



2 April 2020*

COVID 19: EVERYTHING YOU NEED TO KNOW AT THE CRIMINAL BAR DURING THE PANDEMIC

The current guidance from the Bar Council¹ and the Criminal Bar Association² for all criminal practitioners is not to attend court in person save for urgent overnight custody cases. Courts are only listing urgent cases³ and a number of courts have closed entirely⁴. Physical presence of barristers at a court hearing has always been fundamental in the effective conduct of any hearing. It has also, until now, often been a legal requirement.

The Coronavirus Act 2020 is a legislative measure that came in to force on 25 March 2020 to ensure that the justice system is able to continue operating to a limited extent without the physical presence of all parties.

The purpose of this article is to collate all of the Government, HMCTS, Judicial and CPS Guidance on the practical effect of the Coronavirus Act 2020. A “one stop shop” guide for any issue that may arise during these uncertain times. As such it addresses the following:

1. Hearings by phone or by video link- what are the courts powers?
2. Remote bail applications
3. Remote applications to extend the Custody Time Limits and the practical applications
4. A practical guide to setting yourself up for Video Conferencing/Remote Hearings
5. Fees: What measures are being taken to assist with cash flow for counsel

*All guidance contained within this document is subject to change as the Courts react to government advice. Make sure to keep updated. HMCTS twitter provides any updates/changes to guidance.

¹ <https://www.barcouncil.org.uk/resource/updated-guidance-on-attending-hearings.html>

² <https://www.criminalbar.com/resources/news/covid-19-24-03-20/>

³ The London and South East Resident Judges’ Listing Policy as at 24 March 2020 (Appendix 1) provides guidance as to how the court will proceed in certain types of hearing.

For general listing check the HMCTS website for up to date daily guidance:

https://www.gov.uk/guidance/hmcts-daily-operational-summary-of-courts-and-tribunals-during-coronavirus-covid-19-outbreak?utm_medium=email&utm_source= 1

⁴ Check the courts and tribunals tracker to get up to date information as to which courts are open: <https://www.gov.uk/government/news/priority-courts-to-make-sure-justice-is-served>



1. Hearings by phone or by video link- what are the courts powers?

The Coronavirus Act 2020 expanded the powers of the courts to hold certain hearings by telephone and video link to ensure progression of cases and most importantly ensure bail applications continue to be heard and Custody Time Limits (CTL) continue to be observed.

However the Act only allows some hearings to be dealt with by telephone, others that must be dealt with by video link and some still require at least some physical presence in the courtroom.

A useful table has been collated by the HHJ Wood and approved by the SPJ⁵ listing the requirements for each type of hearing however the position is summarized below for the hearings that will affect us all the most:

1. PTPH Not Guilty plea to be entered

- a. No one is required to physically be in the courtroom
- b. D can attend via audio or video link but cannot give evidence via audio link
- c. Can be conducted wholly by either audio or video link
- d. Witnesses other than D can give evidence via audio or video link but only if there is no other suitable method and the parties agree

2. PTPH Guilty plea to be entered

- a. No one is required to physically be in the courtroom
- b. D can attend via video link (not audio)
- c. Can be conducted wholly by video (not audio)
- d. Witnesses other than D can give evidence via video link but only if there is no other suitable method and the parties agree

3. CTL extensions

- a. No one is required to physically be in the courtroom
- b. D can attend via audio or video link but cannot give evidence via audio link
- c. Can be conducted wholly by either audio or video link

⁵ <https://www.criminalbar.com/wp-content/uploads/2020/03/Summary-table-final-edition-of-29-Mar.pdf>

- d. Witnesses other than D can give evidence via audio or video link but only if there is no other suitable method and the parties agree

4. Bail applications- Uncontested

- a. No one is required to physically be in the courtroom
- b. D can attend via audio or video link but cannot give evidence via audio link
- c. Can be conducted wholly by either audio or video link
- d. Witnesses other than D can give evidence via audio or video link but only if there is no other suitable method and the parties agree

5. Bail applications- Contested

- a. No one is required to physically be in the courtroom
- b. D can attend via video link (not audio)
- c. Can be conducted wholly by video (not audio)
- d. Witnesses other than D can give evidence via video link but only if there is no other suitable method and the parties agree

6. General pre-trial hearings

- a. No one is required to physically be in the courtroom
- b. D can attend via audio or video link but cannot give evidence via audio link
- c. Can be conducted wholly by either audio or video link
- d. Witnesses other than D can give evidence via audio or video link but only if there is no other suitable method and the parties agree

7. Newton Hearings

- a. No one is required to physically be in the courtroom
- b. D can attend via audio or video link but cannot give evidence via audio link (so would perhaps be defunct to conduct such a hearing with D on audio)
- c. Can possibly be conducted wholly by audio link but again D cannot give evidence by audio and witnesses can only give evidence by audio if there is no other suitable method and the parties agree.

- d. Proceedings can be heard wholly by video link.

8. Sentence

- a. No one is required to physically be in the courtroom
- b. D can attend via video link (not audio)
- c. Can be conducted wholly by video (not audio)
- d. Witnesses other than D can give evidence via video link but only if there is no other suitable method and the parties agree

For Crown Court trials the jury's physical attendance remains to be required in the courtroom, and although the defendant can attend via video link, the proceedings cannot be heard wholly either by audio or video link.

2. Remote Bail Applications

It is crucial to determine in advance whether or not the Crown are seeking to oppose any bail application or variation. If the application is opposed, it must be held via video rather than audio link. The court has no power to refuse bail when the hearing is held via audio link.

3. Remote applications to extend the Custody Time Limits and the practical applications

The SJP, HMCTS and CPS have produced a non-binding Protocol⁶ when dealing with cases involving CTLs.

The Protocol, as regards general measures being taken, is summarized as follows:

1. There is a joint duty on HMCTS and the CPS to ensure that whenever possible trials commence within the CTLs;
2. The CPS and HMCTS will share lists of current CTL cases and expiry dates every two weeks/monthly so that they are kept under review;
3. On any occasion where a CTL case is listed for a hearing the CTL and any extension should be considered even if written notice hasn't been served in advance;
4. No CTL case should be adjourned without a future date for mention or further remand at which the case can be reviewed to ensure trial readiness and immediate listing when courts permit;
5. CTL cases where a trial date has yet to be set shouldn't be fixed for trial until courts are operating again and CTL extensions should be considered at an early stage. At every hearing the case must be reviewed and CTL expiry date agreed in open court;
6. When listing CTL cases for trial, alternative venues should be considered when necessary including courts in different circuits, HMCTS regions and CPS areas;
7. Priority should be given to CTL trials when listing save for exceptional cases involving young witnesses under the age of ten;
8. Wherever possible video and audio links should be considered for defendants, witnesses, parties to proceedings and the court in CTL trials;

⁶ https://www.criminalbar.com/wp-content/uploads/2020/03/27032020_Protocol-for-CTL-cases_FINAL-.pdf

9. In CTL trials, all parties will consider, and the court will encourage where appropriate, the agreement of evidence, the use of hearsay provisions and the provisions of expert evidence in absence.

The Protocol, in regards to the consideration of CTL applications specifically, is summarized as follows:

1. The adjournment of CTL trials as a consequence of governmental health advice and directions made by LCJ amounts to good and sufficient cause to extend the CTL;
2. When considering extension of the CTL for illness/absence of the accused or necessary witness due to confirmed or suspected coronavirus, medical certificates should not be insisted upon unless there is specific information or history to indicated the illness/absence is not genuine. HM Prisons and Probation Service should confirm, when a defendant in custody is absent due to illness, whether they have been seen by medical staff;
3. Where it is arguable that the trial wouldn't have been effective, irrespective of the Coronavirus pandemic, because the prosecution has not acted with all due diligence and expedition then the application should be made in the usual format containing the full chronology (rather than a short and concise chronology where the sole cause of the adjournment and CTL extension are as a consequence of Coronavirus alone);
4. In the magistrates' courts consideration should be given to the likely sentence if convicted, given an extended period on remand could exceed that sentence;
5. If a CTL extension is refused and the CTL is about to expire (subject to the exception of exclusion of bail in certain cases of homicide and rape), the court will grant bail with or without conditions in accordance with the Bail Act 1976 as from the expiry of the CTL;
6. If a CTL extension is granted the courts will extend the CTLs and list the case for mention, in the first instance to a date after 1 May 2020 (and thereafter to such dates as are agreed by all parties to the protocol);
7. Where the defendant is unable to attend the application to extend the CTL either in person or by live link the Court will consider:

- a. Whether the defendant has waived their right to attend
 - b. Whether exercising its discretion to hear the application in the absence of the accused in accordance with Rule 14.2(1)(c) CrimPR if it would be just to do so in the circumstances;
8. When a defendant isn't present at an application to extend the CTL they must have been given the opportunity to make representations;
 9. The court can decide to extend the CTLs at a hearing in public or in private. There is no requirement for the parties to attend an unopposed CTL extension application hearing. Such applications can be heard in private in the absence of the parties;
 10. The notice periods for CTL extension (5 days in the CC and 2 days in the MC) can be shortened by the court

4. A practical guide to setting yourself up for Video Conferencing/Remote Hearings

Some may be entirely familiar with appearing remotely in court and the technology that allows such appearances. Others may not be on such good terms with these technological advances. We hope that this guide will assist all of the above and everyone in between.

The two main platforms currently being used by the courts for video conferencing are “Skype for Business” and “Microsoft Teams” although some courts also use “Zoom”.

For all hearings ensure that you let the court know your email address, skype for business (where applicable) login and phone number by 2pm the day before. It assists to list these details as a widely shared comment on the digital system.

The South Eastern Circuit has produced a comprehensive guide to use of Skype for Business and a Video Conferencing Guide⁷. Below is a summary of the headline points.

Skype for Business

Skype for Business can be downloaded online on to your laptop (preferable), phone and tablet from the following website: <https://products.office.com/en-gb/skypefor-business/download-app>. However it is a legacy platform which means that you may be unable to download it directly on to your laptop, in which case you will rely on receiving an email invitation by the courts to a conference.

Once you receive an email inviting you to join a conference and have accepted this meeting, it will go in to your calendar. To join the meeting open your device calendar, find the meeting and look at the notes for that meeting. Click on the link entitled “join meeting”. Select your audio and video setting (i.e. turn them both on) and click “Join now”.

If you have been sent a “join now” link you can join simply by clicking on the link.

Unlike “Zoom”, Skype for Business doesn’t have the same “breakout” facility to enable you to speak to your client in a separate meeting. The judge/other parties can leave the meeting

⁷ South Eastern Circuit Use of Skype for Business and Video Conferencing Guide: [Appendix 2 and 3]

leaving you and your client alone, however this may not be practical in a long busy list. Ensure you have the ability to hold a conference with your client before/after separate to the video listing where possible and practicable.

Microsoft Teams

Microsoft Teams can be downloaded online:

<https://teams.microsoft.com/downloads#allDevicesSection>

In the same way as Skype for Business, you must have the application downloaded before joining a meeting.

Once you accept a meeting contained within an email it will go in to your calendar. To join the meeting open your device calendar, find the meeting and click on the link entitled “join meeting”. Finally select your audio and video setting (i.e. turn them both on).

With regards to client engagement, Teams does allow you to conduct a parallel meeting between only you and your client⁸.

Zoom

This is an online video conferencing platform. Unlike Microsoft Teams you can use it for free however, if the host is using the Basic free software you are limited to 40 minutes participation in a multi-party meeting.

You can download the application on to your laptop at www.zoom.us or through App store or googleplay.

Once downloaded, you can schedule a meeting by clicking “Schedule” and following the instructions to email the instructions to participants of the meeting.

⁸ <https://www.youtube.com/watch?v=hUUbA53ouSo>

To join a meeting, if it has been scheduled, on the Zoom home page go to “meetings” in the menu on the left hand side of the page or the top of the page. Your meeting schedule will appear and click “start” on the meeting you want to enter.

Ensure your video and audio facilities are on so that participants can both hear and see you. These are often found at the bottom of the page as a “video” button and a “microphone” button.

Behaviour and Appearance during video links

The guidance is for all parties involved in court hearings to wear business attire (i.e. suits). Wigs and gowns are not required.

Ensure that the backdrop is neutral and remember you are being recorded!

Solicitors should be asked to give participating clients a briefing regarding etiquette and forbidding of recording. If a solicitor cannot give a briefing, counsel should do so before the hearing in their pre-hearing conference.

5. Fees: What measures are being taken to assist with cash flow for counsel

Criminal barristers rely largely on two sources for payment: CPS and the Legal Aid Agency. With no trials taking place this will significantly impact on the income of all barristers. Both the CPS and Legal Aid Agency have introduced new measures to assist with cash flow.

CPS

On 30 March 2020 the CPS wrote to the CBA detailing out the new temporary adjustments to the fee schemes to ensure payment for work performed, even where a normal invoice trigger point has not been reached. The detailed measures are set out in the letter's annex⁹ but summarised below:

1. Provision of payment for work done prior to the conclusion of a case where delays to proceedings are encountered
2. Expedition and prioritisation of outstanding counsel fee payments
3. Reduction of VHCC stage lengths to 1 month to increase payment frequency
4. Payment of all outstanding main hearing fees and unrelated fees up to that point in on-going cases where possible
5. Revision of hardship payments under GFS from 20 April 2020
6. From May payment of an upfront £500 Covid-19 Fixed fee deductible against the main hearing fee payable at the conclusion of the case for cases affected by the on-going restrictions

Legal Aid Agency

The Legal Aid Agency has set out their contingency response for both litigators and barristers¹⁰. The response doesn't set out any concrete measures to assist criminal practitioners and references the already available measures for those facing cash flow issues¹¹.

⁹ <https://www.criminalbar.com/wp-content/uploads/2020/03/Annex.pdf>

¹⁰ <https://www.gov.uk/guidance/coronavirus-covid-19-legal-aid-agency-contingency-response>

¹¹ <https://www.gov.uk/guidance/financial-relief-for-legal-aid-practitioners>

Hopefully more concrete measures will be released shortly, however it may be worth applying to the LAA for interim payments in cases which will be or have been adjourned due to coronavirus. This would mirror the CPS policy for payment of work done prior to the conclusion of a case.

The relevant sections of the Criminal Legal Aid (Remuneration) Regulations 2013 for staged payments are as follows:

1. Regulation 20 “Staged payments in long Crown Court proceedings”
2. Regulation 21 “Hardship payments” for advocates and litigators N.B. The regulations do not allow for predicted future costs of the case to be considered.

Charlotte Newell QC
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2 April 2020



COVID 19
LONDON AND SOUTH EAST RESIDENT JUDGES' LISTING POLICY
As at 24th March 2020

Guidance from the Resident Judges of London and the South East with the authority of the Presiding Judges

This document is intended to give guidance on how the Resident Judges expect to approach listing of cases **in the immediate future**. Local adaptations may be necessary. Judges are entitled to make their own assessments of urgency. **Changes will be required as the situation develops and in the light of further directions from the Lord Chief Justice**. The guidance does not deal with any ongoing jury trial.

This guidance will be reviewed at a meeting of all Resident Judges by Skype at 1530hrs on 27th March 2020.

In all DCS cases due for hearing Judges will place a widely shared comment so that there is clarity about each case readily accessible to the parties as well as any formal order. Equivalent arrangements will apply to non-DCS cases.

In cases where the parties are expecting a matter to be listed for hearing and it is not appropriate for that now to take place the case should appear on the list marked NO PARTIES AND NO DEFENDANT TO ATTEND.

All cases which are adjourned will be adjourned to a fixed date.

Advocates are required to attend hearings by video call or voice call in all cases, unless the judge otherwise directs.

Judges will attend court to conduct hearings only when the business is genuinely urgent, and when the work cannot be done remotely. This document gives guidance on what is genuinely urgent.

PTPH

In custody or on bail: (see bail applications below)

PTPH hearings will generally be listed in a notional court NO PARTIES AND NO DEFENDANTS TO ATTEND (Court 23 or 99 or some such) and be adjourned for up to 28 days (with additional days if that would fall on a public holiday). A judge will endorse the order as a DCS widely shared comment. The purpose of the listing is to ensure that there will be a public statement of what has happened to each case.

This is in the expectation that within that time we will have arrangements (probably Skype for Business based) for effective hearings without need for attendance by advocates. Credit for plea to be preserved.

In some courts it is intended to continue to deal with PTPHs where possible. In those courts they will be listed as normal, heard remotely, and the parties should comply with the CrimPR and upload the form as usual.

SENTENCES or LISTING FOR CHANGE OF PLEA

D in custody: There will be a judicial assessment as to whether early release likely. Parties who consider this applies should make representations via the list office. If so, the court will consider listing for sentence (or change of plea) via PVL with advocates participating, if possible, remotely. If no prospect of early release, then the case will be adjourned 4 weeks in expectation that remote sentencing hearings will be better advanced.

D on bail: to be adjourned 6 weeks.

Notes:

1. Sentences where over 7yrs may be passed that are already listed to be heard BEFORE 1st April should go ahead if possible, in the light of the effect of the Release of Prisoners (Alteration of Relevant Proportion of Sentence) Order 2020
<http://www.legislation.gov.uk/uksi/2020/158/made>
2. Prisons will not put more than one prisoner into a video link room. For a multi-defendant hearing by PVL a bridging link must be arranged more than 24 hours in advance. There is a maximum of 4 on such a link call. If advocates are also linked then they count towards the total.
3. If request for listing for change of plea is to be made the representatives should put the application in writing and BOTH submit to the court AND upload to the DCS sentence section so that there is clarity in the future on credit for plea is clear.

CTL APPLICATIONS - BAIL APPLICATIONS – APPEALS AGAINST GRANT OF BAIL – 48 HOUR BAIL HEARINGS

D in Custody: To be listed for hearing in court-room with advocates having opportunity to attend remotely and Defendant (unless he or she has waived attendance or attendance dispensed with) by PVL if practicable.

BAIL VARIATIONS

D already on Bail: There will be a judicial assessment of urgency. The courts will expect to deal without a hearing with applications for variation etc based on representations. If a hearing is essential then the case will be listed in a court-room and if possible advocates to attend remotely. Defendant is entitled to attend the hearing and should do so remotely if possible.

INTERIM HOSPITAL ORDERS

To be listed for parties to attend remotely. If Defendant required, then to be by PVL or Hospital link if practicable.

PRODUCTION ORDERS; WARRANTS ETC.

To be dealt with administratively where possible. If a hearing is required, then applicant to attend remotely. Information on oath in support may probably be given over the 'phone (in contrast to sworn evidence) but alternatively, and beyond challenge, a Skype link can be used with usual recording on hand-held or DARTS. Personal attendance is not acceptable unless there are strong reasons why a remote link cannot be used.

[Note: We are to explore the possibility that all such applications in London being sent to Southwark CC for them then to be distributed to judges across London. Special arrangements for Terrorism to be made.]

DISMISSAL HEARINGS:

D in Custody: There will be a judicial assessment as to urgency. Parties may make representations via the list office. If the outcome of the dismissal may result in the defendant being released – either because it covers all charges or would make a real difference to bail then the case will be listed for hearing with D by PVL and parties attending remotely if possible. If it will not make such a difference then case to be adjourned for 6 weeks.

D on Bail: Adjourn for 6 weeks administratively.

APPEALS

Appellant in custody: There will be a judicial assessment of urgency. If appeal conviction or sentence (with prospect of early release) we will seek to identify means by which a hearing can take place.

Appellant not in custody: To be adjourned to a holding date 8 weeks hence for re-listing when matters clearer.

POCA HEARINGS

These will be listed as telephone hearings for any necessary adjournment or extension applications. In some cases time limits may apply which will need to be considered. Self-representing defendants to be contacted and offered the opportunity to make written representations rather than attend as appropriate.

SELF-REPRESENTING DEFENDANTS

D in Custody: PVL to be arranged. Prosecutor to attend remotely if possible.

D on bail: Listing team to contact the defendant if possible, to prevent attendance unless there is genuine urgency, to ensure communication of court orders and identify best contact information.

PROBATION:

It appears that reports can still be prepared within a timescale of at least 5 weeks and there should be a continuing presence of probation at court (or available remotely). It is unlikely that any stand down report could be prepared.

DIVERSION AND LIAISON:

Services may be available by remote working.

WITNESS SUPPORT:

There is very limited or no provision for Witness Support. The London IVWS may be providing support to individual witnesses.

Court visits by witnesses are not appropriate at the moment.

24th March 2020.



USE OF *SKYPE FOR BUSINESS* IN REMOTE COURT HEARINGS - VIDEO CONFERENCING GUIDE

A. Introduction:

1. Remote Working: the Guidance dated 24 March 2020 issued by the Resident Judges of London and the South East with the authority of the Presiding Judges indicates that in the current COVID environment, Judges will attend court to conduct hearings only when the business is genuinely urgent, and when the work cannot be done remotely. This appears therefore to presuppose that for the time being the default position will be Judges conducting judicial hearings in the Crown Court remotely, potentially not even from the Court building.
2. Avoiding Delay: the HMCTS Daily Operational Summary on Courts and Tribunals indicates that Crown Courts are presently only covering *urgent* work¹. There is a real imperative to try to get hearings in the Crown Court moving again. Block delay in Crown Court hearings is clearly not conducive to the interests of justice. It causes considerable disruption to the proper progression of Court business. Delay causes anxiety to all participants in the trial process be they Defendants, Complainants, Witnesses and/or other persons connected with those participants. From the perspective of self-employed Advocates, remuneration for the most part derives from the progression of actual Court hearings. Even if jury trials cannot currently commence, it is in the interests of all such participants that other hearings carry on where this remains possible without prejudice to the fairness of those proceedings.

¹ <https://www.gov.uk/guidance/hmcts-daily-operational-summary-on-courts-and-tribunals-during-coronavirus-covid-19-outbreak>.

3. Presiding Judges: in an Open Letter issued this afternoon the Senior Presiding Judges of the South Eastern Circuit have indicated that in the immediate term hearings will take place by internet-based video conference using *Skype for Business*.
4. S4B: it would appear that all Judges and HMCTS Staff have access to Skype for Business (S4B) which is pre-installed on their laptops. HMCTS state² that they activated Skype for Business on all staff and judicial laptops wef 18th March and that work is underway to train staff and Judges as quickly as possible, as well as testing the technology to ensure it works for users. They state that they expect to start using this technology at scale very soon.
5. Alternative Platforms: there is some recognition that S4B is not necessarily an ideal solution: for one thing it is a legacy platform, indeed it would seem that you cannot now purchase a license for it. But the obvious imperative is to get remote court hearings up and running ASAP. The practical reality is that S4B is already installed on all judicial laptops and for that reason it provides the most realistic prospect of *immediate* widespread implementation. In the medium term it is possible that other commercial video conferencing software such as Teams (to which many Judges now have access) or Zoom may become more prevalent, but as matters presently stand we are informed that Zoom is not presently deployed on the vast majority of judicial laptops (although it can be obtained by them), but more importantly neither Teams nor Zoom is accessible to HMCTS court staff such as clerks, and for that reason these alternative platforms could not be considered as the default.
6. This note is principally intended to provide a complete “how to” guide in relation to two processes: (a) generating a meeting invitation to a Skype for Business meeting; and (b) responding to and participating in such a meeting. The aim is to ensure that all users can use the software and arrange hearings so that in this way the administration of justice can continue.
7. Statutory Expansion of Livelink Provisions: the Coronavirus Act 2020 which came into force from the day of enactment (i.e. 25.03.20) contains the following relevant provisions:

² <https://www.gov.uk/guidance/hmcts-telephone-and-video-hearings-during-coronavirus-outbreak>.

(a) Section 53 and Schedule 23 provide for an expansion of the availability of live links in criminal proceedings by means of temporary modifications of: (i) the Criminal Justice Act 2003; (ii) the Criminal Appeal Act 1968, and (iii) the Criminal Justice Act 1988.

(b) Section 54 and Schedule 24 provide for an expansion of the availability of live links in other criminal hearings by means of temporary modifications of: (i) the Crime and Disorder Act 1998; (ii) the Extradition Act 2003; (iii) the Police and Criminal Evidence Act 1984; (iv) the Prosecution of Offences Act 1985; and (v) the Serious Organised Crime and Police Act 2005.

(c) Section 55 and Schedule 25 contain provisions designed to expand public participation in proceedings conducted by video or audio by way of temporary modifications of (i) the Courts Act 2003, and (ii) the Tribunals, Courts and Enforcement Act 2007.

8. Decision to Use Telephone and Video Hearings: the decision as to how a hearing is conducted is a matter for the Judge, who will determine how best to uphold the interests of justice. In considering the suitability of video/audio, Judges must consider issues such as the nature of the matters at stake during the hearing, any issues the use of video/audio technology may present for participants in the hearing, and any issues around public access to or participation in the hearing.

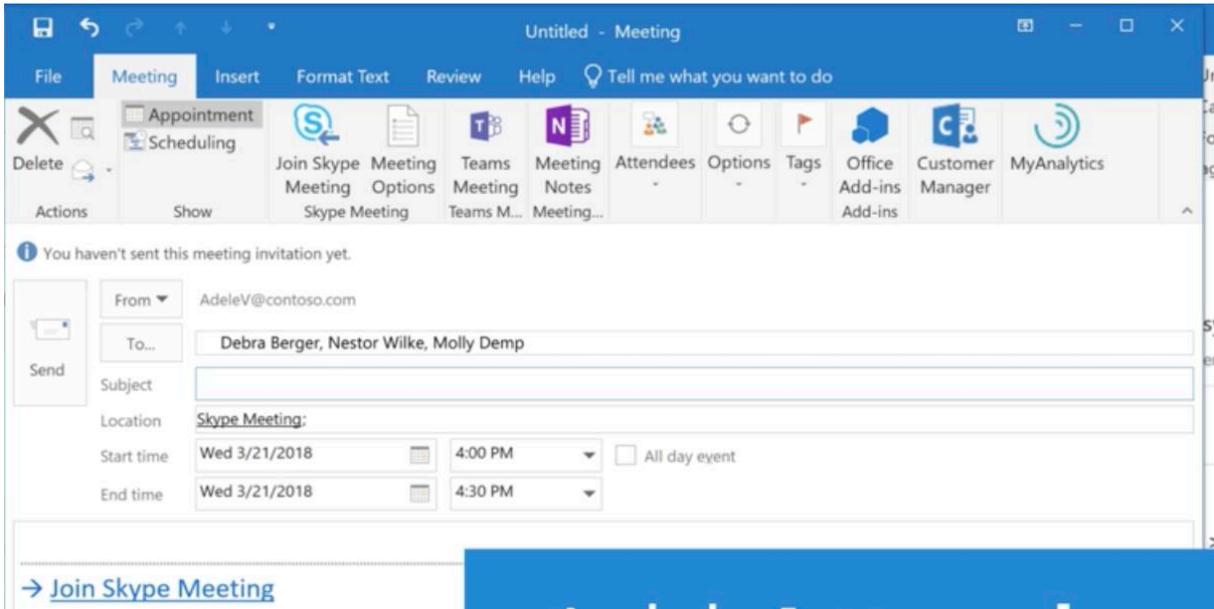
B. Generating an Invitation to a Skype for Business Meeting:

1. Introduction:

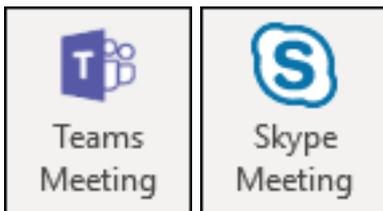
9. For the sake of consistency and interoperability with Court Clerks, where an RCH meeting needs to set up by the Court it will be necessary to use Skype for Business, even if the Judge in question also has access to Microsoft Teams. HMCTS can use SfB to set up a hearing, issuing invitations to all relevant participants. If judicial control of the meeting is required, this has to be done using Skype for Business.
10. For a S4B hearing to take place, it in simple terms needs to be created (scheduled) as a 'meeting'. Being invited to a meeting requires an email address to which a link can be sent; the immediate email recipient can then click on that link in order to participate in the meeting.

11. In addition to the step-by-step process set out below, you will also be assisted by the screenshots provided as an appendix to this instructional document.
12. The person who creates a scheduled meeting has to hold a licence. All Judges and Court Staff have licences for Skype for Business and/or Microsoft Teams. The hearing should, therefore, be created by the Judge or a member of court staff. If the hearing is not being arranged (hosted) from within a Courtroom (in which case the audio exchanges will be recorded on DARTS), they will have to arrange to record the meeting as well (see below).
13. There should be no real issue with the confidentiality of judicial email addresses since every Judge has to be given access to the relevant case DCS file for any hearing, with the consequence that their current judicial email address then appears in the People tab on DCS.
14. The most straightforward way to create a hearing is by creating a meeting in Microsoft Outlook (Microsoft's email/calendar client). Judges and Court Clerks will ordinarily be using a computer with Microsoft Windows, which will have Outlook installed.
15. To create a (scheduled) meeting³, open Outlook and go to your Calendar.
16. On the Home tab, select 'New Meeting'. The following screen will appear:

³ You can view this as a short instructional video at: https://support.office.com/en-gb/article/set-up-an-online-meeting-in-outlook-b8305620-d16e-4667-989d-4a977aad6556#OS_Type=Windows



17. In the To box, enter the e-mail address for all persons attending the hearing. The email address used by the Court Clerk / Judge will be the CJSM email address of the Advocate who has notified their attendance for that hearing. This will ensure that video meeting requests (which will contain at least some confidential information) will only be sent out using the secure CJSM system.
18. In the Subject Box, enter the case name, URN and hearing type (e.g. “John Smith – URN - Sentence”)
19. Choose the correct date, start time and predicted end time.
20. In the top menu bar, choose either ‘Skype Meeting’ or ‘Teams Meeting’ – whichever the person setting up the meeting chooses to use. The meeting will be set up to run in that video conferencing software only.



21. Once you press “Send”, all parties whose email addresses you entered will be invited to the meeting.
22. If you do not have the S4B / Teams buttons options integrated into your Outlook Ribbon, one workaround may be to set up a conventional scheduled meeting in Outlook, and then as the host simply ‘call’ the right people at the right time from S4B or Teams as appropriate.

2. Joining a hearing

23. Use of Outlook makes this process relatively simple. It is therefore preferable that you are receiving your CJSM email via Outlook rather than using the legacy CJSM webmail facility. If you / Chambers have not yet taken this step now would be a good time.
24. **Step 1** Receipt and Acceptance: when a hearing is set up by a Judge who is using Skype for Business, as stated above you will receive an invitation via CJSM e-mail. This will be in the form of an Outlook calendar invite. It looks and behaves a bit like a template email [see an example at *Screenshot S1*]. Recipients can Accept the meeting request by clicking the green tick [see red rectangle]. This notifies the Court / Judge that you have received the invite and confirmed your participation in the meeting.
25. **Step 2** Calendar: recipients of the invite should simultaneously be able to see the meeting in their Outlook Calendar, initially as a *tentative* entry. If the meeting request is Accepted, the Outlook Calendar entry status of the person who has accepted should change to confirmed in all participants Outlook Calendar entries.
26. **Step 3** Initiating the Meeting: to join the hearing, at the relevant time of the meeting either:
(a) click the [Join Online meeting](#) link in the e-mail or (b) double-click on the calendar entry created in your Outlook calendar for the hearing - each has the same effect.
27. **Step 4** In the case of a S4B scheduled meeting request this will open a new tab / window in your default internet browser [*Screenshot S2*]. You then have the choice of joining the meeting using Skype Meetings App (web), or using Skype for Business Desktop client. The simpler route is the web app. If you already have the web app installed then click the smaller print “Already installed” option. If you do not then you will need to follow the process of installing the Skype Meetings App (web) - the precise route will be dependent

on the browser and virus security that you are using. Once you have installed Skype Meetings App (web) you may be invited to confirm that you accept the meeting link being opened in that software [*Screenshot S3*]. We would recommend that you have one or both of these applications (Skype Meetings App (web) and/or Skype for Business Desktop Client) installed *in advance* on your computer before attempting to join your first RCH meeting. Please note that *Skype for Business* is not the same as *Skype* - you do not need *Skype* to participate in these hearings.

28. **Step 5** Once you finally click to join the meeting you should see the Skype Meetings App open in a new screen on your computer [*Screenshot S4*]. Enter your name in the box so that your picture is identified as you when the meeting opens. Click *Join*.

29. **Step 6** Once you finally click to join the meeting you should see the dark Skype Meetings App open in a new screen on your computer [*Screenshot S5*]. Hovering your cursor over the video camera and microphone symbols at the bottom of the screen should enable you to confirm that your kit is working correctly. Click the microphone and it will go blue i.e. active. If once enabled you still cannot see your own image click the camera icon and an image from your camera should then appear. If you then click on that image you will then see *Start My Video*. This will turn your camera on, the camera icon will go blue, and your webcam image will then appear in the main video screen. If you still cannot see your image, it is possible that you have other software running which is occupying the camera (e.g. Teams from which you must Exit not simply minimise). Once others have also joined the meeting you should be able to be seen and heard in the meeting. If you don't see other participants when you initially join the meeting, wait to see if others then join subsequently - it does not necessarily mean that you have done anything wrong, others may simply not yet be ready. During the meeting if you mute / temporarily disable your image the camera and/or microphone symbols will have a diagonal line through them - click again to unmute / enable.

30. **Step 7** Terminating the Connection: once the meeting end click the red phone button to end your involvement in the meeting. You appear to be able to terminate your connection and then re-join by clicking back on the original link and repeating the steps above again.

31. Skype for Business Desktop: if you have Skype for Business pre-installed, depending on your browser configuration it is possible you may also see a pop up window offering you the option to use the Skype for Business Desktop Client software to join the meeting. If you accept this pop-up Skype for Business Desktop sign-in should then open [*Screenshot S6*]. Complete the sign-in address (email) and click *Sign-in* to progress through to joining the meeting.
32. Mac Users: unfortunately, it would appear that Skype Meetings App is Windows only, so that Mac users will necessarily have to make use of *Skype for Business on Mac*.
- (a) **Step 1:** Download Skype for Business on Mac: firstly, download the Skype for Business on Mac software (which can be found at <https://www.microsoft.com/en-us/download/details.aspx?id=54108>). If you are asked for an email address and password, ignore this as you will find that you are unable to actually log in; nevertheless, once you have downloaded the software it will still allow you to participate in a video meeting.
- (b) **Step 2** Initiating the Meeting: to join the hearing, at the relevant time of the meeting either: (i) click the [Join Online meeting](#) link in the meeting notification; or (ii) double-click on the calendar entry created in your Outlook calendar for the hearing - each has the same effect.
- (c) **Step 3** Initiating Skype for Business: you will land on a screen which asks whether you want to allow this page to open Skype for Business [*Screenshot S7*]. Click on *Allow*.
- (d) **Step 4** Initiating Skype for Business: you will land on a Skype for Business screen which asks whether you want to sign in [*Screenshot S8*]. Type your name where indicated. Then click on *Join as Guest*.
- (e) **Step 5** Engaging in the Call: you should then be joined into the Skype for Business call as per Step 6 above [*Screenshot S9*].
33. Potential Issues:
- (a) Some people have reported problems accessing Skype for Business when operating through the Lex chambers hosted environment as a result of access being blocked by a firewall. This is an issue which you should take up with your in-house IT specialist. It may be necessary initially to connect outside any hosted chambers environment.

3. Use of Webcam and Microphone.

34. Once a participant of the meeting, the main tools you will need will appear on a thin control bar in the page on the video view. You are able to mute your microphone, turn your webcam on and off etc.
35. The Vice President of the Court of Appeal (Criminal Division), Lord Justice Fulford has helpfully provided some guidance on webcam etiquette.⁴ The key guidance was as follows:
- 35.1. Anyone appearing by way of a remote connection need not robe and business attire should be worn.
- 35.2. Once we move to entirely virtual hearings, everyone, including the judiciary, will be in business attire.
- 35.3. Advocates need to consider the “backdrop” when they are linking remotely from home, chambers or an office – it should be neutral and appropriate for a court hearing, if this is possible. (see below for how to blur your background using Microsoft Teams).
- 35.4. Advocates linking remotely need not “rise” when the court assembles etc.
36. Background: in S4B it is not possible to automatically blur your background, so you will need to give thought to the view you present to others via your webcam and create a neutral backdrop.
37. Microphones: some laptops have inbuilt microphones that do not produce a sufficiently loud volume for the listener. Some headphones have inbuilt microphones and may work better than the laptop.
38. Muting / Unmuting: in a case involving multiple participants, it can help to mute your microphone when you are not speaking to reduce the overall background noise that everyone hears. However, if you do please make sure that you re-enable your microphone before speaking again - this is a common error.

C. Ancillary Issues:

1. Client Engagement:

⁴ <https://mailchi.mp/criminalbar.com/coaljf-205657?e=8228c4ff10>.

39. If the instructions above are followed successfully, Counsel and the Judge should be able to conduct a video meeting. What then of the Client who wants, or in the case of some types of hearing (e.g. PTPHs) also *needs*, to participate in the video hearing ?
40. Much will obviously depend on the IT skills of the client in question. Here Counsel and Solicitors may need to get creative. Some may be able to join directly in video meetings by installing relevant software on a laptop, and they could then be invited to join such a meeting. Almost all clients are likely to have a smartphone, and will already have access (or can be invited to download) to WhatsApp, or even Microsoft Teams for mobile (the app is in theory available on the Google Play and iPhone App stores).
41. Court Procedure: it will obviously need to be made clear to Clients that, although these hearings are being conducted over video conferencing facilities, they remain a (Remote) *Court* hearing to which the conventional rules of Court (suitably adapted) apply. They too will need to find a suitable location from which to engage in the hearing. They will inevitably be even more unfamiliar than Counsel in what they need to do and what is expected of them at such a hearing. They will need to understand when they are going to be expected to engage and when to remain silent or even microphone muted. Solicitors should be asked to give participating clients a briefing regarding etiquette and the forbidding of recording. If a solicitor cannot give a briefing, counsel should do so before the hearing, in their pre-hearing conference.

2. Taking Instructions:

42. Once a meeting has been set up in either S4B or Teams, if the participant who set up the meeting leaves the meeting, the meeting can continue without that participant rather than simply terminating. Judges could use this functionality to give counsel the opportunity to take instructions from their clients using the meeting software. There is a chat function which the Advocate could use to invite the Judge back into the meeting. But in practice this may require the Judge to leave Court in order to allow Advocates to speak to a custody Defendant over the PVL. It is recognised that this may not be viable in the middle of a busy list of RCH hearings.
43. In this respect Teams and S4B do not have the same breakout functionality as for example Zoom conferencing app. There is a workaround in Teams equivalent to a breakout whereby

you set up in advance a parallel video meeting in a separate channel between which *Client* and *RCH* channels you can then switch (see e.g. <https://www.youtube.com/watch?v=hUUbA53ouSo>), but even if viable this may be beyond the skills of many, particular at the early implementation stage.

44. It is therefore essential that Counsel instructed for Crown Court hearings give advance thought and action to taking sufficient instructions from their clients for the purposes of that particular hearing so as to ensure that most RCHs can proceed to completion without the necessity to “breakout” of the video meeting. If the taking of instructions is truly necessary during an RCH, Advocates may need to have parallel telephone / video contact with their Client and be able to use it efficiently in order to avoid inadvertent breaches of confidentiality. The primary RCH video link microphone could be muted with the leave of the Court in order to take instructions via the phone or other parallel medium.

3. Recording:

45. Although CPR 5.5 does not require the recording of all Crown Court proceedings, the practical reality is that all conventional proceedings in the Crown Court are in fact audio recorded on the DARTS system. Recording of one form or another should therefore continue for all RCHs.
46. Judges or HMCTS staff will be responsible for recording all hearings. In Teams there is a record function available to those who have the application open. In Teams on the control bar in the middle of the video call, a ••• symbol appears. Once you have clicked on this a participant can begin recording by selecting the option “*Start Recording*”. All other participants will be informed that the meeting is then being recorded. The parties should take responsibility for reminding the Judge or court staff to activate the recording function if that has not been done.
47. Advocates must not record the hearing without express permission from the Judge. Advocates should also remind their Clients not to record the proceedings in any other way.
48. The meeting recording will also be emailed to the person who arranged for the meeting to be recorded.

49. For the moment, all crown court hearings will be recorded on DARTS. This will be for HMCTS to organise.

4. Transparency:

50. It is imperative that RCHs should, so far as possible, still be public hearings and the principles of open justice remain paramount. Since it is envisaged that the default position will be that RCHs will not be hosted by a Judge in a Courtroom, there is no immediate prospect of public access to a room from which to view or monitor the hearing in real-time.

51. But the principles of open justice can be achieved in other ways, for example by allowing accredited journalists or other persons with a proper interest to login in live time to the remote hearing. Alternatively, such persons may potentially apply to view a copy of a recording of the proceedings under CPR 5.5(3)(a)(ii), and arrangements can then be made for them to be shown a copy of the recording in COVID compliant facilities.

52. The impossibility of public access should not normally prevent an RCH taking place.

53. Though the parties will wish to be aware of these issues, ultimately transparency is a matter for the judiciary to consider / resolve. We can anticipate that guidance will in due course be forthcoming in the same vein as the Civil Courts have issued guidance⁵.

5. Court Listing Practicalities:

54. Listing: in a similar manner to the way PVL hearings are currently scheduled, the Court will be invited to give RCH hearings standard time slots so that Advocates and Defendants know precisely what time they need to be available to join a video meeting. There will obviously need to be some flexibility in these arrangements. The fact that a hearing is to be a remote hearing should normally be shown in the Court's published list.

55. Counsel Notification: there appear to be two potential ways forward:

- (a) Email: in advance of the hearing (preferably the evening before not in the morning), Counsel or their Clerks could provide the Court via email with details of the Ct / Def / URN

⁵ See the Civil Courts Practice Direction on Video or Audio Hearings in Civil Proceedings during the Coronavirus Pandemic (<https://www.judiciary.uk/wp-content/uploads/2020/03/CPR-116th-PD-Update-video-or-audio-hearings-for-coronavirus-period.pdf>).

/ T No of the case in point, and the name, email address and contact phone number of the Advocate who is to conduct the hearing. For this purpose each Court location could be invited to set up a dedicated email address to exchanging email in relation to RCHs to which this information can be provided. The Advocate's phone number will be necessary to enable the Court (Clerk or Judge) to be able to make direct phone contact in the event that there is a problem and video contact cannot be established. If Counsel do not wish to provide a mobile number then we would suggest providing a (Chambers) direct dial number, which the Advocate has arranged to automatically divert to their mobile number.

(b) DCS: the Court adds the details of the S4B link⁶ into DCS. The Advocates for the hearing can then log into the case on DCS and using cut & paste import the link from the widely-shared comments into the address bar of their browser, thus inserting them into Step 4 of the sequence for joining an S4B meeting identified above. This method is what has been proposed in guidance issued by the Resident Judge at Liverpool Crown Ct.

56. Time Estimates: if Advocates are aware in advance that their hearing is likely to take longer than the standard video link RCH hearing slot, then it will be incumbent on them to liaise with other Advocates involved in the case so that a joint approach can be made to the Court in advance of the Court List being issued, for additional time to be allocated.

57. Documents: since the advent of DCS, there should be no need for paper documents to be made available to the Court/parties in criminal matters. In other court jurisdictions the Presiding Judge may have given guidance, or as a failsafe confirm with the Judge and other advocates how documents for the hearing will be shared.

D. Prison Video-Link:

58. Custody cases clearly present additional challenges. Hearings involving the direct participation (via some form of video link) of defendants in custody will be required for at least the following non-exhaustive list of hearings:

- 58.1. Grant Bail Applications (incl 48 hr Homicide productions);
- 58.2. CTL Extension hearings;

⁶ Technically the link would appear to be simply a URL.

- 58.3. PTPHs / Change of Pleas;
- 58.4. Terminatory / Bail Dismissals (i.e. dismissals which may result in all charges against the relevant Def being dismissed, or which the Court determines if successful will be likely to result in the possibility of bail);
- 58.5. Sentences; and
- 58.6. Appeals vs Conviction.

59. At present the prison video link system does not appear to be compatible with Microsoft S4B or Teams (or indeed any video-call provider). We are taking steps to determine what can be done about arranging compatibility. It has been indicated that HMCTS are working on a cloud video solution, which may resolve this difficulty.

60. HMCTS state⁷ that they have now begun the process of unlocking the Justice Video Service (JVS) which was originally designed to work between fixed endpoints (prisons, courts and police stations), so that it can now also work with other laptops. This will mean criminal trials with JVS equipment can be joined remotely. Within a week HMCTS assert that they expect to have raised their capacity from 100 up to 500 concurrent hearings. By using this system, as many parties as the Judge considers reasonable can join the hearing by video.

61. At present, we are encouraging prisons to arrange for the use of computers with the software downloaded upon it to be used to facilitate hearings. The prisoner would have sight of a secondary monitor. Prison Officers could control the video link meeting from a desktop computer. Facilities for the taking of instructions in confidential pre-meeting conferences would need to be organised.

62. An inelegant workaround is possible if a laptop can be connected in a court room, by taking the following steps:

1. Connect the laptop in the court room to Microsoft Teams/Skype for Business
2. Separately, connect the court video system to the PVL system
3. Position the laptop so that the laptop's camera is pointed at the court video screen – this enable all parties connected to the Teams/Skype call to see the defendant

⁷ <https://www.gov.uk/guidance/hmcts-telephone-and-video-hearings-during-coronavirus-outbreak>.

4. Connect the laptop to ClickShare and then 'screen-shared' over the PVL system to the defendant (in the same way as would be used to, for example, show CCTV to a vulnerable witness appearing over a live link). In essence this enables the defendant to see all parties connected to the Teams/Skype call.

E. Microsoft Teams:

1. Introduction:

63. Microsoft Teams is a Microsoft branded work collaboration software which includes video conference facilities. Rather like Microsoft Outlook and Excel it appears to be very powerful software with an initially somewhat overwhelming range of possible functions. For present purposes, we are only interested in its value for video conferencing.
64. We have been informed that some Judges are already using Teams in order to conduct RCHs. Where the parties and the Judges both have access to Microsoft Teams and the Judge is willing to do so, the parties / Court may wish to adopt this alternative route.
65. There is a *degree* of compatibility between S4B & Teams. For example if a Judge creates a meeting in Skype for Business, depending on your Teams configuration you may see the meeting appear in your Teams Calendar as well as in Outlook. However, once you click on the Teams Schedule or Outlook link the meeting will in fact open in the Skype for Business Desktop or Web application, not within Teams itself. Part of the reason for the compatibility between the two platforms has been made clear by Microsoft (<https://www.skype.com/en/business/>): "*Microsoft® Teams replaces Skype for Business Online as Microsoft's professional online meeting solution.*" By July 2021 Microsoft has indicated that Skype for Business will be withdrawn.
66. There are potential advantages to using Microsoft Teams: (a) Microsoft state that within 15 months S4B will be withdrawn from use and effectively replaced by Teams; (b) installing Teams will make additional features available to users such as the facility to collaborate in editing documents shared between the meeting participants.; (c) Teams is already in use on all CPS laptops (webcams presently disabled, so audio only, but we anticipate video being enabled imminently), and (d) Teams is already in use on a proportion of Met Police officer

laptops where they do have video conferencing. This will mean that Teams can be used immediately for prosecution conferences.

67. We therefore suggest that in addition to S4B Advocates also download and install Microsoft Teams. The next section details how you can install Microsoft Teams. It is possible to sign up for a free Microsoft Teams account, although members of chambers which use Microsoft Office 365 for email will likely already have access to Microsoft Teams through their Microsoft Office 365 subscription service.

68. There appear currently to be two primary ways in which Advocates can progress to operating Teams on a “free” basis:

68.1. *Option 1:* As part of the *MS Office 365 Business Premium* subscription, users get access to Microsoft Teams. Access is via either the web-based *MS Office 365* web portal or by downloading/ installing the Teams App. Many chambers operate *MS Office 365* as the default chambers office productivity software, in which case you may be assisted by engaging with your Chambers Administrator or IT Provider to get yourself up and running.

68.2. *Option 2:* Download and install the *Teams Free* software. This requires a sign-up process⁸, which may cause a little delay because of massive take-up, although tests we have conducted indicate that it should be capable of being achieved in less than 24 hrs. This software appears to be currently perpetually free. The next section deals with downloading the Team software.

2. Downloading and Installing Microsoft Free Teams:

69. To download the Teams software, if you do not already have access, go through the following step-by-step process⁹:

70. **Step 1:** navigate to the following Microsoft website page [*Screenshot S10*]:

⁸ Those with an *MS Office 365 Home* or *Personal* subscription can use their MS Office subscription login details for this purpose.

⁹ It is described here: <https://support.microsoft.com/en-us/office/sign-up-for-teams-free-70aaf044-b872-4c32-ac47-362ab29ebbb1>.

<https://products.office.com/en-gb/microsoft-teams/group-chat-software>

Scroll right to the bottom of the page and click *Sign up for free* in *Microsoft Teams (free)* [see red rectangles on *Screenshot S10*]

71. **Step 2:** you will land on a page which prompts you to enter an email address [*Screenshot S11*]. Many criminal justice professionals do not have their CJSM accounts integrated with Microsoft Outlook. We would recommend at this stage that you use your normal Chambers email address not a CJSM email address to set up your subscription. If you have a MS Office 365 login, you can use these log-in details, and bypass **Steps 3-6**. Please be aware of GDPR and Data Protection issues. Press *Next*.
72. **Step 3:** you will land on a page which prompts you to say how you intend to use Microsoft Teams [*Screenshot S12*]. Click *For Work*. Press *Next*.
73. **Step 4:** you will land on a page which prompts you to enter a password [*Screenshot S13*]. Enter your Microsoft password. Press *Sign In*.
74. **Step 5:** you will land on a page which prompts you to enter your details and to identify your country or region (United Kingdom is listed under U) [*Screenshot S14*]. Fill in at least all of the required fields. Review (a) Personal Data: review what you are taking responsibility for in relation to personal data; and (b) Terms and Conditions: of setting up Teams. If content, press *Set up Teams*.
75. **Step 6:** you should land on a page which states *Signing you in* [*Screenshot S15*]. Obviously you now just wait!
76. It is possible given the present circumstances, that you might encounter a screen telling you that Microsoft are having issues meeting the increased requests for Microsoft Teams (free) [*Screenshot S16*]. You may have to wait until some later point in time before returning, perhaps even as much as a few hours. Attempting to achieve this late in the evening *may* mean that you are trying to sign-up when the entire United States is attempting to do the same. If you receive this alert, come back later and simply refresh your browser which should reinsert you back earlier in the sequence above; try again until you succeed.

77. **Step 7:** if you are successful in signing-up you should land on a page which invites you to download the relevant software [*Screenshot S17*]. For full continuing functionality you are likely to be better off downloading the Teams App rather than using the web app (which would open Teams in a browser such as Chrome¹⁰). If you have already engaged in a Teams video conference as a guest you may already have the App loaded on your computer, in which case press *Launch it now*. If that does not work or if you know that you have never previously engaged in a Teams conference then press *Get the Teams app*.

78. **Step 8:** if you are successful in downloading and installing the Teams App you should see the Teams App automatically open in your Desktop [*Screenshot S18*].

3. Arranging Meetings with MS Teams:

79. Creating a Scheduled Meeting in Outlook: the above how-to guide also deals with setting up a scheduled meeting in Teams.

80. Joining a Meeting: to join a scheduled Teams meeting invite that you have received from a Court either: (a) click the [Join Microsoft Teams Meeting](#) link in the body of the invite; or (b) double-click the relevant scheduled Teams Meeting appointment entry in your Outlook Calendar. This should immediately initiate your Teams software and land you on a preview screen for that particular meeting. The preview screen enables you to select options, check that your video camera and microphone are switched on and functioning, ensure that your background is suitable for a court hearing, and your appearance / attire is consistent with Court directions for such meetings. Once you are ready you can then click to join the meeting. After a short delay you should start to see yourself and other participants in the meeting appear in quarter or half view mode. You should see the camera view of yourself in the bottom right hand corner of the screen.

81. Please note that if you are using the Teams Free software setting up *scheduled* meetings is not available. You can still initiate an immediate Teams video meeting by directly (video) calling a contact in your Teams software, you just cannot schedule that meeting yourself. But you can also still receive an invite to a scheduled Teams meeting via Outlook, and then

¹⁰ Mac users report that Microsoft Teams and Safari browser do not work well together.

join that meeting using the link in your Calendar entry at the relevant time - this will still fire up the Teams meeting software and get you into the meeting itself.

82. In Call: in Teams it is very straightforward to blur your background out; when your cursor hovers over the video view you should see the control bar in the middle of your video call, on which there should be a **•••** symbol. Pressing this opens up a vertical menu which includes *Blur my background*. Press *Blur my background* to achieve a neutral background [Screenshot S19]. Press *Don't blur my background* to go back to normal video view [Screenshot S20].
83. Adding contacts in Teams: if your contacts are not pre-loaded in Teams, you will have to add contacts to meetings on a meeting by meeting basis using their email address (see paragraph 32 above). If your IT Provider has set up Teams in your Chambers, then it may be that you will be able to see all persons in your Chambers.

4. Further Information:

84. There are a variety of sources of information online to give you general advice about how Teams functions and training:
- <https://uk.pcmag.com/gallery/119272/how-to-use-microsoft-Teams-for-free>
- 84.1. Teams Training site: <https://docs.microsoft.com/en-us/microsoftTeams/enduser-training>
- 84.2. [Interactive demo](#)
- 84.3. [Teams Guide](#) this site has everything you need to know. It is written from a big corporate point of view but on the left is a list of headings and these are easy to navigate. Just take it one step at a time and check this page if you have a question, it is probably answered.
- 84.4. Setting Up Video Meetings: <https://support.office.com/en-gb/article/video-manage-meetings-ba44d0fd-da3c-4541-a3eb-a868f5e2b137?ui=en-US&rs=en-GB&ad=GB>
- 84.5. MS Video-Based Training Site: https://support.office.com/en-gb/article/microsoft-Teams-video-training-4f108e54-240b-4351-8084-b1089f0d21d7?wt.mc_id=otc_home

F. Points of Contact:

85. All courts should immediately appoint a suitably technically skilled or qualified member of the judiciary or member of HMCTS staff (a Tech SPOC) to act as a point of contact for technical questions or assistance in relation to the use of Microsoft Teams.

86. All Chambers should immediately appoint a similarly skilled member to act as a point of contact for the same reasons.

G. GDPR Etc.:

87. Please note that this document is intended to provide general assistance to Advocates who need to participate in RCH meetings; none of its content is intended to provide advice of any kind in relation to legal rights and/or obligations in connection with GDPR/ privacy issues.

27.03.20

South Eastern Circuit

Use of *Skype for Business* in Remote Court Hearings - Video Conferencing Guide

Skype Browser Test - Meeting

FILE MEETING INSERT FORMAT TEXT REVIEW

Save & Delete Close Appointment Scheduling Assistant

Actions Forward Show

Respond

Accept Tentative Decline Propose New Respond

Time

Show As: Tentative

Reminder: None

Recurrence

Time Zones

Categorize

Tags Private High Importance Low Importance

Zoom

Start Inking link

Sent Fri 27/03/2020 10:13

Please respond.

Organizer: [redacted] Deputy District Judge (Magistrates Court) <DDJMC. [redacted]@ejudiciary.net>

Subject: Skype Browser Test

Location:

Start time: Fri 27/03/2020 10:10

End time: Fri 27/03/2020 10:30

All day event

.....

[Join online meeting](#)

Find a local number

[Forgot your dial-in PIN?](#)

The linked image cannot be displayed. The file may have been moved, renamed, or deleted. Verify that the link points to the correct file and location.

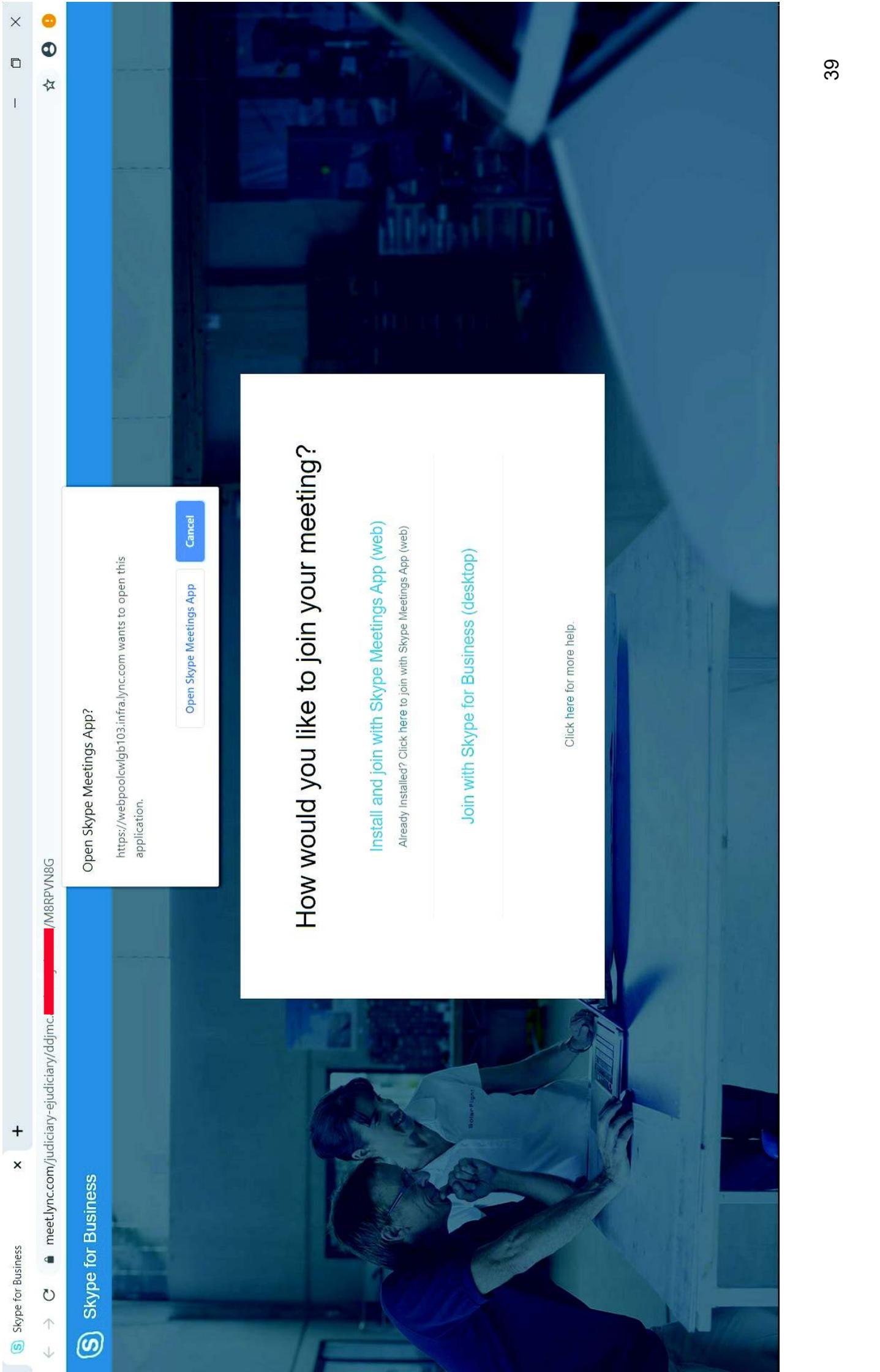


How would you like to join your meeting?

[Install and join with Skype Meetings App \(web\)](#)
Already installed? [Click here to join with Skype Meetings App \(web\)](#)

[Join with Skype for Business \(desktop\)](#)

[Click here for more help.](#)



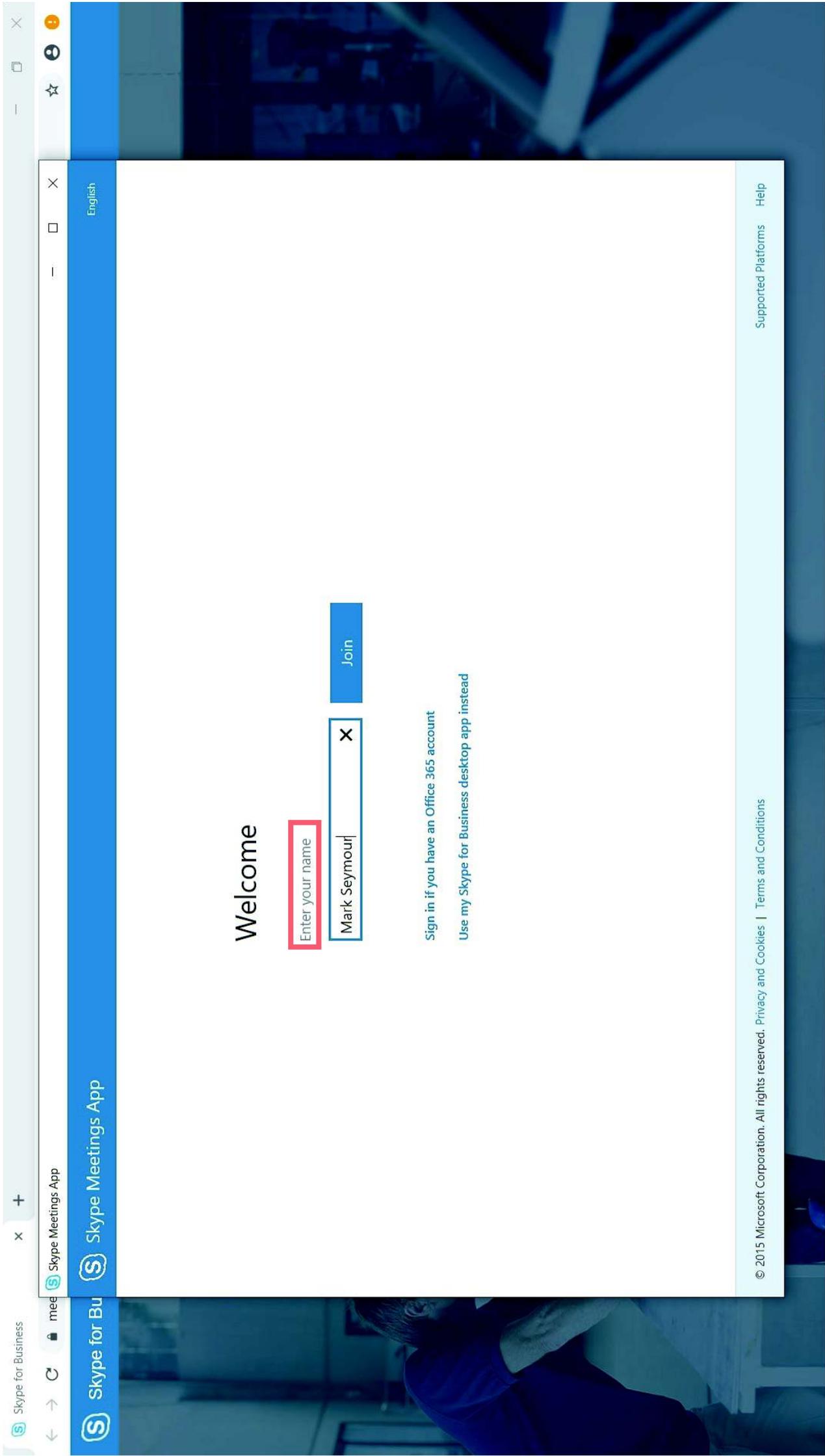
Open Skype Meetings App?
https://webpoolcwg103.infra.lync.com wants to open this application.
Open Skype Meetings App Cancel

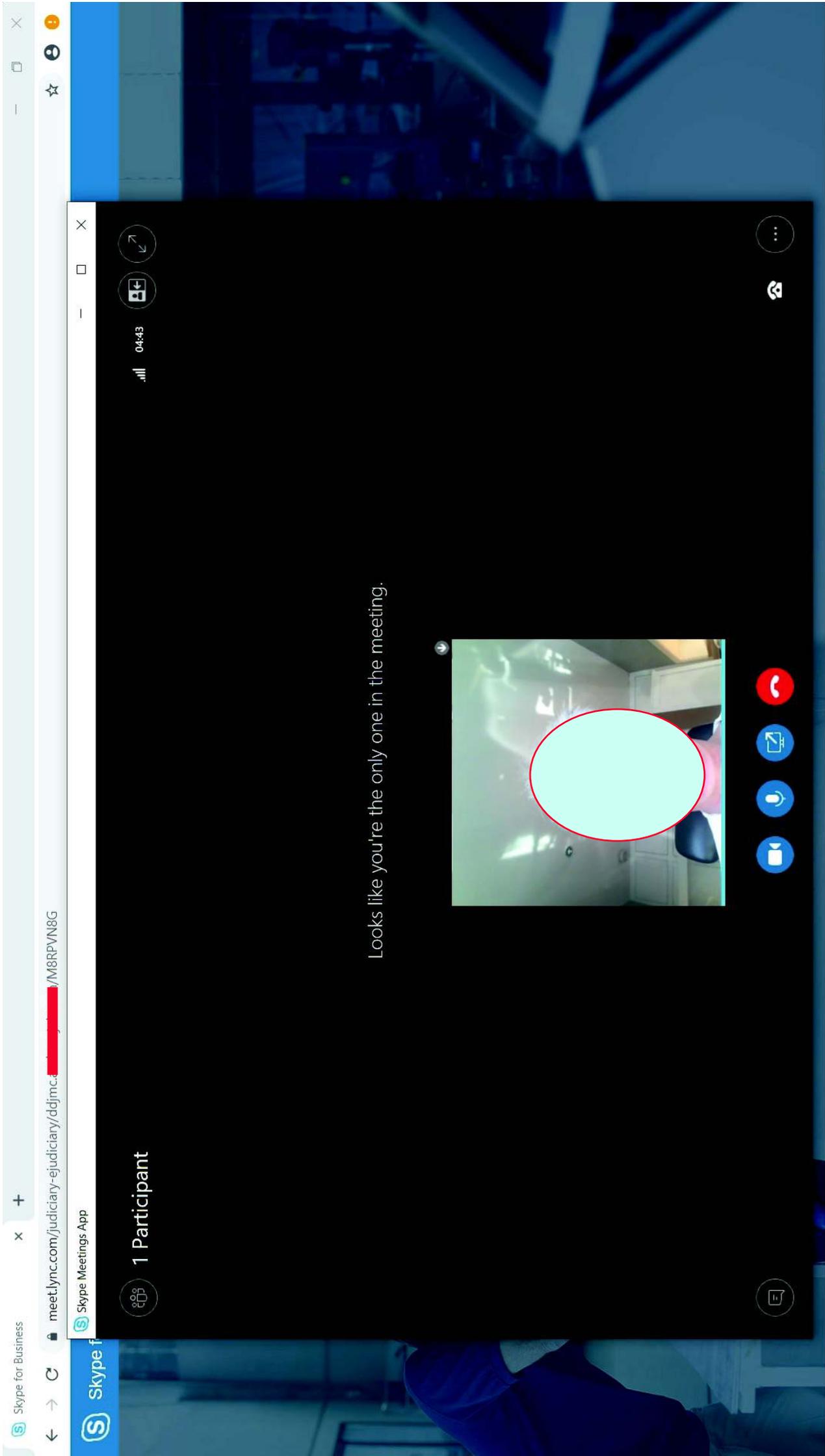
How would you like to join your meeting?

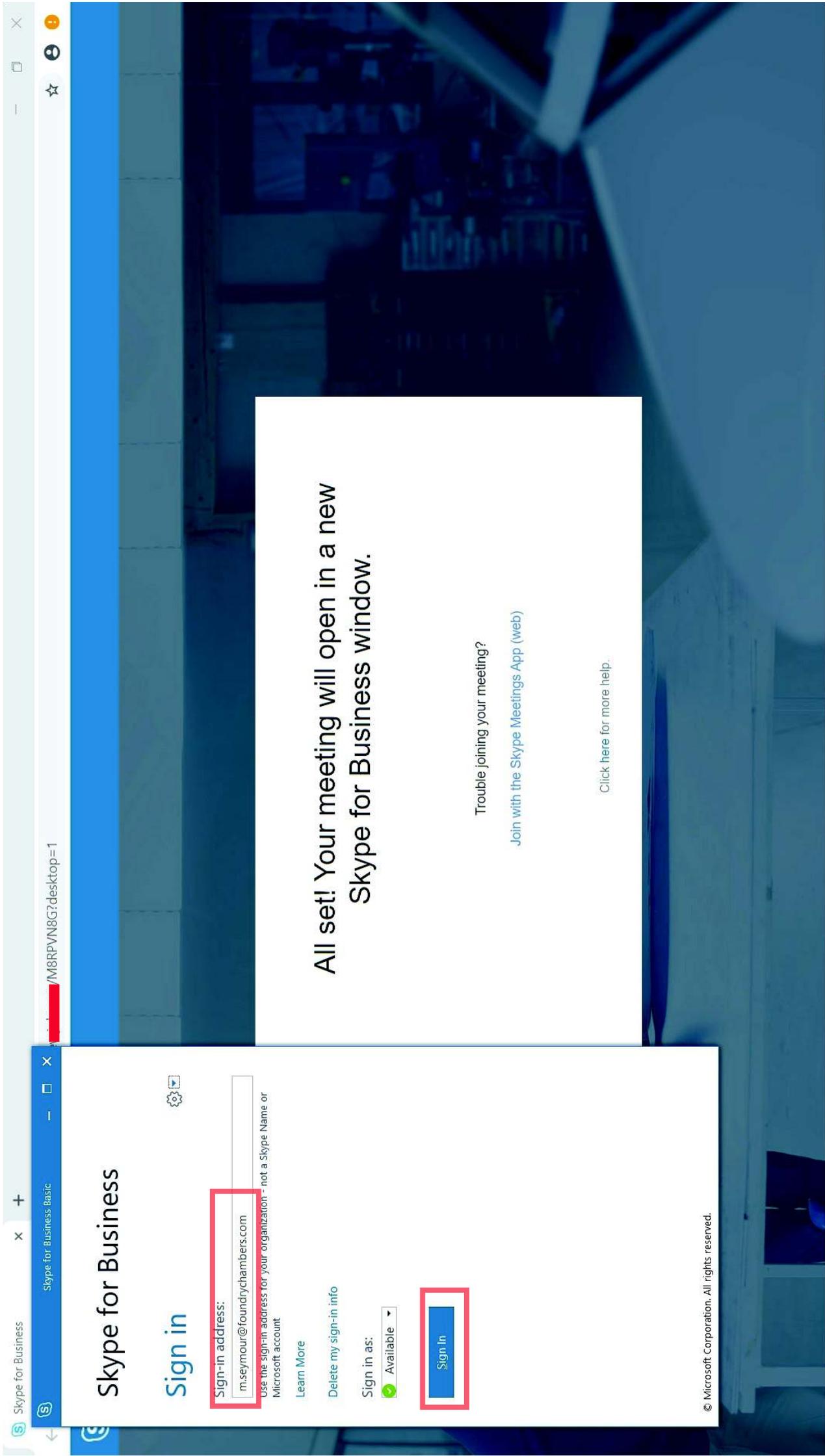
[Install and join with Skype Meetings App \(web\)](#)
Already installed? Click here to join with Skype Meetings App (web)

[Join with Skype for Business \(desktop\)](#)

[Click here for more help.](#)







business

How would you like to join your meeting?

Do you want to allow this page to open "Skype for Business"?

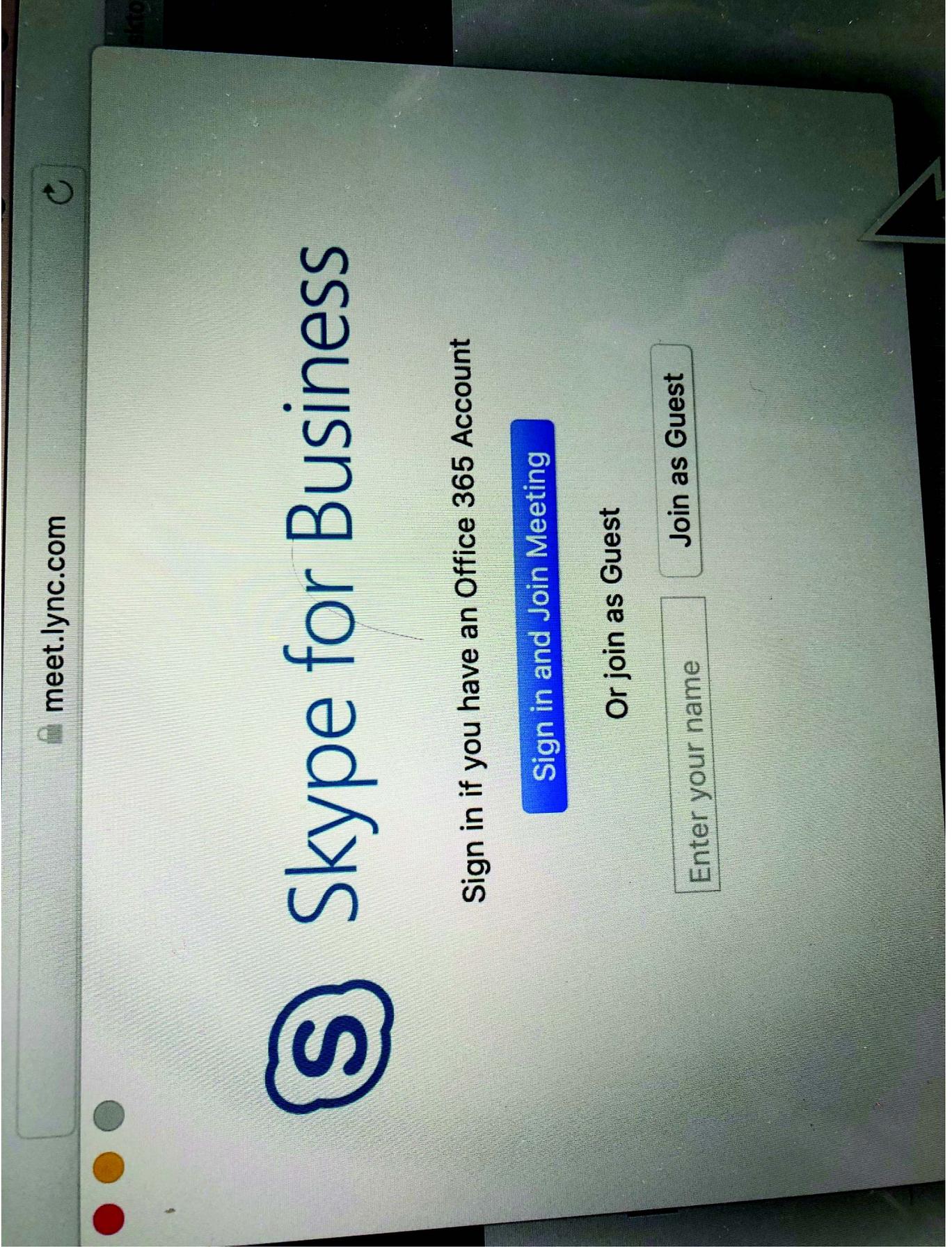
Cancel

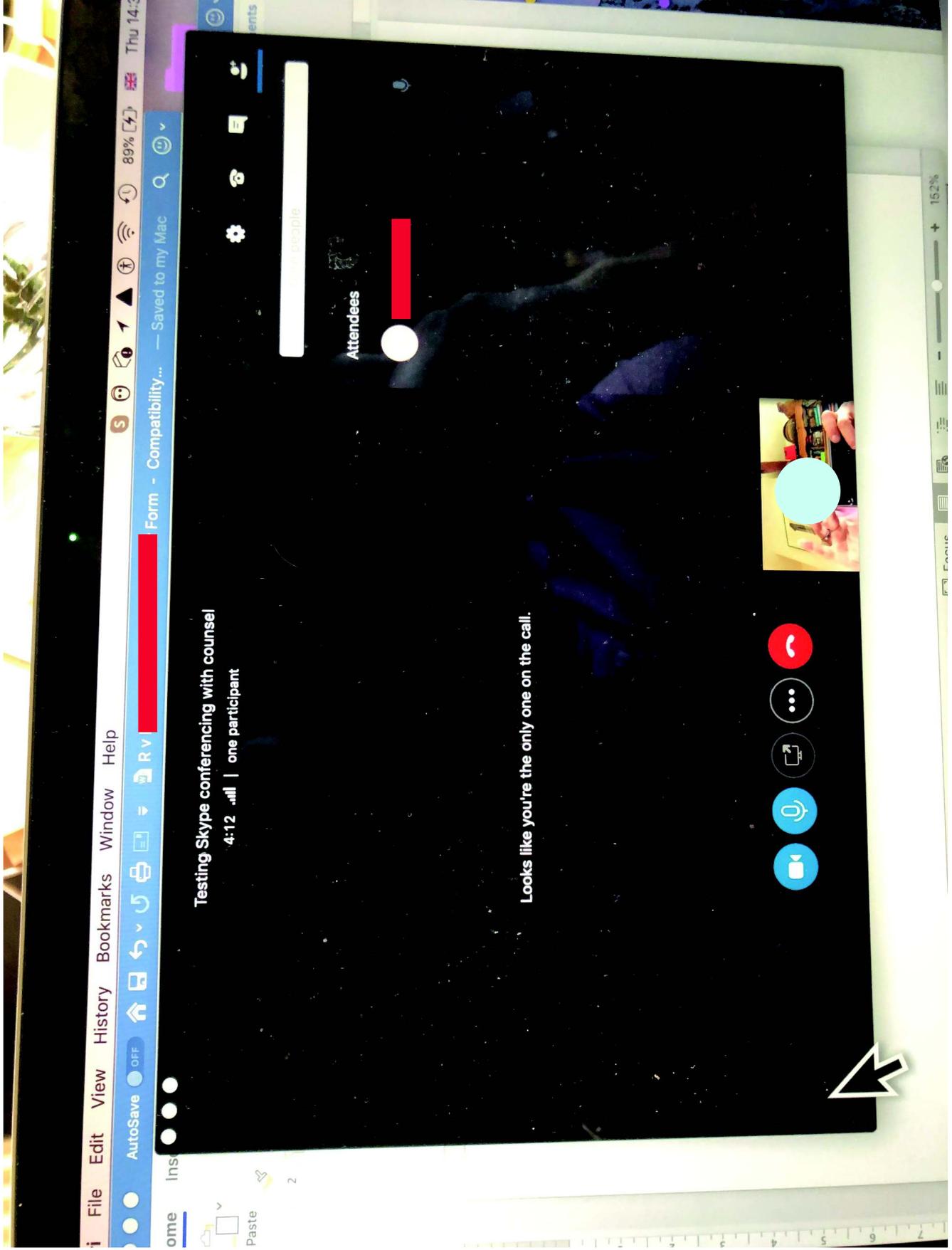
Allow

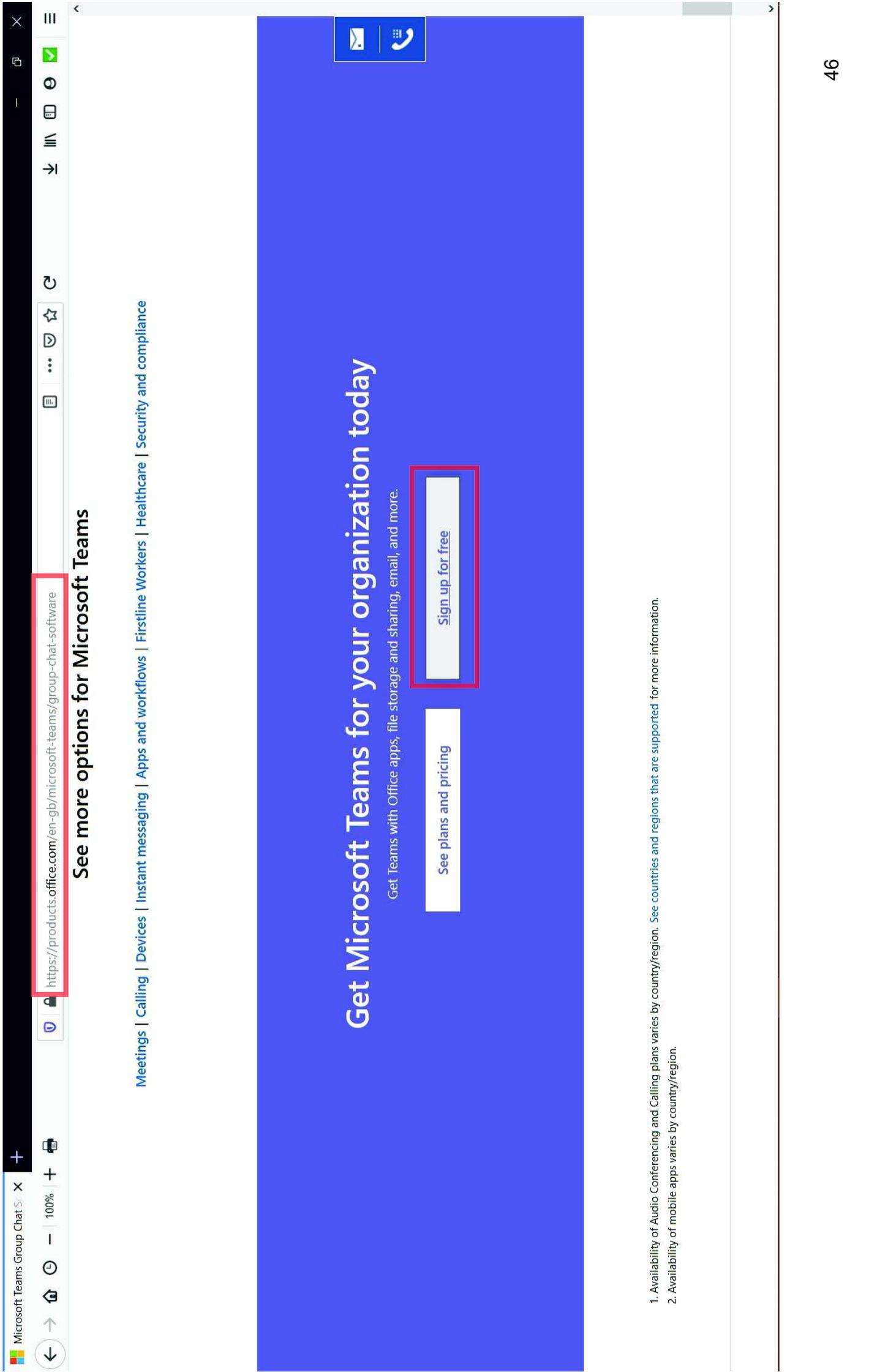
Already Installed? Click [here](#) to join with Skype for Business



Click [here](#) for more help.







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Microsoft Teams

Enter an email

We'll use this email to set up Teams. If you already have a Microsoft account, feel free to use that email here.

someone@example.com

Next

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Microsoft Teams

How do you want to use Teams?

- For school**
To connect students and faculty for courses and projects, in a classroom or online
- For friends and family**
For everyday life, to make audio or video calls
- For work**
To work with teammates wherever they are

Next

Feedback

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Microsoft Teams



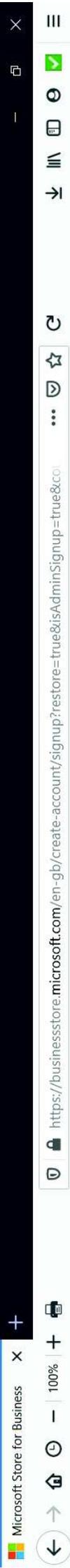
markwillseymour@googlemail.com

Enter password

Because you're accessing sensitive info, you need to verify your password.

[Forgotten your password?](#)

[Sign in with a different Microsoft account](#)



Microsoft Teams



The last few details

First name Surname

This is required

Company name

Country or region

Important note: As admin, you'll be responsible for the personal data of people in your Teams organisation, as well as for data management requests they submit to you. [Learn more.](#)

By clicking **Set up Teams**, you agree to our [terms and conditions.](#)

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Microsoft Teams

Microsoft

Signing you in...
Please don't refresh the page

https://businessstore.microsoft.com/en-gb/create-account/signup?restore=true&isAdminSignup=true&co...

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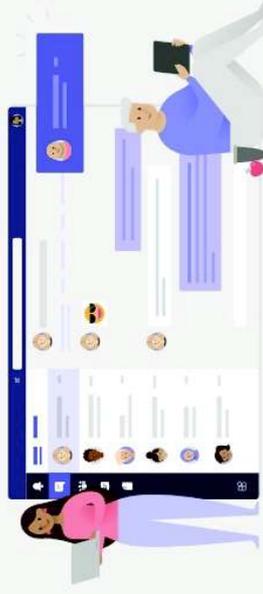
The screenshot shows a web browser window with the address bar containing the URL: <https://businessstore.microsoft.com/en-gb/create-account/signup?restore=true&isAdminSignup=true&co>. The page content features the Microsoft logo and the text "Microsoft Teams". A white error message box is displayed, containing the following text:

Wait and try again later
Sorry, but we're having issues meeting the increased requests for Microsoft Teams (free).
Please give us a few hours and then try again. We appreciate your patience and look forward to working with you.

At the bottom of the page, there is a footer with the text: "© 2020 Microsoft", "Trademarks", "Terms of use", "Privacy & cookies", and a "Feedback" button.



Microsoft Teams



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