Written evidence from the Manchester Law Society, Crown and Magistrates Court Committee (CTS0012)

The Committee met to debate the issues involved on 8th February 2019 and the following points were raised:

1. Various participants raised issues identified with the digital marking or DMU system. The servers within the courts were often known to crash and cause considerable delays meaning that the Defence, Prosecution, Probation, victims of crime and Defendants were all waiting for considerable periods of time. These delays on occasions causing hearings to be adjourned for the simple reason of lack of court time. It was considered that these delays could simply be removed if, in the busy remand courts particularly, an administrative officer was stationed in court to carry out the digital marking up so that the legal advisor could continue with the next case without there being any delay.

2. It was raised that in a new system for a national duty service for legal advisors in the Magistrates Court should be introduced as quickly as possible if duty lawyers could be placed on a rota to do the work then the division of labour between those matters which could be dealt with by administrative staff and duty lawyers could be clarified quickly and that proper decisions could be made.

3. The introduction of changes on a technological basis all became somewhat irrelevant if as many practitioners described, it was difficult if not impossible to get a reply from a simple telephone call made to a court or alternatively, even if emails were sent that they were routinely not being answered for five or more days. It would appear that any technology would be limited by insufficient staff being available to utilities it.

4. There was general consensus that the increasing rate of court closures is causing greater and greater difficulties from practical points of view. In the Crown Court, juries and witnesses had to travel further, the transport of persons in prisons was more complicated and often, Defendants did not have sufficient resources to be able to make the journeys required for hearings to take place.

5. The Egress system for introduction of video evidence was seen to be very much in its infancy and was still causing considerable difficulties in obtaining information. It is only to be hoped that this will improve with time.

It was accepted that a common platform for the digitisation of all information from both the Crown Court and Magistrates Court would be welcomed as the digital case management system in the Crown Court has improved communications and generally speeded up processes.

6. There was a consensus amongst all present that the availability of either duty lawyers or some form of small payment system (the old green form system was mentioned) for advice even to a level of a small amount would garner huge benefits far more than any technologies in that if there was to be electronic communication with the court for example by way of entry of guilty pleas in Single Justice Procedure Notices. Not all Defendants have access to systems where this could be done and that if they were given
the benefit of a small amount of advice, the stage of the entry of a plea, this advice would
be of course impartial and could in many instances prevent matters having to be listed to
trial unnecessarily and clogging up the court system.