



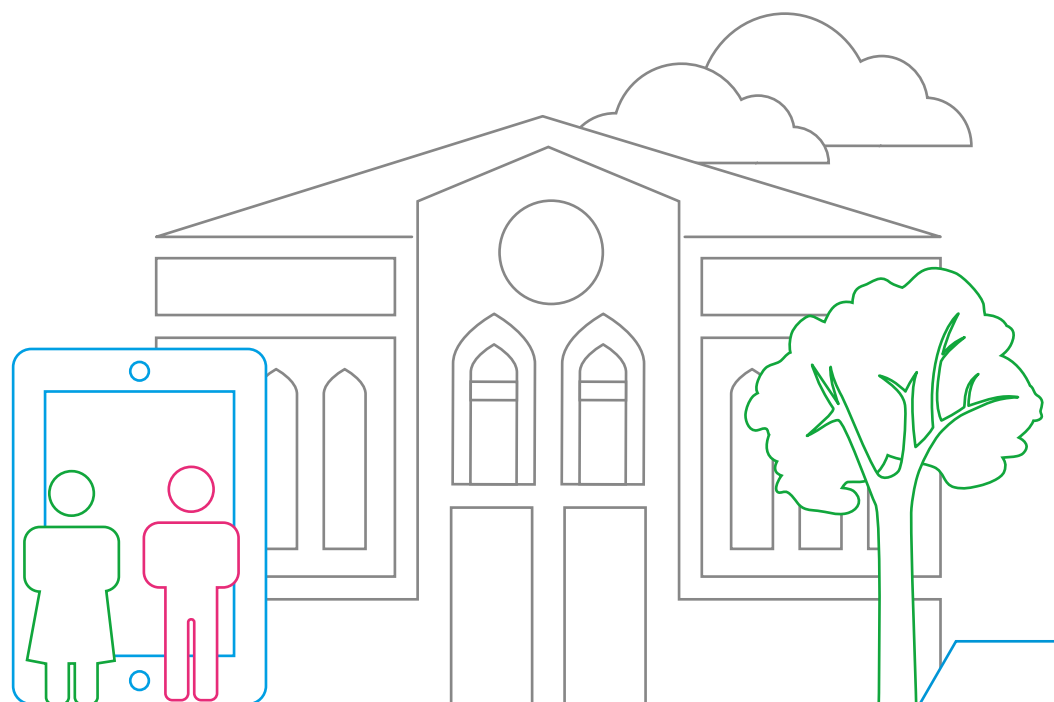
HM Courts &
Tribunals Service

Putting people at the heart of reform

Response to

PAC recommendation 2

January 2019



Public Accounts Committee - Recommendation 2

PAC recommendation (“Transforming courts and tribunals”, 20 July 2018, HC 976):

By January 2019, HMCTS should provide the Committee with a clear and detailed articulation of what the changes will mean in practice for all the users of the justice system, and when users can expect these changes to be in place.

Government response (Treasury Minutes, 9 October 2018, Cm 9702):

- 2.1 The Government agrees with the Committee’s recommendation.
Target implementation date: January 2019.
- 2.2 HMCTS regularly publish reform updates, information and documentation and uses a range of channels to reach a wide audience. Detailed designs are completed for each project as they are initiated, as well as having an overall design and schedule to which HMCTS are working. HMCTS understand the importance of showing the real-world impact of the Reform Programme and will publish overall designs by January 2019. These will give the outline of what HMCTS will do and how HMCTS will do it and who will be affected. The detail will inevitably be subject to more detailed design work and iteration, but this overview will help people see how the changes fit together into a whole.

Introduction

1. Our courts and tribunals, and the access to justice they provide, are fundamental building blocks of society. Every year, we handle over two million criminal cases, over 1.8 million civil claims, more than 150,000 family law disputes and almost 800,000 tribunal cases. The characteristics of these cases, and of the people involved in them, are enormously varied – from uncontested probate applications to decisions about livelihoods and liberty. But our service properly respects neither that breadth of human experience nor modern expectations of a public service. Despite enormous daily effort and a strong sense of innovation from both judges and staff, our processes, tools, and infrastructure are still fundamentally based around dealing with cases in only two ways: paper forms, and in-person, in-court hearings.
2. HMCTS operates out of 343 court houses and hearing centres with more than 16,000 people, the vast majority of whom are frontline, operational staff. The history of bringing together courts and tribunals into one service over time from many different organisations means we have inherited many discrete, expensive-to-maintain IT systems. The labour-intensive, paper-based systems across courts and tribunals generate errors, duplication, inefficiency and require significant effort and resources to administer and progress cases. These systems have not been designed around the needs of the people we serve, who are asked to navigate complex and arcane processes, often at very difficult points in their lives. Whilst we have worked hard to improve our current systems we have had to sink scarce resources into crumbling buildings, many of which are under-utilised, with systems and processes that have not kept pace with the world around us.
3. Reform to our services means catering better to the needs of the people who rely on it. This boils down to designing our processes around them wherever we can, instead of asking the public to conform to what we think the process ought to be. In practice, it means more cases started, handled and prepared online or by video; better information flows and communication

between the people involved, and to and from the court; better tools to understand what is happening, when it is happening, and why, including better online and telephone access and a better-functioning back-office to support users; and more varied tools to resolve cases, drawing on mediation, online settlement and judicial led online resolution. It does not mean the end of oral hearings; the courtroom; or even – for the public, at least – paper. For different reasons, these will all continue to have important places in our future service.

4. Putting people who use our courts and tribunals at the heart of how we design and run the system will mean that even if someone only touches our service once and fleetingly, that person will feel that they've been treated fairly and with respect and that what matters most to them matters equally to us. It will also mean a more efficient system. We expect fewer wasted hearings where parties are unprepared for what will happen, or without having engaged properly with the court (or each other) beforehand; we expect less re-work by our staff because a form was incorrectly filled in or because a user couldn't make – or resolve – a query first time; and we expect better collection of – and access to – data to help identify and resolve system-wide problems more quickly and easily.
5. We will underpin these changes by transforming the technology for justice and developing new online routes to our courts and tribunals. We will improve the setting of justice by investing in fewer, better court and tribunal buildings. We will have a smaller workforce equipped with new skills and capabilities to better serve court and tribunal users. We will deal with cases proportionate to their seriousness and complexity. The changes will all be centred on delivering on the shared vision between the executive and the judiciary for a system that is: **just, proportionate and accessible**.
6. This document sets out what these changes are in practice and are part of our commitment – and plans – to provide more visibility and opportunities for people to contribute to and shape the programme.
7. This paper sets out an overview of how research is shaping our design, followed by:
 - **In section A:** a step-by-step overview of what reform means as a case progresses through the system, whatever the jurisdiction (e.g. at application stage, pre-hearing); new types of service that we have not offered before (e.g. what a fully video hearing means) and changes to our ways of working;
 - **In section B:** what this means on a jurisdiction-by-jurisdiction basis; and

- **In section C:** an illustration of what the service will look and feel like by 2022 for users in the Civil, Family and Tribunals and Crime jurisdictions.
8. These changes will not happen all at once, and will need discussion, debate, involvement and evaluation to keep us true to the central guiding principle of putting the person using the system at the centre of the way it works. There is more information about how we are involving our users and stakeholders in the design process which can be found here; and about our delivery schedule in the HMCTS response to Recommendation 1.

Who will be affected by reform?

9. Our Reform Programme covers the four legal jurisdictions of crime, civil, family and tribunals, as well as cross-cutting work such as improving and managing our IT infrastructure and estate. This means that almost everyone who uses courts and tribunals – the public and legal professionals as well as our partner organisations – will be affected by reform to some degree.
10. In the criminal courts this means the police, the Crown Prosecution Service, voluntary agencies, victims, witnesses, defendants, jurors, the judiciary, prosecution and defence lawyers. In our civil and family courts it is people with disputes about money, families and people affected by relationship decisions, local authorities, and businesses across the UK and beyond. In tribunals it is individuals looking to challenge decisions made by public authorities or by their employers. There are also the legal professionals working on these cases, the public and press who enter our courts and tribunals to observe justice being done, as well as the people who work at HMCTS.
11. At the heart of most cases is an individual, a person with a family, with a job or caring responsibilities, perhaps with a health condition or disability, who might be vulnerable, a person of any age or background, who may never have expected to be drawn into the justice system.

What won't change

12. Reform does not in any way challenge or compromise the independence of the judiciary. This essential tenet of the justice system remains steadfast.
13. Access to the justice system will not be diminished; it will be enhanced through the addition of new routes that complement, but don't necessarily replace, the old.
14. Our justice system will remain as open and

transparent as it is now. The public and media will continue to be able to see, hear and read about hearings and judgments, whether they are made in, or away from, the hearing room.

15. The physical hearing room, and face-to-face interaction, will still play a critical role in the administration of justice. The sincerity, gravitas, integrity, along with the many traditions and ceremonial aspects, of the courtroom will not change. And many familiar roles – Ushers, Clerks, Advisors, Security Officers – will continue with the important work of supporting proceedings and making sure they run smoothly.

What do we know about our users and how is that helping shape the reforms?

16. Since we started our reform programme we have undertaken research and engagement in a range of ways to support our projects to shape the reforms that our users will experience. We are using the findings from our research and input from our stakeholders to design what our services will look like in the future. This research and input tells us the key factors influencing people's experience of the justice system. We will continue to use research during our

reform programme and add to this evaluation of our reforms so that afterwards so we can use this collective insight to continually improve.

17. We do this by:
 - Building on our existing primary qualitative user research to date (e.g. interviews and observations with people using our services), carrying out new research and conducting interviews every week
 - Blending this user research with internal quantitative and data science work to understand the people that use the justice system and the impact of our reforms.
 - Using insights from external research and academia to validate and challenge our approach and findings.
 - Partnering with external researchers and sharing our data to allow them to do their own research on reform.
 - Consolidating findings from our primary qualitative research so that we have a strong understanding of what users need from reformed courts and tribunals services.

You can read more about this here.

How we have researched and what we have found

As of late 2018:

1. **We have scaled the application of qualitative user research to underpin design decisions on our new services:** Interviewed more than 3,700 people (as of November 2018) including participants in cases, professional users and members of the judiciary to design and test new approaches. We have completed research to understand specific needs at case level, for example on social security and child support appeals, civil enforcement cases and video hearings in the tax tribunal. This research is then applied into design decisions for digital services. For example:
 - What we found: Research identified that 5% of users complete an application for Probate when they didn't need it to access the estate. This causes unnecessary work for the applicant and the courts to process the applications.
 - What we did: Introduced a question in the digital journey to route people to Probate or out of it depending on whether the person who died had property, land, shares or life insurance.
 - What we found: Research into the service design for Civil Enforcement identified that high numbers of County Court Judgements were caused by poor address data for the defendant.
 - What we did: Investigated different ways to address this while still maintaining the defendant's privacy. More accurate address data can be shared by HM Revenue & Customs and the user can select to use this address, known by government, for this person (the address is not revealed) instead of entering one manually themselves. This reduces the error rate and there is a higher chance the defendant receives the information.
 - What we found: Research showed that two-thirds of Social Security & Child Support (SSCS) appeal users were likely to be low on the digital inclusion scale and that they would not have smart mobile devices or data plans to use them freely.
 - What we did: Explored the best way to notify users of changes to their case and implemented a text-only notification system to complement the online version, so helping to overcome digital-usage barriers.

- What we found: Some users of SSCS Submit Your Appeal service told us they felt that the service was not independent of the decision they were appealing against and they therefore lacked confidence in the service.
- What we did: Explored how to communicate the independence of a tribunal panel. This is now done through content (on the screen) and the use of HMCTS branding (on notifications). Further work is underway to make this clearer to users.

2. We have built a baseline quantitative analysis of court users to both inform design of services and also prepare for evaluation: For example, we now understand the geography and some key demographics of users in the civil courts, magistrates' courts and social security and child support tribunal. In the first instance this allows projects to utilise this resource when making decisions – for example when considering future estate decisions or where to place pilot sites. Secondly, this allows us to work to better understand our current user base which we can compare in the future to the user base after the reforms. We also plan to publish more of this information on GOV.UK and, as below, are working with external researchers to collect more information.

3. We have made preparations to evaluate our reforms and understand 'what works':

- Taken significant steps to improve the way we share data with external researchers, including: making it easier to apply for data through our data access panel; gathering requirements (user needs) so we know what data we need to collect; bringing in expertise to help us define how we can make our data available on a sustainable basis. As explained in 'Engaging with our External Stakeholders – our approach and plans', Dr Natalie Byrom (expert adviser) will set out her recommendations to HMCTS early in 2019.
- With Ministry of Justice analysts, set up an evaluation team to develop and oversee an overarching evaluation of courts reform which will involve independent researchers.
- We are also working with academics to deliver process evaluations of relevant pilots, such as that of fully video hearings. As detailed in 'Engaging with our External Stakeholders – our approach and plans', for fully video hearings we are then using the findings of the evaluation, as well as ongoing research, to continue to develop the video hearings technology for further rounds of testing.

4. We have drawn together all these sources of information, as well as external and academic research, data from our surveys with more than 2000 people, and analysis of the phone calls, feedback and complaints we receive to provide insights to inform design of reforms. This has included understanding that:

- For people with civil, family and tribunals cases, as well as their case outcome, being listened to and having clear information are the most important influences on their experience, whether it is online, on the phone or at a hearing centre. This is now informing design work on our communications and our Courts and Tribunals Service Centres.
- For jurors, witnesses, victims, professional users and defendants, the need to ensure clear and timely information is provided about when and where their case will be heard is important, as is whenever possible minimising changes to these arrangements.
- Vulnerability is both contextual (e.g. having a legal need and the type of legal need involved) but also linked to people's characteristics:

For example, defendants in the Civil Money Claims (CMC) system appear on average to be less affluent

and have a very different geography (i.e. where they live nationally and within cities) than the applicants to the court. This echoes the findings of the Ministry of Justice and Department of Education on geographical differences in care applications (i.e. public family law cases). Understanding that there are vast differences in the geography and demographics of different court users is now expected to be used to inform service design and the design of our national services.

We have also for the first time conducted studies of potential homelessness amongst defendants in the magistrates' courts and which defendants may be more likely to be homeless. These findings are informing our Crime programme, but in addition we are now looking to act on these findings through partnerships with the Ministry of Justice, local government and other authorities.

- Many people who applied by post in the past to appeal a social security or child maintenance decision would look to friends or family for support, including to use digital services.

All of this research and insight has been, and will continue to be, used to inform the design and development of our services.

What will the changes mean for our users?

18. The changes that reform will bring to users of our services can be grouped into three main themes:

- There will be a better overall experience – whether in a building, on the telephone or online. Instead of having to understand complex language and navigate their way around paper-based processes, there will be straightforward questions to answer. Our processes will be consistent, predictable and easy to understand. People will get help when and how they need it, via text, phone email, or face to face. Legal professionals will also experience simpler processes and good quality digital systems.
- Our system will be more accessible, in the broadest sense – with less reliance on physical access to a building and greater use of technology to provide a range of ways of engaging with us (including paper, online or by telephone to a dedicated support team in a Courts and Tribunals Service Centre). We will be a user-first organisation – this means that we will provide multichannel services and users can choose the right channel for them at any

given time. Paper forms, in person hearings and telephone support will remain part of the service offered. These things will be improved as part of reform alongside improvements to the physical environment of our estate to support people to present their case well.

- There will be clear proportionality – complex and serious cases will continue to be handled with the full majesty of the courtroom. But all cases will not be handled alike, using modern technology to enable people to pay and submit applications online and access the right information when they need it, enable parties to consider or give evidence digitally, and to have a greater range of options to resolve their dispute and to enable the judiciary to dispense justice and manage cases in new ways.

In Section A of this document, below, there follows a detailed step-by-step guide to what this looks like during each stage of the journey through the courts and tribunals system. Section B sets out what this means within each jurisdiction.

Section A:

What You Can Expect from Court & Tribunal Reform as a User

19. Our vision for reform is to “modernise and upgrade the justice system so that it works even better for everyone, from judges and legal professionals, to witnesses, litigants, and the vulnerable victims of crime”¹.
20. This means a civil, family and tribunal justice system which provides a seamless end to end journey for users, is sensitive to their needs, and enables them to start their case and set out their dispute as simply as possible. Users will be able to opt to resolve simple disputes online with the support of a mediation service, and if that is not appropriate, progress it under the case management of Judges to resolve the dispute online, or at a hearing they can attend by video, or in person in a court or tribunal room. We will introduce the kind of digital working in civil and family courts, and in tribunals, that legal professionals and others have become used to in the criminal courts.
21. In crime, our ambition is to build on the more recent improvements to introduce digital working and provide smarter, more joined-up and streamlined processes to deliver better criminal justice for all. We will increase digital working throughout the criminal courts, enabling all participants in the criminal justice system to work from the same information to reduce duplication of effort, and introduce more consistent working practises. We will improve efficiency and accessibility and deal differently with things that don't need to be in court.
22. It will remain of the utmost importance that proceedings are open to the public and media. We will make sure that people can view cases and access outcomes of cases if they want to. To do this we will maintain and improve our approach to open justice by making lists of cases being heard available online and the result of cases will be available from our Courts and Tribunals Service Centres upon request. We will also continue to make outcomes available to the local

press, and press access will be maintained. Proposed fully video hearings will be designed to ensure the commitment to open justice is maintained with observation terminals located in viewing areas inside court buildings under consideration.

This next section explains what reform will mean for the users of courts and tribunals and their services.

Submitting an application or appeal

23. Many of our services require people to fill in a form at the start, for example to apply for a divorce or appeal a personal independence payment decision. We will make this easier to understand, quick to complete and designed to ensure the user knows what happens next when they have completed it. They will have a choice about how this is done - online using our digital service; by downloading the paper form from the HMCTS website; or by contacting us and asking for the paper form to be sent to them.
24. Our online forms will be simple and easy to use. They will have a “save and return” and “download or print” function so that users can stop to find more information or ask someone for advice on a particular part, and then come back to it. Applicants choosing a paper-based route will receive forms that are equally clear and easy to use and designed to be handled through a bulk scanning process, making the assessment process quicker for users and HMCTS alike.
25. Whichever way users choose to submit their forms there will be guidance throughout with simple language so it is easy to understand. Our guidance will help inform the choices users have and help them provide information about their case in the best possible way for a court or tribunal to consider. There will be the option to provide an email address and phone number so users can receive text or email alerts if required. This means that even if users choose

¹ Joint statement by the Lord Chancellor, Lord Chief Justice and Senior President of Tribunals launching the reform programme in 2016.

to start on paper they can move to digital channels during their case if they want to.

26. Since its launch in March 2018 more than 43,000 claims have been started through the online civil money claims service – with satisfaction rates of claimants at 89%. A new system for applying for divorce online, launched into public beta in May 2018, has cut errors in application forms from 40% to less than 1%, with 85% of people reporting they are happy with the new online service. Over 8,500 applications have been made using the Probate Online service – with user satisfaction rates at 93% - and over 4,000 online Personal Independence Payments appeals have been submitted using Submit Your Appeal Online, since their launch in July 2018.
27. Such online services do not replace existing paper-based applications, but provide a quicker, easier route for many people. Each are undergoing further development that will see new functions added to improve public access and efficiency (further detail on development activity is in the service guides in section B).

Courts and Tribunals Service Centres

28. The design of our services will mean that users are less likely to need to contact us because they will have the information they need, when they need it. However, when further support is required it will be made easy for users to access it – online, by webchat, or over the phone. This could be light touch support – a question via web chat on the next step in the process - through to more detailed support on the phone. Users will be able to contact HMCTS in the way that is best for their particular circumstances.
29. We will provide this support through new **Courts and Tribunals Service Centres (CTSCs)** that will be the single point of contact for public and professional court users. They will provide routine case support and administration, for civil, family, tribunals and low-level criminal issues, like checking all the information for a case has been submitted and requesting it if it is missing. Our people working in the CTSCs will have the information they need to provide the best guidance using our case and knowledge management systems. Our service will be responsive so that our people can use their training to support users rather than simply following a script. Perhaps 20% of the queries will require deeper knowledge than most of our people have. If users have one of these types of queries, there'll be a 'second tier' of HMCTS experts available to provide support. The centres will be 'paperless' and all paper forms and documents we receive will be scanned in a centralised centre and

sent electronically to the CTSCs. We will also send notifications to users online, by email, or SMS such as notices and directions about your case. For paper channels we will use a centralised printing facility to send out information directly from our case management system.

30. If a person wishes to use a digital service, but lacks the skills, facilities or confidence to do this, we will provide in-person support, as part of our commitment to the UK Digital Strategy 2017, so that they may do so. We have partnered with Good Things Foundation, using their network of Good Things Foundation Online Centres, which include libraries and other community hubs, to help develop our approach to such support. More information about HMCTS's assisted digital support services is available [here](#).
31. We know that the support users need may go beyond help completing a form or understanding the process. We will continue to offer reasonable adjustments to those who will find them helpful or necessary to use our services. We will ask the right questions at the beginning of a telephone call so that users are given the opportunity to provide information that helps support them with any underlying issues they may have.
32. The first two CTSCs, in Stoke and in Birmingham, went live and began dealing with cases in the Single Justice Service, Divorce, Probate and Social Security and Child Support on 28 January 2019.

Managing and Progressing Cases Online

33. We will make the handling of cases much easier for all our users. Parties involved in civil, family and tribunal cases will be able to use our digital systems to upload evidence, receive notifications, provide updates and manage their engagement for the life of a case, overseen by the judiciary. This will make it easier, quicker and more efficient for users to progress their case. When we list a case, we will notify the user so they know when it will be heard - and we will send reminders closer to the date too.
34. Civil, family and tribunals cases will be progressed through much improved digital services designed around the needs of our users, where they will be able to see their case file, share information and upload evidence. The system will facilitate end to end case management so that all parties have the right information before, during and after a hearing. This means our people will no longer have to re-enter information sent between courts, encouraging earlier and more effective sharing of information between the parties.

35. Parties will be able to make applications online with Judges and legal advisors able to give directions as part of their 'box work' for cases. The system will send updates reminding people involved in the case of any deadlines and will provide a dashboard to support users and professionals to proactively manage their cases online. The digital system will allow evidence sharing, responses to questions and updates to case materials.
36. We will offer our users a greater variety of choice in how they can resolve their dispute than they have today. In our civil and tribunal jurisdictions particularly, we expect many users to want to take advantage of online tools and mediation services to resolve disputes between themselves, and we will support them in doing so.
37. These improvements will enable legal professionals to progress multiple cases they are representing with a single sign in. We will also introduce tools which enable legal professionals to upload case bundles, progress cases, receive notifications about their cases, and contact us online, by webchat or by phone. We will improve the technology we have put in place which enables legal professionals with bulk cases to submit all the case details in single transactions, and then to progress those cases to their conclusion. We will also introduce streamlined forms for professional users.
38. In the Crime jurisdiction, we have already put in place the digital case system in the Crown Court, moving us away from paper bundles and saving us from printing over 68 million pages of paper, and started to build the Common Platform – which goes beyond this to connect the police, CPS and courts seamlessly - and begun to test the first piece of this on real cases in Mersey-Cheshire CPS and Liverpool Crown Court. The Common Platform will introduce new online case management software so that in a criminal case information can be securely shared. This will mean a shared system from when a police officer charges a case or requests a charging decision from the CPS, to the point the case is decided and the result is recorded formally. In 2019, we anticipate building further functionality for the Common Platform to support more sophisticated case progression across the criminal justice system to help ensure that when a case goes to court the hearing is effective. By July 2019, the Common Platform will have commenced a pilot within a magistrates' court in England and Wales.
39. Where a judicial officer holder is required to make a decision, many users will receive it far more quickly than they do today, and when they do receive it, it will be easier to understand what was decided and

what happens next. Decisions will be proportionate to the nature and type of proceedings, and judges will be able to choose to communicate decisions in a way that reflects the complexity and seriousness of the case. Where written decisions are necessary, the tone will be right for the case and the user, and where appropriate will be written in an empathetic and human way, in plain English so that users understand the outcome and what it means for them. For more serious and complex matters, long form formal written judgments and reasons will remain. All defendants in the Crown Court who are represented should receive sentencing explanations from their barrister or solicitor. The Public Defender Service, for example, explain sentences to defendants verbally and in writing as part of their standard operating procedure.

Courts and Tribunals

40. We will develop the way we work in our court and tribunals buildings so that they provide a better environment. We will have fewer, but more flexible court and tribunal venues, with the facilities and technology needed to support our digital ways of working. Our new Courts and Tribunals Design Guide is providing new standards for refurbishment and the re-development of our current and future court and tribunal buildings wherever this is possible. The new Design Guide will be published by July 2019, and substantially updates the current guide with a more user-centric approach.
41. We know from our research that being listened to, having good information and being able to navigate the system are essential to our users. If users need to attend a court or tribunal in person, we will let them know what to expect, where the building is, and the facilities that it has, so that they can prepare for their visit. On arrival, users will be able to check-in so they know where they need to go, and we are piloting new ways of keeping users informed about the timings of their hearing and what will happen next to minimise the amount of time that they need to be there.
42. We will design a digital tool and form new processes for supporting the administration of scheduling and listing. This will increase efficiency and reduce delays. Judicial control of listing will remain sacrosanct, but a better underpinning system will make it easier to collect and manage a wide range of information about needs and availability, and give us better data about how successfully lists are balancing competing demands, which can in turn be fed back into good practice, and help us to work more efficiently.
43. We will also introduce changes to improve the

Changes we are making to buildings now

We recently announced an extra £15m of funding from the Government which we will invest to improve the condition of court and tribunal buildings with over 170 wide-ranging improvement works identified to take place in 2019. This will include replacing the roofs at Snaresbrook Crown Court – the first phase of a longer-term refurbishment programme at the court – and Winchester Crown Court, new boilers at Newton Abbot, Peterlee and Plymouth Magistrates' Courts, new windows at Barnstaple Magistrates' Court and replacement lifts at Swansea Civil Justice Centre and Thames Magistrates' Court. An additional £3m will be spent on security related work including installing improved locks and panic alarms, vision panels in doors and improving CCTV in waiting areas. The remaining £8m will be spent improving facilities with a particular focus on improving heating and cooling in court buildings.

We have established model victim and witness waiting rooms at five sites across the HMCTS estate. We are using these and the results of an audit of our facilities nationwide to target further improvements.

experience of legal professionals. We recently announced a pilot at five courts, now extended to another five, allowing practising legal professionals direct entrance to courts without the need to be searched. The Bar Council has led the development of an app for its members to use as ID for the scheme. The 'Professional Entry Scheme' intends to ease queues to get into court buildings and allow easier and swifter access for legal professionals who come to court regularly.

44. Our courts and tribunals will have improved Wi-Fi, increasingly flexible working spaces, and a growing number of court rooms which can be set up in different ways, depending on the type of hearing taking place. Where we undertake new works, we will have a consistent look and feel, with branding, signage and design to help users know what to expect, and where they need to be, and how to get there. Our staff will be trained, skilled and knowledgeable to give the best support, as people arrive in the building, to ensure they know where to get to, and to help with any queries. Overall, our court and tribunal buildings will provide an environment where users can present their evidence or case to the best of their ability.
45. We are also piloting having more flexible times during which the court operates so that people have more options to attend a hearing at a time that suits them. We will run two pilots in the Civil and Family Courts in Brentford County Court and Manchester Civil Justice Centre in 2019. We will evaluate the pilot so we can see if the alternative arrangements work for the people who use the court and our findings will help us to understand if more flexible court hours will be part of the way courts work in the future, and where and how we could use them. More information about these pilots is available here.
46. Accessibility is important – both in the design of our buildings and the support we provide to users. We recently introduced new guidance for our staff on providing support to users with disabilities and making reasonable adjustments in the court building where needed, as well as launching a public facing page on GOV.UK which lists the support we can provide to disabled people. Examples of reasonable adjustments include the provision of documents in Braille or large print, providing regular breaks during the hearing for users who need to take medicine or breastfeed, and ensuring car parking close to the court if users have difficulties in walking.
47. Vulnerable or intimidated witness are entitled to apply for special measures to help give their best evidence, and to help relieve the stress associated with doing so. Under the court's direction, witnesses may give evidence via a live video link from a location away from a court building, or from another court or court room. Evidence shows using video links increases the likelihood of a witness giving evidence, improves their experience of the court process, and can help secure convictions. These witness links are all able to connect to any court room with a video link in England and Wales. Remote links have already been installed in each court region. These allow victims and vulnerable people to take part in criminal proceedings without having to meet the defendant face-to-face.
48. Feeling safe while in court and tribunal buildings is important, so we are increasing the number of separate waiting areas or entrances available where these are needed. Security officers have an important role to play in keeping building safe too and we are making sure that our security officers understand the unique setting of our buildings and the business being done and treat all court users and professionals with dignity and respect in carrying out their work.

What will a fully video hearing be like?

We are developing a service and technology that will, for the first time, allow a hearing to be conducted with all parties appearing via video. Others will be able to observe, as they can from the public gallery in a court room.

Fully video hearings will only be suitable for some types of cases. For example, we will not conduct full criminal trials in the Crown Court or make decisions about the custody of children in this way; and judges will decide which case types can be considered for fully video hearings, and build this into rules and practice directions.

When users submit their case, they will be asked questions to help the individual judge decide if a video hearing might be suitable for their particular case, such as whether or not the user has a computer with a camera and a quiet place to have the hearing. For those cases for which the judge decides a video hearing is suitable, users will be provided with support to help prepare them for the hearing, including things like how to set up screens and what to wear. There will be Video Hearings Administrators available to provide support before and on the day of the hearing. Users will be able to access the video hearing through a web browser, so no specialist equipment will be required.

Before the hearing starts the judge will explain what is

going to happen and during the hearing all participants will be able to see the judge and the other parties in the case on-screen. At the end of the hearing, written notification of the outcome of the hearing will be received to ensure understanding of what happened and what the next steps are.

We completed the first round of small-scale testing in the First-Tier Tribunal (Tax Chamber) in July 2018. Academics from the London School of Economics evaluated each participant's (including the Judiciary) experience of a video hearing. The results of this evaluation were published here in September 2018.

Using the learning from that testing and the independent evaluation as well as ongoing research, we are continuing to develop the video hearings technology and the necessary support services.

Further small-scale testing with party to party hearings in the Civil and Family jurisdictions is due to start in early 2019. A second independent process evaluation will be carried out and the results will be published.

Hearings

49. A hearing is a chance for someone to be heard, usually in a courtroom or tribunal hearing room before a judge. At present, most hearings take place in person, though telephone hearings are relatively common, particularly for 'progress' hearings to get ready for a main hearing (or see if one is needed). Video is also used when the judge agrees that it makes more sense than someone appearing in person.
50. In future, there will be more ways to have a hearing. For example, as well as hearings where one or two people appear by video during the hearing, we will make it possible to have some hearings where everyone involved appears by video. We will also introduce online hearings, where people can give their views and answer a judge or a tribunal panel's questions online. Judges will decide which types of hearing are suitable for these different approaches; and individual judges will also be able to decide which approach would be best for a specific hearing, taking into account not just what it is about, but who is involved, and their needs.
51. Proposed online hearings will be conducted by the judge sending questions to people involved in the case to get more information. They will then be able to respond digitally. It won't be an instant response,

but will be more like an email conversation, and it will enable Judges, and the parties, to progress the case efficiently, and with the right information, without asking everyone to travel and be available at the same time. The questions will be simple and easy to understand so users know what information they need to provide. This is a new way of undertaking hearings and so will evolve as the judiciary test it and we develop it further.

52. During a hearing all parties will be able to access their case information digitally, so that they have the information they need without paper bundles. Parties will also be able to use screens in courtrooms, to present evidence digitally if they need to.

Continuing to improve

53. We will continue to improve the way we work both during and after reform to ensure that our services are delivered with users' needs centre-stage. To do this we will seek users' views on using our services and how we can improve them. We will do this throughout a case so that we can make sure that each step in the process meets users' needs. We will evaluate the services we implement to understand how they impact the people who use them and how we can improve.

54. We will also measure problems users encounter when using our services. For example, we will have clear processes for logging why we were contacted so we can solve problems at source, so that our services are as easy as possible to use.
55. We will regularly review data on the experience of those using our services. We will analyse complaints information and feedback which will be captured in a far more usable way, helping us to understand where we need to do things better and where we do things well to make sure that we continually improve and offer the best experience to court and tribunal users. Our new system will give staff working in court and tribunals more visibility of the issues, patterns and trends in their court or tribunal, making it easier to first spot these and then to take action on them. If we make mistakes, we will put them right, and make sure we learn and improve the service where we can. We will measure that we have done what we have said we would do, so we will know if we are giving all users the service they are expecting.

Section B:

Detailed Service Guides

Civil, Family & Tribunals

Civil Money Claims Online

56. The Civil Money Claims service lets people claim money they consider they're owed by a person or business. Reforms across this and other civil jurisdictions are rooted in the review of the Civil Courts structure conducted by Lord Justice Briggs and the recommendations he made in his report published in 2016.
57. At the centre of Lord Justice Briggs' recommendations was establishing an Online Court for money claims under £25,000, supported by new simpler procedure rules with an emphasis on better use of technology and Online Dispute Resolution (ODR) to support the resolution of disputes without the need for oral hearings. He outlined a radical departure from the traditional courts (outside the small claims track) by being less adversarial and more investigative, with the traditional trial regarded as a last resort.
58. With online routes into and through the courts making better use of technology and simpler processes, the vision was one of vastly improved information captured upfront, which allowed better identification of the issues in dispute, proactive case management by case officers, and greater emphasis on the use of trained mediators. This would make the service more accessible to users without legal representation, cheaper, quicker, and more efficient.
59. The first stage of making a claim is to fill in a form online. The person who is making a claim for money (the claimant), for example a housebuilder who is owed money from a house owner, will be able to make a claim, pay their fees or get help with fees if they are eligible, online. The form will be designed to help them to provide the information that is needed to manage the claim by using structured questions. They'll be able to get help with any questions they have during the application process via web chat or on the phone from our CTSCs. They will also be able to use a paper form if they want to. You can find out more about how we built this form here.
60. Businesses will be able to submit claims in bulk and manage these claims, including paying fees by account, in one place. Professional users will also be able to submit and progress claims online, supported by digital tools to submit cases, pay fees, get help with fees for clients, upload evidence, respond to evidence, and manage their caseload with a range of case dashboards and online notifications. Methods of submitting bulk batches of claims will be available for legal firms without the need to complete an individual application for each case. An improved process for bulk progression of cases enabling real time updates will also be available.
61. The defendant (the person the claim is being made against) will be able to view the details of the claim online and provide a response if they want to. They will also be able to make a without-prejudice offer which can be accepted online. The offers and acceptances will be legally binding.
62. There will be a mediation service so that the issue can be resolved without needing to go to court. Both parties will need to agree to use the service, but it will provide a quick and simple way to resolve their issue more quickly. If they need a judge to resolve their dispute, the judge will be able to ask questions online and get more information if they need it.
63. Those who are unable to resolve their dispute through the online system will move through to the most appropriate type of hearing. This will either be a hearing in a courtroom, a video-enabled hearing (where one-party attends via video link) or, in some categories of case a fully video hearing (where all parties attend via video hearing) may be offered where the judge considers it appropriate. If parties go to court they will get information about the process and what to expect. They'll also be able to go online and find more information using the links provided in

their notifications.

64. In the hearing room all parties will be able to use wi-fi to view the case information online. They will be able to view evidence digitally using screens in the court room. If they need special assistance a member of the court staff will meet them and help them do the things they need to. So, for example, a claimant who is blind and needs support moving around the building, will be able to tell our CTSCs in advance and a member of the team will meet them when they arrive to support them through the hearing process.
 65. Outcomes will be recorded directly into the case management system which will automatically send a notification online or to our printing service so the outcomes are sent to the parties as required. The notifications will clearly set out the outcome of the claim and provide information on what the next steps will be. Where a decision or order is enforceable through the civil courts, we will make it simple and straightforward for parties to apply for their decision to be enforced via the same system on which their original claim was made, without having to provide the same information twice. Users will be able to manage and progress their enforcement proceedings online in the same way that they managed their claim.
 66. The first part of this comprehensive new service – enabling people to make a civil claim of up to £10,000 and allowing defendants to respond digitally - has already been launched to the public. The uptake of the new service continues to progress well with more than 43,000 claims made since its launch in March 2018, equating to over £3.5m in fees and satisfaction rates at 89%. Ten legal firms have now issued 2,097 claims, with more than £1.4m of fees taken as of 14th September.
 67. We will continue to add features and functionality to our digital civil services for both professional and citizen users, developing an end to end digital service, incorporating the listing and management of paperless hearings and any necessary post hearing activity. We will share our learning and experiences across the jurisdictions, building on our successes and making sure we don't make the same mistake twice.
69. The digital systems that the parties will use both leading up to and during any court hearing will be easy to understand and simple to use. Users will be able to personalise the type of notifications that they receive to keep up to date with the progress of their case, track what stage their case is up to, and check online at any time to see any new activity and make sure their details are up to date.
 70. We recognise that the seriousness of family proceedings means that few cases will be suitable for online resolution or video hearing for the consideration of substantive issues, and that physical hearings will be required in the majority of cases. If parties go to court they will get information about the process and what to expect.
 71. Where physical hearings are needed the judge and the parties will be supported by the right tools in the hearing room, allowing them to access and view evidence digitally without the need for large paper bundles that currently dominate our court rooms at significant expense to HMCTS and its users.
 72. For those people who need to **apply for a divorce** there will be an online service (this is already live and has reduced the number of errors made in completing the form, when compared to the paper form, from 40% of forms being returned to just 0.4%). You can read more about how we built this form here. There will also be an online service to apply for financial provisions following a separation (known as financial remedy). **Probate** applications (to manage someone's estate after their death) will also be online. Errors in the current paper Probate application form are at a similar level to divorce petitions prior to reform, so transforming the probate service gives HMCTS the opportunity to make the process much simpler and easier to follow for users at what is a very difficult and distressing time. For these services, solicitors and litigants in person (a person who is representing themselves) will be able to use our online services and save and return to the application as many times as they need to before submitting it. Improved guidance will make the process more transparent. If they want to, litigants in person will be able to submit their application on paper and we'll use our bulk scanning provider to turn these documents into a digital format and allocate the forms or evidence to the right digital case. They will also be able to pay fees online or get help with fees where they are eligible for financial support.

Family Justice System

68. Reforms to the family justice system will make it easier to understand, and provide an enhanced, flexible end-to-end service sensitive to the needs of the people using the family court, and their preferences in accessing it. The system will enable a person or their solicitor to set out their case online or respond to a case online, using simple and easy to

73. The **Family Public Law** service deals with cases where Local Authority is intervening to protect children. The new service will make the system more efficient, making sure that the people involved in the case have the information they need at the right time to enable the court to make a decision. The new system will let the local authority submit a case and evidence to support it securely online. The system will enable all parties (including the judiciary and legal professionals) to store and share case documents. This will include the appropriate safeguards to protect documents for private proceedings. There will also be technology including wi-fi and screens in court rooms for the digital presentation of evidence.
74. In public and private family law (including adoption and family law act) jurisdictions, judges will be able to progress cases digitally, ask questions online and seek clarification from parties. The parties will be able to make their application online and upload their evidence so that the case can be managed as a digital case all the way through to, and during, the hearing. Guidance will be offered on possible alternatives to the court process for resolving disputes and parents will be directed to other sources that may help with their current situation.
75. We have already built a system that allows online applications for divorce, and launched it into public beta in May 2018. Since opening the service up to the general public, we have received 24,000 applications and user satisfaction is at 85%. We are continuing to extend our reforms in online divorce to cover more of the process, which is now digital up to the point a legal advisor considers whether someone is legally entitled to the divorce.
76. We have also launched a similar service to the public for applying for probate online, with very positive feedback. To date, the service has received over 8,500 applications with over 5,000 grants of probate issued. We are continuing to roll out our pilot by extending our service to more legal firms and allowing legal professionals to make divorce and probate applications on behalf of their clients. A pilot has also been run for legal representatives submitting financial consent orders for their clients following a divorce. This is already seeing some very positive results, with many weeks being removed in processing time compared to the current paper process.
77. A new online application form and digital notification service for Family Public Law will be in pilot from 31st January 2019. This new service will allow Local Authorities to complete and submit an application and supporting documents online. Automatic notifications will be sent to the respective Family Court and

Cafcass, enabling the application to progress digitally through to gatekeeping stage. This will be piloted in Portsmouth, Stoke, Swansea and West London and agreed Local Authorities linked to the respective courts.

78. Plans over the next 18 months in the Family jurisdiction include extending our systems for divorce, public law and probate, adding more features and launching the ability to apply for an adoption online.

Tribunals

79. Whilst tribunals were initially intended to be navigable by the lay person, over time processes and procedures have become more legalistic and difficult for people without legal representation to understand. Reform provides us an opportunity to reset that balance by providing simpler processes so that people can access, manage and resolve their disputes more quickly. We will provide tools that support people to resolve their disputes online, by telephone, by video or face to face in a tribunal hearing room. Judges will communicate directly with the people involved using our online resolution service. This will be used to understand the issues of the case and find the best way to resolve the dispute.
80. The first stage of most Tribunal cases is an application or appeal form. Both public and professional users will be able to complete this form online using our digital services or using a paper form if they choose to. They will be able to sign-up for ongoing notifications about their case and to track the progress of their case through each stage. For example, appellants submitting a Social Security or Child Support (SSCS) appeal will be able to track their appeal online and receive text and email alerts letting them know what is happening at each stage of their case. Many SSCS appellants have disabilities or other vulnerabilities, and the benefit application and appeal process can be very stressful. By giving users the option of following the progress of their case online, they will be better informed.
81. We will process cases efficiently when we receive them. Caseworkers, working under judicial supervision, will support a range of tribunals to carry out routine case management tasks that were previously undertaken by judges. Caseworkers will work with the people involved to progress cases and ensure the right information is provided at the right time, and shared with all the parties who need to see it. There will be an evidence sharing platform between the appellant, HMCTS and other government departments to allow for the efficient and transparent sharing of appeals and case bundles.

82. Cases will be resolved in the most efficient way, proportionate to the nature of the dispute. This could include a decision on the papers (where parties are content that the judge is able to make a decision without a hearing with the information that has already been provided). It may include 'continuous online resolution' where appellants, respondents, their representatives, and judges or case officers use questions and answers online to discuss their case so that the appeal can be resolved as quickly as possible. This will enable citizens challenging decisions by government departments to provide all the right information and enable the department concerned to reconsider their earlier decision and potentially concede the case (thereby assisting the policy objectives set out in the Administrative Justice and Tribunals: Strategic Work Programme to improve initial decision making), or allow the judge to make a decision on the case.
83. Appellants will login to a secure website to correspond with the caseworker or judge. Some cases will need a hearing in a tribunal room before a tribunal judge or a tribunal panel, particularly where the person is vulnerable (for example asylum seekers). Tribunal hearing rooms will share the same infrastructure as the criminal courts and the civil and family courts. They will have high quality wi-fi, and screens available in the room so that hearings can be conducted digitally. Before they arrive at the hearing venue appellants will receive the information they need about the hearing so they know what to expect, and will be supported when they arrive.
84. The Senior President of Tribunals has indicated that he expects Practice Directions to be issued for each tribunal chamber clearly stating the types of cases that may be suitable for online resolution or fully video hearings. Meaningful pilots will be conducted allowing the impacts on all our users to be fully assessed before any widescale roll out of new initiatives, and we will listen carefully to our users before making decisions that affect them.
85. We have already started developing this new comprehensive service for tribunals, introducing online appeals to the Tax Tribunal and making the SSCS 'track your appeal' service available nationally. We have also started testing the service for SCS appellants to submit their appeal online, in the Midlands and the South East.
86. By July 2019 we will be piloting the evidence sharing service for government with the Department for Work and Pensions, allowing evidence to be shared electronically with the department in SSCS appeals. Over the next 18 months, we will roll out the ability to appeal online in the SSCS nationally, and introduce similar services for the First-tier Tribunal Immigration and Asylum Chamber. We will also test and introduce the service for "continuous online resolution" in the SSCS Tribunal to allow appellants to participate in online hearings and have their appeal resolved online by a Tribunal Judge.
- ## Crime
- ### Single Justice Service
87. There are some minor crimes – which you can't be given a prison sentence for – which we treat differently in the system, recognising that they are very common (around 850,000 cases per annum), but not as serious as other crimes – and so people need ways of responding to them that are quick and proportionate. Historically, the majority of these cases were tried in the absence of the defendant, so the magistrates, prosecution and court staff went through the motions of hearing case after case with an empty courtroom which was time consuming (around 20 minutes per case), expensive and an inefficient way to operate. In 2015, legislation was introduced to improve the efficiency of dealing with these cases – this was the Single Justice Procedure.
88. The Single Justice Service (SJS) administers the Single Justice Procedure (SJP). This applies to defendants aged 18 or over who are charged with offences which you can't be given a prison sentence for and which can be tried on the papers by a single magistrate. Other criteria are that the defendant has not objected to being tried in accordance with the SJP and that the court is satisfied that the defendant has been served with relevant documents. The SJP removed the requirement to try the case in open court in the absence of the parties. Where the relevant papers have been served on the defendant and they have not objected to being tried in accordance with the SJP, the court can proceed to deal with the case on the papers. Offences which can be dealt with by the SJP include:
- Exceeding a 30mph speed limit
 - Driving without insurance
 - Failing to show a valid train ticket
 - Using a television without a license
89. We have begun the development of an end to end digital service, ATCM (Automated Track Case Management) working closely with users of the service. For example, legal advisers who will be reviewing case information online without the need to refer to paper files. From a court administration perspective, this removes the need for them to result

cases as this is recorded directly onto ATCM by the legal adviser in the SJS session. Using this system, the prosecutor, such as Transport for London, can upload material about the case directly to the court. The new system has a number of benefits for prosecutors including greater visibility of cases; reduction in staff time and cost in attending court, printing and posting costs for sending documents to court and automated notification of results. ATCM will enable the case to be dealt with as soon as the defendant responds thereby providing them with a swifter outcome compared to the previous process.

90. Defendants (the person the case has been made against) will receive a notice telling them about the details of the case, a summary of the evidence on which the prosecution is based and advising them how they can respond. They will be able to indicate how they wish to plead in writing (e.g. either online or by post). They can choose to have a hearing, or have the matter dealt with 'on the papers' using the information provided in the letter and online to help understand the implications of the decision they make. If they choose to have a hearing, or where a Legal Adviser or Magistrate decides to refer the case, it will be listed for a hearing. In some cases, subject to legislation and judicial decision in an individual case they could appear via video-link, for example if they have a speeding case heard in Cornwall and they live in another part of the country. They might also, subject to judicial decision, have a fully-video hearing where all parties appear via video link.
91. Subject to primary legislation, a new online procedure called 'Automatic online convictions and standard statutory penalty,' will allow defendants in a subset of the SJP process to enter a guilty plea and resolve their case entirely online (and remove the need for magistrate court involvement altogether). The online procedure is entirely voluntary; defendants will need to actively opt into the process by pleading guilty and agreeing to participate. The process will be subject to safeguards, such as clear warnings as to the consequences, so that defendants are given all the information they require to make an informed decision not to involve a court in their case.
92. This procedure will be initially limited to the offences travelling without a ticket on trams and trains and unlicensed fishing with a rod and line. If successful, this could be extended to other similar offences, including certain road traffic offences. Any proposed changes would be put before Parliament for approval.
93. The ability to plead online for SJP cases builds on the experience of the 'Make a Plea' service, which has been live since August 2014, for defendants (who

are 18 or over at the time of the offence) involved in summary non-imprisonable motoring offences, such as speeding and having no insurance, and has been rolled out to all 43 police forces. During 2018, over 87,000 pleas were registered through this service compared to 83,000 in 2017, and we are now receiving around 1,700 pleas online each week. Since we introduced the new online plea for Transport for London cases, the engagement rate has gone from 17% to 20%. Of those who respond 43% respond online as opposed to by post. User satisfaction with the new online service stands at 73%.

94. By October 2020, we will be using the new automated track case management system for all Single Justice Procedure cases, in all regions and the service will handle all incoming calls from defendants relating to this procedure. We will also complete national roll out for DVLA and non-police prosecutors Single Justice Procedure cases.

Magistrates' courts

95. All criminal proceedings start in the magistrates' court though where they end up being tried and/or sentenced depends upon the classification of the offence and, in the case of either way offences, the decision made on mode of trial. All offences fall into one of the following three categories:
 - Summary offences - those which must be tried in the magistrates' court;
 - Indictable only offences - those tried in the Crown Court by a judge and jury but magistrates can decide on issues of bail (in all cases but murder) and other preliminary matters (e.g. reporting restrictions) before sending the case to the Crown Court;
 - Triable either way - technically indictable but can be tried in the magistrates' court if both the magistrates and the defendant agree.
96. The reform programme will focus on delivering a new digital system that will enable criminal justice system agencies (e.g. police, CPS, Legal Aid Agency, HMCTS, the judiciary, probation and the prison service) along with the defence to access case information they need at the time they need it. This will improve the efficiency and effectiveness of the courts.
97. Some digital working already takes place in the magistrates' courts but it is done using several different digital tools. The new system, the Common Platform, will replace these tools with one system. An individual's solicitor will be able to log on to the digital service and access the details of the prosecution

- case, giving them, and the defendant, earlier sight of information and access to any multi-media evidence and early case management documentation prepared by the CPS. This will mean that the defendant will have more information about the charge so they can decide with their solicitor what to do next. We continue to consider the best way for a person who is not represented to be provided details of their case.
98. If the prosecution makes an application for a defendant to be remanded in custody (which is a request to keep the defendant in prison while their case is dealt with), a hearing will take place. It will be possible to have the hearing in the courtroom, or via video link from the police station the defendant is in (as happens now in some parts of the country). At the earliest opportunity, (e.g. the police station), the availability of legal advice and representation will be made clear to defendants. Subject to legislation, some of these hearings may also be fully-video hearings (where all parties appear by video) – allowing defendants to be brought before the next available magistrate, and making sure that people spend as little time as possible in custody without a judicial decision that they should be imprisoned, as well as reducing time spent travelling between police stations, courts and prisons. Whether the hearing is conducted by video will be a matter for judicial discretion.
99. Subject to legislation, indictable-only offence cases will be sent directly to the Crown Court. In those cases where the prosecution seeks remand in custody, the remand hearing will be heard in the magistrates' court, with the court then sending the case on to the Crown Court for a Plea & Trial Preparation Hearing (PTPH). In murder cases, the decision as to whether to grant bail or not will continue to be taken by a crown court judge.
100. In either-way cases, which can be heard in the magistrates or the crown court, the prosecution and defence will be able to say in writing or on-line whether they believe the case is suitable for dealing with in the magistrates' courts or should be sent to the crown court. Subject to legislation, these views will be able to be considered and a judicial decision made outside the courtroom. The judiciary will always be able to direct a case into the court when they consider it appropriate to do so.
101. Subject to certain criteria and safeguards, including ensuring legal advice has been clearly offered and is readily available, it may be possible for a defendant to be discharged from the requirement to attend their initial court hearing and for the case to be case managed and dealt with outside court through e.g. an online process, in accordance with a procedure to be written by the Criminal Procedure Rule Committee, and listed for trial on a future date. It is likely to be highly exceptional for a court to excuse an unrepresented defendant from their first appearance before the magistrates' court.
102. Currently, defendants charged with summary only offences where the proceedings have been started by summons or written charge can notify the magistrates' court of their plea in writing (e.g. by post or online) provided certain documentation has been served with the summons. Proposed legislation will extend and make this procedure available in all summary cases including those where the individual has been charged by the police. The court can then proceed to try the case in the absence of the parties in open court on the basis of this written plea. Those who wish to continue to attend court in person may do so.
103. Before and following the first hearing in a Not Guilty case, case management can, if necessary, be carried out using the Common Platform. Parties will be able to make applications and the judiciary and Legal Advisers will be able to give directions as they do now in 'box work' if it they don't think a hearing is necessary. Summary and either-way trials and sentencing hearings will proceed as they do now and will be in the court room, involving video links where considered, by the judiciary, appropriate.
104. The digital service will be able to remind parties of deadlines for compliance with directions and provide a dashboard for Legal Advisers to more easily check on cases and refer to the judiciary where necessary. There will be an option for a District Judge to monitor cases reserved to them and receive reminders on key case management milestones for cases they have chosen to monitor. The dashboard will also be available to the parties. The ability to more agilely manage cases will reduce instances of cases having to be deferred when things aren't ready and where this isn't clear before the case reaches the door of the court – reducing delay and inconvenience for everyone.

Crown Court

105. The Crown Court deals with serious criminal cases, for example, murder, rape and robbery. They also deal with appeals against a magistrates' court conviction or sentence and cases sent from the magistrates' court for trial or sentencing.
106. Like in the magistrates' courts, digital working in the Crown Court already happens. After reform we will have new digital tools which will provide an end to end system across the Criminal Courts – this will be

the same digital system as in the magistrates' court. This means court staff will no longer have to re-key information when cases are sent from the magistrates' court. It will also allow information to be shared earlier and in a more structured way, this may make the Plea & Trial Preparation Hearing (PTPH) shorter.

107. Subject to legislation, indictable only offence cases will be sent directly to the Crown Court (although, except in murder cases, the magistrates' court will still hear cases where the prosecution seek remand in custody). All other cases will be listed directly in the Crown Court for a Plea & Trial Preparation Hearing (PTPH).
108. Following the PTPH, further case management can be carried out. Parties will be able to make applications and the Judge will be able to give directions as they do now in 'box work' if they do not consider a hearing necessary. Similar to the magistrates' courts, the digital system will make it easier to manage cases by reminding parties of deadlines for compliance with directions (instructions to the parties on how they should prepare the case) and provide a dashboard for case progression officers to proactively manage cases and refer to the judiciary if needed. There will be an option for a Judge to monitor cases reserved to them and receive reminders on milestones for cases they have chosen to monitor. Again, as in the magistrates' courts, the increased ability to more agilely manage cases or respond to directions will mean fewer cases unable to go ahead on the day, with the reduced delay, cost and inconvenience that entails.
109. Trials and sentencing hearings will continue to take place in the court room, with video links being used where judges agree it is appropriate; but no 'fully video' trials. Almost all case files will be held in the digital service and there will be no paper bundles,

removing the risk of things getting lost.

110. The digital service will automatically communicate results to all relevant parties, including prosecutors, defence, police, probation, Youth Offending Teams, prisons, Prisoner Escort and Custody services, electronic monitoring (tagging) providers and victim and witness services. This will simplify administration and eliminate delays and potential errors, ensuring the correct action is taken following a hearing.
111. We also recognise that jury service is an important public duty and jurors play a vital role in the criminal justice system. Each year, approximately 200,000 people across England and Wales are summoned for jury service. We will also improve the service we provide to them. Post reform, jurors can expect to have access to free wifi at court, will be able to view digital video evidence from their deliberation room (the current process often requires the jury to return to the courtroom) and, following the introduction of a public facing web page last year, respond to their summons online. We are exploring how we can build on this and what other services jurors might be able to access digitally in the future, such as making expenses claims.

When will these changes happen?

112. In addition to the indications of timings given throughout this document, we will continue to publish regular updates on our website about what changes are happening and where the people who use our services can find out more about what it means for them.
113. We have also published a document that sets out our timetable for delivery. You can find it in the HMCTS response to Recommendation 1.

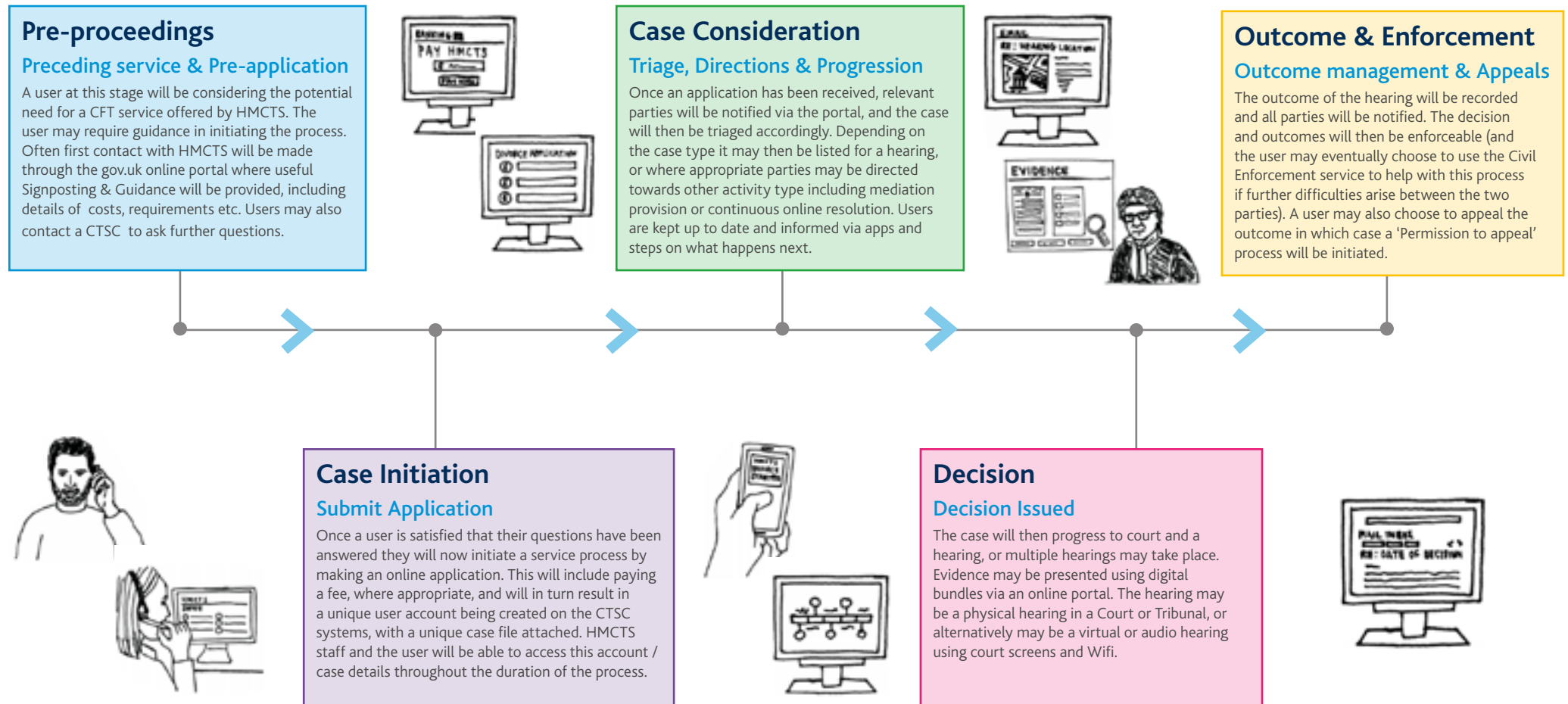
Section C: Illustration of what the reforms will look and feel like by 2022 for users in the Civil, Family and Tribunals jurisdictions and in the Crime jurisdiction

Civil, Family, Tribunals - What would 2022 look and feel like for users?

The 2022 Civil services will enable users to manage and resolve a dispute fairly and speedily, involving more mediation, fewer hearings, simpler processes and online routes into and through the courts.

The 2022 Family services will harness new technology in the family court to make the system simpler and more efficient for users. Improvements to the court estate and enhanced case officer / legal advisor functions to make the best use of judges will further enhance experience for the user.

The 2022 Tribunals services will provide tools that support online dispute resolution and 'continuous online hearings' to allow users to manage and resolve disputes fairly and speedily.

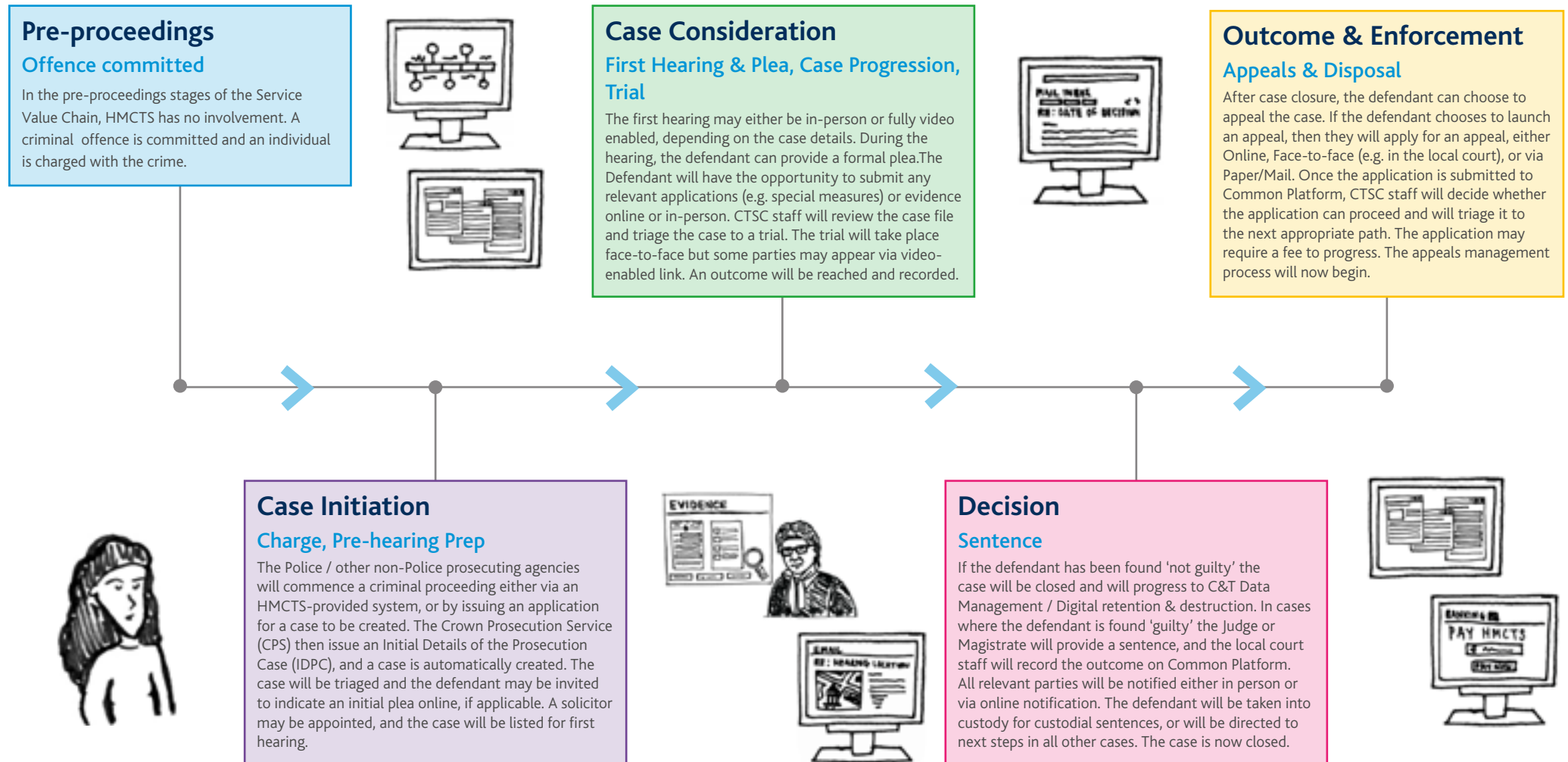


Crime Service - What would 2022 look and feel like for users?

The 2022 Crime service will provide smarter, more joined-up, and streamlined processes to deliver better criminal justice for all.

Digital working will be supported throughout the criminal courts, enabling all participants in the criminal justice system to work from the same information to reduce duplication of efforts, and introduce more consistent working practices.

Efficiency and accessibility will be improved and issues that do not require court time will be dealt with effectively outside of court.



Annex A:

The Design Principles for Reform

The Government and the Judiciary have a shared commitment to transform the justice system so that we have courts and tribunals that are just, proportionate and accessible to everyone and that continue to inspire and lead the world. The leadership of the judiciary, HMCTS and the Ministry of Justice have agreed a set of design principles which guide how courts and tribunals will provide services in the future and these have underpinned the development of our operating model.

The design principles are:

- a) We will **build our operating model around the needs of those who use it** - citizens, business users, victims, witnesses and state users;
- b) The system **will be accessible** – easy to use, digital by design and well supported for non-digital users;
- c) The system will be **proportionate and segmented** – with the 'authority of the court' when needed and low cost, low burden (mostly digital) channels where not;
- d) We will **build on the strong, independent and trusted justice brand** – with different channels and experiences for different cases;
- e) Our system will be **transparent and accountable** –in approach and use of digital transparency;
- f) Our operating model will be **financially viable** – operating at low cost for much of the system, and securely funded;
- g) Our model will be future proofed, **designed for 2050 not 2015** – with a flexible infrastructure to keep it relevant;
- h) Our **people strategy will support our business strategy** – so we will need a higher skilled but smaller workforce.

Reform will deliver this vision for courts and tribunals, and realise the associated benefits of our operating model, in phases of delivery (our interim states) and the End State which we will reach in May 2022.