indoors where you will be free from interruptions. When giving evidence you must be alone (or tell the Judge if you are with your solicitor, or other person in a support role) and ensure that there is no one to prompt you with the answers that you give under examination (either in person or by any other means).
- If you are to give evidence and wish to take an oath, you should ensure you have to hand a bible / religious book. You may otherwise choose to ‘affirm’.
- You should **use earphones or headphones with a microphone** if you have them to keep the remote hearing confidential and improve the sound quality.
- You should **find the mute function** on your device and on the system being used for the hearing (eg Sightlink / Webex) so you know how to switch the sound on when you need to speak (and off afterwards). This should always be set to mute (sound off) until you are invited to speak.
- You should **find the camera function** on your device and on the system being used for the hearing (eg Sightlink / Webex) so you know how to switch this on to ensure you are visible to the court; or ensure this is turned off where it has been agreed in advance that you are not required to be visible.
- You should dress appropriately for a remote hearing, as if you were attending court in person.

### The remote hearing

- **Follow the instructions to join the hearing** (e.g. Sightlink or Webex) **a few minutes** before the listed start time to ensure that you join the hearing in time and before the Judge.
- You should **leave your camera turned on** at all times unless told otherwise. You should sit with the light in front of you so your face is not in shadow.
- You will be **visible to the court** throughout the hearing therefore you should ensure that the background visible on the screen is appropriate for a court hearing and that your face can be clearly seen. You should not move away from the screen during the hearing without the Judge's permission.
- You should ensure that you will **not be interrupted or distracted** during the hearing.
- The usual **restrictions** in a courtroom still apply - you **should not eat, drink, smoke / vape, use a mobile telephone etc.**
- The **language and forms of address** used will be the same as apply in the courtroom. You should however **remain seated** throughout unless asked to do otherwise.
- You should **'mute' (turn-off) the microphone** on your device at all times **except** when the Judge asks you to speak. You should only speak when invited to by the Judge and must not talk or interrupt when someone else is speaking.
- Where you wish to speak or make an intervention, you should make this known by **raising your hand**, and wait for permission before speaking.
- Just like a physical courtroom, the remote hearing will normally be **open to the public** to view (*there are some exceptions relating to the confidentiality of family and children's cases*) and an **audio recording** is usually made by the court.
- You **must not record the hearing** by audio or video recording or take a 'screenshot' or 'screengrab' of the video image of the court on screen. It is a **criminal offence** and a contempt of court for you to record the hearing without permission, which could result in possible imprisonment or other penalty.
- If you are **giving evidence as a witness**, you will be sworn or affirmed by the court clerk remotely prior to giving your evidence and must be **alone** (unless you have told the court that you are with your solicitor or other support person), in a private room with the doors closed. You should have a copy of all documents that you might need to refer to close at hand. You must keep your camera and microphone on at all times when giving evidence and must not be prompted in any way by anyone when providing your evidence. You may leave the hearing once you have given your evidence.