



HM Courts & Tribunals Service

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Legal Professional Bodies
(By email)

Date: 26 April 2022

Dear Colleagues

The government published its ['Living with COVID-19 plan'](#) for England on 21 February marking a fundamental shift in approach from centrally led and legally mandated risk management interventions, to one based on communication of safer behaviours and personal responsibility for managing safety.

More recently, on Friday 1 April 2022, the government issued new [guidance for reducing the spread of respiratory infections, including COVID-19 in the workplace](#) in England. Revised guidance for [Wales](#) and [Scotland](#) was issued on 18 April 2022.

The guidance sets out the actions we can all take to help to reduce the risk of catching respiratory infections (including, but not limited to, COVID-19) and passing them onto others. The guidance makes clear that it is aimed at reducing the spread of all respiratory infections, and that there is no longer a requirement for all employers to explicitly consider COVID-19 in their statutory health and safety risk assessments.

As a consequence, we were asked to review and update our own framework for keeping court and tribunal users safe so as to be consistent with revised public health guidance.

As you are aware, we've done a lot of work to assess the safety measures that have been in place since the start of the pandemic. Following this work, and in line with the latest government guidance, we will now be relaxing or removing many of these safety controls from our buildings across England, Wales and Scotland.

I have set out the latest position around each of the measures in the annex of this letter.

However, we should stress that we will continue to make sure our buildings are sufficiently ventilated, ensure our buildings remain clean, and put in place arrangements to protect those at particular risk. We have published [updated information](#) which outlines how courts and tribunals have relaxed the COVID-19 restrictions that have been in place across our buildings during the pandemic.

We are continuing to work hard to keep all our court users safe, and if professional court users have any concerns, they are encouraged to raise these with their local court or tribunal.

Whilst nobody is declaring an end to the pandemic just yet, the risk we are working to control is now different. I am very grateful to you for your vital help and support over the

past 2 years, and for your ongoing collaboration as we work to continue to keep the people using our buildings safe and to deliver justice.

We're committed to continuing to meet with you on court and tribunal safety for as long as there is a need to do so, and I'd be very keen to hear your views on this. We can continue our discussions at the next court safety meeting on Tuesday 3 May 2022.

In the meantime, thank you once again for all you are doing.

Yours sincerely,

A handwritten signature in black ink that reads "M Stewart". The signature is written in a cursive style with a large, stylized 'M' and 'S'.

Mark Stewart
Acting Courts & Tribunals Director

Annex

Changes to measures in courts and tribunals in England Wales and Scotland

Screens

We no longer need to have portable screens in place so they are being removed and stored should there be a need for future deployment (whether in response to national or case-specific risk). Fixed screens will remain for the time being due to the logistics of removal being more complicated – and therefore needing more time - to arrange.

Screens will not be removed from custody suites. Dock screens will also remain unless removal is essential to increase capacity.

Cleaning

We will continue to ensure that our buildings remain clean to protect those at particular risk. Routine daily cleaning will continue, but we will be assessing other parts of the cleaning process, including touchpoint cleaning.

Custody suites

Our additional safety measures will remain in place in line with HM Prisons and Probation Service guidance.

Fluid resistant safety masks are Personal Protective Equipment rather than face coverings and are still required in custody suites and by Court and Tribunal Security Officers undertaking certain roles. These measures should not restrict capacity. Defendants will be encouraged to wear face coverings, but this is not mandatory.

Juries

We will continue to provide local lateral flow testing kits for jurors while the existing stock remains.

Jurors will no longer be required to wear fluid resistant surgical masks in smaller rooms (but will be free to do so should they wish) and will now be able to eat and drink in those rooms. There will be no change in the requirement for all jury deliberation rooms to have good ventilation (whether natural or mechanical). See our main guidance on [attending on jury service](#) for more information.

Face coverings

Face coverings are no longer mandatory in any parts of our buildings in England, Wales or Scotland, though the position in custody suites is set out above.

Court users can continue to wear face coverings in any of our buildings should they choose to do so.

Risk assessments

Our COVID-19 Organisational Risk Assessment, Local Assessment tool (LAT) for England, Wales and Scotland and Working Safely guidance documents have been removed, as there is no longer any requirement to have a specific COVID-19 risk assessment.

However, we will continue to undertake routine health and safety inspections (in accordance with our general legal obligations relating to health and safety) which have been updated to reflect the latest government guidance on reducing the spread of respiratory infections, including COVID-19, in the workplace.