



Ministry
of Justice

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HM COURTS & TRIBUNALS SERVICE NEW ONLINE CIVIL CLAIMS PILOT ROLLED OUT

I am writing to inform you that today we are publicly announcing the launch of a new online service to allow members of the public and businesses to claim money owed, resolve disputes out of court and access mediation. The service is available at: <https://www.gov.uk/make-money-claim>.

The service which can be used by anyone across England and Wales, provides a quicker, more user-friendly way to start an action in the County Court small claims track in order to claim money owed under £10,000. It allows people to issue or respond to their claim easily rather than having to fill in and post a paper form, or use an old, outdated online system from 2002.

As you may know, we launched a closed pilot of the service in August last year. More than 1,400 people used the service during the pilot and over 80% of those users, including individuals and small businesses, told HMCTS that the service was easy to use. Early evidence also suggests that the online system led to higher engagement from defendants than that in the traditional civil money claims service. Members of the public have been put off using the civil courts to make small claims because of the length of time and complexity of the system. The new service encourages people to settle the dispute online and directs them to free mediation services, which will save people time and money and free up expensive court and judicial time for more complex matters.

This is an important further step in the ongoing modernisation of our courts and tribunals system which begins to deliver the vision, as set out by Lord Briggs in his 2016 report on the structure of civil courts, where he called for claims worth up to £25,000 to be solved in an online court. It is launched after a year of development with members of the judiciary, representatives from the advice and legal community, and users.

I attach a fact sheet which provides further detail about the service and guidance on where to get further information about the project. I hope you and the Committee find this information useful.

Yours sincerely

LUCY FRAZER MP

**HM COURTS & TRIBUNALS SERVICE
NEW ONLINE CIVIL CLAIMS PILOT ROLLED OUT**

FACT SHEET

A new online service which makes it quicker and easier for members of the public and businesses to claim money owed, resolve disputes out of court and access mediation has gone live. The HM Courts & Tribunals Service (HMCTS) pilot, provides a quicker, more user-friendly way to start an action in the County Court small claims track.

Who can use the new service?

The new service can be used by citizens or business with an address within the UK to bring a specified money claim up to a value of £10,000 against a defendant with an address within England and Wales.

Where can I access the new service?

The new service is available on Gov.uk or via: <https://www.gov.uk/make-money-claim>

What does the service include?

The service enables a single-user-to-single-user (non-legally represented) claim to be initiated and responded to. In addition, the service promotes settlement by signposting mediation services and enabling a defendant to submit a settlement offer and the claimant to accept or reject that offer. Should the defendant not submit a response to the claim, the service supports the claimant to request a judgment in default.

On average, a paper claim takes around 15 days from receipt to issue. In contrast, digital claims are issued instantaneously. If the claimant has been able to provide an email address for the defendant, which they have in 90% of cases, notice of the claim is sent instantaneously via email facilitating early resolution. On day one of the pilot a claimant notified the court that the defendant had paid and settled the claim in full within two hours of issuing the claim online.

How does this service differ to Money Claim OnLine?

The new service is an alternative to filling in and posting a paper form, or using the outdated Money Claims OnLine system (MCOL) that was developed in 2002. Whilst the MCOL service currently includes additional functionality (for example, the claimant can apply for a warrant of control) the new service is built around the needs of users, is much more intuitive and makes uses of plain English to simplify the court procedure. Further we have a plan to deliver all the functionality currently available within MCOL shortly.

Will the service always be limited to claims with a value up to £10,000?

No. HMCTS will expand the scope of the service so users with higher-value claims can also take advantage of this improved online service.

When was the service launched?

In August 2017 HMCTS launch a controlled pilot (private beta) where users were invited to use the new online service and between August 2017 and March 2018, 1,400 claimants issued claims within the new service. Over 80% of those users, including claimants and defendants, have told HMCTS that the service was very good and easy to use.

Further evidence gathered suggests that the online system has improved access to justice with engagement from defendants being higher than that in the traditional civil money claims service. On this basis a decision was taken to make the service available to all eligible users via Gov.uk. This service launched on 26 March 2018.

Will this service be made available to those wishing to use Legal Representation?

Yes. This is the first iteration of the new civil money claims service. Over the coming 12 months HMCTS will be extending the scope of the service to support more users and claim types.

HMCTS are currently piloting a service which allows legal representatives to issue unspecified money claims within the County Court. As we learn more from the success of this pilot we will make these features publicly available.

How much does this service cost?

The fee to use the online service is dependent on the value of the claim. The lowest fee for claims up to £300 is £25 and for claims up to £10,000 is £410.

What if the defendant doesn't want to respond or manage the claim online?

The defendant will always have a choice as to whether they respond to the claim online or on paper. Within the controlled pilot 65% of defendants responded digitally.

Will you put in place support for people who may not be able to access computers? Or who may not have the confidence or skills to use them to resolve a dispute?

Yes. Assisted digital arrangements are in place to ensure that those who may have difficulty in accessing digital channels are supported. At present this includes 'light touch' assistance over the telephone, and more intensive face to face support for users who are completely digitally excluded. We are currently piloting the face to face provision in 6 locations across England and Wales with a view to extending this service if successful. Further we intend to introduce web-chat functionality to support users online.

How does this link to the vision for an Online Court as outlined by Lord Briggs in the Civil Courts Structure Review?

The introduction of an 'online court' to resolve some low value civil money claims was one of the key recommendations of the Review of Civil Court Structures led by Briggs LJ which was published in July 2016 (<https://www.judiciary.gov.uk/civil-courts-structure-review/civil-courts-structure-review-ccsr-final-report-published/>).

The government agrees that there are likely to be significant benefits that can be gained by increasing the use of technology in the justice system. The government intends to establish a

new and simpler pathway to justice provided by a new online procedure which may apply to civil, family and tribunal proceedings. It is intended that this approach will significantly improve the user experience and reduce costs by providing an online service which is simple to navigate and resolves disputes efficiently.

To maximise the use of technology the government intends to establish a new online procedure rule committee to support some civil, family and tribunal online proceedings. The new rule committee will have expertise in the law and the provision of lay advice and other relevant experience which will enable it to produce simple court rules, which support online procedures and which are, as far as possible, embedded in the online software.

This service is the first step towards a new online procedure for civil money claims but it is delivered within the framework of the existing Civil Procedure Rule under Practice Direction 51R.

Contact

If you have any comments or feedback please email the project team at:

claimsfeedback@hmcts.gsi.gov.uk

For further information and to keep up to date with progress please visit the project page

<https://insidehmcts.blog.gov.uk/>

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