HMCTS Reform Evaluation

A summary of the Thematic Report: Digitalisation

Disclaimer

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Acknowledgements

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1. Summarising the thematic report

1.1 Background

The Ministry of Justice (MoJ) is conducting an overarching evaluation of the HM Courts and Tribunals Service (HMCTS) Reform Programme. One theme of the overarching evaluation is the digitalisation activity of HMCTS Reform. A report gathering the evaluation's evidence on this theme has been published. This summary paper provides an overview of the report's findings and chapter contents.

1.2 Introduction

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. Conducting a change programme of this complexity was made more challenging by the COVID-19 pandemic. 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.

The thematic report focuses 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. Findings are drawn from research including an overarching implementation and theory-based impact evaluation, the Digital Services Evaluation, The Legal Problem and Resolution Study (LPRS), the Vulnerability Study, and individual project-level HMCTS evaluations. Further methodological details for the main evidence sources and supporting evidence for the Impact Evaluation are presented in the technical appendix published alongside the report. **The evidence drawn on in the thematic report relates to the Civil, Family and Tribunal (CFT) jurisdictions, unless Crime is specifically stated.** The evaluation will contribute to the evidence base and provide guidance for future large change programmes. Further details on the MoJ's evaluation approach and associated

publications can be found at: HMCTS Reform Overarching Evaluation: Research - GOV.UK.

1.3   Summary of the thematic report chapters

The thematic report presents the evidence addressing each of the evaluation's research questions. An overview of the report's chapters, and their contents, is set out below. Chapter 1 provides an executive summary and chapter 2 introduces the report and its scope.

Thematic report chapter 3: How have digital reforms been implemented?

This chapter presents findings on the implementation of the Reform Programme. It draws on evidence from the Implementation Evaluation, MoJ data analysis, the Digital Services Evaluation, and the Legal Problem and Resolution Survey (LPRS).

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

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[1] 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 of the report.

Thematic report chapter 4: What are user perceptions of digital reform and what barriers do they face?

This chapter provides an overview of public and professional users' perceptions of digital reform. It draws on evidence 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.

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, adults 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.

Thematic report chapter 5: What are users' perceptions of the digital reforms supporting the delivery of justice?

This chapter presents evidence on how digital reforms are perceived in relation to the delivery of justice, drawing on views of the public (both users and non-users), and professional users. It draws on evidence from the LPRS, the Vulnerability Study, the Digital Services Evaluation, and the IAC Evaluation.

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 new digital processes' suitability for more serious legal matters and the potential for digital exclusion, especially for older individuals, those with lower digital capability and certain vulnerable groups. There remains a strong emphasis 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. Some 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.

Thematic report chapter 6: Has digital reform delivered the intended objectives of a system that is just, proportionate, and accessible?

This chapter summarises the evidence from the Impact Evaluation of digitalisation. The Impact Evaluation assesses whether digital reform has met its objectives of delivering a system that is just, proportionate, and accessible through adding new or existing channels designed around users' needs.

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').

Thematic report chapter 7: What are the specific lessons that can be learned from digital reforms?

This chapter outlines key lessons learned from the research.

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 across the length of the programme, embedding robust feedback mechanisms, fostering collaborative working practices, improved data quality, and designing flexible, user-centred training approaches.

Evidence gaps

Further research is needed to understand if barriers to access persist in fully developed services, 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.

Thematic report chapter 8: Conclusions

This chapter presents the conclusions for each evaluation question, highlighting the key lessons.

Digital reform has brought notable improvements to HMCTS services, particularly in terms of convenience and flexibility for both public and professional users.

User perceptions of fairness and openness in digitally reformed services are generally positive, with many public users valuing the 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. The introduction of digital channels has not necessarily removed barriers to access for vulnerable users.

Professional users broadly support the prospect of digitalisation, recognising the improvements in transparency. However, issues were reported with system functionality, technical reliability and support. Concerns also included the lack of end-to-end digitalisation, limited functionality for complex cases, and an increase in administrative burden for judges.

While service improvements have been made since fieldwork took place, further improvements would help to ensure services work appropriately for users, to better support the effective delivery of justice. User-centred improvements could include clearer guidance, and communication, better signposting, and streamlined functionality.

Overall, the findings suggest that while digital reform has made meaningful progress, achieving its full potential will require continued investment in inclusive design, and support for users to ensure the system fully meets their needs.

The issues during implementation underscore the importance of realistic planning, robust governance, inclusive stakeholder engagement, and performance monitoring with accessible data for complex transformation programmes.

Next steps 8

MoJ: In 2027, a thematic report on support services will be published. This will include both an implementation and impact evaluation of thematic area 4 (support services) 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: HMCTS continues to conduct evaluations of individual strands of reform and publish as they complete. Planned publications include the Court and Tribunal Centres Evaluation, the Publications and Information Evaluation, and the Crime Reform Evaluation.