



## Digital Experts Programme

### Luton digital e-bundling system report

#### The project objectives and targets

In common with many councils, Luton Borough Council (LBC) works with both Magistrates and County Courts.

Currently, documentation for any cases going through the courts is presented in paper bundles. These are very time-consuming and costly for the council to produce and maintain. In addition, courts often courier these bundles out to the magistrates - which is also costly and time-consuming for the court service.

A court bundle may contain copies of the following documents:

1. Preliminary documents and any case management documents
2. Applications and orders
3. Statements and affidavits
4. Experts' reports and other reports and
5. Any other documents as appropriate.

In addition to these documents, some courts require up-to-date summaries of matters relevant to the hearing; statements of issues to be determined; position statements from each party, including a summary of orders sought; a chronology; skeleton arguments; and lists of essential reading.

The main problem is the sheer amount of paperwork that needs to be dealt with. A very small court bundle might run to several hundred pages – more often than not, a bundle can be several thousand pages. The bundle also has to be copied at least three times: one copy for each side and one for the court. If counsel is acting for the parties or there is more than one defendant, further copies would have to be prepared. The time involved just copying the documents is substantial, but even more time needs to be spent assembling, paginating, checking and agreeing a bundle.

A few councils, such as Nottinghamshire County Council, have invested in a system of digital e-bundling which allows these cases to be presented to the courts electronically. The aim of this

Digital Experts project was for LBC to invest in the same technology both to future-proof its system of presenting cases and also to ensure that staff could meet the requirement to process an increasing case load in tighter timescales (for example, the 26-week deadline for child care cases).

An e-bundling system would also permit late additions and/or live evidence to be quickly included and would allow additional information to be added electronically from external parties (e.g. the police service) in the same format. It would also help save money and time for copying, printing and couriering papers.

To achieve this end LBC submitted a bid to the Digital Experts Programme for £10,000 to investigate and purchase specific equipment and software licences. However, though this was for work in specifically for LBC, their intention was to engage both Central Bedfordshire Council (CBC) and Bedford Borough Council (BBC) who also worked with this court and were interested in adopting this approach. The funding was to be used for additional kit and licences to be retained for use by Court Services for Magistrates Judiciary, as well as for the purchase of supporting project management expertise and training.

At present judges have a range of ICT equipment - all operating different formats. This project would allow for a standardised approach with all participants being able to view the same information quickly and easily by utilising the same equipment and software. The equipment is stand-alone, not connected to the court network. Data is password protected and removed from the system after a set period (usually ten days) to ensure security and confidentiality.

Currently, large bundles (often wheeled down in suitcases) are delivered to the courts for each case. It was anticipated that the electronic version of bundling would enable council staff to be more efficient and work more effectively with partners and a range of stakeholders e.g. Courts Service, Judiciary, solicitors, experts, witnesses and parents. The system would enable LBC to work closely with the courts services to ensure cases were held in a timely manner and to speed up the admin-related work outside of the court room.

The introduction of e-bundling would deliver savings for both the council and the court services in the production, delivery and handling of bundles including late additions. The combined costs to the taxpayer are significant and once the equipment was in place, there would be continuous year-on-year savings for a modest capital investment. Initial savings for the council were estimated to be in the region of £50,000 per annum. The courts would also see costs reduced in handling the current paper bundles, for example by avoiding courier costs.

In December 2014 the Ministry of Justice congratulated Luton Family Court on reducing its average case duration from 46.6 weeks to 21.8 weeks, exceeding the national average. The introduction of e-bundling would improve timescales even further to ensure swifter decision-

making. However, the bigger benefit would be the improvement in outcomes for vulnerable children and adults through more timely court proceedings.

## The progress to date

Although the potential benefits of this project are obvious and despite similar systems being successfully operated elsewhere, the implementation of this initiative has been much more protracted than was anticipated.

The funding from the Digital Experts Programme was agreed and the project launched in March 2015 with a target completion date of July 2015.

After significant delays engaging the courts service, the required equipment was purchased in March/April 2016. This consisted of seven laptop computers with security software.

A pilot exercise by one judge who, used the e-bundling system for one case, was undertaken at the end of April 2016. This was considered to be a success but a number of issues were raised, including:

- Document format changes were requested which needed alterations within the case management system (Iken) used by LBC
- There were infrastructure issues relating to the extent of the Wi-Fi network in the court
- In a separate initiative the Ministry of Justice introduced a new email for magistrates which was found to be outside the standard Government Secure Network and so could not initially be used to exchange documents.

These issues were addressed and a further test was scheduled but has been delayed as a result of workload in the court and the departure of the judge (to take up a post in Cambridge) who was acting as project champion.

However, a new judge, with experience of using e-bundling elsewhere, has now taken up this post. He will act as champion for this project and is keen to drive it forward.

The new judge champion has stated that he is keen for all the councils using this court to utilise this technology and subsequently meetings have been held with officers in both CBC and BBC and they have expressed a desire to progress towards implementing the e-bundling approach as well.

## The outcome – challenges and key learning points

The digital e-bundling system proposed by LBC has been put in place but has still not been fully implemented. Hence it has, as yet, not fully realised the potential financial benefits forecast for the system. However, the use of e-bundling has already resulted in savings within LBC of approximately £10,000, arising from a reduction in the staff time needed to bundle information and reductions in printing, copying and couriering these bundles.

The considerable delays in this project have arisen for a number of reasons.

### *Partnership working*

It was initially intended that Central Bedfordshire Council and Bedford Borough Council would adopt a similar approach once Luton had this up and running. With this in mind a working party was set up to steer the project to enable both CBC and BBC engage from the outset.

Unfortunately, for a number of reasons, including organisational restructures and a key player becoming unavailable to work on the project, this partnership faltered and the working party was disbanded. This left LBC as the only council involved.

### *Workload*

Although the number of cases taken through the courts has been increasing over time, this was expected and was, in part, a driver for this project which aimed to improve efficiency. However, when one of the judges became unavailable, that person's workload had to be shared amongst those who remained and limited their ability to test new ideas and approaches. This has caused further delay.

### *Turnover*

The judge who was acting as the champion for this project and undertook the first pilot run has now moved to take up a new post, in Cambridge. This has meant that the task of piloting the project has had to be passed to another judge, again resulting in delay.

The overall lessons learnt are:

- The amount of work needed to initiate such a multi-agency project must not be underestimated.
- Projects that rely on a limited number of individuals may not be robust and may falter in the face of change or unexpected problems.
- The required IT needs to be agreed and procured as early as possible so as not to delay the overall implementation

## Where next?

Although the project has suffered considerable delays, the underlying premise remains sound and the new judge that is championing the project will now engage with the other judges and set about devising a plan to implement e-bundling as soon as possible. LBC intends to offer any initial training and support to help them do so.

Meanwhile, officers from CBC and BBC are investigating whether they can move directly to introduce e-bundling or whether their existing software needs to be upgraded or enhanced.

Currently, the judges must access the e-bundles via the equipment supplied by LBC and their other work via Ministry of Justice (MOJ) equipment. In a parallel development, the MOJ will shortly be giving the judges new laptops which will be able to handle the e-bundling as well as all their other requirements, which will make the use of the system much easier.

## Contact for further information

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