

SCOTTISH CIVIL JUSTICE COUNCIL

ICT COMMITTEE - JUSTICE DIGITAL STRATEGY MEETING

NOTE OF MEETING

PARLIAMENT HOUSE, 4.30PM, THURSDAY 5 JUNE 2014

Present: Lord Tyre, Chair, ICT Committee
Duncan Murray, Solicitor
Craig McCorkindale, Scottish Court Service, Director for Civil Courts Reform
Lauren Wood, Citizens Advice Scotland
Marie-Louise Fox, Scottish Legal Aid Board
Lindsay Montgomery, Chief Executive, Scottish Legal Aid Board
Elspeth MacDonald, Head of Criminal Justice Division, Scottish Government
Stuart Duncan, Head of Delivery - Criminal Justice Division, Scottish Government
Neil Robertson, Policy Officer, Scottish Civil Justice Council

Introduction and welcome

1. The Chair welcomed those present.

Justice Digital Strategy - Overview

2. The Government is moving towards digital transactions for public services with a view to improving these services and making them more affordable.
3. In aiming to improve services there is a recognition that ICT should not be looked at in silos. This approach doesn't help professional court users, the advice sector or the public.
4. The core themes and values that the Government wishes to bring to digital services are reflected in the Justice Digital Strategy ("the Strategy"). The draft document does not yet include governance arrangements.

Justice Digital Strategy – The 3 Objectives

Objective 1 – Allow people and businesses to access the right information at the right time

5. It is thought that a number of problems and disputes that are litigated in court could be dealt with in a better way through, for example, alternative dispute resolution, mediation or parties having the right information to allow them to resolve the dispute themselves.
6. The aim is to bring all the relevant information around dispute resolution into one place – the justice portal, which would act as a starting point for people and businesses with problems and disputes.
7. Initially the portal will contain only static advice and guidance and will be developed to incorporate an interactive tool providing online help and support and eventually a case tracking facility.
8. The justice portal will aim to widen access to justice, provide better services, speed up services and provide them at a lower cost.

Objective 2 - Fully digitised justice systems

9. Work is already underway on the Scottish Court Service to develop a new system for civil case management. This work is predicated on having the correct structure in place to support such a system. This is mirrored nationally in the goal to develop a single digital platform that can be used across agencies.

Objective 3 - Make data work for us

10. This objective sets out how data analytics will be used to deliver changes and drive future transformation.

Discussion

11. It was suggested that the Strategy seems geared towards criminal justice and not civil or administrative justice. The direction of travel for all three areas however is similar: how can we increase the number of digital transactions? This is easier to identify and develop in the criminal justice system as the systems and software used are already joined up and information flows through the system electronically. Civil is more disjointed as information does not flow freely through the system (e.g. advice providers, solicitors, courts and tribunals are not linked electronically).

12. It was suggested that any aspiration to link up civil justice users in a system similar to criminal justice was not as important as the ability for parties to interact electronically with the court. The Strategy goes beyond this to suggest that parties could interact not just with the court, but to resolve disputes generally.
13. There was discussion as to what exactly was meant by the aim of digitising all courts by 2017. It was explained that it is not the purpose of the Strategy go into any level of detail as to what this would mean – merely to set out the direction of travel.
14. It was observed that robust data on civil actions was needed to allow the Scottish Civil Justice Council to form policy.
15. The Strategy is not being driven by IT people. IT will be used to deliver the Strategy but ideas around its use should be developed free from any prejudice as to what IT can and cannot do.
16. Security. Is one system dealing with all case management more risky? No, because if information is in one place and not shared between systems then it is more secure. You can control the data and who gets access to it. There is no need to pass files about.
17. Another key aim of the Strategy is prevention. If you provide information to allow people to resolve disputes themselves this can prevent cases coming to court. The system will help them achieve what they can by themselves and if this resolves matters, that is a positive outcome. The system will also help people identify when obtaining legal advice might be appropriate.
18. Any digital strategy will have to bear in mind the technology gap and that face to face help and support will be necessary for the less digitally enabled. This links to the wider justice strategy of which digital is just one element. The need for access to justice without using technology is recognised.
19. This will be a massive cultural change as to how to access public services.

Next steps

20. The Strategy team plan to finalise the Strategy and thereafter seek Justice Board approval. The Strategy will then be launched with targeted road shows with the information provided tailored to the audience's needs.
21. Once the Strategy is in place, work will turn to planning how to turn it into a reality.

22. At 17.20 the meeting adjourned due to a fire alarm.

23. The Chair and members of the Scottish Civil Justice Council's ICT Committee would like to thank the members of the Making Justice Work/Justice Digital Strategy Team for attending to discuss the Justice Digital Strategy.

Scottish Civil Justice Council Secretariat
June 2014