



Ministry  
of Justice

# HMCTS Reform Evaluation

## Thematic Report: Digitalisation

Ministry of Justice Analytical Series

2026

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First published 2026



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ISBN 978-1-911763-08-6

### **Acknowledgements**

The authors would like to thank those who participated in the implementation evaluation research for their helpful insights and time.

We extend our gratitude to the research and policy teams in the Ministry of Justice and HM Courts and Tribunals Service for their support and contributions to the report, with special thanks to Ramona Franklyn.

The authors would also like to thank the independent peer reviewers who provided comments.

Final thanks go to members of the evaluation's Academic Advisory Panel and the Judicial Advisory Panel for their expert insight and advice.

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# 1. Executive summary

## 1.1 Introduction

This report forms part of the Ministry of Justice's (MoJ) overarching evaluation of the HM Courts and Tribunal Service (HMCTS) Reform Programme.

The HMCTS Reform Programme launched in 2016 and aimed to modernise the justice system, by making it more accessible, simpler to manage, and more cost-effective to operate. The programme formally closed in March 2025.

The overarching evaluation draws on several pieces of research to assess whether the Reform Programme achieved its objectives and what effects it has had, for whom and why. The evaluation focuses on the impact of HMCTS reform on access to justice, for both the general population and vulnerable groups.

This report focuses on the new digital platforms introduced by HMCTS. Findings are drawn from multiple strands of research conducted by both the MoJ and HMCTS. **The evidence drawn on in this report relates to the Civil, Family and Tribunal (CFT) jurisdictions, unless Crime is specifically stated.** Further details on the MoJ's evaluation approach and associated publications can be found at: [HMCTS Reform Overarching Evaluation: Research - GOV.UK](#).

## 1.2 Summary of findings

### How have digital reforms been implemented?

**Implementation of digital reforms broadly followed an agile approach**, that developed minimum viable products (MVP) and tested them in early adopter courts. While this enabled iterative development of digital services, **elements of the approach were not well understood by all stakeholders**, leading to reports of confusion and reduced confidence in early versions of digital services.

Additional **barriers to smooth implementation included delivery plans** that were (in hindsight) **overly optimistic, prioritised speed**, and were **insufficiently detailed** for such a complex programme. Performance monitoring and evaluation opportunities were initially hindered by the quality and inaccessibility of HMCTS data.<sup>1</sup> HMCTS staff also noted that there was a **lack of effective collaboration** at times, resulting in **duplicated efforts and inefficiencies**.

**Digital reform impacted a wide range of stakeholders, but engagement was unbalanced.** Some people felt that early outreach prioritised public users, resulting in limited consultations with HMCTS staff and the judiciary. Feedback mechanisms varied, and frequent changes led to fatigue.

**The Reform Programme was impacted by external pressures including the COVID-19 pandemic, legislative changes, and shifts in ministerial priorities.** This caused delays, scope change, increased costs, and added pressure to deliver digital services quickly. Despite this, digital uptake increased for most services following national rollout. **The pandemic helped to accelerate digital adoption for users and fostered a greater openness to reform for some.**

### **What are user perceptions of digital reform and what barriers do they face?**

**Digital channels are widely used across different public user groups**, but evidence shows some differences in uptake. This may reflect case complexity or current limitations in some digital services but also highlights the importance of ongoing monitoring for equity and inclusion.

**Many public users found digital services convenient**, with the majority being satisfied with the service. However, **public users sometimes struggled to understand the information provided to help them pursue a legal issue.** Among vulnerable users, this lack of knowledge often persisted throughout the case journey. It was **exacerbated**

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<sup>1</sup> This was compounded by a lack of baseline data. New monitoring information has since been developed, detail on this can be found in chapter 3.

**further for those with language and literacy issues**, and with issues understanding terminology related to a legal problem and/or navigating support available online.

Having no access to the internet or **limited digital skills can significantly impact people's ability to seek support and manage a legal issue** where digital access is involved. Support services like the National Digital Support Service (NDSS) has helped users who may be digitally excluded, or need assistance accessing online services, including those with disabilities.

**Legal professionals, HMCTS staff and the judiciary generally supported digitalisation in principle**, appreciating the shift away from paper-based systems and the flexibility it offered. **However, certain barriers were reported** including technical issues, limited functionality for complex cases, breakpoints in the digital service that forced cases to revert to paper, and insufficient training and support.

To improve access, **public users need clearer guidance, better communication, and visible support options**. Simplified language, automated updates, and signposting to services like Court and Tribunals Service Centres<sup>2</sup> (CTSCs) and the NDSS can help close knowledge gaps and reduce anxiety. **Access to legal advice and emotional support remains critical**, particularly for those navigating complex or high-stakes cases without representation.

### **What are users' perceptions of the digital reforms supporting the delivery of justice?**

**There is evidence of positive public support for digital services**, acknowledging their convenience and viewing them as an acceptable alternative to paper routes. Attitudes did vary however, **with older people and those with lower digital capability preferring offline options**. Evidence shows that **most public users found key early steps in accessing justice via the new digital process easy and convenient**.

**Legal professionals acknowledged that the digital reforms had brought some improvements to access to justice for public users**, including all parties being able to

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<sup>2</sup> Courts and Tribunals Service Centre staff are responsible for administering appeals and answering questions from appellants and legal representatives via email or phone.

access documents more reliably, but **raised concerns about inconsistent access for unrepresented users** and limitations in correcting errors.

Despite these challenges, **digital services were generally seen to offer a consistent experience**, though maintaining choice between online and offline routes for public users was viewed as essential to fairness.

### **Has digital reform delivered the intended objectives of a system that is just, proportionate, and accessible?**

**There is strong evidence that digitalisation has helped deliver a system for public users that is just, proportionate, and accessible. The evidence is weaker for professional users.**<sup>3</sup> Public users benefit from multiple channel options that enable self-service, reduce effort, and improve access to justice. **Satisfaction with digital services was high**, and users reported ease in starting cases. However, **for legal professionals, uptake was often driven by mandatory requirements**, and there was only some support to suggest that ‘self-service’ has ensured the best use of judicial time.

**Timeliness generally improved across most CFT services, especially for digital cases**, suggesting a proportionate system. However, for services that were not fully digitalised there were unintended consequences, including **workarounds and increased administrative burden on the judiciary**.

Findings suggest **digitalisation has helped reduce perceived barriers to access**. However, evidence that this has improved perceptions of fairness, transparency and proportionality is limited. Additionally, while evidence suggests **digitalisation is generally perceived positively by the public when offline channels are retained**, there are potential **barriers for users without English or Welsh as a first language**. Alongside reform, there have been factors outside of the programme that have influenced change. These included general improvements in digital capability arising from the COVID-19

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<sup>3</sup> Professional users include individuals who engage with the justice system in a formal or occupational capacity. For the evaluation, this includes legal professionals, the judiciary, and HMCTS staff.

pandemic, and legislative changes (like the introduction of ‘no-fault’ divorce<sup>4</sup>) simplifying processes.

### What are the specific lessons that can be learned from digital reforms?

**Key lessons** for HMCTS and future large-scale transformation programmes **include the need for detailed, holistic and strategic implementation plans, with realistic timelines**, to reflect the complexity of the change. Overly ambitious plans led to delays and often exceeded available resources. **A more iterative, product-focused approach**, properly aligned with agile principles, **could support more successful delivery**.

**Services should aim to create a user journey that is entirely digitalised** and properly integrated into wider operational processes. Partial digitalisation can deter uptake and create inefficiencies. Effective reform requires adequate resourcing across the length of the programme, with emphasis on less complicated governance processes, improved data quality, and effective stakeholder engagement. **Retaining skilled staff and technical expertise is important. Embedding feedback into service development**, supported by transparent communication, can **help build trust in the programme**.

While recent research and evaluation have provided valuable insights, some **evidence gaps remain**. These include:

- Further work to understand who struggles to access the justice system, and how these inequalities can be addressed, including further exploration of differences in digital uptake for subgroups.
- Identifying where the digital journey could be made less complex for some services.
- Gathering further insights from external stakeholders (e.g. local authorities / police forces) to understand their perceptions of reform.

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<sup>4</sup> ‘No-fault divorce’ was introduced in April 2022 meaning couples are able to obtain a divorce without having to assign blame or prove wrongdoing by either party.

## 2. Introduction

This report forms part of the overarching evaluation of the HMCTS Reform Programme. It presents evidence on the digital reforms. Further information on the MoJ's evaluation approach and previous publications are available at: [HMCTS Reform Overarching Evaluation: Research - GOV.UK](#).

This chapter provides an update on the HMCTS Reform Programme. It begins with a summary of the programme's aims and progress, followed by an overview of the MoJ's evaluation plans and an overview of the digital reforms. The following chapters present the available evidence to address the evaluation questions.

### 2.1 HMCTS Reform Programme

In 2016, the then Lord Chancellor, Lord Chief Justice and Senior President of Tribunals published a joint statement recognising that, despite our courts and legal systems being world-renowned, much of the system at the time was outdated, paper-based, and not fit for the future.

***“The vision [for the HMCTS Reform Programme] is to modernise and upgrade our justice system so that it works even better for everyone, from judges and legal professionals, to witnesses, litigants, and the vulnerable victims of crime. When they have to engage with the system, we want everyone to have available to them the finest justice system in the world.”***

*Joint statement from Lord Chancellor, Lord Chief Justice, and Senior President of Tribunals (2016)*

Guided by the principle that the justice system should be designed with users at its core, the HMCTS Reform Programme aimed to make the courts more accessible, simpler to manage, and more cost-effective to operate. The £1.3bn nine-year change programme has been large, complex, and ambitious.

Conducting a change programme of this scale has been challenging and was made substantially more difficult by the COVID-19 pandemic. The Reform Programme has introduced substantial changes since 2016 and was reset in 2023 to address delivery challenges.<sup>5</sup> The programme formally closed in March 2025. Following this closure, HMCTS continues to make improvements to modernise the system and improve services.

## 2.2 MoJ's overarching evaluation

Evaluation plays an integral role in any new policy or programme.<sup>6</sup> The MoJ is conducting an evaluation of the HMCTS Reform Programme. The evaluation is identifying whether and how the Reform Programme has achieved its intended objectives and what effects it has had, for whom and why. The evaluation focuses on the impact of HMCTS reform on access to justice, for both the general population and vulnerable groups.<sup>7</sup> The overarching evaluation draws on several pieces of research to evaluate the Reform Programme as a whole. The reports for the individual research studies and evaluations are published separately as they are completed.<sup>8</sup>

## 2.3 Overview of thematic area 1: digitalisation

HMCTS reform was a complex programme, consisting of over 40 projects. A theory of change was created to explain how the activities of HMCTS reform were anticipated to contribute to the intended aims and outcomes of the programme.<sup>9</sup>

HMCTS reform activities were grouped into four themes:

1. Thematic area 1: Adding new channels (routes to services) and redesigning existing channels around user needs
2. Thematic area 2: Using remote hearing technology in more hearings
3. Thematic area 3: Consolidating the court estate and investing in court infrastructure
4. Thematic area 4: Introducing new support services.

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<sup>5</sup> [HMCTS reform: achievements, challenges and next steps – Inside HMCTS](#)

<sup>6</sup> See the [MOJ Evaluation and Prototyping Strategy - GOV.UK](#)

<sup>7</sup> See Appendix D for how vulnerability has been defined within the context of Reform.

<sup>8</sup> Accessed here: [HMCTS Reform Overarching Evaluation: Research - GOV.UK](#)

<sup>9</sup> For the overarching theory of change, see [HMCTS Reform MOJ Evaluation: Progress Report - GOV.UK](#)

This report focuses on thematic area 1, providing an overview of the evidence as of September 2025. Evidence on the remainder of the evaluation programme will be published in 2027.<sup>10</sup>

Thematic area 1 is focused on the new digital platforms introduced by HMCTS, intended to deliver a range of online services and support an efficient end-to-end management of cases in all jurisdictions. Public users can access the digitalised services through GOV.UK, while for legal professionals, cases are submitted and managed digitally through the MyHMCTS online platform. These platforms allow access to relevant parties and partners to progress cases digitally in one system. In CFT, digital services are enabled by the case management system 'Core Case Data' (CCD). For Criminal Courts, the digital case management system 'Common Platform' aimed to provide paperless case preparation and courtrooms, enabling criminal justice partners to access and share relevant information about a case.<sup>11</sup> Digital reforms also included new case management systems and tools for judges and HMCTS staff.<sup>12</sup> The populations of interest for the evaluation are those engaging with HMCTS services, as well as the general public who may engage with such services in the future.

Figure 1 shows the theory of change for thematic area 1 that was revised following the 2023 progress report<sup>13</sup> to reflect changes in scope.<sup>14</sup> As a result, possession and enforcement were taken out, having been removed from the Reform Programme in 2024. Additionally, Criminal Injuries Compensation Tribunal replaced Special Tribunals, as it was the only Special Tribunal to undergo reform.

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<sup>10</sup> Further information on future reporting is included in chapter 9.

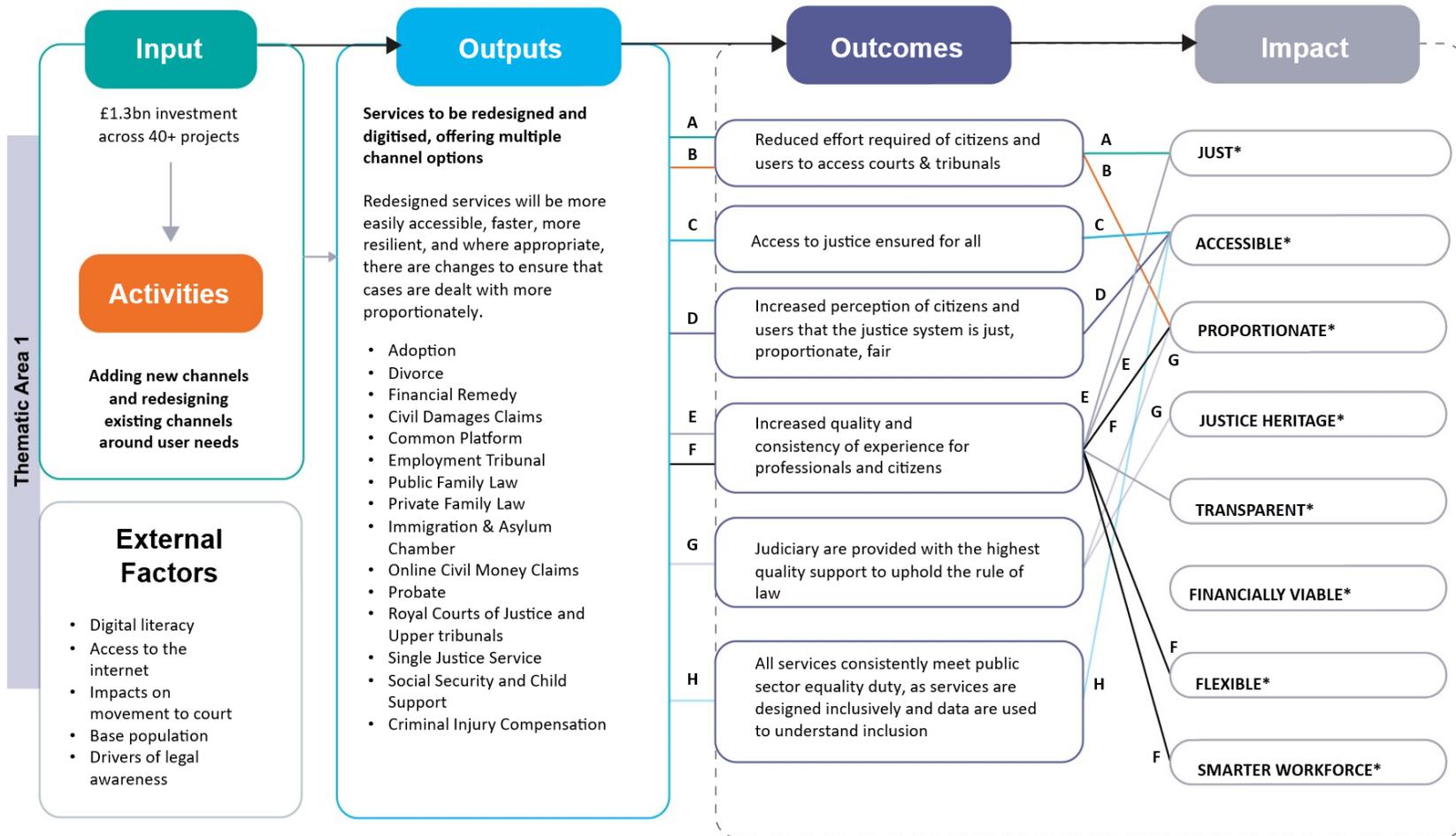
<sup>11</sup> Common Platform is used by HMCTS staff, judges, and legal professionals. The public do not engage with the platform beyond the Single Justice Service.

<sup>12</sup> For further information on the digital reforms covered in thematic area 1, see Appendix A.

<sup>13</sup> [HMCTS Reform MOJ Evaluation: Progress Report - GOV.UK](#)

<sup>14</sup> Definitions for the impact measures are included in the report's glossary.

Figure 1: Theory of change – thematic area 1



**Causal Pathways:** Adding new channels and redesigning existing channels

- A. Multiple channel options will **enable** people to 'self-serve' and reduce effort.
- B. Multiple channel options will **increase** the speed of case progression.
- C. Multiple channel options will **increase** access to justice through a wider range of channels which are consistently available across all services.
- D. Multiple channel options and user-designed services will **increase** perception that the system is Just, Accessible, Proportionate.

- E. Multiple channel options and user-designed services will **enhance** the quality and consistency of peoples' experiences.
- F. Multiple channel options and user-designed services will **enable** a flexible infrastructure.
- G. 'Self-service' will **ensure** the best use of judicial time.
- H. Multiple channel options and user-designed services will **ensure** that no one is left behind by the addition of new channels.

## 2.4 Evaluation questions and approach

This report draws on multiple strands of research conducted as part of the evaluation of HMCTS reform. Evidence has been brought together to assess the effect of digital reform across jurisdictions and services, taking a cross-cutting view rather than addressing each reformed service individually. Each evaluation project provides unique insights into how reform is being delivered and is impacting its users. The main sources drawn from are:

- Digital Services Evaluation
- Evaluation of the National Digital Support Service (NDSS)
- Immigration and Asylum Appeals Reformed Service Evaluation (IAC Evaluation)
- Implementation Evaluation
- The Legal Problem and Resolution Survey (LPRS)
- MoJ Management Information Analysis
- Theory-based Impact Evaluation
- Vulnerability Study.

An overview of the evaluation projects is provided in Appendix C, with further methodological details set out in the Technical Appendix.<sup>15</sup> Full reports for the published projects are available at: [HMCTS Reform Overarching Evaluation: Research - GOV.UK](#). The research questions relating to digitalisation have been adapted from the evaluation's overarching questions.<sup>16</sup>

### Evaluation research questions: digitalisation

1. How has digital reform been implemented?
  - a. What was the approach to digitalisation?
  - b. How has the administration of the justice system (including its component parts and infrastructure) changed over the course of digital reform?

<sup>15</sup> A Technical Appendix with further details of project methodology has been published alongside this report.

<sup>16</sup> For the complete list of overarching evaluation questions, see [HMCTS Reform MOJ Evaluation: Progress Report - GOV.UK](#).

- c. What are the wider trends and events that define the context in which digital reform has been implemented?
2. What are user perceptions of digital reform and what barriers do they face?
  - a. What are the characteristics of the wider public users of digital reformed court and tribunal services?
  - b. What barriers do public and professional users face when using digitally reformed services?
  - c. What support do the public, especially those who might be vulnerable, need to use digitally reformed services?
  - d. What is the experience of digitally reformed services for legal professionals, HMCTS staff and the judiciary?
3. What are users' perceptions of the digitally reformed services supporting the delivery of justice?
  - a. What are users' perceptions of the fairness and openness of digitally reformed services?
4. Has digital reform delivered its intended objectives of a system that is just, proportionate, and accessible?
  - a. Has digital reform delivered against these objectives for vulnerable users?
  - b. How has digital reform delivered change, and is this consistent with the theory of change?
  - c. Have there been any unintended consequences, either positive or negative?
5. What are the specific lessons that can be learnt from digital reform?
  - a. What can be learnt to inform continuous improvement of digitally reformed services?
  - b. What can be learnt to inform future digital transformation programmes?
  - c. What evidence gaps remain for future research and evaluation?

## 2.5 The evidence need

Rapid Evidence Assessments were conducted in 2023 as part of the MoJ's Overarching Evaluation, looking across the four thematic areas.<sup>17</sup> For thematic area 1, the literature suggested that inequality of access may be an issue for some groups for whom a shift to online service provision may be disadvantageous (Yamagata & Fox, 2017). The consensus view was that some people, such as those who are digitally excluded or have a physical disability, may be particularly at risk. However, the review did not uncover a body of robust, consistent evidence that might enable HMCTS to identify who these groups might be, or which HMCTS processes and procedures might drive potential inequalities. The lack of data is a significant gap in the evidence required to address concerns regarding potential inequalities. The MoJ's overarching evaluation adds valuable findings to the evidence base as well as provide essential lessons learned for future large change programmes.

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<sup>17</sup> [HMCTS Reform Evaluation: Rapid Evidence Assessments - GOV.UK](#)

## 3. How have digital reforms been implemented?

### 3.1 Summary

The implementation of digital reforms has been complex and iterative. While the Reform Programme introduced a range of digital services and achieved significant uptake for both public and legal professionals over time, delivery was challenging and progress varied across services.

HMCTS encountered several barriers that hindered smooth implementation. This included conflicting delivery principles, stakeholder knowledge gaps regarding the agile approach, overly optimistic planning, and a lack of effective collaboration.

External consultants played a key role early on, but their influence sometimes led to IT-driven decisions that constrained future opportunities and operational flexibility. Performance monitoring and evaluation opportunities were initially hindered by the poor quality and inaccessibility of HMCTS data.

The programme saw significant scope reductions and delivery delays, due to changes in legislation, resource constraints and the pandemic-related disruptions. Implementation was most successful in courts and regions where people had higher digital literacy and more positive attitudes towards reform.

### 3.2 Chapter introduction

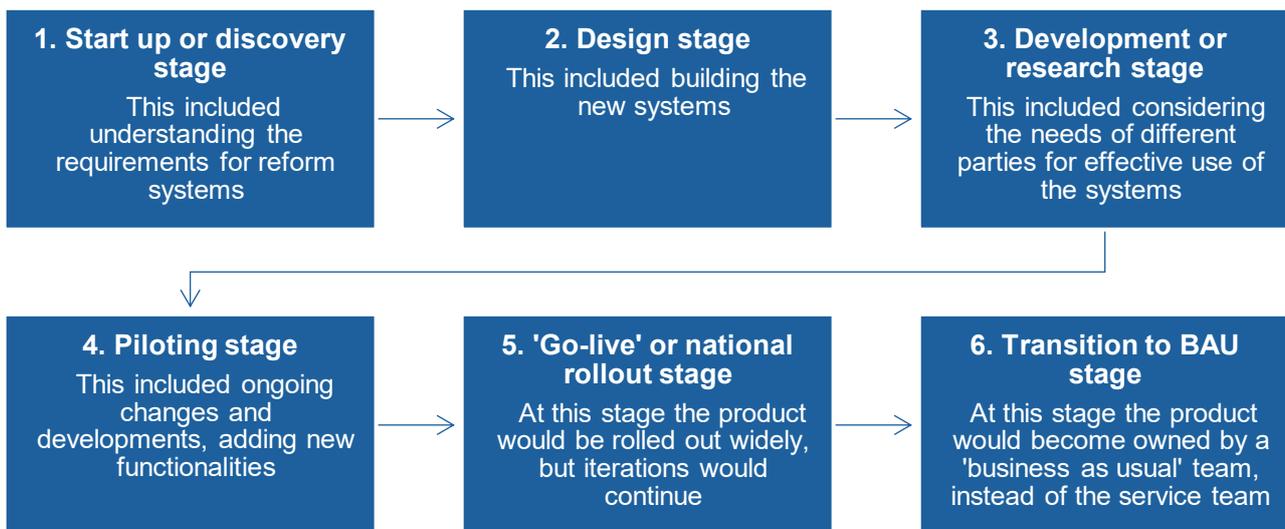
Across all jurisdictions, the Reform Programme has brought in and expanded a range of digital application and submission processes. This includes some fully online applications (e.g., for divorce or probate) and some which incorporate digital elements such as an online form submission, or the option to upload digital documents rather than paper versions. The new digital processes are facilitated by case management systems: Core Case Data (CCD) for CFT services and Common Platform for Crime. This section

describes how these digital reforms have been implemented. The majority of the evidence is from **the Implementation Evaluation**, with additional insights on digital take-up from **MoJ data analysis, the Digital Services Evaluation and the Legal Problem and Resolution Survey (LPRS)**.<sup>18</sup>

### 3.3 What was the approach to digitalisation?

Implementation followed a staged delivery process, as set out in Figure 2 below. Participants described this as an agile delivery model, based on creating and testing a ‘minimum viable product’ (MVP) across stages 1 to 5.<sup>19</sup> The MVP was used in early adopter courts for testing before being launched in additional sites.

**Figure 2: Overview of the key implementation stages**<sup>20</sup>



HMCTS also implemented several 'common components' - tools (or operational assets) that support the CFT services using CCD.<sup>21</sup> Common components were implemented in a

<sup>18</sup> The Implementation Evaluation covers CFT and Crime, while additional research including MoJ data analysis, the Digital Services Evaluation, and the LPRS only cover CFT.

<sup>19</sup> An MVP is the simplest version of a product, with just enough features to be usable, allowing for testing and future development.

<sup>20</sup> The service team referred to in step 6 refers to staff members who designed the reforms.

<sup>21</sup> Common components support the CCD platform used in the CFT jurisdictions. They do not interact with Common Platform and the crime related services the platform operates in. Further information on the different common components are included in Appendix B.

similar manner to CCD and Common Platform, with early adopter courts and staggered rollout. However, many common components were not implemented until after the introduction of CCD, as the need was not identified until the first two CCD services (Divorce and Probate) had been introduced and had created their own bespoke solutions.

"It was probably a year, 18 months into reform, when that lightbulb moment of actually, is there a different way of delivering this stuff so that we're not duplicating that effort and doing it multiple times." **HMCTS staff member**

Interviews with HMCTS staff<sup>22</sup> included some positive reflections of the implementation approach, including the use of early adopters to enable testing and share learnings regarding best practice. However, there were also some challenges associated with the approach. These included:

- Knowledge gaps surrounding the agile approach
- Conflicting delivery principles, underestimating complexity, and overly optimistic planning
- Complex governance structures
- Barriers to performance monitoring
- An overreliance on external resource
- A lack of collaboration
- A desire for more 'hands-on training'.

### **Knowledge gaps surrounding the agile approach**

The MVP concept was not universally understood by stakeholders. Participants described the MVP as appearing as an incomplete or unfinished product. While this is not unusual for

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<sup>22</sup> This includes overarching senior staff (senior staff members with oversight across the programme), service staff (staff members who designed the reforms), operational staff (staff who delivered the reformed services), and digital staff (responsible for developing the digital infrastructure and systems). For further details on the participant groups in the Implementation Evaluation see the accompanying Technical Appendix.

an MVP, it was not unanimously understood or anticipated. The terminology confused and concerned stakeholders - with 'minimum' being associated with unstable and underdeveloped products that were unsuitable for HMCTS.

Members of the judiciary felt that going live required a strong product showcasing HMCTS's best offerings and thought that the MVP represented the opposite. While those familiar with the agile delivery model may have anticipated the errors in the early MVP products, those less familiar felt they had received a faulty product. This reduced interest and motivation in engaging with iterations of the reformed digital service. Evidence from the Digital Services Evaluation echoed this, stating that most professional users (judges, legal professionals, and HMCTS staff) felt that reformed services were rolled out and mandated prematurely, without adequate testing or consideration of non-standard circumstances. However, professional users did suggest that the services were steadily improving.

This knowledge gap suggests further communication was needed to explain the implementation approach being adopted, for instance what a Minimal Viable Product approach meant in practice, to better manage stakeholder expectations.

### **Conflicting delivery principles, underestimating complexity, and overly optimistic planning**

Although the approach to implementation was commonly referred to as agile, not all elements of the process were aligned to the principles of agile delivery.<sup>23</sup> Aspects including fixed committed delivery timelines and business case structured investment are more aligned with a 'waterfall' approach.<sup>24</sup> Participants described this as a confusing blend of approaches, and those with experience outside of the civil service noted the challenges of applying an agile model in a sector driven by funding and legislation.

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<sup>23</sup> Agile project management is an iterative approach to delivering a project, which focuses on continuous releases that incorporate customer feedback. The ability to adjust during each iteration promotes adaptability.

<sup>24</sup> Waterfall methodology follows a linear and sequential approach to software development, with distinct phases such as requirements gathering, design, implementation, testing, and maintenance.

Implementation plans proved to be overly optimistic, with both technical requirements and the effort needed to deliver them underestimated. This led to unrealistic implementation timelines and costs, as participants noted that plans often exceeded the time and resources available. For example, the complexity of integrating new and existing systems was underestimated. As a result, legacy IT systems were retained because the reformed systems could not meet the full functional requirements for all cases. The need to maintain and integrate these legacy systems ultimately took more time and incurred higher costs than originally planned.

Plans were frequently revised, yet participants felt that each revision continued to reflect idealistic timelines. The COVID-19 pandemic also contributed to delays and increased costs, causing significant impact throughout the programme.<sup>25</sup>

The ambitious programme saw a **'big bang' approach** taken to implementation. Some participants felt that, in hindsight, too much was attempted at once, and this was perceived to have created the following challenges:

- **Prioritising speed contributed to technical debt** (the cost of choosing a quick solution over software that is maintainable in the long term). New technology that was initially efficient became difficult and expensive to adapt. This created inefficient software development productivity. The approach did not account for the long-running needs of HMCTS.
- **Focusing on quick implementation created an individualistic approach to procurement.** Early in the programme, individual procurements for similar services across different workstreams were established. This, coupled with a perceived focus on reduced cost at the expense of quality, at times resulted in slower delivery, poorer quality and the need for re-work. The approach was not well aligned with the agile nature of development and did not acknowledge that requirements were in flux.

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<sup>25</sup> Further information regarding the impact of COVID-19 can be found in section 3.4.

- **At times the implementation speed created too much load for operational teams.** Overly ambitious plans that exceeded the resources available caused frustration and fatigue amongst HMCTS staff.
- **Implementing prior to fully developing detailed integrated and strategic plans.** HMCTS staff, and the backend infrastructure they use, were not prioritised in the early stages, with public users and their experiences taking precedence in delivery plans. Identifying requirements such as common components after CCD implementation caused the creation of multiple products. Participants described that by the time common components were rolled out, early adopter sites had already created workarounds that fulfilled similar functions. This resulted in duplication of products and wasted resources. Participants described that, ideally, common components would have been incorporated into the foundation of planning and delivery.

"So, in an ideal world, what should have happened probably was that during the very early days when we were looking at reform, we should have identified what these common components were and built them perhaps before we started with the services." **HMCTS staff member**

A better balance between speed and design quality could have led to improved programme delivery. For example, adopting an approach more closely aligned to agile principles, with slower, more iterative development and better use of common components. Achieving this would have required more flexible funding, realistic timelines, cost forecasting and integrated planning.

### **Complex governance structures**

Participants described the governance structures of the digital reforms as complex, with multiple layers of decision-making structures (such as several boards and working/steering groups) and decision makers causing confusion. The joint responsibility for the Reform Programme shared by both the Lord Chancellor and the judiciary introduced governance and accountability complexities, which at times slowed decision-making.

“I think that joint responsibilities of ministers and judiciary did cause issues at times. They were, in terms of governance processes, very complex, because you would have to go through multiple, multiple layers of governance, judicial governance, joint governance, MoJ governance... So, yes, the governance was not ineffective but because of HMCTS's complex constitutional position, there was quite a lot of it, and it definitely slowed down decision making.” **HMCTS staff member**

With senior judges operating independently, this presented challenges due to varying views and processes. Decision-making was also hindered in areas such as cross-jurisdictional projects due to a lack of a clear governance route.

Some HMCTS staff reported that early decisions did not sufficiently incorporate the perspectives of operational staff. Over time, governance structures evolved to better include them. A more mature HMCTS portfolio function could have played a stronger role in shaping programme assurance.

Demystifying governance structures by establishing clear roles and ownership early in the implementation process would be beneficial to efficient delivery. Actively including input from a wide range of users within decision making structures would improve the effectiveness of implementation.

### **Barriers to performance monitoring**

HMCTS monitored performance and delivery using milestones at both the programme and project level, setting strategic outcomes for each stage including quantitative indicators (such as the proportion of digital users) and qualitative descriptive outcomes. Performance issues were discussed at board meetings.

Performance monitoring was hindered in the early stages by the quality and inaccessibility of HMCTS data. Implementation plans did not sufficiently establish the management information (MI) data needs, the associated data standards or defined metrics required to facilitate effective performance monitoring. This limited the ability to make comparisons between legacy and reformed systems and also contributed to data integration issues

between services. For example, there are reports from users of less comprehensive data outputs for Employment Tribunals in CCD compared to legacy systems. This also limited evaluation opportunities to demonstrate the impact of reform, a frequent concern noted by external commentators. Improvements have been made to the data infrastructure over the course of the Reform Programme, with HMCTS now collecting more comprehensive data across a range of reformed services. This data is used to inform decision-making for individual services and at a broader organisational level and provides a baseline against which future performance can be assessed.<sup>26</sup>

'A proper impact and outcome evaluation requires baseline data and research. Unfortunately, in many cases HMCTS has already launched new digital services or closed courts before gathering that data.' **Transform Justice**

'We are particularly concerned that we have not been shown any evidence of baseline data against which to measure the impact of the changes. In addition to measuring the impact on process and efficiency, there is a need to measure the justice impact of changes.' **The Law Society**

Future transformation programmes would benefit from considering the data requirements early on in planning phases, including establishing clearly defined data standards and required metrics. Where existing data systems do not meet these requirements, new systems and infrastructures need to be established to facilitate this.

### **Overreliance on external resource**

Some HMCTS staff reported that during the early stages of reform, there were insufficient staff with the technical capability required for implementation. Plans to build this capability were too optimistic, as the corporate knowledge and skills could not be developed at the pace required to meet delivery timelines. External consultants were therefore relied upon

<sup>26</sup> Further detail on the development of the data strategy and essential data requirements can be accessed through [HMCTS data strategy \(December 2021\) - GOV.UK](#)

to fill this resource gap, including in senior technical roles. This external resource shaped the scope of reform and had a significant influence on the programme's future.

Consultants shaped the development of reform's IT infrastructure, such as creating the standard operating procedures, and it was challenging for HMCTS staff to assess the quality of the service and decisions consultants were providing. HMCTS staff described these decisions as set in stone, resulting in the business being influenced by IT decisions rather than the business shaping the technical platforms. This resulted in numerous inefficient workarounds.

“I think there's a saying that, 'the IT tail should not wag the business dog,' like, the business dog should wag the IT tail, we should be there to support the business. I think what's happened is, because of the decisions that were made at the very beginning that were set in stone...the business has been influenced by those decisions, and limited and impacted by the technical platform, not the other way around.” **HMCTS staff member**

Beyond the early stages of reform, other resourcing challenges were considered to be:

- **High staff turnover throughout implementation resulting in inefficiencies** and loss of institutional knowledge. Teams struggled to deliver when there was insufficient knowledge transfer and design rationale. New staff brought new visions and subsequently structural changes, creating inconsistent goals.
- Delivery being **negatively impacted where teams had project managers without operational experience** or a full understanding of the project scope.
- That implementation was **resource intensive**. Fulfilling the governance and assurance requirements, management of the programme interdependencies, data needs, operational running, responding to feedback, and wider stakeholder management are all areas where resource was strained. This suggests **initial plans did not fully appreciate the resource demand of the programme**.

Digital transformation requires adequately resourcing programmes with the technical capability, knowledge and experience required, including senior technical decision-making positions. A slower, more incremental, implementation plan could have allowed for capability to build sustainably, preventing the over-reliance on contractors and the subsequent impact to output quality. For the future development of digital services within HMCTS, retaining the skilled digital resource it has in the workforce is crucial.

### **Lack of collaboration**

HMCTS staff noted that at times there was a lack of collaboration during the programme's implementation. Siloed working reportedly led to a disconnect between services.

“For example, if you are getting a divorce, that's one of our services, if you've got children and you need to work out custody in court... that's another of our services. ...We're asking the same questions in different ways and not sharing data. ...They [other services] weren't asking the question in the same way, so sometimes you got different answers.” **HMCTS staff member**

HMCTS staff highlighted the need for improved collaboration among delivery teams, service teams, operational staff, and key stakeholders. This could be achieved by maintaining regular engagement, aligning delivery with strategic objectives, and establishing cross-functional teams with mechanisms for conflict resolution. Operational staff felt that enhanced collaboration should include more hands-on support during implementation.

Where collaborative working had taken place, this supported more effective implementation of digital reforms. For instance, HMCTS staff noted that the adoption service team tracked developments in both private and public family law reforms to maximise alignment, ensuring consistency.

Future transformation programmes should consider how collaborative and cross-functional working practices can be built in from the start. Encouraging staff to share their experiences with colleagues, and do so frequently, promotes collaboration and helps drive efficiencies.

### A desire for more 'hands-on' training

The training offer for HMCTS staff and the judiciary included both 'live training' (e.g. recorded videos and in-person site visits) and 'static training' (e.g. user guides). **Live training was preferred** due to the interactive experience it provided, facilitating a better understanding through immediate Q&A and feedback. **Static training materials were described as cumbersome and unintuitive.** Participants described challenges navigating user guides and voiced that they struggled to use the guides in "real time."

'A really quite impenetrable document, called 'Hints and Tips', but it looks very much like an HMCTS style spreadsheet, it's not user friendly.' **Member of the judiciary**

HMCTS staff reported that delivery could have been more effective if they had more **interactive training programmes**, comprehensive materials, and hands-on support during the rollout phase. Those using Common Platform reported that remote and pre-recorded e-learnings were not enough to facilitate successful adoption of the intricate reforms. More in-person demonstrations, regular site visits, and proactive check-ins to aid understanding of the platforms would have been beneficial.

Judges also suggested that they would have benefited from a **test environment** that would allow them to practice using the platforms without the risk of impacting live case data. Without this approach, judges described a sense of trepidation learning on live cases as any errors made in the learning process could have real consequences for claimants or defendants.

While there was a range of training materials available, both HMCTS staff and the judiciary described the offer as 'insufficient', with **most learning happening 'on the job'**. This

sentiment was echoed by legal professionals in the findings from the Digital Services Evaluation. The lack of standardised training across different courts and regions, caused stakeholders to develop their own training, putting a further **strain on their resources**. However, in areas where there was a standardised training offer, such as a guide for financial remedy (FR), this quickly became outdated due to the ongoing improvements to the service. This challenge was acknowledged by stakeholders.

‘You would have expected, by the time we were going live, there to be almost a how to guide, but there wasn't. It still felt very much, 'you need to plan this through yourself and go to find the information you're after, rather than, 'here is your step-by-step approach to rolling out Common Platform in your area.’ **HMCTS staff member**

Future transformation programmes would benefit from training that is:

- a. Focused on providing ‘live’ training rather than static information, offering users a hands-on, accessible, and engaging learning experience.
- b. Supported by an offline training environment, where staff can practise using the system with dummy cases and test new features as they develop.
- c. A continuous process, offering users access to environments where they can test new features as they develop.
- d. A tailored training approach, adapted to each service and specific roles but within a unified structure of the programme-level goals.
- e. Aligned to the delivery model, with flexibility to evolve as rollout progresses.

### 3.4 To what extent has the Reform Programme delivered what it intended?

At its inception, the programme’s aims were ambitious. It aimed to modernise digital services across the vast majority of case types within courts and tribunals, while also reducing the size of the court estate, centralising court administration and introducing remote hearings. The objectives can be broadly grouped into:

1. Transformational aims focused on improving services and creating a better user experience
2. Process oriented aims focused on creating financial efficiencies for HMCTS.

### **Perceptions varied on whether the objectives had been achieved**

Implementation Evaluation participants had mixed opinions on whether these objectives had been met within the timeframe of the programme. Some felt reform had succeeded in creating more efficient systems (such as CCD and Common Platform). For others, the high volume of workarounds and the legacy systems remaining at the time of the research, indicated an unfinished offering. For example, participants described that while CCD successfully centralised administrative work, it did not always function across all areas and therefore did not fully achieve its objectives.

‘For me that’s where I don’t think it’s delivered, because if you’ve delivered then you don’t have so many workarounds, you don’t have so many outstanding challenges, and you do have the finished product that you set out to deliver.’ **HMCTS staff member**

Some stakeholders reported a perceived shift in objectives over time, with an emphasis on financial efficiencies overshadowing aims to improve services and the wider transformational goals.

‘We were being driven by a vision of transformation for the organisation, and we needed some digital products to support that. At some point it switched to, we’re going to deliver some digital products, and the organisation is going to have to find a way of living with the digital products that we deliver.’ **HMCTS staff member**

### **Scope change**

Initially, in 2016, the Reform Programme was made up of over 50 individual reform projects. Overtime the programme reduced in scope - down to 40 projects in 2023. For digital services, several (11 services) were removed from the programme due to factors such as new bills (e.g. the Renters Reform Bill resulted in the possession service taken out of reform scope), insufficient resources to deliver services by programme closure (e.g. civil

& criminal enforcement) and prioritising core jurisdictional services (e.g. 9 tribunals<sup>27</sup> were taken out of scope to focus on delivering the Criminal Injuries Compensation digital service).

For those services that remained, the full scope of the service, as originally conceived, has not necessarily been delivered. Scope change (both removing and adding new elements) has occurred across several services. Table 13 in Appendix E sets out these changes across the services.

Some reasons for reductions in scope include:

- **Adapting to legislative change:** For the divorce service, elements were descoped due to the introduction of no-fault divorce', which made some elements redundant (such as the defended service). Additional pressure from new policies and legislation affected several areas, such as Immigration, Housing and Mediation.
- **Complexity:** The adoption service saw a significant decrease in scope, with the original plans for an end-to-end digital journey reduced to providing an online application form for placed adoptions. Digitalising the process, as in the original plans, was found to be difficult due to the administrative effort and the quality assurance required. Employment Tribunals saw elements, such as the allocation of disputes, descoped as the system required to do so (the online allocation dispute resolution) was incompatible with the service.
- **Resequencing and delaying:** For some services, elements were descoped due to needs beyond the service. For instance, in the adoption service, decommissioning the legacy system (Familyman) was descoped due to the system still being required by other areas of the family jurisdiction.
- **Financial limitations and reprioritisation due to COVID-19:** For some jurisdictions, such as Crime, the full scope could not be delivered within the funding allocated. In 2023, it was agreed that plans would need to change due to the disruption COVID-19 caused, and the subsequent need to manage pandemic

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<sup>27</sup> Special Educational Needs and Disability Tribunal, Public Health Lists Tribunal, Care Standards Tribunal, Mental Health Tribunal, Asylum Support Tribunal, War Pensions and Armed Forces Compensation Tribunal, Property Jurisdictions Tribunals, the General Regulatory Chamber Tribunal, and the Tax Tribunal.

recovery at the same time as reform. Some of the change considerations, and the knock-on effect to service scope, included:

**Relieving pressure within the system:** Some plans were descope to limit the impact of Crime reform changes on the Crown Court, due to the pressures created by listing backlogs:

- The plans to replace the Crown Court's document management system (DCS) and case notes capabilities
- The plans to implement new case progression features
- Future Crown Prosecution Service releases.

**The proposed benefits of delivery were not deemed to outweigh the timeline risks:** The listing tool 'ListAssist' was supposed to be integrated into the crime service. However, this was descope as the integration was complex, experienced several delays, and was thought to be a risk to the successful delivery of the remaining programme. Similarly, the online plea and allocation tool was also descope, due to the few litigants in person in the Crime service, therefore the benefits were deemed minimal.

Scope change also involved an increase of the service scope to that originally conceived. Some reasons for this included:

- **Responding to COVID-19:** A digital solution for charity sector notifications was added to the probate service to enable document sharing without physically attending offices.
- **Accommodating the wider Reform Programme:** A webchat solution was added to the divorce service to align with the CTSC transition. Robotics were also added to the service to aid in the dual running of the legacy and reformed systems, and bulk schedules was added in the absence of a scheduling and listing solution.
- **Facilitating the service needs:** To enable the full functioning of the public family law service, several additions were made to the service scope. For instance, elements were added to allow local authorities working together to access cases

(‘Share a case’), and to give caseworkers the ability to correct administrative errors (‘Super User Access’).

## Delivery delays

In addition to the change of scope over time, the **expected delivery timelines of several digital services have frequently been extended**. Table 14 in Appendix F shows the services’ forecast and ‘actual’ delivery dates.

Whilst table 14 would suggest that 15 services have been delivered by the point of programme closure in 2025, this does not mean the full scope of functionality of the services has been developed and delivered.

For example, when the family public law service was regarded as delivered (in that it was nationally rolled out) there were elements of the service yet to be implemented (such as bulk scanning capability, facilitating telephony payments and remaining technology enhancements). Similarly for Crime, at the point of programme closure, there were nine features from the reduced scope yet to be implemented.

These outstanding elements are to be delivered as part of ongoing continuous service development, following the closure of the Reform Programme.

In addition to the optimistic planning of the programme's original timelines, additional reasons for extensions included:

- **Programme interdependencies.** The progress of digital reform was dependent on the development of other projects in the wider programme for successful delivery. This included integrating services with scheduling and listing tools, video hearings, support services like CTSCs and common components. The complexity of integration was initially underestimated, and as designs developed timelines were extended. This led to pauses in service development, extension to service timelines and services closing without onboarding all capabilities.
- **COVID-19.** The pandemic had several impacts to the programme, including causing delays to delivering digital services. Shifted priorities, the reallocation of HMCTS's resources, and the added complexity COVID-19 created for everyday operations all

contributed to slowed progress. Further information regarding the impact of COVID-19 can be found in section 3.4.

- **Judicial concerns.** The judiciary had an influential role in the implementation of reform, with their support being a factor in the delivery of reformed services. Some judges had concerns about the move to digitalisation, as they viewed digital activity as increasing administrative tasks.

More detailed integrated and strategic planning from the outset may have reduced the need for scope change and timeline revisions.

## Digital uptake

An easily accessible digital service should see a substantial and consistent increase in its levels of uptake. The proportion of paper cases should decline over time, particularly after the digital service is mandated for professionals.

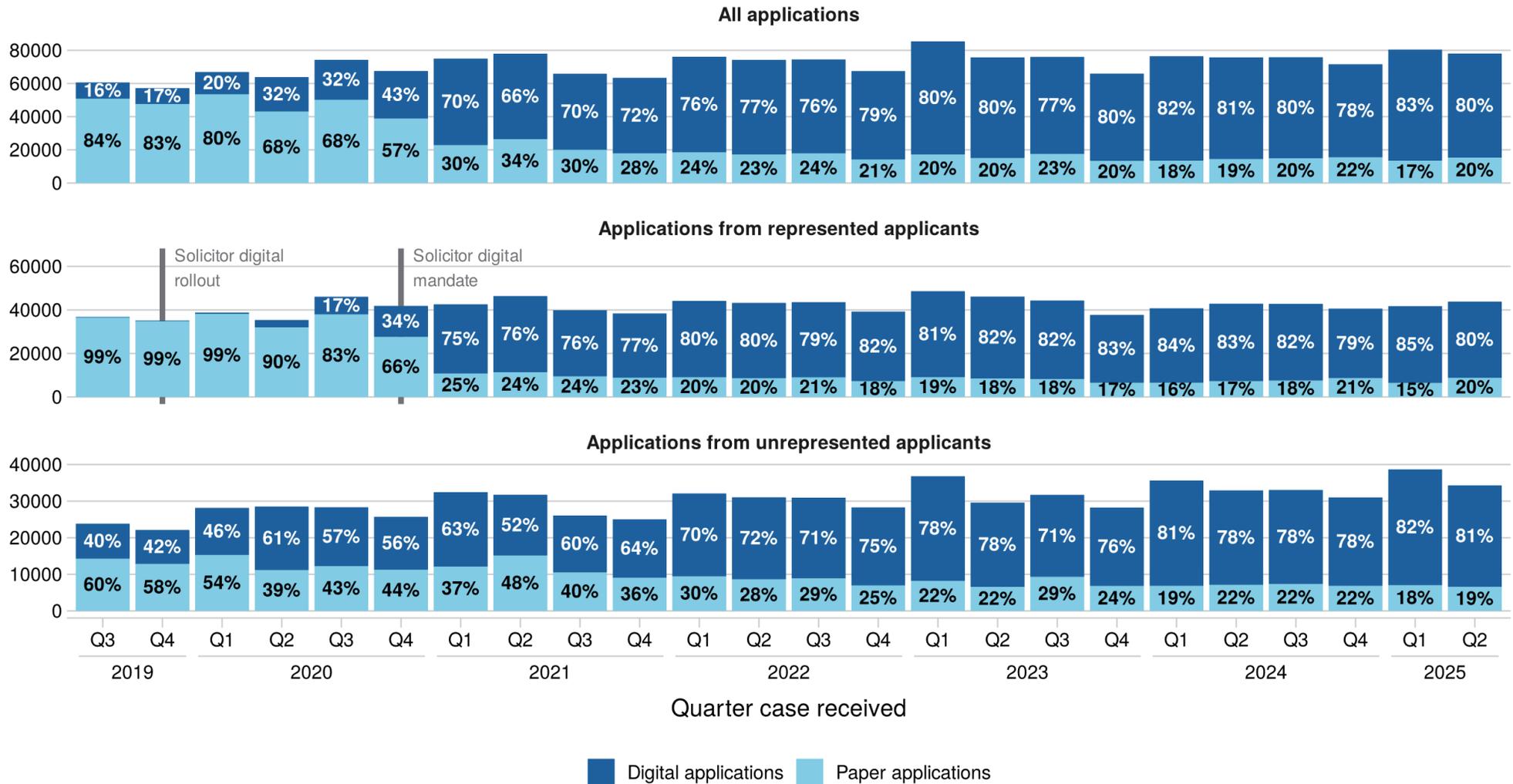
Evidence from the Digital Services Evaluation showed that following a difficult implementation period, over time, digital uptake increased for most services in CFT following the national rollout of reforms for both unrepresented and represented users. For example, MoJ MI data analysis shows that digital uptake in the probate service increased significantly over time. In Q3<sup>28</sup> 2019, only 40% of applications by unrepresented users were submitted digitally, but by Q2 2025, this figure had increased to 81%.<sup>29</sup> Among legal professionals, digital take-up was initially low, with only 10% in Q2 2020, but saw a sharp increase to 75% by Q1 2021 following the introduction of the mandate and reached 80% by Q2 2025. Figure 3 shows the proportion of probate applications for both unrepresented and represented users over time, for each channel type.

<sup>28</sup> Throughout this report, when considering changes over time, quarterly figures for key metrics are used. These refer to quarters of the calendar year. As such, for a given year, Q1 refers to January to March, Q2 refers to April to June, Q3 refers to July to September and Q4 refers to October to December.

<sup>29</sup> The remaining 19% of applications that are completed on paper include applications for cases that are ineligible for the digital service, for example cases with additional complexities. It is not possible to distinguish between applications made via the paper channel due to the applicant's deliberate choice and those made via the paper channel because the application was not eligible to use the digital channel. This means that the percentage of users willing and able to use the digital channel may be higher than 81%.

**Figure 3: Probate applications for all users – quarterly case volumes by channel of submission – Q2 2019 to Q2 2025**

Volume of cases



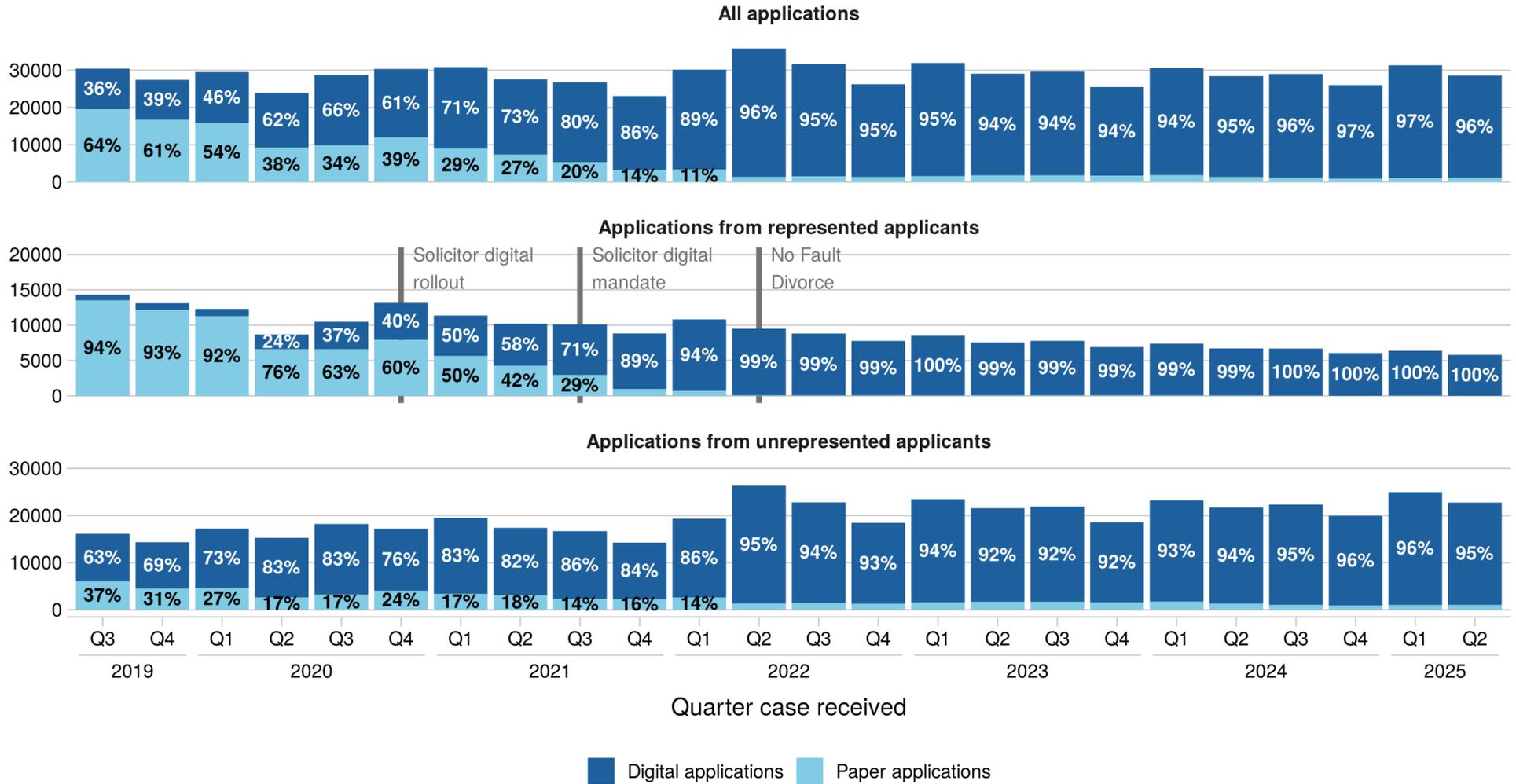
Source: MoJ MI data analysis: Probate

Similarly, digital uptake has increased over time in the divorce service, rising from 3% of applications made by unrepresented users in Q2 2019 to 83-86% between Q1 2021 and Q1 2022. A sharp increase to 95% then occurred in Q2 2022, coinciding with the implementation of no-fault divorce. This figure has remained high since then, maintaining 95% in Q2 2025.

Digital uptake among legal professionals remained relatively low prior to a mandate to use the digital service, with only 58% of applications submitted digitally in Q2 2021. Following the introduction of the mandate for legal professionals, digital uptake steadily increased and then sharply rose to 99% in Q2 2022, when 'no-fault divorce' was introduced, and has remained steady through to Q2 2025. Figure 4 shows the proportion of divorce applications for both unrepresented and represented users over time for each channel type.

**Figure 4: Divorce applications for all users – quarterly case volumes by channel of submission – Q2 2019 to Q2 2025<sup>30</sup>**

Volume of cases



Source: MoJ MI data analysis: Divorce

Figure 4 shows an increase in the number of public users accessing the divorce service without legal representation. Findings from the Digital Services Evaluation suggest there is evidence that the decline in rates of legal representation predate reform, partly due to earlier changes in legal aid eligibility. A sharp further decline coincides more closely with the introduction of ‘no-fault divorce’, suggesting that this is a key contributor to reductions in levels of legal representation, as opposed to the digital reform.

Findings from the Digital Services Evaluation also suggested that for legal professionals, the main reform-related features that drove higher digital uptake across services were:

- 1) quick and effective response to feedback to address any arising issues with the digital service;
- 2) providing training and assistance with the digital channel; and
- 3) the introduction of mandates for the digital service.

**Legal professionals’ continued use of the digital service was dependent on their satisfaction and perceived efficiency of the service.** Services that swiftly resolved issues with the digital channel saw higher levels of adoption over time, often aided by ongoing training and support.

Unsurprisingly, in most cases, digital services that were mandated for legal professionals had the sharpest uptake in use, and therefore digital application is generally higher for legal professionals than for public users. **However, evidence suggests that the mandate on its own may be insufficient to drive high digital uptake for legal professionals.** Uptake might be lower if the digital route is more complex or lengthy compared to the paper channel, even if a mandate is in place. For example, in the damages service<sup>31</sup>, while the digital service was mandated for legal professionals for both claimants and defendants by Q3 2022 leading to 73% of cases being submitted digitally, this reduced to 59% by Q2 2023.

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<sup>31</sup> Descriptions of the reformed services in thematic area 1 are provided in Appendix A.

For unrepresented users, the swift adoption of the digital application channel may reflect increasing digital capability in the general population, potentially accelerated by the onset of the COVID-19 pandemic.

These findings suggest that while the programme has largely achieved its digital uptake goals, continued attention to service usability and user support will be essential for maintaining and expanding engagement.

### **3.5 To what extent have stakeholders engaged with the implementation of digital reform?**

Digital reform has affected a wide range of stakeholders across all jurisdictions, including internal HMCTS staff, the judiciary, external partners and agencies, service users and their representing organisations. HMCTS's engagement with these stakeholders included workshops, showcase forums, engagement events and strategic stakeholder meetings. However, despite these efforts, several challenges emerged.

#### **Bespoke outreach for external stakeholders was resource intensive**

Engagement with stakeholders such as charities, local authorities and police forces often required tailored one-to-one outreach to a primary contact in each individual organisation. Weak existing partner relationships, the sheer number of stakeholders involved, and the bespoke nature of engagement, made this process particularly resource intensive.

At the start of the programme, HMCTS relied heavily on existing communication channels, such as the Press Office, rather than establishing a dedicated external communications function for reform. This limited early engagement, as stronger relationships and more effective communication could have been achieved through greater audience segmentation, targeted messaging, and the creation of dedicated communications teams within stakeholder groups.

Future transformation programmes may benefit from establishing programme specific engagement capabilities and communicating with governing bodies and relevant government departments (in this case, groups such as the Local Government Association, Home Office, and the College of Policing) to foster engagement early on.

### **Lack of early and inclusive engagement**

In the early stages of implementation, some participants felt that the focus on public users came at the expense of HMCTS staff and the judiciary. This was reflected in insufficient engagement with these groups. HMCTS staff attributed various issues to the lack of early consultation and involvement of relevant parties during the scoping and design phases. Beyond initial engagement, it was also noted that ongoing, consistent communication, rather than sporadic check-ins, is essential. Where continued engagement took place, particularly through discussions about user journeys and pain points, relationships were strengthened and implementation challenges were more effectively addressed.

Early, ongoing, and inclusive stakeholder engagement is essential for effectively managing expectations and increasing the likelihood of continued engagement throughout the programme.

### **Frustration with feedback mechanisms and unequal social capital**

A key element of the agile project management technique is for feedback to inform development and the iteration of products. Participants noted a power imbalance among internal stakeholders, particularly regarding feedback. Judicial participants recognised their comments carried more authority, making it easier for their voices to be heard. However, this varied throughout the judiciary, with those involved earlier in implementation (such as those at early adopter sites or taking lead roles in the programme) having better opportunities to share feedback than those involved later.

‘Because I had access to the developers, I had access to the sort of team. Because there was a judicial working group in relation to this product...and I was [involved at

a senior level]. So, when I had a problem, I effectively had a hotline straight to the top. But that was me. That wasn't other people.' **Member of the judiciary**

HMCTS staff flagged the challenges of reporting errors, feeling that at times their input was not heard or not addressed quickly enough. Insufficient attention to frontline feedback was linked to overstretched technical staff. The impact stakeholders had on decision making and digital service development therefore varied.

Participants from digital teams advocated for in-person site visits as a highly effective engagement method, allowing them to promptly resolve issues and address workarounds.

The continuous improvement required by digital transformation needs to be supported by sufficient technical resourcing to respond to feedback. Letting stakeholders know their feedback has been listened to and acted upon helps strengthen trust and foster collaboration. Actively soliciting input from a wide range of users, not just the most vocal, can enrich project plans with diverse perspectives and needs.

### **Change fatigue**

Change fatigue was experienced across services. For example, the rollout of common components exacerbated existing frustrations as stakeholders felt they were repeatedly required to learn how to use new systems as they were integrated and developed. The ongoing and frequent changes over an extended period made it challenging for HMCTS staff to remain engaged and contributed to a sense of fatigue across teams.

### **Need for transparent, consistent and coordinated communication**

During implementation, communications were not always transparent or reflective of the reality experienced by HMCTS staff. For instance, both CCD and Common Platform experienced technological issues throughout development. This created disruptions to the operations of the courts. Communication of these issues by the programme was deemed poor by some HMCTS staff, with delays in acknowledging the issues and informing users. This not only exacerbated the issues at hand, but also impacted confidence in the

reformed systems, added to staff stress, and led at times to resentment and threats of industrial action.

In addition, internal programme communication was not always consistent and clear, impacting stakeholder relationships. A desire for more co-ordinated communications with operational staff and the judiciary was identified, to ensure consistent messaging is received.

While maintaining optimism for a large transformation programme is important, it should not come at the expense of acknowledging difficulties and transparently communicating when issues occur. Building and maintaining positive stakeholder relationships required transparent, consistent and coordinated communication.

### **3.6 How has the context in which reform has been rolled out impacted delivery?**

The Reform Programme spanned nine years, from 2016 to March 2025. Throughout this period a number of external events, including the COVID-19 pandemic, internal changes such as changes in ministerial leadership, and legislative changes shaped the context in which the digital reforms were implemented.

#### **Challenges caused by the COVID-19 pandemic**

In March 2020, the UK government introduced restrictions in response to the COVID-19 pandemic, which remained in place in some form until December 2021. These measures coincided with key phases of the Reform Programme and had a substantial influence on its implementation. This included:

##### **Delays in delivery**

Resources were redistributed away from the Reform Programme to more urgent pandemic related priorities. This led to a reduction in capacity dedicated to implementing digital reforms. For staff still working on the Reform Programme, the pandemic introduced additional complexity to day-to-day work. The need to adapt to new ways of working and

respond to emerging demands affected their ability to maintain focus on reform activities, resulting in disruptions to implementation.

‘Our attention was more divided, rightly, in just, ‘How do we make sure the justice system continues to operate?’ That was massive.’ **HMCTS staff member**

A reduction in resourcing contributed to a pause in elements of the programme. For example, the rollout of Common Platform was paused for several months, and CCD was delayed for a year for Employment Tribunals. Despite decisions made to intentionally delay elements of the programme, some HMCTS staff suggested that in hindsight a more comprehensive re-plan was needed to effectively respond to the prolonged impact of the pandemic. For example, had HMCTS known what the prolonged impact of COVID-19 might have been, they could have planned more conservatively with regards to implementation to maintain focus on recovery from the pandemic. A fundamental reset after the pandemic could have helped to better establish what could realistically be achieved in the remaining time.

### **Scope increase and pressure to deliver at pace**

COVID-19 restrictions quickly increased the need for digitalisation, resulting in:

- Increased pressure to roll out key components quickly
- Expanding the scope of some services
- Higher expectations of what could be delivered by a digital service.

This resulted in increased pressure for HMCTS staff and the judiciary. For example, participants noted that insufficient planning led to a surge in requests, which overwhelmed staff and created significant operational strain.

‘It then turned into an avalanche of emails. It turned into an avalanche of online requests to do stuff, when it wasn't a standard way of working and people struggled to put that in.’ **Member of the judiciary**

In response to the pressures faced by staff and the challenges that arose during the pandemic, some services revised their implementation plans. For example, public family

law temporarily paused its rollout in April 2020 following a review of the issues affecting colleagues. Work resumed in September 2020.

Future change programmes impacted by severe disruptions should revise plans to enable realistic delivery targets, adjustments of timelines and scope revision where necessary. This could help reduce pressure on staff and contribute to increased service quality and reduce costs.

### **Communication challenges**

Switching to remote working (such as using MS Teams) hindered effective communication for some staff.

‘We were trying to roll out this first-of-its-kind-sized programme in a criminal justice system, and Teams is not a good way to try and deliver a culture change programme.’

**HMCTS staff member**

The pandemic also prompted changes to feedback mechanisms. Prior to COVID-19, ‘floor walkers’ were present at newly launched sites to observe operations and gather feedback from court staff. This approach was no longer feasible during the pandemic, and staff instead provided feedback through remote online calls. This shift made testing, feedback, and subsequent updates more challenging, resulting in a greater number of refinements being made later in the process than would typically be expected.

Better-coordinated communication and feedback channels during remote working could have supported earlier testing and refinement.

### **COVID-19 shifted attitudes to digitalisation and reform**

The shift toward digital working due to the pandemic contributed to a change in mindset for some, fostering a greater openness to change. The proven effectiveness of remote working highlighted the importance of robust digital systems, leading both HMCTS staff

and the judiciary to view reform as a logical extension of the changes introduced during the pandemic.

‘We learnt, in a positive way, that we could do things in a different way, which now has become the norm in most ways...we have learnt that we can work digitally. We don't need paper all the time. Sometimes you do, and that's just the way it is, but there's a huge reduction in printing. There's a huge reduction in how we create paper.’ **Member of the judiciary**

Those that had previously been resistant to digital reform were forced to adapt.

‘I think it pushed them [the judiciary] in the right direction to not be as worried or concerned about doing things online’ **HMCTS staff member**

This new way of working was positive for some in terms of more effective collaboration, making it easier to share documents, with the pandemic ultimately accelerating the progress of some elements of reform.

While COVID-19 presented significant challenges for Reform implementation, it helped generate efficiencies and contributed to a culture shift around digitalisation. Clearly demonstrating the benefits of digital transformation to stakeholders can support future reform efforts and may help accelerate the pace of change.

## Changes in the administration of the justice system

Since the launch of the Reform Programme in 2016, the administration of the justice system has undergone a number of changes, requiring the programme to adapt accordingly. This includes the introduction of new legislature and changes in government and ministerial leadership. These changes placed additional operational burden and financial pressures on the system.

## New legislation

New legislation influenced the implementation of reform by requiring digital services to adapt in order to remain compliant. At times, this led to delays and impacted the design of services. For example, the divorce service had to adjust to the implementation of the Divorce, Dissolution and Separation Act (2020), which introduced ‘no-fault divorce’ in April 2022.<sup>32</sup> As a result, some previously planned service elements became redundant. Although these adjustments were challenging, HMCTS staff felt equipped to respond, largely due to the existing digital capabilities and suppliers in place.

## Government and ministerial changes

Government and ministerial changes influenced the implementation of digital services by:

- **Requiring reform activities to align with changing ministerial priorities.** Reform was designed with a fixed timetable and budgets, so new requests from ministers required changes that were not in the original budgets. In turn, this meant some activities lacked the proper funding.
- **Delaying activities while resource was diverted elsewhere.** For example, the Immigration and Asylum Chamber (IAC) service saw a pause to the development of some aspects while the project team supported the changes to the Nationality and Borders Act (2022).
- **Increasing pressure and scrutiny.** Staff felt that the arrival of new ministers contributed to increased pressure and scrutiny. The level of scrutiny, and the requirement for visible progress to secure funding, contributed to premature product launches. Some staff were concerned that elements of reform were driven more by political expectations than practical considerations.

‘...a huge amount of scrutiny, would have had annual business case reviews and gateways..., places a lot of burden on the programme and on senior leadership. It doesn't help to also have a very quick turnover of different ministers to engage with,

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<sup>32</sup> The legislation change removed the need for one spouse to blame the other for the breakdown of the marriage. Instead, a couple, or an individual, can now state their marriage has broken down without placing blame on one party; this became known as a ‘no-fault divorce’.

where you just have to keep going back to square one with engaging them on it.'

**HMCTS staff member**

Future transformation programmes spanning extended periods should consider incorporating flexibility into timelines and funding plans to support responsiveness to shifting priorities.

### **3.7 Has the implementation of digital reform been more successful in particular contexts?**

HMCTS operates across 330 sites, each with its own established ways of working. The Reform Programme aimed to standardise processes across these locations, requiring considerable adjustments from staff to accommodate the changes.

#### **One size does not fit all**

Some HMCTS staff expressed concerns about the implementation approach, noting that it did not sufficiently account for operational variation between sites. As a result, standardised processes were not always well-suited to all sites, meaning some staff did not adopt the new operating processes. This hindered progress, as additional time and effort was required to adapt technology to suit user need.

Understanding the differences between sites, regions, and staff using the service is key to ensuring processes work for all users, therefore aiding efficient implementation.

#### **Shifting attitudes to reform and digital literacy**

Some staff reported an internal culture that was passionate about delivering reform and driving through change. This was seen to assist hugely with the rollout. Staff reported implementation was most effective in courts and regions that held positive attitudes towards reform, and where digital literacy was high.

In contrast, some staff actively resisted change. Addressing this required having to work closely with internal stakeholders (including the judiciary) to gain their support and foster leadership for change.

‘There are people who have worked in HMCTS for their whole careers, literally decades. They don't want to change. They're used to doing things. They like how it's done. They know how it's done. Introducing digital systems is quite a burden. Some of our users don't want to change.’ **HMCTS staff member**

Staff attitudes are crucial to implementation. Securing staff buy-in before large-scale transformation projects, to foster energy and a positive culture change, is an important step for effective implementation.

### **Realisation of benefits**

Staff noted that rollout worked well in services where CCD was implemented once it had reached a level of maturity, such as in divorce. This allowed staff to recognise the effectiveness and advantages of the system and manage expectations regarding possible challenges.

Staff were more likely to use the new systems when they were able to recognise the advantages. Future change programmes should focus on ensuring staff and users understand the benefits to aid in uptake.

## 4. What are user perceptions of digital reform and what barriers do they face?

### 4.1 Summary

#### The Public

Digital channels are widely used across different public user groups; however, some variation exists by age, ethnicity, language, and disability status. While some of this variation can be explained by differences in case type or limitations within the digital service, it highlights the importance of ongoing monitoring for equity and inclusion.

Public users of digitally reformed services in CFT generally found them to be convenient and easy to use. However, in the general population, those with a legal problem often lack awareness of what constitutes a legal problem, how the justice system works, or the available routes to resolution. This led to concerns that taking a legal problem to court would be too difficult, intimidating, or costly. People are often unaware of the support available and may struggle with existing guidance due to complicated language.

Greater barriers exist for those with lower digital capability or access. Public users benefit most from clear routes to resolution, regular updates, well-signposted support, and when they have access to legal advice and representation from professionals.

#### Legal professionals, HMCTS staff, and the judiciary

Most professional users are supportive of digitalisation, appreciating the reduced reliance on paper documents and greater flexibility in how and where they work. However, they have at times experienced difficulties in navigating and editing case documents, increased administrative burden, and resorted to workarounds outside of the reformed service.

## 4.2 Chapter introduction

One of the aims of the Reform Programme was to offer new ways to support access to justice and to improve the experience of those interacting with the justice system. While digital reform has expanded options for some users, it has not necessarily resolved access to justice challenges for all. Evidence shows successful uptake of digital services in CFT by both unrepresented users and legal professionals, indicating a good level of accessibility for many. However, it is important to recognise that some barriers to access predate the Reform Programme and may still persist despite the changes, and in some cases, new barriers have emerged.

This chapter provides an overview of the characteristics of public users of selected digitally reformed services, followed by a focus on the barriers and support needs identified for public users, legal professionals, HMCTS staff, and the judiciary. Evidence is drawn from **MoJ data analysis, the Vulnerability Study, the LPRS, the Digital Services Evaluation, the Immigration and Asylum Appeals Reformed Service: Evaluation (IAC Evaluation)** and the **National Digital Support Service (NDSS) Evaluation**. Where public users are concerned, some of the evidence is focused on their perceptions of the justice system, rather than their direct experiences of digitally reformed services.<sup>33</sup> This chapter considers digitalisation in CFT services only.

## 4.3 What are the characteristics of the public users of digitally reformed court and tribunal services?

Understanding who engages with digitally reformed services is key to ensuring services are inclusive and meet the needs of users. It is important for HMCTS to understand the characteristics of both the public users who opt to engage with the new digital service, and those who use the paper service, to identify potential barriers and inform future service improvements. For the most part, patterns of engagement vary across services.

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<sup>33</sup> At the time the Vulnerability Study and the LPRS were conducted, many reform projects were either still in development or yet to be fully implemented. As a result, some of the existing research lacks evidence from public users who have experienced the fully reformed system. The limitations in assessing the direct impact of reform are acknowledged until more comprehensive post-implementation data becomes available.

Findings from the LPRS, a nationally representative survey of the population, show that certain groups were more likely to have experience using reformed digital services. Of those with a legal problem in the 18 months before interview, 7% had some experience using a digital service.<sup>34</sup> The likelihood of using online HMCTS services increased with the number of legal problems experienced; 5% of participants with one legal problem reported using online services, rising to 6% for two, 8% for three, and 13% for four or more. Those who had experienced a relationship problem were significantly more likely to have used a digital service (21%). Survey respondents who had been separated or divorced (14%), were single parents (12%), individuals receiving means tested benefits (10%), and those with high legal confidence (8%),<sup>35</sup> were all more likely to report using a digital service.<sup>36</sup>

In addition to LPRS results, evidence from the Digital Services Evaluation on public users of reformed digital services also suggests that some groups are more or less likely to use digital services than others. In particular, users whose first language was not English or Welsh and those from ethnic minority groups represented a smaller population of digital users than the general population. Users from these groups, in some services, also experienced longer case durations than the average across all public users. As digital services are only provided in English and Welsh, individuals who speak other languages may face barriers to access. However, in this case, lower uptake may also reflect these users being more likely to have complex cases that cannot always be completed online and instead must use the paper channel. In the probate service, for instance, users with English as a second language may be more likely to have overseas assets, which can increase case complexity and lead to longer resolution times. However, for other services it may reflect that people from ethnic minority groups are either less likely to use digital

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<sup>34</sup> The fieldwork period was between March and August 2023 and looked at problems experienced in the 18 months before interview. Not all types of legal problems had an active online service during this time. This also includes participants who took no action at all.

<sup>35</sup> High legal confidence was calculated from responses to six statements around legal confidence to produce a general legal confidence score (GLC). A higher score indicated greater legal confidence. For more information, see Table A.2 in [Legal Problem and Resolution Survey 2023 - Supplementary Findings Volume](#).

<sup>36</sup> These factors, excluding high legal confidence, are likely to be strongly linked to the type of legal problem a person has experienced. For example, at the time of research, the divorce service was one of the more mature reformed services offered by HMCTS, which likely explains why individuals who had experienced separation, divorce, or a relationship problem were more likely to report using a digital service.

services or less likely to complete a Protected Characteristics Questionnaire (PCQ) alongside their application.

Findings suggest that across services, female users were more likely than male users to use digital services. The only exception was Online Civil Money Claims (OCMC), where a higher proportion of digital users were male. However, this finding should be interpreted with caution due to potential response bias in who completes the Protected Characteristics Questionnaire. The Digital Services Evaluation includes further subgroup analysis in the service specific reports.

There was limited data available for the IAC Evaluation to compare the characteristics of appellants submitting a digital appeal compared to a paper appeal. Data that was available showed that the nationality of appellants was similar across both channels. More data was available on the characteristics of appellants who submitted their appeal online. The average (mean) age across all appellants was 37.6. This could suggest that younger people are more likely to choose to appeal online in asylum cases because they are more likely to be confident using digital services.

## **Public user characteristics in Q1 2024 to Q1 2025**

MoJ analysis of protected characteristics data provides insight into the characteristics of public users of digital services across probate, divorce and Social Security and Child Services (SSCS). Data from legacy systems is limited and baseline data for the evaluation is unavailable for many services. A Protected Characteristic Questionnaire (PCQ) was implemented as part of the Reform Programme to better understand how the services work for different users. PCQ data is therefore not available for legacy data, meaning pre/post-reform comparisons are not possible. PCQs are not collected consistently across CFT, for example, PCQs are not yet available for the paper channel in the divorce service, unlike probate and SSCS where PCQs are gathered for both digital and paper routes. Answering PCQs is voluntary, therefore they are subject to non-response bias. As previously suggested, many of the variations in characteristics are service specific. The data tables can be found in Appendix G.

## Age

- **Probate:** the analysis shows broadly consistent digital uptake for PCQ respondents between the ages of 25-74 (between 86-90%). Usage drops for those aged 75 and over (between 77-79%), likely due to lower levels of digital capability. There is also a reduction among respondents under 25 (78%), which may reflect a higher likelihood of having a non-standard or more complex case that cannot be completed digitally. The majority of digital probate user applicants who provided PCQ information are 55 to 64 years old. This is to be expected as probate applicants are typically the spouse or adult child of someone who has died.
- **SSCS:** Digital take-up is very high among younger respondents, with 93% of those under 25 using the digital channel. Usage then drops but remains steady among those aged 35 to 74, at around 82-83%. A more noticeable decline appears for respondents aged 75 and over, where digital use falls to around 72-76%. Despite this drop, digital remains the dominant channel across all age groups, including older users. Analysis also shows that the age distribution of those using SSCS is much broader, with the 35 to 44, 45 to 54, and 55 to 64 age groups each containing a similar share of appellants applying digitally.
- **Divorce**<sup>37</sup>: For the divorce service, digital applicants are most commonly aged 35 to 44.

## Ethnicity

- **Probate:** Analysis indicates some variation in channel choice across ethnic groups. Digital take-up is slightly lower among Black, African, Caribbean or Black British (78%) and Asian or Asian British (81%) respondents compared with mixed (85%) or White (87%) ethnic groups. Although the reasons for this are unclear, this is consistent with analysis by HMCTS that suggests it may reflect the regional and wealth distribution between ethnic groups. This would influence the relative

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<sup>37</sup> Divorce PCQs are only offered for digital applications, therefore we are unable to provide uptake figures that compare use of the digital channel vs the paper channel. The available analysis can therefore only look at respondents who used the digital channel.

eligibility for probate of some minority ethnic groups' estates (HM Courts & Tribunals Service, 2023a).

- **SSCS:** Analysis shows little variation in digital take-up across ethnicity, with Asian or Asian British respondents (89%) only slightly less likely to use the digital service than other ethnic groups, whose uptake ranges from 91% to 95%.
- **Divorce<sup>38</sup>:** Within the digital channel, most PCQ respondents were white (83%), with other ethnic groups making up the remaining 17% of respondents.

### Main language

- **Probate:** Analysis shows that 87% of respondents whose main language is English or Welsh used the digital channel, compared with 80% of those whose main language is not English or Welsh. This shows a potential disparity.
- **SSCS:** Respondents for SSCS do not show such disparity, with 91% of those whose main language is English or Welsh using the digital channel compared to 90% of those who had another main language.
- **Divorce<sup>39</sup>:** Within the digital channel, 69% of PCQ respondents stated that English or Welsh was their main language, and 31% stated they had another main language.

### Disability

- **Probate:** Digital uptake is lower among respondents who identify as disabled and report their disability limits their activities a little (82%), or a lot (81%). Uptake is higher among respondents who do not identify as having a disability (87%) and those who identify as disabled but report it does not limit their day-to-day activities (89%).
- **SSCS:** Disability PCQs are not asked for SSCS appellants.

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<sup>38</sup> Ibid.

<sup>39</sup> Ibid.

- **Divorce**<sup>40</sup>: Within the digital channel, the majority of PCQ respondents reported not having a disability (81%).

Engagement with digital services varies across users and services, with some more likely to engage with digital services than others. Further research is needed to fully understand the characteristics of the public users of the digital and paper services. Continued monitoring will help ensure digital services are inclusive and accessible.

## 4.4 What barriers do public and professional users face when using digitally reformed services?

### Evidence for public users

Findings from the Digital Services Evaluation suggest that **many public users found the digital service convenient**, with most being satisfied with the service they received (78% of respondents were satisfied compared with 12% dissatisfied). No major barriers were identified in the Digital Services Evaluation among public users of the digital service. However, evidence from other sources suggests that **barriers still exist** that can discourage or prevent people pursuing a legal issue through the courts and tribunal system.

The primary barriers are:

#### **A lack of knowledge or awareness**

Evidence from the LPRS suggests that three-quarters (75%) of people with a legal problem did not initially recognise their issue as a legal matter, contributing to uncertainty around how to pursue a resolution. Additionally, individuals with low legal self-efficacy<sup>41</sup> were significantly more likely to report being unaware that making a legal claim was even an option (13% vs 5% of those with high legal self-efficacy). In the Vulnerability Study,

<sup>40</sup> Ibid.

<sup>41</sup> Legal self-efficacy refers to an individual's belief in their own ability to understand, engage with, and effectively access the legal system. For further information on how legal capability is assessed see: [Legal Problem and Resolution Survey 2023 - Supplementary Findings Volume](#)

even those who knew there was a formal route to pursue, and attempted to learn more, often struggled to understand the material they found. Among vulnerable users, this lack of knowledge often persists throughout the case journey. Participants reported little understanding of the different stages of the process, the possible outcomes, or timeline to resolution. This resulted in an ongoing sense of anxiety and of ‘dealing with the unknown’.

**Vulnerable users reported feeling overwhelmed** at almost all stages of the process.

For respondents of the LPRS, when asked how much they know about online options, around half of all adults noted that they had heard of the online options available (49%). However, knowledge levels were quite low, with a minority (7%) of respondents saying they knew a great deal or fair amount about online court services, compared to a quarter (26%) who knew not very much, and a further one in six (16%) who had heard of them but knew nothing about them. Almost half of adults reported they had never heard of them (46%).<sup>42</sup>

## Language

Findings from the Digital Services Evaluation suggest that the **knowledge barrier was exacerbated for those with language and literacy barriers**, with issues understanding terminology relating to a legal problem and/or navigating support available online.

Similarly, findings from the Vulnerability Study suggest information on legal and government websites can be impenetrable to some. This was often due to the use of specific legal language which people struggled to relate to their own issue or experience. This had the potential to limit their capability to progress independently and also hindered their ability to access required support. Some participants of the NDSS Evaluation acknowledged that they had always struggled with understanding official information, and they needed a simplified explanation, or someone to talk to.

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<sup>42</sup> The fieldwork for the LPRS was conducted between March and August 2023. Only a small minority of respondents (5%) reported having any personal experience of using online options for courts and tribunals services. Public awareness and knowledge are likely to have increased since that time.

## Anxiety

A number of participants in the Vulnerability Study regarded the overall idea of going to court as too ‘scary’ and ‘difficult’, or they had a preconception that it would be too complicated to pursue. Several people who were struggling with mental health issues said the idea of a prolonged legal case felt unmanageable. The LPRS found that over a quarter (28%) of those who had considered going to court but had ultimately chosen not to, stated that this was because the prospect was too stressful. Several users of the NDSS reported being very **anxious, stressed or overwhelmed** about the idea of submitting their case online and it being rejected. They reported feeling nervous of making a mistake or misrepresenting themselves, which could have a significant impact on their financial or personal circumstances (this was more noticeable amongst users of SSCS and Divorce). NDSS support was reported to have a positive impact on users’ mental health and stress levels.<sup>43</sup>

## Anticipated cost

Vulnerability study participants, especially those whose vulnerabilities included finance and debt issues, reported **ruling out a legal route due to the anticipated cost**, concerns they could not afford representation, and concerns they would not qualify for legal aid. The LPRS mirrored these findings, with frequently cited reasons for not taking a problem to court (by those who had considered it) being the expense of a lawyer (29%), court fees being too high (25%), and not being able to afford time off work (12%).

## Limited digital access or capability

The House of Lords Communications and Digital Committee reported that around 2.4 million adults were unable to display or demonstrate basic skills such as connecting to Wi-Fi or updating a password.<sup>44</sup> The introduction of digital services cannot therefore be assumed to automatically enable greater access to justice.

<sup>43</sup> Among the small group of non-SSCS service users, 60% (21) identified a positive impact of NDSS support.

<sup>44</sup> House of Lords Communications and Digital Committee, Digital Exclusion (3rd Report of Session 2022–23, HL Paper 219, 29 June 2023)

The Vulnerability Study found that having no access to the internet or having limited digital skills significantly impacted people's ability to seek support and manage a legal issue where digital access was involved (e.g., access to and/or provision of supporting documentation; use of online forms). While some participants were willing to engage digitally if they had the means, their experience was made more difficult through a lack of awareness of the available support to get online either at home or in a secure, local setting. Similarly, findings from the NDSS evaluation showed that some users turned to the NDSS not because they lacked digital skills, but because they **lacked access to devices or reliable internet**. Affordability is a large factor in accessing digital services. Those who struggle to afford access to the internet, often either go without it or experience financial strains to retain access (Ofcom, 2022).

The NDSS evaluation highlighted that many of their service users had disabilities or health conditions that affected their ability to complete online forms.<sup>45</sup> These were most often learning and cognitive issues, poor literacy or dyslexia, but also included memory loss, visual impairments and difficulties with typing. Four fifths (80%) of service users who sought support from the NDSS reported it helped make the online process easier.

The LPRS found that **individuals with lower digital capability faced greater barriers to taking a problem to court**.<sup>46</sup> They were less likely to know how to make a claim (23% vs 7% among those with high digital capability)<sup>47</sup> and had notably lower awareness of the services and advice available, with just 15% having heard of GOV.UK, compared to 64% of those with high digital capability.<sup>48</sup> They had limited awareness of online options available for courts and tribunal services (70% were unfamiliar compared with 60% of high capability respondents), and therefore unsurprisingly also showed a strong preference for offline routes (61% vs 21%).<sup>49</sup>

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<sup>45</sup> Many NDSS users were SSCS appellants and therefore are more likely to have disabilities or health conditions.

<sup>46</sup> To understand how digital capability was defined see page 255 of [Legal Problem and Resolution Survey 2023 - Supplementary Findings Volume](#)

<sup>47</sup> Base: individuals with a legal problem who considered taking that problem to court but ultimately decided not to.

<sup>48</sup> Base: general population.

<sup>49</sup> Base: general population.

## Lack of support

The Vulnerability Study highlighted that there is appetite for existing support services offered by HMCTS,<sup>50</sup> but relatively few participants were aware of them and do not always have the skills required to access them. For example, some participants were unaware that they could contact the Courts and Tribunals Service Centres (CTSCs) with enquiries and likely would have benefited from the services provided by the NDSS.

Public users in the Digital Services Evaluation had more positive experiences overall when they were able to access HMCTS support if they needed it (88% of those who accessed digital support were satisfied compared with 63% of those who wanted support but did not access it). Almost a fifth of NDSS users (18%) reported they would not have submitted the online form at all without NDSS support, and a further fifth (19%) said that they would have only been able to submit through the paper channel.

These results highlight that, while there is still a degree of emotional and physical resilience required to seek out and access support, this can be facilitated through **widening access to information and guidance**.

## Evidence for legal professionals, HMCTS staff and the judiciary

Evidence suggests the primary barriers professional users face when accessing the reformed digital services are:

### Technical issues

The Digital Services Evaluation found that **most professional users reported experiencing technical issues and system crashes**. While the volume and frequency of these reduced over time, there was a feeling that these happened more frequently than they should. Judges specifically noted that the IT hardware provided was inadequate. Findings from the IAC Evaluation also highlighted issues around limited functionality and

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<sup>50</sup> Such as guidance and advice on court processes, procedures, and available support services, both online and through helplines; the National Digital Support Service; interpreting and translation services; assistance for vulnerable individuals (special arrangements, support personnel, or adapted facilities); Court and Tribunal Service Centres; Court and Tribunal intermediaries; and support for victims and witnesses.

technical issues for online case management systems being a source of frustration, most commonly among legal officers. Key issues involved being unable to edit cases (e.g. update basic appellant contact information) once a case had been submitted, resulting in appellants needing to restart their appeal, not being able to move a case to the next stage of the process if one party did not comply,<sup>51</sup> and frequent long delays to solve IT issues.

### **Service gaps for complex cases**

Concerns were raised regarding the reformed services' ability to manage complex or non-standard cases. At the time of research, these types of cases were often excluded from digital services, meaning cases either entirely used the non-reformed paper route, or reverted back to it partway through the journey. For example, in the reformed damages service for legal professionals, most multi-party cases (more than three parties involved) were not eligible for the digital service at the time of analysis.<sup>52</sup> Some legal professionals explicitly stated that if they thought a case would end up dropping out of the digital service, they would try to find a way to start it on paper, instead of waiting for the case to drop out.

Similarly, although probate professionals have been mandated to use the online service since November 2020, certain complex cases must still be submitted on paper.<sup>53</sup> The persistent use of paper cases since the mandate can be partially explained by these complex cases.

**This lack of functionality for certain cases has led to disjointed service provision** and frustration for legal professionals, especially when mandates are in place but not fully supported by the digital system's functionality. However, it is likely over time that continued improvements to the digital services made by HMCTS should allow for a greater number of complex cases to be managed online.

### **Breakpoints in reformed services**

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<sup>51</sup> For example, if an Appellant in Person does not submit the necessary documents on time, and does not respond to communications, the functionality to progress the case on the online system is lacking. In these cases, legal officers often resorted to taking the appeal offline in order to progress it.

<sup>52</sup> The damages digital service was enabled for some multi-party cases in January 2022.

<sup>53</sup> At the time of the analysis. For a full list of probate application types exempted from using the digital service when submitted by legal professionals see [Apply for probate on paper as a practitioner - GOV.UK](https://www.gov.uk/guidance/apply-for-probate-on-paper-as-a-practitioner)

At the time of the Digital Services Evaluation, **not all reformed services were digitalised end-to-end**. This functioned as a barrier to digital delivery, as at points, some cases would 'drop out' of the reformed service and revert back to the non-reformed paper channel. Legal professionals highlighted continued difficulties in managing cases across both reformed and legacy systems.

### **Lack of support**

Judges and legal professionals generally felt unsupported during the reform process, citing inadequate training. Legal professionals reported that they continued to receive insufficient support for issues they encountered with the services, believing HMCTS support staff did not have sufficient legal training and sometimes did not understand the urgency of their queries.

### **Functionality**

Evidence from the Digital Services Evaluation suggests that legal professionals, judges, and staff sometimes **actively circumvented the reformed digital service**, opting instead for **alternative communication outside of the system** (e.g. over email) or moving cases to the legacy system entirely to avoid delays.

Similarly, in the reformed probate service, when a case is stopped,<sup>54</sup> details are shared outside of the reformed digital service via email. Legal professionals are expected to respond with evidence also by email. This is due to limited functionality in MyHMCTS. In contrast, unrepresented applicants using the Probate Citizen Hub can manage these interactions digitally.<sup>55</sup>

In the IAC Evaluation, professional users<sup>56</sup> cited that they were unable to communicate effectively with all parties due to a lack of chat function, with legal officers being required to

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<sup>54</sup> Probate cases are stopped by HMCTS when they cannot progress without action from another party, usually the applicant. Cases can be stopped for a variety of reasons, including needing to provide original documentation or confirm they are eligible to apply. Once action is taken to address the stop, the case can continue to be processed by HMCTS.

<sup>55</sup> Unrepresented applicants have been able to use this feature since November 2024.

<sup>56</sup> In the IAC Evaluation, professional users refers to legal representatives, judges, legal officers, Home Office staff, and Courts and Tribunals Service Centre staff.

communicate using a specific function which included character-limited boxes to deliver standard instructions. This suggests that elements of the system did not fully meet user needs. Future research can help assess whether these challenges persist.

## 4.5 What support do the public, especially those who might be vulnerable, need to use digitally reformed services?

A common set of general needs have been identified that apply for individuals managing a legal issue, irrespective of their perceived level of vulnerability.

### Closing the knowledge gap

A key element of access to justice is ‘access to the formal legal system’,<sup>57</sup> which can be significantly limited by users’ lack of knowledge or awareness of how the system works and the support available. The Vulnerability Study found that public users have better experiences when routes to resolution are well communicated and supported through guidance. Access to legal advice or legal representation was also directly associated with having more positive experiences of managing a legal issue. In addition, practical and emotional support helped mitigate the impact of vulnerabilities on people’s ability to navigate their case. **Digitally reformed services have the potential to meet these needs by offering clear pathways, simplified language and better signposting to available support like CTSCs and the NDSS.**

### Managing expectations through communication

The Digital Services Evaluation suggested that public users’ perceptions of a positive experience were shaped by whether they felt they were kept informed about their case by HMCTS (93% of those kept fully informed were satisfied, vs 60% of those who felt partially informed and 40% of those who felt not informed). Clear explanations of processes and likely timescales embedded within the digital service could help reduce anxiety. Features such as automated updates during periods of delay or inaction could help reduce stress and maintain user confidence.

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<sup>57</sup> Byrom, N. (2019). *Developing the Detail: Evaluating the Impact of Court Reform in England and Wales on Access to Justice*.

## Support for out-of-court resolution

Findings from the Vulnerability Study suggest that **settling legal issues outside the courtroom was often preferred**, particularly in civil and administrative cases or when respondents were facing a claim. Formal mediation or informal negotiations led to more positive experiences, especially when resolution was timely and people felt supported. Timely ‘access to remedy’ is another key element for access to justice.<sup>58</sup> The digital service could assist by **making alternative dispute resolutions visible earlier in the journey** (e.g. during the application stage).

## Access to legal advice and representation

In some reformed services there has been a **reduction in the proportion of cases with legal representation**. For example, MoJ MI data analysis shows that since the introduction of the digital probate service, the proportion of applications made without legal representation has increased from 39%<sup>59</sup> to 44% overall.<sup>60</sup> For probate applications associated with estate values less than £10,000 the increase is larger, from 62% to 74%.<sup>61</sup> This increase could partially be explained by the introduction of the new digital service, designed around service user needs.<sup>62</sup>

The IAC Evaluation found that being able to make an appeal without legal representation, and to do so online, was viewed positively. However, some public users felt the system was not simple enough to navigate without assistance. They also reported that they would have benefited from legal representation, particularly when technical or legal language was used in communications from the Home Office or legal officers.

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<sup>58</sup> Ibid.

<sup>59</sup> of all applications in Q2 2019.

<sup>60</sup> of all applications in Q2 2025.

<sup>61</sup> Observed over the same time range.

<sup>62</sup> Other factors could help contribute to the decrease in use of legal representation in the probate service include changes made by HMRC to simplify inheritance tax in 2022, the change in the probate application fee in 2024 to a flat fee for both represented and unrepresented applications, and the wider UK socio-economic landscape and the resultant increased cost-of-living.

Additionally, the Vulnerability Study found when legal aid, or broader legal advice is not available, some individuals are deterred from engaging at all. Public users often have a more positive experience when they can contact someone with professional legal knowledge who can:

- explain things in plain terms,
- help set expectations,
- guide them through managing their legal issue, and
- take on some of the responsibilities for progressing a legal issue where it is managed through the courts system (e.g., help completing and submitting the correct form).

### **Emotional and practical support**

Emotional and practical support (including digital, procedural, and legal support) is crucial in helping people navigate legal processes. Service users who contacted the NDSS most commonly sought support with getting a form filled in (78%), understanding how the legal process works and what to expect (69%), how to put their case across (66%), and advice on case content or their application (52%).<sup>63</sup> Many users of the NDSS valued the reassurance of having someone ‘sense check’ their information to ensure it was completed correctly. Findings from the Vulnerability Study suggest **this need for reassurance also applies to individuals who do not identify as digitally excluded**, with many expressing a preference for offline options because they appreciated the benefit of being able to show someone a paper form and confirm it was filled in correctly.

Users of the NDSS with low digital capability were no more likely than others to seek digital support (88% high, 86% medium, and 80% low capability), suggesting that **online services can create challenges even for those who are digitally capable**, likely due to the high-stakes nature of legal cases. However, **awareness of available support**

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<sup>63</sup> The NDSS is only supposed to provide digital support, not procedural, legal or emotional. However, additional advice was sometimes given, although this type of provision was not consistent, and sometimes incorrect information appears to have been given.

**remains a barrier. Clearer signposting to existing support services is essential**, not only to increase visibility, but to ensure users understand the type of support available and are directed to the most appropriate support for their needs.

## 4.6 What is the experience of digitally reformed services for legal professionals, HMCTS staff, and the judiciary?

Evidence from the Digital Services Evaluation suggests that **nearly all professional users were in favour of digitalisation in principle**. Judges, HMCTS staff, and legal professionals all appreciated that the reforms meant that they did not have to work with large volumes of hard-copy confidential documents. Some also appreciated the flexibility it gave them over the time and location of their work.

‘It used to be that you’d get a massive two-inch paper bundle per case... The fact it’s digital means it’s much more secure, safer and easier.’ **Tribunal judge/member**

However, Judges generally felt that the introduction of the reformed services had **increased their administrative burden** with some tasks that previously would have been completed by more junior staff, falling to them.

‘Horrendous [impact] ... it adds an hour a day of admin to the judiciary, which should be on the staff.’ **Judge (financial remedy)**

Professional users appreciated that the reformed services made it possible to keep all documents in one place, but they believed that navigating around documents and editing information as the case progressed could be improved. They reported that difficulties in locating documents, including during hearings, might be adding to processing time and leading to adjourned hearings in some cases. This may impede on another key aspect of access to justice, ‘access to an effective hearing’.<sup>64</sup>

Judges and legal professionals reported that the reformed systems **lacked clear and timely notifications about case progress**. Some alerts were too vague to be useful,

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<sup>64</sup> Byrom, N. (2019). *Developing the Detail: Evaluating the Impact of Court Reform in England and Wales on Access to Justice*.

often requiring users to log in repeatedly to check for updates. For example, notifications about new documents being added lacked direct links or an easy way of locating them.

‘The worry of a C2 order not being dealt with and just sitting on the portal and having to constantly keep ringing up to see what was happening.’ **Legal professional - family public law**

Additionally, concerns were raised about the potential loss of data due to reformed systems (such as CCD in Employment Tribunals) not facilitating simultaneous updates from multiple users.

# 5. What are users' perceptions of the digital reforms supporting the delivery of justice?

## 5.1 Summary

### The Public

The general public shows broad support for online HMCTS services, with users valuing the potential for increased convenience, speed, and cost-effectiveness. While many public users found early steps in the new digital processes easy to navigate, some experienced frustration where digital journeys were incomplete, resulting in cases switching partway through to the legacy paper route. Concerns were also highlighted about the suitability of the new digital processes for more serious legal matters and the potential for digital exclusion, especially for older individuals, those with lower digital capability and certain vulnerable groups. A strong emphasis remains on the importance of maintaining a choice between online or offline options to ensure fairness and accessibility.

### Legal professionals, HMCTS staff, and the judiciary

Legal professionals generally viewed the digital reforms as helping to improve access to justice, particularly by enabling more reliable and transparent document sharing. However, concerns were raised about Litigants in Person (LiPs) potentially having unequal access to evidence, and about higher error rates compared to legacy systems. Judges and legal professionals reported experiencing difficulties with locating documents on the digital service that sometimes had serious consequences including adjournments. Despite these challenges, digital routes were reported to provide a consistent service, with more professionals agreeing than disagreeing that their clients received a reliable service irrespective of whether they used the reformed or legacy systems.

## 5.2 Chapter introduction

This section provides an overview of the perceptions of the digital reforms on the delivery of justice from the public (both users and non-users), legal professionals, HMCTS staff and the judiciary. **The LPRS** included questions for all respondents on their attitudes towards the use of online services, regardless of whether they had experienced a legal problem. **The Vulnerability Study** provides additional evidence from those who used HMCTS services to resolve their legal problem and those who managed their legal issue outside of the formal courts and tribunals service. **The Digital Services Evaluation** offers direct evidence from both public and professional users of reformed digital services. Evidence from the **IAC evaluation** is also drawn on. This chapter considers digitalisation in CFT services only.

## 5.3 What are users' perceptions of the fairness and openness of digitally reformed services?

### Evidence for the public

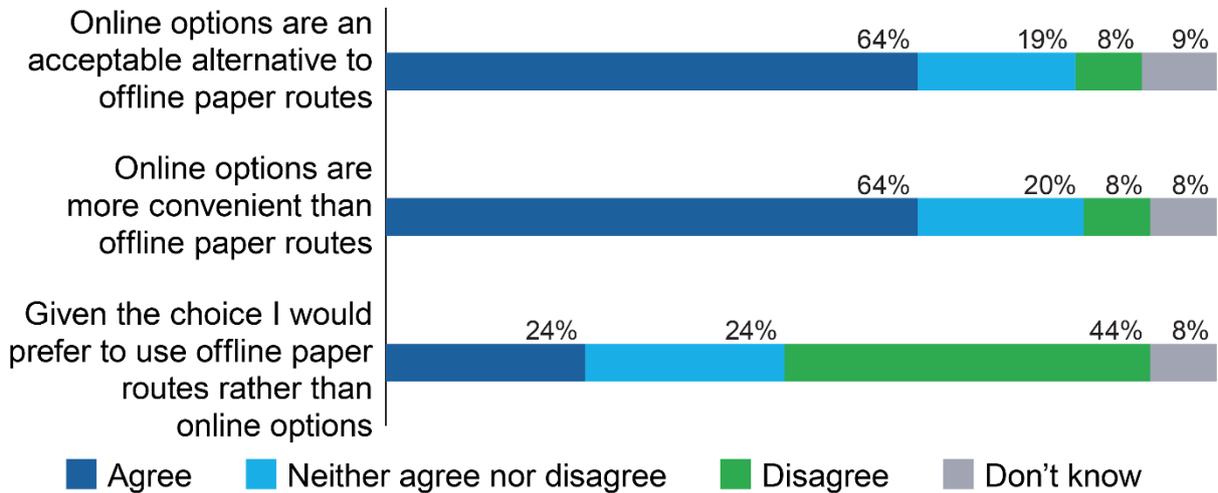
Findings from the LPRS and the Vulnerability Study indicate public support for online services, with almost two-thirds (64%) of LPRS respondents acknowledging the convenience of online HMCTS services, seeing them as **acceptable alternatives to offline paper routes**. Vulnerable participants perceived there to be benefits to digitalisation such as time efficiency and cost savings.

Online applications were deemed suitable for lower-stakes cases, like financial claims, where speed and efficiency are prioritised and where there is minimal risk to an individual's freedoms or wellbeing. However, **concerns were raised about the suitability of digital services for more serious legal matters**, such as criminal or domestic abuse cases, where incorrect submissions, data loss, and online security vulnerabilities could have severe consequences.

Fewer than a quarter of LPRS respondents (24%) expressed a preference for offline paper routes. Attitudes did vary however, with older respondents (46% of respondents aged 75

and over vs 16% of those aged 18-34) and those with lower digital capability (61% vs 21% of those with high digital capability) preferring traditional offline modes of access.

**Figure 5: Attitudes on online options and offline paper routes**



Source: *Legal Problem and Resolutions Survey 2023 (GA6) To what extent do you agree or disagree with the following...? Base: Adults in England and Wales (10,323).*

Digital exclusion was also a common concern for participants in the Vulnerability Study. Older people, those on low incomes, recent prison-leavers, and those with learning disabilities or communication difficulties were perceived as more likely to face barriers due to limited ability or limited access to online services. **Ultimately, participants stressed the need for choice as a way to maintain fairness.** They could recall or imagine a wide array of reasons why either an online or offline option may be preferable in certain contexts but were fairly united in the view that a compulsory online service would be severely disadvantageous for some people.<sup>65</sup>

Findings of the Digital Services Evaluation suggest that most public users do find key early steps in accessing justice via the new digital processes easy and convenient (85% found locating forms easy, 86% found starting their case easy, and 74% found it easy to submit documents online). However, some users in the Digital Services Evaluation found these

<sup>65</sup> HMCTS is committed to retaining paper channels as an option for all public users as a way of ensuring access to the formal legal system regardless of digital capability or access.

early steps difficult, and 13% experienced technical difficulties that may have hindered their access to justice.

While satisfaction with case outcomes varied by service, the Digital Services Evaluation found that **most users of a new digital service were satisfied with the outcome** of their case (78%) with very few individuals withdrawing their case (3%). However, the absence of a fully digital end-to-end journey for some services and case types led to confusion and frustration among some users.<sup>66</sup>

## Evidence for legal professionals, HMCTS staff and the judiciary

Evidence from the Digital Services Evaluation showed that legal professionals generally believed that the **digital reforms had brought about some access to justice improvements for public users**. In particular, they believed that the reformed service ensured that all parties could access documents more reliably, without depending on HMCTS staff to post them or the postal service delivering them on time.

*‘It gives full transparency for you and the other side as well because you can see what's happening. You can see what the other side are doing as well, which is obviously good.’* **Legal professional (financial remedy)**

However, Judges expressed concerns that **LiPs might not have the same level of access to evidence as other represented parties**. Legal professionals working in family public law and financial remedy echoed these concerns. This is because the information shared to legal professionals on MyHMCTS is not the same as the information shared with public users via self-service portals.<sup>67</sup> Additionally, Judges and HMCTS staff interviewed for the IAC Evaluation thought Appellants in Person often lacked a thorough understanding of how the appeal process (both online and offline) worked. These issues were felt to be compounded for those with poor digital skills and English literacy. They expressed concern

<sup>66</sup> Fieldwork for the Digital Services Evaluation was completed in January 2024. There have been further enhancements to ensure more complete service provision since then.

<sup>67</sup> This was not raised as an issue by public users of reformed services and there is no further evidence that this caused significant problems. This finding should therefore be treated as a *perceived* risk among professional groups.

that this could impact their ability to engage effectively with the process, which could lead to their appeals being unsuccessful.

At the time of the research for the Digital Services Evaluation, legal professionals using FR, FPL, damages, and OCMC thought error levels were higher in the digital process than in the legacy, paper-based process. A common issue raised was that MyHMCTS did not allow for amendments or the addition of information after a case had started, limiting their ability to correct errors.

Some HMCTS staff also believed that the instructions for public users on how to navigate the service were insufficient, contributing to a higher incidence of mistakes. Around one-in-ten public users of the OCMC, SSCS and probate services reported they made errors, most commonly due to misunderstanding what was being asked of them (44% of OCMC users who made errors, 69% of SSCS users, and 44% of probate users). Mis-entering information was the most common reason for error for divorce users (49%).

Judges and legal professionals also reported that inconsistencies in the way in which documents were labelled and uploaded to the digital services made it difficult to locate them – an issue not typically encountered in the paper-based system. In some cases, these difficulties resulted in adjournments.

Despite these challenges, **digital routes were generally seen to provide a consistent service**. Legal professionals were more likely to agree than disagree that their clients/organisation received a consistent service, whether using MyHMCTS or the legacy service (42% vs 25%, across all services).

## 6. Has digital reform delivered the intended objectives of a system that is just, proportionate, and accessible?

### 6.1 Summary

Overall, there is moderate support for digitalisation helping to deliver a justice system that is just, proportionate, and accessible. The findings suggest strong support for digitalisation having achieved its objectives for public users, with digitalisation enabling public users to 'self-serve' and reducing effort. Support was more moderate in other areas. For example, while speed of case progression improved across most digital services, it declined for paper cases in several services. The findings for professional users are more mixed. For instance, while there is moderate evidence that professional users found reformed services more accessible for simpler (although not more complex) cases, the balance of evidence does not support 'self-service' having ensured the best use of judicial time.

While there is evidence that digitalisation is generally seen as a positive opportunity by the public when offline channels are retained, there is also some evidence that providing online services in only English and Welsh acts as a barrier to those without these as main languages. While this is not a reform-specific barrier (paper services are also only provided in English and Welsh), this still hinders equal access to the justice system for some users. However, there is strong evidence that digitalisation supports effective monitoring of public sector equality duty (PSED) across multiple channels.

Some unintended consequences of digitalisation were also identified. Where processes were not fully digitalised or did not meet user needs, professionals found workarounds to avoid using the reformed systems. Additionally, the shift to 'self-service', and issues with early implementation especially, also resulted in a perceived shift of administrative burdens onto the judiciary.

There is also some evidence of wider contributors to change alongside reform. Among these were general improvements in digital confidence and capability arising from the COVID-19 pandemic, and some legislative changes simplifying or shortening the digital process (notably the introduction of ‘no-fault divorce’).

## 6.2 Chapter introduction

Digital reform was intended to deliver a system that is just, proportionate, and accessible through adding new or existing channels designed around users’ needs. This chapter summarises the evidence from the **impact evaluation of digitalisation**. The impact evaluation assesses whether digital reform has met those objectives in the way it expected to. It also considers whether it delivered against those objectives for vulnerable users, and whether there were any unintended consequences. Unless explicitly stated otherwise, this analysis considers digitalisation in CFT services only.

### Approach and interpreting findings

This impact evaluation uses a process tracing approach.<sup>68</sup> In this approach, the processes through which reform is intended to achieve its objectives, ‘causal pathways’ (described in the theory of change in Figure 1), are broken down into testable hypotheses. Evidence for and against these hypotheses is then assessed against a set of tests<sup>69</sup> to determine whether the causal pathway is logically supportable. The evidence for key alternative explanations for any changes is also subject to these tests. Process tracing has been used in government to evaluate other complex change programmes (for example, Department for Energy Security & Net Zero, 2023).

This allows us to determine whether and how Reform contributed to any changes in outcomes, or whether any factors other than Reform can explain those changes.

<sup>68</sup> See for example Bennett (2010). For more information on this approach, see the Technical Appendix.

<sup>69</sup> ‘Double Decisive’ (DD), ‘Smoking Gun’ (SG), ‘Hoop’, and ‘Straw in the Wind’ (SitW). Further explanation can be found in the Technical Appendix.

The assessment of the strength of support for each hypothesis is summarised as below:<sup>70</sup>

- **Strong support:** it can confidently be concluded that the hypothesis is true.
- **Moderate support:** the balance of evidence may support the hypothesis or is unable to definitively reject it.
- **Mixed support:** the evidence is contradictory.
- **Limited support:** there is some support, but on balance the evidence is not supportive of the hypothesis.
- **Not supported:** it can be confidently concluded that the hypothesis is not true.

The conclusions presented in this chapter reflect the balance of support for the hypotheses tested for each causal pathway. They are a qualitative assessment based on the most common conclusions across all the hypotheses in each causal pathway. Findings relating to any unintended consequences, or implications for vulnerable groups, are also presented where relevant for each pathway.

## 6.3 Findings

This section begins with an overview of the key findings from the process tracing, before setting out the overall conclusions for each causal pathway. A summary of the analysis for each causal pathway is available in the Technical Appendix accompanying this report.

**Overall, the evidence suggests that digitalisation has, to some extent, delivered its intended objectives of a system that is just, proportionate, and accessible.** The evidence was stronger for some areas of the theory of change than others. For public users, the evidence strongly supports the claim that digitalisation delivered its objectives by making it easier to access services through the channel that is easiest for them. In

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<sup>70</sup> Based on the approach taken by the Department for Energy and Net Zero (2023), and the then Department for Business, Energy, & Industrial Strategy (2022). Additionally, where evidence covers all the expectations set but is ambiguous, or not consistent across at least half of services being considered and/or for which evidence is available, it is considered **inconclusive**. Where evidence is available for fewer than three relevant services only, or it is completely absent (e.g. no data has been collected), it is considered **insufficient**.

contrast, for professional representatives, the balance of evidence does not support the claim that digitalisation achieved its objectives through delivering a consistent service across channels. The evidence does not show that the move to self-service allowed for the best use of judicial time. There is also evidence that other factors have contributed to changes in behaviours and outcomes. Most commonly this was generally improving trends in digital confidence and capability among the general population, further accelerated by shifts in attitude towards accessing services digitally during the COVID-19 pandemic.

The balance of available evidence suggests that digitalisation is broadly viewed as positive in principle by vulnerable groups, where non-digital options remain, with no significant additional barriers identified across most user groups. However, some evidence suggests poorer outcomes among those whose main language is not English or Welsh, and data limitations remain in relation to those who do not access the formal justice system at all.

**The evidence also shows some unintended consequences from digitalisation.** As noted in the Digital Services Evaluation, where services are not fully digitalised or ineffectively implemented, professional representatives may avoid or work around digital systems even where they are mandatory. The move to self-service has also had the unintended effect of increasing the administrative burden on judicial users.

Table 1 provides a summary of findings for each causal pathway, as described in the theory of change (Figure 1).<sup>71</sup>

**Table 1: Summary of findings by causal pathway**

Causal pathway	Overall level of support <sup>72</sup>	Overall support for alternative explanations
<b>A - Multiple channel options<sup>73</sup> have enabled people to 'self-serve' and reduce effort.</b>	Strong for public users	Limited

<sup>71</sup> These causal pathways were defined as part of the theory of change published in the [HM Courts & Tribunals Service Reform Evaluation Framework - GOV.UK](#) in 2021, and revised in [HMCTS Reform MOJ Evaluation: Progress Report - GOV.UK](#) in 2023.

<sup>72</sup> Based on the mode level of support for all hypotheses within each pathway.

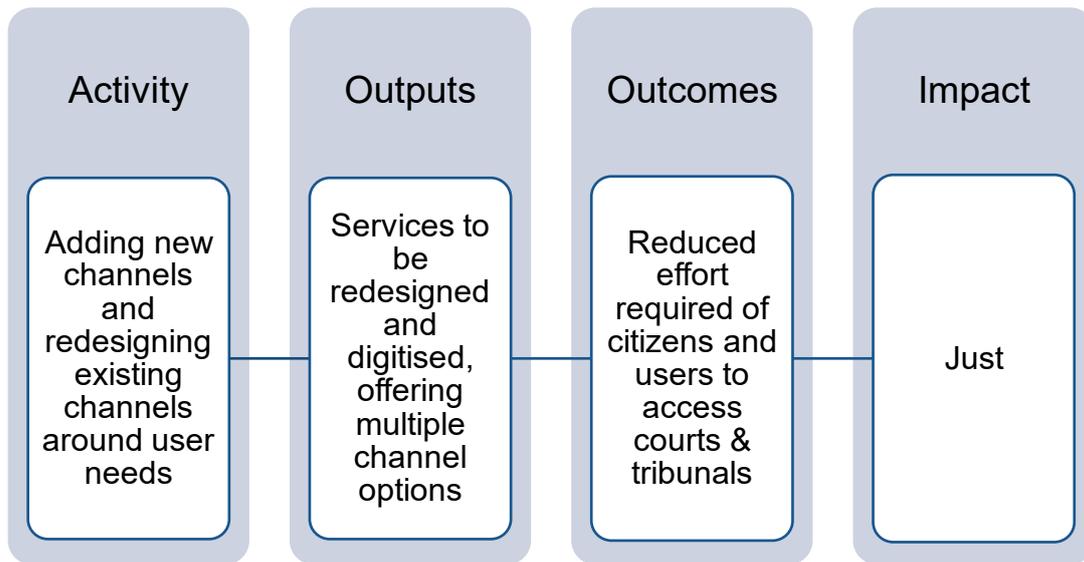
<sup>73</sup> Multiple channel options' means people can choose to access services through new or existing online channels, or through offline channels such as paper.

	Mixed for professionals	
<b>B - Multiple channel options have increased the speed of case progression.</b>	Moderate	Moderate
<b>C - Multiple channel options have increased access to justice through a wider range of channels which are consistently available across all services.</b>	Moderate for public users Limited for professionals	Limited
<b>D - Multiple channel options and user-designed services have increased perceptions that the system is Just, Accessible, Proportionate.</b>	Moderate	Moderate
<b>E - Multiple channel options and user-designed services have enhanced the quality and consistency of peoples' experiences.</b>	Moderate	Moderate
<b>F - Multiple channel options and user-designed services have enabled a flexible infrastructure.</b>	Moderate	Limited
<b>G - 'Self-service' has ensured the best use of judicial time.</b>	Limited	Limited
<b>H - Multiple channel options and user-designed services have ensured that no one is left behind by the addition of new channels.</b>	Moderate	Limited

### Causal pathway A

**Multiple channel options have enabled people to 'self-serve' and reduce effort.**

Figure 6 shows causal pathway A as described in the theory of change.

**Figure 6: Causal pathway A**

Adapted from Ministry of Justice (2023).

Digitalisation was intended to support a system built around the needs of those who use it. This included adding new digital channels, or redesigning existing digital channels, to meet user needs while retaining offline options. By providing multiple options, users can choose the most suitable channel, reducing the effort required to access services, and reducing the need for third-party support or representation. By making it easier for users to access justice through courts and tribunals services directly, digitalisation should therefore support a system that is just.

There is **strong overall support for public users that multiple channel options have enabled them to ‘self-serve’ and therefore reduced effort.** On being able to self-serve through multiple channels, MI and primary data confirm that users can start and manage cases online through new and redesigned digital channels. The Digital Services Evaluation found satisfaction with these channels is high (78%), with a large majority of users finding the early steps of the process easy (e.g. 86% found starting their case easy, and 74% found providing documents online easy). There is also strong evidence that users can choose the most suitable channel, as a notable proportion still opt for the paper channel in

some services (particularly in probate), with channel use broadly aligned with preferences and confidence levels.<sup>74</sup>

There is much more **moderate support to suggest that reductions in effort and an ability to ‘self-serve’ has reduced use of legal representation**. For example, in the Divorce service where there has been an observable decrease in the use of legal representatives compared to pre-reform levels, this is more likely to do with the introduction of ‘no-fault divorce’ than digitalisation of the service. Evidence suggests there has been no clear decline in the use of legal representatives to address legal problems relevant to reform services (Franklyn, Budd, Verrill, & Willoughby, 2017; LPRS 2023). Evidence from the Vulnerability Study also suggests that issues such as cost, and the need for practical and emotional support, rather than ease of use of the service, are key reasons why people seek legal representation. These needs are not addressed simply by making an online service easy to use.

There is also **moderate support to suggest that the reduced effort and improved ability to self-serve removes barriers to access**. The Digital Services Evaluation found that improved timeliness may offer indirect evidence that barriers have been addressed and found no clearly identified barriers to accessing the reformed services. However, there was little direct support for this. Similarly, perceptions that the system is just are also only indirectly supported. Users were more likely to agree than disagree that HMCTS’ handling of their case was fair,<sup>75</sup> and some qualitative evidence pointed to a general perception of the system being fair. However, the IAC Evaluation suggested this was not explicitly linked to a reduction in barriers to access.

Support was **mixed for professional representatives that multiple channel options have enabled people to ‘self-serve’ and reduce effort**. MI and primary data from the Digital Services and IAC evaluations show high levels of uptake, confirming professional representatives are successfully starting cases online. However, increases in uptake

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<sup>74</sup> Weighted public user survey data aggregated across services evaluated as part of MoJ and HMCTS’ evaluations of digitalisation of probate, divorce, Online Civil Money Claims, and Social Security and Child Support services. These evaluations are available at: [HM Courts & Tribunals Service Reform: Digital Services Evaluation - GOV.UK](#)

<sup>75</sup> Ibid.

coincided with the introduction of mandatory use requirements, rather than the initial roll-out, suggesting that ease of use was not the primary driver. For most digital services legal professionals reported more satisfaction than dissatisfaction and generally found most online stages easy to use.

However, the Digital Services Evaluation found a significant proportion (20% overall)<sup>76</sup> still chose to move cases offline. This was particularly common in services that were not fully digitalised end-to-end or in instances with complex case types (Damages in particular). Similar to public users, there is strong evidence that professionals also choose channels that are easiest for them. However, because use of the online channel is mandatory for professionals in reformed services, this is seen primarily through workarounds outside of the reformed service, for example communication outside of the system over e-mail. This should be considered an **unintended consequence** of how digitalisation has been implemented (especially in Damages and FR).

The evidence **does not support the hypothesis that reduced barriers to access led to representatives perceiving the system as just**. As noted above, the Digital Services Evaluation found increased digital use was more closely associated with mandatory requirements rather than ease of use. Alongside evidence from the IAC evaluation, this also found that while representatives did note the removal of some barriers (such as reduced reliance on paper), they found that the lack of end-to-end digitalisation and limited capability to handle complex cases introduced barriers. Representatives were more likely to think that MyHMCTS had no impact on their client's ability to access the formal justice system (37%) or a decision/hearing (40%), and least likely to think it had improved access (10% and 6% respectively).<sup>77</sup>

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<sup>76</sup> Weighted professional representative user survey data aggregated across services evaluated as part of MoJ and HMCTS' evaluations of digitalisation of probate, divorce, financial remedy, family public law, online civil money claims, and damages service. These evaluations are available at: [HM Courts & Tribunals Service Reform: Digital Services Evaluation - GOV.UK](#)

<sup>77</sup> Ibid.

Overall, there is **limited** evidence for alternative explanations to those outlined through this causal pathway<sup>78</sup> contributing to a reduction in effort and increased ability to self-serve, with two exceptions:

- There is **strong** support for public users that improved digital confidence during the COVID-19 pandemic better enabled people to use digital channels.
- There is some **moderate** support indicating that improved information on GOV.UK reduces effort by centralising information, increasing perceptions of transparency within the system.

Table 2 summarises the process tracing findings for causal pathway A.

**Table 2: Summary of findings for causal pathway A**

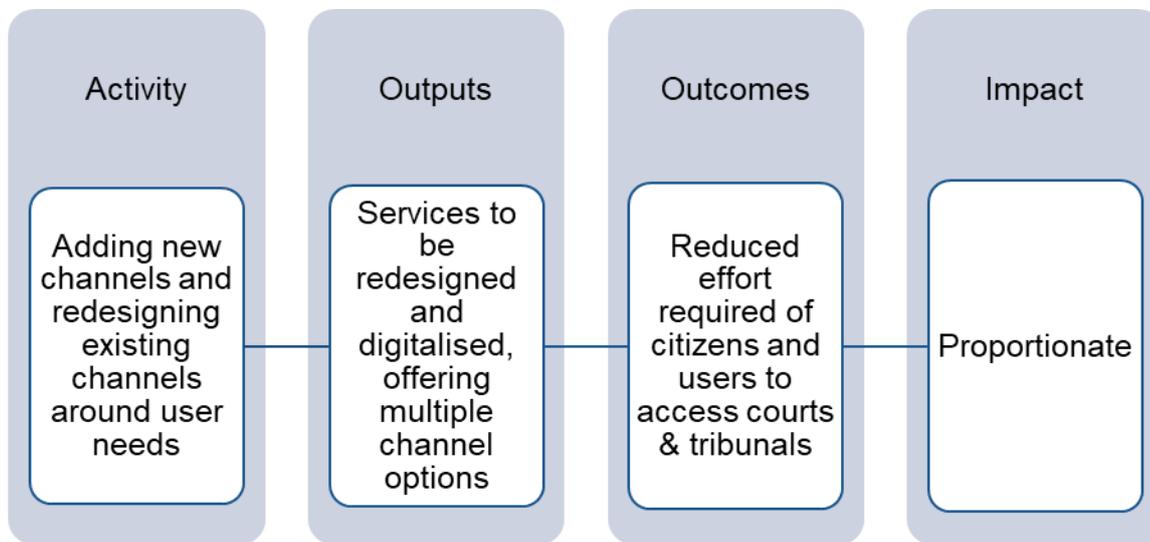
Description of pathway	Overall conclusion
<b>Multiple channel options have enabled people to 'self-serve' and reduce effort</b>	<p>Strong support for the causal pathway overall in relation to public users.</p> <p>Mixed support for the causal pathway overall in relation to legal professionals</p>
<b>Alternative claims</b>	Overall, limited evidence that other explanations also contributed to outcomes

**Causal pathway B**

**Multiple channel options have increased the speed of case progression.**

Figure 7 shows causal pathway B as described in the Theory of Change.

<sup>78</sup> Full details of the alternative explanations considered can be found in the accompanying Technical Appendix.

**Figure 7: Causal pathway B**

Adapted from Ministry of Justice (2023)

Digitalisation was intended to support a system that is proportionate, with low burden channels where appropriate. This included adding new digital channels, or redesigning existing digital channels, to help speed up case progression. Offering multiple channel options aimed to reduce user effort by simplifying the application process, shortening case durations, and lowering the number of outstanding cases. Public users should be able to choose the quickest channel for their needs (e.g. some users would be able to navigate the paper channel more easily than the digital channel), while digital channels enable automated case flow and backend digitalisation. Together, these features should reduce the effort required to access services. By making it faster (and therefore easier) to access the courts and tribunals services, digitalisation supports a system that is proportionate for users.

Overall, there is **moderate evidence that digitalisation has improved proportionality in the system through multiple channel options, increasing the speed of case progression**. There is strong evidence from the Digital Services Evaluation that overall case duration has decreased, with the damages service being the notable exception. This includes a 12% reduction in case duration in Divorce (case received to decree nisi), 44% reduction in probate cases submitted by legal professionals (from application submitted to order granted), and 57% reduction for OCMC cases from case issued to first full hearing.

In most services, case progression times improved following increased use of digital channels, particularly in Divorce, FPL, OCMC and SSCS.

The introduction of bulk scanning also reduced the time and effort needed for manual processing, as documents are digitised upon scanning. However, case duration for paper cases increased for some services. Additionally, across services, as noted elsewhere in this analysis, there was evidence of legal professionals, HMCTS staff, and judges deliberately working around elements of reformed services (Ibid.). Workarounds typically involved bypassing the system via email (particularly for urgent matters) or removing complex cases from the reformed digital service entirely. This is therefore an **unintended consequence** of digitalisation.

There is also **moderate** evidence overall for alternative explanations contributing to improvements in case progression.<sup>79</sup> Explanations for which there was moderate support included:

- For the crime jurisdiction, increased judicial sitting days, in response to pandemic backlog (National Audit Office, 2025), allowing cases to progress at a faster rate.
- Reduced complexity in cases, meaning cases are resolved more quickly.
- Policy/legislation changes affecting the length of time required to process a case directly, specifically ‘the introduction of no-fault divorce’ and the Department for Work and Pensions (DWP) response to the COVID-19 pandemic.
- Changes in workforce capability and operations meaning cases are processed more efficiently.

Table 3 summarises the process tracing findings for causal pathway B.

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<sup>79</sup> Full details of alternative explanations considered can be found in the accompanying Technical Appendix.

**Table 3: Summary of findings for causal pathway B**

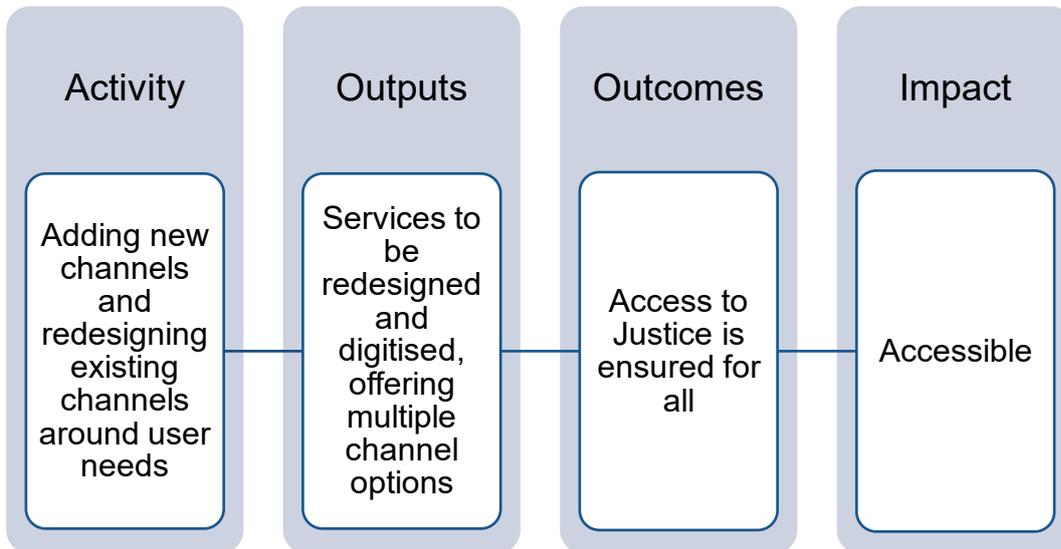
Description of pathway	Overall conclusion
<b>Multiple channel options have increased the speed of case progression</b>	Moderate support for the causal pathway overall
<b>Alternative claims</b>	Overall, moderate evidence that other explanations also contributed to outcomes

**Causal pathway C**

**Multiple channel options have increased access to justice through a wider range of channels which are consistently available across all services.**

Figure 8 shows causal pathway C as described in the Theory of Change.

**Figure 8: Causal pathway C**



Adapted from Ministry of Justice (2023)

Digitalisation was intended to enhance the accessibility of the justice system by ensuring consistent access across all channels and services, enabling users to engage with the system through the channel best suited to their needs. By offering multiple channel

options, the aim was to increase access without disadvantaging those who prefer or require non-digital routes. Making it easy to submit correct information from the start of a case would also subsequently improve access to a decision by reducing the rate of user and administrative errors. Digitalisation was also intended to improve access to a hearing by accelerating pre-hearing processes. This would also improve the speed of access to a hearing for non-digital cases by reducing the backlog. In turn, it would support quicker access to decisions by decreasing the time required to complete cases across both channels.

For public users, the evidence shows **moderate support that digitalisation has helped enhance access to justice by providing a wider and more consistent range of channels across services**. A balance of high digital uptake alongside continued use of the paper channel, provides strong evidence that public users can access the formal justice system through their preferred route. Evidence from the Vulnerability Study on **vulnerable groups** also suggests that maintaining the paper channel alongside digital routes supports wider access to justice needs beyond digital capability (see also for example Creutzfeld, Kyprianides, Bancroft, Bradford, & Jackson, 2023). There is further strong support for digitalisation making it easier for users to submit correct information. While there was no consistent overall pattern in error rates, large majorities of users reported finding early stages of the process easy, with only around one in ten reporting having made an error in their application.

The evidence provides **moderate support for digitalisation increasing the speed of access to a hearing for digital cases**. However, the evidence provides **limited support for digitalisation increasing the speed of access to hearing for paper cases**. Overall case durations reduced following reform in most services, as did the speed of accessing a hearing for digital cases (though not consistently across all applicable services). For paper cases, although the time to hearing did also generally reduce, the small proportions and differences in case mix make drawing firm conclusions for offline channels difficult.

There was **moderate support for faster access to decisions for both digital and paper cases**. As already noted, overall timeliness did improve across most services. For both digital and paper cases, most services saw improvements in timeliness and an increase in

the proportion of cases closed through formal disposals.<sup>80</sup> There was limited evidence that reduced user or administrative errors made it easier to access a decision. While survey data shows digital service users are slightly less likely than paper users to report not making an error, overall error rates showed no consistent pattern following reform.

For professional representatives there was **limited support that digitalisation helped enhance access to justice by providing a wider and more consistent range of channels across services**. The continued submission of paper cases alongside most professionals finding the early stages of managing a case in MyHMCTS easy, strongly supports that professionals can access the system through the channel that best suits their needs. However, as online services were eventually made mandatory for professional representatives and primary evidence shows that paper use often results from workarounds, this should be considered an **unintended outcome** of the implementation of digitalisation. There is also limited support for digitalisation making it easier for professionals to submit correct information. While there was no overall pattern in error rates, the vast majority (70%) reported making errors. These errors were perceived to be more common in the digital service than under the legacy system, with representatives, judiciary, and staff all identifying significant barriers to correcting them.

Similarly to public users, there was **moderate support for digitalisation increasing the speed of access to a hearing for professionals in digital cases**, but **limited support for paper cases**. Qualitative interviews with professionals suggest that while digital processes may be quicker, it does not always result in earlier listings due to the existing backlog. Evidence on whether digitalisation improved speed of access to a decision is inconclusive for digital cases and limited for paper cases. For digital cases, time to decision improved in divorce and initially also in probate, while it deteriorated in financial remedy and initially in family public law. For paper cases, decision times decreased in family public law but increased in IAC appeals and probate.

There is also limited support for digitalisation improving access to a decision by reducing user and administrative errors for professional users. As noted, error rates showed no

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<sup>80</sup> This varied for SSCS and IAC and there are limitations in drawing conclusions from the small number of paper cases.

consistent pattern, and professionals reported higher error frequency in the reformed services for OCMC, financial remedy, damages, and family public law, although errors were less frequent in divorce and probate.

There is also **moderate** support for only one alternative explanation:<sup>81</sup> that changes in legislation/policy remove barriers to accessing the courts, notably ‘no-fault divorce’ and the DWP response to the COVID-19 pandemic.

Table 4 summarises the process tracing findings for causal pathway C.

**Table 4: Summary of findings for causal pathway C**

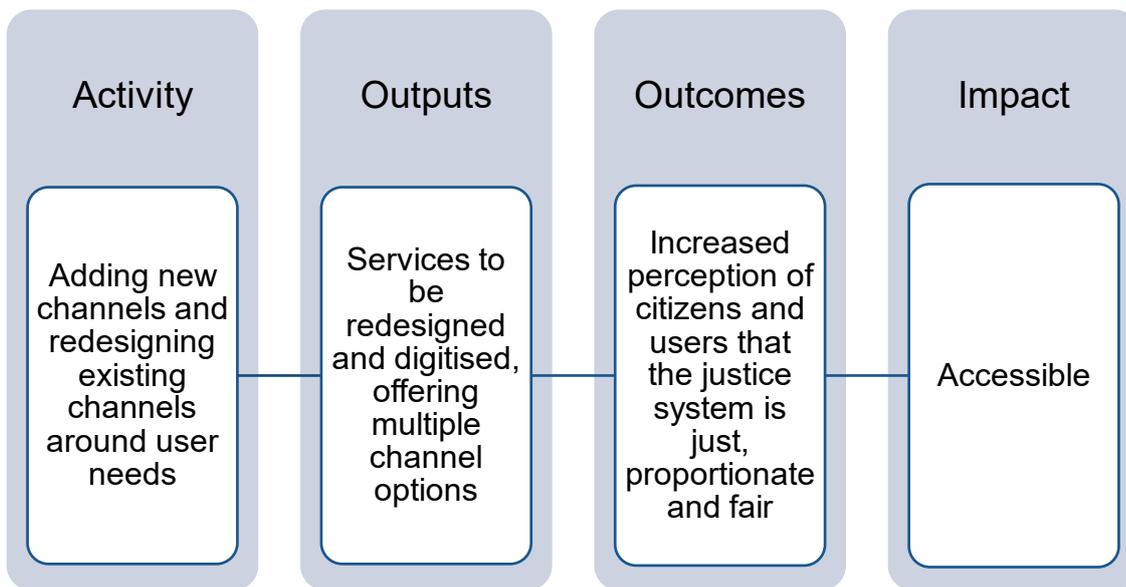
Description of pathway	Overall conclusion
<p><b>Multiple channel options have increased access to justice through a wider range of channels which are consistently available across all services.</b></p>	<p>For public users, <b>moderate</b> support for the causal pathway overall.</p> <p>For professional representatives, <b>limited</b> support for the causal pathway overall.</p>
<p><b>Alternative claims</b></p>	<p><b>Limited</b> evidence other explanations also contributed to outcomes</p>

**Causal pathway D**

**Multiple channel options and user-designed services increased perceptions that the system is Just, Accessible, and Proportionate.**

Figure 9 shows Causal pathway D as described in the Theory of Change.

<sup>81</sup> Full details of alternative explanations considered can be found in the accompanying Technical Appendix.

**Figure 9: Causal pathway D**

Adapted from Ministry of Justice (2023)

Digitalisation was intended to increase perceptions that the system is accessible, proportionate, and fair. It would achieve this by implementing new or updated online channels, and update offline channels, designed around user needs. In doing so, services were assumed to be more easily understood, and therefore transparent for a variety of users, while also ensuring a consistent experience across channels. Services would also feel intentionally designed so that the effort and resources required from users is proportionate to the complexity and needs of their case. This transparency, consistency, and proportionality in how services are provided are closely related to perceptions of fairness and accessibility (e.g. Tyler, 2007; Denvir, Balmer, Pleasence, & Hagland, 2025). Therefore, by designing services to feel more transparent and consistent to use, the intention was to foster a perception of the system as accessible.

Overall, there is **moderate support for digitalisation increasing perceptions that the system is just, accessible, and proportionate, by making user-designed services available across multiple channels**. There is strong evidence from the Digital Services Evaluation that digitalisation has reduced perceived barriers to access, with most users finding the early stages of reformed services easy (for example 86% of public users reported that starting their case online way easy). However, evidence that this has

improved perceptions of fairness, transparency and proportionality is limited. Survey data<sup>82</sup> showed that 69% of public users felt their case was handled fairly, and 88% felt the information provided gave them a good understanding of what to expect, suggesting services are perceived as fair and transparent. The Vulnerability Study found that among vulnerable individuals with a legal problem, there is evidence that digital reforms are seen as important for increasing access to justice, particularly when paper and offline channels remain. At the same time, the Digital Service Evaluation suggest that digitalisation has had some unintended consequences, including increasing the administrative burden on the judiciary compared to pre-reform.

There is also **moderate** support for alternative explanations contributing to changes in perceptions of the system, including:<sup>83</sup>

- public users' experiences with other government departments or public bodies involved in their case driving their perception that the system is just.
- increases in digital capability and confidence among the general population leading to a reduction in the perceived barriers to accessing existing digital channels and therefore increasing perceptions of the accessibility of the system.
- wider policy/legislative changes leading to an increase in perceptions that the system is accessible.

Table 5 summarises the process tracing findings for causal pathway D.

**Table 5: Summary of findings for causal pathway D**

Description of pathway	Overall conclusion
<b>Multiple channel options and user-designed services increased perceptions that the system is Just, Accessible, Proportionate.</b>	Moderate support for the causal pathway overall.

<sup>82</sup> Weighted public user survey data aggregated across services evaluated as part of MoJ and HMCTS' evaluations of digitalisation of probate, divorce, Online Civil Money Claims, and Social Security and Child Support services. These evaluations are available at: [HM Courts & Tribunals Service Reform: Digital Services Evaluation - GOV.UK](#)

<sup>83</sup> Full details of alternative explanations considered can be found in the accompanying Technical Appendix.

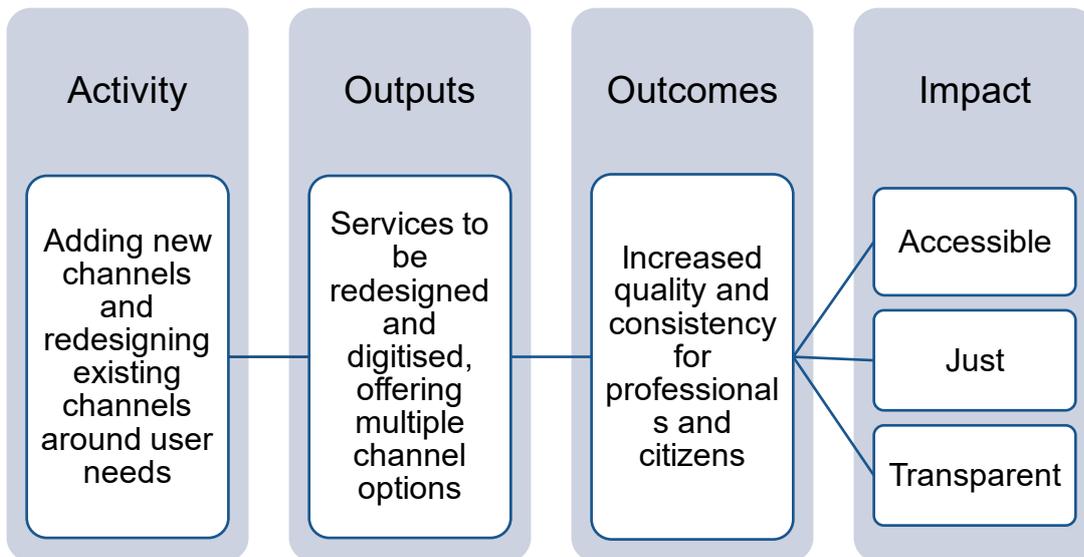
<b>Alternative claims</b>	Moderate evidence other explanations also contributed to outcomes

**Causal pathway E**

**Multiple channel options and user-designed services have enhanced the quality and consistency of people’s experiences.**

Figure 10 shows causal pathway E as described in the Theory of Change.

**Figure 10: Causal pathway E**



Adapted from Ministry of Justice (2023)

Digitalisation was intended to support a system that is just, accessible and transparent by enhancing the quality of user experience, including clarity concerning how and why decisions have been made. It intended to do this by offering multiple channel options designed around the needs of the user, designed in response to user feedback, and by improving information sharing in a timelier manner, independent of physical constraints. This would provide users with a more consistent experience across channels and services.

By making multiple options available, users can choose the channel that best suits their needs, with the knowledge that they will receive a consistent service regardless of which route they choose, increasing user satisfaction. By enhancing the quality and consistency of people's experiences, digitalisation should therefore better support a system that is just, accessible and transparent.

Overall, there is **moderate support for multiple channel options and user-designed services enhancing the quality and consistency of peoples' experiences, and therefore supporting a system that is accessible, just, and transparent**. The evidence is stronger for public users than legal professionals, although moderate rather than strong overall for both groups. There is strong evidence to suggest that multiple channel options improve the transparency of how the decisions are made, especially concerning public users for the divorce service. For example, 87% of users of the digital divorce service reported that HMCTS kept them fully informed of the progress of their case. In addition, there is strong evidence for both public users (high satisfaction rates and reports that most users would reuse the service) and legal professionals (a majority would choose the reformed service over the legacy service) that multiple channel options, by improving the quality of users' experience of using the system, increase the extent to which people are able and willing to use it.

Qualitative evidence in the Digital Services Evaluation across services does suggest there is a consensus among legal professionals that the system is more accessible for straightforward cases. However, it is much less so for complex cases which often require workarounds and/or continuing to be processed on paper. There is also evidence that digitalisation had the **unintended consequence** of increasing the administrative burden on the judiciary.

There is **moderate** support for alternative explanations contributing to changes in perceptions of the system.<sup>84</sup> Alternative explanations with moderate support include:

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<sup>84</sup> Full details of alternative explanations considered can be found in the accompanying Technical Appendix.

- Improved staff capability means staff are able to process cases more consistently, leading to improved consistency of experience.
- Other elements of Reform, including centralisation of process and introduction of CTSCs, leading to improvements in consistency of experience.
- Greater access to hearings, associated with higher levels of satisfaction, leads to improved quality of experience.
- Among judiciary and professionals, internal business/workplace improvements leading to more positive experience of using the service.

Table 6 summarises the process tracing findings for causal pathway E.

**Table 6: Summary of findings for causal pathway E**

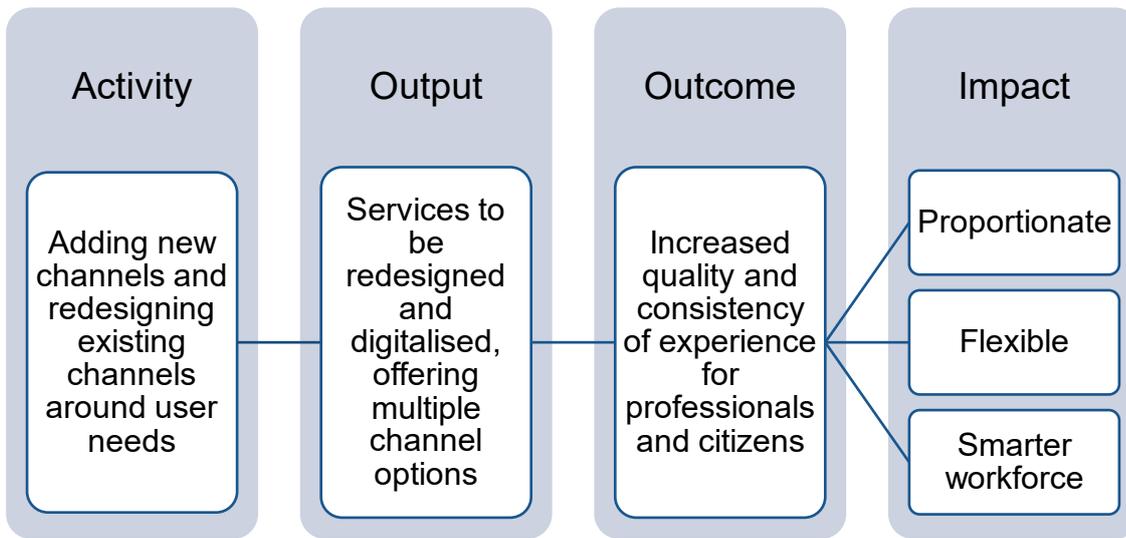
Description of pathway	Overall conclusion
<b>Multiple channel options and user-designed services have enhanced the quality and consistency of peoples' experiences.</b>	Moderate support for the causal pathway overall.
<b>Alternative claims</b>	Moderate evidence other explanations also contributed to outcomes

**Causal pathway F**

**Multiple channel options and user-designed services have enabled a flexible infrastructure.**

Figure 11 shows causal pathway F as described in the Theory of Change.

Figure 11: Causal pathway F



Adapted from Ministry of Justice (2023)

The intention was to create an interactive digital system where cases can be tracked, and evidence uploaded and stored. Redesigned digital channels would be updated and continuously improved in response to user feedback, helping to improve the quality and consistency of experience for users. Multiple channel options would ensure information is not stored in a single physical space, with cases started and managed online as well as by paper, meaning information sharing would be timelier and independent of physical constraints. This would help staff to better manage workloads across sites and services, contributing to a system that is proportionate, flexible, and a more efficient workforce.

Overall, there is **moderate support that multiple channel options and user-designed services enable a flexible infrastructure, and therefore support a system that is flexible, proportionate, and with a smarter workforce**. This includes strong evidence from the Digital Services Evaluation that digitalisation has improved the quality of experience by allowing staff to actively manage cases independent of user location. Several benefits of cases being managed digitally were identified, including all case documents being centralised and the reduction of large bundles of paper evidence. The additional option to work from home allows greater flexibility, enabling legal professionals and judges to work hours that better suit their needs. There is also some evidence that digitalisation has enhanced the quality of user experience, particularly through digitalised services that respond to user feedback in a timely manner. This is evidenced by a strong

consensus that reformed services have improved considerably over time, becoming more reliable.

However, other hypotheses in this causal pathway were not supported. Specifically, the assumption that offering multiple channel options would enhance the quality of experience by enabling staff to work more flexibly and manage resources more effectively. Similarly, the idea that multiple channel options would improve the consistency of experience by being flexible to cases varying in complexity.

Support is **limited** overall for alternative explanations.<sup>85</sup> Table 7 summarises the process tracing findings for causal pathway F.

**Table 7: Summary of findings for causal pathway F**

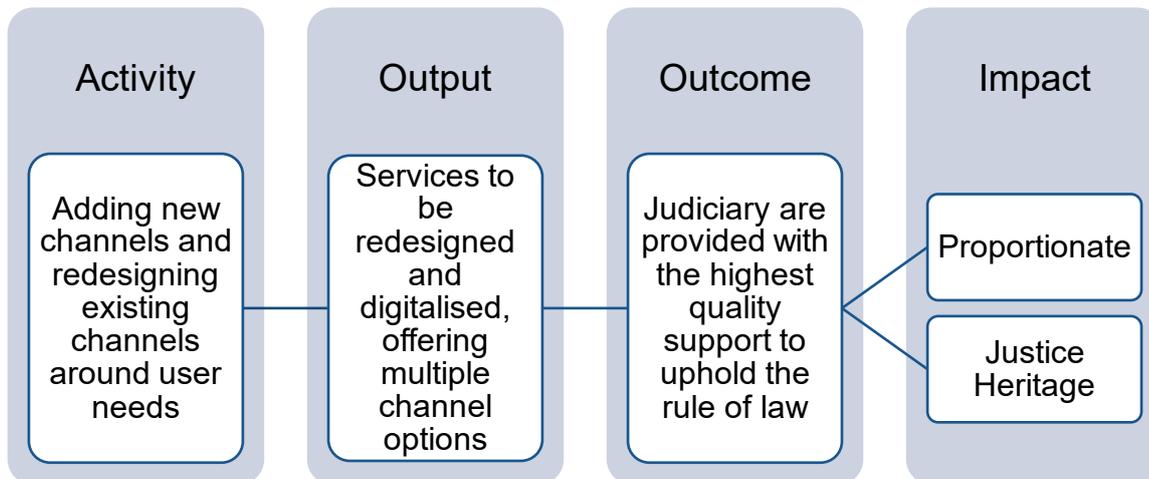
Description of pathway	Overall conclusion
<b>Multiple channel options and user-designed services have enabled a flexible infrastructure.</b>	Moderate support for the causal pathway overall.
<b>Alternative claims</b>	Mixed or limited evidence other explanations also contributed to outcomes.

### Causal pathway G

**‘Self-service’ has ensured the best use of judicial time.**

Figure 12 shows causal pathway G as described in the Theory of Change.

<sup>85</sup> Full details of alternative explanations considered can be found in the accompanying Technical Appendix.

**Figure 12: Causal pathway G**

Adapted from Ministry of Justice (2023)

Digitalisation was intended to support a system that is proportionate, while strengthening our ‘justice heritage’<sup>86</sup> by ensuring the best use of judicial time. The intention was for digital bundles to ensure evidence is readily available and up to date. These systems would be user friendly, reducing the scope for error and the risk of information being overlooked or missed. This would enhance the flow and quality of information, thereby decreasing the time required by the judiciary for case preparation. Additionally, enabling HMCTS staff to self-serve was also expected to reduce the judiciary’s involvement in routine administrative tasks.

The Digital Services and IAC evaluations found **limited overall support for the proposition that ‘self-service’ functionality optimises judicial time, and therefore supporting a system that is proportionate, with an independent and trusted justice heritage.** However, there was relatively strong qualitative evidence to suggest that redesigned services improved the quality of information input. This helps reduce the time judges spend on case management and minimises process interruptions. Interviewees thought that prompts such as ‘are you sure?’ before submitting make digital users less prone to errors in comparison to the legacy system.

<sup>86</sup> Defined in HMCTS’s design principles as “Strengthening our strong, independent, and trusted justice heritage, with different channels and experiences for different users.” See ‘Concepts in the Theory of Change’ at the end of this report.

Despite these improvements, interview evidence revealed a strong consensus that judges spend more time on administration and case management in the digital service than they did using the legacy system.

Overall, there is **limited** evidence for alternative explanations contributing to changes in perceptions of the system.<sup>87</sup> There were some explanations with moderate support:

- In crime, moderate support for increased judicial sitting days, in response to the pandemic backlog (National Audit Office, 2025), allowing higher volumes to be processed.
- Moderate support for an increase in judicial headcount following recruitment drives making more judicial time available.
- Moderate support for changes in policy/legislation (e.g. the introduction of ‘no-fault divorce’) reducing the demand for judicial involvement in particular types of cases.

Table 8 summarises the process tracing findings for causal pathway G.

**Table 8: Summary of findings for causal pathway G**

Description of pathway	Overall conclusion
<b>‘Self-service’ has ensured the best use of judicial time.</b>	Limited support for the causal pathway overall.
<b>Alternative claims</b>	Mixed or limited evidence that other explanations also contributed to outcomes.

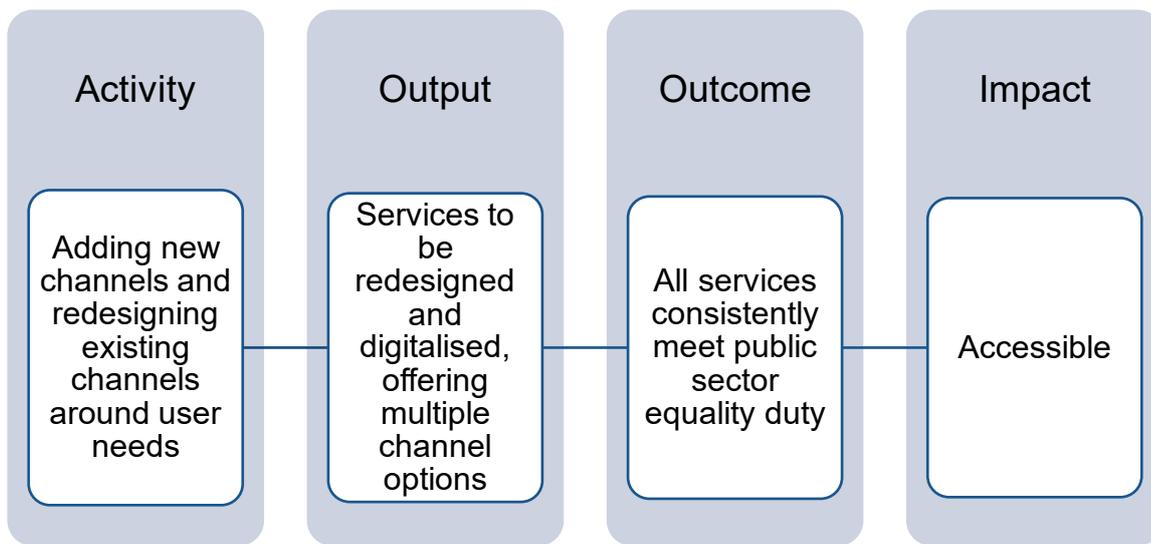
<sup>87</sup> Full details of alternative explanations considered can be found in the accompanying Technical Appendix.

**Causal pathway H**

**Multiple channel options and user-designed services have ensured that no one is left behind by the addition of new channels.**

Figure 13 shows causal pathway H as described in the Theory of Change.

**Figure 13: Causal pathway H**



Adapted from Ministry of Justice (2023)

Digitalisation was intended to support a system that is accessible by ensuring that no one would be left behind by the addition of new channels. New and redesigned services were expected to collect protected characteristics data for users of both the paper and digital channels, with live service design informed by user research and feedback loops.

Common components (bulk scan and print) integrate paper channels into a unified process for HMCTS, while maintaining access to a paper channel for public users. This approach should ensure that services meet the Public Sector Equality Duty (PSED) by embedding inclusive design principles and using data to monitor inclusion. It also aims to prevent disparities in case management or justice outcomes, whether between or within channels, thereby supporting a system that is easy to use and accessible to non-digital users.

Overall, there is **moderate support to suggest that digitalisation contributes to a system where no one is left behind by the addition of new channels.** There is strong

evidence that digitalisation supports effective monitoring of PSED across multiple channels, helping to inform user-centred design through the collection of data on personal characteristics. This evidence primarily comes from HMCTS Access to Justice assessments (HM Courts and Tribunals Service, 2024), which show that PCQ data is integrated into management dashboards and other monitoring tools. Where this data highlights barriers faced by particular groups, actions have been taken to address them. These assessments explicitly outline design activities, described as 'service fixes', that have been implemented or planned in response to issues identified through the analysis of PCQ data. This work is ongoing and reflects a commitment to using data-driven insights to improve accessibility and inclusivity in the service design.

There is also some evidence that digitalisation, by maintaining multiple channel options, does not disadvantage those unable or unwilling to use a particular channel. This is evidenced by findings from the Digital Services Evaluation showing minimal differences in outcome or case management measures across application channels, except for timeliness outcomes being generally faster for digital cases. Additionally, there is no evidence to suggest that members of the public, **including vulnerable users**, want to use non-digital channels but do not feel able to do so.

However, one supporting hypothesis, that multiple channel options support an accessible system for all user groups by not introducing or exacerbating disadvantage for different users within or between channels, was not supported. One barrier identified was that the reformed services are provided in English and Welsh. There was a consistent pattern across services where case timeliness is, on average, slower for users who do not speak English or Welsh as their main language and/or are from an ethnic minority background. These groups were more likely to have complex cases ineligible for the faster reformed services. Evidence also identified inequality of access to case information where one party was unrepresented in services where only the professionals' service was reformed.

Overall, there is **limited** evidence for alternative explanations contributing to a system where no one is left behind by the addition of new channels.<sup>88</sup> There were however three alternative explanations with moderate support:

- There is moderate support for improved digital confidence during the COVID-19 pandemic better enabling people to use new or existing channels.
- There is moderate support for improved access to government services through digital technology more widely having removed barriers for all, including, disadvantaged groups.
- There is moderate support for wider policy and operational changes aimed at reducing disparity, such as through HMCTS’s Vulnerability Action Plan (HM Courts and Tribunals Service, 2025a), accounting for reductions in differences between groups.

Table 9 summarises the process tracing findings for causal pathway H.

**Table 9: Summary of findings for causal pathway H**

Description of pathway	Overall conclusion
<p><b>Multiple channel options and user-designed services have ensured that no one is left behind by the addition of new channels.</b></p>	<p>Moderate support for the causal pathway overall.</p>
<p><b>Alternative claims</b></p>	<p>Mixed or limited evidence that other explanations also contributed to outcomes.</p>

<sup>88</sup> Full details of alternative explanations considered can be found in the accompanying Technical Appendix.

# 7. What are the specific lessons that can be learned from digital reforms?

## 7.1 Summary

### Lessons learned

Delivering effective digital transformation at scale needs more than just new technology. It requires realistic planning, sufficient resourcing, and adaptive implementation strategies. Critical factors that can support more effective delivery in future transformation programmes include setting achievable timelines that reflect the complexity of the change, ensuring adequate and sustained resourcing, embedding robust feedback mechanisms, fostering collaborative working practices, improved data quality, and designing flexible, user-centred training approaches.

### Evidence gaps

Further research could help determine whether barriers to access persist in fully developed services, to provide a longitudinal look at how vulnerable users interact with reformed services, and to explore in depth the differences in uptake and outcomes across sub-groups. Research could also look further at perspectives of external stakeholders to support continuous improvement and more inclusive reform.

## 7.2 Chapter introduction

This section outlines key lessons learned from the research included in the overarching evaluation of thematic area 1. These insights offer guidance for continuous improvement within HMCTS and for future large-scale digital transformation programmes. In addition, this section highlights the remaining evidence gaps identified from various research reports.

## **7.3 What can be learnt to inform continuous improvement of digitally reformed services and inform future transformation programmes**

### **Digital services should cover the whole journey where possible and be joined up with wider processes to work most effectively**

Not being able to complete a case fully online can deter take-up and lead to administrative inefficiencies. Integrating online portals, and offline channels, with back-end case processing could support more effective services.

### **Realistic timelines that reflect the complexity of digital change**

The digital reform implementation plans were in hindsight considered to be overly ambitious, exceeding available time and resources. Incorporating ample time between iterations of service development, ensuring full development of each component before transitioning (focusing on 'full-cycle' service design) could enable more effective outputs. Achieving a better balance between the speed of delivery goals and the quality of design, fully appreciating the complexity of the transformation, could reduce frustration and fatigue. Taking a 'product-focused' approach that is closer aligned to agile principles, with slower, more iterative improvement, could be a more efficient implementation approach for digital change. However, to achieve this would likely require a more flexible funding model, with realistic timelines, sizing estimates, cost forecast, and integrated plans.

### **Appropriately resourcing every stage and retaining expertise**

Implementation has been resource intensive. There have been numerous areas where resource has been strained including fulfilling the governance and assurance requirements, management of the programme interdependencies, data needs, operational running, responding to feedback, and wider stakeholder management. This suggests that initial plans did not fully appreciate the resource demand of the digital change. Early design choices impacted the long-term quality of outputs (how well they meet strategic goals and are future-proofed). This suggests it is important to adequately resource digital change with the technical capability, knowledge, and experience required, including in

senior technical decision-making positions. Where this capability needs to be developed, implementation timelines should reflect this. Retaining experienced staff and minimising staff turnover can help aid efficient delivery. For the future development of digital services within HMCTS, retaining the skilled digital resource it has in the workforce could help maintain momentum and continuity.

### **The importance of closing the feedback loop, and sufficiently resourcing and endorsing the process**

The feedback process was hindered by delays in addressing accumulating feedback. Effective digital transformation relies on continuous improvement, which in turn requires adequate resources to respond to user feedback. Closing the feedback loop by integrating feedback could improve the effectiveness of the development stages. Transparent communication about how feedback is acted upon can help build trust and encourage collaboration. Actively seeking input from a broad range of stakeholders, not just the most vocal, could help ensure the project plans reflect a diverse range of needs and perspectives. Senior decision makers may also find value in recognising how feedback supports transformation and the need to utilise insights to promote continuous improvement.

### **Creating collaborative cross-functional practices**

Future transformation programmes should consider how collaborative and cross-functional working practices can be built in from the start. Siloed working can lead to fragmented efforts and slow down the progress of programme development. Encouraging staff to frequently share their experiences with colleagues, promotes collaboration and can help drive efficiencies through consistent implementation. Actively documenting insights, best practise and design decisions, and dedicating time for knowledge sharing to ensure learnings are effectively disseminated.

### **Tailored training that can adapt as implementation develops**

Future digital transformation programmes may benefit from training that prioritises interactive, 'live' learning experiences over static information sharing. Hands-on,

accessible, and engaging training can help users better understand and adopt new systems. Where transformation involves a wide range of users and operational environments, tailored training approaches, delivered within a unified framework aligned to programme-level goals, may be particularly effective. It would be beneficial for training to be closely aligned with the delivery model in use and remain flexible, evolving alongside the programme. If feasible, a continuous training process that allows users to test new features in a practice environment would support smoother implementation and adaptation from users.

## 7.4 What evidence gaps remain for future research and evaluation?

While recent research and evaluation has provided valuable insights into the implementation and delivery of digital reform for a range of users, evidence gaps remain that may warrant further investigation to strengthen understanding and inform continuous improvement for reformed services.

- **Understanding barriers in a fully digital journey:** Much of the evaluation fieldwork so far was conducted while digital services were still in development, with few cases having progressed through a fully end-to-end digital journey. As services mature, further research could explore whether the barriers identified in this report still remain for users when engaging with a complete digital process.
- **Understanding case complexity:** There is a significant gap in our understanding of case complexity. Currently, there is no standard means of identifying what constitutes a complex case. Better evidence on how outcomes, user journeys, and experiences vary by channel could help determine, for example, whether digital services appear faster simply because they are more likely to handle simpler cases.
- **Understanding subgroup differences:** Due to constraints on the timeframe of the Digital Services Evaluation, some data limitations remain. Future research could aim to assess other factors contributing to observed differences in digital uptake and some outcomes across user groups, including whether similar patterns are

present among users of paper channels. PCQ data collection could be improved, as there are notable gaps in completeness. While participation is voluntary and therefore PCQ data is subject to response bias, there are areas where data collection could be more consistent. For example, SCS does not currently collect age or disability information as part of PCQ data collection,<sup>89</sup> which restricts our ability to understand user characteristics for this service.

- **Longitudinal understanding of vulnerability:** repeating research with vulnerable users could help to develop our understanding of who struggles to access the justice system and how these inequalities can be addressed. It could also help track how barriers and facilitators to accessing justice evolve over time, especially in response to reforms. Additional targeted engagement with vulnerable groups could engage users during or shortly after their legal journey, both through paper and digital channels. To complement this, further research is needed to better understand the experience of non-digital/offline users, including identifying barriers to access and how these factors impact their ability to navigate legal processes.
- **Lack of direct measures:** There is a lack of direct measures for perceived fairness, transparency and whether the system as a whole is viewed as just. To date, research has relied on proxies rather than capturing these perceptions directly. Future legal needs surveys would benefit from including targeted questions of these dimensions.
- **External stakeholder perspectives:** There is a gap in understanding how wider stakeholders (e.g. local authorities, police forces, law centres / clinics, non-profit organisations etc) perceived and experienced digital reform. Additional research could be carried out to understand the perspective of these wider end users.<sup>90</sup>
- **Addressing complexity within services:** Identifying where the digital service might be made less complex would be advisable for services where the digital

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<sup>89</sup> SCS collects age and disability information only as part of the application process therefore it is not available for statistical analysis in the same way as PCQ data.

<sup>90</sup> The Crime Evaluation will be looking at police and non-police prosecutors, the Crown Prosecution Service, HM Prison and Probation Service, and the Prisoner Escort and Custody Service.

channel differs considerably from the paper channel (e.g., process requirements, additional steps, notification periods, documentation requirements). Simplifying the digital journey may help improve accessibility, take-up, and user satisfaction.

## 8. Conclusions

### 8.1 Chapter introduction

This report provides an overarching look at the evidence collected from the various research activities related to the evaluation's Thematic Area 1 (Adding new channels (routes to services) and redesigning existing channels around user needs). This chapter presents the conclusions for each evaluation question, highlighting the key lessons.

#### How have digital reforms been implemented?

The implementation of the Digital Reform Programme has been ambitious. **While the programme achieved notable progress, particularly in increasing digital uptake of services, it faced significant challenges.** These included plans that were perceived to be overly optimistic in hindsight, limited effective collaboration and feedback loops, over-reliance on external resource, and insufficient practical tailored staff training.

Agile delivery methods, while beneficial in places, were not always well understood or consistently applied. External factors such as the COVID-19 pandemic and changes in ministerial leadership further disrupted delivery, increased pressures across the board. Despite this, the pandemic accelerated digital adoption and helped shift attitudes positively towards reform.

Ultimately, while digital reform has delivered meaningful improvements, the challenges experienced during implementation underscore **the importance of realistic planning, clear governance, inclusive stakeholder engagement, and performance monitoring with robust and accessible data.**

#### What are user perceptions of digital reform and what barriers do they face?

The Reform Programme has brought **notable improvements to HMCTS services, particularly in terms of convenience and flexibility for both public and professional**

**users.** The general public shows broad support for online HMCTS services, with users valuing the potential for increased convenience, speed, and cost-effectiveness.

However, **the introduction of digital channels has not necessarily removed barriers to access for vulnerable users.** Additional challenges now sit on top of longstanding issues with access to justice that existed prior to reform, and data shows that digital uptake varies in some services across public user groups. The introduction of a new digital route does not therefore automatically resolve the previous barriers faced by certain groups.

Public users face challenges such as language barriers, anxiety, anticipated costs, and limited awareness of available support. These issues are compounded for those with low legal and digital literacy. Services like the NDSS and CTSCs aid in addressing some of these needs, but awareness and accessibility remain uneven. Professional users broadly support the prospect of digitalisation but report issues with system functionality, technical reliability and support. Concerns also included the lack of end-to-end digitalisation at the time of the research taking place, limited functionality for complex cases, and an increase administrative burden for judges. These issues play a role in undermining core principles of access to justice. While service improvements have been made since fieldwork took place, further research is needed to assess whether these changes have successfully addressed the challenges identified.

To support digital reform's future success, **further service design could prioritise user-centred improvements, such as clearer guidance, and communication, better signposting, and streamlined functionality.** Addressing these gaps may help to support a justice system that is accessible, effective and inclusive.

## **What are the users' perceptions of digitally reformed services supporting the delivery of justice?**

User perceptions of fairness and openness in digitally reformed services are generally positive, with many public users valuing the convenience and efficiency of the online process. However, **concerns remain about the suitability of digital services for more complex or sensitive legal matters, and the risk of digital exclusion for certain**

**groups.** Vulnerable users emphasised the importance of maintaining choice between online and offline routes to ensure fairness.

Professional users recognised the improvements in transparency but raised concerns about inconsistent access to information for certain parties, higher error rates, and difficulty navigating the new digital system. These issues may affect users' ability or willingness to engage effectively with the process and could impact case outcomes.

While digital services are increasingly seen as consistent and reliable, **further improvements could help ensure they work appropriately for users, to better support the effective delivery of justice.**

### **Has digital reform delivered its intended objectives of system that is just, proportionate, and accessible?**

Overall, the evidence suggests that digital reform has contributed to a system that is just, proportionate, and accessible, particularly for public users. **Public users of the digital service benefit from improved timeliness and reduced effort through self-service.** Introducing digital channels has also provided public users a greater choice when accessing services. The evidence is more mixed for professional users. While evidence shows a high level of digital uptake, this coincided with mandates to use the service and still includes a significant proportion choosing to move cases offline. This was particularly common in services that were not fully digitalised or had limited capability handling complex cases, leading to workarounds.

Enabling HMCTS staff to self-serve was expected to reduce the judiciary's involvement in routine administrative tasks. Despite some improvements, evidence revealed **an unintended consequence of digital reform included an increased administrative burden for the judiciary compared to pre-reform.**

While digitalisation has improved some areas of access for public users, provided choice is maintained, potential barriers remain. These are particularly evident for users who do not speak English or Welsh as their main language and/or are from an ethnic minority background, for whom case timeliness is slower on average.

These findings suggest that while digital reform has made meaningful progress, **achieving its full potential could be better realised through continued investment in inclusive design, and support for professional users to ensure the system fully meets their needs.**

## **What are the specific lessons that can be learned from digital reform?**

The implementation of digitally reformed services within HMCTS highlighted several lessons for developing the services going forward and for future transformation programmes. Central to this is the **need for realistic planning that reflects the complexity of the change, including appropriate timelines, flexible funding, and ‘full-cycle’ service design.**

Successful transformation may be supported by adequate resourcing and retention of expertise, with early design decisions having long-term implications. **Encouraging collaborative, cross-functional working practices from the start, can help teams to share learnings, align efforts and respond more effectively to challenges.** Embedding feedback loops and delivering flexible, hands-on training could further support adoption and continuous improvement.

## **Next steps**

In 2027, a thematic report on support services will be published. This will include both an implementation and impact evaluation of thematic area 4 activities. Evidence for thematic areas 2 (remote hearings) and 3 (infrastructure reforms) will also be published. Alongside this, a final overarching report summarising the available evidence across the evaluation will also be published.

HMCTS continues to conduct evaluations of individual strands of reform that are published as they complete.<sup>91</sup> Planned HMCTS project-level research includes evaluating:

- Court and Tribunal Service Centres

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<sup>91</sup> [HMCTS Reform Overarching Evaluation: Research - GOV.UK](#)

- Scheduling and Listing
- Publications and Information
- Crime Reform.

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## Glossary of terms

<b>Access to justice</b>	The principle of ensuring that individuals have the means and ability to access the legal system and obtain a fair resolution to their disputes or grievances.
<b>Appellant in Person</b>	A person appealing without legal representation.
<b>Civil, family, tribunal (CFT) services</b>	Three jurisdictions within the courts and tribunal system in England and Wales in which specific services are undergoing digitalisation as part of the Reform Programme. Excludes the criminal courts.
<b>Courts and Tribunals Service Centres (CTSC)</b>	Established as part of the HMCTS Reform Programme, to centralise the administration of cases for multiple digital services. Call handlers and agents support users who have questions or need information about their court or tribunal case.
<b>Digital reform</b>	The process of transforming a paper-based service into a digital service that allows users to start and/or manage cases online, and in some services allows for centralised and automated management of cases.
<b>Digital support</b>	Helping users with digital tasks like accessing a form on the internet, showing them how to fill in required information online, or, for SSCS users only, filling in a form for them.
<b>Digitalisation</b>	See digital reform.
<b>Emotional support</b>	Helping users with stress, anger or upset caused by their legal problem.

<b>End-to-end reformed / digital service</b>	An 'end-to-end reformed service' refers to where all stages involved in a case have been included in the reformed process, from starting a case to, where applicable, enforcement of court or tribunal decisions.
<b>HM Courts and Tribunal Services (HMCTS)</b>	Government department responsible for the collection of taxes and the administration of some benefits in the UK.
<b>Impact evaluation</b>	Impact evaluations assess the extent to which an intervention makes a difference to outcomes.
<b>Legacy data systems</b>	Data systems used before the implementation of newer systems as part of the Reform Programme.
<b>Legal advisors</b>	Individuals with legal expertise who provide guidance and assistance in legal matters.
<b>Legal professionals</b>	Lawyers or other appropriately qualified professionals who handle legal cases on behalf of their clients.
<b>Legal support</b>	Advice on the content of a user's case or application.
<b>Litigants in Person (LiPs)</b>	An individual (or, in the context of some OCMC cases, a company or a person trading as a company) who represents themselves in court without legal representation.
<b>Management information data (MI)</b>	Case-level information used primarily for monitoring and managing a service, but also for analysis purposes.
<b>Mediation</b>	A process of resolving disputes outside of court, where a neutral third party helps the parties involved reach a mutually acceptable agreement.

**Ministry of Justice (MoJ)** The government department responsible for upholding justice and the rule of law in the United Kingdom, including the court, prison, and probation systems.

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**MyHMCTS** An online platform that enables legal professionals to manage cases digitally, including activities such as payment, case submission, and tracking.

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**Implementation evaluation** Implementation evaluations assess how an intervention was implemented, what worked well and less well, and what improvement could be made to delivery.

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**Professional users** Individuals who engage with the justice system in a formal or occupational capacity. For the evaluation, this includes legal professionals, the judiciary, and HMCTS staff.

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**Public users** Individual users of a service who are Litigants in Person or are otherwise acting on their behalf but are not legal professionals.

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**Theory of Change (ToC)** A systematic and visual representation of how and why a desired change is expected to occur as a result of an intervention or initiative.

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**Theory-based Impact Evaluations** These test the causal chains that lead to the anticipated change from the intervention. They explore how the change occurs and what the mechanism is through which the intervention is able to create the change.

## Concepts in the Theory of Change<sup>92</sup>

<b>Accessible</b>	A system that is accessible: easy to use, user-first services which are accessible for digital and non-digital users.
<b>Financially viable</b>	A system that is financially viable.
<b>Flexible</b>	A system that is future-proofed and resilient, designed for 2050 not for 2015 – with a flexible infrastructure to keep it relevant and accessible to our users.
<b>Just</b>	A just system that is built in partnership with and around the needs of those who use it.
<b>Justice heritage</b>	Strengthening our strong, independent, and trusted justice heritage, with different channels and experiences for different users.
<b>Proportionate</b>	A system that is proportionate and segmented with the ‘majesty of the court’ when needed and just, low burden channels where appropriate.
<b>Transparent</b>	A system that is transparent, accountable, and continually reviewed – in its overall approach and technology.
<b>Smarter Workforce</b>	A system with our people and its users at its heart: a smaller and smarter workforce who are there for users when they need us.

<sup>92</sup> Descriptions provided for ‘impact’ terms in the theory of change are based on the original HMCTS reform programme aims.

## Appendix A

### List of reformed TA1 services

Table 10: Reformed TA1 services

Reform Project	Service Description	Reform Activity
<b>Crime</b>		
<b>Common Platform</b>	The Common Platform is a new digital system for all criminal courts, developed as part of reform.	Common Platform enables all relevant partners to have the information they need digitally. By coordinating case progression, it can also allow cross-working across Criminal Justice System (CJS) partners. Once a case is progressed, Common Platform generates notices, orders, and warrants, and sends them to the relevant CJS partner, either directly through either an automatic integration (API), email or by post.
<b>Single Justice Service (SJS)</b>	The Single Justice Procedure (SJP) handles lower-level cases in the magistrates' court with a single magistrate. The Reform Programme introduced the SJS to transform the way SJP is administered.	This service enables non-CPS prosecutors such as DVLA and TV Licencing to upload their prosecution cases digitally. It allows defendants to enter pleas and provide evidence online. The Automated Track Case Management (ATCM) digital interface allows legal advisers and magistrates to access and record decisions and prosecutors can now upload cases directly to the system.

<b>Civil</b>		
<b>Damages</b>	The damages service enables registered legal professionals to issue and respond to a claim for damages on behalf of their client. <sup>93</sup>	The digital service is end-to-end and allows legal representatives to create, submit and pay for the claim submission, and serve the defendant on behalf of clients. They are able to view the defendant's response, view, complete and submit a response to the defence on the MyHMCTS platform. <sup>94</sup> Legal representatives can acknowledge and respond to claims and upload defence. Cases can be tracked, and notifications, updates and results can all be received electronically.
<b>Online Civil Money Claims (OCMC)</b>	The OCMC service enables individuals, businesses, and legal professionals to submit and respond to civil claims for money (specified claims) online.	The OCMC digital service is end-to-end and allows public users to complete and submit a claim form online, provide support documents, view and manage case progression, receive notifications and settle any claims without the need for any third-party involvement. Solicitors can submit claims on behalf of their clients through MyHMCTS, a separate service for legal representatives.
<b>Family</b>		

<sup>93</sup> The majority of damages claimants have legal representation. LiPs who make damages claims do so through the paper service.

<sup>94</sup> MyHMCTS covers multiple digital services for legal representatives.

<b>Adoption</b>	Adoption is where a child who is in care is adopted by their carer, or a child is adopted by a step-parent. Post placement adoption (adopting a child already living with you) occurs either following a) a placement order made by the court, or b) following consent from the birth parent(s).	The adoption reform has delivered a digital post placement adoption application. The application stage for placement orders after proceedings is the only aspect of the adoption service which is done through reform. The service is not mandated. It allows for public users to issue and pay for the application online and for the local authority to complete further details not known to the applicant and upload documents. All other processes are offline.
<b>Divorce</b>	The divorce service facilitates legally ending a marriage or civil partnership.	An end-to-end digital service is available for both public users and professional users enabling documents to be uploaded, and applications to be completed, submitted and paid for online. Users can view, manage and track the progression of cases online.
<b>Family Private Law</b>	Family private law proceedings apply to court cases between family members and do not generally involve a government agency, such as children's services.	The digital reforms within family private law are focused on child arrangement and domestic abuse cases. An end-to-end digital service has been implemented which allows family private law litigants to initiate and manage their cases online. This includes both a citizen journey and legal professional journey.

<b>Family Public Law (FPL)</b>	Under the Children Act 1989, the FPL service aims to protect and promote children's welfare. Among other duties, it allows local authorities in England and Wales to initiate 'care proceedings' in cases where there are concerns regarding a child's wellbeing.	A full end-to-end digital service is available via the MyHMCTS platform for local authorities, solicitors, and external legal professionals who act on behalf of local authorities. Litigants in person <sup>95</sup> (LiPs) cannot access the digital service, but a bulk scanning service is used to ensure paper documents are uploaded to the system.
<b>Financial Remedy (FR)</b>	The FR court resolves financial arrangements that might occur following the end of a marriage or civil partnership.	The digital reform of FR was introduced for cases with legal representation and enabled legal professionals to manage their clients' cases on a digital platform, MyHMCTS. The majority of FR applicants (~80%) are legally represented.  There is currently no digital service for cases where LiPs can make the initial application. In those cases, HMCTS interacts with the applicant by paper (i.e., postal notifications, etc.) but the paper documents are scanned, and the case is processed digitally within HMCTS.
<b>Probate</b>	The probate service facilitates the general	The probate digital service is available to public users and mandated for professional

<sup>95</sup> An individual (or, in the context of OCMC cases, a company or a person trading as a company) who represents themselves in court without legal representation.

	administration of a person's property, money and possessions (their 'estate') after they are deceased.	users (through MyHMCTS) allowing for a fully digital journey. This means applications can be completed and submitted digitally, and public users are able to pay and view their case online. However, in most cases both public users and probate professionals are still required to send original documents by post to the probate service. Once received, the documents are digitised and incorporated into the digital file.
<b>Tribunals</b>		
<b>Criminal Injuries Compensation (CIC)<sup>96</sup></b>	CIC pays compensation to people physically or mentally injured because of a violent crime in England, Scotland, or Wales, or in an act of terror abroad.	An end-to-end service has been created to allow both public and professionals users to create, edit and view a case online, receive notifications, view and update documents, create and edit hearings, and manage, close or reinstate a case.
<b>Employment</b>	The Employment tribunal is responsible for hearing claims from people that think someone (such as an employer or potential	The digitalisation of the Employment tribunal has created an online portal for legal professionals (MyHMCTS) and public users (CitizenUI).  The online portals allow users to communicate with the tribunal, to manage

<sup>96</sup> Originally part of a larger 'Special Tribunal Project' which included the digital reform of 10 other tribunal jurisdictions, as part of the 2023 reform reset, all other work on Special Tribunals was paused apart from the CIC.

	employer) has treated them unlawfully.	evidence, track case progression, receive notifications, and present cases online.
<b>Immigration and Asylum (IAC)</b>	The IAC Tribunal is responsible for handling appeals against some decisions made by the Home Office relating to permission to stay in the UK, deportation from the UK and entry clearance to the UK.	<p>An end-to-end digital service has been developed in the First-tier Tribunal (Immigration and Asylum Chamber) (FtTIAC) and is available via the MyHMCTS platform for legal professionals. This digital service covers all appeal types and is mandated for certain represented cases.</p> <p>An online service has also been developed for Appellants in Person<sup>97</sup>, which covers all appeal types and can also be used by appellants outside of the country.</p>
<b>Royal Courts of Justice and Upper Tribunals (RCJ &amp; UT)</b>	This covers the civil jurisdictions of the High Court and Court of Appeal, Upper Tribunal, the Employment Appeal Tribunal, Regional Business and Property Courts and District Registries.	The RCJ & UT reform created a digital case management system which brings together all information relating to a specific case. CE-File as a case management system allows staff and the judiciary to issue and manage cases electronically, removing the need for a paper file. It also acts as an E-filing service that allows external users, both professional and LiPs to issue and file evidence, pay court fees, and review and track their cases.

<sup>97</sup> Appellants in Person represent themselves in an appeal case without a legal representative.

<p><b>Social Security and Child Support (SSCS)</b></p>	<p>The SSCS tribunal deals with appeals made against benefit claims decisions by the Department for Work and Pensions (DWP) or HM Revenue and Customs (HMRC).</p>	<p>The digitalisation of SSCS has created an end-to-end digital service for both public and professional users. Public users can now appeal a decision about benefits and submit evidence online. Users have the choice to do this either through an online portal or via email.</p>
<p><b>All</b></p>		
<p><b>Common Components</b></p>	<p>Digitalisation of the above services is supported by a number of HMCTS-wide digital operational assets called common components.</p>	<p>Common components are technological solutions that support multiple services and jurisdictions with their end-to-end journeys. Common components are reusable and ensure consistency for all users. There are 14 overarching common components which will deliver specific features.<sup>98</sup></p>

<sup>98</sup> For a detailed list of the common components see Appendix B.

## Appendix B

### List of common components and their features

Table 11: Common components features

Common component	Features
<b>Access management</b>	Ability to control who has access to cases, data and documents filed on cases.
<b>Fees and payment</b>	These support digital payment methods.
<b>Protected characteristics</b>	Information on protected characteristics collected across both paper and online channels for litigants.
<b>Evidence management</b>	Multiple features such as document generation, upload, bundle management, viewing and storage, annotating evidence, digital presentation of hearing evidence.
<b>GDPR and retention</b>	Able to retain, archive and delete information according to GDPR regulations and internal retention policies.
<b>Work allocation and automation</b>	Coordination of common components to enable digital (and automated where appropriate) allocations of work.
<b>Log and audit</b>	Ensures all activities are logged on every case.
<b>Bulk scan and print</b>	Litigants in Person who access services via the paper channel will be able to do so, as all incoming paperwork is bulk scanned and outbound communication provided through bulk print.

<b>Hearing management</b>	Integration of courts, family and tribunals services with digital hearing management tools.
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## Appendix C

### Evidence sources from the wider evaluation programme

Table 12: Evidence sources from the wider evaluation programme

Project	Description	Publication	User groups
<b>Digital Services Evaluation</b>	An evaluation of the impact and implementation of new or redesigned online channels for damages, OCMC, divorce, FR, probate, FPL, and SSCS.	<a href="#">HM Courts &amp; Tribunals Service Reform: Digital Services Evaluation - GOV.UK</a>	<p>Surveys with public users and legal professionals.</p> <p>Interviews with public users, legal professionals, members of the judiciary, and staff from HMCTS and other agencies.</p> <p>Analysis of management information (MI).</p>
<b>Evaluation of the National Digital Support Service (NDSS)</b>	An assessment of the Digital Support Service that assists public users accessing reformed HMCTS online services.	<a href="#">HMCTS Reform Overarching Evaluation: Research - GOV.UK</a>	<p>Qualitative interviews and quantitative surveys with service users.</p> <p>Qualitative interviews with delivery partners, We are Group, CTSC and HMCTS staff.</p>

			<p>Qualitative research with delivery partners.</p> <p>MI analysis.</p>
<p><b>Immigration and Asylum Appeals Reformed Service: Evaluation (IAC Evaluation)</b></p>	<p>Qualitative and quantitative research evaluating the new reformed appeal services for legally represented appellants and Appellants in Person, to understand current delivery and ensure lessons are learned to inform future practice.</p>	<p><a href="#">Immigration and Asylum Appeals Reformed Service: Evaluation Report - GOV.UK</a></p>	<p>Interviews with Appellants in Person.</p> <p>Interviews with professionals, including legal representatives, judges, legal officers, Home Office staff, and Courts and Tribunals Service Centre staff.</p> <p>Analysis of management information.</p>
<p><b>Implementation Evaluation</b></p>	<p>A process evaluation of the implementation of the reform, with a specific focus on digitalisation.</p>	<p>Findings from this evaluation are presented in this report and will not be published separately.</p>	<p>Interviews with HMCTS staff and members of the judiciary.</p> <p>A document analysis of various reform relevant documents.</p>

<b>Legal Problem and Resolution Survey (LPRS)</b>	A quantitative survey of 10,323 adults aged 18 and over living in households in England and Wales.	<a href="#">Legal Problem and Resolution Survey 2023 - GOV.UK</a>	Surveys and interviews with the general population, including individuals who had recently experienced a legal issue as well as those who had not.
<b>MoJ MI data analysis</b>	Analysis of available reformed service specific data.	Further analysis will be conducted on reformed services where data is available.	Data analysed from case-level management information and protected characteristics data, for both public and professional users.
<b>Theory-based Impact Evaluation</b>	The theory-based impact evaluation assesses whether, how, and for whom reform has achieved its objectives regarding access to justice and vulnerable users.	Findings for thematic area 1 are presented in this report and the accompanying technical annexes and will not be published separately.	Draws on multiple user groups from various evidence sources.
<b>Vulnerability Study</b>	Qualitative research including interviews	<a href="#">HMCTS Reform</a>	Interviews with public users who had

	<p>with 120 vulnerable adults who had experienced legal problems relevant to Reform in the previous 12 months.</p>	<p><a href="#">Evaluation: Vulnerability Study - GOV.UK</a></p>	<p>experienced a legal issue, including those who did not access the formal justice system.</p>
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## Appendix D

### Defining vulnerability for the evaluation

The evaluation plays a key role in understanding the effects of reform on vulnerable users. It is using a working definition of vulnerability that recognises its dynamic nature and considers the ways in which the justice system itself can induce and exacerbate vulnerability. According to this definition, vulnerability is understood to be a situation where the interaction between the individual and the system within which they are trying to address a legal issue results in a heightened risk of harm to the individual. The framework for assessing vulnerability divides contributing factors into two broad categories:

1. **An individual and social dimension**, where barriers, risks, or constraints arise from the individual's circumstances, attributes, and location within wider socio-economic structures, including:
  - Situational barriers, risks, or constraints which are broadly transitory or external to a person, such as homelessness.
  - Conditional barriers, risks, or constraints which may be more long term or intrinsic to a person, such as levels of digital capability or long-term health needs.
  - Barriers, risks, or constraints relating to a person's protected characteristics.
  - Barriers, risks, or constraints relating to previous interactions with the justice system or authorities.
2. **A systemic dimension**, where barriers, risks or constraints arise from the system itself and reflect the intrinsic nature and function of the justice process. Examples of this would be when a defendant is charged with a crime, and they are not able to choose whether or not to participate in the legal process. Systemic barriers, risks, or constraints arise also from the way in which the process is conducted. For example,

where its complexity and formality limit the users' capacity to express themselves; or where the questioning of witnesses causes distress or trauma.<sup>99</sup>

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<sup>99</sup> For further information on the vulnerability framework, see [HMCTS Reform Evaluation: Vulnerability Study - GOV.UK](#)

## Appendix E

### Changes in programme scope

**Table 13: Scope change from original service plans**

<b>Service</b>	<b>Aspect added</b>	<b>Aspect removed</b>
<b>Adoption</b>	Super user access for caseworkers (to allow correction of errors).	The delivery of the end-to-end service and delivery of applications for international, step-parent and relinquished child adoption.
	Automated chase up notification for Local Authorities.	Decommissioning of the Familyman system.
<b>Common Platform</b>	Retaining and enhancing the Digital Case System.	All features relating to CPS case management.
		Replacing the crown court's document system and case note capabilities.
		Additional case progression functions.
		Integration with List Assist.
		Online pleas and allocation.
<b>Divorce</b>	A webchat for citizens.	Bulk scan.
	Robotics to aid the dual running of legacy and reformed systems.	The defended service.
	Bulk schedules to replace scheduling and listing.	
	Co-respondent journey to be delivered at the same time as the Respondent journey.	
	Super user access for caseworkers (to allow correction of errors).	
	Integration with Payment by Account.	

	<p>Paper journey to provide respondent an alternative to digitally responding.</p> <p>Judicial/legal advisor journey developed in CCD.</p> <p>Objection to costs facility to allow cases to remain online.</p> <p>Case notes and search on CCD to support case administration.</p> <p>A tab to keep details confidential.</p>	
<b>Employment Tribunals</b>		<p>Allocation of disputes to the most proportionate route for resolution.</p> <p>Ensuring the open sharing of information relation to claims between HMCTS, the Department for Business and Trade, and the Advisory, Conciliation and Arbitration Service (ACAS).</p>
<b>Financial Remedy</b>	Automated referral of consent orders for Financial Remedy Centres.	
<b>Probate</b>	<p>Digital solution for the charitable sector notification.</p> <p>Bulk scan was added as opposed to a digital application or standing searches.</p>	<p>Linking with external agencies (HM Revenues and Customs inheritance tax system and sharing of grant information with the Department for Work and Pensions).</p>
<b>Public Family Law</b>	<p>Bulk scan phase 1 and national print and post to receive and upload documents.</p> <p>Notice of Change - Respondent Journey for child and barrister.</p> <p>Super user access for caseworkers (to allow correction of errors).</p>	

	Case notes and search on CCD, to aid administration.	
	A tab to keep details confidential.	
	'Share a case' to allow Local Authorities to access cases.	
	A notification element to share case documents with Children and Family Court Advisory Support Services.	
	Notice of Change - Respondent Journey for child and barrister.	
	Judicial/legal advisor journey developed in CCD.	
	Robotics for case creation onto Familyman.	

## Appendix F

### Delivery dates

**Table 14: Digital services' forecast vs 'actual' delivery date<sup>100</sup>**

Jurisdiction	Service	Expected Delivery Date (as at 2019)	'Actual' Delivery date
<b>Civil</b>	Damages	2023	2025
	Online Civil Money Claims	2023	2025
<b>Family</b>	Adoption	2021	2024
	Divorce	2020	2021
	Family Private Law	2022	2025
	Family Public Law	2021	2022
	Probate	2019	2020
	Financial Remedy	2020	2021
<b>Tribunals</b>	Employment Tribunal	2021	2024
	Immigration and Asylum Chamber	2021	2024
	Royal Courts of Justice and Upper Tribunals	2021	2022
	Social Security and Child Support	2021	2024
	Criminal Injuries Compensation Tribunal	2023	2024
<b>Crime</b>	Common Platform	2021	2025

<sup>100</sup> Whilst table 14 would suggest that 15 services have been delivered by the point of programme closure, this does not mean the full scope of the intended functionality of the services has been developed and delivered. The 'actual' delivery dates refer to when services were regarded as 'delivered', however for many services there are functionalities yet to be implemented. These outstanding elements are to be delivered as part of ongoing continuous service development, following the closure of the Reform Programme. Section 3.3 provides further information.

	Single Justice Service	2020	2025
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## Appendix G

### Protected characteristics data tables

**Table 15: Protected characteristics data – channel use by age distribution**

Age	Probate		SSCS	
	Digital	Paper	Digital	Paper
<b>Under 25</b>	78%	22%	93%	7%
<b>25 to 34</b>	88%	12%	87%	13%
<b>35 to 44</b>	88%	12%	83%	17%
<b>45 to 54</b>	90%	10%	82%	18%
<b>55 to 64</b>	89%	11%	83%	17%
<b>65 to 74</b>	86%	14%	82%	18%
<b>75 to 84</b>	79%	21%	76%	24%
<b>85 +</b>	77%	23%	72%	28%

*Source: Analysis of protected characteristics from Q1 2024 to Q1 2025. Probate age data is collected from answers to the protected characteristics questionnaire, while SSCS data is from the users date of birth provided in their case application. Divorce PCQs are only offered for digital applications, so the breakdown of PCQ responses by channel would give 100% for each PCQ breakdown. As such, this data is not included. 'Prefer not to say' and NA responses have been excluded.*

**Table 16: Protected characteristics data - age distribution within channel type**

<b>Group</b>	<b>Under 25 (%)</b>	<b>25 to 34 (%)</b>	<b>35 to 44 (%)</b>	<b>45 to 54 (%)</b>	<b>55 to 64 (%)</b>	<b>65 to 74 (%)</b>	<b>75+ (%)</b>	<b>Total responses (=100%)</b>
<b>Probate applicant digital</b>	0%	2%	7%	18%	40%	24%	9%	58,874
<b>Probate applicant paper</b>	1%	2%	6%	15%	33%	27%	16%	8480
<b>Divorce applicant digital</b>	1%	18%	37%	28%	13%	3%	0%	48,801
<b>SSCS appellant digital</b>	12%	17%	21%	21%	22%	5%	0%	81,963
<b>SSCS appellant paper</b>	5%	14%	24%	25%	25%	7%	1%	14,792

*Source: Analysis of protected characteristics from Q1 2024 to Q1 2025. Probate and Divorce data is collected from answers to the protected characteristics questionnaire, while SSCS data is from the users date of birth provided in their case application. Divorce PCQs are only offered for digital applications. 'Prefer not to say' and NA responses have been excluded.*

**Table 17: Protected characteristics data – channel use by sex**

Sex	Probate		SSCS	
	Digital	Paper	Digital	Paper
Female	86%	14%	91%	9%
Male	88%	12%	91%	9%

Source: Analysis of protected characteristics from Q1 2024 to Q1 2025. Probate and SSCS data is collected from answers to the protected characteristics questionnaire. Divorce PCQs are only offered for digital applications, so the breakdown of PCQ responses by channel would give 100% for each PCQ breakdown. As such, this data is not included. 'Prefer not to say' and NA responses have been excluded.

**Table 18: Protected characteristics data - sex within channel type**

Group	Female (%)	Male (%)	Total responses (=100%)
Probate applicant digital	51%	49%	59,608
Probate applicant paper	57%	43%	9051
Divorce applicant digital	68%	32%	49,160
SSCS appellant digital	59%	41%	40,961

<b>SSCS appellant paper</b>	57%	43%	4098
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Source: Analysis of protected characteristics from Q1 2024 to Q1 2025. Data is collected from answers to the protected characteristics questionnaire. Divorce PCQs are only offered for digital applications. 'Prefer not to say' and NA responses have been excluded.

**Table 19: Protected characteristics data – channel use by ethnicity**

Ethnicity	Probate		SSCS	
	Digital	Paper	Digital	Paper
<b>White</b>	87%	13%	91%	9%
<b>Asian or Asian British</b>	81%	19%	89%	11%
<b>Black, African, Caribbean or Black British</b>	78%	22%	91%	9%
<b>Mixed</b>	85%	15%	95%	5%
<b>Another ethnic group</b>	87%	13%	93%	7%

Source: Analysis of protected characteristics from Q1 2024 to Q1 2025. Probate and SSCS data is collected from answers to the protected characteristics questionnaire. Divorce PCQs are only offered for digital applications, so the breakdown of PCQ responses by channel would give 100% for each PCQ breakdown. As such, this data is not included. 'Prefer not to say' and 'NA' responses have been excluded.

**Table 20: Protected characteristics data – ethnicity within channel type**

<b>Group</b>	<b>White (%)</b>	<b>Asian or Asian British (%)</b>	<b>Black, African, Caribbean or Black British (%)</b>	<b>Mixed (%)</b>	<b>Another ethnic group (%)</b>	<b>Total respondents (=100%)</b>
<b>Probate applicant digital</b>	96%	2%	1%	1%	0%	59,007
<b>Probate applicant paper</b>	94%	3%	2%	1%	0%	8796
<b>Divorce applicant digital</b>	83%	8%	6%	2%	1%	48,242
<b>SSCS appellant digital</b>	84%	6%	5%	3%	2%	39,418
<b>SSCS appellant paper</b>	83%	8%	5%	2%	2%	3741

*Source: Analysis of protected characteristics from Q1 2024 to Q1 2025. Data is collected from answers to the protected characteristics questionnaire. Divorce PCQs are only offered for digital applications. 'Prefer not to say' and NA responses have been excluded.*

**Table 21: Protected characteristics data – channel use by disability status**

Disability status	Probate	
	Digital	Paper
No (%)	87%	13%
Yes, but not limited (%)	89%	11%
Yes, limited a little (%)	82%	18%
Yes, limited a lot (%)	81%	19%
Yes, unknown impact (%)	75%	25%

Source: Analysis of protected characteristics from Q1 2024 to Q1 2025. Probate data is collected from answers to the protected characteristics questionnaire. Disability data is not collected for SSCS appellants. Divorce PCQs are only offered for digital applications, so the breakdown of PCQ responses by channel would give 100% for each PCQ breakdown. As such, this data is not included. 'Prefer not to say' and 'NA' responses have been excluded.

**Table 22: Protected characteristics data - disability status within channel type**

Group	No (%)	Yes, but not limited (%)	Yes, limited a little (%)	Yes, limited a lot (%)	Yes, unknown impact (%)	Total respondents (=100%)
Probate applicant digital	86%	5%	5%	2%	1%	56,402

<b>Probate applicant paper</b>	83%	4%	7%	4%	1%	8525
<b>Divorce applicants digital</b>	81%	5%	8%	5%	1%	46,201

Source: Analysis of protected characteristics from Q1 2024 to Q1 2025. Data for probate is collected from answers to the protected characteristics questionnaire. Disability data is not collected for SSCS appellants. Divorce PCQs are only offered for digital applications. 'Prefer not to say' and NA responses have been excluded.

**Table 23: Protected characteristics data – channel use by main language**

Main language	Probate		SSCS	
	Digital	Paper	Digital	Paper
<b>English or Welsh (%)</b>	87%	13%	91%	9%
<b>Other language (%)</b>	80%	20%	90%	10%

Source: Analysis of protected characteristics from Q1 2024 to Q1 2025. Probate and SSCS data is collected from answers to the protected characteristics questionnaire. Divorce PCQs are only offered for digital applications, so the breakdown of PCQ responses by channel would give 100% for each PCQ breakdown. As such, this data is not included. 'Prefer not to say' and 'NA' responses have been excluded.

**Table 24: Protected characteristics data - main language within channel type**

<b>Group</b>	<b>English or Welsh (%)</b>	<b>Other language (%)</b>	<b>Total respondents (=100%)</b>
<b>Probate applicant digital</b>	97%	3%	12,954
<b>Probate applicant paper</b>	99%	1%	9269
<b>Divorce applicants digital</b>	69%	31%	13,656
<b>SSCS appellants digital</b>	93%	7%	41,113
<b>SSCS appellants paper</b>	92%	8%	3968

*Source: analysis of protected characteristics from Q1 2024 to Q1 2025. Data is collected from answers to the protected characteristics questionnaire. Divorce PCQs are only offered for digital applications. 'Prefer not to say' and NA responses have been excluded.*