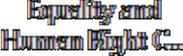


ANNEX A.1

No	TYPE OF DOCUMENT	DATE	ERDM LINK OR ATTACHMENT
1.	Email newsletter from EHRC	22 June 2020	 See below (1) Email Exchange - EHRC Remote Hearing
2.	Newsletter from EHRC	27 August 2020	 See below (2) EHRC Newsletter - FOI 202000092321_
3.	FMQ note regarding Gender Recognition	28 August 2020	 See below (3) Extract of Gender Recognition Bill- FMQ
4.	Children (Scotland) Bill as amended at stage 2		Children (Scotland) Bill as amended at stage 2 published
5.	MiCase response re; Gender Recognition Reform (Scotland) Bill	28 August 2020	 See below (4) Correspondence - FOI FOI 202000092322
6.	Children (Equal Protection from Assault) (Scotland) Act 2019: May 2020 circular	29 May 2020	Refer to published circular published
7.	Autoreply - Children (Equal Protection from Assault) (Scotland) Act 2019: May 2020 circular	29 May	 See below (5) Auto Reply EHRC - FOI 202000092321_
8.	Civil Partnership (Scotland) Bill – Stage 3 debate opening speech (superseded draft)	17 June 2020	 See below Document 3 - Extract of Draft Speech - FOI
9.	Submission re; HR stakeholder engagement update	6 May 2020	 See below (6) Extract of Submission - Stakeho
10.	Remote Hearings – Paper 2	2 July 2020	 See below 
11.	Child contact centre guidance		Child contact centre guidance has now been published .

From: [REDACTED] <[REDACTED]@equalityhumanrights.com>

Sent: 22 June 2020 15:26

Subject: EHRC's Remote Hearings Webinar - 2 July 2020

Good afternoon.

I'm writing to you as someone who has signed up for the Equality and Human Rights Commission's legal e-Bulletin.

On Thursday 2 July, the Commission in Scotland are hosting a webinar to discuss the risks and opportunities for effective participation posed by the recent expansion in use of remote hearings, not just in criminal courts but in many other justice settings. The webinar follows on from our recent statutory inquiry concerning the experiences of certain disabled accused people in the criminal justice system. We reported that such accused can face particular barriers to their effective participation where proceedings are conducted remotely. The [full report](#) from our inquiry was published last week.

Speakers at this free event include **John Scott QC** (President of the Society of Solicitor Advocates); **May Dunsmuir** (President of the Health and Education Chamber of the First-tier tribunal for Scotland); **Sarah Craig** (Senior Lecturer in Public Law, University of Glasgow); and **Maria Galli** (Legal Officer at Children and Young Person's Commissioner for Scotland). Further details and registration information are available on [our Eventbrite page](#).

We would be delighted if you could join us on-line for this panel discussion. Please also feel free to share the link with your colleagues, networks, via social media etc.

<https://twitter.com/EHRCScotland/status/1273971618767876096>

Kind regards,

[REDACTED]
[REDACTED]

Equality and Human Rights Commission

T: [REDACTED] **M:** [REDACTED]

151 West George Street,
Glasgow G2 2JJ

equalityhumanrights.com

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e-newsletter



Our vision and purpose

We're here to stand up for freedom, compassion and justice in our changing times. We do it by promoting and upholding equality and human rights ideals and laws across England, Scotland and Wales. Our work is driven by a simple belief; if everyone gets a fair chance in life, we all thrive.

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From: Equality and Human Rights Commission
<email@communication.equalityhumanrights.com>
Sent: 27 August 2020 17:32
To: [REDACTED]
Subject: EHRC newsletter: August 2020

News from the Equality and Human Rights Commission

[View on web](#)



Equality and
Human Rights
Commission



August 2020



Report to the UN Convention Against Torture: military personnel must be held accountable for crimes committed overseas

In our follow up report to the United Nations Committee Against Torture (CAT), we are calling for the UK Government to withdraw plans that could make it more difficult to hold UK military personnel to account for crimes (including torture and ill-treatment) committed overseas. We are concerned that the Overseas Operations Bill, introduced by the Government in March 2020, would create a time limit for claims of torture or ill-treatment. This is widely recognised as being incompatible with international human rights standards.

In June 2019 CAT specifically recommended that the UK should not introduce legislation which would grant amnesty or pardon for UK personnel where torture is concerned. We are pressing the Government to withdraw proposals that would prevent a criminal case being brought against members of the UK forces after five years, without special consent from the Attorney General.

Our submission to CAT specifically focuses on the accountability for any torture and ill-treatment committed by UK personnel in Iraq from 2003 to 2009. It also includes recommendations that, if implemented, would see the UK strengthen its commitment to the international human rights framework and the Convention against Torture.

Our full report, including recommendations, has been submitted to CAT as part of the sixth periodic report of the United Kingdom and Northern Ireland.

[Read the report and recommendations](#)

76% of the
public

Equality and
Human Rights
Commission



**say prejudice against transgender
people is always or mostly wrong.**

Research reveals positive attitudes to transgender people

Research commissioned by us and carried out last year as part of NatCen's British Social Attitudes survey has shown that the majority of the public view transphobia as wrong and believe that they are not personally prejudiced towards transgender people.

Over three quarters (76%) of people surveyed believed prejudice against transgender people was always or mostly wrong. Over 80% of people also believed they were not prejudiced against transgender people. The vast majority of respondents believed that trans people are suitable for roles with a high level of public responsibility, such as police officers and school teachers.

However, the research also demonstrates a more nuanced debate when it comes to specific circumstances, such as accessing 'single sex' services including women's refuges and the use of public toilets. Whilst a majority of respondents agreed that they were comfortable with trans women having access to these spaces, the percentage of those who were comfortable or very comfortable with this had fallen in the three years since a similar survey was last carried out.

[Read the full research](#)

Our position on Gender Recognition Act reform



Our Chief Executive Rebecca Hilsenrath writes that we must build an environment where the issues raised by GRA reform can be freely discussed, in an atmosphere of tolerance, dignity and respect, whilst reiterating the Commission's position on Gender Recognition Act reform. In her blog she also calls for changes to the requirement for spousal consent on the continuation of the legal relationship when a trans person is seeking a Gender Recognition Certificate in England and Wales.

[Read Rebecca's blog](#)



Sainsbury's takes action to eliminate harassment

Leading supermarket Sainsbury's has signed a legally binding agreement with us to take concerted action to prevent harassment in its workplaces. This follows an employment tribunal case taken by a member of its staff, where the supermarket was found liable for sexual harassment.

Whilst we recognised that the household name had made improvements to its understanding, policies, practices and procedures since the judgement, we reached the view that further progress could be made and, as an alternative to an investigation, suggested an agreement. Sainsbury's willingly agreed to work with us to ensure that similar incidents cannot happen again in future.

The supermarket has now signed a Section 23 agreement (under the Equality Act 2006) which requires it to take all reasonable steps to prevent its employees from committing harassment, including:

- Preparing a discrimination guide for line managers and employees



DWP to improve service access for disabled customers

Following complaints that they did not provide interpreters for deaf customers accessing their services by telephone, the Department of Work and Pensions (DWP) have come to a legally binding agreement with us to improve their service to disabled clients.

Through our [helpline for advisers](#), a complaint was raised on behalf of four hearing-impaired people who had faced difficulties in dealing with staff from DWP and Serco who didn't know how to arrange sign language interpretation.

DWP have now committed to an action plan to address the problems and to improve access to its services for disabled customers.

This agreement commits DWP to:

- Providing a Video Relay Service (VRS) across telephony services for all benefits and services.
- Ensuring customers can easily locate what they need in order to request information in alternative accessible formats.
- Improving their customer information system so disabled people's

- Advising staff on how to deal with harassment through internal communications
- Establishing more effective mandatory training for its workforce
- Providing regular reports to us on its progress

The agreement will last for eighteen months from this summer.

[Find out more](#)

communication needs are recorded and shared.

- Improving the use of Equality Analysis in the design and delivery of all changes.

We will monitor DWP's action plan on a monthly basis.

[Find out more](#)



Help us improve the guidance we provide to organisations in England subject to the Public Sector Equality Duty

Do you work in the public sector in England? We are asking colleagues from organisations in England which are bound by the Public Sector Equality Duty to provide us with some feedback to inform the guidance and resources we provide. Please take five minutes to complete this short survey to inform our plans.

[Take the survey](#)

Last chance to book: Ensuring your coronavirus response is inclusive of all – how the Public Sector Equality Duty can inform your actions

Join our free webinar on **Wednesday 2 September** to hear from representatives from the Equality and Human Rights Commission, the Care Quality Commission and Devon County Council. This session will explore how duty-bearing organisations in England can use the Public Sector Equality Duty to ensure that they are practically considering and responding to the needs of people with different protected characteristics, both as they respond to the pandemic and in its aftermath.

[Book your place now](#)

Stay connected



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Fleetbank House, 2-6 Salisbury Square, EC4Y 8JX

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GENDER RECOGNITION

Extract of Gender Recognition Bill – FMQ – 28 August (FOI 202000092321)

ISSUE 8 AUGUST—David Isaac, departing chair of Equality and Human Rights Commission, urged supporters and opponents of gender recognition reform to listen to each other and focus on consensus, and that 'polarised' debate is harming UK.



Our Reference: 202000066949

28 August 2020

Dear 

CONSULTATION ON THE DRAFT GENDER RECOGNITION REFORM (SCOTLAND) BILL

Thank you for your email of 27 July concerning access to the responses made to the [Scottish Government consultation on the draft Gender Recognition Reform \(Scotland\) Bill](#). As you note, this consultation closed on 17 March 2020.

On 1 April 2020 the Minister for Parliamentary Business informed Parliament that in light of the ongoing impact of COVID-19, work on a number of planned government bills, including the Gender Recognition Reform (Scotland) Bill, has been halted. We will not now be able to bring forward a Bill to reform the gender recognition process before the next Scottish elections in May 2021.

Consequently, work to progress the Bill is currently paused. This includes work to prepare responses for publication where the relevant consent had been given, as set out in the consultation at paragraph 1.11. Some organisations who responded will have independently published their consultation response. Two examples of which we are aware are the [Equality and Human Rights Commission](#) and the [Children and Young People's Commissioner Scotland](#).

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

In due course, we will complete the work of analysing the responses to the consultation on the draft Bill, when other pressures allow. However, no timetable can be provided at this stage as the Scottish Government's focus must be on dealing with the COVID-19 pandemic.

Yours sincerely,

A large black rectangular redaction box covering the signature and name of the sender.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot



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IN PEOPLE

Accredited
Until 2020



From: [REDACTED] [equalityhumanrights.com](mailto:[REDACTED]@equalityhumanrights.com)>

Sent: 29 May 2020 12:35

To: [REDACTED] [@gov.scot](mailto:[REDACTED]@gov.scot)>

Subject: Automatic reply: Children (Equal Protection from Assault) (Scotland) Act 2019 - circular (A26285874)

Thank you for your email.

Please note the Glasgow EHRC office is currently closed with staff working from home. This means your email may take longer to respond to than normal. Thank you in advance for your patience.

If you are contacting EHRC Scotland with a media request, please resend your email to [REDACTED] [@equalityhumanrights.com](mailto:[REDACTED]@equalityhumanrights.com)

Our vision and purpose

We're here to stand up for freedom, compassion and justice in our changing times. We do it by promoting and upholding equality and human rights ideals and laws across England, Scotland and Wales. Our work is driven by a simple belief; if everyone gets a fair chance in life, we all thrive.

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EXTRACT

CIVIL PARTNERSHIP (SCOTLAND) BILL – STAGE 3

Final debate – opening speech

The Humanist Society Scotland, the Law Society of Scotland, Engender, Children in Scotland, the Scottish Unitarian Association, the Equality Network, Stonewall Scotland, and the Equality and Human Rights Commission all support the extension of civil partnership to mixed sex couples.

From: [REDACTED]
[REDACTED]
6 May 2020

- 1. Minister for Older People and Equalities**
- 2. Cabinet Secretary for Social Security and Older People**

HUMAN RIGHTS – STAKEHOLDER ENGAGEMENT UPDATE

Purpose

1. To provide you with an update on key messages from Human Rights stakeholder organisations. This has been sent as a 1:2 submission.

HUMAN RIGHTS: STAKEHOLDER ENGAGEMENT UPDATE

Scottish Human Rights Commission

8. SHRC is one of around 20 members of a **Policing Advisory Group** alongside Scottish Police Authority (SPA), Crown Office and Procurator Fiscal (COPFS), Equality and Human Rights Commission (EHRC), Amnesty, Community Children and Young People's Service (CCYPS). The group is chaired by [REDACTED] and SHRC is represented by [REDACTED] (part-time commissioner). It has been convened at the request of the Chief Constable, with support from the SPA.

[REDACTED]

[REDACTED]

Contact Number: [REDACTED]

Remote hearings – Paper 2

Expert legal testimony in Scotland- Equality and Human Rights Commission in Scotland ██████ 2020

This is the second in a short series of papers on remote hearings. It reports the issues raised by four legal experts in Scotland at a seminar held at the Equality and Human Rights Commission (EHRC Scotland) webinar on ██████ 2020.

Main Points

There are some positive aspects to conducting remote hearings but the decision to go ahead should be made on a case by case basis with a particular focus on whether or not a remote hearing would mean vulnerable members of society are not being enabled to fully participate in proceedings.

Positives

- Mock trials conducted in England although '*not perfect*' were certainly considered a '*a viable option*' as participants, lay and professional, in general found the experience positive
- This was dependent on **all parties** joining remotely and that none of the parties could be described as vulnerable.
- Taking the hearing to children and young people through remote means may help them become the centre of the proceedings by increasing their participation.

Challenges

- In situations where lay participants were remote and all other parties were co-located, lay participants said they felt isolated and the pre-existing power imbalance was exacerbated.
- Parties being remote from their lawyer led to a lack of time to prepare and build understanding of the issues lay participants were facing.
- Remote interpreter services led to impoverished experience of justice for all participants.
- Disabled people and people with other vulnerabilities may not be able to access justice where proceedings are conducted remotely.

How to improve remote hearings

- Preparation for all participants is key including for example videos on what to expect
- Everyone involved must appear remotely not just some or one of the parties
- Take account of the need for extra time where interpreters are involved and be aware of their key role
- A tight control needs to be taken over proceedings, for example, turn taking, lack of excess noise and background clutter, ensuring technology is working

- Bespoke assessments of parties’ ability to take part fully should be made before decisions to proceed remotely
- Lay parties could be given a choice, and that choice should be informed by preparation for what the hearing would look and feel like

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1. Introduction

In order to keep the rule of law during the COVID-19 emergency, court systems across the world have adapted to introduce or escalate the amount of business they conduct remotely. This includes digital filing of paper work and the use of communication technology to conduct court hearings remotely.

This is the second in a series of papers that are being rapidly produced to deliver emerging evidence on remote hearings, their positives and negatives and lessons learned.

The evidence is emerging and can be sketchy: as such these papers are not designed to be comprehensive or rigorous, rather they are designed to deliver any

Issues to consider with regard to remote hearings:

- **Accessibility** for remote hearings to be fair, participants need access to:
 - ✓ A computer or smart phone,
 - ✓ A reliable browser,
 - ✓ A strong stable internet connection,
 - ✓ A microphone and camera,
 - ✓ The skills necessary to use all of the above.
- **Symbolism and rituals** (for example, bowing to the Judge) can be lacking which could impact on the delivery of 'justice' but equally could make court hearings more inclusive.
- **Open justice** could be enhanced by remote hearings as it could enable the press and the public to attend more easily BUT only where live streaming occurs.
- **Efficiency and productivity** are promoted by remote hearings but this should be weighed up against access, integrity and equality issues.
- **Technology** - as it improves, so will remote hearings.
- **Preferences** - Victims and witnesses, may prefer NOT being in the same room as the accused but on the other hand some may want the right to confront the accused.
- **The accused's** right to comprehend and participate may be compromised in remote hearings.

The issues brought up in the EHRC event reflected and consolidated most of these issues¹ within the general theme of Access to Justice. The main issues discussed are set out under the following headings:

- **Access to Justice – Remote court participants** (which includes accessibility, preferences and defendants)
 - Lack of co-presence
 - Remote interpreters
 - Disabled people, children and young people and other vulnerabilities
 - Participation
 - Potential to intimidate
- **Access to Justice - Remote court circumstances** (which includes symbolism and ritual, efficiency and productivity and technology).
 - Decision making
 - Technical glitches

¹ Open justice was not discussed

- █████ analysis focusses on the disparate nature of the experience where some but not all participants are co-located. **A pilot of four full mock criminal trials in England described by █████, Justice Scotland, made a similar point.** Whereas the experience of both lay and professional participants in these pilots is **largely positive**, there is an overriding caveat to these findings in that all participants had to be remote under the same circumstances with no exceptions. Further, the mock trials did not address the issue of vulnerabilities.
- █████ concluded that, in general and taking account of the issues above, **the mock trials although ‘not perfect’ were certainly considered a ‘a viable option’** as participants lay and professional, in general found the experience positive, so much so that people who had experienced doubts previously were converted to the method.

3.3 Remote Interpreters

- In a specific issue for people for whom English is not their first language, █████ identified **multiple issues with the use of interpreters in remote bail hearings.** The **lack of co-presence with interpreters exacerbated the feeling of isolation further.** This not only impacted on the person in need of translation but for professionals as well.
- Interpreters could **miss parts of the proceedings, and also, simply, not translate some of the discussions.** The speed of the hearings was a key culprit and increase the difficulty the interpreter might have in understanding the proceedings.
- Altogether these issues **limited the information getting to the applicant, meaning they could miss key information.** █████ also found instances where the applicant could not understand the interpreters and a feeling amongst applicants in some instances where they **could suspect that the interpreter was ‘not on their side’.**

3.4 Disabled people, children and young people and other vulnerabilities

- █████ reflections centred █████ key point was **the imperative of ensuring disabled people and children (including for example, people with Autism) should have ‘the same access (to justice) as others’**, for which █████ asserted that what’s needed is **‘..to move heaven and earth to make sure those who want to participate can participate’.**
- █████ told of a **positive impact of remote hearings** in █████ setting where █████ found they could enable the subject of the hearing to become the centre of the hearing, by *“bringing the hearing to them”*.

- One reason for this increased participation was not least that **remote hearings seemed to increase the desire in children and young people to participate.**
- ██████████ also stressed the need to **take account of vulnerabilities** when making decisions to undertake remote hearings. In particular in ██████ experience the accused, disabled people with learning difficulties and other vulnerable people.
- In ██████ own experience, ██████ had seen parties involved in remote hearings have both **positive and negative experiences.** The positive example involved a highly educated defendant who coped well with the remote setting, on the contrary the negative example involved an accused, charged with murder, who had been through three hearings without ever meeting their QC face to face. This, ██████ asserted, did not serve the cause of justice.
- As mentioned above the positive findings from the mock trial pilot were **heavily caveated around the issue of disabled and vulnerable participants.** ██████ acknowledged that no account was taken of any vulnerabilities and as such recommends caution and a step in the process that asks “is this person suitable for a remote hearing”.

3.5 Intimidation

- One of the findings in the previous paper in this series was that there are two schools of thought on the co-location of the accused and victims and witnesses. With regard to the mock trial pilot, ██████, suggested in **remote trials there is potential for a more equal and level playing field** than with physical hearings, so for example, there is no dock and the virtual nature of the proceedings makes it far more difficult to intimidate people.

3.6 Participation

- Two further positive findings from the mock trial pilots were that Jurors were **happier to raise issues than in an open court.** Further the accused could find it easier to get hold of their lawyer during the proceedings.
- The subject of tiredness was discussed and the pilot acknowledged it was more tiring to participate on screen than in person and as such recommended that there were **adequate and frequent breaks.**
- In general, the pilot found that the **virtual court room appeared to facilitate more participation,** by creating a sense of intimacy. Possibly because when taking part remotely everyone can see everyone which is not possible in a physical court.

4. Access to Justice – remote hearing circumstances

As well as focussing on the participants involved in remote hearings speakers at the event set out how the circumstances of remote proceedings could impact on Access to Justice.

4.1 Decision making

- Although the COVID-19 emergency gave courts the Hobson's choice of a remote hearing or no hearing, ██████ suggested that a remote court is better than no court. All the speakers **urged caution when deciding whether a hearing should or should not take place remotely.**
- ██████ reminded us that in the ██████ (as in other justice settings) the **decision on the type of hearing lies with the Judge, however they must take into account the preference of parties.**
- As there is currently no robust evidence on the preferences of children and young people on remote or physical hearings ██████ suggested the **six Bangalore Principles (independence, impartiality, integrity, propriety, equality and competence and diligence)** as the context on which Judges could make decisions that are fair for the parties.
- ██████ concerns focus on the remote bail hearings reported above as *'the thin end of the wedge'* stating *"they were in place before COVID and will continue after"*, and as such **pleads that remote hearings should never become the default option.**

4.2 Technical glitches

- ██████ identified the importance of **ironing out 'technical glitches'** which ██████ found were not addressed in some of the 89 hearings ██████ studied. As an example, in one hearing for all parties the view of each other was blurred; it was remarked upon and yet nothing was done to correct the issue and the hearing continued.
- ██████ acknowledge that the mock trials showed that **excellent technical facilities were essential for a successful remote experience.**

4.3 Controlling proceedings

- As identified in the first paper in this series maintaining **control of the hearing was vital.** ██████ identified difficulties with a lack of control in immigration bail hearings with, for example, finding that it was common for people to interrupt and talk over each other.

4.4 Set up

- █████ explained the finding in the mock trials that the **layout of the screen is very important for the success of the trial, in particular the Judge must be seen at all times**. Further the set up must reflect the nature of court proceedings to ensure the █████ issue: *‘if you treat it like a Zoom call it will feel like a Zoom call’*. As such **court dress and backdrop** are vital including, for example, the coat of arms behind the judge. This also echoed the findings in the previous paper.

5. How to Improve Access to Justice in Remote Hearings

5.1 Preparation

- The findings from the four mock trials in England showed that **preparation was key**. For example, videos were made on what to expect, with guides to show participants from entrance to virtual court into court room.
- The need identified in the mock trial pilot that **everyone involved in the proceedings must appear remotely**, with no exclusions is mentioned above, but reiterated here for emphasis.

5.2 Interpreters

- With regard to interpreters, █████ asserted that a key issue is that **parties do not understand the importance of the role of interpreter** and there should be work done to rectify this. If it was understood then, █████ suggests, more time would be allowed and **interpreters could be encouraged to interrupt and ask for clarity**. █████ makes a plea for hearings to be taped. These tapes could be used to identify where the applicant may need some more clarity and to check if the interpreter is not only translating everything but also making an accurate translation.

5.3 Controlling proceedings

- In terms of the control of proceedings, █████ stressed the **importance of ‘turn taking’** to ensure that everyone has their say and can be heard. This was referred to by a professional participant in New Zealand as the judge acting as ‘air traffic controller’ for the event.
- █████ set out some practical advice; including **no background clutter, and little noise** as possible and that the technology must be accessible.

5.4 Participation, assessment and choice

- In terms of participation in tribunals █████ referenced Roger Harts Ladder of Participation² to assert that a **child or young person must**

² https://www.unicef-irc.org/publications/pdf/childrens_participation.pdf

remain **‘at the centre of the hearings.** [REDACTED] found that *‘taking the hearing to the child’* might be a better way to ensure such participation, and vitally that more children and young people are now attending hearings when they are remote.

[REDACTED] had a key ask; that **where technology is used, it should be used to protect the appellants rights,** it should and could be used to assist people rather than put up barriers.

- In order for this protection to occur [REDACTED] asserted that **lay participants should have a choice as to whether they wanted their hearings to be conducted remotely.** And that in order to make an informed choice they needed to be comprehensively prepared and informed about every aspect of the hearing.
- [REDACTED] asserted that ensuring **vulnerable people can fully take part in remote hearings should be assessed on a case by case basis,** with *“bespoke assessments”* of the needs of parties involved being a necessary preliminary step in the decision to conduct remote hearings.
- [REDACTED] also recommended **learning from other jurisdictions** and further from other ways used to support vulnerable people in the justice system. [REDACTED] **lauded the use of ‘registered intermediaries’ in England and the use of trauma informed practice where innovative processes are used to support the vulnerable.**

6. Conclusions

[REDACTED] highlighted the need for all those involved in remote hearings to strive to ensure that *‘remote is not a lesser form of justice’*. And that in order to do this, remote hearings should not become the default. Attention should be paid to lay participants choices, their ability to make an informed choice, there should be resource put into preparation of all parties and bespoke assessments on a hearing by hearing basis.

Technology needs to be of excellent quality with equal access to all participants.

Finally, [REDACTED] made a plea that in these initial stages it is crucial that every trial is evaluated.

7. Next steps

The evidence base on the pros and cons for access to justice and fairness and technical aspects of remote trials is increasing day by day. In order to deliver evidence rapidly we are focussing on particular jurisdictions and/or themes. The next paper will summarise the evidence from England and Wales on family law cases.

Some useful references.

<https://www.gov.scot/publications/scottish-jury-research-findings-large-mock-jury-study-2>

<https://www.gov.scot/publications/impact-use-pre-recorded-evidence-juror-decision-making-evidence-review>