



## **OBSERVER FEEDBACK FORM**

*Thanks for sharing your observations of a hearing in the Court of Protection with us.*

*This form is intended to help you to structure your observations and record the key issues. Please don't worry if you can't answer all the questions – all information you provide is valuable.*

### **1. Some information about you**

- Your name:
- Email address:
- Reasons for wanting to observe a hearing (give your professional background if relevant):

**2. How was the hearing listed?** (include case number, name of judge, date and time of hearing – and any other information e.g. issues to be addressed by the court). If you can screen shot and paste the listing here, please do1

### **3. Access to the hearing**

- Was it in person, telephone or video-conference (which platform, e.g. MS Teams CVP?).

*For in-person hearings:* please describe the experience of attending the court – e.g. finding the right room, could you hear and see what was going on, were staff helpful etc.

*For remote hearings:* Time you requested the link? Time you received the link. Did audio/video work well? If not, what went wrong and were you able to get anyone to fix it?

- Were you sent a Transparency Order? If yes, please forward it to us. If no, did someone explain what you are and are not allowed to report (and do you understand it?)
- Did you ask for Position Statements? What time? Did you receive any of them? What times? Were they helpful? (If anyone refused to send their Position Statements, tell us more)

#### **4. Introductory Summary**

- Was there an introductory summary to the hearing?
- Who presented it and what information was given?
- Was it helpful? (If you already had Position Statements, was there any benefit in *also* having an introductory summary or not? Explain)

#### **5. Basic structure of the hearing**

- Who was the applicant (e.g. a Clinical Commissioning Group, a Local Authority, the person at the centre of the case (P) via a litigation friend).
- Who was (or were) the respondents (i.e. the other parties in the case; e.g. a Clinical Commissioning Group, a Local Authority, as above)
- Were other people present at this hearing, other than the parties (e.g. other observers, family members of P who were not parties to the case, court officials, trainees? Give roles, not names)
- How was P (the person at the centre of the case) involved in this hearing? Who represented P – give the name of the barrister. Was this barrister appointed by the Official Solicitor or by P directly or by another litigation friend?

**6. What was P's "impairment of or disturbance in the functioning of the mind or brain"** (e.g. learning disability, dementia, schizophrenia)

**7. What was P said to lack capacity to decide for themselves?** (e.g. where to live, whether to have contact with parents)

**8. What order or declaration was the applicant seeking?** (e.g. a declaration that it would be lawful to treat P against their wishes; an order that P should live in a residential facility)

**9. Were there disagreements between the applicant and the respondents (or with the family). What were these disagreements?** (e.g. that medical treatment should or should not be given, that P should live at home vs in a care home).

**10. Were witnesses called? Describe what happened.**

**11. What did the judge decide? (If there is to be another hearing, what needs to be done before the next hearing?)** Please also give the date and time of the next hearing if you know it, so that other observers have the opportunity to attend knowing a bit about the case in advance.

**12. Anything else you want to say about this hearing?** What did you learn from it? Please also jot down anything you saw/heard that you *didn't* understand (e.g. reference to a "COP3 Form", or something a judge/party/someone else did or didn't do).

*Please return your form to us at **openjustice@yahoo.com***