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COURTS AND  
TRIBUNALS JUDICIARY

# **Judicial Ways of Working – 2022**

## **Family**

**April 2018**

# Contents

| Section  | Content  |
|--|--|
| <b>Foreword from the Lord Chief Justice</b>                    | A foreword from the Lord Chief Justice.  |
| <b>A. Reform for the Family Jurisdiction</b>                   | Summarises the most significant aspects of Reform for the jurisdiction.  |
| <b>B. Your views on how we work with Reform</b>                | Sets out the main questions we want the judiciary's views on in order to shape Reform, informed by existing views. |
| <hr/>  |  |
| <b>Annex A   Reform: the Business Case and the Legislation</b> | Provides a summary of the Reform Programme business case and legislation.  |
| <b>Annex B   Reform: the Programmes and Projects</b>           | Describes the programmes and projects that aim to deliver Reform.  |
| <b>Annex C   Judicial Governance Groups</b>                    | Outlines the judicial governance groups involved in Reform.  |

# Foreword from the Lord Chief Justice

The Courts and Tribunals Reform Programme was launched in 2016 with a joint statement from the Lord Chief Justice, the Senior President of Tribunals and the Lord Chancellor. In 2017, our plans for the future were described in 'Judiciary Matters'. These reforms will deliver savings – a necessary condition for securing the financial support of the government – but they will transform the way we operate the system of justice for the benefit of the public and enhance the administration of justice. Our approach to this modernisation must be rooted in our shared commitment and dedication to improving the administration of justice and access to justice so that we continue to uphold the rule of law.

Part of the underlying model for reform agreed in 2015 was to reduce the size of the Courts and Tribunals Estate but end up with buildings in a decent condition for our staff, the judiciary and the public. That remains an essential part of the overall package. Meanwhile, some of the developments in online services have already been outstandingly successful and provide models for the future.

It is now time to focus on the detail of how reform will affect you as a judge, panel member or magistrate in the jurisdictions in which you sit. The 'Judicial Ways of Working' documents that are attached are jurisdiction specific and have been provided by each head of jurisdiction. They summarise the detail of the plans that are being developed with Judicial Engagement Groups and the judges and magistrates who work in individual projects, to whom we are very grateful. The positions that are set out have drawn on the enormous collective experience of those judges and magistrates. The purpose of the documents is to invite each of you to become involved in providing your view about those positions and how reform should be developed in your jurisdiction. Your contribution is essential if we are to continue to administer justice in the public interest.

You are invited to contribute in two ways. There is a survey that accompanies the Ways of Working documents which includes specific questions and opportunities to set out your own ideas. There will also be a programme of meetings around the country where members of the Judicial Reform Board and leadership judges will be available to answer your questions and discuss your ideas. I very much hope you will feel able to complete the part of the survey that relates to your jurisdiction(s) and to identify which meeting would be the most convenient for you to attend.

Thank you very much for your help and continued support.

**Ian Burnett**

**Lord Chief Justice**

**April 2018**

# A. Reform for the Family jurisdiction

## A message to family judges from the President of the Family Division

### 1. How will the Reform Programme achieve change for the administration of family justice?

- 1.1 As you know, there has been much change in the practice and administration of family justice in the last five years. The Reform Programme brings further change. This is specifically targeted at:
- New technology for the Family Court to make the system simpler and more efficient for everyone;
  - Improved court estate;
  - Enhanced case officer (in the legislation introduced in the previous parliament, the description is 'authorised' staff; for more details see Annex A: the legislation, p. 16) or legal adviser functions to lighten the burdens on judges.

### 2. Digital technology

- 2.1 The Reform Programme is concentrating on bringing digital technology into the courts. It is hoped that the Family Court, which is already leading the way, will increasingly move to an online paperless environment where applications are issued online, and where both the court file and the hearing bundle are electronic. This will be made possible by technology (the "Common Components"), to be shared across the Civil, Family and Tribunals jurisdictions (CFT), and replacing, in stages, old systems like Familyman; the aim is that judges, staff, and all other participants need only use one common CFT digital court system. This should be both more efficient and more user friendly, as well as being cheaper to run.
- 2.2 Online applications are being piloted at present: the online divorce project and the online probate project are both advancing at a good pace. The Reform teams are working on pilots for the online issue of private law cases and public law (care) cases, as well as the online issue of financial remedies cases.
- 2.3 The online application marks a deliberate and significant break with the past. The applicant no longer fills in the traditional court form – the divorce petition, for example – but instead completes an online questionnaire carefully designed to tease out all the relevant information in a way which is both user friendly and, so far as possible, fool-proof. The online divorce pilot has been a success so far, and shows that it has much which can be usefully adapted to other areas.
- 2.4 Digital technology will be deployed to govern other aspects of our work to save us time and cost. Video-link technology will be improved in the courts to facilitate easier remote access to justice in the Family Court. While fully video hearings (where all participants including the judge or magistrate join through technology) are being developed and piloted in other jurisdictions, it is not envisaged that these hearings will initially be as widely rolled out for family cases. There will be scope, as at present, for their use in certain case management and directions hearings. The development of online hearings will need to be carefully evaluated and very careful thought given to which types of hearing in which types of family case will or will not be appropriately conducted online.
- 2.5 The Reform teams recognise that the digital and video equipment must work effectively in all courts, and that adequate staff must be available to support its operation. This is vital and, as far as I am concerned, non-negotiable.
- 2.6 Investigations are underway to identify enhanced digital technology to assist in the vitally important function of listing. Our F-diary is already one of the more effective listing systems in the courts. A Judicial Working Group, with significant representation from listing officers, is looking at software which could improve our current process. We have been clear that listing remains a judicial function, and any new system must be used by listing officers on court premises.

### 3. Estate reform

- 3.1 A second major feature of Reform is estate reform. It is recognised that much of the court estate is sorely in need of refurbishment, and that the pressure on the court estate is increased by the disposal of some court buildings. The closure of courts and tribunals is not uncontroversial, but for the first time, the proceeds from buildings sales are being reinvested not merely to improve IT but more generally in modernisation of the retained estate. The development of a new Courts and Tribunals Design Guide will mean that refurbishments and new builds share a standardised and approved layout. Judges and administrative staff should not have to work in the poor conditions which are too often found at present.
- 3.2 In the refurbishment of the court estate, greater security for the judges and participants is a non-negotiable requirement. This is an opportunity to make participation more flexible and court buildings safer, and in so doing to protect vulnerable users, judges, and staff. Adequate WiFi and TV screens for the presentation of digital evidence will also be essential additions.
- 3.3 Renovation work in the courts is as an urgent priority. The recent consultation on HMCTS' estates strategy has generated valuable feedback and will inform the development of the new court estate design guide.
- 3.4 Staff working in the courts require proper working conditions and need in the main to be working in close proximity to the judges. The listing officer and a digital support officer (to help with the technology) must be in the court; it is feasible for some other roles to be centralised in Courts and Tribunals Service Centres (CTSCs).
- 3.5 These CTSCs will be in a number of locations around the country. They will bring together call centres and other 'contact' functions (including many administrative functions associated with the running of the court, as well as assisting those using new online services). The senior judiciary will continue to engage with the Courts and Tribunals and CTSCs project to confirm how the work can be distributed.
- 3.6 It is too early to predict at this stage to what extent family courts can safely and appropriately be located in non-court buildings.

# A. Reform for the Family jurisdiction (cont'd)

- 3.7 HMCTS proposes to pilot extending the operating hours of some courts, including a family court, with the aim of increasing the utilisation of court buildings. It would extend only the court opening hours and would not mean judges working longer hours. This is not an uncontroversial proposal, given its implications for court users (parties and witnesses, and their families), lawyers, staff and judges; this is why it needs to be cautiously piloted. A decision on this is expected soon; beyond the pilot, no decisions have been taken. Any implementation of extended hours will only be with judicial consent.

## 4. Case officers

- 4.1 Case Officers will become a feature of the new court personnel structure across all jurisdictions. In the Family jurisdiction, case officers may cover a number of roles. Case officers will perform some of the functions currently undertaken by legal advisers. Additionally, it is intended that case officers will take on more administrative work ('box-work') so as to free up judicial time. Specifically:
- It is envisaged that, legal advisers could be authorised with some specific new powers, dependent on wider consultation, and ultimately legislation;
  - It is expected that the role of the legal adviser will become standardised across the courts and jurisdictions nationally;
  - The functions to be performed by other types of case officer remain to be determined.
- 4.2 A Case Officer Working Group has developed broad cross-jurisdictional principles to support case officers and judges in areas such as recruitment and training of case officers. The Family JEG (below) is developing proposals for a range of new powers which could be exercised by case officers in the Family Court.
- 4.3 Relevant to this development is the nascent work of the Online Procedure Advisory Group (OPAG) which is considering the opportunities for developing concise and accessible cross-jurisdictional online procedure rules.

## 5. Broader changes in support of Reform

- 5.1 These significant reform proposals take effect against a backdrop of significant transformation in the practice and administration of family law over recent years. Most notable among the developments have been:
- The creation of the Family Court in 2014;
  - The implementation of a statutory 26-week time limit in public law cases;
  - Overhaul of key procedural rules, including in relation to experts (part 25 of the Family Procedure Rules 2010 (FPR)), trial bundles (Practice Direction 27A), public law cases (PD 12A) and private law cases (PD 12B), enhanced protection for victims of domestic abuse (PD 12J) and new provision for assisting vulnerable witnesses (FPR rule 3A and PD 3AA);
  - Development of the transparency of family court process, accompanied by greater numbers of published family court judgments;
  - The development of the Family, Drug, and Alcohol Court (FDAC);
  - The piloting of Family Settlement Conferences;
  - The creation of the Financial Remedies Court;
  - Greater use of standard form orders;
  - Proposals to separate Divorce and Financial Remedy processes;
  - Authorisation for legal advisers to consider entitlement to decrees in divorce;
  - Research into the significant increases and regional variations in the issuing and disposing of care cases;
  - Strong judicial encouragement to promote legislative change to prevent cross-examination of alleged victims and vulnerable witnesses by alleged perpetrators, as in the criminal courts.
- 5.2 We must encourage and make an effective reality of methods of Non-Court Dispute Resolution (NCDR) where they are proved effective.
- 5.3 Legal aid changes have had a significant impact on our work. The Ministry of Justice review of the impact of LASPO, to assess its impact against its objectives of discouraging unnecessary and adversarial litigation at public expense and targeting legal aid at those who need it most, is timely.
- 5.4 The Reform Programme is likely to align with this broader set of changes underway. Together, these steps will bring lasting and fundamental changes and improvements to family justice, and how the judiciary at all tiers work within this jurisdiction.

## 6. Who is making the decisions?

- 6.1 High level decision-making on the Reform Programme is taken at the most senior level of the judiciary (principally the Lord Chief Justice and Heads of Division). The senior judiciary are themselves advised and assisted by Judicial Engagement Groups (comprising specialist judges and attended by HMCTS representatives) in all jurisdictions. The Family Judicial Engagement Group (FJEG) is chaired by a Family Division Judge, and benefits from representation from family specialist judges of all tiers:
- The Circuit Bench;
  - District Bench;
  - District Judge (Magistrates' Courts);
  - Magistrates;
  - Legal Advisers.

# A. Reform for the Family jurisdiction (cont'd)

- 6.2 Family judges are also represented on Working Groups which have been drawn together to work on specific Reform projects including:
- Video Hearings;
  - Scheduling and Listing;
  - Development of Public law and adoption on line process.
- 6.3 As technology is rolled out, it will be tested and piloted, and the judiciary trained. We will continue to work with HMCTS so that the technology is what the public needs and as we want it.

This document provides a view of the future once the Reform Programme has ended in 2022. It is based on my current understanding of Reform, but many of its core features are still being developed. Your views on this document will be welcomed and valued.

There is an online survey being sent out with the questions asked in the remainder of this document. I encourage you to complete this. If you have further thoughts which you would like to share, you can send them to [pfd.office@judiciary.uk](mailto:pfd.office@judiciary.uk).

This is your opportunity to help shape the future of family justice.

**James Munby**

**President of the Family Division**

**April 2018**



# B. Your views on how we work with Reform

## To shape Reform, we need to get your views

Reform must be done “with” the judiciary, not “to”. In support of this, we the judiciary must do two things:

- Firstly, set out some guiding principles for how we want to work in 2022 in the context of Reform
- Secondly, provide our views on the most significant questions the Reform Programme is grappling with in relation to the administration of justice

Whilst the Judicial Engagement Group (JEG) has had a continuing involvement, now is the time to seek much wider views so that the judiciary shapes Reform. This section, prepared under the instructions of the Lord Chief Justice and the Judicial Executive Board (JEB), gives you the opportunity to do this. We have identified 9 principles for how we the judiciary will work in 2022 in the context of the 7 Reform Programmes and 52 projects (See Annex B). We set out some judicial positions for Reform to incorporate into its design and delivery plans. There is an ambition to improve efficiency overall where possible, but that does not always mean replicating the same processes across the jurisdictions. The end point for each jurisdiction will look different.

## Way of working 2022                      How this should be achieved

Set out below are 6 ‘ways of working’ directly linked to changes brought about by HMCTS Reform:

- |  |  |
|--|--|
| <b>1. Use of digital systems</b>                                 | <ul style="list-style-type: none"><li>• The judiciary will use standardised, digital case management systems and paperless working. Prior to being made digital, case management and case progression and other administrative processes will be reappraised so they are more efficient and effective than current ways of working.</li></ul>  |
| <b>2. Use of technology for hearings</b>                         | <ul style="list-style-type: none"><li>• Judges and magistrates will decide whether to conduct hearings by telephone, video-link, online or in person. There will be no compromise to the principles of transparency, access to justice and open justice. If users struggle with technology, they should receive the appropriate assistance or alternatives through the ‘assisted digital’ service provided by HMCTS.</li></ul>   |
| <b>3. Cases dealt with in ways proportionate to their nature</b> | <ul style="list-style-type: none"><li>• Judges will always hear unresolved disputes. Certain specified types of more routine work may be completed by authorised legal advisers or case officers, or may be resolved online. Non-court dispute resolution methods should also be used more widely, if suitable, to secure speedier and fair outcomes.</li></ul>  |
| <b>4. Use of simple, accessible procedure rules</b>              | <ul style="list-style-type: none"><li>• Subject to primary legislation, there should be clear procedure rules for those accessing justice online with limited legal advice. Processes should be consistent, predictable and easier to understand, especially for litigants in person. People should get help when and how they need it.</li></ul>  |
| <b>5. Authorisation to perform routine judicial functions</b>    | <ul style="list-style-type: none"><li>• The appropriate use of legal advisers and well trained, capable case officers will allow a greater share of judicial time to be spent on decision-making in court and substantive case management (less time spent on routine box work). There should be sufficient supervisory mechanisms in place so that there is no detriment to the quality of justice. The role of case officers should be developed with the judiciary and will be subject to and may require legislation for some jurisdictions. The use of case officers will be in the control of the judiciary.</li></ul> |
| <b>6. A modern estate, properly staffed</b>                      | <ul style="list-style-type: none"><li>• A reduced estate should not compromise the quality of justice administered. The HMCTS Board has agreed that money saved will be used to fund investment in fewer, more modern buildings. They should be equipped and maintained to a higher standard. Buildings also need to be properly staffed by people to support the administration of justice and to provide for the needs of some of the most vulnerable in society.</li></ul>  |

A further 3 considerations are not directly linked to the Reform Programme, but have significant implications for how the judiciary will work in 2022. JEB recognises that these important issues require a long term strategy and further work. You will be asked for your views on these topics in the Judicial Attitudes Survey which will be released in June 2018.

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|---|---|
| <b>7. Greater opportunity to work across jurisdictions</b>            | <ul style="list-style-type: none"><li>• There will be an opportunity to work across jurisdictions where there is sufficient demand and an aspiration from judges to do so. This will be supported by the requisite training to ensure there is no diminution of specialist skills. It will be done on an ‘opt-in’ basis and through a transparent selection process as part of the deployment powers of the Lord Chief Justice and Senior President of Tribunals.</li></ul> |
| <b>8. A diverse judiciary able to work more flexibly</b>              | <ul style="list-style-type: none"><li>• Appointment and career progression will continue to be based on merit, mindful of the need for the judiciary to reflect society and maintain its confidence. There will be more salaried part-time working roles and greater support for more flexible working patterns.</li></ul>  |
| <b>9. Leadership judges clear in purpose, supported in their role</b> | <ul style="list-style-type: none"><li>• The role of leadership judges will be clearly defined, supported by the necessary training required to manage these responsibilities. There should be more consistent support for regional and local leadership judges.</li></ul>   |

## 1. Use of digital systems

*The judiciary will use standardised, digital case management systems and paperless working. Prior to being made digital, case management and case progression and other administrative processes will be reappraised so they are more efficient and effective than current ways of working.*

### Proposed judicial positions to shape Reform

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The following information sets out the current thinking on this way of working:

- **Civil, Family & Tribunals (CFT) digital platform:** There should be a single IT system to issue, manage and determine eligible CFT cases. Existing systems such as Familyman and Probateman should eventually be replaced as part of the modernisation programme.
- **Interim solutions:** Interim technology solutions should not compromise the efficiency and effectiveness of Family courts, particularly in the implementation of the 'Common Components' to support digitisation.
- **Reliable IT:** In future, IT should be robust and reliable, the necessary hardware available to judges and magistrates, and systems kept up to date. There should be clear contingencies so that delays to court business are minimised. New systems should be free of DOM1 and developed with essential facilities such as access to diary systems and basic Case Management System (CMS) data
- **Judicial interface:** The judicial interface should be clear and intuitive, so that the judiciary can properly navigate the system, manage cases, write judgments, and capture notes digitally as required. The judiciary should be consulted on the design of the system.
- **Scheduling and listing:** Listing remains a vital judicial function. A new digital system should support the local court listing officer in listing cases under judicial direction, but will not replace them. We await further details from the Working Group.
- **Training:** The judiciary should receive full IT training to use the future digital systems.
- **Support:** Trained IT support should be available in each court building in case judges encounter challenges in using software.
- **Management information:** Leadership judges should have access to secure, live data relevant to caseloads, backlogs compared to sitting days, and performance in their court. This data source should be used consistently between the judiciary and HMCTS, and be linked to a clear set of measures agreed by the judiciary.

### Questions

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The design of new IT systems across CFT is still in its early stages. Your comments on how they should be designed for the needs of the public and to promote digital working in the Family Court would be welcome.

**Q1:** What design features would be desirable for you in using a fully digital case management system?

**Q2:** What disadvantages can you foresee in fully digitalised case management; which kinds of cases would present problems being paperless; and why?

**Q3:** What method of training in IT would best suit you? The following seem to be the possibilities: written instructions, video instructions, small group training from judges and/or HMCTS – or a mix of all of the above.

*We welcome your answers to these questions along with any additional comments on the issues you consider arise under this heading. You can put them in the accompanying online survey.*



## 2. Use of technology for hearings

Judges and magistrates will decide whether to conduct hearings by telephone, video-link, online or in person. There will be no compromise to the principles of transparency, access to justice and open justice. If users struggle with technology, they should receive the appropriate assistance or alternatives through the 'assisted digital' service provided by HMCTS.

### Proposed judicial positions to shape Reform

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The following information sets out the current thinking on this way of working:

- **Right to allocation based on case types:** The decision on whether a hearing is conducted by a fully video hearing should always be for the judge dealing with the case to make. There should be practice guidance issued to support judges.
- **Provision for litigants in person:** Prior to allocation for a video hearing, the service will be checked to ensure it is appropriate for the specific litigant. They should be given guidance for uploading evidence. Consideration should be given for how to ensure that no unconscious bias results from greater use of technology in hearings, such as those who suffer difficulties with their technology.
- **Open justice considerations:** As a minimum, the public and the media should be able to see and hear that which they can currently see and hear.
- **Practical support and set-up:** Operation of equipment should be the responsibility of HMCTS staff in each courtroom, for example, by a court clerk, legal adviser, or court associate. Trained technical support should be provided on-site by HMCTS staff in each court building, for example, by a Digital Support Officer. Off-site support should be provided for the listing system for fully video hearings, for example, by a remote administrator or usher, so that cases are 'queued' with the participants waiting online to be called on.
- **Quality of the equipment:** Video hearings and their audio record should be of high quality such that it replicates what can presently be seen and heard in court. There should be clear safeguards that alert the judge and other participants if there is a momentary video/audio technical difficulties.
- **Judicial presence:** The judge or magistrate(s) needs to be clearly distinguishable from other parties in a video hearing, and be able to note who is in the room, so that a) they can see there is no inappropriate influence being exerted or other misconduct which undermines the credibility of the proceedings, and b) they can gauge litigants' and witnesses' non-verbal reactions to evidence and comments of others.
- **Security of fully video hearings:** All information, including the live video feed, should be kept secure by appropriate safeguards. Where information is shared or stored, it should be done in a way compliant with information security principles.
- **Assisted digital:** If there is to be greater use of digital technology, assistance should be available for litigants in person who have difficulty with it for whatever reason, whether that is because they find the use of computers difficult or impossible, have language difficulties or any disability. The support should include providing assisted digital services to litigants in person face-to-face as well as over a telephone helpline, up to a consistent standard across the regions. This will be an HMCTS responsibility.

### Questions

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The FJEG and the Judicial Working Group on video hearings are continuing to discuss the guidance which would be given to judges and magistrates about the types of hearings where technology is most appropriate. Your input would be welcomed.

**Q4:** What types of hearings in what types of family cases could be conducted by fully video hearings (where all parties join via video-link, and no one is in the court)?

**Q5:** How can we best ensure that for appropriate hearings the seriousness of court proceedings is brought home to those participating by video? How can we ensure the integrity of the hearing is maintained e.g. no off screen coaching?

**Q6:** In what ways can open justice and transparency be achieved for fully video and telephone hearings?

We welcome your answers to these questions along with any additional comments on the issues you consider arise under this heading. You can put them in the accompanying online survey.

### 3. Cases dealt with in ways proportionate to their nature

*Judges will always hear unresolved disputes. Certain specified types of more routine work may be completed by authorised legal advisers or case officers, or may be resolved online. Non-court dispute resolution methods should also be used more widely, if suitable, to secure speedier and fair outcomes.*

#### Proposed judicial positions to shape Reform

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The following information sets out the current thinking on this way of working:

- **Litigation as a last resort:** Measures should be taken to ensure that litigants in person have guidance about treating litigation as a last resort, and that non-meritorious cases do not get to court.
- **Case initiation:** Eligible cases that are initiated online on the CFT digital platform should include the provision and signposting of up-to-date guidance on sources of affordable advice, NCDR and other forms of litigant support.
- **Forms of dispute resolution:** There should be greater use of NCDR, including mediation and arbitration, as well as the use of court-led dispute resolution. The options offered should not be disproportionately expensive or time-consuming to the value or importance of the case.
- **Signposting for NCDR:** There should be more effective signposting towards NCDR options promoted by the Family Court, both online and at every stage of a case. A court resolution mechanism should always be available.
- **Case progression and management:** Cases should be progressed speedily by administrative functions, enabled by future digital systems, and managed by the proportionate level of expertise for the case type. The judiciary should continue to have broad discretionary case management authority to oversee this process.
- **Decision-making :** Final determination should only ever be judicial.

#### Question

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Increased use of Non-Court Dispute Resolution (NCDR) and other forms of dispute resolution are to be encouraged in the Family Court. We would like your input on how we develop this further.

**Q7:** Where do you see greatest opportunity for cases being appropriately signposted to NCDR, and how should it be done?

*We welcome your answers to this question along with any additional comments on the issues you consider arise under this heading. You can put them in the accompanying online survey.*

## 4. Use of simple, accessible procedure rules

*Subject to primary legislation, there should be clear procedure rules for those accessing justice online with limited legal advice. Processes should be consistent, predictable and easier to understand, especially for litigants in person. People will get told how to get help when they need it.*

### Proposed judicial positions to shape Reform

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The following information sets out the current thinking on this way of working:

*(The below positions are predicated on the passing of any legislation required to create Online Procedure Rules)*

- **Securing time to develop the rules:** If the requisite legislation enables the creation of Online Procedure Rules, then there should be a timetable, protected time and expert support for the significant work required to develop rules collaboratively for online working in Civil, Family and Tribunals.
- **Language:** There should be Welsh equality with English as a language for conducting litigation in Wales, in accordance with the Welsh Language Act 1993. An original Welsh language input may be necessary instead of just translation from English.

### Question

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The development of the Online Procedure Rules is at an early stage and is dependent on primary legislation. We are interested in your views on how this should be done.

**Q8:** What do you consider to be the key features or principles for a simplified set of procedure rules that would make them particularly easy to understand and suitable for litigants in person?

*We welcome your answers to this question along with any additional comments on the issues you consider arise under this heading. You can put them in the accompanying online survey.*

## 5. Authorisation to perform routine judicial functions

*The appropriate use of legal advisers and well trained, capable case officers will allow a greater share of judicial time to be spent on decision-making in court and substantive case management (less time spent on routine box work). There should be sufficient supervisory mechanisms in place so that there is no detriment to the quality of justice. The role of case officers should be developed with the judiciary and will be subject to and may require legislation for some jurisdictions. The use of case officers will be in the control of the judiciary.*

### Proposed judicial positions to shape Reform

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The following information sets out the current thinking on this way of working:

- **Authorisation to exercise judicial functions:** The ultimate decision-making power should lie with the judiciary to safeguard the quality and reliability of outcomes for the public. Case officers may cover a number of roles; they will perform some of the functions currently undertaken by legal advisers, and will carry out some forms of routine box work and case progression (following guidance from and under the supervision of the judiciary).
- **Co-location:** Case officers exercising judicial functions should be co-located with the judiciary.
- **Supervision:** The existing structures for oversight should be maintained. If the powers of the roles are enhanced, consideration should be given as to whether there should be a mechanism for the judiciary to provide professional development feedback.
- **Training:** Judicial representatives will contribute to the design and delivery of training for case officers undertaking authorised functions.
- **Recruitment:** All individuals authorised to exercise case officer functions should have the appropriate level of qualification, experience and training.
- **Retention:** A clear and coherent leadership structure should support the retention of quality people by developing their expertise along a clear and attractive career structure.

### Questions

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The function of a case officer in the Family Court is a complex topic which is still under consideration. Your input on the work which authorised legal advisers and case officers could carry out and any implications for how the judiciary work with them are welcomed.

**Q9:** What additional functions, if any, could legal advisers working on family cases carry out when sitting with magistrates, beyond those which they have currently?

**Q10:** What functions could a case officer at other tiers of judiciary in the Family Court carry out?

**Q11:** For the control of case officers by the judiciary to be effective, what steps or procedures do you consider it important to be put in place?

*We welcome your answers to these questions along with any additional comments on the issues you consider arise under this heading. You can put them in the accompanying online survey.*

## 6. A modern estate, properly staffed

*A reduced estate should not compromise the quality of justice administered. The HMCTS Board has agreed that money saved will be used to fund investment in fewer, more modern buildings. They should be equipped and maintained to a higher standard. Buildings also need to be properly staffed by people to support the administration of justice and to provide for the needs of some of the most vulnerable in society.*

### Proposed judicial positions to shape Reform

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The following information sets out the current thinking on this way of working:

- **Fit for purpose court and tribunal buildings:** The court and tribunal estate should be a modern set of buildings in good condition, with guaranteed capacity to meet business needs and access in accordance with the Equality Act 2010. Ensuring the security of judges, magistrates, and court users is a non-negotiable requirement.
- **Application of the design guide:** A Court and Tribunals Design Guide should set the minimum requirements for refurbishment works and new buildings. It should be applied on a case by case basis, and place due weight both on hearing room layout and other facilities in the buildings. It should stress the need for protection of vulnerable court users, as well as judges and staff. On a regional basis, leadership judges should be consulted over requirements.
- **Adequate staffing:** In spite of the reduction in overall numbers, HMCTS staff should be of the quantity and quality, along with all other support, to meet the judiciary's needs. There should be proper procedures in place between the court and the Courts and Tribunals Service Centres (CTSCs) to allow immediate communication and exchange of information.
- **Supplementary provision:** "Supplementary provision" of justice facilities, i.e. courts held in buildings which are not part of the court estate (previously described as "pop up courts"), should be available where there is business need. This should offer the opportunity to improve access to justice, but should not be a substitute for court and tribunal buildings where there is permanent demand. Regional leadership judges should decide its deployment. No premises should be used where the security of judges and indeed staff, parties and those attending any hearing cannot be assured in accordance with the agreed minimum standards.
- **Flexible operating hours:** Any future implementation of "flexible operating hours" should only be with judicial consent. It should not mean longer judicial working hours.
- **Judicial relocations:** Judicial relocations required by reductions in the court estate should not involve moves into lower quality accommodation, or into interim accommodation or interim lease extensions without a sustainable agreed end state. Clear policies and procedures should be in place for relocation subsistence, expenses and specific ways of working considerations.

### Question

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In future, and where appropriate, more courtrooms and court buildings may become multi-jurisdictional. Careful consideration is needed of the types of case for which this would and would not be suitable.

**Q12:** What are the advantages or disadvantages of having court buildings and courtrooms/hearing rooms that are used by a combination of jurisdictions?

*We welcome your answers to this question along with any additional comments on the issues you consider arise under this heading. You can put them in the accompanying online survey.*



# Full list of questions

## 1. Use of digital systems

The design of new IT systems across CFT is still in its early stages. Your comments on how they should be designed for the needs of the public and to promote digital working in the Family Court would be welcome.

**Q1:** What design features would be desirable for you in using a fully digital case management system?

**Q2:** What disadvantages can you foresee in fully digitalised case management; which kinds of cases would present problems being paperless; and why?

**Q3:** What method of training in IT would best suit you? The following seem to be the possibilities: written instructions, video instructions, small group training from judges and/or HMCTS – or a mix of all of the above.

## 2. Use of technology for hearings

The FJEG and the Judicial Working Group on video hearings are continuing to discuss the guidance which would be given to judges and magistrates about the types of hearings where technology is most appropriate. Your input would be welcomed.

**Q4:** What types of hearings in what types of family cases could be conducted by fully video hearings (where all parties join via video-link, and no one is in the court)?

**Q5:** How can we best ensure that for appropriate hearings the seriousness of court proceedings is brought home to those participating by video? How can we ensure the integrity of the hearing is maintained e.g. no off screen coaching?

**Q6:** In what ways can open justice and transparency be achieved for fully video and telephone hearings?

## 3. Cases dealt with in ways proportionate to their nature

Increased use of Non-Court Dispute Resolution (NCDR) and other forms of dispute resolution are to be encouraged in the Family Court. We would like your input on how we develop this further.

**Q7:** Where do you see greatest opportunity for cases being appropriately signposted to NCDR, and how should it be done?

## 4. Use of simple, accessible procedure rules

The development of the Online Procedure Rules is at an early stage and is dependent on primary legislation. We are interested in your views on how this should be done.

**Q8:** What do you consider to be the key features or principles for a simplified set of procedure rules that would make them particularly easy to understand and suitable for litigants in person?

## 5. Authorisation to perform routine judicial functions

The function of a case officer in the Family Court is a complex topic which is still under consideration. Your input on the work which authorised legal advisers and case officers could carry out and any implications for how the judiciary work with them are welcomed.

**Q9:** What additional functions, if any, could legal advisers working on family cases carry out when sitting with magistrates, beyond those which they have currently?

**Q10:** What functions could a case officer at other tiers of judiciary in the Family Court carry out?

**Q11:** For the control of case officers by the judiciary to be effective, what steps or procedures do you consider it important to be put in place?

## 6. A modern estate, adequately staffed

In future, and where appropriate, more courtrooms and court buildings may become multi-jurisdictional. Careful consideration is needed of the types of case for which this would and would not be suitable.

**Q12:** What are the advantages or disadvantages of having court buildings and courtrooms/hearing rooms that are used by a combination of jurisdictions?

# Annex A | Reform: the Business Case

Reform is a six-year £1bn investment to modernise the court estate and invest significantly into IT provision, and in doing so improve how courts and tribunals work. Government is committed to investing more than £700 million to modernise courts and tribunals, and over £270 million more in the criminal justice system. The proceeds from estates sales will also be used to support Reform. The c.£1bn investment will be spent in the following ways:

- £270m developing a Common Platform with the Crown Prosecution Service .
- £230m modernising and reforming the court estate.
- £280m developing digital systems.
- £220m on other Reform Programme costs, including core programme costs, training and development.<sup>1</sup>

The price for this investment is a requirement for long term spending reductions. The aim is to reduce annual costs by approximately £250m by 2022, from a current cost base of £1.6bn per annum. Approximately 16,500 HMCTS officers (at the start of Reform) will reduce to just over 10,000. The 460 buildings that made up the court estate has been reduced to 350 so far, with more reductions due to come.

The judiciary has a shared commitment to help deliver the proposals agreed between the Lord Chancellor, the Lord Chief Justice, and the Senior President of Tribunals. This commitment extends to realising the judicial savings as agreed with HMCTS and HM Treasury in successive versions of the Programme Business Case. These savings total £81m<sup>2</sup>, subject to updates to the Business Case. They will be achieved through a combination of measures dependent on each jurisdiction, the detail of which is being further developed by the Judicial Office together with HMCTS.

At the point of sign-off of the last Programme Business Case (November 2017), it was anticipated that these savings would break down as follows:

- **Civil:** £8m was anticipated to be saved from efficiencies in conducting case management, ADR and hearings (including video technology and better guidance given to litigants in person); increased use of case officers for routine box work and out of court resolution (at judicial discretion); making some box work automated; and a reduction in some types of hearing owing to an expansion of other types of resolution.
- **Family:** £16m was anticipated to be saved from efficiencies resulting from digital processes and in improved ways of conducting hearings.
- **Tribunals:** £41m was anticipated to be saved from increased use of case officers for preliminary issues, case management hearings, box work, and interim applications (dependent on the chamber, where this is appropriate); efficiencies in conducting hearings (including video technology, use of online hearings, and use of online dispute resolution); reductions in demand for summary and written reasons; and reductions in withdrawn bail applications in the Immigration and Asylum Chamber.
- **Crime:** £14m was anticipated to be saved from indications of pleas being made online; efficiencies in conducting hearings (including use of video technology and automation); efficiencies in case progression (including use of the Common Platform).
- **Cross-CFT:** A further £3m was anticipated to be saved from a series of 'Early Initiatives' across Civil, Family, and Tribunals, such as changes to the issuing of Attachment of Earnings Orders and to Tribunals authorisations.

The spread and composition of these savings are under scrutiny and we anticipate that further conversations will be required at the Judicial Executive Board and the Tribunals Judiciary Executive Board to agree how they are achieved.

This does not mean that any salaried judge will be made redundant, nor is there a mechanism to do so. Recruitment and deployment decisions will continue to ensure that the business need is met.

<sup>1</sup> Figures taken from 'Judiciary Matters: HMCTS Reform Briefing Note', February 2017, p.11; ongoing engagement with HMCTS is being taken to understand the exact makeup of the unspecified costs.

<sup>2</sup> Jurisdictional figures do not sum to £81m owing to rounding.

# Annex A | Reform: the Legislation

Primary legislation will be required for some elements of the Reform Programme to be delivered. A Prisons and Courts Bill was introduced in the House of Commons in February 2017 but was not passed as Parliament was dissolved ahead of the General Election. In a written submission to the Bill Committee, the Lord Chief Justice and the Senior President of Tribunals noted that the legislation was “a critical enabler”<sup>3</sup> which will support access to justice and strengthen the rule of law.

The Queen’s speech in June 2017 announced that the Government would be introducing legislation to ‘modernise the courts system’. This legislation will be introduced as soon as parliamentary time allows. A summary of the court reform measures that were included in the Prisons and Courts Bill is set out below.

## Cross-Jurisdictional

- *Local justice areas*: Abolish local justice areas to increase flexibility in the deployment of magistrates and where a case can be heard.
- *Authorised staff (also known as ‘case officers’)*: Provide for the authorisation of court and tribunal staff across the jurisdictions to exercise judicial functions. The relevant Procedure Rule Committees will have the power to specify which functions may or may not be undertaken by authorised staff in the Crime, Civil, Family and Tribunals jurisdictions. Apply statutory independence and immunities to these staff. Reform the role of justices’ clerks – removing the role from statute to enable the creation of a more flexible, cross-jurisdictional leadership role for authorised court and tribunal staff.
- *Open Justice*: Ensure open justice for fully video and audio hearings (subject to existing reporting restrictions), including the creation of new criminal offences to guard against abuse.

## Crime

- *Streamlining case management, allocation and sending procedures*: Allow defendants to indicate their pleas in writing (preferably online) in all offences, and enable allocation and sending of either-way offences online by removing statutory requirements for hearings where the defendants are physically present. Remove the requirement for defendants charged with indictable-only offences to make a first appearance in the Magistrates’ Court by sending indictable-only cases to the Crown Court directly.
- *Automatic online convictions and statutory standard penalties*: Create a new online procedure for adults who plead guilty to the least serious offences to be convicted, sentenced and pay their fines entirely online.
- *Video and audio hearings*: Enable more matters to be dealt with by video-links or by fully video or audio hearing. All use of video-links remains at the discretion of the court which has to be satisfied that it is in the interest of justice and that the participants will be able to participate effectively.

## Civil, Family, and Tribunals

- *Online Court and Rule Committee*: Establish a new Online Procedure Rule Committee (OPRC) that will be able to create new Online Procedure Rules in relation to the Civil, Family and Tribunal jurisdictions. The OPRC will provide simplified rules to support online procedure.
- *Employment Tribunal reform*: Change the legislative framework of Employment Tribunals to bring them into line with other tribunals and enact reform and new rules in a consistent way.
- *Enforcement powers*: Extend enforcement powers to the High Court so that the Court can make Attachment of Earnings Orders for the recovery of monies due under a judgment debt, as far as practicable on the same basis that the County Court can make such orders using a fixed deductions scheme.
- *Panel Composition*: The Composition Order, which provides the SPT with greater flexibility in setting panel composition, was laid before Parliament in February 2018. The Lords have already debated and approved the Order, and we are now awaiting a date for the Commons debate before the Order can be implemented. We anticipate this will take place in April/May 2018.

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<sup>3</sup> Lord Chief Justice and Senior President of Tribunals, “Memorandum: Prisons and Courts Bill 2017”, para. 10



# Annex B | Reform: Programmes Summary

Reform is divided into 7 programmes. These are detailed as follows:

- 1. Crime Programme.** This programme aims for cases to progress through the criminal justice system more efficiently and with reduced delays. It plans to reduce the number of hearings taking place in court, and to develop a 'Common Platform' for securely sharing information on a single system.
  - Crime Service Model.** Most summary non-imprisonable offences with no identifiable victim (approximately 840,000 cases) will be taken out of the courtroom and heard by a single magistrate on the basis of the case file. In either-way and indictable cases, defendants will provide an indication of their plea online rather than in a court hearing, while judges and magistrates will, at their discretion, be able to conduct remand hearings through telephone, video-link, or online unless they need to be in court. Other elements of the model, such as partial automation of case progression, are in the process of being designed.
  - Common Platform.** The Common Platform plans to 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.
- 2. Civil, Family and Tribunal (CFT) Programme.** The intent is to develop a range of digital services to support the resolution of Civil, Family and Tribunal cases fairly and speedily, underpinned by a set of 'Common Components' to be used across the three jurisdictions.
  - CFT Design.** The CFT programme has identified a set of administrative and judicial procedural steps that are common across CFT, known as the 'common procedures'.<sup>4</sup> The ambition is to unite these under one digital platform, with a single access portal. It will involve automated triage, where appropriate, and more frequent use of alternative dispute resolution. This, and a new set of online procedure rules (subject to primary legislation), will provide clear mechanisms for claims to be brought without legal aid or representation.
- 3. Common Components.** In a separate workstream but aligned to the CFT programme, HMCTS are creating over 30 'common components', a set of applications which will enable a more integrated technology system across CFT. The most important components will be Core Case Data, a way to capture case information, and Document and Evidence Management, which will hold the documents related to a case. A further component will be the Judicial User Interface so that judges and panel members see the same types of screen throughout their use of CFT systems.
- 4. Property Programme.** This programme aims to improve the utilisation of a reduced number of HMCTS buildings, create new designs for courts and tribunals, modernise the remaining buildings, and generate some of the income required for investment elsewhere.
  - Estates reductions.** Taking cases out of the courtroom through fully video hearings will mean the requirements for estates will change. The number of courts and tribunals will be reduced. A number of these buildings will be used by more than one jurisdiction.
  - Court design.** There will also be a programme of modernisation of court and tribunals in line with a new Court Design Guide, so that they are fit for purpose in terms of their equipment and maintenance.
- 5. Infrastructure and Operations Programme.** This programme provides the products and services to enable the others.
  - IT infrastructure.** The programme will install WiFi in every court and tribunal building (and in the case of criminal courts, upgrade it) together with screens. The aim is for courtrooms and tribunal hearing rooms to be properly equipped.
  - Video hearings.** Increased use of video hearings is planned to improve efficiency in conducting hearings. This will be in two forms. First, hearings where one or more parties attend through telephone, video-link or online. Second, subject to legislation, some hearings (particularly preliminary hearings) where all parties attend in this way.
  - Digital scheduling and listing.** A new digital tool is being developed to automate some aspects of the scheduling and listing process, where this is considered appropriate by the judiciary. Listing officers will remain in courts and judicial control of listing decisions will remain because they are a judicial function.
  - Courts and Tribunal Service Centres (CTSCs).** A number of Service Centres will be created as the centralised locations for "contact" and the support and administration of cases. These may include some of the case officers, where the judiciary decide it is not necessary for them to be co-located with the judiciary.
  - Case officers.** As part of the CTSC and 'Regional, Courts and Tribunals' projects, the role of case officers is being considered. This could involve the creation of new roles or the expansion of existing roles, dependent on the staff working in a particular court or jurisdiction currently (see sections A and B5 in this document). The use of case officers will always be in the control of judges.
  - Assisted digital.** Assisted digital refers to the new support arrangements put in place to help users interact with the courts and tribunals via digital channels such as webchat, telephone assistance, and where necessary face to face assistance.
- 6. People and Culture Transformation (PACT) Programme.** PACT will redesign HMCTS to support the new ways of working delivered by Reform. This will include supporting the reduction in staff from 16,500 (at the start of Reform) to just over 10,000.
- 7. Transforming Compliance and Enforcement Programme (TCEP).** This programme involves new technology, a new operating model, and re-procuring contracts to ensure orders of the court are enforced effectively.

<sup>4</sup> According to HMCTS, these are: Signposting (online, printed and verbal); Application and Information Routing; Payment; Identity Verification; Casework and Case File Management; Administrative Decision-Making; Communications and Support; Scheduling and Listing; Hearings, Trials and Sentencing; Recording Decisions; Interface with Partners; Enforcement; Service Improvement.

# Annex B | Reform: Projects Summary

## The Reform Programme

Currently there are 52 projects that sit under 7 programmes to deliver Reform. These are described below together with their start and end dates, as proposed in the most recent Reform business cases. Please note that the dates and details of many of these projects remain under discussion with HMCTS.

### A. Crime Programme

#### Crime Service Model

| # | Project Name   | Project Description   | Proposed Start Date | Proposed End Date |
|---|--|---|---------------------|-------------------|
| 1 | Single Justice Service (SJS)                               | Expanding on the existing Single Justice Procedure. Cases involving summary, non-imprisonable offences with no mitigating circumstances could be digitally managed, or pass through other pathways, e.g. to go before a single Magistrate with access to a legal adviser.   | 28/02/2017          | 18/03/2020        |
| 2 | Video Remand Hearings (previously Virtual Remand Hearings) | Remand hearings conducted directly from the police station/custody through video means (i.e. video conferencing) with any pre-trial work also being managed by video.   | 03/07/2017          | 28/10/2020        |
| 3 | Online Plea and Allocation                                 | Plea and allocation to take place outside the court, through a "virtual" centralised triage function, removing the need for allocation hearings. Defendants will be able to indicate a plea online (with assisted digital as required).   | 03/07/2017          | 04/03/2021        |
| 4 | Case Progression   | Cases progressed outside of court by judges and authorised staff under judicial supervision. This will be supported by automated scheduling where possible; interlocutory hearings will happen online, or via video and telephone.  | 03/07/2017          | 09/06/2021        |
| 5 | Court Hearings   | Maximising the use of digital and video capability for existing court proceedings.  | 03/07/2017          | 08/09/2020        |
| 6 | Youth  | Enabling use of digital channels, considering use of more fully video hearings, making administrative work digital and defining a future operating model for the criminal courts within the Crime Service Model. This will all be considered alongside the constraints of working with young people and their parents and/or guardians. | 03/07/2017          | 28/04/2021        |

#### Common Platform:

| #  | Project Name  | Project Description  | Proposed Start Date | Proposed End Date |
|----|---|--|---------------------|-------------------|
| 7  | Single Justice Services - Automated Track Case Management System (ATCM) | Part of the new digital service that will include obtaining pleas from defendants online. It is expected to apply to summary only and non-imprisonable cases dealt with under the Single Justice Procedure (SJP) where trials are overseen by a single magistrate. This ATCM System would be used from the prosecutor's receipt of the case in the Magistrates' Court through to a decision. | TBC                 | 01/04/2020        |
| 8  | Charge to IDPC  | Enabling police officers to initiate pre-charge decisions with prosecutors and enabling the prosecutors to complete that charge.   | TBC                 | 30/06/2019        |
| 9  | Online Plea   | Changing the way that defendants can enter a "guilty" or "not guilty" plea. This project is aiming to make the process digital, so that defendants could enter a plea online and in written format.  | TBC                 | 01/06/2019        |
| 10 | Digital Mark-Up   | A court resulting tool for legal advisers and court associates in the Magistrates' Court, for all criminal cases. The service will be a digital process to record and transmit the results of the judicial decision makers in Magistrates' Courts to the current case management system (Libra).   | 01/10/2014          | 01/03/2018        |
| 11 | Crown Court End-to-End  | Covering case management and other capabilities to support processing of guilty plea cases in the Crown Court. The initial delivery will focus on Sentencing Hearings only within the Crown Court. Subsequent delivery will extend the services to all types of Crown Court hearings and into the Magistrates' Court.  | TBC                 | 01/12/2018        |



# Annex B | Reform: Projects Summary

## B. Civil, Family, and Tribunals Programme

| #  | Project Name                           | Project Description  | Proposed Start Date | Proposed End Date |
|----|--|--|---------------------|-------------------|
| 12 | Adoption                               | An end-to-end solution for adoption cases.   | 01/02/2018          | 31/10/2019        |
| 13 | Upper Tribunals                        | New digital ways of working across Upper Tribunals and the RCJ.  | 01/04/2019          | 30/09/2020        |
| 14 | Online Civil Money Claims (OCMC)       | A new online process will be used for the management of relatively simple and lower value civil disputes. The project will also automate and streamline the procedure for other civil money claims.  | 01/04/2016          | 29/11/2019        |
| 15 | Possession                             | The accelerated possession claims process will be made digital. As an interim step, automation of administrative processes will be implemented to make processes more efficient and save money. Considerations are being given to ways of standardising the administration of possession cases.  | 01/10/2018          | 30/06/2020        |
| 16 | Court of Protection                    | People using the Court of Protection will be able to initiate and manage their cases online.   | 01/02/2019          | 29/01/2021        |
| 17 | RCJ Services                           | Identifying areas of focus to improve services in the RCJ and wider High Court District registries and Upper Tribunals.  | 03/10/2016          | 30/09/2019        |
| 18 | Divorce                                | Delivering a transformed divorce service for people who want to end their marriage or civil partnership. This project will also reduce the HMCTS resource required to administer those cases. A digital service for applications for: divorce, nullity or judicial separation of marriage or civil partnerships, and online payment of fees. | 01/04/2016          | 31/01/2019        |
| 19 | Private Family Law                     | Implementing systems and processes to enable private family law litigants to initiate and manage their cases online.   | 01/08/2019          | 30/04/2021        |
| 20 | Family Public Law                      | This project will transform our public family law function to enable users, including local authorities, to start and manage cases online for all public family law and adoption cases.  | 02/10/2017          | 31/10/2019        |
| 21 | Probate                                | Implementing a streamlined, digital system to speed up and simplify the process for users who apply for a grant of probate in non-contentious cases.   | 01/04/2016          | 02/01/2019        |
| 22 | Social Security & Child Support (SSCS) | Establishing a new, digital process to improve the experience of appellants, allowing them to submit, track and manage their appeal online. This will include verification checks and an online listing tool.  | 01/04/2016          | 29/03/2019        |
| 23 | Specialist Tribunals                   | The project will establish new ways of working across the tribunals, developed on a tribunal-by-tribunal basis.  | 02/01/2019          | 30/06/2021        |
| 24 | Immigration and Asylum Chamber (IAC)   | Developing the administration of the Immigration and Asylum Chamber's service so that it can adapt according to different needs of users. It will enable case resolution both online and by video.   | 01/12/2017          | 29/11/2019        |
| 25 | Employment Tribunals (ET)              | This project will use a combination of the tribunals authorisation and the civil money claims models to develop an ET service that can change the way it works according to what the user needs. This will include the ability to resolve cases online and by video.   | 01/11/2019          | 30/06/2021        |
| 26 | Civil Enforcement                      | Reviewing the structure of civil enforcement to deliver better information and increase the likelihood of successful enforcement. This includes increased guidance, a simplified process, and a digital system to increase efficiencies.   | 03/04/2018          | 30/10/2020        |

# Annex B | Reform: Projects Summary

## C. Common Components

A full list of the projects within the Common Components Programme will be made available on the Judicial Intranet in due course.

## D. Property Programme

| #  | Project Name                                      | Project Description  | Proposed Start Date | Proposed End Date |
|----|---|--|---------------------|-------------------|
| 27 | Birmingham Estates Rationalisation Project (BERP) | Rationalising the HMCTS Civil, Family and Tribunals (CFT) estate in Birmingham to realise long term savings. Delivering a Birmingham CFT hearing estate that is fit for purpose and can withstand future change. | 30/07/2014          | 30/04/2018        |
| 28 | Estates Reform Project 1 (ERP1)                   | Reviewing the utilisation of HMCTS estates and removing surplus capacity.  | 01/09/2015          | 29/03/2019        |
| 29 | Estates Reform Project 2 (ERP2)                   | Reducing the property profile of HMCTS further, enabling a more fit for purpose and modern court estate.   | 01/08/2016          | 29/04/2022        |
| 30 | Hammersmith & Camberwell Green Project            | Reviewing the utilisation of HMCTS estates and removing surplus in London.   | 01/06/2015          | 31/03/2020        |
| 31 | The Court Design Guide                            | Defining the principles and standards upon which HMCTS will base future building design.   | 01/06/2016          | 31/05/2018        |

# Annex B | Reform: Projects Summary

## E. Infrastructure and Operations Programme

| #  | Project Name                                     | Project Description  | Proposed Start Date | Proposed End Date |
|----|--|--|---------------------|-------------------|
| 32 | IT Infrastructure – Screens                      | Implementing screens for the judiciary, and litigant in person and witness screens to Civil and Family courts and tribunals.   | 31/07/2018          | 31/03/2020        |
| 33 | IT Infrastructure – WiFi                         | Deliver WiFi in remaining CFT hearing venues. Refit of HMCTS WiFi to Crime sites-funded from PBC3. Screens in CFT Venues, review the WAN/LAN networks, capability for Video Hearings and specifications for Alternative Provision.   | 18/07/2016          | 29/03/2018        |
| 34 | IT Infrastructure – Video Hearings (VH) Hardware | Providing video conferencing equipment in the local tier to support video hearings.  | 19/04/2017          | 29/03/2019        |
| 35 | IT Infrastructure – RCJ WiFi and Screens         | Implementing WiFi and screens in the RCJ.  | 23/06/2017          | 29/03/2019        |
| 36 | Video Hearings (previously Virtual Hearings)     | Implementing hearings in a digital environment outside traditional courts or tribunals. Developing the capacity to provide 'On the Day Management' of hearings, where the hearing attendees can be welcomed, communicated with and directed digitally. A telephone conferencing system will be delivered as part of the project. | 01/09/2016          | 31/05/2019        |
| 37 | Scheduling & Listing                             | Implementing a scheduling and listing tool to be used by court listing officers to support their work.   | 02/05/2017          | TBC               |
| 38 | Bulk Scanning & Printing                         | Supporting the digitisation of services by establishing a bulk scanning service. It will also reduce printing and postage costs by establishing a centralised bulk printing solution. Local printing and scanning solutions are out of scope for this project.   | 01/09/2016          | 18/12/2018        |
| 39 | Courts, Tribunals and Regional Tier              | Developing a new organisation design for the staff operating within the courts and tribunals. This project, together with the CTSC project, includes work on the role of the case officer, rather than it being a separate project in its own right.   | 31/08/2017          | 31/03/2022        |
| 40 | Enterprise Performance Framework (EPF)           | Developing a new performance framework to measure the performance of HMCTS (as a technology project it forms part of this programme, not PACT).  | 03/07/2017          | 31/01/2020        |
| 41 | Flexible Operating Hours (feasibility study)     | Completing a pilot and evaluation across a series of sites in different locations and jurisdictions to examine the feasibility of flexible, extended operating hours for hearings. Note that this project is not necessary to deliver the business case for Reform.  | 30/09/2016          | TBC               |
| 42 | Online Tier                                      | This project will shape HMCTS' online presence, signposting, information and guidance on accessing or using HMCTS services. It will make it easier for customers to self-serve, to make informed choices, and to understand what is happening.   | TBC                 | TBC               |
| 43 | Courts and Tribunals Service Centres (CTSCs)     | Delivering a number of centralised case administration centres for HMCTS in England and Wales by consolidating administrative activity. This project, together with the Regional, Courts and Tribunals project, includes work on the role of the case officer, rather than it being a separate project in its own right.         | 01/04/2017          | 12/12/2022        |
| 44 | Assisted Digital                                 | Providing support to members of the public (including litigants in person) who have limited digital capability or who are unable to access resources/information digitally.  | 01/09/2017          | 01/03/2022        |
| 45 | Judicial Fees & Expenses Payment System (JFEPS)  | Improving the payment of fees and expenses to all court judges and tribunal judges and panel members. The project is creating an online system to handle the processing of claims and expenses, which now includes fee-paid members.   | 01/12/2015          | 29/03/2018        |

# Annex B | Reform: Projects Summary

## F. People and Culture Transformation Programme (PACT)

| #  | Project Name                        | Project Description   | Proposed Start Date | Proposed End Date |
|----|-------------------------------------|---|---------------------|-------------------|
| 46 | Org Design (Workstream)             | Completing organisation design work, including considering the size and cost of the future HMCTS organisation.  | 14/11/2016          | 12/12/2022        |
| 47 | People Proposition (Workstream)     | Developing the future employment model considering diversity, equality, reward, performance, careers on offer and opportunities for career development.                 | 14/11/2016          | 12/12/2022        |
| 48 | Employee Engagement (Workstream)    | Defining the engagement strategy and plan to increase engagement at all levels.   | 14/11/2016          | 12/12/2022        |
| 49 | People Transition (Workstream)      | Reviewing, updating and developing policies for recruitment, retention, redundancies and redeployment.  | 14/11/2016          | 12/12/2022        |
| 50 | Capability Development (Workstream) | Identifying the new skills and capabilities required in the HMCTS workforce. Building the knowledge and developing interventions and change leadership to support this. | 14/11/2016          | 12/12/2022        |

## G. Transforming Compliance and Enforcement Programme (TCEP)

| #  | Project Name   | Project Description  | Proposed Start Date | Proposed End Date |
|----|--|--|---------------------|-------------------|
| 51 | Transforming Compliance and Enforcement Programme (TCEP) | Increasing both the level and the efficiency of the collection of criminal financial impositions through improved business processes and IT systems. This will consolidate administrative activity through a reduced number of sites and headcount. The improved IT systems will also increase the levels of collection through improved verification and data segmentation functionality. | 04/01/2016          | 30/04/2019        |
| 52 | Approve Enforcement Agency (AEA)                         | Covering the re-procurement of Approve Enforcement Agency (AEA) contracts, due to expire, including a review of how this service is provided.  | 01/08/2016          | 30/04/2019        |



# Annex C | Judicial Governance Groups

The table below describes the various groups that make up the Judicial Reform Network (JRN). The JRN is the collection of groups that will help to drive Reform across the Judiciary.

| Group   | Description |
|---|-------------|
| Judicial Executive Board (JEB) & Tribunals Judiciary Executive Board (TJEB) |             |
| Judicial Reform Board (JRB)   |             |
| Judicial Reform Board – Courts (JRB-C)                                      |             |
| Tribunals Judicial Strategy Group (TJSG)                                    |             |
| Judicial Reform Steering Group (JRSG)                                       |             |
| Judicial Ways of Working Group (JWOW)                                       |             |
| Judicial Engagement Groups (JEG) and the Magistrates Engagement Group (MEG) |             |
| Regional Leadership Groups (RLGs)   |             |
| Local Leadership Groups (LLGs)  |             |
| Project working groups  |             |