

Court hearings, possession cases and Covid-19

This is my second update on litigation during the Covid-19 lockdown. To see my update on anti-social behaviour and Covid-19 please click in this [link](#).

From today (27 March 2020) following a decision by the Master of the Rolls (with the Lord Chancellors agreement) the court service will suspend all ongoing housing possession actions – this means that neither cases currently in the or any about to go in the system can progress to the stage where someone could be evicted. This suspension of housing possessions action will initially last for 90 days, but this can be extended if needed.

This measure will protect all private and social renters, as well as those with mortgages and those with licenses covered by the Protection from Eviction Act 1977. This will apply to both England and Wales.

What this means for possession actions

This means you can still serve notices and issue proceedings but will not be able to enforce any such orders whilst the suspension is in place. The full text of the new practice direction 51Z can be viewed on this [link](#).

Are court hearings still happening?

Court hearings are still taking place but urgent matters are being prioritised.

Work is being done to improve access to technology to allow hearings by phone or video to minimise risk to court users, court staff, legal professionals and the judiciary.

It is recognised that not all hearings can be conducted remotely and that not all court users will have access to the technology that enables this. Where attendance at court is required, measures have been put in place (or are being put in place) to facilitate social distancing including:

- queuing to get into court buildings
- going through security checks
- inside hearing rooms and public galleries
- when moving to and from courtrooms.

I plan to provide an update on the new powers to disperse and enforce the Covid-19 related measures during the coming week.



Kuljit Bhogal is a barrister and a leading expert in anti-social behaviour law. She has been instructed in the all of the PSPO cases that have reached the courts and is able to advise and conduct advocacy in relation to all of the powers in the Anti-Social Behaviour, Crime and Policing Act 2014. She can also advise on the use of other powers such as s.222 of the Local Government Act 1972.

She is author of *Cornerstone on Anti-Social Behaviour, 2nd Ed, May 2019.*