



**Informing Progress** - Shaping the Future

**FOIL UPDATE**

**12 May 2021**



## HMCTS Survey on remote hearings

HM Courts and Tribunals Service (HMCTS) are seeking the views of the legal profession on the use of remote hearings during the pandemic to help understand how best to use and administer these in the longer term.

The survey asks questions about both your practical experiences and perceptions of remote hearings and should take 10-15 minutes to complete. The survey can be found here: [https://www.smartsurvey.co.uk/s/Remote\\_hearings\\_evaluation\\_legal\\_reps\\_survey/](https://www.smartsurvey.co.uk/s/Remote_hearings_evaluation_legal_reps_survey/)

The Law Society (TLS) is encouraging members to respond.

The **closing date for the survey is 1 June 2021.**

### TLS position on remote hearings

COVID-19 has necessitated a radical and fast transition to the widespread use of remote hearings to support hearings to take place when the attendance of all participants in the court or tribunal buildings is not possible or practicable.

To date, feedback from members suggests that many procedural hearings (involving judges and advocates only) can be dealt with perfectly well remotely, and this should remain a permanent feature of the justice system.

Hearings involving vulnerable parties or witnesses, live evidence, or measures of significant controversy, however, are likely to be best served by an in-person hearing.

From the outset of the HMCTS court modernisation programme, and throughout the pandemic, the Law Society has flagged the importance of rigorous and comprehensive data collection and consultation with both the legal profession and court users to analyse fully the impact of remote hearings on access to justice and on justice outcomes.

Ensuring that there is robust data collection will mean Covid experiences such as the increased use of remote hearings and their impact on access to justice and justice outcomes, are properly evaluated, lessons learned and applied to future reform.

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