

COVID-19 WORKING GROUP – FREQUENTLY ASKED QUESTIONS (updated at 1530 on 20 Mar 2020)	
Question	Answer
How can I raise an issue regarding COVID-19 and the Bar?	Email the Bar Council, LPMA and IBC Working Group at C19WG@BarCouncil.org.uk
Are the Courts closing?	Courts remain open for hearings in person at the moment. Please see the Lord Chancellor's statement here and the Lord Chief Justice's statement here
Can I take part in court hearings by video?	<p>We are seeking advice from HMCTS on the increased use of "remote hearings", using audio and/or video technology, and on consistency on the part of the judiciary in allowing this. The President of the Family Division has issued guidance here, a statement from the National Lead Judge of the Financial Remedies Courts is here, and the Vice-President of the Court of Appeal (Criminal Division)'s letter to the Chair of the Bar is here. The latest communication from the Chief Executive of HMCTS to the Chair of the Bar is here.</p> <p>The latest local guidance for the London FRC is here.</p> <p>For employment tribunals in England & Wales and in Scotland, from Monday 23 Mar 2020 all in-person hearings (hearings where the parties are expected to be in attendance at a tribunal hearing centre) will be converted to a case management hearing by telephone or other electronic means which will take place (unless parties are advised otherwise) on the first day allocated for the hearing. The statement from the Presidents of the Tribunals is here.</p> <p>The revised protocol for remote hearings for Business and Property Courts is here</p>
I am pregnant; can I withdraw from court appearances?	The ethics position is straightforward; you are not required to appear in person in hearings as a "vulnerable adult" at particular risk from COVID-19. (The Government advice is here .) This category includes those who are over 70, have an underlying health condition or who are pregnant. It may be possible to participate in the hearing remotely, which should be explored further with the Court. The BSB has issued a statement regarding such individuals withdrawing from cases or refusing instructions. For advice on your specific situation, contact the Ethical Enquiry Service .
Do I have to go to court?	If you qualify as an older person or vulnerable adult at particular risk from COVID-19 (The Government advice is here), that is those who are over 70, have an underlying health condition or who are pregnant, you are not required to appear in person in hearings. It may be possible to participate in the hearing remotely, which should be explored further with the Court. The BSB has issued a statement regarding such individuals withdrawing from cases or refusing instructions. For advice on your specific situation, contact the Ethical Enquiry Service . If you are not in this category, are not experiencing symptoms of the virus and are not in self-isolation as someone in your household has the virus or is exhibiting symptoms, you are unlikely under current advice to be entitled to refuse to attend court. You should take what precautions are available to you.
Are barristers "key personnel"?	The overarching position the Government has set out on maintaining education provision for the children of key personnel is this: 'If your work is critical to the COVID-19 response, or you work in one of the critical sectors listed below, and you cannot keep your child safe at home then your children will be prioritised for education provision.' This includes 'those essential to the running of the justice system' and therefore applies to barristers who will or may need to attend a court or tribunal hearing, in person or remotely, to keep the justice system running . We are in frequent, direct contact with the Government including the Lord Chancellor and will provide further clarity when available.

What financial protection measures apply to me?	Please see the summary of existing measures , which will be updated as necessary. We are stressing to HMT, through the MoJ, the likely financial impact on the Bar and the need for barristers and chambers to be included in all current and future measures aimed at businesses. The Bar Council has also asked the Inns to help tenant chambers regarding rent as far as possible.
Will the LAA be able to pay my fees?	The LAA has assured that they are able to operate to the existing guide-times with all staff working from home. We continue to liaise with the LAA on further measures that should be considered.
Do I still have to pay my Authorisation to Practice fee?	The Bar Council is currently considering with the BSB the Authorisation to Practice process and related fees and will make an announcement very soon.
What happens if I cannot afford to pay my BMIF premium?	Bar Mutual has decided that in the current exceptional circumstances it will enable members who simply cannot pay their full premium prior to renewal to pay 50% by 31 Mar 2020 and the remainder by 30 Sep 202. See the Bar Mutual statement here
What's happening with the Pupillage Gateway?	Please see the latest guidance from the Bar Council
If chambers requires a member of staff to work in chambers rather than from home, can the employee refuse?	Unless the member of staff qualifies as an older person or vulnerable adult at particular risk from COVID-19 (The Government advice is here), that is those who are over 70, have an underlying health condition or who are pregnant, under current guidance the view is that the employee would not have the choice and they would be expected to follow all reasonable management instructions.
Standards of hygiene and cross-contamination measures at some courts, especially during security checks, are inadequate; what is happening about this?	We have repeatedly raised this with HMCTS, and the Chief Executive of HMCTS makes reference to this in her letter to the Chair of the Bar here .
What about the impact on my CPD plans?	The BSB is examining the potential impact on CPD, especially the specific requirements of the New Practitioner Programme, which is more prescriptive than the Establish Practitioner Programme, and will make an announcement in due course.
Where can I find government guidance?	All government guidance on COVID-19 can be accessed through this webpage - and you can sign up for email notification of all updates.
Is all the Bar's guidance available in one place?	Bar Council statements and guidance, along with advice received by the Bar Council from HMCTS, LAA and other sources, can be found here .
What wellbeing resources are available for barristers and chambers staff?	<p>Be aware of the potential for mental ill health in themselves and others caused by COVID-19 and avenues of support, including the Assistance Programme which provides a confidential telephone support and counselling service, as well as a wide range of wellbeing fact sheets, videos, self-help programmes, interactive tools and educational resources.</p> <p>There are other wellbeing resources on the Wellbeing at the Bar online hub.</p> <p>If you are required to self-isolate, please do look after your physical and mental wellbeing. Self-isolation or remote working can feel lonely, so keep in touch with people virtually. The charity Mind has some good advice.</p>

Important Notice: this document has been prepared by the Covid-19 Working Group established informally by the Bar Council, LPMA and IBC in order to assist barristers and chambers on matters relating to the current coronavirus epidemic. It is not “guidance” for the purposes of the BSB Handbook I6.4, nor does it comprise – and cannot be relied on as giving – legal advice. It has been prepared in good faith, but neither the Bar Council, LPMA nor IBC nor any of the individuals responsible for or involved in its preparation accept any responsibility or liability for anything done in reliance on it.