

Online courts – an LiP perspective

January 2017

Background

The Personal Support Unit (PSU) helps litigants in person to represent themselves more confidently through the court system. Our trained volunteers give free, independent assistance to people facing proceedings without legal representation in civil and family courts and tribunals.

In the financial year 2016-17, PSU Volunteers will help clients on over 50,000 occasions, in 20 courts in 16 towns and cities across England and Wales.

Tasks carried out by PSU volunteers include:

- talking with clients and listening to their stories
- providing practical guidance and/or emotional support
- explaining procedures in court
- guiding clients round court buildings
- assisting with form filling
- helping clients to organise their paperwork and thoughts
- referring clients to other suitable agencies
- accompanying clients to court

Our clients tend to experience multiple disadvantages - in 2015-16:

- 10% of PSU clients giving feedback were registered disabled
- 23% considered themselves to have a serious health problem or disability
- 23% did not use English as their first language.

We regularly conduct small-scale 'spot surveys' of PSU clients across our network on topical issues. In July 2016, we conducted a survey to gather information to help inform proposals for online courts. To consolidate the findings, we re-ran the survey in October 2016. 109 and 117 responses were collected: the percentage responses have been calculated on the combined totals (and rounded up).

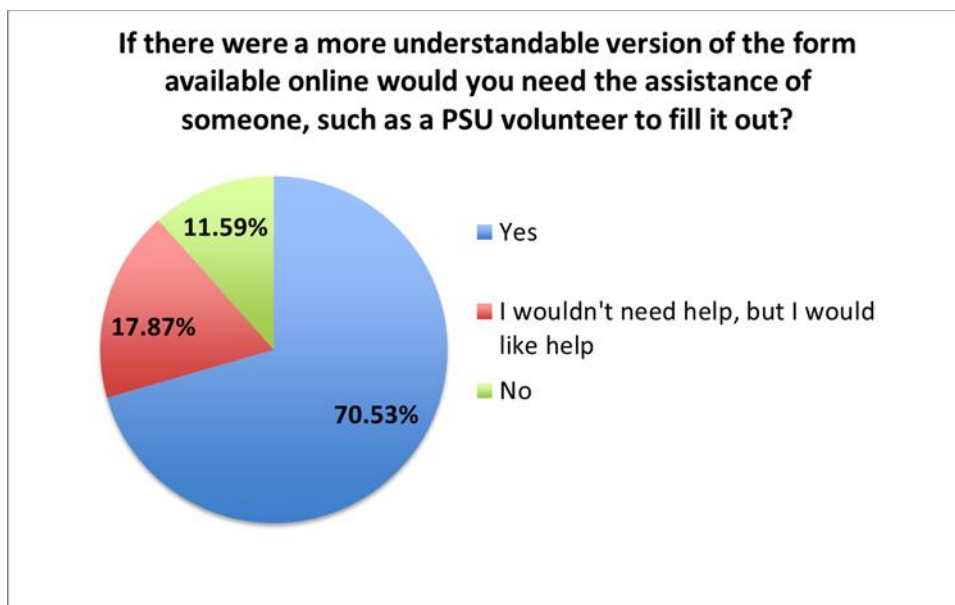
Summary of findings from PSU Spot Survey about Online courts

1. Headline findings

The over-riding message is that the main barriers to using online court services are more about the legal system than about online access per se: people find the system complex and are fearful of making mistakes when the outcomes can have a significant impact on their lives. There is a sense that many people *could* use online court processes, but the vast majority clearly want a back-up mechanism for reassurance before they would feel truly confident.

Of 207 respondents, two thirds to three quarters (70.5%) said they thought they would still need help with a court form, even if there were a more understandable version online.

Just under one fifth (17.9%) said they didn't think they would *need* help with a more understandable version of the form, but that they would *like* help.



This survey suggests that 50-75% of PSU users responding to the survey are largely digitally literate; 15-40% fall somewhere in between; and about 10% of respondents are digitally excluded.

About half of the survey population showed some appetite for using online court services, and the free text comments include a number of positive views.

2. Recommendations

Continue to improve provision of legal education: a majority of people clearly use the internet regularly, but there is wide concern among PSU respondents about using it for court cases. This may be explained by lack of knowledge and fear of the legal process, and legal education will help.

The internet is widely used by PSU respondents for social media, browsing and shopping. **Research should be conducted, and appropriate elements of commonly-used websites incorporated into the design of online court services.**

Continue to develop a support system for people who cannot access or use IT, together with services for people with limited confidence, in order to increase capacity among users.

Continue to work with users to ensure that court language is plain and clear.

3. Methodology

In 2016, the PSU conducted this survey to help inform proposals for online courts. To consolidate the findings, we ran the survey in July and October 2016: 109 and 117 responses were collected respectively, and the percentage responses have been calculated on the combined totals. Not all respondents answered all the questions, and some questions allowed for multiple answers. Percentages are calculated by the number of respondents for each question. (Further detail is available on request).

While the survey was set up online (using 'SurveyGismo'), we also offered a paper version, with the results loaded online after being completed in hard copy.

We recognise that the sample is relatively small, and does not represent a random selection of litigants in person (LiPs).

Many LiPs visiting PSU offices suffer multiple disadvantages and some are too distraught or overwhelmed to take part in this sort of survey. Respondents to the survey will therefore have been self-selected to a degree, and may represent the more self-sufficient element of our client group.

Most PSUs are based in town-centre courts, and the sample did not include clients accessing our service remotely - for example, using our telephone outreach service in Devon. However, our anecdotal impression (supported by other research) is that rural-based clients face additional barriers, including intermittent, unreliable and slow internet connections, and lower levels of confidence using online services.

4. Summary of findings

Travel times:

- Just under half of respondents (46.9%) travelled for between 30 minutes to one hour to get to the court.
- A significant minority (18.1%) travelled for over an hour.

Computer/Internet access:

- Around one third (33.8%) of respondents have NO access to a *computer* at home.
- Just under a quarter (23.6%) have NO access to the *internet* at home.
- 40 people who do not have access to a computer or the internet at home explained where else they access the internet: 20 said at the library or other public place; 14 said through friends or family, and 6 said at work.
- Between two thirds and three quarters (71.6%) of respondents say they use the internet daily, while one tenth (10.2%) say they never use the internet. Of the rest of the sample, 26 (11.6%) people say they use the internet on a weekly basis; 4 (1.8%) say monthly; and 11 (4.9%) say occasionally.
- Between two thirds and three quarters (70.1%) of the respondents have a smartphone with access to the internet
- Of 187 respondents answering the relevant question, between two thirds and three quarters (70%) use a smartphone more often than a computer to access the internet.

Use of internet:

- The most common uses of the internet amongst respondents were for:
 - social media
 - information, research and general browsing
 - shopping
 - entertainment
- Just over half (51.6%) of respondents said it was *not* likely that they would choose to manage a legal case online.
- Just under half (47.3%) of respondents said that they *would* use a phone app to manage their case if available.
- Common concerns about using a smartphone app were:
 - difficulties in understanding the questions (13 respondents)
 - preferring face-to-face contact (7 respondents)
 - security of personal information (5 respondents).

Capacity to manage documents online:

- Respondents showed a range of confidence levels with various IT tasks, including: generally high confidence around printing; middling confidence around attaching, uploading and downloading documents; and lowest confidence around scanning documents and organising files electronically.
 - **printing:** three quarters (74.9%) of respondents were very confident or confident, with a quarter (25.1%) saying they were not confident.
 - **attaching documents:** approximately two thirds (65.7%) were very confident or confident, with around one third (34.3%) not confident.
 - **downloading documents:** approximately two thirds (68.1%) were very confident or confident, with around one third (31.9%) not confident.
 - **uploading documents:** just under two thirds (63.4%) were very confident or confident, with just over a third (36.6%) saying they were not confident.
 - **scanning documents:** three fifths (60.2%) of respondents were very confident or confident, with two fifths (39.8%) saying they were not confident.
 - **organising files electronically:** around half (53.1%) were very confident or confident, with the other half (46.9%) saying they were not confident.

Forms:

- The main reasons that respondents gave for needing help with court forms was finding the forms confusing and complex, and lack of confidence with an unfamiliar system.
- Around one fifth (19.3%) of respondents said they wanted reassurance that they had completed the forms correctly.
- Other reasons included: difficulties with literacy or language; learning difficulties – eg dyslexia; wanting to be able to ask questions face-to-face; and having previously had forms returned because of errors.
- Respondents told us that clearer, simpler language was needed to make the court forms more understandable.

5. Free Text answers to: ‘Do you have any other comments about court services online?’

‘Need to have a helpline you can phone when not sure, or stuck on something’

‘I would like there to be a 24-hour phone-line that we could call for help’

‘Often we who attend the PSU are vulnerable, upset, devastated, have specific learning needs. Please remember one size does not fit all.’

‘Court online services may not work with people who have mental health issues, limited knowledge of English and computers’

'I can't do it by myself'

'I don't want to do it by myself'

'It's better to speak to people face to face'

'I want to talk to someone face to face'

'Prefer to speak to someone'

'Would rather speak to a person'

'I could not really cope with online forms and need somebody to talk to face to face'

'Nothing can replace face to face relationship with a professional who can understand what I really need'

'Mega-stupid idea – go ahead. You will have problems'

'I don't think it is a good idea because court matters are serious and there may be room for mistakes and confusion online'

'It would make me nervous'

'People don't know what each form is for and what the questions mean. People without lawyers wouldn't be able to do it by themselves. However, I do think with some help it would be good not to have to come to court'

'I think it would be an improvement for uncontested and/or simple matters, but not for emergencies or complex cases. Best to hear from the person themselves in a court room'

'I think it would be better for clever people and people who can't travel into courts'

'I believe that there are people who could navigate the system easily but it is reassuring to speak to a person, such as a Judge, face to face'

'I think there would have to be very detailed guides and it would be good to have an online chatroom with legal professionals. I would still like to come to court for the final hearing'

Charlotte Rook, PSU Regional Manager, Midlands

Lizzie Iron, PSU Head of Service

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