

COVID-19 and the Family Courts in Northern Ireland - litigants' questionnaire

Have you experienced family court proceedings during the COVID-19 crisis? We want to hear from you.

The measures put in place to tackle the spread of COVID-19 have resulted in rapid changes in family courts in Northern Ireland. Many face-to-face hearings have been adjourned. This means that many hearings are now taking place via telephone or video.

The School of Law at Ulster University, funded by the Nuffield Foundation, is conducting a survey on the impact of COVID-19 on family justice in Northern Ireland.

Survey responses will provide views and perspectives that can help court processes, recovery planning and the future use of remote technology in family justice.

The survey is live now until midnight on Wednesday 11 November 2020. It takes about 15- 20 minutes to complete.

The survey is led by Principal Investigator Professor Gráinne McKeever, email: lipni@ulster.ac.uk (<mailto:lipni@ulster.ac.uk>).

* Required

Your consent to take part

The purpose of the survey is to understand the impact of COVID-19 on the family justice system in Northern Ireland. We want to understand the experiences and perceptions of people involved in family law cases.

This questionnaire is for parents and other family members involved in a family law case.

Your responses will be treated in confidence and no personal identifiers will be used in the reporting of the survey. If you wish to take part in an additional study, you have the option to provide an email address so we can reach you. Providing your email address will not affect the confidentiality of your survey responses.

Use the BACK button if you wish to review your answers.

For more information on this survey, please click here:

<https://www.ulster.ac.uk/research/topic/law/impact/litigants-in-person/covid-19-consultation>
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1. I confirm that I understand the purpose of this survey and agree to participate. *

Yes

No

2. I also confirm that I have been involved in family proceedings since the end of March 2020. *

Yes

No

Involvement in family proceedings

3. What is your role in your family law case? *

Parent / legal guardian

Other Relative

Other

4. What type of family case(s) have you been involved in since the end of March 2020?

*

PUBLIC cases involve a Health and Social Care Trust.

PRIVATE cases are between private individuals, e.g. a mother and a father.

Public

Private

Both

Not sure

5. Please tell us how you have kept-up-to-date with changes in how family courts are operating due to COVID-19? Select all that apply:

Looked online

Went to the court house

Phoned NICTS

My lawyer or legal advisor told me

Contacted advice centre / group

I haven't kept up to date

Other

Keeping up-to-date with your case

6. When did your case start?

- Before the end of March 2020
- Since the end of March 2020

7. Have you been contacted about your case since the end of March?

- Yes
- No

8. If you have NOT been contacted by anyone, were you expecting to have been contacted by now?

- Yes
- No
- Not relevant

9. How were you contacted about your case since the end of March 2020? Select all that apply:

- I received an email or letter from the court about my case.
- I received a phone call from the court about my case.
- I have been in contact with a lawyer or legal advisor about my case.
- The judge in my case contacted me directly.
- The other party contacted me.
-

Other

10. What were you contacted about? Select all that apply:

- Dates of hearings
 - Meeting the Court Children's Officer
 - Settling out of court
 - Providing evidence for my case, e.g. test results, statements, affidavits
 - Delaying the case
 - Not applicable
 -
- Other

11. Since the end of March, have you made any new applications in relation to your family case?

- Yes
- No

12. Since the end of March, have you been required to submit any documents in relation to your family case?

- Yes
- No

13. Has there been any attempt to settle your case out of court since the end of March 2020? *

- Yes
- No
- I don't know

14. Which of these statements do you agree or disagree with?

Select Not applicable if they do not apply to you.

	Agree	Disagree	Not applicable
My solicitor deals with any paperwork	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I could not find the form I needed to make the application	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The application form was easy to fill in	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Obtaining legal advice was difficult due to COVID-19	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
It was easy to find guidance and support on how to deal with the paperwork for my case	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Submitting documents requested by the court was difficult	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Conversation with a judge

Some cases are being dealt with by judges talking directly to one party on the phone or via video.

15. Have you spoken directly to the judge in your case without the other side being present - for example, over the phone?

Yes

No

16. If yes, how many times:

Once

2-3 times

More than 3 times

17. Please say if you agree or disagree with these statements:

	Agree	Neutral	Disagree
The judge put me at ease	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The judge explained the reason for the call	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I was content to talk to the judge on the phone	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I felt under pressure to agree to the judge's suggestions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I felt the judge took my points of view on board	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
It felt like a fair way to deal with my case	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I was happy with the outcome of the conversation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

18. Please tell us more about your conversation with the judge, if you wish:

Notification of hearings

A hearing is when the two sides of a case come together in front of a judge.

19. Have you received notification of a hearing from the court since the end of March 2020?

Yes

No

20. How were you informed of the date of your hearing(s)? Select all that apply:

Letter from the court

Email from the court

Telephone call from the court

I contacted the court

Judge told me

My solicitor informed me

Other

21. Were you offered a choice about the format of your hearing(s) - in court, by phone or by video?

Yes

No

Not sure

22. Did you want to choose the format of your hearing and why was it important to you?

23. Did you get your preference?

Yes

No

24. Please tell us why your preference was important to you.

25. What information was provided to you about how to attend your hearing? Select all that apply:

How the hearing would be conducted - phone, video or in person

Guidance on how to join / attend

Information on who would be present

Information for people with disabilities, vulnerabilities, not familiar with technology

None

Can't remember / not sure

Other

26. If you received information, how useful was it?

Not useful at all 1 2 3 4 5 Very useful

27. In general, how good has your communication with the court been since the end of March?

Very poor 1 2 3 4 5 Excellent

Information about attending hearings during COVID-19

A hearing is when the two sides of a case come together in front of a judge.

28. Did you look for information about attending a hearing during COVID-19?

Yes

No

29. Did you find any?

Yes

No

30. Where did you find information about attending hearings during COVID-19? Select all that apply:

I found information about England & Wales, not Northern Ireland

I found information about Northern Ireland online

The court told me where to look

It came in an email / letter from the court

It came from my solicitor / barrister

It came from someone else

Other

31. Please rate how helpful this information was in general?

Not helpful at all 1 2 3 4 5 Very helpful

Attending hearings - face-to-face in court, by phone or by video

A hearing is when the two sides of a case come together in front of a judge.

Currently, people are participating in hearings face-to-face in court, by phone and/or by video.

32. Have there been any hearings in your case since the end of March?

Yes

No

33. What types of hearings have you been involved in since the end of March? Select all that apply:

Directions / case management

Review

Fact finding

Final

None

Unsure / can't remember

Other

34. Have you attended any hearings since the end of March - face-to-face in court, by phone and/or by video?

Yes

No

Other

35. How many hearings - all formats - have you attended since the end of March?

- 1
- 2
- 3
- 4
- 5
- 6 or more

36. How many hearings - by phone or video - have you attended since the end of March?

- 1
- 2
- 3
- 4
- 5
- 6 or more

37. How have you participated in a hearing since the end of March 2020? Select all that apply:

- By video
 - By phone
 - In court
 - None of these
 - Not sure
 -
- Other

38. How were the other people in your hearing(s) attending mostly?

	in court	by video	by phone	not present	don't know	not applicable
Judge	<input type="radio"/>					
Lay magistrate	<input type="radio"/>					
Court clerk	<input type="radio"/>					
The other party's solicitor / barrister	<input type="radio"/>					
The other party	<input type="radio"/>					
Court Children's Officer	<input type="radio"/>					
Witnesses/experts	<input type="radio"/>					
McKenzie Friends	<input type="radio"/>					
Interpreter	<input type="radio"/>					
Intermediary	<input type="radio"/>					

39. What did you think of these arrangements - e.g. was it practical, efficient, easy to hear what was going on, easy to see people etc.

40. Do you have any disability or language issues?

Yes

No

41. Was the court aware of them?

- Yes
- No
- I don't know

42. Were they taken into consideration by the court?

- Yes
- Partly
- No

43. Please explain the impact of this on your case:

44. What is the reason you did not attend your hearing? Select all that apply:

- My lawyer attended on my behalf
- I was given the choice to attend but decided against it
- I did not want to attend using video
- I did not want to attend using the phone
- I felt under pressure not to attend
- I did not know it was taking place
- I was told the court will decide my case without me attending
- I was told it was in the best interests of my child(ren) to hold the hearing without me
-

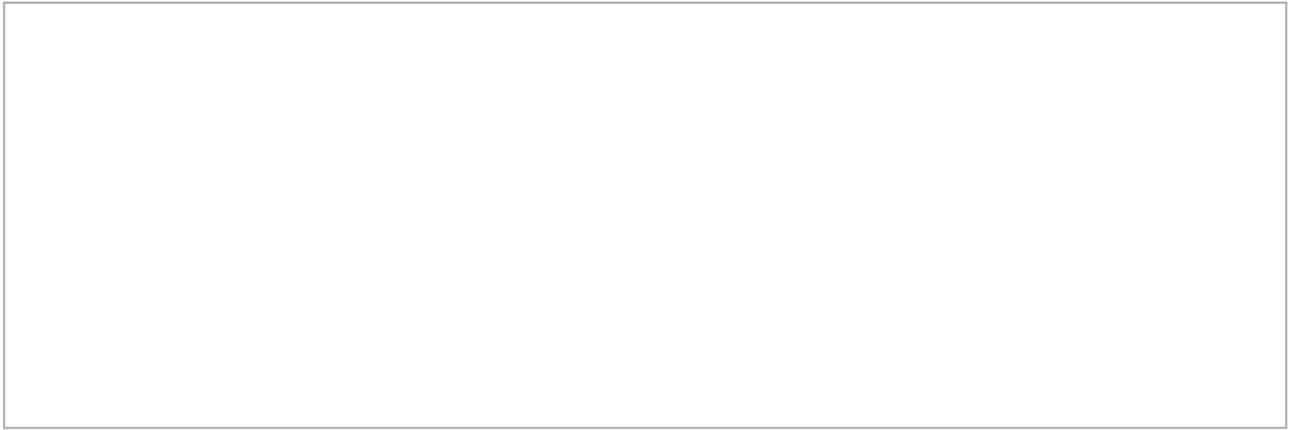
Other

45. As there have been no hearings, which of these statements apply to you? Select all that apply:

- I have been given a date for my hearing
- I've applied for a hearing and I'm waiting to hear
- I have been told my case is delayed
- I was expecting a hearing by now
- I'm unsure about what is happening in my case
- I have been told why the hearing has not taken place
-

Other

46. If you have been told the reason why no hearing has taken place, what is the reason?



Access to remote and hybrid hearings

A remote hearing is when all people in the hearing join by phone or video.

A hybrid hearing is when some people meet face-to-face in court and others join remotely.

47. How confident are you to use technology to access remote or hybrid hearings?

Not at all confident 1 2 3 4 5 Very confident

48. Have you participated in a remote or hybrid hearing? *

Yes

No

49. What equipment have you used to attend remote or hybrid hearing(s)?

Mobile phone

Landline

Computer/laptop

Tablet

Other

50. What platforms have you used in remote or hybrid hearings? Select all that apply:

Phone

Sightlink

SKYPE for business

Zoom

Microsoft Teams

I don't know

I was in court and I do not know what platforms the remote participants were using

Other

51. Were you helped to access the platform?

Yes

No

52. If you were helped, who by:

53. Who controlled the technical aspects of the hearing(s)? For example, un-muting microphones, allowing access to participants, controlling the documents on screen. Select all that apply:

Court staff

The judge him/herself

Solicitor or barrister

N/A - no technical support was provided

I don't know

Other

54. How satisfied are you with the technical support provided?

Satisfied

Mixed experience

Dissatisfied

55. As you have attended a remote or hybrid hearing, which of the following statements do you agree or disagree with?

	Agree	Neutral	Disagree	not applicable
It was explained to me how to use the platform	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I was glad not to have to travel to court	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I felt the parties had equal opportunities to present their points	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I did not understand what was happening	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
It was difficult for me to get the judge's attention to speak	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I was worried about my ex being in the hearing too	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I had someone with me to help me	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I could not see the papers being discussed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The judge made me feel at ease	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I was content to attend a hearing in this format	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

56. Have you experienced any difficulties with remote hearings? Select all that apply:

- Phone / wifi connection problems
- No or low phone credit / data allowance
- No suitable device
- No quiet / private space for the hearing
- Problems with sound or picture
- Couldn't tell who was speaking
- Someone not in my case joined my hearing

None

Other

57. Is there anything else to add about your remote or hybrid hearing(s)?

58. In your experience, are the changes to hearing formats to accommodate for COVID-19 working well?

- Yes
- No
- Not sure

59. Please explain:

Please include good practice and suggestions for improvement:



Communication during hearings

A remote hearing is when all people in the hearing join by phone or video.

A hybrid hearing is when some people meet face-to-face in court and others join remotely.

60. Do you have legal representation for your case? This means a solicitor and/or barrister presenting your case for you. *

- Yes
- No
- I have had some legal advice but I am not represented in my hearing(s)
- I'm not sure

61. If you have legal representation, have you been able to communicate with your solicitor or barrister immediately BEFORE or AFTER remote or hybrid hearings? *

- I don't have legal representation
- Yes
- No

62. How did you communicate with your solicitor or barrister before / after remote or hybrid hearings? Select all that apply:

- By text - e.g. SMS, WhatsApp
- By phone
- By email
- Using the hearing platform - e.g. a breakout room
- They are in the same room as the litigant
- I don't know

Other

63. If NO, what prevented you from communicating with your solicitor or barrister?
Select all that apply:

Lack of privacy

He / she was unavailable

There was no opportunity

There was nothing to say

Other

64. Have you been able to communicate with your solicitor or barrister DURING remote or hybrid hearings? *

Yes

No

65. How did you communicate with your solicitor or barrister during remote or hybrid hearings? Select all that apply:

By text - e.g. SMS, WhatsApp)

By phone

By email

They are in the same room as the litigant

Using the hearing platform - e.g. a breakout room

I don't know

Other

66. If NO, what prevented you from communicating with your solicitor or barrister?
Select all that apply:

- Lack of privacy
- He / she was unavailable
- There was no opportunity
- There was nothing to say
- I don't know
-

Other

67. Have you been helped by an interpreter or intermediary or McKenzie Friend in your case since the end of March 2020?

Interpreters provide translation for parties who don't understand English, or who have a hearing impairment.

Intermediaries are appointed by the court to help vulnerable witnesses or parties to make sure that they can fully take part in Court proceedings.

A McKenzie Friend is a non-professional helper or adviser to a party who does not have legal representation.

	Yes	No	Not sure
Interpreter	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Intermediary	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
McKenzie Friend	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

68. If you have been helped by an interpreter, intermediary and/or McKenzie Friends in your hearings, please tell us about your experience:

Impact of Covid-19

COVID-19 has had an impact on how courts are operating. What has this meant to you?

69. Thinking about your case, please select the statements which apply to you:

	applies to me	doesn't apply to me
I have not been able to see my children because of adjournments in my case	<input type="radio"/>	<input type="radio"/>
I have an existing court order but it has not been possible to follow it	<input type="radio"/>	<input type="radio"/>
I have been able to maintain contact with my children	<input type="radio"/>	<input type="radio"/>
My case has been adjourned for over three months	<input type="radio"/>	<input type="radio"/>

70. Please add more detail about the impact of COVID-19 on your family case, if you wish:

71. In your opinion, is your case being dealt with fairly?

Not at all fair 1 2 3 4 5 Fair
○ ○ ○ ○ ○

72. Are you happy for us to contact you about this survey? If so, please give us your name and email address:

Equality monitoring

You are not required to answer this section but your answers will help us understand whether remote hearings affect people differently depending on their backgrounds and circumstances.

73. Your age is ...

- under 18
- 18-25
- 26-35
- 36-45
- 46-55
- 56-65
- 66 or older
- Prefer not to say

74. Your sex is ...

- female
- male
- Prefer not to say

Other

75. Your ethnicity is ...

- White - British
- White - Irish
- White - Other
- Irish Traveller
- Asian - East Asian (including South East Asian)
- Asian - South Asian
- Black - African
- Black - Caribbean
- Arab
- Mixed
- Prefer not to say

Other

76. Your sexual orientation is ...

- straight
- gay or lesbian
- bisexual
- Prefer not to say

Other

77. Your community background is ...

Roman Catholic

Protestant

Neither

Prefer not to say

Other

78. Your political background is ...

Nationalist

Unionist

Neither

Prefer not to say

Other

79. Do you consider that you are a disabled person?

Yes

No

Prefer not to say

80. Are you ...

- married
- in a civil partnership
- neither
- Prefer not to say

81. Are you in the process of or have you transitioned from one gender to another?

- Yes
- No
- Prefer not to say

82. Do you have dependents or caring responsibilities?

- Yes
- No
- Prefer not to say

83. Are you pregnant, on maternity leave or returning from maternity leave?

- Yes
- No
- Not applicable
- Prefer not to say

84. Where do you live?

In a city or town?

In a village

In rural area

Prefer not to say

THANK YOU for your interest in the survey.

We appreciate the time you have taken to complete it.

THANK YOU for your interest in the survey.

We can only accept responses if you understand the purpose and agree to take part.

THANK YOU for your interest in the survey.

The scope of this survey is limited to on-going or new family proceedings cases in Northern Ireland since the end of March 2020.

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