

Lines 30th<sup>th</sup> March 2020

I made a statement on 22nd March and as requested by Minister Swann I would like to provide a further update to Members on the arrangements that are being made within the Department of Justice to continue to deliver essential public services in the face of the challenges presented by Covid-19. Officials briefed the Justice Committee Thursday 18<sup>th</sup> March and again on Monday 22<sup>nd</sup> March.

We are committed to providing reassurance that across the justice family we are working together to mitigate the impacts of this pandemic. Our priority is to ensure the safety of our staff and to maintain essential services.

### **Contingency Planning**

Key to our contingency planning is strong communication and collaboration right across the wider justice system.

Significant work continues across the Department's business areas, agencies and NDPBs, to develop and refine the contingency plans and emergency response plans that we need to have the resilience to continue operating in the event of increased staff absence. The Department's Operations Centre is now operational and an Emergency Response Team is now in place.

As I stated before we have identified the highest priority public services that need to be maintained and will, if necessary, make resources available to maintain those services. But this is a dynamic situation and significant resource is being devoted to ensure we keep our plans under review in light of emerging information, and as the scale of what we are all facing becomes clearer.

## **Our Staff**

Safeguarding our staff is paramount and we continue to take proportionate steps, in line with PHA guidance, to ensure staff wellbeing.

As of Friday we had 450 staff in work, 566 working from home and 472 at home. We continue to ensure staff are safe and where possible have work to do. We are revisiting this in light of the new Regulations issued on Saturday. We continue to ensure for those working in the office we are taking action to enable physical distancing and technology is being used to ensure face to face meetings are avoided.

We have asked that everyone continue to maintain the highest possible personal hygiene, including washing your hands thoroughly and frequently. In certain areas, such as prisons, protective clothing is available for staff.

## **Legislation**

The Emergency Coronavirus Bill and The Health Protection Regulations gives us the powers we need to take the right action at the right time to respond effectively to the progress of the outbreak.

Provision is also made for additional powers for the Police Service of Northern Ireland to support actions taken by the relevant health authorities to prevent the spread of the coronavirus.

## **Specific Issues**

The Justice system continues to deal with the highest priority issues to maintain public safety and have slowed down work of a lower priority.

## **Courts**

My officials in the Northern Ireland Courts and Tribunals Service have developed a graduated response to the current public health emergency which, depending on the prevailing circumstances and available resources, entails working with the judiciary and partners and other stakeholders to slow down lower priority business. They have been working closely with the Office of the Lord Chief Justice on practical arrangements to reduce the need for attendance at court, including the adjournment of cases administratively; dispensing with the requirement of parties to attend save for certain specified circumstances, and making greater use of technology to facilitate remote and virtual hearings in place of traditional face to face hearings.

The Lord Chief Justice has issued several directions since the 17th March on the handling of court business which sought to limit the scope of any risks to health while maintaining the administration of justice. The latest directions, which were issued to take account of the announcement that citizens should stay at home save for limited specified circumstances, state clearly that parties are not required to attend any hearings in person and indicates that all non-critical business is currently being adjourned.

Judges will continue to deal with priority proceedings which typically involve the immediate liberty, health, safety and wellbeing of individuals. Examples include

### **Criminal proceedings**

First remands; bail applications and sentencing where delay may mean time on remand exceeds any likely/realistic custody period under the sentence.

### **Family proceedings**

Non-Molestation Orders in DV cases; Children Order applications such as Care Orders, Prohibited Steps Orders, Emergency Protection Orders and Secure Accommodation Orders; Declaratory judgments in patients' cases; and child abduction proceedings.

## **Civil proceedings**

Priority civil proceedings will include *Habeas Corpus* applications; Urgent injunctions; and Urgent judicial reviews.

In order to make best use of available resources and technology, NICTS has reduced the number of venues which it is operating from to four (Laganside; Derry; Dungannon; and Craigavon). The offices of the Royal Courts of Justice are still operational for urgent business. Building on existing provisions and new legislation in the Coronavirus Act 2020 the vast majority of proceedings are now taking place remotely using video or audio conferencing.

Most routine tribunal business has also been paused. Urgent business before the Mental Health Review Tribunal and the Appeals Tribunal (Benefits) are also being managed through a blended model of paper-based determinations alongside audio and video hearings to minimise disruption for appellants.

Prisons – See Statement

## **In conclusion**

This remains a dynamic picture and we continue to ensure we have strong engagement and communications across the Justice system. We will continue to follow PHA guidance. If that guidance changes, we will move quickly to adapt our approach and our planning accordingly.