



# HM Courts & Tribunals Service

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Ms Caroline Goodwin QC  
Chair  
Criminal Bar Association

**via email: [c.goodwin@trinitychambers.co.uk](mailto:c.goodwin@trinitychambers.co.uk)**

21 May 2020

Dear Caroline

## FEEDBACK ON COVID-SECURE COURTS AND TRIBUNALS

Thank you for writing to me on 16 May about our jury trials issues tracker and, on 17 May, with feedback from the CBA on the template for assessing and managing the risk of coronavirus in our courts and tribunals. I'm grateful to you for taking the time to provide us with helpful insight from the perspective of your members as regular users of our services and buildings. I know that you were able to dial in to a meeting on 20 May of the Jury Trials Working Group, which was also attended by officials from Public Health England and Public Health Wales; and you and I also have some time in the diary to discuss this in more detail, but I did want to write formally to respond to the points that you have raised.

As you know, the Organisational Risk Assessment was published on our GOV.UK pages on Friday and I am now pleased to confirm that we have [published the supporting Assessment Tool](#) alongside it. This tool sets out approved standards against which we are assessing individual building safety for all users, and I would be grateful if you could share this update with your members.

In your feedback, you raise a number of detailed issues in relation to the guidance from Public Health England and Public Health Wales around the importance of maintaining social distancing. The points raised are often detailed and range from questioning the validity of the two-metre social distancing rule in principle, asking about the analysis of droplet travel in raised as opposed to level areas, and asking whether account has been taken of voice amplitude on aerosol transmission, and the fact that parties in a court setting often speak loudly.

A number of these issues seem aimed at the government's guidance itself. The points you have raised have been shared with Public Health officials, and I understand that you were also able to put them to Public Health England and Public Health Wales representatives during your meeting with them on 20 May. They have confirmed that HMCTS should follow the general public health advice for workplaces, and that there is no scientific reason to alter this for courtrooms.

HMCTS has been clear since the COVID-19 pandemic began that the safety of those who work in and use our buildings – including all legal professionals – is our utmost concern. Everything that we have done to date has been in line with Public Health and government guidance, and that continues to be the case. If the guidance on social distancing rules changes, then we will of course revisit the measures that we are taking, but until then I am confident that the steps that we have taken since the pandemic began are in line with Public Health guidance.

Turning to other parts of your feedback, you raise the issue of air flow and ventilation in courtrooms. Public Health England and Public Health Wales guidance suggests that nothing beyond what is normally expected in workplaces is needed here, and it is not a prominent feature in what they recommend around COVID-19. Given your questions, though, we have sought and received advice from Public Health officials on this specific point, and they have confirmed that the risk of transmission of the virus through an airborne route is extremely low. Therefore, where normal air-handling systems are in working use, or alternative means of ventilation are available (such as opening a window), they have advised that there is little risk to individuals and that rooms should be considered safe. I gather that Public Health officials were able to confirm this at the Jury Trials meeting that you dialled into on 20 May, and we have reflected this in the updated assessment.

You raise a number of points around access to buildings and front-of-house security searches. First, I can confirm that we intend to roll out the Bar Council Professional User Access Scheme as soon as we are able, with its hours of use being subject to the resources available at each individual site. On the question of front-of-house searches, I can confirm that these have been adapted to minimise close contact between security officers and building users, while still managing wider security risks to the building and its occupants. Our front-of-house security officers are required to reapply sanitiser to gloves and clean any tray utilised, after each search, but in terms of your suggestion to use an extended, hand-held wand, we are advised that this would render that part of the search ineffective. You suggest the use of lockers, and while this is something that we will continue to consider, in light of the other steps that we have taken on front-of-house searches, we feel on balance that the additional security risk that it would create outweighs the benefits.

You also raised an issue specifically relating to front-of-house measures at Newcastle Crown Court, and I can confirm that we have taken this up with the court directly and a number of improvements have been put in place, including hand sanitiser in the entrance foyer, better signage and marshalling, and a reminder to security officers about the correct processes to be followed.

I want to thank you again for your thoughtful feedback, and your continued support during this time.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. Acland-Hood', written in a cursive style.

Susan Acland-Hood  
**Chief Executive, HM Courts & Tribunals Service**