



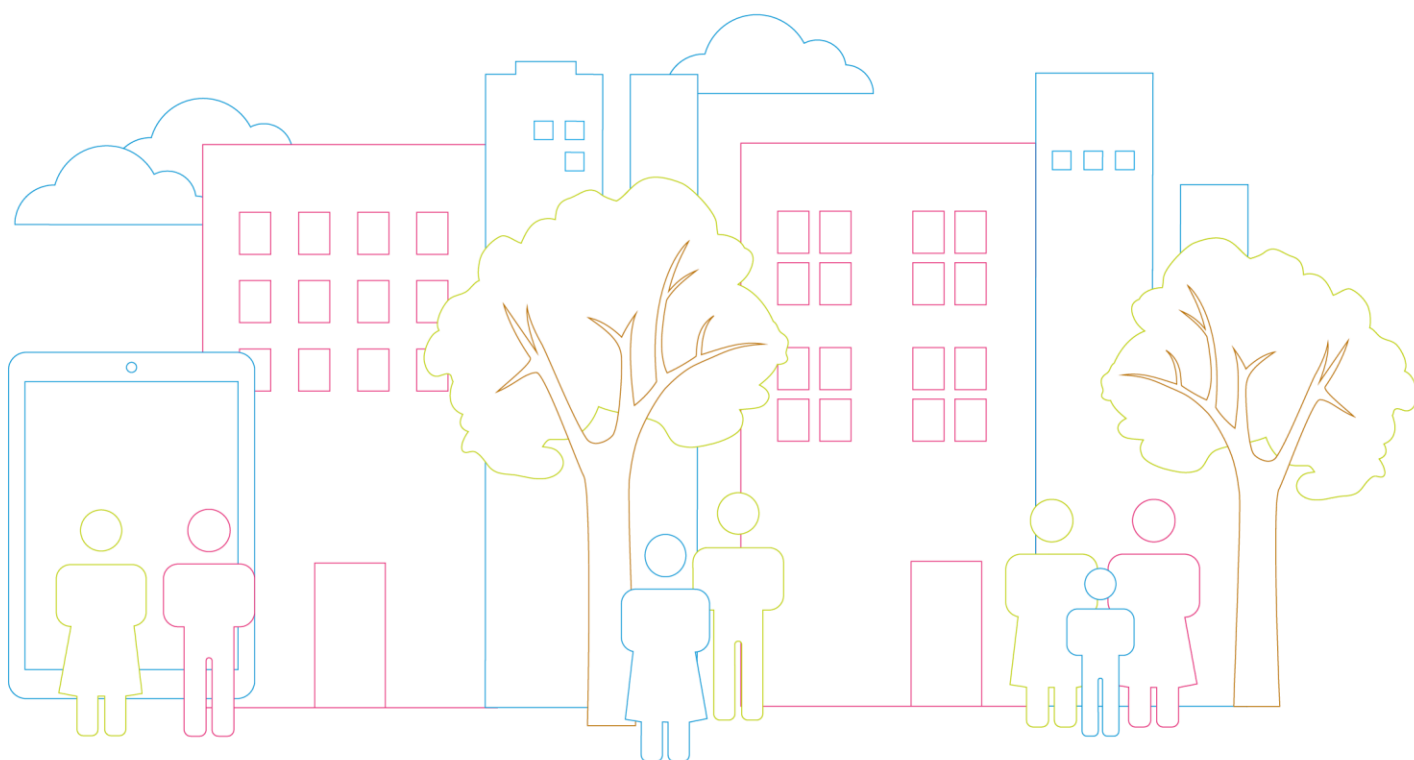
HM Courts &
Tribunals Service

Justice matters

Evaluation of remote hearings during the COVID-19 pandemic

Technical appendix

December 2021



Contents

1. Introduction	3
2. Quantitative surveys	4
3. Qualitative interviews	14
Annex A: Postal communication for public user survey	19
Annex B: Public user survey	21
Annex C: Judges survey	53
Annex D: Legal professionals survey	74
Annex E: HM Courts and tribunal staff survey	101
Annex F: Public user topic guide	128
Annex G: Judges topic guide	135
Annex H: Magistrates topic guide	141
Annex I: Observer topic guide	145
Annex J: Legal representatives topic guide	152
Annex K: Support staff and intermediaries topic guide	156
Annex L: HMCTS staff topic guide	160

Introduction

The COVID-19 outbreak resulted in a radical and swift transition to the widespread use of audio and video technology, to allow hearings to take place without all participants being present in court or tribunal buildings. This transition was necessary to support the ongoing delivery of justice whilst maintaining government requirements for social distancing and the need for some individuals to isolate. From the start of the first UK lockdown in March 2020, HM Courts and Tribunal Service (HMCTS) quickly increased the capacity to hold remote hearings.

HMCTS conducted an evaluation to collect robust evidence on the characteristics, experiences and perceptions of court and tribunal users. The evaluation involved quantitative surveys with public users, judiciary, legal representatives and HMCTS staff and qualitative research with a range of public and professional users. HMCTS commissioned IFF Research to conduct the survey of public users, and the in-depth interviews with public users, observers and judges. The other strands of research were conducted by HMCTS researchers.

Figure 1.1 summarises the range and number of stakeholders who participated, and methods used.

Figure 1.1 Evaluation approach overview

Surveys	In depth interviews
<ul style="list-style-type: none">• Public users (4,808)<ul style="list-style-type: none">○ 3,334 attending remote hearings○ 1,474 attending in person hearings• Judiciary (1,140)• Legal representatives (2,022)• Courts and tribunal staff (358)	<ul style="list-style-type: none">• Public users (78)• Judges (22)• Magistrates (10)• Legal representatives (25)• Courts and tribunal staff (25)• Support professionals and intermediaries (11)• Observers (9)

This technical annex outlines the methodological approach taken to the Remote Hearings Evaluation.

Quantitative surveys

Quantitative survey of public users

Sample

The sample for the quantitative survey of public users was sourced from HMCTS Management Information (MI) data. The MI data included the details of public users that attended a court or tribunal hearing between May and October 2020 in the following jurisdictions and roles:

- Civil court claimants and defendants
- Court of appeal claimants and defendants
- Crown court defendants
- District registry claimants and defendants
- Employment tribunal claimants and defendants
- Family court claimants and defendants
- High court claimants and defendants
- Magistrates' court defendants
- Queen's bench claimants and defendants
- Special Educational Needs and Disability (SEND) tribunal appellants
- Social Security and Child Support (SSCS) tribunal appellants

IFF Research cleaned the HMCTS MI data to exclude:

1. Ineligible records (e.g. non-public users, those that did not attend a hearing between May and October 2020 and those with a 'do not contact' marker)
2. Records without any usable contact details (i.e. no postal address, telephone number or email) and
3. Duplicate records for the same public user.

Once the MI data had been processed, 572,146 records remained in the sampling frame. Table 1.1 presents the profile of the sample frame in terms of jurisdiction and role.

From this sample frame, drawing targets were set to broadly reflect the profile of the underlying population, with some groups overrepresented to allow for robust statistical analysis between audiences.

A stratified random sample was then drawn in line with these targets. In total, 75,711 records were drawn for pilot and mainstage fieldwork. The ratios of sample drawn to interview target were different for each jurisdiction based on assumptions about the likely response rate (informed by the number of records with each type of contact details and experiences of the pilot).

Records were selected from the sampling frame on a random basis. Once drawn, records without a telephone number were processed through an automated telephone matching services to maximise the coverage of contact details for the drawn sample.

Table 2.1 presents the profile of the sample frame and the volume of records drawn by jurisdiction and role.¹

Table 2.1 The number of usable sample records and the number of sample records drawn by jurisdiction and role

	Number of usable sample records	Number of sample records drawn
Civil	192,576	16,311
<i>Claimant</i>	103,252	8,643
<i>Defendant</i>	89,324	7,668
Court of Appeal	13	0
<i>Claimant</i>	10	0
<i>Defendant</i>	3	0
Crown defendant	23,757	17,993
District Registry	564	564
<i>Claimant</i>	163	163
<i>Defendant</i>	401	401
Employment tribunal	34,095	5,049
<i>Claimant</i>	18,842	1,005
<i>Defendant</i>	15,253	4,044
Family	129,764	9,950
<i>Claimant</i>	37,868	2,348
<i>Defendant</i>	91,896	7,602
High Court	3,269	3,269

¹ Sample records from the Court of Appeal were not drawn for quantitative fieldwork due to a small number of usable records. These records were instead used in the qualitative strand of the evaluation.

<i>Claimant</i>	689	689
<i>Defendant</i>	2,580	2,580
Magistrates' defendant	144,650	17,398
Queen's Bench	1,743	1,743
<i>Claimant</i>	708	708
<i>Defendant</i>	1,035	1,035
SEND appellant	10,004	2,225
SSCS appellant	31,711	1,209
Total	572,146	75,711

Fieldwork and response rate

The overall approach to fieldwork was a sequential online (post-to-web) survey followed by a telephone approach (to all those with a telephone number).

Pilot fieldwork

Between 11th-22nd December 2020, IFF Research piloted the quantitative survey to check the comprehension and flow of questions, test the efficacy of different survey modes, monitor response patterns and determine the average survey duration. A sample of 301 records was drawn for pilot fieldwork and from this, 53 interviews were completed. Table 2.2 presents the number of pilot interviews completed by jurisdiction, role and mode.

Owing to the availability of sample in December 2020, pilot fieldwork involved administering surveys to a subset of the jurisdictions covered in mainstage fieldwork (see Table 2.2). In addition to a telephone and online survey, pilot fieldwork included a paper survey element.

Table 2.2 Pilot quantitative survey completes by jurisdiction, role and mode

	Starting sample	Postal completes	Online completes	Telephone completes	Total completes	Response rate
Civil	86	1	2	18	21	24%
<i>Claimant</i>	43	1	2	9	12	28%
<i>Defendant</i>	43	0	0	9	9	21%
Crown defendant	43	1	0	0	1	2%
Family	86	0	3	16	19	22%
<i>Claimant</i>	43	0	1	9	10	23%
<i>Defendant</i>	43	0	2	7	9	21%
Magistrates' defendant	43	0	0	1	1	2%

SSCS appellant	43	0	1	10	11	26%
Total	301	2	6	45	53	18%

Ahead of the launch of the pilot, all sampled public users were sent advance communications to introduce the evaluation, explain how to opt-out of the research, provide details of how to complete the survey and to provide answers to Frequently Asked Questions. Where email addresses were available, advance communications were sent via email. Where email addresses were not available, advance communications were sent in the form of a postal letter. See Annex A for the postal version of the advance communication.

Of the 301 public users included in the pilot sample, 190 were invited to participate in a telephone or online survey and the remaining 111 were invited to take part by postal survey. A response rate of 27% was achieved from records sampled for the telephone and online surveys (24% telephone and 3% online). A response rate of 2% was achieved from records sampled for the postal survey.

Following the completion of pilot fieldwork, the decision was made to remove the paper survey element from mainstage fieldwork due to it yielding a very low response rate (for a comparatively high cost). Minor refinements were made to the questionnaire used for the telephone and online survey to improve comprehension and flow. See Annex B for the final version of the questionnaire used in mainstage fieldwork.

Mainstage fieldwork

Mainstage fieldwork took place between January 26th and March 12th, 2021. A sample of 75,410 records was drawn for mainstage fieldwork and from these 4,808 interviews were completed. Table 2.3 presents the number of completed mainstage interviews by jurisdiction, role and mode.

In line with the approach taken to the pilot, ahead of the launch of mainstage fieldwork all sampled public users were sent advance communications. Where email addresses were available, advance communications were sent via email. Where email addresses were not available, advance communications were sent in the form of a postal letter. See Annex A for the postal version of the advance communication.

Following the delivery of advance communications for mainstage fieldwork, if public users had not completed the survey online within two weeks and had a telephone number available, they were contacted to conduct a Computer Assisted Telephone Interview (CATI). Some public users that did not have a telephone number available on the sample took part in telephone interviews due to them contacting IFF Research to provide a telephone number.

An overall response rate of 6% was achieved in mainstage fieldwork. As presented in Table 2.3, the response rate varied significantly by jurisdiction: from 2% for Crown and Queen’s Bench to 29% for SSCS. This variation is largely a reflection of telephone number coverage and public user role; both proved to be key factors that influenced response rates during mainstage fieldwork.

Where a telephone number was available for public users, a response rate of 19% was achieved. This compares to a response rate of 2% for records that did not have a telephone number available. To demonstrate how this correlates with variation in response rate by jurisdiction, 96% of

SSCS records (where the highest response rate was achieved) had a telephone number available while 5% of Crown records (where the lowest response rate was achieved) had a telephone number available.

Another key driver of response rate during mainstage fieldwork was public user role. At an overall level, a response rate of 12% was achieved amongst claimant type roles and a response rate of 5% was achieved amongst defendant type roles. The higher response rate amongst claimants persists even with telephone number coverage controlled for. Where telephone numbers were available, a response rate of 22% was achieved amongst claimants compared to a response rate of 17% amongst defendants.

The variation in response rate by role had implications for response rate by jurisdiction, as some jurisdictions in the sample frame only included one type of role. Higher response rates were achieved in jurisdictions with only claimant type roles (e.g. SEND and SSCS) and a lower response rates were achieved in jurisdictions with only defendant type roles (e.g. Crown and Magistrates).

Table 2.3 Mainstage quantitative survey completes by jurisdiction, role and mode

	Starting sample	Records with a telephone number	Online completes	Telephone completes	Total completes	Response rate
Civil	16,225	5,314	391	719	1,110	7%
<i>Claimant</i>	8,600	2,660	239	353	592	7%
<i>Defendant</i>	7,625	2,654	152	366	518	7%
Crown defendant	17,950	867	212	173	385	2%
District Registry	564	143	17	14	31	5%
<i>Claimant</i>	163	43	3	4	7	4%
<i>Defendant</i>	401	100	14	10	24	6%
Employment tribunal	5,049	2,647	170	251	421	8%
<i>Claimant</i>	1,005	820	96	143	239	24%
<i>Defendant</i>	4,044	1,827	74	108	182	5%
Family	9,864	5,140	468	1,133	1,601	16%
<i>Claimant</i>	2,305	1,803	183	403	586	25%
<i>Defendant</i>	7,559	3,337	285	730	1,015	13%
High Court	3,269	554	72	52	124	4%

<i>Claimant</i>	689	125	15	9	24	3%
<i>Defendant</i>	2,580	429	57	43	100	4%
Magistrates' defendant	17,355	2,375	191	286	477	3%
Queen's Bench	1,743	333	18	13	31	2%
<i>Claimant</i>	708	147	10	8	18	3%
<i>Defendant</i>	1,035	186	8	5	13	1%
SEND appellant	2,225	1,947	108	187	295	13%
SSCS appellant	1,166	1,115	101	232	333	29%
Total	75,410	20,435	1,748	3,060	4,808	6%

Weighting

In line with standard market research practice, the data collected in the mainstage quantitative survey of public users was weighted to make it representative of the underlying population. Weighting the data was necessary because of the deliberate decision to overrepresent some audiences to allow for robust statistical analysis between sub-groups and to account for different response rates between roles and jurisdictions.

Calibration weights were applied using public user role within jurisdiction and month of hearing to bring the profile of the achieved survey sample in line with the profile of the underlying population. These were the only variables consistently available for all records in the sample. As shown in Table 2.4, the level of observable non-response bias in relation to these variables was relatively small.

Table 2.4 Profile of population, unweighted achieved interviews and weighted achieved interviews

	% of population	% of unweighted achieved interviews	% of weighted achieved interviews
Public user role within jurisdiction			
Civil			
<i>Claimant</i>	16%	12%	16%
<i>Defendant</i>	16%	11%	16%
Crown			
<i>Defendant</i>	8%	8%	8%
District Registry			

<i>Claimant</i>	0.1%	0.1%	0.1%
<i>Defendant</i>	0.1%	0.5%	0.1%
Employment tribunal			
<i>Claimant</i>	2%	5%	2%
<i>Defendant</i>	3%	4%	3%
Family			
<i>Claimant</i>	11%	12%	11%
<i>Defendant</i>	15%	21%	15%
High Court			
<i>Claimant</i>	1%	0.5%	1%
<i>Defendant</i>	1%	2%	1%
Magistrates'			
<i>Defendant</i>	22%	10%	22%
Queen's Bench			
<i>Claimant</i>	0.2%	0.4%	0.2%
<i>Defendant</i>	0.2%	0.3%	0.2%
SEND			
<i>Appellant</i>	1%	6%	1%
SSCS			
<i>Appellant</i>	4%	7%	4%
Total	100%	100%	100%
Month of hearing			
Unknown (May-Oct, 2020)	1%	6%	1%
May - July, 2020	38%	27%	38%
August 2020	18%	16%	18%
September 2020	21%	24%	21%
October 2020	21%	27%	21%
Total	100%	100%	100%

The small number of variables held on the MI data limited the extent to which it was possible to explore non-response bias and correct for it through weighting. It remains possible that there is residual non-response bias in the data (for example by factors such as outcome of hearing) that were unable to be checked and corrected for.

As a result of adjusting a dataset to make it representative of an underlying population, weighting produces a design effect. In this instance, the design effect is 1.37.² A design effect of this size means that the effective sample size is 3,499.³

An effective sample base size of 3,499 means that, as a worst-case scenario, findings have an error margin of +/- 1.7 percentage points at the 95% confidence level. This means that if 50% of the effective sample of 3,499 agreed with a statement in the survey, we can be 95% confident that the response from all public users would lie between 48.3% and 51.7%.

Measuring a margin of error at 50% is referred to as a 'worst-case scenario', as the margin of error decreases the closer results approach 0% or 100%. Table 2.5 shows the margin of error for the un-weighted sample of public users and the effective sample of public users, to demonstrate how it changes by survey responses.

Table 2.5 Mainstage quantitative survey margins of error at the 95% confidence level

	Number of interviews	Margin of error at 50%	Margin of error at 70%/30%	Margin of error at 90%/10%
Total interviews	4,808	+/- 1.4 pp	+/- 1.3 pp	+/- 0.8 pp
Effective total sample	3,499	+/- 1.7 pp	+/- 1.5 pp	+/- 1 pp

Quantitative surveys of the judiciary, legal professionals and court and tribunal staff

Online surveys were designed to capture the views and experiences of judicial office holders who had heard hearings remotely, legal professionals who had participated in remote hearings, and court and tribunal staff who had supported remote hearings during the pandemic. See Annexes C, D and E for the final versions of the questionnaires.

Judicial survey

The survey was open to all judicial office holders to complete. The survey weblink was publicised through the Judicial Office on the judicial intranet, and by the Magistrates Association in their newsletter. The survey was open for three weeks across May and June 2021.

In total, 1,140 respondents completed the survey. Checks on the raw data identified that 20 respondents had not answered the majority of survey questions (mainly due to having not heard any remote hearings during the pandemic). Their responses were removed, and analysis was conducted on the cleaned dataset.

Table 2.6 shows the number of completed surveys following the data cleaning process, by jurisdiction.

² <https://methods.sagepub.com/Reference//encyclopedia-of-survey-research-methods/n133.xml>

³ <https://methods.sagepub.com/Reference//encyclopedia-of-survey-research-methods/n153.xml>

Table 2.6 Number of completed surveys for judicial survey

Jurisdiction	Number of respondents	Proportion of all responses
Crime	92	8%
Tribunals	698	62%
Civil and Family	187	17%
Multiple/Other	143	13%
Total	1,120	100%

The number of respondents selecting Civil or Family jurisdictions individually was below the reporting threshold of 50, with more respondents reporting that they sat in both Civil and Family jurisdictions. These three groups were therefore combined for reporting purposes.

As Table 2.6 shows, the majority of respondents (62%) sat in Tribunals. Only 8% of respondents reported sitting in the Crime jurisdiction. The overrepresentation of responses from tribunal judges and underrepresentation of judges sitting in crime means that aggregated data is skewed towards Tribunals.

As the survey was open to all rather than drawing a probability random sample from a defined sampling frame, the response rate or potential bias cannot be assessed. Data have not been weighted, and findings should not be regarded as representative of all judicial office holders.

Survey of legal professionals

The survey was open to all legal professionals to complete. The survey weblink was publicised by legal bodies to their members and on the HMCTS Twitter feed. The survey was open for four weeks across May and June 2021.

In total, 2,022 respondents completed the survey. Checks on the raw data identified that 112 respondents had not answered the majority of survey questions. Their responses were removed, and analysis was conducted on the cleaned dataset.

Table 2.7 shows the number of completed surveys following the data cleaning process, by jurisdiction and role.

Table 2.7 Number of completed surveys for legal professionals survey

Jurisdiction/role	Number of respondents	Proportion of all responses
Crime	569	30%
Tribunals	251	13%
Civil	302	16%
Family	530	28%
Multiple/Other	258	14%
Solicitor	686	36%

Jurisdiction/role	Number of respondents	Proportion of all responses
Barrister	776	41%
Lay advocate	49	3%
CPS/defence clerk	68	4%
Dept representative	74	4%
Other	257	13%
Total	1,910	100%

As the survey was open to all rather than drawing a probability random sample from a defined sampling frame, the response rate or potential bias cannot be assessed. Data have not been weighted, and findings should not be regarded as representative of all legal professionals.

Survey of court and tribunal staff

The survey was open to all court and tribunal to complete. The survey weblink was publicised by HMCTS via an all staff newsletter. The survey was open for three weeks across in June 2021.

In total, 358 respondents completed the survey. Table 2.8 shows the number of completed surveys by role. A jurisdictional breakdown is not provided as many respondents supported hearings across jurisdictions.

Table 2.8 Number of completed surveys for HMCTS staff survey

Role	Number of respondents	Proportion of all responses
Clerk	129	36%
Usher	67	19%
Administrative officer	55	15%
Legal adviser	33	9%
Other	74	21%
Total	358	100%

As the survey was open to all staff rather than drawing a probability random sample from a defined sampling frame, the response rate or potential bias cannot be assessed. Data have not been weighted, and findings should not be regarded as representative of all court and tribunal staff.

1. Qualitative interviews

Qualitative interviews with public users

Sample and recruitment

The sample for qualitative fieldwork with public users was sourced from the same sample frame used for the quantitative survey. Where jurisdictions included in the sample frame had a surplus of records after the necessary volume of records were drawn for the survey, an additional random selection of public users were drawn for qualitative recruitment. Sample for qualitative recruitment was also built from the survey through a question about opting into the qualitative strand of the research.

Recruitment of public users was conducted by IFF Research's in-house recruitment team between December 2020 and April 2021. Public users were only recruited for qualitative interviews if they had attended a hearing or tribunal that involved remote attendance.

Fieldwork

In total, 78 qualitative interviews were conducted with public users from Nov 2020 to April 2021. Table 3.1 presents the profile of interview participants in terms of jurisdiction.

Table 3.1 Completed qualitative interviews with public users by jurisdiction

	Completed qualitative interviews with public users
Civil	13
<i>Claimant</i>	6
<i>Defendant</i>	7
Court of Appeal	2
Crown defendant	10
Employment tribunal	8
<i>Claimant</i>	7
<i>Defendant</i>	1
Family	15
<i>Claimant</i>	9
<i>Defendant</i>	6
High Court / District Registry / Queen's bench	10
<i>Claimant</i>	2

<i>Defendant</i>	8
Magistrates' defendant	5
SEND appellant	7
SSCS appellant	8
Total	78

All qualitative interviews with public users were conducted remotely, either by telephone or video call (e.g. via Microsoft Teams). Due to fieldwork taking place during the COVID-19 pandemic, it was not possible to conduct qualitative interviews with any audiences face-to-face. Interviews lasted 50 minutes on average and were conducted using a topic guide (see Annex F).

Qualitative interviews with judges and magistrates

Sample and recruitment

Qualitative interviews were conducted with both judges and magistrates. IFF Research conducted the interviews with judges and HMCTS researchers conducted the interviews with magistrates.

The sample used for qualitative interviews with judges was supplied by the Judicial Office. The sample included the contact details of judges that had administered tribunals or civil, criminal, or family hearings remotely. A few judges also opted into the research having heard about the Remote Hearings Evaluation.

Recruitment of judges was conducted by IFF Research's in-house recruitment team between December 2020 and February 2021. Magistrates were recruited through the Magistrates Association.

Fieldwork

In total, 22 qualitative interviews were conducted with judges between November 2020 and February 2021. A further 10 interviews were conducted with magistrates between March and June 2021. Table 3.2 presents the number of interviews by the circuit participant judges worked in.

All qualitative interviews with judges and magistrates were conducted remotely, either by telephone or video call. Interviews lasted 60 minutes on average and were conducted using a topic guide (see Annexes G and H).

Table 3.2 Completed qualitative interviews with judges by circuit

	Completed qualitative interviews
Civil cases	6
Criminal cases	6
Family cases	5

	Completed qualitative interviews
Tribunals	5
Total judge interviews	22
Interviews with magistrates	10
Total interviews	32

Qualitative interviews with observers

Sample and recruitment

The sample used for qualitative interviews with observers was acquired from multiple sources. A sample of professional observers, such as journalists, academics and third sector professionals, was built in-house by IFF Research. The details of observers that were friends or family members of public users were obtained through opt-ins via public users. During the quantitative survey and qualitative interviews, public users who had attended with a friend or family member were asked to share details of how to opt into the evaluation with this person(s).

Recruitment of observers was conducted by IFF Research's in-house recruitment team between November 2020 and February 2021. Observers were only recruited for qualitative interviews if they had attended a hearing or tribunal that involved remote attendance.

Fieldwork

In total, nine qualitative interviews were conducted with observers between November 2020 and February 2021. All qualitative interviews with observers were conducted remotely, either by telephone or video call. Interviews lasted 50 minutes on average and were conducted using a topic guide (see Annex I). Table 3.3 presents the types of observers that took part in qualitative interviews.

Table 3.3 Completed qualitative interviews with observers by observer type

	Completed qualitative interviews with observers
Academic / third-sector professional	2
Friend or family member	4
Journalist	3
Total	9

Qualitative interviews with legal professionals

Legal professionals were recruited for qualitative interviews by a recruitment agency. HMCTS researchers conducted the interviews between March and June 2021.

In total, 25 qualitative interviews were conducted with legal professionals. Table 2.4 presents the number of interviews by the jurisdiction that legal professionals worked in, and by their role.

All qualitative interviews with legal professionals were conducted remotely, either by telephone or video call. Interviews lasted 45-60 minutes on average and were conducted using a topic guide (see Annex J).

Table 2.4 Completed qualitative interviews with legal professionals by jurisdiction and role

	Completed qualitative interviews
Crime	3
Civil	12
Family	5
Tribunals and civil	2
Crime and civil	2
Civil and family	1
Solicitor	13
Barrister	11
Solicitor appointed advocate	1
Total	25

Qualitative interviews with support staff and intermediaries

Support staff and intermediaries were recruited for qualitative interviews through stakeholder groups and from organisations directly contracted by HMCTS to provide services. HMCTS researchers conducted the interviews between March and June 2021. In total, 11 qualitative interviews were conducted with support staff and intermediaries. Table 3.5 presents the number of interviews by the role of support staff and intermediaries.

All qualitative interviews with support staff and intermediaries were conducted remotely, either by telephone or video call. Interviews lasted 45-60 minutes on average and were conducted using a topic guide (see Annex K).

Table 3.5 Completed qualitative interviews by role

	Completed qualitative interviews
British Sign Language interpreters	3
Foreign language interpreters	2
Law and advice centres	3
Court intermediaries	3
Total	11

Qualitative interviews with court and tribunal staff

Court and tribunal staff were recruited for qualitative interviews via a HMCTS weekly newsletter. HMCTS researchers conducted the interviews between March and June 2021.

In total, 25 qualitative interviews were conducted with court and tribunal staff. All qualitative interviews with court and tribunal staff were conducted remotely, either by telephone or video call. Interviews lasted 45-60 minutes on average and were conducted using a topic guide (see Annex L).

Annex A: Postal communication for public user survey

Your valued experience could help improve how the courts and tribunals operate for other public users during the COVID-19 pandemic.

Her Majesty's Courts and Tribunals Service (HMCTS) have asked the independent research agency IFF Research to conduct a survey with court and tribunal users who have taken part in a court or tribunal hearing during the COVID-19 Pandemic.

As someone who may have recently taken part in a court or tribunal hearing, your experiences will help HMCTS to understand how best to deliver justice during the COVID-19 pandemic and beyond. We realise you are busy so it will only take around 15 minutes to complete this optional survey.

Your survey answers will remain anonymous. HMCTS will not know who has taken part. Completed surveys will remain confidential and will not impact on past, present or future interactions with the courts.

We would be grateful if you could complete the survey online by March 21st. If you do not complete this survey online, you may receive a telephone call from IFF Research inviting you to take part in an interview over telephone.

If you have not taken part in a court or tribunal hearing during the COVID-19 pandemic then please ignore this invitation to participate in this survey. We apologise for any inconvenience caused.



Thank you in advance for your time.

Best wishes,

Janet Clark, Senior Evaluation Researcher

HMCTS User Experience and Insight

Lorna Adams, Director

IFF Research

If you have any questions about the research, or need help understanding this letter or the survey:

- Please see the section on frequently asked questions on the next page.
- You can also contact IFF Research at [REDACTED].
- If you would like to check that the research is genuine, please email HMCTS at [REDACTED].

Frequently Asked Questions

Why have I been invited to take part in the research?

This questionnaire has been sent to you because HMCTS records suggest that you may have taken part in a court or tribunal hearing between May and October 2020. It is relevant to people who took part in a hearing, either for yourself or as a representative of a business or organisation. If you have not taken part in a court or tribunal hearing during the COVID-19 pandemic then please ignore this invitation to participate in this survey. We apologise for any inconvenience caused.

Why should I respond to the questionnaire?

Your views matter and can help inform the decisions about how services are delivered. We need people from all age groups and backgrounds to take part so that we get a representative picture of people's experiences of taking part in a court or tribunal hearing during the COVID-19 pandemic.

How did you get my contact details?

Those who have been involved in court or tribunal cases are included in HMCTS management information records. We have selected a sample of individuals who we believe may have taken part in a court or tribunal hearing between May and October 2020 from these records. For further information, please see the Fair Processing Notice for this research: www.gov.uk/government/publications/hmcts-remote-hearing-evaluation/hmcts-remote-hearing-evaluation

Who is carrying out this research?

This research project is being carried out by IFF Research, an independent research agency, on behalf of HMCTS. IFF Research have designed the questionnaire in collaboration with HMCTS and are responsible for collecting and analysing the results. IFF Research are accredited to the international standard for information, called ISO 27001. It also follows the Market Research Society's professional code of conduct.

How will the information you collect be used?

IFF Research will anonymise your answers to the questionnaire by removing your name and other details that could identify you from the data. This means that it will not be possible to tell who the information is from or about. The anonymised responses may later be used by HMCTS and/or other researchers for the purpose of further research. Any personal information collected during the questionnaire will be stored separately and securely by IFF Research. A small team of staff at IFF Research will have access to this information and it will only be used to help us analyse the findings. All of this personal data will be securely deleted from our systems in or around March 2022, one year after the research project ends.

Can I take part in the questionnaire in a different way?

Yes, it is possible to participate in a different way, for example by completing a telephone interview. Please contact the research team at IFF Research at [REDACTED] if you would like to arrange an alternative way of providing your views.

What do I do if I don't want to take part?

Taking part in the research is voluntary. If you prefer not to take part, you can opt-out by contacting the research team at IFF Research on [REDACTED] If you receive a telephone call from one of our interviewer team inviting you to take part over the phone, you are welcome to decline that request. If you fill in the questionnaire but decide later that you do not want us to use your answers, please contact IFF Research and we will delete and not use your responses in the research.

What are my rights in relation to this research?

You have the right to have a copy of your responses, change your responses or withdraw from the research at any point. For more information about this, please visit www.iffresearch.com/gdpr/. Further information about your rights can also be found in the Fair Processing Notice for this research: www.gov.uk/government/publications/hmcts-remote-hearing-evaluation/hmcts-remote-hearing-evaluation

Speakers of other languages

We can assist with survey completion in alternative languages upon request. Please contact IFF Research on [REDACTED] to arrange this.

Gallwn gynorthwyo gyda chwblhau arolygon mewn ieithoedd amgen ar gais. Cysylltwch ag IFF Research ar [REDACTED] i drefnu hyn.

Jeśli chcesz go wypełnić, skontaktuj się z IFF Research dzwoniąc pod numer [REDACTED] lub napisz na adres [REDACTED].

پر رابطہ کریں۔ [REDACTED] پر یا [REDACTED] ریسرچ سے IFF سے بارے میں ہے۔ اگر آپ شرکت کرنا چاہتے ہوں تو برائے مہربانی

Annex B: Public user survey

S Telephone screener

S1 Good morning / afternoon. My name is <NAME> and I'm calling from IFF Research, an independent research organisation. We are conducting a survey on behalf of the UK government about people's experiences of interacting with government services during the COVID-19 pandemic. Please can I speak to <CONTACT>?

SINGLE CODE

Respondent answers phone		CONTINUE
Transferred to respondent		
Hard appointment		MAKE APPOINTMENT
Soft Appointment		
Engaged		CALL BACK
No reply / Answer phone		
Business line		
Requested interview in other language [SPECIFY]		OTHER_LANGUAGE_CALLBACK
Requires adjustments / support [SPECIFY]		SUPPORT NEEDS QUEUE
Refusal		THANK AND CLOSE
Unable to be transferred to named respondent		
Not available in deadline		
Did not attend a hearing (neither remote or in person)		
Unavailable due to incarceration		
Fax		
No reply / Answerphone		
Dead line		
Company closed		
Request reassurance email	13	

ASK IF S1=1/2

S2 Good morning / afternoon. My name is <NAME> and I'm calling from IFF Research, an independent research organisation, on behalf of Her Majesty's Courts and Tribunals Service (HMCTS).

We have been commissioned by HMCTS to conduct a survey with people that have taken part in a court or tribunal hearing since the start of the COVID-19 pandemic. According to HMCTS records, you participated in such a hearing, and so we'd like to speak to you about your experience.

By participating in this survey you will help HMCTS to understand how best to deliver justice during the COVID-19 pandemic and beyond.

The survey will take 10 to 15 minutes to complete. Would now be a convenient time?

SINGLE CODE

Willing to take part	1	CONTINUE
Hard appointment	2	MAKE APPOINTMENT
Soft Appointment	3	
Engaged / No reply / Answer phone	4	CALL BACK
Refusal	5	GO TO S2a
Not available in deadline	6	
Requested interview in other language [SPECIFY]	7	OTHER_LANGUAGE_CALLBACK
Requires adjustments / support [SPECIFY]	8	SUPPORT NEEDS QUEUE
Unavailable due to incarceration	9	THANK AND CLOSE
Did not attend a hearing (neither remote or in person)	10	
Already completed online	11	

ASK IF S2=5/6

S2a **It's also possible to complete this survey online. Would you like me to send across the details of how to do that?**

SINGLE CODE

Yes	1	SEND INSTRUCTIONAL EMAIL
No	2	THANK AND CLOSE

ASK ALL AGREEING TO TAKE PART (S2 = 1)

S3 **Before we begin, I need to read out a quick statement regarding GDPR legislation: All information collected will be treated in the strictest confidence. You have the right to a copy of your data, to change your data or to withdraw from the research at any point. If you'd like to do this, or find out more, you can consult our website at iffresearch.com/gdpr.**

In order to guarantee this, and as part of our quality control procedures, all interviews are recorded. Is that OK?

Yes – agree to continue	1	
Refuse to continue	2	THANK AND CLOSE

REASSURANCES AND FURTHER INFORMATION TO USE IF NECESSARY

- Those who have recently attended court hearings are included in a management database owned and maintained by HMCTS. We have selected a sample of individuals who we believe have taken part in a court or tribunal hearing between May and October 2020 from these records. For further information, please see the Fair Processing Notice for this research:
www.gov.uk/government/publications/hmcts-remote-hearing-evaluation/hmcts-remote-hearing-evaluation
- We do not need to discuss the details of your case; we just want to find out what it was like to attend a hearing during the pandemic.
- Any information you give us will be used for research purposes only. Participation would not impact on current or future dealings with Her Majesty's Courts and Tribunals Service or the Ministry of Justice in any way.
- IFF Research will anonymise your answers to the questionnaire by removing your name and other details that could identify you from the data. This means that it will not be possible to tell who the information is from or about.
- You have the right to have a copy of your data, change your data, or withdraw from the research at any point. If you'd like to do this, you can consult our website at iffresearch.com/gdpr.
- All your identifiable information will be kept securely on our servers and deleted within 12 months after the completion of the project.
- IFF Research is a member of the Market Research Society, and as such has to comply with its Code of Practice, which is available to view on the MRS website (www.mrs.org.uk)
- If you wish to confirm the authenticity of this research or get more information about the research, you can contact [REDACTED].

L Online landing page

Your experience of court and tribunal hearings during COVID-19

What is this?

This survey is for people that have taken part in a court or tribunal hearing since the start of the COVID-19 pandemic.

It asks questions about the arrangements you needed to make to take part in the hearing and your experience of the hearing. This research is being conducted by IFF Research on behalf of HM Courts and Tribunals Service (HMCTS).

Why have I been asked to take part?

This survey has been sent to you because, according to HMCTS records, you took part in a court or tribunal hearing between May and October, 2020.

Why should I respond?

Your views are very important. By sharing your experiences, you can help HMCTS to understand how best to deliver justice during the COVID-19 pandemic and beyond. Completing the survey will not impact on past, present or future interactions with HMCTS.

How do I answer the survey?

Please answer the questions in relation to your most recent experience of a court or tribunal hearing. It will only take 10 to 15 minutes to complete.

Please only complete this questionnaire if you are aged 18 or over.

We are interested in your experience. There are no right or wrong answers. If there are any questions you do not wish to answer or feel unable to answer then please leave these blank.

The responses you give will be confidential. They will not be used in any way that will enable you to be identified. You have the right to have a copy of your responses, change your responses or withdraw from the research at any point. Please visit <http://www.iffresearch.com/gdpr/> for more information.

For more information you can contact the team at IFF Research on [REDACTED].. If you would like to check that the research is genuine, please email HMCTS at [REDACTED]..

A Hearing arrangement

ASK ALL

A1a **Are you aged 18 or over?**

DO NOT READ OUT. SINGLE CODE

Yes	1	
No	2	Thank and close
Don't Know	3	Thank and close

ASK IF OVER 18 (A1a=1)

A1 **Our records show that you recently took part in a court or tribunal hearing. Is that correct?**

DO NOT READ OUT. SINGLE CODE

Yes	1	
No	2	Thank and close
Don't Know	3	Thank and close

ASK IF ATTENDED (A1=1)

A2 **Was this the first court or tribunal hearing you have ever taken part in?**

DO NOT READ OUT. SINGLE CODE

Yes	1	
No	2	
Don't Know	3	

ASK ALL

A3 **To what extent do you agree or disagree that the hearing you were allocated was convenient for you?**

READ OUT. SINGLE CODE

Strongly agree	1	
Agree	2	
Neither agree/nor disagree	3	
Disagree	4	
Strongly disagree	5	
Don't know	6	

ASK ALL

A4 **Did you require any support or adjustments to help you take part in your hearing?**

DO NOT READ OUT. SINGLE CODE

Yes	1	
No	2	Skip to B1

ASK IF A4 = 1

A5 **Did you let the court or tribunal know that you required any support or adjustments to help you take part in your hearing?**

DO NOT READ OUT. SINGLE CODE

Yes	1	
No	2	Skip to B1
Don't Know	3	Skip to B1

ASK IF A5=1

A6 **What type of support or adjustments did you request?**

WRITE IN

--

ASK IF A5=1

A7 **Was your request for support or adjustments granted?**

DO NOT READ OUT. SINGLE CODE.

Yes, fully	1	
Yes, partially	2	
No	3	
Don't Know	4	

B Your experience of your hearing

ASK ALL

B1 **When you took part in your hearing, did you...?**

READ OUT. SINGLE CODE.

Have a lawyer represent you (e.g. a solicitor or barrister)	1	
Represent yourself, with someone else helping you (This could be a friend or family member, a volunteer, or someone you paid to do this for you. It is called having a 'Mackenzie Friend'.)	2	Skip to B3
Represent yourself (on your own, without support)	3	Skip to B5
Don't know	4	Skip to B5

ASK IF B1=1

B2 To what extent do you agree or disagree with the following statements?

READ OUT. SINGLE CODE

	1 – strongly disagree	2 - disagree	3 - neither	4 - agree	5 – strongly agree	Don't know
a) I had sufficient time with my lawyer before the hearing started	1	2	3	4	5	6
b) During the hearing it was easy to communicate with my lawyer	1	2	3	4	5	6

ASK IF B1=2

B3 To what extent do you agree or disagree with the following statements?

READ OUT. SINGLE CODE.

	1 – strongly disagree	2 - disagree	3 - neither	4 - agree	5 – strongly agree	Don't know
a) I had sufficient time with the person helping me before the hearing started	1	2	3	4	5	6
b) During the hearing it was easy to communicate with the person helping me	1	2	3	4	5	6

ASK IF B1=1 or 2

B4 During the hearing, were you in the same location as the lawyer that represented you or the person helping you?

DO NOT READ OUT. SINGLE CODE

Yes	1	
No	2	
Don't Know	3	

ASK ALL

B5 How long was the hearing meant to last?

DO NOT READ OUT. SINGLE CODE

INTERVIEWER NOTE: A BEST ESTIMATE IS FINE. PLEASE WRITE IN HOURS AND MINUTES

Write in:	1	
Don't Know	2	

ASK ALL

B6 How long did the hearing actually last?

DO NOT READ OUT. SINGLE CODE.

INTERVIEWER NOTE: A BEST ESTIMATE IS FINE. PLEASE WRITE IN HOURS AND MINUTES

Write in:	1	
Don't Know	2	

ASK ALL

B7 During the hearing, were you able to get sufficient breaks?

DO NOT READ OUT. SINGLE CODE

Yes	1	
No	2	
Don't Know	3	
Not applicable	4	

C The type of hearing

ASK ALL

C1 How did you take part in your hearing?

READ OUT. SINGLE CODE

In person	1	Skip to C14
By audio (e.g. phone)	2	
By video (e.g. Skype)	3	

ASK IF C1 = 2 or 3

C2 What software did you use to take part in your audio or video hearing?

READ OUT. SINGLE CODE.

The HMCTS Cloud Video Platform	1	
Skype	2	
Microsoft Teams	3	
BTMeetMe	4	
Another type [WRITE IN]	5	
None – took part by phone call	6	
Don't know	7	

ASK IF C1 = 2 or 3

C3 What device(s) did you use to take part in your audio or video hearing?

READ OUT. MULTI CODE

Mobile telephone	1	
Landline telephone	2	
Tablet (e.g. Ipad)	3	
Laptop	4	
Desktop computer	5	
Another type [WRITE IN]	6	
Don't know	7	

ASK IF C1 = 2 or 3

C4 Where were you when you took part in your hearing?

READ OUT. SINGLE CODE

My home	1	
Someone else's home	2	
The workplace of my lawyer	3	
At a court or tribunal site	4	
My workplace	5	
Another place. [WRITE IN]	6	
Don't know	7	

ASK IF C1 = 2 or 3

C5 Before your court or tribunal hearing did you receive instructions about how to take part by audio or video?

DO NOT READ OUT. SINGLE CODE

Yes	1	
No	2	Skip to C7
Don't know	3	Skip to C7

ASK IF C5 = 1

C6 To what extent were these instructions easy or difficult to follow?

READ OUT. SINGLE CODE

Very easy	1	
Fairly easy	2	
Neither easy nor difficult	3	
Fairly difficult	4	
Very difficult	5	
Don't know	6	

C7 DELETED

ASK IF C1 = 2 or 3

C8 Were you given the opportunity to test your audio or video connection before the hearing started?

DO NOT READ OUT. SINGLE CODE

Yes	1	
No	2	

Don't know	3	
------------	---	--

ASK IF C1 = 2 or 3

C9 **Were you provided with the contact details for someone that could provide you with technical support during your hearing?**

DO NOT READ OUT. SINGLE CODE

Yes	1	
No	2	
Don't know	3	

ASK IF C1 = 2 or 3

C10 **Did you experience any technical issues with the audio or video connection during your hearing?**

DO NOT READ OUT. SINGLE CODE

Yes	1	
No	2	Skip to C14
Don't know	3	Skip to C14

ASK IF C10 = 1

C11 **What types of issues did you experience?**

READ OUT. MULTI CODE

Inconsistent audio quality (e.g. audio dropping in and out)	1	
Inconsistent video quality (e.g. video dropping in and out)	2	
You or other people being disconnected	3	
Time delays between you and other people	4	

Poor audio quality (e.g. echoes and distortion)	5	
Poor video quality (e.g. grainy or dark images)	6	
Another Issue. [WRITE IN]	7	

ASK IF C10=1

C12 In total, how much time was spent resolving the technical issue(s)?

DO NOT READ OUT. SINGLE CODE

INTERVIEWER NOTE: A BEST ESTIMATE IS FINE. GET AN ANSWER IN HOURS AND MINUTES

Write in:	1	
Don't Know	2	

ASK IF C10=1

C13 Did the technical issue(s) experienced during your hearing cause the hearing to be rescheduled for a different time?

DO NOT READ OUT. SINGLE CODE

Yes	1	
No	2	
Don't know	3	

ASK ALL

C14 Before you took part in your hearing, did you...?

READ OUT. SINGLE CODE AT EACH

	Yes	No	Don't Know
a) Expect the hearing to feel formal and official	1	2	3
b) Expect to have difficulty understanding what was happening during the hearing	1	2	3
c) Expect to have difficulty understanding the outcome of the hearing	1	2	3
d) Have concerns about privacy during the hearing	1	2	3

e) Have concerns about your personal safety during the hearing	1	2	3
---	---	---	---

ASK ALL

C15 **To what extent do you agree or disagree with the following statements?**

READ OUT. SINGLE CODE.

	1 – strongly disagree	2 - disagree	3 - neither	4 - agree	5 – strongly agree	Don't know
a) My hearing felt appropriately formal and official	1	2	3	4	5	6
b) I was able to understand what was happening during my hearing	1	2	3	4	5	6
c) I was able to understand the outcome of my hearing	1	2	3	4	5	6
d) I had concerns about privacy during my hearing	1	2	3	4	5	6
e) I had concerns about personal safety during my hearing	1	2	3	4	5	6

ASK ALL

C16 **Overall, was your experience of taking part in your hearing better, worse or about the same as you expected it to be?**

READ OUT. SINGLE CODE

Much better	1	
A bit better	2	
About the same	3	
A bit worse	4	
Much worse	5	
Don't know	6	

ASK ALL

C16A On the day of your hearing did you have any interactions with court or tribunal staff?

Yes	1	
No	2	Skip to C18
Don't know	3	Skip to C18

ASK IF C16 = 1

C17 To what extent do you agree or disagree with the following statements about the court or tribunal staff, that you interacted with?

READ OUT. SINGLE CODE.

	1 – strongly disagree	2 - disagree	3 - neither	4 - agree	5 – strongly agree	Don't know
a) The staff involved in my hearing treated me with respect	1	2	3	4	5	6
b) The staff involved in my hearing made the process clear	1	2	3	4	5	6
c) The staff involved in my hearing were fair and impartial	1	2	3	4	5	6
d) The staff involved in my hearing listened to me	1	2	3	4	5	6

ASK ALL

C18 Which of the following best describes the outcome of your hearing?

READ OUT. SINGLE CODE

All or mostly in your favour	1	
-------------------------------------	---	--

Evenly split, or partly in your favour and partly in favour of the other side	2	
All or mostly in favour of the other side	3	
Don't know	4	
Prefer not to say	5	

ASK ALL

C19 **To what extent were you satisfied or dissatisfied with the outcome of your hearing?**

READ OUT. SINGLE CODE

Very satisfied	1	
Fairly satisfied	2	
Neither satisfied nor dissatisfied	3	
Fairly dissatisfied	4	
Very dissatisfied	5	
Don't know	6	

ASK ALL

C20 **Leaving aside how you feel about the outcome of your hearing, to what extent do you agree or disagree with the following statements?**

READ OUT. SINGLE CODE.

	1 – strongly disagree	2 - disagree	3 - neither	4 - agree	5 – strongly agree	Don't know
a) My case was given an appropriate amount of care and attention	1	2	3	4	5	6
b) My case received a fair hearing	1	2	3	4	5	6
c) I had confidence in how the court or tribunal handled my case	1	2	3	4	5	6
d) I was able to express my views during the hearing	1	2	3	4	5	6
e) My views were considered during the hearing	1	2	3	4	5	6

ASK ALL

C21 **Leaving aside the outcome of your hearing again, how satisfied or dissatisfied were you with the overall experience of your hearing?**

READ OUT. SINGLE CODE

Very satisfied	1	
Fairly satisfied	2	
Neither satisfied nor dissatisfied	3	
Fairly dissatisfied	4	
Very dissatisfied	5	
Don't know	6	

ASK ALL

C22 **To what extent do you agree or disagree that audio and video hearings are an acceptable alternative to in-person hearings during the COVID-19 pandemic?**

READ OUT. SINGLE CODE

Strongly agree	1	
Agree	2	
Neither agree nor disagree	3	
Disagree	4	
Strongly disagree	5	
Don't know	6	

ASK ALL

- C23 **Once the COVID-19 pandemic has ended, to what extent do you agree or disagree that audio and video hearings would be an acceptable alternative to in-person hearings?**

DO NOT READ OUT. SINGLE CODE

Strongly agree	1	
Agree	2	
Neither agree nor disagree	3	
Disagree	4	
Strongly disagree	5	
Don't know	6	

ASK ALL

- C24 **If you were able to have your hearing again, how would prefer to take part?**

READ OUT. SINGLE CODE

In person	1	
By audio (e.g. phone)	2	
By video call (e.g. Skype)	3	
Don't know	4	

D Personal information

Thank you for your help with this survey so far. We'd like to end by collecting some information about you.

These questions include your age; your gender; whether you were pregnant when you took part in a hearing; whether you were the main parent or guardian of a child when you took part in a hearing; whether you were a carer when you took part in a hearing; whether you have a disability or medical condition; your sexual orientation; your religion; and your ethnicity.

You can select prefer not to say at any or all of these questions when you get to them.

Your answers to these questions will be used for research purposes only. They will not be shared with HM Courts & Tribunals Service in any way that would make you identifiable.

ASK ALL

D1 What was your age at your last birthday?

READ OUT. SINGLE CODE

18-24	1	
25-34	2	
35-44	3	
45-54	4	
55-64	5	
65-74	6	
75+	7	
Prefer not to say	8	

ASK ALL

D2 **What sex were you registered as at birth?**

DO NOT READ OUT. SINGLE CODE

Male	1	
Female	2	
Prefer not to say	3	

ASK ALL

D3 **Is your gender the same as the sex you were registered at birth?**

DO NOT READ OUT. SINGLE CODE

Yes	1	
No (Please write in gender)	2	
Prefer not to say	4	

ASK ALL

D4 **Do you have any physical or mental health conditions or illnesses lasting or expected to last 12 months or more?**

DO NOT READ OUT. SINGLE CODE

Yes	1	
No	2	Skip to D7
Prefer not to say	3	Skip to D7

•

ASK IF D4 = 1

D5 **Do any of your conditions or illnesses reduce your ability to carry-out day-to-day activities?**

DO NOT READ OUT. SINGLE CODE

Yes, a little	1	
---------------	---	--

Yes, a lot	2	
Not at all	3	
Prefer not to say	4	

ASK IF D4 =1

D6 **Do any of these conditions or illnesses affect you in any of the following areas?**

READ OUT. MULTI CODE

Vision - for example blindness or partial sight	1	
Hearing - for example deafness or partial hearing	2	
Mobility - for example walking short distances or climbing stairs	3	
Dexterity - for example lifting and carrying objects, using a keyboard	4	
Learning or understanding or concentrating	5	
Memory	6	
Mental health	7	
Stamina or breathing or fatigue	8	
Socially or behaviourally – for example associated with autism, attention deficit disorder or Asperger's syndrome	9	
Another condition or illness [WRITE IN]	10	
None of these	11	
Prefer not to say	12	

ASK ALL

D7 **What is your ethnic group?**

DO NOT READ OUT. SINGLE CODE

English / Welsh / Scottish / Northern Irish / British	1	White
Irish	2	
Gypsy or Irish Traveller	3	
Any other White background (please specify)	4	
White and Black Caribbean	5	Mixed / Multiple ethnic groups
White and Black African	6	
White and Asian	7	
Any other Mixed / Multiple ethnic background (please specify)	8	
African	9	Black / African / Caribbean / Black British:
Caribbean	10	
Any other Black / African / Caribbean background (please specify)	11	
Indian	12	Asian / Asian British:
Pakistani	13	
Bangladeshi	14	
Chinese	15	

Any other Asian background (please specify)	16	
Arab	17	Other ethnic group:
Any other ethnic group (please specify)	18	
Prefer not to say	19	

ASK ALL

D8 **What is your religion?**

DO NOT READ OUT. SINGLE CODE

No religion	1	
Christian (all denominations)	2	
Buddhist	3	
Hindu	4	
Jewish	5	
Muslim	6	
Sikh	7	
Any other religion (please describe)	8	
Prefer not to say	9	

ASK ALL

D9 **Are you married or in a legally registered civil partnership?**

DO NOT READ OUT. SINGLE CODE

Yes	1	
No	2	

Prefer not to say	3	
-------------------	---	--

•

ASK ALL

D10 **Which of the following describes how you think of yourself?**

READ OUT. SINGLE CODE

Heterosexual/Straight	1	
Bisexual	2	
Gay or lesbian	3	
Another way [WRITE IN]	4	
Don't know	5	
Prefer not to say	6	

ASK ALL

D11 **What is your main language?**

DO NOT READ OUT. SINGLE CODE

English or Welsh	1	
Other, including British Sign Language (please describe)	2	
Prefer not to say	3	Skip to D13

ASK IF D11 = 2

D12 **How well can you speak English?**

READ OUT. SINGLE CODE

Very well	1	
Well	2	
Not well	3	
Not at all	4	
Prefer not to say	5	

ASK IF D2 = 2

D13 **When you took part in your hearing...?**

READ OUT. SINGLE CODE

	Yes	No	Don't Know	Prefer not to say
_1 Were you pregnant?	1	2	3	4
_2 Did you think you might be pregnant?	1	2	3	4
_3 Had you given birth in the last 26 weeks (6 months)?	1	2	3	4

ASK ALL

D14 **When you took part in your hearing were you the main parent or guardian of any children under the age of 18?**

DO NOT READ OUT. SINGLE CODE

Yes	1	
No	2	
Don't know	3	
Prefer not to say	4	

•

ASK ALL

D15 **When you took part in your hearing were you the unpaid carer for an older or disabled person?**

DO NOT READ OUT. SINGLE CODE

Yes	1	
No	2	
Don't know	3	
Prefer not to say	4	

ASK ALL

D16 **Are you currently in paid work?**

DO NOT READ OUT. SINGLE CODE

Yes, full time	1	
Yes, part time (less than 30 hours a week)	2	
No	3	Skip to D18
Prefer not to say	4	Skip to D18

ASK IF IN PAID WORK (D16=1/2)

D17 **What is your current job title?**

DO NOT READ OUT. SINGLE CODE

WRITE IN	1	
Prefer not to say	2	

ASK ALL

D18 **Which of the following represents your annual household income over the past 12 months?
This is income before any tax deductions and includes all income sources (e.g. from employment, benefits and pensions).**

READ OUT. SINGLE CODE

Under £10,000	1	
£10,000 – £12,999	2	
£13,000 – £14,999	3	
£15,000 - £20,999	4	
£21,000 – £39,999	5	
£40,000 – £59,999	6	
£60,000 - £79,999	7	
£80,000 or over	8	
Prefer not to say	9	

ASK ALL

D19 **What is the highest education qualification (or equivalent) you have?**

READ OUT. SINGLE CODE

Degree level or above	1	
A-level	2	
GCSE / O-levels grades A-C	3	
Another kind of qualification [WRITE IN]	4	
No formal qualifications	5	
Prefer not to say	6	

ASK ALL

D20 **Did you take part in your hearing as a representative of a business or organisation?**

DO NOT READ OUT. SINGLE CODE

Yes	1	
-----	---	--

No	2	
Prefer not to say	3	

ASK ALL

D21 **The next question asks about your current circumstances.**

Please be assured that your answers to this question will be used for research purposes only and will not be shared with HMCTS in any way that would make you identifiable. You can select prefer not to say if you would rather not answer this question.

Which, if any, of the following statements apply to you?

READ OUT. MULTICODE

I am in considerable financial debt	1	
I have issues with drug and alcohol misuse	2	
I am a victim of domestic abuse	3	
I do not have a stable home address	4	
None apply	5	
Prefer not to say	6	

ASK ALL

D22 **As part of the same research, IFF Research will be carrying out in-depth interviews to understand people's experiences of taking part in a court or tribunal hearing in more detail.**

The interview would take place over the phone or video call and would last about 45 minutes. In principle would you be willing to take part in this?

DO NOT READ OUT. SINGLE CODE

Yes	1	
No	2	Skip to D23
Prefer not to say	3	Skip to D23

ASK IF D22=1

D22a **Can you please confirm your name, telephone number and email?**

DO NOT READ OUT. SINGLE CODE

Name <i>WRITE IN</i>	1	
Telephone <i>WRITE IN</i>	2	
Email <i>WRITE IN</i>	3	

ASK ALL

D23 **Did any friends or family members attend your hearing with you?**

Please include friends or family members that attended in person, remotely from the same location as you or remotely from a different location.

DO NOT READ OUT. SINGLE CODE

Yes	1	
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No	2	Skip to end
Prefer not to say	3	Skip to end

READ IF D23=1

D24 IFF Research will be carrying out in-depth interviews with friends and family members to understand their experience of attending a court or tribunal hearing.

We would be grateful if you could inform the person(s) that attended with you about this research. If they would like to take part, they can let the IFF Research team know at [REDACTED].

READ TO ALL

D25 Thank you for completing this survey. To confirm, we'll be keeping your anonymised responses for analysis purposes only. If you'd like a copy of your responses, to change your responses or for your responses to be deleted then please go to <http://www.iffresearch.com/gdpr/> for more information.

Annex C: Judges survey

1. Introduction

The views of the judiciary are of central importance to understanding how remote hearings are working. This survey is for any member of the judiciary who has taken part in a remote court or tribunal hearing since the start of the COVID-19 pandemic. This applies to hearings where all parties joined remotely (online or by phone) but also to hearings where only some of the parties joined remotely. It asks questions about both your practical experiences and perceptions of remote hearings and should take 10-15 minutes to complete. We are interested in your experience. There are no right or wrong answers. If there are any questions you do not wish to answer or feel unable to answer, then please leave these blank.

Your views are very important. By sharing your experiences, you can help HMCTS to understand how best to deliver justice during the COVID-19 pandemic and beyond.

The responses you give will be confidential. They will not be used in any way that will enable you to be identified. You have the right to have a copy of your responses, change your responses or withdraw from the research at any point. If you would like to check that this research is genuine please email HMCTS at hmcts.evaluation@justice.gov.uk. If you would like to read more about the research please follow the link: <https://www.gov.uk/government/publications/hmcts-remote-hearing-evaluation/hmcts-remote-hearing-evaluation>.

2. Background

1. 1. What is your role?

- Court of Appeal Judge
- High Court Judge
- Circuit Judge
- District Judge
- Deputy District Judge
- Recorder
- Lay Magistrate
- Upper Tribunal Judge
- First-Tier Tribunal Judge
- Employment Appeal Tribunal Judge
- Employment Judge
- Non-legal Member of Tribunals

Other (please specify):

2. For which jurisdiction/s do you hear cases? [Tick all that apply]

Criminal cases

Family court cases

Civil claims

Tribunal cases

Other (please specify):

3. In which tribunal or chamber(s) do you sit? [Tick all that apply]

War Pensions and Armed Forces Compensation Chamber

Social Entitlement Chamber – SSCS

Social Entitlement Chamber - Criminal Injuries Compensation

Social Entitlement Chamber - Asylum Support

Health, Education and Social Care Chamber – Mental Health

Health, Education and Social Care Chamber – SEND

Health, Education and Social Care Chamber – Care Standards

Health, Education and Social Care Chamber – Primary Health Lists

General Regulatory Chamber

Tax Chamber

Immigration and Asylum Chamber (First-tier tribunal)

Immigration and Asylum Chamber (Upper tribunal)

Property Chamber

Employment Tribunal (England and Wales)

Employment Tribunal (Scotland)

Employment Appeal Tribunal

Lands Chamber

Tax and Chancery Chamber

Administrative Appeals Chamber

Other (please specify):

4. Approximately for how long have you been appointed to the judiciary?

- Less than a year
- One to five years
- More than five years

5. Have you ever heard any cases remotely? [Tick one]

- Yes
- No

6. Please indicate approximately how many cases you have heard remotely during the different periods (the response just requires a very rough estimate)

	0	1-10	11-20	21-30	31-40	Over 40	Not known
Pre-COVID-19 (Before March 2020)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During COVID-19 initial stages (March 2020 to end June)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During COVID-19 mid stage (July 2020 to Dec 2020)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During COVID-19 later stage (Jan 2021 to present time)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. Which best describes your location during remote hearings at different points since the start of the pandemic?

	I have been in a courtroom or tribunal for most/all hearings	I have been at home for most/all hearings	I have been in an office for most/all hearings	I have been in a meeting room for most/all hearing	My location has varied	Other (please specify)	Not applicable
During COVID-19 initial stages (March 2020 to end June)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During the mid-stages (July 2020 to end of Dec 2020)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most recently from Jan 2021 to present	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. Decisions to use remote hearings

8. How significant are the following factors when considering whether a case should be heard remotely?

	Very significant	Fairly significant	Not very significant	Not at all significant	Not applicable
Type of case	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Type of hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Length of hearing/trial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Number of parties involved	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Perceived vulnerability of parties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Presence of witnesses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Expected need for cross examination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties without representation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other factors (please specify below)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other factors, please specify

9. To what extent are you satisfied or dissatisfied that it has been possible to put reasonable adjustments and special measures in place for remote hearings where they have been needed?

	Very satisfied	Satisfied	Neither satisfied nor dissatisfied	Dissatisfied	Very dissatisfied	Not applicable
Special measures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reasonable adjustments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10. Platforms, devices and formats for remote hearings

10. Which platforms have you used for remote hearings? [Tick all that apply]

- Cloud Video Platform (CVP)
- BT MeetMe
- Skype
- HMCTS Video Hearings service
- Teams
- Other (please specify):

11. If you have used more than one platform please indicate your top three preferences.

	First preference	Second preference	Third preference
Cloud Video Platform (CVP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BT MeetMe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Skype	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HMCTS Video Hearing service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12. Please provide a summary of your reasons for your preferences (optional)

13. Have you received training or guidance for the use of any of the platforms? [Tick one]

- Yes - both training and guidance
- Yes - training only
- Yes - guidance only
- No

14. What areas did the training and guidance include? [Indicate where you consider there were gaps by ticking the 'not included but needed' box]

	Included	Not included but needed	Not included and not needed
Considerations about when to use remote hearings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Information to be sent to parties ahead of the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Platform/software options	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Downloading software	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Software functions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Management of technical issues	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Protocols for managing hearings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interpreters, signers and intermediaries in remote hearings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

15. How satisfied or dissatisfied were you with the training and guidance? [Tick one]

	Very satisfied	Fairly satisfied	Neither satisfied nor dissatisfied	Fairly dissatisfied	Very dissatisfied	Not applicable
Training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Guidance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

16. If dissatisfied or very dissatisfied what elements were you dissatisfied with? [Tick all that apply]

- Considerations about when to use remote hearings
- Information to be sent to parties ahead of the hearing
- Platform/software options
- Downloading software
- Software functions
- Management of technical issues
- Protocols for managing hearings
- Interpreters, signers and intermediaries in remote hearings
- Other (please specify):

17. Which type of remote hearings have you experienced? [Tick all that apply]

- Fully audio- everyone joined the hearing by telephone
- Partly audio- some people joined the hearing by telephone and some were present in the courtroom
- Fully video- everyone joined the hearing by Skype/Microsoft Teams/ Cloud Video Platform/Video Hearings Service
- Partly video- some people joined the hearing by video and some were present in the courtroom
- Fully audio and video (some parties attend via audio and some by video)
- Partly audio and video - some people joined the hearing by video, some by audio and some were present in the courtroom
- Other (please specify):

18. Of the options you have used please indicate your top three preferences.

	First preference	Second preference	Third preference
Fully audio- everyone joined the hearing by telephone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Partly audio- some people joined the hearing by telephone and some were present in the courtroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fully video- everyone joined the hearing by Skype/Microsoft Teams/ Cloud Video Platform/Video Hearings Service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Partly video- some people joined the hearing by video and some were present in the courtroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fully audio and video (some parties attend via audio and some by video)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Partly audio and video - some people joined the hearing by video, some by audio and some were present in the courtroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

19. Have you heard any remote hearings from January 2021 onwards?

- Yes
- No

20. Thinking about all the remote hearings that you have heard from January 2021 onwards, please provide an indication as to what extent the following technical issues have been a problem?

	No problem	Minor problem	Major problem
Audio quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Video quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	No problem	Minor problem	Major problem
Connection dropping out or freezing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How to log into the platform	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How to use the platform	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How to circulate material/evidence during the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

21. Of the technical issues creating a significant problem, indicate the location of the problem if known.

	No problem	Court	Non court location	Don't know
Audio quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Video quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Connection dropping out or freezing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How to log into the platform	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How to use the platform	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How to circulate material/evidence during the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

22. Thinking about remote hearings between January 2021 and now, approximately what proportion have had some form of technical issues?

- None
- 1-25% of all remote hearings
- 26- 50% of all remote hearings
- 51-75% of all remote hearings
- 76-100 of all remote hearings
- not applicable
- Don't know

23. Comparing the period from January 2021 with the preceding period of July to December 2020, has the proportion of remote hearings with technical issues increased or decreased?

- Increased significantly since January 2021
- Increased slightly since January 2021
- Remained the same
- Decreased slightly since January 2021
- Decreased significantly since January 2021
- Not applicable
- Don't know

24. Have you had any instances where you have had to adjourn a hearing because of technical issues? [Tick all that apply]

- Yes – adjourned and continued the same day
- Yes – adjourned to another day
- No

25. Approximately how often have cases been adjourned to another day because of technical issues?

	Rarely	Sometimes	Often	Not known
Pre-COVID-19 (Before March 2020)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During COVID-19 initial stages (March 2020 to end June)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During COVID-19 mid stage (July 2020 to Dec 2020)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During COVID-19 later stage (January 2021 to present)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

26. During a single remote hearing how many screens or devices did/do you typically use?

- 1
- 2
- 3

More than 3

27. Is this number of devices adequate for your needs?

Yes

No

Varies

If no, or it varies, please explain your answer (optional)

28. Please indicate to what extent the following have presented challenges for you during remote hearings.

	No problem	Minor problem	Significant problem
Accessing the number of devices needed for the remote hearing when in court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Accessing the number of devices needed for the remote hearing when at home or another location away from the court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Navigating e bundles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Quality of e bundles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Access to e bundles ahead of the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

27. Set up and joining the hearing

29. Please indicate who usually undertakes the following tasks in the remote hearings that you have heard since January 2021

	Me or another member of judiciary	HMCTS staff	Other	Don't know	Not applicable
Identify contact details of parties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Me or another member of judiciary	HMCTS staff	Other	Don't know	Not applicable
attending the hearing					
Send out invitations to the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Follow up with parties attending prior to the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Initiate the meeting on the agreed platform	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ensure that the correct parties are in the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contact any absent parties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Provide technical support to parties joining	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Provide ongoing technical support where needed during the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Record the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Explain the ground rules for the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

30. Have you ever required technical support either to join a hearing or during a hearing?

- Yes
- No

31. Since January 2021, in approximately what proportion of your remote hearings have you received some form of technical support?

- 1-25% of all remote hearings
- 26- 50% of all remote hearings
- 51-75% of all remote hearings
- 76-100% of all remote hearings

32. Comparing the period from January 2021 with the preceding period of July to December 2020, has the proportion of remote hearings where you have received support increased or decreased?

- Increased significantly since January 2021
- Increased slightly since January 2021
- Remained the same
- Decreased slightly since January 2021
- Decreased significantly since January 2021

33. Who usually provides the support? [Tick all that apply]

- HMCTS staff
- Other (please specify):

34. Overall, how satisfied or dissatisfied were you with the technical support you received from HMCTS staff?

	Very satisfied	Fairly satisfied	Neither satisfied nor dissatisfied	Fairly dissatisfied	Very dissatisfied	Not applicable
Support to join a hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Support during a hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

33. Communicating remote hearings

35. To what extent do you feel you are able to communicate effectively during remote hearings with other parties?

	Very effectively	Fairly effectively	Not very effectively	Not at all effectively	Not applicable
Public users	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal representatives	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HMCTS staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

36. If you have heard any remote hearings with a Litigant in Person do you consider they are able to communicate as effectively with other parties in remote hearings compared to face to face hearings?

- Litigants in Person communicate significantly less effectively in remote hearings than in face to face hearings
- Litigants in Person communicate slightly less effectively in remote hearings than in face to face hearings
- Litigants in Person communicate as effectively in remote hearings as in face to face hearings
- Litigants in Person communicate slightly more effectively in remote hearings than in face to face meetings
- Litigants in Person communicate significantly more effectively in remote hearings than in face to face meetings
- Don't know
- Not applicable

37. Since January 2021 have any of the following communication problems occurred in hearings you have heard? If so, to what extent?

	Has not occurred	Occurs rarely	Occurs sometimes	Occurs frequently
Parties unclear when they can speak	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties unable to hear	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties unable to communicate with representatives or person giving support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties with lack of privacy (in a space where others may be able to hear)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties interrupted or distracted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties unclear of outcome of hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

38. Comparing the period from January 2021 with the preceding period of July to December 2020, have you noticed any increase or decrease with any communication issues?

	Issues have increased since January 2021	Issues have remained about the same	Issues have decreased since January 2021
Parties unclear when they can speak	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties unable to hear	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties unable to communicate with representatives or person giving support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties with lack of privacy (in a space where others may be able to hear)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties interrupted or distracted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties unclear of outcome of hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

39. Have you experienced any cases remotely where an interpreter, signer or intermediary was present? [Tick one]

- Yes
- No

40. Where is the interpreter, signer or intermediary in relation to the person they are supporting?

	Never	Rarely	Sometimes	Often
Same location	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Different location	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

41. Did you observe any particular challenges with the interpreter or signer due to the fact that the hearing was remote?

- Yes
- No

42. What types of challenges have you observed?

	Never	Rarely	Sometimes	Often
The interpreter/signer not arriving on time as they've not been sent the joining instructions correctly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The interpreter/signer arriving in person to the building rather than joining remotely	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interpreter/signer not audible to their client	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interpreter/signer not visible to client	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interpreter/signer using the phone to communicate with client	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interpreter/signer not being able to get the attention of the court or tribunal when they have a problem	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

41. Efficiency

43. From your experience of remote hearings to date, do you consider they require more or less preparation time than in person hearings? [Tick one]

- Remote hearings typically take substantially less preparation time than in person hearings
- Remote hearings typically take slightly less preparation time than in person hearings
- Remote hearings typically take a similar amount of preparation time to in person hearings
- Remote hearings typically take slightly more preparation time than in person hearings
- Remote hearings typically take substantially more more preparation time than in person hearings
- Don't know

44. From your experience of remote hearings to date, do you consider the hearings are typically longer or shorter than in person hearings? [Tick one]

- Remote hearings are typically substantially longer than in person hearings
- Remote hearings are typically slightly longer than in person hearings
- Remote hearings typically take a similar amount of time to in person hearings
- Remote hearings are typically slightly shorter than in person hearings
- Remote hearings are typically substantially shorter than in person hearings
- Don't know

45. From your experience of remote hearings to date, do you consider that they provide more or less opportunity for parties to have their voice heard than in person hearings? [Tick one]

- Remote hearings typically offer substantially less opportunity for parties to have their voice heard than in person hearings
- Remote hearings typically offer slightly less opportunity for parties to have their voice heard than in person hearings
- Remote hearings typically offer a similar amount of opportunity for parties to have their voice heard to in person hearings
- Remote hearings typically offer slightly more opportunity for parties to have their voice heard than in person hearings
- Remote hearings typically offer substantially more opportunity for parties to have their voice heard than in person hearings
- Don't know

46. From your experience of remote hearings to date, do you consider that parties in remote hearings have a greater or lesser understanding of proceedings than in person hearings?

- Parties in remote hearings typically have a substantially greater understanding of proceedings compared to in-person hearings
- Parties in remote hearings typically have a slightly greater understanding of proceedings compared to in-person hearings
- Parties in remote hearings typically have a similar understanding of proceedings compared to in-person hearings
- Parties in remote hearings typically have a slightly lesser understanding of proceedings compared to in-person hearings
- Parties in remote hearings typically have a substantially lesser understanding of proceedings compared to in-person hearings
- Don't know

45. Creating the right environment

47. How effective or ineffective do you consider remote hearings have been for creating a comparable environment to the physical court or tribunal?

- Very effective
- Fairly effective
- Neither effective nor ineffective
- Fairly ineffective
- Very ineffective

48. How desirable is it for remote hearings to recreate a comparable environment to the physical court or tribunal?

- Very desirable
- Fairly desirable
- Neither desirable or undesirable
- Fairly undesirable
- Very undesirable

49. Have you observed any differences in attitudes and/or behaviour from public users during remote hearings compared to in person hearings?

- Yes
- No

50. What type of behaviour change have you observed?

	Increased during remote hearings	Decreased during remote hearings	Not applicable
Punctuality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Respectfulness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Formality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Concentration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

51. If other please provide details

52. Have these differences affected hearings in any way?

- No – did not affect hearings
- Yes, hearings took longer
- Yes, hearings were adjourned
- Other (please specify):

50. Judiciary well-being

53. Which of the following statements best describes how you feel about remote hearings?

- I find remote hearings preferable to in person hearings
- I find in person hearings preferable to remote hearings
- I do not have a preference between remote hearings and in person hearings
- In some circumstances I prefer remote hearings and in other circumstances I prefer in person hearings

54. Do you consider that attending remote hearings affects your health or wellbeing differently to cases held in person?

- Yes
- No

55. In comparison to face to face hearings, do you think that remote hearings have caused any of the following for you?

	Did not occur	Occurred rarely	Occurred sometimes	Occurred often
Lower concentration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased fatigue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less breaks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased stress	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased physical pain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased workload	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poorer work-life balance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

53. The future of remote hearings

56. Overall, to what extent do you agree or disagree that remote hearings are an acceptable alternative to in person hearings during the COVID-19 pandemic?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

57. Overall, to what extent do you agree or disagree that remote hearings are an acceptable alternative to in person hearings beyond the COVID-19 pandemic?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

58. Are there any types of case that you feel should not be heard using remote hearings beyond the COVID-19 pandemic? [Tick one]

- Yes
- No

59. If yes please specify which types of case?

56. Finally

60. Do you have any additional comments about any aspects of remote hearings?

Annex D: Legal professionals survey

The views of legal representatives are of central importance to understanding how remote hearings are working. This survey is for any legal representative who has taken part in remote court or tribunal hearings since the start of the COVID-19 pandemic. This applies to hearings where all parties joined remotely (online or by phone) but also to hearings where only some of the parties joined remotely. It asks questions about both your practical experiences and perceptions of remote hearings and should take 10-15 minutes to complete. We are interested in your experience. There are no right or wrong answers. If there are any questions you do not wish to answer or feel unable to answer, then please leave these blank.

Your views are very important. By sharing your experiences, you can help HMCTS to understand how best to deliver justice during the COVID-19 pandemic and beyond.

The responses you give will be confidential. They will not be used in any way that will enable you to be identified. You have the right to have a copy of your responses, change your responses or withdraw from the research at any point. If you would like to check that this research is genuine please email HMCTS at hmcts.evaluation@justice.gov.uk. If you would like to read more about the research please follow the link: <https://www.gov.uk/government/publications/hmcts-remote-hearing-evaluation/hmcts-remote-hearing-evaluation>.

2. Background

1. 1. What is your role?

- Solicitor
- Barrister
- Lay advocate
- CPS/defence clerk
- Department representative (e.g. presenting officer from DWP or Home Office)
- Other (please specify):

2. Which jurisdiction/s do you support? [Tick all that apply]

- Criminal cases
- Family court cases
- Civil claims
- Tribunal cases
- Other (please specify):

3. In which chamber/s do the tribunal cases sit? [Tick all that apply]

- War Pensions and Armed Forces Compensation Chamber
- Social Entitlement Chamber – SSCS
- Social Entitlement Chamber - Other
- Health, Education and Social Care Chamber – Mental Health
- Health, Education and Social Care Chamber – SEND
- Health, Education and Social Care Chamber – Other
- General Regulatory Chamber
- Tax Chamber
- Immigration and Asylum Chamber (First-tier tribunal)

Immigration and Asylum Chamber (Upper tribunal)

Property Chamber

Employment Tribunal

Employment Appeals Tribunal

Lands Chamber

Tax and Chancery Chamber

Administrative Appeals Chamber

Other (please specify):

4. Approximately for how long have you been in your current role?

Less than a year

One to five years

More than five years

5. Have you ever attended a remote hearing? [Tick one]

Yes

No

6. Please indicate approximately how many remote hearings have you been involved with during the different periods (the response just requires a very rough estimate)

	0	1-10	11-20	21-30	31-40	Over 40	Not known
Pre-COVID-19 (Before March 2020)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During COVID-19 initial stages (March 2020 to end June)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During COVID-19 mid stage (July 2020 to Dec 2020)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During COVID-19 later stage (Jan 2021 to present time)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. Which best describes your location during remote hearings at different points since the start of the pandemic?

	I have been in a courtroom or tribunal for most/all hearings	I have been at home for most/all hearings	I have been in an office for most/all hearings	I have been in a meeting room for most/all hearing	My location has varied	Other (please specify)	Not applicable
During COVID-19 initial stages (March 2020 to end June)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During the mid-stages (July 2020 to end of Dec 2020)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most recently from January 2021 to present	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. In the remote hearings that you have attended since January 2021 where have your clients been located? (Tick all that apply)

	Never	Rarely	Often
Their home	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Your office – in the same room as you	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Your office – in a different room to you	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court room	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prison	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police station	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9. What is your preferred location for remote hearings during and after COVID-19?

	Home	Office with client	Office without client	Court room with client	Court room without client	Other	No preference
During COVID-19	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Post COVID-19	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10. Platforms and formats for remote hearings

10. Which platforms have you used for remote hearings? [Tick all that apply]

Cloud Video Platform (CVP)

- BT MeetMe
- Skype
- HMCTS Video Hearings service
- Teams
- Other (please specify):

11. If you have used more than one platform please indicate your top three preferences.

	First preference	Second preference	Third preference
Cloud Video Platform (CVP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BT MeetMe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Skype	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HMCTS Video Hearing service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12. Please provide a summary of your reasons for your preferences (optional)

13. Have you received training or guidance to use any of the platforms? [Tick one]

Yes

No

14. What areas did the training and guidance include [Indicate what was included and where you consider there were gaps. If you did not receive any training or guidance please indicate what is needed by ticking the 'not included but needed' box]

	Included	Not included but needed	Not included and not needed
Information to be sent to parties ahead of the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Platform/software options	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Downloading software	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Software functions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Management of technical issues	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Protocols for managing hearings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interpreters, signers and intermediaries in remote hearings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

15. How satisfied or dissatisfied were you with the training and guidance? [Tick one]

	Very satisfied	Fairly satisfied	Neither satisfied nor dissatisfied	Fairly dissatisfied	Very dissatisfied	Not applicable
Training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Guidance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

16. If fairly or very dissatisfied what elements were you dissatisfied with? [Tick all than apply]

- Information to be sent to parties ahead of the hearing
- Platform/software options
- Downloading software
- Software functions
- Management of technical issues
- Protocols for managing hearings
- Interpreters, signers and intermediaries in remote hearings
- Other (please specify):

17. Which type of remote hearings have you experienced? [Tick all that apply]

- Fully audio- everyone joined the hearing by telephone
- Partly audio- some people joined the hearing by telephone and some were present in the courtroom

- Fully video- everyone joined the hearing by Skype/Microsoft Teams/ Cloud Video Platform/Video Hearings Service
- Partly video- some people joined the hearing by video and some were present in the courtroom
- Fully audio and video (some parties attend via audio and some by video)
- Partly audio and video - some people joined the hearing by video, some by audio and some were present in the courtroom
- Other (please specify):

18. Of the options you have used please indicate your top three preferences

	First preference	Second preference	Third preference
Fully audio- everyone joined the hearing by telephone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Partly audio- some people joined the hearing by telephone and some were present in the courtroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fully video- everyone joined the hearing by Skype/Microsoft Teams/ Cloud Video Platform/Video Hearings Service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Partly video- some people joined the hearing by video and some were present in the courtroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fully audio and video (some parties attend via audio and some by video)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	First preference	Second preference	Third preference
Partly audio and video - some people joined the hearing by video, some by audio and some were present in the courtroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

19. Have you participated in any remote hearings from January 2021 onwards?

Yes

No

20. Thinking about all the remote hearings that you have participated in from January 2021 onwards please provide an indication as to what extent the following technical issues have been a problem?

	No problem	Minor problem	Major problem
Audio quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Video quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Connection dropping out or freezing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How to log into the platform	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How to use the platform	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How to circulate material/evidence during the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	No problem	Minor problem	Major problem
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

21. Of the technical issues creating a significant problem, indicate the location of the problem if known.

	No problem	Court	Non court location	Don't know
Audio quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Video quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Connection dropping out or freezing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How to log into the platform	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How to use the platform	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How to circulate material/evidence during the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

22. Thinking about remote hearings between January 2021 and now, approximately what proportion have had some form of technical issues?

- None
- 1-25% of all remote hearings
- 26- 50% of all remote hearings

- 51-75% of all remote hearings
- 76-100 of all remote hearings
- not applicable
- Don't know

23. Comparing the period from January 2021 with the preceding period of July to December 2020, has the proportion of remote hearings with technical issues increased or decreased?

- Increased significantly since January 2021
- Increased slightly since January 2021
- Remained the same
- Decreased slightly since January 2021
- Decreased significantly since January 2021
- Not applicable
- Don't know

24. Have you had any instances where a hearing has been adjourned because of technical issues? [Tick all that apply]

- Yes – adjourned and continued the same day
- Yes – adjourned to another day
- No

25. Thinking about the different time periods how frequently have cases been adjourned to another day because of technical issues?

	Rarely	Sometimes	Often	Not known
Pre-COVID-19 (Before March 2020)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During COVID-19 initial stages (March 2020 to end June)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During COVID-19 mid stage (July 2020 to Dec 2020)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During COVID-19 later stage (Jan 2021 to present time)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

26. Do you ever use e-bundles?

Yes

No

27. How easy or challenging do you find managing e-bundles?

	Very easy	Fairly easy	Neither easy or challenging	Fairly challenging	Very challenging	Not applicable
Creating an e- bundle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Submitting an e- bundle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Receiving an e- bundle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Very easy	Fairly easy	Neither easy or challenging	Fairly challenging	Very challenging	Not applicable
Accessing an e-bundle during a remote hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

28. How satisfied or dissatisfied are you with the amount of time in advance of the hearing you receive e-bundles?

- Very satisfied
- Fairly satisfied
- Neither satisfied nor dissatisfied
- Fairly dissatisfied
- Very dissatisfied
- Not applicable

29. To what extent are you satisfied or dissatisfied that it has been possible to put reasonable adjustments or special measures in place for remote hearings where they have been needed for your client or yourself?

	Very satisfied	Fairly satisfied	Neither satisfied nor dissatisfied	Fairly dissatisfied	Very dissatisfied	Not applicable
Special measures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reasonable adjustments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

29. Set up and joining the hearing

30. How satisfied or dissatisfied were you with the following?

	Very satisfied	Fairly satisfied	Neither satisfied nor dissatisfied	Fairly dissatisfied	Very dissatisfied	Not applicable
Length of notice ahead of the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarity about which platform would be used	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joining instructions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Opportunity for you and your client to test the platform	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ease of joining	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Being kept informed about delays	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

31. Have you or your client ever received technical support either to join a hearing or during a hearing?

Yes

No

32. Since January 2021, in approximately what proportion of your remote hearings have you received some form of technical support?

1-25% of all remote hearings

- 26- 50% of all remote hearings
- 51-75% of all remote hearings
- 76-100% of all remote hearings

33. Comparing the period from January 2021 with the preceding period of July to December 2020, has the proportion of remote hearings with technical issues increased or decreased?

- Increased significantly since January 2021
- Increased slightly since January 2021
- Remained the same
- Decreased slightly since January 2021
- Decreased significantly since January 2021

34. Who usually provides the support? [Tick all that apply]

- HMCTS staff
- Other

35. Overall, how satisfied or dissatisfied were you with the technical support you received from HMCTS?

	Very satisfied	Fairly satisfied	Neither satisfied nor dissatisfied	Fairly dissatisfied	Very dissatisfied	Not applicable
Support to join a hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Support during a hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

33. Communicating in remote hearings

36. To what extent do you feel you are able to communicate effectively during remote hearings with other parties?

	Very well	Fairly well	Not very well	Not at all well	Not applicable
Judiciary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public users	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HMCTS staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

37. To what extent do you consider you have been able to communicate effectively with your clients directly BEFORE remote hearings?

- Very well
- Fairly well
- Not very well
- Not at all well

38. How do you typically communicate with your clients DURING remote hearings? (Tick all that apply)

- In same location
- Via phone (verbal)
- Via phone (text)
- Instant messaging
- Email
- Other

39. To what extent do you consider you have been able to communicate effectively with your clients DURING remote hearings?

- Very effectively
- Fairly effectively
- Not very effectively
- Not at all effectively

40. Since January 2021, have any of the following communication problems occurred in hearings you have attended? If so, to what extent?

	Has not occurred	Occurs rarely	Occurs sometimes	Occurs frequently
Parties unclear when they can speak	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Has not occurred	Occurs rarely	Occurs sometimes	Occurs frequently
Parties unable to hear	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties unable to communicate with representatives or person giving support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties with lack of privacy (in a space where others may be able to hear)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties interrupted or distracted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties unclear of outcome of hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

41. Comparing the period from January 2021 with the preceding period of July to December 2020, have you noticed an increase or decrease with any communication issues?

	Issues have increased since January 2021	Issues have remained about the same	Issues have decreased since January 2021
Parties unclear when they can speak	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties unable to hear	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties unable to communicate with representatives or person giving support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties with lack of privacy (in a space where others may be able to hear)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Issues have increased since January 2021	Issues have remained about the same	Issues have decreased since January 2021
Parties interrupted or distracted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties unclear of outcome of hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

42. Have you experienced any cases remotely where an interpreter, signer or intermediary was present for you or your client? [Tick one]

Yes

No

43. Where is the interpreter, signer or intermediary in relation to the person they are supporting?

	Never	Rarely	Sometimes	Often
Same location	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Different location	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

44. Did you observe any particular challenges with the interpreter or signer due to the fact that the hearing was remote?

Yes

No

45. What types of challenges have you observed?

	Never	Rarely	Sometimes	Often
The interpreter/signer not arriving on time as they've not been sent the joining instructions correctly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The interpreter/signer arriving in person to the building rather than joining remotely	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interpreter/signer not audible to their client	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interpreter/signer not visible to client	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interpreter/signer using the phone to communicate with client	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interpreter/signer not being able to get the attention of the court or tribunal when they have a problem	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

43. Efficiency

46. From your experience of remote hearings to date, do you consider they require more or less preparation time than in person hearings? [Tick one]

- Remote hearings typically take substantially less preparation time than in person hearings

- Remote hearings typically take slightly less preparation time than in person hearings
- Remote hearings typically take a similar amount of preparation time to in person hearings
- Remote hearings typically take slightly more preparation time than in person hearings
- Remote hearings typically take substantially more more preparation time than in person hearings
- Don't know

47. From your experience of remote hearings to date, do you consider the hearings are typically longer or shorter than in person hearings? [Tick one]

- Remote hearings are typically substantially longer than in person hearings
- Remote hearings are typically slightly longer than in person hearings
- Remote hearings typically take a similar amount of time to in person hearings
- Remote hearings are typically slightly shorter than in person hearings
- Remote hearings are typically substantially shorter than in person hearings
- Don't know

45. Creating the right environment

48. How effective or ineffective do you consider remote hearings have been for creating a similar environment to the physical court or tribunal chamber?

- Very effective
- Fairly effective

- Neither effective nor ineffective
- Fairly ineffective
- Very ineffective

49. How desirable is it for remote hearings to recreate a comparable environment to the physical court or tribunal chamber?

- Very desirable
- Fairly desirable
- Neither desirable or undesirable
- Fairly undesirable
- Very undesirable

50. Have you observed any differences in attitudes and/or behaviour from public users during remote hearings compared to in person hearings?

- Yes
- No

51. What type of behaviour change have you observed?

	Increased during remote hearings	Decreased during remote hearings	Not applicable
Punctuality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Increased during remote hearings	Decreased during remote hearings	Not applicable
Respectfulness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Formality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Concentration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

52. If other please provide details

53. Have these differences affected hearings in any way?

- No – did not affect hearings
- Yes, hearings took longer
- Yes, hearings were adjourned
- Other (please specify):

50. Legal representatives' well-being

54. Which of the following statements best describes how you feel about remote hearings?

- I find remote hearings preferable to in person hearing

- I find in person hearings preferable to remote hearings
- I do not have a preference between remote hearings and in person hearings
- In some circumstances I prefer remote hearings and in other circumstances I prefer in person hearings

55. Do you consider that attending remote hearings affects your health or wellbeing differently to cases held in person?

- Yes
- No

56. In comparison to face to face hearings, do you think that remote hearings have caused any of the following for you?

	Does not occur	Occurs rarely	Occurs sometimes	Occurs often
Lower concentration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased fatigue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less breaks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased stress	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased physical pain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased workload	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poorer work-life balance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

53. The future of remote hearings

57. To what extent do you agree or disagree that remote hearings are an acceptable alternative to in person hearings during the COVID-19 pandemic?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

58. To what extent do you agree or disagree that remote hearings are an acceptable alternative to in person hearings beyond the COVID-19 pandemic?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

59. Are there any types of case that you feel should not be heard using remote hearings? [Tick one]

- Yes
- No

60. If yes please specify which types of case?

56. Finally

61. Do you have any additional comments about any aspects of remote hearings?

Annex E: HM Courts and tribunal staff survey

The views of court and tribunal staff are of central importance to understanding how remote hearing are working. This survey is for any member of HMCTS staff who has taken part in remote court or tribunal hearings since the start of the COVID-19 pandemic. This applies to hearings where all parties joined remotely (online or by phone) but also to hearings where only some of the parties joined remotely. It asks questions about both your practical experience and perceptions of remote hearings and should take 10-15 minutes to complete. We are interested in your experience. There are no right or wrong answers. If there are any questions you do not wish to answer or feel unable to answer, then please leave these blank.

Your views are very important. By sharing your experiences, you can help HMCTS to understand how best to deliver justice during the COVID-19 pandemic and beyond.

The responses you give will be confidential. They will not be used in any way that will enable you to be identified. You have the right to have a copy of your responses, change your responses or withdraw from the research at any point. If you would like to check that this research is genuine please email HMCTS at hmcts.evaluation@justice.gov.uk. If you would like to read more about the research please follow the link: <https://www.gov.uk/government/publications/hmcts-remote-hearing-evaluation/hmcts-remote-hearing-evaluation>.

2. Background

1. 1. What is your role?

- Clerk
- Usher
- Delivery manager
- Listing officer
- Court officer
- Administrative Officer
- Legal adviser

Other (please specify):

2. Which jurisdiction/s do you support? [Tick all that apply]

Criminal cases

Family court cases

Civil claims

Tribunal cases

Other (please specify):

3. Which tribunal or chamber/s do you support? [Tick all that apply]

War Pensions and Armed Forces Compensation Chamber

Social Entitlement Chamber – SSCS

Social Entitlement Chamber - Criminal Injuries Compensation

Social Entitlement Chamber - Asylum Support

Health, Education and Social Care Chamber – Mental Health

Health, Education and Social Care Chamber – SEND

Health, Education and Social Care Chamber – Care Standards

Health, Education and Social Care Chamber – Primary Health Lists

- General Regulatory Chamber
- Tax Chamber
- Immigration and Asylum Chamber (First-tier tribunal)
- Immigration and Asylum Chamber (Upper tribunal)
- Property Chamber
- Employment Tribunal (England and Wales)
- Employment Tribunal (Scotland)
- Employment Appeal Tribunal
- Lands Chamber
- Tax and Chancery Chamber
- Administrative Appeals Chamber
- Other (please specify):

4. Approximately for how long have you been in your current role?

- Less than a year
- One to five years
- More than five years

5. Have you been involved in supporting or participating in remote hearings? [Tick one]

Yes

No

6. Please indicate approximately how many remote hearings have you been involved with during the different periods (the response just requires a very rough estimate)

	0	1-10	11-20	21-30	31-40	Over 40	Not known
Pre-COVID-19 (Before March 2020)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During COVID-19 initial stages (March 2020 to end June)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During COVID-19 mid stage (July 2020 to Dec 2020)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During COVID-19 later stage (Jan 2021 to present time)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. Which best describes your location during remote hearings at different points since the start of the pandemic?

	I have been in a courtroom or tribunal for most/all hearings	I have been at home for most/all hearings	I have been in an office for most/all hearings	I have been in a meeting room for most/all hearings	My location has varied	Other (please specify)	Not applicable
During COVID-19 initial stages (March 2020 to end June)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	I have been in a courtroom or tribunal for most/all hearings	I have been at home for most/all hearings	I have been in an office for most/all hearings	I have been in a meeting room for most/all hearings	My location has varied	Other (please specify)	Not applicable
During the mid-stage (July 2020 to end of Dec 2020)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most recently from January 2021 to present	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. Platforms and formats for remote hearings

8. Which platforms have you used for remote hearings? [Tick all that apply]

- Cloud Video Platform (CVP)
- BT MeetMe
- Skype
- HMCTS Video Hearing service
- Teams
- Other (please specify):

9. If you have used more than one platform please indicate your top three preferences.

	First preference	Second preference	Third preference
Cloud Video Platform (CVP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	First preference	Second preference	Third preference
BT MeetMe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Skype	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HMCTS Video Hearings Service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10. Please provide a summary of your reasons for your preferences (optional)

11. Have you received training or guidance for the use of any of the platforms? [Tick one]

- Yes - both training and guidance
- Yes - training only
- Yes - guidance only
- No

12. What areas did the training and guidance include? [Indicate where you consider there were gaps by ticking the 'not included but needed' box]

	Included	Not included but needed	Not included and not needed
Considerations about when to use remote hearings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Information to be sent to parties ahead of the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Platform/software options	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Downloading software	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Software functions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Management of technical issues	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Protocols for managing hearings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interpreters, signers and intermediaries in remote hearings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

13. How satisfied or dissatisfied were you with the training and guidance? [Tick one]

	Very satisfied	Fairly satisfied	Neither satisfied nor dissatisfied	Fairly dissatisfied	Very dissatisfied	Not applicable
Training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Guidance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

14. If fairly or very dissatisfied what elements were you dissatisfied with? [Tick all than apply]

- Considerations about when to use remote hearings
- Information to be sent to parties ahead of the hearing
- Platform/software options
- Downloading software
- Software functions
- Management of technical issues
- Protocols for managing hearings
- Interpreters, signers and intermediaries in remote hearings
- Other (please specify):

15. Which type of remote hearings have you experienced? [Tick all that apply]

- Fully audio- everyone joined the hearing by telephone
- Partly audio- some people joined the hearing by telephone and some were present in the courtroom
- Fully video- everyone joined the hearing by Skype/Microsoft Teams/ Cloud Video Platform/Video Hearings Service
- Partly video- some people joined the hearing by video and some were present in the courtroom
- Fully audio and video (some parties attend via audio and some by video)
- Partly audio and video - some people joined the hearing by video, some by audio and some were present in the courtroom

Other (please specify):

16. Of the options you have used please indicate your top three preferences.

	First preference	Second preference	Third preference
Fully audio- everyone joined the hearing by telephone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Partly audio- some people joined the hearing by telephone and some were present in the courtroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fully video- everyone joined the hearing by Skype/Microsoft Teams/ Cloud Video Platform/Video Hearings Service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Partly video- some people joined the hearing by video and some were present in the courtroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fully audio and video (some parties attend via audio and some by video)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Partly audio and video - some people joined the hearing by video, some by audio and some were present in the courtroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

17. Have you participated in any remote hearings from January 2021 onwards?

Yes

No

18. Thinking about all the remote hearings that you have participated in from January 2021 onwards please provide an indication as to what extent the following technical issues have been a problem?

	No problem	Minor problem	Major problem
Audio quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Video quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Connection dropping out or freezing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How to log into the platform	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How to use the platform	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How to circulate material/evidence during the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

19. Of the technical issues creating a significant problem, indicate the location of the problem if known.

	No problem	Court	Non court location	Don't know
Audio quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	No problem	Court	Non court location	Don't know
Video quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Connection dropping out or freezing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How to log into the platform	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How to use the platform	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How to circulate material/evidence during the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

20. Thinking about remote hearings between January 2021 and now, approximately what proportion have had some form of technical issue?

- None
- 1-25% of all remote hearings
- 26- 50% of all remote hearings
- 51-75% of all remote hearings
- 76-100% of all remote hearings
- not applicable
- Don't know

21. Comparing the period from January 2021 with the preceding period of July to December 2020, has the proportion of remote hearings with technical issues increased or decreased?

- Increased significantly since January 2021
- Increased slightly since January 2021
- Remained the same
- Decreased slightly since January 2021
- Decreased significantly since January 2021
- Not applicable
- Don't know

22. Have you had any instances where a hearing has been adjourned because of technical issues? [Tick all that apply]

- Yes – adjourned and continued the same day
- Yes – adjourned to another day
- No

23. Approximately how often have cases been adjourned to another day because of technical issues?

	Rarely	Sometimes	Often	Not known
Pre-COVID-19 (Before March 2020)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Rarely	Sometimes	Often	Not known
During COVID-19 initial stages (March 2020 to end June)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During COVID-19 mid stage (July 2020 to Dec 2020)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During COVID-19 later stage (Jan 2021 to present time)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

24. During a single remote hearing how many screens or devices do you typically use?

- 0
- 1
- 2
- 3
- More than 3

25. Is this number of devices adequate for your needs?

- Yes
- No
- Varies

If no, or it varies, please explain your answer (optional)

24. Set up and joining the hearing

26. Please indicate who usually undertakes the following tasks in the remote hearings that you have supported since January 2021.

	Member of judiciary	HMCTS staff	Other	Don't know	Not applicable
Identify contact details of parties attending the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Send out invitations to the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Follow up with parties attending prior to the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Initiate the meeting on the agreed platform	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ensure that the correct parties are in the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contact any absent parties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Provide technical support to parties joining	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Provide ongoing technical support where needed during the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Record the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Explain the ground rules for the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

27. For the tasks below that you have responsibility for, indicate how easy or challenging each task is?

	Very easy	Fairly easy	Neither easy or challenging	Fairly challenging	Very challenging	Not applicable
Identify contact details of parties attending the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Send out invitations to the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Follow up with parties attending prior to the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Initiate the meeting on the agreed platform	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ensure that the correct parties are in the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contact any absent parties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Provide technical support to parties joining	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Provide ongoing technical support where needed during the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Record the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Explain the ground rules for the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

28. To what extent are you satisfied or dissatisfied that it has been possible to put reasonable adjustments and special measures in place for remote hearings where they have been needed?

	Very satisfied	Fairly satisfied	Neither satisfied nor dissatisfied	Fairly dissatisfied	Very dissatisfied	Not applicable
Special measures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reasonable adjustments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

29. Have you provided technical support either to join a hearing or during a hearing?

Yes

No

30. How confident are you to provide this support?

	Very confident	Fairly confident	Neither confident or not confident	Not very confident	Not at all confident	Not applicable
Support to join a hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Support during a hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

31. Since January 2021, in approximately what proportion of your remote hearings have you provided some form of technical support?

1-25% of all remote hearings

26- 50% of all remote hearings

- 51-75% of all remote hearings
- 76-100% of all remote hearings

32. Comparing the period from January 2021 with the preceding period of July to December 2020, has the proportion of remote hearings where you have had to give support increased or decreased?

- Increased significantly since January 2021
- Increased slightly since January 2021
- Remained the same
- Decreased slightly since January 2021
- Decreased significantly since January 2021

31. Communicating in remote hearings

33. To what extent do you feel you are able to communicate effectively during remote hearings with other parties?

	Very effectively	Fairly effectively	Not very effectively	Not at all effectively	Not applicable
Judiciary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public users	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal representatives	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

34. If you have supported any remote hearings with a Litigant in Person do you consider they are able to communicate as effectively with other parties in remote hearings compared to face to face hearings?

- Litigants in Person communicate significantly less effectively in remote hearings than in face to face hearings
- Litigants in Person communicate slightly less effectively in remote hearings than in face to face hearings
- Litigants in Person communicate as effectively in remote hearings as in face to face hearings
- Litigants in Person communicate slightly more effectively in remote hearings than in face to face meetings
- Litigants in Person communicate significantly more effectively in remote hearings than in face to face meetings
- Don't know
- Not applicable

35. Since January 2021, have any of the following communication problems occurred in hearings you have supported? If so, to what extent?

	Has not occurred	Occurs rarely	Occurs sometimes	Occurs frequently
Parties unclear when they can speak	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties unable to hear	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties unable to communicate with representatives or person giving support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties with lack of privacy (in a space where others may be able to hear)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Has not occurred	Occurs rarely	Occurs sometimes	Occurs frequently
Parties interrupted or distracted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties unclear of outcome of hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

36. Comparing the period from January 2021 with the preceding period of July to December 2020, have you noticed an increase or decrease with any communication issues?

	Issues have increased since January 2021	Issues have remained about the same	Issues have decreased since January 2021
Parties unclear when they can speak	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties unable to hear	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties unable to communicate with representatives or person giving support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties with lack of privacy (in a space where others may be able to hear)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties interrupted or distracted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties unclear of outcome of hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

37. Have you experienced any cases remotely where an interpreter, signer or intermediary was present? [Tick one]

Yes

No

38. Where is the interpreter, signer or intermediary in relation to the person they are supporting?

	Never	Rarely	Sometimes	Often
Same location	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Different location	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

39. Did you observe any particular challenges with the interpreter or signer due to the fact that the hearing was remote?

Yes

No

40. What types of challenges have you observed?

	Never	Rarely	Sometimes	Often
The interpreter/signer not arriving on time as they've not been sent the joining instructions correctly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The interpreter/signer arriving in person to the building rather	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Never	Rarely	Sometimes	Often
than joining remotely				
Interpreter/signer not audible to their client	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interpreter/signer not visible to client	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interpreter/signer using the phone to communicate with client	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interpreter/signer not being able to get the attention of the court or tribunal when they have a problem	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

39. Efficiency

41. From your experience of remote hearings to date, do you consider they require more or less preparation time than in person hearings? [Tick one]

- Remote hearings typically take substantially less preparation time than in person hearings
- Remote hearings typically take slightly less preparation time than in person hearings
- Remote hearings typically take a similar amount of preparation time to in person hearings
- Remote hearings typically take slightly more preparation time than in person hearings
- Remote hearings typically take substantially more more preparation time than in person hearings
- Don't know

42. From your experience of remote hearings to date, do you consider the hearings are typically longer or shorter than in person hearings? [Tick one]

- Remote hearings are typically substantially longer than in person hearings
- Remote hearings are typically slightly longer than in person hearings
- Remote hearings typically take a similar amount of time to in person hearings
- Remote hearings are typically slightly shorter than in person hearings
- Remote hearings are typically substantially shorter than in person hearings
- Don't know

41. Creating the right environment

43. How effective or ineffective do you consider remote hearings have been for creating a comparable environment to the physical court or tribunal?

- Very effective
- Fairly effective
- Neither effective nor ineffective
- Fairly ineffective
- Very ineffective

44. How desirable is it for remote hearings to recreate a comparable environment to the physical court or tribunal?

- Very desirable

- Fairly desirable
- Neither desirable or undesirable
- Fairly undesirable
- Very undesirable

45. Have you observed any differences in attitudes and/or behaviour from public users during remote hearings compared to in person hearings?

- Yes
- No

46. What type of behaviour change have you observed?

	Increased during remote hearings	Decreased during remote hearings	Not applicable
Punctuality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Respectfulness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Formality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Concentration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

47. If other please specify

48. Have these differences affected hearings in any way?

- No – did not affect hearings
- Yes, hearings took longer
- Yes, hearings were adjourned
- Other (please specify):

46. Well-being

49. Which of the following statements best describes how you feel about remote hearings?

- I find remote hearings preferable to in person hearings
- I find in person hearings preferable to remote hearings
- I do not have a preference between remote hearings and in person hearings
- In some circumstances I prefer remote hearings and in other circumstances I prefer in person hearings

50. Do you consider that attending remote hearings affects your health or wellbeing differently to cases held in person?

- Yes

No

51. In comparison to face to face hearings, do you think that remote hearings have caused any of the following for you?

	Does not occur	Occurs rarely	Occurs sometimes	Occurs often
Lower concentration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased fatigue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less breaks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased stress	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased physical pain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased workload	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poorer work-life balance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

49. The future of remote hearings

52. Overall, to what extent do you agree or disagree that remote hearings are an acceptable alternative to in person hearings during the COVID-19 pandemic?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

53. Overall, to what extent do you agree or disagree that remote hearings are an acceptable alternative to in person hearings beyond the COVID-19 pandemic?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

54. Are there any types of case that you feel should not be heard using remote hearings? [Tick one]

Yes

No

55. If yes please specify which types of case

52. Finally

56. Do you have any additional comments about any aspects of remote hearings?



Annex F: Public user topic guide

A Interview purpose and principles

This guide is for use with interviews with public court users that joined a hearing by audio or video from 20 March 2020, to be conducted over the phone or by video conference.

Interviews aim to capture the experiences and perceptions of court and tribunal users, during COVID-19, across all jurisdictions. Specifically, we will explore: their ability to engage with the hearing itself, their expectations and how these compared to actual experiences, any difficulties or barriers faced and how these were dealt with, users' satisfaction with and perceptions of the process, including respect of court proceedings and procedural justice and fairness.

This guide is intended to be used with a mix of individuals with varying characteristics and backgrounds. As such, it does not contain pre-set questions, but rather lists the key themes and sub-themes to be explored with participants in each interview. Words or short phrases are instead used to indicate the study issues and allows the researcher to determine the formulation of questions and how to follow up. This encourages the researcher to be responsive to the situation and most crucially to the terms, concepts, language and behaviours used by the participants.

It does not include follow-up questions like 'why', 'when', 'how', etc. as participants' contributions will be fully explored in response to what they tell us throughout in order to understand how and why views and experiences have arisen. The order in which issues are addressed and the amount of time spent on different themes will vary between interviews but the key areas for discussion are the same.

Questioning and probing will be framed to ensure we understand participants' situations as they view them. Researchers will adapt the approach, as much as possible, to suit the needs of each participant. The prompts provided are not exhaustive, but rather indicate the types of content we would expect to be covered – this may vary across participants with different characteristics.

B Researcher introduction (c.2 mins)

Thanks & Introduction: Introduce yourself and IFF Research – independent research agency

About the client: HM Courts & Tribunals Service (HMCTS), agency responsible for the administration of courts and tribunals in England and Wales (*If relevant:* and employment Tribunals in Scotland).

Reason for participation: Explain that they have been selected to participate in this research because they took part in a hearing recently and can help us understand more about how people like them experience hearings conducted via audio/visual technology – also called ‘remote hearings’. It’s important to hear candid views in order to create a true picture of how the remote hearings worked.

I will not be asking for any details of the individual case in which you were involved. I do not have any details of your case or the circumstances surrounding it.

How their info will be used: Their views and experiences will be looked together with views of others taking part in interviews. These views will be analysed by theme then a report written based on those themes.

Ethical considerations: Anonymity, confidentiality, voluntary participation

Reassurances: No right or wrong answers - we are simply asking for people’s views and opinions; comfort – let me know if you’d like a break at any time.

May need to gently move you along, in the interest of time and to ensure we capture your experiences about the whole remote hearing experience

If taking part in discussion with another person (case worker, support worker, friend/family)⁴: everything shared here should stay between us; most of the discussion is with the participant but please do let me know if you need to share something, or take a break.

Duration: 45 minutes

Incentive (EXCEPT for criminal defendant) – as a thank you for your time you will receive £30 after the interview.

Reminder about audio recording: the discussion will be recorded so that we can accurately capture their views, and so researchers can listen back when analysing the data. The recorder is encrypted and only the research team will have access to the recordings.⁵

Any questions/concerns?

Start recording: acknowledge consent for being recorded

⁴ This is most likely only relevant for victim or witness interviews

⁵ If using Zoom, remember to use a business account and use the save option for the cloud and not the computer

C Participant introduction (c.3 mins)

How they spend their time e.g. work, education, hobbies

Briefly, whether have **attended any court hearings** before their recent remote hearing

Brief overview about their **remote hearing experience**⁶

- When they recently attended a remote hearing
 - Briefly, what was going on for them around that time (*to support recall*)
- How they were involved in the hearing e.g. claimant, applicant etc
- How they joined the remote hearing e.g. telephone, skype, cloud video platform, hybrid
- Who was involved in the remote hearing e.g. solicitor, friends/family, observers, support worker, others
 - Whether had legal representation during their hearing

D Pre-hearing (c.5 mins)

Briefly, invitation to court for their remote hearing

- Messages
- Supporting guidance for joining the hearing
- How helpful was the information or guidance about joining the remote hearing

Initial impressions of the hearing being offered remotely

- Thoughts
- Expectations of what a remote hearing would involve
NB. take note of expectations to come back to at the end
- Questions they had
- Concerns
 - Location they would have to join from
 - Platform to be used for hearing

⁶ This should all be in the screened sample, but please double check information is accurate here, and to help contextualise responses in the interview.

- Whether took any actions upon learning hearing was remote
 - spoke to other parties, solicitor, court staff, friends/family – what about?
 - accessed software/technology to be used in hearing – how they felt about that?
 - requested any adjustments – what support, who they spoke to, what was the outcome? ⁷

E During hearing (c. 25 mins)

(low priority) **Briefly, overview of period leading up to the hearing**

- What they did shortly before the hearing started
- Whether talked with professional representative or someone providing support
 - How they talked with them e.g. phone, conference call software, WhatsApp
 - Ease of accessing them
 - Questions about the process at this time
 - How helpful was the information or advice

How they joined the hearing

- How they knew how to join e.g. guidance shared
- Their joining location e.g. their home, a library etc
- Ease of joining
 - Whether accessed any support to join the hearing
 - Who from and views on the usefulness of this support
- Questions/concerns about the process at this time

Overview of the actual hearing

- How hearing was introduced and by who
 - Whether/what ground rules or instructions discussed
 - Who gave the ground rules

⁷ NB. Be sensitive when asking what support they wanted/needed. This is a judicial decision on a case by case basis – support may be professional legal advice and if that is not available because of legal costs, then access to support through court or possibly from a family member or friend.

- How the hearing 'looked and felt' – what did they see, hear
 - How formal did the hearing feel
- Any difficulties and how these were dealt with
 - Procedural (about the proceedings)
 - Technical
- Rough idea of hearing length
 - Was hearing length as expected
 - Any breaks?

Support experience during the hearing

- Access to support during the hearing
 - whether needed any - what
 - how they found it
 - quality of that support

Their role during the hearing

- Whether they felt able to give the hearing their **full attention**/concentration
- How involved they felt in the hearing / part of the process
 - Any opportunities to **input** – what that involved
 - How did those in attendance **react** to their input e.g. listened, talked over etc

Experience with others during the hearing

- Experience with **professional representatives** during hearing
 - Whether communicated with their legal representative
 - How communicated
 - Ease of that communication
 - Quality of that communication
- Experience with **any other people** attending the hearing

(Low priority) **Briefly, experience of concluding the hearing, and next steps**

- How hearing **concluded**
 - Whether clear on outcomes/implications
 - Whether received any communication after the hearing
- Whether **needed to attend court again**
 - How this was communicated
 - Whether offered a choice of remote or in-person
 - Their choice and reasons
- Check whether they have an **outcome for their case**, and how they feel about it
 - Whether it was a fair outcome
 - If they wanted, whether they appealed

F *(Priority)* Reflections (c. 10 mins)

Refer back to initial expectations – How did experience **compare to your expectations**

- Overall, how did **they feel** during the hearing
 - How helpful was information provided in advance of hearing
- How **comfortable/at ease** they felt
- Whether they felt their **views were considered** during the hearing
- Whether they felt the **hearing was based on accurate information**
- How **respectful** were those involved in the hearing
- How **fairly** were they treated by those involved in the hearing
- How effective was the delivery of the remote hearing at conveying the **seriousness or importance** of a court hearing

(If not yet covered) What **worked well/less well** with the remote hearing

Suggestions for supporting others like them access to remote hearings

G Final comments and wrap-up (c.2 mins)

Final **comments**

Thanks, and reminder of **confidentiality and anonymity**

Reminder about **£30** Amazon voucher (*Excludes criminal defendants*)

- Confirm postal address and email address
- Remind of expected timing for receiving voucher

If **friend or family** attended hearing with them, whether they would be willing to share our contact details with the friend/family member to get in touch to also take part in an interview (also receive a thank you payment)

Consent to be recontacted about this research

Annex G: Judges topic guide

A Interview purpose and principles

This guide is for use with interviews with judiciary that sat a hearing by audio or video from July 2020, to be conducted over the phone or by video conference.

Interviews aim to capture the experiences and perceptions of judiciary, during COVID-19, across all jurisdictions. Specifically, we will explore: their familiarity with remote hearings, their expectations compared with their actual experiences of remote hearings, any difficulties or barriers faced and how these were dealt with, their satisfaction with and perceptions of the process, including respect of court proceedings and procedural justice and fairness.

HMCTS is particularly interested in understanding judges' experiences of remote hearings during the pandemic compare to their experiences of remote hearings before the pandemic, and in-person hearings before and during the pandemic. Where possible based on experiences of your participant, and where time allows, explore these.

This guide is intended to be used with a mix of individuals with varying characteristics and backgrounds. As such, it does not contain pre-set questions, but rather lists the key themes and sub-themes to be explored with participants in each interview. Words or short phrases are instead used to indicate the study issues and allows the researcher to determine the formulation of questions and how to follow up. This encourages the researcher to be responsive to the situation and most crucially to the terms, concepts, language and behaviours used by the participants.

It does not include follow-up questions like 'why', 'when', 'how', etc. as participants' contributions will be fully explored in response to what they tell us throughout in order to understand how and why views and experiences have arisen. The order in which issues are addressed and the amount of time spent on different themes will vary between interviews but the key areas for discussion are the same.

Questioning and probing will be framed to ensure we understand participants' situations as they view them. Researchers will adapt the approach, as much as possible, to suit the needs of each participant. The prompts provided are not exhaustive, but rather indicate the types of content we would expect to be covered – this may vary across participants with different characteristics.

B Researcher introduction (c.2 mins)

Thanks & Introduction: Introduce yourself and IFF Research – independent research agency

About the client: HM Courts & Tribunals Service (HMCTS)

Reason for participation: Explain that they have been selected to participate in this research because they can help us understand more about how judges experience hearings conducted via audio/visual technology – also called ‘remote hearings’. It’s important to hear candid views in order to create a true picture of how the remote hearings worked.

How their info will be used: Their views and experiences will be looked together with views of others taking part in interviews. These views will be analysed by theme then a report written based on those themes.

Ethical considerations: Confidentiality, voluntary participation, anonymity (though given their role it is possible they may share something that only they would have knowledge of)

Reassurances: No right or wrong answers - we are simply asking for people’s views and opinions; comfort – let me know if you’d like a break at any time.

May need to gently move you along, in the interest of time and to ensure we capture your experiences about the whole remote hearing experience

Duration check: 45 minutes

Reminder about audio recording: the discussion will be recorded so that we can accurately capture their views, and so researchers can listen back when analysing the data. The recorder is encrypted and only the research team will have access to the recordings.⁸

Any questions/concerns?

Start recording: acknowledge consent for being recorded

⁸ If using Zoom, remember to use a business account and use the save option for the cloud and not the computer

C Participant introduction (c. 10 mins)

Brief overview of them for context

- their jurisdiction
- length of time sitting as a judge

Brief overview about their **remote hearing experience**

- Number of hearings sat remotely
 - During pandemic
 - Before pandemic
- Types of court and cases for remote hearings they've sat
 - Audiences typically involved in their hearings
- Types of technology used for remote hearings e.g. telephone, skype, cloud video platform, hybrid
 - If multiple, preferences for platform type and reasons
 - Distinguish between what judge uses, and what others at hearing typically use
- Where they typically join remote hearings from e.g. home, courtroom, other?

D Remote hearing experiences during pandemic (c. 20 mins)

Discuss preparation in advance of hearings

- **Explore how they decide on whether hearings should be held remotely, fully remote or a hybrid**
 - Personal reasons e.g. preference to be in court, dislike/unfamiliar with technology
 - Jurisdiction
 - Case type
 - Court users' needs

Explore the actual hearing

- **Who starts the hearing and what does that look like?** E.g. them, an administrator/clerk
 - If administrator/clerk, do they stay for the full hearing?

- How they **introduce** the hearings
 - Ground rules or instructions discussed
 - If none, how come?

- Experience with **professional representatives** during remote hearing
 - Ease of communicating with them
 - Extent to which feel legal professionals were able to do an adequate job of supporting their clients
 - How any difficulties raised were dealt with and what support if any was available

- Experience with **public users** during remote hearing
 - Ease of communicating with them
 - Whether public users could communicate effectively
 - Whether public users treated process with adequate seriousness
 - Whether public users appeared to understand the judicial process
 - Whether/how this differed compared to in-person hearings
 - Whether requested guidance/advice during the hearing
 - How any difficulties raised were dealt with and what support if any was available

- **Check whether had experience of hearings where interpreters (including BSL) were used**
 - If so, what was their experience
 - Implications of their experience on justice
 - What worked well/less well

- Whether typically have **scheduled breaks** and how long these are
 - Reasons for not having breaks
- Any other **benefits/difficulties during remote hearing, who was impacted** and how these were **dealt with**
 - Personal e.g. fatigue, wellbeing
 - Procedural
 - Technical
 - Administrative

How hearing concluded – what they say/do

- Whether had to **adjourn** a remote hearing early because of the nature of remote hearings
 - If so, explore decision making process
 - If not, explore reasons for not adjourning early
- Briefly **explore views on any particular type of support they think is needed to support people joining/participating in remote hearings**
- **If not yet discussed, whether changed their approach** to preparing for a remote hearing throughout the pandemic, in response to lessons

E Effectiveness (c. 10 mins)

How able were they to fulfil their role during remote hearings

Explore perceptions of effectiveness of remote hearings. *Explore the following for each mode used by the judge – video, phone and hybrid.*

- Who are different types of remote hearing more/less effective for (types of court users)
- What types of cases are the different types of remote hearings more/less effective for
- What AV technologies are more/less effective for remote hearings
- What settings are people joining from that are more/less effective for remote hearings
- Suggestions for improving effectiveness of remote hearings

As a sense check, how **efficient** are remote hearings compared to in-person hearings, in terms of duration? E.g. shorter/longer in comparison

F Final comments and wrap-up (c.3 mins)

If not yet covered – How do **pandemic remote hearing experiences** compare to...

- Experiences of remote hearing pre-COVID-19 (where relevant)
- Experiences of in-person hearings

Final comments

Thanks, and reminder of **confidentiality and anonymity**

Consent to be **recontacted** about this research

Annex H: Magistrates topic guide

Introduction

Thanks & Introduction

Introduce yourself and give a background to the evaluation. The evaluation is being carried out to learn from experiences of range of stakeholders who have participated in remote hearings during the COVID-19 pandemic. Lessons from this evaluation will help HMCTS think about the future use of remote hearings.

Reason for participation

Explain that they have been selected to participate in this research because they can help us understand more about how magistrates experience remote hearings. It's important to hear candid views in order to create a true picture of how the remote hearings are working.

How information will be used

Their views and experiences will be looked together with views of others taking part in interviews. These views will be analysed by theme then a report written based on those themes.

Ethical considerations

Confidentiality, voluntary participation, anonymity

Reassurances

We are asking for people's views and opinions and are keen to hear the positives and the negatives;

Comfort

Let me know if you'd like a break at any time.

May need to gently move you along

In the interest of time and to ensure we capture your experiences about the whole remote hearing experience

Duration check: 45 minutes

Reminder about audio recording

The discussion will be recorded so that we can accurately capture views, and so researchers can listen back when analysing the data. Only the research team will have access to the recordings and the recording will be stored securely and be disposed of after the data analysis is complete.

Any questions/concerns?

Start recording: acknowledge consent for being recorded

1. Background

- How long have you been sitting as a magistrate?
- Approximately how many cases have you heard remotely
 - During the pandemic
 - Before the pandemic
- Where have you typically been located when you have joined the hearing?
- Where have the other parties typically been located? (*this may vary considerably, and the details of individuals hearings are not needed unless they only have very limited experience – the aim of this question is to get an overview*)
- What types of cases have you heard remotely?

2. Decisions to use remote hearings

- Who makes the decision about whether to hold remote hearings?
- What factors are taken into consideration when making a decision about whether to hear a case remotely? (*Are any additional factors taken into consideration when making decision about hybrid hearings?*)
- What is your experience of meeting needs for reasonable adjustments and special measures during remote hearings? (*How easy or challenging has this been? Compare with in person hearings*).

3. Platforms and formats

- What platforms have you experience of using for remote hearings (*e.g. cloud video platform, BT meet me, skype, teams etc*)
 - If experience of more than one do you have a preference and if so why?
 - Do you have a preference between audio and video platforms and if so why?
- What device/s do you use during remote hearings and who provides the equipment? (*if sometimes joining from court and sometime from home need to explore situation for both locations*)
- Have you experienced any challenges with access to devices (hardware) or software to support your participation in remote hearings? (*if so explore if was this in relation to a particular platform or device?*)
- Have you received any training or guidance on the platforms that you have used for remote hearings? If so how well did this meet your needs and are there any gaps? If you have received guidance where did it come from e.g. head office/local court?
- How have you accessed bundles during remote hearings? Have you experienced any challenges with this?

4. Technical support during hearings

- What has been your experience of joining remote hearings? If you have joined from different locations (home and court) has this differed between locations?
- Who ensures all correct parties are present at the start of the hearing?
- Who is typically responsible for recording the hearing?
- Have you had technical issues during remote hearings? If so, what were the issues?
- If you have heard any hybrid hearings have you observed any particular issues during these hearings?
- Have you received technical support during the hearing? If so, who provided the support and what was the outcome? To what extent did this impact on the hearing?

- To what extent are other parties affected by technical issues during hearings and how are they resolved?
- Have you experienced hearings been adjourned due to technical issues?

5. Communication during remote hearings

- Are ground rules for the hearing explained to parties at the start? If so, who does this and what is the approach? (*Do the parties know the format of the hearing and when they can speak and how to get attention?*) Do you have any suggestions for good practice?
- What, if any, ground rules do you think lay parties should receive information about before the hearing?
- How do you communicate with other magistrates and/or the legal adviser during the hearing? How effective is this? (*Probe on approach if co-located and if not*)
- How effectively do you communicate with other parties during the hearing?
- What are the most significant barriers to communication during remote hearings?
- What supports effective communication during remote hearings?
- Have you heard any cases with an interpreter, signer or intermediary and did this create any additional challenges?

6. Replicating the court environment

- To what extent do you consider it has been possible to recreate the court environment when using remote hearings?
- To what extent do you consider the formality of the court is created?
- How realistic and desirable is it to replicate the court environment for remote hearings?
- To what extent have parties been able to secure a quiet and private space during hearings?
- Have you observed any differences of attitude and behaviours amongst different parties compared to in person hearings? (*Probe on litigants in person if not mentioned*)
- To what extent have any differences in attitude made it harder to manage the hearing?

7. Magistrate well-being

- Do you have a preference between remote and in person hearings? If so what are your reasons for this preference?
- Do you consider that remote hearings have affected your health and wellbeing differently to hearing cases in person? (*Probe on fatigue, concentration, work-life balance*)

8. The future of remote hearings

- To what extent are remote hearings an acceptable alternative during COVID-19?
- To what extent are remote hearings an acceptable alternative in a post COVID-19 environment?
- If you have experience of remote hearings pre COVID-19 and during COVID-19 have you observed any notable differences in the way remote hearings run?
- Are there types of hearings or parties for whom you consider remote hearings generally unsuitable?
- Do you have suggestions for improving the effectiveness of remote hearings?

9. Do you have any other comments?

Annex I: Observer topic guide

A Interview purpose and principles

- A1 This guide is for use with interviews with observers of hearings that joined a hearing by audio or video from July 2020, to be conducted over the phone or by video conference.
- A2 Interviews aim to capture the experiences and perceptions of court and tribunal users, during COVID-19, across all jurisdictions. Specifically, we will explore: their ability to engage with the hearing itself, their expectations and how these compared to actual experiences, any difficulties or barriers faced and how these were dealt with, users' satisfaction with and perceptions of the process, including respect of court proceedings and procedural justice and fairness.
- A3 This guide is intended to be used with a mix of individuals with varying characteristics and backgrounds. As such, it does not contain pre-set questions, but rather lists the key themes and sub-themes to be explored with participants in each interview. Words or short phrases are instead used to indicate the study issues and allows the researcher to determine the formulation of questions and how to follow up. This encourages the researcher to be responsive to the situation and most crucially to the terms, concepts, language and behaviours used by the participants.
- A4 It does not include follow-up questions like 'why', 'when', 'how', etc. as participants' contributions will be fully explored in response to what they tell us throughout in order to understand how and why views and experiences have arisen. The order in which issues are addressed and the amount of time spent on different themes will vary between interviews but the key areas for discussion are the same.
- A5 Questioning and probing will be framed to ensure we understand participants' situations as they view them. Researchers will adapt the approach, as much as possible, to suit the needs of each participant. The prompts provided are not exhaustive, but rather indicate the types of content we would expect to be covered – this may vary across participants with different characteristics. Signposting is used in this guide to indicate where themes for discussion differ by audience.
- A6 We would expect that participants other than friends and family will have attended more than one remote hearing and as such we will collect views based on their broad experience across the hearings they have attended. Similarly, we would expect these people to come in with a deeper understanding of the courts than friends or family members, for whom their experience of the legal system and remote hearings in particular is likely to rest on this single experience.

B Researcher introduction (c.2 mins)

- B1 Thanks & Introduction:** Introduce yourself and IFF Research – independent research agency
- B2 About the client:** HM Courts & Tribunals Service (HMCTS), agency responsible for the administration of courts and tribunals in England and Wales
- B3 Reason for participation:** Explain that they have been selected to participate in this research because they can help us understand more about how people like them, observers of a hearing, experience hearings conducted via audio/visual technology – also called ‘remote hearings’. We are interested specifically in audio/video as a channel for conducting hearings. It’s important to hear candid views in order to create a true picture of how the remote hearings worked.
- B4 I will not be asking for any details of the individual case which observed.** I do not have any details of the case you observed or the circumstances surrounding it.
- B5 How their info will be used:** Their views and experiences will be looked together with views of others taking part in interviews. These views will be analysed by theme then a report written based on those themes.
- B6 Ethical considerations:** Anonymity, confidentiality, voluntary participation
- B7 Reassurances:** No right or wrong answers - we are simply asking for people’s views and opinions; comfort – let me know if you’d like a break at any time.
- B8 May need to gently move you along,** in the interest of time and to ensure we capture your experiences about the whole remote hearing experience
- B9 Duration:** 45 minutes
- B10 Reminder about audio recording:** the discussion will be recorded so that we can accurately capture their views, and so researchers can listen back when analysing the data. The recorder is encrypted and only the research team will have access to the recordings.⁹
- B11 Any questions/concerns?**
- B12 Start recording:** acknowledge consent for being recorded

⁹ If using Zoom, remember to use a business account and use the save option for the cloud and not the computer

C Participant introduction (c.3 mins)

ASK Journalist/academic only

C1 What is their job role

C2 Why do they attend court hearings

- Types of hearings
- How often do they attend hearings
- How **do they typically choose which hearings to attend**

ASK friends / family only

C3 How they spend their time e.g. work, education, hobbies

C4 Reasons for attending the hearing

- What support they were hoping to be able to provide

ALL

C5 Brief overview about their **remote hearing experience**

- When they recently attended a remote hearing
- How many remote hearings
- Whether attended any before March 2020 (pre-COVID-19)
- How they joined the remote hearing e.g. telephone, skype, cloud video platform, hybrid

D Pre-hearing (c.10 mins)

D1 Initial attitude to and understanding of remote hearings

- Initial understanding of the purpose of remote hearings
- Initial views on remote hearings
- Expectations of what a remote hearing would involve
- Concerns
- Questions they had

D2 Accessing the remote hearing

ASK Journalist, academic only

- How they found the details to join the hearing

ASK ALL

- Channel
- Messages
- Supporting guidance
- Timing in advance of their hearing
- How helpful was the information or guidance about joining the remote hearing

E During hearing (c. 15 mins)

E1 How they joined the hearing

- How they knew how to join e.g. guidance shared
- How they joined the remote hearing e.g. telephone, skype, cloud video platform, hybrid
 - Whether asked who they were and why attending the hearing upon joining the hearing¹⁰
- Their joining location e.g. their home, a library etc
- Ease of joining
 - Whether accessed any support to join the hearing
 - Who from and views on the usefulness of this support
- Questions about the process at this time
- Any challenges joining the hearing

¹⁰ NB. For large hearings, media are screened as they joined to ensure they are on the list. This may be the case for some of our media/academic participants.

E2 Explore the actual hearing

- How hearing was introduced
 - Whether/what ground rules or instructions discussed
 - Who gave the ground rules
- How the hearing 'looked and felt' – what did they see, hear
 - How formal did the hearing feel
- Any difficulties and how these were dealt with
 - Procedural (about the proceedings)
 - Technical
- Access to support
 - whether needed any
 - how they found it
 - quality of that support
- Experience with other people attending the hearing
- How hearing concluded

ASK journalist only

- Sometimes at in-person hearings you may speak with the judge or clerk after the hearing. Explore experience of whether/what they did at the end of the hearing.

F Reflections (c. 10 mins)

F1 Refer back to initial expectations – How did experience **compare to your expectations**

- How respectful were those involved in the hearing
- How fair they felt the process was
- How effective was the delivery of the remote hearing at conveying the seriousness or importance of a court hearing

ASK friends / family only

- How much opportunity to support their friend / family member involved in the case did they have

ASK Journalist, academic only

- How their experience of remote hearing process compares to in-person hearings
- How their experience varied by the different remote hearings they've attended
- How well they felt court processes were followed
- Whether they have noticed any differences in fairness by:
 - Court
 - Type of hearing
 - User

ASK ALL

F2 *(If not yet covered)* What **worked well/less well** with the remote hearing

F3 **Suggestions** for supporting others like them access to remote hearings

ASK Journalist, academic only

F4 Advice on remote hearings in future

- How could they be improved
- What circumstances should they be used
 - Views on continuing remote access even if hearings are taking place in-person
- Any circumstances that they are not appropriate for

G Final comments and wrap-up (c.3 mins)

G1 Final **comments**

G2 Thanks, and reminder of **confidentiality and anonymity**

G3 [Friends / Family] Reminder about **£30** Amazon voucher

- Confirm postal address and email address
- Remind of expected timing for receiving voucher

G4 **Consent to be recontacted** about this research

Annex J: Legal representatives topic guide

Introduction

Thanks & Introduction

Introduce yourself and give a background to the evaluation. The evaluation is being carried out to learn from experiences of range of stakeholders who have participated in remote hearings during the COVID-19 pandemic. Lessons from this evaluation will help HMCTS think about the future use of remote hearings.

Reason for participation

Explain that they have been selected to participate in this research because they can help us understand more about how legal representatives experience remote hearings. It's important to hear candid views in order to create a true picture of how the remote hearings are working.

How information will be used

Their views and experiences will be looked together with views of others taking part in interviews. These views will be analysed by theme then a report written based on those themes.

Ethical considerations

Confidentiality, voluntary participation, anonymity

Reassurances

We are asking for people's views and opinions and are keen to hear the positives and the negatives;

Comfort

Let me know if you'd like a break at any time.

May need to gently move you along

In the interest of time and to ensure we capture your experiences about the whole remote hearing experience

Duration check: 45 minutes

Reminder about audio recording

The discussion will be recorded so that we can accurately capture views, and so researchers can listen back when analysing the data. Only the research team will have access to the recordings and the recording will be stored securely and be disposed of after the data analysis is complete.

Any questions/concerns?

Start recording: acknowledge consent for being recorded

10. Background

- How long have you working as a legal representative?
- Approximately how many remote hearings have you attended
 - During the pandemic
 - Before the pandemic
- Where have you typically been located when you have joined the hearing? Do you have a preference and if so why? (*Court/home/office*)
- Where has your client typically been located during a remote hearing?
- Where have the other parties typically been located? (*this may vary considerably, and the details of individuals hearings are not needed unless they only have very limited experience – the aim of this question is to get an overview*)
- For what types of cases have you attended remote hearings and in which jurisdiction/court? If tribunals which chamber?

11. Platforms and formats

- What platforms have you experience of using for remote hearings (*e.g. cloud video platform, BT meet me, skype, teams etc*)
 - If experience of more than one do you have a preference and if so why?
 - Do you have a preference between audio and video platforms and if so why?
- What device/s do you use during remote hearings (*if sometimes joining from office and sometime from home need to explore situation for both locations*)
- Have you or your client experienced any challenges with access to devices or software to support your participation in remote hearings? (*if so explore if was this in relation to a particular platform or device?*)
- Have you received any training or guidance on the platforms that you have used for remote hearings? If so how well did this meet your needs and are there any gaps? If you have received guidance where did it come from e.g. head office/local court?
- How have you accessed bundles during remote hearings? Have you or your client experienced any challenges with this?
- Have you tried to move a scheduled remote hearing to face to face (or vice versa), and if so, what were your reasons for this? Was your request was granted and what was your experience of this process?

12. Technical support during hearings

- What has been your experience of joining remote hearings? If you have joined from different locations (home and office) has this differed between locations?
- How far in advance of the hearing were you and your client sent joining instructions and were you able to test the system ahead of the hearing?
- Is there any additional information or guidance that you did not receive but would have been useful?
- Have you had technical issues during remote hearings? If so, what were the issues?
- If you have attended hybrid hearings have you observed any particular issues during these hearings?
- Have you received technical support during the hearing? If so, who provided the support and what was the outcome?

- To what extent are other parties affected by technical issues during hearings and how are they resolved?
- Have you experienced hearings been adjourned due to technical issues?

13. Communication during remote hearings

- With remote hearings does your pattern of contact with your client ahead of the hearing differ to in person hearings? If so how?
- Were the ground rules for the hearing explained to parties at the start? If so, who does this and what is the approach? (Do the parties know the format of the hearing and when they can speak and how to get attention?) Do you have any suggestions for how this could be improved?
- What, if any, ground rules do you think lay parties should receive information about before the hearing?
- How do you communicate with your client during the hearing? How effective is this? (Probe on approach if co-located and if not)
- How effectively do you communicate with other parties during the hearing compared to an in-person hearing?
- What are the most significant barriers to communication during remote hearings?
- What supports effective communication during remote hearings?
- Have you attended any cases with a client requiring an interpreter, signer or intermediary and did this create any additional challenges?
- How well have your or your clients' needs for reasonable adjustments and special measures been met during remote hearings?

14. Replicating the court environment

- To what extent do you consider it has been possible to recreate the court environment when using remote hearings?
- To what extent do you consider the formality of the court is created?
- How realistic and desirable is it to replicate the court environment for remote hearings?
- To what extent have you and your client been able to secure a quiet and private space during hearings?
- Have you observed any differences of attitude and behaviours amongst different parties compared to in person hearings?

15. Well-being of legal representatives

- Do you have a preference between remote and in person hearings? If so what are your reasons for this preference?
- Do you consider that remote hearings have affected your health and wellbeing differently to hearing cases in person? (*Probe on fatigue, concentration, work-life balance*)

16. The future of remote hearings

- To what extent are remote hearings an acceptable alternative during COVID-19?
- To what extent are remote hearings an acceptable alternative in a post COVID-19 environment?
- If you have experience of remote hearings pre COVID-19 and during COVID-19 have you observed any notable differences in the way remote hearings run?
- Are there types of hearings or parties for whom you consider remote hearings generally unsuitable?

- Do you have suggestions for improving the effectiveness of remote hearings?

17. Do you have any other comments?

Annex K: Support staff and intermediaries topic guide

Introduction

Thanks & Introduction

Introduce yourself and give a background to the evaluation. The evaluation is being carried out to learn from experiences of range of stakeholders who have participated in remote hearings during the COVID-19 pandemic. Lessons from this evaluation will help HMCTS think about the future use of remote hearings.

Reason for participation

Explain that they have been selected to participate in this research because they can help us understand more about how support staff experience remote hearings. It's important to hear candid views in order to create a true picture of how the remote hearings are working.

How information will be used

Their views and experiences will be looked together with views of others taking part in interviews. These views will be analysed by theme then a report written based on those themes.

Ethical considerations

Confidentiality, voluntary participation, anonymity

Reassurances

We are asking for people's views and opinions and are keen to hear the positives and the negatives;

Comfort

Let me know if you'd like a break at any time.

May need to gently move you along

In the interest of time and to ensure we capture your experiences about the whole remote hearing experience

Duration check: 45 minutes

Reminder about audio recording

The discussion will be recorded so that we can accurately capture views, and so researchers can listen back when analysing the data. Only the research team will have access to the recordings and the recording will be stored securely and be disposed of after the data analysis is complete.

Any questions/concerns?

Start recording: acknowledge consent for being recorded

18. Background

- What organisation do you work for and what is your role?
- How long have you working in your role?
- How do you support those attending hearings in your current role? (*e.g. provision of a service such as interpretation, practical support explaining structures and processes, emotional support etc.*)
- When do you typically make contact with (or get allocated to) the person you are supporting, and how?
- Approximately how many remote hearings have you attended?
 - During the pandemic
 - Before the pandemic
- Where have you typically been located when you have joined the hearing? Do you have a preference and if so why? (*Court/home/office*)
- Where has the person you are supporting typically been located during a remote hearing?
- Where have the other parties typically been located? (*this may vary considerably, and the details of individuals hearings are not needed unless they only have very limited experience – the aim of this question is to get an overview*)
- For what types of cases have you attended remote hearings and in which jurisdiction/court? If tribunals which chamber?

19. Platforms and formats

- What platforms have you experience of using for remote hearings (*e.g. cloud video platform, BT meet me, skype, teams etc*)
 - If experience of more than one do you have a preference and if so why?
 - Do you have a preference between audio and video platforms and if so why?
- What device/s do you use during remote hearings (*if sometimes joining from office and sometime from home need to explore situation for both locations*)
- Have you or the person you are supporting experienced any challenges with access to devices or software to support your participation in remote hearings? (*if so explore if was this in relation to a particular platform or device?*)
- Have you received any training or guidance on the platforms that you have used for remote hearings? If so how well did this meet your needs and are there any gaps? If you have received guidance where did it come from e.g. head office/local court?
- If relevant have you accessed bundles during remote hearings? Have you experienced any challenges with this?

20. Technical support during hearings

- What has been your experience of joining remote hearings? If you have joined from different locations (home and office) has this differed between locations?
- How far in advance of the hearing were you (and the person you are supporting) sent joining instructions and were you able to test the system ahead of the hearing?
- Have you had technical issues during remote hearings? If so, what were the issues?
- If you have attended hybrid hearings have you observed any particular issues during these hearings?
- Have you received technical support during the hearing? If so, who provided the support and what was the outcome?
- To what extent are other parties affected by technical issues during hearings and how are they resolved?
- Have you experienced hearings been adjourned due to technical issues?

21. Communication during remote hearings

- With remote hearings does your pattern of contact with the person you are supporting ahead of the hearing differ to in person hearings? If so how?
- Were the ground rules for the hearing explained to parties at the start? If so, who does this and what is the approach? (Do the parties know the format of the hearing and when they can speak and how to get attention?)
- What, if any, ground rules do you think lay parties should receive information about before the hearing?
- How do you communicate with the person you are supporting during the hearing? How effective is this? (Probe on approach if co-located and if not)
- How effectively do you communicate with other parties during the hearing compared to an in person hearing?
- What are the most significant barriers to communication during remote hearings?
- What supports effective communication during remote hearings?
- Have you attended any cases where the person you are supporting required an interpreter or signer and did this create any additional challenges?
- If you are the interpreter or signor how does providing this service remotely compare with in person hearings? Do you have suggestions for improvements?
- How well have your or your clients' needs for reasonable adjustments and special measures been met during remote hearings?

22. Replicating the court environment

- To what extent do you consider it has been possible to recreate the court environment when using remote hearings?
- To what extent do you consider the formality of the court is created?
- How realistic and desirable is it to replicate the court environment for remote hearings?
- To what extent have you and the person you are supporting been able to secure a quiet and private space during hearings?
- Have you observed any differences of attitude and behaviours amongst different parties compared to in person hearings?

23. Well-being of support staff

- Do you have a preference between remote and in person hearings? If so what are your reasons for this preference?
- Do you consider that remote hearings have affected your health and wellbeing differently to hearing cases in person? (*Probe on fatigue, concentration, work-life balance*)

24. The future of remote hearings

- To what extent are remote hearings an acceptable alternative during COVID-19?
- To what extent are remote hearings an acceptable alternative in a post COVID-19 environment?
- If you have experience of remote hearings pre COVID-19 and during COVID-19 have you observed any notable differences in the way remote hearings run?
- Are there types of hearings or parties for whom you consider remote hearings generally unsuitable?
- Do you have suggestions for improving the effectiveness of remote hearings?

25. Do you have any other comments?

Annex L: HMCTS staff topic guide

Introduction

Thanks & Introduction

Introduce yourself and give a background to the evaluation. The evaluation is being carried out to learn from experiences of range of stakeholders who have participated in remote hearings during the COVID-19 pandemic. Lessons from this evaluation will help HMCTS think about the future use of remote hearings.

Reason for participation

Explain that they have been selected to participate in this research because they can help us understand more about how court staff experience remote hearings. It's important to hear candid views in order to create a true picture of how the remote hearings are working.

How information will be used

Their views and experiences will be looked together with views of others taking part in interviews. These views will be analysed by theme then a report written based on those themes.

Ethical considerations

Confidentiality, voluntary participation, anonymity

Reassurances

We are asking for people's views and opinions and are keen to hear the positives and the negatives;

Comfort

Let me know if you'd like a break at any time.

May need to gently move you along

In the interest of time and to ensure we capture your experiences about the whole remote hearing experience

Duration check: 45 minutes

Reminder about audio recording

The discussion will be recorded so that we can accurately capture views, and so researchers can listen back when analysing the data. Only the research team will have access to the recordings and the recording will be stored securely and be disposed of after the data analysis is complete.

Any questions/concerns?

Start recording: acknowledge consent for being recorded

26. Background

- What is your current role?
- Which jurisdiction/s do you cover in your role?
- How long have you been in your current role?
- Approximately how many cases have you been involved with remotely
 - During the pandemic
 - Before the pandemic
- Where are you typically located during remote hearings? (*Court room/office/meeting room etc*)
- Where have the other parties typically been located? (*this may vary considerably, and the details of individuals hearings are not needed unless they only have very limited experience – the aim of this question is to get an overview of patterns*)
- Of the remote hearings you have been involved in, what type of cases and hearings do they include?

27. Decisions to use remote hearings

- Who makes the decision about whether to hold remote hearings?
- What factors are taken into consideration when making a decision about whether to hear a case remotely? (*is access to devices and Wi-Fi taken into consideration? Are any specific factors considered when deciding if they hearing could be hybrid?*)
- What is your experience of meeting needs for reasonable adjustments and special measures during remote hearings? (*How easy or challenging has this been? Compare with in person hearings*).

28. Set up of remote hearings

- Who sends the joining instructions for the hearing?
- How is this information sent to parties and what does it contain?
- How soon before a hearing is this information sent?
- What types of queries do you receive from those receiving the information?

29. Platforms and formats

- What platforms have you experience of using for remote hearings? (*e.g. cloud video platform, BT meet me, skype, teams etc*)
 - If experience of more than one do you have a preference and if so why?
 - Do you have a preference between audio and video platforms and if so why?
- What device/s do you use during remote hearings?
- Have you experienced any challenges with access to devices or software to support your participation in remote hearings? (*if so explore if was this in relation to a particular platform or device?*)
- How confident are you to use the various platforms used in your court/tribunal?
- Have you received any training or guidance on the platforms that you have used for remote hearings? If so how well did this meet your needs and are there any gaps? If you have received guidance where did it come from e.g. head office/local court?

30. Technical support during hearings

- Do you support parties to join the hearing? If so, how confident are you to doing this?
- How do parties join the hearing? (dialled in or they join via a link) Are there any challenges with this?

- Who ensures all correct parties are present?
- Who is typically responsible for recording the hearing?
- What type of technical issues do parties experience during the hearing?
- Are the technical issues different for hybrid hearings?
- Who is responsible for identifying technical issues and supporting those affected?
- How frequently do different types of technical issues occur?
- Which parties are most affected by technical issues?
- Do you have suggestions for improving the management of technical issues?
- Have you experienced hearings been adjourned due to technical issues?

31. Communication during remote hearings

- Are ground rules for the hearing explained to parties at the start? If so, who does this and what is the approach? (Do the parties know the format of the hearing and when they can speak and how to get attention?) Do you have any suggestions for good practice?
- What, if any, ground rules do you think lay parties should receive information about before the hearing?
- How do you communicate with the judges or magistrates during the hearing? How effective is this? (Probe on approach if co-located and if not)
- How effectively do you communicate with other parties during the hearing if you need to?
- What are the most significant barriers to communication during remote hearings?
- What supports effective communication during remote hearings?
- Have you attended any hearings with an interpreter signer or intermediary and did this create any additional challenges?

32. Replicating the court environment

- To what extent do you consider it has been possible to recreate the court environment when using remote hearings?
- To what extent do you consider the formality of the court is created?
- How realistic and desirable is it to replicate the court environment for remote hearings?
- To what extent have parties been able to secure a quiet and private space during hearings?
- Have you observed any differences of attitude and behaviours amongst different parties compared to in person hearings?

33. Well-being of HMCTS staff

- Do you have a preference between remote and in person hearings? If so what are your reasons for this preference?
- Do you consider that remote hearings have affected your health and wellbeing differently to hearing cases in person? (*Probe on fatigue, concentration, work-life balance, longer operating hours*)

34. The future of remote hearings

- To what extent are remote hearings an acceptable alternative during COVID-19?
- To what extent are remote hearings an acceptable alternative in a post COVID-19 environment?
- If you have experience of remote hearings pre COVID-19 and during COVID-19 have you observed any notable differences in the way remote hearings run?
- Are there types of hearings or parties for whom you consider remote hearings generally unsuitable?

- Do you have suggestions for improving the effectiveness of remote hearings

35. Do you have any other comments?

