This is the response of The International Family Law Group LLP (iFLG) to the Justice Select Committee inquiry into access of justice implications of the court reform programme, including the increasing use of digital technology alongside closure of courts, as more fully set out in Appendix 2. We are very pleased at this consultation. We are wholly supportive of innovations in the use of digital technology in the family justice system here and internationally. We seek to do so in our practice, working with international families. We seek to promote digital technology across the family law profession. We have often spoken on this subject at national and international family law gatherings. But throughout we have always made clear our anxiety on access to justice as a consequence. Particularly, we are anxious that digital innovations will be creating a new class of family law litigants without access to justice, some of whom are already suffering from access of justice through poverty and inability to gain access to legal representation or proper involvement in the court process. But there will be others who will lack access to justice because of unfamiliarity or lack of access to digital technology.

We want the digital innovations to proceed and quickly. But it cannot leave behind, and specifically cannot create, a new category of parties without access to family justice.

This paper covers access to justice but it does so looking also at administration of justice, practice of justice and the resolution of justice. This is where the access to justice has to be balanced. It is getting the balance which is the biggest issue at the moment. The main thrust of our contribution is that access to justice is very important but digital innovation is crucially important and therefore access to justice must be dealt with quickly so that it can keep pace with the necessary and inevitable digital innovation. Slowing digital innovation is not the answer.

Our remarks are addressed only to the family justice context. We are a Covent Garden law practice operating exclusively in family law and primarily international cases. We have no experience outside family justice. We have considerable experience of family justice in other jurisdictions and we bring this to our response.

The extent of our commitment to digital innovation is that we were one of the first four firms in the pilot project for online divorce. Several of us had engaged over previous years with the HMCTS in the consultation process on the proposed online divorce. We were the first firm in the country to issue an online divorce. We are part of the HMCTS pilot in respect of financial consent orders and expect to be part of the pilot in respect of online children proceedings. We have adapted the leading Australian software program for client intake which is now being used by English family lawyers. We have innovated an international family arbitration scheme which directly uses automated digital technology to simplify the introduction into arbitration and the production of the arbitration award. We have been involved in other digital innovations. So we are wholly committed to this. But we remain anxious about access to justice.

We combine the first two areas of the terms of reference. In respect of the third, we answer now in the positive and we are very supportive of what has occurred by HMCTS because, as above, that we have been extensively involved with the Ministry of Justice and HMCTS on the reform programme and maintain significant communication; the primary firms involved in the family law online.
program have a weekly telephone call to update and give feedback. We do not deal with the fourth as we simply have no means of commenting on the evaluation process as it is not within our expertise.

About ourselves, The International Family Law Group LLP was founded in 2007. We are a specialist family law firm looking after the interests of national and international families and their children. iFLG comprises solicitors, mediators (including qualified to directly consult with children), arbitrators, part time family court judge, and Australian qualified solicitor. We act for very many international families and their children. We have significant commitment to and involvement with digital technology as set out above. None of our remarks is intended to represent the views of any organisation with which any of us are involved in any capacity whatsoever. David Hodson is the primary author, details in the Appendix One.

The need for positivity and sensible, good progress

This Inquiry will receive some responses which are negative or at best conservative and cautious. We are explicitly positive and keen for sensible and good progress. Undoubtedly we are anxious about digital access to justice. But with care and diligence that can be progressed with other changes. There is every reason to believe a better, perhaps much better, situation might be created then than now with our many present access to justice concerns. We positively encourage modernisation.

Within our family justice system in England and Wales, digital innovation is crucial for the future of the justice experience in the courtroom. However much more so, it is essential to the justice experience of the far greater number who commence proceedings but whose matters are resolved en route in many ways without having a substantial hearing. The courtroom experience is only a small part. It cannot dominate the discussion of the overall modernisation of the justice system.

We are perhaps the largest of the older, traditional family justice system in the world. Inevitably digital innovation has taken longer and has a far higher cost than in other traditional systems. We are catching up and learning the lessons and experiences around the world. Notwithstanding the frustrations of some of us who would want to go faster and further, we realistically acknowledge the HMCTS is doing a very good job. It is deliberately going slowly to make sure that pilots are working before being rolled out to the entire legal profession. The Ministry of Justice and other government departments have had an appalling track record in the use of technology. So this has to be working well before final rollout.

Moreover HMCTS is working with a huge range of digital experiences. There are many law firms close to the cutting edge of technology. But there are many law firms, and family law is often

1 there can be no comparison with the numbers in China, India, Brazil and similar. But they have had the advantage of coming late to digital innovation in their justice systems. We are more similar to Australia which feels itself held back by many of its courtrooms not being susceptible to Wi-Fi and digital cabling. In contrast Singapore is just moving to a new court building specifically structured for digital use. The USA is of course a federal system and indeed family courts are often run through individual counties with their separate budgets and their own innovations at a very local level.

2 With the continued problems in the CSA from its inception and its many manifestations being the most obvious blockage on enthusiasm for new digital ventures.
operated in smaller practices, where technology is not advanced and enthusiasm for technology even less advanced. England must learn from other jurisdictions. This was identified by Singapore in its own Justice Inquiry3, resulting in funds and grants for the smaller, less advanced firms to be digitally able to work with the planned intentions of the Singapore justice system, one of the most advanced in the world. We urge this Inquiry to consider the Singapore Inquiry. Along related lines we have also been impressed by the New South Wales Inquiry4, broader than Singapore but covering the issue of digital innovation. We have much to learn from systems around the world.

The digital innovations have to occur because, realistically, we all recognise the resource difficulties in family justice, as indeed across the justice system. Yet again this is a global problem and not just England or the UK. Put simply, we cannot afford what might have been ways of running a family justice system in the past. Relationship breakdown and attendant problems are not decreasing. New rights and improved opportunities in law for fair outcomes are only putting greater pressures on the system. This has been seen especially in Australia where for several decades the federal government funded family justice to a colossal extent, the envy of the rest of the family law world. This has dramatically shrunk in the last few years, leading to major delays and other difficulties. In less well funded circumstances, England has already had difficulties coping with the demands on the courts, court services and judges. In particular, family court judges are working harder and longer with many more cases in their daily lists and those cases often being far more complex than previously given settlement rates by lawyers. In addition of course are the huge number of litigants in person, which cause cases not to settle when they could and should, and cases to take longer and in other ways put higher demands on the court-based system.

Digital opportunities

Alongside these major problems are the digital opportunities. This is where the potential conflict really begins. Opportunities are now available which were not even five years ago. Justice systems can make digital leaps in innovation and use of technology which were not previously possible. This is not just now but what is reasonably foreseeable over the next 5-7 years about which we should be concerned in this Inquiry. We set out just a few.

- The pilot projects will in the next 2-3 years be rolled out to the entire profession as well as public. We will then have an entire divorce process online, with no court hearings, with minimal paper in any way, through a centralised court office and operating for the vast majority of users entirely online. We will have most of the financial remedy procedure online, with hopefully the financial disclosure Form E, with a significant move towards the initial hearing, the First Appointment, often being online or in some digital form. The children law project, being rolled out initially in public law where local authorities have been brought online early, will hopefully also be complete, especially where there are a high number of litigants in person and crucial involvement of third parties such as CAFCASS. In

3 https://www.lawgazette.co.uk/singapore-lawyers-back-national-it-plan/5064336.article The final report said the intention was to create a vibrant legal tech ecosystem for the future economy of Singapore. But to do so it said it had to drag an entire jurisdiction into the digital age. It found 80% of legal practices had five lawyers or less and therefore little time or resources to adapt to new ways of working. The program helped re-engineer working practices

combination therefore, the bulk of the procedure and the administration will be online. This is happening in other jurisdictions and is expected here. It will mean other elements of family justice can then be brought into the digital experience.

- Bundles and files are the bane of any justice system. Too much paper, too much opportunity for getting lost in travelling between courts and locations, too inflexible as to location and completely unsuited to any online, remote experience. Progress has been slower than would have been hoped and there are extra digital implications because of bandwidth. This may not be entirely rolled out in three years but must be within five. Curiously this has a potentially bigger impact on access to justice for the digitally disadvantaged and yet also a bigger impact on the opportunity of remote or online courts.

- Statement gathering must be far more pro forma orientated. This started in the early 1990s when the old affidavit of means, a rambling discourse concerning financial circumstances was replaced with the far more arithmetic orientated Form E, which must soon be in a digital form. The International Family Law Arbitration Scheme, set up to deal with international forum disputes, has created a questionnaire of over 200 questions which when answered will form the bulk of the statements of case of each party and the issues needed for forum resolution, but reduced to a format which is standardised, far easier to operate and better for judiciary or arbitrator. Similar has occurred in other discrete areas of justice. It is far more attractive to the lay public in their user experience. Digital statement gathering will of course produce the usual howls of protest but it will and must happen.

- Robo journalism is increasing in popular broadcasting. It is inevitable that it will spread to judgement writing, at least as to substantial part including population of the judgement from information received from pro forma statement gathering as above.

- A very digital judiciary. None of this can successfully happen if judges continue to use pen and paper. However our continued experience here and abroad is that the judiciary, or some parts, are the leaders in innovation. This is happening in my experience as a DDJ at the CFC in London. It is crucial that good resources are put to ensure we have a digital judiciary.

- Dramatic changes in delivery of legal services alongside delivery of judicial services. The legal profession must observe recent changes in retail banking. Many high streets now have hardly any banks, apart from mere kiosks. The public does not meet a physical banker. The same will increasingly happen with legal services. About 15 years ago there was a movement by some firms to spread as widely as possible. It is instead now a centralisation process. The lawyer structure in law firms is already changing to adapt to digital working with a very different way of client representation in the digital family justice system. The present younger generation of family lawyers expect to work very differently in their career and are far more adjusted to the needs, experiences and expectations of clients of law firms. Dramatic changes are and will be happening in law firms. The family justice system in which law firms are operate will also change substantially.

- Online courts. This means many things to different people. This was shown by the two-day international conference in London in early December 2019 which I was invited to attend as a family lawyer and to which I wrote a report from the family law perspective. I urge a consideration of these important features.

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5 In the last couple of years the family courts in London have fully digitalised creating over 1000 digital cases with an estimated saving of £850,000 compared to the manual paper process.

6 https://internationalfamilyarbitration.com

7 https://www.iiflg.uk.com/blog/international-forum-online-courts-london-december-2018-international-family-
Skype type hearings. These are the easiest and arguably quickest innovation towards what some might say are online courts although in reality it is a physical court with remote attendance. Our courts are not geared up to this yet occurring. They have to. There is no choice. Even without the court closure programme it would be essential. Parties in family disputes are increasingly at a distance either from themselves or from the court. A good number are abroad. The days, not more than a couple of years ago, of judges requiring parties to attend from e.g. Southeast Asia for a one-hour directions hearing must surely have now gone. This innovation will be welcomed by the public and many judges.

Paper hearings. Sometimes in some cases there is the need to have an oral hearing. But certainly not as many as now. We believe many judges, advocates and solicitors are increasingly happy for adjudication on paper submissions; it is often necessary to save court time anyway. Opening submissions are on paper. Apart from some instances of crucial cross examination, a number of existing hearings can be dealt with on paper or at most oral submissions by Skype. This has been rolled out already in appeal hearings. It’s appropriate for a good number of first instance interim hearings. There is a generation now in the profession more comfortable with this. The oral, forensic skills of the courtroom will be far less needed in family justice in the coming decade. This means less court rooms are needed.

Complete online resolution. This will occur although a little more slowly in family justice than other areas. We don’t think it is necessary to go into this extensively for this Inquiry. It’s inevitably where this process will lead.

Use of AI in family justice. In England and elsewhere around the world, we know where we can best use AI in the discretionary common law family justice systems; understanding the huge range of outcomes consequential upon the huge variety of family situations. By the use of big data of information of the judicial or ADR outcomes from these situations we can then confidently anticipate what will be the outcome in any particular situation either definitively or in a narrow range. This will overcome one of the biggest difficulties with the discretionary common law system as it operates in family law, namely uncertainty. But across the world we have a major problem. We simply do not have the data. It exists in small part in some countries where this work has started. Understandably financially stretched justice systems have not put funds into data collection. One important element will be analysis of the allocation of funds for data collection for the use of AI and algorithms. It is tragic that we will be held back not through innovation or keenness of application but through lack of data.

Impact of digital technology on reform of the law itself. This is inevitable in our opinion. We have seen it already in small part as the digital divorce petition has been modified from its hard form for digital use. In so doing it is subtly changing elements of the divorce process. But this is mostly procedural. For us the big question is how much should the law itself, and we mostly have in mind financial outcomes on divorce, be adapted and modified in order still to produce fair outcomes but easier through digital means. This is longer term but a debate over the next five years in our opinion.

A corresponding challenge with more digital justice is openness of justice and transparency. This was highlighted by one of England’s leading judges, Ernest Ryder in February 2018.

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8 one exception has been in the realm of child abduction with the big data collection through the Hague Conference INCADAT which brings together child abduction decisions of the higher courts of the signatory countries

➢ Digital technology for mobile usage. Obviously digital access is significantly now a mobile experience. Most websites have a greater number of visits from mobiles. Software is app developed. Around the world, justice systems have adapted their software for mobile use. Discrete areas of justice systems are now wholly adapted for online resolution through mobiles. It goes without saying that this is essential for England. But it has a resonance for access to justice. As we set out below with some statistics, there is in poorer areas of England a low access to broadband in households. But they have smart phones even if they do not have laptops or PCs. Our justice system has to work for smart phone use rather than the convenience of traditional email and full screen documents.

There are many other areas.

We refer to two experiences, arguably at opposite ends of westernised jurisdictions but which both inform our situation in our country in different ways

Cookstown in far northern Queensland is one of the most remote parts of Australia, named after Capt Cook’s unintended visit when his ship ran aground. It has a small one court building. Yet when I visited, as a simple tourist cruising the barrier reef in October 2018 and invited myself to a tour, shown round by an enthusiastic court clerk, I was amazed at what they are accomplishing. It is a first instance court with more complex first instance cases going hundreds of miles down the coast. But many issues are dealt with by that court for its community. However its community is far away. Spread as much as 300 miles north, south and inland, with no easy transport links to Cookstown. Many do not have means for travel or indeed representation. However the Cookstown court room bristled with technology. Far more than I have ever seen in a family court in England including the CFC. Video cameras and screens. There are very few actual court hearings. Most parties attend either at some community centre, far into the outback, or from their own homes via a Skype type arrangement. Many lawyers similarly attend. Sometimes the judges are also not present and the only courtroom experience is the permanent staff arranging the combined Skype connections. The paperwork is online. Everyone sees each other albeit electronically. If or when actual evidence is needed and there has to be an oral hearing then special arrangements can be made when travel would have to occur. But this is not often the case.

We appreciate there is a lobby against court closures. But we question whether there has been sufficient thought given about how the future direction of justice generally and family justice in particular will be going and whether the actual courtroom experience is still so often necessary. I suggest not. Of course there must be allowances made where travel is extensive. Of course not everyone will have Skype type opportunities although unless it is the provision of evidence and cross-examination, there are now facilities via many apps. Cases don’t always need physical hearings. Given the HMCTS three-year project, we must presume the technology will then be even better and more widespread. I suggest that some opposition to court closures has failed to appreciate the facilities available, perhaps even the preferences of a public more familiar with the online experience than being in court and what technology can bring, and especially where the family justice system will be going over the next 5-10 years with increased online courts in various manifestations and online justice on many more occasions.

So under no circumstances do we seek to suggest any direct correlation between metropolitan and urban England with rural outback Cookstown. Nevertheless the latter shows what is possible, what
can be done where there are real travel and communication issues and what technology can innovate and enable.

My second example is perhaps the furthest extreme to Cookstown. South Korea. I presented on family justice digital technology to the LawAsia conference in Laos in June 2018 and had the considerable benefit of a presentation from a family law specialist from Seoul. The capital itself, but the country as a whole, is probably the world leader in digital usage. High-speed Internet is widespread. Smart phones are used by everyone and everywhere. Lives are lived online and via apps. And the family courts and family practitioners have brought family justice to the South Korean population where they are, namely through apps and mobile online. I was singularly impressed by the range of services and opportunities. I invite this Inquiry to consider what is happening in South Korea. Justice systems can be adapted for the smart phone community. I appreciate the difference in that parts of our country, particularly rural areas as below, have slow speeds. Government says it is committed to faster broadband across the country. We hope so, because I believe this is one of the crucial aspects holding us back in family justice digital innovation.

We can adapt our family court procedures, forms and interactions with HMCTS to a smart phone experience. A smart phone Skype type attendance is is now not much less good than what a few years ago was demanded as videoconferencing. Purists will say that it’s necessary to get a far better picture of a party than a smart phone. Yes in some cases. But this live visuals on smart phone is the experience in almost all aspects of life of our population. Apart from some discrete cases and instances within those cases, we can have much greater smart phone court interchanges with available apps.

Just as we are not outback Cookstown, we are not digital Seoul. But we are getting there and some of the problems with digital access to justice lies with the digital access across our country. I believe we should be innovating in the family justice system in the legitimate expectation that the digital technology will then be available, as long as we build in safeguards where it is not available to some so there is then no disadvantage to some parties.

But we cannot, and we must not, hold back the digital opportunities for our family justice system. Certainly we must make sure that we provide opportunities for those digitally disadvantaged. But there will be some who will argue strongly we should pause, delay or even halt altogether the modernisation of the family justice system. We disagree and put the emphasis on ensuring there are the opportunities for the digitally disadvantaged in parallel as we progress on digital modernisation. In any event some of the presently digitally disadvantaged will not be so when present modernisations come to fruition because of digital opportunities. This is all fast moving and access to justice should move sensibly and sensitively with it.

Digital technology and access to justice

How then, given the above, can family justice systems make sure there is full access to digital justice?
Government has embraced the importance of digital technology. It knows that digital technology is probably its only saviour in coping with the massive demands on family justice. The technology is there. The net savings are obviously there. The conservatism of legal practitioners can be overcome. Laws can be adapted. Procedures can definitely be adapted and are. The only obstacle digital access

Sadly, those most in need of access to the family justice system are often those with least digital access. This makes it so fundamental that digital access to justice must be always at the forefront. It should not be allowed to slow down the process. But the process must go hand-in-hand with making sure there is proper access.

Sadly as well, this is also linked with significant cutbacks to facilities in town halls or other community centres, public libraries, community advice centres and similar where digital access could be available. As court administration is increasingly centralised, there is an even greater need now for localised court drop-in centres where there can be access to computers, with appropriate assistance, to ensure there is proper opportunity to use these facilities. Another proposal has been pop-up courts which will inevitably be considered. Without these, there is the real danger and risk that a digital justice system will leave behind those who most need the justice.

This is not just an issue of those without any Internet connection through poverty or simple inability to grasp these matters. Internet connection is notoriously slow in rural areas\textsuperscript{10} where there is also greater distance to court centres and access to public services.

Another feature is that ability to use digital court processes including receiving and responding to information can be impaired by emotional distress\textsuperscript{11}. At a time in life when it is important to grasp the digital aspects of the family law process, which for some will be challenging in any event, they are emotionally not well placed to cope\textsuperscript{12}. Family law deals with individuals at one of their most stressed times in their lives; for themselves, their relationships, their children, their money and their futures. This is a very distinctive element in the digital technology in family justice. It must be brought into account. Where solicitors are instructed, they are used to coping with the client’s emotional distress and, through it, obtaining appropriate instructions to progress a matter. It will be much harder when there are more acting in person through the digital platforms and who are generally unable emotionally to cope with what is going on, let alone the legal elements connected to that family dispute and now the digital elements.

Sadly as well, England and many other countries have experienced the most incredible harsh cutbacks in family law legal aid or other forms of public assistance for representation in proceedings. The concentration on availability only if there has been domestic violence has not helped. Access to justice is not just needed for victims of domestic violence, even if then applying in respect of proceedings for which the domestic violence has only a peripheral element. The response that

\textsuperscript{10} Currently 42\% of those living in rural areas in England are unlikely to receive broadband speeds greater than 2 Mbp\textsubscript{a}, the minimum target, with 30\% having less than 1 Mbp\textsubscript{a}. There are likely to be other regional variations. The north-east of England is the region with the lowest Internet access per household at 59\% and the region with the highest percentage of deprived rural output areas.

\textsuperscript{11} Canadian study by McFarlane, 2013

\textsuperscript{12} They may also have lost access to the family computer or may not have safe confidential access, and in any event may not have safe or reliable access to a printer.
assistance is available from information on government websites is only a partial answer. Certainly there has never been better, objective and well-presented information about using the justice process than presently available in many countries. But again this has issues for some of the language and intelligence.

The emotional needs of children are only part of a legal process where they are the subject of proceedings; but that process must recognise their needs, wishes and feelings and rights\textsuperscript{13}. That will be an important challenge for any online scheme.

There are sensitive issues of bullying, duress and family violence. Mechanisms must be in place to make sure that parties and witnesses on mobiles or other remote connections are not being coerced behind the screen, as it were. When it’s not possible for the court, or indeed the party’s lawyer, to see the rest of the room and surroundings it’s not confident of the independence of the party giving evidence or instructions. Mediation has successfully created intake safeguards and family justice needs to learn and borrow from that profession.

Coupled with this is security and confidentiality of the IT connection. As lawyers, we hear frequently from clients who believe their spouse has hacked their emails and social media accounts. It happens too often and sometimes too easily. Again this must be brought into account.

Many of us are now familiar, and becoming comfortable, with digital chat bots or similar as helpdesks. This firm has been part of a pilot working with the HMCTS on the divorce process. Often it works well and successfully. It cannot be the complete answer but we know a considerable amount of court office queries can be dealt with through these digital facilities thereby freeing up suitably resourced human helplines for either the more difficult queries or those having difficulties using digital helplines.

Access to justice is a primary concern for many lawyers, politicians, advice workers and others connected to justice systems. It is already a matter of considerable concern with the substantial cutbacks in available public funding for representation. It is essential that advances with digital technology do not thereby create more inaccessibility to justice, even digital justice.

**Conclusion**

The end result should be a justice process producing a fair determination for the parties. It must use a combination of existing substantive law and rights in parallel with technology. Law is the master/mistress. Technology is the willing servant. However we cannot advance rights and entitlements unless those rights can be accessed. Otherwise these rights might as well not exist. There is much we can and should do with modernisation, especially digital technology. It must go at a good pace but digital access must go at no slower pace.

March 2019

\textsuperscript{13} e.g. Charter of Fundamental Rights of the European Union (2000/C 364/01) Art 24: child’s right to be heard
Appendix One

**David Hodson OBE MICArb** is a highly experienced family law dispute resolution specialist, especially involving an international element or complex assets or issues. He is an English solicitor (1978 and accredited 1996), mediator (1999), family arbitrator and Member Chartered Institute of Arbitrators (MICArb) (2002), Deputy District Judge at The Central Family Court in London (formerly The Principal Registry of the Family Division) (1995) and Australian (NSW) solicitor and barrister (2003). With Ann Thomas, he is co-founder and Partner of The International Family Law Group LLP (iFLG).

In The Queen’s Birthday Honours List in June 2014 David was appointed an Officer of the Order of the British Empire (OBE) for “Services to International Family Law”. The Legal 500 refers to him as ‘The London international family law specialist’.

David has been appointed an Honorary Professor of Law at Leicester University and a Visiting Professor at the University of Law (formerly the College of Law) giving keynote lectures and contributing to the development in the education of family law.

David is the editor and primary author of “The International Family Law Practice” (5th edition Dec 2016, Jordan’s), the leading definitive textbook for practitioners and academics on the international aspects of family law practice. With Ann Thomas, he is author of “When Cupids Arrow Crosses National Boundaries: A Guide for international families” (3rd edition). Both books are available via iFLG.

He is an Accredited Specialist (with portfolios in Substantial Assets and International Cases), a Member of the English Law Society Family Law Committee, a Fellow of the International Academy of Family Lawyers, a Fellow of the Centre for Social Justice, a past trustee of Marriage Resource and a member of the Family Law Section of the Law Council of Australia. He is on Advisory Boards of the Law Commission. He is a member of the Lawyers Christian Fellowship. He has written extensively on family law matters and spoken at many conferences in England and abroad. In November 2011 he received the prestigious inaugural Jordan’s Family Law Commentator of the Year award for his outstanding contribution to commentary on family law matters, as voted by family lawyers. He is a licensed Church of England occasional preacher.

David has written and spoken extensively on family law including many conferences abroad. More information and some of his papers and articles can be found at, [www.davidhodson.com](http://www.davidhodson.com).

**The International Family Law Group LLP** is a specialist law firm, based in Covent Garden, London, looking after international and national families with an emphasis on a conciliatory and holistic approach. We are experts in financial and children’s matters relating to relationship breakdown, including forum shopping and international enforcement orders. As accredited specialists we receive instructions from foreign lawyers and act for clients of other law firms seeking our expert experience. IFLG has a specialist contract with the Legal Services Commission for child abduction work and is regularly instructed by the UK Government (Central Authority).
IFLG is passionate about making the law more accessible. Our website includes helpful information, such as podcasts, articles, iGuides and website based applications in a simple question and answer format to guide clients in the right direction towards resolutions. We also have a 24hr emergency contact arrangements. For more information on iFLG go to our website at www.iflg.uk.com

Appendix Two

The Inquiry

The Justice Committee of the House of Commons has launched an Inquiry into access to justice implications of the programme of reforms underway in HMCTS including the increasing use of digital video technology and the closures of courts and tribunal hearings.

The Inquiry follows from the £1 billion package of reforms announced by the Lord Chancellor, Lord Chief Justice and Senior President of Tribunals in 2016 which set out proposals to move to a justice system where cases are increasingly resolved online. Alongside with this move to increasing use of online processes and video hearings, the courts and tribunal’s estate is being reformed, including through closures of courts and hearing centres.

The government’s stated overarching aim is to increase access to justice while making the system more efficient overall.

The committee’s Inquiry into the HMCTS reform program will consider the progress made with the reform so far and the implementations of planned changes, particularly in relation to access to justice. The committee is interested in evidence of the effects and potential effects of the HMCTS reform programme on access to justice, as well as the management of the reform process.

The terms of reference as applicable to this reply

1. What will be the likely effects of the reforms, both implemented and proposed, on access to justice in relation to:
   b. family justice?
   e. those who are digitally excluded or require support to use digital services?
2. What are the effects on access to justice of court and tribunal centre closures, including the likely impact of closures that have not yet been implemented; and of reductions in HMCTS staffing under the reform programme? For users, how far can online processes and video hearings be a sufficient substitute for access to court and tribunal buildings?
3. Have the Ministry of Justice and HMCTS consulted effectively on the reforms, and maintained sufficient communication, with:
   b. The legal professions and the advice sector?
4. Have the Ministry of Justice and HMCTS taken sufficient steps to evaluate the impact of reforms implemented so far, including those introduced as pilots; and have they made sufficient commitment to evaluation in future?