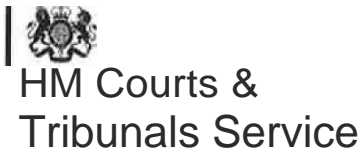


February 2021



In-hours Warrant Booking System

Access to MENTAL HEALTH PROFESSIONALS (North East)

This document accompanies the General Guidance document on accessing the online calendar to book mental health warrant appointments.

The calendar is accessible to Mental Health Professionals through this link.

https://teamsup.com/ksoxdv3_mr8mgbha_b47

Please note the following warnings

- **Any person using this link is able to modify entries made by any other person using the same link. Users are not able to modify entries made by using other links. The link must not be shared beyond Mental Health Applicants.**
- **The calendar is only the booking platform. It is not hosted on a secure website so no sensitive operational details must be entered on it. Only the booking reference is to be entered onto the calendar.**

The link will provide read-only access until 1 March 2021.

On 1 March, the link will be changed to allow read/write/modify access so that applicants may start to make live bookings from 8 March onwards.

Point of Contact for this document

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HM Courts & Tribunals Service

Mental Health and Immigration Warrants During Court Hours

Applications in the North East Region of HMCTS

Guidance to Mental Health Professionals and Home Office Applicants in the HMCTS Clusters of Cleveland, Durham, and Northumbria, North and West Yorkshire, Humberside and South Yorkshire

Introduction

This guidance is produced to assist mental health professionals (MHPs) and Home Office (HO) applicants in the efficient management of warrant applications made across the North East Region.

Scope

Although this scheme is principally designed for police search warrants which form the vast majority of applications, it is also available for applications for Home Office Immigration Warrants and Mental Health warrants

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Background to the scheme.

Prior to the Coronavirus restrictions limiting access to courthouses, it was normal practice for MHPs and immigration officers to contact local court houses directly when they wished to make an application for a warrant. Sometimes courts were able to accommodate warrant applications immediately, but often applicants had to wait for an appropriate break in the court list or proceedings. On occasions they were asked to attend the following day or make their application to the "out of hours" scheme. Sometimes, particularly if late in the day, access to a Justice of the Peace (JP) could be difficult and delay would be caused to the applicant whilst arrangements were made for the application to be heard. Diverting such applications into court lists disrupted the efficient processing of court business and even where the applicant did not experience a delay, other court users were often kept waiting while the legal adviser and a JP considered the warrant application.

Because of the Coronavirus-related court suspensions courts in the North East very rapidly introduced a scheme for remote applications which operated independently in each of the three cluster areas with varying degrees of user experience and resourcing challenges. This new scheme replaces entirely the three existing schemes which will be withdrawn. It does not replace the Out of Hours Scheme.

Scheme overview

The scheme will operate across the North East Region **from 8 March 2021** with applications made by telephone and paperwork being received and dispatched by secure email.

The scheme will use a web-based booking system. Applicants will use a web-based calendar to book in their warrant application on a date and time convenient to them. The calendar can be accessed 24 hours a day. Applications will be considered between 10.00am and 4.30pm Monday- Friday excluding Public Holidays.

Applications, warrants granted, and reasons for grant or refusal will be stored securely in an electronic .pdf format within a designated warrant folder. Copies of the paperwork will therefore be accessible to HMCTS should there be a requirement to produce information at a future date. The electronic storage system will ensure that storage of the relevant information complies with data security and retention timescales. Only authorised staff will have access to the secure email box and storage facility.

Legal advisers will be responsible for ensuring that relevant paperwork is both received and dispatched in good order in accordance with the guidance and that all information is correctly stored and filed.

Applications will be initially scrutinised by a legal adviser who will then provide advice on matters of law and procedure to the relevant Justice of the Peace, who will be rostered to consider such applications on any particular day.

This scheme envisages that all warrants will be considered under this scheme unless the scheme is unable to respond quickly enough to an urgent application, or the volume of warrants is such that diversion to a location court site is necessary. This scheme will operate in conjunction with and complement the "out of hours" search warrant scheme.

Benefits of the scheme

It is envisaged that the scheme will

- Ensure that warrant applications, including urgent applications, are considered in a timely manner in accordance with the law and best practice.
- Enable the vast majority of applications to be considered without disruption to the efficient processing of other court business.
- Provide an enhanced customer service within working hours and reduce both the uncertainty and delay that can be experienced when arranging to make a warrant application.
- Make best use of applicant, legal adviser, and judicial time.
- Reduce dependence on the out of hours scheme
- Make best use of HMCTS estate by removing such applications from courtrooms; and
- Reduce the administrative tasks surrounding the processing, filing and storage of such applications by making best use of electronic and digital solutions.

Procedure and Guidance for Applicants.

This procedure should be followed where applications for warrants are to be made during the working hours of 10.00am to 4.30pm.

1. **Making a booking:** Book in your application using the web-based 'Team Up' calendar. Bookings can be made at any time as the calendar is available 24 hours a day, 7 days a week.
2. The Team Up Calendar can be accessed by pasting a link into your internet browser. **Links will be provided separately to MHPs and HO staff** and may only be shared with other professionals. Each user of a link is able to modify bookings made by others who have used the same link but cannot edit or affect bookings made using different links.
3. **When you can book a hearing:** Applicants can choose the date and time of their application hearing from the available time slots on the calendar. One slot should be booked for each target address. Bookings can be made on the day you wish the application to be heard if there is space available and the time slot has not passed. Applicants are encouraged however to book in advance, thus helping the court to manage applications effectively and incorporate urgent applications at short notice. Applicants must ensure that the correct slot duration is booked. A standard slot is for 15 minutes, but longer slots can be booked if the application is lengthy. Applicants should not book longer slots unnecessarily as this blocks time for others.
4. If booking an application to be heard the same day, please try to not to use a slot within the next 30 minutes as this increases the risk of the legal adviser not seeing it in time.
5. **Booking References:** Using the guidance, create your booking reference and ensure this is recorded on the calendar in the timeslot for which your booking is made. A typical booking reference would look like this

MH-161220-1234Smith-1 (for mental health applicants)
HO-SY-161220-1234Smith-1 (for Home Office applicants)

The way in which booking references are structured is explained below. **Please also type your booking reference onto the application document**

6. **It is imperative that you do not include any personal details about the warrant on the Team Up calendar as this is a commercial product not hosted on a secure HMCTS platform.**
7. **Submitting applications:** All relevant paperwork must be submitted at the time the booking is made to the secure email box, along with the applicant's contact number.

[NE-WarrantApplications@ justice.gov.uk](mailto:NE-WarrantApplications@justice.gov.uk)

Please name your documents to include the booking reference and not the address of the premises. Bookings for which no relevant paperwork is submitted will not be accommodated by the court.

8. **Multiple Warrants:** Applicants should specifically note the guidance on booking multiple warrants as contained in the "Team Up" Guidance below.
9. Submit the application and warrant to the secure HMCTS email box **NE-WarrantApplications@justice.gov.uk**. Your application and warrant must be sent in **unprotected Word format** as the warrant will be endorsed electronically by the Magistrate or legal adviser. Please remember all documents submitted need to have the booking reference in the file name.
 - a. Check that the correct booking reference has been used on all paperwork and that you have supplied your contact phone number details in your email. This is the telephone number on which the court will contact you at the application hearing time. If you have not provided contact details the court will not be able to call you.
 - b. Check that the paperwork has been submitted from a secure email address. This is the email address that the court will return your electronically signed warrant if granted and/or reasons for the grant/refusal of the application.
 - c. Where authority from a senior officer is required (e.g., Chief Immigration Officer) ensure that the email contains the sequence of emails originating from that officer so that the chain of authority can be traced and authenticated. Alternatively, a scanned copy of an original signature is acceptable.
 - d. Check that only the booking reference appears in the subject line of the email for example **HO-SY-161220-1234Smith-1**.
 - e. **Do not include any other information in the subject line other than the booking reference.**
 - f. You should arrange to pay the fee in the usual way and include the fee payment reference number in the email body. If you have not been able to pay the fee in advance you will need to give an undertaking to pay within 48 business hours.
10. Only legal advisers approved to support the regional duty warrant scheme will have access to the secure email box.
11. Where paperwork or information is missing, including the booking reference, the duty legal adviser will contact you, at the earliest opportunity, and no later than the application hearing time, by phone or email. You will be advised to re-book your application and re-submit your paperwork.
12. Whilst every effort will be made to give the applicant as much notice as possible that their application will not be considered due to paperwork error, it is the responsibility of applicants to ensure that their paperwork complies with the requirements of the scheme by submitting the correctly prepared documents and in unprotected Word format.

13. **Making the application:** At the designated application hearing time you will be contacted by the court and asked to verify your identity. You should be able to provide:-
- a. Booking reference.
 - b. Agency applying.
 - c. Your professional accreditation number, if applicable
 - d. Name of Officer that authorised the application, if applicable.
 - e. The fee payment reference number.
14. Once the court is satisfied that they are speaking to the applicant, you will be asked to take the oath/affirm and make your application. You will need to provide your own holy book should you wish to use one. You must be ready with the oath/ affirmation at the time of your booking (see below).
15. It is important that applicants are at an appropriate private location to receive the court's call to ensure that the information they will provide cannot be overheard, as it will not be possible to delay the application in order to facilitate the applicant moving to another location
16. Applications will then be considered in the normal way as if the applicant were present in the room.
17. **Receiving the authorised warrant:** Once considered, the warrant will be electronically signed by the JP where granted. Supporting reasons for grant or refusal will be endorsed on the relevant paperwork and returned to the applicant electronically as a .pdf to prevent any subsequent amendments. Paperwork will only be dispatched to the email address from which the paperwork was received. This email address must match the email address identified in the application supplied. Only one digital copy of the warrant will be returned with occupant / applicant at the top, this can be crossed through as appropriate by the applicant.
18. **Return of executed / non-executed warrants:** Once executed or where the warrant time limit has expired without execution, the applicant **MUST** return by email the warrant endorsed with any relevant information relating to its execution to the following secure email address.

[NE-returnedwarrants@ justice.gov.uk](mailto:NE-returnedwarrants@justice.gov.uk)

19. Please ensure the document is named with the booking reference and not the premises address. The subject field on this email must contain only the original booking reference. e.g., **MH-161220-1234Smith-1**
20. Returned warrants will be electronically filed with the original application. It is therefore imperative that the subject field contains only the original booking reference.

21. Any hard copy warrants should be stored or destroyed in line with the relevant agency's policies on retention and destruction of confidential documents.
22. **Urgent applications within working hours:** Please follow the normal Team Up booking procedure or contact the emergency administrator number below if there are no available time slots to meet the time requirements of your application. Please note that operational urgency must be explained. If the emergency administrator is unable to accommodate your application, you should contact your local court admin centre to arrange a time and location for the hearing.

The emergency administrator number is **01482 861607**. **Please do not call this number other than for operationally urgent applications, and please do not contact the number at all before the scheme goes live on 8 March 2021.**

23. **Urgency:** Please consider carefully whether the application is truly urgent before contacting the administrator. **Only warrants which will need to be executed before a calendar time slot is available should be considered urgent.** If the court receives too many applications described as urgent it will be unable to accommodate them and applicants will be diverted to court sites, thereby undermining the scheme.
24. It is the duty and responsibility of applicants to ensure that applications are legally valid, made under the correct enactment, and properly evidenced. Applications which are not legally valid cannot be granted and may be returned to the applicant to correct and to be re-booked, which may not be possible the same day. Legal advisers will not have capacity to examine applications before the day of the hearing so applicants should not depend on court staff spotting errors in advance.
25. **Out of Hours Applications:** If your application is urgent and you need to make your application outside of working hours, please use the separate out of hours procedure. Out of hours applications should only be made if there is a danger to life, limb or health of an individual, or an operational need to execute a warrant or other order before the next business day.

Wording for oath or affirmation

OATH

I swear by [Almighty God / Name of God / Name of Holy Book] that the evidence I shall give shall be the truth, the whole truth and nothing but the truth. To the best of my knowledge and belief, this application discloses all the information that is material to what the court must decide, including anything that might reasonably be considered capable of undermining any of the grounds of the application.

AFFIRMATION

I do solemnly, sincerely and truly declare and affirm that the evidence I shall give shall be the truth, the whole truth and nothing but the truth. To the best of my knowledge and belief, this application discloses all the information that is material to what the court must decide, including anything that might reasonably be considered capable of undermining any of the grounds of the application.

How to Book a Warrant Slot Using the Team Up Calendar

1. MHPs and HO staff will be provided with a private link to the Team Up website which is hosting the calendar. This link should not be shared other than with other mental health or Home Office colleagues.
2. Each link has permissions which enable the adding of new events to the calendar and modifications to existing events but only if created using the same link.
3. Copy and paste your link into the web browser and the calendar will appear in the below format



4. There are 16 slots in a day, 14 of which are bookable and 2 are reserved for use by the legal adviser. Each slot is set up to be booked for 15 minutes.

The first slot each day is 10.00 The last slot each day is 16.15

There will be no bookings between 13:00 and 14:00

There are a number of blocked slots throughout the day to allow the legal adviser to keep to time.

You may pick a slot in either calendar.

- To make a booking click on the chosen slot. The following box will appear:

The screenshot shows a booking form with several fields and a 'Save' button. Annotations with arrows point to specific parts of the form:

- An annotation box at the top left says "Enter your booking reference here under 'event title'", with an arrow pointing to the "Enter the event title..." input field.
- An annotation box at the top right says "Select a 15-minute time block per application", with an arrow pointing to the "From" and "To" time selection fields.
- An annotation box at the bottom right says "Ensure you have selected the correct date and time", with an arrow pointing to the "From" and "To" time selection fields.

The form fields are:

- Enter the event title...
- From 26/01/2021 10:00
- To 26/01/2021 10:15
- All day
- Repeats
- Reminders 8!!!!
- Calendar

A green "Save" button is visible next to the time selection fields. There is also an "X" icon in the top right corner of the form area.

Booking References

5. You must use a booking reference and under no circumstances put any sensitive information into the calendar as it is not hosted on a secure platform.

Naming Convention for Booking References

The required format of a booking reference is as follows:

For Mental Health Applications

MH - Date - Professional Accreditation Number and Surname - Number of Application that Day

(Professional accreditation number could be Social Work England or AMHP number)

For example, application by mental health professional Smith with accreditation number 123 made on 16 December 2020 would be

MH-161220-123Smith-1 (for first application that day)

The same applicant making a second application the same day would use the reference **MH-161220 -123Smith-2**

...etc.

If an applicant does not have any form of professional accreditation number, then just the surname should be used

e.g., MH-161220Smith-1

For Immigration Applications

**HO -Applicant Area Code - Date of Application -Applicant Collar Number and Surname
- Number of Application That Day**

The Applicant Area Codes are as follows

Cleveland, Durham and Northumbria	HO-NE
Humberside	HO-H
North Yorkshire	HO-NY
South Yorkshire	HO-SY
West Yorkshire	HO-WY

6. An example of a booking reference for an application by Immigration Officer 1234 Smith in the Humberside area for hearing on 16 December 2020 would be

HO-H-161220-1234Smith-1

If the same 10 Smith had a second application booked in the same day, it would have the reference

HO-H-161220-1234Smith-2

... etc.

7. This format must be followed consistently with no modifications or additional characters or punctuation. This is intended to create a unique reference that will allow HMCTS to track the application through to archiving.

8. The calendar will not allow overlapped bookings. If you try to make an overlapping booking you will see the following message.

Scheduling Conflict

X

There is a scheduling conflict on **9 Oct 2020**.
Calendar **Appointments 1** does not allow overlapping
entries.



If this happens, click OK and select another slot

11. The calendar will allow for multiple user! to hP. logged in at the same time using the same link, therefore it is possible that 2 applicants may be trying to book the same slot. If this occurs, you will receive the same error message as above.
12. Each warrant must have a separate booking with a separate reference following the naming convention.
13. One booking must be made for each address for which a warrant is sought.
14. If more than 6 warrants are hP.ing applied for at the same time supported by one application, you should call the administrator number for guidance as this may require a bespoke booking arrangement. The administrator will liaise with the legal advisers as to how the application may be best accommodated.

Amending or Deleting Bookings

15 Each applicant body (MHPs or HO) is only able to amend or delete their own bookings. It is not possible to change bookings made by applicants using different links.

16 To amend or delete the booking, click on the booking in the calendar to open it and a window like this will open:

Note correct naming convention

0 From 08/02/2021 10:00 Save

To 08/02/2021 10:00 Print

All day < Share

Repeats !! Delete

Reminders: enabled

Calendar

To modify date and time change them here, but if changing date, also change the booking ref to match new date

To delete booking completely, click here

A copy of the application and the warrant must be emailed to NE-warrantapplications@justice.gov.uk

at the time of booking, using the same naming convention used when booking the application, for example HO-SY-080221-123Smith-1.

The booking reference must be placed in the subject line of the email - see this example

Send

To... ne-v.warrantapplications@justice.gov.uk

Cc...

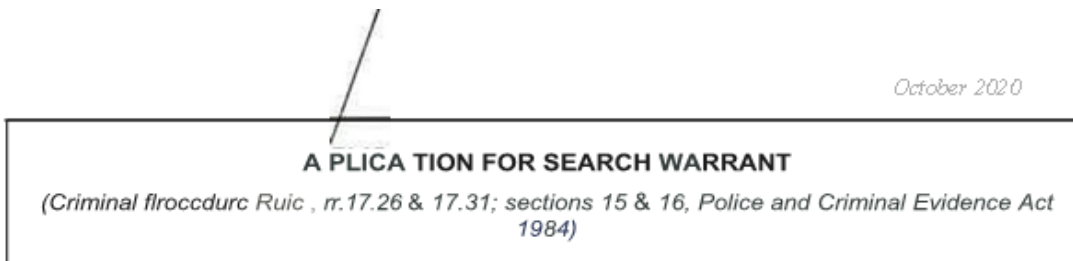
Subject [HO-SY-080221-123Smith-1]

17 If you have modified a booking so as to change the date and therefore the reference, you must re-send an email with the new booking reference. In the body of the email state the previous booking reference so that the legal adviser can find your documents easily.

18 If you have cancelled a booking completely because you no longer need the warrant, you must send an email stating the previous booking reference asking that the documents previously submitted are deleted by the legal adviser.

Format of Application (not applicable to MH applications)

- 19 For applications made under PACE a screenshot of the first part of the most current version of one of the application forms is below. Please note this is current as of October 2020. Older versions of forms must not be used. The latest version of the application form can be obtained online at <https://www.gov.uk/guidance/criminal-procedure-rules-forms> under 'investigation warrants'.
- 20 Please note that the applicant needs to type in the **court application reference** used to make the booking



Use this form ONLY for an application for a search warrant under a power to which sections 15 & 16 of the Police and Criminal Evidence Act 1984 (PACE) apply other than section 8 of PACE. There is a different form of application for the court to issue a search warrant under section 8. A search warrant is not used to search for excluded or special procedure material. See also the notes for guidance at the end of this form.

Application to a magistrates' court

This is an application by (name of applicant)
 of (name of police force or investigating agency)
 Applicant's address:
 Email address
 Phone: Mobile:
 Court Application Reference:

HM I-5, nr

Format of Warrant

- 21. Please note that all warrants issued as part of this remote process must show the court contact details as

East Yorkshire Magistrates Court
 Champney Road
 BEVERLEY
 East Yorkshire
 HU17 9EJ
 Tel - 01482 861607.

This is where the scheme administration is based.

- 22. Warrants issued under the remote process must now show that they are issued by "Magistrates Courts England and Wales" and show East Yorkshire Magistrates

Court address details - see example below. The court code formerly on these templates should no longer be used.

(/APPLICANT'S / OCCUPIER'S / COPY)¹

Magistrate s' Court s England and Wales



WARRANT TO ENTER AND SEARCH PREMISES

Court office address: East Yorkshre Magistmte
Court, Champney Road, Beverley. Enst
Yo rk.sh ire HU, I 9EJ

Telephone number : O IIS2 S6 160.

**Any queries regmding this document should be
directed to the Admin Support Team at the above
address**

Irrus warrant is **issued under**²

23. Warrants applied for in person at a physical court location must show the details of that location as has always been the practice

Checklist for Applicants

Have you paid the fee or prepared an undertaking to pay the fee?

Does your application comply with the correct statutory requirements for the warrant sought?
If not, it will be returned, as the court cannot consider invalid applications

Has the application been fully completed and signed by the person making the application?

Have you prepared your documents in unprotected word format?

Where applicable, have you obtained either a scanned copy of the senior officer's authorisation or included the chain of emails back to that officer in which authority is given?

Have you booked onto the calendar with the appropriate booking reference?

Have you included the booking reference on the application form?

Have you emailed from a secure email address?

Have you included the booking reference in the file name?

Have you emailed the application, draft warrant and contact number to NE-warrantapplications@justice.gov.uk with the booking reference in the subject line?

Point of Contact for this Guidance:

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Mark.daley@justice.gov.uk