



JUDICIARY OF
ENGLAND AND WALES

Better Case Management Defence Toolkit

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1. Introduction

1.1 This Toolkit

This Toolkit is designed to assist defence practitioners. It provides insight into judicial expectations of defence practitioners in respect of Better Case Management (BCM). The Toolkit should be read in conjunction with the Better Case Management (BCM) Handbook: <https://www.judiciary.gov.uk/publications/the-better-case-management-bcm-handbook/>

1.2 Better Case Management

BCM was implemented nationally across England and Wales from **Tuesday 5 January 2016**. BCM created a consistent national process for the Crown Court. The benefits of BCM to defence practitioners are:

- cases are disposed of quickly;
- there is an emphasis on case ownership, meaning the court will be interested in advocates' availability;
- by front-loading work there is less waste of resources, for example fewer "mentions" before trial, and trials being effective and not over running.

The [Judiciary.uk website](http://www.judiciary.gov.uk) provides detailed framework for the principles of BCM, as well as useful information, including [The Better Case Management \(BCM\) Handbook](#) and BCM newsletters.

2. Local Implementation Teams / Court User meetings

BCM was successfully implemented through multi-agency Local Implementation Teams (LITs), operating at area level. The LITs were key to addressing local issues and were attended by all CJS stakeholders, including defence representatives. Some LITs continue and others have been subsumed into court user meetings.

Whatever local liaison arrangements continue in your area, **it is crucial that defence views are represented**. As has been shown, effective liaison between all CJS stakeholders via such groups resolve local issues promptly, or can escalate matters to the National Improvement Team (formerly the National Implementation Team) if an issue has wider significance. Accordingly, it is important that you know who your local defence representative is so that you can provide feedback and seek further assistance regarding any issues.

3. Criminal Procedure Rules and Criminal Practice Direction

The Criminal Procedure Rules (CPR) and Criminal Practice Direction (CPD) lie at the heart of effective case management. The CPR and CPD are there to assist both parties as well as the judiciary. It follows that adherence to them will greatly strengthen your position with the court, and ensure your client's case is progressed swiftly and the Prosecution held to account. Familiarity with the relevant rules is therefore essential.

The Rules and Practice Direction [can be viewed here](#).

There are several approved forms that must be used in criminal proceedings. The links for these documents are attached at [Annex A](#).

4. Your key responsibilities under BCM

4.1 These can be summarised as follows:

- case ownership and responsibility;
- early and continuous engagement with the prosecution;
- compliance with the Crim PR and PD;
- completion and service of the Plea and Trial Preparation Hearing (**PTPH**) form on the prosecution and court BEFORE the PTPH.

A defence time table is attached at [Annex B](#).

4.2 Early and continuous engagement with the prosecution

It is important that you provide the name of the legal representative within your firm/chambers who has conduct of the case; their telephone number; and their CJSM email address. A generic email address is not appropriate. Therefore, to avoid difficulties, if that named legal representative is away from the office for any length of time (such as when on leave), an out-of-office message should be left providing alternative contact details.

The prosecution is expected to provide similarly specific named details.

4.3 Service of papers

The content of the Initial Disclosure of the Prosecution Case (IDPC) is defined by part 8.3 of the Criminal Procedure Rules, which requires the CPS to serve the MG4, MG5 and PNC for overnight custody cases. Additionally, part 8.3 (iii) requires the service of *'any written witness statement or exhibit that the prosecutor then has available and considers material to plea, or to the allocation of the case for trial, or to sentence'* for non-custody cases. Therefore, to enable the first hearings for both custody and non-custody cases to be effective, the guidance to CPS prosecutors is to serve as much of their case that they intend to rely on as early as possible.

In any event, if the prosecutor deems that the MG5 summary is an inadequate description of the offence and intends to rely on part of a statement to support the summary, or feels it necessary to use material in open court that has not been served on the defence (for example, a more detailed description of the injuries from the victim), the defence should be advised of this by being shown a copy of the statement, and be provided with a copy in advance if practical.

IDPC must be served at least 5 days before the first hearing. To improve the timeliness of IDPC being served, the CPS has amended its processes in all cases that it charges so that administrators serve the IDPC, thereby avoiding the need to await review by the prosecutor. The administrator should generate and dispatch the bundle to the Court Store, and to the defence by secure e-mail. Therefore, please notify the court and the CPS designated mailbox as soon as you are instructed.

If you are experiencing issues with the quality or timeliness of IDPC/service of papers, you should in the first instance raise it at LIT/Court User meetings. The CPS can best address issues if they have specific examples. Thereafter, if it cannot be resolved at a local level, it should be escalated to the National Improvement Team.

4.4 Obtaining instructions

4.4.1 On bail/Postal Requisition

Getting defendants to engage with you and the court system remains an ongoing issue. This is made more challenging when your client is not charged, but is released under investigation (RUI) and issued with a Postal Requisition some time later. However, it will help your client if they engage beforehand, as you can request IDPC before the first hearing date, therefore having a better chance to advise your client and adequately complete the *Cases sent to the Crown Court for trial-case management questionnaire* ([Annex C](#)) Before the PTPH it will also be necessary to keep in contact to discuss any additional material served by the CPS, and any developments regarding pleas and/or issues to enable you to complete the PTPH form and avoid delay at court.

4.4.2. In custody

Accessing prisons and arranging sufficient time on a PVL to take instructions are also current issues. It would be helpful if defence practitioners explain to prisons/places of custody that additional time will be required (especially when dealing with 15-minute PVL slots) when taking instructions on complex issues.

Local prison legal visits information is attached at **Annex D**. Any difficulties with access to prisoners should be raised at your local LIT/Court User meetings. If it cannot be resolved at a local level then it should be escalated to the National Improvement Team, by providing specific examples.

4.5 First hearing in the magistrates' court

When a case is being sent to the Crown Court, the magistrates will be expecting you to be in a position to complete the *Cases sent to the Crown Court for trial-case management questionnaire* (BCM questionnaire attached at [Annex C](#) and at <https://www.justice.gov.uk/courts/procedure-rules/criminal/forms>).

Therefore, you and the CPS Prosecutor will need to complete the first section including, if there is a NG plea or indication, what are the likely issues. Inadequate responses such as “defence denied” are likely to receive adverse judicial comment. Completion does not need to be in great detail; a broad indication such as “identification”; “self-defence” is sufficient as it will help focus what evidence will be required and what could be agreed. To assist your client, please ensure that any support required, such as an interpreter, is accurately noted on the form.

4.6 Compliance with directions set at PTPH, subsequent hearings or administratively

Criminal Procedure Rule 3 and the Practice Direction requires proactive communication between all parties. Therefore, advance notification to the court and the prosecution of difficulties in complying, or where the Prosecution has failed to do so, could avoid the need for additional hearings (including attendance at a compliance court) and ultimately an ineffective trial.

5. Legal Aid

If legal aid has not yet been granted, the court and prosecution may struggle to properly identify who is likely to be acting on behalf of a defendant. Therefore, if appropriate, notify the court and prosecution that you have applied for legal aid and will accept communication in relation to the case.

Commonly, delays to the granting of legal aid are due to errors in the application process or the provision of incomplete information. To support you, the Legal Aid Agency has issued the [Criminal Legal Aid Manual](#).

6. Crown Court hearings

6.1 PTPH

The Case Management Practice Direction provides that the PTPH “must be held within 28 days of sending”. This has been amended to provide that PTPHs may be listed on a day exceeding 28 days, so long as the day is not more than 35 days from sending. One of the reasons for so doing is to enable the trial advocate to attend the PTPH or resolve legal aid issues. However, to ensure this is given due consideration judges will need a full explanation to ensure progress has been and will be made. The expectations of the parties are set out at [Annex E](#).

A revised PTPH form (PTPH2-DCS version) and its paper version came into use from 22nd July 2019. This introduced a number of changes, many of which are enhancements asked for by users through consultation and feedback. It also incorporates features required by changes to the Criminal Procedure Rules or Practice Directions. Details of those changes can be found at the following link:

<https://www.judiciary.uk/announcements/new-plea-and-trial-preparatory-hearing-form-to-be-used-from-22-july/>

6.2 Prison Video Link (PVL)

The principles of BCM, supported by the Criminal Procedure Rules, require the court, *inter alia*, to “make use of technology”. CPR 3.2 has been amended to promote the use of live-links and telephones for case management hearings. Gaining instructions and conducting PTPHs by PVL requires careful preparation to ensure they are effective, as there is not the same flexibility with PVL slots as there can be with court attendances. For example, canvassing, if a PSR is required before the PTPH, will save the possibility of sentencing being adjourned to allow the Probation Service sufficient access to the defendant.

As part of the programme to reconfigure the Prison Estate, the Prisons Service are building Video Conferencing Centres (VCC) which allow for much greater and more flexible access to prisoners using PVL. So far there are VCC at Durham, Wandsworth, Leeds, Elmley, Peterborough and Forest Bank. Future VCCs are planned at Bullingdon, Hewell, Nottingham, Doncaster, Belmarsh and Thameside.

6.3 Further Case Management Hearing (FCMH)

One of the key BCM aims is to reduce the number of hearings. Therefore, in most cases there should be no further hearings after PTPH and before trial. However, the CPD 3A.21 sets out the complex cases which may require a further hearing. This is not to deal with case management failures, which should be dealt with through e-mail correspondence and notification to the court for the Case Progression Officer to progress. FCMH should be used if:

- the court has been informed that a guilty plea is to be entered;
- an application to dismiss or stay has been made;
- arraignment has not taken place for any reason;
- a Ground Rules hearing is required - CrimPR 3.9(7);
- it is necessary to give directions for an effective trial;
- it is necessary to further the overriding objective.

6.4 Keeping in contact with your client

This is essential. You will be required to confirm this when completing the Certificate of Readiness for Trial.

7. Obtaining Pre-Sentence Reports before PTPH

When BCM was first implemented, guidance was issued for magistrates' courts regarding the ordering of Pre-Sentence Reports (PSRs). This can be found at Annex 3 at the following link:

<https://www.judiciary.gov.uk/publications/better-case-management-guidance-pack-for-local-implementation-teams/> .

This has now been supplemented by guidance in the BCM Handbook at paragraph 3.8:

<https://www.judiciary.gov.uk/publications/the-better-case-management-bcm-handbook/> .

If a guilty plea is entered or indicated prior to the case being sent to the Crown Court, the magistrates will consider whether a PSR is necessary (CrimPD 3A.8) and will request the preparation of a PSR only if satisfied that (CrimPD 3A.9):

- there is a realistic alternative to a custodial sentence;
- the defendant may satisfy the criteria for classification as a dangerous offender; or
- there is some other appropriate reason for doing so.

The BCM Questionnaire should be noted accordingly.

When in doubt as to whether the case requires a PSR, **the justices should decline to order the report and direct the defence practitioner to make an application to the Crown Court**, setting out the reasons why the defence consider one to be necessary. The application will be considered administratively by the Crown Court judge, who will direct the preparation of a PSR if he/she thinks it appropriate to do so. There is a balance to be struck between ensuring PSRs are not ordered unnecessarily and ensuring sentencing is not delayed due to the lack of a PSR.

If, after sending, the defendant decides to plead guilty, please do not wait for the PTPH, but instead: inform the court; and, if you consider necessary, apply for the preparation of a pre-sentence report; and, if appropriate, a Drugs or Drink assessment report; or suitability for participation in a Sex Offenders programme. In each case, reasons for why a report is justified will be required. A judge will consider the request administratively and may adjourn the case for a Plea and Sentence hearing on a date by which any report(s) will be available.

8. Digitalisation

8.1 Crown Court Digital Case System (DCS)

The Crown Court Digital Case System is now used in respect of all CPS prosecutions. For those new to the system there are comprehensive [training materials available](#).

8.2 Click Share

Click Share allows documents or media held on computer to be viewed on a screen in the Courtroom. There is a [user guide](#) that details how to use the system.

8.3 Multi-Media Evidence (MME)

The Criminal Justice System is committed to identifying digital solutions that work for all CJS partners. Digital management of multi-media content provides efficient access to CJS partners to material via links, and reduces the requirement for physical discs. Digital access to material enhances both the ability of advocates to prepare cases and the quality of evidence presented in court. This increases the security of material, improves access control and auditing, and achieves significant resource savings for all agencies.

A number of police forces are developing their own multi-media solutions that will permit all CJS agencies to access multi-media evidence digitally e.g. Evidence.com and Digital Media Repository (DMR). Where the police are not using such a system, or are only using it for certain types of multi-media evidence, the CPS is uploading this footage to the Egress system. This allows the evidence to be shared and presented digitally without the need for discs. Access to footage within Egress is based on sharing. In practice, the CPS will upload footage to a case in Egress, create a URL to that evidence which is then embedded in to a document and served. The CPS then 'share' that link within Egress with the person/people to whom they want to give access (defence barrister and/or solicitor). Access is based on secure email addresses, and users having their own Egress accounts.

Information for Defence and Counsel on frequently asked questions for Multi-Media Evidence, Evidence.com and Egress are attached at [Annex F](#).

8.4 Laptops in Prisons and Other Secure Environments

Guidance has been issued by HMPPS (formerly NOMS) in relation to the use of computers in prisons and other secure environments (e.g. court cells, police stations). This is attached at [Annex G](#) and [Annex H](#). Annex G provides the rules of usage of IT in prisons for legal advisers (Annex G, Items 1 and 2, the Prison Service Instruction), and guidance to prisons on IT usage (Annex G, Item 3). Annex H outlines regulations for digital working in court holding areas and cells.

Though outdated (and undergoing revision), these Annexes act as confirmation that **defence practitioners should be granted permission to take their laptops and other digital devices into prisons and court cells** (hence their inclusion in the Toolkit).

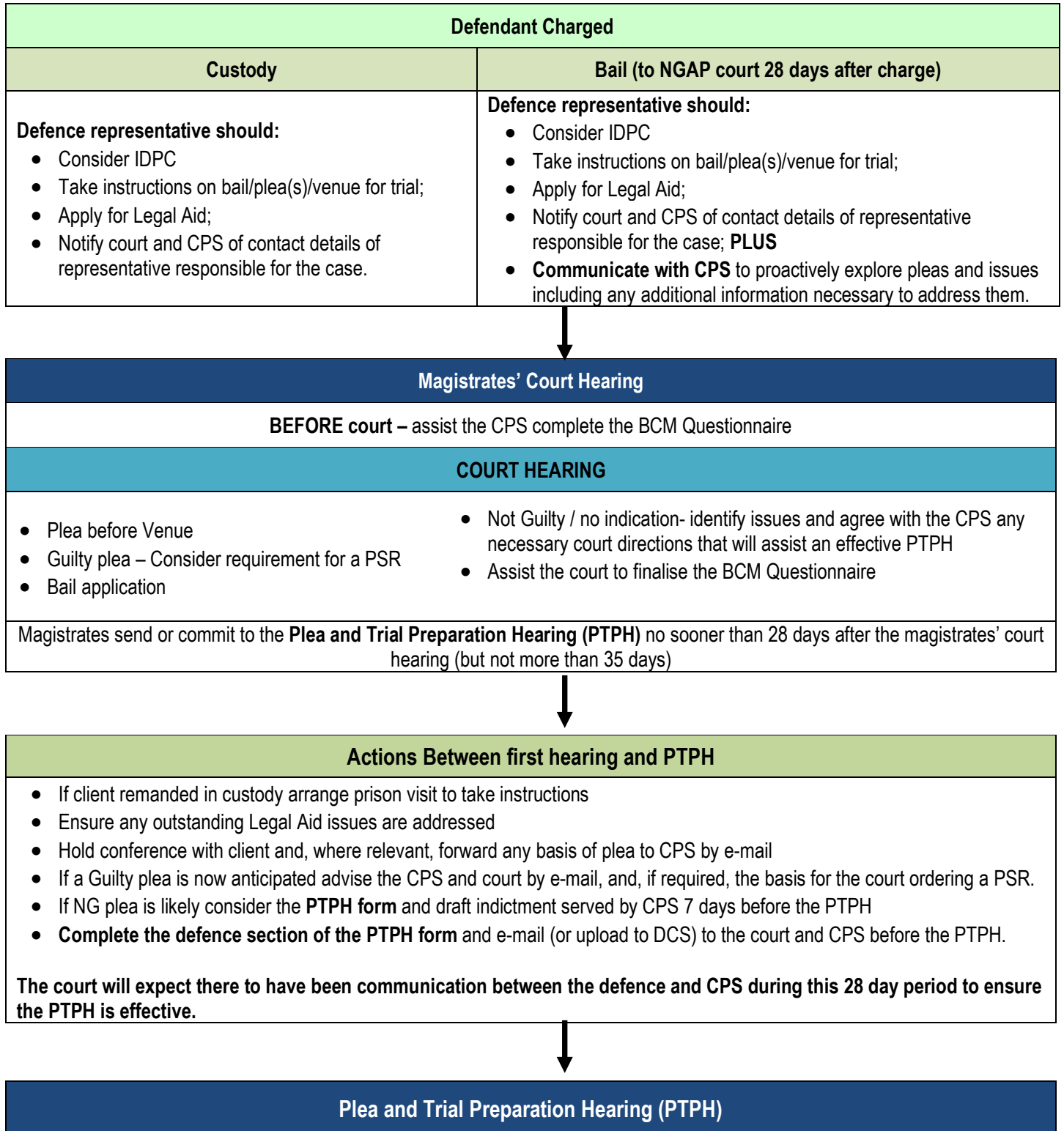
Annex A - Criminal Procedure Rule Forms

These [can be viewed here](#).

These include:

- Cases sent to the Crown Court for trial-case management questionnaire (also attached at Annex C):
<https://www.justice.gov.uk/courts/procedure-rules/criminal/docs/2015/cm025-eng.doc>
- The Plea and Trial Preparation Form: <https://www.justice.gov.uk/courts/procedure-rules/criminal/docs/october-2015/cm007-eng.pdf>
- Standard Witness table:
<https://www.justice.gov.uk/courts/procedure-rules/criminal/docs/october-2015/cm010-eng.doc>
- Defence Statement CrimPR 15.4:
<https://www.justice.gov.uk/courts/procedure-rules/criminal/docs/october-2015/dis001-eng.doc>
- Defence Witness Notice Crim PR 15.4:
<https://www.justice.gov.uk/courts/procedure-rules/criminal/docs/october-2015/dis002-eng.doc>
- Defendant's application for prosecution disclosure CrimPR 15.5:
<https://www.justice.gov.uk/courts/procedure-rules/criminal/docs/october-2015/dis003-eng.doc>
- Application for a witness summons Crim17.3 and 17.4:
<https://www.justice.gov.uk/courts/procedure-rules/criminal/docs/october-2015/sw001-eng.doc>
- Application for special measures Crim PR 17.3 and 17.4:
<https://www.justice.gov.uk/courts/procedure-rules/criminal/docs/october-2015/mae001-eng.doc>
- Application for a witness to give evidence by live link CrimPR 18.3 and 18.26:
<https://www.justice.gov.uk/courts/procedure-rules/criminal/docs/october-2015/mae002-eng.doc>
- Notice to introduce hearsay evidence Crim PR 20.2:
<https://www.justice.gov.uk/courts/procedure-rules/criminal/docs/october-2015/he001-eng.doc>
- Application to exclude hearsay evidence Crim PR 20.3:
<https://www.justice.gov.uk/courts/procedure-rules/criminal/docs/october-2015/he002-eng.doc>
- Application to exclude hearsay evidence where no notice required CrimPR 20.3:
<https://www.justice.gov.uk/courts/procedure-rules/criminal/docs/october-2015/he003-eng.doc>
- Application to introduce evidence of a non- defendant's bad character CrimPR 21.3 (2):
<https://www.justice.gov.uk/courts/procedure-rules/criminal/docs/october-2015/ebc001-eng.doc>
- Notice objecting to evidence of a non- defendant's bad character CrimPR 21.3 (2):
<https://www.justice.gov.uk/courts/procedure-rules/criminal/docs/october-2015/ebc002-eng.doc>
- Application to exclude evidence of a defendant's bad character CrimPR 21.4 (5):
<https://www.justice.gov.uk/courts/procedure-rules/criminal/docs/october-2015/ebc004-eng.doc>

Annex B – Better Case Management- Defence Time Table



<u>Guilty plea</u>	<u>Not Guilty plea</u>
<p>Mitigate – if necessary, with the assistance of an oral PSR prepared on the day</p> <p>SENTENCE</p>	<ul style="list-style-type: none"> • Identify issues • Agree evidence (Section 9 / 10) • Identify witnesses • Advise on availability of defence witnesses and Counsel • If required, make applications e.g. Special Measures/hearsay/bad character • Be prepared and able to respond to CPS applications • FIX TRIAL DATE (or in complex cases adjourn for a FCMH)

Annex C – Cases sent to the Crown Court for trial - case management Questionnaire

Crown Court- Cases sent for trial

*In multi handed cases please complete **part one** for each defendant. However, the court may complete **part two** on one form only to represent all defendants in the case.*



Part 1 - To be completed by the parties before the hearing

Name of defendant:	Date of Birth:	URN:
Solicitors firm representing (if any): Cjism Email address:		
Legal Aid Status: <input type="checkbox"/> Granted <input type="checkbox"/> Applied for <input type="checkbox"/> Will apply <input type="checkbox"/> Private <input type="checkbox"/> N/A		Has the defendant been advised about credit for guilty pleas? <input type="checkbox"/> Yes <input type="checkbox"/> No
Charges 1 2 3	Pleas (either way) or indicated pleas (ind only) or alternatives offered 1 2 3	
Details of any other cases linked to this defendant:		
<i>In so far as known Real issues in the case (concise details will be sufficient):</i>		
What other areas of evidence do the prosecution anticipate serving before the PTPH?		
What other areas of evidence do the prosecution anticipate serving after the PTPH?		
Other evidence defence say they need prior to PTPH to make PTPH effective		
Any other information to assist the management of the case (e.g. mental ill-health or other vulnerabilities or disabilities, including any suggestion that the defendant may be a victim of modern slavery and any reasons why the defendant should not appear by live link; reporting restrictions; likely press coverage):		

Part 2 - To be completed by DJ(MC) / legal advisor after review of parties' information

Supplemental information about real issues gathered during the hearing:
<input type="checkbox"/> Child Witness Protocol- Witness under 10? PTPH 14 days
<input type="checkbox"/> Case qualifies for s.28 pre-recorded cross-examination (where available) PTPH 28 days under s.16 <input type="checkbox"/> under s.17 <input type="checkbox"/>
If a G Plea- was a PSR ordered? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>NB: The type of report will be determined by the National Probation Service</i>
Does the defendant require an interpreter? <input type="checkbox"/> Yes <input type="checkbox"/> No Language/dialect:
Other information gathered during the hearing to assist the management of the case (e.g. mental ill-health or other vulnerabilities or disabilities, including any suggestion that the defendant may be a victim of modern slavery

and any reasons why the defendant should not appear by live link; reporting restrictions; likely press coverage):

Date of hearing in Crown Court:

Bail or Custody – CTL expiry:

The court should remind the parties and the Defendant(s) that the Crown Court will expect before the PTPH that:

- The defendant(s) will have a conference with their legal representatives (if any);
- The parties will engage to discuss pleas and outstanding issues (as necessary).

Name of DJ(MC)/ LA Completing Form:

Date:

Annex D – Legal Visits Information

Establishment	Visits booking times	Visits booking number	Visits email address	Website link
Altcourse	Monday to Friday 08:30-11:30, (Limited availability 13:00-16:00), (Limited availability 17:15-19:00) Saturday & Sunday (am only) 08:30-11:30	Our dedicated booking line is staffed Monday to Friday between 0830-1630 hrs. Official visitors can book by phone or via email:- visits.altcourse@uk.g4s.com To book by phone call: +44(0) 0151 522 2196 / +44(0) 0151 522 2047. All official visits must be booked in the Official Visits Register for the appropriate day. All relevant details must be taken, to include the company/organisation, contact name, telephone number and extension, and the name(s) and number of prisoner(s). If there is any doubt over the authenticity of the visit, the visitor details must be confirmed by reference back to the company concerned. All legal/official visitors attending the prison are required to bring ID plus a letter of introduction.		https://hmpaltcourse.co.uk/visiting_ov_bav.htm
Bedford	Monday to Friday: 09:30 – 11:45 & 14:00 – 16:15	Booking information: Legal visits must be pre-booked on 01234 373179 or by email Legalvisits.bedford@justice.gov.uk Morning or afternoon extended slots for legal visitors has been confirmed this is possible, or if it's just paper work signing they can book just one hour.	Legalvisits.bedford@justice.gov.uk	http://www.justice.gov.uk/contacts/prison-finder/bedford/visiting-information
Belmarsh	Tuesday, Wednesday & Thursday 09:15-10:15, 10:15-11:15,14:15-15:15 & 15:15-16:15, Friday 09:15-11:00. HSU and SSU - Tuesday and Thursday	All solicitors have central authorisation to bring into HMP Belmarsh any laptops including those with webcams, USB and CD's. We suggest that you load any material that you wish to view with your client onto this machine prior to your visit. Official/legal visits can be booked via the following email address: Legalvisits.belmarsh@justice.gov.uk or if you are having trouble with this you can call the following number 0208 331 4769.	Legalvisits.belmarsh@justice.gov.uk	http://www.justice.gov.uk/contacts/prison-finder/belmarsh/visiting-information

Birmingham	Legal / Official Visits take place every day except: Bank Holidays, Christmas Day, Boxing Day, & Good Friday. The available appointments are as follows:-08.15 - 09.05, 09.15 - 10.05, 10.15 - 11.05, 11.15 - 12.05, 13.50 - 14.40, 14.50 - 15.40, 15.50 - 16.40	All Official Visits must be booked a minimum of 24 hours in advance. It is possible to book 28 days in advance. The number to ring for advice and information concerning Special Visits is 0121 598 8170. The Special Visits Booking Office is open Monday to Friday. Visits can be booked by e-mail (preferred option) legalvisits.birmingham@uk.g4s.com E-mails and faxes will be answered between the hours of 08.00 and 16.00. Emails or faxes received after the close of day will be answered the following day. All visits bookings made by fax or e-mail will be confirmed. All confirmation notes will contain a booking reference number. You should bring the confirmation note, along with the booking reference number with you to the prison. Failure to do so may result in the visit not taking place. For visitors who arrive late for their appointment, there is a cut-off point of 15 minutes after which point the visit is cancelled. This is so that the prisoner is not left at the Holding point for longer than is necessary. In cases where a double visit session has been booked for one prisoner, both sessions will be cancelled. In cases where a double session has been booked but for two different prisoners, only the first session is cancelled.	legalvisits.birmingham@uk.g4s.com	https://hmpbirmingham.co.uk/visiting/visiting-ov/visiting-ov-bav/
Bristol	Monday - Friday: 09:00 - 11:00 & 14:00 - 16:00	Please pre-book visits on 0300 060 6510. HMP Bristol does allow legal visitors to book a legal slot in the morning and afternoon subject to availability. Booking in advance does increase the changes of this being facilitated. Official visits by email: visitsbooking.westmidlands@noms.gsi.gov.uk	LegalVisits.Bristol@justice.gov.uk	http://www.justice.gov.uk/contacts/prison-finder/bristol/visiting-information
Bullingdon	Mon-Thu: 09:00 - 11:45 & 14:00 - 16:45 Fri: 09:00 - 11:45 & 14:00 to 16:15	Bookings via email only: Legal visits tend to be booked for the morning and/or the afternoon. Legal Visitors can book for the day if they require this.	LegalVisits.Bullingdon@justice.gov.uk	http://www.justice.gov.uk/contacts/prison-finder/bullingdon/visiting-information
Cardiff	Monday to Friday: 09:15 - 10:15, 10:15 - 11:15, 13.30 – 14.30, & 14.30 – 15.30. Telephone 029 2092 3327 - line open 09:00 - 16.00 Mon - Fri. Alternatively, you can book via email on legalvisits.cardiff@justice.gov.uk .	Regarding the visit times a visitor may indeed book both sessions in the morning or the afternoon if requested and this is a regular occurrence at HMP Cardiff. Clients have even requested both sessions in the morning and the afternoon on the same day to see a client or even multiple clients. This is something that we facilitate regularly as well.	legalvisits.cardiff@justice.gov.uk	https://www.justice.gov.uk/contacts/prison-finder/cardiff/visiting-information
Chelmsford	Monday, Wednesday & Friday: 09.00-10.00 & 10.30-11.30, Tuesday & Thursday: 14.00-16.00	Booking information: Book by emailing legalvisits.chelmsford@justice.gov.uk Additional information: All visits must be booked at least 24 hours in advance. All bookings and alterations must be made no later than 12:00 one working day prior to the visit. 01245 552000 for video link bookings only - limited availability. There have been occasions where extended visits have been arranged. These are with Governor authority and, subject to adequate notice so that staff cover can be arranged.	legalvisits.chelmsford@justice.gov.uk	http://www.justice.gov.uk/contacts/prison-finder/chelmsford/visiting-information

Doncaster	Monday - Friday 09:30-11:45 & 13:30 - 16:45 (except Bank Holidays)	Call 01302 760870 to register for a legal visit. Legal visits must be booked in advance giving at least 24 hours' notice. All legal visits take place in private interview rooms, furnished with table and chairs. There are 14 private interview rooms available for legal visits at HMP & YOI Doncaster. All legal visits are supervised. It is the responsibility of the interviewer to arrange the services of an interpreter or translator.		http://www.hmpdoncaster.com/visiting/legal/how-to-book-a-legal-visit/
Durham	Monday, Tuesday and Thursday 09:00 -11:30, 13:45 – 15:45 & 17:15 – 18:45. Wednesday and Friday 09:00-11:30 & 13:45 – 15:45	Booking information: Telephone 0191 332 3590. Monday – Friday from 08.30 to 12.00 hours and 13.00 to 16.00. Email: LegalVisits.Durham@justice.gov.uk If you need to bring equipment with you e.g. a laptop, please advise the booking clerk of this requirement. On arrival at HMP Durham you must first report to the main gate where you will be booked in.	LegalVisits.Durham@justice.gov.uk	http://www.justice.gov.uk/contacts/prison-finder/durham/visiting-information
Eastwood Park	Mon - Fri 9.30 - 10.30 & 10.45 - 11.45 Tues - Fri 14.15 - 15.15 & 15.30-16.30	booking by email only	hmpsvisitbooking@justice.gov.uk	http://www.justice.gov.uk/contacts/prison-finder/eastwood-park/visiting-information
Elmley	Monday – Friday 09:00–11:45 & 14:15–16:15	Booking by e-mail only: legalvisits.elmley@justice.gov.uk . Standard visit time is 1 hour, if you require a longer period please state this when requesting your booking. Legal visits need to be booked or amended by 1:00pm for the following day, if you wish to visit on a Monday please email before 1:00pm on Friday. If you are planning on having an interpreter on the visit you need to organise this before you request the legal visit.	legalvisits.elmley@justice.gov.uk	https://www.justice.gov.uk/contacts/prison-finder/sheppey-cluster-elmley/visiting-information
Exeter	Monday: 09:15 – 12:15, Tuesday: 09:15 – 12:15 & 14:15 - 16:45, Wednesday: 09:15 – 12:15, Thursday: 09:15 – 12:15 & 14:15 - 16:45, Friday: 09:15 – 12:15. Booking information: Official/Legal visits must be pre-booked by phone on 01392 415 730 during the opening times listed above or by fax on 01392 415748, or via email to LegalVisits.exeter@justice.gov.uk . Please note the removal of the Friday afternoon visits as well as the change to booking process.	Tel: 01392 415 730 Additional information: All visitors will be required to produce evidence of identification on arrival. Mobile phones and laptops are not permitted into the establishment without authority from the Head of Security. The morning sessions are pre- scheduled to last for 1 hour 30 mins whilst the afternoon session will last for 1 hour 15 mins. Each interview is convened in separate rooms. If you need a room which will afford discussion of a more sensitive nature then please inform the team at time of booking.	LegalVisits.exeter@justice.gov.uk	https://www.justice.gov.uk/contacts/prison-finder/exeter/visiting-information
Forest Bank	Monday to Friday: 08:00 - 16:00	Booking information: Please pre- book visits either by phoning 0161 925 7029 or 0161 925 7030, on fax 01619257031 or via e-mail on FB.booked@Sodexojusticeservices.com	FB.booked@Sodexojusticeservices.com	http://www.justice.gov.uk/contacts/prison-finder/forest-bank/visiting-information
Foston Hall	Mon - Fri : 09:30-11:30 and 14:00 – 16:00	by email only	hmpsvisitbooking@noms.gsi.gov.uk	http://www.justice.gov.uk/contacts/prison-finder/foston-hall/visiting-information

Hewell	House Blocks 1-6 Monday to Friday: 09:00 - 12:00 & 13.00 - 16:00. Booking information: Official visits for house blocks 1 to 6 are booked on 0300 060 6503, 09.00 to 18.00, Monday to Friday (except Bank Holidays) or by email visitsbooking.westmidlands@noms.gsi.gov.uk. The Grange Resettlement Unit Monday to Friday 09.00 - 12.00 & 13.00 -16.00	Booking information: All official visits are booked via the GRU gatehouse 01527 783125.	visitsbooking.westmidlands@noms.gsi.gov.uk	http://www.justice.gov.uk/contacts/prison-finder/hewell/visiting-information
Highdown	Monday: No visits, Tuesday: Professional visits: 08:45-09:45, 10:30–11:30, 2-4pm, Wednesday: Professional visits: 08:45-09:45, 10:30–11:30, 2-4pm, Thursday: Professional visits: 08:45-09:45, 10:30–11:30, 2-4pm. Friday, Saturday & Sunday: No visits	Booking information: Legal visits can be booked by email at LegalVisits.HighDown@justice.gov.uk. Booking office opening times are: Monday to Friday only: 08.30 – 12.00 and 13.15 – 16.30. Legal Visits can only be booked via email.	LegalVisits.HighDown@justice.gov.uk	http://www.justice.gov.uk/contacts/prison-finder/high-down/visiting-information
Hull	Monday to Friday: 09:00am-11:00 & 14:00 - 16:00	Booking information: Legal Visits can be booked on 01482 282015. Bookings can be made Monday – Friday 8:00–12:30pm, 13:30pm–16:00pm. You can also email at LegalVisits.Hull@justice.gov.uk Legal Visitors can also have 1-hour sessions at the following times: 9:00am, 10:00am, 14:00pm or 15:00pm.	LegalVisits.Hull@justice.gov.uk	https://www.justice.gov.uk/contacts/prison-finder/hull/visiting-information
Leeds	Monday Wednesday & Friday 09.15 – 10.00, 10.00 – 10.45, 10.45 – 11.30, 14.00 – 14.30, 14.30 – 15.00, 15.00 – 15.30, 15.30 – 16.00, 16.00 – 16.30. Please note we no longer have legal visits on Tuesdays or Thursdays.	Legal visits can only be booked via emailing legalvisits.leeds@justice.gov.uk – please provide details of the prisoner (number or date of birth), names of the visitors and the dates you wish to visit.	legalvisits.leeds@justice.gov.uk	http://www.justice.gov.uk/contacts/prison-finder/leeds/visiting-information
Leicester	Monday: 09.00, Tuesday: 09.00 and 14.00, Wednesday: 09.00 (no visits 1st Wednesday of the month), Thursday: 09.00 and 14.00, Friday: 09.00	Booking information: Legal visits can only be booked up to four weeks in advance and cancellations taken up to 48 hours before the visit is due. Additional information: Official visitors should report to the visitors Centre on Tower Street to book in for their visit in the morning. In the afternoon they must report to the vehicle gate. The visits booking line is closed at 12.30pm any emails sent after that will be dealt with the next working day.	E-mail: Legal and professional visits can only be booked via email. hempleicesterlegalvisits@justice.gov.uk	http://www.justice.gov.uk/contacts/prison-finder/leicester/visiting-information
Lewes	Mon: 14:15 – 15:45, Tue: 9:30-11:15 and 14:15 – 15:45, Wed:14:15 – 15:45, Thu: 09:30-11:15 and 14:15 – 15:45, Fri: 09:30-11:15, Sat - Sun 14:15 – 15:45. Booking information: Visits must be booked at least 24 hours in advance on 01273 785271 or 01273 785277. The booking line is open: 09:30 -12:00 & 14:00 - 16:30hrs Monday to Friday (excluding Bank Holidays) and 09:00 – 12:00 hrs and 14:00 – 16:30 Saturday and Sunday.	Bookings can be taken up to 14 days in advance. Bookings can be made up to 28 days in advance. Additional information: Visitors should arrive 30 minutes early to allow for processing. Longer visits can be booked if necessary. Doors open 1 hour before visits start time.		http://www.justice.gov.uk/contacts/prison-finder/lewes/visiting-information

Lincoln	Tue: 09:00 - 11:30 and (14:00 - 16:00, 4 spaces available only), Wed: 09:00 - 11:30 ** and (14:00 - 16:00, 4 spaces available only), Thu: 09:00 - 11:30 and (14:00 - 16:00, 4 spaces available only), Sat: (09:00 - 11:00 and 14:00 - 16:00 4 spaces available only). ** Please note there will no visits of any description on Training Days which are usually the 2nd Wednesday of each month.	The visits booking line is 01522 663172 and is open Monday-Friday from 09:30-12:00. The line is not open at weekends or Bank Holidays. Visits must be booked by 13:00 the previous working day and can be booked up to 21 days ahead. Video Link bookings can be made by email request to Omu.Lincoln@justice.gov.uk		https://www.justice.gov.uk/contacts/prison-finder/lincoln/visiting-information
Liverpool	Mon: 09:10, 10.20, 11.00 & 14.00, 15.10 & 15.50, Tue: 09:10 - 10.20, 11.00 & 14.00, 15.10 & 15.50, Wed: 09:10 - 10.20, 11.00 & 14.00, 15.10 & 15.50, Thu: 09:10-10.20, 11.00 & 14.00, 15.10 & 15.50, Fri: 09:10 - 10.20, 11.00 & 14.00, 15.10 & 15.50	You can also book by email to legalvisits.liverpool@justice.gov.uk	legalvisits.liverpool@justice.gov.uk	http://www.justice.gov.uk/contacts/prison-finder/liverpool/visiting-information
Low Newton	Tuesday, Wednesday & Thursday am 0930 - 1130 Tuesday, Thursday and Friday pm 14.15 - 1545 (except for the last Friday of the month.	booking by email or phone 0300 060 6154	hmppsvisitbooking@justice.gov.uk	http://www.justice.gov.uk/contacts/prison-finder/low-newton/visiting-information
Manchester	Monday - Thursday: 09:30, 10:30, 14:00, 15:20, Friday: 09:30, 10:30. Category A Official visits No visits Tuesday and Friday. Monday, Wednesday, Thursday: 09:30, 10:30, 14:00, 15:00	Booking information: Pre book on Tel: 0161 817 5656.		http://www.justice.gov.uk/contacts/prison-finder/manchester/visiting-information
New Hall	Monday - 0930-1130 Tuesday 1400-1600 Wednesday & Thursday 0900-11.30 & 1400-1600 Saturday & Sunday 1400-1600	Bookings via email or phone 01924 803219. The phone line is open Monday, Wednesday and Thursday 09.30 to 12:30 and 13:30 to 14.30.	visitsbooking.newhall@justice.gov.uk	https://www.justice.gov.uk/contacts/prison-finder/new-hall/visiting-information
Norwich	Legal visits for wings A, B, C, E, M and U (Ketts unit): Monday - 9:00am to 11:30am and 14:00 to 16:00, Tuesday - 9:00am to 11:30am, Wednesday - 14:00 to 16:00, Thursday - 9:00am to 11:30am, Friday - 9:00am to 11:30am. Legal visits for wings F, G, Healthcare and L wing: Tuesday - 14:00 to 16:00, Thursday - 14:00 to 16:00	To book a legal visit, please e-mail legalvisits.norwich@justice.gov.uk.	legalvisits.norwich@justice.gov.uk	https://www.justice.gov.uk/contacts/prison-finder/norwich/visiting-information
Nottingham	Monday – Tuesday & Thursday: 9:00am - 10:00am, 10:00am - 11:00am, 2:15pm - 3:15pm, 3:15pm - 4:15pm. Wednesdays: No visits. Friday: 9:00am - 10:00am & 10:00am - 11:00am. There are no visits on Bank Holidays. If you wish to book a two hour visit please specify at the time of booking otherwise all bookings will be for one hour. Please note all visits are subject to operational needs	Official visit bookings should be made by email: LegalVisits.nottingham@justice.gov.uk Booking Information: We request that bookings are made at least 24 hours in advance.	LegalVisits.nottingham@justice.gov.uk	https://www.justice.gov.uk/contacts/prison-finder/nottingham/visiting-information

Pentonville	Mon-Weds: 09:30-10:30, 10:45-11:45, 13:45-14:45, 15:00-16:00, 16:15-17:00 Thurs: 13:45-14:45, 15:00-16:00, 16:15-17:00 Fri: 09:15-11:15, 13:45-14:45, 15:00-16:00, 16:15-17:00	Booking information: Official/Legal visits must be pre-booked by either fax 020 7023 7003 or via email on legalvisits.pentonville@justice.gov.uk Monday to Friday 08:15 - 17:00.	legalvisits.pentonville@justice.gov.uk	http://www.justice.gov.uk/contacts/prison-finder/penonville/visiting-information
Peterborough Male	Monday to Friday 09:00 - 11:30 & 13:30 - 16:30	These include legal teams and police productions. These must be booked at least 24 hours in advance of the requested date and time so that we can provide a confirmation letter and make sure that the visitor is from a legitimate company. Visits to the male and female estate should be faxed to: 01733 217513. Via email to PBLegalVisits@sodexojusticeservices.com . Or via telephone to 01733 217521. Video link bookings – call 01733 217500 extension 7207 or fax 01733 217511	pblegalvisits@sodexojusticeservices.com	https://www.justice.gov.uk/contacts/prison-finder/peterborough/visiting-information
Preston	Monday - 14:00-15:45 Tuesday, Wednesday, Thursday & Friday - 09:00-11:00, 14:00-15:45	Tel: 01772 444777 Booking lines open between 09:00 – 12:30 and 14:00 - 16:00 Monday to Thursday and 09:00 – 12:30 Fridays.		http://www.justice.gov.uk/contacts/prison-finder/preston/visiting-information
Styal	Mon-Fri: 09:30 - 10:30 & 10:45 - 11:45	All visits must be booked in advance by telephoning 0300 060 6512 between 09:00 and 18:00, Monday to Friday.	hmppsvisitbooking@justice.gov.uk	http://www.justice.gov.uk/contacts/prison-finder/styal/visiting-information
Swansea	Monday – Friday: 8.30am, 9.15am and 10.00am (all sessions are 45 minutes in duration)	Tel: 01792 485322 booking line open Monday to Friday 0845-11.45 & 13.00-15.45. Please remember you need to book at least 24 hours in advance. require a longer slot they can book an extra slot to follow on essentially given them a double visit. What we do get occasionally is that when solicitors come from far afield they can't get here first thing, so where possible we will arrange an afternoon session on an adhoc basis subject to staffing levels.		https://www.justice.gov.uk/contacts/prison-finder/swansea/visiting-information
Thameside	Monday to Friday 08:45-10:00 (cut off time 09:15) & 10:30-11:45 (cut off time 11:00)	To book a legal visit, please contact the HMP Thameside visits team by either calling 020 8331 7350 or by emailing Thameside.LegalVisits@serco.com . If you require information regarding a prisoner, please contact the HMP Thameside Custody team at Custody.Thameside@justice.gov.uk .	thameside.legalvisits@serco.com	http://www.hmpthameside.org/legal.html
Wandsworth	Monday to Thursday 08:30 – 09:15hrs - 15 slots, 09:30 – 10:30hrs - 15 slots, 10:45 – 11:45hrs - 15 slots Monday to Thursday 13:45 – 14:45 – 15 slots, 15:15 - 16:15 - 15 slots	Tel: 0208 588 4000. Booking information: All legal visits are booked by email: legalvisitswandsworth@justice.gov.uk . The prison must be given 72 hours' notice of the date and time you wish to visit and please always include an alternative date, as legal visits are usually fully booked 7 days in advance. A minimum of 24 hours' notice is required of any cancellations. No alterations to a visit can be accepted after 14:00 the day before the visit. All visits are for one hour only.	legalvisitswandsworth@justice.gov.uk	http://www.justice.gov.uk/contacts/prison-finder/wandsworth/visiting-information
Winchester	Monday to Friday: 09:00 - 11:30 & 14:00 - 16:30	Booking information: Book in advance only on 01962 723 129. Additional information: Winchester is also on the courts video link system and hence are able to conduct some conferences via the link. Some limited visitor parking available. Please contact the prison for more details.		http://www.justice.gov.uk/contacts/prison-finder/winchester/visiting-information

Woodhill	Monday Session (1) 08.30-09.40 Session (2) 10.10-11.10 No afternoon sessions on Monday Tuesday - Thursday Session (1) 08.30-09.40 Session (2) 10.10-11.10 Session (3) 13.45-15.15 Session (4) 15.30-16.15	Please complete and send to the email address. https://www.justice.gov.uk/downloads/contacts/hmps/prison-finder/official-visits-booking-form.doc	Legalvisits.woodhill@justice.gov.uk	https://www.justice.gov.uk/contacts/prison-finder/woodhill/visiting-information
Wormwood Scrubs	All session times are as follows: Monday, Tuesday, Thursday and Friday 0900 – 1000 and 1000 – 1100. Closed Booths and Open Tables. Wednesday 0900 – 1000 and 1000 – 1100 Closed Booth only (no Open Tables). Monday, Tuesday, Wednesday and Thursday 1400 – 1500 and 1500 – 1600. Closed Booths and Open Tables. No Friday afternoon session.	0208 588 3200. Open table legal visits will be conducted on normal visits tables. Closed will take place in a private booth. We are now offering a large open table session on a Tuesday afternoon, there is normally availability for this session.	https://www.gov.uk/prison-visits	http://www.justice.gov.uk/contacts/prison-finder/wormwood-scrubs/visiting-information

Prisons will always try to accommodate legal visits however, there may be times when a request is declined because the facility is fully booked. Where this occurs and an urgent visit is required, the requester should contact the prison's duty manager to seek a resolution. An example of an urgent request may be where a court report has been requested at short notice in order to facilitate the judicial process.

Annex E - Expectations of parties at PTPH

Expectations of what should be achieved at the Plea and Trial Preparation Hearing (PTPH).

The PTPH will only be fully effective if the following takes place before the hearing:

1. The prosecution has fully complied with Part 3 of the CPR regarding service of material/evidence;
2. The Prosecution have completed and served the Disclosure Management Document;
3. The defence have taken instructions from their client
4. There has been communication between the prosecution and defence representatives who have case ownership.
5. The parties complete the PTPH form.

At the hearing

- Pleas entered

Guilty Pleas

Sentence -The defence are prepared to mitigate using oral PSR or previously ordered one.

Not Guilty Pleas

- Detailed consideration and discussion of the PTPH form
- Trial issues identified
- Non- contentious evidence agreed
- Prosecution witness requirements and availability identified;
- Defence witness requirements and availability identified
- Advocates availability identified
- Directions made for special measures/hearsay/bad character etc
- Detailed consideration of the DMD
- Specific orders relating to Disclosure- prosecution to serve updated DMD at stage 1; defence to serve a response to DMD at stage 2; any defence challenges to be made at Stage 4.
- **Trial date fixed** or in complex cases adjourning for a Further Case Management Hearing.

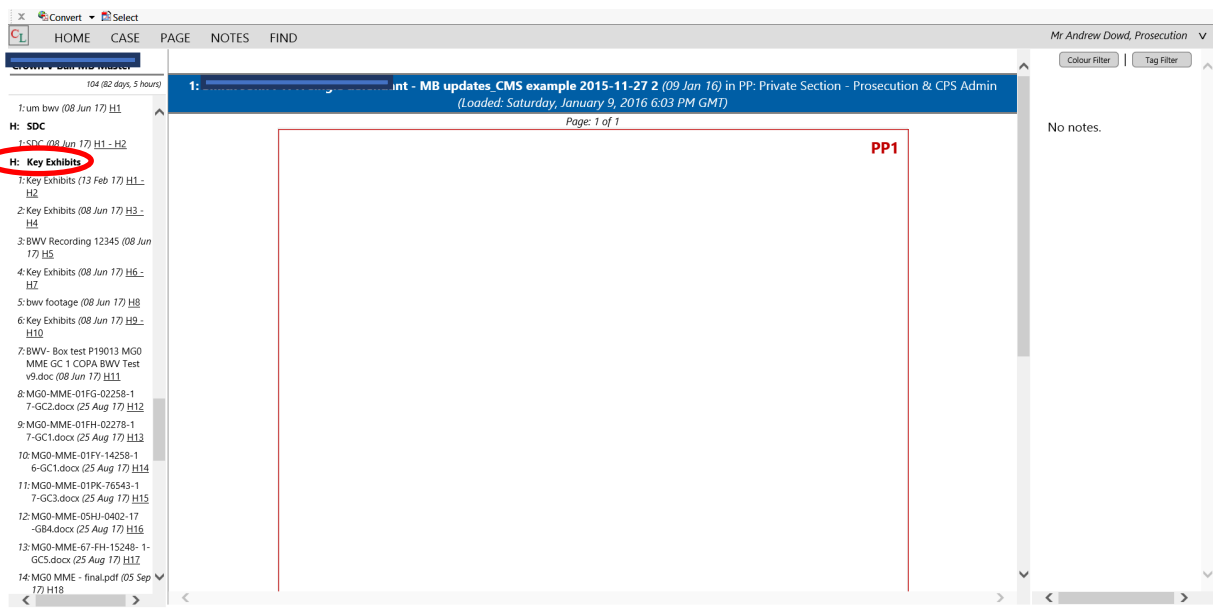
Evidence.com

How to view Body-Worn Video (BWV) footage in the Digital Case System (DCS)

Viewing requires registration. If you are not yet registered see the guide to registration for Judges and Recordors

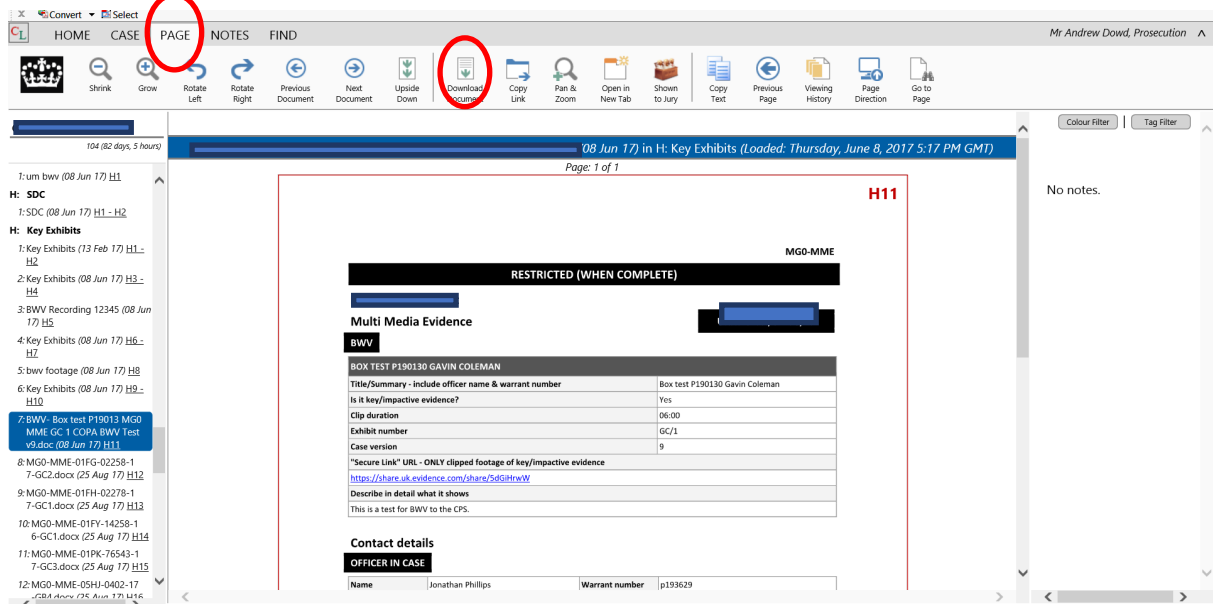
1. METHOD ONE – the quickest

In the review screen open up the page for the BWV exhibit – it should be either in H: Key Exhibits or J: Exhibits

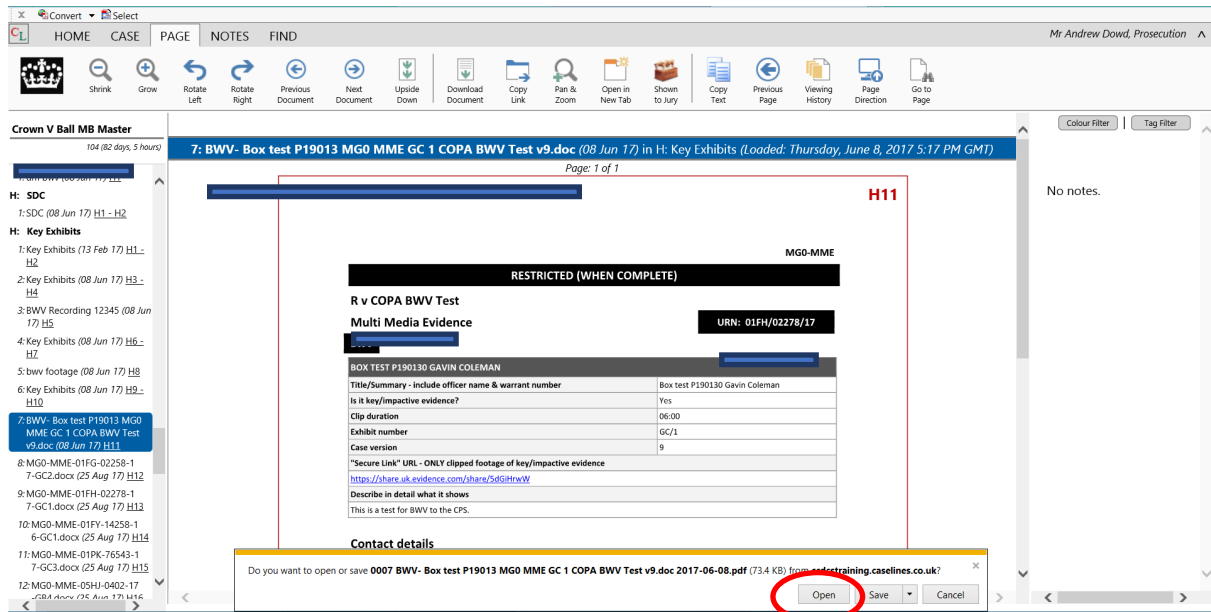


You will see the link in the document BUT **DO NOT CLICK ON IT** – it will not work.

Click on the **PAGE** tab at the top of the screen and then Download Document



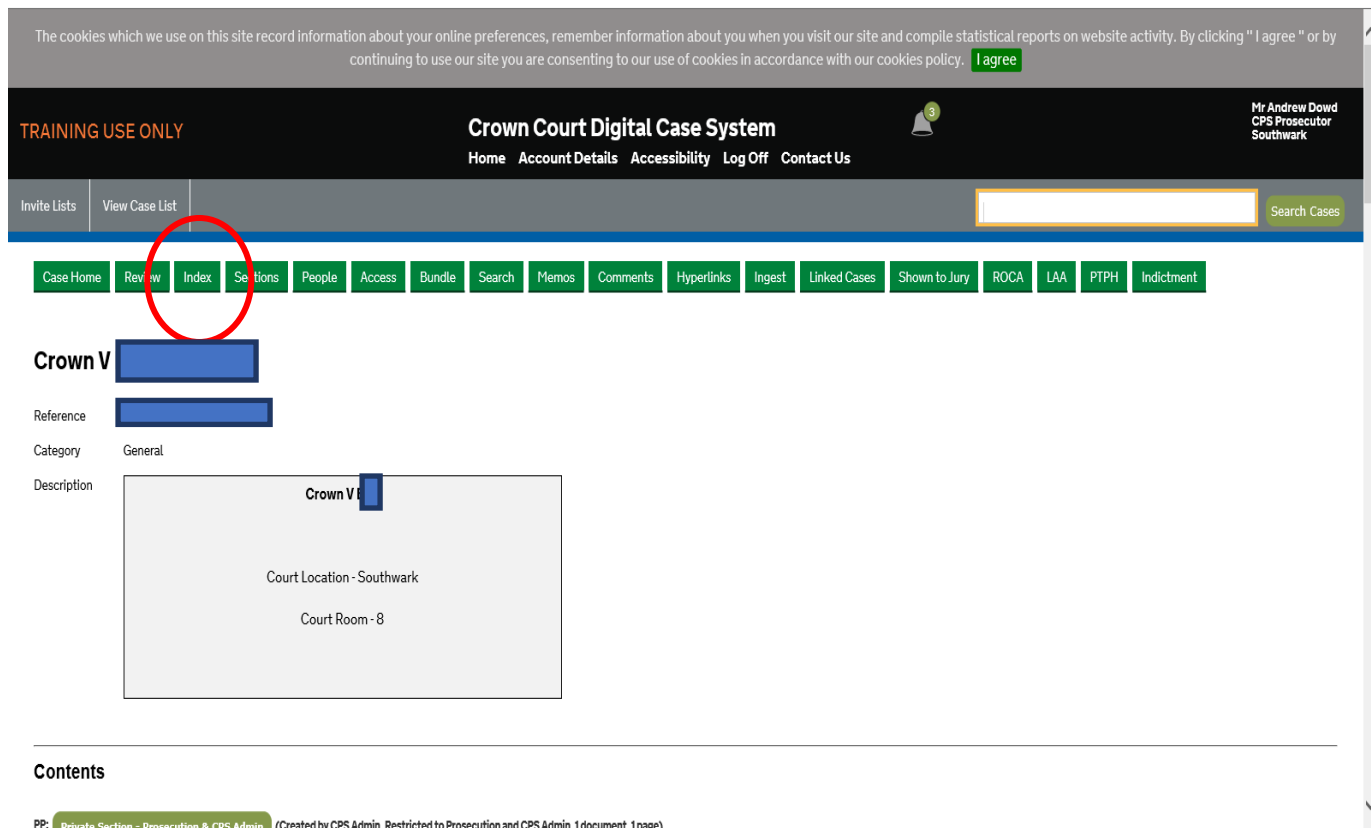
Click on open:



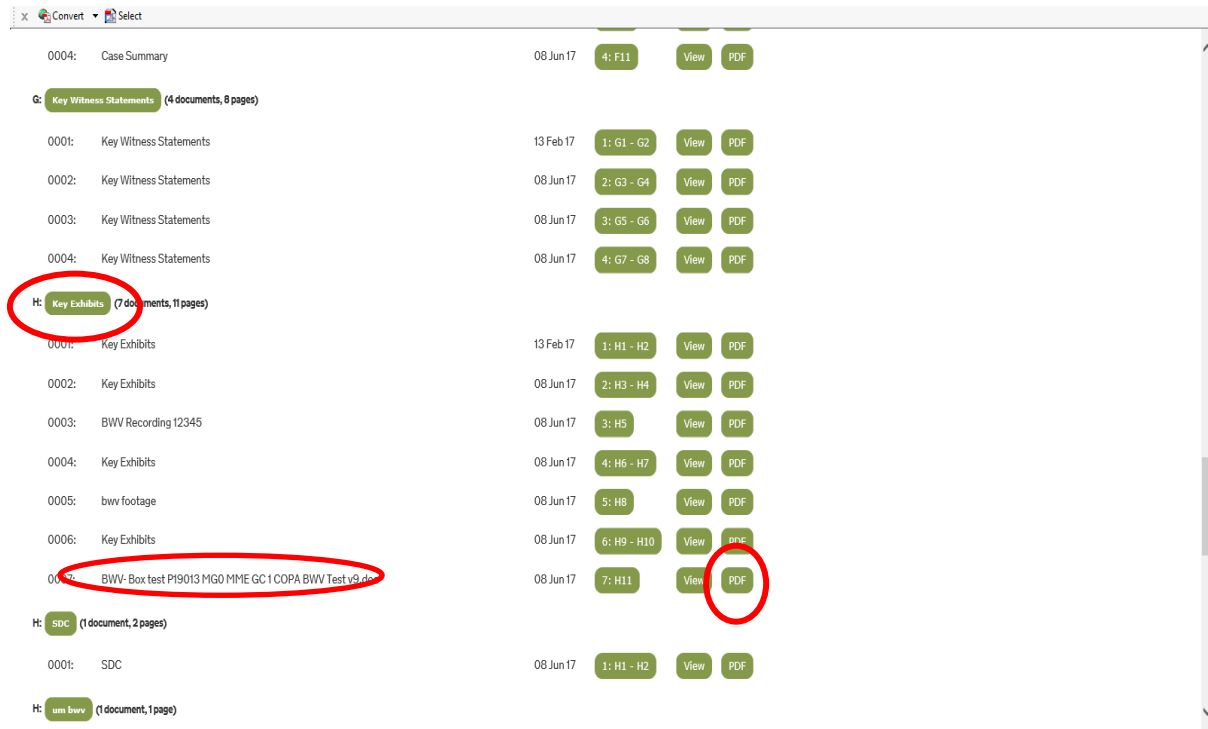
That opens a PDF of the exhibit with a functioning link to the evidence.com file

2. METHOD TWO

In the case containing the BWV, click on 'Update Case' then Index: -

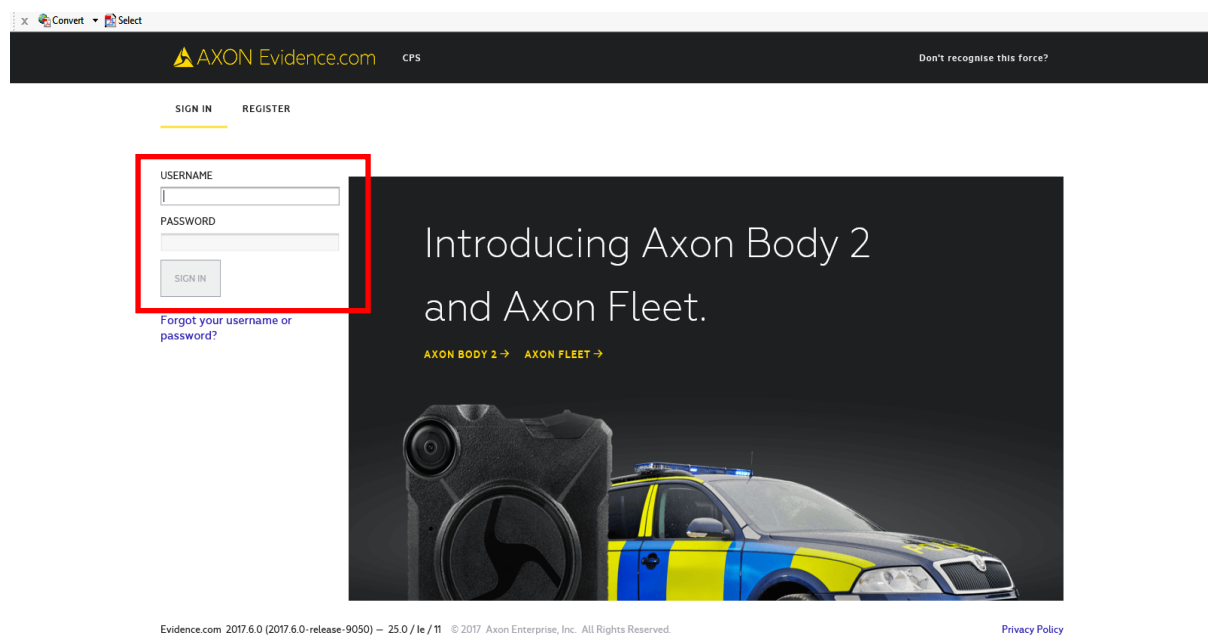


Go to the Exhibits/Key Exhibits section. Locate the correct exhibit containing 'BWV' and click on the PDF radial button. Exhibits containing Body Worn Video evidence will be labelled MG0 MME: -



Click on 'Open' and the document will open on screen. Click on the blue hyperlink

Then log in to Evidence.com:



Once signed in the footage will be streamed on screen.

Annex G – Guidance on laptops in Prison

Annex G, Item 1: PSI 10/2010

PSI 10/2012 Policy and Guidance on the conveyance and Use of IT Equipment by Solicitors/Legal Advisers

“Sound Recording Devices: Solicitors and other legal advisers to prisoners have been issued with central authority to bring in and/or possess sound recording devices to allow them to record interviews with their clients. They have also been given central authority to take sound recordings out of the prison. There is, therefore, no need for prisons to issue local authorisations for these devices. These recording devices can be digital or mechanical devices. They must not contain a camera, video recorder or mobile phone. These devices must not be passed to prisoners. They must be logged on entry and again on exit to the prison to ensure that they are not left behind. The Law Society and Criminal Bar Association has been informed of this authorisation and associated restrictions.

Mobile Telephones: Solicitors do not have central authority to bring in and/or possess mobile telephones other than at open prisons and only then if the local prison regulations allow this.

Computers/IT Equipment: It is a criminal offence to possess within a prison without authorisation computers/IT equipment which have the potential to transmit or receive images, sounds or information by electronic communications. It is also a criminal offence to possess component parts of such equipment without authorisation. While many items of IT equipment include capabilities which may pose a security risk, including in-built cameras and/or internet connectivity, legal advisors have been given authorisation to bring such items into prisons when visiting clients given that (a) they will be used in a controlled environment and within the general sight of staff and (b) the Criminal Justice System as a whole is now moving towards a paperless system – it is no longer realistic to expect legal advisers to print off all documents that their clients may need to consider at legal visits.

A central authorisation (at Annex 2, section B) has been issued for legal advisers to bring into legal visits IT equipment that is necessary for consultation with their clients and on those cases on which they are engaged with that particular client. This is provided that there is no intention on the part of the legal adviser for the prisoner to retain any part of the equipment or component part or data once the visit is concluded. It is not, therefore, a criminal offence for legal advisers to convey or possess a laptop/tablet computer, or associated equipment (i.e. data sticks, CDs) within a prison for these purposes.

However, the presence of an authorisation to bring such equipment into legal visits does not infer an automatic right to do so. It simply means that it is not a criminal offence to do so. Prisons may still impose additional administrative restrictions on items allowed into the prison where there are reasonable grounds to believe that these restrictions are necessary to prevent unauthorised communications by prisoners or other security breach. Unless there is good reason to suspect that this is the case then prisons should allow solicitors to bring necessary IT equipment into legal visits or implement alternative arrangements which allow solicitors to properly brief their clients electronically (such as use of specialised HMP laptops or remote docking points for solicitor laptops).

Prisons should put measures in place to minimise any associated risks where required. Any action taken should be proportionate to the potential risks in bringing

the equipment into legal visits, taking into account factors such as the prisoner type involved and the category of prison in question. Any action must be defensible in case of legal challenge.

Legal visitors must check in advance of any prison visit to confirm local restrictions on items allowed into the prison in question. Prisons should be clear of any local regulations and must check all items in and out of the prison at reception. Legal advisers are responsible for all equipment brought into the establishment and should ensure they have all items with them when they leave. Any requests for data, or IT equipment, to be passed permanently to the prisoner should be declared to the prison and considered under “Access to Justice Laptop” arrangements within the prison.

Any disagreements between legal advisers and prison staff about authorised items at legal visits, and which cannot be resolved at the time, should be put in writing to the Governor/Director of the establishment concerned. Any complaints that still cannot be resolved at local level may then be escalated to the Deputy Director of Custody or equivalent. The Law Society holds details of DDC offices and the prisons they cover. General queries on national policy in these areas can be made to NOMS headquarters (Emma.Prince@noms.gsi.gov.uk).

(PSI 10/2012, paragraph 5.19 – 5.27)

Annex G, Item 2: Summary of PSI 10/2010

Summary of PSI 10/2012 Restrictions Imposed on Legal Advisers Bringing IT equipment into Prison Legal Visits

1. Computers should be small, self-contained portable devices such as laptop computers or tablets.
2. Computer equipment which has built in Wi-Fi, 3G or other networking capabilities is allowed provided that the network capability is switched off and any external 3G dongle or SIM card is removed, where practical, and no attempt is made to transmit or receive images, sound or information in or out of the prison by electronic communications.
3. Computer equipment may contain built in cameras but if so fitted the camera may not be used to take photographs or video within any prison.
4. Computer equipment may contain a sound recording device. Legal advisers are authorised to make sound recordings of their clients for the purposes of advising them on the matter for which they are so engaged (and to take such recordings out of the prison with them), and in doing so may use computer equipment for this purpose rather than bringing in a separate sound recording device.
5. No data or items of equipment may be passed to the prisoner with the intention of this remaining in the possession of the prisoner. Separate procedures exist under “Access to Justice” arrangements to enable the prisoner to have possession of IT equipment and legal documents in electronic format.
6. All items must be checked in and out of the prison at reception. Legal Advisers remain responsible for the safe keeping of items taken into a prison. All losses must be reported to the prison immediately.

(PSI 10/2012, Annex 2(b), page 38)

Annex G, Item 3: Further guidance on IT equipment for prisons

Additional Guidance for Prisons

Mandatory Requirements for All Prisons

Prisons must in normal circumstances allow legal advisers to bring into prisons IT equipment that meets the conditions set out in Annex G, Item 2. Only if there is a reasonable belief that this facility is being misused (i.e. one that could be defended in court), should further restrictions be put in place. These must not contradict the restrictions imposed in the central authorisation. The Criminal Justice System is increasingly moving onto a digital platform and in due course every solicitor may need to bring a laptop/tablet computer into prisons for consultation with their clients.

If prisons do decide to impose additional restrictions, there must be a real possibility of a threat to security and not just a theoretical possibility of such a threat that could be mitigated by the restrictions.

Local Restrictions

We are aware that prisons have been undertaking the following practices. These are not valid restrictions or practices and must be terminated:

- not permitting wi-fi enabled laptop/tablet computers (nearly all such equipment is now wi-fi enabled as standard);
- asking solicitors for significant advance notice to bring in IT (i.e. several months); and
- asking solicitors for advance notice of corresponding serial numbers (it should normally be sufficient for legal advisers to inform prisons of these factors, as required, at the time of booking visits).

It is however acceptable for prisons to impose local restrictions on items not required at visits, for example, excess cables and power packs for IT. This may be in cases where the equipment is not needed by the legal adviser for the purpose of the visit or where facilities are not available for their use (i.e. plug sockets).

More sophisticated schemes, (such as the provision of prison laptops for use by solicitors) employed where enhanced security is required, are perfectly acceptable for all prisons provided the scheme is well administered and legal advisers are given notice of the requirement to use a prison laptop. This includes what computer media they will need to bring. In the absence of this type of scheme then legal advisers will need to bring in their own laptop/tablet computers.

Expectations

There is an element of trust implicit in allowing legal advisers to bring IT into legal visits. In order to assist prisons in facilitating legal advisors use of IT equipment during legal visits, it is assumed that:

- Wi-Fi, 3G or other networking capabilities including any external 3G dongle or card will be switched off where practical;
- no attempt is made to transmit or receive images, sound or information in or out of the prison by electronic communications;
- any built-in cameras must not be used to take photographs or videos within a prison (although computer equipment with cameras are permitted).

Mobile Phones and Mobile Phone Facilities

Legal advisers must not be allowed to bring mobile phones into prisons in any circumstances, except on the authority of the Deputy Director of Custody. It is recognised that many tablet computers have a mobile phone facility. In such cases, it would be reasonable to ask legal advisers to activate “flight mode” which serves to disable this functionality.

Communication

Legal advisers have been informed that they should check in advance of any prison visit to confirm local arrangements and restrictions and inform the prison of their intention to use IT during a legal visit when booking the visit.

Prisons must ensure that:

- legal advisers are clear about any local restrictions at the point of booking;
- any local measures are well-publicised and issued to all relevant solicitor firms;
- local arrangements are also included on prisons websites.

It is particularly important for high security prisons, who invariably have separate arrangements in place for visits to all categories of prisoners within these establishments, to ensure that these arrangements are effectively communicated to legal advisers.

Annex H - Wi-fi in cells

PROTOCOL FOR PROFESSIONAL COURT USERS'* USE OF IT AT CRIMINAL COURTS IN ENGLAND AND WALES**

DIGITAL WORKING IN COURT HOLDING AREAS AND CELLS

*** For the purposes of this protocol, the term 'professional court user' is used to refer to those parties, as defined by the CJS Efficiency Programme, which are drawn from a range of professional roles across the CJS, including prosecutors, defence solicitors, barristers, pupil barristers, legal executives, Youth Offending Team staff, social workers, intermediaries, Probation Service staff, drug referral workers and interpreters. Other professional parties that are not listed here, but which would reasonably qualify for inclusion within the scope of this range, should be accorded the same degree of access.**

**** For the purposes of this protocol, IT does not include mobile and smart phone devices (to be understood to mean those devices manufactured, marketed and sold as such).**

This protocol supersedes the 'Protocol for Legal Advisers' Use of IT' at 10 early adopter courts (Birmingham Magistrates' Court, Chelmsford Magistrates' Court, Croydon Crown Court, Birmingham Crown Court, Cardiff Magistrates' Court, Bromley Magistrates' Court, Sefton Magistrates' Court, North Tyneside Magistrates' Court, Chelmsford Crown Court and Portsmouth Magistrates' Court), dated November 2014. That protocol, in turn, superseded the Protocol for Legal Advisers' Use of IT during the Pilot at Birmingham Magistrates' Court and Chelmsford Magistrates' Court – Digital Working, dated June 2013. The terms set out in this document are extended to professional court users and all criminal courts in England and Wales in which Professional Court-User Wi-Fi (PCU WiFi) is installed, and remains current until such time as instruction to the contrary is issued.

Prison Service Instruction (PSI) 10/2012 'Conveyance and Possession of Prohibited Items and Other Related Offences' permits legal advisers to bring into court holding areas and cells, IT equipment that is necessary for consultation with their clients. This is permissible only under certain conditions, one of which is that Wi-Fi, 4G, 3G or other internet connectivity is switched off or otherwise disabled.

Professional court users visiting criminal courts in England and Wales are permitted to use IT equipment in court holding areas and cells with internet connectivity enabled without a prisoner present, but when a prisoner is present with the user, the following restrictions must be observed:

- Wi-Fi and other network capabilities are disabled prior to the arrival of the prisoner and for the duration of the session.
- Internet connection devices (i.e. dongles, mi-fi devices and tethered smart phones for the purpose of enabling associated IT) are removed from the equipment and area prior to the arrival of the prisoner and securely held.

No prisoner is to be allowed direct access to the Internet, telephone, video calls or other means of communication without prior authority given by the relevant prison.

The conditions contained within Prison Service Instruction (PSI) 10/2012 Conveyance and Possession of Prohibited Items and Other Related Offences in respect of IT equipment within court areas must continue to be observed [see Annex G, Items 1 and 2].

Furthermore:

1. Any breach or suspected breach of instruction contained in this protocol must be referred to the court manager for consideration to be given to the appropriate course of action to take.
2. Any complaints about the operation of this process that cannot be resolved with the court manager should be made via the appropriate court cluster manager. General queries on national policy in these areas can be made to NOMS headquarters via e-mail to paul.williams04@noms.gsi.gov.uk

**Security Group
National Offender Management Service**

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