



Face coverings in court proceedings – updated 31 March 2022

From 19 April 2022, in line with the latest public health advice, the formal requirement for physical distancing on our premises will be removed, and from 25 April access restrictions to our premises will be lifted.

For court proceedings the following rules shall continue to apply:

- During court proceedings, all those in the well of the court and the public areas must wear face coverings, even when seated, unless they are required to speak (e.g. as questioning counsel or witness)
- The requirement to wear a face covering includes the accused, subject to certain considerations around identification, set out below*
- Participants in proceedings may continue to wear face coverings when speaking if they wish to, but may be required by the judge or sheriff to remove them if there are issues of audibility or visibility
- The presiding judge or sheriff will wear a face covering when entering or leaving the court, but may remove it when seated, in order to conduct the proceedings
- Jurors observing proceedings from remote jury centres are not obliged to wear a face covering whilst seated, and may choose to do so if they wish

Any requirement to wear a face covering is subject to any exemption provided for under government guidance.

***Identification:** It may be considered that a requirement for an accused to remove their face covering purely for the means of identification is potentially prejudicial. Judges/sheriffs will therefore ask Crown and defence if identification is necessary. If so, all those in the courtroom can be asked to remove their face coverings before the relevant witness enters. Once identification has been dealt with, they can be instructed to put their face coverings back on.