

**THE SUPREME COURT OF THE UNITED KINGDOM
THE JUDICIAL COMMITTEE OF THE PRIVY COUNCIL**

Arrangements during the Coronavirus Pandemic for Michaelmas term

Lord Reed, as President of the Supreme Court and Chairman of the Judicial Committee, issued a Practice Note in May to set out in more detail the arrangements which were put in place at the start of the Covid 19 pandemic.

These arrangements will now continue during Michaelmas term with some minor modifications and, for ease of reference, the Note is set out in full below.

The Practice Directions which apply in both courts should be read in the light of these arrangements and amendments to the Practice Directions will be published shortly.

THE REGISTRIES

Registry staff

The Registries of the Supreme Court and of the Judicial Committee are operating remotely. If you have any questions which are not answered by the points below please email the registry on registry@supremecourt.uk or registry@jcpc.uk and a member of staff will contact you.

Papers for filing

All documents, forms and notices etc should be sent to the registry electronically until further notice. Parties should email their documents to the relevant registry and the document will be treated as having been filed on the next business day. If the document carries a fee, please contact the registry for our bank details.

Papers under 10MB in size can be sent to the relevant Registry attached to an email. For documents over 10MB see **SharePoint** below and the Annex to this Note.

Parties will be contacted if hard copies of documents are required.

Papers for permission applications and hearings

Rule 7 of the Supreme Court Rules and Rule 7 of the Judicial Committee (Appellate Jurisdiction) Rules require that documents filed in hard copy must also be provided by electronic means but this requirement was not enforced for permission applications etc. although electronic bundles are, and have been, required for appeal hearings.

All papers must now be supplied electronically. Parties will be contacted in the unlikely event that hard copies are required.

Preparation of the electronic bundle for hearings is dealt with in UKSC Practice Direction 14 and JCPC Practice Direction 8. Particular points to note are

- Where documents are only available in hard copy and have to be scanned, the resultant pdf files must be subjected to a process of optical character recognition (OCR). Those documents within the bundle that are produced through electronic conversion rather than scanning should also be text searchable.
- The Appendix is not to be treated as a single document so links to each document in the Appendix must be provided.
- Individual documents within larger documents must also be indexed and bookmarked.

In appeals the registry will ask for a key documents bundle to be supplied in hard copy. Parties will be informed what is to be provided.

Earlier receipt of papers

In several cases papers are filed close to the hearing and this greatly hampers the Justices' preparation time. The Practice Directions will be amended to provide for the timetables for filing cases, core volumes and authorities to be brought forward by 2 weeks in each case so that all papers are received four weeks before the date of the hearing. In order to facilitate this, applications for permission to intervene should be filed 10 weeks before the hearing.

Parties are asked to adhere to these timings with immediate effect.

Parties are not permitted to amend the electronic bundle which is filed for an appeal in the two-week period before the hearing. This is because the Justices may have already started working on the case and have annotated the bundle. Any documents which have to be provided in that period must be provided as an additional bundle.

SharePoint

The registries have a facility for external users to upload papers to SharePoint and will no longer ask for USB sticks. SharePoint will become the system by which all electronic papers should be filed with the both the UKSC and JCPC. Parties will be asked to contact the Registry first to ask for a 'unique link' that will be made available for them and there is a detailed guide containing step by step instructions in the Annex to this Note. Registry staff will, of course, be happy to help too.

Time limits

Time limits will be applied flexibly and parties should bear in mind that in accordance with the overriding objective of the Rules unnecessary disputes over procedural matters are discouraged.

Applications for an extension of time

There is no need to make a formal application for an extension of time for any period of less than **3 weeks**, unless the application relates to a hearing which is listed in the 8 weeks from the date of the application. Parties should email the

relevant registry with the necessary details, making sure to copy all parties into the email.

Urgent applications

Parties should contact the Registrar louise.dimambro@supremecourt.uk if an application is genuinely urgent. The relevant registry and the respondent should be copied into the email.

Orders

Orders which are signed by the Registrar will be issued electronically as usual but will not be sealed.

The Privy Council Office has authorised the arrangements for Orders in Council: these will not be sealed or signed by the Clerk who attended the meeting of the Privy Council. But the Registrar can despatch them as usual and they are to be treated as authentic.

HEARINGS

Hearings will be conducted via video conferencing facilities and parties will be contacted with the necessary information about the hearing and the testing arrangements beforehand. Hearings will be live streamed as usual although there may be a slight delay before the video on demand recording is available.

Post hearing submissions

The registry has been asked to ensure compliance with UKSC PD 8.9.1 and JCPC PD 7.11.1 which regulates the provision of material after the hearing. Presiders are being asked to let the Registrar or the registry know if counsel have been asked for further submissions and what timescale if any has been set. It will be very helpful to the registry if counsel make it clear that they are providing submissions for which the Court or the Board has asked.

JUDGMENTS

As usual, an announcement will be made via the relevant website when a judgment is to be given. Judgments will be streamed from the websites in the usual way. Judgments will in most cases be delivered on a Friday.

COSTS

Queries in relation to costs should be emailed to costs@supremecourt.uk

Lord Reed of Allermuir

September 2020

ANNEX

Filing papers electronically with the UKSC and JCPC

When you have papers to lodge that are too large to email (over 10 MB) please contact the Registry to ask them to give you access to our upload area. They will ask you for an email address to which they will send access permissions.

You will receive an email that looks like this:



Daniel Waller shared a folder with you

Here's the folder that Daniel Waller shared with you.



Robin Hood v Prince John

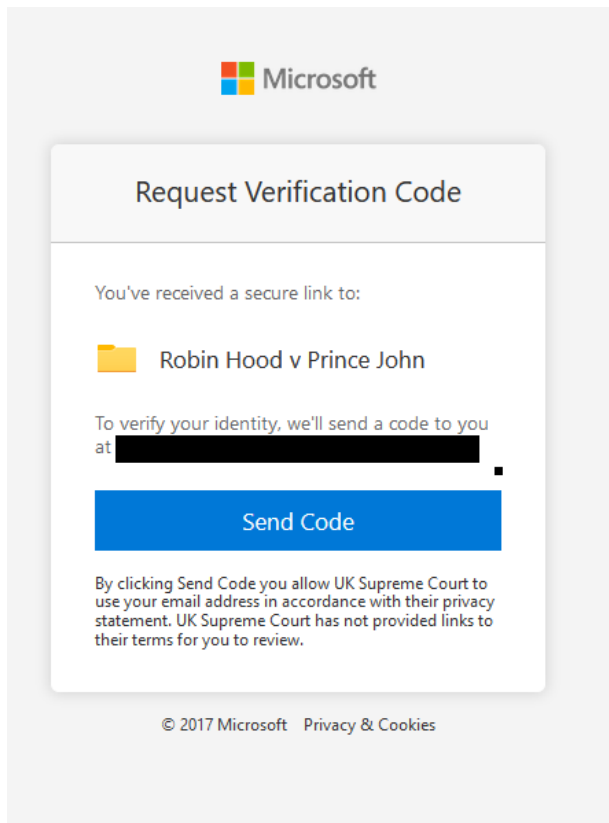


This link only works for the direct recipients of this message.

Open

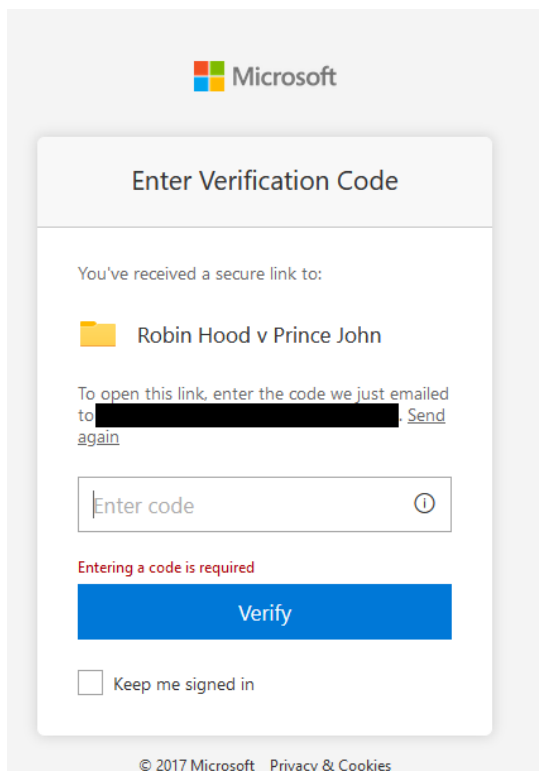
Please click open.

This will take you to a web page that looks like this:



Please click send code.

A screen appears for you to input the code which you will receive by email.




Once you put the code in and click verify you'll be taken to the SharePoint area where you can then click upload to upload your files, or drag and drop if your browser supports that.

RE **Registry External Uploads**
Private group

Search + New ↑ Upload ↗ Share 🔗 Copy link ↓ Download ⚙ PowerApps

Documents > Robin Hood v Prince John

Name	Modified	Modified By
 Drag files here		

Once you have finished uploading your files please inform Registry who will then take the files and close the access area. Should you need to lodge further papers you must request a fresh link.