

Online Procedure Rule Committee

Minutes of meeting 10 July at 4.45pm

Members in attendance

- Sir Geoffrey Vos, Master of the Rolls (MR)
- Sir Andrew McFarlane, President of the Family Division (PFD)
- Sir Keith Lindblom, Senior President of Tribunals (SPT)
- Sarah Stephens (SS)
- Brett Dixon (BD)
- Gerard Boyers (GB)

Guest speakers

- Amy Caldwell-Nichols (ACN)
- Jay Bangle, HMCTS (JB)
- Bill Dowse, MoJ (BDo)
- Alasdair Wallace, MoJ (AW)

Non-members in attendance

- Lord Justice Baker
- Lord Justice Birss
- Harriet Ainsworth-Smith, MoJ
- Matthew Roberts, MoJ - Secretariat
- Helen Timpson, MoJ
- Sarah Rose, MoJ
- Nick Lee, Judicial Office
- Bee Ezete, PFD's PO
- Shane O'Reilly, SPT's PO
- Josh Ivinson, Judicial Office
- Farah Ziaulla, MoJ
- Sarah Adams, MoJ
- Grace Hodges, MR's PO
- Sam Allan, MR's PO

Apologies

- Mrs Justice Joanna Smith

Item 1 Welcome, Apologies, agree minutes from previous meeting

1. MR introduced a discussion of the role of the OPRC and some immediate actions, including increased public facing communications to explain purpose of OPRC, nature of the DJS and its interactions with the analogue system. The Committee also needs to make decisions on sub-committees following on from initial discussions at the first meeting.
2. MR suggested that the OPRC needed to consider how providers of pre-action portals and early legal advice and information would interact with the digital justice system so they can be listed at the first tier of it. The rules applicable will need to be considered early on in the process.
3. A further question for the Committee to determine is when and how parts of the court-based tier 3 existing digital process will be brought into the ambit of OPRC via a Statutory Instrument.
4. The Committee will want to take a view on the role of AI. It could be very useful at the stage of diagnosing people's legal problems, but the Committee will need to decide the parameters of this discussion.
5. GB observed that these questions may be resolved by agreeing the approach to design. The Committee can either focus on one tier of the system at a time or follow one case type through the end-to-end journey. MR noted that the latter approach may be challenging given the interconnected nature of legal problems.

Item 2 HMCTS Digital Ecosystem - Jay Bangle-Chief Technology Officer

6. Jay Bangle presented on the HMCTS Reform Programme, and particularly the new digital infrastructure.

7. Before the Reform Programme began HMCTS processes were paper driven and supporting technology ranged from 15 to 30 years old. Reform is introducing two new platforms – Common Platform in the criminal jurisdiction and the CFT Platform. These platforms modernise ways of working and remove paper-based processes. As well as being more efficient, these systems eliminate user errors. Design principles place the user at the centre in terms of how we build the system, with accessibility, proportionality, transparency, and future proofing being amongst the key design principles.
8. JB also updated on other IT capabilities being introduced, including video hearing. This is a new platform for virtual hearings which provides an improved user experience through video hearings. Users receive the link to the hearing days before it is due to take place and can test the operation of the link with their software and read court documents in advance. This saves valuable court time on the day of the hearing.

Item 3 Data in the Justice System - Amy Caldwell-Nichols

9. Amy Caldwell-Nichols, Deputy Director in the Insights and Analytics Division of HMCTS, introduced the work of her division. Insights and Analytics provides the data and analytics that HMCTS and others need to understand and monitor performance, as well as to identify opportunities for improvements.
10. In terms of key achievements, the team built and delivered a new strategic data platform in March 2023. This has delivered the tools, automations and security needed to safely manage and access data produced by HMCTS. The team have revamped the process for requests for access to HMCTS data and setup a new Senior Data Governance Panel to provide advice and steers on novel data requests.
11. ACN discussed agreed priorities for HMCTS data. Migration to the new platform is underway. A new data catalogue and data dictionary to search for and understand data better is being developed. HMCTS are implementing a strategic approach to master and reference data so that these are shared across the justice system, which will improve data quality.

Item 4 Tribunals Update - Bill Dowse

12. Bill Dowse is head of the Administrative Justice Policy Team at MoJ, which advises the Lord Chancellor on all tribunals related matters. There are 7 First Tier Tribunals, which cover areas such as tax, education, health and social disputes. The Upper Tribunal also has a judicial review function. Each chamber has a chamber president.
13. There are approximately 350,000 appeals and claims registered with the Tribunals. The largest category of claims relates to welfare benefits. Tribunals are designed to offer accessible and low cost means of resolving disputes. Unlike court hearings, tribunal hearings are before a panel typically comprised of experts. Proceedings are designed to be less formal than court hearings. Panellists are trained to assist unrepresented parties.
14. High priority areas for ministers at the moment include the volume of claims in the Employment Tribunals, which have stabilised but remain higher than pre-Covid, and the Illegal Migration Bill currently before Parliament.

Item 5 Discussion Points on Sub-Committee Structure and the Work Programme Next Steps

15. It was agreed that GB would lead the tech sub-committee. Lord Justice Baker would chair the governance sub-committee. BD would chair the data sub-committee. The

liaison sub-committee would be jointly chaired by Lord Justice Birss and SS. The Secretariat would work with the Chairs over the coming weeks to discuss membership of the sub-committees and terms of reference.

16. The Committee briefly discussed the approach to the work programme and agreed that the first step is to set up the sub-committees and identify answers to the questions discussed at the start of the meeting. Ministerial input and agreement will be needed before the programme of work can be agreed.

Item 6 AOB

17. The next OPRC meeting will be on the 9 October. The agenda was circulated with the papers. All to send MoJ any suggestions over the coming weeks.

Actions

- **Members to contact the Secretariat if they would like to propose an agenda item for future OPRC meetings.**
- **Members to consider how effective the first OPRC meetings have been and provide feedback at the next OPRC meeting.**
- **MoJ policy team and sub-committee chairs to discuss membership and terms of reference.**