



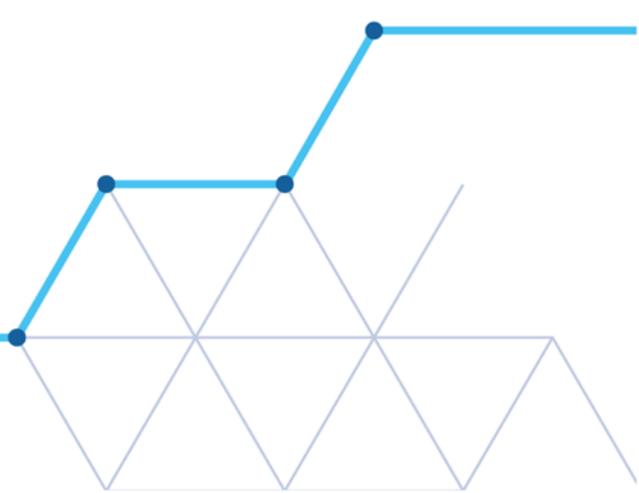
Ministry
of Justice

HM Courts & Tribunals Service

Citizen User Experience Research

HMCTS Customer Insight Team
2018

Protecting and advancing the principles of justice



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The authors

This report was written by Kantar Public, with the support of staff from HM Courts & Tribunals.

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1. Summary

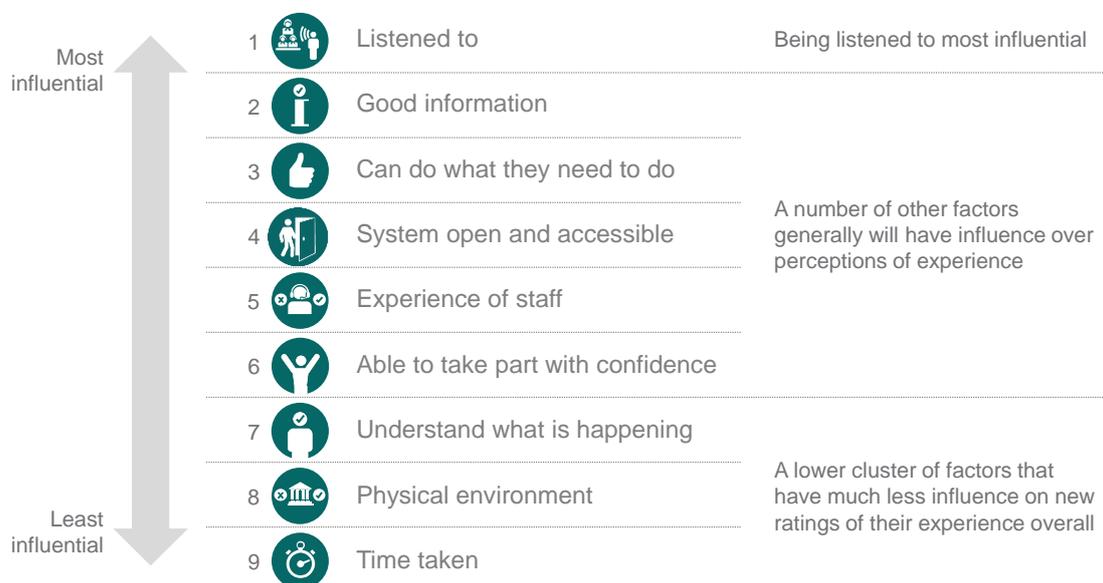
HM Courts & Tribunals Service (HMCTS) is responsible for the administration of criminal, civil and family courts and tribunals in England and Wales. HMCTS is an executive agency of the Ministry of Justice.

Kantar Public was commissioned by HM Courts and Tribunals Service to carry out research among court and tribunal users (citizen users) to understand their experiences and needs when accessing HMCTS services. The research was carried out between January 2017 and October 2017. Qualitative research (48 in-depth interviews and 8 follow-up focus groups) was conducted with HMCTS users to explore experiences and expectations of the courts and tribunals system in depth. A survey of 1,031 courts and tribunals service users was then conducted to quantify user experiences overall and by the four jurisdictions: criminal, family, civil, and tribunal. The key findings are:

- The qualitative research found that the key user need was increasing the visibility of the processes and stages in the user journey which can be achieved by providing the right information in a timely manner. Having sight of the whole journey and having information on progress, as well as information on what to expect was an important factor in perceptions of experience across all jurisdictions and at all stages of the user journey.
- Users in general expected the process of going through the courts and tribunals system to be emotionally difficult, formal, but fair. Those whose experience was better than or broadly in line with their expectations were more likely to rate their experience as good.
- The qualitative work found that users gained their expectations from a number of different sources; some directly related to the courts and tribunals system, like previous direct experience of friends and family, and some from wider sources, such as TV or internet searches. These sources also ranged in how realistic they were in informing expectations.

- The quantitative research found that just under three quarters of users interviewed said they trusted HMCTS to administer the justice system (73%); similarly, just over three quarters of users felt that they were treated with respect by HMCTS (77%).
- Key driver analysis was used to explore how different factors (drivers), influence user experience. Three clusters of factors were found to have an impact on users' overall rating of their experience. The most important factor was being listened to, which was found to be more than twice as influential on overall rating of experience than the other factors. There was some variation between jurisdictions, but being listened to was the most influential driver throughout.

Figure 1: Key driver analysis model



Base: All respondents (1031)

NB: This shows the percentage of respondents who completed the survey, not percentage of whole HMCTS population

- To test the importance of satisfaction with outcome of their case in shaping overall perceptions of user experience, the key driver modelling was repeated with outcome added alongside the original 9 elements shown above. In this scenario satisfaction with outcome appears as the second most influential factor, still behind being listened to.
- Over half of users rated their experience as good (54%) and just fewer than 3 in 10 rated their experience as poor (28%). Users were most likely to say they understood what was happening (84%), and for each of the other drivers of experience, results are generally positive overall.

2. Research aims and methodology

2.1 Aims

The research aims were to understand:

1. What are the fundamental factors that drive user experience and satisfaction?
2. How these fundamental factors manifest themselves and/or vary across different circumstances, journeys, stages and user types?
3. Which of these factors most influence users' levels of trust and confidence in the way that the justice system is administered?
4. For those users, whose journeys reached a court or tribunal hearing, what influenced the decisions that took them that far?
5. What are the needs and expectations of users who use the services and settings outlined above?
6. Which aspects of their experience do users value most highly, across all jurisdictions and user types?

2.2 Methodology

The research was carried out between January 2017 and October 2017. Qualitative research was conducted with HMCTS citizen users in early 2017 to explore experiences and expectations of the courts and tribunals system in depth. A survey was then conducted to quantify these user experiences overall and by the four jurisdictions.

The qualitative stage involved 48 in-depth interviews and 8 follow-up focus groups. Interviews focussed on participants' expectations, journey, experiences, and perceptions of the courts and tribunals system. The follow-up groups allowed participants to share their experiences, discuss what is most important to them and to generate improvements. The qualitative stage provided a depth of understanding of user experiences and what matters, and helped shape the survey content.

The survey sample was generated from a nationally representative general population survey¹. Fieldwork ran from February to July 2017, with a screening question used to identify individuals who had some experience of the courts and tribunals system within the last 5 years. Due to the low incidence of the target population (<5% of the general population), the

¹ The Kantar TNS face-to-face omnibus

survey was run over several waves to identify users. Some groups were excluded: immigration tribunals, criminal defendants, jurors, high court cases and restraining order or Domestic Violence Protection Order cases. Those who work in the courts system or attended court in a professional capacity were also excluded.

Overall, 1,031 users took part in the survey, 334 involved in criminal cases, 205 in civil cases, 194 in tribunal cases, and 286 involved in family cases. The survey results provide insights into the experiences of courts and tribunals users, including at jurisdiction level.² Where percentages are shown, these represent the proportion of respondents who completed the survey, not the percentage of the whole HMCTS population.

² Survey results do not provide service use figures, and due to exclusions and data being unweighted, the results are not wholly representative of the entire courts and tribunals system.

3. User expectations

Survey participants were asked to rate, on a scale of 0 to 5, their expectations of six elements before they went through the courts and tribunals system.³ The elements included how:

- Formal /informal they expected the process to be
- Fair /unfair they expected it to be
- Easy /difficult to understand they expected it to be
- Affordable /unaffordable they expected it to be
- Fast /slow they expected it to be
- Emotionally easy /difficult they expected it to be

Users in general expected the process to be emotionally difficult and formal, but fair. Table 1 below presents mean scores for ratings on the 0 to 5 scale across all six elements.

Table 1: User expectations - survey results (mean score)

	User expectations
Formal – informal	1.4
Fair – unfair	1.7
Easy to understand – difficult to understand	2.1
Affordable – unaffordable	2.2
Fast – slow	2.9
Emotionally easy – emotionally difficult	3.3

Base: (1,031) All respondents who have experience of the Courts and Tribunals Service in the past five years

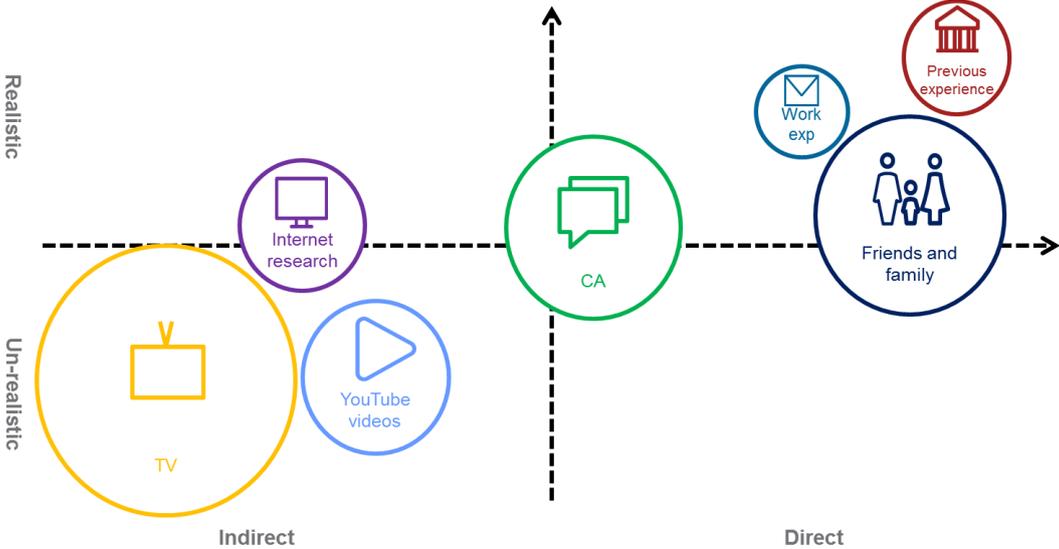
As well as asking about expectations, the survey also asked users about how their actual experience compared to what they had expected beforehand. The general pattern of results showed that those who were positive in their expectations⁴ were more likely to say their experience was broadly as they expected. Those whose experience was better than or broadly in line with their expectations were more likely to rate their experience as good. This was consistent across all six elements.

³ For affordability this excluded criminal cases.

⁴ For formality and speed a positive and negative position is harder to define

The qualitative work found that users gained their expectations from a number of different sources, some directly related to the courts and tribunals system. Like previous direct experience of friends and family, and some from wider sources, such as TV or internet searches. These sources also ranged in how realistic they were in informing expectations.

Figure 2: Expectation sources - qualitative findings



The qualitative findings showed that, in most cases, users’ expectations were focused intensely on the outcome of the case, but generally not knowing what to expect intensified anxiety about the process. This can be exacerbated by a lack of realistic expectations, meaning users can anticipate entering an alien environment, have fears of an unknown process, and uncertainty about expectations on them. It may also lead to concerns about how they will be treated by staff (and judges /magistrates). Expectations of the physical environment can also heighten anxieties.

“I was worried about knowing what to expect when going in, who would be sitting in front of you and how many people would be in the room.” (Family, Newcastle, Respondent)

“I don’t know if I watch too much TV but, I thought gosh, it’ll be this huge courtroom, there’ll be a judge, I’ll have to prepare notes on why I was behind on my rent and stuff. So, I really thought I’d have to go in there and stand and defend myself and the council on the other side.” (Civil, London, Defendant)

4. What drives the user experience?

The overarching question the research sought to address was what factors drive user experience. The survey was designed to measure experiences of a range of elements of the journey through the courts and tribunals system. To better understand what influences users' overall rating of their experience a statistical technique called key driver analysis was conducted.

In the remainder of this section we first explore results for how good or poor users rate their overall experience, before examining the key driver model and which elements of experience most influence perceptions overall.

4.1 Overall rating of experience

Over half of users rated their experience as good (54%), split fairly evenly between those who said it was very good and those who said it was fairly good. Just fewer than 3 in 10 rated their experience as poor (28%).

Table 2: Overall rating of experience

	%
Very good	26%
Fairly good	29%
Neither good nor poor	16%
Fairly poor	12%
Very poor	16%

Base: (1,031) All respondents who have experience of the Courts and Tribunals Service in the past

4.2 What drives experience?

A statistical technique called key driver analysis was carried out to explore how different factors influence user experience. The elements included in the analysis that factored into the overall user experience were:

- Being listened to
- Having good information
- The physical environment
- Experiences of staff
- The system being open and accessible
- Being able to take part with confidence
- Understanding what is happening
- Users can do what they needed to do
- The time taken

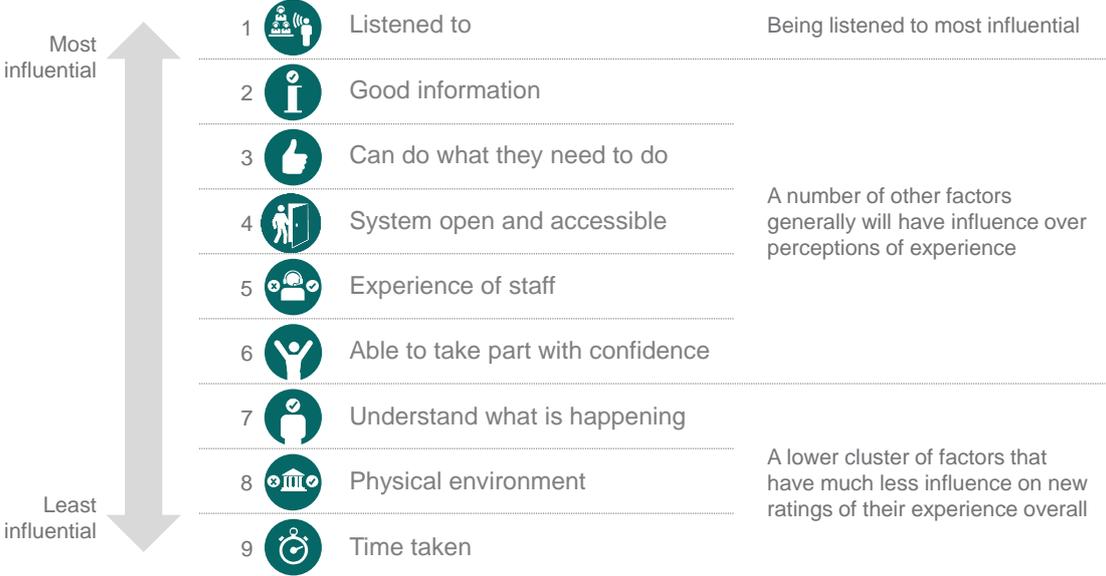
The analysis provides a relative weighting to each explanatory variable (driver).

As part of this we also tested the impact of the case outcome to determine how important case outcome was in shaping perceptions of experience.

The model

Three clusters of factors were found to have an impact on users rating of their experience. The most important factor is being listened to. This is more than twice as influential on overall rating of experience than the other factors.

Figure 3: Key driver analysis model



Base: All respondents (1031)
 NB: This shows the percentage of respondents who completed the survey, not percentage of whole HMCTS population

Although being listened to was the most important element influencing overall ratings of experience, other elements were also influential in shaping perceptions of experience. These include having information that is good enough, elements related to being able to participate well, and staff. Understanding what is happening, the physical environment (e.g. court buildings and facilities), and the time taken had much weaker influence on overall ratings of experience.

The role of satisfaction with outcome

Users were also asked how satisfied they were with the outcomes of their case. Overall, 61% of users were satisfied, with 29% saying they were dissatisfied and 10% saying they were neither satisfied nor dissatisfied with the outcome of their case.

Although survey participants were asked not to consider their case outcome when providing their overall rating of experience, case outcome may still have some influence. To test this, satisfaction with outcome was added into the modelling as a second stage to identify its

relative influence against the other elements. Once added into the model, satisfaction with outcome appears as the second most influential factor. This suggests that outcome does not explain the remaining influence on the rating of experience but may be a factor for some users.

4.3 Individual element results

Being listened to

In the user survey, 60% of participants agreed that they felt listened to by the Courts and Tribunals system, with 36% saying they strongly agreed, and 24% saying they somewhat agreed. Being listened to has two elements to it. There is the literal interpretation which requires staff to be more responsive more available and more empathetic and then there is the conceptual interpretation which is about users feeling they have had the opportunity to present the best of themselves and get a fair outcome

Being listened to correlates with some elements more strongly than others. In particular, the elements related to participating in the process well – accessibility, being able to do what you feel is needed, taking part with confidence, and having good information. The strength of the relationship between perceptions of being listened to and other elements is weaker for experience of staff, understanding what is happening, physical environment, and time taken.

Good information

Just less than two thirds of users agreed the information they received was good enough (63%; 32% strongly agreed, 31% somewhat agreed), split evenly between those who strongly agreed and somewhat agreed. The qualitative findings suggest that users found the information from HMCTS lacking', apart from confirmation of hearing dates in the post, and received information they needed elsewhere through intermediaries or online research.

The most common form of information received from HMCTS was specifically about the individuals' case (46% of users had received that type of information), and least likely to be information about organisations who could help (16%). However, a quarter of users didn't receive any type of information (or at least do not recall receiving any from HMCTS). For each of the specific types of information, those receiving it were likely to say they found it helpful – around three quarters or more (73% - 81%).

Table 3: Types of information received and whether helpful

Type of information	Whether received information	Whether found information helpful
Information specifically about my case	46%	73%
Information about the courts and tribunals process	30%	81%
Information about what to expect at a hearing	24%	76%
Information about other organisations who could help	16%	80%
None of the above	26%	-

Base: (1,031) All respondents; (base range from 169 to 473) those who received information from HMCTS

The qualitative research found that the main user need across the whole journey was increasing visibility of the process, which can be achieved through high quality, targeted and timely information provision. Having sight of the whole journey and having information on progress and what to expect was an important factor in perceptions of experience across all jurisdictions and at all stages of the user journey.

Nearly three quarters of users felt well informed about what would happen in advance of attending a court/tribunal hearing (72%) and just over three quarters felt they were kept well informed about what was happening while they were in court /tribunal hearing (77%).

Three quarters of users say they would know where to get information from (76%). Users were most likely to want information about their case, what to expect in a hearing, and legal advice. When asked, 42% of users said they didn't need information, advice or guidance from HMCTS.

Table 4: Information preferences

What information, advice or guidance would users like from HMCTS	%
Information specifically about my case	25%
Legal advice	21%
Information about what to expect at a hearing	18%
Information about other organisations who could help	17%
Information about the courts and tribunals process	17%
Other	4%
None of the above	42%

Base: (1,031) All respondents who have experience of the Courts and Tribunals Service in the past

Can do what they need to do

Two thirds of users agreed they could do what they needed to do (65%; 37% strongly agreed, 29% somewhat agreed). Qualitative findings suggest that some users lacked clarity on what they needed to do, particularly around progression of the case, when and what they should be submitting as evidence, and what they should be doing on the day of the hearing e.g. protocols, etiquette, process.

System open and accessible

Two thirds of users agreed the courts and tribunals system was open and accessible (65%; 36% strongly agreed, 29% somewhat agreed). The qualitative research indicated that HMCTS correspondence and materials used legal jargon which can be difficult for users to understand, particularly for those with disabilities, so there was a reliance on liaison groups and solicitors to explain and provide information. Some users did not feel like their needs were taken into account at scheduling, such as disabilities or illnesses.

Experience of staff

Users predominately have contact with HMCTS through the post (53%). For those who had spoken to HMCTS over the phone, the survey asked them to rate their experience of the staff they spoke to; 78% rated that experience as good. The survey also asked those who had attended a court or tribunal building (not necessarily a hearing) to rate their experience of staff; 90% felt they were treated very or quite fairly by staff. Just over three quarters (78%) of those who spoke to HMCTS on the phone rated their experience as good with the member of staff they spoke to; 90% of users who attended a Courts and Tribunals Service building or hearing felt treated very or quite fairly by staff.

Table 5: Experience of staff

Method of contact	%
By letter /post	53%
By telephone /helpline	24%
In person	22%
By email /via website	14%
None of the above	22%

Base: (1,031) All respondents; (243) those who had contact by telephone; (776) those who attended a Courts and Tribunals hearing or building in person

While users predominately have contact with HMCTS by post, staff interactions played a role in overall user experience and wider impressions of HMCTS. Users who had a good experience with staff on the telephone were also more likely to have trust in HMCTS to administer the justice system compared to users who had a poor experience (83% vs 26%). They were also more likely to have felt treated with respect (88% vs 44%).

Users who felt fairly treated by staff were more likely to have trust in HMCTS to administer the justice system (77% vs 19%) and to have felt treated with respect (87% vs 25%).

The qualitative findings suggest that when staff outside the courtroom were warm and friendly, it helped to put users at ease. Some users felt court staff could be doing more to put people at ease, to provide reassurance and manage expectations about timings.

Able to take part with confidence

Two thirds of users agreed they were able to take part with confidence (65%; 36% strongly, 28% somewhat), but they wanted the court 'demystified' in advance, for example, advance information on court layout and people that would be present. Users in civil, family, and tribunal cases suggested pre-trial visits, but where pre-trial visits weren't practical, users suggested online videos to give a sense of the layout and feel.

Understand what is happening

Over 4 in 5 users agreed they understood what was happening (84%). This splits out as 53% strongly and 32% somewhat agree. Users who received support and advice from HMCTS generally were more likely to agree they understood what was happening.

The qualitative findings suggested that during all stages of the process, particularly at the start of a case and while it was progressing, users found the process and language difficult. This meant that many sought guidance from solicitors, Citizens Advice and friends/ family to understand both the language used and process of the courts/ tribunal service.

Physical environment

Three quarters of users attended a courts and tribunals building – and of these, 74% rated it as good (37% very good, 37% fairly good). The qualitative research showed many users expected the court room to be large, old, and formal. Users did not expect to sit in a waiting room with lots of people, and especially not with the other party. Dissatisfaction with the waiting areas was in many cases related to situations where participants felt unsafe, uncomfortable, and public, particularly when sitting with the other side of the case, which could be disconcerting and intimidating.

Time taken

Half of users thought the time taken for their case was about right, versus 43% who said it was too slow, and 5% who said it was too fast. There were mixed feelings from the survey results about whether users expected the process to be slow or fast (slightly balanced more towards being slow). Participants in the qualitative research expected the process to take a long time, expecting hearings to be long, requiring several breaks and restarts.

The length of time a case takes can be a source of anxiety, particularly where users were unaware of progress made and there was a lack of visibility of the process at the outset. There also appears to be a link between unmet expectations and rating of experience: 75% of those who thought the time taken for their case to progress was worse than expected thought the process was too slow.

5. Trust and respect

5.1 Trust in HMCTS to administer the justice system

Three quarters of users trust HMCTS to administer the justice system (73%; 32% to a great extent, 41% to some extent). Users who had a good experience were more likely to trust HMCTS than those who'd had a bad experience (91% vs 34%). Users who were also satisfied with the outcome of their case were significantly more likely to trust HMCTS than those who were dissatisfied (92% vs 38%).

5.2 Treated with respect by HMCTS

Just over three quarters of users felt respected by HMCTS (77%; 52% strongly, 25% somewhat). Users who had a good experience were more likely to have felt treated with respect (93% vs 51%). Users who were satisfied with the outcome of their case were also more likely to have felt treated with respect (93% vs 56%).

6 Next steps

By understanding the needs of citizen users, and the impact a case may have on their lives, HMCTS will be better placed to build user centred services and to ultimately help people to participate in justice services with confidence.