



LORD CHIEF JUSTICE
OF ENGLAND AND WALES



Ministry
of Justice



SENIOR PRESIDENT
OF TRIBUNALS

28 March 2014

Dear All,

Introduction

A year ago [work began](#) exploring proposals for the reform of the resourcing and administration of Her Majesty's Courts and Tribunals Service (HMCTS), the agency embodying the partnership between the Lord Chancellor, the Lord Chief Justice and the Senior President of Tribunals, for the administration of the courts and tribunals. Today we are writing to you to set out the agreement we have reached.

Our justice system rightly receives national and international acclaim. Its continued functioning is hugely dependent on the staff of HMCTS and the Judiciary to deliver high quality justice to the public. But for a number of years, there has been a need to invest significantly in HMCTS's physical estate and technology, as well as to modernise working practices and processes.

The investment in a Reform Programme

We are pleased to announce that HM Treasury has agreed new investment which enables us to undertake a Reform Programme. This will deliver – through the use of modern technology, an improved estate and modernisation of current working practices – a more effective, efficient and high performing courts and tribunals administration. This will be enabled by a new one-off investment, averaging £75m per annum over five years from 2015/16, front loaded to maximise impact. This supplements the funding already provided via the Ministry of Justice for the Criminal Justice System IT and Common Platform programmes and to support the upgrading of the estate.

Benefits to the taxpayer

This investment will create a sustainable and affordable system where services provided to the public will be improved and the costs of delivery reduced for the taxpayer. The considerable changes that the Reform Programme envisages will realise significant annual steady state savings in excess of £100m per annum by the 2019/20 financial year.

Benefits to the legal profession and courts and tribunals users

The investment, apart from benefiting the taxpayer, will enable the legal profession and other justice agencies to adopt more efficient and cost saving working practices by using digital technology in their dealings with the courts and tribunals. Wherever possible, we wish to provide those using the justice system with maximum flexibility as to how they access courts, tribunals and their supporting administration. For example, in the future, the legal profession and other users should only need to attend at a court or tribunal when it is absolutely necessary.

Integration with existing programmes

We plan, through existing funding, to modernise technology in the criminal courts working jointly with the Crown Prosecution Service and the police forces; the Reform Programme will be integrated with that developing work.

Better working practices, processes and use of the court estate

The courts and tribunals estate is in need of modernisation: it is ageing and offers inadequate facilities for its users. We intend to invest significantly in the estate, managing it sensibly and holistically, making better use of its buildings and reducing its ongoing cost. Across all jurisdictions, a great deal of staff time is wasted on antiquated, paper-based processes. Without modern technology, the Judiciary and staff cannot work as efficiently as possible, nor can the public access

the justice system they deserve. We will introduce greater digital working and speedier, more flexible processes, enabling access to information on demand, reducing delay and saving cost. We intend to review and reform our procedures and processes, working with the procedural rules committees and the lead judges in civil, family, criminal and administrative justice. That review will have as one of its objectives ensuring that greater use is made of court and hearing rooms.

Governance

The HMCTS Reform Programme will be a joint venture between the three of us, exclusively led and implemented by a strengthened Board of HMCTS accountable to the three of us. It will operate under the existing provisions of the Framework Document by which it was established in April 2011, which sets out our respective roles, HMCTS's relationship to the Ministry of Justice and the arrangements in relation to financial management and Parliamentary accountability.

HMCTS will bring in commercial leadership and expertise and establish a Programme Board to deliver the reforms. The Programme Board will be accountable solely to the HMCTS Board, operating within the Framework Document. The Programme Board will comprise members from HMCTS, the Judiciary, Ministry of Justice, Cabinet Office and HM Treasury. It is our intention to try to secure for that Board the freedoms to carry out reform in a modern and business like manner.

Certain issues, such as judicial deployment, will remain solely the responsibility of the Lord Chief Justice and the Senior President of Tribunals. In the same way, other issues, such as the setting of court fees, will continue to be the responsibility of the Lord Chancellor, although we have agreed between us that the proceeds of capital disposals or the income raised by HMCTS, whether through fees or otherwise, will be reinvested into the Courts and Tribunals system.

We intend to engage with HMCTS staff and all levels of the judiciary throughout this major Reform Programme and will put in place arrangements for consultation and implementation at local court and tribunal level.

The rule of law and the economy

Citizens, businesses and other organisations and individuals within the UK rely on our justice system to uphold the rule of law, enforce their rights, provide timely access to justice and support and enable enterprise. Implementation of the Reform Programme will also help to maintain the UK's competitiveness internationally in providing legal services, supporting the already significant contribution that the legal sector makes to the country's economy.

Conclusion

Our courts and tribunals provide amongst the most fundamental function any State owes to its citizens; they underpin, both nationally and internationally, the rule of law and economic prosperity. This Reform Programme will give the administration of justice a sustainable and affordable infrastructure for the future. We look forward to delivering more efficient and high-performing courts and tribunals administration, meeting the needs of the public, as well as providing significant benefits to the taxpayer and the legal profession.

The Rt. Hon. The Lord Thomas of Cwmgiedd, The Rt. Hon. Sir Jeremy Sullivan and The Rt. Hon. Chris Grayling MP

Lord Chief Justice of England and Wales, Senior President of Tribunals and Lord Chancellor and Secretary of State for Justice