

Guidance Note on Video Link Request

SDT VIDEO LINK REQUEST GUIDANCE NOTE

This Guidance Note has been prepared to ensure all video link requests are dealt with consistently and efficiently, with the least disruption to any hearing where a video link is requested.

In this document, the word “witness” includes the Respondent. Please note that failure to follow the procedure set out in this guidance note when making a video link request may result in a video link not being available.

If you require any additional information or clarification, please contact the Case Management Team (Enquiries@solicitorsdt.com)

1. Where should a video link request be sent?

Initial requests for video links should be made using the application form ‘Application for A Special Measures Direction’ which can be found on the Tribunal’s website. Information regarding evidence by video link should also be added to the Certificate of Readiness before filing with the Tribunal.

The Case Management Team is responsible for confirming court availability, referring the requests to a Tribunal for agreement once the position of the other party (or parties) has been obtained (if this has not happened at a previous hearing) and listing the case in the appropriate Court Room.

2. Will there be a test link prior to the day of the hearing?

Yes. A date is arranged with the witness giving evidence remotely to test the link before the hearing to ensure there are no problems.

On the day of the test link and the day of the hearing where the video link is being used, the witness giving evidence remotely will need to follow the instructions below:

- Please enter the following address into your web browser or click on the link <https://join.dial.vc/uci2i/>

- It will prompt you to a website which will ask you to enter details of the ‘Person or Conference to Call’ Enter vmr.solicitors.dscpln.tribunal@dial.vc
- Where prompted please provide your name
- You will then be prompted to enter the password which is provided by the Case Management Team
- Click on the blue “connect” button
- You will then be connected to the Court Room
- Once you have finished please end the call.

3. What happens on the day of the hearing?

The clerk to the case (without the Tribunal present) will:

- Introduce him/herself to the witness;
- Check the identity of the witness and that they have available a witness bundle;
- Check that the witness has the affirmation or Oath wording and, in the latter case, has available a copy of the appropriate Holy Book;
- Check that the witness can see the Court Room;
- Check if the party calling the witness has explained the procedure, and if not, answer any questions the witness may have;
- Inform the witness that if they need a break they should ask the Tribunal;
- Inform the witness of the names of the Tribunal Members and the advocates for each party;

- Inform the witness that there will be a pause whilst the Tribunal Members (and parties) are brought into Court;
- When all are gathered, the recording of the hearing will begin. Some adjustments may need to be made to the microphone or witnesses may be asked to speak up if there is any problem recording what they say;
- Witnesses should be aware that they may be asked questions from one direction, but will need to answer in the direction of the Tribunal;
- In the case of successive witnesses who are due to give evidence about the same events by video link, particularly where a) they are due to do so from the same room; b) where the events in question are controversial; or c) where there is any suggestion that arrangements are required to guard against the accidental or deliberate contamination of a witness' evidence by communication with one who has already given evidence, the Tribunal must be asked to give appropriate directions. Subject to those directions, the usual arrangement will be that a witness who has been released should remain in sight of the Court Room, by means of the video link while the next witness enters, and then should leave: so that the Tribunal will be able to see that no inappropriate communication between the two has occurred.

4. Additional Information

Parties must ensure witnesses participating via video link have been provided with an unmarked witness bundle. The Applicant should confirm to the Tribunal that this has been done. If any papers to be added to the hearing bundle are to be used, the party proposing to introduce those papers must ensure that the witness is given a copy in advance.

It is important that time estimates provided in the Hearing Timetable are as accurate as possible to assist staff with listing hearings and managing the link.

The Tribunal cannot be held responsible for technical issues and the loss of connection even after a test link has been carried out.

