

Court User Group Minutes

20th February 2023

09:00 via Teams

Attendees

Patel, Monika
Swift, Mr Justice
TRINIDAD, Daniel
Newton, Margaret
Jawaid Luqmani
Jamie Beagent
Philip Shearer
Erin Alcock
Miranda Butler
Shu Shin Luh
Elizabeth Mackie
Rakesh Singh
Christina Parkinson
Jyoti Gill
Lizan Ghafoor
Richard
Peter Campbell
Sasha Rozansky
Ruth-Ann Cathcart
John Curtis
Georgina Surry
Katie Meredith

Apologies:

Steve Broach
Timothy Baldwin

1. Welcome /Minutes of last meeting

JS (Mr Justice Swift – Judge in Charge) welcomes all.

The minutes of the last meeting (which have already been published) were approved.

2. Court Performance Statistics

Paper applications are running a bit behind. Vacancies in the lawyer team have affected the time to get cases to a Judge. More lawyers have been recruited.

Renewal hearings are a bit behind but final hearings are on track. Receipts and disposals are at a high level.

The trend back to hearings in person continues. NMC hearings tend to be online as they're usually short and to the point.

3. Maximum size of email attachments issue

Although the maximum file size that can be filed by email is 20mb, there is a range of factors that can cause a document to be classed as above or below that file size. In cases where the file bounces back, you should contact the ACO with a view to using the DUC to lodge the material. However, this is not an ideal solution, especially in relation to receipt of immediates.

JB suggested a change to the immediates process where you would send an email to get the DUC Link. JS will look into this but raised that it is an extra step in the process which would ultimately slow things down. JS suggested phoning the ACO to sort out any difficulties that are being encountered with emails not being delivered.

4. Witness statements in first language.

This issue concerns provisions in PD32 concerning the making of witness statements in the witness's 'own language'. Any question of compliance with the requirements of PD32 is ultimately a matter for the trial Judge. However, it would appear that, on the face of things (but subject to any judicial decision which might be made following argument in a live case), that the provisions in question are wide enough to allow a witness who speak good English (but whose first language isn't English) to make a statement in English. It does not follow from previous judicial decisions that failure to follow PD32 renders the evidence inadmissible. Any change to PD32 would be a matter for the Civil Procedure Rules Committee - if there is an issue with PD32, the correct course of action is to identify the problem and propose a solution to the Rules Committee.

5. Court administration

The working procedures are the same as last term, split between working in the office and at home. Counter appointments remain the same, open by appointment only.

JS reminded everyone that there are drop boxes in the RCJ, but if you put something urgent in there please call someone in the ACO to let them know.

6. A.O.B

Erin Alcock raised a problem of sealed orders being sent to lawyers in the firm who are not the lawyers conducting the case. Monika Patel will look into this and asked if examples of the cases where this happened could be sent to her. She will also remind the team to send the orders to the person named on the claim form.

Katie Meredith introduced herself as the new lead in charge of the home office and immigration division at the GLD litigation group.

Meeting ended 9:28