

**The Business and Property Court in Newcastle upon Tyne
Conduct of hearings between now and 6 July 2020 before HHJ
Kramer and the BPC District judges generally.**

This letter contains practical information about what to do if you have a trial or application listed before the Specialist Judge in the Business and Property Court in Newcastle upon Tyne between now and 6 July 2020 and touches upon the arrangements for hearings before District Judges.

It is hoped that, notwithstanding the present public health emergency, wherever possible, all trials and applications will proceed on the dates listed but will be attended by advocates, parties and witnesses remotely using Skype for Business, Zoom video conferencing, if that becomes authorised, or BT Meet Me. I have asked for this letter to be circulated as I and the BPC staff will need substantial assistance from the legal profession to achieve this end and to let you know what to expect. I am very grateful to the chambers in Newcastle for circulating the letter to their clients. It seemed to me to be the most effective way of reaching out to you all. A copy of this letter will also be posted on the Rolls Building Newcastle BPC site and on the BPC Forum site which, for those who have not yet made a visit, is newcastle-bpcf.org.uk. Updates will be found on both sites.

Trials

In all trials listed before the Specialist Judge between now and 6 July 2020 there will be a case management hearing in the week commencing 30 March 2020 and possibly the week commencing 6 April 2020. Each hearing will be approximately half an hour in length. Some flexibility in attendance will be required and it may be that an “applications day” approach is taken.

Representatives for parties to such trials will shortly receive an Order from the Court asking for information. Please comply with that Order as soon as possible. If you represent a party to such a trial, you must within the time specified in the order provide by email to newcastlechancery@justice.gov.uk

- (1) the name of your party;
- (2) the name of your party's advocate;
- (3) an email address which can be used by the Judge to invite them to join the hearing using Skype for Business or Zoom; and
- (4) their availability between 10am and 4pm during the period 30 March to 9 April 2020.

If you represent a claimant in such a trial, you must also include—

- (1) a short *neutral* summary (no more than 250 words) of what the dispute is about;
- (2) the duration of the listing;
- (3) the approximate likely size of the trial bundle;
- (4) the number of live witnesses for all parties;
- (5) any problems which you anticipate may arise in joining any witness to the trial remotely;
- (6) any other problems which you foresee in holding the trial remotely.

This information should be contained in the body of a single email rather than in attachments.

You may also provide the email addresses of others who may wish to attend the hearing so that the Judge may invite them to join.

Applications

If you represent a party to an application listed before the Specialist Judge between now and 6 July 2020, you must within the time specified in the order by email to newcastlechancery@justice.gov.uk

- (1) the name of your party;
- (2) the name of your party's advocate;
- (3) an email address which can be used by the Judge to invite them to join the hearing using Skype for Business or Zoom; and
- (4) an application bundle in PDF format, with a table of contents, bookmarks and full OCR capability (i.e not mere scans), limited to 150 pages in length.

You may also provide the email addresses of others who may wish to attend the hearing so that the Judge may invite them to join.

All hearings

It is also hoped that a unique URL for each hearing will be posted on the website of the Newcastle Business and Property Court Forum (newcastle-bpcf.org.uk) to enable any member of the public who wishes to attend remotely to do so and in that way the hearings will be treated as public.

Hearings will not be robed.

You may wish to spend some time before any hearing familiarising yourself (and any other person who is to appear such as witnesses) with Skype for Business and Zoom. Participants in hearings will find that having two screens available to them makes this work considerably easier.

Hearings before District Judges

The district judges will continue with their lists, where possible, albeit remotely. Hearings will usually be by BT Meet Me. Any listing arrangements for such hearings will be arranged through the court staff. The DCJ has put out a protocol for the conduct of telephone hearings during this emergency period. It is to be followed for telephone hearings before BPC DJs. Further information is likely to be forthcoming shortly in relation to insolvency hearings.

Philip Kramer

24 March 2020.