

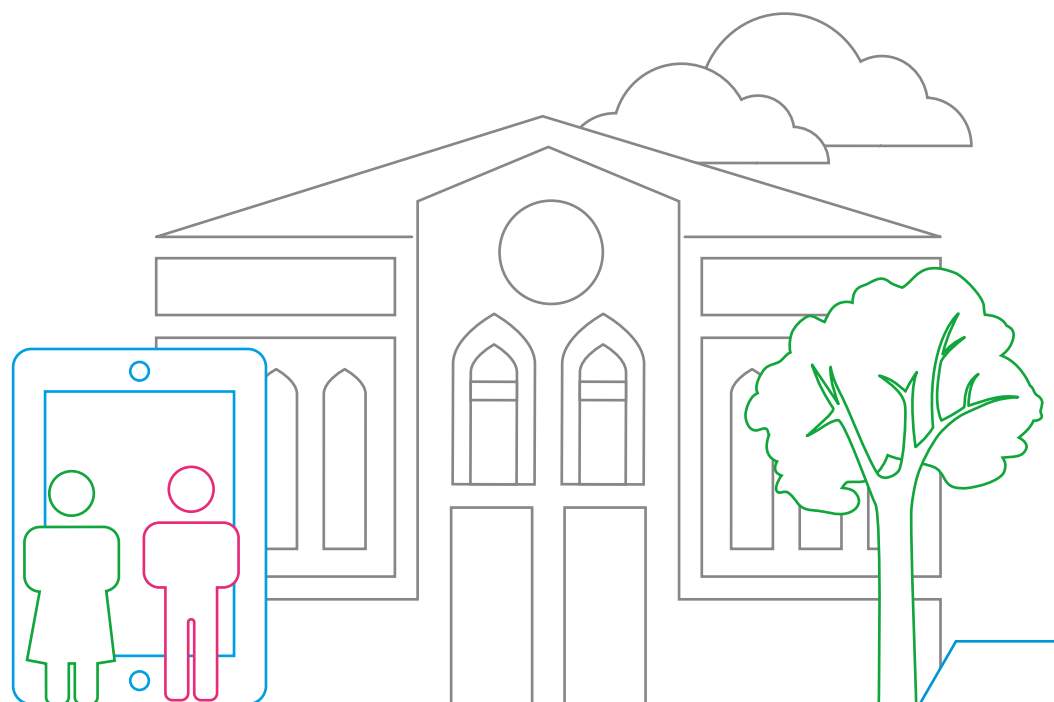


HM Courts &
Tribunals Service

Engaging with our **external stakeholders**

Our approach and plans

November 2018



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1. Introduction

Every year, HMCTS handles over two million criminal cases, over 1.8 million civil claims, more than 150,000 family law disputes and almost 800,000 tribunal cases. Our courts and tribunals, and access to justice, are fundamental building blocks of society.

The government is investing £1bn to modernise our courts and tribunals over six years (from 2016-2022). Consistent with the Framework Document¹ which governs how HM Courts & Tribunals Service is run, this Reform Programme is being led through a partnership between the government and the judiciary, and was launched in a Joint Statement made in 2016².

The central principle of the programme is to put the people who use our courts and tribunals at the heart of how we design and run the justice system. The aim of the Reform Programme is to create a justice system that is just, proportionate, and accessible to everyone.

The programme covers all jurisdictions (with some cross-jurisdictional elements) and has more than 50 projects that make it up. Reform projects do not just focus on technology – they also cover changes in how things are done, how people work, and how buildings are used.

Consequently, these projects vary in their scale, pace, timing, and visibility. Many of the projects are not contentious (for example, few argue that underpinning systems should not be digitised, or wifi should not be upgraded). For these, engagement needs to focus on the 'how' rather than the 'why'. Other parts of the Reform Programme – which often attract more attention – have given rise to more concern; and engagement on these needs to recognise that, and be shaped differently – there is no 'one size fits all'.

Whatever the type of project, engagement is essential to our success. We are part of a system in which many others are involved, and about which still more people – rightly – care deeply. Discussion, debate, involvement and evaluation are needed to keep us true to our central guiding principle of putting those using the system at the centre of the way it works.

Early in the programme, though there were public statements, public consultations, design events, and a lot of user research, large-scale engagement (particularly with legal professionals) was limited. As we started to expand our activity, and began both to deliver and to talk more about what we were doing, demand for more information and engagement grew, and we started to recognise – and to be told, including by the Public Accounts Committee (PAC) - that more engagement was wanted and needed. We have sought both to respond to that growing demand, and, just as importantly, to go out and actively seek engagement from those whose voices might otherwise be quiet or missing.

This document describes what we have done to step up our engagement activity since we were audited by the National Audit Office (in Autumn 2017), and further since the report was published and PAC hearing held in May and June 2018 respectively. It also sets out our commitment – and plans – to increase our engagement activity further, providing greater visibility, more opportunities to contribute to and shape the programme, and giving greater confidence in it.

This paper sets out:

- Our overarching approach to engagement;
- Who we engage with;
- How we engage with stakeholders and when;
- What engagement has been undertaken so far; and
- Our future plans for developing our engagement with external stakeholders. This means reaching more people, improving the quality of engagement, tracking what we do and sharing the outcomes and impact of our engagement more effectively.

¹ <https://www.gov.uk/government/publications/hm-courts-and-tribunals-service-framework-document>

² <https://www.gov.uk/government/publications/transforming-our-justice-system-joint-statement>

2. Our approach to external stakeholder engagement

HMCTS engages external stakeholders in three general ways:

Strand 1: Communication

We provide regular information and updates about the Reform Programme, some of it generic, some of it targeted at particular stakeholder groups. This work also seeks to encourage and invite feedback and opportunities to engage further with HMCTS.

Strand 2: Dialogue

We share ideas, plans and proposals and exchange views and knowledge, so that we can understand each other's perspectives on key issues.

Strand 3: Collaboration

We collaborate with real users, giving them the opportunity to test and feedback on new services very early in their design. We also invite stakeholders with particular expertise and experience to work with our project teams as part of the 'agile' (step-by-step) development process adopted by the Reform Programme to design new and improved services.

These strands of work engage and interact with a wide range of stakeholder groups but there has been particular emphasis on:

- Public users of our courts and tribunals
- Legal professionals

There are, of course, many important groups which can be segmented in much more detail and there are a multitude of ways of working together. Some of these are described in subsequent sections of this paper (sections 4 & 5). We do not see the groups described here as static or fixed, and as the Reform Programme scales up and has wider impact so there will be a need to widen the areas of stakeholder engagement to include new people.

We have developed a set of guiding principles around our engagement activities so we have a common understanding (across HMCTS and with our stakeholders) of what engagement is and what it is not.

Guiding principles	
Engagement should be:	Engagement should not be:
<p>Different for different people at different times.</p> <p>Models of engagement should vary depending on the extent to which stakeholders can influence the end result (such as the design of a new service, or an element of it). This means that the nature of any engagement will vary through the lifespan of a project or programme (more details in Appendix A)</p>	<p>Wedded to an inflexible process or model. One size does not fit all.</p>
<p>Two way, between HMCTS and stakeholders.</p> <p>It should be an exchange of ideas, knowledge and experience.</p>	<p>A decision-making process, or a binary vote about whether or not something goes ahead.</p> <p>Participating in two-way engagement does not mean that all views can or will be acted on, and nor does it mean that stakeholders endorse the outcome of an engagement exercise.</p>
<p>Genuine and timely.</p> <p>Communications should be timely and opportunities to engage in dialogue or collaboration should only be offered if there is genuine scope to shape or influence the outcome of a plan or proposal. This often means clearly defining which elements of a plan or a proposal could be influenced.</p>	<p>Undertaken if there is no scope to influence the outcome of the specific element of a plan or a proposal. It's okay not to engage if there is no opportunity for feedback to influence the course of a proposal.</p>
<p>Open and transparent.</p> <p>The opportunity to engage and the outcome of engagement activities should always be shared back with participants, if not more widely.</p>	<p>A closed exercise, which fails to explain the impact of engagement. Even when engagement has not changed the course of events, this need explaining.</p>

Table 3: Guiding principles for engagement

The principles described above, support the stakeholder engagement cycle:

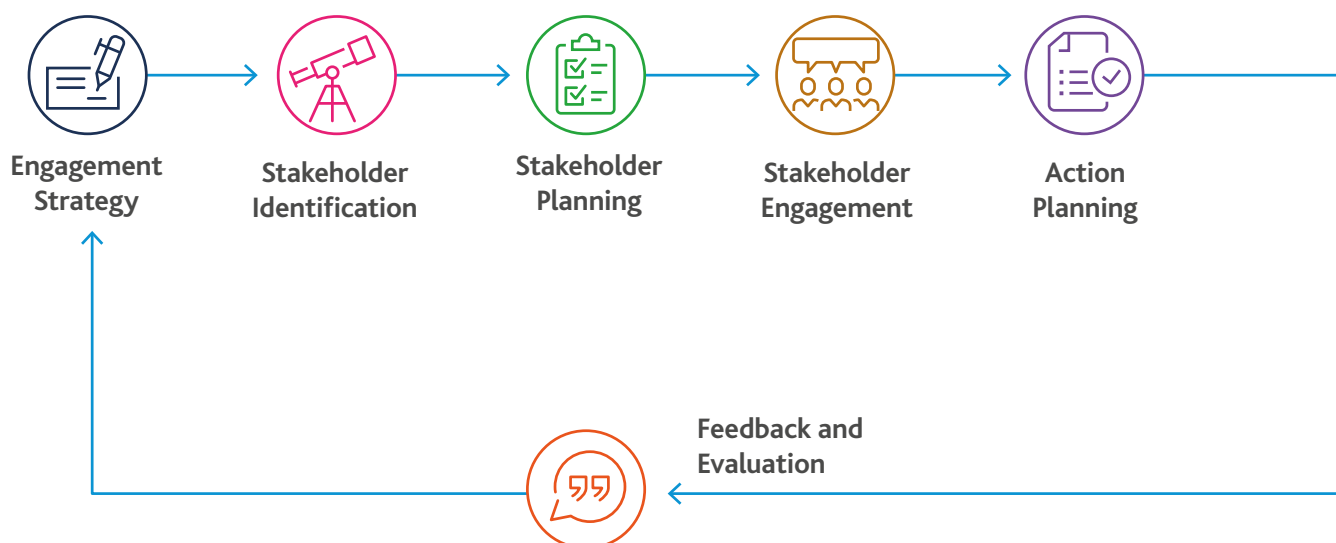


Table 4: Stakeholder engagement cycle

3. Who we engage with: External stakeholder landscape

Our Reform Programme covers all four jurisdictions (crime, civil, family, tribunals) as well as cross-cutting work (such as IT infrastructure or managing our estate). This means that we have a diverse and complex range of people and organisations with whom we need to engage.

As sponsors of reform, the judiciary is a key partner and so is not regarded as an external stakeholder. Rather, the judiciary shape and lead reform, working with HMCTS. HMCTS is an agency of the Ministry of Justice, but is jointly accountable to the Lord Chancellor, the Lord Chief Justice, and the Senior President of Tribunals. Individual judges contribute across the programme, in working groups and through the jurisdictional Judicial Engagement Groups, overseen by judicial leadership structures.

There has been extensive work to engage the wider judiciary across England and Wales, funded by the programme but undertaken by the judiciary themselves. In 2018, a set of four jurisdictional documents on 'Judicial Ways of Working' provided the basis for a series of engagement events and feedback from many members of the judiciary, which have informed subsequent discussions between the senior judiciary and HMCTS. While not regarded as within the scope of this paper, the network of judicial involvement in the Reform Programme, and judicial engagement activity, is set out at [Appendix B](#).

The regular and active engagement with those who work in HMCTS is also not included in this paper. A summary of this work is included at [Appendix C](#).

We map our external stakeholders against seven categories, described here:

External stakeholder categories			
This list is not exhaustive but provides indicative examples from our stakeholder database.			
	Category	This group includes:	Examples of representative organisations include:
1	Public court users	Defendants, litigants in person, victims, witnesses.	Citizens Advice, Women's Aid, Personal Support Unit,
2	Legal professionals	Barristers, chartered legal executives, solicitors.	Bar Council, CILEx, Law Society, specialist representative associations
3	Justice partners	Professionals who work in other parts of the criminal, civil and family justice systems and tribunals.	Crown Prosecution Service, the police, Legal Aid Agency, HMPPS, non-police prosecutors (such as Transport for London), local authorities and bulk users in the civil jurisdiction such as water companies.
4	Parliament	Parliamentarians, special advisors, committee clerks	Justice Select Committee, MPs, ministers, Public Accounts Committee.
5	Influencers and legal sector experts	Academics, charities, media, think tanks.	For example, Legal Education Foundation, Society of Editors, London School of Economics, journalists, Justice
6	Suppliers	Facilities contractors, security contractors, tech suppliers.	Atos, G4S, Mitie, GeoAmey, Nexus
7	Other government departments	Officials	Department for Work & Pensions, HM Revenue & Customs, Home Office, local authorities, NHS, devolved administrations

Table 5: Who we engage with

4. How we engage: Three strands of engagement

In the introduction to this paper, we defined three strands of engagement that we undertake. These are not consecutive activities, where one type of engagement ends before another begins.

Rather they are layers that build upon each other, with regular communication providing strong foundations for dialogue and collaboration. This process may be repeated several times throughout a reform project's lifespan as different stakeholders will engage at different stages.

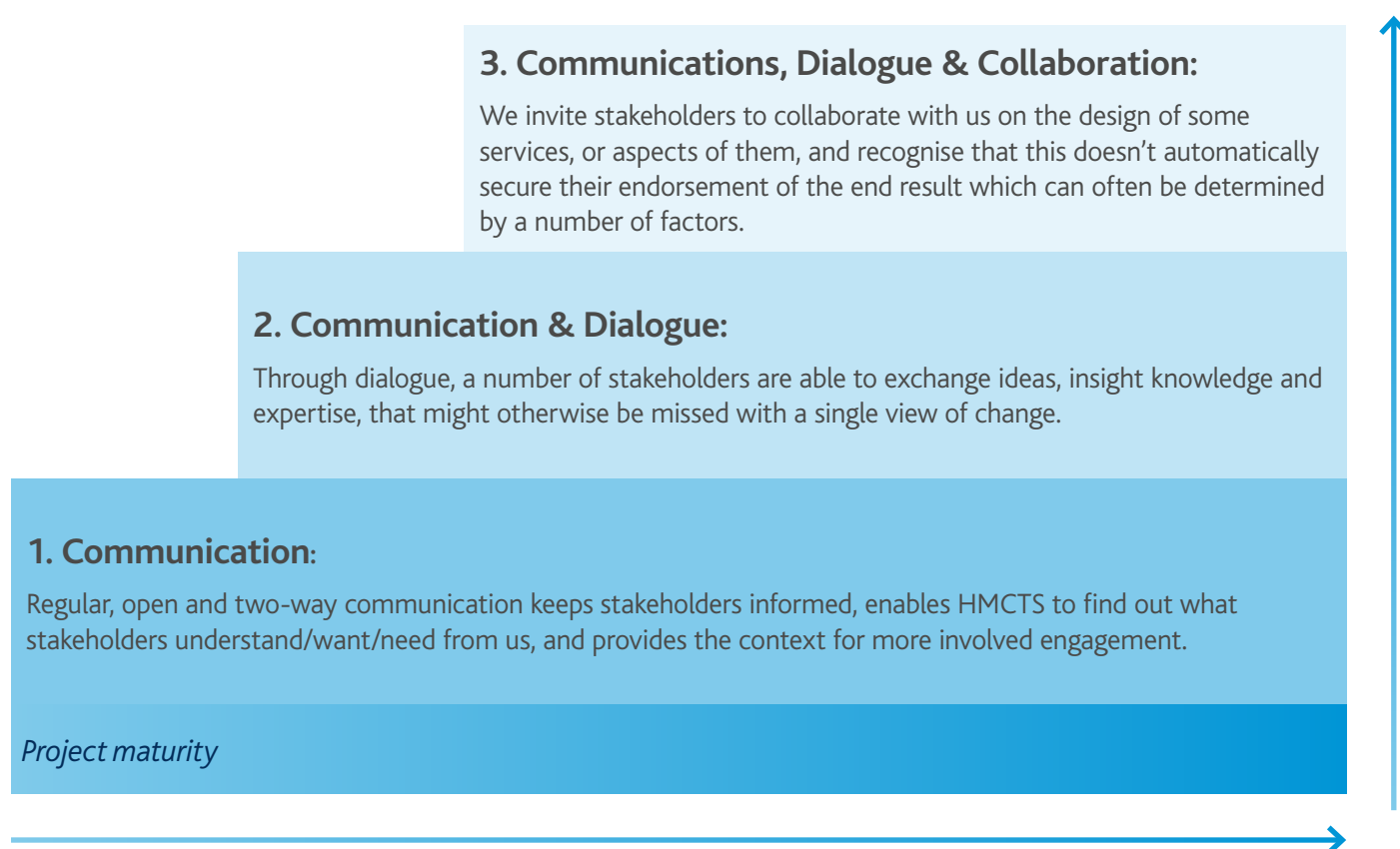


Table 6: How we engage

These strands - described in more detail here and supported by case studies - explain our work in these area so far.

Strand 1: Communications activity

Face-to-face reform events: Since November 2017 we have had an events programme in place, which has invited academics, tech suppliers, professional and public users to see and hear about the Reform Programme. Our series of national roadshows visited eight locations around the country, meaning that more legal professionals could have direct access to the people leading reform and designing new services.

Online events: Since September 2018 we have been delivering webinars on specific topics of interest to legal professionals. The first three events attracted over 300 online participants who were interested in Video Remand Hearings and our reforms in the civil and family jurisdictions. We will hold more of these events to ensure wide reach.

Conferences: We organise set-piece conferences on particular issues or interest and relevance to stakeholders:

- Public User event – in November 2018 we held our second annual event with more than 150 attendees from across the third sector to enable engagement between public user groups and key reform projects.
- In December 2018 we will hold an international conference, The Cutting Edge of Digital Reform, which will bring together 20 worldwide jurisdictions with an interest or experience in online courts together with UK-based stakeholders within the legal professions and other groups.

E-newsletter: In June 2018 we launched a monthly email newsletter, providing news and updates about the Reform Programme. This is distributed to more than 15,000 subscribers. A survey of e-newsletter recipients conducted in August 2018 found that 79% of respondents found the monthly ebulletin useful or very useful, while 81% agreed that articles were easy to understand.

Brochures: In February 2017 we published 'Justice Matters' which gave an overview of the Reform Programme. In May 2018, HMCTS published a Reform Update (and supporting web pages) which brought together more detailed information from across the programme in to one place and which will be regularly updated to provide information about the progress in key areas of the programme. Our Reform Update is available electronically at <https://www.gov.uk/government/news/hmcts-reform-programme> and in hard copy. We have received positive feedback about the availability and format of this information.

Announcements: At key points in the programme, we make announcements about our progress via the HMCTS GOV.UK page and all other channels. Where appropriate, a press notice is issued and specific communications

are issued to key stakeholder organisations. Significant announcements in 2018 have included: the launch of online civil money claims and divorce application services; the launch and outcome of a series of consultations about court buildings; the independent evaluation of fully video hearings in the tax tribunal; the national roll out of Submit Your Appeal and Track Your Appeal services in the Social Security and Child Support tribunal; and our response to the NAO and PAC reports.

Media activity: We undertake a proactive media strategy to provide information about the programme. We handle hundreds of incoming media enquiries each month and provide background media briefings with specialist legal reporters, to provide better visibility and enable greater scrutiny of our reforms. Over 2018, HMCTS CEO Susan Acland-Hood has written articles for or has had published interviews with: CILEx Journal; Civil Service Quarterly; Magistrates Association; Internet for Lawyers.

In October 2018 we refreshed and published media access guidance, which we developed with a Media Working Group (see [Appendix D](#)) and made this public for the first time.

Social media: We have increased reach and engagement levels on Twitter through a corporate HMCTS account and through the chief executive's account. Across our three main social engagement channels, including both Twitter and LinkedIn, our followers have more than doubled from 4924 at the end of 2017 to 10201 in October 2018. The average engagement rate across the three accounts has increased by 0.2% from 2.5% to 2.7%. According to digital marketing provider 'Scrunch' an engagement rate above 1% is considered to be 'very high'. RivalIQ's 2018 Social Media Industry Benchmark Report gave an average engagement rate of 0.05% on 'not for profit' organisations.

We are considering new ways of making our social media presence more responsive, so that we have better ways of creating a dialogue.

GOV.UK: We have built a number of new web pages that give greater visibility to our Reform Programme and help to garner information in one place. These include: a reform 'homepage'; an events page where stakeholders can register for events and see materials from previous events; back copies of our e-newsletter; and an A-Z of our projects. Over 15,000 stakeholders have registered to receive our associated e-alerts, which notify subscribers of new content on GOV.UK (increasing from just 2,000 subscribers in 2016).

Blogs: We have also published blogs on 'Inside HMCTS' with much greater frequency, to provide a regular 'voice' on reform. In 2018, these have included the following topics:

- February 2018: Designing a family public law service <https://insidehmcts.blog.gov.uk/2018/02/07/designing-a-public-law-service-to-meet-user-needs/>
- March 2018: Improvements to buildings <https://insidehmcts.blog.gov.uk/2018/03/06/building-improvements-underway-as-we-overcome-extra-challenges-caused-by-bad-weather/>
- May 2018: Online divorce application: <https://insidehmcts.blog.gov.uk/2018/05/08/online-divorce-application-national-rollout-will-be-just-the-beginning/>
- May 2018: Reform overview <https://insidehmcts.blog.gov.uk/2018/05/14/shaping-change-around-users-increases-efficiency-too/> and <https://insidehmcts.blog.gov.uk/2018/05/17/reform-means-getting-the-basics-right-too/>
- June 2018: Assisted digital <https://insidehmcts.blog.gov.uk/2018/06/28/helping-people-to-use-online-services/>
- July 2018: Scope of fully video hearings <https://insidehmcts.blog.gov.uk/2018/07/30/realising-the-potential-for-video-hearings/>
- September 2018: Testing fully video hearings <https://insidehmcts.blog.gov.uk/2018/09/13/video-hearings-put-to-the-test/>

As of November, our blogs have been viewed more than 70,000 times so far in 2018. We also invite and publish comments on our blogs.

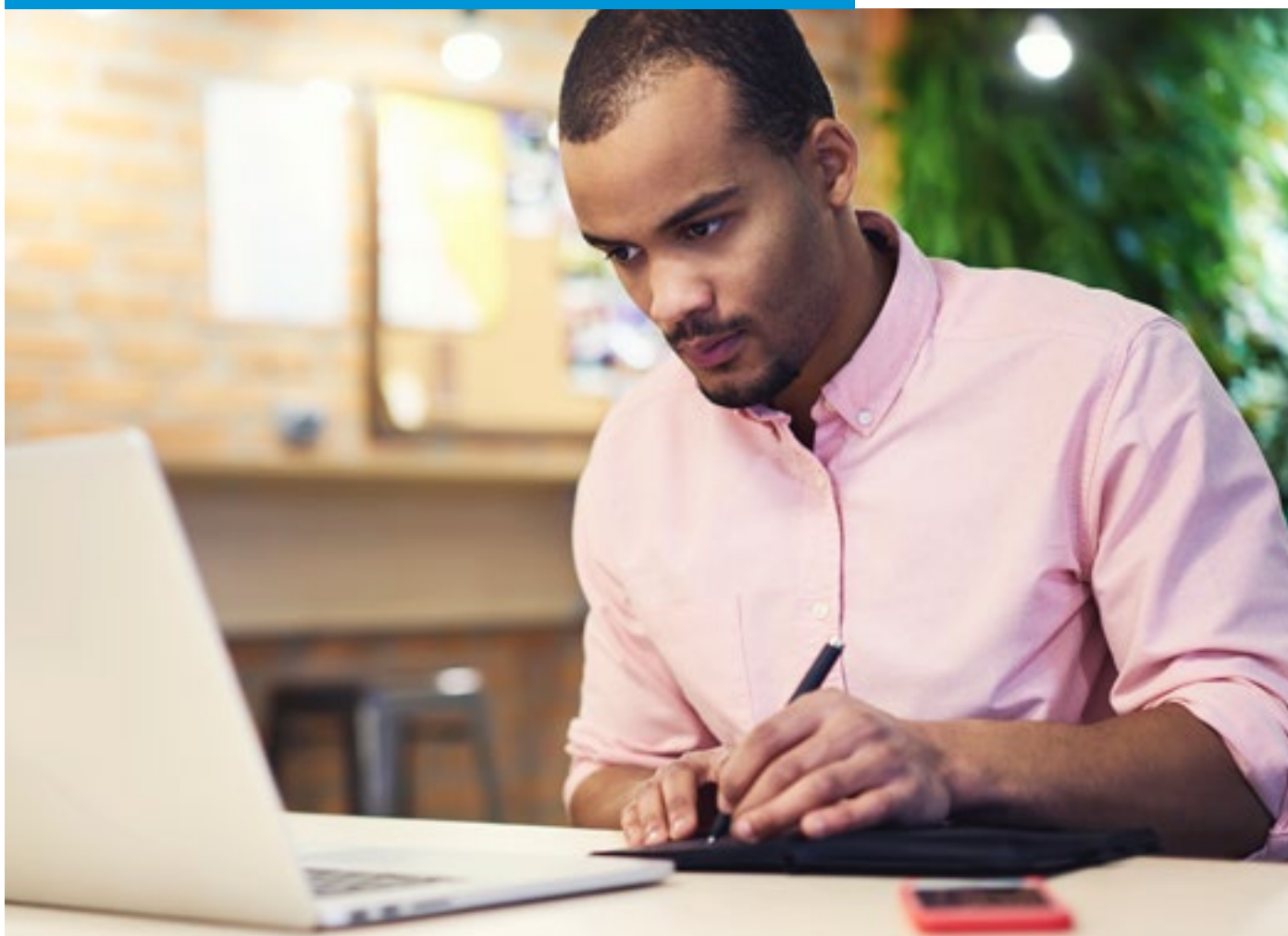
External speaking opportunities: Members of our leadership team regularly speak at external events, conferences and seminars, to help reach audiences beyond those who attend and participate in HMCTS-run events and engagement activities.

In 2018, the most senior HMCTS staff have spoken or will speak at events including:

2018	Event organiser	Name of event
January	Society of Editors	Seminar on 'Crisis in our Courts – and How to Solve it'
February	Legal Practice Managers' Association	Legal Practice Managers Association Conference
February	JUSTICE	Inclusive Courts panel discussion
May	UCL, the Nuffield Foundation and The Legal Education Foundation	International Symposium: 'The Future of Justice'
April	Qualtrics	Breaking down experience breakthroughs
May	University College London	The future of justice (panel event)
May	Magistrates' Association Council	Council meeting
May	District Judges (Magistrates' court)	Annual meeting
May	Health Service Ombudsman	Second Parliamentary and Health Service Ombudsman annual open meeting
May	District Judges (Magistrates' court)	Annual meeting
June	The Foundation for Science and Technology	Transforming the justice system through better use of technology
July	Family Justice Young People's Board	Voice of the child
October	Solicitors Association of Higher Court Advocates	Conference
October	South East Circuit	Reform Update (panel event)
October	Civil Court Users Association	30th Anniversary
November	PUBLIC	Gov Tech Summit (Paris)
November	Bar Council	Annual Conference
November	Good Things Foundation	Annual Digital Evolution Conference
December	Society for Computers and Law (in partnership with HMCTS)	International Forum on Online Courts

Leaders of specific projects have spoken at a larger range of events; and Ministers and the senior judiciary also regularly speak about reform.

Communications case study: Online events



We have developed our events programme to include online 'events', which have taken the form of webinars. Participants can log on to a dedicated web page to see a presentation, hear a voiceover, and submit questions which are answered in real time. The webinar is co-hosted by a member of our leadership team and colleagues at the coalface of service design, so participants can hear from people who have hands-on experience of developing new services.

The events have been scheduled at times that are most convenient for legal professionals, either lunchtime or early evening at the end of the working day. We've promoted them through our e-alerts (which have over 15,000 subscribers) as well as through social media. Webinar details are also available on a dedicated events page on GOV.UK.

After each webinar, we make a recording of the presentation - along with the Q&A and any other supporting material - available on GOV.UK for anyone to see, regardless of whether or not they were able to join the live webinar. Two hundred and fifty people have taken part in the first two webinars, which covered Video Remand Hearings and reform in the civil jurisdiction.

Find out more here: <https://www.gov.uk/guidance/hmcts-reform-events-programme>

Strand 2: Dialogue

Formal/strategic engagement groups: We have a number of formal engagement groups which bring together representatives of particular stakeholder groups, jurisdiction or to consider issues of mutual interest. These meet on a regular basis and involve legal professionals, public user groups, criminal justice partners, the media, charities and academics. A full list of these – including their purpose, frequency and make-up – is provided in [Appendix D](#) (and is also published on GOV.UK). In summary, the groups are:

- Criminal Justice System Integration Board
- Criminal Justice Working Group
- National Digital Practitioners Working Group
- Jurisdictional Professional Engagement Forums
- Strategic Professional Engagement Group
- Change Victim and Witness Engagement Group
- Children and Young People Working Group
- Defendant Voice Engagement Group
- Equalities and Inclusion Engagement Group
- Litigants in Person Engagement Group
- Media Working Group

Each group has clear terms of reference and is attended by representatives from organisations with expertise in the views or needs of a particular type of court user. We encourage attendees to bring with them the wider views of the organisation that they represent.

One-to-one meetings: At every level of the organisation and in every discipline, we meet regularly with individual stakeholders, often at a local level, to engage on specific issues. This ranges from a disability group meeting with a court manager to look at access issues in a specific court, the president of a membership organisation meeting with our chief executive, an academic meeting with our insight team, or a project manager meeting with a solicitor to understand how a system is really used and experienced. These meetings are an integral part of our work but are rarely recorded or publicised. They are, however, one of the most important and fruitful ways of engaging with our stakeholders and finding solutions.

The Chief Executive has regular one-to-one meetings with: the Bar Council, the Law Society, CILEx, the Magistrates' Association and Magistrates' Legal Executive, Resolution, the Civil Court Users Association and others.

Roundtables & seminars: We host several events of this nature, which bring together a small number of experts to review and focus on a specific element of reform. They generate expert insight, which help us to deliver stronger and more robust reforms.

Networks: As well as two-way engagement between HMCTS and stakeholders, we encourage stakeholders to network with each other. This develops a more rounded view of the impact that a single element of reform can have on a number of different stakeholders. We currently communicate with a network of around 80 academics, for example to invite them to events, and we're looking at ways of bringing that network together more regularly. For legal professionals and public users, we use a virtual network – including a web-based platform – where we share information, invite feedback and encourage dialogue between stakeholders.

Formal written public consultations: HMCTS and the Ministry of Justice have undertaken a number of formal written consultation exercises since the Reform Programme began in 2016. This included the Ministry of Justice consultation on the Reform Programme entitled Transforming our Justice System, which set out the Government's broad approach to reform and sought views on three specific sets of proposals: the assisted digital strategy; automatic online conviction and statutory standard penalty; and tribunal panel composition.

A summary of our key consultations and responses is included in [Appendix E](#). The full consultation and Government response can be found online at:

https://consult.justice.gov.uk/digital-communications/transforming-our-justice-system-assisted-digital/supporting_documents/consultationpaper.pdf

<https://consult.justice.gov.uk/digital-communications/transforming-our-justice-system-assisted-digital/results/transforming-our-justice-system-government-response.pdf>



Dialogue case study A: Defence practitioners shape future plans for IDPC functionality in Common Platform

One aspect of the Common Platform (a secure online portal) gives defence practitioners access to the initial details of the prosecution case (IDPC). The IDPC contains the charges, police case summary and evidence against a defendant. The first hearing in the magistrates' court cannot go ahead without it.

By autumn 2017 we had a set of IDPC screen designs and processes that had been created following a series of workshops and user research sessions with defence practitioners.

We scheduled a series of visits to 28 magistrates' and Crown Courts between September and October 2017 to share information about, and raise the profile of, Common Platform, and to test our early designs. We spoke to over 400 defence practitioners, representing nearly 200 different organisations. The feedback we received from defence practitioners and Crown Prosecution Service (CPS) colleagues (as well as HMCTS colleagues) proved invaluable to the project.

Our original design required defence practitioners to register their client's case against their defence organisation before allowing access to the IDPC. It became apparent we were over-complicating the process. Defendants are often represented by more than one defence organisation between arrest and first hearing. Before Common Platform, the CPS served the IDPC via secure email to more than one defence organisation to avoid any delays created by one defence organisation having to obtain the IDPC from another. We sought to replicate this functionality and re-designed our online service, taking out the requirement to register a defence organisation against a case.

The data security of the IDPC continues to satisfy CPS requirements, defendants can be represented by more than one organisation prior to the first hearing if they wish, and defence practitioners can gain easy access to the IDPC online.

Dialogue case study B: Public user event

We hosted our second public user event in November 2018, inviting those who represent public court users to see first-hand the progress public user organisations have helped us to make over the last year.

The event itinerary was influenced by what attendees told us last year, offering longer activity sessions for guests to immerse themselves in our latest project developments. With both market stalls and hands-on activity sessions available, over 150 participants were given the opportunity to engage with 27 project teams, attending across all jurisdictions.

Feedback from participants included:

"It's amazing how HMCTS projects have progressed compared to last year."

"There was lots of good discussion around vulnerable defendants. I've gained a wider understanding of their access to services and how they access online plea."

Strand 3: Collaboration

Bespoke engagement groups: We often bring stakeholders together, on an ad hoc basis, to review a specific element of a project or service design. We hold a database of over 300 public user organisations that we can call upon to work with us in this way. These forums can give essential contemporaneous feedback, during the iterative design process.

- **Workshops:** Workshops provide an open forum for both public users and legal professionals to provide insight, knowledge and experience of the current environment in which they operate. They are regularly used for inception exercises at the beginning of a project so that we can understand the current state of play, what's good and what's bad about an existing process or service, before moving on to how it could be reformed or improved.

Workshops are held at varying locations nationally, so that as many people as possible have the opportunity to input into the development of new services. We are also conscious that the vulnerable and seldom heard may appreciate a smaller, more focused way to engage and we offer this via small focus groups.

- **Forums:** Alongside the formal strategic and professional engagement Groups (details of membership can be found in [Appendix D](#)) we also hold bespoke forums which may be guided or informed by the views of the professional membership organisations.

Working groups: Working groups are established to bring together a combination of HMCTS project leads, the judiciary and external stakeholders including charities, academics and legal professional representatives with a working understanding of the topics at hand. The groups are project-specific and focus on discussion or activity around a specific subject area. Participation in these groups does not amount to endorsing any outcomes and those who wish to contribute openly, in some instances as 'critical friends' of reform, can.

Site visits: Bringing people together in courts and tribunals (rather than round a meeting table) creates a different dynamic, where HMCTS and its stakeholders can test, experience and resolve issues together.

Collaboration case studies: Project-specific workshops & forums

Civil money claims: Initial workshops took place from Autumn 2016, with legal professionals regularly raising the need for HMCTS to look at the civil claims process end-to-end, which went beyond settlement or issuing judgement. Consequently, the parameters of civil claims reform have been extended, with a separate, but closely-linked project examining and improving enforcement of civil judgements.

Public law: Just after the project launched, the project team held an event with partners to scope out the extent of reform that might be required. The team was joined by CAFCASS, local authorities and legal practitioners, at an inception workshop. This early engagement was invaluable in helping the team to understand the end-to-end process of a public law case – from application through to final order – through the eyes of different court users. By engaging with people who regularly used the system, the team learned a lot about the difficulties they experienced and consequently prioritised work on filing bundles of evidence and document management.

Further on in the project, we plan to test creating orders collaboratively - between the court, the local authority and legal representatives - in the court room. This would be instead of the current process which sees orders given their broad shape in court, but written-up fully afterwards, which can take weeks. There are advantages and disadvantages, which we are working through in detail with those who will be most closely involved, and which we will test and iterate with them.

Probate: In November 2016 the probate service project established the Probate Solicitors Forum comprising solicitors, policy leads from the Law Society and member of the Society of Trusts and Estate Practitioners (STEP). This forum met on a bi-monthly basis throughout 2017 and early 2018 in preparation for the launch of the private beta (testing with a limited number of people) phase of the online probate service in June 2018. In the run up to the launch the project also presented to the Law Society's Wills and Equity Committee in April 2018. The project identified a small number of solicitors who were willing to take part in an induction process for private beta, which meant that both professional and public users could give us early feedback on our designs.

Online divorce: From the inception event in March 2017 legal professionals highlighted the importance of being able to agree draft petitions to minimise the risk of applications being contested. Comparisons were made to other services which were being digitised and permitted users to enter information and return to it later (online probate). In divorce, we knew we needed this functionality but hadn't made it part of the very first 'minimum viable product'. We listened to this feedback and changed our order of priorities, to bring forward the building of the 'save and resume function' in the online divorce application form.

Our research programme

Alongside our three strands of stakeholder engagement, we have a significant research and evaluation programme, which continually seeks the views of the people who use the courts and tribunals system and develops insight from its findings. While this paper doesn't include full details of the research programme, it is important to note its relevance and relationship to external stakeholder engagement, and a short summary of our research approach is outlined here:

- We are building on our existing primary qualitative user research (eg interviews and observations). We are carrying out research and conducting interviews every week and have interviewed more than 3,700 people (as of November 2018) so far to design and test new approaches.
- We are blending user research with internal quantitative and data science work to understand the people that use the justice system and the impact of our reforms.
- We are using insights from external research and academia to validate and challenge our approach.
- We are making it easier to partner with external researchers and open up our data to allow them to do their own research on reform.

As of autumn/winter 2018, we have:

- Consolidated findings from our primary qualitative research so that we have a strong understanding of what users need from reformed courts and tribunals services. This is overseen by a central team of professional researchers.
- Started to share our quantitative analysis of court users – including their geography and demographics – with external researchers. This will enable us to discuss and collaborate on drawing insights from a breadth of research, beyond the research that we carry out ourselves. We also plan to publish more of this information on GOV.UK for all to see.
- Taken significant steps to improve the way we share data with external researchers, including: making it easier to apply for data through our data access panel; gathering requirements (user needs) so we know what data we need to collect; bringing in expertise to help us define how we can make our data available on a sustainable basis.
- With Ministry of Justice analysts, set up an evaluation team to develop and oversee an overarching evaluation of courts reform which will involve independent researchers. We are also working with academics to deliver process evaluations of relevant pilots, such as those of fully video hearings.

Research case study A: Academic engagement

We've listened to feedback from academics about how important it is that they can access data, and we have made a public commitment about sharing our data more effectively. To support this work, we have brought in external expertise to help us meet our commitments. In November 2018, Dr Natalie Byrom, Director of Research and Learning at The Legal Education Foundation (TLEF), was seconded to HMCTS for three months. Her role is to advise on strategies to enhance academic engagement and improve the availability of data for research purposes.

Research case study B: Independent process evaluation of fully video hearings

Earlier in 2018, we tested the use of fully video hearings in the tax tribunal. Throughout the pilot we invited an independent evaluator from the London School of Economics (LSE) to observe the hearings, interview participants, and record their findings. They published their report in September 2018. The following month our Head of Research chaired an international seminar, hosted by LSE, to discuss the evaluation. The seminar garnered input from representatives of the judiciary and around 25 academics from the UK, France and Australia, enabling us to test and strengthen our approach to developing fully video hearings and to inform future evaluation.

5. Our future plans for external stakeholder engagement

At a strategic level, our future plans for external stakeholder engagement entail:

1. Developing greater understanding of perceptions and needs

In 2019 we will:

- Undertake detailed research to further test stakeholder perceptions and understand how they want to communicate and engage with us.
- Publish a report that summarises the findings.
- Update/refresh communications and engagement plans based on what stakeholders tell us.
- Create benchmark data to help track the impact of stakeholder engagement.

2. Auditing, assessing and tracking our engagement activities

In 2019 we will:

- Undertake an independent assurance review of stakeholder engagement plans, to be completed in early 2019.
- Put better mechanisms in place to track and record our stakeholder engagement activities and capture more robust evidence of its impact.

3. Improving consistency in the frequency and level of engagement that we undertake

In 2019 we will:

- Embed stakeholder engagement 'checkpoints' in to our project planning and governance processes to ensure that each part of the programme is engaging with relevant stakeholders at the appropriate time and in the most effective way.
- Clarify standards and expectations for levels of engagement, both internally and externally with stakeholder that we engage with.
- Provide project teams with a new toolkit to help them deliver stakeholder engagement.

4. Increasing visibility of opportunities for our stakeholders to engage with us, as well as the visibility of engagement that has been undertaken and its impact

In 2019 we will:

- Continue to publicise opportunities for stakeholders to engage with us at a corporate level.
- Document how stakeholder engagement has been used to influence our decisions and share this back with participants in specific activities.
- Publish quarterly reports on levels of engagement, developed with the independent audit team.

5. Extending the reach of our engagement to more people

In 2019 we will:

- Review our stakeholder map and consider if we should reach out to new groups, particularly when new services go live.
- Review our communication and engagement channels, in light of research highlighted earlier in this section, to ensure that they are accessible and appropriate for our stakeholders.

Our plans for next year also include a regular timetable of corporate level engagement activities, as well as project-specific engagement activities with more defined groups of stakeholders who bring particular skills and experience in a jurisdiction or project area. These are set out in [Appendix F](#).

Appendix A: Project model aligned with engagement activities

Our reform projects go through a seven-step life cycle, and different types and intensity of engagement are suitable at different times throughout. The table below is indicative and suggests what types of engagement you might expect at each stage.

Step	Step description	What type of engagement you expect at this stage of the project	Expected levels of engagement
1	Initial agreement to start a project.	<p>Develop stakeholder map. This may draw on the expertise of other professional membership or public user organisations to ensure that we tap in to existing networks.</p> <p>Document early engagement plans, which becomes a live tracking documents throughout the life of the project.</p> <p>Identify project dependencies, so that cross-project engagement can be undertaken where suitable.</p>	Medium
2	A plan explaining what changes will be made to a service is written.	<p>Present early scoping papers to strategic engagement groups to gauge the interest and priorities of public and professional users.</p> <p>Schedule inception events and workshops to scope the project and identify priorities. A diverse range of stakeholders will be invited to provide a balanced 360 view of the 'as is' situation of services in a particular jurisdiction/practice area.</p> <p>Primary research through interviews with users and observations commences and all relevant existing research from academia and other sources is collated.</p> <p>Develop further understanding or stakeholder perspectives by establishing workshops to look deeper at specific issues identified. These will be held with smaller groups to capture specific audience needs. Workshops may be held in a variety of locations to increase opportunities for participation and to ascertain whether challenges/experiences are shared nationally.</p>	High

Step	Step description	What type of engagement you expect at this stage of the project	Expected levels of engagement
3	Approval to start testing or piloting a project/service (often called private beta).	<p>Continually test the service with users, capture and evaluate their feedback, using this to improve the service being tested, but also to inform other projects and services that are in development.</p> <p>Establish a steering or working group to provide regular input and feedback to project service iterations, giving practical advice to help refine and improve new service prototypes.</p> <p>Provide regular feedback and updates on progress to strategic engagement groups, providing feedback on earlier recommendations and how these have shaped design.</p> <p>Communicate high-level findings at external engagement events (such as roadshows or webinars). and feedback normally expected including on how to assess or if appropriate evaluate the service. In some services, where appropriate, a process evaluation may be conducted and published - for example the fully video hearing pilot in the tax tribunal.</p> <p>Provide opportunities to test new services at stakeholder events, where project teams are on hand to capture further feedback.</p> <p>NB: Where possible dependant projects engage as a collective, providing a holistic vision of the impact of change</p>	High
4	Service is launched, and testing continues in public (often called public beta).	<p>Publicly communicate details of the launched service through social media, online, newsletters, emails, events.</p> <p>Continually test the service with users, capture and evaluate their feedback, using this to improve the service being tested, but also to inform other projects and services that are in development.</p> <p>Update engagement forums on progress, provide demos , share lessons learned and evidence of the impact that their engagement has had.</p>	Medium
5	Reformed service is ready to be used operationally.	<p>Monitor take-up and external feedback through steering groups</p> <p>Communicate public availability of the service through our own channels and those of our stakeholders, in particular organisations that represent public users.</p> <p>Establish focus groups, if necessary, to address any specific actions or snagging issues</p>	Low
6	Reformed service becomes business as usual (the way we do things now).	N/A	N/A
7	Assessment of benefits achieved as a result of the change.	An overarching evaluation of reforms (i.e. the cumulative projects) is being planned and the outputs of this work will be published. HMCTS have committed we will also make appropriate data available to external researchers to enable them to conduct research into the impact of reforms.	High

Appendix B: Judicial engagement

The constitutional position and partnership

HMCTS is an agency of the Ministry of Justice. It is accountable to the Lord Chancellor, the Lord Chief Justice and the Senior President of Tribunals and overseen by an independent Board. It operates on the basis of a constitutional partnership between the judiciary and the Executive, demonstrated in the HMCTS Framework agreement³.

The structure of judicial engagement with the Reform Programme

The judiciary have a critical role in shaping the Reform Programme to ensure that the reforms continue to enable them to administer justice. The judges involved in Reform Programmes and projects do so on a voluntary basis and in addition to their judicial duties.

The Judicial Reform Network (JRN) describes the links between the various judicial forums that provide a judicial view on reform design or implementation questions.

- The Judicial Executive Board and Tribunals Executive Board (JEB / TJEB) are the most senior decision-making forums. They receive regular updates from the Judicial Reform Board (JRB).
- The JRB leads Reform on behalf of the judiciary and takes all necessary decisions about reform, as appropriate, to JEB and TJEB. They have oversight of judicial involvement in reform projects and the extent of the commitment agreed.
- The JRB Courts Group and Tribunals Judicial Strategy Group focus on Reform issues specific to Courts and Tribunals, ensuring specific questions receive due consideration at the JRB.
- Tribunals Change Network consists of Tribunals judges and panel members involved in Reform.
- The Judicial Reform Steering Group (JRSG) is a point of escalation for Judicial Engagement Group (JEG) Chairs

on matters that require further consideration from JRB or JEB/TJEB.

- The Judicial Ways of Working (JWOW) group considers areas that change ways of working, including training, location, deployment, practice guidance, leadership, and welfare.
- There are five JEGs across Civil, Crime, Family, Magistrates and Tribunals that meet quarterly. Projects provide regular updates to JEGs and ask for judicial perspectives on design questions.
- In addition the network includes regional and local leadership groups, set up to discuss Reform implementation at a local level.

Members of the judiciary sit on four of the six programme boards. There is also judicial representation on project working groups, which enables the judiciary to input on specific design questions and implementations related to a certain area of the Reform Programme.

Wider judicial engagement

Reform will touch on all jurisdictions and locations, and at different times over the course of the programme. Judicial communications strategies are tailored accordingly. Engagement activity in 2018 has focussed on communicating the purpose and plans for reform, and what this will mean for the judiciary, to the wider body of the judiciary. Four jurisdictionally facing documents (titled 'Judicial Ways of Working') were issued in spring 2018 and provided the basis for a series of engagement events and feedback from many members of the judiciary, which have informed subsequent discussions between the senior judiciary and HMCTS.

3 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/384922/hmcts-framework-document-2014.pdf

Appendix C: Employee engagement

Vision:

HMCTS is a place where everyone feels valued, equal, and engaged regardless of their role so that they can fulfil their potential. HMCTS is a place where our values are lived and seen every day in how we work with each other, our partners, and our service users.

What we care about: We believe in living our organisational values of Purpose, Humanity, Together and Openness. We will do this when we work with our colleagues and partners, design our services and interventions and, interact with each other within our team. We particularly care about helping to create a meaningful experience at work (Purpose)

- Where high quality relationships are valued (Humanity)
- developing joint solutions that are outcomes focused (Together)
- Working to continuously improve ourselves and our services (Openness)

Making this a reality: Employee Engagement is about the relationship between you and your part of the organisation.

David Macleod and Nita Clarke's paper "Engaging for Success" identified that organisations who apply the "Four Enablers" of Employee Engagement had a more engaged workforce. These principles form the cornerstone of HMCTS's employee engagement strategy and show up in our conversations and behaviours at work. Employee Engagement is much more than just our annual People Survey.

The Four Enablers provide the following:

- **A strategic narrative-** Knowing where we're going and why: Starting at the top and throughout HMCTS, leaders are visible and tell us clearly where we are going and why
- **Engaging people-** People (especially managers) who focus on focus on others and treat people as individuals
- **Employee voice-** Employees are valued for their ideas and involved in making working in HMCTS better

- **Organisational integrity-** living our values of purpose, humanity, together and openness are more than just words; we live them in our day to day behaviours

Our priorities for 2019

- **Continuing our HMCTS reform engagement work:** HMCTS is committed to providing colleagues with the opportunity to participate in a facilitated conversation regarding our reform journey through our 'One Conversation' initiative. One Conversation takes place locally and is facilitated by local leaders, and provides opportunity to discuss topical items and areas of concern/interest with your own peer group. Our ongoing commitment is to continuously improve each One Conversation by applying feedback and lessons learnt from the previous version.
- **Embedding our people promise:** Our people promise provides an opportunity to create a consistent employee experience from joining to exiting HMCTS, that links into our values and provides a great employee experience and makes the organisation a great place to work. This piece of work has been designed and the roll-out across HMCTS will take place in 2019.
- **Growing understanding of employee engagement:** Continuing to work with our Lead Engagement Cohort across the organisation to support the growth and expansion of local engagement activity, developing a national network to share resources and best practice.
- **Culture and values:** Following our year of embedding our values during 2018, the challenge for 2019 is to build up this work by continuing to grow understanding and to champion their continued integration into our everyday activity with our users, stakeholders and one another.

Appendix D: Formal / strategic stakeholder engagement groups

We have established, and will continue to develop, a number of formal engagement groups. These bring external stakeholders together – either by jurisdiction or stakeholder group – with HMCTS teams, to share information, facilitate dialogue and provide two-way feedback about proposals and plans for the design of services.

The following summary is also available on GOV.UK at:

<https://www.gov.uk/guidance/hm-courts-and-tribunals-service-engagement-groups>

Criminal justice engagement groups

The Reform Programme is changing the way that criminal cases are dealt with in court. At the same time, other agencies in the criminal justice system – such as the police and prison and probation services – are also changing the ways that they work. Criminal Justice Engagement Groups bring together those agencies, so we can coordinate our plans for improvement.

Our criminal justice groups are outlined below.

Forum	Remit	Membership
Criminal Justice System Integration Board Chair: Chief Executive Officer, HMCTS Schedule of meetings: quarterly	Aims to transform the Criminal Justice System by designing and delivering new, unified ways of working between agencies, supported by technology which allows the sharing of information and ensures we do not duplicate effort. It is made up of leaders from across the Criminal Justice System working together to ensure that changes are designed with all users in mind and delivered in a coordinated way.	HMCTS, Legal Aid Agency, National Police Chiefs' Council, Association of Police and Crime Commissioners, Home Office, Crown Prosecution Service, HM Prison and Probation- Service, Youth Justice Board for England and Wales, Judicial Office of England and Wales, Ministry of Justice.
Criminal Justice Working Group Chair: Deputy Director – Crime Service Owner, Courts and Tribunals Development, HMCTS Schedule of meetings: monthly	Responsible for implementing the strategic direction of the Criminal Justice System Integration Board. It seeks expert views and active engagement from Criminal Justice partners, for the benefit of users across the Criminal Justice System.	HMCTS, Policing and Fire Group - Home Office, Essex Police Force Collaboration Programme, Crown Prosecution Service, National Police Chiefs' Council, Metropolitan Police Service, Attorney General's Office, Legal Aid Agency, HM Prison and Probation Service, Judicial Office of England and Wales, Video Enabled Justice Programme - Sussex Police & Crime Commission, Youth Justice Board for England and Wales, Association of Police and Crime Commissioners, Association of Policing and Crime Chief Executives, Justice and Courts Policy Group - Ministry of Justice.
National Digital Practitioners' Working Group Chair: Defence Business Product Owner – CJS Common Platform, HMCTS Reform Crime Programme Schedule of meetings: monthly, in London and online	Champions the strategic delivery of digital defence tools across the Criminal Justice System (CJS) to promote consistency of approach to digital efficiency across the defence community. It ensures the most effective and efficient delivery of digital working. It provides a mechanism for defence practitioners to feedback on products and services, as they are being designed, built and tested prior to live use. The group discusses digital issues and showcases the latest functionality that has been developed for the Common Platform.	Representation invited from: HMCTS, Bar Council, Law Society, London Criminal Courts Solicitors' Association, Criminal Bar Association, Institute of Barristers' Clerks, Criminal Law Solicitors' Association, Legal Aid Agency, Chartered Institute of Legal Executives, Legal Aid Practitioner Group, Young Legal Aid Lawyers, Police Digital First Programme, Crown Prosecution Service, HM Prison and Probation Service, Youth Justice Board, Magistrates' Association. Additional places for 10 defence practitioners to attend in person and 10 to join the online meeting room. Tickets are available on Eventbrite and advertised on the HMCTS blog and twitter accounts.

Legal professional engagement groups

We undertake regular engagement with legal professional bodies such as the Bar Council, the Law Society and the Chartered Institute of Legal Executives at both Chief Executive and policy levels. We also work collaboratively with these bodies to ensure practitioners' views are considered in the development of proposals and design of reformed services.

Our legal professional engagement groups are outlined below.

Forum	Remit	Membership
Jurisdictional Professional Engagement Forums Chairs: Deputy Directors, HMCTS Tribunals Reform. Schedule of meetings: ad-hoc basis, based on jurisdictional project timetables and key areas of interest for the profession.	These forums are hosted for projects to present engagement activity on specific issues and involve working level legal professionals, to provide them with opportunities for co-design. These forums, split across Civil, Family, Tribunals and Crime jurisdictions, are guided by the Strategic Professional Engagement Group.	HMCTS, The Bar Council, the Chartered Institute of Legal Executives, the Law Society, Citizens Advice, Employment Lawyers Association, Immigration Law Practitioners' Association, Judicial Office, Mental Health Lawyers Association, Young Barristers Committee, the Law Centres Network, UK Administrative Justice, JUSTICE, Coram Children's Legal Centre, Family Law Bar Association, Family Business Insight Group, Family Law Committee, Institute of Family Law Arbitrators, Judicial Office, Resolution, STEP, City of London Law Society, Judicial Office. Criminal Bar Association, Criminal Law Solicitors' Association, Freelance Advocacy Services, Judicial Office, London Criminal Court Solicitors Association, One Legal.
Strategic Professional Engagement Group Chair: Deputy Director, HMCTS Cross-Cutting Services Reform. Schedule of meetings: every 6 weeks.	Aims to have a strategic overview of engagement activities as well as planning activity to engage effectively across the programme. This is a steering group comprising HMCTS jurisdictional leads and policy leads from key legal representative organisations.	HMCTS, The Bar Council, the Chartered Institute of Legal Executives, the Law Society.

Public user engagement groups

We regularly engage representatives of public users by bringing together HMCTS staff and people who use our services through a range of forums and groups. These focus on victims, witnesses, young people, equality and inclusion, litigants in person and defendants among others.

Our public engagement groups are outlined below.

Forum	Remit	Membership
Change Victim and Witness Engagement Group Chair: Deputy Director Customer Change and Innovation, HMCTS. Schedule of meetings: quarterly.	Provides feedback on the design and development of reformed procedures and practices which have an impact on victims and witnesses. The group helps to ensure that proposals meet the needs of Victims and Witnesses and improves on the current service. It also represents a range of victims and witnesses and ensures the needs of this community are represented in the development of HMCTS.	HMCTS, Ministry of Justice, Crown Prosecution Service, National Society of Prevention of Cruelty to Children, Survivors Trust, Witness Service, Brake, Rape Crisis, Women's Aid, Association of Police and Crime Commissioners, Mayor's Office for Policing and Crime, Victims' Commissioner's Office, Victim Support, Police and Crime Commissioner South Wales, a Survivor and an academic representative.
Children and Young People Working Group Chair: Customer Director, HMCTS. Schedule of meetings: quarterly.	Provides feedback on the design and development of reformed procedures and practices which have an impact on children and young people. The group aims to better understand the journey that children and young people undertake when using our services. It helps to ensure that proposals meet the needs of children and young people, and improves their experience of our services.	HMCTS, Ministry of Justice, National Society of Preventing Cruelty to Children, the Association of Youth Offending Team Managers, Children and Family Court Advisory Support Service, Youth Justice Board, Barnardo's, Waltham Forest, Coram Children's Legal Centre and an academic representative.

Forum	Remit	Membership
Defendant Voice Engagement Chair: Customer Director, HMCTS. Schedule of meetings: quarterly.	Looks at the potential impact that Criminal Court Reform proposals may have an impact on defendants. It helps to understand the insights and ideas of defendants and ensure that their voice is heard within reformed services.	HMCTS, Ministry of Justice, HM Prisons and Probation Service, Hibiscus Initiatives, Intermediaries for Justice, Revolving Doors, KeyRing, JUSTICE, Unlock, Barrow Cadbury Trust, Together UK, Prison Reform Trust, Centre for Justice Innovation, User Voice, Rethink, a Forensic Psychologist and Registered Intermediary and an academic representative.
Equalities and Inclusion Engagement Group Chair: Customer Director, HMCTS. Schedule of meetings: quarterly.	Captures participants' insights and ideas to ensure HMCTS integrates equality principles into all reformed services, promoting a service that is inclusive, user focussed, and does not discriminate against the vulnerable or disadvantaged.	HMCTS, Good Things Foundation, Royal National Institute of Blind People, Revolving Doors, Citizens Advice, Barnardo's, AGE UK, Faiths Forum for London, Judicial Representative, Personal Support Units, Maternity Action, Disability Rights UK, Equality and Human Rights Commission, Public Law Project, Mind, Action on Hearing Loss, Fawcett Society, Race Equality Foundation, Rethink and a Registered Intermediary.
Litigants in Person Engagement Group Chair: co-chaired by Customer Director, HMCTS and a member of the judiciary. Schedule of meetings: every two months.	Provides feedback on the design and development of reformed procedures and practices that have an impact on Litigants in Person. The group brings a unique perspective to the process, involving those who help Litigants in Persons to navigate the justice system.	Judicial Representative, HMCTS, AdviceUK, Personal Support Unit, Law for Life (including Advice Now), Legal Education Foundation, Money Advice Trust, The Litigant in Person Network, the Chartered Institute for Legal Executives, Pro Bono Trust, Coram Children's Legal Centre, Judicial Office, the Litigants in Person Support Strategy and Access to Justice Foundation.

Media working group

The group was originally formed to support HMCTS in developing existing staff guidance to promote media access to courts. It included representatives of the media industry, as well as HMCTS, Ministry of Justice and Judicial Office staff. This guidance was published in October 2018 and is available at: <https://www.gov.uk/government/publications/guidance-to-staff-on-supporting-media-access-to-courts-and-tribunals>

Forum	Remit	Membership
Media Working Group Chair: Director of Communications, HMCTS Schedule of meetings: To be determined after first reform-related discussion in December 2018	<p>The group has been set up to support HMCTS's work to support media access and open justice in the context of the Reform Programme.</p> <p>Since its inauguration it has been supplemented with additional members to advise HMCTS on the services and tools being designed and to discuss the impact of planned changes on media with the aim of maintaining and, where possible, enhancing open justice.</p>	HMCTS, Evening Standard, ITN, News Media Association, Society of Editors, Press Association, University of Sheffield, former editor HuffPost UK

Appendix E: Formal written public consultations

Formal written public consultations – open and closed - are searchable here: <https://consult.justice.gov.uk/>

Government consultation principles: <https://www.gov.uk/government/publications/consultation-principles-guidance>

Summary of key HMCTS consultations since 2016

Sept-Nov 2016 **Transforming our justice system: consultation**

On 15 September 2016, the Lord Chancellor, Lord Chief Justice, and the Senior President of Tribunals issued a joint statement on their shared vision for the future of Her Majesty's Courts & Tribunal Service. We invited the public and interested stakeholders to give their views on three specific areas:

- assisted digital facilities;
- automatic online conviction and statutory standard penalty; and
- panel composition in tribunals.

We received a total of 790 responses to the consultation, including from legal practitioners and their representative groups, charities and other third parties, the judiciary and members of the public. We have carefully considered all the responses, and are now publishing our formal Response.

As a result of the consultation, we will be continuing with our proposals to provide assisted digital facilities for users who have trouble with using technology. We also intend to introduce an automatic online conviction and statutory standard penalty procedure for railway fare evasion, tram fare evasion and possession of unlicensed rod and line.

Whilst we will be removing the requirement for the Senior President of Tribunals (SPT) to pay regard to historic tribunal composition, we do not intend to proceed with the proposal to introduce a single member panel as the default position in the unified tribunals. Instead, we will amend the First-tier Tribunal and Upper Tribunal (Composition of Tribunal) Order 2008 that the SPT may provide that a panel should consist of one, two or three members, as required, in order to determine the matters before the tribunal justly and fairly.

Find out more

<https://consult.justice.gov.uk/digital-communications/transforming-our-courts-and-tribunals/>

Summary of key HMCTS consultations since 2016

Jan-March 18 **Fit for the future: transforming the court and tribunal estate**

This consultation sets out the proposed future strategy for HM Courts & Tribunals Service in its approach to court and tribunal estate reform.

The proposals detailed in the consultation document below have been identified following careful consideration of the ways in which we can improve the justice system. The document sets these proposals within the wider context of the modernisation work underway in HMCTS and discusses our proposals for evaluating how our estate should change as a result. The consultation is aimed at court and tribunal users, legal professionals and bodies, the judiciary and magistracy and all other individuals with an interest in the court and tribunal estate in England and Wales.

Find out more <https://consult.justice.gov.uk/digital-communications/transforming-court-tribunal-estate/>

Summary of key HMCTS consultations since 2016

Jan – March 18 **Proposals for eight court closures (in five separate consultations)**

This series of consultations was not directly related to the Reform Programme, but proposed the closure of eight courts that were underused, in poor condition or in close proximity to another court building.

Following public consultations, decisions have been made to close:

- Banbury Magistrates' and County Court
- Blackfriars Crown Court
- Chorley Magistrates' Court
- Fleetwood Magistrates' Court
- Maidenhead Magistrates' Court
- Northallerton Magistrates' Court
- Wandsworth County Court

All courts were assessed on the basis of ensuring access to justice, delivering value for money and the ability to offer efficiency in the long term. Cambridge Magistrates' Court – on which the decision to consult was finely balanced – will remain open following consideration of a range of issues, including its location within a large and well-connected city and new evidence suggesting that closure would not provide sufficient value for money.

Find out more <https://consult.justice.gov.uk/> and search for one of the courts named above.

Appendix F: Shaping future plans (project-specific engagement activities)

We expect to engage in the following project and service areas, although specific activities are as yet unscheduled. Timing will be dependent on other factors, including judicial and ministerial approval to progress projects (which is routine). The intensity and type of engagement will also be influenced by project maturity – [Appendix A](#) reflects the variation in engagement throughout a project’s lifecycle. The tables in this section are working documents, owned by project leads across the Reform Programme, that will be updated as their projects progress.

Crime jurisdiction	
We will be holding Crime Reform Update event for legal professionals in Bristol in January 2019.	
Anticipated project development in 2019:	Engagement activity could include:
Build on the work to digitise the single justice process in Lavender Hill and online pleas for TfL fare evasion cases to include TV Licensing and DVLA cases. This will enable greater numbers of high-volume, low level offences to be dealt with more efficiently.	<p>We are already collaborating with Capita and the BBC to build the Application Programme Interface (API) between the Common Platform and TV Licensing, this will continue to enable Capita to push cases through the API into Automated Track Case Management (ATCM) for their Single Justice Procedure Notices. In 2019 we will be working closely with the DVLA in Swansea to ensure that they are able to upload their cases into ATCM.</p> <p>These organisations have been central to ongoing and continual development of ATCM and we have carried out demos of the software and user research testing with the staff from these organisations. We have set up fortnightly meetings to review progress of development and ensure that they can influence and shape the new business process and way of working. These meetings will continue in to 2019.</p> <p>We have started to engage with the 300+ non-police prosecutors (for example RSCPA, Environment Agency, DVSA, Metro link and local authorities) in each of the HMCTS regions where we have carried out demos of ATCM and explained the different options for them to create their cases in ATCM. We have carried out a high-level engagement questionnaire and created a guidance pack for the representatives to discuss internally with their technical teams. We will use the information we have gathered to shape out engagement plans in 2019 to ensure we can onboard them successfully.</p>

Crime jurisdiction	
We will be holding Crime Reform Update event for legal professionals in Bristol in January 2019.	
Anticipated project development in 2019:	Engagement activity could include:
<p>Extend the functionality of the Common Platform in Liverpool, including the type and number of cases passing through it. Legal professionals will have early access to details of their clients' charges and initial case material online. Work will also start to plan the extension of the system into other Crown Court centres and magistrates' courts, initially dealing with cases referred from the Single Justice Procedure.</p>	<p>During 2019 the C2I development team will continue to meet regularly with criminal justice system partner agencies, who form a Local Implementation Team, to raise awareness and seek input to all aspects of development of the Common Platform system that is to be used by Crown Prosecution Service (CPS) staff.</p> <p>Regular engagement with HMCTS pilot site users will continue, involving: Merseyside Police, Merseyside Defence representative, Merseyside Judiciary and pilot representatives from Probation and Legal Aid.</p> <p>Our commitment is that key member of the C2I development team will be on site working with pilot site staff on a weekly basis to raise awareness of future developments and gain detailed insights into functionality that is being piloted so that improvements can be identified and prioritised. In addition to working closely with the pilot site staff, we are committed to involving operational staff from across the CPS in developing system designs and the details of new business processes. We continue to provide regular updates to CPS operational staff via our network of Area Digital Transformation Leads; this network is also used to discuss emerging aspects of process and design.</p> <p>We've set up a monthly working group with defence practitioners and their representative bodies to raise awareness of the Common Platform and give them the opportunity to provide feedback on each of the projects within Common Platform. Alongside this forum is the engagement we are doing with the defence community in Merseyside to support the implementation of the defence access to the Initial Details of the Prosecution Case service. This engagement takes place face to face at QEII Law Courts, as and when defence and the project team need to work together.</p> <p>We also have a team of user researchers who research (with defence) any screens and processes we design. We actively recruit participants via the defence representative bodies, and established communication channels (GOV.UK email alerts and HMCTS Twitter).</p> <p>Engagement will continue during 2019 with the following representative bodies: Bar Council; Law Society; CILEx; Criminal Bar Association; London Criminal Courts Solicitors Association; Criminal Law Solicitors Association; Save UK Justice; Big Firms Group.</p>
<p>Further test the use of video hearings for remand hearings and in support of case progression where appropriate.</p>	<p>The video remand hearings project has a series of regular and one-off engagement events planned with key stakeholders including the judiciary, defence practitioners, CPS, police, National Probation Service and the Legal Aid Agency (LAA).</p> <p>Regular engagement already includes monthly working group and Local Implementation Team meetings during which we seek input on key ideas and issues for the VRH future service. This will continue in to 2019.</p> <p>Our series of one-off events, past and future, includes:</p> <ul style="list-style-type: none"> • A workshop with representatives from the police, NHS, defence, CPS, LAA and National Probation Services on managing vulnerable defendants; • A workshop with members of the Judiciary to define what HMCTS & the Judiciary require to make Video Remand Hearings effective; • An online webinar for Defence, CPS and Police giving an overview of the VRH project to date and an opportunity to ask questions; • A series of regional Defence workshops covering key areas for the future VRH service such as application for Legal Aid in a digital working environment.

Crime jurisdiction	
We will be holding Crime Reform Update event for legal professionals in Bristol in January 2019.	
Anticipated project development in 2019:	Engagement activity could include:
Look at how we can improve represented defendants' ability to indicate their plea online and more efficiently allocate cases to the appropriate court (subject to legislation).	<p>After extensive engagement during 2018 with various partners on the future design of the online plea and allocation service project, the Programme may move to establish a pilot next year to test a prototype of the proposed service.</p> <p>This would be local and small scale, and would involve working alongside many key partners and stakeholders to design and operate the pilot service, and to monitor the outcomes and assess its effectiveness against the aims of the pilot. These partner groups would include the judiciary, CPS, legal professionals, the police, LAA, probation services and representative bodies for defence practitioners.</p>
Build further functionality for the Common Platform to support more sophisticated case progression across the criminal justice system to help ensure that when a case goes to court the hearing is effective.	<p>The case progression project team is currently finalising its discovery phase, which will involve working with the judiciary and stakeholders to produce a draft design for case progression for approval. We are still developing a plan for the alpha phase (early design and testing) of the project but would expect this to involve testing the prototype with judiciary, CPS and defence practitioners. Our series of future engagement is expected to include:</p> <ul style="list-style-type: none"> • Discussions with defence lawyers and CPS about access management to the Common Platform, and what information is visible to each side • Discussions with defence lawyers and CPS about layout and functionality of 'dashboard' within Common Platform, information they require, how to manage notifications, how to manage escalations, how to facilitate conversations between both sides • Discussions with court staff about layout and functionality of dashboard, information they require, role of court staff in relation to notifications, escalations. • Discussions with judiciary about layout and functionality of dashboard, information they require
Civil jurisdiction	
We have scheduled a Civil Reform Update event for legal professionals in Manchester in March 2019.	
Anticipated project development in 2019:	Engagement activity could include:
Expand our online civil money claims service – and the legal representatives' version of it – so it can be used by everyone. We will continue to add sections to the service, building it out so that in time it supports cases going to hearing as well as those settling beforehand (which will also allow us to operate paperless civil courts).	<p>Going in to 2019 we plan to hold regular meetings, provide demos, attend conferences and provide updates on all stages of the project with the following external stakeholders: Litigant in Person Engagement Group (one of the HMCTS formal engagement groups, see Appendix D); Advice UK; CILEx; Civil Mediation Council; Civil Court Users Association (CCUA); Personal Support Unit (PSU); Bar Council; Law Society; The Federation of Small Businesses; Chartered Institute of Arbitrators; The International Court of Arbitration; International Chamber of Commerce.</p> <p>We will continue to work very closely with the subcommittee of the Civil Procedure Rules committee to ensure that any new features receive scrutiny from lawyers and members of the judiciary before being released and to also ensure that the relevant legislation is in place to support service design.</p>

Civil jurisdiction	
We have scheduled a Civil Reform Update event for legal professionals in Manchester in March 2019.	
Anticipated project development in 2019:	Engagement activity could include:
<p>Set out in more detail what we will do through the civil enforcement project and create and test new ways of working to improve the current service.</p>	<p>During inception and discovery, the civil enforcement project engaged with internal and external stakeholders. We have undertaken research with internal HMCTS staff (County Court staff and bailiffs) and a wide range of external service users (high court enforcement officers, debt charities, Civil Court Users Association, debt companies as well as claimants and defendants) to identify their user needs and better understand any challenges with the current service.</p> <p>We interviewed 87 users across nine identified user groups. The project has been working closely with the Civil Court User Association (CCUA) and debt advice charities to conduct a survey asking users about their experience of the current civil enforcement service. We presented at the CCUA conference and received useful feedback. Service design workshops were held with stakeholders in October 2018. These insights are being used to develop digital solutions which are being tested during the current alpha phase of the project.</p> <p>During our alpha phase we will be holding sessions to test: content (newly created GOV.UK pages) including the new terminology for the Writ of Control form; user journeys through the service. The project will continue to engage with these users via face-to-face/telephone interviews. We will undertake site visits to complete prototype testing and will gather feedback on content/products, which will all help in shaping the future service.</p> <p>We will continue to engage with the judiciary to understand their requirements. We will ensure that Judicial Office has notice of announcements and plans.</p>
<p>Start a project on possession. Early opportunities have been identified to simplify the process for possession cases, improve engagement between parties and HMCTS and digitise the end-to-end service for all claims, providing support for users that need it.</p>	<p>The possession project has built on the user research already undertaken by HMCTS with users of the civil jurisdiction, targeting possession-specific service users.</p> <p>The project plans to hold inception events along with workshops with internal and external users of the service to gather information and feedback to help further inform and develop the future solution for the possession service.</p> <p>We will work on developing a communication and stakeholder strategy, which will inform our future engagement throughout the project lifecycle. The project intends to engage via face-to-face interviews, telephone interviews and online surveys with our stakeholders, continuing this during development and testing of new products with plans to undertake site visits to gather feedback. Engagement with the judiciary is planned throughout the project to ensure their needs are captured and fed into designs. Possession Project will ensure the Judicial Office has notice of announcements and plans.</p>

Family jurisdiction	
Anticipated project development in 2019:	Engagement activity could include:
Introduce seamless digital working within the family public law project so that evidence can be submitted and shared electronically, and cases can be managed much more securely and effectively. This will help us to test and develop a core document management system for the family courts that can then be extended. It will also enable in-court digital presentation of evidence.	<p>We are working with local authorities, CAFCASS, charities, third sector organisations, parents/guardian, legal advisors, judiciary, DTUS (unions), other HMCTS change projects (to understand all projects with dependencies), Ministry of Justice and HMCTS operational teams. Our engagements have consisted of general project updates on the work to date, feedback sessions through meetings and workshops and demonstrations to bring the groups up to speed, all aimed at sharing the vision for the project, to capture thoughts/feedback on current thinking and to agree an engagement strategy going forward.</p> <p>We have been testing early prototypes with local authorities and using their feedback to make improvements to the digital application. We intend to continue sharing the prototypes, providing demonstrations, sharing updates and seeking feedback from stakeholders.</p>
Continue developing the digital end-to-end service to enable individuals and/or legal representatives to make an application for adoptions.	<p>The team recently commenced discovery activities and mapped out project stakeholders. We will build on this to plan stakeholder engagement sessions.</p> <p>As part of user research, the team has already met and scheduled visits with various charities, the judiciary, local authorities, Department for Education (DfE), National Adoption Service for Wales and CAFCASS.</p>
The divorce system will be extended to cover financial remedy and there will be dedicated versions for legal professionals allowing them to manage multiple cases. This is currently being tested with a small group of legal professionals.	<p>We will continue working closely with legal professionals to develop legal professional products for financial remedy and online divorce. Drafts of additional features, such as new notifications, are shared with solicitors ahead of fortnightly engagement meetings, where general feedback is also recorded to help guide development.</p> <p>We will consult with the judiciary and legal advisors in personal user research sessions, to assist with development of digital ways of working for both financial remedy and divorce, and to support the integration of the judicial user Interface.</p>
Probate: New version of a grant that contains a digital seal on paper that includes a hologram.	Approval has been gained by the President of the Family Division. Meetings with interested financial institutions, Foreign & Commonwealth Office (FCO) and Land Registry to seek feedback and agree implementation of the grant.
The Probate system will be extended to cover Intestacy and Caveats.	Regular user research lab sessions, testing the digital journeys to gain feedback on the features in order to improve the product for the user.
Probate: The online legal professionals' (MVP) service will be expanded to allow testing with more legal professionals.	Extend pilot to test with more legal professionals. Meetings with legal professionals to onboard them to the pilot. This will include taking them through the digital legal professionals journey and familiarisation sessions for the digital system. Follow up communication via email to seek feedback on system and any ideas for improvement that can be incorporated into future releases.
Extend our systems for divorce and probate, adding more features and making the probate system available to everyone.	<p>Divorce: Continue to test new and additional features with users including those with assisted digital and accessibility needs, prior to release, in dedicated user research sessions.</p> <p>Feedback received by way of exit surveys and e-mails is analysed closely to identify trends and issues and ensure the product is refined in line with user needs.</p>

Tribunals	
We will be running a Tribunals Reform Update event for legal professionals in Exeter in February 2019.	
Anticipated project development in 2019:	Engagement activity could include:
Introduce a similar ability to appeal online, and track appeals for the asylum and immigration tribunal.	<p>The reformed IAC will be fully digitised over the next 12 months and will move away from the current upfront listing of appeal hearings, instead only listing cases when the Tribunal Project decides they are ready to be decided. All appeals will be proactively case managed by case workers who will assist the judiciary in narrowing the issues in dispute and encouraging the Home Office to review their underlying decision at an early stage. The reformed service will be tested in early 2019 with a basic end-to-end asylum appeal, with the four other appeal types being added on a phased basis by the end of the summer 2019.</p> <p>A wide and diverse range of stakeholders have and are being engaged in the service design for the IAC Project. These include: Ministry of Justice and Home Office policy officials, IAC judiciary, HMCTS staff (primarily tribunal caseworkers) Heads of CFT, Cluster Managers and Operations Directorate, UK Visas and Immigration, Legal Aid Agency, Government Digital Service, Immigration Law Practitioners Association, Law Society, Bar Council, Solicitors Regulatory Authority, Office of the Immigration Services Commissioner, Chartered Institute of Legal Executives, Council of Immigration Judges, and the Judicial Office.</p> <p>Methodology includes stakeholder meetings, research visits, presentations (eg at the annual Judicial conference (September 2018)), a virtual walkthrough, and 'show and tells'. A number of legal representatives' firms will be invited to test the new process in private beta and feedback before rolling out to other users.</p> <p>Appeal processes and timescales are contained within the Tribunal Procedure Rules so the Tribunal Procedure [Rule] Committee will also be engaged on what changes to the rules will required in summer 2019 following private Beta. This engagement will take place through the Immigration and Asylum Sub-Committee.</p>
Build an evidence share function between HMCTS and other government departments to allow for the efficient transmission of appeals and case bundles.	<p>We are engaging with the IAC judiciary on what data and information already collected by the Home Office is required for the appeal, and with the Home Office on how it can be provided from the Home Office case management system. Fortnightly steering group meetings are held where this is discussed with both, and the project team's technical leads meet regularly with their counterparts in the Home Office.</p> <p>Bundle composition is contained within the Tribunal Procedure Rules so the Tribunal Procedure [Rule] Committee will also be engaged on what changes to the rules will required in summer 2019 following Private Beta. This engagement will take place through the Immigration and Asylum Sub-Committee.</p>
Test and introduce a system for continuous online resolution into the Social Security and Child Support Tribunal to allow appellants to participate in online hearings.	<p>A proof of concept exercise has been in progress since July 2018, which involved judicial colleagues and appellants opting into the continuous online resolution process to establish how a digital relay of questions and answers can work and what types of appeals might be suitable for resolution in this way.</p> <p>As of November 2018 we are: building prototypes of the service, testing them with users, learning, changing and testing again; finding the problems with the service's design and deciding how to solve them; testing the Proof of Concept with real appeals; and drafting evaluation criteria. We will continue to work with appellants, legal professionals, tribunals judges and the department of Work and Pensions (DWP) as we develop the service.</p>
Expand the use of tribunal case workers across a number of jurisdictions.	In the IAC tribunal caseworkers undertake interlocutory work on behalf of the judiciary. A practice direction issued by the Senior President of Tribunals sets out the delegated tasks that they will undertake so he and the IAC judiciary are being engaged on new or additional tasks they will undertake. The Judicial College is being engaged on the provision of training for the new role, through face-to-face meetings.
Introduce a reformed service for detainees applying for immigration bail in the First-tier Tribunal Immigration and Asylum Chamber	The reformed immigration bail process will fully digitise the current paper-based system, and will introduce video hearings by default, by the end of June 2019. Stakeholders being engaged are Ministry of Justice and Home Office policy officials, UK Visas and Immigration and Immigration Removal Centre, IAC judiciary, HMCTS (primarily bail teams), Bail for Immigration Detainees and Bail Observation Project. Methodology includes stakeholder meetings, research visits, presentations, a virtual 'walkthroughs', and 'show and tells'.

Infrastructure & Operations	
Anticipated project development in 2019:	Engagement activity could include:
Refine our estates strategy based on the responses to our consultation, setting out the principles we will apply when we make decisions about the future court estate. We intend to publish the consultation response document in late 2018.	<p>In January 2018 HMCTS consulted publicly for views on its strategic approach to future estates reform, with the consultation period having closed at the end of March. We expect to publish our response in the next three months, having analysed carefully all responses received on a range of questions posed. This consultation process is helping us to shape our future principles for making and assessing further proposals for changing our estate in the context of the wider modernisation underway.</p> <p>As the HMCTS modernisation process makes progress we will be continuing to keep our estate under review and assessing proposals to consolidate and improve the estate in light of evidence of progress with reform. In 2019 we expect to make further proposals for consolidation. As with previous proposals for court closure, we would be seeking views by means of a formal public consultation.</p>
Further develop fully video hearing technology so that it can be made available in other jurisdictions as well as developing our support service. We will also continue to emphasise learning from our experience and improving as we go – particularly listening hard to those using our courts and tribunals, and we are working with members of the judiciary to identify the type of hearings which are suitable for further early testing.	<p>Our next phase of early testing of fully video hearings will be subject to a process evaluation by independent academics from the LSE. Through observation and interviews with users, the evaluation will provide insight into how judges, parties and representatives engage with the system and their experiences. This will inform further development and service design.</p> <p>We are working with academics through the Court of the Future network, sharing designs for comment and input, at each significant development of project we will continue to share our designs for comment and input.</p> <p>We will continue to engage with legal professionals through our professional engagement meetings and via ongoing user research.</p> <p>We will work with other government departments to understand their needs and technology capabilities for using fully video hearings in tribunals jurisdictions.</p>
Design and begin to test new digital tools and new processes to support better scheduling and listing of cases. The tests will take place in all jurisdictions, and will feed into the design of the end solution, which will be transitioned into all reformed services.	We will be testing a prototype new system in a small number of courts over the early part of 2019. Alongside this, we will engage the legal community on how new digital listing tools could better support their needs during the listing process. This will involve bringing together legal professionals to help develop ideas, to inform our future design.

Infrastructure & Operations	
Anticipated project development in 2019:	Engagement activity could include:
Develop and publish design standards for new buildings and courtrooms, ensuring that spaces are flexible, accessible, well-equipped and suitable for modern needs, particularly around IT infrastructure	<p>We expect to publish the first version of our new Court and Tribunal Design Guide (which significantly revises the current 2010 guide) in the next three months, alongside our response to the public consultation on future estates reform. This guide sets the principles and standards by which any future changes to our buildings will be made, while allowing for pragmatic adjustments at project level. Our legacy estate will inevitably include hearing rooms and buildings which reflect historic specifications. If a given room, space or facility is demonstrably meeting users' needs, it may be retained, even though its fabric, layout or fit-out may be inconsistent with the new standards.</p> <p>We are also currently working to further develop the content of the guide and expect to release a second version in 2019.</p> <p>Proactive and detailed engagement has been undertaken with a range of judicial bodies (all Judicial Engagement Groups, the Magistrates Engagement Group, and the Judicial Reform Board), as well as legal professional user groups, the Criminal Justice Working Group, National Probation Service, the Litigants in Person and family and friends group (a combined group with representatives from litigants in persons, family & friends, victims and witness groups, PSU, and support services, Equalities and Inclusion Engagement Group), and operational and reform colleagues</p> <p>Engagement on version two is already underway, and we expect this to be complete in the new , with release of version 2 in the first half of 2019.</p> <p>No further engagement is currently planned beyond this. However, the guide will be kept under review for lessons learned from implementation at project level. Additionally, where progress with specific reform initiatives suggests additional revisions to physical space planning may be necessary, updates to the guide will be considered and the above stakeholder groups consulted when changes to the guide are proposed.</p>
Flexible Operating Hours	<p>In October 2017 we published a Pilots Prospectus asking for feedback to the proposed Flexible Operating Hours (FOH) pilots in the criminal, civil and family jurisdiction. We committed to listening to responses before proceeding. We considered this feedback in detail and in November 2018 we announced our intention to proceed with two FOH pilots in the civil and family jurisdictions. We published a Revised Pilots Prospectus with our starting proposals for the two pilots and outlining the feedback we had received.</p> <p>Local Implementation Teams (LITs) in both sites will develop the design and start date for the pilots (likely Spring 2019). We also have an Evaluation Advisory Group (to oversee the evaluation of the pilots) and a National Steering Group, which both include representatives from across the justice system. We are committed to continuing to engage with both professional and public users throughout the project.</p>
Courts & Tribunals Regional Tier	<p>The Programme will be undertaking organisational design which will include user mapping and journeys. In order to develop this, the CTRT programme will be looking to engage with professional and public users for feedback and to test components introduced to courts and tribunals to ensure they meet user needs and requirements.</p> <p>We will work with the other reform projects to understand the user requirements from the user journey work that they have already undertaken and this will inform the CTRT engagement plan. So, as an example in Crime, following on from the crime project victim & witness journey mapping we will use those outputs to engage with Witness Service on the functions and roles within Courts & Tribunals.</p>

Infrastructure & Operations	
Anticipated project development in 2019:	Engagement activity could include:
<p>Expansion of the face-to-face service delivered through Good Things Foundation. This includes adding further pilot sites and implementing alternative support models such as an outreach service.</p> <p>Implementing Assisted Digital capabilities into new CTSC sites</p> <p>Evaluating the Assisted Digital service</p>	<p>We will continue to engage with our public user and judicial engagement groups to provide updates and seek feedback on any changes to our service. Public groups include the Litigants in Person and Equalities engagement groups (Appendix D). These groups are made up of organisations that represent the types of users we expect to see through our service.</p> <p>We will be carrying out research and testing with users of our service and gathering feedback from them through surveys and follow up conversations with those who have accessed our service.</p> <p>We will be sharing our approach and experience with other government departments who are starting or working on similar programmes of work.</p>



HM Courts & Tribunals Service

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HMCTS.communications@justice.gov.uk