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Covid-19 and Court Procedures

An Access to Justice Report

sponsored by the IBA Rule of Law Forum

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The IBA is headquartered in London, with offices in São Paulo, Seoul, The Hague and Washington, DC.

The IBA Rule of Law Forum's purpose is to encourage and assist the membership of the IBA, both member organisations and individual members, to respond on a continuous basis to the call of the IBA Council, at the end of its Resolution passed in Prague in September 2005, 'to speak out in support of the Rule of Law within their respective communities'.

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Introduction

The Covid-19 pandemic presented the most widespread challenge to every aspect of social interaction across the globe in a century. Because the pandemic occurred at a time when technology and online connectivity could intervene, countries around world were able to safely keep courts functioning, notwithstanding social distancing and other hygiene measures that encouraged or mandated isolation. Courts in developed and developing countries alike used technology, including the internet, videoconferencing and telephone communications to facilitate hearings. In this way, the pandemic accelerated technological change to ensure that efficient and effective access to justice could continue to be delivered by court systems. Many of these innovations, including videoconferencing and digital/online filing of court documents can still be used to continue to deliver efficient and effective access to justice, even as public health requirements restricting in-person gatherings recede.

This report was commissioned by the Rule of Law Forum of the IBA to provide a handy overview to assist lawyers in understanding how courts in various countries adapted during Covid-19. The report is organised as a survey that covers how courts in each country covered generally managed filings/document intake, discovery, and hearings – including the use of social distancing, hygiene and virtual hearings – during the pandemic. This survey is not intended to be exhaustive or overly technical. Instead, it provides a starting point for future research. Its aim is to provide a brief snapshot in time to illustrate how courts in each country generally adapted. In addition to covering courts, information from certain countries is presented that cover several other justice-related topics that required increased attention during the pandemic, including domestic violence, and prison management.

The IBA Rule of Law Forum believes that the information in this report can be used on a go-forward to understand significant cross-border trends regarding formal and informal delivery of access to justice during periods of extreme stress and change. Moreover, it demonstrates what transformations can be achieved when deemed necessary – in this case, to conform with public health measures – in a variety of countries with widely differing legal systems and funding constraints.

The IBA Rule of Law Forum believes that these transformations should also spur further discourse on what can be retained and improved upon going forward in order for legal systems to continue to deliver efficient and effective access to justice as life (and courts) return to normal post-pandemic.

The IBA Rule of Law Forum

Overview
This chart provides a broad overview of the Covid-19 court proceedings of 22 countries.

The Hearings column discusses if and how courts have adapted as a result of Covid-19 and related social distancing efforts. The Filings column discusses if there has been any change to how court documents are submitted to courts and parties, either electronically or by mail. The Miscellaneous column covers any additional changes to the general justice system as a result of Covid-19. Finally, the resources cited provide additional detail, including specific legislation and additional information about the how the country's justice system has dealt with the pandemic.

In terms of limitations, it is challenging to find resources published in English as many countries discussed below do not speak English as their official language. In the few resources included which were published in the relevant country's national language, Google Translate was used to provide an English translation. For some countries we were unable to find any filings information.

Country	Hearings	Filings	Miscellaneous
Argentina	Since March 2021 federal and provincial courts have taken a series of measures to address the impact of the pandemic on litigation processes. Both the Supreme Court of Justice and the Court of Appeals in Commercial Matters have rules and guidelines on this matter.[1] Currently, the majority of hearings are conducted via online videoconference. There is no general or mandatory protocol, and each court is free to choose the platform its judges deem most convenient to conduct the hearings, such as Zoom, Microsoft Teams or Cisco Webex. In general, this practice has achieved a strong level of acceptance by litigants in the few months it has been in place; however, not every court has applied it, resulting in delays in some cases.[2]	As of 18 March 2020, all filings that come under the scope of the national and federal judiciary must be made in digital format through the Judicial Electronic Identification (IEJ – Spanish acronym) system. This excludes initial filings that cannot be digitally entered.[3]	In some cases, changes resulted in faster proceedings, as notifications to the parties, and communications between courts and other agencies, proceed almost exclusively electronically. However, some cases have seen little or no progress because they were not digitalised before the pandemic.[4]
Australia	Several Australian courts allow documents to be filed electronically and hearings to be conducted virtually, unless there are exceptional circumstances or the matter cannot be dealt with via phone or videoconference.[5]	Documents may be filed electronically.[6] The High Court of Australia, for example, lodges documents online through the Digital Lodgment System Portal. Registry services are conducted online or via telephone, court documents are filed digitally, and electronic signatures have been permitted temporarily.[7]	In cases concerning domestic violence, there have been awareness-raising campaigns to promote reporting, including: funding for the national domestic, family and sexual violence hotline;[8] and a 'Help is Here' campaign, which provides information on who to ask for help.[9] Survivors can now apply for restraining orders online,[10] while the Family Court and Children's Court are allowed 'to issue interim restraining orders on an ex-parte basis'.[11]

			With regards to protective orders: • the Criminal Code has been changed to allow courts to require offenders to be subjected to electronic monitoring;[12] • a breach of a family violence restraining order has become a separate offense;[13] and • there is an increased penalty and extended 'limitation period for prosecuting breach of restraining order offences to two years'.[14]
Brazil	Resolution 313 (19 March 2020) of the Brazilian National Council of Justice (*Conselho Nacional de Justiça*) put all courts on an Extraordinary On-call Regimen (*Plantão Extraordinário*), during which courts' 'essential services' would continue but otherwise limits work by judges, clerks, trainees or collaborators would take place (Article 2). The same resolution sets a list of minimum services that would remain open and directs each tribunal to determine how to organise them – preferentially in remote form. It also determines that colleagues at high risk and those returning from places with a high prevalence of Covid-19 should not be required to work in person, even in essential services. The resolution sets out a list of cases that should be decided during the on-call period, such as *habeas corpus*, interim injunctions, urgent issues related to prison orders, search and seizure, cremation of bodies and the authorisation of travel (Article 4) and suspends all deadlines (Article 5). Tribunals are provided discretion to institute and regulate remote work and virtual sessions (Article 6).	In general, electronic filing was already fully digital in all Brazilian courts before the pandemic, being mandatory in higher courts. While most lawsuits were already electronic, physical hearings and judgments were maintained. Currently, electronic filing and conduct of proceedings in Brazilian courts is progressing normally in the majority of cases. This can be attributed to the fact that most files were already exclusively electronic, submissions are made in a written manner, with electronic signatures, and documents are presented in electronic format.[16]	In a seminar held in 2020, the Brazilian National Council of Justice concluded that the pandemic accelerated technological changes expected to occur in the next ten or more years. However, access to justice for the 46 million Brazilian citizens who do not have digital access remains a challenge.[17, 18]

	Virtual sessions have been held both in the higher courts' sessions and in first-instance hearings (both civil and criminal proceedings) under Resolution 329 (30 July 2020) of the National Council of Justice. The use of technology poses challenges in terms of access to justice, especially in countries like Brazil with high rates of inequality. Article 3(1) of Resolution 329 establishes that virtual hearings will not take place if any of the parties involved declare participation to be 'technical or instrumental impossibility'. Some complaints have been made against virtual hearings, especially in criminal proceedings, as being harmful to the right to a fair trial. In civil proceedings, more than 90 per cent of cases are decided without a hearing based on documentary evidence and those few that require a hearing are often not urgent, so many judges have decided to wait for the reopening of courts rather than use virtual hearings. The Brazilian Bar Association (*Ordem dos Advogados do Brasil*) petitioned the National Council of Justice for virtual hearings to be made voluntary, so long as all parties agreed. The issue remains controversial and has been the subject of litigation across the country.[15]		
Canada	All Canadian courts are conducting virtual hearings, with some exceptions, such as serious child protection matters, urgent family matters and critical criminal matters.[19]	Canadian courts generally require documents for hearings of any matters to be filed electronically, either via email or through a special portal. Some courts require documents to be mailed, including the Superior Court of Quebec. Very few courts allow in-person filings. One example that does allow in-person filings is the Tax Court.[20]	

China	In China, conversations concerning the implementation of a smart court system were first raised in 2016, with the intention to provide citizens with quick services and to achieve fairness, justice and transparency.[21] The smart court system is reported to have been implemented in 2019.[22] The moving of court processes, such as 'evidence exchange, hearing, delivery of justice, and even enforcement […] online [is] to promote greater access to justice'.[23] However, some local courts are behind in infrastructure and there is a digital divide between urban and rural areas and older and younger generations.[24] Digital justice applications include the Beijing Internet Court, which is one of three virtual courts. The court allows for the entire litigation process to be conducted online and operates 24 hours a day.[25] A Mobile Micro Court, rolled out in 2018, was also developed to 'carry out online filing, remote trial, online evidence exchange' and among other things.[26] It allows parties to appear via WeChat, which is beneficial for those without access to a computer.[27] The Supreme People's Court reports increased use of this app during the pandemic.[28] In-person party attendees are limited to four, regardless of whether the oral proceeding is online,[29] but there is no limit on public attendance in online oral proceedings.[30] There are various requirements for in-person proceedings, such as checking health codes and confirming whether the attendee is from a low-risk area.[31]	China has various applications that allow for online filings, notably the Mobile Micro Court.[32] Various virtual courts allow the entire litigation process to be performed online, which includes electronic filings.[33]	Correctional facilities did not release prisoners, though there are reports that some sentences have been deferred to 'reduce new' prison admissions.[34] Correctional facilities used the top-down organisational structure to add additional funding to prisons and establish rules and procedures for how to respond to Covid-19.[35] Every prison was required to develop a plan for 'suspending shift work and quarantining prison guards and officers'.[36] For example, some prisons had guards working 14 days consecutively, then 14 days off, and quarantining for another 14 days before working again.[37] Correctional facilities implemented risk assessment controls.[38] Inmates were categorised based on their illness level and health conditions.[39] All family visits were suspended, but some prisons developed ways to keep up communication between prisoners and families, such as sharing videos of the family with inmates and hosting virtual visits.[40] In-person instructions were cancelled, but staff 'made videos and online materials available to inmates to teach them how to improve individual cardiopulmonary function, strengthen immune system, combat sleep disorder, relieve anxiety and depression, and overcome fear'.[41] Communications focused on physical and mental health.[42]
Colombia	Colombia is in the process of amending legislation and codes to incorporate the use of electronic media into judicial proceedings and to accept day-to-day technological	Four court post offices receive electronic documents in lieu of in-person filing.[46]	There is a focus on legal technology to improve aspects of the legal system.[47]

	changes. Colombia adopted a Digital Justice Plan in June 2022.[43] [44] The Constitutional Court, the Supreme Court and the State Council have been able to function by electronic means but, in general, normal court operations and deadlines for filing actions have been interrupted due to the pandemic, though criminal justice and constitutional actions to protect people's fundamental rights (*acción de tutela*) have been processed. High courts experienced suspensions during the pandemic, except for trials regarding security, guardianship and criminal proceedings, which have scheduled virtual hearings in cases involving persons deprived of liberty.[45]		
Egypt	Remote pretrial detention renewal hearings were piloted in October 2020 and extended in early March 2021 by the Egyptian president.[48] Remote hearings are 'largely occurring only in the pretrial phrase and when detention is being reviewed by the courts, rather than by the Public Prosecution'.[49] These hearings do not require the defendant's consent.[50] Designated halls have been set up in the prisons, where detainees speak with judges and lawyers via closed circuit television.[51] Detainees remain in the presence of prison authorities during these meetings. Activists have warned that this process does not allow for private communication between defendants and their lawyers.[52]		From 10 March to August 2020, there was an information blackout on detention sites and no visits were allowed, including visits from lawyers.[53] After August, families were allowed to pre-book phone visits once a month.[54] Overcrowded prisons in Egypt do not allow for social distancing, despite the government claiming to have released approximately 19,615 prisoners, excluding people detained for political dissent.[55]
France	The French courts were closed from 16 March 2020 with the exception of essential litigation relating to 'correctional hearings for pre-trial detention and judicial review measures', 'immediate appearances', 'appearances before the investigating judge and the liberty and custody judge', and	Parties may exchange briefs and documents 'by any means' as long as the judge can be sure that the adversarial process is respected.[59]	

	'hearings of the sentence enforcement judge for emergency management'.[56, 57] An Order of 25 March 2020 permits civil and commercial courts to conduct remote hearings provided that the technology used makes it possible to ascertain the identity of participants; guarantees the quality of the transmission; and guarantees the confidentiality of exchanges between the parties and their counsel. Where it is technically or materially impossible to use such means, the judge may, by decision not subject to appeal, decide to hear the parties and their lawyers, or another person, by any electronic means of communication, including by telephone.[58]		
Germany	The courts continued to operate during the pandemic, albeit with reduced court staff. In-person hearings, however, were postponed for up to six months. The specific handling of these delays is left to the courts, resulting in some regional differences. Generally, oral hearings are only taking place for urgent matters. While German civil procedure law makes provision for the use of videoconferencing for hearings, it has seldom been used. This is in part because the courts are not equipped to do so, and further because this provision is not applicable if the parties or witnesses are located outside of Germany.[60]	German courts have accepted electronic filings since 2018 and the pandemic has increased reliance on electronic filing.[61]	
India	Before the pandemic, India had already been laying the groundwork for e-governance and e-courts to avoid unnecessary congestion.[62] However, Covid-19 sped the process towards an e-judiciary.[63] The E-Committee of the Supreme Court and Department of Justice of the Government of India 'released funds' for videoconferences	E-courts were used in India before Covid-19, including the sending of information through common electronic modes such as SMS or WhatsApp.[81] Various courts allow 'e-Service summons, notices, [and] warrants through e-mail via the internet [while] e-cause lists were available on the court website, as well as case status,	The High Court of Jammu and Kashmir designated domestic violence cases as urgent and suggested measures that include tele/online counselling, a campaign to spread awareness, and designated safe spaces to report domestic violence, for example, in grocery shops, academic institutions and other buildings.[85] It also directed the government to create special funds.[86]

	and virtual hearings became more common.[64] The Supreme Court of India operated at a reduced capacity beginning in March 2020 and relied heavily on 'videoconferencing to continue to operate'.[65] Only important matters were heard via videoconferencing,[66] including judicial custody hearings.[67] Limitation periods were also temporarily suspended.[68] Courts issued specific guidance on how they will operate during the pandemic, from established safety measures on the premises, to the submission of documents via email.[69] High courts issued Covid-19-related guidelines,[70] including precautionary measures such as the use of face masks, hand sanitiser and social distancing.[71] District and subordinate courts have also issued their own guidelines.[72] In some courts, only bail matters requiring urgent stay or injunction have been seen during the pandemic, while all other matters were adjourned.[73] Exemption applications are to be considered sympathetically and personal appearances avoided.[74] Many courts stated that videoconferencing is to be used for criminal matters, without prisoners attending court in-person.[75] Courts were to use videoconferencing facilities to avoid human contact.[76] Rural areas with no internet connection were most affected by this digital shift.[77] To provide better access to justice, a mobile *lok adalat* – a forum where disputes are solved amicably[78] – travelled through various locations 'to resolve disputes'.[79] The Punjab State Legal Services Authority decided to hold e-lok adalat.[80]	online filing, and orders and judgments in PDF.'[82] The Supreme Court of India relied heavily on e-filing during the pandemic.[83] It allowed the service of notice and summons to be conducted via email, fax or instant messenger service due to the inaccessibility of postal offices during lockdown.[84]	The National Commission for Women 'launched a WhatsApp number to report cases of domestic violence'.[87] The Delhi State Legal Services Authority worked with Mother Dairy booths, pharmacists and chemists to gather information on survivors of domestic violence and created an app to 'deliver legal aid to these individuals'.[88]

Israel	In August 2020, the Israeli Parliament passed a temporary provision on virtual hearings.[89] It provided the option of a partial or full restriction on court hearings,[90] subject to the following determinations: (1) Data on morbidity due to Covid-19 at that time in the country, its characteristics and trends; (2) A reference to the degree of danger to public health caused by Covid-19 at that time; (3) An assessment of the level of risk of the virus spreading in places of detention and in prisons that is based on the morbidity data in general, and on the inherent risk in detainees and prisoners being brought to courts, staying in them, and being returned to [their] places of detention and prisons in particular; (4) Guidelines for taking action and using measures to reduce the risk of spreading the virus, considering the level and type of risk (Section 2(b)).'[91] Ministers were required to balance the need to stop the spread of the virus with the harm done to prisoner's rights.[92] Partial restrictions can be extended for 28 days, and full restrictions for 14 days. However, both can be extended based on an updated opinion by the Ministry of Health.[93] Virtual hearing requirements include: '(1) Hearings must be conducted in a way that would minimize, to the extent possible, the harm to the detainee or prisoner and to public interest resulting from their absence in the courtroom;	It is implied that documents are permitted to be filed online, as the Israeli judiciary uses online submissions as a way to ensure access to justice and has increased the types of proceedings permitted to commence through online submission.[105]	*Correctional facilities* Prisoners who came into contact with a person infected with Covid-19 were not quarantined for a full week.[106] Instead, the prisoner was required to take two Covid-19 tests 72 hours apart and was separated from others for 96 hours.[107] However, there were no additional precautions, so separation processes were similar to those implemented should a prisoner contract the flu.[108] *Legal aid* The Ministry of Justice (MoJ) provided official legal aid through use of technology.[109] It has published videos to explain legal subjects and rights to vulnerable groups on issues such as public housing, debt management, labor law.[110] It also used media outlets, including television and newspapers, to spread awareness of services to assist the elderly and Holocaust survivors.[111] Departments within the MoJ created relief regulations to provide online services and to delay deadlines for economic assistance.[112] *Domestic violence* The MoJ has also reported an increase in calls, especially in domestic violence cases.[113] A parliamentary committee was created 'to examine incidents of women who had been killed' and this committee became permanent.[114]

	(2) All parties, including the detainee, prisoner, judge, defense attorney, prosecutor, police officer, or any other person whose presence is required, should be able to hear and see each other during the hearing to the extent possible in accordance with the technological device through which the hearing will take place; (3) The detainee or prisoner must be able to have a privileged conversation with his/her attorney before the hearing for purposes of legal consultation; (4) The detainee's or prisoner's attorney, or in the absence of one, a court-appointed attorney, must be present in certain types of hearings, including criminal proceedings, detention hearings, hearings before a release committee, etc; (5) Persons with disabilities who participate in virtual hearings must be afforded accommodations required under law.'[94] There have been reports of virtual hearings being unsatisfactory, with poor-quality technology meaning people often cannot see or hear each other.[95] By May 2021, Israel had had three lockdowns.[96] While court operations were gradually reduced in the first lockdown, they had 'resumed normal operations' by May 2021.[97] At the start of the pandemic, 'only urgent proceedings were heard in court'.[98] 'There was almost a complete ban on bringing prisoners to courts'[99] and prisoner hearings were mainly conducted virtually.[100] By May, however, prisoners 'who wanted in-person court hearings were granted them'.[101]		

	For the second and third lockdowns, there was no formal reduction of operations and the judiciary 'remained mostly' operational, though certain hearings were postponed.[102] As of 21 August 2021, 'a mix of in-court and virtual-court hearings were approved for prisoners' by the Knesset Constitution, Law and Justice Committee.[103] Throughout the pandemic, the Israeli judiciary has 'tried to maintain access to justice through online submissions (eg, the judiciary increased the types of possible proceedings that could be initiated through online submissions) and through audio-visual proceedings […] And attempted to realize the open court principle through broadcasting of proceedings'.[104]		
Japan	Early in the pandemic, district and high courts 'suspended or postponed' scheduled court hearings.[115] Courts later resumed 'with half-empty galleries' and the public was required to socially distance and wear face masks.[116] For reasons unrelated to the pandemic, Japanese courts 'began using web meetings to connect judges and lawyers', but these web meetings were used less frequently during the state of emergency as the system is based on the 'premise that the judge is present in court'.[117] Web meetings were conducted 599 times in June 2020 for civil lawsuits.[118] Oral proceedings were still conducted face-to-face unless a concerned party is unable to attend. In that instance, an online oral inquiry may take place, if both parties consent.[119] For in-person oral proceedings various precautions must be taken, such as using thermometers, wearing face shields, keeping the door open during the proceedings, and thorough cleaning.[120] Attending parties are limited.[121]	Plaintiffs and defendants who live far away from each other may share information and engage in other case proceedings over the phone; however, legal documents and evidence are required 'to be submitted by mail or fax ahead of time'.[122]	As of June 2020, the remote system was not used for victims of domestic violence.[123]

Kenya	In May 2020, the United Nations Office on Drugs and Crime and the European Union provided technical assistance by 'providing computer equipment to enable wider participation in virtual court proceedings'.[124] Courts held 'hearings telephonically or online, depending on the strength of the internet connection'.[125] Kenya does not have a public defence office, so legal representation is only accessible for those who can afford it.[126] Prisons are overcrowded, with more than half of inmates unable to pay cash bail.[127] Non-profit group Justice Defenders provides in-person paralegal training for inmates.[128] As prison visitations were restricted due to the pandemic, Justice Defenders equipped the prisons it operates in with computers and internet connection, leading to a digital justice program that has conducted about 12,000 online court hearings and cases were resolved at a surprising rate compared to pre-pandemic.[129]	The judiciary is increasingly using technology including e-filings to allow judges to handle cases.[130] As Kenya's judicial system is 'anchored in common law, which is characterized by paper-based procedures and physical court appearances', the pandemic has shaken the system and forced the judiciary to implement new measures, such as a virtual court and 'a paperless court case management system'.[131] There is now an automated filing and service process, except for cases heard at Kenya's Supreme Court, where physical copies must be filed.[132] After documents are filed, a complete copy is generated and any future documents are linked.[133] The system provides updates for upcoming mentions/hearings[134] and keeps track of online payments and receipts.[135] It also saves time by avoiding the physical readings of judgments if parties consent to receive the judgment via email.[136]	Challenges include a lack of technical infrastructure, such as access to computers, poor internet connectivity, insufficient training[137] and unstable electricity.[138] There is also a lack of access to computers in particular for accused persons.[139]
Mexico	Mexican courts allow judges to decide how they wish to conduct court hearings. During the pandemic, they were not forced to physically attend court, and were permitted to adopt a remote working scheme, except in the case of hearings that must be held under the principle of immediacy. If a judge was not in a position to do attend such a hearing in person, they were required do so by means of real-time videoconference.[140, 141]	While parties have the option to file proceedings online, this is not an obligation. The federal courts adopted rules under which only online filings are admitted in most cases. However, at the local level, few states have access to online platforms for the filing of new proceedings. To bring a claim through the online court system, the claimant must first obtain an electronic encrypted signature.[142]	
Morocco	Morocco has attempted to 'digitize many public institutions'.[143] It supports the use of electronic courts through Article 69 of the		*Prison/juvenile detention centres*

	Rome Statute of the International Criminal Court, Article 46 of the UN Convention Against Corruption and the Second Additional Protocol to the European Convention.[144] Cited benefits include the protection of witnesses and a reduced burden on the taxpayer to fund court officials and security services.[145] Remote hearings are conducted via videoconference, with the defendant appearing in a designated area of the prison and the prosecutor, judge and lawyer in the courtroom.[146] Reportedly, detainees are able to refuse a remote trial and lawyers may meet with the detainee before and after the virtual proceeding.[147] Challenges of remote hearings include handling cases with multiple parties, with judges needing to go back and forth between separate calls, poor internet connection, technical issues, and prison background noise.[148] As of April 2021, there were approximately 133,000 electronic trials, leading to the release of 12,000 defendants.[149]		During the pandemic, there were concerns regarding overcrowded prisons. In March 2020 this led to petitions for the release of 'prisoners of conscience', such as those arrested during the 2016–2017 Rif protests.[150] Morocco's king pardoned thousands of detainees and ordered precautionary measures to be taken in prisons to protect detainees against the pandemic.[151] Family and lawyer visits were suspended but phone privileges increased.[152] To prevent the spread of Covid-19, some prisons ran awareness campaigns and established digital platforms to support prison staff and prisoners psychologically.[153] By May 2020, the prison population had dropped by seven per cent.[154] *Domestic abuse* The National Union for Women created an online platform for victims of domestic abuse to access 'legal counsel, a network to find employment, and social support'.[155] The government expanded existing programming that supports survivors of domestic abuse and adopted a bill 'to create a national registry for social support programs for women and children'.[156] 'Courts maintained "victims of abuse cells" that brought together prosecutors, lawyers, judges, women's non-governmental organisation representatives and hospital personnel to review domestic and child abuse cases to provide for the best interests of women and children.'[157] Channels for reporting domestic abuse include: • various digital services offered by the MoJ, such as filing a complaint via email;[158] • telephone hotlines linked to all the courts, which lawyers and litigants can make use of to request case information;[159]

			• a mobile app that allows survivors to submit urgent complaints 'without having to present themselves in person at a court or at a police station;[160] • 'free-to-use phone numbers' circulated on social media, with complaints 'forwarded directly to the court'[161]; and • for less urgent cases, follow-up measures include providing information to social services and for more urgent cases, use of police services.[162]
New Zealand	During the pandemic, courts were considered an 'essential service'.[163] Virtual court hearings were held at the discretion of the judge in charge of each case.[164]	New Zealand introduced a 'File and Pay Service' on 28 October 2020, allowing lawyers and participants to file documents and pay fees online.[165]	The MoJ has created a website with resources and information for survivors of domestic abuse.[166]
Nigeria	Early in the pandemic, the Supreme Court ruled virtual hearings to be constitutional. Despite this, only a few proceedings have been conducted remotely – including two criminal matters litigated to judgment. Several issues need to be resolved before the country sees wider adoption of virtual hearings, including the availability of appropriate facilities in court, and training for judges, lawyers and court officials.[167, 168]	Courts, such as the High Courts of Lagos State and Rivers State, had been working on rolling out platforms for electronic filings for some time before the pandemic. Like many other things, the pandemic sped up the process, and both states have since launched their platforms. However, many lawyers were skeptical about adopting this innovation. The new platforms were developed from scratch and specifically created for different courts. Many lawyers contend that the platforms do not comply with all existing rules of evidence, such as oath taking. Therefore, while there has been a significant increase in awareness and a change of attitude towards technological innovations, there has not been significant adoption of electronic filing by stakeholders.[169]	There are still some issues that need to be addressed. For example, while several practice directions waived penalties for late filing due to the lockdown, limitation periods were not extended. There were also no judicial pronouncements on how hard statutory deadlines should be addressed. Some statutory steps that parties should have taken were prevented by the lockdown or due to limited access to the court. In some instances, extensions were granted, but this was not universal.[170]
Saudi Arabia	Courts moved to 'remote/online systems, particularly following the Covid-19 pandemic'.[171] Hearings were 'routinely	An online e-filing system is used to commence new matters and legal representatives can keep track of cases online.[176]	

	conducted through the use of video technology'.[172] On 7 June 2020 the Saudi Arabian MoJ implemented 'e-litigation services' to allow litigants 'to complete numerous litigation procedures on a virtual basis, and without the need to be present in court'.[173] The service includes 'exchange of pleadings, submission of documents to courts, holding of virtual hearings, declaration and issuance of judgments, and appeal'.[174] The procedural guide for e-litigation services was reviewed monthly.[175]		
South Africa	Audiovisual links were permitted to be used in any proceeding where the Presiding Officer deemed it appropriate and if doing so would prevent unreasonable delay or be generally convenient. The default presumption was that if it could be done virtually, it should be done virtually, but the Presiding Judicial Officer has discretion.[177]	The Chief Justice directed that parties to contested applications file their arguments electronically.[178]	
South Korea	A reform bill for civil procedural rules regarding videoconferencing supported holding the pre-trial conference and pre-trial hearing through videoconferencing if both parties consent,[179] but it is not allowed for the trial itself.[180] 'Online interviews or online technical explanatory sessions' are permitted with the consent of both parties. Signatures for the report may be waived.[181] In-person oral hearings were to be held where absolutely necessary, including by 'request from the parties or [if] there is consent from both parties'.[182] All participants must go through a thermal imaging system as		Mitigation strategies for inmates of correctional facilities include: • Decreasing the prison population while maintaining the status quo.[185] For example, two senior citizens who had committed misdemeanor crimes and had almost completed their sentence were released early.[186] • Protecting public health and human rights[187] by providing personal protective equipment to the prison population. In some cases where there was a shortage, facilities produced their own masks.[188] Facilities also rolled out programs to

	well as wear masks, use hand sanitiser, etc.[183] While there was no strict restriction on the number of attendees, it was recommended to limit to two per party. Since November 2020 'only [a] limited number of members of the public is allowed for observation based on the capacity of the hearing room'.[184]		educate inmates on Covid-19 and best practices to avoid transmission.[189] • Increasing isolation and medical examinations.[190] Newcomers initially isolated for three days. This was later increased to 14 days.[191] Quarantined individuals were to sanitise or dispose of equipment and clothing.[192] Prisoners who needed hospital treatment wore protective clothing and were put in isolation upon their return.[193] • Practicing social-distancing. Prison admissions were reduced, transfers were minimised, and the incarceration of new prisoners was suspended.[194] Visitation, except under exceptional circumstances, was also suspended.[195] Depending on the progress of infection, visitation rules were amended for particular inmates.[196] One visitor was permitted per inmate.[197] Training programs, such as those dedicated to educational opportunities and religious services, were also suspended due to the government's belief that 'the sources of the coronavirus infection are outside of the facilities'.[198] • Implementing 'front-end mitigation strategies for sentencing options and detainees and parolees.'[199] However, there were no front-end mitigating strategies for sentencing, as Covid-19 affected correctional officers more than inmates.[200] Release was considered (and granted) on a case-by-case basis, taking into consideration an inmate's status and how much of their sentence had already been served.[201] • Mitigation strategies for correctional officers included the installation of thermal imaging cameras and contactless thermometers.[202] Any member of staff

			with suspected or confirmed Covid-19 was required to use respiratory aerosols and protective wear.[203] If they came into direct contact with the virus, staff were required to quarantine.[204] Minimal travel was encouraged and some prisons allowed staff to stay in the facilities.[205]
United Kingdom	Government announcements during the pandemic stressed the importance of the continued administration of justice in England and Wales. Courts continued to operate with adjustments. Civil courts had long permitted remote hearings in appropriate circumstances, but a new 'Protocol Regarding Remote Hearings' was issued on 20 March 2020 to provide further guidance, including on the forms of remote technology offered and use of electronic documentation. Most civil court buildings remained open, but civil hearings were conducted remotely during the pandemic wherever possible. Physical hearings were to take place if a remote hearing was not possible and suitable arrangements could be made to ensure safety. The courts' technological infrastructure was upscaled to support expanded utilization of telephone, video and other remote technology (including Skype for Business, Zoom and BT conference call). On 24 March 2020, the Supreme Court conducted its first-ever remote hearing. The Supreme Court building has been closed previously and heard cases and delivered judgments through videoconferencing during the pandemic.[206]	The preparation and sharing of hearing documents moved predominantly online. Litigators who were already accustomed to using 'data rooms' to transfer large volumes of documents found the court increasingly willing to accept the filing of electronic bundles in this manner. There is now formal, mandatory guidance for the preparation and submission of e-bundles to the court for remote hearings.[207]	
United States	The Judicial Conference temporarily approved the use of video and teleconferencing for certain criminal proceedings and access via teleconferencing	US courts generally require documents for hearings of any matters to be filed electronically, either through email or via a special portal.	

	for civil proceedings during the Covid-19 national emergency. The public and media were permitted to attend virtually. Almost all states have some audio visual option.[208, 209, 210]		

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