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COURTS AND  
TRIBUNALS JUDICIARY

# **Judicial Ways of Working – 2022**

## **Tribunals**

**April 2018**

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# Foreword from the Senior President of Tribunals

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 or panel member 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 panel members 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 judicial office holders. 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.

**Ernest Ryder**

**Senior President of Tribunals**

**April 2018**

# A. Reform of the Tribunals

## TRANSFORMATION OF THE UNIFIED TRIBUNALS AND THE EMPLOYMENT TRIBUNALS

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### 1. Values

Tribunals justice is specialist, innovative justice that is delivered swiftly by independent judges and panel members whose function is valued by the public.

We have the best performance for a decade both in our day to day timeliness and in the reduction in backlogs which has been achieved by the quality of our decision making and judicial leadership of a service that achieves efficiency and effectiveness through judicial control of workloads and performance.

### 2. The problem

Despite this, the justice system has experienced managed decline that is no longer sustainable: there are lengthy delays that are inimical to justice, process and language that is unintelligible to all but the specialist user and a system that is so costly that access to justice is impaired by the lack of affordable representation.

### 3. The solution

The judiciary must maintain quality by retaining the protections of our procedures including the use of face-to-face determinations while providing proportionate, simpler and more accessible processes across a range of cases. We can achieve that by developing digital ways of working which incorporate the same protections but deliver better quality outcomes in terms of access to justice, the user's perception of the value of the essential role we perform and the timeliness of our decision-making.

### 4. Aim

The aim of the Courts and Tribunals Reform Programme is "to give the administration of justice a new operating model with a sustainable and affordable infrastructure that delivers better services at lower cost in order to safeguard the rule of law by improving access to justice".

### 5. The plans

For the last two years we have been developing a series of strategies and plans for the future which we wish to discuss with all judges and panel members. These include:

- i. Estates
- ii. Innovative and digital working
- iii. Support for judges
- iv. Assisted digital support for users
- v. Leadership
- vi. Diversity

Over the course of the next three months Chamber and Tribunal Presidents will talk to all of their judges and panel members in face-to-face meetings around the United Kingdom to explain how we can achieve the solution to the problem that was identified at the beginning of the modernisation programme.

### 6. Projects

There are nine main projects that will affect the ways in which we work as judges and panel members in the tribunals. There is no single model, that is, one size does not fit all. The individual projects affect our ways of working in each tribunal in different ways. There is no plan to remove the unique ways of working that identify the specialist, innovative characteristics that are essential to your tribunal. Each of the projects is designed to help improve access to justice, the experience of the user and/or that of the judge and panel member, and the timeliness of administering justice in your tribunal. The projects are as follows:

#### 6.1 Online dispute resolution (SSCS)

We will deliver four key components out of the SSCS project which can be used by other tribunals, where appropriate: 1) Track your Appeal (an online notification system), 2) Submit your Appeal (online applications), 3) Continuous Online Dispute Resolution, and 4) a Digital Evidence Sharing component will be delivered with DWP and other respondent Government Departments.

#### 6.2 The judicial interface

This project will provide access to a judicial platform that will deliver a standard method of digitally identifying a judge's caseload, all documents relating to the cases allocated to the judge in digital form and tools to help the judge and leadership judges allocate cases and identify them for case management, for online resolution, for alternative dispute resolution and for full hearing.

# A. Reform of the Tribunals (continued)

## 6.3 Video hearings (formerly Virtual Hearings)

This project is being trialled in the Tax Chamber and the Immigration and Asylum Chamber and involves case management and a limited number of simple contested hearings. The appellant, the appellant's representative, the presenting officer on behalf of the appropriate agency or government department and the judge are in different locations and are able to have simultaneous conversations, simultaneously present documents online and have privileged discussions in a digital forum which replicates a relatively formal public hearing. The proceedings are available for the public to see over screens in the hearing room where the judge is conducting the hearing.

## 6.4 Scheduling and listing

This project is in its infancy and will initially consider the development of what is known as the magistrates' rota which is a digital system that can be used to book the sittings of fee paid judges and panel members. When developed, it will extend the present itinerary system in the courts to the tribunals to enable leadership judges to agree itineraries and patterns with their judges and to allow judges to book leave, official business and sickness into one digital record for each judge. It is hoped that the system can also be developed to enable tribunals whose judges are peripatetic to book hearing rooms and chambers across the courts and tribunals estate and to link with a new generation of expenses claims systems so that sittings can be reconciled with the expense claims that they properly generate. A different part of the system is being developed which will put existing allocation and listing arrangements between back offices and leadership judges online maintaining the leadership judges existing control over listing and the listing protocols and processes that are already agreed.

## 6.5 Common Components

The Common Components project brings together those underlying functions that have been designed in digital form to replace existing paper processes. They will be made available to any tribunal that can use them. Examples include the judicial interface, the digital platform which is accessed by the judicial interface, track my appeal, submit my appeal, evidence sharing and document and evidence management. Components that permit fees to be paid by an applicant and which provide for the identification of appellants are also in development.

## 6.6 Civil, Family and Tribunals digital process

Work has been undertaken to identify a series of standard processes that exist in all Civil, Family and Tribunals procedures. The Government intends to legislate to give powers to an Online Procedure Rules Committee. A shadow online advisory group under the chairmanship of Mr Justice Langstaff is considering high level rules that will facilitate digital working. In addition, the Tribunal Procedure Committee will advise on whether any rule changes are necessary. Before a procedure is made the subject of any future online rules the SPT and the relevant chamber president will consider whether any proposed rules are better than the existing TPC rules.

## 6.7 Case officers and registrars

The tribunal case worker (TCW) project successfully came to a conclusion a year ago and there are now 32 TCWs across the tribunals. The tribunals have a long tradition of identifying authorised functions under the supervision of judges which can be performed by legally qualified registrars and legal advisers and specially trained case officers. Each of these case officers work directly to a group of judges to whom they are responsible for their decision-making. No decision represents a final determination of an appeal save in certain limited circumstances of strike out and all decisions of registrars and case officers are automatically reviewable on application to a judge without an appeal. In the legislation introduced in the previous parliament, 'case officers' were referred to as 'authorised staff' (for further information see Annex A: the legislation, p. 16).

## 6.8 Upper Tribunal and RCJ project

The Upper Tribunal and EAT are part of one of the largest projects which will digitise all appeal processes in the RCJ including judicial review. This project will take existing technology in the Rolls Building known as CE File and develop it and other components to provide a digital process that replicates the best of our UT/EAT/Judicial Review processes. Each chamber of the UT and the EAT will be represented on a project board and the development of this service will be overseen by the Vice President of Tribunals.

## 6.9 Courts and Tribunals Service Centres (CTSCs)

Tribunals already have extensive arrangements for the administration of their business through back offices and jurisdictional support teams attached to Presidents' offices. The move to create more CTSCs will not affect existing practice in tribunals although the benefit of cross-jurisdictional support and digital working are intended to be greater. Each CTSC will be scrutinised by the Tribunals Judiciary Executive Board (TJEB) to ensure that existing ways of working are preserved or improved.

# A. Reform of the Tribunals (continued)

## 7. The Tribunals Change Network

There are 38 leadership and project judges working on our behalf in the Reform Programme (see Annex C). They are your “change network” and they are striving to ensure that our good practice is identified and followed through into innovative process during the Reform Programme. They have identified 9 main factors which will be relevant to the way in which we work from 2022 onwards.

In Section B of this document you will see those 9 factors described and you will read about the judicial positions that we have already taken. Some of these are “red lines”. For example, about the retention of listing as a leadership judge function, the supervision of case officers by judges and the use of courts and tribunals estate as it changes, all of which are important to us.

## 8. Your feedback

I invite you to consider those positions, provide me with feedback about them including additional positions that you think it is important I take on your behalf. I would like you to become involved in the face-to-face discussions that I as SPT and the Chamber Presidents will have around the United Kingdom at regional and local venues where more detailed questions can be asked and answered. I am acutely aware not only that each tribunal is different but that our concentration of fee paid and panel members is hugely important to the way in which we work. Opportunities will be provided by video, webinar and face-to-face for all judicial office holders to provide us with that feedback.

I am presently investigating the extension of the Reform Programme to Scotland in the context of the Smith Commission promise to devolve the reserved tribunals. That will involve detailed discussions with the President of Scottish Tribunals, judges and officials in Scotland and representatives of the UK and Scottish governments. I will provide the same opportunities for judges in Scotland, Wales and Northern Ireland to provide feedback including that relevant to devolution.

Wherever possible the projects that I have identified will be scored against the principles we set at the beginning of the Reform Programme. We must ensure that each project delivers ways of working that satisfy the principles we identified. They are as follows:

1. Ensure justice is accessible to those who need it i.e. improve access to justice
2. Design systems around the people who use them i.e. systems that are more user friendly
3. Create a system that is financially viable using a more cost effective infrastructure i.e. better and effective use of IT and new working practices
4. Eliminate the most common cause of delay
5. Retain our international and national standing as a world class provider of legal services and the judiciary as world leaders in the delivery of justice
6. Maintain the constitutional independence of the judiciary.

Each project is developed by the use of pilots which produce data that can be analysed by the judges involved to identify the improvements we seek to achieve. The Tribunals Change Network will scrutinise the projects and principles before anything is implemented.

**Ernest Ryder**

**Senior President of Tribunals**

**April 2018**

# B. Your views on how we work with Reform

## Your views are needed to help shape Reform

Reform must be done “with” the judiciary, and we are responsible for helping to lead it. In support of this, we 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 significant questions the Reform programme should address to improve the administration of justice.

We must work together to achieve our aim, but that does not mean that one size fits all. The end point for each jurisdiction and tribunal will be different, and we need to plan for that now. While the Tribunals Judicial Engagement Group (TJEG) has had continuing involvement, now is the time to seek much wider views. This section, prepared by the Tribunals Change Network (which includes TJEB, TJEG and our project judges) under the direction of the Senior President of Tribunals, gives you the opportunity to do this. We have identified 9 principles for how the judiciary will work in 2022 in the context of the 7 Reform Programmes and 52 Projects (see Annex B), and have set out some judicial positions for you to consider in the design and delivery of Reform.

## Way of working 2022      How this should be achieved

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

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|--|--|
| <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. Before being made digital, case progression and management and other processes will be re-designed with you so that they are more efficient and effective than existing ways of working.</li></ul>   |
| <b>2. Use of technology for hearings</b>                         | <ul style="list-style-type: none"><li>• The judiciary 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 or open justice. If users struggle with technology, they will receive 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>• The judiciary will always hear contested cases. Registrars and case officers may be authorised to undertake certain specified types of more routine work. Some specified types of work may be resolved online. Alternative dispute resolution methods such as judicial mediation, early conciliation and early neutral evaluation will be used more widely to help parties resolve their disputes more efficiently and effectively.</li></ul>                    |
| <b>4. Use of simple, accessible procedure rules</b>              | <ul style="list-style-type: none"><li>• There will be clear procedure rules for those accessing justice online or with limited legal advice. Unnecessary differences in practices between jurisdictions will be eliminated. Processes will be consistent, predictable and easier to understand, especially for litigants in person. People will get told how to get help when 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 trained registrars and ‘case officers’ will allow a greater share of judicial time to be spent on decision-making and substantive case management with less time spent on routine box work. There are supervisory mechanisms in place to ensure that there is no detriment to the quality of justice. The role of case officers will be developed with the judiciary, and their use will be under 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 must not compromise the quality of access to justice. 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 provide for the needs of some of the most vulnerable in society.</li></ul>                                    |

There are 3 strategic considerations that support the Reform Programme, and have significant implications for how the judiciary will work in 2022. 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 Senior President of Tribunals and Lord Chief Justice.</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 and protected time required to manage these responsibilities. There will 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. Before being made digital, case progression and management and other processes will be re-designed with you so that they are more efficient and effective than existing 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:

- **Maintaining access to justice:** Tribunals jurisdictions are not 'one size fits all' and due consideration must be given to the specific nuances across each Tribunal jurisdiction. Digital technology must never compromise the right to a fair hearing, and should be used to improve access to justice and open justice.
- **Civil, Family and Tribunals (CFT) digital platform:** There will be a single IT system to facilitate the issue, case management and determination of appeals.
- **Interim solutions:** Interim technology solutions should not compromise the efficiency and effectiveness of tribunals, particularly during the implementation of the 'Common Components' which support digitisation.
- **Reliable IT:** IT should be robust and reliable, necessary hardware should be available to judges and panel members, and systems should be kept up to date. There will be clear protections so that disruption to tribunals business is minimised. New systems will be developed with essential facilities such as access to diary systems and basic CMS data. Tribunal judges and panel members will be involved in the testing of all software and hardware prior to acquisition and implementation. Data collected during project pilots will be collected and analysed by HMCTS and the judiciary to inform future design decisions.
- **Judicial interface:** The Judicial interface must 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 are involved in the design of the system.
- **Scheduling and listing:** Listing is a judicial function. A new digital system will support local and regional tribunal listing under judicial direction, but will not replace it. It should be no less flexible than present arrangements and should permit swift responses to emergencies, for instance a need to find a judge and hearing room available to deal with an urgent application. Resident leadership judges will continue to allocate and prioritise all cases. Booking systems must be robust and easy to use and the system must have its own judicial interface.
- **Training:** The judiciary should receive comprehensive IT training to use all future digital systems. Protected time will be required to ensure that digital systems can be used confidently, regardless of existing levels of digital literacy.
- **Support:** Trained IT support will be available for each tribunal building in case judges encounter challenges in using software or hardware.
- **Management information:** Leadership judges will have access to secure, live data relevant to caseloads, backlogs compared to sitting days, and performance in their tribunal or jurisdiction (as appropriate). This will be linked to a clear and agreed set of measures that reflect the effective and efficient administration of justice.
- **Information sharing:** Information must be easily shared between the First Tier and Upper Tribunals. Sharing, review or presentation of evidence and information with parties or participants should be streamlined, with clear procedures to ensure security of proceedings.

## Questions

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The design of new IT systems is still in its early stages. We will remove paper by using digital processes from application to hearing room. It is essential that we learn the lessons from previous technological rollouts to implement the technology most effectively.

**Q1.** What support can judges reasonably expect to be in place for the use of any new technology?

**Q2.** 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

*The judiciary 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 or open justice. If users struggle with technology, they will receive 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 allocation based on case types:** The decision on whether a hearing is conducted online, by video-link, by phone or face-to-face will always be for the judge dealing with the case. There will be practice guidance issued to support judges, and no targets for its use. The retention of respect for the process must be maintained. All-party video hearings presently being piloted in the Tax Tribunal and then the IAC will inform the guidelines.
- **Provision for litigants in person:** Litigants will be able to use online and video services. They will have guidance about how to do this and how to upload evidence. Training should be available to ensure that there is no unconscious bias resulting from greater use of technology in hearings.
- **Open justice considerations:** Justice must be seen to be done regardless of the medium for the hearing. As a minimum, the public and the media should have the same or better access to open justice as at present.
- **Practical support and set-up:** Operation of equipment should be the responsibility of HMCTS staff in each hearing room, for example, by a clerk. Technical support should be provided on-site by HMCTS staff in each tribunal building, for example, by a Digital Support Officer. Off-site support should be provided for the booking and administration of 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. Hearing rooms must be fitted with presentation equipment, or alternative appropriate hardware must be provided for judicial office holders, litigants in person and represented parties.
- **Quality of the equipment:** Video hearings and their audio record should be of high quality such that they replicate what can presently be seen and heard in the hearing room. There should be clear safeguards that alert the judge and other participants if there is a momentary video / audio dropout. We will continue to pursue the need for the digital recording of all proceedings.
- **Judicial presence:** The judge and panel members will 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 integrity and fairness of the proceedings, and b) they can gauge non-verbal reactions to the evidence presented and the comments of others.
- **Security of fully video hearings:** All information, including the live video feed, will be kept secure by appropriate safeguards. Where information is shared or stored, it will be done in a way that is compliant with information security principles.
- **Assisted digital:** If there is to be greater use of digital technology, assistance must be available for litigants in person who for whatever reason find the use of computers difficult or impossible, have language difficulties or any disability. The support must include providing assisted digital services to litigants in person face-to-face as well as over the telephone and via digital helplines. The service must extend to facilitate the making of applications online and uploading evidence digitally.

### Questions

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

**Q3.** In what circumstances could access to justice be improved through the use of new digital technology?

**Q4.** How can we best ensure that for appropriate hearings respect for the tribunal is maintained by those participating by video-link? How can we ensure the integrity of the hearing is maintained e.g. no off-screen coaching?

**Q5.** 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

*The judiciary will always hear contested cases. Registrars and case officers may be authorised to undertake certain specified types of more routine work. Some specified types of work may be resolved online. Alternative dispute resolution methods such as judicial mediation, early conciliation and early neutral evaluation will be used more widely to help parties resolve their disputes more efficiently and effectively.*

#### Proposed judicial positions to shape Reform

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

- **Panel composition:** Panels will consist of one, two or three members as required to provide access to specialist and innovative justice. There is to be no default rule of single judge panels. As a consequence of the consultation last year, Chamber Presidents and / or HMCTS may request a change to panel composition to further the overriding objective and the SPT will consult when that is appropriate.
- **Litigation as a last resort:** All tribunals will continue to facilitate access to justice for all litigants in person, and it is not part of the Reform Programme to remove the need for legal representation. Measures will 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 a hearing room.
- **Case initiation:** Litigants who begin their cases online on the CFT digital platform will be provided with signposts to sources of advice including, where available, Alternative Dispute Resolution (ADR) services, the assisted digital service and guidance on how a hearing is conducted.
- **Alternative Dispute Resolution – stages of conduct:** ADR will be used where appropriate to complement the process, not substitute for it. It may be conducted by independent mediators, trained court staff or judicial office holders.
- **Alternative Dispute Resolution – proportionality:** The ADR offered will not be disproportionately expensive or time-consuming to the value or importance of the case. Where signposting is given, it will clearly lay out the ADR opportunities.
- **Case progression and management:** Cases will be progressed speedily by using digital functions, and with the assistance of case officers. Cases will be managed in a way that is proportionate to the complexity of the case. The judiciary will continue to have case management authority to oversee these processes or direct them themselves.
- **Decision-making :** Final determination will only be undertaken by judges and panel members.

#### Question

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The application of Alternative Dispute Resolution is an area for development.

**Q6.** What are the opportunities in your jurisdiction for Alternative Dispute Resolution, including in triage, preliminary adjudication by early neutral evaluation, early conciliation or judicial mediation?

*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

*There will be clear procedure rules for those accessing justice online or with limited legal advice. Unnecessary differences in practices between jurisdictions will be eliminated. Processes will 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:

- **Online Procedure Advisory Group (OPAG):** The OPAG is looking at creating a single set of Online Procedure Rules across Civil, Family, and Tribunals. These rules would underpin the online process that the lay person would use to make it easy and simple to navigate. The way Employment Tribunal (ET) Rules are changed will require primary legislation. It is hoped that an opportunity will be provided to bring those rules within the scope of the Tribunals Procedure Committee (TPC).
- **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 to develop rules collaboratively for online working in Civil, Family and Tribunals. There will be a review of existing Tribunals Procedure Rules (TPR), with separate workstreams for each jurisdiction. The TPR will remain the default rules unless Online Procedure Rules are agreed that are bespoke and hence better for digital working.
- **Language:** There will 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 simple translation from English.
- **Devolution considerations:** There will be specific discussions in Scotland, Wales and Northern Ireland about any considerations that engage devolved responsibilities.

### Questions

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The development of the Online Procedure Rules is at an early stage and is dependent on primary legislation. The Tribunals Procedure Rules already permit digital working and the use of case officers. We are interested in your views on how the rules should be developed.

**Q7.** What is needed in the Tribunals Procedure Rules and Practice Directions to facilitate digital working?

**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 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.*

## 5. Authorisation to perform routine judicial functions

*The appropriate use of trained registrars and 'case officers' will allow a greater share of judicial time to be spent on decision-making and substantive case management with less time spent on routine box work. There are supervisory mechanisms in place to ensure that there is no detriment to the quality of justice. The role of case officers will be developed with the judiciary, and their use will be under 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:

- **'Case Officer' definition:** As part of the Courts and Tribunals Service Centre (CTSC) and 'Regional, Courts and Tribunals' projects, the future roles of 'case officers' are being considered. This could involve an enhancement to the existing roles of registrars, legal advisers and tribunals case workers.
- **Assignment and direction:** The SPT will remain responsible for the assignment and direction of case officers. Their authorised functions are controlled by rules and practice directions and are directly supervised by judges who will help appoint, train and mentor them.
- **Authorisation of judicial functions:** The decision-making power of any authorised case officer is specified by the judiciary to safeguard the rule of law. Authorisation of judicial functions will always comply with the Rules and Tribunals practice directions.
- **Co-location:** The location of case officers exercising authorised functions will remain a decision for the judiciary. Judicial supervision and oversight will always be required to guarantee consistency and quality. Remote working will only be approved where working standards and IT infrastructure (e.g. compatible systems for sharing access to files) have been effectively proven without the need for co-location, and both the chamber president and supervising judge agree that supervision of the individual case officer is effective.
- **Supervision:** The existing structures for oversight will be maintained. Consideration will be given to whether there should be a mechanism for the judiciary to provide professional development feedback. Leadership judges will give due consideration to case officers working across different tribunals jurisdictions.
- **Right of reconsideration:** Decisions made by case officers will always be subject to reconsideration by a judge without the need for permission. It is a power of review and not a right of appeal against a decision.
- **Training and career development:** Judicial representatives will contribute to the design and delivery of training for case officers undertaking authorised functions. Ongoing training will be provided to ensure that there are continued career development opportunities once case officers have taken up their posts. There is a career development and training scheme providing for professional qualification of all case officers who are selected and wish to take advantage of it.
- **Recruitment:** All individuals authorised to exercise case officer functions will have the appropriate level of qualification and / or competence. Judicial office holders will be consulted on the recruitment of candidates into case officer roles. Adequate training and preparation time should be provided for anyone taking part in the recruitment of case officers.

### Question

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The TJEG continue to consider how best to use registrars, legal advisers and tribunals case workers. A Case Officer Working Group has developed broad cross-jurisdictional principles to support case officers and judges in areas such as recruitment and training.

**Q9.** What processes could be improved in the way that registrars, legal advisers and tribunals case workers work with tribunals judges and panel members?

*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.*

## 6. A modern estate, properly staffed

*A reduced estate must not compromise the quality of access to justice. 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 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:

- **A more modern estate:** The court and tribunal estate should be in an appropriate condition, with guaranteed capacity to meet judicial needs. Ensuring the security of judges, panel members and tribunals users is non-negotiable. There will be a resident tribunal leadership judge for each building used by a tribunal, who will have authority to agree accommodation and services in that building and intervene on your behalf where appropriate.
- **Application of the design guide:** The Court and Tribunals Design Guide will set the minimum requirements for refurbishment works and new buildings. It will be applied on a case by case basis, and place due weight both on hearing room layout and other facilities in the buildings. Leadership judges will always be consulted about the requirements of individual tribunals.
- **Judicial relocations:** Tribunals judges and panel members will adopt the following principles for estate relocations:
  - There will only be relocation to new premises if they are in a better condition or at least as good as the existing location.
  - There will be no moves into accommodation other than CFT hubs or national tribunal centres without agreement.
  - Interim accommodation or interim lease extension will only be used if there is a clear plan for transition and a sustainable agreed end state.
  - Peripatetic judges requiring access to multiple buildings will be able to work flexibly across the estate with guarantees that their bookings will be honoured.
  - Policies and procedures will be in place for relocation subsistence, expenses and specific ways of working considerations across the estate.
  - Buildings will not be closed until provision has been made for the same judicial business (i.e. hearings to be conducted in another agreed building). Where leases come to an end, alternative facilities must be agreed before closure.
  - No agreed accommodation may be changed without the agreement of the Chamber President. No change to facilities in agreed accommodation may be made without the agreement of the Resident Judge, Chamber President or the SPT. Where an agreement cannot be reached locally or regionally, then the issue will be resolved by the SPT or the HMCTS board as necessary.
- **Multi-jurisdictional considerations:** Peripatetic judges working across multiple courts and tribunals buildings must be supported by facilities management and IT infrastructure. Careful consideration will be given to the hearing types which are not suitable to be heard in some multi-jurisdictional environments (e.g. in buildings where Crime is heard).
- **Adequate staffing:** HMCTS staff will be of the right quantity with the right skills and expertise to meet the judiciary's needs. There will be proper procedures in place between the tribunal and the CTSC to allow immediate communication and exchange of information, for example for litigants running late for a hearing or where urgent applications are delivered to a tribunal.
- **Supplementary provision:** "Supplementary provision" of justice facilities (i.e. hearings held in buildings which are not part of the courts and tribunals estate) should be available where there is business need. This should offer the opportunity to improve access to justice, but will not be a substitute for a tribunal building where there is permanent demand. Leadership judges will identify a list of appropriate facilities for use by tribunals, subject to a regional security assessment.
- **Flexible operating hours:** Flexible working hours may be considered where it allows greater access to justice. It will not be implemented without judicial consent and will not mean longer working hours or any change to working patterns unless the judge offers to change his or her working pattern.

### Questions

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In future, some courts and tribunals will be accommodated in multi-jurisdictional Civil, Family and Tribunals buildings.

**Q10.** What protections do you want to be put in place across the estate to support the administration of justice and to provide for the needs of our more vulnerable users?

**Q11.** 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 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.*

# Three further considerations will influence how we work

The following three strategic considerations support Reform, and have significant implications for how the tribunals judiciary will work in 2022. A range of work has already been undertaken to support the changes brought about by Reform and business-as-usual activity. There is a commitment from the Senior President of Tribunals to deliver the following positions.

## 7. Greater opportunity to work across jurisdictions

*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 Senior President of Tribunals and Lord Chief Justice.*

### Considerations to support this Way of Working:

- **Working as different types of judge and panel members:** It remains an ambition to increase cross-deployment across tribunals jurisdictions, and where possible into the courts. This increased deployment flexibility will ensure that there are the right numbers of judges and panel members in the right place at the right time. The Tribunals Judicial Activity Group (TJAG) will have improved processes to accurately measure fluctuating demand across tribunals and forecast where cross-deployment opportunities exist. Deployment will be undertaken with fair and open policies.
- **Training and recruitment:** Cross deployment and flexible working will be supported by appropriate induction, assignment and continuation training. This will ensure that the judiciary have the right skills and abilities, and will lay the groundwork for greater cross-deployment opportunities. Recruitment for positions of cross-deployment will be transparent, with standardised processes for completing Expressions of Interest.

## 8. A diverse judiciary able to work more flexibly

*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.*

### Considerations to support this Way of Working:

- **Recruitment of a diverse workforce:** The judiciary will remain strongly committed to its aim of achieving greater diversity within its ranks, and as far as possible reflect the full diversity of the UK population. The Judicial Diversity Committee of the Judges' Council should have a clear plan for recommended interventions. All changes proposed by Reform or business-as-usual activities will be assessed for their possible implications on judicial diversity. There will be improved mechanisms for capturing and analysing data to provide clarity on attrition rates and the rationale of those leaving and joining judicial positions. This information could draw attention to ongoing issues and highlight achievements and progress.
- **Flexible working:** There will be increased opportunities for flexible working, including extended hours opportunities, salaried part-time working and increased remote working. Digital technologies such as video hearings allow for a more diverse and flexible body of judges and panel members to work remotely or to have non-standard hours.

## 9. Leadership judges clear in their purpose and supported in their role

*The role of leadership judges will be clearly defined, supported by the necessary training and protected time required to manage these responsibilities. There will be more consistent support for regional and local leadership judges.*

### Considerations to support this Way of Working:

- **Role of a leadership judge:** Judicial office holders should know their tribunals leadership judges and understand those leaders' roles and responsibilities. Leadership judges will continue to manage the tribunals justice system and support members of the judiciary to deal with cases justly, swiftly and at proportionate cost.
- **Leadership training:** Judges will be provided with advanced leadership training to ensure that they have the right skills to lead and deliver change. Induction leadership training will be strengthened to support new leaders to deliver on their obligations. Middle and senior level leadership judges will be offered more advanced leadership training including areas such as HR, data protection, and IT. The senior tribunals judiciary (including UT and Chamber Presidents) will receive leadership development focused on current and future issues, with input from the senior judiciary and external leaders in comparable fields. Judges who wish to prepare for leadership roles will be considered for leadership training. Protected time will be provided to ensure that all training can be effective.

# 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 small 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 | Tribunals Change Network

The table below is a list of the judges and panel members that collectively make up the Tribunals Change Network.

Name:	Position(s):
Judge John Aitken	• President, First Tier Tribunal Social Entitlement Chamber, Regional President, TJEG, HMCTS SSCS Project Board
Judge Libby Arfon-Jones	• SPT's lead for Wales and Judicial Welfare
Judge Jeremy Bennett	• SSCS Project
Judge John Brooks	• HMCTS Scheduling and Listing Judicial Working Group
Judge Richard Byrne	• Regional Tribunal Liaison Judge
Judge Russell Campbell	• Regional Tribunal Liaison Judge
Judge Christa Christensen	• Director of Training for Tribunals, Judicial College
Judge Barry Clarke	• Equalities Engagement Group
Judge Mary Clarke	• Regional Tribunal Liaison Judge, SSCS Project
Judge Michael Clements	• President, First Tier Tribunal Immigration and Asylum Chamber, Regional President, TJEG
Judge Anne Curran	• Regional Tribunal Liaison Judge
Judge Brian Doyle	• President, Employment Tribunal (England and Wales), Regional President
Judge Jennifer Eady	• TJEG
Gillian Flemming	• Council of Tribunal Members' Associations
Judge Neil Froom	• HMCTS Judicial Working Group for Video Hearing , HMCTS Managing A Video Hearing Project Board
Judge Manjit Gill	• SSCS Project
Judge Judith Gleeson	• TJEG, Chair of Tribunal Judicial IT Group
Judge Paula Gray	• Judicial Ways of Working Group
Mr Justice Holgate	• President, Upper Tribunal Lands Chamber
Judge Hugh Howard	• SPT's Critical Friend
Judge Verity Jones	• SSCS Project
Mr Justice Lane	• President, Upper Tribunal Immigration and Asylum Chamber, Regional President, TJEG
Mr Justice Langstaff	• OPAG Chair, SPT lead for Scottish Devolution
Lord Justice Lindblom	• Vice President of Tribunals, Acting President, Upper Tribunal Administrative Appeals Chamber
Judge Siobhan McGrath	• President, First Tier Tribunal Property Chamber, Regional President, HMCTS Property Board, HMCTS Court of the Future Working Group
Judge Alison McKenna	• President, First Tier Tribunal General Regulatory Chamber, Regional Tribunal Liaison Judge, TJEG
Judge Fiona Monk	• President, First Tier Tribunal War Pensions and Armed Forces Compensation Chamber, TJEG
Judge Barbara Mosedale	• Tax Project (Video Hearings)
Judge Kenneth Mullen	• SPT lead for Northern Ireland
Judge Kevin Poole	• TJEG
Judge Tim Powell	• TJEG, Case Officer Working Group
Judge Swami Ragehaven	• Tax Project (Video Hearings)
Judge Adrian Rhead	• Regional Tribunal Liaison Judge
Mrs Justice Rose	• President, Upper Tribunal Tax and Chancery Chamber
Mr Justice Roth	• Tribunal Procedure Committee Chair
Judge Mark Rowland	• SSCS Project
Mrs Justice Simler	• President, Employment Appeals Tribunal, Civil Executive Team Member
Judge Shona Simon	• President, Employment Tribunal (Scotland), TJEG
Judge Greg Sinfield	• President, First Tier Tribunal Tax Chamber
Lady Anne Smith	• President of Scottish Tribunals
Judge Paul Swann	• TJEG, Case Officer Working Group, HMCTS Scheduling and Listing Judicial Working Group
Judge Phillip Sycamore	• President, First Tier Tribunal Health, Education and Social Care Chamber, Health Regional President, TJEG (Chair), Judicial Reform Board Steering Group
Judge Meleri Tudur	• TJEG, Case Officers and Digital Ways of Working Lead
Sir Wyn Williams	• President of Welsh Tribunals
Judge Stuart Wright	• Council of Upper Tribunal Judges
Judge David Zucker	• Regional Tribunal Liaison Judge, Judicial Ways of Working Group

# 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)	
Tribunals Change Network (TCN)	
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	