

**Note – this Version of the Guidance comes into force from Tuesday 19 April
Please refer to the “updated January 2022” version until then**

Coming to Scottish Courts and Tribunals Service buildings during COVID-19 What you need to know and what you need to do

From 19 April 2022, in line with the latest public health advice, the formal requirement for physical distancing on our premises will be removed.

All court and tribunal buildings and the Office of the Public Guardian are open for business, although general public access remains limited in order to provide the safest possible environment. The range of business that will be dealt with on our premises may vary during the pandemic – based on the public health advice in place at the time.

We are asking all users, staff and judiciary to **respect each others’ personal space when on our premises** – to help maintain a safe environment for everyone. We also **request that you wear a face covering whilst on our premises.**

Our [baseline safety measures](#) remain in place including enhanced cleaning and ventilation. **You will still be required to wear a face covering whilst in a court or tribunal hearing room.**

You should only attend our buildings if you:

- do not have symptoms of COVID-19
- are not currently required to self-isolate:
 - due to a recent positive test result
 - or as a close contact where self-isolation is still required – *e.g. if you are not fully vaccinated.*

From 25 April the remaining public access restrictions to our premises will be lifted and public counters will re-open.

We ask for your assistance in minimising the risk of infection to those attending our buildings. Scottish Government guidance now places a stronger emphasis on each of us taking responsibility for keeping ourselves and others safe. Please exercise that responsibility, respect others’ personal space and follow both this guidance and any instructions given to you by SCTS staff.

1. Safety in court and tribunal buildings

We keep this guidance updated to reflect changing circumstances and updates to both Government and Public Health Scotland advice.

RISK ASSESSMENT

Detailed risk assessments are carried out in all of our buildings, and a range of additional health and safety measures remain in place. The risk assessments have been developed in consultation with PCS, the Union representing SCTS staff, and are based on a comprehensive [risk assessment framework](#).

Our strategic priorities throughout the coronavirus pandemic have been to:

- Support the public health response to the outbreak – protecting the life and safety of all staff, court and tribunal users;
- Maintain all essential business so far as possible – ensuring cases are not lost;
- Minimise accumulation of case backlogs so far as possible – to facilitate the most effective recovery.

The measures in place across our premises are designed to reduce the risk of transmission and infection. We all need to take responsibility to support these measures – in particular respecting each others' personal space when moving around our buildings.

The safety arrangements you will find in our buildings include:

- Clear signage promoting respect for each others' personal space, a request to wear a face covering and reminders about the importance of good hand hygiene.
- Signage in particular areas to encourage safe distancing and the avoidance of overcrowding – in busy areas and in smaller rooms such as toilets/refreshment areas.
- Ensuring desks and other furniture are laid out to make best use of space and to minimise the potential for creation of pinch points or crowded areas.

If you require further information please speak to a member of SCTS staff.

DO NOT ENTER ANY SCTS BUILDING IF YOU HAVE ANY COVID-19 SYMPTOMS OR HAVE BEEN ASKED TO SELF-ISOLATE

ON ARRIVAL

We ask that you observe the following arrangements on arrival:

- Where security officers are present, they may carry out a 'hands off' bag search. You will need to open your bag and place items in a tray, so that security officers can check you are not carrying any items you're not allowed to take in, such as sharp objects or work tools. You may be asked to empty the items into a tray and step back. Trays are cleaned between users. If you do not agree to the search, you will be asked to leave the building.
- Please respect the personal space of others who are around you at all times, such as when queueing and upon entering and moving around the building. This may mean waiting outside until you are called to enter.
- Please follow any instructions given to you by SCTS staff.

Hand Hygiene

- Good hand hygiene remains a key protection. We have ensured that good hand-washing and sanitising facilities are available at all premises.
- Frequent handwashing is essential and we will ensure that handwashing facilities are easily available. If any supplies are running low, please bring this to the attention of a member of staff.
- Hand sanitiser is available in waiting areas, inside courts and hearing rooms and in other places where it may be difficult to wash your hands. If you prefer you are welcome to bring your own. You may be asked to demonstrate that it is not harmful by applying some to your hands.

2. FACE COVERINGS

We continue to request that you wear a face covering whilst on SCTS premises. Face coverings must still be used by all parties in the courtroom unless they are presenting to the court, are unable to wear one due to an exemption, or for reasons determined by the bench.

Please bring your own face covering with you. If necessary, disposable face coverings will be available.

3. Cleanliness and hygiene measures in SCTS buildings

What are the arrangements for cleaning in SCTS buildings?

An enhanced daily cleaning regime is in place in all SCTS buildings to ensure that cleaning standards are maintained across our estate.

Our regular cleaning standards are enhanced to ensure they comply with both the British Institute of Cleaning Science standard and the Public Health Scotland requirements for combatting risk of transmission of COVID19. All cleaning agents used on SCTS premises contain both active detergent and disinfectant properties –to ensure that our daily cleaning regime meets the levels required for “environmental decontamination” set out in public health guidance. By cleaning to this standard, facilities are kept COVID-safe on a daily basis.

In addition to these enhanced daily cleaning measures we have introduced additional daytime cleaners, carrying out additional touchpoint cleans throughout the day with extra attention on hand-washing basins and toilet facilities.

Please raise any concerns in relation to cleaning or supplies with any member of SCTS staff.

4. Questions about coming to a court or tribunal

What happens if someone who has symptoms of coronavirus, or someone who has been instructed to self- isolate, is asked to come to one of our buildings?

In line with public health guidance individuals must not attend a court or tribunal if they have symptoms of coronavirus, or if they have been instructed to self-isolate in line with the public health advice in place at the time. Let the court or, tribunal know if this is the case.

What should someone do if they are asked to attend a court or tribunal but they are classed as being a [High Risk](#) to COVID-19

Where an individual is on the Highest Risk List because they have a health condition that makes them extremely vulnerable to coronavirus, they should let the court or tribunal know ahead of their hearing date. This may allow for alternative arrangements to be made. Similarly, those individuals that are clinically vulnerable – such as those over the age of 70, or those that are pregnant or with certain health conditions – should also let the court or tribunal know. Alternative arrangements may be possible.

What happens if someone attending at an SCTS building displays symptoms of coronavirus?

If an individual appears to have symptoms of coronavirus, they will not be allowed to enter. If they develop symptoms whilst on the premises clear instructions are in place to safely isolate the individual until medical assistance can be secured, if appropriate, or arrangements can be made for them to travel home safely – where they should follow advice from NHS Inform.

Should I be concerned about handling documents or case papers?

Where possible the exchange of documents will be made via electronic means to reduce handling. In the court environment, it is not always possible to eliminate the handling and sharing of papers. Whilst the available evidence indicates that the risk of transmission from paper is low, care should be exercised when passing any papers from one person to another. Particular attention should be paid to hand hygiene when you are handling papers. In common with other touch points you should avoid touching your face until you have washed or sanitised your hands.

Should I be concerned about using court rooms or a witness stand – these are used by more than one person?

Court rooms and witness stands are cleaned as part of our enhanced cleaning regime described above. It will not always be possible for these to be fully cleaned between each use – which is the case for a range of touch point areas in all buildings and public transport. For this reason we encourage a robust hand hygiene regime when using these areas, including:

- Washing or sanitising hands before entering and when leaving the court room
- Avoid touching hard surfaces where it is not necessary to do so.
- Anti-bacterial wipes will be available.
- Where possible additional cleaning of these areas will take place during the day (e.g. at lunch time).
- Respect each others' personal space when entering, moving around and exiting the court room.

How will shared equipment be sanitised between users?

We will make sure personal sanitising wipes are available for items such as TV remote controls, keypads for doors and any shared equipment to ensure they can be wiped before and after use. In common with other touch points you should avoid touching your face until you have washed or sanitised your hands.

How is capacity managed in toilet and lift facilities?

We will ensure there is adequate signage to encourage safe distancing and the avoidance of overcrowding in areas such as toilets and lifts.

5. Supporting accused persons at court

CLIENT CONSULTATIONS ON COURT PREMISES

Minimising face to face meetings within court buildings reduces the risks of transmission. Whilst physical distancing restrictions have been removed we request that, where possible, consultations should continue to take place outwith the court estate. There may be occasions where it is not possible to consult or take instructions in advance of the day of a court hearing. Where required prior to a court hearing, we will aim to support local arrangements.

How do solicitors confer with a client in the custody suite?

This will depend on the building. Where possible, we will provide facilities so that legal professionals can communicate remotely (by secure phone or other secure device) with an accused in a custody suite. We will encourage the use of the secure custodial interview room which has physical segregation available.

In custody areas, we have worked with GeoAmey and the Scottish Prison Service monitors to ensure that safe working arrangements are in place. GeoAmey will ensure that visits are conducted safely and practically within the confines of the custody suite. Sanitising products are available for individual use in these areas.

Where a client has COVID-19, or is suspected of having COVID-19, arrangements will be made for appearance via video link. Arrangements to allow solicitors to represent their clients remotely can be put in place on request.

See [Attendance by Electronic Means for Custody Cases](#)

6. Arrangements for witnesses at court

We work continually with those who cite witnesses to ensure they are only asked to come to court on days when they are needed. COPFS has advice for witnesses on their website and if you are appearing as a defence or civil witness you should seek instruction from the solicitor who asked you to attend.

If you need to attend court you will be shown to a waiting room. Please respect the space of all those using the waiting room so that we can maintain as safe an environment as possible. Drinking water will be available and some of our locations have refreshment facilities. Please bring anything that you think you might need e.g. bottled water, light refreshments and reading material.

Are witnesses allowed to bring anyone with them?

Whilst physical distancing restrictions have been lifted in our buildings, it remains important that we take steps to minimise the number of people in areas which can become congested. We ask therefore that you limit those accompanying you to those you would regard as essential.

7. Arrangements for jurors

Jurors are asked to attend a remote jury centre. These have been specifically designed to allow jury trials to continue in a COVID-safe manner and the same baseline measures are in place as in all of our buildings. Jurors will be provided with the relevant information and guidance on their attendance in advance of the case in which they are involved.

Further information for jurors can be found at <https://www.scotcourts.gov.uk/coming-to-court/jurors>.

8. Ventilation in SCTS buildings

What kind of ventilation is being used in court and tribunal buildings? Is air conditioning safe to use in court and tribunal buildings?

Pre-opening checks were carried out on all our ventilation systems to ensure they are working correctly. All SCTS premises that have mechanical ventilation systems have had their re-circulation and/or thermal wheel systems disabled so that they are currently operating on full fresh air only.

Ensuring that our building ventilation system air handling units are circulating 100% clean fresh air at this point in time is a key safety measure, but it makes it more difficult to regulate temperature – so please consider clothing to suit a range of temperatures. You may be aware of the sound of the fans in quiet areas. Desk fans and air cooling units may be used in ventilated environments in order to provide additional cooling or airflow where appropriate – their use is managed in line with the relevant guidance.

Should we encounter a prolonged period of sub-zero temperatures resulting in us being unable to meet our minimum thermal comfort levels the official guidance permits the re-use of thermal wheels and introduction of some recirculation to achieve comfort conditions. This has not been required to date and we will endeavour to ensure this is only used as a method of last resort.

In venues and rooms where ventilation systems are not installed we will ensure windows and doors are opened appropriately to promote air circulation. Regular CO₂ monitoring is conducted across our estate to ensure that ventilation levels meet or exceed the standards required.

We have ensured that the arrangements in our buildings meet the standards set out in the Scottish Government's Coronavirus (COVID-19): ventilation guidance.

Will the arrangements you have in place be effective if users are inside the same room for several hours at a time?

We are maintaining enhanced ventilation as has been the case throughout the pandemic, in order to minimise the risk of transmission. Combined with the measures we have in place to encourage face coverings and to respect each others' personal space, this creates the safest environment possible. Where appropriate, we are scheduling cases to time slots, to manage the length of time users will be within the building.

9. Food and drink

Is food and drink available in court and tribunal buildings?

We recommend you bring sufficient food and bottled water with you for your visit. You will be able to take bottled water into the court or hearing room.

Water dispensers and food and drink vending machines may still be in operation in certain buildings. We will clean these frequently and sanitising wipes are available, but you should wash your hands after use.

10. Business proceeding remotely and online

Fines can be paid online or by telephone – from 25 April these can also be paid in person at public counters.

The use of remote and virtual hearings has been significantly expanded throughout the pandemic. It has helped reduce the footfall in buildings, free up space for cases that must be managed in person and maintain service across a range of business areas that can be supported without the need for physical hearings – including a wide range of civil, criminal and tribunal business. We continue to use remote, telephone and virtual hearings where appropriate. Guidance for virtual court participants is available at: <https://www.scotcourts.gov.uk/coming-to-court/virtual-courts>

11. If you have a concern

If you see something that's not right, please tell a member of staff as soon as possible so that they can take appropriate action. We all want the court environment to be as safe as possible – by working together, respecting each others' personal space and observing the measures that are in place.

Updated 31 March 2022