



Magistrate's Court of Jersey

Magistrate's Court Greffe

Throughout the pandemic the Magistrate's Court has continually reviewed and updated the measures we adopted to ensure the safety of court staff and users. The earlier information release from 3 July is now some months old. As the circumstances of the Island continue to develop, we must consider whether the measures in place remain adequate to protect those who attend at the court building.

This document replaces the earlier information release and expands upon the measures that have been in place. There are a number of areas where guidance and legislation has developed since the earlier information release. We have updated our practices to ensure that these additional requirements are reflected so that those attending at the building can feel confident of their safety.

The court building remains open and all court users are required to attend in person at this time. All court users are reminded that in the event they have a confirmed or suspected case of Covid-19 they should not attend at the court building and should instead follow Government guidance relating to self-isolating and contact the Court in advance of their hearing to explain their non-attendance.

For those who are unable to attend, the Court is still able to accommodate video hearings if it is in the interests of justice to do so. If you are concerned about attending at the court building, please contact the Court in advance to explain and the Magistrate will consider whether it is appropriate to use other ways for you to attend. This includes members of the legal profession.

Contact may be made either on mcg@gov.je (criminal matters) or pdc@gov.je (petty debts matters) or by telephone on 01534 440080

Remaining safe in and around the building

- Physical distancing remains in practice across all areas of the building. You must remain at least 2 metres away from others when moving around the building.
- In line with the contact tracing guidance, those who are within **2 metres** of another person for more than a 15 minute period are categorised as being a direct contact and would consequently have to self-isolate if the person you are in direct contact with tests positive for Covid-19. For this reason, we have altered some of the rooms used for Advocates to take instructions, the distance of seating in our waiting areas and how we use the courtrooms to provide additional space.
- Safety Perspex has been placed at the front desk to protect court staff and users arriving at the building. No access will be given to members of the profession or public to the

usher's office situated behind the front desk. All those attending at the front desk must remain behind the tape marker on the floor.

- People entering the building will be required to check in using the Trax QR code or by providing their details to the person on the front desk on entry.
- Entrance to the building will be via the automated doors at the front of the building.
- You will be asked to utilise hand sanitiser on entry and exit to the building.
- There will be a one-way system in place for movement through the building:

- **For all adult criminal cases**, court 2 will be used for hearings, other than on a Tuesday, when Court 1 will be utilised.

The staircase will be used to go up to court and a distance of 2 metres between people using the stairs should be maintained at all times.

- All persons, including Advocates, will wait outside the courtroom on physically distanced seating until the usher escorts them in for their case using the entrance on the main landing.
- Defendants will be placed into the dock. If there is more than one defendant in the dock, then the distance directed by the court usher must be kept between defendants. Where there are more than two defendants involved in a case the court usher may direct defendants to stand in an alternative place in the courtroom.
- When a case has been dealt with the usher will escort the parties out of the courtroom using the side door.
- You must then immediately leave the building via the staircase, keeping a minimum of 2 metres distance from others at all times. Exit shall be via the main entrance doors.
- The lift should not be used unless you have a physical need to do so. When it is necessary to use the lift, only one person may do so at any one time. Where assistance is needed to use the lift then more than one person may do so.

- **For all youth court cases**, court 2 will be used for hearings whenever possible. In the event that there are videolink hearings in the adult court then court 1 will be utilised. The staircase will be used to go up to court and a distance of 2 meters should be maintained at all times.

- All persons, including Advocates, will wait in the waiting rooms downstairs outside court 3 until the usher informs them that their case has been called on.
- Entrance to the court room will be via the main door from the landing area outside court and exit will be via the side door within the court room. The usher will escort parties in to and out of each hearing.
- The lift should not be used unless you have a physical need to do so. When it is necessary to use the lift, only one person should do so at any one time. Where assistance is needed to use the lift then more than one person may do so.
- Once the case you are involved in has finished you must immediately leave the building via the staircase, keeping a minimum of 2 metres distance at all times. Exit shall be via the main entrance doors.
- The youth court is not a public court and only those persons directly involved in a case may attend. In the event that you have an interest in a youth case and

wish to sit in the public gallery then you must apply to the court for a seat, explaining your interest and why you should be allowed access. The Youth Panel will then consider your application and you will be informed whether you are able to observe the court. This applies to professionals involved with any child before the Court, as well as to members of the public.

- **For all Petty Debts Court cases**, court 3 will be used for hearings.
- On arrival, all persons, including Advocates, will be directed to wait in an appropriately physically distanced waiting room near to court 3. You must remain here until your case is called and the usher escorts you into the court room and directs you to your seat.
- When your case has been dealt with the usher will escort the you out of the courtroom and direct you to the exit via the side door to the building.

- **For all mediation hearings** court 3 will be used. This is to ensure adequate distancing between participants
- On arrival, all persons, including Advocates, will be directed to wait in an appropriately physically distanced waiting room near to court 3.
- The mediator or greffier will escort you to and from the mediation and show you where to sit in the room.
- At the end of your mediation session you will be guided towards the exit at the side of the building.

- No defendant, defence Advocate or member of the public may enter the court room until they are shown to their seat by the usher in court.
- No seats within waiting rooms and areas should be moved, even if you are sitting with a family member or someone of the same household.
- No other rooms around the building should be used by anyone without first being given access by the usher. This is to ensure that the usher can direct regular cleaning appropriately throughout the day.
- Public toilet facilities remain available on the first floor of the building. Only one person may utilise the toilet facilities at any time.

Wearing masks and face coverings at court

- All court users are asked to wear a face covering, especially in the public areas of the building. You may be asked to temporarily remove your face covering for identification purposes or when speaking to the Court. If you are presenting evidence in the courtroom or in a mediation hearing, the Magistrate/mediator may also ask you to take your face covering off temporarily.

Additional cleaning measures in place

- Ushers will clean benches and other areas used in the courtroom using sanitiser spray between each case as necessary.
- Additional cleaning throughout the day by a dedicated member of cleaning staff has been implemented. Public areas, rooms used for taking instructions and waiting, the duty Advocates room and areas of high contact, such as door handles and bannisters will be cleaned throughout the day to reduce the risk of infection.
- It remains the responsibility of those within the building to maintain good hand hygiene and appropriate distancing. Every opportunity to do so is available to court users with hand sanitiser being available throughout the building.
- It is vitally important that you do not use any area of the building other than the public waiting areas unless the usher allows you access. This is so we can ensure that the regular additional cleaning measures in place can be targeted to those areas that have been used.
- Those attending court are asked to be patient as there may be a short delay between each case due to the additional cleaning that must take place within the courtroom and between use of each room.

Attending at the building if you have a query

- The enquiries desk remains open and you may attend at the building for assistance during usual opening hours.
- Should you require assistance with completion of forms to make a petty debts claim, we now operate an appointments only system. Please contact the petty debts court on pdc@gov.je to make an appointment at a mutually convenient time. You will be asked to provide your contact details for tracing purposes.
- To make things as easy as possible, petty debts court forms and guidance booklets are now available from the usher at the front desk. This means you will not need to go the enquiries desk and check into the building if you require forms to start a claim.

Attending at the building if you are a court officer, an Advocate or party to a case

- All cases continue to be heard in person at specific times and parties will be contacted in advance to be informed of their hearing time.
- **No person, including any Advocate, should attend earlier than 10 minutes before an allocated hearing time**, unless the Court agrees otherwise. Those who attend earlier will be asked to come back nearer to their allocated time.
- No access fobs will be provided for court users. The court usher will provide access to a room or the well of the court as needed. Advocates and other court officers may have to wait to be given access due to the nature of the usher's role. It is accepted that this can be inconvenient, and your patience is appreciated at this time.

- Ushers will continue to provide access to rooms for Advocates to take instructions and will inform and guide people to where they need to go.
- In accordance with Article 8 of the Criminal Procedure (Jersey) Law 2018 (“the CPL”), the prosecution and defence must communicate at the first available opportunity, preferably prior to their attendance at court. This will help to ensure that the scheduled times for hearings can be adhered to.
- All Advocates who wish to take instructions from their client about a case should do so prior to the hearing date due to the limited facilities to safely do so on site.
- All Advocates are asked to be ready to proceed at the allocated hearing time. They are reminded of their duty under Article 23 of the CPL (procedure on first appearance) and under the overriding objective; a plea will be expected to be entered at the first hearing. An explanation as to why a plea is not possible will be requested. On the entering of any not guilty plea, you will be asked the basis upon which that plea is being entered.
- Any application for further time or for a plea not to be entered must be made in court at the time the hearing is due to start.
- In order to reduce the movement of paperwork, defence and prosecution Advocates are requested to provide by email to the Court any documentation they intend to rely upon no later than 24 hours before the court hearing. Emails should be sent to mcg@gov.je and copied into the other side.
- If you are not represented and have any documents you wish to submit to the court for your hearing, you should submit these before attending court by email to mcg@gov.je. If you have not been able to submit documents electronically before your hearing, you must take them on arrival at the court building to the enquiries desk. These will then be copied/scanned and the originals handed back to you. The documents will be available to the court in time for your hearing; you will not need to hand them in again.
- If you have more than one case in the list all efforts will be made to ensure that the listing times are next to each other. To make listings as easy as possible for all parties, Advocates and Centeniers are asked to inform the court as soon as possible of their involvement. Once a hearing time is set, it is unfortunately not possible to change it.
- Where an Advocate has more than one case in the list and they are not listed next to each other, unless there is a space within the general waiting area outside courts 1 and 2, it is not possible for you to wait within the building. You must leave the building and return 10 minutes before your next hearing time.
- There is no place to put any additional items, such as bags and coats, while you are in court. Should you need to bring such items with you, you must keep them with you at all times.

The duty Advocate

- The duty Advocate may use the duty Advocate’s room to the right-hand side of court 1.
- Only two people may use the room at any one time and these persons should remain at least 2 metres away from one another when so doing. The layout of this room has been adapted to ensure this can take place. Should you need to accommodate more than two

people in the room please speak to an usher or staff at the Greffe, who will try and find a larger space for you.

- The Court is grateful for the continued cooperation of the duty Advocates in providing confirmation of who is to attend from their firm in advance. These details should be provided to the Court (mcg@gov.je) and police (cjdtasking@jersey.pnn.police.uk) no later than 7 days before the firm's duty slot to ensure that disclosure can be provided as soon as practicable to the duty Advocate on the day.
- Disclosure for all duty cases where the defendant appears in custody is now provided electronically via Egress, directly from SOJP. This means that there will be no paperwork brought with the person in custody to the court building.
- Advocates either need to bring a laptop to court with them, or alternatively the Court can facilitate access to Egress via a Court laptop which can be requested upon attendance from the usher. Those wishing to use the Court laptop will need to ensure they bring their Egress log on details with them so that they may access the Egress portal page.
- The duty Advocates room may be used only by the duty Advocate to wait between cases. No other advocate may use this room to wait and the duty Advocate should not let other Advocates into the room to wait or deposit coats and bags. No items of clothing or equipment belonging to any Advocate other than the duty Advocate should be left in this room.
- This room will be cleaned between each client who attends. Duty Advocates are asked to please be patient while we ensure that the room is made ready for instructions to be taken from your next client. If you are waiting to speak to your next client and the cleaner has not yet cleaned the room please feel free to speak to the usher or the cleaner to request assistance.

Attending at the court building if you are not a party to a case

- No members of the public other than the persons involved in a case will be granted access to the waiting areas and courtrooms unless they have booked a seat in the public or media gallery. This includes members of the media, trainees and/or court assistants who wish to attend.
- You may book a seat in the public or media gallery by contacting the Court using the details provided above. On booking, please indicate the date you wish to attend, the case(s) you wish to attend for and your full name and telephone number. Personal details will be retained for a 21 day period, after which they will be destroyed. Full details of our contact tracing retention policy can be made available on request.
- Due to having to ensure distance between seats in the public gallery there is reduced availability for public attendance. All bookings for the public or media galleries will be allocated on a first come, first served basis. We will do our best to accommodate all requests, but the sooner you ask to attend, the more likely it is that you will be able to do so.
- A list of those who have booked seats in the public/media gallery will be held by the usher at the front desk each day. On arrival those attending the building will be required to give their details to the front desk and, if they have a suitable mobile device, to scan

the QR code to “check-in” at the court building. You will be allocated a seat number within the courtroom and advised of where you must go to wait. The number you are given will correspond with a label on a seat in the courtroom.

- No member of the public may enter the court room until they are invited to do so by the usher. They must then sit in the seat allocated to them for the duration of their time in the court.
- When you wish to leave the court room the usher will allow you access to the exit door and guide you back towards the exit.