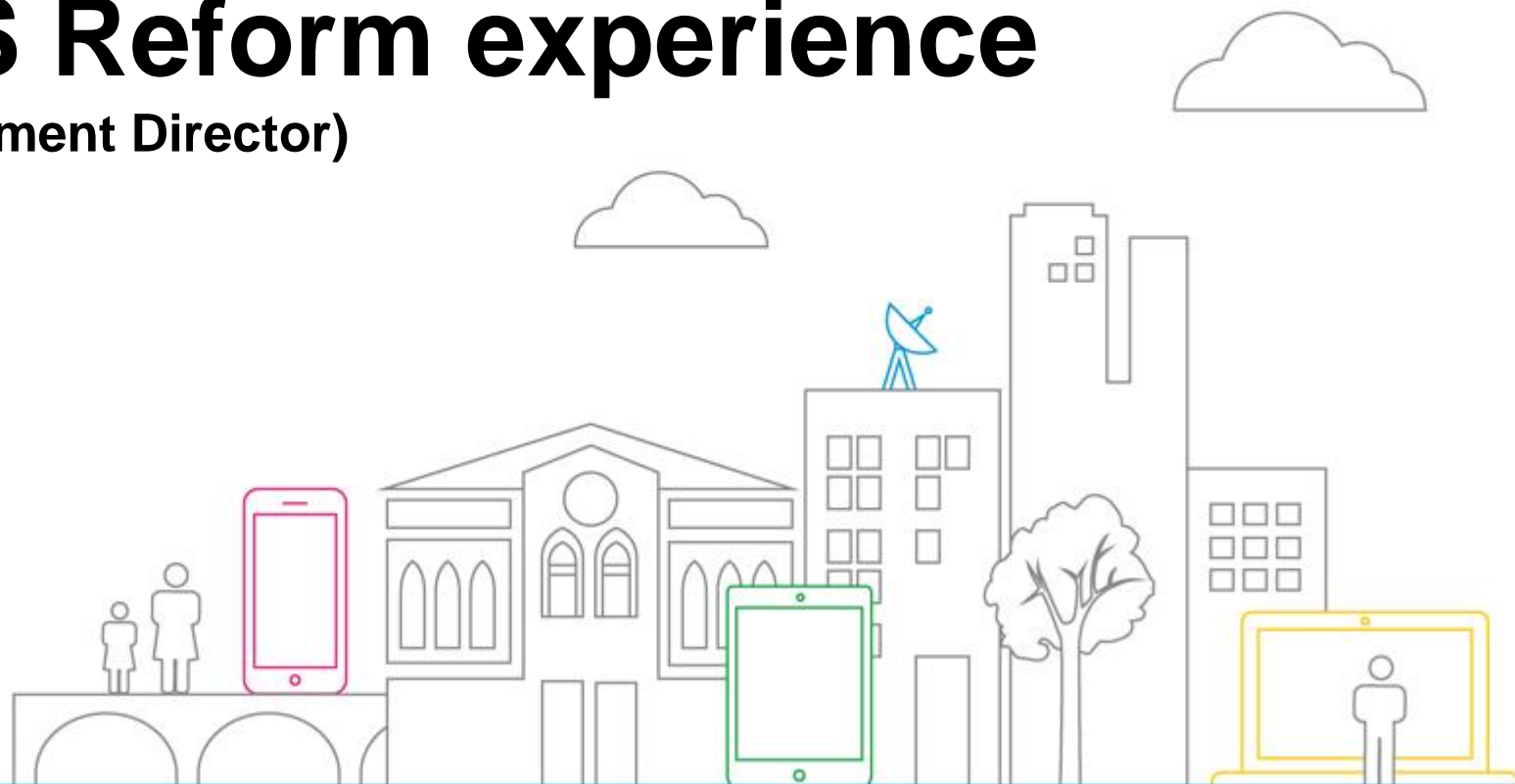


Digital Civil Courts – Challenges and lessons learned

The HMCTS Reform experience

Jason Latham (Development Director)

23 May 2023



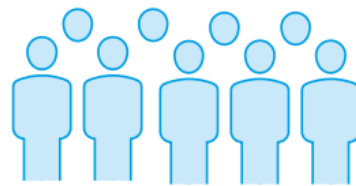
Our Reform Experience – what we will cover today...

- Introduction & background
 - Who are HMCTS and what do we do?
- Building a foundation
 - How we prepared for the biggest programme in living memory
- Designing the future
 - How we mapped out our ambition
- Delivering the change for Civil
 - How we turned ambition into reality
- Evaluation and reflection
 - How we check and test
- Continuing the journey
 - How do we move from continuous improvement to continuous innovation?

HM Courts and Tribunals Service in numbers

We are an executive agency of the Ministry of Justice (MoJ). We are run as a joint venture, with reporting lines to both the Lord Chancellor and the Lord Chief Justice.

Our purpose is to support the independent judiciary to uphold the Rule of Law and to provide the supporting administration for a fair, efficient and accessible courts and tribunals system in England, Wales & Scotland.



We have around **17,000** members of staff across HMCTS with 1,250 lawyers



We operate from **334** venues, **20** admin sites and **11** Nightingale courts.



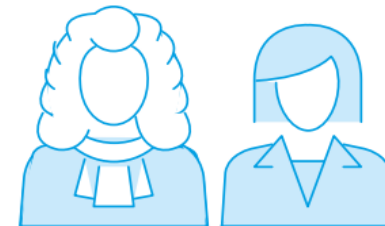
We handle over **4** million cases



Our net expenditure was **£1.7** billion



Our employee engagement index was **57%**



We support over **23,500** judicial office holders, including over **14,000** voluntary magistrates

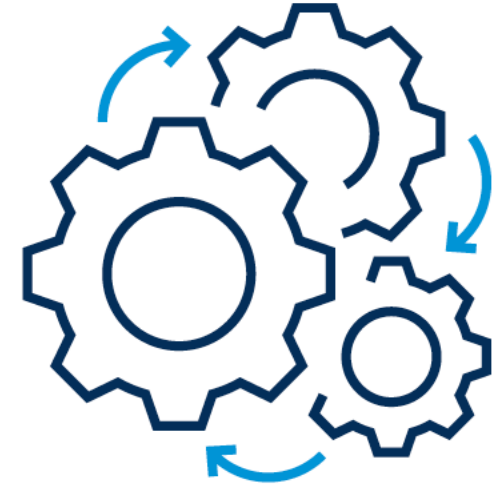
Reform **origins**



An **antiquated**
and primarily
paper-based system



A **one-size-fits-all**
model



Unnecessarily
complicated processes

The 3 big ideas



Continue to **streamline** how cases are managed and determined



Use greater **virtual working**



Simplify and re-design how the system works for **people who use it**

Reform programme: **progress so far**



Video technology rollout

- **70%** of all courtrooms
- Over **90%** of Crown courtrooms
- **20,000** cases a week heard virtually in pandemic



8 reformed online services

- Immigration and asylum & benefit appeals
- Divorce, probate, **money claims**
- Low-level criminal cases
- Family public law cases



5 centralised administrative and user contact centres open

- **1,489,000** calls answered
- **1,484,000** emails processed
- **88,000** webchats received

Civil Court Reform highlighted

Online Civil Money Claims

Litigants in person can use this service to file money claims of up to £10,000
Legal representatives can use this service to file money claims of up to £25,000

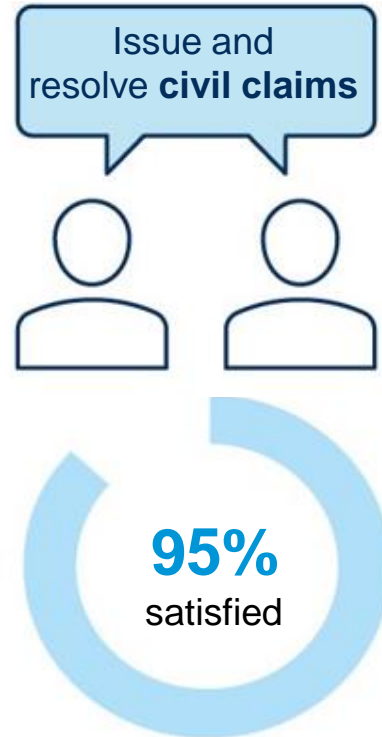
- issued over **394,000 claims** (Public & Professional Users) since 2018
- **97,315 claims** issued in 2022
- **9,560 mediation** appointments in 2022 with **50% settled**
- average **24 days** to reach **settlement**



Online Damages Claims

Legal representatives can use this service to issue and respond to claims for damages, including claims for more than one party

- issued over **90,000 claims** since May 2021
- average **1 day** to issue
- average **25 days** to defence of a claim being filed



Impact of Civil Reform: **Working with Users**



Users can access their case and **view progress online 24/7**



We **build in signposting and guidance** to support our users through their claim and response journeys



We work alongside content designers, **user researchers and representatives of Advice Agencies** to ensure our services are easy to understand and straightforward for all users but with a specific focus on litigants in person



We provide **digital assistance** to users when they need it



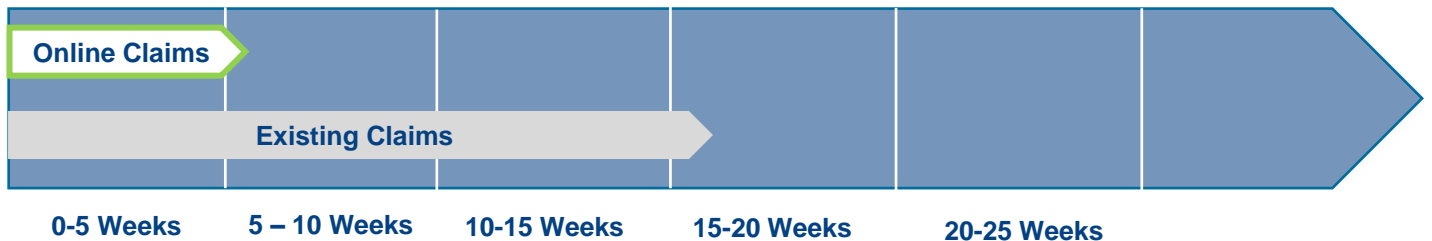
95% of users of the OCMC service have reported **being satisfied, or very satisfied** with the service they have received.

Impact of Civil Reform: Reducing Disposition Time

Online Civil Money Claims: The time taken to progress cases online has improved at each procedural stage with cases ready for hearing three times faster the existing system



Online Damages Claims: Digital Claims are issued immediately and are progressed to the defence stage three times faster than non digital claims



Impact of Civil Reform: Defendant Engagement

- The proportion of claims issued through the Online Civil Money Claim service is increasing
- A higher proportion of claims are admitted by the defendant in this service than the legacy service
- This leads to less default judgments in the online service
- Early defendant engagement reduces applications to set aside the default judgment and should reduce the need for the claimant to issue enforcement proceedings.



Claims Admitted
in Legacy Services



1%



Claims Admitted in
Online Civil Claims







12%

Summary of Civil Justice Reform

- Designed **with users**, supported by digital assistance services, 95% of users are satisfied or very satisfied
- Online civil claims progress over **three times** faster than claims in the legacy service
- More **defendants engage** with the service with increased admissions reducing the need to seek enforcement action

Measuring Access to Justice for online civil money claims service

 Background	 Objectives	 Process	 Data Sources
<p>We define access to justice (A2J), design and develop services free of A2J barriers and assess and monitor A2J in all of our services to understand how to improve it and track progress. We have:</p> <ul style="list-style-type: none">✓ Committed to carrying out A2J assessments, service by service✓ Piloted the A2J assessment in the Probate service as a proof of concept✓ Carried out assessments for Online Civil Money Claims, Divorce and SSCS so far.	<p>The Access to Justice Assessments aim to identify, fix and monitor access to justice barriers identified within a service by gathering and analysing data against four elements:</p> <ul style="list-style-type: none">• Access to the formal legal system• Access to a fair & effective hearing• Access to a decision• Access to a remedy	<p>The assessment involves:</p> <ul style="list-style-type: none">• Scoping of data availability• Initial analysis using existing data• Sharing early findings, A2J issues & next steps with Service teams• Further analysis to validate findings & present final results with potential solutions and implement agreed changes• Develop a plan to monitor A2J going forward	<p>The assessment itself begins with analysis of existing data, such as:</p> <ul style="list-style-type: none">• Management Information (MI) data• Protected Characteristics (PCQ) data• External data• Digital data• Contact and user feedback data

Results from the Access to Justice assessment of online civil money claims

Evidence of Access to Justice	Access to Justice barriers	Evidence gaps
<p>Protected Characteristics</p> <ul style="list-style-type: none">No evidence that there are differences in case outcome or timeliness across protected characteristics <p>User Access</p> <ul style="list-style-type: none">The profile of claimants and engaged defendants is broadly what we would expect <p>User Experience</p> <ul style="list-style-type: none">There is a positive user experience in accessing and using OCMC	<p>Defendant engagement</p> <ul style="list-style-type: none">There is generally low engagement from defendants, with 70% of defendants not formally responding to the court <p>Online service</p> <ul style="list-style-type: none">The digital completion rate is under 50%OCMC does not provide an end to end ‘journey’ for all users <p>Contact</p> <ul style="list-style-type: none">Users have to wait a long time for a response from HMCTS by phone and emailA lack of contact from HMCTS with responding to or receiving court documents or responding to queries <p>Content and guidance</p> <ul style="list-style-type: none">Sign posting, content and ‘how-to’ guidance pages can be improved, specifically around the different types of court fees	<p>User Experience</p> <ul style="list-style-type: none">The process after the application stageTrust, confidence, motivation and perceptions of fairnessDefendant engagement

The year ahead for reform

Completing work



- **Common Platform** roll out to all criminal courts
- Extend **SJS** to police forces and non-police prosecutors
- Final phases of **Social Security & Child Support** and **Immigration & Asylum** Chamber projects
- Complete online **Civil Money Claims** and **Damages Claims**
- Expand **ListAssist** and develop **Video Hearings service**

New services and functionality



- Online services for **Private Family Law** and **Adoption**
- Digitised services for **Civil Possession and Enforcement**
- In Tribunals, digitised service for **Employment**
- Real-time tracking for **Probate applicants**

Keep up-to-date with HMCTS

