



Disclaimer: This is not advice to be relied upon but recommendations to help members consider their own position when attending court. Policies have to change as facts or evidence emerges so this should not be considered static.

No working place that has people in it can be 'COVID secure'. It is a meaningless phrase. At best, a working environment can seek to mitigate the risks that it presents but there will still be risks. Buildings cannot pass the virus; it requires human contact to do so. So wherever humans gather in numbers within an enclosed space, there is a risk of transmission.

As the pandemic has gone on, we have all had to adapt our lives and to incorporate basic safety requirements as part of the community wide response to the containment of the virus. This all applies to Courts but is reliant on each and every one of us also taking personal responsibility for working safely at court not only to protect ourselves but those around us and those at home. This will hopefully act as a refresher over areas to be vigilant over.

The CBA COVID safety group recommends that CBA members view the transmission of COVID as airborne not only in terms of droplets but also within aerosol. This means that talking in confined spaces even with ventilation and Perspex screens presents risk. This is underlined by the key issue of duration. Proximity is easily negated by prolonged duration.

The 2 metre 'rule' of distance is founded in well-established research on droplet spread and short durations - 15 minutes or less. Aerosols are smaller and therefore can travel greater distances. Whilst the 2m rule of thumb is essential to the minimisation of spread, it is only one of the factors to mitigating risk. The CBA does not accept that courts are not close contact settings.

The triad of risk areas are:

- Duration of time spent indoors
- Low or no ventilation
- No masks

Keeping surfaces clean is an important part of minimising and disrupting the spread of COVID-19. However members should not conflate cleanliness with complete protection.

Members should always pay close attention to local prevalence rates in the location of the court they are attending and obtain the most up to date 'risk assessments' for the court.

HANDS FACE SPACE?

The emphasis should be on aerosol transmission and ventilation primarily with handwashing and surface cleaning acting to mitigate transmission.

Hands

We are frequently unable to wash our hands with any regularity because we are in court.

Court cleaning should cover regular cleaning with anti-viral materials of common touch points (door handles/handrails /tables/keypads etc) on a rotation in and out of court rooms. It should increase in frequency wherever the footfall is greatest. There was a reported case of 22 people catching COVID from the same lift button.

Recommend:

Keep hand sanitiser on you and get into the habit of sanitising your hands every 30 mins. Sanitiser should contain not less than 60% alcohol. Wash your hands after you have been in courtroom and every time you change room or setting.

Take anti-viral wipes with you to wipe down surfaces as well as tablets, computers and any other devices/materials taken to court.

If at all possible, ensure that clothes that are worn to court are removed as soon as possible upon returning home and cleaned or suitably stored. Try and shower/bath as soon as you can.

Face

You should be wearing a mask at all times when it is practicable to do so. This is not only to protect yourself but to protect others. Official figures put asymptomatic carriers as high as 1 in 3 of the population. Everyone should act as though other people they meet at court may have the virus. By the time someone becomes symptomatic, it may well already be too late to have avoided infection.

There is emerging evidence to suggest that the new variant strains of COVID 19 has different qualities and so homemade/simple cotton based single layer face masks may not be sufficient though they can be supplemented by the addition of filters. Vacuum cleaner filters make be cut down to size to act as additional filters.

Members are recommended to use as minimum fluid resistant surgical type masks (IIR 2R - fluid resistant) with the appropriate kite mark and complying to EN 14683. You may wish to consider an N95 or FFP2 mask. These should be in date as their efficacy diminishes with time and should fit properly across the face without gaps. Repeated use will also diminish their efficacy. Alternatively, you can double mask by wearing a surgical mask under a cloth mask ensuring that the cloth mask fits snugly over the surgical mask. They

should be only handled by the loops and you should wash/sanitise your hands after handling them.

Please be aware of your face and ears as being places where the virus may remain. If you have long hair, it would be advisable to wear it up and tucked away. This will not only minimise the available surface area for contamination but also stop additional touching of the facial area.

Space

Social distancing should more accurately be called physical distancing. Members are reminded that 2m is the MINIMUM and the size/nature of the room, number of occupants, ventilation and duration will affect that figure. Robing rooms with multiple occupants in a small space may present difficulties.

Cell conference rooms should be treated as high-risk areas. Their physical architecture, poor ventilation and volume of visitors make them areas to be avoided. Visits should be kept to an absolute minimum and courts should be encouraged to offer alternative arrangements. Ask judges if you can do courtesy consultations at the dock. Conferences should be broken into short 15-20 minutes with appropriate breaks to allow for rooms to be discharged of circulated air.

Perspex screens will only disrupt droplet transmission so they should be considered as mitigation of risk than a protective measure. Most installed are too small/short to be considered truly effective and in any event afford little protection against aerosol transmission

Air conditioning present a number of issues over the transmission of COVID. They should ideally be running at 5 air changes per hours with a HEPA filter but this may be depend on the size of the room. They should not be on re-circulate but should be running a fresh air intake which is then vented out. Windows should be opened if at all possible. In any event, courts should rise every 45 minutes with a 15-minute break to allow for air circulation to discharge if it practicable.

Please bear in mind that air conditioning/draughts can also accelerate transmission by forced airflows.

Particular care also needs to be paid when using toilet facilities. Faecal derived aerosol transmission is another area of risk for which there is emerging evidence of this as a route of possible infection. Members are advised to close toilet lids before flushing and to stand well away as it flushes.

Members are recommended to keep to a 2m minimum at all times where and when possible. They must take regular breaks to allow court tooms to discharge accrued exhaled breath and continue to wear appropriate masks at all times unless speaking.