

## **ANNEX A**

### **OPRC Requirements: HMCTS Possession Service**

This document sets out the OPRC requirements for a new digital system for possession and property. The scope of the property aspect, which relates primarily to the work of the Tribunals' Property Chamber, is yet to be confirmed<sup>1</sup>.

These requirements have been updated following the feedback from the OPRC on 21 October 2024. The amendments were discussed by the OPRC Property and Possession Workstream on 5 November, and also HMCTS.

For Requirement 9 there are 2 proposals for phrasing which the committees' views are sought on.

The requirements are:

1. A new digital system must handle possession claims of all kinds. That includes all types of claim and counterclaim, all kinds of party (such as social landlords, private mortgagees, unrepresented tenants, legally represented tenants etc.), and any number of parties to the same claim acting independently.
2. It must allow parties of any kind (legal represented or in person) to bring or defend any possession claim from start to finish (including enforcement).
3. The user interface must accommodate diverse user needs with differing legal and digital capabilities. It should present a clear, intuitive design that meets accessibility and inclusion standards<sup>2</sup> to enable users of all capabilities, whether legally or self-represented, to navigate and engage effectively in the justice process.
4. There must be a complete digital file available to the parties and the courts and tribunals for every claim.
5. The system must allow all parties to interact with the system (such as by uploading material, accessing the court file, bringing and defending applications, paying fees, being given notice of hearings etc) in an appropriate manner.
6. Once any pilot system has been tested, the use of the system by legally represented parties must be mandatory.
7. For litigants in person, they must be able to use the system to bring or defend a claim albeit it is not mandatory from their point of view. However there will still be a digital file. Documents filed on paper by a litigant in person will be scanned and uploaded.
8. The new digital system must be capable of interfacing with appropriate external systems, including the HLPAS and relevant external organisations as part of the Digital Justice System.

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<sup>1</sup> In general terms the property scope is likely to relate to residential property and leasehold reform.

<sup>2</sup> The Inclusion Framework for the OPRC is being developed but will articulate the accessibility and inclusion standards to which the entire Digital Justice System will be required to adhere.

9. The new digital system must be future proof in relation to the work of the tribunals' Property Chamber, so that in due course the system will be able to handle the work of that Chamber too.
10. It must be possible for anyone to see how all aspects of the live system work without having to bring or defend a live claim. This could be provided by a separate digital environment, digital demonstration system or other suitable means.
11. These requirements do not have to be realised in full from the start. However, a request to permit a pilot system to commence which does not satisfy all requirements is not likely to be accepted without an explanation and a commitment that these requirements can and will be satisfied.

7 November 2024